

COUNTY OF KAUAI
Minutes of Meeting
OPEN SESSION

DRAFT To Be Approved

Board/Commission:		Public Access, Open Space and Natural Resources Preservation Fund Commission	Meeting Date	October 13, 2022
Location	Mo'ikeha Meeting Room 2A/2B and Zoom Teleconference		Start of Meeting: 1:28 p.m.	End of Meeting: 2:14 p.m.
Present	<p>Vice Chair Nancy Kanna. Commissioners: Taryn Dizon (<i>joined remotely by Zoom at 1:28 p.m.</i>), Jonathan Lucas, Mark Ono and Mai Shintani (<i>joined remotely by Zoom</i>).</p> <p>Planning Department Staff: Deputy Director Jodi Higuchi-Sayegusa, Commission Support Clerk Kristen Romuar-Cabico and Planner Shelea Koga. Office of Boards and Commissions: Commission Support Clerk Arleen Kuwamura.</p>			
Excused	Chair Shaylyn Kimura, Commissioner Robin Pratt, Deputy County Attorney Laura Barzilai, Administrator Ellen Ching and Commission Support Clerk Sandra Muragin.			
Absent				
SUBJECT	DISCUSSION			ACTION
A. Call To Order	Chair Pro Tem Kanna called the meeting to order at 1:28 p.m.			
B. Roll Call	<p>Deputy Director Jodi Higuchi Sayegusa verified attendance by roll call;</p> <p>Commissioner Dizon replied present.</p> <p>Chair Kimura was excused.</p> <p>Commissioner Lucas replied present.</p> <p>Commissioner Ono replied present.</p> <p>Commissioner Pratt was excused.</p> <p>Commissioner Shintani replied present.</p> <p>Chair Pro Tem Kanna replied present.</p>			Quorum was established with five commissioners present.
C. Approval of Agenda				Mr. Ono moved to approve the agenda, as circulated. Mr. Lucas seconded the motion. Motion carried 5:0.
D. Minutes of the Meeting(s) of the Commission	Ms. Higuchi Sayegusa said there were no minutes to approve.			

SUBJECT	DISCUSSION	ACTION
E. Receipt of Items For The Record	Ms. Higuchi Sayegusa said there were no receipt of items for the record.	
F. General Business	Ms. Higuchi Sayegusa said there were no general business items.	
G. Communication	Ms. Higuchi Sayegusa said there were no communication items.	
H. Unfinished Business (For Action)	Ms. Higuchi Sayegusa said there were no unfinished business.	
I. New Business (For Action)	<p><u>I.1.</u> Update on a 1.8-acre property known as Kaluanono, further identified as Tax Map Key (TMK) (4) 5-6-004:010 and a .25 acre property known as Halulu Fishpond further identified as Tax Map Key (TMK) (4) 5-6-004:007 located in Waipā, Waipā Ahupuaa, Halale‘a Moku. (Preliminary report 4/19/15, Supplement report 5/9/19)</p> <p>Ms. Higuchi Sayegusa shared the following;</p> <ul style="list-style-type: none"> • Project came before this commission several times in the past. In 2019 the commission recommended \$850,000 to acquire Kaluaono and Halulu Fishpond. • Amended the proposal to acquire only the Halulu Fishpond for \$850,000. <p>Ms. Higuchi Sayegusa announced there was no one from the public in person to testify on this agenda item and Planner Shelea Koga stated there was no one from the public on Zoom.</p> <p>Waipā Foundation Executive Director Stacy Sproat and Hawaiian Island State Director at the Trust for Public Land Lea Hong shared a 22-page power point presentation titled Halulu Fishpond Access Waipā, Halele‘a, Kaua‘i ;</p> <ul style="list-style-type: none"> • Waipā Foundation was a for-profit that had an agriculture lease of 1600 acres from Kamehameha Schools since the mid 1980’s. There were 19 kuleana parcels embedded in the Waipā ahupua‘a. Waipā provides a variety of cultural events from keiki to kupuna. • Big issue was Halulu Fishpond buffered along the edge of a property that could be 	

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	<p>developed and change the view and ambiance of the surrounding area.</p> <ul style="list-style-type: none"> • In 2019 the commission recommended \$850,000 to acquire Kaluanono and Halulu Fishpond access parcels. The Waipā Foundation has since changed its use of Kaluaono but will work with Waioli Corporation on acquiring the Kaluaono property to prevent future development. • Now in 2022 they were requesting \$850,000 to acquire the Halulu Fishpond access property. The access trail was a crucial part of entering the fishpond area. • Ms. Hong, State Legacy Land Conservation Program shared that they have secured the following funds; <ul style="list-style-type: none"> ○ State Legacy Land Conservation Program secured \$50,000 ○ Senator Ron Kouchi earmarked \$400,000 of state CIP (Capital Improvement Project) that will expire June 30, 2023 ○ Requesting Kaua‘i County Public Access, Open Space and Natural Resources Preservation fund \$850,000 ○ Total purchase price \$1.1 to \$1.3 million pending appraisal. • Have an agreement with Waioli Corporation to purchase between \$1.1M to \$1.3M • TPL appraisal was \$1.24M and a 2019 County appraisal came in at \$1.1M • Kaua‘i County would hold the conservation easement that would restrict development in perpetuity and Waipā would steward and manage the makai public access and cultural programs. <ol style="list-style-type: none"> 1. Mr. Ono inquired who owned the property on the opposite side of the pond. Ms. Sprout responded they lease 22 acres from Kamehameha Schools on the makai side. 2. Chair Pro Tem Kanna commented that they could not place a value on the programs that Waipa Foundation serves its community. She appreciated that they connect people to land, connect people to the ocean and would steward the land in perpetuity. 3. Ms. Dizon commented that it was heartwarming to see how their programs engaged the keiki and kupuna connecting them to each other. She asked how they would manage their property from coastal erosion. Ms. Sprout said the erosion was on the makai side and the pond buffered the erosion, most of the property was further back and probably 	

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	<p>would not be affected. Ms. Sproat said Waipa Foundations lease was to 2050 and was confident that they could renew it, but they were still vulnerable. She said having a presence there would influence any future development of the area.</p> <p>4. Chair Pro Tem Kanna asked if the erosion was caused by sea level rise. Ms. Sproat replied that she wasn't sure if it was part of a cycle or sea level rise; but since then, the sand had refilled its way back to the beach.</p> <p>5. Chair Pro Tem Kanna asked how the foundation dealt with the neighbors. Ms. Sproat replied that they have been there longer, and the properties have undergone multiple changes in ownership. They have a mutually beneficial relationship with the current owners who have become allies, friendly, donate and support the foundation. They are conscientious to have events that do not encroach on their neighbor's privacy and keep noise to a minimum.</p> <p>6. Ms. Higuchi Sayegusa asked what the next steps were. Ms. Hong said the next steps would be to get an updated appraisal, draft the conservation easement and finish an environmental survey.</p> <p>7. Chair Pro Tem Kanna asked what would happen to the funds if the appraisal came in lower what would the plan be for the excess funds. Ms. Hong replied that they would use up to \$850,000 and any extra would be left in open space.</p> <p>8. Mr. Lucas commented that this acquisition made sense with all the other funding in place. He concurred with Ms. Dizon's comments and overall recommended the</p>	<p>Mr. Ono motioned to recommend approval of Public Access, Open Space and Natural Resources funds up to \$850,000 to acquire a .25 acre property known as Halulu Fishpond further identified as Tax Map Key (TMK) (4) 5-6-004:007 located in Waipā, Waipā Ahupuaa, Halale'a Moku, access and executing the easement. Mr. Lucas seconded the motion.</p>

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	<p>commission move forward to acquire the fishpond property. He asked for the current balance in open space funds. Ms. Higuchi Sayegusa said it was funded each July and the balance may be about \$3M but she would get back to the commission.</p> <p>9. Ms. Shintani commented that it was an amazing program, and she loved the combination of education and giving back to the community along with preserving cultural and natural preservation of the properties. She thanked the speakers and said it was a wonderful opportunity for the commission to be a part of.</p> <p>Ms. Higuchi Sayegusa called for a roll call vote.</p>	<p>Roll Call Vote: Ms. Dizon – Aye Mr. Lucas – Aye Mr. Ono – Aye Ms. Shintani – Aye Chair Pro Tem Kanna - Aye Motion carried 5:0</p>
J. Executive Session	<p>Ms. Higuchi Sayegusa asked if the commission needed to go into executive session; with no response or need to enter executive session she moved on to the next agenda item.</p>	
K. Announcements	<p><u>K.1. Topics for future meetings.</u></p> <ol style="list-style-type: none"> 1. Updated account status on the Public Access, Open Space & Natural Resources funds. 2. Update on a 0.2764-acre parcel located in Hanapēpē, Kona Moku, further identified as Tax Map Key (4)1-8-008:065. 3. Update on a 0.2867-acre parcel located in Hanapēpē, Kona Moku, further identified as Tax Map Key (4)1-8-008:071. 4. Update on a 1.39-acre parcel located in ‘‘Aliomanu, Ko’olau Moku, further identified as Tax Map Key (4)4-9-004:013 (‘Aliomanu Beach Living Trust, et al.). 5. Update on a 0.4006-acre parcel located in Wainiha, Hā’ena Moku, identified as Lot 10 of Wainiha Subdivision II (File Plan 1840), 7322 Alealea Road, Kaua’i, Hawai’i, 96714 and further identified as Tax Map Key (4) 5-8-09: 049 (Dirk & Kathleen Lange). 	

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	<p><u>K.2.</u> The following regularly scheduled Open Space Commission meeting will be held at 1:00 p.m. or shortly thereafter, on or about November 10, 2022. If a meeting may be held sooner, the Commission will post notice in compliance with Hawai‘i Revised Statutes Chapter 92. The Open Space Commission anticipates this meeting to be held in-person at the Līhu‘e Civic Center, Mo‘ikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Līhu‘e, Hawai‘i, 96766. The Commission also anticipates providing a visual platform capability for members of the public to testify remotely. The Commission will announce its intended meeting method via an agenda electronically posted at least six days prior to the meeting date.</p>	
<p>L. Adjournment</p>		<p>Mr. Lucas moved to adjourn the meeting. Ms. Dizon seconded the motion. Motion carried 5:0.</p> <p>Chair Kimura adjourned the meeting at 2:14pm</p>

Submitted by: _____
 Sandra M. Muragin, Commission Support Clerk

Reviewed and Approved by: _____
 Nancy Kanna, Chair Pro Tem

- () Approved as circulated.
- () Approved with amendments. See minutes of _____ meeting.