

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

February 14, 2025

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

OAHU

Issuance of Right-of-Entry Permit to Department of Agriculture, Plant Quarantine Branch, for Access for Little Fire Ant Survey and Associated Mitigation Measures Purposes; Waimanalo, Koolaupoko, Oahu, Tax Map Key (1) 4-1-010:001.

APPLICANT:

Department of Agriculture, Plant Quarantine Branch.

LEGAL REFERENCE:

Section 171-55 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:

Portion of Government land situated at Waimanalo, Koolaupoko, Oahu, identified by Tax Map Key: (1) 4-1-010:001, as shown on **Exhibit A**.

AREA:

(1) 4-1-010:001 – 47.879 acres.

ZONING:

State Land Use District: Agriculture  
City and County of Honolulu LUO: AG-1

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act  
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Portions of the subject parcel are encumbered by the following Governor's Executive Order (EO):

- A. No. 1651 setting aside to the Department of Agriculture (DOA) for addition to Maunawili Reservoir site (6.441 acres);
- B. No. 2642 setting aside to the City and County of Honolulu for water pipeline easements (42,074 square feet); and
- C. No. 3709 setting aside to the City and County of Honolulu for water pipeline purposes (7,782 square feet).

Upon checking the EOs mentioned above, staff notes they pertain to non-exclusive water pipelines easements<sup>1</sup> over discrete portions of the subject parcels, which have an area of approximately 48 acres each, and the remaining portions of the parcels are unencumbered.

CHARACTER OF USE:

Access for Little Fire Ant Survey and Associated Mitigation Measures Purposes.

RIGHT-OF-ENTRY TERM:

One year upon acceptance of terms and conditions, or completion of the project, whichever is the earlier.

COMMENCEMENT DATE:

To be determined by the Chairperson.

CONSIDERATION:

Government agency. Gratis.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Section 11-200.1-15 and -16, Hawaii Administrative Rules (HAR), 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, which states, "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 No. 44* that states "Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing".

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<sup>1</sup> The square footage for the easements under the executive orders is not available. They are shown on the tax maps.

General Exemption Type 4, which states “Minor alterations in the conditions of land, water, or vegetation”, *Part 1, Item No. 3* that states “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”, and *Part 1, Item No. 9* that states “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”.

The subject request is a de minimis action that will probably have minimal or no significant effect on the environmental and should be declared exempt from the preparation of an environmental assessment and the requirements of Section 11-200.1-17, HAR, as a de minimis action.

DCCA VERIFICATION:

Government agency. Not applicable.

REMARKS:

Department of Agriculture, Plant Quarantine Branch (DOA), has been actively conducting Little Fire Ant (LFA) surveys and providing treatment assistance to both nurseries and private residences. Several of the active sites are located along Kakaina Street in Waimanalo, where a stream running through many properties, including the subject State parcel, has been identified as a pathway for the spread of LFA in the area.

The requested parcel is a high priority for DOA as it is adjacent to a known LFA population and sits at the top of the stream feeding into other properties in Waimanalo. Addressing the LFA presence at this location is critical to controlling their spread and making meaningful progress toward eradication in the community. DOA will not be altering the property in any way.

For the Board’s reference, the requested State parcel is also the targeted area for the coqui frog control and reforestation purposes to be performed by the Division of Forestry and Wildlife. The Board approved the issuance of a right-of-entry permit to DOFAW on December 13, 2024.

Applicant has not had a lease, permit, easement, or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions. There are no other pertinent issues or concerns. Staff recommends the issuance of the requested right-of-entry for the purpose stated above.

RECOMMENDATION: That the Board:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1-15 and -16, HAR, this project will probably have minimal or no significant effect 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 Agriculture, Plant Quarantine Branch for access for little fire ant survey and associated mitigation measures 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. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State; and
  
  - C. The Chairperson may extend the right of entry permit for good cause.

Respectfully Submitted,

*Barry Cheung*

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Barry Cheung  
District Land Agent

APPROVED FOR SUBMITTAL:



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Dawn N. S. Chang, Chairperson

*KEM RT*

