

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

October 10, 2025

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

Statewide

Issuance of Right-of-Entry Permit to the Department of Land and Natural Resources, Division of Forestry and Wildlife (DOFAW) for Management Purposes, Including Authorization for DOFAW to Issue Permits Pursuant to Chapters 13-104, 13-122, 13-123, 13-124, 13-126, and 13-209, Hawaii Administrative Rules (HAR); Government Lands on Kauai, Oahu, Molokai, and Maui. See **Exhibit A** for list of Tax Map Keys.

APPLICANT:

Department of Land and Natural Resources, Division of Forestry and Wildlife (DOFAW).

LEGAL REFERENCE:

Section 171-55, 183, 183D, 185, 195 and 195D Hawaii Revised Statutes (HRS), as amended, and authority granted by the Board of Land and Natural Resources at its meeting on June 14, 2013, agenda item D-11, as amended.

LOCATION:

Government lands on Kauai, Oahu, Molokai, and Maui, identified by Tax Map Keys as shown on **Exhibit A**.

AREA:

Various, see **Exhibit A**.

ZONING:

State Land Use District:	Various (refer to Exhibit A)
County Zoning:	Various (refer to Exhibit A)

TRUST LAND STATUS:

Refer to **Exhibit A**.
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: Refer to **Exhibit A**.

CURRENT USE STATUS:

Pending executive order setting aside to DOFAW. Portions of the subject parcels are encumbered by easements as noted in **Exhibit A**.

CHARACTER OF USE:

Management for Forest Reserve, Wildlife Sanctuary, and Natural Area Reserve purposes, Subject to All Existing Encumbrances.

RIGHT-OF-ENTRY TERM:

One year upon acceptance of terms and conditions, or Governor's signature on the proposed set asides, whichever is sooner.

COMMENCEMENT DATE:

To be determined by the Chairperson.

CONSIDERATION:

Gratis. To a Government Agency.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

DOFAW shall be responsible for compliance with Chapter 343, HRS, as amended for program activities on the lands. In accordance with HAR §11-200.1-15 and -16 and the Exemption List for the Department of Land and Natural Resources, reviewed and concurred on by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to:

General Exemption Type 1: Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving minor expansion or minor change of use beyond that previously existing.

Part 1, Item 2: Rescue of threatened or endangered species.

Part 1, Item 4: Operation, repair and maintenance of existing structures and facilities, including baseyards, offices, cabins, sheds, and fencing.

General Exemption Type 3: Construction and location of single new, small facilities or structures and the alteration and modification of the facilities or structures and installation of new, small equipment and facilities and the alteration and modification of the equipment or facilities, including but not limited to: (A) Single family residences less than 3,500 square feet, as measured by the controlling law under which the proposed

action is being considered, if not in conjunction with the building of two or more such units; (B) Multi-unit structures designed for not more than four dwelling units if not in conjunction with the building of two or more such structures; (C) Stores, offices and restaurants designed for total occupant load of twenty individuals or fewer per structure, if not in conjunction with the building of two or more structures; and (D) Water, sewage, electrical, gas, telephone, and other essential public utility service extensions to serve such structures or facilities; accessory or appurtenant structures including garages, carports, patios, swimming pools, land fences; and acquisition of utility easements.

Part 2, Item 1: 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 fences around or to manage rare, threatened or endangered plants. Fences shall contain step-overs or other features that permit pedestrian access for cultural and recreational use.

Part 2, Item 2: Construction and location of new, small facilities or structures necessary to support or enhance safe and effective management of lands and waters, such as baseyards, caretaker's residences, work cabins and shelters, sanitation facilities, and other similar structures.

General Exemption Type 4: Minor alterations in the conditions of land, water, or vegetation.

Part 1, Item 2: Minor vegetation clearing and management, including mowing, pruning, trimming, and application of federal and state approved herbicides in conformance with label instructions.

Part 1, Item 3: Removal of invasive vegetation utilizing cutting, mowing, application of federal and state approved herbicides in conformance with label instructions, distribution of biocontrol agents already approved and permitted by the State of Hawaii, and other approved methods. This exemption would not apply to issuing permits for initial releases of biocontrol of invasive species which are regulated and permitted by the Department of Agriculture or commercial logging.

Part 1, Item 9: Control of pests utilizing federal and state approved pesticides, herbicides, fungicides, and toxicants in conformance with label instructions; traps, snares, lures, and repellents; and other approved methods.

Part 1, Item 14: Fire management activities, including prevention and restoration measures, when conducted in accordance with Departmental and Division procedures.

Part 1, Item 17: Establishment of helispots for fire control, natural resource management, and rescue.

General Exemption Type 5: Basic data collection, research, experimental management, and resource and infrastructure testing and evaluation activities that do not result in a serious or major disturbance to an environmental resource.

Part 1, Item 1: Conduct surveys or collect data on existing environmental conditions (e.g., noise, air quality, water flow, water quality, etc.).

Part 1, Item 2: Non-destructive data collection and inventory, including field, aerial and satellite surveying and mapping.

Part 1, Item 15: Game and non-game wildlife surveys, vegetation and rare plant surveys, aquatic life surveys, inventory studies, new transect lines, photographing, recording, sampling, collection, culture, and captive propagation.

Part 1, Item 16: Research to identify, monitor, control, or eradicate introduced species.

The subject request is a de minimis action that is not anticipated to have significant adverse effects on the environment and therefore it is recommended that this action be declared exempt from the preparation of an environmental assessment and the requirements of 11-200.1-17, HAR. (see **Exhibit B**).

Chapter 343 compliance documents for activities that do not fall in the list above are shown in **Exhibit C**.

DCCA VERIFICATION:

Government agency, not applicable.

BACKGROUND:

At its meetings on March 24, 2023, item C-3¹, and January 10, 2025, item C-1², the Board approved set asides for the subject lands as Forest Reserves, Wildlife Sanctuaries, and Natural Area Reserves (NARs). These parcels contain significant forestry and wildlife resources and values, including:

- Connectivity of streams and reserves from the summit to the sea
- Connectivity to existing reserves
- Public access to shorelines and public trust reserves
- Native species and their habitats
- Native ecosystems

¹ March 24, 2023, C-3 can be downloaded from <https://dlnr.hawaii.gov/wp-content/uploads/2023/03/C-3.pdf>

² January 10, 2025, C-1 can be downloaded from <https://dlnr.hawaii.gov/wp-content/uploads/2025/01/C-1.pdf>

- Critical habitat for endangered species
- Watersheds
- Opportunities for reforestation and habitat restoration to enhance ecosystem services and climate change resilience

Exhibit A lists these parcels and summarizes DOFAW’s proposed designations. Certain parcels originally in the March 24, 2023, board action have been excluded from this submittal because of existing encumbrances or the need for more research to confirm their status.

REMARKS:

This submittal seeks to provide DOFAW an immediate management ROE for these lands so that they can begin to be managed while they undergo the process for set aside. The formal set aside process may be lengthy as it requires surveys and maps be created, as well as Governor approval. Since the board approved the set asides in March 2023, none of the parcels have been formally set aside by Governor Executive Order yet. Only a handful of surveys have been completed.

Some of these areas require immediate management as they contain important natural resource values or hazards. Issuing DOFAW an immediate management ROE would allow DOFAW to actively protect these areas. The proposed ROE would specify that these areas would be subject to the associated statutes for Forest Reserves, Wildlife Sanctuaries, and Natural Area Reserves including Hawaii Revised Statutes 183, 183D, and 195, and 195D. The Board has delegated certain authorities to DOFAW to issue permits for Forest Reserves (Ch. 13-104 Subchapter 3, Hawaii Administrative Rules (HAR)), Wildlife Sanctuaries (Chapter 13-126-9, 10, and 13-126 Subchapter 3, HAR), Natural Area Reserves (Chapter 13-209-5, HAR), and Wildlife (Ch. 13-122, 123, 124, HAR) for the lands’ respective proposed designation, with coordination with Land Division. Approval of this request therefore includes delegation of those authorities previously approved by the Board to the parcels covered under the subject ROE. DOFAW recommends the authority to issue these permits for the subject lands because these permits are essential for the management and public use of these areas. For example, DOFAW may wish to issue permits to grazing to reduce fire fuel loads, gathering for traditional and customary practice and forest products, invasive species and feral ungulate control, and limiting use of vehicles in sensitive areas.

RECOMMENDATION: That the Board

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, HAR, this project is not anticipated to have adverse significant impacts on the environment and is therefore exempt from the preparation of an environmental assessment as a de minimis action.

2. Authorize the issuance of a right-of-entry permit to the Department of Land and Natural Resources, Division of Forestry and Wildlife for management purposes covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - a. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time;
 - b. DOFAW shall conduct all activities in compliance with the encumbered portions of the lands noted in the Current Use Status section;
 - c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State; and
 - d. The Chairperson may extend the right of entry permit for good cause.

Respectfully Submitted,

Steven Domingo Jr

Steven Domingo
Supervising Land Agent

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APPROVED FOR SUBMITTAL:



Dawn N. S. Chang, Chairperson

Exhibit A

Oahu							
TMK	DOFAW Designation	Area (acre)	State Land Use District	County Zoning	Trust Land Status	DHHL 30%	Current Use Status
(1) 4-8-013-013	Forest Reserve	144.500	Agriculture, Conservation	AG-2, P-1	5(b)	No	EO G41a
(1) 6-9-001-004	Forest Reserve	515.050	Agriculture, Conservation	P-1, P-2	5(b)	No	LOD 28991
(1) 9-1-017-158	Forest Reserve	30.068	Urban	AG-1	Acquired after 8/59	No	Unencumbered
(1) 9-9-010-052	Forest Reserve	12.943	Conservation	P-1	Acquired after 8/59	No	Unencumbered

Kauai							
TMK	DOFAW Designation	Area (acre)	State Land Use District	County Zoning	Trust Land Status	DHHL 30%	Current Use Status
(4) 4-4-001-002	Forest Reserve	347.200	Conservation	CON	5(b)	No	Unencumbered
(4) 5-6-002-001	Forest Reserve	670.000	Agriculture, Conservation	CON	5(b)	No	LOD 28292

Molokai							
TMK	DOFAW Designation	Area (acre)	State Land Use District	County Zoning	Trust Land Status	DHHL 30%	Current Use Status
(2) 6-1-001-002 (por)	Natural Area Reserve	7,213.780	Agriculture, Conservation	Interim	5(b)	No	EO 3302, EO G23a

Maui							
TMK	DOFAW Designation	Area (acre)	State Land Use District	County Zoning	Trust Land Status	DHHL 30%	Current Use Status
(2) 1-1-001-001	Forest Reserve	15.380	Conservation	Interim	5(b)	No	Unencumbered
(2) 1-1-001-021	Forest Reserve	19.000	Conservation	Interim	5(b)	No	Unencumbered
(2) 1-1-001-031	Forest Reserve	66.000	Agriculture, Conservation	AG, Interim	5(b)	No	GL 5597
(2) 1-1-001-052	Forest Reserve	67.000	Agriculture, Conservation	AG, Interim	5(b)	No	Unencumbered
(2) 1-1-002-005	Forest Reserve	7.350	Agriculture, Conservation	AG, Interim	5(b)	No	Unencumbered
(2) 1-1-002-006	Forest Reserve	2.750	Agriculture, Conservation	Interim	5(b)	No	Unencumbered
(2) 1-1-002-007	Forest Reserve	27.400	Conservation	Interim	5(b)	No	Unencumbered
(2) 1-1-008-001	Forest Reserve	133.950	Agriculture, Conservation	AG, Interim	5(b)	No	Unencumbered
(2) 1-1-008-005	Forest Reserve	120.970	Agriculture, Conservation	AG, Interim	5(b)	No	LOD 28227
(2) 1-2-001-039	Forest Reserve	8.800	Conservation	Interim	5(b)	No	Unencumbered

Maui							
TMK	DOFAW Designation	Area (acre)	State Land Use District	County Zoning	Trust Land Status	DHHL 30%	Current Use Status
(2) 1-3-003-017	Forest Reserve	485.100	Agriculture, Conservation	AG, Interim	5(b)	No	LODs 28227, 27293, 27477
(2) 1-3-006-007	Forest Reserve	393.000	Agriculture, Conservation, Rural, Urban	AG, Interim, P1	5(b)	No	EO 3304, GL 4524, LOD 25544
(2) 1-4-011-003	Forest Reserve	21.000	Agriculture, Conservation	AG, Interim	5(b)	No	Unencumbered
(2) 1-4-011-004	Forest Reserve	35.850	Agriculture, Conservation	AG, Interim	5(b)	No	Unencumbered
(2) 1-4-012-019	Forest Reserve	3.820	Agriculture, Conservation, Rural	AG, Interim	5(b)	No	Unencumbered
(2) 1-5-002-004	Forest Reserve	11.300	Agriculture, Conservation	AG, Interim	5(b)	No	Unencumbered
(2) 1-5-008-004	Forest Reserve	96.000	Conservation	Interim	5(b)	No	Unencumbered
(2) 1-5-010-008	Forest Reserve	14.680	Conservation	Interim	5(b)	No	Unencumbered
(2) 1-5-011-007	Forest Reserve	68.000	Agriculture, Conservation	AG, Interim	5(b)	No	LOD 27045
(2) 1-5-011-012	Forest Reserve	14.800	Agriculture, Conservation	AG, Interim	5(b)	No	Unencumbered
(2) 1-5-011-014	Forest Reserve	15.600	Agriculture, Conservation	AG, Interim	5(b)	No	Unencumbered
(2) 1-5-011-015	Forest Reserve	4.500	Agriculture, Conservation	Interim	5(b)	No	Unencumbered
(2) 1-5-011-029	Forest Reserve	28.000	Agriculture, Conservation	AG, Interim	5(b)	No	Unencumbered
(2) 1-6-002-009	Forest Reserve	25.000	Agriculture, Conservation	AG, Interim	5(b)	No	LOD 27045
(2) 1-7-002-011	Forest Reserve	242.600	Agriculture, Conservation	AG, Interim	5(b)	No	Unencumbered
(2) 1-7-002-044	Forest Reserve	0.500	Conservation	Interim	5(b)	No	Unencumbered
(2) 1-7-003-013	Forest Reserve	2.600	Agriculture, Conservation	AG, Interim	5(b)	No	Unencumbered
(2) 2-4-016-001	Forest Reserve	145.000	Agriculture, Conservation	AG, Interim	5(b)	No	LOD 28018, LOD 28081, RP 7562
(2) 2-9-001-020	Forest Reserve	9.780	Agriculture, Conservation	AG, Interim	5(b)	No	RP 7545
(2) 2-9-001-033	Forest Reserve	1.700	Agriculture	AG	5(b)	No	Unencumbered
(2) 2-9-002-012	Forest Reserve	3.200	Agriculture	AG	5(b)	No	LOD 28403
(2) 2-9-010-008	Forest Reserve	2.050	Agriculture	AG	5(b)	No	GL 5176
(2) 2-9-010-009	Forest Reserve	1.200	Agriculture, Conservation	AG	5(b)	No	Unencumbered
(2) 2-9-010-012	Forest Reserve	18.300	Agriculture	AG	5(b)	No	Unencumbered
(2) 2-9-010-021	Forest Reserve	1.550	Agriculture	AG	5(b)	No	Unencumbered
(2) 2-9-010-022	Forest Reserve	8.440	Agriculture	AG	5(b)	No	GL 5176

Maui							
TMK	DOFAW Designation	Area (acre)	State Land Use District	County Zoning	Trust Land Status	DHHL 30%	Current Use Status
(2) 2-9-011-008	Forest Reserve	23.030	Agriculture, Conservation	AG, Interim	5(b)	No	GL 5176, LODs 28000, 28211, 28677, 28976
(2) 2-9-011-013	Forest Reserve	32.200	Agriculture, Conservation	AG, Interim	5(b)	No	Unencumbered
(2) 2-9-013-004	Forest Reserve	0.550	Agriculture	AG	5(a)	Yes	Unencumbered
(2) 2-9-013-012	Forest Reserve	50.010	Agriculture, Conservation	AG, Interim	5(a)	Yes	Unencumbered
(2) 2-9-013-014	Forest Reserve	79.100	Agriculture, Conservation	AG, Interim	5(b)	No	RP 7345
(2) 2-9-013-016	Forest Reserve	1.163	Agriculture	AG	5(b)	No	Unencumbered
(2) 2-9-013-017	Forest Reserve	5.500	Agriculture	AG	5(b)	No	Unencumbered
(2) 2-9-013-018	Forest Reserve	0.110	Agriculture	AG	5(b)	No	Unencumbered
(2) 2-9-013-020	Forest Reserve	0.030	Agriculture	AG	5(b)	No	Unencumbered
(2) 3-1-001-001	Forest Reserve	194.510	Agriculture, Conservation	AG, Interim	5(b)	No	GL 5177, GL 5810, LODs 27816, 28031, 28700, 28787, RP 4450
(2) 3-1-001-021	Forest Reserve	92.800	Agriculture, Conservation	AG, Interim	5(b)	No	LODs 27816, 28031
(2) 3-1-001-029	Forest Reserve	47.680	Agriculture	AG	5(b)	No	GLs 4857, 5810
(2) 3-1-006-003	Forest Reserve	136.400	Agriculture	AG, Interim	5(b)	No	EO G13, GLs 5726, 5727, RP 7485
(2) 3-6-001-014 (por)	Forest Reserve	3,414.720	Agriculture, Conservation	AG, Interim, OZ, R-3	5(b)	No	GL 6003, LODs 18671, 24803, 27379, 27700
(2) 4-4-004-002	Forest Reserve	221.745	Agriculture, Conservation	AG, Interim	5(b)	Yes	LOD 27569
(2) 4-4-004-006	Forest Reserve	51.260	Agriculture	AG	5(b)	Yes	Unencumbered
(2) 4-4-004-009	Forest Reserve	148.394	Agriculture	AG	5(b)	No	Unencumbered
(2) 4-4-004-011	Forest Reserve	3.000	Agriculture	AG	5(b)	No	Unencumbered
(2) 4-4-004-019	Forest Reserve	2.000	Agriculture	AG	5(b)	No	Unencumbered
(2) 4-4-007-006	Forest Reserve	164.000	Agriculture, Conservation	AG, Interim	5(b)	No	Unencumbered
(2) 4-5-021-004	Forest Reserve	669.550	Agriculture, Conservation	AG, Interim	5(b)	Yes	LOD 28473
(2) 4-5-021-023	Forest Reserve	303.972	Agriculture, Urban	AG	5(b)	No	LOD 28473

Exhibit A

Maui							
TMK	DOFAW Designation	Area (acre)	State Land Use District	County Zoning	Trust Land Status	DHHL 30%	Current Use Status
(2) 4-8-001-001 (por)	Forest Reserve	1,387.710	Conservation	AG, Interim	5(b)	No	EO 2328, GLs 5731, 6004, LODs 18671, 27700
(2) 4-8-002-002	Forest Reserve	216.073	Agriculture, Conservation	AG, Interim	5(b)	No	LODs 18671, 27700
(2) 4-8-002-008	Forest Reserve	399.903	Agriculture, Conservation	AG, Interim	5(b)	No	LODs 18671, 27701
(2) 4-8-002-039	Forest Reserve	6.399	Agriculture	AG	5(b)	No	Unencumbered
(2) 4-8-003-008 (por)	Forest Reserve	634.167	Agriculture, Conservation	AG, Interim	5(b)	No	LODs 18671, 27700, RP 7639
(2) 4-8-003-040	Forest Reserve	100.000	Agriculture, Conservation	AG	5(b)	No	LODs 18671, 27700
(2) 1-3-003-001	Natural Area Reserve	222.860	Agriculture, Conservation	AG, Interim	5(b)	No	Unencumbered
(2) 1-3-003-026	Natural Area Reserve	192.000	Agriculture, Conservation	AG, Interim	5(b)	No	Unencumbered
(2) 1-3-005-002	Natural Area Reserve	172.970	Agriculture, Conservation	AG, Interim	5(b)	No	Unencumbered
(2) 1-8-001-005	Natural Area Reserve	341.000	Agriculture, Conservation	AG, Interim	5(b)	No	RP 7537
(2) 2-1-003-050 (por)	Natural Area Reserve	1,546.000	Agriculture	AG	5(b)	No	EO 3530, LOD 28685
(2) 2-1-004-075	Natural Area Reserve	13.000	Agriculture, Conservation	PK	5(b)	No	Unencumbered
(2) 2-1-004-110	Natural Area Reserve	4.360	Conservation	AG, PK	5(b)	No	Unencumbered
(2) 2-1-006-010	Natural Area Reserve	3.790	Conservation	PK	5(b)	No	Unencumbered
(2) 2-1-006-077	Natural Area Reserve	1.040	Agriculture, Conservation, Rural	PK, R-3	5(b)	No	LOD 27947
(2) 2-1-006-078	Natural Area Reserve	0.320	Agriculture, Conservation	R-3	5(b)	No	Unencumbered
(2) 2-1-004-111	Natural Area Reserve	0.660	Conservation	AG	5(b)	No	Unencumbered
(2) 2-1-006-076	Natural Area Reserve	0.920	Agriculture, Conservation	AG	5(b)	No	Unencumbered
(2) 3-1-001-014	Wildlife Sanctuary	80.000	Agriculture, Conservation	AG	5(b)	No	Unencumbered
(2) 3-1-002-011	Wildlife Sanctuary	81.500	Agriculture, Conservation, Rural	AG, Interim, RU 0.5	5(b)	No	RP 7571

Hawaii							
TMK	DOFAW Designation	Area (acre)	State Land Use District	County Zoning	Trust Land Status	DHHL 30%	Current Use Status
(3) 2-4-008-035	Forest Reserve	0.115	Conservation	FR		No	Unencumbered
(3) 5-1-001-006	Forest Reserve	141.000	Conservation	A-20a	5(b)	No	Unencumbered
(3) 8-7-014-015	Forest Reserve	26.280	Agriculture	A-5a	5(b)	No	Unencumbered
(3) 4-4-014-004	Forest Reserve	101.400	Agriculture	A-40a	5(b)	No	Unencumbered
(3) 6-2-001-003 (por)	Forest Reserve	1,047.000	Agriculture	A-40a	5(b)	No	LOD 27332
(3) 9-6-007-002	Forest Reserve	214.000	Agriculture	A-20a	5(b)	No	Unencumbered

Exhibit B

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



DAWN N. S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
LAND DIVISION**

P.O. BOX 621
HONOLULU, HAWAII 96809

October 10, 2025

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR.

Issuance of Right-of-Entry Permit to the Department of Land and Natural Resources, Division of Forestry and Wildlife (DOFAW) for Management Purposes, Including Authorization for DOFAW to Issue Permits Pursuant to Chapters 13-104, 13-122, 13-123, 13-124, 13-126, and 13-209, Hawaii Administrative Rules (HAR).

Project:	Not applicable
Project Location:	Government Lands on Kauai, Oahu, Molokai, and Maui.
Project Description:	Pending executive order setting aside to DOFAW for forest reserves, natural area reserves and wildlife sanctuaries, management right-of-entry (ROE).
Chap. 343 Trigger(s):	Use of State land.
Exemption Class No.:	<p>In accordance with Hawaii Administrative Rules (HAR) 11-200.1-15 and -16 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred on by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to:</p> <p>General Exemption Type 1: Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving minor expansion or minor change of use beyond that previously existing.</p>

Part 1:

Item 2: Rescue of threatened or endangered species.

Item 4: Operation, repair and maintenance of existing structures and facilities, including baseyards, offices, cabins, sheds, and fencing.

General Exemption Type 3: Construction and location of single new, small facilities or structures and the alteration and modification of the facilities or structures and installation of new, small equipment and facilities and the alteration and modification of the equipment or facilities, including but not limited to: (A) Single family residences less than 3,500 square feet, as measured by the controlling law under which the proposed action is being considered, if not in conjunction with the building of two or more such units; (B) Multi-unit structures designed for not more than four dwelling units if not in conjunction with the building of two or more such structures; (C) Stores, offices and restaurants designed for total occupant load of twenty individuals or fewer per structure, if not in conjunction with the building of two or more structures; and (D) Water, sewage, electrical, gas, telephone, and other essential public utility service extensions to serve such structures or facilities; accessory or appurtenant structures including garages, carports, patios, swimming pools, land fences; and acquisition of utility easements.

Part 2:

Item 1: 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 fences around or to manage rare, threatened or endangered plants. Fences shall contain step-overs or other features that permit pedestrian access for cultural and recreational use.

Item 2: Construction and location of new, small facilities or structures necessary to support or enhance safe and effective management of lands and waters, such as baseyards, caretaker's residences, work cabins and shelters, sanitation facilities, and other similar structures.

General Exemption Type 4: Minor alterations in the conditions of land, water, or vegetation.

Part 1:

Item 2: Minor vegetation clearing and management, including mowing, pruning, trimming, and application of federal and state approved herbicides in conformance with label instructions.

Item 3: Removal of invasive vegetation utilizing cutting, mowing, application of federal and state approved herbicides in conformance with label instructions, distribution of biocontrol agents already approved and permitted by the State of Hawaii, and other approved methods. This exemption would not apply to issuing permits for initial releases of biocontrol of invasive species which are regulated and permitted by the Department of Agriculture or commercial logging.

Item 9: Control of pests utilizing federal and state approved pesticides, herbicides, fungicides, and toxicants in conformance with label instructions; traps, snares, lures, and repellents; and other approved methods.

Item 14: Fire management activities, including prevention and restoration measures, when conducted in accordance with Departmental and Division procedures.

Item 17: Establishment of helispots for fire control, natural resource management, and rescue.

General Exemption Type 5: Basic data collection, research, experimental management, and resource and infrastructure testing and evaluation activities that do not result in a serious or major disturbance to an environmental resource.

Part 1:

Item 1: Conduct surveys or collect data on existing environmental conditions (e.g., noise, air quality, water flow, water quality, etc.).

Item 2: Non-destructive data collection and inventory, including field, aerial and satellite surveying and mapping.

Item 15: Game and non-game wildlife surveys, vegetation and rare plant surveys, aquatic life surveys, inventory studies, new transect lines, photographing, recording, sampling, collection, culture, and captive propagation.

Item 16: Research to identify, monitor, control, or eradicate introduced species.

The subject request is a de minimis action that is not anticipated to have significant adverse effects on the environment and therefore it is recommended that this action be declared exempt from the preparation of an environmental assessment and the requirements of 11-200.1-17, HAR.

Cumulative Impact of
Planned Successive
Action in Same Place
Significant?:

No. The proposed action will allow DOFAW to access and conduct management activities on lands set aside for forest reserves, natural area reserves and wildlife sanctuaries. Proper management of such areas contribute to the overall health of watersheds and should produce beneficial impacts to the environment in the long-term. No adverse cumulative impacts are anticipated as a result of the proposed management actions.

Particularly Sensitive
Environment?:

No, there are no particularly sensitive environmental issues involved with the proposed use of the property.

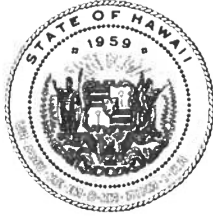
Analysis:

In the past, management ROE permits were issued, which have resulted in no known adverse significant impacts to the natural and environmental resources. The management of the areas by DOFAW would ensure no unauthorized activities occur and the management activities proposed are anticipated to have a positive, beneficial impact on the environment.

Recommendation:

Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, HAR, this project is not anticipated to have adverse significant impacts on the environment and is therefore should be declared exempt from the preparation of an environmental assessment as a de minimis action.

Exhibit C



**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

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
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

EXEMPTION NOTICE

Regarding the preparation of an environmental assessment under the authority of
Chapter 343, HRS and Section 11-200.1-17, HAR

Project Title:	Pearl Harbor Watershed Fencing Project
Project Location:	Oahu Waiau (1) 9-7-026:001 (1) 9-8-001:008 Moanalua (1) 1-1-003:001 Halawa (1) 9-8-001:002 (1) 9-8-001:001 (1) 9-9-011:002 (1) 9-9-011:001
Chapter 343 Trigger(s):	Use of State Funds and Lands
Project Description:	<p>The main objective of this project is to protect and preserve irreplaceable rare and endangered plants and animals and watershed function.</p> <p>Ungulate fences are proposed to be constructed to protect upland watershed areas. Step-overs and gates will be included to continue to allow public access into the fenced areas.</p> <p>This project may be funded by Federal sources.</p>
Consulted Parties:	Board of Land and Natural Resources; The Nature Conservancy
Authorization:	<p>July 9, 2021 Land Board submittal (L-1). Delegation of Authority to the Chairperson to (2) Declare a Construction Project Exempt from the Preparation of an Environmental Assessment.</p> <p>The General Appropriations Act of 2021, the General Improvements Act of 2019 as amended by the Supplemental Improvements Act of 2020, and other appropriations for which funds have not lapsed, authorize the expenditure of funds for the various projects; Watershed Initiative, Statewide</p>

Exemption Class & Description:	<p>Exemption Classes:</p> <p>EXEMPTION LIST FOR THE DEPARTMENT OF LAND AND NATURAL RESOURCES as approved by the Environmental Council on November 10, 2020</p> <p>General Exemption Type 3: Construction and location of single new, small facilities or structures</p> <p>PART 2 1. 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 fences around or to manage rare, threatened, or endangered plants. Fences shall contain step-overs or other features that permit pedestrian access for cultural and recreational use.</p> <p>General Exemption Type 4: Minor alterations in the conditions of the land, water, or vegetation</p> <p>PART 1 7. Minor ground adjustments (e.g., grading, grubbing, cutting, clearing, or filling) that do not require grading permits.</p>
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

Sep 15, 2022

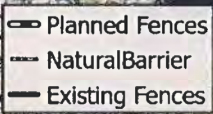
Suzanne D. Case, Chairperson
Board of Land and Natural Resources

Date

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DAVID Y. IGE
GOVERNOR OF
HAWAII



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
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LAND
STATE PARKS

**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

EXEMPTION NOTICE

Regarding the preparation of an environmental assessment under the authority of
Chapter 343, HRS and Section 11-200.1-17, HAR

Project Title:	Watershed Fencing Project in the Kaheawa Hanaula Region
Project Location:	Maui (2) 3-6-001:014 (2) 3-6-001:018 (2) 3-6-001:002 (2) 4-8:003:008 (2) 4-8:002:001 (2) 4-8:002:008 (2) 4-8:002:002 (2) 4-8:002:118 (2) 4-8:002:013 (2) 4-8:002:047 (2) 4-8:002:046 (2) 4-8:999:999 (2) 4-8:002:041 (2) 4-8:001:001 (2) 4-8:001:003
Chapter 343 Trigger(s):	Use of State Funds and Lands
Project Description:	<p>The main objective of this project is to protect and preserve irreplaceable rare and endangered plants and animals and watershed function.</p> <p>Ungulate fences are proposed to be constructed to protect upland watershed areas. Step-overs and gates will be included to continue to allow public access into the fenced areas.</p> <p>This project may be funded by Federal sources.</p>
Consulted Parties:	Board of Land and Natural Resources; The Nature Conservancy
Authorization:	July 9, 2021 Land Board submittal (L-1). Delegation of Authority to the Chairperson to (2) Declare a Construction Project Exempt from the Preparation of an Environmental Assessment.

	The General Appropriations Act of 2021, the General Improvements Act of 2019 as amended by the Supplemental Improvements Act of 2020, and other appropriations for which funds have not lapsed, authorize the expenditure of funds for the various projects; Watershed Initiative, Statewide
Exemption Class & Description:	<p>Exemption Classes:</p> <p>EXEMPTION LIST FOR THE DEPARTMENT OF LAND AND NATURAL RESOURCES as approved by the Environmental Council on November 10, 2020</p> <p>General Exemption Type 3: Construction and location of single new, small facilities or structures PART 2 1. 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 fences around or to manage rare, threatened, or endangered plants. Fences shall contain step-overs or other features that permit pedestrian access for cultural and recreational use.</p> <p>General Exemption Type 4: Minor alterations in the conditions of the land, water, or vegetation PART 1 7. Minor ground adjustments (e.g., grading, grubbing, cutting, clearing, or filling) that do not require grading permits.</p>
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.

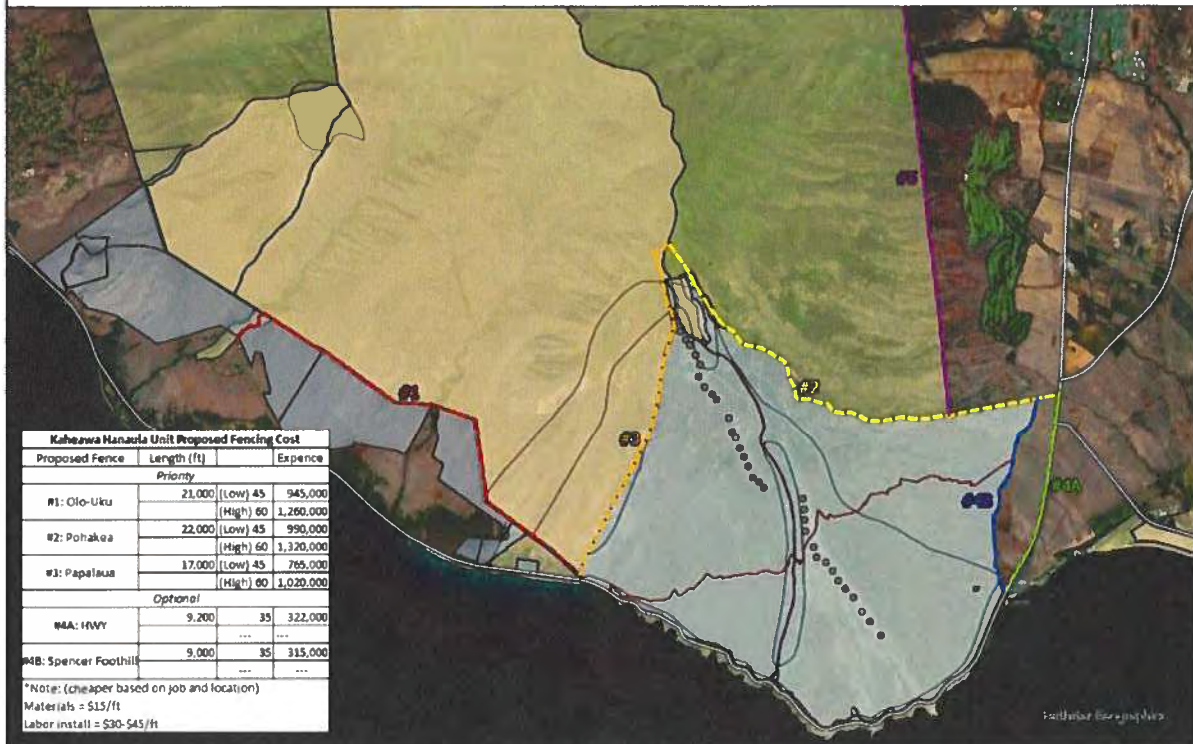
g *Suzanne D. Case*

Sep 15, 2022

Suzanne D. Case, Chairperson
Board of Land and Natural Resources

Date

Kaheawa/Hanalei Unit Proposed Fencing



● Wind Turbine	State Land	Proposed Fence 1	Proposed Fence 4A
State Road	Conservation District Zones	Proposed Fence 3	Proposed Fence 4B
Forest Reserve	Trail	Proposed Fence 2	Proposed Fence 5

0 3 0 6 11 17 22 Miles





STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

EXEMPTION NOTICE

Regarding the preparation of an environmental assessment under the authority of
Chapter 343, HRS and Section 11-200.1-17, HAR

Project Title:	Wailaulau East Watershed Fencing Project
Project Location:	Maui (2) 1-8-001:005
Chapter 343 Trigger(s):	Use of State Funds and Lands
Project Description:	<p>The main objective of this project is to protect and preserve irreplaceable rare and endangered plants and animals and watershed function.</p> <p>Ungulate fences are proposed to be constructed to protect upland watershed areas. Step-overs and gates will be included to continue to allow public access into the fenced areas.</p> <p>This project may be funded by Federal sources.</p>
Consulted Parties:	Board of Land and Natural Resources; The Nature Conservancy
Authorization:	<p>July 9, 2021 Land Board submittal (L-1). Delegation of Authority to the Chairperson to (2) Declare a Construction Project Exempt from the Preparation of an Environmental Assessment.</p> <p>The General Appropriations Act of 2021, the General Improvements Act of 2019 as amended by the Supplemental Improvements Act of 2020, and other appropriations for which funds have not lapsed, authorize the expenditure of funds for the various projects; Watershed Initiative, Statewide</p>
Exemption Class & Description:	<p>Exemption Classes:</p> <p>EXEMPTION LIST FOR THE DEPARTMENT OF LAND AND NATURAL RESOURCES as approved by the Environmental Council on November 10, 2020</p> <p>General Exemption Type 3: Construction and location of single new, small facilities or structures</p> <p>PART 2 1. Natural resource management actions that the Department declares are designed specifically to monitor, conserve, or enhance</p>

	<p>the status of native species or native species' habitats, such as fences around or to manage rare, threatened, or endangered plants. Fences shall contain step-overs or other features that permit pedestrian access for cultural and recreational use.</p> <p>General Exemption Type 4: Minor alterations in the conditions of the land, water, or vegetation</p> <p>PART 1 7. Minor ground adjustments (e.g., grading, grubbing, cutting, clearing, or filling) that do not require grading permits.</p>
Determination:	<p>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.</p>

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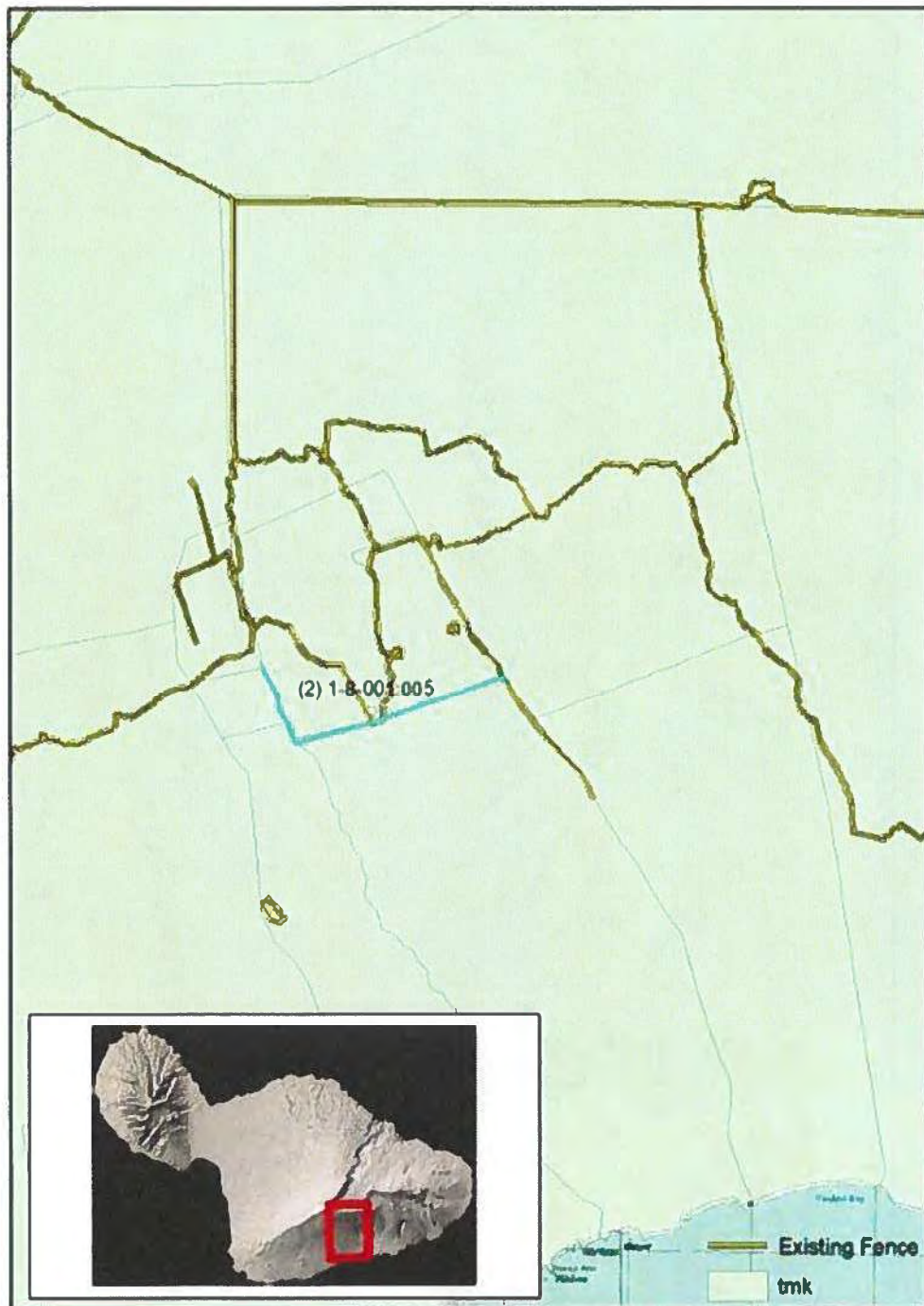
Suzanne D. Case

Sep 15, 2022

Suzanne D. Case, Chairperson
Board of Land and Natural Resources

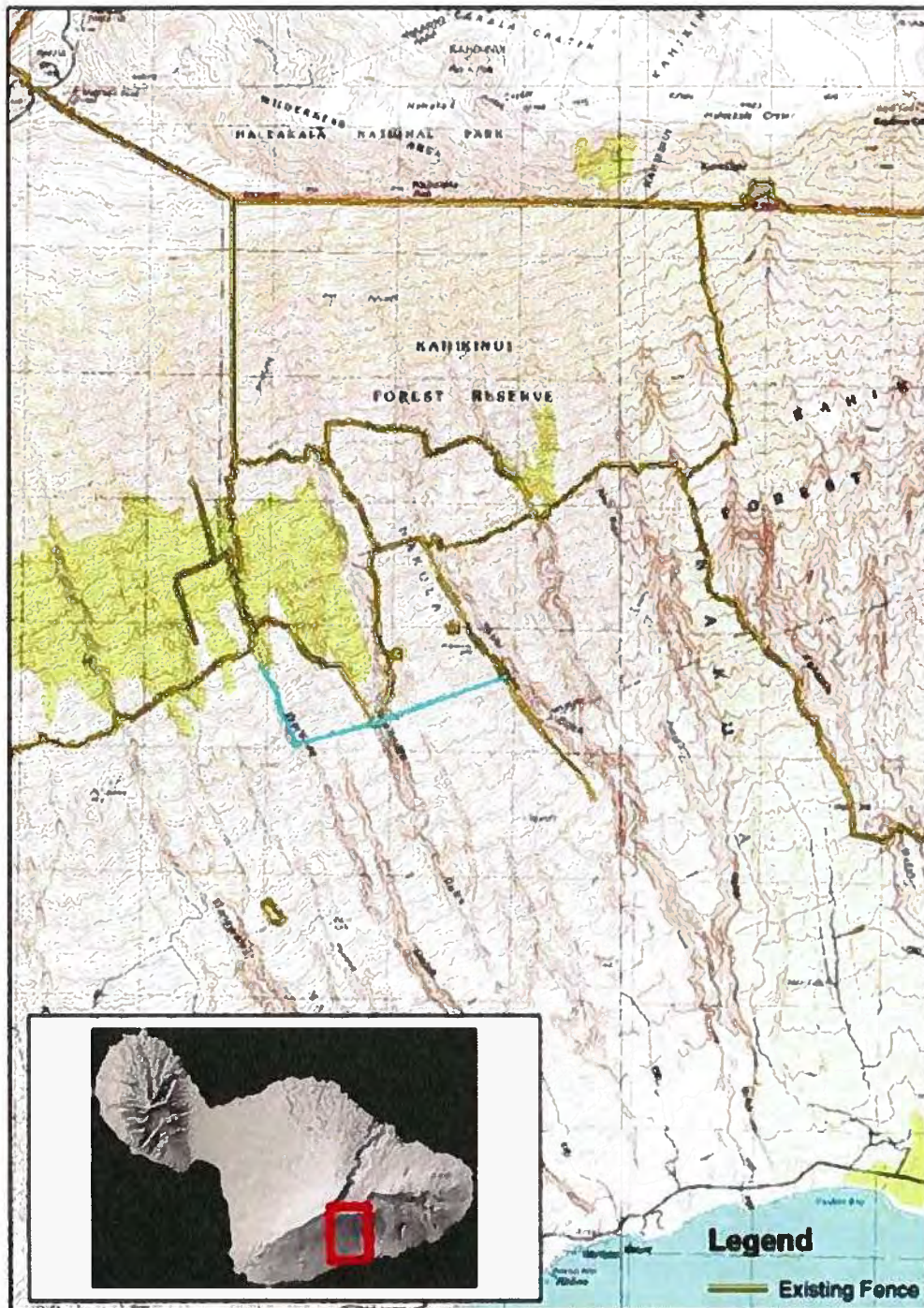
Date

— Proposed Wailaulau Fence



Fencelines approximate and subject to change. June 2022. (808) 587-4170

Proposed Wailaulau Fence



Fencelines approximate and subject to change. June 2022 (808) 587-4170