

DRAFT to be Approved

OPEN SESSION MEETING MINUTES

Board/Commission	Public Access, Open Space, Natural Resources Preservation Fund Commission	Meeting Date:	April 2, 2026
Location	Pi`ikoi Building, Boards and Commissions Conference Room	Start of Meeting: 1:00 p.m.	End of Meeting: 2:10 p.m.
Present	<p>Chair Robin Pratt and Vice Chair Willaim Kinney. Commissioners: Manuel Cabral, Nancy Kanna, Mark Ono, Shaylyn Ornellas, Mai Shintani, and Ex-Officio Spencer Cook.</p> <p>Also present: Deputy County Attorney Chris Donahoe. Planning Department Staff: Deputy Planning Director Jodi A. Higuchi Sayegusa, Planner Shalea Koga, and Open Space Secretary Brent Sokei. Office of Boards and Commissions: Commission Support Clerk Celine De Leon and Administrator Ellen Ching.</p>		
Excused			
Absent			

SUBJECT	DISCUSSION	ACTION
A. Call to Order	Chair Pratt called the meeting to order at 1:00 p.m.	
B. Roll Call	<p>Deputy Planning Director Jodi A. Higuchi Sayegusa verified attendance by roll call.</p> <p>Commissioner Manuel Cabral replied here. Commissioner Nany Kanna replied here. Commissioner Mark Ono replied here. Commissioner Shaylyn Ornellas replied here. Commissioner Mai Shintani replied here. Ex-Officio Spencer Cook replied here. Vice Chair William Kinney replied here. Chair Robin Pratt replied here.</p>	Quorum was established with seven (7) commissioners present.
C. Approval of	Ms. Higuchi Sayegusa suggested placing agenda item F4 ahead of agenda item F1 to	Ms. Kanna moved to approve the

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Agenda	enhance efficiency. Additionally, the Commission is waiting for receipt of the hard copies of the most recent draft of the rules.	agenda as amended. Ms. Shintani seconded the motion. Motion carried 7:0.
D. Minutes of the meeting(s) of the Commission	1. March 5, 2026	Ms. Kanna moved to approve the March 5, 2026, meeting minutes. Vice Chair Kinney seconded the motion. Motion carried 7:0.
E. Receipt of Items for the Record	Ms. Higuchi Sayegusa reported that the final draft of Chapter 6, proposed amendments to the Open Space Commission rules, has been distributed, and that Mr. Sokei will distribute Chapter 5.	
F. General Business	<p>F4. <u>Update on the proposed 1924 Battle of Hanapēpē monument, to be located on a 0.2867-acre parcel in Hanapēpē, Kona Moku, identified as Tax Map Key (4) 1-8-008:071.</u></p> <p><i>The Commission heard from Ms. Dorothea Hayashi.</i></p> <p>Ms. Hayashi, a Hanapēpē resident, third-generation community member, and former Open Space Commission member testified to provide historical context rather than opposition. She explained that the Commission expanded its focus from the North Shore to the Westside, where the Hanapēpē massacre area was identified as significant but little-known site and recommended for preservation despite private ownership. After years of effort, the County acquired the property in 2016, which she acknowledged and appreciated. She described the area as a beautiful open space and recalled that earlier efforts emphasized community-based stewardship, including outreach to local groups, whereas current management relies more on the County. She noted that prior</p>	

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	<p>community input generally favored a plaque over statues and stressed the importance of community involvement. Although she initially had concerns about the current process, she recognizes it reflects a new generation’s approach and has come to accept it. She emphasized that the site should serve as a place for learning, reflection, and gratitude for history, and ultimately deferred decisions to current leaders and the younger generation.</p> <p>Ms. Ornellas expressed appreciation for Ms. Hayashi’s dedication and leadership, noting the project required difficult community engagement, especially with the Kūpuna. She emphasized the importance of better connecting with the community and committed to improving outreach and responsiveness to community needs.</p> <p><i>The Commission thanked Ms. Hayashi.</i></p> <p>Ms. Higuchi Sayegusa provided a project update, noting a three-month delay due to County contracting requirements, including compliance with Hawai`i Compliance Express (HCE), DCCA registration, and tax clearances. The contract is now finalized, and work is underway with the artist, including tracking benchmarks and payments. The completion timeline has shifted from September to November, with an unveiling planned then. In the meantime, the department is developing historical content and interpretive signage in coordination with the committee while the artist proceeds with fabrication.</p> <p>Chair Pratt inquired about the status of homeless individuals previously living under the tree, and Ms. Kanna confirmed they are no longer there.</p> <p>Ms. Higuchi Sayegusa stated that as construction approaches, they plan to coordinate</p>	

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	<p>with the Parks Department to install barriers to control access and keep the site clear during installation. In the interim, Public Works has been using part of the property for staging related to a Moi Road project, which has helped deter homeless individuals from returning.</p> <p>Mr. Ono asked if “interactive” refers to using QR codes.</p> <p>Ms. Higuchi Sayegusa responded that QR codes are a future consideration as part of a broader second phase to include additional Hanapēpē histories. The current focus is completing the monument and interpretive signage for the historic event, with expanded interactive features to follow later.</p> <p>Mr. Ono requested additional historical context on the event and its impact, noting it was the first strike of its kind.</p> <p>Ms. Higuchi Sayegusa explained that the artist selection process relied on different artistic interpretations, with the central theme focused on peacemaking, cooperation, healing, and mediation. She noted that while the artist provides creative interpretation, the historical accuracy will be supported through interpretive signage informed by extensive research, including UH oral history work and ongoing publications.</p> <p>Ms. Ornellas asked when the property became part of the County Parks inventory.</p> <p>Chair Pratt asked if no steward had been found for the property.</p> <p>Ms. Higuchi Sayegusa explained that this is the first County acquisition designated for a</p>	

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	<p>cultural purpose, unlike previous projects which were primarily Parks or Public Works assets. She noted that other properties are assigned to Parks or Public Works depending on use, and stewardship agreements are typically executed between the Parks Department and community stewards. She added that a sample stewardship agreement will be shared at a future meeting.</p> <p>Ms. Ornellas asked if the search for a steward was no longer ongoing.</p> <p>Ms. Higuchi Sayegusa said the search for a steward is ongoing, with potential support from Ms. Malia Nobriga and the Hawaiian Civic Club, as well as possible assistance from Westside Parks staff if needed.</p> <p>Ms. Ornellas referenced the Kekaha Chinese Cemetery as an example of a site without a steward.</p> <p>Ms. Higuchi Sayegusa said the Kekaha Chinese Cemetery has no formal steward but is maintained by Parks staff, and a stewardship agreement is being developed with Kikiaola Boat Harbor.</p> <p>With no further discussion, the Commission moved on to the next agenda item.</p>	
	<p>F1. <u>Discussion and recommendations for administrative rules to allow up to 5% of the Public Access, Open Space, and Natural Resources Preservation Fund to be used for the maintenance of entitlements acquired by the Public Access, Open Space, Natural Resources Preservation Fund.</u></p> <p>F2. <u>Discussion on possible amendments to the Public Access, Open Space, Natural</u></p>	

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	<p><u>Resource Preservation Fund Commission administrative rules pertaining to proposal requirements.</u></p> <p><i>There was no public testimony.</i></p> <p>Ms. Higuchi Sayegusa noted that the latest draft had been distributed and that there were no substantive changes since the last discussion. Chapter 6 on maintenance grant applications was largely unchanged, aside from minor grammatical and formatting refinements completed by DCA Barzilai to tighten the language. She explained that these edits represent the primary updates from the prior meeting. She stated the intent to move the draft toward a formal public hearing under HRS 91 once the Commission is comfortable with it and noted the goal of aligning its progress with Chapter 5.</p> <p>Mr. Ono asked whether anyone else, beyond the Commission, needed to review the draft.</p> <p>Ms. Higuchi Sayegusa explained that the Small Business Regulatory Review Board must review any proposed rules that impact small businesses. She believed the Commission could submit a “no impact” statement, as the rule does not directly affect small businesses. She clarified that unlike estimated permit rules, this process for becoming a steward has no direct small business impact. She concluded that the item could be moved forward when the Commission is ready.</p> <p>Ms. Ornellas asked who was responsible for reviewing the applications.</p> <p>Ms. Koga said the department would review applications for completeness before forwarding them to the Commission for funding decisions, and that Open Space inquiries</p>	

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	<p>from the public would come to her directly for response or escalation.</p> <p>Vice Chair Kinney asked whether stewards could hire vendors or use internal staff for stewardship work under an Open Space-funded agreement, and if the department enforces any restrictions on that.</p> <p>Ms. Higuchi Sayegusa said eligibility depends on being an approved steward with a County Parks agreement, after which applicants can propose funding and manage its use and internal operations as they see fit.</p> <p>Vice Chair Kinney agreed, referencing HCE, and noted that they would also have to go through the same process.</p> <p>Ms. Koga clarified that only the steward receiving the County grant must go through the process; any hired parties would not be required to do so.</p> <p>Ms. Higuchi Sayegusa clarified that requirements may depend on the amount and structure of the funding. She noted that contracts would require contractors to complete HCE compliance, but if structures as a grant, HCE may not apply. She added that vendors would still need to be set up with the finance department by providing tax documentation, but formal business registration proof may not be required.</p> <p>Chair Pratt said a stewardship agreement with the County is required to access the fund and that the process is intended to encourage more stewards, as noted by Ms. Hayashi.</p> <p>Ms. Ornellas asked what the reporting requirements under Chapter 6 would like look and whether recipients would be given specific milestones and deadlines for project</p>	

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	<p>updates and completion.</p> <p>Chair Pratt referenced 1-67c, which requires reporting on expenditures, work completed, and accomplishments.</p> <p>Ms. Ornellas asked whether completion would be verified through inspections or documentation such as before-and-after photos.</p> <p>Ms. Koga said that reporting could include requiring recipients to submit photos, such as proof of work completed, within the one-year reporting period.</p> <p>Ms. Ornellas asked if reporting would be done by email rather than a presentation.</p> <p>Ms. Koga confirmed reporting would primarily be submitted by email, including a written report and photos, to verify proper use of funds, and noted that future funding could be withheld if funds are not used as proposed. She added that recipients should also explain any issues or changes in how funds were spent, so the department can relay that information to the Commission.</p> <p>DCA Donahoe explained that 1-68 Enforcement, the department has authority to enforce grant terms and conditions, conduct follow-up, and refer any breaches to the Office of the County Attorney, if necessary,</p> <p>Ms. Higuchi Sayegusa noted that Chapter 5 was revised following legal review and prior discussions, including Council’s suggestion to return Kaumumene funds to the Open Space Commission and allocate a portion as Public Works operating expenses. She clarified this would still fall within the 5% maintenance allowance, ensuring Public Works</p>	

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	<p>could cover items like replacement ropes and similar ongoing maintenance costs, consistent with past practice.</p> <p>Ms. Ornellas asked how the arrangement would work from an accounting standpoint.</p> <p>Ms. Higuchi Sayegusa said qualified stewards, including the County or other government entities, could receive funds but questioned whether an internal agreement would be needed.</p> <p>Ms. Ornellas asked how the funds would be handled financially, whether they remain in the fund or are billed against it.</p> <p>Ms. Higuchi Sayegusa said the funds would return to the Open Space Fund, pending confirmation with Mr. Ken Shimonishi.</p> <p>Ms. Koga explained that the Open Space Fund is budgeted annually, with the 5% maintenance allocation set as a separate line item that the department would then charge against for expenses.</p> <p>Chair Pratt asked if salaries would be billed to the 5% allocation, expressing concern it could be used for staffing costs instead of materials and equipment.</p> <p>Ms. Higuchi Sayegusa said the funds would be used only for items like ropes, consistent with prior years in the CIP account.</p> <p>Vice Chair Kinney asked whether specialized maintenance requiring outside contractors would also be covered.</p>	

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	<p>Ms. Higuchi Sayegusa said specialized maintenance would need to be covered in an approved budget or existing allocations, unless handled through the Commission.</p> <p>Ms. Ornellas said it should be explicitly addressed because the current language is too vague.</p> <p>Ms. Higuchi Sayegusa asked whether the Commission wanted to set an “up to” amount for supplies, however Chair Pratt responded that she did not support that.</p> <p>Ms. Koga suggested establishing a practice where any expenditure over a certain threshold would automatically be brought to the Commission for a vote.</p> <p>Ms. Higuchi Sayegusa suggested allowing materials and supplies up to \$5,000, with larger expenditures going to the Commission for approval.</p> <p>Ms. Ornellas asked if the proposal must go through public comment.</p> <p>Ms. Higuchi Sayegusa confirmed the proposal must go through formal rulemaking, including public notice in the newspaper and a public hearing held by the Open Space Commission before adoption.</p> <p>DCA Donahoe asked about the proposed change to the biennial report schedule in Chapter 5 to odd-numbered years.</p> <p>Ms. Higuchi Sayegusa noted the schedule may be misaligned with the ordinance or charter’s odd-year reference and proposed setting the first meeting in January of the</p>	

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	<p>biennial report year.</p> <p>Ms. Ornellas asked if the language would be replaced and Ms. Higuchi Sayegusa confirmed it would be updated, noting the current year is 2026.</p> <p>Ms. Higuchi Sayegusa suggested clarifying the language aligning with odd biennial years, with the Commission vote occurring at the first January meeting of the reporting year, pending review.</p> <p>Vice Chair Kinney asked if June 30th of each year is the required submittal deadline.</p> <p>Ms. Higuchi Sayegusa clarified that the submission deadline would be changed to January 30 to align the review cycle with available funding information, allowing all proposals and revenue data to be gathered before evaluation. She noted this would support a structured annual review process led by staff, with preliminary analysis before Commission consideration. She added that a limited exception would remain for a “dossier” process to allow urgent or unique proposals outside the deadline and said this should be clearly reflection in Section 1-5-2a.</p> <p>DCA Donahoe cautioned against strict terms like “shall” or “must” and suggested adding a clause to allow an exception.</p> <p>Vice Chair Kinney asked whether the 60-day preliminary evaluation period is conducted by the Commission or staff, and Ms. Higuchi Sayegusa clarified that it is handled by Ms. Koga.</p> <p>Chair Pratt asked how to handle this year.</p>	

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	<p>Ms. Higuchi Sayegusa said the department must submit a preliminary report within 60 days of receiving a complete proposal, unless extended by the Commission.</p> <p>Ms. Ornellas asked if review occurs internally before going to the Commission.</p> <p>Ms. Koga said she would prepare and submit the preliminary report to the Commission within 60 days.</p> <p>DCA Donahoe clarified that the “additional time” clause allows Ms. Koga to request an extension from the Commission if the 60-day deadline cannot be met.</p> <p>Ms. Koga said the process matches current practice, with a preliminary report brought to the Commission within 60 days.</p> <p>Mr. Ono asked if the changes should be finalized and brought to the Commission next meeting.</p> <p>Ms. Higuchi Sayegusa said they could either move forward or allow more review time. If approved, staff would proceed with newspaper publication for rulemaking, likely in June.</p> <p>Vice Chair Kinney said the only changes were to the materials language.</p> <p>Ms. Higuchi Sayegusa added that Chapter 5 also includes accepting the dossier recommendation exception to the June 30th deadline.</p> <p>With no further discussion, the Commission moved onto the next agenda item.</p>	

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	<p>F3. <u>Update on a proposal to acquire access to State of Hawai`i property through 4901 Waiakalua Street, Kīlauea, Hawai`i 96754, Ko`olau Moku, further identified as Tax Map Key 5-1-005:036 (Richard S. Tallman and Lisa Flores) (Preliminary Report 6/1/2022).</u></p> <p><i>There was no public testimony.</i></p> <p>Ms. Koga reported that attorneys are still negotiating between DCA Barzilai and the opposing counsel to finalize the easement document. The State has approved and will provide additional fencing so the full easement can be clearly marked from the start. They also discussed using the adjacent State parcel as a safety buffer to separate the property line from any hunting area, which should address owner concerns. These updates are expected to help move the easement toward execution soon.</p> <p>Ms. Higuchi Sayegusa said DLNR may install a check-in station at the trailhead to clearly mark the area as regulated. Hunting rules would apply, including restrictions on movement through residential areas with dogs and firearms. The goal is to reduce landowner concerns by highlighting DLNR and DOCARE enforcement and improve support for the easement.</p> <p>Mr. Ono asked if the parcel is already under DLNR jurisdiction before its designated use.</p> <p>Ms. Higuchi Sayegusa confirmed the parcel is DLNR land, leased by Jurassic Kahili Ranch, intended for public access and regulated hunting in designating areas further mauka.</p>	

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	<p>Mr. Cabral raised concerns about the safety buffer, noting that dogs may not follow boundaries while chasing boars and could enter private property.</p> <p>Chair Pratt said the State will fence the easement, and any additional protection would be the homeowners' responsibility.</p> <p>Ms. Shintani asked how the hunting check-in station would work and if it would be staffed.</p> <p>Mr. Cabral said the check-in station is a sign-in/sign-out sheet for hunters, with their names and tag numbers.</p> <p>Vice Chair Kinney supported the safety zone and said hunting is highly regulated with low accident rates, so residents should have limited concern.</p> <p>Ms. Koga said DLNR is preparing maps that will show the buffer zones, and those will be shared in future updates.</p> <p>With no further discussion, the Commission moved onto the next agenda item.</p>	
<p>G. Communications</p>	<p>There were no communications.</p>	
<p>H. Unfinished Business (For Action)</p>	<p>There was no unfinished business.</p>	

SUBJECT	DISCUSSION	ACTION
I. New Business (For Action)	There was no new business.	
J. Executive Session	There was no executive session.	
K. Announcements	<p>Ms. Higuchi Sayegusa announced that the biennial report has been submitted and will be on the April 8th agenda.</p> <p>The Commission's next meeting is tentatively scheduled for June, with the exact date to be determined, as there are insufficient materials for a May meeting.</p>	
L. Adjournment		<p>Ms. Kanna moved for the adjournment of the meeting. Mr. Ono seconded the motion. Motion carried 7:0.</p> <p>The meeting was adjourned at 2:10 p.m.</p>

Submitted by: *Celine De Leon*
 Celine De Leon, Staff Support Clerk

Reviewed and Approved by: _____
 Robin Pratt, Chair

- () Approved as circulated on
- () Approved as amended. See minutes of _____ meeting.