

**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE  
JOPLIN AREA TRANSPORTATION STUDY ORGANIZATION  
AND THE  
ENVIRONMENTAL TASK FORCE OF JASPER AND NEWTON COUNTIES  
TO ADDRESS AIR QUALITY**

**THIS MEMORANDUM OF UNDERSTANDING (MOU)**, which shall be effective the 17th day October, 2012, between the Joplin Area Transportation Study Organization (JATSO) and the Environmental Task Force of Jasper and Newton Counties (ETF). (Together referred to as the Parties).

The Parties agree, for purposes of addressing potential air quality issues and only for that purpose, ETF shall serve as a committee of JATSO for the purpose of addressing air quality issues. The ETF is charged with the responsibility of developing air quality management policies and programs to address future potential air quality and issues occurring in the region. The ETF shall involve and work with interested governmental entities, industries, organizations, individuals and others to insure an acceptable program. All air quality programs and actions of the ETF are subject to review, comment and approval by the JATSO.

The ETF shall form a committee to be known as the Tri-State Clean Air Alliance (hereinafter referred to as TSCAA).

The purpose of TSCAA is to develop and implement a Clean Air Action Plan for the region to:

- Monitor the results of the several air quality monitoring stations
- Inform the public, government and business attention on air quality issues
- Inform the public, government and business attention on health and environmental consequences of air quality
- Educate community members about existing and proposed legislation concerning air quality as it effects the area
- Promote voluntary participation in the implementation of the Clean Air Action Plan

The initial area of the TSCAA will include Jasper and Newton Counties in Missouri. In the future, invitations to join TSCAA may be extended to: Cherokee County, Kansas, Ottawa County, Oklahoma, and Inter-Tribal Council (Miami, Oklahoma).

The Governing Board of TSCAA is charged with the primary responsibility for development and implementation of the Clean Air Action Plan. Representatives to the TSCAA Board will be appointed by ETF and should include a representative from each of the following:

- Joplin Area Transportation Study Organization
- ETF
- All Counties
- Appropriate State Agencies from each state
- An Industry from each county
- A public member from each county
- A city from each county
- The regional planning council in each area

- Inter-Tribal Council (Miami, OK)
- An Environmental group representative

An Advisory Council of interested parties from the community, business and industry will be formed by the TSCAA Governing Board. Effort will be made to include as a minimum the following:

- A county commissioner from each county
- A representative from chambers such as Joplin, Neosho, Lamar, Pittsburg, Miami and possibly others
- A representative from all cities in the area
- Public members from each county
- Representatives from businesses and industries
- Representative of the Environmental Protection Agency
- Elected officials
- Representatives of environmental organizations

After the Governing Board and Advisory Council are formed, the process for the development of the Clean Air Action Plan will include a data gathering phase with public forums, development of a draft document, review phase, final document and implementation phase. See more detail below:

- Convene and organize governing board
- Governing board and advisory council will hold educational meeting
- Assemble and review action plans of other areas
- Prepare two or more news releases outlining the issues and distribute to the news media in the area
- Endeavor to obtain some TV coverage
- Prepare a PowerPoint presentation to be used at meetings
- Request the various chambers of commerce to sponsor a forum of their members in an effort to reach businesses and industries
- Possibly appear before several county commissions and city councils
- Hold at least one public meeting in each county
- Prepare a draft of a Clean Air Action Plan
- Have the draft review by appropriate groups and agencies
- Finalize the Plan
- Submit the Plan to the appropriate agencies for their reviews
- Re-finalize Plan incorporating the appropriate agencies' comments

TSCAA will lead implementation of the Plan which will occur after final approval. The implementation shall be submitted to the JATSO for comment and approval prior to implementing.

This MOU may be modified or amended by mutual consent of the Parties. All amendments and/or modifications must be in writing and attached to this MOU. It is mutually agreed and understood by the Parties that:

- Changes to the scope of this MOU shall be made by the issuance of a multilaterally executed modification.

- The Memorandum of Understanding shall remain in effect for a five (5) year period of time from the date of execution, subject to renewal by mutual agreement Of the Parties for additional periods not to exceed 5 years each.
- Each Party shall have the right to terminate the Memorandum of Understanding by giving a thirty (30) day written notice in writing to the other Party at any time. If the Memorandum of Understanding is terminated by either Party, the termination shall not affect the implementation of projects or programs established under it prior to such termination.
- This MOU is subject to the availability of funding and adequate ETF resources and is intended to be guidance for the respective parties. This MOU is not intended to create an enforceable contract between the Parties. Memorandum of Understanding may not serve as the basis for any challenges or appeals. The Parties shall mutually indemnify, defend, and save harmless each other, their officers, agents, and employees from and against any and all claims and losses whatsoever occurring or resulting from their respective performance of this Memorandum of Understanding.

IN WITNESS WHEREOF, the Parties hereto have caused this Memorandum of Understanding to be executed by their respective representatives to be effective on the date first above written.

**Joplin Area Transportation Study Organization (JATSO)**

David Hertzberg  
Signature

[Signature]  
Signature

David Hertzberg/chairman      STAFF PLANNER  
Printed Name/Title                      Printed Name/Title

**Environmental Task Force of Jasper and Newton Counties (ETF)**

Robert Y. [Signature]  
Signature

Daniel [Signature]  
Signature

Robert H. Nichols, President  
Printed Name/Title

DANIEL PEKAREK / Secretary  
Printed Name/Title