

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION MEETING/WORKSHOP AGENDA

Kūlana 'Ōiwi Multi-Purpose Conference Room
600 Maunaloa Highway, Kalama'ula, Moloka'i, Hawai'i
Monday, April 11, 2016 at 9:00 a.m. to be continued, if necessary, on
Tuesday, April 12, 2016, at 9:00 a.m.

Note: Commission Meeting Packets will be available at dhhl.hawaii.gov, by Saturday, April 9, 2016.

I. ORDER OF BUSINESS

1. Roll Call
2. Approval of Agenda
3. Approval of Minutes for March 2014; August 17 & 18, 2015

II. EXECUTIVE SESSION

The Commission anticipates convening in executive meeting pursuant to Section 92-5(a)(4), HRS, to consult with its attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities on these matters.

1. Update on Nelson Case- Richard Nelson, III et al., v HHC, Civil No. 07-1-1663
2. For Information Only – United States of America, Secretary of the Air Force, General Lease No. 254, Ho'olehua-Pala'au, Island of Moloka'i, TMK No. (2)5-2-06:063

III. ITEMS FOR DECISION MAKING

A. PUBLIC TESTIMONY ON AGENDIZED ITEMS

B. CONSENT AGENDA

Homestead Services Division

- D-2 Ratification of Loan Approvals (see exhibit)
- D-3 Approval of Consent to Mortgage (see exhibit)
- D-4 Approval of Streamline Refinance of Loans (see exhibit)
- D-5 Approval to Schedule Loan Delinquency Contested Case Hearings (see exhibit)
- D-6 Approval of Refinance of Loans (see exhibit)
- D-7 Approval of Homestead Application Transfers / Cancellations (see exhibit)
- D-8 Ratification of Designations of Successors to Leasehold Interest and Designation of Persons to Receive Net Proceeds (see exhibit)
- D-9 Approval of Assignment of Leasehold Interest (see exhibit)
- D-10 Approval of Amendment of Leasehold Interest (see exhibit)
- D-11 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees (see exhibit)

C. REGULAR AGENDA

Office of the Chairman

- C-1 Accept Beneficiary Consultation Report for Department of Hawaiian Home Lands Proposed Amendments to Title 10, Hawaii Administrative Rules

- C-2 Accept 2016 Annual Housing Plan for Title VIII, Native American Housing and Self Determination Act

Land Development Division

- E-1 New 5-year Agreement, Hawaii Community College Model Home Project
- E-2 Approval of Lease Award – Rodney K. Kamalu

Land Management Division

- F-1 Approval to Issue License as Easement to Hawaii Pacific University, Waimanalo, Island of O’ahu, TMK Nos. (1)4-1-014:005(por.) &:011(por.)
- F-2 Approval to Issue Addendum No. 3, License No. 204, U.S. Department of Transportation, Federal Aviation Administration, Waiakea, Island of Hawai’i, TMK No. (3)2-1-013:001(por.)

Planning Office

- G-1 Declare a Finding of No Significant Impact (FONSI) for a Final Environmental Assessment (FEA), Improvements to the Ho’olehua Water System PWS No. 230, Portions of Parcels in TMK (2)5-2-005, (2)5-2-006, (2)5-2-007, (2)5-2-008, (2)5-2-009, (2)5-2-010, (2)5-2-012, (2)5-2-013, (2)5-2-021, (2)5-2-023, (2)5-2-024, (2)5-2-025, (2)5-2-032, and (2)5-2-033
- G-2 Declare a Finding of No Significant Impact (FONSI) for a Final Environmental Assessment (FEA), St. Rita Catholic Church Master Plan, Nānākuli, O’ahu, TMK (1) 8-9-005:001, (1) 8-9-007:002(por.), and (1) 8-9-007:004(por.)

IV. ITEMS FOR INFORMATION/DISCUSSION

A. GENERAL AGENDA

Requests to Address the Commission

- J-1 Cheyenne Hiapo Perry – Mauna Kea Watershed Alliance
- J-2 Noelani Yamashita – Ka Honua Momona
- J-3 Stephanie K. Kauifi – 2016 Legislation on Blood Quantum
- J-4 Skylla Villanueva – Lease #3442, Lot 112A, Ho’olehua, Moloka’i.

B. WORKSHOPS

- B-1 US Department of Agriculture Water & Environmental Program
- H-1 Budget Variance Report

C. REGULAR AGENDA

Planning Office

- G-4 Moloka’i Regional Update to the Hawaiian Homes Commission

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION MEETING/WORKSHOP AGENDA

Kūlana 'Ōiwi Multi-Purpose Conference Room
600 Maunaloa Highway, Kalama'ula, Moloka'i, Hawai'i
Tuesday, April 12, 2016, at 9:00 a.m.

I. ORDER OF BUSINESS

A. Roll Call

II. ITEMS FOR DECISION MAKING

A. REGULAR AGENDA

Office of the Chairman

- C-4 Approval of Subdivision, Transfer of a Portion of Lease and Amendment to Lease No. 9504, Lot A, Waimea, Hawai'i – Flora Beamer Solomon (Lot A-3), Hualī Solomon Covington (Lot A-1), Alice Leiomalama Solomon (Lot A-2).

Planning Office

- G-5 Extend Existing Water Rates for the DHHL Moloka'i and Anahola Water Systems

III. ITEMS FOR INFORMATION/DISCUSSION

A. PUBLIC TESTIMONY ON AGENDIZED ITEMS

B. REGULAR AGENDA

Office of the Chairman

- C-3 Environmental Assessment for HUD-assisted Projects under 24 CFR part 58, Kalama'ula Residential Lots, various parcels within tax map plats (2) 5-2-032 and 5-2-033

Homestead Services Division

- D-1 HSD Status Reports
Exhibits:
A - Homestead Lease and Application Totals and Monthly Activity Reports
B - Delinquency Report
C – DHHL Guarantees for USDA-RD Mortgage Loans


Planning Office

- G-3 For Information Only – Due Diligence for Non-Homestead Land Use Requests from Nonprofit Organizations
G-6 For Information Only - Update on Moloka'i Water Projects and Issues

IV. ANNOUNCEMENTS AND ADJOURNMENT

1. Next Meeting – May 23 & 24, 2016, Kailua, Kona
2. Other Announcements
3. Adjournment

Note: Contested Case Hearings begin at 1:00 p.m.



Jobie M. K. Masagatani, Chairman
Hawaiian Homes Commission

COMMISSION MEMBERS

Doreen N. Canto, Maui
Kathleen P. Chin, Kaua'i
Gene Ross K. Davis, Moloka'i
Wallace A. Ishibashi, East Hawai'i

David B. Ka'apu, West Hawai'i
Michael P. Kahikina, O'ahu
William K. Richardson, O'ahu
Wren Wescoatt, O'ahu

Community Meeting to be held on April 11, 2016
Lanikeha Community Center, Ho'olehua, Moloka'i 6:30 p.m.

Special Accommodations (such as Sign Language Interpreter, large print, taped material) can be provided, if requested, at least five (5) working days before the scheduled meeting on the respective island by calling Ku'uwehi Hiraishi, at the *Information & Community Relations Office*, on Oahu, (808) 620-9590.

ITEM D-2 EXHIBIT
RATIFICATION OF LOAN APPROVALS

LESSEE	LEASE NO.	AREA
TOLENTINO, Kuni M.L.H.	4898	Kuhio Village, Hawaii
TOLENTINO, Marc	10376	Waiehu Kou III, Maui

ITEM D-3 EXHIBIT
APPROVAL OF CONSENT TO MORTGAGE

LESSEE	LEASE NO.	AREA
AHULAU, Lance K.	12046	Kaupea, Oahu
APELA, Brandon P.	4453	Waianae, Oahu
CARVALHO, Anna K.	3725	Anahola, Kauai
DUARTE, Damien L.	6569	Anahola, Kauai
ENOS, Chadwick K.	11901	Nanakuli, Oahu
EWALIKO, Catalina	4143	Paukukalo, Maui
GANON, Diana May L.	11767	Kanehili, Oahu
GRAMBERG, Kengy K.	12474	Kanehili, Oahu
JOHNSTON, Harold Call, Jr.	2155	Kewalo, Oahu
KALEIKINI, Brandi-Ann A.	11744	Kanehili, Oahu
KAPELE, Almadine G. M.	8898	Nanakuli, Oahu
KAPONO, Lottie Lois L.	10055	Waiehu 3, Maui
KAPUNI, Claudelle N.	7850	Hoolehua, Molokai
KAWAAKOA-GIONET, Leah L.	11992	Kaupea, Oahu
KENUI, Clarence S., Jr.	7691	Waiohuli, Maui
KEY, Taisen	4536	Nanakuli, Oahu
KEY, Thomas M., III	4536	Nanakuli, Oahu
KUAMOO, Roland A.	4052A	Keaukaha, Hawaii
LEONG, Darryl L.	9883	Maluohai, Oahu
LOPES, Wesley K.	8382	PKE, Oahu
MCCORRISTON, Daniel K., Jr.	6469	Anahola, Kauai
MCFEELEY, Lillian K.	2926	Nanakuli, Oahu
MORITA, Julie A. W.	2451	Nanakuli, Oahu
NAHULU, G. Analika	306	Nanakuli, Oahu
PAKELE, Louis, Jr.	5299	Waianae, Oahu
RAMOS, Maui J.	11179	Panaewa, Hawaii
ROMAN, Amanett L.	5306	Waianae, Oahu
SEIPEL, Kaniela T.	8295	PKE, Oahu
SOFA, Kristy A. K. P.	12033	Kaupea, Oahu
TROXELL, Edwina L.	9334	Kanihale, Hawaii
VALLE, Anthony M.	4170	Paukukalo, Maui

ITEM D-4 EXHIBIT
APPROVAL OF STREAMLINE REFINANCE OF LOANS

LESSEE	LEASE NO.	AREA
AMASIU, Faelyn	5311	Waianae, Oahu
DANIELS-KWAN, Winona Y.L.B.F.K.	5311	Waianae, Oahu

ITEM D-5 EXHIBIT

APPROVAL TO SCHEDULE LOAN DELINQUENCY CONTESTED CASE HEARING

LESSEE	LEASE NO.	AREA
BERTELMANN, Kaleo-O-Nalani	7142	Kawaihae, Hawaii
MAMONE, Harriet A.	4774	Waiakea, Hawaii
UBEDEI, Mona M.L.	5060	Keaukaha, Hawaii
WHITNEY, Raechelle K.	1580	Keaukaha, Hawaii

ITEM D-6 EXHIBIT

APPROVAL OF REFINANCE OF LOANS

LESSEE	LEASE NO.	AREA
SCOTT, Caroline	9692	Keaukaha, Hawaii
TAM, Russell	6313	Keaukaha, Hawaii

ITEM D-7 EXHIBIT

HOMESTEAD APPLICATION TRANSFERS / CANCELLATIONS

APPLICANT	AREA
COTTLE, Phyllis K.	Hawaii IW Res
KAINOA, Robyn K. R.	Hawaii IW Res
KANOA, Anthony J.	Maui IW Res
KEEN, Carmen K.	Hawaii IW Pas
KEPA, Gavin	Oahu IW Res
KERMABON, Charleen M.	Maui IW Res
PALAMA, Arthur E.	Hawaii IW Res
TEVES, Michael A.	Hawaii IW Res

* IW = Islandwide

ITEM D-8 EXHIBIT

**RATIFICATION OF DESIGNATION OF SUCCESSORS TO LEASEHOLD INTEREST AND
DESIGNATION OF PERSONS TO RECEIVE NET PROCEEDS**

LESSEE	LEASE NO.	AREA
AH SUI, Lynette M.	584	Nanakuli, Oahu
KAHOONEI, Eva L.	5301	Waianae, Oahu
KEUMA, Jennie M. K.	8860	Hanapepe, Kauai
LAIKUPU, George	2844	Kewalo, Oahu

ITEM D-9 EXHIBIT

APPROVAL OF ASSIGNMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
DEREIS, Charlotte M. L.	12158	Kaumana, Hawaii
IWAHORI, Mae C.	4171	Paukukalo, Maui
JULIUS, Kuuipo A. A.	9752	Maluohai, Oahu
KALELEIKI, Davin S.	12109	Kaupea, Oahu
KAMALU, Rodney K.	12315	Waianae, Oahu
KEALAKAI, Phylis P.	3152	Nanakuli, Oahu

MIYASATO, Tiare L.	2019	Kewalo, Oahu
MOIHA, Mildred L.	2671	Kuhio Village, Hawaii
NAHALEA, Valmajan L.	8440	PKE, Oahu
DUROCHER, Emma S.	7300	Nanakuli, Oahu
NAPUELUA, Liwai, III	5350	Waianae, Oahu
STONE, George P. P.	3222	Kewalo, Oahu
TRUGILLO, Christina A.	9826	Hanapepe, Kauai
COSMA, Carilynn N.	10821	Laiopua, Hawaii
KAHUI, Louis A.	11281	Waimanalo, Oahu
KAHUI, Craig V.	11281	Waimanalo, Oahu
WONG, Helene K.	12503	Kapolei, Oahu
SHIZUMA, Leoda U. H.	5851	Kalamaula, Molokai
SILVA, Irene K.	6846	Waiakea, Hawaii
SMITH, Zachary T. H.	6200	Panaewa, Hawaii

ITEM D-10 EXHIBIT

APPROVAL OF AMENDMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
AH SUI, Lynette M.	584	Nanakuli, Oahu
AKAU, William Ah You	592	Kawaihae, Hawaii
HEMENWAY, Judith K.	3557	Waimanalo, Oahu
HEMENWAY, Henry H.	3557	Waimanalo, Oahu
HIGGINS, Albert G.	3692	Waiamanlo, Oahu
HOBBS, Jack K. J.	2629	Nanakuli, Oahu
IWAHORI, Mae C.	4171	Paukukalo, Maui
KALEI, Chris H.	644	Papakolea, Oahu
KAUWE, Kealoha	2994	Keaukaha, Hawaii
LUULO, Walter	4870	Nanakuli, Oahu
LAPERA, Walterlyn L.	4870	Nanakuli, Oahu
MCKEAGUE, Norman H. M.	2723	Waimanalo, Oahu
MCKEAGUE, Esther P. G.	2723	Waimanalo, Oahu
MIYASATO, Tiare L.	2019	Kewalo, Oahu
MOIHA, Mildred L.	2671	Kuhio Village, Hawaii
SHIZUMA, Leoda U. H.	5851	Kalamaula, Molokai
STONE, George P. P.	3222	Kewalo, Oahu

ITEM D-11 EXHIBIT

APPROVAL TO ISSUE A NON-EXCLUSIVE LICENSES FOR ROOFTOP PHOTOVOLTAIC SYSTEMS FOR CERTAIN LESSEES

LESSEE	LEASE NO.	AREA
BELL, June N.	5141	Nanakuli, Oahu
HANAWAHINE, Newton	9821	Maluohai, Oahu
HEW, LEN, Eugene	11401	Kaupea, Oahu
KAHALE, Iris N.	2473	Waimanalo, Oahu

DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
APRIL 11 & 12, 2016
Kūlana 'Ōiwi Multi-Purpose Conference Room
Kalama'ula, Moloka'i, Hawai'i

C-ITEMS
OFFICE OF THE CHAIRMAN

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

APRIL 11, 2016

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Hokulei Lindsey, Administrative Rules Officer
Office of the Chairman



SUBJECT: Accept Beneficiary Consultation Report for Department
of Hawaiian Home Lands Proposed Amendments to Title
10, Hawaii Administrative Rules

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission accept the Beneficiary Consultation Report on Department of Hawaiian Home Lands Proposed Amendments to Title 10, Hawaii Administrative Rules (Attached) as the formal record of the DHHL's consultation with beneficiaries in accordance with the Commission's Administrative Rules Development, Review, and Amendment Process.

DISCUSSION

Pursuant to Hawaii Revised Statutes section 91-5, each agency is required to adopt and maintain administrative rules; "[c]ompilations shall be supplemented as often as necessary and shall be revised at least once every ten years."¹ In accordance with the Administrative Rules Development, Review, and Amendment Process adopted by the Hawaiian Homes Commission in July 2015, the Department of Hawaiian Home Lands conducts Beneficiary Consultation before initiating rulemaking under Ch.91, HRS.

The HHC approved the DHHL's request to proceed with beneficiary consultation regarding proposed amendments to Title 10, Hawaii Administrative Rules at its September 2015 meeting. From October 27, 2015 to December 10, 2015 the DHHL conducted statewide beneficiary consultation meetings to discuss with and get feedback from beneficiaries about the proposed rule amendments.

¹ Haw. Rev. Stat. §91-5.

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At the March 2016 meeting of the HHC, staff presented a workshop for information only,² which highlighted and summarized information contained in the Beneficiary Consultation Report. A copy of the report is attached as Exhibit 1. A link to the Report was subsequently added to the DHHL Administrative Rules webpage (<http://dhhl.hawaii.gov/wp-content/uploads/2015/10/DHHL-Admin-Rules-BC-Report-sm.pdf>).

RECOMMENDATION

DHHL staff respectfully requests approval of the motion as proposed.

Acceptance of the attached Report does not indicate concurrence or approval of any staff recommendations that may appear therein.

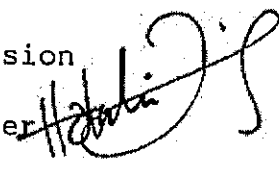
² See Hawaiian Homes Commission Meeting Agenda, March 22, 2016, Item No. C-3.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 21, 2016

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Hokulei Lindsey, Administrative Rules Officer 
Office of the Chairman

SUBJECT: Beneficiary Consultation Report on Department of
Hawaiian Home Lands Proposed Amendments to Title 10,
Hawaii Administrative Rules

RECOMMENDED MOTION/ACTION

None. For information only.

DISCUSSION:

Pursuant to Hawaii Revised Statutes section 91-5, each agency is required to adopt and maintain administrative rules; "[c]ompilations shall be supplemented as often as necessary and shall be revised at least once every ten years."¹ In accordance with the Administrative Rules Development, Review, and Amendment Process adopted by the Hawaiian Homes Commission in July 2015, the Department of Hawaiian Home Lands conducts Beneficiary Consultation before initiating rulemaking under Ch.91, HRS.

At its September 2015 meeting, the HHC approved the DHHL's request to proceed with beneficiary consultation regarding proposed amendments to Title 10, Hawaii Administrative Rules. The proposed rule changes cover three main topic areas: Genetic Testing, Subsistence Agriculture, and the Transfer of Homestead Leases, as well as some "Housekeeping" amendments that deal primarily with administrative efficiencies and updates. From October 27, 2015 to December 10, 2015 the DHHL conducted statewide beneficiary consultation meetings to discuss with and get feedback from beneficiaries about the proposed rule amendments.

Summary of Beneficiary Consultation Process

¹ Haw. Rev. Stat. §91-5.

The Department mailed meeting notifications to all lessees and everyone on the waitlists with a valid mailing address on file; a total of 24,439 postcards were mailed, letters were sent to beneficiaries on Lana'i (see Exhibits A and B). In all, ten consultation meetings were held and over 700 beneficiaries attended. The chart below shows the meeting date and location, and the number of attendees that signed-in:

MEETING DATE	COMMUNITY	ATTENDEES SIGNED-IN
Oct. 27, 2015	Lana'i	18
Nov. 2, 2015	Nanakuli, O'ahu	119
Nov. 9, 2015	Waimea, Hawai'i	78
Nov. 10, 2015	Keaukaha, Hawai'i	81
Nov. 23, 2015	Kaua'i	29
Nov. 24, 2015	Papakolea, O'ahu	34
Nov. 30, 2015	Maui	87
Dec. 1, 2015	Moloka'i	51
Dec. 7, 2015	Kapolei, O'ahu	65
Dec. 10, 2015	Waimanalo, O'ahu	170

At each meeting, a powerpoint presentation was used to provide information about administrative rulemaking and to introduce each major topic area, copies of the presentation were distributed at the sign-in table (see Exhibit C). Also available for examination was a poster-sized chart detailing the "Housekeeping" proposals, and four binders with the full text of the proposed amendments. Beneficiaries could comment on the "Housekeeping" proposals by affixing post-it notes to the poster-sized chart. Following the presentation by staff, attendees gathered in three randomly assigned breakout groups for facilitated discussion about each of the major topics proposed for amendment (see Exhibit D). A minimum of two staff for each topic area rotated in twenty-minute intervals to each breakout group. Each breakout group, therefore, had at least twenty minutes of discussion dedicated to each topic area. Staff took detailed notes during these discussions; the notes taken comprise the bulk of the record of comments received at the meetings (see Exhibit E).

The format used at the consultation meetings was designed to solicit beneficiary input through facilitated conversation focusing on how the proposed amendments could be made better. The Department posed three questions per topic area to help initiate conversation and highlight issues from the Department's perspective. These questions are reproduced in the section that follows below exactly as they were posed at the meetings. Beneficiaries were also encouraged to share their thoughts about

the proposals, whether in response to the Department's questions or not.

The Department also created a webpage dedicated to the rules process (<http://dhh1.hawaii.gov/dhh1rules/>) for those beneficiaries that could not attend the meetings or who wanted to access information independently. The information posted on that page includes: streaming videos from Chairman Masagatani and staff; the meeting schedule; the text of the proposed rule changes; the powerpoint presentation; frequently asked questions; the "Housekeeping" proposals and a chart of potential impacts; MHC submittals; and the current version of Title 10, HAR.² The page was shared 400 times on Facebook.

In addition to comments collected in the breakout groups at the meetings, beneficiaries were encouraged to submit written comments using green comment sheets provided at the meetings, an online form available at the rules webpage, email, or mail. Fifty-one comments were received on the green comment sheets at the meetings. The period to submit written comments closed on January 11 2016, one month after the last meeting was held. Eighteen beneficiaries used the online form to submit comments and one commented by mail.³

Summary of Beneficiary Comments and Staff Responses

This section reports summary comments from Exhibit E, which provides the complete record of comments received from:

- a. Discussion notes which identify beneficiary comments from each of the Beneficiary Consultation meetings held statewide from October 27, 2015 to December 10, 2015;
- b. Green comment sheets which provide personalized beneficiary comments from each of the Beneficiary Consultation meetings held statewide from October 27, 2015 to December 10, 2015; and
- c. Written comments received via email online form or mail from beneficiaries who chose to utilize those opportunities.

To analyze the comments received, staff began with responses to the questions asked by the Department then staff identified additional prominent themes that were beneficiary driven rather

² The webpage will be updated as the rulemaking process moves forward.

³ The Department also received six questions or requests for information by phone.

than specifically prompted by the Department. As a result, the summary beneficiary comments reported below are both quantitative and qualitative in nature; some comments are easily counted as relating to a specific question while others more naturally provide greater thematic context and explanation.

Genetic Testing

Under the proposal, test results would be accepted to establish parent-child biologic relationships. Testing would be available as a final option if after the standard application process questions regarding parentage, which could establish blood quantum remain. Testing would be voluntary and at the applicant's expense. Testing utilized must have a power of exclusion of greater than 99.0% and a minimum combined maternity or paternity index of 500:1.

Why should it be limited to parent-child? Or why should it be broader, like aunts and uncles?

- Beneficiary comments: There was overwhelming support for expanding beyond parent-child relationships, especially if it would help people qualify. The common reasoning was that if an applicant's alleged parent was deceased, there may be a surviving sibling or other relative who could be tested.
- Response: Further research is required. Under the HHCA, the Commission and the Department must ensure applicants are at least 50% native Hawaiian to qualify as lessees. Although one of the reasons for accepting genetic test results is to help more applicants qualify, a balance must be struck whereby a sufficient level of confidence can be placed in the certainty of the test results.

How sure/positive should the results be?

- Beneficiary comments: While some comments were supportive of the proposed standard and others suggested raising or lowering the threshold, consensus seemed to be that they could not opine without knowing more about the process and meaning of the results. A consistent theme, however, related to how expanding the types of relationships tested would impact the degree of certainty expressed by the test results.
- Response: This issue is directly related to the previous question. The impact of expanding the relationships tested on the degree of certainty expressed by test results requires additional due diligence on the part of the DHHL.

How do you feel about this from a cultural perspective?

- Beneficiary comments: There was general consensus that undergoing genetic testing is a personal and individual choice. Related to Question 1 above, there was some discussion about testing if the alleged parent was deceased.
- Response: Testing would not be required under the proposed rule; whether to pursue genetic testing would be the applicant's choice. The draft language makes testing available as an option if standard documentation fails to verify at least 50% native Hawaiian ancestry. With regard to testing alleged parents that are deceased, staff can gather additional information to ascertain its feasibility.

Beneficiary Generated Themes:

Blood quantum testing.

- Beneficiary comments: A significant number of questions arose about testing for blood quantum or ethnicity. Suggestions related to terminology and using language more relatable like "ohana" or "paternity" or "DNA" testing.
- Response: For clarification of terminology, staff agrees and recommends adding "ohana testing" to the definition of "genetic testing." The proposed rule does not include testing for ethnicity or blood quantum. The exact allele frequencies of the native Hawaiian population are not published so a reliable determination of native Hawaiian ethnicity is not possible. Moreover, the proposal was drafted as a conservative first step using established and familiar standards under existing Hawai'i law for parent-child testing.

Cost of testing.

- Beneficiary comments: DHHL should pay the costs associated with testing.
- Response: While staff understands that cost can be a concern, the applicant is responsible for any costs or fees associated with the application process. The DHHL does not subsidize current costs and should not pay for an applicant to undergo genetic testing.

Privacy.

- Beneficiary comments: Two themes were raised related to privacy. One was the protection and confidentiality of the information. The other related to the use of test results to "disqualify" or "revoke" a previously issued lease.

- Response: State law provides that an individual has a significant privacy interest in information relating to "medical, psychiatric, or psychological history, diagnosis, condition, treatment, or evaluation."⁴ The test results submitted to the Department likely would be protected as a significant privacy interest of the applicant and alleged parent. Additional language can be included in the proposal to specifically provide that the DHHL shall not disclose the information without prior consent. A form and process can also be developed so the applicant and alleged parent can consent to disclosure or use of the information, if they choose.

In terms of test results being used to disqualify a lessee post-award, the Department reviews the native Hawaiian qualification as part of the award process.

Subsistence Agriculture

The proposal would create a specific agriculture award of one acre or less where the lessee would be required to reside on the lot. Programmatically known as the "subsistence ag" lot, these awards are intended as rural lifestyle lots where the lessee can grow a vegetable garden and fruits, and raise small animals as a food source for the lessee and family. Unlike an agriculture award of larger acreage, a farm plan and two-thirds cultivation would not be required.

How much acreage is enough to do subsistence farming and why?

- Beneficiary comments: Beneficiaries thought subsistence agriculture lots should be bigger than one acre. Comments also proposed allowing flexibility in acreage awarded depending upon island, area, and/or family size.
- Response: The one-acre lot size was proposed for subsistence agriculture use because one acre is generally within the size lot the various counties consider to be rural.⁵ Maintaining some consistency with the counties ultimately makes development and permitting easier. A strong theme in the consultation data was the desire to have family live on the same lot. It is reasonable to conclude that the push for a larger lot size is linked to the ability to subdivide rather than an actual link to the ability to engage in subsistence gardening. A one-acre lot is large enough to support two dwellings and subsistence activity. Language can be added to the proposal that would

⁴ See Haw. Rev. Stat. § 92F-14(b).

⁵ See Haw. Rev. Stat. § 205-2(a)(2), (c).

allow more than one dwelling unit on the subsistence agriculture lot.

What do we mean by "subsistence"?

- Beneficiary comments: Responses ranged from farming as a business for income to an off-grid lifestyle but most thought "subsistence" meant to grow your own food and maybe sell any extra. Thematically, enforcement was a concern given that there is little enforcement on agriculture lots. Comments also expressed that agricultural lands should be used for agricultural purposes.
- Response: Programmatically, defining what is meant by "subsistence" is important. The idea of subsistence as a rural or country lifestyle (something between urban and off-grid) where lessees grow food for their families and can sell any extra or sell value-added products is a way to put agricultural lands into production that is manageable and desirable for a broader pool of beneficiaries, and it fosters a greater level of food security on homestead lands. Staff agrees that enforcement strategies should be explored.

Instead of residency, what other type of use or occupancy could be used as the standard?

- Beneficiary comments: Discussion focused on housing options and affordability with virtually no elaboration on other ways to measure use of a subsistence agriculture lot. Suggestions for housing options included tiny homes, container homes, and owner-builder; the theme was living within one's means and/or living mortgage-free.
- Response: Programmatically, the vision is a return to the land and a rural lifestyle. Housing options which are consistent with this type of living, should be explored.

Beneficiary Generated Themes:

Planning and development.

- Beneficiary comments: Beneficiaries want infrastructure; utilities in particular. Within the discussion of utilities, whether water would be domestic or agriculture was prominent, and on there was some concern about the cost of that water meter.
- Response: The rules proposed would create subsistence agriculture by setting a general framework for the program. If the program moves forward (beginning with the adoption of rules), issues related to infrastructure would be better addressed as part of planning and program development

because including these types of details in the rules could result in an unnecessarily rigid framework.

Technical assistance.

- Beneficiary comments: Beneficiaries want education opportunities related to farming and how to use the land in a productive and sustainable way.
- Response: Technical assistance is available for agricultural lessees on Hawai'i Island and Molokai. The DHHL is looking at partnering with other organizations to expand technical assistance opportunities.

Transfer of Homestead Leases

The proposed amendment would prohibit the sale of undivided interests and leases to lots that are vacant or undeveloped. These types of leases could be transferred by gift or succession, or returned to the DHHL.

What type of "improvement" should qualify for a sale?

- Beneficiary comments: Evidence of use or changes to the land according to lease type were suggested as ways to gauge improvement to the lot. The existence of a permanent structure and evidence (i.e., receipts, photographs) of monetary expenditure or working/clearing the land were thought to be sufficient improvement that would qualify a lease for transfer by sale.
- Response: The concept of progress toward the improvement of the lot as required by the lease is worth considering as a policy benchmark for improvement that would qualify a lease for transfer by sale. However, progress toward improvement should be sustained in such a way as to demonstrate actual intent to develop and use the lot rather than an attempt to create an "improvement trail" for the sole purpose of selling the lease; substance should prevail over form.

If this type of sale is not allowed, who should the lease go to?

- Beneficiary comments: Beneficiaries overwhelmingly thought that instead of selling UIs and leases to undeveloped or vacant lots it should go to someone on the waitlist. Within this response there were two prominent variations: 1. the lessee must transfer to someone already on the waitlist; or 2. the lease should be returned to the DHHL for re-award. Comments also suggested a prioritization of possible transferees, for example: family first, then qualified person of choice already on the waitlist, then return to DHHL for re-award.

- Response: There are three ways by which a lease can be returned to the DHHL: surrender, rescission, or contested case. Each has different consequences for the lessee. The DHHL does not currently assist lessees in identifying potential transferees.

Why should rehabilitation be limited to a return to the land?

- Beneficiary comments: There was broad consensus that a Hawaiian homestead lease is a special benefit and that lessees should not be able to sell leases to vacant or undeveloped lots for profit (see below under "ability to transfer"). There was also a strong sense that one should not be prevented from recouping one's investment. Whether financial gain was included as rehabilitation under the HHCA or whether rehabilitation was only by a return to the land split beneficiary responses.
- Response: The proposal would prohibit the sale of UIs and leases to lots that are vacant or undeveloped. The proposal would not limit or prevent beneficiaries from selling a lease to an improved lot.

Beneficiary Generated Themes:

Ability to transfer.

- Beneficiary comments: As noted above, there was an overwhelming response that there should be no sale when there is no improvement to the lot. Communities with undivided interest leases, however, also tended to express that UIs should remain transferable by sale. There were some comments generally supportive of the ability to sell leases but just as many comments supportive of the concept of "one chance." The one chance concept means that any one person can only have one lease during his or her lifetime. Under such a regime, if a lease is transferred using any method the lessee cannot return to the waitlist or obtain another lease.
- Response: The one chance concept has been around for a number of years. Existing rules allow a "previous lessee" to reapply and be added to the bottom of the waitlist.⁶ The current proposal does not address the status of previous lessees.

Although lessees with UI leases may be waiting for the Department to ready the land for residential use, the UI is still a lease that cost a lessee only \$1.00/year for ninety-nine years. Selling a UI lease (or lease to an

⁶ See HAR §10-3-23.

undeveloped or vacant lot) for profit realizes a gain without financial investment, and places the transferee at a financial disadvantage that does not exist when a lease is awarded by the Department. The proposal ensures fairness in this regard.

Enforcement.

- Beneficiary comment: Beneficiaries noted the lack of consistent enforcement and questioned the ability and likelihood of enforcing a rule that prohibits the sale of empty lots and UIs: how does the Department plan to monitor and enforce?
- Response: Enforcement of a rule like the one proposed needs careful consideration. There are several options that the DHHL could explore for example institute mandatory disclosure instead of voluntary disclosure; DHHL execute all transfers; or require all transfers be done through escrow. It is also possible that with adequate publicity of a rule prohibiting sales of these types of leases, potential purchasers would not proceed and/or would report an attempted sale to the Department.

"Housekeeping"

- Beneficiary comments: Comments about the Housekeeping proposals were mostly clarification questions, and a few suggestions were made.
- Response: The Housekeeping proposals deal primarily with general updates and administrative efficiencies intended to streamline certain departmental functions. The DHHL intends to undertake rulemaking on a regular basis; there will be opportunities to make additional changes.

RECOMMENDATION:

None. For information only.



HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION • DEPARTMENT OF HAWAIIAN HOME LANDS

DHHL Proposed Rule Changes

You're invited to attend a Beneficiary Consultation meeting in your community to discuss three important proposed changes to the Department of Hawaiian Home Lands' (DHHL) Administrative Rules. Hawaii Administrative Rules govern operations at the DHHL, and the following proposed changes are in direct response to beneficiary feedback the department received over the years:

GENETIC TESTING

Proposes DHHL accept DNA tests to establish family ties in order to qualify for the Hawaiian Home Lands program.

LEASE TRANSFER

Proposes a process and requirements for transferring a vacant homestead lot (i.e. a lot with no home or other improvements built upon the land).

SUBSISTENCE LOTS

Proposes a new option in DHHL's agricultural program that supports a subsistence rural lifestyle.

Meeting schedule on reverse. All meetings subject to change. Visit dhhl.hawaii.gov/dhhlrules for the latest information, or call the DHHL Information & Community Relations Office at (808)620-9590.

Beneficiary Consultation Schedule

All meetings scheduled to run from 6:00 - 8:30 p.m.

Nānākuli, O'ahu - Monday, November 2, 2015

Nānāikapono Elementary School Cafeteria
89-153 Mano Ave., Wai'anae, HI 96792

Waimea, Hawai'i - Monday, November 9, 2015

DHHL West Hawai'i District Office - Kūhiō Hale
64-756 Māmalahoa Hwy., Kamuela, HI 96743

Keaukaha, Hawai'i - Tuesday, November 10, 2015

Keaukaha Elementary School Cafetorium
240 Desha Ave., Hilo, HI 96720

Kaua'i - Monday, November 23, 2015

King Kaumuali'i Elementary School Cafeteria
4380 Hanamā'ulu Rd., Lihū'e, HI 96766

Papakōlea, O'ahu - Tuesday, November 24, 2015

Stevenson Middle School Cafeteria
1202 Prospect St., Honolulu, HI 96822

Mauī - Monday, November 30, 2015

Paukūkalo Community Center
655 Kaumuali'i St., Wailuku, HI 96793

Moloka'i - Tuesday, December 1, 2015

Lanikeha Community Center
2200 Farrington Hwy., Ho'olehua, HI 96729

Kapolei, O'ahu - Monday, December 7, 2015

DHHL Hale Pono
91-5420 Kapolei Pkwy., Kapolei, HI 96707

Waimānalo, O'ahu - December 10, 2015

Blanche Pope Elementary School Cafeteria
41-133 Huli St., Waimānalo, HI 96795

State of Hawai'i
Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawai'i 96707
P.O. Box 1879 | Honolulu, Hawai'i 96805
(808) 620-9500 | (808) 620-9529 Fax
dhhl.hawaii.gov

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EXHIBIT A

DAVID V. IGE
GOVERNOR
STATE OF HAWAII

NIHAN S. TSUTSUI
LT. GOVERNOR
STATE OF HAWAII



JOHIE M. K. MASAGATANI
CHAIRMAN
HAWAIIAN HOMES COMMISSION

WILLIAM J. AHA, JR.
DEPUTY TO THE CHAIRMAN

**STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS**

P. O. BOX 1879
HONOLULU, HAWAII 96805

October 9, 2015

Aloha e Lāna'i Beneficiaries,

You're invited to attend a meeting to discuss three important proposed changes to the Department of Hawaiian Home Lands' (DHHL) Administrative Rules. Hawaii Administrative Rules govern operations at the DHHL, and the following proposed changes are in direct response to beneficiary feedback DHHL has received over the years:

1. Genetic Testing

Proposes DHHL accept DNA tests to establish family ties in order to qualify for the Hawaiian Home Lands programs.

2. Sale of Vacant Homestead Lots

Proposes a process and requirements for transferring a vacant homestead lot (i.e. a lot with no home or other improvements built upon the land).

3. Subsistence Agriculture Lots

Proposes a new option in DHHL's agricultural program that supports a subsistence rural lifestyle.

The Beneficiary Consultation on DHHL Administrative Rules for Lāna'i will be held on:

Tuesday, October 27, 2015

6:00 p.m. – 8:30 p.m.

**Lāna'i High & Elementary School Cafeteria
555 Fraser Avenue, Lāna'i City, Hawai'i 96763**

For more information, visit dhhl.hawaii.gov/rules or call the DHHL Information and Community Relations Office at (808) 620-9590.

Mahalo,

A handwritten signature in black ink, reading "Jobie M. K. Masagatani".

Jobie M. K. Masagatani, Chairman
Hawaiian Homes Commission

EXHIBIT B



HAWAIIAN HOME LANDS
HAWAIIAN HOMELANDS COMMISSION
DEPARTMENT OF LAND AND NATURAL RESOURCES

Beneficiary Consultation

Proposed Changes to DHHL Administrative Rules

Tonight's Agenda

6:00 p.m. – Pule, Introductions & Purpose of Meeting

6:15 p.m. – Administrative Rule Amendments

Process & Overview

Genetic Testing

Subsistence Ag Lots

Transfer of Leases

7:00 p.m. – Break Out Groups

8:00 p.m. – Group Reports, Next Steps & Closing
Remarks

For more information, visit dhhl.hawaii.gov/dhhlrules or email
dhhl.rules@hawaiianhomelands.org



HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
DEPARTMENT OF HAWAIIAN HOME LANDS

Rulemaking Process

What are Administrative Rules?

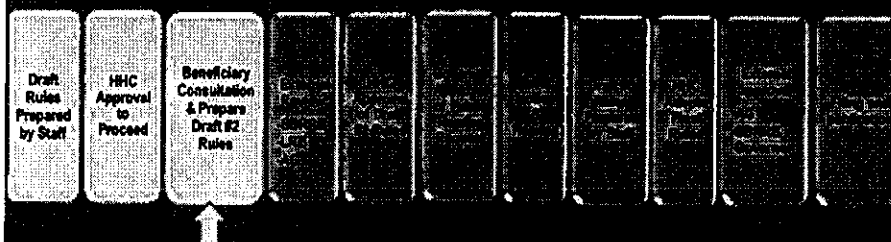
- Every State agency has administrative rules.
- Rules govern departmental operations.
- Rules make those operations public.
- DHHL's rules are known as Title 10, Hawaii Administrative Rules.

Why Amend Administrative Rules?

- Improve service, programs, and operations.
- Rules should be consistent with State law.
- Best practice.

DHHL Rulemaking Process

18-24 months



...we've only just begun



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Proposed Amendments

Housekeeping Amendments

- Changes to help the Department keep a "clean house:"
 - Grammar and formatting;
 - Updates;
 - Ease and efficiencies.

Housekeeping Amendments

- Physical addresses and contact information.
- New definitions.
- Duties of the chair.
- Rulemaking procedures.
- Approval for building plans.
- Fees and charges.



HAWAIIAN HOME LANDS
A DIVISION OF THE HAWAIIAN HOMELANDS
DEPARTMENT OF LAND AND NATURAL RESOURCES

Genetic Testing

Background

- New rule.
- What is the current application process?
 - Application form;
 - Genealogy records and documentation;
 - Qualification.

Background

- What if you wanted to submit DNA evidence today?
 - No.

Policy Question

Should genetic test results be accepted as part of the application and verification process for the Hawaiian Homes program?

Why Genetic Testing

- Yes. Because:
 - Genetic test results could help qualify more native Hawaiians.
 - There is a direct benefit to beneficiaries.
- Genetic testing does not affect how the Department reviews or qualifies an application.

How Would The New Rule Work?



- Only to establish parent-child relationships, not blood quantum;
- After the standard process, applicant can choose testing as a last resort;
- Applicant's expense;
- "Degree of certainty" of the results.

Your Mana'o

- Why should it be limited to parent-child? Or why should it be broader, like aunts and uncles?
- How sure/positive should the results be?
- How do you feel about this from a cultural perspective?



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Subsistence Ag

Background

- Expansion of the ag program that would create a smaller ag lot.
- How do ag awards work today?
 - Typically large acreage, up to 40 acres maximum;
 - Must have a farm plan;
 - Must have 2/3 in active cultivation at all times;
 - Can request additional acreage.

Policy Question

Should the Department expand the agricultural program to create a smaller ag lot and promote self-sufficiency?

Why Subsistence Ag

- Yes. Because:
 - A lot of beneficiaries are interested in subsistence ag, or a rural lifestyle;
 - The ag list is the longest list on every island except O'ahu;
 - It's a more manageable way to start farming;
 - It can put more beneficiaries on the land.

How Would Subsistence Ag Work?

- Ag lot of 1.0 acre or less for subsistence use;
- Lessee required to reside on the lot;
- Lessee can raise crops and/or small livestock;
- No ag plan;
- No 2/3 cultivation requirement.



Your Mana'o

- How much acreage is enough to do subsistence farming and why?
- What do we mean by "subsistence"?
- Instead of residency, what other type of use or occupancy could be used as the standard?



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Transfer of Homestead Leases

Background

- Would restrict the sale of vacant lots and undivided interests.
- How are vacant lots or undivided interests transferred now?
 - Give it away to another beneficiary;
 - Name a qualified successor;
 - Sell to another beneficiary.

Policy Question

Should the Department restrict the sale of leases to lots where a lessee has not made financial investment in its development?

Why Restrict the Sale of Leases

- Yes. Because:
 - The lessee is attempting to profit from only what the Trust provided;
 - The lessee has not used or invested in a vacant lot or undeveloped lot as required by the lease;
 - The purpose of the Act is to rehabilitate native Hawaiians by returning them to the land.

How Would the Sale of Leases Change?

- Applies only to "vacant lots" or "undeveloped lots" and "undivided interests;"
- These types of leases would be transferred only by gift or succession;
- No sale of vacant or undeveloped lots and undivided interests for profit.



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Your Mana'o

- What type of "improvement" should qualify for a sale?
- If this type of sale is not allowed, who should the lease go to?
- Why should rehabilitation be limited to a return to the land?



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DEPARTMENT OF HAWAIIAN HOME LANDS

Ground Rules

Ground Rules

- Be creative!
 - Work toward future solutions/aspirations.
- Conflict is ok as long as we are respectful of each other.
- Silence means agreement.
- Everyone gets a turn first, then repeats.
- Cell phones off or on silent.
 - Take all calls/texting outside.

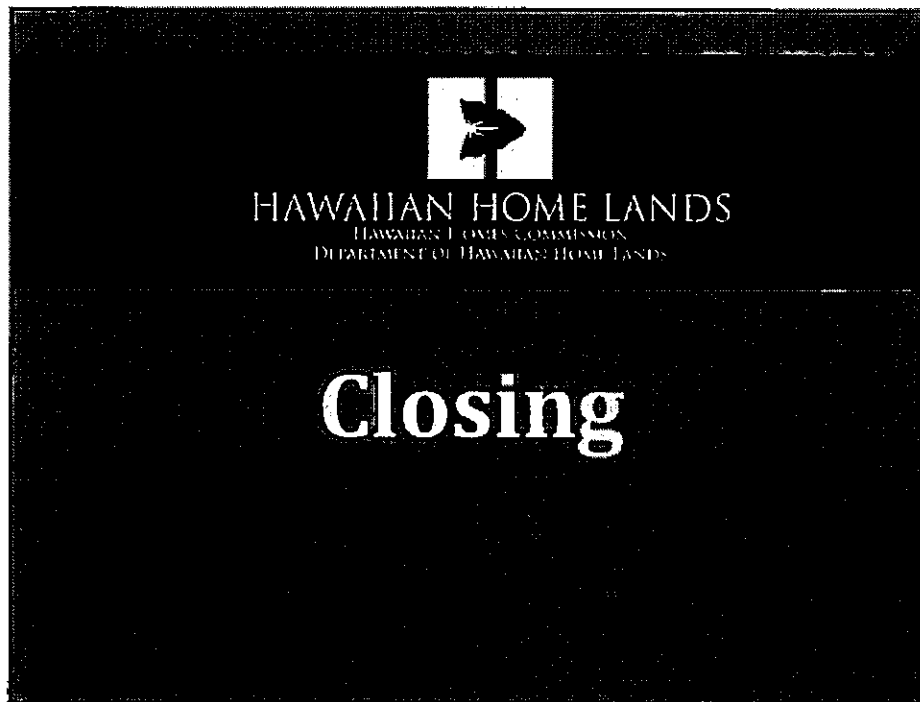
Ground Rules

- You are personally responsible for:
 - Making sure everyone has equal opportunity to express their ideas;
 - Actively listening;
 - Keeping an open mind and maintaining a positive attitude;
 - Keep side conversations to a minimum.



HAWAIIAN HOME LANDS
THE U.S. DEPARTMENT OF AGRICULTURE
THE BUREAU OF LAND MANAGEMENT

Small Group Discussions



Next Steps for DHHL

- Review and compile notes from today, as well as additional comments received by January 11, 2016;
- Consider suggested and possible changes;
- Prepare and submit a report for the Commission;
- Submit the proposed amendments to the Commission for approval to move forward with the public hearing process.

Next Steps for You

- Think about today's discussion;
- Talk to family, friends, neighbors;
- Submit comments by January 11, 2016;
- Keep checking the website for updates
<http://dhhl.hawaii.gov/DHHLRules>.

How to Submit Comments

- Green sheets.
- Email: dhhl.rules@hawaiianhomelands.org
- Mail:
Department of Hawaiian Home Lands
DHHL Administrative Rules
P.O. Box 1879
Honolulu, HI 96805
- Online feedback form:
<http://dhhl.hawaii.gov/DHHLRules>

DEPARTMENT OF HAWAIIAN HOME LANDS

Statewide Beneficiary Consultation Meetings Proposed Administrative Rule Amendments

October 27, 2015
6:00 p.m. – 8:30 p.m.
Lānaʻi High & Elementary School Cafeteria
Lānaʻi City, Lānaʻi

AGENDA

1. **Pule, Introductions, Purpose of Meeting – (6:00 p.m.)**
To consult with beneficiaries on proposed administrative rule amendments specific to three (3) topic areas and to get feedback on these amendments to better inform the Department and Hawaiian Homes Commission in the amendment process.
2. **Administrative Rule Amendments Process & Overview – (6:15 p.m.)**
 - a. Genetic Testing
 - b. Subsistence Ag Lots
 - c. Transfer of Leases
3. **Break Out Groups – Various (7:00 p.m.)**
There will be three (3) sessions – 20 minutes each- to discuss the three (3) proposed administrative rule amendment topics. Break Out Group facilitators will rotate, so everyone will have an opportunity to share their manaʻo.
4. **Group Reports, Next Steps & Closing Remarks (8:00 p.m.)**

For more information, visit dhhl.hawaii.gov/dhhlrules or email dhhl.rules@hawaiianhomelands.org

	A	B
1	Topic	Comment
2	Genetic Testing	1) Genetic Testing - I agree with accepting DNA tests to establish family ties in order to qualify for the Hawaiian Home Lands programs.
3	Genetic Testing	determine if they're of 25% or 50% Hawaiian blood, depending on the situation. However, if you find that an individual doesn't have the required blood quantum to receive a transfer,
4	Genetic Testing	Genetic Testing by giving a written response that if it is used as an added tool for current protocol to establish lineage I'm glad for those who've tried and fell short of providing this requirement.
5	Genetic Testing	<p>LEGEND: () = DELETE _____ = Add</p> <p>10-3-3.1 Application Processing (a){3} If the department determines . . .reasonable uncertainty . . .the department shall request additional documentation in writing, <u>including a complete explanation for the specific concerns to be addressed.</u></p> <p>The department shall, within (90 business days) <u>30 business days</u> after the application is deemed complete, make an acceptance determination. Delete everything else.</p> <p>Process to contest a negative determination is missing.</p>
6	Genetic Testing	Genetic Testing used in a controlled process will assist many who otherwise may not have the opportunity to exercise their inherent right to become a beneficiary of the trust.
7	Genetic Testing	Genetic Testing - I support DHHL allowing genetic testing. The process will assist more potential beneficiaries in proving eligibility for benefits under the HHCA.
8	Genetic Testing	<p>The DNA testing is a great idea, bringing needed technology up to today's standards. Who will pay for this service? If applicant is responsible, DHHL will need to write a procedure and locate a Diagnostic Laboratory that is willing to partner with.</p> <p>It will be cost effective this way. I believe with today's standards a physician or court ruling can justify a DNA test.</p>
9	Genetic Testing	DNA testing I think that should be for those that are NOT able to provide documentation, NOT those currently verified on the waiting list or those that do have the required documentation. DNA should be a last resort
10	Genetic Testing	Blood quantum is a concern
11	Genetic Testing	Inaccuracy(?--illegible) of BC
12	Genetic Testing	As long as you're not being forced.
13	Genetic Testing	Concerns with it becoming mandatory
14	Genetic Testing	Outsource the results of DNA testing
15	Genetic Testing	Potential for litigation

	A	B
1	Topic	Comment
16	Genetic Testing	Adding the cost to a lessee's loan
17	Genetic Testing	Income qualification
18	Genetic Testing	Opposed to scholarship/grant to help with cost of DNA
19	Genetic Testing	Scholarship/grant to help with cost of DNA
20	Genetic Testing	Have an independent office handling
21	Genetic Testing	Oppose genetic testing
22	Genetic Testing	Keep genetic results confidential
23	Genetic Testing	Keep it private or permission from individual
24	Genetic Testing	Maybe destroy evidence or optional
25	Genetic Testing	Safeguard against hacking
26	Genetic Testing	Safeguard to protect family and individual
27	Genetic Testing	Protocol in place for genetic testing
28	Genetic Testing	Who holds the database of DNA testing
29	Genetic Testing	Consent form for family to use DNA
30	Genetic Testing	Concerns with handling of DNA
31	Genetic Testing	Expand to any living blood relative.
32	Genetic Testing	Expand to uncles and aunts
33	Genetic Testing	Look into % probability for aunty/uncle
34	Genetic Testing	Supportive of aunty and uncle DNA testing
35	Genetic Testing	Change % of probability for biological uncles and aunts
36	Genetic Testing	Support to get them through the door.
37	Genetic Testing	Expand DNA testing to successorship
38	Genetic Testing	Stipulation in the rules to grandfather the current lessees and applicants
39	Genetic Testing	I think the blood quantum needs to be revisited! This should be done now with the current process!
40	Genetic Testing	unless authorized by beneficiary to specific individual @ specific date.
41	Genetic Testing	Ancestry.com claims they can determine where your ancestors came from. Can there be some other tests? Current proposed rule says venter must be certified by American Assoc of Blood Bank.
42	Genetic Testing	After determine relationship, will test show % blood quantum? Response: No, test will not determine blood quantum.
43	Genetic Testing	Is there talk to lower blood quantum for applicants/lessees. Resp: There's always talk but would take amendment to HHCA and Congress has consent. This would open up bigger issues.
44	Genetic Testing	Is there test for blood quantum? Resp: technology not there yet.
45	Genetic Testing	Would the test results show blood quantum? No.
46	Genetic Testing	HHC approved moving forward with a bill on the leg. The lower % blood quantum for successors (needs Congr. Consent)
47	Genetic Testing	Cultural impact
48	Genetic Testing	Cultural impact
49	Genetic Testing	Sensitivity to the process/logistics sometimes there's other ways.
50	Genetic Testing	Culture: Hanai is part of our culture.
51	Genetic Testing	If parent is deceased, to be fair to everyone, should go another level -brothers, sisters, etc.

	A	B
1	Topic	Comment
52	Genetic Testing	What happens/what test can be done if parents deceased?
53	Genetic Testing	Would like to see expanded to deceased parents.
54	Genetic Testing	What about the hanai? What's current policy? Response: Currently DHHL does not recognize Hanai. Instead adopt and they become successor, still needs to be Hawaiian.
55	Genetic Testing	Does DHHL keep the records and help to determine parent-child relationship? Resp: will need a consent form in order to use previously submitted records.
56	Genetic Testing	Allow Genetic Testing as another tool to show parent-child relationship. Parent has the pala pala showing NH blood quantum.
57	Genetic Testing	Is there margin of error?
58	Genetic Testing	Need more info on the 99.9% probability
59	Genetic Testing	Probability -kind of hard to determine what does this mean 99% vs. 99.9%? Would like a definition in law to spell out 99.0% spell out in lay man's words.
60	Genetic Testing	What's the best practice" probability if expand beyond parent-child.
61	Genetic Testing	If expanding beyond parent-child, how would that affect the %probability? Could be lower than 99% (family court).
62	Genetic Testing	Test optional
63	Genetic Testing	Genetic testing is one more tool to use to be eligible for Hawaiian Homes Applicant still has to go through standard app. Process.
64	Genetic Testing	If parent unknown at the time, had pala pala, it may help to determine parentchild relationship.
65	Genetic Testing	Is genetic testing really an option if thru normal app process cannot show blood quantum (parents still living). Resp: No, would not help is no have blood quantum.
66	Genetic Testing	% probability lower for aunty, uncle, grandparents.
67	Genetic Testing	What if parents had only one child, should expand to aunty/uncle to give opportunity to everyone.
68	Genetic Testing	Yes! Support beyond parent-child include aunty, uncles, grandparents, etc.
69	Genetic Testing	What about between 2 sisters/siblings?
70	Genetic Testing	Could we go back to grandparents or other to show more blood quantum? Resp: Possible.
71	Genetic Testing	Open to the immediate aunty/uncle ONLY
72	Genetic Testing	If purpose is to prove you're a beneficiary, then any relationship. (Aunty, uncle, grandparents etc. No limitations.)
73	Genetic Testing	Who's administering the tests -there are vendors that are accredited by American Blood Bank Assoc., which has a list of certified vendors.
74	Genetic Testing	What is the "standard"? Resp: Proposed rule states vender must be accredited by American Assoc. of Blood Banks.
75	Genetic Testing	Would DHHL accept any test? Resp: Vender must be accredited by American Assoc. of Blood Bank.

	A	B
1	Topic	Comment
76	Genetic Testing	What other "tests" are out there? Ancestry.com has been mentioned.
77	Genetic Testing	What type of "test" would be considered? Male: male, Female: female, etc.
78	Genetic Testing	Will genetic testing deny eligibility? No, it's voluntary.
79	Genetic Testing	Question: What about adoption?
80	Genetic Testing	When my mom delivers, she can designate ethnicity.
81	Genetic Testing	99% probability is too high -> drop to 95% for parent-child.
82	Genetic Testing	Blood quantum 1/32 v. 50%
83	Genetic Testing	Concern: 50% -> 25%. Start addressing drop quantum.
84	Genetic Testing	Even when my great great is 100% Hawaiian, still may not qualify.
85	Genetic Testing	Test and only show parent-child relationship NOT blood quantum. Why do we need to do this?
86	Genetic Testing	Want to discuss blood quantum FIRST before we can discuss genetic testing
87	Genetic Testing	When is blood quantum % going to be addressed?
88	Genetic Testing	When is DHHL going to address blood quantum? Kuhio 1/32. 50% are dying. Fewer and fewer 25%
89	Genetic Testing	Work on blood quantum FIRST before going to genetic testing
90	Genetic Testing	A blood quantum issue- be careful on this. Need to change framework on this. Prince Kuhio with congress
91	Genetic Testing	Is this test to certify blood quantum? No. Suggestion: Do away with blood quantum use the testing plus pala pala, to qualify my child now instead of waiting till I die, then my child gotta go qualify we waiting too long to drop blood quantum.
92	Genetic Testing	Question: Is this test measure blood quantum? No. Only tells relationship. Parent-child.
93	Genetic Testing	Balancing -if DHHL pays costs, less \$ for other DHHL expenses.
94	Genetic Testing	Why is DHHL budget limited and cannot pay for these costs? There's \$ in the department
95	Genetic Testing	99% probability -would like to see lower.
96	Genetic Testing	This is for families missing some info.
97	Genetic Testing	Sperm bank.
98	Genetic Testing	Can DNA produce same results as genetic test
99	Genetic Testing	How much cost? Depend on vendors. Eg. Ancestry.com \$100
100	Genetic Testing	How much genetic testing cost? It varies by vendor - \$200 and up. Test itself
101	Genetic Testing	How much genetic testing cost? \$200 -> up test itself
102	Genetic Testing	Provide cost ranges, also if need to be certified, what does that mean?
103	Genetic Testing	If test positive, DHHL to reimburse.
104	Genetic Testing	Test positive results -> DHHL to reimburse the individual.
105	Genetic Testing	Why "genetic" not DNA? Can we do DNA, it's cheaper
106	Genetic Testing	DHHL should pay for for the genetic testing, for everything including successionship

	A	B
1	Topic	Comment
107	Genetic Testing	DHHL should pay for the genetic testing
108	Genetic Testing	Genetic testing is not culturally appropriate, group split decision
109	Genetic Testing	It's optional. So if you feel cultural issue, then don't do it.
110	Genetic Testing	"Cultural appropriate" a very subjective and personal matters not for/nor against
111	Genetic Testing	Cultural issues? We're taking parts of the body
112	Genetic Testing	If no pala pala, this genetic testing should help.
113	Genetic Testing	Parent-child. Siblings okay if both parents has the pala pala
114	Genetic Testing	Paper is paper. Genetic testing is saliva.
115	Genetic Testing	What if no pala pala because was none back then, what happens?
116	Genetic Testing	Department of Health can go back 2 generations. DOH should be consulted.
117	Genetic Testing	What about DHHL checking other ethnicity?
118	Genetic Testing	Go back to Kuhio intent
119	Genetic Testing	Hanai- depends on how hanai is being used.
120	Genetic Testing	Is hanai acceptable to DHHL? DHHL only uses blood quantum through biological parents.
121	Genetic Testing	What about Hanai? How is DHHL going to address this?
122	Genetic Testing	Cannot make good decision without full info.
123	Genetic Testing	Letters sent to my children that 49% but previously everyone qualified. So why my kids get letter?
124	Genetic Testing	When we submit our info, who determines everytime we prove something, nobody tells us "yes" eligible? How will genetic testing help us with this?
125	Genetic Testing	Allow applicants to get 2nd opinion but at applicant expense.
126	Genetic Testing	Against genetic testing. Maybe parent does not want child child to know the relationship.
127	Genetic Testing	Child should have different avenues
128	Genetic Testing	Where does info go? Privacy/confidentiality
129	Genetic Testing	Keep in family
130	Genetic Testing	There are kids that didn't know their parents are Hawaiian is this to be published?
131	Genetic Testing	Best explains what happens to info, protection of privacy.
132	Genetic Testing	DHHL is state, so conflict to handle DNA
133	Genetic Testing	Suggestion: DHHL should investigate what is the minimum not arbitrary choose 99%. Though 99% is used by family court. This is Hawaiian Homes. What is the min., for Hawaiian Homes?
134	Genetic Testing	99% is for parent-child, uncle-aunt-> Child will be lower
135	Genetic Testing	99% (came from family court) how does that work. You either ARE or not.
136	Genetic Testing	If there is a way now to determine parent/child, then we should allow this.
137	Genetic Testing	Question: Will gentic test become permanently put on record. Should test be mandated?

1	A Topic	B Comment
138	Genetic Testing	How much research in genetic testing does DHHL do to help advise the applicant to go this route
139	Genetic Testing	Clarification: Go thru whole process FIRST, then can ask/allow for genetic testing.
140	Genetic Testing	DHHL cut off from accessing Department of Health files.
141	Genetic Testing	Sometimes, put different name -genetic test would help
142	Genetic Testing	If adverse results from someone taking the test, DHHL not held responsible.
143	Genetic Testing	If child info says this but parents say other, DHHL go with parent info first.
144	Genetic Testing	Vendor to be certified per proposed rule. What is name of organization to certify vendor? Is it a state agency?
145	Genetic Testing	When will this Genetic testing be approved? Rules process can take up to 2 years.
146	Genetic Testing	Something in rule says "grandfathered" in once certified, pau.
147	Genetic Testing	Have protections from state, Fed, United Nations
148	Genetic Testing	Protection for both parent and child determine what happens to the DNA.
149	Genetic Testing	This test does not measure blood quantum only will tell parent-child relationship. Should we expand this?
150	Genetic Testing	Is DHHL a state agency or stand alone?
151	Genetic Testing	Request to see the final draft before it goes to HHC
152	Genetic Testing	The feeling of "belonging" -hanai want to expand to sibling, grandmother.
153	Genetic Testing	Yes, expand to uncle, aunty, etc.
154	Genetic Testing	Expand to grandparents/siblings/uncles/aunty's etc.? YES ALL.
155	Genetic Testing	What happens if parent no longer here? Yes, would like to see EXPAND - uncle, aunty, siblings, nieces, nephews, etc.
156	Genetic Testing	Support only parent-child, not broader.
157	Genetic Testing	How far back in time can you still do genetic testing?
158	Genetic Testing	DHHL lost in court. Court says you have to do this. So DHHL have to do this.
159	Genetic Testing	How does test affect successors?
160	Genetic Testing	If genetic testing is good enough for applicant, then good enough for successor
161	Genetic Testing	2. Re: Genetic Testing. Yes. This gives people more possibilities to prove their kumu Ohana (genealogy). Eo Hawaiian Home Lands.
162	Genetic Testing	This big advantage to me personally. Been waiting for this genetic testing.
163	Genetic Testing	Yes do it, pau!
164	Genetic Testing	Department of Health no records/burned . Yes genetic testing would help.
165	Genetic Testing	"Genetic Testing" too broad. Try "Paternity" make Hawaiians friendly.
166	Genetic Testing	What happens if deceased? Can use genetic testing?

	A	B
1	Topic	Comment
167	Genetic Testing	This is optional, not mandatory
168	Genetic Testing	Someone will need to find out who the parent is its responsibility of the child to find out
169	Genetic Testing	Can also work the other way and disprove parent-child relationship.
170	Genetic Testing	Would DHHL use genetic testing AGAINST the applicant? Will it work both ways? Applicant <-> DHHL
171	Genetic Testing	Question: Will in future, genetic testing make me lose my lease should indiv. Show not Native Hawaiian.
172	Genetic Testing	Suggestion: don't allow genetic testing if we use it to qualify for land, it could be used to DIS-qualify someone.
173	Genetic Testing	Give lots to waitlisters, not add more to the list
174	Genetic Testing	If genetic testing will open up for _____ list already long. Genetic testing not going to make process go any faster.
175	Genetic Testing	Was this more important than dropping blood quantum? 50 first, then 25%?
176	Genetic Testing	This should not be used for blood quantum purposes –for relationship only.
177	Genetic Testing	Unknown consequences
178	Genetic Testing	What is the law on genetic testing? State law? 99% probability
179	Genetic Testing	Right now, applicant already bears cost to apply (i.e.: bc, marriage, death) so applicant should bear cost for genetic testing.
180	Genetic Testing	Up to applicant to pay/bear cost; if it is a match -> it is a benefit
181	Genetic Testing	Fair for costs to be bear by applicant.
182	Genetic Testing	Culturally inappropriate –for some.
183	Genetic Testing	Yes, up to the family (permission to use results). No –culturally inappropriate. Related to using DNA from deceased.
184	Genetic Testing	Scientists -99% confidence –leave to professionals and Best management practices/Industry standards
185	Genetic Testing	Does state make that probability?
186	Genetic Testing	Genetic testing is dangerous thing, where are results stored? Who has access to information/privacy?
187	Genetic Testing	If rule change does takes place, is there a way to protect it from it becoming mandatory requirement to apply?
188	Genetic Testing	Expand to aunty/uncle, grandparents with other documentation to show relationship.
189	Genetic Testing	Expand to parents siblings as well as grandparents
190	Genetic Testing	Keep parent -> child; keep narrow.
191	Genetic Testing	Use "any close branch of family tree" (Grandparent<-parent; Parent->siblings; Applicant ->siblings)
192	Genetic Testing	Very narrow –parent-child relationship expand to uncle-aunty –siblings of parents/grandparents
193	Genetic Testing	Expand to successors; more proof that you are related/qualified
194	Genetic Testing	What about percentage? It is going down?
195	Genetic Testing	Expand to also qualify successors in addition to applicants

	A	B
1	Topic	Comment
196	Genetic Testing	What about 25% successorship? Should include to allow for successors
197	Genetic Testing	Siblings of potential applicant
198	Genetic Testing	½ lessee, ½ applicant
199	Genetic Testing	½ applicant, ½ lessees
200	Genetic Testing	Mostly lessees in group discussion
201	Genetic Testing	All for qualifying Native Hawaiians.
202	Genetic Testing	Did DNA test for koko –but not this genetic testing.
203	Genetic Testing	What about grandma/grandpa? If parents passed away.
204	Genetic Testing	Exhumed body/DNA –that's family
205	Genetic Testing	Parent passed away, and child wants to do testing? How? Sampling of DNA prior to passing?
206	Genetic Testing	Split on whether to allow DNA from deceased: Yes. With exhuming body if agreed/consent to by family. No. Not culturally appropriate. (Will this be taken advantage or abused?)
207	Genetic Testing	Siblings should be able to use test results to show relationship.
208	Genetic Testing	"Gotta do what they gotta do"
209	Genetic Testing	Ok with this as long as they ok with it.
210	Genetic Testing	How confusing this is? Ag land 5 years ago -> on Maui
211	Genetic Testing	Communication between DOH and DHHL needs to be vamped up/strengthened.
212	Genetic Testing	Only extreme cases.
213	Genetic Testing	Do you need DNA or is B.C. enough? How/what is the process? There are variables.
214	Genetic Testing	Should move 50% to 1%
215	Genetic Testing	Can it establish quantum? Deal with this in rule.
216	Genetic Testing	What is minimum % that a G.T. expert needs to ensure there is a relationship? Medical vs. legal % ->not related to courts.
217	Genetic Testing	Who determined 99%? Check to see if can lower.
218	Genetic Testing	4th generation -> is that the problem -> mo'opuna/lessees puka with pala pala.
219	Genetic Testing	Clarify what genetic testing does? Take sample from child and parent and show relationship -> connect to pala pala of that "potential parent."
220	Genetic Testing	Why subject brought up now? --Dept. sued.
221	Genetic Testing	Current rule ->50% Hawaiian to qualify, go by genealogy via pala pala to succeed.
222	Genetic Testing	Who does DNA testing -> vendor accredited by A.A.B.B. ancestry.com -> acceptable? Not to prove parent/child.
223	Genetic Testing	G.T. doesn't tell you have blood quantum or that you are 50%.
224	Genetic Testing	\$/house is too expensive.
225	Genetic Testing	Inventory of land out there.
226	Genetic Testing	Put Hawaiian on land not make money.
227	Genetic Testing	UDI list vs. Maui Island list (2 list)

	A	B
1	Topic	Comment
228	Genetic Testing	If could, then would -> need parents involved ->it costs money. -Waste of money.
229	Genetic Testing	Cost/Time, 3/4 weeks, \$400
230	Genetic Testing	Set a goal or something to provide funding for those individual who cannot afford DNA testing -prequalified for funding!!
231	Genetic Testing	Costs -beared by applicant -> maybe OHA can help
232	Genetic Testing	Is DHHL paying for it? App. Responsibility ->not fair if they (app) has to prove.
233	Genetic Testing	Kupuna -back in the day only needed drivers license.
234	Genetic Testing	Dept. of Hawaiian Home Lands ->don't accept green or pink B.C. ->DOH not issuing 1/2 sheet. DHHL should accept green B.C.
235	Genetic Testing	Use Mormon record.
236	Genetic Testing	DHHL should lock down all vital statistics now at DOH; DHHL can ensure protection.
237	Genetic Testing	Ex. B.C. -> step mother is mother on B.C. not biological.
238	Genetic Testing	Please bring back to beneficiary before approving.
239	Genetic Testing	G.T. last option ->are/is DHHL going to hire expert to read data/info?
240	Genetic Testing	Going to have qualified lists of experts.
241	Genetic Testing	Successorship -> being proposed to reduced in Leg 2016 to 1/32.
242	Genetic Testing	Place burden upon Dept to prove relationship; only in situation where potential beneficiary needs another tool.
243	Genetic Testing	Had Tutu -> she applied and awarded then later passed on to her -> based on further research; now no longer qualified. Bill for Act to reduce.
244	Genetic Testing	If test don't prove 50% will paper still be used to qualify ->don't let G.T. to retain denial.
245	Genetic Testing	Genetic testing results protected so no one can get access to info, even courts.
246	Genetic Testing	Privacy is legitimate issue ->app. Control info released to dept.
247	Genetic Testing	Privacy protected
248	Genetic Testing	Privacy/law issues.
249	Genetic Testing	Privacy issue ->use/misuse ->discriminate against us ->amend 50% ->1%.
250	Genetic Testing	Process sets precedence for applicants. Ie: Ms. Stalong -B.C. change \$4,000.
251	Genetic Testing	Staff needs to be trained in process.
252	Genetic Testing	Ind. Basis ->additional tool -> not another rule.
253	Genetic Testing	How many waiting for approval for G.T?
254	Genetic Testing	Would that qualify ? Basis for qualification-> change clarify on what it can actually mean; doesn't make sense if you don't qualify; use as additional tool.
255	Genetic Testing	Before making more rules ->implement what you need to do/supposed to do.
256	Genetic Testing	Why bring up the rules if department doesn't even follow existing?

1	A Topic	B Comment
257	Genetic Testing	Expand beyond parent/child if it helps to qualify.
258	Genetic Testing	If it can expand opportunity to get child onto list/qualified then expand beyond parent/sibling,
259	Genetic Testing	Should allow G.T. -> allow uncles/aunts/cousin -> anyone alive to prove relationships.
260	Genetic Testing	if parents are deceased, what do we do?
261	Genetic Testing	Parent dead -what do now?
262	Genetic Testing	Successorship should be changed to allow nephew/niece to be successor.
263	Genetic Testing	Expedite this rule.
264	Genetic Testing	Support G.T.; but case by case. Ex: Maui F-100%, M -100% = 50%
265	Genetic Testing	Adoption -> ex: daughter adopted by mother in law -> but biologically 50% -> this has been issue. See if this can still help to qualify beneficiary -what is the issue?
266	Genetic Testing	Need resting places for Genetic Testing our beneficiary.
267	Genetic Testing	Voluntary, up to app.
268	Genetic Testing	Existing lessees that now with new info/data proves not 50%.
269	Genetic Testing	Expand from applications to successors.
270	Genetic Testing	G.T. expanded to prove successorship as well.
271	Genetic Testing	Parent is lessee -> does it change what genetic testing means? Can this genetic testing be used to "disqualify" existing lessee.
272	Genetic Testing	2% or 68% -- you're Hawaiian
273	Genetic Testing	Still have to have the blood, regardless
274	Genetic Testing	We've lived on the land for generations...Why do we still have to prove we're Hawaiian? We seem to be only ones in the U.S.
275	Genetic Testing	Bio father and mother have homestead but child was denied eligibility. How does DHHL resolve this?
276	Genetic Testing	Majority of group want to stay at 99.0% probability
277	Genetic Testing	Adopted and don't know bio parents. Would DNA test help? --No, even though you grew up in a Hawaiian family, you still need bio parents to show parent-child relationship where parent is Hawaiian.
278	Genetic Testing	Are these rules related to the current DOI rules consultation? --No. DHHL has been planning these rules independent of the DOI.
279	Genetic Testing	Does this test show Hawaiian or ethnicity? --The proposed rule does not address this. Only addresses parent-child relationship.
280	Genetic Testing	For this rule you do need to find the parent.
281	Genetic Testing	Genetic testing for successorship? --Right now, no, this is only for applicant.
282	Genetic Testing	If cannot find bio parents, then no genetic testing will not help. Proposed rule is for those who can find bio parent that has Hawaiian
283	Genetic Testing	Proposed rule is applicant pays the cost.

1	A Topic	B Comment
284	Genetic Testing	Rule is for applicants only, not successors. To help people get on the list.
285	Genetic Testing	Thought this genetic testing was for successors? --No, proposed rule is for applicants not successors
286	Genetic Testing	What happens if the parent doesn't have the palapala? --Then genetic testing may not help.
287	Genetic Testing	What is the 99.0% probability? -It is the likelihood change that parent-child relationship exists.
288	Genetic Testing	If test comes back 97.0%, does this disqualify? --Yes, as the rule stands now
289	Genetic Testing	Yes, 99.0% probability. If expanded to Aunty/Uncle, probability will go down.
290	Genetic Testing	DHHL should reimburse applicant for the test.
291	Genetic Testing	Who pays? We like to see DHHL pay for it. Proposed rule says right now, applicant pays for it.
292	Genetic Testing	Culturally appropriate--should be up to that individual person. Every individual will be different. No right or wrong answer to this.
293	Genetic Testing	Some may with open arms. Some want to be private.
294	Genetic Testing	Want a handout on "genetic testing" to breakdown info.
295	Genetic Testing	DHHL has to balance and do its due diligence to review the palapala.
296	Genetic Testing	On birth certificate, if listed as "Hawaiian" does DHHL assume 100% Hawaiian?
297	Genetic Testing	If applicant is paying for it, should be endless possibility
298	Genetic Testing	If one parent doesnot have enough Hawaiian then can go find other parent
299	Genetic Testing	Make sure there's consent form to protect privacy limits use of the info for only the purpose of qualifying applicant.
300	Genetic Testing	DHHL only holds the info for DHHL purposes only. If non-DHHL asking the info, we want to see consent form from the individual for DHHL to release info to non-DHHL parties.
301	Genetic Testing	DHHL use of consent form for handling personal info.
302	Genetic Testing	DHHL should help applicant to get testing step 1.2.3. This is a lot for an applicant to do.
303	Genetic Testing	How many have tried this genetic testing? --We're aware of the 1 case, which was the lawsuit
304	Genetic Testing	If thru genetic testing, by accident discovered parent not enough Hawaiian or was Hanai, what's DHHL policy? Does DHHL kick out the person? --Proposed rule is silent on this.
305	Genetic Testing	If expand to aunt/uncle, will that 99.0% go down? --Yes, then needs to be reflected in the rule.
306	Genetic Testing	Parent-child 99.0% Aunty/uncle can be less than 99.0%
307	Genetic Testing	Should test be used to qualify successor? Ex: both parents pass w/o designative a successor

	A	B
1	Topic	Comment
308	Genetic Testing	Yes, expand to aunty/uncle. Example: when parent passes.
309	Genetic Testing	Yes, would like to see rule expanded from parent-child to aunty/uncle
310	Genetic Testing	DHHL will not initiate/order the test. Only the applicant orders the test. It's optional for the applicant.
311	Genetic Testing	I want to pass down to my nieces/nephews
312	Genetic Testing	Parent Later finds out had a child with more blood quantum ↓ successor Parent can designate successor. Parent can change name of successor
313	Genetic Testing	Successor lower blood quantum to 1/32. Should be in perpetuity as long as the line is preserved and for same homestead land.
314	Genetic Testing	Vendors must be certified by Assoc. of American Blood Banks
315	Genetic Testing	This is voluntary and is an additional tool.
316	Genetic Testing	What types of test? --We know of saliva and blood.
317	Genetic Testing	If DHHL adopts this rule, concern that test results may be used agaisnt them, potentially.
318	Genetic Testing	We still have great needs with current waitlist. Wouldn't this add more to the waitlist? --Yes.
319	Genetic Testing	Can there be assurance for accuracy of DNA tests.
320	Genetic Testing	Create a department that exists to assist applicants. In genealogical process. Access to different departments, to foster facilitate completion of applicaton process.
321	Genetic Testing	What is the dept. present position on blood quantum?
322	Genetic Testing	Lessee shared experience. (Currently on HHI due to DNA testing) CAUTIONS everyone in DNA testing, Hawaiian blood is marketable.
323	Genetic Testing	Cultural sensitivity
324	Genetic Testing	What if parents alive but not on speaking terms?
325	Genetic Testing	Family dynamics/cultural concerns w/sensitive info re: DNA (What it reveals)
326	Genetic Testing	What is the parents passed?
327	Genetic Testing	What if the parent isn't 50% Hawaiian?
328	Genetic Testing	If 1 person takes DNA test, any family member with a consent can access that.
329	Genetic Testing	Why would known family members (i.e. bro/sis) need a consent?
330	Genetic Testing	(Cost) ex. Dad not listed on BC, but applicant required to prove father-- dept should foot cost.
331	Genetic Testing	NO CHARGE FOR DNA TEST!
332	Genetic Testing	Some would like to pay, some NOT.
333	Genetic Testing	If we required to take the test, dept. should pay.
334	Genetic Testing	Can we use other state accepted documents to relieve the applicant of additional fees.
335	Genetic Testing	Hooponopono vs. DNA

	A	B
1	Topic	Comment
336	Genetic Testing	Expand to allow for DNA from deceased.
337	Genetic Testing	Too restrictive, should also include uncles. Aunties especially in the cases of deceased parents.
338	Genetic Testing	What if parents are passed?
339	Genetic Testing	What if the person is deceased? Then what?
340	Genetic Testing	There needs to be a standardized policy (DHHL)
341	Genetic Testing	Can we database BCs, MCs, DCs? For use of other family members. -Department concern.
342	Genetic Testing	DHHL to tap into DOH
343	Genetic Testing	Can DNA testing be considered in correcting genealogies?
344	Genetic Testing	We need to look at the act?
345	Genetic Testing	Informative meetings to keep everyone on same page.
346	Genetic Testing	(Litigation Era) How are we gonna draft the rule to protect lessees/applicants? (from needless litigation)
347	Genetic Testing	No DNA Testing: 1. What state department is doing the DNA testing? 2. Is this testing will "shorten" the waiting list. 3. Testing will infringe on "individual" rights. Background "checks," financial checks, criminal, etc.
348	Genetic Testing	Want to make sure we protect!
349	Genetic Testing	DNA not to be shared w/any other department.
350	Genetic Testing	Protection to ban DOI interference? (Dept concern)
351	Genetic Testing	Is there minimum% (Besides 99%).
352	Genetic Testing	Why hasn't the department data basic our genealogy instead of buying birth, death, marriage records.
353	Genetic Testing	Wants something to build off of (from the department, draft something) vs. just providing responses and answers to dept.
354	Genetic Testing	Protecting the data!!
355	Genetic Testing	Establishing parent-child relationships - - need feedback for that
356	Genetic Testing	Why does DHHL honor Prince Kuhio and quantum for 1/32? -Malia P.
357	Genetic Testing	What are the safeguards? Do not want this to be abused.
358	Genetic Testing	Need extension to applicants who questions or even has no knowledge of their true father or mother.
359	Genetic Testing	Would also like it to also include grandchildren.
360	Genetic Testing	Can it be extended to niece/nephew? To benefit family. Would like to be expanded.
361	Genetic Testing	Would like to expand to at least 2 generations, for DNA testing. -Streamlining process.
362	Genetic Testing	Wants to support DNA testing w/conditions. What about adopted/fostered children?
363	Genetic Testing	Kupuna's taking care of grand children..but currently only includes parent-child relationships . Can we use 90% chance to test for kupuna to grandchild?
364	Genetic Testing	↓90%?
365	Genetic Testing	Do not do genetic testing as a label

1	A	B
	Topic	Comment
366	Genetic Testing	Credible DNA test companies.
367	Genetic Testing	How will testing be conducted, with who?
368	Genetic Testing	What if it's kupuna trying to track their makua?
369	Genetic Testing	Good tool for applicants. Better for applicants to have that option.
370	Genetic Testing	Keep it as an option to test.
371	Genetic Testing	Better tracking of info/docs/tests.
372	Genetic Testing	DNA bank - Malia P.
373	Genetic Testing	I would like to support the proposal to accept genetic testing. My birth certificate has inaccurate information about my ethnicity because one of my parents listed on my certificate is not accurate. Accepting genetic testing would help people like myself who are Hawaiian, but have inaccurate legal documents.
374	Genetic Testing	I believe any means to include genetic testing should be allowed in order to afford any potential beneficiary the greatest opportunity to participate in the acquisition of their respective birthright programs available; in this case, the benefit of acquiring an interest in Hawaiian Home Lands.
375	Genetic Testing	For the record, I am in "opposition" and do not support DHHL's Proposed Administrative Rule Changes specific to: Genetic testing.
376	Genetic Testing	DNA testing, i feel we will be losing our so called constitutional rights under the United States or violated by Kanaka Maoli to submit to a test that law officials use to track criminals, our ancestry are proven by our lineages and birth records. Isn't that enough?
377	Genetic Testing	YES for Genetic Testing I commend you all for finally proposing this, compared to just having a birth certificate from 3 generations. Hopefully this will be an option. We are already in the prices of doing a paternity test for my daughter.
378	Genetic Testing	Has this been looked at through attorneys?
379	Genetic Testing	1934 -Act 227, some families not have Hawaiian blood this Genetic Testing would impact the families in Papakolea.
380	Genetic Testing	Genetic testing does not measure blood quantum.
381	Genetic Testing	Example: Father 0% + Mother 100% = Child 50%. Can Mother's info be used to qualify the child for Hawaiian Homes?
382	Genetic Testing	Genetic testing only establishes relationship between parent-child, not % blood quantum.
383	Genetic Testing	If only applies applicants, then cannot use Genetic Testing against a lessee/successor -> need to be clarified.
384	Genetic Testing	Make more clear/explicit this is about RELATIONSHIP not blood quantum.
385	Genetic Testing	This is for applicants not successors
386	Genetic Testing	Who pays for it? Applicant. Don't want DHHL to play any role in the financing.

	A	B
1	Topic	Comment
387	Genetic Testing	If DHHL recommends a vendor, then DHHL should bear some of the costs.
388	Genetic Testing	How much does it cost? Several hundred -> \$1,000 but, there may be add ___ costs -legal fees -person who's trying to get on list should bear the cost
389	Genetic Testing	Parent-child, Many not out blood quantum. Parent -different partner, another child ___ts blood quantum. DHHL: biological parents goes against culture.
390	Genetic Testing	Consider use DNA from deceased parent to establish parent-child relationship.
391	Genetic Testing	What examples are there where only parent-child. What if one or both parents are deceased?
392	Genetic Testing	Look into how can get DNA when parent deceased?
393	Genetic Testing	Can we look at Hale that we had before --no concrete/cement?
394	Genetic Testing	DHHL to change rule on type of house/structure that can be put on land.
395	Genetic Testing	Some better communication for beneficiaries to understand.
396	Genetic Testing	Genetic testing...under the heading, make it clear "determine parent-child relationship." In this day and age, it happens...reality is, one may want to claim their rightful heir to be the next in line...It's a touchy sensitive subject, but could put a stop to the "wala'au" of He/she no...It's not a race based topic its in line with "qualification"
397	Genetic Testing	Would genetic testing open up "race based" issues?
398	Genetic Testing	Some limitation, otherwise testing could on and on. What's to stop people from doing this anyway.
399	Genetic Testing	Protection of privacy.
400	Genetic Testing	If don't hit the 99% probability, then no go.
401	Genetic Testing	Talk to people who've had genetic testing done involving aunty/uncle. What is the % in these cases?
402	Genetic Testing	Establish relationship between parent -child, not blood quantum.
403	Genetic Testing	Add: Grandparents. 1/4 -> 1/32, 25% -> 12 1/2%. Lessee successorship only.
404	Genetic Testing	Expand also to successors
405	Genetic Testing	Yes, expand to aunty, uncle, grandparents, etc.
406	Genetic Testing	Yes, like to see expanded beyond parent-child, to include aunty, uncle, grandparents.
407	Genetic Testing	Like to see expand to aunty/uncle. Parent-child. Parent-brother-sister to child.
408	Genetic Testing	Does family court also use 99.0% for siblings?
409	Genetic Testing	(1) Parent-child only -6
410	Genetic Testing	(2) Expand -6
411	Genetic Testing	More education and requirement for lessees to designate successor. Example: Ka Nuhou newsletter, change of address, successor, basic info.
412	Genetic Testing	Object to rule -6, support -2, and undecided -2.

	A	B
1	Topic	Comment
413	Genetic Testing	Genetic testing should be an option but only as a last resort.
414	Genetic Testing	My questions about Genetic Testing on my behalf I find that my objection on the on this finding more on technology children to live in there generation gap
415	Genetic Testing	Is "genetic testing" same as DNA?
416	Genetic Testing	May not be the right thing to do. We don't yet understand fully ...we may not want it.
417	Genetic Testing	Object to genetic testing -management process. Integrity could be applied to a broader use later cannot specify what are it's boundaries.
418	Genetic Testing	As a lessee myself, there are a lot of misconceptions in regards to the genetic testing and selling / transfer of leases. Questions as: "does anyone applying need to provide a blood sample?" ; "if I am adopted or hanai and have no record of my birth father, can a genetic test prove that I have Hawaiian and what about the quantum or percentage?"
419	Genetic Testing	In agreement, 99% is a good # for last resort where all other failed
420	Genetic Testing	Undecided. Agree with the 99.0% certainty. As last resort is okay.
421	Genetic Testing	Why genetic testing now? --part of a lawsuit
422	Genetic Testing	Where do you find people to do genetic testing?
423	Genetic Testing	Native tenants and belong on the land
424	Genetic Testing	DNA only parent/child--not quantum
425	Genetic Testing	Last chance to use/take an opportunity to get qualified.
426	Genetic Testing	Let DOI office to get seal to prove 100% Hawaiian
427	Genetic Testing	Applicant to pay for it
428	Genetic Testing	Who bares the cost of genetic testing? --applicant
429	Genetic Testing	Want DHHL to pay
430	Genetic Testing	DHHL/applicant pay for it--50/50
431	Genetic Testing	Cost/time to do? Process already too long.
432	Genetic Testing	Use family tree--use genealogy
433	Genetic Testing	No genetic testing--serve those already on the list; don't expand
434	Genetic Testing	No. (1) genetic testing is a "region" test--process works already; redundancy; (2) Why being sued if you have rules, already? Kuhio/kingdom law validates genealogy
435	Genetic Testing	Don't let government use koko--beneficiary open lav to take tests
436	Genetic Testing	Protect findings
437	Genetic Testing	DHHL should use lab that they trust with doing tests--ethically
438	Genetic Testing	Who can I go to to find the father?
439	Genetic Testing	Voluntary!
440	Genetic Testing	Voluntary!
441	Genetic Testing	Why is this being considered? How many cases--%
442	Genetic Testing	We should be able to keep original
443	Genetic Testing	Expand the quantum level to aunt/uncle and you should pay for it. If you're Hawaiian you should have the chance to claim back the land, if DNA testing allow this, I'm for it

	A	B
1	Topic	Comment
444	Genetic Testing	Allow for aunty/uncle to be used
445	Genetic Testing	Beneficiary/applicant should exhaust the option in genetic testing--whatever process and any one--father/uncle, etc.
446	Genetic Testing	Father dead? Expand to aunt/uncle
447	Genetic Testing	Hanai out--always look at biological parent
448	Genetic Testing	If same biological parents, allow expansion to uncle/aunty, dead/alive
449	Genetic Testing	Agree, but expand parent-child to uncle/aunties if same biological parents...dead or alive
450	Genetic Testing	Voluntary for those without sufficient paperwork will help others for parent/child relationship--extend to other relatives (aunts/uncles)--DHHL to pay for DNA testing.
451	Genetic Testing	Please consider accepting "ancestry.com" type DNA to help people like my mother in-law, who do not know her father, establish that she is Hawaiian and thereby help her grandchildren have a higher amount of Hawaiian quantum
452	Genetic Testing	Keep between parent/child, increase to 99.0%
453	Genetic Testing	Parent to child--99.0%; lower %--if using uncle/aunty
454	Genetic Testing	Anything to help get Hawaiians on land I support
455	Genetic Testing	Avoid liabilities--need rule--good rule
456	Genetic Testing	(Heart) I have had so much problems with claiming my father. DNA testing is good but I would like you to pay for it. \$28mill? Please help. Should start parent-child then go broader. Name a qualified successor (blood/child)
457	Genetic Testing	Last resort, I would support
458	Genetic Testing	Is it done here on O'ahu--use certified vendors
459	Genetic Testing	It's 100%. I didn't know about %--it is none of your business who parents are--there is a process
460	Genetic Testing	Genetic testing is last resort; not first option; give/help a little
461	Genetic Testing	Eliminate hanai children? Hanai goes with biological parent.
462	Genetic Testing	Expand to allow genetic testing for successionship
463	Genetic Testing	Keep it to applicants, to soon to tell--get them the lease first
464	Genetic Testing	Only use results for application purposes only--not to disprove existing lessees are qualified
465	Genetic Testing	To name successor, not not require genetic testing
466	Genetic Testing	Use genetic testing only for specific situation/application and not for other situations/processes esp to "disprove" genealogy
467	Genetic Testing	How big of % more on waiting list? Yes, we are just adding people to the list.
468	Genetic Testing	Blood quantum issue--be careful on this. Need to change framework on this. Prince Kuhio with Congress.
469	Genetic Testing	My son 25% took DNA test shows blood quantum. Response: Genetic testing we're talking about not measuring blood quantum.
470	Genetic Testing	Son is <25%--blood quantum going down--how does genetic testing affect successionship?--Genetic testing is only for applicants

1	A	B
	Topic	Comment
471	Genetic Testing	This test does not measure blood quantum. Only will tell parent-child relationship
472	Genetic Testing	Be thoughtful, study, understand full ramification before implementing
473	Genetic Testing	Go thru whole process first, then can ask/allow for genetic testing
474	Genetic Testing	DHHL seeking clarity on this.
475	Genetic Testing	Like to see DHHL do its best to help the Hawaiians
476	Genetic Testing	Cost--applicant bears cost for the genetic test such as applicant pays to get birth certificates
477	Genetic Testing	I don't have the pala pala, records lost, but I have testimony is that allowed?
478	Genetic Testing	Paperwork has Haole name, that's how paperwork was done at that time. How will this propose rule affect me? --How do we re-visit this and determine blood quantum. Parents/kupuna passed away
479	Genetic Testing	Once determined a lessee, always remain lessee -New rule
480	Genetic Testing	Palapala does not reflect parent-child relationship
481	Genetic Testing	Should test be mandated?
482	Genetic Testing	Should we expand this?
483	Genetic Testing	What about adoption
484	Genetic Testing	Is there a genetic test to determine blood quantum? We would like to know if such a test exists.
485	Genetic Testing	If applicant exhausts its options, does DHHL tell applicant to go genetic testing? Not necessarily. It's up to applicant to choose the genetic test option. DHHL only says Up or down with the palapala
486	Genetic Testing	Applicant has some docs to determine if eligible but docs may not be 100% solid. If DHHL suggests genetic test, would DHHL bear the cost?
487	Genetic Testing	Will genetic test become permanent part on record?
488	Genetic Testing	Is this test measure blood quantum? --No only tells relationship parent-child
489	Genetic Testing	How does test affect successor?
490	Genetic Testing	Yes: expand to brothers/uncles/etc.
491	Genetic Testing	What happens if deceased? Can use genetic testing
492	Genetic Testing	Bit ambiguous. Says gentic testing does not determine blood quantum
493	Genetic Testing	Will in future, genetic testing make me lose my lease should indiv show not native Hawaiian
494	Genetic Testing	Was lesee for many years, then later determined not enough blood quantum, so not lessee anymore due to DHHL discrepancy in pala pala

	A	B
1	Topic	Comment
2	Subsistence Ag	3) Subsistence Agricultural Lots - Novel idea!.... but how will this be monitored , if at all possible?
3	Subsistence Ag	<p>I am a residence Lessee at Kawaihae Mauka and am on the wait list for AG Land. I was hoping AG Land would be available above Kawaihae Mauka, but see it is not eligible for this new ag program due to "no water available". Is it possible to offer AG LANDS on an UNDEVELOPED LAND INITIATIVE - STRICTLY FOR KAWAIHAE MAUKA with those applying agreeing to provide their own WATER CATCHMENT irrigation system; and agreeing to access being limited via JEEP TRAILS? I do believe this is a viable alternative solution to meet the needs foreseen by Prince Kuhio, and hope you will kindly make a provision like this possible.</p>
4	Subsistence Ag	<p>1. There's a need for create lot sizes to benefit more families on the waiting list, and subsistence lots can allow more Hawaiian families the opportunity to receive a Hawaiian Homes award, and also to grow food for their family. 2. In my estimation, less than 2% of DHHL agricultural lots are utilized for commercial agricultural production in Ho'olehua, and even less are fully utilized. Most families lack the knowledge, financing, and business savvy to operate a commercial agricultural operation, and as a result thousands of acres lie unused and tied up in the hands of a few homesteaders when tens of thousands wait for a DHHL lease award. This resource needs to benefit more of those on the waiting list. 3. Different scenarios and incentives need to be developed to create a fluid transfer of lands while still respecting the original homestead family's needs. Coming up with a new direction and strategy to get more Hawaiian families on the land means thinking outside the box. This could mean buying a homestead lot and sub-dividing it so more families can benefit, and also to provide them with a base to grow food for home use and even roadside sales of their home grown and value-added products. These would be small scale farms of 5 acres or less. Subsistence activities can operate on 1 to 2 acre lots. 4. Lot dimensions need to be taken into consideration in creating ample space between lots, especially between residences and a template may need to be created. This means creating squarish lots, as opposed to long skinny rectangular lots, where houses are relatively far away from each other to create a rural atmosphere. For example, a 35-acre lot in Hoolehua of 550' X 2771' could produce 16 2-acre lots of 275' X 316.8' with a single 30 foot wide road down the middle of the main lot, OR around 31 1-acre lots of 163' x 267' with two 30 foot wide roads. These kinds of lot configurations will give space between homes, and sufficient area to raise crops. 5. The raising of livestock, especially hogs, needs to be reconsidered in these small lots in light of odors and health issues unless strong guidelines are put in place as to how it will be allowed, especially on 1 acre lots, and everyone agrees in this new area OR that lots will be awarded with conditions that allow lessees to raise livestock.</p>
5	Subsistence Ag	<p>6. Planning around livestock and non-livestock homesteads are a little more complicated. The Can you provide me with more information regarding subsistence lots and the proposed new option or direct me as to where I can learn more about this? What does this proposal exactly entail? mahalo</p>

1	A Topic	B Comment
6	Subsistence Ag	<p>Subsistence Agriculture Lots also, I add my written response that providing the land with all kinds of conditions to have a background in farming/agriculture or with a college degree is nice for those who can but by the same token what about those who've lived off the land and use what they produce for their own family? Because of my parents that's what they wanted to raise a few poultry, rabbits, chickens, a pig and a turkey. So now, I can use this award to do that but I'm almost 70. I'm glad you're reaching the Hawaiians today who just need to grow their own and sit/lie without being someone's nuisance.</p>
7	Subsistence Ag	<p>Subsistence Lots - I do not support DHHL issuing "subsistence ag. leases" that are 1.0 acres or less. In accordance with the HHCA, "not more than one acre of any class of land is to be used as a residence lot" Despite surveys indicating the desire for smaller subsistence lots, if DHHL is going to issue lots less than 1 acre for agriculture, I believe it must go through the process of amending the HHCA because 1 acre or less in accordance with the act is considered residential. For many years the State of Hawaii has created administrative rules or processes that directly conflict with the HHCA. In this case, the Act clearly states 1 acre or less is residential. Reducing the lot size for ag awards does not address DHHL's failure to issue ag lands. The current barriers to ag. awards were created by the state. The HHCA only requires a lessee to be 18 years of age and meet a 50% blood quantum. All other ag. requirements were mandated through administrative rules. In a time when Hawaii is conscious of its food dependency and ag lands are a precious commodity, it seems inappropriate to me to be limiting agriculture parcels to one acre or less. If that is the case, DHHL is issuing a residential lease. Subsistence farming can take place on residential leases. DHHL should not be allowed to reduce its agricultural wait list by issuing 1 acre residential leases. In my opinion, renaming a 1 acre parcel "subsistence ag" is a poor solution to addressing the ag wait list. We need lands to grow food and increase Hawaii's food sustainability.</p>

1	A Topic	B Comment
		<p>LEGEND: () = DELETE _____ = Add</p> <p>10-3-25 Award of additional acreage <u>(h) The department shall amend the lease . . . additional acreage. The lessee may assign the Lease Addendum to another lessee.</u></p> <p>10-3-26 Residence on agricultural and pastoral lot (c) DELETE (Only one residence shall be permitted per lessee on Hawaiian home lands.) (c) (5) DELETE (Adequate infrastructure . . . workers' quarters) Much of the ag land leased are leased without infrastructure to begin with. Therefore it is incorrect and cruel to demand infrastructure for workers' Quarters. DHHL can lease without infrastructure, but the lessees cannot Build workers' quarters unless there is infrastructure? (d) A lessee possessing a residential lot lease may construct a residence on the lessee's agricultural lot (of more than one point zero (1.0) acres)_ or pastoral lot (provided that the lessee complies with the following conditions: (1) through (3)) DELETE</p>
8	Subsistence Ag	
9	Subsistence Ag	<p>Subsistence Lots returns us to the initial intent of Prince Kuhio and the distribution of original homestead lands for our people to sustain themselves through farming and raising livestock. While available trust lands limits this opportunity for some who wish to reside on O'ahu. I support this viable option for those who can realize self-sufficiency on the other islands where land is available.</p>
10	Subsistence Ag	<p>Vacant lots should be available, whether in a rural undeveloped for "subsistence living" and also in the subdivisions that are currently supplied with Electric, Water and cable service. Whatever process that is pono that gets our people to land opportunities, whether lot that they want to live in a Tiny Home or container dwelling to start the process of their permanent home should be done IMMEDIATELY.... Not one person on the list should DIE before they receive their award... I want my lot land wherever whatever condition</p>
11	Subsistence Ag	Size depends on success
12	Subsistence Ag	<p>Subsistence lot size is relative to number of people 45000 - 5000 home = 40000 - 20000 ag = 20000 - 15000 ag/ec = 5000 infrastructure number of people = land/sq ft land f(x) - people</p>
13	Subsistence Ag	How would we request more land? Commercial
14	Subsistence Ag	Whatever size would be helpful to have infrastructure
15	Subsistence Ag	If less than one acre? Can
16	Subsistence Ag	Too small; 3 acres
17	Subsistence Ag	1.5 acres--.5 acre residency; 1 ac ag
18	Subsistence Ag	Option up to 3 acres

	A	B
1	Topic	Comment
19	Subsistence Ag	1 acre to test
20	Subsistence Ag	If want to do botanical gardens, can't have tour buses though?
21	Subsistence Ag	Beyond 1 acre, at what point would you require farm plan/cultivation requirement?
22	Subsistence Ag	1.5 acres. Garden--variety of vegetables. Growing cycles--rotate crops
23	Subsistence Ag	How much of 1 acre has to be devoted to ag
24	Subsistence Ag	Need financial stability
25	Subsistence Ag	I'm on pastoral list--if I sign up for ag program will I start at bottom of list?
26	Subsistence Ag	How many on ag list? Most people want residential
27	Subsistence Ag	This question not into ag. Entitlement mentality
28	Subsistence Ag	\$28 M for purchase property/land XO for ag lands for homesteaders--Gailbraith. Negotiate to acquire property
29	Subsistence Ag	Now ag from immigrants
30	Subsistence Ag	Typical kids "soft"
31	Subsistence Ag	Depends on individuals
32	Subsistence Ag	For Oahu, why not consider community ag lots for land on Oahu--ag undivided interest
33	Subsistence Ag	Starter crops and indigenous crops
34	Subsistence Ag	Medical marijuana
35	Subsistence Ag	Self-sufficiency/self-sustaining. Growing own food; sustainability
36	Subsistence Ag	Extra income. Extra food.
37	Subsistence Ag	Sustainability = to provide for your own living off the land.
38	Subsistence Ag	Subsistence--trying to feed family with what growing
39	Subsistence Ag	Aquaculture; hydroponics
40	Subsistence Ag	Feeding my family vegetables, fruits, eggs--save costs, feed family
41	Subsistence Ag	Can you do fish? Hydroponics, aquaponics
42	Subsistence Ag	Farming keeps you well--eat what they grow
43	Subsistence Ag	If we get cut off--can be sustainable. Share with neighbors
44	Subsistence Ag	Sounds like someone needs help; under par
45	Subsistence Ag	Some of what you grow--sell to restaurants
46	Subsistence Ag	Drainage needs to be worked out; affects other lots
47	Subsistence Ag	Start need \$80K to clear land
48	Subsistence Ag	Trend now is downsizing; living within your means
49	Subsistence Ag	What are the rules square footage to comply--1BR house
50	Subsistence Ag	Is container temporary or permanent structure? 750sq ft
51	Subsistence Ag	Hard to build my own home at my age--too overwhelming package
52	Subsistence Ag	Container--under \$20K--1BR, AC, would be permanent
53	Subsistence Ag	Toolshed there, mansion, have opportunity to add, can I increase my acreage?
54	Subsistence Ag	Need infrastructure--water, power, phone, sewer, road
55	Subsistence Ag	Can we have people to help educate? Whatever we want to do...
56	Subsistence Ag	1-3 years, then what? Come back and ask for more time
57	Subsistence Ag	Need benchmarks
58	Subsistence Ag	How long to build? If ag lots are 40 acres.

	A	B
1	Topic	Comment
59	Subsistence Ag	Vertical? Structures? Density
60	Subsistence Ag	Incremental development is more realistic
61	Subsistence Ag	Want to have house on the lot
62	Subsistence Ag	House should be an option
63	Subsistence Ag	Is it still 50% of ag lot for house?
64	Subsistence Ag	If already have ag lot--no infrastructure--where do I start? Waianae Valley
65	Subsistence Ag	Pahe'ehe'e--are you going back there?
66	Subsistence Ag	What codes have to follow?
67	Subsistence Ag	Increase diversity to ohana zoning
68	Subsistence Ag	Depending on zoning of area--rural
69	Subsistence Ag	This pertains to neighbor islands--why?
70	Subsistence Ag	There should be a time limit for temporary structures--when you need permanent
71	Subsistence Ag	Need sustainability
72	Subsistence Ag	If expands options and puts more people on land with home
73	Subsistence Ag	Does it have to be a requirement?
74	Subsistence Ag	What is max housing sq ft?
75	Subsistence Ag	How many years to occupy?
76	Subsistence Ag	First allotment (entry) to family.
77	Subsistence Ag	It would be very difficult to enforce the sustainability (farming the land). People would accept the lease just to have a lease. That should be ok. There should not be any criteria because DHHL have not been enforcing the existing ag leases. The leasees should not be subject to standards/criteria until all the existing ag leases are enforced.
78	Subsistence Ag	10,000 good enough.
79	Subsistence Ag	it depends if you just feed your family -1 ac. Ok.
80	Subsistence Ag	if full-time job -1 ac is enough because no time to work on land, but if can have farm workers, can work more land.
81	Subsistence Ag	If you take into consideration the potential to expand -needs to be bigger.
82	Subsistence Ag	Instead of a size limit -leave it up to person's plan.
83	Subsistence Ag	To be sustainable need 5 acres.
84	Subsistence Ag	5 acres should be minimum -if you have 10 kids -can spread out a little -family will grow.
85	Subsistence Ag	Make options -different sizes.
86	Subsistence Ag	Variety of lots 1, 3, 5 acs. Need plan after 3 acres
87	Subsistence Ag	Give a variety of options 1/2, 1, 2, 2 acres, choice of applicant.
88	Subsistence Ag	Med choice. Maybe farm plan require for 3 acres.
89	Subsistence Ag	If you want to raise livestock, need 3 acres.
90	Subsistence Ag	Small garden -1/2 acre ok -depends on individual.
91	Subsistence Ag	Pigs would be a problem
92	Subsistence Ag	Example in military had garden plots -every one take 7 rows.
93	Subsistence Ag	Takes partnerships -for equipment, etc.
94	Subsistence Ag	Possible for HHIs to have equipment available? Would require staff.

A		B
1	Topic	Comment
95	Subsistence Ag	One challenge in Anahola -land depleted due to plantation Ag -and expensive to rehab. Land. Will DHHL hook up with companies that do Ag. So can rehab land (amendments).
96	Subsistence Ag	Would benefit a lot because they's a lot of Ag land.
97	Subsistence Ag	Aren't DHHL getting strict about building?
98	Subsistence Ag	Define Mauka/Makai/upwind/downwind
99	Subsistence Ag	Living off the land, making money from that?
100	Subsistence Ag	Has to be part of your income -if you had another job, couldn't do it.
101	Subsistence Ag	Provide what you need off the land + ocean.
102	Subsistence Ag	Can't see how to provide for family of 2 off the land -need more income.
103	Subsistence Ag	Not buying food from the store, growing as much as you can. -it takes so much to grow in Hawaii -it will be a supplemental.
104	Subsistence Ag	Small scale, grow food so no need buy
105	Subsistence Ag	Feeding the family-take care of ohana
106	Subsistence Ag	Not for profit
107	Subsistence Ag	in the old days we were able to farm lands, and learn in the process -but not only land -ocean too.
108	Subsistence Ag	For family to substitute instead of buying.
109	Subsistence Ag	Distribution of land to more people.
110	Subsistence Ag	Somebody going give me something for free.
111	Subsistence Ag	Feed your family.
112	Subsistence Ag	Sustainable -sustain family.
113	Subsistence Ag	Integrated -livestock + crops
114	Subsistence Ag	P.V.
115	Subsistence Ag	Land feeding you -off grid
116	Subsistence Ag	Where does this fit? Ag or residential?
117	Subsistence Ag	Need to be clear about the rules -if you get 1 ac. + don't do nothing would it be ok?
118	Subsistence Ag	What about ____? Septic tank. Compost toilets.
119	Subsistence Ag	What is the law ____: House on Ag lot or home? Two houses?
120	Subsistence Ag	Once you have 2 kitchens -2 homes.
121	Subsistence Ag	Would workers quarters be acceptable? Not in subsist. Ag. Program.
122	Subsistence Ag	Licensed plumber, licensed electrician
123	Subsistence Ag	Don't need to establish a standard + require them to build to that standard.
124	Subsistence Ag	No county permit. Too expensive.
125	Subsistence Ag	Container house? Tent? Need some kind of standard.
126	Subsistence Ag	Do community bld. -contractors can help.
127	Subsistence Ag	Do you have a rule: How many houses on the lot? -County Rule? Quality ____ HHLs.
128	Subsistence Ag	Who will cover this? State or County? We build out homes and county said no jurisdiction.
129	Subsistence Ag	5 years house plan, be on land within 1 year.

	A	B
1	Topic	Comment
130	Subsistence Ag	If raw land, will infrastructure for power and water be in or do we have to provide it?
131	Subsistence Ag	Ag tie-in line needs to be bigger than residential
132	Subsistence Ag	Water -how to get infrastructure?
133	Subsistence Ag	Can I sign my residential to my children? Yes.
134	Subsistence Ag	What is the quality of the ag land?
135	Subsistence Ag	Have the lands been used for something else? Plantation? -eg. Kekaha homes.
136	Subsistence Ag	Just starting-want them to be on land.
137	Subsistence Ag	Requirement is good because that means you will use the land.
138	Subsistence Ag	If I have a lot, I would put tool shed.
139	Subsistence Ag	A house would put me in the hole.
140	Subsistence Ag	In this case HHIs will have to put in infrastructure and HHIs always say no money so I wouldn't inquire home..
141	Subsistence Ag	Require house
142	Subsistence Ag	Lax standards or Ag land homes. Functional standards -some can't afford -yurtz can withstand wind so use to pass code, not camot (?)
143	Subsistence Ag	HHLs homeowner standards
144	Subsistence Ag	Basic health/safety -septic tanks cesspools?
145	Subsistence Ag	If DHHL will buy my house -ok.
146	Subsistence Ag	No water; no life
147	Subsistence Ag	Does Kauai still have Ag water? Anahola and DHHL system ___ table but using for Ag -DHHL has to subsidize, water dept charges 2 different prices. Ag. Vs. Residential.
148	Subsistence Ag	Should keep with the standard
149	Subsistence Ag	Do this NOW
150	Subsistence Ag	Require garden certificate in related program -> link with program
151	Subsistence Ag	Agree need ed: we got land + didn't know what to do.
152	Subsistence Ag	How many homes can build on 5 acres?
153	Subsistence Ag	Was there a study done to determine 1 acre size
154	Subsistence Ag	Lot size should be dependent on # of people in household.
155	Subsistence Ag	One human for one acre? We have ratio for cows and animals create ratio for humans.
156	Subsistence Ag	It depends on individual and where land is. You need to factor this in.
157	Subsistence Ag	One-acre is a good size to start
158	Subsistence Ag	1 acre is a good size to start. Sub-ag = side income
159	Subsistence Ag	1. Re: Subsistence Ag Subject. Yes to 1 acre Ag lot(s) size. More than sufficient (former lessee of 3 acre Panaewa Ag lot). Transferred to son, who is current lessee. My spouse cultivated and continues to cultivate this land and it is very productive. We are so grateful for Hawaiian Home Lands. We have subsistence farming crops and small kind seasonal sale crops to local farmer's market. Eo Hawaiian Home Lands.
160	Subsistence Ag	Is there a possibility to get more land? Yes.

	A	B
1	Topic	Comment
161	Subsistence Ag	Sub-ag . When they created HHCA, Kuhio Village 1 acre. 2nd phase was 0.5 acre lalamilo too small now. Sub-ag lot should be at least 2 acre. Res max lot should be 1 acre.
162	Subsistence Ag	How are you supposed to raise anything on 0.5 acre? 5 acres is a good size to start.
163	Subsistence Ag	Should be 5 acre or more for lot
164	Subsistence Ag	Lets start getting back to basics. Start with home. Need more than 5 acre.
165	Subsistence Ag	Support for 2 acre lot size
166	Subsistence Ag	If sub-ag allows for animals (cattle) on lot you need more than 1 acre.
167	Subsistence Ag	One acre is not enough. If you want to feed family and earn money, need more.
168	Subsistence Ag	1 acre with animals too small
169	Subsistence Ag	It took us a while to fully farm 5 acres. 2.5 is good to start, but if I want to increase farm size and get another lot later how can if I gotta live on it. Can't live on 2.
170	Subsistence Ag	2.5 acres is a goof size to start. If they need more if successful give more later.
171	Subsistence Ag	When my husband retired, we started to actively farm. But when he worked we didn't farm. 1 acre good to start.
172	Subsistence Ag	Different size lots for different regions, soils, and places different. You can do different things in different places.
173	Subsistence Ag	The minimum size depends on the place and it's characterisitcs like soil, water, etc.
174	Subsistence Ag	If you are a rancher not big enough to make \$.
175	Subsistence Ag	It would depend what kind of animal on lot
176	Subsistence Ag	What is the minimum size now? 5-40 acres on HI Island.
177	Subsistence Ag	Was there models done to get to 1-acre?
178	Subsistence Ag	Am I going to lose my land if I don't use the whole thing? I have horses, on my land.
179	Subsistence Ag	I farm I need more land for my commerical farm, but don't want to take from those with none.
180	Subsistence Ag	On sub-ag lot. The lessee would be able to build house that they can afford.
181	Subsistence Ag	Are ag lots getting own TMK?
182	Subsistence Ag	No TMKs, no taxes. Own zoning. DHHL too lazy to enforce its own code.
183	Subsistence Ag	Where are you going to get the land from?
184	Subsistence Ag	What kind of land? Should be farmable.
185	Subsistence Ag	In Kailapa we would like to have ag on our lots.
186	Subsistence Ag	What lands are you going to take out of ag for this new idea? DHHL is not going to take away from existing lessee.
187	Subsistence Ag	What should be the rule for building on sub-ag lot?
188	Subsistence Ag	What do you mean Lalamilo is "higher standard." We mean urban standards.
189	Subsistence Ag	When you say rules what are you referring to? HAR.

A		B
1	Topic	Comment
190	Subsistence Ag	What section in the Rules? Section HAR 10-3
191	Subsistence Ag	How can Native Hawaiians afford the higher cost. Too expensive. Why different costs for the same house in Lalamilo
192	Subsistence Ag	Subsistence = self-sufficient economically as well.
193	Subsistence Ag	Your own consumption. Feed neighbors
194	Subsistence Ag	You're working on the land
195	Subsistence Ag	Sub ag= you survive off land no require \$
196	Subsistence Ag	Barter
197	Subsistence Ag	Grow everything you eat
198	Subsistence Ag	\$ for us
199	Subsistence Ag	Knowing what to plant
200	Subsistence Ag	Self-sufficient
201	Subsistence Ag	Off-grid
202	Subsistence Ag	In addition to regular income
203	Subsistence Ag	PT farmer
204	Subsistence Ag	Farmers market
205	Subsistence Ag	You need to define sub-ag. Subsistence means subsist to live whether you're selling or eating.
206	Subsistence Ag	Sub-ag = not commercial.
207	Subsistence Ag	What does sub-ag meant to you? You need enough ag to support family financially.
208	Subsistence Ag	If a sub-ag lessee is successful, they should be allowed to sell their crop.
209	Subsistence Ag	Sub-sistence = grow for family. Subsistence when I think about is nobody subsidizes me. I get all vegetables and feed family on 10,000 sqft.
210	Subsistence Ag	Does ag crops have to be edible? I don't think it has to be as long as we can sell it for money.
211	Subsistence Ag	What Is DHHL def, of subsistence? DHHL wants to know your input before making a decision.
212	Subsistence Ag	This process doesn't work if people still don't farm.
213	Subsistence Ag	The majority of ag lots in Waimea not using their lots. You making new rules but no one following old rules of existing lots.
214	Subsistence Ag	How are we going to implement new rules if we haven't been enforcing old rules.
215	Subsistence Ag	DHHL should be looking and enforcing farm plans.
216	Subsistence Ag	Got to look at economy. Affordability is a problem. Doing financial paperwork is a problem.
217	Subsistence Ag	Once you award land, is DHHL going to provide assistance to farm? I would like to have a loan/finance assistance.
218	Subsistence Ag	Anticipate. We need to anticipate future needs.
219	Subsistence Ag	If you allow any kind of structures, community may not like that either, give people a list that they can choose from.
220	Subsistence Ag	If you let us build our own home do we have to build to code?
221	Subsistence Ag	If my parents have an empty lot. They're 90 yrs old. Can't farm. Is DHHL going to take it away? No in only affect new applicants.

A		B
1	Topic	Comment
222	Subsistence Ag	Sub-ag lots need fire hydrants need address.
223	Subsistence Ag	Is infrastructure going in 1st? Or wait for DHHL to put in. In Kawaihae I want to put in a yurt or shipping container. Would you change the standard? If we build container home would be on lot faster.
224	Subsistence Ag	Would sub-ag lots have infrastructure? Yes it should have.
225	Subsistence Ag	Is there going to be infrastructure? Yes.
226	Subsistence Ag	We shouldn't pay the tax on house land.
227	Subsistence Ag	Where on this island are you planning sub-ag? TBD.
228	Subsistence Ag	There has to be something to assure land can be cultivated. Cannot raise crops in some areas. I had big holes on my lot.
229	Subsistence Ag	Sub ag. Program would be rural standard.
230	Subsistence Ag	There should be infrastructure
231	Subsistence Ag	How many acres in Waimea are going to this? Not many.
232	Subsistence Ag	Are talking about taking a way, from existing lessees? No.
233	Subsistence Ag	Is DHHL considering to open more ag land in Waimea?
234	Subsistence Ag	don't start w/400k loan
235	Subsistence Ag	We were offered a lot in Lalamilo in \$300k, the max loan you can get is 1/2 of median price of home on island. Not realistic.
236	Subsistence Ag	Should have county water.
237	Subsistence Ag	There has to be water.
238	Subsistence Ag	Water is important. Effects what I can farm.
239	Subsistence Ag	DHHL going to file for subdivision plan? If you require house, then yes DHHL should.
240	Subsistence Ag	Pu'ukapu lessees, some has no intention to farm, waiting for DHHL tech.
241	Subsistence Ag	If you have a res lease, can you do ag? We should be able to do ag on my res lot.
242	Subsistence Ag	Subsistence Ag:residential surrender house If on another land requires a house on land.
243	Subsistence Ag	Are you starting a new list? No people come off ag list.
244	Subsistence Ag	1 acres is goal
245	Subsistence Ag	Should award 30 acres, Phase II for Ag
246	Subsistence Ag	40 acres, too much
247	Subsistence Ag	1 acre is enough
248	Subsistence Ag	Need to ID how much to farm. 1ac, is sufficient especially due to limitation.
249	Subsistence Ag	Award lots – Phase 2, give them so much time. Get water line -1 meter. Start with ½ ac.
250	Subsistence Ag	We would like Ag lots
251	Subsistence Ag	Need Ag lots for Lana'i
252	Subsistence Ag	Hawaiian Community Gardens: Break up 50 acres Bulldoze flat Waterline out there Water mains out there

	A	B
1	Topic	Comment
253	Subsistence Ag	Palama community garden 1000 sq.ft. need to put in own meter.
254	Subsistence Ag	Hard because when get old – can't farm – no kids.
255	Subsistence Ag	Phase II – no demand
256	Subsistence Ag	No demand for phase 2, _____ plan based on needs of community.
257	Subsistence Ag	If lot awarded and overgrown you know it's not being leased.
258	Subsistence Ag	Vacant lands – interim use-
259	Subsistence Ag	Henry Aki
260	Subsistence Ag	Residential vacant lots
261	Subsistence Ag	Joelle Aki - _____
262	Subsistence Ag	Before HFD did the break
263	Subsistence Ag	Playground – county said they going
264	Subsistence Ag	What _____ - community center
265	Subsistence Ag	Gave by-laws, to HANO, but nothing OK to bring to community _____ come back.
266	Subsistence Ag	Award lots – Phase 2, give them so much time. Get water line -1 meter. Start with ½ ac.
267	Subsistence Ag	We will share – once you figure out balance you can increase it.
268	Subsistence Ag	We have 50 acres – only 13 acres for phase I, not being used. How to use some of that land for subsistence Ag.
269	Subsistence Ag	Feed the family.
270	Subsistence Ag	Subsistence = something that benefits, off sets costs, later _____ profit. Need to figure out flow – balance of _____, crops. Bring costs down.
271	Subsistence Ag	Grow in selections –seasonal
272	Subsistence Ag	Subsistence –how I live off the land.
273	Subsistence Ag	Subsistence Ag. Lot – both _____ and crops.
274	Subsistence Ag	Subsistence –helping someone out
275	Subsistence Ag	Enforcement is an issue.
276	Subsistence Ag	50 acres leased pastoral land/leased
277	Subsistence Ag	No residency requirement for Lana'i
278	Subsistence Ag	½ acre – 1 acre supplement to residential. (Downside)
279	Subsistence Ag	What do you know about farming? And what do you want to do? See if they can do it?
280	Subsistence Ag	If can't do it, what kind of help used?
281	Subsistence Ag	If not using it, got to give it up.
282	Subsistence Ag	Community farm
283	Subsistence Ag	Community garden
284	Subsistence Ag	Community-based Ag.
285	Subsistence Ag	Depends if too far – no electricity w/ag you have shed for supplies.
286	Subsistence Ag	In new lease agreement –specify time
287	Subsistence Ag	Acres depends on area. Kula - 1 ac not enough. Kahikinui -gulches.
288	Subsistence Ag	More successful you are, more land + water.
289	Subsistence Ag	Size of lot depends on their experience, their family size.

	A	B
1	Topic	Comment
290	Subsistence Ag	Oahu could be happy with 1ac. We want larger acreage -for whole family. Has to be a way to ensure neighborhood's desire for lifestyle is recognized in plan. Develop rules by island.
291	Subsistence Ag	Grew up family of 13 -1ac. Raised pigs, 1 cow, lo'i, fisherman, had water.
292	Subsistence Ag	Need 3-5 acres for subsistence.
293	Subsistence Ag	Min 2 acs.
294	Subsistence Ag	Remove farm plan _____ +2/3rd from any Ag lessees less than 5 acs.
295	Subsistence Ag	Subsistence -needs more acres
296	Subsistence Ag	If small scale Ag-need 2+ acres.
297	Subsistence Ag	If do 2 acs -not fair If no need farm plan.
298	Subsistence Ag	Kahikinui-kuleana homesteader. No water; off grid; farm squash--No need 5-10-40 acres--need land to support family--basic infrastructure
299	Subsistence Ag	Aquaponics plants, food, medicine, keawe. Whatever it is to help fairly generate more to live -So may not be 5 acre, depends on what lessee family can handle.
300	Subsistence Ag	15 years since Ag task force. A lot of declines -stuck on shelf -make sure you keep in contact with us. Be more aggressive to get this on ground -want to know when B/C report to HHC.
301	Subsistence Ag	When? Kicking off. 793 ag land idle
302	Subsistence Ag	Waiohuli -makai - all Ag list come work got place/land for subsist. Ag.
303	Subsistence Ag	How much Ag land on Maui.
304	Subsistence Ag	What happened to Pulehunui + Keokea.
305	Subsistence Ag	Why can't we open up 5000 acres below Kula + Honokowai
306	Subsistence Ag	Open land--below Waiohuli
307	Subsistence Ag	Proviso- can request additional acs up to 40 acs. (Not prohibited)
308	Subsistence Ag	Maui land for Maui residents.
309	Subsistence Ag	65 lots/20 families.
310	Subsistence Ag	Pride is downhill--everything running downhill
311	Subsistence Ag	_____ what can do.
312	Subsistence Ag	Need to get banks out of HHL _____.
313	Subsistence Ag	There are la _____.
314	Subsistence Ag	Large lot res.
315	Subsistence Ag	Subsistence means working land, no job.
316	Subsistence Ag	Not getting killed with mortgage.
317	Subsistence Ag	Help us, help you.
318	Subsistence Ag	Anything to provide for your family, gathering, fishing.
319	Subsistence Ag	Must be able to support your family on land.
320	Subsistence Ag	Subsist means sometimes selling
321	Subsistence Ag	As hui or on HHLs
322	Subsistence Ag	Would subsist ag include Medical marijuana -YES + hemp. Coop
323	Subsistence Ag	Look at customary land uses
324	Subsistence Ag	Look ecologically, what happening on the land.
325	Subsistence Ag	Does DHHL have land next to shoreline.
326	Subsistence Ag	Subsistence Ag--change to farming. So can do solar farms.
327	Subsistence Ag	Hunting should be a part of this undeveloped land.

	A	B
1	Topic	Comment
328	Subsistence Ag	Should do businesses, not really re: Ag-paintball.
329	Subsistence Ag	Subsistence lifestyle -so not about doing whatever.
330	Subsistence Ag	To feed just your family -not profit
331	Subsistence Ag	Where water coming from
332	Subsistence Ag	We got on land -Ag lease. No H2O. Only 600 gals. Trying to get this resolved.
333	Subsistence Ag	How is DHHL going to help?
334	Subsistence Ag	No need re-invent rules-county has rules.
335	Subsistence Ag	Loans for subsistence Ag -DHHL.
336	Subsistence Ag	What is time frame difference B/N Ag lots + subsist. Ag lots?
337	Subsistence Ag	Object to this (cuz?) process.
338	Subsistence Ag	In designing subsistence-Ag subdivisions and ALL future hoemstead subdivisions, low impact design (LID) should be employed, as appropriate and feasible.
339	Subsistence Ag	County: plan review waiver -to approve house w/approvals.
340	Subsistence Ag	Let us build lot without permits shack, roof over head.
341	Subsistence Ag	Combo 1 area, pastoral area, Ag 1 area, allergies.
342	Subsistence Ag	How does DHHL give out rights to fishing.
343	Subsistence Ag	No res requirement Ag --> res/pastoral --> res.
344	Subsistence Ag	Why required to live on Ag lots? Same reasons -we don't have access to land is still same problem.
345	Subsistence Ag	Allow 2 houses if 2 acres -per county code.
346	Subsistence Ag	Should be allowed to stay in tent.
347	Subsistence Ag	Want to raise my family -who is to say.
348	Subsistence Ag	Need strength-age, not getting younger.
349	Subsistence Ag	Estab water company.
350	Subsistence Ag	Wai - Viable ag
351	Subsistence Ag	Where is water coming from determines viability.
352	Subsistence Ag	Need water
353	Subsistence Ag	Water -bring water down.
354	Subsistence Ag	HHCA sufficient water. CWRM has formula for H2O -use formula to get whole island.
355	Subsistence Ag	Don't reinvent the wheel -mimic Ag lot zoning.
356	Subsistence Ag	Ran both pastoral and Ag together with rules.
357	Subsistence Ag	Some have all the knowledge.
358	Subsistence Ag	Ed. Programs to do -MEO. Help the "4 core" CTAHR
359	Subsistence Ag	Younger generation on land quicker.
360	Subsistence Ag	Animals, plants, + whatever.
361	Subsistence Ag	Not only food -solar power
362	Subsistence Ag	Need viability. More product w/i homestead sell in homestead.
363	Subsistence Ag	How do you give it to the guy that can make it work. You're getting rid of all metrics
364	Subsistence Ag	Need money to build -collateralize(?) Bldgs products, recognized by lender. So can buy equipment, etc.

1	A	B
	Topic	Comment
365	Subsistence Ag	Had water workshop -Bill Tam. Native workshop find where H2O coming from, plant taro
366	Subsistence Ag	If virgin land. When are we expected to clear land.
367	Subsistence Ag	Community pastures rules. Subsistence rules. Eventually o'opu can't come down/go up.
368	Subsistence Ag	Workers and quarters? If kupuna lessee-family who can work land.
369	Subsistence Ag	Approve sausage building -this is the product we need,
370	Subsistence Ag	Can't hardly take care of my yard -older can't do everything on lot.
371	Subsistence Ag	Keokea can't farm. No H2O
372	Subsistence Ag	Animal husbandry + crops good but just change existing rules.
373	Subsistence Ag	Between living everyday life + doing farm is hard.
374	Subsistence Ag	All these years, waiting -how long for my 40 ac. Lot.
375	Subsistence Ag	Been on waitlist -years.
376	Subsistence Ag	1 acre plenty -- gardening but water too expensive
377	Subsistence Ag	5 acres for subsistence
378	Subsistence Ag	1 acre too small esp for MKK; requires 2 acres
379	Subsistence Ag	1 ac. Too small -- 2 acs ok. But need to prove you're using it. 1 ac=football field
380	Subsistence Ag	First priority should be to give to their families to subdivide 1 acre
381	Subsistence Ag	Subsistence ag should have option to go to larger lot.
382	Subsistence Ag	1/2 acre to 10 acres--not one size; choose your size
383	Subsistence Ag	If stick with 1 acre, won't get ag water meter. Go to DOA for rule change.
384	Subsistence Ag	If 10 acres can we subdivide?
385	Subsistence Ag	What about 40 acres? Would you subdivide those lands that aren't being used? We have kupuna homeless.
386	Subsistence Ag	1 ac should be able to build 2 homes
387	Subsistence Ag	Would we get ag water rates on 1 ac? County at 2 ac for ag. So have to lift moratorium
388	Subsistence Ag	Rehab pineapple lands--rehab lands
389	Subsistence Ag	DOA board is different (?)--need to step up recommendation to sit on Bd. Missing 2 homesteader seats, all pending items.
390	Subsistence Ag	At public hearing asked if need building permit if hook up at ____ didn't need permit for temporary meter.
391	Subsistence Ag	What is _____ to help grow like Hudson? Contract out.
392	Subsistence Ag	Plants
393	Subsistence Ag	Growing coop chickens
394	Subsistence Ag	Def growing food for sustainability
395	Subsistence Ag	Subsistence = living within your resources. Small house, growing poultry, plants
396	Subsistence Ag	Supporting household vs farming to produce / farm
397	Subsistence Ag	Subsistence means just enough--what you need--start here
398	Subsistence Ag	Ohana lot = living within means not ____ free: allow to assert LU authorities. Related to sale of leases + addresses problem of not having successors--Someone else gets improved lot--sweat and tears

1	A	B
	Topic	Comment
399	Subsistence Ag	Growing own food for family in your land; if extra sell/barter
400	Subsistence Ag	More people--allow ohana--to start here.
401	Subsistence Ag	Like 1920s--give land--goat it. That's the kind we like -- res/ag
402	Subsistence Ag	Opportunities to kukakuka--who grow what; barter.
403	Subsistence Ag	Culturally appropriate. Could survive on nothing. Different today.
404	Subsistence Ag	So no need County permit.
405	Subsistence Ag	Want opportunity to do "green" living. Traditional style--not improved infrastructure
406	Subsistence Ag	If DHHL puts in infrastructure is it residential or ag?
407	Subsistence Ag	Been in ag lot long time, new residents come in--now complaints
408	Subsistence Ag	If ag, then they cannot complain about ag activities
409	Subsistence Ag	Make sure situation doesn't happen like now--residences move to ag--complaints
410	Subsistence Ag	Ag land has a lot of rocks so help prepare the land
411	Subsistence Ag	County rule if 10x10 no permits. -outhouse
412	Subsistence Ag	If home + land/ag, which is first? What kind of home? Tent is good.
413	Subsistence Ag	Build with other things--containers so no overhead--mortgage
414	Subsistence Ag	House affordable--Why that kind of house?
415	Subsistence Ag	Still need roads
416	Subsistence Ag	Infrastructure--just water, roads, electricity-solar
417	Subsistence Ag	Concerned about infrastructure, need. Water? Electric? Good to build own home...not restricted rules. \$400K homes can't afford.
418	Subsistence Ag	No need to follow--utilities, etc. build what you can.
419	Subsistence Ag	DHHL needs to determine what infrastructure needed to be self-sufficient.
420	Subsistence Ag	Where? Most land already belong to people--use it or lose it.
421	Subsistence Ag	If you want to be connected to grid then you need permits
422	Subsistence Ag	Need programs to help to do sustainable practices--off grid
423	Subsistence Ag	Help to clean the island
424	Subsistence Ag	Worker's quarters ok but only 1 house
425	Subsistence Ag	Like house esp without all rules.
426	Subsistence Ag	Traditional kauhale system so can put your families there. Supports ohana system; keeps it strong
427	Subsistence Ag	Concerned about water--why have ag water in house if can't drink it? Need to have both meters.
428	Subsistence Ag	Irrigation/meter is expensive.
429	Subsistence Ag	Does HHL provide meter? Not irrigation. Get funds to help.
430	Subsistence Ag	Make sure ag water can be on lot. No matter what size
431	Subsistence Ag	Rule--any size can use Ag water
432	Subsistence Ag	Who makes sure I'm growing?
433	Subsistence Ag	Hire more enforcement. Inspect.
434	Subsistence Ag	Farming practices impacts
435	Subsistence Ag	Need to factor in food safety fed rules--can DHHL provide the compliance?

1	A	B
	Topic	Comment
436	Subsistence Ag	We have no jobs here--if coming to MKK what are your finances? Skill base? Need to know these things so they will succeed.
437	Subsistence Ag	Can we ask for labor? Poison?
438	Subsistence Ag	Need equipment--hire MKK people
439	Subsistence Ag	Need money
440	Subsistence Ag	Kauhale system--ohana zoning should allow that--build for our kids. No need mortgage
441	Subsistence Ag	Allow guidelines re: maintaining. Temporary homes.
442	Subsistence Ag	Don't mortgage--tiny house
443	Subsistence Ag	residential lot & ag lot -- separate
444	Subsistence Ag	If build house -- residential -- so would pay a different tax on it? County would give exemption on house.
445	Subsistence Ag	Make it clear the H Homesteaders don't need to follow County rules. DHHL should have their own rules
446	Subsistence Ag	Need plan to do this. Rules and regs so people can stay in guidelines. Now doing by myself.
447	Subsistence Ag	First thing is water--I was using fresh water, too expensive--free ag water
448	Subsistence Ag	Kapaakea--HHL lot--no HHL water pay a lot.
449	Subsistence Ag	If subdivide 40 acres - what quantum
450	Subsistence Ag	Hold hand on like Hudson vs CTAHR
451	Subsistence Ag	Theres a permaculture (?) internet (?). DHHL should be in contact with so cn learn different ways; sono screw up land and learn how to plan.
452	Subsistence Ag	Should be able to go through training program so no ruin lands.
453	Subsistence Ag	When you have 40 acres, people don't want to give it up--give them _____ to transfer or relocate them to res area.
454	Subsistence Ag	affordability--cure homelessness
455	Subsistence Ag	Take baack ag land under _____ and return to original state
456	Subsistence Ag	If on wait list will you jump up? Subsistence ag program to jump in. Residential list-date of app.
457	Subsistence Ag	If on ag list should still be able to do 40 acres ag
458	Subsistence Ag	Get away from potable water--so expensive
459	Subsistence Ag	How can I get ag water on residential lot?
460	Subsistence Ag	Before 3 acres.
461	Subsistence Ag	Sustainable homestead: Allow flexible plan regarding acreage size to accomodate personal needs, financial capabilities research and development.
462	Subsistence Ag	1 acre plenty of land
463	Subsistence Ag	DHHL staff provided important point about ag land, by keeping it to 1 acre you won't need 2/3 farm or farm plan.
464	Subsistence Ag	2 acres
465	Subsistence Ag	1.25 acres. 1 acre = Kanu? .25 hale. If we all did this _____ -> can share make strong as community. It's a Kakou thing.
466	Subsistence Ag	Aquaponics 10 x 10
467	Subsistence Ag	Animal rights --> cows - Slopes _____

	A	B
1	Topic	Comment
468	Subsistence Ag	Community ag parks (colors?)
469	Subsistence Ag	Give lot and not mandate uses, don't put up blockages.
470	Subsistence Ag	Parking lot - Mauna Kea
471	Subsistence Ag	Kaw_____ o Ka aina
472	Subsistence Ag	Viability of sub ag lots on Ohana
473	Subsistence Ag	I am existing lessee --> want to be able trade existing res with sub ag lots.
474	Subsistence Ag	Free water
475	Subsistence Ag	Free food
476	Subsistence Ag	Ag H2O rates --> Cheaper water to make these sub ag lots more reasonable
477	Subsistence Ag	Define "hale" --> traditional hale
478	Subsistence Ag	What defines a house?
479	Subsistence Ag	Sub farming? - access to from hunting.
480	Subsistence Ag	Sub ag --> obligated to sell? If extra --> farmers market
481	Subsistence Ag	Family have own land and provide for themselves
482	Subsistence Ag	Grow enough to pay my bills and grow what I need
483	Subsistence Ag	aloha 'aina land is _____ we are stewards.
484	Subsistence Ag	Live off the land
485	Subsistence Ag	Co_____ - Everyone can use
486	Subsistence Ag	Some areas -> don't have inf -> how can you require?
487	Subsistence Ag	Who is going to enforce rule? "I gave you my word."
488	Subsistence Ag	How do we enforce --> Parked cars/rubbish?
489	Subsistence Ag	Ohana housing --> YES!
490	Subsistence Ag	No subsistence lots: 1. Create Hawaiian Homesteader businesses!
491	Subsistence Ag	Do we know where on O'ahu - island plans
492	Subsistence Ag	Existing res --> if take sub ag --> do have to give up one?
493	Subsistence Ag	On ag list -> do I have to sign up on new list
494	Subsistence Ag	At one time 3,4,5, 6 _____ -> ag land. "Who changed it?"
495	Subsistence Ag	Persepective; 1 acre = 9 house lots isn't that enough for sub.
496	Subsistence Ag	If farming, want to live on lot, over see everything -> use all acres; rain or shine -> got to the, if you can't -> 1 acre enough. (more than enough)
497	Subsistence Ag	1 acre -> for someone with a plan -> too small - should someone want to expand -> how if 1 acre is set already. -> provide expansion area nearby
498	Subsistence Ag	If farming becomes profitable, can you go and expand -> want to be able to expand.
499	Subsistence Ag	Little bigger than 1 acre --> 3 acre lots - manageable
500	Subsistence Ag	Acre too small - 3-5 acres
501	Subsistence Ag	1 acre Nanakuli - original rewards. Really small if you require live on property.
502	Subsistence Ag	Start with 1.5 acres, 1/2 acres house, 1 acre farm
503	Subsistence Ag	make 1 --> 10 acres, leave it up to people (range)
504	Subsistence Ag	1/2 - 5 acres subsistence -> 5-10 supplemental
505	Subsistence Ag	We should have option of 1-5

	A	B
1	Topic	Comment
506	Subsistence Ag	I like 1 acre to start off to make sure well kept --> then can expand.
507	Subsistence Ag	1/2 acre - Dwelling/structures
508	Subsistence Ag	Is this an extension of program? Not taking away 40 acres option
509	Subsistence Ag	I'm lessee, but not an ag lessee; can I get a part of neighbors ag lot? Willing to use/help/liability
510	Subsistence Ag	Needs to be arable lands
511	Subsistence Ag	Livestock on ag lots
512	Subsistence Ag	If you have res. -> can you have sub ag too? Reg ag programs _____ in place.
513	Subsistence Ag	How come we don't have land? Non-Hawaiians _____ -> How come
514	Subsistence Ag	This is an expansion of that program.
515	Subsistence Ag	Nanakuli Valley -> Native Hawaiians not
516	Subsistence Ag	Kaunaki?: Mr. Hicks -> are we on right track? (6 acres)
517	Subsistence Ag	People who have 1 acre res. -> "sub ag" lot
518	Subsistence Ag	Can we transfer? Exchange res for ag lot?
519	Subsistence Ag	Bow - water/sewage - so if you use for ag -> more expensive
520	Subsistence Ag	Community gardens - come together as hui
521	Subsistence Ag	Sub. - Nanakuli wasn't about making -> imu, food, garden,
522	Subsistence Ag	Grow own crops, fish tank, animals and crops.
523	Subsistence Ag	Providing all of food/intake for livelihood--> when boat stops.
524	Subsistence Ag	"Survive"
525	Subsistence Ag	"Grow to eat"
526	Subsistence Ag	Sustainability
527	Subsistence Ag	Helping to make up
528	Subsistence Ag	Cost of living
529	Subsistence Ag	Supplementing income
530	Subsistence Ag	Organic
531	Subsistence Ag	Business Opp.
532	Subsistence Ag	Provide medicine
533	Subsistence Ag	Hydroponics
534	Subsistence Ag	Power garden
535	Subsistence Ag	Look -> report -> measurement tool: how is it sustaining us? What are you growing?
536	Subsistence Ag	Feed community and homestead
537	Subsistence Ag	As long as plant something -> is that an ag lot? Whose going to monitor?
538	Subsistence Ag	Infrastructure, what provided? Can get away with gravel
539	Subsistence Ag	"Rural Standards"
540	Subsistence Ag	Apps - demonstrates _____. Education -> ohana should be exempt be. Have traditional knowledge
541	Subsistence Ag	Loans directly from HHL
542	Subsistence Ag	Multi-dwellings for multi-gen. families
543	Subsistence Ag	Look at different categories/Designs -> provide options
544	Subsistence Ag	Infrastructures - water, electric, sewer
545	Subsistence Ag	Septic
546	Subsistence Ag	Off grid go

1	A Topic	B Comment
547	Subsistence Ag	Need H2O; own valley B dry
548	Subsistence Ag	No forget water
549	Subsistence Ag	Ag h2o rates -> additional H2O sources
550	Subsistence Ag	Oahu too? Yes.
551	Subsistence Ag	Where is this 1 acre? Nanakuli Ranch
552	Subsistence Ag	Where are ag lands located, where 5 acres?
553	Subsistence Ag	I have 1/2 acre -> can't put cow? --> if you live in res area? -> no livestock -> DOH rules
554	Subsistence Ag	DHHL utilize exemption to achieve this. "Chicken are issue."
555	Subsistence Ag	This "sub ag" to extend to current "residential" lessees
556	Subsistence Ag	Modular homes?
557	Subsistence Ag	if we have to do our home, without assistance.
558	Subsistence Ag	"Undirect water" H__ Rights
559	Subsistence Ag	Ag lots on O'ahu? Statewide? Need to do on this island; not enough food on this island.
560	Subsistence Ag	I was given bushes/boulders --> then I have to put up rock wall (180K) (Pahe'ehe'e) --> now I have a lot; not complaining. [Help to clean lots, priority award]
561	Subsistence Ag	New Sub lots -> is there a way to do business plan-> help?
562	Subsistence Ag	Livestock -> curtain _____ necessary.
563	Subsistence Ag	I am not in favor of the creation of one acre or less agricultural lots. Residential lots can be increased to the size of one acre instead. Residential lots already have the occupancy requirement. The "subsistence rural lifestyle" can be achieved in a rural residential community where a home garden can certainly provide subsistence supplementation. Deed restrictions can be modified to include an allowance for potential livestock with reasonable limitations toward the goal of subsistence self sufficiency. It has been my experience that county zoning officials usually defer to the needs of the DHHL within the context of future development. I don't believe that sacrificing the lands designated for agricultural use should be compromised in any way. Furthermore, lender financing is far and away more amenable to residentially designated lots than to lots within an agriculturally designated subdivision. The Federal Housing Administration is primarily set up to accommodate residential financing not agricultural developments throughout the entire nation. Why try and re-invent the wheel when the wheel already exists?
564	Subsistence Ag	For the record, I am in "opposition" and do not support DHHL's Proposed Administrative Rule Changes specific to: Subsistence lots.
565	Subsistence Ag	UNDER SUBSISTENCE AG BULLET POINT 2 sub 3 COMMENT "2/3rds is a condition for building a worker's quarters, not a condition of the lease under HAR 10-3-26 (b)

1	A Topic	B Comment
566	Subsistence Ag	Subsistence ag had good point of feeling 1.5 acre adequate to accommodate a home & grow food for selves. However, a question arose regarding have infrastructure inplace already. Also, what determines how much of land can be used up for a residence, and the rest for producing food? Might require a formula.
567	Subsistence Ag	If divided or _____ -think about your kids
568	Subsistence Ag	1-3 acs. Depending
569	Subsistence Ag	1 ac. Is big; depend on family size.
570	Subsistence Ag	as get older -harder for bigger _____.
571	Subsistence Ag	If can't manage 1 ac. Take back land.
572	Subsistence Ag	At 1ac can get more people of list
573	Subsistence Ag	5 acs can be used quickly. 1 ac too small, need 5 acres plus water
574	Subsistence Ag	Or if already have 5, go half @ 2.5 acres. Min. Little higher than 1 ac.
575	Subsistence Ag	If having problems, decrease size.
576	Subsistence Ag	Not just get us on land -it's about thriving on the land.
577	Subsistence Ag	If family has history of complying with Ag requirements -can they sub-divide?
578	Subsistence Ag	Administrator to correct stuff + help/chief.
579	Subsistence Ag	Conversion of existing lot
580	Subsistence Ag	Making money
581	Subsistence Ag	Able to grow own food
582	Subsistence Ag	your own business
583	Subsistence Ag	Self-sufficient
584	Subsistence Ag	Program in Wai _____ ahupua'a setting
585	Subsistence Ag	Non-consumable goods -plumeria farm.
586	Subsistence Ag	Take care of your own
587	Subsistence Ag	Live stock
588	Subsistence Ag	Look at community gardens
589	Subsistence Ag	Self-sustainable -solar, aquaponics.
590	Subsistence Ag	Survival
591	Subsistence Ag	Goat
592	Subsistence Ag	Aquaponics
593	Subsistence Ag	Finances through Ag.
594	Subsistence Ag	What homesteading is really about.
595	Subsistence Ag	Give people the land + hire as they please. This is what HHCA required in 1921.
596	Subsistence Ag	Plantation on steroids -talking _____ communities.
597	Subsistence Ag	_____ self-sufficiency. Part of rehab.
598	Subsistence Ag	Should allow lessee to be involved in commerical activity -should be able to make a living.
599	Subsistence Ag	Has to be a community
600	Subsistence Ag	Can build and live within your means.
601	Subsistence Ag	"Ulu" Lo'i
602	Subsistence Ag	DHHL should come up with financing.

	A	B
1	Topic	Comment
603	Subsistence Ag	Only 1 house? If family is large, expand this life opportunity, esp. if from big family -only 1 can be successor.
604	Subsistence Ag	Allow families to "grow" right on lot -ohana brought to land esp. when only have 1 successor.
605	Subsistence Ag	Can you build more than 1 house on the land to support larger ohana?
606	Subsistence Ag	Do you have to abide by building codes? Have DHHL standards.
607	Subsistence Ag	Bus on land; container home, tent ok. So can add to that.
608	Subsistence Ag	Tent on land while you build house.
609	Subsistence Ag	Water/road
610	Subsistence Ag	Septic tanks
611	Subsistence Ag	Roads; access to lots; solar.
612	Subsistence Ag	Infrastructure will be there?
613	Subsistence Ag	What are requirements for transfer to grandchildren?
614	Subsistence Ag	Mini health and safety standards.
615	Subsistence Ag	DHHL has its own standards on rural-style housing for sustenance land. This includes basic living amenities, i.e. toilet, water (potable), being off the ground. This should allow for off-the-grid housing, yurts, container homes
616	Subsistence Ag	What infrastructure?
617	Subsistence Ag	Residency is good -exciting because you live right on the land, make a community of your family.
618	Subsistence Ag	Live on the lot
619	Subsistence Ag	Residency , but 1 year is too short, up to 3 36 months -or surrender lease (lose).
620	Subsistence Ag	Takes long to build house because can't qualify.
621	Subsistence Ag	Why not eliminate requirements?
622	Subsistence Ag	Residency requirement is good.
623	Subsistence Ag	Kalawahine 14000 -conversion
624	Subsistence Ag	Go back in the day -this is your lot but build your home.
625	Subsistence Ag	Residency -sleep there.
626	Subsistence Ag	Have to do something on property.
627	Subsistence Ag	Shouldn't specify what is acceptable . If not there we'll help you get there.
628	Subsistence Ag	Time frame should be max 5 years.
629	Subsistence Ag	Why arbitrary timeframe -should be progress. Keep it clean.
630	Subsistence Ag	There has to be rules.
631	Subsistence Ag	Water for give; _____ + Ag.
632	Subsistence Ag	Share Ag irrigation
633	Subsistence Ag	Some of some detail address in on my behalf hope to work out well in next future for the children and subsestens ag
634	Subsistence Ag	This will allow multi-generational families to grow.
635	Subsistence Ag	Will help to deal with cash and _____.
636	Subsistence Ag	Subsistence should be required to live on land.
637	Subsistence Ag	Those who retire could have this opportunity.
638	Subsistence Ag	Long list would probably qualify for it.

1	A	B
	Topic	Comment
639	Subsistence Ag	Does an applicant who applied for residential need to reapply for a subsistence ag lot in order to qualify?
640	Subsistence Ag	Acrage not limited by household #'s
641	Subsistence Ag	Depends on what you're going to do on the land--3 acres
642	Subsistence Ag	1 acre is high depending
643	Subsistence Ag	.5 acre--we survived
644	Subsistence Ag	1 ac. "farmable land" not up mountain, not heiau
645	Subsistence Ag	Give them room to grow and use the land properly
646	Subsistence Ag	Reduce lots to 5000 sq ft
647	Subsistence Ag	.5 acre ok
648	Subsistence Ag	Shouldn't have to live on the land. Do .5 acre--more better
649	Subsistence Ag	Should have more than 1 acre
650	Subsistence Ag	5 acres
651	Subsistence Ag	I would like more than 1 acre because we should be truly self-sufficient. 3-7 acres? Will the smaller subsistence ag be able to add additional acreage
652	Subsistence Ag	Will there be an option?
653	Subsistence Ag	Have a range of options re: lot size
654	Subsistence Ag	Should be flexible size
655	Subsistence Ag	Want to do aquaponics, too--no need 1 acre for this
656	Subsistence Ag	Ag land should be both livestock and plants. I feel it should be more than 1 acre
657	Subsistence Ag	Subsidize to 3 acres; residency required; water infrastructure
658	Subsistence Ag	Why can't use land just sitting, like Bellows
659	Subsistence Ag	If you want ag submit your plan to get awarded
660	Subsistence Ag	Go in order of application regardless of list
661	Subsistence Ag	By date of application
662	Subsistence Ag	Ag land being used by non-Hawaiians; RPs
663	Subsistence Ag	Success people need money
664	Subsistence Ag	(Illegible) ...used to have cows--not anymore--what's going on with that?
665	Subsistence Ag	Award Waialeale (?) lots
666	Subsistence Ag	Put solar on lots to reduce costs, put septic tanks lower monthly bills
667	Subsistence Ag	Include pigs, goats, cows
668	Subsistence Ag	Extra help
669	Subsistence Ag	Feeding your family
670	Subsistence Ag	Sell crops/livestock
671	Subsistence Ag	Multiple families
672	Subsistence Ag	Living off the land
673	Subsistence Ag	Having workers/family to help
674	Subsistence Ag	Teaching our keiki-next generation
675	Subsistence Ag	Community helping each other
676	Subsistence Ag	Live off the land
677	Subsistence Ag	Sustainability
678	Subsistence Ag	Free water
679	Subsistence Ag	Programs/educational to help

	A	B
1	Topic	Comment
680	Subsistence Ag	Not about providing parking for heavy equipment
681	Subsistence Ag	Subsist on what land offers
682	Subsistence Ag	Crops, plants, aquaponics
683	Subsistence Ag	Allowed to sell
684	Subsistence Ag	Housing for the homeless
685	Subsistence Ag	Renewable-self-sufficient
686	Subsistence Ag	Farming
687	Subsistence Ag	Share knowledge
688	Subsistence Ag	Let farmers count what they're doing
689	Subsistence Ag	Funding for homes/federal
690	Subsistence Ag	Can we do affordable housing-utilities at \$161/month?
691	Subsistence Ag	Give 5 years to build house and establish crops
692	Subsistence Ag	For infrastructure use septic tank to eliminate sewer fees and decrease water monthly for N Hwns.
693	Subsistence Ag	If have a house turn it over to a family member
694	Subsistence Ag	If awarded, can't be allowed to sell
695	Subsistence Ag	No ag; all residential
696	Subsistence Ag	Along mountains, good parcels
697	Subsistence Ag	Why ag land when we're trying to put roof over our heads
698	Subsistence Ag	Bellows?
699	Subsistence Ag	Home
700	Subsistence Ag	No permanent tent
701	Subsistence Ag	Need access to water meter, catchment
702	Subsistence Ag	Good idea--people live on land--open up land
703	Subsistence Ag	Everyone deserves this opportunity
704	Subsistence Ag	Agree with this proposed amendment
705	Subsistence Ag	Should have classes to teach how to garden, what to garden, what grows good in area
706	Subsistence Ag	Want to know how to get to (illegible)--can do aquaponics
707	Subsistence Ag	Should be allowed to sell plants
708	Subsistence Ag	As long as subsistence is being done. But who monitors this?
709	Subsistence Ag	Agreement up front--subsistence, animals
710	Subsistence Ag	If already on land should be able to have chickens on land, gardening.
711	Subsistence Ag	How long do we have to live there?
712	Subsistence Ag	PV, composting, toilets, ADUs
713	Subsistence Ag	If some one leaves and comes back? How does the department handle? --caretaker.
714	Subsistence Ag	Community of ADUs
715	Subsistence Ag	Share what we do know to help each other
716	Subsistence Ag	Support from Department--programs to do aquaponics--get funding to sustain
717	Subsistence Ag	I agree with her definition (above). I believe 0.5 and 1 acres is residential not ag. 2.5 is big enough.
718	Subsistence Ag	1 acre sounds great. It's manageable. DHHL lots getting smaller and smaller. I worry lots will eventually be too small.

	A	B
1	Topic	Comment
719	Subsistence Ag	If the lot size is too small, going to get lots of law suits.
720	Subsistence Ag	I have 5 acres now, do I need to use whole lot? No, 2/3.
721	Subsistence Ag	Lot size depends on how many in household.
722	Subsistence Ag	1 acre a good size.
723	Subsistence Ag	In Waikeala our group suggested 2.5 acre. But I think should be 1 acre. But DHHL needs to put in the infrastructure. DHHL can serve more applicants with 1 acre lot size. DHHL will have to go farther and farther out to develop.
724	Subsistence Ag	1 acre is a good size, get house and can grow.
725	Subsistence Ag	I can grow a lot on an acre, but land get plenty guava. 1-acre lot no animals is fine.
726	Subsistence Ag	Do not need 5 acres for this.
727	Subsistence Ag	Minimum 5 acres
728	Subsistence Ag	Subsistence= I can feed my family and sell left over. I like 2.5 acres. 1 acre too small. 2.5 big enough.
729	Subsistence Ag	Before you could get 10 acres, some have 3 acres and 5 acres.
730	Subsistence Ag	If you ask for more lands is that subsistence. No.
731	Subsistence Ag	How do you get additional acres if you want to farm more.
732	Subsistence Ag	This proposal will not affect existing ag-program.
733	Subsistence Ag	Current ag program max size is 40 acres. Does it require a house.
734	Subsistence Ag	If you got a lease, you are taken off lease and can't get more. But DHHL HHCA has provision for additional acreage. DHHL not practicing what you telling them.
735	Subsistence Ag	The density of too many people going into ag will cause problem like spraying.
736	Subsistence Ag	DHHL has to better implement its supplemental ag, commercial ag.
737	Subsistence Ag	Workers quarters
738	Subsistence Ag	Can you subdivide existing ag lot? Yes if you do, can you give to your kids if they're not 50%. Yes if they are 25%.
739	Subsistence Ag	DHHL does not promote ag by providing assistance to existing farmers on homestead.
740	Subsistence Ag	We have lots of vacant ag land? How is that land going to be used?
741	Subsistence Ag	Take "subsistence" out and not require house. You should be able to see some cultivation.
742	Subsistence Ag	You cannot keep people waiting on the list longer than a year. Not more than 5 years.
743	Subsistence Ag	Residential and ag are two separate animals. Do not combine.
744	Subsistence Ag	Right now this is DHHL way of limiting #of lots to one person so more people can get a lot? Yes.
745	Subsistence Ag	Folks with no ag lots should make imu.
746	Subsistence Ag	I can subdivide existing ag lot into 1/2 acre subsistence?
747	Subsistence Ag	Can we take existing ag lots and convert to subsistence.
748	Subsistence Ag	Are you going to be allowed to grow medical marijuana?
749	Subsistence Ag	Define as home gardening lots
750	Subsistence Ag	There are sub-ag lots in Maku'u is 2 acres. That should be the definition

	A	B
1	Topic	Comment
751	Subsistence Ag	What does subsistence mean? DHHL will help
752	Subsistence Ag	Grow to feed family
753	Subsistence Ag	Supplement
754	Subsistence Ag	Not mono-crop diverse
755	Subsistence Ag	Sustainability
756	Subsistence Ag	Not for sale
757	Subsistence Ag	Additional income
758	Subsistence Ag	Subsistence=no profit coming from lot.
759	Subsistence Ag	Growing crops for a family not a profit.
760	Subsistence Ag	Rehabilitate your family by growing food.
761	Subsistence Ag	We shouldn't restrict lessee on sub-ag from making money from crops.
762	Subsistence Ag	Subsistence for a family can include selling crop at market.
763	Subsistence Ag	What is subsistence? For me I am a widow, 1/2 acre enough for me.
764	Subsistence Ag	Is crop on land just for residents?
765	Subsistence Ag	This introduces a high density development in low density area.
766	Subsistence Ag	If DHHL cannot afford to provide infrastructure to existing lots, how can you build more lots?
767	Subsistence Ag	More staff though takes away from homesteaders.
768	Subsistence Ag	How does DHHL define subsistence? We don't have one.
769	Subsistence Ag	You need a new group of people (DHHL staff) to enforce.
770	Subsistence Ag	Everyone has kuleana to enforce. Partnership.
771	Subsistence Ag	if DHHL hasn't properly implemented, existing rules, how you going implement a new rule.
772	Subsistence Ag	There shouldn't be a sub-ag program. Just stick with existing programs and make lot sizes 2.5 acres not 5 acres.
773	Subsistence Ag	Would have to do a farm plan on sub-ag? No.
774	Subsistence Ag	At the last HHC meeting, DHHL proposed 0.5 acre subsistence lots. What's the status of that proposal. DHHL waiting for the Panaewa regional plan update and get community feedback from that 1st.
775	Subsistence Ag	Ag units have zero financial help.
776	Subsistence Ag	You shouldn't have to qualify for a home loan to get a sub-ag lot.
777	Subsistence Ag	Is the financial responsibility for ag lessee to develop lot. Would like DHHL assist with ag program.
778	Subsistence Ag	How did DHHL come up with 2/3 production for current ag-homestead. It's in the HHCAI Will rule conflict with HHCA?
779	Subsistence Ag	We should be allowed to build a house that is simple, not to code.
780	Subsistence Ag	I agree with above comment to build simple house.
781	Subsistence Ag	Kuleana project was to all multiple generations to be on the same lot.
782	Subsistence Ag	If you expect lessee to build house, DHHL needs to provide resources to meet requirements.
783	Subsistence Ag	What is DHHL requiring house size to be on subsistence ag? There's a lot more that should be on lot
784	Subsistence Ag	What about existing 1 acres lots. What happen; to them?
785	Subsistence Ag	If I broke down a house can I have two lots?

	A	B
1	Topic	Comment
786	Subsistence Ag	What if I have a house not DHHL and I get a subsistence lot, do I have to live there?
787	Subsistence Ag	We want copies of these notes.
788	Subsistence Ag	You need to infrastructure for existing farm lessees.
789	Subsistence Ag	Lets change rule that we have to provide infrastructure.
790	Subsistence Ag	If you can have animals, that's pastoral. Can you mix ag and pastoral lots. We can have pastoral-ag lots at 10 acres.
791	Subsistence Ag	If I have a ag lot and I want to give to successor but successor already has a lot, what happens.
792	Subsistence Ag	I don't think subsistence should be done at all. It will impact ag lands. People who will want to farm won't get land.
793	Subsistence Ag	Cannot mix residential with ag.
794	Subsistence Ag	Is management plan required for sub-ag? No.
795	Subsistence Ag	Would people on ag-list be awarded subsistence lot? Yes.
796	Subsistence Ag	Requiring residence lots on sub-ag lot disqualifies you from getting another residential lot.
797	Subsistence Ag	This will be cutting down good farm lands for residential use.
798	Subsistence Ag	There should be option of putting house. Not require.
799	Subsistence Ag	If you just want to work the land, they should be able to. You shouldn't be required to build a house.
800	Subsistence Ag	Does this change the rules? We are proposing to change rules.
801	Subsistence Ag	This sub-ag concept doesn't make sense. Back yard gardening can be done on 0.5 acre. Should be called sub-ag residential not sub-agriculture
802	Subsistence Ag	How long is process to get additional land to grow?
803	Subsistence Ag	This is for residential or ag? There's a waiting list for res or ag. Prioritize or people waiting for something.
804	Subsistence Ag	Do you have to reapply to a new list to get sub-ag lot. No, this serves ag-waitlist

1	A Topic	B Comment
2	Transfer of leases	2) Sale of Vacant Homestead Lots - I think a process should be made to transfer vacant homestead lots to other beneficiaries on the wait list.
3	Transfer of leases	<p>1. I do not support any new conditions imposed on lease transfers, including a payment to DHHL as part of the transfer conditions. If you do it for this, you should do this for all lots, improved and unimproved, otherwise it will not be a fair rule. To put one condition on an empty lot and another condition on an improved lot with a house is unfair. With this initiative, you open up a whole can of worms. Sometimes, a hands-off approach is better in dealing with these gaping holes in the Hawaiian Homes Act.</p> <p>2. To a large extent, this problem was created by the inability of DHHL to award leases in a timely manner, the nature of DHHL, and the State and Legislature in not adequately funding DHHL programs. One of the major problems with Hawaiian Homes, especially the Hawaiian Homes Commission, is they have focused more on issues related to those already on the land, such as this issue, and little on getting more Hawaiians on the land. I realize this is a complex issue, especially when DHHL is the 'step-child' of state agencies.</p> <p>3. Another major problem is a revolving door of politically-appointed commissioners and chairpersons, many who may not fully understand their mission or being able to clearing prioritize what is really important, and this is just one example. Maybe commissioners need to take a test in how well they understand the Act, and its shortcomings before. I don't have confidence in some of the commissioners who may not know what they're doing and can only do more harm than good for the future of HHL.</p> <p>4. For some of those on the waiting list, purchasing a lease may be the only way they will ever occupy a homestead lot before they pass away. Many also look at the purchase of a lease as the only way to assure that their children can have a homestead.</p> <p>5. The sale of lots may even solve problems when awarded lots are not being utilized by lessees, because the key is utilization of lots. I realize this is a complicated issue, and too many lots are not be utilized for its intended purposes. Market forces will always come into play even with a long-term lease program such as this.</p> <p>6. About 25 years ago, I was not in support of the open transfer of a lease and that conditions needed to be put in place to prevent speculation such as not allowing those who sell a lease to go back on the waiting list. Since then, I've come to learn about the myriad reasons homesteaders transfer their lease. At a meeting of those on the waiting list at a Council for Native Hawaiian</p>
4	Transfer of leases	<p>Sale of Vacant Homestead Lots is an interesting issue because everyone has a stake in this land. Sometimes I feel that those who've never been given award should be given a small stipend towards living expenses if they are indeed well below the poverty line in their respective counties while they are waiting for an award as long as they meet all other requirements and if and then they get an award then consider the options for agriculture and perhaps a new project. Trailer parks. Why not? I've been to many that were plopped in the backyard for family that couldn't afford anything else. I hope my ohana will remember to perpetuate the good and great in our culture.</p>

1	A Topic	B Comment
		<p>(2) <u>At least one-quarter Hawaiian . . . or grandchild, or direct decedent niece or nephew of the lessee.</u></p> <p>DELETE (Provided that leases for vacant or undeveloped lots and undivided interests may only be transferred by gift or succession.)</p> <p>A. Restricting lessees rights to transfer as allowed per the HHCA</p> <p>B. Restricting lessees rights of self determination</p> <p>C. Restricting lessees rights by preselecting "to whom they may be allowed to transfer and ultimately, under what condition"</p> <p>D. Rationalizing lessee realizing unfair gain.</p> <p>1. All lands are appraised a value by the County</p> <p>2. For one division of the department to be allowed to use the assessed value to calculate fees for general lease, right of entry, or revocable permit (when finally Implemented) and another division restrict value of the land as a measure for Transfer is double-dealing.</p> <p>'A'OLE</p> <p>E. The 2001 Farm Task Force Recommendations were approved by the HHC, but DHHL never implemented them, which greatly contributed to interested eligible native Hawaiians searching for opportunities to acquire farm leases.</p> <p>F. Ag lots which were returned to the department were put in the inventory of Land Management Division, instead of being made available to the next applicant on the list.</p>
5	Transfer of leases	
6	Transfer of leases	<p>I strongly agree that all leases, that were issued on undivided land, should be returned to DHHL, if the lessee is no longer interested. These lands should not be sold by the current lessee for profit.</p> <p>In fact all leases that were issued to undeveloped lands and the lessee has not done anything with the property, (build, plant, farm etc) should be returned to DHHL. If I recall when these lessee were given these lands , they had so many years (3 ?) to complete whatever their goal was? What happened?</p>
7	Transfer of leases	<p>I've advocated for stopping the sale of undivided leases and unimproved lots for many years I strongly support this change to end this type of abuse to our trust.</p>

1	A Topic	B Comment
8	Transfer of leases	<p>Lease Transfer - it is important for DHHL to acknowledge the following facts as they pertain to non gift or successorship transfers. - leases are being transferred to eligible wait list Hawaiians- urgency and fear grows among families with aging 50%er's due to the time it takes for lease awards. Emotionally, the sale of leases is not acceptable. Realistically, the sale of leases is occurring because people are tired of waiting so they take matters into their own hands. My position on sales is that if DHHL issued leases at an efficient rate, there would be no market for the sales that are occurring. More importantly, it is not clear how DHHL would enforce this rule without amending the HHCA. Successorship relationships are clearly defined but transfers are still allowed between eligible 50% beneficiaries. I am unclear as to how DHHL will enforce sales that take place without disclosure. DHHL has little or no enforcement authority to prevent sales from occurring.</p>
9	Transfer of leases	<p>Sales of Hawaiian Home Lands lots</p> <p>The one issue that is the most difficult is the selling of leases, because any actions that will tighten up the selling of leases should apply to any other transfer, sublease, and sales of lots no matter if its developed or undeveloped land. If the goal of DHHL is to recover their investment in developing lots, they will need to look at all transfer of assets, properties, and profits made of the sale, transfer, and sublease of land. On many general leases or licenses, lessees whether Hawaiian or non Hawaiian are reaping huge profits from these lands and DHHL is benefitting little. I've seen this on Molokai where a licensee was subleasing to the corn companies and reaping huge financial benefits, and DHHL saw little of this. Before implementing new laws on the sales of raw land, DHHL needs to fully understand the ramifications of such a law, and how they may need to implement other laws to gain true benefits from every financial transaction connected to Hawaiian Home Lands parcels.</p>
10	Transfer of Leases	Should only get what they paid--\$100
11	Transfer of Leases	Selling for profit is another thing.
12	Transfer of Leases	Stop the people who are jumping back on the list--one time change to sell. Or maybe one more time if special circumstances
13	Transfer of Leases	Now--have to qualify financially.Harder.
14	Transfer of Leases	Can we expand to include self-help housing? Turning after 2-3 years, making a big profit. Should be limited.
15	Transfer of Leases	Set a ceiling--max profit that you can get. Reach the most people on the list.
16	Transfer of Leases	Don't like selling and going back on the list.

1	A	B
	Topic	Comment
17	Transfer of Leases	AI-can't sell. Paying \$99/year--Not allow to sell for thousands of dollars.
18	Transfer of Leases	Vacant lots--no bank would loan. Have to have cash.
19	Transfer of Leases	Prevent selling, period. Have to pass it to the kids.
20	Transfer of Leases	Vacant lot--shouldn't sell it.
21	Transfer of Leases	Purpose is to get people off the list, but a lot won't qualify. Still should go to the list.
22	Transfer of Leases	Give it back to DHHL, get your \$100 back, go to next person on list. BUT can go back on list if no sale.
23	Transfer of Leases	But we're still waiting--waiting longer for first award.
24	Transfer of Leases	Now you're telling me I can't sell?
25	Transfer of Leases	Applicants have equal standing as lessees.
26	Transfer of Leases	Maybe a wait time until you can reapply
27	Transfer of Leases	Shouldn't get back on list if you sell.
28	Transfer of Leases	If you have to sell, ok but pau. Emergency, medical bills. but can't go back on list
29	Transfer of Leases	Can we shorten the enforcement process? Speed up lease revocation?
30	Transfer of Leases	Add definition of "improvement"
31	Transfer of Leases	If farm never produce--made honest investment to clear and plant--\$80K.
32	Transfer of Leases	Tool/storage shed. If you have a building.
33	Transfer of Leases	Show proof you did something.
34	Transfer of Leases	Temporary vs permanent. Need to be able to prove.
35	Transfer of Leases	Intention wasn't there to develop it.
36	Transfer of Leases	Have to make improvements
37	Transfer of Leases	Improvements--equity is there. No longer needs-based. Jumped up to middle class. Should be only owner-builder. Already going down that road--don't take that ability away--putting us back into poverty. Put kupuna on list on hold. Too expensive--union wages.
38	Transfer of Leases	Cleared, kept up. Money or service--has value.
39	Transfer of Leases	Permanent structure--fence isn't enough. Utilities? No. Not a shed
40	Transfer of Leases	One good-looking container
41	Transfer of Leases	Ag lot--have to pay for water, electricity. Should get back what we put in.
42	Transfer of Leases	UI should have financial help--can't get a loan. Not moving.
43	Transfer of Leases	Have to have something built in 30 years
44	Transfer of Leases	How to determine value? Amount you put in? Plus present value of improvements.
45	Transfer of Leases	Ag land--should get appreciation also
46	Transfer of Leases	Can you sublet on ag? Do you give loans? Do loans for subleases.

1	A Topic	B Comment
47	Transfer of Leases	What if house burns down? Can't they get something back for it?
48	Transfer of Leases	Only one 50%. I get back on the list because only way my family can get. Goes to the bottom.
49	Transfer of Leases	People have difficulties--sometimes there are special circumstances
50	Transfer of Leases	Blood quantum--can't transfer UI because not enough BQ. Want to sell, can't pass it on. Therefore, not benefitting. Can pass on profit so family can buy outside. Either lower the BQ or let people sell.
51	Transfer of Leases	Wait list got bigger--Piianaia, con-con--Help needs based to get fee simple
52	Transfer of Leases	What if they can pass it down to a successor?
53	Transfer of Leases	Scrutinize why they are selling. If wrong reason, land should go back to DHHL and lessee can or can't go back on depending on the reason. Need criteria.
54	Transfer of Leases	All Hawaiians should receive this benefit, given this right--should be able to do what we want.
55	Transfer of Leases	Idea is to get people off the list, onto the land.
56	Transfer of Leases	Value of improvement
57	Transfer of Leases	We have to be smarter in this day--gotta be practical
58	Transfer of Leases	Should get back what you put in. People shouldn't game the system. Not fair to people still waiting.
59	Transfer of Leases	Only the value of the house. And after you've lived in it for awhile.
60	Transfer of Leases	Getting \$40K--don't own the land
61	Transfer of Leases	Sat on it so long, why should they profit?
62	Transfer of Leases	Should be able to sell your house if you want. Farming--crops are in
63	Transfer of Leases	I don't have a problem with them making money
64	Transfer of Leases	People are taking advantage of DHHL by buying and selling
65	Transfer of Leases	Strongly object to selling--speculation. Using homestead to make money, buy fancy house in Hawaii Kai. Using the trust. Expand to those who have a home--should only get value of the house, not land.
66	Transfer of Leases	Maui pastoral waitlist--DHHL told me I should cut a deal with a lessee to get on the land with not fence, no improvements. Want to go on fresh--Department should take land back. Want to do it now, when I'm 50, not 70. Need enforcement, monitoring.
67	Transfer of Leases	Should name a successor
68	Transfer of Leases	Give it to kupuna so they can pass it on. Do it by BQ and time waiting
69	Transfer of Leases	Offer to applicant waiting the longest. Vacant and UI--return to DHHL.

1	A Topic	B Comment
70	Transfer of Leases	Successors--inherit rest of lease. Can pass it on. Doesn't start over.
71	Transfer of Leases	No selling. Should go to waiting list. Priority on 8Q, time on list.
72	Transfer of Leases	Not fair to everyone else who are waiting. 50% should go first.
73	Transfer of Leases	People who end up buying aren't even on the list. Limit to people on the list--go in order
74	Transfer of Leases	Like only sell to waiting list.
75	Transfer of Leases	People waiting 40, 50 years? Should be first.
76	Transfer of Leases	No buying and jumping the list. Wrong.
77	Transfer of Leases	Land for profit not right, shouldn't get to go back on list. Pick them back and give it to someone who's waiting.
78	Transfer of Leases	No sales at all, transfer by gift or succession only. Assume mortgage.
79	Transfer of Leases	Lower blood quantum to assist more Hawaiians.
80	Transfer of Leases	Clarify -still can transfer to 25% if ohana? Clarify transfer vs. successorship. If ohana- then 25% ok.
81	Transfer of Leases	If not ohana, then 50% + on the list.
82	Transfer of Leases	Dilemma -crazy already -gotten outta hand.
83	Transfer of Leases	Building - work shed, tool shed that's used.
84	Transfer of Leases	Better definition of "vacant lot" -how about irrigation systems?
85	Transfer of Leases	Have to submit a progress report -enforcement of lease terms.
86	Transfer of Leases	fence line, landscaping
87	Transfer of Leases	Improvements: Any changes beyond the state of the land when received.
88	Transfer of Leases	Should be lawful/permitted.
89	Transfer of Leases	Need to document/papertrail (receipts, hours worked) but what if your family has been helping?
90	Transfer of Leases	Not everything would be a papertrail.
91	Transfer of Leases	Years of property ____ /site improvements (swales, soil improvements, etc.) Preparing the lot for ag use.
92	Transfer of Leases	What kind lease? Waterlines for a farm. Removal of rocks clearing for farming.
93	Transfer of Leases	No permit compensation for time + materials.
94	Transfer of Leases	Shed -keeps us at ag tax rate -County considers it an "improvement."
95	Transfer of Leases	Appraisal value of improvements only. Shouldn't be county's appraised value.
96	Transfer of Leases	Grandfather you in if you paid prior to rule passing?
97	Transfer of Leases	Was \$2,000, \$3,000 on the list -would never get offered otherwise will I get my money back that I paid? Wanted to go home, but plans could change. Not enough water, upper kula.
98	Transfer of Leases	Hearing all kinds of mixed messages- Don't know which way to go.
99	Transfer of Leases	Have res, Ag open up -can transfer res lot?

	A	B
1	Topic	Comment
98	Transfer of Leases	What if you have a 20 year old who never signed up and you want to give?
99	Transfer of Leases	Hard to judge -everyone's story is different.
100	Transfer of Leases	If DHHL was doing it's job, she wouldn't be in that position, desperate "buying" becomes an option.
101	Transfer of Leases	Can DHHL restrict the amount they can charge? Should only get \$ for the value of the improvement + labor. % of progress. Good track record. Should be compliant with purpose of the Act. Don't want next generation to learn the wrong thing.
102	Transfer of Leases	Can we get our investment back that are put in, if we like leave?
103	Transfer of Leases	Dollar figure. Even if you put \$ - reimburse for what was spent.
104	Transfer of Leases	"Rehab" not correct term to use.
105	Transfer of Leases	Family member-transfer
106	Transfer of Leases	Should be on wait list already, unless a qualified family member. Open to the islands?
107	Transfer of Leases	Who can be transferred to?
108	Transfer of Leases	Put ohana first, then someone you know that you could transfer to. If no one, then go back to the list.
109	Transfer of Leases	Should be on the list already - preference ohana 25%/successor
110	Transfer of Leases	Back to Dept. To go to next person on list.
111	Transfer of Leases	Even family should already be on the list.
112	Transfer of Leases	If they keep going by the list, you're never going to get, too many people have to make 1st.
113	Transfer of Leases	Getting \$ for lots once infrastructure goes in, "value" increases.
114	Transfer of Leases	Applicants getting older-they are trying to pass it on-they could lose out.
115	Transfer of Leases	Can they give their place on list to family, so they don't die on the list?
116	Transfer of Leases	As an applicant, I see vacant lots - how long am I supposed to wait? Been waiting 10 years.
117	Transfer of Leases	Lessee didn't put anything into lot; sale not allowed
118	Transfer of Leases	If lease requirements not met, is it even an option to sell?
119	Transfer of Leases	Can lot/lease be sold and return to list? Then get another award and sell again.
120	Transfer of Leases	Keokea'Waiohuli sales \$85 - 100k
121	Transfer of Leases	Lessee should consider successor before selling/giving back
122	Transfer of Leases	If lots has home, crops, etc. can sell.
123	Transfer of Leases	No sale. Give back to get re-award
124	Transfer of Leases	3. Re: Sale of Lease = gift to other
125	Transfer of Leases	Lessees should return U/I
126	Transfer of Leases	U/I return to DHHL
127	Transfer of Leases	Vacant lot return to DHHL
128	Transfer of Leases	Selling vacant/undivided interest

	A	B
1	Topic	Comment
129	Transfer of Leases	Vacant lots in one homestead, but give somewhere else
130	Transfer of Leases	Cost \$10K to clean lease
131	Transfer of Leases	Vacant, unimproved lots
132	Transfer of Leases	Trust lands not leased to non-Hawaiians.
133	Transfer of Leases	Move staff to help E. HI District office
134	Transfer of Leases	Do away with Davis-Bacon
135	Transfer of Leases	Trust pays for infrastructure
136	Transfer of Leases	Access to homes being offered for reward
137	Transfer of Leases	Educate commission, et. Al. on HHCA
138	Transfer of Leases	What is DHHL doing about vacant Pana'ewa lots
139	Transfer of Leases	Drive around to identify vacant lots
140	Transfer of Leases	Can enforce existing rules
141	Transfer of Leases	DHHL enforce Ag/Res/Leases
142	Transfer of Leases	Better inforcement
143	Transfer of Leases	DHHL "loose/don't" enforce
144	Transfer of leases	2. Transfers should remain as is. Let the department handle abuses. Enforce its laws that currently are on the books. (no need to return to the pool of inventory)
145	Transfer of Leases	Enforce existing rules then new rules
146	Transfer of Leases	HHCA purpose: rehabilitating native Hawaiians
147	Transfer of Leases	If we follow HHCA, this not issue
148	Transfer of Leases	HHCA : Cannot sell, mortgage, sublease, etc.
149	Transfer of Leases	HHCA: Kuhio wrote + latter day commissions, dept allowed activities not approved in HHCA.
150	Transfer of Leases	Different housing options
151	Transfer of Leases	Clearing of property/portion of property = recoupable investment
152	Transfer of Leases	Whatever lessee put in that's what lessee get back (time, money, cleaning lot, water, fencing, trees)
153	Transfer of Leases	Compliance with Ag plan
154	Transfer of Leases	Challenges with types of Ag land: need economic support, appreciate existing 'ohi'a forest
155	Transfer of Leases	Change 1 year lease requirement to 5
156	Transfer of Leases	Lease requirement: 1 year
157	Transfer of Leases	Pili # of years on list with # of years to develop and improve
158	Transfer of Leases	Extending 1-3-5 years lease res/ag requirements
159	Transfer of Leases	Multiple lessees on lease; hesitant to make improvements based on tenants in common, joint tenancy=cannot pass on interest
160	Transfer of Leases	1 year short timeline to build
161	Transfer of Leases	Currently, 1 year to occupy
162	Transfer of Leases	Transfers should remain as is. Let the department handle abuses. Enforce its laws that currently are on the books. (no need to return to the pool of inventory)
163	Transfer of Leases	Take lot away

	A	B
1	Topic	Comment
164	Transfer of Leases	Dept should award vacant lots
165	Transfer of Leases	When lessee sells, should go back to bottom of list
166	Transfer of Leases	Vacant, unimproved lots and not selling? What should happen?
167	Transfer of Leases	May make new rules if old one not followed
168	Transfer of Leases	Dept not implement rule until study why lessees selling
169	Transfer of Leases	Proposed rule: no sale of vacant lots or u/l
170	Transfer of Leases	What will happen to vacant Ka'u lessees
171	Transfer of Leases	If lot has improvements what would that be? Any investment lessee made
172	Transfer of Leases	Realtors making \$ off sales
173	Transfer of Leases	Lessee may have reason to sell
174	Transfer of Leases	Selling only way out for accelerated lot lessees
175	Transfer of Leases	Sales drive value [up] so applicants on waitlist can't compete
176	Transfer of Leases	DHHL should help lessee w/vacant lots
177	Transfer of Leases	Eliminate real estate agent from process
178	Transfer of Leases	In current process, DHHL records transfer.
179	Transfer of Leases	Vacant lots go back to dept to re-award.
180	Transfer of Leases	If nothing done on lot, others are waiting. Give back to be re-awarded
181	Transfer of Leases	Undivided interest (Lalamilo, Waiohuli, Lai Opua, Kanehili)
182	Transfer of Leases	Undivided interest: Lai Opua, Waiohuli, Kanehili, Lalamilo
183	Transfer of Leases	Should be able to recoup your investment –but shouldn't be able to make a business out of it –
184	Transfer of Leases	Kula is famous for selling their lots
185	Transfer of Leases	It's unfair.
186	Transfer of Leases	Abusing what we have.
187	Transfer of Leases	Transfer –lease condition that prohibits selling.
188	Transfer of Leases	Gift transfer to family ok.
189	Transfer of Leases	Who gave them permission to do that?
190	Transfer of Leases	No they shouldn't be able to sell. No. Not fair.
191	Transfer of Leases	Restrict sales- take it back, give to someone else. Move it along.
192	Transfer of Leases	Should be able to sell your house. Successor, or go back to someone on waiting list.
193	Transfer of Leases	No sales. Should already be on the list.
194	Transfer of Leases	If no successor, it comes back. 18 or older. Sticky situation.
195	Transfer of Leases	Get subsistence ag lots here. Revise master plan.
196	Transfer of Leases	50% to get in the door
197	Transfer of Leases	Need ag on Lana'i – equal opportunity. No can lot.
198	Transfer of Leases	Community garden. Rec center. Then phase II.
199	Transfer of Leases	ADU -2 du's one lot.
200	Transfer of Leases	On this island –you'll get that _____. No one does that here (transfer).
201	Transfer of Leases	Missed that rule to build, do ag on Ag Homestead – didn't tell us that.

1	A	B
	Topic	Comment
202	Transfer of Leases	How do you enforce the rules?
203	Transfer of Leases	They can say just a transfer, but could be exchanging \$
204	Transfer of Leases	Have so many rules, but no one follows them anyway.
205	Transfer of Leases	Where they're selling, Hawaiians are homeless.
206	Transfer of Leases	If you didn't do anything, not right. Should have to get permission. Common sense.
207	Transfer of Leases	24 vacant homes reserved for 4 seasons mgmt(?). Housing is expensive. Subsistence ag lots needed. If _____ stops, we'll serve. Coop could work here. Subsistence is the point of homestead. Main concern is water.
208	Transfer of Leases	Need to have jobs where your award is
209	Transfer of Leases	Lana'i still has vacant lots – not an issue here.
210	Transfer of Leases	An association to address our needs. Don't have anybody to care for our area –residents are doing it. Need a voice.
211	Transfer of Leases	Maintaining vacant areas – get equipment.
212	Transfer of Leases	Take care of our landscaping? Told by October it would get done.
213	Transfer of Leases	Empty lots –concerned
214	Transfer of Leases	I think that would be a risk. Does DHHL know there's a sale?
215	Transfer of Leases	Shouldn't be rewarded for a gift. Lucky to be able to even go on the land.
216	Transfer of Leases	Condition of building 25 houses
217	Transfer of Leases	Need our own commissioners. Need help getting motivated.
218	Transfer of Leases	If they don't qualify for a loan; they stay at the same spot. Should go end of the list? Defer (can't read hand writing)-stay on same place.
219	Transfer of Leases	Do they go back to bottom of the list?
220	Transfer of Leases	Restrict Sales?
221	Transfer of Leases	How did that start?
222	Transfer of Leases	Just the one awarded the lease can sell? To someone qualified.
223	Transfer of Leases	We had to prove that we had \$ to build before we got the award. Just ag lots then?
224	Transfer of Leases	2 year limit –just for Lanai, or different on the other islands?
225	Transfer of Leases	Limited now on who you can transfer to?
226	Transfer of Leases	Self-sufficient –supposed to be helping each other.
227	Transfer of Leases	The act was to benefit the people as a whole –land is not commodity –cultural basis. Backwards.
228	Transfer of Leases	It was given to you for \$/year –making money off of nothing is greedy
229	Transfer of Leases	Making money off something that isn't even yours is wrong.
230	Transfer of Leases	Getting something for nothing should give 'em back.
231	Transfer of Leases	Against the purpose of the act
232	Transfer of Leases	"Selling" the leases is poisonous. Don't understand the mentality. If you don't understand your past, don't understand why it's idiotic.

	A	B
1	Topic	Comment
233	Transfer of Leases	Don't they have to return after 2 years anyways? If you don't build, you _____. Not right.
234	Transfer of Leases	Should go to residents already there.
235	Transfer of Leases	Don't have to be on waiting list if it's family
236	Transfer of Leases	Give them the list – family, successors.
237	Transfer of Leases	Transfer to family
238	Transfer of Leases	Transferring to successors? When Kupuna is gone and Mo'opuna are there still?
239	Transfer of Leases	Should already be on the list.
240	Transfer of Leases	To people who have been on the list a long time? Whose next on the list –push list forward.
241	Transfer of Leases	Regulation of vacant lots
242	Transfer of Leases	Move the list. Lana'i list first –special list.
243	Transfer of Leases	People will figure out to sell illegally underground anyway.
244	Transfer of Leases	If you sell a lot, then you should not be able to go back on list. Not fair to those on the list.
245	Transfer of Leases	People sell house to people not on the waitlist. That is bad.
246	Transfer of Leases	Everyone knows of when this occurred. My problem is the people who sell, then go back on list, get another property and sell again.
247	Transfer of Leases	You sell, you go back of the line.
248	Transfer of Leases	When I transferred my lease, I was told I couldn't.
249	Transfer of Leases	People hang onto properties they cannot develop. Will this rule apply to leases that already went out? It won't apply to anything before the effective date.
250	Transfer of Leases	How does DHHL help kupuna who cannot afford to make improvements? They waited for long-time. My father died waiting. He went to go buy it from another beneficiary. But DHHL said cannot.
251	Transfer of Leases	I never get my land yet, I see people sell them, not fair,
252	Transfer of Leases	You sell the lease, the land still belongs to DHHL. Where does the \$ go?
253	Transfer of Leases	Go to lineal, let the family take the UI lease.
254	Transfer of Leases	The original rule proposed by Kuhio was no blood quantum and fee simple. We should go back to that.
255	Transfer of Leases	What happens when 99 years pau? You can renew or extend the lease for another 100 years.
256	Transfer of Leases	What does DHHL do with properties when lessee dies? If no successor, then it goes back to DHHL.
257	Transfer of Leases	How come lessee pay the back back not DHHL?
258	Transfer of Leases	DHHL works for beneficiary first. DHHL main responsibility is to put Hawaiians on land.
259	Transfer of Leases	No change. Keep rule the same.
260	Transfer of Leases	Don't change the rule.

	A	B
1.	Topic	Comment
261	Transfer of Leases	The foreclosure homes go to anyone who is on the list and can qualify financially. There's another hidden list.
262	Transfer of Leases	When the realtors came in that's when \$ came into picture, it's not fair.
263	Transfer of Leases	DHHL is not requiring beneficiary to pay DHHL back for infrastructure improvements
264	Transfer of Leases	DHHL doesn't go out in the community and enforce, don't just stay in the office.
265	Transfer of Leases	The biggest problem with DHHL is no consistency. Need that consistency. We share and care for each other, but we losing that.
266	Transfer of Leases	How would DHHL be able to enforce this new rule? (Right now it's a voluntary disclosure. Enforcement would be an issue)
267	Transfer of Leases	What kind of language will be included in rule to make in enforceable? How will DHHL know if a sale is happening? The effectiveness of enforcement is how you write your rule. You should include mandatory disclosure on how you transfer lease.
268	Transfer of Leases	For vacant lots, why is DHHL letting them keep lots? There's a time limit to use lot. Enforce the rules already in place.
269	Transfer of Leases	Right now you need to qualify for a home loan, people can't qualify,
270	Transfer of Leases	How is DHHL going to help our kids? Should exempt financial qualifications. No financial limit to qualify.
271	Transfer of Leases	Kahikinui is one example of not having financial qualifications.
272	Transfer of Leases	People should be allowed to build something they can afford, not just to county code.
273	Transfer of Leases	Not fair, not enough time, how big is the list? Res for maui 10k. Developers should build homes for HHL first. Provide more homes for Native Hawaiians so we don't fight among each other.
274	Transfer of Leases	How is DHHL going to prove they didn't make improvements.
275	Transfer of Leases	Florida has old folks community, they're trailer homes, but their beautiful private properties.
276	Transfer of Leases	DHHL is proposing to change rule to successor from 25% to 1/32.
277	Transfer of Leases	What about the proposal to lower to 1/32 for successors? That's going to legislature.
278	Transfer of Leases	How will the beneficiaries be able to give input on that? Tell your legislature.
279	Transfer of Leases	Who controls who gets my land? Right now lessee. So no change.
280	Transfer of Leases	The majority of recent lessees are turn key homes.
281	Transfer of Leases	are all the rules we talking about tonight going to the legislature? No -DHHL makes decision

	A	B
1	Topic	Comment
282	Transfer of Leases	The original rule was passed in 1950 that allowed for sale of lease. Then got switched in 1980s.
283	Transfer of Leases	You change the rule, there's going to be a ripple effect. Let the lessee decide what they want to do with it.
284	Transfer of Leases	There are so many hoops DHHL creates. First the 50% hoop, then the financial qualification.
285	Transfer of Leases	I'm ok with transferring your lot if you have health issue and cannot develop. But you can't sell and go back on the list. Once you sell you are saying you don't Hawaiian Home Lands.
286	Transfer of Leases	My aunty had unimproved lot in Pu'ukapu. DHHL put 0 infrastructure in. She sold it and used \$ to repair her house. Lots sometimes are unimproved because there's no infrastructure.
287	Transfer of Leases	A lot of times people sell lease to get out of debt.
288	Transfer of Leases	My father gave me my house, my children will get it too. It's a gift to my family. Stay in the bloodline. Now it's harder to qualify. Give to bloodline.
289	Transfer of Leases	Let people in the drivers seat make the choice.
290	Transfer of Leases	Without strong language to enforce, then it's a problem. This is a double-edge sword, you also penalizing a hard working Hawaiian who can afford to buy the lease.
291	Transfer of Leases	If a family wishes to sell lot, it should be the lessee's prerogative. Don't change the rule.
292	Transfer of Leases	If I do nothing with the lease, I should sell the lease.
293	Transfer of Leases	If lessee can receive \$ from an unused lot, that's a good thing. It's a benefit.
294	Transfer of Leases	DHHL was created to put Hawaiians on the land. This current situation is preventing that. But it's a different story if you made an investment. Language should mandate disclosure of how you transfer.
295	Transfer of Leases	Land will never be for sale.
296	Transfer of Leases	It's wrong to sell your vacant property.
297	Transfer of Leases	To sell a lot may be a good thing, but abusing the application and waiting list process is another.
298	Transfer of Leases	I don't think rule should apply to UI lessees. DHHL didn't do anything to improve lot.
299	Transfer of Leases	We qualified financially for a lot but, DHHL didn't subdivide and develop the UI lots. DHHL took too long. It discouraged others from reapplying. People ____, no longer had the same income. It's not their fault. How can we benefit from UI?
300	Transfer of Leases	UI applicants should receive remuneration for waiting for so long. For UI DHHL takes too long. Not lessee fault.
301	Transfer of Leases	Why not get \$ for having to wait so long for DHHL to develop UI lot?
302	Transfer of Leases	I agree shouldn't sell an unimproved lot. But for UI lease no.

	A	B
1	Topic	Comment
303	Transfer of Leases	If I sell my house, that's my heirship. My choice.
304	Transfer of Leases	The rule should have exceptions.
305	Transfer of Leases	I don't think you should change this rule. If DHHL had developed the UI lots, then we shouldn't fight among each other. Some people waited long time, old now, can no longer develop.
306	Transfer of Leases	The people who abuse process should go to bottom of list.
307	Transfer of Leases	Who should go back too? It shouldn't go to people not on the list.
308	Transfer of Leases	DHHL builds home people cannot afford. Build tiny homes.
309	Transfer of Leases	DHHL fault that the list is so large.
310	Transfer of Leases	People shouldn't be allowed to jump list.
311	Transfer of Leases	People sell the lease and then go back on the list and get another parcel. They should go to the end of the list.
312	Transfer of Leases	If it's a transfer or sale, what happens to your name on the list? (You can go back on the list.
313	Transfer of Leases	Have to make an improvement before they can sell.
314	Transfer of Leases	Why are you saying we can't do it--everyone is doing it. It's not good, but how do you stop it?
315	Transfer of Leases	Lessees are doing a better job of getting people on the land than DHHL.
316	Transfer of Leases	Price cap.
317	Transfer of Leases	No sell.
318	Transfer of Leases	Shouldn't be able to sell to those not on the list.
319	Transfer of Leases	If not related, a transfer is going to be a sale
320	Transfer of Leases	Can swap with another lessee.
321	Transfer of Leases	Wrong group this is presented to--need applicants. We all have leases already. Is it the money? Can DHHL tell the difference between people profiting, and those who want to settle their families in perpetuity?
322	Transfer of Leases	Is it true that the person goes to the top of the list again? They go to the bottom?
323	Transfer of Leases	So this lets people who have built a home make a profit?
324	Transfer of Leases	Should have to reapply.
325	Transfer of Leases	Had one chance--shouldn't get more chances.
326	Transfer of Leases	Should not even get to reapply--giving to their kids 4 times over penalizes people on list for 30 years. Should only get one chance.
327	Transfer of Leases	If you give it away to a 50% nH, then you can't go back on the list. Dept should track this.
328	Transfer of Leases	Making list stop moving
329	Transfer of Leases	Improvements--water meter--personal investment vs what DHHL put into infrastructure
330	Transfer of Leases	Need a farm plan.
331	Transfer of Leases	Make sure ag lessees know they have to farm on large lots.

1	A	B
	Topic	Comment
332	Transfer of Leases	What is DHHL doing about lessees that don't do anything with their lot? Overgrown next door--hazardous. Enforcement. Daughter has been on list for 10 years, waiting.
333	Transfer of Leases	DHHL's fault for not enforcing lease terms
334	Transfer of Leases	Offer to descendants if lessee not using/building on the lot
335	Transfer of Leases	Shouldn't let people buy and not build.
336	Transfer of Leases	New subdivisions in Hoolehua--DHHL told me I have one year to build. But vacant lots everywhere--no enforcement. Forcing us off.
337	Transfer of Leases	Many people who've done transfers don't even tell DHHL--you guys are out of it. Ohana zoning.
338	Transfer of Leases	Bring back ohana housing. Ag lots.
339	Transfer of Leases	Buying and selling stuff has been disasterous. DHHL need to open up alternatives--sub ag, kauhale--way to expand your family.
340	Transfer of Leases	What if no can help? Need help to build. Bad luck--lost job.
341	Transfer of Leases	Irrigation pipes--cost. Recoup investment? Or can sell for above the cost. --(RPT) Everyone's lot is worth \$100.
342	Transfer of Leases	One year is not enough time to build a house--jobs are scarce.
343	Transfer of Leases	Each lessee needs to be held accountable--not maintaining the lot. Residency requirement. Enforcement--malama the aina.
344	Transfer of Leases	Need to prepare people prior to issuing the lease. Used to have tractors here that prepped the land for peole. Support us in being ready.
345	Transfer of Leases	That's why Molokai is Molokai
346	Transfer of Leases	Why do we even have undivided interest?
347	Transfer of Leases	It takes too long to get the land--DHHL moves too slow. That's why people are selling/buying
348	Transfer of Leases	Really expensive to buy outside, so still cheaper to buy a lease. So much land out there, make townhouses for kids to rent. DHHL has to do something. Get awards out!
349	Transfer of Leases	Think of another way to get kids onto the land; subdivide, blood quantum still 50% for lessees. Only way to get it to kids
350	Transfer of Leases	When kids want to come home, can't qualify, can't get building permit. Get on land and farm. Feed ourselves.
351	Transfer of Leases	Non-ohana coming in when no more bloodline/no successor
352	Transfer of Leases	People think, "If my kid not going get 'em, I going sell 'em"
353	Transfer of Leases	Don't allow people to not name a successor.
354	Transfer of Leases	If you take away my chance to give to my kids, then what do we do? Didn't sell.
355	Transfer of Leases	Way to get kids less than 50% onto the land.
356	Transfer of Leases	Kupuna sold so he could get back his infrastructure investment--45 years. There are legitimate reasons to sell your property.
357	Transfer of Leases	Do different things to get long-time applicants off the waitlist

1	A Topic	B Comment
358	Transfer of Leases	Opposed to idea of people benefitting financially from unoccupied lots, but if it gets someone else on the land faster....
359	Transfer of Leases	Be able to transfer lease to another island if you have to move.
360	Transfer of Leases	Some people had to work on another island, want to do something with a parcel later in life.
361	Transfer of Leases	Why would you stop the process of transferring for money?
362	Transfer of Leases	Selling isn't right.
363	Transfer of Leases	Selling the property is like selling the paper--there's nothing on it! Not fair--nothing there. Give it back. How do you do that?
364	Transfer of Leases	Shouldn't be able to sell a paper lease. Not a Hawaiian value. Subsistence isn't selling land.
365	Transfer of Leases	Abusing the privilege--walking away with big money. Real issue is exchange of money
366	Transfer of Leases	People on the bottom of the list--gives them an opportunity. Person selling should then go to the bottom of the list. Shouldn't make money, but it's an opportunity to go faster than the Dept.
367	Transfer of Leases	Rules are good if it opens up more land to more families.
368	Transfer of Leases	What if you sell your home for more than it's worth?
369	Transfer of Leases	Developers are running us over--values are low. Not generating wealth--should have the ability to be competitive.
370	Transfer of Leases	Work with OHA about ads.
371	Transfer of Leases	Should go back to DHHL if you don't want it--can pass to a successor
372	Transfer of Leases	Can't even give away if they're not on the list.
373	Transfer of Leases	How many transfers occur instead of moving people off the list?
374	Transfer of Leases	If it's going to be given, it should go to next person on the list (not sold)
375	Transfer of Leases	Lessee should have a say if they're not related can't be a successor.
376	Transfer of Leases	Needs to go to a kupuna.
377	Transfer of Leases	Concern to add on, concern to
378	Transfer of Leases	No, should not be able to sell profit.
379	Transfer of Leases	Should make exceptions for lessees who want to build but cannot so they want to give to ohana. Should go to successor.
380	Transfer of Leases	2 transfers then pau.
381	Transfer of Leases	Grandpa brother was awarded lot. He live in CA. He offered to family. I took it, it was gift. But no sell.
382	Transfer of Leases	Put a cap on the home price.
383	Transfer of Leases	Should give back to DHHL
384	Transfer of Leases	Land is given free. It should be given back.
385	Transfer of Leases	If lot goes back to DHHL, how will it get re-awarded? The next person on waitlist?

	A	B
1	Topic	Comment
386	Transfer of Leases	No sale. Just transfer.
387	Transfer of Leases	Shouldn't be able to sell.
388	Transfer of Leases	There's difference between empty lot vs. occupied lot
389	Transfer of Leases	Clarification-DHHL is trying to prevent speculation. Have cause no speculation
390	Transfer of Leases	So much people waiting on list. HEWA to sell. If you don't want it, use it to give it back.
391	Transfer of Leases	If its just paper no sell.
392	Transfer of Leases	Transfer of leases. What if as a beneficiary I want to put my son or daughter who is not blood related but has taken care of my wants and needs, including paying my bills.
393	Transfer of Leases	No selling U/I
394	Transfer of Leases	Can DHHL be honest about process for awarding homesteads. Needs to be fair.
395	Transfer of Leases	Rule is still there that still 50%
396	Transfer of Leases	Under Kauikeouli and Prince Jonah = 1/32 blood. All kanaka's on the aina.
397	Transfer of Leases	Mrs. Padaken (?) as director is when this started.
398	Transfer of Leases	No Lease Transfer: 1. Will commercial interest be involved?
399	Transfer of Leases	Governments change. How to make more stable?
400	Transfer of Leases	You get lease to lot, but also get the house. How you gonna resolve?
401	Transfer of Leases	DHHL supposed to educate what the Act says. DHHL needs to say what the act says.
402	Transfer of Leases	Association can help with monitoring of vacant lots. With compensation to association for their service.
403	Transfer of Leases	Ohana homes. Build extensions.
404	Transfer of Leases	We need to clarify help. Charity or loan.
405	Transfer of Leases	Can DHHL help families who are not financially ready?
406	Transfer of Leases	How does DHHL price home, determine price? No one can afford the price now. Figure out ways to value homes, make more affordable.
407	Transfer of Leases	Systematic problem, kupuna cannot afford to build. Thos on list cannot.
408	Transfer of Leases	In princess Kahanu. Many couldn't afford. Help came from outside. Share financial responsibility.
409	Transfer of Leases	What is the length of time now a person can hold lot and not do anything?
410	Transfer of Leases	There should time to limit on how long can be vacant
411	Transfer of Leases	If you cannot do anything in 1 year, create a process to allow for more time.
412	Transfer of Leases	Timeline for builds
413	Transfer of Leases	20 years is a long time for nothing to happen. It should be 1 year for someone to be build.

1	A Topic	B Comment
414	Transfer of Leases	You have 5 years to develop. But you can ask for extension. You don't want to pit Hawaiian vs. Hawaiian by having people on the list jump over people in front of them.
415	Transfer of Leases	There should be a time limit to develop.
416	Transfer of Leases	DHHL told me I had 1 year. Across the street vacant longer. Should be fair.
417	Transfer of Leases	Who approves sale of lease? It's important to know is in contract.
418	Transfer of Leases	DHHL should inventory vacant lots. Drive around.
419	Transfer of Leases	What if lessee never do nothing because of extenuating circumstances.
420	Transfer of Leases	I know one person got 4 lots, how is that possible
421	Transfer of Leases	No to the rule. We are poor and going into poverty. We need to bring in people. Give our Native Hawaiian capitalist a chance.
422	Transfer of Leases	Once you transfer lease. You pau. No can go on list again.
423	Transfer of Leases	The idea of "1 chance" and having a time limit that is consistently enforced.
424	Transfer of Leases	You can leave for your child. So some people go on the list many times and give lots to children. Rule should address that.
425	Transfer of Leases	Turn keys. Lots not covered by this rule.
426	Transfer of Leases	DHHL needs to inform those that this rule effects. Even if I do nothing this lot is still mine.
427	Transfer of Leases	We need to hold people accountable to. But how DHHL will enforce rule?
428	Transfer of Leases	Give to qualified Hawaiians. They should have goals.
429	Transfer of Leases	Should go to next person on the list. DHHL made a list, it's an established process.
430	Transfer of Leases	If vacant. Does the lessee have to pay property tax.
431	Transfer of Leases	How did DHHL allow this to happen?
432	Transfer of Leases	What started this. What is the need for this rule?
433	Transfer of Leases	No sell land.
434	Transfer of Leases	This rule is only for empty lots or undivided interest.
435	Transfer of Leases	Are you taking about Undeveloped? Yes. Vacant undeveloped.
436	Transfer of Leases	Is this rule for lots that are just sitting? Yes.
437	Transfer of Leases	What is the current rule for how long a person can do nothing with the lot? Important to know this information to inform my mana'o.
438	Transfer of Leases	The approval process for selling is wrong.
439	Transfer of Leases	If you sell lease you should not be able to go back on list. Make a separate list so we know who those are.
440	Transfer of Leases	We know people sell it.
441	Transfer of Leases	Unfair profit
442	Transfer of Leases	What is the current rule for successor? Current rule _____.

	A	B
1	Topic	Comment
443	Transfer of Leases	Successors not supposed to get lease until lessee dies. DHHL doesn't enforce that.
444	Transfer of Leases	The concern should be that people making big profit not because they don't have the ability to build. I support rule.
445	Transfer of Leases	It wasn't Prince's intention to displace each other. We want to make sure the selling stops. Profiteering vs. Rehabilitaion on the 'aina.
446	Transfer of Leases	No land swapping
447	Transfer of Leases	Undivided interest was like golden ticket. Today we talking about empty units.
448	Transfer of Leases	Don't say "black market," it is not a crime. -Quoted from DHHL staff
449	Transfer of Leases	The problem is the lessee needs to step up and say I no need the lot.
450	Transfer of Leases	People aren't using lots for a reason. Should they give it back?
451	Transfer of Leases	Price increase. Keep price control.
452	Transfer of leases	I am opposed to any limitations of any leasehold transfer rights between eligible native Hawaiians irrespective of their placement on any waiting list. The transfer of such rights should not be limited to gifts or succession. Any value attached to such rights is a private matter between consenting eligible natives. Such exchanges of value should not be impeded by the Department of Hawaiian Home Lands; instead it should be facilitated by these authorities as a matter which exemplifies how this program is, indeed, encouraging the rehabilitative process within the native community. Such transactions enriches the abilities of those involved to succeed in commerce and, hopefully, takes the beneficiary to his or her next level of development as a valuable citizen in his or her community.
453	Transfer of leases	For the record, I am in "opposition" and do not support DHHL's Proposed Administrative Rule Changes specific to: Lease transfer.
454	Transfer of Leases	In Kalawahine, had to pay \$75k per lot for infrustructure -need to take that into account.
455	Transfer of Leases	Shouldn't be forced to give up the lease.
456	Transfer of Leases	Mother told me, one day you'll have to buy this land, so save your money.
457	Transfer of Leases	Should there be a cap? What did you want in the beginning?
458	Transfer of Leases	Only one time sale -shouldn't be able to sell more than once.
459	Transfer of Leases	The right thing is to give to someone else -why should I get money for nothing?
460	Transfer of Leases	What someone is willing to pay -market system.
461	Transfer of Leases	Should go back to DHHL. But hard to give up something you waited so long for.

1	A Topic	B Comment
462	Transfer of Leases	Just the house, not crops? Grow food -selling is haole mentality.
463	Transfer of Leases	Should open it up for bid? Open it up to more people.
464	Transfer of Leases	Should have 2 choices -give back, or find someone to transfer to.
465	Transfer of Leases	Clearing the land
466	Transfer of Leases	Removing broken cars
467	Transfer of Leases	Kokua -won't have a dollar value.
468	Transfer of Leases	Time has value. Equal to what it would be if you paid someone to do it. Have a record -journal before and after pictures.
469	Transfer of Leases	Improvements -Define
470	Transfer of Leases	Should be funded through DHHL no matter what. Land is leased.
471	Transfer of Leases	Shelter
472	Transfer of Leases	Homesteading is, you give us a vacant lot, and we're on our own -we build the house. Time limits need to be fair. Infrastructure needs to be in place. Don't tell us how we need to live.
473	Transfer of Leases	Made the effort to clean the land, prepared to build but couldn't
474	Transfer of Leases	Only if improvements -that's fair
475	Transfer of Leases	If no improvements, no money -not fair to make profit.
476	Transfer of Leases	Some UI's take years -like mau. Got to be consistent, so as not to hurt people.
477	Transfer of Leases	Start farming
478	Transfer of Leases	Minimum -\$1,000 investment -should get that back.
479	Transfer of Leases	Any improvements should qualify.
480	Transfer of Leases	Can't build without infrastructure -waiting 12 years Naiwa SD.
481	Transfer of Leases	If they haven't made improvements in 3 years, it should go back to DHHL to be given out again. Family should have helped out in that time.
482	Transfer of Leases	Perpetuate what Kuhio did -understand our heritage. People of the first. His wisdom. Way we can afford to live.
483	Transfer of Leases	Reason why we can't build -need to consider.
484	Transfer of Leases	Should have already qualified.
485	Transfer of Leases	What if you want to sell here you can go Big Island.
486	Transfer of Leases	Family lineage -should be able to pass it down. Need to take extenuating circumstances into account.
487	Transfer of Leases	On the list for 60+ years -should you get something for taking care?
488	Transfer of Leases	Should get compensated for waiting so long on the list.
489	Transfer of Leases	No poho -if you can get money -should go for it because you waited so long.

1	A Topic	B Comment
490	Transfer of Leases	Should be able to sell it if you waited a longtime and are elderly -too old to get a loan, already in Kupuna housing. If you can't do anything within a year, either you can sell or department can take it back.
491	Transfer of Leases	Benefiting because you're ad____ing. People knew what they were getting into. DHHL isn't giving it out again anyway. It's the Dept's fault.
492	Transfer of Leases	They should fix the old rules -we don't have the money to build what you want us to build.
493	Transfer of Leases	There were kickbacks back in the day -\$150,000 to politicians. That's how it was done. Too much pillikia. Rule are a good thing.
494	Transfer of Leases	Successorship issue
495	Transfer of Leases	If you had no intention of building, then against it. Proceeds should go back to DHHL fr infrastructure improvements, provide more opportunities.
496	Transfer of Leases	Good thing if it stops people from selling -shouldn't be "flipping" homesteaders
497	Transfer of Leases	Understand the plight of the Kupuna -if intention is to provide housing for Hawaiians, you can profit from it -that's not the intention, slippery slope. What an easy profit. Doesn't seem right.
498	Transfer of Leases	Speculation going on -stays 3 years, sells. People are making money. Ani Ani ku Street. Need to stay a minimum of 10 years. Selling has to stop. Families are fighting, using Kupuna. Taking advantage, tearing families apart -changing successors.
499	Transfer of Leases	How can I find out if a house is available for me?
500	Transfer of Leases	When people jump the list -that's why I've been on it forever and ever.
501	Transfer of Leases	Agree -wipe the list out.
502	Transfer of Leases	People are dying on the list. Just got to be fair, consistent.
503	Transfer of Leases	People who aren't 50% shouldn't be on the list. (enforcement)
504	Transfer of Leases	Everyone else had a chance to buy or sell -now no one will. Then they will be penalized. If it gets extended to UI -they lose out. Waited long enough on the list. Losing out.
505	Transfer of Leases	Ka Wai Ola ad -says "must be on the list." It that true? Since the 80's.
506	Transfer of Leases	Can get help -HFH- _____? House
507	Transfer of leases	Consensus regarding leases--do not sell if is for profit. Also, what designates "rehabilitation"? Must be determined by a formula if necessary--not just a fence, a moved property...
508	Transfer of leases	More clarification on transferring leasee due to case by case

	A	B
1	Topic	Comment
509	Transfer of leases	As a lessee myself, there are a lot of misconceptions in regards to the genetic testing and selling / transfer of leases..... I've also heard many complaints about the transfer and selling process., "Why does the process take so long?"; "Is there anything in writing stating the process of selling or transferring my lease? For the most part with the process of selling / transferring leases, there should be a due process stated clearly in writing (like a pamphlet if must) listing the things needed from both the lessee and transferee, etc. It will minimize complaints, etc.
510	Transfer of Leases	Act says "transfer" today we think "sell"--should change the language to specify "no financial gain"
511	Transfer of Leases	If waiting because of DHHL, should move on, but lose your place on the waitlist. If you sell, you don't get back on same place.
512	Transfer of Leases	No sales.
513	Transfer of Leases	Don't sell--no
514	Transfer of leases	I don't approve with selling of land
515	Transfer of leases	Land leases should never be allowed to sell: NEVER
516	Transfer of leases	Should not be sale-able. Lease is a lease. No land sales--only leases; borrowed only
517	Transfer of leases	Development or/and improvement of lot can be sold based on market value not land but I know that geographic makes a difference. How is this being handled?
518	Transfer of leases	Expand to developments as well, but transactions must pass to DHHL as "watch dog"
519	Transfer of Leases	No sale. Goes back into the pot--back to the waiting list
520	Transfer of Leases	Can trade but not exchange of money
521	Transfer of Leases	Can give it to keiki
522	Transfer of Leases	Yes-can transfer to any qualified beneficiary
523	Transfer of Leases	What about issuing vacant house?
524	Transfer of Leases	When people have a house on one side, ag on other side of island-house on both is not allowed
525	Transfer of Leases	Solution to homeless problem is multi-occupancy. Hawaiians living on the beach
526	Transfer of Leases	Boarded up houses but not being reawarded
527	Transfer of Leases	Cut state out of HHL--State is what's messing things up.
528	Transfer of Leases	Focus on people who want to live in Waimanalo--speed up award process, tell us status, be more efficient
529	Transfer of Leases	People not doing that because it takes too long
530	Transfer of Leases	Hire more staff at DHHL to speed up process
531	Transfer of Leases	Increase staffing and increase DHHL presence in Waimanalo. Suggest a Windward office--hubs, satellite offices, like HC&C. Go out to community more often. More things like this.
532	Transfer of Leases	30 years on the list--never gotten an offer for Waimanalo. Takes too long
533	Transfer of Leases	Still selling going on--redo the lease with stipulations re: selling
534	Transfer of Leases	What about renting? Doing a care home?

	A	B
1	Topic	Comment
535	Transfer of Leases	Infrastructure should be in
536	Transfer of Leases	Cattle, water, warehouse, tool storage, irrigation
537	Transfer of Leases	Any improvement. One fence post.
538	Transfer of Leases	Proof of expenditure, labor. Something you can see.
539	Transfer of Leases	Could we put a container home on the lot within one year?
540	Transfer of Leases	Offer lower cost, termit-free, smaller, sustainable--Maui has
541	Transfer of Leases	What is timeline to determine if financial concern/improvement is made? --1year
542	Transfer of Leases	Need evidence of improvements
543	Transfer of Leases	UI, acceleration--still don't have infrastructure--can't build.
544	Transfer of Leases	Valuation of improvements
545	Transfer of Leases	Will only be able to control outside transactions if everything runs through DHHL--goes to next qualified (\$\$+BQ) applicant.
546	Transfer of Leases	It's for your ohana--why you want to sell?
547	Transfer of Leases	When realtors get involved they make money on these transfers
548	Transfer of Leases	I went through a long, grueling process, 10 years and can't pass on to my keiki
549	Transfer of Leases	People are selling because they don't have eligible successors
550	Transfer of Leases	If not living on land--can't sell
551	Transfer of leases	Do not restrict sale of leased lots to another Hawaiian whom may malama the land (lot)
552	Transfer of Leases	If made improvements, should make a small financial gain
553	Transfer of Leases	Residency requirement--have to live on the lot before you can sell, like self-help housing
554	Transfer of Leases	Price of land--\$99. Take proceeds of house. Land, lease is not for sale. Fee simple you can sell
555	Transfer of Leases	Should get proceeds of improvements that I paid for
556	Transfer of Leases	Vision of Kuhio was to put Hawaiians on Hawaiian land--not transfer leases for money. Benefit and privilege. Transfer for sale is new.
557	Transfer of Leases	Supposed to use the land, not buy and sell.
558	Transfer of Leases	Land can't be sold--value of improvements ok
559	Transfer of Leases	Only pay \$1--not ok to get \$\$\$--should not sell, making it expensive
560	Transfer of Leases	Never agreed to anyone being able to sell a lot--nobody should be able to sell--it's not ours to sell--wrong. If they sell a house need to go through DHHL--goes back to DHHL
561	Transfer of Leases	How can DHHL monitor whether or not I get money from a private deal? Will need something in place, will need enforcement
562	Transfer of leases	What happens to lots abandoned/not lived on? If family to lessee does not succeed it. Wait list should be considered first--no favorites or skipping those in line. No sale
563	Transfer of Leases	Succession is ok

A		B
1	Topic	Comment
564	Transfer of Leases	Successorship-25% but family. Transfer-to anyone 50%
565	Transfer of Leases	So many of us on the list--exhaust the list first
566	Transfer of Leases	No-should go to next person on the list
567	Transfer of Leases	Won't work if next applicant on list can't afford. Putting more work on DHHL--DHHL can't handle what we're doing now
568	Transfer of Leases	No to resell and get back on list
569	Transfer of Leases	Appraised-get form to show around that value -> get form compensated for "improvement."
570	Transfer of Leases	No , no \$ to dept. If lot with improvements sold.
571	Transfer of Leases	Should be \$1 - (10 years only \$10) no profit off land.
572	Transfer of Leases	Should allow for unpermitted structure to be part of "appraised" value -> Jurisdictional county issue; banks won't consider unpermitted structure to have value -> related to lending.
573	Transfer of Leases	Sell for appraised value of structure.
574	Transfer of Leases	Does it have to be family or can it be a 50% Hawaiian? Yes, current rule. 25% family, 50% everyone else.
575	Transfer of Leases	Profit on land and appraised values around them; how can you profit on something you don't own; they only own lease.
576	Transfer of Leases	Bloodline deteriorating -> reduce blood quantum -> less than 25% -> for generation to come -> where does land go? Can't address with transfer of leases -> can't change HHCA in congress. Think about successorship.
577	Transfer of Leases	99 years -> keiki can stay on land until end of lease even if not qualified.
578	Transfer of Leases	Lot with house--not occupied--back to Dept/reaward
579	Transfer of Leases	Ag/pastoral lots lessee not even on island -> (135 families in working class group -> help with compliance). Waimea 52 of 115 on res(?) land; enforce. Next generation is buying lots, take back.
580	Transfer of Leases	Making proposals & not enforcing rules now -> How do you enforce under the table transactions.
581	Transfer of Leases	Lease compliance
582	Transfer of Leases	Told 1 year to fence/produce -> DHHL doesn't enforce.
583	Transfer of Leases	Is a cow enough to not be vacant
584	Transfer of Leases	Funding issue to live/build/form on property get started.
585	Transfer of Leases	Differentiate timeframe to occupy between res, ag, past; also differentiate between islands
586	Transfer of Leases	1 year -- might to hard for those that need job etc
587	Transfer of Leases	1 year -- be ready when you on list
588	Transfer of Leases	Given time table before back into pool.
589	Transfer of Leases	Maybe 3 years ->contingent on funding
590	Transfer of Leases	Anything put on property - appraiser puts value on it; row of orange trees/imp - drive way.
591	Transfer of Leases	Banking also affects timeframe

	A	B
1	Topic	Comment
592	Transfer of Leases	Certified appraiser that helps value those in lots - fair appraisals
593	Transfer of Leases	Dept give technical assistance for res, ag, pas.--increase staff--case workers--increase more budget--increase fees for general leases/commercial leases to make more money
594	Transfer of Leases	Provide all infrastructure before awarding land ->can't take away without giving water/infrastructure
595	Transfer of Leases	DHHL provide TA (HOAP) and funding to help.
596	Transfer of Leases	At least have plan in 1 year
597	Transfer of Leases	Progress on plan
598	Transfer of Leases	Staggard imp./fitting income
599	Transfer of Leases	How fast county process permits--issue with timeframe & external processes
600	Transfer of Leases	Same timeframe for every island
601	Transfer of Leases	Depends on location/infrastructure
602	Transfer of Leases	Internal/external processes affect 1 year occupancy
603	Transfer of Leases	Residential lot--build within 1 year--don't all sub have diff rules? --Those without infrastructure--not until sub approved did 1 year kick in
604	Transfer of Leases	Depends on individual--don't know financial situation--1 year requirement--3 years; 5 years--no matter what timeframe, DHHL need to follow through malama them; give option for extension
605	Transfer of Leases	DHHL qualify 1st -> then go to list as eligible beneficiary
606	Transfer of Leases	Why do they have to buy?
607	Transfer of Leases	What do we mean about "improvements"? "perimeter fence"
608	Transfer of Leases	Rehab. Of Hawaiian race -doesn't seem like leading to this -> a lot of homeless -> \$ is very temporary
609	Transfer of Leases	I agree with prohibiting selling; no profit if no investment
610	Transfer of Leases	I bought lease \$100k -> it is your birth right to.
611	Transfer of Leases	House market value -should get that much.
612	Transfer of Leases	Can't put \$ value on lands -> these are trust lands; land, water basis for value, I can feed family-> that's value.
613	Transfer of Leases	Raw land for \$200K in Waimea - that's b.s./dumb -> they get for free; no sell
614	Transfer of Leases	Sec. 208-3 -lessee occupy within 1 year (May v. Shall) why not looking at existing rules vs. making new rules -" maybe required" not addressed in rules; vague. HAR should address this issue.
615	Transfer of Leases	Section 208 - 4 "Dept., by rules -> cultivation; Live in community; you again not being enforced
616	Transfer of Leases	Make beneficiary sign statement that not making profit
617	Transfer of Leases	Does pertain to res? If vacant house -> does this pertain to this?

	A	B
1	Topic	Comment
618	Transfer of Leases	If not using or not family to succeed, then give back to Dept., and then reaward.
619	Transfer of Leases	If given away, need to be on list? Yes, jumping the line; not go in front of those waiting.
620	Transfer of Leases	Squatters rights - use?
621	Transfer of Leases	"Milestones" -1 year -resident, ag/pas - lack of enf - increase timeframe.
622	Transfer of Leases	Primary residence when offered - that simple.
623	Transfer of Leases	Should honor the list; should have plan and be resident on island. -need them to make the move.

Housekeeping

	A	B	C									
1	Topic	Category	Comment									
2	Housekeeping	§10-3-2	Why decrease requirement when 1% of our ag lots are in use—more should be better / not an estate-they should be farming									
3	Housekeeping	§10-3-34	If disapproved recourse to take to commission									
4	Housekeeping	§10-3-76	Gratis for beneficiary orgs									
5	Housekeeping	§10-1-5	Beneficiary org where is it? Opportunity to add it!									
6	Housekeeping	§??	Should allow <u>commissioner</u> to add to agenda items or issues from the regions they represent									
7	Housekeeping	§10-3-34	Who within department would do approval?									
8	Housekeeping	§10-3-35	What does this mean? If not chairman, then who specifically in the department									
9	Housekeeping	§10-2-16	What dollar amount?									
10	Housekeeping	§10-3-39(a)	I feel the th... (incomplete/comment not finished)									
11	Housekeeping	§10-3-39(a)	(don't agree) Should be 3 years for ag awards vs 1 yr for residential. (ag has other requirements if award is >1 ac. Which takes more time + \$\$)									
12	Housekeeping	§10-3-35	Based on what criteria?									
13	Housekeeping	§10-5-23	What is the procedure you are recommending?									
14	Housekeeping	§10-5-3	Under what circumstances? Why have rules then?									
15	Housekeeping	§10-2-33	What else? Aloha spirit should be given.									
16	Housekeeping	§10-3-76	Community pastures too? What if all beneficiaries are in the "community?"									
17	Housekeeping	10-3-6 (a)	if you don't qualify for loan, why do you get palced in the same slot? Shouldn't you move to the back so that list can move?									
18	Housekeeping	Duties of the	We the Native Hawaiian people want a say									
19	Housekeeping	Housekeeping	Hawaiian vote & head only, please									
20	Housekeeping	§10-3-76	<p>Aloha. The current fees have not been Increased in many years, if at all. West Hawaii Concrete (WHC) charges \$15 to weigh trucks and trailers, etc. WHC and DHHL are the only two sites in Waimea that have scales that can weigh heavy items. I'm working off of Admin Rule changes from the 1998 version.</p> <table><tr><td></td><td>Current Fees</td><td>Proposed Fees</td></tr><tr><td>Lessees</td><td>\$2.00</td><td>\$10.00</td></tr><tr><td>General Public</td><td>\$4.00</td><td>\$15.00</td></tr></table> <p>It takes Michelle and I about 10-15 minutes to take payments, open gate to the scale, calibrate scale, weigh item and complete ticket for customer to confirm weight for DMV. Cattle take a lot longer because they have to be unloaded and loaded from a trailer.</p>		Current Fees	Proposed Fees	Lessees	\$2.00	\$10.00	General Public	\$4.00	\$15.00
	Current Fees	Proposed Fees										
Lessees	\$2.00	\$10.00										
General Public	\$4.00	\$15.00										
21	Housekeeping	§10-3-33	<u>Commercial Activities</u> Develop and implement a simple Variance, similar to County variances.									
22	Housekeeping	§10-3-34	<u>Building Requirements</u> DELETE from last sentence (except as otherwise provided by the department.)									

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DEPT. OF HAWAIIAN
HOME LANDS

2015 NOV 12 P 1:26

November 7 2015

STATE OF HAWAII

Department of Hawaiian Home Lands

Hale KALANIANA'OLE

91-5420 Kapolei Parkway

Kapolei, Hawaii 96707

RE: DHHL Proposed Rules Changes.

Dear Sirs and Ma'am.

My Name is Roland I. Kehano, Sr. and I write THAT WAS NOT given a Free Trial
ON A GRANTED 704 ORAL MOTION, AND IS UNCONSTITUTIONALLY Imprisoned For The
past 23 years

With THAT SAID.

Genetic Testing:

1. IS DHHL HAVE THE SUM TO pay For Genetic Testing or do Hawaiians
Must Pay For it Themselves.
2. ARTICLE IV SECTION 2 OF THE UNITED STATES CONSTITUTION says in)
Close Quote. All Citizens ^{OF THE SEVERAL STATES} ARE ENTITLED TO ALL IMMUNITIES
AND PRIVILEGES OF THE SEVERAL STATES

1. EXHIBIT E

3. White was born on October 2, 1948, Male of Filipino/Hawaiian

A. Went on to join THE UNITED STATES NAVY for 3 years and 8 months of Active Service While Serving my Country and Protecting Our UNITED STATES CONSTITUTION from September 3, 1966 To July of 1970, This Writer Participated in 217 Combat Patrol Missions and Engaged The Enemy on Seven Occasion. VIETNAM.

B. All The Time Knowing THAT Writer is $\frac{1}{2}$ Filipino and $\frac{1}{2}$ Hawaiian.

Issue THAT Must be brought to this DHHL Proposed Rule Changes

Hawaiians Married to Caucasians, Afro Americans, Asian and other Racial background.

Now These Couples awarded DHHL and is living Comfortably. Then THE HAWAIIAN dies Living his or her Spouse in Their Home.

Now you have an IGNORANT Part Hawaiian THAT Files a Complaint. Why, Is This Man or Lady Living in THAT Home on Hawaiian Home Land. I Should be in THAT House?

ITS A Possibility THAT This Genetic Testing is all About

Writer Input would be, The spouse he or she of THE Hawaiian Should be able to Live in THAT Home until he or she pass... and whatever Surv They (DHHL) get From This Home Per Stripe goes to THE Deceased HAWAII Children, if There is ANY? AND NOT OF HAWAIIAN Ancestry.

Lease Transfer:

Propose a process and requirements for Transferring a Vacant Homestead Lot (i.e. a Lot with No home or other improvement built upon the Land).

1. Because of the Homeless, a Change was Made THAT A Livable Container Can be put on a Lot or Property.

A. I KNOW ITS THE past THAT HOME OWNERS LIKE TO RAISE BOTTLES, CANS AND ALL TYPES OF VEHICLES !!

Old School Hawaiians, May be Illiterate (IGNORANT IN THE LAND) AND LIVE A Simple Life. Wake-up around 4:00 A.M. Tidy up the House and Yard, THEN goes to the Beach/Shoreline to gather OPHITTIS, LIMO ^{+ FISH} Maybe some wild Bitter Melons and Shooks, by 9:30/10:00 A.M. back home PAKINI Topped OFF with OPHITTIS, PAKINI Topped OFF with LIMO KOHU AND A Bag OF LIPPA. For The Family and Neighbors.

Subsistence Lots:

Propose A New OPTION in DHHH's Agriculture program THAT SUPPORTS A Subsistence Rural Lifestyle.

Crops and Animal Husbandry and More

Waiter have a Question 65,000 (LH) Molokai - 5,266 Acres Located Right Outside OF KAWAKAKAI AND Molokai Airport.

Waiter wants To KNOW How Much AN Acre AND How Long is The Lease For?

Writer did write to KW Kellen Williams Honolulu, 1347 Kapiolani Blvd, 3rd Floor, Honolulu, HI 96814 / Charmaine Quilt Poki but no response.

Will This Department of Hawaiian Homeland Respond to my Letter?

If There is NO "Structural Error" in The Ruling of My Wait of Certiorari SCWC-14-0000825 IN THE Supreme Court of THE STATE OF HAWAII, THE Hawaiian Should be Successful in HES Wait of Certiorari. (Corrected) Filipino/Hawaiian.

Back then Uncle, Now days 2nd Cousin. Well my Uncle Kalai Kaholokula. Waite Pua Okeva. Was with THE 100 Battalion. I Worked in his brother, my Uncle Johnny Kaholokula's pineapple Field with my Older brothers since I was 12 yrs. of Age, picking pineapples with baskets. In High School THE Most I Could was 26 pineapples in a basket. Between my Classmate Karl Kapaolo, Howard Gonzalez-Hee, My Cousin Leslie Okamura, Our Foreman Tweedy, Namahoe we would fill 4 Truckload of 3 1/2 To 4 Ton of Pineapples a day. Payday My Uncle Johnny and Aunt Hildred "Dodo" would give each of us Bonuses. This was Great at \$1.25 an hour.

Just to let you all know that I was in Local 625 Ironworker Structural Foreman and Local 3 Operators Engineers, Foreman and a 6G Certified Welder.

I've Learned While in Prison That Leonard Peltier Also Known as Standing Deer That He was Successful in THE UNITED STATES Supreme Court on Religious and Cultural Rights For THE ESKIMOS, HAWAIIANS AND ALUTE Tribe.

Founded on 10-8-1840 by Const. Authority of the Sovereign King Kamehameha III of this Country
UNIFORM RATE OF ASSESSMENT.

Enacting Clause: it is hereby enacted for all parties hereto, That no party shall reap the Rewards of Other's investments, Labor and Materials That They Themselves have not Invested in.

Further Subdivision of Kuleana.

No Kuleana shall be further subdivided. All Kuleana are to be Setback 100 Linear Feet from Shoreline, and No Kuleana Kauhale, except Those used for Cultural educational and Spiritual purpose shall be a dwelling for human or Animal Habitation

Only The Following buildings and Structures may be built on each Kuleana. Safe and Quality Standard Living Structures, of approved quality by The Site Committee, not exceeding two stories high and not Exceeding Two houses per Kuleana.

All Makai, Ocean Side Kuleana homes shall only be of one story. Other buildings, greenhouse or barns, workshops, sheds, garage etc. must be up to standard and quality of Health.

No other non-permanent dwelling shall be used for human Habitation, such as busses, Cars, Tents, etc. on Kuleana.

Duration of Restrictions.

All of the Covenants, Conditions and Restrictions set forth herein shall continue and remain in Full Force effect at all Times Against The Property and The Owners Thereof, Subject To The Right of Amendment or Modification provided for below, for a period of Twenty (20) years which Time They shall be Automatically Extended for Successive period of Twenty (20) years unless

Terminated by a Unanimous Vote of The Kuleana Owners, Komike Kuleana AND Trust.

Amendment. This declaration may only be Amended by a Written document executed by The Komike Kuleana AND Trustees and Acknowledged before a Notari Angawai Ko Hawaii Pae Aina, duly Voted upon and Agreed to by Owners of Two-Thirds of The Kuleana. A Kuleana Kauhale's (Specific to Ahupua'a within an Estate) Vote Must be Cast Unanimously by its Owners in Order for said Vote to be Allowed. Any Such Amendment shall be effective when it is recorded in the Office of The Royal Repository and Registry of Ko Hawaii Pae Aina.

These C.C.R.'s are to apply to every party, Their Heirs, and Trustful Assigns in Organic Form and as Amended under These Legal Terms and Conditions and Covenants agreed to and Subscribed hereto, as exhibited hereunder by an heir, Beneficiary and/or Trustee as a Kuleana Owner.

C.C.R. = Assignment by Heirs in Trust With Codes, Covenants & Restrictions

Cultural Rights:

1) Sea Turtle, at least Two Sea Turtles per Family of Hawaiian per Year for Family's Food and Jewelry from Sea Turtles.

2) Only The SHARKS is enjoying 3-400 lbs of Turtle and They draw Sharks To The Shoreline And With The Introduction of Hawaiian Monk Seals by NOAA.

A. As a Youngster, All The Shorelines We gathered from on Maui Island.

NOT ONE SEAL on MONK SEAL.

When I worked for Holmes and Narver Inc. AT Johnston Island, Johnston Atoll This guy name Jake had a Pet So Call Monk SEAL and Under Atomic Energy Commission. He told me THAT She was a Hawaiian Monk SEAL. This was in 1970 and THAT He will re-introduce This Animal back into Hawaiian shores.

As a LCM 8, LCM 6 Boat Operator This Monk Seal was a Nuisance.

No Domestic Animals shall be permitted on any Kulewa THAT is deemed to be a Nuisance by The Kulewa Owners. That is too small and may cause Unhealthy Conditions.

When She's on The Boat Ramp, I had to wait till She SWIM OFF and AWAY. at times delay my Run to Sand, North and East Island, or Jake would come and Call her to Swim with him.

I would Like To, When I'm Successful To gather Iron Stones For Fish Dive in Areas I once for Fish, Octopus, Sea Urchins Pick Opah's and not Turned into a Reserve. ITS Width, X Depth, 1000 FT. X'S DISTANCE. No Fishing.

I'll Send This When I Have STAMPS From Stone Island.

I THANK You For Your Time and Your Response.


Found a Stamp 11-8-2015 AMEN. TO THAT.

Very Truly,
 Roland Williams Jr.
 November 7, 2015

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

April 11-12, 2016

To: Chairman and Members, Hawaiian Homes Commission

Through: Niniau Simmons, NAHASDA Manager 

Subject: 2016 Annual Housing Plan for Title VIII, Native
American Housing and Self Determination Act

RECOMMENDED MOTION/ACTION

To accept the 2016 Native Hawaiian Housing Block Grant Annual Housing Plan for submission to the U.S. Department of Housing and Urban Development.

DISCUSSION

Each year, as part of its compliance with 24 CFR Part 1006, Title VIII of the Native American Housing and Self Determination Act (NAHASDA), the Department of Hawaiian Home Lands (DHHL) must file an approved annual housing plan with the U.S. Office of Housing and Urban Development. This year, the due date is April 17, 2016.

Notable changes this year include:

- Capital Improvement Projects are now listed as one activity, instead of by project. This allows more room in the budget section and also shortens the housing plan itself.
- Water infrastructure improvements are a new activity this year. DHHL intends to leverage USDA monies to improve its water systems at Anahola, Kauai and Hoolehua, Molokai.
- Language regarding the Nelson decision was included in the Housing Needs section.
- This year, the DHHL also included estimated NAHASDA funding needs for home rehabilitation, bringing the combined total need to \$10.8 billion.

Native Hawaiian Housing Block Grant (NHHBG)

Exempt from OMB Approval, 5 CFR 1320.3 (c) (4)

NHHP/APR

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing
Office of Native American Programs

For DHHL's Use:

2016 NATIVE HAWAIIAN HOUSING PLAN

(NAHASDA §§ 803(b)(1), 803(c)(1) and 820(a)(2))

This form meets the requirements for a Native Hawaiian Housing Plan (NHHP) and Annual Performance Report (APR) required by the United States Department of Housing and Urban Development. The information requested does not lend itself to confidentiality.

Regulatory and statutory citations are provided throughout this form as applicable. The Department of Hawaiian Home Lands (DHHL) is encouraged to review these citations when completing the NHHP and APR sections of the form.

Under Title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4101 et seq.), HUD will provide grants under the Native Hawaiian Housing Block Grant (NHHBG) program to DHHL to carry out affordable housing activities for Native Hawaiian families who are eligible to reside on the Hawaiian Home Lands. To be eligible for the grants, DHHL must submit a NHHP that meets the requirements of the Act. To align the NHHBG program with recent improvements made to the Indian Housing Block Grant program, HUD is requiring DHHL to submit the NHHP to HUD at least 75 days prior to the start of its 12-month fiscal year. The APR is due no later than 60 days after the end of DHHL's fiscal year (24 CFR § 1006.410).

The NHHP and the APR (previously two separate forms) are now combined into one form. The sections pertaining to the NHHP are submitted before the beginning of the 12-month fiscal year, leaving the APR (shaded) sections blank. If the NHHP has been updated or amended, use the most recent version when preparing the APR. After the 12-month fiscal year, enter the results from the 12-month fiscal year in the shaded sections of the form to complete the APR. More details on how to complete the NHHP and APR sections of the form can be found in the body of this form. In addition, DHHL may find it helpful to refer to the IHP/APR form guidance available at http://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/nahasda/guidance until a guidance specific to the NHHP/APR form is made available.

FORM COMPLETION OPTIONS: The NHHP/APR form may be completed either in hard copy or electronically. Hard copy versions may be completed either by hand or typewriter. Alternatively, the form may be completed electronically as it is a Word document. It is recommended that the form be completed electronically because it is more efficient to complete, submit, and review the form. Furthermore, electronic versions of the form may be submitted to HUD as an email attachment. To document official signatures on the electronic version, you should sign a hard copy of the pages and either fax (808-457-4694) that signed page or email (claudine.c.allen@hud.gov) it as an attachment to the Office of Native American Programs – Attention: Claudine Allen in the HUD Honolulu Field Office. The sections of the NHHP that require an official signature are the Cover Page and Sections 13 and 14, if applicable. For the APR, the Cover Page requires an official signature.

The NHHP data is used to verify that planned activities are eligible, expenditures are reasonable, and DHHL certifies compliance with related requirements. The APR data is used to audit the program accurately and monitor DHHL's progress in completing approved activities, including reported expenditures, outputs, and outcomes. This form is exempt from OMB Approval pursuant to 5 CFR 1320.3(4)(c).

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Note: The page numbers in the Table of Contents can update automatically as the NHHP or APR is completed. To update the page numbers, right-click anywhere in the table, select "Update Field" and select "update page numbers only."

COVER PAGE

(1) Grant Number: **None**

(2) Recipient Fiscal Year: **2016**

(3) Federal Fiscal Year: **2016**

(4) ☒ Initial Plan (Complete this Cover Page then proceed to Section 1)

(5) ☐ Amended Plan (Complete this Cover Page and Section 14)

(6) ☐ Annual Performance Report (Complete items 24-27 and proceed to Section 3)

(7) Name of Recipient: Department of Hawaiian Home Lands		
(8) Contact Person: Niniau Simmons, NAHASDA Manager		
(9) Telephone Number with Area Code: 808-620-9513		
(10) Mailing Address: PO Box 1879		
(11) City: Honolulu	(12) State: Hawaii	(13) Zip Code: 96805
(14) Fax Number with Area Code (if available): 808-620-9529		
(15) Email Address (if available): Niniau.Simmons@hawaii.gov		

(16) Tax Identification Number: 99-0266483
(17) DUNS Number: 809935661
(18) CCR/SAM Expiration Date: 03/25/2017
(19) NHHBG Annual Grant Amount: None
(20) Name of Authorized NHHP Submitter: Jobie M. K. Masagatani
(21) Title of Authorized NHHP Submitter: Chairman, Hawaiian Homes Commission
(22) Name of Authorized APR Submitter:
(23) Title of Authorized APR Submitter:

(24) Signature of Authorized APR Submitter:

(25) APR Submission Date:

Certification: The information contained in this document is accurate and reflects the activities actually planned or accomplished during the program year. Activities planned and accomplished are eligible under applicable statutes and regulations.

Warning: If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under 18 U.S.C 1001. In addition, any person who knowingly and materially violates any required disclosure of information, including intentional disclosure, is subject to a civil money penalty not to exceed \$10,000 for each violation.

SECTION 1: FIVE YEAR PLAN

The Five Year Plan is intended to cover the Department of Hawaiian Home Lands' (DHHL) long range plans for affordable housing. Each housing plan must contain, for the five-year period beginning with the fiscal year for which the plan is first submitted, the following information.

Five Year Period: 2016 through 2021

MISSION STATEMENT (NAHASDA § 803(b)(2)(A))

A Mission Statement describes the mission of the DHHL to serve the needs of Native Hawaiian low-income families.

Enter the DHHL's Mission Statement here:

To manage the Hawaiian Home Lands trust effectively and to develop and deliver land to native Hawaiians.

GOALS, OBJECTIVES AND PROGRAMS/ACTIVITIES (NAHASDA § 803(b)(2)(B) and (C))

DHHL must provide a statement of the goals, objectives, and programs/activities planned for the beneficiaries over the five year period. The goals are the intended result of the NHHBG activity and are based on the types of outcomes that the DHHL will report in the APR. The objectives are the means or approach that the DHHL will use to reach the goal. The programs/activities are the specific programs/activities that will be funded in order to achieve the goal and the objective.

Goals May Include:

- | | |
|--|--|
| (1) Reduce over-crowding | (6) Assist affordable housing for college students |
| (2) Assist renters to become homeowners | (7) Provide accessibility for disabled/elderly persons |
| (3) Improve quality of substandard units | (8) Improve energy efficiency |
| (4) Address homelessness | (9) Reduction in crime reports |
| (5) Create new affordable rental units | (10) Other |

Objectives May Include:

- | | |
|--|---|
| (1) [RESERVED – DO NOT USE THIS NUMBER] | (14) Lending subsidies for homebuyers |
| (2) [RESERVED – DO NOT USE THIS NUMBER] | (15) Other homebuyer assistance activities |
| (3) Acquisition of rental housing | (16) Rehabilitation assistance to existing homeowners |
| (4) Construction of rental housing | (17) Tenant based rental assistance |
| (5) Rehabilitation of rental housing | (18) Other Housing Service |
| (6) Acquisition of land for rental housing development | (19) Housing Management Services |
| (7) Development of emergency shelters | (20) Operation and maintenance of NHHBG units |
| (8) Conversion of other structures to affordable housing | (21) Crime Prevention and Safety |
| (9) Other rental housing development | (22) Model Activities |
| (10) Acquisition of land for homebuyer unit development | (23) [RESERVED – DO NOT USE THIS NUMBER] |
| (11) New construction of homebuyer units | (24) Infrastructure to support housing |
| (12) Acquisition of homebuyer units | (25) [RESERVED – DO NOT USE THIS NUMBER] |
| (13) Down payment/Closing cost assistance | |

Use the sections below to describe the DHHL's goals, objectives, and programs/activities during the five year period.

Goal(s) Number: I	(2) Assist renters to become homeowners
------------------------------	---

Select from the goals listed above.

Objective(s) Number: I(a)	(24) Infrastructure to support housing
--------------------------------------	--

Select from the objectives listed above.

Program/Activity Description: Infrastructure Development	To build infrastructure for lots on Maui and East Kapolei II; water infrastructure improvement for Hoolehua, Molokai and Anahola, Kauai.
---	--

Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

Goal(s) Number: II	(5) Create new affordable rental units
-------------------------------	--

Select from the goals listed above.

Objective(s) Number: II(a)	(4) Construction of rental housing
---------------------------------------	------------------------------------

Select from the objectives listed above.

Program/Activity Description: Lai Opuia Rent with Option to Purchase, Developer financing	This activity will provide for funding as part of a capital stack to conduct vertical construction of 117 units in Lai Opuia, Village 4.
---	--

Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

Goal(s) Number: III	(2) Assist renters to become homeowners
--------------------------------	---

Select from the goals listed above.

Objective(s) Number: III(a)	(18) Other Housing Service
--	----------------------------

Select from the objectives listed above.

Program/Activity Description: Risk Mitigation	The department began the HALE program pilot in August 2013, with the creation of the NHHBG Loan Review Committee which identified barriers to loan approval and developed risk mitigation efforts to address/remove those barriers. Part of those efforts include financial education; budgeting; and credit repair services.
---	---

Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

Goal(s) Number: IV	(10) Other
-------------------------------	------------

Select from the goals listed above.

Objective(s) Number: IV(a)	(18) Other housing service
---------------------------------------	----------------------------

Select from the objectives listed above.

Program/Activity Description: Loss Mitigation	HALE also addresses loss mitigation efforts by the department for those lessees with guaranteed/insured loans or direct loans by utilizing the same 5 agencies that received the aforementioned National Mortgage Settlement monies and supplementing with contracted vendors.
--	--

Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

Goal(s) Number: V	(2) Assist renters to become homeowners
--------------------------	---

Select from the goals listed above.

Objective(s) Number: V(a)	(11) New construction of homebuyer units
----------------------------------	--

Select from the objectives listed above.

Program/Activity Description: Homeowner Financing	To provide NHHBG funded home loans to lessee families participating in new construction.
--	--

Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

Goal(s) Number: VI.	(7) Provide accessibility for disabled/elderly persons
----------------------------	--

Select from the goals listed above.

Objective(s) Number: VI. (a)	(16) Rehabilitation assistance to existing homeowners
-------------------------------------	---

Select from the objectives listed above.

Program/Activity Description: Home Assistance Program	To provide deferred/regular payment loans for the elderly and disabled in: Kalamaula/Hoolehua/Kapaakea; Keaukaha-Panaewa; Nanakuli/Waianae; Papakolea/Waimanalo. 60 families have been identified and are in the various stages of qualifying and/or being served.
--	--

Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

Goal(s) Number: VII	(8) Improve energy efficiency
----------------------------	-------------------------------

Select from the goals listed above.

Objective(s) Number: VII(a)	(16) Rehabilitation assistance to existing homeowners
------------------------------------	---

Select from the objectives listed above.

Program/Activity Description: Energy retrofits	This program attempts to reduce the high cost of energy in the State by installing solar panels or photovoltaic panels on lessee homes thru the use of subrecipients and/or new construction loans.
---	---

Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

Goal(s) Number: VIII.	(1) Reduce over-crowding
------------------------------	--------------------------

Select from the goals listed above.

Objective(s) Number: VIII(a)	(10) Acquisition of land for homebuyer unit development
-------------------------------------	---

Select from the objectives listed above.

Program/Activity Description: Land Acquisition	This activity will support land purchase for home development.
---	--

Goal(s) Number: IX.	(1) Reduce over-crowding
----------------------------	--------------------------

Select from the goals listed above.

Objective(s) Number: IX(a)	(18) Other Housing Service
-----------------------------------	----------------------------

Select from the objectives listed above.

Program/Activity Description: Alternative Housing Design	This activity will support the design of alternative housing models, to include multi-family; multi-lease; and culturally-relevant housing models.
---	--

Goal(s) Number: X.	(2) Assist renters to become homeowners
---------------------------	---

Select from the goals listed above.

Objective(s) Number: X(a)	(8) Conversion of other structures to affordable housing
----------------------------------	--

Select from the objectives listed above.

Program/Activity Description: Housing Conversion	This activity supports the exploration of converting existing land and structures to affordable housing whose general lease or license may soon expire and revert back to the department.
---	---

Goal(s) Number: XI.	(5) Create new affordable rental units
----------------------------	--

Select from the goals listed above.

Objective(s) Number: XI(a)	(4) Construction of rental housing
---------------------------------------	------------------------------------

Select from the objectives listed above.

Program/Activity Description: Kupuna Housing Development	This activity will support the development of elderly housing for the aging native Hawaiian population.
---	---

Goal(s) Number: XII.	(3) Improve Quality of Substandard Units
---------------------------------	--

Select from the goals listed above.

Objective(s) Number: XII. (a)	(24) Infrastructure to support housing
--	--

Select from the objectives listed above.

Program/Activity Description: Water Development	This activity will support the development and delivery of water to existing/new homesteads.
--	--

Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

ONE YEAR PLAN

SECTION 2: HOUSING NEEDS

(NAHASDA § 803(c)(2)(B))

- (1) **Type of Need:** Check the appropriate box(es) below to describe the estimated types of housing needs and the need for other assistance for low-income Native Hawaiian families (columns B and C) and non-low-income Native Hawaiian families, including non-Native Hawaiian essential families [809(a)(2)(B) and (C)] (column D) eligible to be served by DHHL.

(A) Type of Need	Check All That Apply		
	(B) Low-Income Native Hawaiian Families on Hawaiian Home Lands	(C) Low-Income Native Hawaiian Families on Wait List	(D) Non-Low- Income Native Hawaiian Families
(1) Overcrowded Households	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(2) Renters Who Wish to Become Owners	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(3) Substandard Units Needing Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) Homeless Households	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(5) Households Needing Affordable Rental Units	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(6) College Student Housing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(7) Disabled Households Needing Accessibility	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(8) Units Needing Energy Efficiency Upgrades	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(9) Infrastructure to Support Housing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(10) Other (specify below)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- (2) **Other Needs.** (Describe the "Other" needs below. Note: this text is optional for all needs except "Other.):

The Hawaiian Homes Commission Act of 1920, as amended, established the Hawaiian Home Lands Trust and defined the population eligible to reside on Hawaiian home lands as those native Hawaiians with at least 50% Hawaiian blood and their successors or assignees of less than 50% Hawaiian blood. With approximately 8,876 leases on homesteads stretching from Hawaii Island unto Kauai, the Department of Hawaiian Home Lands was created at Statehood to assist the commission meet its fiduciary obligations. As a condition of admission as a state into the United States of America, the State of Hawaii adopted the entirety of the HHCA into its State Constitution. In 1978, at its constitutional convention, Hawaii delegates amended Article XII, Section 1 to say "...shall appropriate sufficient sums..." as opposed to

the discretionary word “may.”¹ Section 2 continues to say, “The State and its people do further agree and declare that the spirit of the Hawaiian Homes Commission Act looking to the continuance of the Hawaiian homes projects for the further rehabilitation of the Hawaiian race shall be faithfully carried out.”²

Unfortunately, as recounted by Circuit Judge Jeannette Castagnetti in her oral ruling on the State’s appeal of the Nelson lawsuit, the Territory and State of Hawaii have failed to sufficiently fund DHHL for the purposes of fulfilling the HHCA.³

In 2014, DHHL contracted with SMS Research & Marketing Services, Inc. (SMS) to update the Beneficiary Needs Survey conducted in 1995, 2002 and 2008.

The native Hawaiian subset for the purpose of this plan is determined as follows:

8,876	Lessees residing on the DHHL lands — as of November 30, 2014 ⁴
27,341	Unduplicated waitlist as of June 30, 2014 ⁵
32,460	Estimated Potential Applicants based on SMS 2006 respondents ⁶
68,677	Total native Hawaiian individuals/households

By applying the SMS 2008 Beneficiary/Applicant Study and the SMS 2014 Applicant Study percentage estimates, we anticipate the following NAHASDA eligible native Hawaiian households as follows:

4,517	Lessees residing on the DHHL Lands – 8,876 x 50.9%
12,303	Applicants – 27,341 x 45% (to determine 80% AMI)
17,366	Potential Applicants – 32,460 (SMS 2006 Study) x 53.5%
34,186	Total native Hawaiian households eligible for NAHASDA

If we extrapolate and say that the average DHHL turnkey home is \$350,000, then the sufficient funding amount for NAHASDA would look like this:

12,303	Applicants – 27,341 x 45%
17,366	Potential Applicants – 32,460 (SMS 2006 Study) x 53.5%
29,669	x \$350,000 = \$10,384,150,000.00 sufficient funding for new construction

1 Hawaii State Constitution. <http://lrhawaii.org/con/conart12.html>

2 Ibid.

3 Nelson vs. Hawaiian Homes Commission, First Circuit Court, 02/29/16. Oral ruling.

4 Homestead Services Division, 12/15/14 Commission submittal. Includes lessees residing on residential, agricultural and pastoral lots, one lessee per lease, one house per lease/lot, as applicable. 961 Undivided Interest lessees omitted.

5 DHHL website Application Wait List as of June 30, 2014.

6 The SMS 2006 Housing Policy Study included a category for native Hawaiians with at least 50% blood quantum and not DHHL lessees or applicants.

In prior housing plans, the DHHL did not calculate rehabilitation for existing housing stock. In this plan, the DHHL does include the following:

4,517 Lessees residing on the DHHL Lands – 8,876 x 50.9%

4,517 x \$100,000* = **\$451,700,000.00 sufficient funding for rehabilitation of existing**

*\$100,000 maximum loan amount under HAP

TOTAL NAHASDA FUNDING NEEDED: \$10.8 billion

Native Hawaiian Rehabilitation

The kupuna of our past left the native Hawaiian people a wealth of information held in the Hawaiian newspapers and the archives of the many entities that Prince Jonah Kuhio Kalanianaʻole was credited with founding. One of those entities, the Ahahui Puuhonua, served as the catalyst toward the chronicling of the despair and destitution of the makaainana (commoner) in 1911. By 1918, one of the Prince's closest confidants and the kahu (reverend) of the Kawaihāo Church, put the results of many years of study in publishing, *"The Sinews for Racial Development."*⁷ This book, which the Prince carried with him every day, was dedicated, "...for leaders, for those whose hearts are touched by the pressing needs of the race and are willing to offer the very best of their lives and service freely for its uplift."

The book provides a guide to the rehabilitation of the native Hawaiian people from the perspective of those who developed and championed the Hawaiian Homes Commission Act. It covers the following areas and seeks to offer counsel to any whose direction may not be clear:

1. Race Consciousness: to mean pride for, and faith in the race. That "Hawaiians must play the primary part in the solution" and that self-respect for oneself and others was a "true foundation for a successive progression in life."
2. Broadmindedness: to maintain a broad outlook on life and "a sympathetic attitude toward humanity as a whole." It encourages natives to "Give out to those about us, and to the community in which we live, the very best that we possess" and to "cultivate the ability to observe, to absorb, and to assimilate the good in other races."
3. Education: both 1 and 2 above need the "discerning power and the balanced judgment of proper education." He describes a "Thoroughly trained mind, and a broadly cultivated heart are luminous in the soul of a nation."
4. The Home Life: the home life is the foundation of the development of 1, 2 and 3. It is the "starting point of all social organization, the foundation of civilization."
5. Systematic Living: the execution of the afore-mentioned activities cannot be achieved at once or in a burst of energy but rather cultivated over time in a systematic fashion. Regular, good habits such as mindful eating and exercise can help to develop the fortitude to continue no matter the circumstance.
6. Godliness: the thought of ke Akua; the worship and observance of His laws provides a stabilizing relationship that leads to one's fulfillment of one's purpose in life. Today, with the many religious beliefs, spirituality is important to the self-fulfillment each experiences in his/her own life.

⁷ Akana, Akaiko. (1992) *Light Upon the Midst*. Mahina Productions: Kailua-Kona, Hawaii.

The work of the Ahahui Puuhonua and its members provided Prince Kuhio the much needed support, both at home in Hawaii and abroad in Washington, D.C. to finally pass the Hawaiian Homes Commission Act of 1920. It was an arduous task that encouraged and/or developed the following community strengthening organizations:

Royal Order of Kamehameha
Mamakakaua
Hale O Na Alii
Counties of Hawaii, Maui, Oahu and Kauai
Honolulu Civic Club
Territorial Legislature
Hawaii Republican Party

Through the Prince's leadership and participation in each of these community endeavors, the legacy of the Prince lives on for us today. This housing plan, a descendant of Kuhio's legacy thru the HHCA, is but a small piece of a much broader articulation of need in the State of Hawaii today. By focusing on the housing, this most basic of needs acknowledged in the Western world by Maslow, the department attempts to participate in the rehabilitation of the Hawaiian people. Should every Hawaiian have a safe, affordable, decent home, with fresh water for bathing and eating and cooking and food grown or gathered nearby, we could claim success. But with over \$10 billion in need and as the average 57-year-old applicant dies on the waiting list, it does not seem likely we will be able to make such a claim without immediate and swift monetary assistance in the next few years.

(3) Planned Program Benefits. *(Describe below how your planned programs and activities will address the needs of low income families identified above. Also describe how your planned programs will address the various types of housing assistance needs. NAHASDA § 803(c)(2)(B)):*

Given these housing needs, the department will focus the use of the NHHBG funds developing the supply of affordable housing units and then prepare the applicant lessee for home ownership. The department has also committed to using NHHBG funding to rehabilitate existing units as part of its Home Assistance Program. In addition, the department continues to provide necessary technical assistance to developing the capacity of partnering entities in order for them to successfully carryout and administer NHHBG funds within the timeline articulated in their agreements.

Geographic Distribution. *(Describe below how the assistance will be distributed throughout the geographic area and how this geographic distribution is consistent with the needs of low income families, including the needs for various categories of housing assistance. NAHASDA § 803(c)(2)(B)(i)):*

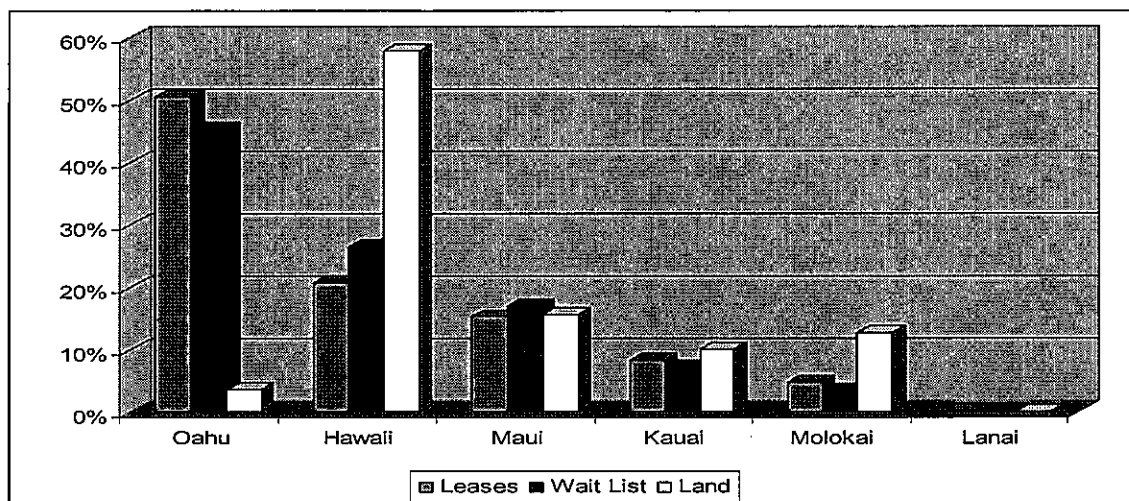
According to the 2010 Census, 70% of the state's population resides on the island of Oahu. Likewise, approximately 63% of all Native Hawaiians⁸, 51% of all DHHL applicants⁹, and 64% of all DHHL potential applicants¹⁰ in the state reside on the island of Oahu. As current figures reflect, 46% of

8 Taken from Aloha Counts by County, Alu Like 2003

9 SMS 2014 Applicant Study

10 Taken from SMS 2006 Study

homestead residential applications¹¹ are for Oahu. Hawaii Island follows at second with 26%¹². The lessee, wait list and actual acreage distribution are as follows:



Island	Residential Leases as of 12/31/15 ¹³		Residential Wait List as of 12/31/15 ¹⁴		Home Land Acreage as of 2008 Annual Report	
	Number	Percent	Number	Percent	Number	Percent
Oahu	4,214	51%	10,386	47%	7,495	3.69%
Hawaii	1,705	21%	5,766	26%	117,550	57.84%
Maui	1,268	15%	3,752	17%	31,796	15.65%
Kauai	698	8%	1,642	7%	20,565	10.12%
Molokai	395	5%	783	3%	25,769	12.68%
Lanai	29	<1%	82	<1%	50	0.02%
Total	8,309	100.00%	22,411	100.00%	203,225	100.00%

The data indicates that there is high demand for residential homesteads on the island of Oahu, an island with the second lowest Trust land holdings. The bulk of the Trust's lands are located on the island of Hawaii where residential waitlist numbers indicate it has the second highest demand. Based on the Trust's continued focus on building out East Kapolei II and Kakaina in Waimanalo, there also is room to continue the discussion of multi-family, condominium style development in the Trust property's urban core (the former Bowl a Drome) and near the existing rail development (transit oriented development).

11 Homestead Area & Islandwide Applications Waiting List, 12/31/15.

12 Ibid.

13 Ibid.

14 Ibid.

SECTION 3: PROGRAM DESCRIPTIONS

(NAHASDA § [803(c)(2)(A)], [802(c)], [820(b)], 24 CFR §1006.410(b)(2) and (3))

Planning and Reporting on Program Year Activities

For the NHHP, the purpose of this section is to describe each program that will be operating during the 12-month fiscal year. Each program must include the eligible activity, its planned outputs, intended outcome, who will be assisted, and types and levels of assistance. Each of the eligible activities has a specific, measurable output. The first column in the table below lists all eligible activities, the second column identifies the output measure for each eligible activity, and the third column identifies when to consider an output as completed for each eligible activity. Copy and paste text boxes 1.1 through 1.10 as often as needed so that all of your planned programs are included.

For the APR, the purpose of this section is to describe your accomplishments, actual outputs, actual outcomes, and any reasons for delays.

Eligible Activities May Include (citations below reference sections in NAHASDA)

Eligible Activity	Output Measure	Output Completion
(1) RESERVED – DO NOT USE THIS NUMBER		
(2) RESERVED – DO NOT USE THIS NUMBER		
(3) Acquisition of Rental Housing [810(b)(1)]	Units	When recipient takes title to the unit
(4) Construction of Rental Housing [810(b)(1)]	Units	All work completed and unit passed final inspection
(5) Rehabilitation of Rental Housing [810(b)(1)]	Units	All work completed and unit passed final inspection
(6) Acquisition of Land for Rental Housing Development [810(b)(1)]	Acres	When recipient takes title to the land
(7) Development of Emergency Shelters [810(b)(1)]	Households	Number of households served at any one time, based on capacity of the shelter
(8) Conversion of Other Structures to Affordable Housing [810(b)(1)]	Units	All work completed and unit passed final inspection
(9) Other Rental Housing Development [810(b)(1)]	Units	All work completed and unit passed final inspection
(10) Acquisition of Land for Homebuyer Unit Development [810(b)(1)]	Acres	When recipient takes title to the land
(11) New Construction of Homebuyer Units [810(b)(1)]	Units	All work completed and unit passed final inspection
(12) Acquisition of Homebuyer Units [810(b)(1)]	Units	When recipient takes title to the unit
(13) Down Payment/Closing Cost Assistance [810(b)(1)]	Units	When binding commitment signed
(14) Lending Subsidies for Homebuyers (Loan) [810(b)(1)]	Units	When binding commitment signed
(15) Other Homebuyer Assistance Activities [810(b)(1)]	Units	When binding commitment signed

(16) Rehabilitation Assistance to Existing Homeowners [810(b)(1)]	Units	All work completed and unit passed final inspection
(17) Tenant Based Rental Assistance [810(b)(2)]	Households	Count each household once per year
(18) Other Housing Service [810(b)(2)]	Households	Count each household once per year
(19) Housing Management Services [810(b)(3)]	Households	Count each household once per year
(20) Operation and Maintenance of NHHBG-Assisted Units [810(b)(3)]	Units	Number of units in inventory at Fiscal Year End
(21) Crime Prevention and Safety [810(b)(4)]	Dollars	Dollars spent (report in Uses of Funding Table only)
(22) Model Activities [810(b)(5)]	Dollars	Dollars spent (report in Uses of Funding Table only)
(23) RESERVED – DO NOT USE THIS NUMBER		
(24) Infrastructure to Support Housing [810(b)(1)]	Dollars	Dollars spent (report in Uses of Funding Table only)
(25) RESERVED – DO NOT USE THIS NUMBER		

Outcome May Include:

(1) Reduce over-crowding	(7) Create new affordable rental units
(2) Assist renters to become homeowners	(8) Assist affordable housing for college students
(3) Improve quality of substandard units	(9) Provide accessibility for disabled/elderly persons
(4) Improve quality of existing infrastructure	(10) Improve energy efficiency
(5) Address homelessness	(11) Reduction in crime reports
(6) Assist affordable housing for low income households	(12) Other – must provide description in boxes 1.4 (NHHP) and 1.5 (APR)

NHHP: PLANNED FISCAL YEAR ACTIVITIES (NAHASDA § 803(c)(2)(A))

For each planned activity, complete all the non-shaded sections below. It is recommended that for each program name you assign a unique identifier to help distinguish individual programs. This unique number can be any number of your choosing, but it should be simple and clear so that you and HUD can track tasks and results under the program and collect appropriate file documentation tied to this program.

- One way to number your programs is chronologically. For example, you could number your programs 2014-1, 2014-2, 2014-3, etc.
- Or, you may wish to number the programs based on type. For example rental 1, rental 2, homebuyer 1, homebuyer 2, etc. This type of numbering system might be appropriate if you have many programs that last over several years.
- Finally, you may wish to use an outline style of numbering. For example, all programs under your first eligible activity would start with the number 1 and then be consecutively numbered as 1.1, 1.2, 1.3, etc. The programs under the second eligible activity would be numbered as 2.1, 2.2., 2.3, etc.

APR: REPORTING ON PROGRAM YEAR PROGRESS (NAHASDA § 820(b))

Complete the shaded section of text below to describe your completed program tasks and actual results. Only report on activities completed during the 12-month fiscal year. Financial data should be presented using the same basis of accounting as the Schedule of Expenditures of Federal Awards (SEFA) in the annual OMB Circular A-133* audit. For unit accomplishments, only count units when the unit was completed and occupied during the year. For households, only count the household if it received the assistance during the previous 12-month fiscal year.

*DHHL should note that new Federal government regulations on Administrative Requirements, Cost Principles, and Audit Requirements were promulgated on December 26, 2013 at 2 C.F.R. Part 200. HUD intends to update its regulations by December 26, 2014 to implement these new requirements in its programs. In the meantime, applicable OMB Circulars and the regulations at 2 C.F.R. Part 225 will continue to apply to existing grants. After HUD implements the new requirements in 2 C.F.R. Part 200 (after December 26, 2014), all grants will be subject to 2 C.F.R. Part 200, as implemented by HUD.

I. Program Name and Unique Identifier: 2016 Capital Improvement Projects (AHP I)

1.1 Program Description *(This should be the description of the planned program.):*

To build infrastructure for new construction in East Kapolei; Waimanalo; Panaewa and Waiohuli. Previous housing plans listed each CIP project separately but beginning with this housing plan, all CIP will be condensed under one program name/unique identifier.

Kapolei

To construct infrastructure development for lots in IIC.

Waimanalo

To construct infrastructure development for lots in Kakaina. Majority of work completed; however, some change orders may continue to FY 17.

Waiohuli

To construct onsite drainage mitigation measures and other improvements for 46 lots. Contract awarded in February 2016.

Panaewa

This activity provides infrastructure and lot development of 16 subsistence ag lots in Panaewa, Hawaii. Draft EA completed in Fall 2015 and IFB expected in late 2016.

1.2 Eligible Activity Number *(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):*

(24) Infrastructure to Support Housing [810(b)(1)]

1.3 Intended Outcome Number *(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):*

(2) Assist renters to become homeowners

Describe Other Intended Outcome *(Only if you selected "Other" above.):*

1.4 Actual Outcome Number *(In the APR identify the actual outcome from the Outcome list.):*

Describe Other Actual Outcome *(Only if you selected "Other" above.):*

1.5 Who Will Be Assisted *(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):*

Applicant lessees or undivided interest lessees who meet NAHASDA criteria will receive vacant or improved lots for new home construction.

1.6 Types and Level of Assistance *(Describe the types and the level of assistance that will be provided to each household, as applicable.):*

This activity covers the cost of the infrastructure for each of the projects at East Kapolei, Waiohuli, Panaewa and Waimanalo.

1.7 APR: (Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)).

1.8: Planned and Actual Outputs for 12-Month Fiscal Year

Planned Number of Units to be Completed in Year Under this Program	Planned Number of Households To Be Served in Year Under this Program	Planned Number of Acres To Be Purchased in Year Under this Program	APR: Actual Number of Units Completed in Fiscal Year	APR: Actual Number of Households Served in Fiscal Year	APR: Actual Number of Acres Purchased in Fiscal Year

This activity will be reported on the Uses of Funding Table

1.9: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

1.10: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

II. Program Name and Unique Identifier: Developer Financing – Lai Opua (AHP II)

1.1 Program Description (This should be the description of the planned program.):

This activity will provide for funding as part of a capital stack to conduct vertical construction of 70 rent with option to purchase units in Lai Opua, Village 4. Continued from last Housing Plan with no activity. RFP/IFB to be published later this calendar year.

1.2 Eligible Activity Number (Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):

(4) Construction of Rental Housing [810(b)(1)]

1.3 Intended Outcome Number (Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):

7) Create new affordable rental units

Describe Other Intended Outcome (Only if you selected "Other" above.):

1.4 Actual Outcome Number (In the APR identify the actual outcome from the Outcome list.):

Describe Other Actual Outcome (Only if you selected "Other" above.):

1.5 Who Will Be Assisted (Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):

70 undivided interest lessees will be assisted through the vertical construction of their home in Lai Opua.

1.6 Types and Level of Assistance (Describe the types and the level of assistance that will be provided to each household, as applicable.):

This activity covers the cost of the vertical construction for each of 70 lots.

1.7 APR: (Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)).

1.8: Planned and Actual Outputs for 12-Month Fiscal Year

Planned Number of Units to be Completed in Year Under this Program	Planned Number of Households To Be Served in Year Under this Program	Planned Number of Acres To Be Purchased in Year Under this Program	APR: Actual Number of Units Completed in Fiscal Year	APR: Actual Number of Households Served in Fiscal Year	APR: Actual Number of Acres Purchased in Fiscal Year
0	0	0			

This activity will be reported on the Uses of Funding Table

1.9: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

1.10: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

III. Program Name and Unique Identifier: HALE Program – Risk Mitigation (AHP III)

1.1 Program Description (This should be the description of the planned program.):

The HALE Program has two branches: 1) Risk Mitigation, in the form of homebuyer education services; and 2) Loss Mitigation, in the form of lease cancellation/foreclosure prevention services. This first activity will deal with Risk Mitigation.

The department began the HALE program pilot in August 2013, with the creation of the NHHBG Loan Review Committee which identified barriers to loan approval and developed risk mitigation efforts to address/remove those barriers. The identified recipients of HALE services are those families receiving NHHBG-funded homeowner financing, down payment assistance, individual development accounts, and/or NHHBG eligible but receiving outside financing.

1.2 Eligible Activity Number (Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):

(18) Other Housing Service [810(b)(2)]

1.3 Intended Outcome Number (Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):

(2) Assist renters to become home owners

Describe Other Intended Outcome (Only if you selected "Other" above.):

1.4 Actual Outcome Number (In the APR identify the actual outcome from the Outcome list.):

Describe Other Actual Outcome (Only if you selected "Other" above.):

1.5 Who Will Be Assisted (Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):

HALE's risk mitigation services will serve the following projects statewide, assisting beneficiaries to become credit qualified:

Kauai: 6 Habitat lessees, Piilani Mai Ke Kai

Maui: 46 U/I lessees, Waiohuli

Molokai: 6 Habitat lessees, Kalamaula

Molokai: 77 Package Home lessees, Kalamaula

Molokai: 4 Habitat lessees, Hoolehua

Oahu: 10 Kanehili lessees for turnkey units

Oahu: 17 Kakaina lessees for self-help units

Oahu: 13 Kakaina lessees for turnkey units

Oahu: 160 East Kapolei IIB, Kapolei

Hawaii: 10 Habitat lessees, Lai Opu

Hawaii: 118 Lai Opu Lessees, Village 4

Hawaii: 6 Habitat lessees, Kawaihae Mauka

Hawaii: 33 Package Home lessees, Keaukaha

Total: 506 lessees

1.6 Types and Level of Assistance (Describe the types and the level of assistance that will be provided to each household, as applicable.):

In the past three years, the department has discovered that many lessees who are attempting to qualify for homestead offerings simply do not have the credit to do so. Many of these lessees have taken homebuyer education courses that have had no impact to their behavior and as a result, for example, within six months of pre-qualifying for a self-help loan, they are debt ridden and not on a budget.

The creation of the NHHBG Loan Review has done the following:

- Review the barriers being experienced by the applicant lessee

- Identify mitigation strategies to minimize the risk to the NHHBG portfolio
- Utilize credit counseling partners to assist applicant lessee to loan closing

The department's NHHBG-funded housing specialists now develop a personal relationship with each loan applicant; assesses their family strengths/weaknesses and then engages with the Loan Review team to develop risk mitigation strategies. After securing referrals thru either contract providers or one of the 5 free HUD-certified counseling agencies, staff then receives regular reports on the family's progress. Once the family is ready to move forward, the loan review team prepares the necessary loan request for the Chairman's approval. The department realizes that our families need intensive handholding and frequent follow up in order to have the statewide projects identified in 4.6 realized.

The following subrecipients have/will have agreements that will focus on this goal and activity and will be reported as follows in the Annual Performance Report to enhance transparency and facilitate information dissemination:

Executed Agreements:

- Hawaiian Community Assets, 2012 Award, \$312,457; bal. \$207,715.67 (Assist 75 w/financial counseling & debt reduction grants)
- Hawaii Home Ownership Center, 2014 Award, \$622,263; bal. \$599,313.83 (Assist families on Hawaii Island & Kauai with homeownership preparation)
- Helen Wai, LLC, 2014 Award, \$498,000; bal. \$442,097.24 (Assist families on Oahu with homeownership preparation)

1.7 APR: (Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)).

1.8: Planned and Actual Outputs for 12-Month Fiscal Year

Planned Number of Units to be Completed in Year Under this Program	Planned Number of Households To Be Served in Year Under this Program	Planned Number of Acres To Be Purchased in Year Under this Program	APR: Actual Number of Units Completed in Fiscal Year	APR: Actual Number of Households Served in Fiscal Year	APR: Actual Number of Acres Purchased in Fiscal Year
0	30	0			

1.9: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

1.10: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

IV. Program Name and Unique Identifier: HALE Program – Loss Mitigation (AHP IV)

1.1 Program Description (This should be the description of the planned program.):

This activity in the second branch of the HALE Program: 2) Loss Mitigation, in the form of lease cancellation/foreclosure prevention services.

NHHBG staff have been active participants of the department's Delinquency (DQ) Committee since its inception two years ago. Utilizing meetings with local/mainland banks and mortgage companies; research on best practices for loss mitigation; and

piloting the East Hawaii Loss Mitigation products have resulted in the initial strategies currently being studied for implementation. At present, the department currently offers two distinct types of loans: external loans (247, 184A, USDA-RD, etc.) and direct loans (with Trust or NHHBG monies). While the 11/30/14 Delinquency Report compiled by HSD shows the direct loan portfolio at 26% delinquent (approximately \$16 million), it is the FHA Insured Loan portfolio that causes the greatest consternation: just 11% (307 loans) delinquent but representing approximately \$39 million in external loans that are on the path to defaulting back to the Trust.

In order to attempt to mitigate this problem, staff have met with each of the 5 agencies who received National Mortgage Settlement monies to educate them on this portfolio and to ask for their assistance in providing free services to our beneficiaries. Training of department staff in foreclosure prevention was done in early November 2013 and ongoing NeighborWorks trainings were held in 2014 for staff, subrecipients, and community stakeholders so that mitigation education can be found in every homestead community. The plan includes reaching out to these defaulting beneficiaries and secure their cooperation in preventing their external loan from defaulting. Where staff have heard from these service providers about the external lenders failing to provide loss mitigation services as defined by the current HUD memorandum of agreement, documentation of such and the Chairman's active involvement in seeking to address this issue at the federal level has been successful in diverting and/or reducing the amount of external loans defaulting back to the Trust.

Now that the department has hired its HALE Manager, these additional NHHBG funded loss mitigation options are being planned for the later part of this calendar year to include:

- Temporary financial assistance, short term
- Direct loan forbearance, interest rate reduction, and/or deferment
- Development of the HALE loss mitigation team

1.2 Eligible Activity Number (Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):

(18) Other Housing Service [810(b)(2)]

1.3 Intended Outcome Number (Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):

(12) Other

Describe Other Intended Outcome (Only if you selected "Other" above.):

To maintain a lessee in his/her own home.

1.4 Actual Outcome Number (In the APR identify the actual outcome from the Outcome list.):

Describe Other Actual Outcome (Only if you selected "Other" above.):

1.5 Who Will Be Assisted (Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):

The lessees listed on the department's monthly statewide report who are delinquent 30+ days or more are eligible for loss mitigation services under HALE.

1.6 Types and Level of Assistance (Describe the types and the level of assistance that will be provided to each household, as applicable.):

- Temporary financial assistance, short term
- Direct loan forbearance, interest rate reduction, and/or deferment
- Counseling and advocacy assistance for external loan lessees
- Counseling and advocacy assistance for direct loan lessees in the lease cancellation process

Executed Agreements:

- Hawaiian Community Assets, 2012 Award, \$312,457; bal. \$207,715.67 (Assist 75 w/financial counseling & debt reduction grants)*
- Hawaii Community Assets, 2015 Award, \$300,000 (Assist up to 150 lease cancellation families)
- Helen Wai, 2015 Award, \$200,000 (Assist up to 100 lease cancellation families)
- Nanakuli Housing Corp., 2015 Award, \$100,000 (Assist up to 50 lease cancellation families)

*Clarification received from HUD that eligible activities for debt reduction grants includes short-term subsidies to bring a delinquency current or to pay delinquent utility bills. Examples of non-eligible activities include non-housing related credit card debt or car loan payments.

1.7 APR: (Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):

1.8: Planned and Actual Outputs for 12-Month Fiscal Year

Planned Number of Units to be Completed in Year Under this Program	Planned Number of Households To Be Served in Year Under this Program	Planned Number of Acres To Be Purchased in Year Under this Program	APR: Actual Number of Units Completed in Fiscal Year	APR: Actual Number of Households Served in Fiscal Year	APR: Actual Number of Acres Purchased in Fiscal Year
0	30	0			

1.9: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

1.10: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

V. Program Name and Unique Identifier: Homeowner Financing (AHP V)

1.1 Program Description (This should be the description of the planned program.):

This program will utilize statewide contracts with federally insured, federally regulated financial institutions to deploy financing for the housing projects identified in 5.6 above. The deployment of NHHBG monies to federal depository institutions means a high level of compliance with regulatory requirements common in the industry while disseminating loan origination and servicing duties to the communities where the homesteads are located. Financing will also be provided directly by the department through its Direct Loan Program.

1.2 Eligible Activity Number (Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):

(14) Lending Subsidies for Homebuyers (Loan) [810(b)(1)]

1.3 Intended Outcome Number (Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):

(2) Assist renters to become homeowners

Describe Other Intended Outcome (Only if you selected "Other" above.):

1.4 Actual Outcome Number (In the APR identify the actual outcome from the Outcome list.):

Describe Other Actual Outcome (Only if you selected "Other" above.):

1.5 Who Will Be Assisted (Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):

The lessees of the following projects will be targeted for assistance. While not all may receive assistance in the 12 month timeframe, we are estimating that given the length of time for program planning, procurement, and service delivery design, at least 6 families should receive home loans thru this program.

Kauai: 6 Habitat lessees, Piilani Mai Ke Kai

Maui: 46 U/I lessees, Waiohuli

Molokai: 6 Habitat lessees, Kalamaula

Molokai: 77 Package Home lessees, Kalamaula

Molokai: 4 Habitat lessees, Hoolehua

Oahu: 10 Kanehili lessees for turnkey units

Oahu: 17 Kakaina lessees for self-help units

Oahu: 13 Kakaina lessees for turnkey units

Oahu: 160 East Kapolei IIB, Kapolei

Hawaii: 10 Habitat lessees, Lai Opu

Hawaii: 118 Lai Opu Lessees, Village 4

Hawaii: 6 Habitat lessees, Kawaihae Mauka

Hawaii: 33 Package Home lessees, Keaukaha

Total: 506 lessees

1.6 Types and Level of Assistance (Describe the types and the level of assistance that will be provided to each household, as applicable.):

Financing for home loans statewide utilizing NHHBG funds for projects afore-mentioned.

1.7 APR: (Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):

1.8: Planned and Actual Outputs for 12-Month Fiscal Year

Planned Number of Units to be Completed in	Planned Number of Households To Be Served in Year Under this Program	Planned Number of Acres To Be Purchased in	APR: Actual Number of Units Completed in Fiscal Year	APR: Actual Number of Households Served in Fiscal Year	APR: Actual Number of Acres Purchased in Fiscal Year
--	--	--	--	--	--

Year Under this Program		Year Under this Program			
5		0			

1.9: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

1.10: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

VI. Program Name and Unique Identifier: Energy Retrofits (AHP VI)

1.1 Program Description *(This should be the description of the planned program.):*

This program reduces monthly costs to the lessee by providing energy saving retrofits.

1.2 Eligible Activity Number *(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):*

(16) Rehabilitation Assistance to Existing Homeowners [810(b)(1)]

1.3 Intended Outcome Number *(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):*

(10) Improve energy efficiency

Describe Other Intended Outcome *(Only if you selected "Other" above.):*

1.4 Actual Outcome Number *(In the APR identify the actual outcome from the Outcome list.):*

Describe Other Actual Outcome *(Only if you selected "Other" above.):*

1.5 Who Will Be Assisted *(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):*

Eligible lessees residing on department's trust lands are eligible for assistance.

1.6 Types and Level of Assistance *(Describe the types and the level of assistance that will be provided to each household, as applicable.):*

The following subrecipients have/will have agreements that will focus on this goal and activity and will be reported as follows in the Annual Performance Report to enhance transparency and facilitate information dissemination:

Executed Agreements:

- Council for Native Hawaiian Advancement, 2011 Award: \$453,058; Bal: \$409,547.70 (ex. 01/10/13; 60 families)

1.7 APR: (Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):

1.8: Planned and Actual Outputs for 12-Month Fiscal Year

Planned Number of Units to be Completed in Year Under this Program	Planned Number of Households To Be Served in Year Under this Program	Planned Number of Acres To Be Purchased in Year Under this Program	APR: Actual Number of Units Completed in Fiscal Year	APR: Actual Number of Households Served in Fiscal Year	APR: Actual Number of Acres Purchased in Fiscal Year
5					

1.9: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

1.10: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

VII. Program Name and Unique Identifier: Home Assistance Program (HAP) (AHP VII)**1.1 Program Description** (This should be the description of the planned program.):

This program covers the department's attempt to address substandard, aging housing on the homelands. The policies and procedures for HAP were passed at the July 2013 meeting of the commission on Kauai. Using its existing partnerships with community agencies, the goal is to service the beneficiary lessees of: Kalamaula/Hoolehua/Kapaakea; Keaukaha-Panaewa; Nanakuli/Waianae; and Papakolea/Waimanalo. There are already 50 families identified or being served at present by the department and another 24 families set to be helped with pending agreements.

1.2 Eligible Activity Number (Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):

(16) Rehabilitation Assistance to Existing Homeowners [810(b)(1)]

1.3 Intended Outcome Number (Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):

(3) Improve quality of substandard units

Describe Other Intended Outcome (Only if you selected "Other" above.):

1.4 Actual Outcome Number (In the APR identify the actual outcome from the Outcome list.):

Describe Other Actual Outcome (Only if you selected "Other" above.):

1.5 Who Will Be Assisted (Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):

Families determined and identified by HAP or subrecipient staff as eligible will be assisted. This includes the 20 families who were waiting for help from the C&C of Honolulu program.

1.6 Types and Level of Assistance (Describe the types and the level of assistance that will be provided to each household, as applicable.):

Deferred payment loans, as defined by HAP or the respective subrecipient agreement, will be provided.

The following subrecipients have/will have agreements that will focus on this goal and activity and will be reported as follows in the Annual Performance Report to enhance transparency and facilitate information dissemination:

Executed Agreements:

- Nanakuli Housing Corporation, 2011 Award: \$328,850; bal: \$50,002.88; (Assist 2 lessees)
- Nanakuli Housing Corporation, 2012 Award: \$360,850; bal: \$313,727.67 (Assist 5 lessees)
- Kauai Habitat, 2012 Award: \$300,000 (Assist 6 lessees); NTP issued 09/2015.

1.7 APR: (Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)).

1.8: Planned and Actual Outputs for 12-Month Fiscal Year

Planned Number of Units to be Completed in Year Under this Program	Planned Number of Households To Be Served in Year Under this Program	Planned Number of Acres To Be Purchased in Year Under this Program	APR: Actual Number of Units Completed in Fiscal Year	APR: Actual Number of Households Served in Fiscal Year	APR: Actual Number of Acres Purchased in Fiscal Year
5					

1.9: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

1.10: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

VIII. Program Name and Unique Identifier: Existing Water Infrastructure Improvements (AHP VIII)

1.1 Program Description (This should be the description of the planned program.): This activity will utilize NHHBG funding leveraged with USDA to improve water infrastructure for systems in Hoolehua, Molokai and Anahola, Kauai.

1.2 Eligible Activity Number (Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):

(24) Infrastructure to Support Housing [810(b)(1)]

1.3 Intended Outcome Number (Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):

(4) Improve quality of existing infrastructure

Describe Other Intended Outcome (Only if you selected "Other" above.):

1.4 Actual Outcome Number (In the APR identify the actual outcome from the Outcome list.):

Describe Other Actual Outcome (Only if you selected "Other" above.):

1.5 Who Will Be Assisted (Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):

New and existing lessees in Anahola, Kauai and Hoolehua, Molokai would be assisted with water infrastructure improvements.

1.6 Types and Level of Assistance (Describe the types and the level of assistance that will be provided to each household, as applicable.):

Improved water service delivery and/or new water service delivery for lessees in the previously mentioned homesteads.

1.7 APR: (Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):

1.8: Planned and Actual Outputs for 12-Month Fiscal Year

Planned Number of Units to be Completed in Year Under this Program	Planned Number of Households To Be Served in Year Under this Program	Planned Number of Acres To Be Purchased in Year Under this Program	APR: Actual Number of Units Completed in Fiscal Year	APR: Actual Number of Households Served in Fiscal Year	APR: Actual Number of Acres Purchased in Fiscal Year

This activity will be reported on the Uses of Funding Table

1.9: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

1.10: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

IX. Program Name and Unique Identifier: Emergency Financing (AHP IX)

1.1 Program Description (This should be the description of the planned program.):

This activity provides emergency funding (CIP, fee for services) for the DHHL to use on behalf of existing lessees. In the instance where health or safety of lessee(s) may be compromised, this activity will allow for the use of NHHBG funds for emergency CIP or contract services to assist eligible families.

1.2 Eligible Activity Number (Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):

(24) Infrastructure to Support Housing [810(b)(1)]

1.3 Intended Outcome Number (Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):

(4) Improve quality of existing infrastructure

Describe Other Intended Outcome (Only if you selected "Other" above.):

1.4 Actual Outcome Number (In the APR identify the actual outcome from the Outcome list.):

Describe Other Actual Outcome (Only if you selected "Other" above.):

1.5 Who Will Be Assisted (Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):

Assistance would be for lessees who have need for help on an emergency basis (retaining wall collapse; sewer/septic tank backup; shifting foundation; earthquake/flood/tsunami/lava flow)

1.6 Types and Level of Assistance (Describe the types and the level of assistance that will be provided to each household, as applicable.):

The DHHL would use NHHBG funds to carry out assistance for lessees who may be in imminent danger or health/sanitation compromised by an existing/new situation.

1.7 APR: (Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):

1.8: Planned and Actual Outputs for 12-Month Fiscal Year

Planned Number of Units to be Completed in Year Under this Program	Planned Number of Households To Be Served in Year Under this Program	Planned Number of Acres To Be Purchased in Year Under this Program	APR: Actual Number of Units Completed in Fiscal Year	APR: Actual Number of Households Served in Fiscal Year	APR: Actual Number of Acres Purchased in Fiscal Year

This activity will be reported on the Uses of Funding Table

1.9: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

1.10: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

X. Program Name and Unique Identifier: Property Acquisition (AHP X)

1.1 Program Description (*This should be the description of the planned program.*):

This activity provides funds for the department to purchase vacant land or existing housing for inclusion into Trust inventory.

1.2 Eligible Activity Number (*Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.*):

(10) Acquisition of Land for Homebuyer Unit Development [810(b)(1)]

1.3 Intended Outcome Number (*Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.*):

(1) Reduce over-crowding

Describe Other Intended Outcome (*Only if you selected "Other" above.*):

1.4 Actual Outcome Number (*In the APR identify the actual outcome from the Outcome list.*):

Describe Other Actual Outcome (*Only if you selected "Other" above.*):

1.5 Who Will Be Assisted (*Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.*):

Applicants on the waitlist will be assisted by having additional affordable housing stock made available to lease by the department.

1.6 Types and Level of Assistance (*Describe the types and the level of assistance that will be provided to each household, as applicable.*):

Land identified for acquisition will be considered for purchase for future development to increase affordable housing inventory on DHHL Trust Lands.

1.7 APR: (*Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3).*):

1.8: Planned and Actual Outputs for 12-Month Fiscal Year

Planned Number of Units to be Completed in Year Under this Program	Planned Number of Households To Be Served in Year Under this Program	Planned Number of Acres To Be Purchased in Year Under this Program	APR: Actual Number of Units Completed in Fiscal Year	APR: Actual Number of Households Served in Fiscal Year	APR: Actual Number of Acres Purchased in Fiscal Year
		1			

This activity will be reported on the Uses of Funding Table

1.9: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

1.10: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). **NOTE:** It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

NOTE: Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.

SECTION 4: AFFORDABLE HOUSING RESOURCES

This section of the NHHP is designed to provide the public with basic background information on the characteristics shaping DHHL's affordable housing programs. Each portion of the text below has several required components that must be discussed. DHHL is encouraged to carefully review the instructions for each section and provide text covering all required elements.

Housing Market (NAHASDA § 803(c)(2)(D)(i) and (ii)) *(Describe the key characteristics of the housing market in the State of Hawaii, currently, and in the period of time covered by the plan. Include a description of the availability of housing from other public sources and private market housing, and how this supply of housing affected the DHHL's program/activity choices.):*

Wages remain relatively low in Hawai'i making housing affordability a major issue for residents of the state. Because wages remain low, families living in Hawai'i often work more than one job to make ends meet. The SMS Study of 2006 indicated that 44% of all households in the state were at or below 80% of median income. According to the same report, even families with household incomes between 120% and 140% of median income in Hawai'i require affordable housing units given the high costs of housing.

Almost one fourth (22.7%) of all Hawai'i residents pay over 40% of their monthly household income toward their shelter costs and approximately one third (34%) pay over 30% of their monthly household income toward their shelter costs. However, when examined closer it is clear that those households with income levels below 80% of the area median income are more likely to be paying over 30% of their household income toward shelter costs. More specifically, for all households in the state that are at or below 80% of area median income levels, about half (52.22%) pay over 30% of their monthly income toward shelter costs and approximately 38.33% pay over 40% of their monthly income toward shelter costs. As stated previously, shelter to income ratios are higher for native Hawaiian households in that 45.5% pay over 40% of their monthly household income toward their shelter costs whereas only 36.6% of non-native households pay over 40% of their monthly household income toward shelter costs.

The department currently sits as a member partner on the Legislature's Affordable Housing Think Tank and the Governor's Interagency Council on Homelessness. At a recent briefing for the state legislature, all state housing agencies attended to provide a schedule of upcoming housing activities/unit count. The department's NHHBG funded mortgage loans provide single family housing for the same or lower price than a studio in a multi-family high rise built by another housing agency in the urban core. Without NHHBG funding, the department would be unable to build or finance housing for the 80% AMI or below target population.

Cooperation (NAHASDA § 803(c)(2)(D)(iii)) *(Describe the structure, coordination, and means of cooperation between DHHL and other relevant partners and organizations [including private nonprofit organizations experienced in the planning and development of affordable housing] in the development, submission, or implementation of its housing plan. In addition, DHHL must indicate if it plans to use loan guarantees under Section 184A of the Housing and Community Development Act of 1992 and any other housing assistance provided by the Federal Government.):*

The department currently partners with a number of housing agencies and organizations either thru subject matter meetings or formal MOUs or agreements. Included in each of the activities of the plan above were the names of the organizations currently or about to receive, monies from the NHHBG.

The Section 184A Loan Guarantee Program, which is similar to the Section 184 Loan Guarantee Program giving Native Americans access to private mortgage financing by providing loan guarantees to lenders, was implemented in 2007. Currently, Home Street Bank and Bank of Hawai'i are approved lenders for the

Section 184 A loan program.

DHHL has been utilizing the FHA 247 loan program since 1987. Almost \$390 million in mortgage loans are outstanding through the FHA 247 loan program to lessees on Hawaiian home lands. Also available is the FHA 203K program for rehabilitation of homes. The Veterans Affairs direct loan, Rural Development (U.S. Department of Agriculture) loan programs, Federal Home Loan Bank (Seattle) Affordable Housing Program grants and low-income housing tax credits are other financing options and tools utilized on Hawaiian home lands.

Demolition and Disposition (NAHASDA § 803(c)(2)(D)(viii), 24 CFR 1006.101(b)(4)(viii)) *(Describe any planned demolition or sale of NHHBG-assisted housing units, or any other demolition or disposition that will be carried out with NHHBG funds. Be certain to include a financial analysis of the proposed demolition, the timetable for any planned demolition or disposition and any other information that is required by HUD with respect to the demolition or disposition.):*

There are no 1937 Act housing on Hawaiian home lands. The DHHL does not anticipate demolishing any units funded by the NHHBG.

Coordination (NAHASDA § 803(c)(2)(D)(ix)) *(Describe how DHHL will coordinate with partners to promote employment and self-sufficiency opportunities for residents of affordable housing.):*

The State of Hawai'i Department of Human Services (DHS) administers individual and family financial assistance programs that provide cash payments to help individuals and families meet their basic needs. The programs include Temporary Assistance to Needy Families (TANF), Temporary Assistance to Other Needy Families (TAONF), General Assistance (GA), Aid to the Aged, Blind and Disabled (AABD) and the Food Stamps program. Medical assistance is provided through the Hawai'i QUEST and Medicaid fee-for-services programs. Vocational rehabilitation services are provided to persons with disabilities. Whenever the DHHL staff is made aware of a lessee in need, the families are referred to DHS or to an appropriate non-profit service provider.

Safety (NAHASDA § 803(c)(2)(D)(x)) *(Describe how DHHL will promote crime prevention and resident involvement in affordable housing.):*

The DHHL continues to coordinate efforts with the Police Narcotics Division, the Sherriff's Office and the Attorney General's Office—Investigative Division to do surveillance and to evict the offending occupants whenever there is evidence of drug problems or other crimes in the homestead areas. If investigation results in a conviction, the lessee is taken to a contested case hearing for lease cancellation.

Capacity (NAHASDA § 803(c)(2)(D)(xi)) *(Describe the structure, capacity, and key personnel of the entities that will carry out the program/activities of the housing plan.):*

The DHHL was created by the State Legislature in 1960 to administer the Hawaiian home lands program and

manage the Hawaiian home lands trust. The DHHL is one of eighteen principal agencies of the Executive Branch of the State of Hawai'i.

The DHHL serves native Hawaiians or individuals of at least 50% Hawaiian blood, as defined by the Hawaiian Homes Commission Act of 1920, as amended, and their successors and assigns. These native Hawaiians are the beneficiaries of the Hawaiian home lands trust consisting of a land trust of over 200,000 acres, settlement monies from the State for the mismanagement of trust lands, funds received from the State general fund for a portion of its operating costs, and revenues and earnings from the land leasing program.

The DHHL is governed by a nine-member board of commissioners headed by the Chairman, who also serves as the executive officer of the DHHL. The Governor of the State of Hawai'i appoints each commissioner and Chairman to a four-year term. The terms of the commissioners are staggered.

Currently, there are 99 full time employees in DHHL with six offices statewide. DHHL's main administrative office is located in Kapolei, Oahu and the five (5) district offices are located on neighbor islands. There are two (2) district offices on the Big Island, one in Hilo (East Hawaii) and one in Waimea (West Hawai'i), Hawai'i; one (1) district office in Lihue, Kauai; one (1) district office in Wailuku, Maui; and one (1) district office in Kalamaula, Molokai. DHHL is organized into five offices and three divisions under the Hawaiian Homes Commission and Office of the Chairman. The various offices and divisions are described as follows:

Office of the Chairman (OCH) — 18 staff members

The Office of the Chairman consists of the Chairman of the Hawaiian Homes Commission, who is also the Director of Department of Hawaiian Home Lands; the Deputy to the Chairman, the Executive Assistant; the NAHASDA Manager, HALE Manager, NAHASDA Program Specialist, NAHASDA Compliance Specialist, NAHASDA Clerk; and executive staff.

Administrative Services Office (ASO) – 7 staff members

The Administrative Services Office provides DHHL staff support in the areas of personnel, budgeting, program evaluation, information and communication systems, risk management, facilities management, clerical services and other administrative services. This office also provides support services in preparation of legislative proposals and testimonies, coordinates the preparation of reports to the legislature and facilitates the rule-making process.

Fiscal Office (FO) – 14 staff members

The Fiscal Office provides accounting support for DHHL. One accountant is dedicated to the NHHBG whose position is currently vacant.

Planning Office (PO) - 8 staff members

The Planning Office conducts research and planning studies required in the development of policies, programs, and projects to benefit native Hawaiians. The PO coordinates and develops the Regional Plans, administers the Native Hawaiian Development Program, provides capacity building training for homestead organizations, and provides community based grants for the implementation of Regional priority projects, community based economic development, and membership development.

Information and Community Relations Office (ICRO) – 3 staff members

The Information and Community Relations Office disseminates information to the public on Department issues, oversees community relations with the various homestead communities and coordinates DHHL's ceremonies. They also publish DHHL's annual reports to the State Legislature.

Homestead Services Division (HSD) – 32 staff members

HSD is composed of three branches: 1) Homestead Applications, 2) District Operations, and 3) Loan Services. HSD is the largest division in DHHL, has staff on all islands, and services more than 25,000 applicants and 8,000 lessees on five islands.

Land Management Division (LMD) – 9 staff members

LMD is responsible for managing Hawaiian home lands that are not used for homestead purposes. Unencumbered lands are managed and disposed of for long and short term uses in order to generate revenues and keep the lands productive while minimizing the occurrence of vegetative overgrowth, squatting or illegal dumping. LMD is responsible for properly managing the lands in DHHL's inventory.

Land Development Division (LDD) – 15 staff members

LDD is charged with the responsibility of developing trust lands for homesteading and income-producing purposes. This is accomplished through the development of properties for residential, agricultural, pastoral, and economic development uses. LDD has three operating branches: 1) Design and Construction – concentrating on the design and construction of off-site and on-site improvements for the various subdivisions; and 2) Master-Planned Community – expediting the construction of housing options through partnerships with private sector and exploring other housing opportunities; and, 4) Housing Project—awards leases.

The following is a listing of the key personnel responsible for the implementation of DHHL and NAHASDA assisted programs:

Hawaiian Homes Commission (HHC)

Jobie M.K. Masagatani, Chairman
David Kaapu, West Hawaii Commissioner
Wallace "Wally" Ishibashi, East Hawaii Commissioner
Doreen Napua Canto, Maui Commissioner
Gene Ross Davis, Molokai Commissioner
Kahele Richardson, Oahu Commissioner
Michael P. Kahikina, Oahu Commissioner
Wren Wescoatt, Oahu Commissioner
Kathleen Puamae'ole "Pua" Chin, Kauai Commissioner

Department of Hawaiian Home Lands

Jobie M. K. Masagatani, Director
William J. Aila, Jr., Deputy to the Chairman
Derek Kimura, HHL Executive Assistant
Kamana'o Mills, Special Assistant
Rodney Lau, Administrative Services Officer
James Pao, Fiscal Management Officer
Kaleo Manuel, Acting Planning Program Manager
Francis Apoliona, HHL Compliance and Community Relations Officer
Niniau Simmons, Manager (NAHASDA)
Trisha Paul, Program Specialist (NAHASDA)
Dawnelle Forsythe, Compliance Specialist (NAHASDA)
Paula Aila, HALE Manager/Acting ICRO Manager
Juan Garcia, Homestead Services District Supervisor III

Louis Hao, East Hawaii Homestead District Supervisor
James Du Pont, West Hawaii Homestead District Supervisor II
Halealoha Ayau, Molokai Homestead District Supervisor II
Isaac Takahashi, Homestead Housing Specialist VI
Dean Oshiro, Housing Services Division Administrator
Sharon Mendoza, HHL Mortgage Loan Specialist (NAHASDA)
Michelle Hitzeman, Housing Specialist (NAHASDA)
Carol Ann Takeuchi, Housing Specialist (NAHASDA)
Nadine Pomroy, Clerk (NAHASDA)
Linda Chinn, Land Management Division Administrator
Norman Sakamoto, Land Development Division Administrator

SECTION 5: BUDGETS

(1) Sources of Funding (NAHASDA § 803(c)(2)(C)(i) and 820(b)(1)) (Complete the non-shaded portions of the chart below to describe your estimated or anticipated sources of funding for the 12-month fiscal year. **APR Actual Sources of Funding -- Please complete the shaded portions of the chart below to describe your actual funds received. Only report on funds actually received and under a grant agreement or other binding commitment during the 12-month fiscal year.**)

SOURCE	NHHP					APR					
	(A) Estimated amount on hand at beginning of fiscal year	(B) Estimated amount to be received during 12- month fiscal year	(C) Estimated total sources of funds (A + B)	(D) Estimated funds to be expended during 12- month fiscal year	(E) Estimated unexpended funds remaining at end of fiscal year (C minus D)	(F) Actual amount on hand at beginning of fiscal year	(G) Actual amount received during 12- month fiscal year	(H) Actual total sources of funding (F + G)	(I) Actual funds expended during 12- month fiscal year	(J) Actual unexpended funds remaining at end of 12- month fiscal year (H minus I)	(K) Actual unexpended funds obligated but not expended at end of 12- month fiscal year
1. NHHBG Funds	55,000,000	0	55,000,000	19,250,000	35,750,000						
2. NHHBG Program Income	0	480,000	480,000	480,000	0						
LEVERAGED FUNDS											
3. Other Federal Funds											
4. LIHTC											
5. Non-Federal Funds											
TOTAL	55,000,000	480,000	55,480,000	19,730,000	35,750,000						

Notes:

- For the NHHP, fill in columns A, B, C, D, and E (non-shaded columns). For the APR, fill in columns F, G, H, I, J, and K (shaded columns).
- Total of Column D should match the total of Column N from the Uses Table on the following page.
- Total of Column I should match the Total of Column Q from the Uses Table on the following page.
- For the NHHP, describe any estimated leverage in Line 3 below. For the APR, describe actual leverage in Line 4 below (APR).

(2) Uses of Funding (NAHASDA § 803(c)(2)(C)(ii)) (Note that the budget should not exceed the total funds on hand (Column C) and insert as many rows as needed to include all the programs identified in Section 3. Actual expenditures in the APR section are for the 12-month fiscal year.)

PROGRAM NAME (tie to program names in Section 3 above)	Unique Identifier	NHHP			APR		
		(L) Prior and current year NHHBG (only) funds to be expended in 12- month fiscal year	(M) Total all other funds to be expended in 12- month fiscal year	(N) Total funds to be expended in 12- month fiscal year (L + M)	(O) Total NHHBG (only) funds expended in 12-month fiscal year	(P) Total all other funds expended in 12- month fiscal year	(Q) Total funds expended in 12-month fiscal year (O+P)
2016 CIP	AHP I	1,000,000	120,000	1,120,000			
Developer Financing – Lai Opua	AHP II	350,000	120,000	470,000			
HALE Risk Mitigation	AHP III	150,000	120,000	270,000			
HALE Loss Mitigation	AHP IV	150,000		150,000			
Homeowner Financing	AHP V	3,000,000	60,000	3,060,000			
Energy Retrofits	AHP VI	100,000	60,000	160,000			
HAP	AHP VII	1,500,000		1,500,000			
Water Improvements	AHP VIII	1,000,000		1,000,000			
Emergency Financing	AHP IX	2,000,000		2,000,000			
Land Acquisition	AHP X	10,000,000		10,000,000			
Planning and Administration		820,000		820,000			
Loan Repayment – describe in 3 and 4 below.							
TOTAL		19,250,000	480,000	19,730,000			

Notes:

- Total of Column L cannot exceed the NHHBG funds from Column C, Row 1 from the Sources Table on the previous page.
- Total of Column M cannot exceed the total from Column C, Rows 2-10 from the Sources Table on the previous page.
- Total of Column O cannot exceed total NHHBG funds received in Column H, Row 1 from the Sources Table on the previous page.
- Total of Column P cannot exceed total of Column H, Rows 2-10 of the Sources Table on the previous page.
- Total of Column Q should equal total of Column L of the Sources Table on the previous page.

(3) Estimated Sources or Uses of Funding (NAHASDA § 803(c)(2)(C)). *(Provide any additional information about the estimated sources or uses of funding, including leverage (if any). You must provide the relevant information for any planned loan repayment. The text must describe which specific loan is planned to be repaid and the NAHASDA-eligible activity and program associated with this loan):*

The department will be providing NHHBG funds to the procured developer for the vertical construction described in AHP II but does not know at this time the other resources the vendor may utilize as part of the capital stack. The process to procure the developer has taken some time as the department reviews the prior project done in Kapolei called Hoolimalima. As a result, the Invitation for Bid has yet to be released. It is, however, anticipated that Low Income Tax Credits may be utilized for the project by a developer as the rent with option to purchase program for this project will afford undivided interest lessees who may not qualify immediately for a home loan with the long term option of renting to own.

For AHP VIII, the anticipated total project cost of \$28 million for the Molokai Water System improvements will be leveraged with NHHBG and USDA. As the USDA funding will be used after NHHBG's portion is utilized, that is not projected to happen until 2018.

(4) APR (NAHASDA § 820(b)(1)) *(Enter any additional information about the actual sources or uses of funding, including leverage (if any)).*

SECTION 6: OTHER SUBMISSION ITEMS

(1) Useful Life/Affordability Period(s) (NAHASDA § 813, 24 CFR § 1006.305) *(Describe your plan or system for determining the useful life/affordability period of the housing assisted with NHHBG funds. A record of the current, specific useful life/affordability period for housing units assisted with NHHBG funds must be maintained in DHHL's files and available for review for the useful life/affordability period.):*

DHHL has established the following affordability periods to describe the term during which DHHL will keep the unit affordable:

<u>NHHBG Funds Invested</u>	<u>Affordability Period</u>
Up to \$24,999	6 months
\$25,000 to \$50,000	5 years
\$50,001 to \$100,000	10 years
\$100,001 to \$150,000	20 years
Over \$150,000	30 years

The affordability period is based on the total amount of NHHBG funds invested in the development and/or rehabilitation of a housing unit. Resale and recapture provisions will be included as a condition of the Hawaiian homestead lease to enforce the affordability restriction for each assisted housing unit.

For all NHHBG funded mortgage loans or homeowner refinancing, the affordability period shall run with the term of the mortgage, which term is not to exceed 60 years.

(2) Model Housing and Over-Income Activities (NAHASDA § 810(b)(5) and 809(a)(2)(B), 24 CFR § 1006.225 and 1006.301(b)) *(If you wish to undertake a model housing activity or wish to serve non-low-income households during the 12-month fiscal year, those activities may be described here. Each approved model activity must be included as a separate program in Section 3 (Program Descriptions) and the APR portions of Section 3 must be completed in the APR submission for any approved model activity.):*

None.

(3) Anticipated Planning and Administration Expenses (NAHASDA § 802(d), 24 CFR § 1006.230)

Do you intend to exceed your allowable spending cap for Planning and Administration? Yes ☐ No ☒

If yes, describe why the additional funds are needed for Planning and Administration.

Native Hawaiian Housing Block Grant (NHHBG)

Exempt from OMB Approval. 5 CFR 1320.3 (c) (4)

U.S. Department of Housing and Urban Development

NHHP/APR

Office of Public and Indian Housing
Office of Native American Programs

(4) Actual Planning and Administration Expenses (NAHASDA § 802(d), 24 CFR § 1006.230)

Did you exceed your spending cap for Planning and Administration? Yes ☐ No ☐

If yes, did you receive HUD approval to exceed your spending cap on Planning and Administration? Yes ☐ No ☐

If you did not receive approval for exceeding your spending cap on Planning and Administration costs, describe the reason(s) for exceeding the cap.

SECTION 7: NATIVE HAWAIIAN HOUSING PLAN CERTIFICATION OF COMPLIANCE
(NAHASDA § 803(c)(2)(E))

By signing the NHHP, you certify that you have all required policies and procedures in place in order to operate any planned NHHBG programs.

- (1) In accordance with applicable statutes, the recipient certifies that it will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) or with the Fair Housing Act (42 U.S.C. 3601 et seq.) in carrying out the NHHBG program, to the extent that such Acts are applicable, and other applicable federal statutes.

Yes ☒ No ☐

The following certifications will only apply where applicable based on program activities.

- (2) The recipient will require adequate insurance coverage for housing units that are owned and operated or assisted with grant amounts provided under NAHASDA, in compliance with such requirements as may be established by HUD.

Yes ☒ No ☐ Not Applicable ☐

- (3) Policies are in effect and are available for review by HUD and the public governing the eligibility, admission, and occupancy of families for housing assisted with grant amounts provided under NAHASDA.

Yes ☒ No ☐ Not Applicable ☐

- (4) Policies are in effect and are available for review by HUD and the public governing rents charged, including the methods by which such rents or homebuyer payments are determined, for housing assisted with grant amounts provided under NAHASDA.

Yes ☒ No ☐ Not Applicable ☐ and

- (5) Policies are in effect and are available for review by HUD and the public governing the management and maintenance of housing assisted with grant amounts provided under NAHASDA.

Yes ☒ No ☐ Not Applicable ☐

SECTION 8: SELF-MONITORING

(NAHASDA § 819(b), 24 CFR § 1006.401)

(1) Do you have a procedure and/or policy for self-monitoring?

Yes ☐ No ☐

(2) Did you conduct self-monitoring, including monitoring sub-recipients?

Yes ☐ No ☐

(3) **Self-Monitoring Results.** *(Describe the results of the monitoring activities, including inspections for this program year.):*

SECTION 9: INSPECTIONS

(NAHASDA § 819(b))

(1) **Inspection of Units** (Use the table below to record the results of recurring inspections of assisted housing.)

(A)		(B)	(C)	Results of Inspections		
Activity		Total number of units (Inventory)	Units in standard condition	Units needing rehabilitation	Units needing to be replaced	Total number of units inspected
NAHASDA-Assisted Units:						
a.	Rental					
b.	Homeownership					
c.	Rental Assistance					
d.	Other					
Total						

Note: Total of column F should equal the sum of columns C+D+E.

(2) Did you comply with your inspection policy: Yes ☐ No: ☐

(3) If no, why not:

SECTION 10: AUDITS

(24 CFR § 1006.375(d))

This section is used to indicate whether an Office of Management and Budget Circular A-133^{*} audit is required, based on a review of your financial records.

Did you expend \$500,000^{*} or more in total Federal awards during the APR reporting period?

Yes ☐ No ☐

If Yes, an audit is required to be submitted to the Federal Audit Clearinghouse and the Office of Native American Programs.

If No, an audit is not required.

^{*}DHHL should note that new Federal government regulations on Administrative Requirements, Cost Principles, and Audit Requirements were promulgated on December 26, 2013 at 2 C.F.R. Part 200. HUD intends to update its regulations by December 26, 2014 to implement these new requirements in its programs. Audits covering recipients' fiscal years that begin in January 2015 will be subject to the revised audit requirements. In the meantime, applicable OMB Circulars and the regulations at 2 C.F.R. Part 225 will continue to apply to grants until implementation of the new requirements.

SECTION 11: PUBLIC AVAILABILITY

(NAHASDA § 820(d), 24 CFR § 1006.410(c))

- (1) Did you make this APR available to the beneficiaries of the Hawaiian Homes Commission Act before it was submitted to HUD?

Check one: Yes ☐ No ☐

- (2) If you answered "No" to question #1, provide an explanation as to why not and indicate when you will do so.

- (3) Summarize any comments received from the beneficiaries (NAHASDA § 820(d)(2)).

Native Hawaiian Housing Block Grant (NHHBG)

Exempt from OMB Approval. 5 CFR 1320.3 (c) (4)

U.S. Department of Housing and Urban Development

NHHP/APR

Office of Public and Indian Housing

Office of Native American Programs

SECTION 12: JOBS SUPPORTED BY NAHASDA**(NAHASDA § 820)**

Use the table below to record the number of jobs supported with NHHBG funds each year (including DHHL staff, Subrecipient staff, Contractors, etc.).

Native Hawaiian Housing Block Grant Assistance (NHHBG)	
(1) Number of Permanent Jobs Supported	
(2) Number of Temporary Jobs Supported	

(3) Narrative (*optional*):

SECTION 13: NHHP WAIVER REQUESTS

(NAHASDA § 802(b)(2), 24 CFR 1006.20(b))

THIS SECTION IS ONLY REQUIRED IF DHHL IS REQUESTING A WAIVER OF A NHHP SECTION OR A WAIVER OF THE NHHP SUBMISSION DUE DATE. Fill out the form below if you are requesting a waiver of one or more sections of the NHHP. **NOTE:** This is NOT a waiver of the NHHBG program requirements but rather a request to waive some of the NHHP submission items because DHHL cannot comply due to circumstances beyond its control.

- (1) List below the sections of the NHHP where you are requesting a waiver and/or a waiver of the NHHP due date.
(List the requested waiver sections by name and section number):

N/A

- (2) Describe the reasons that you are requesting this waiver (Describe completely why you are unable to complete a particular section of the NHHP or could not submit the NHHP by the required due date.):

N/A

- (3) Describe the actions you will take in order to ensure that you are able to submit a complete NHHP in the future and/or submit the NHHP by the required due date. (This section should completely describe the procedural, staffing or technical corrections that you will make in order to submit a complete NHHP in the future and/or submit the NHHP by the required due date.):

N/A

(4) Recipient:	Department of Hawaiian Home Lands
(5) Authorized Official's Name and Title:	Jobie M. K. Masagatani, Chairman
(6) Authorized Official's Signature:	
(7) Date (MM/DD/YYYY):	

Native Hawaiian Housing Block Grant (NHHBG)

Exempt from OMB Approval. 5 CFR 1320.3 (c) (4)

NHHP/APR

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

Office of Native American Programs

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

April 11-12, 2016

To: Chairman and Members, Hawaiian Homes Commission

Through: Niniau Simmons, NAHASDA Manager, Office of the
Chairman
Kaleo Manuel, Acting Planning Office Administrator
Norman Sakamoto, Acting Land Development
Administrator

From: Dawnelle Forsythe, NAHASDA Compliance Specialist
Office of the Chairman
Michelle Hitzeman, Housing Specialist Land
Development Division

Subject: Environmental Assessment for HUD-assisted Projects
under 24 CFR Part 58, Kalama'ula Residential Lots,
various parcels within tax map plats (2) 5-2-032 and
5-2-033

RECOMMENDED MOTION/ACTION

None; for information only. Information for the Commission regarding an anticipated Finding of No Significant Impact (FONSI) based on the information provided in the Environmental Assessment under 24 CFR Part 58 for the proposed DHHL Kalama'ula Residential Lots.

DISCUSSION

Background

The Kalama'ula subdivision is a 132-acre area divided into mainly one-acre lots, 72 of which are vacant. The existing vegetation throughout the majority of the property consists of open, low dry grassland with scattered koa-haole shrubs and kiawe trees. Development consists of single family homes that have been developed on scattered lots throughout the subdivision. An old, unused school building is located on one of the lots (Lot 135). The subdivision and infrastructure development was subject to State environmental review (Chapter 343, HRS) in 1996. The Kalama'ula Residential Lots, Unit 1 subdivision plan was filed in 2001 in the Bureau of Conveyances as File Plan No. 2298.

The lots are accessed by county-dedicated roadways built to county standards. The lots are served by the county water system and individual onsite septic systems. Prior to subdivision, the land was used for cattle grazing.

Proposed Project and Project Purpose

The proposed Project is to use Native American Housing Assistance and Self Determination Act (NAHASDA) funds to provide infill and rehabilitation housing opportunities within this established neighborhood. This would involve encouraging existing lessees to build where the lot has sat vacant through package home loans or self-help housing (or other programs), to rehabilitate older homes, and to improve as necessary and award any available lots.

The purpose of this project is to offer opportunities to native Hawaiian beneficiaries to develop lands or rehabilitate home structures for homesteading. It is consistent with the Hawaiian Homes Commission Act, 1920, as amended, which provides for the development and settlement of native Hawaiians on lands owned by the DHHL (State of Hawai'i, (Act of July 9, 1921, c 42, 42 Stat 108)). This project represents DHHL's ongoing efforts to expedite the development and distribution of its lands to qualified beneficiaries.

Environmental Assessment for HUD-assisted Projects under 24 CFR Part 58

An Environmental Assessment has been prepared in the U.S. Department of Housing and Urban Development (HUD) preferred format. The document includes an evaluation of the project relative to applicable statutes, executive orders and regulations listed at 24 CFR 50.4, 58.5 and 58.6 as well as Environmental Assessment Factors required by HUD which are enumerated in 24 CFR 58.40. The document makes a determination of impacts and identifies what formal mitigation measures are required to achieve a Finding of No Significant Impact (FONSI).

To determine impacts and mitigation measures, research was conducted, prior studies reviewed, and consultation with agencies and Native Hawaiian Organizations was conducted. The Environmental Assessment includes record of these efforts in the forms of figures, copies of pertinent reports, and consultation correspondence.

Consultation comments are summarized in the table below:

Agency/Individual	Comment Summary	Follow Up
U.S. Fish and Wildlife Service	Concurrence with determination of "not likely to adversely affect" threatened and endangered species provided avoidance and minimization measures are followed.	Included standard USFWS mitigation measures as planned (see mitigation measures table).
State Historic Preservation Division	Concurs the proposed undertaking will have no adverse effect on historic properties provided conditions are met.	Incorporated suggested conditions (see mitigation measures table).
Office of Hawaiian Affairs	Request to review the archaeological study conducted for the subdivision development. Request for additional information about preservation of Sites 1731 and 1742 and status of data recovery on remaining sites.	Incorporated voluntary preservation mitigation measures (see mitigation measures table).
Mele Anna Kawaiaea, LLC	Suggest setting aside land associated with sites 1731 and 1742 identified in archaeological inventory survey.	Incorporated voluntary preservation mitigation measures (see mitigation measures table).

Mitigation Measures Proposed in the Environmental Assessment:

Resource	Mitigation Measure
Threatened or endangered species	<ul style="list-style-type: none"> Any materials or equipment moving from Guam to any other island will be thoroughly assessed to ensure the brown tree snake is not transported in the material. All workers will be advised to ensure their food scraps, paper wrappers, food containers, cans, bottles, and other trash from the project area are deposited in covered or closed trash containers. The trash containers shall be removed from the

	<p>project area and disposed of off-site at an approved landsite at the end of each working day to prevent the attraction of non-native pests (i.e., rats). All tools, gear, and construction scrap will be removed upon completion of work in order to prevent the attraction of non-native pests (i.e., rats). No contamination (trash or debris disposal, non-native species introductions, attraction of non-native pests, etc.) of adjacent habitats will result from project-related activities</p> <ul style="list-style-type: none"> • To minimize impacts to the endangered Hawaiian hoary bat: <ul style="list-style-type: none"> ◦ Woody plants greater than 15 feet (4.6 meters) tall will not be disturbed, removed, or trimmed during the bat birthing and pup rearing season (June 1 through September 15). ◦ Barbed wire will not be used for fencing as part of this proposed action. • To avoid impacts to Hawaiian petrels and Newell's shearwaters (collectively known as seabirds) <ul style="list-style-type: none"> ◦ To protect night-flying seabirds, outdoors illumination be shielded so that the bulb is not visible at or above bulb-height. ◦ If night work must be conducted, it should take place outside the sea bird fledging season (September 15 through December 15) and should utilize shielded lighting.
Soil	<ul style="list-style-type: none"> • Construction documents will include requirement to mulch the green waste onsite and make available to DHHL homesteaders.
Archaeological Sites	<ul style="list-style-type: none"> • DHHL will provide lessees information about cultural sites on their lots, the cultural significance of these sites, and some guidance as to how to incorporate preservation area into their individual lot development plans. • Construction contracts will include a condition that should burials or other traditional deposits be identified during intrusive activities, all work in the area will cease and the appropriate agencies will be contacted in accordance with the

	Native American Graves Protection and Repatriation Act (NAGPRA) and applicable laws of the State of Hawai'i.
School House Structure	<ul style="list-style-type: none"> • Rehabilitation of the school house into a community, cultural or educational center is planned for the potential reuse of the building in the future. Per SHPD comments, the Project will comply with the following conditions for the school house: <ul style="list-style-type: none"> o Detailed plans and specifications of the proposed work will be submitted to SHPD once developed; o Information (maps, photos, historical information, etc.) regarding locations where mature trees (larger than 6 inches in diameter) associated with buildings or structures that are 50 years of age or older are proposed to be removed will be submitted to the SHPD for review, comment and meaningful consultation; and o Plans and specifications will follow the Secretary of the Interior's Standard for Rehabilitation specifically Standard #9 which states that new additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment. Once an architect has been selected, the architect will consult with the Historical Architect in the State Historic Preservation Office to identify ways to avoid adverse effect. This consultation will occur as early in the design phase as possible so as to enable a wide-range of options to be considered.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

April 11, 2016

TO: Chairman and Members, Hawaiian Homes Commission

FROM: William Aila Jr., Deputy Director

SUBJECT: C-4 Approval of Subdivision, Transfer of a Portion of Lease and Amendment to Lease No. 9504, Lot A, Waimea, Hawai'i – Flora Beamer Solomon (Lot A-3), Huali Solomon Covington (Lot A-1), Alice Leiomalama Solomon (Lot A-2).

THIS SUBMITTAL ITEM WILL BE DISTRIBUTED UNDER SEPARATE COVER

ITEM NO. C-4

DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION

APRIL 11 & 12, 2016


Kūlana 'Ōiwi Multi-Purpose Conference Room
Kalama'ula, Moloka'i, Hawai'i

D-ITEMS
HOMESTEAD SERVICES DIVISION

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

April 11, 2016

TO: Chairman and Members, Hawaiian Homes Commission
From: Dean T. Oshiro, Acting HSD Administrator 
SUBJECT: **Homestead Services Division Status Reports**

RECOMMENDED MOTION/ACTION

NONE

DISCUSSION

The following reports are for information only:

Exhibit A: Homestead Lease & Application Totals
and Monthly Activity Reports
Exhibit B: Delinquency Report
Exhibit C: DHHL Guarantees for USDA-RD Mortgage
Loans

April 11, 2016

SUBJECT: Homestead Lease and Application Totals and Monthly Activity Reports

LEASE ACTIVITY REPORT

Month through March 31, 2016

	As of 2/29/16	Add	Cancel	As of 3/31/16
Residential	8,311	0	5	8,306
Agricultural	1,097	0	0	1,097
Pastoral	408	0	0	408
Total	9,816	0	5	9,811

The number of Converted Undivided Interest Lessees represents an increase of 388 families moving into homes. Their Undivided Interest lease was converted to a regular homestead lease.

	As of 2/29/16	Converted	Rescinded/ Surrendered/ Cancelled	As of 3/31/16
Undivided	946	1	0	945

Balance as of 3/31/201

Awarded	1,434
Relocated to UNDV	7
Rescinded	101
Surrendered	5
Cancelled	2
Converted	388
Balance to Convert	945

Lease Report For the Month Ending March 31, 2016

	RESIDENCE				AGRICULTURE				PASTURE				TOTAL LEASES			
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
OAHU																
Kalawahine	92	0	0	92	0	0	0	0	0	0	0	0	92	0	0	92
Kanehili	350	0	0	350	0	0	0	0	0	0	0	0	350	0	0	350
Kapolei	271	0	0	271	0	0	0	0	0	0	0	0	271	0	0	271
Kauepa	326	0	0	326	0	0	0	0	0	0	0	0	326	0	0	326
Kaupuni	19	0	0	19	0	0	0	0	0	0	0	0	19	0	0	19
Kewalo	250	0	0	250	0	0	0	0	0	0	0	0	250	0	0	250
Kumuhau	51	0	0	51	0	0	0	0	0	0	0	0	51	0	0	51
Lualualei	149	0	0	149	31	0	0	31	0	0	0	0	180	0	0	180
Ma'u'o'hai	156	0	0	156	0	0	0	0	0	0	0	0	156	0	0	156
Nanakuli	1,049	0	0	1,049	0	0	0	0	0	0	0	0	1,049	0	0	1,049
Papakolea	64	0	0	64	0	0	0	0	0	0	0	0	64	0	0	64
Princess Kahanu Estates	271	0	0	271	0	0	0	0	0	0	0	0	271	0	0	271
Waiahole	0	0	0	0	16	0	0	16	0	0	0	0	16	0	0	16
Waianae	420	0	1	419	11	0	0	11	0	0	0	0	431	0	1	430
Waimanalo	745	0	0	745	2	0	0	2	0	0	0	0	747	0	0	747
TOTAL	4,213	0	1	4,212	60	0	0	60	0	0	0	0	4,222	0	1	4,272
MAUI																
Hikina	30	0	0	30	0	0	0	0	0	0	0	0	30	0	0	30
Kahikunui	0	0	0	0	0	0	0	0	75	0	0	75	75	0	0	75
Keokea	0	0	0	0	65	0	0	65	0	0	0	0	65	0	0	65
Leali	104	0	0	104	0	0	0	0	0	0	0	0	104	0	0	104
Paukukalo	180	0	0	180	0	0	0	0	0	0	0	0	180	0	0	180
Waiehu 1	38	0	0	38	0	0	0	0	0	0	0	0	38	0	0	38
Waiehu 2	107	0	0	107	0	0	0	0	0	0	0	0	107	0	0	107
Waiehu 3	112	0	0	112	0	0	0	0	0	0	0	0	112	0	0	112
Waiehu 4	98	0	0	98	0	0	0	0	0	0	0	0	98	0	0	98
Waiohuli	599	0	0	599	0	0	0	0	0	0	0	0	599	0	0	599
TOTAL	1,268	0	0	1,268	65	0	0	65	75	0	0	75	1,408	0	0	1,408
EAST HAWAII																
Discovery Harbour	2	0	0	2	0	0	0	0	0	0	0	0	2	0	0	2
Kamoa	0	0	0	0	0	0	0	0	25	0	0	25	25	0	0	25
Kaunamana	44	0	0	44	0	0	0	0	0	0	0	0	44	0	0	44
Keaukaha	472	0	1	471	0	0	0	0	0	0	0	0	472	0	1	471
Kurtistown	3	0	0	3	0	0	0	0	0	0	0	0	3	0	0	3
Makuu	0	0	0	0	123	0	0	123	0	0	0	0	123	0	0	123
Panaewa	0	0	0	0	262	0	0	262	0	0	0	0	262	0	0	262
Pihonua	17	0	0	17	0	0	0	0	0	0	0	0	17	0	0	17
Puuoe	0	0	0	0	12	0	0	12	0	0	0	0	12	0	0	12
University Heights	4	0	0	4	0	0	0	0	0	0	0	0	4	0	0	4
Waiakea	299	0	1	298	0	0	0	0	0	0	0	0	299	0	1	298
TOTAL	841	0	2	839	397	0	0	397	25	0	0	25	1,263	0	2	1,261
WEST HAWAII																
Honokaa	0	0	0	0	0	0	0	0	23	0	0	23	23	0	0	23
Humuhua	0	0	0	0	0	0	0	0	5	0	0	5	5	0	0	5
Kamoku	0	0	0	0	0	0	0	0	16	0	0	16	16	0	0	16
Kanihale	225	0	0	225	0	0	0	0	0	0	0	0	225	0	0	225
Kawaihae	186	0	0	186	0	0	0	0	1	0	0	1	187	0	0	187
Laopua	280	0	0	280	0	0	0	0	0	0	0	0	280	0	0	280
Lalamio	30	0	0	30	0	0	0	0	0	0	0	0	30	0	0	30
Nene	0	0	0	0	0	0	0	0	21	0	0	21	21	0	0	21
Puukapu/Waimea/Kuhio Vii	114	0	0	114	110	0	0	110	214	0	0	214	438	0	0	438
Puupulehu	30	0	0	30	0	0	0	0	0	0	0	0	30	0	0	30
TOTAL	885	0	0	885	110	0	0	110	280	0	0	280	1,255	0	0	1,255
KAUAI																
Anahole	535	0	0	535	46	0	0	46	0	0	0	0	581	0	0	581
Hanalei	47	0	0	47	0	0	0	0	0	0	0	0	47	0	0	47
Kekaha	117	0	1	116	0	0	0	0	0	0	0	0	117	0	1	116
Puu Opaie	0	0	0	0	0	0	0	0	1	0	0	1	1	0	0	1
TOTAL	699	0	1	698	46	0	0	46	1	0	0	1	746	0	1	745
MOLOKAI																
Hooilehua	158	0	0	158	344	0	0	344	21	0	0	21	523	0	0	523
Kalamisula	162	0	0	162	72	0	0	72	3	0	0	3	237	0	0	237
Kapaakea	47	0	0	47	0	0	0	0	3	0	0	3	50	0	0	50
Moomomi	0	0	0	0	3	0	0	3	0	0	0	0	3	0	0	3
O'ne Alii	29	0	1	28	0	0	0	0	0	0	0	0	29	0	1	28
TOTAL	396	0	1	395	419	0	0	419	27	0	0	27	842	0	1	841
LANAI																
Lanai	29	0	0	29	0	0	0	0	0	0	0	0	29	0	0	29
TOTAL	29	0	0	29	0	0	0	0	0	0	0	0	29	0	0	29
STATEWIDE TOTAL	8,311	0	5	8,306	1,097	0	0	1,097	408	0	0	408	9,816	0	5	9,811

**HOMESTEAD AREA AND ISLANDWIDE APPLICATIONS WAITING LIST MONTHLY REPORT FOR THE MONTH ENDING
March 31, 2016**

AREA WAITING LIST

DISTRICT AREA	RESIDENCE				AGRICULTURE				PASTURE			
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
Oahu District	1,018	0	0	1,018	3	0	0	3	0	0	0	0
Maui District	73	0	0	73	4	0	0	4	5	0	0	5
Hawaii District	135	0	0	135	15	0	0	15	62	0	0	62
Kauai District	58	0	0	58	3	0	0	3	29	0	0	29
Molokai District	20	0	0	20	19	0	0	19	1	0	0	1
TOTAL	1,304	0	0	1,304	44	0	0	44	97	0	0	97
												1,445

ISLANDWIDE WAITING LIST

ISLAND	RESIDENCE				AGRICULTURE				PASTURE			
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
Oahu	9,392	30	10	9,412	3,547	7	1	3,553	0	0	0	0
Maui	3,690	7	7	3,690	4,555	2	0	4,557	588	0	0	588
Hawaii	5,627	15	4	5,638	7,011	15	2	7,024	1,840	1	0	1,841
Kauai	1,583	1	1	1,583	2,184	1	1	2,184	291	0	0	291
Molokai	765	3	0	768	1018	4	0	1022	195	0	0	195
Lanai	84	1	0	85	0	0	0	0	0	0	0	0
TOTAL	21,141	57	22	21,176	18,315	29	4	18,340	2,914	1	0	2,915
												42,431

AREA AND ISLANDWIDE LISTS

	RES	AG	PAS	TOTAL		ADDITIONS	CANCELLATIONS	
OAHU	10,430	3,556	0	13,986	New Applications	77	New Lease Awards	14
MAUI	3,763	4,561	593	8,917	Application Transfers	10	Application Transfers	10
HAWAII	5,773	7,039	1,903	14,715	Lease Rescissions	0	Succ'd and Cancel Own	0
KAUAI	1,641	2,187	320	4,148	App Reinstatements	1	Public Notice Cancel	0
MOLOKAI	788	1,041	196	2,025	HHC Adjustments	0	Voluntary Cancellations	0
LANAI	85	0	0	85	TOTAL	88	Lease Successorships	0
TOTAL	22,480	18,384	3,012	43,876			HHC Adjustments	1
							Dec'd No Successor	0
							NHQ Unqualified	0
							TOTAL	26

HOMESTEAD AREA AND ISLANDWIDE APPLICATIONS WAITING LIST MONTHLY REPORT FOR THE MONTH ENDING

March 31, 2016

	RESIDENCE				AGRICULTURE				PASTURE			
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
OAHU DISTRICT												
Nanakuli	182	0	0	182	0	0	0	0	0	0	0	0
Waianae	160	0	0	160	0	0	0	0	0	0	0	0
Lualualei	0	0	0	0	3	0	0	3	0	0	0	0
Papakolea/Kewalo	73	0	0	73	0	0	0	0	0	0	0	0
Waimanalo	603	0	0	603	0	0	0	0	0	0	0	0
Subtotal Area	1,018	0	0	1,018	3	0	0	3	0	0	0	0
Islandwide	9,392	30	10	9,412	3,547	7	1	3,556	0	0	0	0
TOTAL OAHU APPS	10,410	30	10	10,430	3,550	7	1	3,556	0	0	0	0
MAUI DISTRICT												
Paukukalo	73	0	0	73	0	0	0	0	0	0	0	0
Kula	0	0	0	0	4	0	0	4	5	0	0	5
Subtotal Area	73	0	0	73	4	0	0	4	5	0	0	5
Islandwide	3,690	7	7	3,690	4,555	2	0	4,557	588	0	0	588
TOTAL MAUI APPS	3,763	7	7	3,763	4,559	2	0	4,561	593	0	0	593
HAWAII DISTRICT												
Keaukaha/Waiakea	72	0	0	72	0	0	0	0	1	0	0	1
Panaewa	0	0	0	0	15	0	0	15	0	0	0	0
Humuula	0	0	0	0	0	0	0	0	0	0	0	0
Kawaihae	19	0	0	19	0	0	0	0	0	0	0	0
Waimea	44	0	0	44	0	0	0	0	61	0	0	61
Subtotal Area	135	0	0	135	15	0	0	15	62	0	0	62
Islandwide	5,627	15	4	5,638	7,011	15	2	7,024	1,840	1	0	1,841
TOTAL HAWAII APPS	5,762	15	4	5,773	7,026	15	2	7,039	1,902	1	0	1,903
KAUAI DISTRICT												
Anahola	50	0	0	50	3	0	0	3	21	0	0	21
Kekaha/Puu Opae	8	0	0	8	0	0	0	0	8	0	0	8
Subtotal Area	58	0	0	58	3	0	0	3	29	0	0	29
Islandwide	1,583	1	1	1,583	2,184	1	1	2,184	291	0	0	291
TOTAL KAUAI APPS	1,641	1	1	1,641	2,187	1	1	2,187	320	0	0	320
MOLOKAI DISTRICT												
Kalamaula	4	0	0	4	0	0	0	0	0	0	0	0
Hoolehua	7	0	0	7	19	0	0	19	1	0	0	1
Kapaakea	8	0	0	8	0	0	0	0	0	0	0	0
One Alii	1	0	0	1	0	0	0	0	0	0	0	0
Subtotal Area	20	0	0	20	19	0	0	19	1	0	0	1
Islandwide	765	3	0	768	1,018	4	0	1,022	195	0	0	195
TOTAL MOLOKAI APPS	785	3	0	788	1,037	4	0	1,041	196	0	0	196
LANAI DISTRICT												
Islandwide	84	1	0	85	0	0	0	0	0	0	0	0
TOTAL LANAI APPS	84	1	0	85	0	0	0	0	0	0	0	0
TOTAL AREA ONLY	1,304	0	0	1,304	44	0	0	44	97	0	0	97
TOTAL ISLANDWIDE	21,141	57	22	21,176	18,315	29	4	18,340	2,914	1	0	2,915
TOTAL STATEWIDE	22,445	57	22	22,480	18,359	29	4	18,384	3,011	1	0	3,012

April 11, 2016

SUBJECT: **DHHL Guarantees for USDA-Rural Development Mortgage Loans**

DISCUSSION: The Department issued guarantees for the following
USDA Rural Development loans:

<u>LOT NO.</u>	<u>AREA</u>	<u>LESSEE</u>	<u>Loan Amount</u>	<u>Date Approved</u>
20	Nanakuli	Richards, Harkangle	\$29,500	3/28/16


	<u>No.</u>	<u>Balance</u>
FY Ending 6/30/15	2	\$ 242,400
Previous Months	6	\$ 1,027,060
This Month	<u>1</u>	<u>29,500</u>
FY '15-'16 to date	7	\$ 1,056,560

ITEM NO. D-1
EXHIBIT C

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

April 11, 2016

TO: Chairman and Members, Hawaiian Homes Commission
FROM: Dean Oshiro, Acting HSD Administrator 
Homestead Services Division
SUBJECT: **Ratification of Loan Approvals**

RECOMMENDED MOTION/ACTION

To ratify the approval of the following loan previously approved by the Chairman, pursuant to section 10-2-17, Ratification of chairman's action, of the Department of Hawaiian Home Lands Administrative Rules.

<u>LESSEE</u>	<u>LEASE NO. & AREA</u>	<u>LOAN TERMS</u>
Tolentino, Marc	10376, WK-III	NTE \$173,000, 4.5% interest per annum, \$877 monthly, repayable over 30 years

Loan Purpose: Purchase existing improvements in conjunction with lease award.

Tolentino, Kuni M.L.H. 4898, Kuhio Village	NTE \$103,000, 4.5% interest per annum, NTE \$573 monthly, repayable over 25 years
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Loan Purpose: Refinance Contract of Loan no. 17398 in conjunction with a Transfer Through Successorship and to reduce the interest rate from 7.25% to the Department's current interest rate of 4.5%.

<u>REFINANCE</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/15	1	\$ 67,000
Prior Months	4	322,900
This Month	<u>1</u>	<u>103,000</u>
Total FY '15-'16	5	\$ 425,900

<u>REPAIR</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/15	7	\$ 280,795
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '15-'16	0	\$ -0-

<u>HOME CONSTRUCTION</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/15	2	\$ 251,500
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '15-'16	0	\$ -0-

<u>FARM</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/15	0	\$ -0-
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '15-'16	0	\$ -0-

<u>TRANSFER WITH LOAN</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/15	0	\$ -0-
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '15-'16	0	\$ -0-

<u>AWARD</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/15	5	\$ 689,300
Prior Months	4	725,000
This Month	<u>1</u>	<u>173,000</u>
Total FY '15-'16	5	\$ 898,000


<u>OTHER</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/15	0	\$ -0-
Prior Months	1	159,000
This Month	<u>0</u>	<u>-0-</u>
Total FY '15-'16	1	\$ 159,000

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

April 11, 2016

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Dean Oshiro, Acting HSD Administrator 
Homestead Services Division

SUBJECT: **Approval of Consent to Mortgage**

RECOMMENDED MOTION/ACTION

To approve the following consents to mortgages for Federal Housing Administration (FHA) insured loans, Department of Veterans Affairs (VA) loans, United States Department of Agriculture, Rural Development (USDA, RD) guaranteed loans, United States Housing and Urban Development (HUD 184A) guaranteed loans and Conventional (CON) loans insured by private mortgage insurers.

DISCUSSION

<u>PROPERTY</u>	<u>LESSEE</u>	<u>LENDER</u>	<u>LOAN AMOUNT</u>
<u>OAHU</u>			
Waianae Lease No. 4453 TMK: 1-8-5-030:114	APELA, Brandon P. (Cash Out Refi) FHA	Golden Empire Mortgage Inc.	\$ 239,255
Nanakuli Lease No. 8898 TMK: 1-8-9-016:068	KAPELE, Almadine G. M. (Cash Out Refi) FHA	Golden Empire Mortgage Inc.	\$ 264,087
Kaupea Lease No. 12046 TMK: 1-9-1-140:104	AHULAU, Lance K. (Cash Out Refi) FHA	Siwell Inc., dba Capital Mortgage Services of Texas	\$ 344,000

OAHU

Nanakuli Lease No. 2451 TMK: 1-8-9-006:072	MORITA, Julie A. W.(Cash Out Refi)FHA	Hightechlend \$ 105,000 ing Inc.
Waianae Lease No. 5299 TMK: 1-8-5-033:010	PAKELE, Louis, Jr.(Rate & Term Refi)FHA	Hightechlend \$ 217,000 ing Inc.
Kanehili Lease No. 11767 TMK: 1-9-1-152:041	GANON, Diana May L.(Streamline Refi)HUD 184A	HomeStreet \$ 258,560 Bank
Kewalo Lease No. 2155 TMK: 1-2-5-022:043	JOHNSTON, Harold Call, Jr. (Cash Out Refi)HUD 184A	HomeStreet \$ 401,348 Bank
Kaupea Lease No. 11992 TMK: 1-9-1-139:018	KAWAAKOA-GIONET, Leah L. (Rate & Term Refi)FHA	Bank of \$ 268,842 Hawaii
Maluohai Lease No. 9883 TMK: 1-9-1-120:041	LEONG, Darryl L.(Cash Out Refi)FHA	Hightechlend \$ 331,000 ing Inc.
Waianae Lease No. 5306 TMK: 1-8-5-033:017	ROMAN, Amanett L. (Purchase)USDA, RD	Guild \$ 310,000 Mortgage Company
Nanakuli Lease No. 306 TMK: 1-8-9-005:109	NAHULU, G. Analika(Cash Out Refi)FHA	Golden \$ 104,000 Empire Mortgage Inc.

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OAHU

Kanehili Lease No. 11744 TMK: 1-9-1-153:063	KALEIKINI, Brandi-Ann A. (Purchase)FHA	Mann Mortgage LLC	\$ 430,000
Nanakuli Lease No. 2926 TMK: 1-8-9-009:067	MCFEELEY, Lillian K. (Cash Out Refi)FHA	Bank of Hawaii	\$ 291,937
PKE Lease No. 8295 TMK: 1-8-7-042:004	SEIPEL, Kaniela T. (Purchase)FHA	Bank of Hawaii	\$ 350,584
Kaupea Lease No. 12033 TMK: 1-9-1-140:110	SOFA, Kristy A. K. P. (Cash Out Refi)FHA	Guild Mortgage Company	\$ 281,000
Nanakuli Lease No. 4536 TMK: 1-8-9-010:038	KEY, Taisen &, KEY, Thomas M., III (Rate & Term Refi)FHA	Guild Mortgage Company	\$ 104,000
Nanakuli Lease No. 11901 TMK: 1-8-9-010:059	ENOS, Chadwick K. (Purchase)FHA	Guild Mortgage Company	\$ 226,000
PKE Lease No. 8382 TMK: 1-8-7-043:025	LOPES, Wesley K. (Cash Out Refi) FHA	HomeStreet Bank	\$ 223,170
Kanehili Lease No. 12474 TMK: 1-9-1-153:190	GRAMBERG, Kengy K. (Rate & Term Refi)HUD 184A	HomeStreet Bank	\$ 281,588

MOLOKAI

Hoolehua Lease No. 7850 TMK: 2-5-2-030:024	KAPUNI, Claudelle N. (Cash Out Refi)FHA	Bank of Hawaii	\$ 129,750
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MAUI

Waiohuli Lease No. 7691 TMK: 2-2-2-028:162	KENUI, Clarence S., Jr. (Rate & Term Refi)FHA	Golden Empire Mortgage Inc.	\$ 300,000
Waiehu 3 Lease No. 10055 TMK: 2-3-2-024:026	KAPONO, Lottie Lois L. (Streamline Refi)FHA	Golden Empire Mortgage Inc.	\$ 268,000
Paukukalo Lease No. 4170 TMK: 2-3-3-005:079	VALLE, Anthony M. (Cash Out Refi)FHA	Golden Empire Mortgage Inc.	\$ 193,000
Paukukalo Lease No. 4143 TMK: 2-3-3-005:066	EWALIKO, Catalina (Streamline Refi)FHA	Golden Empire Mortgage Inc.	\$ 134,000

KAUAI

Anahola Lease No. 6569 TMK: 4-4-8-018:018	DUARTE, Damien L. (Streamline Refi)FHA	Siwell Inc., dba Capital Mortgage Services of Texas	\$ 397,000
Anahola Lease No. 3725 TMK: 4-4-8-015:041	CARVALHO, Anna K. (Cash Out Refi)HUD 184A	Bank of Hawaii	\$ 378,750
Anahola Lease No. 6469 TMK: 4-4-8-020:020	MCCORRISTON, Daniel K., Jr. (Purchase)FHA	Golden Empire Mortgage Inc.	\$ 201,000

ITEM NO. D-3

HAWAII

Panaewa
Lease No. 11179
TMK: 3-2-2-064:005

RAMOS,
Maui J. (Cash Out
Refi) FHA

HomeStreet Bank \$ 167,377

Kaniohale
Lease No. 9334
TMK: 3-7-4-023:021

TROXELL,
Edwina L.
(Purchase) FHA

Bank of Hawaii \$ 200,334

Keaukaha
Lease No. 4052A
TMK: 3-2-1-020:106

KUAMOO,
Roland A.
(Construction) VA

Department of Veterans Affairs \$ 324,000

<u>RECAP</u>	<u>NO.</u>	<u>FHA</u> <u>AMOUNT</u>	<u>NO.</u>	<u>VA</u> <u>AMOUNT</u>	<u>NO.</u>	<u>USDA-RD</u> <u>AMOUNT</u>
FY Ending 6/30/15	291	\$ 63,019,783	9	\$2,421,822	32	\$7,742,283
Prior Months	187	\$ 43,539,920	4	\$1,150,938	8	\$2,385,277
This Month	<u>24</u>	<u>5,770,336</u>	<u>1</u>	<u>324,000</u>	<u>1</u>	<u>310,000</u>
Total FY '15-'16	211	\$ 49,310,256	5	\$1,474,938	9	\$2,695,277
HUD 184A						
FY Ending 6/30/15	92	\$22,210,337				
Prior Months	55	\$14,981,323				
This Month	<u>4</u>	<u>1,320,246</u>				
Total FY '15-'16	59	\$16,301,569				


ITEM NO. D-3

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

April 11, 2016

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Dean Oshiro, Acting HSD Administrator 
Homestead Services Division

SUBJECT: **Approval of Streamline Refinance of Loans**

RECOMMENDED MOTION/ACTION

To approve the refinancing of loans from the Hawaiian Home General Loan Fund.

DISCUSSION

The following lessees have met the "Streamline/Interest rate reduction loan" criteria, which was approved by the Hawaiian Homes Commission at its August 19, 2013 meeting. This criteria includes twelve (12) consecutive monthly payments, borrower's current interest rate is higher than the current DHHL interest rate, current with their Homeowners Insurance, Real Property Tax, Lease Rent, county sewer/refuse fees, and does not have any advances made by DHHL on the borrowers behalf.

HSD's recommendation for approval is based on actual payment history, over the past twelve (12) months and the review of the above-mentioned criteria. Streamline/Interest Rate Loan refinancing will provide lessees a chance to simply reduce their interest rate and payments without DHHL having to credit and/or income qualify the borrower.

The following lessee(s) has met the aforementioned criteria and is recommended for Streamline/Interest rate reduction loan refinance program:

<u>LESSEE</u>	<u>LEASE NO. & AREA</u>	<u>REFINANCING LOAN TERMS</u>
Daniels-Kwan, Winona Y.L.B.F.K. & Amasiu, Faelyn	5311, Waianae	NTE \$16,100 @4.5% interest per annum, NTE \$368 monthly, repayable over 4 years.


Loan Purpose: Refinance of loan no. 13140. Original
loan amount of \$41,200 at 8.75% per
annum, \$324 monthly, payable over 30
years. No Contested Case Hearing was
held for this account.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

April 11, 2016

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Dean Oshiro, Acting HSD Administrator 
Homestead Services Division

SUBJECT: **Approval to Schedule Loan Delinquency Contested Case Hearings**

RECOMMENDED MOTION/ACTION

To authorize the scheduling of the following loan delinquency contested case hearings as shown below.

DISCUSSION

The department has been working to resolve the problem of loan delinquencies. The past due delinquent loan status with lessees continues to be a problem for the department; therefore, we recommend that contested case hearings be scheduled:


<u>Lessee</u>	<u>Lease No.</u>	<u>Area</u>	<u>Loan No.</u>	<u>Monthly Payment</u>	<u>Amount at 3/16</u>	<u>Balance at 3/16</u>
<u>Hawaii</u>						
Bertelmann, Kaleo-O-Nalani	7142	Kawaihae	19247-HUD Buyback	TBD	TBD	TBD
Ubedei, Mona M.L.	5060	Keaukaha	18246	\$992	\$56,047	\$127,979
Whitney, Raechelle K.	1580	Keaukaha	15660	\$331	\$12,290	\$45,889
Mamone, Harriet A.	9774	Waiakea	15800	\$233	\$853	\$15,390

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

April 11, 2016

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Dean Oshiro, Acting HSD Administrator 
Homestead Services Division

SUBJECT: **Approval of Refinance of Loans**

RECOMMENDED MOTION/ACTION

To approve the refinancing of loans from the Hawaiian Home General Loan Fund.

DISCUSSION

There are lessees who are seriously delinquent on their loans, but have been making consistent payments for twelve (12) months or more. These lessees have been trying to pay an additional amount above and beyond the required payment in an effort to reduce their delinquency amount. However, because the delinquency amount is large, it would take years for that amount to be paid in full.

HSD's recommendation for approval is based on actual payment history, at minimum, over the preceding twelve (12) months. If a lessee has demonstrated a conscientious effort to reduce the delinquency amount by making consistent monthly payments for twelve months, HSD will recommend that the lessee's loan balance be refinanced. Loan refinancing will provide a deserving lessee a new start in establishing a credit standing.

The following lessee(s) has met the aforementioned criteria and is recommended for loan refinancing:

<u>LESSEE</u>	<u>LEASE NO. & AREA</u>	<u>REFINANCING LOAN TERMS</u>
Scott, Caroline	9692, Keaukaha	NTE \$59,000, @4.5% interest per annum, payment NTE \$300 monthly, repayable over 30 years.
<p>Loan Purpose: Refinance and combine contract of loan nos. 19021 and 19022. Original loan amount of \$45,175 and \$20,695, interest at 4.5% per annum on both loans, repayable over 14 years and 5 years, respectively. No Contested Case Hearings were held for these accounts.</p>		
<p>.....</p>		
Tam, Russell	6316, Keaukaha	NTE \$113,300, @3% interest per annum, payment NTE \$480 monthly, repayable over 30 years.
<p>Loan Purpose: Refinance and combine advance nos. 17546 and 17547. Original advance amounts of \$18,136 and \$94,820, interest at 3% per annum on both loans, respectively. These accounts were both buybacks from OHA. No Contested Case Hearings were held for these accounts.</p>		
<p>.....</p>		

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

April 11, 2016

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Dean T. Oshiro, Acting HSD Administrator
FROM: Ross K. Kapeliela, Application Officer
Homestead Services Division
SUBJECT: **Approval of Homestead Application Transfers/Cancellations**

RECOMMENDED MOTION/ACTION

To approve the transfers and cancellations of applications from the Application Waiting Lists for reasons described below:

DISCUSSION

1.Requests of Applicants to Transfer

NONE FOR SUBMITTAL

2.Deceased Applicant

NONE FOR SUBMITTAL

3.Awards of Leases

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

KEPA, Gavin

Assigned Residential Lease
#4514, Lot 15 in Nanakuli, Oahu
dated 02/22/2016. Remove
application dated 10/09/1987.

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

KANOA, Anthony J.

Assigned Residential Lease
#3833, Lot 5 in Paukukalo,
Wailuku, Maui dated 01/20/2016.
Remove application dated
06/10/2003.

HAWAII ISLANDWIDE PASTORAL LEASE LIST

KEEN, Carmen K.

Assigned Pastoral Lease #3241,
Lots 13-A and 13-B in Kamoku,
Hawaii dated 12/18/2015.
Remove application dated
09/28/2005.

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

KAINOA, Robyn K. R.

Assigned Residential Lease
#2290, Lot 233 in Kewalo, Oahu
dated 02/12/2016. Remove
application dated 03/23/2010.

PALAMA, Arthur E.

Assigned Residential Lease
#7230, Lot 68 in Kawaihae,
Hawaii dated 07/28/2015.
Remove application dated
02/23/1996.

TEVES, Michael A.

Assigned Residential Lease
#9329, Lot 16 in Kealakehe,
North Kona, Hawaii (Kanihale)
dated 04/30/2015. Remove
application dated 05/11/2005.

4. Native Hawaiian Qualification

NONE FOR SUBMITTAL

5. Voluntary Cancellation

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

COTTLE, Phyllis K.

To cancel application dated
05/20/1991 at the request of
applicant dated 03/21/2016.

6. Successorship

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

KERMABON, Charleen M.

Succeeded to 11/01/1947
Waimanalo Area / Oahu
Islandwide Residential
Application of brother, Albert
K. Watson. Remove application
dated 05/08/1990.

7. Additional Acreage

NONE FOR SUBMITTAL

8. HHC Adjustments

NONE FOR SUBMITTAL

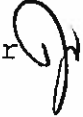
Last Month's Transaction Total	20
Last Month's Cumulative FY 2015-2016 Transaction Total	171
Transfers from Island to Island	0
Deceased	0
Cancellations:	
Awards of Leases	6
NHQ	0
Voluntary Cancellations	1
Successorship	1
Additional Acreage	0
HHC Adjustments	0
This Month's Transaction Total	8
This Month's Cumulative FY 2015-2016 Transaction Total	179

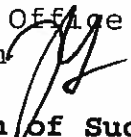
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

April 11, 2016

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean Oshiro, Acting Administrator 
Homestead Services Division

FROM: Juan Garcia, Oahu District Office Supervisor 
Homestead Services Division

SUBJECT: **Ratification of Designation of Successors to Leasehold Interest and Designation of Persons to Receive the Net Proceeds**

RECOMMENDED MOTION/ACTION

To ratify the approval of the designation of successor to the leasehold interest and person to receive the net proceeds, pursuant to Section 209, Hawaiian Homes Commission Act, 1920, as amended. This designation was previously approved by the Chairman.

*See attached list of Lessee.

Leasehold Interest:

Ratified for April 2016	4
Previous FY 2015 - 2016	60
FY 2015 - 2016 Total to Date	64
 Ratified for FY '14 - '15	 45

Net Proceeds

Ratified for April 2016	0
Previous FY 2015 - 2016	2
FY 2015 - 2016 Total to Date	2
 Ratified for FY '14 - '15	 1

**LIST OF LESSEES WHO DESIGNATED SUCCESSORS TO THEIR
LEASEHOLD INTEREST
FOR MONTH OF April 2016**

<u>Deceased Lessee</u>	<u>Designated Successor</u>
1. Lynette M. Ah Sui Lot No.: 95 Area: Nanakuli, Oahu Lease No. 584	<u>PRIMARY:</u> Dawnmarie Ah Sui-Aglipay, Daughter <u>ALTERNATE:</u> Alakai Charles Aglipay, Grandson <u>DESIGNEE TO RECEIVE NET PROCEEDS:</u> N/A
2. Eva L. Kahoonei Lot No.: 50 Area: Waianae, Oahu Lease No. 5301	<u>PRIMARY:</u> Shirley N. Aipa, Daughter <u>ALTERNATE:</u> Levardis L. Kahoonei, Son <u>DESIGNEE TO RECEIVE NET PROCEEDS:</u> N/A
3. Jennie M. K. Keuma Lot No.: 19 Area: Hanapepe, Kauai Lease No. 8860	<u>PRIMARY:</u> Donna M. Tokuoka, Daughter <u>ALTERNATE:</u> Shylen J. K. Keuma, Grandson <u>DESIGNEE TO RECEIVE NET PROCEEDS:</u> N/A

Deceased Lessee

4. George Laikupu
Lot No.: 117
Area: Kewalo, Oahu
Lease No. 2844

Designated Successor

PRIMARY:

George E. K. Laikupu, Son

ALTERNATE:

N/A

DESIGNEE TO RECEIVE NET

PROCEEDS:


N/A

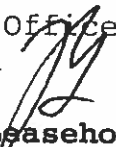
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

April 11, 2016

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean Oshiro, Acting Administrator 
Homestead Services Division

FROM: Juan Garcia, Oahu District Office Supervisor 
Homestead Services Division

SUBJECT: **Approval of Assignment of Leasehold Interest**

RECOMMENDED MOTION/ACTION

To approve the assignment of the leasehold interest, pursuant to Section 208, Hawaiian Homes Commission Act, 1920, as amended, and subject to any applicable terms and conditions of the assignment, including but not limited to the approval of a loan.

DISCUSSION

Twenty (20) assignments of lease.

<u>LESSEE</u>	<u>TRANSFeree</u>
1. Name: Charlotte M. L. DeReis Res. Lease No.: 12158 Lease Date: 5/30/2008 Lot No.: 4B Area/Island: Kaumana, Hawaii Property Sold: No Amount: N/A Improvements: 2 bedroom, 2 bath dwelling Reason for Transfer: "Giving to my daughter."	Name: Sera F. P. DeReis Relationship: Daughter Loan Assump: No Applicant: No

TRANSFeree

- Reason for Transfer: "Getting up in age."

- Reason for Transfer: This lessee is transferring her lease to relocate to Kona, Hawaii, to assist her son, who suffered a heart attack 5 years ago. This transfer will keep our homestead land in our family, hopefully, forever.
Special Conditions: Transferee to obtain funds to pay the purchase price.

- Reason for Transfer: "I, Davin Kaleleiki need to sell my house on Kaupea because of something happens to me, my wife will not be able to keep the house on Hawaiian Home Lands because my wife has no Hawaiian. So as a family we are deciding to sell the home to move to a fee simple home on Oahu." Special Conditions: Transferee to obtain funds to pay the purchase price.

LESSEETRANSFeree

5. Name: Rodney K. Kamalu Name: Darren Kehau Kamalu
 Res. Lease No.: 12315 Relationship: Son
 Lease Date: to be determined Loan Assump: No
 Lot No.: 11 Applicant: No
 Area/Island: Waianae, Oahu
 Property Sold: No
 Amount: N/A
 Improvements: 3 bedroom, 2 bath dwelling
- Reason for Transfer: "Son would like to be responsible for the mortgage and home."
6. Name: Phylis P. Kealakai Name: Phylis P. Kealakai &
 Res. Lease No.: 3152 Ponipake T. Seumanutafa
 Lease Date: 2/7/1958 Relationship: Lessee & Niece
 Lot No.: 7-A Loan Assump: No
 Area/Island: Nanakuli, Oahu Applicant: No
 Property Sold: No
 Amount: N/A
 Improvements: 4 bedroom, 1-1/2 bath dwelling
- Reason for Transfer: "No children to pass heritage on. Would like to add on to lease my late husband's niece, Ponipake Seumanutafa, granddaughter of Blanche and George Kealakai, original homesteader now deceased."
7. Name: Tiare L. Miyasato Name: Shawlea K. Aona
 Res. Lease No.: 2019 Relationship: None
 Lease Date: 10/21/1948 Loan Assump: No
 Lot No.: 61 Applicant: Yes, Oahu IW Res.,
 Area/Island: Kewalo, Oahu 10/20/2011
 Property Sold: Yes
 Amount: \$420,000.00
 Improvements: 5 bedroom, 2 bath dwelling
- Reason for Transfer: "Sale of home - Had a stroke and need to downsize to a single level." Special Conditions: Transferee to obtain funds to pay the purchase price.

LESSEETRANSFeree

8. Name: Mildred L. Moiha Name: Sandee K. K. Moiha
 Res. Lease No.: 2671 Relationship: Niece in law
 Lease Date: 10/1/1952 Loan Assump: No
 Lot No.: 2 Applicant: Yes, Hawaii IW
 Area/Island: Kuhio Village, Res., 4/23/2012
 Hawaii
 Property Sold: No
 Amount: N/A
 Improvements: 4 bedroom, 1 bath dwelling

Reason for Transfer: "Medical reason for Mildred Leilani Moiha."

9. Name: Valmajan L. Nahalea Name: Anja A. Nahalea
 Res. Lease No.: 8440 Relationship: Daughter
 Lease Date: 8/1/1995 Loan Assump: No
 Lot No.: 149 Applicant: Yes, Oahu IW Res.,
 Area/Island: PKE, Oahu 4/22/2009
 Property Sold: Yes
 Amount: \$350,000.00
 Improvements: 4 bedroom, 2-1/2 bath dwelling

Reason for Transfer: "I, Valmajan Nahalea will be moving in with my mother, Emma Durocher to care for her needs and well being. I will be transferring my home to my daughter, Anja Nahalea for her an(sic) the family to have a place of their own, to grow and nurture in." Special Condition: Transferee to obtain funds to pay purchase price. See simultaneous transfer below.

10. Name: Emma S. Durocher Name: Valmajan L. Nahalea
 Res. Lease No.: 7300 Relationship: Daughter
 Lease Date: 10/06/1994 Loan Assump: No
 Lot No.: 70 Applicant: No
 Area/Island: Nanakuli, Oahu
 Property Sold: Yes
 Amount: \$200,000.00
 Improvements: 3 bedroom, 1 bath dwelling

Reason for Transfer: "I, Emma Durocher, will be transferring my home to my daughter Valmajan Nahalea. She will be living with me to care for my needs and well being as I am unable to independently care for myself." Special Conditions: Transferee to obtain funds to pay the purchase price.

LESSEETRANSFeree

11. Name: Liwai Napuelua III Name: Layne Napuelua
 Res. Lease No.: 5350 Relationship: Brother
 Lease Date: 8/2/1982 Loan Assump: No
 Lot No.: 99 Applicant: No
 Area/Island: Waianae, Oahu
 Property Sold: Yes
 Amount: \$200,000.00
 Improvements: 4 bedroom, 2 bath dwelling
- Reason for Transfer: "Moving to mainland for job." Special Condition: Transferee to obtain funds to pay purchase price.
12. Name: George P. P. Stone Name: Francis L. Stone
 Res. Lease No.: 3222 Relationship: Brother
 Lease Date: 1/16/1959 Loan Assump: No
 Lot No.: 197 Applicant: Yes, Oahu IW Res.,
 Area/Island: Kewalo, Oahu 4/1/2013
 Property Sold: No
 Amount: N/A
 Improvements: Dilapidated home to be demolished.
- Reason for Transfer: "I'm not moving back (to Oahu), so I want my brother to have the property." Transferee to demo existing home & will build a new home.
13. Name: Christina A. Trugillo Name: Christina A. Trugillo
 Res. Lease No.: 9826 & William E. Trugillo
 Lease Date: 8/19/2001 Relationship: Lessee &
 Lot No.: 33 Husband
 Area/Island: Hanapepe, Kauai Loan Assump: Yes
 Property Sold: No Applicant: No
 Amount: N/A
 Improvements: 3 bedroom, 2 bath dwelling
- Reason for Transfer: "I would like to add my spouse, William Trugillo, to the lease."

LESSEETRANSFeree

14. Name: Carilynne N. Cosma Name: Tracey M. Cosma-
 Res. Lease No.: 10821 Carvalho
 Lease Date: 12/3/2005 Relationship: Daughter
 Lot No.: UNDV195 Loan Assump: No
 Area/Island: Hanapepe, Kauai Applicant: No
 Property Sold: No
 Amount: N/A
 Improvements: None

Reason for Transfer: "I want my daughter to have a home."

15. Name: Louis A. Kahui Name: Craig V. Kahui
 Res. Lease No.: 11281 Relationship: Brother
 Lease Date: 9/16/2006 Loan Assump: No
 Lot No.: UNDV083 Applicant: Yes, Hawaii IW
 Area/Island: Waimanalo, Oahu Res., 9/18/2015
 Property Sold: No
 Amount: N/A
 Improvements: None

Reason for Transfer: "Transferring lease to older brother."
See simultaneous transfer below.

16. Name: Craig V. Kahui Name: Kaponu K. Kahui
 Res. Lease No.: 11281 Relationship: Son
 Lease Date: 9/16/2006 Loan Assump: No
 Lot No.: UNDV083 Applicant: No
 Area/Island: Waimanalo, Oahu
 Property Sold: No
 Amount: N/A
 Improvements: None

Reason for Transfer: "My son is residing in Honolulu, while
I'm living in Kailua-Kona."

LESSEETRANSFEREE

17. Name: Helene K. Wong Name: Duane K. Wong
 Res. Lease No.: 12503 Relationship: Son
 Lease Date: 12/6/2008 Loan Assump: No
 Lot No.: UNDV184 Applicant: Yes, Kauai IW
 Area/Island: Kapolei, Oahu Res., 4/5/1988
 Property Sold: No
 Amount: N/A
 Improvements: None
- Reason for Transfer: "So son can have his own home."
18. Name: Leoda U. H. Shizuma Name: Nobuo Higa, Jr.
 Res. Lease No.: 5851 Relationship: Brother
 Lease Date: 8/1/1985 Loan Assump: No
 Lot No.: 52 Applicant: Yes, Maui IW Res.,
 Area/Island: Kalamaula, 9/6/2005
 Molokai
 Property Sold: No
 Amount: N/A
 Improvements: None
- Reason for Transfer: "Transfer to my brother, Nobuo Higa, Jr. "
19. Name: Irene K. Silva Name: Irene K. Silva & Tyler
 Res. Lease No.: 6846 A. K. Milare
 Lease Date: 8/10/1988 Relationship: Lessee & Son
 Lot No.: 34 Loan Assump: No
 Area/Island: Waiakea, Hawaii Applicant: No
 Property Sold: No
 Amount: N/A
 Improvements: None

Reason for Transfer: "Add son Tyler Milare to lease."

LESSEETRANSFEREE

20. Name: Zachary T. H. Smith Name: Justin T. H. Smith
 Agr. Lease No.: 6200 Relationship: Son
 Lease Date: 11/1/1985 Loan Assump: No
 Lot No.: 24-A Applicant: No
 Area/Island: Panaewa, Hawaii
 Property Sold: No
 Amount: N/A
 Improvements: None

Reason for Transfer: "Pass lease to my son-Justin T.H. Smith."


Assignments for the Month of April '16	20
Previous FY '15 - '16 balance	<u>179</u>
FY '15 - '16 total to date	199
Assignments for FY '14 - '15	260

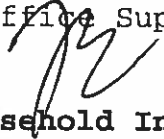
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

April 11, 2016

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean Oshiro, Acting HSD Administrator
Homestead Services Division 

FROM: Juan Garcia, Oahu District Office Supervisor
Homestead Services Division 

SUBJECT: **Approval of Amendment of Leasehold Interest**

RECOMMENDED MOTION/ACTION

To approve the amendment of the leasehold interest listed below.

DISCUSSION

Fourteen (14) amendments of lease.

1. Lessee: Lynette M. Ah Sui
Res. Lease No.: 584
Lot No., Area, Island: 95, Nanakuli, Oahu
Amendment: To amend the lease title and lessor name, to incorporate the currently used terms, covenants, and conditions in the lease, to extend the current lease term to an aggregate term of 199 years.
2. Lessee: William Ah You Akau
Res. Lease No.: 592
Lot No., Area, Island: 26, Kawaihae, Hawaii
Amendment: To amend the lease title and lessor name, to incorporate the currently used terms, covenants, and conditions in the lease, and to extend the lease term to an aggregate term of 199 years.

3. Lessee: Judith K. Hemenway & Henry H. Hemenway, Jr.
Res. Lease No.: 3557
Lot No., Area, Island: 91, Waimanalo, Oahu
Amendment: To amend the lease to incorporate the currently used terms, covenants, and conditions in the lease.
4. Lessee: Albert G. Higgins
Res. Lease No.: 3692
Lot No., Area, Island: 54, Waimanalo, Oahu
Amendment: To amend the lease title and lessor name, to incorporate the currently used terms, covenants, and conditions in the lease, and to update the property description.
5. Lessee: Jack K. J. Hobbs, III
Res. Lease No.: 2629
Lot No., Area, Island: 343, Nanakuli, Oahu
Amendment: To amend the lease to incorporate the currently used terms, covenants, and conditions in the lease, to extend the lease term to an aggregate term of 199 years.
6. Lessee: Mae C. Iwahori
Res. Lease No.: 4171
Lot No., Area, Island: 34, Paukukalo, Maui
Amendment: To amend the lease title and lessor name, to incorporate the currently used terms, covenants, and conditions in the lease, and to update the property description.
7. Lessee: Chris H. Kalei
Res. Lease No.: 644
Lot No., Area, Island: 46, Papakolea, Oahu
Amendment: To amend the lease title and lessor name, to complete the property description, to incorporate the currently used terms, covenants, and conditions in the lease, to extend the current lease term to an aggregate term of 199 years.

8. Lessee: Kealoha Kauwe
Res. Lease No.: 2994
Lot No., Area, Island: 290, Keaukaha, Hawaii
Amendment: To amend the lease title and lessor name, and to incorporate the currently used terms, covenants, and conditions to the lease.
9. Lessee: Walter Luuloa & Walterlyn L. Lapera
Res. Lease No.: 4870
Lot No., Area, Island: 21, Nanakuli, Oahu
Amendment: To amend the tenancy to severalty due to the death of a joint tenant lessee.
10. Lessee: Norman H. M. McKeague & Esther P. G. McKeague
Res. Lease No.: 2723
Lot No., Area, Island: 83, Waimanalo, Oahu
Amendment: To amend the tenancy to severalty due to the death of a joint tenant lessee.
11. Lessee: Tiare L. Miyasato
Res. Lease No.: 2019
Lot No., Area, Island: 61, Kewalo, Oahu
Amendment: To amend the lease title and lessor's name, to complete the property description, to incorporate the currently used terms, covenants, and conditions in the lease, to extend the lease term to an aggregate term of 199 years.
12. Lessee: Mildred L. Moiha
Res. Lease No.: 2671
Lot No., Area, Island: 2, Kuhio Village, Hawaii
Amendment: To amend the lease title and lessor's name, to incorporate the currently used terms, covenants, and conditions in the lease, to extend the lease term to an aggregate term of 199 years.

13. Lessee: Leoda U. H. Shizuma
Res. Lease No.: 5851
Lot No., Area, Island: 52, Kalamaula, Molokai
Amendment: To amend the lease to update the commencement date and to complete the property description due to Maui County approval of the subdivision.
14. Lessee: George P. P. Stone
Lease No.: 3222
Lot No., Area, Island: 197, Kewalo, Oahu
Amendment: To amend the lease title and lessor name and to incorporate the currently used terms, covenants, and conditions in the lease.


Amendments for the Month of April, '16	14
Previous FY '15 - '16 balance	<u>110</u>
FY '15 - '16 total to date	124
Amendments for FY '14 - '15	163

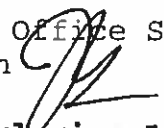
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

April 11, 2016

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean Oshiro, Acting HSD Administrator 

FROM: Juan Garcia, Oahu District Office Supervisor
Homestead Services Division 

SUBJECT: **Approval to Issue a Non-Exclusive License for Rooftop Photovoltaic Systems for Certain Lessees**

RECOMMENDED MOTION/ACTION

To approve the issuance of a non-exclusive license to allow the Permittee to provide adequate services related to the installation, maintenance, and operation of a photovoltaic system on the premises leased by the respective Lessees.

The non-exclusive license is necessary as the Lessee cannot issue his/her own licenses.

DISCUSSION

Four (4) non-exclusive licenses.

1. Lessee: June N. Bell
Res. Lease No.: 5141
Lot No., Area, Island: 56, Nanakuli, Oahu
Permittee: Sunrun Inc.
2. Lessee: Newton Hanawahine
Res. Lease No.: 9821
Lot No., Area, Island: 13700, Maluohai, Oahu
Permittee: Sunrun Inc.
3. Lessee: Eugene Hew Len
Res. Lease No.: 11401
Lot No., Area, Island: 17201, Kaupea, Oahu
Permittee: Sunrun Inc.

ITEM NO. D-11

4. Lessee: Iris N. Kahale
 Res. Lease No.: 2473
 Lot No., Area, Island: 15, Waimanalo, Oahu
 Permittee: Sunrun Inc.

Non-Exclusive License for April '16	4
Previous FY '15 - '16 balance	<u>218</u>
FY '15 - '16 total to date	222

Non-Exclusive License for FY '14 - '15	104
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DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
APRIL 11 & 12, 2016
Kūlana 'Ōiwi Multi-Purpose Conference Room
Kalama'ula, Moloka'i, Hawai'i

E-ITEMS
LAND DEVELOPMENT DIVISION

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

April 11, 2016

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Norman L. Sakamoto, Acting LDD Administrator *N Sakamoto*

FROM: Isaac M. Takahashi, Acting Branch Chief *IMT*
Housing Project Branch

SUBJECT: New 5-year Agreement, Hawaii Community College Model Home Project

RECOMMENDED MOTION/ACTION

To authorize the department to enter into a new 5-year agreement with the University of Hawaii ("UH") to construct houses on Hawaiian Home Lands using the Hawaii Community College ("HCC") Model Home Program.

DISCUSSION

On October 27, 1998, the Hawaiian Homes Commission authorized DHHL to enter into an agreement with the UH, for its HCC, to annually provide a vacant lot in the Hilo area for HCC's Model Home program. The first Agreement was signed on November 30, 1998 between DHHL & the UH. Since that initial Agreement, three additional 5-year Agreements have been entered into and seventeen (17) homes have been built under the Agreements. A copy of the current 5-year Agreement is attached (Exhibit A).

Under HCC's Model Home program, HCC design students design and HCC construction students build a house during the school year. The house plan was designed by HCC design students in the previous school year and approved by DHHL for construction during the current school year. Each year the homes have consistently exhibited workmanship that exceeds standard construction industry tolerance. Since students are receiving hands-on training, they are required to redo any work which is below the expectations of the instructors.

The HCC Model Home Program partnership between DHHL and UH was first formed back in 1971 and it consisted of DHHL providing one fully-improved lot per year to HCC in a DHHL Hilo subdivision. The vocational students' of HCC then construct one house per year to be sold to a DHHL beneficiary. The partnership continued till 1981, it

ITEM NO. E-1

then took a 16 year hiatus and was started up again in 1998. Since the program's inception, over 3,867 UH-HCC drafting, carpentry, agriculture and welding students have participated in the program gaining on-the-job experience.

Per HHC submittal, dated October 27, 1998, discussions between the Department of Accounting and General Services ("DAGS") and the UH indicate that DHHL can enter into an agreement with UH to construct houses and procurement laws do not apply between state agencies; therefore, the department can pay UH to construct these homes.

The agreement will establish the responsibilities of the UH/HCC and the department. The following would take place:

1. The department would issue a notice to proceed letter to authorize HCC to apply for applicable permits and to enter the designated lot on Hawaiian Home Lands.
2. The department would review the plans and specifications of the proposed dwelling and negotiate cost to construct.
3. The department would budget funds for construction of house and upon submittal of an acceptable proposal by the UH/HCC, the department would fund the project.
4. The UH/HCC would oversee the construction of the dwelling by students and arrange subcontractors for services not available through the vocational education program of the UH.
5. The UH/HCC would ensure that construction of the dwelling complies with the state and county building requirements.
6. Upon completion of the dwelling, the department would award the lease to the lot to an applicant on the Hawaii Islandwide Waiting List who is able to qualify for a loan to purchase the house. The lessee's loan would reimburse the Hawaiian Home Lands Trust Fund for the interim construction funding.

If the HHC re-authorizes the department to enter in to this agreement with the UH, the department would budget funds for the project annually and provide a vacant, improved lot to the HCC for the Model Home Program each year.

RECOMMENDATION

Land Development Division requests approval of the motion as stated.

AGREEMENT

This agreement shall take effect on July 1, 2012, and terminate on June 30, 2017, between the DEPARTMENT OF HAWAIIAN HOME LANDS (DHHL), a public body of the State of Hawaii, and the University of Hawaii for its HAWAII COMMUNITY COLLEGE (HawCC), hereinafter referred to as the "University."

WITNESSETH:

WHEREAS, the University conducts agriculture, drafting, carpentry, electrical, diesel, and welding training through the development and construction of actual dwelling units; and

WHEREAS, the University has the requisite skill, experience and labor force to construct dwelling units; and

WHEREAS, the University has been involved in development of demonstration homes on the island of Hawaii, constructed through efforts of students in building trades as well as its contracted building contractor; and

WHEREAS, such demonstration homes support public purposes of providing affordable housing and creating a well-trained construction work force on the island of Hawaii; and

WHEREAS, the DHHL has determined the need for such dwelling units and has agreed to provide construction financing (to be budgeted annually based on cost determined through negotiations between DHHL and the University) and a buildable, vacant lot by way of a right-of-entry to the University for one dwelling unit annually using the available experience and product of the University;

NOW THEREFORE, in consideration of the premises, the parties hereto mutually agree as follows:

1. University covenants and agrees to execute all contracts for the construction of the dwelling unit. University agrees to furnish all tools, equipment, labor, assist with the permit process and complete the one dwelling unit according to the plans, specifications and drawings provided by the University and approved by DHHL.
2. That any defect in materials or workmanship which may appear during the period of construction, or within one year of the date of completion, shall be replaced or repaired by the labor provided by the University at no cost to DHHL.

ITEM NO. E-1

3. University shall comply with all federal and state laws, as well as all local laws, ordinances, rules and regulations bearing on the work, including the uniform building code, and shall obtain all necessary permits, licenses and certificates, and give all notices required thereby.
4. Prior to final acceptance of the completed dwelling unit by the DHHL, the construction site, as improved, shall be cleaned up of excess materials, rubbish, temporary structures, and equipment by the University. All portions of the dwelling unit shall be left in a neat and presentable condition.
5. University shall itemize the cost of work put in place, materials delivered to and properly stored on site and preparatory work. The total cost to DHHL for the dwelling unit to be constructed shall be negotiated annually, a sample Cost Proposal is attached hereto Exhibit "A" and incorporated herein by reference. The DHHL shall make ONE (1) 75% up-front payment to the University upon acceptance of plans and specifications, and ONE (1) 25% payment upon DHHL's acceptance of the completed dwelling.
6. The dwelling unit shall be considered complete under this Agreement after final inspection of the dwelling unit is accepted by the DHHL as being ready for occupancy.
7. In the event of any inconsistency in the terms of this Agreement and the accepted plans, specifications and drawings, this Agreement shall be controlling. However, this Agreement shall be subject to the General Conditions negotiated annually; a sample is attached hereto as Exhibit "B" and incorporated herein by reference.
8. The University shall be responsible for damages or injury caused by the University's agents, officers and employees in the course of their employment to the extent that the University's liability for such damage or injury has been determined by a court or otherwise agreed to by the University, and that the University shall pay for such damages and injury to the extent permitted by law and approved by the Hawaii Legislature.
9. This Agreement shall become effective July 1, 2012 and terminate June 30, 2017 OR upon the notice of the University or DHHL if either party fails to perform its obligations hereunder. In the event the University or DHHL exercises this right to terminate this agreement, notice of this intention to terminate shall be given in writing by registered or certified mail stating the effective date of termination, which date shall not be sooner than thirty (30) days from the date of delivery of such notice.

ITEM NO. E-1

EXHIBIT A


IN WITNESS WHEREOF, the parties hereto have affixed their respective signatures,
and executed this Agreement effective as of the date first written above.

APPROVED AS TO FORM

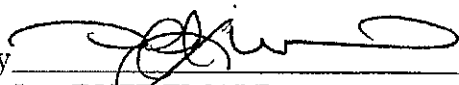
STATE OF HAWAII
DEPARTMENT OF HAWAIIAN
HOME LANDS



DEPUTY ATTORNEY GENERAL

By 

ALBERT NAHALE A, Chairman
Hawaiian Homes Commission
Jobie M.K.Masagatani, Chairman Designate
UNIVERSITY OF HAWAII
HAWAII COMMUNITY COLLEGE

By 

Its DUFF ZWALD, Director
Office of Procurement and
Real Property Management

ITEM NO. E-1

EXHIBIT A

HAWAII COMMUNITY COLLEGE MODEL HOME ESTIMATE for:

Department of Hawaiian Homes Lands

Model Home No. _____

	ESTIMATED COST				
PERMITS					
Building					
Electrical					
Driveway					
TEMPORARY SERVICES					
Electrical					
Water (usage)					
Water (meter)					
Sanitoli					
Sub-Total					
OTHERS					
Notice of completion					
Administrative fees					
Sign					
Brochure					
Leis					
Sub-Total					
TOTAL (Contract Price)					

HawCC Interim Vice Chancellor of Academic Affairs

Date

Department of Hawaiian Home Lands

Date

ITEM NO. E-1

EXHIBIT A

2011 – 2012
MODEL HOME PROJECT

**GREEN
SPECIFICATIONS**

FOR A
ONE-STORY
SINGLE FAMILY DWELLING

AT
183 PAKELE LANE
KEAUKAHA, HILO, HAWAII
TMK: (3) 2-1-020:073
LOT: 114-B-1-B

BY THE
APPLIED TECHNICAL EDUCATION DIVISION
HAWAII COMMUNITY COLLEGE
UNIVERSITY OF HAWAII

FOR THE
STATE OF HAWAII
DEPARTMENT OF
HAWAIIAN HOME LANDS

GENERAL CONDITIONS

BASIC DESCRIPTION AND PRICE TO BE PAID: This three-bedroom, two bath dwelling containing a living area of 1,332.44 square feet, a two-car carport of 393.33 square feet, storage of 64.39 square feet, walkways of 104.00 square feet, exterior entry with 19.56 square feet, and a rear exterior porch of 60.00, containing a total area of 2,036.00 square feet as shown on the contract drawings with specifications (hereinafter referred to as contract documents) will be provided at a cost of

and /100. Any additional charges, besides this construction cost accrued by the State of Hawai'i Department of Hawaiian Home Lands (DHHL) in conveying the lease and improvements to the buyer, will be charged to the buyer by DHHL and does not involve the University of Hawai'i (hereinafter referred to as the UNIVERSITY).

CONTRACT DRAWINGS: The accompanying drawings together with this document (hereinafter referred to as specifications) are part of the contract documents for the full completion of this dwelling. What is called for by either shall be as binding as if called for by both. In the event of discrepancies or errors, the UNIVERSITY shall notify the designer, who will make the necessary corrections. In the case of missing dimensions, the UNIVERSITY shall contact the designer. It shall be the responsibility of the UNIVERSITY to keep a copy of the plans and specifications on the job site at all times.

PROPERTY LINES: The UNIVERSITY shall be responsible for locating and maintaining property pins until the home is accepted by DHHL. In the event of a missing boundary pin, the UNIVERSITY shall hire a professional surveyor, licensed in the State of Hawai'i to reestablish the missing pin. This act will be initiated only upon the receipt of written permission by DHHL to enter the proposed site to prepare and perform this task. Any cost accrued by the UNIVERSITY for such act will be the responsibility of DHHL unless included in the UNIVERSITY'S cost estimate sheet. The UNIVERSITY shall be held responsible for the correctness of setting out the work, assuming the property line pins have been clearly established.

SUPERVISION: The UNIVERSITY shall be responsible for all work provided and shall include personal supervision. They shall provide all labor, materials, tools, equipment, and transportation necessary for the completion of this contract. The UNIVERSITY and subcontractors shall at all times protect their work and materials.

SUBCONTRACTORS: The UNIVERSITY will be responsible for the hiring of the subcontractors and will be liable to DHHL for all the acts of the subcontractors. The UNIVERSITY shall be responsible for damages or injury caused by the UNIVERSITY's agents, officers, and employees in the course of their employment to the extent that the UNIVERSITY's liability for such damage or injury has been determined by a court or otherwise agreed to by the University of Hawaii, and the University of Hawaii shall pay for such damages and injury to the extent permitted by law and approved by the Legislature. DHHL shall deal only with the UNIVERSITY in matters pertaining to the different trades employed on the work.

BUILDING PERMITS AND INSPECTION: The UNIVERSITY will apply for the building permit within 30 days from receipt of the Notice to Proceed and the fully executed Right-of-Entry from DHHL. The UNIVERSITY shall schedule all necessary building, electrical, plumbing, etc. inspections as required during the stages of construction.

COMPLIANCE: All work and materials used to complete this contract shall comply with strict accordance to the rules, ordinances, and codes of the County of Hawai'i and DHHL's requirement to meet HUD (FHA) standards.

GENERAL PRACTICE: In the absence of details, the UNIVERSITY shall notify the designer and obtain approval from DHHL to use acceptable local standard methods of construction.

DHHL'S RESPONSIBILITY: DHHL shall keep in constant touch with the work and the UNIVERSITY. DHHL and HUD (FHA) will inspect during the construction phase at all times but may not interrupt the construction work on the job site. If a concern arises during the construction phase, DHHL must notify the UNIVERSITY in writing.

CHANGES OR SUBSTITUTIONS: Changes, additions, or omissions to the work will be made upon written consent and agreement between DHHL (using HUD (FHA)) standards and the UNIVERSITY. The agreement will state the changes and the costs of such changes. All agreed changes between the UNIVERSITY and DHHL (using HUD (FHA)) shall be included as part of this contract.

WORK OUTSIDE OF CONTRACT: Where applicable, DHHL shall be responsible for all work and materials that are not included as part of this contract; said work shall be identified in writing. DHHL shall also be responsible for any delay of construction caused by work that is not part of this contract.

FINAL ACCEPTANCE: The contract shall be deemed complete upon the acceptance of the keys by DHHL or upon the lessee of DHHL moving into the premises, whichever event first occurs. The UNIVERSITY shall publish the notices of completion for DHHL after the acceptance of building keys or upon the lessee moving into the premises. However, nothing herein shall prevent the UNIVERSITY or DHHL from suing for claims not fulfilled by either party.

SITE WORK: EXAMINATION, CLEARING, EXCAVATION, GRADING, & FILL OF SITE FOR BUILDING: It shall be the responsibility of the UNIVERSITY to visit the site before construction to verify all existing grades and conditions. The designer will be held responsible for accuracy of grades shown on drawing.

The UNIVERSITY shall provide all labor, materials, and equipment required for excavation, grading, and filling needed to adjust the grade to fit the building. All fill shall be compacted. The UNIVERSITY shall clear and grub the lot within the project zone limits as indicated on the drawings, and shall remove all unusable debris from the site. This act will be initiated by the UNIVERSITY upon receipt of written approval by DHHL to proceed with the work prior to the signing of the Agreement between DHHL and the UNIVERSITY, or upon receipt of the Notice to Proceed letter.

Upon completion of the project, the UNIVERSITY and subcontractors shall clear the building and the premises of all debris resulting from their work. The building shall be neatly swept and all rubbish shall be removed for reuse, and or recycling as appropriate per Leadership in Energy and Environmental Design (LEED) green standards and U.S. Department of Housing & Urban Development (HUD).

UNSTABLE SOIL: The UNIVERSITY shall not be held responsible for any excessive, unstable soils unless DHHL furnishes a soils report. If the job conditions indicate unstable soils, the UNIVERSITY shall have registered professional engineers and/or architects licensed in the State of Hawai'i to prepare the necessary conforming drawings. Any extra cost accrued to properly design and construct the footing and foundation will be the responsibility of DHHL.

MATERIALS: All materials used in constructing this building shall be of new unused materials.

GROUND TERMITE TREATMENT: The UNIVERSITY shall be responsible for making the arrangements for ground termite treatments. The warranty for damages by termites shall be a two-year written warranty

from the date of closing or Final Acceptance of the home. The Termite Contractor will provide a maintenance inspection program. The maintenance inspection program must provide for inspections at the end of the first and second years. If termite infestation is discovered during the inspections, the Termite Contractor will be responsible for re-treating only the infested area(s). The Termite Contractor will not be held responsible to repair any damages. The UNIVERSITY will be responsible for repairing damages only during the first year of the two-year warranty.

Schedule: 1. Before placement of concrete into all concrete masonry unit footings and pier blocks including a 36" diameter around footings and piers. 2. Before placement of concrete into carport, laundry/storage, walks and landing floors. 3. Before placement of concrete into first 48" of driveway connecting to carport. 4. Upon final grading, around and under perimeter of concrete masonry unit and carport and around the interior foundation post and pier.

WHEN WORK MUST BE COMPLETE: The home must be substantially complete and available for occupancy by a DHHL lessee within nine months of issuance of the Notice to Proceed by DHHL. Any extensions to this time must be agreed to in writing by DHHL.

NOTICE OF COMPLETION: The UNIVERSITY shall provide written notice to DHHL that the home has been completed. Substantial completion is defined in this agreement to mean when the home may be occupied safely and with reasonable use, and after the walk-thru punch list is prepared and agreed upon by all parties.

The UNIVERSITY will be held responsible for obtaining from the subcontractors, who are hired for this project, the Certificate of Compliance (prevailing wages) in accordance with Chapter 104, Hawai'i Revised Statutes and the UNIVERSITY's APM and shall furnish these items to DHHL before releasing any payment. The Certificate of Compliance does not include any faculty, staff, or students.

FINAL INSPECTION: DHHL and the FHA Inspector will inspect the home for compliance on behalf of HUD, the lending institution, and the buyer within seven calendar days of receipt of the notice of completion. The inspection will be scheduled with and take place together with an employee of the UNIVERSITY.

EXTENT OF THIS AGREEMENT: The entire agreement is limited to these written conditions and any other documents specifically defined in these agreement/conditions. These agreement/conditions may be amended in the future only by written agreement dated and signed as accepted by both parties. No oral or verbal representations will serve as a portion of this agreement.

WARRANTIES: No warranties expressed or implied will exist as a result of these agreements that are not specifically stated.

DWELLING WARRANTIES: The UNIVERSITY will submit the following before the dwelling is formally accepted: The builder's (UNIVERSITY) one year warranty on defective workmanship and materials commencing from the date of acceptance, a two-year ground termite warranty with first and second-year inspections, FHA Builder's warranty by the UNIVERSITY, the manufacturer's 20-year lumber warranty, roof warranty and the manufacturers' warranties for the appliances. The UNIVERSITY will not be responsible for anything after the first year from project acceptance.

SPECIFIC INCLUSIONS: The UNIVERSITY will be responsible to complete the home as a turn-key dwelling with conditions as stated under this section. In addition to the plans and specifications, TV jacks, driveway, drop curbs, and landscaping are included in this agreement.

DHHL will be responsible for bringing the County's sewer and water lines to the proposed site. The UNIVERSITY shall be responsible for connecting the dwelling's plumbing fixtures to the County's sewer and apply for the County's water meter. The UNIVERSITY shall pay for the water and sewer charges during the construction of this dwelling. DHHL shall be responsible for the sewer and water charges after the acceptance of this dwelling. In the absence of the County's sewer line, the UNIVERSITY shall install a septic tank approved by a professional engineer licensed in the State of Hawai'i. If applicable, cost for the approved design and installation of the septic tank shall be included in the agreement. If fills are required to increase the grade of the lot to drain the surface water from the house, it shall be included in this agreement. All fill material shall be chemical, debris and pest free.

SUBMITTAL REQUIREMENT: The UNIVERSITY must submit a proposal, cost breakdown, plan, plot plan, outline specifications, FHA Description of Materials, FHA Builder's Certification, roof truss calculation, and engineer's report for the wastewater system.

TEMPORARY AND PERMANENT UTILITY SERVICES: The ELECTRICAL CONTRACTOR shall coordinate all County of Hawai'i and Hawai'i Electric Light Company (Helco) inspections as required throughout all phases of construction and arrange to hook up the permanent electric service before the home is accepted by DHHL. The ELECTRICAL CONTRACTOR shall have Helco transfer the power supply account to the Owner. Upon satisfactory passing all necessary inspections, Helco to switch accounts and rates to residential prior to acceptance by DHHL, upon the acceptance of the dwelling. DHHL shall be responsible to have Helco unlock the power supply for the lessee.

County of Hawai'i finalizes pre-approval, then Helco does all code inspections to switch account to residential rate.

Bidders/Contractors to comply with notes stated on sheet E-1 of contract drawings.

GENERAL SPECIFICATIONS

SITE DEVELOPMENT

EROSION CONTROL DURING CONSTRUCTION: Disturbed topsoil shall be stockpiled and protected from erosion. Silt fencing shall be provided and installed as indicated on the drawings to control the path of runoff. Compost blankets, or equivalent shall be used on grades with more than 25% sloped areas.

SILT FENCING: Silt fencing shall be installed per contract drawings. Silt filter fabric shall be Mirafi 600X, by TenCate Geosynthetics or approved equal. Geotextile shall be composed of high-tenacity polypropylene yarns, woven to retain their relative position and is inert to biological degradation and resistant to naturally encountered chemicals, alkalis, and acids. Install as per manufacturer recommendations.

TOPOGRAPHIC DESIGN: All new topography grade elevations to be verified with designer prior to construction. Contact the designer.

LANDSCAPING: Remove all existing invasive species. If removal of any trees and shrubs are necessary, chip green waste for use as landscaping mulch for this project and store on site. Any turf shall be drought-

tolerant and not used in areas with slopes of more than 25%, and in shaded areas. Trees/plantings to provide shade for 50% of hardscapes (driveways, etc.) at 5-years maturity. Landscaper to provide planting plan and shall include native plant materials and a food garden feature as shown on the site plan.

MASONRY AND CEMENT WORK

CONCRETE SLABS: Concrete slabs, where indicated on the plans, shall be 1:3:5 mixture of cement, sand, and crushed rock. The proportioned materials shall produce concrete that will have a minimum compressive strength of 2,500 p.s.i. at 28 days with 4" slump. Concrete slabs shall be reinforced with 6 x 6 x 10/10 ga. galv. iron electrically welded wire fabric unless otherwise specified.

CONCRETE WALKS: Concrete walks, where indicated on the plans, shall be reinforced with 6 x 6 x 10/10 ga. galv. electrically welded wire. Mixture of concrete shall be the same as for concrete slabs and shall be finished and marked as indicated or directed.

CONCRETE FOOTINGS: Where indicated on the plans, shall be of mixture to produce compressive strength of 2,500 p.s.i. with 4" slump and ties at 24" o.c. unless otherwise specified. In the event that the footing and slab are poured separately, the UNIVERSITY shall provide a satisfactory construction joint. At areas where footing receive C.M.U. wall, the contractor shall protrude vertical reinforcing bars as indicated.

CONCRETE PIERS: Shall be of 16" x 16" x 8" unless otherwise specified or shown on the plans. Piers shall be of one continuous ground pour and shall have compressive strength of 2,500 p.s.i. concrete.

HOLLOW TILE/C.M.U. WALLS: Shall be reinforced with #4 vertical bars at 48" o.c. and with knockout c.m.u. at every third course. All concrete blocks shall be laid according to manufacturer's specifications and shall comply with the U.B.C. of the County of Hawaii. All corners and ends shall be reinforced with #4 reinforcing bars. Other reinforcing shall be as indicated. All cells shall be solidly filled with grout.

HURRICANE TIES, CLIPS & STRAPS: Install as per manufacturer's recommendations, necessary hurricane ties and straps meeting all applicable code requirements and as manufactured by Simpson Strong-Tie Company Inc. Install in strict accordance with manufacturer's recommendations.

DRIVEWAY: Concrete driveway, where so indicated on the plans, shall be 4" thick, reinforced with 6 x 6 x 10/10 ga. galv. iron electrically welded wire fabric. Top of drive shall be on level of finished grade of front yard and shall extend towards the street as indicated on the contract drawings. The UNIVERSITY shall provide swale or culvert as required by County of Hawaii ordinances and code. Portion of driveway as shown on plans shall consist of regional pervious gravel material to provide positive drainage.

SEWER CONNECTION: Connect to sewer or septic system as per attached engineering drawings, County Ordinance, and Board of Health regulations.

LUMBER AND MILLWORK

FRAMING LUMBER: All framing lumber, unless otherwise specified on the plans or specifications, shall be of standard and better Douglas Fir. Sizes of posts, post bracings, girders/sills, floor joists, ceiling joists, rafters, and plates shall be as specified and shown on the plan. Every rafter shall be trussed with diagonal and vertical members starting from the center of ceiling joists unless otherwise specified. Splicing of girders, beams, sills, plates, joists, or rafters at points other than directly on structural supports will not be permitted. Where joists sizes change, the girder/sill, plate, or beam shall be installed in such a manner that full bearing of the larger size joist be maintained at all times. The shorter joists shall be blocked or bridged.

Framer to meet framing order waste factor and provide a detailed cut list and lumber order. Framing lumber and tropical woods shall be Forest Stewardship Council (FSC) certified. Provide country of manufacturer information for each wood product.

Install as per manufacturer's recommendations, hurricane ties and straps meeting all applicable code requirements and as manufactured by Simpson Strong-Tie Company Inc. Install in strict accordance with manufacturer's recommendations.

TERMITE TREATMENT: All framing lumber shall be pressure treated for termites and other pests with a borate-based chemical treatment, or approved equal, and carry a 20-year warranty. Items equivalent or similar to requested products may be considered. However, a detailed list of products and specifications must be provided in order for item to be considered. The purchaser reserves the right to refuse products deemed to be of lesser quality than specified. The UNIVERSITY shall treat all cut ends and surfaces with a borate-based, or approved equal treatment, and schedule the inspection by a certified inspector. Moisture content not to exceed 19%.

EXTERIOR WALLS: 5/8" thk. D/Fir T-1-11 ruf-sawn Ext. Plywood siding

EXTERIOR TRIMS: "C" or better select D/Fir

INTERIOR PARTITIONS: 1/2" thk. gypsum board

INTERIOR TRIMS: "C" or better clear K.D. D/Fir or approved equal

MILLWORK: Items requiring special millwork may be made by the UNIVERSITY or purchased through a mill. The UNIVERSITY shall comply with strict accordance with the details as shown on the plans. Materials used in frames shall be of "C" and Better Clear K.D. Douglas Fir or Mahogany.

REAR DECK and RAILING SYSTEM: Materials shall be of reclaimed plastic and wood composite with 95% recycled content by Trex or approved equal. Install as per manufacturer's recommendations.

WINDOWS: Windows shall be of size and style shown on the plans complete with hardware. All glass set in special windows or exterior walls to be puttied and back puttied. All aluminum hardware shall be of clear anodized aluminum. All window framing openings shall be sealed/caulked to prevent moisture, pests, etc. from penetrating the building envelope.

SCREENS: All exterior openable windows shall be screened with 16-mesh fiberglass screen on aluminum frame fastened with suitable approved fasteners. All screens shall have divisions same as the openings they cover. Window screens shall fill full opening and shall be hung outside at top unless otherwise indicated on the plans. All aluminum screen frames shall be of clear anodized aluminum.

SUB-FLOORS: Plyboard: 3/4" thick, exterior grade, borate-based termite pressure treated, or approved equal, D/Fir plyboard throughout wooden floor areas.

CABINETS: Cabinets shall be constructed with accordance to the details as shown on the plans. Materials used shall be as indicated on the plans.

SCUTTLE: Scuttle opening(s) with blind access panel to attic shall be located where shown on the plans or where indicated on the job site by the designer. Scuttle shall be of size to meet the local county ordinance.

SCREENED BLOCKING VENTS: The UNIVERSITY shall provide screened vents with 1/8-mesh galvanized screen between every rafter unless otherwise specified on the plans. Vents shall be of size to meet the local county ordinance and shall be unobstructed.

ROOF: Roof shall be of the following type and design as specified on the plans and shall be installed in strict accordance with the manufacturer's recommendation. Roofing sheets shall be one continuous length, 26 gauge, Pattern 7, pre-finished "Mauna Kea White", Energy Star qualified, 26 gauge corrugated metal roofing with hip and valley flashings as required. To provide adequate attic flow ventilation, do not flash band the ridge cap.

RADIANT BARRIER: Provide continuous coverage of radiant barrier under all corrugated metal roofing surfaces. Radiant barrier shall be Energy Star qualified as manufactured by Reflectix, Inc. or approved equal. Install as per manufacturer's recommendations.

ROOF TRUSS FRAMING: Roof trusses shall be pre-engineered complete with gang nail fastening system as per separate design drawings and specifications by Mitek or approved equal. Items equivalent or similar to requested products may be considered. However, a detailed list of products and specifications must be provided in order for item to be considered. The purchaser reserves the right to refuse products deemed to be of lesser quality than specified. Lumber used for truss members shall be Forest Stewardship Council (FSC) certified. Install as per manufacturer's recommendations, hurricane ties and straps meeting all applicable code requirements and as manufactured by Simpson Strong-Tie Company Inc. Install in strict accordance with manufacturer's recommendations.

BUILDING ENVELOPE: All cracks, crevices, gaps, holes, spaces, etc. in framing, plumbing or electrical penetrations, etc. shall be caulked/sealed to prevent dust, moisture, pests, etc. from entering the building envelope.

HARDWARE

ROUGH HARDWARE: The UNIVERSITY shall furnish and install all Strong Tie fasteners, nails, bolts, washers, and metal dowels as per County of Hawai'i code requirements, unless otherwise specified on the plans. All nails shall be hot dipped galvanized throughout entire construction.

FINISH HARDWARE: Finishing hardware shall be furnished and installed by the UNIVERSITY according to the list prepared on file in the Hardware Department of the Material Supply House selected by the UNIVERSITY.

SHEET METAL

The UNIVERSITY shall provide 26-ga. galvanized sheet metal painted with Galvanized Iron Primer on both sides where wood comes in contact with masonry, concrete, or stone work unless otherwise specified on the plans.

PAINTING

Note: All paints, stains, and finishing products shall be of Benjamin Moore or approved equal. Items equivalent or similar to requested products may be considered. However, a detailed list of products and specifications must be provided in order for item to be considered. The purchaser reserves the right to refuse products deemed to be of lesser quality than specified. All products specified herein shall contain no (or low) volatile organic compounds (voc) and shall be Green Seal certified, or approved equal. Items equivalent or similar to requested products

may be considered. However, a detailed list of products and specifications must be provided in order for item to be considered. The purchaser reserves the right to refuse products deemed to be of lesser quality than specified.

All surfaces to be painted shall be free of all foreign matters before applying paint or finish of any sort. All materials shall be brought to the construction site in their original unopened containers. All finish products shall be applied with strict accordance to the manufacturer's instructions and specifications. All nail holes and open cracks or joints shall be puttied after receiving primer unless otherwise specified. All sappy places shall be covered with clear shellac before applying finish coats. The painter shall remove all oil and paint stains from concrete work, finish hardware, and plumbing fixtures. The painter shall clean all mirrors and window glasses.

All colors shall be selected and approved by the designer and DHHL from samples made by the painter.

FINISH EXTERIOR MASONRY WALLS: No finish required.

FINISH INTERIOR MASONRY WALLS: No finish required.

FINISH EXTERIOR WALL: First coat: Exterior oil base primer. Second & Third coats: Latex exterior house paint.

FINISH EXTERIOR TRIMS: First coat: Exterior oil base primer. Second & Third coats: Latex exterior house paint.

Note: All gypsum board walls and ceiling joints shall be taped, plastered, and sanded to a smooth finish before applying any finish.

FINISH INTERIOR WALLS (Except cabinets): (Including interior window trims.) First coat: primer sealer. Second coat: semi-gloss (Latex). Third coat: semi-gloss (Latex).

FINISH INTERIOR DOORS, TRIMS, & BASEBOARDS: (Including bifold and sliding doors.) First coat: interior wipe-off stain. Second coat: clear urethane. Third coat: clear urethane.

FINISH OF CEILING (Throughout entire bldg.): Textured finish. Verify with the UNIVERSITY.

EAVES: First coat: Exterior oil base primer. Second & Third coats: Latex exterior house paint.

FINISH OF METAL AREAS (Other than pre-finished metal): Pre-finished metal flashings.

CLOSETS: All closets shall be finished same as the room they open up to unless otherwise specified.

FLOORING

FLOOR COVERING: In locations shown on the contract drawings, provide Floor Score certified, Hybrid wood laminate plank flooring as manufactured by Metroflor, or approved equal. Items equivalent or similar to requested products may be considered. However, a detailed list of products and specifications must be provided in order for item to be considered. The purchaser reserves the right to refuse products deemed to be of lesser quality than specified. Installation w/ underlayment and accessories, testing, low v.o.c. adhesives, etc. as per manufacturer's recommendations. Color and pattern as selected by the UNIVERSITY.

Vinyl flooring in kitchen, dining, bathrooms, and as indicated on the drawings shall be Floor Score, Resilient Sheet Flooring as manufactured by Armstrong World Industries or approved equal. Items equivalent or similar to requested products may be considered. However, a detailed list of products and specifications must be provided in order for item to be considered. The purchaser reserves the right to refuse products deemed to be of lesser quality than specified. Base, accessories, and low v.o.c. adhesives shall be installed per manufacturer's recommendations. Color/pattern/style as selected by the UNIVERSITY.

Blemishes/damages on baseboard or other installed finish material, incurred during installation of flooring materials, will be repaired by the respective flooring installer.

PLUMBING

All plumbing work shall be done in strict accordance to the rules and regulations of the Board of Health, Plumbing Codes, and the Sanitary Code of the County of Hawaii. The plumbing contractor shall be included on the list of approved contractors as per the Hawai'i Energy Efficiency Program.

The plumbing contractor shall install fixtures as shown on the plans and shall properly trap and vent all fixtures. The plumber shall install appropriate and approved flashings where vent pipes protrude the roof.

The building sewer shall be connected to the sewer system/septic tank, unless otherwise specified, with A.B.S.D.W.V. plastic soil pipe underground and in and around building with a fall of 1/4" to a foot. Clean-outs shall be installed where required by the Board of Health and Plumbing/Sanitary Code.

SUPPLY PIPING: All supply piping shall be 3/4" diameter from meter to house and 3/4" diameter from fixture to fixture except risers to fixtures which shall be 1/2" diameter. All water pipes shall be of copper piping. All penetrations to the exterior, shall be spray foam sealed with formaldehyde-free, environmentally acceptable product, installed as per manufacturer's recommendations.

The plumbing contractor shall be responsible for the digging of trenches and shall cover all supply and sewer lines to the building.

HOSE BIBBS: The contractor shall install three hose bibbs as shown on the drawings or where directed by the designer, or DHHL on the job site with non-removable back flow preventer.

HOT WATER SYSTEM: Solar hot water shall be connected to all fixtures except toilets. The plumbing contractor shall install a solar hot water heater with a safety relief valve. The plumbing contractor shall furnish and install all necessary vents, stacks, and pipe connections as required for the heater.

The plumbing contractor will supply 3 solar panels with a 120-gallon solar hot water heater system. Solar system must meet Hawaii Energy Efficiency Program Requirements: 90-100% Efficiency Installation shall meet Hawai'i Energy Efficiency Program requirements.

WATER: The UNIVERSITY shall be responsible to make all arrangements and payments for bringing city water into the lot. The plumbing contractor shall connect the service main at the meter and shall install a pressure reducing regulator.

FIXTURES: The plumbing contractor shall install all plumbing fixtures, fittings and accessories according to the list prepared by the Material Supply House selected by the UNIVERSITY. All fixtures and fittings on this list, such as water closets, faucets for lavatories, showerheads, and all sink faucets shall carry the WaterSense label with gpm and gpf as indicated on the contract drawings and shall be installed as per manufacturer's recommendations. See contract drawing for info.

The plumbing fixture list shall include all fixtures such as water closet, lavatories, bathtubs, shower fittings, sinks, laundry trays, and including bathroom accessories. The plumbing contractor shall be responsible for the coordination and delivery of the above items. The plumber shall be responsible for connecting to the sewer/septic system as per engineering drawings.

RAIN GUTTER/DOWNSPOUT/HARVESTING SYSTEM: Gutters and downspouts shall be of seamless aluminum type on garage entrance and front entrance eaves and as shown in other locations on the plans. Gutters shall be 5" K-style with hidden hangers at 24" o.c. with elbows, miters, straps, and accessories as required. Downspouts shall be 2"x3". Gutters and downspouts shall be prefinished baked enamel finish and installed per manufacturer's recommendations. Color to be selected by the UNIVERSITY. Downspouts at rain harvesting tanks to be installed in a manner to prevent splashing at the tanks. Contractor to provide downspout shop drawings for approval prior to fabrication.

Rainwater captured by gutters, to be collected in storage containment tanks as manufactured by H2O Water Hog, or approved equal. Items equivalent or similar to requested products may be considered. However, a detailed list of products and specifications must be provided in order for item to be considered. The purchaser reserves the right to refuse products deemed to be of lesser quality than specified. Quantity of tanks required: provide 2 tanks minimum. (optional additive: 8 tanks as shown on the drawings) Location of tanks shall be oriented vertically outside each corner of the dwelling, or horizontally on sloped grade under post and pier flooring system, verify with the UNIVERSITY. Tank venting and overflow system with accessories to be installed per manufacturer's recommendations.

APPLIANCES: Provide and install the recessed plumbing box for the clothes washer per manufacturer's recommendations. Also provide copper tubing water line for ice maker as may be required by the selected model of the refrigerator/freezer. Install as per manufacturer's recommendations.

ELECTRICAL WORK

All electrical work shall be done in strict accordance with the National Electrical Code, the Rules and Regulations of the County of Hawaii, and The National Board of Fire Underwriters. The contractor shall provide a complete electrical system for lights and power as shown on the drawings, including the 4kw Photovoltaic net metering system and collector panels. All work done by the Electrician shall be tested for all shorts or defects and left ready and operational as intended by the drawings.

WIRING: All wiring shall be concealed under floor, between stud walls, attic, etc. and shall be connected to the door bell system, receptacles, switches, and all necessary outlets. All penetrations to the exterior walls and roofing shall be sealed, to applicable code standards with an approved environmentally acceptable product, installed as per manufacturer's recommendations. All wiring system shall be in complete working condition at the completion of the building project.

SERVICE LINE: Service shall be brought in overhead from the nearest pole to the house meter, meeting all Helco requirements. The electrician shall provide meter loop #2 wire 100-amp. main.

The Contractor shall be responsible to make all arrangements for bringing the required electrical net metering service to the meter of the house. All necessary payments shall be made by the Contractor. Cost of installation for temporary pole and service hook up, and electrical hook up to solar and net metering apparatus shall be paid for by the Electrical Contractor. Contractor to coordinate all County of Hawai'i & Helco inspections as required throughout pertinent phases of construction.

PHOTOVOLTAIC SYSTEM: Electrical contractor shall provide a 4kw photovoltaic system with Enphase microinverter system. Panels and all accessories shall be in compliance with Attachment A.

PANELBOARD: The distribution panel shall be located where indicated on the plans. The panel shall be of size as required by the electrical layout and shall be of plug-in circuit breaker type. Panel directory shall reflect directory as shown on sheet E-1 of the contract drawings. Installation shall include all requirements for an individual circuit e-monitoring device system as manufactured by PowerHouse Dynamics, or approved equal. Installation of device to the panelboard shall meet all current NEC, NFPA and other applicable code requirements. Installation connection method to circuits in the panelboard shall be per manufacturer's recommendations.

An agreement between the Owner and the UNIVERSITY shall include utility tracking access to device data for a maximum period of 1-year after occupancy.

RECESSED AND SPECIAL LIGHTING: Wherever recessed fixtures are specified or when recessed light fixtures are selected, the cutting and the framing of the openings to receive the fixtures are to be done by the UNIVERSITY. The installation of the recessed fixtures is to be done by the electrician. The installation of such recessed fixtures is to be done with strict accordance to the electrical code.

Note: Wiring for living room receptacles shall be of #14AWG, 15-Amp rated circuit. Contractor to comply with all notes indicated on sheet E-1 of contract drawings through bidding and construction.

ELECTRICAL FIXTURES, ETC.: The electrician shall provide and install all Energy Star qualified lighting fixtures with Energy Star CFL lamps, and ceiling paddle fan/light fixture combination, etc. as shown on the plans. Energy Star exhaust ventilation fans shall be Panasonic Whisper Green with built in motion sensor and timer. Also include smoke detector and door chime. Electrician to provide said Energy Star qualified light fixtures, etc. as listed on Attachment A.

SWITCHES AND PLUGS: All switches, plugs, and device plates shall be of white color plastic unless otherwise specified. Switches shall be Quietie Leviton type.

NOTES ON DRAWING CONTRACT DOCUMENTS: Electrical work shall include all notes as indicated on the E-1 sheet.

APPLIANCES

The appliances are to be installed as part of the contract. All related plumbing work to be included in the plumbing subcontract. All related wiring to be included in the electrical subcontract. Also, include the range/oven. An Energy Star qualified ducted range down-draft exhaust/hood, or approved equal to be included. Exhaust/hood duct shall exhaust to the exterior, and installed as per manufacturer's recommendations meeting applicable code requirements.

UNIVERSITY TO FURNISH: Electric range/oven w/down-draft exhaust with electric cord, and Energy Star qualified refrigerator/freezer (20-25cf), and Energy Star qualified clothes washer including piping connectors and wiring as required.

PROJECT CLOSE OUT

The UNIVERSITY, through the designer, shall submit two sets of the "as built drawings" to DHHL upon completion of this project.

The UNIVERSITY or designer must contact DHHL to request any inspection, clarification, or approval.

Albert Alapaki Nahale-a, Chairperson
Department of Hawaiian Home Lands

Date

Duff Zwald, Director
Office of Procurement and Real Property Management
University of Hawaii

Date

Approved:

Department of Hawaiian Home Lands

Date

Hawaii Community College
University of Hawai'i

Date

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

April 11, 2016

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Norman L. Sakamoto, Acting LDD Administrator

FROM: ~~Bfor~~ Isaac M. Takahashi, Acting Branch Chief
Housing Project Branch

SUBJECT: Approval of Lease Award - Rodney K. Kamalu

RECOMMENDED MOTION/ACTION

Approve the award of Department of Hawaiian Home Lands Residence Lot Lease to the applicant listed below for 99 years, subject to the purchase of the existing improvements on the lot by way of a loan or cash.

DISCUSSION

WAIANAE RESIDENCE LOTS UNIT 1, WAIANAE, OAHU (PRE-OWNED)

<u>NAME</u>	<u>APPL DATE</u>	<u>LOT NO</u>	<u>TAX MAP KEY</u>	<u>LEASE NO</u>
Kamalu, Rodney K.	05/10/63	11	1-8-5-030:006	12315

With the execution of the foregoing lease, 1 single family home award has been completed.


DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
APRIL 11 & 12, 2016
Kūlana 'Ōiwi Multi-Purpose Conference Room
Kalama'ula, Moloka'i, Hawai'i

F-ITEMS
LAND MANAGEMENT DIVISION

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

April 11-12, 2016

To: Chairman and Members, Hawaiian Homes Commission

From: Peter "Kahana" Albinio, Jr., Acting Administrator
Land Management Division 

Subject: Issuance of Non-Exclusive License as Easement to Hawaii Pacific University,
Waimanalo, Island of O'ahu, TMK Nos.(1)4-1-014:005(por.) & :011(por.)

APPLICANT:

Hawaii Pacific University "HPU"

RECOMMENDED MOTION/ACTION: That the Hawaiian Homes Commission (HHC) authorize the issuance of a non-exclusive license as easement to HPU, covering the subject area as identified and described below for non-exclusive license as easement purposes.

Approval and issuance of this non-exclusive license as easement shall be subject to the following conditions:

1. The license term shall be for a period of TWENTY (20) years, and effectively commence as of the date that the license document is fully executed.

The term of the license may be extended for one (1) additional twenty (20)-year period at the option of the Chairman of the Hawaiian Homes Commission. Should LICENSEE consider this option, then LICENSEE must apply for the extension six (6) months prior to expiration of the term and the approval shall be subject to the Hawaiian Homes Commission review and evaluation of LICENSEE's financial and operation status. The one-time license fee for the extended twenty (20)-year term shall be re-determined by LICENSOR and, shall not in any event, be less than the preceding fee as established and referenced as follows;

2. The one-time nominal license fee for the initial TWENTY (20)-year period shall be established at EIGHT THOUSAND AND NO/100 DOLLARS (\$8,000.00) and be made payable in full upon full execution of the license. The fee as established was based on fair market rental return rate of 8.0% on current tax assessed values for the subject parcels as indicated by Honolulu City and County Real Property Tax record information.

Should the extended twenty (20)-year period be exercised the one-time fee for the extended period shall be re-determined by DHHL and shall not in any event, be less than the preceding fee as established and referenced above.

3. Security Deposit: None

4. Licensee shall use the easement premises strictly for saltwater pumps and pipeline(s) purposes only. No other use shall be allowed without DHHL's prior written approval.
5. Licensee's intended plan shall conform to federal, state and county (government agencies) standards. Licensee shall obtain applicable permits and approvals from government agencies prior to the commencement of any work on the property that requires such permits and approvals;
6. Any construction or alteration of the easement area shall require DHHL approval;
7. Licensee shall in collaboration with the Waimanalo Hawaiian Homes Association incorporate and implement an educational honors scholarship program for youth residing in the Waimanalo Homestead area;
8. The license document shall be subject to other standard terms and conditions of similar licenses issued by DHHL;
9. Review and approval by the State of Hawaii, Department of the Attorney General; and
10. Such other terms and conditions deemed prudent and reasonable by the Chairman of the Hawaiian Homes Commission and/or the Hawaiian Homes Commission to serve the best interests of the trust and its beneficiaries.

LOCATION:

Portion of Hawaiian Home Lands situated in Waimanalo, Island of O'ahu, identified as Tax Map Key: (1)4-1-014:005(por.) & :011(por.)

AREA:

7,900 square feet or 0.181 acres

DISCUSSION:

This recommended motion was presented by LMD to the Hawaiian Homes Commission at its regularly monthly scheduled meeting held January 19-20, 2016 under Item No. F-1. (See Exhibit "A" Attached).

Point of notes re-capped from the meeting are as follows:

- License shall be designated as Non-Exclusive; Non-Exclusive inserted as referenced in Condition No. 2 above
- Educational honors program be incorporated as a condition; Educational honors program component added as referenced in Condition No. 7. above.
- Proposed License consideration be presented for information to the Waimanalo Hawaiian Homes Community; Community Information meeting held on March 21, 2016. To date, there has been no record of concern, comment or inquiry from the community on this matter.

- Nominal One-Time Fee re-assessed; Fee was re-assessed without educational discount

PLANNING AREA:

Waimanalo

LAND USE DESIGNATION:

Community Use, O'ahu Island Plan (2014), Figure 7.3 – Waimanalo Ahupua'a Land Use Designations, pg. 7-9

CURRENT STATUS:

Actively used

CHARACTER OF USE:

Beach Park Community Use Purposes

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Triggers:

Use of State Lands

Exemption Class No. & Description:

In accordance with the "Exemption List for the State of Hawaii, Department of Land and Natural Resources, as Reviewed and Concurred Upon by the Environmental Council (Docket 91-EX-2, December 4, 1991), the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption List Class No. 1-2c-(i), "Water system components such as pumps, valves and controls, pipes and channels, water storage tanks, wells and other water sources."

Exemption Item Description from Agency Exemption List:

Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing.

The direct, cumulative, and potential impacts of the action described have been considered pursuant to Chapter 343, Hawaii Revised Statutes and Chapter 11-200, Hawaii Administrative Rules. Since the action as proposed is determined to have minimal or no significant impact on the environment it would therefore be exempt from the preparation of an environmental assessment. The Planning Office has documented the action as being eligible for exemption from the preparation of an Environmental Assessment under the Exemption Class as referenced above.

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

DHHL General Plan (2002)

The recommended disposition is consistent with the following General Plan goals and objectives:

Land Use Planning

Goals:

Utilize Hawaiian Home Lands for uses most appropriate to meet the needs and desires of the beneficiary population.

- Develop livable, sustainable communities that provide space for or access to the amenities that serve the daily needs of its residents.

Objectives:

- Provide space for and designate a mixture of appropriate land uses, economic opportunities and community services in a native Hawaiian-friendly environment.

Economic Development

Goals:

- Provide economic opportunities for beneficiaries within areas designated for their use.

The recommended disposition is consistent with the following elements of the O'ahu Island Plan:

Definition of Community Use land use designation:

“Common areas for community uses and public facilities. Includes space for parks and recreation, cultural activities, community based economic development, utilities, and other public facilities and amenities.” O'ahu Island Plan, Pg. ES-2

The existing and proposed uses outlined in the license agreement are consistent with the definition of Community Use.

Waimanalo Regional Plan (2011)

The recommended disposition is consistent with the following elements of the Waimanalo Regional Plan:

While not identified as a potential project, the disposition will provide an opportunity for educational support the goal that emerged during the general discussion of homestead priorities to develop a “Community Base” in order to better promote agricultural initiatives and coordinate DHHL support. The community expressed a need to have access to more opportunities for agricultural entrepreneurship and value-added activities on DHHL lands.

Program Plans

Water Policy Plan (2014)

While the license agreement does not specify activities that would implement DHHL's Water Policy Plan, it is anticipated that renovations facilitated by the granting of the license will include water conservation measures to make the facility more efficient in the use of water if necessary.

Ho 'omaluō Energy Policy (2009)

While the license agreement does not specify activities that would implement DHHL's Energy Policy, it is anticipated that renovations facilitated by the granting of the license will include energy conservation measures to make the facility more efficient in the use of energy if necessary.

AUTHORITY / LEGAL REFERENCE:

§ 207(c)(1)(A) of the Hawaiian Homes Commission Act, 1920, as amended, authorizes the department to grant licenses for the use of Hawaiian Home Lands for public purposes.

§ 10-4-21 of the DHHL Administrative Rules requires the applicant to pay for all costs incurred by the department for the processing of a license application, including a non-refundable processing fee of \$200.00. It also allows for a rental to be charged should the use benefit other than the department or native Hawaiians.

§ 10-4-22 of the DHHL Administrative Rules authorizes the issuance of licenses for public purposes, as easements in perpetuity or shorter term, subject to the easement being reverted to the department upon termination or abandonment.

RECOMMENDATION:

Land Management Division respectfully requests approval of the motion as stated

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 19-20, 2016

To: Chairman and Members, Hawaiian Homes Commission

From: Peter "Kahana" Albinio, Jr., Acting Administrator
Land Management Division *P. Albinio*

Subject: Issuance of License as Easement to Hawaii Pacific
University, Waimanalo, Island of O'ahu, TMK Nos. (1)4-1-
014:005(por.) & :011(por.)

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) approve the issuance of a license easement to Hawaii Pacific University, as Licensee, to construct, use, maintain, repair, replace and remove existing pumps and pipelines traversing over, under and across portions of Hawaiian home lands identified by TMK Nos.: (1)4-1-014:005(por.) & :011(por.), situated in Waimanalo, Island of O'ahu and more specifically delineated and described in Exhibits "A" and "A-1", "B" and "B-1" attached hereto and which are essential for supplying saltwater to its marine life scientific research facility located on a portion of TMK No. (1)4-1-014:004 owned by the State of Hawaii, DLNR but held under GL No. 3709 by the Hawaii Pacific University.

Approval and issuance of this license as easement shall be subject to the following conditions:

1. Area to be licensed shall traverse over portions of Hawaiian home lands located at TMK's: (1)4-1-014:005(por.) & :011(por.) comprising a total land area of approximately seven thousand nine hundred (7,900) square feet or 0.181 acres, more or less, more specifically identified and delineated in Exhibit "C" attached hereto respectively;
2. License term shall be for a period of twenty (20) years, effective as of the date that the license document is fully executed;

The term of the license can be extended for one (1) additional twenty (20)-year period at the option of the Chairman of the Hawaiian Homes Commission. Should LICENSEE consider this option, then LICENSEE must apply for the extension six (6) months prior to expiration of the term and the approval shall be subject to the Hawaiian Homes Commission review and evaluation of LICENSEE's financial and operation status. The one-time license fee for the extended twenty (20)-year term shall be re-determined by LICENSOR and, shall not in any event, be less than the preceding fee as established and referenced in paragraph 3 below;

Item No. F-1

EXHIBIT *A*
ITEM NO. F-1

January 2016

3. The one-time nominal license fee for the initial twenty (20) year period shall be established at FOUR THOUSAND AND NO/100 DOLLARS (\$4,000.00) and be made payable in full upon full execution of the license.

Should the extended twenty (20)-year period be exercised the one-time fee for the extended period shall be re-determined by DHHL and shall not in any event, be less than the preceding fee as established and referenced above.

4. Licensee shall remit a non-refundable processing and documentation fee in the amount of \$275.00;
5. Use of the license easement area shall be strictly for saltwater pumps and pipelines purposes;
6. Licensee's intended plan shall conform to federal, state and county (government agencies) standards. Licensee shall obtain applicable permits and approvals from government agencies prior to the commencement of any work on the property that requires such permits and approvals;
7. Any construction or alteration of the easement area shall require DHHL approval;
8. The license document shall be subject to other standard terms and conditions of similar licenses issued by DHHL;
9. The Chairman of the HHC is authorized to impose such other conditions deemed prudent and necessary; and
10. The license document will contain the standard terms and conditions and shall be subject to review and approval by the Department of the Attorney General.

DISCUSSION

In 1962, Department of Land and Natural Resources held a public auction for 118 acres at Makapuu, Oahu for the purpose of constructing, maintain and operating a scientific research facility for the study of marine life, and a public exhibiting facility of marine life. General Lease S-3709 was issued to Pacific Foundation for Marine Research, a domestic non-profit corporation for the purposes of the advancement of research in all fields and areas of marine sciences. The Pacific Foundation for Marine Research changed its name to The Oceanics Foundation in 1963, which changed its name to The Oceanic Foundation in 1964. The Oceanic Foundation changed its name to The Oceanic Institute (OI) in 1975.

General Lease S-3709 included language for suitable easements under and across Kalaniana'ole Highway and under and across Kaupo Beach Park

January 2016

to the ocean for the pumping and discharge of sea water as required for the operation of the exhibiting and research facilities. For this purpose, three saltwater wells, Sea Life Park Wells 1, 2 and 3 were developed in the early 1960s and the associated pumps and pipelines were installed. These wells supply all of the saltwater for Sea Life Park and OI and are essential to the activities conducted by both entities. The wells and water use are permitted by the Commission on Water Resource Management.

In a letter dated March 24, 2011 OI made a request to the Department of Land and Natural Resources (DLNR) to request for Mutual Termination of General Lease No. 3709 and Direct Issuance of Lease for Scientific Research and Public Exhibiting of Marine Life Purposes. The new lease will be for a term of 65 years. This request, as well as the consent of the merger of the Oceanic Institute into Hawaii Pacific University, was approved at the October 11, 2013 Board of Land and Natural Resources meeting.

On January 1, 2014 Hawaii Pacific University (HPU) and OI officially merged and terminated a 10-year affiliation between the two organizations. The Oceanic Institute became known as Oceanic Institute of Hawaii Pacific University and is considered a directed research institute within the University.

As part of the process for the issuance of the new lease, DLNR requires that OI/HPU obtain easements for its saltwater wells and pipelines from Department of Hawaiian Home Lands (DHHL) to ensure the supply of saltwater for its operations.

OI has a long history of marine research which has benefitted the State of Hawaii and the Hawaiian community. Over the past 30 years, OI has developed aquaculture techniques for the captive rearing of a variety of commercially important fish species, including Striped Mullet, Moi, Kahala, and Mahimahi. Currently, OI is supplying Mullet fingerlings to several Hawaiian fishponds on Oahu and Molokai in an effort to revitalize fishpond operations and to promote local food self-sufficiency. OI has also supplied Moi fingerlings to Hawaiian fishpond and sea cage operators in the past. In addition, OI also has managed a successful stock enhancement program whereby Mullet and Moi fingerlings were produced in a land-based OI fish hatchery and released at various locations around the State to enhance local fisheries populations.

Recently, OI successfully bred captive yellow tang, a very popular marine ornamental fish, and has successfully bred flame angel fish and clown fish in captivity. The benefits of the captive culture of these fish species include a reduction in the need to harvest reef fish from the wild for sale in the aquarium industry and the possible creation of a new fish aquaculture industry here in Hawaii.

OI is working with The Nature Conservancy of Hawaii (TNC) and the State Department of Aquatic Resources (DAR) to combat invasive algae in Kaneohe Bay. The algae is smothering the coral reefs and reducing vital

January 2016

habitat and biodiversity in the Bay. OI is helping this effort to protect Kaneohe Bay by producing juvenile sea urchins in a land-based OI hatchery, and the young urchins are out-planted into the Bay to eat the invasive algae and keep it from over-growing to coral.

OI has been conducting research on shrimp breeding for over 20 years and has successfully produced families of shrimp that exhibit fast growth and high survival. OI has successfully transferred this technology to the private sector here in Hawaii and the resulting shrimp brood stock industry now generates \$40 million annually for the State.

Finally, OI has also conducted numerous training and education workshops to inspire Hawaiian youth to become interested in aquaculture as a cultural legacy, as well as to promote STEM education.

Hawaii Pacific University representative Sam Moku submitted the unsigned Land Request Form through email on December 16, 2015 and re-submitted through email the signed Land Request Form on December 31, 2015 (See Exhibit "D").

HRS Chapter 343 Environmental Assessment

The direct, cumulative, and potential impacts of the action described above have been considered pursuant to Chapter 343, Hawaii Revised Statutes and Chapter 11-200, Hawaii Administrative Rules. (See Exhibit "F") Since the action as proposed is determined to have minimal or no significant impact on the environment it would therefore be exempt from the preparation of an environmental assessment.

FEE CALCULATION

The parcels are zoned Preservation. The County's tax assessed value for the respective parcels (See Exhibits "F-1" and "F-2") reflects as follows:

Assessment Year	TMK	Property Class	Land Area (approx. sq ft)	Land Area (acres)	Assessed Land Value
2016	41014005	Preservation	896,900	20.59	\$617,700
2016	41014011	Preservation	167,967	3.856	\$100

Of the combined 24.446-acres licensee is requesting use of approximately 0.181-acres or 7,900 square feet. Based on the county tax assessed value as referenced, the annual fee for 24.446-acres would be valued at approximately \$617,800.00. To determine a fair market annual fee to use the land area (0.181-acres or 7,900 square feet) for salt water pumps and pipelines as requested the initial one-time license fee for the initial 20-year period is derived at by the following calculation:

\$617,700	896,600
+ \$100	+167,967
\$617,800 -total assessed land value	1,064,867 -total sq. ftg.

January 2016

$\$617,800/1,064,867 = \$0.58/\text{sq ft}$	
\$0.58	7,900 sq ft (used by licensee)
* .08 (market rate of return)	*\$0.05
\$0.046 rounded up to \$0.05/sq ft	\$395 rounded up to \$400 per annum
\$400	\$8,000
* 20 (License term)	* 0.50 (Education discount)
\$8,000 One-time License Fee	\$4,000 One-time Licensee Fee

Since this license easement is strictly for existing saltwater pump and pipeline purposes, and the facility is an existing user that has a long history of marine research which has benefitted the State of Hawaii and the Hawaiian community the fee as established is prudent and reasonable.

AUTHORITY

§ 207(c)(1)(A) of the Hawaiian Homes Commission Act, 1920, as amended, authorizes the department to grant licenses for the use of Hawaiian Home Lands for public purposes.

§ 10-4-21 of the DHHL Administrative Rules requires the applicant to pay for all costs incurred by the department for the processing of a license application, including a non-refundable processing fee of \$200.00. It also allows for a rental to be charged should the use benefit other than the department or native Hawaiians.

§ 10-4-22 of the DHHL Administrative Rules authorizes the issuance of licenses for public purposes, as easements in perpetuity or shorter term, subject to the easement being reverted to the department upon termination or abandonment.

RECOMMENDATION

Land Management Division respectfully requests approval of the motion as stated.

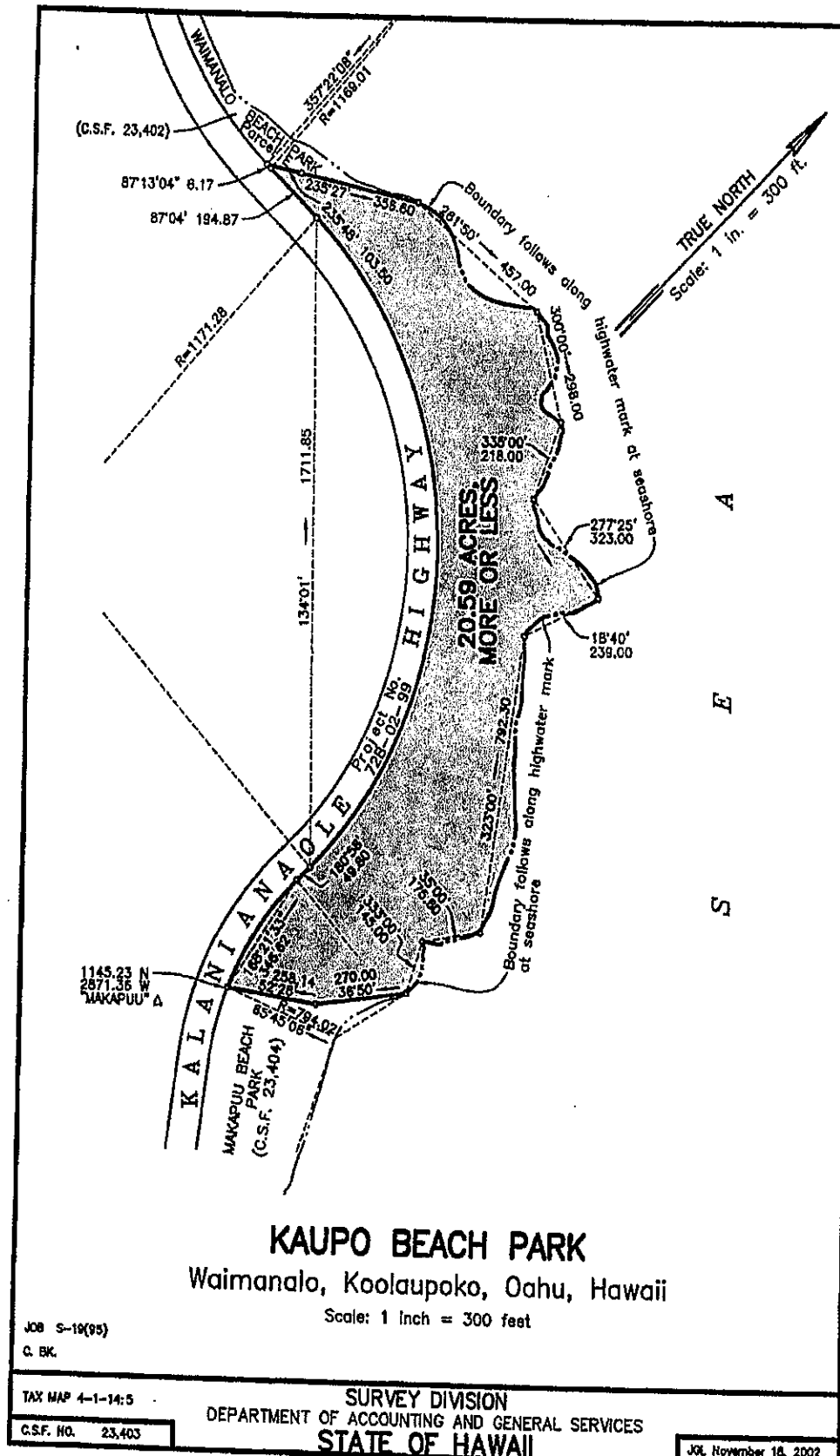


EXHIBIT "A"
ITEM NO. F-1

C.S.F. 23,403

KAIRO BEACH PARK

Maunaloa, Koolapoona, Oahu, Hawaii

Quitclaim Deed: State of Hawaii to the Dept. of Hawaiian Home Lands,
dated March 16, 2003 and recorded as Dec. No. 2003-050447
(L.O.D. 5-28616)

ENR
12-11-2002
53-B

CIP 23802, 24244-24253

EXHIBIT "A-1"
ITEM NO. F-1



STATE OF HAWAII

SURVEY DIVISION

DEPT. OF ACCOUNTING AND GENERAL SERVICES
HONOLULU

C.S.F. No. 23,403

November 18, 2002

KAUPO BEACH PARK

Waimanalo, Koolau-poko, Oahu, Hawaii

Being a portion of the Government (Crown) Land of Waimanalo
designated as Hawaiian Home Lands by Section 20² of the
Hawaiian Homes Commission Act, 1920. ₃

Beginning at the southeast corner of this parcel of land and on the
northeast side of Kalaniana'ole Highway, Project No. 72B-02-99, the coordinates of said
point of beginning referred to Government Survey Triangulation Station "MAKAPUU"
being 1145.23 feet North and 2871.36 feet West, thence running by azimuths measured
clockwise from True South:-

1. Along the northeast side of Kalaniana'ole Highway, Project No. 72B-02-99 on a curve
to the right with a radius of 794.02 feet, the
chord azimuth and distance being:
168° 21' 33" 346.62 feet;
2. 180° 58' 49.80 feet along the northeast side of Kalaniana'ole
Highway, Project No. 72B-02-99;
3. Thence along the northeast side of Kalaniana'ole Highway, Project No. 72B-02-99
on a curve to the left with a radius of 1171.28
feet, the chord azimuth and distance being:
134° 01' 1711.85 feet;

November 18, 2002

4. 87° 04' 194.87 feet along the northeast side of Kalanianaʻole Highway, Project No. 72B-02-99;
5. Thence along the northeast side of Kalanianaʻole Highway, Project No. 72B-02-99 on a curve to the right with a radius of 1169.01 feet, the chord azimuth and distance being:
87° 13' 04" 6.17 feet;
6. 235° 48' 103.50 feet along Parcel E of Waimanalo Beach Park;
7. 235° 27' 356.60 feet along Parcel E of Waimanalo Beach Park to highway mark at seashore;

Thence along highwater mark at seashore for the next eight (8) courses the direct azimuths and distances between points along said highwater mark being:

8. 261° 50' 457.00 feet;
9. 300° 00' 298.00 feet;
10. 335° 00' 218.00 feet;
11. 277° 25' 323.00 feet;
12. 18° 40' 239.00 feet;
13. 323° 00' 792.30 feet;
14. 35° 00' 175.00 feet;
15. 333° 00' 145.00 feet;
16. 36° 50' 270.00 feet along Makapuu Beach Park;

C.S.F. No. 23,403

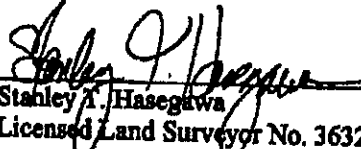
November 18, 2002

17. 52° 28'

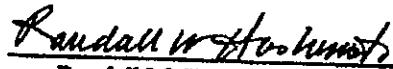
258.14 feet along Makapuu Beach Park to the point of
beginning and containing an AREA OF
20.59 ACRES, MORE OR LESS.

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

By:


Stanley T. Hasegawa
Licensed Land Surveyor No. 3632 gm

Reviewed and Approved by:


Randall M. Hashimoto
State Land Surveyor

Compiled from CSF 5629 and
other Govt. Survey Records.

QUITCLAIM DEED

LOD S-28616

DEED

DATE: March 25, 2003

FROM: STATE OF HAWAII
(Grantor)

TO: DEPT. OF HAWAIIAN HOME LANDS
BY ITS HAWAIIAN HOMES COMMISSION

(Grantee)

CONSIDERATION: \$ SGRATIS Paid by

GRANTOR CONVEYS:

{Square Feet
{Acres 59.920

Waimanalo Beach Park, Parcel C & E
Kaupo Beach Park
Makapuu Beach Park

LOCATION: Waimanalo, Koolanpoko, Oahu

PURPOSE OF ACQUISITION:

RECORDED IN RECORD OFFICE:
2003-056497, 3/27/2003

Bk. Pg.

RECORDED IN LAND OFFICE:

Bk. Pg.

REFERRED TO LAND BOARD NO.: 10/28/1994, Item H-6

REFERRED TO LAND PATENT NO.:

REFERRED TO DEED NO.:

REMARKS:

Dept. of Land and Natural Resources

C.S.F. 19,680

PORTION OF THE
HAWAIIAN HOME LAND OF WAIKANA
Waimanalo, Koolampono, Oahu, Hawaii

C.S.F. 15,620-A, 21518
DLNR
3-18-83
LF-53-A(4)

EXHIBIT "B-1"
ITEM NO. F-1



STATE OF HAWAII

SURVEY DIVISION

DEPT. OF ACCOUNTING AND GENERAL SERVICES

HONOLULU

March 1, 1983

C.S.P. No. 19,680

PORTION OF THE
HAWAIIAN HOME LAND OF WAIMANALO

Waimanalo, Koolau-poko, Oahu, Hawaii

Beginning at the northwest corner of this parcel of land and on the southwest side of Kalaniana'ole Highway (Federal Aid Project 6A), the coordinates of said point of beginning referred to Government Survey Triangulation Station "MAKAPUU" being 3809.81 feet North and 6073.88 feet West, thence running by azimuths measured clockwise from True South:-

1. 313° 04' 557.15 feet along the southwest side of Kalaniana'ole Highway;
2. Thence along the southwest side of Kalaniana'ole Highway on a curve to the right with a radius of 2839.93 feet, the chord azimuth and distance being: 316° 32' 343.45 feet;
3. 320° 00' 107.05 feet along the southwest side of Kalaniana'ole Highway;
4. Thence along the southwest side of Kalaniana'ole Highway on a curve to the left with a radius of 1219.01 feet, the chord azimuth and distance being: 293° 32' 1086.57 feet;
5. 267° 04' 194.87 feet along the southwest side of Kalaniana'ole Highway;
6. Thence along the southwest side of Kalaniana'ole Highway on a curve to the right with a radius of 1121.28 feet, the chord azimuth and distance being: 314° 01' 1638.77 feet;
7. 0° 58' 49.80 feet along the southwest side of Kalaniana'ole Highway;
8. 90° 58' 40.00 feet along the remainder of the Hawaiian Home Land of Waimanalo;
9. 180° 58' 49.80 feet along Government Land;

March 1, 1983

10. Thence along Government Land on a curve to the left with a radius of 1081.28 feet, the chord azimuth and distance being:
134° 01' 1580.31 feet;
11. 87° 04' 194.87 feet along Government Land;
12. Thence along Government Land on a curve to the right with a radius of 1259.01 feet, the chord azimuth and distance being:
113° 32' 1122.22 feet;
13. 140° 00' 107.05 feet along Government Land;
14. Thence along Government Land on a curve to the left with a radius of 2799.93 feet, the chord azimuth and distance being:
136° 32' 338.61 feet;
15. 133° 04' 557.15 feet along Government Land;
16. 223° 04' 40.00 feet along the remainder of the Hawaiian Home Land of Waimanalo to the point of beginning and containing an AREA OF 3.856 ACRES.

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

By: Robert K. Sing
Robert K. Sing
Land Surveyor

jc

Compiled from field
survey by R. K. Sing,
CSP's 13252 & 5629,
and Govt. Survey Records.

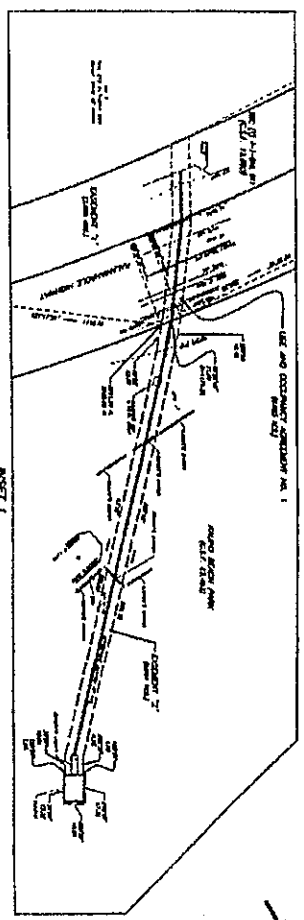
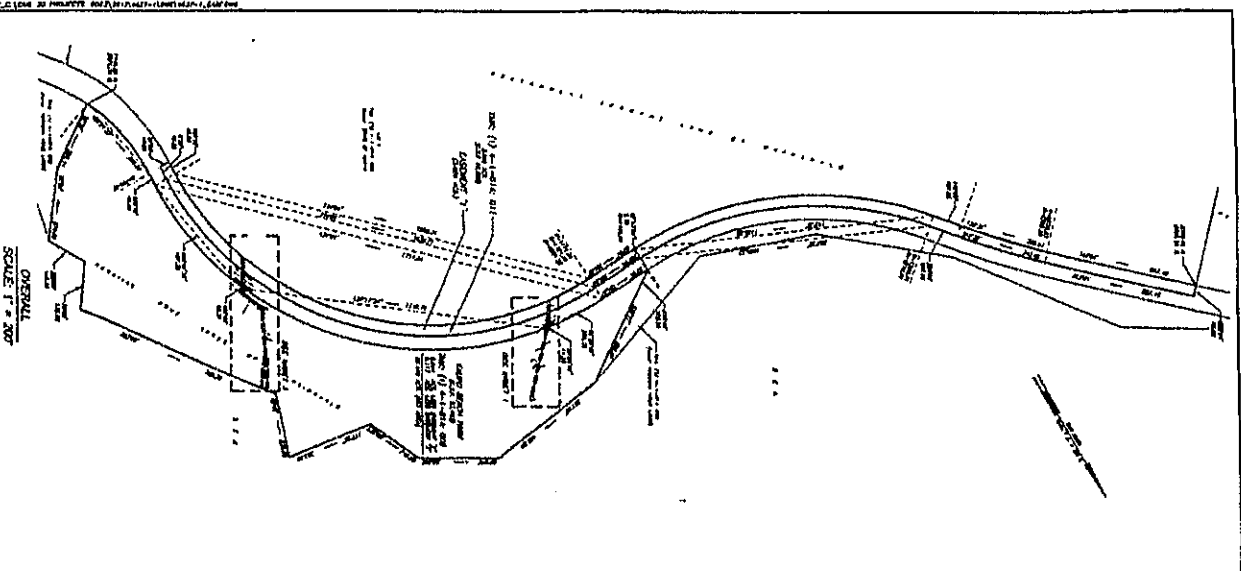
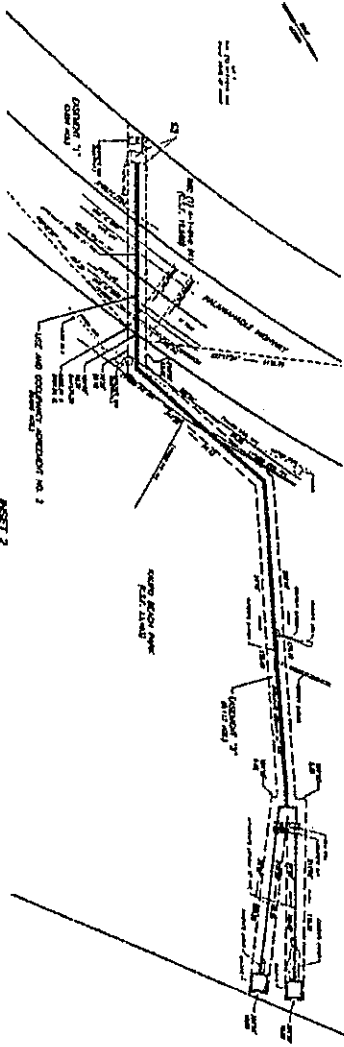


EXHIBIT "C"
ITEM NO. F-1



- 1. Easement "1" as shown on C.S.F. 19,880
- 2. Easement "2" as shown on C.S.F. 23,403
- 3. Easement "3" as shown on C.S.F. 19,880
- 4. Easement "4" as shown on C.S.F. 19,880
- 5. Easement "5" as shown on C.S.F. 19,880
- 6. Easement "6" as shown on C.S.F. 19,880
- 7. Easement "7" as shown on C.S.F. 19,880
- 8. Easement "8" as shown on C.S.F. 19,880
- 9. Easement "9" as shown on C.S.F. 19,880
- 10. Easement "10" as shown on C.S.F. 19,880
- 11. Easement "11" as shown on C.S.F. 19,880
- 12. Easement "12" as shown on C.S.F. 19,880
- 13. Easement "13" as shown on C.S.F. 19,880
- 14. Easement "14" as shown on C.S.F. 19,880
- 15. Easement "15" as shown on C.S.F. 19,880
- 16. Easement "16" as shown on C.S.F. 19,880
- 17. Easement "17" as shown on C.S.F. 19,880
- 18. Easement "18" as shown on C.S.F. 19,880
- 19. Easement "19" as shown on C.S.F. 19,880
- 20. Easement "20" as shown on C.S.F. 19,880
- 21. Easement "21" as shown on C.S.F. 19,880
- 22. Easement "22" as shown on C.S.F. 19,880
- 23. Easement "23" as shown on C.S.F. 19,880
- 24. Easement "24" as shown on C.S.F. 19,880
- 25. Easement "25" as shown on C.S.F. 19,880
- 26. Easement "26" as shown on C.S.F. 19,880
- 27. Easement "27" as shown on C.S.F. 19,880
- 28. Easement "28" as shown on C.S.F. 19,880
- 29. Easement "29" as shown on C.S.F. 19,880
- 30. Easement "30" as shown on C.S.F. 19,880
- 31. Easement "31" as shown on C.S.F. 19,880
- 32. Easement "32" as shown on C.S.F. 19,880
- 33. Easement "33" as shown on C.S.F. 19,880
- 34. Easement "34" as shown on C.S.F. 19,880
- 35. Easement "35" as shown on C.S.F. 19,880
- 36. Easement "36" as shown on C.S.F. 19,880
- 37. Easement "37" as shown on C.S.F. 19,880
- 38. Easement "38" as shown on C.S.F. 19,880
- 39. Easement "39" as shown on C.S.F. 19,880
- 40. Easement "40" as shown on C.S.F. 19,880
- 41. Easement "41" as shown on C.S.F. 19,880
- 42. Easement "42" as shown on C.S.F. 19,880
- 43. Easement "43" as shown on C.S.F. 19,880
- 44. Easement "44" as shown on C.S.F. 19,880
- 45. Easement "45" as shown on C.S.F. 19,880
- 46. Easement "46" as shown on C.S.F. 19,880
- 47. Easement "47" as shown on C.S.F. 19,880
- 48. Easement "48" as shown on C.S.F. 19,880
- 49. Easement "49" as shown on C.S.F. 19,880
- 50. Easement "50" as shown on C.S.F. 19,880
- 51. Easement "51" as shown on C.S.F. 19,880
- 52. Easement "52" as shown on C.S.F. 19,880
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- 58. Easement "58" as shown on C.S.F. 19,880
- 59. Easement "59" as shown on C.S.F. 19,880
- 60. Easement "60" as shown on C.S.F. 19,880
- 61. Easement "61" as shown on C.S.F. 19,880
- 62. Easement "62" as shown on C.S.F. 19,880
- 63. Easement "63" as shown on C.S.F. 19,880
- 64. Easement "64" as shown on C.S.F. 19,880
- 65. Easement "65" as shown on C.S.F. 19,880
- 66. Easement "66" as shown on C.S.F. 19,880
- 67. Easement "67" as shown on C.S.F. 19,880
- 68. Easement "68" as shown on C.S.F. 19,880
- 69. Easement "69" as shown on C.S.F. 19,880
- 70. Easement "70" as shown on C.S.F. 19,880
- 71. Easement "71" as shown on C.S.F. 19,880
- 72. Easement "72" as shown on C.S.F. 19,880
- 73. Easement "73" as shown on C.S.F. 19,880
- 74. Easement "74" as shown on C.S.F. 19,880
- 75. Easement "75" as shown on C.S.F. 19,880
- 76. Easement "76" as shown on C.S.F. 19,880
- 77. Easement "77" as shown on C.S.F. 19,880
- 78. Easement "78" as shown on C.S.F. 19,880
- 79. Easement "79" as shown on C.S.F. 19,880
- 80. Easement "80" as shown on C.S.F. 19,880
- 81. Easement "81" as shown on C.S.F. 19,880
- 82. Easement "82" as shown on C.S.F. 19,880
- 83. Easement "83" as shown on C.S.F. 19,880
- 84. Easement "84" as shown on C.S.F. 19,880
- 85. Easement "85" as shown on C.S.F. 19,880
- 86. Easement "86" as shown on C.S.F. 19,880
- 87. Easement "87" as shown on C.S.F. 19,880
- 88. Easement "88" as shown on C.S.F. 19,880
- 89. Easement "89" as shown on C.S.F. 19,880
- 90. Easement "90" as shown on C.S.F. 19,880
- 91. Easement "91" as shown on C.S.F. 19,880
- 92. Easement "92" as shown on C.S.F. 19,880
- 93. Easement "93" as shown on C.S.F. 19,880
- 94. Easement "94" as shown on C.S.F. 19,880
- 95. Easement "95" as shown on C.S.F. 19,880
- 96. Easement "96" as shown on C.S.F. 19,880
- 97. Easement "97" as shown on C.S.F. 19,880
- 98. Easement "98" as shown on C.S.F. 19,880
- 99. Easement "99" as shown on C.S.F. 19,880
- 100. Easement "100" as shown on C.S.F. 19,880

Plan Showing
Designation of Easement "1"
Affecting a Portion of the Hawaiian Home Lands of Waimanalo
as shown on
C.S.F. 19,880
and Designation of Easement "2" and "3"
Affecting Kaupo Beach Park
Being a Portion of the Government (Crown) Land of Waimanalo
Designated as Hawaiian Home Lands by Section 203 of the
Hawaiian Homes Commission Act, 1920
as shown on
C.S.F. 23,403

At Waimanalo, Honolulu, Oahu, Hawaii
This Map (No. 1) is a 10' x 10' map of the
Hawaiian Home Lands of Waimanalo.



By *[Signature]*
Commissioner of Hawaiian Home Lands

TUNNEL RESEARCH & ASSOCIATES, INC.
1000 KALANIANA'OLA BLVD.
HONOLULU, HAWAII 96813

MAY 1, 1984
FILED IN OFFICE OF THE
COMMISSIONER OF HAWAIIAN HOME LANDS

DAVID V. IGE
GOVERNOR
STATE OF HAWAII

SHAN S. TSUTSUI
LT GOVERNOR
STATE OF HAWAII



JUDIE M. K. MASAGATANI
CHAIRMAN
HAWAIIAN HOMES COMMISSION

WILLIAM J. AILA, JR.
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P. O. BOX 1879
HONOLULU, HAWAII 96801

REQUEST FORM FOR NON-HOMESTEADING LAND USE PURPOSES

PART I: APPLICANT INFORMATION

Name: _____

Address: _____

Phone No.: _____ Cell: _____ email: _____

If Corporation/Organization/Company/LLC/Non-Profit:

Name: Hawaii Pacific University

Address: 1164 Bishop Street, Honolulu, HI 96813

Phone No.: _____ Cell: _____ email: _____

☒ Requesting Organization is a 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

☐ Requesting Organization is For Profit - Individual or Business

- ☐ Individual ☐ Sole Proprietorship ☐ Partnership
☐ Corporation ☐ Limited Liability Corporation ☐ Other

Is an Individual HHCA Beneficiary or is Owned by an HHCA Beneficiary ☐ Yes ☐ No

☐ Requesting Organization is a Government Agency

- ☐ Federal ☐ State ☐ County

Officers and/or Principal Representatives: _____

Mission of Organization: Hawaii Pacific University is an international learning community set in the rich cultural context of Hawaii. Students from around the world join us for an American education built on a liberal arts foundation. Our innovative undergraduate and graduate programs anticipate the changing needs of the community and prepare our graduates to live, work and learn as active members of a global society.

Date Incorporated: 9/22/1965 State of Incorporation: Hawaii
Federal Tax ID#: 99-0113930 State Tax ID#: W20279474-01

PART 2: NON-HOMESTEADING LAND USE REQUEST

Describe proposed non-homesteading land use envisioned under this request as submitted
See attached.

*Please attach additional information if necessary

Land Request Form No. _____

EXHIBIT "D"
ITEM NO. F-1

Land Area requested: Acreage/Sq.Ft. 181 AC Term: _____
Island: Oahu Tax Map Key No.: (1) 4-1-014: 005 & 011

Indicate Character of Use:

☐ Agricultural ☐ Commercial ☐ Church ☒ Other
☐ Pastoral ☐ Industrial ☐ Community Facility

Does applicant have any existing land disposition issued by Hawaiian home lands for non-homesteading use purposes? ☐ Yes ☐ No

If yes, under what type of use and disposition: _____

Describe how proposed land use request will have direct or significant indirect benefit to the Trust and/or its Beneficiaries (Applicants & Lessees): See attached.

The following authorized representative submits this request for use of Hawaiian home lands under non-homesteading purposes and acknowledges that:

1. This is an application process that will be subject to further review, evaluation and consideration by DHHL and may require additional information to be submitted;
2. This request does not constitute any form of DHHL approval to this non-homesteading land use request as submitted;
3. In the best interest of the trust, DHHL reserves the right to exercise its prudent authority pursuant to and in accordance with the Hawaiian Homes Commission Act (Section III, Section 204(a)(2), Section 220.5, Section 207(c), Hawaii Revised Statutes, Chapter 171, as amended and the Hawaii Administrative Rules, Title 10;
4. Once the application is deemed complete, the non-homesteading land use request will be posted for a 30 day review period on the DHHL website for beneficiary and public comment;
5. Additional Island or Regional Specific Beneficiary Consultation will be required per the DHHL Beneficiary Consultation Policy;
6. All input/comments received will be provided to the Hawaiian Homes Commission if/when approval for disposition is considered by the HHC;
7. Associated non-refundable processing and documentation fees shall be assessed for each respective disposition request as follows:

Revocable Permit - \$100.00 License - \$200.00 General Lease - Cost Documentation (all)...\$75.00

Hawaii Pacific University

Print Individual or Organization Name

Janet S. Kloenhamer, Executive Vice President for Administration

Authorized Representative Name & Title

12/31/15
Date

[Signature]
Signature

Request Form for Non-homesteading Land Use Purposes

PART 2

Describe proposed non-homesteading land use envisioned under this request as submitted:

In 1962, Department of Land and Natural Resources held a public auction for 118 acres at Makapuu, Oahu for the purpose of constructing, maintain and operating a scientific research facility for the study of marine life, and a public exhibiting facility of marine life. General Lease S-3709 was issued to Pacific Foundation for Marine Research, a domestic non-profit corporation for the purposes of the advancement of research in all fields and areas of marine sciences. The Pacific Foundation for Marine Research changed its name to The Oceanics Foundation in 1963, which changed its name to The Oceanic Foundation in 1964. The Oceanic Foundation changed its name to The Oceanic Institute (OI) in 1975.

General Lease S-3709 included language for suitable easements under and across Kalaniana'ole Highway and under and across Kaupo Beach Park to the ocean for the pumping and discharge of sea water as required for the operation of the exhibiting and research facilities. For this purpose, three saltwater wells, Sea Life Park Wells 1, 2 and 3 were developed in the early 1960s and the associated pumps and pipelines were installed. These wells supply all of the saltwater for Sea Life Park and OI and are essential to the activities conducted by both entities. The wells and water use are permitted by the Commission on Water Resource Management.

In a letter dated March 24, 2011 OI made a request to the Department of Land and Natural Resources (DLNR) to request for Mutual Termination of General Lease No. 3709 and Direct Issuance of Lease for Scientific Research and Public Exhibiting of Marine Life Purposes. The new lease will be for a term of 65 years. This request, as well as the consent of the merger of the Oceanic Institute into Hawaii Pacific University, was approved at the October 11, 2013 Board of Land and Natural Resources meeting.

On January 1, 2014 Hawaii Pacific University (HPU) and OI officially merged and terminated a 10-year affiliation between the two organizations. The Oceanic Institute became known as Oceanic Institute of Hawaii Pacific University and is considered a directed research institute within the University.

As part of the process for the issuance of the new lease, DLNR requires that OI/HPU obtain easements for its saltwater wells and pipelines from Department of Hawaiian Home Lands (DHHL) to ensure the supply of saltwater for its operations.

Describe how proposed land use request will have direct or significant indirect benefit to the Trust and/or its Beneficiaries (Applicants & Lessees):

OI has a long history of marine research which has benefitted the State of Hawaii and the Hawaiian community. Over the past 30 years, OI has developed aquaculture techniques for the captive rearing of a variety of commercially important fish species, including Striped Mullet,

Moi, Kahala, and Mahimahi. Currently, OI is supplying Mullet fingerlings to several Hawaiian fishponds on Oahu and Molokai in an effort to revitalize fishpond operations and to promote local food self-sufficiency. OI has also supplied Moi fingerlings to Hawaiian fishpond and sea cage operators in the past. In addition, OI also has managed a successful stock enhancement program whereby Mullet and Moi fingerlings were produced in a land-based OI fish hatchery and released at various locations around the State to enhance local fisheries populations.

Recently, OI successfully bred captive yellow tang, a very popular marine ornamental fish, and has successfully bred flame angel fish and clown fish in captivity. The benefits of the captive culture of these fish species include a reduction in the need to harvest reef fish from the wild for sale in the aquarium industry and the possible creation of a new fish aquaculture industry here in Hawaii.

OI is working with The Nature Conservancy of Hawaii (TNC) and the State Department of Aquatic Resources (DAR) to combat invasive algae in Kaneohe Bay. The algae is smothering the coral reefs and reducing vital habitat and biodiversity in the Bay. OI is helping this effort to protect Kaneohe Bay by producing juvenile sea urchins in a land-based OI hatchery, and the young urchins are out-planted into the Bay to eat the invasive algae and keep it from overgrowing to coral.

OI has been conducting research on shrimp breeding for over 20 years and has successfully produced families of shrimp that exhibit fast growth and high survival. OI has successfully transferred this technology to the private sector here in Hawaii and the resulting shrimp broodstock industry now generates \$40 million annually for the State.

Finally, OI has also conducted numerous training and education workshops to inspire Hawaiian youth to become interested in aquaculture as a cultural legacy, as well as to promote STEM education.

DAVID I. IGE
GOVERNOR
STATE OF HAWAII

SHANN T. TSUTSUMI
LT. GOVERNOR
STATE OF HAWAII



JOSEPH M. K. KANAGATAKI
CHAIRMAN
HAWAIIAN HOME COMMISSION

WILLIAM J. ADAMS, JR.
DEPUTY TO THE CHAIRMAN

**STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS**

P. O. BOX 1079
HONOLULU, HAWAII 96808

January 4, 2016

Hawaii Pacific University
Attn: Mr. Sam Moku
1164 Bishop Street
Honolulu, HI 96813

Dear Mr. Moku:

SUBJECT: Exemption Declaration

AGENCY OR APPLICANT ACTION

Check applicable box

- ☐ This exempted action is an agency action as defined by Section 343-5(B), HRS, and Section 11-200-5, HAR.
- ☒ This exempted action is an applicant action as defined by Section 343-5(C), HRS, and Section 11-200-6, HAR.

SPECIFY EXEMPTION CLASS

Check applicable box

- ☒ The Exemption Declaration for the action described below is based on the Exemption List for the Department of Hawaiian Home Lands, reviewed and concurred to by the Environmental Council on June 30, 2015.
- Exemption List Class # 1-2c-(i):
"Water system components such as pumps, valves and controls, pipes and channels, water storage tanks, wells and other water sources."
- ☐ The Exemption Declaration for the action described below is based on the consultation process prescribed by Section 11-200-8(a), Hawai'i Administrative Rules (HAR), Exemption Class #__, (description of exemption)

EXHIBIT "E"
ITEM NO. F-1

Mr. Sam Moku
January 4, 2016
Page 2

DESCRIPTION OF ACTION

Proposing Agency or Applicant: Hawaii Pacific University Oceanic Institute
Project Name: Easement for underground utilities
Anticipated Start Date: January 2016
Anticipated End Date: TBD
Island and District: Oahu, Koolaupoko
Tax Map Key(s) and/or Latitude/Longitude Coordinates: (1)-4-1-014:005 & 011(por.)
All Necessary Permits and Approvals: CWRM Well Permit

NARRATIVE

The Oceanic Institute of Hawaii Pacific University is serviced by existing saltwater pumps and pipelines for pumping and discharging sea water for the operation of existing marine research facilities. The source of this salt water system is from three salt water wells that were developed in the 1960s for Sea Life Park. The transmission pipelines for the system run underground beneath DHHL lands (see TMKs above). However, no formal easement agreement was issued by DHHL to HPU for the underground utilities. The proposed action would formalize an after-the-fact easement agreement with Hawaii Pacific University.

RECEIVING ENVIRONMENT

The subject TMK's are a part of an existing beach park and located in a coastal area that includes moderate vegetation that consists of invasive plants and minor park facilities that includes a restroom and parking lot. No known cultural resources are located along the path of the proposed easement. The size of the easement itself is approximately 7,900 square feet. Because the underground pipeline has already been installed, future ground disturbing activities are anticipated to be minimal and only related to repair and maintenance of the pipeline as needed. The neighboring uses include Sea Life Park and the Oceanic Institute's research and educational facilities.

Mr. Sam Moku
January 4, 2016
Page 3

ENVIRONMENTAL ANALYSIS

I have considered the potential effects of the proposed project and all related activities against the criteria checked below:

	Not Applicable
<input checked="" type="checkbox"/> Land Use and Zoning Conformance	<input type="checkbox"/>
<input checked="" type="checkbox"/> Traffic (Vehicles, Bicycles, Pedestrian)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Infrastructure (Roads, Buildings, Utilities)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Air Quality Pollutant Emissions	<input type="checkbox"/>
<input checked="" type="checkbox"/> Noise Emissions	<input type="checkbox"/>
<input checked="" type="checkbox"/> Solid, Hazardous, and Liquid Waste Management	<input type="checkbox"/>
<input checked="" type="checkbox"/> Social	<input type="checkbox"/>
<input checked="" type="checkbox"/> Economic	<input type="checkbox"/>
<input checked="" type="checkbox"/> Health and Safety	<input type="checkbox"/>
<input checked="" type="checkbox"/> Recreation	<input type="checkbox"/>
<input checked="" type="checkbox"/> Public Beach Access	<input type="checkbox"/>
<input checked="" type="checkbox"/> Cultural Resources and Practices	<input type="checkbox"/>
<input checked="" type="checkbox"/> Visual/Aesthetic	<input type="checkbox"/>
<input checked="" type="checkbox"/> Environmental Justice	<input type="checkbox"/>
<input checked="" type="checkbox"/> Rare, Threatened, and/or Endangered Species	<input type="checkbox"/>
<input checked="" type="checkbox"/> Surface and Ground Water Resources	<input type="checkbox"/>
<input type="checkbox"/> Wetlands	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Floodplains	<input type="checkbox"/>
<input checked="" type="checkbox"/> Riparian/Coastal Resources	<input type="checkbox"/>
<input type="checkbox"/> Other	<input checked="" type="checkbox"/>

The proposed project will not have significant negative impact on the above criteria.

Mr. Sam Moku
January 4, 2016
Page 4

MITIGATION

The salt water system has already been permitted by CWRM and operates within the guidelines set forth in by the CWRM permit. No new or additional uses are proposed. Ground disturbance will be limited to the area of the easement in the event that repair or maintenance activity of the underground pipeline is required.

EXEMPT DECLARATION


The direct, cumulative, and potential impacts of the action described above have been considered pursuant to Chapter 343, Hawaii Revised Statutes and Chapter 11-200, Hawaii Administrative Rules. I declare that the action described above will have minimal or no significant impact on the environment and is therefore exempt from the preparation of an environmental assessment.

This document is on file in our office and is available for public review.

Aloha,



Jobie M. K. Masagatani, Chairman
Hawaiian Homes Commission

				
Previous Parcel	Next Parcel	Return to Main Search Page	Honolulu Home	Real Property Home
Owner and Parcel Information Print Owner Info				
Parcel Number	410140050000		Data current as of	December 28, 2015
Owner Name	HAWAIIAN HOME LANDS Fee Owner		Project Name	
Location Address	41-95 KALANIANA'OLE HWY		Plat Map	Plat Map PDF
Property Class	PRESERVATION		Parcel Map	GIS Parcel Map
Land Area (approximate sq ft)	896,900		Legal Information	
Land Area (acres)	20.59		"KAUPO BEACH PARK" C.S.F. 23,403	
Any ownership changes after assessment date of October 1 will be reflected on website after assessment roll certification on or after January 31.				

Assessment Information Show Historical Assessments Print Assessment Info											
Assessment Year	Property Class	Assessed Land Value	Dedicated Use Value	Land Exemption	Net Taxable Land Value	Assessed Building Value	Building Exemption	Net Taxable Building Value	Total Property Assessed Value	Total Property Exemption	Total Net Taxable Value
2016	PRESERVATION	\$ 617,700	\$ 0	\$ 617,700	\$ 0	\$ 125,800	\$ 125,800	\$ 0	\$ 743,500	\$ 743,500	\$ 0

Appeal Information [Print Appeal Info](#)

No appeal information on parcel.

Land Information [Print Land](#)

Property Class	Square Footage	Acreage	Agricultural Use Indicator
PRESERVATION	896,900	20.59	

Improvement Information

No improvement information available for this parcel.

Other Building and Yard Improvements

Description	Quantity	Year Built	Area
GROSS BUILDING VALUE	1	2001	52,100
GROSS BUILDING VALUE	1	2001	3,200

Permit Information [Department of Planning and Permitting \(DPP\)](#)

Date	Permit Number	Reason	Permit Amount
02/03/2011	667229	REPAIR	\$ 74,000
12/14/2007	620989	PLUMBING	\$ 275,000
12/15/1994	362877		\$ 24,155
12/14/1990	295731		\$ 198,186

Sales Information [Print Sales Info](#)

Sale Date	Sale Amount	Instrument #	Instrument Type	Instrument Description	Date of Recording	Land Court Document Number	Cert #	Book/Page
03/25/2003		2003-056497	FEE CONVEYANCE	Quitclaim deed	03/27/2003			
05/11/1999								

Current Tax Bill Information**2015 Tax Payments****Show Historical Taxes****Treasury Division****Current Bill**

Tax Period	Description	Original Due Date	Taxes Assessment	Tax Credits	Net Tax	Penalty	Interest	Other	Amount Due
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Previous Parcel	Next Parcel	Return to Main Search Page	Honolulu Home	Real Property Home
<div>Owner and Parcel Information Print Owner Info</div>				
Parcel Number	410140110000	Data current as of	December 28, 2015	
Owner Name	HAWAIIAN HOME LANDS Fee Owner OCEANIC INSTITUTE Lessee	Project Name		
Location Address	KALANIANA'OLE HWY	Plat Map	Plat Map PDF	
Property Class	PRESERVATION	Parcel Map	GIS Parcel Map	
Land Area (approximate sq ft)	167,967	Legal Information		
Land Area (acres)	3.856			
Any ownership changes after assessment date of October 1 will be reflected on website after assessment roll certification on or after January 31.				

Assessment Information Show Historical Assessments Print Assessment Info											
Assessment Year	Property Class	Assessed Land Value	Dedicated Use Value	Land Exemption	Net Taxable Land Value	Assessed Building Value	Building Exemption	Net Taxable Building Value	Total Property Assessed Value	Total Property Exemption	Total Net Taxable Value
2016	PRESERVATION	\$ 100	\$ 0	\$ 0	\$ 100	\$ 0	\$ 0	\$ 0	\$ 100	\$ 0	\$ 100

Appeal Information [Print Appeal Info](#)

No appeal information on parcel.

Land Information Print Land			
Property Class	Square Footage	Acreage	Agricultural Use Indicator
PRESERVATION	167,967	3.856	

Improvement Information

No improvement information available for this parcel.

Other Building and Yard Improvements			
Description	Quantity	Year Built	Area
No information associated with this parcel.			

Sales Information Print Sales Info								
Sale Date	Sale Amount	Instrument #	Instrument Type	Instrument Description	Date of Recording	Land Court Document Number	Cert #	Book/Page
No sales information associated with this parcel.								

Current Tax Bill Information			2015 Tax Payments		Show Historical Taxes		Treasury Division		Current Bill	
Tax Period	Description	Original Due Date	Taxes Assessment	Tax Credits	Net Tax	Penalty	Interest	Other	Amount Due	
2015-2	Property Tax	02/22/2016	\$ 150.00	\$ 0.00	\$ 150.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 150.00	
Tax bill is computed to 01/31/2016 Or pay online at www.hnlpay.com Other Payment Options Click Here										\$ 150.00

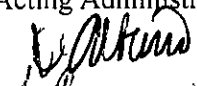
Previous Parcel	Next Parcel	Return to Main Search Page	Honolulu Home	Real Property Home
The Honolulu Tax Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. Website Updated: December 28, 2015				
© 2014 by City and County of Honolulu Real Property Tax Office Website design by iPubli.com				

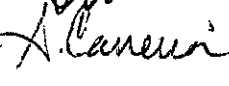
EXHIBIT "F-2"
ITEM NO. F-1

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

April 11-12, 2016

To: Chairman and Members, Hawaiian Homes Commission

Through Peter "Kahana" Albinio, Jr., Acting Administrator
Land Management Division 

From: Shelly Carreira, Land Agent 
Land Management Division

Subject: Issuance of Addendum No. 3 to License Agreement No. 204, United States of America, Department of Transportation, Federal Aviation Administration, Keaukaha, Island of Hawaii, TMK No. (3)2-1-013:001(por.)

APPLICANT:

United States of America, Department of Transportation, Federal Aviation Administration (FAA)

RECOMMENDED MOTION/ACTION: That the Hawaiian Homes Commission (HHC) authorize the issuance of Addendum No. 3 to License No. 204 for continued use of roadway access to FAA, covering the subject area as identified and described in the attached Exhibit "A".

Approval and issuance of this Addendum No. 3 shall be subject to the following conditions:

1. The license term shall be extended for TEN (10) years covering the period from July 1, 2015 through June 30, 2025;
2. The annual fee for the extended period is stepped-up and set at ONE THOUSAND ONE HUNDRED AND NO/100 DOLLARS (\$1,100.00), payable in quarterly installments;
3. All other terms and conditions as cited under License Agreement No. 204 shall continue and remain in full force and effect;
4. Review and approval by the State of Hawaii, Department of the Attorney General; and
5. Such other terms and conditions deemed prudent and reasonable by the Chairman of the Hawaiian Homes Commission and/or the Hawaiian Homes Commission to serve the best interests of the trust and its beneficiaries.

LOCATION:

Portion of Hawaiian Home Lands situated in Keaukaha, Island of Hawaii, identified as Tax Map Key: (3)2-1-013:001(por.)

AREA:

15,612 square feet or 0.358 acres

DISCUSSION:

License Agreement No. 204 (LA 204) was issued for a ten (10) year term to the United States Department of Transportation, Federal Aviation Administration (FAA) on July 1, 1985 or until such time as the FAA ceases to operate its Very High Omni-Directional (VOR) facility for which the road way access is being used.

Since the issuance of LA 204, the HHC has approved two (2) additional ten (10) year terms through Addendum No. 1 and Addendum No. 2, which expired on June 30, 2015. In response to letter dated January 6, 2016 requesting continued use of the premises, a preliminary agreement was sent to Tammy C. Reddick, Real Estate Contracting Officer, FAA for review and signature (See Exhibit "B" and Exhibit "C").

The subject parcel is classified as Agriculture and value per square foot, based on the County of Hawaii Real Property Tax assessment is approximately \$0.07. Therefore, the annual fair market rent for the term of this addendum will be \$1,100.00 (rounded).

TMK: 21013001 – County of Hawaii Real Property Assessment			
Assessment Information			
Year	Property Class	Assessed Land Value	Land Area
2015	Agriculture	\$4,039,600.00	55,342,892
Fee Calculation		$\$4,039,600.00 / 55,342,892 =$	
Value Per Sq. Ft.		\$0.07x	
Amount of land requested		<u>15,612</u>	
Fee Value		\$1,100.00/Annum (Rounded)	

PLANNING AREA:

Keaukaha

LAND USE DESIGNATION:

Special District, Hawaii Island Plan (2002), Figure 4 – East Hawaii, Hawaii Land Inventory

CURRENT STATUS:

Undeveloped, overgrown with dense ground cover, shrubs and trees.

No infrastructure is available at the site.

Development is constrained by tsunami inundation potential and noise from the Hilo Airport.

CHARACTER OF USE:

Roadway Easement Access

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Triggers:

Use of State Lands

Exemption Class No. & Description:

In accordance with the "Comprehensive Exemption List for the State of Hawaii, Department of Hawaiian Home Lands as approved by the Environmental Council on June 30, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, "Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing."

AUTHORITY / LEGAL REFERENCE:

§ 207(c)(1)(A) of the Hawaiian Homes Commission Act, 1920, as amended, authorizes the department to grant licenses for the use of Hawaiian Home Lands for public purposes.

§ 207(c)(2) states that "The department is also authorized to grant licenses to the United States for reservations, roads, and other rights-of-way, water storage and distribution facilities, and practice target ranges."

§ 10-4-21 of the DHHL Administrative Rules requires the applicant to pay for all costs incurred by the department for the processing of a license application, including a non-refundable processing fee of \$200.00. It also allows for a rental to be charged should the use benefit other than the department or native Hawaiians.

§ 10-4-22 of the DHHL Administrative Rules authorizes the issuance of licenses for public purposes, as easements in perpetuity or shorter term, subject to the easement being reverted to the department upon termination or abandonment.

RECOMMENDATION:

Land Management Division respectfully requests approval of the motion as stated



STATE OF HAWAII

SURVEY DIVISION

DEPT. OF ACCOUNTING AND GENERAL SERVICES

HONOLULU

C.S.F. No. 18,596

April 20, 1979

ACCESS ROAD RIGHT-OF-WAY

(30.00 Feet Wide)

Waiakea, South Hilo, Island of Hawaii, Hawaii

Being portion of the Hawaiian Home Land of Keaukaha, Tract 2.

Beginning at the southwest corner of this right-of-way and on the north boundary of General Lyman Field (Parcel 4, Governor's Executive Order 2025), the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 2,595.06 feet North and 27,305.20 feet East, thence running by azimuths measured clockwise from True South:--

1. 220° 24' 13" 532.38 feet along the remainder of the Hawaiian Home Land of Keaukaha, Tract 2;
2. 310° 04' 18.58 feet along the southwest side of 50-Foot Road Right-of-Way;
3. 294° 27' 11.89 feet along the southwest side of 50-Foot Road Right-of-Way;
4. 40° 24' 13" 510.22 feet along the remainder of the Hawaiian Home Land of Keaukaha, Tract 2;
5. 90° 00' 39.40 feet along General Lyman Field (Parcel 4, Governor's Executive Order 2025) to the point of beginning and containing an AREA OF 15,612 SQUARE FEET OR 0.358 ACRE.

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

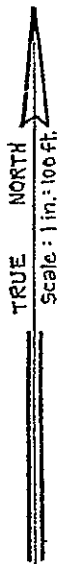
By: Ichiro Sakamoto
Ichiro Sakamoto
Land Surveyor

Compiled from map furn.
by Federal Aviation Agency,
CSF 10578 & other Govt.
Survey Records.

gm

Item No. F-2

EXHIBIT "A"



KEAUKAHA
Hawaiian

ACCESS ROAD RIGHT-OF-WAY Home
AREA = 15,612 SQ. FT. or 0.358 AC.
Middle Marker Site
40°24'13"

TRACT

510.22
532.38

50-Foot Road Right-of-Way (CSF 10578)

310°04' → 157.66
310°04' → 163.65
145.07
18.58
294°27' → 108.67
259°27' → 204.84
294°27' → 119.98
118.9
108.09

25,595.06 N
27,305.20 E
HALAI" Δ
(19.70)

(19.70)

90°00'
39.40

GENERAL

LYMAN

FIELD

PARCEL 4
(CSF 13461)
Executive

Governor's

Order

2025

ACCESS ROAD RIGHT OF WAY
(30.00 Feet Wide)

Waiakea, South Hilo, Island of Hawaii, Hawaii

Scale: 1 inch = 100 feet

Item No. F-2

EXHIBIT

"A"

JOB H-61 (79)
C. BK 21, Sakamoto

TAX MAP 2-1-13: Por. 1

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

C.S. F. No. 18,596

15. April 20, 1979



U.S. Department
of Transportation
**Federal Aviation
Administration**

January 6, 2016

Ms. Shelly Carrera
Land Agent
Land Management Division
State of Hawaii
Department of Hawaiian Home Lands
P.O. Box 1879
Honolulu, HI 96805

Re: Hilo MM Access Road
License Agreement No. 204 (FAA Contract No. DTFFA08-85-L-11240)

Dear Ms. Carrera:

Per our conversation on December 21st, 2015, the above-referenced License Agreement that supported the Federal Aviation Administration (FAA) Middle Marker (MM) facility was terminated in error on December 29, 2013.

Although the MM facility which was located on Airport property was decommissioned, the FAA has a continuing requirement for the use of the road to access for our Very High Omni-Directional (VOR) facility. The VOR facility is a critical ground-based radar facility to the National Airspace System (NAS).

On January 6, 2015, an email was sent to Mr. Peter "Kahana" Albinio, Jr. requesting the above License to be either: a). Reinstate to active status and to extend the License term or b). Provide a new License Agreement.

Fortunately, we discovered that payment for the License Agreement # 204 had been continued to be paid despite being cancelled with the last quarterly payment was made on September 29, 2015 in the amount of \$187.50. Given that we have continued to make this payment and DHHL has accepted the payment, we're requesting that the License Agreement # 204 be re-instated.

Please advise at your earliest convenience if this remains a possibility, and if not, when the FAA would be able to receive a new Agreement.

If you have any further questions or concerns, please do not hesitate to contact me at (310) 725-7572 or via email at Tammy.Reddick@faa.gov.

Sincerely,

Tammy C. Reddick
Real Estate Contracting Officer
Real Estate and Utilities Team, ALO-820

Item No. F-2

EXHIBIT "B"

DAVID Y. IGE
GOVERNOR
STATE OF HAWAII

SHAN S. TSUTSUI
LT. GOVERNOR
STATE OF HAWAII



JOBIE M. K. MASAGATAHI
CHAIRMAN
HAWAIIAN HOMES COMMISSION

WILLIAM J. AILA, JR.
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P. O. BOX 1879
HONOLULU, HAWAII 96805

March 3, 2016

DOT/FAA/ALO-820
Attn: Ms. Tammy Reddick
Real Estate Contract Officer
15000 Aviation Blvd.
Lawndale, California 90261

Dear Ms. Reddick:

Subject: License Agreement No. 204, Keaukaha, Island of
Hawaii

The Land Management Division (LMD) of the Department of Hawaiian Home Lands (DHHL) has reviewed your written email request dated January 6, 2016, to allow for continued use of right-of-way access as further described and cited under License Agreement No. 204.

Prior to seeking the approval of your request from the Hawaiian Homes Commission, we need to reach an agreement on the terms and conditions for your continued use. In this regard, we propose the following:

1. The license term shall be extended for TEN (10) years covering the period from July 1, 2015 through June 30, 2025;
2. The annual fee for the extended period is stepped-up and set at ONE THOUSAND ONE HUNDRED AND NO/100 DOLLARS (\$1,100.00), payable in quarterly installments;
3. All other terms and conditions as cited under License Agreement No. 204 shall continue and remain in full force and effect;

Item No. F-2
EXHIBIT "C"

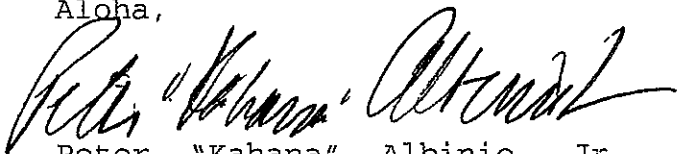
Ms. Tammy C. Reddick
March 3, 2016
Page 2

4. A draft copy documenting Addendum No. 3 to License Agreement No. 204 shall be subject to the review and approval of the State of Hawaii, Department of Attorney General Office; and
5. The Hawaiian Homes Commission is authorized to set forth any additional terms and conditions which shall ensure and promote the purposes of the demised premises.

If after your review you concur with the items contained herein, please sign, date and return a copy of this letter. Although this letter is not binding on either party, the tentative agreement contained herein will form the basis for submitting a request to the Hawaiian Homes Commission for approval and will also be incorporated into Addendum No. 3 to License Agreement No. 204 that will become binding when executed by all parties. Once approved by the Hawaiian Homes Commission, it will take approximately 4-8 weeks to produce a fully executed addendum document.

If you have questions, contact Shelly Carreira, Land Agent at 808.620.9459 or email shelly.p.carreira@hawaii.gov.

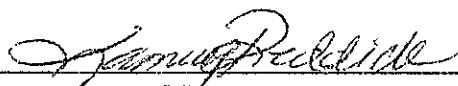
Aloha,



Peter "Kahana" Albinio, Jr.
Acting Administrator
Land Management Division

AGREED AND ACCEPTED:

U.S. Department of Transportation
Federal Aviation Administration

By 
Tammy C. Reddick
Western-Pacific Region
Real Estate Contracting Officer

3/21/2016
Date

RECEIVED
LAND MANAGEMENT
DIVISION
2016 MAR 28 AM 11:49

DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION

APRIL 11 & 12, 2016

Kūlana 'Ōiwi Multi-Purpose Conference Room
Kalama'ula, Moloka'i, Hawai'i

G-ITEMS
PLANNING OFFICE

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

April 11-12, 2016

To: Chairman and Members, Hawaiian Homes Commission

Through: M. Kaleo Manuel, Acting Planning Program Manager
Norman Sakamoto, LDD Administrator
Niniau Simmons, NAHASDA Manager

From: Gigi Cairel, Grants Specialist

Subject: Declare a Finding of No Significant Impact (FONSI)
for a Final Environmental Assessment (FEA),
Improvements to the Ho'olehua Water System PWS No.
230, Portions of Parcels in Tax Map Plats (2)5-2-
005, (2)5-2-006, (2)5-2-007, (2)5-2-008, (2)5-2-009,
(2)5-2-010, (2)5-2-012, (2)5-2-013, (2)5-2-021,
(2)5-2-023, (2)5-2-024, (2)5-2-025, (2)5-2-032, and
(2)5-2-033

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) declare a Finding of No Significant Impact (FONSI) based on the information provided in the Final Environmental Assessment (FEA) (Exhibit A) for the proposed Improvements to the Ho'olehua Water System PWS No. 230.

DISCUSSION

Background

DHHL is planning major improvements to reduce energy costs and improve fire protection, treatment, storage and delivery of potable water supplied by the Ho'olehua Water System (Public Water Supply [PWS] No. 230) to native Hawaiian homesteads and other users including two schools and an airport located in Ho'olehua-Pālā'au (Ho'olehua), Kalama'ula, and Mo'omomi. According to the State of Hawai'i Department of Health (DOH), the Ho'olehua Water System services 2,400 users including 526 native Hawaiian residential, agriculture, and pastoral homesteads service connections to PWS No. 230. There

are an additional 61 connections to PWS 230 including the airport, and three schools.

DHHL works diligently to provide safe, clean drinking water to the homesteaders and the other users. The quality of water provided by PWS 230 meets all state and federal water quality standards. Due to the age of the system, as well as the remote location of the island of Moloka'i, improvements are necessary. In the past five years, there have been several failures that have affected system-wide delivery of water or isolated communities. The water system operators have been successful in repairing the system after each failure. However with portions of the system over 80 years old, major components have reached the end of their useful life, and significant failures are expected to continue to occur if improvements are not made.

The operation of PWS230 requires significant energy inputs. Energy consumption is between 2,500 and 5,500 kilowatt hours per day. Energy is currently supplied by MECO and cost fluctuates based on MECO rates. Energy costs have been as high as \$50,000 per month.

In 2007, DHHL commissioned Akinaka & Associates, Ltd. to conduct a water study. The study mapped out the PWS 230, the general layout of several Molokai water systems, and assessed specific components of the water system and recommended eight specific improvements to enhance service to the Ho'olehua and Kalama'ula communities. During the 2007 Molokai Regional Planning process, participants elevated the implementation of four recommendations from the 2007 water study to a Regional Plan Priority project. These actions included purchase of a diesel generator, installation of SCADA, water verification testing, and determination of unaccounted water. All water priorities identified in the 2007 Regional Plan Priority Project were completed by the 2009 when the Regional Plan update began. The water system continued to be a priority for beneficiaries, and a water specific subject meeting was held as part of the regional planning process. Over 30 water issues were identified by the participants and one, Conduct Water Pressure Testing in Kalama'ula was elevated to a Priority Project.

In 2011, and again in 2015, DHHL engaged beneficiaries and provided details for an improvement project based on the

2007 water report, as well as the subsequent studies associated with the report.

The Project as proposed will include the following:

- Photovoltaic energy farm
- Increased water storage capacity
- Repair of existing water storage tanks and accoutrements
- Replacement of aging transmission lines
- Replacement of aging valves and fire hydrants
- Replacement of maintenance yard facilities
- Improved security and access to water storage facilities

Draft Environmental Assessment

The draft environmental assessment (DEA) prepared for the Ho'olehua Water System, PWS 230 Improvements was published on February 23, 2016 by the Office of Environmental Quality Control (OEQC). Solicitation of comments from agencies in preparation of a DEA (pre-consultation) was conducted as part of the DEA process.

The DEA describes existing conditions and assesses the potential environmental and cultural impacts to the site as well as the surrounding area, based on the proposed improvements to DHHL's Ho'olehua Water System, PWS 230. An archaeological inventory survey, cultural impact assessment, National Historic Preservation Act consultation, biological, preliminary engineering and solar financing evaluation were conducted in support the environmental assessment of this project. In summary, the DEA found that the existing infrastructure improvements and associated uses described for the project will have no to minimal impact on the surrounding environment.

Infrastructure

No increase in demand is proposed, therefore the existing infrastructure will be able to accommodate the project. This project will not increase the pumping rate at either of DHHL's potable wells. Should demand increase the proposed project has not been designed to increase the pumping rate. Because this project does not include any source improvements, additional

connections resulting from the lifting of the subdivision moratorium cannot be accommodated by this project.

Consistency with existing plans and policies

The DEA also addressed the project's uses for consistency with existing plans and applicable land use policies. The project was found to be consistent with existing State, County and DHHL plans and applicable land use policies.

Based upon the facts presented and analysis completed in the DEA, staff anticipated a finding of no significant impact (AFONSI) for the Ho'olehua Water System, PWS 230. Per Hawaii Administrative Rules (HAR) 11-200-11, the DEA and AFONSI are required to be published in the State Office of Environmental Quality Control (OEQC) "Environmental Notice" bulletin for a 30-day review and comment period. The public comment period was from February 23, 2016 through March 24, 2016.

Final Environmental Assessment (Summary)

Various government agencies at the federal, state, and county levels, as well as Native Hawaiian organizations, elected official, and other organizations were asked to comment on the DEA. Revisions to the DEA were made based on the comments received during the public comment period. Changes based on responses to substantive comments received are reflected in the FEA.

A summary of substantive comments received during the public comment period and how those comments were addressed in the FEA are shown in the following table. A complete record of comments received and responses to those comments are included in Appendix F of the FEA document.

Agency	Comment/Summary	Response to Comment
Federal Agencies		
EPA IX, Drinking Water Protection	Proposed project will not adversely affect sole source aquifer.	Thank you for participating
Department of Interior- US Geological Survey	USGS is unable to review project due to limited staffing and commitments.	Thank you for participating

Agency	Comment/Summary	Response to Comment
DOT- Federal Aviation Administration	PV systems within five miles of Moloka'i Airport should have glint and glare analysis	The PV energy farm is located 5.1 miles from Moloka'i airport.
State Agencies		
Office of Planning	FEA should include functional plans, program, project objectives or goals this project may impact.	The DEA included a discussion of functional plans, programs, project objective and goals in sections 5.1.2.1 through 5.1.2.4.
	Consider reducing impervious, hardened surfaces.	DHHL has made every effort to minimize the amount of impervious and hardened surfaces included in the project and eliminated approximately 2.2 acres of hardened roadways initially considered as part of Site 5. DHHL will continue to evaluate the project components to determine where more pervious building materials can be utilized.
DOH-CWB, DOH-EPO and DOH- Maui District Health Office	NPDES permit may be required.	NPDES permit is anticipated and proper procedure will be followed as well as permit requirements and conditions
DOH- Maui District Health Office	A noise permit may be required and should be obtained before commencing work.	A general contractor will obtain a noise permit prior to the commencement of construction for which noise levels exceed allowable levels.

Agency	Comment/Summary	Response to Comment
DOH-EPO, DOH-CWB, and DOH Maui District Health Office	Review and adhere to standard comments and DOH website.	Standard comments were reviewed for applicability and relevant information was added to Final EA.
DOH- CWB	Project and impacts must meet HAR 11-54-1.4; 11-54-4 through 8; 11-54-3.	Project will meet HAR rules and regulatory references have been included in relevant sections within the FEA.
DOH-CWB	Consult with Army Corp of Engineers regarding possible permit requirements.	Consultation began in September 2016. DHHL will work with Army should permits and/or authorizations be required.
DOH-CWB	Consider identifying approaches/strategies necessary to recognize storm water as an asset must be identified during planning, BMPs, green building practices. Identify opportunities for retrofitting existing storm water structures.	Concur that water is limited resource, and assert that this project will improve water conservation and quality. Selection of strategies will occur during the design phase.
DOH-SDWB	Director approval required for substantial modifications to public water systems.	Prior to the start of construction, plans will be submitted for review and approval.
DOH-EPO	Wastewater plans must conform to HAR 11-62.	The project is not anticipated to involve the disposal of waste water. If conditions change, water plans will conform with HAR 11-62.

Agency	Comment/Summary	Response to Comment
DLNR-Engineering	Portions of project area are located within various flood zone designations.	The Draft EA includes a discussion on the various Flood Zone areas, and recognizes the necessity of compliance with the rules and regulations of the NFIP presented in Title 44 of the Code of Federal Regulations (44CFR) and the Maui County Code for Flood Hazard Areas.
DLNR-Engineering	Provide water demand and calculations for inclusion in State Water Project Plan update.	Water demands and calculations will be provided to the DLNR Engineering Division.
DLNR-CWRM	Table 2-2 in EA is not current, and current conditions may cause upcoming interference, current data reported is not accurate, there are pending decisions and permits applications to increase.	Table 2-2 was updated. The comments were acknowledged. DLNR-CWRM was informed that this project does not include source development, and there are no actions proposed that will increase the rate of water consumption.

OEQC	Discuss water conservation and cumulative impact amongst other water systems.	<p>This project is designed to improve the existing water system and fire protection capabilities. It will not increase consumption by existing users. Further, no new users will be connected as a result of this project. Conservation of resources is important. This project will protect and conserve this resource. Portions of the PWS 230 water system are over 80 years old, and the system wide unaccounted water loss is 50% higher than what is considered optimal. Replacement of aging pipes as described in the FEA is anticipated to reduce unaccounted water loss back into the normally accepted range. Additionally, the project includes the purchase of new digital water meters to replace existing meters. This will allow operators to better track consumption. Both of these are important water conservation components of the project and are discussed in Section 3.4 of the FEA. This project is not increasing consumption. Therefore, there is no</p>
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Agency	Comment/Summary	Response to Comment
		<p>difference in cumulative impacts as they relate to consumption between the project and status quo/no action alternative. DHHL will continue to pursue its rights to the water resources on Moloka'i as was granted by U.S Congress through the Hawaiian Homestead Act and amendments.</p>
OHA	<p>Recommend use of Hawaiian names for animals.</p>	<p>FEA has been revised to included Hawaiian animal names.</p>
OHA	<p>Consultation with OHA is required for all criteria "E" archaeological sites. Disagree with Significance determination for sites SIHP 2568 and 2572.</p>	<p>We concur that consultation with OHA is necessary for all criteria "E" sites that will be impacted by the development. The consultation requirement will be included in the mitigation measures described in the Final EA. Greater detail regarding the justification of significance criteria designations for SIHP 2568 and 2572 will be included in the final AIS.</p>
OHA	<p>Recommend preserving criteria "D" sites after data recovery is completed.</p>	<p>DHHL will make every effort to avoid destruction of significant sites (criteria E and D) wherever possible.</p>

Agency	Comment/Summary	Response to Comment
OHA	Consultation met minimum requirements for CIA. Future CIA should include contacting affected homestead associations	While separate from the CIA process, DHHL did engage the Moloka'i Hawaiian Homestead Associations. The associations were provided multiple opportunities for consultation as part of the National Historic Preservation Act of 1966 (Section 106) process including 3 meetings. Informational meetings were held on December 1, 2011, and December 9, 2011, and October 1, 2015. Meeting participants were encouraged to participate in the CIA process. A summary of the Section 106 consultation process as an appendix in the Final EA.
County Agencies		
Department of Environmental Management	No anticipated effects to wastewater infrastructures.	Thank you for participating.
Department of Fire and Public Safety	Fuel above ground storage tanks (AST) are permitted through Fire Prevention Bureau and should include best engineering practices.	A permit will be acquired. Installation of the AST will follow best engineering practices.

Agency	Comment/Summary	Response to Comment
Department of Fire and Public Safety	As best as possible, hydrant replacement should meet required flow and spacing.	Hydrant installation/replacement will meet as best as possible required fire flow and hydrant spacing as designated by land use.
Department of Public Works	Coordination with count water supply is recommended.	DHHL will coordinate with Department of water supply.
Department of Transportation	No comments	Thank you for participating.
Department of Water Supply	Best Management Practices should be noted in EA. Eight BMPs were recommended to prevent contamination through and to the wells	The letter was received via email six days after the end of the comment period. LDD and DHHL's civil engineering consultant have been provided with the Department of Water Supply letter listing design and construction BMPs
Department of Water Supply	Fuel AST will require secondary containment if Wellhead Protection Ordinance is adopted.	The proposed fuel AST will include secondary containment and manual leak detection.

As stated previously, staff anticipated a Finding of No Significant Impact (AFNSI) based on the information presented in the DEA. The comments in the table above were received during the public comment period. Appropriate mitigation measures and solutions were identified to address these comments. The mitigation measures and solutions were incorporated into the FEA.

Comments from other agencies either concurred with the findings of the DEA or suggested other policy standards that the project should consider during its implementation and operation. These policy standards were incorporated into the FEA. As a result, the comments received during the public comment period and the incorporation of mitigation measures in

response to those comments in the FEA will enable the DHHL Ho'olehua Water System to further reduce any potential impacts to the surrounding environment.

Criteria for a Finding of No Significant Impact (FONSI)

Hawai'i Administrative Rules (HAR) Section 11-200-12.2 establishes procedures for determining if an Environmental Impact Statement (EIS) should be prepared for a project, or if a Finding of No Significant Impact (FONSI) is warranted. HAR Section 11-200-12 lists the following 13 significance criteria to be used in making the determination (See Ch. 7 of the FEA for a complete statement of findings):

- 1) *Involves an irrevocable commitment to loss or destruction of any natural or cultural resource;*

Site investigations revealed the absence of any resources potentially subject to irrevocable loss as a result of construction. The 7 Sites have been the subject of flora/fauna and archaeological investigations. The proposed Project is not expected to have a significant adverse impact on any state or federally listed plant or animal species. The proposed Project is not expected to have a significant impact on archaeological resources. During the design phase, plans will be developed to ensure archaeological resources identified in Site 2 are avoided. Additional on-site monitoring will ensure that any identified archaeological sites are not affected by construction activity. For a more detailed discussion please see Chapters 3 and 4 of the FEA.

- 2) *Curtails the range of beneficial uses of the environment;*

The proposed water infrastructure improvements will not curtail the range of beneficial uses of the environment. Rather, the improvements will allow for more efficient use of water resources. The current use of the Sites will not change as a result of this project.

- 3) *Conflicts with the State's long-term environmental policies or goals as expressed in Ch. 344, HRS, and*

any revisions thereof, amendments thereto, court decisions, or executive orders;

The proposed Project conforms to the environmental goals and policies set forth in HRS Chapter 344. Improvements to the water system are particularly supportive of the State's Environmental Policy to conserve natural resources, promote the general welfare, and maintain conditions under which humanity and nature can co-exist [§344-3(1)].

- 4) *Substantially affects the economic or social welfare of the community or State;*

The proposed Project provides economic and social welfare benefits to the surrounding community by providing an essential public utility while substantially reducing energy cost required for delivery.

- 5) *Substantially affects public health;*

The proposed Project will improve the health, sanitation and security of the potable water system, thereby enhancing public health. There will be temporary impacts to noise and air quality levels during the construction phase of the Project; however, these potential impacts will be short-term and are not expected to substantially affect public health. All construction activities will comply with applicable regulations and will implement appropriate mitigation measures. After construction, the development should have minimal impact on ambient noise levels or air and water quality. For further discussion please see Chapter 4 of the FEA for a more detailed discussion.

- 6) *Involves substantial secondary impacts, such as population changes or effects on public facilities;*

The proposed Project will not result in substantial secondary impacts such as population changes, nor will it place additional infrastructure demands on existing roads, wastewater, or drainage systems. The proposed Project will enhance and improve potable water system service for the community.

- 7) *Involves a substantial degradation of environmental quality;*

The proposed Project is not anticipated to have significant adverse impacts on the region's geology, surrounding topography, soil quality, or hydrology. The proposed project will allow DHHL to provide to eligible native Hawaiians a clean and safe environment with the improvements, including water and fire protection, installed in conformance with appropriate State and County environmental standards. See Chapter 3 of the FEA for further discussion.

- 8) *Is individually limited but cumulatively has considerable effect on the environment or involves a commitment for larger actions;*

The proposed Project is to improve the existing water system. The Project is not part of a larger project, nor does it commit the State to any other larger actions, and will not generate any additional actions having a cumulative effect on the environment.

- 9) *Substantially affects a rare, threatened, or endangered species, or its habitat;*

The proposed Project is not anticipated to have an adverse effect on threatened or endangered species. During construction, the project will follow precautionary mitigation measures set forth by USFWS. See Chapter 3 of the FEA for more details.

- 10) *Detrimentially affects air or water quality or ambient noise levels;*

No State or Federal air quality standards will be violated as a result of the improvements during or after the construction of the Project. The anticipated issues related to air quality are anticipated during construction only. Long-term negative impacts related to air quality are not expected. There will be a slight decrease in carbon emissions generated on Moloka'i as a result of the proposed installation of a 1 MW PV energy generation and storage system.

No State or Federal water quality standards will be violated as a result of the improvements during or

after the construction of the Project. The Project will comply with nonpoint source prevention measures through the NPDES permit. While the Project will result in an increase in impervious surface area, over the site's former vacant use; any increase in runoff will be accommodated by infiltration on DHHL property. There is a slight increased probability of a release due to tank failure over the status quo that could affect water quality. However, the proposed AST is being designed with secondary containment with leak detection.

The project will not result in long term detrimental effect on ambient noise levels. The storage tank installation may reduce the number of trips fuel vehicles need to make to the well site. This will have a positive impact on noise by reducing total number of fuel tank trips required. Construction activities however will inevitably create temporary noise impacts that are expected to return to preconstruction levels once completed.

- 11) *Affects or is likely to suffer damage by being located in an environmentally sensitive area such as a flood plain, tsunami zone, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters;*

The Project will not affect any environmentally sensitive areas. As portions of the Project are located in tsunami and flood hazard zones, compliance with rules and regulations of Title 44 of the Code of Federal Regulations (CFR) and Maui County Code is necessary. The proposed actions located in these flood hazard areas (replacement of existing transmission pipes, in-line valves, and fire hydrants) will replace aging equipment, reducing potential for leaks that can exacerbate naturally occurring flooding.

- 12) *Substantially affects scenic vistas and view planes identified in county or state plans or studies;*

As the proposed Project involves improvements to the existing infrastructure, most of which is underground, there are no anticipated negative impacts to the visual resources of the surrounding environment. The proposed water tank at the Site 1 is

not anticipated to have a negative impact on view shed due to its location next to the existing water tank at the well site. Moreover, as a majority of the improvements will effectively replace or repair the aging equipment and facilities, there may in fact be beneficial impacts to the visual resources.

13) *Require substantial energy consumption.*

The Project improvements will not require energy consumption substantially greater than what is presently required. Electricity for pumping and disinfection at Site 1 will be provided primarily by the proposed on-site one-megawatt PV energy generation and storage system instead of by MECOs off-site diesel power plant. Conversion to a renewable energy source is a positive impact when compared to the status quo.

Based on the FEA analysis, agency and public comments, and mitigation measures in response to comments which have been incorporated into the FEA, DHHL staff concludes that the construction and operation of the Ho'olehua Water System PWS 230 Improvements project will not have a significant impact on the project area or surrounding vicinity. Should the HHC disagree with staff findings, an Environmental Impact Statement Preparation Notice (EISPN) may be issued instead of a FONSI, per HAR §11-200-11.2.

Mitigation Measures Agreed to by DHHL in the Final EA

- Design measures:

- o To mitigate storm water impacts resulting from an increase in impervious acreage, project design will incorporate low impact development practices such as vegetated buffer/filter strips, open vegetated channels, and infiltration as well as consider materials of higher permeability.
- o To inform the State Water Projects Plan update the State DLNR, Engineering Department will be provided with water demands and calculations
- o To mitigate potential impact to seabirds, the design will specify shielded outdoor lights in conformance with County outdoor lighting requirements
- o To protect low-flying, foraging bats, no barbed wire will be used for fencing.
- o As part of the archaeological stewardship responsibilities, construction plans should identify

permanent preservation sites with the SIHP identification number and buffer zone.

- o Coordination with DOE regarding their service lateral relocation project.

- Construction measures:

- o To minimize introduction of invasive species, all construction equipment and vehicles arriving from outside Moloka'i should be washed and inspected prior to entering the Project Sites.
- o To mitigate erosion and sedimentation impacts during construction, the grading plans will specify best management practices to include things such as early construction of drainage control features; construction of temporary sediment basins to trap silt; use of temporary berms and cut-off ditches where needed; and use of temporary silt fences or straw bale barriers to trap silt.
- o Contractors will be advised that for work in the coastal areas of Site 2 the staging area and any construction equipment must be stored within existing hardened surfaces or north of Maunaloa Road.
- o Avoid removing or trimming woody plants greater than 15 feet tall during the Hawaiian hoary bat ('ōpe'ape'a) breeding season (June 1 to September 15).
- o If a bat is present at the Project site, the area will be avoided. If a bat arrives in the construction area after work begins, work will cease until the animal leaves on its own accord.
- o Nighttime construction during seabird fledging period (September 15 through December 15) will be avoided or USFWS will be consulted for additional minimizations measures.
- o All work will cease immediately and USFWS will be contacted if a nest is discovered within a radius of 100 feet of proposed construction activity, or a previously undiscovered nest is found within said radius after work begins. Biologist surveys of the area around proposed construction sites will be conducted prior to the initiation of any work, or after any subsequent delay of work of three or more days once foraging/loafing birds have been observed at the Project site.
- o A survey of trees within 100 meters of the Project site shall be conducted during Hawaiian hawk ('io) breeding season (March 1 through September 30) if construction activities will result in noise levels greater than 60

decibels (at 5 feet) and or vegetation clearing is proposed. Work shall be delayed if an 'io nest is found until the nest is no longer occupied.

- o To mitigate construction noise and dust, construction documents will include standard measures such as ensuring mufflers are in proper operating condition, limiting construction hours, and wetting down exposed surfaces.
 - o The construction documents will include a provision that should historic sites such as walls, platforms, pavements and mounds, or remains such as artifacts, burials, concentrations of shell or charcoal or artifacts be inadvertently encountered during construction activities, work will cease immediately in the immediate vicinity of the find and the find will be protected. The contractor will immediately contact DHHL, the legal authority over tribal lands as described in the U.S. Native American Graves Protection and Repatriation Act (NAGPRA). DHHL will then contact the State Historic Preservation Division (SHPD). DHHL shall assess the significance of the find and recommend appropriate mitigation measures and treatment determinations in consultation with SHPD, the homestead associations in the area of the inadvertent discovery, any known lineal descendants, and the Moloka'i Island Burial Council.
 - o An archaeological monitor will be present during grading and ground-disturbing work in Site 2 where required by State Historic Preservation Division.
 - o Sites recommended for preservation shall be appropriately marked to avoid impact during construction activities
 - o Temporary disruption of potable water service will occur during construction of some project components. Coordination and notification with affected users will be conducted prior service disruptions. Where possible, construction resulting in the disruption of water service to schools will be conducted during breaks. Additional coordination and collaborative scheduling is proposed with DOE Planning to minimize tie-in impacts to school operations.
- Operational measures:
 - o The existing on-site emergency generator will be operated in compliance with HAR §11-60.1-62 (d) (7)

- o Hazardous material containers/tanks will be secondarily contained.
- o Use and storage of hazardous material and/or waste will be in compliance with all applicable OSHA, EPCRA, SARA, and RCRA requirements
- All Phases- design, construction and operation
 - o The Project will maintain and protect the existing uses and the level of water quality necessary to protect the existing uses of receiving State waters, in compliance with Hawai'i Administrative Rules (HAR) §11-54-1.1, 11-54-3, 11-54-4, 11-54-5, 11-54-6, 11-54-7, 11-54-8.
 - o If conditions change such that wastewater disposal is required, then the wastewater plans will conform to all applicable provisions of the Department of Health (DOH) Administrative Rules, Chapter 11-62, "Wastewater Systems."

RECOMMENDED MOTION/ACTION

DHHL staff respectfully requests action as recommended.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

April 11, 2016

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Kaleo Manuel, Acting Planning and Program Manager

SUBJECT: G-2 Declare a Finding of No Significant Impact (FONSI) for a Final
Environmental Assessment (FEA), St. Rita Catholic Church Master Plan,
Nānākuli, O'ahu, TMK (1) 8-9-005:001, (1) 8-9-007:002(por.), and (1) 8-
9-007:004(por.)

THIS SUBMITTAL ITEM WILL BE DISTRIBUTED UNDER SEPARATE COVER

ITEM NO. G-2

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

April 11 - 12, 2016

To: Chairman and Members, Hawaiian Homes Commission

Through: Kaleo L. Manuel, Acting Planning Program Manager *ef*
Peter "Kahana" Albinio, Jr., Acting Administrator Land
Management Division *DA*

From: Gigi O. Cairel, Grants Specialist *Glair*

Subject: FOR INFORMATION ONLY - Due Diligence for Non-Homestead
Land Use Requests from Nonprofit Organizations

Recommend Motion/Action

None; For Information Only.

Discussion

This submittal provides information on the Department of Hawaiian Home Lands' (DHHL) due diligence process for non-homestead land use requests from nonprofit organizations.

Lands held in Trust by the Hawaiian Homes Commission are an important natural, cultural and economic resource. Currently, we have land dispositions for over 10,000 acres to over 70 nonprofit organizations statewide. The types of nonprofits vary from homestead community-based nonprofits, community development corporations partnering with a homestead, and private, nonprofit organizations such as charter schools, churches, Alu Like, and Kamehameha Schools. Nonprofits range from small, volunteer-run organizations to large-size organizations with paid employees; from organizations that are only registered with the State as a nonprofit to private, charitable nonprofit corporations with federal IRS 501(c)(3) tax exempt status. See Exhibit A for a sample listing of nonprofits with a land disposition from DHHL. The types of activities and projects also vary - from providing education and health care services to constructing a community center.

In July 2015, department staff was tasked to review internal procedures for processing land use requests from nonprofit organizations seeking to negotiate below market value rent. In exchange for reduced rent on Hawaiian Home Lands, such nonprofits proposed to offer benefits such as programs and services to

beneficiaries of the Hawaiian Homes Commission Act (HHCA). The department's Planning Office (PLO) and Land Management Division (LMD) met jointly to make improvements to their due diligence process. The basic premise of the due diligence process is based on three elements summarized below. Refer to Exhibits B and C attached.

1) Organizational Development

- Who is the organization - vision, mission, purpose.
- Who is on the board and who do you serve?
- Relationship between the organization and HHCA beneficiaries.
- Organizational qualifications and experience to plan and implement the proposed project/activity or similar.

2) Program Planning

- What is the community need that your proposed project will address?
- What are the benefits to HHCA beneficiaries?
- Is your proposed project consistent with DHHL Island Plans and Regional Plans; and other governmental plans?
- Business plan to include feasibility, market study, start up/initial costs, operating budget, reserve fund, and project income/revenue (user fees, grants, government subsidies, etc.)

3) Social Capital

- Demonstration of a broad base of HHCA beneficiary support, community at-large support, public and private sectors, funders, etc.

This due diligence process is triggered when DHHL receives a completed Land Use Request Form. Generally, a letter (or email) is sent to the requester notifying them of the Criteria and requesting them to submit documentation addressing the Criteria.

The Community Organizing and Development model was rolled out at a DHHL-sponsored workshop in May 2015 with the DCCR homesteads. Based on feedback, we revised the model and Criteria in October 2015. Department staff received training in December 2015 on implementing the due diligence process.

In the future, LMD and PLO will present all non-homestead land use requests to the Hawaiian Homes Commission with the due diligence completed. Analysis of existing land dispositions with below market rate is also forthcoming.

Dispositions to DHHL Beneficiary Organizations and Non-Profits

04/04/2016 update - Sorted by DHHL Region

DHHL Region	Type	Lessee		Acres
KAUA'I				
Anahola	LI 512	Kanuikapono Charter School	\$1,560/annum	6.000
	LI 554	Anahola Ancient Cultural Exchange	\$300/annum	9.200
	LI 609	Anahola Hawaiian Homes Association Anahola Marketplace & Café (certified kitchen)	Gratis	10.000
	LI 756	Council for Native Hawaiian Advancement Educational facility at Anahola Park	Gratis	0.691
		TOTAL		25.891
Wailua		TOTAL		0.000
West Kaua'i	LI 773	Homestead Community Development Corporation Community Center	Gratis	2.600
		TOTAL		2.600
O'AHU				
Kapolei	LI 642	Hawaii Maoli	Gratis for 1st 5 years 20% Net Operating Income	1.000
	LI 713	Ke Ola Mamo Inc.	Gratis for 1st 5 years 20% Net Operating Income	0.500
	LI 740	Special Olympics	\$12,000/annum	2.455
	GL 288*	Kapolei Community Development Corporation Community center	Gratis 1st 20 years	0.520
	GL 290*	Kapolei Community Development Corporation Commercial center	1st 25 years 20% Net Operating Income	4.992
		TOTAL		9.467
Nānākuli	LI 373	Kamehameha Schools	Gratis	1.217
	LI 414	Resurrection of Life Church	\$200/annum	0.505
	LI 501	Nanakuli Door of Faith Mission	\$324.52/annum	1.490
	LI 503	St. Rita's Catholic Church	\$187.30/annum	0.860
	LI 504	Nanaikapono Protestant Church	\$219.98/annum	1.010
	LI 555	Boys & Girls Club of Hawaii	\$1,000/annum	1.611
	LI 611	Ka Waihona O Ka Naauao Charter School	Gratis	3.000
	LI 612	Aha Punana Leo	\$2,184/annum	0.460
	LI 613	His Highest Praise Westside Church	\$4,080/annum	0.035
	LI 619	Kamehameha Schools	\$27,552/annum	0.586
	GL 240	Hale ola Hoopakolea, Inc.	\$3,325/annum	0.460
	GL 281*	Nānākuli Hawaiian Homestead Community Association Nānākuli Village Center	Amended GL terms and conditions	9.858
	GL 297	Hawaiian Community Development Board	\$1/annum	2.112
		TOTAL		23.204

Dispositions to DHHL Beneficiary Organizations and Non-Profits

04/04/2016 update - Sorted by DHHL Region

DHHL Region	Type	Lessee		Acres
Papakōlea	ROE 448*	Papakōlea Community Development Corporation CBED project	Gratis	14.533
	LI 559	Papakōlea Community Development Corporation Management of community and recreational facility	Gratis	0.874
		TOTAL		15.407
Waimānalo	ROE 521	Waimānalo Hawaiian Homes Association Community use	\$504/annum	2.000
	LI 436	Queen Lili'uokalani Trust	Gratis	0.620
	LI 502	Church of Jesus Christ of Latter Day Saints	\$91.49/annum	0.042
	LI 745	Na Kupa'a o Kuhio	Gratis	
	GL 269	Waimanalo Kupuna Housing	Gratis	0.579
	GL 292*	Waimānalo Hawaiian Homes Association Community Technology, Education & Employment Center	Gratis 1st 25 years then 20% Net Operating Income	3.638
		TOTAL		6.879
Wai'anae - Lualualei	ROE 585	Wai'anae Coast Comprehensive Health Center	\$2,088/annum	0.712
	ROE 593	Wai'anae Coast Comprehensive Health Center	\$240/annum	2.000
	LI 406	Princes Kahanu Estates Association Common area maintenance	Gratis	0.970
	LI 489	Wai'anae Kai Homestead Association Community center	Gratis	1.900
	LI 724	Ka'ala Farm Inc.	Gratis	97.764
		TOTAL		103.346
MAUI				
Kahikinui		TOTAL		0.000
Kēōkea - Waiohuli	ROE 496	Kēōkea Homestead Farm Lots Association Agriculture, pastoral, stewardship, limited commercial	\$240/annum	69.000
	ROE 493	Waiohuli Hawaiian Homesteaders Association Inc. Community, cultural	\$240/annum	6.820
	LI 695*	Waiohuli Hawaiian Homesteaders Association Inc. Community center & certified kitchen	Gratis	17.000
		TOTAL		92.820
Leialī'i - Honokōwai	ROE 497	Villages of Leialī'i Phase 1A Association Community garden	\$240/annum	3.000
		TOTAL		3.000
Wai'ehu Kou - Paukūkalo	ROE 641	Paukukalo Hawaiian Homes Community Association Due diligence for community center	Gratis	1.770
	LI 743	Boys & Girls Club of Maui	Gratis for 1st 5 years	0.500
	LI 781	Alu Like, Inc.	\$6,000/annum	0.069
	GL 250	Kamehameha Schools	Gratis	2.000
		TOTAL		4.339

Dispositions to DHHL Beneficiary Organizations and Non-Profits

04/04/2016 update - Sorted by DHHL Region

DHHL Region	Type	Lessee		Acres
MOLOKA'I				
Moloka'i	ROE 500	Moloka'i Homestead Livestock Association Community pasture	\$240/annum	9,370.000
	ROE 504	Moloka'i Humane Society	\$1,200/annum	0.975
	ROE 507	Ahupua'a o Moloka'i Community	\$240/annum	0.490
	LI 440	Queen Emma Foundation	Gratis	3.000
	LI 441	Kamehameha Schools	Gratis	1.000
	LI 442	Queen Lili'uokalani Trust	Gratis	1.000
	LI 443	Office of Hawaiian Affairs	Gratis	0.500
	LI 476	Kalaiaikamanu Hou Congregational Church	\$542.10/annum	2.489
	LI 477	Moloka'i Church of God	\$400/annum	1.517
	LI 478	Ka Hale La'a O Ierusalem Hou Church	\$200/annum	1.844
	LI 479	Church of Jesus Christ of the Latter Day Saints	\$701.75/annum	3.222
	LI 480	Ho'olehua Congregational Church-United Church of Christ	\$348.48/annum	1.600
	LI 481	The Episcopal Church of Hawaii	\$200/annum	0.899
	LI 482	Moloka'i Baptist Church	\$912.58/annum	4.190
	LI 483	The Lamb of God Church	\$200/annum	0.805
	LI 517	Alu Like, Inc.	\$1,200/annum	2.000
	LI 518	Moloka'i Habitat for Humanity, Inc.	\$3,120/annum	
	LI 560	Moloka'i Community Service Council	Gratis	0.032
	LI 590	Alu Like, Inc.	\$1,200/annum	2.000
	LI 635	Moloka'i Independent Baptist Church	\$1,200/annum	4.190
	LI 667	Ka Hale Pomakai	\$6,000/annum	1.000
	LI 694	Na Kupa'a o Kuhio	Gratis	
	LI 780	Aha Punana Leo Inc.	\$11,460/annum	0.032
	LI 789	Moloka'i Homestead Farmers Alliance Manage Lanikeha community center & kitchen	\$20/month 1st 2 years	
	LI 754	Kalama'ula Homesteaders Association Manage Kiowea Park	Gratis	5.150
	GL 253	Moloka'i Church of the Nazarene	\$1,345.32/annum	2.144
		TOTAL		9,410.079
LĀNA'I				
Lāna'i		TOTAL		0.000

Dispositions to DHHL Beneficiary Organizations and Non-Profits

04/04/2016 update - Sorted by DHHL Region

DHHL Region	Type	Lessee		Acres
HAWAII				
Ka'u		TOTAL		0.000
Kawaihae	ROE 449	Kailapa Community Association Due diligence for wellness park	Gratis	72.000
	LI 751	Kailapa Community Association Resource center and mailboxes	\$1/annum 1st 5 years	14.340
		TOTAL		86.340
Kealahou - La'i 'Opua	LI 770	Villages of La'i 'Opua Community Association Common areas within subdivision		
	GL 286*	Pono Resource Management Inc. Community facility w/medical, social, education components	Gratis	26.000
	GL 289*	La'i 'Opua 2020 Commercial development	Gratis 1st 25 years then 20% Net Operating Income	26.000
		TOTAL		52.000
Keaukaha	ROE 294	Malama Ka Aina Hana, Inc.	\$1 for term	25.000
	LI 455	The Royal Order of Kamehameha I, meeting hall	Gratis	0.717
	LI 459	Haili Congregational Church	\$271.80/annum	1.000
	LI 460	St. Mary, Gate of Heaven, Catholic Church	\$271.80/annum	1.000
	LI 461	Keaukaha Hemolele o ka Malamalama Church	\$108.90/annum	0.500
	LI 463	Ka Hoku Ao Malamalama Church	\$108.90/annum	0.500
	LI 538	Office of Hawaiian Affairs	\$5,760/annum	0.022
	LI 704	Ke Ana Laahana Public Charter School	\$1,200/annum	0.024
	LI 759	Kamehameha Schools	\$26,400/annum	0.160
	LI 782	Keaukaha Community Association Community facility w/youth, kupuna programs	Common Area Maintenance (CAM) only	0.024
		TOTAL		28.947
Maku'u	LI 649*	Maku'u Farmers Association	Gratis	38.000
		TOTAL		38.000
Pana'ewa	ROE 482	Keaukaha Pana'ewa Farmers Association	\$240/annum	1.000
	LI 365	Panaewa Community Alliance & Pana'ewa Hawaiian Home Lands Community Association, Community center	Gratis	12.000
		TOTAL		13.000
Waimea Nui	LI 363	Puukapu Pastoral Water Group, temporary until permanent water system is in	Gratis	
	LI 488	Aha Punana Leo	Gratis	0.420
	LI 500	Kanu o Ka Aina Public Charter School	\$600/annum	4.620
	LI 606	Kanu o Ka Aina Public Charter School	Gratis	30.000
	GL Pending	Waimea Hawaiian Homesteaders Association Inc. Due diligence for community facilities	Gratis	161.000
	GL 251	Kamehameha Schools	Gratis	0.416
		TOTAL		196.456

CRITERIA

The following is a preliminary list of information to assist us in reviewing your request. Please provide as much of this information as you can within sixty (60) days from the date on this letter. Please keep in mind that after our initial review, we may have additional questions or follow up.

Organizational documents

- Narrative describing the following:
 - Who is the organization – vision, mission, purpose;
 - How your organization benefits the Hawaiian Home Lands Trust and its beneficiaries;
 - How and why your organization was created;
 - Your organization's relationship with, connection to, and representation of beneficiaries, as defined by the Hawaiian Homes Commission Act (HHCA), as amended;
 - Qualifications and experience in planning & implementing the proposed project or a similar project;
 - Relationship between your organization and the beneficiary organization(s). Documentation for this may include, but not be limited to:
 - 1) Board resolution that your organization is owned and controlled by HHCA beneficiaries;
 - 2) Beneficiary organization(s) is the sole member of your organization;
 - 3) Beneficiary organization(s) appoints individuals to serve on the board of your organization;
 - 4) Primary purpose of your organization is to further the mission of the beneficiary organization(s);
 - 5) Your organization and the beneficiary organization(s) adopted a joint board resolution that your organization is serving as the project development arm of the beneficiary organization(s)
- Articles of Incorporation, with certification stamp from DCCA
- Bylaws, dated and signed
- Current list of board members, include positions/title & term expiration date. Also identify if each board member is a beneficiary or not.
- If you are a member-based organization, provide a current list of members and identify if each member is a beneficiary or not
- Any other material describing the organization's vision, mission and purpose
- Any other documents – organization brochure, newsletter, reports
- Certificate of Good Standing from DCCA
- State of Hawaii General Excise Tax Number (GET)
- Federal Employer Identification Number (FEIN)

If IRS 501(c)3 tax exempt status is required for the proposed land disposition, then please include the following items

- Full copy of your organization's IRS 501(c)(3) tax exemption application (IRS Form 1023 & any attachments)
- IRS 501(c)(3) determination letter

Proposed project plan and business plan

- Narrative describing the need/problem/opportunity you are trying to address
- Narrative describing how the proposed use or project for the property will benefit the Trust and HHCA beneficiaries
- Narrative describing
- Is the proposed use or project consistent with DHHL Island Plan & Regional Plan? Other governmental plans – County General Plan, County Community Development Plan (CDP), EDA CEDS strategy, HUD consolidated plan, etc.
- Narrative describing how HHCA beneficiaries and/or the at-large community were involved in the planning of the proposed project
- Most recent financial statement, treasurer's report, or IRS Form 990
- Pro Forma
- Expense & Income Budget – start up/initial costs, operating budget, reserve fund, projected income
- Project timeline/schedule

Community support

- Evidence of support from the surrounding homestead communities and HHCA beneficiaries
Examples include, but are not limited to: list of meeting dates, # attended, sign-in sheets, meeting minutes, support letters or board resolutions from each homestead association, surveys, petitions
- Evidence of support from the broader, at-large community
Examples include, but are not limited to: list of meeting dates, # attended, sign-in sheets, meeting minutes, support letters or board resolutions from partner organizations/individuals, community nonprofits, County Mayor, County Council

Lastly, we [*PLO Liaison & Gigi*] would like to schedule a time to meet with you and your board to review the DHHL Community Development process (see attached).

Rev. (2) 10/08/15

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

April 11, 2016

TO: Chairman and Members, Hawaiian Homes Commission

SUBJECT: Improvements to the Hoolehua Water System PWS No. 230 - Final
Environmental Assessment – Exhibit A (CD)


The Final Environmental Assessment is attached electronically via CD. It has also been uploaded to the DHHL Website. A hard copy has been printed for the public folder.


G-3 EXHIBIT A

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

April 11-12, 2016

To: Chairman and Members, Hawaiian Homes Commission

Thru: Kaleo M. Manuel, Acting Planning Program Manager 

From: Nancy M. McPherson, Planner 
E. Halealoha Ayau, Acting Molokai District
Supervisor

Subject: Molokai Regional Update to the Hawaiian Homes
Commission

Recommended Action

For information only. No action required.

Background

The Planning Office is providing the Hawaiian Homes Commission (HHC) with regular updates for the respective DHHL geographic region within which the HHC conducts its monthly community meeting. The purpose of the monthly update is to provide the HHC with information related to DHHL plans, programs, and projects previously adopted by the HHC that are specific to that particular geographic region. A status report of DHHL's progress in implementing these initiatives is also included for the HHC's consideration.

For the HHC's April 2016 meeting, the Planning Office is providing an update for the island/region of Molokai, with the assistance of the Acting Molokai District Supervisor.

Discussion

EXISTING PLANS & IMPLEMENTATION STATUS

Molokai Island Plan Policies

The purpose of each DHHL Island Plan is to (1) assign land use designations for land holdings on each island, (2) establish land use goals and objectives of the General Plan specific to each island, and (3) identify island-wide needs, opportunities, and priorities. The Molokai Island Plan was adopted by the HHC in June 2005. The Plan identifies the following land use designations (see map, Exhibit A) and acreage amounts in Table 1 below.

Molokai Land Use Designations	Acres	Percent of total
Residential Homestead	742	2.86
Subsistence Agriculture	2,350	9.07
Supplemental Agriculture	5,862	22.64
Pastoral	1,927	7.44
General Agriculture	7,415	28.64
Special District	6,703	25.89
Community Use	165	0.64
Conservation	655	2.53
Commercial	58	0.22
Industrial	16	0.06
Total Acres	25,893	100.00

Table 1 - Molokai Land Use Designations

Molokai Island Plan Implementation Status

Since its adoption in June 2005, there has been one land use amendment to the Molokai Island Plan. At the request of beneficiaries, and after beneficiary consultation was conducted, a land use amendment re-designating 7,415 acres of General Agriculture and 62 acres of Community Use lands to Special District was approved by the Hawaiian Homes Commission on December 14, 2010.

In addition, a land exchange with the State of Hawaii of 6 acres of Community Use land adjacent to the Ho'olehua Fire Station and the Lanikeha Ho'olehua Community Center for 89 acres of land in Mā'ili, O'ahu, to be developed for residential homesteads, was executed in 2006. The former DHHL parcels in Community Use in Ho'olehua are now being planned for use by the Molokai Middle School. The separation of middle and high school students was identified as an issue and potential project in the Molokai Regional Plan.

Residential Priorities

Residential Priority One is finalizing subdivision for 58 previously awarded agricultural lots (part of the 1986 Acceleration Program) on 298 acres in Nā'iwa, near Molokai Airport. Improvements needed for final subdivision approval include potable water supply, roadways, and drainage.

Residential Priority Two of the Molokai Island Plan is to develop 74 residential homestead lots in 'Ualapu'e. See Exhibit "A".

Implementation Status: The challenge for this priority is that the County of Maui's potable water system is pumping at or exceeding capacity, therefore water meters for new lots can't be issued until an additional water source is identified and developed, and storage and transmission facilities are constructed.

Residential Priority Three is Kapa'akea, Kamiloloa, One Ali'i Residential Homesteads. A total of 286 half-acre lots on 201 acres are planned for the middle portion of the tract, mauka of the highway. See Exhibit "B".

Implementation Status: An onsite waste water treatment plant will need to be constructed to serve the new subdivision. Also, an additional water source for the County of Maui water system may need to be developed to supply the additional lots.

Both residential priorities will continue to be priorities in the Molokai Island Plan due to the need to respond to the effects of sea level rise as DHHL develops a Climate Adaptation Strategy for homesteads in low-lying coastal areas.

Molokai Regional Plan

The Molokai Regional Plan was first adopted by the HHC in December of 2007 and subsequently updated in April of 2010. Outreach to and engagement with Molokai beneficiaries throughout the planning process identified the following priority projects:

- (1) Alternative Energy Initiative
- (2) Conduct Beneficiary Consultation on Large Scale Renewable Energy Development

- (3) Water Pressure Testing in Kalama'ula
 - a. Purchase/install a diesel generator to provide backup power, ensuring continued water service during power outages;
 - b. Purchase/install a supervisory control and data acquisition (SCADA) system to automate and monitor pumping, storage and transmission of potable water;
 - c. Conduct verification testing to confirm safe pumping capacity and preserve integrity of the aquifer;
 - d. Conduct a water loss study; find and repair the source of the 200,000 gallon per day leak;
 - e. Replace failed well pumping equipment;
 - f. Upon completion of these repairs and upgrades, a pressure test should be conducted to test the water pressure in the system. Findings of this pressure test will verify if there is adequate pressure or if additional repairs to the system are needed.
- (4) Modify Septic Tank at Kiowea Park
- (5) Support Molokai Sustainment Farming Project, Ho'olehua Homestead Association

Molokai Regional Plan Implementation Status

Table 2 below identifies the "project champion" and summarizes the status of each regional plan priority project.

PRIORITY PROJECT	PROJECT CHAMPION	STATUS
Alternative Energy Initiative	DHHL	Ongoing - various activities
Conduct Beneficiary Consultation on Large Scale Renewable Energy Development	DHHL Planning Office	Conducted Beneficiary Consultation (BC) and informational meeting on Large Scale Renewable Energy Development on Molokai on July 11, 2010. Results of BC led to amendment of Community Use and General Agriculture land use designations for the lands at Mo'omomi-Anahaki to Special District in Dec. 2010.
Water Pressure Testing in Kalama'ula	DHHL District Office, LDD	All tasks completed
Modify Septic Tank at Kiowea Park	DHHL (LMD/PLO), Kalama'ula Homesteader Association	Completed - cause of problem (coconut tree roots breaking into sewer line) located and repaired. A new pavilion facility is being constructed by Kalama'ula Hawaiian Homesteaders Association at the park.
Support Molokai Sustainment Farming Project, Ho'olehua Homestead Association	Molokai Sustainment Farming Project/Kukui Helepō	Land Request submitted to LMD. On hold - waiting for resumption of RP Program to issue dispositions that will support activities.

Table 2 - Priority Project Implementation Status

DHHL Water Policy Plan Implementation Status

For further information on this topic, please refer to Item G-6, "For Information Only - Update on Molokai Water Projects and Issues."

DHHL Energy Policy - Ho'omalūō - Implementation Status

Whenever and wherever possible, DHHL supports initiatives and measures such as rooftop solar photovoltaic systems for homesteaders and larger-scale solar photovoltaic systems to supply renewable energy for DHHL's water systems.

Miscellaneous Joint Projects

The Planning Office provides ongoing environmental review and planning technical assistance to the Molokai District Office (MoDO) and, when needed, coordinates DHHL efforts among the line agencies (LMD, LDD, HSD), MoDO and Molokai beneficiaries. Examples of MoDO initiatives within the last several years that the Planning Office has assisted with and that address important environmental, natural resource and cultural issues in homestead areas include:

(1) Kanakaloloa Cemetery Improvements (MoDO/LDD/PLO) -

This project consists of construction of the following:

- Paved roadway and parking within the cemetery
- A front perimeter property wall
- A new 2 inch water line
- An outdoor open air pavilion

The Final Environmental Assessment/FONSI for the project was approved by the Hawaiian Homes Commission in September of 2015. Construction will commence in the near future.

(2) Kapa'akea Flood Mitigation Efforts (MoDO/LDD/PLO)

- Installation of a three (3) foot high concrete masonry unit (CMU) wall and footing that will extend from the shoreline to the south side of Kamehameha V Highway. The footing for the wall will extend two feet below ground surface. The project is currently in the Environmental Review (Ch. 343 HRS) phase.

(3) Kapuāiwa Coconut Grove Cleanup and Stabilization (MoDO/LMD/PLO)

- MoDO conducted a cleanup of the Grove and fenced in the area to protect this sacred place from unauthorized vehicular access and disrespectful behavior such as dumping of rubbish, unauthorized fires, and pollution of springs. The area has falling coconuts and branches and unstable soils due to the punawai, all of which pose a safety hazard. In addition, the Grove is experiencing stress, disease and insect infestation due in part to the extreme age of the trees, for which MoDO has been performing due diligence. DHHL will develop community partnerships in order to address the long term maintenance needs of Kapuāiwa Coconut Grove.

(4) 'Ohi'apilo Wetland and Bird Sanctuary Mitigation
(MoDO/LMD/PLO)

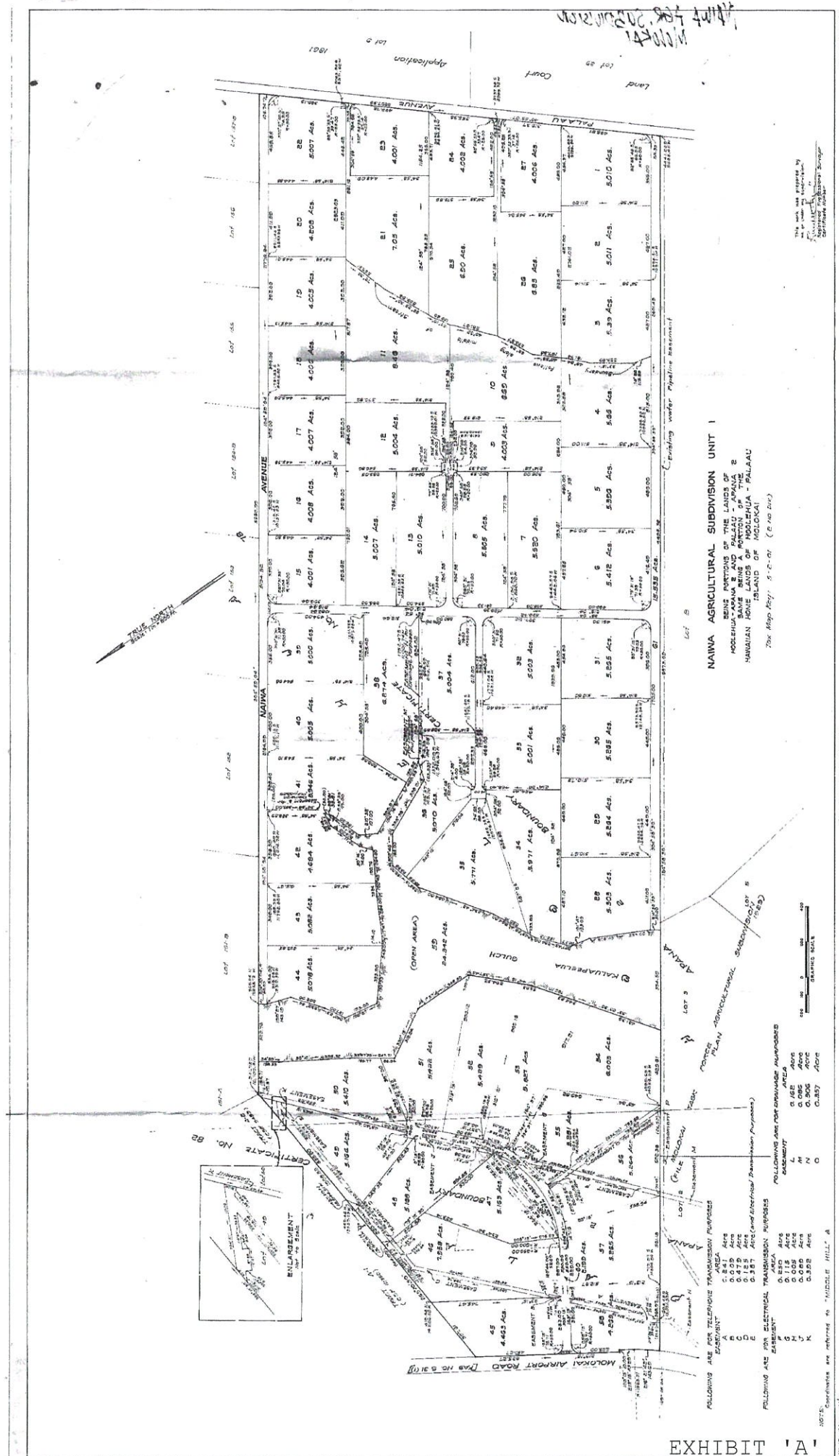
- When this Pālā'au wetland gets inundated by heavy rains, non-native fish species (e.g. tilapia) proliferate, then die off when the wetland starts drying up. MoDO, LMD and PLO have been overseeing botulism prevention efforts that include monitoring and when necessary, safe, sanitary dead fish clean-up of the entire site that stretches over 25 acres of wetlands. A study is currently underway that will result in long term management plan recommendations that will include potential solutions to this problem.

(5) Kalaupapa General Management Plan (MoDO/LMD/PLO)

- Participating in the National Park Service's Draft General Management Plan (DGMP) planning process
- Currently participating in the Section 106 Consultation for the DGMP
- Participating in the Advisory Group formed to conduct transition planning for Kalawao County

Recommendation

For information only. No action required.



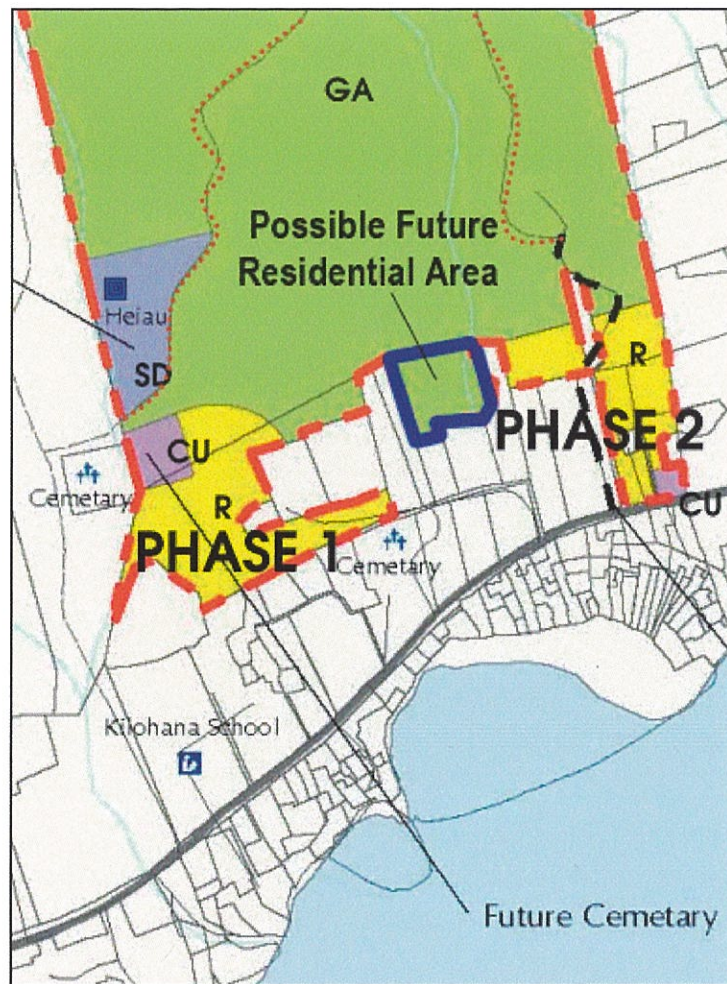


Figure 8.1 - 'Ualapu'e Residential Phasing Scheme

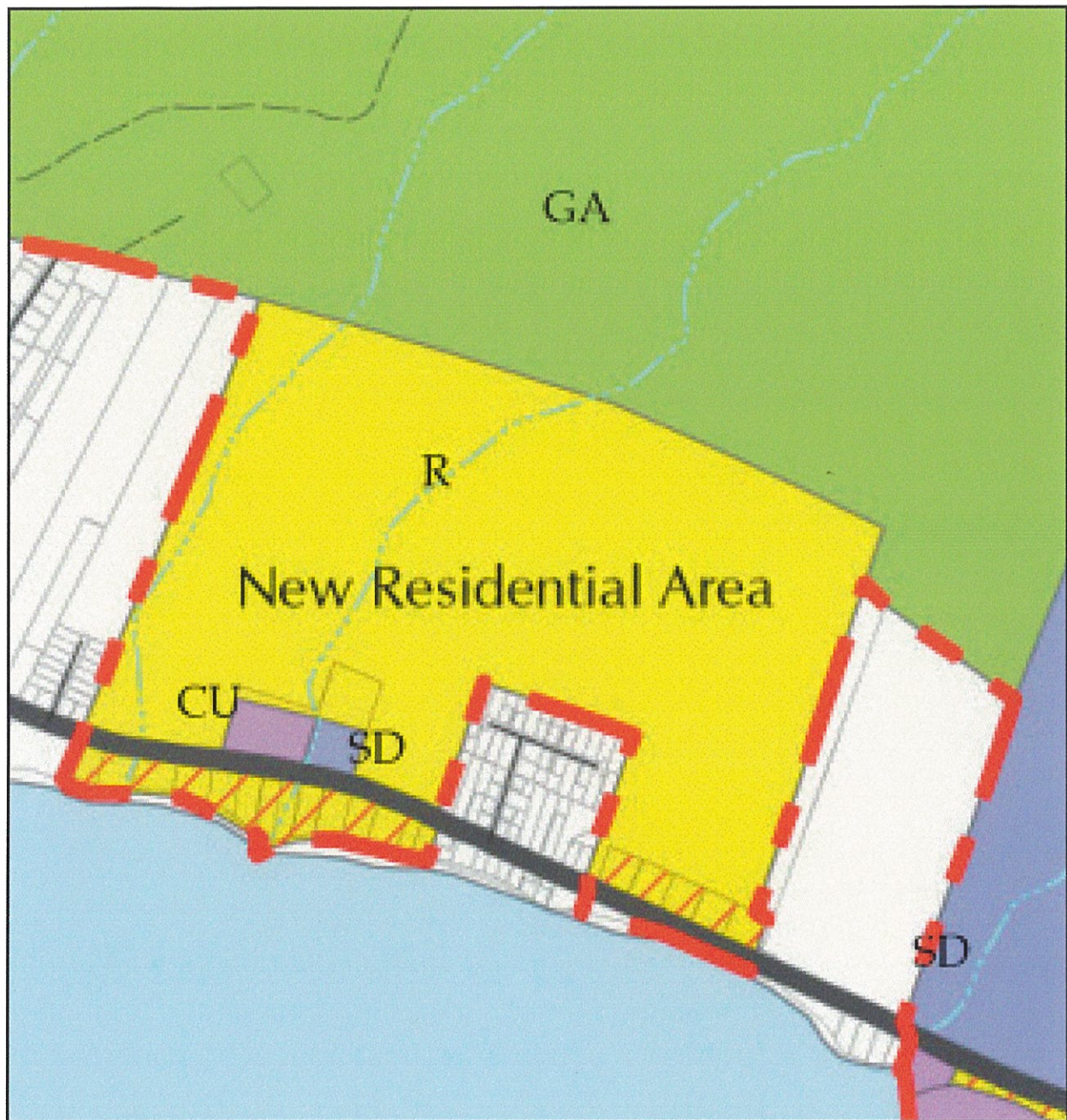
'UALAPU'E PHASING

Phase 1 - High

- 47 house lots

Phase 2 - Medium

- 27 house lots
- 2.9 acres for Community Use



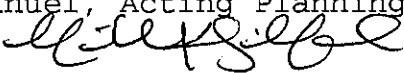
**Figure 8.2 - Kapa'akea - Kamiloloa
- Makakupa'ia Residential Area**

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

APRIL 11 - 12, 2016

To: Chairman and Members, Hawaiian Homes Commission

From: Kaleo Manuel, Acting Planning Program Manager


Subject: Extend Existing Water Rates for the DHHL Moloka'i and Anahola Water Systems

RECOMMENDED MOTION/ ACTION

The Hawaiian Homes Commission (HHC) extends existing water rates (including water delivery, system, and meter fees) for all consumers on the Department of Hawaiian Home Lands' (DHHL) Moloka'i and Anahola Water Systems until June 30, 2018, pending preparation of a water rates assessment to be presented to the HHC for action.

DISCUSSION & BACKGROUND

Background

At its April 21, 2014 meeting, HHC approved Item G-1, as amended, which: (1) directed and delegated to the Chairman responsibility for preparation of a comprehensive Water Rates Assessment (WRA) for DHHL-owned and operated water systems; and, (2) extended existing water rates for all consumers of DHHL water systems until June 30, 2016, or until the WRA was prepared, whichever came first. See Exhibit "A" (attached).

Currently, WRA preparation remains in planning stages. Since April 21, 2014, DHHL staff attended monthly meetings to assemble information needed to conduct the WRA. Through these meetings, DHHL has identified a scope of work for a contract and has hired Rural Community Assistance Corporation ("RCAC") to provide professional services to prepare the WRA.

Purpose & Need for the WRA

DHHL owned and operated water systems should break even financially, but currently do not. Reaching a financial break-even point for water systems, while increasing investments in necessary infrastructure maintenance and replacement, faces multiple challenges. First, operation costs should be reduced through increasing management efficiency and the development and use of less-expensive alternate energy sources; electricity costs are currently a major component of system operation. Second, DHHL has and should continue to seek state subsidy of costs of operations as we believe is justified under the *Nelson* decision. Third, there are significant numbers of delinquent accounts on the water systems that need to be collected or otherwise addressed. Fourth and finally, existing water rates are considerably below county rates and do not accurately account for true system operational costs or for needed investments in the system. Water rates must be increased as part of the overall effort to have systems break even financially.

Currently, DHHL water system operations incur an operating loss conservatively estimated to be over \$1,000,000 annually for around 600 customers. Stated another way, the HHC and DHHL currently subsidize these 600 users (primarily, but not exclusively homesteaders) by approximately \$1,500 per year. This continuing operating loss combined with the existing rate structure and enforcement also raises a number of equity issues.

- Generally, an ongoing subsidy of homesteaders represents a preference to assist current beneficiaries over future beneficiaries; money used to subsidize existing homesteaders is not being spent on developing new homesteads.
- Because these systems only serve some existing homesteaders, it also represents a preference for some homesteaders over others. Homesteaders living on the same island, sometimes in the same communities, are being charged significantly different rates for water based on being County or DHHL customers. Some homesteaders on county systems struggle to pay their water bills, yet receive no subsidy from the Department.
- A lack of enforcement against DHHL water customers who fail to pay their bills also exists. This unfairly subsidizes

those who do not pay their bills by both the Department and those who do pay. Our attorney general has opined that DHHL cannot hold a contested case hearing on chronic delinquencies of lessee water bills until DHHL adopts administrative rules and procedures regarding collection and delinquency. Additionally, homesteaders who do not pay their bills but are served by the county do not have the option of not paying their bills; failure to pay results in their water being shut off.

To address the issue of water rates in a systematic and equitable manner, HHC directed and delegated to the Chairman responsibility for preparing a comprehensive WRA for all of its water systems. The WRA will assess various future water rates as well as water system operation options and scenarios, including scenarios that address the different challenges addressed above. Upon further examination of the numerous factors (personnel time, various costs, changing expenses) contributing to a water rate, DHHL staff determined that preparation of the WRA would require further research into methodologies, information-gathering, and engagement of a contractor. Additionally, DHHL's Moloka'i water system is scheduled for comprehensive improvements, which will also affect the calculation of water rates by reducing operational costs.

HHC's existing authorization to extend the water rate structure is scheduled to expire on July 1, 2016. Therefore, further HHC action is necessary to further extend the existing rates prior to the rate expiry on June 30, 2016, pending completion of the WRA.

Authority

Sections 220, 220.5, and 221 of the Hawaiian Homes Commission Act provide extensive authority to the HHC and DHHL to own, operate, and manage water systems, to set rates, and to derive revenue from the delivery of water to both homesteaders and non-homesteaders. How rates are set is specifically addressed in Section 10-3-76(i) of the Hawaii Administrative Rules that states:

"Water from department systems shall be sold at rates established by the commission. The department shall establish the frequency of billing and may determine a minimum monthly charge."

Generally, water utilities must charge rates that allow for a financial break even point including addressing all needed costs to maintain and operate the system. This is described in an Attorney General's Opinion dated August 22, 1994, states that:

"Every water system has operation and maintenance expenses as well as infrastructure capital requirements...Those costs are not for the water per se but for the delivery system, namely, for the "furnishing of water and for water service" (emphasis in original) as authorized in HRS §54-24. Customarily, those costs are prorated to consumers based on the amount of water used on some per unit basis. In the case of capital expenses, these may be paid in advance by the relevant legislative body or obtained through the issuance of bonds which are then repaid by collecting fees for water service on some unit basis. This is simply a means of amortizing the debt incurred in building the system."

DHHL Moloka'i Water System

The DHHL water system on Moloka'i has a System Identification Number of Public Water System (PWS) 230. The system has approximately 598 accounts and over 600 water meters, approximately 2,400 customers, and provides water to two additional public water systems including PWS 229 Kualapu'u and PWS 245 Kipu. The DHHL Water System consists of two ground water wells, treatment using sodium hypochlorite (commercial grade liquid bleach), storage tanks consisting of 0.1 MG, 1 MG, two 3.5 MG, a 0.2 MG and a 1.0195 MG pressure booster tank for a total storage capacity of 8,319,500 gallons, and its related distribution system consisting of an estimated 50 miles of pipe. The average daily water demand is approximately 475,000 gallons.

The system also includes approximately 460 fire hydrants and serves the homestead areas of Ho'olehua, Nā'iwa, Pālā'au and Kalama'ula. It is managed by a team consisting of Acting District Supervisor E. Halealoha Ayau, Water Maintenance Worker Larry Sagario, Water Maintenance Helper John Ocampo and Water Maintenance Helper Elroy Mollena (Temporary Assignment) all of whom are Certified Public Water System Operators Grades 1 and 2 (the system is classified as Grade 2 given the number of customers served). Support for the system is provided by Myron Poepoe, Equipment Operator and David Bush, General Labor.

In February 2016, DHHL submitted a Draft Environmental Assessment-Anticipated Finding of No Significant Impact (DEA-AFNSI) for proposed Moloka'i Water System improvements. These comprehensive improvements will take place at seven sites around central Moloka'i.

Existing Water Rates and Fees for Moloka'i Water System

There are two (2) different rate structures for those consumers on the DHHL Moloka'i Water System: 1. Homesteaders, 2. Other Than Homestead (OTH).

In the early 1980's the HHC approved water delivery fees for homesteaders at fairly low costs (\$0.41 per thousand gallons). On March 30, 2004, the HHC approved to increase water delivery and meter fees on homestead lots on the DHHL Moloka'i Water System, effective July 1, 2004 to bring homesteaders up to par with County Department of Water Supply charges.

On November 18, 2003, HHC approved the water delivery and system fees for Other Than Homestead (OTH) consumers on the DHHL Moloka'i Water System, to the Maui County, Board of Water Supply rates, as amended, effective July 1, 2004. Establishing rates for OTH consumers that are equivalent to those charged by the County has been a consistent practice for the DHHL Moloka'i Water System since 1983.

DHHL Anahola Water System

DHHL's water system in Anahola provides domestic water service to over seventy (70) residential and agricultural homesteaders and some OTH consumers, including the Kanuikapono Charter School, in the Anahola area. There is also an interconnection on the system to the County of Kaua'i water system that allows DHHL to provide water to the County and vice a versa for emergency and redundancy purposes. Unlike the DHHL Moloka'i Water System, the Anahola system is currently managed by a contracted certified water system operator.

Existing Water Rates and Fees for Anahola Water System

In the early 1980's the HHC approved water delivery fees for homesteaders at fairly low costs (\$0.92 per thousand gallons up to 25,000 gallons/month and \$0.28 per thousand gallons for usage over 25,000 gallons/month). On May 25, 2004, the HHC approved to increase water delivery and meter fees for homestead consumers on the DHHL Anahola Water System and increase charges

and fees for new OTH consumers to County of Kauai, Board of Water Supply rates, effective July 1, 2004. The Anahola Water System does bi-monthly billings to all consumers.

Reiteration of Management Challenges

Operation and management of DHHL owned water systems present many challenges including high operation and management costs and inadequate derived revenue. Rising energy costs coupled with deferred system and infrastructure maintenance and replacement have led to DHHL operating its water systems at a deficit. The WRA will help to comprehensively address these issues. Other efforts, such as improvements to system efficiencies and upgrades are currently being analyzed and implemented.

RECOMMENDATION


Based on the foregoing, staff respectfully requests approval as recommended.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

APRIL 21, 2014

To: Chairman and Members, Hawaiian Homes Commission

From: Kaleo Manuel, Acting Planning Program Manager


Subject: Extend Existing Water Rates for the DHHL Molokai and Anahola Water Systems

RECOMMENDED MOTION/ACTION

The Hawaiian Homes Commission (HHC):

- a) Directs and delegates to the Chairperson the responsibility to prepare a comprehensive water rate assessment on all water systems owned and operated by the Department of Hawaiian Home Lands (DHHL); and
- b) Extends existing water rates (including water delivery, system, and meter fees) for all consumers on the DHHL Molokai and Anahola Water Systems until June 30, 2016 or until such an assessment is prepared and presented to the HHC for action, whichever comes first.

DISCUSSION & BACKGROUND

Purpose

DHHL owned and operated water systems should break even financially, but currently do not. Reaching a financial break even point for water systems, while increasing investments in necessary infrastructure maintenance and replacement, raises multiple challenges. First, operation costs should be reduced through increasing management efficiency and the development and use of less expensive alternate energy sources; electricity costs are currently a major component of system operation. Second, DHHL has and should continue to seek state subsidy of costs of operations as we believe is justified under the Nelson decision.

Third, there are significant numbers of delinquent accounts on the water systems that need to be collected or otherwise addressed. Fourth and finally, existing water rates are considerably below county rates and do not accurately account for true system operational costs or for needed investments in the system. Water rates must be increased as part of the overall effort to have systems break even financially.

Currently, DHHL water system operations incur an operating loss conservatively estimated to be over \$1,000,000 annually for around 1,000 customers. Stated another way, the HHC and DHHL currently subsidize these 1,000 users (primarily, but not exclusively homesteaders) by approximately \$1,000 per year. This continuing operating loss combined with the existing rate structure and enforcement also raises a number of equity issues.

- Generally, an ongoing subsidy of homesteaders represents a preference to assist current beneficiaries over future beneficiaries; money used to subsidize existing homesteaders is not being spent on developing new homesteads.
- Because these systems only serve some existing homesteaders, it also represents a preference for some homesteaders over others. Homesteaders living on the same island, sometimes in the same communities or even across the street from each other, are being charged significantly different rates for water based on being County or DHHL customers. Some homesteaders on county systems struggle to pay their water bills, yet receive no subsidy from the Department.
- A lack of enforcement against DHHL water customers who fail to pay their bills also exists. This unfairly subsidizes those who do not pay their bills by both the Department and those who do pay. Additionally, homesteaders who do not pay their bills but are served by the county do not have the option of not paying their bills; failure to pay results in their water being cut off.

In order to address these challenges, DHHL needs to undertake a number of actions. To address the last issue (rates) in a systematic and equitable manner, a comprehensive water rate assessment for all of its water systems needs to be developed. This assessment must look at various future water rates as well as water system operation options and scenarios, including scenarios that address the different challenges addressed above. To be done well, this assessment will take at least one year to complete.

The existing water rate structure, however, is scheduled to expire on July 1, 2014. Even the maintenance of existing rates requires action by the HHC, and so action on this matter is necessary before June 30, 2014.

Authority

Sections 220, 220.5, and 221 of the Hawaiian Homes Commission Act provide extensive authority to the HHC and DHHL to own, operate, and manage water systems, to set rates, and to derive revenue from the delivery of water to both homesteaders and non-homesteaders. How rates are set is specifically addressed in Section 10-3-76(i) of the Hawaii Administrative Rules that states:

"Water from department systems shall be sold at rates established by the commission. The department shall establish the frequency of billing and may determine a minimum monthly charge."

Generally, water utilities must charge rates that allow for a financial break even point while addressing all needed costs to maintain and operate the system. This is described in an Attorney General's Opinion dated August 22, 1994, states that:

"Every water system has operation and maintenance expenses as well as infrastructure capital requirements...Those costs are not for the water per se but for the delivery system, namely, for the "furnishing of water and for water service" (emphasis in original) as authorized in HRS §54-24. Customarily, those costs are prorated to consumers based on the amount of water used on some per unit basis. In the case of capital expenses, these may be paid in advance by the relevant legislative body or obtained through the issuance of bonds which are then repaid by collecting fees for water service on some unit basis. This is simply a means of amortizing the debt incurred in building the system."

DHHL Molokai Water System

The DHHL water system on Moloka'i has a System Identification Number of Public Water System (PWS) 230. It is managed at the following address: 600 Maunaloa Highway, Suite D1

Kaunakakai, Hawaii 96748. The system has approximately 581 water meters, approximately 2,400 customers, and provides water to two additional public water systems including PWS 229 Kualapu'u and PWS 245 Kipu. The DHHL Water System consists of two ground water wells, treatment using sodium hypochlorite (commercial grade liquid bleach), storage tanks consisting of 0.1 MG, 1 MG, two 3.5 MG, a 0.2 MG and a 0.015 MG pressure booster tank for a total storage capacity of 8,315,000 gallons, and its related distribution system consisting of an estimated 50 miles of pipe. The average daily water demand is approximately 475,000 gallons.

DHHL's Kauluwai Well Site Information

	Kauluwai 2	Kauluwai 1
State Well No.	0801-02	0801-01
Months of Operation	Year Round	Year Round
Pump Capacity	625 pgm	504 pgm
Sample Tap at Well	Yes	Yes
Treatment at Well	Yes	Yes
Pump Motor Size	300 hp	200 hp

The system also includes approximately 600 fire hydrants and serves the homestead areas of Ho'olehua, Na'iwa, Pala'au and Kalama'ula. It is managed by a team consisting of Acting District Supervisor E. Halealoha Ayau, Water Maintenance Worker Larry Sagario, Water Maintenance Helper John Ocampo and Water Maintenance Helper Elroy Mollena (Temporary Assignment) all of whom are Certified Public Water System Operators Grades 1 and 2 (the system is classified as Grade 2 given the number of customers served). The on island consultant that provides support for major repairs of the system is Pacific-Electro Mechanical.

Existing Water Rates and Fees for Moloka'i Water System

There are two (2) different rate structures for those consumers on the DHHL Moloka'i Water System: 1. Homesteaders, 2. Other Than Homestead (OTH).

Existing Water Rates and Fees for Homesteaders

In the early 1980's the HHC approved water delivery fees for homesteaders at low costs (\$0.41 per thousand gallons). On March 30, 2004, the HHC approved to increase water delivery and meter fees on homestead lots on the DHHL Moloka'i Water System,

effective July 1, 2004 to bring homesteaders up to par with County Department of Water Supply charges (Exhibit A).

The tables below summarize the existing water rates and fees for homesteaders on the DHHL Moloka'i Water System.

Water Delivery Fees for Domestic Homestead Consumers (FY 2013)

(1,000 gal/month)	Fee (\$)
0-10,000	1.42
10,001-25,000	1.91
Over 25,000	2.25

Water Delivery Fees for Agricultural Homestead Consumers (FY 2013)

(1,000 gal/month)	Fee (\$)
0-10,000	1.42
10,001-25,000	1.91
Over 25,000	0.76

Meter Service Fees for Homestead Consumers

Meter Size (Inches)	Fee (\$ per meter/month)
5/8	5.60
3/4	7.00
1	11.50
1-1/2	22.00
2	30.00
3	60.00
4	110.00
6	195.00
8	300.00

Existing Water Rates and Fees for OTH Users

On November 18, 2003, the HHC approved the water delivery and system fees for Other Than Homestead (OTH) consumers on the DHHL Moloka'i Water System, to the Maui County, Board of Water Supply rates, as amended, effective July 1, 2004 (Exhibit B). Establishing rates for OTH consumers that are equivalent to those charged by the County has been a consistent practice for the DHHL Moloka'i Water System dating back to 1983.

The tables below summarize the existing water rates and fees for OTH consumers on the DHHL Moloka'i Water System.

Water Delivery Fees for Domestic/Commercial OTH Consumers

(1,000 gal/month)	Fee (\$)
0-10,000	1.42
10,001-25,000	1.91
Over 25,000	2.25

Water Delivery Fees for Agricultural OTH Consumers

(1,000 gal/month)	Fee (\$)
0-10,000	1.42
10,001-25,000	1.91
Over 25,000	1.46

Water System Development Fees for OTH Consumers

Meter Size (Inches)	Fee (\$ - one time payment)
5/8	6,030.00
3/4	8,442.00
1	15,678.00
1-1/2	34,974.00
2	61,506.00
3	138,690.00
4	247,230.00
6	555,966.00
8	987,714.00
10	1,543,680.00
12	2,222,658.00

Meter Service Fees for OTH Consumers

Meter Size (Inches)	Fee (\$ per meter/month)
5/8	5.60
3/4	7.00
1	11.50
1-1/2	22.00
2	30.00
3	60.00
4	110.00
6	195.00
8	300.00

DHHL Anahola Water System

The Department of Hawaiian Home Lands water system in Anahola provides domestic water service to over seventy (70) residential and agricultural homesteaders and a few OTH consumers, including the Kanuikapono Charter School, in the Anahola area. There is also an interconnection on the system to the County of Kaua'i water system that allows DHHL to provide water to the County and vice versa for emergency and redundancy purposes. Unlike the DHHL Moloka'i Water System, the Anahola system is currently managed by a contracted certified water system operator.

Existing Water Rates and Fees for Anahola Water System

In the early 1980's the HHC approved water delivery fees for homesteaders at low costs (\$0.92 per thousand gallons up to 25,000 gallons/month and \$0.28 per thousand gallons for usage over 25,000 gallons/month). On May 25, 2004, the HHC approved to increase water delivery and meter fees for homestead consumers on the DHHL Anahola Water System and increase charges and fees for new OTH consumers to County of Kauai, Board of Water Supply rates, effective July 1, 2004 (Exhibit C). The Anahola Water System does bi-monthly billings to all consumers.

The tables below summarize the existing water rates and fees for the DHHL Anahola Water System.

Water Delivery Fees for Domestic Consumers with 5/8 inch meter
(FY 2013)

Bi-Monthly Use (per 1,000 gal)	Fee (\$)
0-20,000	2.76
20,001-40,000	3.20
Over 40,000	4.50

The three block water use is tied to the size of the meter. If the meter is larger, the amount of water allocated for use is larger, but the fee remains the same per block. For details on the other meter sizes and related water use, please see Exhibit C.

Water Delivery Fees for Agricultural Consumers (FY 2013)

Bi-Monthly Use (per 1,000 gal)	Fee (\$)
0-25,000	2.76
Over 25,000	0.70

Meter Service Fees (FY 2013)

Meter Size (Inches)	Fee (\$ per meter/month)
5/8	12.00
3/4	16.00
1	25.00
1-1/2	45.00
2	75.00
4	220.00

Reiteration of Management Challenges

Operation and management of DHHL owned water systems have been a challenge, both in high operation and management costs and little derived revenue. Primarily because of rising energy costs, coupled with deferred system and infrastructure maintenance and replacement, the water systems operate with extreme costs to DHHL. The low revenues received, long standing subsidies, high payment delinquencies, and lack of enforcement results in minimal revenue generation to DHHL. These challenges have lead DHHL in running water systems in a deficit. In

attempts to better manage DHHL owned water systems, a comprehensive water rate assessment on all water systems owned and operated by DHHL will be conducted. Other efforts, like improvements to system efficiencies and upgrades are currently being analyzed.

RECOMMENDATION

Based on the foregoing, staff recommends the HHC take the following action:

The Hawaiian Homes Commission (HHC):

- a) Directs and delegates to the Chairperson the responsibility to prepare a comprehensive water rate assessment on all water systems owned and operated by the Department of Hawaiian Home Lands (DHHL); and
- b) Extends existing water rates (including water delivery, system, and meter fees) for all consumers on the DHHL Molokai and Anahola Water Systems until June 30, 2016 or until such an assessment is prepared and presented to the HHC for action, whichever comes first.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 30, 2004

To: Chairman and Members, Hawaiian Homes Commission
From: *[Signature]*
Daniel Keli'i, HSD Administrator
Subject: Water Rate Increase on Molokai Homestead Lots

RECOMMENDED MOTION / ACTION

It is recommended that the Hawaiian Homes Commission (HHC) grant its approval to increase water delivery and meter fees on homestead lots on the Department of Hawaiian Home Lands (DHHL) Molokai water system. Fees shall take effect July 1, 2004.

BACKGROUND

The Department's Molokai Water System provides domestic water service to over 330 homesteaders and about 60 non-homestead users in the Hoolehua, Kalamaula and Kalae areas. Over 100 homesteaders have a meter only. Homesteaders consume about 65% of the water, yet contribute just 32% toward receipts. Most use is for residential.

In the early 1980's, the Commission approved water delivery fees for homesteaders. The fees (\$0.41 per thousand gallons) have remained in effect since that time.

On January 26, 2004, staff presented a workshop to the HHC on the expenditures and revenues of the department's water system on Molokai.

On February 18, 2004, staff held a community meeting at the Hoolehua Lanikeha Center regarding the proposed water rate hike. It was explained to those in attendance, that the proposed rate hike would eventually result in the department charging the same amount as the County Department of Water Supply charges its consumers with the fees to take effect beginning July 1, 2004. To allow homesteaders to prepare financially, the department proposes to raise the fees over a period of ten years. Twelve (12) people attended the meeting. Generally, their concerns were about the need to qualify for the proposed agricultural rate for farmers, the affordability of the rate hike, some asked about

the possibility of giving all homesteaders department water rates, even those on the County water system. Lastly, some testified in favor of the rate increase but not necessarily the one proposed.

DISCUSSION

The proposed fee increases are intended to encourage conservation; support farming, and operate DHHL's water system in a financially self-sustaining manner.

Amending the water delivery fees by (1) increasing the fees charged to domestic consumers, (2) establishing a new and lower agricultural rate, and (3) adopting meter service fees is intended to offset the amount that DHHL subsidizes to operate its water system and may provide increased revenue to other homesteading programs and services.

Expenditures in FY 03 were about \$451,000. Receipts from all consumers were \$136,000. Losses, totaling \$315,000 were paid out of DHHL's trust funds rather than general funds approved by the legislature. This revenue shortfall will only increase as more homesteaders come online. The Department can no longer subsidize this revenue shortfall and must increase its delivery and meter fees in order to operate the system in a financially self-sufficient manner.

Section 10-3-76(i), Hawaii Administrative Rules, states that,

Water from department systems shall be sold at rates established by the commission. The department shall establish the frequency of billing and may determine a minimum monthly charge.

Attorney General's Opinion dated August 22, 1994, states that:

Every water system has operation and maintenance expenses as well as infrastructure capital requirements... Those costs are not for the water per se but for the delivery system, namely, for the "furnishing of water and for water service" (emphasis in original) as authorized in HRS §54-24. HRS §54-26. Customarily, those costs are prorated to consumers based on the amount of water used on some per unit basis. In the case of capital expenses, these may be paid in advance by the relevant legislative body or obtained through the issuance of bonds which are then repaid by collecting fees for water service on some

unit basis. This is simply a means of amortizing the debt incurred in building the system.

Existing Water Delivery Fees For Domestic Consumers

The existing fees for homesteaders consists of a \$3.00 fee charged for water use up to 7,000 gallons per bi-monthly billing period. For a meter only and no water use, the \$3.00 charged is applied. A rate of \$0.41 per thousand gallons is charged for any water use over 7,000 gallons per billing period as shown below.

1,000 gallons / month	Existing Fee (\$)
Domestic and Agricultural Consumers:	
0 - 7,000 gal	\$3 min. fee
Over 7,000 gal	0.41

Proposed Water Delivery Fees For Domestic Consumers

The proposed water delivery fees expand the current two-tiered fee structure to a three-tiered fee structure for domestic consumers. A three-tiered fee system is intended to encourage conservation and the efficient use of water. It is estimated that the proposed fees will generate an additional \$30,000 in revenue in the first year and \$160,000 in the tenth year.

(1,000 gal / mon)	Table 1 Proposed Fee For Domestic Consumers (\$) <i>Homesteaders</i>									
	FY 04	FY 05	FY 06	FY 07	FY 08	FY 09	FY 10	FY 11	FY 12	FY 13
0 - 10,000	0.50	0.60	0.70	0.80	0.90	1.00	1.10	1.20	1.30	1.42
10,001 - 25,000	0.60	0.70	0.80	1.00	1.20	1.40	1.60	1.70	1.80	1.91
Over 25,000	0.70	0.80	0.90	1.10	1.30	1.50	1.70	1.90	2.00	2.25

Proposed Water Delivery Fees For Agricultural Consumers

To support farming, the proposed delivery fees include a new and lower agricultural rate for farmers. Homestead farmers, who do not have access to the Department of Agriculture's Molokai Irrigation System, may benefit from the lower agricultural rate.

(1,000 gal / mon)	Table 2 Proposed Fee For Agricultural Consumers (\$)									
	FY 04	FY 05	FY 06	FY 07	FY 08	FY 09	FY 10	FY 11	FY 12	FY 13
0 - 10,000	0.50	0.60	0.70	0.80	0.90	1.00	1.10	1.20	1.30	1.42
10,001 - 25,000	0.60	0.70	0.80	1.00	1.20	1.40	1.60	1.70	1.80	1.91
Over 25,000	0.50	0.55	0.55	0.60	0.60	0.65	0.65	0.70	0.70	0.76

Each domestic water consumer requesting an agricultural rate for water service shall submit a written request and furnish satisfactory proof (as determined by the Department) of engagement in agriculture. Documents such as the State's Excise Tax Form G-45, the Federal Internal Revenue Service's Schedule F, and/or other Internal Revenue forms showing farm income may be used to satisfy the above requirements.

Proposed Meter Service Fees

Meter service fees are a fixed charge designed to recover costs, irrespective of the amount of water consumed. Consumer costs include meter reading, billing, accounting and collection expenses, inquiries, complaints, investigations, maintenance, and capital costs related to meters and service. It is estimated that the proposed meter fees will generate an additional \$27,000 in revenue per year.

Meter Size (inches)	Proposed Fee (\$ per meter/month)
5 / 8	5.60
3 / 4	7.00
1	11.50
1-1/2	22.00
2	30.00
3	60.00
4	110.00
6	195.00
8	300.00

RECOMMENDATION

It is recommended that the Hawaiian Homes Commission grant its approval to increase water delivery and meter fees as shown on homestead lots on DHHL's Molokai water system, with a rate review and report presented to the Hawaiian Homes Commission in FY 07 and FY 10. Fees shall take effect July 1, 2004.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

November 18, 2003

To: Chairman and Members, Hawaiian Homes Commission
From: *[Signature]*
Daniel Keli, HSD Administrator
Subject: Molokai Water Rate Increase on Non-Homestead Lots

RECOMMENDED MOTION / ACTION

It is recommended that the Hawaiian Homes Commission grant its approval to increase water delivery and system fees for Other Than Homestead. (OTH) consumers on the department's Molokai Water System, to the Maui County, Board of Water Supply rates, as amended, effective July 1, 2004.

DISCUSSION

The proposed fee increases are intended to encourage conservation, support farming, and operate the department's water system in a financially self-sustaining manner.

Amending the water delivery fees by (1) increasing the fee charged to domestic consumers, (2) establishing a new and lower agricultural rate, and (3) adopting system development fees similar to the existing fees charged by the County of Maui, Board of Water Supply, is intended to offset the amount that the department subsidizes to operate its water system and may provide increased revenue to other homesteading programs and services.

In June 1983, the Commission approved increased water delivery fees of OTH users to the rates charged by the County.

In March 1992, the Commission approved increased water delivery fees of OTH users to the rates charged by the County. The water delivery fees charged to OTH consumers have remained in effect since that time.

The department's Molokai Water System provides domestic water service to over 450 homesteaders and about 60 OTH users in the Hoolehua, Kalamaula and Kalae areas. The OTH users are made up of government agencies, churches, commercial businesses, non-profit organizations, and other private users located near the

department's water system distribution lines. The OTH users consume about 170,000 gallons per day, or about 39 percent of the total from the system.

The annual operating cost of the water system is about \$350,000. Annual receipts from water delivery fees collected from all consumers (homesteaders and non-homesteaders) total about \$140,000. Losses, totaling over \$200,000 per year are paid out of the department's Special Fund, not the General Funds approved by the Legislature. The department can no longer subsidize this revenue shortfall and must increase its delivery and other fees in order to operate the system in a financially self-sufficient manner.

The department has the authority to set the proposed fee structure pursuant to Section 220(a), Hawaiian Homes Commission Act, 1920, as amended:

"The department is authorized directly to undertake and carry on general water and other development projects in respect to Hawaiian home lands and to undertake other activities having to do with the economic and social welfare of the homesteaders, including the authority to derive revenue from the sale, to other than homesteaders, of water and other products of such projects or activities, or from the enjoyments thereof by other than homesteaders, where such sale of products or enjoyment of projects or activities by others does not interfere with the proper performance of the duties of the department;" (emphasis added).

Section 10-3-76(i), Hawaii Administrative Rules, states that,

"Water from department systems shall be sold at rates established by the commission. The department shall establish the frequency of billing and may determine a minimum monthly charge."

Notice of the proposed increase in water rates has been provided to all OTH users and to each homestead association on Molokai.

Proposed Water Delivery Fees

The department collects over \$100,000 per year from OTH consumers. It is estimated that the proposed delivery fees will generate an additional \$28,000 per year.

Per 1,000 gal / mon	Current Fee (\$)	Proposed Fee (\$)
Domestic Consumers: <i>Commercial</i>		<i>Rate 1</i>
0 - 10,000	1.15	1.42
10,001 - 25,000	1.46	1.91
over 25,000	1.46	2.25
Agricultural Consumers:		<i>Rate 2</i>
0 - 10,000	1.15	1.42
10,001 - 25,000	1.46	1.91
Over 25,000	1.46	1.46

Table 3

Table 4

Most OTH water users are domestic consumers. There are a few agricultural consumers on the system. These large water users may benefit from the lower agricultural rate.

Each domestic water consumer requesting an agricultural rate for water service shall submit a written request and furnish satisfactory proof (as determined by the Department) of engagement in agriculture on a commercial basis. Documents such as the State's Excise Tax Form G-45, the Federal Internal Revenue Service's Schedule F, and/or other Internal Revenue forms showing farm income may be used to satisfy the above requirements.

Proposed Water System Development Fees

Water system development fees are for development, transmission, and storage costs. The fees fund a portion of the costs to construct water system improvements or to recover the cost of existing water system improvements made in anticipation of additional demand on the water system.

The system fees will be assessed against new developments and subdivisions requiring supply of water from the department's water system, and existing developments requiring additional supply of water from the department's system.

Meter Size (inches)	Current Fee (\$)	Proposed Fee (\$)
5/8	at meter cost	6,030
3/4	at meter cost	8,442
1	at meter cost	15,678
1-1/2	at meter cost	34,974
2	at meter cost	61,506
3	at meter cost	138,690
4	at meter cost	247,230
6	at meter cost	555,966
8	at meter cost	987,714
10	at meter cost	1,543,680
12	at meter cost	2,222,658

Meter Service Fees

There are no changes in the bi-monthly meter service fees.

Meter Size (inches)	Bi-monthly Fee (\$)
5 / 8	5.60
3 / 4	7.00
1	11.50
1-1/2	22.00
2	30.00
3	60.00
4	110.00
6	195.00
8	300.00

RECOMMENDATION

It is recommended that the Hawaiian Homes Commission grant its approval to increase water delivery and system fees for Other Than Homestead (OTH) consumers on DHHL's Molokai Water System, to the Maui County, Board of Water Supply rates, as amended, effective July 1, 2004.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 25, 2004

To: Chairman and Members, Hawaiian Homes Commission
From: Daniel Kelii, HSD Administrator
Subject: Water Rate Increase for the Anahola Water System,
Anahola, Kauai

RECOMMENDED MOTION / ACTION

It is recommended that the Hawaiian Homes Commission (HHC):

- (1) Grant its approval to increase water delivery and meter fees for homestead consumers on the Department of Hawaiian Home Lands (DHHL) Anahola water system as shown; and
- (2) Increase water delivery, meter, and facilities reserve charges for new users on non-homestead lots on the Anahola water system, to the County of Kauai, Board of Water Supply rates, as amended, effective July 1, 2004. Existing consumers on non-homestead lots, as of the date of this submittal, shall have their rates increased as shown.

BACKGROUND

The DHHL's Anahola water system provides domestic water service to over seventy (70) homesteaders and four (4) other than homestead users in the Anahola area. There are forty-six (46) agricultural lot lessees and twenty-seven (27) residential lot lessees on the system. The water system supplies water to the farm lot developments and the Bayview residential development.

In the early 1980's, the Commission approved water delivery fees in the amount of \$0.92 per 1,000 gallons up to 25,000 gallons after which the fee decreases to \$0.28 per 1,000 gallons. Meter fees are \$3.00 per billing period. The fees have remained in effect since that time. The proposed fee structure is based on the existing County of Kauai, Division of Water Supply water rates.

DISCUSSION

The proposed fee increases are intended to encourage conservation, support farming, and operate the DHHL's water system in a financially self-sustaining manner.

Amending the water delivery fees by (1) increasing the fee charged to domestic consumers, (2) establishing a new agricultural rate, and (3) increasing meter service fees will offset the amount that DHHL subsidizes to operate its water system and may provide increased revenue to other homesteading programs and services.

Capital expenditures for system improvements between FY 94 and FY 04 were \$3.0M. Operating costs, over \$130,000 per year, are paid out of DHHL's trust fund rather than general funds approved by the legislature. Revenues from delivery and meter fees are \$22,000 per year or about one-sixth of the cost to run the system. The Department can no longer continue to subsidize this revenue shortfall and must increase its fees in order to operate the system in a financially self-sufficient manner.

Section 10-3-76(i), Hawaii Administrative Rules, states that,

"Water from department systems shall be sold at rates established by the commission. The department shall establish the frequency of billing and may determine a minimum monthly charge."

Attorney General's Opinion dated August 22, 1994, states that:

Every water system has operation and maintenance expenses as well as infrastructure capital requirements... Those costs are not for the water per se but for the delivery system, namely, for the "furnishing of water and for water service" (emphasis in original) as authorized in HRS §54-24. HRS §54-26. Customarily, those costs are prorated to consumers based on the amount of water used on some per unit basis. In the case of capital expenses, these may be paid in advance by the relevant legislative body or obtained through the issuance of bonds which are then repaid by collecting fees for water service on some unit basis. This is simply a means of amortizing the debt incurred in building the system.

Existing Water Delivery Fees For Consumers

The existing water delivery fee for all consumers is \$0.92 per 1,000 gallons up to 25,000 gallons after which the fee decreases to \$0.28 per 1,000 gallons. The average residential water use is 23,000 gallons per bi-monthly billing period.

Per 1,000 gal / mon	Existing Fee (\$)
Domestic and Agricultural Consumers:	
0 - 25,000 gal	0.92
Over 25,000	0.28

Proposed Water Delivery Fees For Domestic Consumers

The proposed water delivery fee expands the current two-block fee structure to a three-block fee structure for domestic consumers. A three-block fee structure is intended to encourage conservation and the efficient use of water.

(per 1,000 gal)	Proposed Fee For Domestic Consumers (\$)									
	FY 04	FY 05	FY 06	FY 07	FY 08	FY 09	FY 10	FY 11	FY 12	FY 13
First Rate Block	1.00	1.10	1.20	1.40	1.60	1.80	2.00	2.20	2.40	2.76
Second Rate Block	1.50	1.60	1.70	1.90	2.10	2.30	2.50	2.70	2.90	3.20
Third Rate Block	2.00	2.30	2.60	2.90	3.20	3.40	3.60	3.80	4.00	4.50

The First, Second, and Third Block rates apply within use ranges identified by "thresholds". The threshold varies with the size of the meter. The cost of water delivery will depend on how much water is consumed during the billing period. The Block Thresholds are as follows:

Meter Size (inches)	First Rate Block (gallons) used bi-monthly	Second Rate Block (gallons) used bi-monthly	Third Rate Block (gallons) used bi-monthly
5/8	0 - 20,000	20,001 - 40,000	> 40,000
3/4	0 - 70,000	70,001 - 140,000	> 140,000
1	0 - 200,000	200,001 - 400,000	> 400,000
1-1/2	0 - 600,000	600,001 - 1,200,000	> 1,200,000
2	0 - 1,200,000	1,200,001 - 2,400,000	> 2,400,000
4	0 - 6,000,000	6,000,001 - 12,000,000	> 12,000,000

Proposed Water Delivery Fees For Agricultural Consumers

To support farming, the proposed delivery fees include an agricultural rate for farmers. To qualify, each domestic water consumer shall submit a written request, be in compliance with the department's administrative rules regarding residential homes on farm and pasture lots, and furnish satisfactory proof (as determined by the Department) of engagement in agriculture. Documents such as the State's Excise Tax Form, the Federal Internal Revenue Service's Schedule F, and/or other Internal Revenue forms showing farm income may be used to satisfy the above requirements.

(per 1,000 gal)	Proposed Fee For Agricultural Consumers (\$)									
	FY 04	FY 05	FY 06	FY 07	FY 08	FY 09	FY 10	FY 11	FY 12	FY 13
0 - 25,000	1.00	1.10	1.20	1.40	1.60	1.80	2.00	2.20	2.40	2.76
Over 25,000	0.40	0.50	0.60	0.70	0.70	0.70	0.70	0.70	0.70	0.70

The amount of 25,000 gallons is based on the assumption that only one dwelling exists on the farm premises. In the event that two dwellings are served, then the higher rate shown for each period shall apply to the product of 25,000 gallons times the number of dwellings served.

Existing Meter Service Fees

The existing meter service fees are \$3.00 per bi-monthly billing period regardless of meter size.

Meter Size (inches)	Existing Fee (\$)
5/8	3.00
3/4	3.00
1	3.00
1-1/2	3.00
2	3.00
4	3.00

Proposed Meter Service Fees

Meter service fees are a fixed charge designed to recover costs, regardless of the amount of water consumed. Customer costs include meter reading, billing, accounting and collections expenses, inquiries, complaints, investigations, maintenance, and capital costs related to meters and service. Proposed rates are monthly. The service charge in FY 13 is based on the existing County rate for that meter size. The fee is computed by raising the fee ten percent per year until the existing County fee is met.

Meter Size (inches)	FY 04	FY 05	FY 06	FY 07	FY 08	FY 09	FY 10	FY 11	FY 12	FY 13
5/8	3.00	3.00	3.60	4.80	6.00	7.20	8.40	9.60	10.80	12.00
3/4	3.00	3.20	4.80	6.40	8.00	9.60	11.20	12.80	14.40	16.00
1	3.00	5.00	7.50	10.00	12.50	15.00	17.50	20.00	22.50	25.00
1-1/2	4.50	9.00	13.50	18.00	22.50	27.00	31.50	36.00	40.50	45.00
2	7.50	15.00	22.50	30.00	37.50	45.00	52.50	60.00	67.50	75.00
4	22.00	44.00	66.00	88.00	110.00	132.00	154.00	176.00	198.00	220.00

RECOMMENDATION

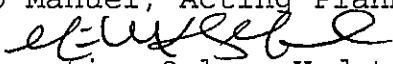
It is recommended that the Hawaiian Homes Commission grant its approval to increase fees as requested to all consumers on the Anahola water system. A rate review and report will be presented to the HHC in FY 08 and FY 11. Fees shall take effect on July 1, 2004.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

April 11-12, 2016

To: Chairman and Members, Hawaiian Homes Commission

From: M. Kaleo Manuel, Acting Planning Program Manager


Subject: For Information Only - Update on Moloka'i Water Projects and Issues

RECOMMENDED MOTION/ACTION

None; for information only.

DISCUSSION

A number of water issues and efforts of significance to beneficiaries and the Department of Hawaiian Home Lands (Department) are ongoing on Moloka'i. This submittal provides background information on: (1) planned water needs associated with Department tracts on Moloka'i; (2) proposed Ho'olehua Water System Improvements; (3) preparation of a water rates assessment concerning Department water systems, including the Ho'olehua water system; (4) the Moloka'i Irrigation System (MIS); and (5) interests in Kualapu'u aquifer resource disputes.

I. Moloka'i tracts & planned water needs.¹

The Department is updating its planned water needs for its tracts across the State as part of its update to the State Water Projects Plan ("SWPP DHHL Update"). Projected water use amounts in the draft SWPP DHHL Update remain approximations subject to change pending finalization, but indicate where needs exist and potential volumes of those needs. These values for all DHHL lands on the island are in Table 1.A., below.

¹ Water needs were determined based on the Department's Moloka'i Island Plan (2005) and Moloka'i Regional Plan (Apr. 2010).

TABLE 1.A: Moloka'i Water Demand Projections (mgd²)

	2016	2021	2026	2031
Potable	0.259	0.662	1.061	1.061
Nonpotable	4.721	5.360	6.091	34.985
Total	4.980	6.022	7.153	36.046

These numbers are an aggregate of demands calculated for each of the tracts on the island. The specifics of each calculation appear are discussed next.

1) Ho'olehua- Pālā'au (13,820.053 ac)

The Ho'olehua and Pālā'au tracts lie in the central areas of Moloka'i, containing two existing residential areas on 55 acres. Moloka'i Regional Plan, at 18. The Ho'olehua homestead was the first Hawaiian homestead to be established after the passage of the Hawaiian Homes Commission Act in 1921.

TABLE 1.B: HO'OLEHUA-PĀLĀ'AU LAND USE DESIGNATIONS

LAND USE DESIGNATION	TOTAL ACRES
Residential	55
General Agriculture	3,681
Supplemental Agriculture	5,862
Pastoral Homesteads	992
Special District	660
Community Use	73
Conservation District	46
Industrial Land	40
Total	5,117.831

Source: Moloka'i Regional Plan (Apr. 2010) at 17.

Both tracts domestic needs are primarily serviced by the Department's Ho'olehua water system, which is supplied by two Department-owned wells in Kualapu'u aquifer. Ho'olehua homestead areas additionally have available to them nonpotable MIS water, but are constrained in utilizing this water due in part to the cost of installing MIS meters. SWPP-DHHL Update at 4-22. Aquifer resource limitations, water use permitting issues, and Ho'olehua water system capacity constrain full build out of these tracts.

² Million gallons per day

2) 'Ualapu'e (401.409 ac)

'Ualapu'e is the Department's easternmost tract, which area is a first priority for Department homestead development. Development will include 74-residential lots on 25 acres. Phase I consists of 27 lots on 9 acres. Phase II consists in 47 lots on 16 acres. Regional Plan at 18.

TABLE 1.C: 'UALAPU'E LAND USE DESIGNATIONS

LAND USE DESIGNATION	TOTAL ACRES
Residential	25
Phase I (27 lots)	9
Phase II (47 lots)	16
General Agriculture	299
Special District	85
Community Use	3
Total	401.409

Source: Moloka'i Regional Plan at 17.

The Department's water systems do not extend to the 'Ualapu'e tract, which lies in the service area of the Maui County Department of Water Supply ("DWS"). DWS' water system, with average demand of 0.291 mgd, is supplied by a single groundwater well, but does not currently extend to 'Ualapu'e. DWS also has source constraints they are trying to address in context of the permitting issues discussed in section 5, below.

3) Kalaupapa / Pālā'au (1,247 ac)

The Kalaupapa / Pālā'au tracts will require potable water for community and potential commercial uses. These areas lie in the service area of the National Park Service's ("NPS") Kalaupapa National Historic Park Water System, which has a capacity of 0.236 mgd. Future water needs for the Kalaupapa / Pālā'au tracts may be met through collaborations with NPS.

TABLE 1.D: KALAUPAPA/ PĀLĀ'AU LAND USE DESIGNATIONS

LAND USE DESIGNATION	TOTAL ACRES
Special district	621
Forested reserve	244
Conservation district	609
Community Use	7
Total	1,247

Source: Moloka'i Regional Plan at 17.

4) Kalama`ula (5,117.831 ac)

Currently, Kalama`ula contains 160 lots on 210 acres. Regional Plan at 18. Along with the Ho`olehua tract, Kalama`ula is another area proposed for significant mixed use development. These lots are currently serviced by the Ho`olehua water system, however full build out cannot be supported by the existing system.

As discussed further below, Kalama`ula tract needs may be partly addressed by proposed Ho`olehua water system improvements. Three water projects that are part of the system-wide improvements are proposed for Kalama`ula lands. Department of Hawaiian Home Lands, Draft Environmental Assessment/ Anticipated Finding of No Significant Impact, "Improvements to the Department of Hawaiian Home Lands Ho`olehua Water System: PWS No. 230," prepared by PBR Hawai`i & Assoc., at 3 (Feb. 2016) ("Ho`olehuha DEA").

TABLE 1.E: KALAMA`ULA LAND USE DESIGNATIONS

LAND USE DESIGNATION	TOTAL ACRES
Residential	398
Existing (160 lots)	210
Planned (57 lots)	81
General Agriculture	2,353
Special District	1,719
Community Use	76
Industrial land	12
Total	5,117.831

Source: Moloka`i Regional Plan at 17.

5) Kapa`akea / Kamiloloa/ Makakupa`ia (5,182.899 ac)

Currently, Kapa`akea / Kamiloloa/ Makakupa`ia includes 72 residential leases on 60 acres. A new residential area will comprise 286 half-acre lots on 204 acres. Regional Plan at 18.

TABLE 1.F: KAPA`AKEA/ KAMILOLOA LAND USE DESIGNATIONS

LAND USE DESIGNATION	TOTAL ACRES
Residential	264
Existing (72 lots)	60
Planned (286 lots)	204
General Agriculture	2,165
Special District	2,247
Community Use	58
Industrial land	17
Total	5,182.899

Source: Moloka'i Regional Plan at 17.

The Kapa`akea tract is currently served by the DWS' Kaunakakai Water System, which draws an average of 0.982 mgd from two wells, located in the Kualapu`u and Kawela aquifer systems respectively. SWPP DHHL Update at 4-20. DWS' Kaunakakai system is operated beyond its permitted amount, and also has a two-way interconnection with the Department's Ho'olehua Water System.

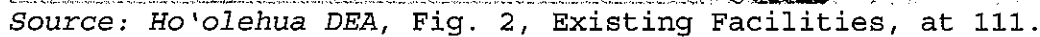
II. Ho'olehua water system improvements.

DHHL's Ho'olehua water system, also called Public Water System No. 230, serves three Central Moloka'i areas: Kala'e, Kalama`ula Homestead, Pālā`au-Ho'olehua Homestead, and surrounding communities.

This system currently includes 581 connections and services 2,400 customers, including Moloka'i airport, Kualapu`u elementary school, Moloka'i high school, the Kalama`ula community, Ho'olehua town, the Kalae water system (PWS No. 235), the Kipu water system (PWS No. 245), the Meyer Ranch subdivision, and serves as the emergency back-up source for Kualapu`u water system (PWS No. 229). Ho'olehua DEA at 4. The Ho'olehua system is supplied by two DHHL-owned wells in the Kualapu`u aquifer, within Kala'e Central Moloka'i: Kauluwai 1 (State Well No. 0801-01) and Kauluwai 2 (State Well No. 0801-02).

On February 10, 2016, the Department submitted a Draft Environmental Assessment/ Anticipated Finding of No Significant Impact ("DEA/AFNSI") for Ho'olehua water system improvements. The Department is proposing a comprehensive upgrade and repair to improve treatment, storage, water delivery, and maintenance of the Ho'olehua Water System. The project includes a one-megawatt photovoltaic energy

Figure 1. Existing Ho'olehua water system.



Total design and construction costs for the seven-site project will be approximately \$30 million. Ho'olehua DEA at 18. This project will be co-funded by the U.S.

Department of Agriculture (USDA). USDA became involved through Department consultation after Moloka'i communities and the State Department of Health identified issues with the potable water system during the Department's Regional Planning Process initiated in 2007. Ho'olehua DEA at 79. The Department and USDA identified improvements to be included in a request for federal funds. Further Consultation with agencies, Native Hawaiian Organizations (NHO), and individuals began in 2011 and additional improvements were added to the list of improvements in 2015. Department staff are currently compiling other documentation required for this co-funding request.

III. Water Rates Assessment.

The insufficiency of water rates and charges assessed against Ho'olehua water system consumers has been an ongoing issue for the Department. Preparation of a comprehensive water rates assessment (WRA) for all of the Department's water systems to address these issues is also the subject of the submittal for Item G-4, for this April 11-12, 2016 HHC meeting.

IV. Moloka'i Irrigation System (MIS).

The Department has significant legal interests in MIS water resources and a practical interest in obtaining additional nonpotable MIS resources, which could relieve strain on its Ho'olehua water system.

1) Legal background for MIS.

The original language of the Hawaiian Homes Commission Act of 1920 (HHCA) read "The commission is authorized, for the additional purpose of adequately irrigating any tract, to use, free of all charge, Government-owned water upon the island of Molokai and Government-owned surplus water/ tributary to the Waimea River upon the island of Kauai, not covered by a water license or covered by a water license issued after the passage of this Act. . . ." HHCA § 221(d).

In 1955, the Territorial legislature passed Act 164 (Section 87-4 of the Revised Laws of Hawaii 1945), which gave HHC a "prior right to two-thirds of the water developed for irrigation and water utilization project by the tunnel development extending to Waikolu Valley and ground water developed west of Waikolu Valley, upon actual

need shown to the authority."³ HHC's rights in MIS may serve as a basis for claims to MIS water resources.

2) MIS operations.

Initiated in 1957, the MIS has been managed by the State Department of Agriculture (DOA) since 1989. MIS withdraws water from the northeastern Moloka'i dike complex (in the Waikolu Valley Watershed) to irrigate central and western parts of the island. Auditor, State of Hawai'i, Financial and Management Audit of the Moloka'i Irrigation System: A Report to the Governor and the Legislature of the State of Hawai'i, Report No. 08-03, at 1 (Feb. 2008) ("2008 Audit"). The MIS is 25 miles long, serves 3,160 acres, and transports an average of 3.288 MGD.

Fifty-four percent of MIS surface water comes from 4 surface water diversion dams in Waikolu valley, 28% from groundwater intercepted by the Waikolu tunnel, and 18% pumped from wells. Three intakes divert stream flows at the 1,000 foot elevation into the Moloka'i tunnel, and a fourth intake with a pump station at the 800 foot elevation lifts stream flows to the Moloka'i tunnel inlet portal. Collected surface water and pumped groundwater are transported by gravity through a 5.1 mile-long tunnel, 0.3 mile-long concrete flume, and a 3.85 mile-long 30-inch steel pipelines connecting to a 1.4 billion gallon Kualapu'u reservoir.

The Kualapu'u reservoir has high evaporation losses, seepage losses, and water quality problems related to sediments, algae, animals (including an estimated 500,000 pounds of tilapia), and organic matter. From the reservoir outlet, water is distributed via 22 miles of pipeline to customers. The MIS serves approximately 235 customers on 3,102 acres with a water use of 3.35 mgd, including agricultural consumers include native Hawaiian homesteads in Ho'olehua and seed corn operations.

3) MIS issues.

A 2008 State Audit determined DOA's poor stewardship of MIS jeopardized the survival of MIS, which is "vital to

³ "Historical Relationship between DHHL and MIS," at 1 (Sep. 2013) available at: <http://dhhl.hawaii.gov/wp-content/uploads/2013/09/WPP-MIS-DHHL-History.pdf>.

agriculture in Moloka'i" and "central to the revitalization of Hawaiian homesteaders." Non-homestead users accounted for approximately 85% of MIS water resources. 2008 Audit at 11- 2. The Auditor concluded DOA "does not take seriously its responsibility of stewardship to the Hawaiian homesteaders" and stated DOA's administration as to homesteaders was "irresponsible." 2008 Audit at 12-13.

The Auditor stated that revenues generated by the MIS would be able to cover maintenance costs, which maintenance is sorely needed, but MIS revenues are diverted into a State irrigation systems revolving fund. 2008 Audit at 34. The Auditor noted concerns amongst MIS users about the inequity of water rates as compared with the revenue generated by MIS, but rather observed a net loss after isolating revenue generated from the transmission rental line agreement with Moloka'i Ranch. 2008 Audit at 29. In its 2012 Draft Environmental Assessment, DOA found denial of Moloka'i Properties Limited's ("MPL") proposed MIS transmission agreement would result in higher rates for homesteaders. Dep't of Agriculture, Draft Environmental Assessment: Moloka'i Properties Limited MIS Project, Moloka'i, Hawai'i" at 19, 40 (Sep. 11, 2012). Discussions with DOA and MPL concerning greater access to MIS nonpotable water resources will require consideration of these issues.

V. Kualapu'u aquifer disputes.

The Department's interests in Kualapu'u aquifer resources have been implicated in recently renewed proceedings before the State Commission on Water Resource Management ("CWRM") and updates to a study of Moloka'i groundwater resources conducted by the U.S. Geological Survey ("USGS"), co-funded by the Department, the Office of Hawaiian Affairs ("OHA"), and the Maui County Department of Water Supply ("DWS"). Implications for Department interests were discussed in a submittal to HHC on November 16, 2015 (Exhibit A: Submittal for Item G-1, HHC Meeting (Nov. 16, 2015)).

1) Background to disputes.

In 1992, the entirety of Moloka'i was designated a groundwater management area (WMA) in response to a petition filed by concerned Moloka'i residents, particularly HHCA beneficiaries. Proposed water withdrawals from WMAs

require discretionary permits, which permits "shall be subject to the rights of the department of Hawaiian home lands as provided in section 221 of the Hawaiian Homes Commission Act, whether or not the condition is explicitly stated in the permit." HRS 174C-49(e). The Department is also been required to obtain a water use permit (WUP). In 1993, the Department initially obtained a WUP for 0.367 mgd for its withdrawals from Kualapu`u aquifer. Ho`olehua DEA, Table 2-2 at 6.

Moloka`i Ranch (MR) and its subsidiaries (including Moloka`i Public Utilities, Ltd), DWS, and the Department have wells in close proximity to each other in the Kualapu`u aquifer. MR and DWS also applied for Kualapu`u aquifer WUPs in 1993. MR's application for withdrawals from Well No. 17 was contested by the Department, OHA, and Hawaiian practitioners Judy Caparida and Georgina Kuahua, resulting in a contested case hearing before CWRM. Key issues involved the impact of Well 17 on DHHL uses, reservations, and the traditional and customary practices of Hawaiians.

In 1995, the Department applied for, and CWRM approved by administrative rule, a water reservation of 2.905 mgd from the Kualapu`u Aquifer, effective as of June 10, 1995. Hawaii Administrative Rule (HAR) §13-171-63.

In 2001, CWRM issued its decision to grant a WUP to MR's subsidiary Kukui Moloka`i, Inc. (KMI). The Department and others appealed and the Hawai`i Supreme Court reversed and remanded CWRM's 2001 decision, in part for failing to protect the Department's rights. See *In re Contested Case Hearing on Water Use Permit Application by Kukui (Molokai), Inc.*, 116 Hawaii 481, 174 P.3d 320 (2007) ("Kukui"). Amongst other holdings, *Kukui* determined KMI could not substitute for MR and was required to apply for a new permit to "revive" expired uses. *Kukui*, 116 Hawai`i at 501, 174 O.3d at 340 (quoting HRS §174C-51). In 2002, Kaluakoi Land LLC acquired KMI's assets. Subsequently, Kaluakoi Land LLC was purchased and Well No. 17, which was owned by KMI, is now owned by Moloka`i Public Utilities, an affiliate of Moloka`i Properties Ltd. ("MPL").

In 1997, the Department sought to revise its WUP to reflect usage and accommodating future growth. At the time, CWRM staff recommended denying the Department's request because of the potential effect on the aquifer and

other wells and the then-current contested case proceeding concerning Moloka'i Ranch's WUP application. The parties entered into mediation that ultimately did not resolve the issues, and DHHL still has an outstanding WUPA for its current needs for its water system.

2) USGS Moloka'i groundwater study.

Partly in response to issues raised by Kukui, in 2009, the Department, OHA, and DWS decided to fund the USGS to develop a groundwater model of Moloka'i. The study will estimate the hydrologic effects of additional groundwater-withdrawal scenarios on (1) salinity and water levels near existing wells and (2) coastal discharge in order to "effectively manage groundwater withdrawals from central and eastern Moloka'i."⁴ Item 2 is related to possible impacts on constitutionally protected traditional and customary practices may depend on coastal discharge.

Developing the model has been complex and has been delayed numerous times. On May 2, 2016, the USGS is planning to present its draft model at an open community meeting on Moloka'i. The Department and other co-funders are also working on determining scenarios to be run through the model in order to assist in determining how best to locate wells and distribute pumping levels.

3) Current CWRM proceedings on Kualapu'u WUPAs.

On October 20, 2015, CWRM published notice of three WUP application (WUPAs): MPU (1.026 mgd), DWS (0.900 mgd), and the Department (0.637.mgd).

TABLE 2: OUTSTANDING WUPA IN KUALAPU`U AQUIFER.

WUPA No.	Well Name/ Well No.	Applicant Name	Proposed water use
00973	"Well 17"/ 4-901-001	Moloka'i Public Utilities, Inc.	1.026 mgd
00499	Kualapu`u Mauka/ 0801-003	Mauui Department of Water Supply	0.900 mgd
00448	Kauluwai 1 & 2/ 4-801-001 & 002	Department of Hawaiian Home Lands	0.637 mgd

⁴ U.S. Geological Survey, Project Description, "Groundwater Recharge and Availability in Eastern Moloka'i" available at: <http://hi.water.usgs.gov/studies/molokai/>.

As discussed in the November 2015 submittal (Exhibit A), DHHL was concerned that MPU's WUPA reflected their submittal on June 27, 2014, whereas CWRM noticed the Department's submittal dated September 12, 1996 and DWS' WUPA dated April 16, 1998. In 2014, the Department communicated to CWRM staff the intention to update its WUPA after integrating information from the USGS groundwater study. The former CWRM deputy assented to this course of action.

In March 2016, the Department and OHA responded to a CWRM minute order by taking the position that the 2001 Kukui findings and decision should be dismissed and new proceedings initiated in light of MPU's new application and changed circumstances.

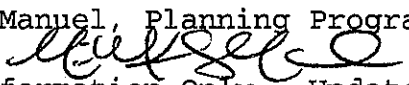
RECOMMENDATION

None; for information only.

State of Hawai'i
Department of Hawaiian Home Lands

November 16, 2015

To: Chairman and Members, Hawaiian Homes Commission

From: Kaleo Manuel, Planning Program Manager


Subject: For Information Only - Update on Water Use Permit
Applications in Kualapu'u Moloka'i and the remand of
the Kukui Hawai'i Supreme Court Case

RECOMMENDED MOTION/ACTION

None; for information only.

DISCUSSION

Recent actions by the Commission on Water Resource Management (CWRM) have reopened proceedings regarding the use of groundwater in the Kualapu'u Aquifer on the island of Moloka'i that have been going on for over a quarter century. These proceedings can substantially affect the rights and actual water use of the Department of Hawaiian Home Lands (DHHL) and beneficiaries on the island. The purpose of this submittal is to update the Hawaiian Homes Commission (HHC) on this ongoing and rapidly developing issue.

Brief Background

The matters involved here are complex and involve multiple separate proceedings before the CWRM and two cases before the Hawai'i Supreme Court (HSC), and have spanned decades. Seven key issues are particularly relevant to the matters now at hand:

- 1) Designation of groundwater on Moloka'i by CWRM;
- 2) DHHL's water reservation in the Kualapu'u Aquifer;
- 3) The filing of a Water Use Permit Application by Moloka'i Ranch in the Kualapu'u Aquifer, and a subsequent HSC case;
- 4) the filing of a different Water Use permit Application by a Moloka'i Ranch subsidiary in a neighboring aquifer,

- 1 -

ITEM NO. G-1

EXHIBIT A

- and a subsequent HSC case;
- 5) DHHL's and Maui County's Water Use Permit Applications;
 - 6) an ongoing scientific study of groundwater; and
 - 7) the Moloka'i Water Working Group. These are each briefly summarized below.

1) Moloka'i Groundwater designated. In 1990, many concerned Moloka'i residents, particularly DHHL beneficiaries, filed a Petition with the CWRM to designate groundwater on the island of Moloka'i as a Water Management Area (WMA). WMA designation was sought because only in such areas does the CWRM require the filing of Water Use Permit Applications (WUPA) that require proposed water users to evaluate their use against DHHL's rights. CWRM decisions on WUPA are also non-ministerial and subject to interested parties (such as DHHL) requesting a Contested Case Hearing (CCH), a quasi-judicial hearing, on the matter. CCH decisions can be further appealed to the courts by a party. Further, if CWRM issues a resulting Water Use Permit (WUP), it is required that they "[S]hall be subject to the rights of the department of Hawaiian home lands as provided in section 221 of the Hawaiian Homes Commission Act, whether or not the condition is explicitly stated in the permit." HRS 174C-49(e).

In 1992 in response to the petition for designation of a WMA, CWRM designated all aquifers on the island as WMAs (see Exhibit 1, Molokai Hydrologic Units).

2) DHHL Water Reservation. By administrative rule, as is allowed in WMAs, CWRM reserved for DHHL 2.905 million gallons a day (mgd) of water in the Kualapu'u Aquifer, effective as of June 10, 1995. HAR §13-171-63.

3) Moloka'i Ranch WUPA in Kualapu'u Aquifer filed; HSC decision. Moloka'i Ranch (MR) and its subsidiaries, the Maui County Department of Water Supply (MDWS), and DHHL all have wells in close proximity to each other in the Kualapu'u Aquifer. All three parties filed WUPA for their wells; the DHHL and MDWS WUPA are described separately below.

The initial application for MR's Well 17 was on June 8, 1993. The application by MR for Well 17 was the subject of a CCH requested by DHHL and others; the Office of Hawaiian Affairs (OHA), DHHL, and individual intervenors Judy Caparida and Georgina Kuahuia participated. Key issues involved the impact of Well 17 on DHHL uses, reservations, and the traditional and customary practices of Hawaiians.

After a complex and lengthy series of proceedings, on December 19, 2001 CWRM issued a final decision granting MR's subsidiary Kukui Moloka'i, Inc. (KMI) a WUP. The parties, including DHHL appealed, and the HSC rejected the CWRM decision on Dec. 6, 2007 and remanded it, in part for failing to protect the rights of DHHL. That is known now as the **Kukui** case (In re Contested Case Hearing on Water Use Permit Application by Kukui (Molokai), Inc., 116 Hawaii 481, 174 P.3d 320 (2007)).

4) MR WUPA in Kamiloloa Aquifer filed; HSC decision. On Jan 25, 1996 MR filed a WUPA for a new well in the nearby Kamiloloa Aquifer. MR filed for this WUPA while the proceedings of the CCH on **Kukui** were ongoing, as they thought they may not receive sufficient water from Well 17 for their proposed developments.

DHHL, OHA, and others objected and that WUPA went through a CCH. The HSC in what became known as the **Wai'ola** case overturned CWRM and remanded on Jan. 4, 2004. In re Waiola o Molokai, Inc., 103 Hawaii 401, 430, 83 P.3d 664, 693 (2004). The Court found, in part, that the CWRM had not protected the rights of the DHHL.

One of the potentially confusing aspects of these matters is that while the WUPA was filed for the well in **Wai'ola** after the WUPA for Well 17 in **Kukui**, the HSC ruled on **Wai'ola** first.

5) DHHL and MDWS WUPA in Kualapu'u. DHHL and MDWS also filed WUPAs for their wells in Kualapu'u. After DHHL's initial WUP was granted for its two wells, in September 1997 DHHL applied for additional water from those wells. CWRM staff recommended a complete denial of the request because of the potential effect on the aquifer and other wells, and MR filed for a CCH. The parties entered into mediation that ultimately did not resolve the issues, and DHHL still has an outstanding WUPA for its current needs for its water system.

The MDWS desires to move its pumping away from the DHHL and MR wells, but it still has an outstanding WUPA for its well.

6) United States Geological Survey (USGS) Groundwater model. To help resolve the issues raised in **Kukui** and **Wai'ola**, since 2009 OHA, DHHL MDWS & CWRM funded the USGS to develop a groundwater model to assist in spacing wells. Developing the model has been complex and has been delayed numerous times since its start. It is expected that the model will be completed and available to the parties for their use by the end of 2015.

7) Moloka'i Water Working Group (MWWG). Originally formed at the behest of recently retired CWRM Chairman Bill Paty in 1992, the MWWG was created to work on the Maui County Water Use and Development Plan update for the island. It has met a number of times in intervening years and has also been a useful, on island forum to discuss critical water matters outside of legal proceedings. Despite the utility of the MWWG, it last took action in 2008 and its continued meeting has not been supported by CWRM.

Current Issues:

Communications over the last year between DHHL and CWRM staff had indicated that the CWRM might wait until the USGS study was completed, and perhaps the MWWG was reconvened, prior to proceeding with the pending WUPA for MR, DHHL, and MDWS. On May 29, 2015 a meeting was held on Maui among staff of the CWRM, USGS, MDWS, and DHHL. At that meeting MDWS noted its pending 0.9 mgd WUPA from Kualapu'u aquifer; that it sought to avoid negative effects on other wells; and it stated its need for the USGS study to determine well site alternatives and their impact on the aquifer and other wells. HHC and the DHHL asked CWRM to defer its review of these three WUPA until January 2016 in order to integrate the USGS groundwater study into its assessment.

Instead, CWRM is proceeding with 1) reconsideration of the pending WUPA in Kualapu'u, and is also 2) proceeding with the remand of the **Kukui** decision. These actions raise key implications for the DHHL.

1) Kualapu'u WUPA reconsideration. By letter dated October 20, 2015, CWRM deputy Jeffrey Pearson noticed the Department of upcoming CWRM proceedings on three WUPA for the Kualapu'u aquifer, which has a sustainable yield of 5.0 mgd. CWRM has not yet published an agenda for the meeting at which these WUPA will be discussed, but specified a November 13, 2015 deadline for comments or objections on the WUPAs.

Table I. Outstanding WUPA in the Kualapu`u Aquifer

WUPA No.	Well Name/ Well No.	Applicant Name	Proposed water use (mgd)
00973	"Well 17"/ 4-901-001	Moloka'i Public Utilities, Inc. (a MR subsidiary)	1.026
00499	Kualapu`u Mauka/ 0801-003	Maui Department of Water Supply	0.900
00448	Kauluwai 1 & 2/ 4-801-001 & 002	Department of Hawaiian Home Lands	0.637

2) Kukui Remand. CWRM is also considering the MPU WUPA for Kualapu`u water resources as part of a remand from the Hawai'i Supreme Court **Kukui** case. By the same letter sent by CWRM on October 20, 2015 on the Kualapu`u WUPA, CWRM indicated they would be taking up a remand of the **Kukui** case and potentially seeking to combine all parties WUPA into the **Kukui** remand. They are requiring parties involved in the **Kukui** case to confirm in writing to CWRM by November 13, 2015 that they will continue as part of the contested case proceedings. Further, by a "minute order" issued by CWRM Deputy Pearson on October 30, 2015, they have required that the parties' counsel file a status conference statement on the proposed scope of the remand by 4:00 pm on November 6, 2015, and attend a status conference on November 9, 2015.

DHHL was represented in the **Kukui** case by Deputy Attorney General Lee Crowell, who has since passed away. Deputy Attorney General Matthew Dvonch is initially representing DHHL in these matters and filed a timely status conference statement that is attached here as Exhibit 2.

3) Key implications for DHHL. The CWRM actions in this matter necessarily raise a number of key implications for DHHL and its beneficiaries on Moloka'i. Some of these implications are addressed in DHHL's status conference statement (Exhibit 2). Two others relate to CWRM noticing an outdated WUPA for DHHL, and the desire by DHHL to have outside counsel on this matter, discussed below.

The CWRM has noticed outdated WUPA from DHHL and MDWS. Only MR's WUPA is presented on current forms furnished by CWRM. The Department's WUPA is dated September 12, 1996 and MDWS' WUPA is

dated April 16, 1998, whereas MR submitted their WUPA on June 27, 2014. While CWRM's letter implied that DHHL has declined a January 2014 invitation to update its WUPA, that is incorrect; DHHL staff and consultants communicated in 2014 to CWRM staff that DHHL wanted to wait until the USGS study was completed to update its application, and the CWRM Deputy at the time indicated that would be how matters would proceed.

The HHC Chairman has determined that for a number of reasons, DHHL should be served by outside counsel in these proceedings. The HHC on March 19, 2012 authorized DHHL to: (1) hire independent counsel to assist with the assertion of Hawaiian Home Lands water and other rights, reservation of water for its "foreseeable needs", and negotiate use of related ground and surface water rights, sources, storage, and distribution facilities; (2) authorize use of up to \$150,000 in funds from the existing approved Planning Office budget for this purpose; and (3) authorize the Chairman to negotiate such terms and conditions as deemed appropriate.

With the concurrence of the Attorney General on August 14, 2013 and approval of the Governor on October 14, 2013, outside counsel was obtained under this authority to represent the DHHL on water issues in Kekaha/Waimea, Kaua'i and Pūlehu, Maui.

In their FY 2015-2016 Budget, the HHC authorized use of an additional \$150,000 in funds in the approved Planning Office budget for other water legal counsel as necessary. Under the authority of the HHC action on March 19, 2012 and the budgeted authority for FY 2015-2016, DHHL is seeking the approvals necessary from the Attorney General and Governor to obtain outside counsel in these matters.

CONCLUSION

The recent CWRM actions in these matters - noticing of the WUPAs in Kualapu'u and remanding of the Kukui decision - are highly significant matters for the HHC, DHHL, and beneficiaries. Consistent with Goal 2 of the HHC Water Policy Plan, the DHHL shall in these proceedings "Aggressively, proactively, consistently and comprehensively advocate for the kuleana of the beneficiaries, the DHHL, and the HHC to water before all relevant agencies and entities."

RECOMMENDATION

None; for information only.

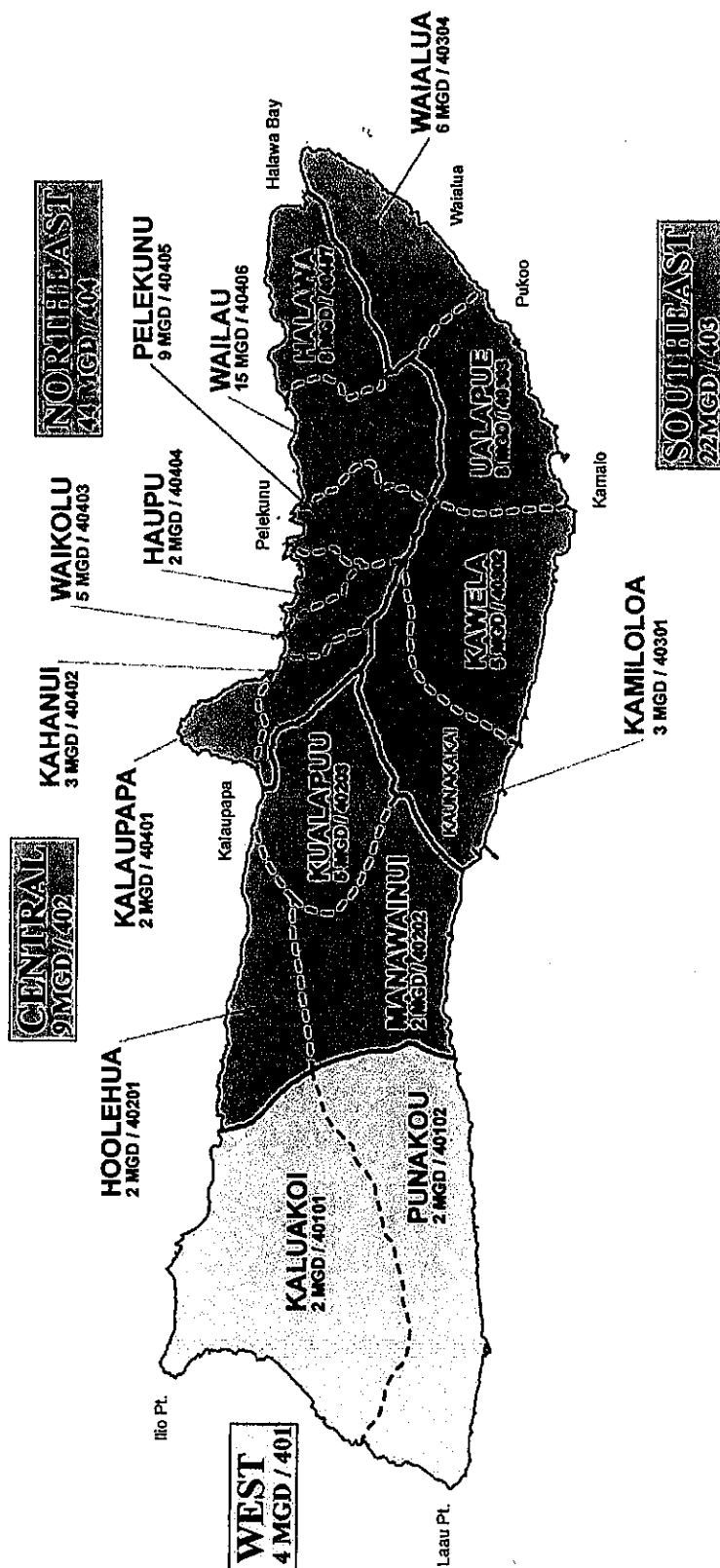


ISLAND OF MOLOKAI

TOTAL = 79 MGD

HYDROLOGIC UNITS

Sustainable Yield / Aquifer Code



ITEM G-1 EXHIBIT 1

08/28/2008

Map Projection: Universal Transverse Mercator

Map ID: 1021

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DEPARTMENT OF HAWAIIAN HOME
LANDS

BEFORE THE COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII

In the Matter of the Contested Case Hearing
on the Water Use Permit Application
Originally Filed by Kukui (Molokai), Inc.,
Now Refiled as a New Ground Water Use by
Molokai Public Utilities, LLC

Case No. CCH-MO-97-01

INTERVENOR DEPARTMENT OF
HAWAIIAN HOME LANDS' STATUS
CONFERENCE STATEMENT;
DECLARATION OF MATTHEW S.
DVONCH; EXHIBIT "A"; CERTIFICATE
OF SERVICE

INTERVENOR DEPARTMENT OF HAWAIIAN
HOME LANDS' STATUS CONFERENCE STATEMENT

Pursuant to the Minute Order Setting Status Conference issued by the Commission on
Water Resource Management (Commission) on October 30, 2015, the Department of Hawaiian
Home Lands (DHHL) submits this status conference statement.

I. Background

This contested case initially concerned an application by Kukui (Molokai), Inc. (KMI), a
subsidiary of Molokai Properties Limited, for a ground water use permit for existing use of 2
million gallons per day (mgd) from Well 17 in the Kualapu'u Aquifer System Area. DHHL, the

Office of Hawaiian Affairs (OHA), and two Native Hawaiian individuals intervened and objected to KMI's permit application on numerous grounds. Specifically, DHHL argued that: (1) the Commission failed to treat its 2.905 mgd reservation as an existing use under the public trust doctrine; (2) the Commission failed to adequately scrutinize KMI's request to divert water from Well 17; (3) the Commission erred in denying DHHL's request to increase pumpage from its well due to concerns about whether such increased pumpage would affect chloride levels in the well field, while simultaneously approving KMI's request for new uses where those same concerns were present; (4) the Commission impermissibly placed the burden on DHHL to prove that KMI's requested uses would negatively impact the water quality at DHHL's own well site; and (5) the Commission erred by considering KMI's application as a late filing for existing uses, instead of requiring KMI to apply for a new use permit under section 174C-49, Hawaii Revised Statutes (HRS).

The Commission ultimately granted KMI an existing use permit for 936,000 gallons per day and a proposed use permit for an additional 82,000 gallons per day. On appeal, KMI's permits were invalidated by the Hawaii Supreme Court in In re Contested Case Hearing on Water Use Permit Application by Kukui (Molokai), Inc., 116 Hawaii 481, 174 P.3d 320 (2007) (Kukui) and the case was remanded to the Commission for further proceedings. The Commission attempted to recommence proceedings in 2008, but the case fell dormant.

On June 30, 2014, Molokai Public Utilities, Inc. (MPU), another subsidiary of Molokai Properties Limited, filed an application for ground water use permit for new use that seeks to draw 1,026,518 gallons per day from Well 17. The Commission has apparently incorporated MPU's permit application into this contested case and is treating it as superseding KMI's 1993 permit application.

II. The Kukui Opinion

In Kukui, the Hawaii Supreme Court invalidated KMI's existing and proposed use permits on several grounds. The Court held: (1) although DHHL's 2.905 mgd reservation cannot be considered an existing use, it is a public trust purpose entitled to the full panoply of constitutional protections afforded to other public trust purposes; (2) the Commission did not adequately scrutinize KMI's request to divert water from Well 17 because it failed to consider whether KMI's requested usage could be satisfied by alternative sources of water; (3) the Commission did not adequately explain its rationale denying DHHL's request to increase pumpage from its own well because of increased chloride level concerns while simultaneously approving KMI's application for new uses where the same concerns were present; (4) the Commission impermissibly placed the burden of proof on DHHL to show whether KMI's diversion of water from Well 17 would negatively impact the water quality at DHHL's own well site; (5) the Commission improperly considered KMI's late-filed application for existing uses; (6) the Commission failed to consider what effect the closure of the hotel and golf course would have on KMI's requested usage; and (7) the Commission impermissibly placed the burden of proof on the Native Hawaiian individual intervenors to show that their traditional and customary practices would be harmed by KMI's requested usage.

The Court remanded the case to the Commission for further proceedings consistent with its various holdings.

III. Scope of Remand

A. Outstanding Motion

When the Commission attempted to commence remand proceedings in 2008, the intervenor parties filed a joint Motion to Partially Dismiss Molokai Properties' Petition for Water

Use. The motion sought to dismiss KMI's water use permit application for non-domestic purposes because of the announcement that Molokai Properties Limited, KMI's parent company, would be ceasing major operations on Moloka'i. The motion was premised on the Kukui Court's admonition that the Commission must consider whether KMI's closure of the hotel and golf course would change its proposed water usage.

If the Commission intends to treat MPU's recent application as completely superseding KMI's application, the motion to dismiss may be moot. In any event, the Commission never ruled on the motion and should do so before this matter proceeds further.¹

B. The Commission Should Stay This Matter Until The United States Geological Survey Study On The Aquifer Is Completed

The United States Geological Survey is conducting a groundwater recharge and availability study for the Kualapu'u Aquifer to estimate the effect of additional groundwater withdrawal on salinity and water levels in nearby existing wells, including Well 17 and wells owned by DHHL and DWS. USGS anticipates that this study will be completed in December 2015. This study will undoubtedly assist the parties in determining whether the additional water requested by MPU will affect the quality and amount of water available in DHHL's wells.

DHHL suggests that the Commission stay this contested case proceeding until the parties, as well as Commission staff, have had an opportunity to review and analyze the USGS study. Only then can the parties be prepared to discuss in detail the issues raised by MPU's application.

¹ The Commission should also consider starting a *new* contested case proceeding for MPU's recent application. Many of the facts on the ground have changed since the 1990s and MPU's application will be held to a more stringent standard under HRS § 174C-49 and Kukui. It may make more sense for the parties and the Commission to start anew with a new contested case.

C. MPU's Application

MPU appears to have resolved at least one of the Court's criticisms by filing an application for new uses under HRS § 174C-49, as opposed to the untimely application for existing uses invalidated in Kukui. The issues to be decided on remand must necessarily be premised on MPU's recent application for new uses.² Under the more stringent requirements of HRS § 174C-49, MPU must be able to show that its proposed use:

- (1) Can be accommodated with the available water source;
- (2) Is a reasonable-beneficial use as defined in section 174C-3;
- (3) Will not interfere with any existing legal use of water;
- (4) Is consistent with the public interest;
- (5) Is consistent with state and county general plans and land use designations;
- (6) Is consistent with county land use plans and policies; and
- (7) Will not interfere with the rights of the Department of Hawaiian Home Lands as provided in section 221 of the Hawaiian Homes Commission Act, 1920, as amended.

In considering whether MPU's application meets the requirements of HRS § 174C-49, the Commission must abide by the following rulings of the Kukui Court:

- The Commission must take DHHL's 2.905 mgd reservation into account when considering MPU's application, and must protect that reservation "whenever feasible." See also In re Waiola o Molokai, Inc., 103 Hawaii 401, 430, 83 P.3d 664, 693 (2004).

² Because the status conference in this matter was set on such short notice, DHHL has not had an adequate opportunity to fully identify all of the issues the Commission must consider regarding MPU's recent application. In making this status conference statement, DHHL is not waiving its right to identify other issues that need to be decided on remand upon a more thorough analysis of MPU's application.

- The Commission must apply more than minimal scrutiny to MPU's application to ensure that its requested uses meet the requirements of the public trust doctrine. Under Kukui, the burden of proof is to be placed on MPU to show that its request constitutes a "reasonable-beneficial use" that is "consistent with public interest."
- MPU must be able to show that there is no practicable alternative to satisfy its water needs.
- MPU has the burden of showing that its requested uses will neither negatively impact the quality of water from DHHL's own well nor impermissibly burden the exercise of traditional and customary practices by the Native Hawaiian individual intervenors.
- The Commission must not ignore changes in MPU's actual plans for water usage when considering whether to allocate water to MPU.

In considering all of these issues, the Commission must take a proactive approach in protecting public rights (including DHHL's existing water reservation) at every stage of this proceeding:

...the Commission must not relegate itself to the role of a mere "umpire passively calling balls and strikes for adversaries appearing before it," but instead must take the initiative in considering, protecting, and advancing public rights in the resource at every available stage of the planning and decisionmaking process...In sum, the state may compromise public rights in the resource pursuant only to a decision made with a level of openness, diligence, and foresight commensurate with the high priority these rights command under the laws of our state.

In re Water Use Permit Applications, 94 Hawaii 97, 162, 9 P.3d 409, 474 (2000). Accordingly, the Commission must exercise a higher level of scrutiny to MPU's application and must place the burden on MPU to show that its proposed uses are consistent with DHHL's rights under the public trust doctrine.

D. Leasing Of Space In The Molokai Irrigation System And Chapter 343, HRS Compliance

MPU's use of water from Well 17 requires transportation through the Molokai Irrigation System (MIS). As extensively briefed by the intervenor parties in 2008, the MIS is owned and operated by the Department of Agriculture of the State of Hawai'i (DOA). MPU's new application raises two issues: (1) In order to transport any water from Well 17 through the MIS, MPU must have an agreement with DOA for use of the MIS; and (2) any agreement with DOA for use of the MIS would require an environmental assessment under Chapter 343, HRS.

HRS § 343-5 requires that an environment assessment be completed for "actions that...[p]ropose the use of state or county lands..." In Moloka'i Homesteaders Coop. Ass'n v. Cobb, 63 Haw. 453, 629 P.2d 1134 (1981), the Hawaii Supreme Court held that agreements to use the MIS to facilitate development require compliance with Chapter 343, HRS:

The use of a government pipeline, the implicit commitment of prime natural resources to a particular purpose, perhaps irrevocably, and the substantial social and economic consequences of the governmental approval of the proposal would dictate the preparation of an EIS.

Id. at 467, 629 P.2d at 1144. MPU has not submitted a final environmental assessment to the Office of Environmental Quality Control.

To date, MPU has not shown that it has a renewed agreement with DOA to use the MIS, nor has it done the environmental assessment required by Chapter 343, HRS. At the very least, the Commission should require that MPU demonstrate compliance with Chapter 343, HRS and show that it has the legal right to transport the water it seeks under the new permit application before acting on its application.

E. Related Water User Permit Applications for DHHL and DWS

In addition to recommencing this contested case, the Commission issued a request for comments concerning water use permit applications submitted by DHHL and DWS in 1996 and 1998, respectively. In those applications, DHHL and DWS seek to draw water from the same well field as MPU's Well 17. Commission staff has indicated that they will recommend incorporating the DHHL and DWS applications into this contested case proceeding so that all three applications can be evaluated by the Commission simultaneously. See Letter from Jeffrey T. Pearson to Jobie Masagatani dated October 20, 2015, attached as Exhibit "A" to the Declaration of Matthew S. Dvonch dated November 6, 2015 at ¶ 3.

DHHL does not support commencing contested case proceedings regarding its 1996 water use permit application. DHHL believes that: (1) its permit should be processed like any other permit, subject to amendment by DHHL, if necessary, given the length of time the application has been pending; and (2) the Commission is capable on deciding the issues raised by MPU's application without incorporating DHHL's permit application into these proceedings.

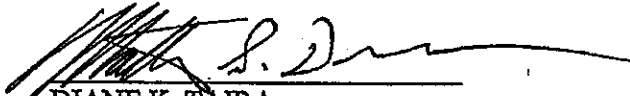
IV. Conclusion

This matter should be stayed pending the USGS study on the Kualapu'u Aquifer System Area and the parties should be given adequate time to review it. Proceeding without the benefit of the study would undermine the parties' understanding of how MPU's withdrawal of more water will affect the aquifer and the DHHL and DWS wells.

Once the case proceeds, the Commission must apply the criteria found in HRS § 174C-49 and the Kukui opinion, and must apply a higher level of scrutiny in considering MPU's application to ensure that its proposed uses are consistent with DHHL's rights under the public trust doctrine. Additionally, MPU should be required to show that it has the legal means to

transport additional water and that it has complied with the environmental assessment requirements of Chapter 343, HRS.

DATED: Honolulu, Hawai'i, November 6, 2015.



DIANE K. TAIRA
MATTHEW S. DVONCH

Deputy Attorneys General
Attorneys for Intervenor
Department of Hawaiian Home Lands

BEFORE THE COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAI'I

In the Matter of the Contested Case Hearing
on the Water Use Permit Application
Originally Filed by Kukui (Molokai), Inc.,
Now Refiled as a New Ground Water Use by
Molokai Public Utilities, LLC

Case No. CCH-MO-97-01

DECLARATION OF MATTHEW S.
DVONCH

DECLARATION OF MATTHEW S. DVONCH

I, MATTHEW S. DVONCH, declare based on my personal knowledge and belief, the following:

1. I am a duly appointed Deputy Attorney General for the State of Hawaii, and am counsel for Intervenor Department of Hawaiian Homes Lands in the above-entitled action.
2. Except where stated to be made on information and belief, this declaration is made upon personal knowledge, and if called upon, I am competent to testify to the facts set forth herein.
3. Attached hereto as Exhibit "A" is a true and correct copy of a letter I received by email from Jeffrey T. Pearson to Jobie Masagatani, Chairman of the Hawaiian Homes Commission, dated October 20, 2015.

I declare, verify, certify, and state under penalty of perjury that the foregoing statements are true and correct.

DATED: Honolulu, Hawai'i, November 6, 2015.

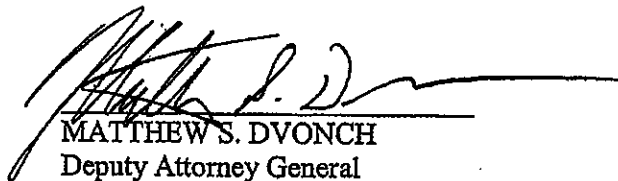

MATTHEW S. DVONCH
Deputy Attorney General

EXHIBIT “A”

ITEM G-1 EXHIBIT 2

DAVID Y. IGE
GOVERNOR OF HAWAII

DEPT. OF LAND AND NATURAL RESOURCES
HOME LANDS

2015 OCT 27 AM 10:18



SUZANNE D. CASE
COMMISSIONER

WILLIAM D. BALFOUR, JR.
KAMANA BEAMER, PH.D.
MICHAEL G. BUCK
MILTON D. PAVAO
VIRGINIA PRESSLER, M.D.
JONATHAN STARR

JEFFREY T. PEARSON, P.E.
DEPUTY COMMISSIONER

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
P.O. BOX 621
HONOLULU, HAWAII 96809

October 20, 2015

GWUPA.448.renotice on remand.docx

Honorable Ms. Jobie Masagatani, Chairperson
Department of Hawaiian Home Lands
P.O. Box 1879
Kapolei, HI 96805

Dear Ms. Masagatani:

Renoticing of New Ground Water Use Permit Application
Kauluwai 1 & 2 Wells (Well Nos. 4-0801-001 & 002)
for 0.900 mgd (12-MAV) at TMK: (2) 5-2-012:029, Kualapuu, Molokai

Our January 15, 2015 letter invited DHHL to update its ground water use permit (WUPA No. 00448) for the Kauluwai 1 & 2 wells (Well Nos. 4-0801-001 & 002) originally accepted on September 19, 1997, then subsequently amended on June 18, 1998 before proceeding. To date, we have had no formal update since the withdrawal of the contested case for this application on January 24, 2002 and our request to explore a new well location. We are ready to move forward with continuing the processing this application. The application will be recirculated for review among relevant state and county agencies, interested members of the public, and parties to the Kukui Molokai Inc. (KMI) contested case CCH-MO97-1 regarding ground water uses from Well 17 (Well No. 0901-001).

Enclosed is a copy of the public notice for your water use permit application which will be published in the Maui News issues of October 23 & 30, 2015. You will be required to pay for the cost of the public notice, which runs about \$1000. We will send you an invoice shortly after your notice is published.

Please be aware that there may be objections to your application. If objections are made, the objector is required to file such objections with the Commission and is also required to send you a copy of the objections.

As outlined in our January 15, 2015 letter to you, there are also two other new ground water use applications we are also accepting for processing at this time:

1. Molokai Public Utilities, Inc. -- 1.026 mgd from Well 17 (Well No. 0901-001);
2. Maui Department of Water Supply -- 0.900 mgd from Kualapuu Mauka Well (Well No. 0801-003).

These applications are in competition for the remaining available sustainable yield from the Kualapuu Aquifer System Area. Therefore, we will be recommending that the Commission combine these competing use requests into the remanded CCH-MO97-1 contested case proceeding.

EXHIBIT "A"

ITEM G-1 EXHIBIT 2

Honorable Ms. Jobie Masagatani

Page 2

October 20, 2015

It will be the burden of Molokai Public Utilities, Inc., the Department of Hawaiian Home Lands, and the Maui Department of Water Supply to show that their proposed use is reasonable and beneficial and do not adversely impact public trust uses, which include traditional and customary practices within the Kualapuu Ground Water Management Area, and to address other issues highlighted by the Court in its opinion. Failure to carry this burden may result in denial or modification of your request.

If the Commission decides to combine all these applications into the remand, it will also appoint a hearing officer to conduct the remanded contested case hearing. In anticipation of the resumption of proceedings, the Commission Chair will schedule a status conference in about two weeks to establish procedural rules, begin the scoping process, and to discuss expectations in creating a schedule for the submittal of initial motions, opening briefs, witness lists, and the proceedings themselves.

You, or any other party, may respond to objections by filing a brief in support of your application with the Commission within ten (10) days of the filing of an objection. You, or the other party, must also send a copy of the response to the objector.

If you have any questions, please contact Charley Ice at 587-0218.

Sincerely,



JEFFREY T. PEARSON, P.E.
Deputy Director

CL:ss
Enclosure

ITEM G-1 EXHIBIT 2

PUBLIC NOTICE

Application for Water Use Permit
Kualapuu Ground Water Management Area, Molokai

The following application for water use permit has been received by the Commission on Water Resource Management and is hereby made public in accordance with Section 13-171, Hawaii Administrative Rules, "Designation and Regulation of Water Management Areas."

WUPA No. 00448 Kauluwai 1 & 2 (Well Nos. 4-0801-001 & 002)

Applicant: Department of Hawaiian Home Lands
P.O. Box 1879
Kapolei, HI 96805

Landowner: Department of Hawaiian Home Lands
P.O. Box 1879
Kapolei, HI 96805

Date Application Filed as Complete: October 12, 2015

Hydrologic Unit / Aquifer System Area: Kualapuu System, Central Sector, Molokai

Water Sources: Kauluwai 1 & 2 (Well Nos. 4-0801-001 & 002) TMK (2) 5-2-010:007

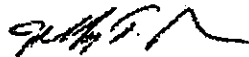
Quantity Requested: 0.637 million gallons per day

New Use: DHHL Molokai Water System

Place of Water Use: At Tax Map Key: (2) 5-2-various

Written objections or comments on the above application may be filed by any person who has property interest in any land within the hydrologic unit of the source of water supply, any person who will be directly and immediately affected by the proposed water use, or any other interested person. Written objections shall: (1) state property or other interest in the matter (provide TMK information); (2) set forth questions of procedure, fact, law, or policy, to which objections are taken; and (3) state all grounds for objections to the proposed permit. Written objections must be received by November 13, 2015. Objections must be sent to 1) the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809 and 2) the applicant at the above address.

COMMISSION ON WATER RESOURCE MANAGEMENT



JEFFREY T. PEARSON, P.E., Deputy Director for
SUZANNE D. CASE, Chairperson

Dated: October 15, 2015

Publish in: The Maui News issues of October 23 & 30, 2015

BEFORE THE COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII

In the Matter of the Contested Case Hearing
on the Water Use Permit Application
Originally Filed by Kukui (Molokai), Inc.,
Now Refiled as a New Ground Water Use by
Molokai Public Utilities, LLC

Case No. CCH-MO-97-01

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon the following parties by email and U.S. Mail, postage prepaid, addressed as follows:

Alan Murakami, Esq.
Moses K.N. Haia, III, Esq.
Native Hawaiian Legal Corporation
1164 Bishop Street, Suite 1205
Honolulu, Hawaii 96813
E-mail: alan.murakami@nhlchi.org
mohaia@nhlchi.org

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Attorney for Intervenor Office of Hawaiian Affairs


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Attorney for Molokai Public Utilities, LLC

Caleb Rowe, Esq.
Department of the Corporation Counsel
200 S. High Street, 3rd Floor
Wailuku, Hawaii 96793
E-mail: caleb.rowe@co.maui.hi.us

Attorney for County of Maui, Department of Water Supply

DATED: Honolulu, Hawaii, November 6, 2015.



MATTHEW S. DVONCH
Deputy Attorney General

DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION

APRIL 11 & 12, 2016

Kūlana 'Ōiwi Multi-Purpose Conference Room
Kalama'ula, Moloka'i, Hawai'i

H-ITEMS
**ADMINISTRATIVE SERVICES
OFFICE**

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

April 11, 2016

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Rodney Lau, Administrative Services Office

SUBJECT: H-1 Budget Variance Report

THIS SUBMITTAL ITEM WILL BE DISTRIBUTED UNDER SEPARATE COVER

ITEM NO. H-1

DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION

APRIL 11 & 12, 2016

Kūlana 'Ōiwi Multi-Purpose Conference Room
Kalama'ula, Moloka'i, Hawai'i

J-ITEMS
GENERAL AGENDA

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

April 11, 2016

TO: Chairman and Members, Hawaiian Homes Commission
SUBJECT: Request to Address the Commission – **Cheyenne Hiapo Perry**

RECOMMENDED MOTION/ACTION

None. For Information Only.

DISCUSSION:

Mr. Perry wishes to address the Commission regarding the watershed management work with the Mauna Kea Watershed Alliance and the positive impact on the community.

ITEM NO. J-1

Burrows-Nuuanu, Leatrice W

From: Cheyenne Hiapo Perry <cheyennehiapo@gmail.com>
Sent: Tuesday, March 22, 2016 2:57 PM
To: Burrows-Nuuanu, Leatrice W
Subject: HHC Contact: To Commission Secretary

To:
HHC Secretary

First Name: Cheyenne Hiapo
Last Name: Perry

Phone:
808-937-5170

Email:
cheyennehiapo@gmail.com

Subject:
To Commission Secretary

Message:
Aloha Leah,

I would like to be included on the April 11-12, 2016 HHC meeting agenda on Molokai to address the Commission. I would like to address them regarding the watershed management work we do with the Mauna Kea Watershed Alliance and the communities we positively impact through our work and our education/outreach. I am a beneficiary and on the Hawaiian Home Lands waiting list in Hilo, Hawaii.

mahalo,
Cheyenne

Akismet Spam Check: passed
Sent from (ip address): 162.221.246.251 (162.221.246.251)
Date/Time: March 22, 2016 2:56 pm
Coming from (referer): <http://dhhl.hawaii.gov/hhc/> Using (user agent): Mozilla/5.0 (Macintosh; Intel Mac OS X 10_10_5) AppleWebKit/601.5.17 (KHTML, like Gecko) Version/9.1 Safari/601.5.17

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

April 11, 2016

TO: Chairman and Members, Hawaiian Homes Commission
SUBJECT: Request to Address the Commission – **Noelani Yamashita**

RECOMMENDED MOTION/ACTION

None. For Information Only.

DISCUSSION:

Mrs. Yamashita wishes to address the Commission regarding updates on fishponds, Alii and Kalokoeli. They would also like to provide the Department with a summary of Climate Change efforts on Moloka'i.

ITEM NO. J-2

Burrows-Nuuanu, Leatrice W

From: Ka Honua Momona <kahonuamomona@gmail.com>
Sent: Monday, February 29, 2016 1:51 PM
To: DHHL.Director
Cc: Burrows-Nuuanu, Leatrice W; Kauwila Hanchett
Subject: Request to be on the Molokai J Agenda

Aloha Chair Jobie Masagatani,

Subject: Ka Honua Momona on 2016 DHHL Commissioners' Molokai Meeting, J Agenda

I am writing to request Ka Honua Momona be placed on the J agenda when the Commission meets on Molokai in April to give an update on our fishponds, Alii and Kalokoeli. KHM has also been hosting a series of Climate Change workshops on Molokai and we would like to give the Department a summary of our efforts to engage with Climate Change concerns. We anticipate needing no more than 15 minutes.

Mahalo,
Noelani

Noelani (Lee) Yamashita
Executive Director, Ka Honua Momona Intl.
PO Box 482188
Kaunakakai, HI 96748
(808)553-8353 office
www.kahonuamomona.org

Ka Honua Momona (KHM) is a 501(c)3 nonprofit, based on the island of Molokai. Our mission is to be a model of sustainability mauka a makai (from the mountains to the sea).

CONFIDENTIALITY NOTICE: This e-mail communication and any attachments may contain confidential and privileged information for the use of the designated recipients. If you have received this communication in error, please destroy all copies of this communication and any attachments and contact the sender by reply e-mail or telephone (808) 553-8353.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

April 11, 2016

TO: Chairman and Members, Hawaiian Homes Commission
SUBJECT: Request to Address the Commission – **Stefanie Lauifi**

RECOMMENDED MOTION/ACTION

None. For Information Only.

DISCUSSION:

Ms. Lauifi wishes to address the Commission about the legislative bills relating to blood quantum.

ITEM NO. J-3

March 24, 2016

Stephanie K. Lauifi
P.O. Box 36
Kaunakakai, Hawaii 96748

Re: Request to be put on the J Agenda for Molokai Commission Meeting in April

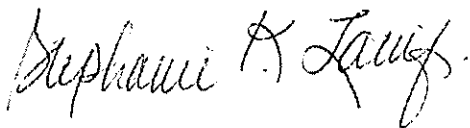
Aloha,

I would like to request to be placed on the J Agenda for the Molokai Commission Meeting on April 11-12, 2016 on behalf of myself and my family.

I would like to address the Commission about our bills relating to blood quantum as they did not pass the House and as this is coming to a realization that if this does not pass soon, a lot of families will not be able to retain their lease because of the blood quantum and will be forced to leave upon death of the lessee. I would also like to Thank them for supporting the beneficiaries of the HHCA in our quest.

I look forward to working with the Commission and DHHL in hopes of achieving our goal for our future homesteaders.

Thank you,

A handwritten signature in cursive script that reads "Stephanie K. Lauifi". The signature is written in dark ink and is positioned above the printed name.

Stephanie K. Lauifi

Homesteader

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

April 11, 2016

TO: Chairman and Members, Hawaiian Homes Commission
SUBJECT: Request to Address the Commission – **Skylla Villanueva**

RECOMMENDED MOTION/ACTION

None. For Information Only.

DISCUSSION:

Ms. Villanueva wishes to address the Commission about her lease #3442, Lot 112A. She is requesting an update on the stipulated agreement made in April 2015.

ITEM NO. J-4

March 28, 2016

To Whom It May Concern:

I, Skylla Villanueva, Leasee #3442, Lot 112A, requests to appear before the Commissioners during their April 2016 meeting to be held on Molokai. The request is to obtain an update as outlined in the stipulated agreement made in April 2015 and to bring finalization to this travesty. In that agreement a 90 and 180 update meeting should have occurred. The 180 day ended in October 2015.

A verbal update on the expenses occurred since the agreement was made will be provided during the hearing.

I can be reached at 808-213-5804.

Sincerely,



Skylla Villanueva

2016 APR 28 PM 12:30
OFFICE OF THE CLERK
HONOLULU, HI



HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION • DEPARTMENT OF HAWAIIAN HOME LANDS

Notice of Annual Hawaiian Homes Commission Regular Meeting

Monday, April 11, 2016 at 9 a.m.*
and Tuesday, April 12, 2016 at 9 a.m.

at Kūlana 'Ōiwi Multi-Purpose Conference Room
600 Maunaloa Highway, Kalama'ula, Moloka'i 96748

Hawaiian Homes Commission Meeting agendas are available approximately
one week in advance on the HHC Meetings page on our website, dhhl.hawaii.gov/hhc

***Meeting times are subject to change. Please check the website for an updated schedule.**

Hawaiian Homes Commission Meeting with the Moloka'i Homestead Communities

on Monday, April 11, 2016 from 6:00 – 8:00 p.m.

at Lanikeha Community Center
2200 Farrington Highway, Ho'olehua, Moloka'i 96729

AGENDA

6:00 - 6:30 p.m.	DHHL Update
6:30 - 7:00 p.m.	Ho'olehua Water System Presentation
7:00 - 7:30 p.m.	Homestead Community Update
7:30 - 8:00 p.m.	Open House**
8:00 p.m.	Adjournment

****During Open House, representatives from DHHL divisions will be available for one-on-one consultation with beneficiaries. Community organizations will also present informational booths.**

To request accommodations for a sign language interpreter or accessible parking (must be requested five days prior to the meeting date), or for more information, please contact the DHHL Information and Community Relations Office on O'ahu at 808-620-9590.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION SITE VISIT
Tuesday, April 12, 2016, 1:30 pm

Site Visit to the Moloka'i Water System


The Commission will convene a site visit to the DHHL Ho'olehua Water System, starting at Kulana 'Ōiwi Multi-Purpose Center, located at 600 Maunaloa Highway, and continuing on to the Kala'e Well Site and the Ho'olehua Tanks Site. A walking tour of these sites will be conducted. The site tour will conclude at the Ho'olehua Tanks Site. No motion will be considered during the site visit. **There is NO ACCESS TO WATER, TOILETS, OR EMERGENCY SERVICES IN THE SITE INSPECTION AREA. SHADE IS LIMITED.** Those wishing to attend should plan accordingly and exercise due caution. Those requiring special accommodations should contact DHHL as instructed below.

Site Visit Part I

Drive from Kūlana 'Ōiwi to Well Site at Kauluwai in Kala'e to inspect well site facility where proposed projects to be funded by USDA are located, including:

Site Visit Part II

Drive from Well Site to two 3.5 MG storage tanks in Ho'olehua to inspect tank facility where proposed projects to be funded by USDA are located, including:

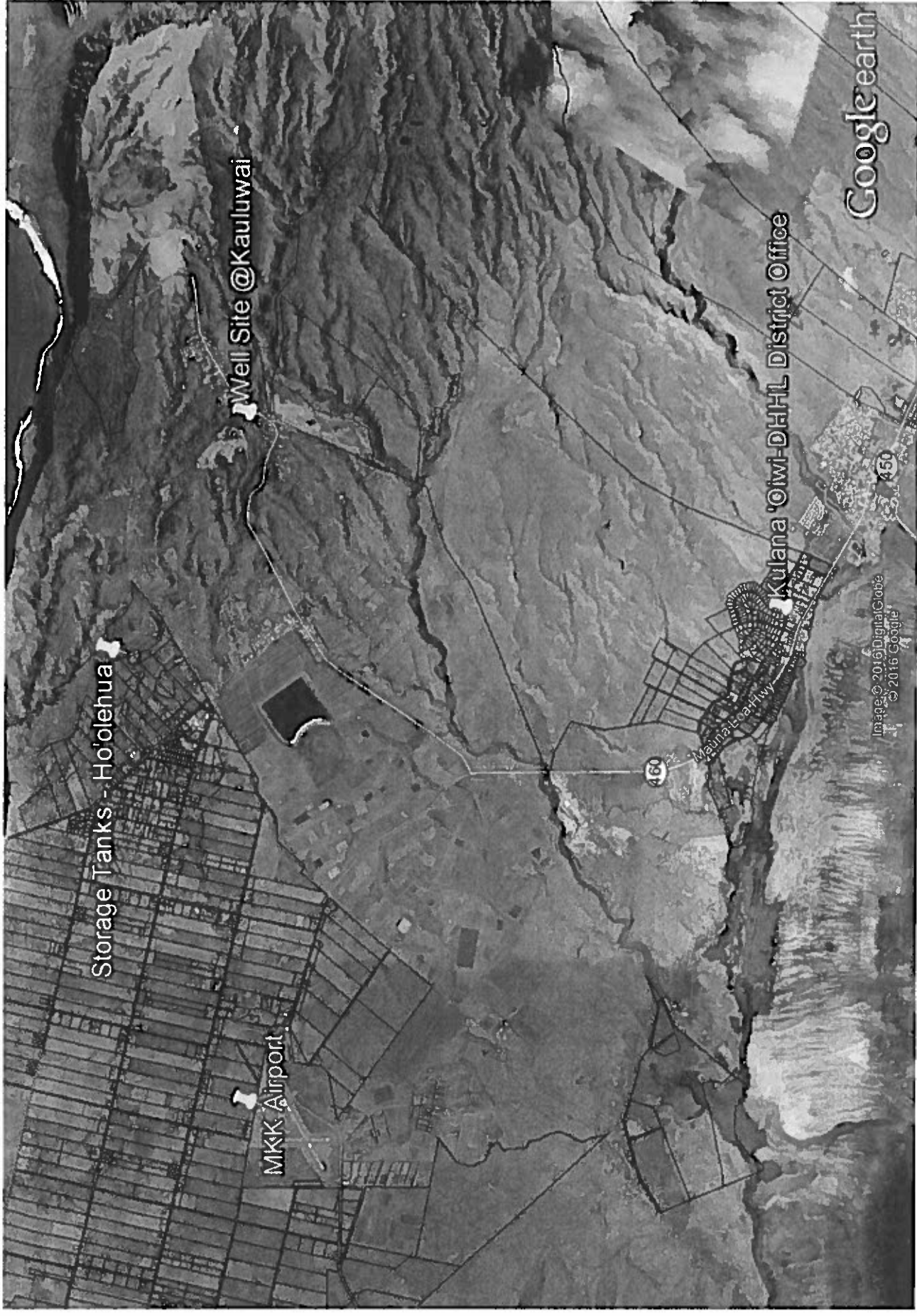

Jobie M. K. Masagatani, Chairman
Hawaiian Homes Commission

COMMISSION MEMBERS

Doreen N. Canto, Maui
Kathleen P. Chin, Kaua'i
Gene Ross K. Davis, Moloka'i
Wallace A. Ishibashi, East Hawai'i

David B. Ka'apu, West Hawai'i
Michael P. Kahikina, O'ahu
William K. Richardson, O'ahu
Wren W. Wescoatt III, O'ahu

Special Accommodations (such as Sign Language Interpreter, large print, taped material) can be provided, if requested, at least five (5) working days before the scheduled meeting on the respective island by calling Ku'uwehi Hiraishi, at the **Information & Community Relations Office**, on Oahu, (808) 620-9590.



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