

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

April 8, 2016

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

Land Board Members:

SUBJECT: REQUEST FOR AUTHORIZATION FOR THE CHAIRPERSON OF THE BOARD OF LAND AND NATURAL RESOURCES TO SIGN, EXECUTE, AMEND, AND EXTEND AGREEMENT(S), CONTRACT(S), AND OTHER DOCUMENT(S) FOR THE OPERATING GRANT-IN-AID TO MOANALUA GARDENS FOUNDATION, INC., IN THE HONOLULU WATERSHED FOREST RESERVE, TMKS: (1) 1-1-013:001 AND (1) 1-1-012:015, MOANALUA AHUPUAA, KONA DISTRICT, ISLAND OF OAHU

AND

REQUEST APPROVAL OF DECLARATION OF EXEMPTION TO CHAPTER 343, HAWAII REVISED STATUTES, ENVIRONMENTAL COMPLIANCE REQUIREMENTS FOR THE PROJECT

BACKGROUND:

During the Regular Session of 2015, the Twenty-eighth Legislature authorized funds to Moanalua Gardens Foundation, Inc., a nonprofit organization, for the operating grant-in-aid (GIA) in the Honolulu Watershed Forest Reserve, TMKS: (1) 1-1-013:001 and (1) 1-1-012:015, Moanalua Ahupuaa, Kona District, Island of Oahu. Funds for \$125,000 were appropriated by Act 119, Session Laws of Hawaii 2015, for other current expenses and equipment as a grant pursuant to Chapter 42F, Hawaii Revised Statutes (HRS). The Board of Land and Natural Resources approved entering into a Memorandum of Understanding with Moanalua Gardens Foundation, Inc., for use of portions of Kamananui Valley located within the Moanalua portion of the Honolulu Watershed Forest Reserve on December 9, 2011.

The Moanalua Gardens Foundation, Inc., was founded in 1970, and received notification of its nonprofit status from the IRS effective 1971, which was reconfirmed by the IRS in a letter of 2015. The organization has served as a vital link in preserving and protecting the environmental and cultural resources of Hawaii. This project will: 1) Continue the mission of the Moanalua Gardens Foundation, Inc., which is to preserve and perpetuate the native culture, environment

and people of Hawaii through education, celebration and care for Kamananui Valley and Moanalua Gardens; and 2) Help improve access and safety for valley users and continue to conduct essential environmental education and stewardship programs for Kamananui Valley, the last undeveloped valley in Honolulu, Oahu. Funds will be used for the Huakai o Kamananui Stewardship Project, including conducting teachers workshops, environmental education program field visits, development of a nature-based excursion program, program administration, implementation of the Kamananui Valley Road Repair project, and development of the Kamananui Valley Master Plan.

REMARKS:

This project qualifies as a grant pursuant to Chapter 42F, HRS. As the expending agency, the Department of Land and Natural Resources, Division of Forestry and Wildlife must develop the contractual documents and specifications necessary to implement the operating GIA, including deliverable items, payment dates, and adherence to all applicable laws.

CHAPTER 343, HAWAII REVISED STATUTES – ENVIRONMENTAL ASSESSMENT:

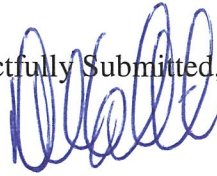
In accordance with the requirements of Chapter 343, HRS, and Section 11-200-8, Hawaii Administrative Rules (HAR), and the Exemption List for the Department of Land and Natural Resources as approved by the Environmental Council on June 5, 2015, the subject project is exempt from the preparation of an environmental assessment pursuant to the exemption classes listed in Attachment 1.

RECOMMENDATION:

That the Board of Land and Natural Resources:

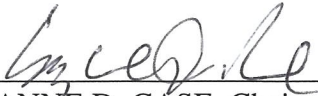
- 1) Declares, after considering the potential effects of the proposed project as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will likely have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment; and
- 2) Delegates authority to the Chairperson to sign, execute, amend, and extend agreement(s), contract(s), and other document(s) for this operating GIA to Moanalua Gardens Foundation, Inc., subject to the release of funds, availability of funds, and approval by the Department of the Attorney General.

Respectfully Submitted,



DAVID G. SMITH, Administrator
Division of Forestry and Wildlife

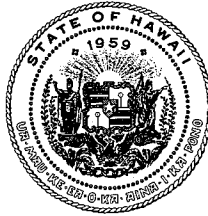
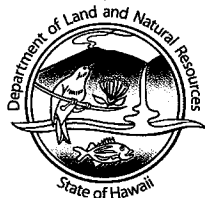
APPROVED FOR SUBMITTAL:



SUZANNE D. CASE, Chairperson
Board of Land and Natural Resources

Attachment 1

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

KEKOA 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

DECLARATION OF EXEMPTION

from the preparation of an environmental assessment under the authority of Chapter 343, Hawaii Revised Statutes (HRS), and Chapter 11-200, Hawaii Administrative Rules (HAR)

Project Title: Operating Grant-in-aid to Moanalua Gardens Foundation, Inc., for the Huakai o Kamananui Stewardship Project

Project Description: During the Regular Session of 2015, the Twenty-eighth Legislature authorized funds to Moanalua Gardens Foundation, Inc., a nonprofit organization, for an operating grant-in-aid (GIA) in the Honolulu Watershed Forest Reserve, TMKS: (1) 1-1-013:001 and (1) 1-1-012:015, Moanalua Ahupuaa, Kona District, Island of Oahu. Funds for \$125,000 were appropriated by Act 119, Session Laws of Hawaii 2015, for other current expenses and equipment as a grant pursuant to Chapter 42F, HRS. The Board of Land and Natural Resources approved entering into a Memorandum of Understanding with Moanalua Gardens Foundation, Inc., for use of portions of Kamananui Valley located within the Moanalua portion of the Honolulu Watershed Forest Reserve on December 9, 2011. Funds will be used for the Huakai o Kamananui Stewardship Project, including conducting teachers workshops, environmental education program field visits, development of a nature-based excursion program, program administration, implementation of the Kamananui Valley Road Repair project, and development of the Kamananui Valley Master Plan.

This project will: 1) Continue the mission of the Moanalua Gardens Foundation, Inc., which is to preserve and perpetuate the native culture, environment and people of Hawaii through education, celebration and care for Kamananui Valley and Moanalua Gardens; and 2) Help improve access and safety for valley users and continue to conduct essential environmental education and stewardship programs for Kamananui Valley, the last undeveloped valley in Honolulu, Oahu.

Consulted Parties: A copy of the board submittal, including this attachment, in draft form was transmitted to the Engineering Division, Historic Preservation Division, and Office of Conservation and Coastal Lands of the Department of Land and Natural Resources and the Office of Hawaiian Affairs for review and comment. These parties either did not submit comments or have no comments regarding the declaration of exemption from the preparation of an environmental assessment under the authority of Chapter 343, HRS, and Chapter 11-200, HAR. However, the State Historic Preservation Division requests the opportunity to review future permit applications for projects involving ground disturbance and/or with potential to affect possible surface archaeological or architectural historic properties.

Exemption Class: Department of Land and Natural Resources, Class 1: 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.

Exempt Item Number: 31

Exempt Item Description: Repair and maintenance of existing roadways, roadways shoulders, road structures and signage, parking areas, walkways, bikeways, multi-use pathways, driveways, and boat launch ramps (includes grading, resurfacing, infilling, sealing, grooving, cleaning, chipping, painting and patching).

Exemption Class: Department of Land and Natural Resources, Class 2: Replacement or reconstruction of existing structure and facilities where the new structure will be located generally on the same site and will have substantially the same purpose, capacity, density, height, and dimensions as the structure replaced.

Exempt Item Number: 21

Exempt Item Description: Replacement or reconstruction of existing roadways, roadway shoulders, road structures and signage, parking areas, walkways, bikeways, multi-use pathways, driveways, and boat launch ramps.

Exemption Class: Department of Land and Natural Resources, Class 4: Minor alteration in the conditions of land, water, or vegetation.

Exempt Item Number: 14

Exempt Item Description: Minor ground adjustments (e.g., grading, grubbing, cutting, or filling) that do not require grading permits.

Exempt Item Number: 17

Exempt Item Description: Management of surface water runoff, including installation of minor drainage ditches and implementation of other stormwater best management practices and low impact development techniques (e.g., bioretention areas, permeable pavers, etc.).

Exempt Item Number: 22

Exempt Item Description: Natural resource management actions that the Department declares are designed specifically to monitor, conserve, or enhance the status of native species or native species' habitats, such as removal of introduced vegetation, reintroduction of native species into their historic range, or construction of fencing. This exemption would not apply to biocontrol of invasive species or commercial logging.

Exemption Class: Department of Land and Natural Resources, Class 5: Basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource.

Exempt Item Number: 22

Exempt Item Description: Conduct planning and feasibility studies.

Exemption Class: Department of Land and Natural Resources, Class 6: Construction or placement of minor structures accessory to existing facilities.

Exempt Item Number: 9

Exempt Item Description: Construction of interior roadways, driveways, parking areas, sidewalks, pathways, aisles, curbs, gutters, and other similar items on state lands.

Exemption Class: Department of Land and Natural Resources, Class 10: Continuing administrative activities including, but not limited to, purchase of supplies and personnel-related actions.

Exempt Item Number: 1

Exempt Item Description: Purchase of supplies, equipment, materials, motor vehicles, boats, and services.

Exempt Item Number: 3

Exempt Item Description: Requests for federal, state, county or private assistance grants to support ongoing operations or implement programs of the Department.

Exempt Item Number: 4


Exempt Item Description: Personnel-related actions.

Exempt Item Number: 5

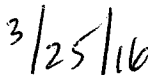
Exempt Item Description: Training, environmental interpretation, public safety efforts and other educational activities.

Date of Agency Exemption List: June 5, 2015

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.



SUZANNE D. CASE, Chairperson
Board of Land and Natural Resources



Date

Original: Agency file
Copy: Project file