

**Papahānaumokuākea Marine National Monument**  
**SPECIAL OCEAN USE Permit Application**

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

**ADDITIONAL IMPORTANT INFORMATION:**

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

**INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED**

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

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

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

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

### **Summary Information**

**Applicant Name:** TOBIAS NOWLAN

**Affiliation:** PRODUCER/ DIRECTOR, Oceans 25 Limited

**Permit Category:** Special Ocean Use

**Proposed Activity Dates:** 2-3 WEEKS WITHIN PERIOD JAN 10 2024 – MARCH 31ST 2024

**Proposed Method of Entry (Vessel/Plane):** COMMERCIAL/FWS CONTRACTED FLIGHT FOR PERSONNEL (& SHIPPING OF CAMERA KIT ON FWS CONTRACTED IMUA)

**Proposed Locations:** KAUIHELANI (MIDWAY ATOLL)

**Estimated number of individuals (including Applicant) to be covered under this permit:** 2-3

**Estimated number of days in the Monument:** 12-24 (though we anticipate the shoot will fall in a two-week window between flight schedules)

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

a). The proposed activity would film the abundance of protected life in the Papahānaumokuākea Marine National Monument, to celebrate and recognize its effective and successful protection and conservation, resulting from the creation and management of the planet's most exemplary and largest marine reserve.

The filming will recognize and focus on the initiation, instigation and encouragement of this effective protection by the indigenous Hawaiian community. The importance of the Monument to the native Hawaiian community is crucial to the story, and we have already committed to the narrator referring to the Monument only as the **Papahānaumokuākea Marine National Monument** in the main script / body of the film.

The interviews with native Hawaiian fishers/ practitioners/ members of the community, will most likely be conducted and filmed outside the Monument in the Main Hawaiian Islands, for this section of the film. We also hope to capture some footage of tuna fishing in the Main Hawaiian Islands with Native Hawaiian fishers to accompany this section of the film and help demonstrate the importance of recovered *ahi* populations (that has resulted from the Monument's protection).

b). To accomplish this activity, we would spend several weeks filming long lens, UAV and low angle behavioral footage of the supreme abundance of bird life and marine life from the islands (using mainly surface-based filming techniques), and interviewing native Hawaiian cultural practitioner(s)/ fisher(s) who have first-hand experience or knowledge of how the monument has changed since its protection.

c.) This activity would help the Monument by recognizing, celebrating and broadcasting the remarkable benefits and success of the creation and dedicated, continued protection of the world's largest, most effective, and most impressive marine reserve on a huge global platform. We anticipate that this will be on a worldwide streaming platform such as Disney+ or Netflix, as well as a global theatrical release in cinemas. Distribution has been guaranteed by our parent company All3 Media, and we expect this film to be viewed by tens of millions of people in over a hundred countries. The film will also be delivered and shown at the global UN summits in 2025 for the 'Decade of the Ocean', and in other very important summits worldwide.

The reason we wish to film in the Monument is to demonstrate to the world how the ocean can be saved, by showing the best example of effective ocean conservation on Earth. This example of ocean recovery is especially important as it provides overwhelmingly clear evidence of the massive positive effects on pelagic, migratory species, including threatened and declining species. This case study is also hugely significant because its original declaration (as well as its continued support and importance) was due to the indigenous, local community – an extremely important part of the film's story.

#### **Other information or background:**

The Ocean feature film is an ambitious new project that sets out to reveal our newfound understanding of the Ocean – the ground-breaking recent discoveries in marine science, as well as the dangers posed by elements of worldwide industrial overfishing, and perhaps most importantly, the hugely exciting and surprising potential that the Ocean has to recover. By showing specific case studies including the Papahānaumokuākea Marine National Monument, we will demonstrate how, by protecting certain areas, the Ocean has the capacity to bounce back to life (and in doing so, allow the complete recovery of economies reliant on fishing). The aim is for this film to educate, surprise, excite and inspire people worldwide, and to generate genuine large-scale change in our Ocean.

**Section A - Applicant Information**

**1. Applicant**

Name (last, first, middle initial): TOBIAS EDWARD NOWLAN

Title: MR

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

TOBIAS EDWARD NOWLAN

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

[REDACTED]

[REDACTED]

[REDACTED]

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

OCEANS 25 LIMITED, SILVERBACK FILMS, SILVERBACK STUDIOS

**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):**

TOBY STRONG (PHOTOGRAPHY)

TOBY NOWLAN (DIRECTOR)

(we anticipate only 2 crew will join from the UK. In the event that one of these crew members are unable to join, one of the below personnel may join in their stead):

TBD PERSONNEL: RUTH HARRIES, OLLY SCHOLEY, KATE STREATHER, KEITH SCHOLEY, DOUG ANDERSON, HECTOR SKEVINGTON-POSTLES, JEFF HESTER, KYLE MCBURNIE, ELSIE BARKER, JACCA DEEBLE

USFWS RESOURCE MONITOR (Amanda Boyd or TBD)

## **Section B: Project Information**

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

<input type="checkbox"/> Nihoa Island	<input type="checkbox"/> Land-based	<input type="checkbox"/> Shallow water	<input type="checkbox"/> Deep water
<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
X Midway Atoll	X Land-based	X 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"/> Monument Expansion Area			
<input type="checkbox"/> Other			

NOTE: Shallow water is defined by water less than 100 meters in depth.

Remaining ashore on any island or atoll (with the exception of Sand Island at Midway Atoll 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:**

As directed by Monument staff, we are looking to film albatross populations, bird colonies, and on beaches at various sites on Midway Atoll.

### **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)

X 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:***

To film bird life and marine life (it is likely this will be entirely from topside/ surface-based positions) for the Ocean feature production.

**\*Considering the purpose of the proposed activities, do you intend to film / photograph federally protected species beyond the protocols provided in PMNM Best Management Practices (<https://www.papahanaumokuakea.gov/permit/bestmanagement.html>)? Yes ☒ No**

**If so, please list the species you specifically intend to target.**

Honu (green sea turtle - *Chelonia mydas*)  
'Ilio holo I ka uaua (Hawaiian monk seal - *Neomonachus schauinslandi*)  
Makalena (short-tailed albatross - *Phoebastria albatrus*)

However, of the above species, we would only be hoping to approach basking green turtles (honu) as close as possible without causing any disturbance.

**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/>**

We do not intend to film federally listed species beyond the described protocols. However, we do hope to include footage of several federally listed species in our filming efforts in order to properly show how conservation efforts have successfully encouraged and protected threatened/declining species, and how the Monument is the most important location on the planet for some of these species:

Honu (green sea turtle - *Chelonia mydas*)  
'Ilio holo I ka uaua (Hawaiian monk seal - *Neomonachus schauinslandi*)  
Makalena (short-tailed albatross - *Phoebastria albatrus*)

Whilst filming these species, we will be under full guidance of USFWS/NOAA monument staff and keep required, respectful distances.

**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?**

All filming activities will be conducted under guidance and supervision of Monument staff. We look forward to working with Monument staff on the ground to ensure this throughout the shoot.

Both Toby S and Toby N have many years of experience using precisely this filming equipment with some of the planet's most sensitive bird, mammal and reptile species, and are experts in their field.

Toby N directed a six-week film shoot in the Monument in 2021 (Kamole (Laysan) and Kapou (Lisianski) Islands) with Amanda Boyd, to film the movement and migration story of mōlī (Laysan albatross - *Phoebastria immutabilis*) chicks. By working closely with Amanda, he learnt how to navigate on land around fragile and sensitive seabird colonies, as well as on beaches near sensitive breeding 'lilio holo I ka uaua (monk seals) (mostly mother and pup pairs). He became very used to guiding a film crew (which was larger than the crew required for this shoot) around these highly sensitive islands, and became very familiar with all Monument protocols, including quarantine and disposal protocols.

Over the last ten years, Toby Strong has specialized in filming and working collaboratively with local indigenous communities to create honest and representative content.

Before the last shoot to the Monument, Toby N received training and education on the enormous importance and history of the Monument in native Hawaiian culture, and both he and Toby S very much look forward to welcoming much more information, guidance, and learning from the indigenous Hawaiian community with regards to the Monument's importance, creation, history and involvement today.

All filming will be conducted with the utmost respect and appreciation for the cultural and historical significance and integrity of Kauihelani (Midway Atoll) and the Monument. Extended research and conversations with the native Hawaiian community well in advance of the shoot will no doubt go far to assist in this understanding when we come to the filming itself.

We also would like to request and encourage extended input from the indigenous Hawaiian community as to the importance and meaning of various elements of the ecological resources in native culture, and use this information to focus much of the filming efforts, including filming subjects and the structure of the narrative.

**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 purpose of this film shoot is to demonstrate the global importance of the Monument – both culturally and ecologically, in the most immersive, intimate way possible, using the latest state-of-the-art surface-based filming equipment and techniques.

By using the very latest filming technology, the most experienced personnel, and designing a creative, ambitious, fresh and bold style and narrative, we anticipate/ hope that this shoot will create the highest caliber footage of some of the Monument’s unique ecological resources that will exist/ has ever been captured. Much of this footage / film resource will be available to the Monument, especially for educational use and especially after broadcast in 2025.

By raising awareness and educating a worldwide audience about the enormous ecological and cultural significance of the Monument with new footage in this way, we expect and hope it to encourage and cause the protection of other parts of our ocean in a similar way.

**c. Is there a practicable alternative to conducting the activity within the Monument? If not, explain why your activities must be conducted in the Monument.**

There is of course existing footage of seabird colonies and marine life within the monument, however there is none that sits firmly within the context of this ambitious and first-of-its kind feature film. Put simply, our aim and expectation is very much that this film and its associated outreach campaign generates serious, lasting and large-scale effective change in our ocean. This is not just our hope, but our determination and target, and the success of the film will be determined by our success in driving change. In order to achieve this, we must approach each part of the film in an innovative and forward-thinking way, which involves filming the Monument’s resources in a different way to all previous filming efforts. For many months before the shoot, we will be thinking very carefully about how to succeed in showing diversity and abundance in the Monument in a way that feels fresh and never-seen before on screen. Part of this will involve extensive storyboarding and shoot scripting, which will inform which specific filming equipment we employ. The editorial focus will be on how to demonstrate to a global audience the immense success of the creation and management of the world’s largest marine reserve.

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

As described above, we anticipate and plan for this film and its associated campaign to have a lasting and significant effect on boosting ocean conservation worldwide. This will only be possible if we include the very best coverage of the world’s largest and most effective marine reserve (and no-take zone) - Papahānaumokuākea Marine National Monument. By doing this, this film will create resources for the Monument’s long-lasting future use, helping/ enabling the Monument to boost its media profile, its on-screen and social media presence both nationally and internationally, and its ability to attract attention and support. As a result, we very much hope that this will help all those working with in their continual efforts to safeguard this globally significant location for many generations to come.

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

Toby N & Toby S are extremely experienced in planning shoots that are of adequate yet not unnecessary duration. With the very careful planning that will go into the preparation of this shoot, the filming window of two to three weeks will be, in our experience, the ideal length to capture what we need on film and create the sequence. The financial resources for this film come from a range of sources including marine NGOs. We have a huge responsibility to ensure that these resources are used in the best and most effective way possible, without wasting any on extra filming time on location. In order to avoid this, there will be careful scrutinizing and research of all possible factors, including many conversations with Monument staff, to ensure the shoot is not any longer than it needs to be. We can by all means provide a breakdown of the likely filming schedule as we move closer to the shoot, to demonstrate precisely how time will be allocated/ used on location in the most effective way possible.

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

The crew are among the most experienced of their profession, and are experts in filming very similar subjects in this way with this top-end equipment.

**TOBY NOWLAN**

Toby has spent the last 12 years making natural history documentaries, originally for the Discovery Channel's *North America*, before moving to join the BBC. Here his role developed in both camera work and filmmaking on productions including *Deadly 60* and BBC *Wild Arabia*. He then moved into the world of landmark natural history production, working on the BBC's flagship BAFTA and Emmy Award-winning *Planet Earth II* for the four years of its production. Following that, Toby joined Silverback Films to work on the BBC's *A Perfect Planet* and Netflix's *Dancing With the Birds*, where he worked a great deal in the remote jungles of New Guinea filming birds of paradise. He has spent the last four years producing two episodes of the upcoming major four-part series *Our Planet II* (Netflix). In addition to television production, Toby leads photographic research expeditions in search of some of the world's rarest and most endangered species, including the Javan rhino and the vaquita porpoise, and has been leading such expeditions for over 15 years.

Within the last 12 years, Toby has gained extensive experience filming in extremely remote locations, including some of the world's most remote tropical islands, with some of the world's most threatened seabird, cetacean, pinniped and turtle species, and in some of the largest seabird and turtle gatherings on the planet. Toby has directed many different cinematographers on natural history shoots on all continents and in all habitats, from the Arctic and Antarctica, to deserts, jungles and pelagic open ocean environments. Toby is very used to working closely with local communities and collaborating with the most experienced residents/ scientists/ local contacts on the ground to effectively and harmoniously film in a manner that is representative

and respectful of local contexts, and to completely minimize disturbance to sensitive ecological and cultural resources.

In 2021 Toby worked in the National Monument on a long shoot (total duration 2 months) to film mōlī (Laysan albatross - *Phoebastria immutabilis*) fledging and tiger shark predation on the ecologically sensitive islands of Kapou (Lisianski) and (Kamole) Laysan, under close guidance and support of the Monument staff. Toby gained extensive experience of the best management protocols, both in terms of working on the islands themselves, and in terms of shoot preparations (logistics and quarantine procedures). This shoot gave Toby crucial insight into how filming is possible on the islands, and the potential to create world-leading content in this extraordinary and important location. This experience has greatly informed his plans and ambitions to return to the Monument for this (very different) shoot this year.

#### TOBY STRONG

Toby has worked in many highly sensitive remote marine locations (including seabird colonies) and is incredibly familiar with management protocols required in such locations. He has filmed at such sensitive nesting sites on islands in the Galapagos, the Falkland Islands, the Orkney Islands, Catalina Island, the Antarctic, Northern Scandinavia, Peru and in many other countries. He has worked closely with Scientists filming the most sensitive corals in West Papua, The Spice Islands, Costa Rica, Ecuador and the East African coast, amongst others.

Toby is one of the world's leading wildlife cinematographers, and is a true expert in his field. His camera work has won many highly prestigious awards over the last twenty years. Some of his most celebrated productions are listed below.

**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 film is being funded by several sources, some of which are NGOs, including the Pristine Seas Foundation. Funding for the distribution of the film has been assured by Silverback Films' parent company All3 Media. The film is financially robust and well budgeted for the duration of production.

We will be filming for 2023 and 2024, going into edit late 2024, in order to deliver for the global UN summits in April 2025. The project has been fully staffed, with a production manager and production coordinator dedicated to managing and monitoring the budget.

This shoot has already been allocated a portion of the known filming budget, so it is confirmed that this shoot has full financial backing.

The funding has already been released for production and we are able to proceed with filming and all aspects of production.

**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 crew will not be bringing any unnecessary equipment or personnel on the shoot, keeping all presence within the Monument and on the atoll to a necessary minimum. Our proposed methods have been extremely well-tested and honed to become the most effective and appropriate they can be to this location.

We will ensure there is adequate (yet not unnecessary) personnel on the shoot to transport, carry and operate all the equipment we bring, and we are very experienced in managing this aspect of shoots effectively.

The equipment brought to conduct filming will be appropriate to the location, the climate, conditions, and desired shot list in order to get the most out of our filming efforts, and in order to minimize any presence/ impacts within the Monument (to cultural and natural resources).

By bringing the longest film lens in the industry, designed for these same specific purposes, we will be able to keep our distance from sensitive species, removing the need to make close, potentially disturbing approaches.

By encouraging, furthering and embracing all possible research and learning about the Monument's natural and cultural resources ahead of the shoot, both crew members will be well-informed as to any potential situation that could lead to slight disturbance/ impact, so such situations can be well avoided.

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

NA

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

Neither crew member has experienced a situation on any of the many film shoots they have led in the past, where their filming activity has resulted in any conflict, disturbance or negative impact on a location's ecological or cultural resources. One of our most important professional requirements is to only have positive, collaborative, respectful and inclusive impacts when working in the field, and we pride ourselves on upholding this reputation. We greatly look forward to working closely and learning from the Monument staff and local community as we progress our filming.

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

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

NA

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

NA

**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)?**

NA

**FOR SPECIAL OCEAN USE ACTIVITIES WITHIN MIDWAY ATOLL SPECIAL MANAGEMENT AREA, ANSWER THE ADDITIONAL TWO FINDINGS BELOW:**

**n. Explain how your activity will further the conservation and management of the Monument.**

As described above, the purpose of this shoot is to demonstrate the enormously beneficial effects that the declaration and management of the Papahānaumokuākea Marine National Monument on marine life (especially migratory pelagic fish populations), bird life, and the indigenous Hawaiian community. By celebrating and publicizing the story of the Monument's remarkable journey and the islands' spectacular recovery, we look forward to giving the Monument further opportunity to use resources for education and publicity, and to boost potential support and media attention.

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

*The purpose of Midway Atoll National Wildlife is to serve as a refuge and breeding ground for migratory birds, monk seals, sea turtles and other wildlife, while also protecting cultural resources from the Commercial Pacific Cable Company to the historic Battle of Midway (USFWS).*

The purpose of this shoot is to inspire, encourage and support the protection of small and large areas of ocean (both offshore over seamounts, and near shore along coasts), just as has been achieved for the Kauihelani (Midway Atoll National Wildlife Refuge). By demonstrating the power of the successful protection provided by the Kauihelani (Midway Atoll National Wildlife Refuge), we intend to make it clear how possible it is to enable the recovery of an enormous abundance and diversity of life at crucial locations such as these (by showing exactly what that recovery looks like – especially at Kauihelani (Midway), with the world's largest colony of albatross).

Additionally, the Refuge (as well as the Monument itself) provides a very clear example of how cultural significance can drive this protection, and how the protection in turn becomes not just of natural resources but of significant cultural resources, with specific reference to native Hawaiian culture. We intend for this to be a significant section and focus of the sequence.

**NOTE: If this is a first time Special Ocean Use activity, it will be subject to a pilot project and will be restricted in duration. Special Ocean Use activities proposed outside the Midway Atoll Special Management Area will require public notice of the application and an opportunity to provide comments is given at least 30 days prior to issuing the permit.**

## **8. Procedures/Methods:**

The crew will be filming nesting colonies of mōlī (Laysan albatross- *Phoebastria immutabilis*) and ka'upu (black-footed albatross - *Phoebastria nigripes*), as well as Endangered Makalena (short-tailed albatross- *Phoebastria albatrus*), to demonstrate the unparalleled abundance of bird life on Kauaihelani (Midway Atoll) and within the Papahānaumokuākea Marine National Monument. We intend to film parents feeding chicks, parents flying to/from land, large numbers of birds showing the size of the largest albatross colony in the world, and specific details of these species. We also hope to film animals on the beaches - hopefully Hawaiian monk seals and honu (green sea turtles) from a respectful and non-disturbing distance with our extremely powerful long lens and high-resolution RED camera.

We hope to film honu at multiple locations including Hale Honu or 'turtle beach', as well as birds and seals in the water (filmed from land).

We will likely film nesting seabirds on Sand and Eastern Islands (short-tailed albatross, Bonin petrel, boobies, frigates and sooty terns), and albatross colonies at frigate point.

We intend to demonstrate the abundance and diversity of life within the Monument by capturing stunning, frame-filling images of life in and around these islands.

We will be mainly using a cinematic high-resolution camera with a very powerful long lens in order to capture behavior. We will use wider lenses to capture the full context of the breeding colonies on the Atoll; by filling wider frames we will demonstrate the sheer abundance of life here to illustrate our point of spectacular recovery.

By using super low angle camera supports (low tripods), we aim to transport the audience to within the colonies in an immersive and intimate way, so the viewer is on a level with the subjects and experiences life within these busy, bustling communities.

We will creatively use light, frame rates, framing and camera movement to film our subjects in a fresh and innovative way, giving the audience a new and more engaging experience of life in these islands.

We will be filming on foot and carry our gear manually, transporting with us all necessary supplies for a day's filming.

We will shoot in 8K resolution at a low compression ratio to preserve the integrity and quality of the image.

We anticipate that most to all footage will be captured on land above the water. There is a small chance that we may wish to capture a few shots in shallow water just offshore using a 'split rig' (camera in a waterproof housing with a dome port that is half in/ half out of the water), or using a small pole cam (small camera in a waterproof housing on the end of a pole that is held by hand whilst standing in or near the water – such as a gopro on a pole). This would most likely be to simply film some 'split-screen' scene-setting shots of the island, looking back to shore, with some of the frame underwater, to help place the marine story of the Monument in the context of the ocean.

We hope to use a small UAV to film some aerial shots of the island, the coast, and of the spectacle of the breeding bird colonies. Toby S is an extremely experienced UAV pilot (one of the most experienced in the industry), and is very used to safely capturing rehearsed, well-planned moves for blue chip natural history films. Toby N, who is very used to directing UAV filming and has done so on many shoots in many parts of the world and with many species, will keep a close eye on both the shot (which would be discussed and agreed beforehand), and on the UAV itself.

**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:**

The production (and all of its staff and activities) has full liability insurance with Quartz insurance (documents can be attached and provided).

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

This shoot will provide resources not just for the feature film, but for an ambitious accompanying outreach/ impact campaign that will use the publicity drive of the film to roll out coordinated, collaborative action and support in 15 chosen 'priority countries' (of which the USA is one). It will also generate resources for 'Open Planet'; a non-for-profit initiative run by Silverback Studios to provide open-source world-class natural history content for non-for-profit use in conservation contexts. Footage from the shoot will therefore be used widely in multiple contexts.

By combining efforts for these different outputs, and by covering multiple elements (cultural elements, ecological elements, mammals, birds and reptiles, marine and terrestrial, animal and human, visual and audio), as well as by being extremely well prepared and researched ahead of time, we will make the most of the shoot and avoid the need for any additional trips.

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

Camera: RED Gemini/ Weapon/ Raptor  
RED Accessories  
Canon 50-1000 CN20 lens  
Canon 17-120 CN7 lens  
Assorted stills lenses: 17-24mm, 16-35mm, 20-200mm, 400mm  
Assorted cinema prime lenses (Cooke Lenses)  
Tall carbon fibre tripod  
Ronford Baker 2000/ Atlas 40 tripod head  
Low angle ‘baby legs’  
Low angle high hat  
DJI Mavic 3 UAV kit (with interchangeable lenses)  
DJI Inspire 2 UAV kit (with interchangeable lenses)  
Ladder for high angle coverage  
Timelapse camera (likely Sony A7R)  
Second small camera (likely Panasonic S1H)  
Edelcrone slider  
Ronin S/ small handheld gimbal equivalent  
Laowa probe  
Camera batteries & battery charger  
Download kit & download drives  
Nauticam/ Gates split rig camera & housing for handheld shallow in-water filming  
Nauticam/ Panasonic/ DJI Pole-cam for handheld shallow in-water filming

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

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

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

Select list of recent productions:

*Ocean*  
Netflix *Our Planet II*  
Netflix *Dancing with the Birds*  
Netflix *Our Planet*  
BBC *A Perfect Planet*  
BBC *Planet Earth III*  
BBC *Planet Earth II*

BBC *Wild Arabia*  
Discovery Channel *North America*  
CBBC *Naomi's Nightmares of Nature*  
CBBC *Deadly 60 Pole to Pole*  
BBC *Blue Planet 2*  
National Geographic *One Strange Rock*  
National Geographic *Warlords of Ivory*  
BBC *Bill Bailey's Jungle Adventure*  
BBC *Life Story*  
*National Geographic* Battle for the Elephants  
BBC *Human Planet*  
BBC *Earthshot*

**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:** Tobias Nowlan

**Date:** 3<sup>rd</sup> November 2023

**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?**

X Applicant CV/Resume/Biography

X 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