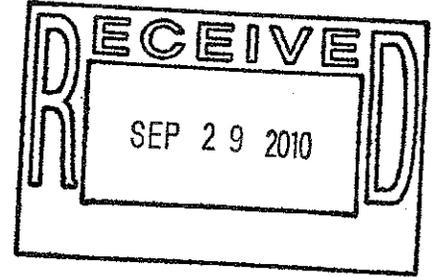


**SANDWICH ISLAND**



**SHIPWRECK MUSEUM**



MARITIME RESEARCH FOR THE HAWAIIAN ISLANDS  
P.O. BOX 727, HALEIWA, HAWAII, 96712

Aloha,

August 27, 2010

It has come to my attention that N.O.A.A.'s Hawaiian Humpback Whale Sanctuary may be considering adding Cultural Resources to its area of protection.

Submerged Cultural Resources and Sites need to be inventoried and cataloged. That information needs to be published. The area of "protection" is where I have the most concerns.

While I distinctly recall being assured that such a move was not to be part of the Hawaiian Humpback Whale Sanctuary, the time for another expansion of N.O.A.A.'s administrative umbrella may be upon us.

The first need would be to define, in some detail, what type of sites are being considered, for what reason and what levels of protection are going to be needed.

Submerged Cultural Resources, by definition, would not be restricted to shipwrecks. Remains of old harbors, docks, wharves, and wire landings as well as jetsum and airplanes could be included in the inventory of "Cultural Resources", as would submerged cables running between the islands.

WWII bunkers and costal defense artifacts line our shores. Would these be included in the protected inventory.

Would NOAA care to include "pre-contact" and historical sites that have been subjected to subsidence. What of sites such as ko'a and so-called submerged heiau that were placed there beneath the water's surface in times past?

Maritime sites, including shipwrecks, often extend from sub-surface to well above the water-line, often onto private property.

Many clients are already utilizing these sites for recreational and professional purposes. Shipwreck sites, for instance, offer a fish haven which is utilized by fishermen, tropical fish collectors and commercial dive operations (especially off the south shore of O'ahu). What restrictions would be placed on the many divers who visit those sites daily? What will change as the sites age? This question must be considered as purposely sunken vessels age past the 50-year mark, defining them as "historical" by Hawaii State Statutes.

Many of the shipwrecks in Hawaiian waters occurred in very shallow water. Indeed, hardly any beach that could land a canoe has not been witness to maritime calamity. Might their protection be interpreted as a restriction on beach combing? Could "protection" interrupt fishing activities in waters adjacent to many bays and harbors. For instance, would any proposed rule changes have an impact on the temporary fisherman shelters often constructed along the north shore of Lana`i ?

Would N.O.A.A.'s protection of cultural resources stop at a shore-line or be expanded to the high tide-line or higher?

Should N.O.A.A. be granted authority over these resources, would they be funded to a degree that the more important (thus-far undiscovered) sites be looked into. In other words, will N.O.A.A. be conducting research and exploration or simply reacting to sites found and documented by others? Will funding be available to investigators not directly employed by N.O.A.A.?

The fear amongst many in the historical community is that N.O.A.A. would take a heavy hand and simply push aside any investigators that are not within their sphere of influence. This has been demonstrated to otherwise qualified investigators in Alaska and elsewhere.

The fact that the entire Northwest Hawaiian Island Chain is now off limits to pretty much everybody has given many in the maritime community some trepidation to encourage yet more government protection in Hawaiian waters. The government's actions on restricting access to the Line Islands and other out of the way places will be watched carefully by the yachting community as well as others vested in maritime issues.

While it is comfortable to state that we recognize the need to protect our cultural resources, it is with great trepidation that those of us in the maritime and historical recommend that an already very large government agency take yet more control of our waters.

Sincerely,

Captain Richard W. Rogers  
President and Chief Investigator  
Sandwich Island Shipwreck Museum