

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:
NOAA/Inouye Regional Center
NOS/ONMS/PMNM/Attn: Permit Coordinator
1845 Wasp Blvd, Building 176
Honolulu, HI 96818
nwhipermit@noaa.gov
PHONE: (808) 725-5800 FAX: (808) 455-3093

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

Papahānaumokuākea Marine National Monument Permit Application Cover Sheet

This Permit Application Cover Sheet is intended to provide summary information and status to the public on permit applications for activities proposed to be conducted in the Papahānaumokuākea Marine National Monument. While a permit application has been received, it has not been fully reviewed nor approved by the Monument Management Board 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: Jon d'Alessio, Treasurer

Affiliation: Friends of Midway Atoll NWR (FOMA)

Permit Category: Special Ocean Use

Proposed Activity Dates: 4/30/23-4/29/28

Proposed Method of Entry (Vessel/Plane): Plane, as invited

Proposed Locations: Midway Atoll NWR (MANWR)

Estimated number of individuals (including Applicant) to be covered under this permit: 15

Estimated number of days in the Monument: estimated 315 days per year (~6 days/week for 30min/day)

Description of proposed activities: (complete these sentences):

a.) The proposed activity would...

Operating store with sales of Midway logoed items and possibly Monument logoed items with appropriate permission from the Co-trustees or the Monument Communication Team, support for habitat restoration, environmental education and interpretive activities and marine debris studies. Other activities to support Midway Atoll NWR (MANWR) as requested by Refuge staff.

b.) To accomplish this activity we would

We would continue to provide funds to support the Albatross counters and KUPU volunteers, funding for educational items for the Midway Visitor's Center, support for special events on Midway to include the Battle of Midway Anniversary commemorations and helping with preparations for any VIP visitors as directed by the Refuge Manager. FOMA sells tee-shirts, hats, books, etc. through the Midway store and 100% of all profits from these sales are returned to support Midway Atoll National Wildlife Refuge. FOMA publishes periodic newsletters and maintains a website, Facebook, and Instagram presence for Midway Atoll NWR while noting its significance within the Papahānaumokuākea Marine National Monument.

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

Providing visibility, awareness and educational content all of which is in full support for the value of the PMNM as well as Midway Atoll National Wildlife Refuge. FOMA advocates to the general public about the important role the PMNM and the Refuge play in helping to conserve the valuable natural, heritage, and cultural resources found there, and preserve the Native Hawaiian connection to the islands within the monument and US military history of the Battle of Midway Memorial. Our non-profit status also allows us to pursue grants and donations that provide funds for projects that benefit the Refuge, and through that the greater PMNM.

Other information or background:

Refuge Friends groups were created to support wildlife refuges around the USA and possessions. FOMA was organized in 1999 and since then has generated over \$900,000 of support (through donations, memberships, gift store sales and grants) for historic and wildlife preservation activities. These activities include obtaining several grants for control of invasive species, administering a \$250,000 grant to study marine debris on Midway Atoll, assisting with the preservation of the Murals that were inside the station Theatre, providing funds for bicycles for use by visitors to Midway, providing funding for interpretive displays and furniture for the Midway Visitor's Center, purchasing fresh water guzzlers for the Laysan Teal reintroduction, providing support for special events on Midway, providing staff support and funding for the Battle of Midway Anniversary celebrations both on Midway and Oahu, and helping with facility set up and guest services, and providing financial support annually to the Midway Albatross counters and KUPA volunteers. Board members have also participated actively in renovation of the visitor center displays that highlight the greater Monument including its cultural significance, invasive species control and marine debris monitoring.

Section A - Applicant Information

1. Applicant

Name (last, first, middle initial): d'Alessio, Jon W

Title: Treasurer, Friends of Midway Atoll NWR

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

Jon d'Alessio

[REDACTED]

[REDACTED]

[REDACTED]

Email: [REDACTED]

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

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

USFWS

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):

Active FOMA Board members to be selected from the following list: Jennifer Barrett, Ann Bell, , Barry Christensen, Jon d'Alessio, Helen Dunlap, Scott Edwards, Wieteke Holthuijzen, William Levin, Chris Martin, Wayne Sentman, Shantha Thangiah and 3 TBD's . Also 5 Store staff who are employees of Chugach Solutions Enterprise, LLC , and are covered under their Co-Manager's permit.

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 checked="" type="checkbox"/> Midway Atoll | <input checked="" type="checkbox"/> Land-based | <input type="checkbox"/> Shallow water | <input type="checkbox"/> Deep water |
| <input type="checkbox"/> Kure Atoll | <input type="checkbox"/> Land-based | <input type="checkbox"/> Shallow water | <input type="checkbox"/> Deep water |
| <input type="checkbox"/> Monument Expansion Area | | | |
| <input type="checkbox"/> Other | | | |

Ocean Based

NOTE: Shallow water is defined by water less than 100 meters in depth.

- Remaining ashore on any island or atoll (with the exception of Sand Island at Midway Atoll and field camp staff on other islands/atolls) between sunset and sunrise.

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

Location Description:

Midway Atoll

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:*

To support the Midway Atoll National Wildlife Refuge in its efforts to preserve, protect and restore the biological diversity and heritage resources of Midway Atoll while providing opportunity for wildlife-dependent recreation, education and scientific research. Friends of Midway Atoll National Wildlife Refuge (FOMA) operates a Friends store that provides gift items for visitors to include reference books for the visitors. Educational products produced about Midway Atoll are currently available at the FOMA store for visitors. The proceeds from the sale of items at FOMA Store have been used to support refuge projects such as marine debris surveys and wildlife guzzlers for the endangered Laysan duck.

FOMA also provides direct benefit to the monument by participation in habitat restoration activities and marine debris removal; by developing grant proposals to support projects at Midway Atoll NWR; and by supporting the annual Albatross census and KUPU volunteers.

*Considering the purpose of the proposed activities, do you intend to film / photograph federally protected species beyond the protocols provided in PMNM Best Management Practices (<https://www.papahanaumokuakea.gov/permit/bestmanagement.html>)? Yes No

If so, please list the species you specifically intend to target.

For a list of terrestrial species protected under the Endangered Species Act visit:

<http://www.fws.gov/endangered/>

For a list of marine species protected under the Endangered Species Act visit:

<http://www.nmfs.noaa.gov/pr/species/esa/>

For information about species protected under the Marine Mammal Protection Act visit:

<http://www.nmfs.noaa.gov/pr/laws/mmpa/>

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

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?

As has been done for the prior 23 years, FOMA will provide adequate safeguards for the cultural, historical and natural resources at Midway. When visiting FOMA members attend the cultural briefings on an annual basis and work under the direct guidance of Midway refuge staff while at Midway. FOMA members attend the Midway orientation briefing annually and follow all of the guidelines and Best Management Practices provided by the

briefing to protect the natural resources, ecological integrity, along with the historic and cultural resources. Many of FOMA's Board members have special training related to operating inside the refuge and the monument without disturbing the 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?

This ongoing activity is compatible with the management direction of PP 8031 by supporting operations at Midway Atoll NWR. Proceeds from the sale of items at Midway Store go directly to the support of refuge operations. These projects have directly enhanced the wildlife productivity and ecological integrity of the Monument. When natural resources are enhanced so too are the cultural resources as they are intricately linked. No negative effects (indirect/direct, short- and long-term) are anticipated from the activities of FOMA.

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.

No; the target group of shoppers are those who actually physically visit MANWR. FOMA's Mission Statement is "To support the Midway Atoll National Wildlife Refuge in its efforts to preserve, protect and restore the biological diversity and historical resources of Midway Atoll while providing opportunity for wildlife-dependent recreation, education and scientific research." To accomplish this mission, FOMA members occasionally need to visit Midway Atoll NWR to ensure that quality products are provided to visitors and to conduct inventories, and when asked, support educational activities at Midway Atoll NWR for special events.

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

No known adverse impacts are expected from the activities of FOMA. There are several positive impacts from the funding provided by FOMA to the refuge. These benefits outweigh any potential (and likely to be minor to insignificant) effects of the store operations at Midway.

e. Explain how the duration of the activity is no longer than necessary to achieve its stated purpose. Continued support of NWR requires long-term activity. The Midway store is overseen by USFWS contractor staff and the Friends group sales of products is incidental to Midway store operations. FOMA Board members occasionally make a site visit when invited by the Refuge manager (on average about once per year). The monthly sales of Friends products are an important part of FOMA's annual budget to support the Refuge. Additionally, FOMA is active in getting grants for historic and habitat restoration projects at Midway Atoll NWR.

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

FOMA has a 23 year history of these activities with no negative impacts from these activities. There have been several positive impacts during this time such as the Marine Debris study, wildlife guzzler grant funding, supply of scientific equipment to help Refuge staff with their studies, and support of the Battle of Midway Commemoration events to name a few.

Members of FOMA board are qualified, and many cases have received specialized training (from FWS/NMFS) which helps to minimize impacts of activities. Some of the FOMA board members are retired FWS employees (this includes two former refuge managers) having collectively many years of experience in refuge operations and conducting friends group operations. Mitigation of potential impacts to the refuge are managed by Midway Atoll NWR with the acting refuge manager or designee attending (remote) monthly FOMA board meetings. The acting refuge manager provides guidance for all FOMA activities that support refuge operations.

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.

Financial statements are provided to Refuge staff monthly. FOMA has solid financial history over its over 23 years of existence. Since FOMA works under the guidance of the refuge manager, all potential impacts from the operations of the FOMA store are managed by Midway Atoll NWR staff

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.

They are similar to activities performed by over 230 USFWS Friends groups nationwide. The activity has been deemed appropriate and desirable by Midway Atoll NWR management. Nationwide the over 230 Friends groups have had minimal negative impacts on refuges.

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

N/A

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

None known

FOR SPECIAL OCEAN USE ACTIVITIES OUTSIDE OF MIDWAY ATOLL SPECIAL MANAGEMENT AREA, ANSWER THE ADDITIONAL THREE FINDINGS BELOW:

k. Explain how your activity will directly benefit the conservation and management of the Monument.

N/A

l. Explain how the purpose of your activity is for research or education related to the resources or qualities of the Monument.

N/A

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

N/A

FOR SPECIAL OCEAN USE ACTIVITIES WITHIN MIDWAY ATOLL SPECIAL MANAGEMENT AREA, ANSWER THE ADDITIONAL TWO FINDINGS BELOW:

n. Explain how your activity will further the conservation and management of the Monument. For many years, the sales of products in the FOMA store has provided funding for projects such as habitat restoration, wildlife guzzlers, annual Albatross censuses and KUPU volunteers. The activities of FOMA also secure grants for conservation projects at Midway Atoll NWR by providing matching dollars for grants. The grants provide for needed conservation and management equipment and supplies for Midway Atoll NWR.

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

Yes, The Director of the U.S. Fish and Wildlife Service has found the activities of Friends groups nationwide are compatible with the purposes of the National Wildlife Refuge System.

NOTE: If this is a first time Special Ocean Use activity, it will be subject to a pilot project and will be restricted in duration. Special Ocean Use activities proposed outside the Midway Atoll Special Management Area will require 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:

FOMA continues to operate the FOMA store as part of the Midway store. FOMA has been in operation for over 23 years with no record of problems within the refuge system.

The FOMA store is overseen by Midway Atoll NWR contractors in conjunction with the Midway general sundry store. The FOMA store is only open when the Midway store is open which is approximately 1 hour per night Monday through Friday and 2 hours on Saturday, or as determined by the refuge manager. FOMA members periodically audit the activities at the store to ensure good quality products are being provided. There are monthly calls with Midway Atoll staff and the FOMA Board to ensure synchronized activities that support refuge operations. 100% of the net funds generated by the sales at FOMA store on Midway go to supporting the mission and needs of the Refuge. FOMA members during the periodic visits contribute to refuge operations by assisting with restoration projects and supporting special events at the direction of the Refuge Manager

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:
Liability protection is provided by Midway Atoll NWR as part the Memorandum of Agreement with the Refuge.

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

There are monthly conference calls with Midway Atoll NWR staff to coordinate the supporting activities of FOMA for any Midway activities. FOMA previously has presented to the Hawaiian Islands Coral Reef Ecosystem Reserve Advisory Committee on the activities

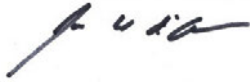
11. List all specialized gear and materials to be used in this activity:
N/A

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

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

14. List all Applicants' publications directly related to the proposed project:
Gooney Gazette II Newsletter, FOMA website (<https://friendsofmidway.org>), FOMA Facebook page (<https://www.facebook.com/FriendsofMidwayNWR>), FOMA Instagram page (<https://www.instagram.com/friendsofmidwaynwr/>)

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

March 28, 2023

Date

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

NOAA/Inouye Regional Center
NOS/ONMS/PMNM/Attn: Permit Coordinator
1845 Wasp Blvd, Building 176
Honolulu, HI 96818
FAX: (808) 455-3093

DID YOU INCLUDE THESE?

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

Biography
Jon d'Alessio
San Anselmo, California

Jon d'Alessio has over 30 years of financial management experience with both for-profit and nonprofit organizations, and has a passion for protecting wildlife, inspired by his photography hobby. He spent 24 years with McKesson Corporation, a Fortune 50 company, in various financial roles, including stints as Corporate Treasurer and Group CFO, and 6 years with Fred Finch Youth & Family Services, a nonprofit social service agency, as CFO. He has served as Treasurer and/or President on several nonprofit boards, including Slide Ranch, Angel Island Conservancy, Sunnyhill Services and Marin Photography Club.

His education includes a BS from University of California and MBA and JD degrees from Stanford University.

Since retiring in 2008, Jon has taken up wildlife photography and has traveled the world trying to get that perfect photo. During his travels, he visited Bosque del Apache and Midway Atoll and saw the important role their refuges played in protecting the wildlife that call them home. This led to his involvement in Friends of those refuges, where he is currently Treasurer of both Friends groups. He is also Treasurer of Coalition of Refuge Friends and Advocates.