

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

December 12, 2025

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

Land Board Members:

SUBJECT: REQUEST APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE DIVISION OF FORESTRY AND WILDLIFE AND THE HAWAII WILDLIFE FUND FOR ECOSYSTEM PROTECTION AND MANAGEMENT IN THE KA'Ū FOREST RESERVE (KAMILO SECTION), HAWAII, TAX MAP KEY: (3) 9-5-006:010

REQUEST APPROVAL OF DECLARATION OF EXEMPTION FROM CHAPTER 343, HRS ENVIRONMENTAL COMPLIANCE REQUIREMENTS FOR THE PROJECT

REQUEST A DELEGATION OF AUTHORITY TO THE CHAIRPERSON TO NEGOTIATE, APPROVE, AND EXECUTE A MEMORANDUM OF UNDERSTANDING, RIGHT-OF-ENTRY, AND RELEASE OF LIABILITY AGREEMENTS, FOR HAWAII WILDLIFE FUND FOR ECOSYSTEM PROTECTION MANAGEMENT IN THE KA'Ū FOREST RESERVE (KAMILO SECTION), HAWAII, TAX MAP KEY: (3) 9-5-006:010

SUMMARY:

This Board Submittal requests approval of a Memorandum of Understanding (MOU) between the Division of Forestry and Wildlife (DOFAW) and Hawaii Wildlife Fund (HWF), a Domestic Nonprofit Corporation, for managing the Kamilo Section in the Ka'ū Forest Reserve (see map in Exhibit A). The Division also requests approval of a declaration of exemption from Chapter 343, HRS, environmental compliance requirements, and delegation of authority to the Chairperson to negotiate, approve, and execute future MOUs, Right-Of-Entries (ROEs), and/or Release of Liability Agreements, as appropriate, with the HWF related to this project.

TERM OF MEMORANDUM OF UNDERSTANDING:

The term of the MOU shall be twenty-five years.

CONSIDERATION: Gratis.

BACKGROUND:

Since 2003, HWF has actively worked to remove plastic pollution—over 350 tons of marine debris to date—and invasive species, including plants and tilapia, from anchialine habitats (anchialine pools are enclosed water bodies with an underground connection to the ocean). They have also engaged local community members in the Kamilo Section, specifically the Wai‘ōhinu Coastal Strand. HWF played a key role in adding the Kamilo Section to the Ka‘ū Forest Reserve by funding boundary surveys needed to subdivide the parcel in 2006 and by rezoning the coastal area to conservation land use in 2007. The Kamilo Section was officially incorporated into the Reserve in 2013.

In 2020, HWF joined the Hawai‘i Island Seed Bank and helped save over a dozen coastal strand seed species. In 2022, HWF started outplanting native loulu palms (*Pritchardia maideniana*) and began collaborating with the Hawai‘i Plant Extinction Prevention Program (PEPP) and DOFAW staff to fence two additional native plant enclosures containing ‘ōhai (*Sesbania tomentosa*). HWF’s longstanding partnerships with local community groups and agencies aim to ensure the success of their conservation efforts within the Reserve, which include, but are not limited to: DLNR DAR, DLNR DOFAW, Hawai‘i PEPP, Big Island Invasive Species Committee (BIISC), Ka ‘Ohana O Honu‘apo, The Nature Conservancy (Ka‘ū Forest team staff), Imi Pono No Ka ‘Aina/Three Mountain Alliance, UH Hilo - Marine Science Department and the Tropical Conservation and Environmental Science Masters Program, Hawai‘i Pacific University’s Center for Marine Debris Research, Ka‘ū High School, Na‘alehu Elementary School, Hawai‘i Preparatory Academy, Men of Pa‘a, Give Foundation, and Recycle Hawai‘i.

DISCUSSION:

DOFAW is interested in a Memorandum of Understanding with HWF for a twenty-five-year term to manage this area. An MOU would strengthen the long-term partnership between DOFAW and HWF to carry out management plans for the area.

This MOU will not be exclusive, as other community organizations are also interested in implementing management plans for this large area in a complementary way.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

In accordance with the requirements of Chapter 343, HRS, and Hawai‘i Administrative Rule Section 11-200-8(6), the Exemption List for the Department of Land and Natural Resources (DLNR), as reviewed and approved by the Environmental Council on November 10, 2020, confirms that the subject project is exempt from preparing an environmental assessment under the applicable exemption classes.

From the DLNR November 10, 2020, Exemption List:

General Exemption Type 1, Part 1, #4. *"Operation, repair, and maintenance of existing structures and facilities, including baseyards, offices, cabins, sheds, and fencing."*

General Exemption Type 3, 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 allow pedestrian access for cultural and recreational use."*

General Exemption Type 4, Part 1, #3. *"Removal of invasive vegetation using cutting, mowing, application of federally and state-approved herbicides in accordance with label instructions, distribution of biocontrol agents already approved and permitted by the State of Hawai'i, and other approved methods;"* and #9 *"Control of pests using federally and state-approved pesticides, herbicides, fungicides, and toxicants in accordance with label instructions; traps, snares, lures, and repellents; and other approved methods."*

RECOMMENDATIONS:

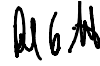
That the Board:

1. Approve the entry into a Memorandum of Understanding between the State of Hawai'i DOFAW and HWF for management in the Ka'ū Forest Reserve (Kamilo Section), Hawai'i, Tax Map Key: (3) 9-5-006:010.
2. Declare that, after reviewing the potential effects of the proposed dispositions outlined in Chapter 343, HRS, and Chapter 11-200, HAR, this project is likely to have minimal or no significant impact on the environment and is therefore exempt from the requirement to prepare an environmental assessment.
3. Delegate to the Chairperson the authority to negotiate, approve, and execute periodic MOU, ROE, and Release of Liability Agreements, as appropriate, between the State of Hawai'i DOFAW and HWF for management in the Ka'ū Forest Reserve (Kamilo Section), further subject to the following:
 - a. Review and approve as to form by the Department of the Attorney General; and
 - b. Such additional terms and conditions as the Chairperson may set to best serve the interests of the State.

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REQUEST APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE
DIVISION OF FORESTRY AND WILDLIFE AND THE HAWAII WILDLIFE FUND

Respectfully submitted,



DAVID G. SMITH
Administrator

APPROVED FOR SUBMITTAL:



DAWN N.S. CHANG, Chairperson
Board of Land and Natural Resources

Attachment: Exhibit A: Map of Ka'ū Forest Reserve, Kamilo Section
TMK: (3) 9-5-006:010

Exhibit A: Map of Ka'ū Forest Reserve, Kamilo Section, TMK: (3) 9-5-006:010

