

**Memorandum of Agreement
Between The
MINERALS MANAGEMENT SERVICE
And The
UNIVERSITY OF ALASKA
And The
STATE OF ALASKA**

I. Background

Oil and gas production has occurred in the Federal Outer Continental Shelf (OCS), including Alaska, the Gulf of Mexico and Southern California. The potential effects of exploration and development are being addressed through the Minerals Management Service's (MMS) environmental assessment process in accordance with the National Environmental Policy Act (NEPA), Outer Continental Shelf Lands Act (OCSLA) (as amended), other Federal legislation, and the MMS Environmental Studies Program (ESP).

To ensure that MMS's ESP continues to meet its mandate under the OCSLA, it is essential that the ESP include process-oriented studies in addition to monitoring and descriptive studies in order to increase predictive capabilities to support management decisions. Studies and research must continue to be conducted in an impartial, scientific manner. The results of these efforts should be recognized by the various interest groups, as well as the scientific community, as unbiased findings of experts. While quality scientific information should be accepted regardless of origin of the research, scientific information collected for leasing, exploration, and development decisions tends to be more readily accepted by the local and regional populace if the studies are conducted by well known and scientifically respected local experts and institutions. Because MMS and the states have distinct, but complementary, roles in the process that leads to decisions, scientific information is needed by MMS, the State of Alaska, and localities potentially affected by OCS operation.

II. Purpose

The purpose of this agreement is to set out the general terms for continuing the Coastal Marine Institute program at the University of Alaska. With this Agreement MMS, the University of Alaska, and the State will jointly agree on the most important local research needs in the context of the OCS Program. The Coastal Marine Institute program will use the highly qualified, scientific expertise at local levels to:

1. Collect and disseminate environmental information needed for OCS oil and gas and renewable energy decisions;
2. Address local and regional OCS related environmental and resource issues of mutual interest; and
3. Strengthen the MMS-State partnership in addressing OCS oil and gas information needs.

To address some of these concerns and share the cost for research of mutual interest, MMS and the State are entering into a fourth 5-year Agreement to continue the established CMI at the

University of Alaska. Alaska was selected as the location for this CMI because it is potentially one of the major oil and gas producing areas offshore of the United States. The UA is uniquely suited to participate by virtue of its flagship status within the State and by its nationally recognized scope and depth of marine and coastal expertise relevant to the broad range of OCS program information needs.

III. Objectives

The objectives of the Agreement are to:

1. Respond to MMS, State and local scientific information needs and interests with local scientific expertise of national caliber in relevant disciplines and found at a major university in an active OCS region;
2. Broaden recognition and comprehension of study results through performance and presentation of findings by a highly credible local scientific research institution;
3. Improve existing local scientific capabilities and facilities for innovative scientific research relevant to OCS resource management issues;
4. Use the interdisciplinary environment of a research university to foster process oriented scientific studies, needed technologies and concepts, and syntheses of scientific information that will benefit environmental and resource management;
5. Achieve consensus between MMS and the State of Alaska regarding the most important environmental research needs relevant to the OCS Program; and
6. Reduce the costs to the State of Alaska and MMS of obtaining resource management information by co-funding information acquisition activities.

IV. Scope of the Agreement

1. CMI Program Development and Direction
 - A. Development of a Framework

Development of the framework will take into consideration the ESP mandate (OCSLA as Amended, 1978: 43 USC 1346 Section 20). It will also consider requirements contained in 30 CFR Chapter II, Subchapter B, Subpart M, Section 256.82 Environmental Studies as well as appropriate documents which assess information needs associated with OCS energy and mineral resource development activities.

The MMS's responsibility for OCS energy and mineral resources is so comprehensive that the CMI framework may include socioeconomic effects, effects upon adjacent environments, and effects associated with mineral and renewable energy resources other than oil and gas. To that end, proposal preparation and submission guidelines will be widely distributed by CMI to all University of Alaska campuses and departments and to state agencies with appropriate expertise. However, the framework should assure that research program balance matches the relative importance of MMS's information needs. These needs are overwhelmingly determined by the fact that the Alaska Region is a major area of oil and gas activity. Information dissemination and outreach activities should also be considered in the framework.

Framework Issues were developed during the formation of CMI to identify and bracket the concerns to be addressed:

1. Scientific studies for better understanding of marine, coastal, or human environments affected or potentially affected by offshore oil & gas exploration and extraction or renewable energy development on the outer continental shelf;
2. Modeling studies of environmental, social, economic, or cultural processes related to OCS oil & gas or renewable energy activities in order to improve scientific predictive capabilities;
3. Experimental studies for better understanding of environmental processes or the causes and effects of OCS activities;
4. Projects which design or establish mechanisms or protocols for sharing of data or scientific information regarding marine or coastal resources or human activities to support prudent management of oil & gas resources; and
5. Synthesis studies of scientific environmental or socioeconomic information relevant to the OCS oil & gas and renewable energy program.

B. Study Area and Topics.

The study area generally will be limited to the Alaska Region with a strong emphasis on the State and Federal waters offshore of Alaska. When warranted by specific information needs or study design, research outside of the Alaska Region may be proposed so long as it clearly increases the utility of the resulting information. Discipline topics may include the environmental, social, and economic effects of oil, gas, and renewable energy development on the OCS.

2. Coastal Marine Institute Program Management

A. Coastal Marine Institute Management

The UA will designate a CMI Director who will be the primary contact with MMS and will have sufficient authority to commit the resources of the Institution to accomplish all studies within the scope of this agreement. The CMI Director will be, at a minimum, a tenured faculty member, Departmental Chairman, or Dean of a School. The CMI Director will have demonstrated abilities to organize, prepare, and run an interdisciplinary research program. The CMI Director is responsible for ensuring proper coordination of investigators, timely completion and reporting of study results, coordination of study proposals, and monitoring study expenditures. The CMI Director will ensure that inter-study coordination and synthesis of results takes place where appropriate. The cooperative agreement for CMI Management will specify details for additional CMI staff and the management activity.

B. Technical Steering Committee

The MMS and the UA will have jointly constituted a Technical Steering Committee (TSC) which will include:

- 1) Two MMS members designated by the Director of the MMS; and
- 2) Two UA members, one of whom will be designated by the Chancellor of UAF to be the CMI

Director.

3) Two State of Alaska members, appointed by the Governor.

The purpose of the TSC is to ensure that MMS, UA, and the State are represented in the identification of OCS related issues and the selection of studies to address these issues. It will be the responsibility of the UA members of the TSC to ensure that the issues/concerns of the appropriate State agencies with coastal and marine resources responsibilities are duly considered in the development of study projects. Representatives of these State agencies are encouraged to attend the TSC meetings.

The members of the TSC will have relevant technical scientific qualifications, as well as policy/program management capability and organizational standing sufficient to represent MMS, UA, and State interests. All decisions reached by the TSC will be by unanimous agreement. In cases where the TSC cannot reach such agreement, the matter will be referred to the Director of MMS or their designee for a final decision. The CMI Director will coordinate the activities and schedule of the TSC.

All study proposals will be evaluated by the TSC as to scientific merit and applicability to information needs of MMS and the State. The MMS representatives will provide guidance to ensure that issues addressed by proposals are consistent with the MMS mission and appropriately coordinated with the long range planning of the ESP.

The MOA will be reviewed annually to determine if the program is meeting the needs of MMS and the State. The MMS Scientific Committee and other experts may assist in this review.

C. Press Releases and News Media Contacts

The CMI Director will inform MMS as early as possible of planned press announcements and planned news media contacts and planned public presentations concerning findings and results of research. Planned press releases and planned news media contacts which include discussion of MMS programs or policies will be reviewed by MMS prior to release.

V. Financial Management

1. This MOA is neither a fiscal nor a funds obligation document. Any endeavor involving reimbursement or contribution of funds between the parties of this MOA will be handled in accordance with applicable laws, regulations, and procedures.
2. This Agreement establishes the intent of MMS and the State of Alaska, through the University of Alaska, to cost share research on a one dollar for one dollar contribution. Cost sharing is on the basis of the total costs across the program. In any fiscal year, the collective CMI match commitments must equal or exceed MMS contributions. State funds will be appropriated by the State or drawn by the University of Alaska or the State from any available source. In years where match commitments exceed MMS and the State of Alaska funding, excess match balances can be applied to the next year or years. On a case by case basis, for example where a proposal fulfills a priority on the MMS National Studies List, MMS may

consider a lower match ratio. All cost sharing and matching funding will comply with the criteria and procedures detailed in accordance with applicable OMB Circulars and other Federal regulations.

3. All funds will be obligated through individual Cooperative Agreements for both CMI Administration and approved Research Studies.

VI. Effective Date, Modifications, and Termination

This MOA will become effective on the date when the last party signs the agreement and will remain in effect for 5 years. Modifications may be requested by any of the parties and will become effective only when acknowledged in writing by all parties.


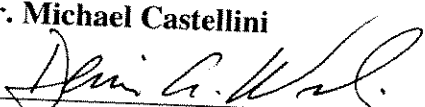
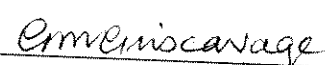
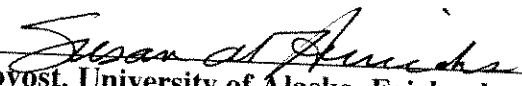



This MOA may be terminated at any time by any of the parties upon ninety (90) day written notice to the other parties. Notice of termination shall be directed to the parties whose signatures appear on the signature page. The termination of the MOA should not affect the validity or duration of projects initiated prior to such termination.



SIGNATURE PAGE

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Between The
MINERALS MANAGEMENT SERVICE
The
STATE OF ALASKA
And The
UNIVERSITY OF ALASKA

Signatures below certify understanding of and agreement to the provisions of this Memorandum of Agreement effective through December 31, 2012:

 CMI Director Dr. Michael Castellini	<u>1/08/09</u> Date
 Dean, UAF School of Fisheries and Ocean Sciences Dr. Denis Weisenburg	<u>1/9/08</u> Date
 Head, Grants and Contracts, University of Alaska, Fairbanks Ms. Maggie Griscavage	<u>2-1-2008</u> Date
 Provost, University of Alaska, Fairbanks Dr. Susan Heinrichs	<u>2/13/08</u> Date
 Chancellor, University of Alaska, Fairbanks Steve Jones	<u>2/14/08</u> Date
 State of Alaska Coastal Marine Institute Representative	<u>2/22/08</u> Date
 MMS/Alaska Regional Director Mr. John Goll	<u>12/28/2007</u> Date

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