

House District 10

Senate District 5

**THE TWENTY-SEVENTH LEGISLATURE
APPLICATION FOR GRANTS & SUBSIDIES
CHAPTER 42F, HAWAII REVISED STATUTES**

Log No:

For Legislature's Use Only

Type of Grant or Subsidy Request:

GRANT REQUEST – OPERATING

GRANT REQUEST – CAPITAL

SUBSIDY REQUEST

"Grant" means an award of state funds by the legislature, by an appropriation to a specified recipient, to support the activities of the recipient and permit the community to benefit from those activities.

"Subsidy" means an award of state funds by the legislature, by an appropriation to a recipient specified in the appropriation, to reduce the costs incurred by the organization or individual in providing a service available to some or all members of the public.

"Recipient" means any organization or person receiving a grant or subsidy.

STATE DEPARTMENT OR AGENCY RELATED TO THIS REQUEST (LEAVE BLANK IF UNKNOWN):

STATE PROGRAM I.D. NO. (LEAVE BLANK IF UNKNOWN):

1. APPLICANT INFORMATION:

Legal Name of Requesting Organization or Individual: **Hawaiian Islands Lands Trust**

Db:

Street Address: **2371 Vineyard St. Wailuku, HI, 96793**

Mailing Address: **PO Box 965 Wailuku, HI, 96793**

2. CONTACT PERSON FOR MATTERS INVOLVING THIS APPLICATION:

Name SCOTT FISHER, PH.D.

Title Director of Conservation

Phone # 808-357-7739

Fax # _____

e-mail scott@hilt.org

3. TYPE OF BUSINESS ENTITY:

- NON PROFIT CORPORATION
- FOR PROFIT CORPORATION
- LIMITED LIABILITY COMPANY
- SOLE PROPRIETORSHIP/INDIVIDUAL

6. DESCRIPTIVE TITLE OF APPLICANT'S REQUEST:

CONSERVATION DUE DILIGENCE FOR THE ACQUISITION OF HONOLUA BAY AND LIPOA POINT

4. FEDERAL TAX ID #: _____

5. STATE TAX ID #: _____

7. AMOUNT OF STATE FUNDS REQUESTED:

FISCAL YEAR 2014: \$ 166,021

8. STATUS OF SERVICE DESCRIBED IN THIS REQUEST:

- NEW SERVICE (PRESENTLY DOES NOT EXIST)
- EXISTING SERVICE (PRESENTLY IN OPERATION)

SPECIFY THE AMOUNT BY SOURCES OF FUNDS AVAILABLE AT THE TIME OF THIS REQUEST:

STATE \$ 0

FEDERAL \$ 0

COUNTY \$ 0

PRIVATE/OTHER \$ 0

TYPE NAME & TITLE OF AUTHORIZED REPRESENTATIVE:

EDWARD S. CLEMENT, JR. ESQ.
NAME & TITLE

1/30/13
DATE SIGNED

Application for Grants and Subsidies

If any item is not applicable to the request, the applicant should enter "not applicable".

I. Background and Summary

This section shall clearly and concisely summarize and highlight the contents of the request in such a way as to provide the State Legislature with a broad understanding of the request. Include the following:

1. A brief description of the applicant's background;
The Hawaiian Islands Land Trust is a 501(c)3 organization whose mission is to "protect the lands that sustain us for current and future generations." The land trust was formed on January 1, 2011 from four land trusts across the state (the Kaua'i Public Land Trust, the O'ahu Land Trust, the Maui Coastal Land Trust and the Hawai'i Island Land Trust). Our service area spans the entire state, and we have currently protected over 17,500 acres through both fee ownership as well as perpetual conservation easements.
2. The goals and objectives related to the request;
The funding we are requesting in this project is to conduct due diligence on the feasibility of the land trust acquire and appropriately steward the 280 acres around Honolua Bay and Lipoa Point on Maui. We intend to work closely with the local community in order to ensure appropriate and sustainable stewardship upon fee acquisition. Honolua/Lipoa Point is currently owned by Maui Land and Pineapple Company. Once the property is owned in fee we intend to ensure the land is managed and stewarded appropriately and that a perpetual Conservation Easement is eventually retained on the land.
3. The public purpose and need to be served;
In order to protect the lands at Honolua and Lipoa Point the Hawaiian Islands Land Trust must ensure we are capable of perpetually steward this land in a way that is consistent with both the environmental needs of the land, its cultural and historical significance, and the needs and desires of the community. Once this process is conducted we can move forward on acquiring this land with the intention of making it a perpetual asset to the community.
4. Describe the target population to be served; and
Because conducting a comprehensive due diligence and feasibility study is vital to the Hawaiian Islands Land Trust's ability to appropriately manage this parcel, the beneficiary of this funding is anyone who visits or spends time in this area.

Honolua Bay and Lipoa Point are popular recreational spots, with visitor numbers in the tens of thousands annually.

5. Describe the geographic coverage.
The scope of this feasibility study will include Both portions of Honolua Bay and Lipoa Point, approximately 280 acres of land in the Ka'anapali district of west Maui. However this land is an incredibly iconic site on Maui which annually attracts thousands of visitors from around the world. Protecting this land for the benefit of both residents and visitors is vital to perpetuating the character of this special place.

II. Service Summary and Outcomes

The Service Summary shall include a detailed discussion of the applicant's approach to the request. The applicant shall clearly and concisely specify the results, outcomes, and measures of effectiveness from this request. The applicant shall:

1. Describe the scope of work, tasks and responsibilities;
This project is a standard due diligence assessment the Hawaiian Islands Land Trust conducts on all of its fee acquisition projects. This will include a number of specific tasks. Because of the large number of stakeholders we are committed to ensuring we do the most comprehensive and high quality job we can. These tasks include: 1) Appraisal Report 2) Phase I environmental review 3) Title examination; 4) Class I boundary survey; 5) Conservation value baseline; 6) Public input through community and individual meetings. Tasks four (5) and (6) will have a summary report detailing our findings, providing suggestions and recommending the role the Hawaiian Lands Trust should play in this process.
2. Provide a projected annual timeline for accomplishing the results or outcomes of the service;
Our goal is to have all aspects of this project completed within one year. The Phase I environmental review, title examination and the boundary survey will be done concurrently and will be completed within six months (depending on the availability of the sub-contractors who will be conducting this work). The conservation value baseline will begin as soon as the funding is made available and will be completed in several phases. These phases will be determined by the presence of key species we presume inhabit the property (for example, some species of seabird are only on site between April and December).
3. Describe its quality assurance and evaluation plans for the request. Specify how the applicant plans to monitor, evaluate, and improve their results; and
As an accredited land trust, the Hawaiian Islands Land Trust is obligated to follow the standards and practices prescribed by the Land Trust Alliance. This project falls into the practice of due diligence for fee acquisition. Since we will be sub-contracting on several of these tasks we will utilize only industry endorsed

companies. In our experience, using the highest caliber sub-contractors has proven very effective. The data we are seeking will be compiled into a report which will evaluate the overall feasibility of the acquisition of this parcel.

4. List the measure(s) of effectiveness that will be reported to the State agency through which grant funds are appropriated (the expending agency). The measure(s) will provide a standard and objective way for the State to assess the program's achievement or accomplishment. Please note that if the level of appropriation differs from the amount included in this application that the measure(s) of effectiveness will need to be updated and transmitted to the expending agency.

The primary measure of effectiveness for this project will be the completion of the reports associated with the specific tasks identified above. These reports will be made available for review by the expending agency.

III. Financial

Budget

1. The applicant shall submit a budget utilizing the enclosed budget forms as applicable, to detail the cost of the request.
See Attached Sheets;
2. The applicant shall provide its anticipated quarterly funding requests for the fiscal year 2014.

Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total Grant
\$53,112.50	\$37,636.16	\$37,636.17	\$37,636.17	\$166,021.00

3. The applicant shall provide a listing of all other sources of funding that they are seeking for fiscal year 2014.
The land trust is not seeking any other sources of funding for this project at this time.
4. The applicant shall provide a listing of all state and federal tax credits it has been granted within the prior three years. Additionally, the applicant shall provide a listing of all state and federal tax credits they have applied for or anticipate applying for pertaining to any capital project, if applicable.
Not Applicable;

IV. Experience and Capability

A. Necessary Skills and Experience

The applicant shall demonstrate that it has the necessary skills, abilities, knowledge of, and experience relating to the request. State your experience and appropriateness for providing the service proposed in this application. The applicant shall also provide a listing of verifiable experience of related projects or contracts for the most recent three years that are pertinent to the request.

The Hawaiian Islands Land Trusts currently has over 17,500 acres protected on Kaua'i, O'ahu, Moloka'i, Maui, and Hawai'i Island. Over the past three years the land trust has conducted due diligence for land acquisition projects on the 82 acre Nu'u Refuge in Kaupo, Maui, the 11 acre Maunawila Heiau site in Hau'ula, O'ahu, and the 12 acre Kilau'ea River mouth project on Kaua'i.

B. Facilities

The applicant shall provide a description of its facilities and demonstrate its adequacy in relation to the request. If facilities are not presently available, describe plans to secure facilities. The applicant shall also describe how the facilities meet ADA requirements, as applicable.

Not Applicable;

V. Personnel: Project Organization and Staffing

A. Proposed Staffing, Staff Qualifications, Supervision and Training

The applicant shall describe the proposed staffing pattern and proposed service capacity appropriate for the viability of the request. The applicant shall provide the qualifications and experience of personnel for the request and shall describe its ability to supervise, train and provide administrative direction relative to the request.

The primary individuals tasked with executing this grant are the land trust's director of conservation, Dr. Scott Fisher, and land steward, Mr. James Crowe. Together they have over 15 years of experience in land conservation, including conducting due diligence on land trust acquisition projects. Overall supervision will be the responsibility of the land trust's executive director, Mr. Ted Clement. Dr. Fisher will be responsible for compiling all the sub-contracted reports, drafting the conservation baseline as well as the report detailing the recommendation of how to proceed.

B. Organization Chart

The applicant shall illustrate the position of each staff and line of responsibility/supervision. If the request is part of a large, multi-purpose organization, include an organizational chart that illustrates the placement of this request.

The Hawaiian Islands Land Trust is governed by an 18 member volunteer board of directors. Mr. Peter Merriman is currently the president of the board of directors. The board of directors is responsible for fiscal oversight of the entire organization. The executive director, Mr. Ted Clement, reports to the board, while the remainder of the staff is under the direct management of Mr. Clement. The conservation staff, Dr. Scott Fisher and Mr. James Crowe, will be directly responsible for executing this project. Mr. Crowe is supervised by Dr. Fisher, while Dr. Fisher reports to Mr. Clement. There are no additional organizations, aside from sub-contractors who will be reviewed by Dr. Fisher and hired by Mr. Clement.

VI. Other

A. Litigation

The applicant shall disclose any pending litigation to which they are a party, including the disclosure of any outstanding judgement. If applicable, please explain.

Not Applicable;

B. Licensure or Accreditation

The applicant shall specify any special qualifications, including but not limited to licensure or accreditation that applicant possesses relevant to this request.

The Hawaiian Islands Land Trust is accredited through the Land Trust Alliance.

BUDGET REQUEST BY SOURCE OF FUNDS
(Period: July 1, 2013 to June 30, 2014)

App Hawaiian Islands Land Trust

BUDGET CATEGORIES	Total State Funds Requested (a)	(b)	(c)	(d)
A. PERSONNEL COST				
1. Salaries	58,450			
2. Payroll Taxes & Assessments	7,178			
3. Fringe Benefits	14,241			
TOTAL PERSONNEL COST	79,869			
B. OTHER CURRENT EXPENSES				
1. Airfare, Inter-Island	1,200			
2. Insurance				
3. Lease/Rental of Equipment				
4. Lease/Rental of Space				
5. Staff Training				
6. Supplies	1,000			
7. Telecommunication	500			
8. Utilities				
9. Appraisal	12,000			
10. Title Examination	1,500			
11. Class 1 Boundary Survey	12,000			
12. Facilitator/Contractor	7,500			
13. Printing	2,000			
14. Phase 1 Environmental Survey	7,000			
15				
16				
17				
18				
19				
20				
TOTAL OTHER CURRENT EXPENSES	44,700			
C. EQUIPMENT PURCHASES	0			
D. MOTOR VEHICLE PURCHASES	0			
E. CAPITAL	0			
TOTAL (A+B+C+D+E)	124,569			
SOURCES OF FUNDING		Budget Prepared By:		
(a) Total State Funds Requested	166,021	Scott Fisher	808 244 5263	
(b)				
(c)				
(d)				
TOTAL BUDGET	166,021	Edward S Clement	Executive Director	
		Name and Title (Please type or print)		

**DECLARATION STATEMENT OF
APPLICANTS FOR GRANTS AND SUBSIDIES PURSUANT TO
CHAPTER 42F, HAWAII REVISIED STATUTES**

The undersigned authorized representative of the applicant certifies the following:

- 1) The applicant meets and will comply with all of the following standards for the award of grants and subsidies pursuant to Section 42F-103, Hawai'i Revised Statutes:
 - a) Is licensed or accredited, in accordance with federal, state, or county statutes, rules, or ordinances, to conduct the activities or provide the services for which a grant or subsidy is awarded;
 - b) Complies with all applicable federal and state laws prohibiting discrimination against any person on the basis of race, color, national origin, religion, creed, sex, age, sexual orientation, or disability;
 - c) Agrees not to use state funds for entertainment or lobbying activities; and
 - d) Allows the state agency to which funds for the grant or subsidy were appropriated for expenditure, legislative committees and their staff, and the auditor full access to their records, reports, files, and other related documents and information for purposes of monitoring, measuring the effectiveness, and ensuring the proper expenditure of the grant or subsidy.
- 2) The applicant meets the following requirements pursuant to Section 42F-103, Hawai'i Revised Statutes:
 - a) Is incorporated under the laws of the State; and
 - b) Has bylaws or policies that describe the manner in which the activities or services for which a grant or subsidy is awarded shall be conducted or provided.
- 3) If the applicant is a non-profit organization, it meets the following requirements pursuant to Section 42F-103, Hawai'i Revised Statutes:
 - a) Is determined and designated to be a non-profit organization by the Internal Revenue Service; and
 - b) Has a governing board whose members have no material conflict of interest and serve without compensation.

Pursuant to Section 42F-103, Hawai'i Revised Statutes, for grants or subsidies used for the acquisition of land, when the organization discontinues the activities or services on the land acquired for which the grant or subsidy was awarded and disposes of the land in fee simple or by lease, the organization shall negotiate with the expending agency for a lump sum or installment repayment to the State of the amount of the grant or subsidy used for the acquisition of the land.

Further, the undersigned authorized representative certifies that this statement is true and correct to the best of the applicant's knowledge.

Hawaiian Islands Land Trust

(Typed Name of Individual or Organization)



Edward S. Clement, Jr.

(Typed Name)

1/30/13

(Date)

Executive Director

(Title)