

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

October 28, 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 CAPITAL IMPROVEMENT PROJECT GRANTS-IN-AID TO MOANALUA GARDENS FOUNDATION, INC., IN THE HONOLULU WATERSHED FOREST RESERVE, TAX MAP KEYS: (1) 1-1-012:002, (1) 1-1-012:015, AND (1) 1-1-013:001, MOANALUA AHUPUAA, KONA DISTRICT, ISLAND OF OAHU

AND

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

**BACKGROUND:**

During the Regular Sessions of 2013 and 2014, the Twenty-seventh Legislature authorized funds to Moanalua Gardens Foundation, Inc., a nonprofit organization, for capital improvement project (CIP) grants-in-aid (GIA) in the Honolulu Watershed Forest Reserve, Tax Map Keys: (1) 1-1-012:002, (1) 1-1-012:015, and (1) 1-1-013:001, Moanalua Ahupuaa, Kona District, Island of Oahu. Funds for the CIP GIA agreements with Moanalua Gardens Foundation, Inc., were appropriated by Act 134, Session Laws of Hawaii 2013, as amended by Act 122, Session Laws of Hawaii 2014. A total of \$1,650,000 in general obligation bond funds were released by the Governor for plans, design, and construction for Kamananui (Moanalua) Valley improvements. 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. Funds will be used for the proposed project tasks:

- 1) Repair to Kamananui Valley Road, the valley's main access road; and
- 2) Development of a master plan.

**REMARKS:**

This project qualifies as a grant pursuant to Chapter 42F, Hawaii Revised Statutes (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.

**CHAPTER 343, HAWAII REVISED STATUTES – ENVIRONMENTAL ASSESSMENT:**

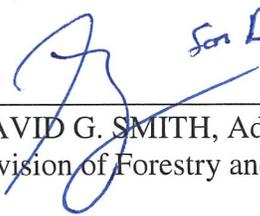
In accordance with the requirements of Chapter 343, HRS, and Section 11-200-8, Hawaii Administrative Rules (HAR), and the Exemption List for the Department of Land and Natural Resources as approved by the Environmental Council on June 5, 2015, the subject project is exempt from the preparation of an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

**RECOMMENDATION:**

That the Board of Land and Natural Resources:

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

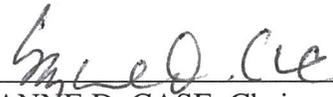
Respectfully Submitted,

 For DGS

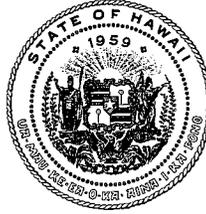
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DAVID G. SMITH, Administrator  
Division of Forestry and Wildlife

APPROVED FOR SUBMITTAL:

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

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:** Capital Improvement Project Grants-in-aid to Moanalua Gardens Foundation, Inc., for Kamananui (Moanalua) Valley Improvements

**Project Description:** During the Regular Sessions of 2013 and 2014, the Twenty-seventh Legislature authorized funds to Moanalua Gardens Foundation, Inc., a nonprofit organization, for capital improvement project (CIP) grants-in-aid (GIA) in the Honolulu Watershed Forest Reserve, Tax Map Keys: (1) 1-1-012:002, (1) 1-1-012:015, and (1) 1-1-013:001, Moanalua Ahupuaa, Kona District, Island of Oahu. Funds for the CIP GIA agreements with Moanalua Gardens Foundation, Inc., were appropriated by Act 134, Session Laws of Hawaii 2013, as amended by Act 122, Session Laws of Hawaii 2014. A total of \$1,650,000 in general obligation bond funds were released by the Governor for plans, design, and construction for Kamananui (Moanalua) Valley improvements. 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 proposed project tasks:

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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.

**Consulted Parties:** A copy of the board submittal, including this attachment, in draft form was transmitted to the Engineering Division, State 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.

- The Engineering Division provided comments relating to the rules and regulations of the National Flood Insurance Program, but did not provide comments regarding this declaration of exemption.
- The State Historic Preservation Division has no comments regarding this declaration of exemption, but requests the opportunity to review future permit applications for projects involving ground disturbances and/or with potential to affect possible surface archaeological or architectural historic properties.

- The Office of Conservation and Coastal Lands has no objections to this declaration of exemption.
- The Office of Hawaiian Affairs did not submit any comments.

**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 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.

**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.*

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

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Date

Original: Agency file  
Copy: Project file