

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawaii 96813

March 24, 2017

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

OAHU

Delegate Authority to the Chairperson to Approve the Removal of Trees on the Lease Premises; General Lease No. S-5871; Honolulu Community Action Program, Inc., Lessee, Waianae, Oahu; TMK (1) 8-5-002:012

BACKGROUND:

General Lease No. S-5871 was issued to Honolulu Community Action Program, Inc. (HCAP) for multi-purpose community facility purposes. The lease commenced on January 1, 2007 and expires on December 31, 2031.

Recently, staff received a request from HCAP asking for permission to remove one (1) banyan tree along the makai boundary line of the premises. Staff understands that Banyan trees are not native to Hawaii. See map and photo attached as **Exhibit A** and **B** respectively. HCAP was advised by a tree service company to remove the banyan tree in question because it is infested with a parasite known as Lobate Lac Scale which compromises the trees' integrity and causes safety issues (See **Exhibit C**). The property is used for the Federal Head Start Program and as such there are children 0-5, their families, staff, and others who might sustain injury if the banyan tree or any part of it should fall. The proposed tree project pertains to day-to-day maintenance of the leased premises as required in the lease. The lease provides:

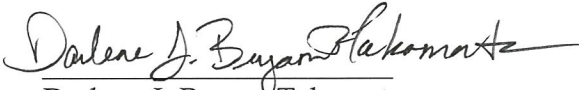
Condition 6, Waste and unlawful, improper or offensive use of premises stipulates, "[t]he Lessee shall not ... without the prior written consent of the Lessor, cut down, remove or destroy ... any trees now growing on the premises." The language requires HCAP submit a request to the Board agenda whenever there is a need to conduct tree trimming activities on the premises.

Hawaii's Sunshine Law requires substantial lead time to place a request on the Board's agenda. However, there may be emergency situations under the subject lease that demand a more expeditious action to protect public safety. Staff believes that delegating to the

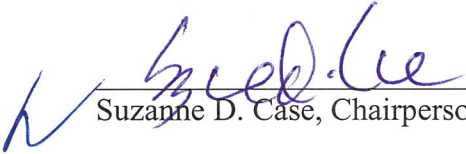
Chairperson the authority to approve any tree maintenance on the premises is prudent management practice.

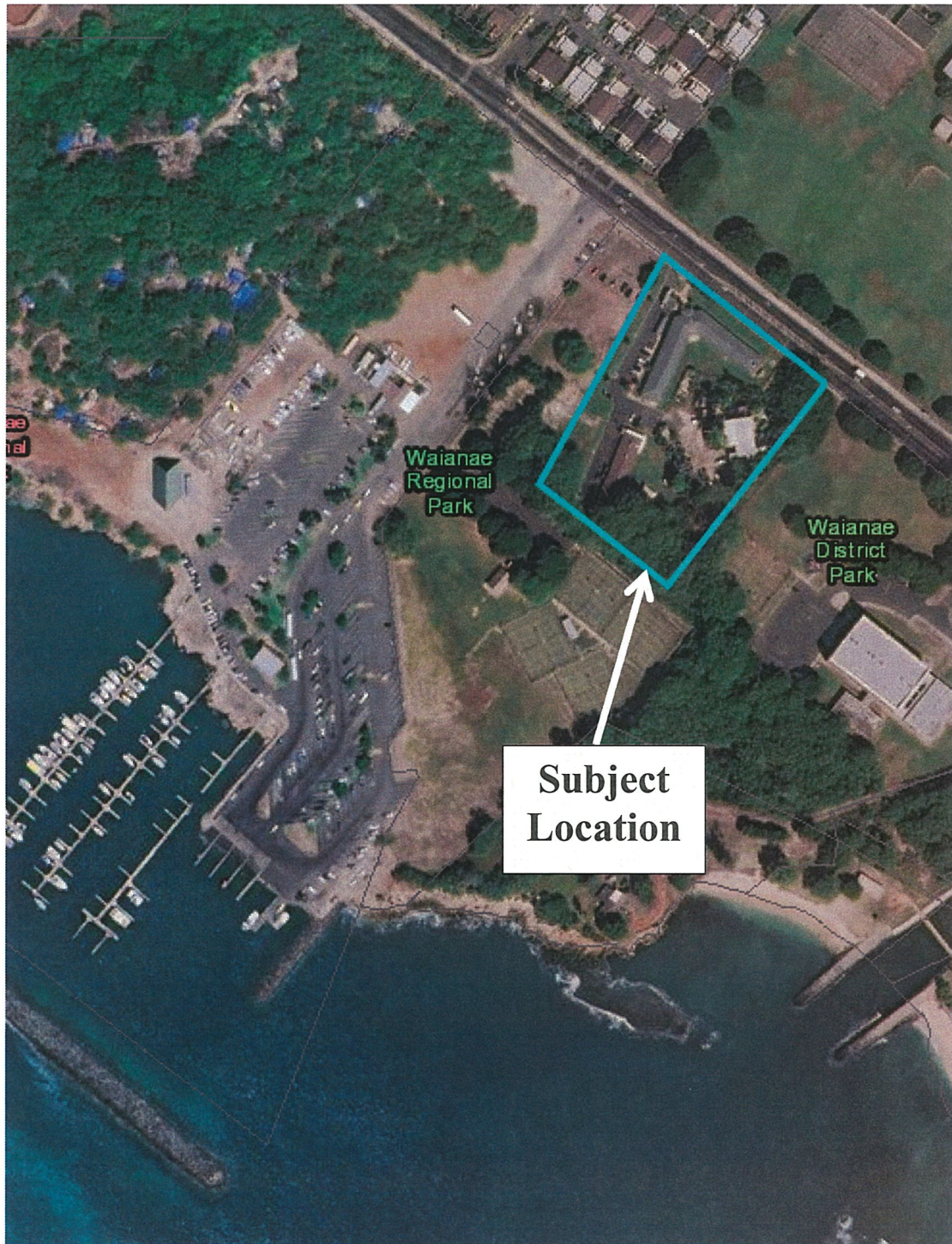
RECOMMENDATION: That the Board delegate to the Chairperson authority to approve any activities regarding landscaping maintenance on the subject premises, including, but not limited to, cutting down, removing, or destroying vegetation or trees; provided further that the Chairperson may prescribe additional terms and conditions that best serve the interest of the State in granting any such approval.

Respectfully Submitted,

  
Darlene J. Bryant-Takamatsu  
Land Agent

APPROVED FOR SUBMITTAL:

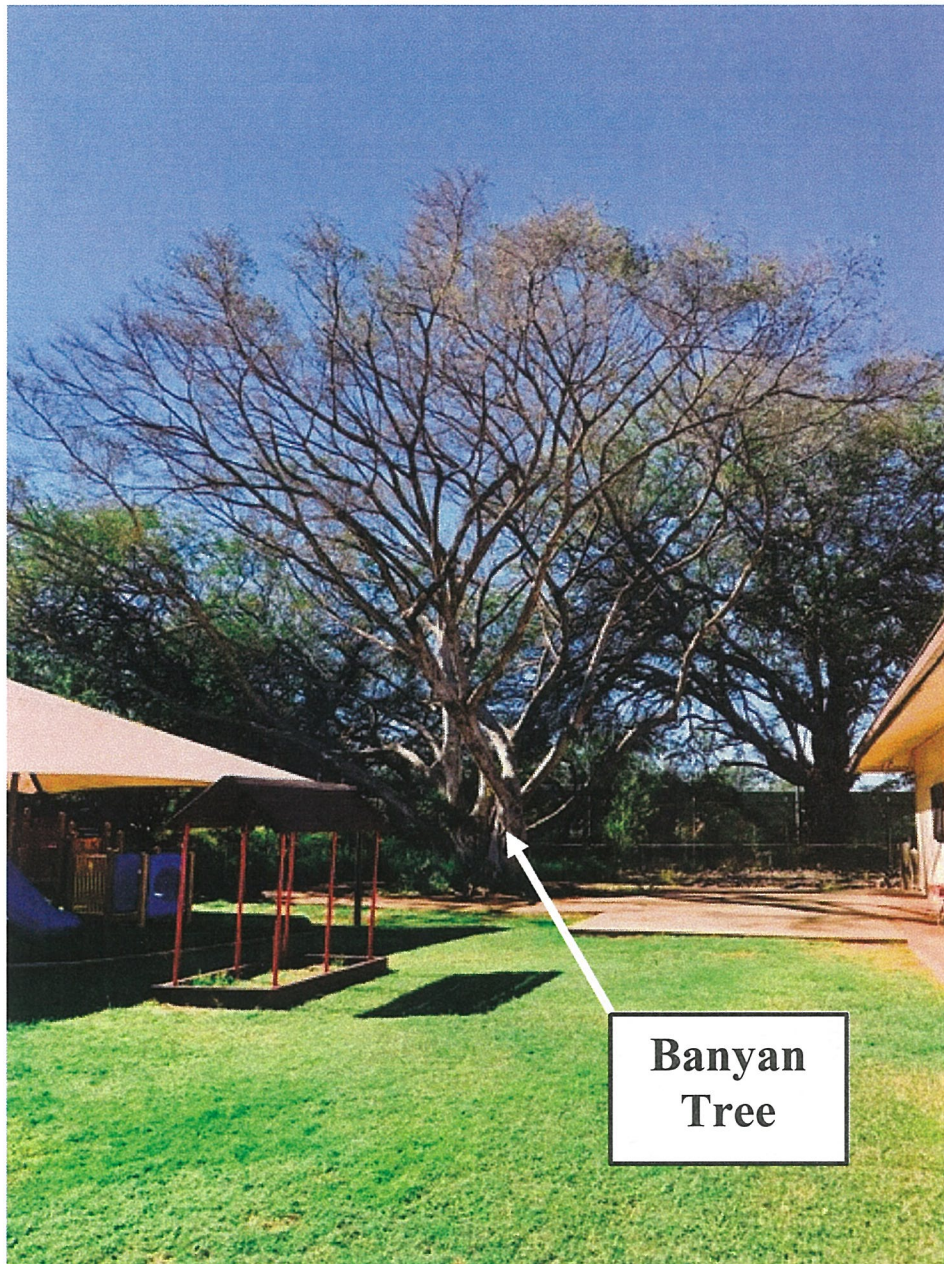
  
Suzanne D. Case, Chairperson



**TMK (1) 8-5-002:012**

**EXHIBIT A**





**TMK (1) 8-5-002:012**

**EXHIBIT B**

## All Paradise Tree Service

86-629 Punahulu Rd.  
Wahiawa, HI, 96792  
Phone: (808) 696-5323 Fax: (808) 696-5540

March 1<sup>st</sup>, 2017

Attn.: John Park

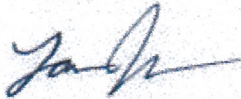
Honolulu Community Action  
Program  
One South King Street, Ste. 300  
Honolulu, HI 96813

RE.: Banyan tree at 442 Head Start

Dear Sir,

Regarding the Banyan tree at 442 Head Start, removal of this tree is highly recommended as the tree is infested with a parasite known as Lobate Lac Scale. This parasite has been reducing the Banyan tree population of Oahu as it compromises the host trees' integrity causing safety issues and concerns. For further information please visit the Outdoor Circle's site concerning these pests at [www.outdoorcircle.org/the-greenleaf/infestations-killing-hawaii-banyan-trees](http://www.outdoorcircle.org/the-greenleaf/infestations-killing-hawaii-banyan-trees). Please let me know if I can be of further assistance at the number below.

Sincerely,



Loren Johnson

Estimator/ RME  
Member of Aloha Arborist Association

# EXHIBIT C