

Process for Property Acquisition with Funds from the Public Access, Open Space and Natural Resources Preservation Fund

Each year approximately \$4 million is deposited into the Public Access, Open Space and Natural Resources Preservation Fund (FUND) pursuant to Chapter 2, Article 42, Section 2-214 of the Hawai'i County Code, 1983, 2005 Edition and Article X, Section 10-15 of the Hawai'i County Charter. These funds are 2% of all real property tax revenues, including penalties and interest collected by Hawai'i County each year.

1. The public may submit suggestion forms to the Public Access, Open Space and Natural Resources Preservation Commission (PONC). **PONC suggestion forms may be found on-line at:** <http://records.co.hawaii.hi.us/Weblink8/Browse.aspx?startid=13770&dbid=1> and are due on or before the last business day of June each year. Suggestion forms received after this date will be considered by the Commission the following year. The Commission reviews all suggestion forms, including additional information submitted i.e. pictures, maps, testimony from local residents, archaeological information, real estate listings, land surveys, etc. and also welcomes public testimony at PONC meetings.
2. The Commission prioritizes a list of properties from the suggestion forms that were submitted for that year, compiles all information, creates the Prioritized List of Properties and submits an Annual Report to the Mayor each year by December 31st. **Annual Reports to the Mayor may be found on-line at:** <http://records.co.hawaii.hi.us/Weblink8/Browse.aspx?startid=13770&dbid=1>
3. Once a property is ranked on the list, a member of the Hawai'i County Council may submit a resolution to authorize the Director of Finance to proceed with negotiations for acquisition. Community members are welcome to advocate for this resolution. Once the County Council approves a resolution to acquire the property, the Commission will no longer consider the property for future prioritized lists.
4. The Department of Finance, Property Management Division (PMD) may or may not open negotiations to purchase the property. Factors affecting this decision could be: if there is a willing seller, if there is a community group that is willing to manage the property, if there are matching funds or if there are other properties that are higher priorities for acquisition.
5. The County is more likely to acquire properties that have commitments for matching funds. Matching funds maximize the purchasing power of the FUND. The best use of FUND monies is to be used for dollar for dollar matching funds. The party who submitted the suggestion form will work with the PMD and/or Council Member to seek matching funds. To date, matching funds have been obtained from U.S. Fish and Wildlife Service (USF&W), Recovery Lands Acquisition Program (for endangered species) and the State of Hawai'i, Legacy Land Conservation Program (LLCP). Sources for other matching funds could possibly be obtained from Office of Hawaiian Affairs for cultural sites and from the Federal Emergency Management Administration for flood plain or flood prone lands.

Additional Information:

Article X, Section 10-15 of the Hawai'i County Charter stipulates what lands may be purchased with these funds: (*see excerpt from section below*)

(a) Monies in this fund shall be used solely to:

(1) Purchase or otherwise acquire lands or property entitlements in the County of Hawai‘i for public outdoor recreation and education, including:

(A) Access to beaches and mountains;

(B) Preservation of historic or culturally important land areas and sites;

(C) Protection of natural resources, significant habitat or eco-systems including buffer zones;

(D) Preservation of forests, beaches, coastal areas, natural beauty and agricultural lands; and

(E) Protection of watershed lands to preserve water quality and water supply.

Expenditures for PONC Acquisitions:

<http://records.co.hawaii.hi.us/WebLink8/DocView.aspx?id=65627&dbid=1> This report shows that the County of Hawai‘i has spent \$36,823,352 to obtain land in Hawai‘i County for public use. \$27,389,268 was used from the FUND; \$7,434,083 was obtained from matching funds (USF&W & LLCP) and a private donation of \$2,000,000 from Kohanaiki Shores, LLC.

The Public Access, Open Space and Natural Resources Preservation Maintenance Fund *(administered by the Dept. of Parks & Recreation (P&R))*: There is also money available for community groups to assist the County with stewardship and maintenance of properties purchased with the FUND. The next period that P&R will be accepting stewardship grant applications will be July – August 2017.