

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

April 22, 2016

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

PSF No.: 16HD-038

Hawaii

Issuance of Right-of-Entry Permit to Big Island Invasive Species Committee onto State Lands at Kukuau, South Hilo, Hawaii, Tax Map Key: (3) 2-5-006: 001 & 159.

APPLICANT:

Big Island Invasive Species Committee (BIISC)

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situated at Piihonua, South Hilo, Hawaii, Tax Map Keys: (3) 2-5-006:001 & 159, 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) 2-5-006:001	Kukuau, South Hilo	Agriculture		Unencumbered	33.307
(3) 2-5-006:159	Kukuau, South Hilo	Agriculture	Unplanned	Revocable Permit No. S-7673; Hawaii County Economic Opportunity Council	23.954

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution:

YES ___ NO x

CURRENT USE STATUS:

Encumbered by Revocable Permit No. S-7673, Hawaii County Equal Opportunity Council for a self-supporting agricultural training program for economically disadvantaged youth and the unemployed or under employed who are potentially capable or interested in pursuing a career in agriculture purposes.

CHARACTER OF USE:

For conducting strategic management plans to control invasive Wax Myrtle Tree purposes.

TERM OF RIGHT-OF-ENTRY:

1-year, commencing on May 1, 2016 and expiring on April 30, 2017.

CONSIDERATION:

Gratis.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

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

DCCA VERIFICATION:

Big Island Invasive Species Committee (BIISC), a non-profit agency under the University of Hawaii Pacific Cooperative Studies Unit, is a volunteer partnership of government, private and non-profit organizations, is not required to register with DCCA.

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Obtain written concurrences and coordinate proposed survey and work activities with the Hawaii County Equal Opportunity Council prior to entering the subject right-of-entry area.

REMARKS:

At its meeting of April 24, 1981, Item F-4, the Board approved as amended, the issuance of General Lease No. S-4726, a direct lease, to HCEOC upon State lands consisting of 59.143 acres and identified as Tax Map Key: (3) 2-5-06:01. HCEOC, a private non-

profit corporation, was established to provide for a self-supporting agricultural training program for the economically disadvantaged youth and unemployed or underemployed who are potentially capable and interested in pursuing a career in agriculture. The Board's amendment reduced the original term of the lease from an initial 65 years to 20 years, due to concerns over such a long commitment for this type of use in this particular area.

At its meeting of April 9, 1999, Item D-4, the Board approved the sale of right-of-ways for road purposes to the County of Hawaii, in connection with the development of the Mohouli Street Extension project that included a portion of the subject property. The sale of the right-of-ways required that the parcel be subdivided, splitting Parcel 01 into two separate lots. Parcel 01 located on the west of the Mohouli Street alignment now consists of 33.307 acres, and the newly created Parcel 159 on the east of Mohouli contains 23.954 acres.

At its meeting of May 24, 2002, item D-23, the Board of Land and Natural Resources denied HCEOC's request for a 10-year extension of its lease term of General Lease No. S-4726. Over the years, the adjacent properties have developed into one of the most affluent residential communities in Hilo. Most recently, within the general vicinity, the University of Hawaii issued a 65-year lease to the United States Department of Agriculture for its Pacific Basin Agricultural Research Center with planned development and construction costs of up to 50 million.

At its meeting of October 11, 2002, item D-16, upon the expiration of General Lease No. S-4726, the Land Board approved the issuance of Revocable Permit No. S-7673 to HCEOC. Although the revocable permit is for the entire 23.9 acres, HCEOC has cleared and is currently utilizing only about 4 acres. The remaining portion of land is overgrown with trees and vegetation. The issuance of a month-to-month tenancy was recommended as HCEOC's current operations may not be appropriate for the area under a longer termed disposition.

By email letter of March 2, 2016, the Big Island Invasive Species Committee (BIISC), requested a one-year Right-of-Entry Permit onto State lands at Kukuau to conduct field surveys and control activities for invasive plant species and other serious invasive pests in the survey area. BIISC has identified an invasive plant species *Morella cerifera*, commonly known as Wax Myrtle in the right-of-entry area above mentioned. BIISC intends to complete its proposed project to removing the invasive plant species within a year. Access onto Parcel 159, is being negotiated directly with the Hawaii County Economic Opportunity Council (HCEOC), Permittee under Revocable Permit No. S-7673.

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 the Big Island Invasive Species Committee 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. BIISC to obtain concurrence from the Hawaii County Equal Opportunity Council to conduct proposed control activities upon lands encumbered under Revocable Permit No. S-7673.
 - C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
 - D. Authorize the Chairperson to issue future right-of-entries to the Applicant in relation to its (write out the character of use).

Respectfully Submitted,



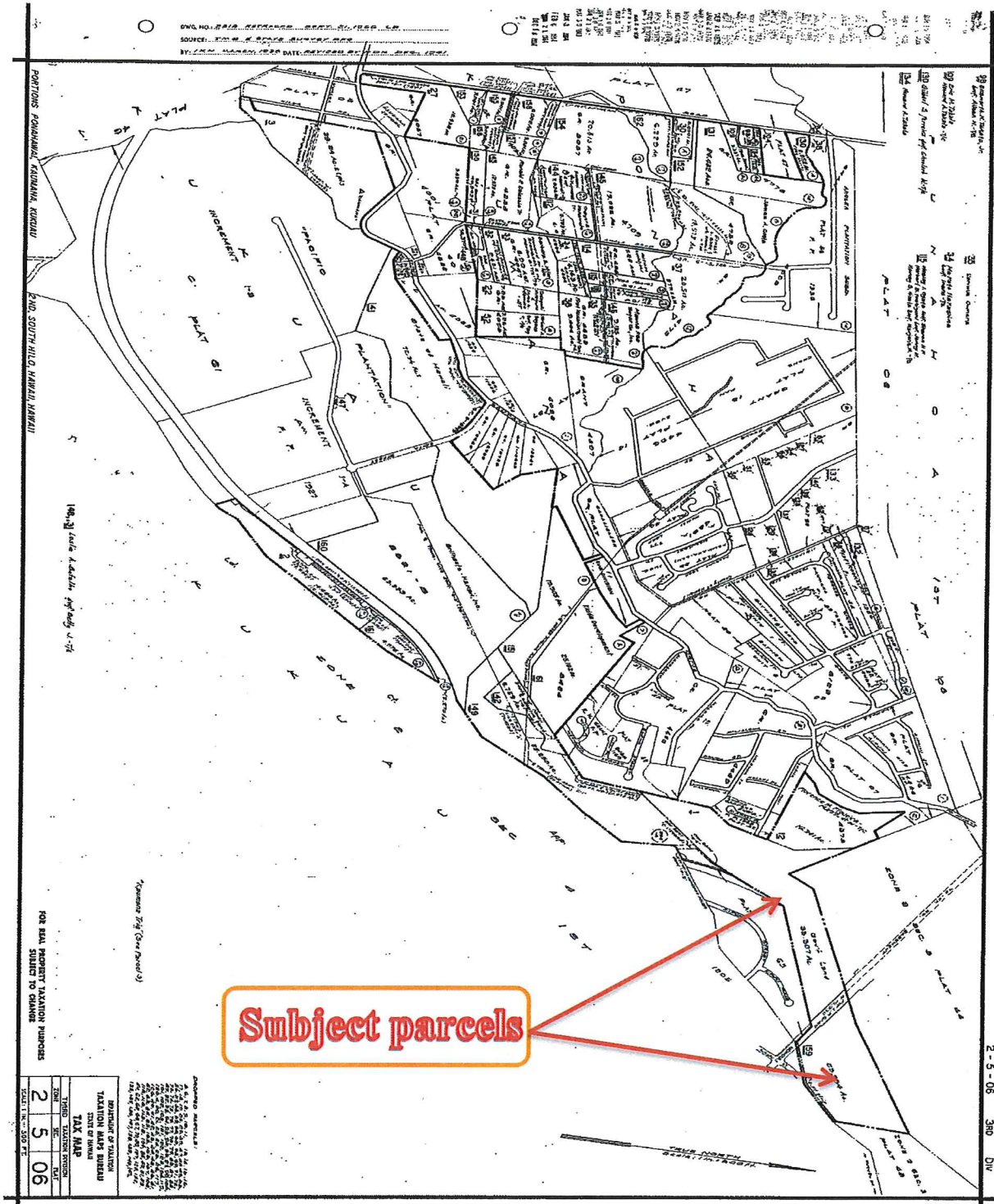
Wesley T. Matsunaga
Land Agent

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson





Subject parcels

FOR REAL PROPERTY TAXATION PURPOSES
 SUBJECT TO CHANGE

TAX MAP	
ZONE	TAXATION SOURCE
2	5
5	06

EXHIBIT A

DAVID Y. IGE
GOVERNOR OF
HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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

KEKO A KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
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

April 22, 2016

EXEMPTION NOTIFICATION

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

Project Title: Right of Entry to Big Island Invasive Species Committee for Survey and Control Activities for Wax Myrtle Eradication Project.

Project Location: Kukuau, South Hilo, Hawaii, Tax Map Key: (3) 2-5-006:001 & 159.

Project Description: To authorize the Big Island Invasive Species Committee to conduct survey and control activities for Wax Myrtle eradication at Kukuau, South Hilo, Hawaii.

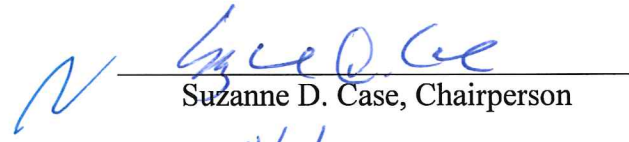
Chap. 343 Trigger(s): Use of State lands.

Exemption Class No. and Item: In accordance with Hawaii Administrative Rule Sections 11-200-8 and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 4, Item No. 8 which states, "Removal of invasive vegetation utilizing cutting, mowing, application of federal and state approved herbicides in conformance with label instructions, distribution of biocontrol agents approved by the State of Hawaii, and other approved methods."

Consulted Parties: Division of Forestry and Wildlife

Recommendation:

It is recommended that the Land Board find that the above request is exempt from Chapter 343, HRS. It is anticipated 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

4/4/16

Date