

**HAWAIIAN HOMES COMMISSION**  
**Minutes of July 29, 2015**  
**Public Hearing on the Proposed Kahikinui Wind Energy Project**  
**Held in Paukūkalo, Maui**

Pursuant to proper call, the Public Hearing of the Hawaiian Homes Commission was held at the Paukūkalo Community Center, 657 Kaumuali‘i Street, Wailuku, Maui, beginning at 6:41 p.m.

**PRESENT** Jobie M. K. Masagatani, Chairperson  
Doreen N. Canto, Commissioner, Maui  
David B. Ka‘apu, Commissioner, West Hawai‘i  
Michael P. Kahikina, Commissioner, O‘ahu  
William K. Richardson, Commissioner, O‘ahu  
Renwick V. I. Tassill, Commissioner, O‘ahu  
Kathleen P. Chin, Commissioner, Kaua‘i

**EXCUSED** Gene Ross K. Davis, Commissioner, Moloka‘i  
Wallace A. Ishibashi, East Hawai‘i

**STAFF** Julie-Ann Cachola, Planner, Planning Office  
Allen Yanos, Property Develop Analyst, Income Property Branch  
N. Ulu Lota, HHL Legislative Analyst, Planning Office  
Shelly Carreira, HHL Land Agent, Land Management Branch  
John Peiper, Enforcement Officer, Office of the Chairman  
Paul Suyat, Enforcement Officer, Office of the Chairman  
Paula Aila, Hale Manager, Office of the Chairman  
Mona Kapaku, Homestead District Operation Manager, Maui  
Jane Gordon, Homestead Assistant, Maui Office  
Maria Ornellas, Homestead Assistant, Maui Office  
Ku‘uwehi Hiraishi, Info. Specialist, Information and Community Relations Office  
Leah Burrows-Nuuanu, Secretary to the Commission, Office of the Chairman

**AGENDA** Chairperson Masagatani sought approval of the agenda, noting that the hearing is for public testimony only; no decisions will be made. The Commission will listen only and will not engage in discussions at the table. The Commission will return to Maui in November for its regular meeting when the item will be up for decision making.

Commissioner Canto moved, seconded by Commissioner Chin, to approve the agenda. Motion carried unanimously.

Chairperson Masagatani thanked everyone for attending and announced the first portion of the meeting will be a presentation by DHHL staff and Boulevard Associates. Following the presentation, the floor will be opened for Public Testimony. She asked testifiers to limit their comments to 3 minutes, but welcomes written testimony of any length to be submitted either online or to staff members in attendance. Comments will be taken until August 21<sup>st</sup>. Community members can also write their questions on the yellow sheets found at the

registration table. Staff will try to answer as many questions as possible tonight, and all questions and answers will be posted to the website for everyone to access.

**A. PROPOSED KAHIKINUI WIND ENERGY PROJECT**

Presentation of proposed wind energy project on Hawaiian Home Lands at Kahikinui, Maui, to be developed by Boulevard Associates, a Delaware LLC an affiliate of NextEra Inc., and proposed lease of Hawaiian Home Lands to Boulevard Associates, a Delaware LLC an affiliate of NextEra Inc. for the project.

Chairperson Masagatani introduced DHHL Planner Julie-Ann Cachola and Property Development Analyst Allen Yanos who provided the following presentation.

*Note: Each attendee was provided with a copy of the presentation.*

A. Yanos introduced Anthony Pedroni, Director of Business Development NextEra Energy Resources, LLC.,

A. Yanos presented the Summary portion of the presentation and introduced DHHL energy consultant, Dr. Karl Stahlkopf of SPS Energy & Financial, LLC.

Summary: The Kahikinui Wind Energy Project

- Does NOT depend on an undersea cable to O‘ahu
- Does NOT depend on the NextEra-HECO merger
- Brings the greatest amount of money to DHHL, at the earliest possible date
- Provides significant community benefits as well as long-term cash stream to DHHL for its beneficiaries
- Has a high probability of success; it does not rely on 3<sup>rd</sup> party financing

What’s Next

- HHC Discussion with Counsel on proprietary elements of the proposal in August, 2015.
- Beneficiary Consultation and Public Hearing Report submitted to HHC in September 2015.
- Decision on whether or not to proceed with ROE and General Lease in November 2015.

J. Cachola addressed questions submitted by members of the audience.

**1. How much of the 60 megawatts will be transferred to O‘ahu? Will the energy produced in Kahikinui go to other communities?**

*Answer:* (Doug McLeod, NextEra Maui-based project development consultant)

None of the energy produced will be transferred to O‘ahu. The energy will be used for other communities on Maui.

**2. Where is the demand coming from?**

*Answer:* (Doug McLeod) It’s an island demand figure. There will be a need for it by the time the wind farm comes online. The utility has plans for more wind power on Maui. Right now, the Public Utilities Commission hasn’t approved those plans but they believe all of the wind can be used here on the island of Maui.

3. **If the decision-making meeting is being pushed back to November, does that mean the comment period will be extended?**

*Answer:* (Julie Ann Cachola) Yes, the deadline has been extended to August 21<sup>st</sup>. All of the comments will be compiled into a report which will be presented to the Commission at its September meeting.

4. **Will there be job opportunities for Maui people?**

*Answer:* (Doug McLeod) If the question is referring to construction jobs, the answer is, Yes. The company is not making any promises as to the number of jobs, but Kahikinui is a rugged place and it would make sense to use local labor.

5. **Why do you have to build the windmills on the makai (ocean-side) side of the road where it might cause more sediment to go into the ocean?**

*Answer:* (Doug McLeod) The wind resource is better as you go closer to the shoreline. Also, in our discussions with Ka ‘Ohana o Kahikinui, we realized that the furtherth would be a greater visual impact to them.

6. **Where will the money be spent? Will it stay in the Kahikinui community or go to the general fund?**

*Answer:* (Chairperson Masagatani) Generally speaking, our income-producing projects generate resources for the trust. Allocation of those funds are determined based on the priorities and needs of all the beneficiaries. The Community Benefits Package would be specifically for the impacted community which in this case would be Kahikinui. .

7. **Are any federal permits required for this project?**

*Answer:* (Doug McLeod) There needs to be an avian (bird) study and most wind farms get a federal permit from the Fish and Wildlife Service related to birds.

## **B. PUBLIC TESTIMONY ON THE PROPOSED KAHIKINUI WIND ENERGY PROJECT**

Chair Masagatani announced the public is invited to sign up to testify until 8:30 p.m. She asked that testifiers state whether or not they are beneficiaries of the Trust.

### **1. Ms. Leilani Bagoyo**

L. Bagoyo introduced herself and read her testimony into the record.

“My name is Leilani Bagoyo, my boyfriend, his friends, and I have been fishing and diving in Kahikinui we since the mid-90s. I oppose any development on these sacred grounds. My reasons are for personal and cultural enrichment.

I live the 5-day, 9-5 grind. Life in town is all hustle and bustle, people rushing from one place to another, everyone on their cell phones are on Facebook. So, every so often when I need to get away and rid myself of all the toxins in life, I like to go back side, primarily the 26<sup>th</sup> or 27<sup>th</sup> mile marker areas. Besides being a prime fishing and diving grounds, so that I can feed my family, the area itself has lots of meaning. Has a lot of history and cultural significance. This is a place where ancient Hawaiians once thrived, a place where we can all thrive spiritually and culturally if left untouched.

Kahikinui is about bringing me back to the basics. In town, I have no connection but

in Kahikinui I get back to my roots, something I think only fishermen, divers, and hunters can relate to.

Any development, I feel, may limit access. I don't want to show my nieces and nephews pictures of Kahikinui--I want to take them there and show them the place where supposedly, the first Polynesians came ashore. I want to show them where ancient Hawaiians lived and flourished as dryland farmers, fishermen, divers, and hunters.

I know that we who oppose the wind farm will make the developers for whoever else is involved in rich, however, if you leave Kahikinui undeveloped, you will enrich our lives and the community as a whole. Don't you think our quality of life is worth more than shaving a few bucks off of our electric bill? Mahalo."

## **2. Mr. Doug McLeod**

D. McLeod is a Maui resident and the Maui based person for the wind farm development team. He serves as the Chair of the Maui Energy Conference and served as the Energy Commissioner for the County of Maui. He has been involved in 20 or 30 different solar projects around Maui.

He has been asked many times how the wind project will benefit Maui. As of today, Maui is powered by approximately 35% renewable energy. Which is great compared to where Maui was 10 years ago. As of July 1, there is a new law in Hawai'i that says the target is now 100% renewable energy. To get there, Hawai'i is going to need a combination of solar and wind energy. From an energy perspective this is a great location for a wind farm. Adding this level of wind will make a meaningful difference in terms of the overall percentage of renewable energy on this island. Right now of the 35% currently being generated, 21% is wind power, which is about 72 megawatts. If anyone has questions for him, he will be available after the meeting to talk story.

## **3. Ms. Donna Sterling**

D. Sterling introduced herself and read her testimony into the record.

"Aloha Kakou, Chairman Jobie Masagatani, Deputy Director Bill Aila and Commissioners, my name is Donna Sterling, a 15-year beneficiary/resident of Kahikinui. I farm squash and 'uala on my homestead. I am here to speak for my family regarding the NextEra Kahikinui Wind Project.

Our family supports the ROE with DHHL moving forward with the project. Our family will benefit from funding or material compensation from this project. I speak specifically of our Community Based Economic Development and Makai Management Plan which was developed by Ka 'Ohana o Kahikinui with assistance from the U.H., Department of Urban and Regional Planning, in January 2000.

I care for our family's 119 acres of land with a non-profit Helekunihi Cultural Foundation, focusing on native plant restoration with preservation of archaeological sites. On the proposed turbine map you may see a rectangle shape area. That is our land. Our board supports the project. We are located at the 26053 mile marker post. I am directing DHHL to prepare a place for our community members a place at the

negotiating table between DHHL, NextEra, and Ka ‘Ohana o Kahikinui. All three groups are important to the project for collective existence. I thank you for the time to say my peace and to move forward.”

#### **4. Mr. Kanaloa Twist**

K. Twist stated there have been so many unanswered questions. How will this project benefit Hawaiian Homes? Where will the money from the project go? Where will the windmills be placed? What will happen to the old Hawaiian villages down there? Here is my testimony about why I am against windmills in Kahikinui.

Since he was a little kid, he has been going to Kahikinui every week to hunt, fish or dive to help put food on the table. He has been to the top of those mountains and it was amazing to look down on all of Kahikinui. Not a building in sight, just beautiful Hawaiian land of long ago. He has spent many nights in Kahikinui. He has seen the moon rise over the ocean and light up Kahikinui. With all of the stars in the sky it is unbelievable. Sunrise and sunset on purplish orange clouds over Kahikinui can really make a person thank God for another day of life.

NextEra wants to put 20 big white windmills that will flash red lights during the night. Kahikinui is the most special ahupua‘a that Hawaiians have full control of. Kahikinui is a place where people can go to get away from the developed side of Maui. In this day and age, people take our land for granted and don’t realize there aren’t many areas without hotels, telescopes and tall buildings that desecrate the land. Most of our kupuna are gone today but this is what they were fighting for. We need to plan better. We owe it to the people that came before us, and to the people of tomorrow, to plan better. He knows that the folks at Hawaiian Homes are good people who want to find ways to help the Hawaiian homesteaders. Maybe HHC can do something like a solar panel farm instead. It could go on a few acres where houses are supposed to be. It will be 15 feet high but it will not be noticeable near the houses. There are other options out there that might be better. He’s okay with homes for Hawaiian people but windmills is not okay and is not the answer.

#### **5. Mr. Mo Moler**

M. Moler stated he resides on the back side of Haleakala, in the cultural kipuka of Kahikinui. Kahikinui and Kaupoa are one of the last great open spaces of undeveloped land to have resisted the onslaught of development. On July 19, 1921, the Hawaiian Homes Commission Act of 1921 was signed into law. The Act set aside between 188,000-203,000 acres. Under the Act, native Hawaiians can obtain 99-year leases at \$1 per year for residential, agricultural and pastoral lots. Cloaked under the guise of rehabilitation for Hawaiians. Unfortunately, Congress restricted eligibility for the program to native Hawaiians of 50% or more Hawaiian blood. Prince Jonah Kūhiō Kalaniana‘ole proposed a one-thirty-second blood quantum.

M. Moler recalled an unforgettable encounter with previous Chairperson Hoaliku Drake. She yelled at him, saying that no one could live back there [Kahikinui] because there is no water and you can’t grow anything. He wishes she could see them now after 25 years of being on the ‘āina [land]. He knew that if our ancestors could live out there, modern Hawaiians could too.

He understands why there is interest in a windfarm at Kahikinui. It is a good source of wind; it's a renewable source of energy for Maui. But he reminded everyone that the Act was established for the rehabilitation of native Hawaiians. It was not to develop a revenue stream. He explained that a big part of the problem is that DHHL doesn't know what Kahikinui is all about. The staff and managers have not spent time at Kahikinui. Very few have walked the land; very few have felt a spiritual connection to Kahikinui.

Moving forward, he said that the Department and 'Ohana has to sit down and come up with a reasonable Community Benefit Package. If we cannot come to an agreement on any of the suggestions for a win-win solution, then he wants to be on record stating his true mana'o [thoughts] that this is a done deal--that the Commissioners, DHHL staff and NextEra are running everyone through a system of deception once again.

#### **6. Ms. Malia Benz-Marrs**

M. Benz-Mars introduced herself and read her testimony into the record.

"I love Kahikinui so much, I feel like this is where I belong, where my family belongs. It was definitely not easy, everyone who lives up there knows the struggle, but it's so worth it. As a kid, my sister and I would wake up, feed the dogs, get ready for school at 4 in the morning and get to school an hour early. Then we get picked up from school at 5 or 6 o'clock after mom and dad got off work. Then we had to fill our water tank in 'Ulupalakua and come home, turn on the lanterns, heat up our one pot of water and take a shower in the "shower tent" which was basically a bath tub and a tarp and a water hose. It is freezing up there!

Now that I'm older, have a job and am raising my two children at Kahikinui, I realize that what I'm enduring is so easy compared to what my mom and dad were going through. One thing I wanted to acknowledge is the responsibility they took on. Everybody who has a lot out in Kahikinui, Ka 'Ohana o Kahikinui, when they signed their name for their land, they became a caretaker. said, "Yes" I will be a part of this community and take care of these 23,000 acres. It's sad to say the only a handful of people showed up. To this day, this handful of people are tired, they're really trying to set this place up for the next generation. To at least be able to drive to their land, at least. It's hard to watch them struggle and wonder if all the efforts will end when they're gone.

I truly feel torn because DHHL has come to us to 1. Use resources we have right here to make clean energy which would in fact lead us to higher level of independence, not having to use fossil fuel is a huge step forward for Hawai'i and our future 2. For us to help them make some sort of revenue so that other homesteaders can keep on getting funded. I know other homesteads have been generously financially supported. On the other end of the spectrum, I love Kahikinui the way it is. I take care of the land and it takes care of us. If we all were holding up to our responsibility in that way, we wouldn't be here tonight. When I was a kid I got to go with Pat Kirch to map out some of the archaeological sites. Entire fishing villages still intact, over 3000 mapped sites that is just one of the reasons we are so privileged to be caretakers there.

With all of that being said, if NextEra can do their environmental impact study for 3-5 years and come back and tell us this wind farm isn't going to affect my family's health, aren't going to disrupt native plants and animal habitats and will not desecrate the sacred archaeological history in Kahikinui, then why not let our people have 20 years of clean energy and revenue then they pack it up and go, who knows what will be in 20 years."

**7. Mr. Foster Ampong**

F. Ampong greeted Commissioners and the community. He is from Wai'ehu Kou and a former lessee from Kahikinui and he is opposed to the Commission issuing a general lease and right of entry for this project. He believes there is more foundation to why the lease should not be issued, then there are for the benefits. He is not against homesteaders at Kahikinui or any other homestead who is trying to improve on their living conditions. He is opposed to the process in which all of this has been carried out.

Maui already has three windfarms now they want to build a fourth windfarm. They claim this will benefit the entire community. They say they intend to keep the energy here on Maui. But, the operative word is intend. Who knows what will happen once it is built. His NextEra willing to say that the energy shall not go anywhere but Maui. He doesn't trust them.

So far the three windfarms currently operating here on Maui have provided no relief to the energy bills of the island. He answered people say the windfarms will produce cheaper energy. But that's not true, the rates for electricity on Maui have not decreased for Maui residents. As far as he knows, none of the beneficiaries on Maui have been consulted in this entire process. The only consultation happened on May 23rd which was two months ago. There was no other beneficiary consultation. He believes every beneficiary of the Hawaiian homes commission act has the right to be consulted and engage in this discussion. With all that has taken place throughout Hawaii, he believes that is the best thing to do

**8. Mr. Keahi Bustamente**

K. Bustamente stated he is a beneficiary lessee in Wai'ehu Kou. He has spent the last decade of his life in Kahikinui. He has been protecting the rare plants, animals, insects, and birds of Kahikinui. Now they want to send it through the ringer. Hundreds and thousands will be killed. For what? To give power to a bunch of colonizers. They say it will be a world class wind project, but that is not what he wants to see out there. It will look like Longbeach. There will be hundreds of windmills. Then there will be geothermal there with smoke coming out of the ground. It's not the Commission's job to build a wind source for Maui County. Hawaiian Homes is supposed to provide homes and take care of our land. What about all of the spirits and the ancestors out there? That area has some of the most beautiful arc [archaeological] sites in the world. If you look at Patrick Kirsch's book you'll see hundreds of arc sites on the map. That's where they want to put the windmills. Some plants grow nowhere else in the world.

He states when they do the cultural and environmental assessment they'll go when it's dry so they won't be able to see any rare plants. The place will never be the same. They say there is a high probability of success but he says there is a high probability of destroying arc states and killing thousands of endangered species. He says they will curse that 'āina if they build windmills there, but the curse will move to the builders. It always does.

## 9. Mr. Dick Mayer

D. Mayer submitted written testimony and highlights important portions during his oral testimony:

1. Unclear to the public whether the figures and information provided in the "Informational Meeting" was already formally approved by the HHL staff + department, by the HHL Commission, or by neither. If there is already an agreement, to what degree can it be modified at the mid-August meeting with revised right-of entry fees? Annual lease payments? With conditions?
2. Will the beneficiaries and the public be able to read the proposed final agreement before the mid-August HHL Commission meeting? Otherwise public testimony at that meeting may be irrelevant.
3. Multiple HHL Commission considerations:
  - a. Maximize financial and other benefits to HHL and its beneficiaries
  - b. Pono use of resources (land, environment, cultural sites, the locally affected community, etc.)
  - c. Being assured of the long-term operational and financial viability of this windfarm operation
  - d. Overall effect of the project on Maui's energy needs
  - e. Recognition of the one-time nature of this decision and its long-term impacts
4. Two separate dimensions
  - a. HHL Board is obligated to get maximum benefits for HHL and its beneficiaries
  - b. HHL Board will need to decide on the proper distribution of benefits
    - i. Kahikinui community + beneficiaries who suffer the project impacts and thus pay the costs
    - ii. Existing HHL Maui beneficiaries who wish to see their community improved
    - iii. New Maui beneficiaries who wish to gain homes
    - iv. Statewide HHL beneficiaries
    - v. Overhead costs to support HHL operations and its bureaucracy
5. Seek out additional proposals by allowing for multiple, competitive "Rights of Entry (ROE)" and subsequent proposals a few years later.
6. Seek out and utilize unbiased, superior financial and legal expertise. Have the potential lease applicants pay to HHL a fee high enough to contract for this expertise.
7. Establish a fixed submission deadline, e.g., December 31, 2017.
8. Determine all of the necessary permit requirements and agencies that will need to give approval:
9. Possibilities: DLNR; Maui Planning Commission (SMA); SHPD (Cultural sites); federal agencies; Public Utility Commission; Legislature; Maui County



- Council; etc. Delay HHL Commission decision a few months (after mid-August) to get all the information required to make the right decision.
10. Provide the applicant with a "check list" of items that will be required in the submission. Require an EIS, and not just an "EA with a FONSI"
  11. Beware of the inherent conflict of interest in having NextEra be both the operator of the windfarm (seller of the power produced) and the purchaser of the power if it owns the island-wide utility. It may work against the HHL and Maui's electricity rate payers.
  12. Provide strict conditions in the agreement that make it clear in perpetuity that the produced power will not be sold off-island. NO Undersea cable!
  13. Make sure that a robust battery system/capability will be integrated into the project.
  14. Thoroughly investigate the possibility of utilizing the SEMPRA power-lines and right-of-way, both to reduce costs and to minimize the visual impacts on the Kahikinui community.
  15. Recognize the considerable uncertainty as to who will be buying the power in the future: MECO, NextEra, the County, a co-operative, micro-grids, distribution network owners, etc.
  16. Maui Countywide Policy Plan Adopted March 24, 2010
  17. Maui Island Plan Adopted December 28, 2012

#### **10. Ms. Andrea Buckman**

A. Buckman introduced herself as the Program Manager for the Leeward Haleakala Watershed Restoration Partnership. The Partnership is a non-profit with the goal of restoring ecosystems from Makawao to Kaupoa at upper elevations. The goal of the partnership is to protect the natural, cultural, economic and water resources of the area. DHHL is a founding partner of the partnership because they saw the value of the natural resources that are found at Kahikinui. This area contains one of the last intact Koa forests on the south slope. She has been involved with the project since 2004. She spends a significant amount of time on the land and with the community and she cares for both. She wishes to share ecological knowledge the team has gathered from being on the land. Her concerns are primarily regarding the damage to sensitive native ecosystems and the inherent risks that comes with powerlines and energy production infrastructure. She asks if the decision is made to move forward with the environmental impact statement that there be consultation with the projects crew and the community that provide the knowledge of the natural and cultural resources within these lands. She has seen the difficulty and costs related to restoring native ecosystems that have been damaged. It is nearly impossible to restore these areas to what it once was. This forest is already very challenged and in a sensitive state. She advocates for protecting what few places there are left on Maui.

#### **11. Ms. Blossom Feiteira**

B. Feiteira introduced herself and thanked the commission for the opportunity to submit testimony in support of the right of entry permit. One of the things about the ROE that is absolutely necessary is for NextEra to be able to do their due diligence to determine the feasibility of the project. It provides needed revenue for both the department and the community involved. It also provides a community to gain significant knowledge about these new technologies that are coming down the pipe. She also supports the reinstatement of the original decision-making date. There are

some concerns about it for her feeling is that the faster they can get this going, the faster the decision can be made. The faster everyone can move forward whether it is to do the project are not. Since 1992, Ka 'Ohana o Kahikinui has been working diligently to make and keep Kahikinui and its resources abundant and available. This partnership between the department, the 'Ohana, and NextEra is important and need. The department has neglected its duty to support the Ohana and its efforts. This project is not about the communities desire to have access to go fishing and revenue, it's about rehabilitating the native Hawaiian so we can return to our status as a self-sustaining community that was there before contact. There are currently 77 lessees and 20 lots that are vacant. In order for the 'Ohana to meet the goal that Prince Kuhio put into the Act, they need access to resources, knowledge and skills. This project will bring that to the community. The decision that the commission will have to make is all about the community there in Kahikinui. For those of us who want to utilize the resources in Kahikinui, we should be going to the 'Ohana and offering our assistance.

#### **12. Mr. Brian Nae'ole**

B. Naeole greeted everyone in attendance. It is very important that we stand up and understand who we are today. He provided Chair Masagatani with a record of who he is. He explained some of his genealogy and that his mother's lineage is from Kahikinui. He is a beneficiary, but he hasn't benefited from any of this. Hawaiian homes has not helped any of us survive, we had done it on our own. If we don't stand up and understand who we are we are going to lose everything as lineal descendants and it is business as usual. The knowledge was given to us by our 'ohana. He is a lineal descendent of Auwahi and attended those meetings. He went there and buried the iwi. They took the bones put them in a bag and then put them in a box and put them away. What about the DNA? You need to check how long the bones have been there. We have to get educated to know what to do. They call us Indians but we don't even get a check. He encourages people to stand up and recognize who you are.

#### **13. Ms. Charmaine Day**

C. Day introduced herself and stated she is a lessee and lives in Kahikinui. She has driven her mo'opuna to and from the area for the last 15 years. Sometimes getting home is difficult. When Sempra [Sempra US Gas & Power] came in, they wanted to put their windmills on a historical sites; we told them no. They went to Ulupalakua [Ranch] and put it on their side and now it's still stuck there in their faces, without the benefits package. They asked for a benefit package and got a 10ft. cement road that goes half way up the mountain. Now NextEra is asking to put windmills in Kahikinui. They offered a community benefit package and this time we know that if we say no, they're just going to go to the next land owner and do it there. The windmill will still be in our faces and again we won't benefit from it. They are hard-working people. It has been 16 years since they first moved in and they are surviving. The community lives off the grid so frankly they don't need the windmills for themselves. They last when they hear about the new communities being built that are energy efficient because they've been doing it for 15 years. They are planning an ecotourism project to have tourists help build stone walls to keep people from accessing their resources. They asked the County to help put up fences but was told there is no money. The community has to think outside the box for anything in Kahikinui. It's a struggle to live out there, but they persevere.

They feel like they were railroaded into this project because DHHL came in 2013 to talk to the community and then there was no communication until just before May 23<sup>rd</sup> of this year. When they went to the meeting they felt like the deal was already cut. On July 13 there is another meeting where they felt barraged again. This is all just formalities so that they can see they are following the procedures. The community of Kahikinui is a private project and they just want everyone to know that they've been managing. She mentions a reforestation project so that someday the community can harvest lumber for their own use and to sell to the public. They are thinking of ways to make jobs to be self-sustainable. They don't people coming to fish the words to put back? People just take and don't put back. Every weekend someone is going up into the mountains to hunt and down to the 26 mile marker to fish. She just wants everyone to know what the community is doing and how they feel. She thanked the commission for their time.

**14. Mr. James Marfil**

J. Marfil greeted everyone present. He stated he has worked all of his life and isn't sure of what he has benefited to be called a beneficiary. He is not for or against the windmill. The people are not on the land and the department is giving it away. he knows the department has to make revenue but how many people are waiting to be put on the land? He is for the people. Money is but the land is everything. People come here and make lots of money off the land and they take it back to the mainland. They forget about us. He trusts in the commission to do the right thing.

**15. Mr. Jared Aiwohi**

J. Aiwohi greeted those present and stated he is a lessee in Paukūkalo. He stated that he is opposed to building windmills in Kahikinui. It takes away the land, the beauty of the land and all of the cultural significance of the area. The community does not know enough about the deal that is going on. More information should go back to the community about the benefits if there are any at all. He knows the Hawaiian community is the minority in our own land and that we suffer the most out of all the cultures that are here. We are the people of this land and yet all of the money that is made off of the aina goes to somebody else. Therefore, because of the lack of information he opposes the project.

**16. Mr. Kalani Tassill**

K. Tassill stated he has been a resident of Paukūkalo for the last 21 years. He stands before the commission today for the iwi that are crying out. When will it stop? Mauna Kea, one more telescope. Haleakala, one more telescope. Now they want to put more windmills on the 'āina. When will the Commission put more people on the land? Kahikinui has 20 open lots right now. The Commission has to remember that it is here because we are here. A hundred years from now we will still be here. This 'opala [rubbish] you want to put on the land, is an eyesore. Stop already. Which is the greater force, the almighty dollar or the almighty one? Tonight he sees more people against the project, than there were in support.

**17. Mr. Ke'eumoku Kapu**

K. Kapu greeted everyone present and provided some genealogical background, he is a beneficiary in waiting and has been on the list for 30 years. His children are now

fathers themselves. He as literally walked the land of Kahikinui and is touched the most when he makes the turn from Hana into the area. Kahikinui is the land of his kupuna.

He feels for the families of Kahikinui because he knows they just want the opportunity to compete with the hustle and bustle of the times but they are being robbed of the opportunity because there is a negotiation going before them by someone else who is not from this wahi pana [sacred place]. There is a carrot being put in the front of our eyes by malihini [visitors] who don't have any rights to the Trust. These lands are supposed to be for us. Why are these lands being given away to someone else for their beckoning? Who is going to monitor these things when the poop hits the fan and all of a sudden we have to worry about our economics? Everyone here supports the intent of the project and wants to make sure they have a place at the table. The commission needs to get to work and put more people on the land so we don't have to depend on outsiders. Give us the opportunity to make our own decisions.

#### **18. Ms. Tasha Kama**

T. Kama introduced herself and greeted those present. She stated the Commission comes to the community and asks for its input and that's it. This is called consultation. She did not agree with the way things are done, the community needs an opportunity to come together to talk about what is going on. She questioned why beneficiaries are not at the [negotiating] table. She asked the issue not go any further until the community has had the opportunity to come together to talk about what the issue is and maybe come up with some solutions about how this is going to work or not work. Everything that is being said tonight and tomorrow needs to be taken into account before any decisions are made. The community is skilled and creative and can negotiate whatever needs to be done for the āina and generations to come. She asked the Commission to stop the process and allow the people to come together to talk before decisions are made.

#### **19. Alapaki Heanu**

A. Heanu stated he is opposed to the project. His father has been on the list since 1974, and believes he will have the same fate if DHHL issues a 20 year lease for these companies to come in and develop on homestead land. The purpose of the Hawaiian homes commission act was to enable native Hawaiians to return to their lands in order to fully support self-sufficiency for native Hawaiians and the self-determination of native Hawaiians in the administration of this Act, and the preservation of the values, traditions, and culture of native Hawaiians. Establishing a permanent land base for the benefit and use of native Hawaiians, upon which they may live, farm, ranch, and otherwise engage in commercial or industrial or any other activities. A. Heanu stated it is up to beneficiaries to decide what they want to do, not the State. In this matter the community is keying on this project for infrastructure. from the wrong people. They should be seeking funds from the department itself. There are nine trust accounts which should be for the beneficiaries. Our people cannot thrive because the funds from these trust accounts is being used to pay state employees instead of rehabilitating the native Hawaiians. Follow Prince Jonah Kūhiō's will and not the will of the state and other investors.

**20. Tiare Lawrence**

T. Lawrence stated she is not a beneficiary but her mother has been on the Ag Lot Waiting List since the 1980’s, and the homestead list since 2002. She opposes this project. A great way to become 100% energy efficient is for MECO to allow rooftop solar for all of Maui residents. MECO needs to update the grid and stop dumping the energy from Kahiawa before considering the building of the additional windfarms on land with wahi pana [sacred sites] and iwi kupuna [. She preferred if DHHL leased these lands to the 26,000 on the waitlist rather than a company who receives \$2.3 billion in tax credits. There are many retired Hawaiians who wouldn’t mind living out there in Kahikinui if there was a way to get water. She urged DHHL to get the funding for water from the federal, state and county governments to bring water out to Kahikinui once and for all. Kahikinui families have waited long enough. The people deserve to live a self-sufficient, sustainable lifestyle, rather than lease to corporations for profit. She worried about the plants, insects, birds and sacred sites in Kahikinui. It truly is a special place and a wind farm does not belong there. The open space reminds her of the time before colonization. We need to protect what land we have left and stop falling victim to corporation greed and profit.

**21. Namea’e’a Hoshino**

N. Hoshino introduced himself and stated he is from Lahaina, Maui. He is also from the Kawawawa lineage that can be traced back to Kahikinui. He stated he walked the land at Kahikinui and opposes the project. A similar issue occurred in Lahaina a few years ago when the state wanted to do a major development on Hawaiian home lands. He considers it desecration of the iwi kupuna. He and his family are beneficiaries, this company is not a beneficiary. He opposes this project because the community has no say in what happens.

Chair Masagatani thanked everyone for taking the time to attend and share their mana’o. She reminded everyone that there will be another hearing tomorrow at this location beginning at 10 AM. She invited the community to submit written testimony online or in person with the staff at the doors. The decision making will occur at the November meeting here on Maui.

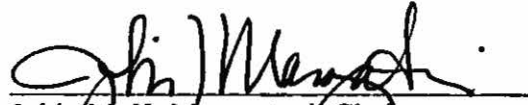
**ADJOURNMENT**

The hearing was adjourned at 8:35 pm.

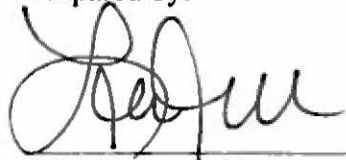
**ANNOUNCEMENTS**

The next regular meeting will be held in Lahaina on August 17 & 18, 2015.

Respectfully submitted:


  
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Jobie M. K. Masagatan, Chairperson  
Hawaiian Homes Commission

Prepared by:

  
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Leah Burrows-Nuuanu, Commission Secretary  
Hawaiian Homes Commission

APPROVED BY:

The Hawaiian Homes Commission  
At Its Regular Monthly Meeting On  
Tuesday, November 16, 2015

  
\_\_\_\_\_  
Jobie M. K. Masagatan, Chairman  
Hawaiian Homes Commission