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March 28, 2013

CHANCELLOR KHOSLA

Delegation of Authority - Authorization to Submit Application for Construction Grant Funding Under California Department of Boating and Waterways Grant Program

Standing Order of the Regents 100.4 lists the authority delegated to the President by the Regents. Section (*dd*) states, in part:

\* \* \*

The President is authorized to execute... documents to solicit and accept pledges, gifts, and grants, except that specific authorization by resolution of the Board shall be required for documents which involve or which are:

1. **Exceptions to approved University programs and policies or obligations on the part of the University to expenditures or costs for which there is no established fund source or which require the construction of facilities not previously approved.** (Emphasis added)

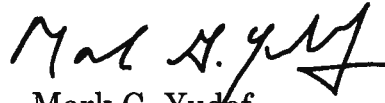
\* \* \*

The Regents acted under Interim Authority on March 28 to authorize the President to submit a proposal for Construction Grant Funding under the California Department of Boating and Waterways (DBW) *Boat Launching Facilities Grant Program* for the proposed Scripps Institute of Oceanography Nimitz Marine Facility Berthing Wharf and Pier Replacement project. The Regents' action provided that the approval of the budget including financial feasibility for the project shall follow the standard University approval practices, and does not include the authority to accept the DBW construction funds if awarded.

Effective immediately, I redelegate authority to you to solicit or apply for the *Boat Launching Facilities Grant Program* according to the Action for Interim Authority (copy attached). Any existing delegations to the contrary are suspended for the purposes of soliciting facility grant funding under the DBW *Boat Launching Facilities Grant Program*. Prior to accepting any grant funds, approval of individual capital projects and grant awards will adhere to standard University and Regental approval policies and procedures including compliance with the *California Environmental Quality Act* or *National Environmental Policy Act*.

Chancellor Khosla  
March 28, 2013  
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This authority may be redelegated to a specific designee and may not be further redelegated.

A handwritten signature in black ink, appearing to read "Mark G. Yudof". The signature is fluid and cursive, with a large, stylized initial "M" and "Y".

Mark G. Yudof  
President of the University

**Attachment**

cc: Members, President's Cabinet  
Principal Officers of the Regents  
Universitywide Policy Office



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March 27, 2013

**CHAIR OF THE COMMITTEE ON GROUNDS AND BUILDINGS  
PRESIDENT OF THE UNIVERSITY**

**ACTION ITEM**

**ACTION UNDER INTERIM AUTHORITY – AUTHORIZATION TO SUBMIT  
APPLICATION FOR CONSTRUCTION GRANT FUNDING UNDER CALIFORNIA  
DEPARTMENT OF BOATING AND WATERWAYS GRANT PROGRAM FOR THE  
PROPOSED NIMITZ MARINE FACILITY BERTHING WHARF AND PIER  
REPLACEMENT PROJECT, SAN DIEGO CAMPUS**

**EXECUTIVE SUMMARY**

The President requests that the Regents authorize the President to submit a construction grant application for funding under the California Department of Boating and Waterways *Boat Launching Facilities Grant Program* for the proposed Nimitz Marine Facility Berthing Wharf and Pier Replacement project. The full grant proposal is due on April 1, 2013. Approval is being requested under interim authority, because Standing Order 100.4(dd) does not give the President authority to apply for grants involving the construction of facilities not previously approved, and the window of opportunity precludes a full presentation to the Board and their consideration of this proposed major capital project. This delegation does not include the authorization to accept grant funds or constitute budget approval for the proposed project.

**RECOMMENDATION**

The President recommends that the Regents authorize the President to submit a proposal for Construction Grant Funding under the California Department of Boating and Waterways *Boat Launching Facilities Grant Program* for the proposed Nimitz Marine Facility Berthing Wharf and Pier Replacement project (Project), provided, however, that approval of the budget including financial feasibility for the Project that is the subject of the grant application and for which the grant funding would be applied shall follow the standard University approval practices.

*ACTION UNDER INTERIM AUTHORITY – AUTHORIZATION TO SUBMIT APPLICATION FOR CONSTRUCTION GRANT FUNDING UNDER CALIFORNIA DEPARTMENT OF BOATING AND WATERWAYS GRANT PROGRAM FOR THE PROPOSED NIMITZ MARINE FACILITY BERTHING WHARF AND PIER REPLACEMENT PROJECT, SAN DIEGO CAMPUS*

## BACKGROUND

The California Department of Boating and Waterways (DBW) offers many different grants and loans for which Universities and colleges, nonprofits, local government and public agencies can apply. The San Diego campus would like to take advantage of the DBW's *Boat Launching Facilities Grant Program* that provides funding to develop or rehabilitate boat launching facilities in order to provide safe and convenient access to California's waterways. The campus will be applying for the grant to receive up to the full cost of the proposed \$25.053 million Nimitz Marine Facility Berthing Wharf and Pier Replacement project. The campus will seek Regental approval of the budget and external financing for the proposed project at the May 2013 Regents meeting. To the extent grants funds are received, the amount of external financing will be reduced.

The existing pier and wharf, both over 40 years old, have reached the end of their service life. The pier and wharf have experienced significant deterioration, curtailing Scripps Institution of Oceanography research projects that require heavy equipment (trucks, cranes, forklifts) to support service vessels. If deterioration continues, access for certain equipment would be prohibited, further diminishing capacity for research and ship support.

The proposed project, if successfully funded, would bring significant economic benefit to the San Diego campus. Currently, the pier, wharf, and landside facilities support research activity that brings in approximately \$32 million in revenue each year; this funding would be jeopardized if the pier and wharf were not replaced.

Standing Order 100.4 (dd) states, in part: "...the President is authorized to execute...documents to solicit and accept pledges, gifts, and grants, **except that specific authorization by resolution of the Board shall be required for documents which involve or which are:**

1. **Exceptions to approved University programs and policies or obligations on the part of the University to expenditures or costs for which there is no established fund source or which require the construction of facilities not previously approved.**  
(Emphasis added)

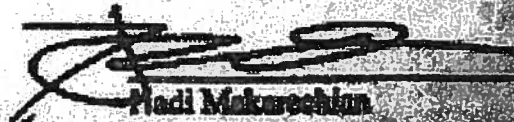
The proposed action would authorize the President to solicit or apply for the construction grant funds for a proposed project that involves construction of facilities not previously approved. The President, in turn, would delegate his authority to the Chancellor of the San Diego campus. This action would not include authorization to accept grant funds. Soliciting the construction grant funds does not irrevocably commit the University to proceed with a project should an award be offered. Prior to accepting such grant awards, approval of the proposed Nimitz Marine Facility Berthing Wharf and Pier Replacement project and acceptance of any grant award will adhere to standard University and Regental approval policies and procedures.

LETTER TO THE INTERIM AUTHORITY - REQUESTING TO SUBMIT APPLICATION FOR  
CONSTRUCTION GRANT FUNDING UNDER CALIFORNIA DEPARTMENT OF BOATING AND WATERWAYS  
GRANT PROGRAM FOR THE PROPOSED STAFF MOBILE FACILITY BOATING WARE AND PIER  
REPLACEMENT PROJECT, SAN DIEGO CAMPUS

The full grant proposal is due April 1, 2013, which is prior to the next scheduled Regents meeting in mid-May, necessitating this proposed action under interim authority.

Approved:

 3/28/13  
Mark G. Yudof  
President of the University

 3/28/13  
Nadi Makarechian  
Chair of the Committee on Grounds and Buildings