

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

August 12, 2016

Board of Land and Natural Resources
Honolulu, Hawai'i

Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Education Permit to Ms. Jodie Yim, Director of Maritime Operations, Marimed Foundation, for Access to State Waters to Conduct Activities for the Kailana Maritime Educational Program Voyage to Nihoa and Mokumanamana

The Division of Aquatic Resources (DAR) hereby submits a request for your authorization and approval for issuance of a Papahānaumokuākea Marine National Monument Education permit to Ms. Jodie Yim, Director of Maritime Operations, Marimed Foundation, 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 Education permit, as described below, would allow entry and activities to occur in Papahānaumokuākea Marine National Monument (Monument), including the Northwest Hawaiian Islands (NWHI) State Marine Refuge and the waters (0-3 nautical miles) surrounding the following sites:

- Nihoa Island
- Mokumanamana (Necker Island)

The activities covered under this permit would occur between September 1, 2016 and August 31, 2017.

The proposed activities are similar to those that have previously been permitted and conducted in the Monument.

INTENDED ACTIVITIES

The Applicant proposes to conduct two 12-day educational voyages as part of an experiential therapy program for high risk youth and adolescents. Youth in the Kailana Program are referred directly by the Child and Adolescent Mental Health Division of the State Health Department. Many of these youths are involved in the Family Court, the Office of Youth Services, or the Department of Education special education. These voyages would focus on developing a deep sense of responsibility to community and strengthens cultural ties by weaving together traditional Polynesian wayfinding, Native Hawaiian protocol, environmental stewardship, and maritime seamanship skills. The activity would also strengthen their cultural connections to the NWHI.

Fifty individuals would be permitted to access the Monument aboard sailing school vessel (SSV) MAKANI OLU, owned and operated by the Marimed Foundation on two separate accesses (15 students, five instructors, and five vessel crew per access). Proposed activity dates are from September 5 – 16, 2016 and October 3 – 14, 2016.

The proposed sail plan is for the MAKANI OLU to depart the Main Hawaiian Islands (MHI) from Kāneʻohe Bay, Oʻahu and sail to Mokumanamana, siting Kauaʻi and Niʻihau along the way. Once at Mokumanamana, the vessel will circumnavigate the island and anchor overnight on sandy substrate. Next, the group will sail for Nihoa, circumnavigate and anchor overnight on sandy substrate. From Nihoa the vessel will sail back to the MHI, stop at Kahoʻolawe, then return to port at Kāneʻohe Bay, Oʻahu. While in Papahānaumokuākea, the applicant proposes the following activities: perform cultural ceremony and protocols (offering oli (chants)) in the near shore waters of both Nihoa and Mokumanamana in order to strengthen cultural connections to the place; swimming and snorkeling activities to compare the MHI and NWHI marine reef systems; film and photography to document participants experience for non-commercial purposes; and anchoring overnight at Nihoa and Mokumanamana.

This activity will help the Monument by educating, preparing, and empowering the next generation of youth to conserve and manage resources, and to appreciate the cultural and environmental significance of PMNM. They will also seek to increase and perpetuate awareness of the Monument by sharing their experiences through the creation of non-commercial education and outreach materials (eg: photography and video recordings).

The activities proposed by the Applicant directly support the Monument Management Plan (MMP), under the Constituency Building and Outreach (CBO) Action Plan, Activity CBO-2.3: “Support other entities’ efforts to broaden knowledge of an appreciation for Monument resources and management priorities.” Additionally, it would support an activity under the Native Hawaiian Culture and History (NHCH) Action Plan under activity NHCH-2.6: Continue to facilitate Native Hawaiian cultural access (MMP Vol. 1, p. 131-141, 271, 2008).

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

- Anchoring a vessel

REVIEW PROCESS:

The permit application was sent out for review and comment to the following scientific and cultural entities: Hawaiʻi Division of Aquatic Resources, Hawaiʻi Division of Forestry and Wildlife, Papahānaumokuākea Marine National Monument (NOAA/NOS), NOAA Pacific Islands Regional Office (NOAA-PIRO), United States Fish and Wildlife Service Pacific Islands NW Refuge Complex Office, the Office of Hawaiian Affairs (OHA), and the PMNM Native Hawaiian Cultural Working Group. In addition, the permit application was posted on the Monument Web site on May 20, 2016, 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.

QUESTIONS:

None

COMMENTS:

1. The Applicant should adhere to all Best Management Practices (BMPs) when conducting swimming, snorkeling and/or scuba activities.

The Applicant responded with:

Marimed will adhere to all Best Management Practices (BMPs) when conducting swimming, snorkeling and/or scuba activities. Marimed has reviewed the BMPs online and has also received them by email.

2. The applicant and ship's crew should be required to review the Boating and Diving Protocols, and made aware that anchoring of the vessel (Makani Olu) should be done in a sandy substrate away from corals as anchoring on coral is prohibited.

The Applicant responded with:

All participants including the ship's crew will receive the Boating and Diving Protocols, and made aware that anchoring of the vessel (SSV Makani Olu) will be done in a sandy substrate away from corals as anchoring on coral is prohibited

Thank you for your time in reviewing our Papahānaumokuākea Marine National Monument permit application.

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

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

Comments received from the public are summarized as follows:

No comments were received from the public on this application.

Additional reviews and permit history:

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

If so, please list or explain:

- The proposed activities are in compliance with the National Environmental Policy Act.
- The proposed activities are in compliance with the National Historic Preservation Act.
- NOAA's Office of Marine National Sanctuaries, Papahānaumokuākea Marine National Monument (PMNM) and the NOAA NMFS Pacific Islands Regional Office (PIRO) established an Endangered Species Act (ESA) Section 7 programmatic consultation process on April 13, 2015 that covers regularly occurring activities within the Papahānaumokuākea Marine National Monument (Monument). The activities covered under the programmatic consultation were: 1) Swimming, snorkeling, and SCUBA diving to conduct surveys, deploy/retrieve oceanographic instruments, sample collections and conducting filming and photography; 2) Fishing (trolling via handline or rod-and-reel; and 3) Vessel and small boat operations. On June 7, 2016, PMNM sent an e-mail to NMFS seeking concurrence with its determination that the activities that would occur under permit no. PMNM 2016-020 in the marine environment would be covered under the PMNM's ESA Section 7 programmatic consultation. On June 13, 2016, NMFS PIRO sent an e-mail to PMNM that concurred with the PMNM's assessment that issuing a permit that covers the proposed activity is within the scope of the PMNM programmatic consultation between NMFS and the PMNM.
- An informal review of all aforementioned activities following section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA; 16 U.S.C. 1855(b)) was completed on June 14, 2016 by NOAA National Marine Fisheries Service (NMFS) Pacific Islands Regional Office (PIRO). NMFS PIRO concluded adequate PMNM Best Management Practices are in place for the proposed activities, thus project activities would not adversely affect Essential Fish Habitat (EFH).
- 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 PAPAĀNAUMOKUĀKEA MARINE NATIONAL MONUMENT EDUCATION PERMIT TO MS. JODIE YIM, DIRECTOR OF MARITIME OPERATIONS, MARIMED FOUNDATION, FOR ACCESS TO STATE WATERS TO PRACTICE TRADITIONAL WAYFINDING AND SEAMANSHIP ACTIVITIES UNDER PERMIT PMNM-2016-024.")

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

If so, please summarize past permits:

Have there been any a) violations: Yes No
 b) late/incomplete post-activity reports: Yes No

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

STAFF OPINION

DAR staff is of the opinion that Applicant has properly demonstrated valid justifications for his application and should be allowed to enter the NWHI State waters and to conduct the activities therein as specified in the application with certain special instructions and conditions, which are in addition to the Papahānaumokuākea Marine National Monument Education 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 DLNR staff.

RECOMMENDATION

That the Board authorize and approve an Education Permit to Ms. Jodie Yim, Director of Maritime Operations, Marimed Foundation, with the following special conditions:

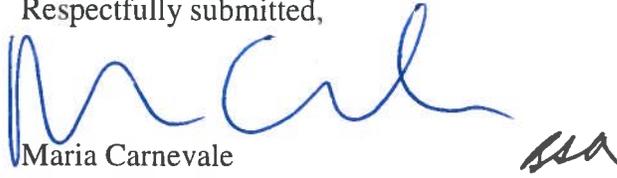
That the Board declare that the actions which are anticipated to be undertaken under this permit will have little or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.

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.

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

6. No fishing is allowed in State Waters except as authorized under State law for subsistence, traditional and customary practices by Native Hawaiians.
7. That the permittee provide, to the best extent possible, a summary of their Monument access, including, but not limited to, any initial findings to the DLNR for use at educational institutions and outreach events.

Respectfully submitted,



Maria Carnevale
State Co-Manager
Papahānaumokuākea Marine National Monument

APPROVED FOR SUBMITTAL



Suzanne D. Case
Chairperson

Papahānaumokuākea Marine National Monument
EDUCATION 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:
NOAA/Inouye Regional Center
NOS/ONMS/PMNM/Attn: Permit Coordinator
1845 Wasp Blvd, Building 176
Honolulu, HI 96818
nwhipermit@noaa.gov
PHONE: (808) 725-5800 FAX: (808) 455-3093

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: Jodie Yim

Affiliation: Marimed Foundation

Permit Category: Education

Proposed Activity Dates: September 5-16, 2016 and October 3-14, 2016

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

Proposed Locations: Mokumanamana and Nihoa

Estimated number of individuals (including Applicant) to be covered under this permit:
25

Estimated number of days in the Monument: 16

Description of proposed activities: (complete these sentences):

a.) The proposed activity would...

further the educational value of the Monument by allowing Native Hawaiian youth to experience and learn this unique marine region, preparing the next generation to be the protectors of the Monument. The youth will learn and perpetuate the conservation, ecological, historical, scientific, educational, and Native Hawaiian cultural qualities which make the Monument significant to their home in the Hawaiian islands and unique to the world. Activity participants will document their experience for learning and non-commercial purposes.

Any potential documentation derived from the activities of the group to Papahānaumokuākea Marine National Monument (PMNM) will be compatible with the conservation and management of the natural, historic, and cultural resources of PMNM. PMNM is a sacred place where our kupuna is ever present. Documentation will be captured in the most culturally appropriate and sensitive ways, ensuring protocols are conducted prior to entering the Monument to ensure activities are done in a respectful and pono manner.

The two 12 day voyages would be the highlight of an experiential therapy program, offering a unique deep sea and culturally rich opportunity to 15 high risk youth adolescents and 10 professional ship's crew. Two voyages are requested to accommodate the youth based on the ship berthing capacity. The voyage will focus on developing a deep sense of responsibility to community and cultural ties by weaving together traditional Polynesian wayfinding, Native Hawaiian protocol, environmental stewardship, and maritime seamanship skills.

b.) To accomplish this activity we would

ensure all necessary ship inspections and permit requirements are completed per the proper authorities. Based on numerous previous PMNM visits since 2010, ship's crew will discuss monument regulations and proposed activities with staff and students to emphasize PMNM conservation and management. Youth and staff will learn conservation, ecological, historical, scientific, educational, and Native Hawaiian practices for PMNM so they are prepared to identify, understand, or conduct such practices at the proper time.

Under conservation, ecology, and science awareness, the youth will witness the functional linkages of marine organisms and their habitats in space and time to improve the fragile ecosystem. Under history, educational, and Native Hawaiian culture awareness, the youth will experience the connection of land and sea for resources. They will understand such resources have provided physical and spiritual sustenance in our daily lives passed on from our seafaring ancestors between PMNM and the main Hawaiian islands. These resources have historical value and maritime heritages to be protected. Traveling the path of ancestors, every youth will practice Polynesian wayfinding and maritime seamanship skills in the operation of the 96' three-masted schooner, SSV Makani Olu.

Current sail plan is to leave from Kaneohe Bay, site Kauai and Niihau, and continue on to Mokumanamana. Once at Mokumanamana, we will circumnavigate the island and anchor overnight, if time permits. On the return to the main Hawaiian islands, we will site Nihoa and if timing allows, we will circumnavigate and anchor overnight. Once back in the main Hawaiian Islands, we are planning to go to Kanaloa-Kahoolawe to complete the protocols to Kanaloa. This will reestablish a cultural connection between PMNM and main Hawaiian islands via two significant navigational sites in one single voyage.

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

educating and preparing the next generation of protectors for the Monument. By investing value and responsibility to Native Hawaiian youth, the next generation can be prepared to conserve and manage our resources, perpetuating the significance and sacredness of PMNM. The activity allows these young men to engage culturally and

spiritually with these kupuna islands through ceremony and chant and also through purposeful voyaging and the practice of non-instrument navigation. These youth are learning to be responsible stewards of natural, historic, and cultural resources surrounding their home. This voyage experience will expose these youth to their surroundings and ancestral locations beyond Oahu and helps them understand who they are, where they came from, and what they are protecting for future generations. The honor of such a responsibility will develop them into productive adults with purpose and empowerment, improving lives and resources around them.

All individuals onboard will have opportunities to document their experiences and capture pictures and video in PMNM. By sharing this unique opportunity through pictures, video, or generated non-commercial promotional products, we can increase awareness and perpetuate the cultural and environmental significance of PMNM. Marimed shares the education/outreach goals of PMNM. Documentation of the experience serves as a valuable historical record among the limited oral and written histories of PMNM.

Other information or background:

Marimed Foundation is a nonprofit corporation with a long history of serving Hawai`i and the Pacific; growing and changing to meet the needs of our communities. Established in Hawai`i in 1984, Marimed Foundation is a IRS 501(c)(3) public charity. We operate experiential-based therapy, education, vocational, and community programs from our Kāne`ohe and Kahalu`u campuses to meet the needs of Hawai`i youth, adults, families and communities. Our community outreach extends to organizations interested in chartering our sailing school vessel, Makani Olu, for experiential-based therapy, education, or vocational day sails or multi-day voyages.

Our Mission:

Marimed delivers ocean and land-based learning experiences that empower youth, adults, and families and strengthen communities. At the core of each of these programs is our 96' tall-ship, SSV MAKANI OLU, which serves as a platform for learning activities, skills-building, and extraordinary — potentially transformational — experiences. Guiding our services are our program graduates, families, agencies, staff, and trustees.

This permit applies to the Kailana program. An ocean-oriented experiential treatment and education program, the Kailana (calm seas) program is a highly-structured, staff-secure, residential program for high risk Hawai`i adolescents needing comprehensive treatment and education in a safe and understanding environment. Kailana combines individual, group, and family therapy with educational and vocational services, ocean and land-based therapeutic and recreational activities including sailing and ocean voyaging on Makani Olu, canoe paddling, agriculture, aquaculture, and culinary opportunities.

Vessel Name: SSV Makani Olu
Vessel Owner: Marimed Foundation
Captains Name: Kalei Velasco and Harry Sprague
IMO#: [REDACTED]
Vessel ID#: [REDACTED]
Flag: USA
Vessel Type: three-masted tall ship staysail schooner
Call sign: [REDACTED]
Embarkation port: Kaneohe Bay
Length: 96'
Gross tonnage: 68
Total ballast water capacity volume: none
Total fuel capacity: 800 gallons
Total number of fuel tanks on ship: 2
Marine Sanitation Device: Lavac Head
Type: Pump and Vacuum
Sewage Capacity: 453 gallons

Section A - Applicant Information

1. Applicant

Name (last, first, middle initial): Yim, Jodie M. C.

Title: Director of Maritime Operations, Marimed Foundation

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

Kalei Velasco ([REDACTED]) and Harry Sprague
[REDACTED]

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

Phone: [REDACTED]

Fax: [REDACTED]

Email: [REDACTED]

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

Kalei Velasco, [REDACTED]

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

- Marimed Foundation operates the Kailana program and SSV Makani Olu
- All youth enrolled in the Kailana program are referred directly by the Child and Adolescent Mental Health Division of the State Health Department. Many youth are involved with the Family Court, the Office of Youth Services, or the Department of Education special education.

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, Teacher; Jane Doe, Videographer):

Wayne "Kalei" Velasco – Captain and Lead Instructor
Harry Sprague - 1st Mate
2nd Mate and 3 deckhands

5 faculty/staff/youth counselors
15 youth (names confidential per state requirements)

Section B: Project Information

5a. Project location(s):

- | | | | |
|--|-------------------------------------|---|--|
| <input checked="" type="checkbox"/> Nihoa Island | <input type="checkbox"/> Land-based | <u>Ocean Based</u> | |
| <input checked="" type="checkbox"/> Necker Island (Mokumanamana) | <input type="checkbox"/> Land-based | <input checked="" type="checkbox"/> Shallow water | <input checked="" type="checkbox"/> Deep water |
| <input type="checkbox"/> French Frigate Shoals | <input type="checkbox"/> Land-based | <input checked="" type="checkbox"/> Shallow water | <input checked="" 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"/> Shallow water | <input type="checkbox"/> Deep water |
| <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 | | <input type="checkbox"/> Shallow water | <input type="checkbox"/> Deep water |

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

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

Location Description:

Location in and on water only. No land-based activities. Anchoring in sand only. Crew is knowledgeable of anchor restrictions. Ship/crew has had no prior anchoring issues.

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:*

Purpose of proposed activities is to connect native Hawaiian youth to PMNM, specifically Mokumanamana, by making a purposeful voyage to honor and pay tribute to Kanaloa, to practice and test traditional wayfinding skills, to develop and strengthen seamanship skills, and to nurture a sense of stewardship and kuleana in young Native Hawaiian mariners. Activities will prepare this next generation to protect PMNM.

Possible product outputs proposed are greeting cards using photos of PMNM, calendars, pictures (framed or canvas) and other potential products for education/outreach for non-commercial promotional purposes that would both benefit Marimed Foundation and PMNM in its outreach/education goals.

Our main purpose of our activities is to educate the next generation about PMNM. At this time, we are not planning or targeting any specific photo/film time or subject. Based on opportunistic photography and filming from a safe distance, something visually captivating may be captured by camera and utilized for producing products. Photos and videos will be posted on Facebook for the duration and a week following the voyage to keep our supporters and community updated.

Marimed is open to share the PMNM educational experience with the community including schools, conferences, conservation clubs, Native Hawaiian community, and maritime organizations. The products will be used to perpetuate the beauty and sacredness of PMNM through visual pictures. PMNM greeting cards, calendars, and photos may serve as thank you gifts to community supporters. Any promotional materials made will raise education/outreach awareness of PMNM.

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

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

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

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

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

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

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

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

The Findings are as follows:

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

Marimed will properly plan and prepare participants about the adequate safeguards for the cultural, natural, and historic resources and ecological integrity of the Monument. The ship crew is trained and experienced in Monument requirements from numerous former visits. Having full understanding of the fragility of this unique ecosystem, we will not be requesting to go to shore. All protocols, education, and activities will be conducted from the ship or in the water. Even at a distance, the visual impact of PMNM will instill a higher consciousness in the youth, demonstrating an emotional, spiritual, and cultural connection being in the same presence as our ancestors.

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 crewmembers participating will receive pre-voyage training in monument management from the ship's crew. This training will be reinforced through direct experience throughout the voyage and within the Monument waters. Products created as a result of this trip will be tasteful and respectful of the place and its cultural and natural resources.

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

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

As previously stated, the activities proposed herein do not impact the environment in any way. All activities will be conducted in accordance with the Monument's Best Management Practices and Policies. For safety, SSV Makani Olu always carries communications and first-aid equipment on board. This vessel will meet the strict requirements of this permitting process.

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

There is no practicable alternative to conducting the activity outside of the Monument. As stated previously in this permit application, PMNM and specifically Mokumanamana are unique cultural resources that provide a glimpse into our history as navigators and seaman. The main Hawaiian islands are too close in proximity to each other to provide a true deep sea voyaging experience. In addition, the connecting of Mokumanamana to Kanaloa-Kahoolawe via this voyage can only be accomplished by actually making a voyage to these places at the same time.

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

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

The entire experience will make a deep impression on these youth gaining a meaningful connection with the ocean and aina. The lessons in marine conservation, cultural preservation, and exposure to the maritime industry will be a living part of their experience which they will take forward as they work to meet the challenges of the future as Native Hawaiians.

The proposed activities also provide beneficial impacts to Papahānaumokuākea by highlighting the area as a significant and sacred place to prepare the next generation of protectors for the Monument. Educating young Native Hawaiian is an investment of the future of our community. These young men will be prepared to perpetuate the mission of PMNM after their voyage.

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

The time requested is the amount of time needed for participants to gain insight into the cultural, spiritual, and ecological value of Mokumanamana and to establish a personal connection. Ceremony and protocols will be conducted during the time in the waters surrounding Mokumanamana. We only have 12 days to complete the sail from Kaneohe Bay-Mokumanamana-Nihoa-Kanaloa/Kaho'olawe and back to Kaneohe Bay. Not more than 8 days will be in the Monument for each of the 2 voyages.

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

The ship is always manned by U.S. Coast Guard credentialed professional maritime crew. They will do all in their expertise and training to ensure safe passage and navigation in PMNM. Previous experience with Monument requirements and training with the youth program has prepared the ship crew to mitigate any issues.

Assisted by trained crew members, Captain Kalei Velasco is the lead Marimed instructor in training maritime skills and Polynesian wayfinding. Captain Kalei recently completed a voyage aboard Hokulea in 2015 and is an experienced sailor. He and Captain Harry Sprague, who is also a very experienced sailor, have sailed to PNMN numerous times. Both men have been the main instructors for Marimed's vocational program, Maritime Careers Exploration, which is in its third successful year. This vocational program prepares adults for maritime careers at sea, ashore, or in engineering.

The Marimed staff and faculty are trained to educate and counsel Kailana youth. Extensive research and preparation will enhance the educational benefits for all participants. An educational plan will be followed to ensure activities make the most meaningful educational impact during their short time in the Monument.

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.

Voyaging is part of the youth experiential therapy and is budgeted through Marimed. The vessel, SSV Makani Olu, is owned by Marimed. The applicant has secured the financial resources necessary for the activity.

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 crewmembers, youth, and staff will follow all Monument Best Management Practices and Policies while operating in Papahānaumokuākea. Activities will not impact Monument cultural, natural, and historic resources, qualities, and ecological integrity.

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

The Makani Olu has an appointment with NOAA representatives to be outfitted with a mobile transceiver unit approved by OLE and in compliance with the requirements of Presidential Proclamation 8031.

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

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

8. Procedures/Methods:

Tentative plan is to voyage to Mokumanamana, circle and anchor off Mokumanamana for one night, sail past Nihoa, sail along southern coast of Kaua'i, and return to Kaneohe Bay. Route may change due to weather and sea conditions.

Swimming and snorkeling will be around the vicinity of the ship when anchored at a safe location off Mokumanamana. Photography activities will be ongoing throughout the voyage utilizing cameras, phone cameras, and GoPro cameras. Since documentation will be opportunistic photography and filming from a safe distance, we do not have an intention of when and where to document. Main activities and purpose will be practicing Polynesian wayfinding, Native Hawaiian protocol, environmental stewardship, and maritime seamanship skills.

We do not intend to film/photograph any federally protected species. We may conduct opportunistic photography and filming from a safe distance judging from the vessel and species movement/location utilizing cameras, phone cameras, and GoPro cameras.

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

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

Common name:
N/A

Scientific 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

- Specific site/location:

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 be transported out of the Monument?

N/A

11. Is your proposed activity based on a State Department of Education Standards Based Curriculum? If so, describe:

Voyaging is part of the Kailana program which is based on State Department of Education Standards and the Child and Adolescent Mental Health Division of the State Health Department. Kailana voyages approximately 16 times throughout the year sailing around the main Hawaiian islands. This voyage to PMNM will be their epic voyage, the highlight of their program for the year.

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

Marimed collaborates with various other organizations who sail on SSV Makani Olu for different purposes. Close coordination is carefully considered to reduce duplicative activities in the Monument or elsewhere. SSV Makani Olu conducted two PMNM voyages last year and is approved, so far, for two other PMNM voyages this year.

13. What materials, products or deliverables will be developed as a result of your proposed activity? Provide a time line for write-up and publication of information or production of educational materials:

Photos and videos will be posted for the duration and a week following the voyage. A summary of experiences will be drafted within a month following the voyage. Production of educational materials will be made prior to the voyage for youth to prepare for the activities. Promotional materials will be made within a year of the activity to raise education/outreach awareness of PMNM. Marimed is open to share the

PMNM educational experience with the community including schools, conferences, conservation clubs, Native Hawaiian community, and maritime organizations.

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

No specialized gear or materials to be used.

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

No hazardous materials to be used.

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

None.

17. List all Applicants' publications/references directly related to the proposed project:

None.

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:

NOAA/Inouye Regional Center
NOS/ONMS/PMNM/Attn: Permit Coordinator
1845 Wasp Blvd, Building 176
Honolulu, HI 96818
FAX: (808) 455-3093

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): Kalei Velasco, Captain; Harry Sprague, First Mate/Captain; TBD, Second Mate; TBD 7 Marimed staff members/crew/deckhands, and TBD 15 adolescents. Some of the staff/crew may change or remain the same for both voyages. Work schedule has not been determined yet. The 15 adolescents will not be the same for the second voyage in order to allow all 30 to participate, considering the ship capacity.

2. Specific Site Location(s): (Attach copies of specific collection locations): Vessel will be located by Nihoa and Mokumanamana. No one will land on any site and no collections will be conducted.

3. Other permits (list and attach documentation of all other related Federal or State permits): None

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

4. Funding sources (Attach copies of your budget, specific to proposed activities under this permit and include funding sources. See instructions for more information): Voyaging is part of the youth experiential therapy and is budgeted through Marimed. The vessel, SSV Makani Olu, is owned by Marimed. The applicant has secured the financial resources necessary for the activity and may seek contributions from corporations or partners to alleviate expenses.

5. Time frame:

Activity dates: September 5-16, 2016

Dates actively inside the Monument: September 7-14, 2016

Describe any limiting factors in declaring specific dates of the proposed activity at the time of application: Weather or ship malfunction may alter dates.

Personnel schedule in the Monument:

Day 1 & 2

Depart Kaneohe Bay

Sail to North of Kauai to Nihoa

Day 3

Evening arrival in Monument

Anchor off Nihoa per Monument BMPs

Day 4-9

Sail around Nihoa to note observations from Monument training

Sail around Mokumanamana to note observations from Monument training

Anchor off Mokumanamana per Monument BMPs

Day 10 & 11

Exit Monument

Sail past Niihau and Kauai

Day 12

Return to Kaneohe Bay

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:

All participants are covered under insurance of Marimed Foundation

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

- Vessel
 Aircraft

Provide Vessel and Aircraft information: SSV 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, was 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 Jodie Yim and Justin Rivera of NOAA. VMS was installed on June 1, 2016.

- Rodent free, Date: April 5, 2016
 Tender vessel, Date: June 1, 2016
 Ballast water, Date: June 1, 2016
 Gear/equipment, Date: June 1, 2016
 Hull inspection, Date: June 1, 2016

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

Vessel name: SSV Makani Olu

Vessel owner: Marimed Foundation

Captains' name: Kalei Velasco & Harry Sprague

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: Kaneohe Bay, Oahu
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: Justin Rivera from NOAA coordinated with David Clark from Navtech Marine Electronics for the installation of the Faria Watchdog VMS unit on June 1, 2016.

VMS Email:
Inmarsat ID#:

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

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

10. Tender information:

On what workboats (tenders) will personnel, gear and materials be transported within the Monument? List the number of tenders/skiffs aboard and specific types of motors: 2
13FT RIGID INFLATABLES WITH YAMAHA 20HP 4 STROKE ENGINES

Additional Information for Land Based Operations

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

12. Room and board requirements on island: N/A

13. Work space needs: N/A

DID YOU INCLUDE THESE?

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

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): Kalei Velasco, Captain; Harry Sprague, First Mate/Captain; TBD, Second Mate; TBD 7 Marimed staff members/crew/deckhands, and TBD 15 adolescents. Some of the staff/crew may change or remain the same for both voyages. Work schedule has not been determined yet. The 15 adolescents will not be the same for the second voyage in order to allow all 30 to participate, considering the ship capacity.

2. Specific Site Location(s): (Attach copies of specific collection locations): Vessel will be located by Nihoa and Mokumanamana. No one will land on any site and no collections will be conducted.

3. Other permits (list and attach documentation of all other related Federal or State permits): None

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

4. Funding sources (Attach copies of your budget, specific to proposed activities under this permit and include funding sources. See instructions for more information): Voyaging is part of the youth experiential therapy and is budgeted through Marimed. The vessel, SSV Makani Olu, is owned by Marimed. The applicant has secured the financial resources necessary for the activity and may seek contributions from corporations or partners to alleviate expenses.

5. Time frame:

Activity dates: October 3-14, 2016

Dates actively inside the Monument: October 5-12, 2016

Describe any limiting factors in declaring specific dates of the proposed activity at the time of application: Weather or ship malfunction may alter dates.

Personnel schedule in the Monument:

Day 1 & 2

Depart Kaneohe Bay

Sail to North of Kauai to Nihoa

Day 3

Evening arrival in Monument

Anchor off Nihoa per Monument BMPs

Day 4-9

Sail around Nihoa to note observations from Monument training

Sail around Mokumanamana to note observations from Monument training

Anchor off Mokumanamana per Monument BMPs

Day 10 & 11

Exit Monument

Sail past Niihau and Kauai

Day 12

Return to Kaneohe Bay

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:

All participants are covered under insurance of Marimed Foundation

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

- Vessel
 Aircraft

Provide Vessel and Aircraft information: SSV 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, was retrofitted for sail training in Hawaiian waters.

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These inspections have been scheduled through Jodie Yim and Justin Rivera of NOAA. VMS was installed on June 1, 2016.

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 Ballast water, Date: June 1, 2016
 Gear/equipment, Date: June 1, 2016
 Hull inspection, Date: June 1, 2016

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

Vessel name: SSV Makani Olu

Vessel owner: Marimed Foundation

Captains' name: Kalei Velasco & Harry Sprague

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: Kaneohe Bay, Oahu
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: Justin Rivera from NOAA coordinated with David Clark from Navtech Marine Electronics for the installation of the Faria Watchdog VMS unit on June 1, 2016.

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.

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13FT RIGID INFLATABLES WITH YAMAHA 20HP 4 STROKE ENGINES

Additional Information for Land Based Operations

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

N/A

12. Room and board requirements on island: N/A

13. Work space needs: N/A

DID YOU INCLUDE THESE?

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

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

August 12, 2016

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

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY PEARSON
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

TO: Division of Aquatic Resources File

THROUGH: Suzanne D. Case, Chairperson

FROM: Maria Carnevale
Papahānaumokuākea Marine National Monument

DECLARATION OF EXEMPTION FROM THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT UNDER THE AUTHORITY OF CHAPTER 343, HRS AND CHAPTER 11-200 HAR, FOR PAPAHAŌNAUMOKUĀKEA MARINE NATIONAL MONUMENT EDUCATION PERMIT TO MS. JODIE YIM, DIRECTOR OF MARITIME OPERATIONS, MARIMED FOUNDATION, FOR ACCESS TO STATE WATERS TO CONDUCT ACTIVITIES FOR THE KAILANA MARITIME EDUCATIONAL PROGRAM VOYAGE TO NIHOA AND MOKUMANAMANA UNDER PERMIT PMNM-2016-024

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 Education Permit to Ms. Jodie Yim, Director of Maritime Operations for the Marimed Foundation, for Access to State Waters to Conduct Activities for the Kailana Maritime Educational Program.

Permit Number: PMNM-2016-024

Project Description:

The Education permit application, as described below, would allow entry and activities to occur in Papahānaumokuākea Marine National Monument (Monument), including the Northwest Hawaiian Islands (NWHI) State waters between September 1, 2016 through August 31, 2017.

The Applicant proposes to conduct two 12-day educational voyages. Fifty (50) designated participants (Fifteen (15) students, five (5) instructors, and five (5) vessel crew per access) would voyage to Mokumanamana (Necker Island) and Nihoa Island on the SSV MAKANI OLU.

The sail plan for each of these proposed voyages is for the MAKANI OLU to depart the Main Hawaiian Islands (MHI) from Kāneʻohe Bay, Oʻahu and sail to Mokumanamana, siting Kauaʻi and Niʻihau along the way. Once at Mokumanamana, the vessel will circumnavigate the island

ITEM F-1c

and anchor overnight on sandy substrate. Next, the group will sail for Nihoa, circumnavigate and anchor overnight on sandy substrate. From Nihoa the vessel will sail back to the MHI, stop at Kaho'olawe, then return to port at Kāne'ōhe Bay, O'ahu. While in Papahānaumokuākea, the applicant proposes the following activities: perform cultural ceremony and protocols (offering oli (chants)) in the near shore waters of both Nihoa and Mokumanamana in order to strengthen cultural connections to the place; swimming and snorkeling activities to compare the MHI and NWHI marine reef systems; film and photography will be conducted to document participants' experience for non-commercial purposes; and anchoring overnight at Nihoa and Mokumanamana.

All proposed activities are strictly observational. No land will be accessed. Cultural protocols and ceremonies will be conducted from the ship. Anchoring will be done on sandy substrate only. Swimming and snorkeling will be in the vicinity of the ship when anchored at a safe location off Mokumanamana.

The activities proposed by the Applicant directly support the Monument Management Plan (MMP), under the Constituency Building and Outreach (CBO) Action Plan, Activity CBO-2.3: "Support other entities' efforts to broaden knowledge of an appreciation for Monument resources and management priorities." Additionally, it would support an activity under the Native Hawaiian Culture and History (NHCH) Action Plan under activity NHCH-2.6: Continue to facilitate Native Hawaiian cultural access (MMP Vol. 1, p. 131-141, 271, 2008).

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, the Office of Hawaiian Affairs (OHA), and the PMNM Native Hawaiian Cultural Working Group. In addition, the permit application was posted on the Monument website on May 20, 2016 giving the public an opportunity to comment. The application was posted within 40 days of its receipt, in accordance with the Monument's Public Notification Policy.

Exemption Determination:

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

1. All activities associated with this permit; including the practice of traditional wayfinding, voyaging, seamanship skills, swimming; have been evaluated as a single action. As a preliminary matter, multiple or phased actions, such as when a group of actions are part of a larger undertaking, or when an individual project is precedent to or represents a commitment to a larger

project, must be grouped together and evaluated as a single action. HAR § 11-200-7. This permit does not involve an activity that is precedent to a later activity.

2. The Exemption Class for Basic Data Collection with no Serious or Major Environmental Disturbance Appears to Apply. Chapter 343, HRS, and § 11-200-8, HAR, provide for a list of classes of actions exempt from environmental assessment requirements. HAR §11-200-8.A.5. exempts the class of actions which involve “basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource.” The proposed activities appear to fall squarely under the exemption class #5, exempt item #2 as described under the Exemption List for the Department of Land and Natural Resources, published on June 5, 2015 as “non-destructive data collection and inventory, including field, aerial, and satellite surveying and mapping”. It has also been interpreted to include various modes of transportation to reach field areas necessary to carry out such activities, such as those to be supported by the proposed activities. As discussed below, no significant disturbance to any environmental resource is anticipated in observing and sampling of Monument resources. Thus, so long as the below considerations are met, an exemption class should include the action now contemplated.

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

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. Examples of actions which commonly have a significant effect on the environment are listed under HAR § 11-200-12.

Activities directly under this permit would be purely observational. Similar activities have previously been approved and conducted within the Monument. No measurable impacts from similar activities have been observed in previous years and none would be expected from proposed activities.

With this in mind, significant cumulative impacts are not anticipated as a result of this activity, and numerous safeguards further ensure that the potentially sensitive environment of the project area will not be significantly affected. All activities will be conducted in a manner compatible with the management direction of the Monument Proclamation in that the activities do not diminish monument resources, qualities, and ecological integrity, or have any indirect, secondary, cultural, or cumulative effects. The joint permit review process did not reveal any anticipated indirect or cumulative impacts that would occur as a result of these activities.

The proposed project would be supported by the SSV MAKANI OLU for the two voyages, scheduled to take place from September 5-16, 2016 and from October 3-14, 2016.

The following table lists additional activities that are anticipated to take place in the Monument, both approved and currently proposed.

Table 1. Concurrent Projects in PMNM

Permit	Purpose and Scope	Location
PMNM-2016-006 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-2016-001 Co-Trustees' Permit	Activities covered under the Co-Trustees' permit will also be taking place in PMNM during spring 2016 (i.e. deployment of restoration field crews, monk seal camps, etc.).	All locations
PMNM-2016-023 Brainard (approved)	The Applicant would be conducting survey assessments and selected sampling of corals, macro-invertebrates, fish, and algae in shallow water reefs for the Pacific Reef Assessment and Monitoring Program (RAMP).	Nihoa, Mokumanamana, French Frigate Shoals, Laysan Island, Lisianski Island, Pearl and Hermes Atoll, Midway Atoll, Kure Atoll
PMNM-2016-021 Baco-Taylor (approved) RV Kilo Moana	The Applicant will be conducting visual surveys, selected sampling of corals and sponges, and water sampling in deep waters of the Monument and seamounts to study the recovery potential of deep-sea coral communities affected by trawling.	Mokumanamana, French Frigate Shoals, Koko Seamount, Yūryaku Seamount, Kammu Seamount, Northwest Hancock Seamount, Zapadnaya Seamount, Academician Berg, Pioneer Bank
PMNM-2015-028-A1 Barnes (approved) RV Kilo Moana	The Applicant will be conducting bathymetric mapping activities.	Mokumanamana (federal waters only), Pioneer Bank West, Northampton Seamount, East Northampton Seamount
PMNM-2016-026 Fellman (approved) Chartered Flight/ Kahana	The Applicant will be conducting scouting activities to evaluate the location for the filming of an IMAX film within the next year.	Midway Atoll, Kure Atoll

Permit	Purpose and Scope	Location
PMNM-2016-019 Littnan (approved) NOAA Ship Hi'ialakai	The Applicant would be using an unmanned aerial system to conduct surveys and monitoring of PMNM resources (ie: marine mammals and marine debris)	Nihoa, Mokumanamana, French Frigate Shoals, Laysan Island, Lisianski Island, Pearl and Hermes Atoll, Midway Atoll, Kure Atoll

There are no anticipated negative impacts from overlap in activities, and therefore no associated cumulative impacts between activities from the SSV MAKANI OLU and from the other vessels. At this time, no other concurrent activities are known.

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

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

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

Suzanne D. Case
Chairperson, Board of Land and Natural Resources

Date