

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

October 23, 2009

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

Land Board Members:

SUBJECT: REQUEST FOR BOARD ACTION TO ESTABLISH THE LAUPAHOEHOE ADVISORY COUNCIL TO PROVIDE THE DIVISION OF FORESTRY AND WILDLIFE AND THE UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE GUIDANCE AND CONSULTATION RELATING TO MANAGEMENT, RESEARCH AND OTHER ACTIVITIES IN THE LAUPAHOEHOE UNIT OF THE HAWAII EXPERIMENTAL TROPICAL FOREST, LAUPAHOEHOE NATURAL AREA RESERVE AND LAUPAHOEHOE SECTION OF HILO FOREST RESERVE, NORTH HILO, HAWAII.

Background: In 1992, Congress enacted the Hawaii Tropical Forest Recovery Act (Pub. L. 102-574). That enactment added section 606(b) to the International Forestry Cooperation Act of 1990 providing that, at the request of the Governor of Hawaii, the Secretary of Agriculture shall establish and administer in the State of Hawaii a Hawaii Experimental Tropical Forest (HETF) to be managed for the purposes outlined in the Hawaii Tropical Forest Recovery Act. On March 6, 2006, Governor Linda Lingle requested the establishment of two units of an experimental tropical forest on State managed lands at Laupahoehoe, North Hilo, and Puu Waawaa, North Kona, island of Hawaii.

At its meeting of December 8, 2006, item C-5, the Board of Land and Natural Resources approved a Cooperative Agreement between the Department and the United States Department of Agriculture Forest Service (USFS) that framed the conduct of cooperative research activities on the two units. Notice of establishment of the HETF was published in the Federal Register on March 23, 2007 (Vol. 72, No. 56).

The terms of the Cooperative Agreement that established the HETF included:

“A commitment to consult with scientists, managers, general citizens, and local community members concerning ongoing research activities. Existing State sanctioned advisory councils may be utilized for this purpose. This will include the Puu Waawaa Advisory Council and community members from Laupahoehoe.”

Discussion: The HETF Laupahoehoe Unit (Exhibit A) includes components of the Natural Area Reserve and Forest Reserve Systems, which are managed by the Department's Division of Forestry and Wildlife (DOFAW). As a means to consistently manage both units of the HETF as a whole, Board action is requested to establish a Laupahoehoe Advisory Council (LAC) to provide DOFAW and the USFS guidance and consultation relating to management, research and other activities in the HETF Laupahoehoe Unit. The LAC will not be a decision making body and shall act solely in an advisory capacity to DOFAW and the USFS. A primary objective of the LAC would be to actively participate in the development of a management plan for the HETF Laupahoehoe Unit and other activities on these lands, and to counsel and assist in the implementation of this plan.

Staff proposes that the LAC be comprised of 10-14 members that collectively provide the expertise necessary for effective management and research guidance to DOFAW and the USFS relating to the HETF Laupahoehoe Unit. Areas of representation or expertise shall include scientific research, cultural and historical resources, natural resource management, hunting, recreation and public access, education, and additional community members at large. Staff proposes that members of the Advisory Council be chosen and approved by the Chairperson of the Department of Land and Natural Resources through an application process developed by the HETF Working Group (DOFAW and USFS staff). By-laws, governance structure, and procedures would subsequently be developed through a coordinated effort by the HETF Working Group, DOFAW staff and the LAC.

RECOMMENDATION:

That the Board of Land and Natural Resources:

1. Approve the establishment of a Laupahoehoe Advisory Council under the terms and conditions described above to provide DOFAW and the USFS guidance and consultation relating to management, research and other activities in the Hawaii Experimental Tropical Forest Laupahoehoe Unit, subject to the following terms and conditions:
 - a. The LAC will not be a decision making body and shall act solely in an advisory capacity to DOFAW and the USFS;
 - b. DOFAW shall administer this advisory council;
 - b. Nominations will be solicited from the public for the advisory council and members will be chosen and approved by the Chairperson for two-year terms;

- c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State; and
- d. Review and approval by the Department of the Attorney General.

Respectfully submitted,



PAUL J. CONRY
Administrator

Exhibit A – HETF Laupahoehoe Unit

APPROVED FOR SUBMITTAL:



LAURA H. THIELEN, Chairperson
Board of Land and Natural Resources

Exhibit A: Hawaii Experimental Tropical Forest, Laupahoehoe Unit

