

INTERAGENCY AGREEMENT		1. IAA NO. M24PG00021			PAGE OF 1 19		
2. ORDER NO.		3. REQUISITION NO. 0040651886		4. SOLICITATION NO.			
5. EFFECTIVE DATE See Block 26c		6. AWARD DATE		7. PERIOD OF PERFORMANCE			
8. SERVICING AGENCY COMMERCE, UNITED STATES DEPARTMENT OF ALC: 13140001 UEI: MMXECKN4F4B5 20020 CENTURY BLVD GERMANTOWN MD 20874			9. DELIVER TO BOEM Environment Sciences Division 45600 Woodland Road, VAM-OEP Sterling VA 20166-9216 US				
POC Tina Chen TELEPHONE NO. 858-546-5610							
10. REQUESTING AGENCY BOEM - HQ ALC: 14190001 UEI: MKJNNUDTFUG2 45600 Woodland Road, VAE-AMD Sterling VA 20166			11. INVOICE OFFICE BOEM Finance Office 45600 Woodland Road, VAE-FD Sterling VA 20166-9216				
POC Christy Tardiff TELEPHONE NO. 703-787-1367							
12. ISSUING OFFICE BOEM-HQ 45600 Woodland Road, VAE-AMD Sterling VA 20166-9216			13. LEGISLATIVE AUTHORITY See text section				
			14. PROJECT ID				
			15. PROJECT TITLE PC-23-02b PacMAPPS II				
16. ACCOUNTING DATA BOEM TAS: 014X1917000 BETC: DISNGF							
17. ITEM NO.	18. SUPPLIES/SERVICES			19. QUANTITY	20. UNIT	21. UNIT PRICE	22. AMOUNT
	Pacific Marine Assessment Partnership for Protected Species (PacMAPPS) II - California Current This Interagency Agreement is issued on behalf of the Bureau of Ocean Energy Management (BOEM) by the Bureau of Safety and Environmental Enforcement (BSEE). Funds in the amount of \$950,000.00 are hereby obligated. Continued ...						
23. PAYMENT PROVISIONS			24. TOTAL AMOUNT \$950,000.00				
25a. SIGNATURE OF GOVERNMENT REPRESENTATIVE (SERVICING)			26a. SIGNATURE OF GOVERNMENT REPRESENTATIVE (REQUESTING) CHRISTY TARDIFF Digitally signed by CHRISTY TARDIFF Date: 2024.04.26 16:30:52 -04'00'				
25b. NAME AND TITLE for Meghan Donahue, OMI Director			25c. DATE 04/24/24	26b. CONTRACTING OFFICER Christy Tardiff			26c. DATE

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The period of performance will begin upon signing by both Parties and will extend for 24 months.

Account Assignm: K G/L Account: 6100.253H0
Business Area: M000 Commitment Item: 253H00 Cost Center: MMGG200000 Functional Area:
MD1EVES00.STUD00 Fund: 24XM1917XD Fund Center:
MMGG200000 Project/WBS: MX.ENVSP PR Acct Assign:
01

00010 Full Funding 950,000.00
Product/Service Code: R408
Product/Service Description: SUPPORT-
PROFESSIONAL: PROGRAM MANAGEMENT/SUPPORT

The total amount of award: \$950,000.00. The obligation for this award is shown in box 24.

**CONTINUATION PAGES FOR
BOEM INTERAGENCY AGREEMENT NUMBER M24PG00021
BETWEEN
THE BUREAU OF OCEAN ENERGY MANAGEMENT (BOEM)
AND
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA)
NATIONAL MARINE FISHERIES SERVICE (NMFS), SOUTHWEST FISHERIES
SCIENCE CENTER (SWFSC), PROTECTED SPECIES DIVISION**

**For the study entitled, “Pacific Marine Assessment Partnership for Protected Species
(PacMAPPS) II – California Current”
NOAA Agreement No. SWC-213**

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1. PARTIES AND PURPOSE

This Interagency Agreement (IA) establishes an agreement between the U. S. Department of the Interior (DOI), Bureau of Ocean Energy Management (BOEM), and U.S. Department of Commerce (DOC), National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS), Southwest Fisheries Science Center (SWFSC), Protected Species Division. The intent of the IA is to provide funding towards the SWFSC survey and analysis for the study entitled “Pacific Marine Assessment Partnership for Protected Species (PacMAPPS) II – California Current”.

2. AUTHORITY

This agreement is issued pursuant to the authority of:

- (a) Fish and Wildlife Coordination Act (16 U.S.C 661) which authorizes the Secretary of the Interior to provide assistance to and cooperate with specific entities to assist in the protection of fish and wildlife and their habitats.
- (b) The Outer Continental Shelf Lands Act (OCSLA), 43 U.S.C. 1331 et seq., which established Federal jurisdiction over the submerged lands of the continental shelf seaward of State boundaries, and charged the Secretary of the Interior with:
 - (1) Responsibility for administering minerals exploration and development in the OCSLA; and
 - (2) Formulating regulations so that the provisions of the Act might be met.

The OCSLA Amendments of 1978, 43 U.S.C. 1346 established a policy for the management of oil and natural gas in the Outer Continental Shelf (OCS) and for protection of the marine and coastal environment. The amendments authorize the Secretary of the Interior to conduct studies in areas or regions of sales to ascertain the “environmental impacts on the marine and coastal environments of the OCS and the coastal areas which may be affected by oil and gas development.”

Per 43 U.S.C 1346(c), “...For the purpose of carrying out his responsibilities under this section, the Secretary (of the Interior) may by agreement utilize, with or without reimbursement, the services, personnel or facilities of any Federal, State or local government agency.”

- (c) The National Environmental Policy Act (NEPA), 42 U.S.C. 4321-4347, which requires that all Federal agencies use a systematic, interdisciplinary approach that will ensure the integrated use of the natural and social sciences in any planning and decision-making that may have an effect on the human environment.
- (d) The Coastal Zone Management Act (CZMA), 16 U.S.C. §§ 1451 et seq.; which established a policy whose goals include “to encourage coordination and cooperation

with and among the appropriate Federal, State, and local agencies, and international organizations where appropriate, in collection, analysis, synthesis, and dissemination of coastal management information, research results, and technical assistance, to support State and Federal regulation of land use practices affecting the coastal and ocean resources of the United States" (16 U.S.C. § 1452(5)), and directs that "In carrying out his functions and responsibilities under this chapter, the Secretary [of Commerce] shall consult with, cooperate with, and, to the maximum extent practicable, coordinate his activities with other interested Federal agencies" (16 U.S.C. § 1456(a)).

- (e) Marine Mammal Protection Act of 1972 (MMPA; 16 USC 1361-1407, spec. 1382).
- (f) Endangered Species Act of 1973 (ESA; 16 U.S.C. § 1531 et seq.). Specifically, section 7(a)(1) that charges Federal agencies to aid in the conservation of listed species.

3. AUTHORITY FINDINGS

Entering into this Interagency Agreement is consistent with the authorities listed above as this study will assist in the protection of fish and wildlife and their habitats; help fulfill the BOEM mission to ascertain the environmental impacts on the marine and coastal environments of the OCS and the coastal areas which may be affected by oil and gas and renewable energy development; and provide information to be used in environmental impact statements and environmental assessments under the NEPA.

BOEM warrants that funding is available, that this agreement is in the best interest of the U.S. Government, and that the services requested cannot be obtained as conveniently or economically by contracting directly with a private source. NOAA warrants that it can provide the ordered goods or services.

4. DURATION OF AGREEMENT

This agreement will become effective when signed by the parties. The period of performance begins upon signing of both parties and will extend for 24 months. The termination date may be amended at any time by mutual written consent of the parties.

5. STATEMENT OF WORK

A. BACKGROUND

The Energy Policy Act of 2005 authorized the Bureau of Ocean Energy Management (BOEM) to regulate renewable energy activities on the Outer Continental Shelf (OCS). As part of this responsibility, BOEM is tasked with conducting detailed environmental analyses of proposed renewable energy projects. These analyses include evaluating the potential direct, indirect and cumulative impacts on the marine environment, including marine mammals, sea turtles and seabirds. They allow BOEM to make environmentally sound decisions about managing renewable energy activities and developing mitigation measures to minimize their impacts. Recently, there has been an increasing interest in developing renewable energy projects in the

Pacific. BOEM has received or expects to receive applications for commercial wind energy leases offshore Oregon, California and Hawaii.

In compliance with the National Environmental Policy Act (NEPA) of 1969, as amended (42 U.S.C. 4231 et seq.), BOEM will perform appropriate environmental evaluations of and consultations for offshore renewable energy projects. In preparation for these documents, BOEM needs temporal and spatial information about a variety of biological and physical resources in the Pacific to conduct environmental analyses and inform the decision-making process. To provide this information, BOEM will partner with NOAA's Southwest Fisheries Science Center (SWFSC) to conduct surveys of marine mammals and, to the extent possible, sea turtles and seabirds, along the West Coast mainland (California Current) in 2024.

The work under this agreement will supplement and complement on-going efforts by the SWFSC to conduct comprehensive marine mammal, sea turtle, seabird, and ecosystem surveys of the California Current, to estimate the abundance of marine mammal populations and to monitor status and trends. These surveys provide a broad-scale basis for managing marine mammal stocks within an ecosystem context that includes sea turtle, seabird, prey and oceanographic observations and measurements. The data and subsequent analyses prepared by NOAA will be used by BOEM in future environmental assessments.

The California Current Cetacean and Ecological Assessment (CalCurCEAS) cruise effort is planned for summer/fall of 2024 and would follow standard protocol for NOAA line-transect large-vessel cruises (e.g., Barlow and Forney 2007, Bradford et al. 2014) throughout the U.S. EEZ of the California Current. This entails conducting visual (marine mammal observers) and acoustic (drifting array) surveys along pre-planned transect lines; and recording observations (species, group size, and distance from vessel) for marine mammals, seabirds, and sea turtles. Surveys would be conducted over a 4-month period from the NOAA ship or similar chartered vessel (120 sea-days).

B. GOALS AND OBJECTIVES

The primary objectives of the CalCurCEAS effort are to collect cetacean encounter data and to facilitate estimating density of cetaceans throughout the waters of the California Current. A secondary objective is to collect sea turtle and seabird occurrence data for use in estimates of population range and abundance within Pacific Coast waters.

Visual survey encounter data collected during CalCurCEAS will be used to derive density estimates for all encountered species. Predictive density models will use habitat variables from remotely-sensed data or ocean model outputs to determine relationships between environmental measures and cetacean encounter rate and group size. These habitat models will provide spatially-explicit density estimates at various scales, including scales much smaller than the entirety of the California Current study area.

Cetacean detections from the passive acoustic drifting array will be collected during CalCurCEAS to classify detected schools to species when possible, map occurrence of detected species, and conduct follow-on analysis incorporating acoustic data into density estimates for some deep diving species.

C. DESCRIPTION OF WORK

Task 1: Calendar Year 2024: California Current Cetacean Ecosystem Assessment Surveys (CalCurCEAS)

The CalCurCEAS effort will take place in summer and summer/fall 2024 aboard the NOAA Ship *Lasker* or *Shimada* or similar chartered vessel. Aboard each ship line-transect survey methods will be used to collect cetacean abundance data. Visual observers search for cetaceans during daylight hours using deck-mounted 25 x 150 power binoculars and naked eye, recording all effort, weather, and encounter data into specially-designed computer software WinCruz. Drifting hydrophone arrays will be deployed throughout the survey area to record cetacean sounds.

During encounters with certain species, additional data may be collected including photographs for individual identification, tissue samples for genetic studies of population structure, or additional acoustic data for species classification studies. Telemetry tags may also be deployed on specific species to provide data for assessment of population range and movements.

Preliminary data quality assurance and control (QA/QC) for visual and acoustic datasets will take place at sea.

Task 2: Calendar Years 2025-2026: Incorporate CalCurCEAS data into cetacean species density maps, occurrence maps, and population estimates.

CalCurCEAS cetacean visual survey data will be analyzed to produce density estimates for encountered species. Density analyses will be conducted using accepted peer-reviewed methodology (e.g., distance sampling for density estimation). Density will be estimated for each encountered species using standard line-transect analytical methods and for species with adequate data, spatially-explicit density estimates will be modeled based on habitat associations (e.g. Forney et al., 2012, 2015, Becker et al. 2022).

Standard line-transect density estimates will be derived for all species with at least one on-effort encounter during CalCurCEAS 2024. Standard estimates combine observer estimates of group size, the number of encounters of each species, the total surveyed trackline distance, the survey area, and estimates of track line detection probability to account for groups missed due to environmental conditions (e.g. Barlow 2015) or other observer biases. Estimates of trackline detection probability generally use all available encounter data from the study area, as more encounters are needed to derive the shape of the function than are typically collected during a single survey. Analytical approaches to density estimates have varied depending on the amount and quality of available data, so it is not possible to specify exactly how the analysis will be carried out before the survey is conducted.

Model-based density estimates combine dynamic remotely-sensed or ocean modeled datasets (e.g., sea surface temperature (SST), chlorophyll (CHL), sea surface height (SSH), mixed layer depth (MLD)) and static variables (e.g., depth, distance to islands) with cetacean encounter data and estimates of group size obtained by the visual observers. Samples for the model are created by dividing the continuous survey effort into approximately 10km segments. Species-specific sighting data are summarized for each segment (number of groups encountered, average group

size). The habitat predictor variables are then derived for the mid-point of each segment. The new cetacean and environmental datasets from the 2024 survey will be combined with all previous line-transect survey data for the California Current (spanning 1991-2024) within a Generalized Additive Model (GAM) framework to derive models of species density within a line-transect framework (Becker et al., 2016, 2022).

Following at-sea QA/QC for the visual survey data, additional post-survey data processing is required before the data may be used in density estimation analyses. Post-survey QA/QC includes verifying effort status for all survey segments, confirming all sighting information was correctly recorded, including group size estimated by observers, and error checking for common omissions or typographical errors missed during the at-sea QA/QC process. For a 120 day survey such post-survey QA/QC is expected to take approximately 2 months. Once a final dataset is available, ecologists and modelers will require approximately one year to produce final density estimates. The one year time table is based on prior density modeling efforts and accounts for the time required to process the final survey dataset into modeling segments, obtain and error check the full suite of potential habitat variables, develop methods for dealing with potential biases that may be associated with the new survey data, build and evaluate individual density models on a species-by-species basis, validate final models, and derive estimates of uncertainty around modeled density values.

Task 3: Calendar Years 2025-2026. Analyze CalCurCEAS passive acoustic data for follow-on analyses.

CalCurCEAS passive acoustic drifting array (DASBR) data will be analyzed to detect, classify, and localize cetacean schools to generate a processed dataset that may more readily feed into potential follow-on analyses.

The raw acoustic data will be run through detectors for echolocation clicks, whistles, and burst pulse sounds using the software PAMGUARD. These detections are checked by an analyst to ensure they correspond to cetacean sounds and false detections are removed from further analyses. Collections of detections will be further analyzed to classify those detections to species when possible. Using a variety of species classification tools (ROCCA, click classifiers, BANTER) species such as beaked whales, sperm whales, false killer whales, short-finned pilot whales, rough-toothed dolphins, melon-headed whales, Risso's dolphins, and killer whales can be classified to species with relatively high certainty. New classification techniques using clustering analyses will be used to derive classification scores for these and other species when there are adequate sightings of acoustically-detected schools to establish statistical relationships between species and detected sound characteristics. Some schools may only be classified to an unidentified delphinid category because they are similar to sound produced by other species or because there are inadequate associations with visual confirmed species groups to allow for assignment to a species.

Post-processing of the acoustic data generally takes about one month for each month at sea, and occasionally longer if detection rates are very high or if species classification requires additional analyses. The final QA/QC'd visual dataset must be available during acoustic analyses to enable assessment of acoustic detection of each sighted group, and to use the visual characteristics of

sighted groups to aid in species classification scoring. A database of passive acoustic effort and cetacean detections, including associated species ID and localization when available will be produced to facilitate potential follow-on analyses with the acoustic data. Such follow-on analyses may include assessment of cetacean habitat associations, or if adequate data are available for certain species, incorporation of the acoustic detections into spatially-explicit density models. We anticipate being able to provide population estimates for Cuvier's beaked whales, based on data from 2015, 2018 and 2024 DASBR efforts, following methods of Barlow et al. 2022.

D. PROGRAM MANAGEMENT

The BOEM COR is Dr. Desray Reeb, Marine Biologist, Pacific Regional Office, Camarillo, California. The SWFSC Project Lead is Dr. Jeffrey Moore, California Current Marine Mammal Assessment Program Lead, Marine Mammal and Turtle Division.

SWFSC will adhere to the contents of this IA for monitoring all aspects of the Interagency Agreement requirements. Any agreed-to changes that might affect the IA are subject to approval in writing by the BOEM Contracting Officer (CO).

Scientific integrity is vital to Department of the Interior (DOI) activities under which scientific research, data, summaries, syntheses, interpretations, presentations, and/or publications are developed and used. Failure to uphold the highest degree of scientific integrity will result not only in potentially flawed scientific results, interpretations, and applications but will damage DOI's reputation and ability to uphold the public's trust. All work performed must comply with the DOI Scientific Integrity Policy posted to <https://www.doi.gov/scientificintegrity>, or its equivalent as provided by their organization or State law.

6. MEETINGS, REPORTS AND OTHER DELIVERABLES

All deliverables are due according to the deliverables schedule summarized in Section 7.

A. POST-AWARD MEETING AND SUMMARY

SWFSC will hold a post-award meeting (via video conference) with BOEM that includes the BOEM CO, COR, and other BOEM subject matter experts within ten (10) business days following the IA award. The purpose of this meeting is to discuss roles, responsibilities, working relationships, major milestones, and deliverables. At a minimum, the post-award meeting shall include: 1) directions from the CO and identification of the COR and other pertinent BOEM personnel; 2) the proposed Schedule from the Recipient; and 3) an introduction and identification of any key collaborators by the Recipient. During the post-award meeting, the Statement of Work and Deliverables shall be reviewed and remaining technical or managerial issues shall be resolved. Any agreed-to changes that might affect the award are subject to approval in writing by the BOEM CO.

SWFSC shall:

- Provide an agenda to participants at least one (1) week prior to the meeting;

- Provide a Meeting Summary detailing the discussions and any mutually agreed-to decisions to BOEM for review and approval within two (2) weeks after the meeting.

B. CalCurCEAS 2024 CRUISE REPORT

NMFS SWFSC will submit a cruise report describing the work completed during the 2024 CalCurCEAS cruise effort, an explanation of progress made against the work schedule, and a summary of any significant technical, budgetary, or other problems encountered during the cruise effort, including an assessment of their probable effects on meeting provisions of this Agreement. A summary breakdown of expenses-to-date must accompany the cruise report. The cruise report will be submitted via email and will be due within six (6) months after completion of each cruise effort. The report may be formatted as a NOAA Technical Memorandum.

C. DRAFT CalCurCEAS FINAL REPORT AND TECHNICAL SUMMARY

NMFS SWFSC shall prepare and submit a draft Final Report for the CalCurCEAS 2024 survey, together with a draft Technical Summary to BOEM per the deliverable schedule.

The draft Final Report will detail the study approach, the work completed, and data collected, including pertinent analyses, results, and conclusions from the CalCurCEAS 2024 cruise. The Final Report will describe data gaps/research needs that would improve future risk assessments based on this work. The organization of the draft Final Report will include a summary of results, conclusions, references, and appendices, unless an alternative plan is agreed upon between SWFSC and the BOEM COR prior to preparation.

The draft Technical Summary should be a concise summary (no more than a few pages in length) and cover all technical tasks. NMFS SWFSC shall prepare the draft Final Report and draft Technical Summary with clear, concise writing at a level suitable to a technical audience familiar with the various facets of marine biology and renewable and conventional energy mitigation development. The format of the draft Final report and draft Technical Summary shall conform to the specifications and templates on BOEM's web site:
<https://www.boem.gov/environment/environmental-studies/report-specifications/esp-report-and-footprint-specifications>.

Upon receipt of each of the draft Final Report and draft Technical Summary, BOEM will have thirty (30) days to review them and provide comments to NMFS SWFSC.

D. REVISED CalCurCEAS 2024 FINAL REPORT AND TECHNICAL SUMMARY

NMFS SWFSC shall revise and finalize the draft Final Report and Technical Summary in response to BOEM's comments and will have thirty (30) days from receipt of BOEM's comments to do so.

NMFS SWFSC shall provide the rationale in a letter accompanying the revised Final Report and Technical Summary for any review comments not accommodated. The revised Final Report and Technical Summary must be submitted to BOEM in an editable format (MS Office) and in 508 Compliant PDF format without any kind of usage restrictions or password protection. All

components of the Final Report must be provided in a single PDF, bookmarked with at least three levels of headings.

MS Word and PDF files of the revised Final Report and Technical Summary shall be delivered to BOEM per the deliverable schedule. Bibliographic citations for the Final Reports shall be delivered to BOEM in EndNote® compatible format.

E. DATA MANAGEMENT

E.1 Data Submission

Concurrent with submission of the Final Report, the recipient shall submit all databases, metadata, and other information relevant to the analyses conducted.

E.2 Data Format

All report files generated by this agreement shall be prepared in electronic and paper copies and be submitted according to the schedule and requirements described in the deliverable schedule and as agreed upon at the Post-Award Meeting. Text files shall be submitted in formats compatible with Microsoft (MS) Word® and Adobe Acrobat® (i.e., PDF); database files shall be submitted in a format compatible with MS Excel®; and geographic data files shall be submitted using an ArcGIS file geodatabase (see Data Submission section below for more detail). Bibliographic references shall be submitted in a format compatible with EndNote®. Any DVDs and/or hard drives submitted shall be formatted with a system (e.g., New Technology File System [NTFS]) that is writeable by the current MS Windows® operating system.

If photographs, videos, or audio recordings are to be included with the reports, they shall be credited and free of copyright restrictions and suitable for copying. These figures shall have a minimum resolution of 300 dpi. This digital requirement includes all tables, charts, graphs, and figures that were not prepared in MS Word, as well as photographs from other sources. No originals shall be mailed without prior backups.

If practicable, BOEM will store a copy of the data and/or data products and associated software on external hard drives or using other appropriate media depending on the nature and size of the products, as agreed to by the SWFSC Project Lead and the BOEM COR.

E.3 Acoustic and Geographic Data

Where applicable, derived geographic data products will be delivered in geodatabases (ArcGIS 10.2 or newer) on an external hard drive or other media acceptable to both parties. At a minimum, the geodatabases will include feature classes for polygons (shapefiles) and grids (rasters) displaying data and the results of analyses and models.

All detection feature classes will be in the WGS_1984 Geographic Coordinate System. Rasters will be created in an appropriate Projected Coordinate System for the area displayed, such as UTM zones 4, 5, 9, 10, or 11. (BOEM needs to select appropriate projection for larger geographic areas.)

All geographic data products will be adequately described with detailed metadata conforming to either Federal Geographic Data Committee (FGDC) Content Standard for Digital Geospatial Metadata, or the International Organization for Standards (ISO) Geographic Information – Metadata Standard 19115. Metadata will include detailed explanation of how the data were collected and analyzed. Profiles and extensions to the standard that have been endorsed by the FGDC shall be used if they are applicable to the data or data products. The metadata records shall contain any and all elements, including those that are considered optional, wherever applicable to the data or data product. The metadata record shall contain sufficient detail to ensure the data or data product can be fully understood for future use and for posterity. The metadata records shall be delivered free of errors in both content and format.

Granular metadata shall describe each data file generated during this project and contain sufficient information for the scientific use of the data (including parameters, calibration information, location of the instrumentation, etc.). Collection metadata records will be provided for each type of data collected by the field program, including raw acoustic, processed acoustic, image, localization, and whatever else may be applicable. The collection metadata shall provide an inventory of all the granule metadata associated with the collection and provide links for the direct download of the data granules from the Internet. All metadata shall follow the latest content standards developed by the relevant communities of practice (i.e. Integrated Ocean Observing System for Passive Acoustic Monitoring data, and Tethys for vocalization detection data). All acoustic data will be submitted to the NOAA National Center for Environmental Information (NCEI) in the correct format and with the NCEI required metadata documentation.

The metadata and records will be subject to review and approval prior to final acceptance by the Government.

F. STUDY FOOTPRINTS

SWFSC will, with assistance from BOEM as needed, deliver study footprints that geographically reference the study area for the CalCurCEAS cruise. The footprint should be developed in accordance with the ESPIS Study Footprint Specifications on BOEM's website at <https://www.boem.gov/environment/environmental-studies/report-specifications/esp-report-and-footprint-specifications>.

G. WEBINAR PRESENTATION

At the conclusion of the study and before the end of the Period of Performance of this IA, SWFSC will give a webinar to BOEM staff and invited participants summarizing the study and major findings. This webinar can be conducted in-person at BOEM's Pacific Regional Office in Camarillo, CA, or virtually.

H. JOURNAL PUBLICATIONS AND PRESENTATIONS

SWFSC shall request that investigators publishing articles or giving conference presentations based on this study submit articles or presentations to BOEM for a courtesy review and comment prior to submittal to the journal or conference authority. All such publications and oral

presentations shall contain an acknowledgment of support from the BOEM under this Agreement. Manuscripts are to be submitted as per the deliverables schedule.

7. DELIVERABLES SCHEDULE AND DISTRIBUTION

Deliverable products will be submitted to the email addresses shown below in accordance with the following schedule. In the event that NOAA encounters or anticipates difficulty in meeting the delivery schedule, the COR will be notified in writing of the reasons for the delay and the projected revised delivery dates. Any other related effects of project delay will also be summarized.

Deliverable	Distribution	Due Date
A. Post-Award Meeting and Summary	DES Chief—One (1) electronic copy (MS Word or PDF) ESPR—One (1) electronic copy (MS Word or PDF) COR—One (1) electronic copy (MS Word or PDF) CO—One (1) electronic copy (MS Word or PDF)	Post-Award Meeting within ten (10) business days after award. Post-Award Meeting Summary within two (2) weeks after the meeting.
B. CalCurCEAS 2024 Cruise Report (via email in PDF)	DES Chief—One (1) electronic copy (MS Word or PDF) ESPR—One (1) electronic copy (MS Word or PDF) COR—One (1) electronic copy (MS Word or PDF) CO—One (1) electronic copy of transmittal letter	Within six (6) months after completion of cruise effort
C. CalCurCEAS 2024 Draft Final Report and Technical Summary	ESPR—One (1) electronic copy (MS Word) COR—One (1) electronic copy (MS Word) CO—One (1) electronic copy of transmittal letter	Two (2) months prior the end of the period of performance
D. CalCurCEAS 2024 Revised Final Report and Technical Summary	ESPR—One (1) electronic copy (MS Word) COR—One (1) electronic copy (MS Word) CO—One (1) electronic copy of transmittal letter	Prior the end of the period of performance

Deliverable	Distribution	Due Date
E. All Data Deliverables	DES Chief—One (1) electronic copy of transmittal letter only ESPR—One (1) electronic copy of transmittal letter only COR—Two (2) copies on BOEM-approved media or approved data archive. CO—One (1) electronic copy of transmittal letter only	Submit with Revised Final Report and Technical Summary
F. Study Footprints	ESPR—One (1) electronic copy COR—One (1) electronic copy CO—One (1) electronic copy of transmittal letter	Submit with Revised Final Report and Technical Summary
G. Webinar Presentation	COR—One (1) electronic copy	Within two (2) weeks before the end of the period of performance
H. Journal Publications and/or Oral Presentations related to work under this agreement, not otherwise specified	DES Chief—One (1) electronic copy of journal publication(s) ESPR—One (1) electronic copy of journal publication(s) COR—One (1) electronic copy each of draft and final manuscript(s) or presentation(s) CO—One (1) electronic copy of transmittal letter only	Drafts to COR for courtesy review prior to publication and/or presentation. Within one week of publication in a peer-reviewed publication or within 2 weeks of presenting the oral presentation.

ADDRESSES FOR DELIVERABLES

Contracting Officer's Representative (COR) Dr. Desray Reeb Bureau of Ocean Energy Management Pacific OCS Regional Office 760 Paseo Camarillo, Suite 102 Camarillo, CA 93010 Telephone: (805) 384-6396 Email: desray.reeb@boem.gov	Contracting Officer (CO on behalf of BOEM) Christy Tardiff Bureau of Safety and Environmental Enforcement Acquisition Management Division 45600 Woodland Road, VAE-AMD Sterling, VA 20166 Telephone: (703) 787-1367 Email: christy.tardiff@bsee.gov
ESP Representative (ESPR) Dr. James Price Bureau of Ocean Energy Management Division of Environmental Sciences 45600 Woodland Road, VAM-OEP Sterling, VA 20166 Telephone: (703) 787-1641 Email: james.price@boem.gov	DES Chief Chief, Division of Environmental Sciences Bureau of Ocean Energy Management 45600 Woodland Road, VAM-OEP Sterling, VA 20166 Email: environmentalstudiesprogram2@boem.gov

8. ACKNOWLEDGEMENTS, NOTIFICATIONS AND DISCLAIMERS

Acknowledgements: All reports, scientific papers, and other presentations resulting from this Agreement will acknowledge BOEM as a sponsor of this study on the title page of the report and the funding page of a presentation by using the following statement: “This study was funded in part by the U.S. Department of the Interior, Bureau of Ocean Energy Management, Environmental Studies Program, Washington, D.C., through Interagency Agreement M24PG00021 with the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Southwest Fisheries Science Center.”

It is understood that the results of this work will be available to the U.S. Department of Commerce, National Oceanic and Atmospheric Administration’s SWFSC for publication and use in connection with related work. Acknowledgement of BOEM as a sponsoring partner will be included in such publications. Acknowledgement of scientific, technical, and data contributions of all collaborating parties will be made in all products produced under this Agreement.

Notifications: Prior to release for publication of any news articles prepared from this study, relevant drafts and photos will be supplied to the BOEM COR with sufficient time for reviews, incorporation of comments in subsequent drafts, and for coordination to take place between the appropriate agency Public Affairs Officers. At a minimum, “sufficient time” requires prior notice by three (3) workdays. All news releases resulting from or related to this study shall include acknowledgement of the BOEM role in the study, properly credit photographs to photographer, and provide photographer affiliation and BOEM IA number.

Disclaimers: The disclaimer page in the draft and revised Final Report shall contain the following language:

“This study was funded, in part, by the US Department of the Interior, Bureau of Ocean Energy Management (BOEM) through Interagency Agreement Number M24PG00021 with the National Oceanographic and Atmospheric Administration’s National Marine Fisheries Service. This report has been technically reviewed by BOEM, and it has been approved for publication. The views and conclusions contained in this document are those of the authors and should not be interpreted as representing the opinions or policies of BOEM, nor does mention of trade names or commercial products constitute endorsement or recommendation for use.”

9. REHABILITATION ACT OF 1973

Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d) requires access to and use of information by individuals with disabilities. A deliverable for electronic data such as CD-ROMs to be distributed, or web-based intranet and internet information and applications are subject to Section 508 guidelines. Simplified, this means that electronic files need to be formatted so that they are “readable” by assistive technology devices such as screen readers. More information can be found at <https://www.section508.gov>. All reports must be Section 508 compliant.

10. GOVERNMENT USE OF DATA

The servicing agency shall ensure that the U.S. Government has unlimited rights in all data included in the deliverables submitted under this IA. “Unlimited rights” means the rights of the Government to use, disclose, reproduce, prepare derivative works, distribute copies to the public, and perform publicly and display publicly, in any manner and for any purpose, and to have or permit others to do so.

The servicing agency shall ensure that the appropriate Rights in Data and Copyright clauses (based in Federal Acquisition Regulations 52.227-17, 52.227-18, and 52.227-19) are included in all contracts awarded pursuant to this IA (if applicable) in order to ensure the Government reserves unlimited rights to the data.

In the event that software licenses are purchased pursuant to this agreement, the servicing agency shall ensure that the licenses are transferable to BOEM or that BOEM has rights to use the specific software.

11. RESPONSIBILITIES OF THE PARTIES

SWFSC shall perform the work and address the information and data requirements in accordance with the requirements of this IA. This IA sets forth the requirements, specifications, conditions, and restrictions which are binding to both parties.

SWFSC shall furnish all personnel, equipment, materials, supplies and services in performing the work described in this IA, unless otherwise stated herein. BOEM agrees to provide funding to SWFSC towards the cost of this program as described in the budget information below.

12. BUDGET AND FUNDING LIMITATIONS

It is estimated that the total overall cost to BOEM for full performance of this effort will be a Not-To-Exceed amount of \$950,000. Funding in the amount of \$950,000 is currently available and allotted to this effort. BOEM shall not be required to reimburse NMFS SWFSC for cost in excess of the current obligation, nor will NMFS SWFSC be required to continue performance and incur cost in excess of the amount obligated. NOAA will be providing in-kind services for this agreement.

13. ACCOUNTING DATA AND TRANSFER OF FUNDS

Requests for reimbursement shall be submitted either quarterly or monthly via servicing agency initiated IPAC: Intra-Governmental Payment and Collection (IPAC), at <https://www.fiscal.treasury.gov/ipac/>. The IPAC application shall cite the number of this agreement, appropriation symbol, billing period, and other necessary accounting identification codes. As appropriate, prior to billing BOEM, the servicing agency shall provide the BOEM Contracting Officer's Representative with information necessary to back-up each IPAC payment being requested. Financial information to be referenced:

BOEM

1. Business Event Type Code (BETC): DISNGF
2. TAS/Appropriation Code: 014X1917000
3. Type of Funds/expiration: No Year Funds/no expiration
4. Accounting codes: MMGG200000, MD1EVES00.STUD00
5. UEI: MKJNNUDTFUG2
6. Agency Location Code: 14-19-0001

NOAA

1. Business Event Type Code (BETC): COLL
2. UEI: MMXECKN4F4B5
3. Agency Location Code: 13-14-0001
4. Treasury Account Symbol Main Account Code: 1450
5. Treasury Symbol: 13x1450

The IA number and title shall be provided on all billing documents. Billing issues shall be directed to:

BOEM Finance Office
45600 Woodland Road, VAE-FD
Sterling, VA 20166

Nothing contained in the agreement shall abrogate the statutory responsibility or authority of either BOEM or NOAA SWFSC.

14. MODIFICATIONS AND INTERPRETATIONS

Changes and/or modifications to this agreement may be made at any time upon mutual written consent of the parties. Modifications shall cite the Interagency Agreement number (M24PG00021) and shall set forth the exact nature of the change and/or modification.

No verbal statements by any person and no written statements by anyone other than a BOEM warranted Contracting Officer shall be interpreted as modifying or otherwise affecting the terms of this agreement.

15. TERMINATION AND CANCELLATION CLAUSE

Either party may terminate this agreement by providing 30 days written notice to the other party. If the requesting agency cancels the order, the servicing agency is authorized to collect costs incurred prior to cancellation of the order plus any termination costs.

The total value of the agreement, including termination costs, will not exceed the amount of funding obligated under the agreement.

16. RESOLUTION OF DISAGREEMENTS

Should disagreements arise on the interpretation of the provisions of this agreement or amendments and/or revisions thereto, that cannot be resolved at the operating level, the area(s) of disagreement shall be stated in writing by each party and presented to the other party for consideration. If agreement or interpretation is not reached within 30 days, the parties shall forward the written presentation of the disagreement to respective higher officials for appropriate resolution.

If a dispute related to funding remains unresolved for more than 30 calendar days after the parties have engaged in an escalation of the dispute, it will be resolved in accordance with instructions provided in the Treasury Financial Manual (TFM) Volume 1, Part 2, Chapter 4700, Appendix 5, available at <https://tfm.fiscal.treasury.gov/>.

17. CONTACTS

The following officials are the principal points of contact between the Parties in the performance of this Agreement:

Contracting Officer (CO), On behalf of BOEM

Christy Tardiff
Bureau of Safety and Environmental Enforcement
Acquisition Management Division
45600 Woodland Road, VAE-AMD
Sterling VA 20166
Telephone: (703) 787-1367
Email: christy.tardiff@bsee.gov

Contracting Officer's Representative (COR), BOEM

Dr. Desray Reeb
Bureau of Ocean Energy Management
Pacific OCS Region
760 Paseo Camarillo, Suite 102
Camarillo, CA 93010
Telephone: (805) 384-6396
Email: desray.reeb@boem.gov

Administrative Point of Contact, NMFS SWFSC

Tina Chen
Marine Mammal and Turtle Division
NOAA/NMFS Southwest Fisheries Science Center
8901 La Jolla Shores Drive
La Jolla, CA 92037-1508
Telephone: (858) 546-5610
Email: tina.l.chen@noaa.gov

Technical Point of Contact, NMFS SWFSC

Dr. Jeffrey Moore, Survey Chief Scientist
Marine Mammal and Turtle Division
National Marine Fisheries Service, Southwest Fisheries Science Center
8901 La Jolla Shores Drive
La Jolla, CA 92037-1508
Telephone: (858) 546-7161
Email: jeff.e.moore@noaa.gov

Financial Point of Contact, NMFS SWFSC

Rod Miller
National Marine Fisheries Service, Southwest Fisheries Science Center
8901 La Jolla Shores Drive
La Jolla, CA 92037-1508
Telephone: (858) 546-7013
Email: rod.miller@noaa.gov

The Parties agree that if there is a change regarding the information in this section, the Party making the change will notify the other Party in writing of such change.