

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

July 11, 2014

PSF No.: 14HD-119

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

HAWAII

Issuance of Right-of-Entry to the United States Department of Agriculture (USDA) Forest Service, for Forest Data Collection Purposes, at Kalapana, Puna, Hawaii, Tax Map Keys: (3) 1-2-008:001.

APPLICANT:

United States Department of Agriculture (USDA), Forest Service.

LEGAL REFERENCE:

Sections 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Puna, Hawaii, Tax Map Keys: (3) 1-2-008:001, as shown on the attached maps labeled **Exhibit A**.

TMK/ DISTRICT/ ZONING/ ENCUMBRANCE/ AREA:

TAX MAP KEY	DISTRICT	ZONING		ENCUMBRANCE	AREA (Acres)
		SLU	CZO		
(3) 1-2-008:001	Kiula, Puna	Ag	Ag	Vacant	2,526.20
				RPS-7670; Edward Lee	(100.00)

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CHARACTER OF USE:

Forest Data Collection purposes.

TERM OF RIGHT-OF-ENTRY:

Two years, commencing on July 1, 2014 and expiring on June 30, 2016.

CONSIDERATION:

Gratis.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

See Exemption Notification attached below as **Exhibit B**.

DCCA VERIFICATION:

Applicant (USDA, Forest Service), a federal government agency is not required to register with DCCA.

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Obtain written concurrence from all users of the subject land prior to entering and commencing with data collection activities.

REMARKS:

By letter dated July 11, 2013, Dr. R. Flint Hughes, Institute of Pacific Islands Forestry, United States Department of Agriculture, Forest Service, requested a right-of-entry onto State lands at Kiula, Kalapana, Hawaii, identified as Tax Map Key: (3) 1-2-008: portion of 001. Purpose of the right-of-entry is to allow the US Forest Service to enter State properties to conduct field studies on the forest ecosystems and is part of the National Forest Inventory Analysis (FIA) Program. FIA collects information on forest composition and structure, tree growth and mortality, disturbance, soils, and under-story species composition. FIA project is with the support of the Institute of Pacific Islands Forestry, the Hawaii Division of Forestry and Wildlife, and other organizations such as the Nature Conservancy of Hawaii.

Global Positioning Satellite (GPS) plot points have been taken and assigned to pre-selected locations on a grid. This grid extends throughout all of Hawaii and remaining plots will be installed over the course of the next 10 years. The purpose of the inventory is to collect data that can be used to assess the current state of Hawaii's forests (e.g., the extent, structure and make of Hawaiian forests, including the extent of invasive plant species and feral pigs). Because these plots will be visited every 10 years, these plots will serve to monitor trends in Hawaii's forest resources over time. The sampling procedures are nondestructive and include measurements of trees and forest condition. A

nail will be placed in the ground to indicate the GPS coordinate point and the trees being measured for the survey will be marked with a small inconspicuous tag for identification purposes. The procedures used to tag the trees and identify the GPS location point were under the recommendation of the Division of Forestry and Wildlife. The data sample area may be contained within a one-acre area. No fencing or barriers will be placed on the land to restrict landowner's use or the area. FIA field crews will consist of 3 to 4 individuals and include at least one local botanist. Data collected are combined with those from other plots in Hawaii to provide information about overall forest resource conditions within the state. This information is summarized, analyzed, and published in statistical and analytical reports for the State of Hawaii and the United States as a whole. If interested, a copy of the resource information gathered from the State property will be made available.

The area of interest consists of approximately 900 acres, which was deforested in 1985 by Campbell Estates. The owner of Kiula at that time was determined to convert this forest into pasture in order to reduce their tax burden. At the same time, the collapse of the sugar industry prompted HELCO to search for alternative biomass sources with which to maintain energy production via biomass burning.

The Forest Service's proposed work is to comprehensively document the status and recovery of the Kiula forest of Wao Kele O Puna that had occurred in the now 28-years post-disturbance succession following the cutting and removal of forest of the area. The Forest Service intends to compare the recovery of these deforested areas with the surrounding forest within Wao Kele O Puna forest boundary that were not cut down and removed. Sampling of forest composition, structure, and biomass accumulation in the forest plots established. Second, they wish to closely compare the composition and structural recovery of three forest types that have emerged and developed over the years following the clear cut; 1) Ohia-dominated forests, 2) albizia-dominated forests, and 3) strawberry guava-dominated forests. They intend to measure and compare species composition, structure, and biomass accumulation rates among these three forest types within the clear cut areas and again compare them with surrounding uncut mature Ohia forests. Third, they wish to kill all existing albizia trees in this area of Wao Kele O Puna and in the Kiula clear cut in particular.

This request will be issued at gratis. This is a government-sponsored project and Permittee will not profit monetarily as the intended use is strictly for survey/ study purposes only.

No comments were solicited, as the request will not require any new dispositions or involve a change in land use.

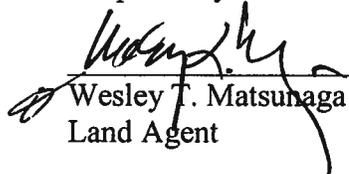
RECOMMENDATION: That the Board

1. Declare that, after considering the potential effects of the proposed disposition as

probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.

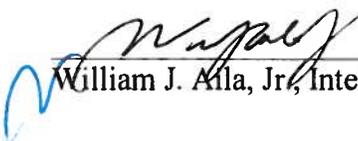
2. Authorize the issuance of a right-of-entry permit to the United States of America, Department of Agriculture, Forest Service (herein after referred to as Permittee), its consultants, contractors, and/or persons acting for or on its behalf, covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time;
 - B. The term of this right-of-entry shall be for two years, commencing on July 1, 2014 and expiring on June 30, 2016, or upon completion of the survey, whichever is the sooner.
 - C. This permit shall be issued at gratis;
 - D. Permittee shall obtain written concurrence from all users of the subject State land, prior to entering and commencing with data collection activities;
 - E. Permittee shall provide DLNR with a copy of its final findings/report on the resource information gathered;
 - F. Authorize the Chairperson to issue term extensions as necessary and/or future right-of-entries to the Applicant in relation to its project for forest data collection.
 - G. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Wesley T. Matsunaga
Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila, Jr., Interim Chairperson

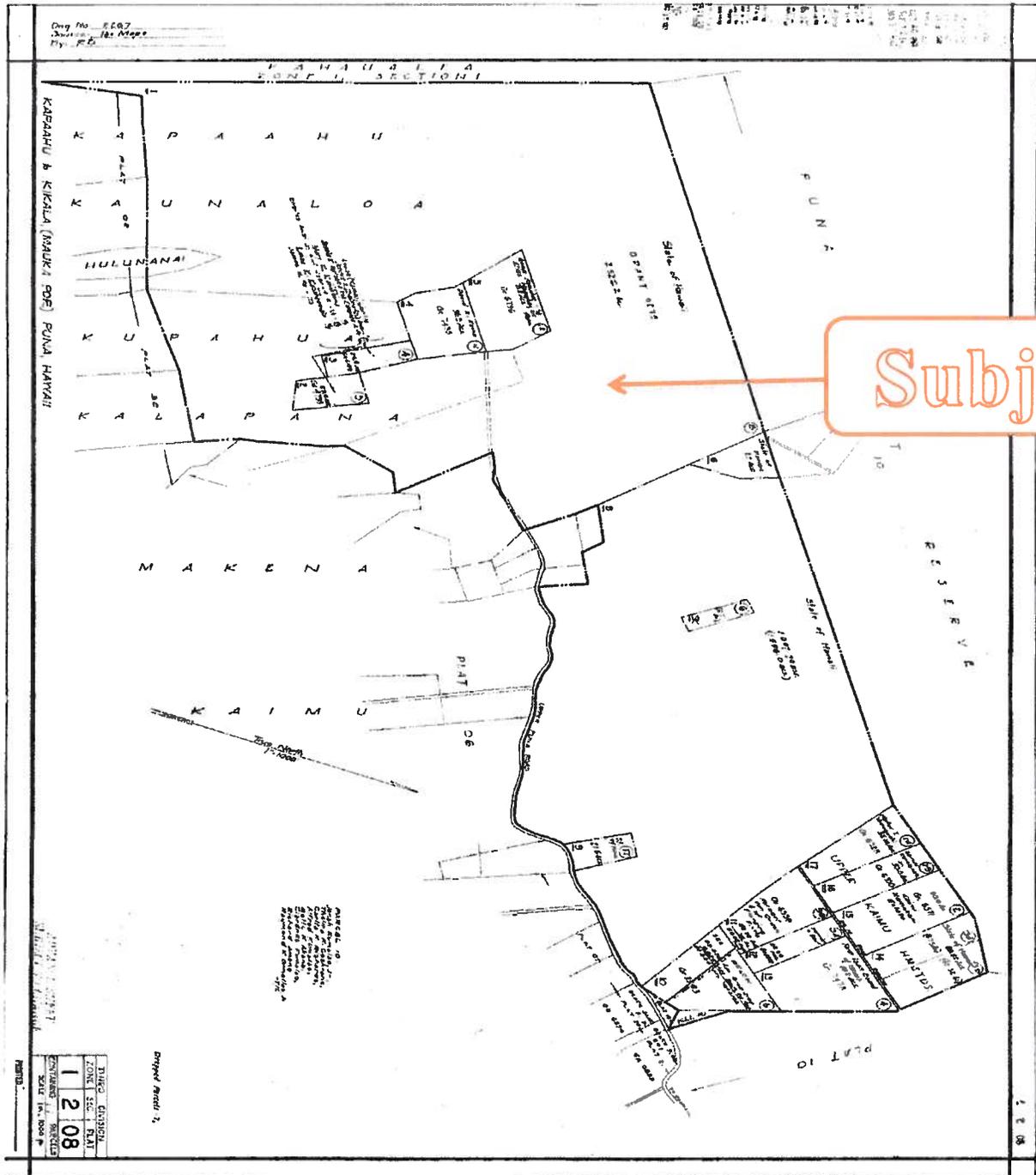
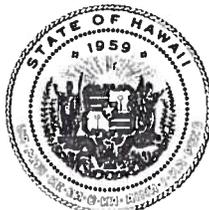


EXHIBIT A

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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

JESSE K. SOUKI
FIRST DEPUTY

WILLIAM M. TAM
INTERIM 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

July 11, 2014

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Issuance of Right of Entry Permit to U.S. Forest Service for Forest Data Collection Purposes.

Project / Reference No.: PSF No.: 14HD-119

Project Location: Kapaanu-Kalapana, Puna, Hawaii.

Project Description: Issuance of Right-of-Entry Permit to U.S. Forest Service for Forest Data Collection.

Chap. 343 Trigger(s): Use of State Lands.

Exemption Class No. and Description: In accordance with the Division of Land Management Environmental Impact Statement Exemption List, approved by the Environmental Council and dated April 28, 1986, the subject project is considered to be exempt from the preparation of an environmental assessment pursuant to:

Exemption Class No. 4, which states, "Minor alterations in the conditions of land, water or vegetation." and

Exemption Class No. 5, that states, "Permission to enter State lands for the purpose of basic data collection, research, experimental management and resources evaluation activities such as archaeological survey, topographic survey, test borings for soil test, ground cover survey inspection of property for appraisal and development feasibility study purposes."

Minor alterations in the conditions of land, water or vegetation.

Exemption Item Description
from Agency Exemption List:

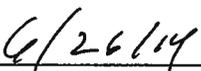
Permission to enter State lands for the purpose of basic data collection, research, experimental management and resources evaluation activities such as archaeological survey, topographic survey, test borings for soil test, ground cover survey inspection of property for appraisal and development feasibility study purposes.

Recommendation:

The project is to conduct data collection/ field studies on the forest ecosystems in Hawaii. It is recommended that the Land Board find that the issuance of a right-of-entry permit to the U.S. Forest Service for data collection is exempt from Chapter 343, HRS, as it will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.



William J. Aila, Jr., Chairperson



Date

EXHIBIT B