

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

May 11, 2012

Board of Land
and Natural Resources
Honolulu, Hawaii

Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Conservation and Management Permit to Dr. Kelly Gleason, Maritime Archeologist, National Oceanic and Atmospheric Administration, Papahānaumokuākea Marine National Monument, for Access to State Waters to Conduct Maritime Heritage Activities

The Division of Aquatic Resources (DAR) hereby submits a request for your authorization and approval for issuance of a Papahānaumokuākea Marine National Monument conservation and management permit to Dr. Kelly Gleason, Maritime Archaeologist, of the National Oceanic and Atmospheric Administration (NOAA), Papahānaumokuākea Marine National Monument, pursuant to § 187A-6, Hawaii Revised Statutes (HRS), chapter 13-60.5, Hawaii Administrative Rules (HAR), and all other applicable laws and regulations.

The conservation and management 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
- Necker Island (Mokumanamana)
- French Frigate Shoals
- Gardner Pinnacles
- Maro Reef
- Laysan Island
- Lisianski Island, Neva Shoal
- Pearl and Hermes Atoll
- Kure Atoll

The activities covered under this permit would occur between July 1, 2012 and June 30, 2013. This work would build upon investigation from previous years and is a renewal of work previously permitted and conducted in the Monument. New activities in this application include recovery of an artifact and the collection of high definition video footage from the Two Brothers shipwreck.

INTENDED ACTIVITIES

The applicant proposes to conduct the following maritime heritage activities:

- 1) non-invasive wreck site assessment surveys;

- 2) non-invasive remote sensing and snorkeler towboard surveys of high potential wreck site areas; and
- 3) monitoring of known shipwreck and sunken aircraft sites for the purpose of understanding impacts and changes to maritime heritage sites.
- 4) the collection of high definition video footage for the development of a short documentary film that will become a PMNM education and outreach product
- 5) recovery of a single, selected artifact from the Two Brothers shipwreck site at French Frigate Shoals for the purposes of education, outreach and research
- 6) ground-truthing of selected dive targets for potential shipwreck and sunken aircraft sites at Midway Atoll relative to the Battle of Midway

The first proposed activity refers to a detailed investigation of a single wreck or archaeological site, while the second would be a broader search for previously unlocated and undiscovered resources. During the site assessments, divers would deploy a temporary baseline, replicating previous surveys by attaching the baseline to fixed stainless steel datums. Survey tapes would be used to triangulate the position of all artifacts in reference to the fixed line. Artifacts and features would be temporarily tagged with numbers and photographed in-place. Remote sensing surveys, the second activity, would be conducted by a surface vessel towing a side scan sonar. Diver tow boarding may be used to supplement this activity in certain areas. The third activity will work to test archeological, observational and ecologically based methods of interpreting and monitoring maritime heritage sites in the NWHI. Monitoring would employ the same methods used for the site surveys. The fourth and fifth activities will assist in the creation and distribution of important outreach and education products related to maritime heritage sites that will aid in interpretation, protection and preservation of the significant site. The sixth activity, in line with the first activity, is an effort to conduct broader searches for previously unlocated and undiscovered resources and allows for identification and inventory of maritime heritage sites.

The activities proposed by the applicant directly support the Monument Management Plan's priority management needs 3.1 – Understanding and Interpreting the NWHI (through action plan 3.1.4 – Maritime Heritage). These activities contribute to ongoing maritime heritage survey and inventory efforts within the Monument.

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
- Touching coral, living or dead
- 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 March 1st, 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 questions were raised during the review process. The applicant's responses are below.

1. Are the magnetometer and side-scan units towed close to the bottom? If so, what precautions are taken to avoid impact or entanglement, and what contingency plans (if any) exist for retrieving a lost or entangled transducer unit?
 - The applicant responds that yes, the magnetometer and side scan are towed relatively close to the bottom. She further explains that for the side scan, it is best to tow the fish (i.e. towfish) at a depth that is deep enough to create an angle for the sound to reflect off of bottom features. This depth is dependent on the depth of water and the amount of tow cable that is deployed. Generally in 10 meters of water, they would aim for the towfish to be 3 meters below the surface. A magnetometer detects deviations in the earth's natural magnetic field. The closer it is to the ferrous object that is causing the deviation, the stronger the gamma return will be...meaning it will have a higher probability of detection. This means the closer the magnetometer is to the bottom, the better. However, with that being said, it is true that modern magnetometers have very high sensitivity sensors that allow for the mag to detect a ferrous object from a greater height in the water column and from a greater lateral distance. If the depth of water were 10 meters, they would try and tow the magnetometer at a depth of 3-5 meters, or as deep as they could while still maintaining speed to control the vessel. The applicant states that their survey protocols require that tow fish are towed on a "soft tow, meaning" that the towpoint of the towfish is secured with a breakway hook. If the fish were to strike something submerged or the ground, the hook would break away causing the tow cable to spool out and prevent any damage to both the instrument and whatever made it stop underwater. Because all of these instruments collect data that is tied to GPS information, locations of their last positions if lost are known. If an instrument is lost due to a severed tow cable, divers would proceed to the last known location and retrieve the tow fish or transducer.

Avoiding entanglements is also the responsibility of a good coxswain. However, submerged entanglements are often an unavoidable hazard, and most often these entanglements are known immediately because they affect the data, which can be monitored in real time. In this case, these entanglements would be removed, damage would be mitigated and then survey would resume. Additionally, for survey in the NWHI, the applicant has always used a "water noodle" to keep the tow fish closer to the surface in areas of shallow reef or variable bottom depth.

The applicant asks that it is noted that in 2010, following approximately 20 days of intensive survey, there were zero incidents of the towfish impacting the bottom or entanglement.

2. Is there any live coral on or near the ginger jar?
 - The applicant states that there is no live coral near or on the ginger jar at French Frigate Shoals.
3. Request that Gleason *et al.* include mention of FWS involvement and year-round presence at FFS in any materials released for education and outreach, as appropriate.
 - The applicant responds that where appropriate, every effort would be made to include FWS in education and outreach materials relative to FFS.
4. Please confirm that the applicant will adhere to all PMNM best management practices (BMPs), especially those employed to avoid any impacts to protected species and other Monument resources. To this end, the applicant and participants should demonstrate that they understand these prohibitions and associated BMPs prior to commencement of permitted activities.
 - The applicant confirms that all members of the permitted 2012 maritime heritage project team would adhere to PMNM best management practices relative to protected species and all Monument resources. Prior to entering the Monument, the team would participate in all appropriate briefings regarding Monument resources as well read publications and outreach materials relative to Monument resource management and protection.

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

1. We continue to support this applicant's good work and appreciate her consistent consultation with and sincere interest in working with the Native Hawaiian community.
 - The applicant states that she appreciates all opportunities to collaborate with, support and learn from the Native Hawaiian community.

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.
- A Section 106 NHPA consultation has been initiated and is in process.
- 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 PAPAHAUNAUMOKUAKEA MARINE NATIONAL MONUMENT CONSERVATION AND MANAGEMENT PERMIT TO DR. KELLY GLEASON OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION PAPAHAUNAUMOKUAKEA MARINE NATIONAL MONUMENT FOR ACCESS TO STATE WATERS TO CONDUCT MARITIME HERITAGE ACTIVITIES UNDER PERMIT PMNM-2012-036")

Has Applicant been granted a permit from the State in the past? Yes [X] No []
If so, please summarize past permits:

- The Applicant was granted permits PMNM-2008-037, PMNM-2009-028, PMNM-2010-016, and PMNM-2011-024 for this work in 2008, 2009, 2010, and 2011 respectively. In addition, similar work has been conducted under State and Monument permits issued to Dr. Hans Van Tilburg since 2006.

Have there been any a) violations: Yes [] No [X]
b) Late/incomplete post-activity reports: Yes [] No [X]

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

STAFF OPINION

DAR staff is of the opinion that Applicant has properly demonstrated valid justifications for her 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 Conservation and Management 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

Based on the attached proposed declaration of exemption prepared by the department after consultation with and advice of those having jurisdiction and expertise for the proposed permit actions:

- That the Board declare that the actions which are anticipated to be undertaken under this permit will have little or no significant effect on the environment and is therefore exempt from

the preparation of an environmental assessment.

2. Upon the finding and adoption of the department's analysis by the Board, that the Board delegate and authorize the Chairperson to sign the declaration of exemption for purposes of recordkeeping requirements of chapter 343, HRS, and chapter 11-200, HAR.

3. That the Board authorize and approve a Conservation and Management Permit to Dr. Kelly Gleason of the National Oceanic and Atmospheric Administration (NOAA), Papahānaumokuākea Marine National Monument with the following special conditions:

- a. 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.
- b. Tenders and small vessels must be equipped with engines that meet EPA emissions requirements.
- c. 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.
- d. No fishing is allowed in State Waters except as authorized under State law for subsistence, traditional and customary practices by Native Hawaiians.

Respectfully submitted,



GUY KAULUKUKUI
Acting Administrator

APPROVED FOR SUBMITTAL



WILLIAM J. AILA, JR.
Chairperson

Papahānaumokuākea Marine National Monument
CONSERVATION AND MANAGEMENT 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: Dr. Kelly Gleason

Affiliation: Papahānaumokuākea Marine National Monument

Permit Category: Conservation and Management

Proposed Activity Dates: 5/1/2012-10/10/2012

Proposed Method of Entry (Vessel/Plane): Vessel

Proposed Locations: Nihoa, Mokumanamana, Lisianski, Laysan, French Frigate Shoals, Pearl and Hermes Atoll, Midway Atoll, Kure Atoll, Maro Reef, Gardner Pinnacles

Estimated number of individuals (including Applicant) to be covered under this permit: 6

Estimated number of days in the Monument: 60

Description of proposed activities: (complete these sentences):

a.) The proposed activity would...

The annual PMNM maritime heritage resource management cruise will conduct activities to fulfill Monument management activities including: 1) non-invasive wreck site assessment survey of selected maritime heritage sites; 2) the collection of high definition video footage for the development of a short documentary film that will become a PMNM education and outreach product; 3) ground truthing of selected dive targets for potential shipwreck and sunken aircraft sites at Midway Atoll relative to the Battle of Midway; 4) continued monitoring of known shipwreck and sunken aircraft sites for the purposes of understanding impacts and changes to maritime heritage sites; 5) recovery of a selected artifact from the Two Brothers shipwreck site at French Frigate Shoals (Section 106 compliance pending) for the purposes of education, outreach, research and the continued interpretation of this site for the public; 6) exploration for new maritime heritage sites through non-invasive remote sensing survey (magnetometer and side scan sonar) and/or snorkeler towboard survey of high potential wreck site areas. The first activity is a detailed investigation of a single wreck or archaeological site; the second and fifth activities will assist in the creation and distribution of important outreach and education products related to maritime heritage sites that will aid in interpretation, protection and preservation of the significant site including a widely distributed film as well as the continued development of PMNM maritime heritage themed exhibits; the third and sixth activities describe efforts towards

broader searches for previously un-located and undiscovered resources and allows for identification and inventory of maritime heritage sites. Finally, the fourth will work to test archaeological, observational and ecologically based methods of interpreting and monitoring maritime heritage sites in the NWHI.

b.) To accomplish this activity we would

This project is part of a continued effort to conduct maritime heritage management activities in the Monument including exploration for new sites that will contribute to the PMNM inventory (an ONMS annual Maritime Heritage performance measure requirement), and documentation and interpretation of known maritime heritage sites. Comprehensive non-invasive assessment surveys of previously located wreck sites allow managers to compile an inventory of critical and non-renewable maritime heritage resources. Of the possible 126 shipwreck and historic aircraft lost in the area, 20 have been confirmed by field investigation. To date, surveys of eight of these 20 have been completed in the NWHI. Maritime heritage summaries of site surveys are available at <http://www.papahanaumokuakea.gov/maritime/welcome.html> and upon request to the Monument Maritime Heritage Coordinator. A simple low impact technique known as “baseline trilateration” is used to map wreck sites (see Methods). Sites selected for non-invasive survey in 2012 include the Two Brothers whaling ship at French Frigate Shoals and the SS Quartette at Pearl and Hermes Atoll. If new sites are discovered in 2012, documentation will proceed in this manner.

Over the course of the maritime heritage cruise, video will be collected for the creation of a short documentary focused on the story of the Two Brothers shipwreck site. The short video and any associated products will be created for education and outreach purposes only. The Two Brothers shipwreck is potentially the most significant shipwreck site located in PMNM, and has generated worldwide interest through its identification in early 2011. This shipwreck site is the only Nantucket whaleship discovered in an archaeological context to date, and holds a great deal of significance for the community of Nantucket as well. A filmmaker with experience diving and directing films in PMNM will be contracted for the purposes of this project, and conduct filmmaking activities alongside the maritime archaeology team. Film footage will be collected and edited into a short educational film piece by the contracted government filmmaker.

Monitoring activities will be conducted in 2012 utilizing archaeological, observational, and environmental parameters. The annual assessment and monitoring of maritime heritage sites for change is an important component of long term protection. The 2009 and 2010 surveys conducted by Derek Smith on shipwreck sites in the Monument helped to establish an important baseline dataset to advance interdisciplinary monitoring efforts at maritime heritage sites in the NWHI. Developing this monitoring program will help to inform the investigation of such issues as the effects of climate change on heritage sites.

Remote sensing survey, also proposed for the 2012 survey, locates anomalies and potential maritime heritage resources for subsequent "ground-truth" site assessments. Data gathered from remote sensing work in 2012 will be used for the purposes of mapping seafloor habitat in addition to survey for maritime heritage resources. Specific locations for survey are determined by historical records of wreck events. The 2012 remote sensing survey will be conducted with a

Klein Model 3000 side scan sonar and Marine Magnetics Explorer Mini Magnetometer. The side scan sonar will be used during searches for submerged cultural resource surveys at Lisianski, French Frigate Shoals, and Midway Atoll and will effectively image the sandy seafloor areas explored in the atolls. The magnetometer and side scan sonar component of the remote sensing survey are contingent on grant funding and collaborative efforts. In the event that the funding does not materialize, snorkeler tow boarding may be used to locate potential heritage resource sites in a similar manner.

Diagnostic artifacts are helpful for wreck site identification. Additionally, artifacts become invaluable means of education and outreach for the public, particularly for remote sites that visitors may never get to visit. Recovery, conservation and display of an intact "ginger jar" at the Two Brothers whaling shipwreck site at French Frigate Shoals will assist maritime heritage managers in further research relative to this highly significant shipwreck site, and will allow an important artifact to be shared with the public, adding to the broad interpretation of the site and history of the Monument. The ginger jar is a highly significant artifact, and may hold important clues as to details about shipboard life on the Two Brothers including cargo and usage of these types of ceramic vessels. This type of artifact is unique and holds great research potential due to the fact that this is the only Nantucket whaler discovered in an archaeological context. Removal consists of collecting the ginger jar (approximately 12 inches long and 6 inches wide) from a surface of coralline algae and placing it into a padded container underwater and carefully transporting them to the dive boat and main vessel. Any sediment, encrustation or substrate attached to the artifact will be removed in situ. All artifact recovery activities will be conducted according to strict protocol and with the highest level of sensitivity to natural, cultural and historic resources.

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

2012 maritime heritage project data (site survey, outreach film development, exploration and remote sensing, artifact recovery and monitoring) will contribute to the management inventory for the PMNM, as well as provide the program invaluable material for ongoing education and outreach efforts. Monitoring work at maritime heritage sites in 2012 will assist managers in better understanding the interaction between these sunken sites and the ecosystem, as well as help to develop an understanding of their structural integrity. 2012's monitoring efforts at shipwreck sites will continue a project initiated in 2009 and will assist in better understanding the changes occurring at these sites. Certain data generated by the survey is sensitive and will be protected from unregulated public distribution as determined by the PMNM (also see NHPA section 304). Maritime heritage survey will be conducted in compliance with the appropriate preservation regulations (National Historic Preservation Act, Archaeological Resources Protection Act, Antiquities Act, Sunken Military Craft Act et al) and satisfies federal and state mandates for heritage resource inventory of controlled waters.

Other information or background:

The 2012 maritime heritage survey will be the first dedicated effort to collect high definition video footage for public education and outreach at the Two Brothers shipwreck site. No previous maritime heritage missions have included the capacity for video documentation. Additionally, with a dedicated maritime heritage team there is great potential to explore and discover more elements of the Two Brothers shipwreck site. Though the site to date includes a collection of whalecraft exceeding one hundred artifacts, maritime archaeologists believe we have yet to find the bow section of the ship.

The 2012 maritime heritage survey is a multidisciplinary project including efforts to further inventory and assess shipwreck sites in the NWHI, and share these findings with the public in a responsible manner.

Currently, NOAA's Maritime Heritage Program is the only agency engaged in maritime heritage survey in the PMNM.

Over 60 shipwrecks have been reported lost in the PMNM, some dating back to 1805. Many of these wrecks may be important cultural or historical resources, capturing information about the maritime history of the region. Sites may furnish information about western seafaring, as well as Native Hawaiian seafaring, for many historic ships (such as whalers) recruited Native Hawaiians as skilled crew members. Due to the time required for careful site survey and the logistical constraints of research cruises, often only portions of the required mapping/survey work at each site can be completed during each season. Completed site assessments are the most effective heritage resource survey tool because they allow managers to fully understand the sites they are mandated to protect.

Survey work in 2012 will continue upon efforts initiated in 2002 with the first maritime heritage resource survey in the Northwestern Hawaiian Islands. Subsequent work continued in 2003, and then annually since 2005. The planned survey work to be conducted in 2012 will continue these efforts, focusing on non-invasive non-excavation data recording at selected heritage sites at Midway, Pearl and Hermes Atoll, Lisianski, and French Frigate Shoals, as well as the recovery of a diagnostic artifact from a shipwreck site at French Frigate Shoals (Section 106 compliance pending).

Without an understanding of the resource base, without an accurate inventory of significant heritage material, maritime heritage resource management is impossible. Historic shipwrecks are subject to natural deterioration as well as intentional or inadvertent damage (dredging, looting, re-use). The first step in management is to create a resource inventory by confirming identification of sites. The next step is to conduct site assessment, characterizing the nature of the resource. Inventory and assessment are heritage preservation actions common to a number of federal and state programs. The 2012 research therefore supports cultural and historical management efforts on behalf of the different agencies of the Monument Management Board. This survey specifically addresses mandates for maritime heritage resource inventory as stated in the the PMNM Management Plan and PMNM Maritime Heritage Research, Education and

Management Plan. 2012 work will also include significant education and outreach initiatives and the continued interpretation of the Two Brothers shipwreck site.

Section A - Applicant Information

1. Applicant

Name (last, first, middle initial): Gleason, Kelly, A.

Title: Maritime Archaeologist, Papahanaumokuakea Marine National Monument

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

Dr. Kelly Gleason

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

[REDACTED]

Phone:

[REDACTED]

Fax:

[REDACTED]

Email:

[REDACTED]

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

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

PMNM/NOAA/ONMS

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):

- 1) Jason Raupp (research diver/maritime archaeologist)
- 2) Stephani Gordon (underwater filmmaker)
- 3) Cathy Green (research diver/maritime archaeologist)

- 4) To be determined (research diver/biologist)
- 5) To be determined (research diver/maritime archaeologist)

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

Special note: specific location (latitude/longitude) for historically significant heritage resources is sensitive data—not to be distributed publicly. Locations for 2012 maritime heritage work have been provided to the Monument Permit Coordinator.

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 Monument's ongoing efforts to inventory, document, and protect its maritime heritage sites have been instrumental in opening a window into the NWHI's seafaring past, and they have contributed materially to a growing body of knowledge about humans' historical interaction with the sea. Research is a critical maritime heritage activity that is called out in the Monument Management Plan. In addition to fulfilling mandates for inventory of maritime heritage resources, field research provides the body of knowledge that supports education and outreach efforts.

Over 60 shipwrecks have been recorded in the NWHI, some dating back to 1805. Many of these wrecks are important heritage resources, capturing the maritime history of the region. Furthermore, state and federal preservation legislation mandate the surveying of historic shipwreck sites and the production of submerged cultural resource management plans for historically significant material. Due to time constraints in the NWHI, surveys of any sites can only be partially completed during any single season. The work to be conducted in 2012 will continue upon investigation from previous years, explore for new historic resource sites, recover an artifact for the purposes of identification of a shipwreck site and the development of outreach products (exhibits), and collect video footage for the development of a Two Brothers documentary.

The proposed work is part of the long term archaeological survey for maritime heritage resources in the Papahānaumokuākea Marine National Monument. Federal preservation initiatives mandate the inventory, assessment and protection of cultural, archaeological, and historical resources within federally managed waters. 2012 proposed survey features non-invasive recording techniques for the discovery, identification and assessment of submerged heritage resources as part of this mandate, and will conduct artifact recovery in accordance with all applicable standards

(Conditions for the Custody and Care of Navy Historical Property, Annexed Rules of the UNESCO Convention on the Protection of Underwater Cultural Heritage, attached) .

The purpose of the 2012 survey is to better understand the existing maritime heritage resources in the Monument. Inventory and site assessment are critical parts of resource management and ocean stewardship. The Maritime Heritage Survey team plans to continue non-invasive survey of selected maritime heritage resource sites initiated in previous field seasons in the NWHI and attempt to identify unknown sites, and survey for new shipwreck and sunken aircraft sites. Additionally, the 2012 survey will continue efforts to take Monument maritime heritage research in a new direction with the multidisciplinary survey and monitoring the shipwreck and sunken aircraft sites in the NWHI.

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?

The activity will be conducted with adequate safeguards for the resources and ecological integrity of the Monument. This project is part of a continuing effort to identify, interpret and protect maritime heritage resources in the Papahānaumokuākea Marine National Monument. Proposed work will be led by PMNM maritime heritage program staff, who have been involved in maritime heritage research (archival as well as field) for over nine years. Methodology and research continues to improve annually as the team's experience grows. Proposed heritage work in the NWHI emphasizes a low-impact approach, to an extent consistent with the Monument's conservation goals and objectives. Section 106 NHPA compliance will be submitted to the State Historic Preservation Office and OHA for review. NEPA permit is pending for this activity.

All maritime heritage scientists will participate in a cultural briefing prior to entering the Monument. The team will respect all resources both natural and cultural. The primary permittee will consult with OHA and the Native Hawaiian Coordinator at the PMNM on cultural sensitivities, as well as the applicability of these activities to OHA and the Native Hawaiian Coordinator's efforts for the PMNM. No archaeological work will take place near any known native Hawaiian archaeological sites. If any native Hawaiian sites should be discovered, the proper experts will be notified and consulted immediately. Plans to collaborate with Native Hawaiian Program staff at PMNM will allow for further understanding and interpretation of the cultural significance of the Monument.

b. How will the activity be conducted in a manner compatible with the management direction of this proclamation, considering the extent to which the conduct of the activity may diminish or enhance Monument cultural, natural and historic resources, qualities, and ecological integrity, any indirect, secondary, or cumulative effects of the activity, and the duration of such effects? The proposed project will have minimal impact on the resources of the region. The research consists primarily of non-invasive visual surveys. This research is being conducted in concert with the priorities listed in the Maritime Heritage Action Plan of the Monument's Management Plan (inventory and assessment, as well as education and outreach) and the Monument's Maritime Heritage Research, Education and Management Plan. The strategies proposed are designed to increase our understanding of maritime heritage resources and foster effective and protective management in the Monument. This project will also include multidisciplinary and partnership efforts towards increasing stewardship and enhancement of Monument goals and resources. Additionally, this project will facilitate the Monument's effort to "bring the place to the people, rather than the people to the place" through outreach and education efforts that will share PMNM resources with a broad audience.

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 activities in the Monument. Annual maritime heritage surveys are necessary to identify, document and protect the maritime heritage resources in the Papahānaumokuākea Marine National Monument.

Additionally, these surveys contribute to education and outreach efforts regarding maritime heritage resources in the PMNM. These activities directly relate to activities in the Monument's management plan and the Monument's Maritime Heritage Research, Education and Management Plan.

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

The proposed activities have been identified as vital to the future management of the Monument and will have no adverse impact on the resources, qualities and ecological integrity of the Monument. Additionally, the opportunity to conduct important education and outreach activities through the development of a short film, exhibits, web presence, presentations and articles will assist in Monument's efforts to promote stewardship and protection of resources, both natural and cultural. This project will serve to continue ongoing efforts to develop a multi-dimensional approach to understanding these maritime heritage sites in the NWHI. Work to develop a monitoring program based upon multidisciplinary parameters will help to better understand if there are impacts up on maritime heritage sites from climate change and other natural events.

Prior work by PMNM maritime archaeologists have demonstrated the broad, long term value of maritime heritage work in the NWHI. Annual expeditions have resulted in documentary films, magazine, journal and newspaper articles, television news coverage, award winning museum exhibits and websites conveying the research and findings to the public.

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

A minimal amount of time will be spent at each location depending on weather and oceanographic conditions.

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

Personnel included in this permit application have extensive experience conducting research in the Monument, and with all archaeological and ecological methods that will be utilized. This is a continuance of a multi-year project. All methods are primarily non-invasive. PMNM Native Hawaiian staff, as well as OHA and cultural practitioners will be consulted in order to further avoid any potential impacts.

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.

This cruise and subsequent data analyses are supported by an allocation of 46 days at sea (one dedicated maritime heritage research cruise, and one biogeography cruise on which the PMNM maritime heritage coordinator will be working) aboard the NOAA ship HIIALAKAI from NOAA's Office of Marine and Aviation Operations, a line item in the budget of NOAA's Papahānaumokuākea Marine National Monument, and an allocation of funds from NOAA's Coral Reef Conservation Program to NOAA Pacific Islands Fisheries Science Center.

PMNM Maritime Heritage Program Coordinator applied for a Preserve America Grant to assist with the funding of the Two Brothers short film documentary. Awardees will be notified in April of 2012.

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 research consists primarily of non-invasive surveys (both archaeological and ecological). Any artifact recovery will follow proper protocol (Conditions for the Custody and Care of Navy Historical Property, Annexed Rules of the UNESCO Convention on the Protection of Underwater Cultural Heritage) and undergo Section 106 and NEPA clearance. PMNM Native Hawaiian Program staff, OHA and cultural practitioners will be consulted in order to further avoid any potential impacts.

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

The NOAA research vessel Hi'ialakai has been outfitted with a mobile transceiver unit approved by OLE and complies with the requirements of the 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 activities inappropriate.

8. Procedures/Methods:

Methods:

Individual site assessment survey, remote sensing survey, artifact recovery and still photography are primary objectives, and monitoring and site/environmental data are secondary objectives, of the proposed 2012 maritime heritage project. Where possible, survey locations are prioritized, providing flexible alternatives in case of rough weather, other mission priorities, etc. The following methods will be employed for each of the four proposed 2012 objectives:

1) site assessment survey

Baseline trilateration and measured sketching will provide data for the initiation of the site map. Trilateration and the creation of a site map consists of sketching major features and measuring distances between artifacts in reference to a fixed temporary baseline, and is a time-consuming task. Divers deploy a temporary baseline, replicating previous surveys by attaching the baseline to fixed stainless steel datums. Survey tapes, slates with mylar "paper," and pencils and then used to triangulate the position of all artifacts in reference to the fixed reference line. In addition, digital photography are used to document feature and artifact details, as well as record the survey process itself. Artifacts and features are temporarily tagged with numbers and photographed in-place. Also, hand-held metal detectors are used to confirm/eliminate the presence of

iron within sediments or substrate, and limited hand fanning of loose sediments and limited sediment probing is used to record details of artifacts and site boundaries. Typically, remote sensing survey methods are also employed in the vicinity when available to help determine site boundaries during individual site survey.

Equipment: Underwater slates
Transect tapes
Pencils
Folding rulers
Gear bags
Open-circuit scuba
Photo scales
Plastic artifact tags
Garmin GPS units and waterproof boxes
Site buoy

2) remote sensing survey

Exploration for new maritime heritage sites requires the use of remote sensing tools to cover large areas of the seafloor in the limited time allotted during research expeditions. This is an important component of the complete inventory of maritime heritage resources in PMNM. Remote sensing survey locates anomalies and potential maritime heritage resources for subsequent site assessments. The surface vessel tows a remote magnetometer and side scan sonar sensor (towfish) at approximately 4 knots/hour on linear parallel tracks at or near the surface for shallow zones, recording variations in the localized magnetic field (gamma). The data is processed shipboard. This work will build upon magnetometer and side scan sonar work conducted in 2010. 2012 methodology for side scan sonar and magnetometer work will not change from 2010 work (see attached report from 2010 side scan sonar and magnetometer work). Because magnetometer and side scan survey is dependent on partnerships in 2012 (with National Park

Service), a second alternative, diver tow boarding has been identified for the purposes of exploration of large survey areas. Though not technically “remote sensing” (divers in the water doing real-time visual survey), this method is sometimes used to supplement normal remote sensing. Diver survey is particularly helpful in shallow areas of extreme topographical variation. Any potential diver tow boarding operations during 2012 will be conducted only following established training provided by NOAA NMFS and along established NOAA NMFS tow boarding protocols for the NWHI. Diver will be towed at approximately 3 knots/hour.

Equipment: Marine Magnetics Explorer Mini Magnetometer
Klein Model 3000 Side Scan Sonar
Tow boards
Laptop
HyPack survey software
Honda eu2000i generator or marine 12v batteries

3) Monitoring sites

Monitoring sites employs a small subset of the same methods used for initial site survey. Slates, tapes, and (if necessary) temporary re-deployment of the baseline are used to confirm possible movement of features or artifacts. Digital photography is used to generate comparative data on the condition of features and changes to the natural environment (sediment level, etc.). Utilizing environmental parameters generated through Smith's 2009-2010 surveys of maritime heritage sites in the Hawaiian Islands, data will be collected about environmental changes in the sites over time. All surveys will be non-invasive and include collecting data along transect lines. Data will include fish surveys and benthic habitat assessments. All surveys will be non-invasive and will not include any collections or deployment of instruments.

Equipment: Underwater slates

Transect tapes

Pencils

Gear bags

Camera

Site buoy

4) Video collection

For the purposes of education and outreach, a short, documentary film piece about the Two Brothers shipwreck site will be developed during the 2012 maritime heritage research cruise. This video will focus on the history, discovery and ongoing interpretation of the shipwreck site Two Brothers at French Frigate Shoals. This site is probably the most significant maritime heritage site located within Monument waters and holds the potential to capture an international audience with a compelling story about seafaring disaster and the role of the whaling industry in the Pacific in the early 19th century. This film represents an ongoing effort to communicate the significance of this important site with the public. A NOAA filmmaker with extensive experience diving and working in the Northwestern Hawaiian Islands will be contracted to conduct this work. This film will be used at Mokupapapa Discovery Center and other outreach centers, public presentations, conferences, film festivals, and as a product to hand out to the public. This film is an important way that Monument managers can bring the "place to the people, rather than the people to the place."

Open-circuit scuba

HD Sony digital video camera and housing

5) Artifact recovery (marine sites)

Artifact removal, assessment and documentation:

Diagnostic artifacts are necessary for wreck site identification, and artifacts become important tools for research to help fully interpret and understand the site and its history. Additionally, artifacts become invaluable means of education and outreach for the

public, particularly for remote sites that visitors may never get to see in person. The ginger jar proposed for recovery in 2012 from the Two Brothers shipwreck site at French Frigate Shoals will assist Monument maritime heritage managers in their ongoing research at the Two Brothers shipwreck site, the only known Nantucket whaling ship discovered in an archaeological context. Because we still know very little about the daily activities and cargo on board whaling vessels in the Pacific in the early 19th century, this artifact is an example of the way that archaeology can fill in gaps in history. Its contents may provide clues about the cargo of the Two Brothers and open up a window into better understanding daily life on board the vessel. Removal consists of collecting the ginger jar (approximately 12 inches long and 6 inches wide) from a surface of coralline algae and carefully transporting it to the dive boat and main vessel in a padded container filled with saltwater made to fit the artifact. Any sediment, encrustation or substrate attached to the artifact will be removed in situ with wire brushes and a wooden scraper.

Once the artifact is carefully recovered from the shipwreck site by NOAA maritime archaeologists, the object will be fully documented in the Hi'ialakai's wet lab. The ginger jar will be assigned an artifact field number immediately upon return to the research vessel, followed by complete photo documentation, including bar scale, date, and field number. The artifact will be measured and sketched, note being made of any markings and diagnostic features. The artifact will then be stored submerged in fresh water and transported wet. This prevents hardening of calcium carbonate deposits. Once in Honolulu, proper treatment of this water will take place (see attached protocol). Following treatment, the artifact will be delivered to the curatorial facility in Hilo for further study and public display.

All proper artifact transport protocol will be followed. Please see attached protocol methodology.

Although we do not anticipate touching coral (living or dead), in the unlikely event that this action is taken during artifact recovery or site surveys, the utmost care will be taken to cause no detectable harm to coral or surrounding habitat. Activities in 2012 are primarily non-intrusive and will strive fully minimize impact upon all survey sites.

For the purposes of education and outreach,, select members of the maritime heritage team may request access to Tern Island at French Frigate Shoals. Maritime archaeologists would like to communicate their work and findings to Tern Island staff, as well as potentially conduct interviews and collect film footage on Tern Island for the Two Brothers documentary film.

NOTE: If land or marine archeological activities are involved, contact the Monument Permit Coordinator at the address on the general application form before proceeding, as a customized application will be needed. For more information, contact the Monument office on the first page of this application.

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:

Ceramic Ginger Jar

Scientific name:

N/A

& size of specimens:

1

Collection location:

French Frigate Shoals

Whole Organism Partial Organism

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

Once the ship returns to Honolulu, the artifact will immediately be shipped to a conservation facility in Chico, California (same facility that conducted all prior PMNM artifact conservation

work). Following conservation and treatment, the artifact will be returned to Hilo, Hawaii and the curatorial facility for the artifact will be the Mokupapapa Discovery Center in Hilo, Hawaii where the artifact will be available to the public for research and display.

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

N/A, there will be no collection of organisms. In the extremely unlikely event that organisms are found on the artifact, PMNM maritime archaeologist will immediately consult with PMNM Resource Protection Specialist who will be working on the same cruise. The organisms will be transferred to the PMNM NOAA/NOS/ONMS Resource Protection Specialist.

• General site/location for collections:

Shark Island, FFS

• 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?

Removal of the artifact from the seafloor consists of collecting the ginger jar (approximately 12 inches long and 6 inches wide) from a surface of coralline algae and carefully transporting it to the dive boat and main vessel in a padded container filled with saltwater made to fit the artifact. Any sediment, encrustation or substrate attached to the artifact will be removed in situ with wire brushes and a wooden scraper.

Once the artifact is carefully recovered from the shipwreck site by NOAA maritime archaeologists, the object will be fully documented in the Hi'iialakai's wet lab. The ginger jar will be assigned an artifact field number immediately upon return to the research vessel, followed by complete photo documentation, including bar scale, date, and field number. The artifact will be measured and sketched, note being made of any markings and diagnostic features. The artifact will then be stored submerged in fresh water and transported wet. This prevents hardening of

calcium carbonate deposits. Once in Honolulu, proper treatment of this water will take place (see attached protocol). Following treatment, the artifact will be delivered to the curatorial facility in Hilo for further study and public display.

11. Describe collaborative activities to share samples, reduce duplicative sampling, or duplicative research:

Currently, NOAA's Maritime Heritage Program is the only agency engaged in maritime heritage survey in the PMNM. 2012 project work includes collaboration with ONMS Northeast Region Staff, Flinders University in Australia, NOAA NMFS Coral Program, National Park Service, and Open Boat Films.

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

Equipment: Underwater slates
Transect tapes
Pencils
Folding rulers
Gear bags
Open-circuit scuba
Photo scales
Plastic artifact tags
Garmin GPS units and waterproof boxes
Site buoy
Wire brush, wooden scraper,
Mesh bag and towels.

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

N/A

14. Describe any fixed installations and instrumentation proposed to be set in the Monument:

N/A

15. Provide a time line for sample analysis, data analysis, write-up and publication of information:

Initial results will be reported in the Cruise Report. Site reports resulting from this cruise will be finalized by June 2013. Data from this project will consist of site and artifact

inventory development, site maps, digital still images and digital video products. A summary descriptive project report (activity report) including abstract, major accomplishments, participants, activity log, results of work to date, and proposed schedule of final report will be completed by December 31, 2012. A final report including heritage background, site descriptions, methodology, results, project evaluation and recommendations for maritime heritage resource management will be completed by July 2013. Data and report from this proposal will be sufficient to provide presentations at annual maritime history and maritime archaeology symposiums (for example Society for Historical Archaeology, Society for Hawaiian Archaeology, Symposium on the Maritime Archaeology and History of Hawai`i and the Pacific), and presentations will be made available upon request. Preservation-related data from the 2012 field season will also contribute to heritage preservation material on the Monument's Maritime Heritage Program web page (www.papahanaumokuakea.gov).

16. List all Applicant's publications directly related to the proposed project:

Papahānaumokuākea Marine National Monument. 2011. Maritime Heritage Research, Education, and Management Plan: Papahānaumokuākea Marine National Monument. Honolulu, Hawai'i. 97 pages.

Delgado, J.P. and K. Gleason. Lighting Strikes Twice. *The Explorers Journal*. 89:1, Spring 2011.

Raupp, Jason and Kelly Gleason. Submerged whaling heritage in Papahānaumokuākea Marine National Monument. *Bulletin of the Australian Institute for Maritime Archaeology* (2010), 34: 66-74.

Kelly Gleason and Jason Raupp. Lost and Found In Papahānaumokuākea Marine National Monument: The Possible Wreck Site of the Nantucket Whaleship Two Brothers. *Historic Nantucket*, (Volume 60, No. 3) Fall 2010.

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):

1. Kelly Gleason (NOAA ONMS), Maritime Archaeologist/Diver and Chief Scientist
2. Jason Raupp (Flinders University), Maritime Archaeologist/Diver
3. Bert Ho (NPS SRC), Maritime Archaeologist/Diver and Remote Sensing Specialist
4. Stephani Gordon (Open Boat Films), Underwater filmmaker and field biologist/Diver
5. Susie Holst (NOAA NOS CRCP), Biologist/Diver
6. Cathy Green (NOAA ONMS), Maritime Archaeologist/Diver
7. Etta Karth (NOAA ONMS), Education and Outreach Specialist

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

1. French Frigate Shoals
2. Pearl and Hermes Atoll
3. Lisianski
4. Midway Atoll

3. Other permits (list and attach documentation of all other related Federal or State permits): State of Hawaii DLNR Section 106 Compliance (Pending)

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. None

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

5. Time frame:

Activity start: 07/05/2012

Activity completion: 07/25/2012

Dates actively inside the Monument:

From: 07/06/2012
To: 07/23/2012

Describe any limiting factors in declaring specific dates of the proposed activity at the time of application: Ship schedule changes (due to maintenance, etc.)

Personnel schedule in the Monument:

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: N/A (Federal Government work)

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

- Vessel
 Aircraft

Provide Vessel and Aircraft information: NOAA Vessel Hi'ialakai

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):

- X Rodent free, Date:
xTender vessel, Date:
x Ballast water, Date:
x Gear/equipment, Date:
x Hull inspection, Date:

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

Vessel name:
Vessel owner:
Captain's name:
IMO#:
Vessel ID#:
Flag:

Vessel type:
Call sign:
Embarkation port:
Last port vessel will have been at prior to this embarkation:
Length:
Gross tonnage:
Total ballast water capacity volume (m3):
Total number of ballast water tanks on ship:
Total fuel capacity:
Total number of fuel tanks on ship:
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:

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:

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:

Additional Information for Land Based Operations

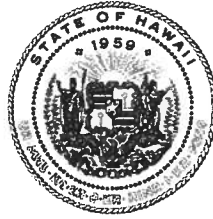
11. Proposed movement of personnel, gear, materials, and, if applicable, samples:
N/A

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
DIVISION OF AQUATIC RESOURCES
1151 PUNCHBOWL STREET, ROOM 330
HONOLULU, HAWAII 96813

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

GUY KAULUKUKUI
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

May 11, 2012

TO: Division of Aquatic Resources File

THROUGH: William J. Aila, Jr., Chairperson

FROM: Guy Kaulukukui, First Deputy and Acting Administrator
Division of Aquatic Resources *Guy*

SUBJECT:

DECLARATION OF EXEMPTION FROM THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT UNDER THE AUTHORITY OF CHAPTER 343, HRS AND CHAPTER 11-200 HAR, FOR PAPAĀNAUMOKUĀKEA MARINE NATIONAL MONUMENT CONSERVATION AND MANAGEMENT PERMIT TO DR. KELLY GLEASON, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, PAPAĀNAUMOKUĀKEA MARINE NATIONAL MONUMENT, FOR ACCESS TO STATE WATERS TO CONDUCT MARITIME HERITAGE ACTIVITIES UNDER PERMIT PMNM-2012-036.

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 Conservation and Management Permit to Dr. Kelly Gleason, National Oceanic and Atmospheric Administration (NOAA), Papahānaumokuākea Marine National Monument, for Access to State Waters to Conduct Maritime Heritage Activities

Permit Number: PMNM-2012-036

Project Description:

The conservation and management permit application, as described below, would allow entry and activities to occur in Papahānaumokuākea Marine National Monument (Monument), including the NWHI State waters from July 1, 2012 through June 30, 2013.

This is an effort to conduct surveys through the use of SCUBA of maritime heritage sites in the Monument. Activities would include visual and remote sensing surveys consisting of three main components. The first would be a proposed detailed investigation of a single wreck or archaeological site; the second would be a broader search for previously un-located and

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May 11, 2012

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undiscovered resources, and the third would allow for the identification and inventory of maritime heritage sites, including sites at Midway Atoll relative to the Battle of Midway. In addition, the third would work to develop archaeological observational and ecologically based methods of interpreting and monitoring maritime heritage sites in the NWHI. Other activities include the collection of high definition video footage of the Two Brothers shipwreck site at French Frigate Shoals, for the development of a short documentary film, and recovery of a single, selected artifact – a ginger jar (12”x6”) – from the site for outreach, education and research purposes.

The proposed activities are in direct support of the Monument Management Plan’s priority management need 3.1 – Understanding and Interpreting the NWHI (through action plan 3.1.4 – Maritime Heritage). This action plan calls for “strategies and activities for addressing maritime heritage resource and protection needs in the monument” and includes strategies such as “studying and protecting maritime heritage resources begin(ing) with basic documentary research and field site surveys”. Activities to support this understanding such as the site assessments, remote sensing, and monitoring proposed to be carried out by the permittee, are also addressed in the Monument Management Plan Environmental Assessment (December 2008) which resulted in a FONSI. This EA specifically covers field activities, such as those being proposed, that will “identify wreck sites” (PMNM MMP Vol 2, p.172). This EA summarizes that field activities could have a short-term minor negative effect due to disturbance, but recognizes that these activities occur over a short period of time and once complete the areas would be restored, with no lasting negative effects (PMNM MMP Vol. 2, p. 162-3).

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 March 1st, 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 wreck site assessment surveys, remote sensing surveys and monitoring of known shipwreck and sunken aircraft sites, 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, maritime heritage monitoring, must be grouped together and evaluated as a single action. HAR § 11-200-7. Since this permit involves an activity that is precedent to a later planned activity, i.e. the continuation of maritime heritage

monitoring activities, the categorical exemption determination here will treat all planned activities as a single action.

2. The Exemption Class for Scientific Research 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.” This exemption class has been interpreted to include “surveys, censuses, inventories, studies, photographing, recording, sampling, collection”, such as those being proposed.

The proposed survey and recovery activities here appear to fall squarely under the exemption class #5, exempt item #5 as described under the former Fish and Game Division exemption list published in January 19, 1976. As discussed below, no significant disturbance to any environmental resource is anticipated in the sampling of Monument resources. Thus, so long as the below considerations are met, an exemption class should include the action now contemplated.

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 activities would be a continuation of work previously conducted by this applicant and others, which involved monitoring and evaluation activities to characterize maritime heritage resources. Permits have been issued for this work each year to this Applicant since 2009, under another applicant since 2006, and it is likely that future requests for permits will be received to continue this work. No deleterious effects have resulted from these activities in the past. 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 would 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, nor did it raise any cultural concerns, that would occur as a result of these activities

The activities would be conducted from the NOAA Ship HI'IALAKAI (PMNM-2012-009) during its July cruise. The following table lists additional activities that are anticipated to take place on this cruise pending approval of permit applications.

Table 1. Concurrent Projects Aboard NOAA SHIP HI'IALAKAI

Permit	Purpose and Scope	Location
PMNM-2012-009 NOAA Ship HI'IALAKAI	The permit allows NOAA Ship HI'IALAKAI entry into PMNM. Personnel aboard the vessel will be permitted under separate permits.	All locations
PMNM-2011-018 Meyer	This permit allows collection of reef fish and tagging of top predators as well as acoustic receiver deployment.	All locations
PMNM-2012-020 Tagawa (proposed)	The proposed action is to allow fin clip collections and tagging of two Jack (Ulua) species, <i>Caranx ignobilis</i> and <i>Caranx melampygus</i> .	All locations
PMNM-2012-028 Lemus (proposed)	The proposed action is to conduct interviews with research scientists during the course of their field work, and film both the natural resources under study and the scientists conducting the studies to develop multimedia resources for distance learning.	All locations
PMNM-2012-033 Donahue (proposed)	The proposed action is to allow collection of (dead) corals, and to retrieve and deploy coral settlement blocks.	All locations
PMNM-2012-035 Godwin (proposed)	The proposed action is to allow alien marine invertebrate voucher specimen collections and monitoring.	All locations

This is the only maritime heritage survey and monitoring activity proposed. One other proposed project (PMNM-2011-028) would include filming, but their activities would not overlap with the underlying scope of this project as understood by its basis, scope, and outcomes. The fore mentioned filming would focus on outreach and education outcomes, while this proposed activity would focus on resource evaluation as a tool for managing these resources. In addition, none of the other permits would be surveying or accessing maritime heritage sites.

Table 2. Concurrent projects aboard NOAA SHIP OSCAR ELTON SETTE.

Permit	Purpose and Scope	Location
PMNM-2012-008 NOAA Ship OSCAR ELTON SETTE	The permit allows NOAA Ship OSCAR ELTON SETTE entry into PMNM. Personnel aboard the vessel will be permitted under separate permits.	Nihoa, Mokumanamana, FFS, Laysan, Lisianski, Pearl and Hermes, Kure

Permit	Purpose and Scope	Location
PMNM-2012-001 Co-Trustee	The proposed action is to facilitate the needs of the monk seal field camp.	All locations
PMNM-2012-013 Parrish/ Van Atta (proposed)	The proposed action is conduct selected removal of predatory sharks from Hawaiian monk seal pupping sites at French Frigate Shoals.	FFS

The NOAA Ship OSCAR ELTON SETTE (PMNM-2012-008) will also be in the Monument during this time frame. However, none of the activities overlap with the proposed maritime heritage activities.

The culmination of these permits, and their disparate activities, occurring throughout the Monument over a 4-week period, is not anticipated to have significant cumulative impacts. 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 research 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