

STATE OF HAWAI'I  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of Forestry and Wildlife  
Honolulu, Hawai'i 96813

September 27, 2013

Chairperson and Members  
Board of Land and Natural Resources  
State of Hawai'i  
Honolulu, Hawai'i

Land Board Members:

**SUBJECT: APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE DIVISION OF FORESTRY AND WILDLIFE AND THE KE'ANAE KO'OLAU SPORTSMAN CLUB FOR MANAGEMENT OF A TRADITIONAL AGRICULTURE AND CULTURAL DEMONSTRATION PROJECT AT KE'ANAE ARBORETUM, KO'OLAU FOREST RESERVE, MAUI, TAX MAP KEY: (2) 1-1-002: PORTION 002.**

**REQUEST APPROVAL OF DECLARATION OF EXEMPTION FROM CHAPTER 343, HRS ENVIRONMENTAL COMPLIANCE REQUIREMENTS FOR THE PROJECT.**

**REQUEST FOR DELEGATION OF AUTHORITY TO THE CHAIRPERSON TO NEGOTIATE, APPROVE, AND EXECUTE MEMORANDUM OF UNDERSTANDING, RIGHT-OF-ENTRY AND RELEASE OF LIABILITY AGREEMENTS, FOR KE'ANAE KO'OLAU SPORTSMAN CLUB FOR MANAGEMENT OF A TRADITIONAL AGRICULTURE AND CULTURAL DEMONSTRATION PROJECT AT KE'ANAE ARBORETUM.**

**SUMMARY:**

This Board Submittal requests approval of Memorandum of Understanding (MOU) between the Division of Forestry and Wildlife (DOFAW) and the Ke'anae Ko'olau Sportsman Club, a private non-profit 501(c)(3) organization, for management of a traditional agricultural and cultural heritage demonstration project at Ke'anae Arboretum (Exhibit A), which is within the Ko'olau Forest Reserve. The Division also requests approval of a declaration of exemption from Chapter 343, HRS environmental compliance requirements, and delegation of authority to the Chairperson to negotiate, approve and execute future MOU's, Right-Of-Entries (ROE) and/or Release of Liability Agreements, as appropriate, with the Ke'anae Ko'olau Sportsman Club related to this project.

LOCATION:

Portion of Government lands designated as Ko'olau Forest Reserve, situated in Hāna, Maui identified by Tax Map Key (2) 1-1-002: por. 002 (Exhibit A).

ZONING:

State Land Use District: Conservation - Subzone Resource

TRUST LAND STATUS:

Section 5(b) lands of the Hawai'i Admission Act  
DHHL 30% entitlement lands pursuant to the Hawai'i State Constitution: No

TERM OF MEMORANDUM OF UNDERSTANDING:

The term of the Memorandum of Understanding shall be for a period of two years.

CONSIDERATION:

Gratis

BACKGROUND:

The Ke'anae Arboretum is located along the Hāna Highway just after mile marker 16 and is a popular stop for tourist and local residents. It spans six acres and is divided into three sections including native forest trees, introduced tropical trees and cultivated Hawaiian agricultural plants.

The area that the arboretum occupies was historically used by native Hawaiians for farming of food, medicinal and fiber producing plants. In the 1940's, the Territorial Foresters had cleaned out some of this area and put it back into use by planting a number of timber and fruit trees. In 1946, the lo'i kalo were put back into use as a work project for prisoners that were stationed up the road at the still present YMCA camp. This continued into the 1950's, but was abandoned when the Ke'anae prison camp closed.

In 1971, the District Forester renewed the effort at the arboretum, which resulted in an impressive collection of domestic Hawaiian agricultural plants. For example, by the mid 1980's the lo'i kalo contained a collection of 60 varieties of kalo. Currently the arboretum is maintained quarterly by DOFAW staff. There was once a full time site manager, but budget and staff reductions have left the site understaffed.

Ke'anae Arboretum is currently frequented by approximately 200-300 visitors per day. This heavy visitor activity is due to the fact that the arboretum is an easy stop along the famous Hāna Highway, one of the most popular visitor activities on Maui. This high visitor traffic through the arboretum is a great opportunity to educate the public about the history, culture and natural resources of this area.

## DISCUSSION:

There is once again renewed interest by DOFAW to revitalize the Ke‘anae Arboretum. On March 1, 2013, the Hawai‘i Tourism Authority (HTA) awarded a \$50,000 grant to DOFAW to revitalize two native gardens, one of which is the Ke‘anae Arboretum. The Division has already initiated efforts to hire two part-time caretakers for the arboretum, outplant native understory and tree species, repair and replace informational kiosks and plant ID plaques.

On August 16, 2013, DOFAW received a letter (Exhibit B) from the Ke‘anae Ko‘olau Sportman Club (KKSC) formally requesting permission to lead volunteer groups into the arboretum to restore and maintain the existing lo‘i kalo. KKSC is a private non-profit group whose “primary goal is to teach both young and old the special significance of the Ko‘olau district of the island of Maui.”

In their letter they state that the majority of the members of their Board of Directors are descendants of the man who worked as the caretaker for the arboretum for the State, Willie Kaipo Kimokeo. Mr. Kimokeo had passed on his knowledge of the area to his sons, who are now the founders and board members of KKSC. They want to be able to pass on their father’s knowledge and the significance of the area to the next generation. The Ke‘anae Community is actively seeking opportunities to teach their traditional knowledge and feel that the Ke‘anae Arboretum will provide them an avenue to do so.

DOFAW is interested in a Memorandum of Understanding with KKSC for the term of two years, for the management of a traditional agricultural and demonstration project at the Keanae Arboretum; to allow KKSC to restore and maintain the 1.5 acres of lo‘i kalo that had once been managed by the DOFAW arboretum caretaker. These activities will serve to enhance the larger arboretum revitalization project, as well as contribute to the match requirements of the HTA Grant.

## CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

In accordance with “Exemption List for the Division of Forestry and Wildlife of the Department of Land and Natural Resources, reviewed and concurred upon by the Environmental Council on June 12, 2008,” the proposed activities are exempt from the preparation of an environmental assessment. Specifically, the proposed activities fall under Exemption Class No. 1 Item 5 and Item 8. Refer to attached Exemption Notification labeled Exhibit C.

RECOMMENDATIONS:

That the Board:

1. Approve in concept a Memorandum of Understanding between the State of Hawai'i Division of Forestry and Wildlife and the Ke'anae Ko'olau Sportsman Club for management of a traditional agriculture and cultural demonstration project at Ke'anae Arboretum, Ko'olau Forest Reserve, Hāna, Maui, Tax Map Key: (2) 1-1-002: por. 002.
2. Declare that, after considering the potential effects of the proposed dispositions 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.
3. Delegate to the Chairperson the authority to negotiate, approve and execute periodic Memorandum of Understanding, Right-Of-Entries and Release of Liability Agreements, as appropriate, between the State of Hawai'i Division of Forestry and Wildlife and the Ke'anae Ko'olau Sportsman Club for management of a traditional agriculture and cultural demonstration project at Ke'anae Arboretum, Ko'olau Forest Reserve, further subject to the following:
  - a. Review and approval as to form by the Department of the Attorney General; and
  - b. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.


Respectfully submitted,



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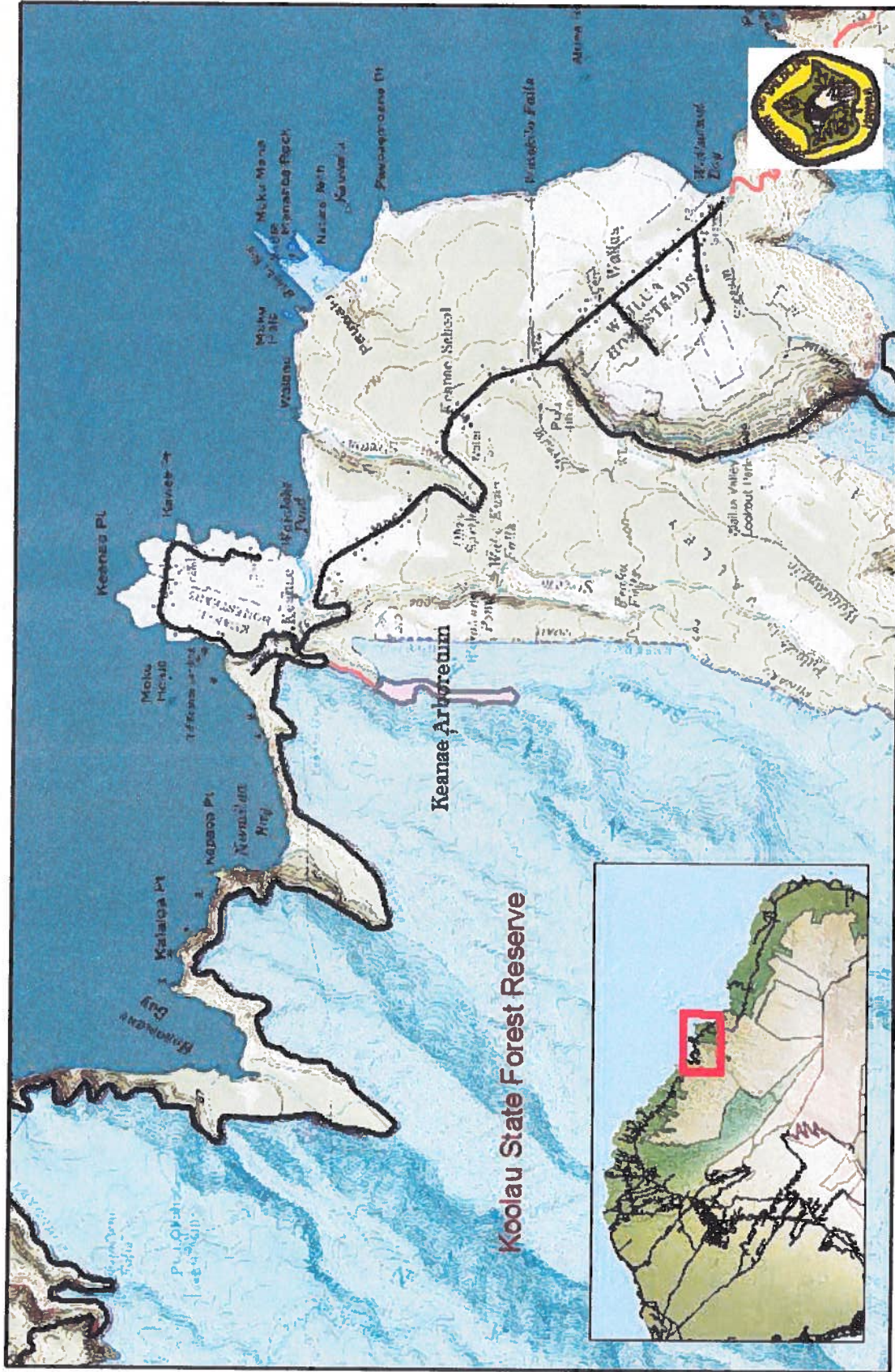
ROGER H. IMOTO,  
Administrator

APPROVED FOR SUBMITTAL:



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



# KOOLAU STATE FOREST RESERVE KEANAE ARBRETUM



# Ke'anae Ko'olau Sportsman Club

284 Ke'anae road Ke'anae, Maui, HI 96708

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August 16, 2013

To whom it may concern,

On behalf of Ke'anae Ko'olau Sportsmen Club, I would like to thank you for considering our request to utilize the Ke'anae Arboretum located on the Hāna Highway in Ke'anae, Maui. We are a 501(c)(3) nonprofit educational organization. Our primary goal is to teach both young and old the special significance of the Ko'olau district of the island of Maui. To reach this goal we would like to host organized educational programs in different forms in the Ke'anae Arboretum. Some of the programs we would like to hold are but not limited to, native ecosystems, native Hawaiian plant identification and propagation, Hawaiian plant medicinal and Hawaiian traditional craft uses, outdoor survival, outdoor safety, alien plant and animal management, and ultimately the preservation of the Hawaiian ecosystems of the Ko'olau district of Maui. Our goal is to target entire Hawaiian ecosystems, which means the protection from the mountain to the ocean. We would like to host above mentioned programs for the communities of the east side of Maui, Maui Island and ultimately open to the State of Hawaii and its visitors.

We have no intention of closing the area to the visiting public as it is arranged currently but we would like to utilize the taro patch area to teach taro farming in different areas and how it is affected by its environment. Majority of the board is related to the man who took care of the arboretum for the state. His name was Willie Kaipo Kimokeo who had passed his knowledge of the area to his sons who are now founders and board members of the nonprofit. They want to pass on their father's knowledge and the significance of the area. Others members of the board consist of primarily residents of the Ke'anae community. Ke'anae community members actively want more programs to teach their traditional knowledge doing so in the Ke'anae Arboretum will give us an avenue to do so.

If you have any further questions please do not hesitate to contact me at the numbers listed below. Once again thank you for your consideration of our proposal and helping us to preserve and protect our Hawaiian ecosystems through education.

Na'u,



Kehau Kimokeo

Secretary

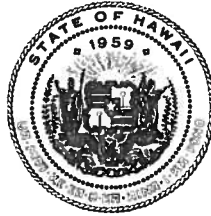
Ke'anae Ko'olau Sportsmen Club

A 501(c)(3) organization

808-248-7403

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kkimokeo@gmail.com



**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

**EXEMPTION NOTIFICATION**

Regarding the preparation of an environmental assessment pursuant to Chapter 343, Hawaii Revised Statutes.

<b>Project Title:</b>	Management of a traditional agriculture and cultural demonstration project at Ke'anae Arboretum, Ko'olau Forest Reserve, Maui, Tax Map Key: (2) 1-1-002: portion 002.
<b>Project Number:</b>	N/A
<b>Project Description:</b>	Maintenance and repair at Ke'anae Arboretum
<b>Chapter 343 Trigger:</b>	Use of State Land and Funds
<b>Exemption Class &amp; Description:</b>	<p>Exemption Class No. 1 Item 5, "Repair and maintenance of existing cabins, resident workers' quarters, warehouse workshops, mobile camping structures, weather stations, checking stations (single room structures with porches or small boxes on legs) for hunters, hikers, and campers; meat safes, viewing kiosks and platforms, wildlife observation towers, sanitary facilities, trail shelters, equipment shelters, fire equipment caches, plant nurseries, captive propagation facility buildings, established arboretum areas, baseyards and biological survey transect lines."</p> <p>Exemption Class No. 1 Item 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."</p>
<b>Recommendation:</b>	It is anticipated that this project will have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

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William J. Aila, Jr., Chairperson

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Date