

Papahānaumokuākea Marine National Monument
Native Hawaiian Practices Permit Application

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

ADDITIONAL IMPORTANT INFORMATION:

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

INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED

Send Permit Applications to:

Papahānaumokuākea Marine National Monument Permit Coordinator

6600 Kalaniana'ole Hwy. # 300

Honolulu, HI 96825

nwhipermit@noaa.gov

PHONE: (808) 397-2660 FAX: (808) 397-2662

SUBMITTAL VIA ELECTRONIC MAIL IS PREFERRED BUT NOT REQUIRED. FOR ADDITIONAL SUBMITTAL INSTRUCTIONS, SEE THE LAST PAGE.

Papahānaumokuākea Marine National Monument Permit Application Cover Sheet

This Permit Application Cover Sheet is intended to provide summary information and status to the public on permit applications for activities proposed to be conducted in the Papahānaumokuākea Marine National Monument. While a permit application has been received, it has not been fully reviewed nor approved by the Monument Management Board to date. The Monument permit process also ensures that all environmental reviews are conducted prior to the issuance of a Monument permit.

Summary Information

Applicant Name: Faylene Mahina Duarte

Affiliation: NOAA Papahānaumokuākea Marine National Monument

Permit Category: Native Hawaiian Practices

Proposed Activity Dates: June 1-August 31, 2009

Proposed Method of Entry (Vessel/Plane): Vessel

Proposed Locations: Nihoa, Mokumanamana, French Frigate Shoals, Gardner Pinnacles, Maro Reef, Laysan Island, Lisianski Island

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

Four individuals are to be covered under this permit

Estimated number of days in the Monument: 35 days

Description of proposed activities: (complete these sentences):

a.) The proposed activity would...

The proposed activity would entail conducting the second phase of the cultural health index project that was initiated by Hi'ilei Kawelo in the summer of 2008. Second phase activities are to include surveying and establishing terrestrial and marine-based study sites, identification of cultural health indicators, and performing a baseline health assessment of selected cultural indicator species.

b.) To accomplish this activity we would

To accomplish these activities, a research team of three cultural practitioners and one research scientist would utilize a hand-held underwater gps to create grids for long-term monitoring; conduct visual underwater and land-based assessments of abundance, assemblages, community structure, feeding and reproductive behavior, species interaction, habitat and physical environment. The visual assessments require numerous free dives and access to the shoreline area. Upon completion, the preliminary results generated from the study will be examined with other sets of data that has been gathered on previous field studies. This approach is currently

being field tested by cultural practitioners in the main Hawaiian islands and subsequently is generating interest in some coastal communities.

To ensure the success of these field studies, the team will perform appropriate protocol and offer ho'okupu(cultural offerings) to maintain the spiritual integrity of the cultural sites that are visited.

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

This activity would help the Monument by strengthening its management of cultural resources and ensure the strong participation of Native Hawaiians in the region's long-term protection. By providing opportunities to conduct cultural research, practitioners will assist in the recovery of important Native Hawaiian marine management practices and advance Native Hawaiian traditional ecological knowledge. Additionally, the permitted cultural practitioners and researchers will be key to the development of an eventual cultural access and monitoring plan for the NWHI. A Hawaiian environmental monitoring plan will be best facilitated by the creation of tools and frameworks such as the cultural health index project. Further, there is strong potential to conduct similar field studies in the main Hawaiian islands as a means to cultivate management and stewardship concepts across the archipelago.

Other information or background: Please see the attached reports for additional information.

Section A - Applicant Information

1. Applicant

Name (last, first, middle initial): Duarte, Faylene, M.

Title: Chief Consultant, Mahina Duarte LLC

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

Randy Kosaki, NOAA, Deputy Superintendent

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

[REDACTED]

Phone:

[REDACTED]

Fax:

Email:

[REDACTED]

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

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

NOAA Papahānaumokuākea Marine National Monument

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):

Cultural Practitioner-Hi'ilei Kawelo

Cultural Practitioner-Galbraith Kawelo

Cultural Practitioner-Kelson Poepoe

Research Scientist-Ku'u'lei Rodgers, Ph.D. or Alan Friedlander, Ph.D. or Kanekoa Kukea-Shultz

Section B: Project Information

5a. Project location(s):

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

Ocean Based

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

Location Description:

exact details to be determined

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 central purpose of the expedition is to expand and advance traditional Native Hawaiian knowledge in the field of marine conservation and management. The primary objectives of the cultural expedition are to: (1) develop an index of cultural indicators that assess health of select species and ecosystems (2) commence the long-term collection of Hawaiian environmental data (3) refine the approach and methodology (4) examine preliminary results with collaborating experts.

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 activities will provide adequate safeguards towards cultural, natural and historic resources by adhering to all rules and regulations established by the Monument and its staff.

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? Members of the expedition will adhere to all rules and regulations as established by the Monument and its staff. In addition to the prescribed rules, the cultural practitioners are interested in assisting with the development of a cultural resource monitoring and access plan.

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.

No. There is no other place within the Hawaiian archipelago that can serve as a baseline of abundance for local community-based marine managers due to its remote locale and legal protection status. Because the Northwestern Hawaiian islands are remotely managed, this area serves as an optimal measure to determine expected abundances-as these practitioners are engaged in community-based near shore marine management in the main Hawaiian islands.

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

The end value of the activity outweighs any adverse impacts by safeguarding against the loss of opportunity to expand Native Hawaiian knowledge relating to the NWHI. There is a great need to recover traditional Native Hawaiian marine ecosystem management practices, and as such, the Monument provides an unparalleled venue to accomplish this.

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

Fourteen to twenty days is a good starting point to develop an empirical based research regime. Preferably, the activity would extend for an entire month and even a summer to begin to accord a moon calendar for the NWHI.

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

I am qualified to conduct and complete the proposed as a practitioner of Hawaiian fishpond management and near-shore marine management for more than ten years. During my tenure as a fishpond manager, I regularly designed cultural research projects that informed real-time decision-making and devised solutions to address the estuarine systems' environmental challenges.

The cultural specialists that will perform various research activities are all highly trained in traditional near-shore marine management and fishery management. Combined, the practitioners represent nearly 150 years of field-based knowledge and information.

g. Provide information demonstrating that you have adequate financial resources available to conduct and complete the activity and mitigate any potential impacts resulting from its conduct. The proposed activities are funded in full by NOAA, Papahānaumokuākea Marine National Monument.

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 methods and procedures employed will be both empirical and experiential based. These are widely accepted methods for acquiring data in the marine environment by Native Hawaiian marine practitioners and research scientists. The proposed methodology will not require specialized equipment and will also take into full account the fragility of the Monument's resources.

i. Has your vessel has been outfitted with a mobile transceiver unit approved by OLE and complies with the requirements of Presidential Proclamation 8031?
Berthing space upon a NOAA vessel to be determined.

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

All permits required for access and conducting cultural observations of the marine environment will be obtained for this access, including a section 106 letter. Also, several members from the Native Hawaiian cultural working group have been consulted regarding the activities to be permitted under this application.

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. The end-value of the activity is informational and is intended to provide local and governmental managers the information critical to the conservation of these cultural resources.

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 the proposed activity is appropriate and pono by traditional standards in the Native Hawaiian culture in that the expedition is centered around enhancing traditional marine resource management skills through careful observation. The ability to increase or maintain productivity of a particular kai (fishery) is integral to maintaining traditional Native Hawaiian knowledge and marine management systems; and is therefore consistent with pono marine stewardship tenets.

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

The data collected from these field studies will better enable these practitioners to understand the biological, spiritual and cultural connections between the NWHI and the main Hawaiian islands. And in doing so, practitioners will be better equipped to manage their areas in the main Hawaiian islands from which the Northwestern Hawaiian islands will ultimately benefit.

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 group of cultural practitioners being selected for this expedition possess intricate knowledge of traditional Native Hawaiian marine management practices in the near shore fishery area within their own ahupua'a. Of equal importance, knowledge gained will be utilized to inform local marine management and conservation education within their home communities. Each practitioner will reflect upon traditional concepts like 'aina momona (bountiful lands), ho'omalu (regulated activities) and kapu (prohibited activities) which are fundamental in traditional Native Hawaiian marine management.

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

Yes.

8. Procedures/Methods:

The methods that will be employed by the Cultural Reef Assessment team are simple when viewed through the lens of a western scientist. Observations made call upon our historical connections to place through practice. The only gear required is snorkel gear and an underwater camera. Multiple shallow water dives using snorkel gear will be performed at each island/ atoll visited. Snorkel sites selected and observations notated will give cultural practitioners a relatively good understanding of the nearshore environment and cultural resources contained within Monument waters. When possible, visual shoreline assessments will be performed. Visual assessments and observations will be noted via a journal. Both above and underwater

photography will be used to aid in documentation. A Cultural Reef Assessment tool will be developed for each island/atol visited as a result of observations made.

It is noted that land access for Nihoa and/or Mokumanamana would be undertaken only under the supervision of appropriate Monument staff/researchers.

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

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

Common name:

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?

n/a

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

n/a

• General site/location for collections:

n/a

• Is it an open or closed system? Open Closed

n/a

• Is there an outfall? Yes No

n/a

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

• Will organisms be released?
n/a

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

not applicable

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

A culturing offering of pa'akai(salt) may remain in the Monument.

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

none

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:

Cultural specialists will present findings to youth in various educational venues and incorporate into local curricula as appropriate. Presentation format will vary from multi-media platforms to the performing arts.

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

Yes No

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

A copy of all publications and/or educational materials will be completed within six months from date of return.

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

not applicable

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

Signature

Date

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

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

DID YOU INCLUDE THESE?

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