

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

December 9, 2010

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

PSF No.:08HD-071

HAWAII

Extension of Approval in Principle of Direct Lease to United States of America, Department of Agriculture for Research, Educational and Housing Facilities Purposes at Laupahoehoe, Hawaii, Tax Map Key: (3) 3-6-6:portion of 46

**BACKGROUND:**

The Land Board at its meeting of April 25, 2008, under agenda Item D-9, granted approval in principle of a lease to the United States of America, Department of Agriculture to comply with Chapter 343, Hawaii Revised Statutes, as amended. One of the conditions placed by the Land Board was that should the United States of America, Department of Agriculture fail to obtain satisfactory compliance with Chapter 343, Hawaii Revised Statutes, as amended, within twelve (12) months, the Land Board's approval shall be rescinded.

The Land Board at its meeting of April 24, 2009, under agenda Item D-2, granted the United States of America, Department of Agriculture until December 31, 2009 to obtain satisfactory compliance with Chapter 343, Hawaii Revised Statutes, as amended and complete the subdivision of the 20-acre parcel. By letter dated April 13, 2009, Mr. J. Boone Kauffman, PhD, Research Biologist and Institute Director respectfully requested additional time to complete the Chapter 343, NEPA compliance, and County of Hawaii subdivision process.

The Land Board at its meeting of January 8, 2010, under agenda Item D-10, granted the United States of America, Department of Agriculture until December 31, 2010 to obtain satisfactory compliance with Chapter 343, Hawaii Revised Statutes, as amended and complete the subdivision of the 20-acre parcel. By letter dated December 17, 2009, Ms. Deanna J. Stouder, Pacific Southwest Research Station Director requested additional time to complete and process a revised environmental assessment including amended resource specialists reports, evaluation and response to public comments, publication of decision notices, communication with the County, completed reviews, and preparation of a presentation to the Land Board. The Forest Service has obtained an option to purchase property in Laupahoehoe near the forest reserve which would make housing, meeting space and education settings available in the very near future at an affordable cost. The State's 20 acre

parcel is still needed because some facilities must be located near the entrance to the forest. The current plan is to develop both locations, placing the vehicle cleaning station (to prevent entrance of invasive species), a shelter with restrooms and storage, and parking on the State's 20 acres. Existing buildings on the land to be purchased by the Forest Service would be occupied and new buildings would be constructed on that land, completing all structures required for research and education. The new plan would require a revised environmental assessment.

Recently, by letter dated November 24, 2010, Ms. Deanna J. Stouder, Station Director is requesting additional time to complete a revised draft environmental assessment including evaluation and response to public comments, publication of decision notices, completion of a road agreement with the County of Hawaii, etc. (See Exhibit B). Staff has no objections to the request.

Staff discussed this request with the Division of Forestry & Wildlife (DOFAW). The Land Board at its meeting of March 28, 2008 and August 28, 2009 approved to recommend to the Governor the 110 acres (20 acres to USA DOA and 80 acres to Jose's) be set aside to DOFAW for addition to Hilo Forest Reserve. This has not been completed. Since this is the third request for an extension and the problems are not easy to overcome, staff is recommending the extension should be to December 31, 2012. Two (2) years. DOFAW has no objections. This would provide a substantial cushion for the Institute of Pacific Islands Forestry should other unforeseen delays pop up.

RECOMMENDATION: That the Board:

1. Grant United States of America, Department of Agriculture until December 31, 2012 to obtain satisfactory compliance with Chapter 343, Hawaii Revised Statutes, as amended and complete the subdivision of the 20-acre parcel.
2. All terms and conditions listed in its April 25, 2008, April 24, 2009, and January 8, 2010 approval to remain the same.

Respectfully Submitted,



Charlene E. Unoki  
Assistant Administrator

APPROVED FOR SUBMITTAL:

  

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Laura H. Thielen, Chairperson



United States  
Department of  
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Date: November 24, 2010

Ms. Charlene E. Unoki  
Assistant Administrator, Land Division  
Department of Land and Natural Resources  
P.O. Box 621  
Honolulu, HI 96809

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LAND DIVISION  
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NATURAL RESOURCES  
STATE OF HAWAII

Subject: Request for Extension of Deadline to Complete Lease Requirements for  
20 Acre Site at Laupahoehoe, Hawaii, Tax Map Key: (3) 3-6-6: Portion of 46

Ref. No.: 08HD-071

Dear Ms. Charlene E. Unoki:

The Forest Service originally requested to lease a 20 acre parcel adjacent to the Laupahoehoe Natural Area Reserve (NAR) boundary for the purpose of developing an administrative and educational site (see attached aerial map). During the course of project scoping, it was determined there was private land available for sale in the area with existing structures that would provide facilities for some of the functions originally planned for the 20 acre leased site.

We just completed the purchase of three adjacent properties on Spencer Road totaling 55 acres with several structures that will be used for office, educational space, a caretaker's quarters and space for eventual construction of one or two bunkhouses. The purchase of these properties reduced the need for facilities at the leased site to a small parking area, restroom facility, a covered open-sided educational structure, storage building and an invasive species wash station.

During project scoping, we determined the planned access route using the existing Manowaiopae Road has a "Road in Limbo" status. Several issues were identified that would make it difficult for the Forest Service to invest federal funds in necessary road improvements. Issues include a 5-ton load limit on the County bridge crossing Kapili Stream, a low water crossing that is dangerous under storm flows, and several corners that need to be widened for sight distance across private property. In order to improve the road, the Forest Service would need to acquire additional right-of-way (R/W) across private property which may have required condemnation.

With the acquisition of the administrative site on Spencer Road, the Forest Service began looking for alternate routes that would be a more direct route to the 20 acre lease site and the Laupahoehoe unit of the Hawaii Experimental Tropical Forest (HETF) that would eliminate some of the issues associated with the Manowaiopae Road. We identified a route that will utilize an existing 50 feet wide County R/W extending from Spencer Road, 3300 feet west to the Kamehameha School (KS) property line and then 1800 feet on KS, tying into an existing



road system on KS land (see attached aerial map). This route is supported by the County, local adjacent land owners and has been approved by KS.

We are currently negotiating with the County on a cooperative road construction agreement for the segment on County R/W. The plan is for the County to take the lead on construction with the Forest Service contributing a portion of the funding. The Forest Service will contract out the construction and road reconstruction on KS land to the leased site and through the leased site on State land to the Laupahoehoe unit of the HETF.

County planning officials indicate the subdivision will be approved with the variances as submitted but are delaying formal approval until the road access route is firm. The boundary of the 20 acres required by County zoning will remain the same with the reduced facilities occupying a smaller footprint within the 20 acres. The Forest Service is currently working on the environmental assessment for all infrastructure development including road access with an anticipated decision notice expected by June 2011. We are hopeful that construction can be accomplished during the dry summer months with completion by November 2011.

An extension was previously granted to complete the stipulations outlined in the Approval in Principle of Direct Lease from the original due date of April 28, 2009 to December 31, 2010.

Due to the circumstances outlined in this letter and based on the projected timeline with the County, I respectfully request an extension of the deadline to finalize the lease with the State until December 31, 2011.

This extension will allow us time to complete a revised draft environmental assessment including evaluation and response to public comments, publication of decision notices, completion of a road agreement with the County, complete reviews, and presentation to the Board. In the event road construction is delayed due to contracting or weather constraints, our intent is to proceed with the finalization of the lease by December 31, 2011.

I appreciate your cooperation and understanding in allowing us to take additional time to work through the process to develop this unique research and educational facility. I look forward to a long and fruitful relationship with the Laupahoehoe community, the County of Hawaii, and the State Department of Natural Resources.

If you have any questions or concerns, please don't hesitate to contact Jerry Carlson, our project engineer at 703-605-4179 or email [jwcarlson@fs.fed.us](mailto:jwcarlson@fs.fed.us), or contact me at 510-559-6310 or email [djstouder@fs.fed.us](mailto:djstouder@fs.fed.us). Thank you for your consideration in this matter.

Sincerely,

Handwritten signature in blue ink that reads "Hao Tran, for".

DEANNA J. STOUDE  
Station Director

cc: Roger Imoto, William Yamanoha, Jerry W. Carlson, Melissa K. Dean

