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STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Office of Conservation and Coastal Lands
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

ref:OCCL:MC

Site Plan Approval MA-14-11

Mark White
The Nature Conservancy
P.O. Box 1716
Makawao, HI 96768

SEP 18 2013

Dear Mr. White,

SUBJECT: WAIKAMOI / EAST MAUI WATERSHED FENCE AND RESTORATION
Hā'iku Uka, Makawao, Maui
TMK: (2) 2-4-016:003 & 004

The Office of Conservation and Coastal Lands (OCCL) is in receipt of your request for a site plan approval for the proposed ungulate-proof fencing on the above subject parcel. Parcel 016:003 is in the Resource Subzone of the State Land Use Conservation District, and parcel 016:004 is in the Protective Subzone.

The proposed project involves installing three miles of fencing around 1000 acres of native plant communities. The work inside the fenced area will include chemical and mechanical removal of invasive species, and outplanting of native vegetation.

Additional activities include ungulate monitoring, scouting, and control. Construction of accessory structures, such as cross-fences, may be required if the initial area is too large.

This project area is part of the 5300-acre Waikamoi Preserve, which was established in 1983 through a perpetual conservation easement with the landowner, Haleakalā Ranch Company. It is adjacent to the 12,000-acre core area that is the focus of the East Maui Watershed Partnership.

Based on the information provided, the proposed enclosures are an identified use pursuant to Hawai'i Administrative Rules (HAR) §13-5-22 *Identified land uses in the protective subzone*, P-13 LAND AND RESOURCE MANAGEMENT (B-2) *Planting of native and endemic plants and fence maintenance. New fence enclosures for native plants of small native wildlife communities, in an area greater than one acre.* This use requires a site plan approval from OCCL.

The proposal is exempt from needing an Environmental Assessment pursuant to Chapter 343, HRS and HAR §11-200 (3) *Construction and location of single, new, small facilities or structures and the alteration and modification of same and installation of new, small equipment and facilities and the alteration and modification of same.*

After careful review of the proposed project, the Department gives Site Plan Approval MA-14-11 for the Waikamoi Fence and Watershed Protection project at Hā'iku Uka, Makawao, Maui, TMK (2) 2-4-016:003 & 004 1, subject to the following conditions:


- 1) The permittee shall comply with all applicable statutes, ordinances, rules, regulations, and conditions of the Federal, State and County governments;
- 2) The permittee, its successors and assigns, shall indemnify and hold the State of Hawai'i harmless from and against any loss, liability, claim or demand for property damage, personal injury or death

arising out of any act or omission of the applicant, its successors, assigns, officers, employees, contractors and agents under this permit or relating to or connected with the granting of this permit;

- 3) The permittee shall comply with all applicable Department of Health administrative rules;
- 4) In issuing this approval, the Department has relied on the information and data that the applicant has provided in connection with this approval application. If, subsequent to the issuance of the approval such information and data prove to be false, incomplete, or inaccurate, this approval may be modified, suspended, or revoked, in whole or in part, and the department may, in addition, institute appropriate legal proceedings;
- 5) In the event that unrecorded historic remains (i.e., artifacts, or human skeletal remains) are inadvertently uncovered during construction or operations, all work shall cease in the vicinity and the permittee shall immediately contact the State Historic Preservation Division at 692-8015;
- 6) Other terms and conditions as may be prescribed by the Chairperson; and
- 7) Failure to comply with any of these conditions shall render this Site Plan Approval null and void.

Please acknowledge receipt of this approval, with the above noted conditions, in the space provided below. Please sign two copies, and return one for out files. If you have any questions, please feel free to contact Michael Cain of OCCL at 587-0048.

Sincerely,



Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands

Receipt acknowledged:

Applicant's Signature

Date

c: *Chair*