

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of Forestry and Wildlife  
Honolulu, Hawaii 96813

June 14, 2013

Chairperson and Members  
Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

Land Board Members:

**SUBJECT:** REQUEST FOR AUTHORIZATION TO NEGOTIATE AND SIGN A CONTRACT(S) TO INSTALL UNGULATE-PROOF FENCING WITHIN THE ALAKAI WILDERNESS PRESERVE AND NA PALI-KONA FOREST RESERVE, AND ADJACENT LANDS CONTINGENT ON LANDOWNER APPROVAL, TMKs (4) 1-4-001:003, por & 5-8-001:001, por, KAUAI

AND

REQUEST APPROVAL OF DECLARATION OF EXEMPTION TO CHAPTER 343, HRS, ENVIRONMENTAL COMPLIANCE REQUIREMENTS FOR THIS PROJECT

**BACKGROUND**

A fence project is proposed to protect watershed forests in portions of the Alakai Wilderness Preserve and Na Pali-Kona Forest Reserve. This includes installation of approximately 8 foot high ungulate fencing to protect native montane forest and watershed from the negative impacts of feral ungulates in portions of the Alakai Plateau. Feral ungulate damage in these forests threatens Hawaii's water supplies and unique natural and cultural resources, including rare native plant and animal species. Step-overs and gates will allow public access and traditional gathering within fenced areas.

The project will fence approximately 3,400 acres in three units. These units will be adjacent to an existing fenced enclosure that was finalized in 2011 and protects approximately 2,000 acres of the Alakai Plateau. These projects are part of an ongoing effort to protect Kauai's core watershed forests and implement the Department's "The Rain Follows the Forest" plan. The proposed fences are located in the Eastern Alakai, generally an inaccessible and remote portion of the Alakai Plateau. Fence alignments are approximate and subject to change, and include cross fences. Existing topography may necessitate inclusion of adjacent lands, contingent on landowner approval. A map is attached as Exhibit 1.

The Division of Forestry and Wildlife, The Nature Conservancy of Hawaii, and other partners

will also conduct natural resource management activities including invasive species control, outplanting of native vegetation and installation of associated management infrastructure.

In order to expedite the contract(s) for this procurement, DOFAW requests that the Board delegate authority to the Chairperson to award, execute, and extend contract(s) for goods and services and other terms and conditions as may be prescribed by the Chairperson to best serve the interest of the State. One or more contracts will be awarded based on the lowest qualified bidder.

#### CHAPTER 343 – ENVIRONMENTAL ASSESSMENT

In accordance with the requirements of Chapter 343, HRS, and Chapter 11-200-8(6), Hawaii Administrative Rules (HAR), the Exemption List for the Department of Land and Natural Resources as reviewed and concurred upon by the Environmental Council on July 13, 2011 and June 12, 2008, the subject project is exempt from the preparation of an environmental assessment pursuant to the exemption classes listed in Exhibit 2.

#### RECOMMENDATIONS:

That the Board:

- 1) Declare that, after considering the potential effects of the proposed project as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will likely have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
- 2) Delegates authority to the Chairperson to:
  - a. Award, execute and extend contract(s) for goods and services, subject to the availability of funds and approval by the Department of the Attorney General.

Respectfully submitted,



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ROGER H. IMOTO, Administrator  
Division of Forestry and Wildlife

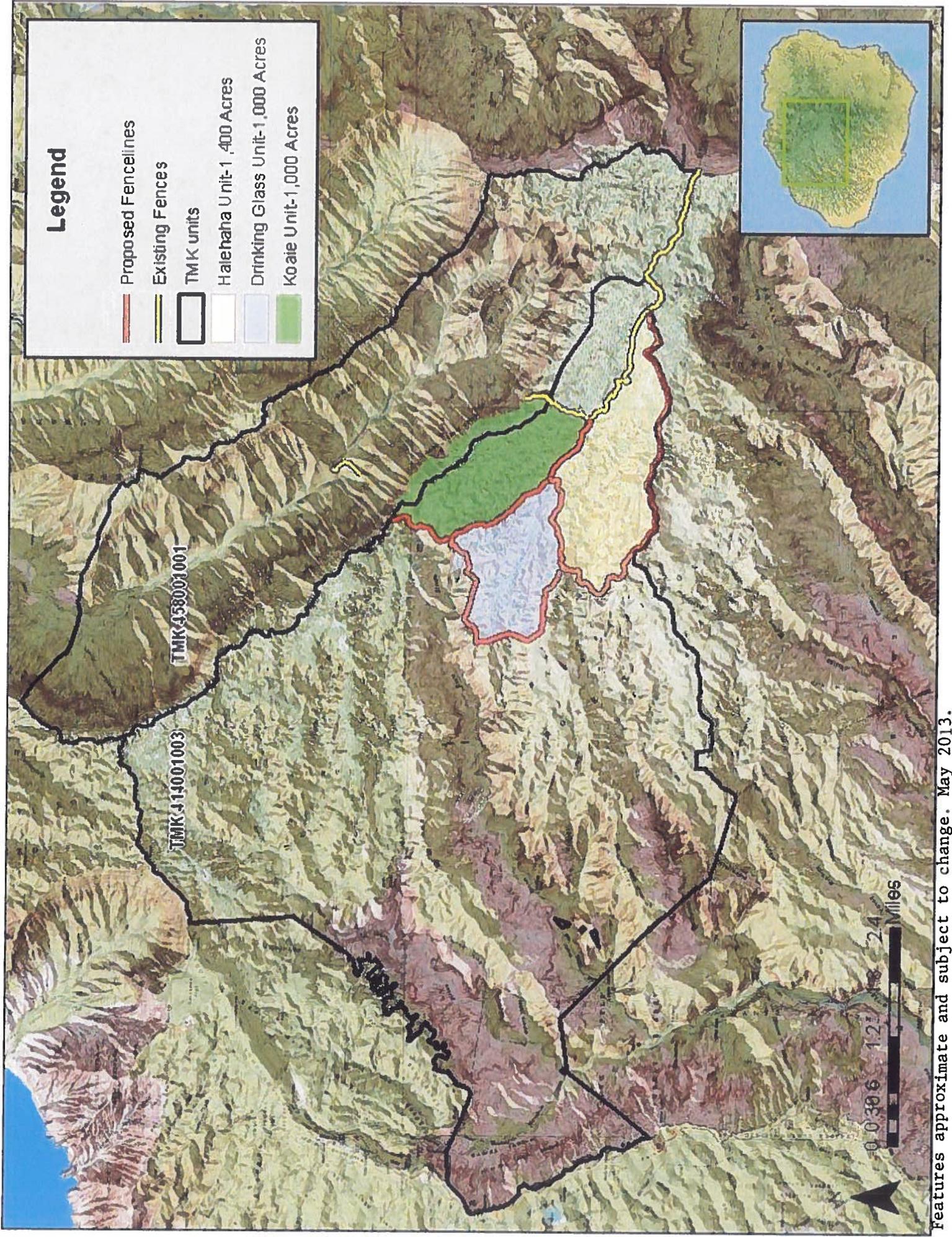
APPROVED FOR SUBMITTAL:



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WILLIAM J. AILA, JR., Chairperson  
Board of Land and Natural Resources

Exhibit 1. Map

Exhibit 2. Declaration of Exemption



Features approximate and subject to change. May 2013.

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**

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**WILLIAM J. AILA, JR.**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ESTHER KIA'AINA**  
FIRST DEPUTY

**WILLIAM M. TAM**  
DEPUTY DIRECTOR - WATER

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

**DECLARATION OF EXEMPTION**

from the preparation of an environmental assessment under the authority of Chapter 343, HRS  
and Chapter 11-200, HAR

**Project Title: Alaka'i Wilderness Preserve Protection Project**

**Project Description:** The proposed Alaka'i Wilderness Preserve Protection project (project) will occur within the Wainiha and Waimea Districts of Kaua'i including portions of Tax Map Keys TMKs (4) 1-4-001:003, por & 5-8-001:001. Project funding is expected to include various State, and Federal sources; and county and private funding may also be secured. The proposed project is part of the Department's on-going watershed protection efforts and is part of the "Rain Follows the Forest" initiative, and occurs in high priority watershed and biodiversity areas. The project area is characterized by diverse native-dominated montane wet forest and bogs. The proposed project area is located within the Conservation District, Protective subzone.

The project will involve the installation of ungulate-proof fences that will exclude feral ungulates from approximately 3,400 acres. Step-overs and/or gates will be constructed at access points, if any, to allow public access into fenced areas. The project will also include, but not be limited, to invasive species control, out-planting of native vegetation and installation of associated management infrastructure.

**Exemption Class: DLNR, Division of Forestry and Wildlife, Class 1**

**Exempt Item Number: 3:** Repair and maintenance of existing DOFAW program area fences; includes boundary, enclosure, and exclosure fences, wildlife water units, checking stations, water pumps, nesting areas, aviaries and yards.

**Exempt Item Number: 8:** Weed, brush and noxious tree control using hand tools, small motorized equipment (chainsaws and weed eaters), and approved herbicides on DOFAW program areas, campsites, picnic grounds, viewpoints, baseyards, wildlife water units, trails, captive propagation facilities, arboreta, plant nurseries, checking stations, and public use facilities.

**Exempt Item Number: 17:** Animal damage control actions, when needed to maintain resource values, in Division of Forestry and Wildlife (DOFAW) program areas, including application of approved rodenticides, and ungulate removal.

**Exemption Class: Department of Land and Natural Resources Class 3**

**Exempt Item Number: 1:** Fences around or to manage threatened or endangered plants; covered and open areas for endangered species, game birds and mammals; auxiliary buildings for food storage, equipment storage, incubators and brooders; open-top breeding and release pens, field aviaries and hacking boxes; and for watershed and native forest management and restoration. Fences shall contain step-overs or other features that permit pedestrian access for cultural and recreational use.

**Exempt Item Number: 2:** Cabins, resident workers' quarters, warehouse workshops, mobile camping structures, weather stations, checking stations for hunters, hikers, and campers; meat safes, viewing kiosks and platforms, wildlife viewing towers, sanitary facilities, trail shelters, equipment shelters, fire equipment caches, arboreta, and plant nurseries.

**Exemption Class: Department of Land and Natural Resources Class 4**

**Exempt Item Number: 1:** Establishment of helispots.

**Exempt Item Number: 7:** Establish temporary or permanent vegetative cover including trees, shrubs and grasses for landscaping, reforestation, soil stabilization, and wildlife habitat.

**Exemption Class: Department of Land and Natural Resources Class 5**

**Exempt Item Number: 2:** Game and non-game wildlife surveys, inventory studies, new transect lines, photographing, recording, sampling, collection and captive propagation (involves walking, driving, and flying in the field (helicopters, light aircraft)), use of nets and firearms, temporary traps including snares, mist nets, corral traps, drop door traps or leg hold traps.

**Exempt Item Number: 3:** Releases and recoveries of wildlife. On approved releases of game and non-game wildlife (after EA or EIS preparation and acceptance), actual release of animals and follow-up surveys, translocation within the range, or rearing in captivity and releasing to the wild.

**Date of Final Agency Exemption List:** July 18, 2011, June 12, 2008

*I have considered the potential effects of the above listed project as provided by Chapter 343, HRS and Chapter 11-200 HAR. I declare that this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment under the above exemption classes.*

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William J. Aila, Jr., Chairperson  
Department of Land and Natural Resources

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Date

Original: Agency file  
Copy: Project file