

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

May 23, 2014

Board of Land  
and Natural Resources  
Honolulu, Hawaii

Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Native Hawaiian Practices Permit to Ms. Bonnie Kahape‘a-Tanner, Māna Maoli / Kānehūnāmoku Voyaging Academy, for Access to State Waters to Practice Traditional Wayfinding and Seamanship Activities

The Division of Aquatic Resources (DAR) hereby submits a request for your authorization and approval for issuance of a Papahānaumokuākea Marine National Monument Native Hawaiian practices permit to Ms. Bonnie Kahape‘a-Tanner, Program Director, Māna Maoli / Kānehūnāmoku Voyaging Academy, pursuant to § 187A-6, Hawaii Revised Statutes (HRS), chapter 13-60.5, Hawaii Administrative Rules (HAR), and all other applicable laws and regulations.

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

- Nihoa Island
- Necker Island (Mokumanamana)

The activities covered under this permit would occur between June 1, 2014 and May 31, 2015.

The applicant is new and the proposed activities are largely a renewal of work previously permitted and conducted in the Monument.

INTENDED ACTIVITIES

The applicant proposes to conduct traditional Native Hawaiian wayfinding and voyaging, develop and strengthen seamanship skills, and nurture a sense of stewardship and responsibility (kuleana) in young Native Hawaiian mariners participating in the “Ola i ke au a Kanaloa” voyaging program with the Māna Maoli / Kānehūnāmoku Voyaging Academy. This would be the first access to the Monument by Native Hawaiian youth, enrolled in Hālau Holomoana training program. Students enrolled in Hālau Holomoana

have an interest in learning more about Native Hawaiian voyaging practices and traditions and want to be exposed to career opportunities in the maritime industry. This activity would weave together traditional navigation skills, Hawaiian protocol and ceremony, professional maritime skills, and leadership development.

This applicant and up to twenty-four (24) individuals would voyage to Necker Island (Mokumanamana) and Nihoa Island on the SSV MAKANI OLU from June 20 to 29, 2014. The focus of the voyage would be to develop a sense of responsibility to community and cultural practices by weaving together traditional wayfinding, cultural protocol, and ceremonial practices with maritime seamanship skills. Activities within the Monument include would also include circumnavigating both islands and snorkeling or swimming, to encourage a sense of stewardship in participants. Fishing would be conducted by trolling with a monofilament handline dragging 100 ft behind the vessel. Ho'okupu would be offered in the form of liquid 'awa into the ocean.

The activities proposed by the applicant directly support the Monument Management Plan's priority management need under 3.1 – Understanding and Interpreting the NWHI, 3.1.2 - Native Hawaiian Culture and History Action Plan (NHCH), Activities NHCH-2.2: Support Native Hawaiian cultural research needs and NHCH-2.6: Continue to facilitate Native Hawaiian cultural access. Both Activities encourage partnerships and the facilitation of research and educational opportunities with Native Hawaiian organizations. The later of the two Activities also encourages “regular access for Polynesian voyaging canoes for wayfinding, navigational, and cultural protocol training” (PMNM MMP Vol 1, p. 135-6).

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

- Removing, moving, taking, harvesting, possessing, injuring, disturbing, or damaging any living or nonliving monument resource
- Anchoring a vessel
- Discharging or depositing any material or matter into the Monument
- Possessing fishing gear except when stowed and not available for immediate use during passage without interruption through the Monument
- Subsistence fishing (State waters only)
- Swimming, snorkeling, or closed or open circuit SCUBA diving within any Special Preservation Area or Midway Atoll Special Management Area

#### REVIEW PROCESS:

The permit application was sent out for review and comment to the following scientific and cultural entities: Hawaii Division of Aquatic Resources, Papahānaumokuākea Marine National Monument (NOAA/NOS), NOAA Pacific Islands Regional Office (NOAA-PIRO), United States Fish and Wildlife Service Pacific Islands NW Refuge Complex Office, and the Office of Hawaiian Affairs (OHA). In addition, the permit application was posted on the Monument Web site on March 17, 2014, giving the public an

opportunity to comment. The application was posted within 40 days of its receipt, in accordance with the Monument's Public Notification Policy.

**Comments received from the scientific community are summarized as follows:**

Scientific reviews support the acceptance of this application.

The following concerns were raised. Applicant responses are noted below.

- 1. Will space aboard the vessel be provided to accommodate a Monument resource monitor, if requested?**

*The applicant responds that yes, they will make every effort to accommodate a monument resource monitor, if requested. Please note that the sail plan does not include any stops for 10 days, except for our request to go ashore on Kaho'olawe near the end of the voyage. The ships capacity is 25 persons and they are very close to full capacity with professional ship's crew, students, program staff, cultural leaders, and navigator. All persons aboard will be required to stand watch and are asked to participate in Hawaiian protocol practices or at least respect the activities as they occur.*

- 2. In section 5b, why is "Removing, moving, taking, harvesting, possessing, injuring, disturbing, or damaging any living or nonliving Monument resource" selected as an activity? Is this referring to their fishing activities? Those boxes are already checked on the list.**

*The applicant states that yes, it is referring to their fishing activities. They do not intend to harm or remove any living or nonliving monument resources.*

- 3. No decision as to whether or not federally protected species will be filmed/photographed. Will they be photographing said species?**

*The applicant states that they will not be targeting any federally protected species to be filmed or photographed. Only opportunistic video and photography.*

- 4. What kinds of "pre-voyage training in monument management from the perspective of co-trustees and Native Hawaiian cultural practitioners" will they receive? Who will be providing said training opportunities?**

*The applicant states that the leaders that carry the kuleana of pre-voyage cultural trainings are cultural practitioner and long-time waa crew member Kealii Bertelmann as well as cultural practitioner and apprentice Navigator Pualani Lincoln Maielua. Students will also be briefed by PMNM OHA Coordinator Brad Wong and Native Community Coordinator Keoni Kuoha.*

- 5. Who are the known Hawaiian cultural authorities on Kanaloa that will be consulting?**

*The applicant names Pualani Kanahale, Kalei Nuuhiwa & Huihui Mossmon.*

- 6. Is there a “max take” number for the fishing that they’ll be doing in the Monument? If not, why? And how do the proposed fishing opportunities directly support the implementation of this project under a PMNM permit?**

*The applicant explains that from a cultural standpoint to fully absorb the mana of a wahi pana (or storied place) is to also ingest the momona or bounty of the ‘āina or kai, in this example i‘a being the momona of the PMNM. This request seeks to fully immerse their students in a transformative experience that will last for generations. They currently do not have a “max take” number for fishing as they consider any fish caught to be a gift from Kanaloa. If fish are caught and they reach the amount they can consume while in monument waters, lines will be brought aboard and fishing will stop.*

- 7. After choosing an anchoring location that is in a suitable sandy location well away from any coral substrate, a member of the crew of the sailing vessel should check the anchor to make sure that it is secure and will hold the vessel for the duration of the visit.**

*The applicant states, noted*

- 8. Crew and students that will be swimming and snorkeling should review the protocols for such activity and instructed not to touch or stand on coral or other sensitive benthic habitats.**

*The applicant states, noted*

- 9. We recognize the benefit of this program for the development of future leaders and Hawaiians in all ocean related careers. We appreciate the effort that Mana Maoli is taking to honor the importance of Mokumanamana by conducting cultural protocols during Ke Ala Polohiwa a Kāne, the summer solstice, and to honor Kanaloa by connecting Mokumanamana and Kaho‘olawe, two significant navigational landmarks. We support this application and hopefully many more of this type of access in the future.**

*The applicant states, mahalo*

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

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

**Comments received from the public are summarized as follows:**

No comments were received from the public on this application.

**Additional reviews and permit history:**

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

If so, please list or explain:

- The proposed activities are in compliance with the National Environmental Policy Act.
- The proposed activities are in compliance with the National Historic Preservation Act.
- A request to the National Marine Fisheries Service (NMFS) for a Section 7 informal consultation pursuant to the Endangered Species Act of 1973 is underway to analyze the effects of conducting cultural observations and protocol and fishing activities at Nihoa and Mokumanamana on protected species and monk seal designated critical habitat. The outcome of this consultation may require the applicant to adhere to other NMFS-prescribed conditions. Such conditions would be reflected in the PMNM permit, prior to issuance.
- The Department has made an exemption determination for this permit in accordance chapter 343, HRS, and Chapter 11-200, HAR. See Attachment (“DECLARATION OF EXEMPTION FROM THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT UNDER THE AUTHORITY OF CHAPTER 343, HRS AND CHAPTER 11-200 HAR, FOR PAPAHAUNAUMOKUĀKEA MARINE NATIONAL MONUMENT NATIVE HAWAIIAN PRACTICES PERMIT TO MS. BONNIE KAHAPE‘A-TANNER, MĀNA MAOLI / KĀNEHŪNĀMOKU VOYAGING ACADEMY, FOR ACCESS TO STATE WATERS TO PRACTICE TRADITIONAL WAYFINDING AND SEAMANSHIP ACTIVITIES UNDER PERMIT PMNM-2014-013.”)

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

If so, please summarize past permits:

- Monument permits have been issued for similar activities to Nainoa Thompson in 2009 and 2013, PMNM-2009-039 and PMNM-2013-021, respectively.

Have there been any a) violations:      Yes       No

b) Late/incomplete post-activity reports:      Yes       No

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

STAFF OPINION

DAR staff is of the opinion that Applicant has properly demonstrated valid justifications for his application and should be allowed to enter the NWHI State waters and to conduct the activities therein as specified in the application with certain special instructions and conditions, which are in addition to the Papahānaumokuākea Marine National Monument Native Hawaiian Practices Permit General Conditions. All suggested special conditions have been vetted through the legal counsel of the Co-Trustee agencies (see Recommendation section).

#### MONUMENT MANAGEMENT BOARD OPINION

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

#### RECOMMENDATION

That the Board authorize and approve a Native Hawaiian Practices Permit to Ms. Bonnie Kahape'a-Tanner, Māna Maoli / Kānehūnāmoku Voyaging Academy, with the following special conditions:

1. This permit is not to be used for nor does it authorize the sale of collected organisms. Under this permit, the authorized research activities must be for noncommercial purposes not involving the use or sale of any organism, by-products, or materials collected within the Monument for obtaining patent or intellectual property rights.
2. The permittee may not convey, transfer, or distribute, in any fashion (including, but not limited to, selling, trading, giving, or loaning) any coral, live rock, or organism collected under this permit without the express written permission of the Co-Trustees.
3. To prevent introduction of disease or the unintended transport of live organisms, the permittee must comply with the disease and transport protocol attached to this permit.
4. Tenders and small vessels must be equipped with engines that meet EPA emissions requirements.
5. Refueling of tenders and all small vessels must be done at the support ships and outside the confines of lagoons or near-shore waters in the State Marine Refuge.

6. No fishing is allowed in State Waters except as authorized under State law for subsistence, traditional and customary practices by Native Hawaiians.

Respectfully submitted,



Frazer McGilvray  
Administrator

APPROVED FOR SUBMITTAL



William Aila Jr.  
Chairperson

**Papahānaumokuākea Marine National Monument**  
NATIVE HAWAIIAN PRACTICES Permit Application

***NOTE: This Permit Application (and associated Instructions) are to propose activities to be conducted in the Papahānaumokuākea Marine National Monument. The Co-Trustees are required to determine that issuing the requested permit is compatible with the findings of Presidential Proclamation 8031. Within this Application, provide all information that you believe will assist the Co-Trustees in determining how your proposed activities are compatible with the conservation and management of the natural, historic, and cultural resources of the Papahānaumokuākea Marine National Monument (Monument).***

**ADDITIONAL IMPORTANT INFORMATION:**

- Any or all of the information within this application may be posted to the Monument website informing the public on projects proposed to occur in the Monument.
- In addition to the permit application, the Applicant must either download the Monument Compliance Information Sheet from the Monument website OR request a hard copy from the Monument Permit Coordinator (contact information below). The Monument Compliance Information Sheet must be submitted to the Monument Permit Coordinator after initial application consultation.
- Issuance of a Monument permit is dependent upon the completion and review of the application and Compliance Information Sheet.

**INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED**

Send Permit Applications to:

Papahānaumokuākea Marine National Monument Permit Coordinator

6600 Kalaniana'ole Hwy. # 300

Honolulu, HI 96825

nwhipermit@noaa.gov

PHONE: (808) 397-2660 FAX: (808) 397-2662

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

## **Papahānaumokuākea Marine National Monument Permit Application Cover Sheet**

This Permit Application Cover Sheet is intended to provide summary information and status to the public on permit applications for activities proposed to be conducted in the Papahānaumokuākea Marine National Monument. While a permit application has been received, it has not been fully reviewed nor approved by the Monument Management Board to date. The Monument permit process also ensures that all environmental reviews are conducted prior to the issuance of a Monument permit.

### **Summary Information**

**Applicant Name:** Bonnie Kahapea-Tanner

**Affiliation:** Māna Maoli/Kānehūnāmoku Voyaging Academy

**Permit Category:** Native Hawaiian Practices

**Proposed Activity Dates:** 6/20-6/29, 2014

**Proposed Method of Entry (Vessel/Plane):** Vessel SSV Makani Olu

**Proposed Locations:** Mokumanamana and Nihoa

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

Twenty five (25) individuals are to be covered under this permit.

**Estimated number of days in the Monument:** 10

**Description of proposed activities:** (complete these sentences):

a.) The proposed activity would...

be an essential component of Hālau Holomoana, a 30 day Native Hawaiian culture/waa based maritime vocational program. The "Ola i ke au a Kanaloa" voyage will give a unique deep sea and culturally rich opportunity to 15 high school juniors & seniors and 10 professional ships crew, instructional kumu, and cultural practitioners.. The voyage will focus on developing a deep sense of responsibility to community and cultural practices by weaving the together traditional wayfinding, cultural protocol and ceremonial practices, and maritime seamanship skills.

Papahanaumokuakea is a special place where our kupuna knowledge is ever present in this remote and rugged environment. Mokumanamana is extremely important to traditional navigation as it lies on the Ala Polohiwa a Kane, or the Tropic of Cancer. This voyage will be important to further the understanding of Kanaloa cultural practices and the relationship of Mokumanamana to traditional navigation.

b.) To accomplish this activity we would ....

Preparation for this voyage is already underway. The ship Makani Olu has been secured. Students and staff are preparing by memorizing Kanaloa protocols and engaging in discussions and research. We are also working with cultural experts in traditional navigation and cultural protocols and ceremony. Current sail plan is to leave from Kaneohe Bay, site Kauai and Niihau, and continue on to Mokumanamana. Once at Mokumanamana, we will circumnavigate the island and anchor overnight, if time permits. On the return to the main Hawaiian islands, we will site Nihoa and if timing allows we will circumnavigate and anchor overnight. Once back in the main Hawaiian Islands, we are planning to go to Kanaloa-Kahoolawe to complete the protocols to Kanaloa. This will reestablish a cultural connection between PMNM and the MHI via two significant navigational sites in one single voyage.

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

supporting the Presidential Proclamation 8031 objective to facilitate cultural field research and cultural education opportunities. This will be the first access to PMNM by native Hawaiian youth. These youth enrolled in our Halau Holomoana training program because they have an interest in learning more about native Hawaiian voyaging practices and traditions as well as being exposed to the career opportunities in the maritime industry. This activity will be part of their culminating experience and will weave traditional navigation skills, Hawaiian protocol & ceremony, professional maritime skills, and leadership development.

**Other information or background:**

Vessel Name: SSV Makani Olu  
Vessel Owner: Marimed Foundation  
Captains Name: Emma Millet  
IMO#: DLZ065030497  
Vessel ID#: 1113517  
Flag: USA  
Vessel Type: three-masted tall ship staysail schooner  
Call sign: WDA6945  
Embarkation port: Kāneʻohe Bay  
Length: 96'  
Gross tonnage: 68  
Total number of fuel tanks on ship: 2  
Fuel tank capacity: 421g (842 total)  
Marine Sanitation Device: Lavac Head  
sewage capacity: 453g

## **Section A - Applicant Information**

### **1. Applicant**

Name (last, first, middle initial): Kahapea-Tanner, Bonnie

Title: Program Director

**1a. Intended field Principal Investigator (See instructions for more information):**  
Bonnie Kahapea-Tanner

**2. Mailing address (street/P.O. box, city, state, country, zip):** [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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

**3. Affiliation (institution/agency/organization directly related to the proposed project):**  
Māna Maoli/ Kānehūnāmoku Voyaging Academy - Project Lead  
Office of Hawaiian Affairs - Project Funder

**4. Additional persons to be covered by permit. List all personnel roles and names (if known at time of application) here (e.g. John Doe, Diver):**

Emma Millet - Captain  
Kalei Velasco - First Mate  
Bonnie Kahapea-Tanner - Project Director  
Pualani Lincoln-Maielua - Navigator  
Kealii Bertelman - Spiritual Officer  
Jessica Kamaka'āina Seipp - Program Coordinator  
Ruben Carrillo - Documentor

Brittany Keikilani Adversalo-Clarke - student  
Duke Quitevis - student  
Eduardo Kino - student  
Gyle Kamakea McGurn - student  
Hinaikawaihiileinanikeala Keala - student  
Jethro Corbett Ross - student  
Jordan Kamea'i'omakamae Vargas - student  
Josiah Kawaiola Lincoln - student  
Kalāhikiola Hind-Boyd - student  
Keahi Lokelani Lopes - student  
Luka Naniki'olauokeolamamo Nae'ole - student  
Malanai Nellie Kane Kuahiwinui - student  
Shyleen Keikilani Kipapa Hussey - student  
Tehani Mahinaho'ola'iikeaaloha Louis-Perkins - student  
Tyler Kaimana Gomes - student

**Section B: Project Information**

**5a. Project location(s):**

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

**Ocean Based**

Remaining ashore on any island or atoll (with the exception of Midway & Kure Atolls and Field Camp staff on other islands/atolls) between sunset and sunrise.

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

Location Description:

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

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

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

Ola i ke au a Kanaloa: The purpose of the proposed activity is to connect native Hawaiian youth to the PMNM, specifically Mokumanamana, by making a purposeful voyage to honor and pay tribute to Kanaloa, to practice and test traditional wayfinding skills, to develop and strengthen seamanship skills, and to nurture a sense of stewardship and kuleana in young native Hawaiian mariners.

\*Considering the purpose of the proposed activities, do you intend to film / photograph federally protected species? Yes  No

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

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

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

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

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

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

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

The Findings are as follows:

a. How can the activity be conducted with adequate safeguards for the cultural, natural and historic resources and ecological integrity of the Monument?

Kānehūnāmoku is the foundation of our program, it is a 29 ft. double hulled coastal sailing canoe that has been a vibrant living classroom for students of all ages for the past 12 years. Our Captain Bonnie Kahapea-Tanner has been working in education for almost 20 years and sailing for longer as a crew member on the deep sea Polynesian sailing canoe, Makalii.

MM-KVA is already planning and preparing for this cultural voyage to Mokumanamana. Our spiritual and cultural focus will be to Kanaloa. Our team is researching and preparing our protocol and ceremony and will be consulting with known authorities in the Hawaiian community. Having full understanding of the fragility of this unique ecosystem, we will not be requesting to go to shore. All protocols and ceremony will be conducted from the ship. We hope that this will instill a higher consciousness in the youth and demonstrate that one can connect emotionally, spiritually, and culturally at a distance.

The SSV Makani Olu has been to PMNM several times with no incident. Its discharge system has a holding capacity and will not discharge its wastewater tanks while in the Monument. Students, faculty, and crew members proposed in this permit application will receive pre-voyage training in monument management from the perspective of co-trustees and Native Hawaiian cultural practitioners. This training will be reinforced through direct experience throughout the voyage and within the Monument waters.

b. How will the activity be conducted in a manner compatible with the management direction of this proclamation, considering the extent to which the conduct of the activity may diminish or enhance Monument cultural, natural and historic resources, qualities, and ecological integrity, any indirect, secondary, or cumulative effects of the activity, and the duration of such effects?

The Monument Proclamation highlights the cultural significance of Papahānaumokuākea to Native Hawaiians, and the Proclamation itself authorizes access to the area via Native Hawaiian Practices Permits. The proposed activities are compatible with the management direction of the Proclamation and the Monument Management Plan, which has prioritized the support of regular access for cultural field research and cultural education opportunities.

As previously stated, the activities proposed herein do not impact the environment in any way. All activities will be conducted in accordance with the Monuments BMPs. For safety purposes, SSV Makani Olu will carry communications and first-aid equipment on board. This vessel will meet the strict requirements of this permitting process.

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

There is no practicable alternative to conducting the activity outside of the monument. As stated previously in this permit application, PMNM and specifically Mokumanamana are unique cultural resources that provide a glimpse into our history as navigators and seaman. The main Hawaiian islands are too close in proximity to each other to provide a true deep sea voyaging experience. In addition the connecting of Mokumanamana to Kanaloa-Kahoolawe via this voyage can only be accomplished by actually making a voyage to these places in one single trip. In addition, the unique position of Mokumanamana on the tropic of cancer during the summer solstice also provides a time of heightened sensitivity to the celestial sphere and the intimate relationship the informed mariner has to these movements.

This activity would help the monument by providing this opportunity to native Hawaiian youth, a group that has not been represented formally in the monument in the past. The activity allows these young leaders to engage culturally and spiritually with these kupuna islands through ceremony and chant and also through purposeful voyaging and the practice of non instrument navigation. This experience would further instill in them the importance of the natural and cultural resources in PMNM and as future mariners,

this experience will guide them as the next generation of Hawaiian leaders and maritime practitioners.

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

No adverse impacts are anticipated as a result of the proposed activities. There will be no physical impacts on the aina as we are not requesting to land on Mokumanamana or Nihoa.

The entire Halau Holomoana program will make a deep impression on these students and their views of the ocean and meaningful employment with it. The lessons in marine conservation, cultural preservation and exposure to the maritime industry will be a living part of their experience which they will take forward as they work to meet the challenges of the future as native Hawaiians.

The proposed activities also provide beneficial impacts to Papahānaumokuākea by highlighting the area as a special and important place for the perpetuation of specialized Native Hawaiian cultural and spiritual practices which is bridged with meaningful employment and post-secondary education in marine related fields.

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

The time requested is the amount of time needed for participants to gain insight into the cultural, spiritual and ecological value of Mokumanamana and to establish a personal connection. Ceremony and protocols will be conducted during the time in the waters surrounding Mokumanamana. We only have 10 days to complete the sail from Kaneohe bay-Mokumanamana-Nihoa-Kanaloa/Kaho'olawe and back to Kaneohe Bay.

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

The ship will be manned by a professional maritime crew and will do all in their expertise and training to ensure safe passage and navigation in PMNM.

Cultural protocols and ceremony will be well researched and prepared. Kealii Bertelmann will be the alakai (leader) for all cultural and spiritual protocols, in consultation with known Hawaiian authorities.

Traditional navigation will be practiced under the guidance of Pwo navigators Shorty Bertelmann and Chadd Paishon.

g. Provide information demonstrating that you have adequate financial resources available to conduct and complete the activity and mitigate any potential impacts resulting from its conduct.

The applicant has secured financial resources necessary through grants and private donor funding to secure the vessel SSV Makani Olu for the duration of the trip.

h. Explain how your methods and procedures are appropriate to achieve the proposed activity's goals in relation to their impacts to Monument cultural, natural and historic resources, qualities, and ecological integrity.

The methods and procedures of this permit are designed to have minimal impact on the Monument's natural and historic resources and ecological integrity while enhancing and promoting the Monuments unique cultural qualities and resources. By providing the opportunity for these students to connect with our kupuna islands, they gain a deeper understanding of their home and support opportunities for creating meaningful work on the ocean.

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

The Makani Olu is working with NOAA representatives and will be outfitted with a mobile transceiver unit approved by OLE and in compliance with the requirements of Presidential Proclamation 8031.

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

None.

#### ADDITIONAL FINDINGS FOR PROPOSED NATIVE HAWAIIAN PRACTICES

k. Explain how the activity is non-commercial and will not involve the sale of any organism or material collected.

This is an educational opportunity and a non-commercial venture, it will not involve the sale of any organism or material collected.

l. Explain how the purpose and intent of the activity is appropriate and deemed necessary by traditional standards in the Native Hawaiian culture (pono), and demonstrate an understanding of, and background in, the traditional practice and its associated values and protocols.

The purpose of this activity is to perpetuate the art of wayfinding and non-instrumental navigation, under the direction of highly trained and skilled Pwo navigators Shorty

Bertelman and Chadd Onohi Paishon. This activity will also focus the cultural and historical significance of Mokumanamana to our wayfinding and voyaging practices as well as the focus on Kanaloa and the development of cultural protocols and ceremony to link Mokumanamana and Kanaloa/Kahoolawe as two significant land site for the study of traditional navigation practices.

m. Explain how the activity benefits the resources of the Northwestern Hawaiian Islands and the Native Hawaiian community.

This program benefits both the resources of PMNM and the Native Hawaiian community by giving the opportunity to 15 young and intelligent native Hawaiians to interact with this special place with clear purpose and function. These youth will then be empowered by this experience as they become the leaders and future managers of Hawaii's precious resources.

n. Explain how the activity supports or advances the perpetuation of traditional knowledge and ancestral connections of Native Hawaiians to the Northwestern Hawaiian Islands.

This activity advances the perpetuation of traditional knowledge and ancestral connections of Native Hawaiians to PMNM by connecting youth, a group not previously represented in any prior access, to this remote and relatively untouched island and archeological gem. We believe that this voyage will advance the perpetuation of traditional knowledge and connections between PMNM and the main Hawaiian Islands, through the purposeful connecting of two significant sites-Mokumanamana and Kahoolawe. In addition, the research and planning in preparation and the the practical application during the voyage will provide opportunities to develop knowledge and wisdom that cannot be measured.

o. Will all Monument resources harvested in the Monument be consumed in the Monument? If not, explain why not.

We are requesting to conduct sustenance and subsistence fishing activities in accordance with Monument regulations. We will not be targeting specific fish, all such catch will be consumed in Papahānaumokuākea, all parts will remain in the monument.

## **8. Procedures/Methods:**

The Makani Olu will depart from Kāneohe Bay en-route to Nāwiliwili, Kauai before heading on to Mokumanamana. Once at Mokumanamana, depending on the time of arrival, we will circumnavigate the island and then anchor overnight, Makani Olu will only anchor on sandy substrate. After sunrise and the completion of protocols and ceremony, we would like to snorkel or swim in the waters surrounding Mokumanamana up to the high water mark without going on land. The purpose of this is to encourage a sense of stewardship and malama 'āina in the students as they will also be diving in our home waters of Kāne'ōhe bay and will undoubtedly gain a broader understanding by comparing the two ecosystems. After this we will sail for Nihoa, circumnavigate and then possibly anchor and snorkel, if time permits. From Nihoa we will sail

for Kahoolawe and then home to Kaneohe Bay. The sail plan will be attached to the Compliance Information Sheet and submitted to the Monument Permit Coordinator. Fishing will be done in a traditional style by dragging a monofilament handline and fishing poles of about 100 feet behind the vessel with a trolling lure from sun up to sun down.

**NOTE: If land or marine archeological activities are involved, contact the Monument Permit Coordinator at the address on the general application form before proceeding.**

**9a. Collection of specimens - collecting activities (would apply to any activity): organisms or objects (List of species, if applicable, attach additional sheets if necessary):**

Common name:

Scientific name:

Hawaiian name:

# & size of specimens:

Collection location:

Whole Organism  Partial Organism

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

N/A

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

N/A

• General site/location for collections:

N/A

• Is it an open or closed system?  Open  Closed

N/A

• Is there an outfall?  Yes  No

N/A

• Will these organisms be housed with other organisms? If so, what are the other organisms?  
N/A

• Will organisms be released?  
N/A

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

**11. Describe any fixed or semi-permanent structures or installations, or cultural offerings you plan to leave in the Monument:**

Ho'okupu will be offered in the form of liquid awa and will be offered into the ocean.

**12. List all specialized gear and materials to be used in the proposed activities:**  
N/A

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

**14. Describe collaborative activities to share samples, cultural research and/or knowledge gained in the Monument:**  
There are no formal plans at this time.

**15a. Will you produce any publications, educational materials or other deliverables?**  
 Yes  No

**15b. Provide a time line for write-up and publication of information or production of materials:**

There are no set plans at this time. However because the nature of our work, we would hope to develop educational curriculum and find ways to share this experience with others who would not normally have the opportunity to visit PMNM.

**16. If applicable, list all Applicant's publications directly related to the proposed project:**

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

---

Signature

Date

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

Papahānaumokuākea Marine National Monument Permit Coordinator  
6600 Kalaniana'ole Hwy. # 300  
Honolulu, HI 96825  
FAX: (808) 397-2662

**DID YOU INCLUDE THESE?**

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

## Papahānaumokuākea Marine National Monument Compliance Information Sheet

**1. Updated list of personnel to be covered by permit. List all personnel names and their roles here (e.g. John Doe, Diver; Jane Doe, Field Technician, Jerry Doe, Medical Assistant):**

	First Name	Last Name	Role	Affiliation	telephone number	e-mail
1	Emma	Hathaway	Captain	Marimed	(530)258-6450	emma.millet@marimed.org
2	Kalei	Velasco	First Mate	Marimed	346-5392	kaleivelasco@gmail.com
3	Nathanial	Hathaway	Second Mate	Marimed		nate.hathaway@me.com
4	Bonnie	Kahapea-Tanner	Program Director	KVA	286-4176	kahapea@gmail.com
5	Pualani	Lincoln-Maielua	Navigator	KVA	222-2944	pualanikealii@gmail.com
6	Kealii	Bertelman	Spiritual Officer	KVA	339-1287	kaualanikipuupuu@gmail.com
7	Jessica Kamaka'āina	Seipp	Program Coordinator, deckhand	KVA	398-5246	kamakaaina@gmail.com
8	Ashley Ann Leiohu	Santos-Colburn	Instructor, deckhand	KVA	347-9624	lei_ohu@yahoo.com
9	Steward Kala	Thomas	Instructor, deckhand	KVA	333-8034	kaonohiokala@gmail.com
10	Caleana Noelani	Duffey-Spikes	Instructor, deckhand	KVA	227-7666	caleana05@yahoo.com
11	Ruben	Carrillo	Documentor	KVA	348-8710	me@rubencarrillo.com
12	Brittany Keikilani	Adversalo-Clarke	student	KVA	348-9844	brittany.adversalo-clarke@halaukumana.org
13	Duke	Quitevis	student	KVA	235-0384	duke.quitevis@imua.ksbe.edu
14	Eduardo Kino	Carillo	student	KVA	636-5745	kinoboy22@gmail.com
15	Gyle Kamakea	McGurn	student	KVA	281-6984	gyle.mcgurn@imua.ksbe.edu
16	Hinaikawaihi'ilei nani ke'ala	Keala	student	KVA	346-7071	hinaikawaihiile.keala@imua.ksbe.edu
17	Jethro Corbett	Ross	student	KVA	783-5865	jethroross96712@hotmail.com
18	Jordan Kamea'i'omakamae	Vargas	student	KVA	224-2842	jordankvargas@hotmail.com
19	Josiah Kawaiola	Lincoln	student	KVA	989-6358	jklincoln1@gmail.com
20	Kalāhikiola	Hind-Boyd	student	KVA	2945265	hindboydk@gmail.com
21	Luka Naniki'olauokeolamamo	Nae'ole Kane	student	KVA	741-0445	Luka_naeole@rocketmail.com
22	Malanai Nellie	Kuahiwinui	student	KVA	679 5661	Malanai.kane@gmail.com
23	Shyleen Keikilani Kipapa	Hussey	student	KVA	690-0463	keikikipapa@gmail.com
24	Tehani Mahinaho'ola'iikeaaloha	Louis-Perkins	student	KVA	688-4797	mlouperk@gmail.com
25	Tyler Kaimana	Gomes	student	KVA	554-3990	kaimanagomes@hawaiiintel.net

**2. Specific Site Location(s): (Attach copies of specific collection locations):**

Coastal waters for both Mokumanamana and Nihoa, not to go past the high water mark.

**3. Other permits (list and attach documentation of all other related Federal or State permits):**

PMNM-2014-022

**3a. For each of the permits listed, identify any permit violations or any permit that was suspended, amended, modified or revoked for cause. Explain the circumstances surrounding the violation or permit suspension, amendment, modification or revocation.**

n/a

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

Funded by OHA Culture Grant FY 14-15, see attached document "Makani Olu daily Charter budget" for budget.

**5. Time frame:**

Activity start: 6/19/2014

Activity completion: 6/29/2014

Dates actively inside the Monument:

From: 6/22/2014

To: 6/25/2015

Describe any limiting factors in declaring specific dates of the proposed activity at the time of application:

Personnel schedule in the Monument:

n/a

**6. Indicate (with attached documentation) what insurance policies, bonding coverage, and/or financial resources are in place to pay for or reimburse the Monument trustees for the necessary search and rescue, evacuation, and/or removal of any or all persons covered by the permit from the Monument:**

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

- Vessel  
 Aircraft

Provide Vessel and Aircraft information:  
See below

**8. The certifications/inspections (below) must be completed prior to departure for vessels (and associated tenders) entering the Monument. Fill in scheduled date (attach documentation):**

- Rodent free, Date:  
 Tender vessel, Date:  
 Ballast water, Date:  
 Gear/equipment, Date:  
 Hull inspection, Date:

**9. Vessel information (NOTE: if you are traveling aboard a National Oceanic and Atmospheric Administration vessel, skip this question):**

Vessel name: Makani Olu

Vessel owner: Marimed Foundation

Captain's name: Emma Millet

IMO#:DLZ065030497

Vessel ID#:1113517

Flag: USA

Vessel type: three masted tall ship staysail schooner

Call sign: WDA6945

Embarkation port: Kāneʻohe Bay

Last port vessel will have been at prior to this embarkation: Heeia Kea Boat Harbor

Length: 96'

Gross tonnage: 68

Total ballast water capacity volume (m3): n/a

Total number of ballast water tanks on ship: n/a

Total fuel capacity: 421 g

Total number of fuel tanks on ship: 2

Marine Sanitation Device:

Type:

Explain in detail how you will comply with the regulations regarding discharge in the Monument. Describe in detail. If applicable, attach schematics of the vessel's discharge and treatment systems:

The Makani Olu will not be discharging anything in the monument.

Other fuel/hazardous materials to be carried on board and amounts:

Provide proof of a National Oceanic and Atmospheric Administration (NOAA) Office of Law Enforcement-approved Vessel Monitoring System (VMS). Provide the name and contact information of the contractor responsible for installing the VMS system. Also describe VMS unit name and type:

750 Faria Watchdog VMS (On loan from PMNM)

VMS Email:

Inmarsat ID#:

\* Individuals MUST ENSURE that a type-approved VMS unit is installed and that its automatic position reports are being properly received by the NOAA OLE system prior to the issuance of a permit. To make sure your VMS is properly configured for the NOAA OLE system, please contact NOAA OLE at (808) 203-2503 or (808) 203-2500.

\* PERMITS WILL NOT BE ISSUED TO INDIVIDUALS ENTERING THE MONUMENT VIA VESSEL UNTIL NOAA OLE HAS CONTACTED THE MONUMENT PERMIT COORDINATOR WITH A 'POSITIVE CHECK' READING.

#### **10. Tender information:**

On what workboats (tenders) will personnel, gear and materials be transported within the Monument? List the number of tenders/skiffs aboard and specific types of motors:

2 13FT rigid inflatables with Yamaha 20HP 4 stroke engines

**Additional Information for Land Based Operations**

**11. Proposed movement of personnel, gear, materials, and, if applicable, samples:**

n/a

**12. Room and board requirements on island:**

n/a

**13. Work space needs:**

n/a

**DID YOU INCLUDE THESE?**

- Map(s) or GPS point(s) of Project Location(s), if applicable
- Funding Proposal(s)
- Funding and Award Documentation, if already received
- Documentation of Insurance, if already received
- Documentation of Inspections
- Documentation of all required Federal and State Permits or applications for permits



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

May 23, 2014

WILLIAM J. AILA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

JESSE K. SOUKI  
FIRST DEPUTY

WILLIAM M. TAM  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING

FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

TO: Division of Aquatic Resources File

THROUGH: William J. Aila Jr., Chairperson *WJ Aila Jr.*

FROM: Frazer McGilvray *F*  
Division of Aquatic Resources

DECLARATION OF EXEMPTION FROM THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT UNDER THE AUTHORITY OF CHAPTER 343, HRS AND CHAPTER 11-200 HAR, FOR PAPAHA NAUMOKU AKEA MARINE NATIONAL MONUMENT NATIVE HAWAIIAN PRACTICES PERMIT TO MS. BONNIE KAHAPE'A-TANNER, MA NA MAOLI / KANEHUNAMOKU VOYAGING ACADEMY, ACCESS TO STATE WATERS TO PRACTICE TRADITIONAL WAYFINDING AND SEAMANSHIP ACTIVITIES UNDER PERMIT PMNM-2014-013

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

Project Title:

Papahānaumokuākea Marine National Monument Native Hawaiian Practices Permit to Ms. Bonnie Kahape'a-Tanner, Māna Maoli, for Access to State Waters to Practice Traditional Wayfinding and Seamanship Activities.

Permit Number: PMNM-2014-013

Project Description:

The Native Hawaiian practices permit application, as described below, would allow entry and activities to occur in Papahānaumokuākea Marine National Monument (Monument), including the NWHI State waters between June 1, 2014 through May 31, 2015.

The primary purpose of the proposed project would be to connect Native Hawaiian youth to the Monument by making a purposeful voyage to honor and pay tribute to Kanaloa, to practice and test traditional wayfinding skills, to develop and strengthen seamanship skills, and to nurture a sense of stewardship and responsibility (kuleana) in young Native Hawaiian mariners.

The applicants would voyage to Necker Island (Mokumanamana) and Nihoa Island on the SSV MAKANI OLU. First, the applicant would circumnavigate Mokumanamana, and depending on the

time of arrival, would anchor the vessel overnight on sandy substrate. After sunrise and the completion of protocols and ceremony, the applicant would snorkel or swim in the waters that surround Mokumanamana up to the high water mark without going on land. Second, the applicant would sail to Nihoa Island and circumnavigate the island. If time permits, they would anchor and possibly snorkel. After circumnavigating the two islands, the applicant would sail to Kaho‘olawe and Kāne‘ohe Bay. The purpose of snorkeling and swimming would be to encourage a sense of stewardship and mālama ‘āina in the students, who would be comparing this experience with similar experiences in the Main Hawaiian Islands. No land would be accessed. Anchoring would be done on sandy substrate only.

The applicant is requesting to subsistence fish in the Monument. Fishing would be done in a traditional style by dragging a monofilament handline and fishing poles about 100 ft behind the vessel with a trolling lure from sun up to sun down. All fish caught would be consumed in the Monument. The applicant would also observe Monument Best Management Practices (BMPs) with respect to minimizing interactions with seabirds, Hawaiian monk seals, and sea turtles while fishing. Ho‘okupu would be offered in the form of liquid ‘awa into the ocean.

The activities proposed by the applicant directly support the Monument Management Plan’s priority management need under 3.1 – Understanding and Interpreting the NWHI, 3.1.2 - Native Hawaiian Culture and History Action Plan (NHCH), Activities NHCH-2.2: Support Native Hawaiian cultural research needs and NHCH-2.6: Continue to facilitate Native Hawaiian cultural access. Activities to support coordinated field operations in the NWHI are addressed in the Monument Management Plan Environmental Assessment (December 2008) which resulted in a FONSI, or a Finding of No Significant Impact. This EA recognizes that “access to Mokumanamana for cultural practices and regular access for Polynesian voyaging canoes for cultural practice training” could have beneficial effects on Monument resources (PMNM MMP Vol 2, p.217).

Consulted Parties:

The permit application was sent out for review and comment to the following scientific and cultural entities: Hawaii Division of Aquatic Resources, Hawaii Division of Forestry and Wildlife, Papahānaumokuākea Marine National Monument (NOAA/NOS), NOAA Pacific Islands Regional Office (NOAA-PIRO), United States Fish and Wildlife Service Hawaiian and Pacific Islands National Wildlife Refuge Complex Office, and the Office of Hawaiian Affairs (OHA). In addition, the permit application was posted on the Monument Web site on March 17, 2014 giving the public an opportunity to comment. The application was posted within 40 days of its receipt, in accordance with the Monument’s Public Notification Policy.

Exemption Determination:

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

1. All activities associated with this permit; including the practice of traditional wayfinding, voyaging, seamanship skills, swimming, and subsistence fishing; have been evaluated as a single action. As a preliminary matter, multiple or phased actions, such as when a group of actions are part of a larger undertaking, or when an individual project is precedent to or represents a commitment to a larger project, must be grouped together and evaluated as a single action. HAR § 11-200-7. This permit does not involve an activity that is precedent to a later activity.

2. The Exemption Class for Basic Data Collection with no Serious or Major Environmental Disturbance Appears to Apply. Chapter 343, HRS, and § 11-200-8, HAR, provide for a list of classes of actions exempt from environmental assessment requirements. HAR §11-200-8.A.5. exempts the class of actions which involve “basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource.” The proposed activities appear to fall squarely under the exemption class #5, exempt item #2 as described under the division of Forestry and Wildlife exemption list published on June 12, 2008. Additionally, this exemption class includes “wildlife surveys, photography, and recording.” It has also been interpreted to include various modes of transportation to reach field areas necessary to carry out such activities, such as those to be supported by the proposed activities. The proposed activities appear to fall squarely under this exemption class. As discussed below, no significant disturbance to any environmental resource is anticipated in observing and sampling of Monument resources. Thus, so long as the below considerations are met, an exemption class should include the action now contemplated.

Fishing activities would be conducted by trolling a lure on a single monofilament handline and fishing poles for 100 feet. The line would be monitored at all times and personnel would abide by – Seabird Protocols Necessary for Conducting Trolling Research and Monitoring (PMNM BMP 008) to reduce impacts to seabirds. All fishing gear would be removed from the water if any Hawaiian monk seals or sea turtles are observed. All fish caught would be consumed within the Monument. No other extractive uses would be conducted.

To minimize the potential of disease introduction or transfer during swimming and snorkeling activities, the applicant would follow Disease and Introduced Species Prevention (BMP 011). The applicant does not intend to approach or film protected species, however, the applicant proposes to conduct filming activities in areas where Hawaiian monk seals and sea turtles are present. To reduce or eliminate adverse effects on protected marine species through interactions with in-water activities, the applicant will adhere to Best Management Practices for Boat Operations and Diving Activities (BMP 004); and Marine Wildlife Viewing Guidelines (BMP 010).

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

primary and secondary consequences, the long-term and short-term effects of the action, the overall and cumulative effect of the action, and the sum effects of an action on the quality of the environment. HAR § 11-200-12. Examples of actions which commonly have a significant effect on the environment are listed under HAR § 11-200-12.

The applicant is new and proposed activities would be similar to previously approved activities. Activities directly under this permit would be observational and involve fishing for consumption. No measurable impacts from similar activities have been observed in previous years and none would be expected from proposed activities.

The cumulative impacts of this permit, in conjunction with a proposed permit from the same applicant (PMNM-2014-022) for capturing photographs and video of the “Ola i ke au a Kanaloa” voyage, are also considered. Past projects which have included similar activities and techniques have had no adverse effects. With this in mind, significant cumulative impacts are not anticipated as a result of this activity, and numerous safeguards further ensure that the potentially sensitive environment of the project area will not be significantly affected. All activities will be conducted in a manner compatible with the management direction of the Monument Proclamation in that the activities do not diminish monument resources, qualities, and ecological integrity, or have any indirect, secondary, cultural, or cumulative effects. The joint permit review process did not reveal any anticipated indirect or cumulative impacts that would occur as a result of these activities.

The proposed permitted project and associated proposed project (applications currently in review for Bonnie Kahapea-Tanner PMNM-2014-022) would be supported by the SSV MAKANI OLU, from June 20 – 29, 2014. These projects would be part of the “Ola i ke au a Kanaloa” voyage. Proposed permit PMNM-2014-022 would allow the applicant to photograph and capture video of the voyage.

There is the potential that two ships may be in the Monument during this time frame: the NOAA Ship HI‘IALAKAI (PMNM-2014-005) (Table 1) and MV SEARCHER (PMNM-2014-001) (Table 2). There is no anticipated overlap in activities and therefore no associated cumulative impacts between activities from the MAKANI OLU and activities from the two other vessels. At this time, no other concurrent activities are known. The culmination of this permit, occurring at Mokumanamana and Nihoa Island over ten days, is not anticipated to have significant cumulative impacts. The following tables outline the proposed activities on the two other vessels:

Table 1: Concurrent projects aboard NOAA Ship HI‘IALAKAI

<b>Permit</b>	<b>Purpose and scope</b>	<b>Location</b>
PMNM-2014-005 Ellis-Simon HI‘IALAKAI (approved)	This permit allows the NOAA Ship HI‘IALAKAI entry into the Monument. Personnel aboard the vessel would be permitted under separate permits	All locations
PMNM-2014-001 Co-Trustee (approved)	This permit allows monk seal field camp operations.	Kure Atoll, Midway Atoll, French Frigate Shoals

Permit	Purpose and scope	Location
PMNM-2014-027 Jacobs (proposed)	The proposed action is to collect video data on marine mammal, marine turtle, seabird colony population dynamics using unmanned aircraft systems (UAS).	Nihoa, Necker Island (Mokumanamana), French Frigate Shoals

Table 2: Concurrent projects aboard MV SEARCHER.

Permit	Purpose and scope	Location
PMNM-2014-020 Springer (proposed)	The proposed action would use Native Hawaiian traditional ecological knowledge to examine nearshore ecosystems.	Nihoa Island, Necker Island (Mokumanamana), French Frigate Shoals, Gardner Pinnacles
PMNM-2014-026 Bird-Toonen (proposed)	The proposed action would document the biodiversity and ecology of nearshore basaltic reefs.	Nihoa Island, Necker Island (Mokumanamana), French Frigate Shoals, Gardner Pinnacles
PMNM-2013-023A1 Bertelmann (proposed)	The proposed amendment to approved permit PMNM-2013-023 would continue Native Hawaiian observing and monitoring of intertidal and subtidal communities, extending these activities to include Mokumanamana, French Frigate Shoals, and Garner Pinnacles.	Nihoa Island, Necker Island (Mokumanamana), French Frigate Shoals, Gardner Pinnacles

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

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

Conclusion. Upon consideration of the permit to be approved by the Board of Land and Natural Resources, the potential effects of the above listed project as provided by Chapter 343, HRS and Chapter 11-200 HAR, have been determined to be of probable minimal or no significant effect on the environment and exempt from the preparation of an environmental assessment.

\_\_\_\_\_  
William J. Aila Jr.  
Chairperson, Board of Land and Natural Resources

\_\_\_\_\_  
Date