

Papahānaumokuākea Marine National Monument
SPECIAL OCEAN USE 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: Na‘alehu Anthony

Affiliation: Paliku Documentary Films DBA moe aku productions LLC

Permit Category: Special Ocean Use

Proposed Activity Dates: October 1, 2013 - September 30, 2014

Proposed Method of Entry (Vessel/Plane): MV Searcher

Proposed Locations: Nihoa, Mokumanamana, French Frigate Shoals and their near shore waters.

Estimated number of individuals (including Applicant) to be covered under this permit: 4

Estimated number of days in the Monument: 30

Description of proposed activities: (complete these sentences):

a.) The proposed activity would...
be videotaping animals and cultural sites to use for a new cultural briefing video that would be used to help PMNM visitors further understand the cultural richness of the region.

b.) To accomplish this activity we would
shoot video in as many terrestrial sites that we can gain access to via a NOAA sponsored cruise.

c.) This activity would help the Monument by ...
Providing for a product that can be used by all the orgs and people who enter PMNM by informing them about the cultural heritage that is preserved there.

Other information or background: The applicant was allowed on a NOWRAMP cruise in 2002 as the terrestrial photographer. The material that was captured in the 3 week voyage has proven invaluable for numerous video projects about the region over the past 10 years. This material needs to be refreshed in order to keep the footage relevant for future projects. As such, the applicant captured HD video footage of some of the island/atoll areas of PMNM in 2012 under PMNM-2012-038, however, due to weather conditions creating hazardous conditions, the

applicant was not able to capture all the necessary HD footage. We will be working with OHA and other partners to be able to generate enough resource to be able to cover the time that we are there, the media management time, the equipment and clothing expense and the edit time needed to build these particular described products. The applicant does not anticipate making any money above and beyond covering expenses.

Section A - Applicant Information

1. Applicant

Name (last, first, middle initial): Anthony, Na'alehu, K.

Title: Director and Photographer

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

Na'alehu K. Anthony

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

██████████

████████████████████

████████████████

████████████████████████████

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

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

Paliku Documentary Films, DBA Moe Aku Productions LLC

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):

Nā'ālehu Anthony, Director and Photographer

'Āina Paikai, Photographer

Scott Kanda, Photographer

Biological Monitor, TBD

Section B: Project Information

5a. Project location(s):

<input checked="" type="checkbox"/> Nihoa Island	<input checked="" type="checkbox"/> Land-based	<input checked="" type="checkbox"/> Shallow water	<input type="checkbox"/> Deep water
<input checked="" type="checkbox"/> Necker Island (Mokumanamana)	<input checked="" type="checkbox"/> Land-based	<input checked="" type="checkbox"/> Shallow water	<input type="checkbox"/> Deep water
<input checked="" type="checkbox"/> French Frigate Shoals	<input checked="" type="checkbox"/> Land-based	<input checked="" 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			

Ocean Based

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

Location Description:

The applicant and team are planning to be berthed on MV Searcher on one of its cruises. They understand that they will be subject to the needs of the cruise, the others on board, weather, and other conditions that cannot be planned for, and therefore will take as much land time as can be given. Applicant would like to spend as much time as possible on Nihoa and Mokumanana but also be able to shoot material on all the atolls and basalt islands that are scheduled for stops by MV Searcher. Daytime activities will include recording images of the terrestrial landscapes that exist. Overnight activities include setting up a timelapse camera at the campsite. Campsite location on Nihoa would likely be the dry river bed just above the FWS sign. As for Moku Manamana, applicant is in conversation with FWS staff in an effort to determine the best location and will plan on using the site recommended. The campsite on both islands will be a minimum footprint (e.g., ≤120 sq ft) and would be just sleeping mats and a tarp, no tents. Furthermore, applicant would also like to be able to shoot in shallow water to help illustrate the biodiversity of the region. The applicant and team would also like to stay overnight (1 night) on Tern Island in order to catch dawn time lapse footage. If arrangement could be made to stay in the barracks, that would be optimal for the team and less gear and no need for campsite or equipment.

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:*

The scope of the activities include access to terrestrial locations at PMNM to videotape the biological and cultural resources located there. The footage will be incorporated and edited into a new educational cultural briefing video which will be used in place of a live person who can brief people entering PMNM about the rich cultural history that the region possess. (The applicant does not intend to film or photograph federally protected species.)

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?

Having been to the region before, applicant understands the importance of the biological and cultural protocols necessary to ensuring the integrity of the sites and is willing to comply with any and all protocol to mitigate impact and contamination. Given applicant's intimate understanding and appreciation for the cultural significance of these sites, they will prepare themselves to follow those protocol as well and are working on an agreement with FWS-approved escort, Kekuewa Kikiloi, to join them.

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?

Applicant conducted extensive planning and discussion to ensure we met necessary cultural, historic, and biological protocols for their expedition in 2012 (entering under PMNM-2012-038) and will follow the same protocol and engage the same individuals who consulted them in 2012. There should be no negative impacts to the region. The potential educational gain to both the community that will utilize the Cultural briefing piece as well as the public at large will be great. The applicant can also raise awareness about the region by capturing images of its cultural beauty and natural splendor hence supporting the need for special protocols and protection for the region. Further, the video segments are the best replacement for actually being there. It is the applicant's intent to make the point in the video pieces that by understanding the cultural relevance of the place, all people - tourists, scientists and educators alike - will come away with a deeper respect and understanding for the area.

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.

No, there is not. Because applicants are videographers capturing the uniqueness of this particular place, there is not other way or place to capture those images. These images will allow those who may never physically enter the monument an opportunity to see and hear of its beauty, increasing awareness and appreciation via the new cultural briefing video applicant is producing. Similar to the new knowledge that current scientific research in the region generates, so to is greater cultural insight being revealed and cultural practitioners continue their research. Recent scholarship and research in the region is yielding new evidence of the traditional significance of this area. This new and exciting information should be shared with everyone who enters the area to allow for a better understanding on how this region has evolved.

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 goal of the project is to give those who will never have a chance to go to PMNM a glimpse into its beauty and significance with the goal of raising conscious awareness for this unique place with the hope of more and more people becoming advocates for its protection and preservation. The educational potential of PMNM is immense and those who have the privilege of visiting the monument and working in the area have an immediate understanding and connection with this place. The applicant's goal is to use visual story telling to simulate this experience as best possible, with an emphasis on bringing forth the cultural significance of Papahānaumokuākea. It can be argued that the line between the main Hawaiian Islands and PMNM didn't exist a hundred years ago and are desire is to relay the message that the main Hawaiian islands are equally special and that people should protect and cherish the main Hawaiian islands with as much energy and enthusiasm as is put forth in the protection and preservation of PMNM.

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

The applicant is looking at spending no more than two days on each island. Night timelapse is necessary to capture some of the images that researchers and historians talk about as related to connecting celestial knowledge (e.g., traditional Hawaiian knowledge of identifying celestial bodies and knowing their movements) with what happens on these islands given their unique position on the planet. The challenge for

the applicant is to collect as much footage as possible given that time constraint. The rest of the time we will be spent aboard MV Searcher in transit.

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

The applicant was part of the NOWRAMP projects educational effort in 2002. They executed what many thought to be impossible. They shot, edited, and uploaded a 4 minute segment a day to provide new content to a Bishop Museum project about the NWHI. This was done within all the biological and cultural protocols to ensure a minimized the impact on the environment while maximizing the educational impact of the content produced to inspire students and teachers. The applicant has traveled across the Pacific on Voyaging canoes to some of the most remote places on the planet (Rapa Nui, Palau, Yap, to name a few) where mitigating impacts is also critical to the success of those places. The applicant has the qualifications through the types of projects that it produces to fit within and comply with the protocols necessary for positive results. Again in 2012, the applicant began capturing updated HD video footage of PMNM. Due to weather conditions, island access was limited and no all necessary footage was captured, therefore, necessitating another trip.

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 applicant is working with the Office Of Hawaiian Affairs to fund the project. NOAA will be providing for our berths on board MV Searcher. Applicant will have a FWS monitor on all the terrestrial visits.

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 applicant is well versed in operating on remote regions of the Pacific and knows how to prepare and what to expect on a trip of this sort. The applicant will be methodical in the preparation and execution of the the shoot. All members of the team will be briefed on the procedures and protocols of both the ship by the ships crew and of the locations which the applicant will enter by the FWS escort. We understand that the weather conditions need to be favorable to transit from the mother ship to the islands and atolls on the smaller boats. They will be traveling with pelican cases to keep all moisture out of the gear while we are in transit to the locations. They understand that under certain circumstances they will have to either not land on the island or swim with gear to do the island. Water activities will be limited to snorkeling and scuba for the

purposes of capturing images of the biodiversity of the underwater environment.

Applicant will be utilizing the small transit boats to get to and from the islands.

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

Yes, MV Searcher has an approved Vessel Monitoring System.

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

At this time the applicant can conceive of no other factors that would make this proposed activity in the Monument inappropriate, but the applicant is willing to take suggestions and answer questions staff may have about the applicants procedures or methodologies.

FOR SPECIAL OCEAN USE ACTIVITIES OUTSIDE OF MIDWAY ATOLL SPECIAL MANAGEMENT AREA

k. Will the activity directly benefit the conservation and management of the Monument?

Yes, the products that will be edited will help to educate all those that go to PMNM. The materials will be put to DVD for the Monument to use and be available for upload to the PMNM website.

l. Is the purpose of the activity for research or education related to the resources or qualities of the Monument?

Yes, the core purpose of the proposed activity is to educate a broad populace of future permittees as well as people living in the main Hawaiian Islands about the cultural, biological and historical resources of Papahānaumokuakea, in part, from an indigenous perspective.

m. Does the activity involve the use of a commercial passenger vessel (defined as a vessel that carries individuals who have paid for such carriage)?

no.

FOR SPECIAL OCEAN USE ACTIVITIES WITHIN MIDWAY ATOLL SPECIAL MANAGEMENT AREA

n. Does the activity further the conservation and management of the Monument?

Yes, it gives specific information pertaining to the cultural history of the place.

o. Is your activity compatible with the purposes for which the Midway Atoll National Wildlife Refuge was designated?

yes

NOTE: If this is a first time Special Ocean Use activity, it will be subject to a pilot project. Additionally, public notice of the application and an opportunity to provide comments is given at least 30 days prior to issuing the permit.

8. Procedures/Methods:

Applicant will take 4-6 high definition cameras on this expedition. They will be suitable to the conditions for which we will be working on the island. All of the gear will be battery operated and there will be no need of shore power of any of the equipment that we are bringing. Each photographer will be setting up one timelapse camera and have 1-2 cameras from which they will capture high definition images from. While on board the MV Searcher, this material will be downloaded to a double redundant drive set with the appropriate metadata and other tags necessary for recognition into the future. Half of the cameras will be waterproof to 100 feet the others will be carried to land in waterproof pelican cases to be opened upon terrestrial arrival. While one of the products that will come out of this expedition will be a cultural briefing video, applicant also intends to highlight some of the people who have made it their life's work to study and protect the region. In order to best illustrate their passion for working in and around PMNM, the applicant will seek out images that speak to the unique and diverse nature of the region, including but beyond Nīhoa and Mokumanamana, wherever MV Searcher and crew will travel.

9. Provide proof of general liability insurance, or indicate that you will be posting an equivalent bond against claims arising out of activities conducted under the permit:

Applicant has a \$2,000,000 insurance policy and is attached to this application.

10. If applicable, describe how you are collaborating with others in any way to reduce duplicative activities in the Monument or elsewhere?

The applicant will provide the co managers with copies of all the raw footage and the edited sequences. The cultural video helps to fulfill a requirement of the Monument Management Plan. The applicant is in conversations with 2 local television broadcast agencies ensuring that they do not have to send their own crews to this fragile location.

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

Canon video camera, Tripod, Pelican carrying cases.

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

none

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

none

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

Paliku Documentary Films directed and produced the current Cultural Briefing Video for permittees accessing Papahānaumokuākea who are not able to have a live person perform their required cultural briefing before accessing the Monument. This video was used in the ceremony for the inscription of Papahānaumokuākea as a World Heritage mixed site, and is posted on 'Ōiwi TV. The applicant produced the bulk of the video material that exists on the website www.hawaiianatolls.org

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