

National Association of State Departments of Agriculture



Subject of Action Item A:

State Participation in EPA Settlement Agreements and Consent Decrees

Submitted by:

Secretary Hunter Roberts, South Dakota Department of Agriculture and Natural Resources

Text of Action Item:

NASDA believes the EPA should not use settlement agreements to alter public policy.

NASDA encourages EPA to create a strategic plan to prevent lawsuits by performing nondiscretionary duties, including responding to submitted petitions within required timeframes.

NASDA supports cooperative federalism and will work with the EPA to adjust the memo titled "Consent Decrees and Settlement Agreements to Resolve Environmental Claims Against the Agency," which was signed on March 18, 2022.

Adopted: 2.15.23