

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

August 12, 2010

Board of Land
and Natural Resources
Honolulu, Hawaii

Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Conservation and Management Permit to Master Gregory Hubner, National Oceanic and Atmospheric Administration (NOAA) Ship McARTHUR II, for Access to State Waters to Conduct Shipboard Support Activities

The Division of Aquatic Resources (DAR) hereby submits a request for your authorization and approval for issuance of a Papahānaumokuākea Marine National Monument conservation and management permit to Gregory Hubner, Master, NOAA Ship McArthur II, pursuant to § 187A-6, Hawaii Revised Statutes (HRS), chapter 13-60.5, Hawaii Administrative Rules (HAR), and all other applicable laws and regulations.

The conservation and management permit, as described below, would allow entry and management activities to occur in Papahānaumokuākea Marine National Monument (Monument), including the NWHI State Marine Refuge and the waters (0-3 nautical miles) surrounding the following sites:

- Nihoa Island
- Necker Island (Mokumanamana)
- French Frigate Shoals
- Laysan Island
- Maro Reef
- Gardner Pinnacles
- Lisianski Island
- Pearl and Hermes Atoll
- Kure Atoll State Seabird Sanctuary

The activities covered under this permit would occur between August 24, 2010 and December 31, 2010.

The proposed activities are similar to those previously permitted and conducted in the Monument.

INTENDED ACTIVITIES

The applicant proposes to provide an at-sea research platform for NOAA's research program and the Monument. Specifically, this vessel would support a line-transect marine mammal survey, sea bird survey and oceanographic research. Research scientists aboard NOAA Ship McArthur II would work under separate permits than the ship.

The ship would transit to the Monument from Pearl Harbor or Hilo, operate within the Monument with various research operations, including small boat operations, marine mammal and sea bird observing and oceanographic data collection, all in support of the Southwest Fisheries Science Center.

Crew activities would include small boat operations, SCUBA, snorkeling, and swimming as necessary for vessel maintenance, emergency operations, proficiency, or support of vessel and research activities. The primary operations would be line-transect marine mammal surveys conducted from the ship and oceanographic data collecting at night.

The activities proposed by the applicant directly support the Monument Management Plan's priority management need 3.6 – Achieving Effective Monument Operations through action plan 3.6.3 - Coordinated Field Operations. As NOAA Ship McARTHUR II would serve as a platform for a separately proposed cetacean survey, this permit would also support management action plan 3.2.1 – Threatened and Endangered Species (through activity TES-2.1: Census cetacean populations).

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

- Anchoring a vessel
- Swimming, snorkeling, or closed or open circuit SCUBA diving within any Special Preservation Area or Midway Atoll Special Management Area

REVIEW PROCESS

The permit application was sent out for review and comment to the following scientific and cultural entities: Hawaii Division of Aquatic Resources, Papahānaumokuākea Marine National Monument (NOAA/NOS), NOAA Pacific Islands Regional Office (NOAA-PIRO), United States Fish and Wildlife Service Pacific Islands NW Refuge Complex Office, and the Office of Hawaiian Affairs (OHA). In addition, the permit application has been posted on the Monument Web site since June 21, 2010, giving the public an opportunity to comment. The application was posted within 40 days of its receipt, in accordance with the Monument's Public Notification Policy.

Comments received from the scientific community are summarized as follows:

Scientific reviews support the acceptance of this application. No concerns were raised.

Comments received from the Native Hawaiian community are summarized as follows:

Cultural reviews support the acceptance of this application. No concerns were raised.

Comments received from the public are summarized as follows:

No comments were received from the public on this application.

Additional reviews and permit history:

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

If so, please list or explain:

- The proposed activities are in compliance with the National Environmental Policy Act.
- Research scientists working aboard NOAA Ship McARTHUR II will apply for and be issued separate permits pertaining to their individual activities.
- The Department has made an exemption determination for this permit in accordance chapter 343, HRS, and Chapter 11-200, HAR. See Attachment ("DECLARATION OF EXEMPTION FROM THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT UNDER THE AUTHORITY OF CHAPTER 343, HRS AND CHAPTER 11-200 HAR, FOR PAPAHA NAUMOKU AKEA MARINE NATIONAL MONUMENT CONSERVATION AND MANAGEMENT PERMIT TO MASTER GREGORY HUBNER, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) SHIP MCARTHUR II, FOR ACCESS TO STATE WATERS TO CONDUCT SHIPBOARD SUPPORT ACTIVITIES UNDER PERMIT PMNM-2010-054.")

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

If so, please summarize past permits:

- However, the State has issued permits for similar NOAA Ship operations in the NWHI in the past.

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

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

STAFF OPINION

DAR staff is of the opinion that Applicant has properly demonstrated valid justifications for his application and should be allowed to enter the NWHI State waters and to conduct the activities therein as specified in the application with certain special instructions and conditions, which are in addition to the Papahānaumokuākea Marine National Monument Conservation and Management Permit General Conditions. All suggested special

conditions have been vetted through the legal counsel of the Co-Trustee agencies (see Recommendation section).

MONUMENT MANAGEMENT BOARD OPINION

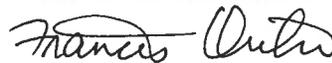
The MMB is of the opinion that the Applicant has met the findings of Presidential Proclamation 8031 and this activity may be conducted subject to completion of all compliance requirements. The MMB concurs with the special conditions recommended by DAR staff.

RECOMMENDATION

That the Board authorize and approve a Conservation and Management Permit to Gregory Hubner, NOAA Ship McArthur II, with the following special conditions:

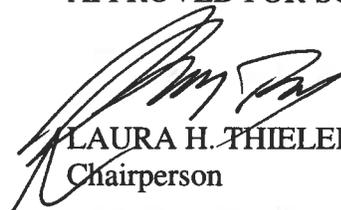
1. To prevent introduction of disease or the unintended transport of live organisms, the permittee must comply with the disease and transport protocol attached to this permit.
2. Tenders and small vessels must be equipped with engines that meet EPA emissions requirements.
3. Refueling of tenders and all small vessels must be done at the support ships and outside the confines of lagoons or near-shore waters in the State Marine Refuge.
4. No fishing is allowed in State Waters except as authorized under State law for subsistence, traditional and customary practices by Native Hawaiians.

Respectfully submitted,



 Administrator

APPROVED FOR SUBMITTAL



LAURA H. THIELEN
Chairperson

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF AQUATIC RESOURCES
1151 PUNCHBOWL STREET, ROOM 330
HONOLULU, HAWAII 96813

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

RUSSELL TSUJI
DEPUTY DIRECTOR - LAND

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

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TO: Division of Aquatic Resources File

THROUGH: Laura H. Thielen, Chairperson

FROM: Francis Oishi
Division of Aquatic Resources

A handwritten signature in black ink, appearing to be "FO", is written over the name "Francis Oishi".

DECLARATION OF EXEMPTION FROM THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT
UNDER THE AUTHORITY OF CHAPTER 343, HRS AND CHAPTER 11-200 HAR, FOR
PAPAHĀNAUMOKUĀKEA MARINE NATIONAL MONUMENT CONSERVATION AND MANAGEMENT
PERMIT TO MASTER GREGORY HUBNER, NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION (NOAA) SHIP MCARTHUR II, FOR ACCESS TO STATE WATERS TO CONDUCT
SHIPBOARD SUPPORT ACTIVITIES UNDER PERMIT PMNM-2010-054

The following permitted activities are found to be exempted from preparation of an environmental assessment under the authority of Chapter 343, HRS and Chapter 11-200, HAR:

Project Title:

Papahānaumokuākea Marine National Monument Conservation and Management Permit to Master Gregory Hubner, National Oceanic and Atmospheric Administration (NOAA) Ship McARTHUR II, for Access to State Waters to Conduct Shipboard Support Activities

Permit Number: PMNM-2010-054

Project Description:

The conservation and management permit application, as described below, would allow entry and activities to occur in Papahānaumokuākea Marine National Monument (Monument), including the NWHI State waters between August 24, 2010 through December 31, 2010.

This is an effort to provide an at-sea platform for NOAA's research program and the Monument. Specifically, this vessel would support a line-transect marine mammal survey, sea bird survey and oceanographic research. Research scientists aboard NOAA Ship McArthur II would work under separate permits than the ship.

The proposed activities are in direct support of the Monument Management Plan's priority management need 3.6 – Achieving Effective Monument Operations through action plan 3.6.3 - Coordinated Field Operations.

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Activities to support coordinated field operations in the NWHI are addressed in the Monument Management Plan Environmental Assessment (December 2008) which resulted in a FONSI, or a finding of no significant impact. This EA recognizes that field operations rely on ships, and that providing transportation support has a beneficial effect on threatened and endangered species, marine mammals, and other Monument resources. (PMNM MMP Vol 2, p.26, 185, and 187).

Consulted Parties:

The permit application was sent out for review and comment to the following scientific and cultural entities: Hawaii Division of Aquatic Resources, Hawaii Division of Forestry and Wildlife, Papahānaumokuākea Marine National Monument (NOAA/NOS), NOAA Pacific Islands Regional Office (NOAA-PIRO), United States Fish and Wildlife Service Hawaiian and Pacific Islands National Wildlife Refuge Complex Office, and the Office of Hawaiian Affairs (OHA). In addition, the permit application has been posted on the Monument Web site since June 21st, giving the public an opportunity to comment. The application was posted within 40 days of its receipt, in accordance with the Monument's Public Notification Policy.

Exemption Determination:

After reviewing HAR § 11-200-8, including the criteria used to determine significance under HAR § 11-200-12, DLNR has concluded that the activities under this permit would have minimal or no significant effect on the environment and that issuance of the permit is categorically exempt from the requirement to prepare an environmental assessment based on the following analysis:

1. All activities associated with this permit, including ship operations, have been evaluated as a single action. As a preliminary matter, multiple or phased actions, such as when a group of actions are part of a larger undertaking, or when an individual project is precedent to or represents a commitment to a larger project, must be grouped together and evaluated as a single action. HAR § 11-200-7. Since this permit involves an activity that represents a commitment to a larger project, i.e. conducting cetacean surveys, the categorical exemption determination here will treat all planned activities as a single action.

2. The Exemption Class for Scientific Research with no Serious or Major Environmental Disturbance Appears to Apply. Chapter 343, HRS, and § 11-200-8, HAR, provide for a list of classes of actions exempt from environmental assessment requirements. HAR §11-200-8.A.5. exempts the class of actions which involve "basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource." This exemption class has been interpreted to include "game and non-game wildlife surveys, inventory studies, new transect lines, photographing, recording, sampling...", such as those to be supported by the proposed activities. It has also been interpreted to include various modes of transportation to reach field areas necessary to carry out such surveys.

The proposed activities appear to fall squarely under the exemption class #5, exempt item #2 as described under the division of Forestry and Wildlife exemption list published on June 12, 2008. As discussed below, no significant disturbance to any environmental resource is anticipated in the sampling of Monument resources. Thus, so long as the below considerations are met, an exemption class should include the action now contemplated.

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3. Cumulative Impacts of Actions in the Same Place and Impacts with Respect to the Potentially Particularly Sensitive Environment Will Not be Significant. Even where a categorical exemption appears to include a proposed action, the action cannot be declared exempt if “the cumulative impact of planned successive actions in the same place, over time, is significant, or when an action that is normally insignificant in its impact on the environment may be significant in a particularly sensitive environment.” HAR § 11-200-8.B. To gauge whether a significant impact or effect is probable, an exempting agency must consider every phase of a proposed action, any expected primary and secondary consequences, the long-term and short-term effects of the action, the overall and cumulative effect of the action, and the sum effects of an action on the quality of the environment. HAR § 11-200-12. Examples of actions which commonly have a significant effect on the environment are listed under HAR § 11-200-12.

Similar activities of this type, to conduct routine support ship operations, have been permitted and undertaken in the past. The NOAA Ships HI'IALAKAI and OSCAR ELTON SETTE have both been permitted to work in the NWHI each year since 2006. It is reasonable to expect future permit requests for similar support work. No deleterious impacts resulted from similar previous activities. With this in mind, significant cumulative impacts are not anticipated as a result of this activity, and numerous safeguards further ensure that the potentially sensitive environment of the project area will not be significantly affected. All activities would be conducted in a manner compatible with the management direction of the Monument Proclamation in that the activities do not diminish monument resources, qualities, and ecological integrity, or have any indirect, secondary, cultural, or cumulative effects. The joint permit review process did not reveal any anticipated indirect or cumulative impacts, nor did it raise any cultural concerns, that would occur as a result of these activities.

The activities of the NOAA Ship McARTHUR II would provide support for a proposed cetacean survey (PMNM-2010-053 pending) during its late August/September cruise. The cetacean survey would also be supported in the Monument during that time by the NOAA Ship OSCAR ELTON SETTE (PMNM-2010-006). The proposed cetacean surveys are the only anticipated activities to occur on those cruises. The NOAA Ship HI'IALAKAI (PMNM-2010-006) will also be in the Monument during this time frame to support activities of the Pacific Reef Assessment and Monitoring Program (RAMP) (PMNM-2010-052 pending). The culmination of these permits, and their disparate activities, occurring throughout the Monument over a month-long period, is not anticipated to have significant cumulative impacts.

Since no significant cumulative impacts or significant impacts with respect to any particularly sensitive aspect of the project area are anticipated, the categorical exemptions identified above should remain applicable.

4. Overall Impacts will Probably be Minimal and Insignificant Any foreseeable impacts from the proposed activity will probably be minimal, and further mitigated by general and specific conditions attached to the permit. Specifically, all conservation and management activities covered by this permit will be carried out with strict safeguards for the natural, historic, and cultural resources of the Monument as required by Presidential Proclamation 8031, other applicable law and agency policies and standard operating procedures.

Conclusion. Upon consideration of the permit to be approved by the Board of Land and Natural Resources, the potential effects of the above listed project as provided by Chapter 343, HRS and Chapter 11-200 HAR, have been determined to be of probable minimal or no

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significant effect on the environment and exempt from the preparation of an environmental assessment.

Laura H. Thielen
Board of Land and Natural Resources

Date

**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: Gregory Hubner-Master, NOAA Ship McArthur II

Affiliation: National Oceanic and Atmospheric Administration

Permit Category: Conservation and Management

Proposed Activity Dates: 8/1/10 - 12/1/10

Proposed Method of Entry (Vessel/Plane): Vessel

Proposed Locations: Locations the SWFSC is allowed on their permit.

Estimated number of individuals (including Applicant) to be covered under this permit: 24

Estimated number of days in the Monument: 100

Description of proposed activities: (complete these sentences):

a.) The proposed activity would...
operate the McArthur II a 224' National Oceanic and Atmospheric Administration (NOAA) research vessel within the boundaries of the Papahānaumokuākea Marine National Monument. The mission of this vessel is to provide a at sea research support platform for NOAA research activities. Research scientists aboard the vessel will work under separate permits.

b.) To accomplish this activity we would
transport and support research scientists traveling within the Monument.

c.) This activity would help the Monument by ...
providing a data collection platform for scientists to conduct research and conservation management activities in order to preserve and sustain the scientific and cultural significance of the Northwest Hawaiian Islands.

Other information or background:

Section A - Applicant Information

1. Applicant

Name (last, first, middle initial): Hubner, Gregory C

Title: Master - NOAA Ship McArthur II

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

N/A

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):

U.S. Department of Commerce, National Oceanic and Atmospheric Administration, Office of Marine and Aviation Operations

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):

Officers and crew of NOAA Ship McArthur II (see attachment 1)

Section B: Project Information

5a. Project location(s):

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

General operations throughout the Papahanaumokuakea Marine National Monument

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

- Removing, moving, taking, harvesting, possessing, injuring, disturbing, or damaging any living or nonliving Monument resource
- Drilling into, dredging, or otherwise altering the submerged lands other than by anchoring a vessel; or constructing, placing, or abandoning any structure, material, or other matter on the submerged lands
- Anchoring a vessel
- Deserting a vessel aground, at anchor, or adrift
- Discharging or depositing any material or matter into the Monument
- Touching coral, living or dead
- Possessing fishing gear except when stowed and not available for immediate use during passage without interruption through the Monument
- Attracting any living Monument resource
- Sustenance fishing (Federal waters only, outside of Special Preservation Areas, Ecological Reserves and Special Management Areas)
- Subsistence fishing (State waters only)
- Swimming, snorkeling, or closed or open circuit SCUBA diving within any Special Preservation Area or Midway Atoll Special Management Area

6 Purpose/Need/Scope *State purpose of proposed activities:*

The purpose of the ships activities are to provide an at sea research platform for Scientists conducting a line-transect marine mammal survey, sea bird survey and oceanographic research in support of approved Monument Permit activities. All operations are for activities permitted by the co-trustees of the Monument as being compatible with the conservation and management goals of the Monument, NOAA USF&FW, and the State of Hawaii.

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?

NOAA Ship McArthur II understands that the name “Papahānaumokuākea” honors Hawaiian genealogy and the creation of the Hawaiian Archipelago. With this understanding, McArthur II will make every effort to conduct their activities with adequate safeguards for the cultural, natural, and historic resources and ecological integrity of the Monument. This will be done by conducting activities aboard McArthur II with as little impact as possible, as demonstrated by the following explanations and scenarios.

In the unlikely event that McArthur II must anchor she will do so in a sandy substrate.

All sustenance fishing activities will occur outside any Special Preservation Areas (SPA).

Sustenance fishing activities outside the SPA’s will take place per Monument regulations, rules and policies.

McArthur II has a holding tank capable of holding sewage and grey-water aboard. In addition, McArthur II has a Type II Marine Sanitation Device capable of treating all liquid in the holding tank. McArthur II has a waste management plan which meets or exceeds the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78) and U.S. Coast Guard regulations and Monument regulations.

As this will be the first trip into the Monument, McArthur II is currently working on obtaining a working Vessel Monitoring System. McArthur II will be in compliance with requirements of Proclamation 8031, signed by the President on June 15, 2006. McArthur II will also maintain all up to date inspections, as follows: Rat free inspection, hull and tender inspection and cleaning, and ballast water inspection.

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? NOAA Ship McArthur II will be the support vessel for scientists conducting marine mammal and sea bird surveys within the Monument. This will assist in assessing the health and abundance of the protected inhabitants within the monument. The McArthur II’s activities will be

conducted in accordance with regulations and in a manner to reduce any impact to the environment and with respect to cultural resources.

c. Is there a practicable alternative to conducting the activity within the Monument? If not, explain why your activities must be conducted in the Monument.

The vessel is an at sea research platform to transport scientists and scientific gear to locations throughout the Monument. Without this safe mode of transportation, research and conservation and management activities would be significantly limited or would not occur at all.

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

The McArthur II is the support vessel to conduct activities authorized in a permit for SWFCS to study marine mammals within the Monument. The activities cannot occur without the support vessel.

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

McArthur II will spend no additional time in the Monument than necessary to support operations authorized in the permit for the SWFSC.

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

NOAA Commanding Officers are authorized to operate NOAA Vessels in accordance with annual sailing orders and the fleet allocation plan. NOAA ships are public vessels of the United States and conform to regulations for personnel qualifications and operations. From information on the Monuments website, advice from NOAA Ships Hi'ialakai, and Oscar Elton Sette the applicant is 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. The federal government is self insured.

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.

All activities will be conducted to support work permitted for SWFSC and with respect to the environmental stewardship and the cultural heritage of the Monument. Applicable Monument, federal and state regulations will be followed.

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

On order

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

All methods and procedures will be performed with the safety and welfare of personnel, the protection of Monument's natural and cultural resources, and the accomplishment of mission objectives as top priorities. Ship's personnel will abide by the NOAA documents: "Marine Wildlife Viewing Guidelines", the "Disease and Introduction Species Prevention Protocol for Permitted Activities in the Marine Environment Papahānaumokuākea Marine National Monument". All crewmembers aboard the vessel are required to read and sign the Papahānaumokuākea Marine National Monument Conservation & Management permit legally abiding by all permit conditions.

8. Procedures/Methods:

The ship will transit to the monument from Pearl Harbor or Hilo, operate within the monument with various research operations, including small boat operations, marine mammal and sea bird observing and oceanographic data collection, all in support of the SWFSC.

Crew activities will include small boat operations, SCUBA, snorkling, and swimming as necessary for vessel maintenance, emergency operations, proficiency, or support of vessel and research activities. The primary operations will be line-transect marine mammal surveys conducted from the ship and oceanographic data collecting at night.

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:

N/A

Scientific name:

N/A

& size of specimens:

N/A

Collection location:

N/A

Whole Organism Partial Organism

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

N/A

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

N/A

- General site/location for collections:

N/A

- Is it an open or closed system? Open Closed

N/A

- Is there an outfall? Yes No

N/A

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

N/A

- Will organisms be released?

N/A

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

N/A

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

N/A

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

The McArthur II carries two launches.

Work boat-23ft Zodiac with twin 115hp four-stroke outboards

FRB- 22ft Zodiac with a single 115hp four stroke outboard

CTD

SCUBA gear

Sustenance fishing will be with hand lines from the vessel.

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

The ship carries hazardous material for use only onboard the vessel.

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

N/A

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

N/A

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

N/A

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

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

Attachment 1 - NOAA Ship McArthur II Crew List May 2010

Master	Gregory Hubner
Executive Officer	LT. John Lomnicky
Operations Officer	ENS John Petersen
Navigation Officer	Jon Forgione
Junior Officer	Alice Drury
Junior Officer	Vacant
Chief Boatswain	Brad Delinski
BGL	Dave Hermanson
DU	J. Kevin Lackey
AB	Peter Stoeckle
AB	David LaPointe
AB	Vladimir Zgutnitski
GVA	Ava Dent
ET	Dave Gray
Chief Engineer	James Johnson
1 st Engineer	Julio Lorenzo
2 nd Engineer	William Hance
Oiler	Phil Bianco
Wiper	Linda Halderman
Medical Officer	LT. Eric Tilley
Survey Tech	Vacant
Chief Steward	Art Mercado
2 nd Cook	Luke Staiger
2 nd Cook	Orci Tan

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): See attached list. We will send in an updated list prior to entering the monument after each inport.

2. Specific Site Location(s): (Attach copies of specific collection locations): Permit covers the entire ocean portion of the monument. See the Cetacean Survey Permit for more info. No land based operations.

3. Other permits (list and attach documentation of all other related Federal or State permits): Cetacean Survey conducted by NOAA SWFSC aboard the McArthur II

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. N/A

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

5. Time frame:

Activity start: 8/20/2010

Activity completion: 12/1/2010

Dates actively inside the Monument:

From: 8/24/2010 - 9/22/2010 (Other cruise dates TBD)

To:

Describe any limiting factors in declaring specific dates of the proposed activity at the time of application: Ship schedule, scientific plan

Personnel schedule in the Monument: Majority of the people will remain the same. An updated crew list will be sent in prior to the ship entering 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: US Government

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

- Vessel
 Aircraft

Provide Vessel and Aircraft information: NOAA Ship McArthur II

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: NOAA Research Vessel McArthur II

Vessel owner: NOAA Department of Commerce - Office of Marine and Aviation Operations

Captain's name: Gregory Hubner

IMO#:8833867

Vessel ID#:R-330

Flag: USA

Vessel type: Research

Call sign: WTEJ

Embarkation port: Honolulu, HI

Last port vessel will have been at prior to this embarkation: San Diego, CA

Length: 224'

Gross tonnage: 1914 LT

Total ballast water capacity volume (m3): 17,206 Cubic Feet, 491.6 LT
Total number of ballast water tanks on ship: 10
Total fuel capacity: 719.8 LT
Total number of fuel tanks on ship: 16
Marine Sanitation Device: OmniPure 12MC
Type: Self Contained, Complies with IMO and CFR Regulations

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: The McArthur II has 2 RHIBs with Yamaha 4 stroke outboards.

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

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