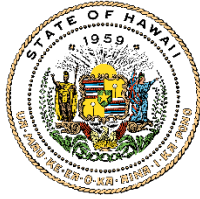


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

LAURA H.E. KAAKUA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

DIVISION OF FORESTRY AND WILDLIFE
1151 PUNCHBOWL STREET, ROOM 325
HONOLULU, HAWAII 96813

**BOARD PACKET
FOR MEETING 79 OF THE LEGACY LAND CONSERVATION COMMISSION**

DATE: **THURSDAY FEBRUARY 9, 2023**
TIME: **9:00 A.M.**
LOCATION: In-person at 1151 Punchbowl St., Room 132
(Kalanimoku Building, Board Room), Honolulu, HI
96813, and Remote by interactive conference
technology (online via ZOOM and by telephone)

To participate online via ZOOM: Join the meeting via ZOOM at:

<https://us02web.zoom.us/j/88018037348?pwd=OXdnSmpZeW9nTnFsMmlNM0JGSVlidz09>

Meeting ID: 880 1803 7348

Passcode: uXiDf1

Agenda Item	Page	Contents
<i>Grant Applications distributed previously, available at Commission office and upon request</i>		
1.	2	Decisionmaking Priorities, Criteria, and Process (DPCP) - summary sheet
1.	3	DPCP - Ranking Sheet
1.	5	DPCP - Tally Sheet
1.	6	DPCP - Sample Recommendation
2.A	8	Permitted Interaction Group Report: Hoku Ula Loko I'a Heiau
2.B.	19	Permitted Interaction Group Report: Pālāwai
2.C.	36	Permitted Interaction Group Report: Makolelau 5 th Parcel
2.D.	56	Permitted Interaction Group Report: Kamealoha Kuleana
2.E.	76	Permitted Interaction Group Report: Makali'i

Land Acquisition Priorities (Section 173A-2.6, Hawai'i 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, Hawai'i 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.

**LEGACY LAND CONSERVATION COMMISSION RANKING SHEET LAND
ACQUISITION GRANT APPLICATIONS, FISCAL YEAR 2023**

Instructions:

- **Select one ranking choice for each application**
 - **“(5) lowest” can be selected only once, if at all**
 - **don’t rank more than one application as “(5) lowest”**
- **Write initials at top right and return to staff**

A. Ua Mau Ke Ea – Hoku Ula Loko I'a Heiau

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

___(5) lowest

___ ABSTAIN

___ RECUSE

B. Ho'okua'āina - Pālāwai

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

___(5) lowest

___ ABSTAIN

___ RECUSE

**C. Dep't of Land & Natural Resources, Div. of Forestry & Wildlife – Makolelau 5th
Parcel**

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

___(5) lowest

___ ABSTAIN

___ RECUSE

D. Kipuka Kuleana – Kamealoha Kuleana

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

___(5) lowest

___ ABSTAIN

___ RECUSE

E. Kauluakalana – Makali'i

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

___(5) lowest

___ ABSTAIN

___ RECUSE

[illegible]

LEGACY LAND CONSERVATION COMMISSION MEETING 80

Handout for Item 5, Commission Recommendations to the Board of Land and Natural Resources

for Fiscal Year 2023 Grant Awards.

February 10, 2023

Sample Recommendation

The Legacy Land Conservation Commission (Commission) recommends that the Board of Land and Natural Resources (Board) approve **X** awards for grants from available funds in the Land Conservation Fund, for full funding of the **X** top-ranking FY2023 applications for land acquisition grants, in the order ranked by the Commission, as funds are available.

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 2023 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 Fiscal Year 2023 Land Conservation Fund, up to the amounts originally requested in the FY2023 applications, to APPLICANT as first alternate, for the acquisition of XX acres at District, Island, currently identified by Tax Map Key Number(s) _____ <provided that APPLICANT submits amended application materials as requested by Legacy Land Conservation Program staff not later than March 10, 2023>; 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 Fiscal Year 2023 Legacy grant award—that were declined, not accepted, or not used by <LIST AWARDEES>—to the Fiscal Year 2023 grant

*Legacy Land Conservation Commission
Meeting 80, Item 5*

awarded to APPLICANT (as first alternate) for the acquisition of XX acres at District,
Island, currently identified by Tax Map Key Number(s) _____, so as to accomplish
full funding for APPLICANT's approved application, as funds are available; then to
the Fiscal Year 2023 grant awarded to APPLICANT (as second alternate)

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

MEETING 79_February 9, 2023_ITEM 2.A.

Group Members: Commissioners Haase, Tavares, Hart, Falinski
Group Leader: Commissioner Haase
Group Purpose: Investigate application for a grant from the Land Conservation Fund

Applicant: DLNR-Division of Forestry and Wildlife
Application: Hoku Ula Loko I'a Heiau
Location (District/Island): Hāna/Maui
Total acreage: ~1.478
Number of parcels: 1
TMKs: Maui County (2) 1-4-008:001
Acquisition Type: fee simple

Estimated Land Value (\$)	1,800,000
Estimated Total Project Costs (\$)	1,850,000
Legacy Land Funding Request (\$)	1,800,000
Estimated Matching Funds (%)	(0% at Field Visit) TBD

Day/Date/Time of Field Visit: Thursday January 26, 2023 10:15 AM – 2:45 PM
Host(s) and Affiliation(s): Pat Caires and Sharon Mynar representing Leo Caires (by phone later) & Hoku Ula Loko I'a Heiau
Group members present: ALL (Haase, Tavares, Hart, Falinski)
Field Visit Summary:

Three Commissioners arrived on Mokulele Air from Kahului (Haase, Tavares, Hart) and met up with Commissioner Falinski at the Hana Airport at 10:15 AM. We were greeted by Sharon Mynar and Pat Caires, sisters from the Hana area representing the applicant for the day. Pat Caires is the mother of Leo Caires who is the primary contact for Hoku Ula Loko I'a Heiau (applicant). Leo was not available due to work demands in his new role at the Mayor's office. He was available by phone later in the visit to answer questions for the commissioners.

Pat and Sharon provided some refreshments to the Commissioners upon arrival while we were doing introductions and getting a brief history of their relationship with the subject parcel and family connection in Hana. At this point, we broke into two vehicles and rode to the project location. Information was shared regarding the current owner and their desire to build a house on site. The permit was denied by the Maui Planning Commission and it sounded like the current owner was precluded from putting in additional building permits for the site after pushback from the Hana community and ancestral descendants from the site. As such it seemed that there was no current or possible future development pressure on the property.

After a short ride from the airport through Hana town, we arrived at the site. The property is situated on the west side of a small point that protects a large fishpond complex (Haneo'o) to the east (Exhibit A, B). It was pointed out that the applicant's family has ownership rights to the main historic fishpond and that this feature was important both culturally and historically as a critical subsistence and spiritual aspect of the Hana community. It is located directly across the road (makai side) from the Ke Ao Hali'i (Haneo'o Lands) project from FY22 cycle last year, and has hydrologic connection to that project. The subject parcel was the location of an historic heiau (150'x30') according to both our hosts and may have also contained a second smaller heiau on the makai side. This location was also near the west terminus for the ancient Haneo'o fishpond wall, now scattered by years of wave action. Off shore is a small islet named 'Alau (Exhibit I), a bird sanctuary for a variety of seabird species. In particular, 'Iwa birds (Great frigate birds) were seen in great numbers throughout the day.

The site is a relatively well maintained grassy open space punctuated with coconuts, Cook Island pines, false kamani, and beach heliotrope. The central portion of the parcel is open and grassy with loose tree cover forming a perimeter to the space (Exhibits C, G). The mauka side of the property adjacent to Haneo'o Road contains a cluster of old Cook Island pines with several family graves evident (Exhibit D, E). One grave was lying at a severe angle, and it was reported that it was damaged by the tsunami in 1946. There is a small stone wall surrounding the family grave site with signage, and a small stone grave site with a singular upright stone lies just outside the property boundary on the east side adjacent to the dirt access road to the main clearing. Opposite the family grave site on the makai portion of the property are some stone features that were pointed out to the commissioners as parts of two former family homes that used to occupy this part of the property. A small portion of the concrete steps to one of the structures was evident in the adjacent Haneo'o fish pond and was pointed out by Pat Caires. Several small pools of clear fresh water were located near the high water line of the rocky beach, and several commissioners (Falinski and Hart) commented that the water was fresh and could be coming from an underground spring associated with the greater Haneo'o fishpond complex hydrology.

The mauka portion of the property on the west side adjoins a parking area with a huluhuli chicken stand and other vendor structures and was busy with tourist vehicles and tour vans. Several structures (Exhibit E) are located on the subject parcel and were in various stages of use by parties allowed access under the current owner according to the applicant representatives. It was not clear if these were permitted structures. A discussion ensued about the cost and responsibility of removal of the structures if the project were to go through as they would not be part of the future plans for the site according to the applicant. Commissioner Falinski pointed out that the commercial activity was taking place on State land adjacent to the subject parcel, and that the public road entering from Hana Highway was not platted out through the state land. Legal access was discussed and seemed likely connecting with the continuation of the county road along Haneo'o fishpond on the east side of the parcel where a dirt access driveway to the property entered from.

At this point a call was made with the primary applicant Dr. Leo Caires. Discussions were had around a number of items in the application that could use more information or documentation. Primary items of discussion were around the 25% match requirement and budget forms that needed completion/corrections. A reduction of the sales price as a donation seemed to be the preferable option to pursue for the applicant to meet the match requirement. Discussions about valuation documentation, historical site documentation, title report, and nonprofit structure were also had with the applicant over the phone. Additional details were asked about regarding future management for the site, community involvement and relationship to the adjacent fishpond, and potential inundation due to sea level rise. Information from these discussions was recommended to be included in a supplemental packet submitted to the LLCP program specialist by Feb 2nd. Dr. Leo Caires seemed thankful for the conversation and comfortable getting the suggested materials together for submission in the allotted timeframe.

The site visit wrapped up after the phone call concluded with Leo and the group minus Commissioner Falinski went to lunch in Hana town before heading back to the airport around 2:45 PM.

Application Issues/Questions:

1. Budget Form items do not add up correctly.
 - a. Answer – a corrected form will be submitted
2. No match listed
 - a. Answer – donation of discounted value of land to be sought as the match from seller
3. No title report
 - a. Answer – information on title report would be sought and provided
4. Basis for valuation – no documentation
 - a. Answer – Documentation for valuation to be provided
5. Question for future management and use of the property
 - a. Answer – the land would remain open and maintained for educational and cultural uses with the addition of a traditional structure at some point. Possible use in connection to the adjacent fishpond.
6. Question regarding historic sites (heiau) associated with property in application
 - a. Answer – Documentation from Bishop Museum available and to be provided
7. Existing structures, possibly unpermitted
 - a. Answer – structures would be removed and possibly replaced with a traditional hale in the future

Assessment of Land Acquisition Priorities (Hawai'i 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
(Hawai'i 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;
- (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.

Exhibit A

Haneo'o Fish Pond Complex east of subject parcel.



Exhibit B

Haneo'o Fish Pond Complex looking west with 'Alau Island in the distance.



Exhibit C

Hoku Ula Loko I'a Heiau Parcel



Exhibit D

Family graves on subject parcel.



Exhibit E

Close up of family grave sites with 1946 tsunami damage to closer grave site.



Exhibit F

Existing structures on site adjacent to parking area and commercial vendors on State land.



Exhibit G

Looking back into the subject parcel from the shoreline.



Exhibit H
Shoreline along west side of subject parcel.



Exhibit I
ʻAlau Islet offshore of the subject parcel.



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

MEETING 79_February 9, 2023_ITEM 2.B.

Group Members: Commissioners Tavares, Blaich, Haase
Group Leader: Commissioner Tavares
Group Purpose: Investigate application for a grant from the Land Conservation Fund

Applicant: Ho'okua'āina
Application: Pālāwai
Location (District/Island): Ko'olaupoko/O'ahu
Total acreage: ~116.49
Number of parcels: 3
TMKs: O'ahu County (1) 4-2-006:008, 4-2-007:001, 4-2-008:001
Acquisition Type: fee simple

Estimated Land Value (\$)	8,304,000
Estimated Total Project Costs (\$)	8,341,000
Legacy Land Funding Request (\$)	2,900,000
Estimated Matching Funds (%)	65

Day/Date/Time of Field Visit: Wednesday/January 18, 2023/ 11:00 AM
Host(s) and Affiliation(s): Ho'okua'āina (Applicant); The Trust for Public Land (Partner)
Group members present: ALL
Staff present: Van Matsushige (DLNR-Land Division)

Field Visit Summary:

At 11:00 AM, once all commissioners and staff participating in this PIG had arrived on O'ahu, we congregated at the current operations headquarters of the applicant, Ho'okua'āina. We met with organization directors Dean and Michelle Wilhelm, as well as community volunteers, neighbors, HILT personnel and employees and interns at Ho'okua'āina. Once gathered, we walked through a dense thicket of *hau* (*Hibiscus tiliaceus*), within which a tunnel had been cleared for a pathway. We emerged on the other side of the *hau*, to a ~5 acre clearing of marsh land, being managed and well-maintained as a traditional *lo'i*, or wetland taro farm (Exhibit A, B, D). The particular method of kalo cultivation was determined by the abundance of spring water at the site. Each *lo'i* is surrounded by wai. No auwai carry water. It was later explained to us that, due to the inaccessibility of heavy equipment into the area, the five acres had been cleared and cultivated over the span of several years using only hand tools. Of the five acres that were opened and accessible, roughly three acres were in commercial taro production. The patches were well maintained, and the crop appeared vigorous and healthy. There were Ae'o, Black-necked Stilt (*Himantopus mexicanus knudseni*, exhibit L), ducks and one 'Auku'u (Black-crowned Night-Heron) in the *lo'i*. According to the applicant, this site is the largest contiguous taro farm on the island of O'ahu. Also on the site was an open walled structure or *hale* (Exhibit B, C), constructed out of

traditional materials available in Hawaii (i.e. Loulu palms for roof thatch), built for community gatherings in 2021.

We gathered as a group in the *hale*, as each participant took a few minutes to describe their role with Ho'okua'āina, and the value of this program to the surrounding community. Kailua is very densely populated, and this was clearly one of the few remaining open spaces available for cultural gatherings and practicing. We learned many things about the nonprofit and the outreach to local youth through school programs, young adults continuing their education at local community colleges, and incarcerated members of our society. Ho'okua'āina is committed to workforce development. The group's organizational structure and its impressive young staff demonstrated successful development of career skills and advancement into leadership and management roles. Dean explained his background as an educator and counselor at the prison system and how those experiences led him to found Ho'okua'āina, as a way for people of Windward O'ahu and of Native Hawaiian Ancestry, to create opportunity for themselves through cultural connection to the land.

At noon, we drove to the nearby home of Barbara Pope, referred to on many occasions throughout our visit as the "Mayor of Kailua." Her home sits on a bluff (Exhibit E, H) that overlooks the Pālāwai parcel that Ho'okua'āina was looking to acquire. She shared the history of this 'ili and the unique geographical features that made it so ideal for taro production and later rice production over a span of several centuries. Her knowledge of the history of this area, as well as access to maps, photos (Exhibit F, G), and testimonials from the Great Mahele, are invaluable to the success of this project and prevention of future development of Pālāwai. It was obvious from this vantage point, that this area was under significant threat of development, being densely surrounded by subdivisions and a large golf course. We were informed that since 2016, at least four subdivision applications had been submitted for this parcel.

From Ms. Pope's home, we walked toward an old farm road, that lead us into the subject parcel. Though the road was somewhat overgrown, it was still in very good condition structurally, and would serve as a valuable piece of infrastructure for stewardship activities. As we walked, we were able to see one of two streams (Exhibit I) that feed the Pālāwai parcel. We also viewed an archaeological site (Exhibit J), where a stone that was once used to sharpen stone tools lay. As we continued on the road, it was obvious that the invasive tree population was significant. For example, a large population of *Albizia julibrissin* exists on the parcel and will take significant resources to remove overtime. As we walked, Dean explained his plan to make Ho'okua'āina economically sustainable within 10 years. His assumptions seemed realistic and, in large part, are based on the market understanding they have developed since the founding of their organization.

We got into a few vehicles, and drove back to the Ho'okua'āina headquarters, for lunch. On our way, we stopped at a good vantage point to see some of the high quality, flat land that would be cultivated. We took a group photo here (Exhibit K). Dean graciously cooked us Beef Luau stew using the taro leaf they farmed, as well as steamed corn

from the taro they grew on property. Once the meal was complete, Michelle and Dean gave us a tour of the orchard they established on some of the lands on the property that were too steep in terrain to farm. Over 50 mature ulu trees, and a number of cacao trees, made up the impressive grove. It was explained to us that their poi, luau leaf, banana, ulu, and other products are sold directly to community members by word of mouth. This has allowed them to generate a loyal following, without the burdens of having to sell to a wholesaler/distributor or creating an extensive marketing campaign.

Application Issues/Questions:

1. Are there any abandoned structures or known environmental concerns on the property?
 - a. Answer: (Makali'i separate parcels) There are no abandoned structures and no known environmental concerns.
2. What was the reason that farmers were evicted from the property in the past?
 - a. Answer: Golf course was not favorable to farming along some of the marquee holes, especially. The current golf course owner also owns the subject parcel and is very favorable to this project and farming.
3. Have you begun discussing the adopt-a-park with the city/county to understand if this is something they might be interested in partnering with you on, as was mentioned in your application?
 - a. Answer: No, not yet.
4. When was the appraisal done?
 - a. Answer: 2-3 years ago
5. Might the surrounding neighbors object to the land clearing and future agriculture activities? (Kalo, some vegetable and orchard crops are envisioned)
 - a. Answer: Neighbors have been supportive of the plans.

Assessment of Land Acquisition Priorities (Hawai'i 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
(Hawai'i 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;
- (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.

Exhibit A

Lo'i kalo at Ho'okua'āina



Exhibit B

Lo'i kalo and hale of Ho'okua'āina



Exhibit C

Gathering of the group to learn more about the vision of Ho'okua'āina within the hale



Exhibit D

Current three-acre taro farm of Ho'okua'āina



Exhibit E

Pālāwai subject parcel, as seen from the home of Barbara Pope



Exhibit F

Historical photo of the subject parcel being cultivated for rice in the early 1900s



Exhibit G

Historical postcard of a painting of the subject parcel, also from the early 1900s



Exhibit H

Barbara Pope, Dean Wilhelm, and Reyna Ramolete educate the commissioners on the subject parcel, with the Palawai property serving as a backdrop.



Exhibit I

Freshwater stream feeding and running through the subject parcel. Source for this is an upstream spring.



Exhibit J

Archaeological item, once used for the sharpening of farm tools



Exhibit K

Site visit group, with subject parcel serving as backdrop



Exhibit L

The endangered Hawaiian Stilt or ae'ō, seen at the Ho'okua'aina lo'i



Exhibit M

Kitchen space used for poi production, located on farm at Ho'okua'āina



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

MEETING 79_February 9, 2023_ITEM 2.C.

Group Members: Commissioners Haase, Tavares, Lucas, Wilson
Group Leader: Commissioner Haase
Group Purpose: Investigate application for a grant from the Land Conservation Fund

Applicant: DLNR-Division of Forestry and Wildlife
Application: Makolelau 5th Parcel
Location (District/Island): Kona/Moloka'i
Total acreage: ~515.75
Number of parcels: 1
TMKs: Maui County (2) 5-5-001:015
Acquisition Type: fee simple

Estimated Land Value (\$)	617,000
Estimated Total Project Costs (\$)	650,000
Legacy Land Funding Request (\$)	650,000
Estimated Matching Funds (%)	0

Day/Date/Time of Field Visit: Tuesday/January 24, 2023/ 12:10 PM
Host(s) and Affiliation(s): DLNR-Division of Forestry and Wildlife (Justin Luafalemana), Native Ecosystems Protection and Management (James Espaniola), The Nature Conservancy, Molokai Program (Russell Kallstrom)
Group members present: ALL (Haase, Tavares, Wilson, Lucas)
Staff present: None
Field Visit Summary:

After some delays from Mokulele Airlines affecting arrival times for Commissioner Tavares and Wilson, all Commissioners (Haase, Lucas, Tavares, Wilson) meet with James Espaniola (DLNR NEPM) and Russell Kallstrom (TNC) at the Molokai Airport, had a quick lunch and briefly discussed the project. We then broke into two trucks and travelled to the subject parcel on the central south shore of Molokai.

The weather was partly cloudy and sunny with a low ceiling around the elevation of the watershed partnership fence at the upper portion of the mountain. The prior day, the area received a localized high intensity rainfall event resulting in flash flooding in the main drainage and highway crossing east of the parcel access road. Once on the property, we continued to ascend the site on the rocky access road until we reached a switchback that provided views into the western (main) drainage for the parcel. Along the way up, several large herds of axis deer were noted at multiple locations on the property and the buffel grass cover seemed particularly green and lush compared to the ahupua`a on either side of Makolelau. From here (Exhibit A) we admired a remnant

Wiliwili grove (*Erythrina sandwicensis*) in the drainage and commented on the vegetation cover of the site and thin soils associated with the lower portion of the property (Exhibit B,C).

We continued up the rocky access road, and it was pointed out that the roads had not been maintained for many years, and that work to improve the roads and create a fire break was part of the management plan for the site after acquisition. We continued to see large herds of axis deer numbering in the dozens, and started to come across goat herds as well as we moved up the side of the mountain. The vegetation cover began to thin as we entered the goat zone until we reached a point where cover was around 50% or less in areas due to overgrazing and wind erosion (Exhibit D,E).

At this point we got out again to survey the area with the applicant representatives. Several remnant Naio (*Myoporum sandwicense*) trees (Exhibit F) were present in a relatively denuded landscape. It was discussed about how fast this area was degrading due to the animal populations and the past history of limited management by the East Molokai Watershed Partnership due to access restrictions by the former landowner. Commissioner Haase talked about the rarity and importance of the Naio in this district and how it is the primary genetic resource for Naio reforestation efforts across the island. This was supported by Russell Kallstrom (TNC).

Information was also shared about the aerial hunting efforts in the gulches to help reduce the number of animals at this elevation. There were some past issues with completion of operations due to a small area inside of the Makolelau parcel that was not included in aerial hunting by the former owners and resulted in a refuge for goat and deer populations. This resulted in a severely eroded portion of the East Kawela gulch (Exhibit G) along the west property boundary for Makolelau.

From here we drove up to the East Molokai Watershed Partnership fence where we exited the vehicles and discussed the retrofit efforts to modify the fence to exclude deer now that they have become more of a problem. The original fence was only 4' tall to exclude goat and pig, and was raised to 8' with a pass through for pedestrians where the access road crossed through the fence (Exhibit H,I,J). The area above the fence includes some of the best remaining dry to mesic forest genetics on Molokai and elsewhere throughout Hawaii according to Russell Kallstrom. Commissioners were greeted with blooming Ko'oko'olau (*Bidens menziesii*) (Exhibit K), brilliant red seed pods of a'ali'i (*Dodonea viscosa*) (Exhibit L), a beautiful Alaa tree (*Planchonella sandwicensis*) (Exhibit M), and *Schiele lydgatei* (Exhibit N), a threatened and endangered species. There was a large amount of native seedling recruitment taking place in the exposed soil areas inside the fence. This included copious amounts of a'ali'i (Exhibit O) and quite a few ko'oko'olau.

Applicants were asked about their plans regarding the invasion of the area inside the watershed fence by invasive Silk oak (*Grevillea robusta*) trees (Exhibit P) as part of the management of the area. It was stated that while it was a priority, that no resources could be directed at it until the current NFWF funded fence project at the Kawela

canyons site was completed sometime later this year. The conversation led into additional aspects of management for the area and the importance of having a management plan in place as soon as possible after acquisition. Both NEPM and DOFAW staff felt it was imperative that funding be secured to implement a secondary fence unit around the adjacent eroded zone to the current fence that included the remnant Naio, Lama, Wiliwili and A`ali`i forest components. Comments were made by the applicants regarding the recent Pua`ahala acquisition by the State and the condition by the Commission at the time that a management plan be developed immediately after acquisition, and still had not been done. Discussions about the LLCC attaching conditions to recommendations for funding were had as a possible route to getting some of the management issues addressed as part of the funding process for acquisition. The applicants were very supportive of this idea as they wanted the resources needed to carry out their mandate.

At this point the group started back down the mountain, stopping at a scenic overlook of the large main drainage for the Makolelau ahupua`a (Exhibit Q). The group then left the parcel and started back west to the airport. Commissioners were dropped off at the Molokai Airport at 5:30 for their return flights concluding the site visit.

Application Issues/Questions:

1. Two fishponds with split ownership are not being accepted as part of the deal by the State, seller still needs to determine who will hold ownership.
2. Aerial hunting operations will be implemented in the drainages in May 2023
3. Public hunting pass system in consideration for the areas below watershed fencing.
4. Watershed fence retrofitted to 8' high to prevent incursions by axis deer.
5. State staff pushing for additional fence unit below existing watershed fence to include rare and declining Naio/A`ali`i/Lama/Wiliwili forest ecosystem
6. Discussion regarding conditions around management plan development and fencing activities

Assessment of Land Acquisition Priorities (Hawai'i 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
(Hawai'i 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;
- (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.

Exhibit A

Remnant wiliwili grove in the drainage on the lower flanks of the parcel



Exhibit B

View of the shoreline and the ahupua`a of Kawela to the west of drainage on the lower flanks of the parcel



Exhibit C

James Espaniola (NEPM), Justin Luafalemana (DOFAW) and Russell Kallstrom (TNC) with the LLCC Commissioners and the island of Lanai in the background.



Exhibit D

Overgrazing and wind erosion from large numbers of goats and deer.



Exhibit E

Goat herd in mid elevation eroded zone of the parcel.



Exhibit F

Remnant Naio in the severely eroded mid elevation section of the parcel.



Exhibit G

Severe erosion on the west boundary of the subject parcel in East Kawela Gulch due to goats and deer.



Exhibit H

Retrofitted fence protecting the upper watershed areas looking East.



Exhibit I

Retrofitted fence protecting the upper watershed areas looking West.



Exhibit J

Retrofitted fence protecting the upper watershed areas with gate and pedestrian pass through.



Exhibit K

Bidens menziesii or *Ko`oko`olau*, a declining species in the dry to mesic shrublands and important *la`au lapa`au* in traditional Hawaiian medicine.



Exhibit L

Brilliant red seed pods of the A`ali`i (Dodonea viscosa).



Exhibit M

Russell Kallstrom underneath an Ala`a tree (Planchonella sandwicensis).



Exhibit N

Schiedea lydgatei, and endangered species in the carnation family that was quite prolific in the dry shrubland area inside the watershed fence.



Exhibit O

A`ali`i seedlings coming up thick inside the protective watershed fence at Makolelau.



Exhibit P

Invasive silk oak trees (Grevillea robusta) invading the dry shrublands inside the protective watershed fence.



Exhibit Q

Final stop above the primary eastern gulch at Makolelau on the lower elevation of the parcel.



LEGACY LAND CONSERVATION COMMISSION PERMITTED INTERACTION GROUP REPORT
Meeting 79, February 9, 2022, Agenda Item 2.D.

KAMEALOHA KULEANA

LIMAHULI, KAUAI



Painting by Uncle Charles Chu, provided by Wann 'ohana

Introduction



This report is presented to the Legacy Land Commission regarding the 2023 Legacy Land Grant application for the Kamealoha Kuleana, located in the ahupua'a of Limahuli, in the district of Halele'a, on the island of Kaua'i. The field visit was conducted on Wednesday, January 11, 2023, with the following Commissioners present: Kanoe Wilson (Lead), John Sinton, and Kaui Lucas, along with the Wann 'ohana, Kīpuka Kuleana, The Trust for Public Lands, and Island School students.

Report Summary

LEGACY LAND CONSERVATION COMMISSION PERMITTED INTERACTION GROUP REPORT

Group Members: Kanoe Wilson, John Sinton, Kaui Lucas

Group Leader: Kanoe Wilson

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

Applicant: Kīpuka Kuleana

Application: Kamealoha Kuleana (Limahuli)
Location (District/Island): Halele'a, Kauai
Total acreage: 3.45
Number of parcels: 1
TMKs: County of Kauai (4) 5-9-003:009, (4) 5-9-003:043
Acquisition Type: (1) Fee Title; (2) Conservation Easement, Improved and Unimproved Real Property

	(1) Conservation Easement
Estimated Land Value (\$)	\$2,460,000
Estimated Total Project Costs (\$)	\$2,497,000
Funding request (\$)	\$1,845,000
Estimated Matching Funds (%)	35%

Day/Date/Time of Field Visit: Wednesday, January 11, 2023, 10:30am
Host(s) and Affiliation(s): Lei Wann, Presley Wann (Wann 'ohana)
 Kīpuka Kuleana: Mehana Vaughan, Tina Aiu, Elif Beall, Sarah Barger
 Trust for Public Land: Reyna Ramolete, Kamuela Ka'apana
Group members present: All including students from Island School

Field Visit Summary

We met at Limahuli Gardens and were greeted there by Lei Wann & Uncle Presley Wann, Director of the Limahuli Garden and Preserve and a member of the 'ohana who has interest in the property parcel of application. Members of Kīpuka Kuleana arrived, and the group participated in the opening protocol, including an Aloha Circle to ho'olauna (introduction).



All Terrain vehicles ("Mule"/"Gators") were provided for the field visit by Limahuli Garden. Lei drove one vehicle with all three commissioners in her vehicle, Uncle Presley drove the other vehicle with David Penn, Administrator LLC & Trust for Public Land Aloha 'Āina team, Reyna Ramolete and Kamuela Ka'apana. The group first visited the Limahuli Gardens and traversed the 3-mile paved trail, visiting various garden areas pertinent to the property in the application.

Lei shared about the pāpala plant, which was used in the 'Ōahi (Firebrand) ceremony that their 'ohana (ancestor) practiced. Pāpala is considered a red-listed extinction species, and estimated only 50 species are in reserve. The pāpala was prepared at the hale on the Kamealoha Kuleana property.



Near the conclusion of the tour, Lei shared with us the plaque of the 38 'ohana who held kuleana lands in Hā'ena and their 'ohana is one of the lasts to hold their kuleana lands in Limahuli.

Following the tour around Limahuli Garden, the group walked across the street to the Kamealoha Kuleana property.

Kamealoha Kuleana Field Visit

The group accessed the property through a paved and gated roadway. The roadway is an easement not included in the property boundary but provides access to residents living at the coastline. Surveyors were out earlier in the week surveying the property, and survey sticks with flags were observed while we traversed the property.



Much of the property is overgrown. Uncle Presley shared how he and Lei would come to the property to help hand-clear most of the foliage. There are remnants of lo'i kalo terrace walls and historic home of Alexander Hailama, the last teacher of 'ōahi firebrand. The 'ohana is looking to restore the lo'i kalo terraces to provide food to the community.



The site has been used as an 'āina-based education learning lab with learners during summer programs. It is a cultural kīpuka for supporting cultural practices including, but not limited to, 'ōahi (firebrand). 'Ōahi is the only place anywhere in the world it was practiced, lawai'a (fishing practices), he'e nalu (legendary surf spot of Lohiau), mahi'ai (farming practices), and lua (Hawaiian fighting arts).

Ownership of the property is shared among four different parties, the Wann 'ohana, two families of the Akana 'ohana and the Boz's. The Akana 'ohana is willing to share their interest in the 'āina; The Wann 'ohana and Boz's want to maintain

their ownership in the property and are supportive of the conservation easement. All parties support protecting the land from the threat of development.

Application Issues/Questions:

1. Kīpuka Kuleana Acquires CE over Property: The Wann ‘ohana uses the proceeds from the CE to buy out the other owners’ interests, allowing a descendant ‘ohana to retain ownership of the kuleana parcel and protect it with a CE. The CE will include the same legal protections and public benefits as a deed restriction (restrictions on development and affirmative obligations to steward the lo‘i and cultural sites and provide managed, guided cultural, and educational access to the property).
2. If other ‘ohana are willing to sell their interest, then can LLCP grant monies go towards buying out the willing sellers to protect the ‘āina from threatened development and to be maintained as a cultural kīpuka for the community.

Assessment of Land Acquisition Priorities (Hawai‘i 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 (Hawai‘i 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;**
 - (A) Combined with NTBG Limahuli the subject parcel will nearly complete or restore what was once the entire integrated lo'i system.**
- (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;**
 - (A) Community-based ahupua'a restoration and management**
- (12) Completeness of acquisition funding;
- (13) Connection to regional planning and protection efforts; and**
- (14) Capacity for long-term management.**

Property Maps



Kamealoha Kuleana

ISLAND OF KAUAI, HAWAII

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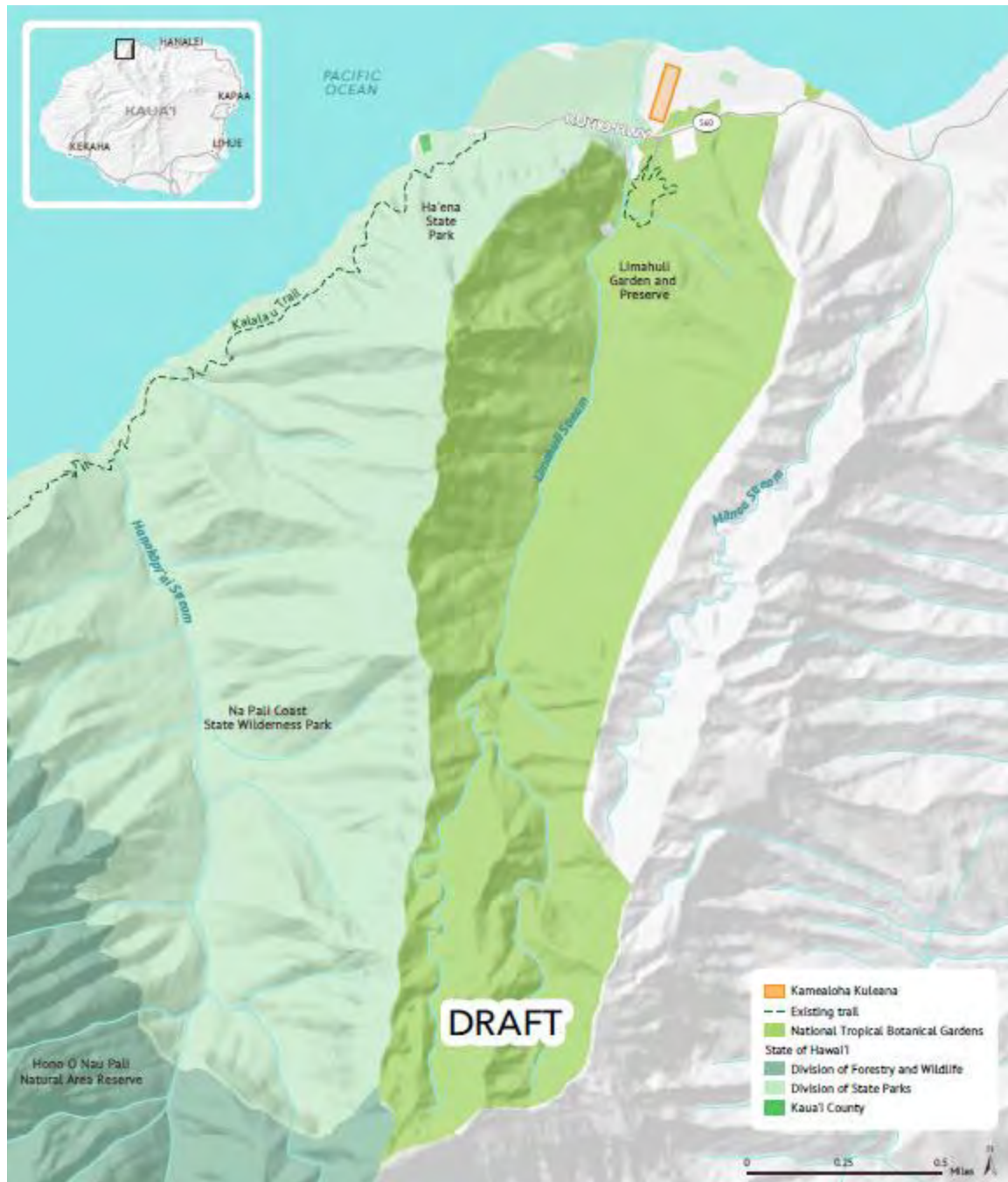




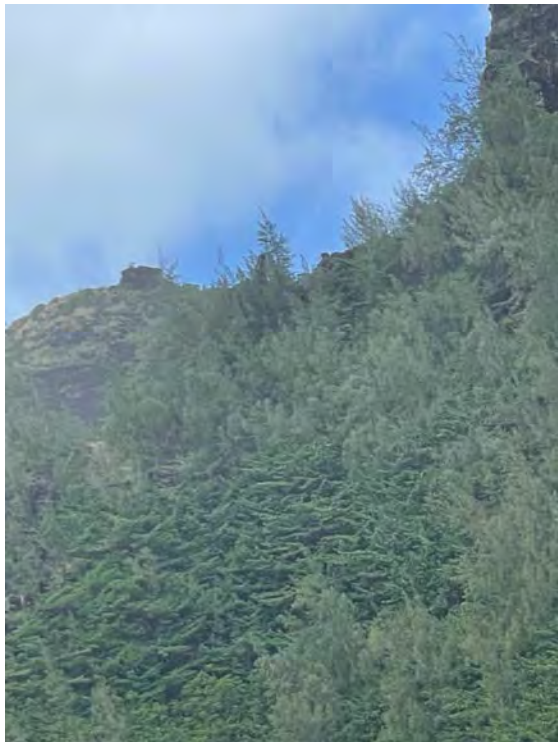
Photo of hale (house) on Kamealoha Kuleana with Makana in the background in 1892 by Alfred Mitchell (Bishop Museum)

Field Visit Photos







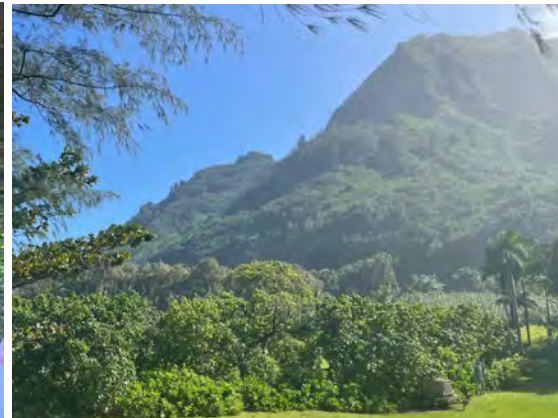












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- Vaughan, M. B. (2018). *Kaiāulu Gathering Tides*. Corvallis Oregon State University Press.
- http://nativeplants.hawaii.edu/plant/view/Charpentiera_obovata/

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

MEETING 79_February 9, 2023_ITEM 2.E.

Group Members: Commissioners Lucas, Blaich, Hart, Falinski
Group Leader: Commissioner Lucas
Group Purpose: Investigate application for a grant from the Land Conservation Fund

Applicant: Kauluakalana
Application: Makali'i
Location (District/Island): Ko'olaupoko/O'ahu
Total acreage: ~59.27
Number of parcels: 2
TMKs: Honolulu County (1) 4-2-006:001, 4-2-006:008
Acquisition Type: fee simple

Estimated Land Value (\$)	4,458,000
Estimated Total Project Costs (\$)	4,495,000
Legacy Land Funding Request (\$)	1,560,000
Estimated Matching Funds (%)	65

Day/Date/Time of Field Visit: Thursday/January 19, 2023/ 10:30 AM
Host(s) and Affiliation(s): Kauluakalana (Applicant), The Trust for Public Land (Partner)
Group members present: ALL
Staff present: Van Matsushige (DLNR-Land Division)

Field Visit Applicant Participants:

Kaleo Wong – Executive Director, Kauluakalana
Maya Saffery – Board President, Kauluakalana
Ryan Ueunten – Site Coordinator, Kauluakalana
Nalamaku Ahsing – 'Aina Education Technician, Kauluakalana
Reyna Ramolete Hayashi – TPL Project Manager
Kamuela Kaapana – TPL Project Associate
Aka Wedemeyer – TPL Project Manager
Barbara Pope - Hui Maunawili Kawainui member, Maunawili resident

Commissioners gathered at Kūkanono, within which Ulupō Heiau is located. This serves as the base of operations for nonprofit Kauluakalana in Kailua, makai of the YMCA on Manu'o'o Street. The Ulupō site has been a recognized Historic Site since the 1950s. Over the decades areas surrounding the heiau structure at Kūkanono have been cleared and restored to agricultural production typical of Polynesia. Since 2019

the applicant, Kauluakalana, has been bringing thousands of students, interns and community members here to learn through active participation in agriculture, Hawaiian language and cultural practices. Kumu Kihei Da Silva and Kumu Hula Mapuana Da Siva of Halau Mohala 'Ilima are long time, involved advisors.

Commissioners, accompanied by Trust for Public Land staff members Reyna Ramolete, Kamuela Kaapana, Aka Wedemeyer, and DLNR staff Van Matsushige, were greeted with traditional call and response protocol in ʻōlelo Hawai'i. Kaapana gave the response 'oli to hosts Kaleo Wong, Maya Saffery, Kauluakalana interns and volunteers.

Individual introductions followed, followed by staff and interns describing their current programs which are providing fresh produce, grown and cooked on site, to those who come to participate, at no cost. The enthusiasm and dedication of program participants was palpable. Kauluakalana's educational emphasis of "kanaka (people) and 'āina (land) reunited in a relationship that feeds us physically, intellectually, culturally, and spiritually" was clearly demonstrated throughout the day. Beginning at and spending time at Kūkanono attested the capacity of the group and the community to undertake restoration of a highly degraded place. When Kauluakalana began, hau thicket covered the area, and there were abandoned houses, dumped cars and other discards throughout. Makali'i is in an equivalent state. We left Ulupō to visit Makali'i, driving about a mile mauka on Kalaniana'ole Highway to Loop Rd.

On the side of the road, Barbara Pope explained with large old maps Maunawili's history, from its agricultural roots, through residential and golf course developments (Exhibits A,B) The last few years have seen dramatic community engagement. Some 11 different community groups coalesced as Hui Maunawili Kawainui to preserve the natural forest, agriculture, and wetlands of the 1000+ acre property, currently comprising 6 parcels.

Pope is a founding member of the Hui and described how community vigilance uncovered 4 permit applications for extensive residential development from current owner, HRT Realty LLC (a subsidiary of The Harry and Jeanette Weinberg Foundation) between 2016 and 2019. The tenacity and cohesiveness of the Hui ultimately convinced HRT to work with TPL and Hui Maunawili members to come up with a plan to assure conservation in perpetuity.

To make this palatable, HRT is requiring all of the land to be purchased in one transaction. The option agreement is for three years, but TPL and applicants are confident it will happen in less than two. The parties have initiated a proposed consolidation & subdivision plan which will allow for lands to be divided between the State, and two NPOs, one is Kauluakalana. On completion, the Makali'i parcel, currently ~45.724 acres will be ~ 59.27.

We walked into Makali'i where HRT is actively clearing the abandoned vehicles, deteriorating material, trash and vegetative overgrowth (Exhibit C, D). Along the road, was a small stream. This was said to be from the spring spoken of in an old mele found

by Kumu Kihei DaSilva: "Lipolipo wai olu o Makali'i ("the dark refreshing water of Makali'i"). A shopping cart had been dumped in the stream, yet the water flowed, dark and compelling, affirming a restored vision for the future. Existing structures which may be rehabilitated to serve program needs, are to remain. Kauluakalana is working with consultants G70 to masterplan the restoration and have been advised to keep the footprints of homes (Exhibits F,G).

As the cleanup work prevented us from going further into Makali'i Valley, we hiked along the ridge that comprises the south west border. The spine's height allowed 360 degree orientation of the 59 acre parcel in relation to Kawainui, Olomana, Pālāwai lands, subdivisions and urban landmarks (Castle Hospital, Maunawili Elementary school, Women's Community Correctional Facility) surrounding this agricultural land. Although a few native/canoe plants such as hala (*Pandanus tectorius*), niu (*Cocos nucifera*), ulu (*Artocarpus altilis*) were evident on the low land, except for a sprinkling of 'A'ali'i (*Dodonaea viscosa*) most of this forested ridge was vegetated with non-native plants (Exhibits H,I,J).

Returning to Kūkanono, Kauluakalana interns had prepared superb Hawaiian food for us, largely sourced from site, including steamed ulu, kalo, laulau, and for dessert, delicious kūlolo (Exhibit K.) Sitting down to lunch gave us an opportunity to ask TPL staff questions. The lunch itself provided incontrovertible evidence of the high quality foodstuffs Kauluakalana grows and provides the community.

After lunch we toured working agriculture plots (Exhibit L). Amongst them were petroglyphs found fairly recently as clearing was done. The area is adjacent to Kawainui marsh. In one lo'i we witnessed three native waterbird species enjoying their restored habitat: a'eo (*Himantopus mexicanus knudseni*), 'alae (*Gallinula chloropus sandvicensis*) and an 'auku'u (*Nycticorax nycticorax hoactli* [Exhibit M]).

Application Issues/Questions:

Timing of the consolidation and subdivision process is not controlled by transaction parties.

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

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

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 - (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.

Exhibit A



Historian Barbara Pope explains Maunawili's land ownership history

Exhibit B

Old maps attest to the agricultural legacy, and help show the relationship of Makali'i and Palawai, the other parcel TPL is assisting into community agricultural stewardship.

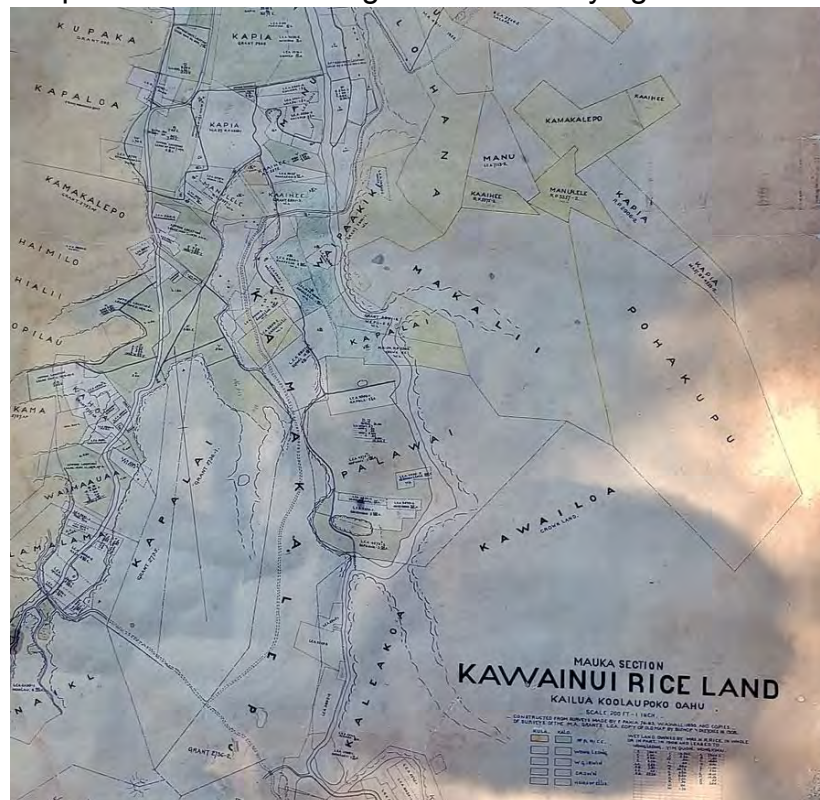


Exhibit C



Entrance to Makali'i

Exhibit D



The parcel is blessed with abundant water sources, in need of rehabilitation.

Exhibit E



The contractors requested we not proceed further into the valley.

Exhibit F



Exhibit G



Despite the dilapidated state, structures will provide footprints allowing expedited rehabilitation.

Exhibit H



North

Exhibit I



North East view

Exhibit J



South West view

Exhibit K



Exhibit L





Exhibit M