

Papahānaumokuākea Marine National Monument
CONSERVATION AND MANAGEMENT Permit Application

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

ADDITIONAL IMPORTANT INFORMATION:

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

INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED

Send Permit Applications to:

NOAA/Daniel K. Inouye Regional Center
NOS/ONMS/Papahānaumokuākea Marine National Monument
Attention: Permit Coordinator
1845 Wasp Blvd., Building 176
Honolulu, HI 96818
nwhipermit@noaa.gov
PHONE: (808) 725-5800 FAX: (808) 455-3093

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

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

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

Summary Information

Applicant Name: TBD

Affiliation: U.S. Army Corps of Engineers, U.S. Coast Guard, Element Environmental, TBD

Permit Category: Conservation and Management

Proposed Activity Dates: September 23, 2016 – November 1, 2016

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

Proposed Locations: Midway and Kure Atolls

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

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

TBD, based on operations and agency field representation.

Estimated number of days in the Monument: 14 days

Description of proposed activities: (complete these sentences):

a.) The proposed activity would...

Salvage equipment and material from the Northwestern Hawaiian Islands State Marine Refuge deposited as a result of a marine incident.

b.) To accomplish this activity we would

The salvage plan is forthcoming and will be reviewed and approved by all affected agencies.

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

These activities would benefit the Monument by removing materials that if left over time could pose a threat to monument resources.

Other information or background:

Final detail will be available in the approved salvage plan

Section A - Applicant Information

1. Applicant

TBD. U.S. Army Corps of Engineers (ACE)

TBD. U.S. Coast Guard (USCG)

TBD. Element Environmental (E2)

TBD. Professional Salvage Company

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

N/A

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

ACE:

[REDACTED]

USCG:

SILC Environmental Management Division

[REDACTED]

E2:

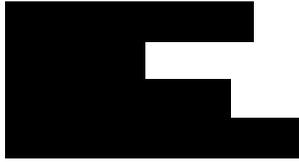
[REDACTED]

Salvage Company, TBD

Phone:

[REDACTED]

Fax:



Email: TBD, based on Agency individuals identified

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

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):

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

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

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

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

Location Description:

This activity would occur at Kure Atoll. Midway Atoll may be visited via plane as transportation/logistical plans dictate.

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:*

Due to a recent marine vessel incident that deposited material into the waters of Kure Atoll, the applicants propose salvage activities that constitute management activities for the conservation and management of Papahānaumokuākea Marine National Monument as follows:

- a) Remove marine debris, trash, and other materials (land and ocean-based) that pose threats to Monument resources, including but not limited to derelict fishing gear.
Activities may include:
 - i. Location and removal of debris and hazardous materials. This may be through interagency agreements, such as the Department of Defense (DOD) Innovative Readiness Training (IRT), Formerly Used Defense Sites (FUDS), or the Base Realignment and Closure (BRAC) Programs. Efforts may include activities such as seafloor and island mapping, reconnaissance and removal of materials, and derelict vessel salvage and removal; and
 - ii. Removal of sessile encrusting flora and fauna associated with marine debris.

- b) Provide Emergency Response, Injury Assessment, Mitigation, Restoration, and Monitoring and Post-Response Management:
 - i. Activities as necessary for emergency response, injury assessment, mitigation, restoration, monitoring, and post-response management in coordination with appropriate federal and/or state resource agencies and as appropriate, consistent with NOAA, FWS and State of Hawaii Damage Assessment and Restoration regulations, policies, and procedures (e.g., oil spills, ship groundings, tsunami-generated marine debris, damage assessments, monitoring alien species, and monitoring coral bleaching events, collection of bleached coral or alien species.

The Applicants are working towards a final approved salvage plan with the responsible party (Element Environmental). The plan will be reviewed by all the project stakeholders (PMNM Management agencies are included in the review and approval). The plan will be conducted by a professional salvage company, TBD.

*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/endangered/>

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

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

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

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

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

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

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

To safeguard all the resources and ecological integrity of the Monument, early and ongoing coordination of interagency activities will occur between the action agency and interested Monument partners as soon as details of activities are identified. The goal of early coordination is the commitment to identifying, incorporating, and customizing best management practices for specific activities.

Additionally, pre-access permit and cultural briefings will be conducted and PMNM agency oversight will be present during PMNM actions

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

The activities requested are directed by Presidential Proclamation 8031 and other state and federal laws, regulations, and policies. The applicants will conduct their salvage activity with respect to and for the Monument's natural, historic and cultural resources, qualities, and ecological integrity and in a way that will not diminish and will likely enhance them. By conducting this activity, the removal of equipment and materials, the applicants will prevent any potential secondary damage to the resources of PMNM.

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. Unfortunately the materials and equipment were deposited within the lagoon at Kure Atoll and the applicants will need access to PMNM in order to conduct the salvage.

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

By conducting this activity, the applicants will remove equipment and materials that pose a threat over time to the resources of PMNM. Any short term adverse impact will have a long term beneficial impact on the resources at the Atoll.

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

All conservation and management activities conducted by the permit applicants are conducted in the shortest possible window to prevent or eliminate disturbance to the natural, historic and cultural resources of the Monument. This salvage is estimated to take 2 weeks.

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

These agency applicants and staff possess high levels of expertise regarding this activity. A professional salvage company will be involved in the salvage operation whos involvement will be reviewed prior by state and federal PMNM staff. These experts provide their knowledge and recommendations in all management decisions so that all impacts are minimized and mitigated if necessary.

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

The Agency applicants and contractors have adequate financial resources available to conduct the proposed management activities.

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

The methods and procedures used in the salvage activity by the permit applicants are appropriate to achieve the proposed activity's goals. The activity will be reviewed/approved by all stakeholders inclusive of the PMNM mangement agencies. All activities proposed are required to protect the Monument natural, historic and cultural resources, qualities, and ecological integrity.

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

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

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

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

8. Procedures/Methods:

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

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

1. Disease and Introduced Species Prevention Protocols for Permitted Activities in the Marine Environment;
2. General Sampling and Transport Protocols for Collected Samples;
3. Voucher Specimen Guidelines;
4. Hull, tender vessel, ballast water, and gear inspections for alien species;
5. Rat-free inspections;
6. Precautions for Minimizing Human Impacts on Birds;
7. Best Management Practices for Boat Operations and Diving Activities;
8. Health and Safety Plans, and Emergency Response Plans;
9. All FWS refuge policies and procedures for conduct in the two wildlife refuges (Hawaiian Islands National Wildlife Refuge and Midway Atoll National Wildlife Refuge);
10. All policies and procedures for conduct in Northwestern Hawaiian Islands Hawaii State Marine Refuge and Kure Atoll State Seabird Sanctuary;
11. Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Executive Orders;
12. Hawaii Administrative Rules, §13-60.5, the Hawaii Revised Statutes, § 187A-6; and
13. All other applicable state and federal laws and regulations.

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

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

The following objects (no organisms) will be collected:

- Collection of excavator, pieces of the landing craft (metal frame/glass), roll of fencing, and any other misc. items that were deposited into the lagoon as a result of the LCM incident.

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?

N/A.

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?

N/A

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

N/A

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

All gear and materials necessary for the activities listed in the approved salvage plan. All gear and materials will be selected and treated according to invasive species and disease prevention protocols.

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

All hazardous materials necessary for the activities will be listed in the approved salvage plan. All U.S. Department of Transportation safety measures will be followed for storage and transport of hazardous materials within the Monument.

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

N/A

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

N/A

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

N/A

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

Date

TBN
U.S. Coast Guard

Date

TBN
U.S. Army Corps of Engineers

Date

TBN
Element Environmental, LLC.

Date

TBD
Professional Salvage Company

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