

State of Hawaii  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of Aquatic Resources  
Honolulu, Hawaii 96813

December 11, 2020

Board of Land  
and Natural Resources  
Honolulu, Hawaii

Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Conservation and Management Permit to the Monument Co-Trustees: the U.S. Department of the Interior, U.S. Fish and Wildlife Service; U.S. Department of Commerce, National Oceanic and Atmospheric Administration; and the Office of Hawaiian Affairs for Access to State Waters to Conduct Conservation and Management Activities  
and  
Authorize General Conservation and Management Activities by the Department of Land and Natural Resources, Divisions of Aquatic Resources & Forestry and Wildlife

SUMMARY

The Papahānaumokuākea Marine National Monument (Monument) program hereby requests approval from the Board of Land and Natural Resources (BLNR) for issuance of a Monument conservation and management permit to the Monument Co-Trustees:

- the U.S. Department of the Interior, U.S. Fish and Wildlife Service;
- the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, (NOAA); and
- the Office of Hawaiian Affairs (OHA)

for access and authorization to continue general conservation and management activities under State jurisdiction in the Monument. The State of Hawai'i, Department of Land and Natural Resources (DLNR), also seeks authorization to participate under the joint Co-Trustee Monument conservation and management permit to the extent any Co-Trustee agency seeks or grants logistical or other support from the State of Hawai'i for activities on Midway or other parts of the Monument not under the State's jurisdiction.

Separately, the State of Hawai'i, Divisions of Aquatic Resources & Forestry and Wildlife request authority and permission to conduct their own continuing conservation and management activities in Monument areas under state jurisdiction.

BACKGROUND

The Board of Land and Natural Resources, by its DLNR Divisions of Aquatic Resources & Forestry and Wildlife, permits certain otherwise prohibited or regulated activities on or in its lands and waters, pursuant to Hawaii Revised Statutes (HRS) § 187A-6, 183D-6, and 195D-4; Hawaii Administrative Rules (HAR) § 13-60.5-5, 13-60.5-6, 13-126-9 and 13-126-10, and all other applicable laws and regulations.

The permit, as described below, would allow entry for general conservation and management activities to occur in the Papahānaumokuākea Marine National Monument (Monument), including the Northwestern Hawaiian Islands (NWHI) State Marine Refuge and the lands and waters (0-3 nautical miles) surrounding the following sites to the extent within the jurisdiction of the State of Hawai'i:

- Nihoa Island
- Mokumanamana Island
- French Frigate Shoals
- Gardner Pinnacles
- Maro Reef
- Laysan Island
- Lisianski Island
- Pearl and Hermes Atoll
- Kure Atoll

The activities covered under this permit would occur from January 1, 2021 through December 31, 2021.

The proposed activities are a renewal of conservation and management work previously permitted and conducted in the Monument. This permit request is substantively the same as prior BLNR approved Co-Trustees' permits to conduct general conservation and management activities under the direction of Co-Trustee agencies and representatives. A list of authorized conservation and management activities to be approved under this permit is drawn from permitted activities conducted in years past.

#### PROPOSED OR INTENDED ACTIVITIES

The Co-Trustee applicants jointly propose to conduct coordinated management activities for the conservation and management of the Hawaiian Islands National Wildlife Refuge, Midway Atoll National Wildlife Refuge<sup>1</sup>, Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve, Northwestern Hawaiian Islands State Marine Refuge, and Kure Atoll portions of the Hawai'i State Wildlife Sanctuary.

This submittal only addresses the facet of the joint permit for activities under State jurisdiction, but includes a request for approval for State (DLNR) personnel to conduct or assist in collaborative actions in other parts of the Monument with appropriate Co-Trustees, as specified, and activities in which a State agency may continue to conduct conservation and management activities consistent with this permit. The general conservation and management activities described for approval, and the agencies which intend to conduct the activities, are indicated in Attachment A.

In the future, certain activities that were previously approved as specific Monument permits, if having a conservation or management purpose, may be included under this general conservation and management permit if deemed appropriate by the applicant and BLNR.

Permit applicant personnel are listed to promote accountability and responsibility in permitted activities and help to assess the impacts of human participation in the activities. DLNR staff and their agents, who are anticipated to conduct or assist in activities as indicated, are also as named. While

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<sup>1</sup> Although Midway is not a part of the State of Hawai'i, Midway is generally considered a central base of operations support, refueling station, or Monument port of call necessary to the Co-Trustees' conservation and management mission and actions.

some leeway for minor changes is expected in the specific personnel lists proposed for each activity, the personnel roster for all Co-Trustees is listed in Attachment B.

NOAA, U.S. Fish and Wildlife Service, and the Office of Hawaiian Affairs, along with DLNR, perform coordinated management of the Papahānaumokuākea Marine National Monument to ensure proper care, protection and preservation of historic, cultural, and scientific resources. Applicant representatives, for purposes of coordination and direction of Monument activities under this permit, include the Superintendent of the Monument for NOAA, Superintendent for the Monument for U.S. Fish and Wildlife Service, and the Papahānaumokuākea Program Manager for OHA, together with the State's Co-Manager to the Monument. The Co-Managers will collaborate and coordinate on activities that support the management of the Monument.

For purposes of permitting under the various jurisdictions exercised by the Co-Trustees, these permit applications are intended to cover all joint activities necessary to effectively co-manage Papahānaumokuākea Marine National Monument. Applicants describe the scope of activities in their applications for general management/conservation as follows:

1. General base and support operations to field activities, which includes field camp, vessel, and flight operations
2. General resource survey and monitoring, which includes evaluating status and trends of target species and habitats, which if not otherwise specified, to be conducted on a non-invasive and/or non-sacrificial basis
3. Natural resource protection, restoration, and remediation, which includes predator and invasive species control as specified, as well as marine debris removal and nuisance abatement
4. Cultural and historic resource identification, evaluation, monitoring, access and protection
5. Certain non-disturbance conservation-related educational activities and outreach
6. Emergency response and natural resource damage assessment support or assistance by Co-Trustee personnel and resources, as necessary to respond to emergency situations including threats to life, property, or the environment, or activities necessary for assistance for law enforcement purposes necessary for conservation and management

The activities requested fulfill duties under coordinated interagency management of the Monument ecosystems, prevent duplicate efforts, and promote efficiency. All of the above activities would be conducted by NOAA, U.S. Fish and Wildlife, and OHA employees, approved contractors, volunteers, or other Federal employees who must remain under the direction and administrative control of the applicants while in state jurisdiction in the Monument.

**REMARKS**

In 2005, DLNR adopted rules creating the Northwestern Hawaiian Islands Marine Refuge, in Hawaii Administrative Rules (HAR) Chapter 13-60.5. A refuge permit under HAR § 13-60.5-6 (“Permits”), is subject to approval of appropriate activities stated in § 13-60.5-5 (“Permitted activities”) and relevant to the chapter’s purpose stated in § 13-60.5-1 (“Intent and purpose”), i.e.,

- to ensure the conservation of coral reef ecosystem resources in the marine refuge for present and future generations;
- to manage, preserve, protect, and conserve the unique refuge resources using the best available science and minimize risks of adverse effects to the region;
- by consistent resource management by restricting access to specific areas;
- support promote, and coordinate appropriate scientific research and assessment, with long-term monitoring of resources, including threats from human activities;
- allow Native Hawaiian cultural, subsistence, and religious practices consistent with applicable law and long-term conservation and protection;
- coordinate management and process permit review among DLNR, USFWS, NMFS, NOS, and other entities as appropriate to provide comprehensive conservation of the coral reef ecosystem and related resources including cleanup and prevention of marine debris, restoration or remediation of degraded or injured resources, enforcement and surveillance, management of potential tourism, recreation, and commercial activities;
- consistent with federal law where applicable.

Upon the establishment of the Monument in 2006, 50 C.F.R. 404 created six categories of Monument permits: research, educational, conservation & management, Native Hawaiian practices, special ocean use, and recreational. A conservation and management permit consistent with the objectives found in HAR chapter 13-60.5 is sought.

A revised 2017 Memorandum of Agreement (MOA) was signed by all parties, amending and superseding the prior 2006 MOA, including admitting the Office of Hawaiian Affairs as a Monument Co-Trustee. The MOA envisions developing a coordinated management plan for the Monument, and reiterates the 2006 (Monument) Proclamation and 2016 (Monument Expansion) Proclamation, by stating that nothing contained in the Proclamations shall be deemed to diminish or enlarge the jurisdiction of the State of Hawai’i.

The joint Monument Management Plan (MMP) of 2008 anticipates a 15-year plan relating to management needs. The plan develops and implements a unified Monument permitting process and integrated permit<sup>2</sup>. Under the plan, a Monument conservation and management permit includes activities associated with resource management, such as field station operations, benthic mapping, habitat characterization, marine debris removal, development and maintenance of infrastructure, species and habitat restoration, and long-term resource monitoring programs such as monitoring of endangered species and seabird populations, and terrestrial native plant communities [and] provide a mechanism to respond and follow up to urgent events in the Monument that may not have been anticipated, such as response to vessel groundings, coral bleaching episodes, and invasive species detection. (MMP, p. 23)

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<sup>2</sup> All permitted activities are authorized under the issuance of a single Monument permit signed by designees of the three Co-Trustees. (MMP, p. 233)

Activities proposed by the applicants if appropriate for conservation and management and directly supportive of priority management needs referenced in the 2008 MMP Section 3.0, may include but are not limited to:

#### Understanding and interpreting resources in the NWHI

- protecting the ecological integrity of natural resources
- increasing our understanding and appreciation of cultural resources including Native Hawaiian history and cultural practices;
- identifying and protecting historic and maritime heritage resources;

#### Conserving wildlife and habitat in the Monument

- safeguarding and recovering protected plants and animals;
- conserving migratory bird populations and habitats;
- habitat management to restore native ecosystems and biological diversity;

#### Reducing Threats to Monument Resources

- reduce adverse effects of marine debris
- detect and control the introduction of alien species in the Monument

#### Managing Human Uses

#### Coordinating Conservation and Management Activities

- agencies to collaborate in coordinated management activities, including outreach,

Native Hawaiian community involvement, and ocean ecosystems education; and Achieving Effective Monument Operations.

(See <http://www.papahanaumokuakea.gov/permit/applicationrev.html> regarding the current 2017 Co-Trustee's permit application.)

The 2008 MMP Appendix A (Permitting) contains the joint permit general terms and conditions, including monthly and annual reporting requirements regarding activities on State lands or within State waters. Other requirements include maintaining a cruise log, debriefing Co-Trustees, and submitting copies of articles and publications, etc. See Appendix A, #22, p. A-36.

#### REVIEW PROCESS

The 2019 Co-Trustee permit application was sent out for review and comment to the following scientific and cultural entities (for review of activities in which the entities are not themselves an applicant): Hawai'i Division of Aquatic Resources, Hawai'i Division of Forestry and Wildlife, Papahanaumokuakea Marine National Monument (NOAA/NOS), NOAA Pacific Islands Regional Office (NOAA-PO); United States Fish and Wildlife Service, Hawaiian and Pacific Islands National Wildlife Refuge Complex Office; the Office of Hawaiian Affairs (OHA) and the PMNM Native Hawaiian Cultural Working Group.

This 2020 application for the time period indicated received comments as noted below.

**Comments received from the scientific community are summarized as follows:**

*1. Include "operating autonomous marine platforms for monitoring and collecting data for conservation and management purposes" under activity #12 (page 10).*

*Noted.*

**Comments received from the Native Hawaiian community are summarized as follows:**

Cultural reviews support the acceptance of this application. No concerns were raised.

**Comments received from the public are summarized as follows:**

No comments were received from the public on this application.

Additional reviews and permit history:

Are there other relevant/necessary permits or environmental reviews that have or will be issued with regard to this project? (e.g., HRS chapters 183C, 343; MMPA, ESA) Yes  No

If so, please list or explain:

- Applicants consulted with DLNR's Office of Conservation and Coastal Lands (OCCL) regarding any land use compliance with HRS chapter 183C (Conservation District)
- Environmental compliance with HRS chapter 343 and HAR chapter 11-200. The most recent Final Environmental Assessment covering certain subject activities was published in OEQC's The Environmental Notice on December 23, 2008 recommending a finding of no significant impact (FONSI). Separately, the Federal Co-Trustee applicants assure DLNR that the proposed activities are in current federal compliance with the National Environmental Policy Act per concurrent environmental review processes completed on December 23, 2008.
- Take of Endangered and Threatened Species; Federal Bird Banding Permit; Green Turtle Tagging Permit; Marine Mammal Permit; Depredation Permit; Migratory Bird Permit. For additional information and permit numbers see Question 3 of the attached Compliance Sheet as Exhibit A.

Has Applicant been granted a permit from the State in the past? Yes  No

If so, please summarize past permits:

- The collective applicants were granted permits PMNM-2008-001, PMNM-2009-001, PMNM-2010-001, PMNM-2011-001, PMNM-2012-001, PMNM-2013-001, PMNM 2014-001, PMNM 2015-001, PMNM-2016-001, PMNM-2017-001, PMNM-2018-001, PMNM-2019-001 and PMNM-2020-001 in the past ten years for the purpose of managing the Monument.

Have there been any a) violations: Yes  No   
b) late/incomplete post-activity reports: Yes  No   
involving any of the applicant agencies or personnel?

Are there any other relevant concerns from previous permits? Yes  No

If yes, please explain.

#### STAFF OPINION

Department staff are of the opinion that the Co-Trustees' application for a conservation and management permit and covered personnel are justified under HAR chapter 13-60.5 criteria and should be allowed to enter state lands and waters in the Monument as indicated, and to conduct the activities as specified, subject to the Papahānaumokuākea Marine National Monument Conservation and Management Permit General Conditions, and the indicated special instructions, conditions, and protocols to be observed. Staff recommends that the BLNR approve the application as indicated below.

#### MONUMENT MANAGEMENT BOARD OPINION

The seven members of the Monument Management Board (MMB) were consulted and are of the opinion that the applicants have met permit procedures and criteria under the findings of Presidential Proclamation 8031, 71 Fed. Reg. 36,443 (2006) as required, and these general conservation and management activities may be conducted subject to completion of all compliance requirements recommended below. The MMB concurs with the special conditions recommended by DLNR staff.

#### RECOMMENDATIONS:

That the Board of Land and Natural Resources

- A. Approve the proposed Co-Trustees' Conservation and Management Permit according to the form of the Application (Attachment C) and authorize and approve entry to State lands and waters of the Monument for Co-Trustees U.S. Fish and Wildlife Service; National Oceanic and Atmospheric Administration; and the Office of Hawaiian Affairs, for such conservation and management activities to be conducted as listed in Attachment A with the following additional conditions:
1. That the BLNR declare that the anticipated actions to be undertaken under this permit will have little or no significant effect on the environment except consistently with the activities covered in the 2008 Final Environmental Assessment (FEA) and FONSI. Any activities not covered in the FEA shall be addressed as further determination(s) of exemption from the preparation of an environmental assessment, with the authority delegated by the BLNR to the Chairperson to approve and sign such determinations only for purposes of this permit to be issued, and subject to recordkeeping requirements of HRS chapter 343, and HAR chapter 11-200.
  2. That the permittee provide, as required under the Monument permit general terms and conditions, a summary of their findings under this Monument access, including but not limited to, any initial findings to the DLNR for use at educational institutions and outreach events. Any unexpected results and anomalous encounters should be included in a report or future permit applications to the BLNR to allow proper evaluation of conservation and management efforts in future permitting decisions.
  3. That all agencies and personnel covered under this Conservation and Management Permit shall abide by and obey all Monument permit general conditions and protocols, unless otherwise specifically permitted, exempted, or excluded under the terms and conditions.

- B. Authorize the DLNR Divisions of Aquatic Resources and Forestry and Wildlife to continue general conservation and management activities within the Monument, including assisting other Co-Trustees in general conservation and management activities throughout the Monument under the lead of Co-Trustee(s), as indicated on Attachment A.

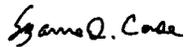
Respectfully submitted,



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Brian J. Neilson, Administrator  
Division of Aquatic Resources

APPROVED FOR SUBMITTAL



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Suzanne D. Case, Chairperson  
Board of Land and Natural Resources

Attachment A  
LIST OF CONSERVATION AND MANAGEMENT ACTIVITIES  
COVERED UNDER PRIOR CO-TRUSTEES' PERMITS TO BE INCLUDED

Abbreviations for purposes of this List:

BRAC = Base realignment and closure  
C&M = Conservation and Management  
ESA = Endangered Species Act  
FUDES = Formerly used defense sites  
FWS = U.S. Fish and Wildlife Service  
GPS = global positioning system  
IRT = Innovative readiness training  
LIDAR = light detection and ranging  
MASMA = Midway Atoll Special Management Area  
MMB = Monument Management Board  
Monument = Papahānaumokuākea Marine National Monument  
NHPA = National Historic Preservation Act  
NMFS = National Marine Fisheries Service  
NOAA = National Oceanic and Atmospheric Administration  
NWHI = Northwestern Hawaiian Islands  
OHA = Office of Hawaiian Affairs  
ROY = remotely operated vehicle  
SCUBA = self-contained underwater breathing apparatus  
SPA = special preservation areas<sup>1</sup> as defined in 50 CFR § 404.3  
STATE = State of Hawaii  
UAV = unmanned aerial vehicles

Note the proposed activities listed in the final permit application have been rearranged and restated for brevity. The activities to be covered under this conservation and management permit have been previously approved in prior Co-Trustee permits under the following basic categories (in bold) as follows:

**Development and Maintenance of Infrastructure**

**Field station operations:**

Field stations of National Wildlife Refuge System (FWS), Field station of SOH Kure Atoll State Wildlife Sanctuary (STATE, FWS)

- Maintaining, repairing/replacing facilities by general construction: carpentry, electrical, plumbing, welding, painting (FWS, STATE)
- Building and facility deconstruction and reconstruction (FWS, STATE)

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<sup>1</sup> Proclamation 8031 identifies a SPA as a discrete, biologically important area of the Monument. Uses are subject to additional conditions (e.g., avoid concentrations of uses resulting in population declines, user conflicts, and protect critical areas to sustain important marine species/habitats. or provide opportunities for scientific research.

- Maintaining airport and airstrips improvements including runway lighting replacement, taxiway maintenance, repaving, painting/marketing (FWS, STATE)
- Lead-based paint soil remediation, including removing sand/soil from affected buildings, on-site containment of contaminated material (FWS, STATE)
- Supporting and re-supplying field camps and stations, e.g., delivery/removal of supplies, personnel, waste, and/or operational assets (All MMB agencies)
- Possession of fishing gear for sustenance fishing for pelagic species within MASMA in accordance with MMB policy (All MMB agencies)

**Vessel operations**

Operating authorized vessels for access to conduct C&M activities

- Small boat operations, including vessel maintenance and proficiency (All MMB agencies)
- Anchoring for access — sandy substrates only (All MMB agencies)
- Discharges of gray water — outside SPA and MASMA (All MMB agencies)
- Discharges of biodegradable solid waste — galley operations discharges to 3 naut. miles (ground to 1 inch diameter) and discharges to 12 naut. miles (unground) outside of all SPA and MASMA (All MMB agencies)

**Aircraft operations**

Aircraft and airfield operations, mci. maintenance, use, runways at Midway Atoll, Tern Island, French Frigate Shoals (NOAA, FWS, STATE)

**Onsite reviews and evaluation**

- Site visits, meetings, programmatic assessments by agency and other federal personnel (including Congressional personnel) (NOAA, FWS, STATE)
- On-site management and safety reviews, to gauge effectiveness of Monument management and programs (NOAA, FWS, STATE)
- Physical surveying & sampling of landfills, storage tanks, contamination sites, or other potentially hazardous materials associated with current or former occupation or use of the NWHT (NOAA, FWS, STATE)

**Conducting health and safety assessment for personnel**

- Biking, swimming, jogging at Tern Island, French Frigate Shoals, and Midway Atoll (All MMB agencies)

- Safety reviews, reviews of adverse weather and emergency response procedures, safety protocols, continuation of operation plans (All MMB agencies)

### **Resource Management Operations**

#### General procedures and protocols

- Use of snorkel, SCUBA (closed or open circuit) gear within any SPA of the MASMA, as necessary to support C&M activities (All MMB agencies)
- Touching coral (live or dead), attracting any living Monument resources as necessary to support C&M activities (All MMB agencies)

### **Resource monitoring; Benthic mapping & Habitat characterization**

Surveying and monitoring target species and habitats to evaluate trends and status for management purposes. Activities may include:

- Placing and maintaining scientific equipment or drilling into substrate to install equipment, devices, markers, oceanographic instrument arrays, unmanned/remotely operated or viewed camera systems on submerged or fast lands (NOAA, FWS, STATE)
- Collecting on-site climatological data (NOAA, FWS, STATE)
- Photographing/filming to document Monument resources, including federally- protected species (All MMB agencies)
- Non-lethal marking and tagging for monitoring purposes (All MMB agencies)
- Visual, non-invasive marking and tagging (All MMB agencies)
- Visual and acoustic line-transect surveys to estimate abundance and distribution of cetaceans in NWHI (NOAA, FWS, STATE)

Conducting habitat mapping for the production of accurate, high-resolution base maps with methods including:

- a. Data collection including optic, acoustic, and metal detector technologies for ground truthing, including land and dive operations, use of ROV; and
- b. Mapping by GPS and LIDAR work. (All MMB agencies)

Removing, moving, taking, harvesting, possessing, injuring, disturbing biological, chemical, or geological samples for analysis for management plans, restoration or recovery plans, and base line inventory/monitoring of population trends and habitat conservation and management (All MMB agencies)

Removing, moving, taking, harvesting, or possessing a set number of any visually observable marine organism morphotype (except mammals) or terrestrial plant morphotype (including fungi) which cannot be visually identified or may represent a new species or geographic record, with the set number that may be taken, removed, or possessed based upon the cumulative abundance total of specimens present/observed during the course of the collection event per island or atoll according to this criteria:

- a. Only one (1) specimen - if no abundance assessment can be made, or less than ten (10) such specimens present, cumulative during the course of the collection event;
- b. Up to three (3) specimens - if abundance assessment of ten (10) or more such specimens is ascertained, cumulative during the course of the collection event; and
- c. For clonal organisms that cannot be visually identified or may represent a new geographic record or new species, take shall be limited to no more than half the clonal organism visually observed. Up to three (3) clonal specimens of similar morphology can be taken, removed, or possessed if an abundance assessment of ten (10) or more of such specimens is ascertained, cumulative during the course of the collection event.

(NOAA, FWS, STATE)

### **Natural Resource Protection, Restoration, and Remediation**

Protection, restoration, remediation actions for species and habitat management, including existing species recovery and restoration plans (except re: Hawaiian monk seals).

Activities may include the following:

- a. Conducting wildlife disentanglement, health response (including treatment and necropsy), and translocation activities according to existing species recovery plans; (NOAA, FWS, ST ATE - requires consultation with appropriate lead agency for activities on or around endangered species)
- b. Conducting population augmentation or reestablishment activities such as capture, translocation, reintroduction, and outplanting; (All MMB agencies - but note: activities on or near endangered species will require consultation with the appropriate lead agency before taking action)
- c. Conducting invasive species controls by mechanical, chemical and manual methods as needed; (All MMB agencies - but note: activities on or near endangered species will require consultation with the appropriate lead agency before taking action) and

- d. Investigating and monitoring of contamination in abiotic or biotic resources.

(NOAA, FWS, STATE - requires consultation with appropriate lead agency for activities on or around endangered species)

### **Marine debris removal**

Removing marine debris, trash, and other materials (land and ocean-based) that pose threats to Monument resources, including but not limited to derelict fishing gear. Activities may include:

- a. Disentangling wildlife from marine debris and other materials by authorized personnel. If involving endangered species, consultation required with appropriate lead agency (any activities on/around the Hawaiian monk seal requires a separate NMFS ESA permit).
- b. Tracking debris via drifter buoys and unmanned aerial vehicles;
- c. Monitoring of sites that have been cleared of debris for recovery rates and effects of removal;
- d. Locating and removing debris and hazardous materials. This may be through interagency agreements, such as the Department of Defense IRT, FUDS, or BRAC Programs. Efforts may include activities such as seafloor and island mapping, reconnaissance and removal of materials, and derelict vessel salvage and removal; and
- e. Removal of sessile encrusting flora and fauna associated with marine debris. (NOAA, STATE, FWS)

### **Urgent Response- including vessel groundings, coral bleaching episodes, invasive species detection**

Providing emergency response and damage assessment, mitigation, restoration, and monitoring post-response management. (All MMB agencies)

Activities may include:

- a. Conducting damage assessment, mitigation, restoration, monitoring, and post- response management in coordination with appropriate federal and/or state resource agencies and, as appropriate, consistent with NOAA, FWS, and State of Hawaii Damage Assessment and

Restoration regulations, policies, and procedures (e.g., oil spills, ship groundings, tsunami-generated marine debris, damage assessments, monitoring alien species, monitoring coral bleaching events, collection of bleached coral or alien species); (**All MMB** agencies) and;

- b. Conducting activities in response to an unusual mortality event (including but not limited to threatened and endangered species, marine mammals, and migratory birds - with consultation with the appropriate lead agency), mass stranding, or other urgent species response. Activities on/around the Hawaiian monk seal are not included herein and require a separate PMNM and NMFS ESA permit. (NOAA, FWS, STATE - requires consultation with appropriate lead agency for activities on or around endangered species)

### **Cultural and Historical Resource Identification and Protection**

- Removing, moving, taking, harvesting, possessing, injuring, disturbing post-contact artifacts as needed, subject to NHPA consultation when applicable, for the purpose of identifying, documenting, interpreting, preserving, and protecting Monument cultural and historic resources. (All MMB agencies)
- Monitoring and surveying historic sites. (All MMB agencies)
- Conducting or allowing for the preservation and conservation of artifacts subject to successful **NHPA** Section 106 consultation and appropriate approvals from other Federal agencies (e.g., U.S. Navy), when applicable. (All MMB agencies)
- Non-commercial filming and photographic activities for the purposes of further documenting and capturing the history of the **NWHI**. (All MMB agencies)
- Locating historic artifacts using passive side scan sonar, metal-detector, or (land-based) ground penetrating radar. (All MMB agencies)
- Returning seized Monument resources to their natural environment in coordination with federal and/or state resource agencies (including OHA), as appropriate. (All MMB agencies)
- Recording atmospheric, celestial, biological and other environmental observations for the purpose of developing and understanding natural trends, changes and cycles. (All MMB agencies)
- Conducting native Hawaiian cultural protocols and ceremonies including offering of culturally and biologically appropriate ho'okupu in accordance with Monument regulations and best management practices. (All MMB agencies)

- Removing, moving, taking, harvesting, possessing, injuring, disturbing non-living culturally significant natural materials acquired during Monument operations and activities for cultural ceremonies and practices. (All MMB agencies)
- Transferring culturally significant natural materials acquired during Monument operations and activities to Hawaiian cultural practitioners, in coordination with appropriate federal and state resource agencies/OHA, subject to transfer documents/required permits. (All MMB agencies)
- Maintaining, preserving, and perpetuating Native Hawaiian cultural sites and practices per the NHPA, Native American Graves Protection and Repatriation Act, Archeological Resources Protection Act, American Indian Religious Freedom Act and applicable sections of the Hawaii State Constitution, Hawaii Revised Statutes and Hawaii Administrative Rules. (All MMB agencies)
- Conducting activities necessary for maintaining and preservation historic sites on Midway Atoll. (All MMB agencies)

#### **Outreach and Education Related to Conservation and Management**

- Gathering information and experiences from personnel within the Monument to develop agency web pages, Navigating Change projects, and other Monument educational outreach products. (All MMB agencies)
- Removing, moving, taking, harvesting, possessing, injuring, disturbing non-living debris and biological samples and specimens such as albatross boluses and carcasses for educational and/or outreach projects. (All MMB agencies)
- Transfers of educational and outreach materials (e.g., albatross boluses or other non-living debris or biological samples) shall be according to one of the following categories, subject to all applicable permits and Monument Management Board (MMB)-approved transfer documents:
  - a. *Internal transfers.* Transfers among the MMB agencies provided such educational and/or outreach material shall remain within the custody of the **MMB**.
  - b. *External transfers.* Transfers outside of the MMB agencies if authorized in writing, to government agencies and accredited educational institutions, for the purpose of cultivating, informing, or involving constituencies that support or enhance conservation of the natural, cultural, and historic resources of the Monument.
  - c. *Loan Transfers.* Loans of biological samples or specimens, which must be returned to the MMB with a specified time frame and are subject to conditions stipulated in writing, to government agencies and accredited educational institutions for the purpose of supporting educational or

outreach projects that enhance conservation of the natural, cultural, and historic resources of the Monument. (All MMB agencies)

- Conducting news media and VIP site visits to enhance public knowledge and understanding of Monument resources. (All MMB agencies)
- Conducting environmental, cultural, and historical education programs throughout the Monument by designated agency staff and contractors. (All MMB agencies)

Attachment B  
PERSONNEL COVERED UNDER  
THE CO-TRUSTEES' CONSERVATION & MANAGEMENT PERMIT

**Additional persons to be covered by permit. List all personnel roles and names (if known at time of application) here (e.g. John Doe, Research Diver; Jane Doe, Field Technician):**

U.S. Fish and Wildlife Service (FWS)

- Supervisor of Pacific Islands Refuges and Monuments, Ricardo Lopez;
- Deputy of of Pacific Islands Refuges and Monuments , TBN;

Pacific Islands Refuges and Monuments Office staff to include:

- Superintendent of Pacific Remote Islands Marine National Monument, Kate Toniolo;
- Deputy Superintendent of Pacific Remote Islands Marine National Monument, Diesha Norwood;
- Supervisory Wildlife Biologist, Elizabeth Flint;
- Chief Administrative Officer, Donna Mohler;
- Business Team, Eloise Wong;
- Business Team, Danny Ramos;
- Buisness Team, Tina Marzen;
- Contaminants Specialist, LeeAnn Woodward;
- Marine Monument Lead Planner, TBN;
- Biological Science Technician, Susan Allie Hunter;
- Biological Science Technician, Elyse Sachs;
- Education and Outreach Specialist, TBN;
- Wildlife Biological Technician, Aisha Rickli-Rahman;
- Biological Science Technician, Margeayx Wayne;
- Inventory and Monitoring Program Lead, Amanda Pollock;
- Inventory and Monitoring Biologist, Rachel Rounds;
- Inventory and Monitoring Data Manager, Patrick Grady;
- Palmyra Manager, Stefan Kropidlowski;
- Biological Technician, Danielle Burnett;
- Refuge Zone Officer, Charlie Quitugua;
- Refuge Officer, Timothy Cusack
- Invasive Species Coordinator, Jason Hanley;
- Emergency Manager, Laura Beauregard;
- Public Affairs Officer, Megan Nagel;
- Public Affairs Officer, I;
- Public Affairs Officer, TBN;
- 3 Presidential Management Fellows, TBN;
- 4 KUPU interns, TBN and
- 4 Volunteers, TBN.

FWS PMNM HQ Staff to include:

- Superintendent of Papahānaumokuākea Marine National Monument, Jared Underwood;

- Deputy Superintendent of Papahānaumokuākea Marine National Monument, Amanda Boyd esq;
- Wildlife Refuge Specialist, TBN;
- Biological Science Technician, Daniel Link;
- Budget Officer, Marnie Meuser;
- Administrative Officer, Maylanie Hipolito;
- Biological Science Technician, Cynthia Rehkemper;
- Wildlife Biologist, TBN;
- Ecologist, Kauaoa Fraiola;
- Refuge Manager, TBN;
- Visitor Services Manager, TBN;
- 12 Volunteers, TBN.

FWS Midway Atoll NWR to include:

Refuge Staff (24 total) includes

- Refuge Manager, TBD;
- Deputy Refuge Manager, Stephen Barclay;
- Wildlife Refuge Specialist, Timothy Clark;
- Wildlife Biologist, TBN;
- Wildlife Biologist, TBN
- Biological Science Technician, Joseph Latsha;
- Budget Officer, Angela Burwell;
- Biological Science Technician, Elaine Beaudoin;
- Biological Science Technician, TBN;
- Ornithologist, Jonathan Plissner;
- Maintenance Mechanic, TBN;
- 1 Park Ranger, TBN;
- 12 Volunteers or KUPU Interns, TBN.

Midway Atoll Contractors (70 total) includes

- 45 DBSI contract support personnel for airport operations, logistics, facilities, medical, communications, and task orders; and
- 25 construction workers.

Midway Federal Aviation Administration Staff (6 total) including

- 2 Honolulu Air Traffic Organization, Dave Washino and Kevin Inouye;
- 2 Airports District Office, Honolulu, Ron V. Simpson and Tyson Price;
- 4 FAA staff, TBN.

FWS Hawaiian Islands NWR Staff to include:

French Frigate Shoals Staff (36 total) includes

- Wildlife Refuge Manager, TBN;
- Deputy Refuge Manager, TBN;
- 2 Biological Science Technicians, TBN;
- 12 Biological Science Volunteers, TBN; and
- 20 Maintenance Staff, Volunteers or Contractors, TBN.

Laysan Island Staff (10 total) includes

- 4 Biological Science Technicians, TBN; and
- 6 Biological Science Volunteers, TBN.

Nihoa Staff includes (4 total)

- 4 Biological Science Technicians or Volunteers, TBN.

Lisianski Staff includes

- 2 Biological Science Technicians or Volunteers, TBN.

Pearl and Hermes Staff includes

- 2 Biological Science Technicians or Volunteers, TBN

FWS Ecological Services Staff to include:

- Field Supervisor, TBN;
- Deputy Field Supervisor, Gregory Koob;
- Deputy Field Supervisor, Katherine Mullett;
- Aquatics Ecosystem Conservation Program Manager, Dan Polhemus;
- Oahu/Kauai/Northwestern Hawaiian Islands Geographic Team Program Manager, Aaron Nadig;
- Fish and Wildlife Biologist, Nadiera Sukhraj-McCarthy;
- Fish and Wildlife Biologist, John Vetter;
- Fish and Wildlife Biologist, Tony Montgomery;
- Fish and Wildlife Biologist, Jiny Kim;
- Fish and Wildlife Biologist, Annie Marshall;
- Fish and Wildlife Biologist, Leila Nagatani;
- Fish and Wildlife Biologist, Kevin Donmoyer;
- 2 Fish and Wildlife Biologists, TBN;
- Botanist, James Kwon;
- Coastal Program Coordinator, Sheldon Plentovich;
- Contaminants Specialist, Michael Fry.

#### National Oceanic and Atmospheric Administration (NOAA)

##### - National Ocean Service (NOS), Office of National Marine Sanctuaries (ONMS)

- Deputy Superintendent for Policy and Programs, Eric Roberts;
- Research Coordinator, Randall Kosaki;
- Education and Technology Coordinator, Vincent Andy Collins;
- Administrative Officer, Paige Moani Pai;
- Strategic Initiatives Coordinator, TBN;
- Planning and Evaluation Coordinator, TBN;
- Planning and Evaluation Specialist, Alyssa Miller;
- Permits and Policy Coordinator, TBN;
- Policy and Permit Specialist, Justin Rivera;
- Constituent Outreach Specialist, TBN;
- Fiscal Administrator, TBN;
- Administrative Assistant, Lucy Kaneshiro;
- Research Specialist, TBN;
- GIS Specialist, TBN;
- Field Operations Coordinator, Jason Leonard;

- Information Technology Support Specialist, Alan Lum;
- Senior Information Technology Specialist, TBN;
- Mokupāpapa Discovery Center Manager, TBN;
- Monument Outreach and Volunteer Coordinator, Virginia Branco;
- Mokupāpapa Discovery Center Education Associate, Justin Umholtz;
- Mokupāpapa Discovery Center Events and Facilities Associate, Clayton Watkins;
- Mokupāpapa Discovery Center Aquarist, Michael Caban II-Akamai Stephens;
- O'ahu Outreach and Education Coordinator, Jennifer Crawford;
- Resource Protection Manager, Brian Hauk;
- Graphic and Web Designer, Gardner Kahi Fujii;
- Office Assistant, TBD;
- Executive Administrative Assistant, TBN;
- Strategic Initiatives Associate, TBN;
- Vessel Operations Coordinator, Luke Evancoe;
- West Coast/Pacific Islands Media Coordinator, Sarah Marquis;
- Native Hawaiian Program Coordinator, TBN;
- Native Hawaiian Program Specialist, Vernon Kalani Quiocho Jr.;
- Native Hawaiian Research Associate, TBN;
- Data Integration Manager, David Graham;
- Database Administrator, TBN;
- Web Developer/GIS II, TBN;
- Web Applications Developer, TBN;
- GIS Developer, TBN;
- Data Documentation and Outreach Specialist, TBN;
- Senior Data Analyst, TBN;
- Marine Scientist, Jon Martinez;
- Field Logistics Technician, Keolohilani Lopes;
- Senior Policy and Programs Advisor, Naomi McIntosh;
- Ecological Research Statistician, Atsuko Fukunaga; and
- 5 volunteers/interns TBN,

– National Ocean Service (NOS), Center for Operational Oceanographic Products and Services (CO-OPS)

- field staff, TBN.

– National Marine Fisheries Service (NMFS), Pacific Islands Regional Office (PIRO)

- Pacific Islands Regional Administrator, Michael Tosatto;
- Deputy Regional Administrator, Sarah Malloy;
- Media and Outreach Coordinator, Michelle Mansker;
- Management Analyst, Pua Kamaka;
- Operations, Management, and Information staff, TBN;
- Protected Resources staff, TBN;
- Habitat Division staff, TBN;
- Assistant Regional Administrator Habitat Conservation Division, Gerry Davis;
- Restoration Center staff, TBN;

- Marine National Monument Program: Management and Program Officer, Malia Chow;
- Fishery Policy Analyst, Richard Hall;
- Natural Resources Management Specialist, Heidi Hirsh; and
- Natural Resource Policy Management Specialist, Hoku Ka'aekuahiwi; and
- Office of Law Enforcement staff, TBN.

- National Marine Fisheries Service (NMFS), Pacific Islands Fisheries Science Center (PIFSC)

- Science Center Director, Michael Seki;
- Deputy Director, Evan Howell;
- Acting Deputy Director, Gregory Logan
- Supervisory Program Management Specialist, Tia Brown;
- Policy Analyst, Rebecca Walker
- Communications Officer, Ingrid Biedron
- Education and Outreach Coordinator, Ali Bayless
- Research Technician, T. Souza

Science Operations Division Staff:

- Division Director, Noriko Shoji;
- Operations Manager, Kyle Koyanagi;
- Science Operations Coordinator, Russell Reardon;
- Supervisory Natural Resource Management Specialist, TBN;
- Supervisory Natural Resource Management Specialist, Garry Harsanyi;
- Engineer, Ruhul Amin;
- Supervisory Data Application Developer, Jesse Abdul;
- Monument Science Coordinator, TBN;
- Lead Logistics Management Specialist, Chad Yoshinaga;
- Natural Resource Management Specialist, Risa Oram;
- Marine Scientist, Kimberly Lowe;
- Biological Science Technician, Jamie Barlow;
- Biological Science Technician, TBN;
- Biological Science Technician, TBN;
- ;
- NOAA Corps Officer, Nathaniel Park;
- NOAA Corps Officer, TBN;
- NOAA Corps Officer, Kristin Sojka
- Natural Resource Management Specialist, Eric Cruz;
- Natural Resource Management Specialist, Michael Trianni;
- NOAA Corps Officer, Laura Rock;
- Science Operations Specialist, TBD
- Science Operations Technician, Jessica Shem;
- Science Operations Technician, Alexa Gonzalez
- Insular Fisheries Associate, Christopher Demarke;
- Insular Fisheries Associate, Dianna Miller;
- Insular Fisheries Specialist, TBN;

- Insular Fisheries Specialist, Audrey Rollo;
- Advanced Survey and Technology Developer, Jeremy Taylor;
- GIS Specialist, TBN;
- Dive Center/Laboratory Research Manager, Kerry Reardon;
- other Science Operations Staff, TBN;
- Research Fish Biologist, Benjamin Richards;
- Small Boat Mechanic, Art Suga
- 

Fisheries Research and Monitoring Division: Division Director, Todd Jones

Deputy Chief, Beth Lumsden

Research Fish Biologist, R. Ahrens

Stock Assessment Program Staff: Supervisory Research Mathematical Statistician, Felipe Carvalho;

- Math Statistician, John Brodziak;
- Research Fish Biologist, E. Bohaboy
- Math Statistician, TBN;
- Research Fish Biologist John Syslo;
- Research Fish Biologist, Michelle Sculley
- Supervisory PIFSC Scientist, Mark Nadon;

Life History Program Staff: Supervisory Research Biologist, Joseph O'Malley;

- Research Fish Biologist, Ryan Nichols;
- Research Fish Biologist, Michael Kinney
- Research Fish Biologist, Eva Schemmel
- Bio-Sampling Specialist, Erin Reed;
- Fish Bio-Sampling Tech, J. Martinez;
- Fish Bio-Sampling Tech, V. Pangelinan
- Biologist (Ret.) Robert Humphries.

International Fisheries Program Staff:

- Supervisory Research Fish Biologist, Keith Bigelow;
- Research Fish Biologist Yonant Swimmer;
- Fish Electronic Monitoring Associate, Matthew Carnes;
- Science Program Manager, Melanie Hutchinson;
- Research Ecologist, John Wang.
- Marine Research Associate, M. Scott
- PIFSC Fish Monitoring Associate, J. Stahl
- Fish Biologist, Russell Ito
- Fish Specialist, Walter Machado

Ecosystem Sciences Division Staff:

- Division Director, Frank Parrish;
- Oceanographic Research Specialist, K. Lowder
- 
- Habitat and Living Marine Resources Program Staff: Supervisory Research Marine Scientist, Ryan Rykaczewski

- Research Oceanographer, Reka Domokos-Boyer;
- Research Oceanographer, Phoebe Woodworth-Jefcoats;
- Research Ecologist, Johanna Wren;
- Marine Ecosystem Research Specialist, Jacob Asher;
- Marine Ecosystem Research Coordinator, C. Amir
- Information Services Manager, Annette DesRochers;
- Student Trainee, Mollie Asbury;
- Seabed Map Specialist, Frances Lichowski;
- Optical Imagery Data Coordinator, Rhonda Suka;
- Research Technician, Morgan Winston
- Marine Ecosystem Research Technician, M. Lamirand
- Research Fish Biologist, Donald Kobayashi;
- Research Fish Biologist, Ivor Williams;
- Coral Reef Researcher Courtney Couch;
- Marine Ecosystem Research Specialist, Andrew Gray;
- Marine Ecosystem Research Analyst, K. Ingeman;
- Coral Reef Researcher, Tye Kindinger;
- Marine Ecosystem Research Analyst, Kaylyn McCoy;
- Coral Ecology Researcher, Bernardo Vargas-Angel
- Marine Ecosystems Project Coordinator, Megan Moews-Asher;
- Marine Ecosystem Research Project Manager, Molly Timmers;
- Oceanographer, J. Smith;
- Assistant Researcher, K. Smith;
- Marine Ecosystem Research Coordinator, M. Weible
- 
- 

Ocean Synthesis and Human Dimensions Program Staff:

- Supervisory Economist, Justin Hospital;
- Industry Economist, Minling Pan;
- Research Economist, Jonathan Sweeney,
- Research Social Scientist, Danika Kleiber;
- Research Oceanographer, Jamison Gove;
- Research Technician, Emily Contreras;
- Graduate Assistant, Aviv Suan;
- Research Fisheries Biologist, Mariska Weijerman
- Social Scientist, Kirsten Leong;
- Social Research Project Manager, Adam Ayers
- Marine Ecosystem Research Coordinator, Ariel Halperin;
- Social Scientist, Rebecca Ingram;
- Marine Ecosystem Research Specialist, Noah Pomeroy;
- Research Technician, Jonathan Whitney;
- Research Associate, Hannah Barkley;
- Contractor, J. Lecky;
- Senior Fish Economic Specialist, Hingling Chan;
- Sociology Research Associate, Mia Iwane

- Fisheries Economic Project Manager, M. Khan

- .

Operations and Data Management Program Staff:

- Supervisory Research Ecologist, Jennifer Samson;
- Research Ecologist, Thomas Oliver;
- Research Fish Biologist, M. Parke;
- Coral Reef Researcher, M. Putts;
- Data Management Specialist, Brooke Olenski;
- Marine Biologist, Raymond Boland;
- Web Administrator/Database Assistant, Michael Akridge;
- Field Logistics Associate, Joao Garriques;
- Program Manager (JIMAR), Brittany Huntington;
- Field Logistics Specialist, James Morioka;
- Data Management Specialist, Kevin Trick;
- Graduate Assistant, M. Asbury

Deep Animal Research Specialist; V. Moriwake

- Field Logistics Specialist, Tate Wester;

- .

Operations, Management and Information Division staff, TBN.

Protected Species Division Staff:

- Director, Charles Littnan;
- Research Associate, S. Davis;
- Marine Turtle Biology and Assessment Program (MTBAP) Staff: Research Ecologist, Summer Martin;
- Biological Science Technician, Shandell Brunson;
- Biologist, Shawn Murakawa;
- Student Trainee-Pathways, Alexandra Reininger;
- Supervisory Marine Ecological Researcher, Camryn Allen;
- Student Assistants Lindsey Bull; B. Clemans, M. Goriander, , Marina Praet, C. Sabharwal;
- Marine Ecological Researcher, Alexander Gaos;
- Marine Sciences Technician, Marylou Staman;
- Field Camp Research Associate, J. Staman;
- 5 Temp Field Biologists, TBN

Hawaiian Monk Seal Research Program (HMSRP) Staff:

- Supervisory Program Lead/Veterinarian Medical Officer, Michelle Barbieri Lino;
- ;
- Ecologist, Stacie Robinson,
- Marine Biologist, Thea Johanos-Kam;
- Research Marine Biologist, Jason Baker and
- Marine Science Biological Technician, S. Guerin;
- Vet Program Supervisor, Liz Kashinsky;
- Biological Science Technician, Brenda Becker;

- Marine Science Biological Technician, Tracy Mercer;
- Biological Research Associates, Hope Ronco;
- Emergency Response Research Associate, Mark Sullivan;
- 2 Veterinary Assistants/Technicians, Claudia Cedillo and TBN;
- Logistics/Research/Technicians TBN;
- Veterinarian, TBN;
- 12 Temp Field Biologists, TBN.

**Cetacean Research Program (CRP) Staff:**

- Supervisory Research Ecologist, Erin Oleson;
- Research Oceanographer, Ann Allen;
- Research Ecologist, Amanda Bradford;
- Graduate Assistant, Yvonne Barkley;
- Cetacean Specialist, Andrea Bendlin;
- Cetacean Specialist, A. Ligon;
- Cetacean Research Program Supervisor (JIMAR), Marie Hill;
- Passive Acoustic Technician, Jennifer McCullough;
- Operations Manager, Erik Norris;
- Contractor Photo ID Cetacean Specialist, Adam U;
- Cetacean Research Associate, Kym Yano;
- Cetacean Acoustician, Karlina Merkens;
- Contractor Cetacean Acoustician, Anne Simonis.
- 
- PSD Services and Support Program:
  - Supervisory Marine Biologist, Jessica Lopez Bohlander;
  - Operations Research Analyst, Vikram Khurana
  - Marine Biologist, L. McCue

**State of Hawai'i, Department of Land and Natural Resources (DLNR)**

- DLNR Chairperson, TBN,
- DLNR First Deputy, TBN;
- Water Deputy, TBN;
- Division of Aquatic Resources (DAR) Administrator, Brian Neilson;
- Division of Forestry and Wildlife (DOFAW) Administrator, David Smith;
- Division of Conservation and Enforcement (DOCARE), TBN,
- State Historic Preservation Division (SHPD), TBN,
- 6 Members of the Board of Land and Natural Resources (BLNR), TBN;
- PMNM Program Specialist, TBN, Permit Coordinator, TBN;
- Wildlife Manager, Jason Misaki;
- Kure Atoll State Wildlife Sanctuary Manager, Cynthia Vanderlip;
- Kure Atoll State Wildlife Sanctuary Field Camp Leader, Naomi Worcester;
- Kure Atoll State Wildlife Sanctuary Field Camp Leader, Matthew Saunter;
- Offshore Island Biologist, TBN;
- DOFAW Oahu Branch Manager, Marigold Zoll;
- 6 Kure Atoll State Seabird Sanctuary Volunteers and Technicians, TBN;

- 6 Aquatic Biologists, TBN;
- 6 Aquatic Alien Invasive Species (AIS) Team staff, TBN;
- 5 Biological Science Volunteers, TBN;
- 2 Outreach and Education Specialist, TBN;
- other DLNR Administrators, program managers and staff, TBN.

Office of Hawaiian Affairs (OHA)

- 9 Board of Trustees, Chair Collette Machado, Robert K Lindsey Jr., Brendan Kaleiaina Lee, William Keli'i Akina, Lei Ahu Isa, Carmen Hulu Lindsey, Dan Ahuna, John D. Waihee IV, Kalei Akaka;
- 20 BOT staff, TBN;
- Interim Chief Executive Officer/Ka Pouhana, Syliva Hussey;
- Interim Chief Operating Officer/Ka Pounui, Lisa Watkins-Victorino;
- Chief Advocate, Keola Lindsey;
- 4 Line of Business Directors, Mehana Hind, Jim Patterson, Miles Nishijima, and Gloria Li;
- 4 Executive Office staff, Momilani Lazo, Laura Kamalani-Paikai, Leona Castillo, and 1 TBN;
- Chief Counsel, Raina Gushiken;
- 2 Corporation Counsel staff, Shirley Okamoto, Everette Ohta;
- Papahānaumokuākea Program Specialist, Brad Ka'aleleo Wong;
- Policy Program Manager, Jocelyn Doane;
- 5 Policy Program staff, Wayne Tanaka, Kamaile Maldonado, Monica Morris, Jenifer Jenkins;
- Washington D.C. Bureau Chief, Keone Nakoia;
- 2 Washington D.C. Bureau staff, TBN;
- Compliance Program Manager, Kai Markell;
- 4 Compliance Program staff, Kamakana Ferreira, Kathy Keala, Jerome Yasuhara, Lauren Morowski;
- Land, Culture, and History Program Manager, Pulama Lima;
- GIS Specialist, Zachary Smith
- 3 Land, Culture, and History Research Analysts, Wahineaipohaku Tong, Leona Kalima, Kale Hannahs;
- Digital Print and Media Manager, Alice Silbanuz;
- 2 Digital Media Specialists, Jason Lees and Kawena Lei Carvalho-Mattos;
- 3 Communications Specialists, Kaleena Patcho, Ikaika Hussey, and 1 TBN
- Land and Property Manager, Jonathan Ching;
- 2 Land and Property Staff, Brutus La Benz and Taylor Asao;

Senior Executive Board (SEB), Members of the Monument Management Board (MMB), and the Interagency Coordinating Committee (ICC) which are comprised of, but not limited to: Environmental Protection Agency (EPA), Department of Defense (DOD), US Coast Guard (USCG), NOAA Office of Law Enforcement (OLE), USFWS OLE, DLNR Department of Conservation and Resource Enforcement (DOCARE), Office of Hawaiian Affairs (OHA) and State of Hawai'i Department of Health (HDOH).

Other staff, volunteers, cultural liaisons, or contractors necessary for the permitted activities may enter the Monument for conservation and management activities. Resident families of Midway Atoll may enter the Monument. Invited news media representatives may enter the Monument to provide public information of conservation and management activities. All personnel will be identified and information will be provided to the Monument Permit Coordinators prior to each entry into the Monument.

The applicants shall ensure that all personnel assigned to any conservation and management activity allowed under this permit are qualified to perform in the assigned role and are limited to the scope of their position and respective project, and shall comply with all other applicable laws, policies, protocols, permits, and regulations. In addition, the applicants will ensure that all management activities are communicated and coordinated on an ongoing and regular basis.

To safeguard all the resources and ecological integrity of the Monument, early and ongoing coordination of interagency activities will occur between the action agency and interested Monument partners as soon as details of activities are identified. The goal of early coordination is the commitment to identifying, incorporating, and customizing best management practices for specific activities. Additionally, pre-access permit and cultural briefings will be conducted for all new personnel entering the Monument and annually for all.

**Papahānaumokuākea Marine National Monument  
CONSERVATION AND MANAGEMENT Permit Application**

***NOTE: This Permit Application (and associated Instructions) is to propose activities to be conducted in the Papahānaumokuākea Marine National Monument. The Co-Trustees are required to determine that issuing the requested permit is compatible with the findings of Presidential Proclamation 8031. Within this Application, provide all information that you believe will assist the Co-Trustees in determining how your proposed activities are compatible with the conservation and management of the natural, historic, and cultural resources of the Papahānaumokuākea Marine National Monument (Monument).***

**ADDITIONAL IMPORTANT INFORMATION:**

- Any or all of the information within this application may be posted to the Monument website informing the public on projects proposed to occur in the Monument.
- In addition to the permit application, the Applicant must either download the Monument Compliance Information Sheet from the Monument website OR request a hard copy from the Monument Permit Coordinator (contact information below). The Monument Compliance Information Sheet must be submitted to the Monument Permit Coordinator after initial application consultation.
- Issuance of a Monument permit is dependent upon the completion and review of the application and Compliance Information Sheet.

**INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED**

Send Permit Applications to:

NOAA/Daniel K. Inouye Regional Center

NOS/ONMS/Papahānaumokuākea Marine National Monument

Attention: Permit Coordinator

1845 Wasp Blvd., Building 176

Honolulu, HI 96818

nwhipermit@noaa.gov

PHONE: (808) 725-5800 FAX: (808) 455-3093

**SUBMITTAL VIA ELECTRONIC MAIL IS PREFERRED BUT NOT REQUIRED. FOR ADDITIONAL SUBMITTAL INSTRUCTIONS, SEE THE LAST PAGE.**

## **Papahānaumokuākea Marine National Monument Permit Application Cover Sheet**

This Permit Application Cover Sheet is intended to provide summary information and status to the public on permit applications for activities proposed to be conducted in the Papahānaumokuākea Marine National Monument. While a permit application has been received, it has not been fully reviewed nor approved by the Monument Management Board to date. The Monument permit process also ensures that all environmental reviews are conducted prior to the issuance of a Monument permit.

### **Summary Information**

**Applicant Name:** Jared Underwood, Athline Clark, Brian Neilson, Keola Lindsey  
**Affiliation:** U.S. Fish and Wildlife Service (FWS), National Oceanic and Atmospheric Administration (NOAA), State of Hawai‘i Department of Land and Natural Resources (DLNR), Office of Hawaiian Affairs (OHA)

**Permit Category: Conservation and Management**

**Proposed Activity Dates:** January 1, 2021 – December 31, 2021

**Proposed Method of Entry (Vessel/Plane):** Vessel and plane

**Proposed Locations:**

This permit application encompasses all conservation and management activities that the Co-Trustees may conduct throughout the entire Monument.

**Estimated number of individuals (including Applicant) to be covered under this permit:**

Variable, depending on activity type and location.

**Estimated number of days in the Monument:**

There will be Monument staff in the Monument 365 days of the year. Numbers of personnel will fluctuate depending upon the season and the management activity undertaken at any one time.

**Description of proposed activities: (complete these sentences):**

**a.) The proposed activity would...**

This Monument Conservation and Management Permit Application proposes activities that would allow the Co-Trustee Representatives of the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration, the State of Hawai‘i through the Department of Land and Natural Resources, and the Office of Hawaiian Affairs to conduct management activities for the conservation and management of Papahānaumokuākea Marine National Monument including the Hawaiian Islands National Wildlife Refuge, Midway Atoll National Wildlife Refuge, Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve, Northwestern Hawaiian Islands State Marine Refuge, and Kure Atoll State Seabird Sanctuary.

**b.) To accomplish this activity we would ....**

To accomplish the conservation and management of this ecosystem the Co-Trustees would carry out authorized activities associated with the following:

1. General operations to support field activities, which includes field camp, vessel, and flight operations
2. Resource survey and monitoring, which includes evaluating status and trends of target species and habitats
3. Natural resource protection, restoration, and remediation, which includes predator and invasive species control, as well as marine debris removal
4. Cultural and historic resource identification, evaluation, monitoring, access and protection
5. Education and outreach

**c.) This activity would help the Monument by ...**

These activities would benefit the Monument by providing coordinated interagency management of Monument ecosystems, prevent duplicate efforts, and gain efficiencies.

**Other information or background:**

A conservation and management permit of this nature has been issued annually, pending a stringent review process, to the Monument Co-Trustee agencies since 2008 for the purpose of conducting cooperative and effective management of Monument resources. For example, the NOAA NMFS PIFSC Marine Turtle Research Program has worked successfully within the U.S. Fish and Wildlife Service, Hawaiian Islands National Wildlife Refuge for 40 consecutive seasons, resulting in great success for the species. Such collaborative work would benefit other Monument programs.

**Section A - Applicant Information**

**1. Applicant**

Underwood, Jared: Superintendant for Papahānaumokuākea Marine National Monument, Department of the Interior, U.S. Fish and Wildlife Service

Clark, Athline: Superintendent, Papahānaumokuākea Marine National Monument, National Oceanic and Atmospheric Administration

Neilson, Brian: Division of Aquatic Resources Administrator State of Hawai'i Department of Land and Natural Resources

Lindsey, Keola: Ka Poukihi Kū, Chief Advocate, Office of Hawaiian Affairs

**1a. Intended field Principal Investigator (See instructions for more information):**

N/A

**2. Mailing address (street/P.O. box, city, state, country, zip):**

Underwood, Jared: Superintendant, Papahānaumokuākea Marine National Monument, Department of the Interior, U.S. Fish and Wildlife Service, [REDACTED]  
[REDACTED]

Clark, Athline: Superintendent, Papahānaumokuākea Marine National Monument, Department of Commerce, National Oceanic and Atmospheric Administration

Neilson, Brian: Division of Aquatic Resources Administrator, State of Hawai'i Department of Land and Natural Resources; [REDACTED]

Lindsey, Keola: Ka Poukihi Kū, Chief Advocate, Office of Hawaiian Affairs, [REDACTED]  
[REDACTED]

**Phone:**

Jared Underwood: [REDACTED]

Athline Clark: [REDACTED]

Brian Neilson: [REDACTED]

Keola Lindsey: [REDACTED]

**Fax:**

Jared Underwood: [REDACTED]

Athline Clark: [REDACTED]

Brian Neilson: [REDACTED]

Keola Lindsey: [REDACTED]

**Email:**

Jared Underwood: [REDACTED]

Athline Clark: [REDACTED]

Brian Neilson: [REDACTED]

Keola Lindsey: [REDACTED]

**For students, major professor’s name, telephone and email address: N/A**

**3. Affiliation (institution/agency/organization directly related to the proposed project):**

Underwood, Jared: Superintendent for Papahānaumokuākea Marine National Monument, Department of the Interior, U.S. Fish and Wildlife Service

Clark, Athline,: Superintendent, Papahānaumokuākea Marine National Monument, National Oceanic and Atmospheric Administration

Neilson, Brian: Division of Aquatic Resources Administrator, State of Hawai‘i Department of Land and Natural Resources

Lindsey, Keola: Ka Poukihi Kū, Chief Advocate, Papahānaumokuākea Program Manager, Office of Hawaiian Affairs

**4. Additional persons to be covered by permit. List all personnel roles and names (if known at time of application) here (e.g. John Doe, Research Diver; Jane Doe, Field Technician):**

Variable. Staff, volunteers, cultural liaisons, or contractors necessary for the permitted activities may enter the Monument for conservation and management activities. Resident families of Midway Atoll may enter the Monument. Invited news media representatives may enter the Monument to provide public information of conservation and management activities. All personnel will be identified and information will be provided to the Monument Permit Coordinators prior to each entry into the Monument.

The applicants shall ensure that all personnel assigned to any conservation and management activity allowed under this permit are qualified to perform in the assigned role and are limited to the scope of their position and respective project, and shall comply with all other applicable

laws, policies, protocols, permits, and regulations. In addition, the applicants will ensure that all management activities are communicated and coordinated on an ongoing and regular basis.

To safeguard all the resources and ecological integrity of the Monument, early and ongoing coordination of interagency activities will occur between the action agency and interested Monument partners as soon as details of activities are identified. The goal of early coordination is the commitment to identifying, incorporating, and customizing best management practices for specific activities. Additionally, pre-access permit and cultural briefings will be conducted for all new personnel entering the Monument and annually for all.

**Section B: Project Information**

**5a. Project location(s):**

		<u>Ocean Based</u>	
<input checked="" type="checkbox"/> Nihoa Island	<input checked="" type="checkbox"/> Land-based	<input checked="" type="checkbox"/> Shallow water	<input checked="" type="checkbox"/> Deep water
<input checked="" type="checkbox"/> Necker Island (Mokumanamana)	<input checked="" type="checkbox"/> Land-based	<input checked="" type="checkbox"/> Shallow water	<input checked="" type="checkbox"/> Deep water
<input checked="" type="checkbox"/> French Frigate Shoals	<input checked="" type="checkbox"/> Land-based	<input checked="" type="checkbox"/> Shallow water	<input checked="" type="checkbox"/> Deep water
<input checked="" type="checkbox"/> Gardner Pinnacles	<input checked="" type="checkbox"/> Land-based	<input checked="" type="checkbox"/> Shallow water	<input checked="" type="checkbox"/> Deep water
<input checked="" type="checkbox"/> Maro Reef			
<input checked="" type="checkbox"/> Laysan Island	<input checked="" type="checkbox"/> Land-based	<input checked="" type="checkbox"/> Shallow water	<input checked="" type="checkbox"/> Deep water
<input checked="" type="checkbox"/> Lisianski Island, Neva Shoal	<input checked="" type="checkbox"/> Land-based	<input checked="" type="checkbox"/> Shallow water	<input checked="" type="checkbox"/> Deep water
<input checked="" type="checkbox"/> Pearl and Hermes Atoll	<input checked="" type="checkbox"/> Land-based	<input checked="" type="checkbox"/> Shallow water	<input checked="" type="checkbox"/> Deep water
<input checked="" type="checkbox"/> Midway Atoll	<input checked="" type="checkbox"/> Land-based	<input checked="" type="checkbox"/> Shallow water	<input checked="" type="checkbox"/> Deep water
<input checked="" type="checkbox"/> Kure Atoll	<input checked="" type="checkbox"/> Land-based	<input checked="" type="checkbox"/> Shallow water	<input checked="" type="checkbox"/> Deep water
<input checked="" type="checkbox"/> Other			

NOTE: There is a fee schedule for people visiting Midway Atoll National Wildlife Refuge via vessel and aircraft.

**Location Description:**

This permit application encompasses all conservation and management activities that the permit applicants may conduct throughout the entire Monument.

**5b. Check all applicable regulated activities proposed to be conducted in the Monument:**

- Removing, moving, taking, harvesting, possessing, injuring, disturbing, or damaging any living or nonliving Monument resource
- Drilling into, dredging, or otherwise altering the submerged lands other than by anchoring a vessel; or constructing, placing, or abandoning any structure, material, or other matter on the submerged lands
- Anchoring a vessel
- Deserting a vessel aground, at anchor, or adrift
- Discharging or depositing any material or matter into the Monument
- Touching coral, living or dead
- Possessing fishing gear except when stowed and not available for immediate use during passage without interruption through the Monument
- Attracting any living Monument resource

- Sustenance fishing (Federal waters only, outside of Special Preservation Areas, Ecological Reserves and Special Management Areas)
- Subsistence fishing (State waters only)
- Swimming, snorkeling, or closed or open circuit SCUBA diving within any Special Preservation Area or Midway Atoll Special Management Area

## **6. Purpose/Need/Scope *State purpose of proposed activities***

### **ENTRANCE**

1. The permit applicants, their designated agency staff, volunteers, contractors, and Midway Atoll National Wildlife Refuge residents necessary for permitted activities may enter Papahānaumokuākea Marine National Monument (see Attachment #1, Permitted Personnel List). All personnel must be identified and information provided to the Monument permit coordinators prior to each entry into the Monument. The permit applicants shall ensure that all personnel assigned to conduct conservation and management activities authorized under this permit are fully qualified to perform in the assigned role(s) and shall be limited to the scope of actions set forth in this permit and all other applicable policies, protocols, permits, and regulations. (ALL MMB AGENCIES)

### **OPERATIONS**

2. Operating field stations of the National Wildlife Refuge System (NWRS) and the State of Hawai'i Kure Atoll State Wildlife Sanctuary, necessary for meeting mission and purposes of refuges and the Monument in support of on-site management and resource conservation including but not limited to: (STATE) (FWS)
  - a. Maintaining and repairing/replacing facilities and their components (e.g., carpentry, electrical, plumbing, welding, general construction); (STATE) (FWS)
  - b. Building and other facilities deconstruction and reconstruction; (STATE) (FWS)
  - c. Maintaining airport and airstrips, including improvements such as runway lighting replacement, taxiway maintenance (including repaving, and painting/markings); (STATE) (FWS)
  - d. Painting, including all preparation work such as scraping, washing, etc.; (STATE) (FWS) and
  - e. Lead-based paint soil remediation, including removing sand/soil from around many or all affecting buildings and proper on-site containment of this material. (STATE) (FWS)
3. Supporting and re-supplying field camps and field stations, including but not limited to, delivery and removal of supplies, people, waste, and/or assets necessary for operations. (ALL MMB AGENCIES)
4. Operating vessels to provide access for conservation and management activities. Authorized vessel operations shall include, but are not limited to:
  - a. Operating small boats for vessel maintenance and proficiency; (ALL MMB AGENCIES)
  - b. Anchoring of the authorized vessels on sandy substrate only, and all anchors must be lowered into place; (ALL MMB AGENCIES)
  - c. Discharging gray water outside of all Special Preservation Areas and the Midway Atoll Special Management Area; (ALL MMB AGENCIES) and
  - d. Discharging biodegradable solid waste associated with galley operations restricted to 3 nautical miles (ground to 1 inch in diameter) and 12 nautical miles

(unground) outside of all Special Preservation Areas and the Midway Atoll Special Management Area. (ALL MMB AGENCIES)

5. Possessing fishing gear to conduct sustenance fishing for pelagic species within Midway Atoll Special Management Area (MASMA) in accordance with the Monument Management Board Policy on Sustenance Fishing (Attachment #2). (ALL MMB AGENCIES)
6. Operating aircraft and airfields, including necessary maintenance and use of airfields and runways at Midway Atoll and Tern Island, French Frigate Shoals. (FWS)
7. Conducting on-site reviews and operational evaluations including, but not limited to: (ALL MMB AGENCIES)
  - a. On-site reviews by management and congressional personnel; (ALL MMB AGENCIES)
  - b. Agency site visits and meetings for management planning and programmatic assessments; (ALL MMB AGENCIES) and
  - c. On-site management and safety reviews to gauge implementation and effectiveness of Monument management and programs. (ALL MMB AGENCIES)
8. Conducting personnel safety, fitness, and health maintenance including, but not limited to: (ALL MMB AGENCIES)
  - a. Biking, swimming, and jogging at Tern Island, French Frigate Shoals, and Midway Atoll; and (ALL MMB AGENCIES)
  - b. Conducting health and safety activities for all personnel, including but not limited to: site safety reviews, adverse weather and emergency response procedures, safety protocols, and continuation of operation plans. (ALL MMB AGENCIES)

#### RESOURCE SURVEY AND MONITORING

9. Swimming, snorkeling, and closed or open circuit SCUBA diving within any Special Preservation Area of the Midway Atoll Special Management Area, necessary to support conservation and management activities covered under this permit. (ALL MMB AGENCIES)
10. Touching coral, living or dead, necessary to support conservation and management activities covered under this permit. (ALL MMB AGENCIES)
11. Attracting any living Monument resource, necessary to support conservation and management activities covered under this permit. (ALL MMB AGENCIES)

12. Surveying and monitoring target species and habitats to evaluate trends and status for management purposes. Activities in direct support of management, monitoring, and characterization may include: (ALL MMB AGENCIES)
  - a. Placing scientific equipment or drilling into submerged and emergent lands in order to install scientific equipment, devices, markers, oceanographic instrument arrays, unmanned aerial systems, remotely operated camera systems, and remote viewing camera systems on submerged or emergent lands, and performing necessary maintenance activities on such equipment; (NOAA) (STATE) (FWS)
  - b. Collecting climatological data and necessary scientific information from on-site equipment; (NOAA) (STATE) (FWS)
  - c. Photographing and filming as necessary to document Monument resources; (ALL MMB AGENCIES)
  - d. Non-lethal marking and tagging for monitoring purposes; (ALL MMB AGENCIES) Note: Prior to authorization to conduct work which may result in the “take” of a protected species, a separate ESA/MMPA permit shall be required. (NOAA) (STATE) (FWS)
  - e. Visual, non-invasive marking and tagging for monitoring purposes; (ALL MMB AGENCIES) and
  - f. Physical surveying of and sampling from landfills, storage tanks, contamination sites, or other potentially hazardous materials associated with current and former occupation and use of the Northwestern Hawaiian Islands (NWHI); (NOAA) (STATE) (FWS) and
  - g. Visual, acoustic, and/or aerial (including UAS) surveys to estimate the abundance and distribution of cetaceans in the NWHI. Note: Prior to authorization to conduct cetacean surveys, which may result in the “take” of a protected species, a separate ESA/MMPA permit shall be required. (NOAA) (STATE) (FWS)
  
13. Removing, moving, taking, harvesting, possessing, injuring, disturbing, or attempting to remove, move, take, harvest, possess, injure, or disturb biological, chemical, or geological samples for analysis in support of activities under approved management plans, restoration or recovery plans, and for base line inventory and monitoring of population trends and habitat conservation and management. (ALL MMB AGENCIES)
  
14. Removing, moving, taking, harvesting, possessing, or attempting to remove, move, take, harvest, or possess a set number of any visually observable marine organism morphotype (except mammals) or terrestrial plant morphotype (including fungi), which cannot be visually identified or may represent a new geographic record or new species, with the set number based upon the per island/atoll abundance criteria below: (NOAA) (STATE) (FWS)
  - a. One (1) specimen can be taken, removed, or possessed if in abundance assessment cannot be ascertained, or less than ten (10) such specimens are present, cumulative during the course of the collection event per island and atoll; (NOAA) (STATE) (FWS)
  - b. Up to three (3) specimens can be taken, removed, or possessed if an abundance assessment of ten (10) or more such specimens is ascertained, cumulative during

the course of the collection event per island or atoll; (NOAA) (STATE) (FWS) and

- c. For clonal organisms that cannot be visually identified or may represent a new geographic record or new species, take shall be limited to no more than half the clonal organism visually observed. Up to three (3) clonal specimens of similar morphology can be taken, removed, or possessed if an abundance assessment of ten (10) or more of such specimens is ascertained, cumulative during the course of the collection event per island or atoll. (NOAA) (STATE) (FWS)

15. Conducting habitat mapping for the production of accurate, high-resolution base maps with methods to include: (ALL MMB AGENCIES)

- a. Data collecting to include optic, acoustic, and metal detector technologies, as well as land and dive operations, including the use of a remotely operated vehicle (ROV), for ground truthing; (ALL MMB AGENCIES) and
- b. Global Positioning System (GPS) mapping and Light Detection and Ranging (LIDAR) work. (ALL MMB AGENCIES)

NATURAL RESOURCE PROTECTION, RESTORATION, AND REMEDIATION

16. Conducting management actions necessary to understand and carry out protection, restoration, and remediation of species and habitats, such as carrying out existing species recovery and restoration plans (ALL MMB AGENCIES). Research and enhancement activities on or around the Hawaiian monk seal will be separately permitted and are not covered herein. Activities may include the following for all flora and fauna species present in PMNM, except the Hawaiian monk seal, which requires a separate NMFS ESA permit, except in cases where disentanglement or another emergency or health response is necessary:

- a. Conducting wildlife disentanglement, health response (including treatment and necropsy), and translocation activities according to existing species recovery plans; (NOAA) (STATE) (FWS) Note: Activities on or around species on the Endangered Species list, the appropriate lead agency shall be consulted prior to taking action)
- b. Conducting population augmentation or reestablishment activities such as capture, translocation, reintroduction, and outplanting; (ALL MMB AGENCIES) Note: Activities on or around species on the Endangered Species list, the appropriate lead agency shall be consulted prior to taking action)
- c. Conducting invasive species controls by mechanical, chemical and manual methods as needed; (ALL MMB AGENCIES) Note: Activities on or around species on the Endangered Species list, the appropriate lead agency shall be consulted prior to taking action) and
- d. Investigating and monitoring of contamination in abiotic or biotic resources. (NOAA) (STATE) (FWS) Note: Activities on or around species on the Endangered Species list, the appropriate lead agency shall be consulted prior to taking action)

17. Removing marine debris, trash, and other materials (land and ocean-based) that pose threats to Monument resources, including but not limited to derelict fishing gear. Activities may include: (NOAA) (STATE) (FWS)
  - a. Disentangling wildlife from marine debris and other materials by authorized personnel; (NOAA) (STATE) (FWS) Note: Activities occurring on or around species on the Endangered Species list shall consult the appropriate lead agency prior to taking action.
  - b. Tracking debris via drifter buoys and Unmanned Aerial Vehicles; (NOAA) (STATE) (FWS)
  - c. Monitoring of sites that have been cleared of debris for recovery rates and effects of removal; (NOAA) (STATE) (FWS)
  - d. Locating and removing debris and hazardous materials. This may be through interagency agreements, such as the Department of Defense (DOD) Innovative Readiness Training (IRT), Formerly Used Defense Sites (FUDS), or the Base Realignment and Closure (BRAC) Programs. Efforts may include activities such as seafloor and island mapping, reconnaissance and removal of materials, and derelict vessel salvage and removal; (NOAA) (STATE) (FWS) and
  - e. Removal of sessile encrusting flora and fauna associated with marine debris. (NOAA) (STATE) (FWS)
  
18. Providing emergency response and damage assessment, mitigation, restoration, and monitoring post-response management. (ALL MMB AGENCIES) Activities may include:
  - a. Conducting damage assessment, mitigation, restoration, monitoring, and post-response management in coordination with appropriate federal and/or state resource agencies and, as appropriate, consistent with NOAA, FWS, and State of Hawai'i Damage Assessment and Restoration regulations, policies, and procedures (e.g., oil spills, ship groundings, tsunami-generated marine debris, damage assessments, monitoring alien species, monitoring coral bleaching events, collection of bleached coral or alien species); (ALL MMB AGENCIES) and
  - b. Conducting activities in response to an unusual mortality event (including but not limited to threatened and endangered species, marine mammals, and migratory birds) mass stranding or other urgent species response. (NOAA) (STATE) (FWS) Note: Activities occurring on or around species on the Endangered Species list shall consult the appropriate lead agency prior to taking action.

#### CULTURAL AND HISTORICAL RESOURCE IDENTIFICATION AND PROTECTION

19. Removing, moving, taking, harvesting, possessing, injuring, disturbing; or attempting to remove, move, take, harvest, possess, injure, or disturb post-contact artifacts as needed, subject to National Historic Preservation Act (NHPA) consultation when applicable, for the purpose of identifying, documenting, interpreting, preserving, and protecting the Monument's cultural and historic resources. (ALL MMB AGENCIES)
  
20. Monitoring and surveying historic sites. (ALL MMB AGENCIES)

21. Conducting or allowing for the preservation and conservation of artifacts subject to successful NHPA Section 106 consultation and appropriate approvals from other Federal agencies (e.g., U.S. Navy), when applicable. (ALL MMB AGENCIES)
22. Non-commercial filming and photographic activities for the purposes of further documenting and capturing the history of the NWHI. (ALL MMB AGENCIES)
23. Locating historic artifacts using passive side scan sonar, metal-detector, or (land-based) ground penetrating radar. (ALL MMB AGENCIES)
24. Returning seized Monument resources to their natural environment in coordination with appropriate federal and/or state resource agencies, including the Office of Hawaiian Affairs (OHA), as appropriate. (ALL MMB AGENCIES)
25. Recording of atmospheric, celestial, biological and other environmental observations for the purpose of developing and understanding natural trends, changes and cycles. (ALL MMB AGENCIES)
26. Conducting native Hawaiian cultural protocols and ceremonies, including offering of culturally and biologically appropriate ho'okupu in accordance with Monument regulations and Best Management Practices. (ALL MMB AGENCIES)
27. Removing, moving, taking, harvesting, possessing, injuring, disturbing; or attempting to remove, move, take, harvest, possess, injure, or disturb non-living culturally significant natural materials acquired during Monument operations and activities for cultural ceremonies and practices. (ALL MMB AGENCIES)
28. Transferring culturally significant natural materials acquired during Monument operations and activities to Hawaiian cultural practitioners, in coordination with appropriate federal and/or state resource agencies, including OHA, and with the appropriate transfer documents and required permits. (ALL MMB AGENCIES)
29. Maintaining, preserving, and perpetuating Native Hawaiian cultural sites and practices per the NHPA, Native American Graves Protection and Repatriation Act, Archeological Resources Protection Act, American Indian Religious Freedom Act and applicable sections of the Hawai'i State Constitution, Hawai'i Revised Statutes and Hawai'i Administrative Rules. (ALL MMB AGENCIES)
30. Conducting activities necessary for maintaining and preserving historic sites on Midway Atoll. (ALL MMB AGENCIES)

#### OUTREACH AND EDUCATION

31. Gathering information and experiences from personnel within the Monument to develop agency web pages, Navigating Change projects, and other Monument educational outreach products. (ALL MMB AGENCIES)

32. Removing, moving, taking, harvesting, possessing, injuring, disturbing; or attempting to remove, move, take, harvest, possess, injure, or disturb non-living debris and biological samples and specimens such as albatross boluses and carcasses for educational and/or outreach projects. (ALL MMB AGENCIES)
33. Transferring educational and outreach materials (e.g., albatross boluses or other non-living debris or biological samples) shall be according to one of the following categories, subject to all applicable permits and Monument Management Board (MMB) approved transfer documents: (ALL MMB AGENCIES)
- a. *Internal transfers.* Transfers among the MMB agencies provided such educational and/or outreach material shall remain within the custody of the MMB. (ALL MMB AGENCIES)
  - b. *External transfers.* Transfers outside of the MMB agencies if authorized in writing, to government agencies and accredited educational institutions, for the purpose of cultivating, informing, or involving constituencies that support or enhance conservation of the natural, cultural, and historic resources of the Monument. (ALL MMB AGENCIES)
  - c. *Loan Transfers.* Loans of biological samples or specimens, which must be returned to the MMB with a specified time frame and are subject to conditions stipulated in writing, to government agencies and accredited educational institutions for the purpose of supporting educational or outreach projects that enhance conservation of the natural, cultural, and historic resources of the Monument. (ALL MMB AGENCIES)
34. Conducting news media and VIP site visits to enhance public knowledge and understanding of Monument resources. (ALL MMB AGENCIES)
35. Conducting environmental, cultural, and historical education programs throughout the Monument by designated agency staff and contractors. (ALL MMB AGENCIES)

\*Considering the purpose of the proposed activities, do you intend to film / photograph federally protected species?    Yes  No

For a list of terrestrial species protected under the Endangered Species Act visit:  
<http://www.fws.gov/angered/>

For a list of marine species protected under the Endangered Species Act visit:  
<http://www.nmfs.noaa.gov/pr/species/esa/>

For information about species protected under the Marine Mammal Protection Act visit:  
<http://www.nmfs.noaa.gov/pr/laws/mmpa/>

**7. Answer the Findings below by providing information that you believe will assist the Co-Trustees in determining how your proposed activities are compatible with the conservation and management of the natural, historic, and cultural resources of the Monument:**

**a. How can the activity be conducted with adequate safeguards for the cultural, natural and historic resources and ecological integrity of the Monument?**

All conservation and management activities conducted by the permit applicants will be carried out with strict safeguards for the natural, cultural, and historic resources of the Monument as required by Presidential Proclamation 8031, and other applicable law and agency policies and standard operating procedures. All agencies have field protocols and best management practices. These practices and procedures will minimize or eliminate disturbance to wildlife, flora, habitats, and cultural and historic resources. Long and short-term monitoring data is used to inform management and conservation actions to maintain the ecological, cultural and historic integrity of the Monument.

To safeguard all the resources and ecological integrity of the Monument, early and ongoing coordination of interagency activities will occur between the action agency and interested Monument partners as soon as details of activities are identified. For example, a joint calendar of projected activities to be covered under the manager's permit is kept and continually updated by agency staff. In addition, logistics planning and coordination meetings between all Monument Management Board (MMB) agencies may be implemented to further synchronize activities. The goal of early coordination is the commitment to identifying, incorporating, and customizing best management practices for specific activities.

Additionally, pre-access permit and cultural briefings will be conducted for all new personnel entering the Monument and annually for all.

**b. How will the activity be conducted in a manner compatible with the management direction of this proclamation, considering the extent to which the conduct of the activity may diminish or enhance Monument cultural, natural and historic resources, qualities, and ecological integrity, any indirect, secondary, or cumulative effects of the activity, and the duration of such effects?**

The activities requested are directed by Presidential Proclamation 8031 and other state and federal laws, regulations, and policies. The applicants will manage the Monument's natural, historic and cultural resources, qualities, and ecological integrity in a way that will not diminish and will likely enhance them. Indirect, secondary, and cumulative effects of management activities are always considered. Activities will be in support of the Monument Management Plan (2008), including but not limited to priority management needs 3.1: Understanding and Interpreting the NWHI; 3.2: Conserving Wildlife and Habitats; 3.3 Reducing Threats to Monument Resources; 3.5: Coordinating Conservation and Management Activities; and 3.6: Achieving Effective Monument Operations.

**c. Is there a practicable alternative to conducting the activity within the Monument? If not, explain why your activities must be conducted in the Monument.**

On June 15, 2006, President George W. Bush established Papahānaumokuākea Marine National Monument by issuing Presidential Proclamation 8031 (Proclamation; 71 FR 36443, June 26,

2006) under the authority of the Antiquities Act (16 U.S.C. 431), with codifying regulations in 50 CFR Part 404. This Proclamation designated that the Monument would be managed by Department of Commerce through NOAA, Department of the Interior through FWS, and that the State of Hawai‘i’s jurisdiction in the region remained unchanged. Through the December 8, 2006 and the January 10, 2017 Memorandums of Agreement (MOA), NOAA, FWS, and the State of Hawai‘i through the Department of Land and Natural Resources, and the Office of Hawaiian Affairs (OHA), became the agencies responsible for the conservation and management of the Monument. The applicants have been directed to provide unified conservation and management of the lands and waters of the Monument; therefore there is no practicable alternative to conducting management activities inside the Monument.

**d. How does the end value of the activity outweigh its adverse impacts on Monument cultural, natural and historic resources, qualities, and ecological integrity?**

The end value is to maintain all Monument resources and conduct adaptive management which will allow educated management decisions and provide for long-term protection of the Monument. By taking appropriate management actions – from monitoring to habitat enhancement and education – agencies will be able to anticipate needs, take appropriate action, and allow only activities that enhance the quality and integrity of the natural, historic and cultural resources of the Monument. Appropriate management actions prevent potential adverse impacts that include but are not limited to: invasive species outbreaks, overharvesting of natural resources; marine debris damage; avian disease outbreaks, and monk seal population declines. In addition, the applicants will employ time-tested best management practices to minimize and mitigate adverse impacts.

**e. Explain how the duration of the activity is no longer than necessary to achieve its stated purpose.**

All conservation and management activities conducted by the permit applicants are conducted in the shortest possible window to prevent or eliminate disturbance to the natural, historic, and cultural resources of the Monument.

**f. Provide information demonstrating that you are qualified to conduct and complete the activity and mitigate any potential impacts resulting from its conduct.**

The applicants and their representative management, biological, interpretive, law enforcement, administrative, and education and outreach staff possess high levels of expertise and knowledge of the ecosystem and locations within the Monument. These experts provide their knowledge and recommendations in all management decisions so that all impacts are minimized and mitigated if necessary.

**g. Provide information demonstrating that you have adequate financial resources available to conduct and complete the activity and mitigate any potential impacts resulting from its conduct.**

The applicants have adequate financial resources available to conduct the proposed management activities. Federal funding is provided through congressional appropriation. State funding is provided through State of Hawai'i funding processes.

**h. Explain how your methods and procedures are appropriate to achieve the proposed activity's goals in relation to their impacts to Monument cultural, natural and historic resources, qualities, and ecological integrity.**

The methods and procedures used in the conservation and management activities by the permit applicants are appropriate to achieve the proposed activity's goals. All activities proposed are required for effective management of the Monument and are conducted in a way that minimizes impact as required by law. Management activities assist the applicants to protect the Monument natural, historic and cultural resources, qualities, and ecological integrity.

**i. Has your vessel been outfitted with a mobile transceiver unit approved by OLE and complies with the requirements of Presidential Proclamation 8031?**

All vessels used by the applicants that are not stationed in the Monument will be outfitted with a functional NOAA Office of Law Enforcement type-approved Vessel Monitoring System as required by 50 CFR Part 404.5 and stated in the Proclamation.

**j. Demonstrate that there are no other factors that would make the issuance of a permit for the activity inappropriate.**

There are no other factors that would make the issuance of a permit for the listed activities inappropriate.

**8. Procedures/Methods:**

The above activities will be conducted by employees, contractors, and volunteers under the direction and control of the applicants in accordance with Presidential Proclamation 8031 and all other applicable laws and regulations.

The applicants will abide by the following policies and procedures, among others that may be developed, when operating in the Monument:

1. Marine Alien Species Inspection Standards for Maritime Vessels;
2. Protocol for Acquiring Avian Blood Samples;
3. Precautions for Minimizing Human Hazards to Seabirds;
4. Best Management Practices for Boat Operations and Diving Activities;
5. Protocols to Reduce Impact to the Laysan Finch;
6. General Sampling and Transport Protocols for Collected Samples;
7. Special Conditions and Rules for Moving Between Islands / Atolls and Packing for Field Camps;
8. Seabird Protocols Necessary for Conducting Trolling Research and Monitoring in Papahānaumokuākea Marine National Monument;

9. Best Practices for Minimizing the Impact of Artificial Light on Sea Turtles;
10. Marine Wildlife Viewing Guidelines;
11. Disease and Introduced Species Prevention Protocol for Permitted Activities in the Marine Environment;
12. Precautions for Minimizing Human Impacts on Endangered Land Birds;
13. Nonnative Species Inspection Requirements at Midway Atoll;
14. Best Management Practices for Activities on Nihoa and Mokumanamana;
15. Best Management Practices for Maritime Heritage Sites;
16. Hull, tender vessel, ballast water, and gear inspections for alien species;
17. Rodent Prevention and Inspection Standards for Permitted Vessels;
18. Health and Safety Plans, and Emergency Response Plans;
19. All FWS refuge policies and procedures for conduct in the two wildlife refuges (Hawaiian Islands National Wildlife Refuge and Midway Atoll National Wildlife Refuge);
20. All policies and procedures for conduct in Northwestern Hawaiian Islands Hawai'i State Marine Refuge and Kure Atoll State Seabird Sanctuary;
21. Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Executive Orders;
22. Hawai'i Administrative Rules, §13-60.5, the Hawai'i Revised Statutes, § 187A-6; and
23. All other applicable state and federal laws and regulations.

**NOTE: If land or marine archeological activities are involved, contact the Monument Permit Coordinator at the address on the general application form before proceeding.**

**9a. Collection of specimens - collecting activities (would apply to any activity): organisms or objects (List of species, if applicable, attach additional sheets if necessary):**

Collections will occur as necessary to support the management activities listed under Question 6, Number 2 (Resource Survey and Monitoring). Collections will occur as needed in the following instances:

- Collecting species for propagation or translocation;
- Collecting post-contact artifacts as needed;
- Collecting biological, climatological, chemical, geological, or archaeological samples for study;
- Collection of biological voucher specimens that cannot be visually identified on the spot and/or may represent new geographic records or new species;
- Collection of culturally significant natural materials for cultural ceremonies and practices;
- Collection of specimens and biological samples for educational outreach activities; and
- Collection of specimens and biological materials for monitoring and research purposes to include organisms found dead and non-lethal biological samples, if such collection supports stated research or monitoring needs. (For example: birds collected to determine cause of death; birds and other samples collected for other information (e.g. genetic or isotope analyses); plastic pollution studies; and feather and egg samples for genetic and isotope sampling.)

Answers to the following will be dependent on specific management activities, and will be reported on per activity to document and track actual collections.

Common name:

Scientific name:

# & size of specimens:

Collection location:

Whole Organism  Partial Organism

**9b. What will be done with the specimens after the project has ended?**

Collections and specimens will be processed and archived according to agency protocols and Monument Best Management Practices. Some material may be provided for educational use or for museum vouchers and studies. Cultural materials may be provided to Hawaiian cultural practitioners when applicable, in coordination with appropriate federal and/or state resource agencies, including OHA. When practicable, and desirable, collections and specimens will be returned to the Monument at the location of collection.

**9c. Will the organisms be kept alive after collection?  Yes  No**

Management activity dependent

• General site/location for collections:

Management activity dependent

• Is it an open or closed system?  Open  Closed

Management activity dependent

• Is there an outfall?  Yes  No

Management activity dependent

• Will these organisms be housed with other organisms? If so, what are the other organisms?

Management activity dependent

• Will organisms be released?

Management activity dependent

**10. If applicable, how will the collected samples or specimens be transported out of the Monument?**

Collected samples and specimens will be transported out of the Monument by approved aircraft or vessel unless used for management within the Monument. Appropriate media for preservation will be used, and are incident or specimen specific.

**11. Describe collaborative activities to share samples, reduce duplicative sampling, or duplicative research:**

Collaborative activities are always a goal, and are incident specific. Collaboration opportunities will be sought out and will be entered into as opportunities present themselves. Monument Co-Trustee representatives and the Monument Management Board will work collaboratively to achieve the desired results, thus reducing duplicative sampling.

**12. List all specialized gear and materials to be used in this activity:**

All gear and materials necessary for the activities listed in Section B, Number 6 are either available on location or will be provided by the acting agency as necessary. All gear and materials will be selected and treated according to invasive species and disease prevention protocols.

**13. List all Hazardous Materials you propose to take to and use within the Monument:**

All hazardous materials necessary for the activities listed in Section B, Number 6 are either available on location or will be provided by the acting agency as necessary. Hazardous materials on the islands will be used in amounts that will sustain an approved activity for an appropriate time period. Inventory of hazardous materials will be conducted annually to reduce or minimize long term storage in order to reduce spills or accidents per OSHA standards. Unused and old hazardous materials brought into the Monument will be removed appropriately for disposal. All U.S. Department of Transportation safety measures will be followed for storage and transport of hazardous materials within the Monument.

**14. Describe any fixed installations and instrumentation proposed to be set in the Monument:**

Fixed installations and instrumentation will be used in marine and terrestrial survey, monitoring, and conservation activities such as:

- Placement, maintenance, testing, and removal of measuring devices and related equipment;
- Placement of weighted floats and/or lines affixed directly to the seabed for the purposes of grounding response, or benthic surveys;
- Setting of survey stakes;
- Coring the seabed to determine adequacy of the substrate for installation of moorings, and permanent monitoring stations;
- Installation and maintenance of moorings, boundary buoys, and permanent monitoring stations; and
- Placement of scientific equipment.

All installed hardware, including but not limited to instrumentation, survey stakes, moorings, buoys, and scientific equipment will be removed from the Monument upon completion of their respective projects.

**15. Provide a timeline for sample analysis, data analysis, write-up and publication of information:**

Samples and data will be analyzed as quickly as possible if they are collected, and publication of resulting information will follow. All data or a summary description will be provided in the permit reports as required by the permit resulting from this application.

**16. List all Applicant's publications directly related to the proposed project:**

N/A

With knowledge of the penalties for false or incomplete statements, as provided by 18 U.S.C. 1001, and for perjury, as provided by 18 U.S.C. 1621, I hereby certify to the best of my abilities under penalty of perjury of that the information I have provided on this application form is true and correct. I agree that the Co-Trustees may post this application in its entirety on the Internet. I understand that the Co-Trustees will consider deleting all information that I have identified as “confidential” prior to posting the application.

**JARED UNDERWOOD**

Digitally signed by JARED  
UNDERWOOD  
Date: 2020.09.01 10:55:47 -10'00'

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Jared Underwood  
Superintendent  
Papahānaumokuākea Marine National Monument  
U.S. Department of the Interior, U.S. Fish and Wildlife Service

Date

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Athline Clark  
Superintendent  
Papahānaumokuākea Marine National Monument  
U.S. Department of Commerce, National Oceanic and Atmospheric Administration

Date

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Brian Neilson  
Division of Aquatic Resources Administrator  
State of Hawai‘i, Department of Land and Natural Resources

Date

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Keola Lindsey  
Ka Poukihi Kū  
Chief Advocate  
Office of Hawaiian Affairs

Date

**SEND ONE SIGNED APPLICATION VIA MAIL TO THE MONUMENT OFFICE  
BELOW:**

Papahānaumokuākea Marine National Monument Permit Coordinator  
6600 Kalaniana'ole Hwy. # 300  
Honolulu, HI 96825  
FAX: (808) 397-2662

**DID YOU INCLUDE THESE?**

- Applicant CV/Resume/Biography
- Intended field Principal Investigator CV/Resume/Biography
- Electronic and Hard Copy of Application with Signature

With knowledge of the penalties for false or incomplete statements, as provided by 18 U.S.C. 1001, and for perjury, as provided by 18 U.S.C. 1621, I hereby certify to the best of my abilities under penalty of perjury of that the information I have provided on this application form is true and correct. I agree that the Co-Trustees may post this application in its entirety on the Internet. I understand that the Co-Trustees will consider deleting all information that I have identified as “confidential” prior to posting the application.

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Jared Underwood  
Superintendent  
Papahānaumokuākea Marine National Monument  
U.S. Department of the Interior, U.S. Fish and Wildlife Service

Date

**CLARK.ATHLINE.MARIE.1390801714** Digitally signed by CLARK.ATHLINE.MARIE.1390801714  
Date: 2020.09.02 14:10:46 -10'00'

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Athline Clark  
Superintendent  
Papahānaumokuākea Marine National Monument  
U.S. Department of Commerce, National Oceanic and Atmospheric Administration

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Brian Neilson  
Division of Aquatic Resources Administrator  
State of Hawai‘i, Department of Land and Natural Resources

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Jared Underwood Date  
Superintendent  
Papahānaumokuākea Marine National Monument  
U.S. Department of the Interior, U.S. Fish and Wildlife Service

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Athline Clark Date  
Superintendent  
Papahānaumokuākea Marine National Monument  
U.S. Department of Commerce, National Oceanic and Atmospheric Administration



Sep 3, 2020

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Brian Neilson Date  
Division of Aquatic Resources Administrator  
State of Hawai‘i, Department of Land and Natural Resources

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Keola Lindsey Date  
Ka Poukihi Kū  
Chief Advocate  
Office of Hawaiian Affairs

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Jared Underwood  
Superintendent  
Papahānaumokuākea Marine National Monument  
U.S. Department of the Interior, U.S. Fish and Wildlife Service

Date

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Athline Clark  
Superintendent  
Papahānaumokuākea Marine National Monument  
U.S. Department of Commerce, National Oceanic and Atmospheric Administration

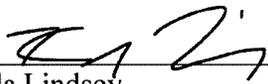
Date

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Brian Neilson  
Division of Aquatic Resources Administrator  
State of Hawai‘i, Department of Land and Natural Resources

Date

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Keola Lindsey  
Ka Poukihi Kū  
Chief Advocate  
Office of Hawaiian Affairs

9/1/2020  
Date

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- Intended field Principal Investigator CV/Resume/Biography
- Electronic and Hard Copy of Application with Signature

- Statement of information you wish to be kept confidential
- Material Safety Data Sheets for Hazardous Materials