



**MEMORANDUM OF UNDERSTANDING ON ENVIRONMENTAL COOPERATION  
BETWEEN THE CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY OF  
THE STATE OF CALIFORNIA, UNITED STATES OF AMERICA AND THE  
NATIONAL COMMISSION FOR THE ENVIRONMENT OF THE REPUBLIC OF  
CHILE**

The California Environmental Protection Agency of the State of California, United States of America and the National Commission for the Environment of the Republic of Chile, hereinafter referred to as “the Parties”,

**AFFIRMING** that global environmental degradation is a common concern of humankind, and it threatens the biological system supporting life on Earth;

**RECOGNIZING** that in order to prevent, mitigate and resolve the negative consequences of global environmental degradation, international efforts for sustainable development must take place;

**ACKNOWLEDGING** that cooperation between States and governmental agencies represents a vital role in the realization of sustainable development, bridging visions and public – private sectors in this interdisciplinary quest;

**CONSIDERING** that the Parties have had a long standing relationship of cooperation and collaboration, and that they have signed a Memorandum of Understanding entitled “*A Collaboration for the 21 Century between the Republic of Chile and the State of California*”.

**NOTING** that both Parties have a common interest in environmental issues, given their similar geographic assemblage of species, natural communities, and environmental conditions, as well as climate characteristics and agricultural production;

**EMPHASIZING** the mutual benefits from exchanging experiences, knowledge, and technology between both Parties and, in particular, the promotion of environmental cooperation in relevant areas;

The Parties have reached the following understandings:

#### **ARTICLE 1**

The Parties will cooperate within the framework of this Memorandum of Understanding (MOU) on the basis of equality, reciprocity, and mutual benefit, taking into consideration their national and or state environmental policies.

#### **ARTICLE 2**

The objective of this MOU is to identify and collaborate on environmental topics of common interest, focused particularly, but not exclusively, on the following areas: climate change; biodiversity and ecosystems; air quality; water quality; integrated waste and hazardous waste management; sustainable energy development; environmental education; civil society participation; municipality capacity building on local sustainable development; corporate environmental responsibility; environmental goods and services; and regulatory compliance.

#### **ARTICLE 3**

In order to achieve the objective of this MOU, the Parties will coordinate specific work plans focusing on priority areas referred to in Article 2, which should contain cooperative actions or, in some instances, projects, studies, research, and joint ventures.

For this purpose, the Parties will encourage each member of their corresponding agencies to participate actively in the above-mentioned areas, as well as to encourage the participation of universities, enterprises, and institutions in the private sector and Non-Governmental Organizations (NGO's) both from Chile and California, that might be interested in collaborating in the implementation of each work plan.

#### **ARTICLE 4**

Cooperation under this MOU will be carried out in accordance with the laws and regulations of each Party.

#### **ARTICLE 5**

The Parties agree that confidential information shall not be transferred under this MOU.

## **ARTICLE 6**

The Parties acknowledge that this MOU is only intended to promote cooperation between the Parties and does not create any legally binding rights or obligations. To the extent any other provision of this MOU is inconsistent with this paragraph, this paragraph shall prevail.

## **ARTICLE 7**

In order to successfully facilitate and implement the cooperation under this MOU, the Parties will:

- (a) Establish a working-level committee, hereinafter referred to as "the Committee", consisting of representatives designated by each party;
- (b) Alternatively host biennial Committee meetings and, if a meeting is not held due to particular circumstances, the Parties will conduct appropriate discussions through available diplomatic channels;
- (c) Through the Committee, discuss and review the progress of the cooperative activities under this MOU, as well as negotiate and monitor future directions for collaboration related to the implementation of this MOU.

## **ARTICLE 8**

Any dispute between the Parties arising out of the interpretation or implementation of this MOU will be settled amicably through consultations or negotiations and shall result in a mutual agreement of the Parties.

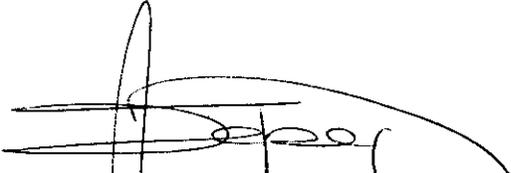
## **ARTICLE 9**

Cooperation under this MOU is to commence on the date of signature of this memorandum. It will be automatically renewed for successive five-year periods unless one Party notifies the other Party in writing six months in advance of its intention to terminate this MOU. This MOU may be amended in writing by the mutual consent of the Parties, specifying the effective date of the amendment.

Signed in the City of San Francisco, California, United States of America, on April twenty-third of two thousand and nine, in two originals in Spanish and English languages, both texts being equally authentic originals.

**FOR THE NATIONAL COMMISSION  
FOR THE ENVIRONMENT OF  
THE REPUBLIC OF CHILE**

**FOR THE CALIFORNIA  
ENVIRONMENTAL PROTECTION  
AGENCY OF THE STATE OF  
CALIFORNIA, UNITED STATES OF  
AMERICA**



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**Alvaro Sapag,  
Executive Director**



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**Linda S. Adams,  
Secretary**