

**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:** Damon Calderwood

**Affiliation:** Author/Photographer

**Permit Category:** Special Ocean Use

**Proposed Activity Dates:** April 21-May 16, 2009

**Proposed Method of Entry (Vessel/Plane):** Vessel (Eastern Island); Plane (Sand Island)

**Proposed Locations:** Eastern and Sand Islands (Midway Atoll)

**Estimated number of individuals (including Applicant) to be covered under this permit:** 1

**Estimated number of days in the Monument:** Sand Island (10 days); Eastern Island (15 days)

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

a.) The proposed activity would...  
be to take digital photographs (from a doghouse blind) of some of the following species of seabirds interacting with their young: Laysan Albatross, Black-footed Albatross, Wedge-tailed Shearwater, Christmas Shearwater, Red-footed Booby, Masked Booby, Great Frigatebird, Red-tailed Tropicbird, White-tailed Tropicbird, Common Fairy-Tern, Black Noddy, Brown Noddy, Sooty Tern, Gray-backed Tern, and the Island Canary.

b.) To accomplish this activity we would ....  
need to have access to areas on Sand and Eastern Island where the above seabirds are nesting and rearing their young.

c.) This activity would help the Monument by ...  
the following methods: the end result of these activities would be to publish these pictures in a book which in turn would help to promote the Monument as a tourist destination for wildlife viewers, and to help promote the continued conservation of birdlife in the Monument. A copy

DVD of all photographs taken in the Monument would be donated to the Monument staff for unlimited use at their discretion to promote the Monument and its wildlife to tourists and researchers.

**Other information or background:**

I have published one book already, called *Flights of Fantasy: Photographing North American Birds*, and am currently readying a second book for publication, entitled *Moments of Discovery: Photographing North American Birds*. Both books seek to promote the conservation of birds through the education of the public to their beauty and fragility. My intention would be to do the same with a book on Midway's seabirds.

I am also working on a third book, called *Baby Birds*, which seeks to educate three to five year-olds about the family lives of birds and how they are similar to that of humans. I am hoping to include some photographs taken at Midway in this book.

In addition, I give frequent educational lectures and powerpoint shows in Vancouver, British Columbia and elsewhere about birds and the need to promote their conservation, especially through preservation of habitat.

Finally, my photographs have been displayed at several Vancouver area Art Galleries, which has helped to draw much needed attention to avian beauty and welfare. I hope to continue to do this with all photographs taken at Midway Atoll.

**Artist Statement:**

I want to share the beauty of nature close-up with others. My images, taken over the past four years in habitat ranging from Arctic tundra to desert scrub, are of the very intimate family lives of birds, and with the use of high-speed strobes I have often been able to capture them in flight. I believe very strongly that education will lead to conservation, and that those who are moved by the beauty of birds will be advocates on their behalf as we continue to move into the 21st century—and the ever encroaching tide of human development.

**Biography:**

As a young boy, Damon was always fascinated with nature and its beauty. Early experiences photographing reptiles, amphibians, and insects soon led Damon to discover birds and their fascinating world. Damon was educated at U.B.C., where he received degrees in Animal Biology and Education. When Damon met Don Waite, author of *The Art of Photographing North American Birds*, he began to learn how to photograph birds in flight using high-speed strobes. Don has mentored Damon since 1990, and has designed his first book, *Flights of Fantasy: Photographing North American Birds*.

Damon has taught science in the Coquitlam School District since 1995. His real passion, however, is photographing birds in the wild and sharing the pictures with others. Many of his shots can be found at [www.globalbirdphotos.com](http://www.globalbirdphotos.com).

## **Section A - Applicant Information**

### **1. Applicant**

Name (last, first, middle initial): Calderwood, Damon Scott

Title: Mr.

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

Damon Calderwood

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

Phone:

Fax: n/a

Email:

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

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

Independent author/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):**

None at this time.

**Section B: Project Information**

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

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

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

**Location Description:**

Sand and Eastern Islands, Midway Atoll. Land only, at areas where birds are interacting with their young.

**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 taking these photographs is to educate the public about Midway's birdlife and the need for conservation of all birds through the publication of one or more books.

**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:**

I believe that one of the principal ways to promote conservation of habitat is to educate the public about wildlife. Photographs, comined with educational text, are a very powerful medium to impact the public.

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?

I photograph all my birds from a doghouse blind, which offers minimum disturbance to the birdlife. Setup time is less than five minutes, and the blind completely hides the photographer from the subject. Birds are inured to the blind and any camera shutter clicks within a few minutes of setup.

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?  
I am an ethically responsible photographer, whose goals are compatible with that of the Monument. When I photograph birds, I leave no litter behind and no trace of my presence when I finish at the end of the photo session. I work quietly, with no disturbance to my subjects, and the welfare of the individual birds I photograph I place higher than any need I might have to obtain those photos. I take great care in the way I photograph birds so that they can carry on with their daily activities as if I wasn't there.

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 birds in question are only found in 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?

Since the effects on the Monument's natural resources would be virtually nil, the benefits of promoting, through published photographs, the conservation of the Monument's birdlife should far outweigh any adverse effects my presence might cause. In addition, by coming to the atoll, I would be contibuting to the Monument, in however small a way, by paying to stay there, etc.

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

I only need a day or two with each species to get the necessary photographs. Three weeks should be sufficient.

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

I have 18 years experience photographing wildlife in the field, and have traveled throughout western North and Central America to obtain my photographs and the resulting very valuable experience. I have a B.Sc. Degree from the University of British Columbia (1991) in Animal Biology, and an B. Ed. from U.B.C. (1995) in Science. I have published a book on bird photography, give frequent educational lectures to a variety of groups, and take great care to respect and honor the privileges I am given when I am granted permission to photograph birdlife.

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.

I am a teacher by trade, own a condominium in Port Coquitlam, and am completely self-sufficient. I have the financial resources required for a three-week journey to the Midway Atoll.

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.

Photographing birds from a blind is the most effective way to achieve high-quality images with minimal impact or disturbance of birdlife. Setup and strike times are extremely quick (less than 5 minutes each), and I carry only the equipment I need: blind, camera, tripod, and collapsible seat.

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

I intend to travel to Eastern Island by renting a boat and driver to take me back and forth only once a day. I will only rent an approved vessel.

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

Since a single person photographing birds from an enclosed blind is virtually unnoticed by the birds in the area, environmental impact is virtually zero. I leave nothing behind when I leave, and I do not disturb the birds I photograph. I have forged great relationships in similar situations in the past, and I am ethical, responsible, and place the welfare of the birds and the Monument ahead of my own desire to get pictures.

#### 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?

I intend to photograph birds only on land on Sand and Eastern Islands; I believe that these areas are within the Midway Atoll Special Management area, so this question may not apply to me.

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

n/a

m. Does the activity involve the use of a commercial passenger vessel (defined as a vessel that carries individuals who have paid for such carriage)?

n/a

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

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

Since the use of a small vessel simply for transport to and from Eastern and Sand Islands twice a day has minimal impact on the nesting seabirds, while the resulting photographs would serve to promote their welfare, this activity does further the conservation and management of the Monument.

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

Yes.

**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:**

I intend to travel between Sand and Eastern Islands by an approved vessel, which I will rent, including a certified driver, for transport purposes only. I intend to access the islands via parts of the beach where disturbance to marine life and seabird colonies will be minimal. I will work at the edges of seabird colonies, if I cannot locate isolated pairs, and I will work only during the day. Travel to and from specific photographic sites will be on foot from the marine access point on the beach.

#### **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:**

I will be happy to post any necessary bond to cover any possible claim that might arise, however unlikely that may be.

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

I will be happy to communicate with any staff or researchers to ensure that my activities do not disrupt in any way any other activities that are going to be carried out in the Monument.

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

Doghouse Blind, Nikon D300 Camera, Tripods, SB 800 flash units, camera bag, folding seat.

**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:**  
Flights of Fantasy: Photographing North American Birds, by Damon Calderwood.

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 that the information I have provided on this application form is true and correct. I agree that the Co-Trustees may post this application in its entirety on the Internet. I understand that the Co-Trustees will consider deleting all information that I have identified as “confidential” prior to posting the application.

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Signature

Date

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

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

**DID YOU INCLUDE THESE?**

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