

## Memorandum of Understanding

### South Whidbey Marine Security & Resiliency Consortium

Whereas South Whidbey Island is in a strategic location which provides visibility across all major water access routes to north central Puget Sound and accessibility to/from major population centers and freight facilities within Puget Sound, and

Whereas a catastrophic man-made or natural event would disrupt normal marine transportation and security facilities, and the critical resumption of marine traffic and cargo operations would require that back-up logistic and security capabilities be in place to provide the resiliency for rapid recovery, and

Whereas RCW 53.08.240(2), *Joint exercise of powers and joint acquisition of property — Contracts with other governmental entities*, and RCW 39.34, *Interlocal Cooperation Act*, provide the undersigned organizations with the authority to enter into cooperative agreements for such purposes, and

Whereas state, county and local public agencies with emergency response, security, law enforcement, commercial resiliency and/or public transportation missions will more effectively accomplish their objectives for the good of the public through cooperation enhanced with the development of the security infrastructure detailed in the Port Security Grant Investment Justification (IJ) submitted by the Port of South Whidbey to the Department of Homeland Security's (DHS) designated fiduciary agent on July 1, 2010, and

Whereas all parties agree to meet the matching funds requirements for facilities owned and managed by their respective organizations as detailed within the IJ through non-federal funding sources, and

Whereas all parties agree to fully cooperate and share the facilities procured and developed with the federal aid provided through the DHS Port Security Grant Program as detailed in the IJ, and

Whereas the DHS's Port Security Grant Program requires a lead organization to administer federal aid provided through the Port Security Grant Program;

Therefore, the undersigned organizations agree to form and be contributing members of the South Whidbey Marine Security and Resiliency Consortium (SW Consortium) to establish logistic and security resiliency to support Puget Sound marine transportation, and will meet as needed to address issues related to port security and economic resiliency on southern Whidbey Island, and furthermore

All funds provided through the Department of Homeland Security Port Security Grant Program shall be utilized by the SW Consortium as detailed in the IJ and shall be administered through the Port of South Whidbey in a format acceptable to the DHS and its agent.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Understanding on the day and year shown below their signatures.

\_\_\_\_\_  
Geoff Tapert, President  
Port of South Whidbey

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\_\_\_\_\_  
Island Transit

\_\_\_\_\_  
\_\_\_\_\_  
Washington State Ferries

\_\_\_\_\_  
\_\_\_\_\_  
Port of Everett

\_\_\_\_\_  
\_\_\_\_\_  
Paul O. Samuelson, Mayor  
City of Langley

\_\_\_\_\_  
\_\_\_\_\_  
Helen Price Johnson  
Chair, Island County Board of Commissioner

\_\_\_\_\_  
\_\_\_\_\_  
Island County Fire District 3

Memorandum of Understanding: SW Consortium

V1.2 6/11/10

## PSGP Investment Justification Template

Investment Heading	
Port Area	<b>Puget Sound</b>
State	<b>Washington</b>
Applicant Organization	<b>Port of South Whidbey</b>
Investment Name	<b>Physical Enhancements – D-Dock</b>
Investment Amount	<b>\$ 2,536,117</b>

### I. Provide an overview of the port system in which this Investment will take place

- Area of Operations:
  - COPT Zone: Puget Sound
  - Eligible port area: Port of South Whidbey
  - Exact location of project site: 228 Wharf Street, Langley, WA (lat. 48 deg. 02' 21.15" N. long. 122 deg. 24' 11.69" W)
  - Site is owned and operated by the Port of South Whidbey
- Point(s) of contact for organization:
  - Grant Authorizing Official: Ed Field, Port Manager, Port of South Whidbey, 360 331 5494, [field@portofsouthwhidbey.com](mailto:field@portofsouthwhidbey.com), PO Box 872, Freeland, WA 98249-0872
  - Primary Project Contact: Dane Anderson, Finance Manager/Facility Security Officer, Port of South Whidbey, 360 331 5494, [Anderson@portofsouthwhidbey.com](mailto:Anderson@portofsouthwhidbey.com), PO Box 872 Freeland, WA 98249-0872.
- Ownership or Operation:
  - South Whidbey Marine Security and Resiliency Consortium, the applicant, is a consortium of local and state and local agencies including the Port of South Whidbey acting as lead agency (LA), Island County Sheriff Department, Island County Fire District #3, Island Transit, the City of Langley, Port of Everett (an MTSA regulated facility), and Washington State Ferries (MTSA regulated).
    - Is the organization a member of the AMSC? Some members of the consortium are members of the AMSC.
    - Is the facility an MTSA regulated facility? The Harbor at Langley is not currently an MTSA regulated facility.
    - If you are an MTSA regulated facility, what is your facility's operation? N/A
    - If you are not a regulated facility under MTSA, do you have a facility security plan? A facility security plan will be developed as an operational component of the expanded facility.
    - Role in providing layered protection of regulated entities: The Island County Sheriff's Department provides first- response and interdiction for MTSA regulated and other vessels in waters surrounding Whidbey Island. Island County Fire District #3 will provide first-response to all vessels, including MTSA regulated vessels, in waters surrounding southern Whidbey Island. Members of the consortium will partner with the USCG for first-response and interdiction efforts as necessary for marine security.
- Important features:
  - The Port of South Whidbey Harbor at Langley is on the east shore of Whidbey Island overlooking Saratoga Pass. The facility is close (9 sm) from the Port of Everett and Naval Station Everett. The distance across Saratoga Pass is less than 2 miles. All vessels transiting the east shore of Whidbey Island in route to or from Canadian waters 54 miles north and other destinations are visible from the Harbor. The Harbor is strategically situated for observation/surveillance, first-response and interdiction along the narrowest section of Saratoga Pass. Unfortunately, size, bathymetry and existing encumbrances associated with grant contracts mean no available moorage for first-response vessels is available in the Harbor.
  - Two members of the consortium, Island County Sheriff and Fire District #3, have at least two MTSA regulated vessels operating and/or docked overnight 5.6 sm from the Harbor. Additional MTSA regulated vessels will use the Harbor on a regular basis
  - Two members of the LA will take the ICS course. All other member organizations in the consortium have multiple staff members who have successfully passed the appropriate ICS courses.
- Other Sources of funding being leveraged for security enhancements – The LA has received a grant for \$1.2 million from local sales tax receipts, \$385,600 of which will be used to leverage the security grant funds. These funds are available and accessible now. Property donations (\$38K), a surplus breakwater previously purchased by the Port with \$330K of reserve funds, and additional Port reserve funds and, if necessary, bonding capacity will also be used to leverage the PSGP funds. Other members of the consortium will be using reserves and/or non-federal grant funds to leverage the PSGP aid.

## II.A. Provide a brief abstract of the Investment

The Consortium will use the \$2.53 million in PSGP funds to:

- Procure two marine response vessels. One to be crewed by the Island County Sheriff's Department to be used for response, interception, interdiction and to provide security for high-risk, high-consequence vessels under order of the COTP, the second, description attached, to be crewed by Island County Fire District 3 for incident response and recovery missions.
- Place an existing 400 ft. floating concrete breakwater previously purchased by the Port, access to the breakwater via 120 ft pile-secured float and an 80 ft. gangway. Breakwater and floats will have electrical power, full lighting, and a fire suppression system.

## II.B. Describe how the Investment will address one or more of the PSGP priorities and Area Maritime Security Plan or COTP Priorities (how it corresponds with PRMP for Group I and II)

This project is consistent with the AMSP and directly addresses priority 2 of the PSGP: Enhancement of IED and CBRNE prevention, protection, response and recovery capabilities.

The project component of acquiring first-response vessels directly addresses the following gaps between current capabilities and capabilities required to mitigate strategic risk as identified in the PRMP:

7.4.2.1 – IED detection, protection, deterrence and response for high-risk MTSA regulated vessels and facilities. The response vessels will be the closest assets to the WA. State Ferry dock in Clinton

7.4.2.2 – Capability to intercept and interdict a vessel about to be used as a weapon.

7.6.1.1.3 – Protect passenger transportation facilities, with vessels present, from vessel-borne IEDs

7.6.1.1.5 – Increase the number of assets available to protect high-risk vessels during their transit in, around, and out of Puget Sound during periods of elevated threat levels.

7.6.1.2.7 – Additional Vessels for Security Purposes.

7.6.1.2.8 – Security Cooperative. The South Whidbey Marine Security and Resiliency Consortium is such a cooperative.

The project component of placing and construction access to the 400 ft. floating concrete breakwater directly addresses the following gaps between current capabilities and capabilities required to mitigate strategic risk as identified in the PRMP:

8.2.1 – Robustness. The ability of systems to withstand disaster forces without significant degradation or loss of performance. The floating concrete breakwater is a robust facility that will withstand earthquakes and other natural disasters. The WA. State Ferry terminal in Clinton is a pile supported structure utilizing highly specialized equipment and systems for loading and unloading and is situated less than 1 mile from the South Whidbey earthquake fault which, according to the US Geological Survey, has the potential to cause significant damage to Puget Sound lowlands.

8.2.2 – Redundancy. The extent to which systems are capable of satisfying functional requirements if significant degradation or loss of functionality occurs. The floating concrete breakwater will provide the **only available moorage for the response vessels** denoted above and will provide the **only redundant deep-water moorage on southern Whidbey Island**. This moorage will be the only facility able to provide passenger ferry and light cargo handling capabilities if the Clinton Ferry Dock becomes inoperable.

8.2.4 – Rapidity. The capacity to restore functionality in a timely way, containing losses and avoiding disruptions. Without this facility, disruptions to the local economy and population will be severe as access to the area will be limited to an 85 year old bridge 50 miles to the north, assuming it can withstand the same incident that rendered the Clinton Dock inoperable, and the Pt. Townsend/Keystone ferry which has very limited volume and is often inoperable due to tides and bathymetry of Keystone Harbor. Additionally, this deep water moorage will provide additional outlying moorage capacity for coastal freighters waiting to unload at the Port of Everett, 9 sm from the facility, or other central Puget Sound freight facility should other facilities become compromised by natural or terrorist acts. See attached letter of support for this concept from the (customer), a shipper currently utilizing the freight terminal at the Port of Everett.

10.5.1.1.2 – Establish a formal process by which asset owners agree on and employ a fair and consistent distribution of the PSGP cost-sharing burden for projects that result in improved security and resiliency throughout a geographical area key or strategic function. The consortium's mission directly meets this objective. Response vessels owned and operated by first responder agencies will provide security and response capacity for MTSA-regulated vessels and interdiction capacity. The Port of South Whidbey will provide moorage for these vessels as well as additional moorage for passenger transportation and material transportation.

10.5.1.1.3 – Provide a means by which security resources can be shared to mitigate vulnerabilities and strengthen recovery resources before, during and after an incident. Additional response vessels will be shared during emergency

<b>IV.A. Investment Funding Plan</b>	<b>FY 2009 PSGP Request Total</b>	<b>Match (Cash or In-Kind)</b>	<b>Grand Total</b>
<i>Maritime Domain Awareness</i>			
<i>ICs and VMD Prevention, Protection, Response and Recovery Capabilities</i>	\$ 2,536,117	\$ 845,372	\$ 3,381,489
<i>Training</i>			
<i>Exercises</i>			
<i>TWIC Implementation</i>			
<i>Operational Packages (OPacks)</i>			
<i>M&amp;A</i>			
<b>Total</b>	<b>\$ 2,536,117</b>	<b>\$ 845,372</b>	<b>\$ 3,381,489</b>

**IV.B. Provide a high-level timeline, milestones and dates, for the implementation of this Investment such as stakeholder engagement, planning, major acquisitions or purchases, training, exercises, and process/policy updates. Up to 10 milestones may be provided.**

**Month 1: Federal aid awarded**  
**Month 5: Complete engineering on phase 1A harbor project, permit application approval**  
**Month 7: Construction Bids Due**  
**Month 8: Construction and Fabrication Contracts Awarded. Manufacture of response vessels begins.**  
**Month 10: Response vessel construction complete. Vessel training complete**  
**Month 11: In-water Construction Begins.**  
**Month 18: Construction Complete**