

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:
NOAA/Inouye Regional Center
NOS/ONMS/PMNM/Attn: Permit Coordinator
1845 Wasp Blvd, Building 176
Honolulu, HI 96818
nwhipermit@noaa.gov
PHONE: (808) 725-5800 FAX: (808) 455-3093

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

Papahānaumokuākea Marine National Monument Permit Application Cover Sheet

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

Summary Information

Applicant Name: Drew Fellman

Affiliation: IMAX

Permit Category: Special Ocean Use

Proposed Activity Dates: August 17 - 25, 2016

Proposed Method of Entry (Vessel/Plane): We would be arriving at Midway on government flight scheduled for Aug 17th and continually immediately to Kure on the Kahana.

Proposed Locations: Midway, Kure

Estimated number of individuals (including Applicant) to be covered under this permit: 2

Estimated number of days in the Monument: 7

Description of proposed activities: (complete these sentences):

a.) The proposed activity would...

Identify locations and scientific activities to feature in an educational IMAX documentary film about the dangers of plastic pollution to marine wildlife, especially Laysan and Black-footed albatross.

b.) To accomplish this activity we would

Visit seabird colonies and observe behavior. Look for evidence of plastic ingestion. Examine the shoreline for nets and fishing line. We will accompany Kure research station chief Cynthia Vanderlip.

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

Our activities in the Monument will ultimately result in an IMAX 3D documentary film that will educate school children and the general public worldwide about the natural resources of the Monument and the dangers posed by marine debris and plastic pollution. The film will play in science museums around the world for several years.

There will be a corresponding outreach program to schools that will provide a plastic pollution investigation kit to classrooms that will include information about the vital importance of conserving the natural and cultural resources of the Monument.

Other information or background:

The film we will be making is based on the non-fiction book Moby Duck, which chronicles the 1992 ocean spill of 29,000 plastic toys in the north Pacific and uses the incident as a teaching tool to examine the workings of the ocean currents and the effects of plastic pollution on wildlife throughout the north Pacific. The visit we are proposing will serve as preparation for the film. It will allow us to identify locations and scientific activities that will make suitable subjects and will also enable us to make a detailed plan regarding what equipment and methods will be necessary to film in Monument. Once we have made our findings, we will follow up with an subsequent permit application to cover filming activities. Filming, if ultimately permitted, would take place between 2017 and 2018 for approximately 5 days.

For 40 years, IMAX documentary films have worked in close partnerships with science museums and schools to educate young audiences about science and the wonders of the natural world. The film will be produced and directed by Drew Fellman. His 2012 film Born To Be Wild has won the Humane Society's Genesis Award for best documentary film, the GSCA's award for best film for Lifelong Learning and was named one of the best documentaries of the year by the National Board of Review.

Section A - Applicant Information

1. Applicant

Name (last, first, middle initial): Fellman, Drew, E

Title: Mr.

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

Drew Fellman

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

[REDACTED]

Phone: [REDACTED]

Fax:

Email: [REDACTED]

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

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

IMAX

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):

Drew Fellman, Producer

David Douglas, Cinematographer

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 checked="" type="checkbox"/> Midway Atoll	<input checked="" type="checkbox"/> Land-based	<input type="checkbox"/> Shallow water	<input type="checkbox"/> Deep water
<input checked="" type="checkbox"/> Kure Atoll	<input checked="" type="checkbox"/> Land-based	<input type="checkbox"/> Shallow water	<input type="checkbox"/> Deep water
<input type="checkbox"/> Other			

Remaining ashore on any island or atoll (with the exception of Midway & Kure Atolls and Field Camp staff on other islands/atolls) between sunset and sunrise.

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:*

The purpose of our proposed activities is to identify locations and scientific projects to highlight in an IMAX documentary about plastic pollution and marine debris and to develop a detailed plan for filming the following year. We will be gathering insight about plastic ingestion in Albatross and the methods of marine debris removal in the Monument.

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

For a list of terrestrial species protected under the Endangered Species Act visit:

<http://www.fws.gov/angered/>

For a list of marine species protected under the Endangered Species Act visit:

<http://www.nmfs.noaa.gov/pr/species/esa/>

For information about species protected under the Marine Mammal Protection Act visit:

<http://www.nmfs.noaa.gov/pr/laws/mmpa/>

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

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?

As observers of scientific activities, our presence will be very low impact and non-interfering. We will follow all guidelines of the Monument and of field station chief Vanderlip.

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? I believe our activities will ultimately provide great benefit to the Monument by increasing public awareness among school children and the general population to the dangers of plastic pollution and marine debris that currently threaten the natural and environmental resources of the Monument. The film will advocate for ways to keep plastic out of the marine environment. Our film will also educate school groups about the Monument itself and its precious resources. The release of the IMAX documentary also include a complimentary educational component for classrooms to learn more about these issues.

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.

There is no practicable alternative location to witness the problems of plastic ingestion among Laysan and Black-footed Albatross. The Monument is home to over 95 percent of the population of these birds and is the best place to illustrate the dangers to seabirds of plastic pollution.

Our film takes place in an arc between Hawaii and Alaska. A vital component of the film is showing how even a pristine remote location like Papahānaumokuākea is adversely affected by plastic pollution that originates elsewhere in the world.

The combination of the Monument's extreme remoteness, beauty protected status and high concentration of albatross make it the ideal - and only - suitable location to film this sequence.

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 activities we are proposing will have an extremely low impact on the Monument. We will be staying no longer than 2 days on Kure and 4 days on Midway. Our activities will be limited to observation only and we will not remove, disturb or damage any Monument resource. The end value of our work, on the other hand, will hopefully bring great value by educating millions of people about the natural resources of the Monument and advocating for ways to reduce the plastic pollution that poses threats to those resources.

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

We will arrive in Midway and travel immediately to Kure on the Kahana. Our stay will be limited by unloading schedule of the Kahana estimated at two days. We will then depart Midway for Honolulu on the next flight. Estimated dates in the Monument are from August 17 to August 25.

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

Our team is very experienced in working highly protected natural environments. We have made IMAX documentary films in National Parks and places of great cultural sensitivity all of the world including; South Georgia Island, Madagascar, Borneo, Kenya, Alaska and Hawaii. We always work very closely with biologists and park rangers and other government officials.

Drew Fellman, the director/producer has made three other films for IMAX. He is the in-house producer for the company, responsible for its recent slate of wildlife films. He has been the party responsible for the productions' work in several sensitive national parks

including Tanjung Puting National Park in Indonesia; Tsavo National Park in Kenya; and Ranomafana and Andasibe National Parks in Madagascar.

Director/cinematographer David Douglas has been an IMAX filmmaker for over 30 years. His 1992 film, Fires of Kuwait, was nominated for Academy Award. His film Survival Island was photographed on South Georgia Island and he oversaw the production's interaction with protected pinniped and albatross colonies. David is uniquely qualified to translate a short visit into a detailed shooting plan for the IMAX format.

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. Funding for our project is being provided by IMAX. If desired, we are able to provide a deposit or other promise to cover the financial costs of any mitigation of any potential impacts resulting from our visit.

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.

For our proposed visit, our activities will be limited to observations - of seabird colonies and evidence of plastic ingestion and of shorelines for evidence of fishing nets and marine debris. We will not collect or disturb any cultural or historic artifacts or natural resources. We are not bringing any equipment other than laptops and handheld cameras.

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

Yes, The Kahana.

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

I am aware of no reasons that the issuance of a permit would be inappropriate.

FOR SPECIAL OCEAN USE ACTIVITIES OUTSIDE OF MIDWAY ATOLL SPECIAL MANAGEMENT AREA, ANSWER THE ADDITIONAL THREE FINDINGS BELOW:

k. Explain how your activity will directly benefit the conservation and management of the Monument.

We are proposing to spend two days outside of Midway Atoll Special Management Area on Kure Atoll. Our purpose there is making initial preparations for film that will provide excellent public exposure to the need for robust conservation of native albatross species and of the Monument's natural resources in general.

- l. Explain how the purpose of your activity is for research or education related to the resources or qualities of the Monument.

IMAX documentary films are produced for exhibition at museums and science centers around the world. For forty years they have been an integral part of science education for millions of school children in the United States and throughout the world. This film will educate about subjects such as plastic pollution that are extremely relevant to the resources of the monument.

- 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, ANSWER THE ADDITIONAL TWO FINDINGS BELOW:

- n. Explain how your activity will further the conservation and management of the Monument. We will also spend two to four days on Midway Atoll with the same objectives as we have on Kure Atoll.

IMAX documentary films are produced for exhibition at museums and science centers around the world. For forty years they have been an integral part of science education for millions of school children in the United States and throughout the world. This film will educate about subjects such as plastic pollution that are extremely relevant to the resources of the monument

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

An IMAX 3D documentary is an immersive experience designed to take people to amazing places that they can only dream of visiting. It is the ultimate way to "Bring the place to the people." By filming in the MANWR we can share the special wildlife of the area with a large audience eager to learn.

NOTE: If this is a first time Special Ocean Use activity, it will be subject to a pilot project and will be restricted in duration. Special Ocean Use activities proposed outside the Midway Atoll Special Management Area will require 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:

We will restrict our activities to onshore and only during daylight hours. We will move about on foot by walking. We will be visiting the location of sea bird colonies. We expect the albatross to have already left the atoll but will be observing the carcasses of birds that died from plastic ingestion.

We will be accompanying field station chief Cynthia Vanderlip and have made arrangements with her to do so.

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:

We will post a bond against any claims arising from our activities.

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

NA

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

We will be bringing with us the following equipment:

2 laptops computers

2 Nikon DSLR cameras

We do not wish to store any equipment in the Monument.

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:

None

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:**

NOAA/Inouye Regional Center
NOS/ONMS/PMNM/Attn: Permit Coordinator
1845 Wasp Blvd, Building 176
Honolulu, HI 96818
FAX: (808) 455-3093

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