

FY2024 LAND CONSERVATION FUND GRANT APPLICATION
FORM 5 GUIDANCE, Agency Consultation for Land Acquisition (Applicant Information)

For each application, submit a completed Form 5, Form 5a, Form 5b, and Form 5c, plus maps and photos, via email (attach each form, plus maps and photos, as separate *.pdf files) to legacyland@hawaii.gov (not to the consulting agencies). Submit the completed forms as soon as possible, and preferably not later than October 9, 2023 to allow optimal time for agencies to respond.

Legacy Land Conservation Program (LLCP) will distribute the appropriate forms to each consulting agency, and will collect the agency responses and distribute them back to the applicant.

During the consultation process (before a consulting agency submits its response to LLCP), a consulting agency may contact an applicant directly to request additional information about an application. Attach records of such communication to the final, fully completed agency response form submitted with the final application.

To complete and submit each form, follow (1) the instructions posted on the Legacy Land website at <https://dlnr.hawaii.gov/ecosystems/llcp/forms/> and (2) the guidance outlined below.

PURPOSE AND USAGE:

Form 5 is important – it provides basic information that describes the location of the proposed acquisition, the characteristics of the land, and the specific key resources to be protected. The Legacy Land Conservation Program uses this information to explain the proposed acquisition to the Legacy Land Conservation Commission, the Board of Land and Natural Resources, the Governor, and the world at large. For an approved application, this basic information provides a basis for completing pre-acquisition Resource Value Documentation, and for future monitoring of the property acquired.

“Proposed Recipient(s) of Conservation/Agricultural Easement, if any (for acquisition of fee title):”

“Proposed recipient” identified is not a binding commitment - Applicant can change this designation in the final application. However, easement recipient must be a government entity or a nonprofit land conservation organization. Possible responses also include “recipient of easement to be determined” or “requesting exemption from easement requirement.” Note that the Legacy Land Conservation Commission and the Division of Forestry and Wildlife may choose to recommend against such an exemption, especially when the Applicant is a private entity.

In general, an Applicant for fee title is not the same entity that would receive a conservation/agricultural easement, because the Applicant, as fee title owner, conveys property rights to the easement recipient that place limits on owner’s usage/activities.

“unimproved real property”

For purposes of the application, improvements to real property generally include buildings, facilities, and related infrastructure that indicates human activity, such as roads, fencing, tanks, utility lines, crop fields, livestock pastures and paddocks, and irrigation systems. Please contact the LLCP for advice if necessary.

MAPS & PHOTOS:

The clarity and content of maps and photos submitted can affect the response of a consulting agency and the impression of reviewing commissioners. We encourage applicants to re-submit the same maps and photos provided for agency consultation as part of the final application (online portal and instructions opening soon).

The Department may use a map or photo in future program materials, and appreciates applicant conformance with the following instructions and preferences:

- **For agency consultation (Form 5), submit not more than four maps,** numbered and captioned, which must include:
 - (1) a map that represents the general location of the property (island or regional scale), and
 - (2) a map that represents the detailed location of the property (parcel scale, such as a county tax map plat sheet),and may include:
 - (3) a map that is drawn as an overlay to an aerial image/view of the property.

Filename (for submitting maps with final online application):

FY2024__<application name goes here>_Maps.pdf

- **Submit not more than four photos,** numbered, which must include views that illustrate the resources to be protected on the property—with identifying/explanatory captions, and photo credits if necessary—and may include an aerial image/view of the property.
- **Preferred format is *.jpeg, minimum size 1 MB and minimum resolution 320 dpi.**

Filename (for submitting photos with final online application):

FY2024__<application name goes here>_Photos.pdf

FOR THE FINAL APPLICATION, AFTER RECEIVING AGENCY RESPONSES FROM LLCP, **SUBMIT ONE COPY, ONLY, OF:**

FORM 5
MAPS
PHOTOS
COMPLETED AGENCY RESPONSES (Forms 5a, 5b, and 5c)
ATTACHMENTS documenting interim communication with a consulting agency.

DO NOT attach additional sets of Form 5, including maps and photos, to each completed agency response (Forms 5a, 5b, and 5c).

DO NOT submit a response form (Forms 5a, 5b, and 5c) with uncompleted agency response information, as was initially provided to LLCP for distribution to consulting agencies.

SUBMIT ONLY the response forms (Forms 5a, 5b, and 5c) as completed by the consulting agency and distributed back to the applicant by LLCP.

CONTACT THE PROGRAM OFFICE FOR ASSISTANCE
legacyland@hawaii.gov (808) 586-0921