Papahānaumokuākea Marine National Monument

CONSERVATION AND MANAGEMENT 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: Richard Xie
Affiliation: Hawaiian Sealife Inc.

Permit Category: Conservation and Management
Proposed Activity Dates: 10 December thru 24 December 2016
Proposed Method of Entry (Vessel/Plane): Vessel
Proposed Locations: Twin Banks to Maro Reef

Estimated number of individuals (including Applicant) to be covered under this permit: 4+
Estimated number of days in the Monument: 14

Description of proposed activities: (complete these sentences):

a.) The proposed activity would…
Consist of traveling into the monument visiting emergent land masses (from small craft) of Mokumanamana, French Frigate Shoals and Gardner Pinnacles in search of evidence for Mr. Chuan Guo. As the vessel visits each land area, a small craft will navigate in shallow water around the island in search of any evidence of Mr. Guo. There will be NO landing on shore.

b.) To accomplish this activity we would ….
Charter a vessel, either the Pacific Relection or the Stardust to conduct search activities using a small craft to navigate near/around the islands of Mokumanamana, French Frigate Shoals and Gardner Pinnacle in search of evidence of Mr. Guo.

c.) This activity would help the Monument by …
Ensuring that there isn't a stranded sailor within the Monument. Confirmation of presence or absence of Mr. Chuan Guo. Working with partners on an international stage.

Other information or background:

Mr. Chuan Guo, a Chinese mariner who was on his way to challenge a world record of solo non-stop navigation from San Francisco to Shanghai, China, went missing on 25th October and was confirmed having fallen into the water at 26d32N/166d11W.

Coast guard and Navy went to the area and searched 48 hours till October 27th and ceased further action. The family and local donors have been trying different ways to search the sailor. November 5th to 6th, the family chartered a G-3 private jet to search the area again without any new evidence. They hired a local boat to tow the trimarian back to Honolulu on November 20th.

Mr. Chuan Guo is a very famous and experienced solo sailor in China. His family still strongly believes he might have been able to survive since he was extremely well trained and experienced in global sailing. The route from San Francisco to Shanghai is his most easiest route. Therefore, his family members think he might have swam to some of the uninhabited islands or atolls. In the worst circumstance, the family members would like to find his body or relics so that he can be legally announced dead. In Chinese law, family needs to wait seven years to declare his property and insurance right if his remains can't be found. It would be a very difficult situation for the wife and his four years old son if he is only considered missing legally. Therefore, they ask my company's help to act as the local representative to charter a vessel to get into the Papahanaumokuakea monument area to search Mr. Guo, his body, or his relics again.

Section A - Applicant Information

1. Applicant

Name (last, first, middle initial): Richard Hang Xie

Title: President of Hawaiian Sealife Inc.

1a. Intended field Principal Investigator (See instructions for more information):
On Pacific Reflection, the principal investigator is Mr. Edward Gaspar. On Stardust, the principal investigator is Sean Doyle.

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

For students, major professor's name, telephone and email address:
Donovan Jacob Ritcheson, [redacted]
Alan Eric Kvangnes, [redacted]
John Joseph Marquardsen [redacted]
Roscoe Fowler, USA [redacted] Skipper/Medic
Tyler Kueffner, USA, [redacted] Crew/ Cook
Parker Johnson, USA, [redacted] Skipper/ Crew
Andrew Nolan, CAN, [redacted] Crew/Medic
Sean Doyle, USA, [redacted] Skipper
Edward Gaspar, USA Captain [redacted]
Kodir Armad , Indonesian, Fisherman/Deckhand, [redacted]
Davis Januar, Indonesian, Fisherman/Deckhand, [redacted]
Sutrisino, Indonesian, Fisherman/Deckhand, PP# [redacted]
Syabani, Indonesian, Fisherman/Deckhand, PP# [redacted]
Warma Pratomo, Indonesian, Fisherman/Deckhand, [redacted]

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

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):

Donovan Jacob Ritcheson, Search & Rescue
Alan Eric Kvangnes,Search & Rescue
John Joseph Marquardsen ,Search & Rescue
(Pacific Reflection):
Edward Gaspar, Captain of Pacific Reflection
Kodir Armad, Fisherman/Deckhand
Davis Januar, Fisherman/Deckhand
Sutrisino, Fisherman/Deckhand
Syabani,Fisherman/Deckhand
Warma Pratomo, Fisherman/Deckhand

Or
(Stardust:)
Roscoe Fowler, Skipper/Medic
Tyler Kueffner, Crew/Cook
Parker Johnson, Skipper/Crew
Andrew Nolan, Sean Doyle, Crew/Medic
Sean Doyle, Skipper

Section B: Project Information

5a. Project location(s):

		Ocean Based	
☐ Nihoa Island	☐ Land-based	☐ Shallow water	☐ Deep water
☒ Necker Island (Mokumanamana)	☐ Land-based	☒ Shallow water	☐ Deep water
☒ French Frigate Shoals	☐ Land-based	☒ Shallow water	☐ Deep water
☒ Gardner Pinnacles	☐ Land-based	☒ Shallow water	☐ Deep water
☐ Maro Reef			
☐ Laysan Island	☐ Land-based	☐ Shallow water	☐ Deep water
☐ Lisianski Island, Neva Shoal	☐ Land-based	☐ Shallow water	☐ Deep water
☐ Pearl and Hermes Atoll	☐ Land-based	☐ Shallow water	☐ Deep water
☐ Midway Atoll	☐ Land-based	☐ Shallow water	☐ Deep water
☐ Kure Atoll	☐ Land-based	☐ Shallow water	☐ Deep water
☐ 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:
Circumnavigate Mokumanamana, French Frigate Shoals and Gardiner Pinnacle in shallow waters.

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:***
Purpose of activities is to conduct a search to ensure that Mr.Guo is not stranded on land.

*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:

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?
We will conduct our activities from a small vessel and won't go ashore. We will be respectful of all cultural, natural and historical resources in the Monument. We want to discern whether our missing friend could potentially be found on refuge lands.

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?
Monument rules will be followed. The search will be compatible with the Monument Management Plan regarding cultural, natural and historical resources. The search will be restricted to the permittees staying aboard their vessels.

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.
The search must be conducted within the Monument where Mr. Chuan Guo was lost at sea on 25th October.

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

There will be no adverse impacts on the Monument. Mr. Chuan Guo was lost at sea on 25th October, his family requests answers and peace of mind.

e. Explain how the duration of the activity is no longer than necessary to achieve its stated purpose.
The search party will spend the minimum amount of time necessary to navigate around the area where Mr. Guo is believed to have gone overboard, between Twin Banks and Maro Reef. The sea conditions will be extremely rough and therefore, the search may continue for 14 days.

f. Provide information demonstrating that you are qualified to conduct and complete the activity and mitigate any potential impacts resulting from its conduct.
The vessel which we are chartering, either Pacific Reflection or Stardust team has an experienced crew. Pacific Reflection is a long liner, the captain is very experienced. Stardust is a recreational sailboat. The team is also very experienced
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.
This search is funded by Chinese Red Cross and Family members. The Charter vessel will receive payment before they set sail.

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.
We have three experienced divers on board. They have telescopes and other equipments to check the islands and atolls. If they see anything unusual, they will contact my office immediately and I will report to the US Fish and Wildlife Service and National Oceanic and Atmospheric Administration offices immediately.

i. Has your vessel been outfitted with a mobile transceiver unit approved by OLE and complies with the requirements of Presidential Proclamation 8031?
Not yet, but we plan to immediately.

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 this permit inappropriate.

8. Procedures/Methods:
The vessel and crew of Pacific Reflection or Stardust will be hired to take a search crew consisting of 3 individuals into the Monument in search of a missing sailor, Chuan Guo. The Search activities will be conducted from a small craft navigating near/around Mokumanamana, French Frigate Shoals and Gardner Pinnacle in search of evidence of Mr. Guo. A air horn will be used to alert anyone that may be stranded on island to make themselves visible. It is understood that, NO BOATS OR PEOPLE WILL GO AHORE ON ANY ISLAND.

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):

Common name:
NA

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:
NA

12. List all specialized gear and materials to be used in this activity:
Scope, Binoculars, and an air horn

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

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

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

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

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 11/25/2016

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