

Request for Trust Lands from the Hawaiian Home Land Trust
Department of Hawaiian Home Lands

RECEIVED
LAND MANAGEMENT
DIVISION
2012 JUN 26 AM 8:54

This application is completed by an interested party in requesting lands designated as Hawaiian home lands under the Hawaiian Homes Commission Act (HHCA). HHCA lands are to be used for homesteading purposes for beneficiary native Hawaiians (residential, 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: PO Box 646 Anahola, Hawaii 96703

Officers and/or Principal Representatives: Robin Puanani Danner, President/Board, Lorraine Rapozo, Vice President/Board & Secretary, Blossom Feiteira, Vice President/Board & Treasurer, Mike Hodson, Vice President/Board and Liberta Hussey-Albao, Kauai Island Project Coordinator, as well as Sherri Yokotake, Kipukai Kualii, Frank Cummings, Kawika Cutcher, Kawehi Mahi, and Faisha Solomon.

Mission of Organization: To develop community and economic development projects that serve and are governed and controlled by HHCA homestead association beneficiaries.

Date Incorporated: 2009 **State of Incorporation:** State of 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 the Anahola Hawaiian Homes Association on Kauai, in existence since 1982 to serve the regional homestead area of Anahola. HCDC has excellent capacity, with \$700,000 in assets and annual revenues of over \$100,000, as well as an outstanding management team and governing board. HCDC owns and operates a 10-acre outdoor marketplace and certified kitchen, owns and operates a Youth Center, is currently developing an 8-acre Youth Academy, a 3-acre community enterprise facility, and is seeking to develop a Beneficiary Service Center in Kapolei, near the headquarters of the Hawaiian Home Land Trust, as well as water systems projects on Kauai. HCDC is the CDC of homestead associations on Kauai, Oahu and Hawaii Island, and a statewide waitlist association. In direct relation to this land request, HCDC is the tax exempt nonprofit development arm of the Anahola Hawaiian Homes Association (AHHA). Its President, Lorraine Rapozo is a Vice President of HCDC, and the lead project manager on this land request.

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: 10 Acres of Hawaiian Home Lands at Anahola Bay that includes 5 acres commonly referred to as “Camp Faith”, and 5 acres directly mauka of the Kumu Academy site.

Island: Kauai **Tax Map Key No.:** On File at DHHL

Term: 2 Years **Payment Amount:**

\$ _____ 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:** Gratis is requested for the 2 year term to provide adequate time to plan and coordinate with DHHL on potential revenue generating developments on the site. Prior to the expiration of the 2-year instrument, a long term plan and land use instrument is expected to be presented to DHHL and to the Hawaiian Homes Commission. This land request is made for preliminary planning purposes in cooperation and collaboration with DHHL. In addition, 5 acres of the 10 acres commonly referred to as “Camp Faith” contains several structures, wherein once the current occupants leave the property, will become exposed for potential vandalism and illicit activities. This 2-year request will ensure that HCDC/AHHA are able to secure the property.

Land Use or Purpose: The 10 acres is requested for a 2-year period of time to conduct planning activities with DHHL for the potential redevelopment of the “camp faith” site to not only generate revenue for the Hawaiian Home Land Trust, but also to open the site for larger homestead community involvement and job creation. The 10 acre site is directly adjacent to an 8-acre parcel currently under development by HCDC/AHHA as a Kumu & Youth Academy to create a homestead beneficiary controlled camping site open to homestead and community use, to host groups, and individuals to participate in programming relevant to the area and Hawaiian culture.

Land Use Benefit to the Trust and/or its Beneficiaries: The Land use benefit first and foremost is the fulfillment of one of the main tenets of the HHCA, the use of trust lands by beneficiaries for beneficiary homesteading mercantile or public purpose. By issuing the subject land for a 2-year period of time, planning that involves the homestead community and DHHL, as well as security for the site will be accomplished.

If Applicant is Not a Homestead Beneficiary Organization or a Subsidiary Thereof, Describe How the Applicant is Partnered with Such Organizations: HCDC is a Subsidiary of AHHA.

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.

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(a)(1) – Lands not required for leasing under 207(a) (homesteading), DHHL may issue a general lease for public, commercial or multipurpose use in accordance to Chapter 171, HRS, as amended. This application is for 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(a)(2)/220.5– 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.

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 show the financial and leadership capacity to accomplish goals and purpose of land use. 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(a)(2)/220.5 of the Hawaiian Homes Commission Act, as amended, 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.

The following authorized representative, submits this request for Hawaiian home lands:

Homestead Community Development Corporation

Print Individual or Organization Name

June 18, 2012

Date

Robin Puanani Danner, HCDC Board President

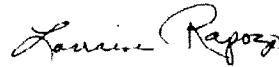
Authorized Representative Name & Title



Signature

Lorraine Rapozo, HCDC Vice President

Authorized Representative Name & Title



Signature