

**Agenda Item 2: FISCAL YEAR 2025 APPLICATIONS FOR GRANTS
FROM THE LAND CONSERVATION FUND (LAND ACQUISITION)
PRESENTATION OF PERMITTED INTERACTION GROUP REPORTS**

ITEM	APPLICANT	TITLE	DISTRICT ISLAND
2.A.	Hawaiian Kingdom Foundation	Haneo’o Fishpond Complex	Hāna Maui
Group (leader in bold): Jay Penniman , Beryl Blaich, Elizabeth Robinson, Kim Falinski			
2.B.	Bella Bond Foundation	Kahalu’u Nature Sanctuary	Ko’olaupoko O’ahu
Group (leader in bold): Alexandra Kelepolo , Kim Falinski, Christiane Lucas, John Sinton			
2.C.	North Shore Community Land Trust	Ke Kīpuka o Kalaeuila (To be distributed at meeting)	Ko’olauloa O’ahu
Group (leader in bold): Christiane Lucas , Alexandra Kelepolo, John Sinton, Kanoë Wilson			
2.D.	DLNR - Division of Forestry and Wildlife	East Maui Coastal Forest	Ko’olau, Hāna Maui
Group (leader in bold): Kim Falinski , Beryl Blaich, Jay Penniman, Elizabeth Robinson			
2.E.	Ho’āla Kealakekua Nui, Inc.	Kōkua Kealakekua	Kona Hawai’i
Group (leader in bold): Elizabeth Robinson , Alexandra Kelepolo, Kanoë Wilson, Beryl Blaich			
2.F.	Makahalanaloa Fishing Association	Kawainui	South Hilo Hawai’i
Group (leader in bold): Kim Falinski , Alexandra Kelepolo, Jay Penniman, Elizabeth Robinson			
2.G.	Ka ‘Ohana O Honu’apo w/ The Nature Conservancy	Makanau / Paukua (aka Hīlea)	Kā’u Hawai’i
Group (leader in bold): Kanoë Wilson , Alexandra Kelepolo, Jay Penniman, Christiane Lucas			

**LEGACY LAND CONSERVATION COMMISSION
PERMITTED INTERACTION GROUP REPORT**

MEETING 87, January 21, 2025, ITEM 2.A.

Group Members: Commissioners: Elizabeth (Beth) Robinson, Beryl Blaich, Kim Falinski, Jay Penniman
Group Leader: Commissioner: Jay Penniman
Group Purpose: Investigate application for a grant from the Land Conservation Fund

Applicant: Hawaiian Kingdom Foundation
Application: Haneo’o Fishpond Complex
Location (District/Island): Hana/Maui
Total acreage: 1.4 acres
Number of parcels: 1
TMKs: Maui County: 140080010000
Acquisition Type: Fee simple

Estimated Land Value (\$)	\$1,600,000*
Estimated Total Project Costs (\$)	\$2,448,399*
Legacy Land Funding Request (\$)	\$1,600,000*
Estimated Matching Funds (%)	%*

*The figures presented in the application are being clarified/reconciled through ongoing communications with Applicant.

Day/Date/Time of Field Visit: 16 December, 2024/~3:00 pm
Host(s) and Affiliation(s): Leo Caires, President, Ua Mau Ke Ea.
Mr. Caires Mother and his (~10 yr old) daughter

Group members present: ALL (Penniman, Robinson, Blaich, Falinski)

Field Visit Summary:

The commissioners arrived at the property and met Mr. Caires and his mother and daughter. The group was introduced to the property by Mr. Caires and walked about the flat coastal property between state land leased to William F. and William G. Jacintho, the 11.2-acre Haneo’o Fishpond, and the ocean. There are fresh water seeps likely flowing beneath the property, on the south side, surfacing on the banks of the adjacent Haneo’o fish pond that is privately owned by Mr. Caires ohana and others. There is a single, apparently unpermitted structure adjacent to the leased state land, unclear exactly how it is used – possibly wood storage. Mr. Caires outlined his family’s long lineal connection with the property. There are “canoe plants on the property; niu (*Cocos nucifera*) & beach heliotrope (*Heliotropium foertherianum*): introduced non-native plants; heliconia (*Heliconia latispatha*), ironwood (*Casuarina equisetifolia*), and introduced grasses/groundcover. The native, indigenous, beach naupaka (*Scaevola sericea*) is present. Adjacent to the property on the north, leased state land is a locally

operated roast chicken venue. Alau islet sits several hundred yards off shore with a thriving seabird colony. Seabirds in distress have been collected on the property and adjacent to it on state land, at Koke Beach.



Mix of one native, several canoe and introduced plants



Naupaka and beach heliotrope, with the grassy edge of the adjacent fishpond property

Application Issues/Questions/Notes:

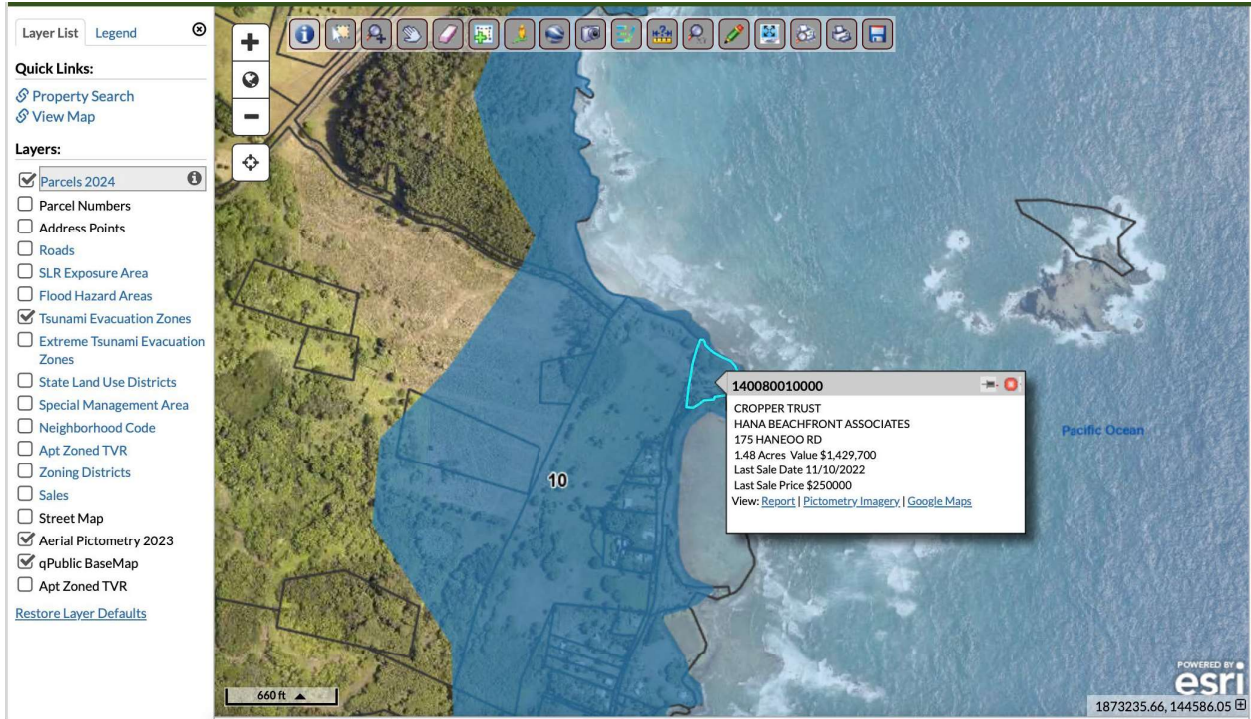
Assessment of Land Acquisition Priorities (Hawaii Revised Statutes § 173A-2.6):

- (1) Lands having exceptional value due to the presence of:
 - (A) Unique aesthetic resources;
 - (B) Unique and valuable cultural or archaeological resources; or
 - (C) Habitats for threatened or endangered species of flora, fauna, or aquatic resources;
- (2) Lands that are in imminent danger of development; - **SMA permit was denied for construction of a residence due in part to community opposition to development and environmentally inappropriate construction site. Seems unlikely that the current land owner can sell for development.**
- (3) Lands that are in imminent danger of being modified, changed, or used in a manner to diminish its value;
- (4) Lands providing critical habitats for threatened or endangered species that are in imminent danger of being harmed or negatively impacted;
- (5) Lands containing cultural or archaeological sites or resources that are in danger of theft or destruction; and
- (6) Lands that are unique and productive agricultural lands.

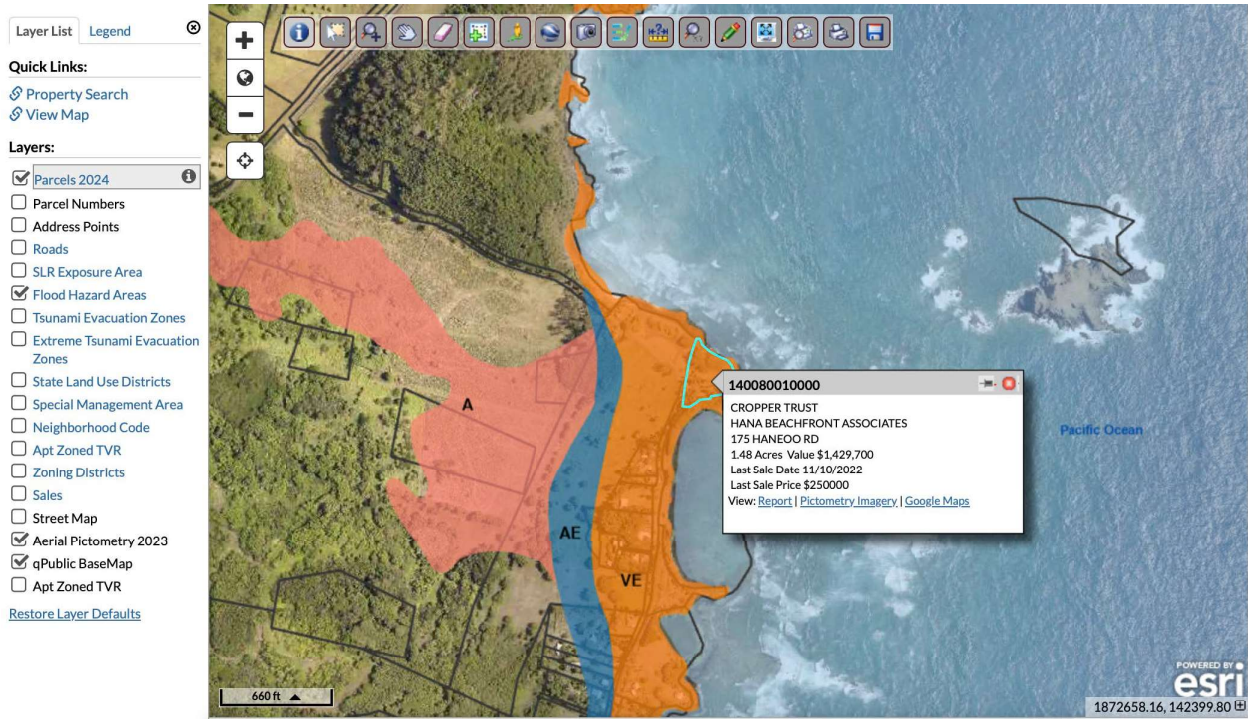
**Assessment of Land Acquisition Criteria
(Hawaii Administrative Rules § 13-140-39):**

- (1) Completeness of the acquisition application; **Incomplete**
- (2) Acquisition of interests or rights in land having value as a resource to the State for the preservation of the following:
 - (A) Watershed protection;
 - (B) **Coastal areas**, beaches, and **ocean access**;
 - (C) Habitat protection;
 - (D) Cultural and historical sites;
 - (E) Recreational and public hunting areas;
 - (F) Parks;
 - (G) Natural areas;
 - (H) Agricultural production; and
 - (I) **Open spaces and scenic resources**;
- (3) Linkage of protected acreage of similar resources;
- (4) **Opportunities for appropriate public access and enjoyment**;
- (5) **Presence of environmental hazards**; - **Not identified in application, Flood zone, tsunami zone, sea level inundation zone.**
- (6) Feasibility of a project within the two-year acquisition timeframe;
- (7) Cost of acquisition; **Current property owner purchased the property three years ago for \$250,000. Previous sale was 29 years ago for \$600,000. How was fair market value determined?**
- (8) Proportion of matching funds being leveraged; **.03% without \$800,000 “land value donation” that does not show up on the balance sheet.**
- (9) Urgency of need to acquire;
- (10) Status and adequacy of management planning; - **none demonstrated**
- (11) Community support for acquisition; - **none documented**
- (12) Completeness of acquisition funding; - **All match is pending. If the land owner is willing to contribute \$800,000 of land value, why does this not show up as reducing the acquisition cost by that amount?**
- (13) Connection to regional planning and protection efforts; and
- (14) Capacity for long-term management.

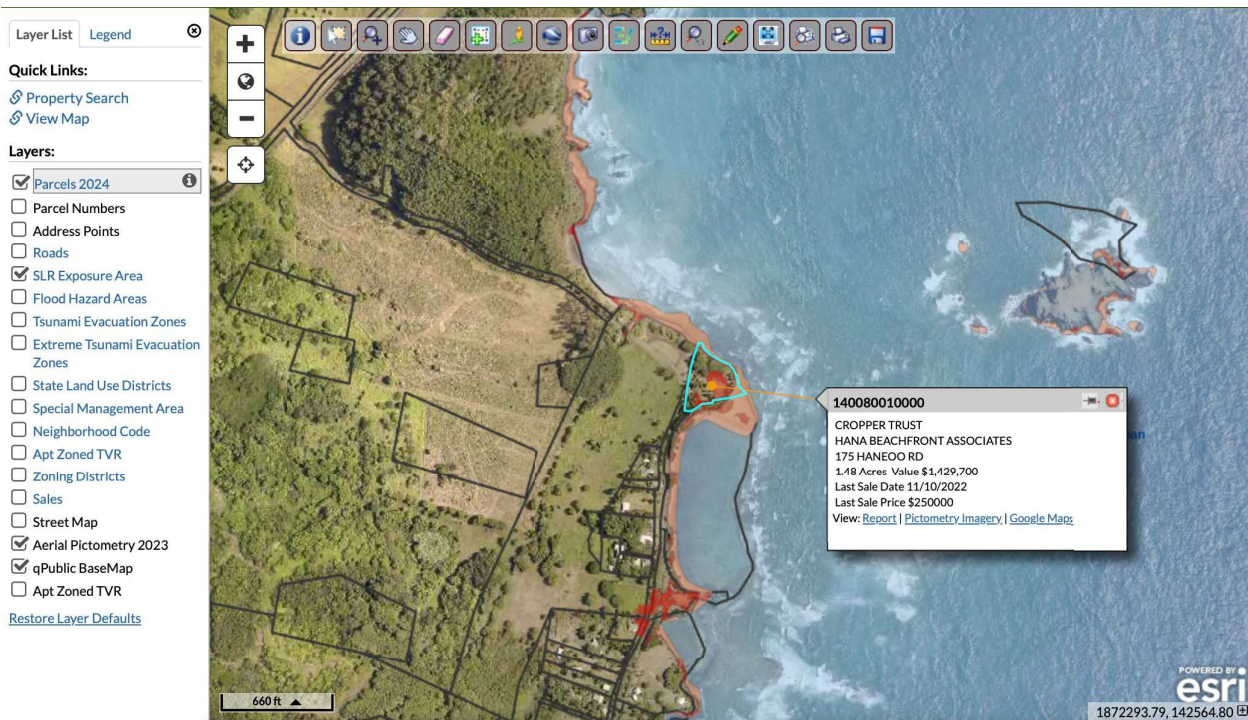
Exhibits



Tsunami Evacuation Zone



Flood Hazard Area



Sea Level Rise Exposure Area

140080010000

CROPPER TRUST
 HANA BEACHFRONT ASSOCIATES
 175 HANE'Ō RD
 1.48 Acres Value \$1,429,700
 Last Sale Date 11/10/2022
 Last Sale Price \$250000
 View: [Report](#) | [Pictometry Imagery](#) | [Google Maps](#)

Parcel ID	140080010000	Situs/Physical Address	175 HANE'Ō RD	Assd Land Value	\$1,418,900	Last 2 Sales		
Acreage	1.478	Mailing Address	CROPPER TRUST	Assd Building Value	\$10,800	Date	Price	Reason Qual
Class	AGRICULTURAL		46-535 HAIKU PLANTATION PL	Total Assd Value	\$1,429,700	11/10/2022	\$250000	Other U
			KANE'ŌHE HI 96744	Exempt Value	\$0	8/20/1996	\$000000	n/a U
Brief Tax Description	POR RP 4954, LCAW 4955:1 1.478 AC DES							

**LEGACY LAND CONSERVATION COMMISSION
PERMITTED INTERACTION GROUP REPORT**

MEETING 87, January 21, 2025, ITEM 2.B.

Group Members: Kim Falinski, Kai Lucas, John Sinton
Group Leader: Alexandra Kelepolo
Group Purpose: Investigate application for a grant from the Land Conservation Fund

Applicant: Bella Bond Foundation
Application: Kahalu‘u Nature Sanctuary
Location (District/Island): Ko‘olaupoko, O‘ahu
Total acreage: ~131
Number of parcels: 1
TMKs: Honolulu County (1) 4-7-001:002
Acquisition Type: fee simple

Estimated Land Value (\$)	1,950,000
Estimated Total Project Costs (\$)	1,980,005
Legacy Land Funding Request (\$)	1,462,500
Estimated Matching Funds (%)	26.14%

Day/Date/Time of Field Visit: Thurs., December 12, 2024, 10:00 A.M.-1:00 P.M.
Host(s) and Affiliation(s): Bella Bond Foundation (Applicant)

Group members present: Alexandra Kelepolo, Kai Lucas, John Sinton

Field Visit Applicant Participants:

Bella Koga, President, Bella Bond Foundation
Mario Miscioscia, Founder, Bella Bond Foundation

Field Visit Summary:

Commissioners met with Bella Koga and Mario Miscioscia of the Bella Bond Foundation at the Paradise Bay Resort located makai of Kamehameha Highway and less than a mile from the property.

Mario and Bella gave an introduction of their organization which was founded in Hawaii, June 2020 to serve widows, single mothers, and orphans by creating opportunities and building communities to create a more sustainable future. Currently, they are leasing a portion of agricultural land from a local farmer to grow Moringa and acquired a 2.5 acre parcel through a land donation aka “Project Kaneohe”. Construction to begin this year of a single-family home that will serve as headquarters to support families and community.

Bella provided a brochure with their proposed plans for the property to include a sustainable farm/garden to provide food to the community and construct eco-friendly treehouses for a meditation/silent retreat. Basic infrastructure will only be approximately 3% of the total 131 acres. There are no plans to build a road or driveway, it will be only pedestrian access. As this property abuts the subdivision, there will be no parking area; visitors and guests will need to be dropped off via rideshare, etc.

They have been actively working with the listing realtor who have since removed the property off the market as the owners are willing to sell for preservation purposes and donate a portion of the sale price. The property is vacant and undeveloped and has been in ownership for seven years with the current owner.

We then drove to the property which overlooks Kaneohe Bay and borders multiple properties in the subdivision. We turned off Kamehameha Highway onto Mawaena Street, parked at the end of the road, and entered the property which was identified by a private property sign (Exhibit A). It was a gradual slope with trees and vegetation and we then continued to drive within the subdivision (Exhibits B, C, D). We parked along Iuiu Street where it connects with Hunaahi Street. We walked between two private parcels to enter the property from another access point (Exhibit E) and hiked up to an area where applicant was looking at as a potential site for the farm (Exhibits F, G).

As we hiked back down and exited the property, applicant pointed out approximately where the property boundary ends (Exhibits H, I, J). Only a boundary survey would confirm if there are any encroachments by adjacent property owners as the property is not fenced and has been vacant and undeveloped for many years.

There was no observation of native flora, fauna or wildlife however we only did see a very small area in relation to the entire property. The application also notes that the Kahalu'u Heiau is located on the property however the exact location is yet to be identified pending further research.

Application Issues/Questions/Notes:

Property is not zoned agricultural and therefore applicant is unable to apply for NRCS ALE funding.

No commitment from a land conservation organization.

Organizational capacity to take on project and does project align with LLCP.

Provide support from community groups/property owners for project.

Provide information about the Kahalu'u Heiau; research SHPD records, etc.

Long-term restoration plans for invasive species removal, planting of native species, etc.

The following **Land Acquisition Priorities** (Hawai'i Revised Statutes § 173A-2.6) are especially relevant to this application:

- (1) Lands having exceptional value due to the presence of:
 - (B) Unique and valuable cultural or archaeological resources – Kahalu'u Heiau

The following **Land Acquisition Criteria** (Hawai'i Administrative Rules § 13-140-39) are especially relevant to this application:

- (2) Acquisition of interests or rights in land having value as a resource to the State for the preservation of the following:
 - (D) Cultural and historical sites

PROPERTY MAPS



EXHIBIT A

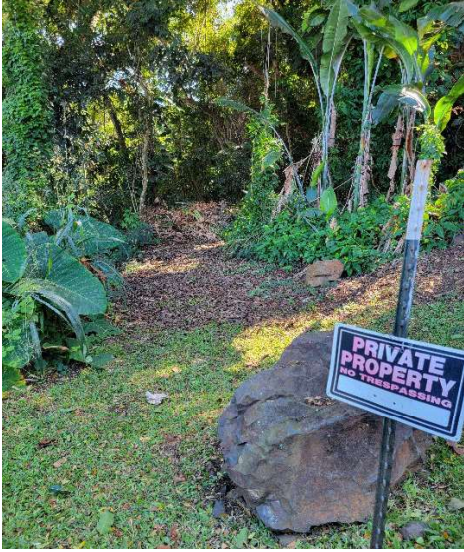


EXHIBIT B

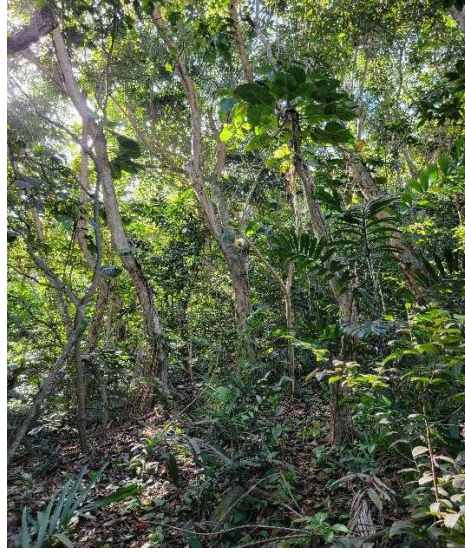


EXHIBIT C



EXHIBIT D



EXHIBIT E



EXHIBIT F



EXHIBIT G



EXHIBIT H



EXHIBIT I



EXHIBIT J



LEGACY LAND CONSERVATION COMMISSION

PERMITTED INTERACTION GROUP REPORT

MEETING 87, January 21, 2025, ITEM 2.C.

Group Members: Commissioners Alexandra Kelepolo, John Sinton, and Kanoe Wilson

Group Leader: Commissioner Kauai Lucas

Group Purpose: Investigate application for a grant from the Land Conservation Fund

Applicant: North Shore Community Land Trust / Trust for Public Land

Application: Ke Kīpuka o Kalaeuia

Location (District/Island): Kahuku /O’ahu

Total acreage: ~ 171

Number of parcels: 12

TMKs: Honolulu County (1) 5-6-003:011, 19, 20, 21, 22, 23, 24, 26, 30, 31, 46, 49

Acquisition Type: fee simple

Estimated Land Value (\$)	25,000,000.
Estimated Total Project Costs (\$)	59,000.
Legacy Land Funding Request (\$)	3,000,000.
Estimated Matching Funds (%)	88.03%

Day/Date/Time of Field Visit: Tuesday, December 3, 2024 10am.

Host(s) Affiliation(s): North Shore Community Land Trust (NSCLT) - applicant, Trust for Public Land (TPL)- partner

Group members present:

NSCLT – Adam Borrello, Tim Tybuszewski, Kawela Farrant

TPL – Reyna Ramolete Hayashi, Kamuela Kaapana

LLCP – Van Matsushige

LLCC – Alexandra Kelepolo, Kauai Lucas, John Sinton, Kanoe Wilson

Community/lineal descendant – Henry Fong

Field Visit Summary:

We gathered on Marconi Rd, performed greeting protocol (including the presentation of commissioners with kou flower lei) then drove for several minutes through rudimentary agricultural enterprises and dilapidated structures. Multiple gates on paved and dirt roadways were opened for us by the seller’s realtor. We parked near an abandoned military airstrip, then walked to the shoreline.



From the shoreline, connectedness of the Kalaeuila parcels to other active conservation lands in the area was apparent. The parcels are near to existing NSCLT stewarded lands between Turtle Bay resort, their 4-acre Marconi Road parcel, and the 1,100 acre James Campbell National Wildlife Refuge.

With nearly 30 years of wildlife conservation experience on O'ahu's N. Shore, NSCLT is undaunted by the complex nature of this transaction, and husbandry demands should the acquisition be successful.

It is essentially an extension of the work they are already doing, with the principal difference being several of the parcels are currently in use for agricultural production: principally sea asparagus (*Salicornia bigelovii*), and limu ogo (*Gracilaria*



coronopifolia/parvisipora, Limu manauaea .) There are some small homestead agriculture operations with kalo, ulu, niu, fruit trees, and plant nursery operations.



Agriculture businesses which align with NSCLT conservation goals will be able to continue operations. These long established enterprises have contributed to the availability of food for many native birds. During our brief visit we witnessed 'auku'u or black-crowned night heron, ae'o or Hawaiian stilt, and 'alae ke'oke'o or Hawaiian coot contently dining in the aquaculture habitat.

One native plant nursery business is owned by Henry Fong, a lineal descendant of the pre-European contact Kahuku settlement. He provided testimony in support of the impacts of NSCLT conservation efforts, and the proposed purchase of additional lands.

Through efforts in the region, significant progress has been made in providing safe nesting/pupping areas for Hawaiian monk seals, sea turtles, and Laysan albatross.

This is a direct result of removing invasive plant material (more than 84,000 lbs) and re-establishing native vegetation. By clearing ironwood trees, for example, open areas of low growing native vegetation--required by albatross for flight--are restored to active nesting areas once more.

We returned to Marconi Road to visit the 4-acre oceanfront parcel recently acquired by NSCLT. It abuts Turtle Bay's golf course and several gentleman farms. Other parcels in the neighborhood are actively in the (re)development process.

After lunching and learning more about the project, Tim Tybuszewski led us in a tour of their new campus. He explained that a core group of veteran volunteers daily scouted for albatross eggs in season. The large birds do not have an innate fear of humans. Unless they have learned



by experience, the birds think nothing of laying eggs near human activity. They do not make nests, and lay their egg on the ground, making them extremely vulnerable to cats, mongooses, and rodents, which staff and volunteers must actively control for.

We walked through the areas in the laborious land clearing process which includes machine clearing, and 2 cycles of weeding, applying weed mats to kill re-growth, and finally planting the natives. Fortunately, NSCLT has cultivated a robust volunteer program over the years, attracting locals from across the island, area residents, and even guests from the Turtle Bay Hotel nearby, more than 19,000 to date.



Application Issues/Questions/Notes:

At the time of the site visit the willing seller letter had not been received, but that has since been cleared. A question was recently raised about the roadway parcel's easement, which TPL is researching.

The greatest question remaining is if all parties can come to agreement and sign a contract, not the merits of the acquisition or the capacity of NSCLT.

Assessment of Land Acquisition Priorities

The Ke Kīpuka o Kalaeuila land acquisition project exhibits the following priorities:

- (1) Lands having exceptional value due to the presence of:
 - (A) Unique aesthetic resources;
 - (B) Unique and valuable cultural or archaeological resources; or
 - (C) Habitats for threatened or endangered species of flora, fauna, or aquatic resources;
- (2) Lands that are in imminent danger of development;
- (3) Lands that are in imminent danger of being modified, changed, or used in a manner to diminish its value;
- (4) Lands providing habitats for threatened or endangered species that are in imminent danger of being harmed or negatively impacted;
- (5) Lands that are unique and productive agricultural lands.

Assessment of Land Acquisition Criteria

The Ke Kīpuka o Kalaeuila land acquisition project exhibits the following criteria:

- (1) A complete acquisition application;
- (2) Acquisition of interests or rights in land having value as a resource to the State for the preservation of the following:
 - (A) Coastal areas, beaches, and ocean access;
 - (B) Habitat protection;
 - (C) Cultural and historical sites;
 - (D) Recreational areas;
 - (E) Parks;
 - (F) Natural areas;
 - (G) Agricultural production; and
 - (H) Open spaces and scenic resources;
- (3) Linkage of protected acreage of similar resources;
- (4) Opportunities for appropriate public access and enjoyment;
- (5) Presence of environmental hazards;
- (6) Feasibility of a project within the two-year acquisition timeframe;
- (7) Cost of acquisition;
- (8) Proportion of matching funds being leveraged;
- (9) Urgency of need to acquire;
- (10) Status and adequacy of management planning;
- (11) Community support for acquisition;
- (12) Completeness of acquisition funding;
- (13) Connection to regional planning and protection efforts; and
- (14) Capacity for long-term management.







**LEGACY LAND CONSERVATION COMMISSION
PERMITTED INTERACTION GROUP REPORT**

MEETING 87, January 21, 2025, ITEM 2.D.

Group Members: Commissioners : Jay Penniman, Beryl Blaich, Beth Robinson
Group Leader: Commissioner Kim Falinski
Group Purpose: Investigate application for a grant from the Land Conservation Fund

Applicant: DLNR-Division of Forestry and Wildlife (DOFAW)
Application: East Maui Coastal Forest
Location (District/Island): Ko'olau, Hāna, Maui
Total acreage: ~ **542**
Number of parcels: **5**
TMKs: Maui County (2) 1-2-001:001; :027; :045; (2) 1-2-003:002; :018

Acquisition Type: fee simple

Estimated Land Value (\$)	\$13,240,000
Estimated Total Project Costs (\$)	\$13,310,000
Legacy Land Funding Request (\$)	\$3,810,000
Estimated Matching Funds (%)	75.11%

Day/Date/Time of Field Visit: Dec 9, 2024
Host(s) and Affiliation(s): Scott Fretz, DOFAW

Group members present: ALL (Kim Falinski, Beth Robinson, Jay Penniman, Beryl Blaich)

Field Visit Summary:

The field visit began at 0800 in the DOFAW office, where the LLCP team was greeted by Scott Fretz and a representative from The Trust for Public Land. The group was presented with the long range plan as conceived by DOFAW to protect the East Maui coastline from development. With 75% match, the project is proposing to leverage donors and additional funding sources to support the long range plan.

The group proceeded to caravan to the site. We first stopped along Hana Hwy to view the properties from mauka, and then went down along Nahiku stream to park and hike along the coastline and inside the proposed units. The area was quiet, and we only traversed a few residential/ag properties. The promontory that overlooks the ocean is not part of the parcel but looks out on the parcels to be acquired – and seems to have use from the community as a gathering place.

Scott Fretz showed us the area, and especially the rock path that is supposed to be an ancient highway along the east Maui coast. He proposed that the trail may become the future base for a trail system. There are limits to access, because crossing the gulches on either side is difficult.

The group departed from the site around 1pm.

Application Issues/Questions/Notes:

Assessment of Land Acquisition Priorities (Hawaii Revised Statutes § 173A-2.6):

These lands have an extremely high value because of the presence and habitat of endangered species, and because of the imminent threat of development. As Maui transitions from ag, these lands are very valuable to developers. There are significant archaeological sites on the property – that indicate it has been used as a connecting road and for agriculture for an extended time.

- (1) Lands having exceptional value due to the presence of:
 - (A) Unique aesthetic resources;
 - (B) Unique and valuable cultural or archaeological resources; or
 - (C) Habitats for threatened or endangered species of flora, fauna, or aquatic resources;
- (2) Lands that are in imminent danger of development;
- (3) Lands that are in imminent danger of being modified, changed, or used in a manner to diminish its value;
- (4) Lands providing critical habitats for threatened or endangered species that are in imminent danger of being harmed or negatively impacted;
- (5) Lands containing cultural or archaeological sites or resources that are in danger of theft or destruction; and
- (6) Lands that are unique and productive agricultural lands.

***Assessment of Land Acquisition Criteria
(Hawaii Administrative Rules § 13-140-39):***

The application presented is complete, including application parts, title. The application is for fee simple interests. It will be managed by DOFAW as part of a much more extended project area. It has extensive coastal frontage and the property is currently dominated by invasive trees and shrubs. Four of the parcels form a unit that would allow for easy managed public access, while the fifth TMK is relatively inaccessible. The parcels are especially valuable when considered along side the long range plan put forth by DOFAW to acquire much of the area below Hana Hwy, as possible.

The application offers benefits in watershed protection, coastal areas and ocean access, protecting cultural sites, offering potential recreational opportunities, protecting natural areas. It is especially valuable as a part of the network of parcels proposed. It helps to create a “darkway” path to the summit of Haleakala. At 75% match the return on investment is high, paired with other donors. Given the development ongoing, the need is urgent for protection.

DOFAW as an agency is well equipped to provide long term management of the parcel, and to manage access effectively.

A possible consideration is how the community feels about the acquisition. The letters of support included were memorable for the support of our Federal, State and non-profit partners.

- (1) Completeness of the acquisition application;
- (2) Acquisition of interests or rights in land having value as a resource to the State for the preservation of the following:
 - (A) Watershed protection;
 - (B) Coastal areas, beaches, and ocean access;
 - (C) Habitat protection;
 - (D) Cultural and historical sites;
 - (E) Recreational and public hunting areas;
 - (F) Parks;
 - (G) Natural areas;
 - (H) Agricultural production; and
 - (I) Open spaces and scenic resources;
- (3) Linkage of protected acreage of similar resources;
- (4) Opportunities for appropriate public access and enjoyment;
- (5) Presence of environmental hazards;
- (6) Feasibility of a project within the two-year acquisition timeframe;
- (7) Cost of acquisition;
- (8) Proportion of matching funds being leveraged;
- (9) Urgency of need to acquire;
- (10) Status and adequacy of management planning;
- (11) Community support for acquisition;
- (12) Completeness of acquisition funding;
- (13) Connection to regional planning and protection efforts; and
- (14) Capacity for long-term management.

Exhibits



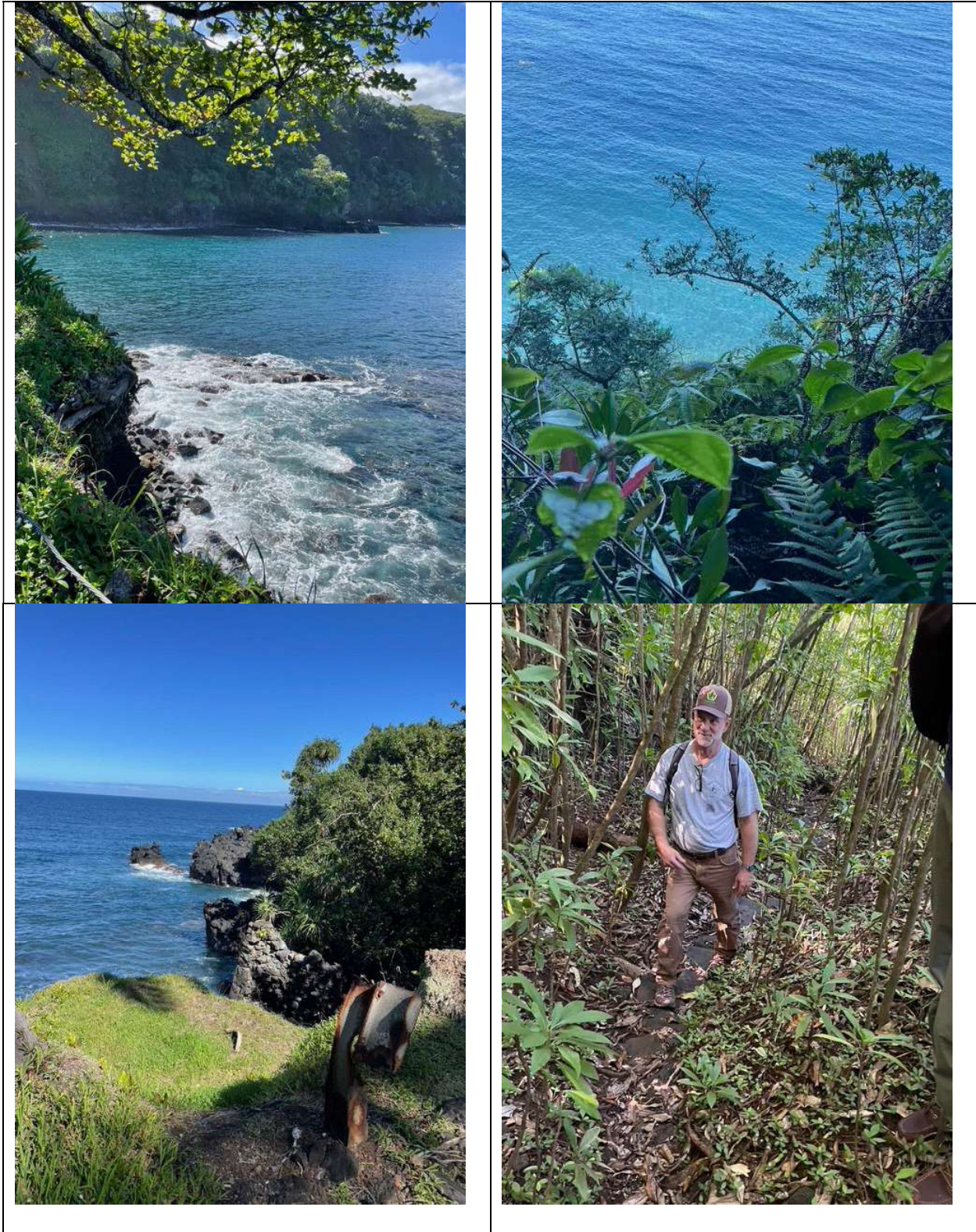


Figure 2: Field visit tours of one of the parcels included in this package of 5 parcels, to comprise of a coastal protection unit managed by DOFAW.



**LEGACY LAND CONSERVATION COMMISSION
PERMITTED INTERACTION GROUP REPORT**

MEETING 87, January 21, 2025, ITEM 2.E.

Group Members: Commissioners Kanoe Wilson, Alexandra Kelepolo, Beryl Blaich
Group Leader: Commissioner Beth Robinson
Group Purpose: Investigate application for a grant from the Land Conservation Fund

Applicant: Ho‘āla Kealakekua Nui (Partner – The Trust for Public Land)

Application: Kōkua Kealakekua
Location (District/Island): South Kona, Hawai‘i
Total acreage: ~1.26
Number of parcels: 2
TMKs: Hawaii County (3) 8-1-009:007, (3) 8-1-009:008
Acquisition Type: Fee simple, Conservation Easement

Estimated Land Value (\$)	1,400,000
Estimated Total Project Costs (\$)	1,434,000
Legacy Land Funding Request (\$)	1,000,000
Estimated Matching Funds (%)	434,000

Day/Date/Time of Field Visit: Monday, January 13, 2025 (9:00am- 3:00pm)
Host(s) and Affiliation(s):

Representing applicant and partners:
Ho‘āla Kealakekua Nui: Shane Akoni Palacat-Nelsen, Heather Howard, Luana Crowe, Alayna DeBina, Mary Crispi, Frank Carpenter (Kona Boys), Mendy Dant, Kainalu Keliikuli-Grace, Kanani Enos, Kahaka‘io Ravenscraft

The Nature Conservancy: Julia Rose, Lauren Nakoa

The Trust for Public Land (TPL): Reyna Ramolete Hayashi, Kamuela Kaapana

Transport: Eka Canoe Adventures (Kalani Nakoa, Chaden Baker)

Representing sellers: Listing agent: Bill Quinlan
Owner: Alexander “Uncle Davis” Smith

Group members present: Beth Robinson (Lead), Beryl Blaich

Field Visit Summary:

Commissioner Blaiich arrived at Kona Airport at 8:00 a.m. and proceeded with the TPL attendees to the site where Commissioner Robinson joined at 9:00 a.m.

The subject property is located at a busy intersection between Highway 11, Ali'i drive, and Nāpō'opo'o Road. It was already evident that there is a parking problem for visitors coming to use the Ka'awaloa trail. After a brief protocol and introductions, the group proceeded onto the properties where we were able to see the existing structures and hear from seller Smith stories of how those structures have been used in the past as a butcher house and as a gathering place for community. While the parcels are overgrown with invasive plants, a lone volunteer 'ulu was observed near the old house. An i'o circled overhead.

The applicant explained that the concept behind the acquisition would be to use these parcels as a gateway for implementation of the Community Action Plan for protection of the Kealakekua Bay resources. Along the highway would be an entrance and parking lot for visitors. The makai portion of the property would be restored for education and community gathering. To the extent possible existing historic structures would be incorporated into the new community and interpretive center. The parcels are zoned commercial by the county, and all of these would be permitted uses.

The group walked together up to the intersection and waited at the stoplight to cross in the crosswalk. Most visitors simply walk unsafely across Nāpō'opo'o Road. We proceeded to the Ka'awaloa trailhead and examined the existing State Parks visitor signage. While we were hearing from Applicant about the number of visitors, an estimated 4,500 per month, and the number of rescues, approximately 30 per year, we observed firsthand many hikers coming completely unprepared. They did not look at existing signage, they had inadequate footwear, and no water. Many appeared not to be in physical condition to make the rigorous four-mile round trip with multiple descents and ascent over uneven, rocky terrain. It was also explained to us that because of the lack of sanitation facilities people simply use the trail or any other location and human waste and paper is often found there.

We returned to cars and drove together down Nāpō'opo'o Road to the Hikiau Heiau historic site parking lot. Changing into swimsuits we proceeded to the wharf and swam out to the waiting wa'a Kinikini, provided by another partner organization (Eka Canoe Adventures). As we traveled across Kealakekua Bay, partner organization The Nature Conservancy described the coral restoration project that they are doing in conjunction with the applicant and hundreds of community members. We were also able to observe erosion on the pali caused in part by feral goats and overuse of the mauka areas.

Upon arrival at Ka'awaloa Bay we disembarked from the canoe and proceeded on foot to the bottom of the trail where we observed exhausted hikers arriving. We also hiked along the Ala Loa, which goes from Ka'awaloa to Keauhou. From there we were able to see the relationships between the bays throughout South Kona. The lineal descendants explained more of the history and relationships between Ali'i and today's Stewards.

Returning to the Captain Cook Monument we also observed the amount of visitor activity on the ocean with several tour groups as well as individual snorkel groups. During the sail back to the wharf, it was explained to us how applicant is interacting with visitor experience companies to provide accurate information both about proper ecological practices for visiting the bay, as well as correct historical and cultural information. Also pointed out to us were a number of significant burial caves on the cliffs above.

Refreshments were provided to the group by Applicant and a question-and-answer session was used to discuss topics such as future plans, broader community engagement, capacity building for the organization, and willingness of the seller to wait for a lengthy public acquisition process. After lunch, the group visited the signage provided by State Parks for the Hikiau Heiau location, where Applicant offered a ho'okupu provided by commissioner Blaich. The heiau is in remarkable condition, stewarded by applicant with assistance from National Park Service staff from nearby Pu'u Honua O Honaunau. Adjacent to the Heiau is a historic pond traditionally known for 'ōpae ula that is also planned for restoration. After a brief closing protocol, the field visit ended around 3:00 p.m.

Application Issues/Questions/Notes: None apparent from the application. Application appears complete and the public purpose is very appropriate.

Assessment of Land Acquisition Priorities (Hawaii Revised Statutes § 173A-2.6):

- (1) Lands having exceptional value due to the presence of:
 - (A) Unique aesthetic resources;
 - (B) Unique and valuable cultural or archaeological resources; or
 - (C) Habitats for threatened or endangered species of flora, fauna, or aquatic resources;
- (2) Lands that are in imminent danger of development;
- (3) Lands that are in imminent danger of being modified, changed, or used in a manner to diminish its value;
- (4) Lands providing critical habitats for threatened or endangered species that are in imminent danger of being harmed or negatively impacted;
- (5) Lands containing cultural or archaeological sites or resources that are in danger of theft or destruction; and
- (6) Lands that are unique and productive agricultural lands.

Assessment of Land Acquisition Criteria (Hawaii Administrative Rules § 13-140-39):

While the subject properties themselves have modest cultural and agricultural values, they represent a unique opportunity for the Applicant, which has a Curatorship Agreement with State Parks to provide community co-management of the 537-acre adjacent Kealakekua Bay State Historical Park. The Community Action Plan demonstrates significant stakeholder and partner support, which was evident in the *Fiscal Year 2025_Permitted Interaction Group_KŌKUA KEALAKEKUA Grant Application*

number of organizations represented by those attending the Field visit. The ability to better educate both visitors and community serves an important public purpose, and appropriate culturally sensitive management of an important wahi pana. The parcels are being actively marketed, and in danger of development for other purposes. The application is complete. It is anticipated that Hawai'i County PONC will be asked to fund a conservation easement to provide a 30% match.

- (1) Completeness of the acquisition application;
- (2) Acquisition of interests or rights in land having value as a resource to the State for the preservation of the following:
 - (A) Watershed protection;
 - (B) Coastal areas, beaches, and ocean access;
 - (C) Habitat protection;
 - (D) Cultural and historical sites;
 - (E) Recreational and public hunting areas;
 - (F) Parks;
 - (G) Natural areas;
 - (H) Agricultural production; and
 - (I) Open spaces and scenic resources;
- (3) Linkage of protected acreage of similar resources;
- (4) Opportunities for appropriate public access and enjoyment;
- (5) Presence of environmental hazards;
- (6) Feasibility of a project within the two-year acquisition timeframe;
- (7) Cost of acquisition;
- (8) Proportion of matching funds being leveraged;
- (9) Urgency of need to acquire;
- (10) Status and adequacy of management planning;
- (11) Community support for acquisition;
- (12) Completeness of acquisition funding;
- (13) Connection to regional planning and protection efforts; and
- (14) Capacity for long-term management.

Exhibits

Entrance to subject parcels



Current trailhead parking along Napo'opo'o Rd on property boundary



TNC staff explaining coral restoration project



Group hearing problems with visitors at trailhead



Hikiau Heiau



**LEGACY LAND CONSERVATION COMMISSION
PERMITTED INTERACTION GROUP REPORT**

MEETING 87, January 21, 2025, ITEM 2.F.

Group Members: Commissioners: Kanoe Wilson, Alex Kelepolo, Jay Penniman
Group Leader: Commissioner Kim Falinski
Group Purpose: Investigate application for a grant from the Land Conservation Fund

Applicant: Makahanaloa Fishing Assoc. with County of Hawaii
Application: Kawainui Makai
Location (District/Island): Kilauea
Total acreage: ~ 81.19
Number of parcels: 2
TMKs: Hawaii County (3) 2-7-010:027; 2-7-011:001
Acquisition Type: fee title, conservation easement

Estimated Land Value (\$)	\$6,200,000
Estimated Total Project Costs (\$)	\$6,278,000
Legacy Land Funding Request (\$)	\$4,704,750
Estimated Matching Funds (%)	26.22%

Day/Date/Time of Field Visit: Dec 13, 2024
Host(s) and Affiliation(s): 10a-1p

Group members present: All but J. Penniman

Field Visit Summary:

The field group arrived at approximately 0945 on site to be greeted by members of the Makahanaloa Fishing Association, the County of Hawaii, the community, and advocates for the project, in addition to the realtor that is selling the property right now. The realtor shared that he had another showing to out of state clients the following day. Before beginning our site visit we were introduced to the place and used an oli to announce intentions.

There are two parcels, and we toured the northern parcel by foot first. The upper parcels consist of an 80 acre forestry operation that is high value mahogany and teak trees. The trees have not been recently maintained, but many can add value if they are thinned. The group was proud of the forest, and of the economic value that would allow a constant source of money for the non-profit.

The group then proceeded to view the estuary. The trail going down to the estuary, one of the main access routes, is very steep. Commissioners Wilson and Falinski made the trip down using ropes provided. The lack of easy access is a benefit to those who are trying to limit use of one of the last remaining estuaries. The launch to fish, and the mullet and other aholehole that use the estuary (along with papio etc.), was described.

We were able to see a waterfall in the distance, and were on the lookout for the endangered damselfly. The site is peaceful and untouched.

In describing the work of the Makahanaloa Fishing Association, the group has worked together to create a robust membership of local families – over 300 families – who can use the access for subsistence fishing. The structure of the group maintains privacy while allowing users who can commit to pono practices access. They are looking forward to continuing to develop the site when it is more practical to do so.

This property is of very high value, and clearly threatened by development by private investors. The marketing is described for “luxury homes” and “private beach” – indicating that access isn’t coming with possible new owners. It may also come with ATV tours and other infrastructure, or ranching. It was reviewed by the County of Hawaii Open Access funds and came up as a high priority, ranked #2 for Hawai’i island. Funding from County of Hawaii for match is included in this proposal. The presence of the realtor, and the two properties being up for sale right now, has motivated the association to fight to protect the land.

After we scaled the hill back up to the trail, we drove across the bridge to view the second parcel. Again, 40 acres of teak and mahogany were present. In addition, many nests of ‘io were present. The forest was old enough to have developed a second canopy of ferns. A simple driving trail was present, and again, only a rough-hewn steep trail was available for access to the estuary. The tour ended by 1p.

Application Issues/Questions/Notes:

Assessment of Land Acquisition Priorities (Hawai’i Revised Statutes § 173A-2.6):

This property was exceptional for its ecological value, and for the commitment shown by the applicant to use the land for community good. The properties are in imminent danger of development, due to the proximity to Hilo and the market for acreage for luxury homes. In addition, the presence of a marketable forest that was coming of age provides a future funding stream for maintenance of the property by the applicant.

- (1) Lands having exceptional value due to the presence of:
 - (A) Unique aesthetic resources;
 - (B) Unique and valuable cultural or archaeological resources; or
 - (C) Habitats for threatened or endangered species of flora, fauna, or aquatic resources;
- (2) Lands that are in imminent danger of development;
- (3) Lands that are in imminent danger of being modified, changed, or used in a manner to diminish its value;
- (4) Lands providing critical habitats for threatened or endangered species that are in imminent danger of being harmed or negatively impacted;

- (5) Lands containing cultural or archaeological sites or resources that are in danger of theft or destruction; and
- (6) Lands that are unique and productive agricultural lands.

Assessment of Land Acquisition Criteria
(Hawai'i Administrative Rules § 13-140-39):

The application was complete, and included both the negotiation for the fee simple properties and the conservation easement proposed to be held by the County of Hawaii.

The description of past efforts to protect access and to keep this land for the community were well described. The group has a well-developed idea of how to provide for managed access if this award is completed. Because the applicant's non-profit already has been in operation and the effective link between the community and the parcel, many of the processes have already been developed.

The property, being up for sale and also considered for County funding, is well positioned to be acquired in the next two years.

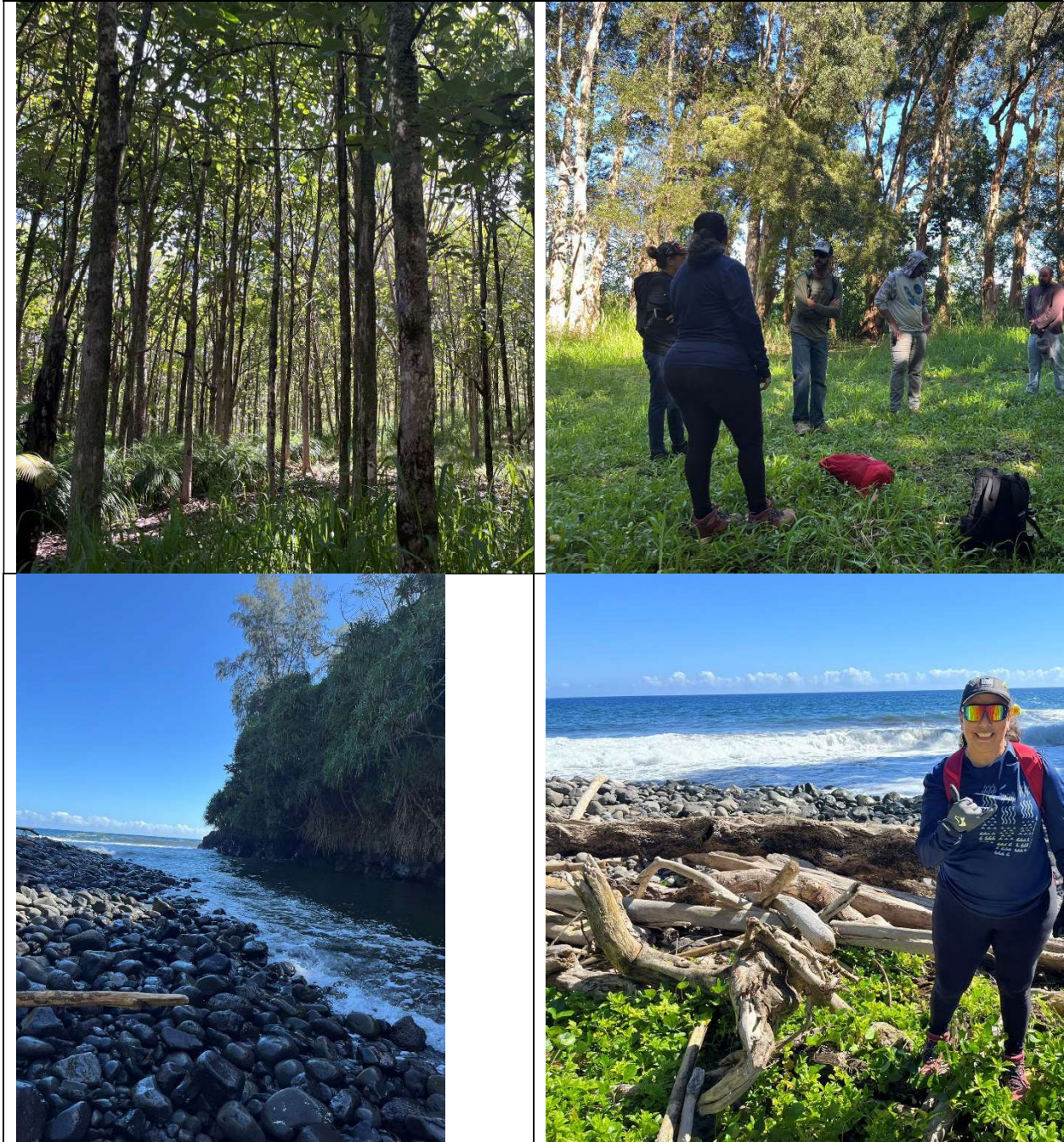
The commissioners present were impressed with the showing of the community and County at the site visit.

- (1) Completeness of the acquisition application;
- (2) Acquisition of interests or rights in land having value as a resource to the State for the preservation of the following:
 - (A) Watershed protection;
 - (B) Coastal areas, beaches, and ocean access;
 - (C) Habitat protection;
 - (D) Cultural and historical sites;
 - (E) Recreational and public hunting areas;
 - (F) Parks;
 - (G) Natural areas;
 - (H) Agricultural production; and
 - (I) Open spaces and scenic resources;
- (3) Linkage of protected acreage of similar resources;
- (4) Opportunities for appropriate public access and enjoyment;
- (5) Presence of environmental hazards;
- (6) Feasibility of a project within the two-year acquisition timeframe;
- (7) Cost of acquisition;
- (8) Proportion of matching funds being leveraged;
- (9) Urgency of need to acquire;
- (10) Status and adequacy of management planning;
- (11) Community support for acquisition;
- (12) Completeness of acquisition funding;

- (13) Connection to regional planning and protection efforts; and
- (14) Capacity for long-term management.

Exhibits

Exhibit 1: Photos from the field tour of the PIG for Kawainui Makai. Top left: Mahogany forest, top right: Community and partner introductions, center left: Kawainui estuary mouth, center right: Commissioner Wilson at estuary mouth, bottom left (next page): estuary looking mauka to waterfall, bottom right (next page): historical wall along the stream at a higher elevation.





Kawainui Makai (shading represents current hardwood plantation)



1/29/2024

World Imagery

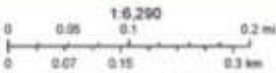
Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

1.2m Resolution Metadata



Source: Mapbox (Aerial), Mapbox, Esri, Community Data Contributors, © OpenStreetMap contributors, Microsoft, Swis, TomTom, Garmin, GeoEye

Exhibit 2 – the map provided that shows the two TMKs, and the shaded locations of the teak/mahogany forest

LEGACY LAND CONSERVATION COMMISSION PERMITTED INTERACTION GROUP REPORT
Meeting 87, January 21, 2025, Agenda Item 2.G.

THE NATURE CONSERVANCY/KA 'OHANA O HONUAPO FEE SIMPLE MAKANAU/PAKUA (HĪLEA) KA'Ū, HAWAI'I ISLAND



Introduction



Makanau Site visit group photo (Left to Right): Megan Lamson Leatherman (Ka 'Ohana), Nohea Ka'awa (Ka 'Ohana/TNC), John Replogle (Ka 'Ohana), Baby Teal, Kanoe Wilson (LLCC), Mele Coleman (TNC), Kauai Lucas (LLCC), Dan Aldrige (Olson Trust), Lori Lorenzo (TNC), Shalan Crysdale (TNC), Chris Balzotti (TNC), John Cross (Olson Trust), Van Matsushige (DLNR/LLCP), Marian Chau (TNC), Jay Penniman (LLCC) & Alex Kelepolo (LLCC). Photo taken by Jodie Rosam (Ka 'Ohana)

This report is presented to the Legacy Land Conservation Commission (LLCC) regarding the 2025 Legacy Land Conservation PRogram (LLCP) Grant application for The Nature Conservancy and Ka 'Ohana o Honuapo, located in the district of Ka'ū, on Hawai'i island. The field visit was conducted on Monday, December 2, 2024, with the following Commissioners present: Kanoe Wilson (Lead), Jay Penniman, Kauai Lucas, and Alexandra Kelepolo, along with DLNR Staff member Van Matsushige. The site visit also included staff from The Nature Conservancy (TNC), including Mele Coleman and Shalan Crysdale, Lori Lorenzo, Chris Balzotti, Marian Chau; board members from Ka 'Ohana o Honuapo (KOOH): Nohea Ka'awa, John Replogle, Megan Leatherman, Jodie Rosam; and representatives from the landowner Olson Trust (landowners), John Cross and Dan Aldridge.

Report Summary

LEGACY LAND CONSERVATION COMMISSION PERMITTED INTERACTION GROUP REPORT

Group Members: Kanoe Wilson, Jay Penniman, Kauai Lucas, Alex Kelepolo
Group Leader: Kanoe Wilson
Group Purpose: Investigate application for a grant from the Land Conservation Fund
Applicant: The Nature Conservancy/Ka 'Ohana o Honuapo
Application: Makanau/Pakua (Hilea) / Fee Simple
Location (District/Island): Ka'ū, Hawai'i island
Total acreage: 1,916
Number of parcels: 1
TMKs: County of Hawai'i (3) 9-5-018:001
Acquisition Type: Fee Simple

	(1) Fee Simple
Estimated Land Value (\$)	\$3,500,000.00
Estimated Total Project Costs (\$)	\$3,554,000.00
Funding request (\$)	\$2,000,000.00
Estimated Matching Funds (%)	43.73%



Day/Date/Time of Field Visit:

Monday, December 2, 2024,
10:00am

Host(s) and Affiliation(s): The Nature Conservancy (TNC), Ka 'Ohana o Honuapo, and Edmund C. Olson Trust (Land owners).

Field Visit Summary

The group gathered in Pahala town at the R&G Store, where we were greeted by members from Ka

'Ohana o Honuapo and The Nature Conservancy. After introductions, we followed Shalan (TNC Rep) to the Olson Trust office and then proceeded to the property via the upper cane haul road.

The property is 1,916-acre parcel located in the ahupua'a of Hīlea, Ka'ū. It lies mauka off the old cane haul road. We entered through an initial gate, which was opened by John and Dan from Olson Trust, who led the convoy.



John Cross, the land manager for Olson Trust, guided the field visit, providing maps and giving the group a tour of the property. The Olson Trust team has a strong working relationship with TNC and KOOH, who are the applicant and partner.

John shared the rich history of the area, including the mo'okū'auhau (genealogy) of the Land Commission Award, which traces ownership through notable figures such as Leileohōkū, Ke'elikōlani, Parker, Hutchinson, C. Brewer, and Olson Trust. These legacy lands, originating from the Mahele, are steeped in mo'olelo, wahi pana (sacred sites), cultural and natural significance within the Ka'ū district.

The gate we entered also serves as a working ranch, which is currently leased. The tour included the following key areas:

- Water sources - Driscoll pipe lines located at the base of Pu'u Makaanau emanating from one of the water tunnels on the property
- Pu'u Makaanau
- Kohāikalani Heiau
- Pu'u Pākua

John explained that several water tunnels on the property are evidence of the area's vital water resources, which support both ranching leases and the larger Ka'ū district. The presence of water is crucial in mitigating the risk of brush fires, which are common in this region.



Pu'u Makaanau, a historically significant landmark steeped in cultural and spiritual significance, is widely recognized as the wahi pana (sacred site) associated with the chief Kohāikalani. Crowning the summit of Pu'u Makaanau lies Kohāikalani heiau (temple), a structure named after the chief that was once central to religious and social practices of the people of Ka'ū. From this vantage point, the heiau commands breathtaking panoramic vistas of the surrounding landscape, the ocean, and the dramatic Mauna Loa that define the island's beauty.

This revered site has, in recent times, become a focal point for the concerns of local communities, who harbor anxieties over the preservation of its pristine character and cultural integrity amidst the looming threat of development. There are growing apprehensions that the allure of profit and progress might lead to the transformation of this sacred land into luxury housing or subdivision projects, erasing its historical significance and severing the connection between the land and its people.



Despite instances of inappropriate usage of the heiau, such as hosting weddings and other events that are incongruous with its sacred nature, recent counsel from community partners such as, Edith Kanaka'ole Foundation has provided a glimmer of hope. The foundation has encouraged the landowner to permit the wahi kupuna (ancestral site) to undergo a period of "rest" and rejuvenation, allowing the land to heal from past disturbances and for its spiritual essence to be restored.



Heartening signs of care and reverence for the site were observed during the site visit, notably a fence surrounding the site, and the presence of a lele (altar) adorned with ho'okupu (offerings) left by visitors as a gesture of respect and remembrance. The presence of the lele signifies a recognition of the site's spiritual significance and a commitment to honoring the kupuna of the area and maintaining a pilina

(connection) to the wahi pana. Furthermore, there were clear indications of community engagement in the upkeep and preservation of the site, with individuals and groups dedicating their time and efforts to site maintenance, clearing away debris, and tending to the natural surroundings. These acts of stewardship demonstrate a deep-rooted connection to the land and a sense of responsibility for its well-being by the community.

The future of Pu'u Makanau hangs in the balance, caught between the forces of development and the unwavering commitment of those who seek to protect its cultural and spiritual legacy. The outcome of this struggle will undoubtedly shape the landscape and the identity of the island for generations to come. It is a stark reminder of the importance of preserving sacred sites and honoring the ancestral connections that bind us to the land.



Pu 'u Pākua, a prominent cinder cone on the property, is home to a thriving stand of native 'ōhi'a lehua trees. This 400-acre section is a critical component of The Nature Conservancy's conservation efforts, as it contributes to a larger network of protected lands. Its proximity to TNC's Kaiholena Preserve and the Ka 'ū State Forestry Management Area underscores the importance of this project in supporting contiguous conservation efforts.

Safeguarding Pu'u Pākua through this initiative will yield a multitude of ecological benefits. By preserving this area, the project will enhance habitat connectivity, allowing native flora and fauna to move freely and thrive across a larger,

uninterrupted landscape. This connectivity is essential for maintaining healthy populations and ensuring the long-term viability of native species. Additionally, the protection of Pu'u Pākua will bolster ecosystem resilience, making the area more resistant to disturbances such as invasive species, wildfires, and climate change. This resilience is crucial for safeguarding the area's unique biodiversity and ensuring that it continues to provide vital ecosystem services.



One significant environmental hazard observed in the vicinity of the property is Rapid 'Ōhi'a Death (ROD), a fungal disease that has been identified in the nearby Ka'ū State Forest Reserve Area. ROD poses a severe threat to native 'ōhi'a forests, which are critical for watershed health, biodiversity,

and cultural practices. As part of the proposed protection and conservation efforts, the project aims to implement proactive measures to mitigate the spread of ROD. These measures include monitoring and managing access to sensitive areas, educating the public and stakeholders about ROD prevention protocols, and collaborating with state forestry and conservation agencies to develop integrated strategies for preserving the health of 'ōhi'a forests within and surrounding the property.

Furthermore, this project will fortify regional efforts to preserve native biodiversity and critical watershed resources. The native 'ōhi'a lehua forests found on Pu'u Pākua play a vital role in maintaining water quality and regulating water flow, which are essential for both human and ecological well-being. By protecting these forests, the project will help to ensure a clean and reliable water supply for the surrounding communities and ecosystems. In addition, the project will contribute to the preservation of the area's rich biodiversity, which includes a variety of rare and

endangered species.

Overall, the protection of Pu'u Pākua represents a significant step forward in conservation efforts on the island. By enhancing habitat connectivity, bolstering ecosystem resilience, and strengthening regional partnerships, this initiative will help to safeguard a vital ecological treasure for generations to come.

The group was on-site for about three hours and departed at 1:15 pm.

Application Issues/Questions:

- **Application Process:**
 - Pending formal transfer of the application from KOOH to TNC and final leadership approval in January 2025.
 - Required independent appraisal report review (Form 8) may have a potential impact to funding request.
- **Funding and Costs:**
 - Total project costs estimated at \$3,554,000, with some grant and funding sources still pending.
 - Continued reliance on additional funding requests from sources such as US Fish & Wildlife raises questions about project feasibility within the two-year timeframe.
- **Site Management Concerns:**
 - Evidence of inappropriate uses of cultural sites, highlights the need for stricter site management.
 - Balancing conservation with existing ranch leases and public access requires clear planning.
- **Urgency and Feasibility:**
 - Imminent risk of development underscores the urgency for acquisition but necessitates comprehensive management planning and funding guarantees.

Commission Considerations:

1. **Current Lease Agreements and Terms:**
 - The property is currently leased to Kuahiwi Ranch, MJ Ranch, and

Johansen Ranch. Further details on the lease terms, including expiration dates, revenues, and conditions, are essential to assess their alignment with conservation goals.

- Clarification is needed on whether these lease agreements will remain in place post-acquisition and how they may impact the property's conservation management.
- Might there be conditions the commission may recommend to the applicant as they consider moving forward with managing the lease agreements?

2. Use of Lease Revenues for Conservation Efforts:

- Will the revenues generated from these lease agreements be allocated toward the ongoing management and conservation efforts of the Hīlea property? If so, what percentage of these revenues will be committed, and how will they be prioritized?

3. Existing Tax Dedications on the Property:

- The property currently holds a 10-year agricultural dedication under the County of Hawai'i, covering 1,375.63 acres of pasture land and 63.65 acres of eucalyptus. This dedication is set to expire in 2031.
- Consideration should be given to how the expiration of these tax dedications may impact the property's future land use and fiscal management, as well as whether re-dedication or alternative tax strategies are feasible.

Application Strengths:

1. Cultural and Natural Significance:

- The property includes wahi pana such as Pu'u Makanau and Pu'u Pākua, featuring culturally significant heiau and pristine 'Ōhi'a lehua forests.
- Rich historical mo'okū'auhau and archaeological features align with preservation priorities.
- Proximity to Kaiholena Preserve and the Ka'ū State Forestry Management Area enhances connectivity of conservation efforts.

2. Environmental Value:

- The presence of water resources and critical habitats supports

- biodiversity and mitigates regional threats like brush fires.
 - The land offers watershed protection and potential for broader ecological benefits.
3. **Community Engagement and Support:**
- Strong working relationships between TNC, KOOH, and the Olson Trust demonstrate collaboration and alignment with local priorities.
 - Evidence of local cultural care, including recommendations to allow ancestral sites to "rest."
4. **Alignment with Conservation Priorities:**
- The application aligns with priorities under Hawaii Revised Statutes § 173A-2.6, including the presence of exceptional cultural, aesthetic, and ecological values, and imminent threats from potential development.
 - **Assessment of Land Acquisition Priorities:**
 - (1) Lands having exceptional value due to the presence of:**
 - (A) Unique aesthetic resources;**
 - (B) Unique and valuable cultural or archaeological resources; or**
 - (C) Habitats for threatened or endangered species of flora, fauna, or aquatic resources;**
 - (2) Lands that are in imminent danger of development;**
 - (3) Lands that are in imminent danger of being modified, changed, or used in a manner to diminish its value;**
 - (4) Lands providing critical habitats for threatened or endangered species that are in imminent danger of being harmed or negatively impacted;**
 - (5) Lands containing cultural or archaeological sites or resources that are in danger of theft or destruction; and**
 - (6) Lands that are unique and productive agricultural lands.**
5. **Management Capacity:**
- TNC's proven capacity to oversee conservation initiatives and existing ranch leases ensures long-term stewardship potential.
6. **Exceptional Value**
- This application stands out for its impressive scale, encompassing the largest acreage among the applications at 1,916 acres. When broken down, the funding request equates to just \$1,043.84 per acre, and

even when considering the total project cost, it remains a highly cost-effective investment at \$1,854.91 per acre. This demonstrates exceptional value for land conservation efforts.

Assessment of Land Acquisition Criteria (Hawaii Administrative Rules § 13-140-39):

- (1) Completeness of the acquisition application;
- (2) Acquisition of interests or rights in land having value as a resource to the State for the preservation of the following:
 - (A) **Watershed protection;**
 - (B) Coastal areas, beaches, and ocean access;
 - (C) Habitat protection;
 - (D) **Cultural and historical sites;**
 - (E) **Recreational and public hunting areas;**
 - (F) Parks;
 - (G) **Natural areas;**
 - (H) **Agricultural production; and**
 - (I) **Open spaces and scenic resources;**
- (3) **Linkage of protected acreage of similar resources;**
- (4) **Opportunities for appropriate public access and enjoyment;**
- (5) Presence of environmental hazards;
- (6) Feasibility of a project within the two-year acquisition timeframe;
- (7) **Cost of acquisition;**
- (8) Proportion of matching funds being leveraged;
 - (A) 43.73% Matching funds
- (9) **Urgency of need to acquire;**
- (10) **Status and adequacy of management planning;**
- (11) Community support for acquisition;
- (12) Completeness of acquisition funding;
 - (A) TNC is still awaiting some pending grants/funds
- (13) **Connection to regional planning and protection efforts; and**
 - (A) Aligned with Ka'ū Forest Reserve Management Plan
- (14) **Capacity for long-term management.**

Property Maps

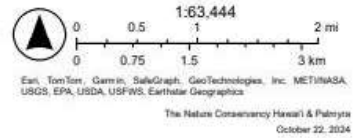
State Zoning Map for Legacy Land Application TMK 395018001



10/22/2024

- | | |
|--------------------------|------------------------------|
| Hawaii Island Parcels | Urban |
| State Land Use Districts | World Imagery |
| Conservation | Low Resolution 15m Imagery |
| Agricultural | High Resolution 60cm Imagery |

- High Resolution 30cm Imagery
- Citations
- 19m Resolution Metadata



Resilient & Connected Network Map for Legacy Land Application TMK 395018001



10/22/2024

- Hawaii Island Permits
- Resilience, Flow, and Recognized Biodiversity
- Resilience and Flow
- Resilience and Biodiversity
- Pioneer Lands
- Sea Level Rise Area
- Developed
- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations
- 10m Resolution Metadata

1:63,444

Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, EPA, USDA, USFWS, Earthstar Geographics, Center for Resilient
 The Nature Conservancy Hesse & Palmyra
 October 22, 2024

Field Visit Photos



