

U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF OCEAN ENERGY MANAGEMENT

Conditions of Site Assessment Plan Approval

Lease Number OCS-A 0490

The Lessee's rights to conduct activities under the approved Site Assessment Plan (SAP) are subject to the following conditions. The Lessor reserves the right to impose additional conditions incident to any future approval of any modifications to the SAP.

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# **1. CONDITIONS RELATING TO MARINE MAMMALS, SEA TURTLES, AND STURGEON**

## **1.1. General Requirements**

1.1.1. Prior to conducting activities pursuant to the SAP, the Lessee must hold a briefing to establish responsibilities of each party involved in implementing the requirements specified in Section 1 of these conditions. During this briefing, the parties involved must define the chains of command, discuss communication procedures, provide an overview of monitoring procedures, and review operational procedures. This briefing must include all relevant personnel, crew members, and protected species observers (PSOs). New personnel must be briefed as they join the work in progress.

1.1.2. The Lessee must ensure that all vessel operators and crew members, including PSOs, are familiar with and understand, the requirements specified in these conditions.

1.1.3. The Lessee must ensure that a copy of these conditions is made available on every project-related vessel.

1.2. **Requirements for Vessel Strike Avoidance** The Lessee must ensure that all vessels conducting activities authorized under its SAP comply with the vessel-strike avoidance measures specified below, except under extraordinary circumstances when the safety of the vessel or the safety of life at sea is in question.

1.2.1. The Lessee must ensure that vessel operators and crews maintain a vigilant watch for marine mammals and sea turtles and slow down or stop their vessel to avoid striking these protected species.

1.2.2. The Lessee must ensure that vessel operators comply with 10 knot (18.5 km/hr) or less speed restrictions in the following circumstances:

1.2.2.1. All vessels operating in any Dynamic Management Area (DMA).

1.2.2.2. All vessels 19.8 m (65 ft) in length or greater, traveling and operating within the project area and between the staging area/port and the project area from November 1 through April 30.

1.2.2.3. When mother/calf pairs, pods, or large assemblages of cetaceans are observed near any vessel.

## **1.3. North Atlantic Right Whales**

1.3.1. The Lessee must ensure all vessels maintain a separation distance of 500 meters (1,640 ft) or greater from any sighted North Atlantic right whale.

- 1.3.2. The Lessee must ensure that the following avoidance measures are taken if a vessel comes within 500 meters (1,640 ft) of any North Atlantic right whale:
- 1.3.2.1. If underway, any vessel must steer a course away from the North Atlantic right whale at 10 knots (18.5 km/h) or less until the 500 meter (1,640 ft) minimum separation distance has been established (unless 1.3.2.2 below applies).
- 1.3.2.2. If a North Atlantic right whale is sighted within 100 meters (328 ft) of an underway vessel, the vessel operator must immediately reduce speed and promptly shift the engine to neutral. The vessel operator must not engage the engines until the North Atlantic right whale has moved beyond 100 meters (328 ft), at which point the Lessee must comply with 1.3.2.1 above.
- 1.3.2.3. If a vessel is stationary, the vessel operator must not engage engines until the North Atlantic right whale has moved beyond 100 meters (328 ft), at which point the Lessee must comply with 1.3.2.1 above.

#### **1.4. Non-Delphinoid Cetaceans Other Than the North Atlantic Right Whale**

- 1.4.1. The Lessee must ensure all vessels maintain a separation distance of 100 meters (328 ft) or greater from any sighted non-delphinoid cetacean.
- 1.4.2. The Lessee must ensure that the following avoidance measures are taken if a vessel comes within 100 meters (328 ft) of any non-delphinoid cetacean:
- 1.4.2.1. If any non-delphinoid cetacean is sighted, the vessel underway must reduce speed and shift the engine to neutral, and must not engage the engines until the non-delphinoid cetacean has moved beyond 100 meters (328 ft).
- 1.4.2.2. If a vessel is stationary, the vessel must not engage engines until the non-delphinoid cetacean has moved beyond 100 meters (328 ft).

#### **1.5 Delphinoid cetaceans and Pinnipeds**

- 1.5.1 The Lessee must ensure that vessels underway do not divert to approach any delphinoid cetacean and/or pinniped.
- 1.5.2 The Lessee must ensure that all vessels maintain a separation distance of 50 m (164 ft) or greater from any sighted delphinoid cetacean or pinniped, except if the delphinoid and/or pinniped approach the vessel, then refer to 1.5.3. below.
- 1.5.3 The Lessee must ensure that if a delphinoid cetacean and/or pinniped approaches any vessel underway, that vessel must avoid excessive speed or abrupt changes in direction to avoid injury to the delphinoid cetacean and/or pinniped.

## 1.6 **Sea Turtles**

- 1.6.1 The Lessee must ensure all vessels maintain a separation distance of 50 meters (164 ft) or greater from any sighted sea turtle.

## 1.7 **Marine Debris Prevention**

- 1.7.1 The Lessee must ensure that vessel operators, employees, and contractors engaged in activities pursuant to the SAP are briefed on marine trash and debris awareness elimination as described in BSEE NTL No. 2015-G03 (“Marine Trash and Debris Awareness and Elimination”). The Lessee must ensure that its employees and contractors are made aware of the environmental and socioeconomic impacts associated with marine trash and debris and their responsibilities for ensuring that trash and debris are not intentionally or accidentally discharged into the marine environment. The above-referenced NTL provides information the Lessee may use for this awareness training.

## 1.8 **Conditions of Pile Driving of Meteorological Tower Foundations**

- 1.8.1 **General** - The Lessee must ensure that all vessels conducting activity pursuant to the SAP comply with the pile driving and reporting requirements specified in Sections 1.8 and 1.9, except when the safety of the vessel or the safety of life at sea is in question.
- 1.8.2 **Visibility** - The Lessee must not conduct pile driving for a meteorological foundation at any time when lighting or weather conditions (e.g., darkness, rain, fog or sea state) prevent visual monitoring of the exclusion zones for meteorological foundation pile driving as specified below. This requirement may be modified, pursuant to 1.8.4.
- 1.8.3 **Continuation of Pile Driving After Daylight Hours** - If the driving of a pile commenced during daylight hours, then the Lessee may complete driving that pile after daylight hours. However, the Lessee may not start driving a new pile after daylight hours, unless allowed pursuant to an alternative monitoring plan as described in 1.8.4.
- 1.8.4 **Modification of Visibility Requirement** - If the Lessee intends to conduct pile driving for a meteorological tower foundation at night or when visual observation is otherwise impaired, the Lessee must submit an alternative monitoring plan detailing the Lessee’s proposed alternative monitoring methodology (e.g., active or passive monitoring technologies) to the Lessor for approval. The alternative monitoring plan must demonstrate the effectiveness of the methodology proposed to the Lessor's satisfaction. The Lessor may, after consultation with The National Marine Fisheries Service (NMFS), decide to approve, approve with conditions, or disapprove the alternative monitoring plan.
- 1.8.5 **Protected-Species Observers (PSO)** - The Lessee must ensure that the exclusion zone for all pile driving for a meteorological tower foundation is monitored by NMFS-approved PSOs around the sound source. The number of PSOs must be sufficient to effectively monitor the exclusion zone at all times. In order to ensure effective monitoring, PSOs

must not be on watch for more than 4 consecutive hours, with at least a 2-hour break after a 4-hour watch, unless a different schedule is approved by the Lessor. PSOs must not work for more than 12 hours in a 24-hour period. PSO reporting requirements are provided in Section 1.9. Prior to the scheduled start of meteorological tower foundation construction activity, the Lessee must provide to the Lessor a list of PSOs currently approved by NMFS for these activities. For PSOs not currently approved by NMFS, the Lessee must provide to the Lessor PSO résumés no later than forty-five (45) calendar days prior to the scheduled start of meteorological tower foundation construction activity. If additional PSO approvals are required after this time, the Lessee must provide additional résumés to the Lessor fifteen (15) calendar days prior to each PSO's start date. The Lessor will send the PSO résumés to NMFS for approval.

- 1.8.6 Observation Location - The Lessee must ensure that monitoring occurs from the highest available vantage point on the associated operational platform and allows for 360° scanning.
- 1.8.7 Optical Device Availability - The Lessee must ensure that reticle binoculars and other suitable equipment are available to each PSO to adequately perceive and monitor protected species within the exclusion zone during construction activities.
- 1.8.8 Limitations on Pile Driving - The Lessee must ensure that no pile driving activities occur within an active DMA as established by NMFS. Any pile driving activities outside of the DMA are required to remain at a 7 km (22,966 ft) distance from the DMA boundaries.
- 1.8.9 Establishment of Exclusion Zone - The Lessee must ensure the establishment of a default 7 km (22,966 ft) radius exclusion zone for marine mammals and sea turtles around each pile driving site. The 7 km (22,966 ft) exclusion zone must be monitored from two locations. At least two PSOs on simultaneous watch must be based at or near the sound source and will be responsible for monitoring out to 1,000 m (3,281 ft) from the sound source. At least two additional PSOs on simultaneous watch must be located on a separate vessel navigating approximately 4-5 km (13,123- 16,404 ft) around the pile hammer, and will be responsible for monitoring 360° out to 7 km (22,966 ft) from the sound source.
- 1.8.10 Field Verification of Exclusion Zone - The Lessee must submit results to verify the cumulative sound exposure distance for PTS during pile driving activities. If no applicable data are available, the Lessee must conduct acoustic monitoring of pile driving activities during the installation of each pile. The Lessee must take acoustic measurements during the driving of the last half (deepest pile segment) for any given open-water pile. As part of such field verification, the Lessee must take acoustic measurements at a minimum of two reference locations that are sufficient to establish the following: source level (Peak, SEL, and RMS sound levels at 1 meter), pattern of spreading loss, and the sound exposure distance for ear injury for each marine mammal hearing group, sea turtles and fish. The distance to the 166, 160, and 150 dB RMS behavioral thresholds (Level B harassment) must also be reported. The first location must be at a distance of 200 m from the sound source and the second location must be as close to the sound source as technically feasible. Such sound measurements must

be taken at the reference locations at two depths (i.e., a depth at midwater and a depth at approximately 1m above the seafloor). Sound pressure levels must be measured in the field in dB re 1  $\mu$ Pa RMS, and reported by the Lessee to the Lessor and NMFS (per Section 1.9.6). The Lessee must report the azimuthal bearing from the central pile to the receivers. Additionally, the Lessee must record the bearings from the central caisson to the strike surfaces of each caisson brace pile, as well as the bearing from the central caisson to where each caisson brace pile enters the ocean floor.

#### 1.8.11 Modification of Exclusion Zone

1.8.11.1 The Lessee must submit results of the acoustic monitoring for field verification of the exclusion zone to the Lessor (per Section 1.9.6 and 1.9.8). Based on the results of this field verification:

1.8.11.2 If the Lessor determines that the exclusion zone does not encompass the cumulative sound exposure distance for PTS for each marine mammal hearing group (per Section 1.8.10), the Lessor may impose additional, relevant requirements on the Lessee, including, but not limited to, the implementation of a sound reduction system. Field verification would be required for any sound reduction system per 1.9.6.

1.8.11.3. If multiple piles are being driven, the Lessee may modify the default exclusion zone for pile driving activities. The Lessee must use the results of its field verification in establishing any new exclusion zone, regardless of whether it is greater than or less than the default exclusion zone. Any new exclusion zone radius must be based on the average SEL measurement ( $SEL_{50}$ ) obtained from field verification. The new exclusion zone must minimize the risk of PTS for the most sensitive species in the project area. The Lessee must obtain the Lessor and NMFS's approval for any new exclusion zone before it may be implemented (per Section 1.9.7).

1.8.12 Clearance of Exclusion Zone - The Lessee must ensure that visual monitoring of the exclusion zone begins no less than 60 minutes prior to the start of any pile driving operations and continues for at least 60 minutes after pile driving operations cease, unless sighting conditions do not allow observation of the sea surface (e.g., fog, rain, darkness) (refer to 1.8.2 and 1.8.3 above). If a marine mammal or sea turtle is observed, the PSO must note and monitor the position, relative bearing, and estimated distance to the animal until the animal dives or moves out of visual range of the PSO. The PSO must continue to watch for additional marine mammals or sea turtles that may surface in the area. The Lessee must ensure that pile driving operations do not begin until the PSO has reported the exclusion zone clear of all marine mammals and sea turtles for at least 60 minutes.

1.8.13 Implementation of "Soft Start" - The Lessee must ensure that a "soft start" be implemented at the beginning of each pile installation. This will provide additional protection to marine mammals and sea turtles near the project area by allowing them to vacate the area prior to the commencement of pile driving activities. The Lessee must ensure the following at the beginning of all in-water pile driving activities or when pile driving has ceased for one hour or more: The impact hammer soft start requires 3 strike

sets, with a 1 minute wait period between each strike set; The initial strike set will be at approximately 10 percent energy, the second strike set at approximately 25 percent energy and the third strike set at approximately 40 percent energy; and the soft start procedure must not be less than 20 minutes. Strikes may continue at full operational power following the soft start period.

1.8.14 Shutdown for Marine Mammals and Sea Turtles - The Lessee must ensure that any time a marine mammal or sea turtle is observed within the exclusion zone, the PSO will notify the Resident Engineer or other authorized individual, and call for a shutdown of pile driving activity. Any disagreement or discussion should occur only after shutdown, unless such discussion relates to the safety of the timing of the cessation of the pile driving activity. Subsequent restart of the pile driving equipment may only occur following clearance of the exclusion zone of any marine mammal or sea turtle for at least 60 minutes. Thereafter, the Lessee must undertake a soft start prior to proceeding with pile driving operations (per Section 1.8.13).

1.8.15 Pauses in Pile Driving Activity - The Lessee must ensure that restart of the pile driving activity commences only after clearance of the exclusion zone (per Section 1.8.12) and implementation of soft start procedures (per Section 1.8.13) in the following circumstances:

1.8.15.1 If visual surveys are not able to be continued diligently during any pause in pile driving activity due to diminished lighting or weather conditions (e.g., darkness, rain, fog or sea state).

1.8.15.2 If pile driving activity shuts down for reasons other than encroachment into the exclusion zone by a non-delphinoid cetacean or sea turtle (for instance, mechanical or electronic failure), resulting in the cessation of the sound source for a period of 60 minutes or more.

## 1.9 Reporting Requirements

1.9.1 General - The Lessee must ensure compliance with the reporting requirements in Section 1.9 for activities conducted pursuant to the SAP, and must use the contact information provided as Attachment 1, or updated contact information as provided by the Bureau of Ocean Energy Management (BOEM), to fulfill these requirements.

1.9.2 Pre-Commencement and Completion of Pile Driving Notifications - The Lessee must notify the Lessor and NMFS at least 24 hours prior to the initial commencement of pile driving activities, and again within 24 hours of the completion of all pile driving activities.

1.9.3 Protected Species Observer Reports - The Lessee must ensure that the PSOs record all observations of protected species using standard marine mammal observer data collection protocols. The list of required data elements for these reports is provided as Attachment 2. Reports of any Endangered Species Act (ESA)-listed species, including Atlantic

sturgeon, observed must be submitted to the Lessor and NMFS within 30 calendar days of the observation.

- 1.9.4 Reporting Injured or Dead Protected Species - The Lessee must ensure that sightings of any injured or dead protected species (e.g., marine mammals, sea turtles, or sturgeon) are reported to the Lessor, NMFS, and NMFS Northeast Regional Stranding Hotline within 24 hours of sighting, regardless of how the injury or death was caused. The Lessee must use the form provided as Attachment 3 to report the sighting or incident. If the Lessee's activity is responsible for the injury or death, the Lessee must ensure that its vessel assist in any salvage effort as requested by NMFS.
- 1.9.5 Reporting Observed Impacts to Protected Species
  - 1.9.5.1 The Lessee must report any observed takes of listed marine mammals, sea turtles, or sturgeon resulting in injury or mortality within 24 hours to the Lessor and NMFS.
  - 1.9.5.2 The Lessee must report any observations concerning any impacts on ESA-listed marine mammals, sea turtles, or sturgeon to the Lessor and NMFS' Northeast Region Stranding Hotline within 48 hours.
  - 1.9.5.3 The Lessee must record injuries or mortalities using the form provided as Attachment 3.
- 1.9.6 Acoustic Monitoring for Field Verification of Exclusion Zone Report for Pile Driving - The Lessee must ensure that the results of acoustic monitoring of the first pile are submitted to the Lessor and NMFS within 24 hours of installation. The Lessee must include in its report a preliminary interpretation of the results, which for all sound sources will include details of the frequencies measured, including the frequency where 95 percent of the main energy is centered, sound pressure levels (RMS, Peak, single strike SEL) at each recording location, and the daily cumulative SEL expected. The pile sizes (length and diameter), hammer type and power, as well as associated latitude/longitude positions, ranges, depths and bearings between sound sources and receivers must be provided.
- 1.9.7 Required Modification of Exclusion or Monitoring Zone Notification - The Lessee must notify the Lessor and NMFS within 24 hours of receiving any acoustic monitoring results which indicate that any exclusion or monitoring zones do not cover the cumulative sound exposure distances for PTS during pile driving activities. The Lessee may only modify an exclusion zone or monitoring zone with written approval from the Lessor and NMFS.
- 1.9.8 Final Technical Report for Meteorological Tower Construction and Observations - The Lessee must provide to the Lessor and NMFS a final technical report within 120 calendar days of completion of the pile driving and other construction activities. The report must include full documentation of methods and monitoring protocols, summarize the data recorded during monitoring, estimate the number of listed marine mammals and sea turtles that may have been taken during construction activities, and provide an interpretation of the results and effectiveness of all monitoring tasks. The report must

also include the results and analysis of the sound source field verification data collected during pile driving activity.

- 1.9.9 **Marine Mammal Protection Act Authorization(s)** - If the Lessee is required to obtain an authorization pursuant to section 101(a)(5) of the Marine Mammal Protection Act prior to conducting activities pursuant to the SAP, the Lessee must provide to the Lessor a copy of such authorization prior to commencing such activities.

## **2. CONDITIONS FOR AVIAN AND BAT PROTECTION**

### **2.1. Lighting**

- 2.1.1. The Lessee must use only red flashing strobe-like lights be consistent with the Federal Aviation Administration requirements for meteorological towers. These aviation obstruction lights must emit infrared energy within 675-900 nanometers wavelength to be compatible with Department of Defense night vision goggle equipment.
- 2.1.2. Navigational safety lights for towers and buoys must be installed in compliance with the US Coast Guard (USCG) requirements ([https://www.uscg.mil/forms/cg/CG\\_2554.pdf](https://www.uscg.mil/forms/cg/CG_2554.pdf)). The Lessee must leave any additional lights (e.g., work lights) on only when necessary, hooded downward and directed when possible to reduce upward illumination and illumination of adjacent waters. These requirements apply to lighting on the meteorological tower as well as all support vessels.

### **2.2. Anti-perching**

- 2.2.1 The Lessee must install anti-perching devices on the meteorological tower.

### **2.3. Visibility Sensor**

- 2.3.1 The Lessee must install a visibility sensor on the meteorological tower to provide measures of visibility. The data must be logged in such a way to discern when and how often low-visibility conditions occur at the approximate height of wind turbine blades.

### **2.4. Annual Bird or Bat Fatality Report**

- 2.4.1 The Lessee must provide an annual report on November 1 of each year to the Lessor documenting any dead birds or bats found on vessels and structures during construction, operation, and decommissioning of the meteorological tower. The report must contain the following information: the name of species, date found, location, a picture to confirm species identity (if possible), and any other relevant information. Carcasses with Federal or research bands must be reported to the US Geological Survey Bird Band Laboratory (<https://www.pwrc.usgs.gov/bbl/>).

### **3. CONDITIONS FOR CULTURAL RESOURCE PROTECTION**

#### **3.1. No Impact without Approval**

3.1.1. The Lessee must not knowingly impact a potential archaeological resource without the Lessor's prior approval.

#### **3.2. Post-Review Discovery Clauses**

3.2.1. If while conducting site assessment activities, the Lessee discovers a potential archaeological resource, such as the presence of a shipwreck (e.g., a sonar image or visual confirmation of an iron, steel, or wooden hull, wooden timbers, anchors, concentrations of historic objects, piles of ballast rock), prehistoric artifacts, or relict landforms within the project area, the Lessee must:

3.2.1.1. Immediately halt seafloor/bottom-disturbing activities within the area of discovery;

3.2.1.2 Notify the Lessor within 24 hours of discovery;

3.2.1.3 Notify the Lessor in writing via report to BOEM within 72 hours of its discovery;

3.2.1.4 Keep the location of the discovery confidential and take no action that may adversely affect the archaeological resource until the Lessor conducts an evaluation and instructs the applicant on how to proceed; and

3.2.1.5 Conduct any additional investigations as directed by the Lessor to determine if the resource is eligible for listing in the National Register of Historic Places (NRHP) (30 CFR § 585.802(b)). The Lessor will direct the Lessee to conduct such investigations if: (1) the site has been impacted by the Lessee's project activities; or (2) impacts to the site or to the area of potential effect cannot be avoided. If investigations indicate that the resource is potentially eligible for listing in the NRHP, the Lessor will tell the Lessee how to protect the resource or how to mitigate adverse effects to the site. If the Lessor incurs costs in protecting the resource, under Section 110(g) of the National Historic Preservation Act, the Lessor may charge the Lessee reasonable costs for carrying out preservation responsibilities under the Outer Continental Shelf Lands Act (30 CFR § 585.802(c-d)).

### **4. TECHNICAL CONDITIONS**

#### **4.1. Scour Protection Monitoring**

4.1.1 As part of the required annual self-inspection plan (pursuant to 30 CFR § 585.824), the Lessee must conduct scour inspections of the base of the meteorological tower. The first inspection will be conducted within 12 months of installation. An initial inspection schedule will be conducted annually for the first five years after installation, and after a

major storm event. The Lessor will establish the frequency of subsequent inspections based on the results of the first five annual inspections.

#### 4.2. **Records of Fabrication and Installation**

4.2.1 The Lessee must submit to the Lessor within 90 days after installation of the facility a narrative report that contains a summary of the fabrication and deployment process that includes, at a minimum, the following information:

4.2.1.1 Name and location of fabrication facilities

4.2.1.2 Name of installation contractor

4.2.1.3 An Actual Location plat with precise latitude and longitude coordinates

4.2.1.4 Name of Lift boat used for installation

4.2.1.5 Actual hammer used for driving piles

4.2.1.6 Pile driving record, including blow counts

4.2.1.7 A record of any necessary deviations from the approved SAP

4.2.1.8 As-Built drawings of the facility.

### 5. **CONDITIONS RELATING TO NAVIGATIONAL SAFETY**

#### 5.1. **Private Aids to Navigation**

5.1.1 The Lessee must file an application (form CG-4143), either in paper form or electronically, with the commander of the USCG Fifth District to establish private aid to maritime navigation (PATON) for the meteorological tower, per 33 CFR Part 67, Subpart 67.20 for Class A structures.

Upon receipt of the application, the commander of the USCG Fifth District will provide an information sheet outlining the Lessee's responsibilities for the establishment, maintenance, and discontinuance, of the PATON.

### 6. **MODIFICATIONS**

6.1 The Lessee, by itself or through its designated operator, may request a modification of a term in the SAP or these conditions of approval. The Lessor will review this request and determine whether the modification requires a revision to the SAP under 30 CFR § 585.617. If the Lessor determines that the requested modification does not require a revision to the SAP, the Lessor will provide a written response to the Lessee and its

designated operator approving, approving with conditions, or disapproving the modification. This written response will become a part of the approved SAP.

## **Attachment 1**

### **Contact Information for Reporting Requirements**

The following contact information must be used for the reporting and coordination requirements specified in the conditions for Site Assessment Plan approval:

**United States Fleet Forces (USFF) N46  
1562 Mitscher Avenue, Suite 250  
Norfolk, Virginia 23551  
(757) 836-6206**

The following contact information must be used for the reporting requirements in the conditions for SAP approval:

#### **Reporting Injured or Dead Protected Species**

NOAA Fisheries Northeast Region Stranding Hotline: **866-755-6622**  
Collected dead sea turtles and/or Atlantic Sturgeon: Fax (978) 281-9394 or  
e-mail: [incidental.take@noaa.gov](mailto:incidental.take@noaa.gov); [renewable\\_reporting@boem.gov](mailto:renewable_reporting@boem.gov)

#### **All other reporting requirements**

Bureau of Ocean Energy Management  
Environment Branch for Renewable Energy  
Phone: 703-787-1340  
Email: [renewable\\_reporting@boem.gov](mailto:renewable_reporting@boem.gov)

National Marine Fisheries Service  
Northeast Regional Office, Protected Resources Division  
Section 7 Coordinator  
Phone: 978-281-9328  
Email: [incidental.take@noaa.gov](mailto:incidental.take@noaa.gov)

Vessel operators may send a blank email to [ne.rw.sightings@noaa.gov](mailto:ne.rw.sightings@noaa.gov) for an automatic response listing of all current Dynamic Management Areas.

## Attachment 2

### Required Data Elements for Protected Species Observer Reports

The Lessee must ensure that the protected species observer record all observations of protected species using standard marine mammal observer data collection protocols. The list of required data elements for these reports is provided below:

- 1) Vessel name;
- 2) Observer names and affiliations;
- 3) Date;
- 4) Time and latitude/longitude when visual survey began;
- 5) Time and latitude/longitude when visual survey ended;
- 6) Average environmental conditions during visual surveys including:
  - a) Wind speed and direction;
  - b) Sea state (glassy, slight, choppy, rough, or Beaufort scale);
  - c) Swell (low, medium, high, or swell height in meters); and
  - d) Overall visibility (poor, moderate, good);
- 7) Species (or identification to lowest possible taxonomic level);
- 8) Certainty of identification (sure, most likely, best guess);
- 9) Total number of animals;
- 10) Number of juveniles;
- 11) Description (as many distinguishing features as possible of each individual seen, including length, shape, color and pattern, scars or marks, shape and size of dorsal fin, shape of head, and blow characteristics);
- 12) Direction of animal's travel relative to the vessel (preferably accompanied by a drawing);
- 13) Behavior (as explicit and detailed as possible; note any observed changes in behavior);  
and
- 14) Activity of vessel when sighting occurred.

### Attachment 3

#### Incident Report: Protected Species Injury or Mortality

*Photographs/Video should be taken of all injured or dead animals.*

Observer's full name: \_\_\_\_\_

Reporter's full name: \_\_\_\_\_

Species Identification: \_\_\_\_\_

Name and type of platform: \_\_\_\_\_

Date animal observed: \_\_\_\_\_ Time animal observed: \_\_\_\_\_

Date animal collected: \_\_\_\_\_ Time animal collected: \_\_\_\_\_

Environmental conditions at time of observation (i.e. tidal stage, Beaufort Sea State, weather):

\_\_\_\_\_  
\_\_\_\_\_

Water temperature (°C) and depth (m/ft) at site: \_\_\_\_\_

Describe location of animal and events 24 hours leading up to, including and after, the incident (incl. vessel speeds, vessel activity, and status of all sound source use): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Photograph/Video taken: YES / NO      If Yes, was the data provided to NMFS? YES / NO  
(Please label *species*, *date*, *geographic site*, and *vessel name* when transmitting photo and/or video)

Date and Time reported to NMFS Stranding Hotline: \_\_\_\_\_

**Sturgeon Information:** *(please designate cm/m or inches and kg or lbs)*

Species: \_\_\_\_\_

Fork length (or total length): \_\_\_\_\_ Weight: \_\_\_\_\_

Condition of specimen/description of animal: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Fish Decomposed: NO SLIGHTLY MODERATELY SEVERELY

Fish tagged: YES / NO If Yes, please record all tag numbers.

Tag #(s): \_\_\_\_\_

Genetic samples collected: YES / NO

Genetics samples transmitted to: \_\_\_\_\_ on \_\_\_\_ / \_\_\_\_ /201\_\_

**Sea Turtle Species Information:** (please designate cm/m or inches)

Species: \_\_\_\_\_ Weight (kg or lbs): \_\_\_\_\_

Sex: Male Female Unknown

How was sex determined?: \_\_\_\_\_

Straight carapace length: \_\_\_\_\_ Straight carapace width: \_\_\_\_\_

Curved carapace length: \_\_\_\_\_ Curved carapace width: \_\_\_\_\_

Plastron length: \_\_\_\_\_ Plastron width: \_\_\_\_\_

Tail length: \_\_\_\_\_ Head width: \_\_\_\_\_

Condition of specimen/description of animal: \_\_\_\_\_

**Existing Flipper Tag Information**

Left: \_\_\_\_\_ Right: \_\_\_\_\_

PIT Tag#: \_\_\_\_\_

**Miscellaneous:**

Genetic biopsy collected: YES NO Photographs taken: YES NO

**Turtle Release Information:**

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_

State: \_\_\_\_\_ County: \_\_\_\_\_

**Remarks:** (note if turtle was involved with tar or oil, gear or debris entanglement, wounds, or mutilations, propeller damage, papillomas, old tag locations, etc.) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Marine Mammal information:** *(please designate cm/m or ft/inches)*

Length of marine mammal (note direct or estimated): \_\_\_\_\_

Weight *(if possible, kg or lbs)*: \_\_\_\_\_

Sex of marine mammal (if possible): \_\_\_\_\_

How was sex determined?: \_\_\_\_\_

Confidence of Species Identification:                    SURE                    UNSURE                    BEST GUESS

Description of Identification characteristics of marine mammal: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Genetic samples collected:                    YES / NO

Genetic samples transmitted to: \_\_\_\_\_ on \_\_\_\_ / \_\_\_\_ /201\_\_

Fate of marine mammal: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Description of Injuries Observed: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Other Remarks/Drawings: \_\_\_\_\_