

**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:** ELLEN HUSAIN

**Affiliation:**

BRITISH BROADCASTING CORPORATION  
BBC NATURAL HISTORY UNIT



**Permit Category:** Special Ocean Use

**Proposed Activity Dates:**

Exact dates tbc and dependent on wildlife, but are likely to be within the period of June 12th - July 12th

Current estimate of timing is as follows:

June 12th : Depart Honolulu

June 15th : Arrive French Frigate Shoals

June 28th : Depart French Frigate Shoals

July 1st : Arrive Honolulu

It is possible that we would consider a 2-man camera crew staying on at the research station for another 2 weeks after June 28th, ie to around July 12th to work purely on terrestrial shots if the appropriate quality of footage had not been achieved (for example due to poor weather).

However, this would be subject to availability of accommodation on the island, and availability of an alternative return passage (both of which are currently being investigated as per the note below, under 'Estimated number of days in the Monument')

**Proposed Method of Entry (Vessel/Plane):** Vessel.

**Proposed Locations:** 1. French Frigate Shoals. 2. The application to film at Midway atoll is being withdrawn, as we have been informed that there is unlikely to be accomodation on the

island (we would not plan to take the Searcher up to Midway, this leg was previously proposed to be accomplished by plane).

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

Estimate 9 BBC crew (this excludes liveaboard boat crew)

**Estimated number of days in the Monument:**

Estimate 4 weeks maximum, to be composed of i) approximately 2 weeks within monument waters aboard the liveaboard boat, The Searcher, and ii) if needed, possibly an additional 2 weeks of a smaller 2-person crew either staying on land at Tern Island research station after departure of the Searcher (logistical capacity for this is currently under discussion with station manager Paula Hartzell, this component of the trip may not be needed if all filming is successful in the 2 weeks aboard the boat. In addition the BBC recognises that the Research station is primarily for scientific purposes, and this component would only go ahead if our crew can be accommodated.)

**Description of proposed activities: (complete these sentences):**

a.) The proposed activity would...  
have the objective of filming two high quality wildlife sequences for a forthcoming wildlife documentary called SURVIVAL in production by the BBC and co-producers Discovery.

GOALS / OBJECTIVES: To film the following in state of the art high-definition format:

- i) Albatross and fledging event
- ii) Tiger sharks predated upon albatross chicks
- iii) General topside and underwater scenics and details.
- iv) Bird colonies at Tern island.
- v) Other general incidental wildlife at the site.

Note: The application to film spinner dolphins at Midway Atoll is being withdrawn.

b.) To accomplish this activity we would ....

**FRENCH FRIGATE SHOALS FILMING**

We would journey from Honolulu to French Frigate Shoals by liveaboard boat, we would anchor near to East Island. We would build a scaffold platform within the lagoon of the island as a long-lens filming platform (the entirety of which will be removed on departure). We would also film underwater by use of a small dive tender. We would also like to go ashore to film from land and also to film portraits of the albatross chicks prior to fledging, adult birds, and frigate birds predated on tern chicks (we will be sensitive to the need to minimize impacts on the island's bird colonies).

We may wish a small 2-man camera crew to remain on the island at the research station for another 2 weeks after June 28th (ie to around July 12th). However, this would be subject to availability of accommodation on the island, and availability of an alternative return passage

(both of which are currently being investigated as per the note under 'Estimated number of days in the Monument', above.)

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

The SURVIVAL sequence will fit within the Monument management goal to “bring the place to the people, rather than people to the place”, whilst highlighting the unique and pristine nature of the area and its wildlife, which forms the subject of the documentary. Filming will be conducted by some of the world's best wildlife cameramen with state of the art HD camera technology, showcasing the wildlife of the Monument at its best to a large and wide ranging audience around the world.

SURVIVAL I is a large scale ‘blue chip’ series similar in ambition to previous BBC /Discovery productions such as LIFE and PLANET EARTH. As such it is expected to reach the very largest global audiences available to natural history content, with typical distribution to over 150 territories worldwide.

**Other information or background:**

**Section A - Applicant Information**

**1. Applicant**

Name (last, first, middle initial): HUSAIN, ELLEN

Title: MISS

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

HUSAIN, ELLEN

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

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Phone: [REDACTED]

Fax: n/a

Email: [REDACTED]

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

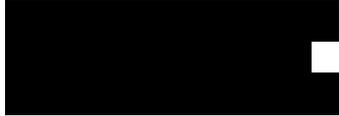
**3. Affiliation (institution/agency/organization directly related to the proposed project):**

British Broadcasting Corporation

**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):**

NOTE: Although we are in conversations with people, film crew members are still to be confirmed.

1. ELLEN HUSAIN: DIRECTOR



FURTHER CREW NAMES AND DETAILS TO BE CONFIRMED:

2. French Frigate Shoals underwater cameraman x 1 (likely David Reicherdt)
3. French Frigate Shoals Long lens cameraman x 1 (likely Warwick Sloss)
4. French Frigate Shoals Underwater cameraman buddy x 1 (likely Doug Perrine)
5. French Frigate Shoals Surface standby diver x 1
6. French Frigate Shoals Dive supervisor x 1
7. French Frigate Shoals Filming assistant x 1 (BBC EMPLOYEE TOM CROWLY, tbc)

French Frigate Shoals Liveboard vessel crew:

- captain x 1
- cook x 1
- Misc crew x 3 (estimate)

**Section B: Project Information**

**5a. Project location(s):**

<input type="checkbox"/> Nihoa Island	<input type="checkbox"/> Land-based	<b><u>Ocean Based</u></b>	
<input type="checkbox"/> Necker Island (Mokumanamana)	<input type="checkbox"/> Land-based	<input 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			

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

Location Description:

**FRENCH FRIGATE SHOALS - TERN ISLAND & LAGOON**

Filming tiger sharks and albatross underwater and topside at East Island. Filming birds on East Island. Activity to be mainly focused in the area around approx coordinates: 23° 47' N, 166 ° 12' W

Filming birds from the water and ashore on Tern Island

Activity to be mainly focussed in the area around approx coordinates: 23° 52' N, 166 ° 17' W

Filming general scenics, and underwater life in and around the French Frigate shoals area.

**MIDWAY ISLAND & LAGOON**

This element of the application has been withdrawn, due to the likely lack of available accomodation on the island during the desired filming period.

**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:***

OVERALL PURPOSE: Filming for BBC Natural History Unit / Discovery Channel's 'SURVIVAL', a new high end wildlife documentary series for 2014.

SURVIVAL is the next high end big budget 'blue chip' series from the BBC / Discovery Channel, scheduled for 2014. Following in the footsteps of series such as PLANET EARTH and LIFE, SURVIVAL will showcase the most amazing animal stories from around the world, looking at the ways animals survive through their different life stages, from birth to death. We'll tell intimate stories of distinctive animal characters, each with a unique past, each facing an uncertain future. Like us, they will have to overcome the struggle to reach adulthood in the face of the unpredictable challenges thrown at them by their environment, their enemies, and even their own family. Filmed using state-of-the-art HD cameras and the very latest in digital film making technology, from the weakest to the strongest, the series will showcase the emotional highs and lows of trying to survive in the Natural World.

GOALS / OBJECTIVES: To film the following in state of the art high-definition format:

- i) Albatross and fledging event
- ii) Tiger sharks predated upon albatross chicks
- iii) General topside and underwater scenes and details.
- iv) Bird colonies at Tern island.
- v) Other general incidental wildlife at the site.

Note: The application to film spinner dolphins at Midway Atoll is being withdrawn.

Note: We do not intend to film monk seals.

**NEED & SCOPE:**

Although the BBC previously filmed at French Frigate Shoals in 2007 we feel that we could substantially improve upon those results – particularly with better underwater content, which was a minimal component of the story due to unseasonably strong winds causing poor visibility.

SURVIVAL is a new cutting-edge production from ex- Frozen Planet, Life, and Planet Earth producers. SURVIVAL will target a different, larger, and more varied audience to the previous South Pacific series. In order to reach viewers from a cross-section of the populace (not just those with a prior wildlife interest) SURVIVAL must have unparalleled footage quality. We are filming on the very latest cinematic Red Epic cameras at 4k resolution, which is more than 4 x higher definition than the footage generated by the Panasonic Varicams used for South Pacific. These cameras will produce far crisper, clearer, high-impact images of unparalleled clarity and beauty. We will also for the first time employ ultra high speed cameras capable of filming at 500 frames a second (the South Pacific cameras were able to film to 60 frames a second). The series filming style is also very different and new, where possible the SURVIVAL style is to incorporate smooth camera movement to enhance developing shots, making them feel more

modern and filmic than the static-camera used in South Pacific. From a narrative stance we will also pay particular attention to establishing the character of the albatross chick so that we can empathize with the ordeal that it is to face. For this we need to film additional material that was not filmed before. We also wish to enhance the underwater content of the sequence since this delivered few successful images of the sharks on the previous 2007 shoot. In summary the South Pacific sequence is not of high enough visual or editorial quality to be incorporated into the series, so the sequence would have to be dropped from the series if we are not able to re-shoot it. This would be a loss to the series, as well as a missed opportunity to promote public appreciation and awareness of the northwest Hawaiian islands.

The north west Hawaiian Islands are inaccessible to the general public; filming here for a high profile series like SURVIVAL will help to raise public awareness of the wildlife of this relatively newly-declared National Monument, enhancing public perception of the value of protection of the site by "bringing the place to the people, rather than the people to the place."

**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 PROPOSED ACTIVITIES ARE COMPATIBLE WITH THE FINDINGS OF  
PRESIDENTIAL PROCLAMATION 8031 AS FOLLOWS:

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?

Activity 1: Presence of the liveaboard boat MV Searcher and crew within the Monument waters.

i) Safeguards for the natural resources and ecological integrity of the Monument:

All bio-security guidelines will be adhered to, and the necessary checks and certifications will be obtained for the vessel prior to entering the Monument (as detailed in question 14). We have been assured by Captain Jonathan Littenburg that the Searcher has its Vessel Monitoring System (VMS) in place and that they will schedule the appropriate hull inspection 2 weeks prior to departure, as well as the rat inspection shortly prior to departure. Captain Littenburg is familiar with the requirements of operating within Monument waters, having made many trips there, and has assured the BBC that the relevant paperwork will be completed.

The MV Searcher already complies with the necessary standards to be allowed to visit the Monument. Ships tanks will be cleared before entering Monument waters in order to allow maximum holding capacity. While we are in Monument waters all discharge (black and grey water) shall be directed into holding tanks, to be disposed of upon departure from the Monument.

All other refuse shall be stored upon the Searcher until our return to Honolulu for proper disposal or recycling. This procedure was also adopted by the Searcher for the BBC's 2007 trip. If necessary the Searcher will do a trip outside of Monument waters to discharge waste water, should tanks be becoming full. In addition, we are now anticipating a shorter trip aboard the Searcher of around 12 – 14 days inside the Monument, so waste water storage needs will be reduced (this 12- 14 day period does not include any additional time that a 2-person camera crew might spend on Tern Island staying at the research station, and is specified purely in relation to the capacity of the waste-water holding facilities of the Searcher).

ii) Safeguards for the historic resources of the Monument:

The presence of the Searcher and BBC crew will not impact on the historic resources of the Monument, since the boat will not visit any islands where such resources are located.

iii) Safeguards for the cultural resources of the Monument.

The presence of the Searcher and BBC crew will not impact on the cultural resources of the Monument. The BBC recognizes that the Monument is a sacred place for native Hawaiian peoples but the presence of the BBC crew will not in any way interfere with cultural use of the Monument by native Hawaiians.

ACTIVITY 2: Filming wildlife at French Frigate Shoals.

i) Safeguards for the natural resources and ecological integrity of the Monument:

The BBC film crew will be composed of highly experienced individuals who have many years of professional experience working with wildlife. The aim of the BBC crew is to document the wild and un-impacted natural behaviour of their filming subjects. As such it is imperative that the animal subjects are either oblivious or completely unconcerned by the presence of the crew. The crew are used to the necessity of making this so, and it is part of the field craft of a professional wildlife film crew to avoid disturbing their animal filming subjects. An additional filming protocol detailing technical safeguards the BBC film crew will adopt in order to avoid damage to the Monument natural environment are found within the attached document: Proposed BBC Filming Protocol 2012.

ii) Safeguards for the historic resources of the Monument:

Filming will be carried out at French Frigate Shoals, where there are no ancient settlements of historic or cultural importance, filming will therefore not be deleterious to the historic resources of the Monument.

iii) Safeguards for the cultural resources of the Monument.

It is recognized that In Hawaiian traditions, the Northwestern Hawaiian Islands are considered a sacred place as are many of the animal found there. The BBC's activities will be sensitive to this knowledge and will be non-invasive towards the animals, and place; and so should not impact on

this status. Filming will be in a relatively contained area so will not impact on Hawaiian user groups (for example the modern Hawaiian wayfinders).

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 BBC Natural History Unit is committed to minimizing the impacts of film shoots on the local environment. Our aim is to film completely natural wildlife behaviour, which necessitates that wildlife is un-disturbed by our presence. Advice of local representatives of the US Fish and Wildlife Service will be sought on best practices for minimizing the impacts of our activities within the monument, however there is no reason to believe that the BBC's activities will diminish Monument resources, or qualities. In addition, the shoot director (Ellen Husain) set up and oversaw diving operations on the BBC's previous 2007 shoot, and therefore has knowledge of the issues and considerations specific to working inside the Monument designated area. US FWS guidelines regarding bio-security and ecological integrity will be complied with. No indirect, secondary or cumulative effects are anticipated.

All materials brought into the Monument area will be removed.

The purpose of this trip is to film for a BBC wildlife documentary, this will involve no interaction with any of the cultural artifacts of the Monument. Respect to the sacred cultural status of the islands will be given, and our filming activities should not impact upon this. We therefore do not envisage either diminishment or enhancement to cultural resources and qualities of the monument by either direct, indirect, secondary or cumulative effects of our activities.

The purpose of this trip is to film for a BBC wildlife documentary, this will involve no interaction with any of the cultural artifacts of the Monument. Respect to the sacred cultural status of the islands will be given, and our filming activities should not impact upon this. We therefore do not envisage either diminishment or enhancement to cultural resources and qualities of the monument by either direct, indirect, secondary or cumulative effects of our activities.

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 wildlife behaviour to be filmed is location-specific. Filming of tiger shark predation on albatross is most effective at East Island, in French Frigate Shoals. French Frigate Shoals is one of only two locations where we know this tiger shark behaviour occurs, the other location is Midway Atoll, which also falls within the Monument area. The Midway location is problematic for our underwater filming for two reasons: Firstly it is known for poor visibility - and is therefore not only unlikely to provide the quality of footage needed for a film of this caliber, but

also poses a serious safety risk to have a crew in the water in low visibility conditions with many tiger sharks present. Secondly, the location is usually windy and is known for choppy seas, so topside long lens camera work would be problematic because of the movement of the boat.

We would like to withdraw the application to film the spinner dolphins at Midway.

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 BBC acknowledges that the Papahānaumokuākea area is host to many endangered or threatened species, both terrestrial and marine, some of which depend solely on Papahānaumokuākea for their survival, and that criteria ix and x for World Heritage status designation pertain to the unique and undisturbed natural resources and qualities of the island chain. The BBC Natural History Unit has been at the forefront of wildlife film making for more than 50 years, and takes a very serious and responsible attitude to avoidance of impacts on the natural resources it sets out to film. With experienced directors and camera and boat crew in place our aim will be to film the animals with no, or extremely minimal impact on their natural behaviour, so no significant adverse effect on the Monument's natural resources are envisaged.

Historic cultural resources as per criteria iii and iv of the World Heritage status application should not be impacted by the BBC's activities within the Monument. The film crew will not be visiting the historic cultural sites of Nihoa and Mokumanamana, so there will be no opportunity to impact upon archaeological sites. Attention will be paid to the sacred status of the Papahānaumokuākea area, but filming activities should not impact upon this.

BBC filming will not impact upon criterion viii of the World Heritage status application, since this pertains to the uniqueness of the Northwest Hawaiian islands as distinct linear example of ancient volcanic hotspot island chain formation.

Ecological integrity will be achieved by adherence to the rules regarding vessels discharge and clean hull policies.

In contrast to the projected low impact of the BBC filming on the Monument's cultural, natural, and historic resources, the end value of the film product is high in terms of educational outreach, and the ability of the series to "bring the place to the people". Other BBC natural history series such as the recent Planet Earth and Life demonstrate the positive value of wildlife film making in raising awareness and appreciation of the natural world, reaching mass audiences all over the world. Filming at French Frigate Shoals and Midway will promote public awareness of the Monument and its wildlife, as well as allow people who will never have the chance to visit in person to appreciate why the area is special, and why it should be conserved. We therefore submit that the benefits outweigh the impacts, which are very low.

The most recent comparable series to Survival is BBC /Discovery series "Life", which had several of the same producers as Survival. Simulcast across the Discovery family of channels,

Life reached an incredible 78.2 million viewers in the USA within one month. Life premiered in the UK (BBC One) on 12th October 2009 with an outstanding audience of 6.9 million for the first episode. To-date Life has been sold to 166 territories world wide, proving the far reach of such natural history series.

Survival has been undergoing research and development for approximately 1.5 years, and will be broadcast in the UK and USA in the autumn of 2014 with a similar profile, scale, and marketing to Life. The series will have taken 4 years to make.

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

We estimate 4 weeks maximum time within the Monument, but this is more likely to be around 14 days. Time would be composed of i) approximately 2 weeks within monument waters aboard the liveaboard boat, The Searcher, and ii) if needed, possibly an additional 2 weeks of a smaller 2-person crew either staying on land at Tern Island research station after departure of the Searcher (logistical capacity for this is currently under discussion with station manager Paula Hartzell, this component of the trip may not be needed if all filming is successful in the 2 weeks aboard the boat. In addition the BBC recognizes that the Research station is primarily for scientific purposes, and this component would only go ahead if our crew can be accommodated.)

Our proposed estimated schedule for the Searcher is as follows:

June 12th : Depart Honolulu  
June 15th : Arrive French Frigate Shoals  
June 28th : Depart French Frigate Shoals  
July 1st : Arrive Honolulu

This shoot is timed so as to use the minimum time window possible within the Monument whilst still being able to achieve the high production values (excellence of footage quality) needed for the Survival sequence. Since there are limited numbers of tiger shark attacks witnessed each day (estimates are normally 3 - 6 attacks per day) and attacks are very fast and hard to predict, this only gives a small number of opportunities to film this event. We also plan to film these events from both above and below the water, as well as building a sequence around the character of the albatross chick, so a minimum of two weeks is needed to accomplish this. In addition, the season for the attacks is predictable to some extent, but since the fledging is a natural event it could shift slightly, less than a two week window would present an unacceptable risk. The shoot would only be extended beyond the approximately two week window if the team had been unsuccessful with getting the appropriate quality of footage - for example if opportunities did not arise due to poor weather, or the fledging season being slightly delayed.

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

Director Ellen Husain is an experienced BBC wildlife director who has overseen shoots all over the world, specializing in marine and underwater film shoots. She has overseen more than 25 shoots for the BBC alone and has a background in marine ecology and field research, with a doctorate in the field of coral reef ecology. Ellen set up and directed on the BBC's 2007 shoot at French Frigate Shoals for South Pacific series, and has overseen at least four other shoots within Hawaiian waters.

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.

**PUBLIC LIABILITY INSURANCE:** Please refer to the attached cover note for the BBC's public liability insurance, which is valued at £15,000,000 (fifteen million pounds sterling) for any one occurrence.

**TRAVEL INSURANCE FOR PERSONNEL:** Please refer to the attached travel insurance policy for details of medical and emergency evacuation /repatriation cover for all personnel.

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.

Since it is our aim to film the natural, undisturbed, behaviour of our wildlife subjects our filming approaches and techniques will be designed not to impact upon these subjects. There should be little or no impact on cultural, natural and historic resources, qualities, and ecological integrity.

The construction of a filming platform within the lagoon would be carried out in order to reduce the need for crew to spend time on the island. Similar platforms have been constructed on the previous 2007 BBC shoot for South Pacific series, as well as for previous productions such as the Trials of Life. The dimensions of the proposed platform would be similar to those of the BBC's 2007 platform, which was around 15' high, with a deck of around 7' wide by 10' long. This platform was built on a sandy substrate and was secured to the substrate by means of its own weight, iron counter-weights, and stabilizing legs as per scaffold design height-width specifications. There was little impact of water movement on the platform since the structure within the water was composed of scaffold poles and exerted little drag. Pictures of the platform used in 2007 as viewed from above and below the water are attached. All components were removed on departure and since the platform was constructed on a sandy substrate there was

relatively little chance for interaction with benthic biota (as evidenced by the underwater pictures).

It is no longer intended to film bioluminescence in Midway at night.

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

We are in negotiations with the MV Searcher, which the BBC used in 2007. The MV Searcher has a history of operating within Monument waters is fitted with a mobile transceiver unit (VMS). In addition Captain Jonathan Littenburg will schedule clean hull inspection and rat-free certification to be completed shortly before the charter.

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

I hereby state that to the best of my knowledge there are no other factors which would make it inappropriate to grant the BBC a permit for the proposed filming activities.

#### 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?

The film will benefit the public case for conservation of the Monument by "bringing the place to the people". The Monument will be portrayed as a wild and un-touched place of extreme natural beauty – reinforcing its need for preservation and conservation. In addition to the main natural history sequence SURVIVAL will feature ‘behind the scenes’ reports and packages to be filmed as supplementary for the series. There is therefore scope for filming an issues-based report around the negative effects of marine debris and plastics, which can impact on our main albatross filming subjects. Director Ellen Husain has a background in marine biology (B.Sc.Hons; M.Sc., ; PhD.) with a commitment to marine conservation and will also be doing her own video diaries as part of the SURVIVAL series web presence. She will record a piece highlighting the impacts of marine debris with supplementary material filmed to illustrate this. SURVIVAL will have a high profile web presence which will showcase director's blogs.

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

Our filming is related to the unique and special wildlife of the Monument, as well as the outstanding beauty of the area, these qualities will be highlighted within the documentary film.

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)?

We will charter our own vessel (likely vessel: The MV Searcher)

## FOR SPECIAL OCEAN USE ACTIVITIES WITHIN MIDWAY ATOLL SPECIAL MANAGEMENT AREA

- n. Does the activity further the conservation and management of the Monument?  
Benefits to the monument will be by raising awareness of the unique wildlife and outstanding beauty of the Monument area, thereby promoting the case for conservation.
- o. Is your activity compatible with the purposes for which the Midway Atoll National Wildlife Refuge was designated?  
The application to film at Midway has been withdrawn.

**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:**

Description of procedures:

Underwater filming at French Frigate shoals will be carried out using SCUBA or rebreathers, diving from either a small boat, E.g. skiff or Zodiac.

We would like to temporarily construct a small platform in the water within the lagoon of East Island specifically for the purpose of long lens filming. In the BBC's previous 2007 a similar structure provided an effective filming platform, helping to minimize the need to spend time on land for long lens filming. A temporary platform has been used in the previous filming trips (Eg, the BBC's 2007 South Pacific film shoot, the Cousteau trip in 2006, and the BBC Trials of Life trip, in the 1980s), as a place to base divers and camera men near to East Island, when it helped reduce the need to go ashore. Ellen Husain, the current SURVIVAL shoot director designed and built the platform used for the BBC's 2007 filming, and the current platform will follow the same basic design, using scaffold poles and timber, this will be removed when filming is completed.

Topside and long lens filming will be conducted either from the platform, or on land (e.g. on Tern Island, or East Island, where permitted) – it is not possible to carry out long lens filming from a boat, since any movement of the boat at all is greatly exaggerated in the frame when the lens is zoomed in, creating an extremely shaky and completely unusable image.

Transport to filming locations:

It is expected that two small tenders will be brought with us, and that one of these will be dedicated as a dive boat, and the other used more generally as a tender, and also for transport of the topside camera people. The fledgling albatross filming is important for the Survival sequence in order to establish the character of the young albatross and the trials that lie ahead.

Need to enter seabird colonies and access to beaches: These would need to be accessed in order to film the adult and fledgling albatross' and other scenic views of the location.

Filming will be conducted as per prior guidance sought from relevant experts and scientific researchers with experience of working within the Monument.

Work at night: No filming is anticipated at night at French Frigate Shoals. It is no longer proposed to film bioluminescence at Midway atoll at night.

It is no longer proposed to film spinner dolphins at Midway atoll.

Need for Monument staff:

No need for monument staff is anticipated beyond general advice about the location, and what we are allowed to do.

**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:**

Please refer to attached certificate of BBC of Public Liability with indemnity limit of £15,000,000 (fifteen million pounds sterling) for any one occurrence.

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

Not applicable

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

SCUBA and rebreather diving equipment to be used during underwater filming.

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

Not applicable (aside from any fuel and general daily operational materials for the running of liveboard boat)

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

The BBC would like to construct a temporary platform similar to that used in the previous filming trips (Eg, the BBC's 2007 South Pacific film shoot, the Cousteau trip in 2006, and the BBC Trials of Life trip, in the 1980s). This will function primarily as a long-lens filming platform, reducing the need to go ashore. Ellen Husain, the current SURVIVAL shoot director designed and built the platform used for the BBC's 2007 filming, and the current platform will follow the same basic design, using scaffold poles and timber. The entire installation and all materials will be removed at the end of the filming period.

The dimensions of the proposed platform would be similar to those of the previous 2007 platform, which was around 15' high, with a deck of around 7' wide by 10' long. This platform was built on a sandy substrate and was secured to the substrate by means of its own weight, iron counter-weights, and stabilising legs as per scaffold design height-width specifications. There

was little impact of water movement on the platform since the structure within the water was composed of scaffold poles and exerted little drag. Pictures of the platform used in 2007 as viewed from above and below the water are attached.

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

Not applicable.

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.

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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