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

January 22, 2016

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

Land Board Members:

SUBJECT: ISSUANCE OF SPECIAL USE PERMIT NO. FW-2016-H-01 TO PALANI RANCH COMPANY, INC., KAILUA-KONA, NORTH KONA, HAWAI'I, TMK (3)-7-4-002: PORTION OF 007 TO EMPLOY LIVESTOCK GRAZING FOR WILDFIRE PREVENTION.

AND

REQUEST APPROVAL OF DECLARATION OF EXEMPTION FROM CHAPTER 343, HAWAI'I REVISED STATUTES, ENVIRONMENTAL ASSESSMENT REQUIREMENT FOR THE PROJECT.

SUMMARY:

The Division of Forestry and Wildlife (DOFAW) requests approval to renew a Special Use Permit (SUP) to Palani Ranch Company, Inc. (PRC), covering Tax Map Key (3) 7-4-002: por. 007 (Exhibit A) for pasture purposes. The Division also requests the Board of Land and Natural Resources (Board) declare that, after considering the potential effects of the proposed disposition provided by Chapter 343, Hawai'i Revised Statutes (HRS), and Chapter 11-200-8, Hawai'i Administrative Rules (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.

BACKGROUND:

The subject parcels comprise portions of lands set-aside to DOFAW as an addition to Honua'ula Forest Reserve through Governor's Executive Order No. 4166 dated July 20, 2006. Among a variety of actions, the Board previously authorized the Division to employ livestock grazing for the purposes of wildfire prevention on portions of these public lands at its May 26, 2006, meeting (Item D-2). Since then the Board has approved the renewal of this permit annually, with the last renewal being approved at its meeting on January 9, 2015 (Item C-2), at which the Board

authorized the issuance of one-year revocable permits to PRC covering the subject area for pasture purposes under specified terms and conditions.

DISCUSSION:

Palani Ranch Company, Inc. seeks continued grazing access to the previously permitted areas, which includes paddocks Kealakehe 2 and Kealakehe 3 which are comprised of 487 acres more or less, for an annual rent of $1305.00. The Division supports this interest as continued control of fire fuel loads will provide beneficial protection for portions of the grazed area until active ecosystem management work is initiated. All terms of the SUP will remain unchanged from those last approved by the Board on January 9, 2015. The renewed month-to-month permit would be valid for one (1) year.

CHAPTER 343, HRS – ENVIRONMENTAL ASSESSMENT:

In accordance with the requirements of Chapter 343, HRS, and Section 11-200-8, HAR, and the Exemption List for the Department of Land and Natural Resources as approved by the Environmental Council on June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, Item No. 51 that states, "Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing."

RECOMMENDATION:

That the Board:

1. Declare, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Section 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. Authorize the renewal of a Special Use Permit to Palani Ranch Company, Inc., covering paddocks Kealakehe 2 and Kealakehe 3 which is comprised of 487 acres more or less (Exhibit A), for pasture and wildfire prevention purposes, which is further subject to the following:

    a. Review and approval 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,

SCOTT FRETZ, Acting Administrator
Division of Forestry and Wildlife

APPROVED FOR SUBMITTAL:

SUZANNE D. CASE, Chairperson
Board of Land and Natural Resources
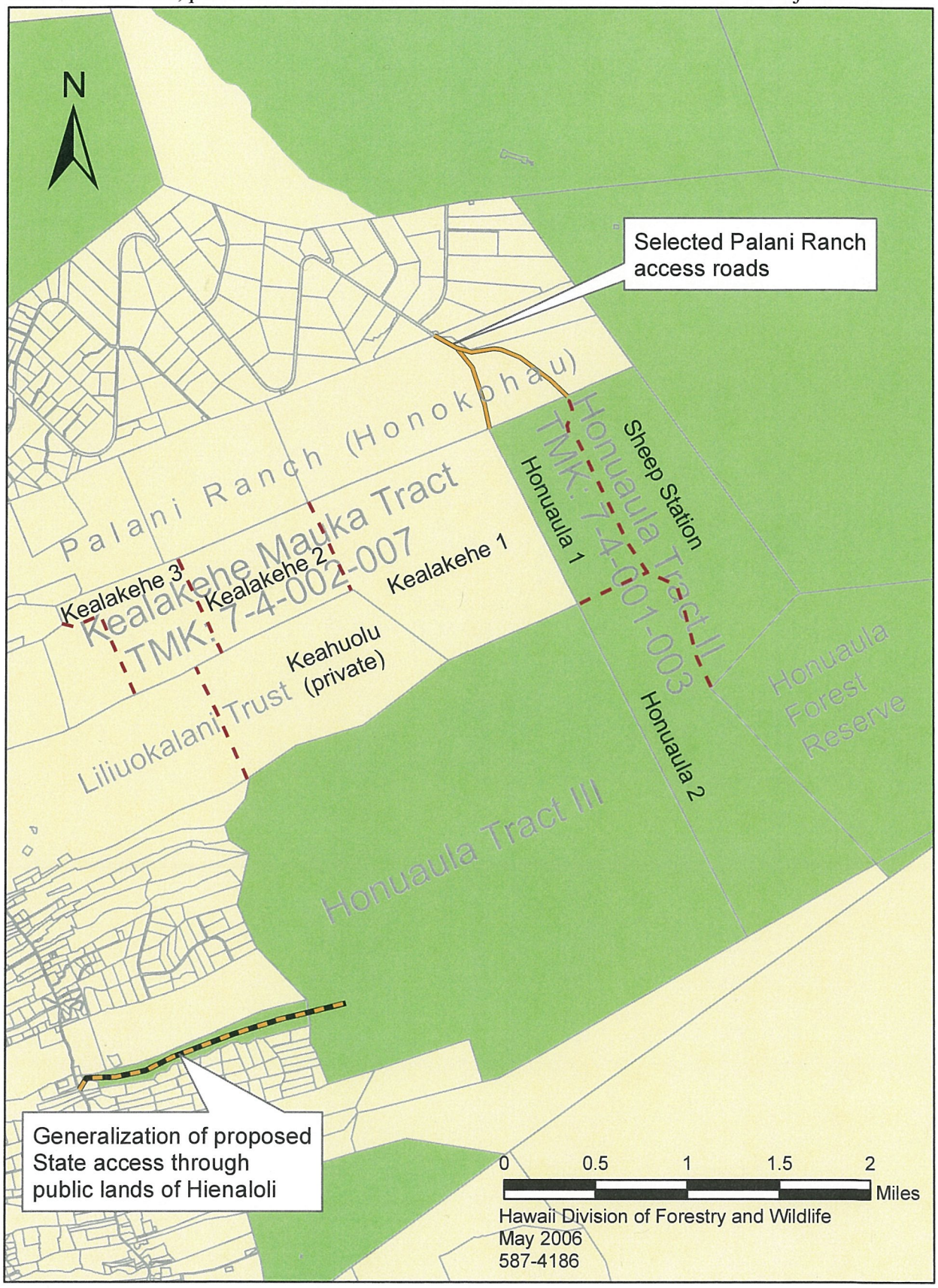
Exhibit A: Parcels, paddocks and road information - Honuaula Forest Reserve and adjacent lands.