

Memorandum of Understanding

Regarding Low Pollution Marine Engines
Between
Environmental Protection Agency New England
Environmental Protection Agency Region 2
Vermont Agency of Natural Resources
New York Department of Environmental Conservation
Lake Champlain Basin Program
National Marine Manufacturers Association
Marine Retailers Association of America
Empire State Marine Trades Association
And
Participating Retailers

Environmental Protection Agency New England (hereafter "EPA NE"), Environmental Protection Agency Region 2 (hereafter "EPA R2"), Vermont Agency of Natural Resources (hereafter "VT ANR"), New York State Department of Environmental Conservation (hereafter "NY DEC"), Lake Champlain Basin Program (hereafter "LCBP"), National Marine Manufacturers Association (hereafter "NMMA"), Marine Retailers Association of America (hereafter "MRAA"), Empire State Marine Trades Association (hereafter "ESMTA"), and participating marine engine retailers (hereafter "Participating Retailers") have established a voluntary agreement to support the use of low pollution outboard (OB) and personal watercraft (PWC) engines (such as direct fuel injected two-stroke and four-stroke OB/PWC engines) by the boating publics of Vermont and of New York Lake Champlain Basin area (hereafter "New York"). The United States Environmental Protection Agency (EPA) has established that, from 1998 to 2006, manufacturers of OB/PWC engines must meet increasingly more stringent average emission rates. To achieve the yearly emission rates required by the regulations, it is anticipated that manufacturers will each year build increasing numbers of low pollution marine engines. EPA NE, EPA NY, VT ANR, NY DEC, LCBP, NMMA, MRAA, ESMTA, and Participating Retailers have entered into this Memorandum of Understanding (MOU) in an effort to accelerate the phase-in of these low pollution marine engines in Vermont and New York.

Participating Retailers agree to make every reasonable effort to sell low pollution OB/PWC marine engines. Low pollution engines are those that meet or exceed the 2006 EPA requirements for manufacturers emissions standards, such as direct fuel injection two-stroke and four-stroke engines. The goal for the N.E. Region, Vermont, and New York is to sell low pollution OB/PWC marine engines at the following percentages of the total number of new model year marine engines sold per year:

2002: seventy-five percent (75%) or more
2003: eighty percent (80%) or more
2004-2005: ninety five percent (95%) or more

ESMTA, NMMA, and MRAA agree to support their members in achieving these goals through providing assistance in areas such as marketing, communications, training and research.

This MOU assumes that sufficient quantities of low pollution OB/PWC engines will be available for purchase by Vermont and New York boaters and that these engines will be available from marine manufacturers whose production and delivery capacities will be able to support this agreement. Participating Retailers will use their best efforts to obtain low pollution OB/PWC marine engines from the manufacturers of these engines.

Participating Retailers agree to make available to LCBP (Vermont Participating Retailers) or ESMTA (New York Participating Retailers) annual reports detailing the percentage of low pollution OB/PWC marine engines sold commencing with the calendar year 2002. These reports will be submitted by the last day of December for each reporting year. ESMTA and LCBP agrees to make available to EPA NE, EPA NY, NY DEC and VT ANR aggregate sales information on progress toward these goals.

EPA NE, EPA R2, VT ANR, NY DEC, LCBP agree to support the use of low pollution OB/PWC marine engines by the boating public. As part of this effort, however EPA NE, EPA NY, VT ANR, NY DEC, and LCBP do not endorse, certify or confirm the effectiveness of any brand or manufacturer of a particular technology. EPA NE, EPA NY, VT ANR, NY DEC, and LCBP will work jointly to develop public education materials such as fact sheets, a web page, and broadcast public service announcements. Further, EPA NE will work with other New England state agencies and municipalities to support the use of low pollution OB/PWC marine engines by the State of Vermont, New York and their communities.

This agreement has been executed on the dates shown below between EPA NE, EPA NY, VT ANR, NY DEC, LCBP, NMMA, MRAA, ESMTA, and Participating Retailers.

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SIGNATORY PAGE

Robert W. Varney, Regional Administrator
Environmental Protection Agency New England

Date

Jane M. Kenny, Regional Administrator
Environmental Protection Agency Region 2

Date

Scott Johnston, Secretary
Vermont Agency of Natural Resources

Date

Erin M. Crotty, Commissioner
New York State Department of Environmental Conservation

Date

Bill Howland, Program Manager
Lake Champlain Basin Program

Date

Kelly Bobek, Director of Federal Government
Relations
National Marine Manufacturers Association

Date

John P. Keeter, President
Marine Retailers Association of America

Date

Robert R. Walters, President
Empire State Marine Trades Association

Date

Vermont and New York Participating Retailers sign the Retailer Signatory Page