

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 08/13/2010

Department of Commerce
National Oceanic and Atmospheric Administration
FOR CERTIFYING OFFICIAL: Simon Szykman
FOR CLEARANCE OFFICER: Diana Hynek

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 04/22/2010

ACTION REQUESTED: Extension without change of a currently approved collection
TYPE OF REVIEW REQUESTED: Regular
ICR REFERENCE NUMBER: 201004-0648-005
AGENCY ICR TRACKING NUMBER:
TITLE: Papahânaumokuâkea Marine National Monument Permit Application and Reports for Permits
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change
OMB CONTROL NUMBER: 0648-0548
The agency is required to display the OMB Control Number and inform respondents of its legal significance in accordance with 5 CFR 1320.5(b).

EXPIRATION DATE: 08/31/2013 DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	190,663	1,456	55,224
New	1,003	1,343	67,635
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	0	0	0
Change due to Agency Adjustment	-189,660	-113	12,411
Change Due to Potential Violation of the PRA	0	0	0

TERMS OF CLEARANCE:

OMB Authorizing Official: Kevin F. Neyland
Deputy Administrator,
Office Of Information And Regulatory Affairs

List of ICs

IC Title	Form No.	Form Name	CFR Citation
General (research, education and management) permit applications and permit reports	NA, NA, NA, NA	Conservation and Management permit instructions and application, Compliance check - submitted as part of each application, Educational permit instructions and application, Research permit instructions and application	
Special ocean use permit application and related reporting	NA	Special ocean use permit application	
Entry and exit notification for commercial vessels			50 CFR 404.4(b)
Native Hawaiian Practices permit application and related reporting	NA	Native Hawaiian Practices permit application	
VMS Purchase, Installation, Maintenance and Automatic Transmission Costs, and Activation Checklist	NA	Compliance Information Sheet (VMS certification under Question 9)	
Recreational permit applications and related reports	NA	Recreational permit application	

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

<p>1. Agency/Subagency originating request</p>	<p>2. OMB control number b. <input type="checkbox"/> None a. _____ - _____</p>
<p>3. Type of information collection (<i>check one</i>)</p> <p>a. <input type="checkbox"/> New Collection</p> <p>b. <input type="checkbox"/> Revision of a currently approved collection</p> <p>c. <input type="checkbox"/> Extension of a currently approved collection</p> <p>d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired</p> <p>e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired</p> <p>f. <input type="checkbox"/> Existing collection in use without an OMB control number</p> <p>For b-f, note Item A2 of Supporting Statement instructions</p>	<p>4. Type of review requested (<i>check one</i>)</p> <p>a. <input type="checkbox"/> Regular submission</p> <p>b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____</p> <p>c. <input type="checkbox"/> Delegated</p>
	<p>5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
	<p>6. Requested expiration date</p> <p>a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____</p>
<p>7. Title</p>	
<p>8. Agency form number(s) (<i>if applicable</i>)</p>	
<p>9. Keywords</p>	
<p>10. Abstract</p>	
<p>11. Affected public (<i>Mark primary with "P" and all others that apply with "x"</i>)</p> <p>a. <input type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms</p> <p>b. <input type="checkbox"/> Business or other for-profit e. <input type="checkbox"/> Federal Government</p> <p>c. <input type="checkbox"/> Not-for-profit institutions f. <input type="checkbox"/> State, Local or Tribal Government</p>	<p>12. Obligation to respond (<i>check one</i>)</p> <p>a. <input type="checkbox"/> Voluntary</p> <p>b. <input type="checkbox"/> Required to obtain or retain benefits</p> <p>c. <input type="checkbox"/> Mandatory</p>
<p>13. Annual recordkeeping and reporting burden</p> <p>a. Number of respondents _____</p> <p>b. Total annual responses _____</p> <p> 1. Percentage of these responses collected electronically _____ %</p> <p>c. Total annual hours requested _____</p> <p>d. Current OMB inventory _____</p> <p>e. Difference _____</p> <p>f. Explanation of difference</p> <p> 1. Program change _____</p> <p> 2. Adjustment _____</p>	<p>14. Annual reporting and recordkeeping cost burden (<i>in thousands of dollars</i>)</p> <p>a. Total annualized capital/startup costs _____</p> <p>b. Total annual costs (O&M) _____</p> <p>c. Total annualized cost requested _____</p> <p>d. Current OMB inventory _____</p> <p>e. Difference _____</p> <p>f. Explanation of difference</p> <p> 1. Program change _____</p> <p> 2. Adjustment _____</p>
<p>15. Purpose of information collection (<i>Mark primary with "P" and all others that apply with "X"</i>)</p> <p>a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management</p> <p>b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research</p> <p>c. <input type="checkbox"/> General purpose statistics g. <input type="checkbox"/> Regulatory or compliance</p> <p>d. <input type="checkbox"/> Audit</p>	<p>16. Frequency of recordkeeping or reporting (<i>check all that apply</i>)</p> <p>a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure</p> <p>c. <input type="checkbox"/> Reporting</p> <p> 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly</p> <p> 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually</p> <p> 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____</p>
<p>17. Statistical methods</p> <p>Does this information collection employ statistical methods</p> <p style="text-align: center;"><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>18. Agency Contact (person who can best answer questions regarding the content of this submission)</p> <p>Name: _____</p> <p>Phone: _____</p>

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator, Deputy Assistant Administrator, Line Office Chief Information Officer, head of MB staff for L.O.s, or of the Director of a Program or StaffOffice)

Signature

Date

Signature of NOAA Clearance Officer

Signature

Date

**SUPPORTING STATEMENT
PAPAHĀNAUMOKUĀKEA NATIONAL MARINE MONUMENT
OMB CONTROL NO. 0648-0548**

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

President Bush established the Papahānaumokuākea Marine National Monument (Monument) by issuing [Presidential Proclamation 8031](#) on June 15, 2006 (71 FR 36443, June 26, 2006) under the authority of the [Antiquities Act](#) (Act) (16 U.S.C. 431). The Proclamation reserves all lands and interests in lands owned or controlled by the Government of the United States in the Northwestern Hawaiian Islands (NWHI), including emergent and submerged lands and waters, out to a distance of approximately 50 nautical miles (nmi) from the islands. The outer boundary of the Monument is approximately 100 miles wide and extends approximately 1200 miles around coral islands, seamounts, banks, and shoals. The area includes the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve, the Midway Atoll National Wildlife Refuge, the Hawaiian Islands National Wildlife Refuge, and the Battle of Midway National Memorial.

The Secretary of Commerce, through the National Oceanic and Atmospheric Administration (NOAA), has primary responsibility regarding the management of the marine areas of the Monument, in consultation with the Secretary of the Interior. Similarly, the Secretary of the Interior, through the Fish and Wildlife Service (FWS), has sole responsibility for management of the areas of the Monument that overlay the Midway Atoll National Wildlife Refuge, the Battle of Midway National Memorial, and the Hawaiian Islands National Wildlife Refuge, in consultation with the Secretary of Commerce.

The Proclamation includes restrictions and prohibitions regarding activities in the Monument consistent with the authority provided by the Act. The Proclamation prohibits access to the Monument except when passing through the Monument without interruption or as allowed under a permit issued by the agencies. Vessels passing through the Monument without interruption are required to notify the agencies upon entering into and leaving the Monument. Individuals wishing to access the Monument to conduct certain regulated activities must first apply for and be granted a permit issued by the agencies pursuant to the Proclamation. Applicants must also certify compliance with certain vessel monitoring system requirements.

On August 29, 2006, NOAA and FWS published a final rule in the *Federal Register* (71 FR 51134) codifying the provisions of the Proclamation at 50 CFR Part 404. These agencies have since worked extensively with the State to ensure the permitting requirements and processes of all three entities are sufficiently coordinated to ensure applicants for permits for Monument activities require only a single application and receive one, combined agency permit.

NOAA is requesting an extension of this information collection.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

The information submitted by permit applicants will be used by the agencies' staff to decide whether to approve or deny a permit application. In making this decision, the agencies will consider such factors as:

- the professional qualifications and financial ability of the applicant as related to the proposed activity;
- the duration of the activity and its effects;
- the appropriateness of the methods and procedures proposed by the applicant for the conduct of the activity;
- the extent to which the conduct of the activity may diminish or enhance the qualities for which the Monument was designated;
- the end value of the activity; and
- other such matters as agency staff deem appropriate.

In addition to informing the agencies' decisions on permit applications, information submitted in permit applications and reports submitted pursuant to permit conditions may also be used by the agencies to, in some circumstances, inform—

- administrative appeals of permit decisions;
- decisionmaking on a permit amendment request or another permit application; or
- other management actions (e.g., emergency response and enforcement).

In terms of frequency of use, the information submitted in permit applications will, in general, only be used at the time the application is submitted to make a final decision on the application. Some of the information may also be used subsequent to the initial decisionmaking to inform management actions or decisionmaking. For example, a survey of a project location by one permit applicant may be used by the agencies in the future to respond to a vessel grounding in the same area in addition to facilitating the agencies' decision on that application. Information submitted in a report will be used to periodically assess the permittee's compliance with permit terms and conditions and to assist in evaluating the appropriateness of the permitted activity.

As explained in the preceding paragraphs, the information gathered has utility. The agencies will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA and FWS standards for confidentiality, privacy, and electronic information. See response to Question 10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Publication is not planned; however, prior to any dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to [Section 515 of Public Law 106-554](#).

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

All permit-related guidance and documents will be found on the [Monument website](#). In addition, the agencies are currently developing an Internet-based permit tracking system. This system will ultimately allow permit applicants to submit their permit applications, logs, and final reports via the Internet. Currently, agencies will accept electronic permit applications, logs, and reports via email. Individuals passing through the Monument without interruption can provide the required notification via email as well. Information on installed vessel monitoring systems (VMS) is included in each permit application.

4. Describe efforts to identify duplication.

The agencies and the State have developed a fully coordinated and integrated permitting system for the Monument that minimizes duplication wherever possible. Applicants will be required to submit only a single application for a combined permit that meets the requirements of both the agencies and the State.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

This collection of information has minimal impact on small entities such as small businesses, organizations, or government bodies. The majority of permit applications are for activities conducted by large institutions (such as academic institutions), individuals, and government agencies. There may be some small impact on small businesses that wish to conduct commercial activities within the Monument; however, this impact is not likely to include a significant financial burden.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

If the information collection is not conducted, or is conducted less frequently, it is likely that the management objectives of the agencies could not be met. The agencies must be able to allow the conduct of otherwise prohibited activities to facilitate important research, education and management activities. Furthermore, the permit process allows these activities to take place under controlled conditions to ensure that the primary mandate of resource protection is fulfilled.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

NA.

8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

NOAA issued a request for public comment on the proposed information collection in the Federal Register on February 4, 2010 (75 FR 5760). No public comments on the information collection requirements were received.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

No payments or gifts will be provided to any respondents.

10. Describe any assurance or confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

Permit applicants are requested to indicate any information they wish to be kept confidential, including proprietary business information and locations of historic shipwrecks and artifacts. Such information is typically exempt from disclosure to anyone requesting information pursuant to the [Freedom of Information Act](#) (FOIA). The agencies will make all possible attempts to protect such information, consistent with all applicable FOIA exemptions in 5 U.S.C. 552(b). Typically exempt information includes trade secrets, commercial and financial information (5 U.S.C. 552(b)(4)). For all permit types, personal information affecting an individual's privacy will be kept confidential consistent with 5 U.S.C. 552(b)(6).

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

No sensitive questions are asked.

12. Provide an estimate in hours of the burden of the collection of information.

This collection of information has six different categories distinguished by the number of responses per permit and the time per response. Please see the Applicant Burden table following this support statement for response and burden totals. Annual responses total 191,250. Annual hours total 1,836. The forms and instructions to applicants that will be used to collect most categories of information (as specified below) are included in this request.

(a) General Permits:

Scope of this category. This category includes all permits not specifically addressed in other permit types listed below; typically, permit applications for scientific research, education, and management activities permits fall into this category.

Burden estimate. Each respondent will submit an application for a permit, a cruise log (or some other form of activity report) and a final summary report after the activity is complete for an average of three responses per permit. On average, each response is expected to take the respondent 5 hours to complete (longer for the application, shorter for the logs/reports). The agencies estimate that it will process approximately 60 permit applications with related documents under this category (180 responses) annually resulting from the final rule. **The total burden hours would be 900 annually under this category.**

Applicant guidelines. The form (with instructions containing guidance on what is required) to be used to collect this information was developed cooperatively between the agencies and the State.

(b) Special Ocean Use Permits:

Scope of this category. This category includes all permit applications processed for special ocean uses pursuant to the Proclamation.

Burden Estimate. For special ocean use permits, an application, a final report, and a financial report are required for each permit (total of 3 responses per permit). An average response time of 10 hours is estimated for each of these activities. Financial reports (due on December 31 of each year) may take less time but the application will take more time particularly if additional NEPA documentation is required and prepared by the respondent. **The agencies expect a total of 9 permit applications under this category each year for a total of 27 responses and 270 burden hours annually.**

Applicant guidelines. The form (with instructions containing guidance on what is required) to be used to collect this information was developed cooperatively between the agencies and the State.

(c) Native Hawaiian Practice Permits:

Scope of this category. This category includes all permit applications for the conduct of Native Hawaiian practices within the Monument.

Burden Estimate. For this category, an average time of 8 hours is estimated for each response (more for the application, less for the annual and summary trip reports). **The agencies estimate it will process approximately 3 permit applications in this category each year for a total of 9 responses and 72 burden hours annually.**

Applicant guidelines. The form (with instructions containing guidance on what is required) to be used to collect this information was developed cooperatively between the agencies and the State.

(d) Recreation Permits:

Scope of this category. This category includes all requests to conduct non-extractive recreational activities within the Midway Atoll Special Management Area of the Monument.

Burden Estimate. For this category, each respondent will submit an application for a permit, an activity report, and a final summary report after the activity is complete, for an average of three responses per permit. The agencies estimate an applicant would require an average of 6 hours per response (more for the application, less for annual and final summary reports). **The agencies estimate a total of 2 permit applications under this category each year, for a total burden hour estimate of 36 hours annually.**

Applicant guidelines. The form (with instructions containing guidance on what is required) to be used to collect this information was developed cooperatively between the agencies and the State.

(e) Entry and Exit Notification:

Scope of this category. This category includes all notices to the agencies of entry into and exit from the Monument. This category includes notification by persons engaged in passage without interruption.

Burden Estimate. The agencies estimate there would be approximately 192 respondents passing through the proposed sanctuary without interruption. Each respondent would have to provide telephone or email notification up to four times depending on the area(s) of entry and exit (one entry at the Monument boundary, one entry into an Area To Be Avoided (ATBA), one exit from an ATBA, and one exit notification at the Monument boundary), for a total of 768 responses. **For this category, the agencies estimate each response would require 5 minutes, for a total of 3,840 minutes (64 hours) per year.**

Applicant guidelines. The procedures for providing notice are included at 73 FR 73592.

(f) VMS Installation:

Scope of this category. This category includes all holders of Monument permits (74), with approximately 50 with a VMS not yet installed.

Burden Estimate. Installation takes an average of 4 hours (annualized over 4 years, the life of the unit, burden time is 1 hour). Thus, the total annualized burden would be 50 hours. However, as these are not information collection response hours, we will count only the cost of purchase/installation.

Applicant guidelines. Installation instructions would be obtained from Thrane & Thrane, or Faria Watchdog, the manufacturers.

(g) VMS Maintenance:

Scope of this category. All owners of VMS units, per (f).

Burden Estimate. Annual maintenance of VMS units averages 4 hours, with the total burden $74 \times 4 = 296$ hours; however, as with purchase/installation, there is no information provided, so only the maintenance cost is counted

Applicant guidelines. Maintenance guidelines would be obtained from Thrane & Thrane, or Faria Watchdog, the manufacturers.

(h) VMS Unit Certification:

Scope of this category. This category includes all certifications to NOAA's Office of Law Enforcement (OLE) that an installed VMS complies with the applicable requirements.

Burden Estimate. The agencies estimate there would be approximately 50 respondents subject to this certification requirement, on a one-time basis. This estimate includes all applicants for general permits, special ocean use permits, Native Hawaiian Practice permits, and recreational activities permits annually. **Each certification would take 5 minutes to complete, for a total of 4 hours one time, annualized to 1 hour.**

Applicant guidelines. Information on the applicant's VMS certification is requested as part of the attached permit application form and instructions.

(i) Hourly VMS Reports:

Scope of this category. This category includes all Monument permit holders who have purchased a VMS unit for use in the Monument.

Burden Estimate. Hourly transmission of position takes 5 seconds. The current estimate is that a vessel would average 159 days per year in the Monument, with 24 transmissions per day. However, OMB has clarified that these automatic responses do not count as burden; only the cost of transmission counts, as recordkeeping/reporting costs.

Applicant guidelines. Having the unit on, and transmitting the vessel's position, is required from a vessel's entrance into the Monument until its exit. No further guidance to applicants is required.

Total respondents are 192 (74 permittees plus an additional 118 non-permittees transiting without interruption, only). Total responses are 1,000. Total hours are 1,319.

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above).

The cost of the Thrane & Thrane Sailor specified unit or a Faria WatchDog 750 VMS specified unit is \$3,596 (annualized over 4 years, the life of the unit = \$899, totaling \$434,950). Average annual maintenance costs are \$100, totaling \$7,400. Transmission costs are \$1.28 per day. The current estimate is that a vessel would average 159 days per year in the Monument: 159 x 74 x \$1.28 = \$15,060.48. Copying, mailing and faxing of other reports total \$225.

The estimated annual costs are \$67,635 (\$44,950 in capital costs and \$ 22,685 in operations and maintenance costs). Please see the Applicant Burden table following this support statement.

14. Provide estimates of annualized cost to the Federal government.

The cost to the Federal government for each of the permit types is listed in the table below. All costs are for time to process applications and reports. Hours estimated annually are 2,309, at \$13 per hour, with the total cost \$30,017.

15. Explain the reasons for any program changes or adjustments.

The numbers of respondents and hours have been adjusted based on the actual experience by agency and state staff after averaging the Monument's first three field seasons. There are more than the expected commercial vehicle trips involving entering and exiting the Monument, resulting in an increase of 41 burden hours. The time for completion of general, Native Hawaiian practices and recreation permits and reports had been underestimated. These combined adjusted estimates result in an increase of 470 burden hours. However, there was a decrease in response time for special ocean use permits, of 93 hours. Also, it has been clarified that the automatic transmissions are not to be counted as burden, creating a further downward adjustment of 264 hours. The net decrease is 113 hours.

All costs associated with purchase and installation of VMS and certification remain the same. However, previously the cost of VMS maintenance was not included. Currently, 74 vessels spend an average of \$100 per year on maintenance, adding \$7,400 annually. Also, 74 vessels are now submitting automatic VMS transmissions, for a total of \$15,060, an increase of \$4,915 from \$10,145. Thus total costs have increased from \$55, 224 to \$67,635, an increase of \$12,411.

NOTE: In addition to adjusting/renaming most of the information collections in ROCIS, we were still left with three that were not needed, and the apparent changes due to agency discretion resulting are simply artifacts of the ROCIS system.

16. For collections whose results will be published, outline the plans for tabulation and publication.

The information collected will not be published.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

The expiration date for OMB approval of the information collection will be displayed.

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

Applicant Burden

Permit type	Permits and other Reporting per Year	Responses per Requirement	Total Responses	Avg. Hours/ Response	Total Hours	Annual Recordkeeping/ Reporting Cost per Response (\$)	Total Annual Cost (\$)
(a) General	60	3	180	5	900	\$1.00	\$180
(b) Special Ocean Use	9	3	27	10	270	\$1.00	\$27
(c) Native Hawaiian Practices	3	3	9	8	72	\$1.00	\$9
(d) Recreation	2	3	6	6	36	\$1.00	\$6
(e) Entry & Exit Notice	192	4	768	5 minutes	64	\$0.00	\$0
(f) Purchase and installation of VMS*	50	NA	NA	NA	NA	\$899 (initial cost: \$3595)	\$44,950
(g) VMS maintenance	74	NA	NA	NA	NA	\$100	\$7,400
(h) VMS Certification	50	0.25	12.5 (13)	5 minutes	1	\$0.25	\$3
(i) Hourly VMS reports	74	NA		NA	NA	\$1.28/day x 159 days	\$15,060
TOTAL	192**		1,003		1,343		67,635

* VMS installation and activation hours and purchase costs are annualized by dividing by 4 years, the expected service life.

** Total respondents are only 192 (74 permittees (a)-(d), plus 118 individuals transiting without interruption).

Federal Government Burden

Permit type	Responses per year	Hours per permit	Total hours	Labor cost per hour (\$)	Total annual cost (\$)
(a) General	180	10	1800	13	\$23,400
(b) Special Ocean Use	27	12	270	13	\$3,510
(c) Native Hawaiian Practices	9	10	90	13	\$1,170
(d) Recreation	6	10	60	13	\$780
(g) Entry & Exit Notice	768	5 minutes	64	13	\$832
(f) VMS Certification	50	30 minutes	25	13	\$325
TOTAL	1,040		2,309		\$30,017

Papahānaumokuākea Marine National Monument Compliance Information Sheet

1. Updated list of personnel to be covered by permit. List all personnel names and their roles here (e.g. John Doe, Diver; Jane Doe, Field Technician, Jerry Doe, Medical Assistant):

2. Specific Site Location(s): (Attach copies of specific collection locations):

3. Other permits (list and attach documentation of all other related Federal or State permits):

3a. For each of the permits listed, identify any permit violations or any permit that was suspended, amended, modified or revoked for cause. Explain the circumstances surrounding the violation or permit suspension, amendment, modification or revocation.

4. Funding sources (Attach copies of your budget, specific to proposed activities under this permit and include funding sources. See instructions for more information):

5. Time frame:

Activity start:

Activity completion:

Dates actively inside the Monument:

From:

To:

Describe any limiting factors in declaring specific dates of the proposed activity at the time of application:

Personnel schedule in the Monument:

6. Indicate (with attached documentation) what insurance policies, bonding coverage, and/or financial resources are in place to pay for or reimburse the Monument trustees for the necessary search and rescue, evacuation, and/or removal of any or all persons covered by the permit from the Monument:

7. Check the appropriate box to indicate how personnel will enter the Monument:

- Vessel
 Aircraft

Provide Vessel and Aircraft information:

8. The certifications/inspections (below) must be completed prior to departure for vessels (and associated tenders) entering the Monument. Fill in scheduled date (attach documentation):

- Rodent free, Date:
 Tender vessel, Date:
 Ballast water, Date:
 Gear/equipment, Date:
 Hull inspection, Date:

9. Vessel information (NOTE: if you are traveling aboard a National Oceanic and Atmospheric Administration vessel, skip this question):

Vessel name:

Vessel owner:

Captain's name:

IMO#:

Vessel ID#:

Flag:

Vessel type:

Call sign:

Embarkation port:

Last port vessel will have been at prior to this embarkation:

Length:

Gross tonnage:

Total ballast water capacity volume (m3):

Total number of ballast water tanks on ship:

Total fuel capacity:

Total number of fuel tanks on ship:

Marine Sanitation Device:

Type:

Explain in detail how you will comply with the regulations regarding discharge in the Monument. Describe in detail. If applicable, attach schematics of the vessel's discharge and treatment systems:

Other fuel/hazardous materials to be carried on board and amounts:

Provide proof of a National Oceanic and Atmospheric Administration (NOAA) Office of Law Enforcement-approved Vessel Monitoring System (VMS). Provide the name and contact information of the contractor responsible for installing the VMS system. Also describe VMS unit name and type:

VMS Email:
Inmarsat ID#:

* Individuals MUST ENSURE that a type-approved VMS unit is installed and that its automatic position reports are being properly received by the NOAA OLE system prior to the issuance of a permit. To make sure your VMS is properly configured for the NOAA OLE system, please contact NOAA OLE at (808) 203-2503 or (808) 203-2500.

* PERMITS WILL NOT BE ISSUED TO INDIVIDUALS ENTERING THE MONUMENT VIA VESSEL UNTIL NOAA OLE HAS CONTACTED THE MONUMENT PERMIT COORDINATOR WITH A 'POSITIVE CHECK' READING.

10. Tender information:

On what workboats (tenders) will personnel, gear and materials be transported within the Monument? List the number of tenders/skiffs aboard and specific types of motors:

Additional Information for Land Based Operations

11. Proposed movement of personnel, gear, materials, and, if applicable, samples:

12. Room and board requirements on island:

13. Work space needs:

DID YOU INCLUDE THESE?

- Map(s) or GPS point(s) of Project Location(s), if applicable
- Funding Proposal(s)
- Funding and Award Documentation, if already received
- Documentation of Insurance, if already received
- Documentation of Inspections
- Documentation of all required Federal and State Permits or applications for permits

**Papahānaumokuākea Marine National Monument
Research Permit Application Instructions
January 2008**

Introduction

On June 15, 2006, President Bush established the Papahānaumokuākea Marine National Monument (Presidential Proclamation 8031, 71 FR36443, June 26, 2006) under the authority of the Antiquities Act (Act) (16 U.S.C. 431). The Proclamation reserves all lands and interests in lands owned or controlled by the Government of the United States in the Northwestern Hawaiian Islands (NWHI), including emergent lands and submerged lands and waters, out to a distance of approximately 50 nautical miles (nmi) from the islands. The outer boundary of the Monument is approximately 950nmi long by 100nmi wide, extending around coral islands, seamounts, banks, and shoals. The area includes the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve, the Midway Atoll National Wildlife Refuge/Battle of Midway National Memorial, and the Hawaiian Islands National Wildlife Refuge and the Northwestern Hawaiian Islands State Marine Refuge.

The three principals with responsibility for managing lands and waters of the Monument, the Department of Commerce, Department of the Interior, and the State of Hawaii (collectively the Co-Trustees), work cooperatively to administer the Monument. This relationship is further described in the Memorandum of Agreement among the Co-Trustees signed on December 8, 2006.

Permit Application Deadlines

Permit applications must be received by:

- February 1: For activities occurring between June 1 and Aug 31
- May 1: For activities occurring between September 1 and December 31
- September 1: For activities occurring between January 1 and May 31

NOTE: Issuance of a Monument permit is dependent upon the completion and review of the application and Compliance Information Sheet.

Confidential Information

The Co-Trustees intend to post completed permit applications on the Internet for public review. Applicants are requested to indicate any information that is considered proprietary business information. Such information is typically exempt from disclosure to anyone requesting information pursuant to the Freedom of Information Act (FOIA) and all applicable State law. NOAA, the U.S. Fish and Wildlife Service and the State of Hawaii attempt to protect such proprietary information, consistent with all application FOIA exemptions in 5 U.S.C. 552(b) and applicable State law. Typically exempt information includes trade secrets, commercial and financial information (5U.S.C. 552(b) (4)). Personal information affecting an individual's privacy will also be kept confidential consistent with 5 U.S.C. 552(b) (6) and applicable State

law. Unless such information is so identified, the application may be made available to the public in its entirety.

Intellectual Property

The permittee retains ownership of any data, derivative analyses or other work product, or any photographic or video material, or other copyrightable works, but the Federal Government and the State of Hawaii retain a lifetime, non-exclusive, worldwide, royalty-free license to use the same for government purposes, including copying and redissemination, and making derivative works.

Indemnification

The permittee and any person participating in any activity authorized by this permit shall release, indemnify, and hold harmless National Oceanic and Atmospheric Administration, the Department of Commerce, the U.S. Fish and Wildlife Service, the Department of the Interior, the United States Government, the State of Hawaii, and their respective employees acting within the scope of their duties from and against any claims, demands, actions, liens, rights, subrogated or contribution interests, debts, liabilities, judgments, costs, and attorney's fees, arising out of, claimed on account of, or in any manner predicated upon the issuance of this permit or the entry into or habitation upon the Papahānaumokuākea Marine National Monument or as the result of any action of the permittee or persons participating in the activity authorized by this permit.

Reporting Burden

Submittal of the information requested in these guidelines is required to obtain a permit pursuant to Monument regulations (50 CFR Part 404). This data is to evaluate the potential benefits of the activity, determine whether the proposed methods will achieve the proposed results, evaluate any possible detrimental environmental impacts, and determine if issuance of a permit is appropriate. It is through this evaluation that the Co-trustees are able to use permitting as one of the management tools to protect Monument resources and qualities.

Public reporting burden for this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information is estimated as:

- A. Twenty-four (24) hours per response for Special Ocean Use permits;
- B. Five (5) hours per response for General (Research, Conservation and Management, and Education), Native Hawaiian Practices, and Recreation permits;
- C. Four (4) hours per response for VMS installation and maintenance;
- D. Five (5) minutes per response for entry and exit notices and VMS certification;
- E. Five (5) seconds per response for hourly VMS reports.

Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Papahānaumokuākea Marine National Monument Permit Coordinator, 6600 Kalaniana'ole Hwy. # 300, Honolulu, HI 96825.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

Directions for filling out the Monument Permit Application

1. Download the Research permit application. If you are unsure of the category for your proposed project, contact the Monument Permit Coordinator (contact information below).
2. Click on the document to open.
3. You will now be able to type in all the gray text field boxes and check boxes.
4. You will not be able to alter, copy, delete or modify the permit application questions and cover page in any way.

If you have difficulty filling out the application, contact the PMNM Permit Coordinator at (808) 397-2660 OR nwhipermit@noaa.gov.

Send Permit Applications to:

Papahānaumokuākea Marine National Monument Permit Coordinator
6600 Kalaniana'ole Hwy. # 300
Honolulu, HI 96825
nwhipermit@noaa.gov
PHONE: (808) 397-2660 FAX: (808) 397-2662

NOTE: SUBMITTAL VIA ELECTRONIC MAIL IS PREFERRED BUT NOT REQUIRED. YOU ARE ALSO REQUIRED TO SEND ONE SIGNED ORIGINAL APPLICATION VIA MAIL TO THE MONUMENT OFFICE ABOVE:

Papahānaumokuākea Marine National Monument RESEARCH Permit Application Instructions

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

Permit Application Cover Sheet Summary Information

NOTE: The permit application cover sheet is intended to provide summary information on permit applications for activities proposed to occur in the Papahānaumokuākea Marine National Monument. Information submitted in this section will be posted on the Monument website to inform the public regarding projects proposed to occur in the Monument.

Applicant Name: Enter the name of the person who is in charge of the proposed activity and who will be responsible for all the personnel and actions under the authority of the requested Monument permit.

Affiliation: Specify the Applicant's affiliation, if any, in relation to the proposed project.

Proposed Activity Dates: Specify the dates of your activities.

Proposed Method of Entry: Specify whether you will enter the Monument via vessel or aircraft.

Proposed Locations: Provide a brief summary of the location(s) for proposed activities (e.g. French Frigate Shoals, or 300-1500 meters depth east of Twin Banks, etc.). NOTE: Specific GPS and other location information are requested in the Monument Compliance Information Sheet.

Estimated number of individuals to be covered under this permit: Provide an ESTIMATE of the number of individuals (including Applicant) to be covered under this permit.

Estimated number of days in the Monument: Provide the ESTIMATED number of days in the Monument.

Description of proposed activities: Include a brief description of the proposed activities, including the following:

- Define the objective of the proposed activity (*The proposed activity will. . .*)
- Identify what the action will entail (*To accomplish this activity we would. . .*)
- Explain the benefit of the activity to the Monument (*This activity would help the Monument by. . .*)

Other information or Background: Include any other information relevant to your proposed activity summary.

Section A: Applicant Information

1. State the name and title of the Applicant. The Applicant is the individual who is in charge of the proposed activity and, therefore, responsible for all the personnel and actions undertaken under the authority of the any Monument Permit issued pursuant to this application. Attach the Applicant's CV, resume or biography if applicable.

1a. If you will not be present in the Monument for the proposed activities in your application, provide the full name(s), affiliation(s) and contact information of the person or persons responsible for ensuring the permit conditions are followed in the Monument. Attach their respective CV, resume, or biography if applicable.

2. State the Applicant's mailing address, phone number, fax number, and email address. If the Applicant is a student, state the Major Professor's contact information in addition to his/her own.

3. Specify the Applicant's affiliation, if any, in relation to the proposed project.

4. List all personnel roles and/or names. Include first and last name, position (Research Diver, Field Technician, Medical Assistant, etc.), affiliation, telephone number, and email address for each individual. If specific names of all participants are not known at the time this form is submitted, then specific roles must be provided as placeholders for numbers of persons requested to enter the Monument. The Application Review Committee may request resumes, biographies, or CVs for any personnel listed, at a later date. Attach additional information if necessary.

It is the Applicant's responsibility to keep Monument staff apprised of any proposed personnel changes. Full names of personnel and roles will be required in the Monument Compliance Information Sheet prior to issuance of a permit.

Section B: Project Information

5a. Project Location: Check the boxes of all applicable locations where the proposed activities will occur. Indicate whether your project will occur on land, in the ocean, or both. Also indicate whether your project will occur in deep water or shallow water, or both. Shallow water is defined by water less than 100 meters in depth. NOTE: Include alternate locations if appropriate.

* Location Description: Provide a description of the location of the proposed activity that includes sufficient detail. Refer to the Monument Compliance Information Sheet for information on including specific site and collection location(s).

5b. Check all applicable regulated activities proposed to be conducted in the Monument by the Applicant at any of the locations mentioned in 5a.

*Removing, moving, taking, harvesting, possessing, injuring, disturbing, or damaging, or attempting to remove, move, take, harvest, possess, injure, disturb, or damage 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 means dropping anything on to the ocean bottom with the intention of holding something fast to the bottom. Generally an anchor secures a vessel, but it may also be used for a mooring or any other item.

*Deserting a vessel aground, at anchor, or adrift.

*Discharging or depositing any material into Special Preservation Areas or the Midway Atoll Special Management Area except vessel engine cooling water, weather deck runoff, and vessel engine exhaust.

OR

*Discharging or depositing any material or other matter into the Monument, or discharging or depositing any material or other matter outside of the Monument that subsequently enters the Monument and injures any resources of the Monument, except fish parts (i.e. chumming material or bait) used in and during authorized fishing operations, or discharges incidental to vessel use such as deck wash, approved marine sanitation device effluent, cooling water, and engine exhaust.

*Touching any 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 resources.

*Sustenance Fishing means fishing for bottomfish or pelagic species within Federal waters, but outside of Special Preservation Areas, Ecological Reserves and the Midway Atoll Special Management Area, in which all catch is consumed within the Monument, and that is incidental to another activity permitted under Presidential Proclamation 8031.

*Subsistence Fishing means fishing for bottomfish or pelagic species in State waters in which all catch is for direct personal consumption within the Monument, and that is incidental to another activity permitted under Presidential Proclamation 8031.

*Swimming means entering the water and propelling oneself by movements of the limbs, without special equipment of any kind.

*Snorkeling means entering the water and swimming with the aid of a mask, snorkel, and fins, or any combination of the aforementioned equipment.

*SCUBA Diving means entering the water and submerging oneself with the aid of self-contained underwater breathing apparatus.

6. State the purpose of the proposed activities, including the goals and objectives of the activities.

7. The Secretaries of Commerce and Interior are required to determine that issuing the requested permit is compatible with the Findings of Presidential Proclamation 8031. Answer the Monument findings below and provide information that you believe will assist the Co-Trustees in determining your proposed activities are compatible with the conservation and management of the natural, historic and cultural resources of the Monument:

The Findings are as follows:

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

b. How will the activity be conducted in a manner compatible with the management direction of the 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?

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.

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

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

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

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.

h. Explain how the methods and procedures proposed by the applicant 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.

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

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

8. Describe the procedures and methods you will use in performing the proposed activity while within the Monument.

Describe in detail how you will get to your work locations and specific sites (walking, climbing, wading, swimming, snorkeling, diving, boating, etc.). Will you need to enter a seabird colony? Will you need access to beaches? Will you work at night?

Will you request assistance from Monument staff to maintain the equipment or collect data or samples in association with the proposed activity in your absence or presence? If so, describe procedures for doing so including how often it is to occur and how long it will take per maintenance/data/sample collection event. Describe how you plan to compensate volunteers for the maintenance or data/sample collection work.

NOTE: If you will not collect specimens, you may enter "N/A" for questions 9-11 and skip to question 12a.

9a. List all specimens (organisms or objects) you plan to collect. If applicable, list each species common name, scientific name, number to be collected, maximum size of specimens to be collected, amount taken and the size of the organism from which you will take any sample(s), and general collection location requested in #5a. Also indicate whether you will take the whole organism or a subsample thereof.

9b. List the post project disposition of specimens. What will be done with the parts of samples that are not used in your initial analysis?

9c. Check the appropriate box to indicate if the organisms will be kept alive after collection. If the organisms are to be kept alive, state where will they be housed. (Provide the general site and/or location.) Also check the appropriate box to indicate if there is an open or closed-system for maintaining living organisms and if there is an outfall or discharge. If applicable, note

whether the organisms will be kept with other species and if so, the species names of the other organisms. Will any organisms be released? If so, where?

10. How will the collected samples be transported out of the Monument? Will samples be transported by vessel or aircraft? Will samples be transported frozen, in formalin, in alcohol, or other media?

11. Describe whether you are collaborating with others to reduce duplicative activities in the Monument or elsewhere in the State of Hawaii or other Pacific Remote Island National Wildlife Refuges. If you are collecting samples for someone else, stipulate to whom the samples will be provided and give their Monument permit number. Also, list State of Hawaii and United States Fish and Wildlife Service permit numbers for any relevant collaborations or research related to this project, including projects in the main Hawaiian Islands and Pacific Remote Island National Wildlife Refuges. Provide information on permit applications for related research that are under review at any of the above agencies.

12a. Provide a complete itemized list of work related gear/equipment/supplies, including collecting equipment, radio isotopes, dive equipment, etc. that will be taken into and removed from the Monument. If you wish to store any items on any island between field seasons, request so here. Indicate how and where you propose the stored items be kept. If you propose to take any work or personal items ashore that will require use of resources (electrical, power, water, or other resources) also describe that in this section.

12b. For any Hazardous Materials also include the following information:

*List all hazardous materials by common name, proper shipping name, hazard class, and amount to be taken into the Monument. Provide a Material Safety Data Sheet for each hazardous material.

*Describe how each hazardous material will be contained and stored while in the Monument.

*Describe how each hazardous material will be used for the proposed activity. Describe how and when each hazardous material will be removed from the Monument.

NOTE: The Principal Investigator (Applicant) is responsible for disposal of, storage or unauthorized use of any left-over hazardous materials from any permitted activity.

13. If applicable, indicate the types of permanent or semi-permanent installments you would like to install in the Monument, and answer the following questions:

*What is it made of?

*What will be installed?

*How will it be installed?

*Where will it be installed?

*How long will it be installed?

*Will the installation require maintenance? If so, who will conduct the maintenance and how often?

*How and when will the installation be removed?

14. Provide information regarding the projected completion dates of the following: sample analysis, write-up and publication of information gathered within the Monument.

15. List all publications directly related to the proposed project:

Papahānaumokuākea Marine National Monument
RESEARCH Permit Application

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

ADDITIONAL IMPORTANT INFORMATION:

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

INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED

Send Permit Applications to:

Papahānaumokuākea Marine National Monument Permit Coordinator
6600 Kalaniana'ole Hwy. # 300
Honolulu, HI 96825

nwhipermit@noaa.gov

PHONE: (808) 397-2660 FAX: (808) 397-2662

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

Papahānaumokuākea Marine National Monument Permit Application Cover Sheet

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

Summary Information

Applicant Name:

Affiliation:

Permit Category: Research

Proposed Activity Dates:

Proposed Method of Entry (Vessel/Plane):

Proposed Locations:

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

Estimated number of days in the Monument:

Description of proposed activities: (complete these sentences):

- a.) The proposed activity would...

- b.) To accomplish this activity we would

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

Other information or background:

Section A - Applicant Information

1. Applicant

Name (last, first, middle initial):

Title:

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

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

Phone:

Fax:

Email:

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

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

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):

Section B: Project Information

5a. Project location(s):

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

Ocean Based

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

Location Description:

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:*

7. Answer the Findings below by providing information that you believe will assist the Co-Trustees in determining how your proposed activities are compatible with the conservation and management of the natural, historic, and cultural resources of the Monument:

The Findings are as follows:

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

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?

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.

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

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

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

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.

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.

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

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

8. Procedures/Methods:

NOTE: If land or marine archeological activities are involved, contact the Monument Permit Coordinator at the address on the general application form before proceeding, as a customized application will be needed. For more information, contact the Monument office on the first page of this application.

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

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?

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

• General site/location for collections:

• Is it an open or closed system? Open Closed

• Is there an outfall? Yes No

• Will these organisms be housed with other organisms? If so, what are the other organisms?

• Will organisms be released?

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

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

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

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

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

14. Provide a time line for sample analysis, data analysis, write-up and publication of information:

15. List all Applicants' publications directly related to the proposed project:

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

Signature

Date

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

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

DID YOU INCLUDE THESE?

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

**Papahānaumokuākea Marine National Monument
Education Permit Application Instructions
January 2008**

Introduction

On June 15, 2006, President Bush established the Papahānaumokuākea Marine National Monument (Presidential Proclamation 8031, 71 FR36443, June 26, 2006) under the authority of the Antiquities Act (Act) (16 U.S.C. 431). The Proclamation reserves all lands and interests in lands owned or controlled by the Government of the United States in the Northwestern Hawaiian Islands (NWHI), including emergent lands and submerged lands and waters, out to a distance of approximately 50 nautical miles (nmi) from the islands. The outer boundary of the Monument is approximately 1040 nmi long by 100nmi wide, extending around coral islands, seamounts, banks, and shoals. The area includes the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve, the Midway Atoll National Wildlife Refuge/Battle of Midway National Memorial, and the Hawaiian Islands National Wildlife Refuge and the Northwestern Hawaiian Islands State Marine Refuge.

The three principals with responsibility for managing lands and waters of the Monument, the Department of Commerce, Department of Interior, and the State of Hawaii (collectively the Co-Trustees), work cooperatively to administer the Monument. This relationship is further described in the Memorandum of Agreement among the Co-Trustees signed on December 8, 2006.

Permit Application Deadlines

Permit applications must be received by:

- February 1: For activities occurring between June 1 and Aug 31
- May 1: For activities occurring between September 1 and December 31
- September 1: For activities occurring between January 1 and May 31

NOTE: Issuance of a Monument permit is dependent upon the completion and review of the application and Compliance Information Sheet.

Confidential Information

The Co-Trustees intend to post completed permit applications on the Internet for public review. Applicants are requested to indicate any information that is considered proprietary business information. Such information is typically exempt from disclosure to anyone requesting information pursuant to the Freedom of Information Act (FOIA) and all applicable State law. NOAA, the U.S. Fish and Wildlife Service and the State of Hawaii attempt to protect such proprietary information, consistent with all application FOIA exemptions in 5 U.S.C. 552(b) and applicable State law. Typically exempt information includes trade secrets, commercial and financial information (5U.S.C. 552(b) (4)). Personal information affecting an individual's privacy will also be kept confidential consistent with 5 U.S.C. 552(b) (6) and applicable State

law. Unless such information is so identified, the application may be made available to the public in its entirety.

Intellectual Property

The permittee retains ownership of any data, derivative analyses or other work product, or any photographic or video material, or other copyrightable works, but the Federal Government and the State of Hawaii retain a lifetime, non-exclusive, worldwide, royalty-free license to use the same for government purposes, including copying and redissemination, and making derivative works.

Indemnification

The permittee and any person participating in any activity authorized by this permit shall release, indemnify, and hold harmless National Oceanic and Atmospheric Administration, the Department of Commerce, the U.S. Fish and Wildlife Service, the Department of the Interior, the United States Government, the State of Hawaii, and their respective employees acting within the scope of their duties from and against any claims, demands, actions, liens, rights, subrogated or contribution interests, debts, liabilities, judgments, costs, and attorney's fees, arising out of, claimed on account of, or in any manner predicated upon the issuance of this permit or the entry into or habitation upon the Papahānaumokuākea Marine National Monument or as the result of any action of the permittee or persons participating in the activity authorized by this permit.

Reporting Burden

Submittal of the information requested in these guidelines is required to obtain a permit pursuant to Monument regulations (50 CFR Part 404). This data is to evaluate the potential benefits of the activity, determine whether the proposed methods will achieve the proposed results, evaluate any possible detrimental environmental impacts, and determine if issuance of a permit is appropriate. It is through this evaluation that the Co-trustees are able to use permitting as one of the management tools to protect Monument resources and qualities.

Public reporting burden for this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information is estimated as:

- A. Twenty-four (24) hours per response for Special Ocean Use permits;
- B. Five (5) hours per response for General (Research, Conservation and Management, and Education), Native Hawaiian Practices, and Recreation permits;
- C. Four (4) hours per response for VMS installation and maintenance;
- D. Five (5) minutes per response for entry and exit notices and VMS certification;
- E. Five (5) seconds per response for hourly VMS reports.

Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Papahānaumokuākea Marine National Monument Permit Coordinator, 6600 Kalaniana'ole Hwy. # 300, Honolulu, HI 96825.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

Directions for filling out the Monument Permit Application

1. Download the Education permit application form. If you are unsure of the category for your proposed project, contact the Monument Permit Coordinator (contact information below).
2. Click on the document to open.
3. You will now be able to type in all the gray text field boxes and check boxes.
4. You will not be able to alter, copy, delete or modify the permit application questions and cover page in any way.

If you have difficulty filling out the application, contact the PMNM Permit Coordinator at (808) 397-2660 or nwhipermit@noaa.gov.

Send Permit Applications to:

Papahānaumokuākea Marine National Monument Permit Coordinator
6600 Kalaniana'ole Hwy. # 300
Honolulu, HI 96825
nwhipermit@noaa.gov
PHONE: (808) 397-2660 FAX: (808) 397-2662

NOTE: SUBMITTAL VIA ELECTRONIC MAIL IS PREFERRED BUT NOT REQUIRED. YOU ARE ALSO REQUIRED TO SEND ONE SIGNED ORIGINAL APPLICATION VIA MAIL TO THE MONUMENT OFFICE ABOVE:

Papahānaumokuākea Marine National Monument EDUCATION Permit Application Instructions

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

Permit Application Cover Sheet Summary Information

NOTE: The permit application cover sheet is intended to provide summary information on permit applications for activities proposed to occur in the Papahānaumokuākea Marine National Monument. Information submitted in this section will be posted on the Monument website to inform the public regarding projects proposed to occur in the Monument.

Applicant Name: Enter the name of the person who is in charge of the proposed activity and who will be responsible for all the personnel and actions under the authority of the requested Monument permit.

Affiliation: Specify the Applicant's affiliation, if any, in relation to the proposed project.

Proposed Activity Dates: Specify the dates of your activities.

Proposed Method of Entry: Specify whether you will enter the Monument via vessel or aircraft.

Proposed Locations: Provide a brief summary of the location(s) for proposed activities (e.g. French Frigate Shoals, or 300-1500 meters depth east of Twin Banks, etc.). NOTE: Specific GPS and other location information are requested in the Monument Compliance Information Sheet.

Estimated number of individuals to be covered under this permit: Provide an ESTIMATE of the number of individuals (including Applicant) to be covered under this permit.

Estimated number of days in the Monument: Provide the ESTIMATED number of days in the Monument.

Description of proposed activities: Include a brief description of the proposed activities, including the following:

- Define the objective of the proposed activity (*The proposed activity would. . .*)
- Identify what the action would entail (*To accomplish this activity we would. . .*)
- Explain the benefit of the activity to the Monument (*This activity would help the Monument by. . .*)

Other information or Background: Include any other information relevant to your proposed activity summary.

Section A: Applicant Information

1. State the name and title of the Applicant. The Applicant is the individual who is in charge of the proposed activity and, therefore, responsible for all the personnel and actions undertaken under the authority of the any Monument Permit issued pursuant to this application. Attach the Applicant's CV, resume or biography if applicable.

1a. If the Applicant will not be present in the Monument for the proposed activities in the application, provide the full name(s), affiliation(s) and contact information of the person or persons responsible for ensuring the permit conditions are followed in the Monument. Attach their respective CV, resume, or biography if applicable.

2. State the Applicant's mailing address, phone number, fax number, and email address. If the Applicant is a student, state the Major Professor's contact information in addition to his/her own.

3. Specify the Applicant's affiliation, if any, in relation to the proposed project.

4. List all personnel roles and/or names. Include first and last name, position (Teacher, Videographer, Student, etc.), affiliation, telephone number, and email address for each individual. If specific names of all participants are not known at the time this form is submitted, then specific roles must be provided as placeholders for numbers of persons requested to enter the Monument. The Application Review Committee may request resumes, biographies, or CVs for any personnel listed, at a later date. Attach additional information if necessary.

It is the Applicant's responsibility to keep Monument staff apprised of any proposed personnel changes. Full names of personnel and roles will be required in the Monument Compliance Information Sheet prior to issuance of a permit.

Section B: Project Information

5a. Project Location: Check the boxes of all applicable locations where the proposed activities will occur. Indicate whether your project will occur on land, in the ocean, or both. Also indicate whether your project will occur in deep water or shallow water, or both. Shallow water is defined by water less than 100 meters in depth. NOTE: Include alternate locations if appropriate.

* Location Description: Provide a description of the location of the proposed activity that includes sufficient detail. Refer to the Monument Compliance Information Sheet for information on including specific site and collection location(s).

5b. Check all applicable regulated activities proposed to be conducted in the Monument by the Applicant at any of the locations mentioned in 5a.

*Removing, moving, taking, harvesting, possessing, injuring, disturbing, or damaging, or attempting to remove, move, take, harvest, possess, injure, disturb, or damage 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 means dropping anything on to the ocean bottom with the intention of holding something fast to the bottom. Generally an anchor secures a vessel, but it may also be used for a mooring or any other item.

*Deserting a vessel aground, at anchor, or adrift.

*Discharging or depositing any material into Special Preservation Areas or the Midway Atoll Special Management Area except vessel engine cooling water, weather deck runoff, and vessel engine exhaust.

OR

*Discharging or depositing any material or other matter into the Monument, or discharging or depositing any material or other matter outside of the Monument that subsequently enters the Monument and injures any resources of the Monument, except fish parts (i.e. chumming material or bait) used in and during authorized fishing operations, or discharges incidental to vessel use such as deck wash, approved marine sanitation device effluent, cooling water, and engine exhaust.

*Touching any 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 resources.

*Sustenance Fishing means fishing for bottomfish or pelagic species within Federal waters, but outside of Special Preservation Areas, Ecological Reserves and the Midway Atoll Special Management Area, in which all catch is consumed within the Monument, and that is incidental to another activity permitted under Presidential Proclamation 8031.

*Subsistence Fishing means fishing for bottomfish or pelagic species in State waters in which all catch is for direct personal consumption within the Monument, and that is incidental to another activity permitted under Presidential Proclamation 8031.

*Swimming means entering the water and propelling oneself by movements of the limbs, without special equipment of any kind.

*Snorkeling means entering the water and swimming with the aid of a mask, snorkel, and fins, or any combination of the aforementioned equipment.

*SCUBA Diving means entering the water and submerging oneself with the aid of self-contained underwater breathing apparatus.

6. State the purpose of the proposed activities, including the goals and objectives of the activities.

7. The Secretaries of Commerce and Interior are required to determine that issuing the requested permit is compatible with the Findings of Presidential Proclamation 8031. Answer the Monument findings below and provide information that you believe will assist the Co-Trustees in determining your proposed activities are compatible with the conservation and management of the natural, historic and cultural resources of the Monument:

The Findings are as follows:

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

b. How will the activity be conducted in a manner compatible with the management direction of the 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?

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.

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

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

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

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.

h. Explain how the methods and procedures proposed by the applicant 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.

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

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

8. Describe the procedures and methods you will use in performing the proposed activity while within the Monument.

Describe in detail how you will get to your work locations and specific sites (walking, climbing, wading, swimming, snorkeling, diving, boating, etc.). Will you need to enter a seabird colony? Will you need access to beaches? Will you work at night?

Will you request assistance from Monument staff to maintain the equipment or collect data or samples in association with the proposed activity in your absence or presence? If so, describe procedures for doing so including how often it is to occur and how long it will take per maintenance/data/sample collection event. Describe how you plan to compensate volunteers for the maintenance or data/sample collection work.

NOTE: If you will not collect specimens, you may enter "N/A" for questions 9-10 and skip to question 11.

9a. List all specimens (organisms or objects) you plan to collect. If applicable, list each species common name, scientific name, number to be collected, maximum size of specimens to be collected, amount taken and the size of the organism from which you will take any sample(s), and general collection location requested in #5a. Also indicate whether you will take the whole organism or a subsample thereof.

9b. List the post project disposition of specimens. What will be done with the parts of samples that are not used in your initial analysis?

9c. Check the appropriate box to indicate if the organisms will be kept alive after collection. If the organisms are to be kept alive, state where will they be housed. (Provide the general site and/or location.) Also check the appropriate box to indicate if there is an open or closed-system for maintaining living organisms and if there is an outfall or discharge. If applicable, note

whether the organisms will be kept with other species and if so, the species names of the other organisms. Will any organisms be released? If so, where?

10. How will the collected samples be transported out of the Monument? Will samples be transported by vessel or aircraft? Will samples be transported frozen, in formalin, in alcohol, or other media?

11. If applicable, describe how your proposed activity is based on a State Department of Education Standards Based Curriculum.

12. Describe whether you are collaborating with others to reduce duplicative activities in the Monument or elsewhere in the State of Hawaii or other Pacific Remote Island National Wildlife Refuges. If you are collecting samples for someone else, stipulate to whom the samples will be provided and give their Monument permit number. Also, list State of Hawaii and United States Fish and Wildlife Service permit numbers for any relevant collaborations related to this project, including projects in the main Hawaiian Islands and Pacific Remote Island National Wildlife Refuges. Provide information on permit applications for related education activities that are under review at any of the above agencies.

13. Provide information regarding any materials, products or deliverables that will be developed as a result of your proposed activity, including a time line for write-up and publication of information or production of educational materials.

14. Provide a complete itemized list of work related gear/equipment/supplies, including collecting equipment, camera equipment, dive equipment, etc. that will be taken into and removed from the Monument. If you wish to store any items on any island between field seasons, request so here. Indicate how and where you propose the stored items be kept. If you propose to take any work or personal items ashore that will require use of resources (electrical, power, water, or other resources) also describe that in this section.

15. For any Hazardous Materials also include the following information:

*List all hazardous materials by common name, proper shipping name, hazard class, and amount to be taken into the Monument. Provide a Material Safety Data Sheet for each hazardous material.

*Describe how each hazardous material will be contained and stored while in the Monument.

*Describe how each hazardous material will be used for the proposed activity. Describe how and when each hazardous material will be removed from the Monument.

NOTE: The Principal Investigator (Applicant) is responsible for disposal of, storage or unauthorized use of any left-over hazardous materials from any permitted activity.

16. If applicable, indicate the types of permanent or semi-permanent installments you would like to install in the Monument, and answer the following questions:

*What is it made of?

*What will be installed?

*How will it be installed?

*Where will it be installed?

*How long will it be installed?

*Will the installation require maintenance? If so, who will conduct the maintenance and how often?

*How and when will the installation be removed?

17. List all Applicant's publications directly related to the proposed project.

Papahānaumokuākea Marine National Monument
EDUCATION Permit Application

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

ADDITIONAL IMPORTANT INFORMATION:

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

INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED

Send Permit Applications to:

Papahānaumokuākea Marine National Monument Permit Coordinator

6600 Kalaniana'ole Hwy. # 300

Honolulu, HI 96825

nwhipermit@noaa.gov

PHONE: (808) 397-2660 FAX: (808) 397-2662

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

Papahānaumokuākea Marine National Monument Permit Application Cover Sheet

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

Summary Information

Applicant Name:

Affiliation:

Permit Category: Education

Proposed Activity Dates:

Proposed Method of Entry (Vessel/Plane):

Proposed Locations:

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

Estimated number of days in the Monument:

Description of proposed activities: (complete these sentences):

- a.) The proposed activity would...

- b.) To accomplish this activity we would

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

Other information or background:

Section A - Applicant Information

1. Applicant

Name (last, first, middle initial):

Title:

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

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

Phone:

Fax:

Email:

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

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

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, Teacher; Jane Doe, Videographer):

Section B: Project Information

5a. Project location(s):

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

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

Location Description:

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:*

7. Answer the Findings below by providing information that you believe will assist the Co-Trustees in determining how your proposed activities are compatible with the conservation and management of the natural, historic, and cultural resources of the Monument:

The Findings are as follows:

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

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?

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.

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

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

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

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.

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.

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

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

8. Procedures/Methods:

NOTE: If land or marine archeological activities are involved, contact the Monument Permit Coordinator at the address on the general application form before proceeding, as a customized application will be needed. For more information, contact the Monument office on the first page of this application.

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

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?

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

• Specific site/location:

• Is it an open or closed system? Open Closed

• Is there an outfall? Yes No

• Will these organisms be housed with other organisms? If so, what are the other organisms?

• Will organisms be released?

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

11. Is your proposed activity based on a State Department of Education Standards Based Curriculum? If so, describe:

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

13. What materials, products or deliverables will be developed as a result of your proposed activity? Provide a time line for write-up and publication of information or production of educational materials:

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

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

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

17. List all Applicants' publications/references directly related to the proposed project:

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

Signature

Date

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

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

DID YOU INCLUDE THESE?

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

**Papahānaumokuākea Marine National Monument
Conservation and Management Permit Application Instructions
January 2008**

Introduction

On June 15, 2006, President Bush established the Papahānaumokuākea Marine National Monument (Presidential Proclamation 8031, 71 FR36443, June 26, 2006) under the authority of the Antiquities Act (Act) (16 U.S.C. 431). The Proclamation reserves all lands and interests in lands owned or controlled by the Government of the United States in the Northwestern Hawaiian Islands (NWHI), including emergent lands and submerged lands and waters, out to a distance of approximately 50 nautical miles (nmi) from the islands. The outer boundary of the Monument is approximately 1040 nmi long by 100nmi wide, extending around coral islands, seamounts, banks, and shoals. The area includes the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve, the Midway Atoll National Wildlife Refuge/Battle of Midway National Memorial, and the Hawaiian Islands National Wildlife Refuge and the Northwestern Hawaiian Islands State Marine Refuge.

The three principals with responsibility for managing lands and waters of the Monument, the Department of Commerce, Department of Interior, and the State of Hawaii (collectively the Co-Trustees), work cooperatively to administer the Monument. This relationship is further described in the Memorandum of Agreement among the Co-Trustees signed on December 8, 2006.

Permit Application Deadlines

Permit applications must be received by:

- February 1: For activities occurring between June 1 and Aug 31
- May 1: For activities occurring between September 1 and December 31
- September 1: For activities occurring between January 1 and May 31

NOTE: Issuance of a Monument permit is dependent upon the completion and review of the application and Compliance Information Sheet.

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Indemnification

The permittee and any person participating in any activity authorized by this permit shall release, indemnify, and hold harmless National Oceanic and Atmospheric Administration, the Department of Commerce, the U.S. Fish and Wildlife Service, the Department of the Interior, the United States Government, the State of Hawaii, and their respective employees acting within the scope of their duties from and against any claims, demands, actions, liens, rights, subrogated or contribution interests, debts, liabilities, judgments, costs, and attorney's fees, arising out of, claimed on account of, or in any manner predicated upon the issuance of this permit or the entry into or habitation upon the Papahānaumokuākea Marine National Monument or as the result of any action of the permittee or persons participating in the activity authorized by this permit.

Reporting Burden

Submittal of the information requested in these guidelines is required to obtain a permit pursuant to Monument regulations (50 CFR Part 404). This data is to evaluate the potential benefits of the activity, determine whether the proposed methods will achieve the proposed results, evaluate any possible detrimental environmental impacts, and determine if issuance of a permit is appropriate. It is through this evaluation that the Co-trustees are able to use permitting as one of the management tools to protect Monument resources and qualities.

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- D. Five (5) minutes per response for entry and exit notices and VMS certification;
- E. Five (5) seconds per response for hourly VMS reports.

Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Papahānaumokuākea Marine National Monument Permit Coordinator, 6600 Kalaniana'ole Hwy. # 300, Honolulu, HI 96825.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

Directions for filling out the Monument Permit Application

1. Download the Conservation and Management permit application form. If you are unsure of the category for your proposed project, contact the Monument Permit Coordinator (contact information below).
2. Click on the document to open.
3. You will now be able to type in all the gray text field boxes and check boxes.
4. You will not be able to alter, copy, delete or modify the permit application questions and cover page in any way.

If you have difficulty filling out the application, contact the PMNM Permit Coordinator at (808) 397-2660 or nwhipermit@noaa.gov.

Send Permit Applications to:

Papahānaumokuākea Marine National Monument Permit Coordinator
6600 Kalaniana'ole Hwy. # 300
Honolulu, HI 96825
nwhipermit@noaa.gov
PHONE: (808) 397-2660 FAX: (808) 397-2662

NOTE: SUBMITTAL VIA ELECTRONIC MAIL IS PREFERRED BUT NOT REQUIRED. YOU ARE ALSO REQUIRED TO SEND ONE SIGNED ORIGINAL APPLICATION VIA MAIL TO THE MONUMENT OFFICE ABOVE:

Papahānaumokuākea Marine National Monument
CONSERVATION AND MANAGEMENT Permit Application Instructions

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

Permit Application Cover Sheet Summary Information

NOTE: The permit application cover sheet is intended to provide summary information on permit applications for activities proposed to occur in the Papahānaumokuākea Marine National Monument. Information submitted in this section will be posted on the Monument website to inform the public regarding projects proposed to occur in the Monument.

Applicant Name: Enter the name of the person who is in charge of the proposed activity and who will be responsible for all the personnel and actions under the authority of the requested Monument permit.

Affiliation: Specify the Applicant's affiliation, if any, in relation to the proposed project.

Proposed Activity Dates: Specify the dates of your activities.

Proposed Method of Entry: Specify whether you will enter the Monument via vessel or aircraft.

Proposed Locations: Provide a brief summary of the location(s) for proposed activities (e.g. French Frigate Shoals, or 300-1500 meters depth east of Twin Banks, etc.). NOTE: Specific GPS and other location information are requested in the Monument Compliance Information Sheet.

Estimated number of individuals to be covered under this permit: Provide an ESTIMATE of the number of individuals (including Applicant) to be covered under this permit.

Estimated number of days in the Monument: Provide the ESTIMATED number of days in the Monument.

Description of proposed activities: Include a brief description of the proposed activities, including the following:

- Define the objective of the proposed activity (*The proposed activity would. . .*)
- Identify what the action would entail (*To accomplish this activity we would. . .*)
- Explain the benefit of the activity to the Monument (*This activity would help the Monument by. . .*)

Other information or Background: Include any other information relevant to your proposed activity summary.

Section A: Applicant Information

1. State the name and title of the Applicant. The Applicant is the individual who is in charge of the proposed activity and, therefore, responsible for all the personnel and actions undertaken under the authority of the any Monument Permit issued pursuant to this application. Attach the Applicant's CV, resume or biography if applicable.

1a. If the Applicant will not be present in the Monument for the proposed activities in the application, provide the full name(s), affiliation(s) and contact information of the person or persons responsible for ensuring the permit conditions are followed in the Monument. Attach their respective CV, resume, or biography if applicable.

2. State the Applicant's mailing address, phone number, fax number, and email address. If the Applicant is a student, state the Major Professor's contact information in addition to his/her own.

3. Specify the Applicant's affiliation, if any, in relation to the proposed project.

4. List all personnel roles and/or names. Include first and last name, position (Research Diver, Field Technician, Medical Assistant, etc.), affiliation, telephone number, and email address for each individual. If specific names of all participants are not known at the time this form is submitted, then specific roles must be provided as placeholders for numbers of persons requested to enter the Monument. The Application Review Committee may request resumes, biographies, or CVs for any personnel listed, at a later date. Attach additional information if necessary.

It is the Applicant's responsibility to keep Monument staff apprised of any proposed personnel changes. Full names of personnel and roles will be required in the Monument Compliance Information Sheet prior to issuance of a permit.

Section B: Project Information

5a. Project Location: Check the boxes of all applicable locations where the proposed activities will occur. Indicate whether your project will occur on land, in the ocean, or both. Also indicate whether your project will occur in deep water or shallow water, or both. Shallow water is defined by water less than 100 meters in depth. NOTE: Include alternate locations if appropriate.

* Location Description: Provide a description of the location of the proposed activity that includes sufficient detail. Refer to the Monument Compliance Information Sheet for information on including specific site and collection location(s).

5b. Check all applicable regulated activities proposed to be conducted in the Monument by the Applicant at any of the locations mentioned in 5a.

*Removing, moving, taking, harvesting, possessing, injuring, disturbing, or damaging, or attempting to remove, move, take, harvest, possess, injure, disturb, or damage 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 means dropping anything on to the ocean bottom with the intention of holding something fast to the bottom. Generally an anchor secures a vessel, but it may also be used for a mooring or any other item.

*Deserting a vessel aground, at anchor, or adrift.

*Discharging or depositing any material into Special Preservation Areas or the Midway Atoll Special Management Area except vessel engine cooling water, weather deck runoff, and vessel engine exhaust.

OR

*Discharging or depositing any material or other matter into the Monument, or discharging or depositing any material or other matter outside of the Monument that subsequently enters the Monument and injures any resources of the Monument, except fish parts (i.e. chumming material or bait) used in and during authorized fishing operations, or discharges incidental to vessel use such as deck wash, approved marine sanitation device effluent, cooling water, and engine exhaust.

*Touching any 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 resources.

*Sustenance Fishing means fishing for bottomfish or pelagic species within Federal waters, but outside of Special Preservation Areas, Ecological Reserves and the Midway Atoll Special Management Area, in which all catch is consumed within the Monument, and that is incidental to another activity permitted under Presidential Proclamation 8031.

*Subsistence Fishing means fishing for bottomfish or pelagic species in State waters in which all catch is for direct personal consumption within the Monument, and that is incidental to another activity permitted under Presidential Proclamation 8031.

*Swimming means entering the water and propelling oneself by movements of the limbs, without special equipment of any kind.

*Snorkeling means entering the water and swimming with the aid of a mask, snorkel, and fins, or any combination of the aforementioned equipment.

*SCUBA Diving means entering the water and submerging oneself with the aid of self-contained underwater breathing apparatus.

6. State the purpose of the proposed activities, including the goals and objectives of the activities.

7. The Secretaries of Commerce and Interior are required to determine that issuing the requested permit is compatible with the Findings of Presidential Proclamation 8031. Answer the Monument findings below and provide information that you believe will assist the Co-Trustees in determining your proposed activities are compatible with the conservation and management of the natural, historic and cultural resources of the Monument:

The Findings are as follows:

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

b. How will the activity be conducted in a manner compatible with the management direction of the 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?

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.

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

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

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

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.

h. Explain how the methods and procedures proposed by the applicant 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.

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

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

8. Describe the procedures and methods you will use in performing the proposed activity while within the Monument.

Describe in detail how you will get to your work locations and specific sites (walking, climbing, wading, swimming, snorkeling, diving, boating, etc.). Will you need to enter a seabird colony? Will you need access to beaches? Will you work at night?

Will you request assistance from Monument staff to maintain the equipment or collect data or samples in association with the proposed activity in your absence or presence? If so, describe procedures for doing so including how often it is to occur and how long it will take per maintenance/data/sample collection event. Describe how you plan to compensate volunteers for the maintenance or data/sample collection work.

NOTE: If you will not collect specimens, you may enter "N/A" for questions 9-10 and skip to question 11.

9a. List all specimens (organisms or objects) you plan to collect. If applicable, list each species common name, scientific name, number to be collected, maximum size of specimens to be collected, amount taken and the size of the organism from which you will take any sample(s), and general collection location requested in #5a. Also indicate whether you will take the whole organism or a subsample thereof.

9b. List the post project disposition of specimens. What will be done with the parts of samples that are not used in your initial analysis?

9c. Check the appropriate box to indicate if the organisms will be kept alive after collection. If the organisms are to be kept alive, state where will they be housed. (Provide the general site and/or location.) Also check the appropriate box to indicate if there is an open or closed-system for maintaining living organisms and if there is an outfall or discharge. If applicable, note

whether the organisms will be kept with other species and if so, the species names of the other organisms. Will any organisms be released? If so, where?

10. How will the collected samples be transported out of the Monument? Will samples be transported by vessel or aircraft? Will samples be transported frozen, in formalin, in alcohol, or other media?

11. Describe whether you are collaborating with others to reduce duplicative activities in the Monument or elsewhere in the State of Hawaii or other Pacific Remote Island National Wildlife Refuges. If you are collecting samples for someone else, stipulate to whom the samples will be provided and give their Monument permit number. Also, list State of Hawaii and United States Fish and Wildlife Service permit numbers for any relevant collaborations or research related to this project, including projects in the main Hawaiian Islands and Pacific Remote Island National Wildlife Refuges. Provide information on permit applications for related conservation and management activities or research that are under review at any of the above agencies.

12. Provide a complete itemized list of work related gear/equipment/supplies, including collecting equipment, radio isotopes, dive equipment, etc. that will be taken into and removed from the Monument. If you wish to store any items on any island between field seasons, request so here. Indicate how and where you propose the stored items be kept. If you propose to take any work or personal items ashore that will require use of resources (electrical, power, water, or other resources) also describe that in this section.

13. For any Hazardous Materials also include the following information:

*List all hazardous materials by common name, proper shipping name, hazard class, and amount to be taken into the Monument. Provide a Material Safety Data Sheet for each hazardous material.

*Describe how each hazardous material will be contained and stored while in the Monument.

*Describe how each hazardous material will be used for the proposed activity. Describe how and when each hazardous material will be removed from the Monument.

NOTE: The Principal Investigator (Applicant) is responsible for disposal of, storage or unauthorized use of any left-over hazardous materials from any permitted activity.

14. If applicable, indicate the types of permanent or semi-permanent installments you would like to install in the Monument, and answer the following questions:

*What is it made of?

*What will be installed?

*How will it be installed?

*Where will it be installed?

*How long will it be installed?

*Will the installation require maintenance? If so, who will conduct the maintenance and how often?

*How and when will the installation be removed?

15. Provide information regarding the projected completion dates of the following: sample analysis, write-up and publication of information gathered within the Monument.

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

Papahānaumokuākea Marine National Monument
CONSERVATION AND MANAGEMENT Permit Application

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

ADDITIONAL IMPORTANT INFORMATION:

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

INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED

Send Permit Applications to:

Papahānaumokuākea Marine National Monument Permit Coordinator

6600 Kalaniana'ole Hwy. # 300

Honolulu, HI 96825

nwhipermit@noaa.gov

PHONE: (808) 397-2660 FAX: (808) 397-2662

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

Papahānaumokuākea Marine National Monument Permit Application Cover Sheet

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

Summary Information

Applicant Name:

Affiliation:

Permit Category: Conservation and Management

Proposed Activity Dates:

Proposed Method of Entry (Vessel/Plane):

Proposed Locations:

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

Estimated number of days in the Monument:

Description of proposed activities: (complete these sentences):

- a.) The proposed activity would...

- b.) To accomplish this activity we would

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

Other information or background:

Section A - Applicant Information

1. Applicant

Name (last, first, middle initial):

Title:

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

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

Phone:

Fax:

Email:

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

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

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):

Section B: Project Information

5a. Project location(s):

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

Ocean Based

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

Location Description:

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:*

7. Answer the Findings below by providing information that you believe will assist the Co-Trustees in determining how your proposed activities are compatible with the conservation and management of the natural, historic, and cultural resources of the Monument:

The Findings are as follows:

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

- 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?

- 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.

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

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

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

- 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.

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.

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

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

8. Procedures/Methods:

NOTE: If land or marine archeological activities are involved, contact the Monument Permit Coordinator at the address on the general application form before proceeding, as a customized application will be needed. For more information, contact the Monument office on the first page of this application.

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

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?

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

• General site/location for collections:

• Is it an open or closed system? Open Closed

• Is there an outfall? Yes No

• Will these organisms be housed with other organisms? If so, what are the other organisms?

• Will organisms be released?

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

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

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

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

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

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

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

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

Signature

Date

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

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

DID YOU INCLUDE THESE?

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

**Papahānaumokuākea Marine National Monument
Native Hawaiian Practices Permit Application Instructions
January 2008**

Introduction

On June 15, 2006, President Bush established the Papahānaumokuākea Marine National Monument (Presidential Proclamation 8031, 71 FR36443, June 26, 2006) under the authority of the Antiquities Act (Act) (16 U.S.C. 431). The Proclamation reserves all lands and interests in lands owned or controlled by the Government of the United States in the Northwestern Hawaiian Islands (NWHI), including emergent lands and submerged lands and waters, out to a distance of approximately 50 nautical miles (nmi) from the islands. The outer boundary of the Monument is approximately 950nmi long by 100nmi wide, extending around coral islands, seamounts, banks, and shoals. The area includes the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve, the Midway Atoll National Wildlife Refuge/Battle of Midway National Memorial, and the Hawaiian Islands National Wildlife Refuge and the Northwestern Hawaiian Islands State Marine Refuge.

The three principals with responsibility for managing lands and waters of the Monument, the Department of Commerce, Department of the Interior, and the State of Hawaii (collectively the Co-Trustees), work cooperatively to administer the Monument. This relationship is further described in the Memorandum of Agreement among the Co-Trustees signed on December 8, 2006.

Permit Application Deadlines

Permit applications must be received by:

- February 1: For activities occurring between June 1 and Aug 31
- May 1: For activities occurring between September 1 and December 31
- September 1: For activities occurring between January 1 and May 31

NOTE: Issuance of a Monument permit is dependent upon the completion and review of the application and Compliance Information Sheet.

Confidential Information

The Co-Trustees intend to post completed permit applications on the Internet for public review. Applicants are requested to indicate any information that is considered proprietary business information. Such information is typically exempt from disclosure to anyone requesting information pursuant to the Freedom of Information Act (FOIA) and all applicable State law. NOAA, the U.S. Fish and Wildlife Service and the State of Hawaii attempt to protect such proprietary information, consistent with all application FOIA exemptions in 5 U.S.C. 552(b) and applicable State law. Typically exempt information includes trade secrets, commercial and financial information (5U.S.C. 552(b) (4)). Personal information affecting an individual's privacy will also be kept confidential consistent with 5 U.S.C. 552(b) (6) and applicable State

law. Unless such information is so identified, the application may be made available to the public in its entirety.

Intellectual Property

The permittee retains ownership of any data, derivative analyses or other work product, or any photographic or video material, or other copyrightable works, but the Federal Government and the State of Hawaii retain a lifetime, non-exclusive, worldwide, royalty-free license to use the same for government purposes, including copying and redissemination, and making derivative works.

Indemnification

The permittee and any person participating in any activity authorized by this permit shall release, indemnify, and hold harmless National Oceanic and Atmospheric Administration, the Department of Commerce, the U.S. Fish and Wildlife Service, the Department of the Interior, the United States Government, the State of Hawaii, and their respective employees acting within the scope of their duties from and against any claims, demands, actions, liens, rights, subrogated or contribution interests, debts, liabilities, judgments, costs, and attorney's fees, arising out of, claimed on account of, or in any manner predicated upon the issuance of this permit or the entry into or habitation upon the Papahānaumokuākea Marine National Monument or as the result of any action of the permittee or persons participating in the activity authorized by this permit.

Reporting Burden

Submittal of the information requested in these guidelines is required to obtain a permit pursuant to Monument regulations (50 CFR Part 404). This data is to evaluate the potential benefits of the activity, determine whether the proposed methods will achieve the proposed results, evaluate any possible detrimental environmental impacts, and determine if issuance of a permit is appropriate. It is through this evaluation that the Co-trustees are able to use permitting as one of the management tools to protect Monument resources and qualities.

Public reporting burden for this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information is estimated as:

- A. Twenty-four (24) hours per response for Special Ocean Use permits;
- B. Five (5) hours per response for General (Research, Conservation and Management, and Education), Native Hawaiian Practices, and Recreation permits;
- C. Four (4) hours per response for VMS installation and maintenance;
- D. Five (5) minutes per response for entry and exit notices and VMS certification;
- E. Five (5) seconds per response for hourly VMS reports.

Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Papahānaumokuākea Marine National Monument Permit Coordinator, 6600 Kalaniana'ole Hwy. # 300, Honolulu, HI 96825.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

Directions for filling out the Monument Permit Application

1. Download the Native Hawaiian Practices permit application. If you are unsure of the category for your proposed project, contact the Monument Permit Coordinator (contact information below).
2. Click on the document to open.
3. You will now be able to type in all the gray text field boxes and check boxes.
4. You will not be able to alter, copy, delete or modify the permit application questions and cover page in any way.

If you have difficulty filling out the application, contact the PMNM Permit Coordinator at (808) 397-2660 or nwhipermit@noaa.gov.

Send Permit Applications to:

Papahānaumokuākea Marine National Monument Permit Coordinator
6600 Kalaniana'ole Hwy. # 300
Honolulu, HI 96825
nwhipermit@noaa.gov
PHONE: (808) 397-2660 FAX: (808) 397-2662

NOTE: SUBMITTAL VIA ELECTRONIC MAIL IS PREFERRED BUT NOT REQUIRED. YOU ARE ALSO REQUIRED TO SEND ONE SIGNED ORIGINAL APPLICATION VIA MAIL TO THE MONUMENT OFFICE ABOVE:

Papahānaumokuākea Marine National Monument
NATIVE HAWAIIAN PRACTICES Permit Application Instructions

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

Permit Application Cover Sheet Summary Information

NOTE: The permit application cover sheet is intended to provide summary information on permit applications for activities proposed to occur in the Papahānaumokuākea Marine National Monument. Information submitted in this section will be posted on the Monument website to inform the public regarding projects proposed to occur in the Monument.

Applicant Name: Enter the name of the person who is in charge of the proposed activity and who will be responsible for all the personnel and actions under the authority of the requested Monument permit.

Affiliation: Specify the Applicant's affiliation, if any, in relation to the proposed project.

Proposed Activity Dates: Specify the dates of your activities.

Proposed Method of Entry: Specify whether you will enter the Monument via vessel or aircraft.

Proposed Locations: Provide a brief summary of the location(s) for proposed activities (e.g. French Frigate Shoals, or 300-1500 meters depth east of Twin Banks, etc.). NOTE: Specific GPS and other location information are requested in the Monument Compliance Information Sheet.

Estimated number of individuals to be covered under this permit: Provide an ESTIMATE of the number of individuals (including Applicant) to be covered under this permit.

Estimated number of days in the Monument: Provide the ESTIMATED number of days in the Monument.

Description of proposed activities: Include a brief description of the proposed activities, including the following:

- Define the objective of the proposed activity (*The proposed activity will. . .*)
- Identify what the action will entail (*To accomplish this activity we would. . .*)
- Explain the benefit of the activity to the Monument (*This activity would help the Monument by. . .*)

Other information or Background: Include any other information relevant to your proposed activity summary.

Section A: Applicant Information

1. State the name and title of the Applicant. The Applicant is the individual who is in charge of the proposed activity and, therefore, responsible for all the personnel and actions undertaken under the authority of the any Monument Permit issued pursuant to this application. Attach the Applicant's CV, resume or biography if applicable.

1a. If the Applicant will not be present in the Monument for the proposed activities in the application, provide the full name(s), affiliation(s) and contact information of the person or persons responsible for ensuring the permit conditions are followed in the Monument. Attach their respective CV, resume, or biography if applicable.

2. State the Applicant's mailing address, phone number, fax number, and email address. If the Applicant is a student, state the Major Professor's contact information in addition to his/her own.

3. Specify the Applicant's affiliation, if any, in relation to the proposed project.

4. List all personnel roles and/or names. Include first and last name, position (Diver, Field Technician, Medical Assistant, etc.), affiliation, telephone number, and email address for each individual. If specific names of all participants are not known at the time this form is submitted, then specific roles must be provided as placeholders for numbers of persons requested to enter the Monument. The Application Review Committee may request resumes, biographies, or CVs for any personnel listed, at a later date. Attach additional information if necessary.

It is the Applicant's responsibility to keep Monument staff apprised of any proposed personnel changes. Full names of personnel and roles will be required in the Monument Compliance Information Sheet prior to issuance of a permit.

Section B: Project Information

5a. Project Location: Check the boxes of all applicable locations where the proposed activities will occur. Indicate whether your project will occur on land, in the ocean, or both. Also indicate whether your project will occur in deep water or shallow water, or both. Shallow water is defined by water less than 100 meters in depth. NOTE: Include alternate locations if appropriate.

* Location Description: Provide a description of the location of the proposed activity that includes sufficient detail. Refer to the Monument Compliance Information Sheet for information on including specific site and collection location(s).

5b. Check all applicable regulated activities proposed to be conducted in the Monument by the Applicant at any of the locations mentioned in 5a.

*Removing, moving, taking, harvesting, possessing, injuring, disturbing, or damaging, or attempting to remove, move, take, harvest, possess, injure, disturb, or damage 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 means dropping anything on to the ocean bottom with the intention of holding something fast to the bottom. Generally an anchor secures a vessel, but it may also be used for a mooring or any other item.

*Deserting a vessel aground, at anchor, or adrift.

*Discharging or depositing any material into Special Preservation Areas or the Midway Atoll Special Management Area except vessel engine cooling water, weather deck runoff, and vessel engine exhaust.

OR

*Discharging or depositing any material or other matter into the Monument, or discharging or depositing any material or other matter outside of the Monument that subsequently enters the Monument and injures any resources of the Monument, except fish parts (i.e. chumming material or bait) used in and during authorized fishing operations, or discharges incidental to vessel use such as deck wash, approved marine sanitation device effluent, cooling water, and engine exhaust.

*Touching any 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 resources.

*Sustenance Fishing means fishing for bottomfish or pelagic species within Federal waters, but outside of Special Preservation Areas, Ecological Reserves and the Midway Atoll Special Management Area, in which all catch is consumed within the Monument, and that is incidental to another activity permitted under Presidential Proclamation 8031.

*Subsistence Fishing means fishing for bottomfish or pelagic species in State waters in which all catch is for direct personal consumption within the Monument, and that is incidental to another activity permitted under Presidential Proclamation 8031.

*Swimming means entering the water and propelling oneself by movements of the limbs, without special equipment of any kind.

*Snorkeling means entering the water and swimming with the aid of a mask, snorkel, and fins, or any combination of the aforementioned equipment.

*SCUBA Diving means entering the water and submerging oneself with the aid of self-contained underwater breathing apparatus.

6. State the purpose of the proposed activities, including the goals and objectives of the activities.

7. The Secretaries of Commerce and Interior are required to determine that issuing the requested permit is compatible with the Findings of Presidential Proclamation 8031. Answer the Monument findings below and provide information that you believe will assist the Co-Trustees in determining your proposed activities are compatible with the conservation and management of the natural, historic and cultural resources of the Monument:

The Findings are as follows:

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

b. How will the activity be conducted in a manner compatible with the management direction of the 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?

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.

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

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

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

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.

h. Explain how the methods and procedures proposed by the applicant 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.

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

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

ADDITIONAL FINDINGS FOR PROPOSED NATIVE HAWAIIAN PRACTICES

k. Explain how the activity is non-commercial and will not involve the sale of any organism or material collected.

l. Explain how the purpose and intent of the activity is appropriate and deemed necessary by traditional standards in the Native Hawaiian culture (pono), and demonstrate an understanding of, and background in, the traditional practice and its associated values and protocols.

m. Explain how the activity benefits the resources of the Northwestern Hawaiian Islands and the Native Hawaiian community.

n. Explain how the activity supports or advances the perpetuation of traditional knowledge and ancestral connections of Native Hawaiians to the Northwestern Hawaiian Islands.

o. Will all Monument resources harvested in the Monument be consumed in the Monument? If not, explain why not.

8. Describe the procedures and methods you will use in performing the proposed activity while within the Monument.

Describe in detail how you will get to your work locations and specific sites (walking, climbing, wading, swimming, snorkeling, diving, boating, etc.). Will you need to enter a seabird colony? Will you need access to beaches? Will you work at night?

Will you request assistance from Monument staff to maintain the equipment or collect data or samples in association with the proposed activity in your absence or presence? If so, describe procedures for doing so including how often it is to occur and how long it will take per

maintenance/data/sample collection event. Describe how you plan to compensate volunteers for the maintenance or data/sample collection work.

NOTE: If you will not collect specimens, you may enter “N/A” for questions 9-10 and skip to question 11.

9a. List all specimens (organisms or objects) you plan to collect. If applicable, list each species common name, scientific name, Hawaiian name, number to be collected, maximum size of specimens to be collected, amount taken and the size of the organism from which you will take any sample(s), and general collection location requested in #5a. Also indicate whether you will take the whole organism or a subsample thereof.

9b. List the post project disposition of specimens. What will be done with the parts of samples that are not used in your initial analysis?

9c. Check the appropriate box to indicate if the organisms will be kept alive after collection. If the organisms are to be kept alive, state where will they be housed. (Provide the general site and/or location.) Also check the appropriate box to indicate if there is an open or closed-system for maintaining living organisms and if there is an outfall or discharge. If applicable, note whether the organisms will be kept with other species and if so, the species names of the other organisms. Will any organisms be released? If so, where?

10. How will the collected samples be transported out of the Monument? Will samples be transported by vessel or aircraft? Will samples be transported frozen, in formalin, in alcohol, or other media?

11. If applicable, indicate the types of permanent or semi-permanent installments (such as ahu or other stone structures) you would like to install in the Monument, and answer the following questions:

*What is it made of?

*What will be installed?

*How will it be installed?

*Where will it be installed?

*How long will it be installed?

*Will the installment require maintenance? If so, who will conduct the maintenance and how often?

*How and when will the installation be removed?

*Will you be making any offerings in the Monument? If so, describe.

12. Provide a complete itemized list of work related gear/equipment/supplies, including collecting equipment, dive equipment, etc. that will be taken into and removed from the Monument. If you wish to store any items on any island, request so here. Indicate how and where you propose the stored items be kept. If you propose to take any work or personal items ashore that will require use of resources (electrical, power, water, or other resources) also describe that in this section.

13. For any Hazardous Materials also include the following information:

*List all hazardous materials by common name, proper shipping name, hazard class, and amount to be taken into the Monument. Provide a Material Safety Data Sheet for each hazardous material.

*Describe how each hazardous material will be contained and stored while in the Monument.

*Describe how each hazardous material will be used for the proposed activity. Describe how and when each hazardous material will be removed from the Monument.

NOTE: The Principal Investigator (Applicant) is responsible for disposal of, storage or unauthorized use of any left-over hazardous materials from any permitted activity.

14. If you are collaborating with any other groups or individuals permitted to conduct Native Hawaiian practices in the Monument, describe how your efforts are being collaborated. List Monument permit numbers for any relevant collaboration related to this project, including projects in the main Hawaiian Islands. If any permit applications for related Native Hawaiian practices are under review, provide us with that information.

15a. Will you be producing any publications, educational materials, or other deliverables?

15b. Provide a time line for write-up and publication of the information or production of materials.

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

Papahānaumokuākea Marine National Monument
Native Hawaiian Practices Permit Application

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

ADDITIONAL IMPORTANT INFORMATION:

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

INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED

Send Permit Applications to:

Papahānaumokuākea Marine National Monument Permit Coordinator

6600 Kalaniana'ole Hwy. # 300

Honolulu, HI 96825

nwhipermit@noaa.gov

PHONE: (808) 397-2660 FAX: (808) 397-2662

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

Papahānaumokuākea Marine National Monument Permit Application Cover Sheet

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

Summary Information

Applicant Name:

Affiliation:

Permit Category: Native Hawaiian Practices

Proposed Activity Dates:

Proposed Method of Entry (Vessel/Plane):

Proposed Locations:

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

Estimated number of days in the Monument:

Description of proposed activities: (complete these sentences):

- a.) The proposed activity would...

- b.) To accomplish this activity we would

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

Other information or background:

Section A - Applicant Information

1. Applicant

Name (last, first, middle initial):

Title:

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

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

Phone:

Fax:

Email:

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

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

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, Diver):

Section B: Project Information

5a. Project location(s):

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

Ocean Based

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

Location Description:

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:*

7. Answer the Findings below by providing information that you believe will assist the Co-Trustees in determining how your proposed activities are compatible with the conservation and management of the natural, historic, and cultural resources of the Monument:

The Findings are as follows:

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

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?

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.

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

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

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

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.

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.

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

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

ADDITIONAL FINDINGS FOR PROPOSED NATIVE HAWAIIAN PRACTICES

k. Explain how the activity is non-commercial and will not involve the sale of any organism or material collected.

l. Explain how the purpose and intent of the activity is appropriate and deemed necessary by traditional standards in the Native Hawaiian culture (pono), and demonstrate an understanding of, and background in, the traditional practice and its associated values and protocols.

m. Explain how the activity benefits the resources of the Northwestern Hawaiian Islands and the Native Hawaiian community.

n. Explain how the activity supports or advances the perpetuation of traditional knowledge and ancestral connections of Native Hawaiians to the Northwestern Hawaiian Islands.

o. Will all Monument resources harvested in the Monument be consumed in the Monument? If not, explain why not.

8. Procedures/Methods:

NOTE: If land or marine archeological activities are involved, contact the Monument Permit Coordinator at the address on the general application form before proceeding, as a customized application will be needed. For more information, contact the Monument office on the first page of this application.

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

Common name:

Scientific name:

Hawaiian name:

& size of specimens:

Collection location:

Whole Organism Partial Organism

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

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

• General site/location for collections:

• Is it an open or closed system? Open Closed

• Is there an outfall? Yes No

- Will these organisms be housed with other organisms? If so, what are the other organisms?
- Will organisms be released?

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

11. Describe any fixed or semi-permanent structures or installations, or cultural offerings you plan to leave in the Monument:

12. List all specialized gear and materials to be used in the proposed activities:

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

14. Describe collaborative activities to share samples, cultural research and/or knowledge gained in the Monument:

15a. Will you produce any publications, educational materials or other deliverables?

Yes No

15b. Provide a time line for write-up and publication of information or production of materials:

16. If applicable, list all Applicant's publications directly related to the proposed project:

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

I understand that the Co-Trustees will consider deleting all information that I have identified as “confidential” prior to posting the application.

Signature

Date

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

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

DID YOU INCLUDE THESE?

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

**Papahānaumokuākea Marine National Monument
Special Ocean Use Permit Application Instructions
January 2008**

Introduction

On June 15, 2006, President Bush established the Papahānaumokuākea Marine National Monument (Presidential Proclamation 8031, 71 FR36443, June 26, 2006) under the authority of the Antiquities Act (Act) (16 U.S.C. 431). The Proclamation reserves all lands and interests in lands owned or controlled by the Government of the United States in the Northwestern Hawaiian Islands (NWHI), including emergent lands and submerged lands and waters, out to a distance of approximately 50 nautical miles (nmi) from the islands. The outer boundary of the Monument is approximately 1040 nmi long by 100nmi wide, extending around coral islands, seamounts, banks, and shoals. The area includes the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve, the Midway Atoll National Wildlife Refuge/Battle of Midway National Memorial, and the Hawaiian Islands National Wildlife Refuge and the Northwestern Hawaiian Islands State Marine Refuge.

The three principals with responsibility for managing lands and waters of the Monument, the Department of Commerce, Department of Interior, and the State of Hawaii (collectively the Co-Trustees), work cooperatively to administer the Monument. This relationship is further described in the Memorandum of Agreement among the Co-Trustees signed on December 8, 2006.

Permit Application Deadlines

Permit applications must be received by:

- February 1: For activities occurring between June 1 and Aug 31
- May 1: For activities occurring between September 1 and December 31
- September 1: For activities occurring between January 1 and May 31

NOTE: Issuance of a Monument permit is dependent upon the completion and review of the application and Compliance Information Sheet.

Confidential Information

The Co-Trustees intend to post completed permit applications on the Internet for public review. Applicants are requested to indicate any information that is considered proprietary business information. Such information is typically exempt from disclosure to anyone requesting information pursuant to the Freedom of Information Act (FOIA) and all applicable State law. NOAA, the U.S. Fish and Wildlife Service and the State of Hawaii attempt to protect such proprietary information, consistent with all application FOIA exemptions in 5 U.S.C. 552(b) and applicable State law. Typically exempt information includes trade secrets, commercial and financial information (5U.S.C. 552(b) (4)). Personal information affecting an individual's privacy will also be kept confidential consistent with 5 U.S.C. 552(b) (6) and applicable State

law. Unless such information is so identified, the application may be made available to the public in its entirety.

Intellectual Property

The permittee retains ownership of any data, derivative analyses or other work product, or any photographic or video material, or other copyrightable works, but the Federal Government and the State of Hawaii retain a lifetime, non-exclusive, worldwide, royalty-free license to use the same for government purposes, including copying and redissemination, and making derivative works.

Indemnification

The permittee and any person participating in any activity authorized by this permit shall release, indemnify, and hold harmless National Oceanic and Atmospheric Administration, the Department of Commerce, the U.S. Fish and Wildlife Service, the Department of the Interior, the United States Government, the State of Hawaii, and their respective employees acting within the scope of their duties from and against any claims, demands, actions, liens, rights, subrogated or contribution interests, debts, liabilities, judgments, costs, and attorney's fees, arising out of, claimed on account of, or in any manner predicated upon the issuance of this permit or the entry into or habitation upon the Papahānaumokuākea Marine National Monument or as the result of any action of the permittee or persons participating in the activity authorized by this permit.

Reporting Burden

Submittal of the information requested in these guidelines is required to obtain a permit pursuant to Monument regulations (50 CFR Part 404). This data is to evaluate the potential benefits of the activity, determine whether the proposed methods will achieve the proposed results, evaluate any possible detrimental environmental impacts, and determine if issuance of a permit is appropriate. It is through this evaluation that the Co-trustees are able to use permitting as one of the management tools to protect Monument resources and qualities.

Public reporting burden for this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information is estimated as:

- A. Twenty-four (24) hours per response for Special Ocean Use permits;
- B. Five (5) hours per response for General (Research, Conservation and Management, and Education), Native Hawaiian Practices, and Recreation permits;
- C. Four (4) hours per response for VMS installation and maintenance;
- D. Five (5) minutes per response for entry and exit notices and VMS certification;
- E. Five (5) seconds per response for hourly VMS reports.

Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Papahānaumokuākea Marine National Monument Permit Coordinator, 6600 Kalaniana'ole Hwy. # 300, Honolulu, HI 96825.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

Directions for filling out the Monument Permit Application

1. Download the Special Ocean Use permit application form. If you are unsure of the category for your proposed project, contact the Monument Permit Coordinator (contact information below).
2. Click on the document to open.
3. You will now be able to type in all the gray text field boxes and check boxes.
4. You will not be able to alter, copy, delete or modify the permit application questions and cover page in any way.

If you have difficulty filling out the application, contact the PMNM Permit Coordinator at (808) 397-2660 or nwhipermit@noaa.gov.

Send Permit Applications to:

Papahānaumokuākea Marine National Monument Permit Coordinator
6600 Kalaniana'ole Hwy. # 300
Honolulu, HI 96825
nwhipermit@noaa.gov
PHONE: (808) 397-2660 FAX: (808) 397-2662

NOTE: SUBMITTAL VIA ELECTRONIC MAIL IS PREFERRED BUT NOT REQUIRED. YOU ARE ALSO REQUIRED TO SEND ONE SIGNED ORIGINAL APPLICATION VIA MAIL TO THE MONUMENT OFFICE ABOVE:

Papahānaumokuākea Marine National Monument Special Ocean Use Permit Application Instructions

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

Permit Application Cover Sheet Summary Information

NOTE: The permit application cover sheet is intended to provide summary information on permit applications for activities proposed to occur in the Papahānaumokuākea Marine National Monument. Information submitted in this section will be posted on the Monument website to inform the public regarding projects proposed to occur in the Monument.

Applicant Name: Enter the name of the person who is in charge of the proposed activity and who will be responsible for all the personnel and actions under the authority of the requested Monument permit.

Affiliation: Specify the Applicant's affiliation, if any, in relation to the proposed project.

Proposed Activity Dates: Specify the dates of your activities.

Proposed Method of Entry: Specify whether you will enter the Monument via vessel or aircraft.

Proposed Locations: Provide a brief summary of the location(s) for proposed activities (e.g. French Frigate Shoals, or 300-1500 meters depth east of Twin Banks, etc.). NOTE: Specific GPS and other location information are requested in the Monument Compliance Information Sheet.

Estimated number of individuals to be covered under this permit: Provide an ESTIMATE of the number of individuals (including Applicant) to be covered under this permit.

Estimated number of days in the Monument: Provide the ESTIMATED number of days in the Monument.

Description of proposed activities: Include a brief description of the proposed activities, including the following:

- Define the objective of the proposed activity (*The proposed activity would. . .*)
- Identify what the action would entail (*To accomplish this activity we would. . .*)
- Explain the benefit of the activity to the Monument (*This activity would help the Monument by. . .*)

Other information or Background: Include any other information relevant to your proposed activity summary.

Section A: Applicant Information

1. State the name and title of the Applicant. The Applicant is the individual who is in charge of the proposed activity and, therefore, responsible for all the personnel and actions undertaken under the authority of the any Monument Permit issued pursuant to this application. Attach the Applicant's CV, resume or biography if applicable.

1a. If the Applicant will not be present in the Monument for the proposed activities in the application, provide the full name(s), affiliation(s) and contact information of the person or persons responsible for ensuring the permit conditions are followed in the Monument. Attach their respective CV, resume, or biography if applicable.

2. State the Applicant's mailing address, phone number, fax number, and email address. If the Applicant is a student, state the Major Professor's contact information in addition to his/her own.

3. Specify the Applicant's affiliation, if any, in relation to the proposed project.

4. List all personnel roles and/or names. Include first and last name and/or position (Research Diver, Field Technician, Medical Assistant, etc.), affiliation, telephone number, and email address for each individual. If specific names of all participants are not known at the time this form is submitted, then specific roles must be provided as placeholders for numbers of persons requested to enter the Monument. The Application Review Committee may request resumes, biographies, or CVs for any personnel listed, at a later date. Attach additional information if necessary.

It is the Applicant's responsibility to keep Monument staff apprised of any proposed personnel changes. Full names of personnel and roles will be required in the Monument Compliance Information Sheet prior to issuance of a permit.

Section B: Project Information

5a. Project Location: Check the boxes of all applicable locations where the proposed activities will occur. Indicate whether your project will occur on land, in the ocean, or both. Also indicate whether your project will occur in deep water or shallow water, or both. Shallow water is defined by water less than 100 meters in depth. NOTE: Include alternate locations if appropriate.

* Location Description: Provide a description of the location of the proposed activity that includes sufficient detail. Refer to the Monument Compliance Information Sheet for information on including specific site and collection location(s).

5b. Check all applicable regulated activities proposed to be conducted in the Monument by the Applicant at any of the locations mentioned in 5a.

*Removing, moving, taking, harvesting, possessing, injuring, disturbing, or damaging, or attempting to remove, move, take, harvest, possess, injure, disturb, or damage 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 means dropping anything on to the ocean bottom with the intention of holding something fast to the bottom. Generally an anchor secures a vessel, but it may also be used for a mooring or any other item.

*Deserting a vessel aground, at anchor, or adrift.

*Discharging or depositing any material into Special Preservation Areas or the Midway Atoll Special Management Area except vessel engine cooling water, weather deck runoff, and vessel engine exhaust.

OR

*Discharging or depositing any material or other matter into the Monument, or discharging or depositing any material or other matter outside of the Monument that subsequently enters the Monument and injures any resources of the Monument, except fish parts (i.e. chumming material or bait) used in and during authorized fishing operations, or discharges incidental to vessel use such as deck wash, approved marine sanitation device effluent, cooling water, and engine exhaust.

*Touching any 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 resources.

*Sustenance Fishing means fishing for bottomfish or pelagic species within Federal waters, but outside of Special Preservation Areas, Ecological Reserves and the Midway Atoll Special Management Area, in which all catch is consumed within the Monument, and that is incidental to another activity permitted under Presidential Proclamation 8031.

*Subsistence Fishing means fishing for bottomfish or pelagic species in State waters in which all catch is for direct personal consumption within the Monument, and that is incidental to another activity permitted under Presidential Proclamation 8031.

*Swimming means entering the water and propelling oneself by movements of the limbs, without special equipment of any kind.

*Snorkeling means entering the water and swimming with the aid of a mask, snorkel, and fins, or any combination of the aforementioned equipment.

*SCUBA Diving means entering the water and submerging oneself with the aid of self-contained underwater breathing apparatus.

6. State the purpose of the proposed activities, including the goals and objectives of the activities.

7. The Secretaries of Commerce and Interior are required to determine that issuing the requested permit is compatible with the Findings of Presidential Proclamation 8031. Address the Monument findings below and provide information that you believe will assist the Co-Trustees in determining your proposed activities are compatible with the conservation and management of the natural, historic and cultural resources of the Monument:

The Findings are as follows:

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

b. How will the activity be conducted in a manner compatible with the management direction of the 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?

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.

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

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

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

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.

h. Explain how the methods and procedures proposed by the applicant 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.

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

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

FOR SPECIAL OCEAN USE ACTIVITIES OUTSIDE OF MIDWAY ATOLL SMA

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

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

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

FOR SPECIAL OCEAN USE ACTIVITIES WITHIN MIDWAY ATOLL SMA

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

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

NOTE: If this is a first time Special Ocean Use activity, it will be subject to a pilot project. Additionally, public notice of the application and an opportunity to provide comments is given at least 30 days prior to issuing the permit.

8. Describe the procedures and methods you will use in performing the proposed activity while within the Monument.

Describe in detail how you will get to your work locations and specific sites (walking, climbing, wading, swimming, snorkeling, diving, boating, etc.). Will you need to enter a seabird colony? Will you need access to beaches? Will you work at night?

Will you request assistance from Monument staff to maintain the equipment or collect data in association with the proposed activity in your absence or presence? If so, describe procedures for doing so including how often it is to occur and how long it will take per maintenance/data collection event. Describe how you plan to compensate volunteers for the maintenance or data collection work.

9. Provide proof of general liability insurance, or indicate that you will be posting an equivalent bond against claims arising out of activities conducted under the permit

10. Please describe if you are collaborating with others to reduce duplicative activities in the Monument or elsewhere in the State of Hawaii or other Pacific Remote Island National Wildlife Refuges. Please also list State of Hawaii and U.S. Fish and Wildlife Service permit numbers for any relevant collaboration related to this project, including projects in the main Hawaiian Islands and Pacific Remote Islands National Wildlife Refuges. If any permit applications for related special ocean use activities are under review at any of the above agencies, please provide us with that information.

11. Provide a complete itemized list of work related gear/equipment/supplies, including camera equipment, dive equipment, etc. that will be taken into and removed from the Monument. If you wish to store any items on any island between field seasons, request so here. Indicate how and where you propose the stored items be kept. If you propose to take any work or personal items ashore that will require use of resources (electrical, power, water, or other resources) also describe that in this section.

12. For any Hazardous Materials also include the following information:

*List all hazardous materials by common name, proper shipping name, hazard class, and amount to be taken into the Monument. Provide a Material Safety Data Sheet for each hazardous material.

*Describe how each hazardous material will be contained and stored while in the Monument.

*Describe how each hazardous material will be used for the proposed activity. Describe how and when each hazardous material will be removed from the Monument.

NOTE: The Principal Investigator (Applicant) is responsible for disposal of, storage or unauthorized use of any left-over hazardous materials from any permitted activity.

13. If applicable, indicate the types of permanent or semi-permanent installments you would like to install in the Monument, and answer the following questions:

*What is it made of?

*What will be installed?

*How will it be installed?

*Where will it be installed?

*How long will it be installed?

*Will the installation require maintenance? If so, who will conduct the maintenance and how often?

*How and when will the installation be removed?

14. List all Applicant's publications directly related to the proposed project.

Papahānaumokuākea Marine National Monument
SPECIAL OCEAN USE Permit Application

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

ADDITIONAL IMPORTANT INFORMATION:

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

INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED

Send Permit Applications to:

Papahānaumokuākea Marine National Monument Permit Coordinator

6600 Kalaniana'ole Hwy. # 300

Honolulu, HI 96825

nwhipermit@noaa.gov

PHONE: (808) 397-2660 FAX: (808) 397-2662

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

Papahānaumokuākea Marine National Monument Permit Application Cover Sheet

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

Summary Information

Applicant Name:

Affiliation:

Permit Category: Special Ocean Use

Proposed Activity Dates:

Proposed Method of Entry (Vessel/Plane):

Proposed Locations:

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

Estimated number of days in the Monument:

Description of proposed activities: (complete these sentences):

- a.) The proposed activity would...

- b.) To accomplish this activity we would

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

Other information or background:

Section A - Applicant Information

1. Applicant

Name (last, first, middle initial):

Title:

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

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

Phone:

Fax:

Email:

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

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

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):

Section B: Project Information

5a. Project location(s):

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

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

Location Description:

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:*

7. Answer the Findings below by providing information that you believe will assist the Co-Trustees in determining how your proposed activities are compatible with the conservation and management of the natural, historic, and cultural resources of the Monument:

The Findings are as follows:

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

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?

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.

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

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

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

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.

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.

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

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

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

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

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

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

FOR SPECIAL OCEAN USE ACTIVITIES WITHIN MIDWAY ATOLL SPECIAL MANAGEMENT AREA

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

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

NOTE: If this is a first time Special Ocean Use activity, it will be subject to a pilot project. Additionally, public notice of the application and an opportunity to provide comments is given at least 30 days prior to issuing the permit.

8. Procedures/Methods:

9. Provide proof of general liability insurance, or indicate that you will be posting an equivalent bond against claims arising out of activities conducted under the permit:

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

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

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

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

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

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

Signature

Date

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

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

DID YOU INCLUDE THESE?

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

**Papahānaumokuākea Marine National Monument
Recreation Permit Application Instructions
January 2008**

Introduction

On June 15, 2006, President Bush established the Papahānaumokuākea Marine National Monument (Presidential Proclamation 8031, 71 FR36443, June 26, 2006) under the authority of the Antiquities Act (Act) (16 U.S.C. 431). The Proclamation reserves all lands and interests in lands owned or controlled by the Government of the United States in the Northwestern Hawaiian Islands (NWHI), including emergent lands and submerged lands and waters, out to a distance of approximately 50 nautical miles (nmi) from the islands. The outer boundary of the Monument is approximately 1040 nmi long by 100nmi wide, extending around coral islands, seamounts, banks, and shoals. The area includes the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve, the Midway Atoll National Wildlife Refuge/Battle of Midway National Memorial, and the Hawaiian Islands National Wildlife Refuge and the Northwestern Hawaiian Islands State Marine Refuge.

The three principals with responsibility for managing lands and waters of the Monument, the Department of Commerce, Department of Interior, and the State of Hawaii (collectively the Co-Trustees), work cooperatively to administer the Monument. This relationship is further described in the Memorandum of Agreement among the Co-Trustees signed on December 8, 2006.

Permit Application Deadlines

Permit applications must be received by:

- February 1: For activities occurring between June 1 and Aug 31
- May 1: For activities occurring between September 1 and December 31
- September 1: For activities occurring between January 1 and May 31

NOTE: Issuance of a Monument permit is dependent upon the completion and review of the application and Compliance Information Sheet.

Confidential Information

The Co-Trustees intend to post completed permit applications on the Internet for public review. Applicants are requested to indicate any information that is considered proprietary business information. Such information is typically exempt from disclosure to anyone requesting information pursuant to the Freedom of Information Act (FOIA) and all applicable State law. NOAA, the U.S. Fish and Wildlife Service and the State of Hawaii attempt to protect such proprietary information, consistent with all application FOIA exemptions in 5 U.S.C. 552(b) and applicable State law. Typically exempt information includes trade secrets, commercial and financial information (5U.S.C. 552(b) (4)). Personal information affecting an individual's privacy will also be kept confidential consistent with 5 U.S.C. 552(b) (6) and applicable State

law. Unless such information is so identified, the application may be made available to the public in its entirety.

Intellectual Property

The permittee retains ownership of any data, derivative analyses or other work product, or any photographic or video material, or other copyrightable works, but the Federal Government and the State of Hawaii retain a lifetime, non-exclusive, worldwide, royalty-free license to use the same for government purposes, including copying and redissemination, and making derivative works.

Indemnification

The permittee and any person participating in any activity authorized by this permit shall release, indemnify, and hold harmless National Oceanic and Atmospheric Administration, the Department of Commerce, the U.S. Fish and Wildlife Service, the Department of the Interior, the United States Government, the State of Hawaii, and their respective employees acting within the scope of their duties from and against any claims, demands, actions, liens, rights, subrogated or contribution interests, debts, liabilities, judgments, costs, and attorney's fees, arising out of, claimed on account of, or in any manner predicated upon the issuance of this permit or the entry into or habitation upon the Papahānaumokuākea Marine National Monument or as the result of any action of the permittee or persons participating in the activity authorized by this permit.

Reporting Burden

Submittal of the information requested in these guidelines is required to obtain a permit pursuant to Monument regulations (50 CFR Part 404). This data is to evaluate the potential benefits of the activity, determine whether the proposed methods will achieve the proposed results, evaluate any possible detrimental environmental impacts, and determine if issuance of a permit is appropriate. It is through this evaluation that the Co-trustees are able to use permitting as one of the management tools to protect Monument resources and qualities.

Public reporting burden for this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information is estimated as:

- A. Twenty-four (24) hours per response for Special Ocean Use permits;
- B. Five (5) hours per response for General (Research, Conservation and Management, and Education), Native Hawaiian Practices, and Recreation permits;
- C. Four (4) hours per response for VMS installation and maintenance;
- D. Five (5) minutes per response for entry and exit notices and VMS certification;
- E. Five (5) seconds per response for hourly VMS reports.

Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Papahānaumokuākea Marine National Monument Permit Coordinator, 6600 Kalaniana'ole Hwy. # 300, Honolulu, HI 96825.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

Directions for filling out the Monument Permit Application

1. Download the Recreation permit application form. If you are unsure of the category for your proposed project, contact the Monument Permit Coordinator (contact information below).
2. Click on the document to open.
3. You will now be able to type in all the gray text field boxes and check boxes.
4. You will not be able to alter, copy, delete or modify the permit application questions and cover page in any way.

If you have difficulty filling out the application, contact the PMNM Permit Coordinator at (808) 397-2660 or nwhipermit@noaa.gov.

Send Permit Applications to:

Papahānaumokuākea Marine National Monument Permit Coordinator
6600 Kalaniana'ole Hwy. # 300
Honolulu, HI 96825
nwhipermit@noaa.gov
PHONE: (808) 397-2660 FAX: (808) 397-2662

NOTE: SUBMITTAL VIA ELECTRONIC MAIL IS PREFERRED BUT NOT REQUIRED. YOU ARE ALSO REQUIRED TO SEND ONE SIGNED ORIGINAL APPLICATION VIA MAIL TO THE MONUMENT OFFICE ABOVE:

Papahānaumokuākea Marine National Monument RECREATION Permit Application Instructions

NOTE: *This Permit Application (and associated Instructions) are to propose activities to be conducted in the Midway Atoll Special Management Area of 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).*

Permit Application Cover Sheet Summary Information

NOTE: The permit application cover sheet is intended to provide summary information on permit applications for activities proposed to occur in the Papahānaumokuākea Marine National Monument. Information submitted in this section will be posted on the Monument website to inform the public regarding projects proposed to occur in the Monument.

Applicant Name: Enter the name of the person who is in charge of the proposed activity and who will be responsible for all the personnel and actions under the authority of the requested Monument permit.

Affiliation: Specify the Applicant's affiliation, if any, in relation to the proposed project.

Proposed Activity Dates: Specify the dates of your activities.

Proposed Method of Entry: Specify whether you will enter the Monument via vessel or aircraft.

Proposed Locations: Provide a brief summary of the location(s) for proposed activities (e.g. Midway Atoll Special Management Area, Sand Island, Eastern Island, Lagoon, etc.). **NOTE:** If applicable, specific GPS and other location information are requested in the Monument Compliance Information Sheet.

Estimated number of individuals to be covered under this permit: Provide an ESTIMATE of the number of individuals (including Applicant) to be covered under this permit.

Estimated number of days in the Monument: Provide the ESTIMATED number of days in the Monument.

Description of proposed activities: Include a brief description of the proposed activities, including the following:

- Define the objective of the proposed activity (*The proposed activity would. . .*)
- Identify what the action would entail (*To accomplish this activity we would. . .*)
- Explain the benefit of the activity to the Monument (*This activity would help the Monument by. . .*)

Other information or Background: Include any other information relevant to your proposed activity summary.

Section A: Applicant Information

1. State the name and title of the Applicant. The Applicant is the individual who is in charge of the proposed activity and, therefore, responsible for all the personnel and actions undertaken under the authority of the any Monument Permit issued pursuant to this application. Attach the Applicant's CV, resume or biography if applicable.

1a. If the Applicant will not be present in the Monument for the proposed activities in the application, provide the full name(s), affiliation(s) and contact information of the person or persons responsible for ensuring the permit conditions are followed in the Monument. Attach their respective CV, resume, or biography if applicable.

2. State the Applicant's mailing address, phone number, fax number, and email address. If the Applicant is a student, state the Major Professor's contact information in addition to his/her own.

3. Specify the Applicant's affiliation, if any, in relation to the proposed project.

4. List all personnel roles and/or names. Include first and last name, role (Visitor, etc.), telephone number, and email address for each individual. If specific names of all participants are not known at the time this form is submitted, a maximum number of visitors must be provided as a placeholder for numbers of persons requested to enter the Monument.

It is the Applicant's responsibility to keep Monument staff apprised of any proposed personnel changes. Full names of personnel and roles will be required in the Monument Compliance Information Sheet prior to issuance of a permit.

Section B: Project Information

5a. Project Location: Check the boxes of all applicable locations where the proposed activities will occur. Indicate whether your project will occur on land, in the ocean, or both. Also indicate whether your project will occur in deep water or shallow water, or both. Shallow water is defined by water less than 100 meters in depth. NOTE: Include alternate locations if appropriate.

* Location Description: Provide a description of the location of the proposed activity that includes sufficient detail. Refer to the Monument Compliance Information Sheet for information on including specific site and collection location(s).

5b. Check all applicable regulated activities proposed to be conducted in the Monument by the Applicant at any of the locations mentioned in 5a.

*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 means dropping anything on to the ocean bottom with the intention of holding something fast to the bottom. Generally an anchor secures a vessel, but it may also be used for a mooring or any other item.

*Deserting a vessel aground, at anchor, or adrift.

*Discharging or depositing any material into Special Preservation Areas or the Midway Atoll Special Management Area except vessel engine cooling water, weather deck runoff, and vessel engine exhaust.

OR

*Discharging or depositing any material or other matter into the Monument, or discharging or depositing any material or other matter outside of the Monument that subsequently enters the Monument and injures any resources of the Monument, except fish parts (i.e. chumming material or bait) used in and during authorized fishing operations, or discharges incidental to vessel use such as deck wash, approved marine sanitation device effluent, cooling water, and engine exhaust.

*Touching any coral, living or dead.

*Attracting any living Monument resources.

*Swimming means entering the water and propelling oneself by movements of the limbs, without special equipment of any kind.

*Snorkeling means entering the water and swimming with the aid of a mask, snorkel, and fins, or any combination of the aforementioned equipment.

*SCUBA Diving means entering the water and submerging oneself with the aid of self-contained underwater breathing apparatus.

6. State the purpose of the proposed activities, including the goals and objectives of the activities.

7. The Secretaries of Commerce and Interior are required to determine that issuing the requested permit is compatible with the Findings of Presidential Proclamation 8031. Answer the Monument findings below and provide information that you believe will assist the Co-Trustees in determining your proposed activities are compatible with the conservation and management of the natural, historic and cultural resources of the Monument:

The Findings are as follows:

- a. How can the activity be conducted with adequate safeguards for the cultural, natural and historic resources and ecological integrity of the Monument?
- b. How will the activity be conducted in a manner compatible with the management direction of the 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?
- 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.
- d. How does the end value of the activity outweigh its adverse impacts on Monument cultural, natural and historic resources, qualities, and ecological integrity?
- e. Explain how the duration of the activity is no longer than necessary to achieve its stated purpose.
- f. Provide information demonstrating that you are qualified to conduct and complete the activity and mitigate any potential impacts resulting from its conduct.
- 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.
- h. Explain how the methods and procedures proposed by the applicant 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.
- i. Has your vessel has been outfitted with a mobile transceiver unit approved by OLE and complies with the requirements of Presidential Proclamation 8031?

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

ADDITIONAL FINDINGS FOR PROPOSED RECREATION ACTIVITIES

k. Explain how the activity is for the purpose of recreation as defined: An activity conducted for personal enjoyment that does not result in the extraction of Monument resources and that does not involve a fee-for-service transaction.

8. Describe the procedures and methods you will use in performing the proposed activity while within the Monument. Please refer to the Interim Visitor Services Plan for the Midway Atoll National Wildlife Refuge, and the Battle of Midway National Memorial, and the Papahānaumokuākea Marine National Monument's at Midway Atoll Special Management Area for approved recreation activities.

Describe in detail how you will get to your recreation locations and specific sites (walking, climbing, wading, swimming, snorkeling, diving, boating, etc.). Will you need to enter a seabird colony? Will you need access to beaches?

9. List any other associated Monument permits.

10. Provide a complete itemized list of recreation related gear/equipment/supplies, including camera equipment, dive equipment, etc. that will be taken into and removed from the Monument. If you wish to store any items on any island between field seasons, request so here. Indicate how and where you propose the stored items be kept. If you propose to take any work or personal items ashore that will require use of resources (electrical, power, water, or other resources) also describe that in this section.

11. For any Hazardous Materials also include the following information:

*List all hazardous materials by common name, proper shipping name, hazard class, and amount to be taken into the Monument. Provide a Material Safety Data Sheet for each hazardous material.

*Describe how each hazardous material will be contained and stored while in the Monument.

*Describe how each hazardous material will be used for the proposed activity. Describe how and when each hazardous material will be removed from the Monument.

NOTE: The Principal Investigator (Applicant) is responsible for disposal of, storage or unauthorized use of any left-over hazardous materials from any permitted activity.

12. If applicable, indicate the types of permanent or semi-permanent installments you would like to install in the Monument, and answer the following questions:

*What is it made of?

*What will be installed?

*How will it be installed?

*Where will it be installed?

*How long will it be installed?

*Will the installation require maintenance? If so, who will conduct the maintenance and how often?

*How and when will the installation be removed?

Papahānaumokuākea Marine National Monument
RECREATION Permit Application

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

ADDITIONAL IMPORTANT INFORMATION:

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

INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED

Send Permit Applications to:

Papahānaumokuākea Marine National Monument Permit Coordinator

6600 Kalaniana'ole Hwy. # 300

Honolulu, HI 96825

nwhipermit@noaa.gov

PHONE: (808) 397-2660 FAX: (808) 397-2662

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

Papahānaumokuākea Marine National Monument Permit Application Cover Sheet

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

Summary Information

Applicant Name:

Affiliation:

Permit Category: Recreation

Proposed Activity Dates:

Proposed Method of Entry (Vessel/Plane):

Proposed Locations:

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

Estimated number of days in the Monument:

Description of proposed activities: (complete these sentences):

- a.) The proposed activity would...

- b.) To accomplish this activity we would

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

Other information or background:

Section A - Applicant Information

1. Applicant

Name (last, first, middle initial):

Title:

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

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

Phone:

Fax:

Email:

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

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

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, Visitor):

Section B: Project Information

5a. Project location(s):

Midway Atoll

Land-based

Ocean Based

Shallow water

Deep water

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

Location Description:

5b. Check all applicable regulated activities proposed to be conducted in the Monument:

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

Attracting any living Monument resource

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:*

7. Answer the Findings below by providing information that you believe will assist the Co-Trustees in determining how your proposed activities are compatible with the conservation and management of the natural, historic, and cultural resources of the Monument:

The Findings are as follows:

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

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?

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.

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

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

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

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.

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.

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

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

ADDITIONAL FINDINGS FOR PROPOSED RECREATION ACTIVITIES

k. Explain how the activity is for the purpose of recreation as defined: An activity conducted for personal enjoyment that does not result in the extraction of Monument resources and that does not involve a fee-for-service transaction.

8. Procedures/Methods:

NOTE: If land or marine archeological activities are involved, contact the Monument Permit Coordinator at the address on the general application form before proceeding, as a customized application will be needed. For more information, contact the Monument office on the first page of this application.

9. List any other associated Monument permits:

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

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

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

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

Signature

Date

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

Papahānaumokuākea Marine National Monument Permit Coordinator
6600 Kalaniana'ole Hwy. # 300
Honolulu, HI 96825

FAX: (808) 397-2662

DID YOU INCLUDE THESE?

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



Federal Register

**Monday,
June 26, 2006**

Part V

The President

**Proclamation 8031—Establishment of the
Northwestern Hawaiian Islands Marine
National Monument**

Presidential Documents

Title 3—

Proclamation 8031 of June 15, 2006

The President

Establishment of the Northwestern Hawaiian Islands Marine National Monument

By the President of the United States of America

A Proclamation

In the Pacific Ocean northwest of the principal islands of Hawaii lies an approximately 1,200 nautical mile stretch of coral islands, seamounts, banks, and shoals. The area, including the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve, the Midway National Wildlife Refuge, the Hawaiian Islands National Wildlife Refuge, and the Battle of Midway National Memorial, supports a dynamic reef ecosystem with more than 7,000 marine species, of which approximately half are unique to the Hawaiian Island chain. This diverse ecosystem is home to many species of coral, fish, birds, marine mammals, and other flora and fauna including the endangered Hawaiian monk seal, the threatened green sea turtle, and the endangered leatherback and hawksbill sea turtles. In addition, this area has great cultural significance to Native Hawaiians and a connection to early Polynesian culture worthy of protection and understanding.

WHEREAS Executive Order 13089 of June 11, 1998, Executive Order 13178 of December 4, 2000, and Executive Order 13196 of January 18, 2001, as well as the process for designation of a National Marine Sanctuary undertaken by the Secretary of Commerce, have identified objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States in the area of the Northwestern Hawaiian Islands;

WHEREAS section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431) (the “Antiquities Act”) authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon lands owned or controlled by the Government of the United States to be national monuments, and to reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected;

WHEREAS it would be in the public interest to preserve the marine area of the Northwestern Hawaiian Islands and certain lands as necessary for the care and management of the historic and scientific objects therein,

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by the authority vested in me by section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431), do proclaim that there are hereby set apart and reserved as the Northwestern Hawaiian Islands Marine National Monument (the “monument” or “national monument”) for the purpose of protecting the objects described above, all lands and interests in lands owned or controlled by the Government of the United States within the boundaries described on the accompanying map entitled “Northwestern Hawaiian Islands Marine National Monument” attached to and forming a part of this proclamation. The Federal land and interests in land reserved includes approximately 139,793 square miles of emergent and submerged lands and waters of the Northwestern Hawaiian Islands, which is the smallest

area compatible with the proper care and management of the objects to be protected.

All Federal lands and interests in lands within the boundaries of this monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws, including, but not limited to, withdrawal from location, entry, and patent under mining laws, and from disposition under all laws relating to mineral and geothermal leasing.

The Secretary of Commerce, through the National Oceanic and Atmospheric Administration (NOAA), will have primary responsibility regarding management of the marine areas, in consultation with the Secretary of the Interior. The Secretary of the Interior, through the Fish and Wildlife Service (FWS), will have sole responsibility for management of the areas of the monument that overlay the Midway Atoll National Wildlife Refuge, the Battle of Midway National Memorial, and the Hawaiian Islands National Wildlife Refuge, in consultation with the Secretary of Commerce.

The Secretary of Commerce and the Secretary of the Interior (collectively, the "Secretaries") shall review and, as appropriate, modify the interagency agreement developed for coordinated management of the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve, signed on May 19, 2006. To manage the monument, the Secretary of Commerce, in consultation with the Secretary of the Interior and the State of Hawaii, shall modify, as appropriate, the plan developed by NOAA's National Marine Sanctuary Program through the public sanctuary designation process, and will provide for public review of that plan. To the extent authorized by law, the Secretaries, acting through the FWS and NOAA, shall promulgate any additional regulations needed for the proper care and management of the objects identified above.

The Secretary of State, in consultation with the Secretaries, shall take appropriate action to enter into negotiations with other governments to make necessary arrangements for the protection of the monument and to promote the purposes for which the monument is established. The Secretary of State, in consultation with the Secretaries, shall seek the cooperation of other governments and international organizations in furtherance of the purposes of this proclamation and consistent with applicable regional and multilateral arrangements for the protection and management of special marine areas. Furthermore, this proclamation shall be applied in accordance with international law. No restrictions shall apply to or be enforced against a person who is not a citizen, national, or resident alien of the United States (including foreign flag vessels) unless in accordance with international law.

Nothing in this proclamation shall be deemed to diminish or enlarge the jurisdiction of the State of Hawaii.

The establishment of this monument is subject to valid existing rights and use of the monument shall be administered as follows:

Access to the Monument

The Secretaries shall prohibit entering the monument except pursuant to permission granted by the Secretaries or their designees. Any person passing through the monument without interruption must notify an official designated by the Secretaries at least 72 hours, but no longer than 1 month, prior to the entry date. Notification of departure from the monument must be provided within 12 hours of leaving. A person providing notice must provide the following information, as applicable: (i) position when making report; (ii) vessel name and International Maritime Organization identification number; (iii) name, address, and telephone number of owner and operator; (iv) United States Coast Guard (USCG) documentation, State license, or registration number; (v) home port; (vi) intended and actual route through the monument; (vii) general categories of any hazardous cargo on board; and (viii) length of vessel and propulsion type (e.g., motor or sail).

Vessel Monitoring Systems

1. As soon as possible but not later than 30 days following the issuance of this proclamation, NOAA shall publish in the **Federal Register** a list of approved transmitting units and associated communications service providers for purposes of this proclamation. An owner or operator of a vessel that has been issued a permit for accessing the monument must ensure that such a vessel has an operating vessel monitoring system (VMS) on board, approved by the Office of Legal Enforcement in the National Oceanic and Atmospheric Administration in the Department of Commerce (OLE) when voyaging within the monument. An operating VMS includes an operating mobile transmitting unit on the vessel and a functioning communication link between the unit and OLE as provided by an OLE-approved communication service provider.
2. Only a VMS that has been approved by OLE may be used. When installing and activating the OLE-approved VMS, or when reinstalling and reactivating such VMS, the vessel owner or operator must:
 - a. Follow procedures indicated on an installation and activation checklist, which is available from OLE; and
 - b. Submit to OLE a statement certifying compliance with the checklist, as prescribed on the checklist.
3. No person may interfere with, tamper with, alter, damage, disable, or impede the operation of the VMS, or attempt any of the same.
4. When a vessel's VMS is not operating properly, the owner or operator must immediately contact OLE, and follow instructions from that office. If notified by OLE that a vessel's VMS is not operating properly, the owner and operator must follow instructions from that office. In either event, such instructions may include, but are not limited to, manually communicating to a location designated by OLE the vessel's positions or returning to port until the VMS is operable.
5. As a condition of authorized access to the monument, a vessel owner or operator subject to the requirements for a VMS in this section must allow OLE, the USCG, and their authorized officers and designees access to the vessels position data obtained from the VMS. Consistent with applicable law, including the limitations on access to, and use, of VMS data collected under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*), the Secretaries may have access to, and use of, collected data for scientific, statistical, and management purposes.
6. OLE has authority over the installation and operation of the VMS unit. OLE may authorize the connection or order the disconnection of additional equipment, including a computer, to any VMS unit, when deemed appropriate by OLE.
7. The Secretaries shall prohibit any person from conducting or causing to be conducted:
 - a. Operating any vessel without an approved transmitting device within the monument area 45 days after the publication of the list of approved transmitting devices described in paragraph (1) above;
 - b. Failing to install, activate, repair, or replace a mobile transceiver unit prior to leaving port;
 - c. Failing to operate and maintain a mobile transceiver unit on board the vessel at all times;
 - d. Tampering with, damaging, destroying, altering, or in any way distorting, rendering useless, inoperative, ineffective, or inaccurate the VMS, mobile transceiver unit, or VMS signal required to be installed on or transmitted by a vessel;
 - e. Failing to contact OLE or follow OLE instructions when automatic position reporting has been interrupted;
 - f. Registering a VMS or mobile transceiver unit registered to more than one vessel at the same time;

g. Connecting or leaving connected additional equipment to a VMS unit or mobile transceiver unit without the prior approval of OLE;

h. Making a false statement, oral or written, to an authorized officer regarding the installation, use, operation, or maintenance of a VMS unit or mobile transceiver unit or communication service provider.

Restrictions

Prohibited Activities

The Secretaries shall prohibit persons from conducting or causing to be conducted the following activities:

1. Exploring for, developing, or producing oil, gas, or minerals within the monument;
2. Using or attempting to use poisons, electrical charges, or explosives in the collection or harvest of a monument resource;
3. Introducing or otherwise releasing an introduced species from within or into the monument; and
4. Anchoring on or having a vessel anchored on any living or dead coral with an anchor, anchor chain, or anchor rope.

Regulated Activities

Except as otherwise provided in this proclamation, the Secretaries shall prohibit any person from conducting or causing to be conducted within the monument the following activities:

1. Removing, moving, taking, harvesting, possessing, injuring, disturbing, or damaging; or attempting to remove, move, take, harvest, possess, injure, disturb, or damage any living or nonliving monument resource;
2. 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;
3. Anchoring a vessel;
4. Deserting a vessel aground, at anchor, or adrift;
5. Discharging or depositing any material or other matter into Special Preservation Areas or the Midway Atoll Special Management Area except vessel engine cooling water, weather deck runoff, and vessel engine exhaust;
6. Discharging or depositing any material or other matter into the monument, or discharging or depositing any material or other matter outside of the monument that subsequently enters the monument and injures any resources of the monument, except fish parts (i.e., chumming material or bait) used in and during authorized fishing operations, or discharges incidental to vessel use such as deck wash, approved marine sanitation device effluent, cooling water, and engine exhaust;
7. Touching coral, living or dead;
8. Possessing fishing gear except when stowed and not available for immediate use during passage without interruption through the monument;
9. Swimming, snorkeling, or closed or open circuit SCUBA diving within any Special Preservation Area or the Midway Atoll Special Management Area; and
10. Attracting any living monument resources.

Emergencies and Law Enforcement Activities

The prohibitions required by this proclamation shall not apply to activities necessary to respond to emergencies threatening life, property, or the environment, or to activities necessary for law enforcement purposes.

Armed Forces Actions

1. The prohibitions required by this proclamation shall not apply to activities and exercises of the Armed Forces (including those carried out by the United States Coast Guard) that are consistent with applicable laws.
2. Nothing in this proclamation shall limit agency actions to respond to emergencies posing an unacceptable threat to human health or safety or to the marine environment and admitting of no other feasible solution.
3. All activities and exercises of the Armed Forces shall be carried out in a manner that avoids, to the extent practicable and consistent with operational requirements, adverse impacts on monument resources and qualities.
4. In the event of threatened or actual destruction of, loss of, or injury to a monument resource or quality resulting from an incident, including but not limited to spills and groundings, caused by a component of the Department of Defense or the USCG, the cognizant component shall promptly coordinate with the Secretaries for the purpose of taking appropriate actions to respond to and mitigate the harm and, if possible, restore or replace the monument resource or quality.

Commercial Fishing

1. The Secretaries shall ensure that any commercial lobster fishing permit shall be subject to a zero annual harvest limit.
2. Fishing for bottomfish and pelagic species. The Secretaries shall ensure that:
 - a. Commercial fishing for bottomfish and associated pelagic species may continue within the monument for not longer than 5 years from the date of this proclamation provided that:
 - (i) The fishing is conducted in accordance with a valid commercial bottomfish permit issued by NOAA; and
 - (ii) Such permit is in effect on the date of this proclamation and is subsequently renewed pursuant to NOAA regulations at 50 CFR part 660 subpart E as necessary.
 - b. Total landings for each fishing year may not exceed the following amounts:
 - (i) 350,000 pounds for bottomfish species; and
 - (ii) 180,000 pounds for pelagic species.
 - c. Commercial fishing for bottomfish and associated pelagic species is prohibited in the monument after 5 years from the date of this proclamation.

General Requirements

The Secretaries shall ensure that any commercial fishing within the monument is conducted in accordance with the following restrictions and conditions:

1. A valid permit or facsimile of a valid permit is on board the fishing vessel and is available for inspection by an authorized officer;
2. No attempt is made to falsify or fail to make, keep, maintain, or submit any logbook or logbook form or other required record or report;
3. Only gear specifically authorized by the relevant permit issued under the Magnuson-Stevens Fishery Conservation and Management Act is allowed to be in the possession of a person conducting commercial fishing under this section;
4. Any person conducting commercial fishing notifies the Secretaries by telephone, facsimile, or electronic mail at least 72 hours before entering the monument and within 12 hours after leaving the monument;
5. All fishing vessels must carry an activated and functioning VMS unit on board at all times whenever the vessel is in the monument;
6. All fishing vessels must carry an observer when requested to do so by the Secretaries; and

7. The activity does not take place within any Ecological Reserve, any Special Preservation Area, or the Midway Atoll Special Management Area.

Permitting Procedures and Criteria

Subject to such terms and conditions as the Secretaries deem appropriate, a person may conduct an activity regulated by this proclamation if such activity is specifically authorized by a permit. The Secretaries, in their discretion, may issue a permit under this proclamation if the Secretaries find that the activity: (i) is research designed to further understanding of monument resources and qualities; (ii) will further the educational value of the monument; (iii) will assist in the conservation and management of the monument; (iv) will allow Native Hawaiian practices; (v) will allow a special ocean use; or (vi) will allow recreational activities.

Findings

1. The Secretaries may not issue any permit unless the Secretaries find:
 - a. The activity can be conducted with adequate safeguards for the resources and ecological integrity of the monument;
 - b. The activity will 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 resources, qualities, and ecological integrity, any indirect, secondary, or cumulative effects of the activity, and the duration of such effects;
 - c. There is no practicable alternative to conducting the activity within the monument;
 - d. The end value of the activity outweighs its adverse impacts on monument resources, qualities, and ecological integrity;
 - e. The duration of the activity is no longer than necessary to achieve its stated purpose;
 - f. The applicant is qualified to conduct and complete the activity and mitigate any potential impacts resulting from its conduct;
 - g. The applicant has adequate financial resources available to conduct and complete the activity and mitigate any potential impacts resulting from its conduct;
 - h. The methods and procedures proposed by the applicant are appropriate to achieve the proposed activity's goals in relation to their impacts to monument resources, qualities, and ecological integrity;
 - i. The applicant's vessel has been outfitted with a mobile transceiver unit approved by OLE and complies with the requirements of this proclamation; and
 - j. There are no other factors that would make the issuance of a permit for the activity inappropriate.
2. *Additional Findings for Native Hawaiian Practice Permits.* In addition to the findings listed above, the Secretaries shall not issue a permit to allow Native Hawaiian practices unless the Secretaries find:
 - a. The activity is non-commercial and will not involve the sale of any organism or material collected;
 - b. The purpose and intent of the activity are appropriate and deemed necessary by traditional standards in the Native Hawaiian culture (pono), and demonstrate an understanding of, and background in, the traditional practice, and its associated values and protocols;
 - c. The activity benefits the resources of the Northwestern Hawaiian Islands and the Native Hawaiian community;
 - d. The activity supports or advances the perpetuation of traditional knowledge and ancestral connections of Native Hawaiians to the Northwestern Hawaiian Islands; and

- e. Any monument resource harvested from the monument will be consumed in the monument.
3. *Additional Findings, Criteria, and Requirements for Special Ocean Use Permits*
- a. In addition to the findings listed above, the following requirements apply to the issuance of a permit for a special ocean use:
- (i) Any permit for a special ocean use issued under this section:
- (A) Shall authorize the conduct of an activity only if that activity is compatible with the purposes for which the monument is designated and with protection of monument resources;
- (B) Shall not authorize the conduct of any activity for a period of more than 5 years unless renewed by the Secretaries;
- (C) Shall require that activities carried out under the permit be conducted in a manner that does not destroy, cause the loss of, or injure monument resources; and
- (D) Shall require the permittee to purchase and maintain comprehensive general liability insurance, or post an equivalent bond, against claims arising out of activities conducted under the permit and to agree to hold the United States harmless against such claims; and
- (ii) Each person issued a permit for a special ocean use under this section shall submit an annual report to the Secretaries not later than December 31 of each year that describes activities conducted under that permit and revenues derived from such activities during the year.
- b. The Secretaries may not issue a permit for a special ocean use unless they determine that the proposed activity will be consistent with the findings listed above for the issuance of any permit.
- c. Categories of special ocean use being permitted for the first time under this section will be restricted in duration and permitted as a special ocean use pilot project. Subsequent permits for any category of special ocean use may be issued only if a special ocean use pilot project for that category has been determined by the Secretaries to meet the criteria in this proclamation and any terms and conditions placed on the permit for the pilot project.
- d. The Secretaries shall provide public notice prior to requiring a special ocean use permit for any category of activity not previously identified as a special ocean use.
- e. The following requirements apply to permits for a special ocean use for an activity within the Midway Atoll Special Management Area.
- (i) The Secretaries may issue a permit for a special ocean use for activities within the Midway Atoll Special Management Area provided:
- (A) The Secretaries find the activity furthers the conservation and management of the monument; and
- (B) The Director of the United States Fish and Wildlife Service or his or her designee has determined that the activity is compatible with the purposes for which the Midway Atoll National Wildlife Refuge was designated.
- (ii) As part of a permit, the Secretaries may allow vessels to transit the monument as necessary to enter the Midway Atoll Special Management Area.
- f. The Secretaries may issue a permit for a special ocean use for activities outside the Midway Atoll Special Management Area provided:
- (i) The Secretaries find the activity will directly benefit the conservation and management of the monument;
- (ii) The Secretaries determine the purpose of the activity is for research or education related to the resources or qualities of the monument;
- (iii) The Secretaries provide public notice of the application and an opportunity to provide comments at least 30 days prior to issuing the permit; and

(iv) The activity does not involve the use of a commercial passenger vessel.

4. *Additional Findings for Recreation Permits.* The Secretaries may issue a permit only for recreational activities to be conducted within the Midway Atoll Special Management Area. In addition to the general findings listed above for any permit, the Secretaries may not issue such permit unless the Secretaries find:

- a. The activity is for the purpose of recreation as defined in regulation;
- b. The activity is not associated with any for-hire operation; and
- c. The activity does not involve any extractive use.

Sustenance Fishing

Sustenance fishing means fishing for bottomfish or pelagic species that are consumed within the monument, and is incidental to an activity permitted under this proclamation. The Secretaries may permit sustenance fishing outside of any Special Preservation Area as a term or condition of any permit issued under this proclamation. The Secretaries may not permit sustenance fishing in the Midway Atoll Special Management Area unless the activity has been determined by the Director of the United States Fish and Wildlife Service or his or her designee to be compatible with the purposes for which the Midway Atoll National Wildlife Refuge was established. Sustenance fishing must be conducted in a manner compatible with this proclamation, including considering the extent to which the conduct of the activity may diminish monument resources, qualities, and ecological integrity, as well as any indirect, secondary, or cumulative effects of the activity and the duration of such effects. The Secretaries will develop procedures for systematic reporting of sustenance fishing.

Definitions For purposes of this proclamation:

Attract or Attracting means luring or attempting to lure a living resource by any means, except the mere presence of human beings (e.g., swimmers, divers, boaters).

Bottomfish Species means bottomfish management unit species as defined at 50 CFR 660.12.

Commercial Bottomfishing means commercial fishing for bottomfish species.

Commercial Passenger Vessel means a vessel that carries individuals who have paid for such carriage.

Commercial Pelagic Trolling means commercial fishing for pelagic species.

Deserting a vessel means:

1. Leaving a vessel aground or adrift:
 - (i) Without notifying the Secretaries of the vessel going aground or adrift within 12 hours of its discovery and developing and presenting to the Secretaries a preliminary salvage plan within 24 hours of such notification;
 - (ii) After expressing or manifesting intention to not undertake or to cease salvage efforts; or
 - (iii) When the Secretaries are unable, after reasonable efforts, to reach the owner/operator within 12 hours of the vessels condition being reported to authorities.
2. Leaving a vessel at anchor when its condition creates potential for a grounding, discharge, or deposit and the owner/operator fails to secure the vessel in a timely manner.

Ecological Reserve means an area of the monument consisting of contiguous, diverse habitats that provide natural spawning, nursery, and permanent residence areas for the replenishment and genetic protection of marine life, and also to protect and preserve natural assemblages of habitats and species within areas representing a broad diversity of resources and habitats found within the monument.

Ecological Integrity means a condition determined to be characteristic of an ecosystem that has the ability to maintain the function, structure, and abundance of natural biological communities, including rates of change in response to natural environmental variation.

Fishing Year means the year beginning at 0001 local time on January 1 and ending at 2400 local time on December 31.

Introduced Species means:

1. A species (including, but not limited to, any of its biological matter capable of propagation) that is non-native to the ecosystem(s) protected by the monument; or
2. Any organism into which genetic matter from another species has been transferred in order that the host organism acquires the genetic traits of the transferred genes.

Landing means offloading fish from a fishing vessel or causing fish to be offloaded from a fishing vessel.

Midway Atoll Special Management Area means the area of the monument surrounding Midway Atoll out to a distance of 12 nautical miles, established for the enhanced management, protection, and preservation of monument wildlife and historical resources.

Mobile Transceiver Unit means a vessel monitoring system or VMS device installed on board a vessel that is used for vessel monitoring and transmitting the vessel's position as required by this proclamation.

Native Hawaiian Practices means cultural activities conducted for the purposes of perpetuating traditional knowledge, caring for and protecting the environment, and strengthening cultural and spiritual connections to the Northwestern Hawaiian Islands that have demonstrable benefits to the Native Hawaiian community. This may include, but is not limited to, the non-commercial use of monument resources for direct personal consumption while in the monument.

Ocean-Based Ecotourism means a class of fee-for-service activities that involves visiting the monument for study, enjoyment, or volunteer assistance for purposes of conservation and management.

Pelagic Species means Pacific Pelagic Management Unit Species as defined at 50 CFR 660.12.

Pono means appropriate, correct, and deemed necessary by traditional standards in the Hawaiian culture.

Recreational Activity means an activity conducted for personal enjoyment that does not result in the extraction of monument resources and that does not involve a fee-for-service transaction. This includes, but is not limited to, wildlife viewing, SCUBA diving, snorkeling, and boating.

Special Preservation Area (SPA) means discrete, biologically important areas of the monument within which uses are subject to conditions, restrictions, and prohibitions, including but not limited to access restrictions. SPAs are used to avoid concentrations of uses that could result in declines in species populations or habitat, to reduce conflicts between uses, to protect areas that are critical for sustaining important marine species or habitats, or to provide opportunities for scientific research.

Special Ocean Use means an activity or use of the monument that is engaged in to generate revenue or profits for one or more of the persons associated with the activity or use, and does not destroy, cause the loss of, or injure monument resources. This includes ocean-based ecotourism and other activities such as educational and research activities that are engaged in to generate revenue, but does not include commercial fishing for bottomfish or pelagic species conducted pursuant to a valid permit issued by NOAA.

Stowed and Not Available for Immediate Use means not readily accessible for immediate use, e.g., by being securely covered and lashed to a deck

or bulkhead, tied down, unbaited, unloaded, or partially disassembled (such as spear shafts being kept separate from spear guns).

Sustenance Fishing means fishing for bottomfish or pelagic species in which all catch is consumed within the monument, and that is incidental to an activity permitted under this proclamation.

Vessel Monitoring System or VMS means a vessel monitoring system or mobile transceiver unit approved by the Office for Law Enforcement for use on vessels permitted to access the monument, as required by this subpart.

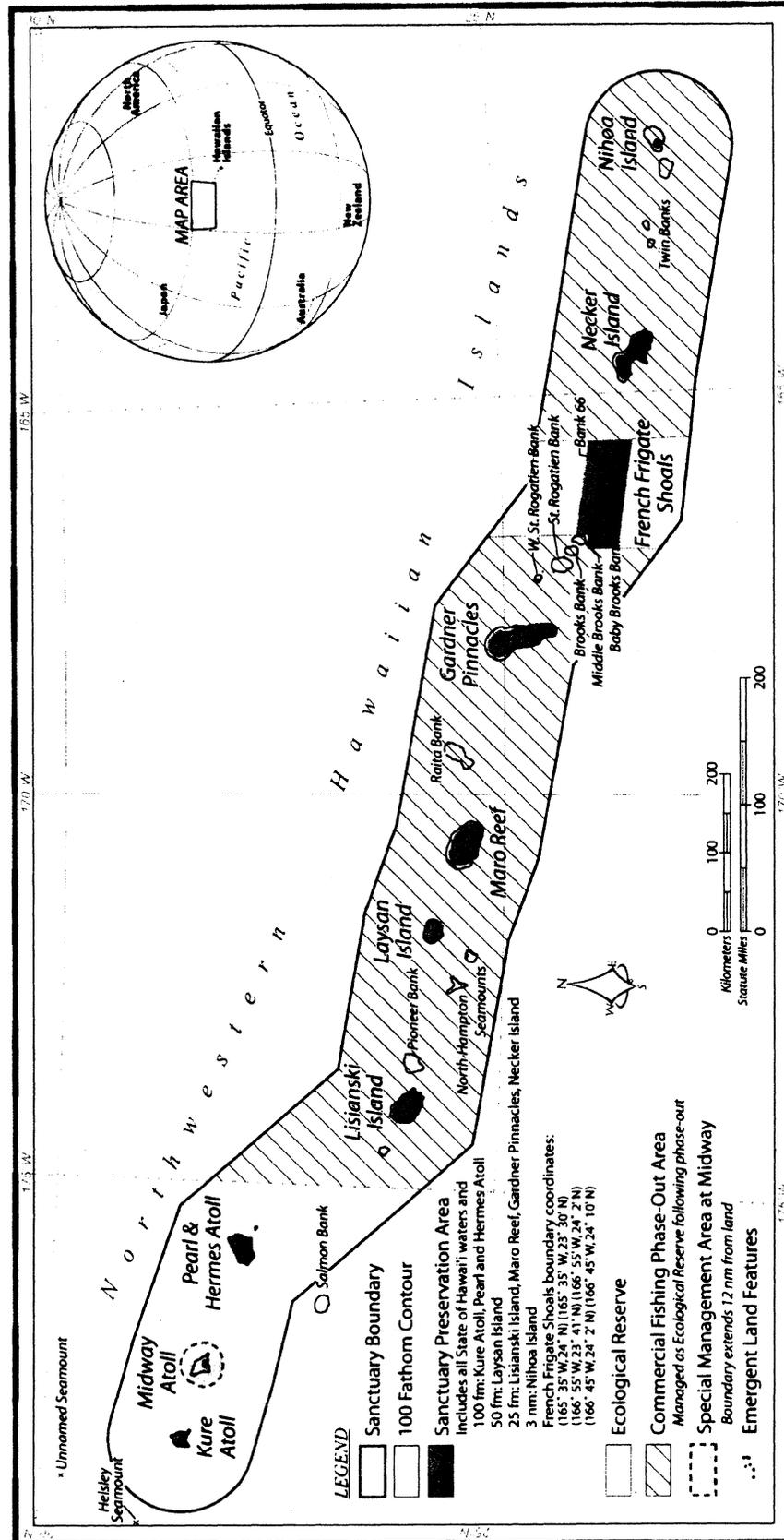
Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the national monument shall be the dominant reservation.

Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any lands thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of June, in the year of our Lord two thousand six, and of the Independence of the United States of America the two hundred and thirtieth.

A handwritten signature in black ink, appearing to read "G. W. Bush". The signature is written in a cursive style with a large, sweeping initial "G" and a long, horizontal flourish at the end.

Northwestern Hawaiian Islands Marine National Monument



Northwestern Hawaiian Islands Marine National Monument Boundary Coordinates

[Coordinates listed are unprojected (Geographic) and based on the North American Datum of 1983.]

Point	Latitude	Longitude
1	28.437480	-175.177660
2	28.267840	-175.000000
3	26.848220	-173.513200
4	26.600050	-171.628460
5	26.591570	-171.564050
6	26.584980	-171.514000
7	26.567910	-171.458490
8	26.555880	-171.419340
9	26.237590	-170.384040
10	25.842570	-167.964750
11	25.816640	-167.805960
12	25.784980	-167.612000
13	25.664070	-167.441430
14	25.585060	-167.329980
15	25.173930	-166.750000
16	24.681970	-166.056000
17	24.594130	-165.583330
18	24.399760	-164.537400
19	23.880420	-161.742420
20	23.868390	-161.686790
21	23.853160	-161.632100
22	23.834780	-161.578570
23	23.813320	-161.526420
24	23.788880	-161.475860
25	23.761550	-161.427080
26	23.731440	-161.380290
27	23.698680	-161.335660
28	23.663380	-161.293370
29	23.625700	-161.253600
30	23.585780	-161.216500
31	23.543790	-161.182210
32	23.499890	-161.150870
33	23.454250	-161.122600
34	23.407070	-161.097510
35	23.358510	-161.075690
36	23.308790	-161.057240
37	23.258090	-161.042210
38	23.206620	-161.030670
39	23.154580	-161.022660
40	23.102170	-161.018200
41	23.049610	-161.017300

42	22.997110	-161.019980
43	22.944850	-161.026200
44	22.893070	-161.035950
45	22.841950	-161.049190
46	22.791700	-161.065840
47	22.742520	-161.085860
48	22.694600	-161.109150
49	22.648120	-161.135620
50	22.603270	-161.165160
51	22.560230	-161.197660
52	22.519160	-161.232980
53	22.480220	-161.270990
54	22.443560	-161.311530
55	22.409340	-161.354440
56	22.377670	-161.399560
57	22.348690	-161.446710
58	22.322500	-161.495710
59	22.299220	-161.546350
60	22.278920	-161.598460
61	22.261680	-161.651810
62	22.247580	-161.706210
63	22.236670	-161.761450
64	22.228990	-161.817300
65	22.224580	-161.873560
66	22.223430	-161.930000
67	22.225570	-161.986410
68	22.230990	-162.042570
69	22.238520	-162.090980
70	22.239660	-162.098260
71	22.753090	-164.860380
72	22.837820	-165.583330
73	22.925010	-166.327230
74	22.932210	-166.388720
75	22.956970	-166.600000
76	23.062650	-166.750000
77	23.091440	-166.790850
78	24.211550	-168.380720
79	24.211630	-168.380830
80	24.211670	-168.381050
81	24.596330	-170.739990
82	24.604970	-170.793000
83	24.619830	-170.839640
84	24.629360	-170.869580
85	24.937290	-171.836510
86	25.276970	-174.414000
87	25.830690	-175.000000
88	27.246110	-176.497940
89	27.415860	-177.555230

90	27.597840	-178.498430
91	27.610780	-178.565510
92	27.625520	-178.622110
93	27.643380	-178.677580
94	27.664280	-178.731700
95	27.688140	-178.784270
96	27.714880	-178.835070
97	27.744380	-178.883910
98	27.776540	-178.930610
99	27.811230	-178.974960
100	27.848320	-179.016810
101	27.887650	-179.055990
102	27.929090	-179.092340
103	27.972460	-179.125720
104	28.017600	-179.155980
105	28.064330	-179.183020
106	28.112470	-179.206730
107	28.161840	-179.226990
108	28.212230	-179.243740
109	28.263450	-179.256890
110	28.315300	-179.266400
111	28.367580	-179.272220
112	28.412080	-179.274000
113	28.420080	-179.274320
114	28.430370	-179.274000
115	28.472580	-179.272690
116	28.524900	-179.267320
117	28.576810	-179.258240
118	28.628110	-179.245480
119	28.678610	-179.229070
120	28.728090	-179.209090
121	28.776360	-179.185600
122	28.823240	-179.158700
123	28.868520	-179.128480
124	28.912040	-179.095060
125	28.953610	-179.058580
126	28.993080	-179.019170
127	29.030280	-178.977000
128	29.065060	-178.932220
129	29.097280	-178.885010
130	29.126820	-178.835570
131	29.153560	-178.784090
132	29.177380	-178.730770
133	29.198200	-178.675830
134	29.215930	-178.619490
135	29.230490	-178.561970
136	29.241830	-178.503520
137	29.249910	-178.444360

138	29.254680	-178.384730
139	29.256140	-178.324870
140	29.254270	-178.265030
141	29.249080	-178.205450
142	29.240600	-178.146360
143	29.057970	-177.201300
144	29.042570	-177.121570
145	28.649370	-175.591270
146	28.644570	-175.572600
147	28.581980	-175.329000
148	28.437480	-175.177660

Ecological Reserves Boundary Coordinates

[Coordinates listed in this Appendix are unprojected (Geographic) and based on the North American Datum of 1983.]

Table B-1 Ecological Reserve West of 175 degrees West Longitude

Point ID	Latitude	Longitude
1	29.042570	-177.121570
2	28.649370	-175.591270
3	28.644570	-175.572600
4	28.581980	-175.329000
5	28.437480	-175.177660
6	28.267840	-175.000000
7	25.830690	-175.000000
8	27.246110	-176.497940
9	27.415860	-177.555230
10	27.610780	-178.565510
11	27.625520	-178.622110
12	27.643380	-178.677580
13	27.664280	-178.731700
14	27.688140	-178.784270
15	27.714880	-178.835070
16	27.744380	-178.883910
17	27.776540	-178.930610
18	27.811230	-178.974960
19	27.848320	-179.016810
20	27.887650	-179.055990

21	27.929090	-179.092340
22	27.972460	-179.125720
23	28.017600	-179.155980
24	28.064330	-179.183020
25	28.112470	-179.206730
26	28.161840	-179.226990
27	28.212230	-179.243740
28	28.263450	-179.256890
29	28.315300	-179.266400
30	28.367580	-179.272220
31	28.412080	-179.274000
32	28.430370	-179.274000
33	28.472580	-179.272690
34	28.524900	-179.267320
35	28.576810	-179.258240
36	28.628110	-179.245480
37	28.678610	-179.229070
38	28.728090	-179.209090
39	28.776360	-179.185600
40	28.823240	-179.158700
41	28.868520	-179.128480
42	28.912040	-179.095060
43	28.953610	-179.058580
44	28.993080	-179.019170
45	29.030280	-178.977000
46	29.065060	-178.932220
47	29.097280	-178.885010
48	29.126820	-178.835570
49	29.153560	-178.784090
50	29.177380	-178.730770
51	29.198200	-178.675830
52	29.215930	-178.619490
53	29.230490	-178.561970
54	29.241830	-178.503520
55	29.249910	-178.444360

56	29.254680	-178.384730
57	29.256140	-178.324870
58	29.254270	-178.265030
59	29.249080	-178.205450
60	29.240600	-178.146360
61	29.057970	-177.201300
62	29.042570	-177.121570

Table B-2 French Frigate Shoals Ecological Reserve

Point ID	Latitude	Longitude
1	24.594130	-165.583330
2	23.499970	-165.583330
3	23.999970	-165.583330
4	24.166640	-166.750000
5	25.173930	-166.750000
6	24.681970	-166.056000
7	24.594130	-165.583330
8	23.740820	-166.927560
9	23.687790	-166.928170
10	23.666640	-166.750000
11	23.499970	-165.583330
12	22.837820	-165.583330
13	22.956970	-166.600000
14	23.062650	-166.750000
15	23.196210	-166.938090
16	23.740960	-166.929090
17	23.740820	-166.927560

Special Preservation Areas Boundary Coordinates

[Coordinates listed in this Appendix are unprojected (Geographic) and based on the North American Datum of 1983.]

Table C-1 French Frigate Shoals Special Preservation Area

Point ID	Latitude	Longitude
1	23.999970	-165.583330
2	23.499970	-165.583330
3	23.666640	-166.750000
4	23.687790	-166.928170

5	23.740820	-166.927560
6	24.036510	-166.924170
7	24.034000	-166.752270
8	24.166640	-166.750000
9	23.999970	-165.583330

Table C-2 Gardner Pinnacles Special Preservation Area

Point ID	Latitude	Longitude
1	25.069550	-167.932070
2	25.041750	-167.925060
3	25.013260	-167.941650
4	24.941640	-167.941660
5	24.906030	-167.922730
6	24.881740	-167.901230
7	24.849970	-167.891660
8	24.747630	-167.897660
9	24.629080	-167.872660
10	24.590720	-167.873600
11	24.563150	-167.866590
12	24.491640	-167.875000
13	24.448290	-167.890630
14	24.428440	-167.901840
15	24.411150	-167.954400
16	24.419790	-167.989680
17	24.438010	-168.003690
18	24.508310	-168.016660
19	24.574980	-168.050000
20	24.591640	-168.083330
21	24.699970	-168.125000
22	24.774970	-168.133330
23	24.816640	-168.150000
24	24.883310	-168.150000
25	24.949970	-168.225000
26	25.008310	-168.266660
27	25.065400	-168.277990
28	25.093010	-168.267940
29	25.103750	-168.250890
30	25.165870	-168.225750
31	25.181750	-168.196320
32	25.191640	-168.141660
33	25.192730	-168.086360
34	25.174040	-168.041280
35	25.124980	-167.983330
36	25.069550	-167.932070

Table C-3 Kure Atoll Special Preservation Area

Point ID	Latitude	Longitude
1	28.392840	-178.429820

2	28.399910	-178.436410
3	28.415160	-178.446280
4	28.432200	-178.448290
5	28.455370	-178.441200
6	28.478140	-178.430830
7	28.496460	-178.413240
8	28.500820	-178.406980
9	28.506480	-178.398860
10	28.514860	-178.380810
11	28.519980	-178.357030
12	28.521950	-178.334820
13	28.521950	-178.334800
14	28.525880	-178.330960
15	28.529600	-178.322670
16	28.546060	-178.307530
17	28.544020	-178.296510
18	28.522790	-178.285740
19	28.502900	-178.282050
20	28.502890	-178.282030
21	28.499380	-178.276340
22	28.487070	-178.260900
23	28.475690	-178.250260
24	28.471030	-178.245900
25	28.450220	-178.238690
26	28.416860	-178.231260
27	28.397060	-178.232420
28	28.378270	-178.238260
29	28.363050	-178.245720
30	28.362280	-178.246630
31	28.362270	-178.246650
32	28.351660	-178.238800
33	28.343860	-178.228570
34	28.341350	-178.214180
35	28.328300	-178.211250
36	28.320980	-178.215800
37	28.318750	-178.226820
38	28.326780	-178.233600
39	28.332160	-178.261690
40	28.342560	-178.262560
41	28.346030	-178.266850
42	28.343860	-178.269830
43	28.336310	-178.286080
44	28.335300	-178.315410
45	28.340220	-178.363860
46	28.344070	-178.381090
47	28.323940	-178.406220
48	28.321250	-178.428370
49	28.367630	-178.432740

50	28.392840	-178.429820
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Table C-4 Pearl and Hermes Atoll Special Preservation Area

Point ID	Latitude	Longitude
1	27.757750	-176.036520
2	27.768320	-176.040880
3	27.768320	-176.040880
4	27.770100	-176.048300
5	27.782320	-176.065490
6	27.840940	-176.037040
7	27.855580	-176.034410
8	27.874110	-176.034890
9	27.892740	-176.027240
10	27.899910	-176.012850
11	27.910770	-175.983500
12	27.910800	-175.983470
13	27.919710	-175.976620
14	27.927980	-175.967410
15	27.935100	-175.956890
16	27.939420	-175.946360
17	27.943320	-175.937810
18	27.950350	-175.926920
19	27.963550	-175.906130
20	27.974710	-175.888940
21	27.981650	-175.875480
22	27.987800	-175.860460
23	27.997110	-175.839520
24	28.004660	-175.823330
25	28.008440	-175.813830
26	28.010980	-175.803790
27	28.011520	-175.793180
28	28.011060	-175.781740
29	28.010310	-175.770160
30	28.009350	-175.764210
31	28.009350	-175.764180
32	28.011110	-175.761890
33	28.021650	-175.734510
34	28.007620	-175.715020
35	27.989730	-175.708650
36	27.989710	-175.708630
37	27.982190	-175.698330
38	27.976630	-175.691710
39	27.973990	-175.688570
40	27.967780	-175.681600
41	27.962560	-175.676580
42	27.955580	-175.672400
43	27.945870	-175.667950
44	27.935150	-175.664330

45	27.923930	-175.662390
46	27.914190	-175.661560
47	27.899720	-175.661860
48	27.883490	-175.664100
49	27.869160	-175.669150
50	27.859160	-175.672680
51	27.848250	-175.675300
52	27.836260	-175.678940
53	27.828010	-175.682580
54	27.818010	-175.688990
55	27.811250	-175.690970
56	27.805500	-175.693210
57	27.805240	-175.693310
58	27.795260	-175.697130
59	27.783750	-175.704120
60	27.776490	-175.709430
61	27.771010	-175.713510
62	27.770990	-175.713520
63	27.763470	-175.710490
64	27.755510	-175.719930
65	27.755160	-175.725020
66	27.749210	-175.729550
67	27.744440	-175.735410
68	27.739890	-175.743640
69	27.735130	-175.754680
70	27.732590	-175.766400
71	27.731290	-175.779240
72	27.730230	-175.795430
73	27.731050	-175.816390
74	27.732360	-175.825560
75	27.733580	-175.833100
76	27.734560	-175.837560
77	27.735040	-175.841750
78	27.732280	-175.845940
79	27.727480	-175.852770
80	27.722740	-175.861850
81	27.717130	-175.874800
82	27.709340	-175.894910
83	27.702570	-175.913780
84	27.699260	-175.929970
85	27.697450	-175.945320
86	27.697660	-175.956490
87	27.699370	-175.966810
88	27.703320	-175.976850
89	27.710260	-175.989680
90	27.720440	-176.003340
91	27.732370	-176.017010
92	27.741820	-176.025930

93	27.746800	-176.029970
94	27.749030	-176.031780

Table C-5 Lisianski Island Special Preservation Area

Point ID	Latitude	Longitude
1	25.940390	-173.790690
2	25.910770	-173.795060
3	25.910770	-173.795060
4	25.871480	-173.850890
5	25.879490	-173.891610
6	25.879980	-173.943990
7	25.963710	-174.108790
8	25.979580	-174.120000
9	26.000210	-174.142570
10	26.040550	-174.157290
11	26.122730	-174.154820
12	26.174970	-174.133330
13	26.212150	-174.085540
14	26.217240	-174.050590
15	26.212430	-173.982900
16	26.183310	-173.933330
17	26.142200	-173.896560
18	26.119380	-173.861860
19	26.085600	-173.822290
20	26.041640	-173.799990
21	26.008310	-173.766660
22	25.988250	-173.752100
23	25.971020	-173.752830

Table C-6 Laysan Island Special Preservation Area

Point ID	Latitude	Longitude
1	25.716670	-171.650000
2	25.700000	-171.666670
3	25.691670	-171.700000
4	25.700000	-171.708330
5	25.700000	-171.733330
6	25.691670	-171.750000
7	25.691670	-171.783330
8	25.708330	-171.816670
9	25.758330	-171.850000
10	25.791670	-171.866670
11	25.833330	-171.875000
12	25.866670	-171.850000
13	25.883330	-171.833330
14	25.900000	-171.800000
15	25.900000	-171.766670
16	25.883330	-171.675000
17	25.866670	-171.625000

18	25.833330	-171.600000
19	25.791670	-171.591670
20	25.766670	-171.600000
21	25.741670	-171.616670
22	25.725000	-171.633330
23	25.716670	-171.650000

Table C-7 Maro Reef Special Preservation Area

Point ID	Latitude	Longitude
1	25.566690	-170.517140
2	25.466690	-170.408800
3	25.375020	-170.350470
4	25.258350	-170.408800
5	25.250020	-170.425470
6	25.258350	-170.542140
7	25.283350	-170.592140
8	25.300020	-170.650470
9	25.316690	-170.767140
10	25.333350	-170.800470
11	25.358350	-170.808800
12	25.391690	-170.867140
13	25.450020	-170.892140
14	25.525020	-170.900470
15	25.550020	-170.900470
16	25.583350	-170.875470
17	25.625020	-170.808810
18	25.633350	-170.775470
19	25.633350	-170.708800
20	25.616690	-170.683810
21	25.591690	-170.575470
22	25.566690	-170.517140

Table C-8 Necker Island Special Preservation Area

Point ID	Latitude	Longitude
1	23.642160	-164.551780
2	23.613240	-164.535150
3	23.588260	-164.530180
4	23.550990	-164.527340
5	23.522830	-164.509770
6	23.490850	-164.451480
7	23.480450	-164.441650
8	23.462880	-164.393270
9	23.463220	-164.368120
10	23.449040	-164.327110
11	23.431280	-164.304620
12	23.396860	-164.282330
13	23.357080	-164.270620
14	23.308700	-164.250210

15	23.289700	-164.256760
16	23.279120	-164.267160
17	23.256820	-164.275850
18	23.235370	-164.298150
19	23.232530	-164.336710
20	23.238010	-164.369100
21	23.256190	-164.395600
22	23.263000	-164.457020
23	23.270370	-164.470630
24	23.291640	-164.483330
25	23.308310	-164.525000
26	23.308870	-164.596130
27	23.299420	-164.630360
28	23.300400	-164.641120
29	23.313770	-164.639170
30	23.323870	-164.629710
31	23.326810	-164.618950
32	23.342460	-164.621560
33	23.353870	-164.609170
34	23.406430	-164.588630
35	23.444900	-164.579500
36	23.455990	-164.605580
37	23.466750	-164.609170
38	23.479950	-164.622600
39	23.490020	-164.651170
40	23.496910	-164.695970
41	23.496540	-164.733520
42	23.484440	-164.769800
43	23.502770	-164.782090
44	23.509200	-164.799290
45	23.523370	-164.810810
46	23.537360	-164.832550
47	23.567430	-164.847030
48	23.600880	-164.834360
49	23.616190	-164.819810
50	23.622430	-164.801100
51	23.621480	-164.768400
52	23.631120	-164.738540
53	23.650580	-164.687890
54	23.663250	-164.624580
55	23.656440	-164.575820
56	23.642160	-164.551780

Table C-9 Nihoa Island Special Preservation Area

Point ID	Latitude	Longitude
1	23.099610	-161.971310
2	23.100370	-161.970570
3	23.101120	-161.969810

4	23.101850	-161.969040
5	23.102580	-161.968250
6	23.103290	-161.967450
7	23.103990	-161.966630
8	23.104680	-161.965800
9	23.105350	-161.964950
10	23.106020	-161.964090
11	23.106670	-161.963220
12	23.107310	-161.962340
13	23.107930	-161.961440
14	23.108540	-161.960530
15	23.109140	-161.959610
16	23.109720	-161.958670
17	23.110290	-161.957730
18	23.110850	-161.956770
19	23.111390	-161.955800
20	23.111910	-161.954820
21	23.112420	-161.953830
22	23.112920	-161.952830
23	23.113400	-161.951820
24	23.113870	-161.950800
25	23.114320	-161.949770
26	23.114750	-161.948740
27	23.115170	-161.947690
28	23.115580	-161.946640
29	23.115970	-161.945570
30	23.116340	-161.944500
31	23.116700	-161.943420
32	23.117040	-161.942340
33	23.117360	-161.941250
34	23.117670	-161.940150
35	23.117960	-161.939050
36	23.118240	-161.937940
37	23.118500	-161.936820
38	23.118740	-161.935700
39	23.118970	-161.934580
40	23.119170	-161.933450
41	23.119370	-161.932320
42	23.119540	-161.931180
43	23.119700	-161.930040
44	23.119840	-161.928900
45	23.119960	-161.927750
46	23.120070	-161.926610
47	23.120160	-161.925460
48	23.120230	-161.924310
49	23.120290	-161.923150
50	23.120320	-161.922000
51	23.120350	-161.920850

52	23.120350	-161.919690
53	23.120340	-161.918540
54	23.120300	-161.917390
55	23.120260	-161.916240
56	23.120190	-161.915090
57	23.120110	-161.913940
58	23.120010	-161.912790
59	23.119890	-161.911640
60	23.119760	-161.910500
61	23.119610	-161.909360
62	23.119440	-161.908230
63	23.119250	-161.907090
64	23.119050	-161.905970
65	23.118830	-161.904840
66	23.118600	-161.903720
67	23.118350	-161.902610
68	23.118080	-161.901500
69	23.117790	-161.900400
70	23.117490	-161.899300
71	23.117170	-161.898210
72	23.116840	-161.897130
73	23.116490	-161.896050
74	23.116190	-161.895200
75	23.116120	-161.894980
76	23.115770	-161.894010
77	23.115740	-161.893920
78	23.115340	-161.892870
79	23.114930	-161.891820
80	23.114500	-161.890790
81	23.114050	-161.889760
82	23.113590	-161.888740
83	23.113110	-161.887740
84	23.112620	-161.886740
85	23.112120	-161.885750
86	23.111600	-161.884770
87	23.111070	-161.883810
88	23.110520	-161.882850
89	23.109950	-161.881910
90	23.109380	-161.880970
91	23.108780	-161.880050
92	23.108180	-161.879150
93	23.107560	-161.878250
94	23.106930	-161.877370
95	23.106280	-161.876500
96	23.105630	-161.875640
97	23.104950	-161.874800
98	23.104270	-161.873970
99	23.103580	-161.873160

100	23.102870	-161.872360
101	23.102150	-161.871570
102	23.101420	-161.870800
103	23.100670	-161.870040
104	23.099920	-161.869300
105	23.099160	-161.868580
106	23.098380	-161.867870
107	23.097960	-161.867500
108	23.097590	-161.867180
109	23.096790	-161.866500
110	23.095990	-161.865840
111	23.095170	-161.865200
112	23.094350	-161.864570
113	23.093510	-161.863960
114	23.092670	-161.863370
115	23.091810	-161.862790
116	23.090950	-161.862240
117	23.090080	-161.861700
118	23.089200	-161.861170
119	23.088320	-161.860670
120	23.087420	-161.860180
121	23.086530	-161.859720
122	23.085620	-161.859270
123	23.084700	-161.858840
124	23.083780	-161.858420
125	23.082860	-161.858030
126	23.081930	-161.857660
127	23.080990	-161.857300
128	23.080040	-161.856970
129	23.079100	-161.856650
130	23.078140	-161.856350
131	23.077190	-161.856080
132	23.076220	-161.855820
133	23.075260	-161.855580
134	23.074290	-161.855360
135	23.073320	-161.855160
136	23.072350	-161.854990
137	23.071370	-161.854830
138	23.070390	-161.854690
139	23.069410	-161.854570
140	23.068430	-161.854470
141	23.067440	-161.854390
142	23.066450	-161.854330
143	23.065470	-161.854290
144	23.064480	-161.854280
145	23.063490	-161.854280
146	23.062510	-161.854300
147	23.061520	-161.854340

148	23.060530	-161.854400
149	23.059550	-161.854490
150	23.058570	-161.854590
151	23.057580	-161.854710
152	23.056600	-161.854850
153	23.055630	-161.855020
154	23.054650	-161.855200
155	23.053670	-161.855400
156	23.052710	-161.855620
157	23.051740	-161.855860
158	23.050780	-161.856120
159	23.049820	-161.856410
160	23.048870	-161.856710
161	23.047910	-161.857030
162	23.046970	-161.857360
163	23.046030	-161.857720
164	23.045100	-161.858100
165	23.044170	-161.858500
166	23.043240	-161.858910
167	23.042330	-161.859350
168	23.041420	-161.859800
169	23.040510	-161.860270
170	23.039620	-161.860760
171	23.038730	-161.861260
172	23.037850	-161.861790
173	23.036980	-161.862330
174	23.036110	-161.862890
175	23.035250	-161.863470
176	23.034400	-161.864070
177	23.033570	-161.864680
178	23.032740	-161.865310
179	23.031910	-161.865960
180	23.031100	-161.866620
181	23.030310	-161.867300
182	23.029510	-161.868000
183	23.028730	-161.868710
184	23.027960	-161.869430
185	23.027200	-161.870180
186	23.026460	-161.870940
187	23.025720	-161.871710
188	23.025000	-161.872500
189	23.024280	-161.873300
190	23.023580	-161.874120
191	23.022900	-161.874950
192	23.022220	-161.875790
193	23.021560	-161.876650
194	23.020910	-161.877520
195	23.020270	-161.878410

196	23.019650	-161.879310
197	23.019030	-161.880220
198	23.018440	-161.881140
199	23.017860	-161.882070
200	23.017290	-161.883020
201	23.016730	-161.883980
202	23.016190	-161.884940
203	23.015670	-161.885920
204	23.015150	-161.886910
205	23.014660	-161.887910
206	23.014170	-161.888920
207	23.013710	-161.889940
208	23.013260	-161.890970
209	23.012820	-161.892010
210	23.012400	-161.893060
211	23.012000	-161.894110
212	23.011610	-161.895170
213	23.011230	-161.896240
214	23.010880	-161.897320
215	23.010540	-161.898410
216	23.010210	-161.899500
217	23.009900	-161.900590
218	23.009610	-161.901700
219	23.009340	-161.902810
220	23.009080	-161.903920
221	23.008840	-161.905040
222	23.008610	-161.906170
223	23.008400	-161.907300
224	23.008210	-161.908430
225	23.008160	-161.908750
226	23.008030	-161.909560
227	23.007880	-161.910700
228	23.007740	-161.911850
229	23.007610	-161.912990
230	23.007550	-161.913660
231	23.007510	-161.914140
232	23.007420	-161.915290
233	23.007340	-161.916440
234	23.007290	-161.917590
235	23.007250	-161.918740
236	23.007230	-161.919900
237	23.007230	-161.921050
238	23.007240	-161.922210
239	23.007270	-161.923360
240	23.007270	-161.923360
241	23.007320	-161.924510
242	23.007380	-161.925660
243	23.007470	-161.926810

244	23.007570	-161.927960
245	23.007680	-161.929100
246	23.007820	-161.930240
247	23.007970	-161.931380
248	23.008140	-161.932520
249	23.008320	-161.933650
250	23.008520	-161.934780
251	23.008740	-161.935900
252	23.008980	-161.937020
253	23.009230	-161.938140
254	23.009500	-161.939240
255	23.009780	-161.940350
256	23.010080	-161.941440
257	23.010400	-161.942530
258	23.010740	-161.943620
259	23.011090	-161.944690
260	23.011460	-161.945760
261	23.011840	-161.946820
262	23.012240	-161.947880
263	23.012650	-161.948920
264	23.013080	-161.949960
265	23.013520	-161.950980
266	23.013990	-161.952000
267	23.014460	-161.953010
268	23.014950	-161.954010
269	23.015460	-161.955000
270	23.015980	-161.955970
271	23.016510	-161.956940
272	23.017060	-161.957900
273	23.017620	-161.958840
274	23.018200	-161.959770
275	23.018790	-161.960690
276	23.019400	-161.961600
277	23.019480	-161.961720
278	23.019600	-161.961890
279	23.020010	-161.962500
280	23.020650	-161.963380
281	23.021290	-161.964250
282	23.021950	-161.965100
283	23.022620	-161.965950
284	23.023300	-161.966770
285	23.024000	-161.967590
286	23.024710	-161.968390
287	23.025430	-161.969170
288	23.026160	-161.969950
289	23.026900	-161.970700
290	23.027650	-161.971440
291	23.028420	-161.972170

292	23.029200	-161.972870
293	23.029980	-161.973570
294	23.030780	-161.974240
295	23.031590	-161.974900
296	23.032400	-161.975550
297	23.033230	-161.976170
298	23.034060	-161.976780
299	23.034910	-161.977380
300	23.035760	-161.977950
301	23.036620	-161.978510
302	23.037490	-161.979050
303	23.038370	-161.979570
304	23.039260	-161.980080
305	23.040150	-161.980560
306	23.041050	-161.981030
307	23.041960	-161.981480
308	23.042870	-161.981910
309	23.043790	-161.982320
310	23.044720	-161.982710
311	23.045650	-161.983090
312	23.046590	-161.983440
313	23.047530	-161.983780
314	23.048480	-161.984090
315	23.049430	-161.984390
316	23.050390	-161.984670
317	23.051350	-161.984930
318	23.052320	-161.985160
319	23.053290	-161.985380
320	23.054260	-161.985580
321	23.055230	-161.985760
322	23.056210	-161.985920
323	23.057190	-161.986060
324	23.058170	-161.986180
325	23.059150	-161.986280
326	23.060130	-161.986350
327	23.061120	-161.986410
328	23.062110	-161.986450
329	23.063090	-161.986470
330	23.064080	-161.986470
331	23.065070	-161.986450
332	23.066060	-161.986400
333	23.067040	-161.986340
334	23.068030	-161.986260
335	23.069010	-161.986160
336	23.069990	-161.986030
337	23.070970	-161.985890
338	23.071950	-161.985730
339	23.072930	-161.985550

340	23.073900	-161.985350
341	23.074870	-161.985120
342	23.075830	-161.984880
343	23.076800	-161.984620
344	23.077760	-161.984340
345	23.078710	-161.984040
346	23.079660	-161.983720
347	23.080610	-161.983380
348	23.081550	-161.983020
349	23.082480	-161.982650
350	23.083410	-161.982250
351	23.084330	-161.981830
352	23.085250	-161.981400
353	23.086160	-161.980950
354	23.087060	-161.980480
355	23.087960	-161.979990
356	23.088850	-161.979480
357	23.089730	-161.978960
358	23.090600	-161.978410
359	23.091470	-161.977850
360	23.092320	-161.977270
361	23.093170	-161.976680
362	23.094010	-161.976060
363	23.094840	-161.975430
364	23.095660	-161.974790
365	23.096470	-161.974130
366	23.097270	-161.973450
367	23.098060	-161.972750
368	23.098840	-161.972040

Midway Atoll Special Management Area Boundary Coordinates

[Coordinates listed in this Appendix are unprojected (Geographic) and based on the North American Datum of 1983.]

Point	Latitude	Longitude
1	27.997920	-177.312670
2	27.991240	-177.363420
3	27.992160	-177.417620
4	27.999620	-177.470820
5	28.015160	-177.518750
6	28.036610	-177.553930
7	28.068170	-177.594240
8	28.105720	-177.620360
9	28.148620	-177.643950
10	28.201340	-177.655070
11	28.214300	-177.656000
12	28.236740	-177.650280

13	28.258770	-177.651870
14	28.297350	-177.637040
15	28.316240	-177.625190
16	28.338040	-177.607680
17	28.369970	-177.595290
18	28.404180	-177.565440
19	28.436280	-177.526610
20	28.460440	-177.490130
21	28.475910	-177.445680
22	28.482310	-177.424090
23	28.484800	-177.378720
24	28.481280	-177.324120
25	28.464920	-177.265700
26	28.442740	-177.218650
27	28.412680	-177.172550
28	28.376800	-177.137820
29	28.332440	-177.115740
30	28.268790	-177.089450
31	28.214270	-177.087250
32	28.179270	-177.084890
33	28.156690	-177.093630
34	28.125950	-177.109140
35	28.097800	-177.124810
36	28.067810	-177.150600
37	28.039860	-177.186770
38	28.021050	-177.222070
39	28.005720	-177.264920
40	27.997920	-177.312670

[FR Doc. 06-5725

Filed 6-23-06; 8:45 am]

Billing code 3195-01-C

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****Proposed Information Collection; Comment Request; Western Alaska Community Development Quota Program**

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before April 5, 2010.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Patsy A. Bearden (907) 586-7008 or patsy.bearden@noaa.gov.

SUPPLEMENTARY INFORMATION:**I. Abstract**

The Community Development Quota (CDQ) Program is an economic development program implemented under the Magnuson Stevens Fishery Conservation and Management Act, the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands, and regulations at 50 CFR part 679. The purpose of the program is to provide western Alaska communities the opportunity to participate and invest in Bering Sea and Aleutian Islands Management Area fisheries, to support economic development in western Alaska, to alleviate poverty and provide economic and social benefits for residents of western Alaska, and to achieve sustainable and diversified local economies in western Alaska.

CDQ and prohibited species quota (PSQ) allocations are made to CDQ groups. However, in many cases the CDQ groups contract with existing fishing vessels and processors to harvest CDQ on their behalf. The CDQ group is responsible to monitor the catch of CDQ

and PSQ by all vessels fishing under its Community Development Plan and to take the necessary action to prevent overages. The National Marine Fisheries Service monitors the reported catch to assure that quotas are not being exceeded. Information is collected only through quota transfers in this collection.

II. Method of Collection

Respondents have a choice of either electronic or paper forms. Methods of submittal include e-mail of electronic forms, and mail and facsimile transmission of paper forms.

III. Data

OMB Control Number: 0648-0269.

Form Number: None.

Type of Review: Regular submission.

Affected Public: Not-for-profit institutions.

Estimated Number of Respondents: 6.

Estimated Time per Response: 30 minutes for CDQ/PSQ Transfer Request.

Estimated Total Annual Burden Hours: 64.

Estimated Total Annual Cost to Public: \$0.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: February 1, 2010.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 2010-2406 Filed 2-3-10; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****Proposed Information Collection; Comment Request; Papahānaumokuākea Marine National Monument Permit Application and Reports for Permits (fka Northwestern Hawaiian Islands Marine National Monument)**

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before April 5, 2010.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Hoku Johnson, (808) 397-2660 or Hoku.Johnson@noaa.gov.

SUPPLEMENTARY INFORMATION:**I. Abstract**

On June 15, 2006, President Bush established the Papahānaumokuākea Marine National Monument by issuing Presidential Proclamation 8031 (71 FR 36443, June 26, 2006) under the authority of the Antiquities Act (16 U.S.C. 431). The proclamation includes restrictions and prohibitions regarding activities in the monument consistent with the authority provided by the act. Specifically, the proclamation prohibits access to the monument except when passing through without interruption or as allowed under a permit issued by NOAA and the Department of Interior's U.S. Fish and Wildlife Service (FWS). Vessels passing through the monument without interruption are required to notify NOAA and FWS upon entering into and leaving the monument. Individuals wishing to access the monument to conduct certain regulated activities must first apply for and be granted a permit issued by NOAA and

FWS to certify compliance with vessel monitoring system requirements, monument regulations and best management practices. On August 29, 2006, NOAA and FWS published a final rule codifying the provisions of the proclamation (71 FR 51134).

II. Method of Collection

Respondents have a choice of either electronic or paper forms. Methods of submittal include e-mail of electronic forms, and mail and facsimile transmission of paper forms.

III. Data

OMB Control Number: 0648-0548.

Form Number: None.

Type of Review: Regular submission.

Affected Public: Individuals or households; non-profit institutions; Federal, state, or local government; Native Hawaiian organizations; business or other for-profit organizations.

Estimated Number of Respondents: 411.

Estimated Time per Response: Research, Conservation and Management and Education ("general" permits), 5 hours; Special Ocean Use permits, 10 hours; Native Hawaiian Practices permits, 8 hours; Recreation permits, 6 hours; permit modification requests and final reports, 10 hours; and annual reports, 5 hours.

Estimated Total Annual Burden Hours: 1,794.

Estimated Total Annual Cost to Public: \$26,280 in recordkeeping/reporting costs and vessel monitoring system installation and maintenance.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: February 1, 2010.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 2010-2404 Filed 2-3-10; 8:45 am]

BILLING CODE 3510-NK-P

DEPARTMENT OF COMMERCE

International Trade Administration

Executive-Led Trade Mission to Colombia and Panama; November 15-18, 2010

AGENCY: Department of Commerce.

ACTION: Notice.

Mission Description

The United States Department of Commerce, International Trade Administration, U.S. and Foreign Commercial Service is organizing a Trade Mission to Bogotá and Cartagena, Colombia and Panama City, Panama, November 15-18, 2010, to be led by a senior Commerce official. The mission will focus on helping U.S. companies launch or increase their export business in these promising markets. It will also help participating firms gain market information, make business and industry contacts, and solidify business strategies, towards the goal of increasing U.S. exports to the two markets. The mission will include business-to-business matchmaking appointments with local companies, as well as market briefings and networking events. The mission will be comprised of U.S. firms representing a cross section of U.S. industries with growing potential in the target markets, including, but not limited to the following sectors: Building products; computers; components and peripherals; construction equipment; electrical power systems; security and safety equipment; telecommunications equipment; and travel and tourism services.

Commercial Setting

Colombia

Colombia ranks solidly with the group of progressive, industrializing countries worldwide that have diversified agriculture, resources, and productive capacities. Despite the global economic crisis, Colombia's economic prospects are positive. Currently, it is the fifth largest market for U.S. exports in the region, after Mexico, Brazil, Venezuela, and Chile, and is ranked 26th as a market for U.S. exports globally. Since the election of President Alvaro Uribe in May 2002 (and subsequent re-election in

2006), Colombia has become one of the most stable economies in the region. Improved security, sound government policies, steady economic growth, moderate inflation and a wide range of opportunities make it worthwhile for U.S. exporters to take a serious look at Colombia.

Infrastructure development has fueled the growth of U.S. exports to Colombia, including opportunities generated by highway, hotel and housing construction in Bogotá and coastal cities such as Cartagena, San Andres, and Santa Marta. Developing the oil and gas industry and sea and river ports are also key priorities for the Uribe administration. An expanding list of emerging best prospects sectors includes computers and components, safety and security, and tourism, among others.

Colombia's increasingly democratic and transparent government and its traditional acceptance of U.S. and international standards, and U.S. brands provide a solid foundation for U.S. firms seeking to do business there. The U.S.-Colombia Trade Promotion Agreement (TPA), signed in November 2006 and pending Congressional approval, would offer tremendous benefits to U.S. exporters. Upon entry into force, (following Colombia's steps to ensure implementation of its obligations), the TPA would provide immediate duty-free entry for 80 percent of U.S. consumer and industrial exports to Colombia, with remaining tariffs phased out over the next 10 years. The TPA would also open the market for remanufactured goods and provide greater protection for intellectual property rights (IPR).

Bogotá, the capital of Colombia, generates approximately 30 percent of the country's total gross domestic product (GDP). Bogotá offers diverse business opportunities in almost all economic sectors. Cartagena is the fifth largest city in Colombia concentrating business opportunities in ports, tourism, oil refinery and industries such as chemical plants, cement and beverages.

Panama

Panama has historically served as the crossroads of trade for the Americas. Its strategic location, bridging two oceans and two continents, has made Panama not only a maritime and air transport hub, but also an international trading, banking, and services center. Trade liberalization and privatization over the last several years, along with the hemispheric movement toward free trade agreements (the U.S.-Panama FTA is also pending), stand to increase Panama's regional and global prominence. Panama's dollar-based