

State of Hawai'i
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Forestry and Wildlife
Honolulu, Hawai'i 96813

October 28, 2016

Chairperson and Members
Board of Land and Natural Resources
State of Hawai'i
Honolulu, Hawai'i

Land Board Members:

SUBJECT: REQUEST TO CONDUCT A PUBLIC HEARING REGARDING THE DRAFT KAMEHAMEHA SCHOOLS SAFE HARBOR AGREEMENT, KA'U DISTRICT, TMKS (3) 99-001-004, (3) 99-001: POR. 007, (3) 99-001: POR. 024, (3) 99-001: POR. 034), (3) 99-001-017, (3) 99-001-018, (3) 99-001-019, (3) 99-001-020, (3) 99-001-021, (3) 99-001-027, AND (3) 99-001-035, HAWAI'I ISLAND.

SUMMARY:

Kamehameha Schools proposes to complete a Safe Harbor Agreement (SHA) and obtain an associated 50-year Incidental Take License from the Board of Land and Natural Resources (Board) for activities in the Keahou and Kīlauea forest on the island of Hawai'i because of potential impacts to endangered or threatened species.

BACKGROUND:

The Federal and State Safe Harbor programs encourage proactive conservation efforts by non-Federal landowners while providing them certainty that future property-use restrictions will not be imposed if those efforts attract species listed as endangered or threatened to their property, or result in increased populations of endangered or threatened species already present. In return for voluntary conservation commitments, the SHA gives the landowner incidental take assurances allowing future alteration or modification of the enrolled property back to its original baseline conditions. This cooperative effort provides landowners with a way to manage enrolled lands to support the conservation of listed species while conducting certain other land-use practices.

The activities implemented under the Kamehameha Schools SHA is expected to increase the current range of the threatened and endangered species covered (Covered Species) under the agreement, restore these species to part of their historic ranges, increase the total population of these species, and reestablish wild populations of these species, thus contributing to their overall recovery. Additionally, the SHA will reduce habitat fragmentation by connecting a network of protected and managed state, federal, and private

lands within the south central region of Hawai‘i Island and will also benefit other native species.

The Covered Species under this SHA are both plant and wildlife species (Tables 1 and 2). Current threats to the populations of the Covered Species are due primarily to destruction and loss of habitat and negative effects from non-native species. Beneficial management activities, such as those described in the SHA, will contribute to the recovery and conservation of the Covered Species by maintaining, enhancing, and restoring habitat, controlling non-native species, and potentially expanding the range and distribution of the Covered Species within the lands covered under the SHA.

Table 1. Wildlife species covered under the Safe Harbor Agreement.

Species	Status Federal/State	State Population Estimate	Current Distribution by Island
‘Akiapōlā‘au, (<i>Hemignathus wilsoni</i>)	Endangered	1,900	Hawai‘i
Hawai‘i Creeper, (<i>Loxops mana</i>)	Endangered	14,000	Hawai‘i
Hawai‘i ‘Ākepa (<i>Loxops coccineus</i>)	Endangered	12,000	Hawai‘i
‘I‘iwi (<i>Vestiaria coccinea</i>)	Proposed for Listing as Threatened	>500,000	Hawai‘i, Maui, Kaua‘i
‘Io, Hawaiian Hawk (<i>Buteo solitarius</i>)	Endangered	1,223	Hawai‘i
‘Alalā, Hawaiian Crow (<i>Corvus hawaiiensis</i>)	Endangered	116 individuals in captivity	None in the wild
Nēnē, Hawaiian Goose (<i>Branta sandvicensis</i>)	Endangered	2,457-2,547	Hawai‘i, Maui, Kaua‘i, Moloka‘i, O‘ahu
‘Ōpe‘ape‘a, Hawaiian Hoary Bat, (<i>Lasiurus cinereus semotus</i>)	Endangered	Widely distributed but population unknown	Hawai‘i, Maui, Kaua‘i, Moloka‘i, O‘ahu

Table 2. Covered Plant Species under the Safe Harbor Agreement.

Species	Status Federal/State	Current Distribution by Island	Current Presence on the Enrolled Property
<i>Asplenium peruvianum</i> var. <i>insulare</i>	Endangered	Hawai‘i, Maui	Present
<i>Clermontia lindseyana</i> , ‘Ōhā wai	Endangered	Hawai‘i, Maui	Present
<i>Cyanea shipmanii</i> , Hāhā	Endangered*	Hawai‘i	Present
<i>Cyanea stictophylla</i> , Hāhā	Endangered*	Hawai‘i	Present

Species	Status Federal/State	Current Distribution by Island	Current Presence on the Enrolled Property
<i>Phyllostegia racemosa</i> , Kiponapona	Endangered*	Hawai'i	Present
<i>Phyllostegia velutina</i>	Endangered	Hawai'i	Present
<i>Plantago hawaiiensis</i>	Endangered*	Hawai'i	Present
<i>Vicia menziesii</i>	Endangered*	Hawai'i	Present
<i>Argyroxiphium kauens</i> , 'Āhinahina	Endangered	Hawai'i	Not Present
<i>Clermontia peleana</i> , 'Ōha	Endangered*	Hawai'i, Maui	Not Present
<i>Cyanea tritomantha</i> , 'Ākū	Endangered	Hawai'i	Not Present
<i>Cyrtandra giffardii</i> , Ha'iwale	Endangered	Hawai'i	Not Present
<i>Cyrtandra tintinnabula</i> , Ha'iwale	Endangered	Hawai'i	Not Present
<i>Hibiscadelphus giffardianus</i> , Hau kuahiwi	Endangered*	Hawai'i	Not Present
<i>Joinvillea ascendens</i> , 'Ohe	Endangered	Hawai'i, Maui, Kaua'i, Moloka'i, O'ahu	Not Present
<i>Melicope zahlbruckneri</i> , Alani	Endangered*	Hawai'i	Not Present
<i>Neraudia ovata</i>	Endangered*	Hawai'i	Not Present
<i>Nothoestrum breviflorum</i> , 'Aiea	Endangered	Hawai'i	Not Present
<i>Phyllostegia floribunda</i>	Endangered*	Hawai'i	Not Present
<i>Phyllostegia parviflora</i>	Endangered*	Hawai'i, Maui, O'ahu	Not Present
<i>Ranunculus hawaiiensis</i> , Makou	Endangered*	Hawai'i, Maui	Not Present
<i>Sicyos alba</i> , 'Ānunu	Endangered*	Hawai'i	Not Present
<i>Sicyos macrophyllus</i> , 'Ānunu	Endangered*	Hawai'i	Not Present
<i>Silene hawaiiensis</i>	Endangered	Hawai'i	Not Present
<i>Stenogyne angustifolia</i>	Endangered	Hawai'i, Maui, Moloka'i	Not Present

* Hawai'i Plant Extinction Prevention Program listed species

DISCUSSION:

Pursuant to HRS §195D-4, a public hearing on the affected island in conjunction with a 60-day public comment period is required prior to Board review and approval of the draft SHA.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

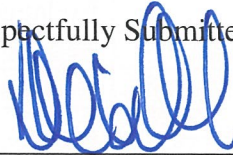
This action before the Board requests approval to conduct a public hearing and does not constitute a use of State lands or funds, and therefore, this action is exempt from the provisions of HRS Chapter 343 relating to environmental impact statements.

RECOMMENDATION:

That the Board:

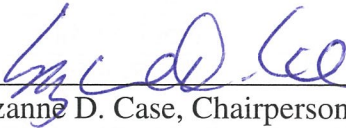
1. Grant permission to conduct a public hearing on the island of Hawai`i for the Kamehameha Schools Draft Safe Harbor Agreement;
2. Authorize the Chairperson to set the dates and times for the public hearing, and;
3. Authorize the Chairperson to appoint a hearing master for the public hearing.

Respectfully Submitted,



David G. Smith, Administrator
Division of Forestry and Wildlife

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson