

THE COUNTY OF KAUAI

NOTICE OF PUBLICATION AND NOTICE OF PUBLIC HEARING

Notice is hereby given that the Council of the County of Kaua'i will hold a public hearing on Wednesday, December 14, 2022, at 8:30 a.m., or soon thereafter, at the Council Chambers, 4396 Rice Street, Room 201, Historic County Building, Līhu'e, on the following:

Bill No. 2890

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2022-886, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2022 THROUGH JUNE 30, 2023, BY REVISING THE AMOUNTS ESTIMATED IN THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND (*OSC Waipā Foundation Acquisition of Halulu Fishpond*)

This Bill proposes to amend Ordinance No. B-2022-886, as amended, relating to the Operating Budget of the County of Kaua'i, State of Hawaii, for the Fiscal Year July 1, 2022 to June 30, 2023, by revising the amounts estimated in the Public Access Fund by appropriating \$850,000.00 from Equity / Fund Balance – Assigned to Special Projects – Contribution to Waipā Foundation for Halulu Fishpond acquisition, to provide additional funds necessary to enable the Waipā Foundation to acquire a portion of Halulu Fishpond, which will permanently secure Waipā Foundation's ability to continue its work to foster sustainability and community through its various programs. The conveyance of a conservation easement owned by the property pertaining to the fishpond would also solidify conservation of that natural resource.

All interested persons who wish to present their comments may do so at the public hearing. Written testimony prior to the hearing would be appreciated. Written testimony can be submitted to the Office of the County Clerk, Council Services Division by mail, facsimile, or via E-mail to counciltestimony@kauai.gov. Copies of this Bill is available at the Office of the County Clerk, Council Services Division.

(The Council Committee or Council may amend this Bill at their subsequent meetings. Meeting notices are posted at least six (6) days in advance at the County Clerk's Office and the public may also testify at any of these meetings.)

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that the foregoing Bill No. 2890 was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on November 2, 2022, by the following vote:

AYES:	Carvalho, Cowden, DeCosta, Evslin, Kualii, Kaneshiro	TOTAL – 6,
NOES:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	Chock	TOTAL – 1.

Līhu'e, Hawai'i
November 3, 2022

/s/ Jade K. Fountain-Tanigawa
County Clerk, County of Kaua'i

NOTE: IF YOU NEED AN AUXILIARY AID/SERVICE, OTHER ACCOMMODATION DUE TO A DISABILITY, OR AN INTERPRETER FOR NON-ENGLISH SPEAKING PERSONS, PLEASE CONTACT THE OFFICE OF THE COUNTY CLERK, COUNCIL SERVICES DIVISION AT (808) 241-4188 OR COKCOUNCIL@KAUAI.GOV AS SOON AS POSSIBLE. REQUESTS MADE AS EARLY AS POSSIBLE WILL ALLOW ADEQUATE TIME TO FULFILL YOUR REQUEST.

UPON REQUEST, THIS NOTICE IS AVAILABLE IN ALTERNATE FORMATS SUCH AS LARGE PRINT, BRAILLE, OR ELECTRONIC COPY.

(One publication – The Garden Island – November 10, 2022)

**A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2022-886,
AS AMENDED, RELATING TO THE OPERATING BUDGET OF
THE COUNTY OF KAUA'I, STATE OF HAWAI'I, FOR THE FISCAL YEAR
JULY 1, 2022 THROUGH JUNE 30, 2023, BY REVISING THE AMOUNTS
ESTIMATED IN THE PUBLIC ACCESS, OPEN SPACE, NATURAL
RESOURCES PRESERVATION FUND**

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUA'I, STATE OF HAWAI'I:

SECTION 1. Findings and Purpose. The purpose of this Ordinance is to appropriate funds for the acquisition of Halulu Fishpond and Access in Hanalei, Kaua'i, Hawai'i, further identified as TMK No. (4) 5-6-004:017. The Council finds the following:

(a) Funding the improvements would:

1. Provide public outdoor recreation and education, including access to beaches and mountains;
2. Preserve historic or culturally important land areas and sites;
3. Protect significant habitats or ecosystems, including buffer zones;
4. Preserve forests, beaches, coastal areas, and agricultural lands;
5. Protect watershed lands to preserve water quality and water supply;
6. Conserve land in order to reduce erosion, floods, landslides, and runoff;
7. Improve public access to, and enjoyment of, public land, and open space;
8. Acquire public access to public land and open space; and
9. Conserve land for open space and scenic values.

(b) The cost and process for the acquisition is commensurate to the public interest served. In particular, assisting Waipā Foundation to secure the access to the Halulu Fishpond and acquire a portion of the fishpond would permanently secure Waipā Foundation's ability to continue its work to foster sustainability and community through its various malamā 'āina programs. Also, the conveyance of a conservation easement owned by the property pertaining to the fishpond and access would also solidify conservation of that resource.

SECTION 2. That pursuant to Sections 19.07B and 19.10A of the Charter of the County of Kaua'i, as amended, Ordinance No. B-2022-886, as amended, relating to the Operating Budget of the County of Kaua'i, State of Hawai'i, for the Fiscal Year July 1, 2022 through June 30, 2023, be hereby amended as follows:

The sum of \$850,000.00 by revising the amounts estimated in the Public Access Fund from the following account:

Equity / Fund Balance – Assigned [850,000.00]

Be and is hereby appropriated for the following purpose:

Special Projects – Contribution to Waipā Foundation \$850,000.00
for Halulu Fishpond acquisition

SECTION 3. This Ordinance shall take effect upon its approval.

Introduced by:



MASON K. CHOCK
(By Request)

DATE OF INTRODUCTION:

November 2, 2022

Līhu'e, Kaua'i, Hawai'i

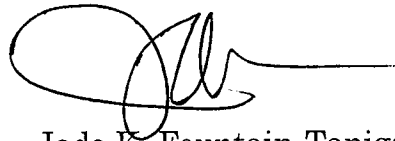
V:\BILLS\2020-2022 TERM\Money Bill FY 22-23 OSC Waipa Foundation Acquisition of Halulu Fishpond (for JA)MC-CNT_lc.doc

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2890, which was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on November 2, 2022, by the following vote:

FOR PASSAGE:	Carvalho, Cowden, DeCosta, Evslin, Kuali'i, Kaneshiro	TOTAL - 6,
AGAINST PASSAGE:	None	TOTAL - 0,
EXCUSED & NOT VOTING:	None	TOTAL - 0,
RECUSED & NOT VOTING:	Chock	TOTAL - 1.

Lihu'e, Hawai'i
November 3, 2022



Jade K. Fountain-Tanigawa
County Clerk, County of Kaua'i