

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: Kathi McIvor [REDACTED]

Affiliation: WINGS, Tour Manager [REDACTED]

Permit Category: Special Ocean Use

Proposed Activity Dates: March 15, 2010 - March 15, 2015 (Request for Five Year Permit)

Proposed Method of Entry (Vessel/Plane): PLANE / charter

Proposed Locations: Midway Atoll

Estimated number of individuals (including Applicant) to be covered under this permit: 15 individuals per visit

Estimated number of days in the Monument: 7 - 14 days per calendar year

Description of proposed activities: (complete these sentences):

a.) The proposed activity would...
would bring small tour groups to Midway Atoll for natural history observation, with a strong emphasis on birds.

b.) To accomplish this activity we would
Accompany USFWS personnel for one outing each day, and spend the remainder of our time on our own each day on Sand Island, using the trail system to search for migrant and nesting birds.

c.) This activity would help the Monument by ...
... adding to the base of knowledge regarding which species use Midway as a migratory stopover. Unexpected bird species (vagrants) account for fully 2/3 of the species recorded for Midway Atoll. Our group of experienced observers are likely to augment the Monument's knowledge about unusual species and about the timing of migration of the more regular species. In addition, we may be able to help with observations concerning nesting species. Our participants will return home with a broader base of knowledge about the Monument and its wildlife and provide their local birding associations with first hand knowledge of their visit to Midway. Thereby building a constituency of supporters for the refuge.

Other information or background:

Section A - Applicant Information

1. Applicant

Name (last, first, middle initial): McIvor, Kathi J.

Title: Tour Manager

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

Narca A. Moore-Craig (see attached bio): Professional Ornithological Tour Leader

For more than 20 years, Narca has led natural history and birding tours to six continents, for clients including the Smithsonian Institution and Harvard Museum of Comparative Zoology.

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

[REDACTED]

Phone: [REDACTED]

Fax: N/A

Email: [REDACTED]

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

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

[REDACTED]

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):

15 participants , names unknown at time of application

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 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:

Birdwatching on Midway Atoll (land/trails and USFWS ocean excursions)

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:*

Our purpose is educational, scientific and recreational. We plan to bring small groups of birdwatchers and other natural-history enthusiasts to Midway Atoll, to experience firsthand the tremendous colonies of nesting seabirds and to search for both regular and unexpected migrant species. WINGS tour groups are composed of experienced ornithological observers who frequently add to the scientific knowledge of the birds of a region. In the case of Midway Atoll, perhaps the main area where our observers may make a contribution to the database, is in the potential discovery of vagrant species and documentation of the presence or arrival of migrants. The scope of our proposal is for one or two visits of seven days per year, over at least the next 5 years.

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?

Our ornithological observers all have prior experience in birding environmentally sensitive areas and will receive a briefing prior to departing Honolulu and arriving on Midway Atoll. Part of this briefing will be to define the ecological integrity of the Monument, along with the importance of safeguards in conducting themselves in a manner to protect the cultural, natural and historic resources of the Atoll. Birding is a non-invasive and non-consumptive when conducted with an awareness of the species' needs and the character of the habitat.

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?

Most birders are exceptionally conscious of their environment and project extreme caution to never disturb wildlife or their habitat, and, beyond that general characteristic,

the presence of a professional ornithologist guide will insure that observations are made in a responsible manner.

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 alternative is available due to Midway Atoll's assemblage of species being unique, and its enormous colony of nesting Laysan Albatrosses is extraordinary. There is no substitute place which offers the same experience.

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

It is our intent to exert minimal impact on the Monument, while adding valuable observation information to what is known about the bird species that stop there. In addition, direct exposure of the birding public to the Atoll's resources will build a constituency of supporters for the Monument in the US.

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

It is our intent to not bring more than one or two small groups per year to visit Midway Atoll over the next five years, for a period of seven days per visit. A week allows observers to explore in-depth and to observe the turnover in arriving and departing migrants. (While it would be of scientific value to stay longer--through the whole migration period--that approach isn't practical for a onithological tour.)

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

Narca Moore-Craig, has a B.A. in biology (magna cum laude) from the University of California, Riverside, has conducted field research as an independent contractor for the USGS, and has led birding and natural history tours for more than 20 years for groups that have included The Smithsonian Institution, World Wildlife Fund, Harvard Museum of Comparative Zoology, the San Diego Zoo, and similar not-for-profit organizations. Narca has guided 5 trips to Antarctica, where minimal impact to colonies of breeding birds and to the habitat is also emphasized. Given such in-depth field experience, we will be able to avoid impacts to the resource.

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 is a WINGS supported activity, with each of the participating individuals prepaying all their expenses, including air charter through WINGS. These payments are held in a secure trust account from which all payments to the Monument will be made.

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 for ornithological observation will primarily involve use of binoculars, spotting scope and cameras, and will be closely coordinated with the Monument staff in order to provide a program that does not harm the Monument resource. For part of each day on our observation outings, we will be accompanied by USFWS personnel and anticipate at least one of those outings to be an ocean excursion to Eastern Island, which is also supervised by refuge personnel.

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

Our daily activities will not take place on a vessel.

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

There are no factors making this activity inappropriate

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?

We will not be outside the Midway Atoll.

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

N/A

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)?

N/A

FOR SPECIAL OCEAN USE ACTIVITIES WITHIN MIDWAY ATOLL SPECIAL MANAGEMENT AREA

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

The purpose of our ornithological tour is educational, scientific and recreational with the emphasis on conserving the areas we visit for future tours and generations. We plan to bring our group of birdwatchers and other natural-history enthusiasts to Midway Atoll, to experience first hand the tremendous colonies of nesting seabirds and to search for both regular and unexpected migrant species.

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

WINGS groups are composed of experienced ornithological observers which frequently add to the scientific knowledge of the birds in a region. In the case of Midway Atoll, the main area where we may make a contribution is in the potential discovery of vagrant species and documentation of the presence or arrival of migrants.

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:

We'll use standard methods of observing birds: each participant will carry binoculars, the guide will have a spotting scope for group use, with the occasional participant also bring their personal scope. Observers will be able to view and photograph the birds and habitat from an appropriate distance, in addition to and including documenting any rarities which we may discover. All our activities on land will be coordinated through USFWS staff and confined to the system of established trails and roads.

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:

** see attached proof of General Liability Insurance

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

Each WINGS birding tour to Midway will occur during a different week which will therefore cover a different portion of the migration period, there is no overlap of effort, particularly in the discovery and documentation of rarities. Each group can potentially contribute valuable information to the Monument's database. (If WINGS birding tours were to overlap, this overlap would provide more acute observation of the habitat which could possibly bring valuable discoveries.)

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

Binoculars, spotting scopes and tripods, birding field guides, cameras and sketching materials.

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

None

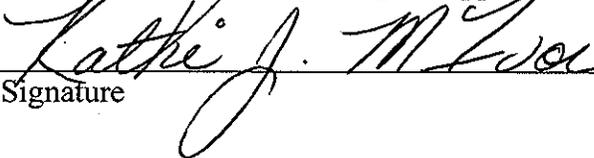
13. Describe any fixed installations and instrumentation proposed to be set in the Monument:

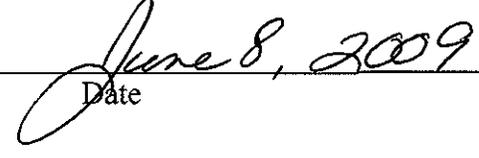
None

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

None directly related to Midway Atoll. Narca Craig-Moore was formerly associate editor for Western Birds, an ornithological journal, and edited a paper that was related to Hawaiian birds, but none for Midway.

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