

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 Special Ocean Use Permit to Ms. Bonnie Kahape‘a-Tanner, Māna Maoli /  
Kānehūnāmoku Voyaging Academy, for Access to State Waters to Conduct Photographing and  
Filming of Ola I Ke Au a Kanaloa Voyaging Activities

The Division of Aquatic Resources (DAR) hereby submits a request for your authorization and approval for issuance of a Papahānaumokuākea Marine National Monument special ocean use 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 special ocean use permit, as described below, would allow entry and 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
- Mokumanamana (Necker Island)

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

The Applicant and proposed filming of voyaging activities are new, though similar filming activities have been previously permitted in the Monument.

INTENDED ACTIVITIES

The applicant proposes to capture photographs and video of activities related to traditional Native Hawaiian wayfinding and voyaging by young Native Hawaiian mariners participating in the “Ola i ke au a Kanaloa” voyaging program with the Māna Maoli / Kānehūnāmoku Voyaging Academy. Photographs and video footage would be used for education, outreach, and fundraising purposes by 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. Voyaging activities would weave together traditional navigation skills, Hawaiian protocol and ceremony, professional maritime skills, and leadership development.

An application for voyaging activities is submitted under a separate Monument Native Hawaiian Practices permit under proposed permit number PMNM-2014-013. 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 - 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.

Potential products produced from photographs and video collected would include greeting cards, calendars, framed or canvas pictures, and other potential products for education and outreach. These products would be used for fundraising purposes that would both benefit the Monument in its education and outreach goals and Māna Maoli / Kānehūnāmoku Voyaging Academy.

The activities proposed by the Applicant directly support the Monument Management Plan's (MMP) priority management needs through Ocean Ecosystem Literacy Action Plan (Strategy OEL-2: Develop and implement new tools to "bring the place to the people" (MMP Vol. 1, p290, 2008)). The Applicant would obtain photographs and video of the "Ola i ke au a Kanaloa" voyage for the purposes of creating materials for education and outreach used in fundraising for Māna Maoli / Kānehūnāmoku Voyaging Academy. These activities fit into this Strategy because fundraising products would engage an audience who has not participated in the cruise and would not otherwise access the Monument.

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

- 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, Hawaii Division of Forestry and Wildlife, Papahānaumokuākea Marine National Monument (NOAA/NOS), NOAA Pacific Islands Regional Office (NOAA-PIRO), United States Fish and Wildlife Service Hawaiian and Pacific Islands National Wildlife Refuge Complex Office, and the Office of Hawaiian Affairs (OHA). In addition, the permit application has been posted on the Monument Web site since April 2, 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.

Questions:

1. **Will the applicant submit her near-final products to the Monument prior to publication for fact checking?**

*The applicant answers, yes, they will submit a near final product to the monument prior to publication for fact checking.*

2. **Is Tanner a previous permittee? If so, has she submitted her images/documents from previous trips to the Monument?**

*The applicant answers that they are not a previous permittee. However she was an educator on the NOWRAMP 2002 expedition and she did submit all images and documents, some of which are on the hawaiiatolls.org website along with journal articles.*

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

*The applicant states that yes, she 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 ships 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.*

Comments:

1. **As per the Monument's Special Ocean Use Permit Special Conditions for Film/Photography Activities (dated May 2012), please provide copies of the final products.**

*The applicant responds, noted*

**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. No concerns were raised.

**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.
- The Department has made an exemption determination for this permit in accordance chapter 343, HRS, and Chapter 11-200, HAR. See Attachment ("DECLARATION OF EXEMPTION FROM THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT UNDER THE AUTHORITY OF CHAPTER 343, HRS AND CHAPTER 11-200 HAR, FOR PAPAHA NAUMOKU AKEA MARINE NATIONAL MONUMENT SPECIAL OCEAN USE PERMIT TO MS. BONNIE KAHAPE'A-TANNER, MA NA MAOLI / KANEHUNAMOKU VOYAGING ACADEMY, FOR ACCESS TO STATE WATERS TO CONDUCT PHOTOGRAPHIC AND FILMING OF OLA I KE AU A KANALOA VOYAGING ACTIVITIES UNDER PERMIT PMNM-2014-022")

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

If so, please summarize past permits:

- Permits for similar work were granted to Na'alehu Anthony in 2012 and 2013 (PMNM-2012-038 and PMNM-2013-026, respectively) and Solomon Enos in 2012 (PMNM-2012-053).

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 Special Ocean Use 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 Special Ocean Use Permit to Ms. Bonnie Kahape'a-Tanner, Māna Maoli / Kānehūnāmoku Voyaging Academy, with the following special conditions:

1. Tenders and small vessels must be equipped with engines that meet EPA emissions requirements.
2. 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.
3. No fishing is allowed in State Waters except as authorized under state law for subsistence, traditional, and customary practices by Native Hawaiians.
4. If there is any Hawaiian monk seal or any other protected species in the area when performing any permitted activity shall cease until the animal(s) depart the area, except as permitted for specific management of that species.

Respectfully submitted,



Frazer McGilvray  
Administrator

APPROVED FOR SUBMITTAL



William J. Aila, Jr.  
Chairperson

**Papahānaumokuākea Marine National Monument**  
SPECIAL OCEAN USE Permit Application

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

**ADDITIONAL IMPORTANT INFORMATION:**

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

**INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED**

Send Permit Applications to:

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:** Special Ocean Use

**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:**

25

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

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

a.) The proposed activity would...  
be to document with the intent to utilize for fundraising purposes any potential documentation derived from the activities of the group that voyage to PMNM as a part 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 together traditional wayfinding, cultural protocol and ceremonial practices, and maritime seamanship skills.

Papahānaumokuākea is a special place where our kupuna knowledge is ever present in this remote and rugged environment. Documentation will be captured in the most culturally appropriate and sensitive ways, ensuring protocols are conducted prior to entering the Monument to ensure activities such as video and still photography are done in a respectful and pono manner.

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.

The documentary will be largely character based as it will focus on the students and how they will connect to their culture and to their home by having the rare opportunity to connect and pay their respects to PMNM and Kahoolawe. A 30 minute documentary and 5 minute promotional spot will be created to raise awareness of the importance and relevance to today of our kūpuna islands and to inform future participants of the Hālau Holomoana program. It is our hope that Māna Maoli/Kānehūnāmoku Voyaging Academy will be able to benefit from potential revenue through printed materials such as calendars and notecards generated from pictures and other footage generated while in PMNM.

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

supporting the output of beautiful products from PMNM (pictures, cards, calendars, etc). Such products will aid in "bringing the place to the people" by providing visual pieces and potentially other educational materials from the Monument to people who are unable to go themselves.

**Other information or background:**

Vessel Name: SSV Makani Olu

Vessel Owner: Marimed Foundation

Captains Name: Emma Millet

IMO#: [REDACTED]

Vessel ID#: [REDACTED]

Flag: USA

Vessel Type: Schooner

Call sign: WDA6945

Embarkation port: Kāne'ohe Bay

Length: 96'

Gross tonnage: 68

Total number of fuel tanks on ship: 2

Marine Sanitation Device: Lavac Head

sewage capacity: 453 G



**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]

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, Research Diver; Jane Doe, Field Technician):**

Emma Millet - Captain  
Kalei Velasco - First Mate  
Bonnie Kahapea-Tanner - Project Director  
Pualani Lincoln-Maielua - Navigator  
Kealii Bertelman - Spiritual Officer  
Jessica Kamakaāina 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**

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:***

The purpose of the proposed activity is to capture photos and video while within PMNM. This permit application is directly related to the Native Hawaiian Practices permit application submitted by Māna Maoli/Kānehūnāmoku Voyaging Academy. The purpose of that 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.

Product outputs proposed are greeting cards using photos of PMNM, calendars, pictures (framed or canvas) and other potential products for education, outreach for fundraising purposes that would both benefit PMNM in its outreach/education goals as well as benefit Mana Maoli via fundraising opportunities.

\*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/angered/>

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?

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. Our Program Director, Bonnie Kahapea-Tanner having previously been to PMNM while on the NOWRAMP 2002 Expedition and also sits on the Reserve Advisory Council has full understanding of the fragility of this unique ecosystem and as such 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.

Products created as a result of this trip will be tasteful and respectful of the place and its cultural and natural resources.

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 traing 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.

All products film, photos will be done respectfully, profesrsionally, and tastefully in accordance with Mana Maoli general liability insurance policy.

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.

We expect impact on the monument to be minimal as we do not intend to go on land nor do we intend to target specific species for our documentary, documentation will focus on the story of transformation of our students.

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.

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

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

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

This is an educational opportunity and commercial venture to the extent that revenue may be generated to support the mission of Mana Maoli. Potential products generated as a result of the Mana Maoli activities in PMNM have potential to provide educational benefit to individuals unable to access PMNM themselves.

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

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

No. The Marimed Foundation will be providing sail training for all involved and this will not be a commercial passenger relationship.

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

n. Explain how your activity will further the conservation and management of the Monument.

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

n/a

**NOTE: If this is a first time Special Ocean Use activity, it will be subject to a pilot project and will be restricted in duration. Special Ocean Use activities proposed outside the Midway Atoll Special Management Area will require public notice of the application and an opportunity to provide comments is given at least 30 days prior to issuing the permit.**

**8. Procedures/Methods:**

Documentation for this voyage has begun, video documentation will include student interviews and capture both the physical preparation of loading the vessel as well as the transformative cultural preparation of connecting to PMNM. Provided weather conditions are suitable SSV Makani Olu will leave Kāne'ōhe Bay June 20, 2014 and head to Mokumanamana, upon arrival we will set anchor upon sandy substrate and after cultural protocols have been completed and if time permits hope to be able to go into the water to explore the surrounding reef, as students will be diving in Kāne'ōhe Bay earlier in the program this is an opportunity to compare the difference between a thriving ecosystem and the state of the ecosystems that have had a larger impact by man. Continuing onto Nihoa the next day, we will continue with a similar program should time permit. After completing protocols for both islands we continue our journey to Kaho'olawe where students, faculty, and crew will go ashore to pay tribute to both Kealaikahiki and Moa'ula Nui, both significant places to our culture and to the practice of navigation.

**9. Provide proof of general liability insurance, or indicate that you will be posting an equivalent bond against claims arising out of activities conducted under the permit:** Māna Maoli carries general liability insurance with Pyramid Insurance and will be posting an equivalent bond against claims arising out of activities conducted under this permit.

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

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

Canon Mark 7D  
GoPro and assesories  
tri-pod  
pelican case to carry assorted equipment

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

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

**14. List all Applicants' publications directly related to the proposed project:**  
N/A

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

---

Signature

Date

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

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

**DID YOU INCLUDE THESE?**

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

## 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 Jordan	Ross	student	KVA	783-5865	jethroross96712@hotmail.com
18	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 Shyleen Keikilani	Kuahiwinui	student	KVA	679 5661	Malanai.kane@gmail.com
23	Kipapa Tehani	Hussey	student	KVA	690-0463	keikikipapa@gmail.com
24	Mahinaho'ola'iikeaaloha	Louis-Perkins	student	KVA	688-4797	mlouperk@gmail.com
25	Tyler Kaimana	Gomes	student	KVA	554-3990	kaimanagomes@hawaiiantel.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-2014-013

**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):**

Please see attached estimate "Halau Holomoana Voyage Invoice" for budget of documentation services, until further funding is acquired all footage captured from voyage is an in-kind donation, we will notify you if additional funding should surface.

**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: 421g

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

FROM: Frazer McGilvray  
Administrator, Division of Aquatic Resources

SUBJECT:

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 SPECIAL OCEAN USE PERMIT TO MS. BONNIE KAHAPE'A-TANNER, MA NA MAOLI / KANEHUNAMOKU VOYAGING ACADEMY, FOR ACCESS TO STATE WATERS TO CONDUCT PHOTOGRAPHING AND FILMING OF OLA I KE AU A KANALOA VOYAGING ACTIVITIES UNDER PERMIT PMNM-2014-022.

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 Special Ocean Use Permit to Ms. Bonnie Kahape'a-Tanner, Program Director, Māna Maoli / Kānehūnāmoku Voyaging Academy, for Access to State Waters to Conduct Photographing and Filming of Ola I Ke Au a Kanaloa Voyaging Activities

Permit Number: PMNM-2014-022

Project Description:

The special ocean use permit application, as described below, would allow entry and activities to occur in Papahānaumokuākea Marine National Monument (Monument), including the NWHI State waters from June 1, 2014 to May 31, 2015.

The Applicant proposes to film and photograph activities related to traditional Native Hawaiian wayfinding and voyaging by young Native Hawaiian mariners participating in the "Ola i ke au a Kanaloa" voyaging program with the Māna Maoli / Kānehūnāmoku Voyaging Academy. Photographs and video footage would be used for education, outreach, and fundraising purposes by

the Māna Maoli / Kānehūnāmoku Voyaging Academy. An application for voyaging activities was submitted under a separate Monument Native Hawaiian Practices permit (proposed permit no. PMNM-2014-013). This applicant and up to twenty-four (24) individuals would voyage to Mokumanamana and Nihoa Island on the SSV MAKANI OLU from June 20 to 29, 2014. Collection of photographs and video footage could involve swimming or snorkeling in waters surrounding Nihoa Island and Mokumanamana. No land would be accessed.

The activities proposed by the Applicant directly support the Monument Management Plan's (MMP) priority management needs through Ocean Ecosystem Literacy Action Plan (Strategy OEL-2: Develop and implement new tools to "bring the place to the people" (MMP Vol. 1, p290, 2008)). The Applicant would obtain photographs and video of the "Ola i ke au a Kanaloa" voyage for the purposes of creating materials for education and outreach used in fundraising for Māna Maoli / Kānehūnāmoku Voyaging Academy. These activities fit into this Strategy because fundraising products would engage an audience who has not participated in the cruise and would not otherwise access the Monument. Activities such as those to be carried out by the permittee, are also addressed in the Monument Management Plan Environmental Assessment (December 2008) which resulted in a FONSI.

Consulted Parties:

The permit application was sent out for review and comment to the following scientific and cultural entities: Hawaii Division of Aquatic Resources, Hawaii Division of Forestry and Wildlife, Papahānaumokuākea Marine National Monument (NOAA/NOS), NOAA Pacific Islands Regional Office (NOAA-PIRO), United States Fish and Wildlife Service Hawaiian and Pacific Islands National Wildlife Refuge Complex Office, and the Office of Hawaiian Affairs (OHA). In addition, the permit application has been posted on the Monument Web site since April 12, 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 activities involved with photographing and filming activities related to the "Ola i ke au a Kanaloa" voyage including water activities, 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 section 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.” Additionally, Exemption Class #5, Exempt Item #2 includes “photographing and recording” in the field. This exemption class has been interpreted to include the filming and photography activities such as those proposed in this project. DEPARTMENT OF LAND & NATURAL RESOURCES, EXEMPTION LIST FOR THE DIVISION OF FORESTRY AND WILDLIFE (June 12, 2008). As discussed below, no significant disturbance to any environmental resource is anticipated in filming and photography in both the water and on land activities. Thus, so long as the below considerations are met, an exemption class should include the action now contemplated.

All filming and photography activities would be performed in culturally appropriate manner and adhere to Monument Best Management Practices (BMPs). To minimize the potential of disease introduction or transfer, the applicant would follow BMP 011 – Disease and Introduced Species Prevention. The applicant does not intend to approach or film protected species, however, the applicant proposes to conduct filming activities in areas where marine protected species (cetaceans, Hawaiian monk seals, and sea turtles) are present. To reduce or eliminate adverse effects on protected marine species, the applicant will adhere to BMP 004 – Best Management Practices for Boat Operations and Diving Activities and BMP 010 – Marine Wildlife Viewing Guidelines.

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 proposed activity involves filming and photography proposed activities related to the “Ola i ke au a Kanaloa” voyage (proposed permit no. PMNM-2014-013) on surrounding waters at Nihoa Island and Mokumanamana. Proposed activities for this permit and associated proposed permit would occur on the SSV MAKANI OLU. With that 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.

There is the potential that two additional 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). 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 other two vessels:

Table 1: Concurrent projects aboard NOAA Ship HI‘IALAKAI in June.

<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 with activities from June - September 2014.	Kure Atoll, Midway Atoll, French Frigate Shoals
PMNM-2014-027 Jacobs (proposed)	The proposed action would be to collect video data on marine mammal, marine turtle, seabird colony population dynamics using unmanned aircraft systems (UAS) with activities from June 15 – July 10, 2014.	Nihoa, Necker Island (Mokumanamana), French Frigate Shoals

Table 2: Concurrent projects aboard MV SEARCHER in June.

<b>Permit</b>	<b>Purpose and scope</b>	<b>Location</b>
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.

Again, 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 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