

Maniania Pali

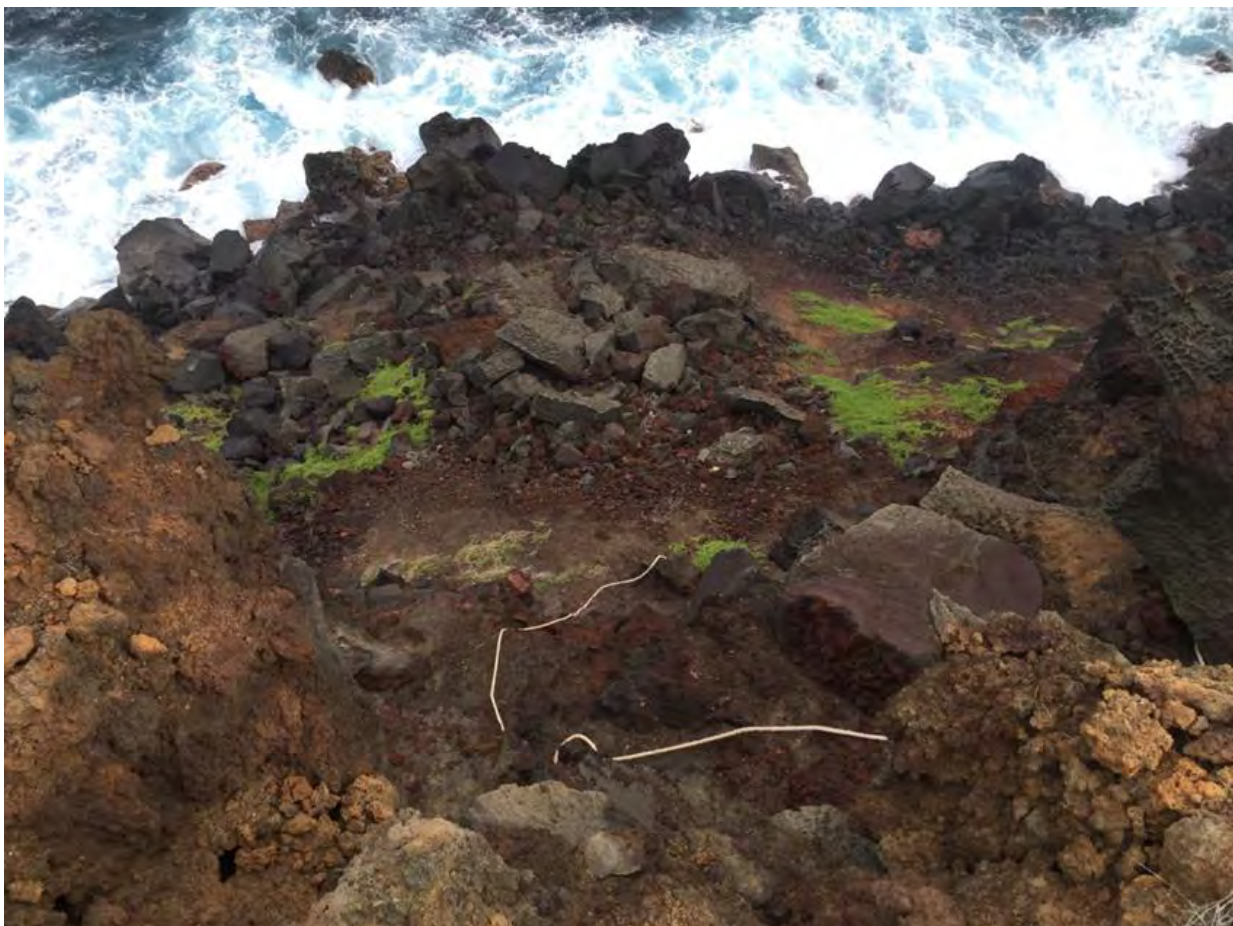




View northeast towards Kilauea



Ancient lawai'a trail to the shoreline





Historic house site



Fishing weight. Possible luhe'e for catching octopus.





April 24, 2020  
ATTACHMENT 1-6  
Halulu Fishpond Access Maps+Photos



# Waipā Kuleana

WAIPĀ, HALELE'A, KAUA'I, HAWAII

September 20, 2018.



THE TRUST  
FOR  
PUBLIC  
LAND



## Halulu Fishpond Access Photographs



On the Halulu Fishpond Access property with tall trees on the mauka side of the property, community path through the property, and Halulu Fishpond on and extending beyond the makai side of the property.



Looking at the Halulu Fishpond Access property from the makai side of Halulu Fishpond. Kids walking on the community access path through the property.



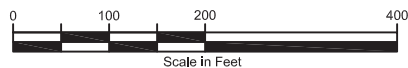


Halulu Fishpond Access property from Kuhio Highway. The parcel is a stark contrast from other makai lots along the highway, which are now mansions.





Image Source: Google Earth 2013



**FORD & ASSOCIATES, INC.**  
ENVIRONMENTAL SCIENTISTS & ENGINEERS

Job Number: 18-1312

Created by: JRC

Date: 4/4/18

Reviewed By: TS

**Subject Property Vicinity Map**

Project: Two Waipa Kuleana Properties  
(TMK No.: [4] 5-6-004: Parcels 010 and 017)  
Waipa, Kauai, Hawaii

Client: The Trust For Public Land




Figure

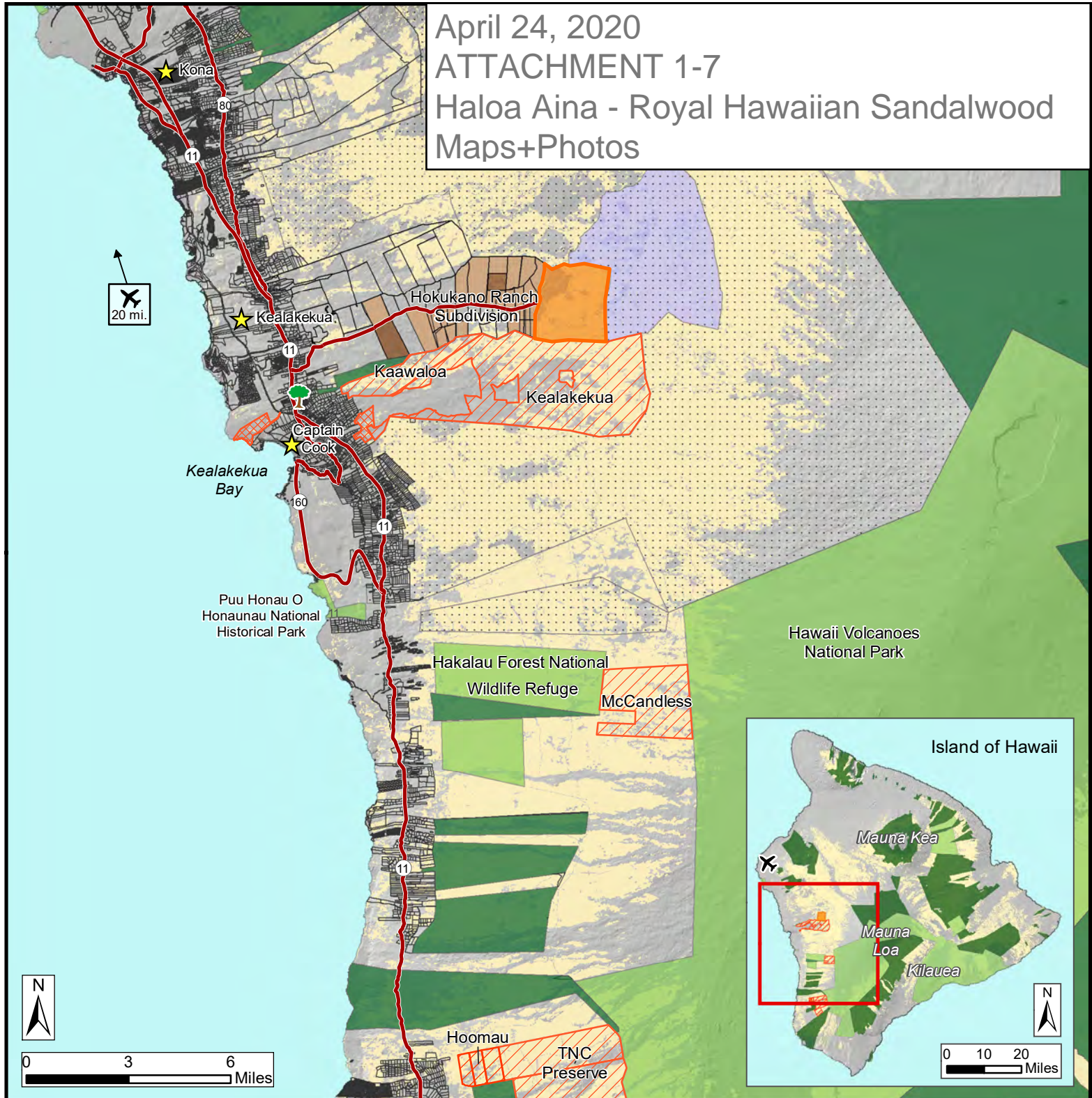
**2**



# Haloa Aina Forest Legacy Project

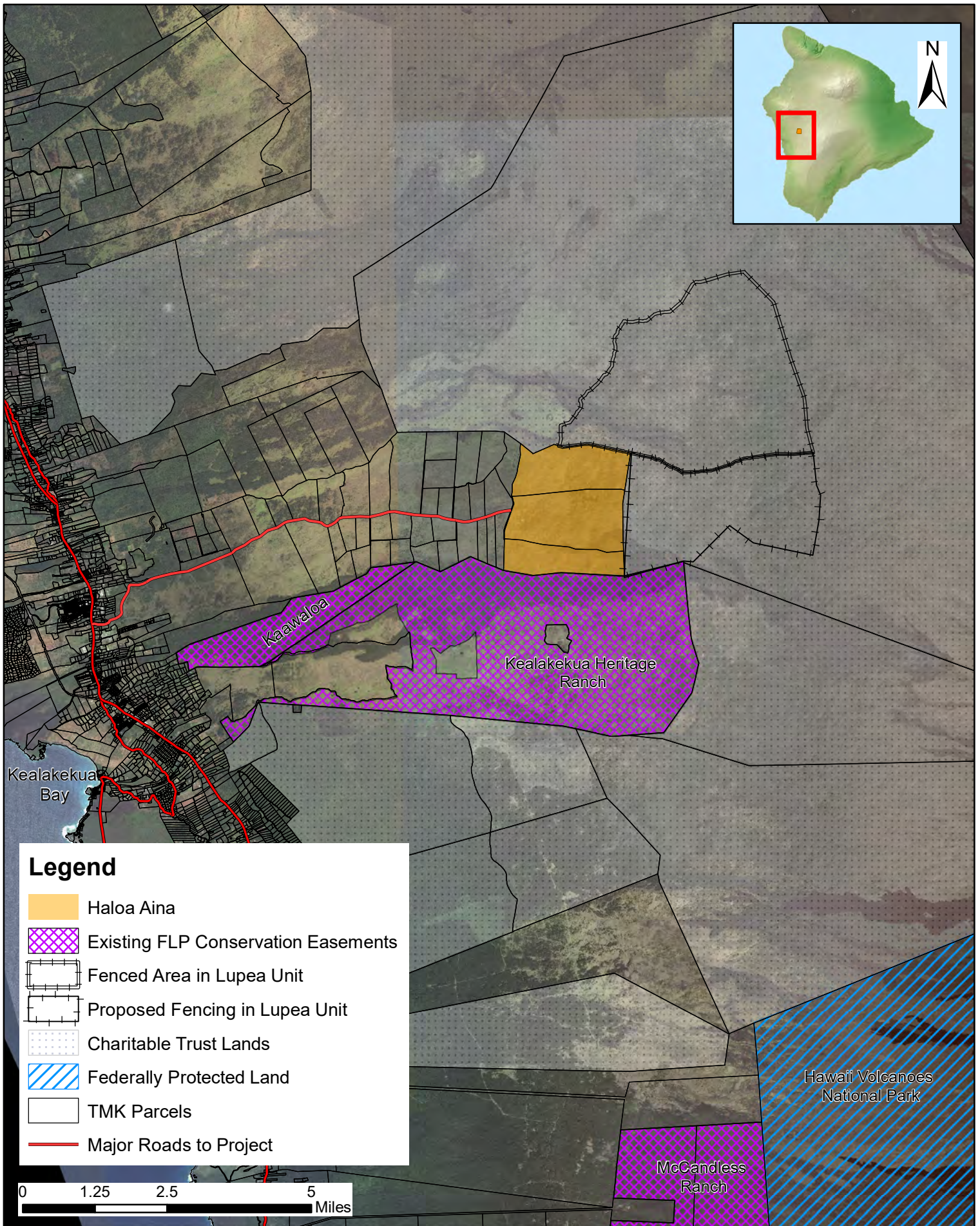
## Legend

- |  |  |  |
|--|--|--|
|  Haloa Aina FLP Project (2,780 acres) |  TMA Dry Forest Restoration Project                       |  Major Roads                              |
|  Existing FLP CEs                     |  KS Lands Managed for Forest Conservation                 |  Development/Housing Lots or Subdivisions |
|  State Reserves                       |  Hawaii Islands Land Trust CEs                            | <b>Hokukano Ranch Subdivision</b>  |
|  Federally Protected Lands            |  FL AON # 1 Priority Landscape (Native Forest in Ag-Zone) |  Remaining Properties for Sale            |
|  Community Forest                     |  Cities and Towns   |  Properties Sold in Last 5 Years          |



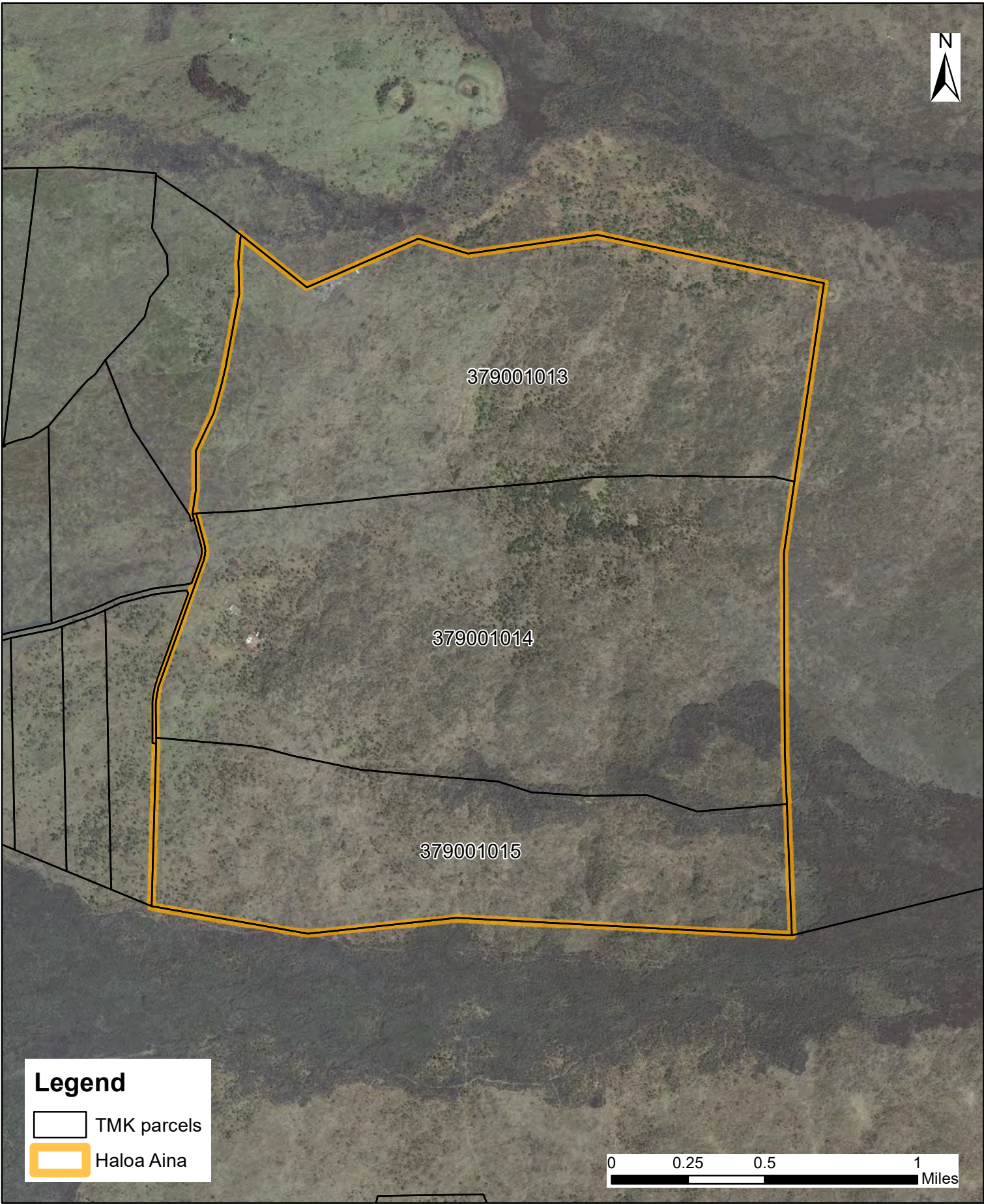


# Haloo Aina - General Location Map





# Haloa Aina - Parcel Map







Overview of dry montane forest landscape towards Mauna Loa



Sandalwood Oil





'iliahi seedlings



'iliahi trees on the property





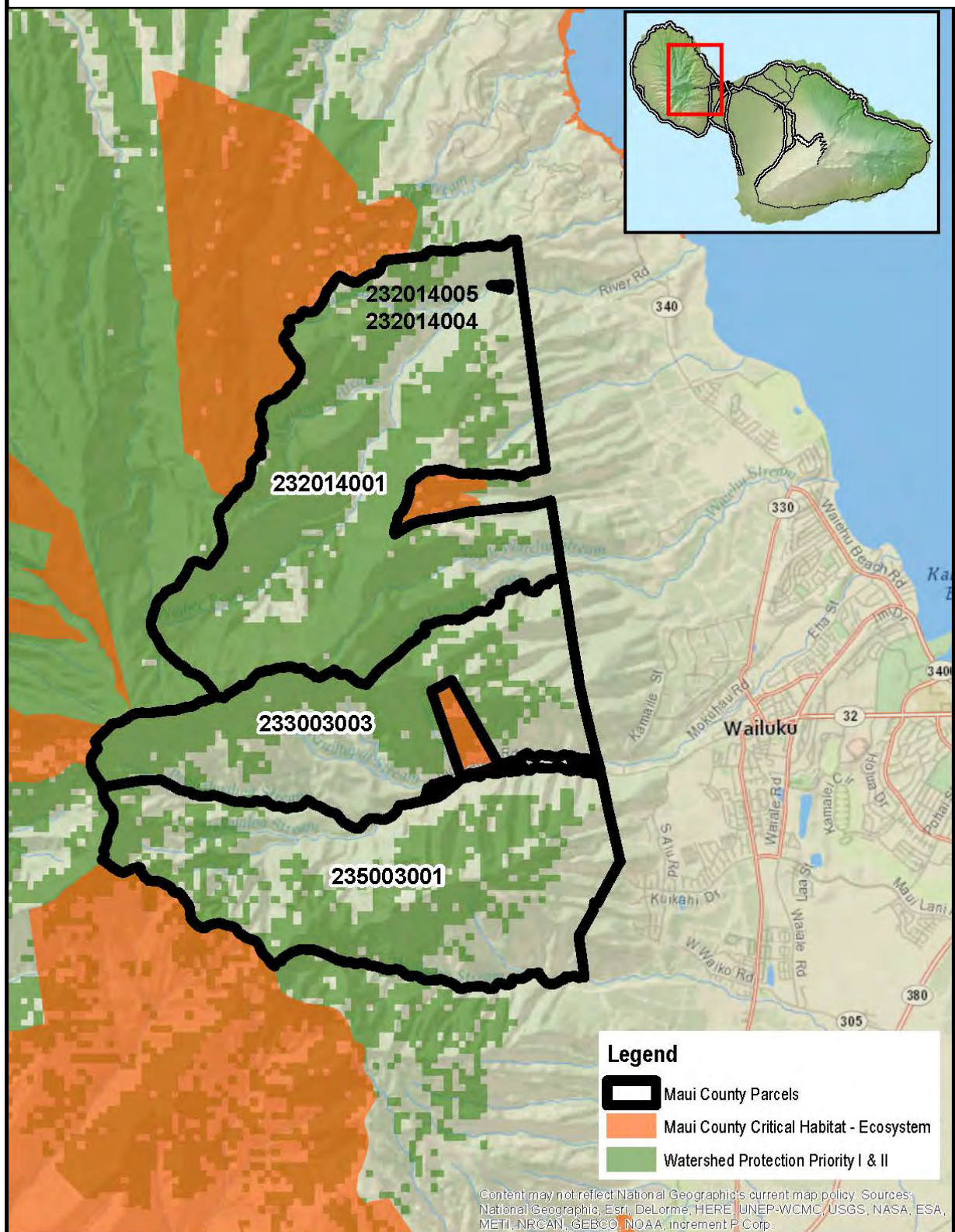
Koa grove on the property



'iliahi seeds



April 24, 2020  
ATTACHMENT 1-8  
Na Wai Eha Maps+Photos





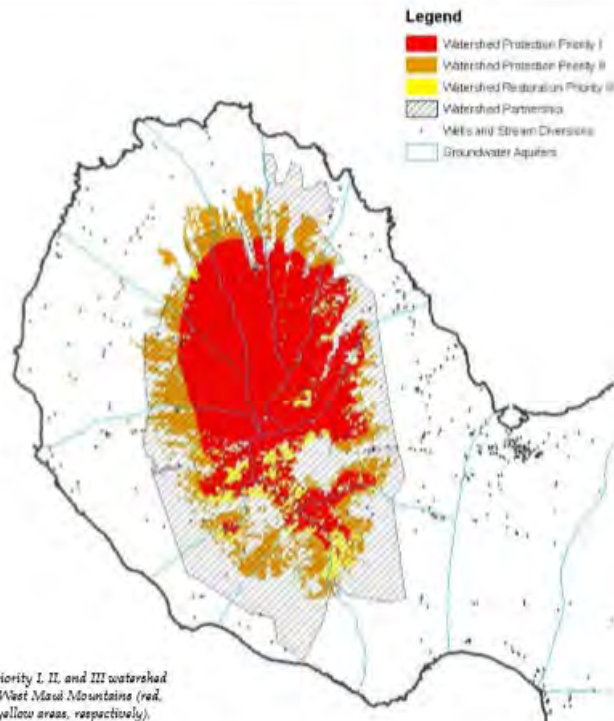


Figure 5. Priority I, II, and III watershed areas in the West Maui Mountains (red, orange and yellow areas, respectively), shown in relation to the WMMWP project area (crosshatched grey), as well as wells, stream diversions, and groundwater aquifers. The WMMWP lands almost fully encompass the Rain Follows the Forest priority watershed areas and provide fresh water for thousands of residents and businesses.

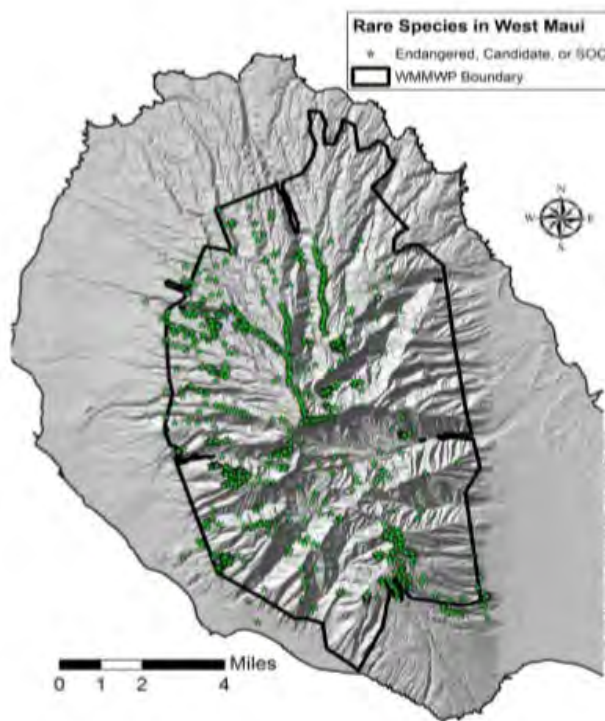
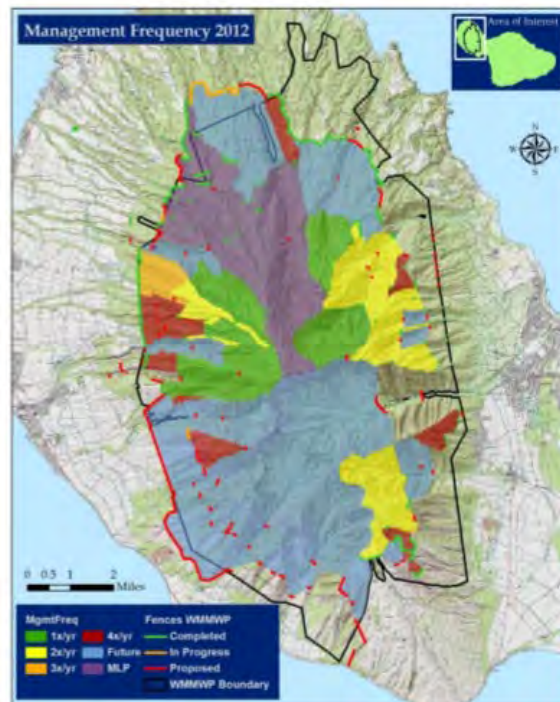
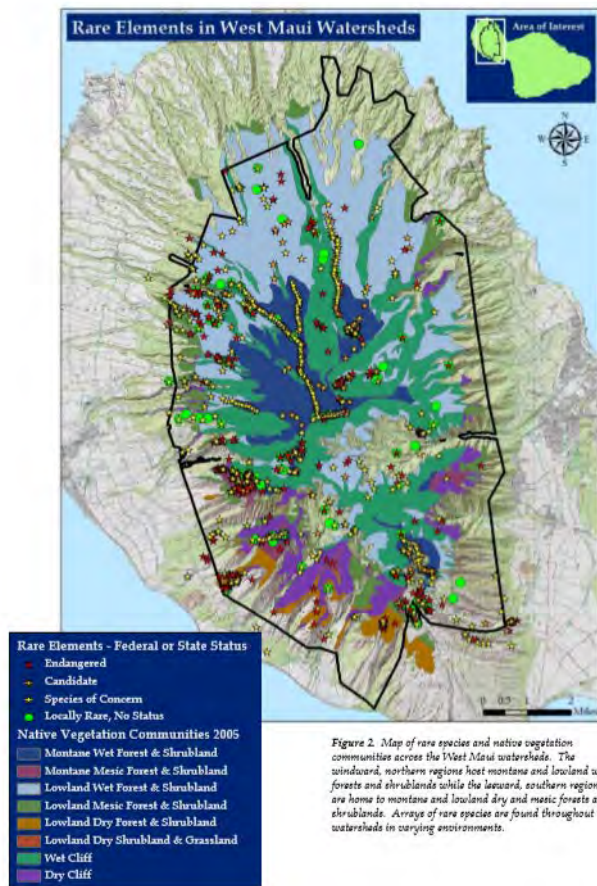


Figure 6. Map of endangered, candidate, and species of concern in the WMMWP project area. Although fences protect many species from feral ungulates, ongoing fencing projects and implementation of other invasive species controls are necessary to protect critical habitats.









Wall of Tears, Waihee Valley, Maui



Waihee River, Waihee valley, Maui

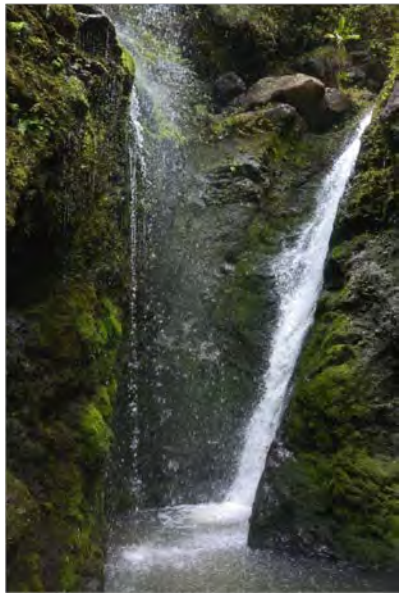
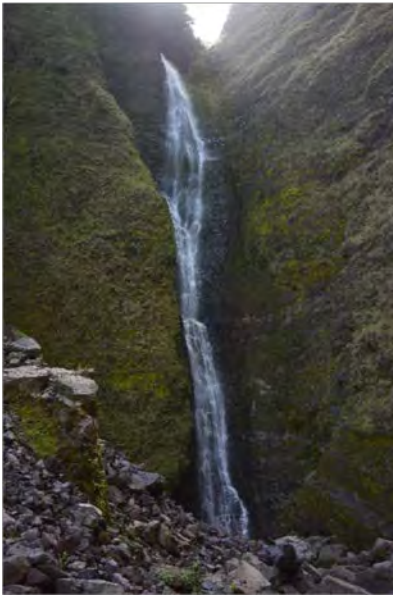




Iao Needle, Iao Valley, Maui





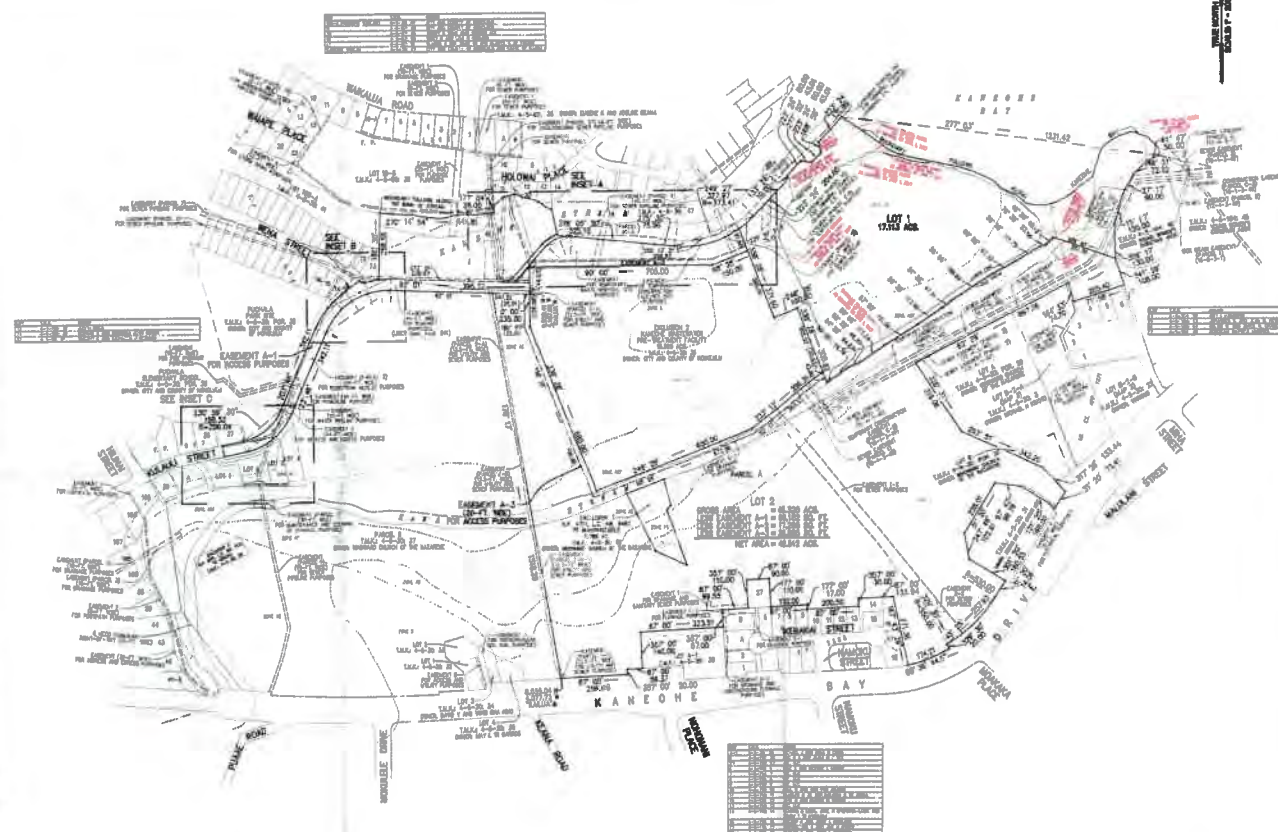
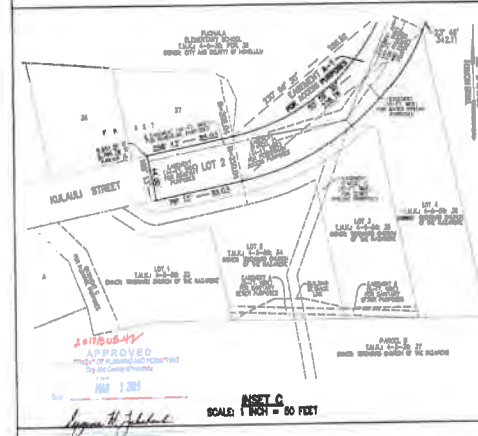
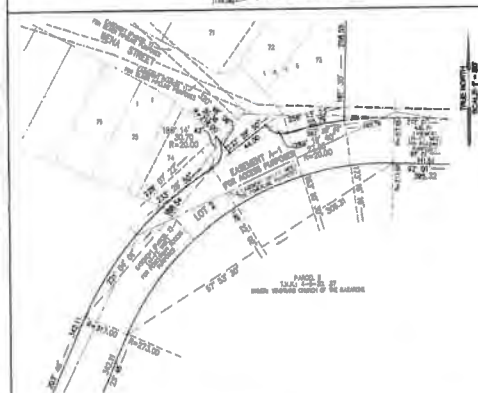
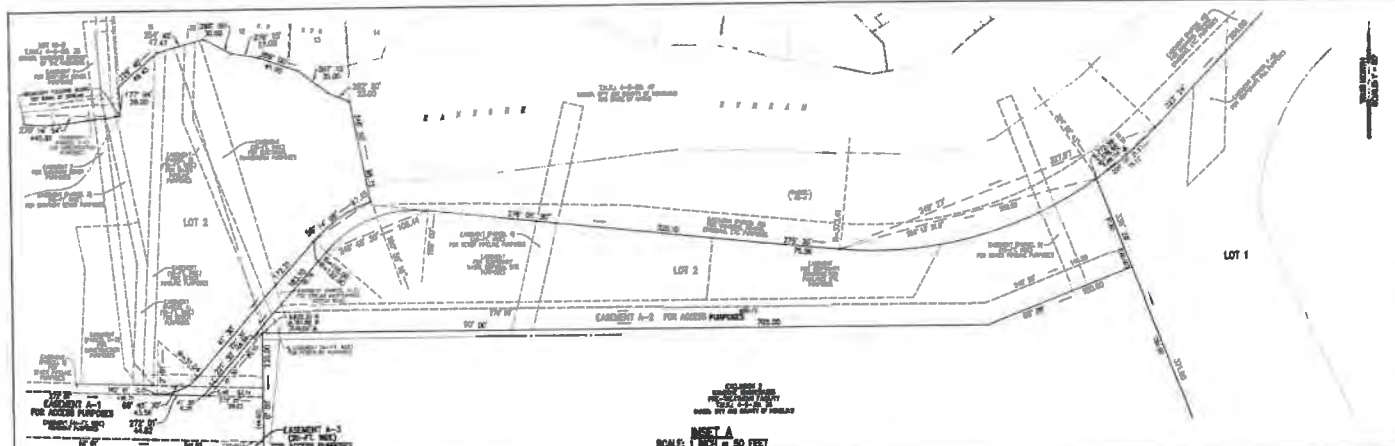






April 24, 2020  
ATTACHMENT 1-9  
Waikalua Loko Ia Maps+Photos





NOTES:  
1. ADJACENT AND COORDINATES ARE REFERRED TO SPHEROIDAL BATTERY NAVIGATION SYSTEM (NAD83)  
2. PROPERTY ADDRESS: 65-000 KANEHE BAY DRIVE, KANEHE, HAWAII 96744  
3. OWNER: [Name]  
4. TOTAL AREA OF SUBDIVISION: 65.433 ACRES, LOT 1 = 15.113 ACRES, LOT 2 = 50.320 ACRES  
5. LOT 1 IS A FISH POND LOT AND LOT 2 IS A HALF-ACRE LOT.  
6. DIMENSIONS: P-1, P-2, P-3 AND P-4  
7. EASEMENT A-1 FOR ACCESS PURPOSES AFFECTING LOT 2 AND IN FAVOR OF LOT 1 = 16.240 AC. P-1  
8. EASEMENT A-2 FOR ACCESS PURPOSES AFFECTING LOT 2 AND IN FAVOR OF LOT 1 = 16.240 AC. P-2  
9. EASEMENT A-3 FOR ACCESS PURPOSES AFFECTING LOT 2 AND IN FAVOR OF LOT 1 = 16.240 AC. P-3  
10. ACCESS FROM KANEHE STREET (PUBLIC ROAD) TO LOT 1 IS BY EASEMENT A-1 TO P-1, INCLUSIVE, FOR ACCESS PURPOSES

DATE: FEBRUARY 24, 2017; REV. APRIL 6, 2017; REV. JANUARY 17, 2018

TAX MAP KEY: (1) 4-3-30: 01

Plotted from [Name] by [Name] on [Date]



THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION  
[Signature]  
[Name]  
[Title]  
[Address]  
[City, State, ZIP]

30" x 36" = 7.5 90. FT.



PH: 808.791.0730  
26 Queen St., Ste. 306  
Honolulu, HI 96813  
[www.hilit.org](http://www.hilit.org)





ph: 808.791.0730  
126 Queen St., Ste. 30  
Honolulu, HI 96813  
[www.hilit.org](http://www.hilit.org)





HAWAIIAN  
LAND

ph: 808.791.0730  
126 Queen St., Ste. 306  
Honolulu, HI 96813  
[www.hill.org](http://www.hill.org)











View of Property from current parking lot



Wall currently blocking public access



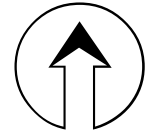


Aerial view of parcel and parking lot






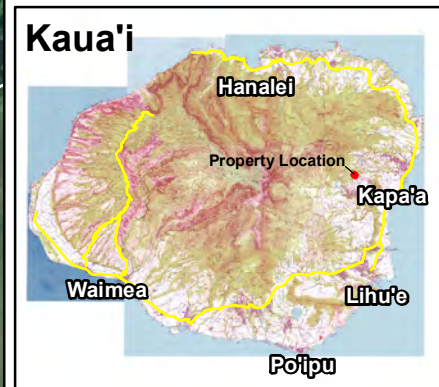
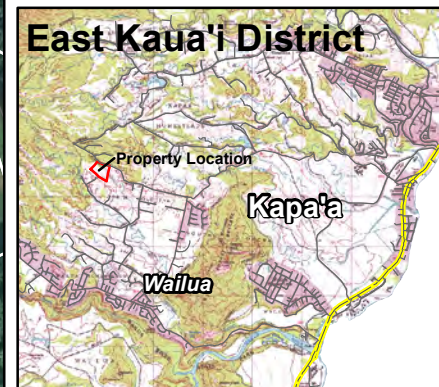


Map Showing  
Tax Map Key (4) 4-4-002:039  
6607 Olohena Road  
Kapa'a, Kaua'i



#### Legend

- Roads (2015 CoK)
-  TMK (4) 4-4-4-002:039 (2019 CoK)
-  Tax Map Key (2019 CoK)
-  Satellite Imagery (2015 -2016 Digital Globe)



April 24, 2020  
ATTACHMENT 1-11  
Olohena Aina Center Maps +Photos



Map Showing Tax Map Key (4) 4-4-002:039  
Kapa'a Kaua'i  
2012 EagleView





29.  
47.  
a.  
25.

Dropped pars: 2,3,4,10, 5, 8, 7,  
9, 6, 10, 11, 5, 32, 43, 44, 53, 70, 39,  
45, 55, 57, 68, 69, 70, 71, 56, 37,  
78, 54, 46, 42, 34, 53, 66, 67, 35, 36

TAXATION MAPS BRANCH		
STATE OF HAWAII		
TAX MAP		
FOURTH DISTRICT		
ZONE	SEC.	PLAT
4	4	02
CONTAINING		PARCELS
SCALE: 1 in. = 400 ft.		



## Property Overview

Overview of old cattle trail that runs through the property and sweeping views of the stunning landscape from above





### Existing Structures

The two old plantation style cottages (pics 1, 3, 4) were built in the early 1900's, while the main house was built in the 1970's (pic 2). The disrepair may be too far from salvageable, but will be looked into further to assess if either of the early structures can be saved through preservation. A small barn-style shed also sits in the property's frontage (seen in the background of picture 1).





### **Native Ferns**

Given that a few native fern species were able to outcompete the invasives on the property, there might be an area of the property that would be appropriate for re-establishing rarer fern populations as a part of conservation projects on the land.



*Sphenomeris chinesis* or palapala'a



*Dicranopteris linearis* or Uluhe

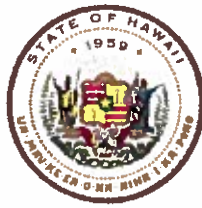


*Nephrolepis cordifolia* or Kupukupu



# **Attachment 2**





April 24, 2020  
ATTACHMENT 2

**The Senate**  
STATE CAPITOL  
HONOLULU, HAWAII 96813

**October 14, 2019**

Ms. Suzanne D. Case  
Chairperson  
Department of Land and Natural Resources  
1151 Punchbowl Street  
Honolulu, Hawaii 96813

**RE: Projects for the Fiscal Year 2020 Legacy Land Conservation Program**

Dear Chair Case:

I am in receipt of your letter dated September 16, 2019 regarding the Legacy Land Conservation Commission's recommendation for the funding of projects for the Fiscal Year 2020 Legacy Land Program.

This is to confirm that I have no concerns or objections at this time as it relates to the projects enumerated in the aforementioned letter.

Thank you and should you have any questions with regard to the foregoing, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald D. Kouchi".

RONALD D. KOUCHI  
Senate President  
8<sup>th</sup> Senatorial District- Kauai and Niihau

Cc: Speaker Scott K. Saiki  
Mr. David Penn, DLNR Program Specialist





April 24, 2020  
ATTACHMENT 2

**HOUSE OF REPRESENTATIVES**

STATE OF HAWAII  
STATE CAPITOL, ROOM 431  
415 SOUTH BERETANIA STREET  
HONOLULU, HAWAII 96813

October 14, 2019

Ms. Suzanne D. Case, Chairperson  
Department of Land and Natural Resources  
P.O. Box 621  
Honolulu, Hawaii 96809

Dear Chair Case:

Thank you for your letter dated September 16, 2019 in which you submitted for my review the recommendations from the Legacy Land Conservation Commission grants from the Land Conservation Fund to preserve features, functions, and uses of land having value as a resource to the State.

Upon reviewing, I currently have no concerns or objections to the recommendations as proposed in your attachment.

Sincerely,

Scott K. Saiki  
Speaker of the House

Cc: Senate President Ronald D. Kouchi  
Mr. David Penn, DLNR Program Specialist



# **Attachment 3**



April 24, 2020  
ATTACHMENT 3(a)  
Agency Consultation Comments  
Kaunamano

DAR# 5947:2

Comments

The coastal ecosystems, which include marine and anchialine habitats in the Kaunamano ahupua'a, are important natural resources that have been relatively undisturbed and have avoided impacts from urban development and other anthropogenic sources. In particular, a unique anchialine pool is located in Puhi Ula cave within Kaunamano, and hosts a healthy population of endemic 'ōpae 'ula, *Halocaridina rubra*, and another native shrimp, *Metabetaeus lohena*. These native shrimps are exclusively found in anchialine habitats, which are susceptible to development, human interactions, and invasive species. The uniqueness and sensitivity of Hawaiian anchialine ecosystems therefore warrant any actions that afford further protection. In particular, any steps taken to prevent or at least minimize coastal development, introductions of invasive species, or any other human interactions and disturbances would directly benefit the health of the anchialine habitats. Further, the coastal marine resources in Kaunamano provide prime grounds for subsistence fishing that are critical to the livelihood of the local community. Overall, acquiring these parcels of land with the purpose of continued and increased protection of the various resources within it will directly benefit these ecosystems, and help to preserve these natural ecosystems for future generations and the betterment of our island ecosystem as a whole.



April 24, 2020  
ATTACHMENT 3(b)  
Agency Consultation Comments  
Manaka'a Fishing Village

DAR# 5947:1

Comments

The Manaka'a Fishing Village hosts an array of natural coastal resources and archaeological relics, artifacts and burial sites that have been relatively undisturbed and avoided impacts from urban development to date. Due to the unique natural, archaeological, historical and cultural resources and the relative remoteness of Manaka'a Fishing Village, this area warrants further protection from development and other anthropogenic disturbances. In particular, the relatively intact coastal marine resources of Manaka'a Fishing Village is critical to subsistence fishing and to the livelihood of the local community, which is becoming increasingly rare across the State of Hawaii. Overall, acquiring these parcels of land with the purpose of continued and increased protection of the various resources within it will benefit these natural ecosystems, namely the coastal marine resources, for current and future generations, and the betterment of our island ecosystem as a whole.



DAVID Y. IGE  
GOVERNOR OF  
HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

JUL 10 2019

Division of Forestry and Wildlife  
1151 Punchbowl Street, Room 325  
Honolulu, HI 96813

VIA EMAIL TO: leah.j.laramee@hawaii.gov

SUBJECT: FY20+FY21 Agency Consultation for Land Acquisition, Legacy Land  
Conservation Program

Thank you for consulting with the Department about your Land Conservation Fund Grant Applications for "Waihee Valley Wall of Tears." The Department received the following comments from its divisions and offices:

Commission on Water Resource Management – Our records indicate that there is a well on parcel (2) 3-5-003: 001. The well (Well number 6-5132-001) is owned by the Hawaiian Commercial & Sugar Co. and was drilled in 1900. There are no records indicating usage during the year 2018. Tributaries to the Wailuku River are located in this parcel and the Wailuku River runs along the northern boundary of the parcel.

Our records indicate that there are three wells on parcel (2) 3-3-003: 003. Two wells (Well number 6-5333-001 and 002) are owned by the Wailuku Water Company, LLC, and were drilled in 1942. Well number 6-5333-002 has been abandoned and sealed. There are no records indicating usage during the year 2018 at Well number 6-5333-001. The third well (Well number 6-5332-001) is owned by the Wailuku Water Company, LLC, and was drilled in 1926. There are no records indicating usage during the year 2018. Tributaries to the Wailuku River are located in this parcel and the Wailuku River runs along the southern boundary of the parcel. There is one stream diversion on an unnamed tributary to Wailuku River registered by State Parks, for which status is unknown.

Our records indicate that there are two wells on parcel (2) 3-2-014: 001. The two wells (Well number 6-5434-001 and 002) are owned by the Hawaiian Commercial & Sugar Co. The two wells are named Waihee Tunnel 1 and 2 respectively. There are no records indicating usage during the year 2018. Tributaries in the headwaters of the Waihee River are located on this parcel, which also include upper tributaries of the Waiehu Stream. There are two active stream diversions on the main stem of the Waihee River owned by Wailuku Water Company, LLC.

SUZANNE D. CASE  
CHIEF DEPUTY  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

M. KALEO MANUEL  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF LAND PLANNING  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESTORATION PROGRAMS  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
HAWAIIAN ISLAND RESERVE COMMISSION  
LAW  
STATE PARKS

April 24, 2020  
ATTACHMENT 3(c)  
Agency Consultation Comments  
Na Wai 'Eha



Any proposed new stream diversions or wells would require permits and approvals from the Commission. The State Water Code and Administrative Rules require that the source owner/operator submit monthly water use reports to the Commission. Any existing wells and stream diversions that are no longer being used should be properly abandoned and sealed. Permits from the Commission would be required prior to any abandonment/sealing work.

Portions of the proposed acquisition area fall within the Nā Wai 'Ehā Surface Water Management Area and the 'Īao Groundwater Management Area. Any proposed new stream diversions or wells in the water management areas would additionally require water use permits from the Commission (except for individual domestic uses).

Sincerely,

 DAS  
\_\_\_\_\_  
Suzanne D. Case, Chairperson



April 24, 2020  
ATTACHMENT 3(d)  
Agency Consultation Comments  
Keone'o'io Bay Coastal Preservation

DAR# 5947-6

Comments

The coastal lot in question is strategically located next to the Ahihi Kinau NAR and is next to the current Keoni'o'io Bay parking lot. Allowing DOFAW to purchase this lot will allow them to make necessary changes to the current parking lot and coastal access points. This would allow for the parking lot to be set back off of the coastline, and would allow for coastal landscaping and designated pathways to better guide visitors to the safest entry points along the coastline. In the longer term, control of this parcel of land will allow DOFAW to continue to strategically manage this critically important area in conjunction with the lands they already manage within the Ahihi Kinau NAR. We are very supportive of this proposed action and are committed to continuing to work with DOFAW in partnership on the management of the important marine resources in this area.





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*Sent via email on July 20, 2020*

via email to [legacyland@hawaii.gov](mailto:legacyland@hawaii.gov)



July 20, 2019

Suzanne D. Case, Chairperson  
State of Hawaiʻi Department of Land and Natural Resources  
c/o: DOFAW / Legacy Land

CC: David Penn, Program Specialist

Re: Mālama Kauaʻi's 2020 Legacy Land Conservation Program Application

Aloha Ms. Case and Mr. Penn,

Thank you for your timely response to our consultation request. The following are some responses to your agencies' comments and further information on our project:

Regarding water concerns, this particular area and property was chosen due to its lush rainfall and existing County water meter (with additional meters pre-approved). To our knowledge no known wells or water diversions exist on the property. We are actually excited to see if riparian zone rehabilitation and reforestation could bring back further stream flow in the area, but have no plans for diversions; we'd prefer to utilize catchment and delivery systems on the back farmable parcels, but will be consulting with USDA's Natural Resource Conservation Service on best strategies and options. If any of your agencies have suggested strategies or ideas, we welcome the collaboration opportunity to do what is best for the land and demonstrate unique off-grid irrigation models.

We assure you that we are committed to the preservation and restoration of the land in question and have no plans for "traditional" development involving roads or major new infrastructure. In fact, the highlight of this project for our staff and Board is the legacy we can leave for future budding agriculturalists, farmers, and conservationists to have a unique place to get their start in their careers and businesses by being good stewards of the land. In our eyes, the land is truly chief and we are stewards.

Two small plantation-era/style cottages, and one main house built in the 1970's, exist on the property already, but it is not yet fully evaluated if they can be saved or preserved in any way without deeper assessment. It is likely they may need to be torn down and permitted to rebuild in their footprints. Either way, the units will be utilized for dormitory or tiny-home style living quarters for the center's program participants and staff, a small office/business services space for farmer use, and possibly even a small commercially-approved kitchen space for FSMA-compliant farm product processing. This will allow for full-time stewards to reside on the property for both farming and conservation/restoration educational programming.



The types and design of these buildings will be subject to permitting and allowances, and thus we have started the pre-consulting process with our County's Planning Department, as well as requested support from USDA Ag Marketing Service's Facilities Design team to help us envision and design the best possible solutions for the already developed property frontage that will streamline the planning, permitting, and building phases to the extent possible. We welcome DLNR's participation in these activities as well, should any staff be interested.

On-property living arrangements will *not* be a tenant-landlord relationship, but rather a benefit of participants' educational program enrollment in either our Incubator (Farm Apprentices) or Accelerator (Beginning Farmers) program tracks. We will be setting a 5-year maximum for residency, as our goal is to accelerate farm businesses off of the property onto their own larger leases, or even into farm ownership, by helping them to build a business history that qualifies them for ag land loans.

The model itself has been in the planning phase for several years, with beginning farmers actively participating in its design, but our financials and design plans now need to be retrofit to this specific parcel. We feel this project will be an excellent opportunity to model de-risked farmer housing so that other landowners may be more open to seeing how this approach could work for them, opening up key bottlenecks in our current food system for increased agricultural production across the state.

With over a decade of experience in supporting our island's beginning farmers, we know they need this. After 2018's disastrous flooding events and assisting farmers in overcoming the related impacts on their farms islandwide, we believe it is critical to preserve higher-altitude lands - outside of FEMA flood zones - in agriculture that allows for community access. While this is not where Hawaiians farmed traditionally, it offers great promise for the future given the land's natural rainfall and elevation.

We truly believe that conservation and agriculture can, and should, work together hand-in-hand and welcome the opportunity to partner with your agency to ensure this project provides an exceptional example of this.

If it is appropriate, we would welcome the opportunity to meet with your team to discuss the project in further detail or answer any additional questions you may have. Please feel free to reach me at any time at [megan@malamakauai.org](mailto:megan@malamakauai.org) or (808) 828-0685 x12.

Mahalo nui for your time and consideration,

Megan Fox  
Executive Director

Attachments:

- 'ĀINA Center 1-Page Overview



*Sent via email on July 20, 2020*



July 20, 2019

Phyllis Shimabukuro-Geiser, Chairperson  
State of Hawai'i Department of Agriculture  
Office of the Chairperson  
1428 South King Street  
Honolulu, HI 96814

CC: Earl J. Yamamoto, Planner

Re: Mālama Kaua'i's 2020 Legacy Land Conservation Program Application

Aloha Ms. Shimabukuro-Geiser and Mr. Yamamoto,

Thank you for your timely response to our consultation request. The following are some responses to your comments:

*Re: Hawaii Islands Land Trust Easement*

Easement discussions are currently ongoing, with a site visit planned on August 2nd/3rd with HILT; I have enclosed a copy of their Willing Holder Letter for your review, which details their interest and process for partnership. HILT supports the goals of Mālama Kaua'i on the property – organic agriculture, agroforestry, and native reforestation, but a Stewardship Endowment must be completed, and Board-approved, before they can begin working on easement details. The goal of the easement is to protect the land from future development and dedicate the property into agricultural and conservation use in perpetuity.

After 2018's disastrous flooding events and assisting farmers in overcoming the related impacts on their farms islandwide, we believe it is critical to preserve higher-altitude lands - outside of FEMA flood zones - into agriculture that allows for community access. While this is not where Hawaiians farmed traditionally, it offers great promise for the future given the land's natural rainfall and elevation.

*Re: Existing buildings and "residency-based" ag park model*

Two small plantation-style cottages and one main house exist on the property, but it is not yet fully understood if they can be saved or preserved in any way without deeper assessment. It is likely they may need to be torn down and permitted to rebuild in their footprints. Either way, the units will be utilized for dormitory or tiny-home style living quarters for the center's program participants and staff, a small office/business services space for farmer use, and possibly even a small commercially-approved kitchen space for FSMA-compliant farm product processing.

The types and capacity of these buildings will be subject to permitting and allowances, and thus we have started the pre-consulting process with our County's Planning Department, as well as



requested support from USDA Ag Marketing Service's Facilities Design team to help us envision and design the best possible solutions for the already developed property frontage that will streamline the planning, permitting, and building phases to the extent possible.

On-property living arrangements will *not* be a tenant-landlord relationship, but rather a benefit of participants' educational program enrollment in either our Incubator (Apprentices) or Accelerator (Beginning Farmers) program tracks. We will be setting a 5-year maximum for residency, as our goal is to accelerate farm businesses off of the property onto their own larger leases, or even into farm ownership, by helping them to build a business history that qualifies them for ag land loans.

The model itself has been in the planning phase for a few years, with beginning farmers actively participating in its design. We feel this project will be an excellent opportunity to model de-risked farmer housing so that other landowners may be more open to seeing how this could work for them, opening up key bottlenecks in our current food system for increased production.

*Re: Agricultural status of property*

The property indeed lost its ag dedication in 2013, as the owners are aging and ready to move off the property into a condo once a sale is complete. Other interested buyers want to develop the property further and not utilize it for agricultural purposes. Prior to this, the property had been in cattle ranching since the early 1900's and possible light habitation/cultivation in pre-contact times. This land is one of the only parcels in the area that is still in its original size and footprint since first being awarded.

If it is appropriate, we would welcome the opportunity to meet with your team to discuss the project in further detail or answer any additional questions you may have. Please feel free to reach me at any time at [megan@malamakauai.org](mailto:megan@malamakauai.org) or (808) 828-0685 x12.

Mahalo nui for your time and consideration,

Megan Fox  
Executive Director

Attachments:

- Willing Easement Holder Letter
- 'ĀINA Center 1-Page Overview