

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

July 10, 2015

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

15HD-074

Hawaii

Issuance of Right-of-Entry Permit to Big Island Invasive Species Committee for Eradication of Invasive Albizia Trees located on Unencumbered State Lands at Keonepoko Iki, Keonepoko Nui and Makuu, Puna, Hawaii; TMKs: (3)1-5-009:009 & 010 and (3) 1-5-010:002 & 003.

APPLICANT:

Big Island Invasive Species Committee, a project of the University of Hawaii at Manoa, Pacific Cooperative Studies Unit.

LEGAL REFERENCE:

Sections 171-55 and 171-11, Hawaii Revised Statutes, as amended.
Section 520a, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Makuu, Puna, Hawaii, identified by Tax Map Key: (3)1-5-009:009 & 010 and (3)1-5-010:002 & 003, as shown on the attached map labeled Exhibit A.

AREA:

The total combined area of the four parcels is approximately 7,192 acres, more or less. The estimated area to be treated is 195 acres.

ZONING:

State Land Use District: Agriculture
County of Hawaii CZO: Agriculture (A-5a)

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: NO

CURRENT USE STATUS:

Vacant and unencumbered.

CHARACTER OF USE:

To create an “Albizia-free” buffer zone along the borders of the adjoining Hawaiian Paradise Park and Hawaiian Beaches Subdivisions by exterminating non-hazardous invasive Albizia trees within 250 feet of the residential subdivisions.

TERM OF RIGHT-OF-ENTRY:

This right-of-entry is for one year, commencing upon approval by the Board of Land and Natural Resources, and expiring upon its first anniversary, or upon completion of the work, whichever is sooner. The term of the right-of-entry maybe extended upon timely request at the discretion of the Chairperson.

CONSIDERATION:

Gratis.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Sections 11-200-8(a)(1) & (4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1 and Exemption Class No. 4. Refer to attached Exhibit B.

DCCA VERIFICATION:

The applicant, as a governmental agency, is not required to register with the DCCA.

REMARKS:

By correspondence dated March 10, 2015 and subsequent communications with staff of the Hawaii District Land Office, Big Island Invasive Species Committee (BIISC) requested a right-of-entry to the subject State lands for the purpose of eradication of invasive Albizia trees. This activity has been prompted by Hawaii Senate Resolution 41, which urges a statewide strategic management plan for invasive Albizia and the recent destruction of public and private infrastructure wrought by tropical storm “Iselle”.

BIISC proposes to exterminate invasive Albizia trees within a 250 foot wide buffer zone adjacent to the residential subdivisions of Hawaiian Paradise Park and Hawaiian Beaches. This will be accomplished using the newly registered and approved Milestone herbicide. The method of herbicide delivery consists of making cuts around the base of the trees and injecting herbicide into the cuts. The results of the treatment will be defoliation within 3 weeks and systemic death soon thereafter.

The trees to be treated on the subject lands are non-threatening/non-hazardous trees; meaning they do not pose an immediate threat to homes or infrastructure and the treatment they will receive does not increase the threat. Post-treatment observations revealed that the treated defoliated Albizia trees remained standing, while neighboring fully foliated trees fell.

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

This request will be issued at gratis. This is a government-sponsored project and the applicant will not profit monetarily as the intended use is strictly for invasive Albizia extermination.

RECOMMENDATION: That the Board

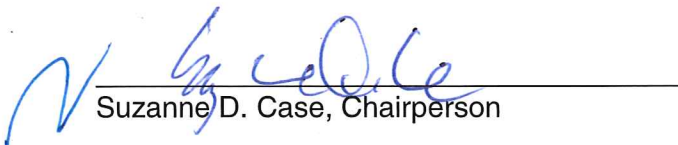
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a right-of-entry permit to Big Island Invasive Species Committee for Eradication of Invasive Albizia Trees 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. This right-of-entry shall be issued at gratis; and
 - C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



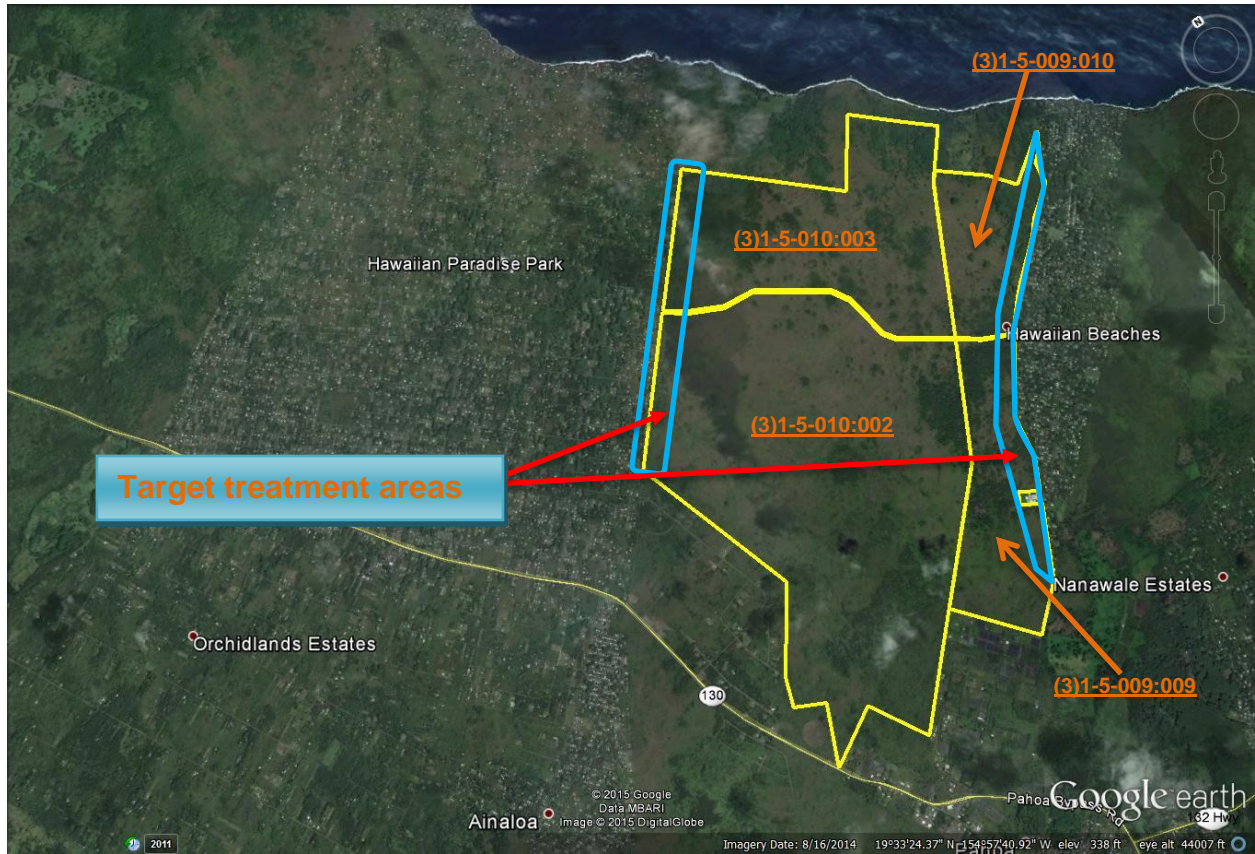
Candace Martin
Land Agent

APPROVED FOR SUBMITTAL:



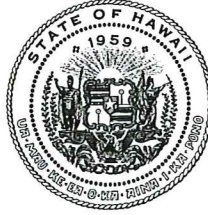
Suzanne D. Case, Chairperson

EXHIBIT A



DAVID Y. IGE
GOVERNOR OF HAWAII

EXHIBIT B



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

June 19, 2015

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

W. ROY HARDY
ACTING 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, HRS and Chapter 11-200, HAR

Project Title: Issuance of Right-of-Entry Permit to Big Island Invasive Species Committee for Eradication of Invasive Albizia Trees located on Unencumbered State Lands.

Project / Reference No.: PSF 15HD-074

Project Location: Keonoepoko Iki, Keonepoko Nui and Makuu, Puna, Hawaii; TMKs: (3)1-5-009:009, 010 and (3)1-5-010:002, 003.

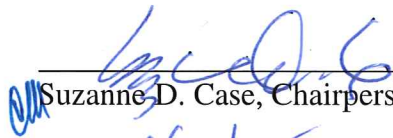
Project Description: Big Island Invasive Species Committee (BIISC) is engaging in eradication/control activities of invasive Albizia trees located in and around the Hawaiian Paradise Park and Hawaiian Beaches Subdivisions in the lower Puna district. The goal of the project on State Lands is to create a 250 foot "Albizia-free" buffer zone adjacent to the subdivisions. The project utilizes an unrestricted herbicide injected into the base of the trees to kill them in place.

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

Exemption Class No.: In accordance with Hawaii Administrative Rule Sections 11-200-8(a)(1) & (4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

Recommendation:

That the Board find this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.



Suzanne D. Case, Chairperson



Date

