REPORT OF THE COMMITTEE ON ZONING & PLANNING

Voting Members:
Esther Kiaʻāina, Chair; Tommy Waters, Vice-Chair;
Radiant Cordero, Val A. Okimoto, Andria Tupola

Committee Meeting Held
June 25, 2026

Honorable Tommy Waters
Chair, City Council
City and County of Honolulu

Mr. Chair:

Your Committee on Zoning & Planning, which considered Resolution 26-134 entitled:

"RESOLUTION APPROVING THE EXPENDITURE OF CLEAN WATER AND NATURAL LANDS FUNDS TO ACQUIRE A PERPETUAL CONSERVATION EASEMENT OVER TWELVE PARCELS KNOWN AS KE KĪPUKA O KALAEUILA TAX MAP KEYS: (1) 5-6-003: 011, 019, 020, 021, 022, 023, 024, 026, 030, 031, 046, AND 049 IN KAHUKU, OʻAHU, HAWAIʻI,"

introduced on May 27, 2026, reports as follows:

The purpose of Resolution 26-134 is to approve the expenditure of Clean Water and Natural Lands ("CWNL") funds for the City to acquire a perpetual conservation easement over twelve parcels of land totaling approximately 170 acres, known as Ke Kīpuka o Kalaeuila, located in Kahuku, Oʻahu, Hawaiʻi, and identified as Tax Map Keys: (1) 5-6-003:011, 019, 020, 021, 022, 023, 024, 026, 030, 031, 046, and 049 (the "Property").

Resolution 26-134 is a reintroduction of Resolution 25-176, which was filed pursuant to § 1-2.5, Revised Ordinances of Honolulu 2021 ("ROH"), which sets a one-year filing period on pending resolutions.

ADOPTED ON JUL 8 2026

COMMITTEE REPORT NO. 188(26)

The proposal was initially submitted to the Department of Housing and Land Management ("DHLM") and the Clean Water and Natural Lands Advisory Commission (the "Commission") by the Trust for Public Land ("TPL") and the North Shore Community Land Trust ("NSCLT"). Both land trusts are nonprofit 501(c)(3) organizations.

Under the initial application, the NSCLT would acquire a fee simple interest in the Property, valued at $25 million, from current landowners NSR Farms LLC, NSH Farms LLC, and NSP Farms LLC. As a part of this land purchase transaction, the City would acquire a perpetual conservation easement over the Property at an estimated price ranging from $10.5 million up to $16 million.

According to the initial application, the balance of the purchase price of the property would be obtained from various funding sources including $3,000,000 from the State Department of Land and Natural Resources Legacy Land Conservation Program, and $4,000,000 from the Federal Department of Defense Readiness Environmental Protection Integration Program.

The property is one of the last remaining intact coastal dune ecosystems on O'ahu, which provides habitat to several native and endangered species; contains cultural and historical sites; and includes significant watershed lands, forests, beaches, coastal areas, and agricultural lands.

The Commission found that the proposal strongly aligns with all seven purposes of the CWNL fund under Section 9-204.2(a), Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended ("Charter"), which requires CWNL funds to be used to acquire real estate or a perpetual conservation easement for:

1. Protection of significant watershed lands to preserve water quality and water supply;

2. Preservation of significant forests, beaches, coastal areas, and agricultural lands;

3. Public outdoor recreation and education, including access to beaches and mountains;

4. Preservation of historic or culturally important land areas and sites;

5. Protection of significant habitats or ecosystems, including buffer zones;

6. Conservation of land to significantly reduce erosion, floods, landslides, and runoff; and

7. Acquisition of public access to public land and open space to yield a significant public benefit.

Based on the initial application, the Commission recommends that CWNL funds be used to fully fund the City's acquisition of a conservation easement over the Property, in an amount not to exceed the appraised value of the conservation easement, subject to Administration advice upon the completion of due diligence and negotiations.

Recently, the Office of Hawaiian Affairs ("OHA") has shown interest in acquiring the Property, and OHA's Investment and Land Management Committee approved the performance of due diligence activities to potentially acquire the Property. Upon acquisition, OHA plans to engage a steward in a long-term lease, to serve as the manager and steward of the Property.

On June 12, 2026, OHA presented a proposal to the Commission that modifies the application for the Property, to reflect OHA as a co-applicant with the TPL and NSCLT. The Commission considered the modified application and recommended approval of the expenditure of CWNL funds for the modified application.

OHA anticipates that initial efforts will focus on the development of a community-led management plan and restoration of the native coastal dune habitat through invasive species removal, native out-planting, and predator control, while also caring for the property's cultural sites and traditional aquaculture systems. OHA's stewardship vision also includes managed public access, educational and cultural programming, subsistence and cultural gathering practices, and appropriate recreational access to the coastline.

The proposed CD1 version of Resolution 26-134 modifies the structure of the transaction so that OHA will acquire a fee simple ownership interest in the Property, with the City holding a conservation easement over the land to ensure permanent protection in perpetuity.

At your Committee's meeting on June 25, 2026, the Chief Executive Officer ("CEO") of the OHA Board of Trustees testified that OHA's core mission acknowledges that natural resources are cultural resources, and caring for the āina (land) is akin to caring for the people and the community. The CWNL program and its funding perpetuate this kuleana (responsibility) that the health of our land is inextricable from the health of our people. The OHA CEO stated that OHA is poised to receive, steward, and safeguard these lands. OHA's philosophy and practice of stewardship recognizes that the communities closely connected to these lands are the foundation on which OHA co-stewards and strengthens its relationship with those communities. The OHA CEO indicated that this philosophy highlights OHA's partnership with the North Shore Community Land Trust, which has been dedicated to the stewardship of the Property. The OHA Board of Trustees supports the Resolution and encourages the City to explore CWNL Fund initiatives, which advance the shared responsibility to steward and protect the precious natural resources that make Hawaii unique.

Representatives of the Trust for Public Land and the North Shore Community Land Trust provided a presentation on the proposal and the Property, and responded to questions from Councilmembers.

The Conservation Office Program Manager from the Department of Housing and Land Management ("DHLM") testified that the DHLM will be launching a program to assist community groups and organizations to steward property acquired with CWNL funds, and responded to questions from Councilmembers.

The North Shore Community Land Trust, Chair of the Clean Water and Natural Lands Advisory Commission, and four individuals testified in support of the Resolution.

Your Committee received written testimony in support of the Resolution from Kūpa'a Kuilima, Ka'ala Farm, Farm Link Hawai'i, Hanai Hives, Country TalkStory.com, Lāhui Foundation, Trust For Public Land, Defend Oahu Coalition, Aloha Marconi Alliance, Sierra Club Oahu Group, North Shore Community Land Trust, and 152 individuals.

Your Committee prepared a CD1 version of the Resolution that makes the following amendments:

A. Amends the resolution title to read as follows:

"APPROVING THE EXPENDITURE OF CLEAN WATER AND NATURAL LANDS FUNDS TO ACQUIRE A PERPETUAL CONSERVATION EASEMENT OVER TWELVE PARCELS OF LAND KNOWN AS KE KĪPUKA O KALAEUILA, TAX MAP KEYS: (1) 5-6-003:011, 019, 020, 021, 022, 023, 024, 026, 030, 031, 046, AND 049 IN KAHUKU, O'AHU, HAWAI'I."

B. Moves the former fifth WHEREAS clause to a new fourth WHEREAS clause, and provides that the Clean Water and Natural Lands Advisory Commission ("Commission") is responsible for reviewing qualified proposals and submitting recommendations to the Council for the approval of expenditures from the Clean Water and Natural Lands Fund ("CWNL Fund").

C. Combines then separates the former fourth and sixth WHEREAS clauses to form two new WHEREAS clauses:

1. In the fifth WHEREAS clause, provides background information on the Trust for Public Land ("TPL") and the North Shore Community Land Trust ("NSCLT").

2. In the sixth WHEREAS clause, provides that the TPL and NSCLT proposal involves the City's acquisition of a perpetual conservation easement over approximately 170 acres of land identified as Tax Map Keys: (1) 5-6-003: 011, 019, 020, 021, 022, 023, 024, 026, 030, 031, 046, and 049 ("Ke Kīpuka o Kalaeuila Parcels").

D. Amends the eighth WHEREAS clause to provide that the Commission found the TPL and NSCLT proposal strongly aligns with the seven purposes of the CWNL Fund set forth in Charter Section 9-204.2, and unanimously recommended the expenditure of CWNL Fund moneys to fully fund the City's acquisition of a perpetual easement over the Ke Kīpuka o Kalaeuila Parcels in an amount not to exceed the appraised value of the conservation easement, which is estimated to range from $10,500,000 up to $16,000,000.

E. Adds a new ninth WHEREAS clause to provide that the Council agrees that the Ke Kīpuka o Kalaeuila Parcels consist of ecologically and culturally significant land, including one of the last intact coastal dune ecosystems on O'ahu.

F. Adds a new 10th WHEREAS clause to provide that the Office of Hawaiian Affairs ("OHA") has shown interest in acquiring the Ke Kīpuka o Kalaeuila Parcels.

G. Adds a new 11th WHEREAS clause to provide that OHA's Investment and Land Management Committee approved the performance of due diligence activities to potentially acquire the Ke Kīpuka o Kalaeuila Parcels.

H. Adds a new 12th WHEREAS clause to provide that OHA presented a proposal to the Commission that modifies the application for the Ke Kīpuka o Kalaeuila Parcels, to reflect OHA as the applicant, in partnership with the TPL and NSCLT.

I. Adds a new 13th WHEREAS clause to provide that the Commission considered the modified application and recommended approval of the expenditure from the CWNL Fund for the modified Ke Kīpuka o Kalaeuila proposal.

J. Adds a new 14th WHEREAS clause to provide that upon acquisition, OHA will become the landowner of the Ke Kīpuka o Kalaeuila Parcels, and plans to engage a steward in a long-term lease, to serve as the manager and steward of the land.

K. Adds a new 15th WHEREAS clause to provide that OHA anticipates that initial efforts will focus on the development of a community-led management plan and restoration of the native coastal dune habitat through invasive species removal, native out-planting, and predator control, while also caring for the property's cultural sites and traditional aquaculture systems.

L. Adds a new 16th WHEREAS clause to provide that OHA's stewardship vision also includes managed public access, educational and cultural programming, subsistence and cultural gathering practices, and appropriate recreational access to the coastline.

M. Adds a new 17th WHEREAS clause to provide that the TPL and NSCLT have expressed their support of OHA's acquisition of the Ke Kīpuka o Kalaeuila Parcels, with the City holding a conservation easement over the land to ensure permanent protection in perpetuity; the TPL and NSCLT are willing to work with OHA and the City to obtain federal and State of Hawai'i funding to be used toward the overall acquisition purchase price of the land.

N. Amends the last WHEREAS clause to provide that the Council desires to approve the expenditure of a specified amount of CWNL Fund moneys for the City to acquire a perpetual conservation easement over the Ke Kīpuka o Kalaeuila Parcels, subject to appropriate terms, covenants, and conditions as may be determined by the Department of Housing and Land Management.

O. Combines the BE IT RESOLVED and BE IT FURTHER RESOLVED clauses and provides for a single BE IT RESOLVED clause that approves of the expenditure of a specified amount of funds from the CWNL Fund for the City's acquisition of a perpetual conservation easement over 12 parcels of land comprising Ke Kīpuka o Kalaeuila, subject to the following conditions:

1. Limits the maximum amount of CWNL Fund moneys available for the City's acquisition of the perpetual conservation easement to $14,000,000;

2. Requires the Administration to complete all due diligence as deemed necessary or desirable by the Department of the Corporation Counsel and implement standard transaction closing practices, including obtaining a formal conservation easement appraisal and title review, prior to the closing of the transaction;

3. Requires that all commitments relating to the protection, preservation, conservation, and stewardship of the Ke Kīpuka o Kalaeuila Parcels included in the modified application submitted by the Office of Hawaiian Affairs, in partnership with the Trust for Public Land and the North Shore Community Land Trust, must be incorporated into the final Grant of Conservation Easement and Declaration of Covenants; and

4. Provides that in the event the acquisition in fee simple of the 12 parcels of land comprising Ke Kīpuka o Kalaeuila by OHA (as purchaser) from NSR Farms LLC, NSH Farms LLC, and NSP Farms LLC (as seller) is terminated or cancelled for any reason by any party, the resolution is null and void.

P. Adds a new BE IT FURTHER RESOLVED clause to provide that six months after the effective date of the resolution, and every six months thereafter until the land acquisition transaction closes, the Director of Housing and Land Management is required to submit a report to the Council detailing the progress of the City's due diligence efforts, and the status of the City's perpetual conservation easement transaction.

Q. In the BE IT FINALLY RESOLVED clause, adds the Chief Executive Officer of the Office of Hawaiian Affairs as a recipient of a copy of the resolution.

R. Attaches as Exhibits A-1 and A-2 maps depicting the location of the Ke Kīpuka o Kalaeuila Parcels.

S. Makes miscellaneous technical and nonsubstantive amendments.

REPORT OF THE COMMITTEE ON ZONING & PLANNING

Voting Members:
Esther Kia'āina, Chair; Tommy Waters, Vice-Chair;
Radiant Cordero, Val A. Okimoto, Andria Tupola

Your Committee on Zoning & Planning is in accord with the intent and purpose of Resolution 26-134, as amended herein, and recommends its adoption in the form attached hereto as Resolution 26-134, CD1. (Ayes: Cordero, Kia'āina, Okimoto, Tupola, Waters – 5; Noes: None.)

Respectfully submitted,

Committee Chair

ADOPTED ON JUL 8 2026

COMMITTEE REPORT NO. 188(26)

HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

No. **26-134, CD1**

RESOLUTION

APPROVING THE EXPENDITURE OF CLEAN WATER AND NATURAL LANDS FUNDS TO ACQUIRE A PERPETUAL CONSERVATION EASEMENT OVER TWELVE PARCELS OF LAND KNOWN AS KE KĪPUKA O KALAEUILA, TAX MAP KEYS: (1) 5-6-003:011, 019, 020, 021, 022, 023, 024, 026, 030, 031, 046, AND 049 IN KAHUKU, O'AHU, HAWAI'I.

WHEREAS, Section 9-204.1, Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended ("Charter"), establishes the Clean Water and Natural Lands Fund ("CWNL Fund"); and

WHEREAS, Charter Section 9-204.2 provides that moneys in the CWNL Fund shall be used to purchase or otherwise acquire real estate or any qualified interest therein for land conservation in the City and County of Honolulu ("City") for the following purposes:

1. Protection of significant watershed lands to preserve water quality and water supply;

2. Preservation of significant forests, beaches, coastal areas, and agricultural lands;

3. Public outdoor recreation and education, including access to beaches and mountains;

4. Preservation of historic or culturally important land areas and sites;

5. Protection of significant habitats or ecosystems, including buffer zones;

6. Conservation of land to significantly reduce erosion, floods, landslides, and runoff; and

7. Acquisition of public access to public land and open space to yield a significant public benefit; and

WHEREAS, Charter Section 9-204.8 requires the Department of Housing and Land Management ("DHLM") to receive proposals for expenditures from the CWNL Fund, and submit qualified proposals to the Clean Water and Natural Lands Advisory Commission ("Commission"); and

RESOLUTION

WHEREAS, the Commission is responsible for reviewing qualified proposals and submitting recommendations to the City Council ("Council") regarding the approval of expenditures from the CWNL Fund; and

WHEREAS, by communication dated April 22, 2025, the DHLM transmitted to the Commission a qualified proposal for expenditures from the CWNL Fund, proposed by the Trust for Public Land ("TPL"), a national nonprofit 501(c)(3) organization founded in 1972, to serve as co-applicant and project manager to facilitate the acquisition of a perpetual conservation easement, and the North Shore Community Land Trust ("NSCLT"), a domestic nonprofit 501(c)(3) organization established in 1997, to serve as co-applicant, fee simple landowner, and steward of the parcels subject to the perpetual conservation easement; and

WHEREAS, the TPL and NSCLT proposal involves the City's acquisition of a perpetual conservation easement over approximately 170 acres of land identified as Tax Map Keys: (1) 5-6-003:011, 019, 020, 021, 022, 023, 024, 026, 030, 031, 046, and 049 ("Ke Kīpuka o Kalaeuila Parcels"), as highlighted in orange on the maps attached as Exhibits A-1 and A-2, and incorporated by reference herein (the "Proposal"); and

WHEREAS, Section 198-1, Hawaii Revised Statutes ("HRS"), defines a conservation easement to be "an interest in real property created by deed, restrictions, covenants, or conditions, the purpose of which is to:

(1) Preserve and protect land predominantly in its natural, scenic, forested, or open-space condition;

(2) Preserve and protect the structural integrity and physical appearance of cultural landscapes, resources, and sites which perpetuate indigenous native Hawaiian culture;

(3) Preserve and protect historic properties as defined in [HRS] section 6E-2, and traditional and family cemeteries; or

(4) Preserve and protect land for agricultural use"; and

RESOLUTION

WHEREAS, at its meeting on May 16, 2025, the Commission, having reviewed the application and finding that the Proposal strongly aligns with the seven purposes of the CWNL Fund set forth in Charter Section 9-204.2, unanimously recommended the expenditure of CWNL Fund moneys to fully fund the City's acquisition of a perpetual conservation easement over the Ke Kīpuka o Kalaeuila Parcels in an amount not to exceed the appraised value of the conservation easement, which is estimated to range from $10,500,000 up to $16,000,000; and

WHEREAS, the Council agrees that the Ke Kīpuka o Kalaeuila Parcels consist of ecologically and culturally significant land, including one of the last intact coastal dune ecosystems on O'ahu, which includes native and endangered species habitats, cultural and historic sites, watershed lands, forests, beaches, coastal areas, and agricultural lands; and

WHEREAS, the Office of Hawaiian Affairs ("OHA") has shown interest in acquiring the Ke Kīpuka o Kalaeuila Parcels as part of its Legacy Lands Program, which is dedicated to executing the responsible stewardship of OHA's legacy landholdings across the Hawaiian archipelago, prioritizing the connection between land and people; and

WHEREAS, on May 27, 2026, OHA's Investment and Land Management Committee approved the performance of due diligence activities to potentially acquire the land; and

WHEREAS, on June 12, 2026, OHA presented a proposal to the Commission that modifies the application for the Ke Kīpuka o Kalaeuila Parcels, to reflect OHA as the applicant, in partnership with the TPL and NSCLT; and

WHEREAS, the Commission considered the modified application and recommended approval of the expenditure from the CWNL Fund for the modified Ke Kīpuka o Kalaeuila proposal; and

WHEREAS, upon acquisition, OHA will become the landowner of the Ke Kīpuka o Kalaeuila Parcels, and plans to engage a long-term lessee to serve as the manager and steward of the land; and

WHEREAS, OHA anticipates that initial efforts will focus on the development of a community-led management plan and restoration of the native coastal dune habitat through invasive species removal, native out-planting, and predator control, while also caring for the property's cultural sites and traditional aquaculture systems; and

RESOLUTION

WHEREAS, OHA's stewardship vision also includes managed public access, educational and cultural programming, subsistence and cultural gathering practices, and appropriate recreational access to the coastline; and

WHEREAS, the TPL and NSCLT support OHA's acquisition of the Ke Kīpuka o Kalaeuila Parcels, with the City holding a conservation easement over the land to ensure permanent protection in perpetuity, and the TPL and NSCLT are willing to work with OHA to obtain federal and State of Hawai'i funding to be used toward the overall acquisition purchase price of the land; and

WHEREAS, the Council finds that:

1. Protecting the Ke Kīpuka o Kalaeuila Parcels would preserve an intact native coastal dune ecosystem, habitat for native and endangered species, unique aquaculture production, and a rich cultural landscape;

2. Returning these parcels to community stewardship would create a sanctuary for native species and cultural practices, perpetuate 'āina-based education, restore habitats for threatened and endangered native animals and plants, and preserve opportunities for traditional and modern aquaculture and agroforestry; and

3. Upon acquisition, the City and County of Honolulu will be the holder of a perpetual conservation easement over the Ke Kīpuka o Kalaeuila Parcels; and

WHEREAS, the Council, having received and considered the findings and recommendations of the Commission through the DHLM, desires to approve the expenditure of a specified amount of CWNL Fund moneys for the City to acquire a perpetual conservation easement over the Ke Kīpuka o Kalaeuila Parcels, subject to appropriate terms, covenants, and conditions as may be determined by the DHLM; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that it approves the expenditure of a specified amount of funds from the Clean Water and Natural Lands Fund for the City to acquire a perpetual conservation easement over 12 parcels of land comprising Ke Kīpuka o Kalaeuila, for the purposes of protecting, conserving, and managing public access to the land and its coastal dune ecosystem, which includes native and endangered species habitats, cultural and historic sites,

watershed lands, forests, beaches, coastal areas, and agricultural lands, subject to the following conditions:

1. The maximum amount of funds from the Clean Water and Natural Lands Fund that may be used toward the City's acquisition of a perpetual conservation easement is $14,000,000, the specific amount to be subject to a formal conservation easement appraisal.

2. Prior to the closing of the conservation easement transaction, the City Administration shall complete all due diligence as deemed necessary or desirable by the Department of the Corporation Counsel, and standard transaction closing practices must be implemented, including obtaining a formal conservation easement appraisal and title review.

3. All commitments relating to the protection, preservation, conservation, and stewardship of the 12 parcels of land comprising Ke Kīpuka o Kalaeuila included in the modified application submitted by the Office of Hawaiian Affairs, in partnership with the Trust for Public Land and the North Shore Community Land Trust, must be incorporated into the final Grant of Conservation Easement and Declaration of Covenants.

4. In the event the acquisition in fee simple of the 12 parcels of land comprising Ke Kīpuka o Kalaeuila by the Office of Hawaiian Affairs (as purchaser) from NSR Farms LLC, NSH Farms LLC, and NSP Farms LLC (as seller) is terminated or cancelled for any reason by any party, this resolution and the authorized expenditure of funds from the Clean Water and Natural Lands Fund for the City to acquire a perpetual conservation easement over the 12 parcels will be rendered null and void; and

BE IT FURTHER RESOLVED that six months after the adoption of this resolution, and every six months thereafter until the perpetual conservation easement transaction closes, the Director of Housing and Land Management shall submit a report to the Council detailing the progress of the City's due diligence efforts, and the status of the City's perpetual conservation easement transaction; and

HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

No. **26-134, CD1**

RESOLUTION

BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Mayor, the Managing Director, the Director of Housing and Land Management, the Director of Budget and Fiscal Services, the Chair of the Clean Water and Natural Lands Advisory Commission, the Chair of the Office of Hawaiian Affairs Board of Trustees, the Chief Executive Officer of the Office of Hawaiian Affairs, the Hawai'i State Director of the Trust for Public Land, and the Executive Director of the North Shore Community Land Trust.

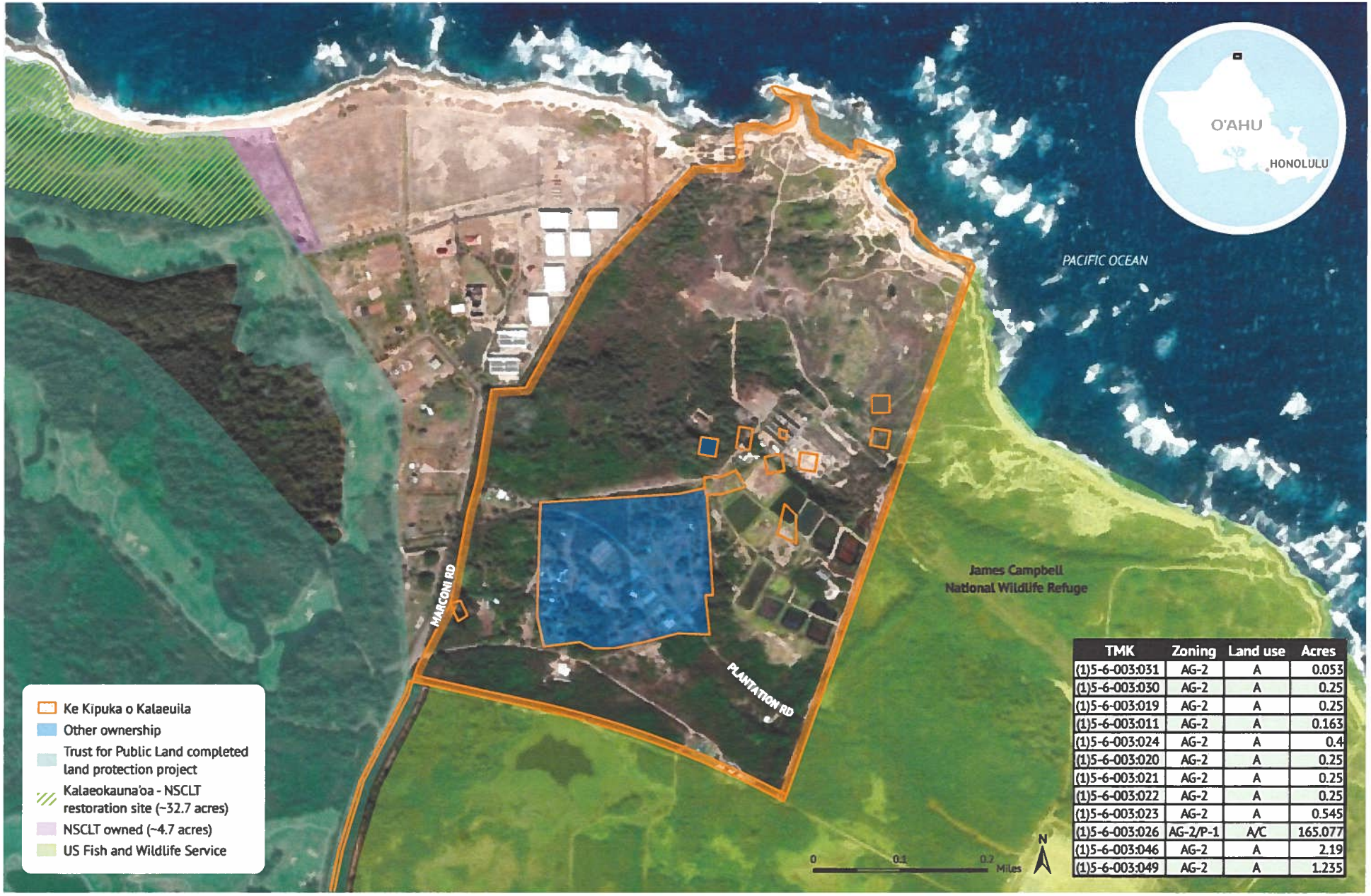
INTRODUCED BY:

Esther Kia'āina (br)

DATE OF INTRODUCTION:

May 27, 2026
Honolulu, Hawaii

Councilmembers



TMK	Zoning	Land use	Acres
(1)5-6-003:031	AG-2	A	0.053
(1)5-6-003:030	AG-2	A	0.25
(1)5-6-003:019	AG-2	A	0.25
(1)5-6-003:011	AG-2	A	0.163
(1)5-6-003:024	AG-2	A	0.4
(1)5-6-003:020	AG-2	A	0.25
(1)5-6-003:021	AG-2	A	0.25
(1)5-6-003:022	AG-2	A	0.25
(1)5-6-003:023	AG-2	A	0.545
(1)5-6-003:026	AG-2/P-1	A/C	165.077
(1)5-6-003:046	AG-2	A	2.19
(1)5-6-003:049	AG-2	A	1.235

Ke Kīpuka o Kalaeuila

KAHUKU, ISLAND OF O'AHU

EXHIBIT A-1

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Ke Kīpuka o Kalaeuila

KAHUKU, ISLAND OF O'AHU

EXHIBIT A-2

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Report Title:
Department of Housing and Land Management ("HLM"); Clean Water and Natural Lands Fund; CWNL Fund; Office of Hawaiian Affairs; North Shore Community Land Trust; Trust for Public Land; Ke Kīpuka o Kalaeuila; Ke Kipuka o Kalaeuila; Kahuku; Perpetual Conservation Easement

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