

‘Anaeho‘omalu Kapalaoa, North Kona, Hawai‘i

Photo Courtesy of Trust for Public Land



County of Hawai‘i



Department of Finance

2023 ANNUAL REPORT TO THE MAYOR

**Public Access, Open Space, and Natural Resources
Preservation Commission**

PREAMBLE

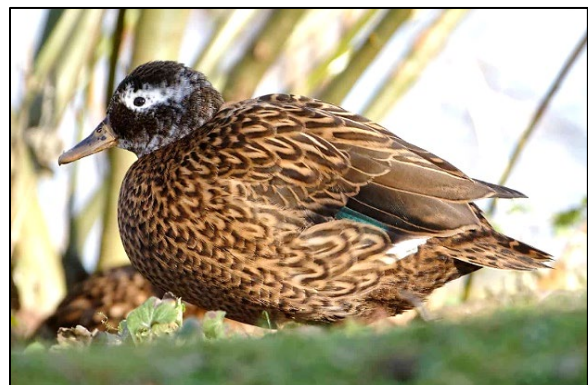
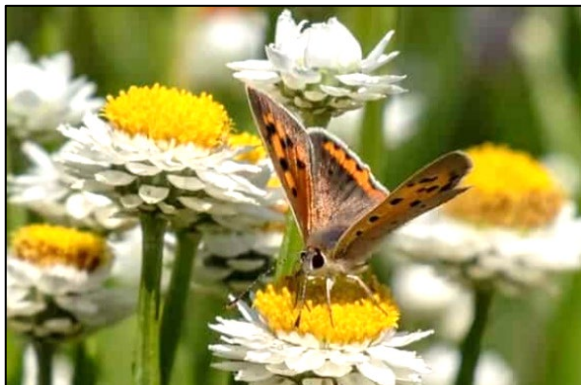
PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES PRESERVATION PROGRAM

The purpose of the Public Access, Open Space and Natural Resources Preservation Program (PONP) has two main focus areas. The focused areas are: 1) facilitate the process of eligible properties for acquisition using the Preservation Fund “*The Fund*”, and 2) to manage these properties with the Preservation Maintenance Fund, “PM Fund.”

The Public Access, Open Space and Natural Resources Preservation Commission (PONC) is a commission formed to assist in the process. The Commission’s purpose:

- To develop an initial island-wide prioritized list of qualifying lands worthy of preservation and submit it to the mayor. The list shall include the significance of each parcel or entitlement, identified the reason for its priority, and its anticipated use after acquisition.
- To update this list at any time, but at least annually by December 31 of each year.
- To explore methods of funding for conservation easements or land acquisition.
- To give emphasis to conservation easements or land acquisitions where the County’s contribution can be leveraged to obtain State, Federal, and/or private funding.
- To review Stewardship Grant Applications and make recommendations to the Department of Finance of eligible non-profit organization to provide stewarding efforts for property purchased with *the Fund*.
- Continued in-person public meetings alternating between Hilo and Kona.

The program is structured in a way that supports and remains focus on the values of this program: the people of Hawai’i County are the true recipients of this program, which protects our lands from development, numerous cultural sites, and endangered species. Today Hawai’i is often referred to as the “Endangered Species Capital of the World.” Both species below play an important role in the Hawaiian ecosystem. The **Mariana Eight-Spot Butterfly** helps to pollinate other plants and animals. **Laysan Duck** act as scavengers that help keep our environment clean by eating algae, leaves, seeds, and invertebrates.



Mitchell D. Roth
Mayor



Deanna S. Sako
Finance Director

Diane Nakagawa
Deputy Director

Hamana Ventura
Property Manager

County of Hawai'i

DEPARTMENT OF FINANCE – PROPERTY MANAGEMENT DIVISION

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PUBLIC ACCESS, OPEN SPACE, AND NATURAL RESOURCES PRESERVATION COMMISSION

November 13, 2023

Mayor Mitch Roth
County of Hawai'i
25 Aupuni Street, Suite 2603
Hilo, Hawai'i 96720

Dear Mayor Roth:

Attached is the 2023 Annual Report of the County of Hawai'i Public Access, Open Space, and Natural Resources Preservation Commission (PONC), pursuant to Section 2-217(2) of the Hawai'i County Code.

A voters' initiative established the Public Access, Open Space and Natural Resources Preservation Fund (Preservation Fund) in 2006. About 17 years later, 4,806.37 acres have been acquired in fee simple and 5,537.487 acres in conservation easements, all of which shall be held in perpetuity for the use and enjoyment of the people of Hawai'i. Another voters' initiative established the Preservation Maintenance Fund (Maintenance Fund) in 2010. A total of \$470,615.77 in stewardship grant funds was awarded to stewardship groups in Jan. - Oct. of this calendar year.

Our Commission is committed to doing our part to strengthen the program's utilization of the Preservation and Maintenance Funds in an accountable, transparent, and responsible manner. To that end, we formed Permitted Interaction Groups to improve:

1. The Suggestion Form and the rating system that we are using to prioritize the suggestions; and
2. The Stewardship Grant Application Form that is now fillable with clear instructions.

The form revisions are intended to ease the tasks of suggesting properties and applying for stewardship grants. We will continue to assess how the newer forms are being used and whether further improvements are needed.

This year PONC received four Suggestions for County acquisition. One Suggestion was withdrawn, and we highly rated the remaining three for County consideration. We especially thank those community groups and individuals who invest time and effort into informing us of lands that are valuable and appropriate for PONC consideration.

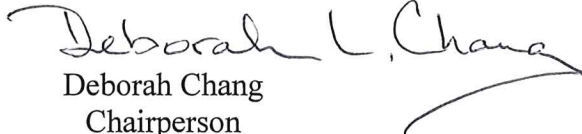
Twelve Stewardship Grant Applications were submitted this year. A Pre-Review of Grant Applications to assist grant applicants was offered for the first time this year and will be offered again next year. Reduction of the wait time for stewardship groups to receive Maintenance Funds after grant approval is recognized as a need by all involved. Progress is being made and efforts are ongoing to improve that aspect of the process.

Throughout the year, PONC has received capable guidance, assistance, and support from Commission Secretary Maxine Cutler, Property Manager Hamana Ventura, and Deputy Corporation Counsel Jean Campbell. With their invaluable assistance over the past year and a half, we updated our Rules of Practice and Procedure in May 2023.

This is a dynamic program that is growing every year with new acquisitions, maintenance initiatives, and community involvement. Staff support is key to the success of our Commission and the program.

On behalf of the Commission, we greatly appreciate your support and interest in this important County program.

Mahalo a nui loa,


Deborah Chang
Chairperson

COMMISSION MEMBERS (DISTRICT)

Deborah Chang, Chair (1), Alex Kelepolo, V. Chair (2), Shellie Bee Alan Naungayan (3), Amedeo Markoff (4), Deborah J. Ward (5), Jodie Rosam (6), Justin Lee (7), Cayla Crivello (8), and Kamuela Plunkett (9)

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County of Hawai‘i website public folders are located here:

<https://records.hawaiicounty.gov/weblink/Browse.aspx?dbid=1&startid=13770&cr=1>

2023 ANNUAL REPORT TO THE MAYOR

THE COMMISSION REPORTS

The Department of Finance, through its Public Access, Open Space and Natural Resources Preservation Commission (PONC), is submitting this 2023 Annual Report to the Mayor, which includes the 2023 Prioritized List of Properties that was submitted to this Commission on or before the deadline date of January 31, 2023, according to the Hawai'i County Code (1985), Edition 2005 Section 2-217.

This Commission is an advisory to the Mayor, and its sole responsibilities are: 1) Submit a prioritized list of properties to be considered for acquisition to the Mayor and 2) Evaluate and make recommendations specific to Stewardship Grant Applications.

In developing the 2023 Prioritized List, the Commission considered properties submitted on the 2023 Suggestion Forms, heard public testimony, reviewed communications, conducted interviews, conducted site visits, and scored accordingly to the Assessment Criteria Form. The Commission developed its prioritized ranking order based on reported urgency, anticipated use, significance, the benefit to the public, unique funding opportunities available for acquisition, and a proposed management plan. This year's total possible score based on the total number was 800. In 2015, the Commission amended its rules to include only those properties that scored 50% or higher on the prioritized list for consideration. In Chapter 1, there are detailed descriptions, maps, and summaries of all three properties that scored above the 50% threshold (Suggestion 23-01, 02, and 04). Suggestions 23-03 Keopu Flood Mitigation, N. Kona, was withdrawn by the nominator. The Commission submits to the Mayor the 2023 Prioritized List.

2023 Prioritized List

<u>No.</u>	<u>%</u>	<u>Sugg.</u>	<u>Nomination</u>	<u>Tax Map Key No.</u>
1	96	23-01	'Anaeho'omalua Kapalaoa, North Kona	(3) 7-1-003:010
2	85	23-02	Punahoa Heritage Forest, South Hilo	(3) 2-5-001:011
3	76	23-04	Ke Ala Kahawai 'o Waimea, South Kohala a.k.a. The Waimea Trail	49 parcels, approx. 11,458.82 acres. (see Chapter 1, No. 3)

Commission Members

<u>Name</u>	<u>Term</u>	<u>CD. No.</u>
Deborah Chang, Chair	12/31/27	1
Alex Kelepolo, Vice Chair	12/31/24	2
Shelly Bee Allen Naungayan	12/31/23	3
Amedeo Markoff	12/31/27	4 <i>effective 10/20/23.</i>
Debbie J. Ward	12/31/25	5
Jodie Rosam	12/31/26	6
Justin B. Lee	12/31/24	7
Cayla Crivello	12/31/25	8 <i>Eligible for a full term.</i>
Kamuela Plunkett	12/31/25	9 <i>Eligible for a full term.</i>

Commission Meetings

For the calendar year 2023, regular, in-person public meetings started at 10:00 a.m. and alternated between Kona and Hilo locations. The meetings are defined below.

January 9 (Kona)

July 10 (Hilo)

March 13 (Hilo)

September 11 (Kona)

May 8 (Kona)

November 13 (Hilo)

Suggestion Form

There were slight revisions to the Suggestion Form found in Chapter 3. The last revision was approved on October 14, 2020. The Department of Finance received four 2023 Suggestion Forms from February 1, 2022, to January 31, 2023, the deadline period. The Commission ranked only three of the four nominations. One of the Suggestions was withdrawn. The 2023 Prioritized List and summaries can be found in Chapter 1.

Assessment Criteria Form

The Commission made revisions to the Assessment Criteria Form. The last revision was done on November 15, 2018. (Chapter 3). This Assessment Criteria Form was utilized to assess the suggestion forms received during the time, as mentioned earlier.

Stewardship Grants

This past year, the Commission received from the Department of Finance (12) 2023 Stewardship Grant Applications and processed each application. This process included a review of the application, conducted interviews with each applicant, and reviewed public testimonies.

Upon review of the applications, this Commission expressed many concerns and reservations about the ease of using the new grant applications; semi and annual reports not submitted on time; management plan grant requests were missing scope of work, quotes for this service, justification of project costs, grant funding terms, compliance, and the delay of funding from past approved grants. The PONC was able to complete a grant funding recommendation to the Department of Finance at its November 13, 2023, public meeting.

Commission Recommendations and Concerns

The following is a listing of recommendations and concerns identified by the Commission for the upcoming year:

- Encourages everyone to be safe, wear masks, and live well.
- Funding resources for local non-profit organizations interested in stewarding County properties purchased with the Preservation FUND in their districts can apply for a Stewardship Grant.
- Grant awardees receive grant funding in a timely manner.
- Publicize and encourage the public to submit 2024 Suggestion Forms by January 31, 2024.
- Publicize and encourage the public to submit the 2024 Stewardship Grant Application by August 31, 2024.
- Hybrid meetings.
- Hire a full-time employee for only PONC and Stewardship Grant Facilitator.

County of Hawai'i website public folders are located here:
<https://records.hawaiicounty.gov/weblink/Browse.aspx?dbid=1&startid=13770&cr=1>

THE DEPARTMENT OF FINANCE REPORTS

Acquisition Status Report

The County completed three acquisitions, which are Halelua, North Kohala, and both Keahou Bay #35 and Keahou Bay #106, both in North Kona. To date, the County has acquired 10,343.857 acres consisting of approx. 5,537.487 acres in Conservation Easements and 4,806.37 acres in fee simple, which will remain in open space protection in perpetuity. The Acquisition Status Report and Preservation Fund balance are located on the County's website public folders.

Preservation Fund

Each year, the public is invited to submit suggestions to the Public Access, Open Space, and Natural Resources Preservation Commission. The deadline for suggestions is January 31. [See *PONC Rules of Practice and Procedure 4(a)*] The Commission will evaluate the suggestions, conduct site visits, and score the suggestions using their standard assessment criteria form. [See *PONC Rules of Practice and Procedure 4(b)*] This form covers the factors set forth in the County Charter and the County Code. [See *Charter Section 10-15(c)(1), Hawai'i County Code Section 2-214.1(c)(1), PONC Rules of Practice and Procedure 4(b)*] Any suggestion receiving fifty points or more out of the possible 100 points will be included in the Commission's priority list recommendation to the Mayor. [See *PONC Rules of Practice and Procedure 4(b)*] Each year, the Commission prepares the updated prioritized list by December 31 and submits the list to the Mayor in an annual report shortly after that for the Mayor's comment and recommendation. [See *PONC Rules of Practice and Procedure 4(c) & (d)*]

Within 60 days of receipt, the Mayor will submit the list to the County Council. [See *Hawai'i County Code Section 2-218(a)*] The County Council will, by resolution, select the lands to be preserved. [See *Hawai'i County Code Section 2-218(a)*] The Council member within whose district the land is located usually submits the resolution. The resolution authorizes the Finance Department to negotiate a possible purchase of either the fee simple interest or an easement from the landowner. [See *Hawai'i County Code Section 2-218(d)*]

Once on the prioritized list, with a resolution, a property may be purchased at any time. Priority is given to the acquisition of coastal properties and properties that have commitments for matching funds. [See *County Charter Section 10-15(g) and Hawai'i County Code Section 2-218(a)*] In addition to the priorities set forth in the County Code, the Finance Department acts on properties with significant community interest, which may be evidenced by active Council member support and involvement, active community groups who have indicated they are interested in contributing to the stewardship of the property, and interested landowners.

This program does not include the power of eminent domain, so the Finance Department will only engage with a property owner who has indicated to the County that they are willing to sell their property.

The Preservation Fund may be used to purchase the fee simple interest in a property or a conservation easement. [See *discussion below describing conservation easements*] The conveyance document (either a deed or grant of a conservation easement) for every purchase using Preservation Fund money must include the following provision:

"This land/easement was acquired with funds from the Public Access, Open Space, and Natural Resources Preservation Fund. It shall be held in perpetuity for the use and enjoyment of the people of

Hawai'i County and may not be sold, mortgaged, traded, or transferred in any way." [See County Charter Sections 10-15(h) and (i)]

Once a property is purchased with Preservation Fund money, the land can be used by the County for any of the uses permitted by the Charter: for public outdoor recreation and education, including (a) access to beaches and mountains, (b) preservation of historically or culturally important land areas and sites, (c) protection of natural resources, significant habitat or eco-systems, including buffer zones, (d) preservation of forests, beaches, coastal areas, natural beauty and agricultural lands, and (e) protection of watershed lands to preserve water quality and water supply. [See County Charter Sections 10-15(c)(1)(a) – (d) and Hawai'i County Code Section 2-214(c)]. The specific activities identified as permitted uses of the Maintenance Fund are presumed to be permitted activities on land purchased with the Preservation Fund. [See County Charter Sections 10-16(g)(1)-(17)]

What is a Conservation Easement?

A conservation easement is a grant by a landowner of specific property rights to an easement holder in perpetuity. The specific rights typically include all or most all of the development rights attached to the property such that the property is no longer able to be significantly developed.

Typically, a conservation easement will describe the limited uses that will continue to be permitted by the landowner and will include baseline surveys describing the conservation values of the property. In effect, this will convey to the easement holder the right to subdivide, the right to build any structures, the right to improve roads and install utilities, the right to make any land use changes, and all other rights to develop the property, which the easement holder will not exercise. The easement holder will be responsible for inspecting the landowner's use of the property and enforcing the terms of the easement.

If a landowner desires to be allowed to do limited development on the property, a conservation easement may describe small areas of the property where development remains permitted. For example, an easement may permit the construction of one dwelling on the property to serve as a residence for the landowner or their caretaker to live on the property in order to monitor and steward the land or to conduct agricultural operations if those remain permitted use.

Maintenance Fund

Properties purchased with Preservation Fund money are eligible for public safety and preservation stewardship by community members through non-profit organizations, utilizing funds from the Maintenance Fund established by the County Charter. [See County Charter Sections 10-16(g) and (h)] Non-profit organizations or organizations operating under the umbrella of a non-profit organization may apply for stewardship grants by submitting an application and required supporting materials by the annual August 15 deadline. [See County Charter Section 10-16(h)(4) and PONC Rules of Practice and Procedure 4(f)] The Commission will review the grant applications, conduct interviews of applicants, and make recommendations to the Director of Finance. [See PONC Rules of Practice and Procedure 4(f)]

The Charter identifies 17 expenditures that are presumed to be directly related to public safety maintenance and preservation. [See County Charter Sections 10-16(g)(1)-(17)] Also allowed is the payment of compensation for specific duties such as labor, educational workshops, and maintenance work paid to an officer, board member, or employee of a recipient non-profit if those duties have been specifically identified and officially approved in the detailed business plan submitted as part of the stewardship grant application. [See County Charter Section 10-16(h)(6)]

After the County Council passes a resolution authorizing the grants, the Director of Finance will enter into a grant agreement with the non-profit organization for the administration of the grant funds. The non-profit is required to provide performance reports, which are reviewed by the Commission to verify that

grant objectives are being met. [See *PONC Rules of Practice and Procedure 4(g)*]

Pōhāhā I ka Lani, a non-profit corporation, has successfully stewarded the Waipio Valley Lookout County parcel since 2016. Thousands of volunteers have mālama this lot over the years, establishing healthy gardens, landscaping maintenance, restoring bamboo fencing, and providing thousands of hours of education to the children of Hawai‘i



Photo 1: Waipio Valley Lookout [Koa‘ekea]. Photo courtesy of Pōhāhā I Ka Lani.

Status of Properties on Past Prioritized List

The County completed the Status of Properties on the Past Prioritized List, which can be found on the County's website public folders. The list contains all properties that made the 50% threshold, ranked by the Commission, what year they ranked, resolution information, and status since this program was established in 2006.

Conclusion

Our island is incredibly rich in cultural heritage, consisting of thousands of acres of historical sites, pristine native forests, and coastlines. Within our island, we are hosts to a variety of rare and endangered species, such as the Nene bird, Horry Bat, Hawaiian Monk Seal, Hawksbill Turtles, numerous flora and fauna, and other animals. The Open Space Program provides the means to facilitate the protection and preservation in perpetuity these unique spaces which provides our posterities opportunities to learn, renewal of traditional cultural practices, and public access to coastal lands. We must continue to support this unique program.

Finally, we thank the members of our PONCommission for their dedication and valuable service on this unique Commission.

Ms. Deanna Sako, Director of Finance; Mr. Hamana Ventura, Property Manager;
Ms. Maxine Cutler, Property Management Technician/Commission Secretary;
and Ms. Jean Campbell, Deputy Corporation Counsel.

**COUNTY OF HAWAI‘I
DEPARTMENT OF FINANCE**

2023 Annual Report to the Mayor

CHAPTER 1

2023 Prioritized List

Summaries from the Commissioners

November 15, 2023

PRIORITY #1: 'ANAHO'OMALU KAPALAOA

(Suggestion 23-01, Scored 95.71%)

Tax Map Key No. (3) 7-1-003:010, consisting of approximately 27 acres of the Pu'uuanahulu Ahupua'a in the District of North Kona, Hawai'i.



Figure 1. One of several rocky outcroppings along the shoreline which are used by fishermen and marine life. *PC: La Crivello

The 27.38 acre parcel located in Pu'uuanahulu Ahupua'a in North Kona is currently owned by Waikōloa Land and Cattle Company and was originally purchased for the purpose of expanding the Waikōloa Beach Resort. Within this property is a concentrated and extensive network of intact ancient and historic trails that serve as a connection between numerous significant biological-cultural areas including but not limited to Keahualono Heiau, Hi'iakaika'ale'i Heiau, abrader quarries, habitation caves and complexes, and countless petroglyphs. This coastal property is populated with native insects, native crustaceans, and native plants, including the rare endemic Hawaiian caper, the native 'ōpae'ula (*Halocardina rubra*) maiapilo (*Capparis sandwichiana*) and the nalo meli maoli, or yellow-faced bees (*Hylaeus sp.*).

The 'Anaeho'omalua Kapalaoa property holds a special place in the Native Hawaiian community of Pu'uuanahulu and represents an opportunity to reconnect and sustain a generational relationship of Pu'uuanahulu 'ohana to place. The trail system, which spans the property, extends into the adjacent properties, indicating long-held connections amongst people and place for generations into the past. These connections have the potential to remain in place long into the future for generations to come with

the acquisition of this property. The continuum of this massive trail network extends mauka into Pu‘uanahulu, southwest into the Kīholo State Park Reserve, makai to Kahapapa and Ku‘uali‘i fishponds, and at one time, the northeastern portion, which is now surrounded by Waikōloa Beach Resort, remained completely intact.. It is critical that spaces such as this be protected immediately to support the continuity of traditional, place-based practices.

ANTICIPATED USE

- Public access is primarily by foot only.
- Parking is located near the Lava Lava Beach Club, a short walk to the beach and the trail network which provides direct access to the coastal and inland portions of the property, respectively.
- The coastal segment of the property is expected to remain accessible according to current access standards. Future use of the coastal portion of the property would likely remain the same.
- Keahualono Heiau (Figure 2), a ceremonial platform built for Lonoikamakahiki, the boundary marker between North Kona and South Kohala and the northern boundary of Kekahawai‘oleonākona (the waterless lands of Kona) is still used today to perpetuate traditional Hawaiian practices.



*Figure 1. Keahualono Heiau, looking makai towards ‘Anaeho‘omalu. *PC: Trust for Public Lands.*

- Hi‘iakaika‘ale‘ī Heiau, which is suggested to have served as a ceremonial space for healing and regrowth, will continue to be used for traditional practices relative to this heiau.
- The Ala Nui Aupuni (Old Government Road) just east of the property is maintained across the resort landscape, and is used for recreational and traditional cultural practices. The Ala Loa (ancient trail network) within the lava flow of the property is still utilized by ‘ohana of Pu‘uanahulu as a way to maintain connections and reconnect with ancestral knowledge and experiences through traditional cultural practices (Figure 4). Ala Kahakai Trail Association, Ala Kahakai National

Historic Trail, and community members intend on hosting trail work days to maintain these trail systems throughout the property.

SIGNIFICANCE AND MANAGEMENT

- Nonprofit Nā 'Ōiwi o Pu'uanahulu is the proposed future owner of 'Anaeho'omalu Kapalaoa, with the County of Hawai'i holding a Conservation Easement over the property to protect it in perpetuity. Nā 'Ōiwi o Pu'uanahulu plans to partner with nonprofit Hui Aloha Kīholo, descendant families, and the community to steward this 'āina as a kīpuka where families can reconnect to their ancestral lands and the broader community can help mālama, care for, and restore its precious cultural and natural resources.
- Currently, the Kīholo State Park Reserve is jointly managed by the Division of State Parks and Hui Aloha Kīholo. Hui Aloha Kīholo acts as stewards of the Kīholo Bay, guided by lineal descendants of the area. The property in Suggestion 23-01 could expand the protection on a landscape scale. Several non-profit entities intend to be a part of the management of this parcel, including Nā 'Ōiwi o Pu'uanahulu, Hui Aloha Kīholo, and Ala Kahaki Trail Association. Hui Aloha Kīholo and Nā 'Ōiwi o Pu'uanahulu share many of the same individuals, many of which are lineal descendants and cultural practitioners of the area. Thus, it is likely that the cohesive landscape-scale management of the natural and cultural resources would be successful in the future.
- A lava tube network covered with petroglyphs and including a pristine anchialine pool complex extends from beneath Hi'iakaika'ale'i to the coast (Figure 2 and 6), providing habitat to 'ōpae'ula (*Halocardina rubra*) and highlighting the unique underground water systems of Kekahawai'oleonākona. Water is found to spring forth through these anchialine ponds from underground aquifers and through punawai (springs) in the ocean.
- Areas of this region where water can be found were highly coveted and protected as they provide the most fundamental resources for survival in a geographic area known for its harsh exposure to the sun and heat. These precious coastal ecosystems are a part of the larger watershed which extends to 'Anaeho'omalu Bay, a well-known site for traditional fisheries and fishing practices which 'ohana continue to exercise today.



- The property contains many native plant species known for medicinal qualities and cultural practices such as 'uhaloa, kou, milo, hala, and maiapilo

*Figure 2. Rare maiapilo (Capparis sandwichiana) thriving along the coastline. *PC: Jodie Rosam.*

SPECIAL OPPORTUNITIES FOR ACQUISITION AND/OR MANAGEMENT

- Because of the extensive resources on the property (primarily cultural resources), the landowner is interested in selling the property for preservation.
- The resort adjacent to the property to the north has developed an extensive amount of coastline, however; this property, along with the adjacent Kīholo State Park Reserve presents an opportunity to protect one of the last undeveloped stretches of coastline in the area, while still allowing public access of the shoreline and culturally significant resources.



Figure 4. An extensive trail network within the lava flows includes the Ala Loa, which traverses through the property and connects to the overarching ancient and historic trail system.

**PC: La Crivello.*

STRENGTHS

- It is a potential site for protecting natural and cultural resources, providing public access, partnerships and educational opportunities, and perpetuating Hawaiian cultural practices and access for continued practice.
- The protection of this property is critical to the management and protection of the Kona Watershed, as well as groundwater recharge and coastal ecosystem health.
- The property is utilized by the public for fishing, gathering, surfing, cultural practices, and overall recreation.
- Nā 'Ōiwi o Pu'uanahulu and Hui Aloha Kīholo have expressed a willingness to play a role in ownership as well as stewardship, ensuring descendant-led and community-based stewardship of the property.
- The landowner has provided a letter of intent to sell for preservation.

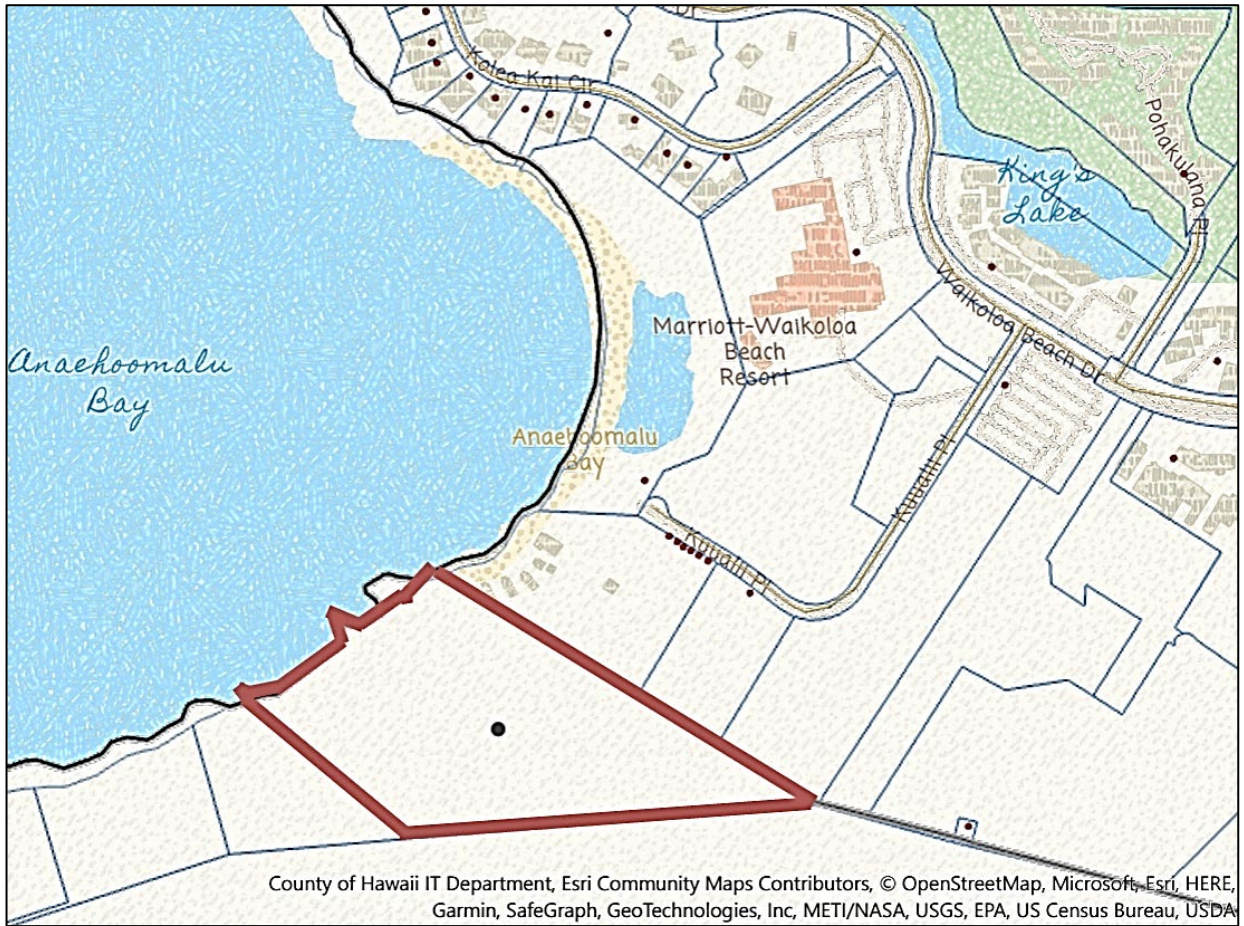


Figure 5. Property location of TMK (3) 7-1-003:010 as relative to 'Anaeho'omalulu Bay and the Lava Lava Beach Club.

End of Summary Report by Ms. La Crivello, Commissioner.

PRIORITY #2: PUNAHOA HERITAGE FOREST

(Suggestion 23-02, Scored 85.29%)

TMK No.(s) (3) 2-5-001:011, consisting of approximately 1,052 acres of the Punahoa Ahupua‘a, South Hilo, Hawai‘i.

The Punahoa Heritage Forest is comprised of nearly 2,000 acres of lowland wet forest (1,052 acres of which are included in this suggestion) which serves as a critical component of the Hilo Watershed. It serves as an integral component to the health of our human, plant, and animal communities as well as our marine ecosystems. The forest is home to native insects, plant species, and endemic birds including the Hawai‘i ‘amakihi (*Chlorodrepanis virens*) and ‘io (*Buteo solitarius*). The kīpuka within the property contain not only rare plant species but provide opportunities for restoration and research, as well as perpetuating cultural practices and retaining human connections to ‘āina.



Figure 1. *Metrisoderos polymorpha* are the dominant canopy species. *PC: Jodie Rosam



Figure 2. Understory vegetation includes Kupukupu (*Nephrolepis cordifolia*), Hāpu‘u (*Cibotium menziesii*, not pictured), Uluhe (*Dicranopteris linearis*), and Pa‘iniu (*Astelia menziesiana*). *PC: Jodie Rosam

The Punahoa Heritage Forest is unique in that it binds together a greater continuous landscape across existing land boundaries in order to preserve and protect watersheds and native plant and animal species that are both ecologically and culturally significant. There is a partnership between the United Church of Christ Hawai‘i Conference Foundation (UCCHF), who owns the adjacent property to the north, and the Pū‘ā Foundation to protect the greater Punahoa Heritage Forest. Several ecologically and culturally significant kīpuka straddle the boundary of both properties, and this partnership is key to the successful protection of the greater landscape. It is critical that forests such as this are protected immediately in

order to slow the spread of Rapid 'Ōhi'a Death and maintain the genetic biodiversity on which the health of Hawai'i's ecosystem (and ultimately human) health rely.



Figure 3. 'le'ie (*Freycinetia arborea*), an indicator of a healthy forest, winds through the Olomea (*Perrottetia sandwicensis*). *PC: Jodie Rosam



Figure 4. Olomea (*Perrottetia sandwicensis*) is common on the forest edge. *PC: Jodie Rosam

ANTICIPATED USE

- The Pū'ā Foundation is seeking a Conservation Agreement (CE) on this property between the County and themselves.
- The overarching goal of the Punahoa Heritage Forest is to balance conservation of the natural and cultural resources of the forest with Hawai'i lifeways practices. The vision is to first understand the natural and cultural resources on the property, and then safely open certain areas to the public for education, gathering, cultural practices, etc. The Pū'ā Foundation is dedicated to preserving and sharing Hawaiian culture with the public, while allowing the forest to flourish and rejuvenate.
- Public access into the property in Suggestion 23-02 is by foot only, and this will likely be the case in the future (due to the potential spread of Rapid 'Ōhi'a Death). Pū'ā Foundation may choose to open a larger parking area near Saddle Road, though a site would be carefully selected based on the natural and cultural resources of the area. The Pū'ā Foundation sees fencing in the Punahoa Heritage Forest as a priority.
- The Punahoa Heritage Forest is a convenient site for Univeristy of Hawai'i at Hilo students and scientists to study forest composition, forest dymanics, seed dispersal, etc.

SIGNIFICANCE AND MANAGEMENT

- The UCCHCF property (922 acres included in the Punahoa Heritage Forest) is currently under a CE agreement held by The Nature Conservancy (TNC) and the land owners. The Pū'ā Foundation envisions the CE on the Suggestion 23-02 property to be cohesive with the greater landscape rather than just by property boundary delininations.
- There has been much discussion of the importance of landscape-scale preservation, potential outlooks of the suggested three phase rollouts (including identifying pros, cons, and management concerns) across the property, and next step suggestions (including collaborations with relevant stakeholders and comprehensive flora / fauna and archaeological surveys).
- The Pū'ā Foundation highlights the need for a collaborative management effort of the property and is open to potentially not putting the entire property into a CE in order to allow for minor infrastructure on the property (*i.e.*, composting toliets, gathering place) where no flora / fauna or archaeological sites would be impacted.



*Figure 5. Stream entering two holding ponds, used by children as safe swimming holes. *PC: Deborah Chang*

SPECIAL OPPORTUNITIES FOR ACQUISITION AND/OR MANAGEMENT

- While this property is owned by the Pū'ā Foundation and is not currently under the threat of development, the adjacent parcel to the south is being considered for koa logging. Because the forest knows no boundaries, it is important to quickly gather information on the natural and cultural resources of the property and the kīpuka within in order to inform the landowner to the south and protect the greater landscape.
- The property is part of the greater Punahoa Heritage Forest with support from the UCCHCF, and thus the Pū'ā Foundation has strong potential to leverage resources as a partner organization.

- Much of the surrounding land is owned by the State, and Pū'ā Foundation can likely form agreements with the State to facilitate access and management. Furthermore, the kīpuka located within the property have been a research site for students of UH Hilo and scientists within the area, and the potential for collaboration will only continue to grow.

STRENGTHS AND WEAKNESSES

Strengths:

- It is a potential site for protecting natural and cultural resources, providing public access, partnerships and educational opportunities, and perpetuating Hawaiian cultural practices.
- Both UCCHCF and Pū'ā Foundation share a vision of conservation that would encompass nearly 2,000 acres.
- The protection of this property is critical to the management and protection of the Hilo Watershed, as well as groundwater recharge and coastal ecosystem health.
- While the exact terms of the CE need to be solidified in order to meet the needs of the forest as well as of the goals of the Pū'ā Foundation, it is clear that an agreement between the Pū'ā Foundation and the County would have countless benefits and would open up many opportunities within the community.



Figure 6. Clear fresh water collects in the holding ponds before flowing makai. PC: Jodie Rosam

Weaknesses:

- A full flora / fauna and archaeological reconnaissance of the property is needed prior to making informed decisions about the terms of the CE.

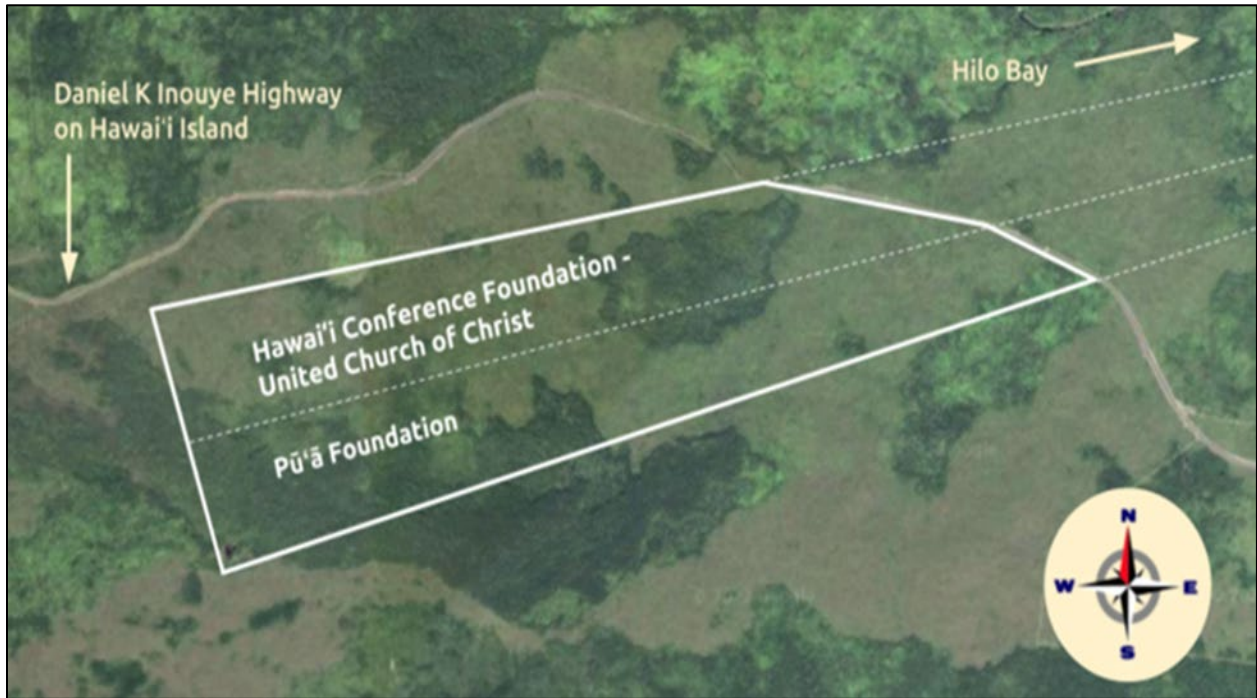


Figure 7. The Pū'ā Foundation and the UCCHF properties compose the nearly 2,000 acre Punahoa Heritage Forest.
*Map from submitted application.

End of Summary Report by Ms. Jodie Rosam, Commissioner.

PRIORITY #3: KE ALA KAHAWAI `O WAIMEA (THE WAIMEA TRAIL)

(Suggestion 23-04, Scored 75.57%)

TMK No.: (3) portion of 49 parcels, consisting of approximately 11,458.82 acres of the Lalamilo Ahupua'a, South Kohala, Hawai'i.



*Figure 1. The Waimea Trail. *PC: Deborah Ward*

The Waimea Trail is a grassroots community project that has grown to serve and connect Waimea residents and visitors for almost 30 years. The vision of Ke Ala Kahawai 'o Waimea as a "connected greenway corridor for gathering, walking, biking, and sustaining a cherished rural landscape and lifestyle for future generations. The goal is to create a roadless corridor, which will provide an accessible, non-motorized vehicular pathway connecting residences, businesses, and the many schools in the area. As envisioned by the Waimea Trails and Greenways (WTG) Committee, the proposed project consists of six multi-TMK increments and will eventually connect to a 14-mile trail, from Waimea town to the coastal shoreline.

ANTICIPATED USE

The historic community of Waimea is bisected by a four-lane highway, Hawai'i Belt Road, which impedes safe biking and walking. The current trail section serves as a safe alternative to walking or biking on the very busy cross-island roadway.

PUBLIC OUTDOOR RECREATION

Acquisition of added increments would promote public safety, ease traffic congestion, encourage outdoor recreation, and invite community education, as well as assisting in preserving expansive green corridors along the Waikōloa and Keanu'i'omanō streams, and historic and culturally significant lands within the Lālāmilo, Keanu'i'omanō, 'Ōuli, Kawaihae, Pu'ukapu, Waimea/Waikōloa ahupua'a, in the district of South Kohala, Council District 9.

EDUCATION:

By using the trail, school children and visitors can safely plant native trees, investigate stream-life, take part in community efforts on the trail, and learn about the rich cultural and agricultural history of the region.



Figure 2. Signage. *PC: Deborah Ward



Figure 3. Waimea Trails and Greenways (WTG) Committee and community volunteers are removing invasive grasses and have planted dozens of native shrubs and trees, including this Acacia koa, native to the area.

*PC: Deborah Ward

HISTORIC AND CULTURAL IMPORTANCE

The watershed area of the Kohala mountains once supported several thousand native Hawaiians, who practiced subsistence agriculture, made kapa, and thatched dwellings. As the Europeans arrived in the area, most of the sandalwood (*Santalum ellipticum*) forests were harvested and the land became ideal for grazing animals.

California longhorn cattle were given as a gift to Hawaiian King Kamehameha I by British Captain George Vancouver in 1793. In 1809, John Palmer Parker arrived to the area after jumping ship and over time became employed by the king to maintain the cattle. Parker married Kipikane, the daughter of a high-ranking chief, and as a family developed what is now Parker Ranch, the largest ranch in the area” (“Waimea (Kamuela) Big Island of Hawaii - Brief History”. 2012-03-17).

PROTECTION OF NATURAL AND CULTURAL RESOURCES

The extensive Kohala field system can still be seen from portions of the proposed trail, and the Ala Kahakai Trail follows the coastline over ancient fishermen’s trails and Hawaiian Kingdom roads that have been connected through generations of use to form a single continuous route. The Ala Kahakai also provides access to some of the most pristine shoreline remaining in Hawai’i, as well as numerous anchialine ponds, which are unique ecosystems given highest protection. The Waimea Trail envisions an opportunity for residents and visitors to experience these lands on foot.

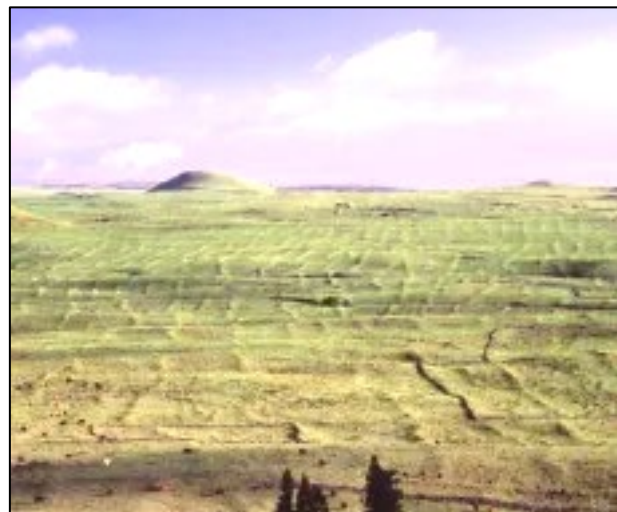


Figure 4 and 5.. The extensive Kohala field system, once used to produce crops including dryland taro to nourish the indigenous residents of the district, can be viewed from the Waimea trail increment proposed for purchase. *PC: R. Vitousek



Figure 6. The WTG Committee aims to extend the trail from Waimea to the sea, in defined increments. Hualālai, Mauna Kea, and the coastline can be viewed from this portion of the proposed trail, when easements are secured from adjoining landowners.

SIGNIFICANCE

Waimea has experienced rapid population growth, along with increased cross-island traffic. Lacking sidewalks, pedestrians and bicyclists travelling along the road face dangerous conditions at all times of the day. The Waimea trail could offer far safer pedestrian access to local businesses, schools and workplaces.

COMMUNITY SUPPORT

The *Waimea* Trails and Greenways (WTG) Committee oversees the current increment of the Waimea Trail, which is managed entirely by community volunteers, with the occasional assistance of county and military personnel.

URGENCY

For some segments of the proposed increments, time is of the essence, as lands for sale are anticipated to be developed for housing, precluding later acquisition. This investment in public greenspace is particularly important in the face of current and future development plans, which would increase housing density, as well as traffic congestion, in the area.

SPECIAL OPPORTUNITY FOR ACQUISITION

Acquisition of easements on two TMK properties adjacent to Parker School would provide trail access to the students, enabling them to walk to school on the established trail facing Lindsay Rd. An easement for one property is owned by The Lodge, an acreage of 9000 sq. ft., and another is owned by Parker School, which has committed to providing a portion of the trail.

Secondly, a portion of property owned by Hawaii Baptist Church would connect to Church Row, a portion owned by Island Community Lending connects a state parcel to the Baptist Church property.



Figure 7. PC: Clem Lam

A trail easement through Parker Ranch is sought across the stream from the Sandalwood subdivision. Parker Ranch plans on developing the parcel someday into a Sandalwood-type development so getting a usable easement through this now is critical to having a trail that can be built safely. This also moves the

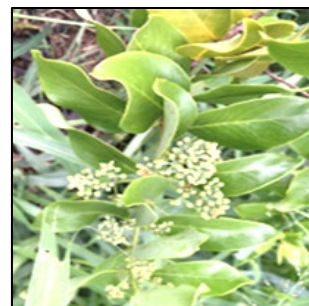


Figure 8, 9, and 10. Native plants 'ili'ahi, 'u'ulei, and a'ali'i growing on trail corridor. *PC: Deborah Ward

Suggestion 23-04 List of Tax Map Keys

No.	TMK No. (3)	Owner	GIS Acres
1	62001018	Hale Wailani	159.1640529
2	62001019	Queen Emma Foundation	797.1722359
3	62001051	Ouli Land Company	830.1460249
4	62001074	Hale Wailani	19.88519646
5	62001075	Hale Wailani	237.3212346
6	62001088	Bridge Aina Le'a	0.22947982
7	62001089	Bridge Aina Le'a	0.22789019
8	62002006	Queen Emma Foundation	360.4493836
9	62007001	Govt. County of Hawaii	7.67326922
10	64001032	Govt. State DHHL	47.22209711
11	64001053	Pu'u Ne'e Ne'e LLC	28.34725357
12	64001054	Pu'u Menehune LLC	12.86276574
13	64001060	Govt. State	0.75698445
14	64001114	Curtin, Dennis	0.83519173
15	64001146	Jones, Nancy L Trst	15.81335459
16	64001155	Jones, Nancy L Trst	19.01808731
17	64001999	Old Jeep Road (County/State/In Limbo?)	10.24551142
18	65003001	Bank of Hawaii Trustees	1.7122592
19	65003002	Greenwood Center, LLC	5.04329981
20	65003004	Govt. County of Hawaii	1.16763113
21	65003005	Parker Ranch	1.00546583
22	65003031	Govt. County of Hawaii	0.03149326
23	65003044	Carter Professional Center	2.29178767
24	65003045	Canada-France-Hawaii Telescope	3.15181771
25	65004007	Govt. State	1.93866591
26	65004012	First Baptist Church of Waimea	1.77865412
27	65004015	Govt. State	2.43391888
28	65004025	Parker School	12.21009538
29	65004056	Hawaii Conf. Foundation	0.00920384
30	65004063	Parker School	1.47103597
31	65004099	Parker Ranch	5.556057
32	65004108	Curtin, Dennis	2.06464135
33	65005001	Puna Plantation Hawaii LTD	1.04099997
34	65005009	Apuakea Partners LLC	1.65964669
35	65005018	Parker School	1.21449453
36	65005020	Yim, Rowell A Trst	0.87223994
37	65005021	Kanilehua Traders LLC	0.42598489
38	65005023	Govt. County of Hawaii	0.01745799
39	65005025	Parker School	0.85105079
40	65009102	Govt. State	0.00461984
41	66001002	Govt. State	8353.090423
42	66001010	Govt. State	19.57154343
43	66001038	PR Mauna Kea	209.5815776
44	66001050	Govt. State	8.99915342
45	66001077	Govt. State DHHL	221.3190664
46	66003006	Govt. State	15.85880904
47	66003007	Govt. State	10.10672955
48	66003010	PR Mauna Kea	8.74807995
49	66003013	PR Mauna Kea	16.22250535

11,458.82

duplicates removed original listed 53 TMK.

End of Summary Report by Ms. Deborah J Ward, Commissioner

**COUNTY OF HAWAI‘I
DEPARTMENT OF FINANCE**

2023 Annual Report to the Mayor

CHAPTER 2

**RULES of PRACTICE and PROCEDURE OF THE
HAWAI‘I COUNTY'S PONC COMMISSION**

Amended May 31, 2023

November 15, 2023

**RULES OF PRACTICE AND PROCEDURE OF THE HAWAI'I COUNTY
PUBLIC ACCESS, OPEN SPACE, AND NATURAL RESOURCES
PRESERVATION COMMISSION**

RULE 1. AUTHORITY

These rules and regulations are promulgated by the public access, open space, and natural resources preservation commission in furtherance of the county charter of the County of Hawai'i, State of Hawai'i Sections 10-15 and 10-16 and pursuant to Chapter 2, Article 42, Sections 2-214 through 2- 218, of the Hawai'i County Code, 1983 (2005 Edition, as amended).

RULE 2. GOALS

The goals of the commission are:

- (a) to solicit suggestions from the community for lands considered to be worthy of preservation;
- (b) to provide the mayor of the County of Hawai'i with an island wide list of prioritized properties;
- (c) to review stewardship grant applications and to recommend recipients of stewardship grants from the maintenance fund to the department of finance;
- (d) to monitor the performance of the stewardship grant recipients to ensure proper stewardship, preservation and conservation of the lands and easements acquired by the public access, open space,, and natural resources preservation fund; and
- (e) to explore methods of funding land acquisition, stewardship, and make recommendations to the mayor.

RULE 3. DEFINITIONS

Wherever used in these rules and regulations, the following terms shall be taken to have the following meaning:

- (a) "Charter" means the county charter of the County of Hawai'i, State of Hawai'i.
- (b) "Commission," "Chair," "Vice Chair" and "Commissioner" mean the public access, open space, and natural resources preservation commission of the County of Hawai'i, its chair, its vice chair and a member thereof, respectively.
- (c) "Council" means the county council of the County of Hawai'i.
- (d) "Department" means the department of finance of the County of Hawai'i or its authorized representative.
- (e) "Director" means the director of finance of the County of Hawai'i.

- (f) "HRS" means Hawai'i Revised Statutes, as may be amended from time to time.
- (g) "Mayor" means the mayor of the County of Hawai'i.
- (h) "Meeting" means the convening of the commission for which a quorum is required to make a decision or to deliberate toward a decision upon a matter over which the commission has advisory power.
- (i) "Person" means when appropriate to the context, not only individuals, but corporations, firms, associations, societies, and federal, state, and county departments or agencies.
- (j) "Presiding Officer" means the chair of the commission, or in the chair's absence, the vice chair, or in the absence of both the chair and the vice chair, the acting chair appointed pursuant to Rule 6-2.
- (k) "Public Record" shall have the meaning set forth in Chapter 92, HRS, and shall include maps, rules and regulations, written statements of policy or interpretation formulated, adopted or used by the commission in its functions, all decisions, orders, minutes of the meetings and records of any docket on file with the commission but shall not include records which invade the right of privacy of an individual.
- (l) "Rules" means these rules of practice and procedure of the commission.
- (m) "Secretary" means the secretary of the commission.

RULE 4. DUTIES AND RESPONSIBILITIES

The duties and responsibilities include:

- (a) The commission staff may accept suggestion forms from the public at any time throughout the year and shall forward to the commission all complete suggestion forms received by January 31 of each year to the commission for evaluation. The commission may conduct interviews and perform site visits in accordance with Rule 6-4(h) and other activities reasonably necessary to formulate a recommendation;
- (b) The commission shall adopt and utilize a standard assessment criteria form for use in evaluating and scoring each parcel or easement. The factors for scoring shall be those set forth in the charter and Hawai'i County Code Section 2-214.1(c). The assessment criteria form shall assign each factor set forth in the code a range of points, the total of which shall be one hundred (100) points. The commission shall give emphasis to acquisitions where the County's contribution can be leveraged to obtain State, Federal, and/or private funds. Those proposed parcels or easements receiving fifty (50) points or more of the total available assessment criteria points in conformance with the assessment criteria form shall be included in the priority list. Those parcels or easements receiving less than fifty (50) points of the total available assessment criteria points in conformance with the assessment criteria form shall be noted in the annual report but not included in the priority list;
- (c) From the submitted suggestions received annually, the commission shall develop and submit to the mayor an island-wide priority list of qualifying lands or easements worthy of preservation. The priority list shall prioritize parcels and easements on an

- island-wide rather than district basis. The list shall include the significance of each parcel or easement identified, the reason for its priority, and its anticipated use after acquisition;
- (d) The commission shall update the priority list by December 31 of each year and include the priority list in an annual report to the mayor, which shall be transmitted to the mayor within a reasonable period of time following the annual update of the priority list;
 - (e) The commission shall explore methods of funding land acquisition and make recommendations to the mayor;
 - (f) The commission staff may receive grant applications from the public at any time throughout the year and shall forward all complete grant applications received by August 15 of each year to the commission for evaluation. Incomplete applications and applications received after the August 15th deadline shall be rejected for the current year but may be accepted for following year consideration. The commission shall review stewardship grant applications, business plans, management plans, agreements, and other documentation accompanying grant applications. The commission may conduct interviews and perform site visits in accordance with Rule 6-4(h) and other activities reasonably necessary to formulate a recommendation. The commission shall make recommendations to the director of the department regarding applications for stewardship grants from the maintenance fund. Recommendations shall address whether grant applicants have the ability to complete their proposed projects according to the project plan, on time, and within cost estimates, in accordance with section 10-16(h) of the Charter; and
 - (g) The commission shall review stewardship grant recipient performance reports, conduct interviews, and perform site visits and other activities necessary to verify that grant objectives are being met. The commission shall forward its findings to the director.

RULE 5. PURPOSE

These rules govern the practice and procedure of the commission and provide a systematic and democratic method of conducting meetings in order to ensure that all persons will have an opportunity to participate in an open, productive, and orderly manner.

RULE 6. ORGANIZATION AND PARLIMENTARY RULES

6-1. ORGANIZATION

The commission shall consist of nine members. One member shall reside in each county council district. The members shall be appointed by the mayor and confirmed by the council. The members may be removed upon recommendation by the

mayor and the approval of the council. The members shall serve staggered terms of five years. Staff support shall be provided by the department.

6-2 ELECTION OF CHAIR AND VICE CHAIR

At the last regularly scheduled meeting of each year, the commission shall elect a chair and vice chair from among its members. They shall serve for a term of one year or until their successors are duly elected. No member shall succeed himself or herself as chair. In the event the commission is not able to elect a chair or vice chair from among its members at its last regularly scheduled meeting, the incumbent chair may serve on a hold-over basis for a term not to exceed ninety (90) days. In the absence of both chair and vice chair, the remaining members shall elect an acting chair who shall preside for only the meeting at which the acting chair is elected.

6-3 QUORUM AND NUMBER OF VOTES NECESSARY FOR A DECISION

A majority (five) of all the commissioners to which the commission is entitled shall constitute a quorum to transact business. The affirmative vote of a majority of those commissioners present shall be necessary to make any action valid.

6-4 MEETINGS

The commission may meet and perform its duties in any part of the County of Hawai'i. Except as provided by law, all meetings are open to the public.

- (a) Regular Meetings - Regular meetings of the commission for the transaction of its business shall be held in person on the second Monday of every alternate month, January, March, May, July, September, and November, or as otherwise scheduled and duly noticed by the commission.
- (b) Special Meetings - A special meeting may be called by the chair when the date, time, and place of such special meeting is announced prior to adjournment of a regular meeting. Otherwise, a special meeting can be called upon the satisfaction of all requirements for a meeting set forth in HRS §92-8.
- (c) Conduct of Meetings - All meetings of the commission shall be conducted in accordance with the State of Hawai'i Public Agency Meetings and Records Law, HRS, Chapter 92, and the most recent edition of Robert's Rules of Order.
- (d) Notice - The commission shall provide written public notice of every regular, special, or rescheduled meeting, or any executive meeting in compliance with HRS §92-7. The notice shall include an agenda, which lists all of the items to be considered at the forthcoming meeting, the date, time, and place of the meeting, and in the case of an executive meeting, the purpose shall be stated. The notice and agenda must be filed in the county clerk's office at least six (6) calendar days prior to the meeting.

- (e) Adjournment - Meetings may be adjourned at any time by vote of the commissioners present at the meeting, and unless otherwise specified in the motion, every adjournment shall be deemed to be until the next meeting of the commission.
- (f) Continuation of decision making - Any matter which fails to be determined by a majority concurrence of the commissioners present may be continued to any subsequent regular meeting.
- (g) Effective date of commission decision - Unless a specific effective date is set forth, the effective date of a decision rendered by the commission shall be the date of the meeting at which such valid decision was made.
- (h) Site visits policy- Site visits shall be conducted according to the provisions of HRS §92-2.5:
 - (1) Site visits conducted by the full commission shall be properly noticed and conducted according to these rules and ADA accessibility requirements. All discussion shall be “on the record” and no decision making shall occur while on the visit.
 - (2) Informal site visits may be conducted by only two commissioners on an informal basis with no report to the commission required. Any report which may be given must be put on the agenda.
 - (3) Site visits may be conducted by up to four commissioners as a “permitted interaction group” as set forth in HRS Chapter 92.
 - (4) All site visits shall be respectful of private property, and lacking owner permission to enter the subject property, shall only be conducted from nearby or adjacent public properties. Participating commissioners shall obtain permission to enter onto private property from the landowner or their representative and provide written evidence thereof to the department.

6-5 MINUTES

Minutes - In accordance with HRS §92-9, the commission shall keep written minutes of all meetings. Unless otherwise required by law, neither a full transcript nor a recording of the meeting is required, but the written minutes shall give a true reflection of the matters discussed at the meeting and the views of the participants. Minutes shall include:

- (a) The date, time, and place of the meeting;
- (b) The commissioners recorded as either present or absent;
- (c) The substance of all matters proposed, discussed, or decided; and a record, by individual commissioner, of any votes taken; and
- (d) Any other information that any commissioner requests be included or reflected in the minutes.

The minutes shall be public record and shall be available within 40 days after the meeting except where such disclosure would be inconsistent with HRS §92-5 or Section 13-20 of the Charter; provided that minutes of executive meetings may be withheld so long as their publication would defeat the lawful purpose of the executive meeting, but no longer.

6-6 OFFICERS AND THEIR DUTIES

Presiding Officer - The chair shall be the presiding officer of the commission and the vice chair shall be the presiding officer in the absence of the chair. In the absence of both the chair and the vice-chair, the meeting may proceed upon the presence of a quorum of the members and the election by the members then present of an acting chair to act pursuant to Rule 6-2 to act as the presiding officer for the duration of the meeting. The presiding officer shall:

- (a) Open all meetings of the commission by taking the chair and calling the meeting to order;
- (b) Call for the approval of the minutes of any preceding meetings when a quorum is present;
- (c) Maintain order and proper decorum based on Robert's Rules of Order;
- (d) Announce the business before the commission in the order prescribed by these rules;
- (e) Review all matters properly brought before the commission, call for votes upon the same and announce the results;
- (f) Appoint all permitted interaction groups unless otherwise ordered by the commission;
- (g) Authenticate by signature all acts of the commission as may be required by law, unless delegated to the director;
- (h) Do and perform such other duties as may be required by law, or such as may properly appertain to such office;
- (i) Make known all rules of order when so requested, and to decide all questions of order, subject to an appeal to the commission;
- (j) Take into consideration such matters as shall not be within the scope of the duties or powers of any permitted interaction group of the commission; or as may be referred by the commission, and to report thereon, together with such recommendations relative thereto as deemed advisable; and
- (k) Represent the commission in all functions, as directed by the commission or designate a representative from the membership of the commission.
- (l) Set meeting agendas in consultation with staff.

6-7 STANDARDS OF CONDUCT

Disclosure of Interest – The conflict of interest provisions of the Hawai'i County Code shall apply to the commissioners. Whenever a possible conflict of

interest or other ethical question on any matter pending before the commission or any of its permitted interaction groups is raised by anyone regarding a commissioner, the affected commissioner shall promptly make a disclosure to the commission. When a commissioner has made a disclosure and is deemed by the commission to have a conflict of interest, such conflict shall apply to all subsequent actions relating to said matter. The conflicted commissioner shall comply with the conflict of interest provisions of the Hawai'i County Code.

6-8 SUSPENSION OF THE RULES

For good cause, the commission may vote to suspend the rules.

6-9 SEVERABILITY

If any provision of these rules or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of these rules which can be given effect without the invalid provision or application, and to this end the provisions of these rules are severable.

RULE 7. PUBLIC RECORDS, INSPECTION AND AVAILABILITY

7-1 INSPECTION OF PUBLIC RECORDS

All public records shall be available for inspection and copying by any person during established office hours and within reasonable timelines unless public inspection of such records is in violation of any other state or federal law.

7-2 WHERE AVAILABLE

- (a) The public may obtain information on matters within the jurisdiction of the commission at the department by inquiring at the principal place of business. All rules, orders or opinions of the department are on file and available for public inspection at the office during business hours at 25 Aupuni Street, Suite 1101, Hilo, Hawai'i 96720-4252.
- (b) Inquiry may be made in person at the department during business hours or by submitting a request for information in writing to the commission, c/o Department of Finance, 25 Aupuni Street, Suite 1101, Hilo, Hawai'i 96720-4252.

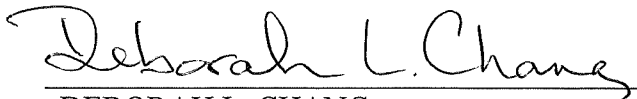
7-3 COPIES OF PUBLIC RECORDS

Copies of public records may be requested by members of the public and shall be provided as required by HRS Chapter 92 and Chapter 92F, including if applicable the payment of any fees or costs.

7-4 DENIAL OF INSPECTION

Any person aggrieved by the denial by the officer having custody of any public record of the right to inspect the record or to obtain copies of extracts thereof may seek enforcement action pursuant to HRS Chapter 92 or Chapter 92F.

Adopted on May 8, 2023, by the Public Access, Open Space, and Natural Resources Preservation Commission:


DEBORAH L. CHANG
Chairperson

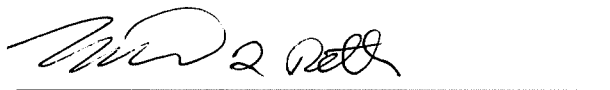
May 22, 2023
Date

Approved as to form and legality:


JEAN K. CAMPBELL
Deputy Corporation Counsel

25 May 23
Date

Approved:


MITCHELL D. ROTH
Mayor, County of Hawai'i

5-26-23
Date

I hereby certify that the foregoing Rules of Practice and Procedure of the Hawai'i County Public Access, Open Space, and natural Resources Preservation Commission was received and filed in my office on this 31st day of May, 2023.


JON HENRICKS
County Clerk

**COUNTY OF HAWAII
DEPARTMENT OF FINANCE**

2023 Annual Report to the Mayor

CHAPTER 3

STEWARDSHIP

November 15, 2023

2024 LIST OF STEWARDSHIP GRANT APPLICATIONS

GRANT YEAR JULY 1, 2024 – JUNE 30, 2025

Deadline to file was on August 31, 2023

STU. 24-	Applicant	Property	Tax Map Key No. (3)-	Amount Requested \$
01	Kohanaiki 'Ohana	O'oma Beach, N. Kona	7-3-009:004	41,400.00
02	Pōhāhā I Ka Lani	Waipi'o Lookout, Hāmākua	4-8-004:006	114,940.00
03	Hawaii Enviromental Restoration, MA	Wai'ele, Puna	1-4-003:003, 037	23,587.00
04	Hawaii Enviromental Restoration, MP	Wai'ele, Puna	1-4-003:003, 037	7,990.00
05	Hawaii Farmers Union Kohala Chapter, MP	Banyan's Tree, Hawi	5-5-015:042	29,500.00
05	Hawaii Farmers Union Kohala Chapter, MA	Banyan's Tree, Hawi	5-5-015:042	29,000.00
06	Ho'omalua Ka'u	Kahua Olohu	9-5-012:005	26,500.00
07	Friends of Amy BH Greenwell Enthobotanical Gardens	★ Amy BH Greenwell Gardens	8-2-013:002, 003, 014 8-2-014:043; 8-2-015:059	223,200.00
08	Ala Kahakai Trails Association, Ranger Program	★ Waikapuna, Kaunamano, and Kiloka'a, Ka'u	Various totaling 10 parcels	132,500.00
09	Ala Kahakai Trails Association, MP	★ Kaunamano, Ka'u	9-5-001, 004, 005, 006 9-5-012:001	80,000.00
10	Ala Kahakai Trails Association, MP	★ Kiolaka'a, Ka'u	9-4-001-008, 009, 016, 017, and 023	173,500.00
11	Na Maka Haloa O Waipio	Poho'iki, Puna	1-3-008:097	260,000.00
12	Malama O Puna, MP	Wai'ele, Puna	1-4-003:003, 037	104,000.00
12	Malama O Puna	Wai'ele, Puna	1-4-003:003, 037	369,699.00

★ = Conservation Easement by the County of Hawai'i

MA = Maintenance Activities and Public Education

MP = Management Planning