

Papahānaumokuākea

MARINE NATIONAL MONUMENT



Management Plan Appendices: Supporting Documents & References

U.S. FISH AND WILDLIFE SERVICE • NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION • STATE OF HAWAII



VOL. III

Papahānaumokuākea Marine National Monument

Appendices

Supporting Documents and References

December 2008

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Papahānaumokuākea Marine National Monument

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APPENDIX A:
Permitting Process

**Papahānaumokuākea Marine National Monument
Monument Permit Application Unified Public Notification Policy**

Effective 02/01/08

Background

A permit is required for most activities allowed in the Papahānaumokuākea Marine National Monument (Monument), including Hawaiian Islands National Wildlife Refuge, the Midway Atoll National Wildlife Refuge, Battle of Midway National Memorial, Northwestern Hawaiian Islands State Marine Refuge, Kure Atoll Hawaii State Seabird Sanctuary, and the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve. Permit applications are accepted:

- February 1: For activities occurring between June 1 and August 31
- May 1: For activities occurring between September 1 and December 31
- September 1: For activities occurring between January 1 and May 31

Permit applications received after the deadline dates are not guaranteed to be processed before the associated activity period commences.

The following unified public notification policy will engage and inform the public of activities proposed to occur within the Monument. Posting of a permit application does not equate to permit approval. After posting, each application is thoroughly reviewed. Final permitted activities may differ from the proposed activities.

Policy

- Within 10 calendar days of receipt of application, a summary of the applicant's proposed activities will be posted on an agency web site for public viewing.
- Within 40 calendar days of receipt of application, full permit applications will be posted on an agency website for public viewing. A full application is one from which reviewers are able to evaluate the merits of the proposed activity.
- The permit application will be posted for a minimum of 30 calendar days prior to agency determination.
- Proposed activities that respond to urgencies, meet a high management priority, and are exigent in either opportunity or need for execution shall be considered separately. Examples of such occasions from the 2007 field season include providing twin monk seal captive care, as well as an unanticipated opportunity to gather critical mapping data.

It is noted that there are additional opportunities for public notification and input:

- Monument Regulations (50 CFR Part 404.11) require Monument permit applications for Special Ocean Use be posted for public notice and comment 30 days prior to the issuance of a Monument permit.
- Appropriate regulatory and environmental reviews (e.g. Environmental Impact Statements, Environmental Assessments, and Compatibility Determinations) related to Monument permit applications are posted for public comment.
- Monument permit applications that include proposed activities within the Northwestern Hawaiian Islands State Marine Refuge are posted to the Board of Land and Natural Resources (BLNR)

website for 7 days prior to the scheduled BLNR meeting as part of the overall Land Board submittal.

This policy provides guidance to the Co-Trustee representatives for public notification of permit applications for proposed activities in the Monument.

It is also important to note that the permit application that is posted may not include some of the detailed logistical and compliance information being considered prior to permit issuance. An activity may be provisionally approved based on the posted full application, but a permit will only be issued after the receipt of all required information (e.g. final crew/team roster, hull inspection certification, etc.).

Note to Readers:

In accordance with Presidential Proclamation 8031, which established Papahānaumokuākea Marine National Monument, applicants may seek one of six different Monument permits depending upon the type of activity they wish to pursue. Each permit type has a separate application and instructions. To reduce the size of this document, only one application and instructions—the one for research permits—is included in this Appendix. Applications and instructions for the other permit types are available at:

http://www.hawaiireef.noaa.gov/resource/permit_apply.html

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Papahānaumokuākea Marine National Monument
Research Permit Application Instructions
January 2008

Introduction

On June 15, 2006, President Bush established the Papahānaumokuākea Marine National Monument (Presidential Proclamation 8031, 71 FR36443, June 26, 2006) under the authority of the Antiquities Act (Act) (16 U.S.C. 431). The Proclamation reserves all lands and interests in lands owned or controlled by the Government of the United States in the Northwestern Hawaiian Islands (NWHI), including emergent lands and submerged lands and waters, out to a distance of approximately 50 nautical miles (nmi) from the islands. The outer boundary of the Monument is approximately 950nmi long by 100nmi wide, extending around coral islands, seamounts, banks, and shoals. The area includes the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve, the Midway Atoll National Wildlife Refuge/Battle of Midway National Memorial, and the Hawaiian Islands National Wildlife Refuge and the Northwestern Hawaiian Islands State Marine Refuge.

The three principals with responsibility for managing lands and waters of the Monument, the Department of Commerce, Department of the Interior, and the State of Hawaii (collectively the Co-Trustees), work cooperatively to administer the Monument. This relationship is further described in the Memorandum of Agreement among the Co-Trustees signed on December 8, 2006.

Permit Application Deadlines

Permit applications must be received by:

- February 1: For activities occurring between June 1 and Aug 31
- May 1: For activities occurring between September 1 and December 31
- September 1: For activities occurring between January 1 and May 31

NOTE: Issuance of a Monument permit is dependent upon the completion and review of the application and Compliance Information Sheet.

Confidential Information

The Co-Trustees intend to post completed permit applications on the Internet for public review. Applicants are requested to indicate any information that is considered proprietary business information. Such information is typically exempt from disclosure to anyone requesting information pursuant to the Freedom of Information Act (FOIA) and all applicable State law. NOAA, the U.S. Fish and Wildlife Service and the State of Hawaii attempt to protect such proprietary information, consistent with all applicable FOIA exemptions in 5 U.S.C. 552(b) and applicable State law. Typically exempt information includes trade secrets, commercial and financial information (5U.S.C. 552(b) (4)). Personal information affecting an individual's privacy, such as personal telephone numbers and addresses will also be kept confidential

consistent with 5 U.S.C. 552(b) (6) and applicable State law. Unless such information is so identified, the application may be made available to the public in its entirety.

Intellectual Property

The permittee retains ownership of any data, derivative analyses or other work product, or any photographic or video material, or other copyrightable works, but the Federal Government and the State of Hawaii retain a lifetime, non-exclusive, worldwide, royalty-free license to use the same for government purposes, including copying and redissemination, and making derivative works.

Indemnification

The permittee and any person participating in any activity authorized by this permit shall release, indemnify, and hold harmless National Oceanic and Atmospheric Administration, the Department of Commerce, the U.S. Fish and Wildlife Service, the Department of the Interior, the United States Government, the State of Hawaii, and their respective employees acting within the scope of their duties from and against any claims, demands, actions, liens, rights, subrogated or contribution interests, debts, liabilities, judgments, costs, and attorney's fees, arising out of, claimed on account of, or in any manner predicated upon the issuance of this permit or the entry into or habitation upon the Papahānaumokuākea Marine National Monument or as the result of any action of the permittee or persons participating in the activity authorized by this permit.

Reporting Burden

Submittal of the information requested in these guidelines is required to obtain a permit pursuant to Monument regulations (50 CFR Part 404). This data is to evaluate the potential benefits of the activity, determine whether the proposed methods will achieve the proposed results, evaluate any possible detrimental environmental impacts, and determine if issuance of a permit is appropriate. It is through this evaluation that the Co-trustees are able to use permitting as one of the management tools to protect Monument resources and qualities.

Public reporting burden for this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information is estimated as:

- A. Twenty-four (24) hours per response for Special Ocean Use permits;
- B. Five (5) hours per response for General (Research, Conservation and Management, and Education), Native Hawaiian Practices, and Recreation permits;
- C. Four (4) hours per response for VMS installation and maintenance;
- D. Five (5) minutes per response for entry and exit notices and VMS certification;
- E. Five (5) seconds per response for hourly VMS reports.

Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Papahānaumokuākea Marine National Monument Permit Coordinator, 6600 Kalaniana'ole Hwy. # 300, Honolulu, HI 96825.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

Directions for filling out the Monument Permit Application

1. Download the Research permit application. If you are unsure of the category for your proposed project, contact the Monument Permit Coordinator (contact information below).
2. Click on the document to open.
3. You will now be able to type in all the gray text field boxes and check boxes.
4. You will not be able to alter, copy, delete or modify the permit application questions and cover page in any way.

If you have difficulty filling out the application, contact the PMNM Permit Coordinator at (808) 397-2660 OR nwhipermit@noaa.gov.

Send Permit Applications to:

Papahānaumokuākea Marine National Monument Permit Coordinator
6600 Kalaniana'ole Hwy. # 300
Honolulu, HI 96825
nwhipermit@noaa.gov
PHONE: (808) 397-2660 FAX: (808) 397-2662

NOTE: SUBMITTAL VIA ELECTRONIC MAIL IS PREFERRED BUT NOT REQUIRED. YOU ARE ALSO REQUIRED TO SEND ONE SIGNED ORIGINAL APPLICATION VIA MAIL TO THE MONUMENT OFFICE ABOVE:

Papahānaumokuākea Marine National Monument RESEARCH Permit Application Instructions

NOTE: *This Permit Application (and associated Instructions) are 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).*

Permit Application Cover Sheet Summary Information

NOTE: The permit application cover sheet is intended to provide summary information on permit applications for activities proposed to occur in the Papahānaumokuākea Marine National Monument. Information submitted in this section will be posted on the Monument website to inform the public regarding projects proposed to occur in the Monument.

Applicant Name: Enter the name of the person who is in charge of the proposed activity and who will be responsible for all the personnel and actions under the authority of the requested Monument permit.

Affiliation: Specify the Applicant’s affiliation, if any, in relation to the proposed project.

Proposed Activity Dates: Specify the dates of your activities.

Proposed Method of Entry: Specify whether you will enter the Monument via vessel or aircraft.

Proposed Locations: Provide a brief summary of the location(s) for proposed activities (e.g. French Frigate Shoals, or 300-1500 meters depth east of Twin Banks, etc.). **NOTE:** Specific GPS and other location information are requested in the Monument Compliance Information Sheet.

Estimated number of individuals to be covered under this permit: Provide an ESTIMATE of the number of individuals (including Applicant) to be covered under this permit.

Estimated number of days in the Monument: Provide the ESTIMATED number of days in the Monument.

Description of proposed activities: Include a brief description of the proposed activities, including the following:

- Define the objective of the proposed activity (*The proposed activity will. . .*)
- Identify what the action will entail (*To accomplish this activity we would. . .*)
- Explain the benefit of the activity to the Monument (*This activity would help the Monument by. . .*)

Other information or Background: Include any other information relevant to your proposed activity summary.

Section A: Applicant Information

1. State the name and title of the Applicant. The Applicant is the individual who is in charge of the proposed activity and, therefore, responsible for all the personnel and actions undertaken under the authority of the any Monument Permit issued pursuant to this application. Attach the Applicant's CV, resume or biography if applicable.

1a. If you will not be present in the Monument for the proposed activities in your application, provide the full name(s), affiliation(s) and contact information of the person or persons responsible for ensuring the permit conditions are followed in the Monument. Attach their respective CV, resume, or biography if applicable.

2. State the Applicant's mailing address, phone number, fax number, and email address. If the Applicant is a student, state the Major Professor's contact information in addition to his/her own.

3. Specify the Applicant's affiliation, if any, in relation to the proposed project.

4. List all personnel roles and/or names. Include first and last name, position (Research Diver, Field Technician, Medical Assistant, etc.), affiliation, telephone number, and email address for each individual. If specific names of all participants are not known at the time this form is submitted, then specific roles must be provided as placeholders for numbers of persons requested to enter the Monument. The Application Review Committee may request resumes, biographies, or CVs for any personnel listed, at a later date. Attach additional information if necessary.

It is the Applicant's responsibility to keep Monument staff apprised of any proposed personnel changes. Full names of personnel and roles will be required in the Monument Compliance Information Sheet prior to issuance of a permit.

Section B: Project Information

5a. Project Location: Check the boxes of all applicable locations where the proposed activities will occur. Indicate whether your project will occur on land, in the ocean, or both. Also indicate whether your project will occur in deep water or shallow water, or both. Shallow water is defined by water less than 100 meters in depth. NOTE: Include alternate locations if appropriate.

* Location Description: Provide a description of the location of the proposed activity that includes sufficient detail. Refer to the Monument Compliance Information Sheet for information on including specific site and collection location(s).

5b. Check all applicable regulated activities proposed to be conducted in the Monument by the Applicant at any of the locations mentioned in 5a.

*Removing, moving, taking, harvesting, possessing, injuring, disturbing, or damaging, or attempting to remove, move, take, harvest, possess, injure, disturb, or damage 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 means dropping anything on to the ocean bottom with the intention of holding something fast to the bottom. Generally an anchor secures a vessel, but it may also be used for a mooring or any other item.

*Deserting a vessel aground, at anchor, or adrift.

*Discharging or depositing any material into Special Preservation Areas or the Midway Atoll Special Management Area except vessel engine cooling water, weather deck runoff, and vessel engine exhaust.

OR

*Discharging or depositing any material or other matter into the Monument, or discharging or depositing any material or other matter outside of the Monument that subsequently enters the Monument and injures any resources of the Monument, except fish parts (i.e. chumming material or bait) used in and during authorized fishing operations, or discharges incidental to vessel use such as deck wash, approved marine sanitation device effluent, cooling water, and engine exhaust.

*Touching any 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 resources.

*Sustenance Fishing means fishing for bottomfish or pelagic species within Federal waters, but outside of Special Preservation Areas, Ecological Reserves and the Midway Atoll Special Management Area, in which all catch is consumed within the Monument, and that is incidental to another activity permitted under Presidential Proclamation 8031.

*Subsistence Fishing means fishing for bottomfish or pelagic species in State waters in which all catch is for direct personal consumption within the Monument, and that is incidental to another activity permitted under Presidential Proclamation 8031.

*Swimming means entering the water and propelling oneself by movements of the limbs, without special equipment of any kind.

*Snorkeling means entering the water and swimming with the aid of a mask, snorkel, and fins, or any combination of the aforementioned equipment.

*SCUBA Diving means entering the water and submerging oneself with the aid of self-contained underwater breathing apparatus.

6. State the purpose of the proposed activities, including the goals and objectives of the activities.

7. The Secretaries of Commerce and Interior are required to determine that issuing the requested permit is compatible with the Findings of Presidential Proclamation 8031. Answer the Monument findings below and provide information that you believe will assist the Co-Trustees in determining your proposed activities are compatible with the conservation and management of the natural, historic and cultural resources of the Monument:

The Findings are as follows:

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

b. How will the activity be conducted in a manner compatible with the management direction of the 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?

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.

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

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

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

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.

h. Explain how the methods and procedures proposed by the applicant 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.

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

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

8. Describe the procedures and methods you will use in performing the proposed activity while within the Monument.

Describe in detail how you will get to your work locations and specific sites (walking, climbing, wading, swimming, snorkeling, diving, boating, etc.). Will you need to enter a seabird colony? Will you need access to beaches? Will you work at night?

Will you request assistance from Monument staff to maintain the equipment or collect data or samples in association with the proposed activity in your absence or presence? If so, describe procedures for doing so including how often it is to occur and how long it will take per maintenance/data/sample collection event. Describe how you plan to compensate volunteers for the maintenance or data/sample collection work.

NOTE: If you will not collect specimens, you may enter “N/A” for questions 9-11 and skip to question 12a.

9a. List all specimens (organisms or objects) you plan to collect. If applicable, list each species common name, scientific name, number to be collected, maximum size of specimens to be collected, amount taken and the size of the organism from which you will take any sample(s), and general collection location requested in #5a. Also indicate whether you will take the whole organism or a subsample thereof.

9b. List the post project disposition of specimens. What will be done with the parts of samples that are not used in your initial analysis?

9c. Check the appropriate box to indicate if the organisms will be kept alive after collection. If the organisms are to be kept alive, state where will they be housed. (Provide the general site and/or location.) Also check the appropriate box to indicate if there is an open or closed-system for maintaining living organisms and if there is an outfall or discharge. If applicable, note whether the organisms will be kept with other species and if so, the species names of the other organisms. Will any organisms be released? If so, where?

10. How will the collected samples be transported out of the Monument? Will samples be transported by vessel or aircraft? Will samples be transported frozen, in formalin, in alcohol, or other media?

11. Describe whether you are collaborating with others to reduce duplicative activities in the Monument or elsewhere in the State of Hawaii or other Pacific Remote Island National Wildlife Refuges. If you are collecting samples for someone else, stipulate to whom the samples will be

provided and give their Monument permit number. Also, list State of Hawaii and United States Fish and Wildlife Service permit numbers for any relevant collaborations or research related to this project, including projects in the main Hawaiian Islands and Pacific Remote Island National Wildlife Refuges. Provide information on permit applications for related research that are under review at any of the above agencies.

12a. Provide a complete itemized list of work related gear/equipment/supplies, including collecting equipment, radio isotopes, dive equipment, etc. that will be taken into and removed from the Monument. If you wish to store any items on any island between field seasons, request so here. Indicate how and where you propose the stored items be kept. If you propose to take any work or personal items ashore that will require use of resources (electrical, power, water, or other resources) also describe that in this section.

12b. For any Hazardous Materials also include the following information:

*List all hazardous materials by common name, proper shipping name, hazard class, and amount to be taken into the Monument. Provide a Material Safety Data Sheet for each hazardous material.

*Describe how each hazardous material will be contained and stored while in the Monument.

*Describe how each hazardous material will be used for the proposed activity. Describe how and when each hazardous material will be removed from the Monument.

NOTE: The Principal Investigator (Applicant) is responsible for disposal of, storage or unauthorized use of any left-over hazardous materials from any permitted activity.

13. If applicable, indicate the types of permanent or semi-permanent installments you would like to install in the Monument, and answer the following questions:

*What is it made of?

*What will be installed?

*How will it be installed?

*Where will it be installed?

*How long will it be installed?

*Will the installation require maintenance? If so, who will conduct the maintenance and how often?

*How and when will the installation be removed?

14. Provide information regarding the projected completion dates of the following: sample analysis, write-up and publication of information gathered within the Monument.

15. List all publications directly related to the proposed project:

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Papahānaumokuākea Marine National Monument
RESEARCH Permit Application

NOTE: *This Permit Application (and associated Instructions) are 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:

Papahānaumokuākea Marine National Monument Permit Coordinator

6600 Kalaniana'ole Hwy. # 300

Honolulu, HI 96825

nwhipermit@noaa.gov

PHONE: (808) 397-2660 FAX: (808) 397-2662

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:

Affiliation:

Permit Category: Research

Proposed Activity Dates:

Proposed Method of Entry (Vessel/Plane):

Proposed Locations:

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

Estimated number of days in the Monument:

Description of proposed activities: (complete these sentences):

- a.) The proposed activity would...

- b.) To accomplish this activity we would

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

Other information or background:

Section A - Applicant Information

1. Applicant

Name (last, first, middle initial):

Title:

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

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

Phone:

Fax:

Email:

For students, major professor's name, telephone and email address:

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

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):

Section B: Project Information

5a. Project location(s):

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

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

Location Description:

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:*

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:

The Findings are as follows:

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

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?

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.

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

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

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

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.

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.

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

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

8. Procedures/Methods:

NOTE: If land or marine archeological activities are involved, contact the Monument Permit Coordinator at the address on the general application form before proceeding, as a customized application will be needed. For more information, contact the Monument office on the first page of this application.

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

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?

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

• General site/location for collections:

• Is it an open or closed system? Open Closed

• Is there an outfall? Yes No

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

• Will organisms be released?

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

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

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

12b. List all Hazardous Materials you propose to take to and use within the Monument:

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

14. Provide a time line for sample analysis, data analysis, write-up and publication of information:

15. List all Applicants' publications directly related to the proposed project:

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.

Signature

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

**Papahānaumokuākea Marine National Monument
Compliance Information Sheet
Instructions**

NOTE: Issuance of a Monument permit is dependent upon the completion and review of the application and Compliance Information Sheet.

1. Updated list of participating personnel. List all personnel participating in the proposed activity. Include first and last name, position (John Doe, Diver; Jane Doe, Field Technician; Jerry Doe, Medical Assistant, etc.), affiliation, telephone number, and email address for each individual. If specific names of all participants are not known at the time this form is submitted, then specific positions must be provided as placeholders for numbers of persons requested to enter the Monument. The Application Review Committee may request resumes, biographies, or CVs for any personnel listed, at a later date. Attach additional information if necessary.

It is the Applicant's responsibility to keep Monument staff apprised of any proposed personnel changes. Full names of personnel and roles will be required in the Monument Compliance Information Sheet prior to issuance of a permit.

2. Provide additional detail on site locations here. Additional detail may include, but is not limited to: specific lat/long coordinates, habitat type, water depth, substrate type, etc. If appropriate, attach an Excel spreadsheet or Shape file to this sheet. Contact the Monument Permit Coordinator for additional instructions.

3. List permit numbers for all other related Federal or State Permits for which you have applied or received. These may include, but are not limited to, a Bird Banding Lab Migratory Bird Banding Permit, State of Hawaii Department of Land and Natural Resources Division of Forestry and Wildlife Permit, State Conservation District Use Permit, Endangered Species Act consultations, Marine Mammal Protection Act Permit, International Animal Care and Use Committee, or any University permits. Attach copies of permits already received. You will be required to provide copies of all required permits to the Monument permit coordination personnel prior to departure for the Monument.

List all permits you have received for the same or similar activities from any State or Federal entity.

3a. For each of the permits listed, identify any permit violations or any permit that was suspended, amended, modified, or revoked. Explain the circumstances surrounding the violation or permit suspension, amendment, modification or revocation.

4. Include a budget and funding sources specific to the proposed activities. **Salary information and detailed program budgets are not necessary.** List any in-kind contributions awarded for the proposed activities.

5. The “Activity start” and “Activity completion” must include the entire span of the proposed activity. In other words, these dates must specify if the proposed activity is a multi-year activity and if so, the duration the proposed activity is expected to be conducted in the Monument.

NOTE: Multi-year projects do NOT guarantee the issuance of additional permits in subsequent years.

If specific dates cannot be determined at the time of application, explain the reasons dates are pending (e.g., ship schedules, flight schedules). At minimum, describe the intervals of time you propose to visit the Monument, e.g. during a specific nesting season or quarterly, and the proposed duration of the proposal.

For Personnel Schedule, list those who will be in the Monument (specific locations) and for what periods of time. Attach additional documentation if necessary.

6. All persons covered under the permit are responsible for the cost of removing themselves from the Monument at the conclusion of the term of the permit, revocation, or other enforcement matters. Additionally, persons covered under the permit are responsible for the cost of removing themselves from the Monument in the event of a necessary medical evacuation, emergency evacuation, including weather, or for the cost of any necessary search and rescue operation. Demonstrate that all persons covered under the permit have either insurance coverage, adequate bond, or have other financial resources to pay Monument Co-Trustees for the cost of their necessary search and rescue and/or removal from the Monument.

NOTE: The State of Hawaii requires permittees to carry general liability insurance.

7. Check the appropriate box to indicate how personnel will enter the Monument. Note which vessel(s) or aircraft(s) will be used to transport personnel. If entering by a vessel which is not already permitted to enter the Monument in support of your proposed activity, you must include that respective vessel and its crew on this permit application. If entering by a vessel which is already permitted to enter the Monument in support of your proposed activity, state the vessel’s Monument Permit number here.

8. Check the relevant inspections that you will conduct prior to departure for the Monument. Include the dates of scheduled inspections. Upon completion of the inspections and any required cleaning operations, you will be required to provide proof of approved inspections and cleaning to Monument Permit coordination personnel.

All vessels must have at a minimum a Rodent Free Inspection, Hull Inspection, and Ballast Water Record Inspection no more than 14 days prior to departure for the Monument. If any small boat operations are proposed to occur within the Monument, then a Tender Vessel Fouling Inspection must occur in this time frame as well. If any gear will be placed or used in the water or on land, you must schedule an inspection of these items before departing for the Monument. For more information on arranging these inspections contact the Monument Permit Coordinator at (808) 397-2660, or nwhipermit@noaa.gov.

NOTE: Results of inspections may require cleaning operations such as rodent eradication, hull cleaning, or ballast water maintenance at your own cost before departing for the Monument. If proposed gear or materials are found to be contaminated with alien species you may be required to conduct specific cleaning measures or complete replacement of contaminated items at your own cost before departing for the Monument. Re-inspection may be required.

9. List all vessel information: Vessel name, owner, captain's name, vessel type, length, gross tonnage and vessel identification number. List vessel International Maritime Organization Number (if applicable), flag of origin, call sign, port of embarkation, total ballast water capacity volume (m³), total number of fuel tanks on ship, total number of ballast water tanks on ship, total fuel capacity and last port.

Indicate whether the vessel has a Marine Sanitation Device (MSD) and its type. Explain in detail how you will comply with the regulations regarding discharge in the Monument. If applicable, attach schematics of the vessel's discharge and treatment systems.

List all types and amounts of hazardous materials to be carried on board for vessel or tender vessel use.

Indicate that the vessel has a NOAA Office of Law Enforcement (OLE)-approved Vessel Monitoring System (VMS). Provide the name and contact information of the contractor responsible for installing the VMS system. For more information on NOAA OLE-approved VMS systems, refer to 50 CFR 407.11 (e) (f). This information can be located at: <http://hawaiiireef.noaa.gov/PDFs/VMSfdreg.pdf>

List the make and model of the VMS to be used while conducting activities in the Monument.

NOTE: All vessels entering the Monument MUST have an NOAA OLE-approved VMS System installed PRIOR to entering the Monument, "An owner or operator of a vessel that has been issued a permit for accessing the Monument must ensure that such a vessel has an operating vessel monitoring system (VMS) on board, approved by the OLE in the National Oceanic and Atmospheric Administration in the Department of Commerce when voyaging within the Monument" (50 CFR 404.5).

* NOTE: This question is not required if you are traveling aboard a NOAA vessel.*

10. List all workboats (tenders) which will be use to transport personnel, gear and materials within the Monument. Include information on the number of tenders/skiffs aboard the vessel and the specific types of motors on each tender/skiff.

Additional Information for Land Based Operations

ANSWER QUESTIONS IN THIS SECTION IF YOU WISH TO CONDUCT ACTIVITIES ON LAND

11. Answer the following questions:

*If personnel, gear and materials are to be transported to the Monument by vessel, how will personnel, gear and materials be transported between ship and shore?

*If applicable, how will personnel be transported between islands within any one atoll?

*Provide a time line of all significant transportation events for arrivals and departures.

12. Describe where personnel will sleep/eat/bathe while on the island(s). Note how many personnel will be using U.S. Fish and Wildlife Service and/or State of Hawaii supplied accommodations and for how long.

13. Describe office/desk/workbench/workshop/lab space you expect to use during the proposed activity on the island(s). Describe all electrical and water needs you expect to use during the proposed activity on the island(s). Describe what disposal route all of the water and hazardous materials will take (e.g., laboratory sink, drains, flow-through aquaria) and where these materials will ultimately end up.

NOTE: charging batteries, rinsing gear, cleaning tools, painting and maintaining equipment, etc., all take space and resources. Requesting use of these resources should be done in this section.

Papahānaumokuākea Marine National Monument Compliance Information Sheet

1. Updated list of personnel to be covered by permit. List all personnel names and their roles here (e.g. John Doe, Diver; Jane Doe, Field Technician, Jerry Doe, Medical Assistant):

2. Specific Site Location(s): (Attach copies of specific collection locations):

3. Other permits (list and attach documentation of all other related Federal or State permits):

3a. For each of the permits listed, identify any permit violations or any permit that was suspended, amended, modified or revoked for cause. Explain the circumstances surrounding the violation or permit suspension, amendment, modification or revocation.

4. Funding sources (Attach copies of your budget, specific to proposed activities under this permit and include funding sources. See instructions for more information):

5. Time frame:

Activity start:

Activity completion:

Dates actively inside the Monument:

From:

To:

Describe any limiting factors in declaring specific dates of the proposed activity at the time of application:

Personnel schedule in the Monument:

6. Indicate (with attached documentation) what insurance policies, bonding coverage, and/or financial resources are in place to pay for or reimburse the Monument trustees for

the necessary search and rescue, evacuation, and/or removal of any or all persons covered by the permit from the Monument:

7. Check the appropriate box to indicate how personnel will enter the Monument:

- Vessel
- Aircraft

Provide Vessel and Aircraft information:

8. The certifications/inspections (below) must be completed prior to departure for vessels (and associated tenders) entering the Monument. Fill in scheduled date (attach documentation):

- Rodent free, Date:
- Tender vessel, Date:
- Ballast water, Date:
- Gear/equipment, Date:
- Hull inspection, Date:

9. Vessel information (NOTE: if you are traveling aboard a National Oceanic and Atmospheric Administration vessel, skip this question):

Vessel name:

Vessel owner:

Captain's name:

IMO#:

Vessel ID#:

Flag:

Vessel type:

Call sign:

Embarkation port:

Last port vessel will have been at prior to this embarkation:

Length:

Gross tonnage:

Total ballast water capacity volume (m3):

Total number of ballast water tanks on ship:

Total fuel capacity:

Total number of fuel tanks on ship:

Marine Sanitation Device:

Type:

Explain in detail how you will comply with the regulations regarding discharge in the Monument. Describe in detail. If applicable, attach schematics of the vessel's discharge and treatment systems:

Other fuel/hazardous materials to be carried on board and amounts:

Provide proof of a National Oceanic and Atmospheric Administration (NOAA) Office of Law Enforcement-approved Vessel Monitoring System (VMS). Provide the name and contact information of the contractor responsible for installing the VMS system. Also describe VMS unit name and type:

VMS Email:
Inmarsat ID#:

10. Tender information:

On what workboats (tenders) will personnel, gear and materials be transported within the Monument? List the number of tenders/skiffs aboard and specific types of motors:

Additional Information for Land Based Operations

11. Proposed movement of personnel, gear, materials, and, if applicable, samples:

12. Room and board requirements on island:

13. Work space needs:

DID YOU INCLUDE THESE?

- Map(s) or GPS point(s) of Project Location(s), if applicable
- Funding Proposal(s)
- Funding and Award Documentation, if already received
- Documentation of Insurance, if already received
- Documentation of Inspections
- Documentation of all required Federal and State Permits or applications for permits

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**PAPAHĀNAUMOKUĀKEA
MARINE NATIONAL MONUMENT
PERMIT TEMPLATE**



Permittee: _____

Permit Number: PMNM-200x-xxx

Effective Date: _____

Expiration Date: _____

Project Title: _____

This permit is issued for activities in accordance with Proclamation 8031 (“Proclamation”) establishing the Papahānaumokuākea Marine National Monument (“Monument”) under the Antiquities Act of 1906, 16 USC §§ 431-433 (“Antiquities Act”) and implementing regulations (50 CFR Part 404). All activities must be conducted in accordance with the Proclamation and the regulations (attached). No activity prohibited by the Proclamation or 50 CFR Part 404 is allowed except as specified below. Chapter 13-60.5, Hawaii Administrative Rules remains in effect for proposed activities in State waters.

Subject to the terms and conditions of this permit, the National Oceanic and Atmospheric Administration (NOAA), the State of Hawai‘i, and the U.S. Fish and Wildlife Service (collectively, the Co-Trustees) hereby authorize the permittee listed above to conduct _____ activities within the Monument. All activities are to be conducted in accordance with this permit. The permit application is incorporated into this permit and made a part hereof; provided, however, that if there are any conflicts between the permit application and the terms and conditions of this permit, the terms and conditions of this permit shall be controlling.

PERMITTED ACTIVITY DESCRIPTION:

The following activities are authorized by this permit:

1. _____

No further disturbance of the cultural or natural resources of the Monument is allowed.

**Papahānaumokuākea
Marine National Monument**
6600 Kalanianaʻole Hwy
Suite 300
Honolulu, HI 96825

PERMITTED ACTIVITY LOCATION:

Other than entrance into the Monument, the permitted activities listed above are allowed at the following locations:

- 1.

GENERAL TERMS AND CONDITIONS:

In accordance with the Proclamation and applicable regulations, the permitted activities listed above are subject to the following general terms and conditions:

1. The permittee must sign and date this permit on the appropriate line below. Once signed and dated, the permittee must provide a signed original copy to the Monument official identified below. The permit becomes valid on the date the last Monument official signs the permit and shall remain valid for not more than one (1) year from that date.

Permit Coordinator
Papahānaumokuākea
Marine National Monument
6600 Kalanianaʻole Hwy. Suite 300
Honolulu, HI 96825

2. This permit is neither transferable nor assignable and must be carried by the permittee while engaging in any activity authorized by this permit. All other persons entering the Monument under the authority of this permit must provide the name of the permittee or the permit number to any authorized enforcement or management personnel upon request.
3. This permit may only be modified by written amendment approved by the Co-Trustees. Modifications to this permit must be requested in the same manner as the original request was made. Any modifications requested by the permittee, such as adding or changing personnel to be covered by the permit or to change the activities that are allowed, must be made in writing.
4. This permit is subject to suspension, modification, non-renewal, or revocation for violation of the Proclamation, implementing regulations, or any term or condition of the permit. Any verbal notification of a violation from an authorized Monument representative may require immediate cessation of activities within the Monument. The issuance of a permit shall not constitute a vested or property right to receive additional or future permits. This permit may, in the sole discretion of the Co-Trustees, be renewed or reissued. However, there is no right to a renewal or re-issuance of a permit. Failure to fulfill permit requirements may affect consideration of future permit applications.

5. Permit terms and conditions shall be treated as severable from all other terms and conditions contained in this or any other ancillary permit. In the event that any provision of this permit is found or declared to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining terms or conditions of this permit.
6. This permit does not relieve the permittee of responsibility to comply with all federal, state and local laws and regulations. Activities under this permit may be conducted only after any other permits or authorizations necessary to conduct the activities have been obtained.
7. The permittee may be held liable for the actions of all persons entering the Monument under the authority of this permit.
8. All persons entering the Monument under the authority of this permit are considered under the supervision of the permittee and may be liable in addition to the permittee for any violation of this permit, the Proclamation and implementing regulations in conjunction with this permit. The permittee must ensure that all such persons have been fully informed of the permit terms and conditions prior to entry into the Monument. Each such person must provide written acknowledgment to the permittee, prior to entry into the Monument, that he/she has received a copy of the permit, agrees to abide by all applicable terms and conditions, and may be liable for violations of the permit. The permittee shall maintain all signed acknowledgments and submit them with the summary report described in General Condition #22.b.
9. Notification of entry into the Monument must be provided at least 72 hours, but no longer than one month, prior to the entry date. Any updates to the list of personnel must also be provided at least 72 hours before entering the Monument. Notification of departure from the Monument must be provided within 12 hours of leaving the Monument. Notification may be made via e-mail, or telephone by contacting: E-mail: nwhi.notifications@noaa.gov; Telephone: 1-866-478-6944; or 1-808-395-6944. No other methods of notification will be considered valid.
10. The permittee and any person entering the Monument under the authority of this permit shall, before entering the Monument, attend a cultural briefing or view designated cultural informational materials on Papahānaumokuākea regarding the region's cultural significance and Native Hawaiians' spiritual and genealogical connection to the natural and cultural resources. Persons entering the Monument at Midway Atoll may satisfy this requirement upon arrival.
11. All vessels (including tenders and dive boats), engines and anchor lines shall be free of introduced species prior to entry into the Monument. To ensure this, all vessels, engines and anchor lines shall be inspected for potential introduced species prior to departing the last port before entering the Monument. No later than 24 hours prior to entry, the permittee shall provide the Monument Permit Coordinator with a report prepared by the individual conducting the inspection that: a) sets forth when and where the inspection

occurred; b) identifies any introduced species observed, including where found; c) summarizes efforts to remove any species observed; and d) certifies the vessel as free of all introduced species. The Monument Permit Coordinator shall review the report and, based on the review, may delay the entry into the Monument until all concerns identified by the Monument Permit Coordinator have been addressed.

12. All hazardous materials, biohazards and sharps, must be pre-approved by the Co-Trustees. For purposes of this permit, “hazardous material” has the same meaning as the definition found at 49 CFR §105.5 (U.S. Department of Transportation). All hazardous materials, biohazards and sharps must be stored, used, and disposed of according to applicable laws and Monument-approved protocols. The permittee, or a designated individual entering the Monument under the authority of this permit must be properly trained in the use and disposal of all such materials proposed. Proof of appropriate training may be required by the Co-Trustees. No such material may be left in the Monument after the departure of the permittee unless it has been previously approved by Monument staff. Immediately after the project is complete the permittee must remove all such materials from the Monument. The permittee will be responsible for all costs associated with use, storage, transport, training, disposal, or HazMat response for these materials.
13. All equipment or supplies brought into the Monument, or structures of any kind built in the Monument by the permittee are the responsibility of the permittee. All materials that are brought to the Monument by the permittee must be removed by the permittee except as otherwise permitted. Any permanent structures, equipment, or supplies that require maintenance, are determined to be unserviceable, or are a safety hazard, must be immediately repaired or removed from the Monument by the permittee. No structures, equipment, or supplies may be left in the Monument following the completion of the project except as listed in the permit.
14. If Monument staff are present at the field site, the permittee must meet with them before beginning permitted activities. Even with a valid permit, authorized Monument staff may prohibit entry into any location(s) within the Monument as they may deem appropriate to conserve or manage resources, particularly in areas where cumulative impacts of permitted activities are concentrated.
15. In order to facilitate monitoring and compliance, any person entering the Monument under the authority of this permit, including assistants and ship’s crew shall, upon request by authorized Monument enforcement personnel, promptly: a) allow access to and inspection of any vessel or facility used to carry out permit activities; b) produce for inspection any sample, record, or document related to permit activities, including data, logs, photos, and other documentation obtained under, or required by, this permit; and c) allow inspection on board the vessel or at the permittee’s premises of all organisms, parts of organisms, and other samples collected under this permit.
16. It is prohibited to possess or consume alcohol in the Hawaiian Islands National Wildlife Refuge in accordance with refuge regulations. Any violations will result in immediate

removal of the offender from the Monument at the individual's own cost. Offenders may not be readmitted to the Monument.

17. All persons entering the Monument under the authority of this permit are responsible for the cost of removing themselves from the Monument at the conclusion of the term of the permit or upon revocation or suspension of the permit. All such persons are also responsible for the cost of removing themselves from the Monument in the event of a necessary medical evacuation, emergency evacuation, including weather, or for the cost of any necessary search and rescue operation.
18. Except as expressly required by applicable law, the Co-Trustees are not liable for any damages to equipment or injuries to the permittee and persons entering the Monument under the authority of this permit. The permittee and any person entering the Monument under the authority of this permit shall release, indemnify, and hold harmless the National Oceanic and Atmospheric Administration, the Department of Commerce, the U.S. Fish and Wildlife Service, the Department of the Interior, the United States Government, the State of Hawai'i, and their respective employees and agents acting within the scope of their duties from and against any claims, demands, actions, liens, rights, subrogated or contribution interests, debts, liabilities, judgments, costs, and attorney's fees, arising out of, claimed on account of, or in any manner predicated upon the issuance of this permit or the entry into or habitation upon the Monument or as the result of any action of the permittee or persons participating in the activity authorized by this permit. In the event that a government employee, acting in his official capacity, is the permittee, or is entering the Monument under the authority of this permit, then he shall be subject to all applicable federal and State laws that pertain to claims by or against him predicated upon the issuance of this permit or entry into or habitation upon the Monument.
19. Monument managers or their designees may verbally require the permittee to modify or cease activities not identified in this permit if, in the opinion of the managers or designees, such action is necessary to limit disturbance to or protect Monument resources, to protect government equipment, or to ensure the safety of personnel. After providing such verbal instructions, the managers or designees will provide the permittee with a written modification, suspension or revocation to this permit at the earliest practicable opportunity. The failure to follow verbal instructions or modified permit terms, or to cease activities upon suspension or revocation of this permit, may constitute a violation of this permit, the Proclamation, the regulations, or other applicable law.
20. Disturbance of any cultural or historic property, including but not limited to Native Hawaiian cultural sites, burials, archaeological deposits, and WWII structures and features, such as stone walls and mounds, stone uprights, bunkers, batteries, camp sites, hospitals, housing areas, and radio towers; or the disturbance or collection of any historic or cultural materials and artifacts, including but not limited to bottles, dishes, cartridges, hospital materials, carvings, human remains, or Native Hawaiian bone or stone implements, found within the Monument, including the sale or trade in such items, is prohibited.

21. All Monument resources within the jurisdiction of the State of Hawai‘i are held in trust under the Hawai‘i State Constitution, Article XI, Sec. 1. The State of Hawai‘i and the Government of the United States reserve ownership or control, as the case may be, of Monument resources, both living and nonliving, that may be taken or derived from those found in the Monument.
22. The permittee must satisfy the following reporting requirements:
- a. For activities on State lands or within State waters, the permittee must submit a monthly report on the specified form.
 - b. The permittee must maintain a cruise log including, but not limited to: anchoring locations and small boat dive locations. The log must contain a description of cruise activities and the geographic locations of those activities. Within thirty (30) days after the end of the cruise or the expiration date of this permit, the permittee must submit the cruise log and a summary report of activities conducted under this permit. The permittee having authority over the vessel must maintain a vessel discharge log, which must be submitted with the cruise log.
 - c. Annual Report. The comprehensive annual report is a summary of all activities undertaken, including but not limited to: dates of all arrivals and departures from islands and atolls within the Monument, names of all persons involved in permitted activities, details of all specimens collected, handled, etc., any other pertinent information, GPS locations of all samples collected, transects, etc., results of work to date, copy of all data collected, and a proposed schedule of publication or production of final work. The report shall include a concise summary or abstract for use in Monument reports. Two hard copies and one electronic copy (Microsoft Word preferred, but not required), must be submitted to the Co-Trustees. The annual report is due by the end of the second week of January of the calendar year that follows the year that the permit was in effect or before a new permit is issued, whichever comes first. Subsequent annual reports are required each year until all data collected under research permits are fully analyzed.
 - d. The permittee must debrief the Co-Trustees following the completion of all activities in the Monument covered under this permit. The permittee must schedule the debriefing upon submitting the annual report.
 - e. The permittee must submit two copies of any article, publication, or other product created as a result of the information gained or work completed under this permit, including materials generated at any time in the future following expiration of this permit.
 - f. Any publications and/or reports resulting from activities conducted under the authority of this permit must include the notation that the activity was conducted

under permit number PMNM-200x-xxx. This requirement does not apply to publications or reports produced by the news media.

- g. All required submissions (including plans, logs, reports, and publications) shall be provided to the Monument official at the address indicated in General Condition #1.

- 23. All data acquired or created in conjunction with this permit will be submitted with the summary report, and annual report. Photographic and video material is considered data. The permittee retains ownership of any data, (including but not limited to any photographic or video material), derivative analyses, or other work product, or other copyrightable works, but the Federal Government and the State of Hawai'i retain a lifetime, non-exclusive, worldwide, royalty-free license to use the same for government purposes, including copying and dissemination, and making derivative works. The permittee will receive acknowledgment as to its ownership of the data in all future use. This requirement does not apply to data acquired or created by the news media.

- 24. Because photographic or video material that is created for personal use (i.e., not specifically acquired or created in conjunction with this permit) could unintentionally collect data that is also valuable for management purposes, the Co-Trustees reserve the right to request copies of any such material and the permittee agrees to provide a copy of such material within a reasonable time. The Co-Trustees may use such material for management purposes.

- 25. Any question of interpretation of any term or condition of this permit will be resolved by the Co-Trustees.

Your signature below, as permittee, indicates that you accept and agree to comply with all terms and conditions of this permit. This permit authorized only those activities listed above. This permit becomes valid on the date when signed by the last Monument Official. Please note that the expiration date on this permit will not be extended by a delay in your signing below.

PERMITTEE

Date

Attachments (3):

- 1. Proclamation 8031, June 15, 2006
- 2. 50 CFR Part 404
- 3. Maps of the Papahānaumokuākea Marine National Monument

XX Chairperson Department of Land and Natural Resources State of Hawaii	Date
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XX Superintendent U.S. Fish and Wildlife Service Papahānaumokuākea Marine National Monument	Date
--	------

XX Superintendent NOAA Papahānaumokuākea Marine National Monument	Date
--	------