

BOARD PACKET–Legacy Land Conservation Commission Meeting 88
January 29-30, 2025

ITEM 1: REVIEW MEETING PRIORITIES, CRITERIA, AND PROCESS

- A. FY 2025 Priorities and Criteria Handout
- B. FY 2025 Ranking Sheet (for Agenda Item 4)
- C. FY 2025 Tally Sheet (for Agenda Item 4)
- D. FY 2025 Sample Recommendation (for Agenda Item 5)
- E. FY 2025 Estimated Budget_Land Conservation Fund

ITEM 1: STAFF UPDATES

- F. Project Status Table
- G. Other Matters

ITEM 2: FISCAL YEAR 2025 APPLICATIONS FOR GRANTS FROM THE LAND CONSERVATION FUND (LAND ACQUISITION) – APPLICANT PRESENTATIONS AND COMMISSION DISCUSSION

See application table on page 2 of Meeting 88 Agenda.

Contact program staff for access to one or more specific applications.

See Meeting 87 board packet for Commission Permitted Interaction Group Reports, *available* at: <https://dlnr.hawaii.gov/ecosystems/files/2025/01/LLCC-Meeting-87-Board-Packet.pdf>

ITEM 3: FISCAL YEAR 2025 APPLICATIONS FOR GRANTS FROM THE LAND CONSERVATION FUND (LAND ACQUISITION) – COMPARATIVE DISCUSSION

- A. FY 2025 Applications_Comparative Table

Land Acquisition Priorities (Section 173A-2.6, Hawaii Revised Statutes
"Commission shall give the following lands priority in its recommendations . . .")

- (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**.

RANKING FORM FOR APPLICATIONS

Applicant – Application Title

 (1) exemplary (2) above average (3) average (4) below average (5) lowest

A Commissioner can rank only one application at the "lowest" level (5).
Other rankings can be assigned to more than one application.

The Commission typically recommends approval of full funding for certain applications, in the order ranked by the Commission, as funds may be available.

The Commission may also recommend that a certain application not be approved for funding, or that the Board of Land and Natural Resources impose specific, special conditions on a grant award.

Land Acquisition Criteria (Section 13-140-39, Hawaii Administrative Rules, "may consider")

- (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.

D. DLNR - Division of Forestry and Wildlife / East Maui Coastal Forest

___(1) exemplary ___(2) above average ___(3) average ___(4) below average

___(5) lowest

___ ABSTAIN

___ RECUSE

E. Ho'āla Kealakekua Nui, Inc. / Kokua Kealakekua

___(1) exemplary ___(2) above average ___(3) average ___(4) below average

___(5) lowest

___ ABSTAIN

___ RECUSE

F. Makahanaloa Fishing Association / Kawainui Makai

___(1) exemplary ___(2) above average ___(3) average ___(4) below average

___(5) lowest

___ ABSTAIN

___ RECUSE

**G. Ka 'Ohana O Honu'apo / Makaanau Pakua
w/The Nature Conservancy / Hilea**

___(1) exemplary ___(2) above average ___(3) average ___(4) below average

___(5) lowest

___ ABSTAIN

___ RECUSE

LEGACY LAND CONSERVATION COMMISSION MEETING 88

Item 5, January 30, 2025

Sample Recommendation

The Legacy Land Conservation Commission ("Commission") recommends that the Board of Land and Natural Resources ("Board") approve ___ awards for grants from available funds in the Land Conservation Fund, for full funding of the ___ top-ranking Fiscal Year 2025 applications for land acquisition grants, in the order ranked by the Commission, as funds are available, provided that [*special conditions as recommended*]

In order to provide for greater flexibility in the awards program, the Commission also recommends that the Board:

- (1) Approve—as a contingency in the event that <LIST AWARDEES> declines its Fiscal Year 2025 ("FY2025") Legacy Land grant award, or is unable to accept or expend all or part of its awarded funds—awards of remaining, available funds in the FY2025 Land Conservation Fund, up to the amounts originally requested in the FY2025 applications, to APPLICANT as first alternate, for the acquisition of XX acres at District, Island, currently identified by Tax Map Key Number _____ [*provided that APPLICANT submits amended application materials as requested by Legacy Land Conservation Program staff not later than Month DD, 2025*]; then to APPLICANT as second alternate, for the acquisition of XX acres at District, Island
- (2) Authorize the Chairperson, if needed, to redirect up to \$_____ of remaining, available funds from a FY2025 Legacy grant award—that were declined, not accepted, or not used by <LIST AWARDEES>—to the FY2025 grant awarded to APPLICANT (as first alternate) for the acquisition of XX acres at District, Island, currently identified by Tax Map Key Number _____, so as to accomplish full funding for APPLICANT's approved application, as funds are available; then to the FY2025 grant awarded to APPLICANT (as second alternate)

LEGACY LAND CONSERVATION COMMISSION MEETING 88 ITEM 1

FISCAL YEAR 2025 ESTIMATED BUDGET LAND CONSERVATION FUND

\$	ITEM
9,031,791	Appropriation
(1,500,000)	Turtle Bay debt service
(515,000)	Program Administration
(255,000)	OMM Grants
6,761,791	Remainder
(61,791)	Buffer
6,700,000	AVAILABLE FOR LAND ACQUISITION GRANTS

ITEM 1: STAFF UPDATES
Project Status Table_Land Conservation Fund

ACTIVE GRANT AWARDS (n=9)
COMPLETED GRANT AWARDS FY 2024 (n=5)

LLCP	Name	Awardee	Partner	CE Holder	Notes (ACTIVE AWARDS)
2017-03	Kepler Ke‘anae Lo‘i Conservation Easement	Hawaiian Islands Land Trust	na	HILT	Contract ends 20250512. Matching funds from USDA (NRCS-ACEP).
2019-04	Kāne‘ohe: Pali to Lo‘i	DLNR-Forestry and Wildlife	TPL	exempted	Negotiation/due diligence in progress.
2023-01	Pālāwai	Hookuaaina	TPL	Honolulu County + HILT	Funding encumbered in contract. Due diligence in progress.
2023-02	Kamealoha Kuleana Conservation Easement	Kīpuka Kuleana	TPL	Kaua‘i County + Kīpuka Kuleana	Funding encumbered in contract. Due diligence in progress.
2023-03	Makali‘i	Kauluakalana	TPL	Honolulu County + HILT	Funding encumbered in contract. Due diligence in progress.
2024-01	‘Anaeho‘omalua Kapalaoa	Nā ‘Ōiwi O Pu‘uanahulu	TPL	Hawai‘i County	Funding encumbered in contract. Due diligence in progress.
2024-02	Loko Ea Queen's Residence	Malama Loko Ea Foundation	TPL	Honolulu County	Funding encumbered. Contracting in progress.
2024-03	Nani Kai Hoku Farm	Moku O Keawe Land Conservancy (MOKLC)	na	MOKLC	Funding encumbered. Contracting in progress.
2024-04	Ke Ola Project II	Pu‘uwai Ko Ola		TBD	Funding encumbered. Contracting in progress.

LLCP	Name	Awardee	Partner	CE Holder	Notes (COMPLETED)
2019-05 2023-xx	Halulu Fishpond Access	The Waipā Foundation	TPL	Kaua'i County	COMPLETED FY 2024
2022-01	Mahukona Navigation and Ecological Complex	Hawaiian Islands Land Trust	na	Hawai'i County	COMPLETED FY 2024
2022-02	Pohakea Watershed Lands	DLNR-Forestry and Wildlife	TPL	exempted	COMPLETED FY 2024
2022-03	Haneo'o Lands	Ke Ao Hali'i	na	Maui County + HILT	COMPLETED FY 2024
2023-04	Makolelau 5th Parcel	DLNR-Forestry and Wildlife	The Nature Conservancy	exempted	COMPLETED FY 2024

DLNR/BLNR = Department/Board of Land and Natural Resources
HILT = Hawaiian Islands Land Trust

na = not applicable
TBD = To Be Determined

TPL = The Trust for Public Land

Legacy Land Conservation Commission Meeting 88_ITEM 3_FY 2025 Applications_Comparative Table 2a

	2b HANEOO	2c KAHALUU KE KIPUKA	2d EAST MAUI	2e KEALAKEKUA	2f KAWAINUI	2g MAKANAU	TOTAL		
ACRES	1.00	131	170.91	452	1.26	81.19	1,916.06	2,753.42	
FMV	1,550,200	1,950,000	25,000,000	13,240,000	1,400,000	6,200,000	4,500,000	53,840,200	
\$/ACRE	1,550,200	14,885	146,273	29,292	1,111,111	76,364	2,349	19,554	
LLCP \$	1,150,200	1,462,500	3,000,000	3,310,000	1,000,000	4,704,750	2,000,000	16,627,450	To fund all applications
MATCH \$	449,800	517,505	22,059,000	10,000,000	434,000	1,646,250	2,548,000	37,654,555	
TETC	1,600,000	1,980,005	25,059,000	13,310,000	1,434,000	6,351,000	4,548,000	54,282,005	
% MATCH	28.11%	26.14%	88.03%	75.13%	30.26%	25.92%	56.02%	69.37%	All applications funded
MATCH RATIO	0.39	0.35	7.35	3.02	0.43	0.35	1.27	2.26	Match \$: LLCP \$
EASEMENT	Maui County?	TBD?	Honolulu Count	WAIVE?	Hawaii County	Hawaii County?	WAIVE?		