

**COUNTY OF KAUAI  
PUBLIC ACCESS, OPEN SPACE & NATURAL  
RESOURCES PRESERVATION FUND COMMISSION**

**2006 REPORT  
TO THE KAUAI COUNTY COUNCIL AND  
MAYOR BRYAN BAPTISTE**

**INCLUDING RECOMMENDATIONS FOR PRIORITY PROJECTS**



**December 2006**

COUNTY OF KAUAI  
PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES  
PRESERVATION FUND COMMISSION

2006 REPORT  
TO THE KAUAI COUNTY COUNCIL  
AND MAYOR BRYAN BAPTISTE

December 2006

Prepared by:  
County of Kauai  
Public Access, Open Space and Natural Resources  
Preservation Fund Commission

Beryl L. Bailey Blaich, Chair  
Barbara Childers, Vice Chair  
Puna Kalama Dawson  
Billy DeCosta  
Kainoa Chandler Forrest  
Theresita Kinnaman  
Laura Marsh  
Jean Nishida Souza  
Johanna Gomez (2007)  
Randall Uyehara (2007)

Administrative Support:  
Planning Department Staff

**COUNTY OF KAUAI  
PUBLIC ACCESS, OPEN SPACE, AND NATURAL RESOURCES  
PRESERVATION FUND COMMISSION (OPEN SPACE COMMISSION)**

The Public Access, Open Space, and Natural Resources Preservation Fund Commission was established pursuant to Ordinance No. 812 (03). The role of the Commission is to solicit suggestions for lands for acquisition or projects for funding from members of the public, and to work with the Planning Department to develop an annual list of priority projects to be considered by the Council for funding. The Commission consists of nine members representing the six development plan districts on the island and three at-large positions.

Table 1. Commissioners and Terms

<b>Name</b>	<b>Appointed By</b>	<b>Development Plan District</b>	<b>Term Expires</b>
Beryl Bailey Blaich, Chair	Council	Anahola-Haena	4/30/07
Barbara Childers, Vice Chair	Mayor	Waimea-Kekaha	12/31/06
Puna Kalama Dawson	Mayor	Lihue-Hanamaulu	12/31/06 12/31/09
Billy DeCosta	Council	At-Large	4/30/08
Kainoa Forrest	Commission	At-Large	12/31/07
Theresita Kinnaman	Council	Koloa-Poipu-Kalaheo	4/30/09
Laura Marsh	Mayor	Kapaa-Wailua	12/31/07
Jean Nishida Souza	Council	Hanapepe-Eleele	4/30/09
Johanna Gomez	Mayor	At-Large	12/31/07
Randall Uyehara	Mayor	Waimea-Kekaha	12/31/09

This report is dedicated in memory of the late Commissioner Daisy LaFrance Kapaka-Arboleda whose vision, experiences, and dedication continue to be an inspiration to the Commission. This report is also dedicated in honor of past Commissioners Sherwood Iida, Gary Smith and Barbara Childers whose contributions were critical in the formative months of the Commission's work.

The Commission would like to thank the following organizations and individuals for their time and assistance:

County of Kauai

Mayor Bryan Baptiste and Office of the Mayor  
County Council and Office of the County Clerk and Council Services  
Planning Department  
Office of the County Attorney  
Department of Public Works  
Department of Finance

State of Hawaii

Department of Business, Economic Development and Tourism  
Office of Planning  
Department of Land and Natural Resources  
Division of Conservation and Resources Enforcement  
Division of Forestry and Wildlife  
Division of State Parks  
Land Division  
Office of Conservation and Coastal Lands  
University of Hawaii  
Department of Geography

Non-Government Organizations and Community Members

Kauai Public Land Trust  
Kauai Planning and Action Alliance  
Trust for Public Land

# TABLE OF CONTENTS

Chapter	Title	Page
	EXECUTIVE SUMMARY	iii
1.0	INTRODUCTION	
1.1	Status of the Open Space Fund	1
1.2	Status of Commission Staffing and Commission Appointments	1
1.2.1	Staffing	1
1.2.2	Commission Losses and Appointments	2
2.0	ACCOMPLISHMENTS OF THE OPEN SPACE COMMISSION	3
3.0	STATUS OF IMPLEMENTATION OF 2005 COMMISSION RECOMMENDATIONS	5
4.0	PROBLEMS AFFECTING THE EFFECTIVENESS OF THE COMMISSION	8
4.1	Role of the Commission	8
4.2	Size of the Fund	10
4.3	Staffing	11
4.4	Maintenance and Management	12
4.4.1	Government Agency Limitations	12
4.4.2	Access-way Signage	13
5.0	ANALYSIS OF COMMUNITY INPUT FROM 2005	14
5.1	Mapping the Community's Places of Importance and Sites of Concern	14
5.2	Summary of Results of the 2005 Community Questionnaire	16
5.2.1	Results of Questionnaire Part II	16
5.2.2	Results of Questionnaire Part III	18
5.2.3	General Findings from 2005 Questionnaire	18
5.3	2005 Hawaii Tourism Authority Annual Survey of Residents	18
5.4	Recommendations	19
6.0	RECOMMENDATIONS FOR 2006	20
6.1	Priority Sites for Acquisition	20
6.2	Priority Site for Open Space and Conservation	20
6.3	Places/Parcels of Interest	21
6.4	Priority Issues	21
7.0	CONCLUSIONS	23
8.0	PHOTOGRAPHS	24

List of Appendices

A: Excerpt from 2005 Report of the Public Access, Open Space and Natural Resources Preservation Fund Commission —Establishment of Ordinance No. 812(03), the Purposes of Ordinance No. 812(03)	A-1
B: Open Space Program Brochure	B-1
C: Roads in Limbo Review	C-1
D: Draft Open Space Commission Project Review Form	D-1
E: Map Showing Places of Importance to the People of Kauai	E-1
F: 2005 Community Questionnaire	F-1
G: Places/Parcels of Interest	G-1
H: Maps of Priority Sites and Places/Parcels of Interest	H-1

List of Tables

1: Commissioners and Terms	Title page
2: Community's Top 10 Mapped Places of Importance and Sites of Concern	15

## EXECUTIVE SUMMARY

This report to the Kauai County Council and Mayor Bryan Baptiste contains the second annual recommendations of the County of Kauai Public Access, Open Space and Natural Resources Preservation Fund Commission (Open Space Commission or Commission). This report was prepared by the Open Space Commission with administrative staff support and reflects its activities, findings, and recommendations to improve public access, preserve or expand open space opportunities, and protect natural and cultural resources for the people of Kauai.

The Public Access, Open Space, and Natural Resources Preservation Fund has a current balance of about \$1,200,000. In addition, \$1,000,000 is available in the bond fund for public access and open space acquisition, and an additional \$1,000,000 is available in the 2006-2007 CIP budget for Black Pot Park expansion.

These are critical times for the public access, open space and natural resources preservation program. The Commission's future direction will be strongly influenced by the actions taken by the County Council and Administration. Following are the highlights of the Commission's findings and recommendations.

The Commission reaffirms its recommendations from 2005, which included the identification of four Priority Sites for Possible Acquisition: Black Pot Park Expansion, Hoban, Papaa Bay, and Kauapea Beach. In addition, steps toward resolution of public accesses with operational, legal, and jurisdictional issues are being researched by the Open Space/Public Access Specialist.

The Commission again acknowledges that land prices, landowner attitudes, and development pressures, including active permit applications and other factors, preclude fixed prioritization and call for flexibility.

### Role of the Commission

The codified role of the Open Space Commission and the public and governmental expectations of this group are not in alignment, resulting in inadequate authorization and insufficient resources to meaningfully address public access, open space, and natural resource and cultural preservation.

### Recommendations:

Amend Ordinance No. 812 to include the following functions:

- Work with the Planning Department and other pertinent government agencies toward the implementation of County Council and Administration directives regarding the use of the Public Access, Open Space and Natural Resources Preservation Fund.
  
- Assist the County, under the supervision of the Planning Department, to further the public purposes of County Charter Article 14.

- Explore methods of funding land acquisition, including grants and private contributions, and make recommendations to the Mayor and Council and, if able and needed, assist with seeking such funding.
- Add “conservation of open space and scenic areas” to the fund’s purposes.

Size of the Fund

The Public Access, Open Space and Natural Resources Preservation Fund lacks sufficient funds to purchase land, especially coastal properties.

Recommendations:

- Increase the Fund with an appropriation of \$5,000,000 and/or
- Increase the annual contribution to the Fund of real property tax revenues from a minimum of 0.5% to a minimum of 2.0%.

Staffing

Continued staffing is essential to accomplishing the work of the Open Space Commission and the County’s open space preservation goals.

Recommendations:

- Make the Open Space/Public Access Specialist a permanent, rather than a contract, position, to be situated within the Planning Department at least for now.
- To the duties of the Open Space/Public Access Specialist, add the responsibility of assisting the Planning Department staff with review of subdivision applications, SMA and class IV zoning permits for consistency with the purposes of Article 14.
- Make the position of Open Space/Public Access Support Clerk a permanent position, to be situated within the Planning Department at least for now.

Maintenance and Management: Government Agency Limitations

Government agency reluctance to accept responsibility for maintenance and management of additional lands inhibits the acquisition of more access-ways, trails, and other special areas.

Recommendations:

- The County and State work together to improve their capability to assume maintenance and management of more access-ways, trails, parks, and other special areas; work with Federal resource agencies; and responsible and capable community organizations;
- Increase appropriations to the newly created Department of Parks and Recreation for maintenance and management of trails, parks and other special areas;

- Lobby the State Legislature for increased funding to manage and maintain State trails, access to hunting areas, and parks.

### Access-Way Signage

Signs in place at existing County access trailheads and along existing access-ways are inadequate in informing the public of the trailhead locations and access-way alignments. In many cases, the signs are inconsistent in appearance and are difficult to see. Additional signs also need to be installed to better inform the public of the public access-way alignment.

Recommendation:

- Encourage the implementation of a standardized access-way signage plan.

### Community Input

Public access issues were, again, the top concern for those members of the public who participated in the Commission's community input process in Fall 2005. Responses to questionnaires suggest that significant numbers of residents have been prevented from using trails or access-ways, natural or cultural areas, or even public parks that they routinely used in the past.

Most respondents definitely support restrictions on times of use, kinds of users, or number of users in order to protect resources.

Most respondents also indicate support for allowing community use days when private landowners apply for and receive permits to allow commercial operations to provide recreational activities on their lands. Most respondents did not want commercial operators to be allowed use of public resources.

Recommendations:

- The County should certify Kauai guidebooks which are 1) responsible about public safety, 2) sensitive about natural and cultural resource protection, 3) respectful of private landownership and 4) which minimize community disruption.
- In order to balance resource protection and public safety with public access the County should implement an access-way system based on a hierarchy of users, from traditional and neighborhood users to all users.
- Hunter and hiker access issues to designated forest hunting reserves need resolution. It will take several measures to accomplish this including: determination by the County or the State to accept jurisdiction and management of specific trails or "roads in limbo"; improvements to and better management of some hunting area access roads and parking areas, including closing hunter access roads to vehicles during rainy periods; and more funding for the DLNR and the County to support maintenance and management.

- Along with public input meetings, the Commission will implement an on-line public survey in 2007, a suggestion of Open Space Specialist. This survey method is expected to be a more cost effective means of gathering public input. In addition, it may be implemented on a more continual basis with intermittent tabulation and analysis.

#### Priority Sites for Acquisition

The Priority Sites for Possible Acquisition from the 2005 report remain priorities. These are: "Canela – Makai", Expansion of Hanalei Beach Park2/ "Black Pot", "Hoban", Kauapea/ "Secret Beach" 2, "Knudsen – Poipu", Mahaulepu, "McCalla", Papaa Bay/Beach, Pilaa Beach, Expansion of Poipu Beach Park. The Commission supports the actions being taken for Black Pot Park expansion, Hoban (implementation of Ordinance No. PM-2004-370 condition 15(e)(2)), and Papaa Bay. The Commission recommends additional actions for Kauapea Beach.

#### Priority Sites for Open Space and Conservation

The Commission has identified Puolo Point as a priority site for open space and conservation.

#### Places/Parcels of Interest

Places/parcels of interest to the Commission include:

- Nounou (Nonou) Trail connector
- Kealiakealanani subdivision
- North Kapaa coastal lands
- Alexander Reservoir Road
- Moalepe Trail link
- Kaneiolouma Heiau expansion
- Hapa Road
- Nukolii Beach park expansion
- Puolo Point
- Moloaa Trail and coastal lands

#### Priority Issues

The Commission has identified nearly twenty major problems pertaining to Kauai's shoreline resources, coastal lands, visual resources, and mauka lands.

## **1.0 INTRODUCTION**

The Public Access, Open Space, and Natural Resources Preservation Fund Commission was established by Ordinance No. 812 on December 15, 2003 (Appendix A). The Public Access, Open Space, and Natural Resources Preservation Fund Commission is charged with preparing annual recommendations to the Council for the use of the Public Access, Open Space, and Natural Resources Preservation Fund. This is the Commission's second annual report to the Kauai County Council.

For brevity, clarity, and consistency in much of the text of this report, the Public Access, Open Space, and Natural Resources Preservation Fund will also be called the Open Space Fund or the Fund. The Public Access, Open Space, and Natural Resources Preservation Fund Commission will similarly be shortened to the Open Space Commission or the Commission.

This report summarizes the work of the Commission and sets forth its recommendations to improve and expand public access and open space opportunities and protect natural and cultural resources for the people of Kauai.

### **1.1 Status of the Open Space Fund**

Currently, the Public Access, Open Space and Natural Resources Preservation Fund has a balance of slightly over \$1,200,000. This represents an increase of \$500,000 since Spring 2005 when the last report of the Commission was submitted to the County Council and the Mayor.

Anticipated expenditures in FY 2006-2007 include \$18,000 in administrative expenses. Monies from the Fund are expended for the Commission's operating expenses, including equipment, supplies, travel, training and mileage.

In addition to the Fund's \$1.2 million, an additional \$1.0 million is available in bond funds for public access and open space acquisition and an additional \$1.0 million is available for Black Pot Park expansion (Ordinance No. B-2006-646).

### **1.2 Status of Commission Staffing and Commission Appointments**

The Commission continues to be administratively attached to the Planning Department. Staffing is funded through the County General Fund.

#### **1.2.1 Staffing**

Vacancies of the only two staff positions for the Commission have resulted in a reduction of pace and productivity of the Commission in comparison to 2004-2005.

The Open Space Specialist position was vacant for six months between November 2005 and April 2006. This period included: the community input period in the Fall of 2005; initial compilation of the 2005-2006 Community Questionnaire; the North Shore field trip and analysis; and initial work on this report: and five months of Commission meetings and committee meetings. During this time, Planner Rick Tsuchiya assumed day-to-day oversight and support of the Commission, along with his normal workload. Commissioner Jean Souza took lead responsibility for producing this annual report.

The Open Space/Public Access Specialist position was filled on April 2006 by David Caylor, who has relocated to Kauai from Alaska.

The Open Space/Public Access Support Clerk position was vacant from December 2005 until May 2006. Other Planning Department staff shared the additional workload created by the vacancy. This position has been filled by Duke Nakamatsu who has worked for the County for the past several years.

### 1.2.2 Commission Losses and Appointments

Loss of Commissioners—In the first half of 2006 this nine-member Commission was reduced temporarily to seven members.

In February 2006, Commissioner Gary Smith's one-year appointment expired, and he declined re-appointment to a full term. This position is selected by the Commission, whereas all others are appointed by the Mayor of Kauai and the County Council. In April 2006, the Commission undertook a nomination and selection process resulting in the appointment of Kainoa Chandler Forrest to fill this at-large vacancy.

In Spring 2006, Commissioner LaFrance Kapaka-Arboleda unexpectedly passed away. This position, appointed by Mayor Bryan Baptiste, will be filled by Johanna Gomez commencing in January 2007.

In December 2006, Commissioner Barbara Childers declined re-appointment. Randall Uyehara, appointed by Mayor Baptiste, will commence serving that position in January 2007.

In order to facilitate Commissioners' attendance at Commission meetings, the meeting schedule has been adjusted from one 6-hour meeting every three weeks to two 3.5-hour afternoon meetings a month.

## **2.0 ACCOMPLISHMENTS OF THE OPEN SPACE COMMISSION**

Regular public meetings of the Commission began on September 16, 2004. To date, the Commission has conducted 44 regular meetings (29 since April 2005 report) and 11 meetings of various committees (10 since April 2005 report). In addition, three regional community meetings were held in Fall 2005 as part of the public input process.

The Commission has accomplished the following since its last report:

- A. Selected Chairs and Vice Chairs in September 2005 and September 2006;
- B. Initiated communications with public access providers and potential collaborators;
- C. With assistance from invited guests, conducted Commission education sessions on topics relating to: Commission's roles, responsibilities, authority, and procedures; Fund status; County acquisition of real property and easements; real property appraisals; tax incentives for donations of land or easements; State Parks trail systems; coastal resources preservation; conservation and grant programs; Coastal Estuarine Lands Conservation Plan; shoreline erosion issues; shoreline certification and shoreline setbacks; shoreline access; shoreline violations; opportunities and access issues in the Kalaheo area, including landowner perspectives; Kukuiula Zoning Amendment Ordinance No. PM-2004-370; General Plan update; and Kapaa-Wailua development planning process;
- D. Conducted field trips to the south shore, north shore, and eastside, and identified coastal and other issues;
- E. Developed and utilized a community-based public input process in Fall 2005; reviewed an in-house analysis of the questionnaires and mapped information received through the Fall 2005 input process;
- F. Produced and distributed a brochure of the County 's open space program (Appendix B);
- G. Continued to review staff suggestions for a longer-term community input process for future implementation;
- H. Reviewed and provided comments on a number of legislative and Council bills and on various requests from the County Council for comments;

- I. Tracked the Administration's implementation of Schedule of Condition No. 15(e)(2) of Ordinance PM-2004-370 (Kukuiula Development Company) related to public access in the Poipu area;
- J. Reviewed the 1989 State of Hawaii Legislative Reference Bureau Report "Roads in Limbo: An analysis of the State-County Jurisdictional Dispute," at the request of the Kauai County Council's Committee on Parks and Public Works, to identify roads with public access values or which provide access to natural, cultural or institutional public resources (Appendix C);
- K. Sent a Commissioner with the Open Space/Public Access Specialist to a meeting of the County of Hawaii Open Space Commission to facilitate an exchange of information on various aspects of both commissions' organizations and procedures;
- L. Reviewed the Administration's progress on implementing the Commission's recommendations from the 2005 Report to the Council and Addendum to the Report;
- M. Identified problems that affect the Commission's progress; and
- N. Formulated a list of priorities and recommendations for Council and Administration consideration.

### 3.0 STATUS OF IMPLEMENTATION OF 2005 COMMISSION RECOMMENDATIONS

The Commission's *2005 Report to the County Council, Including Recommendations for Priority Projects* identified the following recommendations:

"Recommendation #1: Resolve public accesses with operational, legal, and jurisdictional issues. Complete the dedication process for public accesses already required"; and

"Recommendation #2: Acquire lands or easements from the "list of Priority Sites for Possible Acquisition" developed by the Commission and based on public input."

The status of implementation is presented below.

**"Recommendation #1: Resolve public accesses with operational, legal, and jurisdictional issues. Complete the dedication process for public accesses already required."**

In response to comments received from Council Members on the 2005 Report and on the Commission's presentation to the Council on June 8, 2005, the Commission prepared and submitted an *Addendum to the 2005 Report to the Kauai County Council* regarding implementation of Year One recommendations and expansion of commission roles and responsibilities. The Addendum outlined a proposed scope of work for implementing Recommendation #1. This project, which we estimated would cost \$150,000, would involve the following work:

- ❑ Extensive research of the sixteen sites listed in Appendix D.1 of the 2005 Report;
- ❑ Categorization of these sites based on issue type and/or type of process necessary to resolve issues;
- ❑ Development of a process for resolving issues; and
- ❑ Implementation of this development process.

The research phase of this project is a priority of the Open Space Specialist. A preliminary status report on the sixteen listed sites has been prepared by staff and is being reviewed by the Commission. Shortly, the Commission will ascertain the potential of the staff to complete this project and whether assistance from an outside consultant is required. Aside from the Open Space Specialist, the County Administration has acknowledged that in-house capability to perform this work is not available because of other priorities. Earlier vacancies in the Commission's staff and resultant increased workloads on other Planning Department staff have further delayed implementation of this recommendation.

**“Recommendation # 2: Acquire lands or easements from the “List of Priority Sites for Possible Acquisition” developed by the Commission and based on public input.”**

The Addendum provided increased focus on four (4) of the Priority Sites: expansion of Hanalei Beach Park 2 (“Black Pot”); Hoban (implementation of Ordinance No. PM-2004-370, condition 15(e)(2)); public beach access to Papaa Bay; and public beach access to Kauapea Beach (“Secret Beach 2”). The status of each Priority Site for Possible Acquisition is as follows:

Black Pot Park Expansion. The Kauai Public Land Trust is engaged in vigorous discussions with landowners adjacent to Black Pot Park regarding expansion of the park. The County Council has appropriated \$1,000,000 in Capital Improvement funds for the park expansion. In addition, a Congressional appropriation has been secured by the Kauai Public Land Trust for nearly \$2,000,000 in Coastal and Estuarine Lands Conservation Program (CELCP) funds.

Hoban. Ordinance No. PM-2004-370 condition 15(e)(2) requires applicant Kukuiula Development to contribute funds to mitigate impacts to south shore recreation opportunities. One prioritized use of this money is to create a new public beach access in the Kukuiula-Poipu area, to be determined by the Koloa Community Association and the Open Space Commission. Up to \$360,000 is available for this purpose. Creation of a public access easement across property owned by the Robert Hoban Trust has been identified by these groups as the preferred project. The Planning Department is attempting to establish the easement prior to the July 2007 deadline for this use of the available funds specified in the Ordinance. Currently, there is Commission concern that the easement may not be established by the deadline, since to do so will require condemnation. It is difficult to predict at this time when these proceedings will be initiated and when a successful conclusion may be expected. An amendment to this zoning ordinance may be required to extend or delete the deadline.

Papaa Bay. The Office of the County Attorney is the lead on the Papaa Bay access project. The County has filed a suit in Federal District Court, District of Hawaii, to establish public access through the property. A trial, held in early 2007, denied the County’s argument that Papaa Road extends to the beach following an alignment shown in a 1935 R.M. Towill map. The County is considering an appeal.

Kauapea Beach. Access to the eastern end of Kauapea Beach continues to be a public priority. However, private landowner actions and a past Council decision have impeded acquisition of a public access to the eastern side of Kauapea Beach.

The Conservation Lands portion of the public access is a traditional Native Hawaiian trail. The upper portion was established by subdivision in the 1970s and was used by the public for years. In the early 1980s, Lot 64 was CPR-ed, and a home was constructed on the makai eastern portion. Continued public use of the parcel has been attempted with negative interactions between the public and the landowner.

During the Fall 2005 community input process, Kauapea Beach was the most frequently-mentioned site where the public encountered public access issues and/or where public access opportunities could be expanded.

The following secondary recommendations in the 2005 Report were related to policy and planning needs:

**Secondary Recommendation #1: Sustain and Improve the Open Space Program; specifically, clarify the roles and mandate of the Commission**

This recommendation has not been acted upon. Another year of experience, including recurring questions such as whether the Commission may comment on proposed legislation or permits, has reaffirmed the need to clarify what the Commission can legally do and what we might usefully undertake. Therefore, the Commission reiterates the 2005 recommendations 1) to clarify our role and mandate, 2) to create permanent staffing positions, 3) to add “conservation of open space and scenic areas” to the purposes of Ordinance 812, and 4) to ask for an island-wide open space plan to guide the County’s open space efforts and expenditures. Additional thoughts and specific recommendations follow in this report’s Chapter 4.0, Problems Affecting the Effectiveness of the Commission.

**Secondary Recommendation #2: Develop policies which both ensure appropriate public use and protection of resources**

The Commission also reaffirms the importance of 2005 Secondary Recommendation #2. We continue to see the need to develop policies that provide for appropriate public use while ensuring the protection of sensitive resources. Chapter 5.0 of this report shares findings from the community input questionnaire that strongly suggest public willingness to limit public use when natural and cultural resources or public safety warrant restrictions.

## 4.0 PROBLEMS AFFECTING THE EFFECTIVENESS OF THE COMMISSION

There are several major problems that have stymied the progress and effectiveness of the Commission. The lack of progress on the 2005 secondary recommendations is one of many fallouts. The problems are summarized here, along with the Commission's recommendations for Council and Administration action.

### 4.1 Role of the Commission

Problem Statement:

**The codified role of the Open Space Commission and the public and governmental expectations of this group are not in alignment, resulting in inadequate authorization and insufficient resources to meaningfully address public access, open space and natural and cultural preservation.**

The Charter amendment was adopted to provide a funding source and an advocacy program for access and open space acquisition and protection of natural and cultural resources. The ordinance establishing the Commission only assigns the Commission the roles of: 1) "working with the Planning Department to develop an annual list of priority projects to be considered for funding" and 2) to "solicit public input on development of the annual list of priority projects to be considered for funding."

In interpreting Ordinance 812, the County Attorney has indicated that the Commission would be exceeding its mandate in providing recommendations to other official bodies (e.g., Planning Commission, County Council, Planning Department, State of Hawaii Board of Land and Natural Resources) beyond the aforementioned two roles.

The Commission has received requests from individuals, groups, and government agencies for input on pending permits, policies, and programs. In addition, the Commission has a number of initiatives it is interested in helping implement. The Commission has drafted an Open Space Commission Project Review Form (Appendix D) for use internally within the Planning Department as an interim means to assist in the flagging of the Commission's areas of interest/concern without exceeding the Commission's authority.

The Commission could assume additional roles and responsibilities to meaningfully achieve the purposes of Ordinance 812. These include:

- A. Assist in implementation of recommendations
- B. Strategize and/or coordinate search for funds for implementation from other sources
- C. Apply for or recommend submittal of applications for grant funding

- D. Participate in development of an open space plan
- E. Participate in natural hazards identification and planning
- F. Participate in formulation and review of development plans, comprehensive zoning ordinance, general plan updates, important agricultural lands project, rural land use district definition, and the development and review of other regulatory and policy initiatives.
- G. Review permit applications to further open space opportunities
- H. Develop a checklist for Planning Department use to identify areas of special resource values and to make recommendations toward conditions for resource protection or expansion or protection of public access and open space opportunities
- I. Provide a forum for public discussion of open space issues and concerns and provide assistance in solving problems and resolving conflicts
- J. Serve as a community resource for others; provide comment, direct attention, and educate
- K. Initiate/coordinate/implement a public education/information program encouraging responsible stewardship and promoting appropriate behavior
- L. Lobby state and county decision makers and administrators, as well as landowners, to increase funds for maintenance and management
- M. Encourage or undertake research to further the preservation, access, and open space purposes

Should the Kauai County Council and Administration prefer to not allow additional roles and responsibilities for the Commission, the County of Maui provides a different model. Basically, the County of Maui has structured its Open Space, Natural Resources, Cultural Resources and Scenic Views Preservation Fund differently from Kauai. Their fund is administered by the county administration as a grants program and does not involve a commission. Their fund receives 1% of real property taxes and, as of summer 2006, contains \$2,300,000; and is expected to have \$4,200,000 in 2007.

Recommendation:

- A. Amend Ordinance No. 812 to include the following functions:
  1. Work with the Planning Department and other pertinent government agencies toward the implementation of County Council and Administration directives regarding the use of the Public Access, Open Space and Natural Resources Preservation Fund.
  2. Assist the County, under the supervision of the Planning Department, to further the public purposes of County Charter Article 14.
  3. Explore methods of funding land acquisition, including grants and private contributions, and make recommendations to the Mayor and Council and, if able and needed, assist with seeking such funding.

4. Add to the list of fund purposes: Conservation of open space and scenic areas.

The second recommendation is broad enough to allow the Planning Department and the Commission to formulate a fair and efficient system of reviewing relevant permits related to the purposes of Article 14.

## 4.2 Size of the Fund

Problem Statement:

**The Public Access, Open Space and Natural Resources Preservation Fund lacks sufficient funds to purchase land, especially coastal properties.**

The unmet needs relating to public access, open space and natural and cultural preservation are too great and the funds and resources to acquire easements and land are too limited to fulfill public expectations.

To meet Kauai's public access and open space needs, the amount in the fund must be increased by at least \$5,000,000 immediately. The forecasted legal and acquisition costs associated with the Priority Sites alone exceed 2007 Fund projections.

In addition, other methods and incentives for conservation actions—ideally neither costly to administer nor significantly reducing the County's revenues—must be established.

Ordinance No. 812 requires that a minimum of one-half of one-percent (0.5%) of the County's annual real property tax revenue be placed in the fund, of which no more than five percent (5%) may be used for administrative purposes. The fund increases approximately \$225,000 per year. The Fund currently has \$1.2 million. Even with general obligation bond financing, at 4% interest for 25 years, only \$3.3 million would be available. This is insufficient for land acquisition.

The County of Hawaii allocated \$5 million to start up their open space fund. The County of Maui allocated 1% of the real property tax revenues and their fund is expected to be \$4.2 million in 2007.

If not for the appropriation of an additional \$2 million in the County's 2006 Capital Improvements Program budget (for Black Pot Park expansion and for public access and open space acquisition), at the current rate, Kauai's Fund is sufficient for purchasing only an extremely small parcel about every four years. The acquisition of medium or large parcels, or for concurrent acquisitions, would not be achievable at this rate. Should the fund be depleted for any acquisition, the amount available for administrative costs would also decrease significantly.

The Commission acknowledges and appreciates the Council's ongoing funding of personnel from the County's General Fund, rather than the Open Space Fund, thereby reducing the need to tap into the Open Space Fund.

Recommendations:

- A. Increase the Fund with an appropriation of \$5,000,000 and/or
- B. Increase the annual contribution to the Fund of real property tax revenues from a minimum of 0.5% to a minimum 2.0%, as allowed under the Charter.

### 4.3 Staffing

Problem Statement:

**Continued staffing is essential to accomplishing the work of the Open Space Commission and the County's open space preservation goals.**

This year the Commission experienced a vacancy of the Open Space/Public Access Specialist and Open Space/Public Access Support Clerk. Although recruitment commenced prior to the resignation of the previous open space planner and was constant and widespread, the position was vacant for over five months. Senior planning staff and clerks attached to other commissions stepped in to allow this Commission to continue meeting, and the Commissioners took on many tasks: then Chairperson Souza drafted the agenda, called Commissioners, and drafted the annual report; Commissioners Marsh and Childers tabulated most of the 2006 survey. In July, the Planning Department was able to hire a contractor to assist with tabulation, mapping and analysis of some of the 2006 public input.

In order to research, further, and complete the creation of public easements and acquisitions, collaboration between County departments and the County and State agencies is essential. Progress depends on effective relationships across departments and jurisdictions. Such working relationships are developed by stable staffing situations.

Recommendations:

- A. Make the Open Space/Public Access Specialist a permanent, rather than a contract, position, to be situated within the Planning Department at least for now.
- B. To the duties of the Open Space/Public Access Specialist, add the responsibility of assisting the Planning Department staff with review of subdivision applications, SMA and class IV zoning permits for consistency with the purposes of Article 14.
- C. Make the position of Open Space/Public Access Support Clerk a permanent position, to be situated within the Planning Department at least for now.

## 4.4 Maintenance and Management

The Fund currently cannot be used for repair, maintenance, or management.

This causes a dilemma for the Commission and others working to improve the inventory of access-ways, trails, parks, open space areas, and natural and cultural preservation areas on Kauai. It feels irresponsible to push for expansion of resource areas without ensuring management and maintenance.

Related issues follow.

### 4.4.1 Government Agency Limitations

Problem Statement:

**Government agency reluctance to accept responsibility for maintenance and management of additional lands inhibits the acquisition of more access-ways, trails, and other special areas.**

In the last decade, liability concerns, the termination of sugar cultivation, and changes in landownership and land uses have diminished significantly the willingness and cooperation of the private sector to provide and maintain access-ways, trails, and other special places for public use.

At the same time, government agencies authorized to manage and maintain access-ways, trails, parks, and natural and cultural resource areas have been reluctant or are opposed to accepting additional lands because of insufficient funds and manpower for repair, maintenance, and management.

Also, the reliance on volunteers to maintain and manage these kinds of areas has not been consistently successful for routine and long-term maintenance.

The Commission's work to provide recommendations for the acquisition of more access-ways, trails, and other areas is severely hampered by this situation.

Recommendations:

- A. The County and State work together to improve their capability to assume maintenance and management of more access-ways, trails, parks, and other special areas; work with Federal resource agencies; and responsible and capable community organizations;
- B. Increase appropriations to the newly created Department of Parks and Recreation for maintenance and management of trails, parks and other special areas;
- C. Lobby the State Legislature for increased funding to manage and maintain State trails, access to hunting areas, and parks.

## 4.4.2 Access-way Signage

Problem Statement:

**Signs in place at existing County access trailheads and along existing access-ways are inadequate in informing the public of the trailhead locations and access-way alignments. In many cases, the signs are inconsistent in appearance and are difficult to see. Additional signs also need to be installed to better inform the public of the public access-way alignment.**

Recommendation:

- A. Encourage the implementation of a standardized access-way signage plan.

## 5.0 ANALYSIS OF COMMUNITY INPUT FROM 2005

In Fall 2005, the Commission held three community meetings and distributed a questionnaire to better assess the public access problems encountered by the general public and to identify areas important to the public for public access, open space, and natural and cultural resource preservation.

The Community meetings were held in Kilauea, Lihue, and Eleele and attracted about 100 participants. The purposes of the meetings were to present the status of the Commissions 2005 recommendations and to provide opportunities for the public to complete the questionnaire and map areas of importance. The turnout appeared to draw out the hunters, hikers, beach users, and river and stream users who have access issues that are targeted toward both shoreline and mauka areas.

The 2005 Community Input process consisted of a mapping exercise and a questionnaire.

### 5.1 Mapping the Community's Places of Importance and Sites of Concern

The Commission conducted mapping of community special places and places of concern at the three community meetings. (One community member, Sue Keller of Kilauea, held an additional session for members of the public who were unable to attend the first North shore Eastside session.)

Participants placed numbered sticky dots on U.S. Geographical Survey (USGS) quadrangle maps and labeled each dot with one or more of the following letters:

A = trails/access

B = natural resource areas

C = culturally sensitive areas

D = open space preservation and parks

E = potential access/parks and acquisition areas.

In order to record the information gathered in these mapping sessions and to add it to the County's geographical information system (GIS) database created in 2005, the County contracted former Open Space/Public Access Specialist Leanora Kaiaokamalie in the summer of 2006. In her report on her work to the Commission, Ms. Kaiaokamalie noted that accurately conveying public concerns on maps was difficult because:

- Public concerns often involved large areas or trails which cross through multiple tax map keys.
- Despite trying to write down people's concerns, correlating numbered dots to numbered comments, the issues regarding an access or place may not be adequately recorded.

- People call the same place by different names.

The County’s Open Space GIS database now contains information for the 301 places including quad map and tax map key location, type of concern or resource, the public mappers’ comments, ownership, and whether the site is “new” or was listed or prioritized in the 2005 public input process and report. Ms. Kaiaokamalie also recommended protocols for use, transfer, or adding to this important database.

The summary of the mapping exercise showed the following:  
 Participants used 301 dots, referring to 118 distinct places (Appendix E).  
 Table 2 below shows the top ten places/areas mapped by the public.

Table 2. Community’s Top 10 Mapped Places of Importance and Sites of Concern

Ranking	Site Name	Number of Times Identified
1	Kauapea Beach	34
2	Wailua River Valley	22
3	Papaa Bay	16
4	PMRF	15
5	Mahaulepu	13
6	Moloaa Bay	13
7	Alexander Reservoir*	12
8	Kilauea Falls	12
9	Haupu	11
10	Kilauea Mauka*	11

\* New areas of strong concern

Public access issues were, again, the top concern. (259 of 301 dots were marked A—trails/access). Most access concerns reiterated places and situations described in the 2005 report. Access to Kauapea Beach, Kilauea, in particular to the eastern end of the beach where former access has been closed, was the most mapped area of concern.

Access ways to the river and mountains via roads and trails in and around the Wailua River Valley Basin, including issues regarding Moalepe Trail, Kahuna Road and the “Old Wailua Cart Trail”, continue to be of concern to many participants with several of these sites requiring the County and State to work together in order to resolve jurisdiction and management.

Many hunters participated in the 2005 public input process, particularly at the Kilauea and Hanapepe meetings. Hunting access problems identified in

Hanapepe Valley, Kalaheo, Lawai, Omao, Kapaa, Moloaa, Kilauea, and Hanalei included:

- A. Hanapepe—No access through State leased lands to mauka hunting
- B. Kalaheo, Unit C—Poor access, road not maintained
- C. Alexander Reservoir—Closed public road
- D. Lawai, base of Koloa Forest Reserve, Unit C—no parking and no access
- E. Moalepe—Former pedestrian walk and alternate hunter access to Unit C is closed because of grazing lease
- F. Moloaa, Unit C—Poor parking and inadequate access to mauka lands. In addition, more direct access at Waiakalua Mauka Road is closed
- G. Halelea, Unit C (In the Hanalei Valley)--No parking and inadequate maintenance of access road

## 5.2 Summary of Results of the 2005 Community Questionnaire

The 2005 Community Questionnaire (Appendix F) was ambitious and admittedly too long. One hundred thirty-eight (138) questionnaires were submitted to the Planning Department and analyzed. At four pages long and three parts, not all respondents answered all questions. Nevertheless, the results of Part II do support actions to balance resource protection with public use. The results of Part III suggest that significant numbers of residents have been prevented from using trails or access-ways, natural or cultural areas, or even public parks that they routinely used in the past.

### 5.2.1 Results of Questionnaire Part II

Part II of the 2006 public questionnaire attempted to explore a secondary recommendation from the 2005 report: “Develop Policies Which Insure Both Appropriate Public Use and Protection of Resources.” The questions generally assessed respondent’s attitudes about limiting or expanding access for purposes of resource protection, safety, or public enjoyment.

Overall, respondents supported limiting use of publicly owned access ways, trails, natural, and cultural places. On the first, purposely general question, eighty-two percent of respondents strongly agreed (62%) or agreed (20%) with the statement that “all publicly owned trails, access ways, and natural and cultural places should be available for use by all of Kauai’s residents and visitors.” However, when the types of resources, amount of publicity or kinds of users was specified, most respondents supported limitations:

- Sixty-five percent of respondents strongly agreed (30%) or agreed (35%) with the statement that “Some publicly owned trails, access ways and natural and cultural places may be inappropriate for use by all of Kauai’s residents and visitors”.

- ❑ Fifty-one percent strongly disagreed (29%) or disagreed (22%) with “listing and mapping all publicly owned trails, access ways, natural and cultural areas in a County guidebook and/or on the County website”.
- ❑ Seventy-four percent of respondents strongly agreed (51%) or agreed (23%) that some publicly owned trails and places “should be available primarily to experienced or traditional users...”.
- ❑ Eighty-eight percent strongly disagreed (70%) or disagreed (18%) with all publicly owned trails, accesses, parks, preserves and historic and cultural areas being available to commercial users.
- ❑ Sixty-one percent strongly agreed (26%) or agreed (35%) that “some trails, parks, preserves and historic and cultural places should be primarily used by residents who live within the community or region.”

To protect natural, cultural, and historical resources and experiences, respondents said the following were appropriate to consider:

- ❑ Establishing seasons, days or hours of use (88%)
- ❑ Limiting kinds of uses or activities (87%)
- ❑ Limited numbers of users (74%)
- ❑ Applying for use of a place (50%)
- ❑ Registering as a user of a place (55%)

Eighty (80%) percent of respondents said that if commercial users are permitted to use private land and resources, then there should be a requirement for community use days.

Forty-five percent of the 86 respondents to this question belonged to stewardship groups “who maintain, clean, restore or provide public education regarding trails or accesses, parks, and natural or cultural resources areas/ places.” Of those, the majority said that the following measures—in order of support—would help their group “to do a better job”:

- ❑ More public education about caring for the resource (99 percent of respondents)
- ❑ More money (69% of respondents)
- ❑ More people (66%)
- ❑ Assistance with garbage removal (66%)
- ❑ More equipment (66%)
- ❑ Formalized permission/agreement to act in a care-taking or stewardship capacity (62%)
- ❑ More publicity (46%)

## 5.2.2 Results of Questionnaire Part III

Since the Commission continues to hear general complaints of access being prevented, the third section of the questionnaire asks a series of questions about whether and how the public has been prevented from using trails or access ways, natural or cultural areas and publicly owned parks as well as how they “dealt with these problems.” Some respondents identified specific places. More people stated that they have been prevented from using a trail or access way (87% of respondents); 63% indicated that they had been prevented from using a natural or cultural area; while 50% indicated that they had been prevented from using a publicly owned park.

Fencing or gating by private land owners or government were the biggest impediments to trail use and to use of natural or cultural areas. Change in the experience because of overcrowding or degradation of the resources were cited most frequently as preventing use of public owned parks or preserves.

## 5.2.3 General Findings from 2005 Survey

Even with a small number of respondents, these results indicate to the Commission that the public accepts limitations of use of publicly-owned trails in order to protect resources, for safety or in favor of certain categories of users (traditional or regional neighbors).

Most respondents definitely support restrictions of times of use, kinds of users, or number of users in order to protect resources.

Most respondents also indicate support for allowing some public use when private landowners apply for and receive permits to allow commercial operations to provide recreational activities on their lands. Most did not want commercial operators to be allowed use of public resources.

## 5.3 2005 Hawaii Tourism Authority Annual Survey of Residents

Some of the findings from the Open Space Community Questionnaire seem consistent with public responses to the 2005 Hawaii Tourism Authority Annual Survey of Residents Sentiments On Tourism in Hawaii (December 2005). Specifically, the number of people who feel that tourism has made preservation of nature and open space better has dropped from 34% in 1994 to 20% in 2005. The number of people who felt that that tourism has made preservation of nature and open space worse is rising (47% in 2005 from 25% in 2002.) The number of people who feel that tourism has made the number and quality of parks better has declined from 41% in 2002 to 33% in 2005.

Eighty-one percent of respondents support government budgeting more money to restore/sustain parks and 68% support government expenditures to create new parks. This level of support has been consistently high and generally trending upward across the state.

Public support for tax money from tourism being used to improve infrastructure in visitor areas declined to 55% from 66% while public support for using tourism generated money to preserve the environment grew from 79% to 83%.

Finally, support for encouraging visitor activity in wilderness areas declined from 53% in 2002 to 36% in 2005 and these results were statewide except for Lanai.

## 5.4 Recommendations

In addition to specific recommendations for acquisition (this report's Chapter 6.1 Priority Sites for Acquisition), the Commission recommends the following, based on community input received in fall 2005:

- A. The County should certify Kauai guidebooks which are: 1) responsible about public safety, 2) sensitive about natural and cultural resource protection, 3) respectful of private landownership, and 4) which minimize community disruption.
- B. In order to balance resource protection and public safety with public access the County should implement an access-way system based on a hierarchy of users, from traditional and neighborhood users to all users.
- C. Hunter and hiker access issues to designated forest hunting reserves need resolution. It will take several measures to accomplish this including: determination by the County or the State to accept jurisdiction and management of specific trails or "roads in limbo;" improvements to and better management of some hunting area access roads and parking areas, including closing hunter access roads to vehicles during rainy periods; and more funding for the DLNR and the County to support maintenance and management.
- D. Along with public input meetings, the Commission will implement an on-line public survey in 2007, suggested and developed by the Open Space/Public Access Specialist. This survey method is expected to be a more cost effective means of gathering public input. In addition, it may be implemented on a more continual basis with intermittent tabulation and analysis.

## 6.0 RECOMMENDATIONS FOR 2006

Refer to Appendix H: Map of Priority Sites and Places/Parcels of Interest.

### 6.1 Priority Sites for Acquisition

**The Priority Sites for Possible Acquisition from the 2005 report remain priorities. These are: Canela – Makai, Expansion of Hanalei Beach Park 2/Black Pot, Hoban, Kauapea/Secret Beach 2, Knudsen – Poipu, Mahaulepu, McCalla, Papaa Bay/Beach, Pilaa Beach, and Expansion of Poipu Beach Park. The Commission supports and affirms the actions being taken at three sites (i.e., Black Pot Park expansion, Hoban, and Papaa Bay). In addition, the Commission recommends the following actions be taken for Kauapea:**

- A. The County should commence negotiations with the owners of parcels 5-2-004-064 and 071 in order to reestablish pedestrian access to the eastern end of Kauapea Beach. Options discussed should include but not be limited to:
  - ❑ Relocation of the path across parcel 64 or adjacent parcels to connect with the traditional trail down to the beach through the conservation parcel, 71;
  - ❑ Purchase of an easement or easements should multiple parcels and landowners be involved;
  - ❑ Establishment of a declaration of license for limited public use;
  - ❑ Fencing the pedestrian trail to be paid for by County or by donations with possible public support;
  - ❑ Access to be closed at sundown;
  - ❑ Access to be considered “community access”, meaning that publication will be discouraged.
- B. Should negotiation fail to reestablish pedestrian access, action to acquire easement by eminent domain should ensue.

### 6.2 Priority Sites for the Open Space and Conservation

**In addition, the Commission has identified Puolo Point as a Priority Site for Open Space and Conservation:**

There are a number of opportunities and issues in the Puolo Point area, pertaining to land uses, recreational uses, salt pans, water quality, and surrounding lands.

Recommendations for Puolo Point:

A. Support a comprehensive planning effort to address issues and opportunities;

Failing that,

B. The County has an opportunity to protect the natural and cultural resources at Puolo Point for passive recreation use. The County should obtain an Executive Order from the State to lease Puolo Point for passive recreation use.

### 6.3 Places/Parcels of Interest

The following places/parcels are of interest to the Commission. These came to the Commission's attention during 2006 through the public input process, Commission field trips, and residents' concerns and interest that were voiced at Commission meetings.

- ❑ **Nounou (Nonou) Trail Connector** (from Wailua Homesteads Park)
- ❑ **Kealiakealanani** (mauka-makai access and retention of viewsheds from prominent landmarks/locations)
- ❑ **North Kapaa Coastal Lands** (coastal open space)
- ❑ **Alexander Reservoir Road** (government road access to mauka areas)
- ❑ **Moalepe Trail Link** (expansion of trail system)
- ❑ **Kaneiolouma Heiau Expansion** (protection of archaeological resources)
- ❑ **Hapa Road** (reestablishment of bikeway/pedestrian path on Hapa Road in Koloa-Poipu area)
- ❑ **Nukolii Beach Park Expansion**
- ❑ **Puolo Point** (natural, cultural, and open space preservation)
- ❑ **Moloaa Trail and Coastal Lands** (historic trail preservation and coastal open space preservation)

Appendix G, Places/Parcels of Interest, reflect the relationship of the properties to the Fund's purposes.

### 6.4 Priority Issues

The Commission has observed and learned—through field trips, public comments, and education sessions—of the following problems pertaining to Kauai's shoreline resources, coastal lands, visual resources, and mauka lands:

- ❑ The diminishing population of kupuna, traditional users, and others with special knowledge, and the need to support or conduct research and mapping that can be used as evidence in court in favor of the public sector (immediate need)
- ❑ The inadequate capacities of existing facilities to accommodate current levels of public use

- ❑ Severe impacts on designated and undesignated sites due to the growth of independent travel and adventure tourism
- ❑ Increasing number of private landowners trying to effectively create private beaches by restricting public access to the shoreline area
- ❑ Commercial uses of public land with or without permits
- ❑ Shoreline erosion and private landowner actions (e.g., revetment construction, seawalls, and vegetation cultivation on the shoreline) to prevent/stop erosion to the detriment of adjacent landowners and public shoreline areas
- ❑ Conflicts between public use and private landowners
- ❑ Jurisdictional conflicts between the County and the State over roads, trails, and access-ways
- ❑ Impacts of changing land ownership and land uses on public access-ways
- ❑ Shoreline certification process
- ❑ Inconsistent public access requirements
- ❑ Inadequate parking for public trail users
- ❑ Insufficient signage at existing public access-ways
- ❑ Vulnerability of shoreline structures subject to damage by tsunami, hurricane, flood, and erosion and the possibility of curtailing re-construction in damaged areas and discouraging development in vulnerable vacant areas
- ❑ Land use policies, practices, and enforcement
- ❑ Erosion and loss of vegetation due to off-road vehicles and trucks on beaches and trails

## **7. 0 CONCLUSIONS**

This is a critical time for the Commission and the County's open space and public access program primarily due to the lack of explicit authorization to do more than make recommendations on projects for funding and to the actual size of the fund. There is a need to clarify the Commission's roles, increase the size of the fund to implement priority acquisitions and projects, and help to resolve issues. Bold actions are needed to amend Ordinance No, 812 to meet Commissioners' and public expectations and needs.

## **8.0 PHOTOGRAPHS**

The following photographs illustrate some of the Commission's activities and the resources, issues, and opportunities on Kauai.

# 8.0 Photographs

## Problem Signs

- Hard to see
- Inadequate information
- Inconsistent appearance
- Need more signs



## Good Gates and Bad Gates

- Good gates prohibit vehicular access but allow pedestrian and (sometimes) equestrian access
- Bad gates look as if the trail is closed



## Good Signs



## Beach and Trail Degradation

- Beaches as roadways and parking lots
- Beaches and trails as race tracks
- Beaches as commercial centers



# Photographs

## Shoreline Issues

- Shoreline erosion and hardening
- Shoreline certifications
- Privatization of beaches



## Parking

- Not enough to accommodate use levels
- Dangerous conditions



## Growth of Independent Travel and Adventure Tourism

- Irresponsible guidebooks
- Visits to unguarded beaches
- Impacts on non-park areas
- Private landowners allowing commercial uses while excluding public uses

# Photographs

## Changing Landownership and Land Uses

- Differing values, ways of doing things
- Lack of awareness and education

## Land Use Polices, Practices and Enforcement

- Encroachment onto the public right-of-way
- Inadequate coastal setbacks

## Inconsistent Public Access Requirements



## Vulnerability to Natural Disasters



# Photographs

## Loss of traditional knowledge

- Loss of kupuna
- Insufficient evidence that can stand up to legal scrutiny

## Field Trips

South shore

North shore

Kapaa-Wailua



## Public Input



## Appendix A

Excerpt from 2005 Report of the Public Access,  
Open Space and Natural Resources  
Preservation Fund Commission—  
Establishment of Ordinance No. 812(03),  
the Purposes of Ordinance No. 812(03)

**Appendix A**  
**EXCERPT FROM THE 2005 REPORT OF THE PUBLIC ACCESS,  
OPEN SPACE AND NATURAL RESOURCES  
PRESERVATION FUND COMMISSION—  
ESTABLISHMENT OF ORDINANCE NO. 812(03) AND  
PURPOSES OF ORDINANCE NO. 812(03)**

**Establishment of Ordinance No. 812 (03)**

In November of 2002, 73% of Kaua'i voters approved a proposed County Charter amendment establishing a Public Access, Open Space, Natural Resources Preservation Fund. The amendment had been initiated by a Council Resolution and unanimously supported by the full Council.

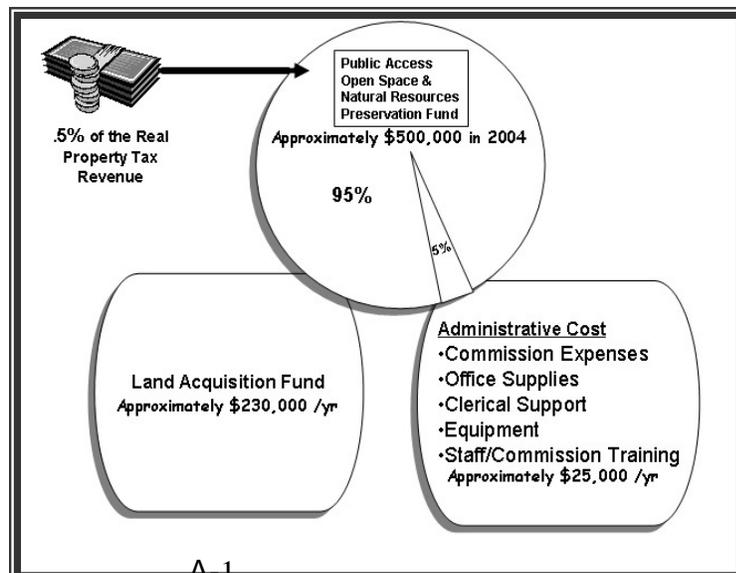
In December 2003, the Council enacted Ordinance No. 812, which added Article 14 (Public Access, Open Space and Natural Resources Preservation Fund) to Title III (Taxation and Financial Administration), Chapter 6 (General Provisions Relating to Finance) of the Kaua'i County Code 1987. Ordinance No. 812 (03) described the fund, its purposes, administration and how fund money should be appropriated.

**The Purposes of Ordinance No. 812 (03)**

The broad and diverse conservation purposes of Ordinance No. 812 (03) expresses Kauai resident's fervent hopes that the island's special heritage sites and experiences would be saved, the environment protected, and recreation and access for all of the people would be increased and improved. The Open Space Preservation Fund is to be used to purchase or otherwise acquire lands or property entitlements, or to fund projects relating to the following public needs:

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 significant habitats or

**Figure 1: Program Fund Allocation**



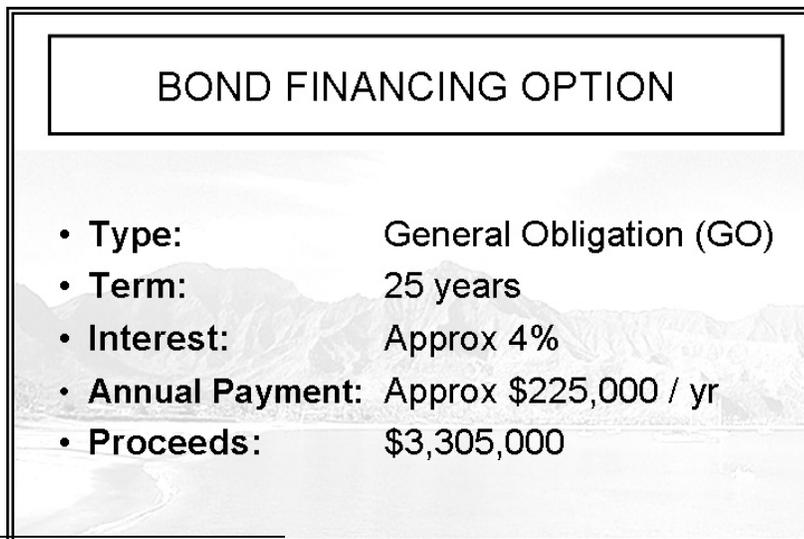
- ecosystems, including buffer zones;
- 4. Preserving forests, beaches, coastal areas and agricultural lands;
- 5. Protecting watershed lands to preserve water quality and water supply;
- 6. Conserving land in order to reduce erosion, floods, landslides, and runoff;
- 7. Improving disabled and public access to, and enjoyment of, public land and open space; and/or
- 8. Acquiring disabled and public access to public land, and open space.<sup>1</sup>

Ordinance No. 812 (03) requires that a minimum of one-half of one-percent (.5%) of the County's annual real property tax revenue be placed in the Fund, of which no more than five percent (5%) may be used for administrative purposes. At this time the total Program Fund is approximately \$500,000. Of this amount, \$25,000 may be used for administrative costs, while the balance remains in the Land Acquisition Fund.

Monies from the Land Acquisition Fund are to be appropriated by the County Council after consideration of recommendations made by the Commission regarding priority projects.

The Program Fund may also be used for the payment of interest, principal, and premium with respect to bonds issued to the purchase of lands or property entitlements, and for the payment of costs associated with the purchase, redemption or refunding of such bonds. A projected scenario for the use of bonds is illustrated in Figure 2 below. This scenario shows a twenty-five year level debt service general obligation if a bond was floated.

**Figure 2: Bond Financing Option Scenario (information prepared by the Department of Finance 9/23/04)**



<sup>1</sup> Ordinance No. 812 enacted on December 15, 2003 provided for a new Article 14 entitled “Public Access, Open Space, and Natural Resources Preservation Fund” to be amended to Title III, Chapter 6, of the Kauai County Code 1987.

## Appendix B

### Brochure: Kauai Public Access, Open Space & Natural Resources Preservation Fund Program

This brochure was developed in-house in 2005 for public distribution

## How you can be involved...

- Call, email, write, or fax to add your contact info to our mailing list!
- Visit our website for information about meetings as well as to obtain a copy of the Commission's 2005 Report to the County Council!
- Watch for our annual Community Questionnaire on the web! Fill out and return forms. Encourage your `ohana and friends to do the same!
- Participate in our regular and annual Regional Community Meetings!



Hanalei Bay

Mahaulepu



Kapaa



Haupu Range



Alakai



In November of 2002, 73% of Kauai's voters approved a proposed County amendment establishing the Fund Program.

In December 2003, the County Council enacted Ordinance No. 812, which describes the Fund, its purposes, and process of appropriation.

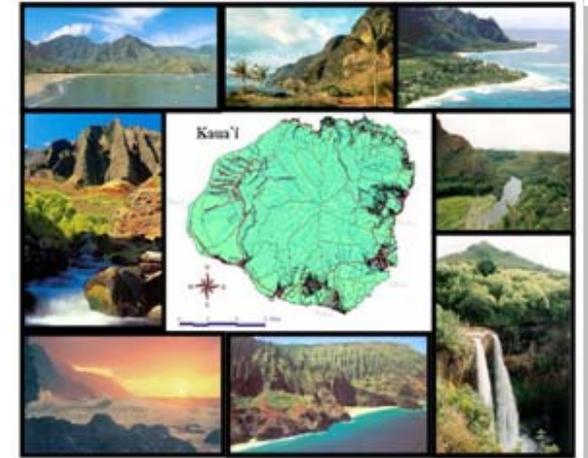
The broad and diverse conservation purposes of Ordinance No. 812 (03) expresses Kauai residents' hope that the island's special heritage sites and experiences will be preserved, the environment protected, and recreation and access opportunities expanded.



Contact Information  
Public Access, Open Space & Natural Resources  
Preservation Fund Commission  
Department of Planning  
County of Kauai  
4444 Rice Street, Suite 473A  
Lihue, Hawaii, USA 96766  
Ph: (808) 241-6677  
<http://www.kauai.gov/planning>

Serving The People and Aina of Kauai  
Since September 16, 2004

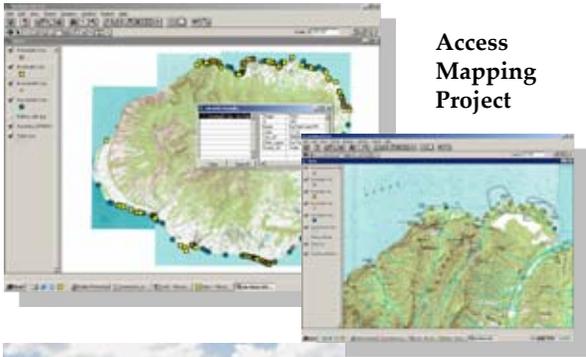
# Kauai Public Access, Open Space, & Natural Resources Preservation Fund Program



County of Kauai  
Department of Planning  
<http://www.kauai.gov/planning>

## Commission Mission

To record, enhance, expand, and preserve Kauai's public access, open space, and natural resources by developing priorities, recommending specific projects for public acquisition, and encouraging implementation of priority projects to benefit current and future generations.



Access Mapping Project



Alekoko (Menehune Fishpond)

## Vision 2005-2010

“By 2010 we have resolved long-standing public access issues, leveraged County funds to acquire priority lands and resource areas, and created an open space plan. In the process, we have engaged the community and inspired all to malama, to take care of and respect our precious lands and waters.”

## The Intent Of The Fund

The intent of the Fund is to be used to purchase or otherwise acquire lands or property entitlements, or to fund projects relating to:

- **Public** outdoor recreation and education, including access to beaches and mountains;
- **Preservation** of historic or culturally important land areas and sites;
- **Protection** of significant habitats or ecosystems, including buffer zones;
- **Preserving** forests, beaches, coastal areas and agricultural lands;
- **Protecting** watershed lands to preserve water quality and water supply;
- **Conserving** land in order to reduce erosion, floods, landslides, and runoff;
- **Improving** disabled and public access to, and enjoyment of, public land and open space; and/or
- **Acquiring** disabled and public access to public land, and open space.



Regional Community Meetings and Site Visits

## Year 1 Recommendations Based on Community Input

### Recommendation #1

Resolve public accesses with operational, legal, and jurisdictional issues. Complete the dedication process for public accesses already required.

### Recommendation #2

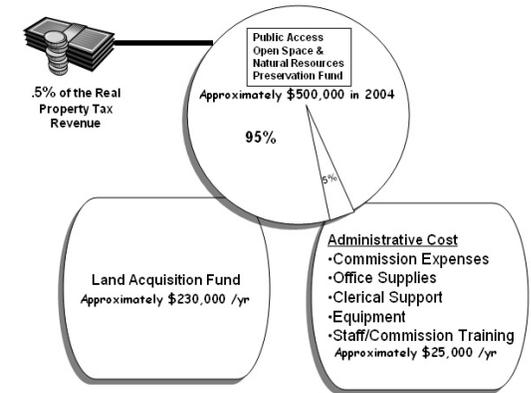
Acquire lands or easements from the “list of priority sites for possible acquisition” developed by the commission and based on public input.

### Secondary Recommendation #1

Sustain and improve the open space program.

### Secondary Recommendation #2

Develop policies which insure both appropriate public use and protection of resources.



## Planning for the Future

- Formulate policies that allow different kinds and levels of use for public access and use of open spaces in order to protect both natural and cultural resources, and public safety and well-being.
- Use a community-based approach to discuss solutions and develop policies to balance resource protection and use.

## Appendix C

### Roads in Limbo Review

## **Appendix C**

### **ROADS IN LIMBO REVIEW**

The Kauai County Council's Committee on Parks and Public Works requested in March that the Commission look into the issue of "roads in limbo". "Roads in Limbo" refers to a long-standing issue of roadway jurisdiction between the State of Hawaii and the counties.

The Commission finds that eleven (11) roads or portions of roads of the twenty-eight (28) roads on Kauai listed in State of Hawaii Legislative Reference Bureau Report, 1989, *Roads in Limbo, An Analysis of the State-County Jurisdictional Dispute*, provide public access or part of access to natural, cultural or institutional public resources.

These roads are:

1. Old Government Main Road (Old Mana Road)
2. Lower Saki/Mana Road
3. Polihale Road
4. Waimea Valley Road (portion)
5. Kahakai Road (Waimea)
6. Niho Road (Kalaheo)
7. Hapa Road (Koloa)
8. Moalepe Road (Kapaa)
9. Awakea Road (Kapaa)
10. Kahuna Road (Kapaa)
11. Moloaa Road

Two of these eleven (Kahuna and Moloaa roads) were less clear but appeared to provide access to potential public resources.

Seven roads appeared not to provide access to public resources.

There was not enough information or unanswered questions about eleven roads. One road (Lihilihi) was not located.

## Appendix D

### Draft Open Space Commission Project Review Form

**Appendix D**

**OPEN SPACE COMMISSION PROJECT REVIEW FORM**

**DRAFT**

Purpose of form: A checklist to review projects for opportunities to expand or enhance public access and public open space or to prevent negative impacts to public natural, cultural and scenic resources.

Permit Application Number: \_\_\_\_\_

Name of Site/ Area: \_\_\_\_\_

Location, Address: \_\_\_\_\_

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

**Part A: CONDITIONS POTENTIALLY TRIGGERING OPEN SPACE COMMISSION REVIEW**

LOCATION, RESOURCE OR ZONING TRIGGERS	YES	NO
Project is on the Open Space Commission list of priority sites.		
Project area contains existing, potential or desired access as inventoried on 1991 County Beach Access Study.		
Project is within an underserved area where the need for more open space or access has been identified.		
State Land Use Designation of the project is Conservation, or the project abuts state conservation land. <i>(Problem: County Planning Department not responsible for Conservation District permitting.)</i>		
Project is located adjacent to the coast.		
Project is located adjacent to or around a river or stream.		
Project is located adjacent to or near a park.		
Project or project surroundings are inhabited by rare or endangered flora or fauna.		
Project contains unique or sensitive ecological systems such as wetlands.		
Existing trail(s) or roads traditionally used by the public to access natural resource areas are within the Project.		
Project contains archaeological or historic sites. <i>(Would this concern be adequately covered by Historic Preservation Review Commission?)</i>		
Project land or resources within the project area are used by cultural practitioners such as subsistence hunters, gatherers. <i>(Would this concern be adequately covered by Historic Preservation Review Commission?)</i>		
Project is in the Special Management Area zone.		
Project is in a Special Treatment District (Public Facilities (ST-P), Cultural/Historic (ST-C) Scenic/Ecologic Resources (ST-R)		
Project is in the Shore Constraint District.		
Project is in a Project District. <i>(Discuss this.)</i>		

Part B1: OPEN SPACE PRESERVATION FUND PUBLIC PURPOSE CHECKLIST

PROJECT MAY PROVIDE OPPORTUNITY TO ACHIEVE THE FOLLOWING PRESERVATION FUND PURPOSE(S)	YES	NO	DNA
Public outdoor recreation and education.			
Protection of subsistence areas.			
Reservation of historic or culturally important land area and sites.			
Protection of significant habitats or ecosystems, including buffer zones.			
Preservation of forests, beaches, coastal areas, agricultural lands.			
Protection of watershed land to preserve water quality and supply.			
Conservation of land in order to reduce erosion, floods, landslides and runoff.			
Improved opportunity for the disabled and public to enjoy open space and natural resources.			
Acquisition of disabled and public access to public land and open space.			
Conservation of open space.			
Conservation of scenic views and vistas.			

Part B2: GENERAL PLAN GOALS CHECKLIST

PROJECT MAY MEET THE FOLLOWING GENERAL PLAN GOALS:	YES	NO	DNA
Protection, management, and enjoyment of open space, natural beauty, rural lifestyle, outdoor recreation and parks.			
Maintenance of rural environment of towns separated by open spaces.			
Connection of existing public recreational areas or open space through the establishment of public access ways.			
Prevention of sprawl between existing communities.			
Perpetuation of Kauai's community and rural character.			
Assistance to an area which is quickly losing access or is experiencing development pressure.			
Conservation of fishing grounds and/or other natural resources for traditional gathering, subsistence, and agricultural activities.			
Preservation of cultural, historical, sacred, and archaeological sites.			

Part C: CHECKLIST OF RECOMMENDED ACTIONS, WHEN APPROPRIATE, WHICH THE PERMIT GRANTING BODY SHOULD REQUIRE AND ENFORCE BY PERMIT CONDITIONS

RECOMMENDED OPPORTUNE ACTION	CHECK
Record deed to existing easement (vehicular or pedestrian) in favor of the public as condition prior to use of the project.	
Establish and prepare documents for recordation of deed for access to the coast through project.	
Establish and prepare documents for recordation of deed for access to the mountains through project.	
Establish and prepare documents for recordation of deed of lateral access through project in order to connect or for future linkage to other trails, paths, parks or public resources.	
Determine, set aside and prepare documents for recordation of deed of land to allow public access to natural or cultural resources and to provide a sufficient area for parking.	
Determine, set aside and prepare documents for recordation of park area for public use.	
Require land needed for public open space for active or passive recreation.	
Determine needed improvements and require a contribution of funds needed to upgrade existing public access for disabled use, if appropriate.	
Establish setback and other design controls in order to protect significant view.	
Establish buffer around endangered or rare flora or fauna and/or establish other protections for endangered or rare flora or fauna. ( <i>For instance, herbicide/pesticide control or light control.</i> )	
Establish buffer around archeological sites and possibly determine system for limited access for maintenance, restoration and use.	
Establish agreements to protect existing adjacent agriculture.	
Formulate use agreement with group having history of resource stewardship on subject land.	
Establish setbacks from rivers/ streams, wetlands, or the shoreline property line as established by up-to-date shoreline certification.	

COMMENTS/SUGGESTIONS, if any. Attached if more space is required.)

REVIEWED BY (Name and position) \_\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_;

## Appendix E

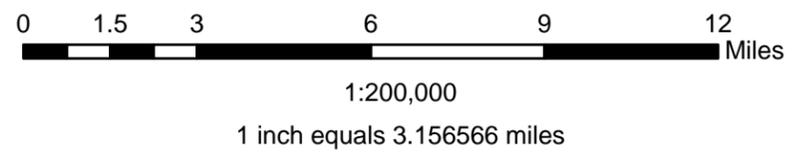
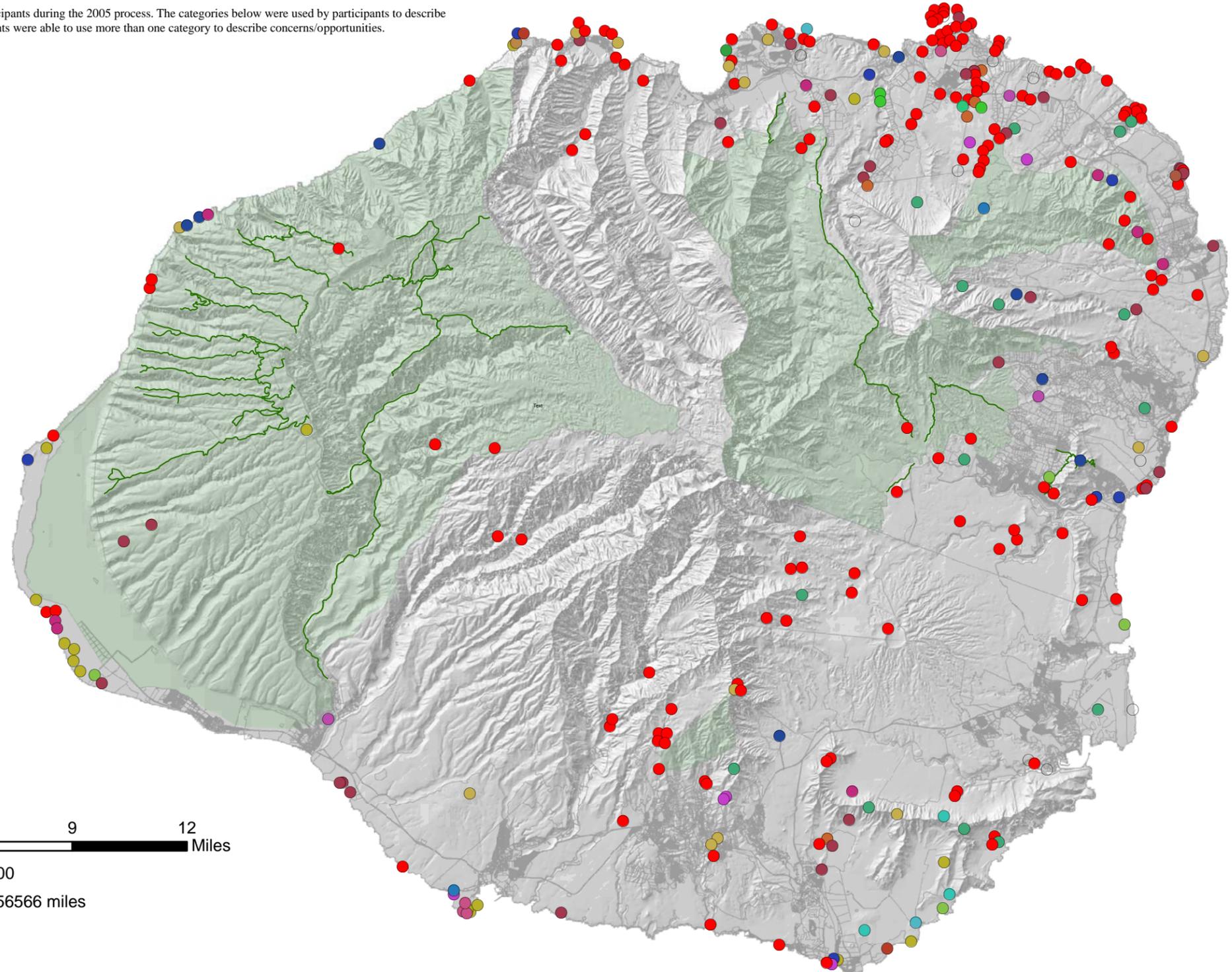
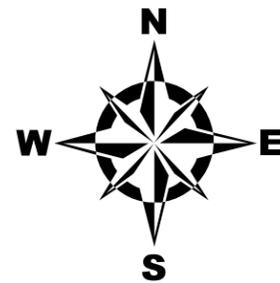
Map Showing Places of Importance  
to the People of Kauai

# Places of Importance to the People of Kauai

In October 2005, the County of Kauai Planning Department and Public Access, Open Space and Natural Resources Preservation Fund Commission conducted a community input process to gather information regarding places of concern or opportunity relating to access, open space acquisition, and natural and cultural resources preservation.

This map shows the places/sites mapped by community participants during the 2005 process. The categories below were used by participants to describe "Places of Importance" (refer to Legend). Note that participants were able to use more than one category to describe concerns/opportunities.

- A = trails/access
- B = natural resource areas
- C = culturally-sensitive areas
- D = open space preservation and parks
- E = potential access/parks and acquisition areas



**Legend**

**Places of Importance**

**Open Space Categories**

- A
- AB
- ABC
- ABCDE
- ABD
- ABE
- AC
- ACD
- ACE
- AD
- ADE
- AE
- B
- BC
- BCDE
- BD
- BDE
- C
- CE
- D
- DE
- E
- N

- Developed Trails
- Hunting Areas
- Parcel/TMK Boundaries

## Appendix F

### 2005 Community Questionnaire

**Public Access, Open Space, & Natural Resources Preservation Fund Program  
2005-2006 Community Questionnaire**

Every year, the Public Access, Open Space and Natural Resources Preservation Fund Commission seeks suggestions of places or access ways for public acquisition or suggestions for projects to expand or improve outdoor recreation, natural, cultural and historic resource preservation. This public input strongly directs the content of the Commission's annual recommendations to the Council and the Mayor. The Council and Mayor decide whether and how the preservation fund money will be used.

This year's public input form has three parts:

1. Part I asks for suggestions of places or access ways to acquire, or otherwise protect, preserve, or improve.
2. Part II explores attitudes about the use and management of public places.
3. Part III asks for good and bad experiences relating to access ways and open space areas.

*Fill in as few or as many sections as you wish.*

**FORMS ARE DUE ON OR BEFORE THURSDAY, DECEMBER 1, 2005 TO THE COUNTY PLANNING DEPARTMENT**

<p><b>Open Space Commission c/o Planning Department 4444 Rice Street, Suite 473 Lihue, HI 96756 Tel: (808) 241-6677 · Fax: (808) 241-6699</b></p>
---

**OPTIONAL:**

Your Name: \_\_\_\_\_

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

Phone No.: \_\_\_\_\_

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

Please add me to the Commission's mailing list.

**Part I.**

**Would you like to share information about a place or access on Kauai? If you would like to tell us about more than one site, please provide additional information on the back page of this form or on a separate sheet of paper. We will not be able to return original documents such as pictures or maps, so if you would like to share additional documents, copies are welcomed.**

1	Name and/or common name of site:
2	Location (as much information as you can provide, such as address, landmarks, tax map key numbers, etc):
3	What is the problem or opportunity?

**Part II.**

**Please indicate how strongly you feel about each statement below.**

	Strongly Agree	Agree	Neutral/ Don't Know	Disagree	Strongly Disagree	Comments:
1						All publicly owned trails, access ways, and natural and cultural areas/places should be available for use by all of Kauai's residents and visitors.
2						Some publicly owned trails, access ways, and natural and cultural areas/places may be inappropriate for use by all of Kauai's residents and visitors.
3						All publicly owned trails, access ways, and natural and cultural areas/places should be listed and mapped in a County guidebook and/or on the County website.
4						Some publicly owned trails, access ways, and natural and cultural areas/places should be primarily available to experienced or traditional users such as fisherman, hunters, cultural practitioners, and natural resource managers.
5						All publicly owned trails, accesses, parks, preserves and historic and cultural areas should be available to commercial users.
6						Some publicly owned trails, accesses, parks, preserves and historic and cultural areas/places should be primarily used by residents who live within the community or region.

7 To protect natural resources, such as landforms, plants and animals, and cultural and historic resources and experiences, such as archaeological sites or fishing and hunting, the following are appropriate to consider:	Yes	No	Don't Know	Comments
Establishing seasons, days, or hours of use				
Limiting kinds of uses or activities				
Limiting numbers of users				
Applying for use of a place				
Registering as a user of a place				
None of the above				
Other ideas:				

8 If commercial operators are permitted to use private land and resources, should there be a requirement for "community use" days?	Yes	No	Don't Know	Comments:

9 Do you belong to any groups who maintain, clean, restore, or provide public education regarding trails or accesses, parks, and natural or cultural resource areas/places?	Yes	No	Which group(s)?

10 If you answered "yes," what would help your group to do a better job? Check all that apply:	Yes	No	Comments:
More people			
More money			
More equipment			
More publicity			
More public education about caring for the resource			
Assistance with garbage removal			
Formalized permission / agreement to act in care-taking / stewarding capacity.			

**Part III.**  
Please share your experiences with us.

1 Have you or your family ever been prevented from using trails or access ways that you routinely used in the past ?	Yes	No
2 If yes, what prevented your using the trails or access ways? Check all that apply:	X	Where?
Fenced off or gated by private land owner		
Fenced off or gated by government		
Area posted as closed		
Poor or no access to trail head		
Lack of parking in area		
Change in experience because of overcrowding		
Change in experience because of increased number of commercial users		
Hazards such as eroded or overgrown trail		
Deterioration of the resources you used to experience or gather, fish, hunt		
Inappropriate activities by other users, such as excessive noise, motorized vehicles on beaches, dogs, etc.		
Inadequate or unsanitary rest room conditions		
Lack of security		
Other examples:		

3	How have you or your family dealt with these problems? Check all that apply:	<input checked="" type="checkbox"/>	Where? Why?
	No longer use this trail or access		
	Complained to the County, State, or Federal agencies		
	Called the police		
	Complained to the landowner		
	Talked to insensitive users		
	Parked illegally		
	Went anyway		
	Other example(s):		

		Yes	No
4	Have you or your family ever been prevented from using a <b>natural or cultural area</b> that you routinely used in the past ?		

5	If yes, what prevented your using the natural or cultural area? Check all that apply:	<input checked="" type="checkbox"/>	Where?
	Fenced off or gated by private land owner		
	Fenced off or gated by government		
	Area posted as closed		
	Poor or no access to trail head		
	Lack of parking in area		
	Change in experience because of overcrowding		
	Change in experience because of increased number of commercial users		
	Hazards such as eroded or overgrown trail		
	Lack of security		
	Other:		

6	How have you or your family dealt with these problems? Check all that apply:	<input checked="" type="checkbox"/>	Where?
	No longer use this area		
	Went Anyway		
	Complained to the County, State, or Federal agency		
	Called the police		
	Complained to the landowner		
	Talked to insensitive users		
	Parked illegally.		
	Go before or after crowds arrive		
	Go before or after commercial groups arrive		
	Other:		

		Yes	No
7	Have you or your family ever been prevented from using a <b>publicly owned park</b> that you routinely used in the past ?		

8	If yes, what prevented your using the park? Please check all that apply:	<input checked="" type="checkbox"/>	Where?
	Fenced off or gated by government		
	Area posted as closed		
	Lack of parking in area		
	Change in experience because of overcrowding		
	Change in experience because of increased number of commercial user		
	Deterioration of the resources you used to enjoy there		
	Inappropriate activities by other park users, such as excessive noise, motorized vehicles on beaches, dogs, etc.		
	Inadequate or unsanitary rest room conditions		
	Other:		

9 How have you or your family dealt with these problems? Check all that apply:	<input checked="" type="checkbox"/>	Where?
No longer use this park	<input type="checkbox"/>	
Complained to the County, State, or Federal agencies	<input type="checkbox"/>	
Talked to insensitive users	<input type="checkbox"/>	
Parked illegally	<input type="checkbox"/>	
Went anyway	<input type="checkbox"/>	
Went before or after crowds arrive	<input type="checkbox"/>	
Went before or after commercial groups arrive	<input type="checkbox"/>	
Other:		

10 Other examples of a trail, access way, or natural or cultural area/place, or public park that you routinely used and was prevented from using:

	Yes	No
11 If you are a traditional user have you ever exercised your Access Rights?	<input type="checkbox"/>	<input type="checkbox"/>

12 If yes, what was your experience? If not, why not?

13 Can you provide an example of a trail or access way which you enjoy and which satisfies the expectations of you and your family? What do you like about the experience of using it?

14 Can you provide an example of a natural or cultural area which you enjoy and which satisfies the expectations of you and your family? What do you like about the experience of using it?

15 Can you provide an example of a park which you enjoy and which satisfies the expectations of you and your family? What do you like about the experience of using it?

16 What other issues/ problems have you encountered that you feel may be addressed by the Open Space Commission?

**MAHALO FOR TAKING TIME TO FILL OUT THIS FORM!**

## Appendix G

### Places/Parcels of Interest

Appendix G: PLACES/PARCELS OF INTEREST

**Public Access, Open Space, and Natural Resources Preservation Fund Purposes<sup>1</sup>**

<b>Property</b>	Public Outdoor Recreation & Education; Access to Beaches & Mountains	Preservation of Historic or Culturally Important Lands/Sites	Protection of Significant Habitats or Ecosystems, Including Buffer Zones	Preserving Forests, Beaches, Coastal Areas, and Agricultural Lands	Protecting Watershed Lands to Preserve Water Quality & Water Supply	Conserving Land to Reduce Erosion, Floods, Landslides, & Runoff	Improving Disabled and Public Access to Public Land and Open Space	Acquiring Disabled & Public Access to Public Land and Open Space	Preservation of Open Space & Scenic Resources
Nounou Trail Connector	X							X	X
Kealiakealanani	X			X			X		X
North Kapaa Coastal Lands	X			X			X	X	X
Alexander Reservoir Road	X			X	X	X			X
Moalepe Trail Link	X							X	X
Kaneiolouma Heiau Expansion	X	X	X	X		X		X	X
Hapa Road	X						X		X
Nukolii Beach Park Expansion	X		X	X		X	X	X	X
Puolo Point	X	X	X	X		X	X	X	X
Moloaa Trail and Coastal Lands	X	X	X	X		X			X

<sup>1</sup>The first eight purpose categories are specified in the Charter and Ordinance. The Commission recommends adding the ninth purpose category.

Key

X = Selection criterion present.

? = Uncertain; subject to interpretation or dependent upon future designation/management of parcel.

## Appendix H

### Map of Priority Sites and Places/Parcels of Interest

# Priority Sites for Acquisition & Places/Parcels of Interest

