# From the Desk of Chair Masagatani



*Welina!*

*I am truly honored and excited to be afforded this opportunity to serve the Native Hawaiian community as Governor Neil Abercrombie's appointee to be the new chairman of the Hawaiian Homes Commission and director of the Department of Hawaiian Home Lands.*

*The mission of Hawaiian Homes has always been near and dear to my heart. Many of you may remember when I was the deputy director of the department back in the1990s and worked to return Native Hawaiians to the ʻāina.*

*This kuleana is a privilege that I am deeply committed to carrying out. But time is of the essence. I plan on hitting the ground running and in the months to come will visit homestead communities across the state and meet with beneficiaries and homestead leaders to better understand some of their issues and concerns.*

*Please join me, the Hawaiian Homes Commission and the Department of Hawaiian Home Lands in working together to fulfill the vision of Prince Jonah Kūhiō Kalaniana'ole.*

Jobie M. K. Masagatani
Chairman Designate
Hawaiian Homes Commission

# Hawaiian Homes Commission Update

*Here are some of the recent decisions and discussions at the Hawaiian Homes Commission meetings.*

## Water Rights for Hawaiian Home Lands

APPROVED IN MARCH 2012: Allows the Commission to hire counsel to defend, protect, and maximize the interests of the Trust and its beneficiaries as it asserts its right to fresh water. Stay tuned as the Department develops a statewide Water Policy Plan to address water rights on homestead land.

## Transparency on Non-Homesteading Use of Trust Lands

APPROVED IN APRIL 2012: Requires Hawaiian Homes to report on the amount of Trust lands being leased for non-homesteading purposes, to whom it is being leased, and why. Also mandates homestead benefit agreements on such leases, and a 30-day public comment period prior to any such land transaction.

## Native Hawaiian Housing Plan (NHHP)

APPROVED IN JUNE 2012: A road map of housing activities to serve low-income beneficiaries under the Native American Housing Assistance and Self-Determination Act (NAHASDA). Activities include land acquisition, diversified homesteading (e.g. rental, self-help), home repair programs, and more.

## Administrative Rules Update

IN DISCUSSION: The Commission continues to fine tune the review process as it re-examines the rules that guide the Department. Beneficiary feedback is crucial to this process, so please keep an eye out for any such opportunity.



# Meetings & Events

| Date | Event | Time | Location |
|---|---|---|---|
| July 23, 2012 (Monday) | Hawaiian Homes Commission Meeting | 10:30 a.m. | Prince Kūhiō Hall 64-756 Māmalahoa Highway Kamuela, Hawai'i |
| | Waimea Community Meeting | 6:00 p.m. | |
| August 20, 2012 (Monday) | Hawaiian Homes Commission Meeting | 10:30 a.m. | Hale Kūpuna O Lāna'i 1144 'Ilima Avenue Lāna'i City, Lāna'i |
| | Lāna'i Community Meeting | 5:30 p.m. | |
| September 17, 2012 (Monday) | Hawaiian Homes Commission Meeting | 10:30 a.m. | Pāhala Community Center 96-1149 Kamani Street Pāhala, Hawai'i |
| | Ka'ū Community Meeting | 6:00 p.m. | |

*If the HHC Meeting agenda items aren't completed on Monday, the meeting will be recessed to Tuesday, and announced at the close of Monday's meeting. Meetings subject to change without notice. Meeting agendas and notices sent out a week prior.*

**For more on meetings: HawaiianHomeLands.org**



HAWAIIAN HOME LANDS
KANŪHOU
Kauwela Issue 2012

# HOMESTEADY: Style With Purpose

KEAUKAHA, HAWAIʻI - A simple love of the Hawaiian culture, and not expensive marketing promotions, makes HomeSteady so popular said company founder, Keaukaha homesteader Malani Alameda.

HomeSteady's signature **he*HI*au** ("He Hawai'i Au") logos are produced in a variety of colors and designs on everything from t-shirts to ball caps to stickers – all with the same message – be proud to be Hawaiian.

"Everybody LOVES showing that they're Hawaiian," Malani jokingly said of his customers.

Malani and his wife Kayle launched HomeSteady in the summer of 2009, selling their garb trunk-show style at craft fairs and signature Hilo events like the Merrie Monarch festival.



*Keaukaha homesteaders & HomeSteady founders Malani & Kayle Alameda with keiki (L-R) Kepoʻinalu, Pukuʻi, & Tainui.*

Malani hasn't gone full-time just yet, but he's not sure he wants to. See, in order to promote the Hawaiian culture through t-shirts and apparel, says Malani, he's got to do more than just sell it, he's got to live it.

Malani spends his time teaching aloha ʻāina to elementary school students in the garden at Keaukaha's Hawaiian immersion public charter school, Ka ʻUmeke Kāʻeo. When he's not teaching, he's coaching outrigger canoe paddling for Keaukaha Canoe Club. And when he finds the time, he helps take keiki voyaging on the double-hulled canoe Hōkūalakaʻi.

"If I never do all of that, would kind of be transparent," said Malani of what he stands for and what he believes HomeSteady symbolizes.

HomeSteady isn't about *wearing* something that *says* you're Hawaiian, but *doing* something that *shows* you're Hawaiian.

Being able to show you're Hawaiian can only come from a solid understanding of what it means to be Hawaiian, something Malani learned growing up in the tight-knit homestead community of Keaukaha, where his family's roots grow long and strong.



*HomeSteady's signature **he*HI*au** logo adorned with red and yellow feathers replicating a kāhili.*

Malani comes from four generations of Hawaiian homesteaders who call Keaukaha home. His great-grandmother was awarded one of the first homestead lots in town, which she transferred to his grandfather George "Bully" Alameda Jr., who transferred that very same lot to Malani's mother Tina Marie Alameda. When she received an offering for a homestead lot down the road, there was no question in Malani's mind – the next generation of Alameda's would grow up in Keaukaha. He built himself a house with Kayle and his three kids – Kepoʻinalu, Pukuʻi, and Tainui.

This firm footing allowed generations of not only ʻohana, but of culture and of traditions to thrive in Keaukaha, giving Malani a strong connection to his Hawaiian roots, something he is truly thankful for.



*HomeSteady gear comes in all shapes, sizes, and styles, for kāne, wāhine, kūpuna, and keiki. Above is the wahine long-sleeve shirt from HomeSteady's "Fall Off" line. All photos courtesy of HomeSteady.*

So when he decided to embark on this entrepreneurial adventure, there was no doubt the homestead would be an integral part of that journey.

"I thought, gotta be about homestead, gotta be something they can claim, and say this is us right here," said Malani.

Hence the origin of the company name – HomeSteady.

"Now they get one brand they can all connect to," said Malani.

**More online: WeHomesteady.com**

(CONT'T FROM ABOVE)

This Notice also is to address questions you may have, including:

**How do I Join the Waiting List Damages Model Subclass?**
**You do not have to do anything to join the Waiting List Damages Model Subclass.** The lawsuit will be presented on your behalf by the Subclass representatives and Class Counsel. You will not have to pay any attorney's fees or costs or take any other action to participate. Class Counsel will be paid only if there is a recovery for the class. Class Counsel payment and any costs must be approved by the Court. You will continue to receive notice of important rulings or proceedings as directed by the Court.

**How do I Opt-Out of the Waiting List Damages Model Subclass?**
If you do not wish to continue as a member of the Waiting List Damages Model Subclass, you may opt-out of the Subclass and: a) Hire your own attorney and file your own damages complaint; b) File your complaint *pro se* without an attorney; or c) Elect not to pursue your damages claims in this case.

Even if you opt-out, however, you remain bound by the rulings of the Court up to this point.

**You Do Not Need To Notify Anyone Or Take Any Action At This Time To Pursue Your Damages Claims As Part Of The Waiting List Damages Model Subclass.**

The Honorable Virginia L. Crandall, Judge of the First Circuit Court, State of Hawai'i, has granted subclass action status to Waiting List Liability Subclass members for purposes of establishing a model that is to be used to calculate the amount of damages for subclass members in *Kalima, et al., v. State of Hawai'i, et al.*, Civil No. 99-4771-12 VLC.

You are receiving this notice because you were earlier identified as a member of the Waiting List Liability Subclass and will continue to be included in the Waiting List Damages Model Subclass that Judge Crandall was were earlier identified as a member of the Waiting List Liability Subclass and will continue to be included in the Waiting List Damages Model Subclass that Judge Crandall ruled that Plaintiffs proved these breaches of trust caused damages.

In December 2009, Judge Hifo also ruled that Plaintiffs proved these breaches of trust caused damages.

Judge Hifo retired after making these rulings. After Judge Hifo's retirement, the case was transferred to Judge Virginia Crandall.

On June 6, 2011, Judge Crandall received the Waiting List Liability Subclass as the used for calculating the amount of damages suffered by members of the Waiting List Damages Model Subclass to determine the damages model that will be Damages Model Subclass caused by the State of Hawai'i's breaches of trust.

The Court file in this case is available to the public and can be examined at the office of the Clerk of Court, First Circuit Court, 777 Punchbowl Street, Honolulu, Hawai'i 96813.

(CONT'T BELOW FOLD)

**TO OPT-OUT OF THE WAITING LIST DAMAGES MODEL SUBCLASS**, mail a letter with the following information: (1) your printed full legal name, (2) your address, (3) your signature, (4) the civil case number (Civil No. 99-4771-12 VLC), and (5) a statement that you do not want to be a member of the Waiting List Damages Model Subclass. **THE LETTER MUST BE POSTMARKED NO LATER THAN July 15, 2012** and addressed as follows:

***Kalima v. State*, Civil No. 99-4771-12 VLC**
**Clerk of the Court**
**Circuit Court of the First Circuit**
**Kaahumanu Hale**
**777 Punchbowl Street**
**Honolulu, Hawai'i 96813**

**If You Opt-Out Of the Damages Model Subclass and Wish to Pursue Your Claims You Must File Your Own Complaint in the Circuit Court by September 1, 2012.**

**If You Opt-Out Of the Damages Model Subclass You Will Not Be Able To Rejoin The Subclass After You Opt-Out.**

**If There Is A Settlement Or Judgment In Favor Of The Damages Model Subclass**

You are receiving this Notice to inform you that the Court will consider and rule on the method of calculating damages and arguments asserted by the State against damage claims. **This Notice does not mean that damages have been or will be awarded to the Waiting List Damages Model Subclass or to any subclass member.** Further legal proceedings, including possibly a trial, will be held in the future to determine what amount of damages, if any, will be awarded to the subclass members.

**You Do Not Need To Take Any Action**

**After You Opt-Out, You Will Not Be Able To Participate In or Receive Compensation Paid to the Subclass as a Result of The Settlement Or Judgment.**

If you have any questions about the *Kalima* lawsuit or this notice, please visit http://www.Kalima-Lawsuit.com. If your questions are not answered by the information contained on the website, please email info@Kalima-Lawsuit.com or call 1-888-901-4564.

**For More Information:**

Class Counsel:
Thomas Grande
Grande Law Offices
1164 Bishop Street, Suite 124-24
Honolulu, Hawai'i 96813

Carl Varady
Law Offices of Carl M. Varady
1003 Bishop Street
Pauahi Tower, Suite 1730
Honolulu, Hawai'i 96813

**PLEASE DO NOT CONTACT THE COURT**
By Order of the Honorable Virginia L. Crandall, Judge,
Circuit Court Judge of the First Circuit
State of Hawaii
Dated May 1, 2012

THE FIRST CIRCUIT COURT HAS APPROVED THIS NOTICE

# NOTICE OF RIGHT TO OPT-OUT OF WAITING LIST DAMAGES MODEL SUBCLASS

*Kalima, et al., v. State of Hawai'i, et al.*

**Return Service Requested**

HAWAIIAN HOME LANDS
P.O. Box 1879
Honolulu, Hawai'i 96805

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# MOLOKA'I GETTING ITS *BUZZ* BACK

HO'OLEHUA, MOLOKA'I – Over the past few years, Moloka'i farmers have been hit hard by a common yet often overlooked farming challenge – poor pollination.

"One of the issues here on Moloka'i is we don't have a lot of domesticated bees," said Jennifer Hawkins, an Agriculture Technical Assistant, who runs programs that provide educational and technical assistance and services to Moloka'i homestead farmers.

No bees on the island is almost startling, since Moloka'i was once the world-renown producer of kiawe honey.

"Moloka'i itself back in 1920s or 30s was the largest producer of honey in the world," said 52-year-old John Freeman, a fourth-generation Moloka'i farmer.

Along with his cousin Kyle Apo, John runs their family's 40-acre homestead lot in Ho'olehua, selling papaya and butternut squash to vendors on Maui and Moloka'i.

Since losing part of their watermelon and butternut squash crop to poor pollination, John has been a strong advocate of the new Native Hawaiian Beginning Beekeeping Class, a program Jennifer helped design to help Moloka'i homestead farmers manage pollinators for their crops and farms.

John joined other homestead farmers twice a month for six months learning everything from handling bees to building a hive for their own farm. John is alread seeing results from the small hive of about 600 to 700 bees he installed on his farm.

"If he can see a difference in his crop with just this number of bees, think of when we get a big hive," said Jennifer.

This program is one of several offered to homesteaders on Moloka'i, through a partnership between the University of Hawai'i's College of Tropical Agriculture & Human Resources (UH CTAHR) and Hawaiian Homes. Similar programs exist on Kaua'i and Hawai'i.

To participate or for more info on Moloka'i programs, contact Jennifer at (808)567-6935 or email her at hawkinsj@ctahr.hawaii.edu.

*ABOVE: Ho'olehua farmer John Freeman in his butternut squash field; BOTTOM: Students from Moloka'i's first beginning beekeeping class suit up for bee-duty.*

# ONE JOURNEY ENDS, ANOTHER BEGINS

## Student-Built Homes for Beneficiaries

HILO, HAWAI'I - For the past year, students in the Model Home program at Hawai'i Community College (HawCC) spent their days designing, drafting, welding, wiring, and constructing a home for a Hawaiian Homes beneficiary.

*Malia Keli'ikoa and her 'ohana at the home blessing*

Once the home was completed, it was hard to tell who was more excited? The students or the new homesteader.

"I don't have to rent no more. I can actually pay mortgage!" said 33-year-old Malia Keli'ikoa, whose family of four was handed the keys to the student-built home in Keaukaha this past May.

Malia was transferred the lease by her mother Denice, who has been on the Hawaiian homes waiting list since January 1986.

"I really wanna say thank you to every single one of you," said Malia, "To all the professors, the students, you guys made a big difference in my life."

The three-bedroom, two-bathroom home was the 45th home to be built through a partnership between the Department of Hawaiian Home Lands and HawCC, where DHHL provides land and funding, and HawCC provides the low-cost manpower. In the end, DHHL fulfils its mission of returning Native Hawaiians to the land, and HawCC students gain on-the-job training in home design and construction.

"There's nothing like working on a real home in the field," said Lance Mento, an Electrical Installation & Maintenance Technology student at HawCC, who helped install the home's solar panels, "There's more in the field to take into account."

"The students have to put in that much more effort," said Joel Tanabe, Chairman of the HawCC's Construction Technology Department, "Up to the point where the quality and standards are really high, and you'll notice that."

Students utilized energy-efficient technology throughout the home, including the 4 kW solar photovoltaic system, a solar water heater system, and Energy Star qualified appliances.

Carpentry students built custom cabinets, doors, and windows. And agriculture students provided low-maintenance landscaping. All at a low cost to Malia of $199,935.

Over 3,640 HawCC students have gained real-world experience in the Model Home program since it began in 1965. A similar partnership is being replicated on O'ahu, and preliminary talks of the program on Kaua'i are also in the works.

To participate in the HawCC Model Home program, visit www.hawaii.hawaii.edu/modelhome. For more information on similar opportunities on O'ahu and Kaua'i, contact DHHL's Information & Community Relations Office at (808)620-9590.

*TOP LEFT: HawCC students building the home's frame; BELOW: the finished product.*

# 2012 Legislative Session a Success

*By Dre Kalili, DHHL Policy & Program Analyst*

The 2012 Hawai'i State Legislative session wrapped on a very high note for the Department of Hawaiian Home Lands. Here are the highlights:

**DHHL's Legislative Proposals**
The department proposed five bills for the Governor's Administrative Package, two of which passed and are pending Governor Neil Abercrombie's signature.

Senate Bill 2790 extends DHHL's authority to maximize its resources and build affordable housing through effective cash flow management, much like private sector housing developers. DHHL can continue to encumber construction contracts without tying up capital for the full project cost when revenue from the sales of homes can fund the project.

House Bill 2529 allows DHHL to create its own procurement requirements for any expenditure from a trust fund or special fund that is less than $100,000. Procurement flexibility on small purchases allows the department to expend trust funds more efficiently to better respond to the needs of trust beneficiaries.

DHHL's ability to carry out its mission and serve its beneficiaries is directly tied to its ability to access necessary resources and funding, and these bills help DHHL to do that.

**Two New Commissioners Confirmed**
On April 25, the full Senate voted unanimously to confirm Commissioner Leimana DaMate, who will serve West Hawai'i until June 30, 2013, and Commissioner Gene Ross Davis, who will serve the island of Moloka'i until June 30, 2016.

The session was successful for the department thanks to the support and tenacity of beneficiaries who weighed in on important issues and key legislators who championed DHHL's priority bills. DHHL especially thanks Rep. Faye Hanohano and Sen. Brickwood Galuteria for their leadership of the Hawaiian Affairs committees, as well as Rep. Ken Ito, Rep. Sharon Har, and Sen. Pohai Ryan for their constant support of the department.

# FAQ: *Nelson v HHC* Case Ruling

On May 9, 2012, the Hawaii Supreme Court ruled the state failed to adequately fund the Department of Hawaiian Home Lands (DHHL), and that beneficiaries can sue the state for sufficient administrative and operational funding.

**What is the Nelson v HHC case?**
The five-year battle challenged the state for failing to provide enough money to DHHL to carry out its mandate of returning Native Hawaiians to their land.

**Who brought on the case?**
The Native Hawaiian Legal Corporation represented six Native Hawaiians from Hawai'i Island: Richard "Dickie" Nelson III, Kaliko Chun, James Akiona, Sr., Sherilyn Adams, Keli'i "Skippy" Ioane, Jr., and Charles Aipia, who has since passed away.

**What does the ruling say (and what doesn't it say)?**
The ruling says the State must provide DHHL with adequate funding, but does not specificy *how much*. The ruling only pertains to operational expenses and not the cost of developing land for homestead lots.

**How does the ruling affect DHHL?**
The ruling allows DHHL to request general funds to meet administrative expenses. DHHL stopped requesting general funds during the Lingle Administration in an effort to save the state money. This resulted in a heavy reliance on Trust funds and commercial lease revenue to administer DHHL.

**Why should I care about this ruling?**
As some of you may know, the $600 million court settlement from the early 1990s infuses DHHL with $30 million annually. But it is set to expire in 2014. As a result of this ruling, the availability of general funds to DHHL comes at a time when the department is diligently working to increase its revenue streams, to continue its mission of returning Native Hawaiians to the 'āina.

**For more visit HawaiianHomeLands.org**

# WELCOME NEW KĀNEHILI HOMESTEADERS!

KĀNEHILI, O'AHU - Another 29 Native Hawaiian 'ohana selected their homestead lots in the "green," energy efficient community of Kānehili in Kapolei.

These residential lots were the first to be awarded this year. Some 40 applicants qualified to be invited to the April lot selection ceremony.

These new homeowners spent the past two years improving their financial standing, ultimately qualifying for a mortgage. Qualifying for a mortgage continues to be a major roadblock for applicants. But these beneficiaries didn't let that stop them.

The turnkey homes range in price from a two-bedroom, two-bathroom home for $227,300, to a five-bedroom, three-bath home for $301,000.

Each home will have provisions to accommodate the future use of electric cars as well as energy-savings measures that will help new homeowners save anywhere from 30 to 50 percent of their energy bill.

Once the homes are completed, these new homeowners will be moving in next door to the recently-completed Salvation Army Kroc Community Center, the University of Hawai'i-West O'ahu set to open this fall, and the future Ka Makana Ali'i shopping center.

## Changing Mailing Address?

Don't forget that you must notify (in writing) the Department of Hawaiian Home Lands of any changes in your mailing address in order to remain eligible for a Hawaiian home land award. Complete the form below and mail it to:

*State of Hawai'i*
*Department of Hawaiian Home Lands*
*P.O. Box 1879*
*Honolulu, Hawai'i 96805*

We **must have** your **current** mailing address on file at all times. *All notifications, including lease offering, are made through the mail.* After six months, the U.S. Postal Service will not forward mail to your new address. Please remember, it is your responsbility to notify us in writing of any changes.

Please Check Status: ☐ Applicant ☐ Lessee ☐ Both

Print Full Name: _____

Social Security Number: _____

NEW Mailing Address: _____

Signature & Date: _____

Telephone Numbers: Home _____ Business _____

*(If any of the information printed on the address label is incorrect, please correct the information by using this form)*

# Mai Poina

**Got a story idea?**
**Want to send feedback?**
**Email us at KaNuhou@HawaiianHomeLands.org**

*Before you go, here are a few reminders to keep you informed and help you get more involved.*

**Want more frequent news?**
**Try *Ka Nūhou Uila*, our monthly e-newsletter.**
**Sign-up by visiting http://tinyurl.com/cssm5rk**

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