



MAUI COASTAL LAND TRUST

Board of Directors 2007

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October 16, 2007

Ms. Molly Schmidt
Department of Land and Natural Resources
Legacy Land Conservation Program
1151 Punchbowl Street, Room 325
Honolulu, Hawai'i 96813

Dear Ms. Schmidt,

Susan Bradford
Lucienne de Naie
Janice Lau Fergus
Michael Foley
William Kamai
Kimokeo Kapahulehua
Dave Mackwell

Please accept this proposal from the Maui Coastal Land Trust for the acquisition of the 78-acre Nu`u parcel. The Maui Coastal Land Trust is very excited about the prospects of acquiring this property. Our preliminary surveys of Nu`u have revealed a number of endangered species in the wetlands, including Hawaiian Stilts, Coots and Ducks. Local residents have also reported seeing Hawaiian Monk Seals and Hawaiian Hoary Bats. Additionally, Nu`u has an extensive complex of both pre and post contact Hawaiian archaeological sites. These include pictographs and petroglyphs, house sites, temporary dwellings and a canoe landing

George Paresa, Jr.
Steve Still
Hugh Starr
Patricia Stillwell

The Maui Coastal Land Trust's goal in acquiring Nu`u will be to restore the fragile ecosystem, preserve and protect the numerous archaeological sites, educate the public about the importance of such places and to encourage respectful public use of this special site. These activities are in keeping with the Maui Coastal Land Trust's mission which is "to preserve and protect coastal lands in Maui Nui for the benefit of current and future generations." Thank you for taking the time to review this proposal, and should you have any questions, please do not hesitate to contact me.

STAFF

Executive Director
Dale B. Bonar

*Development &
Outreach Dir.*
Diane Lee

Project Manager
Scott Fisher

Office Manager
Sally Gretz

Mahalo,

Scott Fisher
Project Manager



GRANT APPLICATION FORM
Legacy Land Conservation Program Funding
September 2007



Forms and Required Preliminary Documentation must be postmarked or hand delivered by October 17, 2007, 4:30 p.m. HST to (refer to Application Instructions for more information):

Department of Land and Natural Resources
Legacy Land Conservation Program
1151 Punchbowl Street, Room 325
Honolulu, Hawaii 96813
Phone: (808) 586-0921
Web: www.hawaii.gov/dlnr/dofaw/lcp

RECEIVED
07 OCT 16 10:57
FORESTRY & WILDLIFE
STATE OF HAWAII

APPLICATION PACKAGE CHECKLIST (check the boxes if the following items are attached and provide an explanation if they are not):

- Letter from current landowner acknowledging project and indicating willingness to sell
- A general location map and a parcel map
- At least one (1), but no more than three (3) photos of the property
- Any concise and relevant appended/supplementary materials (optional)
- FOR NONPROFIT LAND CONSERVATION ORGANIZATIONS
 - Copy of mission statement and
 - IRS 501 (c) (3) or (c) (1) non-profit status determination letter
- WHERE INTENDED HOLDER OF PROPERTY IS OTHER THAN APPLICANT:
a letter from the intended holder of the property interest indicating willingness to participate

CERTIFICATION:

I/We hereby certify that the statements and information contained in this Legacy Land Conservation Program Grant Application, including all attachments, are true and accurate to the best of my/our knowledge and understand that if any statements are shown to be false or misrepresented, this application may be rejected.

Scott Fisher, Ph.D.

Name (please type)

Project Manager

Title

(An authorized person must sign here, such as the applicant's executive director, county commission chairperson, or State agency director.)

Scott Fisher

Signature (sign after printing)

October 16, 2007

Date

SECTION A. APPLICANT INFORMATION

Agency / Organization Name	Maui Coastal Land Trust
Mailing Address (PO Box or Street, City, State, Zip)	Po Box 965 Wailuku, Hawai'i 96793
Contact Person and Title	Scott Fisher, Ph.D. Project Manager
Phone Numbers (best contact, work, cellular)	Cellular Phone (best contact): (808) 357-7739; Office: (808) 244-5263;
Email Address	scott@mauicoastallandtrust.org
Agency / Organization Website (include URL to any specific pages regarding this project)	www.mauicoastallandtrust.org

SECTION B. TYPE OF ACQUISITION

1. We are requesting funding for the acquisition of:

Fee simple interest in private land	<input checked="" type="checkbox"/>
Permanent conservation easement	<input type="checkbox"/>

2. We intend for the property interest to be held by:

State of Hawaii	<input type="checkbox"/>
County of:	<input type="checkbox"/>
Other (indicate entity)*: Maui Coastal Land Trust	<input checked="" type="checkbox"/>

* If the intended holder of the interest is an entity other than the applicant, please supply a letter from this entity acknowledging its participation in the project.

SECTION C. DESCRIPTION OF LAND (SUMMARY)

1. Location of property (please be as specific as possible; for example, "Moloaa, makai, located on the north shore of Kauai"):

Nu'u Makai, located on Maui's south east shore between Kanaio and Kaupo at the foot of Haleakala.

2. Tax Map Key(s) (use the following format: "(4) 5-6-007:008"):

(2) 1-8-001:001 (portion); (2) 1-7-004:003 (portion).

3. Size of property (indicate acreage or square footage):

128 acres

4. What types of easement(s) are located on the property? (for example: vehicular, pedestrian for beach access, utility, etc.):

DLNR, the US Fish and Wildlife Service and Kaupo Ranch have an MOA through the Partnerships For Wildlife Program.

5. Will the public have access to property or easement? Yes No

6. Please provide the following land use information:

State Land Use Designation	Conservation and Agriculture
County Zoning	Agriculture
County General /Community Plan Designation	Hana Community Plan
Flood Zone Designation	Flood Zone A

7. Is property located in a Special Management Area? Yes No

8. Please describe any structures (e.g. size, location, use, condition, etc.) on the property.

The only structure on the property is an unused, dilapidated outhouse.

9. What kinds of land uses/activities are underway on the property? Please describe the any kinds of land uses/activities are underway the subject property and on bordering properties.

Nu'u Makai is currently used for agriculture (cattle grazing) as are the adjacent lands Kaupo Ranch owns. Conservation work is taking place mauka (a private landowner) and in the expanded National Park area (west).

10. What types of surveys or documented analyses, if any, have been conducted regarding the property (e.g. environmental assessments, cultural assessments, environmental impact statements, biological field surveys, archeological surveys, Shoreline Management Area permit applications)?

Due to its rich Cultural Heritage Nu'u has been the subject of a number of cultural assessments, including: Manupau, 1922; Thrum, 1917; and Walker, 1929. Numerous informal biological field surveys have also been conducted.

SECTION D. PRESERVATION PURPOSES

1. We propose that the property be acquired for the following preservation purpose(s) (check all that apply, and then provide more information regarding the preservation purposes in numbers 2 through 10 below for *checked areas only*):

Watershed protection	<input type="checkbox"/>	Parks	<input type="checkbox"/>
Coastal areas, beaches and ocean access	<input checked="" type="checkbox"/>	Natural areas	<input checked="" type="checkbox"/>
Habitat protection	<input checked="" type="checkbox"/>	Agricultural production	<input type="checkbox"/>
Cultural and historical sites	<input checked="" type="checkbox"/>	Open spaces and scenic resources	<input checked="" type="checkbox"/>
Recreational and public hunting areas	<input checked="" type="checkbox"/>		

2. Watershed Protection: Please describe the watershed function of this property: (elevation gradient, type/condition of vegetation, presence of perennial or ephemeral streams or drainage channels, other water bodies, etc.).

Nu'u Makai is a coastal parcel largely covered by non-indigenous grasses and trees. However, it also contains a 6-acre coastal palustrine discharge wetland with numerous indigenous and endemic floral and faunal species.

3. Coastal areas, beaches and ocean access: Please describe the coastal significance of this property (e.g. length of shoreline, intertidal areas, type/amount of beach, coastal strand vegetation, extent of erosion, etc.). Please describe the type and extent of ocean access.

With 5000 feet of pristine coastline, the Nu'u Makai near shore area is a critical habitat area. The geology consists of both lava escarpment and stone cobble shoreline frequented for recreational fishing.

4. Habitat Protection: Please describe the types of habitat present within the property, including the types of wildlife species that use the area and the elevation range of the property. Describe the condition of habitat, including the presence of both threatened & endangered and invasive species. Describe the size/diversity of wildlife populations. Note if the habitat is formally designated (e.g. critical habitat, wildlife refuge, etc.). Note also the condition and extent of wildlife habitat on adjacent lands.

Nu'u contains both coastal and wetland habitat. Recent studies have documented 21 species of migratory birds as well as endangered Hawaiian Coots (up to 40), Hawaiian Stilts (up to 16) and Hawaiian Ducks.

5. Cultural and historic sites: Please identify the presence, location and condition of cultural or historic structures or sites (e.g., heiau, lo'i, burial caves, dunes, or remnant walls) on the property. Identify any sites that are listed on or eligible for the National Register of Historic Places.

Nu'u Makai contains extensive cultural and historic sites. These include burial sites, petroglyphs, a Ko'a, or a fishing shrine, as well as numerous remnant walls of dwellings found throughout the property.

6. Recreational and public hunting areas: Please identify ongoing types and levels of public recreational activity on the property and describe the level of public access. Please identify the types of activities anticipated after acquisition of the property. Is public hunting currently underway on the property? Is the property within a Game Management Area?

Fishing and diving remain the most common type of public recreational activity. Upon acquisition we anticipate that legal, respectful public recreation will continue. There is currently no hunting on the property.

7. Parks: Is the parcel within or adjacent to a Federal, State or County Park? If so, please describe.

The adjacent property to the west has been purchased by the Conservation Fund and is slated for acquisition by Haleakala National Park.

8. Natural Area: Please describe the natural resources on the property (e.g. streams, estuaries, anchialine ponds, dunes, caves, forest, etc.). Is the property within or adjacent to a formally designated natural area (e.g., Natural Area Reserve, Refuge, Sanctuary, etc.)?

Nu'u contains some of the most pristine coastal wetlands (6 acres) and shoreline (5000 feet) on Maui. The immediately adjacent mauka area is managed as the Leeward Haleakala Watershed Restoration Partnership.

9. Agricultural Production: Please describe the types and extent of agricultural activities underway on the property or adjacent to the property. Note if there is a record of past agricultural activities.

From the 19th century through the late 20th century Nu'u was used for cattle production. Kaupo Ranch currently stables horses on the property and this would be discontinued upon our acquisition of the property.

10. Open spaces or scenic resources: Please describe the open space values of the property.

Is the property readily visible from surrounding and/or distant areas? Describe the view plane from the property. Does the property itself have unusual or exceptional value as a site from which to view and appreciate scenic vistas?

Nu'u is visible from distant areas, and the view plane from the property takes in the sweeping vista of the south flank of Haleakala. The view from this property is absolutely stunning.

SECTION E. ENVIRONMENTAL HAZARDS

1. If there are suspected or potential hazards associated on or related to this property, please check all the following that apply and describe each:

There are no known hazards.	<input checked="" type="checkbox"/>
The property is a designated brownfield (former industrial use)	<input type="checkbox"/>
There has been illegal dumping /hazardous materials.	<input type="checkbox"/>
The property is prone to flooding or is a natural drainage basin.	<input type="checkbox"/>
The property is prone to falling rocks or mudslides.	<input type="checkbox"/>
The property lays fallow/overgrown and ground is not level (rocky)	<input checked="" type="checkbox"/>
Other suspected or potential hazards:	<input type="checkbox"/>

SECTION F. FUNDING REQUEST

1. What is the fair market value of the fee simple property?

\$ 6,000,000

2. What is the fair market value of the conservation / agricultural easement?

\$ N/A

3. How were the estimated values determined?

	<u>Fee Simple</u>	<u>Easement</u>
Appraisal Report (please indicate date & author of report)	\$7,000; Report is in progress by ACM Consultants.	
Current County Tax Assessed Value	Portions of TMK	
Other (please specify)		

4. Is the property or easement currently listed for sale or has it been listed for sale within the past two years?

Yes. Asking price:

\$
\$6,000,000

No

5. What is the total estimated cost for acquisition? Please use the table below:

Estimated Acquisition Cost Worksheet				
Expense Item	Estimated Cost	% of Costs to be Paid by:		
		Land Owner	Applicant	Other (specify)
Appraisal report	\$7,000	100%		
Title report	\$300		100%	
Property survey	N/A			
Subdivision	N/A			
Environmental investigation	N/A			
Other:	\$4000 (title ins.)		100%	
Other:				
Other:				
Other:				
Total Estimated Acquisition	\$ 11,300			
Estimated Value of Property	\$ 6,000,000			
TOTAL ANTICIPATED COST OF ACQUISITION	\$ 6,004,300	%	%	%

6. What are the anticipated matching funds? Please use table below:

Estimated Matching Funds Worksheet			
Type	\$ Amount	Source of Funds or Basis of Valuation	Status* (Secured/Pending)
Private funds			
Public/other funds	\$1,000,000	U.S. Fish and Wildlife Service	Secured
Public/other funds	\$1,790,000	U.S. Fish and Wildlife Service	Secured
Public/other funds			
Public/other funds			
Land value donation (can include bargain sale reduction in price from fair market value in this category)	2,000,000	Kaupo Ranch, Inc.	Secured
In-kind contributions			
TOTAL MATCHING FUNDS	\$ 4,790,000		
AMOUNT BEING REQUESTED FROM THE LEGACY LAND PROGRAM	\$ 1,214,300		
TOTAL ANTICIPATED PROJECT FUNDING	\$ 6,004,300		

* Please describe the current status of any pending funds and indicate the date that any pending funds will become available if they are awarded:

All matching funds are secured through both the U.S. Fish and Wildlife Service (National Coastal Wetlands Conservation Grant Program and the Recovery Lands Act) as well as the Kaupo Ranch partners.

7. Please provide an estimated timeline for acquisition (note that funding will expire two years from date of award agreement):

Because we have secured funding of everything except what we are asking for from the Legacy Land Conservation program, if the funds are granted we anticipate finalizing the purchase of Nu'u within approximately three months following the granting of these funds. This will allow us the time to finalize any outstanding issues related to the land acquisition.

SECTION G. PROJECT DESCRIPTION

Please attach answers to the questions below on a separate sheet and attach it to the application form. Make sure to number your answers so they correlate with the numbered questions below. Please limit the length of your answers to Questions 1 and 2 to one single-spaced page, Times New Roman 12-point font, 1 inch margins.

1. Briefly describe the overall significance and importance of the property and/or easement.
2. Identify any conditions that threaten the significance and importance of the subject site. This may include anticipated uses of neighboring lands, environmental conditions (e.g. sedimentation, runoff, invasive species, conflicting activities, etc.).

SECTION H. STEWARDSHIP AND MANAGEMENT

Please attach an answer to the question below on a separate sheet and attach it to the application form. Please limit your answer to Question 3 to one single-spaced page, Times New Roman 12-point font, 1 inch margins.

3. Briefly describe the proposed use of the acquired property or easement including any short and long term goals, resource management plan, sources of start up funding, operation and maintenance funding. Disclose any intended commercial uses. What entity (if not the applicant) will manage the property/easement? Please describe the expertise and experience of the managing entity.

**KAUPO RANCH
1576 Halama Street
Kihei, Maui, Hawaii 96753**

July 12, 2006

Mr. Dale B. Bonar, Executive Director
Maui Coastal Land Trust
P.O. Box 965
Wailuku, Hawaii 96793

Reference: Nu'u Landing Parcels, Kaupo Ranch

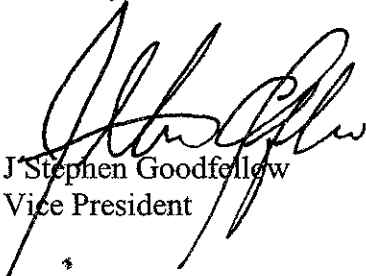
Dear Dale,

I am writing to confirm our conversation regarding the acquisition of Nu'u Landing Parcels by the Maui Coastal Land Trust. As you know, the Ranch partners feel this is an exceptionally important area from a cultural, historical and environmental standpoint and we are pleased the Land Trust is working to conserve it in perpetuity.

As we discussed, the appraisal of the parcels at Nu'u have been ordered and we can finalize the purchase terms after its receipt. Upon receipt of the appraisal, the shareholders may give full consideration to a bargain sale and an additional discount.

I look forward to finalizing the purchase details with you once the appraisal has arrived and will contact you at that time.

Sincerely,



J. Stephen Goodfellow
Vice President

LLCF Proposal

Maui Coastal Land Trust, October 2007



FIGURE 1. Location Map. Property proposed for acquisition outlined in green.

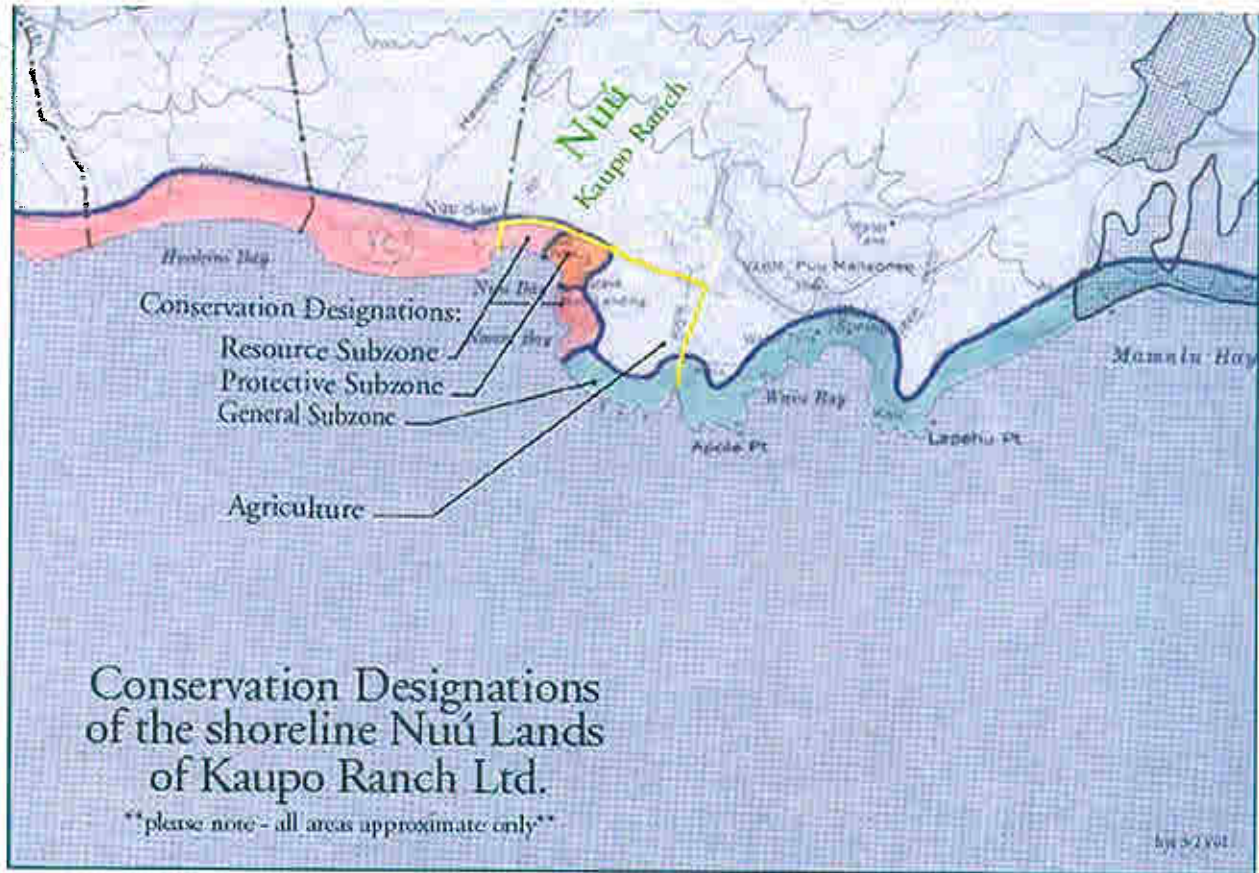


FIGURE 2. Conservation Designations of 78 acre Nu`u Makai parcel proposed for acquisition (outlined in yellow).

LLCF Proposal

Maui Coastal Land Trust, October 2007

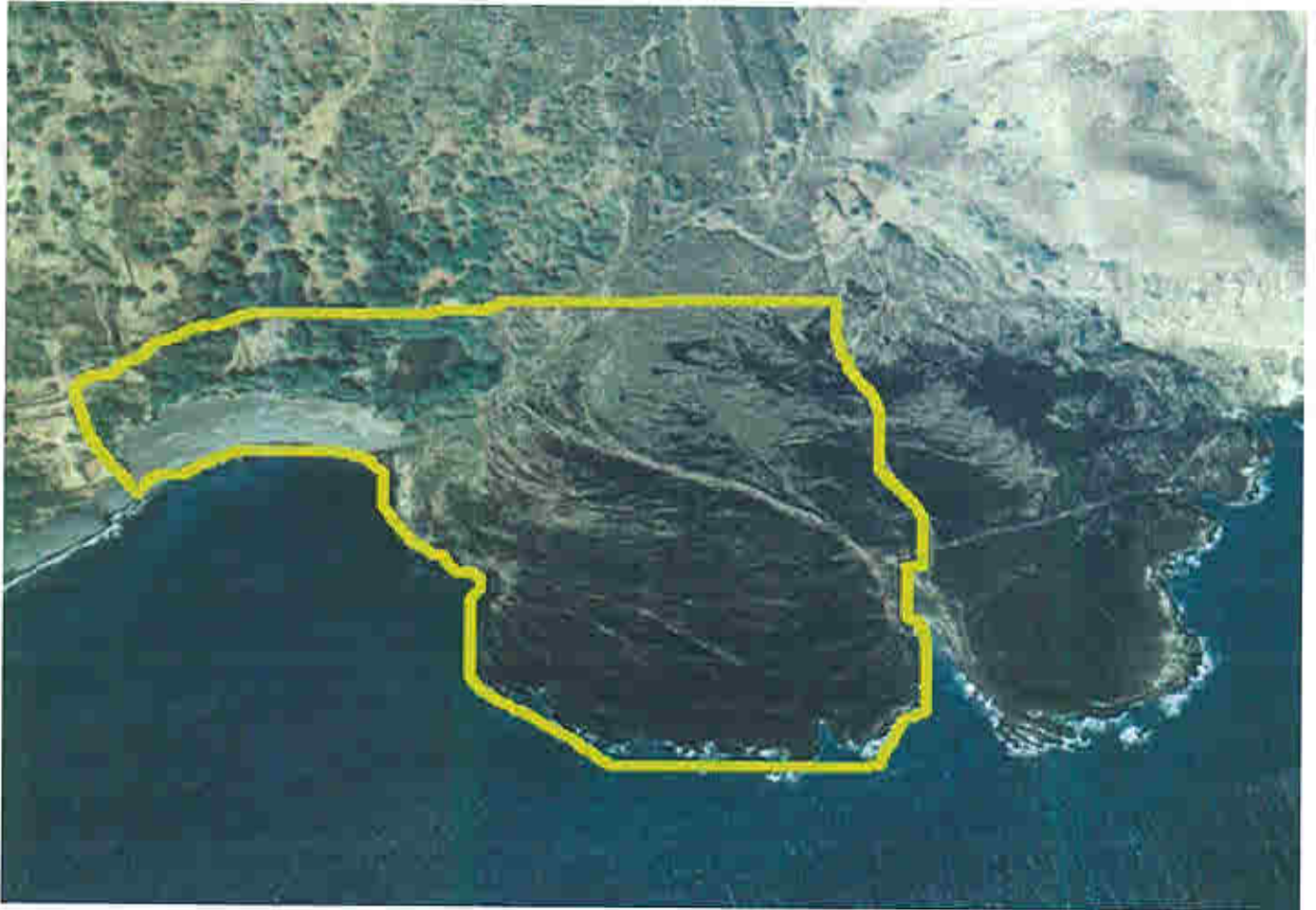


FIGURE 3. Aerial View of Nu`u Makai parcel proposed for acquisition (78 acres, outlined in yellow).

LLCF Proposal

Maui Coastal Land Trust, October 2007



FIGURE 4. Photograph of Nu`u Makai Wetlands (above; ca. 6 acres) and endangered Ae`o in the wetlands (below).



LLCF Proposal

Maui Coastal Land Trust, October 2007



FIGURE 5. Two of several petroglyphs and pictographs located on Nu`u Makai parcel proposed for acquisition.



MAUI COASTAL LAND TRUST

Mission Statement

The mission of the Maui Coastal Land Trust is “to preserve and protect coastal lands in Maui Nui (Maui, Moloka’i and Lana’i) for the benefit of the natural environment and of current and future generations.



INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **JAN 26 2007**

MAUI COASTAL LAND TRUST
PO BOX 965
WAILUKU, HI 96793

Employer Identification Number:
99-0353223
DLN:
17053350725036
Contact Person:
SHAWNDEA KREBS ID# 31072
Contact Telephone Number:
(877) 829-5500
Public Charity Status:
170(b)(1)(A)(vi)

Dear Applicant:

Our letter dated March 2001, stated you would be exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code, and you would be treated as a public charity, rather than as a private foundation, during an advance ruling period.

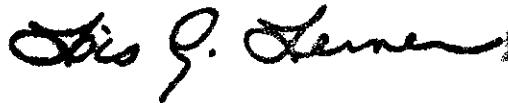
Based on the information you submitted, you are classified as a public charity under the Code section listed in the heading of this letter. Since your exempt status was not under consideration, you continue to be classified as an organization exempt from Federal income tax under section 501(c)(3) of the Code.

Publication 557, Tax-Exempt Status for Your Organization, provides detailed information about your rights and responsibilities as an exempt organization. You may request a copy by calling the toll-free number for forms, (800) 829-3676. Information is also available on our Internet Web Site at www.irs.gov.

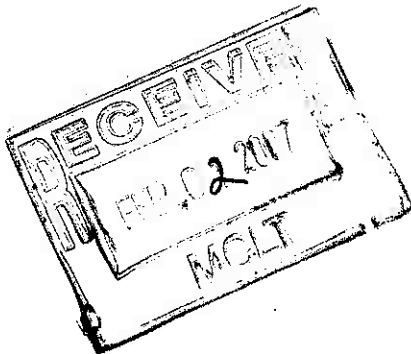
If you have general questions about exempt organizations, please call our toll-free number shown in the heading.

Please keep this letter in your permanent records.

Sincerely yours,



Lois G. Lerner
Director, Exempt Organizations
Rulings and Agreements



Letter 1050 (DO/CG)