

State of Hawai'i
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Forestry and Wildlife
Honolulu, Hawai'i 96813

February 27, 2015

Chairperson and Members
Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawai'i

Board Members:

SUBJECT: REVIEW OF PROJECT RECOMMENDATIONS FOR FUNDING FROM THE FISCAL YEAR 2015 LEGACY LAND CONSERVATION PROGRAM (LAND CONSERVATION FUND) AND APPROVAL OF THE FOLLOWING GRANTS:

KALUANONO AT WAIPA; WAIPA FOUNDATION, AT \$398,250 FOR PURCHASE OF 1.8 ACRES IN HANAIEI, ISLAND OF KAUAI;

KA IWI COAST MAUKA LANDS; DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF FORESTRY AND WILDLIFE, AT \$1,000,000 FOR ACQUISITION OF 181.14 ACRES IN KO'OLAUPOKO, ISLAND OF OAHU;

WAI'OPAE; COUNTY OF HAWAII, AT \$1,330,000 FOR ACQUISITION OF 322.167 ACRES IN PUNA, ISLAND OF HAWAII;

PUAHALA WATERSHED ACQUISITION; DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF FORESTRY AND WILDLIFE, AT \$855,625 FOR ACQUISITION OF 800 ACRES IN KAMALO, ISLAND OF MOLOKAI;

KALUAAHA RANCH CONSERVATION EASEMENT; MOLOKAI LAND TRUST, AT \$500,000 FOR ACQUISITION OF A CONSERVATION EASEMENT OVER 969 ACRES IN MOLOKAI DISTRICT, ISLAND OF MOLOKAI; AND

PUPUKEA MAUKA; DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF FORESTRY AND WILDLIFE, AT \$416,125, FOR ACQUISITION OF 3,716 ACRES IN WAIALUA, ISLAND OF OAHU.

SUMMARY:

Pursuant to H.R.S., section 173A-2.5, the Legacy Land Conservation Commission (the Commission) has produced recommendations to the Board of Land and Natural Resources on project selection for Fiscal Year 2015 (FY15) funding from the Legacy Land Conservation Program (LLCP). Pursuant to H.R.S., section 173A-5, the Department has sought and received the consultation of the Senate President and Speaker of the House of Representatives. This submittal summarizes these

recommendations for the Board's review and requests approval for projects to receive FY15 LLCP funding.

BACKGROUND:

Legacy Land Conservation Commission Recommendations:

In June, 2014, the LLCP announced available FY15 funding from the Land Conservation Fund (LCF) for projects proposing the purchase of lands having value as a resource to the State. Nonprofit land conservation organizations, county agencies, and State agencies applied for funding for seven separate resource land acquisition projects for the September 15, 2014, application deadline. On December 5, 2014, at a public meeting, the Commission ranked the projects and recommended that they be funded in the order ranked, to the extent that funds are available.

The result of this recommendation would be full awards of to the first five projects listed below, and a partial award of \$416,125 to the sixth project listed.

1. Kaluanono at Waipa; Waipa Foundation, at \$398,250 for purchase of 1.8 acres in Hanalei, Island of Kauai, for the protection cultural resources, agricultural resources and natural wetland habitat.
2. Ka Iwi Coast Mauka Lands; Department of Land and Natural Resources, Division of Forestry and Wildlife, at \$1,000,000 for acquisition of 181.14 acres in Ko'olaupoko, Island of Oahu, for the protection of scenic and cultural resources.
3. Wai'opae; County of Hawaii, at \$1,330,000 for acquisition of 322.167 acres in Puna, Island of Hawaii, for the protection of coastal, natural, and cultural resources
4. Puaahala Watershed Acquisition; Department of Land and Natural Resources, Division of Forestry and Wildlife, at \$855,625 for acquisition of 800 acres in Kamalo, Island of Molokai, for the protection of watershed and natural habitat.
5. Kaluaaha Ranch Conservation Easement; Molokai Land Trust, at \$500,000 for acquisition of a conservation easement over 969 acres in Molokai district, Island of Molokai, for the protection of watershed, natural areas, and habitat.
6. Pupukea Mauka; Department of Land and Natural Resources, Division of Forestry and Wildlife, at \$416,125 (of \$1,000,000 request) for acquisition of 3,716 acres in Waialua, Island of Oahu, for the protection of watershed and natural areas.

Details on each project are included in the discussion, maps and photos are attached as part of Attachment I.

Legislative Consultation

Following the Commission meeting, the Department and the Commission Chair sought the consultation of Senate President Donna Mercado Kim and the Speaker of the House of Representatives Joseph Souki regarding the Commission's recommendations, pursuant to H.R.S. Chapter 173A. The Senate President and Speaker of the House of Representatives offered no

objections or comments to the projects listed as recommended by the Commission in letters dated January 12, 2015, and January 22, 2015, respectively (Attachments II and III).

DISCUSSION:

The following discussion describes the details surrounding each of the Legacy Land Conservation Commission's recommended projects.

Kaluanono at Waipa

Trust for Public Land (TPL) and Waipa Foundation applied for \$398,250 for the purchase of 1.8 acres in Hanalei, Island of Kauai, for the protection of cultural resources, agricultural resources and natural wetland habitat. Waipa Foundation and TPL will seek the matching funds to cover the remaining 25 percent of project costs from the Kauai County open space fund and TPL. The County of Kauai anticipates holding conservation easement over the land as a condition of grant funding.

Kaluanono at Waipā is habitat for the endangered Koloa Maoli (Hawaiian Duck), 'Alae 'Ula (Hawaiian Moorhen), 'Alae Ke'oke'o (Hawaiian Coot), Ae'o (Hawaiian Stilt), Nēnē (Hawaiian Goose), and the native Auku'u (Black-crowned Night Heron). These native wetland birds traverse Kaluanono's shallow stream banks, and the 'Alae 'Ula, 'Alae Ke'oke'o, and Nēnē have been seen nesting on the property.

Kaluanono is a mo'ō kalo (narrow strip of land cultivated in taro) that is bounded by other lo'i kalo (wetland taro patches), a pond called Kalokowai and Waipa Stream, and an ancient 'auwai. The southern and southwest boundaries of Kaluanono are Waipā Foundation's farm lots.

Waipa Foundation will hold the property and manage the natural, cultural, and agricultural resources. Kaluanono would provide Waipā Foundation a place to teach students about native wetland species and the importance of a healthy ahupua'a, and an opportunity to expand its existing wetland bird curriculum for youth. Acquisition would allow Waipā Foundation to expand its current agricultural activities on the property, possibly planting an orchard with ground crops on the southern portion adjoining Waipā Foundation's existing farm lots, and reopening lo'i kalo (wetland taro patches) on the northern portion. Waipa Foundation will review agricultural plans with native wetland bird experts to prevent impacts on the property's resources and wetland bird behavior. Waipā Foundation envisions a learning shelter in the middle of the property for visitors and students to observe and discuss the wetland habitat and agricultural activities.

Waipa Foundation is a nonprofit organization, tax-exempt under 501(c)(3) of the Internal Revenue Code (IRC); its mission is to restore Waipā's vibrant natural systems and resources; inspire healthy, thriving communities connected to their resources; and lead by example.

Ka Iwi Coast Mauka Lands

The Department of Land and Natural Resources, Livable Hawaii Kai Hui, and The Trust for Public Land applied for \$1,000,000 for the acquisition of 181.14 acres in Ko'olaupoko, Island of Oahu, for the protection of scenic and cultural resources. The Department, Livable Hawaii Kai Hui, and TPL intend to secure 75% of the matching funds for this project from the City and County of Honolulu Clean Water Natural Land Program, private donations, and TPL. The Department will consider

granting a conservation easement to the City and County of Honolulu, which typically requires a conservation easement a condition of grant funding for its Clean Water and Natural Lands Program.

The Ka Iwi Coast Mauka Lands are part of a scenic landscape that can be seen from the trail to Makapu`u Lighthouse, Wawamalu (Queen's Beach), Sandy Beach Park, and the various Ka Iwi Coast scenic lookouts. In 2014, the State designated portions of this land as the Maunalua-Makapu`u Scenic Byway for its exceptional scenic, natural, and cultural resource values. Acquisition of these lands would safeguard undocumented ancient and post-contact cultural sites found on the properties. Sites that would be protected include traditional Hawaiian drystack rock walls, paths, enclosures and terraces, at least two pōhaku lele (balancing or floating rocks) that have religious significance, and a coral pathway and coral covered area. Protection of the properties also allows for managed public access with a focus on providing a peaceful and more secluded place for various Hawaiian cultural practices such as studying the night sky for voyaging, and offering oli and pule.

The Department will hold the property and manage it as an open space Forest Reserve. The primary goal of acquisition is to protect the land as undeveloped open space. In the short term, the property will be passively managed and left in its current state. Long term management would include a planning process and low-impact uses in consultation with the community. The Department will consider the involvement of the Ka Iwi Coalition, under the non-profit Livable Hawai'i Kai Hui, as a potential partner in management of the land. The Ka Iwi Coalition has had a role in caring for the area for over thirty years. As partners through an agreement, the organizations could connect the Department to additional expertise in native plants and birds, leaders in community building and stewardship, and volunteers and Hawaiian cultural practitioners that are interested in providing appropriate and dedicated care to cultural sites and landscapes.

Wai'opae

The County of Hawaii applied for \$1,330,000 for acquisition of 322.167 acres in Puna, Island of Hawaii, for the protection of coastal, natural, and cultural resources. The County has secured 50% of the grant funds from the County's Public Access, Open Space, and Natural Resource Preservation Program.

Wai'opae is contiguous with the Marine Life Conservation District and supports anchialine pools and tide pools fed by springs that support a diverse coral reef community and a nursery for juvenile fish as well as an occasional resting place for the Hawaiian Monk Seal. The coastal tide pools that border this property are popular for snorkeling and swimming with local residents as well as tourists. The property also contains diverse native coastal wet forest, lava flows recently colonized by native plants, and caves and burial sites. The native lowland forest is rare in the Hawaiian Islands and provides habitat for native birds.

Acquisition would allow the County of Hawaii to protect this property from potential development into a subdivision in the lower elevation land along the coastline. The property is at low elevation in some areas (sea level to 20 ft. in the front third) and includes a long coastline (approximately 4,000 ft.) is therefore subject to rising sea levels, subsidence, and tsunami and storm surge inundation. In addition to preserving a natural and recreational resource, protection of the property prevents the potential financial cost to the County to provide infrastructure and the protection of the residents in this high hazard zone and the subsequent repairs when natural disasters strike.

Puaahala Watershed Acquisition

The Department of Land and Natural Resources, Division of Forestry and Wildlife, applied for \$855,625 for acquisition of 800 acres in Kamalo, Island of Molokai, for the protection of watershed and natural habitat. The Division will seek the 75% of the total project costs as from two federal land acquisition programs with consistent purposes (Forest Legacy and Recovery Land Acquisition Program).

The Puaahala acquisition contains virtually an entire ahupuaa, including a critical watershed area with portions of the highest quality remaining native watershed forest on Molokai. Puaahala receives some of Molokai's highest rainfall, at over 2,500 millimeters per year, and significantly contributes to the "Molokai Sole Source Aquifer," designated by the State Commission on Water Resource Management (CWRM) as a "groundwater management area," in which CWRM has determined that water resources are threatened by existing and/or proposed water withdrawals or diversions. Puaahala contains "Priority 1 Watersheds" designated in DLNR's "The Rain Follows the Forest" plan.

The ahupua'a includes habitat for 48 listed species, including designated or proposed critical habitat for 40 species. The highest elevation portions of this habitat include ohia montane wet and mesic forest – prime habitat for native forest birds, the ao and uau, part of critical habitat for future recovery of the akohekohe, and kiwikiu, and the opeapea. Further downslope, vegetation transitions to an aalii dry shrubland, then mixed alien/ilima shrubland, and then non-native shrubland and unvegetated areas. The coastal parcels contain estuarine and intertidal ecosystems and the largest freshwater pond on Molokai. This rare ecosystem is only found in five locations on the island.

The Department will designate the mauka parcels as Forest Reserve and the makai parcels as Wildlife Sanctuary. The acquisition will enable the Department to install a planned fence for watershed protection and will allow the Department to provide access to the East Molokai Watershed Partnership to restore and manage the watershed values on this land along with the contiguous parcels it currently manages. The Department will ensure public access in perpetuity to high value coastal areas along with restoration of the coastal wetland habitat for indigenous species.

Kaluaaha Ranch Conservation Easement

The Molokai Land Trust (MLT) applied for \$500,000 for acquisition of a conservation easement over 969 acres in Molokai district, Island of Molokai, for the protection of watershed, natural areas, and habitat. MLT will seek 68% of the total project costs from the U.S. Fish and Wildlife Service's Recovery Lands Acquisition Program.

Associated with the conservation easement (inside or within a three mile radius) are at least 64 populations of 41 federally listed rare or endangered species. The U.S. Fish and Wildlife Service ("USFWS") has designated critical habitat for eight endangered plant species in the conservation easement, with critical habitat for 18 more in a three mile radius. USFWS Recovery Plans identify nesting, transitory corridor (*e.g.*, nest to sea), and/or attractant (features that attract nearby species) for the Nene (Hawaiian Goose), Hawaiian Waterbirds, Hawaiian Dark-Rumped Petrel and Newell's Manx Shearwater, and Hawaiian Forest Birds. The Moloka'i Plant Clusters Recovery Plan identifies seven included species near the conservation easement.

The conservation easement will also help to preserve and improve the watershed, which spans the ahupua'a and descends from over 4000 feet to near sea level before emptying into a vibrant

nearcoastal ecosystem that includes fishponds and a live, 35 mile fringing reef. From the native forest in the upper conservation easement to scrubland and grasslands below, retention of falling and flowing water will aid aquifer recharge essential to Molokai's fresh water supply and furthermore minimize the amount of sediment impacting the near-coastal environment and marine habitat.

MLT will manage the conservation easement in accordance with the restrictions of the Recovery Land Acquisition Program. The short-term plan is to fence portions of the upper KRCE and begin ungulate control. Kalua'aha Ranch joined the East Moloka'i Watershed Partnership in 2012; the watershed partnership will begin fencing approximately 500 acres of the upper conservation easement as early as 2015. The long-term goals of the conservation easement are to control ungulates and other feral animals as necessary within the fenced upper conservation easement, eradicate targeted invasive plant species in conjunction with Moloka'i Maui Invasive Species Committee (MoMISC), and to restore and create native habitat, focusing on appropriate critical habitat for endangered species associated with the conservation easement.

MLT is a nonprofit organization, tax-exempt under 501(c)(3) of the Internal Revenue Code (IRC) and its mission is to protect and restore the land, natural, and cultural resources of Moloka'i, and to promote, educate, and perpetuate the unique Native Hawaiian traditions and character of the island for the benefit of the future generations of all Moloka'i, particularly Native Hawaiians.

Pupukea Mauka

Pupukea Mauka; Department of Land and Natural Resources, Division of Forestry and Wildlife, at \$416,125 (out of an initial \$1,000,000 request), Waialua, Island of Oahu, for the protection of watershed and natural areas. The Division proposed to provide 79% of the total project costs; it has secured Recovery Lands Acquisition Funding and will also seek Army Compatible Use Buffer Program funding and Capital Improvement Project (CIP) funding from the 2015 Legislature.

The property's elevation ranges from 600 to 2,266 feet and contains the two perennial headwater tributaries of Kamananui Stream which feeds Waimea Falls and enters into the marine protected area at Waimea Bay. The parcel provides excellent watershed function and is listed as Priority I watershed area under the Watershed Initiative plan. It is comprised of lowland wet forest and shrubland dominated by ohia, koa, and uluhe native forest and mountainous stream habitat. Twenty-five species of listed threatened or endangered plants or animals have been recorded as existing on this parcel and DOFAW anticipates that additional surveys will reveal many more rare species in this area.

DOFAW would designate the parcel as Forest Reserve and Public Hunting Area and would add trails to the Na Ala Hele Trail and Access system. Short term management goals would be to develop a comprehensive management plan for the parcel and secure implementation funding. Long term goals likely to be identified in the plan would be establishment of additional trails, picnic and camping sites, and establishment of a public hunting area to increase limited hunting opportunities. In addition to base operational funds from the State, DOFAW would apply for management funding from U.S. Fish and Wildlife endangered species grants and State CIP. The planning effort would include writing of an Environmental Assessment to assess and minimize impacts of these uses.

In summary, in its recommendations below, DOFAW advises the Board to approve the six projects selected by the Commission and approved by the legislators, amounting to a total of \$4,500,000 in awarded funding from the Land Conservation Fund. This amount will fund the first three listed

projects at the requested amounts, and provide a partial award of \$416,125 to the Pupukea Mauka project.

Hawaii Revised Statutes, section 173A-4

Section 173A-4, HRS, sets forth two requirements for the Legacy Land grant process: it requires applicants to seek consultation of certain State agencies prior to submitting an application, and it sets forth in detail the framework for what type of deed restriction (including covenants, agricultural easements, conservation easements) may be required over properties being acquired with funds from the LLCP.

Agency Consultation Process

Section 173A-4, HRS, requires applicants to the LLCP to seek the consultation of this Department, the Department of Agriculture, and the Agribusiness Development Corporation with regard to the maximization of public benefits of each proposed land acquisition project. Consulting agencies can also provide input regarding other aspects of the project, including the level of legal protection on the land (e.g., whether a conservation easement is appropriate and what agency or organization ought to hold the conservation easement). Using forms supplied by the Department, FY15 applicants consulted these agencies prior to application deadline, and then included the results of this consultation to the LLCP along with the application form.

Conservation Easements, Agricultural Easements, Deed Restrictions, and Covenants

Section 173A-4, HRS, requires that organizations and agencies receiving funds under this chapter provide a conservation easement, agricultural easement, deed restriction, or covenant to the Department or another eligible agency. The law also provides that the Board shall be an owner of a conservation easement as a condition of the receipt of funding, and states that the Board or any agency or organization required to hold an easement may provide an exemption from that requirement.

To date, the Department has required all recipients of funds through this program to record restrictions in the deed of conveyance for the property. Similar to many federal programs, the Legacy Land restrictions for county and nonprofit grantees reference the grant agreement that is executed between the Board and the grantee, and also include the statutory restrictions on the transfer of the land provided within Chapter 173A, HRS. These statutory restrictions include payback provisions and mandatory Board approval for any subsequent transfer of the property. Per the restrictions, the owner must manage the land in a manner consistent with the protection of the resources as described in the original grant application.

While the Board currently possesses the optional authority to impose conservation easements on lands acquired by other entities, the Department advises that the deed restrictions imposed in previous years are more appropriate for the recommended Fiscal Year 2015 projects. Of the six projects being recommended, three are fee acquisitions to be held by the State, one is a fee acquisition to be held by a county, and one is a conservation easement to be held by a nonprofit. The one project that is a fee acquisition held by a nonprofit organization anticipates incorporating a conservation easement held by the County of Kauai.

Chapter 343, Hawaii Revised Statutes: Environmental Assessment

Class 1, Exemption 15, on the June 12, 2008, Division of Forestry and Wildlife Exemption List, states, "The award of grants under H.R.S., Chapter 173A, for the acquisition of interests in land, provided that the acquisition does not cause any material change of use of land or resources beyond that previously existing." DOFAW advises declaring awards exempt from the preparation of an environmental assessment pursuant to this exemption.

RECOMMENDATIONS:

That the Board:

1) Approve the acquisition of the following parcels and authorize the Chairperson to execute a letter of offer to the landowner and encumber funds, under the FY15 LLCP ceiling, from the LCF for the following Department projects:

- a. Ka Iwi Coast Mauka Lands; Department of Land and Natural Resources, Division of Forestry and Wildlife, at \$1,000,000 for acquisition of 181.14 acres in Ko'olaupoko, Island of Oahu, for the protection of scenic and cultural resources.
- b. Puaahala Watershed Acquisition; Department of Land and Natural Resources, Division of Forestry and Wildlife, at \$855,625 for acquisition of 800 acres in Kamalo, Island of Molokai, for the protection of watershed and natural habitat.
- c. Pupukea Mauka; Department of Land and Natural Resources, Division of Forestry and Wildlife, at \$416,125 (of \$1,000,000 request), Waialua, Island of Oahu, for the protection of watershed and natural areas.

Using a total of **\$2,271,750** from the LCF, subject to compliance with H.R.S., Chapter 173A, and the normal process and procedures for the acquisition of lands by the State.

2) Authorize the Chairperson to enter into agreements and encumber FY15 funds with the listed grant recipients for the following grants to State nonprofit land conservation organizations and counties:

- d. Kaluanono at Waipa; Waipa Foundation, at \$398,250 for purchase of 1.8 acres in Hanalei, Island of Kauai, for the protection cultural resources, agricultural resources and natural wetland habitat.
- e. Wai'opae; County of Hawaii, at \$1,330,000 for acquisition of 322.167 acres in Puna, Island of Hawaii, for the protection of coastal, natural, and cultural resources
- f. Kaluaaha Ranch Conservation Easement; Molokai Land Trust, at \$500,000 for acquisition of 969 acres in Molokai district, Island of Molokai, for the protection of watershed, natural areas, and habitat.

using a total of **\$2,228,500** from the LCF, subject to:

- a. compliance with H.R.S., Chapter 173A;
- b. compliance with H.R.S., Chapter 343;

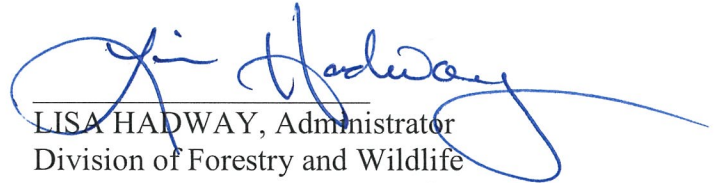
- c. execution of a Grant Agreement with the BLNR;
- d. certification of an appraisal for each project by the Department;
- e. insertion of Legacy Land Conservation Program restrictions into the deed as a condition of contractual agreements with the grant recipients;
- f. approval of the Grant Agreement and of the Deed by the Attorney General's office;
- g. the availability of funds;
- h. the approval of the Governor; and
- i. such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

3) Require the imposition of Legacy Land Conservation Program restrictions into the deeds as a condition of contractual agreements with the grant recipients and exempt projects from any additional conservation easements that may be required under Section 173A-4, HRS.

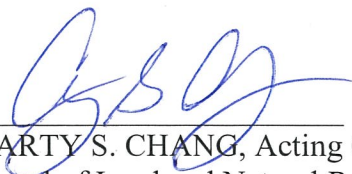
4) Declare these awards of funds exempt in accordance with Class 1, Exemption 15, on the June 12, 2008, Division of Forestry and Wildlife Exemption List.

5) Authorize the Department to proceed with all due diligence and negotiations that may be necessary to carry out the grants and acquisitions mentioned above.

Respectfully submitted,


LISA HADWAY, Administrator
Division of Forestry and Wildlife

APPROVED FOR SUBMITTAL:


CARTY S. CHANG, Acting Chairperson
Board of Land and Natural Resources

ATTACHMENTS:

Attachment I: Table of recommended awards for the Fiscal Year 2015 Legacy Land Conservation Program with project maps and photos attached

Fiscal Year 2015 Legacy Land Conservation Commission Project Rankings (12/5/2014)

| Rank | Project Title | Applicant | District & Island | Fee or CE | Size (acres) | Match(\$) | Legacy Land request (\$) | Total Project Cost (\$) |
|--------------|---------------------------------------|---|-----------------------------|-----------|--------------|---------------|--------------------------|-------------------------|
| 1 | Kaluanono at Waipa | Waipa Foundation & The Trust for Public Land | Hanalei, Kaua'i | Fee | 1.8 | 132,750.00 | 398,250.00 | 531,000.00 |
| 2 | Ka Iwi Coast Mauka Lands | The Trust for Public Land, DLNR, & Livable HI Kai Hui | Ko'olaupoko, O'ahu | Fee | 181.14 | 3,027,800.00 | 1,000,000.00 | 4,027,800.00 |
| 3 | Wai'opae Puaahala | County of Hawaii | Puna, Hawaii | Fee | 322.167 | 1,330,000.00 | 1,330,000.00 | 2,672,901.64 |
| 4 & 5 (TIED) | Watershed Acquisition | DLNR, DOFAW | Kamalo, Molokai | Fee | 800 | 2,566,875.00 | 855,625.00 | 3,422,500.00 |
| 4 & 5 (TIED) | Kalua'aha Ranch Conservation Easement | The Trust for Public Land & Molokai Land Trust | Moloka'i District, Moloka'i | CE | 969 | 1,080,000.00 | 500,000.00 | 1,580,000.00 |
| 6 | Pupukea Mauka | DLNR, DOFAW | Waialua, Oahu | Fee | 3,716 | 3,712,500.00 | 1,000,000.00 | 4,712,500.00 |
| 7 | Helemano | DLNR, DOFAW | Waialua, Oahu | Fee | 1,420 | 11,350,000.00 | 1,777,500.00 | 13,127,500.00 |

Attachment I
Table of Awards

At its meeting on December 5, 2014, the Legacy Land Conservation Commission recommending that the Board of Land and Natural Resources fund the projects listed above in the order ranked, to the extent that funds are available, through the Fiscal Year 2015 Legacy Land Conservation Program. Currently, the estimated funding available is \$4,500,000. With this estimate, funding the projects as listed would result in awards of the requested amounts for the first five projects listed, and a partial award of \$416,125 to the sixth project listed. If an applicant should reject funding in whole or in part prior to the final grant approval of the Board of Land and Natural Resources, the available funds would go to the other projects in the order ranked priority (i.e., to the sixth project and then the seventh project).

Kaluanono at Waipā
General location noted by Green Star



Kaluanono at Waipā Pictures



Nēnē (Hawaiian Goose) on Kaluanono at Waipā property heading into Waipā Stream and the area of the ancient loko (pond) called Kalokowai



Stacy Sproat-Beck looking at the Eastern boundary of Kaluanono made up of grass and trees



Mamaki and Ma'o (Hawaiian Cotton) on Kaluanono property

Ka Iwi Coast Mauka Lands General Location Map



KA IWI COAST MAUKA LANDS

ISLAND OF O'AHU, HAWAII



THE TRUST *for* PUBLIC LAND
LAND FOR PEOPLE

Attachment I
Ka Iwi Coast Mauka Lands



2 State of H
ACRES
PER SECTION

3
CITY & COUNTY TAX MAP
TAX MAP
CITY & COUNTY TAX MAP
SCALE 1 IN. = 600'

FOR PROPERTY ASSIGNMENT - ONE COPY
SUBJECT TO CHANGE

- 36 LAKESIDE DEVELOPMENT CO. (LTD.)
- 38 Cowan's Cove Community Assn. Inc
- 40 Henshi-Ari Development Co

NOTE: All lots shown by
this map are subject to
existing references noted.

Ka Iwi Coast Mauka Lands Photos



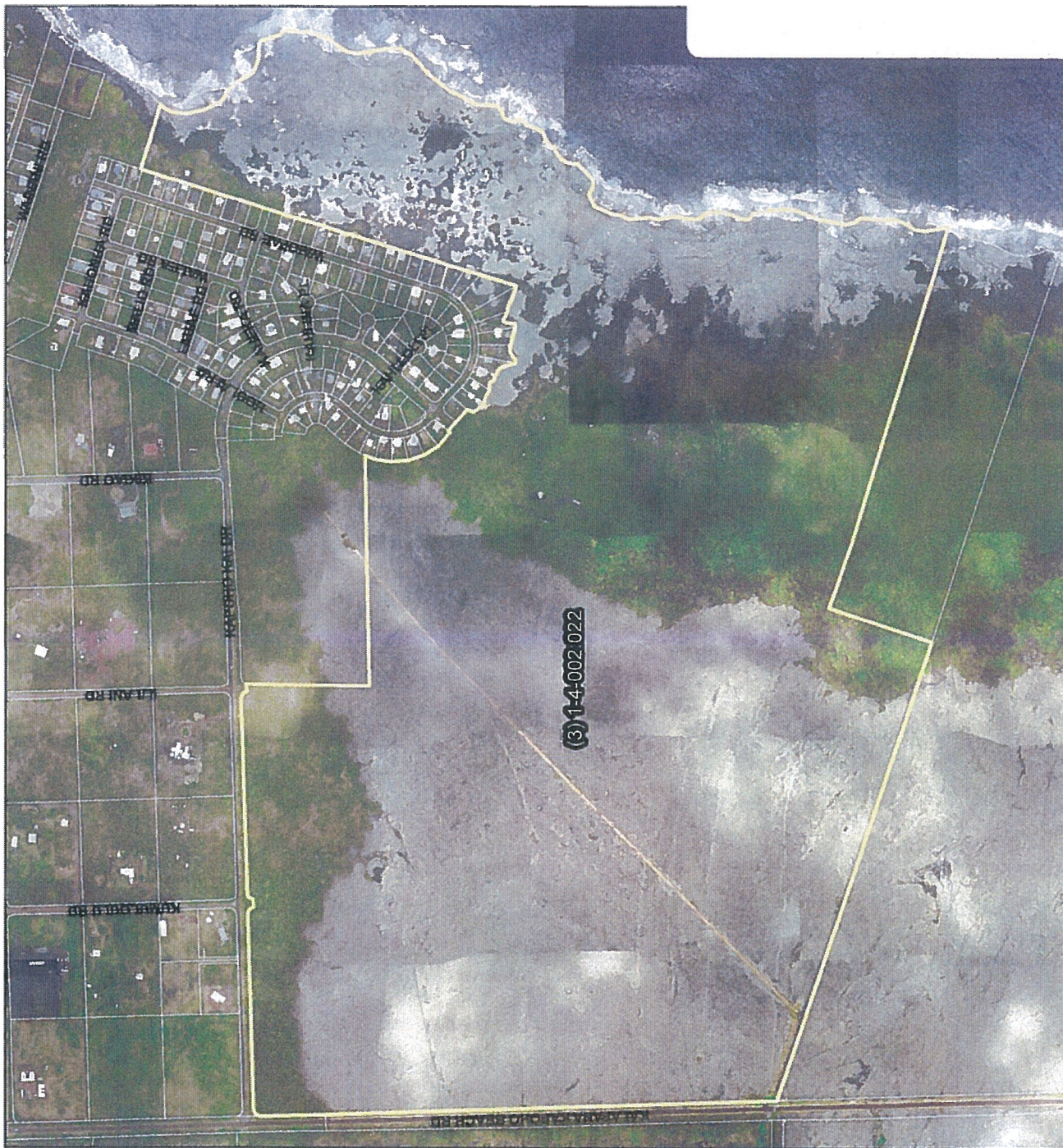
Father and son enjoying the view of the properties from Wāwamalu



View from Eastern property to Wāwamalu with pōhaku lele (balancing rock in foreground) and Kaloko inlet in background

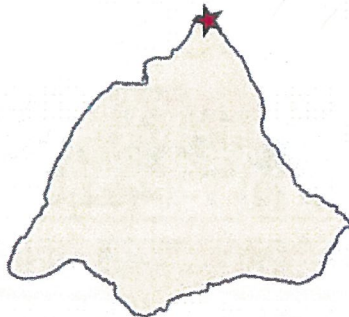


Traditional Hawaiian Drystack Rock Wall on Property



County of Hawaii
Department of Finance
Property Management Division

Wai'Ōpae, Puna

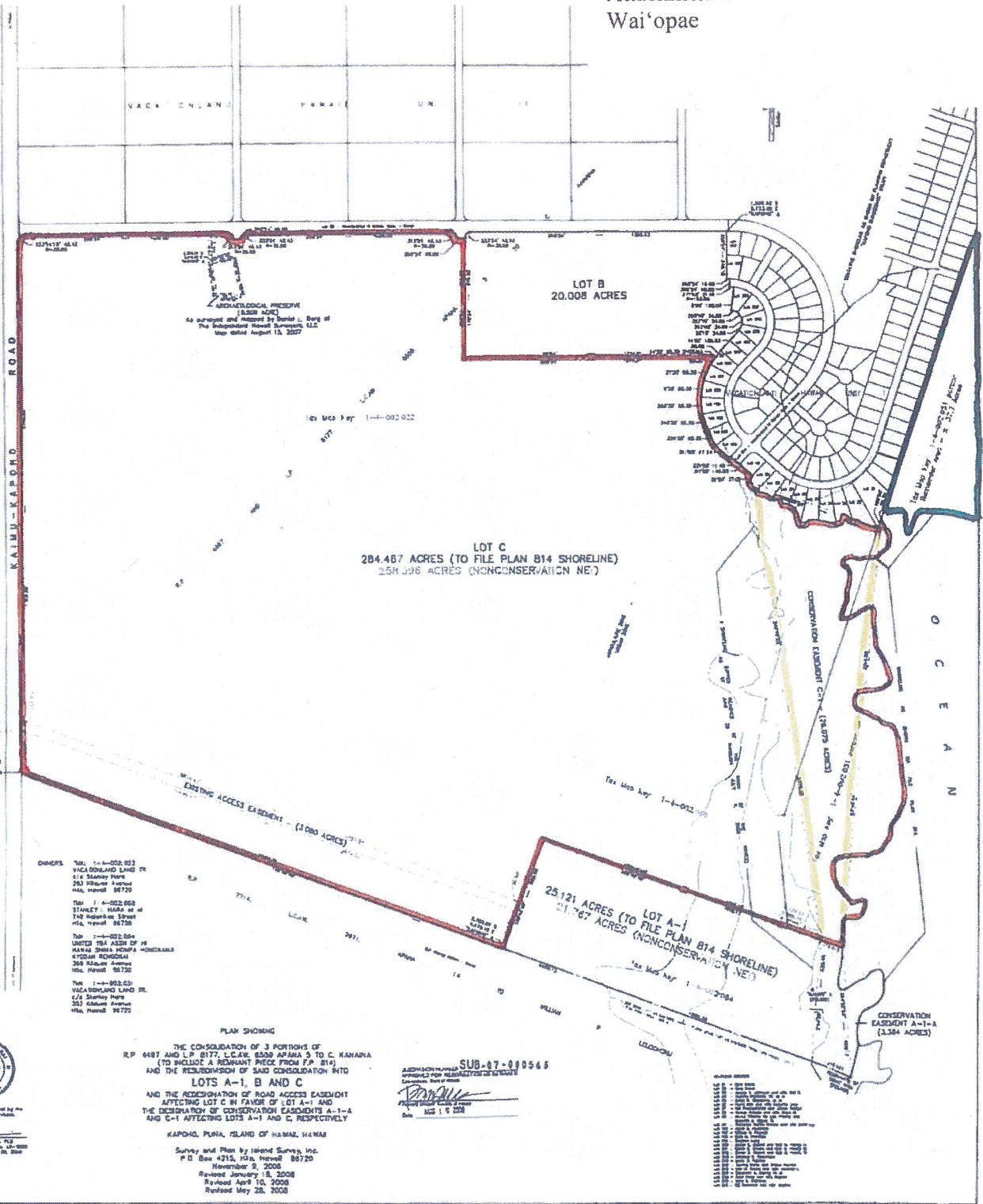


Data gathered from the following:
County of Hawaii Planning Dept.
Pictometry International Corp.

Note: This parcel's layer is intended to be used for visual purposes only and should not be used for boundary interpretations or other spatial analyses beyond the limitations of the data. The parcel data layer does not contain names and bounding information. Overlaying this layer with other data layers that may not have used the same base may not produce precise results. GIS and imagery data will not overlay exactly.



Attachment I
Wai'opae



| | | |
|------------------------|---------------------------------------|--------------------------|
| 281.167 acres | TMK: (3) 1-1-002:022 | (Purchase, Net) |
| + 26.70 acres | and TMK: (3) 1-1-002:031 | (Submerged) |
| = 322.167 acres | TMK: (3) 1-1-002:022 | (Purchase, Gross) |
| 281.167 acres | TMK: (3) 1-1-002:022 | (Purchase, Net) |
| - 26.071 acres | Conservation Easement | |
| = 258.396 acres | Useable, Non-Conservation, Net | |

See Map Key (3) 1-1-002:022, 084, 086 and portion of 051

Scale 1" = 200' = 6.2256 ft.



View of the Wai 'Ōpae Marine Life Conservation District tidepools






Endangered Hawaiian Monk Seal resting in Wai 'Ōpae Marine Life Conservation District

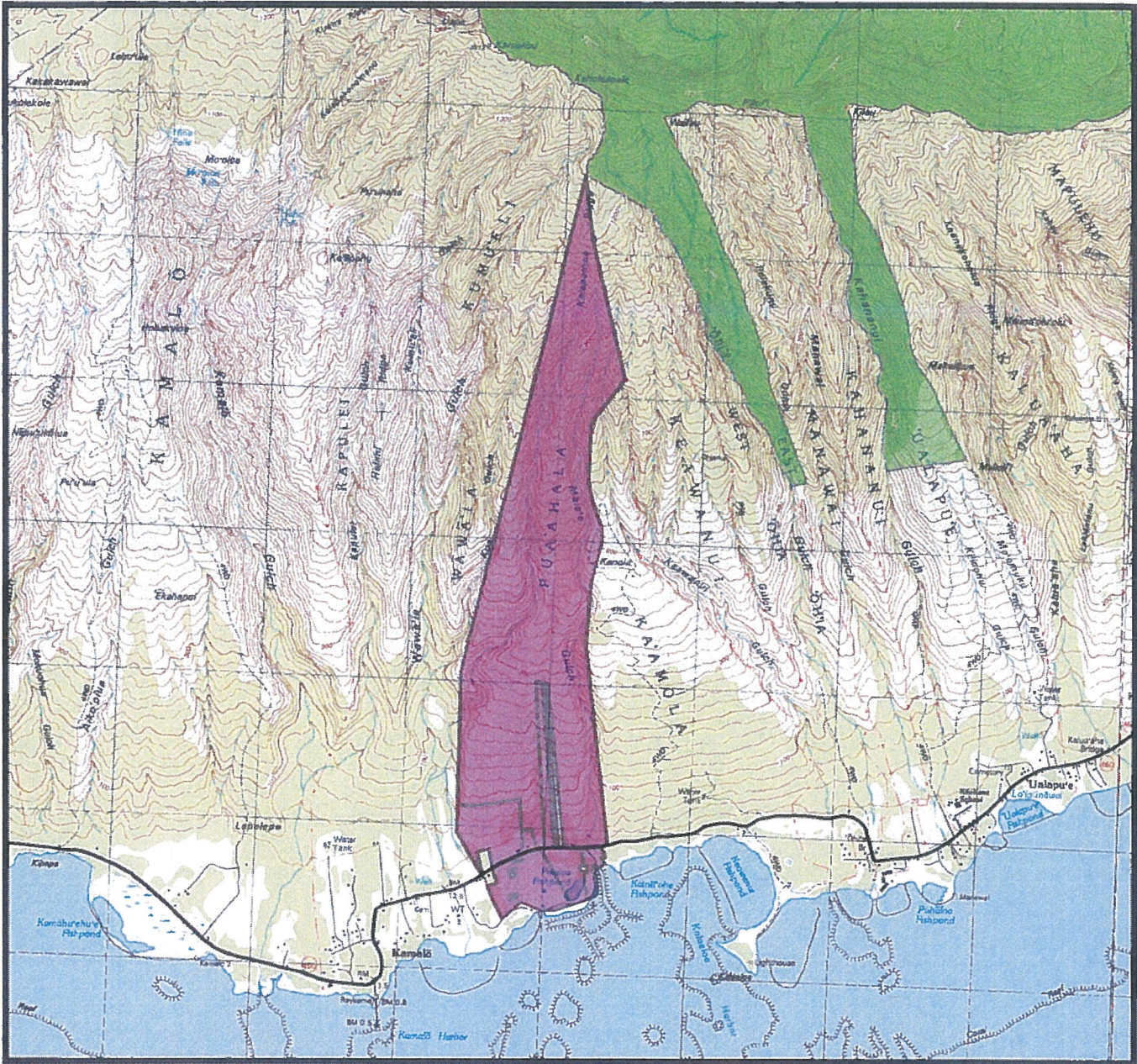
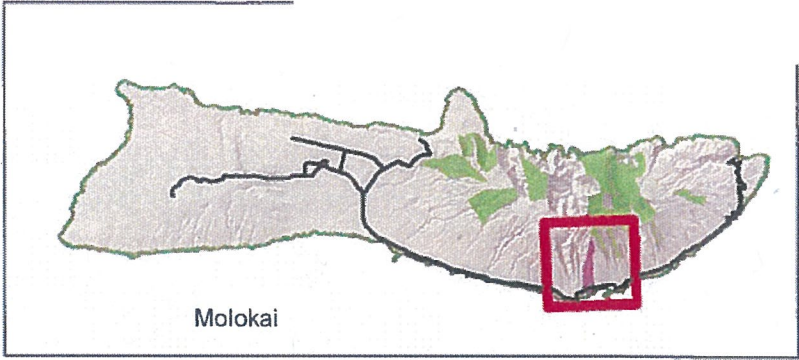


Vegetation on upper portion of property

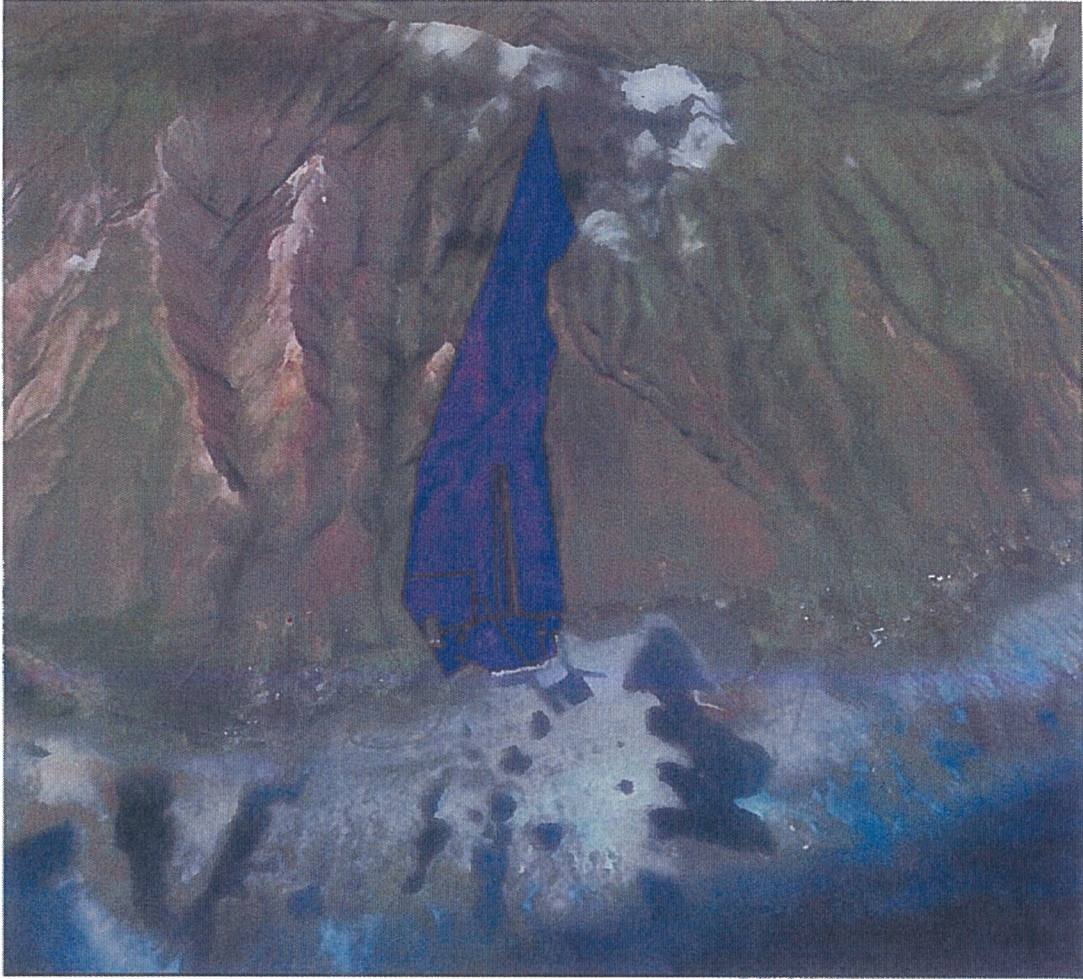


Pua`ahala Acquisition

-  Major Roads
-  Pua`ahala Acquisition
-  DOFAW


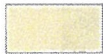




Attachment I
Puaahala





Pua`ahala Acquisition Fenced Areas

-  Pua`ahala Acquisition
-  State Reserves
-  Fenced
-  Proposed Fenced
-  Major Roads

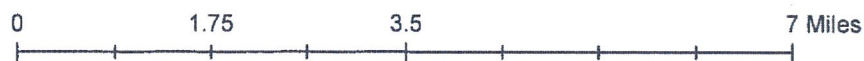
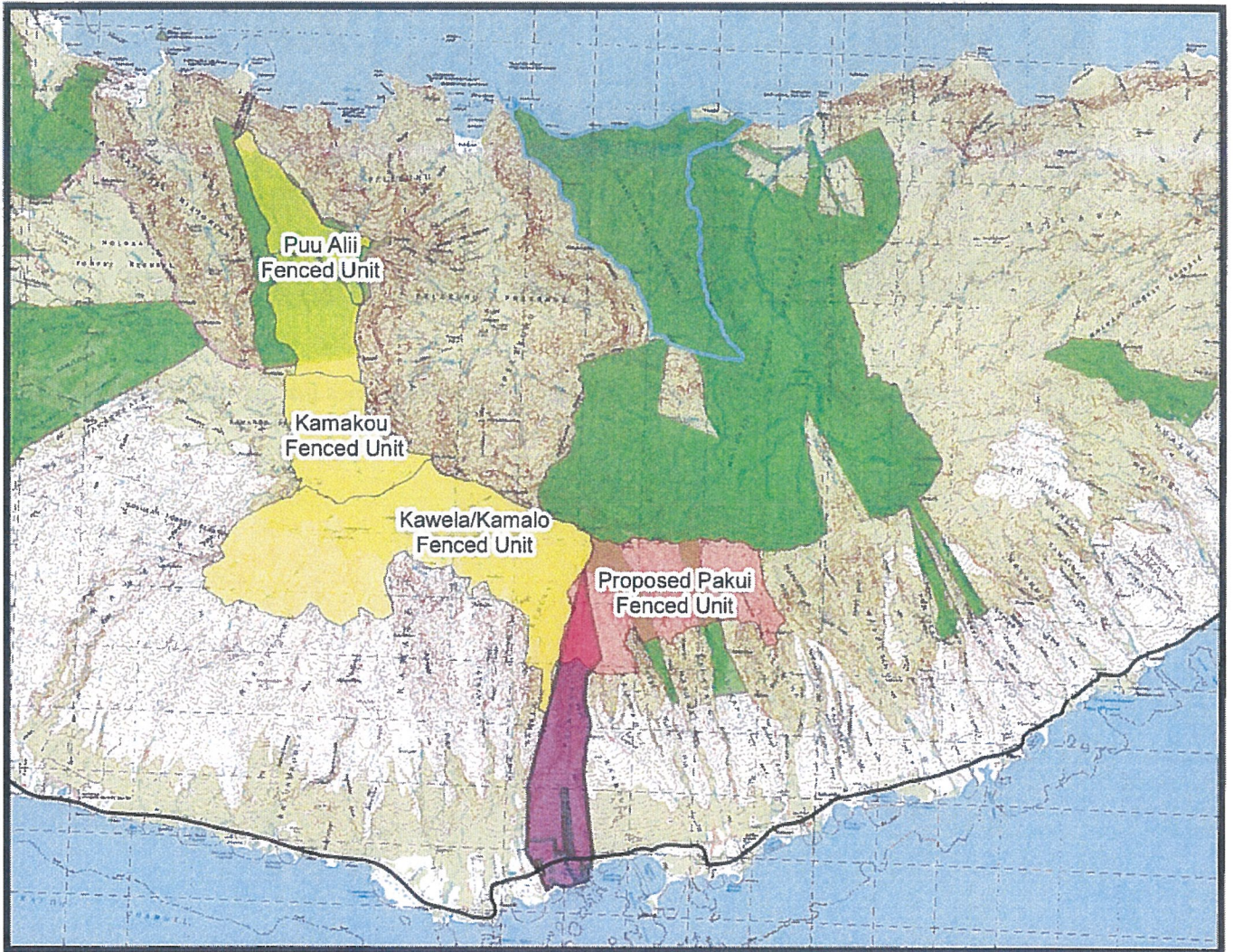




FIGURE 1. Aerial view of the wetland and freshwater pond and estuaries that provide waterbird habitat.



FIGURE 2. Aerial view from the south. Upland watershed forests absorb rain and cloudwater to supply the coastal springs that feed the freshwater pond and important wetland areas. The DLNR is seeking acquisition of the entire property from the mountain to the sea.

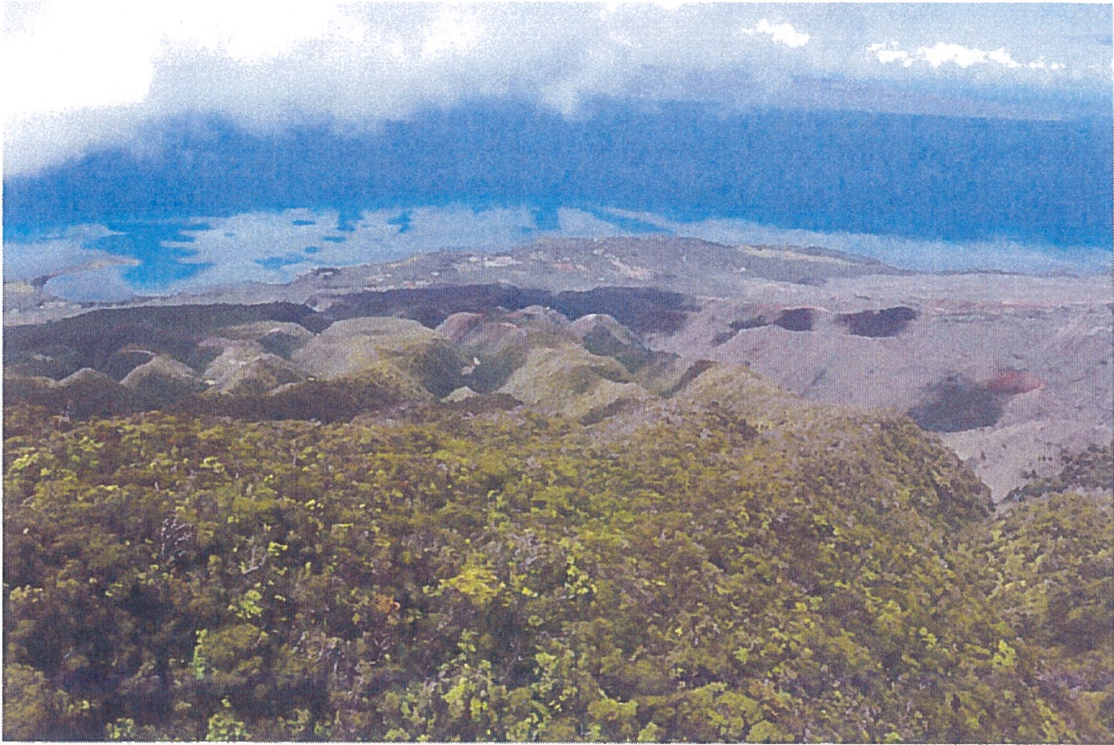
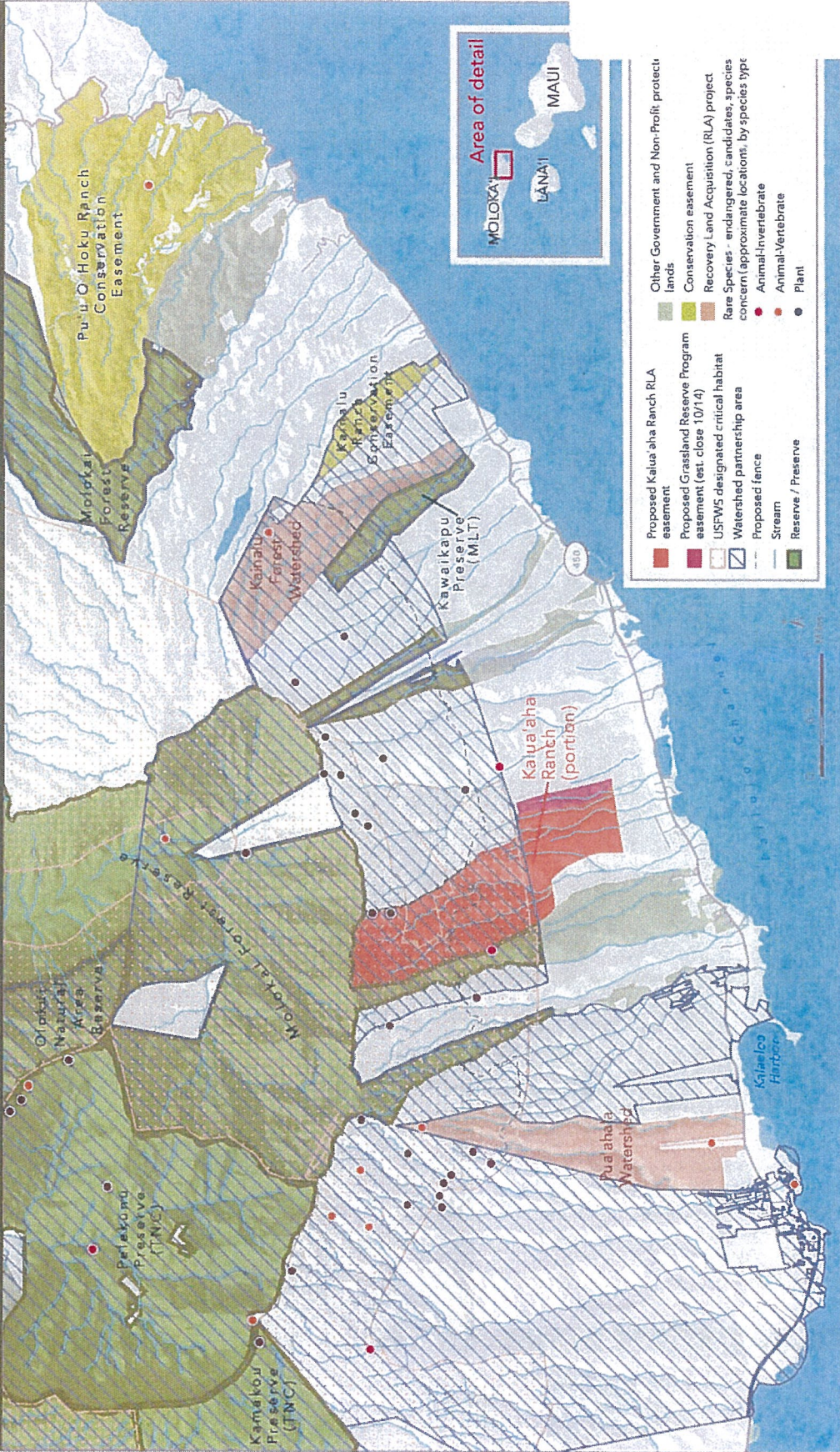


FIGURE 3. Aerial view from the north. The upland areas contain some of Molokai's most intact native forest. The health of these forests are critical to reduce sedimentation of the Molokai's south shore coral reefs – the longest fringing reef in Hawaii.

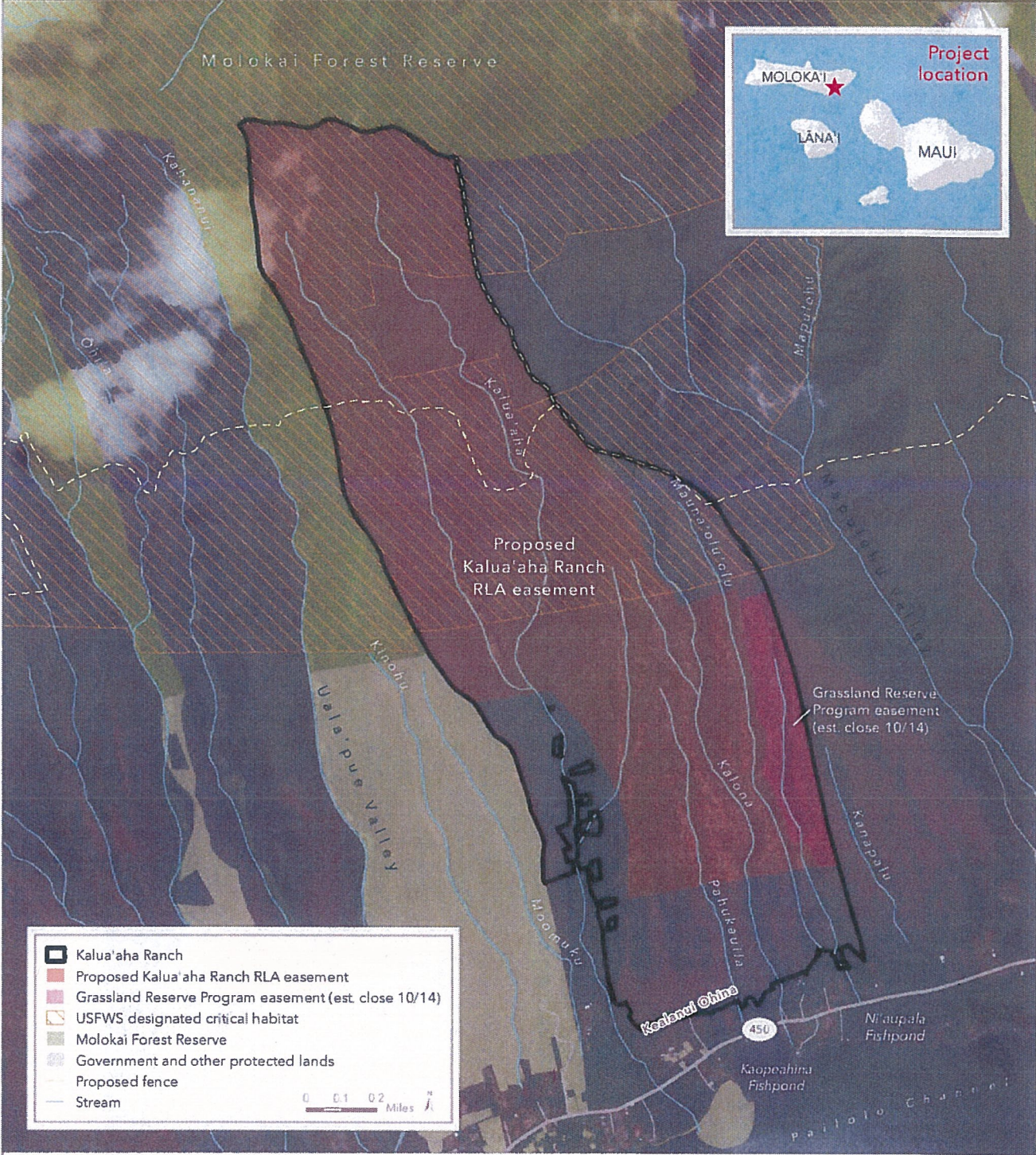
**KALUA'AHA RANCH CONSERVATION EASEMENT -
 RECOVERY LAND ACQUISITION PROJECT**
 ISLAND OF MOLOKA'I, HAWAII



THE TRUST for PUBLIC LAND
 LAND FOR PEOPLE

KALUA'AHA RANCH CONSERVATION RECOVERY LAND ACQUISITION PROJECT

ISLAND OF MOLOKA'I, HAWAII



THE TRUST for PUBLIC LAND
 LAND FOR PEOPLE

Attachment I
Kalua'aha Ranch Conservation Easement



© Richard A. [unreadable]

Attachment I
Kalua'aha Ranch Conservation Easement



©Richard A

Attachment I
Kalua'aha Ranch Conservation Easement



Richard A

**Pupukea Mauka
Legacy Land Conservation Program FY14**

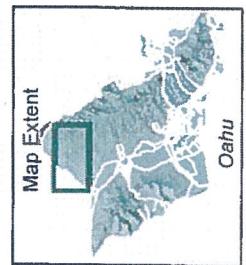


Legend

- Dole - Pupukea Mauka
- Pupukea Forest Reserve
- Manne Management Area
- Waimea Valley Hiipaka/OHA
- Pupukea Paumalu SP
- Rare Species
- Trails



HAWAII STATEWIDE GIS PROGRAM
Map Created 7-15-13
DOFAW 286-6378



Pupukea Mauka Parcel Photos

Figure 1. View of the upper elevations of the parcel and the Koolau Summit.



Figure 2. View of the lower elevations of the property, wind mills, and Mt. Kaala and the Waianae Mountain range.





The Senate

STATE CAPITOL
HONOLULU, HAWAII 96813

January 12, 2015

RECEIVED
2015 JAN 16 AM 10:33
DEPARTMENT OF LAND AND
NATURAL RESOURCES
STATE OF HAWAII

DONNA MERCADO KIM
PRESIDENT

WILL ESPERO
VICE PRESIDENT

SAM SLOM
MINORITY LEADER

FIRST DISTRICT
GILBERT KAHELE

SECOND DISTRICT
RUSSELL E. RUDERMAN

THIRD DISTRICT
JOSH GREEN

FOURTH DISTRICT
LORRAINE R. INOUE

FIFTH DISTRICT
GILBERT S.C. KEITH-AGARAN

SIXTH DISTRICT
ROSALYN H. BAKER

SEVENTH DISTRICT
J. KALANI ENGLISH

EIGHTH DISTRICT
RONALD O. KOUCHI

NINTH DISTRICT
SAM SLOM

TENTH DISTRICT
LES IHARA, JR.

ELEVENTH DISTRICT
BRIAN T. TANGUCHI

TWELFTH DISTRICT
BRICKWOOD GALUTERIA

THIRTEENTH DISTRICT
SUZANNE CHUN OAKLAND

FOURTEENTH DISTRICT
DONNA MERCADO KIM

FIFTEENTH DISTRICT
GLENN WAKAI

SIXTEENTH DISTRICT
BREENE HARIMOTO

SEVENTEENTH DISTRICT
CLARENCE K. NISHIHARA

EIGHTEENTH DISTRICT
MICHELLE N. KIDANE

NINETEENTH DISTRICT
WILL ESPERO

TWENTIETH DISTRICT
MIKE GABBARD

TWENTY-FIRST DISTRICT
MAILE S.L. SHIMABUKURO

TWENTY-SECOND DISTRICT
DONOVAN M. DELA CRUZ

TWENTY-THIRD DISTRICT
GI. RIVIERE

TWENTY-FOURTH DISTRICT
JILL N. TOKUDA

TWENTY-FIFTH DISTRICT
LAURA H. THIELEN

CHIEF CLERK
CAROL TANGUCHI

Mr. Carty Chang
Acting Chairperson
Department of Land and Natural Resources
Kalanimoku Building
1151 Punchbowl Street
Honolulu, HI 96813

Dear Mr. Chang:

I am in receipt of a letter dated December 08, 2014 by former Chair William Aila Jr., requesting my review and consultation regarding the Legacy Land Conservation Commission's funding of projects for Fiscal Year 2015 Legacy Land Conservation Program.

This letter acknowledges that you are seeking comment to fulfill your statutory requirement pursuant to Hawaii Revised Statutes, Chapter 173 A, that requires the Department to request consultation on the list of recommended projects with the Senate President, prior to submitting them to the Board of Land and Natural Resources for approval.

After review, we currently have no comments to the six projects as proposed in your attachments.

Sincerely,

Donna Mercado Kim
Senate President

c: Kaiwi Nui, Chairperson, Legacy Land Conservation Commission

JOSEPH M. SOUKI
SPEAKER

HOUSE OF REPRESENTATIVES

STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813



January 22, 2015

Carty S. Chang, Acting Chair
Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawaii 96809

Dear Chair Chang:

Thank you for your letter dated December 8, 2014 in which you submit for my review, the recommendations of the Legacy Land Conservation Commission regarding funding of projects for the Fiscal Year 2015 Legacy Land Conservation Program (LLCP).

Upon reviewing, I currently have no concerns or objections to the 7 projects as proposed in your attachment.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe", written over a horizontal line.

Joseph M. Souki
Speaker of the House