

Protect Your Land for Future Generations with Hawaiian Islands Land Trust

Janet Britt and Tina Aiu

“Ua Mau ke Ea o ka ‘Āina i ka Pono. *The life of the land is perpetuated in righteousness.*” Kamehameha III spoke this eloquent phrase more than 150 years ago and that phrase is now Hawaii’s state motto. What could be more right than making a decision to protect your land forever? Kaye Lundburg of Pa‘auilo, Hawai‘i Island, inspired by her deep love of her land, decided to do just that. Kaye made the decision to work with the Hawaiian Islands Land Trust to donate a perpetual Conservation Easement on her land that will guarantee, in perpetuity, the protection of the native plants such as ‘Ōhi‘a, Koa, Hāpu‘u tree ferns and Uluhe.

Kaye and her family own over 41 acres of forest on the northeast slope of Mauna Kea, close to the Manowaialee Forest Reserve. In the past, the land was heavily grazed by livestock which decimated the native forest and allowed non-native plants and animals, such as strawberry guava and feral pigs, to dominate the landscape. Kaye and the State of Hawai‘i Department of Land and Natural Resources Division of Forestry and Wildlife (DLNR – DOFAW) staff are working together on a 10 year stewardship plan that will protect existing native forest and wildlife habitat while expanding and increasing the diversity of species to more closely reflect what was historically found here. The motto of DLNR-DOFAW –



Kaye Lundburg. Photo Credit: Janet Britt

“He ali‘i ka ‘āina; he kauwā ke kanaka. *The land is a chief; man is its servant,*” represents a fundamental belief of this project. Also partnering on this project is USDA – CREP (Conservation Reserve Enhancement Program).



The Lundburg property. Photo Credit: Janet Britt

The provisions of the Conservation Easement allow the Lundburg forested lands to be selectively harvested for timber. Kaye and her family also plan to make use of the agricultural qualities of the land. They will plant and harvest traditional Hawaiian foods

crops, such as taro, sweet potato and yams, and grow those crops in a sustainable fashion. The land also has an area set aside for bee hives for pollination and honey harvesting.

Another of Kaye’s goals is to create educational opportunities for schools and the nearby community to show how individuals can restore and protect their precious lands for future generations. As Kaye said, “The Conservation Easement honors those who came before us and will protect what we have received.”



*11,000 acres of ‘Ulupalakua Ranch, Maui conserved by The Erdman Family and HILT.
Photo: Courtesy of HILT.*

What is a Conservation Easement?

A Conservation Easement is a voluntary agreement between a landowner and land trust or government agency in which the landowner agrees to permanently place specific restrictions on the use or development of his or her property. It is a flexible tool that is written to protect specific conservation values on the land in accordance with the landowner’s wishes and the land trust’s mission. The Hawaiian Islands Land Trust (HILT) works to protect important

Conservation Values which include agricultural resources, wildlife habitats, water resource areas, cultural and historical sites, and outdoor recreation opportunities. The restrictions set forth in a Conservation Easement apply to all future landowners of the property. Furthermore, HILT has the permanent kuleana of monitoring and upholding donor’s wishes as set forth in the Conservation Easement. HILT offers a unique opportunity for landowners to donate or sell a conservation easement to protect their land forever for the public good.

How do Conservation Easements benefit landowners?

Aside from leaving a legacy for the future, by donating all or a portion of the value of a Conservation Easement to HILT, a landowner may realize significant tax benefits while retaining the right to sell or bequeath the land. When a Conservation Easement donation meets the federal requirements for a charitable gift, the donor of the easement may realize potential federal income tax benefits and possible future estate tax benefits. A Conservation Easement may also reduce property tax assessments. Landowners should discuss these potential benefits with his or her tax advisor or attorney.

Does the public automatically get access to the land conserved by the Conservation Easement?

No. The Conservation Easement does not give the public any rights to the land unless the Conservation Easement donor decides to give the public those rights. Such rights would be specified in the Conservation Easement document. A Conservation Easement is tailored to a specific property, and in some cases, to ensure protection of the Conservation Values on a property, public access is not appropriate.

About Hawaiian Islands Land Trust: Hawaiian Islands Land Trust (“HILT”) is a 501(c)(3) non-profit organization formed in 2011 out of the merger of four local land trusts, and it is the first and only nationally accredited local land trust in Hawai‘i. Our mission is to protect the lands that will sustain us for current and future generations. We conserve lands that secure Hawai‘i’s long-term well-being, lands with scenic views, agricultural resources, wildlife habitats, water resource areas, cultural and historical sites, and outdoor recreation opportunities. To learn more about how you can conserve your land, contact us!

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