

### Certification of Fiscal Year 2022 Land Conservation Fund Grant Application (Land Acquisition Grant)

Please submit a completed Form 1 in two formats—paper (with original, wet signatures, preferably in blue ink), and online (scanned/digital copy of paper original, in \*.pdf format, via the Wizehive application portal).

ATTENTION: The Legacy Land Conservation Program (LLCP) may cancel its request for Fiscal Year 2022 Land Conservation Fund Grant Applications, and the LLCP may reject a submitted Fiscal Year 2022 application, in whole or in part, without liability, when the LLCP determines that such cancellation or rejection is in the best interest of the State. A final grant award from the Land Conservation Fund requires approval from the Board of Land and Natural Resources and from the Governor. Encumbrance and disbursement of funding for an approved grant award is subject to the availability of funds and to budge restrictions and procedures implemented under the Governor's Executive Biennium Budget Instructions.

#### **CERTIFICATION:**

I hereby certify that the statements and information contained in this Fiscal Year 2022 Land Conservation Fund Grant Application, including all forms and attachments, are true and accurate to the best of my knowledge.

Applicant	
Print Name	Title
Signature* (sign after printing)	 Date
Partner (if applicable)	
Print Name	 Title
Signature* (sign after printing)	 Date

<sup>\*</sup> Must be authorized to sign on behalf of Applicant or Partner entity.



Applicant:

Application Title:

### Fiscal Year 2022 Property Information Worksheet

Location:					
	I:	sland	District		Ahupua'a
Number of Pa	arcels: _				
Fair Market V	alue/Acres (TC	TALS)		_/	
Total Asking Pi	rice (if listed for sal	e <b>January 2018</b> or la	ter)	\$	
Amount Reque	ested from Land Co	onservation Fund		\$	
Appraisal Repo	ort(s) included in a	pplication Preliminar	y Title		
Report(s) inclu	ded in application			Select	all that apply
Other backgro	und documents in	cluded in application			
			plans, reports, state		
TITLE	REPORT IS S	TRONGLY REC	OMMENDED; RI	EQUIRED AT C	LOSING
	Parcel 1	Parcel 2	Parcel 3	Parcel 4	Parcel 5
Гах Мар Кеу Number¹					
Acres <sup>2</sup>					
air Market Value \$) <sup>3</sup>					
nterests to be Acquired <sup>4</sup>					
Place Name <sup>5</sup>					
Public Access <sup>6</sup> Enter one code only					
State Land Use District <sup>7</sup> Select all that apply	CLUD ALUD IAL RLUD ULUD	CLUD ALUD IAL RLUD ULUD	CLUD ALUD IAL RLUD UUUD	CLUD ALUD IAL RLUD ULUD	CLUD ALUD IAL RLUD ULUD
Conservation District Subzone <sup>8</sup> Select all that apply	☐ P ☐ L ☐ R ☐ G ☐ S	☐ P ☐ L ☐ R ☐ G ☐ S	☐ P ☐ L ☐ R ☐ G ☐ S	□ P □ L □ R □ G □ S	□ P □ L □ R □ G □ S
Critical Habitat <sup>9</sup>					



### Form 2 Fiscal Year 2022 Property Information Worksheet

Historic Places <sup>10</sup> Enter numbers for each parcel					
National Register State Register					
Environ. Hazard <sup>11</sup> <i>Enter one code only</i>					
FEMA Flood Zone <sup>12</sup>					
FEMA FIRM Panel <sup>12</sup>					
Lava-Flow Hazard Zone (Hawaiʻi County Only) <sup>13</sup>					
Lava Inundation Hazard Zone (East Maui Only) <sup>14</sup>					
Seismic Hazard Zone <sup>15</sup>					
Tsunami Evacuation Zone <sup>16</sup>	TEZ	TEZ	TEZ	TEZ	TEZ
Sea Level Rise Exposure Area <sup>17</sup>	☐ SLR-XA	SLR-XA	☐ SLR-XA	SLR-XA	SLR-XA
County Zoning					
LUO <sup>18</sup>					
Category <sup>19</sup>					
Coding <sup>20</sup>					
SMA <sup>21</sup>					
County Planning					
LU Designation <sup>22</sup>					
Source <sup>23</sup>					
Structures <sup>24</sup> Select all that apply	O 거 도 좀 해 용 면	BU RW FE WI TC O			

Application Title



### Form 2

### Fiscal Year 2022 Property Information Worksheet

Encumbrances <sup>25</sup>	CE/AgE	CE/AgE	☐ CE/AgE	☐ CE/AgE	☐ CE/AgE
Select all that apply	☐ DR				
	COV	COV	☐ cov	COV	COV
	☐ AcE				
	☐ UE	☐ UE	UE	UE	UE
	LE	LE	LE	LE	LE
	LI	LI	LI	LI	LI
	ROE/RP	ROE/RP	☐ ROE/RP	ROE/RP	ROE/RP
Title <sup>26</sup>	UI	UI	□UI	UI	□UI
Select all that apply	☐ CPR				
	CLE	CLE	CLE	CLE	CLE
	CLO	CLO	☐ CLO	CLO	CLO
Source of Title <sup>27</sup>	Government	Government	Government	Government	Government
Select all that apply	Crown	Crown	Crown	Crown	Crown
	☐ Private	☐ Private	☐ Private	Private	☐ Private
Title Recordation	Land Court				
System <sup>28</sup>	Regular	Regular	Regular	Regular	Regular
	Dual	☐ Dual	☐ Dual	Dual	Dual



### Fiscal Year 2022 Property Information Worksheet

Notes (on any of the items above)



# FY2022 Agency Consultation and Request for Advice: Information from Land Acquisition Grant Applicant

Applicant:			
Application Title:			
Point of Contact:			
Postal Address:			
Email Address:			
Phone:			
Fax:			
Location of Property:			
	Island	District	Ahupua'a
Number of Parcels:			
Total Acreage Conserved	:		
Tax Map Key Numbers:			
Acquisition Type (select a	all that apply):	Fee Title	
, ,,,	11 37	Conservation Ease	
		Agricultural Easem	
		Unimproved Real F	roperty
Proposed Recipient(s) of	Conservation/Agric	cultural Easement, if any (fo	r acquisition of
fee title):			



## FY2022 Agency Consultation and Request for Advice: Information from Land Acquisition Grant Applicant

Attach high-resolution maps and photos of the property; see separate Form 5 instructions on website for details.

Existing Use of Land and Resources for Proposed Land Acquisition Grant:

TMK <sup>1</sup>	State Land Use District <sup>2</sup>	County Land Use Ordinance <sup>3</sup>	Existing Use/ Encumbrances <sup>4</sup>	Planned Change of Use, if any <sup>5</sup>	Future Encumbrances <sup>4</sup>

Estimated total cost of the acquisition:	<del></del>
Amount requested from the Land Conservation Fund:	

Agricultural = ALUD

Rural = RLUD Urban = ULUD

Use format (x) x-x-xxx:xxx

<sup>&</sup>lt;sup>2</sup> Conservation = CLUD (include Subzone designation in parentheses)

<sup>&</sup>lt;sup>3</sup> Indicate County zoning designation, and SMA if applicable (SpMA = Special Management Area, ShMA = Shoreline Management Area)

<sup>&</sup>lt;sup>4</sup> Include encumbrances such as conservation easement, agricultural easement, deed restriction, covenant, LLCP grant agreement or similar grant/contract, pasture leases/licenses, telcom licenses, roadway/utility easements

<sup>&</sup>lt;sup>5</sup> Aspirational, not "caused" by grant award



## FY2022 Agency Consultation and Request for Advice: Information from Land Acquisition Grant Applicant

Describe the location of the acquisition, the characteristics of the land, and the key resources to be protected (see <a href="subsection173-5(g">subsection 173-5(g</a> ), Hawai'i Revised Statutes):
Describe the public benefits of the acquisition, including but not limited to where public access may be practicable or not practicable and why:
Describe the context and plan for long-term management of the acquired property:



### Form 5a

Fiscal Year 2022 Agency Consultation for Land Acquisition: Department of Land and Natural Resources

To: Suzanne D. Case, Chairperson
State of Hawai'i Department of Land and Natural Resources
c/o: DOFAW / Legacy Land
via email to legacyland@hawaii.gov

#### Please return completed form to Applicant.

Land Acquisition (Section 173A-5, Hawai'i Revised Statutes)

Applicant:	
Application Title:	
Point of Contact:	
Postal Address:	
Email Address:	
Phone:	
Fax:	
Date Submitted	(No Later Than February 18, 2020)
Request for Consultation	n regarding Land Conservation Fund Grant Application for



### Form 5a

#### Fiscal Year 2022 Agency Consultation for Land Acquisition: Department of Land and Natural Resources

In order to help the Legacy Land Conservation Commission and the Board of Land and Natural Resources to process and prioritize applications for funding, the Legacy Land Conservation Program (LLCP) requests that a consulting agency complete this form (Part I, and Part II if applicable) and return it —with comments, if any, on agency letterhead—to the Applicant at the address listed above, **not later than March 30, 2020.** Thank you!

The LLCP expects that a consulting agency will base its responses on the information presented in the attached Form 5 (Information from Land Acquisition Grant Applicant, including maps and photos). Please contact the Applicant directly with questions regarding the proposed land acquisition (Form 5), and contact the LLCP at 586-0921, or <code>legacyland@hawaii.gov</code>, with questions regarding agency consultation and the grant process.

If the Applicant does not receive an agency response before March 31, 2020, then the application will indicate that the agency "Did Not Respond." Please note that a lack of agency response does not affect the prioritization of an application.

Request for Consultation regarding Land Conservation Fund Grant Application (Section 173A-5, Hawai'i Revised Statutes)

<u>Subsection 173A-5(i)</u>, <u>Hawai'i Revised Statutes</u> (HRS), requires that an application for a land acquisition grant from the Land Conservation Fund include "(7) Results of the applicant's consultation with the staff of the department [of land and natural resources], the department of agriculture, and the agribusiness development corporation regarding the **maximization of public benefits** of the project, where practicable" (emphasis added). The attached Information Form (Form 5) describes the proposed land acquisition grant for which we request agency consultation.

The Legacy Land Conservation Program (LLCP) suggests that a consulting agency consider the **maximization of public benefits** within the context of:

- (a) The criteria that the Legacy Land Conservation Commission (LLCC) may consider in forming its recommendations for acquisitions (Section 13-140-39, Hawai'i Administrative Rules, see page 18), particularly:
  - (3) Linkage of protected acreage of similar resources;
  - (4) Opportunities for appropriate public access and enjoyment;
  - (5) Presence of environmental hazards;
  - (9) Urgency of need to acquire;
  - (10) Status and adequacy of management planning;
  - (11) Community support for acquisition;

**Application Title** 



### Form 5a

#### Fiscal Year 2022 Agency Consultation for Land Acquisition: Department of Land and Natural Resources

- (13) Connection to regional planning and protection efforts; and
- (14) Capacity for long-term management.
- (b) The lands to which the LLCC shall give priority in its recommendations for acquisition (Section 173A-2.6, HRS):
  - (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.
- (c) The appropriate legal mechanisms to ensure the long-term protection of the land and to preserve the interests of the State (see <u>Section 173A-4, HRS</u>). In particular, would the consulting agency be willing to accept/hold a conservation easement, agricultural easement, deed restriction, or covenant that runs with the land, or would an exemption from the easement requirement be more appropriate?

FOR AGENCY USE ONLY	
We do not object to the proposed project	
We do not wish to comment on the proposed project	
Comments attached	
Signed:	Date:
Name:	
Title:	



### Form 5b

## Fiscal Year 2022 Agency Consultation for Land Acquisition: Department of Agriculture

To: Phyllis Shimabukuro-Geiser, Chairperson State of Hawai'i Department of Agriculture Office of the Chairperson 1428 South King Street Honolulu, HI 96814

#### Please return completed form to Applicant.

Applicant:		
Application Title:		
Point of Contact:		
Postal Address:		
Email Address:		
Phone:		
Fax:		
Date Submitted	(No later than February 18, 2020)	
, ,	tion regarding Land Conservation Fund Grant Application for tion 173A-5. Hawai'i Revised Statutes	



### Form 5b

## Fiscal Year 2022 Agency Consultation for Land Acquisition: Department of Agriculture

In order to help the Legacy Land Conservation Commission and the Board of Land and Natural Resources to process and prioritize applications for funding, the Legacy Land Conservation Program (LLCP) requests that a consulting agency complete this form (Part I, and Part II if applicable) and return it —with comments, if any, on agency letterhead—to the Applicant at the address listed above, **not later than March 30, 2020** Thank you!

The LLCP expects that a consulting agency will base its responses on the information presented in the attached Form 5 (Information from Land Acquisition Grant Applicant, including maps and photos). Please contact the Applicant directly with questions regarding the proposed land acquisition (Form 5), and contact the LLCP at 586-0921, or <code>legacyland@hawaii.gov</code>, with questions regarding agency consultation and the grant process.

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Request for Consultation regarding Land Conservation Fund Grant Application (Section 173A-5, Hawai'i Revised Statutes)

<u>Subsection 173A-5(i)</u>, <u>Hawai'i Revised Statutes</u> (HRS), requires that an application for a land acquisition grant from the Land Conservation Fund include "(7) Results of the applicant's consultation with the staff of the department [of land and natural resources], the department of agriculture, and the agribusiness development corporation regarding the **maximization of public benefits** of the project, where practicable" (emphasis added). The attached Information Form (Form 5) describes the proposed land acquisition grant for which we request agency consultation.

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  - (3) Linkage of protected acreage of similar resources;
  - (4) Opportunities for appropriate public access and enjoyment;
  - (5) Presence of environmental hazards;
  - (9) Urgency of need to acquire;
  - (10) Status and adequacy of management planning;
  - (11) Community support for acquisition;

**Application Title** 



### Form 5b

## Fiscal Year 2022 Agency Consultation for Land Acquisition: Department of Agriculture

- (13) Connection to regional planning and protection efforts; and
- (14) Capacity for long-term management.
- (b) The lands to which the LLCC shall give priority in its recommendations for acquisition (Section 173A-2.6, HRS):
  - (1) Lands having exceptional value due to the presence of:
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  - (3) Lands that are in imminent danger of being modified, changed, or used in a manner to diminish its value;
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FOR AGENCY USE ONLY	
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We do not wish to comment on the proposed project	
Comments attached	
Signed:	Date:
Name:	
Title:	



### Form 5c

#### Fiscal Year 2022 Agency Consultation for Land Acquisition: Agribusiness Development Corporation

To: James Nakatani, Executive Director State of Hawai'i Agribusiness Development Corporation State Office Tower, Room 205 235 South Beretania Street Honolulu, HI 96813

#### Please return completed form to applicant.

Applicant:	
Application Title:	
Point of Contact:	
Postal Address:	
Email Address:	
Phone:	
Fax:	
Date Submitted:	No later than February 18, 2020)

Request for Consultation regarding Land Conservation Fund Grant Application for Land Acquisition (Section 173A-5, Hawai'i Revised Statutes)



### Form 5c

## Fiscal Year 2022 Agency Consultation for Land Acquisition: Agribusiness Development Corporation

In order to help the Legacy Land Conservation Commission and the Board of Land and Natural Resources to process and prioritize applications for funding, the Legacy Land Conservation Program (LLCP) requests that a consulting agency complete this form (Part I, and Part II if applicable) and return it—with comments, if any, on agency letterhead—to the Applicant at the address listed above, **no later than March 30, 2020.** Thank you!

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  - (3) Linkage of protected acreage of similar resources;
  - (4) Opportunities for appropriate public access and enjoyment;
  - (5) Presence of environmental hazards;
  - (9) Urgency of need to acquire;
  - (10) Status and adequacy of management planning;
  - (11) Community support for acquisition;

**Application Title** 



### Form 5c

#### Fiscal Year 2022 Agency Consultation for Land Acquisition: Agribusiness Development Corporation

- (13) Connection to regional planning and protection efforts; and
- (14) Capacity for long-term management.
- (b) The lands to which the LLCC shall give priority in its recommendations for acquisition (Section 173A-2.6, HRS):
  - (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.
- (c) The appropriate legal mechanisms to ensure the long-term protection of the land and to preserve the interests of the State (see <u>Section 173A-4, HRS</u>). In particular, would the consulting agency be willing to accept/hold a conservation easement, agricultural easement, deed restriction, or covenant that runs with the land, or would an exemption from the easement requirement be more appropriate?

FOR AGENCY USE ONLY	
We do not object to the proposed project	
We do not wish to comment on the proposed project	
Comments attached	
Signed:	Date:
Name:	
Title:	



### Section G

## Fiscal Year 2022 Grant Application for Land Acquisition: Importance and Threats

Applicant:	
Application Title:	
Describe the overall	significance and importance of the property to be acquired:

Applicants, please note that the Legacy Land Conservation Program uses the content provided in this section to describe the proposed land acquisition to the Legacy Land Conservation Commission, the Board of Land and Natural Resources, the State populace in general, and other agencies, individuals, organizations, and media outlets. Be aware that the content provided in this [form/section] may be copied, exactly, into various other program materials, and can serve as an important basis for future review, approvals, and publicity.



### Section G

## Fiscal Year 2022 Grant Application for Land Acquisition: Importance and Threats

dentify and assess conditions that threaten the significance and importance of the property. Address, where applicable, erosion, sedimentation, polluted runoff, flooding, invasive species, conflicting activities:				



## Section H

Applicant:

# Fiscal Year 2022 Grant Application for Land Acquisition: Stewardship and Management

Application Title:
<ol> <li>Describe the proposed future uses of the property to be acquired, including:         <ul> <li>Goals (short-term and long term)</li> <li>Resource management plan</li> <li>Funding sources (for start-up and for operations and maintenance)</li> <li>Permit requirements</li> <li>Management entity (identity, expertise, experience)</li> <li>Integration of existing cultural resources with the overall preservation/protection and use of the property</li> </ul> </li> </ol>



### Section H

Fiscal Year 2022 Grant Application for Land Acquisition: Stewardship and Management



### Section I

## Fiscal Year 2022 Grant Application for Land Acquisition: Cultural and Historical Significance

Applicant:
Application Title:
Describe the cultural significance and historic uses of the land to be acquired, including:
<ul> <li>Place names, with translations and possible interpretations</li> </ul>
Known pre-contact history and land uses
<ul> <li>Information about neighboring areas, land divisions, and management units, in relationship to the land to be acquired</li> </ul>





#### Fiscal Year 2022 Grant Application for Land Acquisition: Cultural and Historical Significance