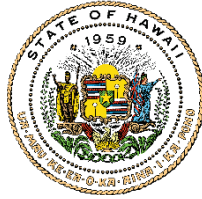


JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



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

DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96823

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

RYAN K.P. KANAKA'OLE  
FIRST DEPUTY

DEAN D. UYENO  
ACTING 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

**PUBLIC NOTICE**  
**FOR A REGULAR MEETING OF THE LEGACY LAND CONSERVATION COMMISSION**  
**(MEETING 85 - SEE AGENDA BELOW)**

DATE: **MONDAY, JULY 1, 2024**  
TIME: **1:30 PM**  
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)

*All persons—including Commissioners, staff, applicants, testifiers—can choose to participate either in-person, online via ZOOM, or by telephone, provided that the Commission establishes and maintains its quorum with Commissioners who can be both seen and heard.*

**PUBLIC PARKING AVAILABLE IN METERED STALLS AT KALANIMOKU BUILDING  
BASEMENT GARAGE AND OTHER NEARBY LOCATIONS**

*We encourage those participating in-person to wear a face mask.*

*The board packet for Meeting 85 will be available for public inspection in the Commission office (1151 Punchbowl Street, Room 325, Honolulu, HI 96813), and upon request, no later than two business days before the meeting.*

-----  
To request auxiliary aid or service or an accommodation due to a disability, please contact staff as soon as possible, and preferably at least 72 hours prior to the meeting, so that arrangements can be made. Although contacting staff 72 hours before the meeting is not strictly required, the earlier that we receive a request the more likely it is that we can arrange to fulfill that request.

Email: [llcc@hawaii.gov](mailto:llcc@hawaii.gov)  
Telephone: 808-586-0921

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

<https://us02web.zoom.us/j/81574015651?pwd=EQb1pOjEV6MOvNyh39SwJa0uAqhA3v.1>

Meeting ID: 815 7401 5651

Passcode: pqDJw4

**To participate by telephone:**

One tap mobile

+17193594580,,81574015651#,,,,\*236371# US

+12532050468,,81574015651#,,,,\*236371# US

Dial by your location

- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 669 444 9171 US
- +1 669 900 9128 US (San Jose)
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 646 558 8656 US (New York)
- +1 646 931 3860 US
- +1 689 278 1000 US
- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)

**Meeting ID:** 815 7401 5651

**Passcode:** 236371

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**Written Testimony:**

Submit written testimony before the meeting to:

- [llcc@hawaii.gov](mailto:llcc@hawaii.gov), *via email* (preferred); or
- (808) 587-0160, *via fax*; or
- Division of Forestry and Wildlife - Legacy Land Conservation Commission  
1151 Punchbowl Street, Room 325  
Honolulu, HI 96813, *via postal mail*

Submit written testimony no later than 24 hours prior to the meeting to ensure time for Commission review. Written testimony received fewer than 24 hours prior to the meeting ("LATE" testimony) will be retained in the administrative record and distributed to Commissioners as soon as practicable, but we cannot ensure that Commissioners will receive LATE testimony with sufficient time for review prior to decision-making.

To facilitate meeting efficiency, we request that written testimony indicate:

- whether or not the testifier will provide spoken testimony, and
  - how spoken testimony, if any, will be provided (in-person, online via ZOOM, or by telephone - see applicable instructions for **Spoken Testimony**, below)
-

**Spoken Testimony:**

*After the Commission completes its initial discussion of an agenda item, and before the Chairperson calls for a motion from the Commission on an action item, the Chairperson will call for public testimony, in the following order, or in another order established at the Chairperson's discretion:*

1. Testifiers that submitted written testimony that the Commission received no later than 24 hours before the meeting, in the order received.
2. Testifiers that signed in at the in-person meeting location, in order;
3. Testifiers that submitted written testimony that the Commission received fewer than 24 hours before the meeting, in the order received.
4. Testifiers participating by telephone that did not submit written testimony, in the order that testifiers unmute their telephone connection.
5. Testifiers participating online via ZOOM that did not submit written testimony, in the order of names that testifiers enter into the ZOOM chat window.

**To provide spoken testimony in-person:**

- Sign in at the in-person meeting location, indicating the agenda item(s) about which you intend to speak.

**OR**

- Raise your hand when the Chairperson calls for other public testimony on an agenda item.

**To provide spoken testimony by telephone for an agenda item:**

- If you submitted written testimony, then wait for the Chairperson to call on you.

**OR**

- When the Chairperson calls for other spoken testimony by telephone, unmute your telephone connection and wait for the Chairperson to call on you.  
Note: To unmute, press \*6.

**To provide spoken testimony online via ZOOM for an agenda item:**

- If you submitted written testimony, then wait for the Chairperson to call on you.

**OR**

- When the Chairperson calls for other spoken testimony online via ZOOM, enter your name in the ZOOM chat and wait for the Chairperson to call on you.

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*When audiovisual communication cannot be maintained with all Commissioners participating in the meeting or with the in-person meeting location, or when the remote public broadcast is not transmitting an audiovisual link to the meeting, the meeting will be automatically recessed for up to thirty minutes to restore communication. If audiovisual communication is restored within thirty minutes, then the meeting will reconvene at that time. If audiovisual communication is not restored within thirty minutes, then the meeting will terminate and the Commission will schedule another meeting to continue its business.*

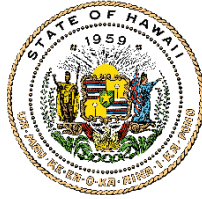
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**AGENDA FOR LEGACY LAND CONSERVATION COMMISSION MEETING 85  
BEGINS ON THE FOLLOWING PAGE**



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

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



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  
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MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES  
ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**AGENDA**  
**FOR MEETING 85 OF THE LEGACY LAND CONSERVATION COMMISSION**  
(SEE PUBLIC NOTICE, ABOVE, FOR MEETING PROCEDURES)

DATE: **MONDAY, JULY 1, 2024**  
TIME: **1:30 PM**  
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, see **PUBLIC  
NOTICE**, above)

*At any time during the meeting, the Commission may decide to go into Executive Session pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, in order to consult with its attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities.*

**A. CALL TO ORDER**

1. Review Meeting Procedures
2. Aloha Mai (Commissioners Kelepolo and Robinson)  
Aloha 'Oe (Commissioners Haase and Tavares)
3. Commission Roll Call

**B. ELECT AND SELECT COMMISSION OFFICERS**

1. Nominations and Election for Commission Chairperson
2. Nominations and Selection for Commission Vice-Chairperson

**C. FISCAL YEAR 2025 GRANT APPLICATION PROCESSES**

- Discuss funding, timeline, forms, and management solutions for
1. Land Acquisition Grants
  2. Operation, Maintenance, and Management Grants

**D: PROGRAM UPDATES AND ANNOUNCEMENTS (time permitting)**

**E: ADJOURNMENT**

## ITEM A.1. MEETING PROCEDURES

1. Captioning, recording, and Artificial Intelligence transcription is enabled for this meeting.
2. The meeting co-hosts are controlling participant access to meeting functions and may disable participant functions, remove a participant from the meeting, or temporarily halt the meeting to handle security-related issues.
3. Use the ZOOM chat to communicate with co-hosts about technical and logistical matters, **only**, NOT for providing substantive input about agenda items.
4. As shown in the Meeting Notice, under **Remote Communications**:

*When audiovisual communication cannot be maintained with all Commissioners participating in the meeting or with the in-person meeting location, or when the remote public broadcast is not transmitting an audiovisual link to the meeting, the meeting will be automatically recessed for up to thirty minutes to restore communication. If audiovisual communication is restored within thirty minutes, then the meeting will reconvene at that time. If audiovisual communication is not restored within thirty minutes, then the meeting will terminate and the Commission will schedule another meeting to continue its business.*

5. If a participant encounters difficulty in joining the meeting or performing participant meeting functions:
  - send email to [lcc@hawaii.gov](mailto:lcc@hawaii.gov), or
  - call or text the program office for assistance at 808.286.7697, or
  - communicate with staff online using the ZOOM meeting chat function.
6. When the Chair calls for in-person public testimony, please:
  - raise your hand,
  - come forward when recognized by Chair, and
  - state your name.
7. When the Chair calls for remote public testimony via ZOOM:
  - use the ZOOM meeting “raise hand” to initiate a request to address the Commission,
  - watch the ZOOM meeting chat window for further information about your request, and
  - please “lower hand” when you begin speaking.
8. When the Chair calls for remote public testimony via telephone:
  - unmute your telephone connection, and
  - wait for the Chairperson to call on you.

Note: To unmute, press \*6.

FY2025 LAND ACQUISITION GRANTS - <i>draft timeline</i>	2024						2025					
	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE
Circulate Draft Timeline and Application Forms for comments	6/26-7/12											
Legacy Land Conservation Commission discusses drafts	7/1											
Chairperson Approves Timeline and Forms	7/18											
<b>Application materials available</b>	7/22											
Submit Form 5 for Agency Consultation		8/16										
Receive Agency Responses to Form 5				10/4								
<b>Due Date for FY2025 Grant Applications</b>				10/11								
Legacy Land Conservation Commission (LLCC) Public Meeting/Establish Permitted Interaction Groups (PIGs)				10/18								
PIGs Investigate Applications, including field visits												
<b>Due Date for FY2025 Supplemental Materials</b>							12/2					
LLCC Public Meeting - PIG Reporting							12/4					
LLCC Public Meeting - Review and Rank Grant Applications and Recommend Grant Awards							12/10-13					
Legislative Consultation about FY2025 Grant Awards												
Board of Land and Natural Resources Approves FY2025 Grant Awards												
Governor Approves FY2025 Grant Awards												
Encumber FY2025 Funds for Approved Grant Awards												

DRAFT



# Legacy Land Conservation Program

Hawai'i Department of Land and Natural Resources

Application Title

## Form 1

### Certification of Fiscal Year 2025 Land Conservation Fund Grant Application (Land Acquisition Grant)

Please submit the completed forms to the OneDrive platform.

ATTENTION: The Legacy Land Conservation Program (LLCP) may cancel its request for Fiscal Year 2025 Land Conservation Fund Grant Applications, and the LLCP may reject a submitted Fiscal Year 2025 application, in whole or in part, without liability, when the LLCP determines that such cancellation or rejection is in the best interest of the State. A final grant award from the Land Conservation Fund requires approval from the Board of Land and Natural Resources and from the Governor. Encumbrance and disbursement of funding for an approved grant award is subject to the availability of funds and to budget restrictions and procedures implemented under the Governor's Executive Biennium Budget Instructions.

CERTIFICATION: I hereby certify that the statements and information contained in this Fiscal Year 2025 Land Conservation Fund Grant Application, including all forms and attachments, are true and accurate to the best of my knowledge.

#### APPLICATION PACKAGE CHECKLIST

- Willing Seller Letter  
(Signed letter from the landowner indicating willingness to sell the subject property)
- IRS Non-profit determination letter
- Mission Statement
- Property Map
- Photos (No more than 5 photos)

DRAFT

#### Applicant

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Signature\* (wet signature required)*

\_\_\_\_\_  
*Date*

#### Partner (if applicable)

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Signature\* (wet signature required)*

\_\_\_\_\_  
*Date*

\* Must be authorized to sign on behalf of Applicant or Partner entity.



# Form 2 *Fiscal Year 2025 Property Information Worksheet*

Applicant: \_\_\_\_\_

Application Title: \_\_\_\_\_

Point of Contact: \_\_\_\_\_

Postal Address: \_\_\_\_\_

\_\_\_\_\_

Email Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Location of Property: \_\_\_\_\_

*Island*                      *District*                      *Anupua'a*

Number of Parcels: \_\_\_\_\_

Total Acres: \_\_\_\_\_

Tax Map Key Number(s): \_\_\_\_\_

[Example: (2) 1-3-005:015] \_\_\_\_\_

\_\_\_\_\_

Acquisition Type (select all that apply):

- Fee Title
- Conservation Easement
- Agricultural Easement
- Unimproved Real Property

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



**Property Information**

Please provide the following land use information:

State Land Use Designation	
County Zoning	
Flood Zone Designation	
Is the property located in a Special Management Area?	

**Structures**

Describe any structures located on the property (Building, roadway, fencing, water infrastructure, utility infrastructure, telecom infrastructure, others)

**Land Use**

Describe the current uses/activities of the subject property as well as on the bordering properties (Please note estimated area for agriculture activities)

**Environmental Hazards**

Identify any potential hazards on the subject property (Dumping, hazardous materials flood zone, lava zone, tsunami)

**Supplemental Property Information  
Multiple TMKs**

	Parcel 1	Parcel 2	Parcel 3	Parcel 4	Parcel 5
<b>Tax Map Key Number</b>					
<b>Acres</b>					
<b>Acquisition Type</b> - Fee - Conservation Easement - Agricultural Easement					
<b>Zoning</b> State County Flood Zone Designation Is this Property located in a Special Management Area					
<b>Structures</b> Buildings Roadway Fencing Water Infrastructure Utility Infrastructure Telecom Infrastructure					
<b>Land Use</b> Describe the current uses/activities					
<b>Environmental Hazards</b> Note any known, suspected or potential hazards on the property					

## **Form 3**      **Land Acquisition Purposes**

The property to be acquired having value as a resource to the State for the following preservation purpose(s). Please provide information for any values that apply (N/A if not applicable)

**Agricultural:** Describe the types and extent of agricultural activities underway on the property. Note if there have been past agricultural activities.

**Coastal Areas:** Describe the environmental significance of the property in relation to the coastal area. Include information about the intertidal areas, length of shoreline, vegetation, erosion, and ocean access.

DRAFT

**Cultural/Historic Sites:** Identify the presence, location and condition of cultural or historic structures or sites (e.g. heiau, lo'i, burial caves, remnant walls, petroglyphs) on the property. Please note if any of the sites are listed or eligible for the Hawai'i Register of Historic Places or National Register of Historic Places.



**Habitat Protection:** Describe the types of habitats present within the property, including the types of wildlife species that inhabit the area.

**Natural Areas:** Describe the natural resources on the property, such as streams, estuaries, anchialine, ponds, dunes, caves, forest, etc. Is the property adjacent to a formally designated natural area (e.g. Natural Area Reserve, Refuge, Sanctuary, etc.)?

DRAFT

**Open Space/Scenic Resources:** Describe the open space values of the property. Does the property have view planes that provide visibility of surrounding and/or distant areas?



**Parks:** Is the parcel within or adjacent to a Federal, State or County Park? If so, please describe.

**Recreation/Hunting:** Identify ongoing types and levels of public recreational activity on the property and describe the level of public access. Specify the types of activities anticipated after acquisition of the property. Please note if the property is within a Game Management Area.

**Watershed:** Describe the watershed function of this property. Include information such as elevation gradient, type/condition of vegetation, presence of perennial or ephemeral streams or drainage channels, other waterbodies, etc.



**Form 4**      *Stewardship and Management*

How will the property be managed? Briefly describe the short and long-term management goals of the property:

DRAFT



# Form 5

## *FY2025 Agency Consultation and Request for Advice: Information from Land Acquisition Grant Applicant*

Describe the location of the property, the characteristics of the land, and any easements and/or encumbrances.

Describe the public benefits of the acquisition, including but not limited to where public access may be practicable or not practicable and why:

DRAFT

Provide an estimated timetable for the proposed acquisition (from notice to proceed to closing)



# Form 5a

**Fiscal Year 2025 Agency Consultation:  
Department of Land and Natural Resources**

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

**Applicant: See Form 5 Guidance; Fill in all Application information:  
Submit via email to: legacyland@hawaii.gov**

Applicant: \_\_\_\_\_

Application Title: \_\_\_\_\_

Point of Contact: \_\_\_\_\_

Postal Address: \_\_\_\_\_

\_\_\_\_\_

Email Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

DRAFT

Date Submitted \_\_\_\_\_ (Before \_\_\_\_\_, 2024 to allow adequate time for a response.)

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





## Form 5a

### **Fiscal Year 2025 Agency Consultation: Department of Land and Natural Resources**

In order to help the Legacy Land Conservation Commission and the Board of Land and Natural Resources to process and prioritize applications for funding, the Legacy Land Conservation Program (LLCP) requests that a consulting agency complete this form (Part I, and Part II if applicable) and return it - with comments, if any, on agency letterhead - to the Legacy Land Conservation Program at the address listed above, **not later than \_\_\_\_\_, 2024**, via eSign reply, or email to [legacyland@hawaii.gov](mailto:legacyland@hawaii.gov) Thank you!

The LLCP expects that a consulting agency will base its responses on the information presented in the attached Form 5 (Information from Land Acquisition Grant Applicant, including maps and photos). Please contact the Applicant directly with questions regarding the proposed land acquisition (Form 5), and contact the LLCP at 808-586-0921, or [legacyland@hawaii.gov](mailto:legacyland@hawaii.gov), with questions regarding agency consultation and the grant process.

If the Applicant does not receive an agency response before \_\_\_\_\_, 2024, then the application will indicate that the agency “Did Not Respond.” Please note that a lack of agency response does not affect the prioritization of an application.

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

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

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

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



## Form 5a

### Fiscal Year 2025 Agency Consultation: Department of Land and Natural Resources

- (13) Connection to regional planning and protection efforts; and
- (14) Capacity for long-term management.
- (b) The lands to which the LLCC shall give priority in its recommendations for acquisition (Section 173A-2.6, HRS):
- (1) Lands having exceptional value due to the presence of:
    - (A) Unique aesthetic resources;
    - (B) Unique and valuable cultural or archaeological resources; or
    - (C) Habitats for threatened or endangered species of flora, fauna, or aquatic resources;
  - (2) Lands that are in imminent danger of development;
  - (3) Lands that are in imminent danger of being modified, changed, or used in a manner to diminish its value;
  - (4) Lands providing critical habitats for threatened or endangered species that are in imminent danger of being harmed or negatively impacted;
  - (5) Lands containing cultural or archaeological sites or resources that are in danger of theft or destruction; and
  - (6) Lands that are unique and productive agricultural lands.
- (c) The appropriate legal mechanisms to ensure the long-term protection of the land and to preserve the interests of the State (see Section 173A-4, HRS). In particular, would the consulting agency be willing to accept/hold a conservation easement, agricultural easement, deed restriction, or covenant that runs with the land, or would an exemption from the easement requirement be more appropriate?

FOR AGENCY USE ONLY	
<input type="checkbox"/>	We do not object to the proposed project
<input type="checkbox"/>	We do not wish to comment on the proposed project
<input type="checkbox"/>	Comments attached
Signed: _____	Date: _____
Name: _____	
Title: _____	



# Form 5b

**Fiscal Year 2025 Agency Consultation:  
Department of Agriculture**

To: Sharon Hurd, Chairperson  
 State of Hawai'i Department of Agriculture  
 Office of the Chairperson  
 1428 South King Street  
 Honolulu, HI 96814

**Applicant: See Form 5 Guidance; Fill in all Application information:  
 Submit via email to: legacyland@hawaii.gov**

Applicant: \_\_\_\_\_

Application Title: \_\_\_\_\_

Point of Contact: \_\_\_\_\_

Postal Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Email Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

DRAFT

Date Submitted \_\_\_\_\_ (Before \_\_\_\_\_, 2024 to allow adequate time for a response)

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



## Form 5b

### Fiscal Year 2025 Agency Consultation: Department of Agriculture

In order to help the Legacy Land Conservation Commission and the Board of Land and Natural Resources to process and prioritize applications for funding, the Legacy Land Conservation Program (LLCP) requests that a consulting agency complete this form (Part I, and Part II if applicable) and return it - with comments, if any, on agency letterhead - to the Legacy Land Conservation Program at the address listed above, **not later than** \_\_\_\_\_, **2024**, via eSign reply, or email to [legacyland@hawaii.gov](mailto:legacyland@hawaii.gov) Thank you!

The LLCP expects that a consulting agency will base its responses on the information presented in the attached Form 5 (Information from Land Acquisition Grant Applicant, including maps and photos). Please contact the Applicant directly with questions regarding the proposed land acquisition (Form 5), and contact the LLCP at 808-586-0921, or [legacyland@hawaii.gov](mailto:legacyland@hawaii.gov), with questions regarding agency consultation and the grant process.

If the Applicant does not receive an agency response before \_\_\_\_\_, 2024, then the application will indicate that the agency "Did Not Respond." Please note that a lack of agency response does not affect the prioritization of an application.

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

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

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

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



## Form 5b

### Fiscal Year 2025 Agency Consultation: Department of Agriculture

- (13) Connection to regional planning and protection efforts; and
- (14) Capacity for long-term management.
- (b) The lands to which the LLCC shall give priority in its recommendations for acquisition (Section 173A-2.6, HRS):
- (1) Lands having exceptional value due to the presence of:
    - (A) Unique aesthetic resources;
    - (B) Unique and valuable cultural or archaeological resources; or
    - (C) Habitats for threatened or endangered species of flora, fauna, or aquatic resources;
  - (2) Lands that are in imminent danger of development;
  - (3) Lands that are in imminent danger of being modified, changed, or used in a manner to diminish its value;
  - (4) Lands providing critical habitats for threatened or endangered species that are in imminent danger of being harmed or negatively impacted;
  - (5) Lands containing cultural or archaeological sites or resources that are in danger of theft or destruction; and
  - (6) Lands that are unique and productive agricultural lands.
- (c) The appropriate legal mechanisms to ensure the long-term protection of the land and to preserve the interests of the State (see Section 173A-4, HRS). In particular, would the consulting agency be willing to accept/hold a conservation easement, agricultural easement, deed restriction, or covenant that runs with the land, or would an exemption from the easement requirement be more appropriate?

FOR AGENCY USE ONLY	
<input type="checkbox"/>	We do not object to the proposed project
<input type="checkbox"/>	We do not wish to comment on the proposed project
<input type="checkbox"/>	Comments attached
Signed: _____	Date: _____
Name: _____	
Title: _____	



# Form 5c

## **Fiscal Year 2025 Agency Consultation: Agribusiness Development Corporation**

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

**Applicant: See Form 5 Guidance; Fill in all Application information:  
 Submit via email to: [legacyland@hawaii.gov](mailto:legacyland@hawaii.gov)**

Applicant: \_\_\_\_\_

Application Title: \_\_\_\_\_

Point of Contact: \_\_\_\_\_

Postal Address: \_\_\_\_\_

\_\_\_\_\_

Email Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

\_\_\_\_\_

DRAFT

Date Submitted: \_\_\_\_\_ (Before \_\_\_\_\_, 2024 to allow adequate time for response)

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



## Form 5c

### **Fiscal Year 2025 Agency Consultation: Agribusiness Development Corporation**

In order to help the Legacy Land Conservation Commission and the Board of Land and Natural Resources to process and prioritize applications for funding, the Legacy Land Conservation Program (LLCP) requests that a consulting agency complete this form (Part I, and Part II if applicable) and return it - with comments, if any, on agency letterhead - to the Legacy Land Conservation Program at the address listed above, **not later than \_\_\_\_\_, 2024**, via eSign reply, or email to [legacyland@hawaii.gov](mailto:legacyland@hawaii.gov) Thank you!

The LLCP expects that a consulting agency will base its responses on the information presented in the attached Form 5 (Information from Land Acquisition Grant Applicant, including maps and photos). Please contact the Applicant directly with questions regarding the proposed land acquisition (Form 5), and contact the LLCP at 808-586-0921, or [legacyland@hawaii.gov](mailto:legacyland@hawaii.gov), with questions regarding agency consultation and the grant process.

If the Applicant does not receive an agency response before \_\_\_\_\_, 2024, then the application will indicate that the agency "Did Not Respond." Please note that a lack of agency response does not affect the prioritization of an application.

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

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

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

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



## Form 5c

### Fiscal Year 2025 Agency Consultation: Agribusiness Development Corporation

- (13) Connection to regional planning and protection efforts; and
- (14) Capacity for long-term management.
- (b) The lands to which the LLCC shall give priority in its recommendations for acquisition (Section 173A-2.6, HRS):
- (1) Lands having exceptional value due to the presence of:
    - (A) Unique aesthetic resources;
    - (B) Unique and valuable cultural or archaeological resources; or
    - (C) Habitats for threatened or endangered species of flora, fauna, or aquatic resources;
  - (2) Lands that are in imminent danger of development;
  - (3) Lands that are in imminent danger of being modified, changed, or used in a manner to diminish its value;
  - (4) Lands providing critical habitats for threatened or endangered species that are in imminent danger of being harmed or negatively impacted;
  - (5) Lands containing cultural or archaeological sites or resources that are in danger of theft or destruction; and
  - (6) Lands that are unique and productive agricultural lands.
- (c) The appropriate legal mechanisms to ensure the long-term protection of the land and to preserve the interests of the State (see Section 173A-4, HRS). In particular, would the consulting agency be willing to accept/hold a conservation easement, agricultural easement, deed restriction, or covenant that runs with the land, or would an exemption from the easement requirement be more appropriate?

FOR AGENCY USE ONLY	
<input type="checkbox"/>	We do not object to the proposed project
<input type="checkbox"/>	We do not wish to comment on the proposed project
<input type="checkbox"/>	Comments attached
Signed: _____	Date: _____
Name: _____	
Title: _____	





## **Form 6**

### ***Fiscal Year 2025 Grant Application: Importance and Threats***

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

DRAFT



## Form 7

### Fiscal Year 2025 Grant Application: Estimated Funding

#### Budget Breakdown

Provide estimated figures for main budget items:

	Revenue	Amount (\$)
1	Applicant Share	
2	LLCP Share	
3	Other Funding Sources	
	Total Revenue	
	Expense	
4	Land Acquisition or CE Price	
5	Due Diligence (appraisal, environmental, title report cost)	
6	Closing Costs	
	Total Expenses	

#### Budget Narrative

Provide information on sources of funding and expenses the applicant expects to incur:

# Form 8

## Matching Funds Worksheet

Fiscal Year 2025



Estimated Matching Funds Worksheet (whole dollars)					
Item	Enter C/Cash or IK/In-Kind	Amount (\$)	% of TETC*	Source, or Basis of Valuation	Status (Secured or Pending?)
Appraisal Report		\$ -	#DIV/0!		
Appraisal Report Review		\$ -	#DIV/0!		
Land Survey		\$ -	#DIV/0!		
Title Insurance		\$ -	#DIV/0!		
Title Report		\$ -	#DIV/0!		
Environmental Site Assessment (Phase 1)*		\$ -	#DIV/0!		
Escrow fees (excluding taxes)		\$ -	#DIV/0!		
Baseline Documentation		\$ -	#DIV/0!		
Attorney Fees		\$ -	#DIV/0!		
Land Value Donation		\$ -	#DIV/0!		
Conservation Easement		\$ -	#DIV/0!		
<b>TOTAL ESTIMATED MATCHING FUNDS</b>		\$ -	#DIV/0!	Matching funds for county or non-profit applicants must be at least 25% of the TETC	
<b>TOTAL REQUESTED FROM LAND CONSERVATION FUND</b>		\$ -	#DIV/0!	<b>NOTES:</b>	
<b>TOTAL ESTIMATED TRANSACTION COSTS* (TETC)</b>		\$ -	100%		

\*"TETC" is the **same** as "TOTAL" at bottom of Form 7

Use "0" if item is not applicable

# Form 7 Transaction Costs Worksheet

Fiscal Year 2025



Estimated Transaction Costs				
	Whole Number	Costs to be paid (\$)		
Item	Estimated Cost	Landowner	Applicant	Specify Payment Source(s) (LLCP Grant/Federal Funds, Other grants or private funds)
Appraisal Report*				
Appraisal Report Review*				
Land Survey*				
Title Insurance*				
Title Report*				
Environmental Site Assessment (Phase 1)*				
Escrow fees (excluding taxes)**				
Baseline documentation: conservation/ agricultural easement**				
Attorney fees (review/draft acquisition-related documents)**				
<b>Subtotal</b>				
Estimated Fair Market Value of Acquired Property				
<b>TOTAL</b>	<b>#VALUE!</b>			

\* eligible costs for grant funds and matching funds

\*\* eligible costs for matching funds, only

Use "0" if item is not applicable