

State of Hawai'i  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of Aquatic Resources  
Honolulu, Hawai'i 96813

May 22, 2015

Board of Land and Natural Resources  
Honolulu, Hawai'i

Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Native Hawaiian Practices Permit to Dr. Pualani Kanaka'ole Kanahele, Edith Kanaka'ole Foundation for Access to State Waters to Conduct Summer Solstice Cultural Research Activities

The Division of Aquatic Resources (DAR) hereby submits a request for your authorization and approval for issuance of a Papahānaumokuākea Marine National Monument Native Hawaiian practices permit to Dr. Pualani Kanaka'ole Kanahele, pursuant to § 187A-6, Hawai'i Revised Statutes (HRS), Chapter 13-60.5, Hawai'i Administrative Rules (HAR), and all other applicable laws and regulations.

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

- Mokumanamana

The activities covered under this permit would occur between June 1, 2015 and May 31, 2016.

The proposed activities are a continuation of work previously permitted and conducted in the Monument.

INTENDED ACTIVITIES

The Applicant proposes to examine the alignment of Ke Ala Polohiwa a Kāne (the sun's northern trek) with the island of Mokumanamana. Specifically, the Applicant wishes to see and record the alignment of uprights on the island with the rising and settings of the sun during the summer solstice. The purpose of this trip is to reconnect Hawaiian cultural practitioners with this important part of their homeland, Papahānaumokuākea. Through this experience they hope to learn more about these sacred islands through honoring them and carefully observing the celestial elements- the moon, the stars, the clouds, the rains, the winds, the sun and the earthly forms in the ocean, on the land, and the cultural sites made by their ancestors. The expedition would build upon previous research on the significance of cultural sites on Mokumanamana which would better help cultural practitioners understand the spiritual and cultural connections between Papahānaumokuākea and the Main Hawaiian islands.

This activity would help the Monument by explaining the numerous ahu (altars) and manamana (uprights) on Mokumanamana, its relationship to the rest of the Hawaiian archipelago and the Polynesian islands. It would also help Hawaiian cultural studies by examining the uprights on the main islands such as Hawai'i, Kaho'olawe, Maui, and O'ahu. The activities proposed by the Applicant directly support the Monument Management Plan's priority management needs in the Native Hawaiian Culture and History action plan 3.1.2. The strategies and activities which make up action plan 3.1.2 specifically address the need to conduct, support, and facilitate Native Hawaiian cultural access and research of the Northwestern Hawaiian Islands.

Similar trips were made by the applicant to Mokumanamana during the summer solstice in 2007, the winter solstice in 2009, and the autumnal equinox in 2011.

To conduct the proposed activities, the group would anchor off Mokumanamana on sandy substrate and send no more than ten (10) people on island for the duration of June 14 to June 23, 2015 to conduct necessary cultural ceremonies and also to observe the celestial movements in relation to various points on island. However, eighteen (18) personnel total would be aboard the MAKANI'OLU for the trip. Their time on the island would not exceed 48 hours at one time. In addition, the types of rocks used for the manamana (uprights), the shape and condition of the rock, and their placement on the paehumu (platform) would be noted. All evidence gathered by the group would be compared to Hawaiian literature, in prayers, proverbs, chants, songs, genealogy, and stories.

Subsistence (state waters) and sustenance (federal waters) fishing activities would be conducted by trolling a lure on a single monofilament handline and fishing poles for twenty meters. Fish would be caught for the practice of consuming mana and attributes from that specific sea and landscape. The four lines would be monitored at all times and personnel would abide by – Seabird Protocols Necessary for Conducting Trolling Research and Monitoring (PMNM Best Management Practices #008). All fishing gear would be removed from the water if any Hawaiian monk seals or sea turtles are observed. At this time, the group would not be offering any flesh for cultural ceremonies.

The Applicant notes that the group would observe all rules to maintain the ecological integrity of the island, and would not to disturb or damage any cultural sites. A ship berth has been reserved for a USFWS employee or designee to escort the group on the trip.

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

- Removing, moving, taking, harvesting, possessing, injuring, disturbing, or damaging any living or nonliving monument resource
- Anchoring a vessel
- Possessing fishing gear except when stowed and not available for immediate use during passage without interruption through the Monument
- Sustenance fishing (Federal waters only, outside of Special Preservation Areas, Ecological Reserve and Special Management Areas)
- Subsistence Fishing (State waters only)

REVIEW PROCESS

The permit application was sent out for review and comment to the following scientific and cultural entities: Hawai'i Division of Aquatic Resources, Hawai'i 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 16, 2015, and the revision was posted on April 15, 2015, 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:

QUESTIONS:

None.

COMMENTS:

*1. The applicant should be required to adhere to applicable Best Management Practices in place for the Monument. The EKF will adhere to all applicable Best Management Practices while traversing and visiting the Papahānaumokuākea Monument.*

The EDF will adhere to all applicable Best Management Practices while traversing and visiting the Papahānaumokuākea Monument.

*2. USFWS Anan Raymond is unavailable [as resource monitor] for this proposal. FWS will recommend an alternate candidate for MMB approval.*

The EKF would like to offer for your consideration that Kalei Nu`uhiwa serve as an alternate candidate for MMB approval. She has previously served in that capacity for two trips to the monument and would also like to be available as a certified monitor for other cultural groups as well. Please see Ms. Nu`uhiwa's attached CV.

*3. NMFS also offers our support for this project as it continues to improve the cultural and historical understanding of the Hawaiian Islands.*

Mahalo nui.

*4. OHA appreciates the value of this research to the continued understanding of Mokumanamana and the perpetuation of traditional practice on the island.*

Mahalo nui.

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

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

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

No comments were received from the public on this application.

**Additional reviews and permit history:**

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

If so, please list or explain:

- The proposed activities are in compliance with the National Environmental Policy Act.
- A request to the National Marine Fisheries Service (NMFS) for a Section 7 informal consultation pursuant to the Endangered Species Act of 1973 is underway as of April 30, 2015 to analyze the effects of proposed activities within the Monument on protected species. The outcome of this consultation may require the applicant to adhere to other NMFS-prescribed conditions. Such conditions would be reflected in the PMNM permit, prior to issuance.
- National and State Historic Preservation Act Section 106 consultation
- 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 PAPA HANAUMOKU AKEA MARINE NATIONAL NATIVE HAWAIIAN PRACTICES PERMIT TO DR. PUALANI KANAKA'OLE KANAHELE, EDITH KANAKA'OLE FOUNDATION, FOR ACCESS TO STATE WATERS TO CONDUCT SUMMER SOLSTICE CULTURAL RESEARCH ACTIVITIES UNDER PERMIT PMNM-2015-22").

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

If so, please summarize past permits:

- Applicant was granted permit PMNM-2007-024, PMNM-2009-023, and PMNM-2011-036 for similar activities in 2007, 2009 and 2011.

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

PMNM 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 Native Hawaiian Practices Permit General Conditions. The proposed activities align with the Monument Management Plan's priority management need to understanding and interpreting the NWHI through Native Hawaiian culture and history. 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 PMNM 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:

1. 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 Native Hawaiian Practices Permit to Dr. Pualani Kanaka'ole Kanahahele, Edith Kanaka'ole Foundation, for Papahānaumokuākea Marine National Monument, with the following special conditions:

a. This permit is not to be used for nor does it authorize the sale of collected organisms. Under this permit, the authorized activities must be for noncommercial purposes not involving the use or sale of any organism, by-products, or materials collected within the Monument for obtaining patent or intellectual property rights.

b. The permittee may not convey, transfer, or distribute, in any fashion (including, but not limited to, selling, trading, giving, or loaning) any coral, live rock, or organism collected under this permit without the express written permission of the Co-Trustees.

c. To prevent introduction of disease or the unintended transport of live organisms, the permittee must comply with the disease and transport protocols attached to this permit.

d. Tenders and small vessels must be equipped with engines that meet EPA emissions requirements.

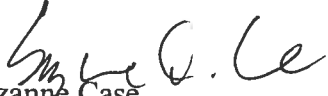
e. Refueling of tenders and all small vessels must be done at the support ships and outside the confines of lagoons or near-shore waters in the State Marine Refuge

Respectfully submitted,

Maria Carnevale  
State Co-Manager

Papahānaumokuākea Marine National Monument

APPROVED FOR SUBMITTAL

  
Suzanne Case  
Chairperson

**Papahānaumokuākea Marine National Monument**  
Native Hawaiian Practices Permit Application

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

**ADDITIONAL IMPORTANT INFORMATION:**

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

**INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED**

Send Permit Applications to:

Papahānaumokuākea Marine National Monument Permit Coordinator

6600 Kalaniana'ole Hwy. # 300

Honolulu, HI 96825

[nwhipermit@noaa.gov](mailto: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. Pualani Kanaka'ole Kanahale

**Affiliation:** Edith Kanaka'ole Foundation (EKF), Hawai'i Community College (HCC).

**Permit Category:** Native Hawaiian Practices

**Proposed Activity Dates:** June 14 - 23, 2015

**Proposed Method of Entry (Vessel/Plane):** 1 Vessel

**Proposed Locations:** Mokumanamana

**Estimated number of individuals (including Applicant) to be covered under this permit:** 18

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

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

a.) The proposed activity would...

Mokumanamana provides a unique window into the relationship of the elementals to our ancestors and their need to profoundly acknowledge accurately, the concept of time and space in which they considered their universe. The island is in alignment with the boundary of the sun's northern trek called the Ala Polohiwa a Kāne or the time recognized as the summer solstice. Mokumanamana is naturally aligned with the reflection of the celestial alignment for the universal time on earth.

One our previous trips during the summer & winter solstice trips, a baseline was established with the ancestral alginments for several of the manamana or uprights on the island. Our research group also conducted similar studies on the fall equinox which provided different information that supported our previous research discoveries. The necessity of that fall equinox venture was to establish the central focal points that had both celestial and terrestrial alignments during Ka Piko o Wākea.

For this current proposed trip, the research team would like to utilize the discovered information from all the previous trips to confirm the findings and to complete the final stages of a cultural report regarding celestail and terrestrial alignments on Mokumanamana.



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

We would assign five groups of two people on each of the pu'u for the sunrise and the sunset. They would look at the shadows cast by the sun during the time when the sun enters into the celestial zone where a phenomenon called the "Ke'eke'e" will occur on the celestial dome. Ke'eke'e is the north south path the sun makes on both the rising and setting where refraction occurs. The researchers will record the shadows of the pivotal manamana (uprights) with the location of the sun just as it either exists or enters the ocean. The teams will conduct their studies from previously noted manamana to confirm the celestial/terrestrial alignments to the sun, moon & specific stars.

The type of rocks used for the manamana, the shape and condition of the rock, their placement on the paeumu (platform) and the east west movement of the sun are yet other levels of research necessary for the understanding of the function the sites. Taking note of the relationship made of the north-south and east-west alignments on this island is also an important key to one of the purposes of the manamana on the paeumu.

The location of the moon, stars and planets in the evening in alignment with a terrestrial features are also pertinent to the rediscovery of their possible function during this time of the year.

The information discovered from previous studies in Hawaiian literature, both chant form, narrative and stories will be coordinated with previous researched observations and confirmed on this venture to Mokumanamana.

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

Explaining the function of the numerous amounts of paeumu and manamana on that particular island, its relationship to the rest of the Hawaiian archipelago and the Polynesian islands. It will always help Hawaiian cultural studies by examining the uprights on the main islands such as Hawai'i, Kaho'olawe, Maui and O'ahu. It provides the insight of the Native Hawaiian mind with his environment, especially celestial bodies of light. It is important to know that these basic practices continued despite migration, the idea that the island changes and the ocean changes but the celestial cycles remain the same. This was a way that Hawaiian were always consciously and methodically keeping track of the earth and its alignment with the sky.

**Other information or background:** There will be a total of 18 individuals participating. This number includes the NOAA monitor. The crew members are:

Pualani Kanahale - Will remain on the vessel

Leighton Tseu- Will remain on the vessel

Buffalo Keaulana- Will remain on the vessel

Kalei Nu'uhiwa

Huihui Kanahale-Mossman

Kala Mossman

Keala Kanaka'ole

Ulumau Keali'ikanaka'ole

Ulalia Woodside  
Hi'ilei Kawelo  
Bonnie Kahape'a  
Pualani Lincoln-Mai'elua  
Kawele Kaula-Nelson

4- Makani'olu Crew members to be determined by Merimed Foundation- Will remain on the vessel

1- NOAA/DoFAW monitor to be determined by NOAA/DoFAW

Only 10 individuals of the EKF crew members plus the NOAA/DoFAW monitor will be accessing and landing on Mokumanamana to conduct field studies and ceremonies. The 8 remaining on the ship will conduct studies from the ship to the shore observing celestial alignments visible from the ship to uprights and natural features on Mokumanamana. This ship to shore study is pertinent to understanding Mokumanamana's function for maritime sailors of the past as a probable wayfinding point as mentioned in the migration stories of Pele, Wākea and 'Aukelenuiaikū.

Crew members of the Makani Olu will be doing maintenance checks & vessel inspections to prepare for the return voyage.

The Edith Kanaka'ole Foundation will be utilizing the Marimed Foundation's vessel, the Makani Olu to sail over and back. The specs for the Makani Olu are as follows:

Vessel Name: SSV Makani Olu

Vessel Owner: Marimed Foundation

Captains Name: Kalei Velasco

IMO#: [REDACTED]

Vessel [REDACTED]

Flag: USA

Vessel Type: three-masted tall ship staysail schooner

Call sign: [REDACTED]

Embarkation port: Kāne'ōhe Bay

Length: 96'

Gross tonnage: 68

Total number of fuel tanks on ship: 2

Fuel tank capacity: 421g (842 total)

Marine Sanitation Device: Headhunter and Tank Sentry

Sewage capacity: 453g

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.

**Section A - Applicant Information**

**1. Applicant**

Name (last, first, middle initial): Kanaka'ole Kanahale, Pualani

Title: Dr.

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

Pualani Kanaka'ole Kanahale

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



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

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

Edith Kanaka'ole Foundation (EKF)

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

Dr. Pualani Kanahale - Cultural Expert/Researcher

Leighton Tseu- Captain & Researcher

Buffalo Keaulana- Original Crew Member of the Hokule'a & Ocean expert

Kalei Nu'uhiwa, M.A. - Crew & Researcher

Dr. Huihui Kanahale-Mossman- Crew & Researcher

Kala Mossman- Crew, Archaeologist & Researcher

Keala Kanaka'ole- Crew, Land/Resource Manager & Researcher

Ulumau Keali'ikanaka'ole- Crew, Land/Resource Manager & Researcher

Ulalia Woodside- Crew, Land/Bird/Resource Manager & Researcher

Hī'ilei Kawelo- Crew & Kuhikuhipu'uone Researcher

Bonnie Kahape'a- Crew & Celestial Wayfinding & Holowa'a expert

Pualani Lincoln-Mai'elua- Crew & Celestial Wayfinding & Holowa'a expert

Kawele Kaula-Nelson- Crew, Land/Resource Manager & Researcher

4- Makani'olu Crew members to be determined by Merimed Foundation- Will remain on the vessel

1- NOAA/DoFAW monitor to be determined by NOAA/DoFAW

**Section B: Project Information**

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

<input type="checkbox"/> Nihoa Island	<input type="checkbox"/> Land-based	<input type="checkbox"/> Shallow water	<input type="checkbox"/> Deep water
<input checked="" type="checkbox"/> Necker Island (Mokumanamana)	<input checked="" type="checkbox"/> Land-based	<input checked="" type="checkbox"/> Shallow water	<input 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:

Mokumanamana is a small, isolated island remnant at the northwestern end of the main Hawaiian island chain, within what is now called Papahānaumokuākea Marine National Monument (or the Northwestern Hawaiian Islands). Mokumanamana is located another 240 km NW of Kaua'i and have numerous cultural sites that are significant to our Hawaiian identity and heritage.

**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 this trip is to confirm and complete the reconnection of Hawaiian cultural practitioners with this important part of our homeland, Papahānaumokuākea. Through this experience we hope to learn more about these sacred islands through honoring them and carefully observing the celestial elements-the moon, stars, planets, clouds, rains, sun and other earthly forms in the ocean, on the land, and with the cultural sites made by our ancestors. We will draw upon our extensive background research and knowledge of the traditional pule (prayers), mele (songs, chants), 'ōlelo no'eau (proverbs & epithets), wahi pana (famous places), wahi kapu (sacred spaces), mo'okū'auhau (genealogies), and ko'ihonoua (creational recordations) to inform our experiential research. The EKF has gone to make celestial to terrestrial recordations on two summer solstices. Through each experience the researchers learned more valuable information that could be connected to stories, chants and pule. This third visit will be to confirm all the findings gleaned on previous trips.

There will be one vessel sailing up to Mokumanamana and back. The vessel is a three masted schooner named Makani'olu.

The plan is to access Mokumanamana during its apex of the sun's trek along the Ala Polohiwa a Kāne on this expedition.

There are no plans to go to Nihoa unless it is necessary to take shelter on the lee of the island for purposes of waiting out a storm as applicable.

**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?

All participants will be participating an in-depth briefing and orientation of the island of Mokumanamana which will include a three day training course, which is currently

scheduled for April 2015. Orientation and training includes, Boat safety and boat procedures, hazardous open water procedures, emergency procedures on the ship, inflatable & on Mokumanamana, Cultural protocols, ceremonies and religious rituals, celestial and terrestrial orientation. Site description and research/study procedures, detailed camera use and on island procedures, traditional Hawaiian measurements, previous documentation of sites, compass use and compass procedures on Mokumanamana. Also included will be biological and ecological resource orientation, egg/chick avoidance, subsistence fishing while underway in the designated approved areas, gear preparation and packing procedures safety.

All participants are trained cultural practitioners, experienced open ocean water crew members that possess and have contributed to the knowledge on the specific cultural, historical and scientific importance of the Monument, specifically Mokumanamana. The participants will also abide by all quarantine and packing protocols established by the Monument and undergo a section 106 National Historic Preservation Act consultation with the State Historic Preservation Division.

We would like to request for Anan Raymon or any available USFAW monitor as designated by NOAA or USFAW to provide an orientation in Hilo in April as well as to accompany the group to Mokumanamana.

EKF will be conducting two trainings in preparation for the visit. One training will be in March and another will be in April.

The EKF welcomes the opportunity for a designated trainer to join us for the biological, ecological resource, and gear preparation/packing orientation in April. Please advise us on how to arrange for a training.

All participants will continue their cultural and safety training prior to accessing the Monument. The training will be facilitated by Monument staff and archaeologists knowledgeable about accessing Mokumanamana. All participants will abide by the safety rules and guidelines pertaining to the health and welfare of the flora, fauna and archaeological sites of Mokumanamana. All participants possess a deep and personal respect for the significance of the ancestral islands of Mokumanamana and of our kūpuna.



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?

This activity is aligned with the management direction of the Monument and with Presidential Proclamation 8031. The proposal activities are designed to enhance Hawaiian cultural knowledge and are intended not for commercial purposes. All proposed activities will be conducted by knowledgeable and respected Native Hawaiian cultural practitioners and will benefit the resources of Papahānaumokuākea as well as the greater Native Hawaiian community through further understanding and increased clarity regarding the cultural resources of Papahānaumokuākea and specifically Mokumanamana and its position with time and space. Further activity will bring together other similar sites and the linkages of these sites, no ecological or cultural resources will be removed from the island. No activity will deliberately cause harm or disruption to any resources on the island. All proposed activities will increase the cultural knowledge of the island.

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 other site in the Hawaiian archipelago that is as far north that possesses cultural significance uninterrupted by the daily activities of man which allow for the mapping and recording of the Solstices and Equinoxes. Papahānaumokuākea provide an unprecedented opportunity to align chants, stories and cultural remnants. The solitude, distance, certitude and human challenge to travel to the inhospitable sites such as Mokumanamana and Nīhoa reveals Hawaiians' fortitude to attain the sacred; Mokumanamana was and still remains the crossroads, or the threshold beyond the sacred because of its natural position on earth with the celestial trek of the sun in the atmosphere. During this next trip, the star and moon alignments will also be added to the observations.

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. Visiting Mokumanamana is the only place to record possible activities on the islands by Hawaiian ancestors. All proposed activities completed during the summer solstice will add to the hypotheses initially developed by Native Hawaiian cultural scholars. The landing team plans to stage a base camp in a central area that is clear of nesting or burrowing birds. This base camp will be the point where extra food and water will be staged. 5 teams of 2 individuals each will camp on each of the Hā'ena hills. To minimize impact, the teams will stay on their hills to conduct their main observations and evening celestial observation an hour before sunset till an hour after sunrise from the same spot. Please see the map with illustrations regarding overnight camping and base camp sites.

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

The time requested in this application is sufficient to complete the activities intended for the duration of the summer solstice as recorded by the Navy. The 24 hour period of sun rises and sets, moon rises and sets, as well as star rises and sets allows the minimal amount of time for the particular study without critically impacting the resources. As stated previously, a base camp will be set up where extra food and water will be staged. 5 teams of 2 individuals each will camp on each of the Hā'ena hills. To minimize impact, the teams will stay at their camping spots to conduct their main observations an hour before sunset till an hour after sunrise. Please see the map with illustrations regarding overnight camping and base camp sites.

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

Many of the members of this respective applicant group have accessed Mokumanamana and Nihoa previously at least 4 times. The current applicant group also possess one hundred and eight years of combined cultural involvement between them. All participants have also been involved in complex and extensive training & practice with conducting ceremony, research, collection of cultural data, translation of literature from Hawaiian to English and were specifically chosen for their intelligence, passion, knowledge and their ability to coexist while on the trip. All of the members of this participant group have been involved with Kaho'olawe and are aware of the special protocols surrounding extremely sensitive and protected areas.

Dr. Pualani Kanahale \*Please see attached CV

Leighton Tseu- A certified captain and maritime engineer has sailed over 45 years in the open ocean while employed with Matson. Tseu is a member of the Royal Order of Kamehameha and Kanaloa Practitioner.\*Please see attachment

Buffalo Keaulana- Original Crew Member of the Hokule'a & Ocean expert. Has had over 60 years experience in the ocean through surfing, voyaging and ocean rescue and safety.

Kalei Nu'uhiwa, Crew & Researcher \*Please see attached CV

Dr. Huihui Kanahale-Mossman- Crew & Researcher \*Please see attached CV

Kala Mossman- Crew, Archaeologist & Researcher

Keala Kanaka'ole- Crew, Land/Resource Manager & Researcher

Ulumau Keali'ikanaka'ole- Crew, Land/Resource Manager & Researcher

Ulalia Woodside- Crew & Researcher \*Please see attached CV

Hi'ilei Kawelo- Crew & Kuhikuhipu'uone Researcher \*Please see attached CV

Bonnie Kahape'a- Crew & Celestial Wayfinding & Holowa'a expert

Pualani Lincoln-Mai'elua- Crew & Celestial Wayfinding & Holowa'a expert \*Please see attached CV

Kawele Kaula-Nelson- Crew, Land/Resource Manager & Researcher

Attached are the CVs of Dr. Pualani Kanahale and Kalei Nu'uhiwa, M.A.

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 made inquiries to secure financial resources through the Office of Hawaiian Affairs. Our contacts are Keola Lindsey & Brad Wong. Resources are currently being sought to cover pre-access training and orientation sessions, airfare to and from Hilo & Kaua'i, and to write a report regarding the final analysis and recordation of our findings.

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.

All members of the group are intimately familiar with cultural sites throughout the islands and have studied the uses, functions and positions to the respective environment, horizontally and vertically and will conduct their studies on the island with the same method of familiarity. Prior cultural groups to the islands have recorded cultural sites and these records will be used as a study tool prior to accessing the islands. Compass points will be established, and data will be collected on the rising and setting of the sun, moon and stars and will be measured according to the manamana (uprights) at the time of the summer solstice. The proposed methods and precedures are in-line with accepted cultrural behaviors and scientific methodology and procedures.

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

Our vessel will comply with all regulations and be outfitted with a type-approved Vessel Monitoring System prior to the departure date.

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

No.

#### ADDITIONAL FINDINGS FOR PROPOSED NATIVE HAWAIIAN PRACTICES

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

No material will be collected on this trip. All data collected will be for the sole purpose of better understanding the relationship of Mokumanamana and the sun's, moon's & star's celestial movement during the summer solstice. No data will be sold or used for commercial purposes.

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

From June 14-23, 2015, our cultural protocol group intends to go to Mokumanamana Island for the purposes of conducting Hawaiian cultural & spiritual practice. The main objective of the expedition is to conduct ceremonies during the time of the summer solstice. The summer solstice is a time when the sun arrives and traverses directly over

a portion of Mokuamanamana during its peak called Hā'ena. The sun will be traveling along the northern realm of Kāne. Our group will conduct culturally appropriate research regarding traditional use of the island of Mokuamanamana as it astronomically relates to the sun's movement over the sites located on the island. Mokuamanamana is a small rugged island located approximately 240 km northwest from the island of Kaua'i. Mokuamanamana island has over 52 cultural sites, 33 of which are ceremonial sites (heiau) which is further testimony to the spiritual significance this island plays in Hawaiian traditions, cosmology and beliefs.

Previously, our researchers have hypothesized the important spiritual role both Nīhoa and Mokuamanamana Islands might have played in the past due to its proximity to this northern path called the "Tropic of Cancer," (Kikiloi 2006), (Liller 2000). We have also collected data through the observations and recordings made by the researchers and recordings of the group who accessed the island during the sun's alignment towards the southern boundary called the "Tropic of Capricorn."

In Hawaiian traditions, the northern boundary was called, "ke ala polohiwa a Kāne," the southern boundary was called, "ke ala polohiwa a Kanaloa," and the focal center was called, "ka piko o Wākea (Tsuha 2007). We will combine our collected data and confirm our findings on the effects the sun, moon and stars will have on the various manamana (uprights) and paehumu (platforms) located on the island.

For Mokuamanamana Island, we are proposing only to go on-island to conduct ceremonies and study the movement of the Sun and its impact on the manamana, as well as other celestial bodies on the same manamana on the days of June 14 - 23 during the time of the summer solstice. A number of days are required in order to optimally study both the rising and setting of the sun in relation to the different ceremonial sites on the island. We are proposing that no more than 10 people be allowed to access the island, pending on selected vessel and the number of potential

berths. We will also be reserving a berth for one designated U.S. Fish and Wildlife escort personnel should this be a requirement.

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

The proposed activity benefits the resources of the Northwestern Hawaiian Islands because it perpetuates age old traditions of Hawaiian ancestors who made pilgrimages to the island of Mokumanamana for religious purposes. We will follow in their footsteps. Mokumanamana plays a unique role in facilitating the continued connection between the Hawaiian ancestors and descendants; through the spiritual (pō, lit. darkness, creation) and the physical (ao, lit. light, and emergence) realms. The paeumu or ceremonial sites on Mokumanamana are a conduit which channels our collective prayers and offerings on the solstice and amplifies them to all of our ancestors who receive them in the afterlife.

These types of cultural activities benefits the Native Hawaiian community because it allows us to understand the architectural structure of luakini and other types of heiau built. It strengthens the reciprocal relationship and spiritual life force (mauli ola) between Hawaiian ancestral practices and living descendants (the living Hawaiian community). The continuation of ho'omana (worship), lololo (intellegence) and honoring of our kūpuna (ancestors). It gives renewed strength to our community and directly innmpacts the spiritual health and well being of every Native Hawaiian today.

This activity will also indirectly benefit the management of the resources because the experiences gained here will likely contribute towards any future development of a Monument Cultural Access Planf for the region. Through previous communication with the NWHI Native Hawaiian Cultural Working Group, we've demonstrated our commitment to helping provide critial cultural advice on key management issues. We hope to continue this relationship in the future.

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

This activity advances the perpetuation of traditional knowledge and ancestral connections of Native Hawaiians to the Northwestern Hawaiian Islands by building upon generations of experience of our kūpuna (ancestors) that went to these islands before us. In contemporary times, the resurgence of traditional voyaging by the Hōkūle'a and Makali'i has helped a new generation of Native Hawaiians to see and experience these famous lands with their own eyes, reawakening ancestral memories locked away within each individual. All of these new stories and experiences lend to the continuation of our connection to this area and the continuation of our history there on Mokumanamana. In

order to advance traditional knowledge, it is pertinent that Native Hawaiians continue to access and interact with that region.

Traditional knowledge is a system of understanding, and a method of living based on the cycles of the environment. There are very few places in existence within the Native Hawaiian universe that are untouched by man. With the continued over-development of our main Hawaiian islands, remote places (that are as close to their nature state as possible) like the islands within Papahānaumokuākea are critical for the spiritual human/nature interaction essential for survival. Access to these types of cultural sites and their resources play a momentous role in the survival of traditional knowledge of Hawaiian methodologies and practices of Hawaiian spirituality.

Another advancement would be the applicable learning the double hulled crew members will be engaging as to date there have been no more than two voyages up towards these islands utilizing traditional navigational methods to sail towards and return from Mokumanamana. This applied knowledge is valuable to the understanding of how Hawaiians traditionally accessed the island from Hawai'i.

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

For sustenance fishing, all fish caught on this trip will be consumed during the trip and within the Monument. We will not remove any fish from the Monument. The SSV Makani Olu will be utilizing the hook, lure and line methodology of fishing. The line will be no longer than 20 meters. No more than 4 trolling lines will be utilized. We anticipate the fish caught will be pelagics such as ahi, aku, kawakawa, uku, mahimahi and 'ono.

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

The SSV Makani Olu will anchor off Mokumanamana Island within the intertidal zone. Prior to dropping anchor, divers will assess the ocean floor to find an area that would least impact the living coral. In the past the SSV Makani Olu has anchored on the Southwest side of the island. An inflatable with two members of the landing party will assess the condition of the landing area first before dispatching the entire landing party. Upon assessment of the landing conditions, the landing party will dispatch to the

designated landing on island. A base camp in a central area that is clear of nesting or burrowing birds will be established followed cultural ceremonies at site 2 on the top of Hā'ena Moe. Upon completion of the ceremonies, 5 teams of 2 individuals each will make their way to their intended camp sites on each of the Hā'ena hills. The camping gear will be basically a tarp, a sleeping bag and a drybag with food, water, flash light, radio, and previously frozen clothing. No cooking will be done on the island. Each team will be given a radio to remain in contact with one another and with the SSV Makani Olu crew. To minimize impact, the teams will stay on their hills to conduct their main observations and evening celestial observation an hour before sunset till an hour after sunrise from the same spot. Wag bags and trash bags will be provided for the teams for human waste. The team will remain on the island no longer than the duration of 48 hours to conduct necessary cultural ceremonies and research of the celestial movements in relation to various points on the island, particularly recording the rising and setting of the sun, moon and stars in regards to the summer solstice.

We will comply with all the policies and rules that maintain the healthy ecological integrity of the island's natural resources, and will conduct ourselves in the appropriate manner as to avoid any damage or distruption of the cultural sites, animals, fish or plants. The landing party will gather at the base camp on the morning of the departure. All waste will be removed from the island. Departure procedures will be followed per the SSV Makani Olu crew.

**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:

n/a

Scientific name:



n/a

Hawaiian name:

n/a

# & size of specimens:

n/a

Collection location:

n/a

Whole Organism  Partial Organism

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

n/a

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

n/a

• General site/location for collections:

n/a

• Is it an open or closed system?  Open  Closed

n/a

• Is there an outfall?  Yes  No

n/a

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

n/a

• Will organisms be released?

n/a

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

n/a

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

The EKF will not be leaving any physical cultural offerings on Mokumanamana. Offerings of the leo (voice) will be given through chant and pule.

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

Camping gear will be minimal: A single tarp, a sleeping bag and a drybag with food, water, flash light, radio, insect repellent, sunblock, a compass, pencil, paper and previously frozen clothing. No cooking or camp fires will be utilized.

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

n/a

**14. Describe collaborative activities to share samples, cultural research and/or knowledge gained in the Monument:**

The research and analysis of the findings will be recorded and a comprehensive report will be written with the intent of sharing out the information to the managers of the NWHI organizations, OHA and the Papahānaumokuākea Hawaiian Advisory Council and any other interested cultural parties.

**15a. Will you produce any publications, educational materials or other deliverables?**

Yes  No


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

A written summary will be done for the NWHI organizations after the completion of the expedition. Findings will be submitted no later than six months following after the expedition. Likewise, appropriate photographs and pictures will be submitted to be used for educational purposes. If academic journal articles or publications are to be written, copies will be sent to the Native Hawaiian Cultural Program for the NWHI Marine National Monument.

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

With knowledge of the penalties for false or incomplete statements, as provided by 18 U.S.C. 1001, and for perjury, as provided by 18 U.S.C. 1621, I hereby certify to the best of my abilities under penalty of perjury of that the information I have provided on this application form is true

and correct. I agree that the Co-Trustees may post this application in its entirety on the Internet. I understand that the Co-Trustees will consider deleting all information that I have identified as “confidential” prior to posting the application.

  
Signature \_\_\_\_\_ Date 3-2-15

**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):** Dr. Pualani Kanahale, Principle Investigator; Kalei Velasco, Captain; Ed Enos, Captain; Matthew Claybaugh, Captain; Kaipo Pomaikai, Captain; Kalā Mossman, Quartermaster & researcher; Kalei Nu'uhiwa, researcher & resource monitor; Huihui Kanahale-Mossman, researcher; Keala Kanaka'ole, researcher; Ulalia Woodside, researcher; Hi'ilei Kawelo, researcher; Pualani Lincoln-Maielua, researcher; Ulumauahi Keali'ikanaka'ole, researcher; Bonnie Kahape'a, researcher; Kawele Kaula, researcher.

**2. Specific Site Location(s): (Attach copies of specific collection locations):** Each pu'u/hill of Mokumanamana will be studied.

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

**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.**

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

**5. Time frame:**

Activity start: June 14, 2015

Activity completion: June 24, 2015

Dates actively inside the Monument:

From: September 16, 2011

To: September 23, 2011

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

Personnel schedule in the Monument: Please see the attached float plan.

**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:**

Each participant has signed up for the Divers Alert Network insurance policy.  
The Edith Kanaka'ole Foundation

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

- Vessel  
 Aircraft

Provide Vessel and Aircraft information: The Makani 'Olu is owned and operated by Marimed Foundation, a non-profit organization involved with sail training since 1988. The 96-foot, three-masted staysail schooner, retrofitted for sail training in Hawaiian waters.

**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):**

**These inspections have been scheduled through Pua Borges-Smith and Justin Rivera of NOAA. Currently, the VMS installation will occur on 6/3 at 9AM. Jodie Yim of the Marimed Foundation has scheduled inspections for June 12, 2015. Documentation will be provided upon completion.**

- 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  
Captains' name: Kalei Velasco & Matt Claybaugh  
IMO#:366837840  
Vessel ID#: 1113517  
Flag: USA

Vessel type: SAIL/AUX  
Call sign: WDA6945  
Embarkation port: Kaneohe Bay  
Last port vessel will have been at prior to this embarkation: Nawiliwili, Kauai.  
Length: 96'  
Gross tonnage: 68  
Total ballast water capacity volume (m3): NONE  
Total number of ballast water tanks on ship: NONE  
Total fuel capacity: 800GAL  
Total number of fuel tanks on ship: 2  
Marine Sanitation Device: BLACKTANK 400GAL  
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: TANK WILL BE EMPTIED PRIOR TO ENTERING AND AFTER EXITING

Other fuel/hazardous materials to be carried on board and amounts: NONE

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: Scott Godwin & Justin Rivera have scheduled to install the until on June 3, 2015.

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:**

Walking

All equipment, canvas gear and materials will be brand new, packed in Ziploc bags and frozen for 48 hour, followed by the final packing in airproof bags which will not be opened until landing on Mokumanamana.

**12. Room and board requirements on island:** Tarp, Bivy Sack, blanket

**13. Work space needs:** Environment

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

DAVID Y. IGE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF AQUATIC RESOURCES  
1151 PUNCHBOWL STREET, ROOM 330  
HONOLULU, HAWAII 96813

SUZANNE CASE  
INTERIM CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA  
INTERIM FIRST DEPUTY

W. ROY HARDY  
INTERIM 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  
KAIHOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

May 22, 2015

TO: Division of Aquatic Resources File

THROUGH: Suzanne Case, Chairperson

FROM: Maria Carnevale  
Papahānaumokuākea Marine National Monument

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 NATIVE HAWAIIAN PRACTICES PERMIT TO DR. PUALANI KANAKA'OLE KANAHELE, EDITH KANAKA'OLE FOUNDATION, FOR ACCESS TO STATE WATERS TO CONDUCT SUMMER SOLSTICE CULTURAL RESEARCH ACTIVITIES UNDER PERMIT PMNM-2015-022

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 Native Hawaiian Practices Permit to Dr. Pualani Kanaka'ole Kanahele, Edith Kanaka'ole Foundation, for Access to State Waters to Conduct Summer Solstice Cultural Research Activities

Permit Number: PMNM-2015-022

Project Description:

The Native Hawaiian practices permit application, as described below, would allow entry and activities to occur in Papahānaumokuākea Marine National Monument, including the NWHI State waters from June 1, 2015-May 31, 2016.

The Applicant proposes to examine the alignment of Ala Polohiwa a Kāne (the sun's northern trek) with the island of Mokumanamana during the time recognized as summer solstice. Specifically, the Applicant wishes to see and record the alignment of uprights on the island with the rising and settings of the sun during the summer solstice. To conduct the proposed activities, the group would anchor off Mokumanamana and send no more than ten (10) people on island for

ITEM F-6c



the duration of June 14, 2015 through June 23, 2015 to conduct necessary cultural ceremonies and observations for this documentation. Personnel would not spend more than 48 hours on-island at one time. Though ten people would be on Mokumanamana at a given time, eighteen (18) total personnel would be aboard the MAKANI'OLU for the duration of the trip.

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 3.1.2 – Native Hawaiian Culture and History). This action plan calls for the conduct, support, and facilitation of Native Hawaiian cultural access and research of the NWHI. It specifically notes support for cultural research that helps in understanding ancestral connections related to the Monument. Activities to support “enhancing, incorporating, and perpetuating understanding of Native Hawaiian culture and knowledge”, such as those being proposed, are also addressed in the Monument Management Plan Environmental Assessment (December 2008) which resulted in a FONSI (Finding of No Significant Impact). In addition, this EA notes that “identifying research needs, supporting Native Hawaiian cultural access, and incorporating Native Hawaiian traditional knowledge and associated practices into Monument management” could have beneficial effects on Monument resources (PMNM MMP Vol 2, p.192).

Subsistence (state waters) and sustenance (federal waters) fishing activities would be conducted by trolling a lure on a single monofilament handline and fishing poles for twenty meters. Fish would be caught for the practice of consuming mana and attributes from that specific sea and landscape. The four lines would be monitored at all times and personnel would abide by – Seabird Protocols Necessary for Conducting Trolling Research and Monitoring (PMNM Best Management Practices #008). All fishing gear would be removed from the water if any Hawaiian monk seals or sea turtles are observed. At this time, the group would not be offering any flesh for cultural ceremonies.

Consulted Parties:

The permit application was sent out for review and comment to the following scientific and cultural entities: Hawai'i Division of Aquatic Resources, Hawai'i 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 on the Monument Web site since March 16, 2015, and the revision was posted on April 15, 2015, 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 using Native Hawaiian practices to document summer solstice alignments at Mokumanamana, 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 planned 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. specifically 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 natural resource observations, such as those being proposed.

The proposed sky, land, and ocean evaluation activities here appear to fall squarely under the exemption class #5, exempt item #4 as described under the former Fish and Game Division exemption list published in January 19, 1976. The Native Hawaiian practices of observing and documenting natural resource states are considered data collection. As discussed below, no significant disturbance to any environmental resource is anticipated through the act of observing the 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.

This is the fourth project proposed to date by this Applicant aimed at documenting celestial alignments at Mokumanamana during solstice or equinox time periods. The prior permits that have involved these activities have had no deleterious effects on Monument resources. No significant impacts are anticipated as a result of the proposed access and observation techniques especially since the techniques proposed are non invasive and do not involve the handling of resources to complete the activity. 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, nor did it raise any cultural concerns, that would occur as a result of these activities. The knowledge gained is invaluable to the Hawaiian community. Studying the

uprights provides insight into the relationship that the people had with the environment, especially celestial bodies of light. It is important to note that these basic practices continued to occur over time, despite migration. In this way, Hawaiians were consciously and methodically keeping track of the earth and its alignment with the sky.

The activities will be conducted from the NOAA contracted vessel, the MAKANI'OLU during June 2015. No other permittees will be conducting activities from the same vessel. See Table 1 for a list of proposed activities taking place in the Monument in June 2015.

Table 1. Concurrent projects aboard the SEARCHER

PMNM-2015-017 Springer (proposed)	This proposed action would be to conduct intertidal biodiversity studies using traditional ecological knowledge	Nihoa, Mokumanamana, French Frigate Shoals, Gardner Pinnacles
PMNM-2015-026 Bird-Toonen (proposed)	This proposed action entails conducting intertidal biodiversity activities	All locations

There are no anticipated concurrent cumulative impacts given that the scope of work for each of the various applicants greatly differs. Their research does not overlap in terms of the resources they are studying. Since no significant cumulative impacts or significant impacts with respect to any particularly sensitive aspect of the project area are anticipated, the categorical exemptions identified above should remain applicable.

4. Overall Impacts will Probably be Minimal and Insignificant. Any foreseeable impacts from the proposed activity will probably be minimal, and further mitigated by general and specific conditions attached to the permit. Specifically, all 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.

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Suzanne Case  
Chairperson, Board of Land and Natural Resources

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Date