

House District(s) 14
Senate District(s) 8

THE TWENTY-NINTH LEGISLATURE
APPLICATION FOR GRANTS
CHAPTER 42F, HAWAII REVISED STATUTES

Log No:

For Legislature's Use Only

Type of Grant Request

GRANT REQUEST - OPERATING

GRANT REQUEST - CAPITAL

"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.

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

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:

Mālama Kua'āina

Dbc:

Street Address: 5-7218 Kuhio Hwy

Mailing Address: P.O.Box 536
Hanalei, Hawaii 96714

2. CONTACT PERSON FOR MATTERS INVOLVING THIS APPLICATION:

Name Caren Diamond

Title Executive Director

Phone # 808-378-4637

Fax # _____

E-mail kaimanacd22@yahoo.com

3. TYPE OF BUSINESS ENTITY:

- NON PROFIT CORPORATION INCORPORATED IN HAWAII
 FOR PROFIT CORPORATION INCORPORATED IN HAWAII
 LIMITED LIABILITY COMPANY
 SOLE PROPRIETORSHIP/INDIVIDUAL
 OTHER

6. DESCRIPTIVE TITLE OF APPLICANT'S REQUEST:

The Kaimana Collection:
Preserving Kauai's Shorelines

4. FEDERAL TAX ID #: _____

5. STATE TAX ID #: _____

7. AMOUNT OF STATE FUNDS REQUESTED:

FISCAL YEAR 2019: \$ 48,000

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 \$ 646.04

TYPE NAME & TITLE OF AUTHORIZED REPRESENTATIVE:

Caren Diamond Executive Director

January 18, 2018

Application for Grants

Please check the box when item/section has been completed. 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. Please include the following:

1. A brief description of the applicant's background;

Mālama Kua'āina is a 501(c) (3) ("MK") organization formed in 2012 and established to provide information, education, advocacy and legal resources relating to public issues associated with the preservation and protection of public trust resources and the natural environmental of Kauai.

MK's primary work has been on shoreline and public trust issues, such as beach protection and beach access, planning for coastal hazards, working on community resilience projects, and community and coastal advocacy. Its work includes the restoration of critical habitat for endangered species and protecting dune and the near-shore marine environment for public use and enjoyment of Kauai's world-class resources. As Kauai is one of the most scenic places in the world; MK has worked on community and coastal advocacy to protect Kauai's culture and community. Much of this work has been focused on the North Shore of Kauai.

2. The goals and objectives related to the request;

The goal of this Grant in Aid is to assemble, index and organize over 20,000 coastal photographs of Haena and Wainiha Beaches taken over a period of two decades to provide the State of Hawai'i, Department of Land and Natural Resources ("DLNR"), Office of Conservation and Coastal Lands ("OCCL"), and Department of Accounting and General Services ("DAGS") with digital and hardcopy reference tools. This photographic longitudinal survey establishes a historic reference to help identify the upper reaches of the wash of the waves and also track newly planted beach vegetation and the seaward migration and impacts of this "human-induced" vegetation over time on these beaches. The primary objective is to assemble and archive the best of this collection for the State Surveyor, DAGS and the OCCL in both digital and hard copy in a Tax Map Key ("TMK") format for use in shoreline certification and in enforcement of overgrowth of vegetation that inhibits lateral access and transit along the beach. Compilation of this private collection for the State's use, will give OCCL, DLNR and DAGS information to help locate the shoreline and for use in identification and enforcement of vegetative encroachments along these beaches. As many of these photographs predate the "digital" age, technology can now incorporate a geospatial overlay to these photographs offering much more detailed information. A secondary objective is to ensure that these privately held photographs are placed in the public domain

and that this project be used as a model for other communities throughout Hawaii as a means to place important private data in the public domain especially when historic observations are critical.

3. The public purpose and need to be served;

The public purpose of this project is to protect beaches for public use and recreation in accordance with Haw. Rev. Stat. § 205A-2(b)(9). Public policy, as interpreted by the court, favors extending to public use and ownership as much of Hawai'i's shoreline as is reasonably possible. "Shoreline" means "the upper reaches of the wash of the waves, other than storm or tidal waves, at high tide during the season of the year in which the highest wash of the waves occurs, usually evidenced by the edge of the vegetation growth or the upper limit of debris left by the wash of the waves." The area seaward of the shoreline is part of the State's Conservation District and is regulated by the Department of Land and Natural Resources. In making a shoreline determination pursuant to Hawai'i Revised Statutes (HRS) §205A-42, the Board of Land and Natural Resources ("BLNR"), must consider the historical evidence of the upper reaches of the wash of the waves.

Unfortunately, windward facing land owners too often apply for shoreline certifications during the summer when the evidence of the upper wash of the waves reflect that season and not the highest wash of waves during the winter season. This project will serve the public interest as this historic collection is photographic evidence of the upper wash of the waves during the winter high wave season, capturing the high energy of Kauai's dynamic North Shore beaches year after year.

The boundary dividing private land from public beaches is the upper reaches of the waves typically represented by the edge of vegetation or the line of debris. The project information would be particularly useful in ensuring shorelines are not determined too far seaward as a result of human induced vegetation. Many years of unenforced vegetative encroachments along these beaches have hindered accurate location of the shoreline as does summer shoreline certification applications and site visits.

Haw. Rev. Stat. § 115-4 (1993) provides for the right of transit along the shorelines. Haw. Rev. Stat. § 115-5(a) (1993) states that the right of transit shall exist seaward of the shoreline and this area shall be defined as a beach transit corridor. Therefore, the location of the shoreline is essential to preserving the well-established public right of access to Hawai'i's shorelines.

This photographic documentation shows the shrinking beach corridor, not only due to sea level rise, but human induced planting of our beaches. Haw. Rev. Stat. § 205A-2 (Supp. 2001) sets forth the objectives and policies for the Coastal Zone Management Program. Among these is Haw. Rev. Stat. § 205A-2(c)(9)(D), which states that in connection with beach protection, it is a policy to prohibit private property owners from creating a public nuisance by inducing or cultivating the private property owner's vegetation in a beach transit corridor.

Through resulting policies and laws, the Hawaii legislature has found that there are many shoreline areas throughout the state where the overgrowth of vegetation inhibits lateral access and transit along the beach, thereby denying the public use and enjoyment of the public domain. The North Shore of Kauai exemplifies these problems and the experiences gleaned from this project can help serve as a model to

collect, develop and preserve information from other areas of the State with similar issues. This project serves the public interest by providing crucial information and documentation to decision makers that will help preserve Hawaii's sandy beaches.

4. Describe the target population to be served; and

This project will serve every resident and visitor of Kauai who frequents its legendary beaches and could serve as a model for the importance of historic documentation to preserve other beaches throughout Hawaii. Hawaii's beaches are valued by both visitors and residents alike and are important cultural and economic resources.

This project will directly benefit State agencies including the Department of Land and Natural Resources, Office of Conservation and Coastal Lands, and the Department of Accounting and General Services, the agencies tasked with the responsibility of certifying shoreline boundaries.

Census Tract 401.04 and CDPs for 2010					
2010 Census Data	Kaua'i County	Hanalei Tract 401.04 (Hanalei, Wainiha, Ha'ena)	Hanalei Census Designated Place (CDP)	Wainiha Census Designated Place (CDP)	Ha'ena Census Designated Place (CDP)
Population	67,091	1,344	450	318	431
Average population per household	3.31	2.58	2.41	2.89	2.60

The Average Daily Visitor Census ("ADVC") for 2016 was 24,797 visitors per day (per *Kaua'i General Plan Update: Socioeconomic Analysis and forecasts*, page 37).

5. Describe the geographic coverage.

Located on Kaua'i's North Shore, this project area focuses on Wainiha and Hā'ena Beaches, from Kepuhi Point to Hā'ena County Beach Park. This is in the North Shore Special Planning Area, known for its unique physical, sociologic and cultural characteristics. This area is extremely rich in natural resources and ecological significance. The 1980 North Shore Development Plan Update specifies "maintenance of the natural beauty and ecological systems that characterize the North Shore must take priority over any new development." Beach preservation is a priority in Hā'ena, which has been identified as having a "high statewide significance in the plan." These beaches are valued by both visitors and residents alike and are important cultural and economic resources.



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;

The scope of work includes:

- Review of over 20,000 photographs of original, predominately unsorted photograph documentation of the beaches of Wainiha and Haena for inclusion for photographic data set to be known as the Kaimana Collection. MK has been granted use and access of the photographic data to review, index and organize these photographs.
- The photographic documentation began in 1999, before the digital age. MK will review, sort, index and organize all hard copy photographs,
- Select and digitize the photographs with the best representation of beach area over time for the Kaimana Collection.
- The Kaimana Collection will be collated by Tax Map Key ("TMK") so each beach area is identifiable.
- The Kaimana Collection will be organized to produce a series of photographs that show many of these beaches as they transition from undeveloped, unspoiled sandy beaches to present condition.
- The Kaimana Collection will be organized to produce a series of photographs that show beach loss through beach planting and the seaward migration of vegetation on our priceless sandy beaches.
- The Kaimana Collection will be collated to produce a "before and after" photographic comparison for each beach area.

- The Kaimana Collection will be collated to produce a collection of high wash of the wave photographs spanning many years for each beach area.
- Digitize and catalog the Kaimana Collection to make accessible for governmental agencies and to keep it in the public domain.
- The amount of information and photographs of North Shore beaches available is unprecedented, through this project; a historic library of beach change will be generated for these Wainiha and Ha'ena beaches.
- The Kaimana Collection will be digitized and given to the State of Hawaii, Department of Accounting and General Services Land Survey Division ("DAGS") and the Office of Conservation and Coastal Lands ("OCCL").
- A traditional hard copy of the photographic Kaimana Collection will be given to the State of Hawai'i, DAGS, the OCCL and the State Archives.

2. Provide a projected annual timeline for accomplishing the results or outcomes of the service;

To be completed by the end of 2nd quarter:

- Review, sort, index and organization of all hard copy and digital photographs.
- The photographs will be organized to produce a collection of photographs that show beach loss through planting and the seaward migration of vegetation on our incomparable sandy beaches.
- The photographs will be collated to produce a "before and after" photographic comparison for each beach area.
- The photographs will be collated to produce a collection of high wash of the wave photographs spanning many years for each beach area.

To be completed by the end of 4th quarter:

- Compiling, printing, scanning and delivery of the completed Kaimana Collection for DAGS and OCCL.
- Commence the review of effectiveness.

3. Describe its quality assurance and evaluation plans for the request. Specify how the applicant plans to monitor, evaluate, and improve their results; and

- The MK Executive Director will oversee this project to ensure timely delivery of the Kaimana Collection and ensure coordination between MK and the State of Hawaii, DAGS and the OCCL.
- The MK Board of Directors will be evaluating and monitoring the implementation and work product of the Kaimana Collection.

- MK will carry out a review of the effectiveness to improve the results for similar future efforts.

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.

Ultimately the project's effectiveness will be measured in terms of the benefits the documentation provides to State agencies. It will provide invaluable information that has not been documented anywhere else. The history and documentation that is currently private will be available to decision makers charged with protecting public beach resources.

- The Kaimana Collections documentation will provide a historic context for locating the shoreline in Wainiha and Hā'ena.
- The Kaimana Collections documentation will provide a previously unstudied view of beach loss due to human induced planting of our beaches.
- The Kaimana Collections documentation can be used as a model for beach protection in other communities.

III. Financial

Budget

1. The applicant shall submit a budget utilizing the enclosed budget forms as applicable, to detail the cost of the request.
- Budget request by source of funds
 - Personnel salaries and wages
 - Equipment and motor vehicles
 - Capital project details
 - Government contracts, grants, and grants in aid
2. The applicant shall provide its anticipated quarterly funding requests for the fiscal year 2019.

Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total Grant
\$12,000	\$12,000	\$12,000	\$12,000	\$48,000

BUDGET REQUEST BY SOURCE OF FUNDS

Period: July 1, 2018 to June 30, 2019

App Mālama Kua'āina

BUDGET CATEGORIES	Total State Funds Requested (a)	Total Federal Funds Requested (b)	Total County Funds Requested (c)	Total Private/Other Funds Requested (d)
A. PERSONNEL COST	30,000			
1. Salaries				
2. Payroll Taxes & Assessments	4,500			
3. Fringe Benefits				
TOTAL PERSONNEL COST	34,500			
B. OTHER CURRENT EXPENSES				
1. Airfare, Inter-Island	1,050			
2. Insurance				
3. Lease/Rental of Equipment				
4. Lease/Rental of Space				
5. Staff Training	2,925			
6. Supplies	2,250			
7. Telecommunication	425			
8. Utilities				
9. Printing and Copying	3,050			
10. Professional/Accounting services	1,900			
11. Technical support for geospacial overlay	2,000			
12				
13				
14				
15				
16				
17				
18				
19				
20				
TOTAL OTHER CURRENT EXPENSES	13,500			
C. EQUIPMENT PURCHASES				
D. MOTOR VEHICLE PURCHASES				
E. CAPITAL				
TOTAL (A+B+C+D+E)	48,000			
SOURCES OF FUNDING		Budget Prepared By:		
(a) Total State Funds Requested		Caren Diamond 808-378-4637		
(b) Total Federal Funds Requested		[REDACTED]		
(c) Total County Funds Requested		Phone 1/18/18		
(d) Total Private/Other Funds Requested		Date		
TOTAL BUDGET	48,000	Caren Diamond Executive Director Name and Title (Please type or print)		

BUDGET JUSTIFICATION - EQUIPMENT AND MOTOR VEHICLES

Period: July 1, 2018 to June 30, 2019

Mālama Kua'āina

Not Applicable

DESCRIPTION EQUIPMENT	NO. OF ITEMS	COST PER ITEM	TOTAL COST	TOTAL BUDGETED
			\$ -	
			\$ -	
			\$ -	
			\$ -	
			\$ -	
TOTAL:				
JUSTIFICATION/COMMENTS:				

DESCRIPTION OF MOTOR VEHICLE	NO. OF VEHICLES	COST PER VEHICLE	TOTAL COST	TOTAL BUDGETED
			\$ -	
			\$ -	
			\$ -	
			\$ -	
			\$ -	
TOTAL:				
JUSTIFICATION/COMMENTS:				

BUDGET JUSTIFICATION - CAPITAL PROJECT DETAILS

Period: July 1, 2018 to June 30, 2019

Applicant: Ma'ama Kua'aina
 Not Applicable

FUNDING AMOUNT REQUESTED						
TOTAL PROJECT COST	ALL SOURCES OF FUNDS RECEIVED IN PRIOR YEARS		STATE FUNDS REQUESTED	OF FUNDS REQUESTED	FUNDING REQUIRED IN SUCCEEDING YEARS	
	FY: 2016-2017	FY: 2017-2018	FY:2018-2019	FY:2018-2019	FY:2019-2020	FY:2020-2021
PLANS						
LAND ACQUISITION						
DESIGN						
CONSTRUCTION						
EQUIPMENT						
TOTAL:						
JUSTIFICATION/COMMENTS:						

GOVERNMENT CONTRACTS, GRANTS, AND / OR GRANTS IN AID

Apf Mālama Kua'āina Not Applicable

Contracts Total: -

	CONTRACT DESCRIPTION	EFFECTIVE DATES	AGENCY	GOVERNMENT ENTITY (U.S. / State / Haw / Hon / Kau / Mau)	CONTRACT VALUE
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
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29					
30					

3. The applicant shall provide a listing of all other sources of funding that they are seeking for fiscal year 2019.

Hawaii Community Foundation
Other private individuals

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

5. The applicant shall provide a listing of all federal, state, and county government contracts, grants, and grants in aid it has been granted within the prior three years and will be receiving for fiscal year 2019 for program funding.

Not Applicable

6. The applicant shall provide the balance of its unrestricted current assets as of December 31, 2017.

\$646.04

IV. Experience and Capability

1. **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.

MK is uniquely suited to work on the organization and indexing of 20 years of photographic documentation of Kauai's North Shore beaches. MK's board members and its Executive Director collectively have many years of experience in planning and land use issues, policy making, library and information sciences. They have been dedicated to protection of Kauai's unique and fragile natural resources and are intimately familiar with Wainiha and Hā'ena beaches. Their comprehensive backgrounds and knowledge of tasks to be completed (sort, identify, organize and index each photograph) will result in the Kaimana Collection, resulting in availability of this information to State agencies and decision makers who are required to consider historic evidence in the determination of setting the shoreline boundary.

The use of these types of photographic documentation was found credible in two landmark Hawaii Supreme Court decisions to accurately establish certified shorelines. MK Executive Director Caren Diamond (represented by Harold Bronstein, Esq.) has had three favorable successful Supreme Court decisions on coastal matters:

1. In *Diamond v State of Hawaii*, October 2006 known as *Diamond I*, the Supreme Court reaffirmed the shoreline is at the upper reaches of the wash of the waves, and rejected the use of induced vegetation as the vegetation line and shoreline. It reaffirmed the 1968 *Ashford* decision and the 1973 *Sotomura* decision, both written by the esteemed late Chief Justice William Richardson. Those opinions defined the state's policy as giving the public as much use and ownership of Hawaii's shoreline as is reasonably possible.

2. *North Shore Ohana, Harold Bronstein and Caren Diamond v State of Hawaii*, July 2007, The Supreme Court found in favor of the NS Ohana and protected the open space fronting the shoreline at the Wainiha Subdivision II, Naue.

3. *Diamond and Blair v Dobbin and State of Hawai'i, Board of Land and Natural Resources*, January 2014, known as *Diamond II*. In the landmark decision, the Hawaii Supreme Court reaffirmed its decades-old stance that the public is entitled to own and use as much of the beach as possible. The opinion, ordered the state to consider historical evidence in determining shorelines.

2. **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.

No new facilities are necessary. MK will perform the work from its existing office.

V. Personnel: Project Organization and Staffing

1. **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 proposed staff includes MK's Executive Director as the Project Manager and one volunteer intern who will be working exclusively on this project. The Executive Director/Project Manager will manage all aspects of this project with oversight by the MK Board of Directors.

2. **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 organization chart that illustrates the placement of this request.



3. **Compensation**

The applicant shall provide the annual salaries paid by the applicant to the three highest paid officers, directors, or employees of the organization by position.

As of May 31, 2017, MK has had no paid employees. Its Executive Director and Board of Directors are currently uncompensated positions.

VI. Other

1. **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 , MK does not have any pending litigation or outstanding judgements.

2. **Licensure or Accreditation**

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

Mālama Kua'āina Board member Barbara Robeson's educational background includes:

- Master of Library & Information Science, University of Hawai'i, Manoa, 2002.
- B.S. Degree, Organizational Management, Hawai'i Pacific University, 1993.

3. **Private Educational Institutions**

The applicant shall specify whether the grant will be used to support or benefit a sectarian or non-sectarian private educational institution. Please see Article X, Section 1, of the State Constitution for the relevance of this question.

Not Applicable

4. **Future Sustainability Plan**

The applicant shall provide a plan for sustaining after fiscal year 2018-19 the activity funded by the grant if the grant of this application is:

- (a) Received by the applicant for fiscal year 2018-19, but
- (b) Not received by the applicant thereafter.

The proposed project and its activities are to be completed by the end of FY2018-2019.

5. **Certificate of Good Standing (If the Applicant is an Organization)**

If the applicant is an organization, the applicant shall submit one (1) copy of a certificate of good standing from the Director of Commerce and Consumer Affairs that is dated no earlier than December 1, 2017.

See attached certificate of good standing.

6. **Declaration Statement**

The applicant shall submit a declaration statement affirming its compliance with Section 42F-103, Hawaii Revised Statutes.

See attached declaration statement dated January 12, 2018.

7. **Public Purpose**

The applicant shall specify whether the grant will be used for a public purpose pursuant to Section 42F-102, Hawaii Revised Statutes.

Yes, this grant will be used for a public purpose. It will be used to develop a reference tool for State and County agencies in fulfilling its duties and obligations in carrying out the policies, laws, rules and regulations related to the setting of shoreline boundaries to ensure as much of the shoreline remains in the public domain as a public trust resource.



Department of Commerce and Consumer Affairs

CERTIFICATE OF GOOD STANDING

I, the undersigned Director of Commerce and Consumer Affairs of the State of Hawaii, do hereby certify that

MALAMA KUA `AINA

was incorporated under the laws of Hawaii on 05/31/2012 ; that it is an existing nonprofit corporation; and that, as far as the records of this Department reveal, has complied with all of the provisions of the Hawaii Nonprofit Corporations Act, regulating domestic nonprofit corporations.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Department of Commerce and Consumer Affairs, at Honolulu, Hawaii.

Dated: January 12, 2018

Director of Commerce and Consumer Affairs

**DECLARATION STATEMENT OF
APPLICANTS FOR GRANTS PURSUANT TO
CHAPTER 42F, HAWAII REVISED 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 pursuant to Section 42F-103, Hawaii 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 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 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.
- 2) If the applicant is an organization, the applicant meets the following requirements pursuant to Section 42F-103, Hawaii 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 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, Hawaii 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, Hawaii Revised Statutes, for grants used for the acquisition of land, when the organization discontinues the activities or services on the land acquired for which the grant 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 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.

Mālama Kua'āina



January 18, 2018
(Date)

Caren Diamond
(Typed Name)

Executive Director
(Title)