

**2023 Legacy Land Conservation Commission Draft Minutes, Meeting 80**  
**State of Hawai'i Department of Land & Natural Resources**  
**Division of Forestry & Wildlife**

**DATE:** February 9, 2023  
**PLACE:** Kalanimoku Building Boardroom, Room 132  
1151 Punchbowl Street  
Honolulu, Hawai'i 96813

And remote by interactive conference technology (online via ZOOM and by telephone)

**COMMISSIONERS PRESENT:**

Mr. William "Butch" Haase  
Mr. John Sinton  
Mr. Patrick Hart  
Ms. Beryl Blaich  
Ms. Christiane "Kau'i" Lucas  
Ms. Kim Falinski  
Ms. Kanoe Wilson  
Mr. Jacob Tavares

**STAFF:**

**Department of Land & Natural Resources**

David Penn Program Specialist, Legacy Land Conservation Program, Division of  
Forestry & Wildlife  
Van Matsushige Project Development Specialist, Land Division

**PUBLIC:**

**In-Person**

Reyna Ramolete Hayashi (Trust for Public Land)  
Adam Aka Wedemeyer (Trust for Public Land)  
Kamuela Ka'apana (Trust for Public Land)  
Dean Wilhelm (*Ho'okua'āina*)  
Michele Wilhelm (*Ho'okua'āina*)  
Mark Kunimune (*Ho'okua'āina*)  
Vance Kaleohano Farrant (*Ho'okua'āina*)  
Tara Flynn (*Ho'okua'āina*)  
Kazu Akiona-Bannan (*Ho'okua'āina*)  
Barbara Pope (*Hui Maunawili Kawainui*)  
Deborah Pope (*Hui Maunawili Kawainui*)  
Emma Yuen (Department of Land & Natural Resources, Division of Forestry & Wildlife)  
Lei Wann (*Kīpuka Kuleana*)

**Via ZOOM**

Dr. Leo Caires (*Ua Mau Ke Ea*)  
Mavis Oliveira-Medeiros (Hana resident)

Zelda Kahula (Hana resident)  
Mary Ann Kahana (Hana resident)  
Sharon Mynar (Hana resident)  
Patricia Caires (Hana resident)  
Shae Kamakaʻala (Hawaiʻi Island Land Trust)  
Rachel Kapule (former *Hoʻokuaʻāina* staff)

## **ITEM 1. Call to order**

Chair Haase called the meeting to order with the sounding of the pū at 11:50 AM. Chair Haase started the roll call with Vice-Chair Sinton confirming that all eight (8) commissioners were present. Chair Haase acknowledged the DLNR staff present and explained the remote meeting procedures. Review of the decision-making process was summarized by Chair Haase that includes the review sheet for decision making priorities, criteria and process, ranking sheet for applications, tally sheet for application scores and sample recommendation for grant awards. Agenda Item 1 was open for discussion amongst the commissioners. Having no discussion or questions, Chair Haase asked the public for any testimony. Seeing none, the Chair moved on to Item 2.

## **ITEM 2. Fiscal Year 2023 applications for grants from the Land Conservation Fund (Land Acquisition) – Applicant Presentations**

2.A. Presentation: *Ua Mau Ke Ea* requesting for \$1.5 million to acquire approximately 1.478 acres at *Hoku Ula Loko Iʻa Heiau*, District of Hāna, Island of Maui, TMK (2) 1-4-008:001.

Applicant Dr. Leo Caires for *Ua Mau Ke Ea* presented viz Zoom.

- Current sellers, Hana Beachfront Associates, have expressed their interest in selling the property. The landowners previously pursued to develop the property, but it was denied by the Maui Planning Commission.
- A brief history was given about the historical ownership of the property. The land originally had *hale kiahī* (houses to guard the fishpond) as well as ties to Kamehameha.
- Dr. Caires's family are descendants of the land and held title for a period of time.
- Provides value to the community culturally, educationally and ecosystem preservation.
- Acquisition would prevent urban development and the resulting negative impacts such as pollution to the ocean and existing fresh water sources.
- Protect from development on the property and as a result the fragile ecosystem. The management plan for the property includes restoring the archaeological structures and establishing food security through the restoration of the fishpond. Community backed maintenance so not much funding would be needed to implement the management plan.
- The appraisal for the property was estimated at \$2M. The funding request from LLCP represents 75% of the appraised value.

Chair Haase opened the floor for questions from commissioners.

Vice-chair Sinton raised a question about the source of the matching funds that were stated in the application. Dr. Caires responded that the landowner would be donating \$500,000 as part of the matching funds. Commissioner Tavares followed up and added if this matching fund was provided in writing from the landowner. Dr. Caires replied that he didn't have one but could ask the seller for documented confirmation. Vice-Chair Sinton provided input regarding community outreach and the benefit of including endorsements from the community in the application. Dr. Caires responded that they have community and neighborhood support documents but were not able to include it in time.

Commissioner Blaich asked about the reason the landowner was unable to obtain the county permit to build the structures as well as their future plans for the property. Dr. Caires commented that the Hana Advisory Committee was an integral part of the final permitting decision as the committee conducts public hearings, fact finding and ensuring any development meets specific criteria in the Special Management Area (SMA). The committee made a recommendation to the Maui Planning Commission to disapprove of the project and the commission voted to decline the permit. Chair Haase followed up by asking if there were any current and open permit requests made by the landowner to the planning commission. Dr. Caires said that to his knowledge, there were no open permits applications by the landowner. Future plans were also not disclosed by the landowner to Dr. Caires.

Chair Haase asked that since the applicant group is a new non-profit organization, have they been able to fill the board positions. Rather than just fill in board positions, Dr. Caires had discussions with individuals who were interested in being part of the organization, but the board position is currently open.

Chair Haase asked LLCP staff the validity of the appraisal report. David Penn for LLCP responded that the appraisal report is generally valid for 1 year from the effective date to the closing date of the grant. Beyond that an update or new appraisal would be done. It is up to the Chair to decide to accept the valuation of the appraisal. Chair Haase asked when the appraisal was done. Dr. Caires replied that it was dated March 4, 2019. Chair Haase followed up about assumptions used in the appraisal report. Dr. Caires said that no assumptions were used but recent comparable sales were used to reach the appraised value.

Commissioner Blaich asked a final question about the permits and when was the applications declined by the Maui Planning Commission. Dr. Caires responded that the decision was made in December 2022. Chair Haase commented that the appraised value could be impacted by this decision.

Commissioner Wilson wanted clarification about the organization's name on the LLC grant application is *Ua Mau Ke Ea* but on the 501(c)3 it is listed as *Ke Ea o Hawai'i*. Dr. Caires said that it is the same name registered federally and with the state using the same federal ID number. Chair Haase added that it could be an issue with the state since the name needs to be the same on all government documents. David Penn said that prior to closing, there must be compliance with the Hawaii Compliance Express. More importantly the name on the contract must match the name registered with the DCCA (Department of Commerce and Consumer Affairs).

Chair Haase opened the floor for public testimony.

David Penn noted that one written testimony was received and forwarded to the commissioners. On line participants were waiting to testify:

Testimony from Mavis Oliveira-Medeiros stands in support of Dr. Caires's application to purchase the property.

- Similar to the Haneo'o fishpond they have a fishpond that was fully restored and would like to see the same for the property.

Testimony from Zelda Kahula as a resident and community member supports the application to purchase the property.

Testimony from Mary Ann Kahana is a resident of Haneo'o and supports the application to purchase the property.

- She commented the hope of filling board positions with Hana residents and the need to protect the site.

Testimony from Sharon Mynar, a resident of Haneo'o, spoke in support of the application to purchase the property.

- Provided her lineage to the original descendants of the property
- As a person who maintains the grave sites, Ms. Mynar said that keeping the property as part of the Hana community is important.

Testimony from Patricia Caires supports the application to purchase the property.

- Commented as cultural area, the family and community has plans for the lands to preserve it.

Seeing that there was no other public testimony in person or online, Chair Haase closed testimony for item 2.A.

Chair Haase called a one-hour lunch recess starting at 12:42 pm.

Chair Haase reconvened Meeting 80 to order on Thursday, February 9<sup>th</sup> at 1:44 pm.

2.B. Presentation: *Ho'okua'aina* requesting for \$2.9 million to acquire approximately 116.49 acres for *Pālāwai*, District of Ko'olaupoko District, Island of O'ahu, TMK (1) 4-2-006:008, (1), 4-2-007:001, (1) 4-2-008:001.

Reyna Hayashi Ramolete for TPL presented.

- Brief background of TPL was given regarding its mission and vision for Hawai'i and its role in the acquisition.
- *Pālāwai* is a small part of the 1084 acres of Maunawili forest where it once served as a food hub for the island because of its water source and fertile lands.

- The area has been threatened with development. Since 2016 4 different sub-division applications have been submitted. Community coalition opposition, such as *Hui Maunawili Kawainui*, prevented the sub-division approval.
- Parcels will be held by DLNR/DOFAW, *Pālāwa* and *Makali'i*
- The proposed structure is for *Ho'okua'āina* to hold fee title and the City & County of Honolulu and Hawai'i Island Land Trust co-holding the conservation easement.
- 65% of the funding has been secured. TPL is looking to secure the remaining 35% as a LLC grant award.

Barbara Pope of *Hui Maunawili Kawainui* provided a history of Maunawili.

- An explanation of the various key sites on the map was given.
- Over the past 30 years there have been 4 corporate owners who have not maintained the land. During this time, Maunawili has seen much degradation.
- The proposed acquisition includes the main agricultural lands where *kalo* was cultivated from the years 1300 to 1850. Because of the existing *'auwai* system, agriculture flourished from large plantations such rice mills to small farming.
- Settlement sites are linked to a particular period of time and a certain way of managing the land. Cultural evidence of these settlements is a *heiau* site and spiritual alter site.
- The housing structures are from the ranching era (1880's).

Reyna Hayashi Ramolete continued the presentation.

- Protecting *Pālāwai* is protecting important agricultural lands that boost rich and nutrient dense soil (Hanalei soil). In addition to *kalo*, *Ho'okua'āina* plans to grow other traditional crops and other orchard type crops for the community.
- *Kalo* cultivation also provides habitat for native species such as the *ae'o* and *auku'u*. It's the stewardship efforts of *Ho'okua'āina* that will continue to create a sanctuary for indigenous species.

Michele Wilhelm for *Ho'okua'āina* presented.

- Michele provided a brief background of the non-profit, *Ho'okua'āina*, which she and her husband started over 20 years ago. As a DOE educator, Dean saw the connection the students had with *kalo* cultivation and the positive results of preparing food that brought everyone together. From this experience, they committed to creating an organization that builds relationships through farming, food preparation and community gatherings.
- Today the property, *Kapalai*, has 23 *kalo* patches covering 3 acres. The overgrown property was cleared by hand over the past 13 years where community youth can participate through educational programs and internships. It has created a sense of place and belonging.
- The goal is to expand *Kapalai* to *Pālāwai* where even more community members can be a part of.

Dean Wilhelm for *Ho'okua'āina* presented.

- Dean presented the vision for *Pālāwai* where stewarding is more about the people than the land itself. Nurturing people through farming activities builds a healthy *'āina*.
- *Ho'okua'āina* has developed a program with Windward Community College that includes a scholarship and paid internship.
- *Kalo* farming has provided income to support operating costs reducing the need to rely on donations and grant funding. In *Pālāwai* parcel, expanding crops beyond *kalo* to corn, cabbage, *'uala* and other vegetables will create an economically sustainable organization over the next 10 years.
- The most important component of the *Pālāwai* acquisition is incorporating the community in developing this expanding food system.
- *Kapalai* is a small model for *Pālāwai* and what can be done on a larger scale with the support of the community.

Chair Haase opened the floor for questions from commissioners.

Commissioner Falinski inquired about the amount of water is flowing into the existing system and be able to feed into the 100+ acres. Dean responded that the stream is constantly flowing just with the rainfall. Crops that don't rely heavily on water like *kalo* will be farmed.

Vice-chair Sinton asked about the land acquisition of the non-profit lands and the state lands being an "all or nothing" acquisition. Reyna replied that HRT needs to sell all of it and does not want sell the parcels separately since the forested area is not as attractive as the *Pālāwai* and the *Makali'i* parcels. Funding has been secured for the state lands so there's confidence that funds will be in place for all the parcels. HRT has agreed to phased closing because of the various funding sources. Dean added that HRT has given their support in this transaction providing more confidence that this will move forward.

Commissioner Wilson wanted to know about integration of the cultural resources on the site into the program. Dean responded that to care for those areas is very important. Barbara Pope said that native Hawaiian communities have maintained those sites over the years even though the lands have been under private ownership.

Commissioner Blach asked if they envision sharing resources with the *Kauluakalana* group stewarding *Makali'i*. Michele replied that they will and already do share resources.

Chair Haase commented how it was an honor to see such a high quality applicant on so many levels.

Commissioner Hart also added that he was impressed with the presentation and plans for *Pālāwai*. Commissioner Hart asked what protocols are in place for birds, especially new birds that come to the area. Dean said that they allow the birds to nest in the *lo'i*. Future plans could include fencing the area to keep predators out of the area and possibly creating a *lo'i* just for the birds where crops aren't rotating.

Chair Haase opened the floor for public testimony.

David Penn noted that four written testimonies were received and forwarded to the commissioners.

Testimony from Mark Kunimune who stands in support of the *Ho'okua'aina* application to purchase the property.

- Born, raised and currently resides in Kailua, as *Ho'okua'aina* board member he has strong confidence in the vision, leadership and commitment to continuing the work in *Pālāwai*.

Testimony from Vance Kaleohano Farrant who stands in support of the *Ho'okua'aina* application to purchase the property.

- As a graduate student studying natural resource management, his research revealed the social impact on *Ho'okua'aina* participants that includes a healthy learning environment that deepens relationships with others and the land.

Testimony from Tara Flynn who stands in support of the *Ho'okua'aina* application to purchase the property.

- As a board member of *Ho'okua'aina* she has first hand experience of the work that has been done with the community from their early work before *Kapalai* to what it is today. It's their sacrifice and commitment that strengthens the community and will ensure success with the *Pālāwai* acquisition.

Testimony from Deborah Pope who stands in support of the *Ho'okua'aina* application to purchase the property.

- As a board member of *Ho'okua'aina* and a resident adjacent to *Pālāwai* she stressed community stewardship of the parcel especially after decades of neglect.

Testimony from Kazu Akiona-Bannan who stands in support of the *Ho'okua'aina* application to purchase the property.

- Born and raised in Kailua, he is the farming operations specialist and stressed the positive experience of participants that continues outside of the *lo'i*.

Testimony from Shae Kamaka'ala who stands in support of the *Ho'okua'aina* application to purchase the property. Shae is with Hawai'i Island Land Trust (HILT) who will serve as a co-holder of the conservation easement along with the City & County of Honolulu.

Testimony via online (Zoom) from Rachel Kapule who stands in support of the *Ho'okua'aina* application to purchase the property.

- As someone who has worked at *Kapalai* for 6 years, she stressed how *Ho'okua'aina* has always accomplished what they set out to do and will do so with *Pālāwai*.

Seeing that there was no other public testimony in person or online, Chair Haase closed testimony for item 2.B.

Chair Haase called for a 5-minute recess starting at 3.36 pm

Chair Haase reconvened the meeting at 3:41 pm

Commissioner Falinski left the meeting for the day as she is recusing herself from this presentation since it's a transaction involving TNC who she is employed with.

2.C. Department of Land & Natural Resources, Division of Forestry & Wildlife requesting for \$650 thousand to acquire approximately 642.46 acres for *Makolelau* 5th parcel, District of Kona, Island of Moloka'i, TMK (2) 5-7-002:011.

Applicant Emma Yuen for DLNR/DOFAW presented.

- Landscape description of the subject parcel that includes the entire *ahapua'a*. The conditions include the erosion areas due to the deer and goat populations that affect the reefs below. This has contributed to a high amount of sedimentation which threatens the ocean resources.
- Background of the land ownership and the surrounding parcels were explained.
- There are no matching funds for this acquisition, but the parcel serves as a part of larger land acquisition that was purchased by TNC using the federal grant that the state secured (and donated back to the state). The state wasn't able to secure CIP funding for the 5<sup>th</sup> parcel, so TNC purchased the parcel and are holding it till DOFAW/DLNR raises the funds to purchase it.
- Securing the 5<sup>th</sup> parcel ensures the area is under one ownership which ensures consistent conservation practices. The due diligence work has been completed as part of the acquisition of the four parcels. Only updates would be required for the Phase 1 ESA and title report. Other funding sources are not available as the federal grant has been already used. The department could try to secure CIP funding, but it is unclear if the legislature will fund it.
- Objective is to integrate the subject parcel with *Pua'ahala* which was a LLCP funded property. Ownership of most of the south slope of Moloka'i will allow the department to develop a management plan for the entire area from the forest to the watershed.
- Grant award was received from the Bureau of Reclamation for management planning purposes on the south slope. Planning for the 5<sup>th</sup> parcel is challenging since land ownership is not currently under the state's jurisdiction.
- DOFAW continues to actively manage the parcels through fencing construction, invasive species eradication and watershed management practices.

Chair Haase opened the floor for questions from commissioners.

Chair Haase commented about the merits of the application and the value and worthiness of it. He asked about funds DODAW secured for management purposes and how it relates to Makolelau. Emma said that the funds were for aerial shooting (hunting) and firebreak construction across the south slope which includes Makolelau. Chair Haase also asked about the timeline of removing the silk oak. Emma said that their process is to remove the invasive animals by constructing the fenceline, then removing invasive species such as the silk oak. Chair Haase followed up by asking about the amount needed to complete the fence line. Emma said she wasn't sure, but it seemed like it was mostly finished. Chair Haase inquired about the public hunting program and how this was applied at the *Pua'ahala* property. Emma said that there were more complexities surrounding that parcel that doesn't apply to Makolelau where it's more open.



Commissioner Blaich followed up about the hunting seasons and whether there would be one on Moloka'i like on Maui as well as additional staff to manage it. Emma said that it's year-around open season for public hunting there. Regarding staffing, with an increase in federal funding there are plans to add staff to manage the hunting program. Commissioner Blaich wanted to know if there was effort made for more community involvement. Chair Haase said that during the field visit they discussed the public-private partnership for stewarding the land and hoped that DOFAW would move forward with this idea. Emma added that they have a model in place where there would be a community managed structure based on a MOU.

Chair Haase continued that there was a management plan that was supposed to be completed for *Pua'ahala*, but was never done. Emma was asked why it wasn't done. She responded that the focus has been on the 2030 East Moloka'i Watershed Partnership Plan which includes the entire area so there is planning but maybe not in a specific management plan for *Pua'ahala*. Activities such as the fence construction would be part of the management plan, so DOFAW is accomplishing tasks. Chair Haase followed up about community involvement in the management plan. Emma responded that there is a community meeting scheduled for this type of feedback.

Commissioner Lucas said that during the field visit, it was mentioned that the state didn't want to take the fishponds. Van Matsushige from DLNR Land Division said that the community was managing it, so the state wasn't involved. Also, the fishpond has undivided interest in the ownership and was not part of the acquisition. David Penn added that this is similar to the *Kanewai* spring where there's undivided interest in the adjacent fishpond. Emma also commented that this could be addressed in the management plan.

Commissioner Hart asked about public access to the forested area or whether access is only for staff and hunters. Emma said access would be for the general public and hunters. Based on Moloka'i, Chair Haase described the area that the community could participate in out planting and other stewardship activities. The road access allows for this type of participation. He continued by asking about how the hunting activities will address the animal populations on the lower slopes. Emma said that it's a combination of fencing and hunting that will bring the animal population under control throughout the south slope.

Commissioner Tavares echoed the value of the project but was curious about why there wasn't community engagement as part of the application process. Emma said that since the TNC acquisition was completed in September 2022, there was such a short time to arrange the public hearing. Commissioner Tavares then asked about the management plan requirement and DOFAW not fulfilling it. Emma said that securing grants to prepare the management plan is very timely. Rather than create a basic plan to fulfill a requirement, DOFAW felt it was more meaningful to develop a complete and detailed plan. Additionally, actions have been taken without the formal plan in place. Commissioner Tavares continued with questioning about *Pua'ahala* and the lack of follow up. The credibility of the LLCP is at stake when the state acquired parcels aren't providing things like the management plan. There was a discussion amongst the commissioner about the management plan and its requirement. The LLCP does not require a management plan, though some organizations do present this as part of their milestones after acquisition.

Management plans may be required as part of the conservation easement document. Chair Haase ended with a final comment that failure to follow through on promises made in the past require efforts to repair the relationships and make good on those commitments.

Commissioner Wilson noted that cultural resources are on the site and wanted to know what inventory and protection was going to be done. Emma said that there is staff dedicated to managing cultural resources and have done so on Moloka'i.

Chair Haase opened the floor for public testimony in person or online.

Seeing that there was no public testimony in person or online, Chair Haase closed testimony for item 2.C.

### **ITEM 3. ADJOURNMENT**

Chair Haase recessed Meeting 80 at 5:01 PM and will reconvene it on Friday, February 10<sup>th</sup> at 8:00 AM in room 322B of Kalanimoku Building.

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### **2023 Legacy Land Conservation Commission Draft Minutes, Meeting 80 State of Hawai'i Department of Land & Natural Resources Division of Forestry & Wildlife**

**DATE:** February 10, 2023

**PLACE:** Kalanimoku Building Boardroom, Room 322B  
1151 Punchbowl Street  
Honolulu, Hawai'i 96813

And remote by interactive conference technology (online via ZOOM and by telephone)

#### **COMMISSIONERS PRESENT:**

Mr. William "Butch" Haase  
Mr. John Sinton  
Mr. Patrick Hart  
Ms. Beryl Blaich  
Ms. Christiane "Kau'i" Lucas  
Ms. Kim Falinski  
Ms. Kanoe Wilson  
Mr. Jacob Tavares

**STAFF:**

**Department of Land & Natural Resources**

David Penn                      Program Specialist, Legacy Land Conservation Program, Division of Forestry & Wildlife

Van Matsushige                Project Development Specialist, Land Division

**PUBLIC:**

**In-Person**

Reyna Ramolete Hayashi (Trust for Public Land)

Kamuela Ka'apana (Trust for Public Land)

Maya Saffery (*Kaluakalana*)

Emma Yuen (Department of Land & Natural Resources, Division of Forestry & Wildlife)

Lei Wann (*Kīpuka Kuleana*)

Presley Wann (*Kīpuka Kuleana*)

Keala Wann (*Kīpuka Kuleana*)

Christina Aiu (*Kīpuka Kuleana*)

Keala Kai (*Kīpuka Kuleana*)

Bette Go (Kaua'i resident)

Rodney Go (Kaua'i resident)

Heidi Guth (*Kauluakalana*)

Deborah Pope (*Hui Maunawili Kawainui*)

Barbara Pope (*Hui Maunawili Kawainui*)

**Via ZOOM**

Mehana Vaughn (*Kīpuka Kuleana*)

Kaleo Wong (*Kauluakalana*)

Dean Wilhelm (*Ho'okua'āina*)

Michele Wilhelm (*Ho'okua'āina*)

Mason Chock (Kupu A'e Leadership Development)

Kanānāi Kahaku Kuhaulua (Anahola resident)

Kanani Durant (Hanamaulu resident)

Julie Kaomea

**ITEM 1.            Call to order**

Chair Haase called the meeting to order with the sounding of the pū at 8:23 AM. Chair Haase started the roll call with Vice-Chair Sinton confirming that all eight (8) commissioners were present. Chair Haase acknowledged the DLNR staff present and explained the remote meeting procedures. Review of the decision-making process was summarized by Chair Haase that includes the review sheet for decision making priorities, criteria and process, ranking sheet for applications, tally sheet for application scores and sample recommendation for grant awards. Agenda Item 1 was open for discussion amongst the commissioners. Having no discussion or questions, Chair Haase asked the public for any testimony. Seeing none, the Chair moved on to Item 2.

**ITEM 2. Fiscal Year 2023 applications for grants from the Land Conservation Fund (Land Acquisition) – Applicant Presentations**

2.D. *Kīpuka Kuleana* requesting \$1.845 million to acquire a conservation easement over approximately 4.26 acres at *Kamealoha Kuleana*, District of *Halele'a*, Island of Kaua'i, TMK (4) 5-9-003:009, (4) 5-9-003:043

Prior to starting the presentation, Commissioner Beryl Blaich recused herself and left the room as her daughter is a board member for *Kīpuka Kuleana*.

Lei Wann of *Kīpuka Kuleana* presented.

- Background of the subject property in *Hā'ena* and the descendants who are still caring for and living off the land.
- The Kamealoha lands have rich diverse resources as part of the *ahapua'a*.
- Subsistence farming and fishing are still practiced.

Reyna Hayashi Ramolete for TPL presented.

- A brief background of TPL was given regarding its mission and vision for Hawai'i and its role in the acquisition as well as the partners involved in the project.
- Explained that a conservation easement would be the most suitable structure (both financially and practically) that would allow the families to continue stewarding the land.

Mehana Vaughn is the board president for *Kīpuka Kuleana* and presented on behalf of the organization.

- Mehana presented the mission and vision of the organization that protects cultural landscapes for lineal descendants to continue living and thriving in their traditional practices.
- They conduct extensive research of the land and families, stewarding activities, legal support to families, protecting the land and leading education programs.

Lei Wann of *Kīpuka Kuleana* continued the presentation.

- Many areas of the property hold significant archaeological sites.
- The area is a rich agricultural resources where residents use it for subsistence living
- There's a fragile ecosystem for native species habitat. Invasive species have threatened this habitat, but community members have worked to clear the land and streams of these plants.
- Protecting the landscape and resources are part of the family's responsibility going back generations following proven traditional methods
- Due to development in the area, property values have exponentially increased making it difficult for families to decline offers to purchase their property. Larger homes have been built on these parcels with many homeowner who don't share the the same values as the local *ohana*.

Mehana Vaughn made additional comments.

- *Kipuka Kuleana* has established an advisory committee to assist *ohana* descendants in their effort to retain land ownership. Other goals includes restoration of the *lo'i*, planting of native plant species such as the *pāpala* and leading educational experiences.
- Managed community access that's linked to educational programs and community workdays.
- Limahuli Garden is an example of conservation based on indigeous and western practices.

Lei Wann provided comments about the last *ohanas* who are still residing in Hā'ena and caring for the land as their ancestors did.

A video was played with testimony from area residents:

- Chipper Wickman noted the resource values that are in line with the LLC acquisition priorities
- Hanalei Kihapiilani presented his family's ties to the land and the need to continue their family traditions.
- Lahela Chandler Correa is the Limahuli Garden program manager stressed the culture, history and resources that need to be protected.
- Dan Kawika Smith highlighted the educational practices provided by the Wan *ohana* specifically native fishing and farming practices.
- Uma Nagendra is a conservation operations manager at Limahuli Garden where she has seen how the *kuleana* holders have maintained stream habitat for native species to thrive.
- Shannon Maldonado helps to work at the *lo'i* and sees the care and value the community has put in to cultivating the land.
- Randy Umetsu works at Limahuli Garden stressed the need to preserve and not develop the area.
- Jacob Bond who is from one of the original families of Hā'ena said that protecting the land for future generations is critically important as Hawaiians have lost so much
- Joshua Diem is a resident of the area and employed at Limahuli Garden commented that this type of land is shrinking and needs to be preserved.
- Moku commented that connection to the land for the families there run very deep. It's more than just land, but a spiratual connection.

Chair Haase opened the floor for questions from commissioners.

Commissioner Hart commented to the *Kipuka Kuleana* team to think about the trees and the need to prevent a further decline due to disease.

Chair Haase opened the floor for in person or online public testimony.

David Penn noted that there were 20 written testimonies in support of *Kamealoha Kuleana* received and forwarded to the commissioners.

Mason Chock, president of Kupu A'e Leadership Development provided online testimony in support for *Kamealoha Kuleana*. He stressed the connection of the lineal descendants to the land as one of the last places where traditional values and practices can be passed down.

Kanānāi Kahaku Kuhaulua is a resident of Anahola Kaua'i testified online in support of *Kamealoha Kuleana*. She said it's a hidden treasure where they understand *kuleana* and where 'āina has shaped people as much as people shapes the land.

Kaiwi Winter provided in person testimony for his father Kawika Winter in support of *Kamealoha Kuleana*. The property provides ecological and cultural values that is stewarded by the high integrity of the Wann family who works tirelessly to preserve these sacred lands.

Testifying online in support of *Kamealoha Kuleana* was Kanani Durant who is a resident of Hanamaulu, Kaua'i. The parcel is important to the Wann family as well as the State because of its unaltered historical and cultural sites.

Presely Wann testified in person in support of the *Kamealoha Kuleana*. Granting the conservation easement would set a good example and precedent in protecting the land.

Seeing that there was no other public testimony in person or online, Chair Haase closed testimony for item 2.D.

Chair Haase called for a 5-minute recess starting at 9:58 am

Chair Haase reconvened the meeting at 10:09 am.

Commissioner Blaiç returned to join the presentation.

2.E. *Kauluakalana* requesting \$1.56 million to acquire approximately 59.27 acres for *Makali'i*, District of Ko'olauloa, Island of O'ahu, TMK (1) 4.2-006:001, (1) 4-2-006:008.

Reyna Hayashi Ramolete for TPL presented.

- Brief background of TPL was given regarding its mission and vision for Hawai'i and its role in the acquisition.
- *Makali'i* is a small part of the 1084 acres of Maunawili forest where it once served as a food hub for the island because of its water source and fertile lands. The Olomana sub-division sits at edge of the parcel making it easy to expand residential development. The threat and risk of development is high because of its residential and agricultural development potential.
- Of the estimated fair market value of \$4.8M, most of the funding has been secured through various sources such as the Honolulu City & County Clean Water & Natural Lands Fund. The city and county and Hawaii Island Land Trust will be co-holders of the conservation easement.

Kaleo Wong of *Kauluakalana* presented online.

- Provided information about Kailua and its cultural background. This includes the fertile lands where some of the historical leaders resided. Legendary stories related to Maunawili were also shared.
- *Kauluakalana* is able to bring the community together to steward the lands and provide once again an abundance of food.

Maya Saffery of *Kauluakalana* presented in person.

- Background and accomplishments of *Kauluakalana* were presented along with a short *oli*. 'Āina education and restoration work is the foundation of the organization. Adjacent to *Ulupō Heiau*, *Kauluakalana* stewards 15 acres of land at *Kūkanono* which involves removing invasive species and cultivating *kalo* and other native food crops.
- There are challenges and opportunities presented in bringing back Kailua what it once was. It's the generational ties that will lead the transformation of the *ahupua'a* to a thriving 'āina that provides for the community.
- Success of *Kūkanono* led to access for cultivation of 25 acres in *Kawainui* called *Manu*.
- *Makali'i* provides further expansion of reclaiming ancestral identity. The watershed lands of Kailua is centered around the springs of *Makali'i* supporting agriculture and native forest and bird habitat protection. The upper portion of *Makali'i* boosts open and scenic views.
- *Kauluakalana* is working to achieve short term goals of developing a restoration management plan and identifying funding sources. Long term goals include expanding the food sources.

It was also noted by Reyna of TPL that HRT completed clean up of the area that was used as a dumping site (as shown in the presentation slide).

Chair Haase opened the floor for questions from the commissioners.

Commissioner Tavares asked for clarification about the marketing plan for food distribution. Kaleo responded that all of the food is distributed free of charge. It's more about connecting the community to the lands (building relationship between people and place). With *Makali'i*, the strategy will need to change where there may be some sales from food crops. Maya added that they are not able to commercially sell the food based on the current land at *Kūkanono*. Grant funding for the educational programs is the main source of funding, so food sales is not necessary.

Commissioner Blauch inquired about public access for activities such as hiking in *Makali'i*, Maya stated that the *Kūkanono* property experiences issues with loitering and theft, but having constant presence on the property has resulted in reducing this problem. Caretaking housing will help prevent those from entering after hours. The hiking trail will be open since it's on the border of state land.

Commissioner Wilson wanted to know about the leases at *Kūkanono*. The state issued a right-of-entry to manage the property. The YMCA doesn't have a formal agreement, but allows the group to use the water and facilities. A follow up question from Commissioner Wilson was the managed access to *Makali'i*. Maya replied that the work with Group 70 for planning, design and engineering to help with access issues related to a growing number of groups that will participate in *Makali'i*. Kaleo added that there is an existing infrastructure for access and parking.

Chair Haase opened the floor for in person or online public testimony.

David Penn noted that there were 3 written testimonies in support of *Makali'i* received and forwarded to the commissioners.

Testimony from Julle Kaomea in strong support of *Kauluakalana* stewarding *Makali'i*. As a university professor in indigenous culture-based education she testified that a research based 'āina education and applying it to restoration efforts is unique.

Testimony from Shea Tamura who stands in support of the *Kauluakalana* application to purchase the property. Shae is the executive assistant with Hawai'i Island Land Trust (HILT) who will serve as a co-holder of the conservation easement along with the City & County of Honolulu.

Testimony from Barbara Pope who stands in support of *Kauluakalana* and their application to own and manage *Makali'i*. As a member of the *Hui Maunawili Kawainui* she commented that the leadership and track record is evidence of the success they will have in *Makali'i*.

Testimony from Deborah Pope who is also a *Hui Maunawili Kawainui* member testified in support of *Kauluakalana*. She summarized the support of their organization in *Kauluakalana* and acknowledged the hard work done to date.

Testimony from Heidi Kai Guth who is a *Kauluakalana* board member in support of Kaleo and Maya as leaders of the organization. She provided additional background information about Kaleo in relation to the Polynesian Voyaging Society.

Seeing that there was no other public testimony in person or online, Chair Haase closed testimony for item 2.E.

Chair Haase called a one-hour lunch recess starting at 12 noon.

Chair Haase reconvened Meeting 80 to order at 1:10 pm and moved to Item 3.

### **ITEM 3. Fiscal Year 2023 applications for grants from the Land Conservation Fund (Land Acquisition) – Comparative Discussion**

Chair Haase moved to open discussion in the order it was presented.

*Ua Mau Ke Ea - Hoku Ula Loko I'a Heiau* (Hāna, Maui)

Commissioner Blaiich commented that although the project is important, the project wasn't fully developed and compliant with the LLCP such as a current appraisal and differences in the non-profits legal name.

Commissioner Tavares echoed Commissioner Blaiich's concerns. He added the lack of matching funds is also an issue. Additionally the documentation from the seller stating that part of the land value would be part of the matching amount makes the application incomplete. It seems that the applicant may have not prioritized this as he didn't make himself available for the field visit.



Commissioner Wilson agreed with the incompleteness of the application. The capacity of the organization doesn't seem to be able to carry out the responsibilities to acquire and manage the property.

Vice-chair Sinton agrees and made several additional points. It's the highest dollar amount per acre requested during this grant cycle. As a first time applicant there's a lot to be learned from this experience.

Commissioner Lucas reiterated the worthiness of preserving the land.

Commissioner Hart commented that it's readiness level was low.

Commissioner Blach interjected said that the rejection by the Maui Planning Commission for the development gives some hope that there's breathing room and time for the

Commissioner Falinski said that the people and plan resources were not as strong as the other applicants.

Chair Haase finished by saying that the efforts made by the applicant and community is much appreciated but may need more time to develop properly to be considered for funding.

#### *Ho'okua'aina - Pālāwai (Ko'olaupoko, O'ahu)*

Commissioner Wilson commented that this applicant seems to check all the boxes and meets all the requirements that is rarely seen in the program.

Vice-Chair Sinton added that it requested for the most amount of funds. The applicant has the record even though they would be taking on a vastly larger parcel than the one they're currently stewarding.

Commissioner Lucas said that the applicant executes agriculture in a balanced way and anticipates the results when they scale up.

Commissioner Hart was impressed with the presentation and excited about the future that it holds.

Commissioner Tavares who was on the field visit said that he saw first hand saw how well it was structured including the planning as they expand *kalo* farming.

Commissioner Blach commented that the leaders of *Ho'okua'aina* have

Commissioner Falinski said how excited she was for the future.

Chair Haase echoed his fellow commissioners praise.

Department of Land & Natural Resources, Division of Forestry & Wildlife - *Makolelau* 5th parcel, (Kona, Moloka'i)

Commissioner Falinski is recusing herself from this discussion since it's a transaction involving TNC who she is employed with.

Commissioner Blaich said that it's a great project that will give the public greater access allowing for more collaborative ways to steward the land. Stressed the importance of management planning as was discussed previously.

Vice-chair Sinton said it's an important track of land in relation to the other parcels it's connected with. It receives full marks for protection of native plants. And also the best value based on the dollar per acre metric.

Commissioner Tavares highlighted that the mismanagement of the land has caused damage so it's encouraging that it will come under proper management. However as Commissioner Blaich mentioned, that community involvement and management plan is important.

Commissioner Lucas was encouraged by the discussions with the applicant on mitigating the erosion.

Commissioner Hart (inaudible)

Commissioner Wilson mentioned about more community involvement in the conservation efforts.

As a resident of Moloka'i, Chair Haase stressed the impact of mismanaged lands on the entire island. Erosion and sediment runoff can close the one and only highway. Community engagement and management plan have been discussed extensively, so Chair Haase feels encouraged about the path forward.

Commissioner Falinski returned to the meeting.

*Kīpuka Kuleana - Kamealoha Kuleana (Halele'a, Kaua'i)*

Commissioner Beryl Blaich recused herself and left the room as her daughter is a board member for *Kīpuka Kuleana*.

Vice-chair Sinton described the location as "unique" in that it can't be compared with anywhere else. The attributes of the parcel are unequivocal and will be in good hands with the *ohanas* managing it.

Commissioner Falinski commented that the kuleana managed lands is a model that should be replicated.

Chair Haase was impressed by the cultural aspects and significance of the project.

Commissioner Tavares said that testimonies were powerful. The mauka to makai managed lands is impressive as evidenced by the species thriving there.

Commissioner Lucas was part of the permitted interaction group who visited the site and had very strong feelings about how the community perpetuated the ancestral practices

Commissioner Hart felt that points presented were powerful and special about the location and worthy of protecting such as sacred place.

Commissioner Wilson acknowledged the Wann family for their perseverance in not only stewarding the land but working to get to this point of projecting it in perpetuity. What stands out is the multi-generational involvement in cultivating not only the land but the culture.

#### *Kauluakalana -Makali'i (Ko'olauloa, O'ahu)*

Commissioner Blaich returned to the meeting.

Commissioner Blaich said that this is a "once in a lifetime" property. Partnering with *Ho'okua'aina* in terms of the knowledge and resources really stands out.

Commissioner Lucas could see the transformation with the current property and how that would apply to *Makali'i*.

Commissioner Wilson commented about bringing everything together, such as the knowledge, education and community, is a testament to the leadership. They have demonstrated the ability to expand it to *Makali'i*.

Commissioner Hart feels very confident of applying the *Kūkanono* experience to *Makali'i*.

Commissioner Tavares said that this is another strong project. He would like to see other sources of revenue to subsidize the food crops that are being distributed to the community free of charge as grant funding is not always guaranteed.

Vice-chair Sinton was also impressed with the project and feels that it's in really good hands should it move forward. The fact that the two non-profit groups in Maunawili is and will continue working together is reassuring.

Commissioner Falinski appreciated their vision, especially the educational programs. She echoed Commissioner Tavares in the need for a diversified funding source as expansion is difficult.

Chair Haase commented the difficulties of running a non-profit organization so he supports the diversified funding comments. He has full confidence in *Kauluakalana's* leadership.

Chair Haase stated that concluded all of discussion on the projects by the commissioners.

Chair Haase opened the floor to public testimony in person or online. Seeing none Chair Haase called for a recess to do the project ranking by the commissioners.

Prior to breaking for recess, Vice-chair Sinton inquired about the available funding. David Penn responded that there was about \$8.5 million less the funds for the Turtle Bay bond obligation, management grant allocation and administrative costs which brings the available fund for land acquisition to about \$6.25 million.

Recess was called at 2:29 PM.

All applicants are to leave the room while the commissioners complete the ranking form and the results are tallied.

**ITEM 4. Fiscal Year 2023 applications for grants from the Land Conservation Fund (Land Acquisition) – Ranking**

Chair Haase called the meeting back from recess at 3:02 PM. Chair Haase explained the ranking process that included the use of the ranking sheet.

Vice-Chair Sinton provided the results of the ranking with 4 out of the 5 projects scoring higher than very good. The rankings were:

Project	Ranking
<i>Pālāwai</i>	1
<i>Kamealoha Kuleana</i>	1.14
<i>Makali'i</i>	1.25
<i>Makolelau</i>	1.786
<i>Hoku Ula Loko I'a Heiau</i>	5

Using the requested amount for each project. Full funding for the top 3 projects would exceed the amount of funds available of the \$6.25 million. Considering all of that, the recommendation made to the board is up to the commission.

David Penn stated that the commission needs to verify the ranking prior to discussion. Commissioner Blach moved to accept the rankings for the FY23 grant application. Commissioner Tavares seconded it. Chair Haase confirmed that the motion to accept the FY23 grant application ranking was unanimous. Chair Haase voiced that this was the first time during his tenure that four applications ranked so close which showed the quality of the applications and impact of the testimony of support given. Based on that, it would be unfair not to award the top 4 projects in some form. Commissioner Tavares proposed to the commission for consideration funding 90% of the requested amount to each of the top 4 projects.

Chair Haase offered to hear feedback from each of the applicants regarding the proposal the 90% of the requested funding option.

Discussion about applying the allocation of the management funds for the land acquisition. Chair Haase opened it up to the commissioners.

Chair Haase asked for the applicant's feedback regarding the management funds. Reyna of TPL commented that the counties have provided funding resources for land management purposes. Hawai'i County has funding as part of the Public Open Space

It was agreed by the commissioners that the funds allocated for management grants would be added to the land acquisition amount.

**ITEM 5. Fiscal Year 2023 applications for grants from the Land Conservation Fund (Land Acquisition) – Recommendation**

Chair Haase announced the recommendation that the BLNR approve 4 awards for grants from available funds in the Land Conservation Fund, for equal-percentage funding of the 4 top-ranking fiscal year 2023 applications for land acquisition grants as funds are available.

As a contingency, the Commission also recommends to the BLNR that in the event that the 4 top-ranking applicants are unable to expend all or part of the awarded funds, the remaining available funds, up to the amounts originally requested in the FY2023 applications, to each other awardee in equal percentage as first alternates, up the full amounts requested, and second, to the LLCP management grant award program, in an amount not to exceed \$255,000. Authorize the Chairperson, if needed, to redirect up the full amount of remaining available funds from FY2023 Legacy Land grant award that were declined, not accepted or not used by

Commissioner Tavares recommended that as a condition of funding, DLNR/DOFAW engage in community outreach to develop a management plan for the Makolelau parcel. Completion of the management plan shall be within 24 months of closing on the land acquisition deal.

Commissioner Wilson has moved to approve the recommendation. Commissioner Tavares seconded it. With no discussion made by the commissioners, the recommendation was unanimously approved.

**ITEM 6. Agendas and Schedules for Future Meetings**

Matters regarding Item 6 (Agenda and schedule for future meetings) were deferred.

**ITEM 7. Adjournment**

Commissioner Blach motioned to adjourn the meeting. Commissioner Wilson seconded it. Motion carries unanimously. Chair Haase adjourned the meeting at 4:16 PM.