

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: Wayne A. Levin

Affiliation: Freelance Photographer

Permit Category: Special Ocean Use

Proposed Activity Dates: 6/1/09 - 12/31/09

Proposed Method of Entry (Vessel/Plane): Vessel

Proposed Locations: Various sites throughout Papahānaumokuākea Marine National Monument as determined by research vessel schedules.

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

Estimated number of days in the Monument: Number of days dependent on length of research trip

Description of proposed activities: (complete these sentences):

a.) The proposed activity would...

The proposed activity is to photograph both marine life and terrestrial environments in the Papahānaumokuākea Marine National Monument to educate and increase public awareness about the Monument.

b.) To accomplish this activity we would

To accomplish this I would photograph by means of skin diving and a limited amount of scuba diving. To the extent possible, go on shore to take terrestrial photographs.

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

This activity will help the Monument by increasing public awareness and deepen public appreciation for the Monument's biological, cultural and historical significance. This project connects people with their Monument and builds support for the Monument management regime that limits human access to protect these fragile living resources. To do this I would exhibit the

photographs in exhibitions that I would organize, and the photographs will be available for NOAA Monument education and outreach use.

Other information or background:

Section A - Applicant Information

1. Applicant

Name (last, first, middle initial): Levin, Wayne A.

Title: Mr.

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

Wayne A. Levin

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

[REDACTED]

Phone: [REDACTED]

Fax:

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):

Freelance Photographer

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):

One TBA Monument Escort.

Section B: Project Information

5a. Project location(s):

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

Based on ship schedule. Will submit with compliance information sheet.

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 this project is to photograph the Monument and use the photos to educate and increase public awareness and deepen public appreciation for the Monuments biological, cultural and historic significance. This project connects people with their Monument and builds support for the Monument management regime that limits human access to protect these fragile living resources. To do this I would exhibit the photographs in exhibitions that I would organize and the photographs will be available for NOAA Monument education and outreach use.

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?

My activity will be conducted with adequate safeguards for the cultural, natural and historic resources and ecological integrity. While on the vessel all NOAA waste management and environmental safeguarding practices, including dive gear disinfection protocols will be followed. I will minimize my impact by not disturbing the seabed, not stepping on coral or touch anything. I will receive a Native Hawaiian cultural briefing before departure. I will also be escorted by a Monument staff member while conducting my work on land and in the ocean, and have additional escorts from the NOAA Protected Species Division field staff should the opportunity arise to photograph a Hawaiian monk seal. Prior to entering the Monument, I will receive a briefing from the NOAA PSD office on proper etiquette, precautions and other BMP's while working in areas that may have Hawaiian monk seals or other marine mammals (e.g. dolphins) present.

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 project will increase public awareness and deepen public appreciation for the Monuments biological, cultural and historical significance. The project connects people with their Monument and builds support for the Monument management regime that limits human access to protect these fragile living resources. To do this I would exhibit the photographs in exhibitions and the photographs will be available for NOAA Monument education and outreach use. My activity will be conducted with adequate safeguards for the cultural, natural and historic resource and ecological integrity. As previously stated, while on the vessel all NOAA waste management and

environmental safeguarding practices, including dive gear disinfection protocols will be followed. I will minimize my impact by not disturbing the seabed, not stepping on coral or touch anything. I will receive the required cultural briefing on the significance and importance of the Northwestern Hawaiian Islands to Native Hawaiians prior to departing for the Monument, and I will treat all Monument resources with respect and care. I will also be escorted by a Monument staff member while working in the ocean and on land. I will take the utmost care to not in any way disturb or damage the aquatic or terrestrial environments within which I work.

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 no practical alternative to conducting this activity in the Monument. The goal is to educate people about the Monument. Since access to the Monument is limited this project will bring the Monument to the people through photographs. The photography can only be done on location at the Monument. This goal cannot be achieved without going to 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?

I am accustomed to photographing with extreme caution to minimize my impact on the fragile environment. The benefits of the photographic images that I would hope to obtain would be of extreme importance for public awareness and education.

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

I would go on one cruise only which would be the minimum exposure possible in order to achieve my objective.

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

I am a professional photographer with 30 years experience specializing in the marine environment. My work is recognized nationally and internationally having been exhibited, published and collected throughout the world and has received a number of major awards.

g. Provide information demonstrating that you have adequate financial resources available to conduct and complete the activity and mitigate any potential impacts resulting from its conduct.

This would not be a financial burden as I am financially secure. I have all the photographic equipment necessary to complete this project. The main expenses of this project would be film, printing, and framing costs which would be easily affordable for me.

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.

As previously stated, I would photograph with the utmost sensitivity to both the marine and terrestrial environments. I will minimize my impact by not disturbing the seabed, not stepping on coral or touch anything. I will receive a Native Hawaiian cultural briefing before departure. I will be escorted by a Monument staff member. I will take the utmost care to not in any way disturb or damage the aquatic or terrestrial environments within which I work.

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

Yes, NOAA Ship HIALAKAI has a working, type-approved VMS.

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

FOR SPECIAL OCEAN USE ACTIVITIES OUTSIDE OF MIDWAY ATOLL SPECIAL MANAGEMENT AREA

k. Will the activity directly benefit the conservation and management of the Monument?

Yes the activity would be a direct benefit in that it would increase public awareness of the necessity to protect the Monument.

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

Yes, the purpose of this activity is directly related to and dependent on the resources and qualities of the Monument. This project will bring the Monument to the people and increase public awareness and deepen public appreciation for the Monuments biological, cultural and historical significance. This project connects people with their Monument and builds support for the Monument management regime that limits human access to protect these fragile living resources.

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

FOR SPECIAL OCEAN USE ACTIVITIES WITHIN MIDWAY ATOLL SPECIAL MANAGEMENT AREA

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

I feel that my activity will further the conservation of the Monument, as it will increase public awareness and support of the Monument.

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

Yes, my activity is compatible with the purposes for which Midway Atoll Wildlife Refuge and the Papahānaumokuākea Marine National Monument was designated. It will increase public awareness of Midway Atoll Wildlife Refuge and the Papahānaumokuākea Marine National Monument.

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:

My method of photographing is to be aware that I am a visitor in a fragile environment, and to show extreme caution, and respect for that environment. I never touch or move things, and photograph the environment as I see it, with no manipulation.

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:

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

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

5 Nikonos V underwater film cameras with an assortment of lenses. One Nikon D-200 digital camera. A Gitzo tripod. Full complement of Scuba Diving and Snorkeling Gear.

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:

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With knowledge of the penalties for false or incomplete statements, as provided by 18 U.S.C. 1001, and for perjury, as provided by 18 U.S.C. 1621, I hereby certify to the best of my abilities under penalty of perjury of that the information I have provided on this application form is true and correct. I agree that the Co-Trustees may post this application in its entirety on the Internet. I understand that the Co-Trustees will consider deleting all information that I have identified as “confidential” prior to posting the application.

Signature

Date

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

Papahānaumokuākea Marine National Monument Permit Coordinator
6600 Kalaniana'ole Hwy. # 300
Honolulu, HI 96825
FAX: (808) 397-2662

DID YOU INCLUDE THESE?

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