

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

Date Issued: January 6, 2023

Valid not longer than: January 5, 2024

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:	Dr. Summer Martin	Address:	NOAA Fisheries
Title:	Supervisory Fisheries Biologist		Protected Species Division
			Marine Turtle Biology and Assessment Program
Affiliation:	Marine Turtle Biology and Assessment Program/Protected Species Division		Pacific Islands Fisheries Science Center
			1845 Wasp Blvd., Building 176
Email:	summer.martin@noaa.gov		Honolulu, HI

This permit is issued, subject to the general and special conditions, to take (capture, harass, possess, collect eggs, transport, measure, tag, take tissue samples, attach transmitters, excavate nests, rescue, treat, rehabilitate, salvage, etc.) regulated organisms (marine turtles), as listed in the table below, using regulated gear (small mesh nets; < 2 inches stretched mesh) for the purposes of enhancing species recovery. This activity is authorized by the federal government under NMFS permit (s) # 21260 and USFWS permit (s) #TE-72088A-3.

**Authority:** This permit is issued solely for the take of endangered or threatened aquatic life for scientific purposes, as authorized by, and subject to the provisions of, Sections 187A-6 and 195D-4, Hawai`i Revised Statutes (“Haw. Rev. Stat.”), and Chapter 13-124, Hawai`i Administrative Rules (“HAR”), and implies no authorization related to any other applicable law or regulation. The permittee is solely responsible for obtaining all other permits and/or authorizations from state, federal and/or county authorities that may be required to conduct the activity.

This permit, signed by authorized representative of the Department of Land and Natural Resources (the Department), authorizes the permittee, and assistants designated on the final page(s) of, or attachments to, this permit, to engage in activities otherwise prohibited by law, subject to the conditions, which include the **Take (sampling), Possession and Transportation** of certain aquatic life from waters of the State, as follows below in Table 1:

Sp. Code	Sp. Description	Sp. Amt.	Morphology	Sp. Size	Island	Location	Comments
<i>Regulated species</i>							
7822	Eretmochelys imbricata   Hawksbill sea turtle   Eretmochelys imbricata	As needed  (Various amounts; to be specific in final report)	Turtles (Adult/Juvenile)	Adult/Juvenile Turtles (Any Size)	Hawaii, Oahu, Kauai, Maui, Molokai, Lanai, Ni’ihau* and Kaho’olawe*	State waters (all islands)	Regulated and non-regulated areas authorized; Locations specified in annual report.  For Ni’ihau* & Kaho’olawe* see section A. Location)
<i>Continued on next page</i>							

616	Chelonia mydas   Pacific Green sea turtle   honu   Chelonia mydas agassizi	As needed  (Various amounts; to be specific in final report)	Turtles (Adult/Juvenile)	Adult/Juvenile Turtles (Any Size)	Hawaii, Oahu, Kauai, Maui, Molokai, Lanai, Ni'ihau* and Kaho'olawe*	State waters (all islands)	Regulated and non-regulated areas authorized; Locations specified in annual report.  For Ni'ihau* & Kaho'olawe* see section A. Location)
7823	Lepidochelys olivacea   Olive Ridley Sea Turtle   Lepidochelys olivacea	10	Turtles (Adult/Juvenile)	Adult/Juvenile Turtles (Any Size)	Hawaii, Oahu, Kauai, Maui, Molokai, Lanai, Ni'ihau* and Kaho'olawe*	State waters (all islands)	Regulated and non-regulated areas authorized; Locations specified in annual report.  For Ni'ihau* & Kaho'olawe* see section A. Location)
7821	Dermochelys coriacea   Leatherback sea turtle   Dermochelys coriacea	10	Turtles (Adult/Juvenile)	Adult/Juvenile Turtles (Any Size)	Hawaii, Oahu, Kauai, Maui, Molokai, Lanai, Ni'ihau* and Kaho'olawe*	State waters (all islands)	Regulated and non-regulated areas authorized; Locations specified in annual report.  For Ni'ihau* & Kaho'olawe* see section A. Location)
7820	Caretta   Loggerhead sea turtle   Caretta	10	Turtles (Adult/Juvenile)	Adult/Juvenile Turtles (Any Size)	Hawaii, Oahu, Kauai, Maui, Molokai, Lanai, Ni'ihau* and Kaho'olawe*	State waters (all islands)	Regulated and non-regulated areas authorized; Locations specified in annual report.  For Ni'ihau* & Kaho'olawe* see section A. Location)
7822	Eretmochelys imbricata   Hawksbill sea turtle   Eretmochelys imbricata	50	Turtles (Adult/Juvenile)	Adult/Juvenile Turtles (Any Size)	O'ahu	Imported	imported, all islands
616	Chelonia mydas   Pacific Green sea turtle   honu   Chelonia mydas agassizi	As needed  (Various amounts; to be specific in final report)	Turtles (Adult/Juvenile)	Adult/Juvenile Turtles (Any Size)	O'ahu	Imported	imported, all islands
7823	Lepidochelys olivacea   Olive Ridley Sea Turtle   Lepidochelys olivacea	50	Turtles (Adult/Juvenile)	Adult/Juvenile Turtles (Any Size)	O'ahu	Imported	imported, all islands
7821	Dermochelys coriacea   Leatherback sea turtle   Dermochelys coriacea	50	Turtles (Adult/Juvenile)	Adult/Juvenile Turtles (Any Size)	O'ahu	Imported	imported, all islands
7820	Caretta   Loggerhead sea turtle   Caretta	50	Turtles (Adult/Juvenile)	Adult/Juvenile Turtles (Any Size)	O'ahu	Imported	imported, all islands

**I. SPECIAL CONDITIONS**

**A. Location**

Activities under this permit are for waters of the island(s) of Hawaii, Oahu, Kauai, Maui, Molokai, Lanai, Ni’ihau\* and Kaho’olawe\* (\*excepting restricted 2 nautical mile boundary Zone A and Zone B surrounding Kaho’olawe-unless authorized from KIRC), including any Marine Life Conservation District (MLCD), Fisheries Management Area (FMA), or other marine area managed by the department where such activities would otherwise be prohibited under State law (see table of managed areas below). **Note\*:** Access to shoreline or nearshore waters of Ni’ihau requires landowner (Robinson family) coordination and approval. Activities are authorized in managed areas listed below if necessary:

<u>Island of MAUI</u> Kahului Harbor FMA <sup>1</sup> Honolulu-Mokuleia MLCD <sup>2</sup> Ahihi-Kinau NAR <sup>3</sup> Molokini Shoal MLCD Kahekili Herbivore FMA	<u>Island of KAUA’I</u> Ahukini Pier FMA Hanamaulu Bay FMA Kapaa Canal FMA Nāwiliwili Harbor FMA Port Allen FMA Waikaena Canal FMA Waimea Pier & Bay FMA Hā’ena CBSFA <sup>8</sup>	<u>Island of HAWAI’I</u> <u>Areas within the West Hawaii Regional Fishery Management Area (continued):</u> (1) Ka’ūpūlehu Marine Reserve (2) North Kohala Fish Replenishment Area (FRA <sup>6</sup> ) (3) Puakō-‘Anaeho‘omalū FRA (4) Kaloko-Honokōhau FRA (5) Kailua-Keaouhou FRA (6) Red Hill FRA (7) Nāpo‘opo‘o-Hōnaunau FRA (8) Ho‘okena FRA (9) Ka‘ohe Beach FRA (Pebble Beach), (10) Miloli‘i FRA (11) Kikaua Point-Mākole‘ā Point Netting Restricted Area (NRA <sup>7</sup> ) (12) Nenuē Point-Kealakekua Bay NRA (13) Hanamalo Point-Kanewa‘a Point NRA (14) Kanonone-Kalīpoa NRA
<u>Island of LANA’I</u> Manele Harbor FMA Manele-Hulopoe MLCD	<u>Island of HAWAI’I</u> <u>Areas within the West Hawaii Regional Fishery Management Area:</u>	<u>Island of HAWAI’I</u> <u>West Hawaii Regional Fishery Management Area (WHRFMA)</u>
<u>Island of MOLOKA’I</u> Kaunakakai Harbor FMA	Hilo Bay FMA Kailua Bay FMA	Areas in the WHRFMA outside of all smaller FMA, MLCD, FRA and NRA
<u>Island of KAHO’OLAWĒ</u> Restricted 2 nautical mile boundary Zone A and Zone B surrounding Kaho’olawe	Kawiahae Harbor FMA Kealakekua Bay MLCD Keaouhou Bay FMA Kiholo Bay FMA	
<u>Island of O’AHU</u> Ala Wai Canal FMA Coconut Island MLR Hanauma Bay MLCD Heiea Kea FMA Honolulu Harbor FMA Kapalama Canal FMA Paiko Lagoon Wildlife Refuge Pōka‘i Bay FMA Pūpūkea MLCD Waialua Bay (Hale‘iwa Harbor) Waikīkī-Diamond Head SFMA Waikīkī MLCD	Kona Coast FMA Old Kona Airport MLCD Lapakahi Bay MLCD Papawai Bay FMA Puako FMA Waiakea PFA <sup>5</sup> Wailea Bay MLCD Wailuku River FMA Wailoa River FMA Waiopae Tidepools MLCD Wawālolī FMA	

**Table 2 – Regulated Areas – Definitions:** FMA<sup>1</sup> = Fisheries Management Area, MLCD<sup>2</sup> = Marine Life Conservation District, NAR<sup>3</sup> = Natural Area Reserve (DOFAW), MLR<sup>4</sup> = Marine Laboratory Refuge, PFA<sup>5</sup> = Public Fishing Area, FRA<sup>6</sup> = Fish Replenishment Area, NRA<sup>7</sup> = Netting Restricted Area, CBSFA<sup>8</sup> = Community-Based Subsistence Fishing Area

**B. Monitoring/Actions.** This permit authorizes the take (capture, harassment, possession, transport, collection of eggs, measuring, tagging, taking of tissue samples, attaching of transmitters, excavating nests, rescuing, treating, rehabilitating live stranded turtles, salvaging dead turtles, and such related activities associated with marine turtles) of Hawksbill turtles, Green sea turtles, Leatherback turtles, Olive ridley turtles and Loggerhead turtles for the purposes of enhancing species recovery; provided such actions are in compliance with the Endangered Species Act and other applicable federal laws. Researcher will take numbers as required for Hawksbill turtles and Green sea turtles and take up to ten (10) each of Leatherback turtles, Olive ridley turtles and Loggerhead turtles, for a total of thirty (30) across those three species. The researcher requested the following changes/additional takes in State waters for the 2019-2020 SAP: In 2019, the Marine Turtle Biology and Assessment Program had the fourth olive

ridley nesting turtle in 40 years in Hawaii and a sighting of a loggerhead nesting on the North Shore of Oahu. Therefore, the program has requested to take (capture, harass, possess, collect eggs, transport, measure, tag, take tissue samples, attach transmitters, excavate nests, rescue, treat, rehabilitate, salvage, etc.) up to ten (10) each of leatherback, olive ridley, or loggerhead sea turtles within State Waters, for a total of up to thirty (30) turtles. These changes have been applied since the 2019 -2021 permit. All live captured turtles are transported to the Marine Animal Recovery Facility (MARFAC) at Pacific Islands Fisheries Science Center (if rehabilitation/recovery is necessary). In addition the permittee is authorized for the importation, possession and transportation of up to fifty (50) turtles per species of Hawksbill turtles, Leatherback turtles, Olive ridley turtles and Loggerhead turtles or their parts and various amounts (as needed; to be specified in final report) of Green sea turtles; provided such actions are in compliance with the Endangered Species Act and other applicable federal laws. All research activities are conducted according to permit conditions and guidelines specified by the federal NMFS permit (s) # 21260 and USFWS permit(s) #TE-72088A-3 and the following IACUC(s): IACUC SWPI\_2019-03M and UH IACUC. This authorization includes activities involving marine turtles within any marine life conservation district, fisheries management area, or other marine area managed by the Department where such activities would otherwise be prohibited under State law. **Note\*:** Access to shoreline or nearshore waters of Ni'ihau requires landowner (Robinson family) coordination and approval.

The purpose of this project is to continue long-term monitoring of the status of green and hawksbill turtles in the Hawaiian Islands, in addition to the continued support for the biological recovery and sustained management of sea turtle populations in Hawaii and other US affiliated islands in the Pacific Ocean. The researchers will study these species to determine their abundance, size ranges, health/disease (FP) status, diving behavior, habitat use, foraging ecology, local movements, and migration routes. A variety of research techniques will be employed: i) flipper tagging, passive integrated transponder (PIT) tagging, and shell etchings (mototool) to identify individual turtles, ii) morphometric analysis to determine the size, mass, sex, and health of each captured animal, iii) genetic analysis of tissue samples collected from each turtle to determine nesting beach origin, iv) biotelemetry (radio, acoustic, satellite, archival) to determine movements and habitat use of a subset of captures, v) blood sampling for genetic analysis to determine nesting beach origin and/or assess health status of individuals, vi) diet sampling using esophageal lavage, and vii) stable isotope analysis of tissue samples for foraging ecology research. A primary goal is to integrate data from genetic analysis, flipper tagging, and satellite telemetry to identify nesting beach origins of turtles occurring in the Hawaiian Islands and contribute to the overall understanding of sea turtle stock structure in the Pacific Ocean. Further, researchers will compare current data with those collected in the Hawaiian Islands since 1973 to determine growth rates (Balazs and Chaloupka 2004, Chaloupka and Balazs, 2005) of juveniles and adults, assess changes in the health status of the population, and examine population abundance trends. Genetic studies based on blood and tissue samples are part of an international collaboration to define stock structure of sea turtles in the Pacific.

**Distribution of Samples/Invasive Species, Disease and Parasites.** The permittee will mitigate for the spread of invasive species, disease and parasites between sampling areas (if sampling in environmentally different areas) by utilizing best management practices, including but not limited to, ensuring that all organisms, hand tools or collection bags/containers are inspected and absent of any non-natives or invasive organisms before transportation to lab aquariums (not applicable where invasive species, disease and parasites are target species for collections) or before collection in a new area, and ensuring that all gear is disinfected or sterilized between collection areas (see General Conditions O. Other Collection Guidelines: Aquatic Invasive Species.). Efforts will be made by permittee and authorized assistants to ensure that collection of samples is conducted in such a manner as the process does not result in any additional harm to surrounding organisms or environment. **Researcher will implement collection/sampling design that removes a sustainable proportion from the local population of target organisms and make efforts to distribute collection activities across shoreline/reef flat/benthic areas, so as not to consolidate the impacts of collection in one location (if applicable/if collecting samples).** Discretion should be used to avoid conflicts with fishers and others during authorized activities. Efforts will be made by permittee and authorized assistants to communicate with the public that have inquiries about the collection activities or methodology. Permittee and authorized assistants will clearly state the overall objective of the project, that these

activities require permits, and that the methods the researchers are employing are not approved for recreational fishing but research, education, propagation or management activities ONLY.

**C. Gear and Methods. This permit authorizes the following use of regulated and/or non-regulated gear and methodology:**

**Regulated Gear:** Seine/gill/drag/draw net (regulated size or < 2 inches stretched mesh) and/or dip or hand nets (< 2 inches stretched mesh and greater than 3 feet in any dimension, including handle)

**Non-regulated Gear:** Seine/gill/drag/draw net (mesh size:  $\geq 2$  inch stretched mesh) and/or any dip or hand nets (< 2 inches stretched mesh and less than 3 feet in any dimension, including handle).

If using regulated nets, permittee or authorized assistants will attend nets at all times and release/return all unintended by-catch or non-target organisms as quickly as possible to the marine environment. If using non-regulated nets or traps, permittee will follow the standard regulations for each net: <https://dlnr.hawaii.gov/dar/fishing/fishing-regulations/gear-restrictions/>

**D. Entanglement Prevention.** Efforts will be made by permittee and authorized assistants to ensure that netting activities are conducted in such a manner as the process does not result in any additional harm to surrounding organisms or to the surrounding environment. Efforts will be made by permittee and authorized assistants to utilize best management practices to eliminate any potential for incidental entanglement of any unintended marine organisms (monk seals, cetaceans, sharks, rays or other protected species) while conducting netting activities. Entanglement prevention practices will include but are not limited to: minimizing the number of structures or components that may potentially cause entanglement during research operations (e.g. loops, holes, slack lines), checking the net regularly for unintended organisms and releasing non-target organisms as quickly as possible and attending the net at all times. **Permittee will immediately notify DAR and the appropriate federal agency to report the entanglement of any protected species, if incidental entanglement occurs.**

**E. Importation, Possession, Transportation and Release.** This permit authorizes the importation, possession and transportation of up to 50 turtles per species of Hawksbill turtles, Leatherback turtles, Olive ridley turtles and Loggerhead turtles or their parts and various amounts (as needed; to be specified in final report) of Green sea turtles; provided such actions are in compliance with the Endangered Species Act and other applicable federal laws. Precautions shall be taken with all imported sea turtles, including sick, dying or dead and frozen animals, to prevent the accidental release of attached organisms (parasitic and non-parasitic) and other potential exotic pathogens into State Waters. **Note:** Importation is for parts (not whole animals), for the purposes of studying parts of animals as they become available for life history, genetic or other research. For example, Marine Turtle Biology and Assessment Program personnel may travel to Guam, CNMI, and American Samoa and bring home skin and blood samples for research purposes. **Release of Organisms.** All live captured turtles will be returned to the wild; provided the turtle can be reasonably expected to survive such a release.

**F. Annual Report:** Upon 90 days post expiration of the permit or 30 days prior to expiration of the permit (depending on **renewal** or **non-renewal** status), the permittee must provide to DAR a final written report summarizing the results of the collection activity carried out under this permit and (if available/applicable) analysis of the data.

1. The annual report should provide a written description of the activity and objective and a written explanation as to how the collection of or activity with a fully protected or regulated marine species for scientific, education, management or propagation purposes is benefiting the State of Hawai'i in general and specifically, the improved management of the species or related species.
2. The annual report must describe the following, in form specified by the Department (access to reporting template on the DAR Permitting Portal can be found at: <https://inforps-dp.hawaii.gov/dlnraqaticpermitting/#/research-spreadsheet> or for info from #2. a. & c. and #3) – include all

other info (#1, #2 b. & d. into a PDF report) – consult permit coordinator for most up-to-date reporting template (if necessary):

- a. **Species name and total quantities and sizes** of all regulated and non-regulated specimens collected under this permit.
- b. **Results of chemical, genetic, physiological, histological, pathological, statistical or other analysis of data** (if possible/applicable).
- c. **GPS coordinates (decimal degrees) of location of each sample taken or action conducted and associated geographic location** (e.g. windward side or east side of Patch Reef 8, or north side of Lilipuna Pier). Multiple samples collected in one single area can be geo-referenced by a single GPS point and associated geographic location.

**If GPS is not available:** Make accurate note of your sampling location in field and obtain GPS location from Google Earth after field sampling (**Note: Instructions are for the downloaded program - Google Earth Pro, not web version**):

- i. Click “Tools” in the top line menu and open Options.
- ii. In the “3D View” tab, **find** the “Show Lat/Long” section. Change the default from Degrees, Minutes, Seconds to **Decimal Degrees**.
- iii. Next, click the pushpin icon in the menu; click and drag the pushpin that appears to the point on the map from which you wish to obtain a GPS coordinate:

(e.g.: Lat: 21.441646, Long: -157.799076)

- iv. Enter GPS coordinate into spreadsheet with associated sampling information (species, amount, size).

- d. **Photo-documentation** of a representative example of organisms collected, methodology, and gear:
  - i. Photo-documentation of marine turtle activities should include one (1) representative example of all activities, including capturing, harassment, collection of eggs/measurements/tissue samples and nest excavation, rehabilitation, necropsies, stranding responses and juvenile and adult tagging.
  - ii. Each representative example should include the following photos: For example of species of turtle, photo-documentation should include: one (1) photo of average specimen of turtle captured (one per species; with scale for size) and; For examples of collection of eggs/measurements/tissue samples and nest excavation, rehabilitation, necropsies, stranding responses, juvenile and adult tagging, photo-documentation should include; one (1) photo of each type of activity (with scales for sizes when applicable).

3. An inventory (species list) of organisms (dead or alive) present at the facility or with the permittee the end of the report period, in form acceptable to the Division, must accompany the annual report;
4. The annual report is due at the Division's Honolulu office one month (30 days) before expiration of the permit if renewal is needed or within three months (90 days) after expiration of the permit if renewal is not needed or as otherwise instructed by the Division.

**G. Use of Organisms, Parts of Organisms, Tissue Samples or other Aquatic Resources.** The permittee may not convey in any fashion (including, but not limited to, selling, trading, or giving) any organisms, parts of organisms, tissue samples or other aquatic resources to any person or party in Hawai'i that does not already have a permit from the Department authorizing possession of same and without written approval from DAR. Organisms taken under authority of this permit may be used for scientific study or educational purposes **ONLY**, except as authorized by prior written approval of DAR.

- a. This permit authorizes the permittee and authorized assistants to transport live or dead specimens or parts (e.g. shell/tissue/blood/skeleton samples) of organisms as listed in Table 1, within and outside of the state of Hawai'i to the following institutions and authorizes the following institutions to receive live or dead specimens or parts (e.g. shell/tissue/blood/skeleton samples), of organisms as listed in Table 1, from the permittee and authorized assistants (see USFWS permit(s) #TE-72088A-3 for full contact information):
  - i. U.S. Geological Survey, Biological Resources Division, National Wildlife Health Center, Honolulu Field Station (Dr. Thierry Work), Honolulu, Hawaii 96850
  - ii. NOAA/NMFS/PIFSC (Dr. Summer Martin or T. Todd Jones), Honolulu, Hawaii 96818
  - iii. NOAA NMFS Southwest Fisheries Science Center (Erin LaCasella, Marine Turtle Genetics Program), La Jolla, California 92037
  - iv. The Bernice Pauahi Bishop Museum (Bishop Museum), Vertebrate Collection Manager, Honolulu, Hawaii 96817 (Note: If the Bishop Museum does not wish to accession the specimens, the permittee must contact both the Recovery Permit Coordinator at the PIFWO and the USFWS OLE in Honolulu, HI for disposition instructions).
  - v. Hawaii Marine Mammal Alliance, Inc./Hawaii Marine Animal Response (HMAR), Micah C. Brodsky - Senior Veterinarian, Kailua, HI 96734
  - vi. Other institutions/labs to be specified on final annual report (Lab/Institution Name, City, State, Zip Code).

## II. GENERAL CONDITIONS:

- A. 1. **Effective Date.** This permit becomes effective upon the following:
  - a. All persons who are actively involved in activities authorized by this permit have read this permit in total and acknowledge understanding and agreement to abide by its conditions by signing the signature sheet at the end of the permit. Note: All authorized assistants should read, agree to the terms and conditions and sign the permit; however in the event that authorized assistant is not able to sign the permit, the principal permittee, by their signature on page 13, acknowledges receipt and understanding of the general and special conditions of this Special Activity Permit on behalf of designated assistants and in addition, agrees to abide by all of these conditions when conducting activities authorized by this permit, on behalf of designated assistants.
  - b. Both copies of the signed signature sheet of the permit must be returned to the Division of Aquatic Resources (DAR).
  - c. Upon approval and signature by the Chairperson of the Department, a **copy of the fully executed permit** will be returned to the applicant.
2. Authority granted by this permit ends on the "Expiration Date" on the first page of this permit.
3. The permittee must carry a copy of this permit on location while performing activities authorized by this permit.

- B. **Validity.** This permit conveys authority ONLY of the Department relating to its jurisdiction over aquatic resources: the permittee remains responsible for obtaining all other prior permission from other applicable authorities (such as owners of and tenants upon private lands; other divisions of the Department; other local, State and Federal agencies). This permit is valid only if accompanied by a valid National Marine Fisheries Service (NOAA Fisheries) Marine Mammal Protection Act / Endangered Species Act permit or a United States Fish and Wildlife Service (USFWS) Endangered Species Act permit. The permittee shall notify DAR of any proposed changes in research activities prior to implementing such changes for appropriate review and permit amendment. DAR may require the permittee to accommodate the presence of an observer during authorized activities.
- C. **Compliance with all applicable County, State, and Federal Requirements.** 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.
- D. **Liability.** 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 Department and State harmless against any and all claims of injury, death or damage resulting from activities of the permittee or any assistant or from actions or omissions under this permit.
- E. **Parties Authorized under Permit.** Only the permittee and their authorized research assistants are allowed to participate in the authorized activity. The permittee and each assistant is individually responsible and accountable for his or her actions while performing activities authorized by this permit. The permittee is additionally responsible and accountable for the actions of each assistant. The permittee or their assistant(s) must have with them a copy of this permit while conducting activities authorized by this permit.
- F. **Transferability.** This permit is neither transferrable nor assignable to another person. 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.
- G. **Revocability.** This permit is revocable at will should the Department deem revocation necessary.
- H. **Changes to the Permit.** 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 13, 14, 15, 16 or 17 stating that they have read, understood, and agree to abide by all general and special permit conditions. Note: In the event that authorized assistant is not able to sign the permit, the principal permittee, by their signature on page 13, acknowledges receipt and understanding of the general and special conditions of this Special Activity Permit on behalf of designated assistants and in addition, agrees to abide by all of these conditions when conducting activities authorized by this permit, on behalf of designated assistants. No change may be implemented without written approval from the Department.

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.
- I. 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).



- J. This permit does not authorize the sale of any collected organism.
- K. This permit expires on the date indicated on Page 1. **If no renewal is needed**, the permittee must email a PDF of this permit with all signature sheets (or a complete list of assistants if signatures are not available) and additionally email a **PDF version of a final report** (to [catherine.a.gewecke@hawaii.gov](mailto:catherine.a.gewecke@hawaii.gov)) with complete information on all activities authorized under this permit (see **Special Conditions, Section F. Annual Report**) within **three months (90 days) after** the expiration date. **If renewal is needed**, permittee must submit a **PDF version of a final report** to the Division **one month (30 days) prior** to the expiration date for DAR biologists to review, in addition to turning in expired permit with signatures no later than the regular **three months (90 days) after expiry date**. If complete report cannot be submitted **one month (30 days) prior** to the expiration date, the permittee will submit a short synopsis of research conducted (PDF version- **one month (30 days) prior** to the expiration date) in past year including information on quantities, genus species and activities conducted, and submit full report no later than the regular **three months (90 days) after expiry date**.
- L. **Access to Data.** The permittee and assistants agree to provide access to data obtained under authority of this permit upon request of the from DAR or authorized agent of the Department, 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 Department staff access to organisms obtained and held under this permit for on-site inspection of the premises.
- M. **Notification.** The permittee agrees to notify the island office of the Division of Conservation and Resources Enforcement (DOCARE – Oahu Central Office: 808-643-3567) at least 24 hours prior to any authorized activity being conducted in the field. See section **O. Other Collection Guidelines** (below) for additional requirements.
- N. **Violation of Permit Conditions.** A violation of any terms or conditions 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. Any person whose permit has been revoked shall not be eligible to apply for another permit until the expiration of two years from the date of revocation. See HAR § 13-124-7.1.
- O. **Coral Activities:** Activities under this permit shall abide by the following conditions (if applicable):
1. Coral - the Permittee must notify DAR Oahu ([catherine.a.gewecke@hawaii.gov](mailto:catherine.a.gewecke@hawaii.gov)) within 24 hours of:
    - i. Any instance of major damage caused to coral or other marine natural resources, because of collection or other research activities conducted under this permit.
  2. Fragmentation - This permit **does not authorize** fragmentation of coral colonies.
  3. Rare Species - The following *Porites* species require special permission from the Division prior to collection under this permit: *Porites pukoensis*, *Porites duerdeni*, *Porites studeri*. The following *Montipora* species require special permission from DAR prior to collection under this permit: *Montipora dilitata*. The following *Pocillopora* species require special permission from DAR prior to collection under this permit: *Pocillopora ligulata*, *Pocillopora molokensis*.
  4. **No impact-causing activities will be conducted on (or immediately adjacent to) any intact, attached coral colony measuring larger than 1 m x 1 m x 1 m. Specific efforts will be made to avoid damage to any large colonies of living coral.**
- P. Other Collection Guidelines:

1. Collecting generally - the Permittee must give notice, in form specified by the Department (email or phone call), to DAR ([catherine.a.gewecke@hawaii.gov](mailto:catherine.a.gewecke@hawaii.gov)) and to the Department's Division of Conservation and Resources Enforcement (DOCARE: 808-643-3567), at least 24 hours prior to initial commencement of any series of field collection/sampling activities taken place under this permit **or** on a schedule agreed to by DOCARE and the permittee (i.e. one call notifying of a period of time sampling that will occur across different locations throughout the year). **Researcher will provide the following info when DOCARE is notified:** SAP #, researcher name/institution, date, location, activity description (e.g. sampling or handling turtles, collection of regulated organisms, using regulated gear or chumming for sharks in a specific location), description of boat being used (color, size, type of boat)(if applicable), description of vehicle on shore (if applicable), number of people involved in activity, etc.
2. An **Aquatic Invasive Species (AIS) Mitigation Plan** will be filed with the Division prior to conducting any collection under this permit. The Plan will include methods and protocols to minimize AIS or disease movement through gear, supplies and activities of the permittee. Permittee must take actions to verify that collection tools have been disinfected before use if previously used in collection activities.

**Invasive Species/Disease/Parasites:** All collection gear deployed must be visually checked for invasive species/disease/parasites and disinfected with 10% bleach solution for 10 minutes before deployment in alternate location, if current or previous activities involved collecting or conducting activities between multiple watersheds/distinct reef areas/islands. If collection gear cannot be bleached, gear must be thoroughly rinsed with fresh water and dried in sun for 24 hours before deployment in alternate location, sterilized with another viable method or alternate sampling gear should be utilized. If sampling disease or anomalous growth specimens, gear should be sterilized between each specimen or new collection gear should be used. **If collecting in Kaneohe Bay or Maunalua Bay:** Kaneohe Bay: All collection gear utilized in Kaneohe Bay must be visually checked for invasive species/disease/parasites (e.g. *Kappaphycus spp.*, *Eucheuma denticulatum*, *Gracilaria salicornia* and *Mycale grandis/armata*) and disinfected with 10% bleach solution for 10 minutes before deployment in alternate location other than Kaneohe Bay. Maunalua Bay: All collection gear deployed in Maunalua Bay must be visually checked for invasive species/disease/parasites (e.g. *Avrainvillea amadelpa/lacerata* and *Gracilaria salicornia*) and disinfected with 10% bleach solution for 10 minutes before deployment in alternate location other than Maunalua Bay. The following species remain a concern to the division: Alien invasive algae (*Kappaphycus spp.*, *Eucheuma denticulatum*, *Gracilaria salicornia*, *Acanthophora spicifera*, *Hypnea musciformis* and *Avrainvillea amadelpa/lacerata*), Coral disease (*Montipora White Syndrome*, *Porites trematodiasis*, *Montipora black band disease*, *Porites tissue loss syndrome*, and *Porites spp.* and *Montipora spp.* tumors, *Montipora spp.* growth anomaly), Orange keyhole sponge (*Mycale armata/grandis*).

(If applicable) Permittee will mitigate for the spread of invasive species/disease/parasites by ensuring that all organisms (e.g. coral colonies, fragments or live rock) collected from Kaneohe Bay are absent of any algae fragments or basal attachments of the invasive alga *Kappaphycus spp.*, *Eucheuma denticulatum*, *Gracilaria salicornia*, or other invasive species/disease/parasites (unless collecting these non-native species specifically) before transporting organisms to alternative location for research.

(If applicable) Permittee will mitigate for the spread of invasive species/disease/parasites by ensuring that all organisms (e.g. coral colonies, fragments or live rock) collected in Maunalua Bay are absent of any algae fragments or basal attachments of the invasive alga *Avrainvillea amadelpa/lacerata*, *Gracilaria salicornia*, or other invasive species/disease/parasites (unless collecting these non-native species specifically) before transporting organisms to alternative location for research.

**Quarantine Protocol.** (If applicable) **If transporting and holding live organisms (including live rock) in an aquarium/tank:** After inspection, organisms transported to other locations on island must have a quarantine protocol involving either closed-system tanks for the entire research period or closed-system tanks for a select amount of quarantine time followed by flow-through tanks with UV lights on outfall. Organisms will be placed in placed into flow-through tanks only if observations indicate that no invasive species are present. Permittee will sacrifice any AIS/disease/parasites if found at this stage, and keep host organisms in closed

system tanks for research. Length of quarantine time and type of holding tank (closed-system or open-system) will be determined based on location of collection/location of holding and type of organism collected, after consultation with DAR. Exceptions (after consultation with DAR): If quarantine process is not possible (due to capacity/lack of available closed-system tanks), the quarantine process may not be required for researchers working with organisms such as marine mammals, turtles, fish and invertebrates (other than coral) collected from areas outside of area where research tanks are located, if researchers are able to conduct initial inspection of organisms for AIS/disease/parasites before transporting organisms back to open-system (flow-through tanks) at research location. DAR will work with researchers on a case by case basis, that work with coral and live rock collected from areas outside of outside of the area where research tanks are located, but which may have limited quarantine capacity (lack of available closed-system tanks), to determine if the quarantine process is necessary.

**Transport out of Kaneohe Bay/Maunalua Bay (Oahu).** Any specimens collected in Kaneohe Bay should not be transported outside of Kaneohe Bay unless being moved to a closed-system aquarium, preserved or verified to be free of non-native organisms (e.g. *Kappaphycus spp.*, *Eucheuma denticulatum*, *Orange keyhole sponge (Mycale armata/grandis)*) after undergoing quarantine treatment. Any specimens collected in Maunalua Bay should not be transported outside of Maunalua Bay unless being moved to a closed-system aquarium, preserved or verified to be free of non-native organisms (e.g. *Avrainvillea amadelpha/lacerata*) after undergoing quarantine treatment.

3. No organism other than those listed on this permit will be collected or impacted by any activities conducted under this permit.
4. Collecting and transport activities under authority of this permit must be supervised directly, on site, by either the permittee or their authorized assistants (who must be a signatory of this permit).
5. Gear and Methods: Use of any chemical substances pursuant to Section 188-23, Hawai'i Revised Statutes, electrical shocking devices, or explosives remains expressly prohibited.
6. Use of Organisms: Organisms collected under authority of this permit may not be used for personal consumption or sale; organisms collected under this permit may not be traded, bartered or loaned to other individuals, institutions or entities;
  - a. Written approval must be obtained from the Division prior to:
    - i. Purchasing or any other acquisition of regulated organisms (regardless of origin) from any other party;
    - ii. Exchanging or donating any organisms collected under this permit to any other person, party or organization (unless authorized by this permit);
7. **Sampling Moratoriums:** The Division may request a voluntary sampling moratorium, or in some cases, implement a mandatory sampling moratorium, for certain organisms authorized for collection under any current permit, during times of ecosystem pressure caused by natural or anthropogenic stressors. Example of ecosystem pressure may include coral bleaching events, which have occurred most recently in Hawaii during the months of July/August to November. Please take this into consideration when applying for a permit, plan your collections accordingly and be prepared to take a sampling hiatus (if necessary) until the stressor event is determined to have ended. Exemptions may be provided for studies or projects that have a research objective directly related to the naturally or anthropogenically caused stressors, which require collecting data or samples during this period, or select projects that are evaluated to not cause additional pressure during this period.

Q. **OWNERSHIP OF BIOGENETIC RESOURCES.** The State holds legal title to the natural resources and biogenetic resources gathered from state lands, including submerged lands. See Haw. Op.Atty.Gen. Opinion No. 03-03 ([April 11, 2003](#)). Biogenetic resources refer to the genetic material or composition of the natural resources and other things connected to, or gathered from public lands. See Davis v. Green, 2 Haw. 327 (1861); United States v. Gerber, 999F.2d 1112 (7th Cir. 1993).



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DAWN N. S. CHANG, Chairperson  
Department of Land and Natural Resources

cc: (x) DOCARE – (Hawaii, Oahu, Kauai, Maui, Molokai, Lanai, Ni’ihau\* and Kaho’olawe\*)  
  
(x) DAR – (Hawaii, Oahu, Kauai, Maui, Molokai, Lanai, Ni’ihau\* and Kaho’olawe\*)  
  
(x) Special Agent in Charge, USFWS, Honolulu  
  
(x) NMFS

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. In addition, the following list of designated assistants are authorized to conduct activities under this permit.

All authorized assistants should read, agree to the terms and conditions and sign the permit; however in the event that authorized assistant is not able to sign the permit, the principal permittee, by their signature below, acknowledges receipt and understanding of the general and special conditions of this Special Activity Permit on behalf of designated assistants and in addition, agrees to abide by all of these conditions when conducting activities authorized by this permit, on behalf of designated assistants.

PRINCIPAL PERMITTEE: MARTIN.SUMMER.LYNN.1465084290  
Digitally signed by MARTIN.SUMMER.LYNN.1465084  
Date: 2023.02.01 09:09:46 -08'00'

Dr. Summer Martin

DESIGNATED ASSISTANTS:

Signature: _____	Signature: _____
Print Name: Dr. T. Todd Jones	Print Name: Camryn Allen
Signature: _____	Signature: _____
Print Name: Shawn Murakawa	Print Name: Brittany Clemans
Signature: _____	Signature: _____
Print Name: Marylou Staman	Print Name: Laura McCue

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.

DESIGNATED ASSISTANTS:

Signature: _____	Signature: _____
Print Name: Michelle Barbieri	Print Name: Jan Willem Staman
Signature: _____	Signature: _____
Print Name: Alexander Gaos	Print Name: Ednee Yoshioka
Signature: _____	Signature: _____
Print Name: Meghan Barrett	Print Name: Irene Kelly
Signature: _____	Signature: _____
Print Name: Sheldon Plentovich	Print Name: Sallie Beavers
Signature: _____	Signature: _____
Print Name: Marc Rice	Print Name: Laura Jim
Signature: _____	Signature: _____
Print Name: Donna Brown	Print Name: Elizabeth Flint
Signature: _____	Signature: _____
Print Name: Debbie Herrera	Print Name: Julie Dagenais
Signature: _____	Signature: _____
Print Name: Kelly Goodale	Print Name: Lauren Kurpita
Signature: _____	Signature: _____
Print Name: Jeff L. Pawloski	Print Name: Gregg Levine

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.

DESIGNATED ASSISTANTS:

Signature: _____	Signature: _____
Print Name: Leah Kerschner	Print Name: Jason Aleshire
Signature: _____	Signature: _____
Print Name: Lisa Komoroske	Print Name: Jamie Thomton
Signature: _____	Signature: _____
Print Name: Claudia Cedillo	Print Name: Allison Sommer
Signature: _____	Signature: _____
Print Name: Hope Ronco	Print Name: Christy Kozama
Signature: _____	Signature: _____
Print Name: Theirry Work	Print Name: Michelle Olry
Signature: _____	Signature: _____
Print Name: Rachel Sprague	Print Name: Jonathan Sprague
Signature: _____	Signature: _____
Print Name: Daniel Link	Print Name: Jennifer Sims
Signature: _____	Signature: _____
Print Name: Jen Homcy	Print Name: Andrew Rossiter
Signature: _____	Signature: _____
Print Name: Robert Rameyer	Print Name: Laura Jackson

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.

DESIGNATED ASSISTANTS:

Signature: _____	Signature: _____
Print Name: Renee Breeden	Print Name: Cristian Cayanan
Signature: _____	Signature: _____
Print Name: Megan Lamson	Print Name: William Walsh
Signature: _____	Signature: _____
Print Name: Thomas Jim	Print Name: Thomas Cutt
Signature: _____	Signature: _____
Print Name: Andrew Glinsky	Print Name: Jessy Hapdei
Signature: _____	Signature: _____
Print Name: Erik Norris	Print Name: Brian Peck
Signature: _____	Signature: _____
Print Name: Alexandra Reininger	Print Name: Mike Salmon
Signature: _____	Signature: _____
Print Name: Tammy Mae Summers	Print Name: Jeanette Wyneken
Signature: _____	Signature: _____
Print Name: Don McLeish	Print Name: Robin Baird
Signature: _____	Signature: _____
Print Name: Kimberly Wood	Print Name: Jordan Lerma



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.

DESIGNATED ASSISTANTS:

Signature: _____	Signature: _____
Print Name: Josefa Munoz	Print Name: Jon Schneiderman
Signature: _____	Signature: _____
Print Name: Tim Clark	Print Name: Stephan Kropidowski
Signature: _____	Signature: _____
Print Name: Aisha Rickli-Rahman	Print Name: Erin LaCasella
Signature: _____	Signature: _____
Print Name: Agnes Horvath	Print Name: Paul McCurdy
Signature: _____	Signature: _____
Print Name: Kelleigh Downs	Print Name: Alix Gibson
Signature: _____	Signature: _____
Print Name: Boomer Hodel	Print Name: Rob McLean
Signature: _____	Signature: _____
Print Name: Jamie Stoll	Print Name: Natalie Paliga
Signature: _____	Signature: _____
Print Name: _____	Print Name: _____
Signature: _____	Signature: _____
Print Name: _____	Print Name: _____