

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

October 28, 2010

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

PSF No.: 10od-099

OAHU

Issuance of Revocable Permit to U.S. Army for Conservation and Stabilization Efforts for Endangered Plant and Animal Species Purposes; Lualualei, Waianae and Honouliuli, Ewa, Oahu, Tax Map Key: (1) 8-8-001:010, and (1) 9-2-005:025.

APPLICANT:

U.S. Army c/o Director of Public Works, Environmental Division

LEGAL REFERENCE:

Sections 171-13 and -55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of situated at Honouliuli, Ewa, Oahu, identified by Tax Map Key: (1) 8-8-001:010, and (1) 9-2-005:025 as shown on the attached map labeled Exhibit A1 to A2.

AREA:

(1) 8-8-001:010	696.000 acres
(1) 9-2-005:025	<u>3,592.783 acres</u>
	4,288.783 acres, more or less

ZONING:

State Land Use District: Conservation  
City and County of Honolulu LUO: P-1

TRUST LAND STATUS:

(1) 8-8-001:010      Ceded (PL 88-233)  
(1) 9-2-005:025      Non-ceded; Acquired after Statehood

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Vacant and unencumbered

CHARACTER OF USE:

Conservation and Stabilization Efforts for Endangered Plant and Animal Species purposes.

COMMENCEMENT DATE:

The first day of the month to be determined by the Chairperson.

MONTHLY RENTAL:

Gratis

COLLATERAL SECURITY DEPOSIT:

Not applicable.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

The finding of no significant impact (FONSI) for the Makua Implementation Plan was published in the OEQC's Environmental Notice on June 8, 2006.

DCCA VERIFICATION:

Not applicable. Government Agency.

REMARKS:

(1) 8-8-001:010 was at one time a portion of the Lualualei Forest Reserve mentioned in the Governor's Proclamation dated February 3, 1930. By Governor's Executive Order No. 388, the subject area was withdrawn and re-set aside to the federal government for a naval reservation site for ammunition depot. In 1995, the federal government declared the site was surplus to its needs and returned the land to the State. Since 1995, the land was

unencumbered.

On February 11, 2010, under agenda item D-16, the Board authorized the acquisition of (1) 9-2-005:025 for the purpose of addition into Honouliuli Forest Reserve. The conveyance was completed in March 2010. Request for setting aside the land to the Division of Forestry and Wildlife (DOFAW) will be submitted to the Board at a later date.

In the 2010 submittal, staff mentioned that the US Army Environmental Command is required under the Oahu and Makua Implementation Plans promulgated under the federal Endangered Species Act to manage endangered or threatened species on the property. Since the setting aside the property to DOFAW is not finalized and the US Army wants to continue its activities on the property, US Army requests a revocable permit for its activities.

The US Army proposes to use the parcels to conduct conservation and stabilization efforts for endangered plant and animal species potentially impacted by military training on Oahu. Specific management actions include surveying; monitoring, specimen collection; reintroduction; rodenticide application; weed control; herbicide application; invasive snail, reptile, and bird removal; ungulate control; construction of ungulate control fences, helicopter drop zones and landing zones, snail exclosures, campsites, water catchments, and weather stations.

The revocable permit shall be terminated upon the issuance of executive order of the subject lands to DOFAW. Staff understands that DOFAW is working on the set aside process, including conducting public hearing.

DOFAW has no objection to the request, and staff did not solicit comments from other agencies since similar process was conducted during the environment assessment stage.

Staff understands that volunteers will be on the property to assist the US Army conducting its activities, and they will be required to sign a waiver of liability. It is recommended that the US Army shall provide copies of signed waiver form from the volunteers to DOFAW for record purpose.

RECOMMENDATION: That the Board:

Authorize the issuance of a revocable permit to U.S. Army covering the subject area for conservation and stabilization efforts for endangered plant and animal species purposes 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 revocable permit form, as may be amended from time to time;

- b. The Permittee shall provide copies of waiver form signed by the volunteers who will be on the property to the Division of Forestry and Wildlife;
- c. The permit shall be terminated upon issuance of the Governor's Executive Order setting aside the subject lands to the Division of Forestry and Wildlife;
- d. Review and approval by the Department of the Attorney General; and
- e. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



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Barry Cheung  
District Land Agent

APPROVED FOR SUBMITTAL:

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Laura H. Thielen, Chairperson

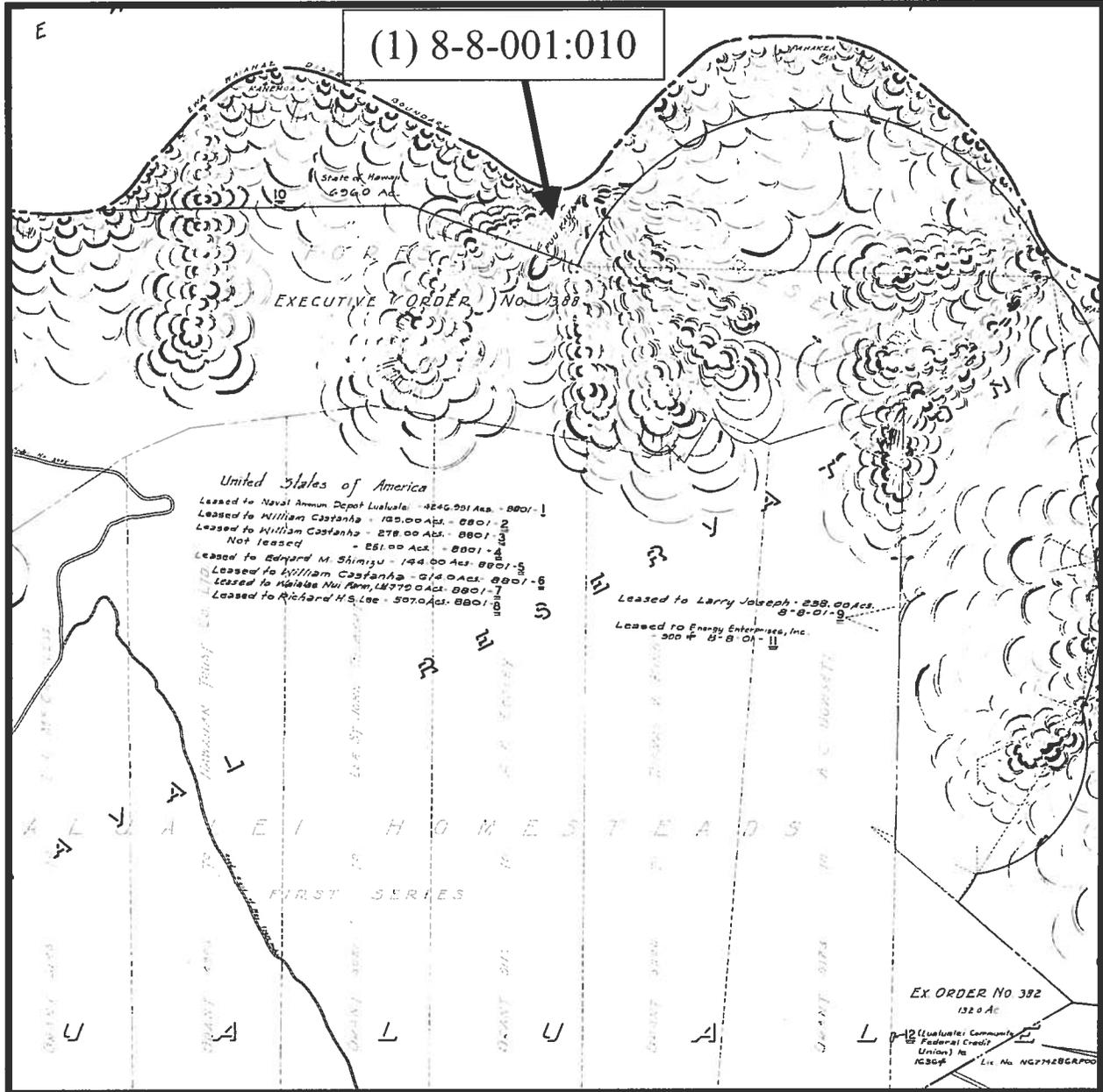


EXHIBIT A1

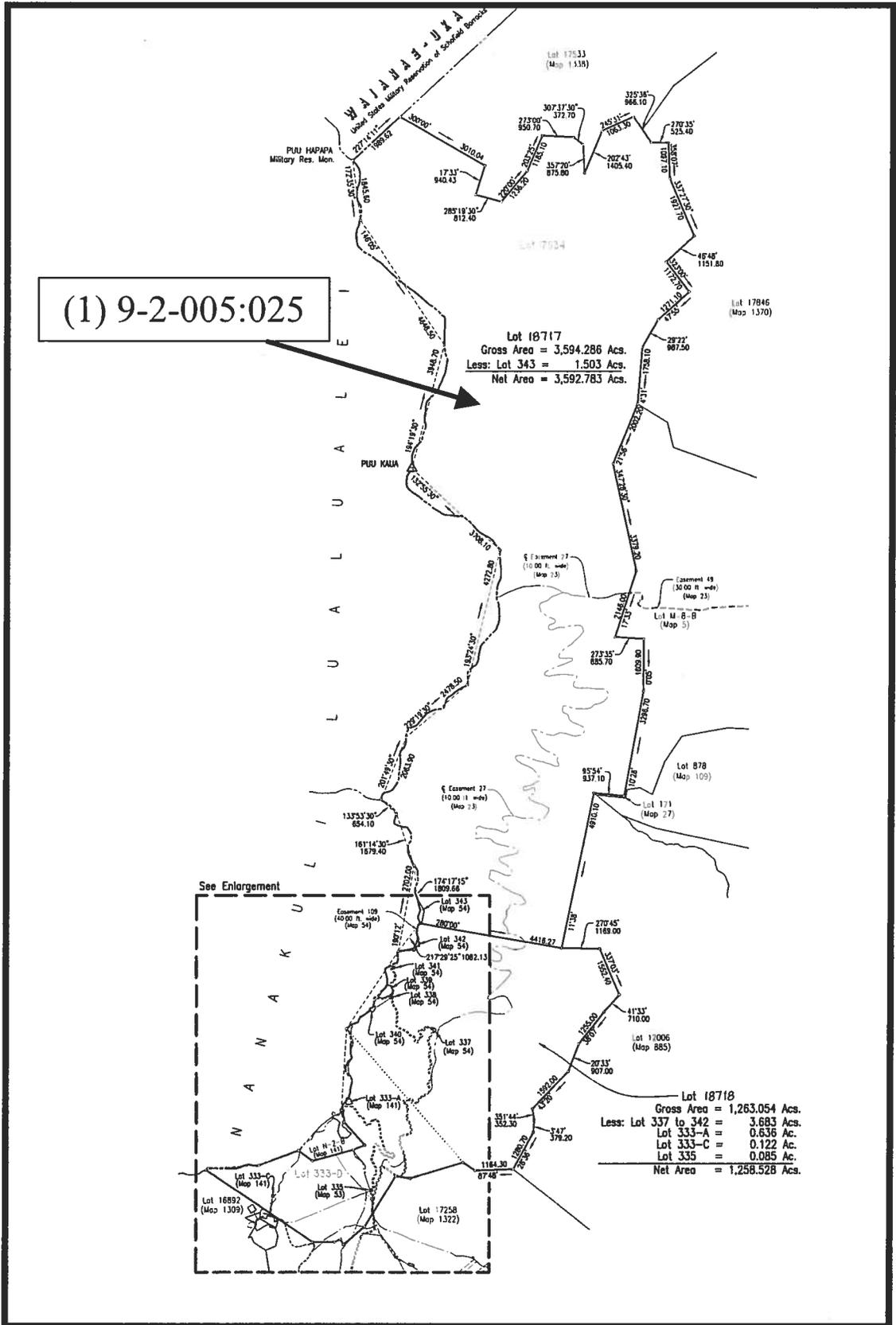


EXHIBIT A2