

**COOPERATIVE RESEARCH AGREEMENT
BETWEEN
NAVAL BASE CORONDAO
AND
VANTUNA RESEARCH GROUP
CONCERNING
INTERTIDAL SURVEYS AND MONITORING
AT
SAN CLEMENTE ISLAND**

SCI - 08 - 01

ARTICLE I: GENERAL

A. Purpose. This Cooperative Research Agreement (CRA) has been developed and initiated to implement research of mutual benefit to the participants, to define the services to be provided by each party and the responsibility incurred therewith, and to stipulate policy and procedure regarding access to and provide information concerning activities on San Clemente Island (SCI).

B. Participants. The parties to this CRA are Naval Base Coronado (NBC) and Vantuna Research Group (VRG).

1. The NBC Point of Contact (POC) is Luis Perez, Regional Director, Naval Base Coronado Environmental Installation Program Manager, Naval Air station North Island, bldg. 3, Box. 357088, San Diego, CA, 92135-7088, telephone (619) 545-3429, cell phone 619-954-8989, and email luis.perez3@navy.mil.

2. The CNRSW Technical POC is Suzanne Graham, Marine Biologist, Environmental Department, N40, 937 N. Harbor Drive, Box 81, San Diego, CA 92132-0058, telephone (619) 532-2747, and email suzanne.graham@navy.mil

3. The VRG CRA POC is Daniel Pondella, Ph.D., Assistant Professor of Biology, Director of the Vantuna Research Group, Moore Laboratory of Zoology, Occidental College, 1600 Campus Road, Los Angeles, CA 90041, telephone (323) 259-2955, cell (323) 533-3869, and email pondella@oxy.edu

4. The VRG Technical POC is Daniel Pondella, Ph.D., Assistant Professor of Biology, Director of the Vantuna Research Group, Moore Laboratory of Zoology, Occidental College, 1600 Campus Road, Los Angeles, CA 90041, telephone (323) 259-2955, cell (323) 533-3869, and email pondella@oxy.edu

C. Research Criteria. This CRA is entered into on the basis of the VRG having met the following research criteria, as indicated. The research:

[] will yield products of benefit to the NBC's programs for conservation, protection, and management of natural, cultural, or physical resources at SCI;

or

[] involves resources unique to SCI, *or* involves resources unique to the San Diego Metropolitan Area Naval Installations, where data collected from SCI are critical to the project;

and

[√] fulfills, in part, the requirements of a master's or higher academic degree, *or* represents the objectives of an educational, scientific, resource, or conservation agency or institution;

and

[√] has scientific merit, as determined by a NBC review of the VRG's research proposal (Attachment A).

ARTICLE II: SERVICES AND RESPONSIBILITIES

A. NAVAL BASE CORONADO. The NBC will provide the following services to the VRG at no cost and to the extent available.

1. **Technical Information.** SCI management and recovery plans, technical reports and publications, various literature, maps, and other materials containing detailed information regarding the natural resources at SCI are available from NBC POC, upon request. Information produced as the result of other SCI-sponsored research may also be requested from the NBC POC.

B. NATIONAL PARK SERVICE. The VRG will provide the following items or services to NBC on a non-reimbursable basis:

1. **Equipment and Supplies.** The VRG shall provide all appropriate equipment and supplies necessary for the completion of the research covered under this CRA.

2. **Photographic Records.** The VRG shall furnish the NBC POC photographic records (digital images preferred) of pertinent aspects of the research project, including data, if recorded photographically. Since photography is restricted on SCI, only photographs of CRA-related activities shall be permitted (see Article III.E).

3. **Report Submittals.** The following information, reports, or publications shall be submitted to the NBC POC.

a. Yearly Report. A yearly report (see Enclosure 1), which must be submitted 30 days after each field season at SCI, but not later than 30 November.

b. Final Research Report. Two hard copies, and one electronic copy, of the final research report, which shall specifically address the products of research proposed in Attachment A. A draft for review and comment shall be provided to the NBC POC, who will respond in writing within 10 days calendar days of receipt.

4. **Publications and Presentations.** Proposed publications or presentations resulting from the research accomplished by the VRG regarding SCI shall be provided to the NBC POC for review and comment at least 15 days in advance of journal submittal and/or conference delivery. Two copies of reprints of final journal publications or conference presentations (one copy if in electronic format) shall be submitted to the NBC POC (see also Article III.L and III.M).

ARTICLE III. STIPULATIONS AND INFORMATION

A. Only designated VRG personnel may visit SCI in accordance with the provisions of this CRA, except as noted in Article III.B. Such personnel must be sanctioned by the VRG in advance and

in accordance with Enclosure 2. Visits to SCI by VRG personnel are subject to the approval of the NBC POC and the Public Works Officer, Naval Base Coronado, as deemed necessary or appropriate.

B. At the request of the VRG collaborating individuals essential to the research covered under this CRA may visit SCI. Such individuals will be considered VRG representatives for the purposes of this CRA and shall be subject to the provisions and stipulations of this CRA. Such representatives shall be sanctioned by the VRG in advance, in accordance with Enclosure 2, only during the term of this CRA. Visits to SCI by VRG representatives are subject to the approval of the NBC POC and the Public Works Officer, Naval Base Coronado, as deemed necessary or appropriate.

C. NBC will not be responsible for the loss of or damage to the property of the VRG, the property of its personnel, the property of its representatives, or for personal injuries to VRG personnel or representatives arising from the use of U.S. Navy facilities or equipment. The VRG its personnel, and its representatives shall hold and save the U.S. Navy harmless from any and all such claims or liabilities. Statement of Awareness and Release / Next-of-Kin forms (Enclosure 3) must be completed and signed by VRG personnel and representatives and sent to the NBC POC prior to visiting SCI. Statement of Awareness and Release / Next-of-Kin forms are available from the NBC POC.

D. Prior to visiting SCI, VRG personnel and representatives shall obtain personal identification badges, which must be carried at all times while on U.S. Navy property and must be returned upon termination of this CRA. In addition, windshield decals for shall be obtained for each vehicle that may enter U.S. Navy property. Forms and procedural information are available from the NBC POC.

E. Prior to visiting SCI, authorization must be obtained from the Naval Base Coronado Public Affairs Office by the VRG to sanction the use of photographic equipment for up to one year on the part of their personnel or representatives. A copy of a valid authorization must be carried by VRG personnel or representatives at all times while on U.S. Navy property. Renewal, if needed, shall be initiated at an appropriate time to cover a complete field season, regardless if such occurs prior to the expiration date of the previous authorization. Photographs shall be limited solely to CRA-related activities. Contact the NBC POC regarding a request for photographic authorization, which shall include the purpose for the use of photographic equipment and a list of VRG personnel or representatives requiring the use of such.

F. Prior to and/or during the initial visit to SCI, the NBC POC and the VRG Technical POC, or their designated representative(s), shall convene for an orientation meeting to review all issues pertaining to this CRA. All issues discussed shall have the concurrence of the NBC POC prior to implementation. On all subsequent visits, the research party must include VRG personnel or representatives who have previously visited SCI.

G. The NBC POC may periodically accompany VRG personnel or representatives to SCI to assess the status of fieldwork and to evaluate the products of the research in regard to other NBC natural resources management projects in the vicinity.

H. Though unlikely, unexploded ordnance may be encountered while conducting fieldwork at SCI. VRG personnel or representatives shall not touch or attempt to move suspected ordnance. Some ordnance, though old, remains volatile and can detonate without provocation. If

ordnance is encountered, VRG personnel or representatives shall flag the location and notify the NBC POC as soon as possible.

I. No ground disturbing activities shall take place under this CRA without the concurrence from the NBC Cultural Resources Program Manager. If objects are found that appear to be cultural in character, VRG personnel or representatives shall neither touch nor otherwise disturb such, flag the location, and notify the NBC POC as soon as possible. If VRG personnel or representatives accidentally disturb what appear to be cultural resources, the disturbing activity shall be curtailed, the location flagged, and the NBC POC notified as soon as possible.

J. While on SCI, VRG personnel and representatives shall abide by all applicable rules and regulations issued by the Commanding Officer, Naval Base San Diego or other competent authority. In addition, VRG personnel and representatives, and their possessions, may be subject to inspections for contraband while on U.S. Navy property.

K. Research conducted in support of this CRA shall comply with federal legislation applicable to U.S. Navy installations, including, but not limited to, the Endangered Species Act, the Migratory Bird Treaty Act, the National Historic Preservation Act, the Native American Graves and Repatriation Act, and the National Environmental Policy Act.

L. The VRG acknowledges that information and data gathered or received regarding SCI may have regulatory and national security significance and that the unauthorized dissemination or use of this information may prejudice the interests of the U.S. Navy and Department of Defense. Therefore, the VRG agrees not to disclose or use any information or data directly or indirectly acquired at SCI through activities associated with this CRA to any person, organization, or entity whatever, who is not a party to this CRA, and to prohibit disclosure or use of the same by VRG personnel, representatives, agents, or associates unless disclosure is compelled by process of law, or the U.S. Navy authorizes disclosure or use. The terms "data", "information," "use" and "disclose" (and its forms and derivatives) will be interpreted very broadly. Limitations on disclosure encompass all forms of dissemination, including the spoken word, written word, and electronic media. "Use" includes, but is not limited to, inclusion in academic papers, professional presentations and incorporation in other research not associated with this CRA. The VRG may disclose or use data and information with the prior written approval of the NBC POC and in accordance with the terms of that approval. The VRG shall submit a written request to disclose or use information or data to the NBC POC explaining what information is to be disclosed or used, the reason for the disclosure or purpose for which the information or data will be used, and to whom the information will be disclosed. The NBC POC shall respond in writing within 10 calendar days.

M. The NBC recognizes that the VRG may want to use information and data acquired regarding SCI in professional and academic manuscripts, publications and presentations and that such use may benefit not only those with an academic or professional interest in the information or data, but the general public as well. If authorization is given for such use, NBC retains the right to review any manuscripts, publication, or presentation in advance of publication or presentation for the purpose of ensuring the accuracy and releasability of such information or data. Once such information and data are submitted by the VRG, the NBC POC shall respond in writing within 10 calendar days. The VRG agrees that any manuscript, publication, or presentation will include a statement acknowledging the U.S. Navy as the origin of the information or data obtained at SCI under this CRA. Authorization for the use of information or data in one context is not to be construed as authorization for subsequent uses or purposes.

N. A copy of this CRA shall be in the possession of VRG personnel or representatives at all times while on U.S. Navy property.

ARTICLE IV: MODIFICATIONS AND TERMINATION

A. This CRA is subject to modifications as mutually agreed upon in accordance with the following:

1. A request for modification shall be forwarded from one party to the other by written notice at least 30 days in advance of the proposed change. Modifications will be numbered.
2. The SCI is a military reservation. Without prior notice, designated areas may become closed to research due to military or other related activities. In such cases, it may be necessary to suspend or terminate the research activities covered under this CRA.

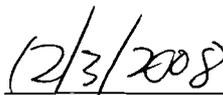
B. This CRA shall remain in effect until it is terminated in accordance with Article IV.A above, upon receipt and acceptance of the Final Research Report (see Article II.B.3.b above) and written notification from the VRG, or thereafter upon written notification from the VRG. Notification from the VRG, whether in conjunction with the submittal of the Final Research Report or thereafter, shall waive future interest in the use of information and/or data acquired under this CRA for the preparation of professional and/or academic manuscripts, publications, and/or presentations (see Article III.L and III.M above).

ARTICLE V: APPROVAL

This CRA is approved Naval Base Coronado and the Vantuna National Park Service, and becomes effective upon the later date of signature. All matters concerning the administration of this CRA shall be referred to the NBC POC.



Daniel Pondella, Ph.D.
Vantuna Research Group



Date

CDR Shawn J Bergan, NAVFAC SW
Naval Air Station North Island

Date