Exhibit 3

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LAND
STATE PARKS

STATE OF HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES

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[date]

DECLARATION OF EXEMPTION
Regarding the preparation of an environmental assessment under the authority of
Chapter 334, HRS and Chapter 11-200-8, HAR

Project Title:	Shlachter Native Forest Forest Stewardship Management Plan and Forest Stewardship Agreement with Marc Shlachter
Project Number:	N/A
Project Location:	Puna District/Hawaii County Tax Map Key numbers (3) 1-1-027:011, (3) 1-1-027:012, (3) 1-1-027:013
Chapter 343 Trigger(s):	Use of State Funds
Project Description:	The Shlachter Forest Stewardship project proposes to enhance and maintain approximately 9.7 acres of native forest on Tax Map Key numbers (3) 1-1-027:011, (3) 1-1-027:012, (3) 1-1-027:013, in the Fern Acres subdivision in Hawai'i County. The Forest Stewardship project area is designated by the State of Hawai'i as Agriculture District and as Agriculture by the County of Hawai'i. The project is located between the communities of Kea'au and Volcano on the windward side of Hawai'i Island. Wao Kele O Puna is adjacent to the project area along the southern boundary. The proposed FSP project area contains a relatively intact mixed native overstory and a partially invaded understory. The landowners seek to protect, improve, and enrich the existing native forest through the exclusion of ungulates, removal of invasive weed species, and planting of native species. Over the course of the 10-year management plan, the landowner intends to protect, improve, and enrich the existing native forest through the exclusion of ungulates, removal of invasive weed species, and planting of native species on 9.7 acres. The project area is broken down into four different management units numbered 1-4. The vegetation on the property consists of a mixed native overstory of 'ōhi'a (Metrosideros polymorpha), kōlea (Myrsine lessertiana), and kāwa'u (Ilex anomala). The understory is composed of patches of native uluhe (Dicranopteris linearis) and hāpu'u (Cibotium glaucum), as well as several invasive weeds species such as strawberry guava (Psidium cattleianum), clidemia (Clidemia herta), and kahili ginger (Hedychium gardnerianum). Management approaches for

	this project include ungulate removal, invasive weed control, and reforestation with native species. The first management activity will be the installation of an ungulate proof fence along the perimeter of the property and the removal of pigs from the project area. During years one and two, a trail will be installed to provide access to the forest for the landowners and management activities. Sites will be prepared for planting primarily through manual and chemical weed control methods. Primary targets for weed removal include strawberry guava, clidemia, and glory bush (Tibouchina urvilleana). Given that the forest in somewhat intact, various native species such as koa (Acacia koa), ʻōhiʻa, māmaki (Pipturus albidus), and ahuʻawa (Cyperus javanicus) will be hand planted only in areas where invasive weeds are removed. To mitigate the threat of Rapid ʻŌhiʻa Death, management activities that may cause damage to ʻōhiʻa trees will be avoided. Tree species such as koa, lama (Diospyros sandicensis), and ʻōlapa (Cheirodendron trigynum) have been designated as alternatives to replace ʻōhiʻa, should trees become infected. Ongoing maintenance, such as weed control and monitoring, will be done on a regular basis after the initial planting and throughout the 10 years of the contract.
Consulted Parties:	U.S. Department of Agriculture, Natural Resources Conservation Service; U.S. Department of Interior, Fish and Wildlife Service; Department of Land and Natural Resources Commission on Water Resource Management; Office of Hawaiian Affairs
Authorization:	Approved by the Environmental Council on June 5, 2015
Exemption Class & Description:	Activities and actions associated with this project fall under the following Exemption Classes and Descriptions which are included in the Exemption List for the Department of Land and Natural Resources. http://oeqc2.doh.hawaii.gov/Agency_Exemption_Lists/State-Department-of-Land-and-Natural-Resources-Exemption-List-2015-06-05.pdf Exemption Class No. 3, Item 1, Fences around or to manage rare, threatened or endangered plants, covered or open areas for endangered species, game birds and mammals, auxiliary buildings for food or equipment storage, incubators and brooders, open-top breeding and release pens, field aviaries, and hacking boxes, and for watershed and native forest management and restoration. Exemption Class No. 4, Item 6, Minor vegetation clearing and management, including mowing, pruning, trimming, and application of federal and state approved herbicides in conformance with label instructions. Exemption Class No. 4, Item 8, Removal of invasive vegetation utilizing cutting, mowing, application of federal and state approved herbicides in conformance with label instructions, distribution of biocontrol agents

	approved by the State of Hawaii, and other approved methods. Exemption Class No. 4, Item 12, Establish temporary or permanent vegetative cover including trees, shrubs, grasses, and sod for landscaping, reforestation, soil stabilization, watershed protection, native wildlife habitat, native ecosystem restoration, and rare plant preservation; provided, however, that this exemption shall not apply to vegetation that is likely to be invasive or for tree plantings for which harvesting is planned or is reasonably foreseeable. Exemption Class No. 4, Item 13, Gathering plant seed, cuttings, or other vegetative matter for propagation. Exemption Class No. 4, Item 16, Control of pests utilizing federal and state approved pesticides, herbicides, fungicides, and toxicants in conformance with label instructions; traps, snares, lures, and repellents; distribution of biocontrol agents approved by the state of Hawaii; and other approved methods. Exemption Class No. 4, Item 22, 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.
Determination:	The Board of Land and Natural Resources declares that this project will likely have minimal or no significant impact 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 Date
Board of Land and Natural Resources