

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of Forestry and Wildlife  
Honolulu, Hawaii 96813

August 23, 2013

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

Land Board Members:

**SUBJECT: REQUEST APPROVAL TO ISSUE AN INVITATION FOR BID AND AUTHORIZATION TO AWARD, EXECUTE, AMEND, AND EXTEND A CONTRACT(S) TO INSTALL UNGULATE-PROOF FENCING FOR MAUI DISTRICT INCLUDING HANA FOREST RESERVE, KOOLAU FOREST RESERVE, HANAWI NATURAL AREA RESERVE AND MOLOKAI FOREST RESERVE, TMKs (2) 1-2-004:007, por; 1-3-001:001, por; 6-1-001:002, por.**

**AND**

**REQUEST APPROVAL OF DECLARATION OF EXEMPTION TO CHAPTER 343, HRS, ENVIRONMENTAL COMPLIANCE REQUIREMENTS FOR THESE PROJECTS.**

This Board Submittal requests approval to issue an Invitation for Bid (IFB) and authorize the Chair to award, execute, amend and extend contract(s) for fence installation for Maui County. This Board submittal also requests approval of declaration of exemption to Chapter 343, HRS environmental compliance for this project.

**BACKGROUND**

Fence projects are proposed to protect watershed forests in portions of the Hana, Koolau and Molokai Forest Reserves (FRs) and Hanawi Natural Area Reserve (NAR). This includes installation of ungulate fencing to protect native watershed forests from the negative impacts of feral ungulates in this remote region. Feral ungulates are damaging these forests, threatening watersheds and rare native plant and animal species. These projects are part of the Department's "The Rain Follows the Forest" plan to sustain Hawaii's critical water sources. Ongoing efforts to protect these core watershed forests help secure East Maui's and East Molokai's water supplies.

The proposed fences on Maui are located in the Northeast slope of Haleakala, in areas without pedestrian or vehicular access. The project will fence approximately 4,200 acres in the Hanawi NAR and Hana and Koolau FRs.

The proposed fence in the Molokai FR will protect approximately 2,500 acres and is located in the Kalawao and Molokai Districts, Molokai.

The proposed fence units are adjacent to existing fenced units, and portions of the fence line have been previously completed. Fence alignments are approximate and subject to change, and will include cross fences. Topography may necessitate inclusion of adjacent lands. Maps are attached as Exhibit 1.

Long-term management of these fenced areas will require invasive species control, outplanting of native vegetation and installation of associated management infrastructure, and other natural resource activities, undertaken by the Division of Forestry and Wildlife (DOFAW) and partners including the East Maui Watershed Partnership.

In order to expedite the contract(s) for this procurement, DOFAW requests that the Board delegate authority to the Chairperson to award, execute, amend, and extend contract(s) for goods and services and other terms and conditions as may be prescribed by the Chairperson to best serve the interest of the State. One or more contracts will be awarded based on the lowest qualified bidder.

#### CHAPTER 343 – ENVIRONMENTAL ASSESSMENT

**Maui Project:** In 2007, an environmental assessment titled “East Maui Watershed Fence Extension” was completed for this project and received a Finding of No Significant Impact. These proposed fence segments are a part of a larger project covered under this assessment.

**Molokai Project:** In accordance with the requirements of Chapter 343, HRS, and Chapter 11-200-8(6), Hawaii Administrative Rules (HAR), the Exemption List for the Department of Land and Natural Resources as reviewed and concurred upon by the Environmental Council on July 13, 2011 and June 12, 2008, the subject project is exempt from the preparation of an environmental assessment pursuant to the exemption classes listed in Exhibit 2.

#### RECOMMENDATIONS:

That the Board:

- 1) Declare that, after considering the potential effects of the proposed project as 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.
- 2) Approve the issuance of an IFB.
- 3) Delegate authority to the Chairperson to:
  - a. Award, amend, execute and extend contract(s) for fence installation for Maui County, subject to the availability of funds and approval by the Department of the Attorney General.

Respectfully submitted,



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ROGER H. IMOTO, Administrator  
Division of Forestry and Wildlife

APPROVED FOR SUBMITTAL:



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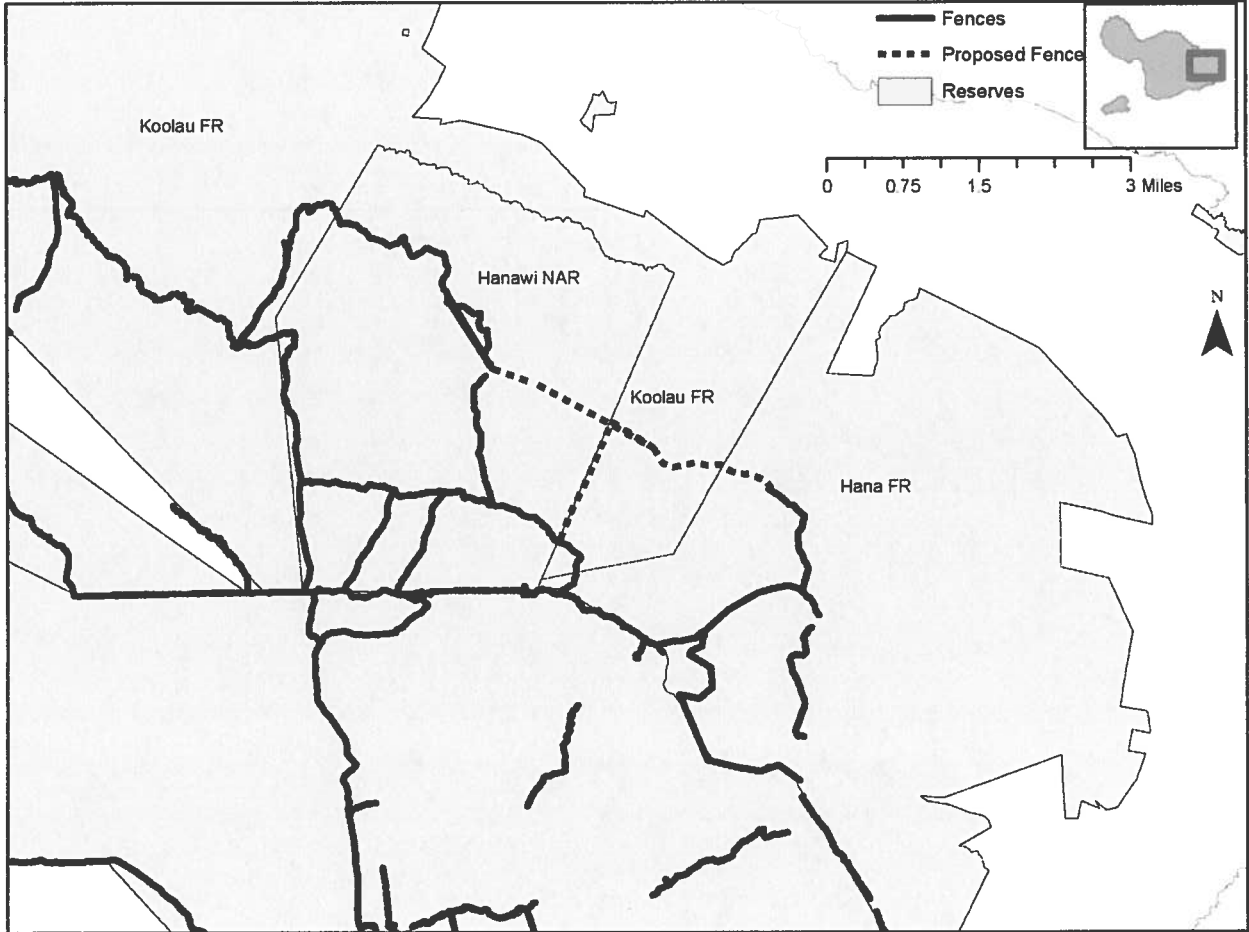
WILLIAM J. AILA, JR., Chairperson  
Board of Land and Natural Resources

Exhibit 1. Maps

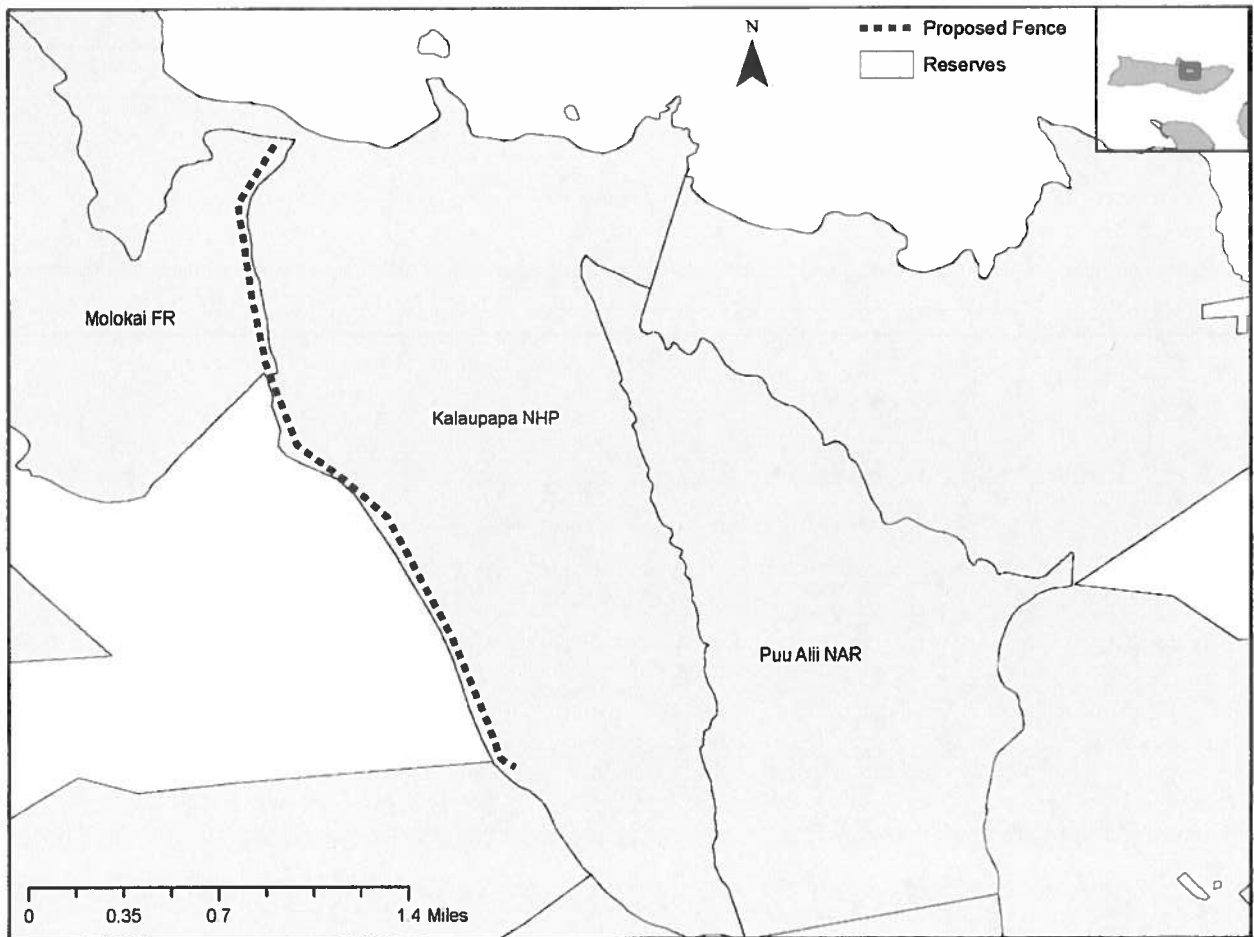
Exhibit 2. Declaration of Exemption

# Exhibit 1 - Maps

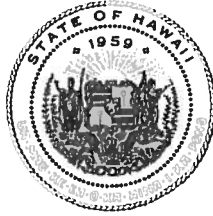
## Maui Watershed Protection Project



# North Molokai Forest Protection Project



NEH. ABERCROMBIE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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**WILLIAM J. AHLA, 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

**DECLARATION OF EXEMPTION**

from the preparation of an environmental assessment under the authority of Chapter 343, HRS  
and Chapter 11-200, HAR

**Project Title: North Molokai Forest Protection Project**

**Project Description:** The proposed North Molokai Forest Protection project (project) will include portions of Tax Map Key (2) 6-1-001002. Project funding is expected to include various State sources; Federal, County, and private funding may also be secured. The proposed project is part of the Department's on-going watershed protection efforts and is part of "The Rain Follows the Forest" initiative, and occurs in high priority watershed and biodiversity areas. The proposed project area is located within the Conservation District.

The project will involve the installation of approximately 4.2 miles ungulate-proof fences that will exclude feral ungulates from approximately 2,500 acres. Step-overs and/or gates will be constructed at access points, if any, to allow public access into fenced areas. The project will also include, but not be limited to, invasive species control, out-planting of native vegetation and installation of associated management infrastructure.

**Exemption Class: DLNR, Division of Forestry and Wildlife, Class 1**

**Exempt Item Number: 3:** Repair and maintenance of existing DOFAW program area fences; includes boundary, enclosure, and exclusion fences, wildlife water units, checking stations, water pumps, nesting areas, aviaries and yards.

**Exempt Item Number: 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.

**Exempt Item Number: 17:** Animal damage control actions, when needed to maintain resource values, in Division of Forestry and Wildlife (DOFAW) program areas, including application of approved rodenticides, and ungulate removal.

**Exemption Class: Department of Land and Natural Resources Class 3**

**Exempt Item Number: 1:** Fences around or to manage threatened or endangered plants; covered and open areas for endangered species, game birds and mammals; auxiliary buildings for food storage, equipment storage, incubators and brooders; open-top breeding and release pens,

field aviaries and hacking boxes; and for watershed and native forest management and restoration. Fences shall contain step-overs or other features that permit pedestrian access for cultural and recreational use.

**Exempt Item Number:** 2: Cabins, resident workers' quarters, warehouse workshops, mobile camping structures, weather stations, checking stations for hunters, hikers, and campers; meat safes, viewing kiosks and platforms, wildlife viewing towers, sanitary facilities, trail shelters, equipment shelters, fire equipment caches, arboreta, and plant nurseries.

**Exemption Class:** Department of Land and Natural Resources Class 4

**Exempt Item Number:** 1: Establishment of helispots.

**Exempt Item Number:** 7: Establish temporary or permanent vegetative cover including trees, shrubs and grasses for landscaping, reforestation, soil stabilization, and wildlife habitat.

**Exemption Class:** Department of Land and Natural Resources Class 5

**Exempt Item Number:** 2: Game and non-game wildlife surveys, inventory studies, new transect lines, photographing, recording, sampling, collection and captive propagation (involves walking, driving, and flying in the field (helicopters, light aircraft)), use of nets and firearms, temporary traps including snares, mist nets, corral traps, drop door traps or leg hold traps.

**Exempt Item Number:** 3: Releases and recoveries of wildlife. On approved releases of game and non-game wildlife (after EA or EIS preparation and acceptance), actual release of animals and follow-up surveys, translocation within the range, or rearing in captivity and releasing to the wild.

**Date of Final Agency Exemption List:** July 18, 2011, June 12, 2008

*I have considered the potential effects of the above listed project as provided by Chapter 343, HRS and Chapter 11-200 HAR. I declare that this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment under the above exemption classes.*

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William J. Aila, Jr., Chairperson  
Department of Land and Natural Resources

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Date

Original: Agency file  
Copy: Project file