

## LEGACY LAND CONSERVATION COMMISSION MEETING 72, AGENDA ITEM 2 PROGRAM CHRONOLOGY FOR LLCP 21-02, KIOLAKA'A

(Dates appear as YYYYMMDD; follow active hyperlinks to reference documents,  
or open EXHIBITS file)

### ACRONYMS

AMAC	'Aha Moku Advisory Committee, Executive Director (DLNR)
ATA	Ala Kahakai Trail Association
BLNR	Board of Land and Natural Resources
CHAIR	BLNR/DLNR Chairperson
COUNTY	County of Hawai'i
DLNR	Department of Land and Natural Resources
DOFAW	Division of Forestry and Wildlife (DLNR)
FY	Fiscal Year (July 1 - June 30)
HAR	Hawai'i Administrative Rules
HRS	Hawai'i Revised Statutes
LLCC	Legacy Land Conservation Commission (DLNR-DOFAW)
LLCP	Legacy Land Conservation Program, Program Specialist (DLNR-DOFAW)
NEPM	Native Ecosystems Protection and Management Section
PONC	Public Access, Open Space and Natural Resources Preservation Commission (COUNTY)
SHPD	State Historic Preservation Division (DLNR)
SLH	Session Laws of Hawai'i
TPL	The Trust for Public Land (ATA partner)

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### AUTHORITY

19730515	<a href="#">Act 77, SLH 1973</a> established the Fund for the Environment.
20050701	<a href="#">Act 156, SLH 2005</a> established the Land Conservation Fund to replace the Fund for the Environment. Codified as <a href="#">HRS 173A</a> .
20060701	<a href="#">Act 254, SLH 2006</a> established the Legacy Land Conservation Commission.
20120721	Effective date, <a href="#">HAR 13-140</a> , Legacy Land Conservation Program Rules.

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### WAIKAPUNA

20160712	Application Cycle opened for FY 2017 grants.
20160922	DLNR agency consultation memo from CHAIR to ATA: "We have no objections." <b>[EXHIBIT I]</b>
20160927	ATA and TPL submitted a final FY 2017 grant application for Waikapuna.
20161208	LLCC field visit to Waikapuna (Commissioners Warshauer, Sinton, Wilson, Abbott).
20161212	Commissioner Warshauer and group reported to the LLLC about the Waikapuna application and field visit.
<b>20161213</b>	<b>LLCC recommended full funding for the Waikapuna application, LLCP 17-01</b> (top ranking).

20170427 SHPD consultation reply to LLCP:  
"Our records indicate that an archaeological inventory survey (AIS) has not been conducted for the [Waikapuna] parcel. The [Waikapuna] project area has known historic properties including historic ponds and springs. These sites have not been adequately documented. As the current action proposes no change in current uses or any proposed ground disturbance, impacts will not be significant. The current action proposes no change in the location or nature of the current uses. Therefore, SHPD has no objection to the proposed action. However, the SHPD requests the opportunity to review any future projects involving a change in current activities or any proposed new ground disturbing activities."

**20170526 BLNR approved partial funding for the Waikapuna application under Agenda Item C-1, see [Submittal](#) and [Minutes](#) (pages 9-10).**

**20170621 Governor Ige approved partial funding for the Waikapuna application.**

**20170728 BLNR approved full funding for the Waikapuna application under Agenda Item C-2, see [Submittal](#) and [Minutes](#) (pages 7-8).  
Additional written testimony to BLNR [EXHIBIT II].**

**20171013 Governor Ige approved full funding for the Waikapuna application.**

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20171228 [PONC 2017 Annual Report](#) to the COUNTY Mayor lists Waikapuna as the #1 priority for acquisition (see pages 10-11).

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20180510 Effective date for Waikapuna grant agreement between BLNR and ATA, Contract No. 66886.

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20180822 [COUNTY Council Resolution 2018-650](#) authorizes the COUNTY Department of Finance to pursue the Waikapuna acquisition.

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20181210 LLCC recommended approval for amending the Waikapuna grant award to remove the proposed footprint of a possible County Wastewater Treatment and Disposal Facility from the area to be covered by a conservation easement.

20190125 BLNR approved, under Agenda Item C-3, amendment of the Waikapuna grant award to remove the proposed footprint of a possible County Wastewater Treatment and Disposal Facility from the area to be covered by a conservation easement, see [Submittal](#), [Minutes](#) (pages 5-6), and [Audio](#) (at 7:14).

**20191216 ATA completed the conservation transaction for Waikapuna.**

FY 2020 AND FY2021 COMBINED GRANT APPLICATION CYCLE  
Kaunāmano, Manaka'a, and **Kiolaka'a**

- 20121228 [PONC 2012 Annual Report](#) to the COUNTY Mayor lists Kaunāmano as the #4 priority for acquisition (see pages 17-18).
- 20140501 [COUNTY Council Resolution 2014-351](#) authorizes the COUNTY Department of Finance to pursue the Kaunāmano acquisition.
- 20190506 LLCP Application cycle opened for FY 2020 and FY 2021 grants.
- 20190604 DLNR agency consultation memo from CHAIR to ATA for FY 2021 **Kiolaka'a** grant application. "We do not object to the proposed project."
- 20190716 ATA/TPL submitted final applications for FY 2020 grants for Kaunāmano and Manāka'a and for FY 2021 grants for Kaunāmano, Manāka'a, and **Kiolaka'a** [EXHIBIT III].
- 201908xx LLCC field visits led by Commissioners Warshauer (**Kiolaka'a**), Kawelo (Kaunāmano), and Sinton (Manāka'a), also accompanied by Blauch.
- 20190904 Lead Commissioners and groups reported to LLCC about the grant applications and field visits.
- 20190906 LLCC issued recommendations for FY 2020 and FY 2021 grant awards, including full funding for LLCP 21-02, Kiolaka'a** (other rankings were LLCP 20-01 and 21-08T for Kaunāmano, and LLCP 20-04 and 21-03 for Manaka'a).  
Meeting Handout for LLCC Decisional Priorities and Criteria [EXHIBIT IV].
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- 20191216 ATA acquired Waikapuna.**  
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- 20191231 [PONC 2019 Annual Report](#) to the COUNTY Mayor lists Manaka'a as the #1 priority for acquisition, see pages 7-8.
- 20200424 BLNR approved a FY 2020 grant award for Kaunāmano, LLCP 20-01, under Agenda Item C-3 (after denying a request for a contested case hearing), see [Submittal](#), [Testimony](#), [Minutes](#) (pages 3-6), and [Audio](#) (at 12:17). Additional written testimony to BLNR [EXHIBIT V].**
- 20201216 [PONC 2020 Annual Report](#) to the COUNTY Mayor lists Kiolaka'a as the #2 priority for acquisition (see pages 1.5-1.6).
- 20210122 BLNR deferred action on the Kiolaka'a and Manaka'a applications under Agenda Item C-1, see [Submittal](#), [Written Testimony](#), [Late Testimony](#), [Minutes](#) (pages 2-3), [Audio](#) (at 52:30; Kiolaka'a and Manaka'a discussion, spoken testimony begins at 56:20), and [Youtube](#) (at 6:45:00, Kiolaka'a and Manaka'a discussion; spoken testimony begins at 6:53:00). Additional Written Testimony to BLNR [EXHIBIT VI].**
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RECENT ACTIVITY

20210225 Effective date for Kaunāmano grant agreement between BLNR and  
ATA, Contract No. 69392

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**20210309** *ATA withdrew its FY 2021 application for Manāka'a* [EXHIBIT VII]

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20210318 DOFAW Administrator and LLCP met with Ka'ū community members who  
oppose ATA land acquisitions (facilitated by AMAC).

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20210325 Agenda posted to State Calendar for LLCC Meeting 72, with direct  
notification to LLCC distribution list.

**20210331 Legacy Land Conservation Commission Meeting 72, Agenda Item 2**

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NEXT STEPS

**20210407** Deadline for DOFAW submittal to BLNR for April 23, 2021 meeting.

**20210601** Approximate deadline for DLNR to encumber FY2021 grant funds.  
Requires (1) Governor's approval of grant award and (2) Awardee's  
acceptance of BLNR's offer.