



**PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES  
PRESERVATION FUND COMMISSION**

**JODI HIGUCHI SAYEGUSA, CLERK OF COMMISSION**

**NANCY KANNA, CHAIR  
JONATHAN LUCAS, VICE CHAIR  
TARYN DIZON, MEMBER  
WILLIAM KINNEY, MEMBER  
MARK ONO, MEMBER  
ROBIN PRATT, MEMBER  
MAI SHINTANI, MEMBER**

- **The meeting location that will be open to the public with audiovisual connection is:**

**Office of Boards and Commissions  
4444 Rice Street, Suite 300  
Lihue, HI 96766**

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- **Oral testimony** will be taken on specific agenda items, **at the public meeting location** indicated on the meeting agenda.
- **Written testimony** indicating your 1) name or pseudonym, and if applicable, your position/title and organization you are representing, and 2) the agenda item that you are providing comment on, may be submitted on any agenda item in writing to [planningdepartment@kauai.gov](mailto:planningdepartment@kauai.gov) or mailed to the County of Kaua'i Planning Department, 4444 Rice Street, Suite 473, Līhu'e, Hawai'i 96766. Written testimony received by the Planning Department at least **24 hours prior** to the meeting will be posted as testimony to the Planning Commission's website prior to the meeting (<https://www.kauai.gov/Government/Boards-and-Commissions/Planning-Commission>). Any testimony received after this time will be retained as part of the record, but we cannot assure the Commission will receive it with sufficient time for review prior to the meeting.

**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 BOARDS & COMMISSIONS AT (808) 241-4917 OR [ADAVIS@KAUAI.GOV](mailto:ADAVIS@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.**

**PUBLIC ACCESS, OPEN SPACE, AND NATURAL RESOURCES PRESERVATION FUND COMMISSION**

**MEETING NOTICE AND AGENDA**

**Thursday, July 13, 2023**

**1:00 p.m. or shortly thereafter**

**Līhu'e Civic Center, Office of Boards and Commissions**

**4444 Rice Street, Suite 300, Līhu'e, Kaua'i, Hawai'i**

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. APPROVAL OF AGENDA**

**D. MINUTES of the meeting(s) of the Commission**

**E. RECEIPT OF ITEMS FOR THE RECORD**

**F. GENERAL BUSINESS**

1. Discussion on Public Access, Open Space, and Natural Resources Preservation Fund Commission Balance.
2. 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. Stallman and Lisa Flores) (Preliminary Report 6/1/2022).
3. Update on a 0.2764 acre parcel located in Hanapēpē, Kona Moku, further identified as Tax Map Key (4)1-8-008: 065 (Kaua'i Petroleum Co. LTD) (Preliminary Report 12/29/2017, Supplemental 1-5 2/8/2018 to 10/19/2019).
4. Update on a 0.2867 acre parcel located in Hanapēpē, Kona Moku, further identified as Tax Map Key (4)1-8-008: 071 (Kaua'i Petroleum Co. LTD) (Preliminary Report 12/29/2017, Supplemental 1-5 2/8/2018 to 10/19/2019).
5. Update on improvements related to the easement located on land identified as Tax Map Key Nos.: (4) 5-4-011:004 and (4) 5-4-012:011 that accesses Kaumumene or Hideaways Beach (County of Kaua'i Easement).

**G. COMMUNICATIONS**

**H. UNFINISHED BUSINESS (For Action)**

**I. NEW BUSINESS (For Action)**

**J. EXECUTIVE SESSION**

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OFFICE OF THE COUNTY CLERK  
COUNTY OF KAUAI

EXECUTIVE SESSION: Pursuant to Hawai'i Revised Statutes 92-4 and 92-5(a)(4), the purpose of this executive session is to consult with County's legal counsel on questions, issues, status, and procedural matters. This consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Commission and the County as they relate to the following matters:

1. Litigation Update: County of Kaua'i v. Kala Industries, LLC, et. al., etc., Fifth Circuit Court Civil No. 18-1-0031; Kauapea Beach Access – Hanalei District, Kaua'i, Tax Map Key (4)5-2-004:071.
2. 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. Stallman and Lisa Flores).
3. Update on the 0.2764 acre parcel located in Hanapēpē, Kona Moku, further identified as Tax Map Key (TMK) (4)1-8-008: 065 and the 0.2867 acre parcel located in Hanapēpē, Kona Moku, further identified as Tax Map Key (TMK) (4)1-8-008: 071 (Kaua'i Petroleum Co. LTD).
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 request to acquire a 0.4006 acre parcel located in Wainiha, Hā'ena, Halele'a 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 P. & Kathleen Lange).

#### **K. ANNOUNCEMENTS**

1. Topics for Future Meetings.
2. The following regularly scheduled Open Space Commission meeting will be held at 1:00 p.m., or shortly thereafter, on or about September 14, 2023. The Commission anticipates this meeting to be held in-person at the Līhu'e Civic Center, Office of Boards and Commissions, 4444 Rice Street, Suite 300, Līhu'e, Kaua'i, Hawai'i. The Commission will announce its intended meeting method and location through an agenda electronically posted at least six days prior to the meeting date.

#### **L. ADJOURNMENT**