

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

April 28, 2017

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

Board Members:

SUBJECT: REQUEST FOR APPROVAL TO ENTER INTO A MEMORANDUM OF AGREEMENT BETWEEN THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF AGRICULTURE, FOR PROVIDING FUNDING ASSISTANCE FOR RAPID OHIA DEATH MONITORING PROGRAMS SUBJECT TO REVIEW AND APPROVAL BY THE DEPARTMENT OF THE ATTORNEY GENERAL

AND

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

Attached is a draft Memorandum of Agreement (MOA) between the Department of Land and Natural Resources (DLNR) and the Department of Agriculture (DOA). The MOA provides a mechanism for DOA to provide funding to DLNR to evaluate the feasibility of using scent-detection canines to survey for the presence of the fungal pathogen *Ceratocystis fimbriata* (CF), known to cause Rapid Ohia Death (ROD) in ohia trees (*Metrosideros polymorpha*).

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

The evaluation is considered a minor action that will likely have no significant effects on the environment and is exempt from the requirement to prepare an environmental assessment in accordance with Chapter 343, HRS, and Chapter 11- 200, Hawaii Administrative Rules, under the Department' s Exemption Class 5, Exemption 1 & 2. (Exemption List for the Department of

Land and Natural Resources, Reviewed and Concurred Upon by the Environmental Council on June 05, 2015):

Exemption 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.

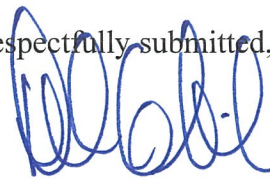
1. Conduct surveys or collect data on existing environmental conditions (e.g. noise, air quality, water flow, water quality, etc.).
2. Non-destructive data collection and inventory, including field, aerial and satellite surveying and mapping.

RECOMMENDATIONS:

That the Board:

1. Approve the Memorandum of Agreement with the Department of Agriculture subject to review and approval as to form by the Department of the Attorney General and authorize the DLNR Chairperson to sign the final documents.
2. Declare, 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 no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.

Respectfully submitted,



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DAVID G. SMITH, Administrator  
Division of Forestry and Wildlife

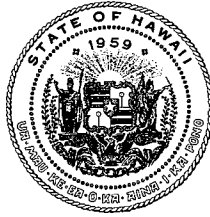
APPROVED FOR SUBMITTAL:



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SUZANNE D. CASE, Chairperson

DAVID Y. IGE  
GOVERNOR OF  
HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

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CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

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FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

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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,**  
**HRS and Chapter 11-200, HAR**

**Project Title:** Memorandum of Agreement Between the Department of Land and Natural Resources and the Department of Agriculture, for Providing Funding Assistance for Rapid Ohia Death Experimental Monitoring Program

**Project Description:**

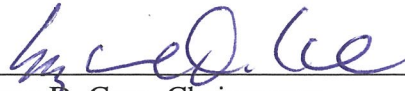
Memorandum of Agreement (MOA) between the Department of Land and Natural Resources (DLNR) and the Department of Agriculture (DOA). The Department of Agriculture offered to award funding of \$73,380 DLNR's Division of Forestry and Wildlife (DOFAW) in support of DOFAW's work on Rapid Ohia Death (ROD). The MOA provides a mechanism for DOA to provide funding to DLNR to evaluate the feasibility of using scent-detection canines to survey for the presence of the fungal pathogen *Ceratocystis frimbriata* (CF) known to cause ROD amongst ohia trees (*Metrosideros polymorpha*).

ROD was identified on Hawaii Island in 2014. The fungus attacks and can quickly kill ohia trees (*Metrosideros polymorpha*). Ohia is endemic to Hawaii and comprises approximately 80% of Hawaii's native forests. Remote sensing has been identified as a critically important contributor to forthcoming management strategies intending to control the spread of ROD. The project will adapt technology and methods developed by Florida International University (FIU) where canines were successfully trained on the scent of the fungal pathogen *Raffaelea lauricola* (laurel wilt disease) for early detection of pre-symptomatic trees. This work resulted in a valuable tool for the management of laurel wilt diseased trees and may provide invaluable to the fight against ROD.

DOFAW has the capacity to perform the duties provided below indicated in the MOAs.

- Quantify the efficacy of CF detection with canines under greenhouse and field conditions;

*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 have 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  
Department of Land and Natural Resources

Original: Agency file  
Copy: Project file

**MEMORANDUM OF AGREEMENT  
BETWEEN  
THE DEPARTMENT OF LAND AND NATURAL RESOURCES  
AND  
THE DEPARTMENT OF AGRICULTURE**

This Memorandum of Agreement is made effective the \_\_\_\_ day of April, 2017, by and between the State Department of Land and Natural Resources, hereinafter referred to as "DLNR", and the State Department of Agriculture hereinafter referred to as "DOA."

**WITNESSETH:**

WHEREAS, pursuant to section 194-2, Hawaii Revised Statutes, the Invasive Species Council is authorized to designate state departments as the lead agency for various functions of invasive species control; and

WHEREAS, DOA is the lead state agency in preventing the spread of invasive species; and

WHEREAS, DLNR is the lead state agency protecting the State's forests from invasive pests and diseases; and

WHEREAS, the parties agree that partnering their efforts to slow or prevent the spread of Rapid Ohia Death across the State is of urgent importance; and

WHEREAS, DLNR currently lacks the resources to conduct statewide surveillance and other studies to track the spread of Rapid Ohia Death in our State's forests; and

WHEREAS, DOA requires tracking of the spread of Rapid Ohia Death to fulfill its function of developing quarantine policies and rules to prevent the spread of invasive species. To this end, DOA is willing to provide funding to DLNR for the activities set forth herein.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties agree as follows:

**SCOPE OF SERVICES**

DLNR shall perform, or ensure the performance of the services set forth in the US

Department of Agriculture's proposal to evaluate the feasibility of using scent-detection canines to survey for the presence of the fungal pathogen *Ceratocystis frimbriata* (CF) known to cause Rapid Ohia Death (ROD) amongst ohia trees (*Metrosideros polymorpha*), which is attached hereto and made a part hereof. Services shall include, but are not limited to the following:

1. Quantify the efficacy of CF detection with canines under greenhouse and field conditions;
2. Summarize the lessons learned from deployment and training on and off-site with the canines;
3. Detail standard operating procedures for canine training; and
4. Project the costs and resources needed for developing a ROD canine detector program in Hawaii.

### **COMPENSATION AND PAYMENT SCHEDULE**

In consideration for services to be rendered by DLNR, DOA agrees to pay DLNR a sum of money not to exceed SEVENTY-ONE THOUSAND THREE HUNDRED EIGHTY AND NO/100 DOLLARS (\$71,380.00) tax inclusive, in accordance with the following provisions:

1. THIRTY-FIVE THOUSAND SEVEN HUNDRED AND NO/100 DOLLARS (\$35,700.00) for salaries and labor.
2. SEVENTEEN THOUSAND SIX HUNDRED EIGHTY AND NO/100 DOLLARS (\$17,680.00) for transportation.
3. EIGHTEEN THOUSAND AND NO/100 DOLLARS (\$18,000.00) for equipment, materials and supplies.

### **TIME OF PERFORMANCE**

Performance of services shall commence on the effective date set forth above and all services shall be completed within two years from the effective date.

### **MISCELLANEOUS**

1. Any modifications to this Memorandum of Agreement shall be made only by a Supplemental Memorandum of Agreement executed by both parties.

2. This Memorandum of Agreement shall be governed by the laws of the State of Hawaii.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Agreement to be effective as of the date first above written.

DEPARTMENT OF LAND AND  
NATURAL RESOURCES

DEPARTMENT OF AGRICULTURE

By: \_\_\_\_\_  
SUZANNE D. CASE, Chairperson  
Department of Land and Natural  
Resources

By: \_\_\_\_\_  
SCOTT ENRIGHT, Chairperson  
Board of Agriculture

Date: \_\_\_\_\_

Date: \_\_\_\_\_

APPROVED AS TO FORM:

APPROVED AS TO FORM:

\_\_\_\_\_  
Deputy Attorney General

\_\_\_\_\_  
Deputy Attorney General