

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

June 14, 2024

Board of Land and
Natural Resources
Honolulu, Hawaii

Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National
Monument Native Hawaiian Practices Permit to Mr. Nainoa Thompson, Polynesian
Voyaging Society, for Access to State Waters to Conduct Sails for Navigators Using
Non-Instrumental Navigation 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 Mr. Nainoa Thompson, President, Polynesian Voyaging Society (PVS), pursuant to §187 A-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 Papahānaumokuākea Marine National Monument (PMNM), including the Northwestern Hawaiian Islands (NWHI) State Marine Refuge and the waters (0-3 nautical miles) surrounding the following sites:

- Nihoa

The activities covered under this permit would be authorized to occur via one voyage by three vessels during the month of July 2024.

Note: Expedition dates may be subject to change during the permitting period (July 1 – December 31, 2024) due to weather or other unforeseen delays or circumstances.

INTENDED ACTIVITIES

Mr. Charles Nainoa Thompson, CEO of PVS, is proposing to sail two (2) voyaging canoes, Hōkūle‘a (16 crew) and Hikianalia (32 crew), two (2) of Hawai‘i’s wa‘a Kaulua, Polynesian double-hulled voyaging canoes, and one (1) escort vessel, Kōlea (3 crew), to the PMNM as a way for PVS and the wa‘a kaulua to continue to perpetuate traditional wayfinding and voyaging practices, and pay respect to and reconnect with Hawai‘i’s kūpuna islands in a culturally appropriate and significant way. The NWHI are a known and valuable location important to the honing

BLNR-ITEM F-1

of traditional voyaging and wayfinding practices. This activity would ensure the new training of navigators and captains is completed in an area relatively close to the main Hawaiian islands for the ongoing circumnavigation of the Moananuiākea voyage. More specifically, the sailing routes from Kauaʻi to Nihoa and beyond provide for open-ocean sailing not normally experienced in the Main Hawaiian Islands (MHI), as neither the launching point nor the target destination are visible for an extended period of time during the course of the voyage, thereby offering a close simulation of a long-distance voyage without the added dangers of testing endurance. To ensure the safety of the Hōkūleʻa crew, the small motorized vessel, Kōlea, will travel with Hōkūleʻa and act as an escort safety vessel. Hikianalia is capable and prepared to sail individually, as the vessel is equipped with twin 110-HP engines. Note: Up to fifty-five (55) individuals are authorized for one entrance into PMNM to conduct activities under this permit (in the event that a few extra individuals than stated in the crew numbers above accompany the expedition).

Hōkūleʻa and Hikianalia escorted by Kōlea would voyage to Nihoa with a main focus of traditional navigation. Upon the sighting of the island, the crew would spend time in deep water surrounding Nihoa, before departing the Monument and returning to the MHI. These voyages will be used to continue the training of the next generation of voyagers and navigators using traditional Hawaiian/Polynesian skills of non-instrument wayfinding, honoring our kūpuna, and honoring Pwo (master) Navigator, Mau Pialug, who helped the Native Hawaiians learn and reinvigorate the art of traditional non-instrument celestial navigation. Due to the rigorous sail plan(s) for the remainder of the Moananuiākea Voyage and geographical distribution of critical Pacific Islands, this is the only opportunity for the crew members to gain valuable deep-sea experience while remaining close to the MHI and paying homage to the applicant's and other navigator's Kūpuna Islands.

The applicant is proposing to partake in cultural observations and protocol to strengthen cultural connections to the place. The crew will pay respect and conduct culturally appropriate protocols at Nihoa as well as throughout the voyage to continue to connect to place. The waʻa and crew will not disturb any natural, cultural or historic resources. The crew seeks to honor ancestors and the high significance of these places by presenting hoʻokupu in the form of oli (chants), pule (prayers), and spiritual gifts from the main Hawaiian Islands (such as ʻawa and rain water and possibly a red fish offered as hoʻokupu). All hoʻokupu will follow any applicable quarantine protocols.

Sustenance and subsistence fishing and swimming and snorkeling as necessary to conduct non-intrusive presence/absence fish and coral surveys and to support Native Hawaiian practices activities is also proposed, along with non-commercial filming and photographic activities for the purposes of further documenting and capturing the history of PMNM for education and outreach purposes, and photographing and analyzing stomach contents and gonads from fish caught during sustenance and subsistence fishing.

Purpose and Need

The proposed project's activities will enhance the public's and Papahānaumokuākea management's understanding of the living cultural significance of this place, its connection to Hawaiʻi's past and to the main Hawaiian Islands of today, and the abilities of the younger generation of traditional

navigators.

PVS has recently begun the circumnavigation of the Pacific, Moananuiākea, which has taken both the canoes and their crews to places they have never seen. In lieu of continuing down the coast of the Americas, Hōkūle‘a returned home to Hawai‘i in December of 2023, to help the healing of the Lāhainā ‘ohana and for safety reasons because of El Nino. The shift in the sail plan has provided crew members to continue training within the home waters of the navigators. In order to continue to train the requisite crew, navigators, and captains for the remainder of the Moananuiākea voyage, training within the Hawaiian Archipelago is critical. Utilizing the islands within Papahānaumokuākea gives crew, especially training navigators, an opportunity to navigate islands small in stature with no light pollution. The navigators must utilize and understand traditional knowledge in their observation of celestial bodies, ocean conditions, and other natural phenomena. The routes from Kaua‘i to Nihoa and beyond provide for open ocean sailing not normally experienced in the Hawaiian archipelago – the launching point nor the target destination are visible for an extended period of time during the course of the voyage, thereby offering a close simulation of a long-distance (deep-sea) voyage, without the added dangers of testing endurance. It is also the only voyaging route that offers this simulation while being close enough to the MHI to ensure safety and access to provisions. These characteristics make this route the ideal training platform for novice Hawaiian wayfinders. Today, apprentice navigators can be considered qualified to attempt to navigate a canoe on a long-distance, trans-Pacific sail after they have successfully guided a voyage from Kaua‘i to Nihoa.

The proposed activity will support PMNM by meeting a priority within the Monument Management Plan through 3.1.2 - Native Hawaiian Culture and History Action Plan (Strategy NHCH-2: Conduct, support, and facilitate Native Hawaiian cultural access and research of the NWHI over the life of the plan). NHCH-2.6 states "[s]uch access needs may include, but not be limited to ... regular access for Polynesian voyaging canoes for wayfinding, navigational, and cultural protocol training". The knowledge and experiences gained by perpetuating these practices is invaluable to the Hawaiian community and to the individuals who partake in them. The expedition would build upon previous research on the significance of traditional wayfinding which will also help cultural practitioners better understand the celestial, spiritual and cultural connections between Papahānaumokuākea and the Main Hawaiian Islands. The applicant also notes that wayfinding training and traditional voyaging were components of Papahānaumokuākea’s successful nomination as a natural and cultural World Heritage site. Having this living tradition continue should be a priority for managers of this Marine World Heritage site.

Furthermore, besides perpetuating integral components of Native Hawaiian culture (voyaging and wayfinding), the use of traditional canoes in PMNM offers an opportunity to maintain a level of cultural integrity that is appropriate for spiritual ceremonies in Papahānaumokuākea. The ability of crewmembers to perform cultural/spiritual protocol and honor their ancestors perpetuates a centuries-old link of Native Hawaiians to their ancestors, their ancestral knowledge, and the Kūpuna Islands.

Methods/Procedures

Voyaging

Both canoes and the escort vessel will follow the same sail route to enter the monument but travel separately. The canoes will depart Kauai‘i en-route to Lehua Island, with Nihoa as the landmark. Crew will utilize traditional wayfinding and navigation while on their voyage. Once at Nihoa, the crew will spend a day at the island conducting cultural protocol. Vessels may anchor for the day in the lee of the island for cultural planning and planning the next leg of the voyage.

Both canoes would return to the MHI alongside Kōlea. A finalized sail plan including final crew list will be provided to co-managers prior to entry. All vessels will comply with PMNM Best Management Practices (BMP).

Sustenance and Subsistence Fishing

Up to four (4) hand lines with contemporary lures (ceramic heads/metal hooks) and/or traditional lures (shell/bone) will be utilized while trolling en-route to island destinations. Any fishing will be done opportunistically, not targeting any specific pelagic or nearshore species. However, any State regulations including pono fishing practices recommended by the CWG or community fishermen will be followed. All PMNM BMP will be adhered to in the instance of seabird interactions, marine mammals, and/or any ESA-listed species. Data will be collected on all fish caught for size, gut content, gender, and spawning cycles. Pliers and a de-hooker will be onboard to assist with the quick removal of hooks from any catch. All fish will be consumed in the Monument and only what is necessary to feed the crew for the day will be caught.

BACKGROUND

Hōkūle‘a and Hikianalia successfully and safely voyaged into Papahānaumokuākea in June 2021, with five (5) apprentice navigators and two Pwo (master) traditional navigators between the two (2) canoes, providing an exceptional experiential learning opportunity. The crews that entered and voyaged into Papahānaumokuākea visited Nihoa, Mokumanamana, and Lalo. While anchored in Lalo, crews assisted NOAA Research Ecologist Randy Kosaki with surveys of coral reefs, Tern Island, and East Island post Hurricane Walaka. Additionally, during this diving exercise at Lalo, crew members made an underwater discovery – two (2) large anchors and two (2) pots, about 20 feet deep. This discovery is an excellent example of how voyaging in PMNM is an opportunity that encourages and fosters opportunities where traditional and modern scientific curiosity exist symbiotically and simultaneously.

Hikianalia also successfully voyaged into PMNM in 2015 in collaboration with the ‘Opihi Partnership, conducting science onboard the wa‘a during the voyage. This collaboration was subsequent to Hikianalia’s first voyage into PMNM in September 2013, during which six (6) apprentice navigators and four Pwo navigators were aboard and used this voyage to continue their learning and teaching of non- instrument navigation.

All voyages into Papahānaumokuākea have helped to provide a stronger awareness that the entire Hawaiian Archipelago is connected, sacred, and a priority to protect. It also helped to continue to draft the chart toward more regular access for Polynesian voyaging canoes into this traditional voyaging area and toward more collaboration among multidisciplinary champions of the perpetuation of the natural and cultural resources of Hawai‘i. For this reason, PVS is excited to

continue to leverage expertise and resources from scientists, marine managers, educators, and cultural practitioners to further integrate western science and Native Hawaiian ways of knowing.

ADHERANCE TO FINDINGS CRITERIA, BMPs, AND OTHER SAFETY PROTOCOLS:

To safeguard Monument resources, the applicant will harvest from various places in order to be mindful and not consolidate harvest pressure in one location. The applicant has also attended and completed the 2019 Resource Monitor Training and has ample experience at the locations proposed over multiple trips. Applicant would additionally abide by the following PMNM Best Management Practices (BMPs) while conducting the aforementioned activities within the PMNM: Marine Alien Species Inspection Standards for Maritime Vessels (PMNM BMP #001), Human Hazards to Seabirds Briefing (PMNM BMP #003), Best Management Practices for Boat Operations and Diving Activities (PMNM BMP #004), Protocols Necessary for Conducting Trolling Research and Monitoring (PMNM BMP #008), Best Practices for Minimizing the Impact of Artificial Light on Sea Turtles (PMNM BMP #009), Marine Wildlife Viewing Guidelines (PMNM BMP #010), Disease and Introduced Species Prevention Protocol for Permitted Activities in the Marine Environment (PMNM BMP #011), Best Management Practices for Maritime Heritage Sites (PMNM BMP #017), Rodent Prevention and Inspection Standards for Permitted Vessels (PMNM BMP #018), in addition to any other BMPs that apply.

The applicant's proposed activities directly support the Native Hawaiian Culture and Heritage (NHCH) Monument Management Plan Action Plan Strategies:

1. Native Hawaiian Culture and Heritage (NHCH) Action Plan Strategy NHCH-2: "Conduct, support, and facilitate Native Hawaiian cultural access and research of the NWHI over the life of the plan":
 - a. Activity NHCH-2.2: "Support Native Hawaiian cultural research needs."
 - b. Activity NHCH-2.3: "Facilitate cultural field research and cultural education opportunities annually."
 - c. NHCH-2.6: "Continue to facilitate Native Hawaiian cultural access."

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
- 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

Compliance Information Form (CIS Form) Updates

Note – In previous years a Compliance Information Form (CIS Form) would have been included with BLNR submittal with various pieces of information on project personnel, vessels utilized to access the PMNM, vessel inspection dates and associated vessel details, entry dates into the PMNM, etc. This information is often fluid and changing and updated on a daily basis, and therefore partially complete forms were often included as an attachment for the BLNR meeting in past years. In 2023 a transition was made to storing this information on a dynamic google spreadsheet; static PDF copies will no longer be included with the BLNR submittal, but the information can be now provided upon request with the most up-to-date data as it is modified up until the departing of the vessel for the PMNM. Some preliminary information for this expedition is as follows – other info can be requested as described above (if necessary):

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 was posted on the Monument website in the spring of 2024, giving the public an opportunity to comment. The application was posted within 40 days of its receipt, in accordance with the PMNM Public Notification Policy.

MMB Agency Reviewer Questions and Applicant Responses

The original application request included multiple island visits within the PMNM over two expeditions/voyages, but this was changed during the review process to visiting only Nihoa.

1. Kure Atoll is listed as a location to be accessed. Can you clarify when access would be occurring here? Would it be before or after Midway?

No longer applicable

2. In the application it states ho'okupu from the main Hawaiian Islands (such as 'awa and rain water and possibly red fish) may be offered and that all ho'okupu will follow any quarantine protocols established by the Monument. Can you confirm ho'okupu will be limited to 'awa, rain water and red fish or will there also be other items not listed?

Confirming that ho'okupu will be limited to 'awa, rain water, and red fish. All will follow quarantine protocols required.

3. Will cruise 1 (June) be done solely by Hikianalia or would Hōkūle'a/Kōlea also be accessing the Monument on that voyage?

N/A, all vessels (Hōkūle'a, Hikianalia, and Kōlea) will be accessing the Monument together on one voyage in the month of July.

4. Can you please clarify which vessels have a VMS unit installed?

To the best of my knowledge, none of our vessels currently have a VMS unit installed. During our 2021 voyage to PMNM, we borrowed a VMS unit from NOAA/PMNM which was installed on Hikianalia and covered the tracking info needed for both Hōkūle'a and Hikianalia as they traveled together.

5. Please be aware it is standard practice for the Monument to assign a resource monitor on non-agency cruises. If this is required by the MMB would there be space and resources available to host this type of individual?

I believe that during our 2021 voyage to PMNM, Randy Kosaki served as the resource monitor. Crew selection is ultimately the captain's discretion, but I think space and resources would be available and that if necessary, would be allowed.

Follow up Q – would we need one per vessel or just one with the group of vessels?

MMB Comments

1. The applicant will be accessing locations where nuisance algae is present, and should be prepared to follow decontamination procedures in BMP 20. Please ensure you read BMP 020 and fully understand all its requirements.

No longer applicable.

2. Kuaihelani (Midway) staff is pleased to be able to offer support to the Polynesian Voyaging Society before the long journey to Micronesia. However, PVS should be made aware that Midway has some additional pre-access and planning requirements listed below. Please work directly with caroline_pott@fws.gov at Midway and CC you permit coordinator Phillip.howard@noaa.gov in regard to these requirements.

- a. If not already done, PVS needs to coordinate with Midway directly to secure refueling needs, housing and manifest seats well in advance of the July IMUA, if that is the resupply they are planning to use.

- b. Is there a more specific window for the anticipated arrival?

- c. What are the landing requirements/can they use the seaplane ramp or what other offloading situation do they need?
- d. How will they be fueling?
- e. If staff are here overnight, would it be possible to provide a short seminar to Kuaihelani staff regarding their trip and/or a tour of the vessel?

Arrival into Kuaihelani is no longer requested under the PVS permit, however we are very grateful to the staff of Kuaihelani for allowing us to explore this option.

ENVIRONMENTAL COMPLIANCE

NEPA / HEPA: (check-one)

- Categorical Exclusion / Exempt Class: 5 & 8
- EA
- EIS

Other Consultations: (ESA/MMPA Section 7; NHPA Section 106, etc.)

- ESA and EFH consultation requests sent to NMFS on May 7th, 2024.
- Reviews of all aforementioned activities following section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA; 16 U.S.C. 1855(b)) will be conducted. The outcome of this review may require the applicant to adhere to other NMFS-prescribed conditions; such conditions will be reflected in the PMNM permit, prior to issuance.
- The proposed activities will be reviewed under PMNM's programmatic ESA Section 7 informal consultation with National Marine Fisheries Service (NMFS). The outcome of this consultation may require the applicant to adhere to other NMFS-prescribed conditions; such conditions will be reflected in the PMNM permit, prior to issuance.

The Department has made an exemption determination for this permit in accordance with Chapter 343, HRS, and Chapter 11-200.1, HAR. See Attachment ("DECLARATION OF EXEMPTION FROM THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT UNDER THE AUTHORITY OF CHAPTER 343, HRS AND CHAPTER 11-200.1 HAR, FOR PAPAHAŌNAUMOKUĀKEA MARINE NATIONAL MONUMENT NATIVE HAWAIIAN PRACTICES PERMIT TO MR. NAINOA THOMPSON, POLYNESIAN VOYAGING SOCIETY, FOR ACCESS TO STATE WATERS TO CONDUCT SAILS FOR NAVIGATORS USING NON-INSTRUMENTAL NAVIGATION ACTIVITIES UNDER PERMIT PMNM-2024-006")

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

If so, please summarize past permits:

PMNM Permit 2021 for Native Hawaiian practices

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:

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

MONUMENT MANAGEMENT BOARD OPINION:

The MMB is of the opinion that the Applicant has met the findings of Presidential Proclamation 8031 and this activity may be conducted subject to completion of all compliance requirements. The MMB concurs with the special conditions recommended by NOAA, USFWS, ONMS, DAR, DOFAW and OHA 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 11-200.1, HAR.
3. That the Board authorize and approve a Native Hawaiian Practices Permit to Mr. Charles Nainoa Thompson, PVS, with the following special conditions:
 - a. To prevent introduction of disease or the unintended transport of live organisms,

the permittee must comply with the disease and transport protocol attached to this permit.

- b. Tenders and small vessels must be equipped with engines that meet EPA emissions requirements.
- c. Refueling of tenders and all small vessels must be done at the support ships and outside the confines of lagoons or near-shore waters in the NWHI State Marine Refuge.
- d. No fishing is allowed in State Waters except as authorized under state law for Native Hawaiian subsistence, traditional, and customary practices.
- e. If there is any Hawaiian monk seal or any other protected species in the area when performing any permitted activity shall cease until the animal(s) depart the area, except as permitted for specific management of that species.
- f. 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.
- g. To avoid physical damage to corals during in-water activities, swimmers and snorkelers should pay close attention to waves and currents, to avoid being swept onto the reef, avoid touching corals, and only stand in areas void of corals (e.g., sand and/or unconsolidated sediment).
- h. Measures should be implemented to prevent detergents and other cleaners from being washed overboard.
- i. No direct interaction with, disturbance of, impact to or placement of camera equipment, or other gear or equipment will occur on coral or live rock (defined as any natural hard substrate to which marine life is visibly attached or affixed).
- j. The permittee is required to follow all applicable Federal, State, and County laws with respect to the COVID-19 emergency response that apply at the time of departure and return. In issuance of this permit, the State of Hawai‘i is not otherwise monitoring or regulating permittee’s compliance with COVID-19 laws and is not responsible for the health and safety of crew members, researchers or other occupants of the vessel associated with this permit.
- k. To ensure the protection of monument resources, the permittee must conduct all activities in accordance with the following monument Best Management Practices (BMP) and guidelines, as attached:
 - i. Marine Alien Species Inspection Standards for Maritime Vessels (PMNM

- BMP #001)
- ii. Human Hazards to Seabirds Briefing (PMNM BMP #003)
 - iii. Best Management Practices for Boat Operations and Diving Activities (PMNM BMP #004)
 - iv. Protocols Necessary for Conducting Trolling Research and Monitoring (PMNM BMP #008)
 - v. Best Practices for Minimizing the Impact of Artificial Light on Sea Turtles (PMNM BMP #009)
 - vi. Marine Wildlife Viewing Guidelines (PMNM BMP #010)
 - vii. Disease and Introduced Species Prevention Protocol for Permitted Activities in the Marine Environment (PMNM BMP #011)
 - viii. Best Management Practices for Maritime Heritage Sites (PMNM BMP #017)
 - ix. Rodent Prevention and Inspection Standards for Permitted Vessels (PMNM BMP

Respectfully submitted,



Brian J. Neilson, Administrator
(Edward Kekoa TA)
Division of Aquatic Resources

APPROVED FOR SUBMITTAL



Dawn N. S. Chang, Chairperson
Board of Land and Natural Resources

Attachments:

- 1) PMNM Application
- 2) Declaration of Exemption (“DE”) from the Preparation of an Environmental Assessment under the Authority of Chapter 343, HRS & Chapter 11-200.1 HAR

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:
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 – Native Hawaiian Practices
OMB Control # 0648-0548
Page 2 of 17

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: Charles Nainoa Thompson

Affiliation: Polynesian Voyaging Society

Permit Category: Native Hawaiian Practices

Proposed Activity Dates: June 1, 2024 – September 30, 2024

Proposed Method of Entry (Vessel/Plane): V Vessel, Plane

Proposed Locations: Nihoa, Mokumanamana, Lalo (French Frigate Shoals), ‘Ōnūnui & ‘Ōnūiki (Gardner Pinnacles), Kamokuokamohoali‘i (Maro Reef), Kamole (Laysan Island), Kapou (Lisianski Island), Manawai (Pearl & Hermes Atoll), Kuaihelani (Midway Atoll), and Hōlanikū (Kure Atoll).

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

54 (16 Hikianalia Leg 1, 16 Hikianalia Leg 2, 16 Hōkūle‘a, 3 Kōlea)

Estimated number of days in the Monument: 30

Description of proposed activities: (complete these sentences):

a.) The proposed activity would...

This is a multifaceted activity that would allow for Hōkūle‘a and Hikianalia, two of Hawai‘i’s wa‘a Kaulua, Polynesian double-hulled voyaging canoes, to sail to PMNM as a way for PVS and the wa‘a kaulua to continue to perpetuate traditional wayfinding and voyaging practices, and pay respect to and reconnect with Hawai‘i’s kūpuna islands in a culturally appropriate and significant way. The Northwest Hawaiian Islands (NWHI) are a known and valuable location important to the honing of traditional voyaging and wayfinding practices. This activity would ensure the new training of navigators and captains is completed in an area relatively close to the main Hawaiian islands for the upcoming circumnavigation of the Moananuiākea voyage. More specifically, the sailing routes from Kaua‘i to Nihoa and beyond provide for open-ocean sailing not normally experienced in the Main Hawaiian Islands (MHI), as neither the launching point nor the target destination are visible for an extended period of time during the course of the voyage, thereby offering a close simulation of a long-distance voyage without the added dangers of testing endurance. To ensure the safety of the Hōkūle‘a crew, the small motorized vessel, Kōlea, will also travel with Hōkūle‘a and act as an escort safety vessel. Hikianalia is capable and prepared to sail individually, as the vessel is equipped with twin 110-HP engines.

b.) To accomplish this activity we would

Utilize a two-part sail plan, with a total of three vessels entering the monument during the summer of 2024. In June, Hikianalia would first voyage to Nihoa, then continue on (weather permitting) through the Monument, Necker Islands, French Frigate Shoals, Gardner Pinnacles, Maro Reef, Laysan Island, Lisaianki Island, Pearl and Hermes Atoll, and Midway Atoll – stopping to dive at locations as specified in this permit application, weather and crew ability dependent. Hikianalia will refuel and change crew in Midway, exiting the monument as the vessel will continue westward to Micronesia. Separately, in August, Hōkūle‘a and her escort powerboat, Kōlea, would voyage to Nihoa with a main focus of traditional navigation. Upon the sighting of the island, the crew would spend time in deep water surrounding Nihoa, before departing the Monument and returning to the MHI. These voyages will be used to continue the training of the next generation of voyagers and navigators using traditional Hawaiian/Polynesian skills of non-instrument wayfinding, honoring our kūpuna, and honoring Pwo Navigator, Mau Pialug, who helped the Native Hawaiians learn and reinvigorate the art of traditional non-instrument celestial navigation. Due to the rigorous sail plan(s) for the remainder of the Moananuiākea Voyage and geographical distribution of critical Pacific Islands, this is the only opportunity for the crew members to gain valuable deep-sea experience while remaining close to the MHI and paying homage to our Kūpuna Islands.

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

Meeting a priority within the Monument Management Plan, which includes an activity in support of regular access for Polynesian voyaging canoes for wayfinding, navigational, and cultural protocol training. We also note that wayfinding training and traditional voyaging were components of Papahānaumokuākea’s successful nomination as a natural and cultural World Heritage site. Having this living tradition continue should be a priority for managers of this Marine World Heritage site.

Furthermore, besides perpetuating integral components of Native Hawaiian culture (voyaging and wayfinding), the use of traditional canoes in the Monument offers an opportunity to maintain a level of cultural integrity that is appropriate for spiritual ceremonies in Papahānaumokuākea. The ability of crewmembers to perform cultural/spiritual protocol and honor their ancestors perpetuates a centuries-old link of Native Hawaiians to their ancestors, their ancestral knowledge, and the Kūpuna Islands.

Other information or background:

Hōkūle‘a and Hikianalia successfully and safely voyaged into Papahānaumokuākea in June 2021, with five apprentice navigators and two Pwo (master) traditional navigators between the two canoes, providing an exceptional experiential learning opportunity. The crews that entered and voyaged into Papahānaumokuākea visited Nihoa, Mokumanamana, and Lalo. While anchored in Lalo, crews assisted NOAA Research Ecologist Randy Kosaki with surveys of coral reefs, Tern Island, and East Island post Hurricane Walaka. Additionally, during this diving exercise at Lalo, crew members made an underwater discovery – two large anchors and two pots, about 20 feet deep. This discovery is an excellent example of how voyaging in the monument is

an opportunity that encourages and fosters opportunities where traditional and modern scientific curiosity exist symbiotically and simultaneously.

Hikianalia successfully voyaged into PMNM in 2015 in collaboration with the ‘Opihi Partnership, conducting science onboard the wa‘a during the voyage. This collaboration was subsequent to Hikianalia’s first voyage into PMNM in September 2013, during which six apprentice navigators and four Pwo navigators were aboard and used this voyage to continue their learning and teaching of non- instrument navigation.

All voyages into Papahānaumokuākea have helped to provide a stronger awareness that the entire Hawaiian Archipelago is connected, sacred, and a priority to protect. It also helped to continue to draft the chart toward more regular access for Polynesian voyaging canoes into this traditional voyaging area and toward more collaboration among multidisciplinary champions of the perpetuation of the natural and cultural resources of Hawai‘i. For this reason, PVS is excited to continue to leverage expertise and resources from scientists, marine managers, educators, and cultural practitioners to further integrate western science and Native Hawaiian ways of knowing.

Section A - Applicant Information

1. Applicant

Name (last, first, middle initial): Thompson, Charles, N

Title: CEO

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

Thompson, Charles, N

2. Mailing address (street/P.O. box, city, state, country, zip): SEE ORIGINAL APPLICATION FOR CONTACT INFO

Phone: SEE ORIGINAL APPLICATION FOR CONTACT INFO

Fax: n/a

Email: SEE ORIGINAL APPLICATION FOR CONTACT INFO

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

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

Polynesian Voyaging Society

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):

32 crew (maximum) for the double- hulled, Polynesian voyaging canoe Hikianalia; crew member names TBD on compliance information sheet

16 crew (maximum) for the double- hulled, Polynesian voyaging canoe Hōkūle'a; crew member names TBD on compliance information sheet

3 crew (maximum) for Kōlea, the small, motorized escort vessel; crew member names TBD on compliance information sheet

Section B: Project Information

5a. Project location(s):

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

Ocean Based

NOTE: Shallow water is defined by water less than 100 meters in depth.

- Remaining ashore on any island or atoll (with the exception of Sand Island at Midway Atoll 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:

The Intention of this trip is to navigate, using traditional methods, to continue to train our crew members in voyaging and navigation skills, and within the voyaging values of taking care of our collective home for our present and future children. We will finalize our sail plans before our departure to make sure that all monument consultations and requirements are met.

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 Polynesian Voyaging Society has recently begun the circumnavigation of the Pacific, Moananuiākea, which has taken both the canoes and their crews to places they have never seen. In lieu of continuing down the coast of the Americas, Hōkūle‘a returned home to Hawai‘i in December of 2023, to help the healing of our Lāhainā ‘ohana and for safety reasons because of El Niño. The shift in the sail plan has provided crew members to continue training within our home waters. In order to continue to train the requisite crew, navigators, and captains for the remainder of the Moananuiākea voyage, training within the Hawaiian Archipelago is critical. Utilizing the islands within Papahānaumokuākea gives crew, especially training navigators, an opportunity to navigate islands small in stature with no light pollution. They must utilize and understand traditional knowledge in their observation of celestial bodies, ocean conditions, and other natural phenomena. The routes from Kaua‘i to Nihoa and beyond provide for open ocean sailing not normally experienced in the Hawaiian archipelago – the launching point nor the target destination are visible for an extended period of time during the course of the voyage, thereby offering a close simulation of a long- distance (deep- sea) voyage without the added dangers of testing endurance. It is also the only voyaging route that offers this simulation while being close enough to the MHI to ensure safety and access to provisions. These characteristics make this route the ideal training platform for novice Hawaiian wayfinders.

Today, apprentice navigators can be considered qualified to attempt to navigate a canoe on a long-distance, trans-Pacific sail after they have successfully guided a voyage from Kaua‘i to Nihoa.

Hikianalia’s voyage will be a platform for this same type of navigation and voyaging training. Additionally, the crew members of Hikianalia will dive the Kūpuna Islands, as this environment offers the opportunity to look below the surface of the ocean we voyage upon, into the depths of our the pristine, wild ocean conditions that continue to exist in Papahānaumokuākea, reminiscent of what the ecosystems of the MHI. Furthermore, Hikianalia’s sail plan will not conclude at the end of Papahānaumokuākea. Rather, the voyage will continue beyond Midway Atoll, southwest, to Micronesia, to reconnect with the homeland of its teachers.

*Considering the purpose of the proposed activities, do you intend to film / photograph federally protected species beyond the protocols provided in PMNM Best Management Practices (<https://www.papahanaumokuakea.gov/permit/bestmanagement.html>)? Yes No

If so, please list the species you specifically intend to target.
n/a

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

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

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

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

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

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

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

The Findings are as follows:

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

The crew will pay respect and conduct culturally appropriate protocols at each island visited as well as throughout the voyage to continue to connect to place. The wa‘a and crew will not disturb any natural, cultural, or historical resources. We seek to honor our ancestors and the high significance of these places by presenting ho‘okupu in the form of oli (chants), pule (prayers), and spiritual gifts from the main Hawaiian Islands (such as ‘awa and rain water and possibly red fish offered as ho‘okupu). All ho‘okupu will follow any quarantine protocols established by the Monument.

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

The purpose of the proposed activity is to conduct training sails for apprentice navigators by sailing to Nihoa (and throughout PMNM) from the MHI using non-instrumental navigation. The activity would strengthen cultural connections to the NWHI and perpetuate the traditional Native Hawaiian skill of wayfinding. The activity would directly support the Monument Management Plan (MMP), and is described in the Native Hawaiian Culture and History (NCHC) Action Plan (PMNM MMP Vol 1, p 131-141) under **activity NHCH-2.6: *Continue to facilitate Native Hawaiian cultural access.*** This activity specifies Native Hawaiian cultural access needs including regular access of Polynesian voyaging canoes for wayfinding, navigational and cultural protocol training.

The perpetuation of traditional Hawaiian wayfinding and pilina (connection to place) is an essential component of Native Hawaiian culture and values. The route from Kaua‘i to Nihoa is an imperative element in ensuring that the art and practice of traditional Hawaiian wayfinding is perpetuated by apprentice navigators and voyaging crew members. Additionally, the use of traditional canoes in the Monument offers an opportunity to maintain a level of cultural integrity that is appropriate and necessary for spiritual ceremonies within Papahānaumokuākea. Equally, this sail will provide crew members with the opportunity to implement cultural/spiritual protocol and honor their ancestors perpetuates a centuries-old link of Native Hawaiians to their ancestors, ancestral knowledge, and the Kūpuna Islands.

By adhering to all aforementioned Best Management Practices and safeguards, these activities would have no detectable effect to diminish Monument resources, nor have any known indirect,

secondary or cumulative effects on Monuments resources; and as such, the activities can be conducted in a manner that is compatible with the purposes of the Proclamation.

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 proposed activities within Papahānaumokuākea, especially at Nihoa and Mokumanamana. As traditional teachings show us, in order to truly experience and connect with a place we must ‘ikemaka (see, experience, visit firsthand) the place. Pertaining to navigation, there is no other place or site where a training sail could be conducted providing training navigators with the same conditions present in the NWHI.

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 from the proposed activity. The end value of the activity is beneficial for highlighting (through example) that this area is an important place for the perpetuation of Native Hawaiian cultural and spiritual practices and a place that is essential in training apprentice navigators studying modern Hawaiian wayfinding aboard traditional double-hulled Hawaiian voyaging canoes.

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

The activity would be no longer than thirty (30) days in order to provide sufficient time to sail to Nihoa, with Hōkūle‘a, Hikianalia, and Kōlea. On their voyage, Hōkūle‘a and Kōlea will then return to the MHI while Hikianalia will continue to Mokumanamana, Lalo, ‘Ōnūnui, ‘Ōnuiki, Kamokuokamohaoali‘i, Kamole, Kapou, Manawai, Kuaihelani, Hōlanikū. The proposed duration considers the possibility of inclement weather conditions and the need for adequate transit time, refueling and a crew change. Considering these factors, the activity will be no longer than necessary to achieve its stated purpose.

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

The applicant has extensive experience as a master navigator and teacher of Hawaiian wayfinding techniques. He has been inducted into Pwo (a sacred initiation ritual) as a master navigator and was the first Native Hawaiian to practice the ancient art of wayfinding in six centuries. He has navigated Hōkūle‘a (double-hulled voyaging canoes) from Hawai‘i to other island nations through the Pacific, including the NWHI, without the aid of instruments, including Hikianalia’s maiden voyage to Papahānaumokuākea in September 2013- all of which provided positive educational impacts to natural, historic and cultural resources.

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.

These training trips are essential for the Polynesian Voyaging Society (PVS), a cultural and educational non-profit organization, that seeks to perpetuate the art and science of traditional

Polynesian voyaging and the spirit of exploration through experiential educational programs that inspire students and their communities to respect and care for themselves, each other, and their natural and cultural environments. PVS receives its funding through various grants and public and private contributions. Considering these factors, the applicant has adequate financial resources available to conduct and complete the activity and mitigate any potential impacts resulting from its conduct.

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

The applicant's proposed methods and procedures are appropriate to achieve the proposed activities goals relative to their impact to Monument resources, qualities, and ecological integrity. Authorized personnel would enter PMNM to conduct the following activities: conducting apprentice non-instrumental celestial navigation training sails, anchoring on sandy substrate only; possessing fishing gear to perform sustenance and subsistence fishing only, swimming/snorkeling in conjunction with presence/absence fish and coral surveys- as corals are our first kupuna as written in the Kumulipo, our Hawaiian creation chant, and conducting cultural observations and protocol (offering ho'okupu, oli (chants), pule (prayers), and wai (water)), in order to ground the crew and strengthen cultural connections to the place.

Fishing activities in Federal and State waters would be conducted by trolling ceramic and/or traditional lures on monofilament handlines (up to 4) for approximately 100 feet behind the vessel. The line would be monitored at all times and crew would abide by Monument Best Management Practice 008: Seabird Protocols Necessary for Conducting Trolling Research and Monitoring to reduce impacts to seabirds. Any fishing conducted will be done so opportunistically as to not target any specific pelagic or nearshore species. However, any State regulations including pono fishing practices recommended by the PNMN Cultural Working Group or community fisherman will also be followed. All fishing gear would be removed as quickly as possible if any Hawaiian monk seal or sea turtle species are observed. All fish caught would be consumed within the Monument.

The crew of all vessels will be training to sail the wa'a kalua, as well as take part in the respective protocol training specific to Papahānaumokuākea. All crew will attend the required cultural and permit briefings to learn of the history and resources within PMNM.

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

The proposed voyage would comply with the requirements of Presidential Proclamation 8031: Any vessel will be outfitted with a working NOAA-OLE type-approved VMS for the trip.

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

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.

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

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

The purpose and intent of this activity are appropriate and pono by traditional standards in the Native Hawaiian culture as the activity is centered on perpetuating the practice of traditional Hawaiian wayfinding – an essential component of living and practicing Native Hawaiian culture and values. The route from Kaua‘i to Nihoa is an imperative element in ensuring that the practice of traditional Hawaiian wayfinding is perpetuated through the training of apprentice navigators and voyaging crewmembers.

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

The activity benefits the resources of the NWHI and the Native Hawaiian community by perpetuating components of Native Hawaiian culture (voyaging, wayfinding, and pilina (connection to place)) and allowing crew members to perform cultural and spiritual protocols to honor their ancestors, their ancestral knowledge, and the Kūpuna Islands.

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

The proposed activity both supports and advances the perpetuation of Native Hawaiian knowledge and ancestral connections of the Native Hawaiians through the perpetuation of navigation and wayfinding by providing training opportunities for the next generation of navigators and crewmembers. Papahānaumokuākea serves a critical role in three pertinent significant and living, Native Hawaiian traditions: ‘ikemaka, voyaging, and wayfinding. The voyaging route between Kaua‘i, Nihoa, and beyond are historically significant testing grounds for movie navigators studying modern non-instrument Hawaiian wayfinding aboard traditional, double-hulled Hawaiian voyaging canoes. Most of the traditional knowledge we know of Papahānaumokuākea additionally comes from mo‘olelo and ka‘ao that are directly associated with voyagers.

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

All Monument resources harvested from the Monument (pelagic fish species caught while handline trolling in State and Federal waters) will be consumed in the Monument.

8. Procedures/Methods:

Voyaging: Pending funding and logistics, PVS vessels (Hōkūle‘a, Hikianalia, and escort vessel Kōlea) may enter the monument. Before leaving O‘ahu, an updated CIS form will be submitted with the preferred sail plan and confirmed vessels that will be traveling.

Although the canoes will be traveling separately from one another and at different times, both canoes will follow the same sail route to enter the monument. Both canoes will depart Kauai‘i en-route to Lehua Island, with Nihoa as the initial landmark. Crew will utilize traditional wayfinding and navigation while on their voyage. Once at Nihoa, the crew will spend a day for cultural protocols at the island. Vessels may anchor for the day in the lee of the island for cultural planning and planning the next leg of the voyage.

Hökūle‘a would return to the MHI alongside Kōlea for safety escort.

Distinctly, once at Nihoa, Hikinalia will continue through the monument. While sailing to Mokumanamana, Lalo, ‘Ōnūnui, ‘Ōnuiki, Kamokuokamohaoali‘i, Kamole, Kapou, Manawai, Kuaihelani, and Hōlanikū; Hikianalia will conduct protocol at each island, anchor in the lee of the island, and snorkel/dive in shallow water near anchorage to do presence/absence fish surveys (conditions permitting). Once reaching Midway, Hikianalia would require refueling and a crew change (via plane) to complete its voyage to Micronesia.

A finalized sail plan including final crew list will be attached to the Compliance Information Sheet and submitted to the Monument Permit Coordinator prior to entry. All vessels will comply with Monument Best Management Practices.

Sustenance and subsistence fishing are requested for this access. Up to four hand lines with contemporary lures (ceramic heads/metal hooks) and/or traditional lures (shell/bone) will be utilized while trolling en-route to island destinations. Any fishing will be done opportunistically, not targeting any specific pelagic or nearshore species. However, any State regulations including pono fishing practices recommended by the CWG or community fishermen will be followed. All Monument BMPs will be adhered to in the instance of seabird interactions, marine mammals, and/or any ESA-listed species. Data will be collected on all fish caught for size, gut content, gender, and spawning cycles. Pliers and a de-hooker will be onboard to assist with the quick removal of hooks from any catch. All fish will be consumed in the Monument and only what is necessary to feed the crew for the day will be caught.

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

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

Common name:

Scientific name:

Hawaiian name:

& size of specimens:

Collection location:

Whole Organism Partial Organism

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

All fish will be consumed in the Monument.

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

• General site/location for collections:

• Is it an open or closed system? Open Closed

• Is there an outfall? Yes No

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

• Will organisms be released?

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

All fish will be consumed in the Monument.

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

Cultural practitioners will only offer culturally and biologically appropriate ho‘okupu in the Monument following any BMPs. This includes oli (chant), wai (water), ‘awa, pa‘akai (sea salt), and pule (prayer).

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

Fishing gear includes: hand lines, lures, monofilament line, pliers/ dehooker, and other fishing related materials.

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

None

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

PVS, as a part of the larger ‘Ohana Wa‘a (family of voyaging canoes), is creating a long- term voyaging program in collaboration with various state, federal, and private entities. The navigational test taught and experienced within the NWHI will be built into the development of high- level voyaging training. Long- term plans include the development of curriculum around such a voyage at the undergraduate level, and much of the cultural and environmental knowledge gleaned from this voyage may be added to the existing Navigating Change program, of which PVS is a founding member. We will work with Monument staff to determine appropriate partnering mechanisms.

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

Yes No

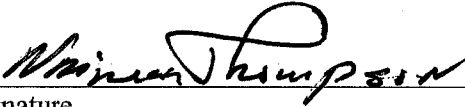
15b. Provide a time line for write-up and publication of information or production of materials:

If we do produce any educational materials based on this voyage, including potential undergraduate and K-12 curriculum, we will share it with the Monument, especially as the development of such may well be done in collaboration with Monument staff. We do not have a timeline on the production of said curriculum or lesson plans as they are being developed by our education partners, and we are focusing on the logistics of safety for our canoes and crew.

We will also be regularly blogging during this voyage, and images and stories will be shared on www.hokulea.com as well as via social media. Thereby, helping to enhance the concept of providing a window to Papahānaumokuākea for members of the public and community not permitted to experience this significant place on their own.

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 3-10-24

**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

Charles Nainoa Thompson (Long Version)

Charles Nainoa Thompson, President of the Polynesian Voyaging Society, is a *pwo* (master) navigator. He is the first Native Hawaiian since the 14th Century to practice wayfinding (art and science of ancient non-instrument navigation) for long distance ocean voyaging. Nainoa's first solo voyage sailed between Hawaii and Tahiti in 1980. Among his many voyages, he covered more than 16,000 ocean miles navigating the storied canoe, Hokule'a, across Polynesia from Hawaii to New Zealand and back between 1985-87. Nainoa has dedicated his life to exploring the deeper meaning of voyaging. He has trained a new generation of navigators and has led a revival of traditional arts and values of caring for nature and culture associated with wayfinding.

Inspired by his *kūpuna*, his teachers, he has dedicated his life to exploring the deep meaning of "voyaging." Among many other important mentors, fisherman Yosio Kawano took him at an early age to tide pools to explore the mysteries of the inshore ocean. Artist Herb Kane introduced him to the stars his ancestors used to navigate great ocean distances. Pwo navigator Mau Piailug taught him to see the natural signs he would use to guide Hokule'a, a replica of an ancient Polynesian voyaging canoe, throughout the Pacific. And Nainoa's father taught him the universal values of voyaging – of having a vision of islands rising from the sea, of self-discipline, preparation, courage, risk-taking and the spirit of aloha that would bind a crew on arduous journeys.

On long voyages, under a dome of stars and surrounded by the vast empty ocean, Nainoa came to appreciate the Hawaiian concept of "malama" – of care taking. "Our ancestors learned that if they took care of their canoe and each other," he has often told his crew, "and if they marshaled their resources of food and water, they would arrive safely at their designation." Astronaut Lacy Veach, who observed the Hawaiian Islands from space, helped Nainoa understand "malama" from a planetary perspective. "The best place to think, about the fate of our planet is right here in our islands," Veach told Nainoa. "If we can create a model for well-being here in Hawaii we can make a contribution to the entire world."

"Our great teacher, Mau Piailug, told us to always voyage in *seram* - the light," Nainoa says. "To set out from our islands and to bring back 'something of value' for our community. So today we sail around the world to learn from others who are striving to live sustainably and to share with them the wisdom our ancestors gave to us."

Nainoa's years of experience and learning from his *kūpuna* have culminated in the realization of his vision of the Mālama Honua Worldwide Voyage, led by the Polynesian Voyaging Society and blessed by global leaders including Nobel Peace Prize Laureate Archbishop Desmond Tutu and His Holiness the Dalai Lama. This 3-year, extraordinary voyage which was completed in June 2017, engaged and united all corners of Island Earth, sailing 47,000 nautical miles to nearly 100 ports and 25 nations. Its purpose was to practice sustainable living while sharing Polynesian culture, learning from the past and from each other and creating hope and global relationships around protecting our most cherished values and places from disappearing.

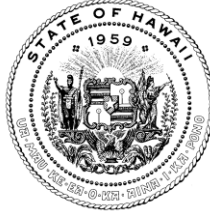
A leader in transforming education, Nainoa is the Co-Founder and Advisory Board Member of Mālama Honua Public Charter School, established in 2014 and dedicated to indigenous cultural values reflected in value- and place-based education. In the early 2000s, he was the impetus and

inspiration for the *Navigating Change* curriculum used by hundreds of teachers whose classes followed the 2002 Statewide and 2004 Northwestern Hawaiian Islands Voyages. Immersion in *Navigating Change* continues today as Nainoa continues to inspire educators to immerse students in their own archipelago through science and culture to teach the values of *mālama* (caring for) Hawaii. Recently, Nainoa has inspired and led the genesis and growth of two complementary and unprecedented collaborations: 1) *Promise to Children*, a consortium of Hawaii's education institutions dedicated to inspiring future generations to explore, discover and *mālama* Island Earth; and 2) *Promise to Pae`aina*, a conglomerate of environmental organizations dedicated to working together to conserve and restore Hawaii's unique and fragile environment.

Nainoa is a former Regent of the University of Hawaii where he remains deeply connected as Special Advisor on Hawaiian Affairs to the University President. He is an Ocean Elder, a Trustee for Hanalei School and a former Trustee for Bishop Estate, Hawaii's largest private land owner and private educational institution. His natural leadership skills that have galvanized vast and diverse sectors throughout the community to realize the importance of caring for our planet and all of humanity have earned him numerous awards including the 2015 Peter Benchley Ocean Award for Excellence in Marine Exploration, the 2001 "Unsung Hero of Compassion" award from his Holiness XIV Dalai Lama on behalf of Wisdom in Action, the Native Hawaiian Education Association's Manomano Ka'ike Educator of the Year, the 2015 Asia Pacific Community Building Award from the East-West Center, the 2013 Visionary Award from the Maui Film Festival, the 2016 Lifetime Achievement Award from the National Marine Sanctuaries Foundation, the 2017 Hubbard Medal from National Geographic Society, and the 2017 Explorers Club Medal. Born and raised in Honolulu, Nainoa is a graduate of Punahou School and the University of Hawaii.

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA
HOPE KIA'ĀINA



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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AQUATIC RESOURCES
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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

June 14, 2024

TO: Division of Aquatic Resources File

THROUGH: Dawn N. S. Chang, Chairperson

FROM: Brian J. Neilson, Administrator (Edward Kekoa TA)
Division of Aquatic Resources

SUBJECT:

DECLARATION OF EXEMPTION FROM THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT UNDER THE AUTHORITY OF CHAPTER 343, HRS AND CHAPTER 11-200.1, HAR, FOR A PAPAĀNAUMOKUĀKEA MARINE NATIONAL MONUMENT NATIVE HAWAIIAN PRACTICES PERMIT TO MR. NAINOA THOMPSON, POLYNESIAN VOYAGING SOCIETY, FOR ACCESS TO STATE WATERS TO CONDUCT SAILS FOR NAVIGATORS USING NON-INSTRUMENTAL NAVIGATION ACTIVITIES UNDER PERMIT PMNM-2024-006.

The following permitted activities are found to be exempted from preparation of an environmental assessment under the authority of Chapter 343, HRS and Chapter 11-200.1, HAR:

Project Title: Papahānaumokuākea Marine National Monument Native Hawaiian Practices Permit To Mr. Nainoa Thompson, Polynesian Voyaging Society, For Access To State Waters To Conduct Sails For Navigators Using Non-Instrumental Navigation Activities.

Permit Number: PMNM-2024-006

Project Description: The applicant proposes to conduct sails for navigators using non-instrumental navigation activities during an expedition planned during July 2024. Up to three (3) vessels, including two (2) sailing vessels, the Hōkūle'a (16 crew max) and the Hikianalia (16 crew max), and one (1) escort vessel (6 crew max) (or a combination thereof) will sail to the island of Nihoa, for a voyage as a way to perpetuate traditional wayfinding and voyaging practices.

The Native Hawaiian practices permit, as described below, would allow entry and activities to occur in Papahānaumokuākea Marine National Monument (PMNM), including the Northwestern Hawaiian

Islands (NWHI) State Marine Refuge and the waters (0-3 nautical miles) surrounding the following sites:

- Nihoa

The activities covered under this permit would be authorized to occur via one voyage by three vessels during the month of July 2024.

Note: Expedition dates may be subject to change during the permitting period (July 1 – December 31, 2024) due to weather or other unforeseen delays or circumstances.

INTENDED ACTIVITIES

Mr. Charles Nainoa Thompson, CEO of PVS, is proposing to sail two (2) voyaging canoes, Hōkūle‘a (16 crew) and Hikianalia (32 crew), two (2) of Hawai‘i’s wa‘a Kaulua, Polynesian double-hulled voyaging canoes, and one (1) escort vessel, Kōlea (3 crew), to the PMNM as a way for PVS and the wa‘a kaulua to continue to perpetuate traditional wayfinding and voyaging practices, and pay respect to and reconnect with Hawai‘i’s kūpuna islands in a culturally appropriate and significant way. The NWHI are a known and valuable location important to the honing of traditional voyaging and wayfinding practices. This activity would ensure the new training of navigators and captains is completed in an area relatively close to the main Hawaiian islands for the ongoing circumnavigation of the Moananuiākea voyage. More specifically, the sailing routes from Kaua‘i to Nihoa and beyond provide for open-ocean sailing not normally experienced in the Main Hawaiian Islands (MHI), as neither the launching point nor the target destination are visible for an extended period of time during the course of the voyage, thereby offering a close simulation of a long-distance voyage without the added dangers of testing endurance. To ensure the safety of the Hōkūle‘a crew, the small motorized vessel, Kōlea, will travel with Hōkūle‘a and act as an escort safety vessel. Hikianalia is capable and prepared to sail individually, as the vessel is equipped with twin 110-HP engines. Note: Up to fifty-five (55) individuals are authorized for one entrance into PMNM to conduct activities under this permit (in the event that a few extra individuals than stated in the crew numbers above accompany the expedition).

Hōkūle‘a and Hikianalia escorted by Kōlea would voyage to Nihoa with a main focus of traditional navigation. Upon the sighting of the island, the crew would spend time in deep water surrounding Nihoa, before departing the Monument and returning to the MHI. These voyages will be used to continue the training of the next generation of voyagers and navigators using traditional Hawaiian/Polynesian skills of non-instrument wayfinding, honoring our kūpuna, and honoring Pwo (master) Navigator, Mau Pialug, who helped the Native Hawaiians learn and reinvigorate the art of traditional non-instrument celestial navigation. Due to the rigorous sail plan(s) for the remainder of the Moananuiākea Voyage and geographical distribution of critical Pacific Islands, this is the only opportunity for the crew members to gain valuable deep-sea experience while remaining close to the MHI and paying homage to the applicant’s and other navigator’s Kūpuna Islands.

The applicant is proposing to partake in cultural observations and protocol to strengthen cultural

connections to the place. The crew will pay respect and conduct culturally appropriate protocols at Nihoa as well as throughout the voyage to continue to connect to place. The wa‘a and crew will not disturb any natural, cultural or historic resources. The crew seeks to honor ancestors and the high significance of these places by presenting ho‘okupu in the form of oli (chants), pule (prayers), and spiritual gifts from the main Hawaiian Islands (such as ‘awa and rain water and possibly a red fish offered as ho‘okupu). All ho‘okupu will follow any applicable quarantine protocols.

Sustenance and subsistence fishing and swimming and snorkeling as necessary to conduct non-intrusive presence/absence fish and coral surveys and to support Native Hawaiian practices activities is also proposed, along with non-commercial filming and photographic activities for the purposes of further documenting and capturing the history of PMNM for education and outreach purposes, and photographing and analyzing stomach contents and gonads from fish caught during sustenance and subsistence fishing.

Purpose and Need

The proposed project's activities will enhance the public's and Papahānaumokuākea management's understanding of the living cultural significance of this place, its connection to Hawai‘i's past and to the main Hawaiian Islands of today, and the abilities of the younger generation of traditional navigators.

PVS has recently begun the circumnavigation of the Pacific, Moananuiākea, which has taken both the canoes and their crews to places they have never seen. In lieu of continuing down the coast of the Americas, Hōkūle‘a returned home to Hawai‘i in December of 2023, to help the healing of the Lāhainā ‘ohana and for safety reasons because of El Nino. The shift in the sail plan has provided crew members to continue training within the home waters of the navigators. In order to continue to train the requisite crew, navigators, and captains for the remainder of the Moananuiākea voyage, training within the Hawaiian Archipelago is critical. Utilizing the islands within Papahānaumokuākea gives crew, especially training navigators, an opportunity to navigate islands small in stature with no light pollution. The navigators must utilize and understand traditional knowledge in their observation of celestial bodies, ocean conditions, and other natural phenomena. The routes from Kaua‘i to Nihoa and beyond provide for open ocean sailing not normally experienced in the Hawaiian archipelago – the launching point nor the target destination are visible for an extended period of time during the course of the voyage, thereby offering a close simulation of a long-distance (deep-sea) voyage, without the added dangers of testing endurance. It is also the only voyaging route that offers this simulation while being close enough to the MHI to ensure safety and access to provisions. These characteristics make this route the ideal training platform for novice Hawaiian wayfinders. Today, apprentice navigators can be considered qualified to attempt to navigate a canoe on a long-distance, trans-Pacific sail after they have successfully guided a voyage from Kaua‘i to Nihoa.

The proposed activity will support PMNM by meeting a priority within the Monument Management Plan through 3.1.2 - Native Hawaiian Culture and History Action Plan (Strategy NHCH-2: Conduct, support, and facilitate Native Hawaiian cultural access and research of the NWHI over the life of the plan). NHCH-2.6 states "[s]uch access needs may include, but not be limited to ... regular access for

Polynesian voyaging canoes for wayfinding, navigational, and cultural protocol training". The knowledge and experiences gained by perpetuating these practices is invaluable to the Hawaiian community and to the individuals who partake in them. The expedition would build upon previous research on the significance of traditional wayfinding which will also help cultural practitioners better understand the celestial, spiritual and cultural connections between Papahānaumokuākea and the Main Hawaiian Islands. The applicant also notes that wayfinding training and traditional voyaging were components of Papahānaumokuākea's successful nomination as a natural and cultural World Heritage site. Having this living tradition continue should be a priority for managers of this Marine World Heritage site.

Furthermore, besides perpetuating integral components of Native Hawaiian culture (voyaging and wayfinding), the use of traditional canoes in PMNM offers an opportunity to maintain a level of cultural integrity that is appropriate for spiritual ceremonies in Papahānaumokuākea. The ability of crewmembers to perform cultural/spiritual protocol and honor their ancestors perpetuates a centuries-old link of Native Hawaiians to their ancestors, their ancestral knowledge, and the Kūpuna Islands.

Methods/Procedures

Voyaging

Both canoes and the escort vessel will follow the same sail route to enter the monument but travel separately. The canoes will depart Kauai'i en-route to Lehua Island, with Nihoa as the landmark. Crew will utilize traditional wayfinding and navigation while on their voyage. Once at Nihoa, the crew will spend a day at the island conducting cultural protocol. Vessels may anchor for the day in the lee of the island for cultural planning and planning the next leg of the voyage.

Both canoes would return to the MHI alongside Kōlea. A finalized sail plan including final crew list will be provided to co-managers prior to entry. All vessels will comply with PMNM Best Management Practices (BMP).

Sustenance and Subsistence Fishing

Up to four (4) hand lines with contemporary lures (ceramic heads/metal hooks) and/or traditional lures (shell/bone) will be utilized while trolling en-route to island destinations. Any fishing will be done opportunistically, not targeting any specific pelagic or nearshore species. However, any State regulations including pono fishing practices recommended by the CWG or community fishermen will be followed. All PMNM BMP will be adhered to in the instance of seabird interactions, marine mammals, and/or any ESA-listed species. Data will be collected on all fish caught for size, gut content, gender, and spawning cycles. Pliers and a de-hooker will be onboard to assist with the quick removal of hooks from any catch. All fish will be consumed in the Monument and only what is necessary to feed the crew for the day will be caught.

BACKGROUND

Hōkūle'a and Hikianalia successfully and safely voyaged into Papahānaumokuākea in June 2021, with five (5) apprentice navigators and two Pwo (master) traditional navigators between the two (2)

canoes, providing an exceptional experiential learning opportunity. The crews that entered and voyaged into Papahānaumokuākea visited Nihoa, Mokumanamana, and Lalo. While anchored in Lalo, crews assisted NOAA Research Ecologist Randy Kosaki with surveys of coral reefs, Tern Island, and East Island post Hurricane Walaka. Additionally, during this diving exercise at Lalo, crew members made an underwater discovery – two (2) large anchors and two (2) pots, about 20 feet deep. This discovery is an excellent example of how voyaging in PMNM is an opportunity that encourages and fosters opportunities where traditional and modern scientific curiosity exist symbiotically and simultaneously.

Hikianalia also successfully voyaged into PMNM in 2015 in collaboration with the ‘Opihi Partnership, conducting science onboard the wa‘a during the voyage. This collaboration was subsequent to Hikianalia’s first voyage into PMNM in September 2013, during which six (6) apprentice navigators and four Pwo navigators were aboard and used this voyage to continue their learning and teaching of non- instrument navigation.

All voyages into Papahānaumokuākea have helped to provide a stronger awareness that the entire Hawaiian Archipelago is connected, sacred, and a priority to protect. It also helped to continue to draft the chart toward more regular access for Polynesian voyaging canoes into this traditional voyaging area and toward more collaboration among multidisciplinary champions of the perpetuation of the natural and cultural resources of Hawai‘i. For this reason, PVS is excited to continue to leverage expertise and resources from scientists, marine managers, educators, and cultural practitioners to further integrate western science and Native Hawaiian ways of knowing.

ADHERANCE TO FINDINGS CRITERIA, BMPs, AND OTHER SAFETY PROTOCOLS:

To safeguard Monument resources, the applicant will harvest from various places in order to be mindful and not consolidate harvest pressure in one location. The applicant has also attended and completed the 2019 Resource Monitor Training and has ample experience at the locations proposed over multiple trips. Applicant would additionally abide by the following PMNM Best Management Practices (BMPs) while conducting the aforementioned activities within the PMNM: Marine Alien Species Inspection Standards for Maritime Vessels (PMNM BMP #001), Human Hazards to Seabirds Briefing (PMNM BMP #003), Best Management Practices for Boat Operations and Diving Activities (PMNM BMP #004), Protocols Necessary for Conducting Trolling Research and Monitoring (PMNM BMP #008), Best Practices for Minimizing the Impact of Artificial Light on Sea Turtles (PMNM BMP #009), Marine Wildlife Viewing Guidelines (PMNM BMP #010), Disease and Introduced Species Prevention Protocol for Permitted Activities in the Marine Environment (PMNM BMP #011), Best Management Practices for Maritime Heritage Sites (PMNM BMP #017), Rodent Prevention and Inspection Standards for Permitted Vessels (PMNM BMP #018), in addition to any other BMPs that apply.

In addition, the following special conditions will be included in the permit:

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

- b. Tenders and small vessels must be equipped with engines that meet EPA emissions requirements.
- c. Refueling of tenders and all small vessels must be done at the support ships and outside the confines of lagoons or near-shore waters in the NWHI State Marine Refuge.
- d. No fishing is allowed in State Waters except as authorized under state law for Native Hawaiian subsistence, traditional, and customary practices.
- e. If there is any Hawaiian monk seal or any other protected species in the area when performing any permitted activity shall cease until the animal(s) depart the area, except as permitted for specific management of that species.
- f. 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.
- g. To avoid physical damage to corals during in-water activities, swimmers and snorkelers should pay close attention to waves and currents, to avoid being swept onto the reef, avoid touching corals, and only stand in areas void of corals (e.g., sand and/or unconsolidated sediment).
- h. Measures should be implemented to prevent detergents and other cleaners from being washed overboard.
- i. No direct interaction with, disturbance of, impact to or placement of camera equipment, or other gear or equipment will occur on coral or live rock (defined as any natural hard substrate to which marine life is visibly attached or affixed).
- j. The permittee is required to follow all applicable Federal, State, and County laws with respect to the COVID-19 emergency response that apply at the time of departure and return. In issuance of this permit, the State of Hawai'i is not otherwise monitoring or regulating permittee's compliance with COVID-19 laws and is not responsible for the health and safety of crew members, researchers or other occupants of the vessel associated with this permit.
- k. To ensure the protection of monument resources, the permittee must conduct all activities in accordance with the following monument Best Management Practices (BMP) and guidelines (as listed above).

The applicant's proposed activities directly support the Native Hawaiian Culture and Heritage (NHCH) Monument Management Plan Action Plan Strategies:

1. Native Hawaiian Culture and Heritage (NHCH) Action Plan Strategy NHCH-2: “Conduct, support, and facilitate Native Hawaiian cultural access and research of the NWHI over the life of the plan”:
 - a. Activity NHCH-2.2: “Support Native Hawaiian cultural research needs.”
 - b. Activity NHCH-2.3: “Facilitate cultural field research and cultural education opportunities annually.”
 - c. NHCH-2.6: “Continue to facilitate Native Hawaiian cultural access.”

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
- 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

Compliance Information Form (CIS Form) Updates

Note – In previous years a Compliance Information Form (CIS Form) would have been included with BLNR submittal with various pieces of information on project personnel, vessels utilized to access the PMNM, vessel inspection dates and associated vessel details, entry dates into the PMNM, etc. This information is often fluid and changing and updated on a daily basis, and therefore partially complete forms were often included as an attachment for the BLNR meeting in past years. In 2023 a transition was made to storing this information on a dynamic google spreadsheet; static PDF copies will no longer be included with the BLNR submittal, but the information can be now provided upon request with the most up-to-date data as it is modified up until the departing of the vessel for the PMNM. Some preliminary information for this expedition is as follows – other info can be requested as described above (if necessary):

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 was posted on the Monument website in the spring of 2024, giving the public an opportunity to comment. The application was posted within 40 days of its receipt, in accordance with the PMNM Public Notification Policy.

MMB Agency Reviewer Questions and Applicant Responses

The original application request included multiple island visits within the PMNM over two expeditions/voyages, but this was changed during the review process to visiting only Nihoa.

1. Kure Atoll is listed as a location to be accessed. Can you clarify when access would be occurring here? Would it be before or after Midway?

No longer applicable

2. In the application it states ho'okupu from the main Hawaiian Islands (such as 'awa and rain water and possibly red fish) may be offered and that all ho'okupu will follow any quarantine protocols established by the Monument. Can you confirm ho'okupu will be limited to 'awa, rain water and red fish or will there also be other items not listed?

Confirming that ho'okupu will be limited to 'awa, rain water, and red fish. All will follow quarantine protocols required.

3. Will cruise 1 (June) be done solely by Hikianalia or would Hōkūle'a/Kōlea also be accessing the Monument on that voyage?

N/A, all vessels (Hōkūle'a, Hikianalia, and Kōlea) will be accessing the Monument together on one voyage in the month of July.

4. Can you please clarify which vessels have a VMS unit installed?

To the best of my knowledge, none of our vessels currently have a VMS unit installed. During our 2021 voyage to PMNM, we borrowed a VMS unit from NOAA/PMNM which was installed on Hikianalia and covered the tracking info needed for both Hōkūle'a and Hikianalia as they traveled together.

5. Please be aware it is standard practice for the Monument to assign a resource monitor on non-agency cruises. If this is required by the MMB would there be space and resources available to host this type of individual?

I believe that during our 2021 voyage to PMNM, Randy Kosaki served as the resource monitor. Crew selection is ultimately the captain's discretion, but I think space and resources would be available and that if necessary, would be allowed.

Follow up Q – would we need one per vessel or just one with the group of vessels?

MMB Comments

1. The applicant will be accessing locations where nuisance algae is present, and should be prepared to follow decontamination procedures in BMP 20. Please ensure you read BMP 020 and fully understand all its requirements.

No longer applicable.

2. Kuaihelani (Midway) staff is pleased to be able to offer support to the Polynesian Voyaging Society before the long journey to Micronesia. However, PVS should be made aware that Midway has some additional pre-access and planning requirements listed below. Please work directly with caroline_pott@fws.gov at Midway and CC you permit coordinator Phillip.howard@noaa.gov in regard to these requirements.
 - a. If not already done, PVS needs to coordinate with Midway directly to secure refueling needs, housing and manifest seats well in advance of the July IMUA, if that is the resupply they are planning to use.
 - b. Is there a more specific window for the anticipated arrival?
 - c. What are the landing requirements/can they use the seaplane ramp or what other offloading situation do they need?
 - d. How will they be fueling?
 - e. If staff are here overnight, would it be possible to provide a short seminar to Kuaihelani staff regarding their trip and/or a tour of the vessel?

Arrival into Kuaihelani is no longer requested under the PVS permit, however we are very grateful to the staff of Kuaihelani for allowing us to explore this option.

ENVIRONMENTAL COMPLIANCE

NEPA / HEPA: (check-one)

Categorical Exclusion / Exempt Class: 5 & 8

EA

EIS

Other Consultations: (ESA/MMPA Section 7; NHPA Section 106, etc.)

- ESA and EFH consultation requests sent to NMFS on May 7th, 2024.
- Reviews of all aforementioned activities following section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA; 16 U.S.C. 1855(b)) will be conducted. The outcome of this review may require the applicant to adhere to other NMFS-prescribed conditions; such conditions will be reflected in the PMNM permit, prior to issuance.
- The proposed activities will be reviewed under PMNM’s programmatic ESA Section 7 informal consultation with National Marine Fisheries Service (NMFS). The outcome of this consultation may require the applicant to adhere to other NMFS-prescribed conditions; such conditions will be reflected in the PMNM permit, prior to issuance.

The Department has made an exemption determination for this permit in accordance with Chapter 343, HRS, and Chapter 11-200.1, HAR. See Attachment (“DECLARATION OF EXEMPTION FROM THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT UNDER THE AUTHORITY OF CHAPTER 343, HRS AND CHAPTER 11-200.1 HAR, FOR PAPA HĀNAUMOKUĀKEA MARINE NATIONAL MONUMENT NATIVE HAWAIIAN PRACTICES PERMIT TO MR. NAINOA THOMPSON, POLYNESIAN VOYAGING SOCIETY, FOR ACCESS TO STATE WATERS TO CONDUCT SAILS FOR NAVIGATORS USING NON-INSTRUMENTAL NAVIGATION ACTIVITIES UNDER PERMIT PMNM-2024-006”)

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

If so, please summarize past permits:

PMNM Permit 2021 for Native Hawaiian practices

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

This activity is exempt from the preparation of an environmental assessment under the Authority of Chapter 343, HRS and Chapter 11-200, HAR. In accordance with the revised Exemption List For The Department Of Land And Natural Resources (Concurred on by the Environmental Council on

November 10, 2020), this activity does not require a declaration of exemption or “exemption notice” as this activity falls under “**Part 1**” of its exemption class. This revision separates exemption lists into categories listed in §11-200.1-16 (a)(1) and (2). Activities categorized as “**Part 1**” will fall under §11-200.1-16 (a) (1). **Activities categorized as “Part 2” will require an exemption notice** and fall under §11-200.1-16 (a) (2). However, in order to be transparent for BLNR review purposes, this exemption notice had been drafted.

Consulted Parties:

The permit application was sent out for review and comment to the following scientific and cultural entities: Hawaii Division of Aquatic Resources, Hawaii Division of Forestry and Wildlife, Papahānaumokuākea Marine National Monument (NOAA/NOS), NOAA Pacific Islands Regional Office (NOAA-PIRO), United States Fish and Wildlife Service Hawaiian and Pacific Islands National Wildlife Refuge Complex Office, and the Office of Hawaiian Affairs (OHA). In addition, the permit application has been posted on the Monument Web site, 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 §11-200.1-15, HAR, including the criteria used to determine significance under §11-200.1-13, HAR, 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 have been evaluated as a single action. Since this permit involves an activity that is precedent to a later planned activity, i.e., the same methodology used throughout the permit period, the categorical exemption determination here will treat all planned activities as a single action under §11-200.1-10, HAR.
2. The General Exemption Type #5 for Basic Data Collection, Research and Experimental Management with no Serious or Major Environmental Disturbance Appears to Apply. §11-200.1-16 (a) (1) and §11-200.1-16 (a) (2), HAR, exempts the class of actions that 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 type has been interpreted to include the presence/absence fish surveys and the analysis of fish gut contents, such as those being proposed.

The proposed activities here appear to fall squarely under the general exemption type identified under HAR §11-200.1-16 (a) (1) and as described under the revised 2020 DLNR Exemption List (Concurred on by the Environmental Council on November 10, 2020), under the general exemption type #5 (Part 1), item #15, which includes, the conducting of “game and non-game wildlife surveys, vegetation and rare plant surveys, aquatic life surveys, inventory studies, new transect lines, photographing, recording, sampling, collection, culture, and captive propagation.”

The General Exemption Type #8 for Continuing Administrative Activities Appears to Apply. §11-200.1-16 (a) (1), HAR, exempts the class of actions that involve “continuing administrative activities.” This exemption type have been interpreted to include educational activities consisting of a navigational and cultural curriculum, such as those being proposed.

The proposed activities here appear to fall squarely under the general exemption type identified under HAR §11-200.1-16 (a) (1) and as described under the revised 2020 DLNR Exemption List (Concurred on by the Environmental Council on November 10, 2020), under the general exemption type #8 (Part 1), item #5, which includes, “training, environmental interpretation, public safety efforts and other educational activities.”

As discussed below, no significant disturbance to any environmental resource is anticipated. 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.” §11-200.1-15 (d), HAR. 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. §11-200.1-13, HAR.

The expedition was undertaken in previous years (most recently 2021) in State Waters. There were no deleterious effects from the previous expedition. 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, but rather enhance 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.

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

4. Overall Impacts will Probably be Minimal and Insignificant.

Again, any foreseeable impacts from the proposed activity will probably be minimal, and further mitigated by general and specific conditions attached to the permit. Specifically, all research activities

covered by this permit will be carried out with strict safeguards for the natural, historic, and cultural resources of the Monument as required by Presidential Proclamation 8031, other applicable law and agency policies and standard operating procedures.

Conclusion. Upon consideration of the permit to be approved by the Board of Land and Natural Resources, the potential effects of the above listed project as provided by Chapter 343, HRS and Chapter 11-200.1 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.