

State of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Aquatic Resources
Honolulu, Hawaii 96813

December 13, 2024

Board of Land
and Natural Resources
Honolulu, Hawaii

Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Conservation and Management Permit to the Monument Management Board Agencies: the U.S. Fish and Wildlife Service Ecological Services and Refuges; National Oceanic and Atmospheric Administration National Marine Fisheries Service and Office of National Marine Sanctuaries (inclusive of the Hawaiian Monk Seal Research Program's (HMSRP) Management and Recovery Activities) and the Office of Hawaiian Affairs, for Access to State Waters to Conduct Conservation and Management Activities
and
Authorize General Conservation and Management Activities by the Department of Land and Natural Resources, Divisions of Aquatic Resources & Forestry and Wildlife.

SUMMARY

The Papahānaumokuākea Marine National Monument (Monument) program hereby requests approval from the Board of Land and Natural Resources (BLNR) for issuance of a Monument conservation and management permit to the Monument Management Board (MMB) agencies:

- the U.S. Fish and Wildlife Service Ecological Services (USFWS);
- the USFWS Refuges;
- the National Oceanic and Atmospheric Administration (NOAA) Office of National Marine Sanctuaries;
- NOAA National Marine Fisheries Service; and
- the Office of Hawaiian Affairs (OHA).

for access and authorization to continue general conservation and management activities under State jurisdiction in the Monument. The State of Hawai'i, Department of Land and Natural Resources (DLNR), also seeks authorization to participate under the joint MMB conservation and management permit to the extent any co-managing agency seeks or grants logistical or other support from the State of Hawai'i for activities on Midway or other parts of the Monument not under the State's jurisdiction.

Separately, the State of Hawai'i, DLNR Divisions of Aquatic Resources & Forestry and Wildlife request authority and permission to conduct their own continuing conservation and management activities in Monument areas under state jurisdiction.

BACKGROUND

The Board of Land and Natural Resources, by its DLNR Divisions of Aquatic Resources & Forestry and Wildlife, permits certain otherwise prohibited or regulated activities on or in its lands and waters, pursuant to Hawaii Revised Statutes (HRS) § 187A-6, 183D-6, and 195D-4; Hawaii Administrative Rules (HAR) § 13-60.5-5, 13-60.5-6, 13-126-9 and 13-126-10, and all other applicable laws and regulations.

The permit, as described below, would allow entry for general conservation and management activities to occur in the Papahānaumokuākea Marine National Monument (Monument), including the Northwestern Hawaiian Islands (NWHI) State Marine Refuge and the lands and waters (0-3 nautical miles) surrounding the following sites to the extent within the jurisdiction of the State of Hawai'i:

- Nihoa Island
- Mokumanamana Island (Necker Island)
- Lalo (French Frigate Shoals)
- Pūhāhonu (Gardner Pinnacles)
- Kamokuakamohoali'i (Maro Reef)
- Kamole (Laysan Island)
- Kapou (Lisianski Island)
- Manawai (Pearl and Hermes Atoll)
- Kuaihelani (Midway Atoll)
- Hōlanikū (Kure Atoll)

The activities covered under this permit would occur from January 1, 2025 through December 31, 2025.

The proposed activities are a renewal of conservation and management work previously permitted and conducted in the Monument. This permit request is substantively the same as prior BLNR approved MMB Agencies' permits to conduct general conservation and management activities under the direction of MMB agencies and representatives. A list of authorized conservation and management activities to be approved under this permit is drawn from permitted activities conducted in years past.

This year, the permit was renamed as the MMB Agencies' permit to be issued to the MMB agencies, but the permit request is substantively the same. The MMB agencies refer to the co-managing agencies on the MMB that conduct and oversee the day-to-day management activities in the Monument.

PROPOSED OR INTENDED ACTIVITIES

The MMB agency applicants jointly propose to conduct coordinated management activities for the conservation and management of the Hawaiian Islands National Wildlife Refuge, Midway Atoll National Wildlife Refuge¹, Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve, Northwestern Hawaiian Islands State Marine Refuge, and Kure Atoll portions of the Hawai'i State

¹ Although Midway is not a part of the State of Hawai'i, Midway is generally considered a central base of operations support, refueling station, or Monument port of call necessary to the MMB Agencies' conservation and management mission and actions.

Wildlife Sanctuary.

This submittal only addresses the facet of the joint permit for activities under State jurisdiction, but includes a request for approval for State (DLNR) personnel to conduct or assist in collaborative actions in other parts of the Monument with appropriate MMB agencies, as specified, and activities in which a State agency may continue to conduct conservation and management activities consistent with this permit. The general conservation and management activities described for approval, and the agencies which intend to conduct the activities, are indicated in Attachment A.

In the future, certain activities that were previously approved as specific Monument permits, if having a conservation or management purpose, may be included under this general conservation and management permit if deemed appropriate by the applicant and BLNR.

In past years, all permit applicant personnel were attempted to be listed in a personnel roster for all MMB Agencies (Attachment B in previous years) to promote accountability and responsibility in permitted activities and help to assess the impacts of human participation in the activities. Last year the MMB Agencies agreed to eliminate the personnel roster, as the participation of each personnel was often variable or tentative and frequently changed throughout the permitting periods depending on availability or new circumstances, and the footprint of personnel which may potentially access the monument appeared larger than the footprint of personnel that actually accessed the monument each year, due to the comprehensiveness of the list.

Staff, volunteers, cultural liaisons, or contractors necessary for the permitted activities may enter the Monument for conservation and management activities, and resident families of Midway Atoll may enter the Monument. Invited news media representatives may enter the Monument to provide public information of conservation and management activities. All personnel will be identified, and information will be provided to the Monument Permit Coordinators prior to each entry; this information is documented digitally on a shared spreadsheet.

The applicants shall ensure that all personnel assigned to any conservation and management activity allowed under this permit are qualified to perform in the assigned role and are limited to the scope of their position and respective project, and shall comply with all other applicable laws, policies, protocols, permits, and regulations. In addition, the applicants will ensure that all management activities are communicated and coordinated on an ongoing and regular basis.

To safeguard all the resources and ecological integrity of the Monument, early and ongoing coordination of interagency activities will occur between the action agency and interested Monument partners as soon as details of activities are identified via a memo-to-file or similar type written documentation. The goal of early coordination is the commitment to identifying, incorporating, and customizing best management practices for specific activities. Additionally, pre-access permit and cultural briefings will be conducted for all new personnel entering the Monument and annually for all.

The MMB agencies perform coordinated management of the Papahānaumokuākea Marine National Monument to ensure proper care, protection and preservation of historic, cultural, and scientific resources. Applicant representatives, for purposes of coordination and direction of Monument activities under this permit, include the Superintendent of the Monument for NOAA, Superintendent for the Monument for U.S. Fish and Wildlife Service, and the Papahānaumokuākea Program Manager for OHA, together with the State's Co-Manager to the Monument. The representatives will

collaborate and coordinate on activities that support the management of the Monument.

For purposes of permitting under the various jurisdictions exercised by the MMB Agencies, these permit applications are intended to cover all joint activities necessary to effectively co-manage Papahānaumokuākea Marine National Monument. Applicants describe the scope of activities in their applications for general management/conservation as follows:

1. **Entrance:** Entrance into the Monument authorized to the permittees, their designated agency staff, contractors, Midway Atoll National Wildlife Refuge (MANWR) residents, news media and VIPs necessary for conservation and management activities described herein;
2. **Operations:** Activities to maintain and support field stations of the National Wildlife Refuge System (NWRS) and the State of Hawai‘i Kure Atoll State Wildlife Sanctuary, necessary for meeting mission and purposes of refuges and the Monument in support of on-site management and resource conservation including, but not limited to, maintenance of Monument facilities, field camp supply and support activities, entrance and maintenance of aircraft and operation of airfields, entrance and operation of vessels to support conservation and management activities, conducting personnel safety and health maintenance, on-site reviews and operational evaluations, and sustenance fishing conducted by MANWR residents within Midway Atoll Special Management Area;
3. **Resource Survey and Monitoring:** Activities to increase understanding of the distributions and abundances of organisms and their habitats and to improve ecosystem-based conservation and management decisions in the Monument. Such activities may include placement, installation and maintenance of scientific equipment, unmanned aerial and marine platform surveys, habitat mapping, non-lethal marking and tagging for population monitoring purposes, collection of biological, chemical, climatological, or geological data and samples for long-term monitoring purposes, collection of voucher specimens that cannot be visually identified and/or may represent new species or geographic records, and physical surveys and sampling from landfills or other potentially hazardous sites;
4. **Natural Resource Protection, Restoration and Remediation:** Activities to protect, conserve, and maintain the native ecosystems and biological diversity of the Monument and to aid in the recovery of its threatened and endangered plants and animals and their habitat, including the reduction and mitigation of threats to Monument resources from marine debris, contaminants, disease, and alien species. Such activities may include, wildlife disentanglement, injury assessment or mitigation measures in response to ship groundings or oil spills, restoration and translocation activities to augment populations of native species, invasive species removal using physical or chemical methods, activities necessary to locate and remove marine debris (land and ocean-based), and activities in response to an unusual mortality event (e.g., mass stranding or coral bleaching events).
5. **Cultural and Historical Resource Identification and Protection:** Activities to identify, document, interpret, preserve, and protect the Monument’s cultural and historic resources. Such activities may include collection of post-contact artifacts in accordance with the National Historic Preservation Act (NHPA), surveys of historic and culturally significant sites, activities necessary to return seized Monument resources to their natural environment in coordination with appropriate federal and/or state resource agencies, collection of non-living culturally significant natural materials acquired during Monument operations for use

in cultural ceremonies and practices, and activities necessary to preserve and perpetuate Native Hawaiian culture and practices.

6. **Outreach and Education:** Activities to cultivate an informed and involved constituency that supports and enhances conservation of the Monument's resources and contributes to the Nation's science and cultural literacy. Such activities may include news media site visits, collecting information from Monument field staff, photographing and filming natural and historic features of the Monument, and collection of debris and other non-living biological samples for education purposes.
7. **Hawaiian Monk Seal Conservation and Management:** Activities directed towards understanding the biology, ecology, and population dynamics of the Hawaiian monk seal and identifying factors that impact the survival and recovery of the species (including activities to mitigate shark predation).

The activities requested fulfill duties under coordinated interagency management of the Monument ecosystems, prevent duplicate efforts, and promote efficiency. All of the above activities would be conducted by MMB agency employees, approved contractors, volunteers, or other Federal employees who must remain under the direction and administrative control of the applicants while in state jurisdiction in the Monument.

As was done last year, the NOAA Fisheries, Pacific Islands Fisheries Science Center, Hawaiian Monk Seal Research Program's (HMSRP) management and recovery activities (inclusive of shark predation mitigation activities) are being integrated with the MMB Agencies' permit - these activities would be conducted by HMSRP trained personnel or the staff listed above, as directed, and trained by the HMSRP.

This integration of the HMSRP activities into the MMB Agencies' PMNM permit is being implemented as the activities conducted under the previously separate HMSRP permit are defined as MMB agency activities, and this integration of two permits into one permit would reduce workload in terms of the application and reporting process, and in terms of submitting and presenting the BLNR submittals.

Originally (about 14 years ago), the HMSRP activities were part of the MMB Agencies' permit, but the activities got separated out into two distinct permits, once the removal of individual sharks at French Frigate Shoals displaying predatory behavior towards monk seal pups became a potential activity each year, for the purposes of transparency and to separate the activity out which may need more detailed evaluation each year, in order not to delay the issuance of the MMB Agencies' permit at the same time each year.

This re-integration of the HMSRP activities back into the MMB Agencies' permit request was presented and reviewed by the members of the MMB in 2021, and after considering the need for the two distinct permits, all members were in support of combining the permits. All information from the previous HMSRP PMNM permit has been integrated into this BLNR submittal for the MMB Agencies' PMNM permit and in addition to the MMB Agencies' PMNM permit conditions. However, **a modification made this year for the 2025 MMB Agencies permit consisted of the HMSRP not requesting lethal shark removal activities in this permit but instead continuing non-lethal shark predation mitigation efforts at Lalo by translocating pups from islets of high**

predation risk to islets of low/zero predation (i.e., Tern Island). The HMSRP will continue to work with Native Hawaiian cultural practitioners (including kahu manō) to develop and test adaptive management activities to monitor, and, where necessary for the species' persistence, mitigate shark predation of Hawaiian monk seal pups at Lalo (French Frigate Shoals).

INTENDED ACTIVITIES FOR THE HAWAIIAN MONK SEAL RESEARCH PROGRAM (HMSRP)

NOAA NMFS Pacific Islands Fisheries Science Center (PIFSC) Hawaiian Monk Seal Research Program (HMSRP) proposes to continue conservation and management activities by for monitoring and recovery of the Hawaiian monk seal (*Neomonachus schauinslandi*) in Papahānaumokuākea. All activities described in this submittal are directed towards understanding the biology, ecology, and population dynamics of the Hawaiian monk seal and identifying factors that affect the survival and recovery of the species.

Proposed activities would be conducted by up to 25 individuals between January 1, 2025 – December 31, 2025.

Everything proposed in this renewal permit has been reviewed and approved in previous permits (most recent is PMNM-2024-001). Trail cameras and all associated equipment will be retrieved before field staff leave PHA at the end of the season.

General information on monk seal research and recovery initiatives, methods and tools are located on pages 8-10 of Attachment A (List of Conservation and Management Activities Covered Under Prior MMB Agencies' Permits to be Included) and pgs. 6-10 of this submittal. Updates and clarification of the results from the programs activities from last year are included Attachment B: NOAA PIFSC Quarterly Updates for Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Advisory Council: 2024 NOAA Protected Species Division quarterly updates from the Hawaiian Monk Seal Research Program (HMSRP) and the Marine Turtle Biology and Assessment Program (MTBAP) (after the HMSRP permit was integrated into the MMB Agencies' permit).

Information on Monk Seal Research and Recovery Initiatives (provided by NOAA)

This is a brief summary of information relevant to monk seal research and recovery initiatives proposed here. More information can be found in the Recovery Plan for the Hawaiian Monk Seal.

- The Hawaiian monk seal is an endangered species numbering approximately 1,600 individuals, 1,100 seals reside in the NWHI.
- The Hawaiian monk seal has been the focus of research and recovery activities for over 40 years. This has resulted in one of the most robust population datasets for a large mammal species allowing the Program to develop and assess cutting edge recovery actions.
- These recovery activities have resulted in the fact that a minimum of 28% of Hawaiian monk seals alive today are here because they directly benefited from an action or are the offspring of a female seal that benefited.
- In the PMNM, the key threats to the survival of the species include low birth rates combined with poor survival of juvenile Hawaiian monk seals to reproductive age. The majority of research activities

are directed to understanding threats to the seals and mitigating those, particularly related to young female seals.

- All activities proposed here are permitted by the NOAA/NMFS MMPA/ESA Research/Enhancement permit: #22677 (note: current permit number is #22677, but permit will be renewed on 1/1/2025 as #27552)(and associated NEPA documents etc.), and supported by the Revised Recovery Plan for Hawaiian Monk Seals.
- This permit also supports efforts conducted by the State and Federal partners that are directed towards monk seal research and recovery.
- To maximize the benefit from the researchers limited time in this remote place, the Program will use a suite of methods to ensure that all areas are well-surveyed (including using technology to expand data collection, and requesting access to all monk seal haul-out areas).
- Unmanned aerial systems (UAS) will be used to conduct ecological surveys including surveying and monitoring monk seals, marine debris, and possibly other flora and fauna in the NWHI (as a by-product of habitat mapping or as requested by partners).
- UAS will be launched and recovered from land, NOAA ships, or small boats launched from those ships, and will be flown at altitude below 400 feet.
- UAS efforts will provide the ability to survey and map resources on the remote islands without (1) interference; (2) the potential for the introduction of invasive species; and (3) human disturbance to the natural resources. The UAS would increase the monitoring and surveying capacity in the Monument.
- While the researchers work to minimize human presence on Mokumanamana, trained biologists familiar with the island may traverse Mokumanamana, using paths delineated by archaeologists and cultural practitioners familiar with the island, in the event that all seal haul-out areas cannot be surveyed through boat-landings or UAS flights at haul-out sites.
- This permit is comprehensive and includes ALL monk seal recovery activities that occur in the Monument including surveys, health assessments, and a suite of seal-based interventions to enhance the survival of individual seals such as translocation, reuniting of separated mother-pup pairs, disentanglement from marine debris, and rehabilitation.

Rehabilitation/Translocation of Seals

Select monk seals taken into rehabilitation outside of Monument waters and then released. Some seals will be held for a short time in shoreline pens while waiting for veterinarian assessment and possible pickup or to help them acclimate to the wild prior to release after translocation or rehabilitation. Seals that are captured and brought in for rehabilitation or transported as part of the translocation program will be housed with other monk seals. Monk seals will be released after rehabilitation or translocation. Comprehensive information on monk seal rehabilitation or translocation activities and protocols can be found under the researcher's NOAA/NMFS MMPA/ESA Research/Enhancement permit: #22677 (note: current permit number is #22677, but permit will be renewed on 1/1/2025 as #27552).

Sample and Data Analysis, Write-ups and Publication of Information

Population assessment data will be analyzed in 6 months (typically preliminary data will become available late winter/early spring of each year). Telemetry and UAS data will analyzed within 12 months.

Examples of Proposed Fixed Installations and Instrumentation to be Set in the Monument (various agencies/projects)

Examples include, but may not be limited to the following:

A) The researchers propose to install or maintain (if already installed):

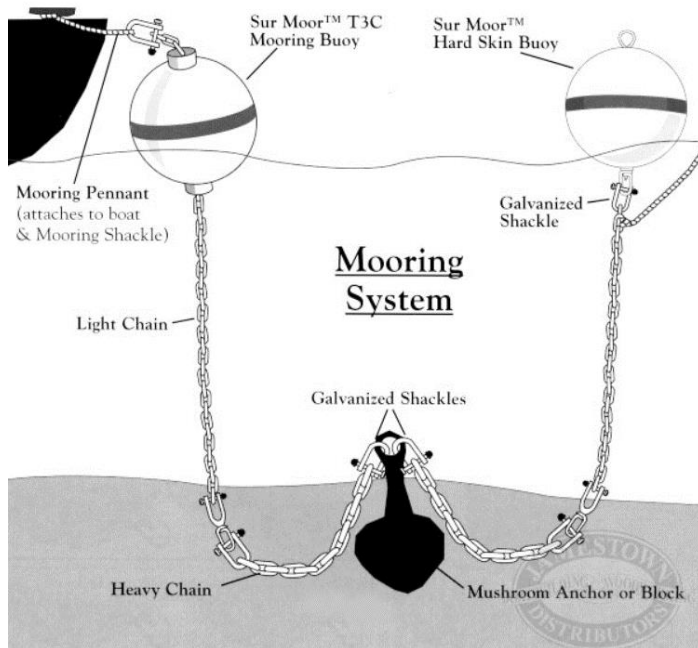
- i. Temporary Installation polyvinyl tents for housing monk seal field teams at French Frigate Shoals, Laysan, Lisianski, Pearl and Hermes Reef and Kure. One tent at each site will also have a radio antenna extending upwards <10ft.
- ii. Trail Cameras and song meters at all islands. Nihoa, Mokumanamana, Lalo (French Frigate Shoals), Kamole (Laysan), Kapou (Lisianski), Manawai ((Pearl and Hermes Atoll), Midway (Kuaihelani), and Hōlanikū (Kure Atoll). Trail cameras are compact, self-contained systems that are programmed to take a certain number of pictures per day capturing the presence or absence of animals in specific locations. Sizes of trail camera systems including external solar panels will be no larger than 16" x 12" x 12". Weights of systems including solar panels will be no more than 5 lbs. These are used to monitor for threats to seals, such as entrapment (Tern Island) and male aggression. These cameras also help to fill in gaps in survey coverage.
- iii. Song meters are no larger than 7" x 4" x 4" and will be installed on a metal or PVC pole no greater than 5" tall. No solar panels are needed. Song meters are used to monitor various bird populations including passerines.

Cameras will be mounted via padded tripod or T-post, no more than 5' in height. Plastic or steel bird deterrent spikes will be added to the camera systems to deter birds from blocking the camera's view and excreting on solar panels.

- iv. Artificial decoys and Social attraction systems for seabirds and shorebirds such as decoys and audio playback systems may be temporarily installed at all islands.
- v. Temporary (season-long) mooring systems to anchor two small boats at Southeast Island, Pearl and Hermes Reef and Tern Island, French Frigate Shoals. These systems are recommended over traditional anchoring for leaving boats unattended for long intervals, i.e. overnight, in high surge areas. etc. In many cases, a mooring system is the safest way to leave a boat in the water to prevent it from breaking free and coming ashore, which will cause damage to the boat and shoreline environment.

Permanent and/or semi-permanent moorings use less scope than traditional anchoring which reduces

the "footprint" on the bottom, risk of damage to the environment and risk of wildlife entanglement/entrapment. Appropriate moorings are comprised of a suitable anchor, a light chain, and surface float. A permanent or semi-permanent mooring may also be installed at Eastern Island, Midway Atoll, to moor small boats without use of the Eastern island pier. Additional line will be attached to an anchor onshore at Southeast Island and to the pier at Tern Island to ensure the vessels cannot float away if the mooring system were to fail in inclement weather. These mooring systems will be deployed on sandy substrate directly off the north side of Southeast Island from the dock at Tern Island and off of the current pier at Eastern Island. The following image (credit to Jamestown Distribution) illustrates the type of system that would be temporarily installed if necessary.



For updated information from the HMSRP see Attachment B: NOAA PIFSC Quarterly Updates for Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Advisory Council: 2024 NOAA Protected Species Division quarterly updates from the Hawaiian Monk Seal Research Program (HMSRP) and the Marine Turtle Biology and Assessment Program (MTBAP),

The activities described above may require the following regulated activities to occur in State waters:

- 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
- Removing, moving, taking, harvesting, possessing, injuring, disturbing, or damaging any living or nonliving monument resource
- Anchoring a vessel
- Discharging or depositing any material or matter into the Monument
- Possessing fishing gear except when stowed and not available for immediate use during passage without interruption through the Monument

- Touching coral, living or dead
- Attracting any living Monument resource
- Removing, moving, taking, harvesting, possessing, injuring, disturbing, or damaging any living or nonliving Monument resource
- Sustenance fishing (Federal waters only, outside of Special Preservation Areas, Ecological Reserves and Special Management Areas)
- Swimming, snorkeling, or closed or open circuit SCUBA diving within any Special Preservation Area or Midway Atoll Special Management Area

These activities are being requested in order to fulfill trust duties by providing coordinated interagency management of the Monument ecosystems, preventing duplicate efforts, and gaining efficiencies. All of the above activities would be conducted by MMB agency employees, contractors, volunteers, or other Federal and State employees under the direction and administrative control of the applicants.

Monument Management Plan Strategies

The activities proposed by the applicants directly support the Monument Management Plan (PMNM MMP Vol. 1, 2008), including but not limited to priority management needs 3.1: Understanding and Interpreting the NWHI; 3.2: Conserving Wildlife and Habitats; 3.3 Reducing Threats to Monument Resources; 3.5: Coordinating Conservation and Management Activities; and 3.6: Achieving Effective Monument Operations; TES-1: Support Activities that advance recovery of the Hawaiian monk seal for the life of the plan and; MD-1: Remove and prevent marine debris throughout the life of the plan.

To safeguard Monument resources the applicants will abide by all PMNM Best Management Practices (BMPs) while conducting the aforementioned activities within PMNM.

The applicant would abide by the following PMNM Best Management Practices (BMPs) while conducting the aforementioned activities within the PMNM: Marine Alien Species Inspection Standards for Maritime Vessels (BMP# 001); Protocol for Acquiring Avian Blood Samples (BMP# 002); Human Hazards to Seabirds (BMP# 003); Best Management Practices for Boat Operations and Diving Activities (BMP# 004); Protocols to Reduce Impact to the Laysan Finch (BMP# 005); General Sampling and Transport Protocols for Collected Samples (BMP# 006); Best Management Practices for Terrestrial Biosecurity (BMP# 007); Seabird Protocols Necessary for Conducting Trolling Research and Monitoring in Papahānaumokuākea Marine National Monument (BMP# 008); Best Practices for Minimizing the Impact of Artificial Light on Sea Turtles (BMP# 009); Marine Wildlife Viewing Guidelines (BMP# 010); Disease and Introduced Species Prevention Protocol for Permitted Activities in the Marine Environment (BMP# 011); Precautions for Minimizing Human Impacts on Endangered Land Birds (BMP# 012); Nonnative Species Inspection Requirements at Midway Atoll (BMP# 015); Best Management Practices for Activities on Nihoa (BMP# 016); Best Management Practices for Maritime Heritage Sites (BMP# 017); Rodent Prevention and Inspection Standards for Permitted Vessels (BMP# 018); Best Management Practices for Activities on Mokumanamana (Necker Island) (BMP# 019); Best Management Practices to minimize the spread of *Chondria tumulosa* (BMP# 20); Health and Safety Plans, and Emergency Response Plans; All FWS refuge policies and procedures for conduct in the two wildlife refuges (Hawaiian Islands National Wildlife Refuge and Midway Atoll National Wildlife Refuge); All policies and procedures for conduct in Northwestern Hawaiian Islands Hawai'i State Marine Refuge and Kure Atoll State

Seabird Sanctuary; Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Executive Orders; Hawai'i Administrative Rules, §13-60.5, the Hawai'i Revised Statutes, § 187A-6; and all other applicable state and federal laws and regulations.

REMARKS

In 2005, DLNR adopted rules creating the Northwestern Hawaiian Islands Marine Refuge, in Hawaii Administrative Rules (HAR) Chapter 13-60.5. A refuge permit under HAR § 13-60.5-6 (“Permits”), is subject to approval of appropriate activities stated in § 13-60.5-5 (“Permitted activities”) and relevant to the chapter’s purpose stated in § 13-60.5-1 (“Intent and purpose”), i.e.,

- to ensure the conservation of coral reef ecosystem resources in the marine refuge for present and future generations;
- to manage, preserve, protect, and conserve the unique refuge resources using the best available science and minimize risks of adverse effects to the region;
- by consistent resource management by restricting access to specific areas;
- support promote, and coordinate appropriate scientific research and assessment, with long-term monitoring of resources, including threats from human activities;
- allow Native Hawaiian cultural, subsistence, and religious practices consistent with applicable law and long-term conservation and protection;
- coordinate management and process permit review among DLNR, USFWS, NMFS, NOS, and other entities as appropriate to provide comprehensive conservation of the coral reef ecosystem and related resources including cleanup and prevention of marine debris, restoration or remediation of degraded or injured resources, enforcement and surveillance, management of potential tourism, recreation, and commercial activities;
- consistent with federal law where applicable.

Upon the establishment of the Monument in 2006, 50 C.F.R. 404 created six categories of Monument permits: research, educational, conservation & management, Native Hawaiian practices, special ocean use, and recreational. A conservation and management permit consistent with the objectives found in HAR chapter 13-60.5 is sought.

A revised 2017 Memorandum of Agreement (MOA) was signed by all parties, amending and superseding the prior 2006 MOA, including admitting the Office of Hawaiian Affairs as a Monument MMB Agencies. The MOA envisions developing a coordinated management plan for the Monument, and reiterates the 2006 (Monument) Proclamation and 2016 (Monument Expansion) Proclamation, by stating that nothing contained in the Proclamations shall be deemed to diminish or enlarge the jurisdiction of the State of Hawai'i.

The joint Monument Management Plan (MMP) of 2008 anticipates a 15-year plan relating to management needs. The plan develops and implements a unified Monument permitting process and integrated permit². Under the plan, a Monument conservation and management permit includes activities associated with resource management, such as field station operations, benthic mapping, habitat characterization, marine debris removal, development and maintenance of infrastructure, species and habitat restoration, and long-term resource monitoring programs such as monitoring of endangered species and seabird populations, and terrestrial native plant communities ... [and] provide

² All permitted activities are authorized under the issuance of a single Monument permit signed by designees of the three MMB Agencies. (MMP, p. 233)

a mechanism to respond and follow up to urgent events in the Monument that may not have been anticipated, such as response to vessel groundings, coral bleaching episodes, and invasive species detection. (MMP, p. 23)

Activities proposed by the applicants if appropriate for conservation and management and directly supportive of priority management needs referenced in the 2008 MMP Section 3.0, may include but are not limited to:

Understanding and interpreting resources in the NWHI

- protecting the ecological integrity of natural resources
- increasing our understanding and appreciation of cultural resources including Native Hawaiian history and cultural practices;
- identifying and protecting historic and maritime heritage resources;

Conserving wildlife and habitat in the Monument

- safeguarding and recovering protected plants and animals;
- conserving migratory bird populations and habitats;
- habitat management to restore native ecosystems and biological diversity;

Reducing Threats to Monument Resources

- reduce adverse effects of marine debris
- detect and control the introduction of alien species in the Monument

Managing Human Uses

Coordinating Conservation and Management Activities

- agencies to collaborate in coordinated management activities, including outreach,

Native Hawaiian community involvement, and ocean ecosystems education; and Achieving Effective Monument Operations.

(See <http://www.papahanaumokuakea.gov/permit/applicationrev.html> regarding the current 2022 MMB Agencies' permit application.)

The 2008 MMP Appendix A (Permitting) contains the joint permit general terms and conditions, including monthly and annual reporting requirements regarding activities on State lands or within State waters. Other requirements include maintaining a cruise log, debriefing MMB Agencies, and submitting copies of articles and publications, etc. See 2008 MMP Appendix A, #22, p. A-36.

REVIEW PROCESS

The 2025 MMB Agencies' permit application was sent out for review and comment to all of the MMB agencies and the PMNM Native Hawaiian Cultural Working Group.

For two weeks the 2025 application was reviewed for purposes of receiving questions, comments and applicant responses:

No questions, comments, or responses were received.

A reason for this may be that this year, the MMB Agencies made any needed edits/modifications in the initial permit coordinator completeness review period, as opposed to in the later MMB Agency review period, and therefore agency members had already reviewed most changes while editing in this initial permit coordinator completeness review period, resulting in less follow-up questions. As stated above, the main new recent modifications for the 2025 permit consisted of the exclusion of shark removal activities from the HMSRP management and recovery activities. Additional less substantive modifications consisted of including language which authorizes all or certain MMB agencies to conduct certain activities which were originally only assigned to select MMB agencies (after consulting with appropriate agencies to see if additional ESA/MMPA permits may be needed), as well as basic additions / modifications / elaborations of activities described, reorganizing or combining of certain conditions and utilizing the term “MMB Agencies” throughout the application in place of the terms “Co-Trustee” or “Co-Manager”, which were used interchangeably in past applications. Use of this standardized term did not change any aspect of the applicants covered under the application or any other component of the permit, but is only meant to serve as a standardized term which represents the agencies covered under the permit to use consistently throughout the application and permit going forward. For more details about changes from last year’s permit, see 1st iterations of the application on file (available upon request).

Additional reviews and permit history:

Are there other relevant/necessary permits or environmental reviews that have or will be issued with regard to this project? (e.g., HRS chapters 183C, 343; MMPA, ESA) Yes No

If so, please list or explain:

Environmental Compliance:

NEPA / HEPA: (check-one)

Categorical Exclusion / Exempt Class:

EA Papahānaumokuākea Marine National Monument Final Environmental Assessment (FEA) and FONSI (December 2008)

EIS Programmatic EIS for NOAA NMFS Hawaiian Monk Seal Recovery Actions (June 2014)

Other Consultations: (ESA/MMPA Section 7; NHPA Section 106, etc.)

- Applicants have previously consulted with DLNR’s Office of Conservation and Coastal Lands (OCCL) regarding any land use compliance with HRS chapter 183C (Conservation District)
- NHPA Section 106 consultation completed for archipelagic wide operations (main and northwestern Hawaiian Islands) in November 2013.

- Environmental compliance with HRS chapter 343 and HAR chapter 11-200.1. The most recent Final Environmental Assessment covering certain subject activities was published in OEQC's The Environmental Notice on December 23, 2008 recommending a finding of no significant impact (FONSI). Separately, the Federal MMB Agency applicants assure DLNR that the proposed activities are in current federal compliance with the National Environmental Policy Act per concurrent environmental review processes completed on December 23, 2008. In addition, the EA for the original HMSRP permit resulted in a FONSI (Finding of No Significant Impact) and is titled: Supplemental Environmental Assessment On Issuance Of A Permit For Field Research and Enhancement Activities On The Endangered Hawaiian Monk Seal (Permit No. 10137-04) and an Programmatic EIS for NOAA NMFS Hawaiian Monk Seal Recovery Actions was accepted in June 2014). Note: The Environmental Assessment utilized for this MMB Agencies permit which meets both NEPA & HEPA compliance criteria is the 2008 Final Environmental Assessment (FEA) and FONSI which evaluated MMB Agency activities as a whole.
- **Note a Declaration of Exemption (DE) (Chapter 343, HRS):** In the 2022 and 2023 iterations of the MMB Agencies' permit (before the exclusion of the HMSRP shark removal activities), a Declaration of Exemption (DE) from the Preparation of an Environmental Assessment (EA) under the Authority of Chapter 343, HRS, was included with this BLNR submittal to cover the specific shark removal activities, as they were not originally covered under the 2008 Papahānaumokuākea Marine National Monument Final Environmental Assessment (FEA) and FONSI, which evaluated the MMB Agency activities described (and all other HMSRP activities, excluding shark removal), and determined that these activities would have little or no significant effect on the environment. A DE will not be included with the BLNR submittal this year, due to the exclusion of the HMSRP shark removal activities, as all anticipated actions to be undertaken under this permit are consistent with the activities covered in the 2008 Final Environmental Assessment (FEA) and FONSI, which were determined to have little or no significant effect on the environment. Any activities not covered in the FEA (if proposed in the future) will be additionally evaluated to determine if they qualify for an exemption from the preparation of an EA.
- Take of Endangered and Threatened Species: USFWS-TE-702631; USFWS-TE-003483-33; USFWS-PMNM-1; USFWS-FWSPIO-17
- Federal Bird Banding Permit: USGS-22570; USGS-22613; USGS-09149
- Green Turtle Tagging Permit: USFWS-TE-739350-4
- Marine Mammal Permit (Monk Seal – Research): NOAA/NMFS MMPA/ESA Research/Enhancement permit: #22677 (note: current permit number is #22677, but permit will be renewed on 1/1/2025 as #27552).
- Depredation Permit: USFWS-MB097755-0 (Cattle Egret Control)
- Communication systems (Broadcast/Receive Frequencies) at Midway are all licensed by FAA and FCC as appropriate. Contact refuge for additional information.

- The USFWS is the Operator of Record of Henderson Airfield (Sand Island, Midway Atoll) and maintains its Certification as required in 14 CFR Part 139 (Federal Code of Regulations). The airfield is a certified ETOPS (emergency designation) airfield and is maintained with funding by both FAA and the USFWS. This includes UHF-VHF radio systems, AWOS (automated weather) and NDB (Non-directional Beacon) systems. Contact refuge for additional information.
- Migratory Bird Permits: USFWS-MB016635-1; MB2852A-2 (STAMP Project); MB03761B-0 (Cultural Working Group)
- An evaluation of any supplemental consultations (such as ESA, EFH, 106 etc.) will occur for each MMB agency activity and be completed prior to the activity occurring (as necessary).
- NOAA Fisheries provided the 2024 quarterly NOAA Protected Species Division updates from the Hawaiian Monk Seal Research Program (HMSRP) and the Marine Turtle Biology and Assessment Program (MTBAP), as requested for general information and to provide as reference material for Board of Land and Natural Resources (BLNR) members.
- Biosecurity Consultation: Quarantine procedures will be carefully followed at each island where personnel land (BMPs 007, 011). This includes use of gear purchased new and dedicated to each island / atoll. Thorough cleaning, biosecurity, and safe storage protocols are followed between field seasons. To mitigate risk of spreading the *Chondria tumulosa* within the monument and Main Hawaiian Islands, the monk seal team will follow the Best Management Practices to Minimize the Spread of *Chondria tumulosa* (BMP #20); any activities which fall outside of BMP 020 (Best Management Practices to Minimize the Spread of *Chondria tumulosa*) are addressed in separate consultations with subject matter experts and the permit coordinator and prior to departure and in a supplemental *Chondria* biosecurity plan (“PIFSC PSD Biosecurity Plan for *Chondria tumulosa*”; attached at end of submittal). The supplemental biosecurity plan has been written for approval from the MMB as outlined per draft BMP #20; the researchers will ensure concurrence from the MMB prior to permitted activities occurring. Note: some changes to protocol may occur after final review.

Has Applicant been granted a permit from the State in the past? Yes No

If so, please summarize past permits:

- Some or all of the collective applicants were granted permits the following permits in the past fourteen years for the purpose of managing the Monument: Coral Reef Ecosystem Reserve Management Activities - NWHICRER-2004-001, Kure Marine Debris Removal - DLNR-NWHI-06R010, DAR NWHI Ulua Fish Tagging Project - DLNR-NWHI-06R020, HINWR Management Activities 2006 - DLNR-NWHI-06R022, HINWR Management Activities 2006 - NWHIMNM-2006-019, HINWR Management Activities 2007 - DLNR-NWHI-07S001, HINWR Management Activities 2007 - NWHIMNM-2007-002, MANWR Management Activities 2007 - NWHIMNM-2007-005, Kure marine debris removal - DLNR-NWHI-07C001, Monument Management Activities - NWHIMNM-2007-001, Monument Management Activities - PMNM-2008-001, PMNM-2009-001, PMNM-2010-001, PMNM-2011-001, PMNM-2012-001, PMNM-2013-001, PMNM 2014-001, PMNM 2015-001,

PMNM-2016-001, PMNM-2017-001, PMNM-2018-001, PMNM-2019-001, PMNM-2020-001, PMNM-2021-001, PMNM-2022-001, PMNM-2023-001, and PMNM-2024-001.

Have there been any a) violations: Yes No
 b) late/incomplete post-activity reports: Yes No

involving any of the applicant agencies or personnel?

Are there any other relevant concerns from previous permits? Yes No

If yes, please explain.

STAFF OPINION

Department staff are of the opinion that the MMB Agencies' application for a conservation and management permit and covered personnel are justified under HAR chapter 13-60.5 criteria and should be allowed to enter state lands and waters in the Monument as indicated, and to conduct the activities as specified, subject to the Papahānaumokuākea Marine National Monument Conservation and Management Permit General Conditions, and the indicated special instructions, conditions, and protocols to be observed. Staff recommends that the BLNR approve the application as indicated below.

MONUMENT MANAGEMENT BOARD OPINION

The seven members of the Monument Management Board (MMB) were consulted and are of the opinion that the applicants have met permit procedures and criteria under the findings of Presidential Proclamation 8031, 71 Fed. Reg. 36,443 (2006) as required, and these general conservation and management activities may be conducted subject to completion of all compliance requirements recommended below. The MMB concurs with the special conditions recommended by DLNR staff.

RECOMMENDATIONS:

That the Board of Land and Natural Resources

- A. Approve the proposed MMB Agencies' Conservation and Management Permit according to the form of the Application (Attachment C) and authorize and approve entry to State lands and waters of the Monument for the MMB agencies represented by the U.S. Fish and Wildlife Service; the National Oceanic and Atmospheric Administration; and the Office of Hawaiian Affairs, for such conservation and management activities to be conducted as listed in Attachment A with the following additional conditions:
 1. That the BLNR declare that the anticipated actions to be undertaken under this permit will have little or no significant effect on the environment except consistently with the activities covered in the 2008 Final Environmental Assessment (FEA) and FONSI. Any activities not covered in the FEA shall be addressed as further determination(s) of exemption from the preparation of an environmental assessment, with the authority delegated by the BLNR to the Chairperson to approve and sign such determinations only for purposes of this permit to be issued, and subject to recordkeeping requirements of HRS chapter 343, and HAR chapter 11-200.

2. That the permittee provide, as required under the Monument permit general terms and conditions, a summary of their findings under this Monument access, including but not limited to, any initial findings to the DLNR for use at educational institutions and outreach events. Any unexpected results and anomalous encounters should be included in a report or future permit applications to the BLNR to allow proper evaluation of conservation and management efforts in future permitting decisions.
3. That all agencies and personnel covered under this Conservation and Management Permit shall abide by and obey all Monument permit general conditions and protocols, unless otherwise specifically permitted, exempted, or excluded under the terms and conditions.
4. This permit is not to be used for nor does it authorize the sale of collected organisms. Under this permit, the authorized activities must be for noncommercial purposes not involving the use or sale of any organism, by-products, or materials collected within the Monument for obtaining patent or intellectual property rights.
5. The permittee may not convey, transfer, or distribute, in any fashion (including, but not limited to, selling, trading, giving, or loaning) any coral, live rock, or organism collected under this permit without the express written permission of the MMB Agencies.
6. To prevent introduction of disease or the unintended transport of live organisms, the permittee must comply with the disease and transport protocol attached to this permit.
7. Tenders and small vessels must be equipped with engines that meet EPA emissions requirements.
8. Refueling of tenders and all small vessels must be done at the support ships and outside the confines of lagoons or near-shore waters in the State Marine Refuge with the exception of boats utilized in operations that are land-based for extended periods of time (i.e. Protected Species Division [PSD] / monk seal program field camps), which will be authorized to refuel in nearshore waters (within the State Northwestern Hawaiian Islands Marine Refuge) with the provision that the Protected Species Division (PSD) personnel will adhere to the following small boat refueling procedures at the Protected Species Division field camps:
 - a. For boats with 6 gallon tanks that can be removed from the boat (currently 2 tanks at Manawai and 1 tank at Lalo): Fuel tanks are filled on land using a hand pump from the 55 gallon gas drums directly into the boat gas tanks. Absorbent material and a spill kit are on hand at all times during fuel transfer in case of any spilling. The camps have reported that this procedure works out well with little opportunity for spilling or leaking because of the hand pump being used.
 - b. For larger boat gas tanks (>6 gallon, currently 1 tank at Lalo), portable jerry cans are filled as described above and used to fill the boat gas tank within the boat. Absorbent material is used for this transfer.

9. No fishing is allowed in State Waters except as authorized under State law for subsistence, traditional and customary practices by Native Hawaiians.
 10. To mitigate risk of spreading the *Chondria tumulosa* within the monument and Main Hawaiian Islands, the permittee will follow the Best Management Practices to Minimize the Spread of *Chondria tumulosa* (BMP #20); any activities which fall outside of BMP 020 (Best Management Practices to Minimize the Spread of *Chondria Tumulosa*) are addressed in separate consultations with subject matter experts and the permit coordinator and prior to departure and in a supplemental *Chondria* biosecurity plan (PIFSC PSD Biosecurity Plan for *Chondria tumulosa*). The researchers will ensure approval of the supplemental biosecurity plan from the MMB prior to permitted activities occurring.
 11. The permittee is required to follow all applicable Federal, State, and County laws with respect to the COVID-19 emergency response that apply at the time of departure and return. In issuance of this permit, the State of Hawaii is not otherwise monitoring or regulating permittee's compliance with COVID-19 laws and is not responsible for the health and safety of crew members, researchers or other occupants of the vessel associated with this permit.
- B. Authorize the DLNR Divisions of Aquatic Resources and Forestry and Wildlife to continue general conservation and management activities within the Monument, including assisting other MMB Agencies in general conservation and management activities throughout the Monument under the lead of MMB Agencies, as indicated on Attachment A.

Respectfully submitted,



Brian J. Neilson, Administrator
Division of Aquatic Resources

APPROVED FOR SUBMITTAL



Dawn N. S. Chang, Chairperson
Board of Land and Natural Resources

Attachments:

- 1) Attachment A: List of Conservation and Management Activities Covered Under Prior MMB Agencies' Permits to be Included
- 2) Attachment B: NOAA PIFSC Quarterly Updates for Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Advisory Council: 2024 NOAA Protected Species Division quarterly updates from the Hawaiian Monk Seal Research Program (HMSRP) and the Marine Turtle Biology and Assessment Program (MTBAP)
- 3) Attachment C: PMNM Application

Attachment A
LIST OF CONSERVATION AND MANAGEMENT ACTIVITIES
COVERED UNDER PRIOR CO-MANAGERS' PERMITS TO BE INCLUDED

Abbreviations for purposes of this List:

BRAC = Base realignment and closure
C&M = Conservation and Management
ESA = Endangered Species Act
FUDS = Formerly used defense sites
FWS = U.S. Fish and Wildlife Service
GPS = global positioning system
IRT = Innovative readiness training
LIDAR = light detection and ranging
MASMA = Midway Atoll Special Management Area
MMB = Monument Management Board
Monument = Papahānaumokuākea Marine National Monument
NHPA = National Historic Preservation Act
NMFS = National Marine Fisheries Service
NOAA = National Oceanic and Atmospheric Administration
NWHI = Northwestern Hawaiian Islands
OHA = Office of Hawaiian Affairs
ROY = remotely operated vehicle
SCUBA= self-contained underwater breathing apparatus
SPA= special preservation areas¹ as defined in 50 CFR § 404.3
STATE= State of Hawaii
UAV = unmanned aerial vehicles

Note: The proposed activities listed in the final permit application have been rearranged and restated for brevity. The activities to be covered under this conservation and management permit have been previously approved in prior Co-Manager permits under the following basic categories (in bold) as follows:

ENTRANCE

1. The MMB, their designated agency staff, volunteers, cultural liaisons, contractors, and Midway Atoll National Wildlife Refuge residents necessary for permitted activities may enter Papahānaumokuākea Marine National Monument . All personnel must be identified and information provided to the Monument permit coordinators prior to each entry into the Monument. The MMB shall ensure that all personnel assigned to conduct conservation and management activities authorized under this permit are fully qualified to perform in the assigned role(s) and shall be limited to the scope of actions set forth in this permit and all other applicable policies, protocols, permits, and regulations. (ALL MMB AGENCIES)

¹ Proclamation 8031 identifies a SPA as a discrete, biologically important area of the Monument. Uses are subject to additional conditions (e.g., avoid concentrations of uses resulting in population declines, user conflicts, and protect critical areas to sustain important marine species/habitats. or provide opportunities for scientific research.

OPERATIONS

2. Operating field stations of the National Wildlife Refuge System (NWRS) and the State of Hawai'i Kure Atoll State Wildlife Sanctuary, necessary for meeting mission and purposes of refuges and the Monument in support of on-site management and resource conservation including but not limited to: (STATE) (FWS)
 - a. Maintaining and repairing/replacing facilities, seawalls, piers and their components (e.g., carpentry, electrical, plumbing, welding, general construction); (STATE) (FWS)
 - b. Deconstruction and reconstruction of buildings, roads, and other facilities; (STATE) (FWS)
 - c. Maintaining airport and airstrips, including improvements such as runway lighting replacement, taxiway maintenance (including repaving, and painting/markings); (FWS)
 - d. Painting, including all preparation work such as scraping, washing, etc.; (STATE) (FWS) and
 - e. Lead-based paint soil remediation, including removing sand/soil from around many or all affecting buildings and proper on-site containment of this material. (STATE) (FWS)
3. Supporting and re-supplying field camps and field stations, including but not limited to, delivery and removal of supplies, equipment, people, waste, and/or assets necessary for operations. (ALL MMB AGENCIES)
4. Operating vessels to provide access for conservation and management activities. Authorized vessel operations shall include, but are not limited to:
 - a. Operating, mooring and anchoring small boats; (ALL MMB AGENCIES)
 - b. Conducting maintenance, proficiency training and safety measures for authorized vessels; (ALL MMB AGENCIES)
 - c. Anchoring of the authorized vessels and small boats on sandy substrate only, and all anchors must be lowered into place; (ALL MMB AGENCIES)
 - d. Discharging gray water outside of all Special Preservation Areas and the Midway Atoll Special Management Area; (ALL MMB AGENCIES) and
 - e. Discharging biodegradable solid waste associated with galley operations restricted to 3 nautical miles (ground to 1 inch in diameter) and 12 nautical miles (unground) outside of all Special Preservation Areas and the Midway Atoll Special Management Area. (ALL MMB AGENCIES)

5. Possessing fishing gear to conduct sustenance fishing in accordance with applicable regulations. Sustenance fishing must only be done to supplement food stores as to not be construed as a recreational activity. (ALL MMB AGENCIES)
6. Operating aircraft and airfields, including necessary maintenance and use of airfields and runways at Midway Atoll. (FWS)
7. Conducting on-site reviews and operational evaluations including, but not limited to: (ALL MMB AGENCIES)
 - a. On-site reviews by management and congressional personnel; (ALL MMB AGENCIES)
 - b. Agency site visits and meetings for management planning and programmatic assessments; (ALL MMB AGENCIES) and
 - c. On-site management and safety reviews to gauge implementation and effectiveness of Monument management and programs. (ALL MMB AGENCIES)
8. Conducting personnel safety, fitness, and health maintenance including, but not limited to: (ALL MMB AGENCIES)
 - a. Biking, swimming, and jogging at Kure Atoll, Tern Island, French Frigate Shoals, and Midway Atoll; and (ALL MMB AGENCIES)
 - b. Conducting health and safety activities for all personnel, including but not limited to: site safety reviews, adverse weather and emergency response procedures, safety protocols, and continuation of operation plans. (ALL MMB AGENCIES)

RESOURCE SURVEY AND MONITORING

9. Swimming, snorkeling, and closed or open circuit SCUBA diving within any Special Preservation Area of the Midway Atoll Special Management Area, necessary to support conservation and management activities covered under this permit. (ALL MMB AGENCIES)
10. Touching coral, living or dead, necessary to support conservation and management activities covered under this permit. (ALL MMB AGENCIES)
11. Attracting any living Monument resource, necessary to support conservation and management activities covered under this permit. (ALL MMB AGENCIES)
12. Surveying and monitoring target species and habitats to evaluate trends and status for management purposes. Activities in direct support of management, monitoring, and characterization may include: (ALL MMB AGENCIES)
 - a. Placing scientific equipment or drilling into submerged and emergent lands in order to install scientific equipment, devices, markers, oceanographic instrument arrays, UAS,

- acoustic monitoring systems, remotely operated camera systems, song meters, and remote viewing camera systems on submerged or emergent lands, and performing necessary maintenance activities on such equipment; (NOAA) (STATE) (FWS)
- b. Collecting climatological data and necessary scientific information from on-site equipment; (NOAA) (STATE) (FWS)
 - c. Photographing and filming (including UAS) as necessary to document Monument resources; (ALL MMB AGENCIES)
 - d. Non-lethal marking and tagging for monitoring purposes. (ALL MMB AGENCIES)
 - e. Visual, non-invasive marking and tagging for monitoring purposes; (ALL MMB AGENCIES) and
 - f. Physical surveying of and sampling from landfills, storage tanks, contamination sites, or other potentially hazardous materials associated with current and former occupation and use of the Northwestern Hawaiian Islands (NWHI); (NOAA) (STATE) (FWS) and
 - g. Visual, acoustic, electronic (i.e. Conductivity-Temperature-Depth (CTD) casts) and/or uncrewed (aerial and marine) surveys in support of monitoring coral reefs, pelagic environments, and estimating the abundance, distribution, and/or presence of animals or plants in the NWHI. (NOAA) (STATE) (FWS)
13. Removing, moving, taking, harvesting, possessing, injuring, disturbing, or attempting to remove, move, take, harvest, possess, injure, or disturb biological, chemical, or geological samples for analysis in support of activities under approved management plans, restoration or recovery plans, and for base line inventory and monitoring of population trends and habitat conservation and management. (ALL MMB AGENCIES)
14. Removing, moving, taking, harvesting, possessing, or attempting to remove, move, take, harvest, or possess a set number of any visually observable marine organism morphotype (except mammals) or terrestrial plant morphotype (including fungi), which cannot be visually identified or may represent a new geographic record or new species, with the set number based upon the per island/atoll abundance criteria below: (ALL MMB AGENCIES)
- a. One (1) specimen can be taken, removed, or possessed if in abundance assessment cannot be ascertained, or less than ten (10) such specimens are present, cumulative during the course of the collection event per island and atoll; (ALL MMB AGENCIES)
 - b. Up to three (3) specimens can be taken, removed, or possessed if an abundance assessment of ten (10) or more such specimens is ascertained, cumulative during the course of the collection event per island or atoll; (ALL MMB AGENCIES) and
 - c. For clonal organisms that cannot be visually identified or may represent a new geographic record or new species, take shall be limited to no more than half the clonal organism visually observed. Up to three (3) clonal specimens of similar morphology can be taken, removed, or possessed if an abundance assessment of ten (10) or more of

such specimens is ascertained, cumulative during the course of the collection event per island or atoll. (ALL MMB AGENCIES)

15. Conducting habitat mapping for the production of accurate, high-resolution base maps with methods to include: (ALL MMB AGENCIES)
 - a. Data collecting to include optic, acoustic, and metal detector technologies, as well as land and dive operations, including the use of a remotely operated vehicle (ROV) and UAS, for ground truthing; (ALL MMB AGENCIES) and
 - b. Global Positioning System (GPS) mapping and Light Detection and Ranging (LIDAR) work. (ALL MMB AGENCIES)

NATURAL RESOURCE PROTECTION, RESTORATION, AND REMEDIATION

16. Conducting management actions necessary to understand and carry out protection, restoration, and remediation of species and habitats, such as carrying out existing species recovery and restoration plans (ALL MMB AGENCIES):
 - a. Conducting wildlife disentanglement, health response (including treatment and necropsy), and translocation activities according to existing species recovery plans; (NOAA) (STATE) (FWS);
 - b. Conducting population augmentation or reestablishment activities such as capture, translocation, reintroduction, and out-planting; (ALL MMB AGENCIES);
 - c. Conducting invasive species controls by mechanical, chemical and manual methods as needed; (ALL MMB AGENCIES);
 - d. Investigating and monitoring of contamination in abiotic or biotic resources. (NOAA) (STATE) (FWS);
17. Removing marine debris, including but not limited to, plastic pollution, trash, derelict fishing gear and other materials (land and ocean-based) that pose threats to Monument resources. Activities may include: (ALL MMB AGENCIES)
 - a. Disentangling wildlife from marine debris and other materials by authorized personnel; (NOAA) (STATE) (FWS).
 - b. Tracking debris via drifter buoys and UAS; (NOAA) (STATE) (FWS)
 - c. Monitoring of sites that have been cleared of debris for recovery rates and effects of removal; (ALL MMB AGENCIES)
 - d. Locating and removing debris and hazardous materials. This may be through interagency agreements, such as the Department of Defense (DOD) Innovative Readiness Training (IRT), Formerly Used Defense Sites (FUDS), or the Base

Realignment and Closure (BRAC) Programs. Efforts may include activities such as seafloor and island mapping, reconnaissance and removal of materials, and derelict vessel salvage and removal; (ALL MMB AGENCIES) and

- e. Removal of sessile encrusting flora and fauna associated with marine debris. (ALL MMB AGENCIES)
18. Providing emergency response and damage assessment, mitigation, restoration, and monitoring post-response management. (ALL MMB AGENCIES) Activities may include:
- a. Conducting damage assessment, mitigation, restoration, monitoring, and post-response management in coordination with appropriate federal and/or state resource agencies and, as appropriate, consistent with NOAA, FWS, and State of Hawai'i Damage Assessment and Restoration regulations, policies, and procedures (e.g., oil spills, ship groundings, tsunami-generated marine debris, damage assessments, monitoring alien species, monitoring coral bleaching events, collection of bleached coral or alien species); (ALL MMB AGENCIES)
and
 - b. Conducting activities in response to an unusual mortality event (including but not limited to threatened and endangered species, marine mammals, and migratory birds) mass stranding or other urgent species response. (NOAA) (STATE) (FWS)

CULTURAL AND HISTORICAL RESOURCE IDENTIFICATION AND PROTECTION

- 19. Removing, moving, taking, harvesting, possessing, injuring, disturbing; or attempting to remove, move, take, harvest, possess, injure, or disturb post-contact artifacts as needed, subject to National Historic Preservation Act (NHPA) consultation when applicable, for the purpose of identifying, documenting, interpreting, preserving, and protecting the Monument's cultural and historic resources. (ALL MMB AGENCIES)
- 20. Monitoring and surveying historic sites. (ALL MMB AGENCIES)
- 21. Conducting or allowing for the preservation and conservation of artifacts subject to successful NHPA Section 106 consultation and appropriate approvals from other Federal agencies (e.g., U.S. Navy), when applicable. (ALL MMB AGENCIES)
- 22. Non-commercial filming and photographic activities for the purposes of further documenting and capturing the history of the NWHI. (ALL MMB AGENCIES)
- 23. Locating historic artifacts using passive side scan sonar, metal-detector, or (land-based) ground penetrating radar. (ALL MMB AGENCIES)
- 24. Returning of any previously collected samples to appropriate areas in Papahānaumokuākea with proper cultural and biological protocols and in coordination with appropriate federal and/or state resource agencies and community partners, including OHA and the Papahānaumokuākea Native Hawaiian Cultural Working Group, as appropriate. (ALL MMB AGENCIES)

25. Recording of atmospheric, celestial, biological, and other environmental observations for the purpose of developing and understanding natural trends, changes and cycles. (ALL MMB AGENCIES)
26. Conducting native Hawaiian cultural protocols and ceremonies in conjunction with access for conservation and management activities identified in this permit, including offering of culturally and biologically appropriate ho'okupu including but not limited to: mele, oli, hula, pa'akai, small amounts of pre-frozen wai (freshwater), lā'i (ti leaves), pre-frozen powdered awa/taproot) in accordance with Monument regulations and Best Management Practices, including those addressing potential biosecurity issues. All materials used or released into the Monument for cultural protocols and ceremonies must be identified prior to the action occurring and limited to the minimum amount necessary. (ALL MMB AGENCIES)
27. Removing, moving, taking, harvesting, possessing, injuring, disturbing; or attempting to remove, move, take, harvest, possess, injure, or disturb non-living culturally significant materials to support item 26. All materials must be identified prior to the action occurring and limited to the minimum amount necessary. (ALL MMB AGENCIES)
28. Maintaining, preserving, caring for, and perpetuating Native Hawaiian wahi kūpuna (cultural sites) and iwi kūpuna (ancestral bones) in accordance with proper cultural protocols and consultation per the NHPA, Native American Graves Protection and Repatriation Act, Archeological Resources Protection Act, American Indian Religious Freedom Act and applicable sections of the Hawai'i State Constitution, Hawai'i Revised Statutes and Hawai'i Administrative Rules. (ALL MMB AGENCIES)
29. Conducting activities necessary for maintaining and preserving historic sites on Midway Atoll. (ALL MMB AGENCIES)

OUTREACH AND EDUCATION

30. Gathering information and experiences from personnel within the Monument to develop agency web pages, Navigating Change projects, and other Monument educational outreach products. (ALL MMB AGENCIES)
31. Removing, moving, taking, harvesting, possessing, injuring, disturbing; or attempting to remove, move, take, harvest, possess, injure, or disturb non-living debris and biological samples and specimens such as albatross boluses and carcasses for educational and/or outreach projects. (ALL MMB AGENCIES)
32. Conducting not-for-profit news media and VIP site visits to enhance public knowledge and understanding of Monument resources. (ALL MMB AGENCIES)
33. Photographing and filming (including use of UAS) as necessary to document Monument resources; (ALL MMB AGENCIES)

34. Conducting environmental, cultural, and historical education programs throughout the Monument by designated agency staff and contractors. (ALL MMB AGENCIES)

HAWAIIAN MONK SEAL CONSERVATION AND MANAGEMENT ACTIVITIES

35. Conducting the following population monitoring activities¹:
 - a. Conducting seal assessments by visually identifying animals, and marking and tagging animals; (ALL MMB AGENCIES)
 - b. Instrumenting seals including but not limited to mounted cameras and telemetry tags. (NOAA)
36. Operating Uncrewed Systems (UxS) to assist in monitoring and research activities¹. (NOAA)
37. Traversing Mokumanamana to conduct population assessment surveys¹ only when full surveys cannot be completed by boat landing or UxS operations. (NOAA) (FWS)
38. Placing acoustic recording devices on submerged sandy substrate to capture underwater vocalizations¹ of Hawaiian monk seals. (NOAA)
39. Installing scientific equipment (i.e., bluetooth tag signal receiving stations), cameras, and associated power sources (i.e., solar panels and batteries) and satellite internet devices on emergent lands to monitor entrapments and animal behavior. Performing necessary maintenance activities on such equipment. (NOAA)
 - a. Installing scientific equipment (e.g., data loggers) underwater, either attached to existing infrastructure or on submerged sandy substrate to monitor environmental data (e.g., water temperature) around areas of shark predation on Hawaiian monk seal pups at Lalo. Retrieving, re-deploying and performing necessary maintenance activities on such equipment. (NOAA)
40. Disentangling monk seals from marine debris¹. (NOAA) (FWS)
41. Conducting health surveillance and response, including but not limited to cutting umbilical cords, anthelmintic treatments, lancing abscesses, administering antibiotics and vaccinations, responding to disease outbreaks, necropsy and collecting/archiving/transferring samples for further research and diagnostic collaboration¹. (NOAA)
42. Translocating Hawaiian monk seals¹, consisting of the following types:
 - a. *Intra-atoll*: These translocations will include moving seals from areas of high risk where threats are imminent to safer areas and moving pups to promote maternal fostering when necessary. Field staff will perform these movements; greater resources (e.g., veterinary care) will not typically be necessary. (NOAA)
 - b. *Inter-atoll*: These translocations will include transport of weaned female pups from atolls/islands of low survival to those of higher survival. (NOAA)

- c. *MHI-NWHI*: These translocations will include transport of main Hawaiian Island (MHI) seals that are considered a threat to themselves or humans because they have demonstrated a pattern of interacting with humans. (NOAA)

43. Reuniting nursing mothers and pups, when separated (includes instances of pup switches)¹. (ALL MMB AGENCIES)

44. Mitigating male aggression towards pups and juveniles (individual and multiple male-based aggression), including utilizing all federally permitted techniques (including, but not limited to, poles, rocks, slingshots, and air horns)¹. Mitigation tools shall be applied as appropriate for the given context (i.e., the intensity, severity and frequency of aggression and the location, with regard to other species in the area such as birds). Mitigation may include temporarily separating males from juveniles by placing either in temporary shore-pens (see below). Mitigation also may include removal of the male(s) from the area by:
 - a. Translocation to a location where no pups or juveniles will be harmed; (NOAA)
 - b. Placement in an appropriate, federally permitted facility that is agreeable and permitted to care for a male indefinitely; (NOAA)
 - c. Lethal removal: this type of removal will only be applied when the above two options are not feasible, possible or exhausted. Lethal removal of HMS has never been performed to-date, but this activity is included as a last resort if a situation arises where we cannot otherwise mitigate risks to the species. The preferred technique for euthanasia will be via injectable drugs and performed under the supervision of a licensed veterinarian. Sedatives may be combined with each other and with analgesics to achieve deep sedation and thus provide for the best welfare by minimizing stress, pain and anxiety. To eliminate the risk of secondary scavenger toxicity, any soft tissues not collected by necropsy sampling will be removed from the environment. Physical means (e.g., firearm) would be used only when chemical euthanasia is not possible, in order to ensure environmentally proper disposal. (NOAA)

45. Conducting captive care of compromised seals to administer veterinary care and/or food supplementation¹. Captive care may include the capture and transport of seals to shore-pens (in the NWHI) or facilities in the MHI. NWHI seals under care in the MHI may be returned to the NWHI when a licensed veterinarian deems them rehabilitated and transport is feasible. The seals will then be released to the NWHI site deemed most appropriate for their subsequent survival (determined on the basis of such factors as the intensity and severity of imminent threats to the seals and recent survival trends at each atoll/island). (NOAA)

46. Monitoring shark activity at French Frigate Shoals. Monitoring may include camping on islets with shark incidents on nursing pups and recording shark activity and shark-seal interactions via hand-held or mounted cameras. (NOAA)

47. Placing temporary shore pens at select NWHI breeding sites to facilitate monk seal recovery activities described here within (e.g., translocations, captive care, and male aggression mitigation)¹. (ALL MMB AGENCIES)
48. Working with Native Hawaiian cultural practitioners (including kahu manō) to develop and test adaptive management activities to monitor, and, where necessary for the species' persistence, mitigate shark predation of Hawaiian monk seal pups at Lalo¹.
49. Erecting temporary polyvinyl tents for housing monk seal field teams at French Frigate Shoals, Laysan, Lisianski, Pearl and Hermes and Kure. One tent at each site may have a radio antenna extending upwards <10ft. (NOAA)

¹ Prior to authorization to conduct work which may result in the “take” of a Hawaiian monk seal, consultation with the appropriate lead agency will occur to evaluate whether a separate ESA/MMPA permit shall be required

MATERIALS TRANSFER AND ASSISTANCE TO EXTERNAL PARTNERS

50. Provide access for external partners and/or permittees in conjunction with access for MMB conservation and management actions, when feasible, and done for the purpose of conducting cooperative and effective management of Monument resources. (ALL MMB AGENCIES)
51. Conduct miscellaneous activities in support of external partners and/or permittees, when feasible, and done for the purpose of conducting cooperative and effective management of Monument resources.. (ALL MMB AGENCIES)
52. Transferring a set number of any visually observable marine organism morphotype (except mammals) or terrestrial plant morphotype (including fungi) which cannot be visually identified or may represent a new geographic record or new species, to partners for the purpose of identification, description and providing information to management, with the set number based upon the per island/atoll abundance criteria (See RESOURCE SURVEY AND MONITORING section above) (ALL MMB AGENCIES)
53. Collection and transfer of Monument materials (including culturally significant natural materials) in support of external partners and/or permittees when feasible, and done for the purpose of education, or conducting cooperative and effective management of Monument resources. This includes, but is not limited to, researchers, educators, museums, and cultural practitioners. Transfers shall be done according to one of the following categories, subject to all applicable permits and Monument Management Board (MMB) approved transfer documents: (ALL MMB AGENCIES)
 - a. Internal transfers. Transfers among the MMB agencies provided such material shall remain within the custody of the MMB. (ALL MMB AGENCIES)

- b. External transfers. Transfers outside of MMB agencies if authorized in writing for the purpose of cultivating, informing, or involving constituencies that support or enhance conservation and understanding of the natural, cultural, and historic resources of the Monument. (ALL MMB AGENCIES)

- c. Loan Transfers. Loans of biological samples or specimens, which must be returned to the MMB with a specified time frame and are subject to conditions stipulated in writing for the purpose of supporting educational or outreach projects that enhance conservation of the natural, cultural, and historic resources of the Monument. (ALL MMB AGENCIES)

PIFSC Quarterly Updates for Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Advisory Council

FY24 Q1 Meeting - December 11, 2023

Protected Species Division Updates

Hawaiian Monk Seal Research Program (HMSRP):

- Staging and de-staging for the NWHI field camps continues, which is a year-round effort for the Program
- HMSRP conducted its first abbreviated assessment, called ARC Light (Assessment and Recovery Camps Light) from August 21-September 18. This effort deployed *and* recovered short ~2 week mini-camps at Kamole (Laysan), Kapou (Lisianski), and Manawai (Pearl and Hermes Reef) to conduct Hawaiian monk seal surveys, with supplemental surveys at Hōlanikū (Kure) as time permits.
- The seal field team at Lalo was deployed for a full season, from May to October, 2023. A notable highlight: one Lalo mother gave birth to her 19th pup, the highest number for an individual female on record. In all, they performed 25 survival enhancing activities including translocating weaned pups away from areas with historic high shark predation, freeing wildlife entrapped in disintegrating infrastructure at Tern Island, and administering antibiotics to compromised seals. Shark predation on weaned pups was heavy at the beginning of the season, but trailed off and was last detected in July. The long term availability of pupping habitat at Lalo remains a concern in the face of sea level rise; Trig Islet was not present during 2023, and Round, Mullet, and Shark Islets were awash by the end of September.
- HMSRP is seeking greater partnership with other entities conducting research and conservation in PMNM to augment life-saving interventions for monk seals and contribute sightings data. In partnership with USFWS, a record number of pups were born at Kuaihelani this year! Recently, with funding support from NOAA HMSRP, Papahānaumokuākea Marine Debris Project (PMDP) was able to tag 10 monk seal pups and conduct one life-saving intervention. This funding will continue to support PMDP in augmenting monk seal research and recovery activities in PMNM over the next year.
- Five seals that were in rehabilitation during the 2022-2023 were released in 2023: three at Kuaihelani (Midway) in March thanks to the support of USFWS, and two at Lalo in May.

- Cumulatively, at least 169 HMS pups were born in the PMNM this season, including at least 50 pups at Lalo, the highest number for this site since 2005.
- The HMSRP is in the process of analyzing data from the 2023 season, with results anticipated in early spring 2024.

[Marine Turtle Biology and Assessment Program \(MTBAP\):](#)

- Staging and de-staging for the NWHI field camps continues, which is a year-round effort for MTBAP. MTBAP's current focus has been on gear preparation and field staff training.
- MTBAP continues to digitize and quality-control data from the 2022 field season and is preparing an annual report which should be available in the coming months.

[Cetacean Research Program \(CRP\):](#)

CRP completed conducting the 2023 Hawaiian Islands Cetacean and Ecosystem Assessment Survey (HICEAS) where parts of this survey was conducted in PMNM (both original and expansion areas). NOAA Ships Oscar Elton Sette and Reuben Lasker finished their respective HICEAS project legs on November 27 and December 4 respectively.

[Ecosystem Sciences Division Updates](#)

[Archipelagic Research Program \(ARP\)](#)

ARP will be conducting the National Coral Reef Monitoring Program (NCRMP, formally known as RAMP) in the Hawaiian Archipelago in FY24 aboard the NOAA Ship Sette. Surveys will be conducted in both the Main and Northwest Hawaiian Islands during July and August of 2024. NCRMP is a long-term (since 2000), high quality dataset on coral reef communities, fish populations, oceanographic conditions, and ocean chemistry to evaluate potential changes in fisheries and coral reef health and structure in the region. Due to delays in ship operations caused by COVID, we have not conducted NCRMP in the region since 2019. We look forward to updating these important time series in FY24.

[Pelagic Research Program \(PRP\)](#)

PRP staff members participated in the CRP-led Hawaiian Islands Cetacean and Ecosystem Assessment Survey (HICEAS) during the summer and fall of 2023. The ESD/PRP team conducted CTD-rosette casts for water properties and eDNA, assisted with the addition of logging CTDs to the deployed DASBRs, and when conditions, time, and equipment allowed, conducted plankton tows to better understand the distribution and abundance of ichthyoplankton. The goals are to better understand the meridional gradients (and general spatial patterns) in the spawning of fishes and to help frame the cetacean work in a broader ecosystem context.

For RAC member requests for additional information or follow up questions on PIFSC program updates please contact the following leads:

HMSRP: Michelle Barbieri - Michelle.Barbieri@noaa.gov

MTBAP: Summer Martin - Summer.Martin@noaa.gov

CRP: Erin Oleson - Erin.Oleson@noaa.gov

ARP: Jennifer Samson - Jennifer.Samson@noaa.gov

PRP: Ryan Rykaczewski - Ryan.Rykaczewski@noaa.gov

PIFSC Quarterly Updates for Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Advisory Council

FY24 Q3 Meeting - April 29, 2024

Protected Species Division Updates

Hawaiian Monk Seal Research Program (HMSRP):

- Staging and de-staging for the NWHI field camps continues, which is a year-round effort for the Program
- Field camps will be deployed and recovered according to the following schedule:

Seal Camps deployment on IMUA 5/29 PM or 5/30 AM departure; return 6/2

Seal Camps pick up on KAHANA II 8/2 - 8/20

Seal and turtle Lalo camp pick up on Kahana II 9/11 - 9/18

Marine Turtle Biology and Assessment Program (MTBAP):

- Staging and de-staging for the NWHI field camps continues, which is a year-round effort for MTBAP. MTBAP's current focus has been on gear preparation and field staff training.
- MTBAP Lalo field team will depart on a FWS IMUA charter on May 8.
- The MTBAP [Programmatic Environmental Assessment](#) was rolled out to stakeholders on April 24, 2024. This final PEA analyzes the effects of the Marine Turtle Biology and Assessment Program's ongoing research activities on sea turtles and the environment, including: monitoring population trends; exploring the use of advanced technology for research and monitoring; developing the application of simulation modeling of population dynamics using long-term datasets; stranding response and research; training and capacity building; and education and outreach efforts to inform and build support from the public. New research activities analyzed in this PEA include nest probing and nest relocations, which would be subject to permit approval.

Cetacean Research Program (CRP):

None

Ecosystem Sciences Division Updates

Archipelagic Research Program (ARP)

ARP will be conducting the National Coral Reef Monitoring Program (NCRMP, formally known as RAMP) in the Hawaiian Archipelago in FY24 aboard the NOAA Ship Sette. Surveys will be conducted in both the Main and Northwest Hawaiian Islands during July and August of 2024. NCRMP is a long-term (since 2000), high quality dataset on coral reef communities, fish populations, oceanographic conditions, and ocean chemistry to evaluate potential changes in fisheries and coral reef health and structure in the region. Due to delays in ship operations caused by COVID, we have not conducted NCRMP in the region since 2019. We look forward to updating these important time series in FY24.

Pelagic Research Program (PRP)

None

For RAC member requests for additional information or follow up questions on PIFSC program updates please contact the following leads:

HMSRP: Michelle Barbieri - Michelle.Barbieri@noaa.gov

MTBAP: Summer Martin - Summer.Martin@noaa.gov

CRP: Erin Oleson - Erin.Oleson@noaa.gov

ARP: Jennifer Samson - Jennifer.Samson@noaa.gov

PRP: Ryan Rykaczewski - Ryan.Rykaczewski@noaa.gov

Papahānaumokuākea Marine National Monument
CONSERVATION AND MANAGEMENT Permit Application

NOTE: This Permit Application (and associated Instructions) is 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/Daniel K. Inouye Regional Center

NOS/ONMS/Papahānaumokuākea Marine National Monument

Attention: 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 (MMB) 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: Jared Underwood, Eric Roberts, Brian Neilson, Stacy Kealohalani Ferreira
Affiliation: U.S. Fish and Wildlife Service (FWS), National Oceanic and Atmospheric Administration (NOAA), State of Hawai'i Department of Land and Natural Resources (DLNR), Office of Hawaiian Affairs (OHA)

Permit Category: Conservation and Management

Proposed Activity Dates: January 1, 2025 – December 31, 2025

Proposed Method of Entry (Vessel/Plane): Vessel and plane

Proposed Locations:

This permit application encompasses all conservation and management activities that the MMB may conduct throughout the entire Monument.

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

Variable, depending on activity type and location.

Estimated number of days in the Monument:

There will be MMB staff in the Monument up to 365 days of the year. Numbers of personnel will fluctuate depending upon the season and the management activity undertaken at any one time. All personnel will be identified and information will be provided to the Monument Permit Coordinators prior to each entry.

Description of proposed activities: (complete these sentences):

a.) The proposed activity would...

This Monument Conservation and Management Permit Application proposes activities that would allow the MMB Representatives, staff, and designees to conduct management activities for the conservation and management of Papahānaumokuākea Marine National Monument including the Hawaiian Islands National Wildlife Refuge, Midway Atoll National Wildlife Refuge, Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve, Northwestern Hawaiian Islands State Marine Refuge, and Kure Atoll State Wildlife Sanctuary.

b.) To accomplish this activity we would

To accomplish the conservation and management of this ecosystem the MMB would carry out authorized activities associated with the following:

1. General operations to support field activities, which includes field camp, vessel, and flight operations
2. Resource survey and monitoring, which includes evaluating status and trends of target species and habitats
3. Natural resource protection, restoration, and remediation, which includes but is not limited to predator and invasive species control, marine debris removal and wildlife disentanglement, and health response and translocation of wildlife.
4. Cultural and historic resource identification, evaluation, monitoring, access and protection
5. Education, outreach and partnerships

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

These activities would benefit the Monument by providing coordinated interagency management of Monument ecosystems, prevent duplicate efforts, and gain efficiencies.

Other information or background:

A conservation and management permit of this nature has been issued annually, pending a stringent review process, to the MMB agencies since 2008 for the purpose of conducting cooperative and effective management of Monument resources. For example, the NOAA NMFS PIFSC Marine Turtle Research Program has worked successfully within the U.S. Fish and Wildlife Service, Hawaiian Islands National Wildlife Refuge for over 40 seasons, resulting in great success for the species. Such collaborative work would benefit other Monument programs.

Section A - Applicant Information

1. Applicant

Underwood, Jared: Superintendent for Papahānaumokuākea Marine National Monument, Department of the Interior, U.S. Fish and Wildlife Service

Roberts, Eric: Superintendent, Papahānaumokuākea Marine National Monument, National Oceanic and Atmospheric Administration

Neilson, Brian: Division of Aquatic Resources Administrator State of Hawai‘i Department of Land and Natural Resources

Stacy Kealohalani Ferreira, Office of Hawaiian Affairs

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

N/A

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

Underwood, Jared: Superintendent, Papahānaumokuākea Marine National Monument, Department of the Interior, U.S. Fish and Wildlife Service - SEE ORGNAL APP FOR ADDRESS INFO

Roberts, Eric: Superintendent, Papahānaumokuākea Marine National Monument, Department of Commerce, National Oceanic and Atmospheric Administration - SEE ORGNAL APP FOR ADDRESS INFO

Neilson, Brian: Division of Aquatic Resources Administrator, State of Hawai‘i Department of Land and Natural Resources - SEE ORGNAL APP FOR ADDRESS INFO

Ferreira, Stacy Kealohalani: Office of Hawaiian Affairs - SEE ORGNAL APP FOR ADDRESS INFO

Phone:

Jared Underwood: SEE ORGNAL APP FOR CONTACT INFO

Eric Roberts: SEE ORGNAL APP FOR CONTACT INFO

Brian Neilson: SEE ORGNAL APP FOR CONTACT INFO

Stacy Kealohalani Ferreira: SEE ORGNAL APP FOR CONTACT INFO

Fax:

Jared Underwood: 808-792-9583

Eric Roberts: 808-455-3093

Brian Neilson: 808-587-0115

Stacy Kealohalani Ferreira: 808-594-1938

Email:

Jared Underwood: Jared_Underwood@fws.gov

Eric Roberts: eric.roberts@noaa.gov

Brian Neilson: Brian.J.Neilson@hawaii.gov

Stacy Kealohalani Ferreira: stacyf@oha.org

For students, major professor's name, telephone and email address: N/A

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

Underwood, Jared: Superintendent for Papahānaumokuākea Marine National Monument, Department of the Interior, U.S. Fish and Wildlife Service

Roberts, Eric: Superintendent, Papahānaumokuākea Marine National Monument, National Oceanic and Atmospheric Administration

Neilson, Brian: Division of Aquatic Resources Administrator, State of Hawai'i Department of Land and Natural Resources

Stacy Kealohalani Ferreira: Ka Pouhana Kūikawā (Chief Executive Officer), Office of Hawaiian Affairs

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):

Variable. MMB designated staff, volunteers, cultural liaisons, or contractors necessary for the permitted activities may enter the Monument for conservation and management activities. Resident families of Midway Atoll may enter the Monument. Invited news media representatives may enter the Monument to provide not-for-profit public information of conservation and management activities. All personnel will be identified and information will be provided to the Monument Permit Coordinators prior to each entry.

The MMB shall ensure that all personnel assigned to any conservation and management activity allowed under this permit are qualified to perform in the assigned role and are limited to the scope of their position and respective project, and shall comply with all other applicable laws, policies, protocols, permits, and regulations. In addition, the MMB will ensure that all management activities are communicated and coordinated on an ongoing and regular basis.

To safeguard all the resources and ecological integrity of the Monument, early and ongoing coordination of interagency activities will occur between the action agency and interested Monument partners as soon as details of activities are identified via a shared tracking drive or similar type written documentation. The goal of early coordination is the commitment to identifying, incorporating, and customizing best management practices for specific activities. Additionally, pre-access cultural briefings will be conducted for all new personnel entering the Monument and annually for all.

Section B: Project Information

5a. Project location(s):

Ocean Based

- | | | | |
|--|--|---|--|
| <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 checked="" type="checkbox"/> Other | | | |

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

Location Description:

This permit application encompasses all conservation and management activities that the MMB may conduct throughout the entire Monument.

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*

ENTRANCE

1. The MMB, their designated agency staff, volunteers, cultural liaisons, contractors, and Midway Atoll National Wildlife Refuge residents necessary for permitted activities may enter Papahānaumokuākea Marine National Monument . All personnel must be identified and information provided to the Monument permit coordinators prior to each entry into the Monument. The MMB shall ensure that all personnel assigned to conduct conservation and management activities authorized under this permit are fully qualified to perform in the assigned role(s) and shall be limited to the scope of actions set forth in this permit and all other applicable policies, protocols, permits, and regulations. (ALL MMB AGENCIES)

OPERATIONS

2. Operating field stations of the National Wildlife Refuge System (NWRS) and the State of Hawai‘i Kure Atoll State Wildlife Sanctuary, necessary for meeting mission and purposes of refuges and the Monument in support of on-site management and resource conservation including but not limited to: (STATE) (FWS)
 - a. Maintaining and repairing/replacing facilities, seawalls, piers and their components (e.g., carpentry, electrical, plumbing, welding, general construction); (STATE) (FWS)
 - b. Deconstruction and reconstruction of buildings, roads, and other facilities; (STATE) (FWS)
 - c. Maintaining airport and airstrips, including improvements such as runway lighting replacement, taxiway maintenance (including repaving, and painting/markings); (FWS)
 - d. Painting, including all preparation work such as scraping, washing, etc.; (STATE) (FWS) and
 - e. Lead-based paint soil remediation, including removing sand/soil from around many or all affecting buildings and proper on-site containment of this material. (STATE) (FWS)
3. Supporting and re-supplying field camps and field stations, including but not limited to, delivery and removal of supplies, equipment, people, waste, and/or assets necessary for operations. (ALL MMB AGENCIES)
4. Operating vessels to provide access for conservation and management activities. Authorized vessel operations shall include, but are not limited to:
 - a. Operating, mooring and anchoring small boats; (ALL MMB AGENCIES)
 - b. Conducting maintenance, proficiency training and safety measures for authorized vessels; (ALL MMB AGENCIES)
 - c. Anchoring of the authorized vessels and small boats on sandy substrate only, and all anchors must be lowered into place; (ALL MMB AGENCIES)
 - d. Discharging gray water outside of all Special Preservation Areas and the Midway Atoll Special Management Area; (ALL MMB AGENCIES) and

- e. Discharging biodegradable solid waste associated with galley operations restricted to 3 nautical miles (ground to 1 inch in diameter) and 12 nautical miles (unground) outside of all Special Preservation Areas and the Midway Atoll Special Management Area. (ALL MMB AGENCIES)
5. Possessing fishing gear to conduct sustenance fishing in accordance with applicable regulations. Sustenance fishing must only be done to supplement food stores as to not be construed as a recreational activity. (ALL MMB AGENCIES)
6. Operating aircraft and airfields, including necessary maintenance and use of airfields and runways at Midway Atoll. (FWS)
7. Conducting on-site reviews and operational evaluations including, but not limited to: (ALL MMB AGENCIES)
 - a. On-site reviews by management and congressional personnel; (ALL MMB AGENCIES)
 - b. Agency site visits and meetings for management planning and programmatic assessments; (ALL MMB AGENCIES) and
 - c. On-site management and safety reviews to gauge implementation and effectiveness of Monument management and programs. (ALL MMB AGENCIES)
8. Conducting personnel safety, fitness, and health maintenance including, but not limited to: (ALL MMB AGENCIES)
 - a. Biking, swimming, and jogging at Kure Atoll, Tern Island, French Frigate Shoals, and Midway Atoll; and (ALL MMB AGENCIES)
 - b. Conducting health and safety activities for all personnel, including but not limited to: site safety reviews, adverse weather and emergency response procedures, safety protocols, and continuation of operation plans. (ALL MMB AGENCIES)

RESOURCE SURVEY AND MONITORING

9. Swimming, snorkeling, and closed or open circuit SCUBA diving within any Special Preservation Area of the Midway Atoll Special Management Area, necessary to support conservation and management activities covered under this permit. (ALL MMB AGENCIES)
10. Touching coral, living or dead, necessary to support conservation and management activities covered under this permit. (ALL MMB AGENCIES)
11. Attracting any living Monument resource, necessary to support conservation and management activities covered under this permit. (ALL MMB AGENCIES)

12. Surveying and monitoring target species and habitats to evaluate trends and status for management purposes. Activities in direct support of management, monitoring, and characterization may include: (ALL MMB AGENCIES)
 - a. Placing scientific equipment or drilling into submerged and emergent lands in order to install scientific equipment, devices, markers, oceanographic instrument arrays, UAS, acoustic monitoring systems, remotely operated camera systems, song meters, and remote viewing camera systems on submerged or emergent lands, and performing necessary maintenance activities on such equipment; (NOAA) (STATE) (FWS)
 - b. Collecting climatological data and necessary scientific information from on-site equipment; (NOAA) (STATE) (FWS)
 - c. Photographing and filming (including UAS) as necessary to document Monument resources; (ALL MMB AGENCIES)
 - d. Non-lethal marking and tagging for monitoring purposes. (ALL MMB AGENCIES)
 - e. Visual, non-invasive marking and tagging for monitoring purposes; (ALL MMB AGENCIES) and
 - f. Physical surveying of and sampling from landfills, storage tanks, contamination sites, or other potentially hazardous materials associated with current and former occupation and use of the Northwestern Hawaiian Islands (NWHI); (NOAA) (STATE) (FWS) and
 - g. Visual, acoustic, electronic (i.e. Conductivity-Temperature-Depth (CTD) casts) and/or uncrewed (aerial and marine) surveys in support of monitoring coral reefs, pelagic environments, and estimating the abundance, distribution, and/or presence of animals or plants in the NWHI. (NOAA) (STATE) (FWS)

13. Removing, moving, taking, harvesting, possessing, injuring, disturbing, or attempting to remove, move, take, harvest, possess, injure, or disturb biological, chemical, or geological samples for analysis in support of activities under approved management plans, restoration or recovery plans, and for base line inventory and monitoring of population trends and habitat conservation and management. (ALL MMB AGENCIES)

14. Removing, moving, taking, harvesting, possessing, or attempting to remove, move, take, harvest, or possess a set number of any visually observable marine organism morphotype (except mammals) or terrestrial plant morphotype (including fungi), which cannot be visually identified or may represent a new geographic record or new species, with the set number based upon the per island/atoll abundance criteria below: (ALL MMB AGENCIES)
 - a. One (1) specimen can be taken, removed, or possessed if in abundance assessment cannot be ascertained, or less than ten (10) such specimens are present, cumulative during the course of the collection event per island and atoll; (ALL MMB AGENCIES)

- b. Up to three (3) specimens can be taken, removed, or possessed if an abundance assessment of ten (10) or more such specimens is ascertained, cumulative during the course of the collection event per island or atoll; (ALL MMB AGENCIES) and
 - c. For clonal organisms that cannot be visually identified or may represent a new geographic record or new species, take shall be limited to no more than half the clonal organism visually observed. Up to three (3) clonal specimens of similar morphology can be taken, removed, or possessed if an abundance assessment of ten (10) or more of such specimens is ascertained, cumulative during the course of the collection event per island or atoll. (ALL MMB AGENCIES)
15. Conducting habitat mapping for the production of accurate, high-resolution base maps with methods to include: (ALL MMB AGENCIES)
- a. Data collecting to include optic, acoustic, and metal detector technologies, as well as land and dive operations, including the use of a remotely operated vehicle (ROV) and UAS, for ground truthing; (ALL MMB AGENCIES) and
 - b. Global Positioning System (GPS) mapping and Light Detection and Ranging (LIDAR) work. (ALL MMB AGENCIES)

NATURAL RESOURCE PROTECTION, RESTORATION, AND REMEDIATION

16. Conducting management actions necessary to understand and carry out protection, restoration, and remediation of species and habitats, such as carrying out existing species recovery and restoration plans (ALL MMB AGENCIES).
- a. Conducting wildlife disentanglement, health response (including treatment and necropsy), and translocation activities according to existing species recovery plans; (NOAA) (STATE) (FWS);
 - b. Conducting population augmentation or reestablishment activities such as capture, translocation, reintroduction, and out-planting; (ALL MMB AGENCIES);
 - c. Conducting invasive species controls by mechanical, chemical and manual methods as needed; (ALL MMB AGENCIES);
 - d. Investigating and monitoring of contamination in abiotic or biotic resources. (NOAA) (STATE) (FWS);
17. Removing marine debris, including but not limited to, plastic pollution, trash, derelict fishing gear and other materials (land and ocean-based) that pose threats to Monument resources. Activities may include: (ALL MMB AGENCIES)
- a. Disentangling wildlife from marine debris and other materials by authorized personnel; (NOAA) (STATE) (FWS).
 - b. Tracking debris via drifter buoys and UAS; (NOAA) (STATE) (FWS)
 - c. Monitoring of sites that have been cleared of debris for recovery rates and effects of removal; (ALL MMB AGENCIES)
 - d. Locating and removing debris and hazardous materials. This may be through interagency agreements, such as the Department of Defense (DOD) Innovative

- Readiness Training (IRT), Formerly Used Defense Sites (FUDS), or the Base Realignment and Closure (BRAC) Programs. Efforts may include activities such as seafloor and island mapping, reconnaissance and removal of materials, and derelict vessel salvage and removal; (ALL MMB AGENCIES) and
- e. Removal of sessile encrusting flora and fauna associated with marine debris. (ALL MMB AGENCIES)

18. Providing emergency response and damage assessment, mitigation, restoration, and monitoring post-response management. (ALL MMB AGENCIES) Activities may include:
 - a. Conducting damage assessment, mitigation, restoration, monitoring, and post-response management in coordination with appropriate federal and/or state resource agencies and, as appropriate, consistent with NOAA, FWS, and State of Hawai‘i Damage Assessment and Restoration regulations, policies, and procedures (e.g., oil spills, ship groundings, tsunami-generated marine debris, damage assessments, monitoring alien species, monitoring coral bleaching events, collection of bleached coral or alien species); (ALL MMB AGENCIES) and
 - b. Conducting activities in response to an unusual mortality event (including but not limited to threatened and endangered species, marine mammals, and migratory birds) mass stranding or other urgent species response. (NOAA) (STATE) (FWS)

CULTURAL AND HISTORICAL RESOURCE IDENTIFICATION AND PROTECTION

19. Removing, moving, taking, harvesting, possessing, injuring, disturbing; or attempting to remove, move, take, harvest, possess, injure, or disturb post-contact artifacts as needed, subject to National Historic Preservation Act (NHPA) consultation when applicable, for the purpose of identifying, documenting, interpreting, preserving, and protecting the Monument’s cultural and historic resources. (ALL MMB AGENCIES)
20. Monitoring and surveying historic sites. (ALL MMB AGENCIES)
21. Conducting or allowing for the preservation and conservation of artifacts subject to successful NHPA Section 106 consultation and appropriate approvals from other Federal agencies (e.g., U.S. Navy), when applicable. (ALL MMB AGENCIES)
22. Non-commercial filming and photographic activities for the purposes of further documenting and capturing the history of the NWHI. (ALL MMB AGENCIES)
23. Locating historic artifacts using passive side scan sonar, metal-detector, or (land-based) ground penetrating radar. (ALL MMB AGENCIES)
24. Returning of any previously collected samples to appropriate areas in Papahānaumokuākea with proper cultural and biological protocols and in coordination with appropriate federal and/or state resource agencies and community partners, including OHA and the Papahānaumokuākea Native Hawaiian Cultural Working Group, as appropriate. (ALL MMB AGENCIES)

25. Recording of atmospheric, celestial, biological, and other environmental observations for the purpose of developing and understanding natural trends, changes and cycles. (ALL MMB AGENCIES)
26. Conducting native Hawaiian cultural protocols and ceremonies in conjunction with access for conservation and management activities identified in this permit, including offering of culturally and biologically appropriate ho‘okupu including but not limited to: mele, oli, hula, pa‘akai, small amounts of pre-frozen wai (freshwater), lā‘ī (ti leaves), pre-frozen powdered awa/taproot) in accordance with Monument regulations and Best Management Practices, including those addressing potential biosecurity issues. All materials used or released into the Monument for cultural protocols and ceremonies must be identified prior to the action occurring and limited to the minimum amount necessary. (ALL MMB AGENCIES)
27. Removing, moving, taking, harvesting, possessing, injuring, disturbing; or attempting to remove, move, take, harvest, possess, injure, or disturb non-living culturally significant materials to support item 26. All materials must be identified prior to the action occurring and limited to the minimum amount necessary. (ALL MMB AGENCIES)
28. Maintaining, preserving, caring for, and perpetuating Native Hawaiian wahi kūpuna (cultural sites) and iwi kūpuna (ancestral bones) in accordance with proper cultural protocols and consultation per the NHPA, Native American Graves Protection and Repatriation Act, Archeological Resources Protection Act, American Indian Religious Freedom Act and applicable sections of the Hawai‘i State Constitution, Hawai‘i Revised Statutes and Hawai‘i Administrative Rules. (ALL MMB AGENCIES)
29. Conducting activities necessary for maintaining and preserving historic sites on Midway Atoll. (ALL MMB AGENCIES)

OUTREACH AND EDUCATION

30. Gathering information and experiences from personnel within the Monument to develop agency web pages, Navigating Change projects, and other Monument educational outreach products. (ALL MMB AGENCIES)
31. Removing, moving, taking, harvesting, possessing, injuring, disturbing; or attempting to remove, move, take, harvest, possess, injure, or disturb non-living debris and biological samples and specimens such as albatross boluses and carcasses for educational and/or outreach projects. (ALL MMB AGENCIES)
32. Conducting not-for-profit news media and VIP site visits to enhance public knowledge and understanding of Monument resources. (ALL MMB AGENCIES)
33. Photographing and filming (including use of UAS) as necessary to document Monument resources; (ALL MMB AGENCIES)

34. Conducting environmental, cultural, and historical education programs throughout the Monument by designated agency staff and contractors. (ALL MMB AGENCIES)

HAWAIIAN MONK SEAL CONSERVATION AND MANAGEMENT ACTIVITIES

35. Conducting the following population monitoring activities¹:
 - a. Conducting seal assessments by visually identifying animals, and marking and tagging animals; (ALL MMB AGENCIES) \
 - b. Instrumenting seals including but not limited to mounted cameras and telemetry tags. (NOAA)
36. Operating Uncrewed Systems (UxS) to assist in monitoring and research activities¹(NOAA)
37. Traversing Mokumanamana to conduct population assessment surveys¹ only when full surveys cannot be completed by boat landing or UxS operations. (NOAA) (FWS)
38. Placing acoustic recording devices on submerged sandy substrate to capture underwater vocalizations¹ of Hawaiian monk seals. (NOAA)
39. Installing scientific equipment (i.e., bluetooth tag signal receiving stations), cameras, and associated power sources (i.e., solar panels and batteries) and satellite internet devices on emergent lands to monitor entrapments and animal behavior. Performing necessary maintenance activities on such equipment. (NOAA)
 - a. Installing scientific equipment (e.g., data loggers) underwater, either attached to existing infrastructure or on submerged sandy substrate to monitor environmental data (e.g., water temperature) around areas of shark predation on Hawaiian monk seal pups at Lalo. Retrieving, re-deploying and performing necessary maintenance activities on such equipment. (NOAA)
40. Disentangling monk seals from marine debris¹. (NOAA) (FWS)
41. Conducting health surveillance and response, including but not limited to cutting umbilical cords, anthelmintic treatments, lancing abscesses, administering antibiotics and vaccinations, responding to disease outbreaks, necropsy and collecting/archiving/transferring samples for further research and diagnostic collaboration¹. (NOAA)
42. Translocating Hawaiian monk seals¹, consisting of the following types:
 - a. *Intra-atoll*: These translocations will include moving seals from areas of high risk where threats are imminent to safer areas and moving pups to promote maternal fostering when necessary. Field staff will perform these movements; greater resources (e.g., veterinary care) will not typically be necessary. (NOAA)

- b. *Inter-atoll*: These translocations will include transport of weaned female pups from atolls/islands of low survival to those of higher survival. (NOAA)
 - c. *MHI-NWHI*: These translocations will include transport of main Hawaiian Island (MHI) seals that are considered a threat to themselves or humans because they have demonstrated a pattern of interacting with humans. (NOAA)
43. Reuniting nursing mothers and pups, when separated (includes instances of pup switches)¹. (ALL MMB AGENCIES)
44. Mitigating male aggression towards pups and juveniles (individual and multiple male-based aggression), including utilizing all federally permitted techniques (including, but not limited to, poles, rocks, slingshots, and air horns)¹. Mitigation tools shall be applied as appropriate for the given context (i.e., the intensity, severity and frequency of aggression and the location, with regard to other species in the area such as birds). Mitigation may include temporarily separating males from juveniles by placing either in temporary shore-pens (see below). Mitigation also may include removal of the male(s) from the area by:
- a. Translocation to a location where no pups or juveniles will be harmed; (NOAA)
 - b. Placement in an appropriate, federally permitted facility that is agreeable and permitted to care for a male indefinitely; (NOAA)
 - c. Lethal removal: this type of removal will only be applied when the above two options are not feasible, possible or exhausted. Lethal removal of HMS has never been performed to-date, but this activity is included as a last resort if a situation arises where we cannot otherwise mitigate risks to the species. The preferred technique for euthanasia will be via injectable drugs and performed under the supervision of a licensed veterinarian. Sedatives may be combined with each other and with analgesics to achieve deep sedation and thus provide for the best welfare by minimizing stress, pain and anxiety. To eliminate the risk of secondary scavenger toxicity, any soft tissues not collected by necropsy sampling will be removed from the environment. Physical means (e.g., firearm) would be used only when chemical euthanasia is not possible, in order to ensure environmentally proper disposal. (NOAA)
45. Conducting captive care of compromised seals to administer veterinary care and/or food supplementation¹. Captive care may include the capture and transport of seals to shore-pens (in the NWHI) or facilities in the MHI. NWHI seals under care in the MHI may be returned to the NWHI when a licensed veterinarian deems them rehabilitated and transport is feasible. The seals will then be released to the NWHI site deemed most appropriate for their subsequent survival (determined on the basis of such factors as the intensity and severity of imminent threats to the seals and recent survival trends at each atoll/island). (NOAA)
46. Monitoring shark activity at French Frigate Shoals. Monitoring may include camping on islets with shark incidents on nursing pups and recording shark activity and shark-seal interactions via hand-held or mounted cameras. (NOAA)

47. Placing temporary shore pens at select NWHI breeding sites to facilitate monk seal recovery activities described here within (e.g., translocations, captive care, and male aggression mitigation)¹. (ALL MMB AGENCIES)
48. Working with Native Hawaiian cultural practitioners (including kahu manō) to develop and test adaptive management activities to monitor, and, where necessary for the species' persistence, mitigate shark predation of Hawaiian monk seal pups at Lalo¹.
49. Erecting temporary polyvinyl tents for housing monk seal field teams at French Frigate Shoals, Laysan, Lisianski, Pearl and Hermes and Kure. One tent at each site may have a radio antenna extending upwards <10ft. (NOAA)

¹ Prior to authorization to conduct work which may result in the “take” of a Hawaiian monk seal, consultation with the appropriate lead agency will occur to evaluate whether a separate ESA/MMPA permit shall be required

MATERIALS TRANSFER AND ASSISTANCE TO EXTERNAL PARTNERS

50. Provide access for external partners and/or permittees in conjunction with access for MMB conservation and management actions, when feasible, and done for the purpose of conducting cooperative and effective management of Monument resources. (ALL MMB AGENCIES)
51. Conduct miscellaneous activities in support of external partners and/or permittees, when feasible, and done for the purpose of conducting cooperative and effective management of Monument resources. (ALL MMB AGENCIES)
52. Transferring a set number of any visually observable marine organism morphotype (except mammals) or terrestrial plant morphotype (including fungi) which cannot be visually identified or may represent a new geographic record or new species, to partners for the purpose of identification, description and providing information to management, with the set number based upon the per island/atoll abundance criteria (See RESOURCE SURVEY AND MONITORING section above). (ALL MMB AGENCIES)
53. Collection and transfer of Monument materials (including culturally significant natural materials) in support of external partners and/or permittees when feasible, and done for the purpose of education, or conducting cooperative and effective management of Monument resources. This includes, but is not limited to, researchers, educators, museums, and cultural practitioners. Transfers shall be done according to one of the following categories, subject to all applicable permits and Monument Management Board (MMB) approved transfer documents: (ALL MMB AGENCIES)
 - a. Internal transfers. Transfers among the MMB agencies provided such material shall remain within the custody of the MMB. (ALL MMB AGENCIES)
 - b. External transfers. Transfers outside of MMB agencies if authorized in writing for the purpose of cultivating, informing, or involving constituencies that support or enhance

conservation and understanding of the natural, cultural, and historic resources of the Monument. (ALL MMB AGENCIES)

- c. Loan Transfers. Loans of biological samples or specimens, which must be returned to the MMB with a specified time frame and are subject to conditions stipulated in writing for the purpose of supporting educational or outreach projects that enhance conservation of the natural, cultural, and historic resources of the Monument. (ALL MMB AGENCIES)

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

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 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:

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

All conservation and management activities conducted by the MMB will be carried out with strict safeguards for the natural, cultural, and historic resources of the Monument as required by Presidential Proclamation 8031, and other applicable law and agency policies and standard operating procedures. An evaluation of additional permits (i.e. ESA, MMPA, MBTA, etc.) required and/or regulatory environmental consultations needed (i.e. ESA Section 7, MSA EFH, NHPA Section 106) will occur for each MMB activity and be obtained/completed prior to the activity occurring (as necessary). All agencies have field protocols and best management practices. These practices and procedures will minimize or eliminate disturbance to wildlife, flora, habitats, and cultural and historic resources. Long and short-term monitoring data is used to inform management and conservation actions to maintain the ecological, cultural and historic integrity of the Monument.

To safeguard all the resources and ecological integrity of the Monument, early and ongoing coordination of interagency activities will occur between the action agency and interested Monument partners as soon as details of activities are identified. For example, Monument partners will document proposed activities under a memo-to-file and a joint calendar of projected activities to be covered under the manager’s permit is kept and continually updated by agency staff. In addition, logistics planning and coordination meetings between all MMB agencies may be implemented to further synchronize activities. The goal of early coordination is the

commitment to identifying, incorporating, and customizing best management practices for specific activities.

Additionally, pre-access cultural briefings will be conducted for all new personnel entering the Monument and annually for all.

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 activities requested are directed by Presidential Proclamation 8031 and other state and federal laws, regulations, and policies. The MMB will manage the Monument's natural, historic and cultural resources, qualities, and ecological integrity in a way that will not diminish and will likely enhance them. Indirect, secondary, and cumulative effects of management activities are always considered. Activities will be in support of the Monument Management Plan (2008), including but not limited to priority management needs 3.1: Understanding and Interpreting the NWHI; 3.2: Conserving Wildlife and Habitats; 3.3 Reducing Threats to Monument Resources; 3.5: Coordinating Conservation and Management Activities; and 3.6: Achieving Effective Monument Operations.

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.

On June 15, 2006, President George W. Bush established Papahānaumokuākea Marine National Monument by issuing Presidential Proclamation 8031 (Proclamation; 71 FR 36443, June 26, 2006) under the authority of the Antiquities Act (16 U.S.C. 431), with codifying regulations in 50 CFR Part 404. This Proclamation designated that the Monument would be managed by the Department of Commerce through NOAA, the Department of the Interior through FWS, and that the State of Hawai'i's jurisdiction in the region remained unchanged. Through the December 8, 2006 and the January 10, 2017 Memorandums of Agreement (MOA), NOAA, FWS, and the State of Hawai'i through the Department of Land and Natural Resources, and the Office of Hawaiian Affairs (OHA), became the agencies responsible for the conservation and management of the Monument. The MMB has been directed to provide unified conservation and management of the lands and waters of the Monument; therefore there is no practicable alternative to conducting management activities inside 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?

The end value is to maintain all Monument resources and conduct adaptive management which will allow educated management decisions and provide for long-term protection of the Monument. By taking appropriate management actions – from monitoring to habitat enhancement and education – agencies will be able to anticipate needs, take appropriate action, and allow only activities that enhance the quality and integrity of the natural, historic and cultural

resources of the Monument. Appropriate management actions prevent potential adverse impacts that include but are not limited to: invasive species outbreaks, overharvesting of natural resources; marine debris damage; avian disease outbreaks, and monk seal population declines. In addition, the MMB will employ time-tested best management practices to minimize and mitigate adverse impacts.

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

All conservation and management activities conducted by the MMB are conducted in the shortest possible window to prevent or eliminate disturbance to the natural, historic, and cultural resources of the Monument.

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

The MMB and their representative management, biological, interpretive, law enforcement, administrative, and education and outreach staff possess high levels of expertise and knowledge of the ecosystem and locations within the Monument. These experts provide their knowledge and recommendations in all management decisions so that all impacts are minimized and mitigated if necessary.

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 MMB has adequate financial resources available to conduct the proposed management activities. Federal funding is provided through congressional appropriation. State funding is provided through State of Hawai‘i funding processes.

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 methods and procedures used in the conservation and management activities by the MMB are appropriate to achieve the proposed activity’s goals. All activities proposed are required for effective management of the Monument and are conducted in a way that minimizes impact as required by law. Management activities assist the MMB to protect the Monument natural, historic and cultural resources, qualities, and ecological integrity.

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

All vessels used by the MMB that are not stationed in the Monument will be outfitted with a functional NOAA Office of Law Enforcement type-approved Vessel Monitoring System as required by 50 CFR Part 404.5 and stated in the Proclamation.

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

There are no other factors that would make the issuance of a permit for the listed activities inappropriate.

8. Procedures/Methods:

The above activities will be conducted by employees, contractors, and volunteers under the direction and control of the MMB in accordance with Presidential Proclamation 8031 and all other applicable laws and regulations.

The MMB will abide by the following Best Management Practices, policies, and procedures, among others that may be developed, when operating in the Monument:

1. Marine Alien Species Inspection Standards for Maritime Vessels (BMP# 001);
2. Protocol for Acquiring Avian Blood Samples (BMP# 002);
3. Human Hazards to Seabirds (BMP# 003);
4. Best Management Practices for Boat Operations and Diving Activities (BMP# 004);
5. Protocols to Reduce Impact to the Laysan Finch (BMP# 005);
6. General Sampling and Transport Protocols for Collected Samples (BMP# 006);
7. Best Management Practices for Terrestrial Biosecurity (BMP# 007);
8. Seabird Protocols Necessary for Conducting Trolling Research and Monitoring in Papahānaumokuākea Marine National Monument (BMP# 008);
9. Best Practices for Minimizing the Impact of Artificial Light on Sea Turtles (BMP# 009);
10. Marine Wildlife Viewing Guidelines (BMP# 010);
11. Disease and Introduced Species Prevention Protocol for Permitted Activities in the Marine Environment (BMP# 011);
12. Precautions for Minimizing Human Impacts on Endangered Land Birds (BMP# 012);
13. Nonnative Species Inspection Requirements at Midway Atoll (BMP# 015);
14. Best Management Practices for Activities on Nihoa (BMP# 016);
15. Best Management Practices for Maritime Heritage Sites (BMP# 017);
16. Rodent Prevention and Inspection Standards for Permitted Vessels (BMP# 018);
17. Best Management Practices for Activities on Mokumanamana (Necker Island) (BMP# 019);
18. Best Management Practices to minimize the spread of nuisance alga (BMP# 20);
19. Health and Safety Plans, and Emergency Response Plans;
20. All FWS refuge policies and procedures for conduct in the two wildlife refuges (Hawaiian Islands National Wildlife Refuge and Midway Atoll National Wildlife Refuge);
21. All policies and procedures for conduct in Northwestern Hawaiian Islands Hawai‘i State Marine Refuge and Kure Atoll State Seabird Sanctuary;
22. Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Executive Orders;
23. Hawai‘i Administrative Rules, §13-60.5, the Hawai‘i Revised Statutes, § 187A-6; and
24. All other applicable state and federal laws and regulations.

NOTE: If land or marine archeological activities are involved, contact the Monument Permit Coordinator at the address on the general application form before proceeding.

9a. Collection of specimens - collecting activities (would apply to any activity): organisms or objects (List of species, if applicable, attach additional sheets if necessary):

See ‘MATERIALS TRANSFER AND ASSISTANCE TO EXTERNAL PARTNERS’ section above

Answers to the following will be dependent on specific management activities, and will be reported on per activity to document and track actual collections.

Common name:

Scientific name:

& size of specimens:

Collection location:

Whole Organism Partial Organism

9b. What will be done with the specimens after the project has ended?

Collections and specimens will be processed and archived according to agency protocols and Monument Best Management Practices. Some material may be provided for educational use or for museum vouchers and studies. Cultural materials may be provided to Hawaiian cultural practitioners when applicable, in coordination with appropriate federal and/or state resource agencies, including OHA. When practicable, and desirable, collections and specimens will be returned to the Monument at the location of collection.

9c. Will the organisms be kept alive after collection? Yes No

Management activity dependent

- General site/location for collections:

Management activity dependent

- Is it an open or closed system? Open Closed

Management activity dependent

- Is there an outfall? Yes No
Management activity dependent
- Will these organisms be housed with other organisms? If so, what are the other organisms?
Management activity dependent
- Will organisms be released?
Management activity dependent

10. If applicable, how will the collected samples or specimens be transported out of the Monument?

Collected samples and specimens will be transported out of the Monument by approved aircraft or vessel unless used for management within the Monument. Appropriate media for preservation will be used, and are incident or specimen specific.

11. Describe collaborative activities to share samples, reduce duplicative sampling, or duplicative research:

Collaborative activities are always a goal, and are incident specific. Collaboration opportunities will be sought out and will be entered into as opportunities present themselves. The MMB will work collaboratively to achieve the desired results, thus reducing duplicative sampling.

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

All gear and materials necessary for the activities listed in Section B, Number 6 are either available on location or will be provided by the acting agency as necessary. All gear and materials will be selected and treated according to invasive species and disease prevention protocols.

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

All hazardous materials necessary for the activities listed in Section B, Number 6 are either available on location or will be provided by the acting agency as necessary. Hazardous materials on the islands will be used in amounts that will sustain an approved activity for an appropriate time period. Inventory of hazardous materials will be conducted annually to reduce or minimize long term storage in order to reduce spills or accidents per OSHA standards. Unused and old hazardous materials brought into the Monument will be removed appropriately for disposal. All U.S. Department of Transportation safety measures will be followed for storage and transport of hazardous materials within the Monument.

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

Fixed installations and instrumentation will be used in marine and terrestrial survey, monitoring, and conservation activities such as:

- Placement, maintenance, testing, and removal of measuring devices and related equipment;
- Placement of weighted floats and/or lines affixed directly to the seabed for the purposes of grounding response, or benthic surveys;
- Setting of survey stakes;
- Coring the seabed to determine adequacy of the substrate for installation of moorings, and permanent monitoring stations;
- Installation and maintenance of moorings, boundary buoys, and permanent monitoring stations; and
- Placement of scientific equipment.

All installed hardware, including but not limited to instrumentation, survey stakes, moorings, buoys, and scientific equipment will be removed from the Monument upon completion of their respective projects.

15. Provide a timeline for sample analysis, data analysis, write-up and publication of information:

Samples and data will be analyzed as quickly as possible if they are collected, and publication of resulting information will follow. All data or a summary description will be provided in the permit reports as required by the permit resulting from this application.

16. List all Applicant’s publications directly related to the proposed project:

N/A

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.

JARED UNDERWOOD Digitally signed by JARED UNDERWOOD
Date: 2024.11.18 14:02:44 -10'00'

Jared Underwood Date
Superintendent
Papahānaumokuākea Marine National Monument
U.S. Department of the Interior, U.S. Fish and Wildlife Service

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4614 ROBERTS.ERIC.TROY.1177444614
Date: 2024.11.06 09:41:17 -10'00'

Eric Roberts Date
Superintendent
Papahānaumokuākea Marine National Monument
U.S. Department of Commerce, National Oceanic and Atmospheric Administration



Nov 28, 2024

Brian Neilson Date
Division of Aquatic Resources Administrator
State of Hawai‘i, Department of Land and Natural Resources



11/7/2024

Stacy Kealohalani Ferreira Date
Ka Pouhara
Office of Hawaiian Affairs

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

NOAA/Daniel K. Inouye Regional Center
NOS/ONMS/Papahānaumokuākea Marine National Monument
Attention: Permit Coordinator
1845 Wasp Blvd., Building 176
Honolulu, HI 96818
nwhipermit@noaa.gov
PHONE: (808) 725-5800 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
- Statement of information you wish to be kept confidential
- Material Safety Data Sheets for Hazardous Materials