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

February 13, 2009

Board of Land
and Natural Resources
Honolulu, Hawaii

Request for Approval of a Special Activity Permit 2009-72 for Dr. Ross Langston of The University of Hawaii, and Designated Assistants

The applicant proposes to conduct activities relating to research on Hawaiian deep coral reef habitats. These activities include the collection of various regulated and non-regulated species associated with these unique habitat and will involve the use of small mesh hand nets off of Oahu and Maui. The Division of Aquatic Resources is a partner in this research and supports the efforts of Dr. Langston's studies on Hawaiian deep reefs.

RECOMMENDATION:
"That the Board authorize and approve, with stated conditions, this Special Activity Permit for Dr. Ross Langston, University of Hawaii."

Respectfully submitted,

for DAN POLHEMUS
Administrator

APPROVED FOR SUBMITTAL:

LAURA H. THIELEN
Chairperson

Special Activity Permit
No. 2009-72

Department of Land & Natural Resources
DIVISION OF AQUATIC RESOURCES
1151 Punchbowl Street, Room 330
Honolulu, Hawaii 96813

Date Issued: February 13, 2009

Valid not longer than February 12, 2010

SPECIAL ACTIVITY PERMIT

The Department of Land and Natural Resources hereby grants permission for certain activities involving aquatic organisms belonging to the people of Hawaii, under Section 187A-6, Hawaii Revised Statutes, and other applicable laws.

The Permittee is

Name: Ross Langston
Title: Scientist
Affiliation: University of Hawaii

Address: University of Hawaii
45-720 Keeahala Road
Kaneohe, HI 96744

This permit is issued, subject to the general and special conditions, to take the regulated and non-regulated species listed below to characterize deep coral reef habitats (30-100 fathoms) with small mesh hand nets at the locations listed below.

Common Name	Scientific Name	Number Specimen	Collecting Location
Coral	*Montipora capitata*	10 of each species	Maui & Oahu
	Porites spp	10 of each species	
	Leptoseris mycetoseroides	10 of each species	
	L incrustans	10 of each species	
	L hawaiiensis	10 of each species	
	L scabra	10 of each species	
	L foliosa	10 of each species	
	L tubulifera	10 of each species	
	L papyracea	10 of each species	
Live rocks		25 pounds total	
Sponges		10 of each species	
Bryozoans		10 of each species	
Bivalves		10 of each species	
Urchins		10 of each species	
Algae		10 of each species	
Manini	*Acanthurus striostegus*	25 of each species	
	Centropyge potteri	25 of each species	
	Centochaetus strigosus	25 of each species	
	Dascyllus albisells	25 of each species	
	Parupenenus multifasciatus	25 of each species	
	Myripristis berndti	25 of each species	
Kala	*Naso unicornis*	25 of each species	

Menpachi	*Priacanthus meeki*	25 of each species	Maui & Oahu
Goatfish	*Mullidae*	25 of each species	
Soldierfish	*Holocentridae*	25 of each species	
Surgeonfish	*Acanthuridae*	25 of each species	
Wrasses	*Labridae*	25 of each species	
Parrotfish	*Scaridae*	25 of each species	

I. GENERAL CONDITIONS:

A. This permit does not make the Department of Land and Natural Resources or the State of Hawaii liable in any way for any claim of personal injury or property damage to the permittee or assistants which may occur during any activity conducted under this permit; moreover, the permittee and all assistants agree to hold the State harmless against any and all claims of personal injury, death or property damage resulting from activities of the permittee or any assistant.

B. This permit conveys a privilege to engage in only those activities under the jurisdiction of the Department of Land and Natural Resources. The permittee is responsible for complying with all applicable County, State, and Federal requirements. The permit does not convey any privilege of access over or through private property.

C. The permittee and each assistant are individually responsible and accountable for their actions while conducting activities authorized under this permit; additionally, the permittee is responsible and accountable for the actions of the permittee's assistants.

D. This permit is not transferable or assignable. Any person whose name does not appear on this permit and is conducting any activity described herein is subject to prosecution for violation of State laws.

E. The permittee may request changes to the permit. Any such request to make changes to the permit must be made in writing and received by the Department at least thirty days prior to the change. The addition of new assistants will require each individual to sign the Attachment on page 6 stating that they have read, understood, and agree to abide by all general and special permit conditions. No change may be implemented without written approval from the Department.

F. The permittee may request to:
   1. Add assistants to the permit;
   2. Add another permittee or replace an existing permittee in the manner stated above; and
   3. Change the activities authorized under this permit.

G. The permittee or their assistant(s) must have with them a copy of this permit while conducting activities authorized by this permit.

H. This permit authorizes collection of organisms protected by Federal law only with prior appropriate Federal authority, which must be described on Page 1 of this permit (if applicable).

I. This permit does not authorize the sale of any collected organism.

J. This permit expires on the date indicated on Page 1. Within one month of the expiration date, the permittee must return this permit to the address listed on the upper left corner of page 1 with complete information on all activities authorized under this permit, on the attached Activity Report form.

K. The permittee and assistants agree to provide access to data obtained under authority of this permit upon request of the Division of Aquatic Resources, and to provide to the Division a copy of each report, published for distribution, prepared with data obtained under this permit. The permittee agrees to provide the Division of Aquatic Resources access to organisms obtained and held under this permit for on-site inspection.

L. The permittee agrees to notify the island office of the Division of Conservation and Resources Enforcement at least 24 hours prior to any authorized activity being conducted in the field. Please provide the permittee name, the permit number, the date, time, and location of the planned activity, and contact information.

M. A violation of any terms or condition of this permit or any violation of State law not covered by this permit may result in revocation of the permit and other penalties as provided by law. In addition, the Department may consider any such violation as grounds for denying any future application for this or any other permit issued by the Department.

II. SPECIAL CONDITIONS

A. This permit authorizes the use of the following gears: hand collecting, submersible, spear guns, and small mesh hand nets. The Division of Aquatic Resources will have oversight of the sampling methodology and samples taken. The Division will have the authority to limit the take of any regulated species, even when the numbers taken have not reached the maximum limits as specified in this permit, when the Division determines that such action is in the public interest.

B. All collections will be taken with the highest amount of respect and no collections will be made unnecessarily. Only a small portion of each organism will be taken when possible, with less than 25% of the collections being whole organisms.

C. The use of any chemical substance to take marine life is expressly prohibited under this permit but may be used to preserve marine life once taken.

D. The primary permittee and designated assistants are required to obtain permission before entering upon lands or waters not under the jurisdiction of the Department (see "C", General Conditions, page 2 of this permit).

E. This permit does not by implication authorize the primary permittee or any designated assistant to engage in any other activity that is in violation of any other State, Federal or County law, regulation or ordinance.

LAURA H. THIELEN, Chairperson
Department of Land and Natural Resources

cc: (x) DOCARE

SIGNATURES AND AGREEMENT

By my signature below, I acknowledge receipt and understanding of the general and special conditions of this Special Activity Permit. Further, I agree to abide by all of these conditions when conducting activities authorized by this permit.

PRINCIPAL PERMITTEES: _____
Ross Langston

DESIGNATED ASSISTANTS:

Signature:		Signature:	
Print Name:	Heather Spalding	Print Name:	Brian Popp
Signature:		Signature:	
Print Name:	Christina Bradley	Print Name:	Terry Kirby
Signature:		Signature:	
Print Name:	Max Cremer	Print Name:	David Pence
Signature:		Signature:	
Print Name:	Kevin Flanagan	Print Name:	Keoki Stender
Signature:		Signature:	
Print Name:		Print Name:	
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