

A Guide for Coral Restoration Permitting in the Seven U.S. Coral Reef Jurisdictions

(American Samoa, Commonwealth of the Northern Mariana Islands, Florida, Guam,
Hawai'i, Puerto Rico, and the U.S. Virgin Islands)

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USVI Department of Planning and Natural Resources

Disclaimer:

This report is the product of an inter-agency effort through the U.S. Coral Reef Task Force. This is not an official government document, merely guidance. As such, there can be special circumstances which are not covered in this document; we always recommend you work closely with local and federal permitting agencies to ensure all restoration activities are properly permitted.

For more information:

For more information about this document, please contact Brian Beck at brian.beck@noaa.gov. For any questions regarding specific permits mentioned in this document, please see the contact information listed below each permit entry.

Cover photo: A diver attaches a coral fragment to a coral reef. Credit: Reef Resilience Network.

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Introduction

With severe global declines in coral cover over the past half-century, coral restoration activities have become one of the most widely used management tools to improve reef resilience and try to rehabilitate coral reef ecosystem health and services. Coral restoration is generally defined as active interventions to improve coral reefs and reef ecosystems. However, many coral restoration and coral conservation activities, in general, require following legal procedures and obtaining the proper permits and clearance to carry out the activity. While critical, these legal processes may seem complex and are further complicated by the variation in the legal framework, process, and requirements of the restoration activity type and location the activity is being planned.

In order to provide coral restoration managers and partners guidance on the legal processes related to coral restoration work, this document was drafted as an overview of restoration permitting information. For each required permit or consultation action, we have provided links to relevant websites and contacts with more detailed information and permitting paperwork. The initial permits, consultations, and steps for coral restoration are organized into tables by location and legal/management classification (i.e. state or federal waters, protected status), and a written overview of restoration permitting processes for each jurisdiction is provided. Additionally, this document includes an overview of relevant contacts to federal agencies with regulatory authorities over restoration activities, including the National Oceanic and Atmospheric Administration (NOAA) Office of Protected Resources (OPR) and Office of National Marine Sanctuaries (ONMS), the Department of Interior (DOI) National Park Service (NPS), and the U.S. Army Corps of Engineers (USACE). Local legislation and regulatory agencies are also covered and linked when appropriate for each jurisdiction.

The types of permits required are incredibly situation-specific and nuanced, therefore, this guidance document is not all encompassing and may not apply to every restoration project. Additionally, permitting processes can frequently change. We will try our best to keep this document as up to date as possible. However, we always recommend you work closely with relevant jurisdictional and federal agencies to determine which permits are applicable to your desired restoration project.

Federal Acronyms List

USACE = U.S. Army Corps of Engineers
NOAA = National Oceanic and Atmospheric Administration
NMFS = National Marine Fisheries Service
ESA = Endangered Species Act
EFH = Essential Fish Habitat Consultation
USEPA = United States Environmental Protection Agency
CWA = Clean Water Act, Section 401
WQC = Water Quality Certification
NWP = Nationwide Permit
NPS = National Parks Service
USFWS = United States Fish & Wildlife Service
DoD = Department of Defense

Applicable Federal Permitting Legislation

In general, if you as the permittee are a federal agency, if you are a grantee of a federal grant, a recipient of a federal permit or authorization, and/or if you are conducting restoration activities in federal waters, you are required to conduct the following permitting processes and/or undergo the following consultations. Information about these permits/consultations and their triggers are provided in this section. However, the permitting consultation process and/or agency may differ among jurisdictions. Please see the relevant jurisdiction section of this document for more details. Many of the consultation processes will be conducted on your behalf by the relevant agency that has jurisdiction over the waters where you are conducting your activity or by the federal funding agency, but it is still strongly recommended you check to ensure you have all the necessary paperwork.

If you, the permittee, are not a federal agency, if your restoration activity is not federally funded and does not require federal authorization, and is being conducted only in jurisdictional waters you *may* not be required to undergo these permitting processes/consultations.

Activity	Permit/Consultation
Structure placement	<ul style="list-style-type: none"> • Endangered Species Act (ESA) Section 7 Consultation • U.S. Army Corps. Of Engineers (USACE) • Magnuson Stevens Act-Essential Fish Habitat (EFH) Consultation • National Historic Preservation Act (NHPA) Section 106 Consultation
Any restoration work with corals	<ul style="list-style-type: none"> • Endangered Species Act (ESA) Section 7 Consultation <ul style="list-style-type: none"> ○ If working with ESA-listed coral species • Magnuson Stevens Act-Essential Fish Habitat (EFH) Consultation

Endangered Species Act (ESA) Section 7 Consultation

- A consultation to ensure ESA compliance is required if:
 - Actions are funded, authorized, or carried out by a federal agency and/or
 - The work may have any impacts on any species listed in the ESA, or their designated critical habitat.
- [Marine species consultations](#) are through the NOAA National Marine Fisheries Service Regional Office who has jurisdiction for the species and critical habitat that may be affected.
- The end result of a consultation is a “Biological Opinion.” Some Biological Opinions have been issued for a wide range of restoration activities for a particular jurisdiction and are noted when relevant.
 - See [3Rs PBO](#) covered activities.

- If your work may impact listed animals on land such as seabirds, sea turtles, or marine mammals that have hauled out onto the beach, then a [consultation through the U.S. Fish & Wildlife Service](#) is required as well.
- [Website](#) with list of threatened and endangered species and critical habitats

U.S. Army Corps Of Engineers (USACE)

- The [U.S. Army Corps of Engineers' \(USACE\) Regulatory Program](#) involves the regulation of discharges of dredged or fill material into waters of the United States and structures or work in navigable waters of the United States, under section 404 of the Clean Water Act and section 10 of the Rivers and Harbors Act of 1899. A proposed project's impacts to these areas will determine what permit type is required.
- Permit Types:
 - An individual, or standard permit, is issued when projects have more than minimal individual or cumulative impacts, are evaluated using additional environmental criteria, and involve a more comprehensive public interest review.
 - A general permit is issued for structures, work, or discharges that will result in only minimal adverse effects. General permits are issued on a nationwide, regional, or state basis for particular categories of activities. General permits are usually valid for five years and may be re-authorized by USACE. There are three types of general permits:
 - [Nationwide permits](#) are issued by USACE on a national basis and are designed to streamline Department of the Army authorization of projects such as commercial developments, utility lines, or road improvements that produce minimal impact to the nation's aquatic environment.
 - A regional general permit is issued for a specific geographic area by an individual USACE District. Each regional general permit has specific terms and conditions, all of which must be met for project-specific actions to be verified.
 - Programmatic general permits are based on an existing state, local, or other federal program and designed to avoid duplication of that program. A State Programmatic General Permit (SPGP) is a type of permit that is issued by USACE and designed to eliminate duplication of effort between USACE districts and state regulatory programs that provide similar protection to aquatic resources. In some states, the SPGP replaces some or all of the USACE nationwide permits, which results in greater efficiency in the overall permitting process.

Magnuson-Stevens Act-Essential Fish Habitat (EFH) Consultation

- A consultation with NOAA Fisheries on Essential Fish Habitat is required if:
 - A federal agency has authorized, funded, or undertaken part or all of a proposed activity. For example, if a project requires a federal permit, then the federal agency issuing the permit must consult with NOAA Fisheries.
 - The action will adversely affect EFH. An adverse effect includes direct or indirect physical, chemical, or biological alterations. It includes adverse changes to:
 - Waters or substrate.
 - Species and their habitat.
 - Other ecosystem components.

- Quality and/or quantity of EFH.
- If a federal agency determines that an action will not adversely affect EFH, and NOAA Fisheries agrees, no consultation is required.
- Private landowners and state agencies are not required to consult with NOAA Fisheries. However, NOAA Fisheries must provide conservation recommendations on any state action that would substantially adversely affect EFH.
- Consultations are conducted in concert with the NOAA Fisheries Regional Office overseeing your jurisdiction.
- For more information, see [EFH website](#).

National Historic Preservation Act (NHPA) Section 106 Consultation

- This will not be relevant to all restoration activities.
- Section 106 of the NHPA requires federal agencies having direct or indirect jurisdiction over a proposed federal or federally assisted undertaking to consider the effects of the undertaking on historic properties or resources that are either eligible for listing or are listed on the National Register of Historic Places.
- To help assess if your project needs to undergo the [Section 106 process](#).
- [State/Territorial Historic Preservation Office Directory](#)

Florida



Divers work on a permitted coral nursery near Key Largo, FL. *Brandon Cole / Coral Restoration Foundation.*

Acronym List:

BISC = Biscayne National Park

DRTO = Dry Tortugas National Park

FDEP = Florida Department of Environmental Protection

FKNMS = Florida Keys National Marine Sanctuary

FWC = Florida Fish and Wildlife Conservation Commission

Location	Activity	Permits Required
Florida State Waters	Structure placement	<ul style="list-style-type: none"> ● FDEP ● USACE ● *If in Broward County, Environmental Resource License ● **If in Miami-Dade County, Expedited Administrative Authorization or a Class I Permit
	Any restoration work with corals	<ul style="list-style-type: none"> ● FWC

Florida Keys National Marine Sanctuary (FKNMS)	Structure placement	<ul style="list-style-type: none"> ● FDEP ● FKNMS ● USACE
	Any restoration work with corals	<ul style="list-style-type: none"> ● FKNMS ● FWC
National Parks in Florida: Biscayne National Park (BISC) OR Dry Tortugas National Park (DRTO)	Structure placement	<ul style="list-style-type: none"> ● NPS ● USACE
	Any restoration work with corals	<ul style="list-style-type: none"> ● NPS
Other considerations:	<ul style="list-style-type: none"> ● Florida permitting resource: Authorization Guidance for Coral Restoration Activities on Florida's Coral Reef ● If your activities may affect a historic landmark or resource: National Historic Preservation Act (NHPA) Section 106 Consultation 	

Permit Information

Florida Department of Environmental Protection (FDEP)

- Coral restoration work requires an Environmental Resource Permit (ERP) or Joint Coastal Permit (JCP).
 - A JCP is required only when activities are likely to affect the distribution of sand along the beach.
 - Any activities located on state lands also require sovereignty of submerged lands authorization.
 - [FDEP Website](#)
 - Contact: BIPP@floridadep.gov
 - Southeast Florida Contact:
 - [DEP Southeast District Office](#)
 - 561-681-6600
- For questions regarding if a JCP or ERP is needed contact BIPP@floridadep.gov
- If work is conducted within waters managed by a **state park** you need an additional [Division of Recreational and Parks Permit, Research and Collecting Permit](#)
 - [Application](#)
 - [Standard conditions page](#)
 - Main contact for coral restoration:
 - District 5 Permit Coordinator
 - 772-402-9467
 - Activities located within the boundaries of a State Park that require an ERP also require review by Division of State Park staff in order for park staff to determine if the activity is consistent with the Park's Management Plan

Florida Fish and Wildlife Conservation Commission (FWC) for a Special Activity License (SAL)

- [Website](#)
- Contact:
 - 850-487-0554
 - sal@myfwc.com

USACE Regional General Permit SAJ-112

- [Application information and instructions](#)
- [Permit](#)
- [General information contact:](#)
 - Jacksonville Division Office
 - 904-232-1177
 - SAJ-RD@usace.army.mil
- Antilles-Miami Permits Section
 - 786-886-9198
 - CESAJ-RD-SA@usace.army.mil
- Contact for Martin, Palm Beach, and Broward County*
 - sp@usace.army.mil
- Contact for Miami-Dade County and Monroe County
 - seappls@usace.army.mil

***If in Broward County-Environmental Resource License**

- [Website](#)
- Contact:
 - Aquatic and Wetland Resources Permitting Coordinator
 - 954-519-1454
 - AWRLicense@broward.org

****If in Miami-Dade County-Expedited Administrative Authorization or a Class I Permit**

- [Website](#)
- Contact:
 - Coastal Resources Section
 - 305-372-6575
 - dermcr@miamidade.gov

NOAA Florida Keys National Marine Sanctuary (FKNMS)

- NOAA Florida Keys National Marine Sanctuary may issue permits to allow projects that would otherwise be prohibited by sanctuary regulations.
- [FKNMS regulations](#)
- [Permit regulations](#), including application requirements
- [Restoration Guidelines for Coral Reefs and Associated Habitats in FKNMS](#)
- [Guidance on Permit Applications for Activities that Impact Florida Stony Corals](#)
- [FKNMS permit information](#)

- Contact information
 - FKNMS Resource Protection and Permit Coordinator
 - 305-809-4714

National Park Service (NPS) Research Permit

- [BISC NPS research permit](#):
 - [Website](#) (login needed)
 - [Contact](#):
 - 786-335-3639
- [DRTO NPS research permit](#):
 - [Website](#) (login needed)
 - [Contact](#):
 - 305-224-4241

Authorization Guidance for Coral Restoration Activities on Florida's Coral Reef

- Resource which can be used to cross-reference zones and activities.
- Applies to county work in particular.
- [Contact and Permit Information by Activity and Location](#).

National Historic Preservation Act (NHPA) Section 106 Consultation

- If your restoration activity may potentially be affecting historic landscapes, resources, or sites please contact your [state preservation office](#) about a NHPA Section 106 consultation.

Puerto Rico



A reef ball covered in growing corals. *HJR Reefscaping*

Acronyms

DRNA = Puerto Rico Departamento de Recursos Naturales y Ambientales (Department of Natural and Environmental Resources)

Location	Activity	Permits Required
Jurisdictional Waters	Structure placement	<ul style="list-style-type: none"> ● DRNA ● USACE ● ESA Section 7 ● EFH
	Any restoration work with corals	<ul style="list-style-type: none"> ● DRNA ● 3Rs <ul style="list-style-type: none"> ○ If working with ESA-listed coral species ● EFH
Federal Waters	Structure placement	<ul style="list-style-type: none"> ● USACE ● ESA Section 7

		<ul style="list-style-type: none"> • EFH
	Any restoration work with corals	<ul style="list-style-type: none"> • 3Rs <ul style="list-style-type: none"> ○ If working with ESA-listed coral species • EFH
Other considerations:	<ul style="list-style-type: none"> • Restoration activities in a National Wildlife Refuge require a Refuge Special Use Permit • If your activities may affect a historic landmark or resource: National Historic Preservation Act (NHPA) Section 106 Consultation 	

Permit Information

Puerto Rico Departamento de Recursos Naturales y Ambientales/Department of Natural and Environmental Resources (DRNA)

- Solicitud Para Propósitos Científicos/Application for Scientific Purposes
- [Sitio web/Website](#)
- Contact:
 - Maria Vega-Rodriguez
 - 787-999-2200
 - maria.vega@drna.pr.gov

USACE Regional General Permit SAJ-112

- [Application information and instructions](#)
- [Permit](#)
- General information contact: Jacksonville Division Office
 - 904-232-1177
 - SAJ-RD@usace.army.mil
- Antilles-Miami Permits Section
 - 786-886-9198
 - CESAJ-RD-SA@usace.army.mil

Programmatic Biological Opinion on Research, Restoration, and Relocation of Threatened Caribbean Corals (3Rs PBO)

- Within the NOAA Fisheries' Southeast Region, federal agencies may use the Programmatic Biological Opinion on Research, Restoration, or Relocation of Threatened Caribbean Corals (3Rs PBO) as their ESA Section 7 compliance on any Federal action that falls within its scope.
 - 3Rs covers coral relocation for projects that are not likely to adversely affect all other species and critical habitats. In other words, the only trigger for a 3Rs PBO would be the need to relocate the coral.
 - 3Rs covers coral propagation and outplanting for recovery purposes. If the project would have incidental take of listed corals and would require mitigation in the form of coral propagation and outplanting, that would need to be considered in the biological opinion for that project.

- Each federal agency that has an action related to a project must demonstrate ESA Section 7 compliance. This may be done individually or jointly. For example, a project may be funded by one federal agency, permitted by two, and carried out by another. Each would need to request concurrence under 3Rs, or the request could be submitted jointly for one review.

Endangered Species Act (ESA) Section 7 Consultation for Actions not Covered by the 3Rs PBO

- Restoration activities not covered by 3Rs that are working with a listed species or that may affect a listed species' critical habitat not covered under 3Rs may still have to undergo Section 7 consultations
- [Website](#) (for Southeastern U.S.)
- [Website](#) with list of threatened and endangered species and critical habitats for the Southeast region
- [Section 7 consultation guidance](#)
- [Emergency consultations information](#)
- Contact information:
 - 727-824-5312
 - nmfs.ser.esa.consultations@noaa.gov

Magnuson-Stevens Act-Essential Fish Habitat (EFH) Consultation

- Usually this consultation is conducted for you by the federal funding or permitting agency but if you have any questions, reach out to your [regional essential fish habitat coordinator](#):
 - [Contact the Habitat Conservation Division - Southeast](#)
 - [More information](#)

United States Fish & Wildlife Service: Refuge Special Use Permit

- Needed to perform or undertake development in an area designated as a National Wildlife Refuge
- US Fish & Wildlife Service requires a [Refuges Special Use Permit](#)

National Historic Preservation Act (NHPA) Section 106 Consultation

- If your restoration activity may potentially be affecting historic landscapes, resources, or sites please contact your territory's preservation office about a [NHPA Section 106 consultation](#).

United States Virgin Islands



Cleaning a coral nursery tree. *University of the Virgin Islands, NC Durgadeen*

Acronyms

BUIS = Buck Island National Park

DPNR = Department of Planning and Natural Resources

CZM = DPNR Division of Coastal Zone Management

DFW = DPNR Division of Fish and Wildlife

NPS = National Park Service

RPRS = Research Permitting and Reporting System of the NPS

USVI = United States Virgin Islands

VIIS = Virgin Islands National Park

Location	Activity	Permits Required
Jurisdictional Waters	Structure placement	<ul style="list-style-type: none"> ● DPNR DFW ● DPNR CZM Water Permit ● USACE ● ESA Section 7 ● EFH
	Any restoration work with corals	<ul style="list-style-type: none"> ● DPNR DFW ● 3Rs <ul style="list-style-type: none"> ○ If working with ESA-listed coral species ● EFH
Federal Waters BUIS or VIIS	Structure placement	<ul style="list-style-type: none"> ● NPS ● USACE ● ESA Section 7 ● EFH
	Any restoration work with corals	<ul style="list-style-type: none"> ● NPS ● 3Rs <ul style="list-style-type: none"> ○ If working with ESA-listed coral species ● EFH
Other considerations:	<ul style="list-style-type: none"> ● If your activities may affect a historic landmark or resource: National Historic Preservation Act (NHPA) Section 106 Consultation 	

Permit Information

Department of Planning and Natural Resources Division of Fish and Wildlife Permit (DPNR DFW)

- For research, collecting, transit, and other restoration activities, a permit may be issued by the Commissioner of the Department of Planning and Natural Resources to qualified persons under 12 V.I.C . § 106.
- Those persons would include:
 - Collectors for recognized museums, educational institutions, and scientific research organizations.
 - Persons engaged in scientific research in connection with such organizations.
 - Persons engaged in approved recovery and propagation activities.
- [Website](#)
- [Permit Application](#)
- [Contact:](#)
 - (340) 773-1082 x 2262

Department of Planning and Natural Resources Coastal Zone Management (DPNR CZM) Water Permit

- The USVI DPNR also requires that if you want to perform or undertake development in the [first tier of the coastal zone](#), including all submerged lands and barring a few exceptions under [US Virgin Islands Code 12 V.I.C. § 910](#) Subsection b, you will need a [DPNR CZM water permit](#), either major or minor, depending on the type of development being done.
 - The differentiator between a major or minor DPNR CZM permit is mainly dictated by project price, with projects >\$79,000 requiring a major permit.
 - [DPNR CZM Major Water Permit Application](#)
 - According to the Virgin Islands Coastal Zone Management Act of 1978, “A major coastal zone permit shall be issued by the appropriate Committee of the Commission for all approved applications for development” with the following exceptions, which can be found on the USVI DPNR website under [Coastal Zone Management Rules & Regs](#)
 - [DPNR CZM Minor Water Permit Application](#)

USACE Regional General Permit SAJ-112

- [Application information and instructions](#)
- [Permit](#)
- General information contact-Jacksonville Division Office
 - 904-232-1177
 - SAJ-RD@usace.army.mil
- Antilles-Miami Permits Section
 - 786-886-9198
 - CESAJ-RD-SA@usace.army.mil

National Park Service (NPS) Research Permit

- NPS research permit:
 - [Website \(login needed\)](#)
 - [Buck Island National Monument \(BUISS\) Permit Information](#)
 - [Virgin Islands National Park \(VIIS\) Permit Information](#)

Programmatic Biological Opinion on Research Restoration and Relocation of Threatened Caribbean Corals (3Rs PBO)

- Within the NOAA Fisheries’ Southeast Region, federal agencies may use the Programmatic Biological Opinion on Research, Restoration, or Relocation of Threatened Caribbean Corals (3Rs PBO) as their ESA Section 7 compliance on any Federal action that falls within its scope.
 - 3Rs covers coral relocation for projects that are not likely to adversely affect all other species and critical habitats. In other words, the only trigger for a 3Rs PBO would be the need to relocate the coral.
 - 3Rs covers coral propagation and outplanting for recovery purposes. If the project would have incidental take of listed corals and would require mitigation in the form of coral

propagation and outplanting, that would need to be considered in the biological opinion for that project.

- Each federal agency that has an action related to a project must demonstrate ESA Section 7 compliance. This may be done individually or jointly. For example, a project may be funded by one federal agency, permitted by two, and carried out by another. Each would need to request concurrence under 3Rs, or the request could be submitted jointly for one review.

Endangered Species Act (ESA) Section 7 Consultation for Actions not covered by the 3Rs PBO

- Restoration activities not covered by 3Rs that are working with a listed species or that may affect a listed species' critical habitat not covered under 3Rs may still have to undergo Section 7 consultations
- [Website \(for Southeastern U.S.\)](#)
- [Website with list of threatened and endangered species and critical habitats for the Southeast region](#)
- [Section 7 consultation guidance](#)
- [Emergency consultations information](#)
- Contact information:
 - 727-824-5312
 - nmfs.ser.esa.consultations@noaa.gov

Magnuson-Stevens Act-Essential Fish Habitat (EFH) Consultation

- Usually this consultation is conducted for you by the federal funding or permitting agency but if you have any questions, reach out to your [regional essential fish habitat coordinator](#)
- [More information](#)

National Historic Preservation Act (NHPA) Section 106 Consultation

- If your restoration activity may potentially be affecting historic landscapes, resources, or sites please contact your [territory's preservation office](#) about a NHPA Section 106 consultation

Hawai‘i



Coral fragments grow on an underwater platform. *The Ocean Agency*

Acronyms:

DLNR = State of Hawai‘i Department of Land and Natural Resources
DAR = Division of Aquatic Resources
OCCL = Office of Conservation and Coastal Lands
OPSD = State of Hawai‘i Office of Planning and Sustainable Development
ERP = Environmental Review Program
HEPA = Hawai‘i’s environmental review process
DoH = State of Hawai‘i Department of Health
CWB = Clean Water Branch
PIRO = Pacific Islands Regional Office

Table Note:

- Required permits do not vary by activity type
- There are no ESA-listed coral species in the Main Hawaiian Islands

Location	Activity	Permits Required
State Waters	Structure placement	<ul style="list-style-type: none"> ● DLNR DAR SAP ● DLNR OCCL <ul style="list-style-type: none"> ○ A) No permit required ○ B) Site Plan Approval ○ C) Departmental Permit ○ D) Board Permit ● HEPA Compliance ● OPSD CZM Federal Consistency Review <ul style="list-style-type: none"> ○ Only required if federal agency federal funding, or federal permitting is involved ● USACE ● If in a state or county park, add the following permits in addition to the state permits: <ul style="list-style-type: none"> ○ State parks ○ County parks ● ESA Section 7
	Any restoration work with corals	<ul style="list-style-type: none"> ● DLNR DAR SAP ● DLNR OCCL <ul style="list-style-type: none"> ○ A) No permit required ○ B) Site Plan Approval ○ C) Departmental Permit ○ D) Board Permit ● HEPA Compliance ● OPSD CZM Federal Consistency Review <ul style="list-style-type: none"> ○ Only required if federal agency federal funding, or federal permitting is involved ● If in a state or county park, add the following permits in addition to the state permits: <ul style="list-style-type: none"> ○ State parks ○ County parks
Federal Waters	Structure placement	<ul style="list-style-type: none"> ● USACE ● EFH ● If in a National Wildlife Refuge add a Refuge Special Use Permit ● If in a National Park add a NPS permit. ● ESA Section 7
	Any restoration work with corals	<ul style="list-style-type: none"> ● EFH ● If in a National Wildlife Refuge add a Refuge Special Use Permit ● If in a National Park add a NPS permit.
Other considerations:	<ul style="list-style-type: none"> ● Activities that may impact a historical site 	

Permit Information

State of Hawai‘i Department of Land and Natural Resources (DLNR), Division of Aquatic Resources (DAR): Special Activity Permit (SAP)

- Required for any individual or any research, educational, or management institution to collect regulated aquatic organisms or resources, use regulated gear, or collect/conduct activities in regulated areas, for research, educational or management purposes.
 - Corals are regulated organisms so therefore, collecting and handling coral for restoration activities require a SAP.
 - Live rock is also protected by Hawai‘i state law and handling requires an SAP.
 - Note: In 2024, DAR will be implementing a new coral reef restoration evaluation framework. The framework will be a transparent tool that applicants are required to use to self-evaluate their projects prior to submitting them through the DAR SAP portal. The tool is designed to help projects meet minimum standards, and reduce the amount of time for the consultation.
- [Link to DLNR DAR permits](#)
 - Click Special Activity Permit from the bar on the left.
- Contact: dar.sap@hawaii.gov

State of Hawai‘i Department of Land and Natural Resources (DLNR), Office of Conservation and Coastal Lands (OCCL):

- The Department of Land and Natural Resources (DLNR), through the Office of Conservation and Coastal Lands (OCCL), is responsible for overseeing private and public lands that lie within the State Land Use Conservation District. OCCL is also responsible for overseeing beach and marine lands out to the seaward extent of the State’s jurisdiction.
 - Further application information can be found [here](#)
 - [Contacts](#)
- The exact permit required depends on the activity and location, best determined by the applicant using the potential land use list defined in:
 - [Hawai‘i Administrative Rules \(HAR\) Title 13 Chapter 5](#)
- First, determine your Subzone:
 - HAR 13-5 establishes Subzones within the Conservation Districts. The Subzones are as follows:
 - Protective (P)
 - Limited (L)
 - Resource (R)
 - General (G)
 - Special (S)
 - See the following [map link](#) to identify your project’s Subzone
 - The majority of coral outplanting projects within the main Hawaiian islands will be in the (P), (L), or (R) Subzones.
 - Any project in state marine waters will be in Subzone (R) by default, unless specified on the Subzone maps as Protective (P) or Limited (L) Subzone.

- Any land/water uses and their respective permit requirements identified in the (P) and (L) Subzones must be complied with in addition to the requirements of the (R) Subzone.
- Once you have identified your subzone, identify your land use
 - The division has four regulatory classifications for land uses:
 - A - No permit required
 - B - Site Plan Approval (SPA)
 - C or D - Conservation District Use Permit (CDUP)
- **Identified land uses beginning with the letter (A) require no permit from the department or board. OCCL is able to write letters of No Objection for landowners that would like documentation that their project has been reviewed.**
 - Relevant examples from Hawai‘i Administrative Rules (HAR) Title 13 Chapter 5, sections 22-25 include:
 - Basic data collection, research, education, and resource evaluation that is temporary (less than 30 days) and results in *negligible ground disturbance* (small gauges or monitoring devices) and does not involve a land use (e.g., botanical, archaeological, faunal surveys).
 - Minor repair, maintenance, and operation to an existing structure, facility, use, land, and equipment, whether it is nonconforming or permitted, that involves mostly cosmetic work or like-to-like replacement of component parts, and that results in *negligible change to or impact* to land, or a natural and cultural resource.
 - Maintenance dredging not to exceed the dredging limits for the area as previously authorized and dredged.
- **Identified land uses beginning with the letter (B) require a Site Plan Approval (SPA) from OCCL. These generally do not go out for public review, and can be processed in under 30 days. The application fee for Site Plan Approvals is \$50.**
 - [Site Plan Approval application](#)
 - Relevant examples from Hawai‘i Administrative Rules (HAR) Title 13 Chapter 5, sections 22-25 include:
 - Basic data collection, research, education, and resource evaluation that results in *a minor disturbance* to natural resources or land (e.g., corings, excavations, Structure From Motion pins, etc.).
 - Demolition, removal, or minor alteration of existing structures, facilities, land, and equipment. Any historic property shall be evaluated by the department for historical significance.
 - Construction or placement of structures accessory to existing facilities or uses.

- **Identified land uses beginning with the letter (C) are Departmental Permits that require a Conservation District Use Permit (CDUP) approved by the Chair of the department. The application fee for Departmental Permits is \$250. When applicable there are additional fees for public hearing costs (\$250) and publication costs (variable).**
 - [Conservation District Use application for submerged lands](#)
 - Relevant examples from Hawai‘i Administrative Rules (HAR) Title 13 Chapter 5, sections 22-25 include:
 - Basic data collection, research, education, and resource evaluation that involves a land use *causing ground disturbance* from installation of equipment (e.g., meteorological towers, radio towers, or test wells).
 - Moorings and aids to navigation. This requirement is satisfied by obtaining a permit pursuant to chapter 200, Hawai‘i Revised Statutes (HRS).
 - Moderate alteration of existing structures, facilities, uses, and equipment.
 - Sand placement not to exceed 10,000 cubic yards per occasion, with minor sand retention structures, extraction of sand from submerged lands, and transportation or transmission of sand from an offshore extraction site to the replenishment site.

- **Identified land uses beginning with the letter (D) are Board Permits that require a Conservation District Use Permit (CDUP) approved by the Board of Land and Natural Resources. The application fee for Board Permits is equal to 2.5% of the project cost, but no less than \$250, up to a maximum of \$2,500. When applicable there are additional fees for public hearing costs (\$250) and publication costs (variable).**
 - The board is composed of seven members: one from each of the four land districts (O‘ahu, Hawai‘i Island, Maui Nui, Kaua‘i), two at large, and the Chair, who is also the executive head of the Department of Land and Natural Resources.
 - The Board convenes twice monthly (with limited exceptions) to review and take action on submittals from department staff, including land leases and Conservation District Use Applications (CDUAs).
 - Public testimony regarding staff submittals is accepted at the BLNR meeting.
 - Member information and meeting agendas can be found [here](#)
 - Contact:
 - blnr.testimony@hawaii.gov
 - 808-587-0404
 - [Conservation District Use application for submerged lands](#)
 - Relevant examples from Hawai‘i Administrative Rules (HAR) Title 13 Chapter 5, sections 22-25 include:
 - Data collection, research, education, and resource evaluation that involves permanent facilities or structures larger than 500 square feet or a land use causing *significant ground disturbance or impact* to a natural resource.
 - Major alteration of existing structures, facilities, uses, and equipment, or topographical features which are different from the original use or different from what was allowed under the original permit. When county permit(s) are required for the associated plan(s), the department’s approval shall also be required.

- Sand placement in excess of 10,000 cubic yards including structures necessary to retain sand, extraction of sand from submerged lands, and transportation or transmission of sand from an offshore extraction site to the replenishment site.
- Aquaculture under a management plan, approved simultaneously with the permit, is also required.
- Artificial reefs.

State of Hawai‘i Office of Planning and Sustainable Development (OPSD), Environmental Review Program (ERP): HEPA Compliance

- The ERP facilitates Hawai‘i’s environmental review process (commonly known as HEPA), pursuant to Chapter 343, Hawai‘i Revised Statutes (HRS).
 - Needed when using state funds or conducting work on state lands.
 - Exact application depends on the specific activity.
- Exemptions: Agencies may declare minor or routine actions that trigger Hawai‘i environmental review, whether proposed by themselves or by applicants, exempt from the requirement to prepare an environmental assessment. To exempt an action, the agency may either:
 - (1) assert that the specific activity does not have the potential to adversely affect the environment [i.e., be considered “*de minimis*“], or
 - (2) show that it falls within one of the 10 General types of action established in [HAR § 11-200.1-15\(c\)](#) and then obtain the advice of other agencies or individuals with jurisdiction or expertise on the exemption.
 - E.g. minor repairs or alterations, basic data collection, or research without major disturbance to the environment.
 - Coral reef restoration exemption requests are usually made by the Division of Aquatic Resources, having determined such an exemption is appropriate. The following documents must be prepared by DAR and submitted first to the Chair for signature, and then to the BLNR for review at their bimonthly meetings:
 - **Submittal Letter** that presents the activity to the BLNR.
 - **Declaration of Exemption (DE)** environmental compliance document that accompanies the submittal stating an EA/EIS is not required.
 - **Appendices** of supporting documents as needed.
 - For an example submittal, see [DAR’s wetland restoration submittal](#) from 2022.
 - Agencies always have the discretion to choose not to exempt a particular action.
- [ERP homepage](#)
 - [HEPA process flowchart](#)
 - Contact:
 - [Form](#)
 - 808-586-4185
 - dbedt.opsd.erp@hawaii.gov

State of Hawai‘i Office of Planning and Sustainable Development (OPSD), Coastal Zone Management Program (CZM): Federal Consistency Review

- Required if your coastal use or resource activity or development project is:

- Conducted by a federal agency or
- Requiring a federal permit or license or
- Conducted with federal financial assistance.
- [Federal Consistency Review page](#)
 - Includes application forms and instructions
- Submission documents need to be e-signed and then combined into a zip file and emailed as an attachment.
- Timeline: an Initial Assessment will verify all required permits have been procured before CZM proceeds with the Final Assessment. Once completed, a public notice for the CZM review will be published in the state's Environmental Review Program's "The Environmental Notice" that is published on the 8th and 23rd of each month. If any public comments are received, they will be referred to the applicant for response.
- Contact:
 - [Form](#)
 - dbedt.op.czm@hawaii.gov
 - 808-587-2846

United States Army Corps of Engineers (USACE)

- To find out what permits you need based on location and activity, contact USACE Honolulu District:
 - [Website](#)
 - (808) 835-4303
 - CEPOH-RO@usace.army.mil
- State of Hawaii, Department of Health, Clean Water Branch
 - webmail@doh.hawaii.gov
- If the activity requires a Department of Army Permit, verify:
 - Whether that activity is already covered under a Nationwide Permit (NWP).
 - See the DoH's Blanket Section [401 WQC webpage](#)
 - It is best to verify as NWPs change over time and links may be out of date.
 - NWP 27 - Aquatic Habitat Restoration has been used to exempt in-situ coral nursery structures.
 - Under the Blanket WQC, eligible applicants do not need to submit any applications, documents, or reports to the DoH CWB. The general conditions outlined in the Blanket Section 401 WQC shall be incorporated as conditions in the issued federal permit or license.
 - All projects or activities that are not covered by the Blanket Section 401 WQC or cannot comply with the conditions of the Blanket Section 401 WQC and are required to have a Section 401 WQC, must apply for an Individual Section 401 WQC from the CWB.
 - If there are regional conditions.
 - If an individual permit and consultation is needed.

- If you need a Department of the Army (DA) Individual Permit, the USACE coordinates the ESA and EFH consultations that are described in sections below.
 - If there are adverse effects to EFH, then an EFH Assessment will be required by NMFS.
 - If a letter of permission is all that is needed.
 - Letters of permission may be coordinated with state authorities responsible for CWA Section 401 compliance, and thus you would not need to independently get a WQC. However, this is not common practice in the Honolulu District. Usually the WQC has to be requested from DoH CWB.
- If the USACE finds that a permit from them is not needed, but the project requires a federal permit, license, certificate, approval, registration, or statutory exemption, then it is still necessary to check with the State of Hawai‘i DoH CWB to determine if a WQC is required, pursuant to the [Clean Water Act Section 401](#)

Parks and Recreation Consultation

- [Link](#) to verify whether you are in a state or county park
- **State Park:**
 - Requires special use permits.
 - Permits must be submitted no earlier than 1 year prior to the start of the activity and no later than 45 days prior to the start of the activity.
 - [General information](#)
 - [List of contacts](#)
- **County Park**
 - Check relevant county park sites for relevant contacts/permits:
 - [City and county of Honolulu](#)
 - [County of Hawai‘i](#)
 - [County of Maui](#)
 - [County of Kaua‘i](#)

Historic Preservation Review and Compliance

- Pertains if your restoration activity may affect State of Hawai‘i historical or cultural interests. See [site for contact information](#)
- **Federal Compliance: National Historic Preservation Act (Section 106)**
 - If your restoration activity may potentially be affecting historic landscapes, resources, or sites please contact your [state preservation office](#) about a NHPA Section 106 consultation
 - Under Section 106, a historic property is any property that is included in, or eligible for inclusion in (>50 years old), the [National Register of Historic Places](#)
- **State Compliance: Hawai‘i Revised Statutes, Chapter 6E**
 - A project or activity that affects a historic property i.e. any building, structure, object, district, area, or site which is over 50 years old.
 - [Chapter 6E submittal form](#)

Magnuson-Stevens Act-Essential Fish Habitat (EFH) Consultation

- Usually this consultation is conducted for you by the federal funding or permitting agency but if you have any questions, reach out to your [regional essential fish habitat coordinator](#)
- [More information](#)

Endangered Species Act (ESA) Section 7 Consultation

- Note, as of publication there are no ESA-listed coral species in the Main Hawaiian Islands so restoration activities dealing with coral manipulation should not require a Section 7 consultation
- However, restoration activities including structure placement may still impact the critical habitat of other listed species (e.g. sea turtles or monk seals)
 - [List of threatened and endangered species for Hawai'i](#)
- Marine species consultations are through the [NOAA National Marine Fisheries Service Pacific Island Regional Office](#)
 - nmfs.pir.esa.info@noaa.gov
 - 808-725-5140

National Park Service (NPS): Research Permit

- [National Parks in Hawai'i](#)
- [National Park Service permits](#)
- [Application Portal](#)

United States Fish & Wildlife Service: Refuge Special Use Permit

- [Parks and Refuges in Hawai'i](#)
- [USFWS Refuges Special Use Permit](#)

Guam



The Guam Reef Restoration and Intervention Partnership (GRRIP) works on planting corals and maintaining coral nurseries around Guam. *Ashley Hope Castro*

Acronyms:

- DLM** = Department of Land Management
- DOAG** = Department of Agriculture Government of Guam
- DAWR** = DOAG Division of Aquatic & Wildlife Resources
- GCMP** = Guam Coastal Management Program
- BSP** = Bureau of Statistics and Plans
- GEPA** = Guam Environmental Protection Agency

Location	Activity	Permits Required
Jurisdictional Waters	Structure placement	<ul style="list-style-type: none"> ● DOAG DAWR ● GCMP BSP <ul style="list-style-type: none"> ○ In jurisdictional waters only required if undertaken by a federal agency or if federal funding or permitting is involved in any way. ● Guam DLM Seashore Clearance Permit ● ESA Section 7 ● EFH ● USACE ●
	Any restoration work with corals	<ul style="list-style-type: none"> ● DOAG DAWR ● GCMP BSP

		<ul style="list-style-type: none"> ○ In jurisdictional waters only required if undertaken by a federal agency or if federal funding or permitting is involved in any way. ● ESA Section 7 <ul style="list-style-type: none"> ○ If working with ESA-listed coral species ● EFH ● GEPA WQC
Federal Waters	Structure placement	<ul style="list-style-type: none"> ● DOAG DAWR ● GCMP BSP <ul style="list-style-type: none"> ○ In jurisdictional waters only required if undertaken by a federal agency or if federal funding or permitting is involved in any way. ● ESA Section 7 ● EFH ● USACE ● If in a National Wildlife Refuge add a Refuge Special Use Permit. ● If in a National Park add a NPS permit. ● If in DOD waters contact DOD POC.
	Any restoration work with corals	<ul style="list-style-type: none"> ● DOAG DAWR ● GCMP BSP <ul style="list-style-type: none"> ○ In jurisdictional waters only required if undertaken by a federal agency or if federal funding or permitting is involved in any way. ● ESA Section 7 <ul style="list-style-type: none"> ○ If working with listed coral species ● EFH ● GEPA WQC ● If in a National Wildlife Refuge add a Refuge Special Use Permit. ● If in a National Park add a NPS permit. ● If in DOD waters contact DOD POC.
Other considerations:	<ul style="list-style-type: none"> ● Activities may affect a historic site or resource Guam Historic Preservation Review and Compliance 	

Department of Agriculture Government of Guam (DOAG), Division of Aquatic & Wildlife Resources (DAWR): Special Permit for Scientific Collection

- All practitioners should contact DOAG DAWR to confirm whether you need the permit, based on [activity and location](#)
- [Contact](#)
- These are some specific instances a permit is required, including:
 - Work within a marine protected area
 - Scuba diving
 - Protected species
 - Locally protected species
 - Species of greatest conservation need

- Guam State Wildlife Action Plan
 - Federally protected species
 - ESA-Listed Species
 - Federal funding
 - This is not an exhaustive list, contact DOAG DAWR for more information

Guam Coastal Management Program (GCMP), Bureau of Statistics and Plans (BSP): Coastal Zone Management Act Federal Consistency Review

- If a project is authorized, funded, or undertaken by a federal agency and occurs in the coastal zone or impacts coastal uses or resources, then the [federal consistency process is triggered](#)
- [Contact](#)
 - Select the “Contact” tab

Guam Department of Land Management (DLM) Seashore Clearance Permit

- Consultation with the Guam DLM should be conducted to determine if the restoration activity requires review by the [Seashore Protection Commission](#) and a Seashore Clearance Permit.
- [2021 Development Guidebook](#)
- [2019 Guam Seashore Clearance Permit Form](#)

Endangered Species Act (ESA) Section 7 Consultation

- Marine species consultations are through the [NOAA National Marine Fisheries Service Pacific Island Regional Office](#)
 - nmfs.pir.esa.info@noaa.gov
 - 808-725-5140
- [List of protected marine species in Guam](#)

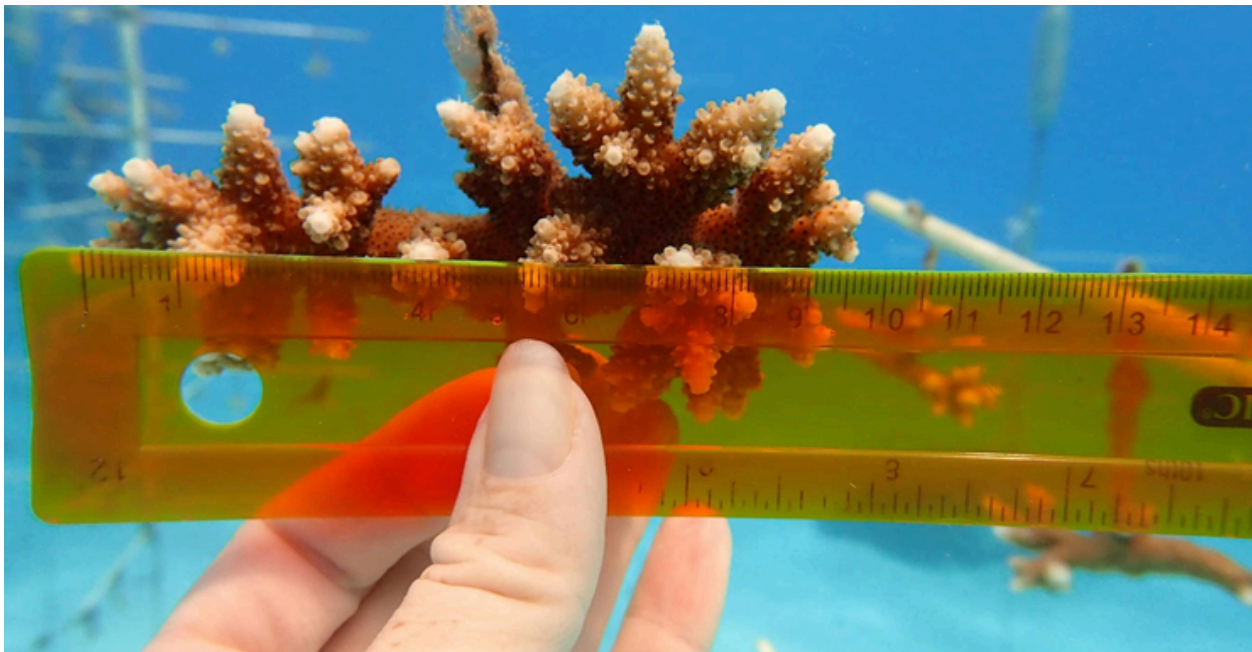
Magnuson-Stevens Act-Essential Fish Habitat (EFH) Consultation

- Usually this consultation is conducted for you by the federal funding or permitting agency but if you have any questions, reach out to your [regional essential fish habitat coordinator](#)
- [More information](#)

United States Army Corps of Engineers (USACE)

- Check with the USACE to see if your activity requires a permit, and if so, whether that activity is already covered under a Nationwide Permit (NWP), or if you will need an Individual Permit and consultation, or if you can simply get a Letter of Permission.
- To find out what permits you need based on location and activity, contact [USACE Honolulu District](#)
 - Honolulu district covers Hawai‘i, Guam, CNMI, and American Samoa subzones
- If your activity is covered under an existing NWP, you may need to independently obtain a Water Quality Certification (WQC) from the Guam Environmental Protection Agency (GEPA).
 - You can contact USACE about whether you need a WQC from the GEPA, or can consult with the [GEPA itself](#)
 - Guam Field Office Contact:
 - (671) 339-2108
 - CEPOH-RO@usace.army.mil

Commonwealth of the Northern Mariana Islands



Coral fragment growth is measured at the Saipan Pilot Coral Nursery. *Johnston Applied Marine Sciences*

Acronyms

DLNR = Department of Land and Natural Resources

DFW = Division of Fish and Wildlife (dfwcnmi.com)

BECQ = Bureau of Environmental and Coastal Quality

DCRM = Division of Coastal Resources Management

APC = Area of Particular Concern

DEQ = Division of Environmental Quality

Location	Activity	Permits Required
Jurisdictional Waters	Structure placement	<ul style="list-style-type: none"> • Submerged Lands Use Permit/Lease • Federal Consistency Review • APC • ESA Section 7 • EFH • CWA • USACE
	Any restoration work with corals	<ul style="list-style-type: none"> • Submerged Lands Use Permit/Lease • Federal Consistency Review • APC • ESA Section 7

		<ul style="list-style-type: none"> ○ If working with ESA-listed coral species ● EFH ● CWA
Federal Waters	Structure placement	<ul style="list-style-type: none"> ● Federal Consistency Review ● APC ● ESA Section 7 ● EFH ● CWA ● USACE
	Any restoration work with corals	<ul style="list-style-type: none"> ● Federal Consistency Review ● APC ● ESA Section 7 <ul style="list-style-type: none"> ○ If working with listed coral species ● EFH ● CWA ● USACE
Other considerations:	<ul style="list-style-type: none"> ● Activities may affect a historic site or resource Section 106 HPO 	

Submerged Lands Use Permit or Lease (DLNR or Legislature)

- Prerequisite: HRS 343 compliance

Scientific & Collection Permit (DLNR/DFW)

- [Permit](#)
- [Contact](#)

Federal Consistency Review (BECQ DCRM)

- Federal regulations specify activities subject to DCRM review for consistency with the [CNMI Coastal Management Program](#).
- They are grouped into three major categories, as follows:
 - Federal Agency Activities (15 C.F.R. Part 930, Subpart C)
 - Activities Requiring a Federal License or Permit (15 C.F.R. Part 930, Subpart D)
 - Federal Assistance to Local Governments (15 C.F.R. Part 930, Subpart F)
 - [Federal Consistency Procedure Guide](#)
- Applicants are encouraged to consult with DCRM, materials and inquiries may be directed to:
 - Bureau of Environmental and Coastal Quality Division of Coastal Resources Management
 - 670-664-8300
 - FedCon@dcrm.gov.mp

Area of Particular Concern (APC) Permit, (BECQ DCRM)

- If the project occurs in an APC, special permits are required, APCs include:
 - Shoreline APC – The area between the high tide line and 150 feet inland.
 - Lagoon and Reef APC – The area extending seaward from the high tide line to the outer slope of the reef.
 - Wetlands and Mangrove APC – Those areas which are permanently or periodically covered with water and where species of wetland or mangrove vegetation can be found.
 - Port and Industrial APC – Those land and water areas surrounding the commercial ports of Saipan, Tinian, and Rota.
 - Coastal Hazards APC – Those areas identified as a coastal flood hazard zones (V&VE) in the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs).
 - [More information](#)
- The initial form can be found here: [APC Permit Application](#) and
 - Base permit and appendix forms can be found [here](#):
 - Lagoon & Reef (Appendix I),
 - Marine Sports Application Forms (Appendix II) & Checklist
 - Wetlands & Mangroves (Appendix III)
 - Shorelines (Appendix IV)
 - Ports & Industrial (Appendix V)
 - Coastal Hazards (Appendix VI)
- Contacts: [website](#) or Permitting@dcrm.gov.mp

Historic Preservation Review and Compliance

- The CNMI Historic Preservation Office is mandated to implement the intent of the Commonwealth Historic Preservation Act of 1982 and carry out the responsibilities and adhere to standards set forth for State Historic Preservation Officers by the United States National Historic Preservation Act of 1966 to promote the preservation of the historic and cultural heritage of the Northern Mariana Islands and to prohibit the taking of historic properties and artifacts from the Northern Mariana Islands.
- [Contact](#)

ESA Section 7 Consultation

- Marine species consultations are through the [NOAA National Marine Fisheries Service Pacific Island Regional Office](#)
 - nmfs.pir.esa.info@noaa.gov
 - 808-725-5140
- [List of protected species in the CNMI](#)

Magnuson-Stevens Act-Essential Fish Habitat (EFH) Consultation

- Usually this consultation is conducted for you by the federal funding or permitting agency but if you have any questions, reach out to your [regional essential fish habitat coordinator](#)
- [More information](#)

CWA Section 401 (US EPA / BECQ DEQ Water Quality)

- [Water Quality Application form](#)

United States Army Corps of Engineers (USACE)

- Check with the USACE to see if your activity requires a permit, and if so, whether that activity is already covered under a Nationwide Permit (NWP), or if you will need an Individual Permit and consultation, or if you can simply get a Letter of Permission.
- To find out what permits you need based on location and activity, contact [USACE Honolulu District](#):
 - Honolulu district covers Hawai'i, Guam, CNMI, and American Samoa subzones
 - Contact:
 - (808) 835-4303
 - CEPOH-RO@usace.army.mil

American Samoa



Diver injects a crown-of-thorns starfish with ox bile. *The National Park of American Samoa*

Acronyms

AS = American Samoa

AS DMWR = American Samoa Department of Marine and Wildlife Resources

ASHPO = American Samoa Historic Preservation Office

FCC = Federal Consistency Certification

NMSAS = National Marine Sanctuary of American Samoa

Location	Activity	Permits Required
Jurisdictional Waters	Structure placement	<ul style="list-style-type: none"> ● AS DMWR ● Land Use Permit ● Section 401 CWA ● USACE ● ESA Section 7 ● EFH
	Any restoration work with corals	<ul style="list-style-type: none"> ● AS DMWR ● Land Use Permit ● ESA Section 7 <ul style="list-style-type: none"> ○ If working with ESA-listed coral species

		<ul style="list-style-type: none"> ● EFH
Federal Waters	Structure placement	<ul style="list-style-type: none"> ● USACE ● ESA Section 7 ● EFH ● To conduct work in Rose Atoll a National Wildlife Refuge permit is needed ● To conduct work in the American Samoa National Park a NPS permit is needed ● To conduct work in the American Samoa National Marine Sanctuary permits are needed
	Any restoration work with corals	<ul style="list-style-type: none"> ● USACE ● ESA Section 7 <ul style="list-style-type: none"> ○ If working with listed coral species ● EFH ● To conduct work in Rose Atoll a National Wildlife Refuge permit is needed ● To conduct work in the American Samoa National Park a NPS permit is needed ● To conduct work in the American Samoa National Marine Sanctuary permits are needed
Other considerations:	<ul style="list-style-type: none"> ● Activities may affect a historic site or resource conduct a NHPA Section 106 Consultation 	

American Samoa Department of Marine and Wildlife Resources (AS DMWR) Permit

- To obtain this permit, contact the Department of Marine and Wildlife Resources.
 - 684-633-4456
 - Visit their [Facebook Page](#)
 - Visit their [website](#)
 - Visit American Samoa Government [website](#)

Land-Use Permit with Federal Consistency Certification (FCC)

- This permit is part of Section 307 of the Coastal Zone Management Act (CZMA).
- Activity under this permit must comply with American Samoa's Coastal Management Act.
- In order to apply for federal approval:
 - Fill out forms provided by the American Samoa Coastal Management Program
 - Circulate to the public a summary of the proposal and a request for public comments within 30 days of the publication.
- You may apply for Land-Use Permits and the FCC at the same time.
- [Land Use Permit](#)
- For more information contact:
 - American Samoa Department of Commerce [website](#)
 - 684-633-5155
 - info@doc.as

Section 401—EPA Clean Water Act Water Quality Standard Regulations

- Overview of regulations and requirements for obtaining a Section 401 Certification [here](#)
- Water Quality Standard Regulations in American Samoa [here](#)
- Webinars and tutorials on applying for these certifications [here](#)
- [Application](#) for CWA Section 401 Water Quality Certification
- Example of an approved Certification from American Samoa [here](#)
- For more information, go to the [American Samoa Environmental Protection Agency site](#):

US Army Corps of Engineers (USACE)

- Check with the USACE to see if your activity requires a permit, and if so, whether that activity is already covered under a Nationwide Permit (NWP), or if you will need an Individual Permit and consultation, or if you can simply get a Letter of Permission.
- To find out what permits you need based on location and activity, contact [USACE Honolulu District](#):
 - Honolulu district covers Hawai‘i, Guam, CNMI, and American Samoa subzones
 - Contact:
 - (808) 835-4303
 - CEPOH-RO@usace.army.mil

Endangered Species Act Section 7

- Marine species consultations are through the [NOAA National Marine Fisheries Service Pacific Island Regional Office](#):
 - nmfs.pir.esa.info@noaa.gov
 - 808-725-5140
- [Listed coral species in American Samoa](#)

Magnuson-Stevens Act-Essential Fish Habitat (EFH) Consultation

- Usually this consultation is conducted for you by the federal funding or permitting agency but if you have any questions, reach out to your [regional essential fish habitat coordinator](#)
- [More information](#)

United States Fish & Wildlife Service: Refuge Special Use Permit

- If you want to perform or undertake development in an area designated as a National Wildlife Refuge, which in American Samoa only includes **Rose Atoll**, the US Fish & Wildlife Service requires that you also obtain a Refuges Special Use Permit.
- Website: [Apply for a Special Use Permit on National Wildlife Refuges](#)
- More information on Rose Atoll:
 - [Website](#)
 - [Contact](#)

National Parks Service Research Permit

- The NPS uses the RPRS to administer scientific studies and collecting activities.
- There are three documents that you need:

- An application
- Permit
- Investigator's Annual Report
- You need a log-in to the Research Permit and Reporting System (RPRS). You can register [here](#).
- More information on the National Park of American Samoa [website](#)
 - 684-633-7082, ext. 22

National Marine Sanctuary of American Samoa Permits

- For more information on the Sanctuary, visit their [website](#)
- [Contact](#)

National Historic Preservation Act (NHPA) Section 106 Consultation

- If your restoration activity may potentially be affecting historic landscapes, resources, or sites please contact the [territory's preservation office](#) about a NHPA Section 106 consultation

Appendix: Major Relevant Federal Legislation

- Clean Water Act of 1977
 - [Statute](#)
 - [Statutory Authorities for USACE](#)
- Coastal Zone Management Act of 1972
 - [Statute](#)
 - [NOAA Summary](#)
- Endangered Species Act of 1973
 - [Statute](#)
 - [NOAA-NMFS Summary](#)
- Fish and Wildlife Coordination Act of 1934
 - [Statute](#)
- Magnuson-Stevens Fishery Conservation Management Act of 1976
 - [Statute](#)
 - [NOAA Summary](#)
- National Environmental Policy Act of 1970
 - [Statute](#)
 - [NOAA Summary and Companion Manual](#)
- National Marine Sanctuaries Act of 1972
 - [Statute](#)
 - [NOAA Summary](#)
- National Park Service Organic Act of 1916
 - [Statute](#)
 - [NPS Laws, Policies, and Regulations](#)
- Rivers and Harbors Act of 1899
 - [Statute](#)
 - [Statutory Authorities for USACE](#)