

## Request for Trust Lands from the Hawaiian Home Land Trust

This application is completed by an interested party in receiving lands dedicated under the Hawaiian Homes Commission Act. HHCA lands are to be used for homesteading purposes for beneficiary native Hawaiians (residential, and agricultural or pastoral), and when necessary, in the best interest of the trust and its beneficiaries, for public purpose, commercial and multipurpose use.

### Section I: Name of Applicant Requesting Trust Lands

**Name of Requesting Organization:** Homestead Community Development Corporation

**Address of Organization:** 1050 Queen Street, Suite 200 Honolulu, Hi 96814 (headquarters)

**Officers and/or Principal Representatives:** Robin Puanani Danner, Lorraine Rapozo, Blossom Feiteira, Liberta Alboa, Mike Hodson

**Mission of Organization:** To develop community and economic development projects that serve beneficiaries of the HHCA

**Date Incorporated:** 2009                      **State of Incorporation:** Hawaii

### Section II: Type of Organization

**Requesting Organization – Non-Profit**

- Type of Non-Profit:**
- Private Nonprofit – governed by self appointed board
  - Member Nonprofit – governed by voting members
  - \*Homestead Organization – governed by HHCA beneficiary members

\*Non-profit is Democratically Elected by and for HHCA Beneficiaries or a Subsidiary thereof

**Capacity Assessed by DHHL Kulia Ika Nuu Program:**       Yes     No

**Current Capacity and Service to HHCA Beneficiary Community:** HCDC is the CDC of 4 homestead associations. HCDC has developed a 10-acre outdoor marketplace and certified kitchen valued at over \$500,000, is under development of a 5 acre Youth Academy in Anahola, a 3-acre, \$400,000 community facility in Kekaha, and is in the preliminary planning stages to develop a service center in Kapolei.

**Requesting Organization – Individual or Business**

- Individual                       Sole Proprietorship                       Partnership
- Corporation                       Limited Liability Corporation                       Other

**Is an Individual HHCA Beneficiary/is Owned by an HHCA Beneficiary**     Yes     No

**Requesting Organization – Government Agency**

- Federal                       State                       County

### Section III: Land Request Instrument, Terms & Purpose

Applicant requests the following land transaction instrument:

- Right of Entry                       Revocable Permit                       Easement:
- License                       General Lease                       Other:



**Land Description:** Four TMKs consisting of 2,137 acres of agricultural zoned lands, of which 1,175 are arable, but completely covered in invasive Albizia trees, rendering the lands unusable.

**Term:** 22 Years      **Payment Amount:**  Undetermined  Market value land rents  
 Gratis/or Less than Market value land rents  \$ \_\_\_\_\_

\*If Gratis or Less than Market – Explain Why the Trust Should Not be Compensated: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Land Use or Purpose:** HCDC will engage in a land restoration project to remove the invasive species, estimated at \$6.5 million, to malama the soils to replant and harvest proper crops over the license term. The ultimate goal is to prepare these lands for the next generation of beneficiaries to create 1,175 acres of lands that they can use.

**Land Use Benefit to the Trust and/or its Beneficiaries:** Market value lease revenue, but more importantly, the clearing of 1,175 acres of land at no cost to the trust, that currently are not usable for any homesteading purposes, and have sat fallow for 15 years since their return from the plantations.

**If Applicant is Not a Homestead Beneficiary Organization or a Subsidiary Thereof, Describe How the Applicant is Partnered with Such Organizations:** n/a – Applicant is the nonprofit CDC of the Anahola Hawaiian Homes Association.

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**Section IV. Relevant HHCA Sections to Non-Homesteading Trust Land Disposition**

The HHCA addresses non-homesteading public purpose licenses, such as community facilities, commercial or multi-purpose functions, when such purpose supports the overall mission and well-being of the trust and its HHCA beneficiaries. Homesteading purposes, with is the primary purpose of the HHCA is found under Section 207(a).

**Section 207(c)** – This application relates to which of the following four categories under Section 207(c) of the Hawaiian Homes Commission Act wherein a License may be issued:

- Section 207(c)(1) – Railroads, Telephone Lines, Electric/Utility Lines, Gas Mains, etc; OR
- Section 207(c)(1)(A) – Churches, hospitals, public schools, post offices and other improvements for public purposes; OR
- Section 207(c)(1)(B) – Theatres, garages, service stations, markets, stores and other mercantile establishments (all of which shall be owned by native Hawaiians or by organizations formed and controlled by native Hawaiians); OR
- Section 207(c)(2) – Reservations, roads and other right of way, water storage and distribution facilities and practice target ranges of the United States;
- None of the Above

**Section 204(1)** – Lands not required for leasing under 207(a) (homesteading), DHHL may issue a general lease for public, commercial or multipurpose use, provided that Section 204 (2) is not implemented. This application is a commercial or multipurpose use:

- Land use or improvements WILL generate commercial profit to the applicant
- Land use or improvements WILL NOT generate commercial profit to the applicant



**Section 204(2)** – Lands not required for leasing under 207(a) (homesteading), DHHL is expressly authorized to negotiate, prior to negotiations with the general public, the disposition of Hawaiian home lands or any improvements thereon to a native Hawaiian, or organization or association owned or controlled by native Hawaiians, for commercial, industrial or other business purposes in accordance to section 171HRS.

- This Land Request IS made by an \*HHCA Homestead Beneficiary Organization.
- This Land Request IS NOT made by an \*HHCA Homestead Beneficiary Organization or individual or business owned and controlled by HHCA Beneficiaries.

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**Section V. Beneficiary Consultation, Applicant Capacity and Land Use Benefit Analysis**

Trust Lands represent a finite amount of land, with thousands of HHCA eligible beneficiaries awaiting an award under the Residential, Agricultural or Pastoral Homesteading program, as well as dozens of Homestead Associations controlled by HHCA Beneficiaries working on homestead based development projects.

As a result, the applicant acknowledges that part of the process of considering applications for trust lands should include the following:

**1. Beneficiary Consultation**

- a. A Notice of All Land Requests to License/Lease Hawaiian Home Lands for non-homesteading purposes should be sent to all Homestead Associations with an opportunity for beneficiaries of the trust to comment and provide input.
- b. All input received should be provided to the Hawaiian Homes Commission.

**2. Applicant Capacity**

- a. If a Nonprofit Organization – should be assessed by DHHL Kulia i ka Nuu capacity program to determine financial, programmatic, governance and leadership capacity and determine legal structure. Additional information may be required to be submitted to DHHL.
- b. If an Individual/Business – should be assessed by DHHL to determine financial and leadership capacity and legal structure. Additional information may be required to be submitted to DHHL.

**3. Land Use Benefit Analysis**

- a. The land requested should have a direct or significant indirect benefit to the trust or to the beneficiaries of the trust. Additional information may be required to be submitted to DHHL.
- b. The land requested should comply with the spirit and intent of Section 207(c) and Section 204(2) by engaging beneficiary organizations. Additional information may be required to be submitted to DHHL to determine how Beneficiary Organizations are directly connected to the land request use.

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The following authorized representative, submits this request for Hawaiian Home Lands:

Homestead Community Development Corporation  
**Print Individual or Organization Name**

April 30, 2012  
**Date**

Robin Puanani Danner, HCDC Board President  
**Authorized Representative Name & Title**

  
**Signature**

