

**County of Hawai'i
Public Access, Open Space
and Natural Resources
Preservation Commission**

**2015 Annual Report
to the Mayor
December 28, 2015**

**A'amakao, North Kohala,
Island of Hawai'i**

William P. Kenoi
Mayor



Walter K.M. Lau
Managing Director

Randall M. Kurohara
Deputy Managing Director

HAWAI'I COUNTY PUBLIC ACCESS, OPEN SPACE
AND NATURAL RESOURCES PRESERVATION COMMISSION

c/o 25 Aupuni Street, Suite 1101, Hilo, Hawai'i 96720
Phone: 961-8069; Fax: 961-8248

December 28, 2015

Honorable William "Billy" Kenoi, Mayor
County of Hawai'i
25 Aupuni Street
Hilo, Hawai'i 96720

Dear Mayor Kenoi:

I am very pleased to transmit to you the 2015 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.

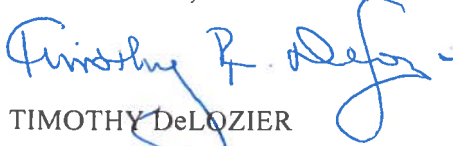
The community came forward with some excellent properties for our consideration, from which the priority list was developed. In addition to a prioritized list of properties, which can be found on pages 1-2, we have also included a considerable amount of information on our process, procedures, and on each property that we included on our final list.

During the year-long process, many individuals from across Hawai'i island attended our meetings or submitted letters which exhibited a great deal of support for this program, which will enhance the quality of life for residents and visitors for generations.

On behalf of the Commission, I would be remiss if I failed to mention that, without the outstanding support of County of Hawai'i staff, including Technician Alexandra Kelepolo, Deputy Corporation Counsel Belinda Castillo Hall, and Property Manager Hamana Ventura, our task would have been much more challenging.

Thank you for your continued support for PONC funding, and for your time in considering our recommendations.

Mahalo nui loa,


TIMOTHY DeLOZIER
Chair

Hawai'i County is an Equal Opportunity Provider and Employer

Commissioners: Barbara Bell; Kai'ena Bishaw II; Timothy DeLozier;
Susan Fischer; William Meyers; Cynthia Nazara; Marilyn Nicholson;
Rene Siracusa; Kekaulike Tomich

County of Hawai'i
Public Access, Open Space and Natural Resources Preservation Commission
2015 Annual Report to the Mayor
December 28, 2015

Introduction

The Hawai'i County Public Access, Open Space, and Natural Resources Preservation Commission (PONC) is submitting this 2015 Annual Report and Prioritized List to the Mayor (Appendix 1) pursuant to Section 2-217 of the Hawai'i County Code, 1983, 2005 Edition (Appendix 2).

The Commission is advisory to the Mayor and is responsible for annually submitting a prioritized list of lands to be considered for acquisition. For information on acquisitions completed in 2015 please refer to the Summary of 2015 Acquisitions (Appendix 3). The Commission has also compiled a report on the Status of all Properties on Past Prioritized Lists, providing detailed information for each property (Appendix 4) and an Acquisition Status Report (Appendix 5) that provides a list of properties that were acquired and includes the different funding sources used for each acquisition.

Appendix 6 is a list of all properties that have been submitted since the inception of the Commission. This list attests to the informed participation of community groups and individual citizens interested in the preservation of our island's resources.

In 2012 Hawai'i County voters approved two charter amendments which impacted this Commission. The first charter amendment created by Article 10, Section 10-15, PONC Fund (FUND), sets aside 2% of Hawai'i County's property taxes each year to acquire properties as listed in the amendment (Appendix 7). The second charter amendment which can be found in Article 10, Section 10-16, Public Access, Open Space, and Natural Resources Preservation Maintenance Fund (Appendix 8), provides funding for maintaining properties acquired by the FUND and contains a list of permitted maintenance uses.

Included in this report is an appendix describing the Process for Property Acquisition (Appendix 9) so that the public may be better informed as to how properties are acquired using the FUND.

Commission Members

Timothy DeLozier, Chair, District 1, (Term: December 31, 2012 - December 31, 2017)
Barbara Bell, Vice-Chair, District 4 (Term: December 31, 2012 – December 31, 2017)
Kai'ena Bishaw II, Commissioner, District 2 (Term: December 31, 2014 – December 31 2019)
William Meyers, Commissioner, District 3, (Term: December 31, 2013 - December 31, 2018)
René Siracusa, Commissioner, District 5 (Term: December 31, 2013 – December 31, 2018)
Marilyn Nicholson, Commissioner, District 6, (Term: December 31, 2011 - December 31, 2016)
Cynthia S.H. Nazara, Commissioner, District 7, (Term: December 31, 2014 – December 31, 2019)
*Kekaulike P. Tomich, Commissioner, District 8, (Term: December 31, 2010 - December 31, 2015)
*Susan E. Fischer, Commissioner, District 9, (Term: December 31, 2010 - December 31, 2015)

*Commissioners were nominated and confirmed to PONC earlier this year. Hawai'i County Charter, Section 13-4(c) states that "members of any board or commission appointed for a term of two years or less shall be eligible to succeed themselves for an additional full term and be eligible to be reappointed." Commissioners will re-apply to serve a full term to expire on December 31, 2020.

Prioritized List

The 2015 Prioritized List is as follows:

Priority Number	Commissioners Score	Property Name	Tax Map Keys
1	396	Hapu‘u to Kapanai‘a Cultural Corridor	(3) 5-2-07:04, 27; 5-3-07:22, 23, 26, 32, 33
2	381	Halelua	(3) 5-3-07:10
3	376	Hakalau Point	(3) 2-9-02:79 & 81
4	365	Māhukona	(3) 5-7-02:11; 5-7-03:01, 02, 03, 07, 08, 10, 18
5	356	Niuli‘i	(3) 5-2-01:20 & 25
6	339	Lamaloloa	(3) 5-7-01:20
7	315	Keawenui	(3) 5-8-01:09
8	309	Kukuipahu-Hā‘ena Corridor	(3) 5-6-01:13, 16, 18, 42, 49, 50, 65, 89-103, 105-122
9	236	Lands of Kalihi	(3) 8-9-03:05; 8-9-10:01, 02, 08 & 09

In developing the 2015 Prioritized List and site visits to selected properties, the Commission considered properties submitted on the 2015 Suggestion Forms as well as written and public testimony related to those submissions. The Commission developed its prioritized ranking order based upon reported urgency, anticipated use, significance and benefit to the public and special opportunities available for acquisition and management. This year’s total possible score based on the total number of commissioners was 432. The Commission amended its’ rules (Appendix 10) to include only those properties that scored 50% or higher on the prioritized list for consideration for purchase. See Appendix 1 for detailed descriptions and maps of these prioritized properties. One property that was received and nominated, Ka‘awali‘i Gulch, TMK: (3) 3-6-05:17, failed to meet the 50% or higher threshold and is therefore not included on the prioritized list.

Status of Properties on Past Prioritized Lists and Acquisitions

Past prioritized lists were compiled in the Status of Properties on Past Prioritized Lists from 2006-2014 (see Appendix 4). The Commission recommends that properties from previous prioritized lists continue to be pursued as far as possible unless: the County has already acquired the property; the property no longer meets the criteria for inclusion (see Appendix 9); there are insufficient funds available for acquisition; or the County Council has not passed a resolution that would allow the property to be acquired.

Comprehensive List of Properties Submitted by the Public

The Comprehensive List of Properties (see Appendix 6) is a sequential listing by tax map key of all properties submitted by the public since 2006.

Commission Meetings

Meeting dates and location for 2015 were:

January 12	Kona	July 13	Hilo
March 9	Hilo	September 14	Kona
May 11	Kona	November 9	Hilo

At each of these meetings the Commission welcomed testimony from the public. Interest in the Commissions' work is evident through increased attendance and testimony by members of the public, landowners and other interested parties. In addition to these meetings, commissioners presented information on the program and the application process at various community meetings.

To give equal opportunity to the public every year, the last and first meetings will alternate between Hilo and Kona so that at different stages all regions of the island can contribute equally into the process.

In addition to these meetings, the Commission appointed four of its members to a special sub-committee to conduct site visits to nominated properties that commissioners felt it would be helpful to see in person. This committee was charged with making visits and then reporting back on their findings at a regularly scheduled meeting.

Suggestion Form

The Suggestion Form [revised January 12, 2015] (see Appendix 11) is available to the public by request through the County Finance Department or on-line at the web-site below:

<http://records.co.hawaii.hi.us/Weblink8/Browse.aspx?dbid=1&startid=13770>

The Commission considered properties identified on these forms that were submitted by the public when creating the 2015 Prioritized List. A total of ten Suggestion Forms were received from the public between July 1, 2014 and June 30, 2015 (see Appendix 12).

Assessment Criteria Form

The Commission updated the Assessment Criteria Form [revised January 12, 2015] (see Appendix 13). This Assessment Criteria Form was utilized to assess the suggestion forms received during the aforementioned time period.

Commission and Community Recommendations and Concerns

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

- The commissioners will continue to seek education and training in all aspects of land acquisition to better accomplish the Commissions' goals.

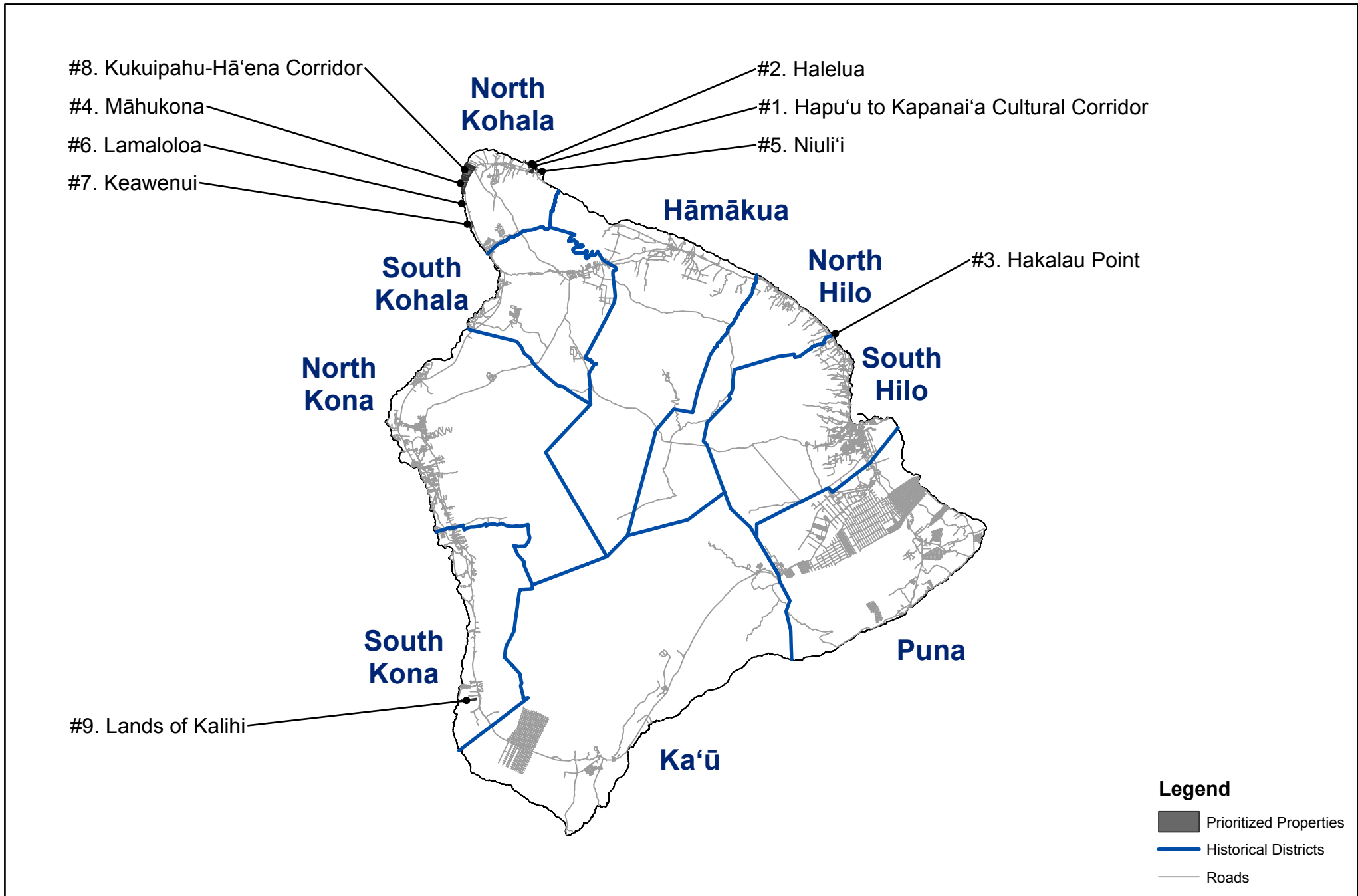
- The Commission encourages the public to re-nominate properties that do not have a current County resolution or have not been purchased.
- The Commission is concerned that implementation of the stewardship grant awards have been delayed. With the passage of Bill 90, PONC is addressing this issue.
- The Commission encourages non-profit community groups to apply for stewardship grants.

Next Steps

- Schedule six Commission meetings alternating between Kona and Hilo in 2016. Schedule additional meetings as needed.
- Strive to schedule meetings with Community Development Plan Committees and other community groups to explain the process for property acquisition and the use of the FUND.
- Publicize the meeting schedule and encourage the public to submit or re-submit suggestion forms and participate in the process.
- Encourage potential partnerships with other governmental agencies, non-profit organizations, and private entities for land/entitlement acquisitions.
- Identify partnerships with non-profit organizations, community groups, and volunteer organizations to provide management for acquired properties.
- Expand commissioners' understanding of easements, land trusts and partnerships.
- Submit Annual Report and Prioritized List to the Mayor by December 31, 2016.
- Continue use of PONC Investigative Ad Hoc Committee to conduct site visits as well as other designated tasks or assignments.
- Expand the role of the Commission to review and evaluate progress of applicants, and submit reports to Parks and Recreation.

Appendices

1. 2015 Prioritized Properties
2. Chapter 2, Article 42, Hawai'i County Code 1983 (2005 Edition)
3. Summary of 2015 Acquisitions
4. Status of Properties on Past Prioritized Lists from 2006-2014
5. Acquisition Status Report (as of 12/28/2015)
6. Comprehensive List of Properties Submitted by the Public
7. Article 10, Section 10-15, Hawai'i County Charter (2012 Edition)
8. Article 10, Section 10-16, Hawai'i County Charter (2012 Edition)
9. Process for Property Acquisition with Funds from the PONC Fund
10. Rules of Practice and Procedure of the Hawaii County Public Access, Open Space and Natural Resources Preservation Commission (revised April 28, 2015)
11. Suggestion Form (revised 1/12/2015)
12. 2015 List of Suggestion Forms Submitted by the Public
13. Assessment Criteria Form (revised 1/12/2015)



County of Hawai'i
PUBLIC ACCESS, OPEN SPACE & NATURAL RESOURCES
PRESERVATION COMMISSION

2015 PRIORITIZED PROPERTIES - DECEMBER 28, 2015

County of Hawai'i Dept. of Finance
Property Management Division

Data gathered from the following:
County of Hawai'i Planning Dept.



COUNTY OF HAWAII
PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES PRESERVATION COMMISSION
2015 PRIORITIZED PROPERTIES
(DECEMBER 28, 2015)

PRIORITY #1

(396 points out of possible 432)

**Hapu'u to Kapanai'a
Cultural Corridor
(North Kohala)**

(photo courtesy of Alex Kelepolo)

Tax Map Key/ Acreage	Anticipated Use	Significance	Special Opportunity for Acquisition & Management
5-2-07:04 (74.733) 5-2-07:27 (8.363) <i>(formerly 5-3-07:28)</i> 5-3-07:22 (22.082) 5-3-07:23 (23.598) 5-3-07:26 (18.91) 5-3-07:32 (7) 5-3-07:33 (7)	♦ Public access to a premier subsistence fishing and shoreline gathering area for Kohala ♦ Prime location for providing educational and cultural programs focused on the Kamehameha I era and on early kula gulch settlements ♦ A public trail along the coastline and mauka-makai vehicular access along pre-existing roads would open the area to low-impact use and facilitate preservation/restoration efforts and access for making the rich history of this area available to the public	♦ Historic area - two significant heiau from Kamehameha's time, including one of the largest platform, pavement type of heiau on the island ♦ Area contains burial sites and other historic remnants of early Hawaiian uses ♦ Area is prominent in oral histories as the place that nurtured Kamehameha's physical and spiritual strength	♦ Three of four owners have expressed an interest in a preservation sale ♦ Owners of the Kapanai'a parcels are actively working with community groups to preserve coastline - TMK's/Acreage: 5-2-07:04 (74.733) & 5-2-07:27 (8.363) ♦ Owner of the Hapu'u parcels is working with community groups on heiau preservation and public access - TMK's/Acreage: 5-3-07:22 (22.082), 32 (7) & 33 (7) ♦ Community groups are in contact with the Ala Kahakai National Trail System and the County Planning Dept. to help protect the land ♦ Groups have pledged to work with other private and public entities to preserve access and historic sites and to replant the cliff tops with native plants to help control erosion



#1. Hapu'u to Kapanai'a Cultural Corridor

County of Hawai'i Dept. of Finance
Property Management Division

Data gathered from the following:
County of Hawai'i Planning Dept.
Pictometry International Corp.

Note: The 'parcels' layer is intended to be used for visual purposes only and should not be used for boundary interpretations or other spatial analysis beyond the limitations of the data. The 'parcels' data layer does not contain metes and bounds described accuracy. Therefore, please use caution when viewing this data. Overlaying this layer with other data layers that may not have used this layer as a base may not produce precise results. GPS and imagery data will not overlay exactly.



COUNTY OF HAWAII
PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES PRESERVATION COMMISSION
2015 PRIORITIZED PROPERTIES
(DECEMBER 28, 2015)

PRIORITY #2

(381 points out of possible 432)

**Halelua
(North Kohala)**

(photo courtesy of Toni Withington)

Tax Map Key/ Acreage	Anticipated Use	Significance	Special Opportunity for Acquisition & Management
5-3-07:10 (50.312)	♦ Current uses that will continue with a preservation purchase include fishing, gathering, hiking and educational outdoor programs for youth ♦ Off-shore uses include spear-fishing, surfing, snorkeling, swimming and kayaking	♦ Significant pre-contact and historical cultural sites including Ohau Heiau, eight loi kalo, auwai, and ulu maika game board ♦ This area was the center of Kamehameha the Great's direct land stewardship, situated between his family lands at Hapu'u/Kapanai'a and his taro patches, boat ramp and swimming pools he constructed at Kauhola ♦ Monk seals and pups frequent Halelua; which is the only area on the island where two adult monk seals have been sighted together ♦ A variety of native plants are present and the cliffs provide home for a variety of sea birds, including the Kolea which makes an annual round-trip to the Arctic ♦ 'Io, the Hawaiian Hawk, and the 'Ope'ape'a, the Hawaiian Hoary Bat, have also been sighted in the area	♦ The owner is willing to sell ♦ Public access to this area is the highest priority of the North Kohala Community Development Plan ♦ Local groups are willing to steward the area



**County of Hawai'i Dept. of Finance
Property Management Division**

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#2. Halelua

COUNTY OF HAWAII
PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES PRESERVATION COMMISSION
2015 PRIORITIZED PROPERTIES
(DECEMBER 28, 2015)

PRIORITY #3

(376 points out of possible 432)

Hakalau Point
(South Hilo)

(photo courtesy of Alex Kelepolo)

Tax Map Key/ Acreage	Anticipated Use	Significance	Special Opportunity for Acquisition & Management
2-9-02:79 (5.117) 2-9-02:81 (3.597)	- Current uses that will continue with a preservation purchase include fishing, fish nursery, monk seal birthing site, whale and dolphin watching, and passive recreation - Remembrance park with walking & bike paths; protecting cliffs from collapse by increasing setbacks; educational center; maintaining view planes and providing a pavilion for passive recreation; maintenance & renovation of historic plantation buildings	- Plantation era history: only plantation site that has not been developed, so property provides venue for cultural and historic events and education - The only readily accessible scenic overlook between Wainaku & Laupāhoehoe - The protected Hakalau Bay serves as a nursery habitat for most of our coastal marine fish and opihi, and is also a birthing site for the endangered Hawaiian monk seal - Historic mill buildings would be protected, maintained and restored for educational use - One of the rare examples of an estuary on the Big Island - Site of Kamehameha's landing & battle against warriors of Maui - Site of Korean Cemetery may still have some human remains	- Owner wants to develop and/or sell; he is open to County acquisition. He has upscale housing plans which would block view planes; his SMA permit assessment application for Mehana Brewery (requesting exemption from the SMA process) in one of the historic buildings was returned as incomplete - Arsenic in soil from plantation era would require remediation if site was developed, so this could reduce value of land and cost of purchase - There are 3 non-profits who support the purchase: Basic Image, Wailea Village Historic Preservation Committee, and Hakalau Plantation Village Association. They are committed to partnering to manage and maintain the property. They are willing to fundraise to help with the purchase price and maintenance expenses



**County of Hawai'i Dept. of Finance
Property Management Division**

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#3. Hakalau Point

COUNTY OF HAWAII
PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES PRESERVATION COMMISSION
2015 PRIORITIZED PROPERTIES
(DECEMBER 28, 2015)

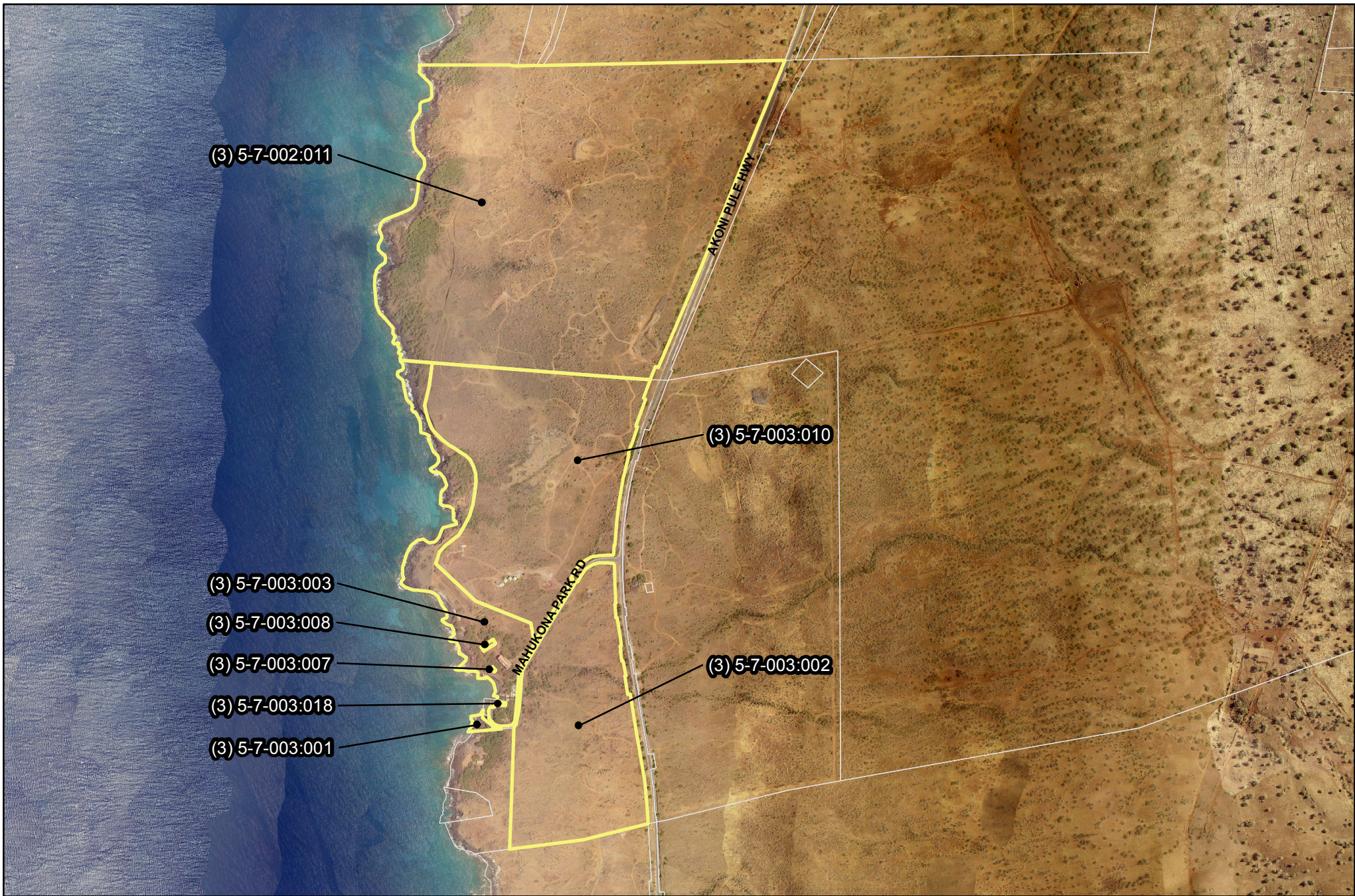
PRIORITY #4

(365 points out of possible 432)

Māhukona
(North Kohala)

(photo courtesy of Alex Kelepolo)

Tax Map Key/ Acreage	Anticipated Use	Significance	Special Opportunity for Acquisition & Management
5-7-02:11 (232.852) 5-7-03:01 (.05) 5-7-03:02 (67.449) 5-7-03:03 (30.3921) 5-7-03:07 (.062) 5-7-03:08 (.172) 5-7-03:10 (102.295) 5-7-03:18 (.07)	Expansion & enhancement of two County beach park facilities by protecting: ♦ Important ocean access ♦ Expand recreational opportunities for hiking, picnicking and camping ♦ Provide areas for subsistence fishing and shoreline gathering ♦ Protect natural, cultural and historic resources ♦ Open space protection of the shoreline ♦ Enhance the small boat launching possibilities	♦ Identified in General Plan (2005) as an important area for protection (Natural Beauty 7.5.5) ♦ Identified in North Kohala Community Development Plan (2008) as an important area for protection (Strategy 1.2 - Acquire coastal lands that should be preserved as open space) ♦ Significant and high concentration of cultural and historic sites ♦ Protection of the integrity of this historic and open space corridor along the Kohala coastline ♦ Preservation of natural beauty and scenic coastal view planes along Akoni Pule highway ♦ Only small boat launching area in North Kohala	♦ High community support ♦ Community groups poised to create management plans by applying for funds from the Public Access, Open Space and Natural Resources Preservation Maintenance Fund: Kohala Lihikai; Malama Kohala Kahakai; Kohala Historic and Preservation Committee; Kamakani O Kohala Ohana



County of Hawai'i Dept. of Finance
Property Management Division

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#4. Māhukona

COUNTY OF HAWAII
PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES PRESERVATION COMMISSION
2015 PRIORITIZED PROPERTIES
(DECEMBER 28, 2015)

PRIORITY #5
(356 points out of possible 432)

Niuli'i
(North Kohala)

(photo courtesy of Toni Withington)

Tax Map Key/ Acreage	Anticipated Use	Significance	Special Opportunity for Acquisition & Management
5-2-01:20 (23.25) 5-2-01:25 (24.888)	♦ Cultural practices ♦ Fishing ♦ Hiking ♦ Natural seedbank for native trees (Hala, Hau, Noni)	♦ Ancient heiau site ♦ Archaeological studies show settlements dating back to 1250 ♦ Pre-contact and post-contact historical sites ♦ Culturally significant Hala grove ♦ Cliff where Kōlea (Pacific Golden Plover) nest ♦ Trail recognized by Na Ala Hele	♦ Contiguous with Keokea Beach Park (would expand park) ♦ Possible partnership with Hawaiian Islands Land Trust ♦ Kohala organizations willing to assist with management ♦ Land is listed for sale



**County of Hawai'i Dept. of Finance
Property Management Division**

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#5. Niuli'i

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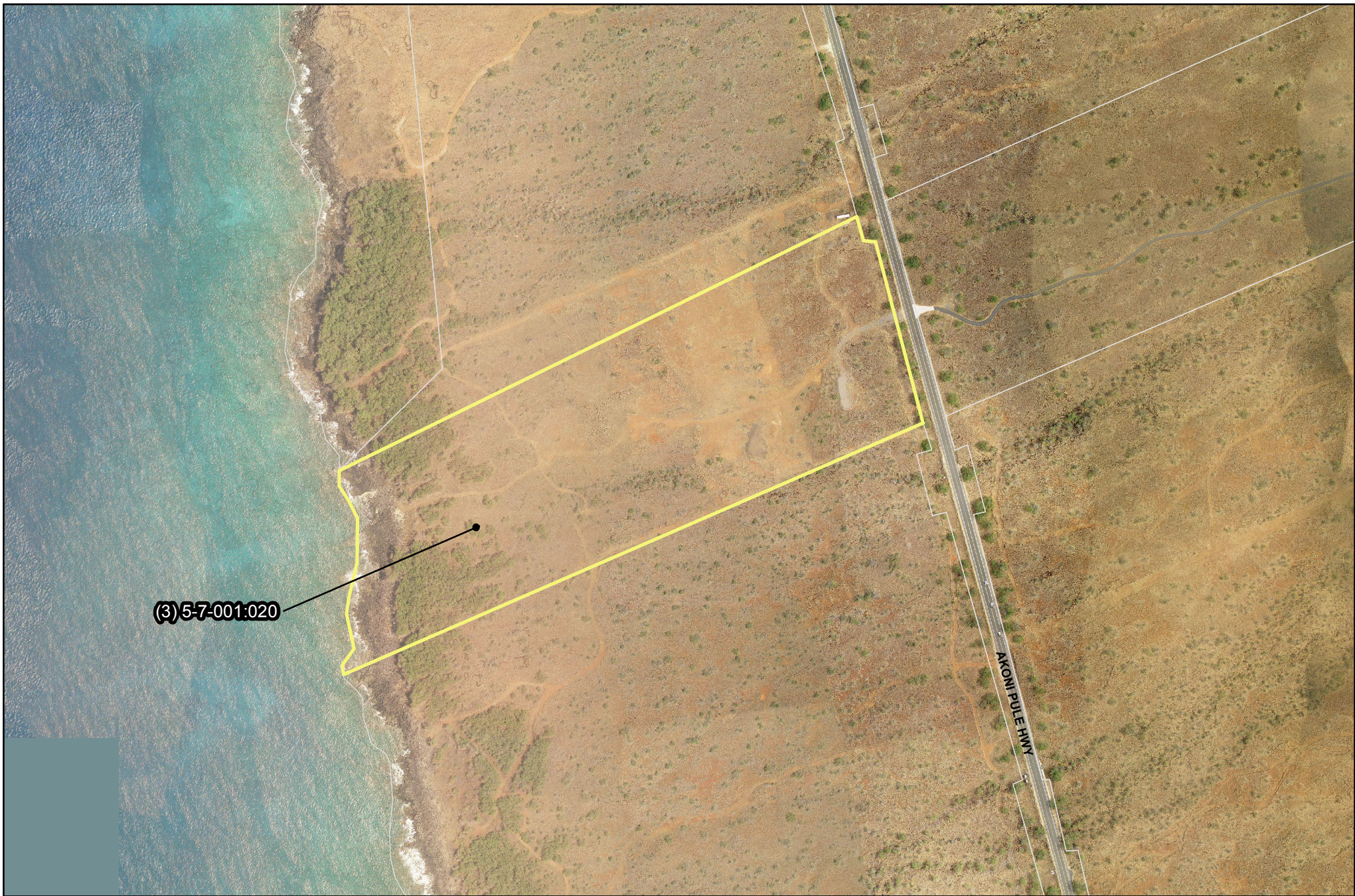
PRIORITY #6

(339 points out of possible 432)

Lamaloloa
(North Kohala)

(photo courtesy of Toni Withington)

Tax Map Key/ Acreage	Anticipated Use	Significance	Special Opportunity for Acquisition & Management
5-7-01:20 (35.345)	♦ Recreation, cultural practices, gathering, fishing, hiking, picnicking	♦ Many archaeological and cultural sites in the area have been relatively untouched since the early 1900's ♦ The Ala Loa passes through this parcel	♦ Land is for sale and is the only private parcel within six-mile corridor of State and County lands ♦ Six North Kohala non-profits are available to steward ♦ Kohala Lihikai has offered to work with landowner and community to assist with purchase



(3) 5-7-001:020

County of Hawai'i Dept. of Finance
Property Management Division

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#6. Lamaloloa

COUNTY OF HAWAII
PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES PRESERVATION COMMISSION
2015 PRIORITIZED PROPERTIES
(DECEMBER 28, 2015)

PRIORITY #7

(315 points out of possible 432)

Keawenui
(North Kohala)

(photo courtesy of Toni Withington)

Tax Map Key/ Acreage	Anticipated Use	Significance	Special Opportunity for Acquisition & Management
5-8-01:09 (166.046)	♦ Public access to the shoreline ♦ Preservation of cultural and natural resources	♦ Significant cultural and historic sites ♦ Pristine coves, water caves and reefs ♦ Large kiawe forest and native plants	♦ Eight North Kohala community groups willing to undertake stewardship of public access ♦ Native Hawaiian groups willing to work with historic and cultural interpretation and preservation ♦ Management cooperation of the National Park Service, Ala Kahakai National Historic Trail



#7. Keawenui

County of Hawai'i Dept. of Finance
Property Management Division

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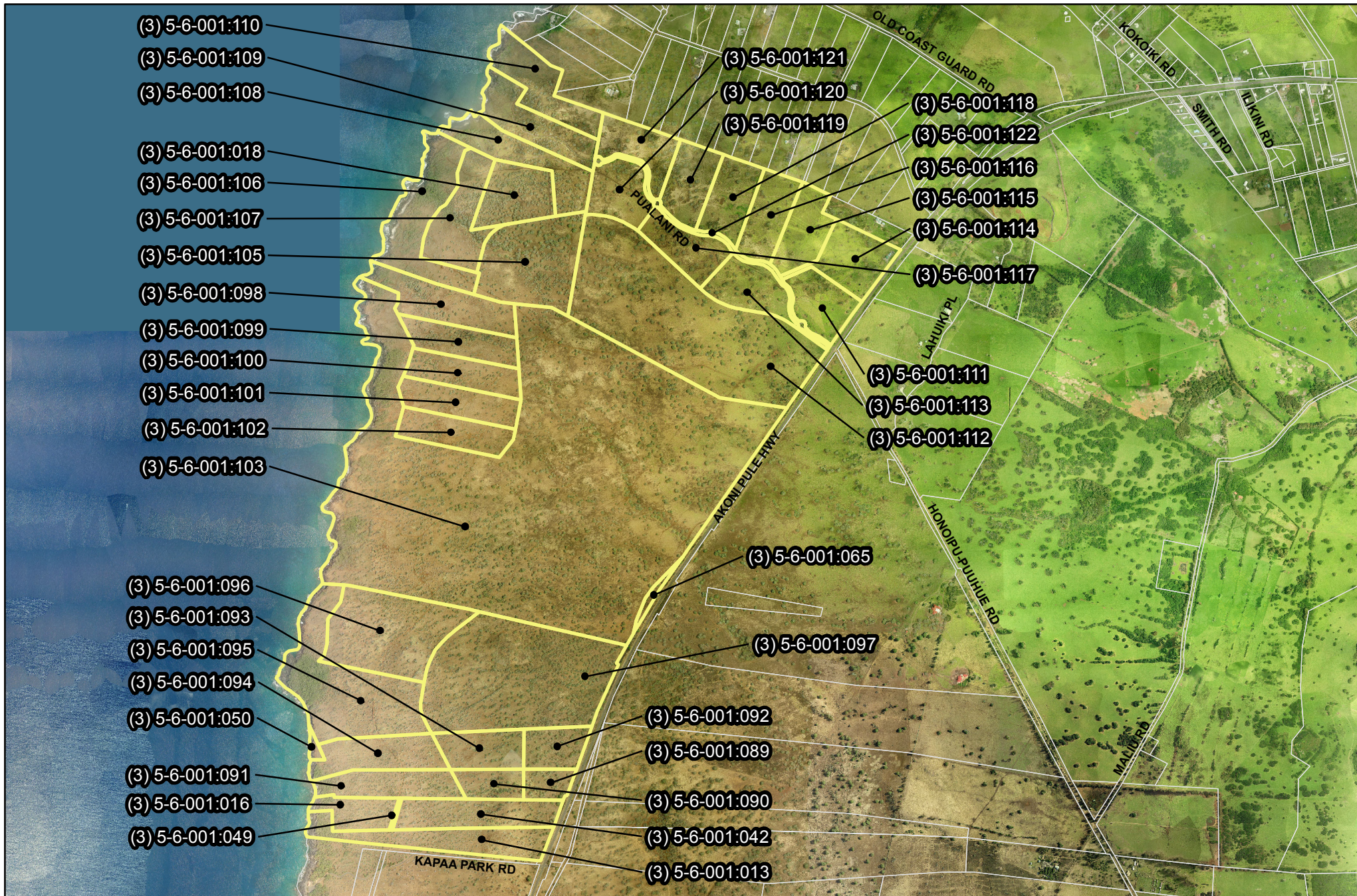
PRIORITY #8

(309 points out of possible 432)

**Kukuipahu-Hā'ena
Corridor
(North Kohala)**

(photo courtesy of Toni Withington)

Tax Map Key/ Acreage	Anticipated Use	Significance	Special Opportunity for Acquisition & Management
5-6-01:13 (30.892), 16 (13), 18 (24.327), 42 (24.302), 49 (.44), 50 (1.5), 65 (1.44), 89 (7.253), 90 (11.216), 91 (20.456), 92 (13.509), 93 (18.377), 94 (24.006), 95 (61.952), 96 (53.462), 97 (109.149), 98 (24.281), 99 (20.283), 100 (20.22), 101 (21.441), 102 (20.031), 103 (515.73), 105 (46.669), 106 (30.722), 107 (29.184), 108 (25.745), 109 (24.114), 110 (28.565), 111 (21.137), 112 (137.756), 113 (21.316), 114 (21.752), 115 (20.171), 116 (20.039), 117 (20.775), 118 (21.601), 119 (20.195), 120 (21.152), 121 (20.795), 122 (6.618)	♦ Public access for fishing, traditional plant and shoreline gathering, hiking, picnicking and camping ♦ Study and protection of cultural and historic sites ♦ Preservation of open space vistas	♦ Area was the food base for Kamehameha I and is rich in opportunities to study how the Kohala Field System was able to support a massive population ♦ Full of intact historic sites including villages and shrines that have yet to be interpreted ♦ Provides a significant buffer between development and the ocean, protecting the reefs and aquatic resources ♦ Provides a refuge for the area's endangered plants and animals and preserves one of the largest kiawe forests on the island	♦ Majority owner willing to talk about possible preservation of the land ♦ Strong support for acquisition as well as long-term maintenance from multiple community organizations



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Property Management Division

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#8. Kukuipahu- Hā'ena Corridor

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PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES PRESERVATION COMMISSION
2015 PRIORITIZED PROPERTIES
(DECEMBER 28, 2015)

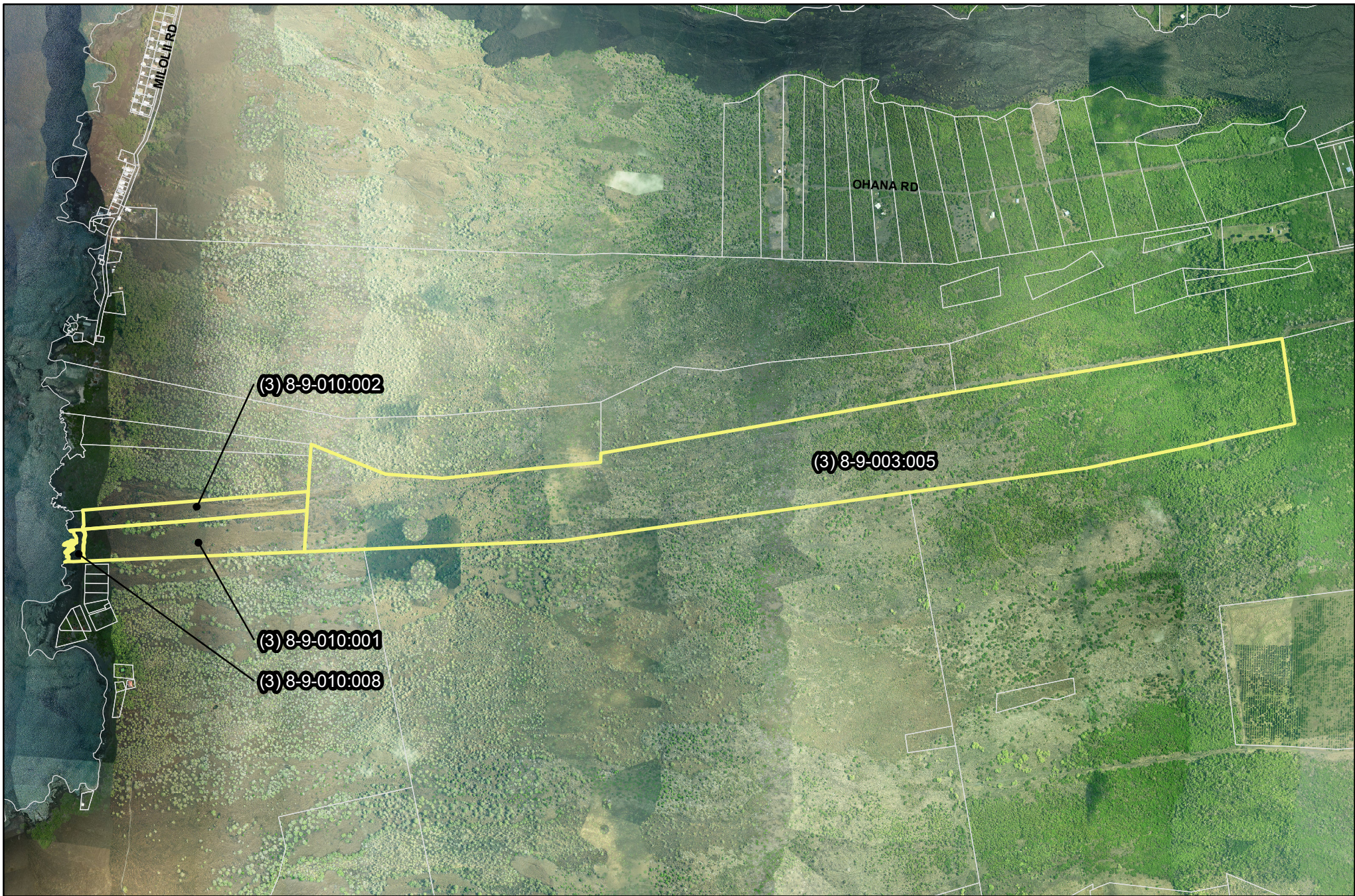
PRIORITY #9

(236 points out of possible 432)

Lands of Kalihi
(South Kona)

(photo courtesy of Alex Kelepolo)

Tax Map Key/ Acreage	Anticipated Use	Significance	Special Opportunity for Acquisition & Management
8-9-03:05 (220.382) 8-9-10:01 (22.644) 8-9-10:02 (11.28) 8-9-10:08 (1.144)	♦ Potential additional access point to the historic coastal trail that runs from Miloli'i Village to Honomalino Bay ♦ Protection of a buffer zone and watershed lands between Hwy. 11 and the coastal area ♦ Preservation of a scenic ocean vista ♦ Preservation of potential archaeological sites	♦ The property stretches from the highway to the coastline, offering the potential to develop a new point of access and a potential improvement over the current trail, which can be hazardous ♦ County acquisition would preserve the undeveloped nature of the parcel	♦ This is a foreclosed property. The owner/lender is anxious to sell and has priced the property below other comparable properties in the area



**County of Hawai'i Dept. of Finance
Property Management Division**

Data gathered from the following:
County of Hawai'i Planning Dept.
Pictometry International Corp.

Note: The 'parcels' layer is intended to be used for visual purposes only and should not be used for boundary interpretations or other spatial analysis beyond the limitations of the data. The 'parcels' data layer does not contain metes and bounds described accuracy. Therefore, please use caution when viewing this data. Overlaying this layer with other data layers that may not have used this layer as a base may not produce precise results. GPS and imagery data will not overlay exactly.



#9. Lands of Kalihi

Article 42. Public Access, Open Space, and Natural Resources Preservation.**Section 2-214.1. Public access, open space, and natural resources preservation fund.**

- (a) A public access, open space, and natural resources preservation fund is hereby established. This special fund shall be administered and managed by the finance department. Monies deposited shall be invested in a conservative interest-bearing account that will allow monies to be available for property acquisition and prevent any erosion of the fund's principal amount.
- (b) The fund shall consist of monies from:
 - (1) The proceeds from the sale of any general obligation bonds, authorized and issued for the purposes of this section;
 - (2) Council appropriations for the purposes of this section;
 - (3) Any source of revenue dedicated by the Charter or the Code for the purposes of this section;
 - (4) Grants and private contributions intended for the purposes of this section;
 - (5) Two percent of Hawai'i County real property tax revenues collected annually (including penalties and interest). Deposits will be made to the Fund on June 30, 2007 and then again on December 31, 2007, and on December 31 and June 30, in successive years, with deposits being calculated on all real property tax payments (including penalties and interest) received in the prior six months. Additional deposits and adjustments may be made at the discretion of the director of finance;
 - (6) Monies from items numbered (1), (2), (3), and (4) above, shall be deposited as received; and
 - (7) Notwithstanding (b)(5) of this section, for the period from July 1, 2009 to June 30, 2011, no payments relating to this section shall be allocated or deposited, provided, however, that all payments accrued through June 30, 2009 shall be allocated and deposited by July 31, 2009.
- (c) The fund shall be used for acquiring lands or property entitlements in the County of Hawai'i for the following purposes:
 - (1) Public outdoor recreation and education, including access to beaches and mountains;
 - (2) Preservation of historic or culturally important land areas and sites;
 - (3) Protection of natural resources, including buffer zones;
 - (4) Preservation of forests, beaches, coastal areas, natural beauty and agricultural lands; and
 - (5) Protection of watershed lands to preserve water quality and water supply.

- (d) The director of finance shall ensure that the following covenant is written and duly recorded as part of the deed of any property acquired pursuant to this section:

“This land/easement was acquired with moneys 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.”

The director of finance shall select either “land” or “easement” based on the type of property acquired.

(2005, Ord. No. 05-85, sec. 2; Am. 2005, Ord. No. 05-166, sec. 1; Am. 2006, Ord. No. 06-151, sec. 1; Am. 2006, Ord. No. 06-169, sec. 1; Am. 2007, Ord. No. 07-21, sec. 1; Am. 2009, Ord. No. 09-66, sec. 2; Am. 2013, Ord. No. 13-31, sec. 2; Am. 2015, Ord. No. 15-97, sec. 3-5.)

Section 2-214.2. Public access, open space, and natural resources preservation maintenance fund.

- (a) Pursuant to section 10-16(c) of the Charter, a special fund known as the public access, open space, and natural resources preservation maintenance fund is established. The purpose of this special fund is to accrue and use moneys for maintenance of lands and easements acquired in full or in part by the public access, open space, and natural resources preservation fund.
- (b) Pursuant to section 10-16(c) of the Charter, the maintenance fund shall be administered and managed by the department of parks and recreation. Adequate staff to carry out the provisions of this article and section 10-16 of the Charter shall be provided in the department of parks and recreation.
- (c) The financial aspects of the maintenance fund shall be handled by the department of finance. Pursuant to sections 10-16(d), (e), and (f) of the Charter, deposits shall occur, and accounting, reports and financial statements from the department of finance shall be made.
- (d) Pursuant to section 10-16(g) of the Charter, this maintenance fund shall be used solely for expenditures directly related to its purpose.
- (e) Pursuant to section 10-16(h) of the Charter, and article 25 of this chapter, stewardship grants may be provided to 501(c)(3) nonprofit organizations or an organization operating under the umbrella of a 501(c)(3) nonprofit organization.
- (2015, Ord. No. 15-97, sec. 6.)

Section 2-215. Public access, open space, and natural resources preservation commission.

- (a) There is established a public access, open space, and natural resources preservation commission. There shall be nine members on this commission, 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. One member shall reside in each County council district. The members shall serve staggered terms of five years. Upon initial appointment of the commission, one member shall be appointed to a term of one year, two for a term of two years, two for a term of three years, two for a term of four years, and two for a term of five years. Staff support shall be provided by the finance department.
- (b) No member shall be eligible for a second appointment to the commission prior to the expiration of two years, provided that members initially appointed for a term of one year and two years shall be eligible to succeed themselves for an additional term.
- (c) No member whose term has expired shall continue to serve on the commission, except that if no successor has been appointed and confirmed, the member shall continue to serve for ninety days or until a successor is appointed and confirmed, whichever comes first.
- (d) Any vacancy occurring in the commission shall be filled for the unexpired term.
- (e) Not more than a bare majority of the members shall belong to the same political party.
- (f) Members shall receive no compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties. Necessary expenses may be paid in advance as per diem allowance pursuant to article 16.
- (g) A chairperson shall be elected from its membership annually.
- (h) The affirmative vote of a majority of those members present shall be necessary to make any action valid.
- (i) The commission shall have the power to establish its rules of procedure necessary for the conduct of its business, which rules shall contain the time and place of all regular meetings, and which shall specify that a quorum shall be a majority of the members to which the commission is entitled.
- (j) No person shall, by reason of occupation alone, be barred from serving as a member of this commission.
- (k) The council shall act to confirm or reject any appointment made to the commission by the mayor within forty-five days after receiving notice of the appointment from the mayor. If the council does not confirm or reject any such appointment within forty-five days, the appointee shall be deemed to have been confirmed.
- (l) The redrawing of the council district boundaries during a member's term shall not affect a member's eligibility to represent the district to which the member was appointed.

(2005, Ord. No. 05-166, sec. 2.)

Section 2-216. Oath of affirmation.

Before beginning their duties, each member appointed shall subscribe to the oath or affirmation before some person duly qualified to administer oaths:

“I, _____ do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of Hawai‘i, and that I will faithfully discharge my duties as a member of the public access, open space, and natural resources preservation commission to the best of my ability.”
(2005, Ord. No. 05-166, sec. 3.)

Section 2-217. Duties and responsibilities of the commission.

The duties and responsibilities of this commission are:

- (1) To develop and submit to the mayor an island-wide prioritized list of qualifying lands worthy of preservation. The commission shall give emphasis to land acquisitions where the County’s contribution can be leveraged to obtain State, Federal, and/or private lands. Priorities shall be listed on an island-wide rather than district basis. The list shall include the significance of each parcel or entitlement identified, the reason for its priority, and its anticipated use after acquisition;
- (2) To update this list at any time, but at least annually by December 31 of each year;
- (3) To explore methods of funding land acquisition and make recommendations to the mayor;
- (4) To review, evaluate, and make recommendations to the director of the department of parks and recreation regarding applications for stewardship grants from the maintenance fund, within six months of receipt of each application. 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;
- (5) To review stewardship grant applications, business plans, agreements, and other documentation accompanying grant applications. The commission may also conduct interviews and perform site visits and other activities necessary to formulate a recommendation; and
- (6) To 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 of parks and recreation.

(2005, Ord. No. 05-166, sec. 4; Am. 2015, Ord. No. 15-97, sec. 7.)

Section 2-218. Prioritized list of qualifying lands worthy of preservation.

- (a) The prioritized list developed by the commission shall be submitted to the mayor for comments and recommendation. Within sixty days after receipt, the mayor will submit the list to the council with comments and recommendations. The council shall, by resolution, select the land or lands to be preserved. Under no circumstances shall the purchase price paid for a property exceed the appraised value as prepared by an independent appraiser engaged by the County. Where there are multiple lands under consideration at any one time, priority shall be given to coastal lands and lands where matching funding is available to leverage the County contribution.
- (b) Negotiations for acquisition of lands to be preserved shall occur between the County and the seller or its commissioned agent, or a licensed broker only. The commission shall have no role in the negotiations other than in its advisory capacity.
- (c) Appraisals, title reports, surveying and other costs incidental to the acquisition of land shall be permitted uses of the public access, open space, and natural resources preservation fund.
- (d) Adequate staff to carry out the provisions of this article and to manage the land acquired shall be provided in the department of finance to maximize the use of available funds by minimizing the payment of commission to outside agents to put together funding plans and to ensure that the County is a good steward of any land that comes under its control through this article.

(2005, Ord. No. 05-166, sec. 5; Am. 2007, Ord. No. 07-21, sec. 2; Am. 2015, Ord. No. 15-97, sec. 8.)

Article 43. Budget Stabilization Fund.**Section 2-219. Creation of fund; purpose.**

- (a) Pursuant to section 10-12, Hawai'i County Charter 2000, a special fund to be known as the budget stabilization fund is created.
- (b) The purpose of the budget stabilization fund shall be a temporary, supplemental source of funds for the County to use during times of financial hardships while a plan for cost reduction or revenue enhancement is developed. Additionally, the fund may be used to insulate general fund programs and current service levels from:
 - (1) Revenue shortfalls to minimize the need for budget cuts or tax increases;
 - (2) A revenue reduction due to a change in state or federal legislation; or
 - (3) Slower revenue growth that typically occurs during an economic recession.

(2006, Ord. No. 06-101, sec. 1; Am. 2011, Ord. No. 11-128, sec. 2.)

**COUNTY OF HAWAI‘I
PUBLIC ACCESS, OPEN SPACE AND
NATURAL RESOURCES PRESERVATION COMMISSION (PONC)
SUMMARY OF 2015 ACQUISITIONS**

Hāwī Banyan Trees Property
North Kohala District



On February 13th 2015, the County of Hawai‘i completed its tenth purchase utilizing funds from the Public Access, Open Space and Natural Resources Preservation Fund (FUND). The purchase price was \$750,000.00 for .911 acre further identified as Tax Map Key: (3) 5-5-15:42.

The parcel is located in the entrance to Hāwī town adjacent to the Hāwī Farmers Market where community fairs and events are held and acquiring this parcel ensures that open space is maintained and preserved. This area also served as the former home of the Kohala Fair, village green and informal town square for more than 50 years.



With this completed acquisition, the County now owns a total of 1261.0715 acres of land purchased with the FUND and to date has received a total of \$5,598,838.77 in grant monies by leveraging funds with State and Federal sources.



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Property Management Division**

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Hāwī Banyan Trees Property

COUNTY OF HAWAII
PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES PRESERVATION COMMISSION (PONC)
STATUS OF PROPERTIES ON PAST PRIORITIZED LISTS FROM 2006-2014
(DECEMBER 28, 2015)

POHOIKI BAY (PUNA)

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#1	2010	1-3-08:Por. 34 (approx. 26.782)	71 11	\$1,602,500.00	N/A	Acquisition is pending upon completion of due diligence requirements.

VACATIONLAND LAND TRUST PROPERTY

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#7	2012	1-4-02:22 (322.17)	201 13	\$2,660,000.00	\$1,330,000.00	Property ranked #3 by the Legacy Land Conservation Commission on 12/05/14 and awarded \$1,330,00.00.
#1	2013				*(State – DLNR LLCP)	

CAPE KUMUKAHI

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#6	2006	1-4-02:52 (80.73)	288 07	N/A	N/A	Not being pursued at this time.

WAI'ELE

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#7	2006	1-4-03:03 (113.595)	286 07	N/A	N/A	Not being pursued at this time.
#4	2008	1-4-03:37 (51.739)				

**Legacy Land Conservation Program*

COUNTY OF HAWAII
PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES PRESERVATION COMMISSION (PONC)
STATUS OF PROPERTIES ON PAST PRIORITIZED LISTS FROM 2006-2014
(DECEMBER 28, 2015)

HONOLULU LANDING

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#5	2006	1-4-03:19 (30)	287 07	N/A	N/A	Not being pursued at this time.
#3	2008	1-4-03:20 (334.409)				

VACATIONLANDS/WAI‘OPAE

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#12	2012	1-4-68:07 (.1837) 1-4-68:08 (.1837)	N/A	N/A	N/A	Awaiting resolution.

WAI‘OPAE/VACATIONLANDS

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#13	2012	1-4-68:33 (.1838)	N/A	N/A	N/A	Awaiting resolution.

LANDS ADJACENT TO AHALANUI PARK & THE HOT POND

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#13	2013	1-4-93:42 (2.045)	419 14	N/A	N/A	Not being pursued at this time.

THE GAPP PROPERTY

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#12	2014	1-5-10:32 (5.586)	451 14	N/A	N/A	Property will be acquired by the County with another funding source; PONC funds will not be used.

COUNTY OF HAWAII
PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES PRESERVATION COMMISSION (PONC)
STATUS OF PROPERTIES ON PAST PRIORITIZED LISTS FROM 2006-2014
(DECEMBER 28, 2015)

HILO BAYFRONT TRAILS (*SOUTH HILO*)

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#11	2012	2-2-53:20 (1.1954)	N/A	N/A	N/A	Awaiting resolution.

ACREAGE ADJACENT TO HILO MUNICIPAL GOLF COURSE

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#13	2014	2-4-02:73 (19.36)	N/A	N/A	N/A	Awaiting resolution.

HONOLI'I BEACH

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#6	2013	2-6-25:01 (0.25)	N/A	N/A	N/A	Awaiting resolution.

HĀMĀKUA SPRINGS AGRICULTURAL CONSERVATION EASEMENT

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#3	2010	2-8-04:05 (264.942)	N/A	N/A	N/A	12/7/2011 - Request withdrawn by HILT on behalf of the landowner.

MAULUA GULCH (*NORTH HILO*)

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#8	2011	3-4-02:04 (997.54) 3-7-01:11 (992.77)	N/A	N/A	N/A	Awaiting resolution.

COUNTY OF HAWAII
PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES PRESERVATION COMMISSION (PONC)
STATUS OF PROPERTIES ON PAST PRIORITIZED LISTS FROM 2006-2014
(DECEMBER 28, 2015)

WAIPI'O LOOKOUT (*HĀMĀKUA*)

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#3	2006	4-8-04:06 (1.804)	427 06	\$900,000.00 (+ closing costs)	N/A	Warranty Deed executed on October 5, 2007 and recorded with the BOC on October 12, 2007, Doc. No. 2007-181174.

NIULI'I (*NORTH KOHALA*)

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#3	2011	5-2-01:20 (23.25)	328 15	N/A	N/A	Not being pursued at this time.
#2	2012	5-2-01:25 (24.888)				
#2	2013					
#3	2014					

HAPU'U TO KAPANAI'A CULTURAL CORRIDOR

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#4	2010	5-2-07:04 (74.733),	327 15	N/A	N/A	Not being pursued at this time.
#2	2011	27 (8.363) (<i>formerly 5-3-</i>				
#6	2012	<i>07:28</i>)				
#3	2013	5-3-07:22 (22.082), 23				
#2	2014	(23.598), 26 (18.91), 32 (7), 33 (7)				

HALELUA

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#3	2012	5-3-07:10 (50.312)	326 15	N/A	N/A	Not being pursued at this time.
#1	2014					

COUNTY OF HAWAII
PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES PRESERVATION COMMISSION (PONC)
STATUS OF PROPERTIES ON PAST PRIORITIZED LISTS FROM 2006-2014
(DECEMBER 28, 2015)

BANYAN TREES PARK AREA, HĀWĪ TOWN CENTER

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#8	2013	5-5-15:42 (.911)	332 14	\$750,000.00 (+ closing costs)	N/A	Warranty Deed executed on February 13, 2015 and recorded with the BOC on February 20, 2015, Doc. No. T-9181201.

KUKUIPAHU-HĀ'ENA CORRIDOR

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION#	PURCHASE PRICE	MATCHING FUNDS	STATUS
#2 #7 #5 #8 #9 #7	2007 2009 2011 2012 2013 2014	5-6-01:13 (30.892), 16 (13), 18 (24.327), 42 (24.302), 49 (.44), 50 (1.5), 65 (1.44), 89 (7.253), 90 (11.216), 91 (20.456), 92 (13.509), 93 (18.377), 94 (24.006), 95 (61.952), 96 (53.462), 97 (109.149), 98 (24.281), 99 (20.283), 100 (20.22), 101 (21.441), 102 (20.031), 103 (515.73), 105 (46.669), 106 (30.722), 107 (29.184), 108 (25.745), 109 (24.114), 110 (28.565), 111 (21.137), 112 (137.756), (113 (21.316), 114 (21.752), 115 (20.171), 116 (20.039), 117 (20.775), 118 (21.601), 119 (20.195), 120 (21.152), 121 (20.795), 122 (6.618)	N/A	N/A	N/A	Awaiting resolution.

PA'O'O

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#1 #2 #2	2007 2008 2009	5-7-01:05 (10.61)	616 08 338 10	\$ 1,890,000.00 (+ closing costs) \$945,000.00 (PONC Fund)	\$945,000.00 (State – DLNR LLCP)	Limited Warranty Deed executed on October 19, 2010 and recorded with the BOC on November 15, 2010, Doc. No. 2010-175003.

COUNTY OF HAWAII
PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES PRESERVATION COMMISSION (PONC)
STATUS OF PROPERTIES ON PAST PRIORITIZED LISTS FROM 2006-2014
(DECEMBER 28, 2015)

LAPAKAHI

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#3	2009	5-7-01:11 (17.05)	N/A	\$2,500,000.00 (+ closing costs)	\$1,250,000.00 (State – DLNR LLCP)	Warranty Deed executed on February 23, 2011 and recorded with the BOC on March 18, 2011, Doc. No. 2011-045766 to the State, DLNR. These lands are now incorporated into the existing Lapakahi Historical Park.
					\$1,250,000.00 (Federal – *NOAA CELCP)	

**National Oceanic and Atmospheric Administration, Coastal and Estuarine Land Conservation Program*

LAMALOLOA

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#7	2013	5-7-01:20 (35.345)	N/A	N/A	N/A	Awaiting resolution.
#6	2014					

MĀHUKONA HISTORICAL AREA

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#3	2007	5-7-02:11 (232.852)	N/A	N/A	N/A	Awaiting resolution.
#8	2009	5-7-03:01 (.05)				
#4	2011	5-7-03:02 (67.449)				
#5	2012	5-7-03:03 (30.3921)				
#5	2013	5-7-03:07 (.062)				
#4	2014	5-7-03:08 (.172)				
		5-7-03:10 (102.295)				
		5-7-03:18 (.07)				

COUNTY OF HAWAII
PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES PRESERVATION COMMISSION (PONC)
STATUS OF PROPERTIES ON PAST PRIORITIZED LISTS FROM 2006-2014
(DECEMBER 28, 2015)

KEAWENUI ACCESS EASEMENT

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#2 #6 #10 #11 #5	2010 2011 2012 2013 2014	5-8-01:09 (to be determined)	N/A	N/A	N/A	Awaiting resolution.

KAIHOLENA

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#4 #6	2007	5-8-01:11 (71.188)	644 08 (North Parcels)	\$6,541,680.00 (+ closing costs)	N/A	Warranty Deed executed on January 14, 2010 and recorded with the BOC on January 28, 2010, Doc. No. 2010-012378.
	2009	5-8-01:19 (44.030) 5-8-01:20 (36.340) 5-8-01:24 (0.057) Access				
		5-8-01:21 (37.206) 5-8-01:22 (39.34) 5-8-01:25 (0.069) Access	166 11 (South Parcels)	\$3,991,000.00 (+ closing costs)	\$1,432,088.77 (State – DLNR LLCP)	Warranty Deed executed on June 25, 2013 and recorded with the BOC on June 28, 2013, Doc. No. A-49270653.
		5-8-01:23 (34.628) 5-8-01:25 (0.069) Access		\$2,558,911.23 (PONC Fund)		
				\$2,094,000.00	\$1,449,555.00 (State – DLNR LLCP)	Warranty Deed executed on August 31, 2015 and recorded with the BOC on November 5, 2015, Doc. No. A-57870292.

COUNTY OF HAWAII
PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES PRESERVATION COMMISSION (PONC)
STATUS OF PROPERTIES ON PAST PRIORITIZED LISTS FROM 2006-2014
(DECEMBER 28, 2015)

‘O‘OMA II (NORTH KONA)

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#5	2007	7-3-09:04 (217.566)	276 12	\$6,200,000.00	\$2,000,000.00	Warranty Deed executed on December 20, 2013 and recorded with the BOC on December 31, 2013, Doc. No. A-51130112.
#7	2011	7-3-09:22 (83)	291 12	(+ closing costs)	(private donation	
#1	2012	(parcel 4)		\$4,200,000.00	from Kohanaiki	
#14	2012	(parcel 22)		(PONC Fund)	Shores, LLC)	

KONAS PEOPLE PARK

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#9	2014	7-5-10:54 (7.33)	N/A	N/A	N/A	Awaiting resolution.

PUAPUA‘A

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#5	2008	7-5-20:22 (4.2004)	404 06	N/A	N/A	Not being pursued at this time.
#4	2013	7-5-20:24 (3.0780)	(preservation			
		7-5-20:28 (.0329)	purposes)			
		7-5-20:34 (5.3275)				

BANYAN’S BEACH

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#1	2011	7-6-15:23 <10,000 sq. ft.	240 12	N/A	N/A	Not being pursued at this time.

COUNTY OF HAWAII
PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES PRESERVATION COMMISSION (PONC)
STATUS OF PROPERTIES ON PAST PRIORITIZED LISTS FROM 2006-2014
(DECEMBER 28, 2015)

ADJACENT PROPERTY TO HALE HALAWAI O HŌLUALOA

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#10	2014	7-6-16:32 (0.0942)	N/A	N/A	N/A	Awaiting resolution.

KINGMAN TRUST

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#4	2009	7-7-08:20 (1.3017)	372 10	\$2,800,000.00 (+ closing costs) (PONC Fund)	N/A	Warranty Deed executed on February 23, 2012 and recorded with the BOC on February 28, 2012, Doc. No. T-8093172.
		7-7-08:31 (4.71)		\$420,000.00 (+ closing costs) (PONC Fund)		Warranty Deed executed on February 23, 2012 and recorded with the BOC on February 28, 2012, Doc. No. A-44410450.
		7-7-08:100 (.1722)	373 10	\$360,000.00 (+ closing costs) (County P&R)	N/A	Warranty Deed executed on February 23, 2012 and recorded with the BOC on February 28, 2012, Doc. No. A-44410451.

WHITE SANDS MAUKA

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#10	2013	7-7-08:21 (10.617) 7-7-08:23 (.1578)	423 14	\$3,000,000.00 (+ closing costs)	N/A	Warranty Deed executed on October 6, 2014 and recorded with the BOC on October 10, 2014, Doc. No. A-53960444.

COUNTY OF HAWAII
PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES PRESERVATION COMMISSION (PONC)
STATUS OF PROPERTIES ON PAST PRIORITIZED LISTS FROM 2006-2014
(DECEMBER 28, 2015)

MANINI BEACH PARK PROJECT (*SOUTH KONA*)

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#15	2013	8-2-06:27 (.7481) 8-2-06:28 (.2111)	N/A	N/A	N/A	Awaiting resolution.

HCC FARMS, LLC (*Conservation Easement*)

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#12	2013	8-2-11:02 (67.582)	N/A	N/A	N/A	Awaiting resolution.
#8	2014	8-2-11:23 (1.414)				

WAIKAKU‘U PARK

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#9	2012	8-7-08:02 (24.177) 8-7-08:33 (12.71) 8-7-08:34 (35.291)	256 12	N/A	N/A	Not being pursued at this time.

POHUE BAY (*KA‘Ū*)

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#2	2006	9-2-01:Portions of various parcels	N/A	N/A	N/A	Awaiting resolution.

COUNTY OF HAWAII
PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES PRESERVATION COMMISSION (PONC)
STATUS OF PROPERTIES ON PAST PRIORITIZED LISTS FROM 2006-2014
(DECEMBER 28, 2015)

KAHUKU COASTAL PROPERTY

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#5	2009	9-2-01:75 (3127.950)	49 11 314 12	\$2,600,000.00	\$621,245.00 (State – DLNR LLCP)	Executed LLCP Grant Agreement on 2/04/13 with contract period ending 2/04/16.
					\$1,214,000.00 (Federal – *USF&W, RLA)	Executed RLA Grant on June 5, 2015 with contract period extended to 9/30/16.

*United States Fish & Wildlife, Recovery Lands Acquisition Grant

GRASSMAN MACADAMIA NUT FARM (Conservation Easement)

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#14	2013	9-4-05:08 (211.806)	N/A	N/A	N/A	Awaiting resolution.

KAUNAMANO

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#4	2012	9-5-11:01 (680.18) 9-5-11:04 (200) 9-5-11:05 (.18) 9-5-11:06 (.64) 9-5-12:01 (383.40)	351 14	N/A	N/A	Awaiting resolution.

KAHUA OLOHU

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#11	2014	9-5-12:05 (13)	287 15	N/A	N/A	In progress; awaiting appraised value determination.

COUNTY OF HAWAII
PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES PRESERVATION COMMISSION (PONC)
STATUS OF PROPERTIES ON PAST PRIORITIZED LISTS FROM 2006-2014
(DECEMBER 28, 2015)

KĀWĀ/KAWA‘A BAY

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#1	2006	9-5-16:06 (81.303)	451 06	\$3,900,000.00	\$1,500,000.00	Warranty Deed executed on October 13, 2011 and recorded with the BOC on November 8, 2011, Doc. No. 2011-184914.
#1	2008	9-5-16:25 (106.38)	198 09	(+ closing costs)	(State – DLNR LLC)	
#1	2009	9-5-17:05 (363.188)	82 11	\$1,893,000.00 (PONC Fund)	\$507,000.00 (Federal – USF&W, RLA)	
		9-5-17:07 (234.293)	451 06 240 07	\$1,920,000.00 (+ closing costs)	\$1,214,750.00 (State – DLNR LLC)	Warranty Deed executed on January 24, 2008 and recorded with the BOC on January 30, 2008, Doc. No. 2008-013590.
				\$705,250.00 (PONC Fund)		

PUNALU‘U (*Beach Park and adjacent lands including Ninole Springs & Pond*)

RANK	YEAR	TAX MAP KEY(S)/ ACREAGE	RESOLUTION #	PURCHASE PRICE	MATCHING FUNDS	STATUS
#4	2006	9-5-19: Coastal pors. of various parcels; 9-6-01:03 (3.573) 06 (5.992), 11 (0.442), 1:12 (.188)	169 07	N/A	N/A	Not being pursued at this time.

County of Hawai'i
Public Access, Open Space &
Natural Resources Preservation Commission
Acquisition Status Report
(as of 11/09/15)

GRANTS AWARDED	AMOUNT FUNDED	PONC FUND (actual including closing costs/escrow refunds)	TOTAL
State of Hawai'i, Dept. of Land & Natural Resources, Legacy Land Conservation Program Kawa'a, Ka'u TMK:9-5-17:07	\$ 1,214,750.00	\$ 708,557.29	\$ 1,923,307.29
State of Hawai'i, Dept. of Land & Natural Resources, Legacy Land Conservation Program Pa'o'o, North Kohala TMK:5-7-01:05	\$ 945,000.00	\$ 944,172.44	\$ 1,889,172.44
State of Hawai'i, Dept. of Land & Natural Resources, Legacy Land Conservation Program Federal, U.S. Fish & Wildlife, Recovery Lands Acquisition Grant Kawā, Ka'u, TMK's:9-5-16:06 & 25; 9-5-17:05	\$ 1,500,000.00 \$ 507,000.00	\$ 1,929,004.47	\$ 3,936,004.47
State of Hawai'i, Dept. of Land & Natural Resources, Legacy Land Conservation Program Kaiholena, North Kohala TMK's:5-8-01:21, 22 & 25	\$ 1,432,088.77	\$ 2,573,715.45	\$ 4,005,804.22
TOTAL GRANTS (AWARDED) =	\$ 5,598,838.77	\$ 6,155,449.65	\$ 11,754,288.42

GRANTS PENDING	AMOUNT TO BE FUNDED	PONC FUND (estimated - not including closing costs)	TOTAL
State of Hawai'i, Dept. of Land & Natural Resources, Legacy Land Conservation Program Wai'opae, Puna TMK: 1-4-02:22	\$ 1,330,000.00	\$ 1,330,000.00	\$ 2,660,000.00
State of Hawai'i, Dept. of Land & Natural Resources, Legacy Land Conservation Program Federal, U.S. Fish & Wildlife, Recovery Lands Acquisition Grant Kahuku Coastal Property, Ka'u	\$ 621,245.00 \$ 1,214,000.00	\$ 764,755.00	\$ 2,600,000.00

TOTAL GRANTS (PENDING) = \$ 3,165,245.00

TOTAL GRANTS = \$ 8,764,083.77

ACQUISITION (PRIVATE DONATION)	PRIVATE DONATION	PONC FUND (actual including closing costs/escrow refunds)	TOTAL
‘O‘oma, North Kona, Hawai‘i TMK:7-3-09:04	\$ 2,000,000.00	\$ 4,234,933.83	\$ 6,234,933.83
TOTAL ACQUISITION (W/DONATION) =			\$ 6,234,933.83

ACQUISITIONS (NO FUNDING)		2% FUND (actual - including closing costs/escrow refunds)	TOTAL
Waipi‘o Valley Lookout Parcel Hāmākua, Hawai‘i; TMK:4-8-04:06	\$ -	\$ 902,120.43	\$ 902,120.43
Hāwī Banyan Trees Property, North Kohala TMK:5-5-15:42	\$ -	\$ 753,612.01	\$ 753,612.01
Kaiholena (north), North Kohala, Hawai‘i TMK's:5-8-01:11, 19, 20, 24	\$ -	\$ 6,550,045.82	\$ 6,550,045.82
Kipapa Park, North Kona, Hawai‘i TMK's:7-7-08:20, 31	\$ -	\$ 3,240,026.09	\$ 3,240,026.09
White Sands Mauka, North Kona, Hawai‘i TMK's:7-7-08:21, 23	\$ -	\$ 3,004,150.01	\$ 3,004,150.01

TOTAL ACQUISITIONS (NO FUNDING) =	\$ 14,449,954.36
SUB-TOTAL =	\$ 32,439,176.61
GRANTS AWARDED =	\$ 5,598,838.77
PRIVATE DONATION =	\$ 2,000,000.00
TOTAL ACQUISITION COSTS (COUNTY) =	\$ 24,840,337.84

District/Property/Tax Map Key	Zoning	Acreage	District Totals
<u>Hāmākua</u>			1.804
Waipi‘o =			
4-8-04:06	Agricultural	1.804	
<u>North Kohala</u>			239.751
Hāwī Banyan Trees Property =			
5-5-15:42	Commercial	0.911	
Pa‘o‘o =			
5-7-01:05	Agricultural	10.61	
Kaiholena =			
(north) 5-8-01:11	Agricultural	71.188	
(north) 5-8-01:19	"	44.030	
(north) 5-8-01:20	"	36.340	
(south) 5-8-01:21		37.206	
(south) 5-8-01:22		39.340	
(north) 5-8-01:24	"	0.057	
(south) 5-8-01:25	"	0.069	
<u>North Kona</u>			234.3525
‘O‘oma =			
7-3-09:04	Conservation	217.566	
Kipapa Park/White Sands Mauka =			
7-7-08:20	Hotel	1.3017	
7-7-08:21	Residential	10.617	
7-7-08:23	Apartment	0.1578	
7-7-08:31	Agricultural	4.71	
<u>Ka‘ū</u>			785.164
Kāwā =			
9-5-16:06	Conservation	81.303	
9-5-16:25	"	106.380	
9-5-17:05	"	363.188	
9-5-17:07	"	234.293	
<u>TOTAL ACREAGE ACQUIRED (TO DATE)</u>			1261.0715

COUNTY OF HAWAI‘I
PUBLIC ACCESS, OPEN SPACE AND
NATURAL RESOURCES PRESERVATION COMMISSION (PONC)
COMPREHENSIVE LIST OF PROPERTIES SUBMITTED BY THE PUBLIC
(DECEMBER 28, 2015)

PUNA (Zone 1)

Year Suggestion Form Submitted										Tax Map Key(s)	Property(s)
2006	2007	2008	2009	2010	2011	2012	2013	2014	2015		
			x	x						1-3-01:54, 74, 83, 84	Pāhoa Steam Vents
x										1-3-08	Pohoiki Road
				x						1-3-08:34	Pohoiki Bay, Puna, Hawai‘i
x										1-3-45 & adjacent parcels	Pualena Crater
						x	x			1-4-02:22, 51 & 88	Vacationlands Land Trust/Hara Property
x										1-4-02:51 & por. 88; 1-4-68:01, 04-20	Kapoho-Vacationland tide pools
x	x		x							1-4-02:52	Cape Kumukahi Regional Park
							x			1-4-02:75	Lands adjacent to Ahalanui Park and the Hot Pond
x	x									1-4-03:03 & 37	Wai‘ele
x	x									1-4-03:19 & 20	Honolulu Landing
						x				1-4-68:07 & 08	Vacationlands/Wai‘opae
						x				1-4-68:33	Wai‘opae/Vacationlands
				x						1-4-91	Green Lake, Green Mountain
								x		1-5-10:32	The Gapp Property
x										1-6-90:79; 1-6-91:54	Burial Cave (Puna)

SOUTH HILO (Zone 2)

Year Suggestion Form Submitted										Tax Map Key(s)	Property(s)
2006	2007	2008	2009	2010	2011	2012	2013	2014	2015		
	x									Various	Hawai‘i Consolidated Railway (Panaewa to Kapoho)
	x									Zone 2 and 1	Hawaiian Consolidated (Railroad Avenue to Kapoho)
x										(About 250 yards up-stream from Mill	Mill Road Water Falls (Pāpa‘ikou)
	x									2-1	Old Railroad Way (Honomū – Pepe‘ekeo)

SOUTH HILO (Zone 2) (continued)

Year Suggestion Form Submitted										Tax Map Key(s)	Property(s)
2006	2007	2008	2009	2010	2011	2012	2013	2014	2015		
	x									2-1-16:02, 06	Mulier lands adjoining Kealoha Park
						x				2-2-53:20	Hilo Bayfront Trails – (Lot to connect to Waiakea Pond)
								x		2-4-02:73	Acreage adjacent to Hilo Municipal Golf Course
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A			2-6-12:23, 33; 2-6-14:01; Honoli‘i 2-6-26:03 & 04 <i>(Although included on the Comprehensive List and considered, this property did not originate from a Prioritized List from this Commission. It was included due to the County Council’s passing of Bill No. 06-150 approving its acquisition and Resolution No. 544-06 prioritizing it’s acquisition together with other authorized purchases utilizing the Public Access, Open Space and Natural Resources Preservation Fund)</i>	
x										2-6-18:01	Pu‘u O‘o Ranch (Pi‘ihonua)
							x			2-6-25:01	Honoli‘i Beach
x	x									2-7-04:118	Pāpa‘ikou Mill Beach
x										2-7-09	Onomea Bay (surrounding lands)
					x					2-8-04:05	Hāmākua Springs Agricultural Conservation Easement
									x	2-9-02:79 & 81	Hakalau Point
x										2-9-02:80; 3-1-01:01, 02, 03; 3-2-	Hakalau Mill Site

NORTH HILO (Zone 3)

Year Suggestion Form Submitted										Tax Map Key(s)	Property(s)
2006	2007	2008	2009	2010	2011	2012	2013	2014	2015		
x										3-4-02:01 & 03	Maulua Gulch
						x	x			3-4-02:04; 3-7-01:11	Maulua Gulch
x										3-6-05	Ka‘awali‘i Gulch
	x									3-6-05:15	Ka‘awali‘i Gulch shoreline
									x	3-6-05:17	Ka‘awali‘i Gulch
x										3-7-01:03	Waipunalei
x										3-7-01:11	Maulua Nui

HĀMĀKUA (Zone 4)

Year Suggestion Form Submitted										Tax Map Key(s)	Property(s)
2006	2007	2008	2009	2010	2011	2012	2013	2014	2015		
X											Hāmākua Ditch
X											Kukuihaele Heliport
	X										Lower Cane Haul Road (Waipi‘o, Honoka‘a, Homula)
	X										Public access to Haina Landing and Pā‘auhau Landing
X										4-1-06:07	Keanakolu Koa Forests
X	X									4-2-03:03	Koholālele Landing (Pa‘auilo)
X										4-3-10:02 & 08; 4-4-14:02 & 03	Botelho Ranch, SC Ranch, KK Ranch (Pu‘u Mali Palila Mitigation Area)
X	X									4-4-02:04	Waika‘alulu Gulch aka Fishtail
X										4-4-05:06	Pa‘auhau Landing
X	X									4-4-05:11	Kahawaili‘ili‘i Gulch
X										4-4-15:02	Ka‘ohe Palila Mitigation Area
X										4-5-02	Haina Landing aka Honoka‘a Landing and nearby areas
X	X									4-6-02:02	Kawela (Kamakamaka Point)
X	X									4-6-03:21	Malanahae aka Malanahae Landing
X	X									4-7-03:01	Kapulena Landing (Opala House)
X	X									4-7-03:01	Springwater next to Kawaikalia gulch
X	X									4-8-01:01, 04	Kukuihaele (Old Landing aka Station & nearby areas)
X										4-8-04:06	Waipi‘o Lookout Point
X	X									4-8-07:15	Kukuihaele (Old Quarry and Breakwater)

NORTH KOHALA (Zone 5)

Year Suggestion Form Submitted										Tax Map Key(s)	Property(s)
2006	2007	2008	2009	2010	2011	2012	2013	2014	2015		
X											Camp 5 between Kohala High & Hāwī Makai to the ocean
X											Ha‘ena Point, North Kohala
	X										Hālawa (Coastal Makai)

NORTH KOHALA (Zone 5) (continued)

Year Suggestion Form Submitted										Tax Map Key(s)	Property(s)
2006	2007	2008	2009	2010	2011	2012	2013	2014	2015		
x											Hapu Point, North Kohala
	x									Various	Hawai'i Railway Company (Māhukona to Upolu Point)
	x									Zone 5	Hawaiian Railroad Co. (Māhukona, Upolu Point, Kauhola, Niuli'i)
x											Kapanai'a Bay
x											Kohala Lighthouse, Ka'ahola Point
				x						Various	North Kohala Coast Historic and Cultural Corridor
x											Pololu & Pololu flats surrounding access trail into the valley
x											Pololu Valley Lookout
x											Property makai of Kohala Intermediate School
x											Queen's Bath – Mauka of Hālawā camp
x										5-1-04:29	Pololū Trail
x										5-2 (Niuli'i) to 5-5 (Puakea)	North Kohala, windward shoreline (from Puakea Ranch to Kēōkea Park)
x										5-2-01:14 & 16	Kupalaha Heiau (adjacent to Kēōkea Beach Park)
						x	x	x	x	5-2-01:20 & 25	Niuli'i
x										5-2-02:08 & 5-2-05:18	Kamehameha Pond (N. Kohala)
				x	x	x	x	x	x	5-2-07:04, 27; 5-3-07:22, 23, 26, 32, 33	Hāpu'u to Kapanai'a Cultural Corridor
x										5-3-07:Por. 01, 21, 24, 25, 27, 28	Public access road to Kapanai'a Bay
						x		x	x	5-3-07:10	Halelua
x										5-3-07:22	Hale o Ka'ili Heiau
x										5-3-07:26 & 28	Kapalama Heiau
x										5-5-05:04, 05, 17; 5-6-01:27, 56	Access to Mo'okini Heiau and Kamehameha birth site
x										5-5-07:37	Hō'ea Flat, North Kohala
							x			5-5-15:42	Banyan Trees Park Area, Hāwī Town Center
			x							5-6-01:74	Old Coast Guard Road to Hono'ipu Landing
x										5-6-01:75	Kukuipahu Heiau

NORTH KOHALA (Zone 5) (continued)

Year Suggestion Form Submitted										Tax Map Key(s)	Property(s)
2006	2007	2008	2009	2010	2011	2012	2013	2014	2015		
X	X		X	X	X	X	X	X	X	5-6-01:13, 16, 18, 42, 49, 50, 89-110,	Kukuipahu-Ha'ena Corridor
X	X		X							5-7-01:05	Pa'o'o
X			X							5-7-01:11	Lapakahi State Historical Park Area (Reish property)
							X	X	X	5-7-01:20	Lamaloloa
X										5-7-01:20	Lapakahi State Historical Park Area (Gordy property)
X	X		X	X	X	X	X	X	X	5-7-02:11; 5-7-03:01, 02, 03, 07, 08, 10,	Māhukona Historical Area (Kamano, Kou, Hihui, Kamao)
X			X	X	X	X	X	X	X	5-8-01:09	Keawenui Access Easement
X	X		X	X	X					5-8-01:11; 5-8-01:19-23	Kaiholena
X										5-8-02:01	Kehena Ditch Road

SOUTH KOHALA (Zone 6)

Year Suggestion Form Submitted										Tax Map Key(s)	Property(s)
2006	2007	2008	2009	2010	2011	2012	2013	2014	2015		
X											Haleino Heiau, South Kohala
	X									N/A	Sandalwood Conservation Buffer Zone
X											Waimea Trail System
X										6-2-02:06	Mau'umae Beach (Queen Emma Estate coastal parcel)
X										6-4-01:60	Homestead Road Trail (S. Kohala)
X										6-4-02:137	White Road Trail
	X									6-5 and 6-6	Waimea Trails & Greenways
X										6-5-01:20	Hōkū'ula Battleground
	X									6-5-01:20	Waimea Pu'u
X										6-6-01	Puakō-Waimea Trail
X										6-6-01:02, 06 & 48	Waimea Field System
X										6-6-03:06	Waimea Streamside Park

SOUTH KOHALA (Zone 6) (continued)

Year Suggestion Form Submitted										Tax Map Key(s)	Property(s)
2006	2007	2008	2009	2010	2011	2012	2013	2014	2015		
X	X									6-6-05:27	Lalamilo Farm Lots Perimeter Buffer Zone
X										6-7-01:Por. 03	Ke‘āmuku
X										6-7-02	Waimea Town Center Equestrian Trail (S. Kohala)
X										6-8-01:01	South Kohala Regional Park
	X									6-8-01:01	Waimea District Park
		X								6-8-01:22	Puakō Forest Project

NORTH KONA (Zone 7)

Year Suggestion Form Submitted										Tax Map Key(s)	Property(s)
2006	2007	2008	2009	2010	2011	2012	2013	2014	2015		
	X										Judd Trail (Ali‘i Dr. to Mamalahoa Hwy.)
X											Kapalaoa coast at border of North Kona & South Kohala
X											Wai‘aha/Honl’s
X											Wungs Ranch
	X									Various	West Hawai‘i Railway (Lanihau to Kalukalu)
X										Various	Ali‘i Drive
X										7-1-02	Kīholo Bay
X										7-1-03:10	Waikoloa South
X										7-2	Hualālai Summit
X										7-2-03 & 7-2-04:04 & 14	Puhi a Pele
X										7-2-04	Makalawena
X										7-2-05	Mahai‘ula to Hualālai
X	X	X		X	X	X	X			7-3-09:04 & 22	‘O‘oma II
X										7-4-20	Kealakehe Regional Park
	X									7-5	Kona and Ka‘ū Railway/West Hawai‘i Railroad (Hualalai Road-Kuakini Hwy. – Ono‘uli)
								X		7-5-10:54	Konas People Park
X	X						X			7-5-20:22, 24, 28, 34	Puapua‘a

NORTH KONA (Zone 7) (continued)

Year Suggestion Form Submitted										Tax Map Key(s)	Property(s)
2006	2007	2008	2009	2010	2011	2012	2013	2014	2015		
					x					7-6-15:23	Banyan's Beach
					x					7-6-16:13	State of Hawai'i Road Remnant at Hale Halewai o Hōlualoa
x					x			x		7-6-16:32	Adjacent property to Hale Halawai o Hōlualoa
x										7-7-04:12, 51, 52, 54	Kamoa Point
			x							7-7-08:20, 31, 100	Lucile P. Kingman Trust
							x			7-7-08:21 & 23	White Sands Mauka
x										7-8-01:por. 03	Pu'u Lehua Ranch sandalwood forest
x										7-8-13	Ke'eku Heiau

SOUTH KONA (Zone 8)

Year Suggestion Form Submitted										Tax Map Key(s)	Property(s)
2006	2007	2008	2009	2010	2011	2012	2013	2014	2015		
x											Kauleoli
x											Keopuka
							x			8-2-06:27 & 28	Manini Beach Park Project
							x	x		8-2-11:02 & 23	HCC Farms, LLC
x										8-2-15:01; 8-2-02:01	Takashiba Nut Farm in Cook's Landing, Capt. Cook
x										8-3; 8-4	Hōnaunau & South Kona Forest Reserve
x										8-3-04	Add a bike/foot path on conservation land (Honalo to Kekaha)
x										8-3-06	Ke'ei Beach
x										8-7-12:01 & 03; 8-7-01:06	North American Properties (Ka'apana, Olelo Moana, Ka'ohe)
						x				8-7-08:02, 33 & 34	Waikaku'u Park – South Kona
x										8-8-01	South Kona Forest Reserve (Yee Hop)
									x	8-9-03:05; 8-9-10:01, 02, 08 & 09	Lands of Kalihi

KA‘Ū (Zone 9)

Year Suggestion Form Submitted										Tax Map Key(s)	Property(s)
2006	2007	2008	2009	2010	2011	2012	2013	2014	2015		
		x								Below Hawaiian Ranchos	Multiple beaches below Ocean View, Hawai‘i 96737
x											Punalu‘u to Manuka Bay
x										9-1; 9-2; 9-3; 9-4; 9-5 (coastal	Ka‘ū Coast
	x									9-2-01:01	Pōhue Beach
x										9-2-01:72	Paradise of South Kona, LLC
			x							9-2-01:75	Kahuku Coastal Property
x			x							9-2-01:75	Pōhue Bay
x										9-2-02	Road to the Sea, Ka‘ū
x										9-3-01	Ka Lae (South Point)
x										9-3-01	Naohuleahua “Two Bald Men Village”
x										9-3-01 to 9-4-01	Ka Lae to Kawalu (Ka‘ū Coast)
x										9-4-02:03	Ka‘ū Dryland Forest & ancient Hawaiian home sites
							x			9-4-05:08	Grassman Macadamia Nut Farm
x										9-5-05:08, 13, 14, 15, 18, 20; 9-6-03:06,	Ka‘ū Forest Reserve
x										9-5-07	Waikapuna
x										9-5-08:01	Nā‘ālehu/Wai‘ohinu (native forest above communities)
							x			9-5-11:01, 04, 05, 06; 9-5-12:01	Kaunamano, Ka‘ū
								x		9-5-12:05	Kahua Olohu
			x							9-5-14:29 & 60	Whittington Park @ Honu‘apo
x	x									9-5-16:06 & 25; 9-5-17:05 & 07	Kāwā/Kawa‘a Bay
x										9-5-18	Pu‘u Makaanau; Pu‘u Pakua
x										9-5-19	Nīnole, Ka‘ū
x	x									9-5-19: coastal portions of various parcels; 9-6-	Punalu‘u Beach Park and adjacent lands (including Nīnole Springs and pond)
x										9-8-02	Great Crack – Ka‘ū (southwest rift of Kilauea volcano)
x							x			N/A	Hawaiian Kingdom

Section 10-15. Public Access, Open Space, and Natural Resources Preservation Fund.

- (a) In adopting each fiscal year's operating budget, the council shall appropriate a minimum of two percent of the certified real property tax revenues, including penalty and interest, to a fund known as the public access, open space, and natural resources preservation fund. Deposits to the fund shall occur at a minimum, on a quarterly basis.
- (b) Funding shall consist of a minimum of two percent of actual revenue received in the fiscal year. Additional revenue may consist of grants and private contributions intended for the purpose of this section, voluntary contributions of any amount as specified on the real property tax bill, proceeds from the sale of general obligation bonds authorized and issued for the purpose of this section, council appropriations for the purpose of this section, and any other source of revenue.
- (c) Monies in this fund shall be used solely to:
 - (1) Purchase or otherwise acquire lands and easements in the County of Hawai'i for public outdoor recreation and education, including:
 - (A) Access to beaches and mountains;
 - (B) Preservation of historic 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.
 - (2) Pay the principal, interest and premium, if any, due with respect to bonds issued in whole for the purpose of this fund.
- (d) Any balance remaining in the fund at the end of any fiscal year shall not lapse, but shall remain in the fund accumulating interest from year to year. The moneys in this fund shall not be used for any purpose except those listed in this section.
- (e) The council shall by ordinance establish procedures for the administration and expenditure of moneys in this fund.
- (f) This fund shall be used for acquisition of land and easements and shall not be used for development, maintenance or for any purpose other than as provided in this section.
- (g) The highest and best use of this fund is to leverage the money in the fund by attracting matching funds, although, matching funds are not required in every purchase.
- (h) Any land acquired with this fund shall contain the following restrictive covenant in its recorded deed of conveyance: "This land was acquired with moneys 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."
- (i) Any easement acquired with this fund shall contain the following restrictive covenant in its recorded deed of conveyance: "This easement was acquired with moneys 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."

(2010, Prop. 1, sec. 1; 2012, Ord. No. 11-94, sec. 1.)

Section 10-16. Public Access, Open Space, and Natural Resources Preservation Maintenance Fund.

- (a) The purpose of the public access, open space, and natural resources preservation maintenance fund is to accrue and use moneys for maintenance of lands and easements acquired by the public access, open space, and natural resources preservation fund. The maintenance fund will ensure that money is dedicated to preserve the land, promote public safety, and maintain a healthy stewardship.
- (b) Definitions. For the purpose of this section, the following definitions apply:
 - “Maintenance” means to preserve and conserve lands and easements acquired by the public access, open space, and natural resources preservation fund and keep them in good repair for public safety.
 - “Maintenance fund” means a separate fund that holds moneys directed from: 1) the general fund and property tax revenues; or 2) designated grants, private contributions, proceeds from the sale of general obligation bonds, council appropriations, and any other source of revenue.
- (c) There is established a public access, open space, and natural resources preservation maintenance fund (hereinafter “maintenance fund”). The maintenance fund shall be administered and managed by the department of parks and recreation. The financial aspects of the maintenance fund shall be handled by the department of finance.
- (d) Deposits due to the maintenance fund.
 - (1) In adopting each fiscal year’s operating budget, the council shall appropriate one-quarter of one per cent of all real property tax revenue (including interest and penalties) to the maintenance fund. Deposits to the maintenance fund shall occur on a quarterly basis at a minimum.
 - (2) Additional revenue deposited in the maintenance fund may consist of grants and private contributions intended for the purpose of this section, proceeds from the sale of general obligation bonds authorized and issued for the purpose of this section, council appropriations for the purpose of this section, and any other source of revenue.
- (e) Accounting for the maintenance fund; interest bearing accounts; reporting by the department of finance.
 - (1) All moneys in the maintenance fund shall be deposited in interest bearing accounts until needed. Any interest shall accrue to the maintenance fund.
 - (2) Moneys in the maintenance fund shall be identified separately for:
 - (A) Funding received from the real property tax revenue including interest and penalties; and
 - (B) Funding received from grants and private contributions, and any other source of revenue, and its interest earned, which:
 - i. Shall be itemized and earmarked for specific projects for the lands or easements.
 - ii. Shall not be subjected to the maximum accrual of funds limit provided in subsection (f).
 - (3) Financial statements shall be posted each month on the public access, open space, and natural resources preservation fund web site.

- (f) Maximum accrual limit in maintenance fund; exemption to funding.
- (1) Only moneys derived from real property tax revenue, its interest, and its penalties shall be included in the computation of the maximum accrual limit for the maintenance fund. All other moneys specifically directed to the maintenance fund shall be held separately from those moneys in the maintenance fund that originated from real property tax revenues (including interest and penalties), and shall not be subjected to the maximum accrual limit.
 - (2) The maximum accrual limit shall not exceed \$3,000,000.
 - (3) At the end of any fiscal year in which the maintenance fund holds unencumbered funds derived from real property tax revenue (including interest and penalties) of at least \$3,000,000, any unencumbered amount in excess of that \$3,000,000 shall be permanently transferred to the general fund balance.
 - (4) Exemption to funding. If the maintenance fund holds \$3,000,000 in unencumbered funds derived from real property tax revenue (including interest and penalties), then the council and the executive branch do not need to add more money to the maintenance fund until the next budget cycle. This exemption shall not release the administration from its mandatory duty to maintain and preserve lands and easements acquired by the public access, open space, and natural resources preservation fund in good repair for public safety each fiscal year.
- (g) The maintenance fund shall be used solely for public safety maintenance and preservation of those lands and easements acquired by the public access, open space, and natural resources preservation fund, and may be used only for expenditures directly related to its purpose. Expenditures by the administration or stewardship grants presumed to be directly related are as follows:
- (1) Reparation (fixing, mending, repair work, and servicing);
 - (2) Preservation (damage control, salvaging, safekeeping, and safeguarding);
 - (3) Conservation of soil, forests, shorelines, native wildlife, streams, wetlands, watershed, and floodways;
 - (4) Restoration (replacement, reclamation, reconditioning, and remediation);
 - (5) Wildfire and fire prevention;
 - (6) Repair of existing buildings to meet the current code requirements, if the building is deemed reasonable to save;
 - (7) Replacing signs to meet the current code requirements;
 - (8) Installation, repair, or replacement fencing and gate or access mechanisms;
 - (9) Installation or repair of cattle guards;
 - (10) Mitigation of flooding problems including repair or restoration of existing culverts, drainage features, or other similar flood control mitigation;
 - (11) Archeological survey and buffering of Native Hawaiian historical or cultural sites after appropriate consultation with Native Hawaiian descendants and cultural practitioners;
 - (12) Biological studies for the protection of Native Hawaiian species of plants and animals; or
 - (13) Mitigation of Americans with Disabilities Act compliance issues that may arise during the course of public safety maintenance and preservation.

Moneys in the maintenance fund shall not be used for planning, design, development, or construction of new buildings, facilities, or infrastructure including roads, paths, bridges, culverts, ramps, or drainage features. Money in the maintenance fund shall also not be used for mitigation of Americans with Disabilities Act compliance issues for any new buildings, facilities, or infrastructure. Payment to resolve these aforementioned issues shall be from the capital improvement projects budget or allotments derived from the general fund.

(h) Stewardship Grants. Moneys may also be used to provide grants-in-aid for projects, which uses are reflected in subsection (g).

- (1) An award of a stewardship grant shall be by council resolution. Stewardship grants may be awarded only until moneys in the maintenance fund are extinguished. Grants shall be awarded on the basis of ability of the stewardship organization to complete the project on time and within cost estimates.
- (2) Only 501(c)3 nonprofits or an organization that operates under the umbrella of a 501(c)3 nonprofit, and that can complete a project for the good of the community, shall be considered for a stewardship grant.
- (3) Public notice by the department of finance of the availability of the stewardship grants shall be placed in two newspapers of general circulation, as well as electronic media accessible by internet, by August 1 of each fiscal year provided money is available. These advertisements shall be paid for from the maintenance fund.
- (4) To apply for a stewardship grant, a stewardship organization shall provide to the department of parks and recreation the following:
 - (A) An application form obtained from department of parks and recreation which is completed for each specific purpose or project;
 - (B) A detailed business plan for the project that includes the name of the 501(c)3 nonprofit organization, the organization that operates under the umbrella of a 501(c)3 nonprofit organization, if any, a copy of its letter of determination from the Internal Revenue Service, a copy of its bylaws and mission statement, a description of the specific project, time frames for project goals, costs, and activities to accomplish the stated purpose, and any other information requested by the department of parks and recreation; and
 - (C) A signed agreement to file a written report one year or less after receipt of funds that includes details as to what has been accomplished on the project, costs, and how the money was spent.
- (5) No officer, board member, or employee of the 501(c)3 nonprofit organization or the organization that operates under the umbrella of a 501(c)3 nonprofit organization shall receive a salary or payment for labor or receive any reimbursement for the stewardship work on the project. The 501(c)3 nonprofit shall sign an agreement so stating these conditions and submit it with the application.
- (6) Mismanagement of moneys awarded for a stewardship grant shall bar the 501(c)3 nonprofit organization and the organization that operates under the umbrella of a 501(c)3 nonprofit organization from receiving future grants from the maintenance fund.

- (7) The director of the department of parks and recreation shall provide a short written evaluation of the proposed project to the council and include a recommendation about the applicant's ability to complete the project according to the project plan.

(2012, Ord. No. 12-16, sec. 1.)

ARTICLE XI INITIATIVE AND REFERENDUM

Section 11-1. Powers of Initiative and Referendum.

- (a) The power of voters to propose ordinances or to amend existing ordinances shall be the initiative power.
- (b) The power of voters to approve or reject ordinances by election shall be the referendum power.

(2008, Ord. No. 08-80, sec. 2.)

Section 11-2. Definitions.

As used in this article, unless the context otherwise requires:

"Ballot Question" means an interrogative statement that plainly phrases the chief purpose of the initiative or referendum so that an affirmative response corresponds to a "yes" vote.

"Ballot summary" means a concise, impartial explanation of the measure and its major effects.

"Ballot title" means a brief phrase identifying the subject of the initiative or referendum.

"Circulators" means adults who circulate copies of the petition among registered voters for signature.

"Clerk" means the clerk of the Hawai'i County Council.

"Committee" means the petitioners' committee formed pursuant to section 11-3.

"Petition form" means a petition without voter signatures and other voter identifying information.

"Petition or signed petition" means the petition form containing the voters' signatures and other voter identifying information, the ballot title, ballot question, and ballot summary.

(2008, Ord. No. 08-80, sec. 2.)

Section 11-3. Petitioners' Committee.

For each initiative or referendum petition there shall be a petitioners' committee representing all the petitioners, which committee shall be composed of five members who shall be qualified voters of the county and signers of the petition. The committee shall be responsible for circulation of the petition and for assembling and filing the petition in proper form. There shall be a committee chair who will be responsible for sending and receiving all communications between the clerk and the committee. The committee shall have the power to amend or withdraw the petition as provided in this charter.

(2008, Ord. No. 08-80, sec. 2.)

Section 11-4. Initiative and Referendum Process

- (a) The clerk shall provide the committee with a sample petition form upon request.
- (b) Prior to circulating an initiative or referendum petition, the committee shall give notice to the clerk of the following:

Process for Property Acquisition with Funds from the Public Access, Open Space and Natural Resources Preservation Fund

Each year approximately \$4 million is deposited into the Public Access, Open Space and Natural Resources Preservation Fund (FUND) pursuant to Chapter 2, Article 42, Section 2-214 of the Hawai‘i County Code, 1983, 2005 Edition and Article X, Section 10-15 of the Hawai‘i County Charter. These funds are 2% of all real property tax revenues, including penalties and interest collected by Hawai‘i County each year.

1. The public may submit suggestion forms to the Public Access, Open Space and Natural Resources Preservation Commission (PONC). **PONC suggestion forms may be found on-line at:** <http://records.co.hawaii.hi.us/Weblink8/Browse.aspx?startid=13770&dbid=1> and are due on or before the last business day of June each year. Suggestion forms received after this date will be considered by the Commission the following year. The Commission reviews all suggestion forms, including additional information submitted i.e. pictures, maps, testimony from local residents, archaeological information, real estate listings, land surveys, etc. and also welcomes public testimony at PONC meetings.
2. The Commission prioritizes a list of properties from the suggestion forms that were submitted for that year, compiles all information, creates the Prioritized List of Properties and submits an Annual Report to the Mayor each year by December 31st. **Annual Reports to the Mayor may be found on-line at:** <http://records.co.hawaii.hi.us/Weblink8/Browse.aspx?startid=13770&dbid=1>
3. Once a property is ranked on the list, a member of the Hawai‘i County Council may submit a resolution to authorize the Director of Finance to proceed with negotiations for acquisition. Community members are welcome to advocate for this resolution. Once the County Council approves a resolution to acquire the property, the Commission will no longer consider the property for future prioritized lists.
4. The Department of Finance, Property Management Division (PMD) may or may not open negotiations to purchase the property. Factors affecting this decision could be: if there is a willing seller, if there is a community group that is willing to manage the property, if there are matching funds or if there are other properties that are higher priorities for acquisition.
5. The County is more likely to acquire properties that have commitments for matching funds. Matching funds maximize the purchasing power of the FUND. The best use of FUND monies is to be used for dollar for dollar matching funds. The party who submitted the suggestion form will work with the PMD and/or Council Member to seek matching funds. To date, matching funds have been obtained from U.S. Fish and Wildlife Service (USF&W), Recovery Lands Acquisition Program (for endangered species) and the State of Hawai‘i, Legacy Land Conservation Program (LLCP). Sources for other matching funds could possibly be obtained from Office of Hawaiian Affairs for cultural sites and from the Federal Emergency Management Administration for flood plain or flood prone lands.

Additional Information:

Article X, Section 10-15 of the Hawai‘i County Charter stipulates what lands may be purchased with these funds: *(see excerpt from section below)*

(a) Monies in this fund shall be used solely to:

(1) Purchase or otherwise acquire lands or property entitlements in the County of Hawaii for public outdoor recreation and education, including:

(A) Access to beaches and mountains;

- (B) Preservation of historic 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.*

Expenditures for PONC Acquisitions

<http://records.co.hawaii.hi.us/WebLink8/DocView.aspx?id=65627&dbid=1> This report shows that the County of Hawai'i has spent \$32,439,176 to obtain land in Hawai'i County for public use. \$24,840,337 was used from the FUND; \$5,598,838 was obtained from matching funds (USF&W & LLCP) and a private donation of \$2,000,000 from Kohanaiki Shores, LLC.

The Public Access, Open Space and Natural Resources Preservation Maintenance Fund (*administered by the Dept. of Parks & Recreation (P&R)*): There is also money available for community groups to assist the County with stewardship and maintenance of properties purchased with the FUND. The next period that P&R will be accepting stewardship grant applications will be July – August 2016.

**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 pursuant to Chapter 2, Article 42, Section 2-215, of the Hawai'i County Code, 1983 (2005 Edition).

RULE 2. GOAL

The goal of the Public Access, Open Space and Natural Resources Preservation Commission is to solicit suggestions from the community for lands considered to be worthy of preservation and to provide the Mayor of the County of Hawai'i with an island wide list of prioritized properties.

RULE 3. DEFINITIONS

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

- (a) "Agency" means the Department of Finance of the County of Hawai'i or its authorized representative.
- (b) "Charter" shall mean the County Charter of the County of Hawai'i, State of Hawai'i.
- (c) "Commission," "Chair," "Vice Chair" and the "Commissioner" mean the Public Access, Open Space and Natural Resources Preservation Commission of the County of Hawai'i, State of Hawai'i, its Chair, its Vice Chair and a member thereof, respectively.
- (d) "Council" shall mean the County Council of the County of Hawai'i, State of Hawai'i.
- (e) "Director" means the Director of Finance of the County of Hawai'i.
- (f) "HRS" means Hawai'i Revised Statutes.
- (g) "Mayor" shall mean the Mayor of the County of Hawai'i, State of Hawai'i.
- (h) "Meetings" means the convening of the Commission for which a quorum is required in order 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 and shall include any member of the Commission. Unless otherwise designated, the Chair shall be the presiding officer.
- (k) “Public Record” means the same as defined 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 Commission 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 the Rules of Practice and Procedure of the Public Access, Open Space and Natural Resources Preservation Commission.
- (m) “Secretary” shall mean the Secretary of the Public Access, Open Space and Natural Resources Preservation Commission.

RULE 4. DUTIES AND RESPONSIBILITIES

The Public Access, Open Space and Natural Resources Preservation Commission shall:

- (a) Develop an initial island-wide prioritized list of qualifying lands worthy of preservation and submit it to the Mayor. Priorities shall be listed on an island-wide rather than district basis. The list shall include the significance of each parcel or entitlement identified, the reason for its priority, and its anticipated use after acquisition. Those proposed parcels or elements receiving fifty (50) percent or more of the total available assessment criteria points shall be included in the priority list. Those parcels or elements receiving less than fifty (50) percent of the total available assessment criteria points shall be noted in the annual report but not included in the priority list;
- (b) Update this list at any time, but at least annually by December 31 of each year;
- (c) Explore methods of funding land acquisition and make recommendations to the Mayor; and
- (d) Give emphasis to land acquisitions where the County’s contribution can be leveraged to obtain State, Federal, and/or private funds.

RULE 5. PURPOSE

The intent and purpose of the Rules of Practice and Procedure of the Hawai‘i County Public Access, Open Space, and Natural Resources Preservation Commission is to provide a systematic and democratic method of conducting meetings in order to insure that all persons will have an opportunity to participate in an open, productive, and orderly manner.

RULE 6. ORGANIZATION AND PARLIAMENTARY RULES

6-1. ORGANIZATION

The Public Access, Open Space and Natural Resources Preservation 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 finance department.

6-2. ELECTION OF CHAIR AND VICE CHAIR

At the last regular 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 regular Chair or Vice Chair from among its members at its last regular 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.

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 of its meetings are open to the public. The parliamentary procedure to be utilized by the Commission in the conduct of its meetings shall be based on Robert's Rules of Order.

- (a) Regular Meetings - Regular meetings of the Commission for the transaction of its business shall be held at 10:00 a.m. on the second Monday of each month, or as 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 only upon the publication of a notice of such meeting in at least two daily newspapers of general circulation in this county at least twenty-four (24) hours in advance of such meeting. If the requirement with respect to publication of notice cannot be met because of insufficient time, the meeting notice shall be made by broadcasting a minimum of three announcements in the English language over FCC licensed public radio stations in this county or television stations with local audience. Such announcements shall be broadcast at least twenty-four (24) hours in advance of such meeting. To assure the widest possible coverage, the meeting notice shall be released to radio stations in

this county and the announcement shall be programmed to be heard between the hours of 7:00 A.M. to 5:00 P.M. In addition to the above requirements, notice of such special meeting shall be conspicuously posted on the bulletin board of the Hawai'i County Building. A brief resume of the principal business to be taken up at such meeting shall be stated in the posted notice as well as in the notice released to the news media.

- (c) Videoconference – Pursuant to HRS § 92-3.5, the Commission may hold meetings by videoconference; provided that the videoconference system used by the Commission shall allow both audio and visual interaction between all members of the Commission participating in the meeting and the public attending the meeting, at any videoconference location.
 - (1) The notice required by HRS § 92-7 shall specify all locations at which Commissioners will be physically present during a videoconference meeting. The notice shall also specify that the public may attend the meeting at any of the specified locations.
 - (2) Any Commissioner participating in a meeting by videoconference shall be considered present at the meeting for the purpose of determining compliance with the quorum and voting requirements of the Commission.
 - (3) A meeting held by videoconference shall be terminated if both audio and video communication cannot be maintained with all locations where the meeting is being held, even if a quorum of the Commission is physically present in one location.
- (d) Notice – The Commission shall be given written public notice of any regular, special, or rescheduled meeting, or any executive meeting when anticipated in advance 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, 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 validated 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 § 92-3.1.

- (1) Site visits conducted by the full Commission shall be properly noticed and conducted according to PONC meeting practices including ADA accessibility. All discussion shall be “on the record” and no decision making shall occur while on the visit.
- (2) Site visits may be conducted by up to 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 of the meeting at which the report will be given.
- (3) Site visits may be conducted by up to four commissioners as assigned by the Commission at a regular PONC meeting. There shall be a prescribed scope of work and a report shall be made to the Commission. The report must be put on the agenda of the meeting at which the report will be given. Discussion of the report must be put on the agenda of the meeting at which the discussion will occur.
- (4) Site visits shall be respectful of private property, and lacking owner permission to enter the subject property, shall be conducted from nearby or adjacent properties as appropriate. (Commissioners shall work with the Department of Finance to receive permission onto private property from the landowner or their representative only and not rely upon public encouragement to enter onto private property).

6-5 MINUTES

- (a) 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.

- (1) The date, time, and place of the meeting;
- (2) The Commissioners recorded as either present or absent;
- (3) The substance of all matters proposed, discussed, or decided; and a record, by individual Commissioner, of any votes taken; and
- (4) 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 thirty 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.

- (b) The Public may obtain information from the Secretary regarding the minutes.

6-6 OFFICERS AND THEIR DUTIES

- (b) 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.

The presiding officer shall:

- (1) Open all meetings of the Commission by taking the chair and calling the meeting to order;
- (2) Call for the approval of the minutes of any preceding meetings when a quorum is present;
- (3) Maintain order and proper decorum based on Robert's Rules of Order;
- (4) Announce the business before the Commission in the order prescribed by these rules;
- (5) Review all matters properly brought before the Commission, call for votes upon the same and announce the results;
- (6) Appoint all committees unless otherwise ordered by the Commission;
- (7) Authenticate by signature all acts of the Commission as may be required by law, unless delegated to the Director;
- (8) Do and perform such other duties as may be required by law, or such as may be properly appertain to such office;
- (9) Make known all rules of order when so requested, and to decide all questions of order, subject to an appeal to the Commission;
- (10) Take into consideration such matters as shall not be within the scope of the duties or powers of any subcommittee 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
- (11) Represent the Commission in all functions, as directed by the Commission or designate a representative from the membership of the Commission.

6-7 STANDARDS OF CONDUCT

- (a) Disclosure of Interest – Whenever a possible direct personal financial interest on any matter pending before the Commission or any of its committees becomes apparent, the affected member shall promptly make a disclosure to the Commission. When a member has made a disclosure of interest and is deemed by the Commission to have a conflict of interest, such conflict shall apply to all subsequent actions relating to said matter. A member with conflict of interest shall refrain from voting except where the member's vote is required to constitute a quorum to act in which event shall be permitted to vote.

6-8 WHEN RULES ARE SILENT

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 of Finance, County of Hawai'i, by inquiring at the principle place of business. All rules, orders or opinions of the agency 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 Agency during business hours or by submitting a request for information in writing to the Public Access, Open Space and Natural Resources Preservation 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 printed or reproduced for persons other than governmental agencies shall be given to any person provided the applicable fees or costs for publication, research, and postage are paid.

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.

Dated: Hilo, Hawai'i, April 28, 2015

PUBLIC ACCESS, OPEN SPACE AND
NATURAL RESOURCES PRESERVATION
COMMISSION,
COUNTY OF HAWAI'I, STATE OF
HAWAI'I

By: Timothy F. DeFon,
Its Chairperson

Notice of Public Hearing:

Hawai'i Tribune-Herald: February 9, 2015

West Hawai'i Today: February 9, 2015

Date and Place of Public Hearing: March 9, 2015;

Hawai'i County Building, Council Chambers, 25 Aupuni Street, Suite #1401 Hilo, Hawai'i 96720

APPROVED:

Mark Z
MAYOR, County of Hawai'i
Date: APR - 2 2015

APPROVED AS TO FORM:

[Signature]
Deputy Corporation Counsel
Date: MAR 30 2015

I hereby certify that the foregoing amendments and revisions to the Rules and Regulations of the Public Access, Open Space and Natural Resources Preservation Commission of the County of Hawai'i was received and filed in my office this 28th day of April 2015.

[Signature]
County Clerk

COUNTY OF HAWAI‘I
PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES
PRESERVATION COMMISSION
Suggestion Form
for Lands and/or Property Entitlements for Acquisition

The Public Access, Open Space and Natural Resources Preservation Commission is taking suggestions for sites or projects to improve upon public access, open space, and natural resources preservation, pursuant to Chapter 2, Article 42, of the Hawai‘i County Code. Please use the form below to tell the Commission about a place or access you would like to see protected. Forms completed thoroughly will enhance assessment. The Commission welcomes re-submission of properties previously submitted where County Council has not taken action.

Please use one form per suggestion.

Name of site or project: _____

Location or Address: _____

Tax Map Key (TMK) number(s): _____ **Acreage:** _____

Property is (choose one): ☐ **fee simple purchase request** ☐ **easement request**

 Provide (as Attachment A) a TMK map with the property boundaries and/or proposed access outlined or highlighted.

☐ Puna	☐ S. Hilo	☐ N. Hilo	☐ Hāmākua	☐ N. Kohala	☐ S. Kohala
☐ N. Kona	☐ S. Kona	☐ Ka‘ū			

Landowner(s): _____

Purpose of suggested site (for public acquisition) or project (please check those that apply)

- | | |
|---|--|
| ☐ Public outdoor recreation and education, including access to beaches and mountains | ☐ Preservation of forests, beaches, coastal areas, natural beauty, and agricultural lands |
| ☐ Preservation of historic or culturally important land areas and sites | ☐ Protection of watershed lands to preserve water quality and water supply |
| ☐ Protection of natural resources, including buffer zones | |

 Provide (as Attachment B) clear statements detailing how public acquisition would fulfill one or more of the above purposes. Also, explain what is the intent, long term vision, and/or strategy of this proposed acquisition or project?

 Provide (as Attachment C), if available, additional community endorsements for this proposed acquisition or project through letters of support or other means. In addition, please identify community organizations or individuals that could be contacted for further information about this proposed acquisition or project.

 (Attachment D) – Provide verification of community organizations or individuals who are willing to be part of the long-term management /maintenance of this property.

 Provide (as Attachment E) other documentation relating to the suggested site or project that would assist the Commission in their assessments. Do not send original documents or pictures as they will not be returned.

- 1) How would the general public benefit from this proposed acquisition or project?

- 2) Describe any significant historic, cultural or natural resources on the property (please be as specific as possible and attach any documentation; i.e. archaeological reports, if available)

- 3) Describe level of urgency (i.e. is property currently on the market/for how long, has an active re-zoning/subdivision application been filed, high public use, etc.)

- 4) Describe any special opportunities for acquisition that presently exist (i.e. special funding available, landowner willing to participate in process, etc.)

- 5) Has partnering with other government agencies, private or nonprofit entities to leverage resources been identified? ☐No ☐Unknown ☐Yes If yes, please describe.

- 6) Is the property or property easements (i.e. public access easements, agricultural easements, etc.) available for acquisition? ☐No ☐Unknown ☐Yes If yes, please describe.

Contact Name: _____

Mailing Address: _____

Phone/Fax: _____ E-mail: _____

Please send completed forms to: Public Access, Open Space & Natural Resources Preservation Commission
c/o 25 Aupuni Street, Suite 1101
Hilo, Hawai'i 96720-4252
E-mail: akelepolo@hawaiiicounty.gov

For further information contact: Alexandra Kelepolo at (808) 961-8069
E-mail: akelepolo@hawaiiicounty.gov

For online information go to: <http://records.co.hawaii.hi.us/Weblink8/Browse.aspx?startid=13770&dbid=1>

SUGGESTIONS FOR THE CURRENT YEAR ARE DUE ON OR BY THE LAST BUSINESS DAY OF JUNE

FOR OFFICE USE ONLY:

Attachments: ☐ A ☐ B ☐ C ☐ D ☐ E ☐ Other

COUNTY OF HAWAII
PUBLIC ACCESS, OPEN SPACE AND
NATURAL RESOURCES PRESERVATION COMMISSION (PONC)
2015 LIST OF SUGGESTION FORMS
SUBMITTED BY THE PUBLIC

Tax Map Key(s)	Property(s)	PONC Communication No.	Date Received
(SOUTH HILO)			
2-9-02:79 & 81	Hakalau Point	15-016	6/30/15
(NORTH HILO)			
3-6-05:17	Ka'awali'i Gulch	15-015	6/30/15
(NORTH KOHALA)			
5-2-01:20 & 25	Niuli'i	15-014	6/25/15
5-2-07:04, 27; 5-3-07:22, 23, 26, 32 & 33	Hapu'u to Kapanai'a Cultural Corridor	15-013	6/25/15
5-3-07:10	Halelua	15-012	6/25/15
5-6-01:13, 16, 18, 42, 49, 50, 65, 89-103, 105-122	Kukuipahu-Ha'ena Corridor	15-009	6/24/15
5-7-01:20	Lamaloloa	15-011	6/24/15
5-7-02:11; 5-7-03:01, 02, 03, 07, 08, 10, 18	Māhukona	15-008	6/24/15
5-8-01:09	Keawenui	15-010	6/24/15
(SOUTH KONA)			
8-9-03:05; 8-9-10:01, 02, 08 & 09	Lands of Kalihi	15-007	6/17/15

Total Suggestion Forms Submitted = 10

**COUNTY OF HAWAII
PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES
PRESERVATION COMMISSION**

Assessment Criteria Form

Name of Site or Project:	
Location or Address:	
Ahupua'a:	
District: ☐ Puna ☐ S. Hilo ☐ N. Hilo ☐ Hāmākua ☐ N. Kohala ☐ S. Kohala ☐ N. Kona ☐ S. Kona ☐ Ka'ū	
TMK:	Acreage:
Landowner(s):	
Anticipated Use:	

Purpose of suggested site (for public acquisition) or project:

- | | |
|---|--|
| ☐ Public outdoor recreation and education, including access to beaches and mountains | ☐ Preservation of forests, beaches, coastal areas, natural beauty, and agricultural lands |
| ☐ Preservation of historic or culturally important land areas and sites | ☐ Protection of watershed lands to preserve water quality and water supply |
| ☐ Protection of natural resources, including buffer zones | |

Significance

Special Opportunity for Acquisition and Management

	SCORES
Criteria 1	
Criteria 2	
Criteria 3	
Final Score	

Assessed By: _____ *Date:* _____

CRITERIA SCORING:	0 = Does not meet criteria
	1 = Unknown/unclear
	2 = Somewhat (site only partially meets criteria)
	3 = Meets criteria
	4 = Exceeds criteria

Criteria 1: Assesses whether the land or property entitlements meets the purposes of Public Access, Open Space & Natural Resources Preservation Fund pursuant to Chapter 2, Article 42 of the Hawai‘i County Code 1983 (2005 Edition).

	A. Public outdoor recreation and education, including access to beaches and mountains ➤ Provide a wide variety of recreational opportunities for the residents and visitors of the County. ➤ Maintain the natural beauty of recreation areas. ➤ Provide a diversity of environments for active and passive pursuits.
	B. Preservation of historic or culturally important land areas and sites ➤ Protect, restore, and enhance the sites, buildings, and objects of significant historical and cultural importance to Hawai‘i. ➤ Appropriate access to significant historic sites, buildings, and objects of public interest could be made available.
	C. Protection of natural resources, including buffer zones ➤ Protect and conserve the natural resources from undue exploitation, encroachment and damage. ➤ Protect and promote the prudent use of Hawai‘i’s unique, fragile, and significant environmental and natural resources. ➤ Protect rare or endangered species and habitats native to Hawai‘i. ➤ Define the most desirable use of land within the County that achieves an ecological balance providing residents and visitors the quality of life and an environment in which the natural resources of the island are viable and sustainable. ➤ Maintain and, if feasible, improve the existing environmental quality of the island.
	D. Preservation of forests, beaches, coastal areas, natural beauty, and agricultural lands ➤ Protect, preserve and enhance the quality of areas endowed with natural beauty, including the quality of coastal scenic resources. ➤ Protect scenic vistas and view planes from becoming obstructed. ➤ Maximize opportunities for present and future generations to appreciate and enjoy natural and scenic beauty. ➤ Identify, protect and maintain important agriculture lands on the island of Hawai‘i. ➤ Preserve the agricultural character of the island.
	E. Protection of watershed lands to preserve water quality and water supply ➤ Protect and effectively manage Hawai‘i’s open space, watersheds, shoreline, and natural areas.
	Total (20) Criteria 1

Criteria 2: Assesses the level of community support, including reported urgency and identified management/maintenance partners, based on the community input process.

	A. Level of community support based upon additional testimony, letters of support and/or suggestion forms received for property.
	B. Identified management/maintenance partners.
	C. Benefit to the general public.
	D. Reported urgency.

	Total (16) Criteria 2
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Criteria 3: Assesses whether the property or property easements could be acquired using the Public Access, Open Space & Natural Resources Preservation Fund and/or other means.

	A. Acquisition is feasible through the Fund and/or other means. ➤ Special opportunity for acquisition presently exists (i.e. special funding available, landowner willing to participate in process, etc.).
	B. Partnering with other government agencies, private or nonprofit entities to leverage resources has been identified.
	C. Property or property easements are available for acquisition.

	Total (12) Criteria 3
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