

COMMANDER, NAVY REGION SOUTHWEST
937 N. HARBOR DRIVE
SAN DIEGO, CA 92132

SAN DIEGO UNIFIED PORT DISTRICT
3165 PACIFIC HIGHWAY
SAN DIEGO, CA 92101

CNRSW
SSIC (required)
Blank space for date

other party's ref info
(optional)

**MEMORANDUM OF AGREEMENT
BETWEEN
COMMANDER, NAVY REGION SOUTHWEST
AND
SAN DIEGO UNIFIED PORT DISTRICT**

Subj: Memorandum of Agreement Regarding Coordination and Cooperation Related to Potential Sea Level Rise in the San Diego Bay Region

Ref: (a) (if applicable)

Encl: (1) (if applicable)

1. Purpose.

The United States Navy, acting through the Commander, Navy Region Southwest (CNRSW or Navy) and the San Diego Unified Port District (Port), as the major owners of land and submerged waters of the San Diego Bay, each independently recognizing the importance of planning and preparing for the potential impacts of sea level rise, and believe that through cooperation and coordination of efforts the parties can more effectively and efficiently meet their independent goals and mandates. The parties, collectively and individually, have undertaken leadership roles in addressing potential sea level rise in and around the San Diego Bay to improve their resiliency. This Memorandum of Agreement (MOA) formalizes the parties' cooperation and coordination towards studying, planning and preparing for potential sea level rise consistent with the intent of the San Diego Bay Integrated Natural Resources Management Plan (INRMP).

2. Background.

In 2002, the CNRSW and the Port approved the INRMP, a joint initiative in recognition of the need for partnership in stewardship to address a variety of environmental issues, while supporting the ability of the CNRSW and the Port to accomplish their missions. The INRMP is a long-term, collaborative strategy between the CNRSW and Port for managing the San Diego Bay's resources.

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The CNRSW and Port updated the INRMP in 2013. As part of the update, the objective of offsetting any adverse impacts through annual goal setting based on science-based scenarios, targets, collaborative planning, adaptive management and joint pilot projects was added to the INRMP. Improving the information and depiction of potential impacts of potential sea level rise scenarios and identifying adaptation to and offset stresses on shoreline infrastructure, flooding, beach erosion and the loss of wetlands and eelgrass habitat are part of that objective. Additionally, the INRMP discusses sustainability practices, including, reducing threats to natural and developed shorelines and preparing for potential sea level rise. Each agency requires access to its land and waters, which the INRMP recognizes may be threatened by potential sea level rise.

Through further discussions between the parties, it was determined that a separate MOA related to cooperation and coordination for studying, planning and preparing for potential sea level rise in and around San Diego Bay would further the purpose of the agencies, the INRMP and would be beneficial to the public.

3. Scope.

The MOA outlines a process for collaboration and the sharing of non-confidential information and data related to potential sea level rise, including, without limitation, storm surges, higher tides and flooding. Consequently, it is the intent of the parties that the agencies, attempt to align their general sea level rise assumptions, develop a monitoring framework to assess changes in sea level, and identify complementary and innovative adaptation policies that further the agencies' missions and the purposes of the INRMP.

4. Responsibilities.

a. CNRSW will:

(1) Appoint qualified personnel to coordinate joint sea level rise planning with the Port. Responsibilities may include, but not be limited to, attending and/or facilitating meetings, sharing data, and reviewing and/or preparing documents and reports.

(2) Share its sea level rise assessment(s), guidance, and/or policies, if any, with the Port and as they are established, share any updated assessments, guidance, and/or policies with the Port.

(3) At least every five years, collaborate with the Port to re-evaluate the best available scientific information and modeling related to sea level rise. The goal of the parties is to use the same assumptions in evaluating sea level rise.

(4) Commencing with the annual INRMP review, collaborate to identify complementary adaptation policies and measures, in an attempt to avoid conflicting information pertaining to adaptation policies and measures.

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b. Port will:

(1) Appoint qualified personnel to coordinate and administer joint sea level rise planning with the CNRSW. Responsibilities shall include, but not be limited to, attending and/or facilitating meetings, sharing data, and reviewing and/or preparing documents and reports.

(2) Share its sea level rise assessment(s), guidance, and/or policies, if any, with the CNRSW as they are established, and share any updated assessments, guidance, and/or policies with the CNRSW.

(3) Establish an estimated schedule for updating sea level rise assessments. The goal of the parties is to align their schedules for updating their respective sea level rise assessments and have an estimated schedule established.

(4) At least every five years, collaborate with the CNRSW to re-evaluate the best available scientific information and modeling related to sea level rise. The goal of the parties is to use the same assumptions in evaluating sea level rise

(5) Commencing with the annual INRMP review, collaborate to identify complementary adaptation policies and measures in an attempt to avoid conflicting information pertaining to adaptation policies and measures.

(6) Implement pilot projects or other projects, such as for example, a shoreline stabilization project which also provides habitat value that may mitigate the effects of sea level rise and share the information on the project's success with CNRSW; provided, however, the Port reserves its full discretion under the California Environmental Quality Act (CEQA) for said projects.

5. Points of Contact.

<p>CNRSW: Garth Nagel Community Planner NAVFAC Southwest 1220 Pacific Highway, B-127 San Diego, CA 92132 garth.nagel@navy.mil 619-532-2895 Walter Wilson Biologist NAVFAC Southwest 1220 Pacific Highway, B-127 San Diego, CA 92132 Walter.l.wilson2@navy.mil 619-532-2747</p>	<p>Port: Phil Gibbons Program Manager, Energy Port of San Diego 3165 Pacific Hwy San Diego, CA 92101 pgibbons@portofsandiego.org 619-725-6037 Eileen Maher Principal, Environmental Conservation Port of San Diego 3165 Pacific Hwy San Diego, CA 92101 emaher@portofsandiego.org 619-686-6532</p>
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6. Other Provisions.

Nothing in this MOA may be construed to obligate the United States or the Department of the Navy to any current or future expenditure of money in advance of the availability of appropriations for such purposes from the U.S. Congress. Nothing in this MOA shall be construed as requiring the CNRSW to share any information or take any actions that may threaten national security or disclose classified or legally protected information.

Nothing in this MOA may be construed to obligate the Port to any current or future expenditure of money in advance of the availability of appropriations for such purposes from the Board of Port Commissioners. Nothing in this MOA shall be construed as requiring the Port to share legally protected information.

7. Changes.

Changes/amendments may be made to this agreement by mutual written consent of both parties, and will be recorded and published as addenda to this agreement.

8. Termination/Expiration.

This agreement may be terminated immediately by mutual consent of all parties. Furthermore, the party's may terminate this agreement upon 60 days' written notification to the other party with or without cause. This agreement will remain in effect until six (6) years from its Effective Date, unless terminated sooner or extended in accordance with Section 7, and will be reviewed triennially.

9. Effective Date.

This MOA will become effective on the date of the last signature.

SIGNATURES ON FOLLOWING PAGE

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Cooperation Related to Potential Sea Level Rise in the San
Diego Bay Region*

RANDA CONIGLIO Date
President/CEO
San Diego Unified Port District

NICK MALLARI Date
Comptroller, NRSW

Approved as to form and legality:
GENERAL COUNSEL

JOE STUYVESANT Date
EXECUTIVE DIRECTOR
Commander, Navy Region Southwest

By: Assistant/Deputy
San Diego Unified Port District