

Guidelines for FY2025 Application – Land Acquisition Grant

For additional guidance, contact the program office via email at legacyland@hawaii.gov, telephone 808.586.0921

Form 1

Please complete with wet ink signature (s); scan to *.pdf file; and mail this page to:

Legacy Land Conservation Program
Division of Forestry and Wildlife
1151 Punchbowl Street, Room 325
Honolulu, HI 96813

- Name the scanned file as LLCP 2025_Project Title_Form 1 and email the file to legacyland@hawaii.gov

To complete the final application, compile all forms and supplemental material into a single, bookmarked *.pdf file named LLCP 2025_Project Title_Final Application. Each page must be formatted as standard, letter-size (8.5x11), oriented for on-screen reading without needing rotation or other manipulation.

- After completing all fillable pdf fields, save the fillable file as is, then “Print to PDF” to lock in the content, and save/submit the resulting file as instructed above.

SUPPLEMENTAL MATERIAL TO BE SUBMITTED WITH THE APPLICATION FORM:

Willing Seller Letter

A letter from the current landowner to the applicant that acknowledges the application and indicates a willingness to sell the property to the applicant. This must be a signed letter and not an email.

- Name the scanned *.pdf file as LLCP 2025_Project Title_Willing Seller Letter

Willing Holder Letter

A letter from the intended holder of a conservation/agricultural easement that acknowledges the application and indicates a willingness to hold an easement if the proposed acquisition includes transfer of an easement from an applicant to another entity.

- Name the scanned *.pdf file as LLCP 2025_Project Title_Willing Holder Letter

IRS Non-Profit Determination Letter (for nonprofit applicants only)

IRS favorable determination letter or other evidence of determination/designation of non-profit status by the IRS.

- Name the scanned *.pdf file as LLCP 2025_Project Title_IRS Determination

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Mission Statement (for nonprofit applicants only)

A mission statement indicating that the organization protects “resource value” (as defined in section 13-140-2, Hawaii Administrative Rules) or “land having value as a resource to the State” (as defined under section 173A-2, Hawaii Revised Statutes) as part of its activities or mission.

- Name the scanned *.pdf file as LLCP 2025_Project Title_Mission Statement

Maps

Three map maximum, which must show general and detailed location of the property, and may also show an overview of the larger, surrounding conservation and resource landscape. Preferred format is at least 1 MB file size at 320 dpi resolution for each map.

- Name the scanned *.pdf file as LLCP 2025_Project Title_Maps

Photos

Five photo maximum, showing views that illustrate the resources to be protected with explanatory captions. Preferred format is at least 1 MB file size at 320 dpi resolution for each photo.

- Name the scanned *.pdf file as LLCP 2025_Project Title_Photos

Title Reports

A preliminary or full title report covering all parcels proposed for acquisition is strongly recommended.

- Name the *.pdf file as LLCP 2025_Project Title_Title Reports. For multiple reports covering multiple parcels, bookmark the *.pdf file sequentially according to Tax Map Key numbers.

Forms 5, 5a, 5b, 5c

Complete the forms (applicant fields only) and submit as follows by **August 23, 2024** via email to legacyland@hawaii.gov:

- After completing all fillable pdf fields, save the fillable file as is, then “Print to PDF” to lock in the content, and save/submit the resulting file as instructed above.
- Combine Form 5, Maps, and Photos into a single, bookmarked *.pdf file named as LLCP 2025_Project Title_Form 5. The maps and photos submitted here can be augmented in a separate section of the final application.

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- Submit Form 5a, Form 5b, and Form 5c as three separate *.pdf files named as
 - LLCP 2025_Project Title_Form 5a
 - LLCP 2025_Project Title_Form 5b
 - LLCP 2025_Project Title_Form 5c

*For multiple parcels, please complete the Supplemental Property Information for Multiple TMKs.

Forms 8 and 9 – Transaction Costs Worksheet and Matching Funds Worksheet

Appraisal Report and Appraisal Review Report

If a grant is awarded, then the awardee submits the appraisal report and appraisal review report as completed in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP). The reports must then be approved by the Department prior to the distribution of a grant. LLCP can provide a list of appraisers that are pre-qualified to perform appraisal work for the State, however such a listing doesn't guarantee that the Department will accept an appraiser's work product. After LLCP reviews an appraisal report, the grant awardee must submit a proposed vendor and proposed scope of work for the appraisal review report, which are subject to LLCP approval. LLCP does not require an appraisal review report for land acquisition by a State agency.

Land Survey – Usually optional, but check with other funders and government authorities. Federal, State, and County sponsors and authorities may have specific requirements.

Escrow Fees

Note that property tax and conveyance tax are not eligible as matching funds. When opening an escrow account for a LLCP land acquisition transaction, please instruct the escrow company to provide, in its account statements, the most detailed breakdown possible of all associated fees, costs, and deposits.

Baseline Documentation

A baseline documentation report supports the conveyance and management of a conservation easement by describing and illustrating pre-acquisition conditions of the property and its resources prior to distribution of a grant. As with other eligible expenditures of matching funds:

- evidence of the sources and expenditures of matching funds must be supplied.
- expenditures must be reasonable and necessary for accomplishing project objectives and the purpose of the program.
- the basis and method for valuation of in-kind contributions must be demonstrated; donated services must be provided by skilled professionals; and In-kind contributions must be an integral and necessary part of the approved project.

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If the content of a conservation easement baseline documentation report adequately describes and illustrates all of the resources and conservation values encompassed within the purpose for which a grant for fee title acquisition is awarded, then that report may also be accepted to serve as the Resource Value Documentation required for a fee title acquisition.

Attorney Fees

Attorneys' fees for the review and drafting of acquisition-related documents, only, are eligible as matching funds. A detailed timesheet and billing statement from the lawyer/firm providing these services, through formal engagement or employment with the applicant, must be submitted prior to distribution of a grant.

Estimated Fair Market Value

Estimated fair market value can be based on an existing preliminary appraisal, the value assessed by a county for property tax purposes, a purchase price negotiated with the seller, or any other reasonable analysis that an applicant wishes to describe in the application.

*Please note that the TOTAL in the Form 8 **highlighted box** should match Form 9 Total Estimated Transaction Costs (TETC)

Land Value Donation

The dollar amount of a seller's donation of land value (in the property being sold) is eligible to count as matching funds if the seller provides a letter to the buyer acknowledging that:

- the property is being sold for a price that is below the appraised value approved by the Department, and
- some or all of the difference between the appraised value and the purchase price may be accounted for as matching funds for the LLCP grant award.

If a seller donates land itself (title to a different property) as matching funds for the LLCP grant award, then the value of the donation must be established by a Department-approved appraisal report and appraisal review, and the donated land shall be subject to the same requirements and restrictions as lands that are being acquired with grant funds.

Conservation Easement

If the value of a conservation easement is to be counted as matching funds for an acquisition of fee simple title, then an independent, USPAP-compliant appraisal of conservation easement value must be accepted by LLCP and approved by the DLNR Chairperson prior to State payment on a grant award. A conservation easement purchased by Hawaii County or Oahu County usually falls into this category.

In other cases (generally Maui County or Kauai County grant funding), a funding sponsor requires that it receive a conservation easement as a condition of its grant award; the value of the grant award (rather than the value of the conservation

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easement) is counted as matching funds; and LLCP doesn't require an appraisal of conservation easement value.

Total Estimated Matching Funds

The estimated percentage of matching funds (% of Total Estimated Project Costs) must be matched or exceeded at the end of the project by the actual percentage of matching funds received. If the actual percentage of matching funds received at the end of the project is less than the percentage estimated in the application, then the dollar amount of the grant award will be reduced to the amount needed for matching the estimated percentage of matching funds.