

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: Kevin Bachar

Affiliation: Pangolin Pictures and PBS/Thirteen

Permit Category: Special Ocean Use

Proposed Activity Dates: Last week of June and first week of July, 2020

Proposed Method of Entry (Vessel/Plane): NOAA compliant vessel “The Searcher”

Proposed Locations: French Frigate Shoals

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

Thirteen individuals estimated including film crew and boat crew

Estimated number of days in the Monument: 14 days

Description of proposed activities: (complete these sentences):

a.) The proposed activity would...

be to film a sequence in French Frigate Shoals of Great Frigatebirds and various species of albatross who mate, hatch, fledge and display other behavior, as well as Hawaiian monk seals for a natural history documentary for the respected PBS series titled NATURE, airing on PBS for free to the public in 2020 or 2021. We would also like to film tiger sharks exhibiting a behavior that is unique to Hawai'i and demonstrates their intelligence and learning ability to travel to FFS precisely when albatross first start to fledge. We are also requesting to film with a drone only over water, never over land, carefully following FAA drone guides as well as guides from the Monument.

b.) To accomplish this activity we would

charter the NOAA compliant vessel, The Searcher, from Kewalo Basin, Honolulu to French Frigate Shoals where we are requesting permission to film for five days from the boat, in shallow water and on land. 14 days in the monument are

requested to account for travel time and potential weather delays, while only 5 days of suitable weather at French Frigate Shoals is needed for this activity. All crew will sleep and eat on the vessel. Only Mr. Atkins and his film assistant, as well as any necessary boat crew, will leave The Searcher to film on beaches or in seabird colonies. Mr. Atkins will be filming with a telephoto lens that allows exceptional cinematographic quality while maintaining sufficient distance between Mr. Atkins and any wildlife. They would travel from the main vessel to shore on a 20-foot Zodiac Mark V. For drone filming, a licensed FAA pilot, Daniel Kwiatkowski, specialising in cinematic drone filming of wildlife would launch the drone from the boat (a small, cinematic drone that weighs less than 6 pounds - Mavic II). It would only film over water, never in or over the bird colonies. A drone camera assistant will spot the drone to ensure that it does not interfere with bird flight patterns. Mr. Kwiatkowski assisted Mr. Atkins in 2013 on our previous filming permit in the Monument so he is familiar with the fragile and important ecosystems of the Monument (it should be noted that there was no drone filming at the time of our 2013 filming).

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

supporting the Vision and Mission of the Monument by using the powerful and engaging medium of documentary television to reach nearly every household in the United States and territories to encourage a deep reverence, appreciation, and respect for the importance of the Monument and Hawaiian ecosystems. Filmmaking plays an important role in shaping culture; this film will have the power to inspire appreciation for the natural world, ecosystems in Hawai‘i, and Hawaiian culture which is so closely tied to the ocean and native animals. Public support for the natural world is a key player in shifting policy towards protection and perpetuation of ecosystems, including NWHI ecosystems, for generations today and for posterity.

Other information or background:

In 2013, Pangolin Pictures had the honor of sending a two person film crew to French Frigate Shoals for the filming of a scene for our documentary “Wild Hawaii” which aired on National Geographic and was ultimately nominated for an Emmy (permit number PMNM-2013-007). Paul Atkins was the director of photography for our 2013 program and is director of photography for our current PBS NATURE program. Mr. Atkins has specialized in wildlife filmmaking for four decades, has a Bachelor of Science (FSU) and Master of Science (HU) studying coral reef behavior and zoology, has won numerous Emmy awards, filmed on nearly every continent, worked on renowned Hollywood productions (such as

Academy Award winning films “Master and Commander” and “The Revenant”), was praised by Sir David Attenborough for “his profound understanding of the animals he films,” and is a Hawai’i local.

Section A - Applicant Information

1. Applicant

Name (last, first, middle initial): Bachar, Kevin

Title: Director/Producer of the film

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

Paul Atkins, MS, ASC is the person responsible in the field. He is the Director of Photography for the documentary. Mr. Atkins’s resume is attached.

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

Phone:

Fax:

Email:

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

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

Pangolin Pictures and PBS/Thirteen:

Pangolin Pictures was founded in 1995 by Emmy-winning National Geographic senior producer, Kevin Bachar. Since then, Pangolin has produced dozens of documentaries for PBS, National Geographic, Discovery Channel, Smithsonian, the Cornell University Lab of Ornithology, NatGeo Wild, and several other international networks. Pangolin Pictures documentaries have received numerous honors including three Emmy awards, two Wildscreen Panda nominations, the prestigious Genesis Award, two Cine Golden Eagles, and three Cindy Awards among others. Our documentary, African Grey Parrot: Species in

Decline, co-produced with Cornell, was presented at the IUCN Cites convention in 2016 where it was an influential factor in the decision to move the Parrot to Appendix I in an effort to protect the animal from extinction. Our team's expertise in filming wildlife, passion for conservation, and respect for nature make us one of the world's top production companies in natural history filmmaking today.

PBS, which will be airing the documentary and is funding the program, is a nonprofit organization that is considered “America’s Classroom,” and for fifty years has brought reliable, trusted, high quality programming to the American public. PBS reaches 83% of all US television households, a viewership 70% larger than that of Discovery Channel and notably larger than other television networks. Our documentary for PBS’s series “NATURE” will “educate, engage, and inspire all Americans” by promoting learning and reverence for the natural world through “the power of media. ” PBS NATURE has won many Emmy awards as well as winning the venerated Sierra Club honors--evidence of a proven history of dedication to environmental storytelling of the highest quality.

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):

1. Director of Photography - Paul Atkins
2. Drone Pilot - Daniel Kwiatkowski or other equally qualified drone pilot
3. Camera Assistant - individual to be determined
4. Production Assistant - individual to be determined
5. Production Assistant - individual to be determined
6. Boat Captain - Jonathan Littenberg
7. Boat crew - individual to be determined
8. Boat crew - individual to be determined
9. Boat crew - individual to be determined
10. Boat crew - individual to be determined
11. Boat crew - individual to be determined
12. Boat crew - individual to be determined
13. Boat crew - individual to be determined

Section B: Project Information

5a. Project location(s):

Ocean Based

<input type="checkbox"/>	Nihoa Island	Land-	<input type="checkbox"/>	based Shallow	<input type="checkbox"/>	water Deep	<input type="checkbox"/>	water
<input type="checkbox"/>	Necker Island		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
	(Mokumanamana)	Land-based	<input type="checkbox"/>	Shallow water	<input type="checkbox"/>	Deep water	<input type="checkbox"/>	
<input type="checkbox"/>	√ French Frigate Shoals		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	√ Land-
<input type="checkbox"/>	based	√ Shallow water	<input type="checkbox"/>	Deep water				
<input type="checkbox"/>	Gardner Pinnacles	Land-	<input type="checkbox"/>	based Shallow	<input type="checkbox"/>	water Deep	<input type="checkbox"/>	water
<input type="checkbox"/>	Maro Reef		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>	Laysan Island	Land-	<input type="checkbox"/>	based Shallow	<input type="checkbox"/>	water Deep	<input type="checkbox"/>	water
<input type="checkbox"/>	Lisianski Island, Neva Shoal		<input type="checkbox"/>	Land-based	<input type="checkbox"/>	Shallow water	<input type="checkbox"/>	Deep
<input type="checkbox"/>	water		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>	Pearl and Hermes Atoll				Land-based	Shallow water		Deep water
	Midway Atoll				Land-based	Shallow water		Deep water
	Kure Atoll				Land-based	Shallow water		Deep water
	Other							

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:

We will be filming in French Frigate Shoals. On our previous permit in 2013, we filmed fledging albatross on East Island, however the island was nearly entirely washed away by Hurricane Walaka in 2018. Therefore, we are in close contact with scientists and biologists who conduct their research in French Frigate Shoals to determine the exact location for filming albatross. We currently are planning to film on or in the water surrounding Tern and Trig Islands, however, this is subject to change based on advise from the scientists.

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:*

The purpose of the proposed activities is to film natural history footage in order to produce a “blue-chip” documentary of the highest quality to air on PBS in the Fall of 2020, available for free to the public. The documentary will teach a wide audience through exciting and dynamic visual storytelling of different species of marine animals and how they interact with their environment and other species, ultimately inspiring awe and respect for the Monument, Hawaiian ecosystems outside of the Monument, and for the natural world.

The goals of the activities in the Monument are to (1) film monk seals, seabirds, Laysan albatross, black-footed albatross, and other albatross at French Frigate Shoals, tiger sharks and any other species we may encounter while at French Frigate Shoals, (2) film the animals’ normal behavior and interactions in their natural habitat, and ultimately (3) support PBS to achieve their mission to “educate, engage, and inspire all Americans” by using the powerful medium of documentary film to promote learning and reverence for the natural world while reaching almost every household in the US -- an audience that is larger than nearly any other network, which also (4) supports the Vision of the Monument by bringing awareness and respect of the Monument to nearly every American household and inspiring support and understanding for the necessity to “forever protect and perpetuate ecosystem health and diversity and Native Hawaiian cultural significance of **Papahānaumokuākea**.”

*Considering the purpose of the proposed activities, do you intend to film / photograph federally protected species? Yes No

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

The Hawaiian Monk Seal is the only federally protected species we intend to film, though we will maintain sufficient distance as to comply with monument BMPs.

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

<http://www.fws.gov/endangered/>

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

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

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

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

7. Answer the Findings below by providing information that you believe will assist the CoTrustees in determining how your proposed activities are compatible with the

conservation and management of the natural, historic, and cultural resources of the Monument:

The Findings are as follows:

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

We will abide by all guidelines outlined by the Monument, including biosecurity measures. Additionally, Pangolin Pictures has a history of respecting cultural, natural and historic resources and ecological integrity wherever we film. Our company does extensive research during the production of all of our documentaries in order to approach each project with the utmost respect for cultural, natural and historic resources--such research includes working with locals to respect local culture and customs, turning to scientists and researchers for the latest science and for advice in best methods when working with animals, researching and reading scientific publications about the animals we intend to film and their surrounding environment, working exclusively with wildlife documentarians who have extensive and diverse experience in natural history filmmaking, and carefully and meticulously following the guides and procedures outlined in each permit.

Our priority has always been and continues to be to ensure the safety and comfort of the species we film and any other animals we encounter with the absolute least impact possible.

Producers are working with top experts in their fields to ensure all filming in the Monument is safe and respectful to the animals, factually accurate, and does not cause any negative impact whatsoever on the animals and the environment.

- 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?

This documentary will meet both the mission of the Monument and PBS mission is to “strengthen the social, democratic, and cultural health of the U.S.” This program will show the public that the Northwestern Hawaiian Islands are integral components to the survival of multiple species of birds, sharks, and the endangered Hawaiian Monk Seal. By discussing the urgent importance of

maintaining a protected area for these animals and by showing the general public engaging, captivating, cinematic images of the precious and unique wildlife in Hawai'i, our film will promote the conservation of the Monument's resources and will help to engender a cultural environment in the United States of respect for nature and appreciation for its importance and beauty during such a critical time in our planet's history. The powerful influence that film is on culture will allow a widespread, positive, lasting effect on the Monument by continuing to positively shape public opinion and American culture towards conservation and respect for the natural world.

- 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 documentary is an exploration of the wildlife that lives in Hawai'i and, for this scene specifically, the Monument itself. Stock footage of the target species that meets the industry standard, PBS's precedents of excellent quality material, and current camera standards that match ever-improving technological advances is not available. Therefore, it is required that we film original footage on site within the Monument.

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

We do not foresee any adverse impacts on the Monument. We are approaching the making of our film with respect to Hawaiian culture and to the natural and historic resources within the Monument. Because our documentary will "bring the Monument to the people," it will allow a potential audience of 230 million people to learn and appreciate this environment without creating any negative impacts of carbon-heavy touristic travel to Hawai'i or entering the fragile ecosystems there.

We recognize that Papahānaumokuākea is a refuge for many animals and is integral to the survival of all species that reside within or migrate through the NWHI, so we take a very serious and conscious approach to filming wildlife. PBS NATURE has been working in wildlife filmmaking for 39 years and adheres to very strict guidelines and protocols when interacting with wild animals and ecosystems. Our cameraman is very experienced in working with wildlife and understands how to film with as little as possible to no interference with the animals' natural behavior or habitat.

The historical resources of the Monument will not be impacted by our crew as we do not intend to visit the historic cultural sites of Nihoa and Mokumanamana.

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

We are requesting to be in the monument for 14 days to account for travel time and potential weather delays, though only 5 days of suitable weather at French Frigate Shoals is needed for this activity. Weather permitting, the full time in the monument will likely be close to 9 days. For natural history filmmaking it is common to be in the field for several weeks to increase the likelihood of seeing specific behaviors (such as tiger sharks predating on albatross), therefore a field time of only nine days, including travel days from Honolulu to French Frigate

Shoals, is a more modest timeframe that respects the fragile ecosystem of the Monument by limiting our time there. The duration of activities is not longer than necessary to achieve the activity's intended purpose.

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

Pangolin Pictures has years of experience in natural history filmmaking and proven ability to execute all wildlife filmmaking with the utmost respect for nature as evidenced by the numerous permits that Pangolin Pictures has been granted in the U.S. through such departments as the Papahānaumokuākea Marine National Monument, Halaku Forest National Wildlife Refuge, Hawaii County Parks, the State of Hawaii, the National Park Service, NY Office of Parks, Recreation and Historic Preservation, Gateway National Recreation Area, as well as permits in protected areas across the globe.

To ensure our team is qualified to conduct and complete the activity of filming while mitigating any potential impacts from its conduct, Pangolin Pictures has carefully assembled a highly experienced team with decades of experience filming wildlife. We will abide by all rules outlined by the Monument to mitigate any potential impacts. Additionally, our research team is in contact with scientists and researchers who conduct their work in the Monument or study the ecosystems or animals there for further advice on preventing any potential negative impacts.

Our Lead Investigator is Paul Atkins, MS, ASC, a wildlife filmmaking expert and Hawai'i local. Mr. Atkins will supervise all activities under the permit and conduct underwater filming. Mr. Atkins is an esteemed wildlife cinematographer who has been filming wildlife in Hawai'i for nearly four decades. Mr. Atkins is equipped with a wide range of scientific and professional knowledge; he has a Bachelor of Science in Marine Biology from Florida State University, a Master of Science in Marine Biology from the University of Hawaii (UH), and began a PhD in coral reef behavior at UH before transitioning into environmental cinematography. Mr. Atkins has been praised by Sir David Attenborough for "his profound understanding of the animals he films".

Kevin Bachar, director and producer of the documentary, is an Emmy-winning filmmaker and the founder of Pangolin Pictures, with 35 years of experience filming wildlife on nearly every continent. Before founding Pangolin Pictures in 1995, Mr. Bachar was a senior producer at National Geographic for ten years. He has worked with the world's foremost experts on all of his environmental documentaries filming every class of animal. Mr. Bachar is well versed in the nuances involved in filming wildlife. Under Mr. Bachar's direction, Pangolin

Pictures has produced natural history documentaries for PBS, National Geographic, Smithsonian, Discovery, Cornell University Lab of Ornithology, and other international networks. In 2016, Mr. Bachar produced a documentary with the Cornell Lab of Ornithology about the African Grey Parrot, which was presented at the IUCN CITES Convention to advocate for the bird's protection. That Fall, the species was moved to Appendix I, protecting it from the trading that was driving it toward extinction.

Daniel Kwiatkowski is an FAA-licensed pilot with over 100 UAS flight hours filming marine animals. He has worked with Mr. Bachar and Mr. Atkins on over a dozen natural history documentaries and is highly knowledgeable about the delicate process of observing and filming animals as a wildlife drone cinematographer. If drone filming is approved, either Mr. Kwiatkowski will be our drone pilot or another pilot of equally qualified or greater experience in natural history filmmaking.

- 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.

Attached is the last page of the contract between Pangolin Pictures and PBS who is the financial sponsor of this program. If the Monument requests more evidence of financial resources, please email [REDACTED].

- 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.

Because our activities are limited to filming only, we do not anticipate any negative impact on the Monument. We intend to minimize potential impact by keeping an appropriate distance from the wildlife. Mr. Atkins's decades of experience will inform his prudent choices regarding the filming of the animals as well as the Watchable Wildlife Guidelines. We will not be using any equipment or techniques that are new, untested, or otherwise have unknown or uncertain impacts on the physical environment or animals. Paul Atkins will only use filming techniques that he has used in the past, including methods he used under our previously granted Monument permit PMNM-2013-007.

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

Yes, *The Searcher* complies with all requirements and is an approved vessel.

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

We will not film or conduct any activities that are not outlined in this application.

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.

Yes, the activity will benefit the conservation of the Monument by encouraging respect for the Monument and the animals and ecosystems within Papahānaumokuākea and therefore garnering support for conservation of the Monument.

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

Yes, the project is to film a documentary, which will educate the general public about the ocean, animals, and ecosystems in the Monument.

- 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)?

No, this does not involve the use of a commercial passenger vessel.

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.

Not applicable.

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

Not applicable.

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.

This is not a first-time Special Ocean Use activity. Pangolin Pictures used an SOU permit in 2013 to film wildlife on FFS for a documentary collaboration with National Geographic, which was nominated for an Emmy.

8. Procedures/Methods:

We will travel to our work locations by departing from Kewalo Basin in Honolulu on the approved vessel The Searcher and cruising to French Frigate Shoals. When there, Paul Atkins will enter the water with snorkel gear and an underwater cinematic camera to film marine sequences. We are requesting permission to access the seabird colonies and beaches. Mr. Atkins, a film assistant, and one or two boat crew (whichever is deemed necessary by the captain) will board a 20foot Zodiac Mark V to go to shore where Mr. Atkins and assistant will walk onto land to film the seabirds. This would happen at sunrise and filming would end before sunset. Before sunset, or earlier, the crew will return to The Searcher. No filming will occur at night. No persons and no equipment will stay or be left on land overnight. For the water sequences, Mr. Atkins will enter the water either from the The Searcher or the Zodiac (whichever the Captain advises). A safety snorkeler or a camera assistant will join him in the water if deemed necessary. An assistant on the boat will watch Mr. Atkins as he is in the water. Mr. Atkins will swim to film wildlife (birds, tiger sharks or monk seals) but will maintain distance from the animals to try not to alter their behavior by his presence. Mr. Kwiatkowski will launch the drone from the deck of the Searcher. He will not fly the drone over bird colonies. If monk seals are present, he will not fly the drone lower than twenty meters above them to ensure their behavior is not changed by the drone's presence. Mr. Kwiatkowski will abide by all FAA regulations in terms of height and speed of the drone and will only fly the drone during weather and animal permitting conditions. He will avoid bird flight patterns.

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:

A Certificate of Insurance is submitted along with this application.

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

As part of Pangolin Pictures' record of approaching all natural history programming through extensive research and preparation ahead of filming any wildlife sequence, our natural history researcher has been in direct contact with scientists and teams who conduct their research in French Frigate Shoals and the Northwestern Hawaiian Islands to seek information about the animals and ecosystems we intend to film, as well as, any additional advice the scientists can offer, including how best not to disturb the local environment or if any other research is being conducted in the same area and could interfere with each other's work or the environment. No such conflict has been found.

In order to reduce duplicative activities in the Monument, our research team has searched for any other Special Open Use permits and found one Special Ocean Use permit application submitted by Helen Jane Macdonald. Ms. Macdonald's requested activities would take place on Midway Atoll, which is notably not in the same area as our filming zone, which is within French Frigate Shoals. We do not anticipate any conflict or overlap between our filming and Ms. Macdonald's research.

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

Filming Equipment:

Sony FS7 Camera (1)
RED Camera (1)
Lens (4)
Gates underwater camera housing (1)
DJI Mavic drone (1)
Tripod (1)

Snorkel Gear:

Goggles (2)
Snorkel (2)
Flippers to be determined (4)

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: 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.



December 23, 2019

Signature

Date

SEND ONE SIGNED APPLICATION VIA MAIL TO THE MONUMENT OFFICE BELOW:

NOAA/Inouye Regional Center
NOS/ONMS/PMNM/Attn: Permit Coordinator
1845 Wasp Blvd, Building 176
Honolulu, HI 96818
FAX: (808) 455-3093

DID YOU INCLUDE THESE?

- √ Applicant CV/Resume/Biography
- √ Intended field Principal Investigator CV/Resume/Biography
- √ Electronic and Hard Copy of Application with Signature n/a
- Statement of information you wish to be kept confidential n/a
- Material Safety Data Sheets for Hazardous Materials