

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

Lahaina Civic Center, 1840 Honoapi'ilani Highway, Lahaina, Maui, 96761

Monday, August 19, 2019, at 9:30 a.m. to be continued, if necessary, on

Tuesday, August 20, 2019 at 9:00 a.m.

Note: Commission Meeting Packets will be available at dhhl.hawaii.gov, by Thursday, August 15, 2019.

I. ORDER OF BUSINESS

- A. Roll Call
- B. Approval of Agenda
- C. Approval of Minutes for April 2015, July 2018
- D. Public Testimony on Agendized Items

II. ITEMS FOR DECISION MAKING

A. 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 Homestead Application / Cancellations (see exhibit)
- D-7 Commission Designation of Successors to Application Rights – Public Notice 2018 (see exhibit)
- D-8 Approval of Designation of Successors to Leasehold Interest and Designation of Persons to Receive the 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)
- D-12 Commission Designation of Successor – **DARRYL L. LEONG**, Residential Lease No. 9883, Lot No. 13848, Maluohai, Oahu
- D-13 Commission Designation of Successor – **SHANNELL K.Y. MOKU**, Residential Lease No. 3723, Lot No. 5, Waimanalo, Oahu
- D-14 Commission Designation of Successor – **ELIZABETH I. KAUAI, DECEASED**, Lease No. 10569, Lot No. UNDV272, Waiohuli, Maui
- D-15 Conditional Approval of Subdivision, Transfer of a Portion of Lease and Amendment. **MICHELLE H. AIKAU**, Lease No. 09047, Lot No. 19, Puukapu, Hawaii
- D-16 Commission Designation of Successor – **RICHARD IUDA KEALOHA KANAHELE**, Lease No. 5380, Lot No. 68, Kekaha, Kauai

B. REGULAR AGENDA

Land Management Division

- F-1 Annual Approval of Annual Renewal of Right of Entry Permits, Maui Island
- F-2 Annual Approval of Annual Renewal of Right of Entry Permits, Lana'i Island

- F-3 Approval to Issuance of Right of Entry Permit to Waiohuli Hawaiian Homesteaders Association, Inc., Waiohuli-Keokea, Maui Island, TMK: (2) 2-2-028:181(por.), (2) 2-2-002:014 (por.)
- F-4 Approval to Issuance of Right of Entry Permit to Ka Ohana O Kahikinui, Inc., Kahikinui, Maui, TMK: (2) 1-9-001:003 (portion)
- F-5 Approval to Issuance of Right of Entry Permit to Pa'upena Community Development Inc., Waiohuli-Keokea, Maui Island, TMK: (2) 2-2-034:026(por.) & :028 (por.)

Planning Office

- G-1 Amend Maui Island Plan to apply Community Use, Commercial Use, General Agriculture, Industrial, Subsistence Agriculture, and Supplemental Agriculture Land Use Designations to Pūlehunui, Maui; TMK (2) 3-8-008:034 (Pūlehunui South)

III. ITEMS FOR INFORMATION/DISCUSSION

A. REGULAR AGENDA

Planning Office

- G-2 For Information Only - Maui Regional Update
- G-3 For Information Only - Summary of Responses to Proposed Legislative Action Request for 2020 & Draft Legislative Proposals

IV. EXECUTIVE SESSION (discussion to be held during lunch break)

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. Discussion about Kalaeloa Land Disposition to Innergex Renewables USA LLC,
2. Discussion on Honoka'ia Water System Settlement Agreement
3. Update on Enforcement Lease Compliance on Hawaiian home lands

V. ITEMS FOR INFORMATION/DISCUSSION

B. GENERAL AGENDA

Requests to Address the Commission

- J-1 Blossom Feiteira – Lei Alii and Ka Ohana O Kahikinui
- J-2 Donna Sterling – President of Helekunihi Cultural Foundation Kahikinui
- J-3 Kau'ilani Almeida – Panaewa Hawaiian Home Lands Community Association
- J-4 Princeslehuanani Kumaweainakaleomomona - Waitlist
- J-5 Bo Kahui – La'i 'Opua 2020 – Villages of La'i 'Opua

C. WORKSHOP

Office of the Chairman

- C-1 Draft 2019 Annual Performance Report – Native Hawaiian Housing Block Grant

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION MEETING/WORKSHOP AGENDA

Lahaina Civic Center, 1840 Honoapi'ilani Highway, Lahaina, Maui, 96761
Tuesday, August 20, 2019 at 9:00 a.m.

I. ORDER OF BUSINESS

- A. Roll Call
- B. Public Testimony on Agendized Items

II. ITEMS FOR INFORMATION/DISCUSSION

A. REGULAR AGENDA

Homestead Services Division

- D-1 HSD Status Reports
 - A - Homestead Lease and Application Totals and Monthly Activity Reports
 - B - Delinquency Report
 - C - DHHL Guarantees for FHA Construction Loans

Land Development Division

- E-1 For Information Only - West and Central Maui Project Updates
- E-2 For Information Only - Maui County Unencumbered Lot Inventory


Planning Office

- G-4 For Information Only - Maui Water Issues Update

IV. ANNOUNCEMENTS AND ADJOURNMENT

- A. Next Meeting - September 16 & 17, 2019, Lihu'e, Kaua'i, Hawai'i
- B. Adjournment

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



William J. Aila Jr., Chairman
Hawaiian Homes Commission

COMMISSION MEMBERS

Randy K. Awo, Maui
Patricia L. Teruya, O'ahu
Pauline N. Namu'o, O'ahu
Vacant, East Hawai'i

Zachary Z. Helm, Moloka'i
David B. Ka'apu, West Hawai'i
Dennis L. Neves, Kaua'i
Vacant, O'ahu

Next community meeting is scheduled for Monday,
August 19, 2019 at Lahaina Civic Center, Lahaina, Maui

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 the **Information & Community Relations Office**, on Oahu, (808) 620-9590.

ITEM D-2 EXHIBIT
RATIFICATION OF LOAN APPROVALS

LESSEE	LEASE NO.	AREA
IWAMOTO-MAKANUI, Darrah A.	6463	Anahola, Kauai
KAAHANUI, Danette L.	8964	Kawaihae, Hawaii
KAALAKEA, David S. K.	12231	Waiehu Kou IV, Maui

ITEM D-3 EXHIBIT
APPROVAL OF CONSENT TO MORTGAGE

LESSEE	LEASE NO.	AREA
AARONA-LORENZO, Donna E. K.	7589	Waiohuli, Maui
AH SUI-AGLIPAY, DawnMarie A.	584	Nanakuli, Oahu
AIO, Gabriel A. L.	8463	Princess Kahanu Estates, Oahu
AKAU, Lehuanani E. P.	11411	Kaupea, Oahu
AMINA, Guyson K.	4408	Nanakuli, Oahu
ANDERSON, Nazarene P.	6000	Waimanalo, Oahu
APPLEGATE, Cornelia L.	11462	Leialii, Maui
ARRUDA, Georgette N. L.	9601	Kalawahine, Oahu
CASIL, Shayne K.	8206	Paukukalo, Maui
CHANG, Louis T.	1649	Nanakuli, Oahu
COCKETT, Sheldon P.	5942	Waiehu, Maui
GANANCIAL, Mary M.	9658	Kawaihae, Hawaii
GRAY, Uluwehi S.	11161	Anahola, Kauai
HANOHANO, Naomi L.	9978	Princess Kahanu Estates, Oahu
KAAIKALA, Shirley Ann	8343	Princess Kahanu Estates, Oahu
KALEIKINI, Bellerina H. K.	5632	Lualualei, Oahu
KAPULE, Eldred L.	8530	Princess Kahanu Estates, Oahu
KAULIA, Melvalee M.	5405	Waianae, Oahu
KEALOHA, Karen M. R.	8825	Nanakuli, Oahu
LAUNIU, Leinaala K.	6206	Panaewa, Hawaii
LYLES, Lylla A.	5344	Waianae, Oahu
MANSFIED, Gloria A. M. A.	8317	Princess Kahanu Estates, Oahu
MEDEIROS, Justin M. K.	12099	Kaupea, Oahu
MONIZ, Crystal Ann H.	10431	Waiohuli, Maui
NAKAMURA, Kalena C. K.	3157	Waimanalo, Oahu
PAKELE, James L., Jr.	5266	Waianae, Oahu
PETERS, Angus K.	7633	Waiohuli, Maui
SPOTKAEFF, Maryknoll K. K. L.	11680	Kanehili, Oahu
TAKETA, Laura L. C.	8900	Nanakuli, Oahu
YAMAMOTO, Maurine L.	4773	Waiakea, Hawaii

ITEM D-4 EXHIBIT

APPROVAL OF STREAMLINE REFINANCE OF LOANS

LESSEE	LEASE NO.	AREA
CHING, Candace K.	10164	Nanakuli, Oahu
MATHIAS, Robin Rose H.	12345	Kanehili, Oahu
REYES, Barrett K.	4344	Anahola, Kauai

ITEM D-5 EXHIBIT

APPROVAL TO SCHEDULE LOAN DELINQUENCY CONTESTED CASE HEARINGS

LESSEE	LEASE NO.	AREA
KAUANUI, Keala W.	11361	Kekaha, Kauai
VILLANUEVA, Skylla	3442	Hoolehua, Molokai

ITEM D-6 EXHIBIT

HOMESTEAD APPLICATION TRANSFERS / CANCELLATIONS

APPLICANT	AREA
AKI, Inez K.	Hawaii IW Agr
AKI, Inez K.	Oahu IW Res
ASHLEY, Bradfrey G.	Oahu IW Res to Maui IW Res
BAILEY, George M.	Maui IW Agr
BAILEY, George M.	Maui IW Res
BRAND, Frances L.	Maui IW Res
CABELLERO-SPENCER, Marie K.L.	Hawaii IW Pas
CARINIO, Lawrence K.	Hawaii IW Agr to Oahu IW Agr
CARINIO, Lawrence K.	Hawaii IW Res to Oahu IW Res
CHING, Mercedes K.	Kauai IW Agr
CHING, Mercedes K.	Kauai IW Res
CORREIA, Alice A.	Maui IW Agr to Oahu IW Agr
CORREIA, Alice A.	Maui IW Res to Oahu IW Res
DEGUILMO, Leonard J.	Maui IW Agr
DEGUILMO, Leonard J.	Maui IW Res
DOO, Alejandro	Molokai IW Res
EDWARDS, Elizabeth K.	Oahu IW Res
FOGLEMEN, Joanne L.	Maui IW Agr
HIGA, Alberetta P.	Kauai IW Agr
HO, Hinano H.	Maui IW Agr
HO, Hinano H.	Maui IW Res
HUGO, Trevor K.	Hawaii IW Agr to Oahu IW Agr
ILAE, Shekinah L.	Maui IW Agr to Maui IW Pas
KAAHANUI-ROSA, William K.	Oahu IW Res
KAINA, Paul A.	Maui IW Res
KAIPO, Selene K.	Oahu IW Res
KANIHO, Sonny A.	Hawaii IW Res

ITEM D-6 EXHIBIT continued

HOMESTEAD APPLICATION TRANSFERS / CANCELLATIONS

APPLICANT	AREA
KEKONA, Douglas K.	Kauai IW Agr to Hawaii IW Agr
KEKONA, Douglas K.	Kauai IW Res to Hawaii IW Res
KELII, Wilma L.	Hawaii IW Agr
KINI, Leolani F.	Maui IW Agr
LANNING, Earlet M.	Kauai IW Res
LEWIS, Claudine U.	Oahu IW Agr to Hawaii IW Agr
LEWIS, Claudine U.	Oahu IW Res to Hawaii IW Res
LONG, Pomai J.C.	Hawaii IW Res to Maui IW Res
MAIO, Maude L.	Maui IW Res
MAKUA, Melanie K.K.	Hawaii IW Agr
MAKUA, Melanie K.K.	Oahu IW Res
MAO-FERGUSON, Yvette E.K.	Oahu IW Res
MCMILLAN, Blanche E.	Hawaii IW Agr to Oahu IW Agr
MILLER, Walter F.	Hawaii IW Agr
MORRISON, Coelho J.K.	Hawaii IW Agr
O'RILEY, Diana A.	Kauai IW Agr
PUAA, Harry N.H.	Molokai IW Res
PUHA, Walter	Maui IW Pas
RICHARDSON, Heather U.	Hawaii IW Agr Maui IW Agr
RITTMEISTER, William F.	Hawaii IW Agr
SANCHEZ, Annette M.	Oahu IW Res
SIMEONA-THOMAS, Ilona P.	Kauai IW Agr
SIMEONA-THOMAS, Ilona P.	Oahu IW Res
SOLOMON, Sharon U.	Maui IW Agr to Oahu IW Agr
SOLOMON, Sharon U.	Hawaii IW Res to Oahu IW Res
STEVENS, Ida L.	Kauai IW Pas
SWAIN, Dora K.	Kauai IW Agr
SWAIN, Dora K.	Kauai IW Res
TAGUPA, Leona L.M.	Hawaii IW IW Agr to Maui IW Agr
TAGUPA, Leona L.M.	Oahu IW Res to Maui IW Res
THOMPSON, Melanie N.	Kauai IW Res
TOPLEY, Gregory K.	Maui IW Agr
VOSS, Doris M.	Maui IW Agr
WAHINEPIO, Chanel W.	Oahu IW Res
WARRINGTON, Charles K., Sr.	Hawaii IW Agr
WARRINGTON, Charles K., Sr.	Hawaii IW Res
WILLIAMS, Elizabeth U.	Maui IW Pas
WILSON, Lorna-Mae K.	Hawaii IW Agr
WILSON, Lorna-Mae K.	Maui IW Res
WINCHESTER, Vanessa U.	Kauai IW Agr to Hawaii IW Pas
WOOLF, Winona L.	Hawaii IW Agr

* IW = Islandwide

ITEM D-7 EXHIBIT

COMMISSION DESIGNATION OF SUCCESSORS - PUBLIC NOTICE 2018

APPLICANT	AREA
AKI, Inez K.	Oahu IW Res
AKI, Inez K.	Kauai IW Agr
KAAHANUI- ROSA, William K.	Waimanalo Area / Oahu IW Res
KAINA, Paul A.	Paukukalo Area / Maui IW Res

* IW = Islandwide

ITEM D-8 EXHIBIT

APPROVAL OF DESIGNATION OF SUCCESSORS TO LEASEHOLD INTEREST AND
DESIGNATION OF PERSONS TO RECEIVE THE NET PROCEEDS

LESSEE	LEASE NO.	AREA
GIRON, Maureen H.	9263	Waimea, Hawaii
KEALE, Elaine H.K.	8676	Anahola, Kauai
KEPA, Loretta	7668	Waiohuli, Maui
KIM, Evangeline I.	12396	Kanehili, Oahu
PESAMINO, Memory A.K.	7919	Hoolehua, Molokai

ITEM D-9 EXHIBIT

APPROVAL OF ASSIGNMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
BROWN, Dawn E.	3947	Waimanalo, Oahu
KAAPUNI, Lihauokalani T.	1769	Nanakuli, Oahu
KIAAINA, Keolamauloa L.	359	Nanakuli, Oahu
LONO, Wayne E.	8776	Waimanalo, Oahu
LOPES, Lloyd K.	7753	Waiohuli, Maui
MATSUSHIMA, Kimberly K.	4408	Nanakuli, Oahu
NOA, Alice R.L.	250	Nanakuli, Oahu
SANTOS, Dennis N.	9811	Maluohai, Oahu
TORRES, Melanie K.	12099	Kaupea, Oahu
MEDEIROS, Naomi L.	12009	Kaupea, Oahu
DEL TORO, Rachel L.	11694	Kapolei, Oahu
MATSUDA, Edwin U.	10456	Waiohuli, Maui
WAIPA, Susan K.	6266	Panaewa, Hawaii

ITEM D-10 EXHIBIT

APPROVAL OF AMENDMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
APIO, Mary Jane	2277	Waimanalo, Oahu
BROWN, James	3947	Waimanalo, Oahu
GRACE, Abraham K.	3132	Waimanalo, Oahu
KIAAINA, Keolamauloa L.	359	Nanakuli, Oahu

ITEM D-11 EXHIBIT

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

LESSEE	LEASE NO.	AREA
AMINA, Guyson K..	44085	Nanakuli, Oahu
CAMPBELL, Yolanda N.L.T.	9425	Kaniohale, Hawaii
KELIHKULI KAIMANA, Delilah M.	7152	Kawaihae, Hawaii
KELIHKIPI, Johnnalle K.	1696	Nanakuli, Oahu

ITEM F-1 EXHIBIT

RIGHT OF ENTRY PERMITS MAUI ISLAND

ACRE	NO.	USE	PERMITTEE	LOCATION	STARTED
6.82	493	Community	Waiohuli Hawaiian Homesteaders Assoc., Inc.	Kula	7/1/1989
69.0	496	Community	Keokea Homestead Farm Lot Assoc.	Keokea	2/8/2010
3.0	497	Community	Villages of Lealii Assoc.	Lealii	4/1/2013

ITEM F-2 EXHIBIT

RIGHT OF ENTRY PERMITS LANA'I ISLAND

ACRE	NO.	USE	PERMITTEE	LOCATION	STARTED
25.0	510	Pastoral	Alton & Joelle Aoki (Lessees)	Lana'i City	7/1/2006

C- ITEMS

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

August 19 & 20, 2019

TO: Chairman and Members, Hawaiian Homes Commission
FROM: Niniau Simmons, NAHASDA Manager
SUBJECT: C-1 Draft 2019 Annual Performance Report – Native Hawaiian Housing Block Grant

RELEVANT MATERIAL WILL BE DISTRIBUTED UNDER SEPARATE COVER.

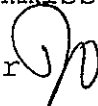
ITEM NO. C-1

D-ITEMS

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2019

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 FHA Construction
Loans

August 19, 2019

SUBJECT: Homestead Lease and Application Totals and Monthly Activity Reports

LEASE ACTIVITY REPORT

Month through July 31, 2019

	As of 6/30/19	Add	Cancel	As of 7/31/19
Residential	8,392	12	3	8,401
Agricultural	1,096	0	0	1,096
Pastoral	410	0	0	410
Total	9,898	12	3	9,907

The number of Converted Undivided Interest Lessees represents an increase of 495 families moving into homes. Their Undivided Interest lease was converted to a regular homestead lease.

	As of 6/30/19	Converted	Rescinded/ Surrendered/ Cancelled	As of 7/31/19
Undivided	828	2	0	826

Balance as of 7/31/2019

Awarded	1,434
Relocated to UNDV	7
Rescinded	111
Surrendered	5
Cancelled	4
Converted	495
Balance to Convert	826

Lease Report For the Month Ending July 31, 2019

	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																
Hoolimalima	70	0	0	70	0	0	0	0	0	0	0	0	70	0	0	70
Kakaina	21	0	0	21	0	0	0	0	0	0	0	0	21	0	0	21
Kalawahine	90	0	0	90	0	0	0	0	0	0	0	0	90	0	0	90
Kanehili	359	0	0	359	0	0	0	0	0	0	0	0	359	0	0	359
Kapolei	206	0	2	204	0	0	0	0	0	0	0	0	206	0	2	204
Kauloakahai	67	12	0	79	0	0	0	0	0	0	0	0	67	12	0	79
Kaupea	325	0	0	325	0	0	0	0	0	0	0	0	325	0	0	325
Kaupuni	19	0	0	19	0	0	0	0	0	0	0	0	19	0	0	19
Kewalo	249	0	0	249	0	0	0	0	0	0	0	0	249	0	0	249
Kumuhau	52	0	0	52	0	0	0	0	0	0	0	0	52	0	0	52
Lualualei	149	0	0	149	31	0	0	31	0	0	0	0	180	0	0	180
Malu'ohai	156	0	0	156	0	0	0	0	0	0	0	0	156	0	0	156
Nanakuli	1,047	0	0	1,047	0	0	0	0	0	0	0	0	1,047	0	0	1,047
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
Waihole	0	0	0	0	16	0	0	16	0	0	0	0	16	0	0	16
Waianae	419	0	1	418	11	0	0	11	0	0	0	0	430	0	1	429
Waimanalo	724	0	0	724	2	0	0	2	0	0	0	0	726	0	0	726
TOTAL	4,288	12	3	4,297	60	0	0	60	0	0	0	0	4,348	12	3	4,357
MAUI																
Hikina	31	0	0	31	0	0	0	0	0	0	0	0	31	0	0	31
Kahikinui	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
Lealii	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	39	0	0	39	0	0	0	0	0	0	0	0	39	0	0	39
Waiehu 2	109	0	0	109	0	0	0	0	0	0	0	0	109	0	0	109
Waiehu 3	114	0	0	114	0	0	0	0	0	0	0	0	114	0	0	114
Waiehu 4	97	0	0	97	0	0	0	0	0	0	0	0	97	0	0	97
Waiohuli	593	0	0	593	0	0	0	0	0	0	0	0	593	0	0	593
TOTAL	1,267	0	0	1,267	65	0	0	65	75	0	0	75	1,407	0	0	1,407
EAST HAWAII																
Discovery Harbour	2	0	0	2	0	0	0	0	0	0	0	0	2	0	0	2
Kamaea	0	0	0	0	0	0	0	0	25	0	0	25	25	0	0	25
Kaumana	42	0	0	42	0	0	0	0	0	0	0	0	42	0	0	42
Keaukaha	473	0	0	473	0	0	0	0	0	0	0	0	473	0	0	473
Kurtistown	3	0	0	3	0	0	0	0	0	0	0	0	3	0	0	3
Makuu	0	0	0	0	121	0	0	121	0	0	0	0	121	0	0	121
Panaewa	0	0	0	0	262	0	0	262	0	0	0	0	262	0	0	262
Piihonua	17	0	0	17	0	0	0	0	0	0	0	0	17	0	0	17
Puueo	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	298	0	0	298	0	0	0	0	0	0	0	0	298	0	0	298
TOTAL	839	0	0	839	395	0	0	395	25	0	0	25	1,259	0	0	1,259
WEST HAWAII																
Honokala	0	0	0	0	0	0	0	0	24	0	0	24	24	0	0	24
Humuula	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
Kanirohale	224	0	0	224	0	0	0	0	0	0	0	0	224	0	0	224
Kawaihae	190	0	0	190	0	0	0	0	1	0	0	1	191	0	0	191
Laiopua	284	0	0	284	0	0	0	0	0	0	0	0	284	0	0	284
Lalamilo	30	0	0	30	0	0	0	0	0	0	0	0	30	0	0	30
Nienie	0	0	0	0	0	0	0	0	21	0	0	21	21	0	0	21
Puukapu/Waimea/Kuhio VII	116	0	0	116	110	0	0	110	215	0	0	215	441	0	0	441
Puupulehu	33	0	0	33	0	0	0	0	0	0	0	0	33	0	0	33
TOTAL	877	0	0	877	110	0	0	110	282	0	0	282	1,269	0	0	1,269
KAUAI																
Anahola	533	0	0	533	46	0	0	46	0	0	0	0	579	0	0	579
Hanapepe	47	0	0	47	0	0	0	0	0	0	0	0	47	0	0	47
Kekaha	117	0	0	117	0	0	0	0	0	0	0	0	117	0	0	117
Puu Opae	0	0	0	0	0	0	0	0	1	0	0	1	1	0	0	1
TOTAL	697	0	0	697	46	0	0	46	1	0	0	1	744	0	0	744
MOLOKAI																
Hoolehua	156	0	0	156	346	0	0	346	21	0	0	21	523	0	0	523
Kalamaua	164	0	0	164	71	0	0	71	3	0	0	3	238	0	0	238
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 A'lii	28	0	0	28	0	0	0	0	0	0	0	0	28	0	0	28
TOTAL	395	0	0	395	420	0	0	420	27	0	0	27	842	0	0	842
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	8,392	12	3	8,401	1,096	0	0	1,096	410	0	0	410	9,898	12	3	9,907

HOMESTEAD AREA AND ISLANDWIDE APPLICATIONS WAITING LIST MONTHLY REPORT FOR THE MONTH ENDING
July 31, 2019

AREA WAITING LIST

DISTRICT AREA	RESIDENCE			AGRICULTURE			PASTURE			TOTAL
	Last Month	Add	Cancel	Last Month	Add	Cancel	Last Month	Add	Cancel	
Oahu District	956	0	1	0	0	0	0	0	0	955
Mau District	50	0	0	4	0	0	5	0	0	59
Hawaii District	130	0	0	28	0	0	46	0	0	204
Kauai District	51	0	0	3	0	0	28	0	0	82
Molokai District	20	0	0	18	0	0	1	0	0	39
TOTAL	1,207	0	1	53	0	0	80	0	0	1,339

ISLANDWIDE WAITING LIST

ISLAND	RESIDENCE			AGRICULTURE			PASTURE			TOTAL
	Last Month	Add	Cancel	Last Month	Add	Cancel	Last Month	Add	Cancel	
Oahu	9,771	20	8	3,732	11	2	0	0	0	13,524
Mau	3,788	5	5	4,670	2	6	611	0	1	9,064
Hawaii	5,742	6	6	7,214	7	6	1,871	1	0	14,829
Kauai	1,628	1	1	2,227	1	2	298	0	0	4,152
Molokai	804	0	1	1059	0	0	202	0	0	2,064
Lanai	88	1	0	0	0	0	0	0	0	89
TOTAL	21,821	33	21	18,902	21	16	2,982	1	1	43,722

AREA AND ISLANDWIDE LISTS

AREA AND ISLANDWIDE LISTS	RES			AG			PAS			TOTAL
	Last Month	Add	Cancel	Last Month	Add	Cancel	Last Month	Add	Cancel	
OAHU	10,738	3,741	0	3,741	2	0	0	0	0	14,479
MAUI	3,838	4,670	615	4,670	2	6	611	0	1	9,123
HAWAII	5,872	7,243	1,918	7,214	7	6	1,871	1	0	15,033
KAUAI	1,679	2,229	326	2,227	1	2	298	0	0	4,234
MOLOKAI	823	1,077	203	1059	0	0	202	0	0	2,103
LANAI	89	0	0	0	0	0	0	0	0	89
TOTAL	23,039	18,960	3,062	18,907	21	16	2,982	1	1	45,061

ADDITIONS		CANCELLATIONS	
New Applications	50	New Lease Awards	4
Application Transfers	5	Application Transfers	5
Lease Rescissions	0	Succ'd and Cancel Own	0
App Reinstatements	0	Public Notice Cancel	0
HHC Adjustments	0	Voluntary Cancellations	0
TOTAL	55	Lease Successorships	0
		HHC Adjustments	0
		Dec'd No Successor	29
		Additional Acreage	1
		NHQ Unqualified	0
		TOTAL	39

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

July 31, 2019

	RESIDENCE			AGRICULTURE			PASTURE			TOTAL
	Last Month	Add	Cancel	Last Month	Add	Cancel	Last Month	Add	Cancel	
OAHU DISTRICT	170	0	1	0	0	0	0	0	0	169
Nanakuli	142	0	0	0	0	0	0	0	0	142
Waianae	0	0	0	0	0	0	0	0	0	0
Luaiualei	71	0	0	0	0	0	0	0	0	71
Papakolea/Kewalo	573	0	0	0	0	0	0	0	0	573
Waimanalo	956	0	1	0	0	0	0	0	0	955
Subtotal Area	9,771	20	8	3,732	11	2	0	0	0	13,524
Islandwide	10,727	20	9	3,732	11	2	0	0	0	14,479
TOTAL OAHU APPS										
MAUI DISTRICT	50	0	0	0	0	0	0	0	0	50
Paukukalo	0	0	0	4	0	0	5	0	0	9
Kula	50	0	0	4	0	0	5	0	0	59
Subtotal Area	3,788	5	5	4,674	2	6	611	0	1	9,064
Islandwide	3,838	5	5	4,674	2	6	616	0	1	9,123
TOTAL MAUI APPS										
HAWAII DISTRICT	69	0	0	0	0	0	0	0	0	69
Keaukaha/Waiakea	0	0	0	16	0	0	0	0	0	16
Panaewa	0	0	0	0	0	0	0	0	0	0
Hurmuula	16	0	0	0	0	0	0	0	0	16
Kawaihae	45	0	0	12	0	0	46	0	0	103
Waimea	130	0	0	28	0	0	46	0	0	204
Subtotal Area	5,742	6	6	7,214	7	6	1,871	1	0	14,829
Islandwide	5,872	6	6	7,242	7	6	1,917	1	0	15,033
TOTAL HAWAII APPS										
KAUAI DISTRICT	43	0	0	3	0	0	21	0	0	67
Anahola	8	0	0	0	0	0	7	0	0	15
Kekaha/Puu Opae	51	0	0	3	0	0	28	0	0	82
Subtotal Area	1,628	1	1	2,227	1	2	298	0	0	4,152
Islandwide	1,679	1	1	2,230	1	2	326	0	0	4,234
TOTAL KAUAI APPS										
MOLOKAI DISTRICT	4	0	0	0	0	0	0	0	0	4
Kalamaula	8	0	0	18	0	0	1	0	0	27
Hoolehua	7	0	0	0	0	0	0	0	0	7
Kapaakea	1	0	0	0	0	0	0	0	0	1
One Alii	20	0	0	18	0	0	1	0	0	39
Subtotal Area	804	0	1	1,059	0	0	202	0	0	2,064
Islandwide	824	0	1	1,077	0	0	203	0	0	2,103
TOTAL MOLOKAI APPS										
LANAI DISTRICT	88	1	0	0	0	0	0	0	0	89
Islandwide	88	1	0	0	0	0	0	0	0	89
TOTAL LANAI APPS										
TOTAL AREA ONLY	1,207	0	1	53	0	0	80	0	0	1,339
TOTAL ISLANDWIDE	21,821	33	21	18,902	21	16	2,982	1	1	43,722
TOTAL STATEWIDE	23,028	33	22	18,955	21	16	3,062	1	1	45,061

DELINQUENCY REPORT - STATEWIDE

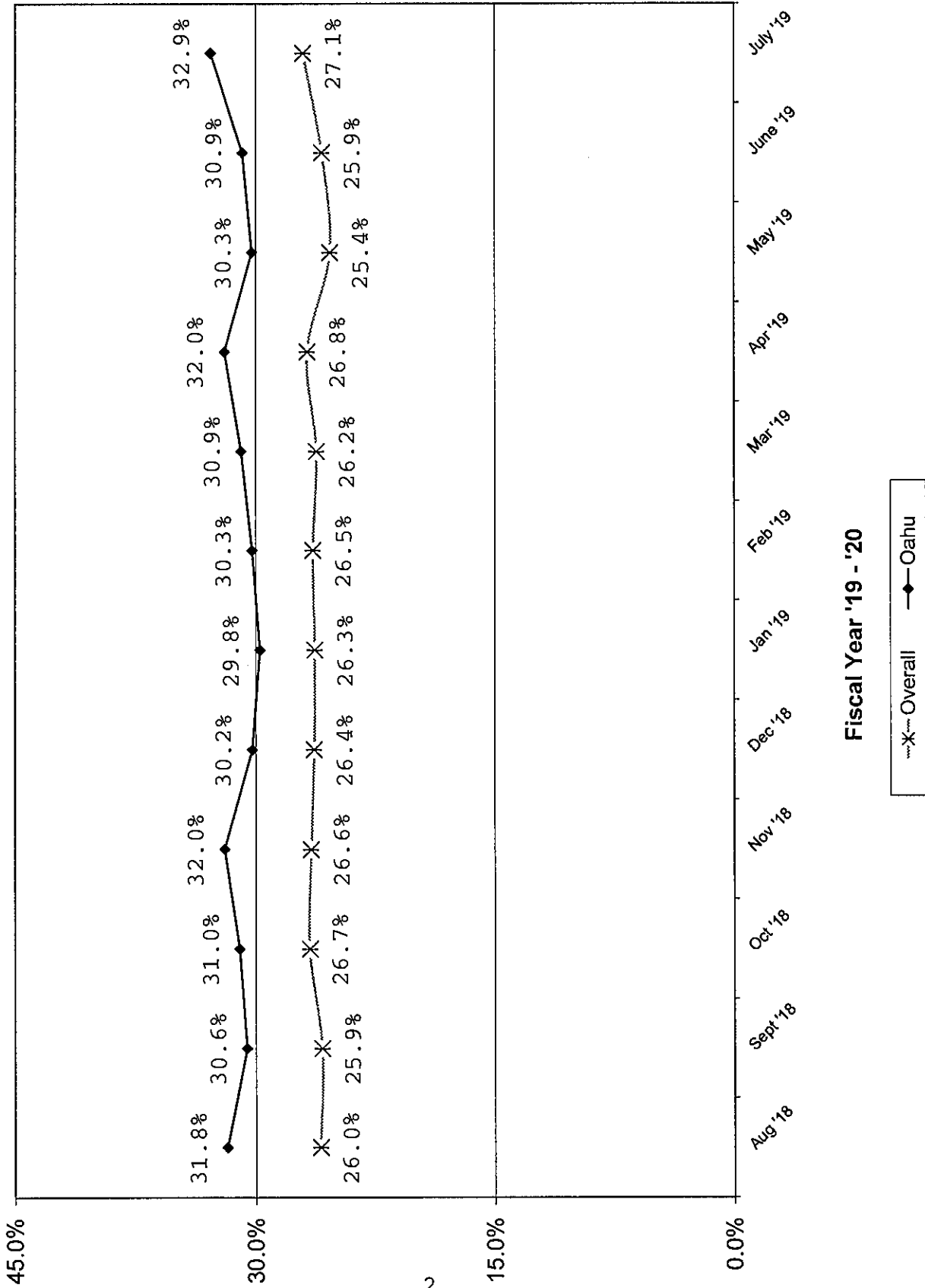
August 19, 2019

(\$Thousands)

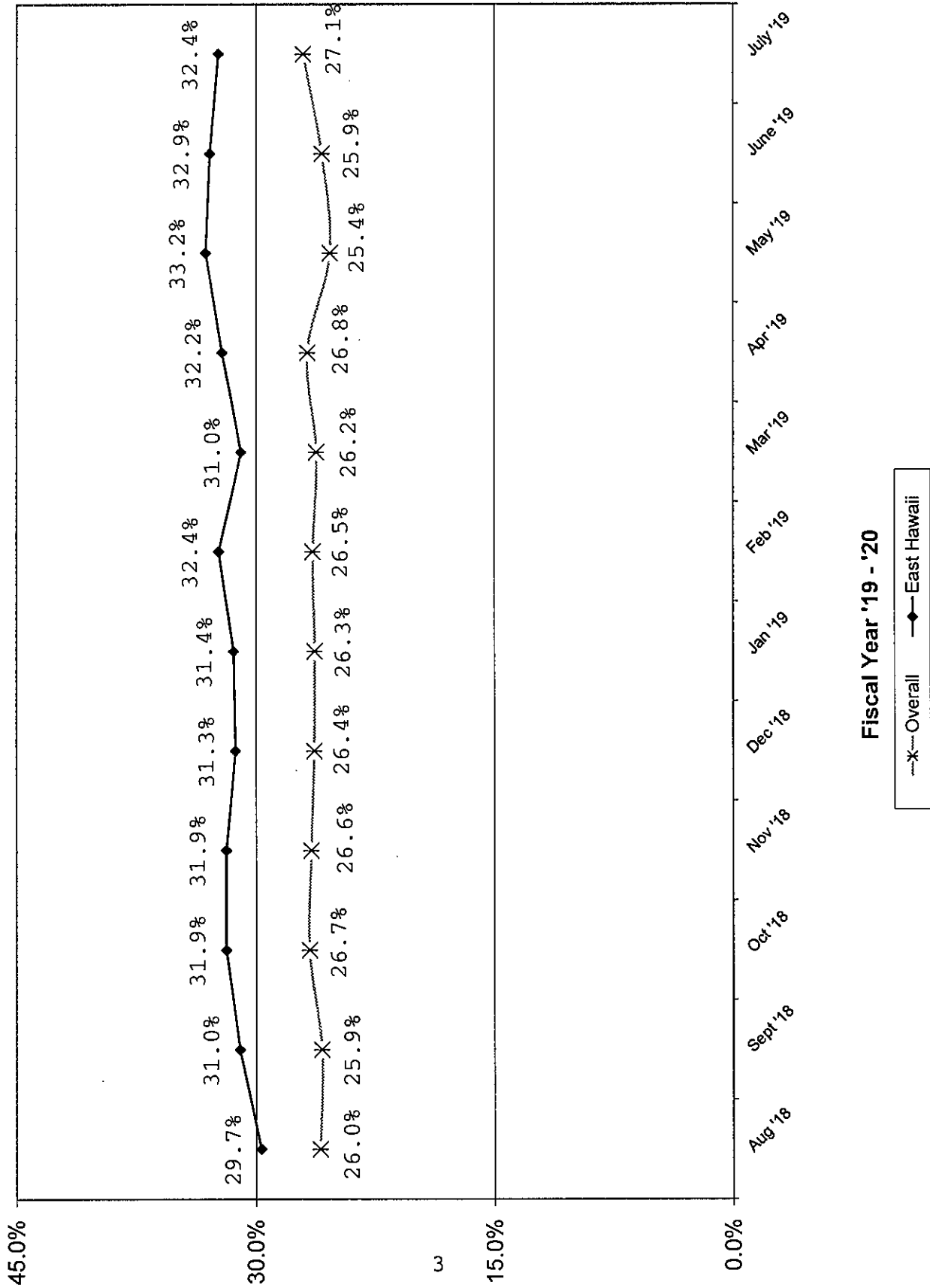
	R I S K												% of Totals				
	Total Outstanding		Total Delinquency		30 Days (low)		60 Days (Medium)		90 Days (High)		180 Days (Severe)		7/31/2019				
	No.	Amt. (000s)	No.	Amt. (000s)	No.	Amt. (000s)	No.	Amt. (000s)	No.	Amt. (000s)	No.	Amt. (000s)	No.	Amt. (000s)	No.	\$	
DIRECT LOANS																	
OAHU	400	36,723	122	12,066	25	1,548	12	769	21	2,372	64	7,377	30.5%	32.9%			
EAST HAWAII	214	13,194	60	4,271	6	271	4	365	9	305	41	3,330	28.0%	32.4%			
WEST HAWAII	84	8,667	11	984	2	200	2	321	3	214	4	249	13.1%	11.4%			
MOLOKAI	85	6,685	23	796	3	108	3	163	3	52	14	474	27.1%	11.9%			
KAUAI	98	7,479	22	1,448	8	699	4	173	3	204	7	372	22.4%	19.4%			
MAUI	91	11,469	24	3,231	7	734	1	235	5	872	11	1,391	26.4%	28.2%			
TOTAL DIRECT	972	84,217	262	22,797	51	3,559	26	2,026	44	4,020	141	13,193	27.0%	27.1%			
	100.0%	100.0%	27.0%	27.1%	5.2%	4.2%	2.7%	2.4%	4.5%	4.8%	14.5%	15.7%					
Advances (including RPT)	231	8,542	231	8,542	0	0	0	0	231	8,542			100%	100%			
DHHL Loans & Advances	1,203	92,759	493	31,339	51	3,559	26	2,026	275	12,562	141	13,193	41.0%	33.8%			
LOAN GUARANTEES as of June 30, 2018																	
SBA	1	94	0	0	0	0	0	0	0	0	0	0	0.0%	0.0%			
USDA-RD	287	33,996	50	6,142	0	0	0	0	50	6,142			17.4%	18.1%			
Habitat for Humanity	56	2,309	31	1,296	0	0	0	0	31	1,296			55.4%	56.1%			
MauI County	5	74	0	0	0	0	0	0	0	0			0.0%	0.0%			
Nanakuli NHS	1	7	1	7	0	0	0	0	1	7			100.0%	100.0%			
City & County	16	301	14	290	0	0	0	0	14	290			87.5%	96.3%			
FHA Interim	8	1,260	0	0	0	0	0	0	0	0			0.0%	0.0%			
OHA	41	258	2	11	0	0	0	0	2	11			4.9%	4.3%			
TOTAL GUARANTEE	415	38,299	98	7,746	0	0	0	0	98	7,746			23.6%	20.2%			
PMI Loans	177	27,925	6	1,301	4	901	1	232	1	168			3.4%	4.7%			
HUD REASSIGNED for Recovery	158	19,592	133	18,019	1	64	1	13	5	384	126	17,559	84.2%	92.0%			
FHA Insured Loans	2,810	444,687	225	29,359	0	0	0	0	225	29,359			8.0%	6.6%			
TOTAL INS. LOANS	3,145	492,204	364	48,679	5	965	2	245	231	29,911	126	17,559	11.6%	9.9%			
OVERALL TOTALS(EXC Adv/RP)	4,532	614,720	724	79,223	56	4,524	28	2,271	373	41,676	267	30,752	16.0%	12.9%			
ADJUSTED TOTALS	4,763	623,263	955	87,765	56	4,524	28	2,271	604	50,219	267	30,752		14.1%			

Note: HUD 184A loan program has 459 loans, with a total outstanding principal balance of \$102,001,583.84 as of June 30, 2018. 16 loans, totalling \$3,917,537.94 are delinquent.

OAHU
Direct Loans
Delinquency Ratio Report



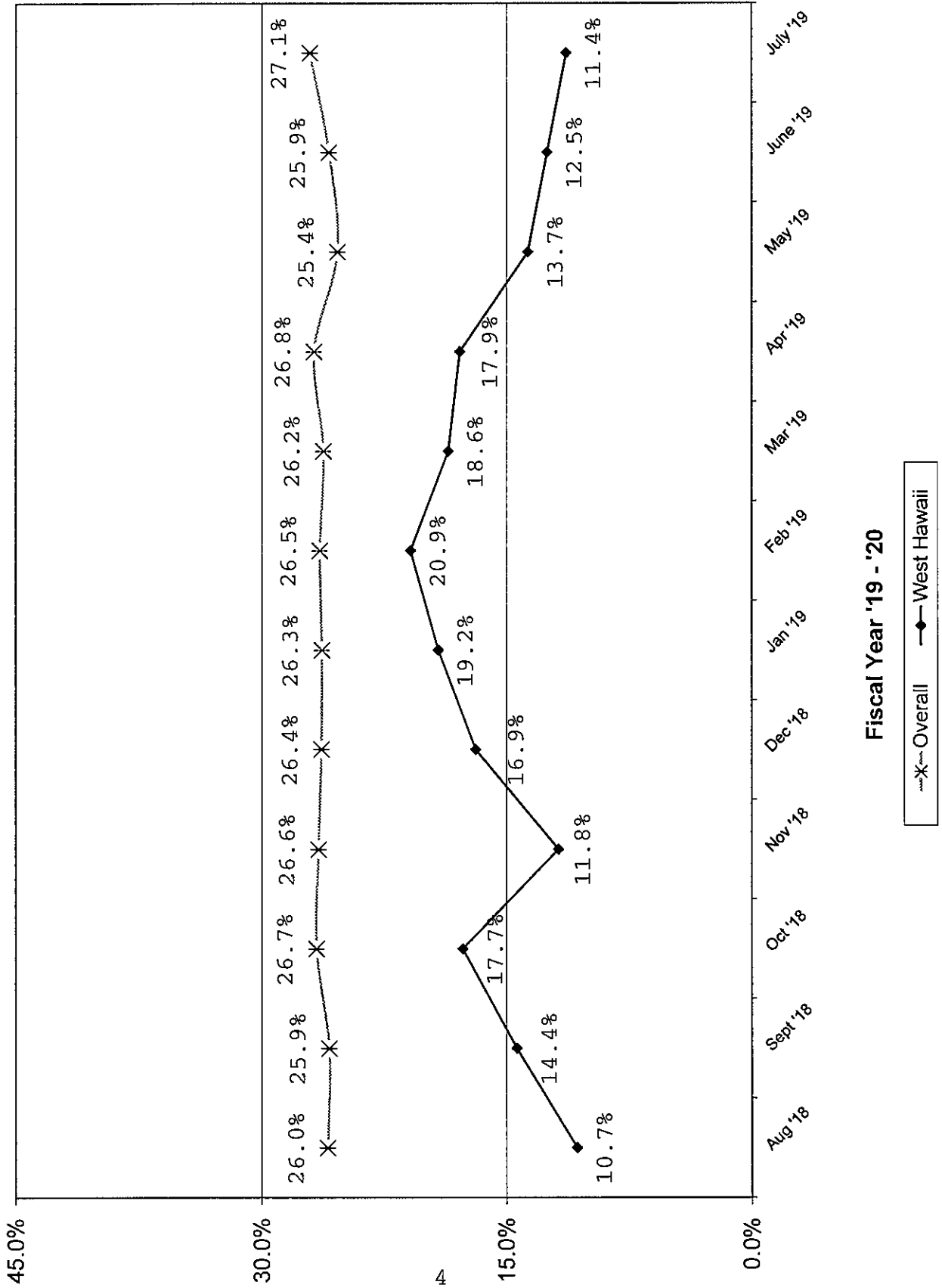
**EAST HAWAII
Direct Loans
Delinquency Ratio Report**



Fiscal Year '19 - '20

---x--- Overall ---◆--- East Hawaii

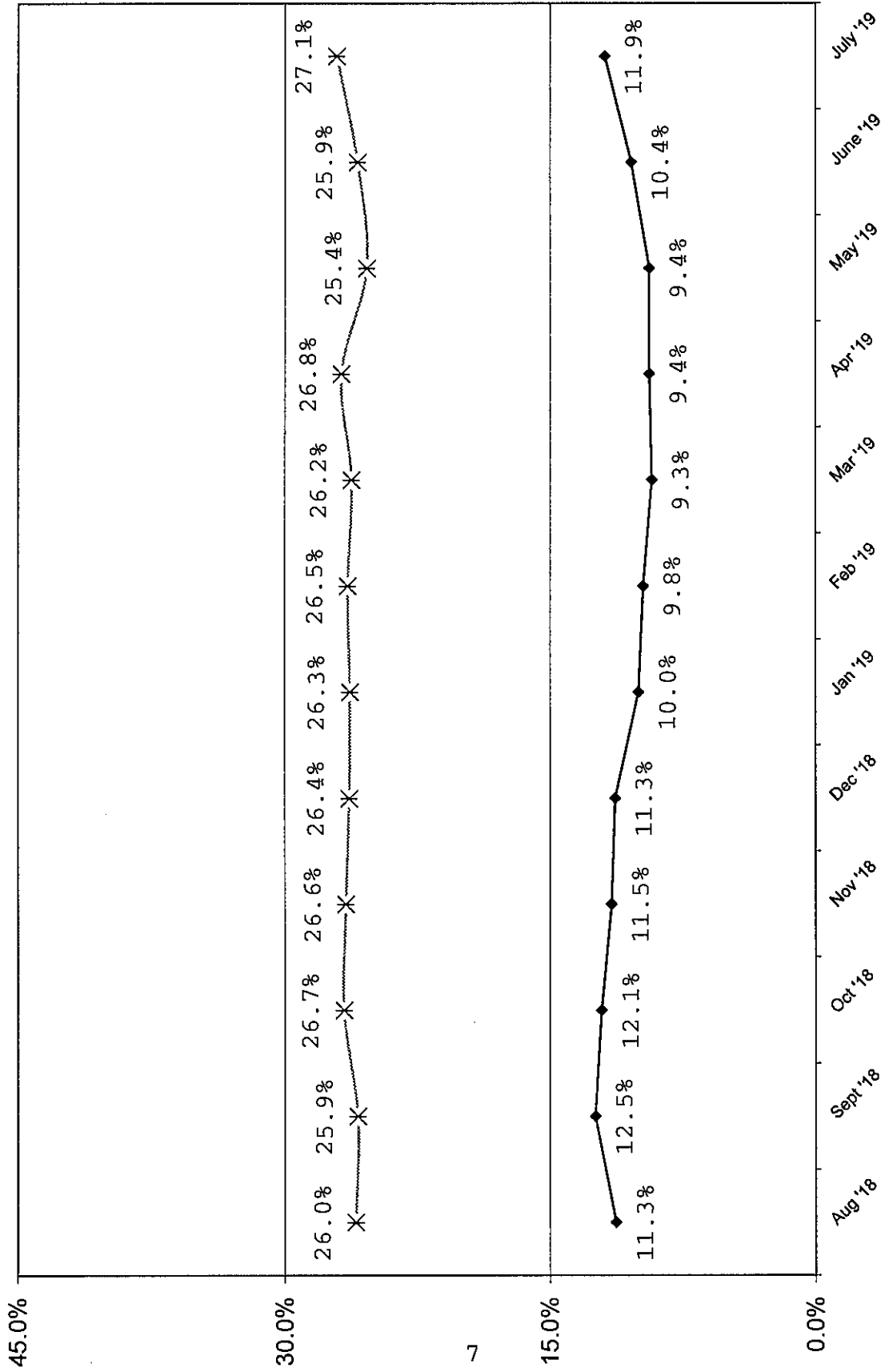
WEST HAWAII
Direct Loans
Delinquency Ratio Report



Fiscal Year '19 - '20

→x← Overall ◆ ← West Hawaii

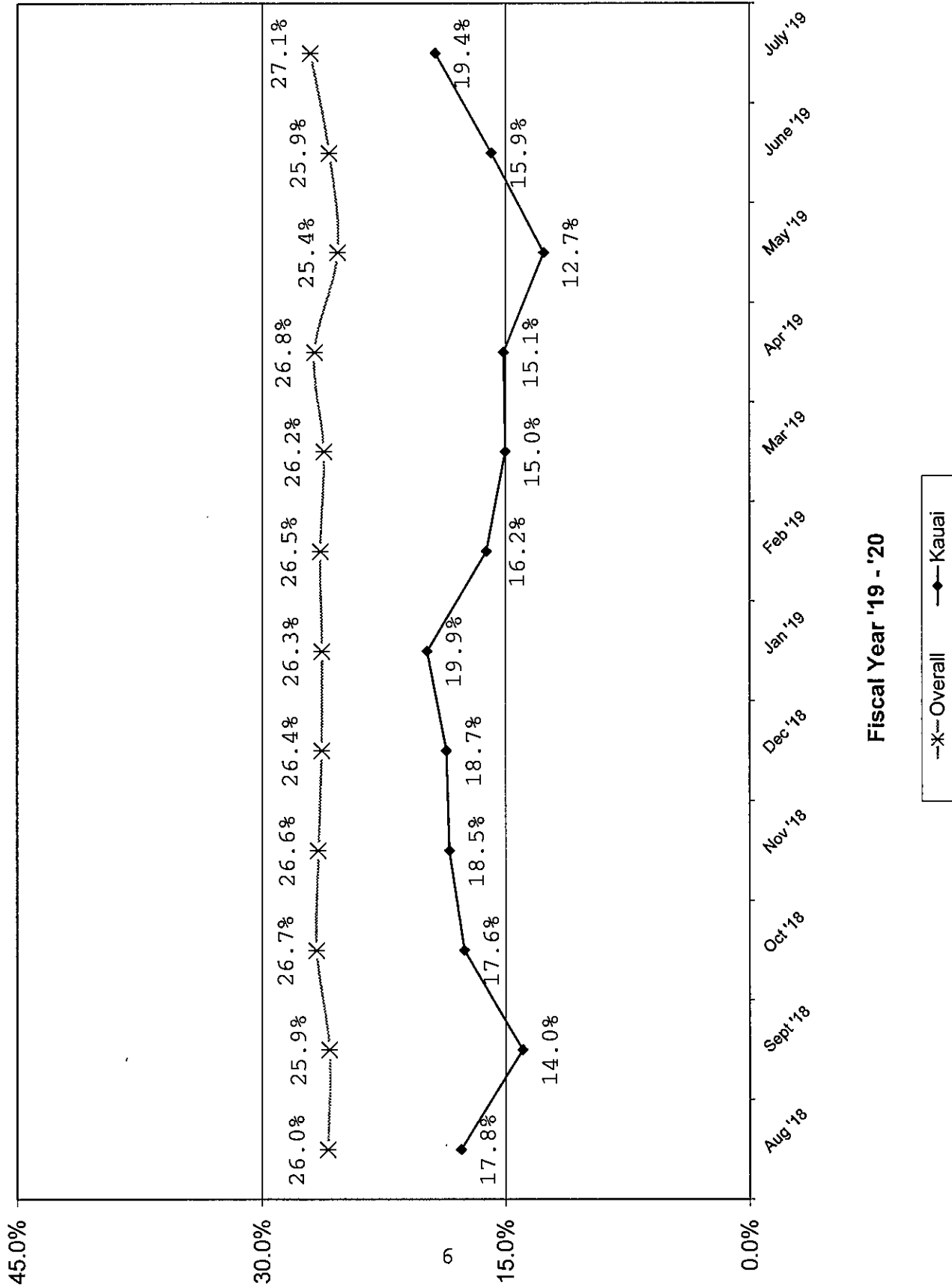
**MOLOKAI
Direct Loans
Delinquency Ratio Report**



Fiscal Year '19 - '20

---x--- Overall —◆— Molokai

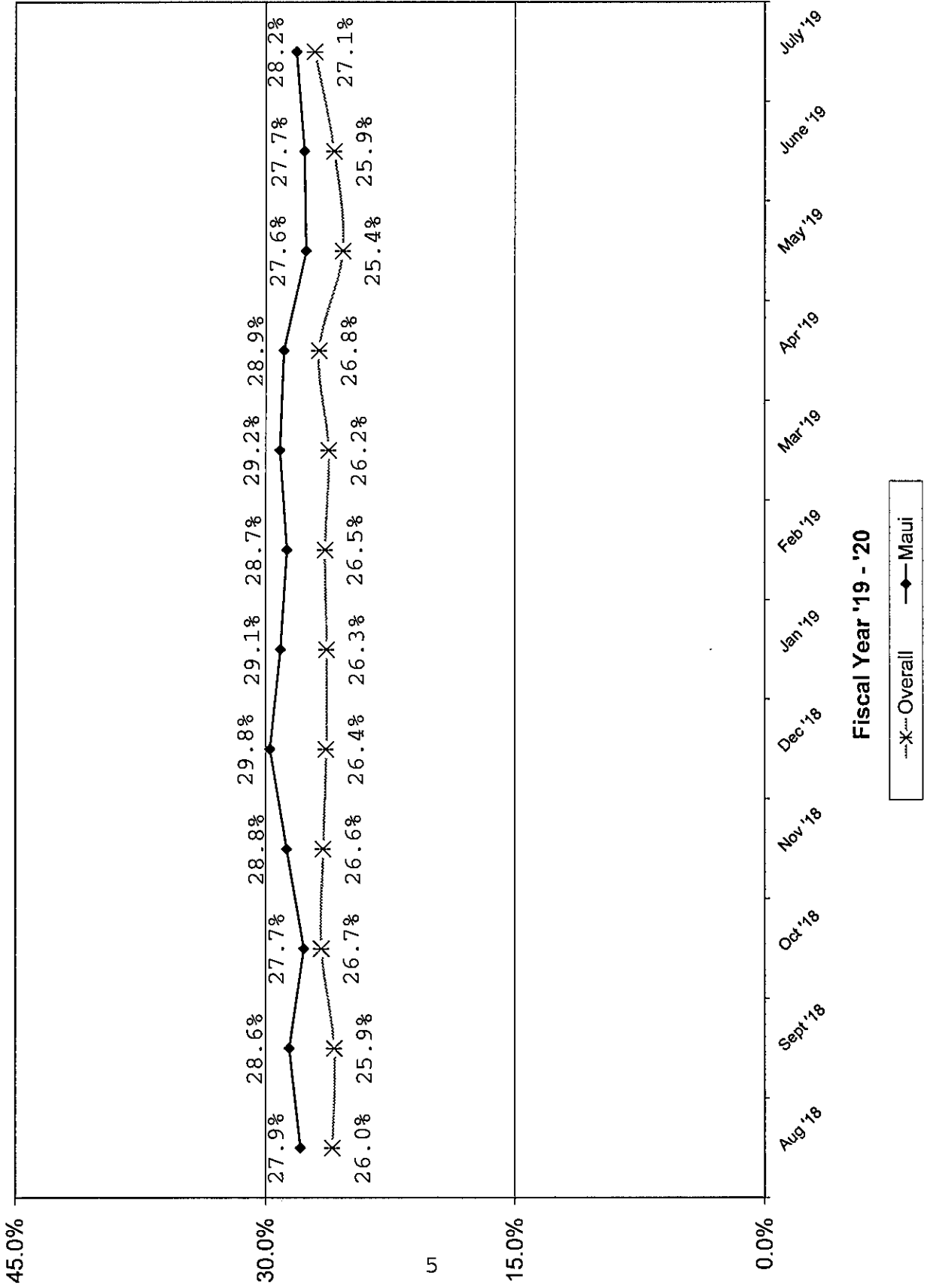
KAUAI
Direct Loans
Delinquency Ratio Report



Fiscal Year '19 - '20

--x-- Overall —◆— Kauai

MAUI
Direct Loans
Delinquency Ratio Report



August 19, 2019

SUBJECT: **DHHL Guarantees for FHA Construction Loans**

DISCUSSION: The Department issues guarantees to FHA lenders during the construction period of a home, as FHA does not insure the loan until the home is completed. The loan term for these loans do not exceed fifteen (15) months from the date of loan signing. The following FHA Interim Construction loans were issued guarantees:

*Note: FHA loans are insured by the U.S. Department of Housing and Urban Development (HUD) and do not impact the State's guaranty ceiling.

<u>LEASE NO.</u>	<u>AREA</u>	<u>LESSEE</u>	<u>Loan Amount</u>	<u>Date Approved</u>
9955	Waiehu Kou III	Yagodich, Darrell C.	\$210,525	6/28/19
10300	Waiohuli	Calibuso, Nicole L.	\$301,502	7/25/19

	<u>No.</u>	<u>Balance</u>
FY Ending 6/30/18	16	\$ 4,472,865
Previous Months	-0-	\$ -0-
This Month	<u>2</u>	<u>512,027</u>
FY '19-'20 to date	2	\$ 512,027

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2019

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>
Iwamoto-Makanui, Darrah A.	6463, Anahola	NTE \$54,500 @ 4.5% interest per annum, NTE \$678 monthly, repayable over 8 years

Loan Purpose: Refinance Contract of Loan no. 17948 in conjunction with lease transfer to remove co-lessee and reduce interest rate. Original loan amount of \$90,843 at 7.75% per annum, \$763 monthly, repayable over 19 years. A contested case hearing was not held for this account.

Kaalakea, David S.K.	12231, WK-IV	NTE \$263,500 @ 4.5% interest per annum, NTE \$1,336 monthly, repayable over 30 years
----------------------	--------------	--

Loan Purpose: Refinance ASB buyback Loan no. 19413 due to financial hardship and to satisfy court order releasing ex-wife from obligation and reduce the interest rate. Original loan amount of \$258,996 at 5.875% per annum, \$1,668 monthly, repayable over 30 years. A contested case hearing was not held for this account.

<u>LESSEE</u>	<u>LEASE NO. & AREA</u>	<u>LOAN TERMS</u>
Kaahanui, Danette L.	8964, Kawaihae	NTE \$97,760 @ 4.5% interest per annum, NTE \$687 monthly, repayable over 17 years

Loan Purpose: Refinance HUD buyback Loan no. 17444 and to reduce interest rate. Original loan amount of \$106,021 at 9% per annum, \$854 monthly, repayable over 30 years. A contested case hearing was held on February 16, 2007, for this account.

<u>REFINANCE</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/19	4	\$ 479,800
Prior Months	0	-0-
This Month	<u>3</u>	<u>415,760</u>
Total FY '19-'20	3	\$ 415,760

<u>REPAIR</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/19	0	\$ -0-
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '19-'20	0	\$ -0-

<u>HOME CONSTRUCTION</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/19	0	\$ -0-
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '19-'20	0	\$ -0-

<u>FARM</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/19	0	\$ -0-
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '19-'20	0	\$ -0-

<u>TRANSFER WITH LOAN</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/19	0	\$ -0-
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '19-'20	0	\$ -0-

<u>AWARD</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/19	0	\$ -0-
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '19-'20	0	\$ -0-

<u>OTHER</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/19	0	\$ -0-
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '19-'20	0	\$ -0-

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2019

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>			
Nanakuli Lease No. 584 TMK: 1-8-9-005:042	AH SUI-AGLIPAY, DawnMarie A. (Cash Out Refinance)FHA	Aries Loans Inc.	\$ 188,000
Nanakuli Lease No. 1649 TMK: 1-8-9-005:046	CHANG, Louis T. (Cash Out Refinance)HUD 184A	Bank of Hawaii	\$ 175,690
Waianae Lease No. 5344 TMK: 1-8-5-033:055	LYLES, Lylla A. (Purchase)USDA, RD	Guild Mortgage Co.	\$ 320,000
Princess Kahanu Estates Lease No. 8530 TMK: 1-8-7-043:103	KAPULE, Eldred L. (Rate & Term Refinance)FHA	Mann Mortgage LLC	\$ 184,000

OAHU

Kaupea Lease No. 12099 TMK: 1-9-1-140:125	MEDEIROS, Justin M. K. (Purchase)FHA	Guild Mortgage Co.	\$ 552,000
Princess Kahanu Estates Lease No. 8317 TMK: 1-8-7-042:026	MANSFIED, Gloria A. M. A. (Purchase)FHA	Guild Mortgage Co.	\$ 319,000
Princess Kahanu Estates Lease No. 9978 TMK: 1-8-7-042:087	HANOHANO, Naomi L. (Purchase)FHA	Guild Mortgage Co.	\$ 428,000
Kalawahine Lease No. 9601 TMK: 1-2-4-043:061	ARRUDA, Georgette N. L. (Cash Out Refinance)FHA	Bank of Hawaii	\$ 238,550
Lualualei Lease No. 5632 TMK: 1-8-6-023:130	KALEIKINI, Bellerina H. K. (Rate & Term Refinance)FHA	Aries Loans Inc.	\$ 388,000
Kanehili Lease No. 11680 TMK: 1-9-1-153:048	SPOTKAEFF, Maryknoll K. K. L. (Rate & Term Refinance)FHA	Aries Loans Inc.	\$ 368,000
Waianae Lease No. 5266 TMK: 1-8-5-032:015	PAKELE, James L., Jr. (Cash Out Refinance)FHA	Bank of Hawaii	\$ 207,000
Waimanalo Lease No. 3157 TMK: 1-4-1-017:016	NAKAMURA, Kalena C. K. (Cash Out Refinance)FHA	Aries Loans Inc.	\$ 188,000

ITEM NO. D-3

OAHU

Kaupea Lease No. 11411 TMK: 1-9-1-139:127	AKAU, Lehuanani E. P. (Cash Out Refinance)FHA	Mann Mortgage LLC	\$ 495,000
Waimanalo Lease No. 6000 TMK: 1-4-1-037:066	ANDERSON, Nazarene P.(Cash Out Refinance)FHA	Guild Mortgage Co.	\$ 262,000
Princess Kahanu Estates Lease No. 8463 TMK: 1-8-7-042:090	AIO, Gabriel A. L.(Cash Out Refinance)FHA	Bank of Hawaii	\$ 183,536
Waianae Lease No. 5405 TMK: 1-8-5-030:109	KAULIA, Melvalee M.(Cash Out Refinance)HUD 184A	HomeStreet Bank	\$ 363,600
Nanakuli Lease No. 8825 TMK: 1-8-9-015:038	KEALOHA, Karen M. R.(Cash Out Refinance)FHA	Hightechlend ing Inc.	\$ 333,000
Princess Kahanu Estates Lease No. 8343 TMK: 1-8-7-042:052	KAAIKALA, Shirley Ann(Cash Out Refinance)HUD 184A	Bank of Hawaii	\$ 296,890
Nanakuli Lease No. 4408 TMK: 1-8-9-003:050	AMINA, Guyson K. (Purchase)FHA	Freedom Mortgage Corp.	\$ 503000
Nanakuli Lease No. 8900 TMK: 1-8-9-016:061	TAKETA, Laura L. C.(Cash Out Refinance)FHA	Hightechlend ing Inc.	\$ 352,000

ITEM NO. D-3

MAUI

Waiohuli Lease No. 7633 TMK: 2-2-2-027:055	PETERS, Angus K. (Cash Out Refinance) FHA	Aries Loans Inc.	\$ 731,000
Paukukalo Lease No. 8206 TMK: 2-3-3-006:077	CASIL, Shayne K. (Purchase) FHA	Aries Loans Inc.	\$ 152,000
Waiohuli Lease No. 7589 TMK: 2-2-2-028:090	AARONA-LORENZO, Donna E. K. (Cash Out Refinance) FHA	Aries Loans Inc.	\$ 703,000
Waiohuli Lease No. 10431 TMK: 2-2-2-034:033	MONIZ, Crystal Ann H. (1 Step Construction) FHA	HomeStreet Bank	\$ 339,250
Waiehu Lease No. 5942 TMK: 2-3-2-021:040	COCKETT, Sheldon P. (Cash Out Refinance) FHA	Aries Loans Inc.	\$ 217,000
Leialii Lease No. 11462 TMK: 2-4-5-036:032	APPLEGATE, Cornelia L. (Cash Out Refinance) FHA	Aries Loans Inc.	\$ 106,000

KAUAI

Anahola Lease No. 11161 TMK: 4-4-8-022:026	GRAY, Uluwehi S. (Cash Out Refinance) FHA	Security National Mortgage Co.	\$ 182,000
--	---	--------------------------------------	------------

HAWAII

Panaewa Lease No. 6206 TMK: 3-2-1-025:030	LAUNIU, Leinaala K. (1 Step Construction) FHA	HomeStreet Bank	\$ 193,775
---	---	--------------------	------------

ITEM NO. D-3

HAWAII

Waiakea
Lease No. 4773
TMK: 3-2-2-062:011

YAMAMOTO,
Maurine L. (203k
Rehab) FHA

HomeStreet Bank \$ 267,335

Kawaihae
Lease No. 9658
TMK: 3-6-1-007:018

GANANCIAL,
Mary M. (Cash Out
Refinance) FHA

V.I.P. Mortgage Inc. \$ 210,000


<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 6/30/19	295	\$ 85,765,099	15	\$5,863,695	17	\$6,019,088
Prior Months	0	\$ 0	0	\$ 0	0	\$ 0
This Month	<u>26</u>	<u>8,290,446</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>320,000</u>
Total FY '19-'20	26	\$ 8,290,446	0	\$ 0	1	\$ 320,000
HUD 184A						
FY Ending 6/30/19	81	\$25,107,592				
Prior Months	0	\$ 0				
This Month	<u>3</u>	<u>836,180</u>				
Total FY '19-'20	3	\$ 836,180				

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2019

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:

LESSEE

LEASE NO. & AREA

REFINANCING LOAN TERMS

Ching, Candace K.

4509, Nanakuli

NTE \$182,000 @4.5%
interest per annum, NTE
\$923 monthly, repayable
over 30 years.

Loan Purpose: Refinance Contract of Loan no. 19513.
Original loan amount of \$180,471 at
4.5% per annum, \$914 monthly,
repayable over 30 years. A Contested
Case Hearing was not held for this
account.

.....

Reyes, Barrett K.

4344, Anahola

NTE \$111,000 @4.5%
interest per annum, NTE
\$682 monthly, repayable
over 21 years.

Loan Purpose: Refinance HUD buyback Loan no. 19499.
Original loan amount of \$71,600 at 9%
per annum, \$577 monthly, repayable
over 30 years. A Contested Case
Hearing was held on June 13, 2019, for
this account.

.....

Mathias, Robin Rose
H.

12345, Kanehili

NTE \$260,000 @4.5%
interest per annum, NTE
\$1,318 monthly, repayable
over 30 years.


Loan Purpose: Refinance HUD buyback Loan no. 18929.
Original loan amount of \$281,841 at
4.5% per annum, \$1,428 monthly,
repayable over 30 years. A Contested
Case Hearing was not held for this
account.

.....

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2019

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 7/19</u>	<u>Balance At 7/19</u>
<u>Molokai</u>						
Villanueva, Skylla	3442	Hoolehua	19292	\$148	\$925	\$29,185
<u>Kauai</u>						
Kauanui, Keala W.	11361	Kekaha	18129	\$407	\$2,451	\$73,786

STATE OF HAWAII

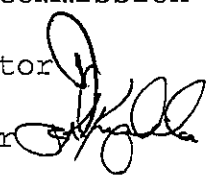
DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2019

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

OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

LEWIS, Claudine U.	10/26/2000	HAWAII	AGR	04/25/2019
--------------------	------------	--------	-----	------------

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

ASHLEY, Bradfrey G.	10/20/2010	MAUI	RES	03/28/2018
---------------------	------------	------	-----	------------

LEWIS, Claudine U.	10/26/2000	HAWAII	RES	04/25/2019
--------------------	------------	--------	-----	------------

TAGUPA, Leona L.M.	07/29/1985	MAUI	RES	03/29/2018
--------------------	------------	------	-----	------------

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

CORREIA, Alice A.	11/17/2008	OAHU	AGR	04/09/2019
-------------------	------------	------	-----	------------

ILAE, Shekinah L.	07/25/2016	MAUI	PAS	03/18/2019
-------------------	------------	------	-----	------------

SOLOMON, Sharon U. 06/08/1988 OAHU AGR 05/20/2019

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

CORREIA, Alice A. 11/17/2008 OAHU RES 04/09/2019

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

CARINIO, Lawrence K. 02/27/2008 OAHU AGR 04/29/2019

HUGO, Trevor K. 09/29/1986 OAHU AGR 04/08/2019

MCMILLAN, Blanche E. 05/01/1986 OAHU AGR 05/20/2019

RICHARDSON, Heather U. 07/17/2007 MAUI AGR 05/15/2019

TAGUPA, Leona L.M. 10/08/1986 MAUI AGR 03/29/2018

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

CARINIO, Lawrence K. 02/27/2008 OAHU RES 04/29/2019

LONG, Pomai J.S. 07/23/2007 MAUI RES 04/05/2019

SOLOMON, Sharon U. 06/08/1988 OAHU RES 05/20/2019

KAUAI ISLANDWIDE AGRICULTURAL LEASE LIST

KEKONA, Douglas K. 07/06/1988 HAWAII AGR 05/14/2019

WINCHESTER, Vanessa U. 01/26/1987 HAWAII PAS 05/28/2019

KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

KEKONA, Douglas K. 07/06/1988 HAWAII RES 05/14/2019

2. Deceased Applicants

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

EDWARDS, Elizabeth K. PN 11/2017 12/13/1978

MAKUA, Melanie K.K.	PN 11/2017	02/09/2010
SANCHEZ, Annette M.	PN 11/2017	06/08/1978
SIMEONA-THOMAS, Ilona P.	PN 11/2017	11/29/1991

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

BAILEY, George M.	PN 11/2017	02/06/2006
DEGUILMO, Leonard J.	PN 11/2017	03/28/2005
FOGLEMEN, Joanne L.	PN 11/2017	09/10/1986
TOPLEY, Gregory K.	PN 11/2017	06/02/1993
VOSS, Doris M.	PN 11/2017	05/21/1986

MAUI ISLANDWIDE PASTORAL LEASE LIST

PUHA, Walter	PN 11/2017	11/30/1989
WILLIAMS, Elizabeth U.	PN 11/2017	06/23/1995

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

BAILEY, George M.	PN 11/2017	02/06/2006
BRAND, Frances L.	PN 11/2017	08/29/1986
DEGUILMO, Leonard J.	PN 11/2017	03/28/2005
MAIO, Maude L.	PN 11/2017	03/20/1986
WILSON, Lorna-Mae K.	PN 11/2017	04/02/1992

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

KELII, Wilma L.	PN 11/2017	09/12/1990
MAKUA, Melanie K.K.	PN 11/2017	06/17/1985
MILLER, Walter F.	PN 11/2017	09/04/1985
MORRISON, Coelho J.K.	PN 11/2017	09/25/1990

RITTMEISTER, William F.	PN 11/2017	02/01/1989
WARRINGTON, Charles K., Sr.	PN 11/2017	08/11/1989
WILSON, Lorna-Mae K.	PN 11/2017	04/02/1992
WOOLF, Winona L.	PN 11/2017	12/28/1987

HAWAII ISLANDWIDE PASTORAL LEASE LIST

CABELLERO-SPENCER, Marie K.L.	PN 11/2017	11/09/1992
-------------------------------	------------	------------

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

KANIHO, Sonny A.	PN 11/2017	02/28/1978
WARRINGTON, Charles K., Sr.	PN 11/2017	08/11/1989

KAUAI ISLANDWIDE AGRICULTURAL LEASE LIST

CHING, Mercedes K.	PN 11/2017	07/02/1990
HIGA, Alberetta P.	PN 11/2017	08/03/1992
O'RILEY, Diana A.	PN 11/2017	10/29/2015
SIMEONA-THOMAS, Ilona P.	PN 11/2017	11/29/1991
SWAIN, Dora K.	PN 11/2017	11/04/1993

KAUAI ISLANDWIDE PASTORAL LEASE LIST

STEVENS, Ida L.	PN 11/2017	09/14/2011
-----------------	------------	------------

KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

CHING, Mercedes K.	PN 11/2017	07/02/1990
SWAIN, Dora K.	PN 11/2017	10/03/2006

MOLOKAI ISLANDWIDE RESIDENTIAL LEASE LIST

DOO, Alejandro	PN 11/2017	03/25/1964
----------------	------------	------------

3. Awards of Leases

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

KAIPO, Selene K.	Assigned Residential Lease #5126, Lot 10 in Nanakuli, Oahu dated 01/10/2005. Remove application dated 08/10/1994.
MAO-FERGUSON, Yvette E.K.	Assigned Residential Lease #7954, Lot 79-B in Waimanalo, Oahu dated 02/19/1992. Remove application dated 01/09/1996.
WAHINEPIO, Chanel W.	Assigned Residential Lease #12686, Lot 51 in Lualualei, Oahu dated 03/19/2019. Remove application dated 10/07/2009.

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

KINI, Leolani F.	Assigned Agricultural Lease #6906, Lot 37 in Puukapu, Hawaii dated 01/25/2019. Remove application dated 06/30/1986.
------------------	---

KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

LANNING, Earlet M.	Assigned Residential Lease #3090, Lot 76 in Anahola, Kauai dated 07/15/2019. Remove application dated 02/02/1995.
THOMPSON, Melanie N.	Assigned Residential Lease #10218, Lot 28 in Anahola, Kauai dated 07/01/2019. Remove application dated 10/21/2008.

4. Native Hawaiian Qualification

NONE FOR SUBMITTAL

5. Voluntary Cancellation

NONE FOR SUBMITTAL

6. Successorship

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

AKI, Inez K.	Succeeded to Oahu Islandwide Residential application of sibling, Herman K. Aki, dated 03/18/1992. Remove application dated 02/03/1995.
KAAHANUI-ROSA, William K.	Succeeded to Waimanalo Area / Oahu Islandwide Residential application of grandfather, John Luka Rosa, dated 12/27/1976. Remove application dated 12/01/2014.

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

HO, Hinano H.	Succeeded to Maui Islandwide Agricultural application of grandmother, Priscilla K.A. Ho, dated 01/03/1986. Remove application dated 03/14/1991.
---------------	---

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

HO, Hinano H.	Succeeded to Waimanalo Area / Oahu Islandwide Residential application of grandmother, Priscilla K.A. Ho, dated 02/18/1975. Remove application dated 03/14/1991.
---------------	---

KAINA, Paul A.

Succeeded to Paukukalo Area /
Maui Islandwide Residential
application of sister, Yvonne
B.L. Kaina, dated 07/01/1974.
Remove application dated
08/04/2010.

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

AKI, Inez K.

Succeeded to Kauai Islandwide
Agricultural application of
sibling, Herman K. Aki, dated
03/18/1992. Remove application
dated 02/28/1992.

7. Additional Acreage

NONE FOR SUBMITTAL

8. HHC Adjustments

NONE FOR SUBMITTAL

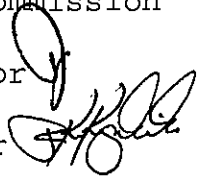
Last Month's Transaction Total	39
Last Month's Cumulative FY 2019-2020 Transaction Total	39
Transfers from Island to Island	19
Deceased	37
Cancellations:	
Awards of Leases	6
NHQ	0
Voluntary Cancellations	0
Successorship	6
Additional Acreage	0
HHC Adjustments	0
This Month's Transaction Total	68
This Month's Cumulative FY 2019-2020 Transaction Total	107

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2019

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean T. Oshiro, Acting HSD Administrator 

FROM: Ross K. Kapeliela, Applications Officer
Homestead Services Division

SUBJECT: **Commission Designation of Successors to Application Rights - Public Notice 2018**

RECOMMENDED MOTION/ACTION

To designate the following individuals as successors to the application rights of deceased applicants who have no qualified successors of record.

DISCUSSION

The following qualified applicants passed away on or after October 26, 1998, without naming qualified successors. Pursuant to 10-3-8(c) of the *Hawaii Administrative Rules*, a public notice listing the names of deceased applicants and calling for possible successors to their application rights was published in the Honolulu Star-Advertiser, The Maui News, Hawaii Tribune Herald, West Hawaii Today, and The Garden Island on the last two consecutive Sundays of November for the year the department received notification. Requests to succeed to the decedents' application rights were submitted within the required 180 days following the last date of publication. Prospective successors were the sole respondents and are deemed by the department to have met the requirements of successorship. HSD recommends approval of the following designees:

1a. Deceased Applicant:	Herman K. Aki
Date of death:	March 18, 2018
Successor to application rights	Inez K. Aki
Relationship to decedent:	Sibling
Island:	Oahu
Type:	Islandwide Residential
Date of Application:	March 18, 1992
Date of Public Notice:	November, 2018

1b. Island: Kauai
 Type: Islandwide Agricultural
 Date of Application: March 18, 1992
 Date of Public Notice: November, 2018

2. Deceased Applicant: Yvonne B.L. Kaina
 Date of death: August 23, 2017
 Successor to application rights: Paul A. Kaina
 Relationship to decedent: Sibling
 Island: Paukukalo Area / Maui
 Type: Area / Islandwide Res
 Date of Application: July 1, 1974
 Date of Public Notice: November, 2018

3. Deceased Applicant: John Luka Rosa
 Date of death: June 7, 2018
 Successor to application rights: William K. Kaahanui-Rosa
 Relationship to decedent: Grandchild
 Island: Waimanalo Area / Oahu
 Type: Area / Islandwide Res
 Date of Application: December 27, 1976
 Date of Public Notice: November, 2018


Previous Cumulative Total for Current FY	0
Current Month's Total	4
Fiscal Year Total: July 2018-June 2019	4

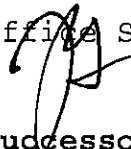
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2019

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

RECOMMENDED MOTION/ACTION

To approve 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.

*See attached list of Lessee.

Leasehold Interest:

Approved for August 2019	5
Previous FY 2019 - 2020	<u>3</u>
FY 2019- 2020 Total to Date	8
Approved for FY '18 - '19	92

Net Proceeds

Approved for August 2019	0
Previous FY 2019- 2020	<u>0</u>
FY 2019 - 2020 Total to Date	0
Approved for FY '18 - '19	1

LIST OF LESSEES WHO DESIGNATED SUCCESSORS TO THEIR
LEASEHOLD INTEREST AND DESIGNEE TO RECEIVE NET PROCEEDS
FOR MONTH OF AUGUST 2019

<u>Deceased Lessee</u>	<u>Designated Successor</u>
1. Maureen H. Giron Lot No.: 50 Area: Waimea, Hawaii Lease No. 9263	<u>PRIMARY: Joint Tenants</u> Lisa L. Giron, Daughter Joseph N. Piko, III, Brother <u>ALTERNATE:</u> N/A <u>DESIGNEE TO RECEIVE NET</u> <u>PROCEEDS:</u> N/A
2. Elaine H. K. Keale Lot No.: 30 Area: Anahola, Kauai Lease No. 8676	<u>PRIMARY:</u> William M. K. Kamala-Keale, Son <u>ALTERNATE:</u> N/A <u>DESIGNEE TO RECEIVE NET</u> <u>PROCEEDS:</u> N/A
3. Loretta Kepa Lot No.: 305 Area: Waiohuli, Maui Lease No. 7668	<u>PRIMARY:</u> Chad Lacio, Grandson <u>ALTERNATE:</u> N/A <u>DESIGNEE TO RECEIVE NET</u> <u>PROCEEDS:</u> N/A

4. Evangeline I. Kim
Lot No.: 18460
Area: Kanehili, Oahu
Lease No. 12396

PRIMARY:
Cynthia L. Kim Melendez,
Daughter

ALTERNATE:
Clint K. K. Kim, Son*
*Omit due to lack of genealogy
documents to determine
eligibility to successorship.

DESIGNEE TO RECEIVE NET
PROCEEDS:
N/A

5. Memory A. K. Pesamino
Lot No.: 32
Area: Hoolehua, Molokai
Lease No. 7919

PRIMARY: Tenants in Common
Shaelett K. Kumukoa, Daughter
Saebrina K. Kumukoa, Daughter
Katherine B. Kumukoa, Daughter
Taulua-Anthony P. Pesamino, Son
Symphaeni Pesamino-Kumukoa,
Daughter, Saevlen Pesamino-
Kumukoa, Daughter
Trinity B. A. Pesamino, Son

ALTERNATE:
N/A


DESIGNEE TO RECEIVE NET
PROCEEDS:
N/A

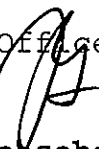
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2019

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

Thirteen (13) assignments of lease.

1. Lessee Name: Dawn E. Brown
Res. Lease No. 3947, Lot No. 50
Lease Date: 2/15/1972
Area: Waimanalo, Oahu
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 1-1/2 bath dwelling

Transferee Name: Dawn E. Brown & Monica K. Duran
Relationship: Lessee & Niece
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 8/20/2018

Reason for Transfer: "Add niece as co-lessee."

2. Lessee Name: Lihauokalani T. Kaapuni
Res. Lease No. 1769, Lot No. 247-A
Lease Date: 12/20/1946
Area: Nanakuli, Oahu
Property Sold & Amount: Yes, \$275,000.00
Improvements: 5 bedroom, 3 bath dwelling

Transferee Name: Matthew K. Akana
Relationship: None
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 7/26/2016

Reason for Transfer: "Moving off island." Special
Condition: Transferee to obtain funds to pay purchase
price.

3. Lessee Name: Keolamauloa L. Kiaaina
Res. Lease No. 359, Lot No. 47
Lease Date: 11/25/1930
Area: Nanakuli, Oahu
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Nadine M. Nomura
Relationship: Sister
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 10/31/2005

Reason for Transfer: "Moving off island."

4. Lessee Name: Wayne E. Lono
Res. Lease No. 8776, Lot No. 12
Lease Date: 1/1/1998
Area: Waimanalo, Oahu
Property Sold & Amount: No, N/A
Improvements: 6 bedroom, 2-1/2 bath dwelling

Transferee Name: Wayne E. Lono, Jr.
Relationship: Co-Lessee
Loan Assumption: No
Applicant: No

Reason for Transfer: "Give lease to co-lessee."

5. Lessee Name: Lloyd K. Lopes
Res. Lease No. 7753, Lot No. 216
Lease Date: 2/7/2002
Area: Waiohuli, Maui
Property Sold & Amount: Yes, \$228,000.00
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Arleen P. De Gama
Relationship: None
Loan Assumption: No
Applicant: Yes, Maui IW Res., 6/19/2006

Reason for Transfer: "Selling lease." Special Condition:
Transferee to obtain funds to pay purchase price.

6. Lessee Name: Kimberly K. Matsushima
Res. Lease No. 4408, Lot No. 261-B
Lease Date: 11/30/1977
Area: Nanakuli, Oahu
Property Sold & Amount: Yes, \$500,000.00
Improvements: 4 bedroom, 3 bath dwelling

Transferee Name: Guyson K. Amina
Relationship: Nephew
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 1/25/2018

Reason for Transfer: "Giving lease to relative." Special
Condition: Transferee to obtain funds to pay purchase
price.

7. Lessee Name: Alice R. L. Noa
Res. Lease No. 250, Lot No. 10
Lease Date: 5/13/1930
Area: Nanakuli, Oahu
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 1 bath dwelling

Transferee Name: Dezrae L. J. N. Kauhane
Relationship: Daughter
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 5/8/2007

Reason for Transfer: "Giving lease to relative."

8. Lessee Name: Dennis N. Santos
Res. Lease No. 9811, Lot No. 13835
Lease Date: 10/1/2001
Area: Maluohai, Oahu
Property Sold & Amount: Yes, \$485,000.00
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Shalane K. Tehotu
Relationship: None
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 2/20/2014

Reason for Transfer: "Medical reasons." Special Condition:
Transferee to obtain funds to pay purchase price.

9. Lessee Name: Melanie K. Torres
Res. Lease No. 12099, Lot No. 17069
Lease Date: 9/18/2007
Area: Kaupea, Oahu
Property Sold & Amount: Yes, \$590,000.00
Improvements: 4 bedroom, 3 bath dwelling

Transferee Name: Naomi L. Medeiros
Relationship: None
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 7/6/2017

Reason for Transfer: "Financial reasons." Special
Condition: Transferee to obtain funds to pay purchase
price. See simultaneous transfer below.

10. Lessee Name: Naomi L. Medeiros
Res. Lease No. 12099, Lot No. 17069
Lease Date: 9/18/2007
Area: Kaupea, Oahu
Property Sold & Amount: Yes, \$590,000.00
Improvements: 4 bedroom, 3 bath dwelling

Transferee Name: Justin M. K. Medeiros
Relationship: Son
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative." Special
Condition: Transferee to obtain funds to pay purchase
price.

11. Lessee Name: Rachel L. Del Toro
 Res. Lease No. 11694, Lot No. UNDV151
 Lease Date: 12/2/2006
 Area: Kapolei, Oahu
 Property Sold & Amount: No, N/A
 Improvements: None

Transferee Name: Rachel L. Del Toro & Sonny W. Del Toro
 Relationship: Lessee & Husband
 Loan Assumption: No
 Applicant: No

Reason for Transfer: "Adding relative to lease."

12. Lessee Name: Edwin U. Matsuda
 Res. Lease No. 10456, Lot No. UNDV159
 Lease Date: 6/18/2005
 Area: Waiohuli, Maui
 Property Sold & Amount: No, N/A
 Improvements: None

Transferee Name: Edwin U. Matsuda, III
 Relationship: Son
 Loan Assumption: No
 Applicant: No

Reason for Transfer: "Giving lease to relative."

13. Lessee Name: Susan K. Waipa
 Agr. Lease No. 6266, Lot No. 161-B
 Lease Date: 11/1/1985
 Area: Panaewa, Hawaii
 Property Sold & Amount: No, N/A
 Improvements: None

Transferee Name: Susan K. Waipa, David K. Waipa & Kyle-James
 K. Waipa
 Relationship: Lessee & Sons
 Loan Assumption:
 Applicant: No


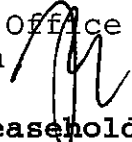
Reason for Transfer: "Adding my sons to lease."

Assignments for the Month of August `19	13
Previous FY '19 - '20 balance	<u>14</u>
FY '19 - '20 total to date	27
Assignments for FY '18 - '19	259

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2019

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 of Amendment of Leasehold Interest**

RECOMMENDED MOTION/ACTION

To approve the amendment of the leasehold interest listed below.

DISCUSSION

Four (4) amendments of lease.

1. Lessee: Mary Jane Apio
Res. Lease No.: 2277
Lot No., Area, Island: 66, Waimanalo, Oahu
Amendment: To amend the lease title and Lessor's name, to incorporate the currently used terms, covenants, and conditions to the lease, and to extend the lease term to an aggregate term of 199 years.

2. Lessee: James Brown
Res. Lease No.: 3947
Lot No., Area, Island: 50, Waimanalo, Oahu
Amendment: To amend the lease title and Lessor's name, to incorporate the currently used terms, covenants, and conditions to the lease, and to update the property description.

3. Lessee: Abraham K. Grace
 Res. Lease No.: 3132
 Lot No., Area, Island: 2, Waimanalo, Oahu
 Amendment: To amend the lease to incorporate the currently used terms, covenants, and conditions to the lease, to extend the lease term to an aggregate term of 199 years, and to release a life interest.
4. Lessee: Keolamauloa L. Kiaaina
 Res. Lease No.: 359
 Lot No., Area, Island: 47, Nanakuli, Oahu
 Amendment: To amend the lease to incorporate the currently used terms, covenants, and conditions to the lease, to extend the lease term to an aggregate term of 199 years, and to release a life interest.


Amendments for the Month of August '19	4
Previous FY '19 - '20 balance	<u>4</u>
FY '19 - '20 total to date	8
Amendments for FY '18 - '19	155


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2019

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: Guyson K. Amina
Res. Lease No.: 4408
Lot No., Area, Island: 261-B, Nanakuli, Oahu
Permittee: Vivint Solar, LLC.
2. Lessee: Yolanda N.L.T. Campbell
Res. Lease No.: 9425
Lot No., Area, Island: 112, Kaniohale, Hawaii
Permittee: Sunrun Installation Services, Inc.
3. Lessee: Delilah M. Keliikuli Kaimana
Res. Lease No.: 7152
Lot No., Area, Island: 142, Kawaihae, Hawaii
Permittee: Sunrun Installation Services, Inc.

4. Lessee: Johnnalle K. Keliikipi
Res. Lease No.: 1696
Lot No., Area, Island: 224, Nanakuli, Oahu
Permittee: Sunrun Installation Services, Inc.


Non-Exclusive License for August '19	4
Previous FY '19 - '20 balance	<u>3</u>
FY '19 - '20 total to date	7
Non-Exclusive License for FY '18 - '19	83


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2019

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Dean Oshiro, Acting HSD Administrator 

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

SUBJECT: **Commission Designation of Successor - DARRYL L. LEONG,
Lease No. 9883, Lot No. 13848, Maluohai, Oahu**

RECOMMENDED MOTION/ACTION

To approve the designation of Brianne Kiana Yoro-Leong (Brianne), Nicole Pua Olena Maleta (Nicole), and Sarah-Lyn Kuuleilanakila Leong (Sarah-Lyn), as successors to Residential Lease No. 9883, Lot No.13848, Maluohai, Oahu (Lease), for the remaining term of the Lease.

DISCUSSION

Darryl Lanakila Leong (Decedent) was awarded the Lease commencing on May 30, 2003.

On October 2, 2018, the Decedent passed away without naming a successor to his lease.

In compliance with the Administrative Rule 10-3-63, the Department published legal ads in the Honolulu Star Advertiser, the Hawaii Tribune Herald, the West Hawaii Today, The Maui News, and The Garden Island newspapers on December 2, 12, 16, and 26, 2018, to notify all interested, eligible and qualified heirs of the Decedent, to submit their successorship claim to the Lease.

The Department received successorship claims from the Decedent's daughters, Brianne, Nicole and Sarah-Lyn, who have been determined to be at least 67.1875% Hawaiian ancestry and eligible for successorship to the Lease. The Department also received a successor claim from the Decedent's sister, Lynn H. Leong-Fisher.

Pursuant to Section 209 of the Hawaiian Homes Commission Act of 1920, as amended (Act), when a lessee fails to designate a successor, the commission is authorized to terminate this lease or to continue the lease by designating a successor. Section 209 states in part that the department may select from only the following qualified relatives of the decedent:

1. Husband or wife; or
2. If there is no husband or wife, then the children; or
3. If there is no husband, wife, or child, then the grandchildren; or
4. If there is no husband, wife, child, or grandchild, then the brothers or sisters; or
5. If there is no husband, wife, child, grandchild, brother, or sister, then from the following relatives of the lessee who are native Hawaiian: father and mother, widows or widowers of the children, widows or widowers of the brothers and sisters, or nieces and nephews.

Based on the Act, Brianne, Nicole and Sarah-Lyn have the same priority to succeed to the leasehold interest and have agreed to be designated as tenants-in-common.

Improvements to the homestead lot consist of a 3 bedroom and 2 bath, single family dwelling, which was constructed in 2004.

There is an outstanding mortgage with Planet Home Lending dated May 9, 2018, with an original loan amount of \$262,614. Brianne, Nicole and Sarah-Lyn are aware of the outstanding loan and have agreed to accept the loan obligation should they be designated as successors.

The lease rent account reports a credit balance of \$82.00 and the real property tax is current.


The Department requests approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2019

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Dean Oshiro, Acting HSD Administrator 

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

SUBJECT: **Commission Designation of Successor - SHANNELL K. Y.
MOKU, Lease No. 3723, Lot No. 5, Waimanalo, Oahu**

RECOMMENDED MOTION/ACTION

To approve the designation of Peter K. Moku, as the successor to the tenant in common interest of Shanell K. Y. Moku, to Residential Lease No. 3723, Lot No.5, Waimanalo, Oahu (Lease), for the remaining term of the Lease.

DISCUSSION

Shannell K. Y. Moku (Decedent) received a 25% tenant in common interest to Residential Lease No. 3723 (Lease), by way of Transfer Through Successorship on January 25, 2011.

On September 4, 2014, the Decedent passed away without naming a successor.

In compliance with the Administrative Rule 10-3-63, the Department published legal ads in the Honolulu Star Advertiser, the Hawaii Tribune Herald, the West Hawaii Today, The Maui News, and The Garden Island newspapers on December 2, 12, 16, and 26, 2018, to notify all interested, eligible and qualified heirs of the Decedent, to submit their successorship claim to the Lease.

The Department received a successorship claim from the Decedent's brother and co-lessee, Peter K. Moku (Peter), who have been determined to be at least 56.25% Hawaiian ancestry and eligible for successorship to the Lease.

Pursuant to Section 209 of the Hawaiian Homes Commission Act of 1920, as amended (Act), when a lessee fails to designate a successor, the commission is authorized to terminate this lease or to continue the lease by designating a successor. Section 209 states in part that the department may select from only the following qualified relatives of the decedent:

1. Husband or wife; or
2. If there is no husband or wife, then the children; or
3. If there is no husband, wife, or child, then the grandchildren; or
4. If there is no husband, wife, child, or grandchild, then the brothers or sisters; or
5. If there is no husband, wife, child, grandchild, brother, or sister, then from the following relatives of the lessee who are native Hawaiian: father and mother, widows or widowers of the children, widows or widowers of the brothers and sisters, or nieces and nephews.

Improvements to the homestead lot consist of a 4 bedroom and 1 bath, single family dwelling. Currently co-lessees, Peter and 50% tenant in common co-lessee, Charlene Kailihiwa (Peter's mother) reside on the homestead.

There is an outstanding Department of Hawaiian Home Lands loan with an original loan amount of \$93,968. Peter is aware of the outstanding loan.

The lease rent and real property tax is current.


The Department requests approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2019

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean Oshiro, Acting Administrator
Homestead Services Division 

FROM: Toni Eaton, Maui District Supervisor
Homestead Services Division

SUBJECT: **Commission Designation of Successor
ELIZABETH I. KAUI, DECEASED
Lease No. 10569, Lot No. UNDV272, Waiohuli, Maui**

RECOMMENDED MOTION/ACTION

To approve the designation of Leslie L. Kauai, successor to Residential Lease No. 10569, Lot No. UNDV272, Waiohuli, Maui for the remaining term of the lease.

DISCUSSION

On June 18, 2005, Elizabeth I. Kauai received Department of Hawaiian Home Lands Undivided Homestead Lease No. 10569, Lot No. UNDV272 in Waiohuli, Maui.

On May 17, 2014, Elizabeth I. Kauai passed away without having designated a successor.

In compliance with the Administrative Rule 10-3-63, the Department published legal ads in the Honolulu Star Advertiser, the Hawaii Tribune Herald, the West Hawaii Today, The Maui News, and The Garden Island newspapers on June 3, 13, 17, 27, 2018 to notify all interested, eligible and qualified heirs of the Decedent, to submit their lease successorship claims.

The Department received two successorship claims from the Decedent's sons, Casey and Leslie. They have been determined to be at least 50.00% Hawaiian ancestry and are eligible for successorship.

Pursuant to Section 209 of the Hawaiian Home Commission Act of 1920 (Act), as amended, when a lessee fails to designate a successor, the commission is authorized to terminate the lease or to continue the lease by designating a successor. Section 209 states in part that the Department may select from only the following qualified relatives in priority order:

1. Husband or wife; or
2. If there is no husband or wife, then the children; or
3. If there is no husband, wife, or child, then the grandchildren; or
4. If there is no husband, wife, child, or grandchild, then brothers or sisters; or
5. If there is no husband, wife, child, grandchild, brother, or sister, then from the following relatives of the lessee who are native Hawaiian: father and mother, widows or widowers of the children, widows or widowers of the brothers and sisters, or nieces and nephews.

On May 10, 2019, Casey K.K. Kauai rescinded his rights to claim successorship to this lease.

The lot is vacant and unimproved.

As of July 15, 2019, there is no loan, no property taxes due, and the lease rent account reports a credit balance of \$84.00.

The Department requests approval of its recommendation.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2019

TO: Chairman and Member, Hawaiian Homes Commission
THROUGH: Dean Oshiro, Acting HSD Administrator
Homestead Services Division
FROM: James W. Du Pont, West Hawaii District Supervisor
Homestead Services Division
SUBJECT: **Conditional Approval of Subdivision, Transfer of a
Portion of Lease and Amendment, MICHELLE H. AIKAU,
Lease No. 09047, Lot No. 19, Pu'ukapu, Hawaii**

RECOMMENDED MOTION/ACTION

1. To approve the request of Michelle H. Aikau to subdivide Department of Hawaiian Home Lands Pastoral Lease No. 09047, Lot No. 19, Pu'ukapu, Hawaii, consisting of 100.000 acres, and further identified as TMK (3) 6-4-038:005 into 2 lots (proposed Lot A, 50.000 acres, Lot B, 50.000 acres) provided that Michelle H. Aikau shall be responsible for all cost incurred in the processing and obtaining of the subdivision, including but not limited to surveying fees, fees imposed by the County of Hawaii, fees for utility (electric, water, etc.) and other fees associated with the subdivision of Lot No. 19.

2. To approve the amendment of Lease No. 09047, to reflect the subdivision of Lot No. 19; update the property description of original Lot No. 19.

3. To approve the designation of Pastoral Lease No. 09047, demising proposed Lot A.

4. To approve the designation of Pastoral Lease No. 09047, demising proposed Lot B.

5. To approve the transfer of Pastoral Lease No. 09047, to Michelle H. Aikau and Janice Meiling Thomas.

6. The above are subject to the completion of the survey work done by a licensed surveyor, including but not limited to the surveying and staking of boundary corners of the lots, submitting the required number of final subdivision maps to the County, preparing and submitting the legal description of the lots to the Department of Hawaiian Home Lands (Department), applying to the County for subdivision approval, obtaining the tax map keys for the lots, and final subdivision approval by the County of Hawaii.

DISCUSSION

Department Pastoral Lease No. 09047, Lot No. 19, located in Pu'ukapu, Hawaii (Lease), was transferred to Michelle H. Aikau by way of the Assignment of Lease and Consent instrument, dated May 4, 2009.

Michelle resides on the lot and is requesting Department approval to subdivide Lot No. 19 into 2 lots. Michelle will reside on the lot with the existing permitted dwelling. Janice Meiling Thomas, has been determined to be not less than 50% Hawaiian ancestry.

The subdivision will result in two pastoral lots that are 50.000 acres in size. Hence, the respective leases will be considered subsistence pastoral lots.

Michelle is currently utilizing the entire 100.000 acre pastoral lot for grazing cattle.

Janice M. Thomas submitted a ranch development plan, which shows that she intends to utilize her lot by raising livestock (sheep and goats) planting a windbreak and installing boundary fencing. She also plans to construct a barn and new dwelling in the near future.

There is no outstanding loan attached to the lease. The lease rent and real property tax are current.


The Department recommends the approval of its recommendations.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2019

TO: William Aila, Jr. Chairman and Members,
Hawaiian Homes Commission

THROUGH: Dean Oshiro, Acting Administrator 
Homestead Services Division

FROM: Erna A. Kamibayashi, Kauai District Office Supervisor
Homestead Services Division

SUBJECT: **Commission Designation of Successor**
RICHARD IUDA KEALOHA KANAHELE, Lease No. 5380
Lot No. 68, Kekaha, Kauai

RECOMMENDED MOTION/ACTION

1. To approve the designation of Jaylynn Kauileilani Kanahele (Jaylynn), as successor to Residential Lease No. 5380, Kekaha, Kauai for the remaining term of the lease, subject to payment to the Department within 90 days from the completion of the lease successorship for the appraise value of \$147,400 (without appliances) or \$148,735 with appliances (refrigerator \$525, Range/Oven \$445, Washer \$365); and

2. To approve the payment of the net proceeds, in the amount of the appraised value of the improvements less any outstanding debts attached to the Lease to Mary Beth Girod.

DISCUSSION

On October 17, 1997, Richard Kanahele (Decedent) received through successorship, Department of Hawaiian Home Lands Residential Lot Lease No. 5380, Lot No. 68, located in Kekaha, Kauai (Lessee) from his mother Maleka Manu Hulunani Lihilihi Anuenue Kaohelauii Kanahele.

On December 8, 2015, the Decedent named his wife, Mary Beth Girod (Mary) as successor to the net proceeds of the improvements value of residential lease 5380, Kekaha, Kauai.

On May 18, 2018, Richard Kanahale passed away.

In compliance with the Administrative Rules 10-3-63, the Department published legal ads in the Honolulu Star Advertiser, The Hawaii Tribune Herald, The West Hawaii Today, The Maui News, and The Garden Island newspapers on December 2, 12, 16 and 26, 2018, to notify all interested, eligible and qualified heirs of the Decedent, to submit their lease successorship claims.

The Department received one successorship claim from the Decedent's niece Jaylynn Kauileilani Kanahale. Jaylynn is an applicant on the Kauai Islandwide Agricultural and Residential Waiting List and has been determined to be eligible for succession.

Pursuant to Section 209 of the Hawaiian Home Commission Act of 1920 (Act), as amended, when a lessee fails to designate a successor, the commission is authorized to terminate the lease or to continue the lease by designating a successor. Section 209 states in part that the department may select from only the following qualified relatives in priority order:

1. Husband or wife; or
2. If there is no husband or wife, then the children; or
3. If there is no husband, wife, or child, then the grandchildren; or
4. If there is no husband, wife, child, or grandchild, then brothers or sisters; or
5. If there is no husband, wife, child, grandchild, brother, or sister, then from the following relatives of the lessee who are native Hawaiian: father and mother, widows or widowers of the children, widows or widowers of the brothers and sisters, or nieces and nephews.

Existing improvements consist of a three-bedroom, one and one-half bath single family dwelling built in 1983, with an open lanai.

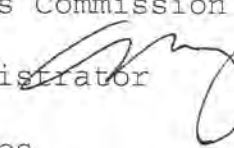
As of July 15, 2019 Lease rent of \$1.00 is owed, and real property taxes/trash pickup fees are paid current through June 30, 2019.

The Department requests approval of its recommendation to name Jaylynn Kauileilani Kanahele for successorship to succeed to the lease and to approve the payment of the net proceeds in the amount of the appraised value of the improvements less any outstanding debts attached to the Lease to Mary Beth Girod.

E-ITEMS

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

August 20, 2019

To: Chairman and Members, Hawaiian Homes Commission
From: Stewart Matsunaga, Acting LDD Administrator 
Subject: West and Central Maui Project Updates

RECOMMENDED MOTION/ACTION:

For information only

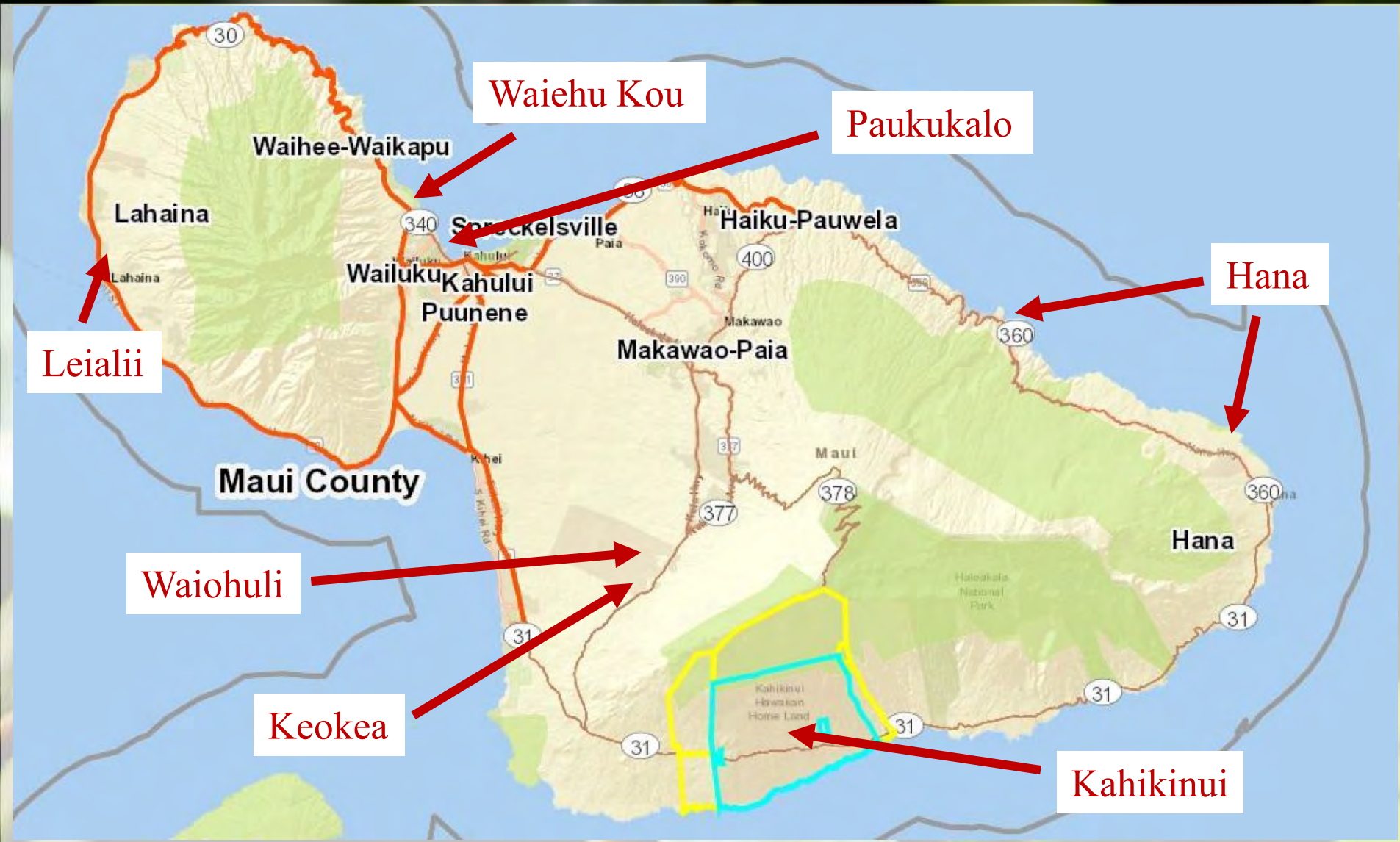


Department of Hawaiian Home Lands

Maui Island Unencumbered Lot Inventory

**Hawaiian Homes Commission
Land Development Division
Item E-2 Workshop
August 19, 2019**

Maui Island Map



Lease & Lot Summary

Maui Homestead Lot Inventory			
Subdivision	Type	Leases	Unencumbered
Keokea	A	65	4
Kahikinui	P	75	26
Waiohuli UNDV	R	272	
Waiohuli (Kula)	R	310	9
Hikina	R	33	4
Keokea Waiohuli Residential @	R	9	94
Waiehu	R	39	0
Waiehu 2	R	109	0
Waiehu 3	R	114	1
Waiehu 4	R	97	1
Paukukalo Unit 1	R	51	1
Paukukalo Unit 2	R	38	0
Paukukalo Unit 3, Phase 1	R	48	0
Paukukalo Unit 3, Phase 2	R	10	1
Paukukalo Unit 3, Phase 3	R	33	0
Leialii	R	104	0
MAUI TOTAL		1407	141

@ final lot count subject to drainage studies & final subdivision approvals

Unencumbered Summary

Area	category				Dwelling
	Lot Assessment	cancellation being finalized	prepare for award	offered	
Keokea Ag	4	0	0	0	0
Kahikinui Pas	26	0	0	0	0
Waiohuli (Kula)	2	0	7	0	0
Waiohuli (Hikina)	0	0	4	0	0
Keokea Waiohuli 1A	0	0	0	36	0
Keokea Waiohuli 1B	58	0	0	0	0
Waiehu Kou 3	0	1	0	0	1
Waiehu Kou 4	1	0	0	0	1
Paukukalo Unit 1	0	0	1	0	1
Paukukalo Unit 3 Phase 2	1	0	0	0	0
TOTAL	92	1	12	36	

Lot Assessment

(Keokea Agriculture Lots)

Lot 26



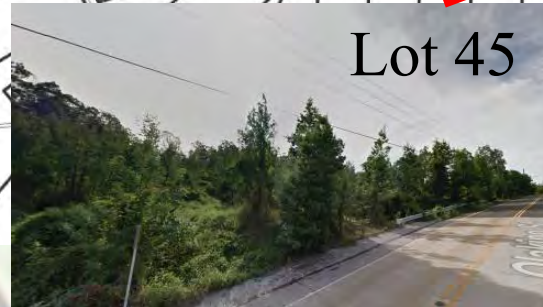
Lot 27



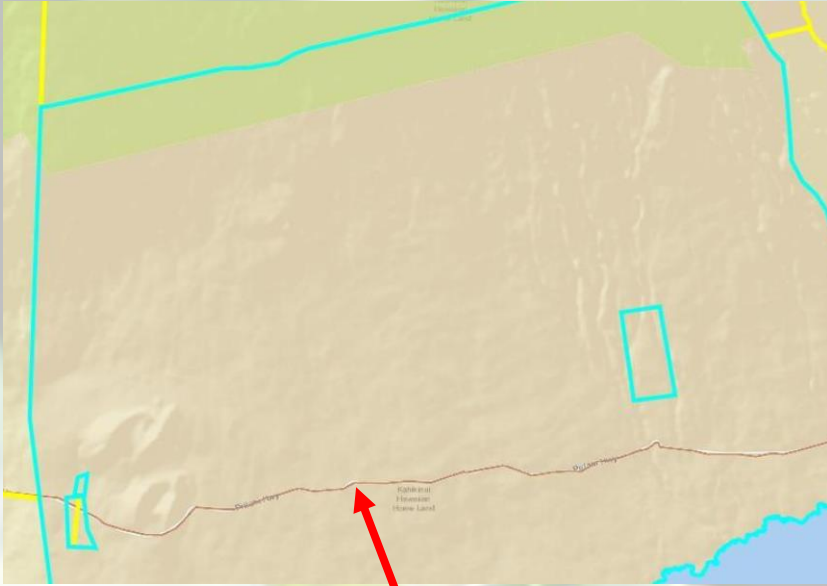
Lot 33



Lot 45



Lot Assessment (Kahikinui Pasture Lots)



Preparation for Award

(Hikina Residence Lots)

Lot 16



Lot 42



Lot 29

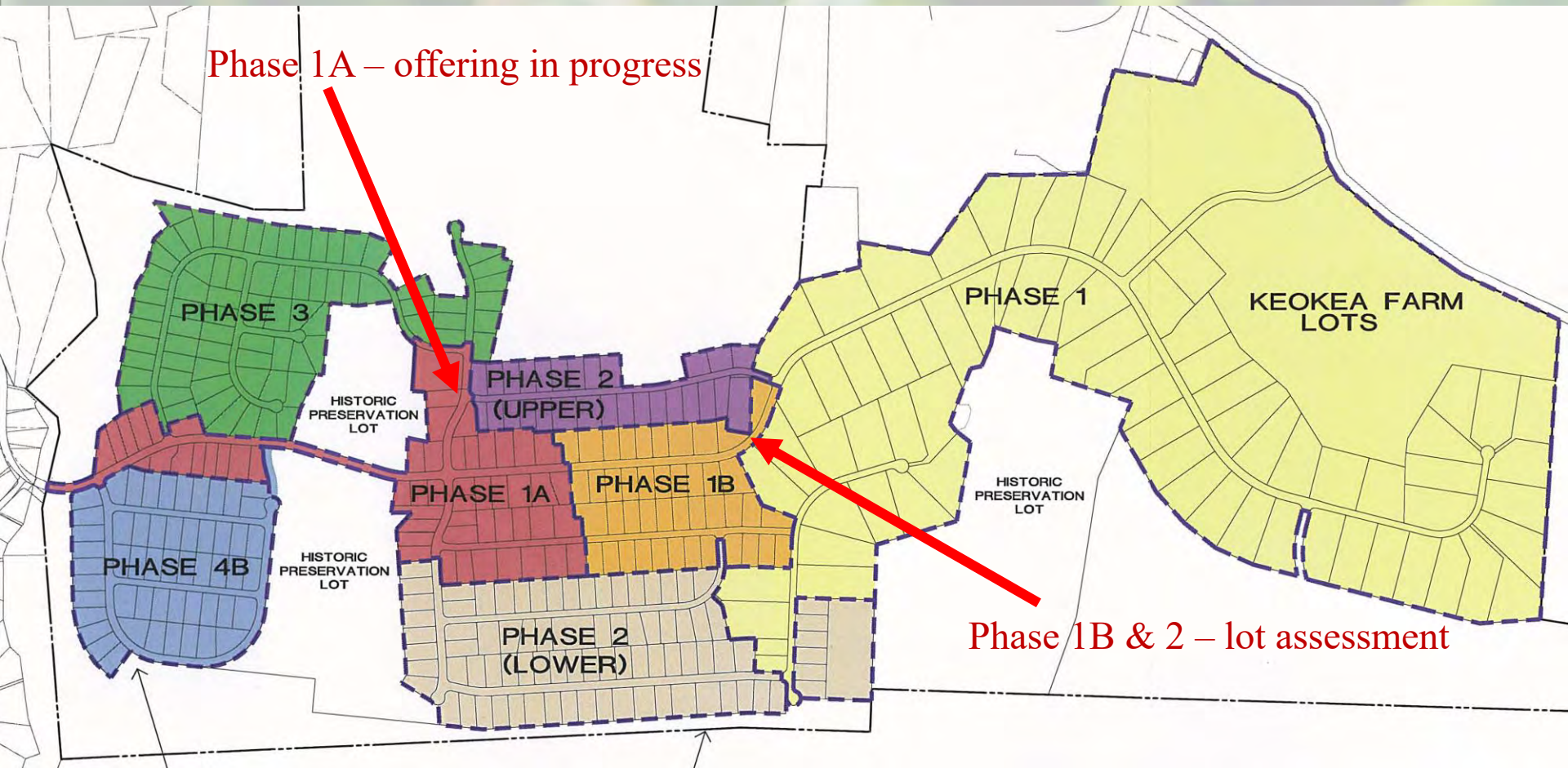


Lot 33



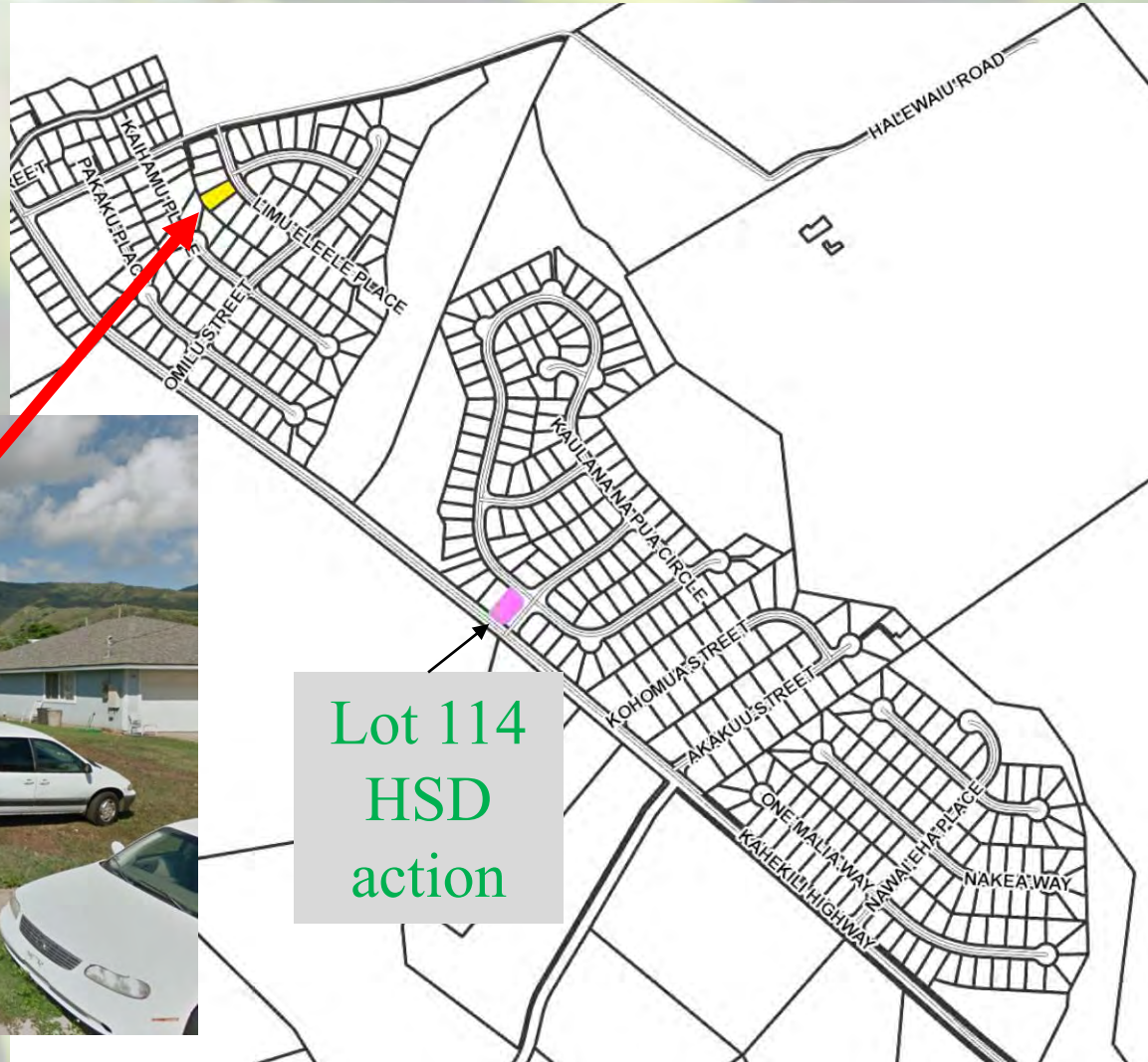
Lot Assessment & Offering in Progress

(Keokea Residence Lots)



Lot Assessment

(Waiehu Kou Residence Lots)



Lot Assessment & Preparation for Award

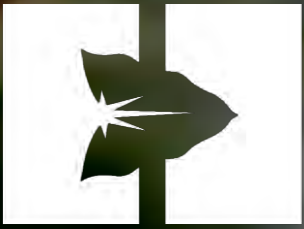
(Paukukalo Residence Lots)

Lot 4



Lot 32





Mahalo!

www.dhhl.hawaii.gov

F-ITEMS

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19-20, 2019

To: Chairman and Members, Hawaiian Homes Commission
From: Peter "Kahana" Albinio, Jr., Acting Administrator
Land Management Division *PA*
Subject: Approval of Annual Renewal of Right of Entry Permits, Maui Island

RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission (HHC) approve the following actions while developing a process to making short-term agricultural and pastoral land dispositions available to beneficiaries:

- A) Renew all Maui 3 Island Right of Entry Permits issued to Beneficiary Homestead Organizations as listed on Exhibit "A" and identified by approximate location on the Maui Island Map Exhibit "A-1" that are in compliance and issued temporary approvals, as of September 1, 2019.
- B) The annual renewal period, shall be on a month-to-month basis, for up to twelve (12) months, but no longer than August 31, 2020 or at the next scheduled HHC meeting on Maui island whichever occurs sooner.
- C) Authorize the Chairman to negotiate and set forth other terms and conditions that may be deemed to be appropriate and necessary.

DISCUSSION

This submittal represents annual renewals for all Maui Island ROE permit(s) only, issued to Beneficiary Homestead Organizations which expire on August 31, 2019. As a means of maintaining a process by which PERMITEE'S can be assured that their permits have been renewed, notification letters will be transmitted accordingly.

For information purposes Exhibit "A" references all Right of Entry Permits on Maui Island by order of commencement date, land use, then by acreage. While Right of Entry Permits generate additional revenue to the Trust, its primary purpose provides DHHL the ability to efficiently manage its lands through the issuance of these short-term dispositions which are typically not needed for longer-term dispositions (such as homesteading or general leases) over a 20-year time period or as dictated by DHHL's respective island plans. DHHL's total Maui Island land inventory covers approximately 31,000 acres¹ or 15% of DHHL's statewide inventory. The

¹ DHHL Maui Island Plan –PBR Hawaii, September 2004

short-term disposition(s) issued to Beneficiary Homestead Organizations within the Maui Island inventory cover approximately 73.0 acres or .002% of its inventory.

Right of Entry Permits help in having presence on DHHL lands thereby reducing costs for land management activity functions (i.e. signage, landscaping, fencing, removing trash and derelict vehicles, and prevents trespassing on unencumbered lands) that DHHL would bear if the lands were to sit vacant. Permittee’s are required to assume responsibility for the land, post insurance, indemnify the department, and manage and maintain the land.

Until improvements to the Revocable Permit Program can be implemented, this process will be used for Annual Renewals of these month-to-month ROE Permit dispositions.

The table below reflects the revenue generated from ROE permits on Maui Island, which is less than 1.0% (\$720) of the ROE total revenues (\$2,967,511) that DHHL received statewide for FY 2019. Maui Island holds 3 of the 145 ROE permits Statewide. These permittees fall under a variety of land use purposes with the most being community use. .

FY 2019			FY 2020		
		Total			Total
Agriculture	\$0	-	Agriculture	\$0	-
Caretaker	\$0	-	Caretaker	\$0	-
Commercial	\$0	-	Commercial	\$0	-
Community	\$720	3	Community	\$720	3
Industrial	\$0	-	Industrial	\$0	-
Office	\$0	-	Office	\$0	-
Pastoral	\$0	-	Pastoral	\$0	-
Preservation	\$0	-	Preservation	\$0	-
Recreation	\$0	-	Recreation	\$0	-
Research	\$0	-	Research	\$0	-
Stabling	\$0	-	Stabling	\$0	-
	\$720	3		\$720	3

For FY 2020, renewals for the 3 Right of Entry Permits located Maui Island will total an annual rent revenue of \$720 as referenced in the table above. .

AUTHORITY / LEGAL REFERENCE:

§171-55, Hawaii Revised Statutes, as amended, a “permit on a month-to-month basis may continue for a period not to exceed one year from the date of issuance; provided that the commission may allow the permit to continue on a month-to-month basis for additional one-year periods.”

RECOMMENDATION:

Land Management Division respectfully requests approval of the motion as stated.

RIGHT OF ENTRY PERMITS

TYPE	ISLAND	ACRE	NO.	USE	PERMITTEE/ADDRESS	LOCATION	TMK	Date Started	Current Fees, All Right of Entry Permits
ROE	MAUI	6.820	493	Community	Waiohuli Hawaiian Homesteaders Assoc., Inc., P. O. Box 698,	Kula	(2) 2-2-002:055(P) (2) 2-2-027:051(p) (2) 2-2-027:154(p)	10/1/2005	\$240
ROE	MAUI	69.000	496	Community	Keokea Homestead Farm Lot Association, P. O. Box 748, Kula, Hawaii 96790	Keokea	(2) 2-2-002:055	2/8/2010	\$240
ROE	MAUI	3.000	497	Community	Village of Lei Alii Assn., 124 Aupuni Street, Lahaina, Hawaii 96761	Leialii	(2) 4-5-021:020 (p)	4/1/2013	\$240
TOTAL	3	78.820							\$720

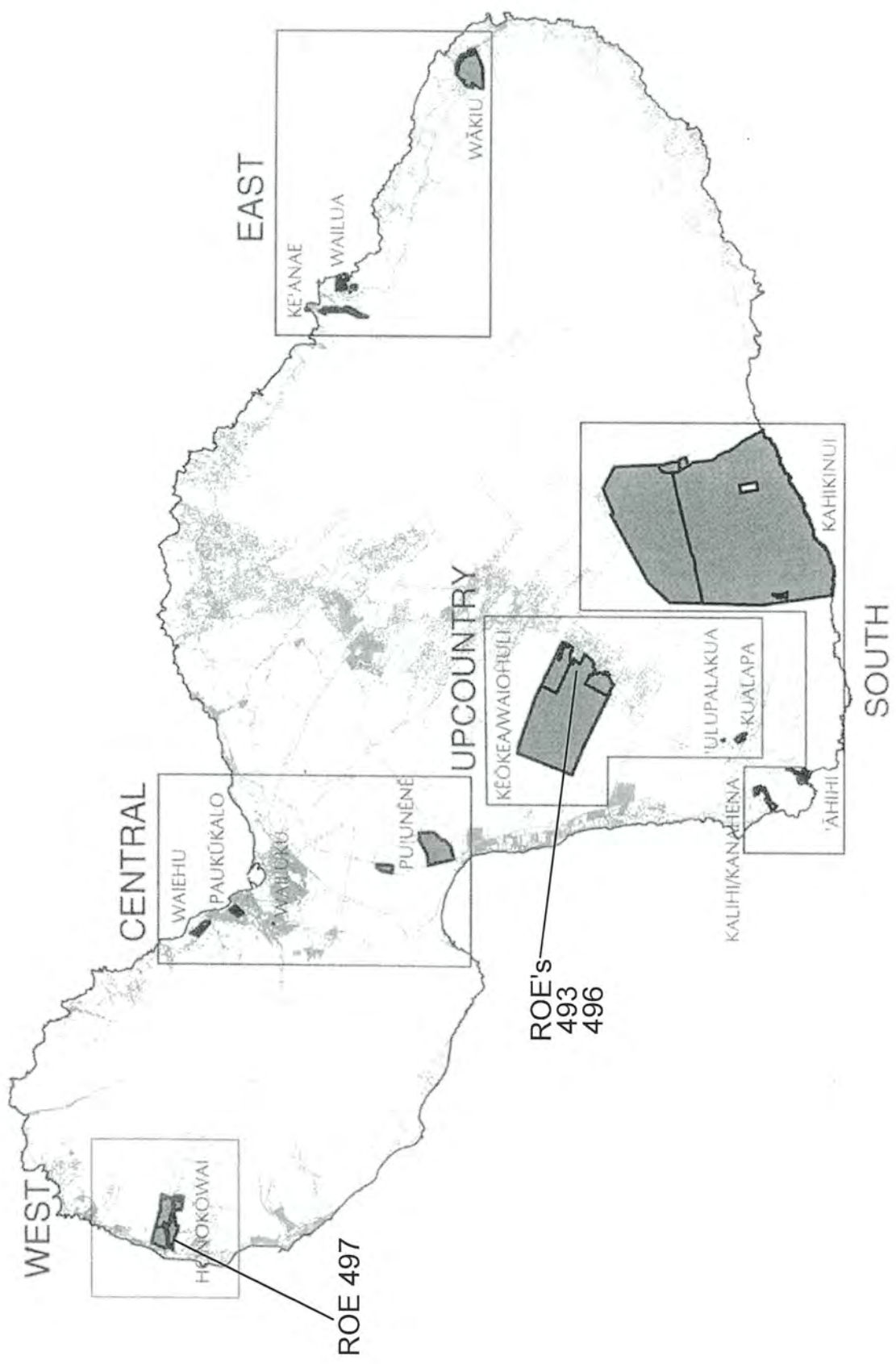


Figure A
 DHHL Maui Regions
MAUILAND INVENTORY
 DEPARTMENT OF HAWAIIAN HOME LANDS
 NORTH
 20,000 0 40,000
 (FEET)
 PBR
 HAWAII

Exhibit "A-1"
 Item No. F-1

Legend
 DHHL Properties

Source: Department of the Hawaiian Home Lands

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19-20, 2019

To: Chairman and Members, Hawaiian Homes Commission
From: Peter "Kahana" Albinio, Jr., Acting Administrator
Land Management Division *PA*
Subject: Approval of Annual Renewal of Right of Entry Permits, Lana'i Island

RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission (HHC) approve the following actions while developing a process to making short-term agricultural and pastoral land dispositions available to beneficiaries:

- A) Renew all Lana'i Island Right of Entry Permit(s) issued to Beneficiary Homestead Organizations and/or Homestead Lessee(s) as listed on Exhibit "A" and identified by approximate location on the Lana'i Island Map Exhibit "A-1" that are in compliance and issued temporary approvals, as of September 1, 2019.
- B) The annual renewal period, shall be on a month-to-month basis, for up to twelve (12) months, but no longer than August 31, 2020 or at the next scheduled HHC meeting on Maui and/or Lanai island whichever occurs sooner.
- C) Authorize the Chairman to negotiate and set forth other terms and conditions that may be deemed to be appropriate and necessary.

DISCUSSION

This submittal represents annual renewals for all Lana'i Island ROE permit(s) only, issued to Beneficiary Homestead Organizations and/or Homestead Lessee(s) which expire on August 31, 2019. As a means of maintaining a process by which PERMITEE'S can be assured that their permits have been renewed, notification letters will be transmitted accordingly.

For information purposes Exhibit "A" references all Right of Entry Permits on Lana'i Island by order of commencement date, land use, then by acreage. While Right of Entry Permits generate additional revenue to the Trust, its primary purpose provides DHHL the ability to efficiently manage its lands through the issuance of these short-term dispositions which are typically not needed for longer-term dispositions (such as homesteading or general leases) over a 20-year time period or as dictated by DHHL's respective island plans. DHHL's total Lana'i Island land inventory covers approximately 50.0 acres¹. The short-term disposition(s) issued to a

¹ DHHL Lana'i Island Regional Plan, June 2010

Homestead Beneficiary cover approximately 25.0 acres or 50 % of it's the Lana'i Island inventory.

Right of Entry Permits help in having presence on DHHL lands thereby reducing costs for land management activity functions (i.e. signage, landscaping, fencing, removing trash and derelict vehicles, and prevents trespassing on unencumbered lands) that DHHL would bear if the lands were to sit vacant. Permittee's are required to assume responsibility for the land, post insurance, indemnify the department, and manage and maintain the land.

Until improvements to the Revocable Permit Program can be implemented, this process will be used for Annual Renewals of these month-to-month ROE Permit dispositions.

The table below reflects the revenue generated from ROE permits on Lana'i Island, which is less than 1.0% (\$696) of the ROE total revenues (\$2,967,511) that DHHL received statewide for FY 2019. For FY 2020 Lana'i Island will hold 1 of the 145 ROE permits Statewide. This permittee falls under a variety of land use purposes with the most being community use. .

FY 2019		Total	FY 2020		Total
Agriculture	\$0	-	Agriculture	\$0	-
Caretaker	\$0	-	Caretaker	\$0	-
Commercial	\$0	-	Commercial	\$0	-
Community	\$0	-	Community	\$0	-
Industrial	\$0	-	Industrial	\$0	-
Office	\$0	-	Office	\$0	-
Pastoral	\$696	1	Pastoral	\$696	1
Preservation	\$0	-	Preservation	\$0	-
Recreation	\$0	-	Recreation	\$0	-
Research	\$0	-	Research	\$0	-
Stabling	\$0	-	Stabling	\$0	-
	\$696	1		\$696	3

For FY 2019, renewals for the 1 Right of Entry Permit located on Lana'i Island will total an annual rent revenue of \$696 as referenced in the table above. The total rent received from Lana'i Island ROE's will remain at \$696.

AUTHORITY / LEGAL REFERENCE:

§171-55, Hawaii Revised Statutes, as amended, a "permit on a month-to-month basis may continue for a period not to exceed one year from the date of issuance; provided that the commission may allow the permit to continue on a month-to-month basis for additional one year periods."

RECOMMENDATION:

Land Management Division respectfully requests approval of the motion as stated.

RIGHT OF ENTRY PERMITS

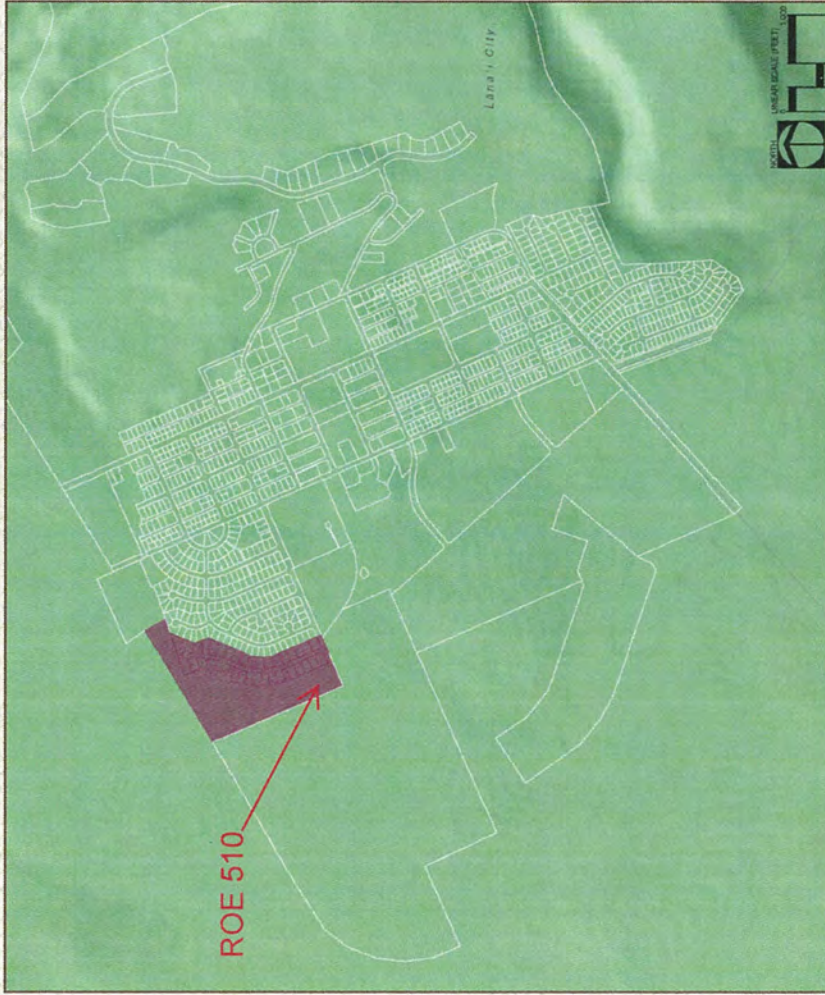
TYPE	ISLAND	ACRE	NO.	USE	PERMITTEE/ADDRESS	LOCATION	TMK	Date Started	Current Fees, All Right of Entry Permits
ROE	LANAI	25.000	510	Pastoral	Alton & Joelle Aoki, P. O. Box 631285, Lanai City, Hawaii 96763	Lana'i City	(2) 4-9-024:051(P)	7/1/2006	\$696
TOTAL	1	25.000							\$696

Exhibit "A"
Item No. F-2

DHHL Lands

DHHL acquired 50 acres of land from Castle & Cooke in 1999 located in Lānaʻi City. The land was given to the State as part of a deal brokered to allow redevelopment on the island of Lānaʻi from a primarily agricultural based economy to one that includes tourism, and expanded service industries.

As of January 2010, DHHL had 29 active leases on Lānaʻi.



DHHL landholdings on Lānaʻi





LAND SUMMARY



Total DHHL Land: 50 acres

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

August 19-20, 2019

To: Chairman and Members, Hawaiian Homes Commission

Through: Peter "Kahana" Albinio, Jr., Acting Administrator
Land Management Division 
Andrew Choy, Acting Program Manager 
Planning Office

From: Shelly Carreira, Land Agent 
Land Management Division
Julie-Ann Cachola, Planner 
Planning Office

Subject: Approval to Issuance of Right of Entry to Waiohuli Hawaiian Homesteaders Association, Inc., Waiohuli-Keokea, Maui, TMK: (2) 2-2-028:181(portion), (2) 2-2-002:014 (portion)

APPLICANT:

Waiohuli Hawaiian Homesteaders Association, Inc. "PERMITTEE"

RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission (HHC) grant its approval to issue a Right of Entry (ROE) permit to Waiohuli Hawaiian Homesteaders Association, Inc., for approximately 150.0 acres (more or less) of Hawaiian home lands TMK: (2) 2-2-028:181 (portion), (2) 2-2-002:014 (portion) for the purpose of conducting due diligence studies including but not limited to project master plan, business plan, and related Chapter 343, HRS compliance requirements and Chapter 6E, HRS compliance requirements.

1. Authorize the issuance of a Right of Entry permit to PERMITTEE covering the subject area under the terms and conditions cited below, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current right of entry permit form, as may be amended from time to time;
 - B. The term of the Right of Entry shall be month to month for up to thirty-six (36) months, commencing upon execution, with the option for two additional twelve (12) month extensions at the sole discretion of PERMITTOR;
 - C. The fee for the term of this ROE shall be gratis;
 - D. PERMITTEE shall submit a Master Plan. Master plan shall include but not be limited to:

- i. Narrative description that clearly articulates permittee's project goals for the project area and detailed description of each proposed programmatic element and land use by the permittee.
 - ii. Narratively and graphically describe characteristics of the project area including topography, portions of the project area susceptible to natural disaster events, location of known sensitive or unique natural and cultural resources, water resources, access points for vehicle and pedestrian ingress and egress, identification of level of infrastructure improvements required and location of improvements;
 - iii. Site plan drawing at scale of the project area depicting conceptual size and location of proposed improvements and programmatic use of the project area.
- E. PERMITTEE shall submit a Project Business Plan. The Project Business Plan shall include a description of expense and income budget (start-up/initial costs, operating budget, reserve fund, fundraising campaign). Business plan shall identify rough order of magnitude (ROM) cost for all capital improvements proposed by permittee to the premises including off-site infrastructure. Business plan shall include ROM cost for operation and maintenance expenses. Business plan shall include ROM for programmatic expenses including but not limited to staff salary and compensation. Business plan shall identify potential revenue sources and reasonably justified estimated revenue projections from each of these sources.
- F. PERMITTEE shall consult with and work closely with PERMITTOR on completing HRS Chapter 343 and HRS Chapter 6E compliance documentations and studies. If HRS Chapter 343 Environmental Assessment study or Environmental Impact Study is required, approval of these studies is subject to the approval of the Hawaiian Homes Commission. Chapter 6E compliance is subject to the approval/concurrence of the Department of Land Natural Resources State Historic Preservation Division.
- G. As part of the PERMITTOR's regular review of PERMITTEE activities, and in exchange for gratis base rent, lessee shall submit a bi-annual progress report to the PERMITTOR every six months starting from the ROE permit commencement date. The bi-annual progress reports shall document the LESSEE's activities of the previous period and shall include but not be limited to the following:
 - i. Timeline and schedule to complete due diligence studies as described in Sections D thru G of this agreement. Timeline and schedule should identify major milestones in the completion of due diligence studies.
 - ii. Description of major activities related to the project timeline and schedule that were conducted and/or completed in the six-month period.
 - iii. Progress report shall also include description of circumstances that may affect the permittee's timeline and schedule for completion of due diligence studies.
 - iv. Progress report shall identify any professional service provider or third-party assisting the permittee in the completion of due diligence studies.
- H. The documentation and processing fee shall be waived;
- I. Such other terms and conditions as may be prescribed by the Hawaiian Homes Commission to best serve the interest of the Hawaiian Home Lands Trusts;

2. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR this project will probably have minimal or no significant effect on the environment.

LOCATION:

Portion of Hawaiian home lands situated in Waiohuli-Keokea, Island of Maui, identified as TMK: (2) 2-2-028:181 (portion), (2) 2-2-002:014 (portion) (See Exhibit "A")

AREA:

150.0 Acres (more or less)

BACKGROUND/DISCUSSION:

Waiohuli Hawaiian Homesteaders Association (WHHA) submitted a land use request to DHHL on December 3, 2018 for approximately 150 acres (more or less), encompassing a portion of TMK: (2) 2-2-028:181 (portion), (2) 2-2-002:014 (portion) for the purposes of conducting due diligence necessary to validate feasibility, collaborations and resources related to developing the parcel, see Exhibit "B". Their proposed plan includes development of residential and agricultural lots, economic and educational opportunities, energy projects and water source development through collaboration and partnerships which would result in career development and employment opportunities.

A beneficiary consultation meeting was conducted on May 30, 2019 to collect beneficiary input and feedback on WHHA's land use request. A beneficiary consultation report was submitted to the HHC in July 2019 for acceptance, see Exhibit "C". The HHC accepted the beneficiary consultation report for WHHA's land use request.

The WHHA has demonstrated success through projects completed under their current land disposition, License No. 695:

- Certified Commercial Kitchen - In 2014, WHHA completed construction of its certified commercial kitchen to prepare food and products for small businesses, private and community functions. It also includes an imu for traditional cultural practitioners.
- Passive Recreation and Agriculture – The initial open areas have been established. An open space for walking and initial community garden has been set up.
- Spiritual Context-Hawaiian Cultural Zone - A "Polynesian" hale has been completed and serves as the focal point for cultural exchange. Constructed by multiple Pacific Island ethnicities, the "hale" has already hosted cultural awareness classes, hula halau collaboration, and is the entry point for the existing archeological site.
- Amphitheater – The outdoors, natural-terrain amphitheater has been completed. This venue allows for fee-based performances as well as cultural events. • Active Recreation Field – An area for sports and seating for up to 200 spectators.

Issuance of a right of entry to WHHA for due diligence purposes will allow WHHA to conduct studies necessary to determine project feasibility, land suitability, and identify potential partnerships for proposed future development of the site.

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

The recommended disposition is consistent with the following plans, policies, and programs:

- 1) DHHL General Plan (2002) 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.

Objectives: Provide space for and designate a mixture of appropriate land uses, economic opportunities, and community services in a native Hawaiian friendly environment.

- 2) Maui Island Plan, September 2004

- Land Use Designation: General Agriculture, September 2004, Figure B, Keokea/Waiohuli Land Use Plan

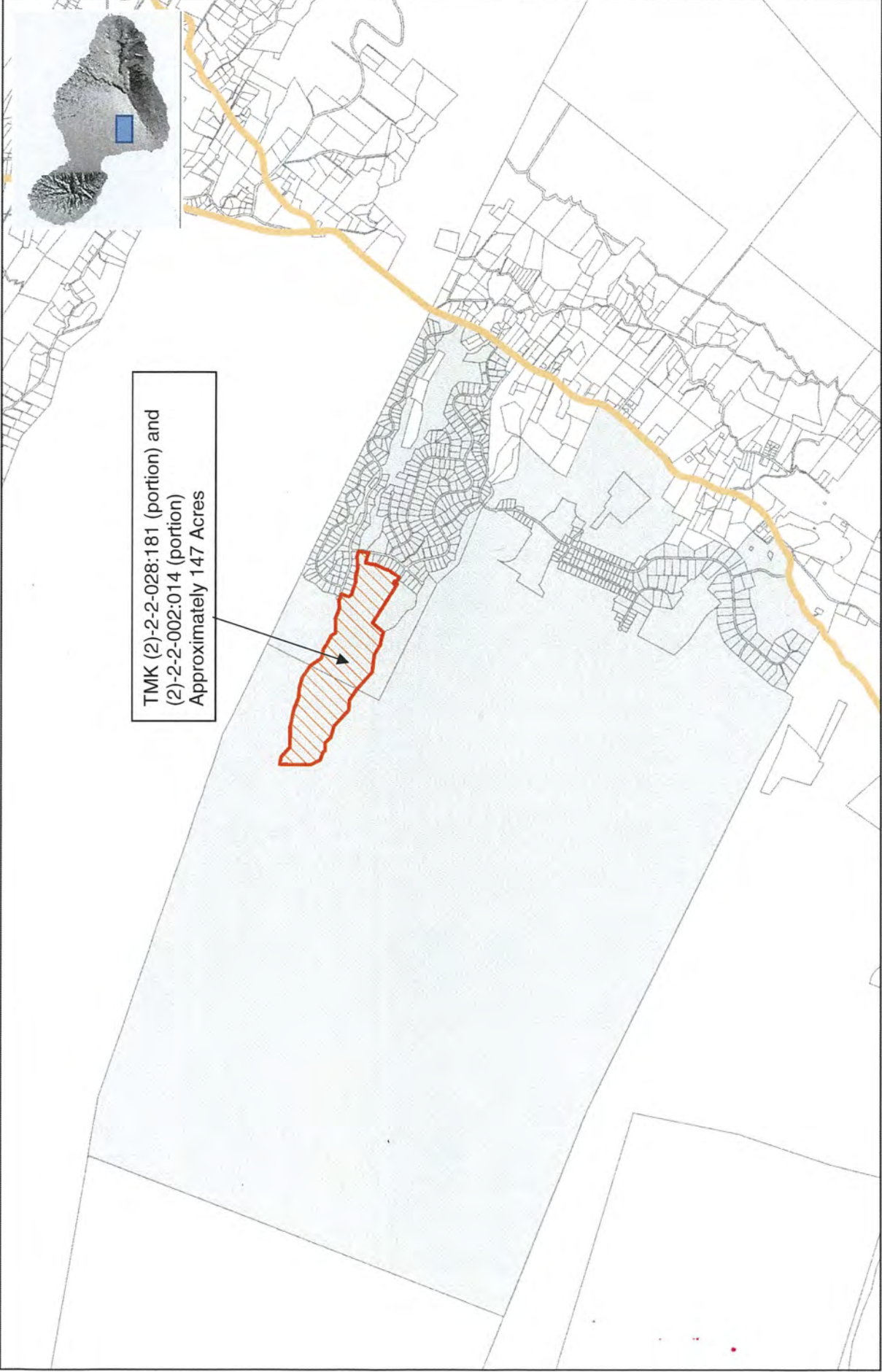
- 3) Regional Plan: The proposed use of Hawaiian Home Lands was not identified in the Keokea-Waiohuli Regional Plan dated June 2010. As mentioned previously, a beneficiary consultation meeting was conducted on May 30, 2019 to get beneficiary feedback on the proposed use of Hawaiian Home Lands.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

In accordance with the Department of Hawaiian Home Lands Comprehensive Exemption List as Reviewed and Concurred Upon by the Environmental Council on June 30, 2015, the Right of Entry permit request is exempt from the preparation of an environmental assessment pursuant to Exemption Class #5, “Basic data collection, research, experimental management, and resource evaluation activities which do not result in serious or major disturbances to an environmental resource.”




RECOMMENDATION

Land Management Division and Planning Office recommends approval of the requested motion/action as stated.



TMK (2)-2-2-028:181 (portion) and
(2)-2-2-002:014 (portion)
Approximately 147 Acres

Legend

-  Waiohuli_ROE_boundary
-  DHHL Land
-  State Highway

ITEM NO. F-3
EXHIBIT A



DAVID Y. IGE
GOVERNOR
STATE OF HAWAII

SHAN S. TSUTSUI
LT. GOVERNOR
STATE OF HAWAII



RECEIVED
LAND MANAGEMENT
DIVISION

JOHIE M. K. MASAGATANI
CHAIRMAN
HAWAIIAN HOMES COMMISSION

2013 DEC -5 AM 10:30
WILLIAM J. AILA, JR.
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P. O. BOX 1879
HONOLULU, HAWAII 96805

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: Waiohuli Hawaiian Homesteaders Association (WHHA)

Address: P O BOX 698 Kula, Hawaii 96790-0698

Phone No.: _____ Cell: 808-357-0831 email: perryartates@gmail.com

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: (SEE ATTACHED)

Mission of Organization: In 1999, lessees created WHHA as a non-profit incorporated in the State of Hawaii to serve residents in the Kula Residence Lots subdivision. WHHA received a federal 501c3 tax exemption designation in 2005. WHHA was organized and established to ..."unite under the mana of all Hawaii Nei, to protect, preserve and defend the Hawaiian Homes Lands Trust and combine our efforts for the rehabilitation and betterment of all native Hawaiian homeland beneficiaries."

Date Incorporated: 7/6/99 State of Incorporation: Hawaii

Federal Tax ID#: 99-0311895 State Tax ID#: GE 128-287-5392-01

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. 19:020

ITEM NO. F-3
EXHIBIT "B"

Land Area requested: Acreage/Sq.Ft. 150 +/- acres

Term: TO BE NEGOTIATED

Island: MAUI

Tax Map Key No.: 220281810000

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: _____

License # 695, 17-acres for Community Use, 50-year term (9/1/07 to 8/31/57)

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
-----------------------------	--------------------	----------------------	-------------------------------

WAIHOLI HAWAIIAN HOMESTEADERS ASSOCIATION, INC.

Print Individual or Organization Name

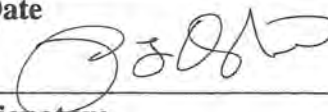
PERRY O. ARTATES, PRESIDENT

Authorized Representative Name & Title

November 29, 2018

Date

Signature





HAWAIIAN HOMESTEADERS ASSOCIATION INC.

P.O. Box 698 Kula, Hawai'i 96790-0698

2017 - 2019

WHA Inc. Officers and Directors

Executive Board

Email Address

Perry O. Artates - President
Kawika Alo - Vice President
Jo Addie Brown - Secretary
Ernette Kaea/Prones - Treasurer

perryartates@gmail.com
dkawiks@yahoo.com
Uibrown@maui.net
ekaeaprones@hawaii.rr.com

Directors

Carl Saffery
Sa'a Foster
Steven Aruda
Kolomona Kapanui
Eugene Ching
Dee Nakooka
Emma Yap
Geri Ching

mamajana1@aol.com
saafiga@rocketmail.com
stevenaruda@gmail.com
kapanui808@gmail.com
was_efching@yahoo.com
dnakooka@gmail.com
ekahua.abihai@gmail.com
kulagal@yahoo.com



HAWAIIAN HOMESTEADERS ASSOCIATION INC.
P.O. Box 698 Kula, Hawai'i 96790-0698

November 27, 2018

TO: Chairman and Members of the Hawaiian Homes Commission

FROM: Waiohuli Hawaiian Homesteaders Association, Inc.

SUBJECT: Request for Right of Entry (ROE) to Evaluate Conceptual Proposal for Long Term Economic Development Opportunities for Waiohuli

Guided by its established mission when it was formed in 1999, the Waiohuli Hawaiian Homesteaders Association (WHHA) continues to envision ways to work with the Department of Hawaiian Home Lands (DHHL) and "combine efforts for the rehabilitation and betterment of all native Hawaiian homestead beneficiaries".

The synergy created through successful completion of multiple-phased projects at WHHA's 17-acre regional park site in Waiohuli has forged a broader interest for future community development. Collaboration between private and community small businesses has allowed WHHA to optimize funded improvements while providing local work opportunities. WHHA is convinced that there exist sufficient skillsets and public-private relations within its community realm for exponential partnerships to further its mission.

WHHA's community expertise includes small business, planning, management, finance, government, education, all construction trades and more. In addition, WHHA has vetted strong private partner interests and expertise that includes:

- leveraged financing (private, philanthropic and public),
- planning, engineering, design and entitlements,
- community relations and beneficiary consultation,
- cultural survey and archaeological monitoring,
- water resource development, distribution and management,
- infrastructure development, management and maintenance,
- energy development, distribution and management,
- housing development, counseling and management,
- agricultural technologies, education, marketing and management.

Through collaborative community, private and public partnerships, WHHA believes that development, with all its related segments for employment, can be a long term, multi-benefit, economic engine for Waiohuli.



HAWAIIAN HOMESTEADERS ASSOCIATION INC.
P.O. Box 698 Kula, Hawai'i 96790-0698

CONCEPTUAL PROPOSAL OVERVIEW

WHHA seeks a land disposition of approximately 150 acres (+ or -) of DHHL lands, contiguous to Waiohuli Homesteads, to create sustaining, long term economic opportunities for its community through development. The property is presently undeveloped with boundaries defined by natural terrain and culverts and includes DHHL's water test well site. WHHA's intended uses will be consistent and complimentary with DHHL's Waiohuli Regional Plan and land designation. Maps depicting the location, site and conceptual uses are attached for reference. An initial due diligence period is proposed to allow WHHA to validate feasibility, collaborations and resources.

WHHA will establish "Waiohuli Community Development Corp." (WCDC), a subsidiary entity, as the lead development team and project facilitator of community, private & public partners. WHHA's initiative will be called "Waiohuli Economic Development Opportunity" or the "WE-DO Project"

Through WCDC, WHHA's intended outcomes are:

- Create career mentoring and employment opportunities in multiple fields of expertise and services associated with development
- Collaborate with DHHL in creating and expediting an array of turn-key homestead opportunities for Maui applicants
- Leverage public resources and services to secure deliberate, sustainable private commitments and expertise that can provide the best, affordable and timely homestead solutions possible.

REQUEST FOR RIGHT OF ENTRY

WHHA respectfully requests a Right of Entry (ROE) to the subject parcel in order to conduct necessary due diligence for this conceptual proposal including development discussions and ROE Terms and Conditions with DHHL. In conjunction with this request, WHHA has submitted a Land Use Request to DHHL's Land Management Division for the proposed land parcel. Subject to due diligence results, it is WHHA's intent to tender a request to HHC/DHHL for a long-term land disposition and provide financial & development plans, partner commitments, defined tasks and schedules and consultation outcomes for HHC/DHHL consideration.



HAWAIIAN HOMESTEADERS ASSOCIATION INC.

P.O. Box 698 Kula, Hawai'i 96790-0698

In closing, WHHA wishes to express its appreciation to the Commission and DHHL for allowing us to present our conceptual proposal and request. We look forward to furthering discussions with DHHL.

Respectfully,

Perry O. Artates, President
Waiohuli Hawaiian Homesteaders Association, Inc.



DCCA State of Hawaii

Downloaded on December 3, 2018.

The information provided below is not a certification of good standing and does not constitute any other certification by the State.

Website URL: <http://hbe.ehawaii.gov/documents>

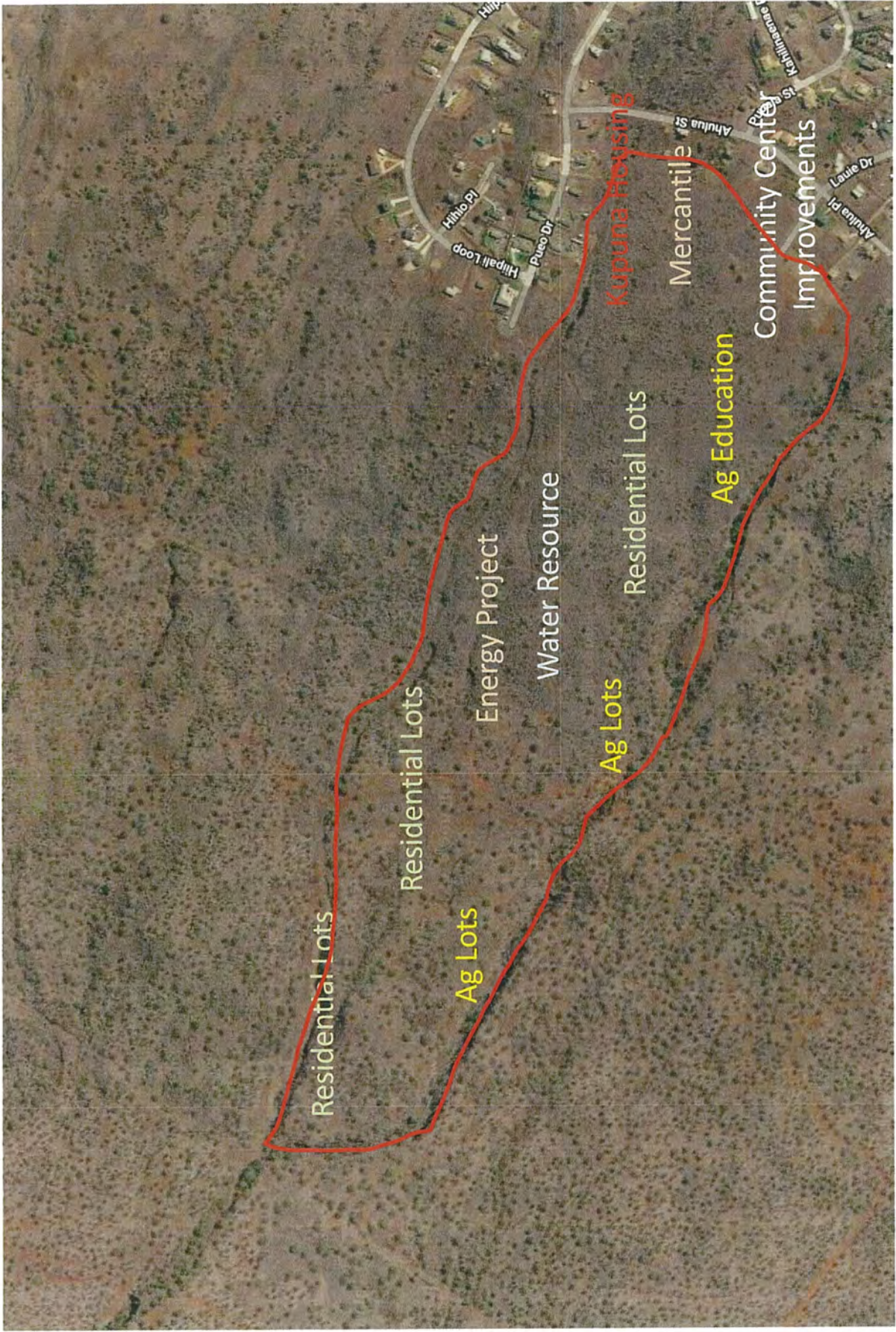
Business Information

MASTER NAME	WAIOHULI HAWAIIAN HOMESTEADERS ASSOCIATION, INC.
BUSINESS TYPE	Domestic Nonprofit Corporation
FILE NUMBER	115966 D2
STATUS	Active
PURPOSE	TO PROTECT AND FURTHER THE NATIVE HAWAIIAN CULTURAL HERITAGE THROUGH EDUCATION; AND TO FURTHER THE QUALITY OF LIFE OF DISADVANTAGED FAMILIES WITHIN THE WAIOHULI HAWAIIAN HOMESTEAD COMMUNITY.
PLACE INCORPORATED	Hawaii UNITED STATES
INCORPORATION DATE	Jul 6, 1999
MAILING ADDRESS	P O BOX 698 KULA, Hawaii 96790-0698 UNITED STATES
TERM	PER
AGENT NAME	ERNETTE KAEA-PRONES
AGENT ADDRESS	P O BOX 698 KULA, Hawaii 96790 UNITED STATES

Annual Filings

FILING YEAR	DATE RECEIVED	STATUS
2018	Oct 16, 2018	Processed
2017	Jul 31, 2017	Processed
2016	Oct 4, 2016	Processed
2015	Aug 6, 2015	Processed
2014	Sep 25, 2014	Processed
2013	Jul 8, 2013	Processed
2012	Jul 6, 2012	Processed
2011	Sep 6, 2011	Processed
2010	Sep 27, 2010	Processed
2009	Aug 11, 2009	Processed
2008	Jul 14, 2008	Processed
2007	Jul 2, 2007	Processed
2006	Apr 5, 2007	Processed
2005	Jan 30, 2006	Processed
2004	Oct 20, 2004	Processed
2003	Sep 5, 2003	Processed
2002		Not Required
2001	Jun 17, 2002	Processed
2000	Jul 22, 2002	Processed

Conceptual Proposed Uses



Conceptual Proposed Site – Contiguous to Existing Waiohuli Homesteads



Proposed Site – Approximately 100 – 150 acres



STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

July 15-16, 2019

To: Chairman and Members, Hawaiian Homes Commission

Thru: Andrew H. Choy, Acting Planning Program Manager *AC*

From: Julie-Ann Cachola, Planner

Subject: Acceptance of Beneficiary Consultation Report for four separate requests to utilize Hawaiian Home Lands on the island of Maui from the (1) Waiohuli Hawaiian Homesteaders Association TMK 2-2-2-028:152 (17 acres) and TMK 2-2-2-028:181 (por.) (183.28 acres); (2) Paupena Community Development Inc. TMK 2-2-2-034:026 (208.268 acres) and 2-2-2-002:014 (por.) (4,832.913 acres); (3) Keokea Homestead Farm Lots Association TMK 2-2-2-032:067 (47.857 acres) and 2-2-2-032:068 (23.865 acres); (4) Ka Ohana O Kahikinui TMK 2-1-9-001:007 (por.) (7,049.92 acres) and TMK 2-1-9-001:003 (por.) (15,620 acres);

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) accept this Beneficiary Consultation Report as the official public record of beneficiary comments relative to the four separate requests for use of Hawaiian Home Lands by the (1) Waiohuli Hawaiian Homesteaders Association, (2) Paupena Community Development Inc., (3) Keokea Homestead Farm Lots Association, and (4) Ka Ohana O Kahikinui.

DISCUSSION

Background

The Waiohuli Hawaiian Homesteaders Association (WHHA), Paupena Community Development Inc. (PCDI), Keokea Homestead Farm Lots Association (KHFLA), and Ka Ohana o Kahininui (KOOK) have previously requested the use of Hawaiian Home Lands for non-homesteading purposes. A summary description of each of these separate requests from the four associations are summarized in Table 1 below. Location maps of the land area requested are included in Figure 1.

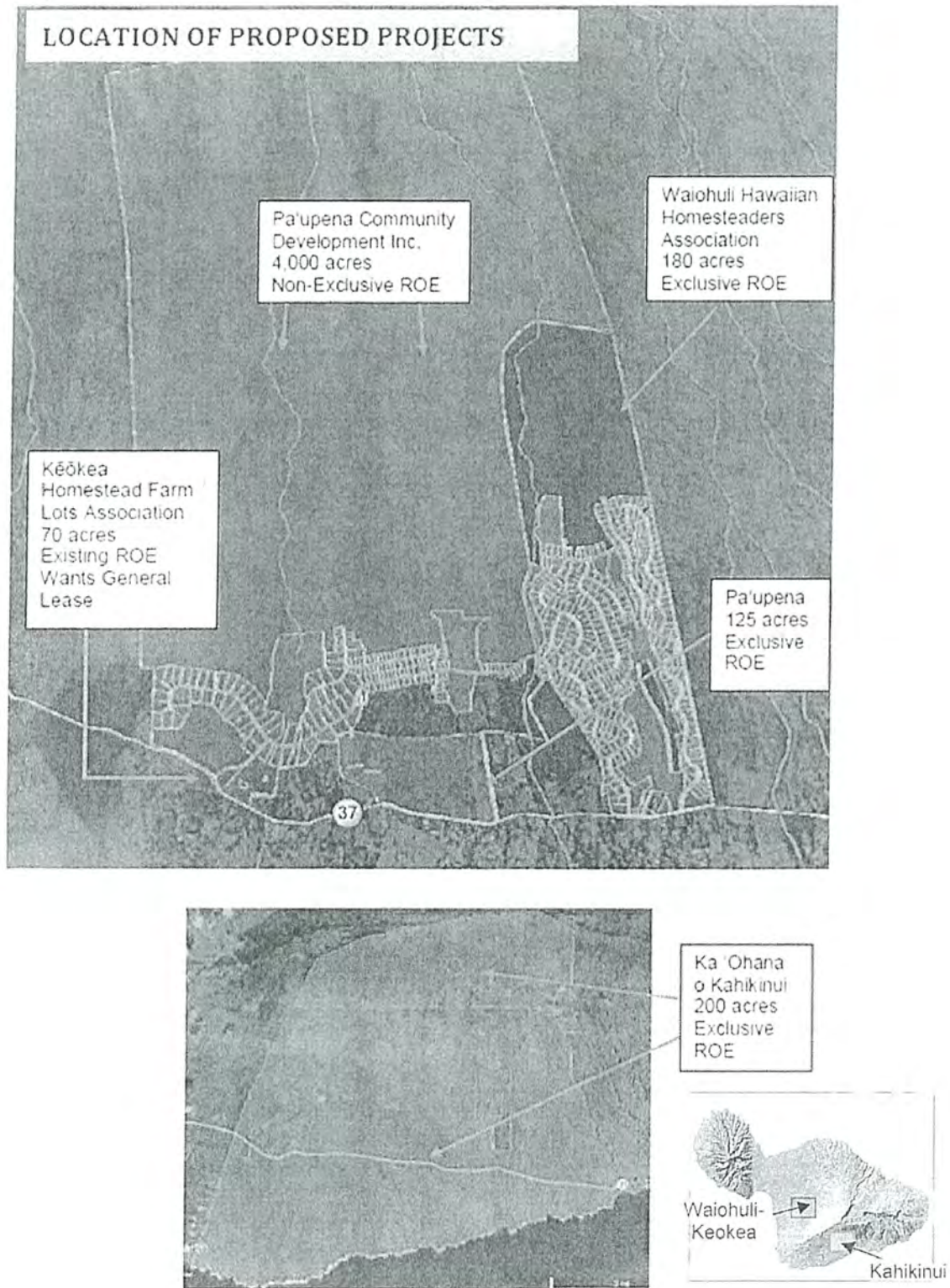
ITEM NO. F-3
EXHIBIT "C"

ITEM NO. G-1

Table 1 Proposed Projects from Community Associations

Hawaiian Homestead Association	Project Description	Land Disposition Requested	Approximate Number of Acres
Waiohuli Hawaiian Homesteaders Association	Due diligence to validate feasibility, build collaborations, secure resources, and work with DHHL to create a range of turn-key homes for Maui applicants. The Waiohuli Economic Development Opportunity (WE-DO) project will create employment opportunities and career development in fields and services involved in land development.	2 year, exclusive Right-of-Entry (ROE) for due diligence purposes.	180 acres
Pa'upena Community Development Inc.	Provide beneficiaries training and experience in ranching and farming techniques on HHLs at Waiohuli makai. Involve beneficiaries in running 100 head of cattle and develop a 10-20-acre agricultural demonstration site to foster relationships, organize and build capacity in beneficiaries before they receive homestead leases.	Makai Waiohuli: 4,000 acres Non-Exclusive ROE Mauka Waiohuli: 123 acres Exclusive ROE	4,125 acres
Kēōkea Homestead Farm Lots Association (KHFLA)	KHFLA has an ROE to the area and has started planning for long-term development of agriculture, commercial, educational and health care opportunities to benefit Upcountry beneficiaries. Requested Land Disposition allows KHFLA to secure loan and grant funding from Federal, State, private and public organizations.	60 year General Lease	70 acres
Ka 'Ohana o Kahului	Hale Pili: 5 to 16 acres on Pi'ilani Highway to develop economic opportunities for beneficiaries residing in Kahului. This project was identified in the management strategy adopted by the HHC in 1997. Kahua: widen approximately 4 miles of the access road in Kahua to facilitate: 1) removal of invasive species, fireweed, pine, and blackberry bushes, 2) herd assessments and monitoring of ungulate population for long term planning, and 3) development of cultural education curriculum including identification of native species.	2-year ROE for due diligence purposes	Hale Pili: 16 acres Kahua: 184 acres

Figure 1



In 2009, DHHL initiated the Kulia I Ka Nuu Program (Kulia). The Kulia program provided homestead association's interested in accessing DHHL a process and procedure to do so by creating an application process to apply for DHHL land and a monetary grant to help with initial planning and due diligence studies. The program also provided a series of trainings intended to increase the capacity of association board members to better be able to successfully implement their development projects. After the successful completion of the trainings, DHHL awarded the grant of land and money to the association. However, the Kulia program was discontinued by the Hawaiian Homes Commission in 2012.

Absent Kulia, there was no subsequent internal process or program to intake and process unsolicited requests for use of Hawaiian Home Lands for non-profit purposes in a consistent and fair manner. In 2015 to 2016, the DHHL Planning Office and Land Management Division staff met over a series of meetings to make improvements to the process for handling and processing unsolicited requests to utilize DHHL land. At the conclusion of these meetings a set of due diligence criteria for DHHL staff to consider when evaluating unsolicited proposals to utilize Hawaiian Home Lands (Exhibit A). However, while the outcome of these meetings provided an evaluation tool for DHHL staff to evaluate applicants, it did not provide an overall process or guideline to staff on when and how to process unsolicited requests. As a result, many non-profits including DHHL community associations submitted proposals to DHHL addressing the criteria outlined in Exhibit A, but several proposals were not acted upon in a timely manner.

In March 2019, Planning Office presented a revised application process for unsolicited requests for use of Hawaiian Home Lands from non-profit organizations Exhibit B. The new application incorporates most of the criteria that were identified previously in the April 2016 HHC submittal into the application process. The purpose of the application was to create a (1) fair and transparent internal process for processing requests for use of Hawaiian Home Lands for elynomasonry purposes and (2) ensure that the proposed use of Hawaiian Home Lands does not significantly impact DHHL's ability to provide programs and services to current and future beneficiaries. The application process provides steps and a general timeframe for completion of each step. However, it should be noted that one short-coming of the new application process is the ability to measure an applicant's current capacity and growing capacity over time to successfully implement their proposed project.

As part of the new application process, one action-step that is required on the part of DHHL is to conduct a Beneficiary Consultation Meeting regarding the proposed project(s) if the proposed project(s) was not identified as a priority project in a DHHL Regional Plan. The four proposed projects from the four community associations were not identified in a DHHL Regional Plan. Thus each of the four projects required Beneficiary Consultation. Per the DHHL Beneficiary Consultation Policy that was adopted by the HHC in 2009, prior to any approval for a long-term lease or license, beneficiaries that may be affected by the proposed use of Hawaiian Home Lands must be consulted to collect their input and feedback.

Beneficiary Consultation Meeting

On May 16, 2019, DHHL sent a Beneficiary Consultation meeting invitation letter to beneficiaries residing in the Kula zipcode (96790) regarding the four above projects (Exhibit C).

On May 30, 2019, DHHL conducted a formal Beneficiary Consultation meeting on the four different proposed projects. Each association was given 10-minutes to present background information about their association and their project proposal to utilize Hawaiian Home Lands (Exhibit D). Following each association presentation, DHHL facilitated a 10-minute question and comment session from audience members on the proposed project. Meeting sign-in sheet can be found in Exhibit E. Meeting notes from the meeting can be found in Exhibit F.

A total of 43 people signed in on the meeting sign-in sheet of which 38 people self-identified themselves as DHHL beneficiaries (35 lessees and 3 waitlist applicants). In addition to verbal questions and comments received at the meeting, a total of 6 written comments were received at the meeting (Exhibit G).

In addition to the May 30, 2019 meeting, beneficiaries were also given the opportunity to provide comments to DHHL over the course of a 30-day comment period from May 30, 2019 to June 30, 2019. 10 written comments were received via email during the 30-day comment period (Exhibit H). The following discussion is a summary of all comments received for each of the four proposed projects.

Consultation Findings & Analysis

Tables 2 thru 6 below summarize information DHHL received from all sources including:

- Questions and comments made during the Consultation Meeting
- Comments received during the 30-day comment period May 30, 2019 to June 30, 2019.

Table 2 Summary of Comments Regarding WHHA Land Use Request

Topic	Comments/Questions	Response/Recommendation
Project Timeframe	Can you explain a little bit more about the timeframe?	WHHA Response: No definite timeframe yet. We need access to the land and study it. That will determine timeframe.
	Recommend the approval of the ROE for research purposes as long as there is a end date or deadline for results of the research.	
Project Funding and Budget	How much budget they have?	WHHA Response: The budget depends on the partnering we do. Get everyone to come to the table. WHHA has gotten money, proven ourselves; by developing our community facilities. For every \$1 we receive we leverage \$2.
	Why does DHHL not have the money? Why does WHHA not have the money?	
Project Partnerships	So you are going to partner with all these people? Who?	WHHA Response: Unfortunately, we can't disclose that information at this time, but they are motivated and willing to work with us.

Topic	Comments/Questions	Response/Recommendation
	I'm a successor on the waitlist. Have to dream and people willing to sit down and dream together. Try to remember those people who are doing the hard work.	WHHA Response: Collaborations with Hawaiians - check your ego at the door.
WHHA has a good track record	Thanks for the beautiful community center, the facility. Our family has events there through us... Beautiful facility and setting. It's a blessing Great job WHHA. Wish you guys well.	Comment noted.
Water for the project	Where is the water going to come from?	WHHA Response: There's a monitoring well site identified on the property. We know that there's enough water upcountry. This proposal includes drilling a well.
	There's a well on the property?	WHHA Response: Yes. It is deep, it will be expensive to develop. DHHL Response: There is a difference between a test well and a production well. Even if there is a test well, it needs to be further developed to be a production well. Could cost \$12M or more.

Table 3 Summary of Comments Regarding PCDI Land Use Request

Topic	Comments/Questions	Response/Recommendation
Amount of acreage for each use	Of all the proposed uses on the site (4,000acre site) what's the amount for each?	PCDI Response: We will not know until we're able to access the land and do due diligence studies. We can't make that assessment yet until we are able to access the land. Size of pastoral lots would be dictated by DHHL rules
	How many acres for pastoral and how many acres per lot?	
Project timeframe and feasibility	What is timeframe for housing units?	PCDI Response: We will need a 2-year due diligence period. That is why we are seeking a ROE.
	It is very ambitious, but not unrealistic. 5-years to do this is a little ambitious. Come up with a process before Phase 1 - what are your due diligence activities. You don't want to create a problem before you already start.	PCDI Response: Your assessment is accurate. We don't know what kind of lands are down there. That is why we need access to go on the land and study it.
Proposed affordable housing is needed	Would it be possible to have land where people can build what they want to build? Many people will not be able to qualify for that amount (\$1500 per month mortgage)	PCDI Response: We will ask waitlist beneficiaries what you want on there.
	This plan to house 1,200 people off the waitlist, we need to get it done, need to stop relying on a state agency.	Comment noted.

Topic	Comments/Questions	Response/Recommendation
120 Acre Mauka Lot for Pastoral Use	Where is the 120-acre lot that you are seeking an exclusive ROE for?	PCDI Response: It is along the Kula Highway. Can also access from Keanuhea, but over undivided interest lots.
Support for PCDI proposals (9 comment letters)	I support the land-use request by PCDI for a two-year, due diligence ROE to 4,128 Waiohuli / Keokea acres.	Comments noted.
	I support ROE for 123 acres so that PCDI can clear the land of abandoned vehicles and opala at its own expense.	
	I understand the homeland acreage is noncontiguous, or in two separate parcels.	
Oppose PCDI Proposal (1 comment letter)	No experience raising cattle.	
	Little knowledge about the land.	
	Against water usage in a dry area.	

Table 4 Summary of Comments Regarding KHFLA Land Use Request

Topic	Comments/Questions	Response/Recommendation
KHFLA Previous Success	Mahalo to Alike. The Keokea project started in 1996-1998. Steven Newhouse started, but passed on. Able to do nursery with grant money from DHHL.	Comments noted.
Support KHFLA vision	Most impressed with your presentation - includes keiki and kupuna. Mahalo for bringing your vision together. I support your vision.	Comments noted.

Table 5 Summary of Comments Regarding KOOK Land Use Request

Topic	Comments/Questions	Response/Recommendation
Current KOOK management activities	Hale Pili area - is there anything being done there now, like vendors?	KOOK Response: We have our community meetings there, got a food truck to refurbish as an outside dining area, lessees are interested in being vendors. Need site control to do our activities. That is why we are requesting land from DHHL.
	When you remove invasives, do you put out a notice so people can come out to help?	KOOK Response: First Saturday of each month is a community workday, Call Eddy if you want to get involved.

Table 6 General Questions & Comments Received During the Meeting

Topic	Comments/Questions	Response/Recommendation
Commonalities among different proposals.	Overlap in ideas is ok because these are different and unique communities	Comments noted
	What I'm seeing is the unity of all the communities, unite all the homesteads.	
	All associations should look at the services and buildings (i.e. daycare, kupuna, housing etc.) and do it together; Thought based on they are all the same area.	

Topic	Comments/Questions	Response/Recommendation
Pastoral Homesteading	I was on the pastoral waiting list for 16 years, why is DHHL not awarding anymore pastoral homesteads?	<p>KOOK Response: In Kahikinui, it was very dry there was no carrying capacity to add more lots.</p> <p>DHHL Response: DHHL does periodic surveys of its applicants to gain an understanding of what their preference is. Residential homesteading was identified as a priority. Now its starting to shift to agriculture.</p>
Request for DHHL to provide funding for EA and due diligence studies	<p>The associations requesting land tonight will have to do an EA. What's the chance that DHHL will fund an EA?</p> <p>What if everyone agreed on the activities and we combine it all in one EA?</p>	<p>DHHL Response: It's something we request in the budget. But there is no guarantee that the request will be funded.</p> <p>DHHL Response: We can consider it but DHHL cannot guarantee funding an EA for any of these projects. First step is to get ROE approved from the HHC. Once that happens, we could have a meeting to discuss options. But, the larger the area, the more it is going to cost. An aggregate EA would increase the size and cost. Staff does not want to over-promise and underdeliver.</p>

RECOMMENDED ACTION

DHHL staff respectfully requests approval as recommended.

LIST OF EXHIBITS



- EXHIBIT A: Item G-3 April 2016 HHC Meeting
- EXHIBIT B: Revised Application for Unsolicited Requests for use of Hawaiian Home Lands from Non-Profit Organizations
- EXHIBIT C: May 30, 2019 Beneficiary Consultation Meeting Invite Letter
- EXHIBIT D: Meeting Presentation
- EXHIBIT E: Sign-In Sheet
- EXHIBIT F: Meeting Notes
- EXHIBIT G: Written Comments Submitted at the May 30, 2019 Meeting
- EXHIBIT H: Written Comments Submitted at during the 30-day comment period May 30 to June 30, 2019.



STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19-20, 2019

To: Chairman and Members, Hawaiian Homes Commission

Through: Peter "Kahana" Albinio, Jr., Acting Administrator
Land Management Division 
Andrew Choy, Acting Program Manager 
Planning Office

From: Shelly Carreira, Land Agent 
Land Management Division
Julie-Ann Cachola, Planner 
Planning Office

Subject: Approval to Issuance of Right of Entry to Ka Ohana O Kahikinui, Inc., Kahikinui, Maui,
TMK: (2) 1-9-001:003 (portion)

APPLICANT:

Ka Ohana O Kahikinui, Inc. "PERMITTEE"

RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission (HHC) grant its approval to issue a Right of Entry (ROE) permit to Ka Ohana O Kahikinui, Inc., for approximately 16.0 acres (more or less) of Hawaiian home lands TMK: (2) 1-9-001:003 (portion) for the purpose of conducting due diligence studies including but not limited to project master plan, business plan, and related Chapter 343, HRS compliance requirements and Chapter 6E, HRS compliance requirements.

- I. Authorize the issuance of a Right of Entry permit to PERMITTEE covering the subject area under the terms and conditions cited below, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current right of entry permit form, as may be amended from time to time;
 - B. The term of the Right of Entry shall be month to month for up to thirty-six (36) months, commencing upon execution, with the option for two additional twelve (12) month extensions at the sole discretion of PERMITTOR;
 - C. The fee for the term of this ROE shall be gratis;
 - D. PERMITTEE shall submit a Master Plan. Master plan shall include but not be limited to:

- i. Narrative description that clearly articulates permittee's project goals for the project area and detailed description of each proposed programmatic element and land use by the permittee.
 - ii. Narratively and graphically describe characteristics of the project area including topography, portions of the project area susceptible to natural disaster events, location of known sensitive or unique natural and cultural resources, water resources, access points for vehicle and pedestrian ingress and egress, identification of level of infrastructure improvements required and location of improvements;
 - iii. Site plan drawing at scale of the project area depicting conceptual size and location of proposed improvements and programmatic use of the project area.
- E. PERMITTEE shall submit a Project Business Plan. The Project Business Plan shall include a description of expense and income budget (start-up/initial costs, operating budget, reserve fund, fundraising campaign). Business plan shall identify rough order of magnitude (ROM) cost for all capital improvements proposed by permittee to the premises including off-site infrastructure. Business plan shall include ROM cost for operation and maintenance expenses. Business plan shall include ROM for programmatic expenses including but not limited to staff salary and compensation. Business plan shall identify potential revenue sources and reasonably justified estimated revenue projections from each of these sources.
- F. PERMITTEE shall consult with and work closely with PERMITTOR on completing HRS Chapter 343 and HRS Chapter 6E compliance documentations and studies. If HRS Chapter 343 Environmental Assessment study or Environmental Impact Study is required, approval of these studies is subject to the approval of the Hawaiian Homes Commission. Chapter 6E compliance is subject to the approval/concurrence of the Department of Land Natural Resources State Historic Preservation Division.
- G. As part of the PERMITTOR's regular review of PERMITTEE activities, and in exchange for gratis base rent, lessee shall submit a bi-annual progress report to the PERMITTOR every six months starting from the ROE permit commencement date. The bi-annual progress reports shall document the LESSEE's activities of the previous period and shall include but not be limited to the following:
 - i. Timeline and schedule to complete due diligence studies as described in Sections D thru G of this agreement. Timeline and schedule should identify major milestones in the completion of due diligence studies.
 - ii. Description of major activities related to the project timeline and schedule that were conducted and/or completed in the six-month period.
 - iii. Progress report shall also include description of circumstances that may affect the permittee's timeline and schedule for completion of due diligence studies.
 - iv. Progress report shall identify any professional service provider or third-party assisting the permittee in the completion of due diligence studies.
- H. The documentation and processing fee shall be waived;
- I. Such other terms and conditions as may be prescribed by the Hawaiian Homes Commission to best serve the interest of the Hawaiian Home Lands Trusts;

2. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR this project will probably have minimal or no significant effect on the environment.

LOCATION:

Portion of Hawaiian home lands situated in Kahikinui, Island of Maui, identified as TMK: (2) 1-9-001:003 (portion) (See Exhibit "A")

AREA:

16.0 acres

BACKGROUND/DISCUSSION:

Ka Ohana O Kahikinui (KOOK) submitted a land use request to DHHL for approximately 16.0 acres (more or less), encompassing a portion of TMK: (2) 1-9-001:003 for the purposes of conducting due diligence related to developing Hale Pili as a focal point/hub to advance economic opportunities and to educate visitors about Hawaiian culture, history, tradition and everyday life in the moku of Kahikinui see Exhibit "B".

A beneficiary consultation meeting was conducted on May 30, 2019 to collect beneficiary input and feedback on KOOK's land use request. A beneficiary consultation report was submitted to the HHC in July 2019 for acceptance, see Exhibit "C". The HHC accepted the beneficiary consultation report for KOOK's land use request.

KOOK held a land disposition (License Agreement No. 412) for Hale Pili when the Kahikinui lots were first developed. The Hawaiian Homes Commission approved issuance of the license to KOOK for the purpose of establishing and maintaining a transitional resettlement facility at Hale Pili. The transitional resettlement facility allowed temporary accommodations and a training ground for beneficiaries that were executing leases to live at Kahikinui under the department's Kuleana Homestead Program. The license commenced on May 1, 1997 and terminated on April 30, 2002. The Hale Pili has since been used by the community as a gathering and meeting place.

During the regional planning process for the development of the Kahikinui Regional Plan dated July 2011, beneficiaries identified Hale Pili as a hub for economic development. Therefore, issuance of a right of entry to KOOK for due diligence purposes will allow KOOK to conduct studies necessary for developing the site and creating economic opportunities.

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

The recommended disposition is consistent with the following plans, policies, and programs:

- 1) DHHL General Plan (2002) 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.

Objectives: Provide space for and designate a mixture of appropriate land uses, economic opportunities, and community services in a native Hawaiian friendly environment.

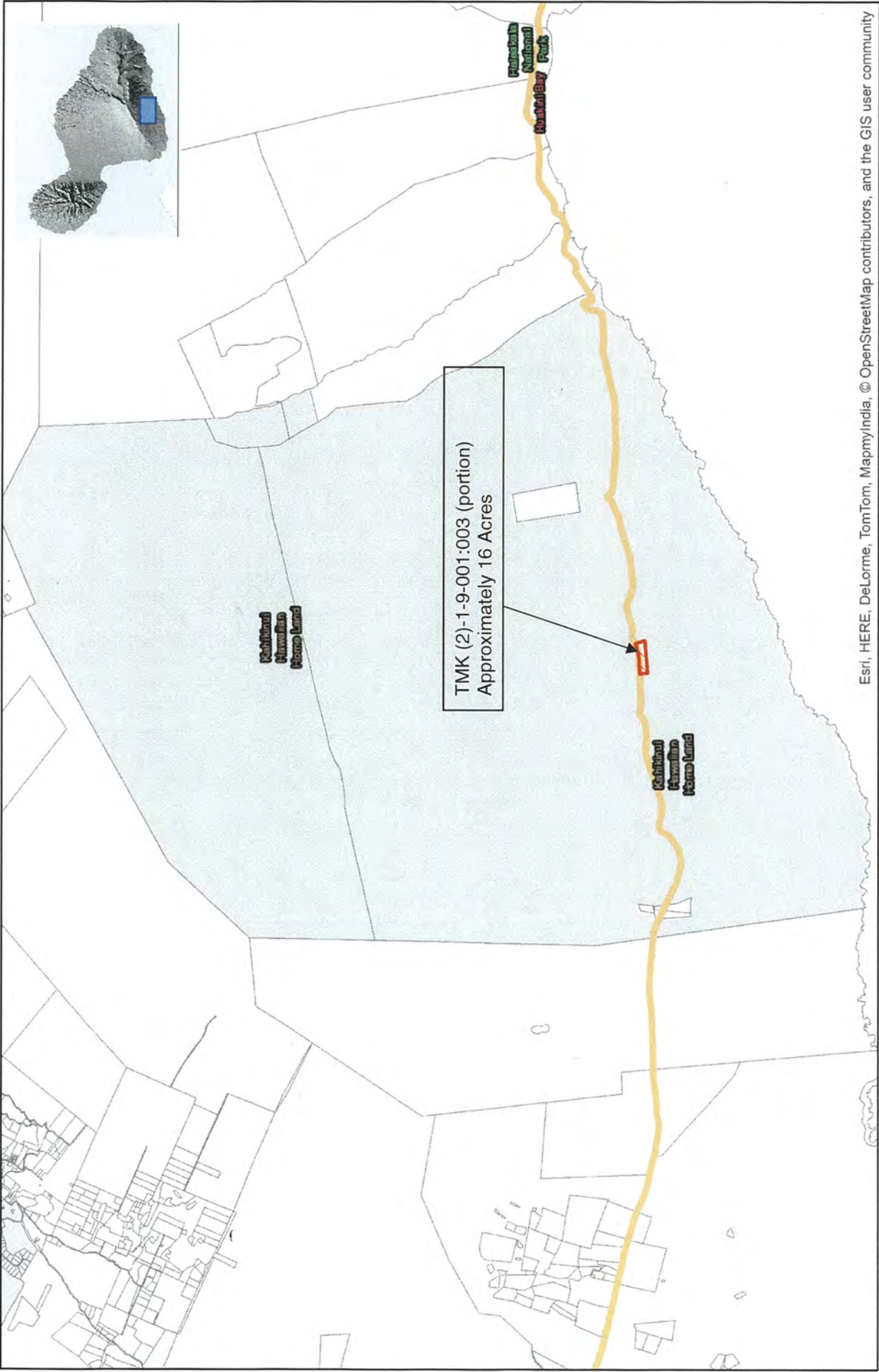
- 2) Maui Island Plan, September 2004
 - Land Use Designation: Special District, September 2004, Figure M, Kahikinui Land Use Plan
- 3) Regional Plan: The proposed use of Hawaiian Home Lands is identified in the Kahikinui Regional Plan dated July 2011, Priority Project: Develop a New Stewardship Economy for Kahikinui, which states: “Develop the Hale Pili area as a commercial node for the region. Facilities should include a convenience store, restroom facilities and a gift/craft shop. The rest stop is important to entice people to stop along the route from Hana to Ulupalakua. Tourist in groups, bikers, and bicyclist and others traveling through the district would not have had a rest stop for miles in either direction and would welcome a rest stop in a location with a great view. During the stop the product, history and craft of the region could be sold. The unique qualities of Kahikinui should be presented.” (See Exhibit “D”)

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

In accordance with the Department of Hawaiian Home Lands Comprehensive Exemption List as Reviewed and Concurred Upon by the Environmental Council on June 30, 2015, the Right of Entry permit request is exempt from the preparation of an environmental assessment pursuant to Exemption Class #5, “Basic data collection, research, experimental management, and resource evaluation activities which do not result in serious or major disturbances to an environmental resource.”


RECOMMENDATION

Land Management Division and Planning Office recommends approval of the requested motion/action as stated.



Esri, HERE, DeLorme, TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

ITEM NO. F-4
EXHIBIT A

- Legend**
-  KOOK ROE boundary
 -  County Highway
 -  DHHL Land





STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOMES LANDS

P.O. BOX 1874
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: Ka Ohana O Kahikinui Incorporated (KOOK)

Address: HC1 961, Kula, HI, 96790

Phone No.: _____ Cell: 8082985101 email: info@kahikinui.org

Representing Organization as a Non-Profit

- Types of Non-Profit:
 - Private Nonprofit - governed by self appointed board
 - Member Nonprofit - governed by voting members
 - Homestead Organization - governed by IHCA beneficiary members

~~Representing Organization as For Profit Individual or Business~~

- Individual Sole Proprietorship Partnership
- Corporation Limited Liability Corporation Other

Is the For Profit/IHCA Beneficiary or is Owned by an IHCA Beneficiary? Yes No

Representing Organization as Government Agency

- Federal State County

Officers and/or Principal Representatives: Kaleo Cullens, Blossom Feiteira, Ainoa Kaiakamalei, Angel Kamaka, Charmain Day, Kapaka Vares

Mission of Organization: Develop, implement, & maintain a community based land & natural resource management program documentation & registration of all historical/archeological sites in Kahikinui, the maintenance thereof; Develop self sufficiency through subsistence homesteading.

How Incorporated: 05/15 1993 State of Incorporation: Hawaii

Federal Tax ID#: 99-0324040 State Tax ID#: _____

PART II. NON-HOMESTEADING LAND USE REQUEST

I describe proposed non-homesteading land use envisioned under this request as submitted

KOOK has long envisioned an educational & economical hub that allows the Ohana's of Kahikinui to vend, thus becoming more self-sufficient within the moku as well as educating those who visit, about

~~Please attach additional information if necessary~~ Hawaiian culture, history, tradition, & everyday life in the moku of Kahikinui.

Land Request Form No. 20:003

Land Area requested: Acreage/Sq.Ft. 1 1/2 acres Term: 2 YRS
 Island: MAUI Tax Map Key No.: 2-1-9-001:007 (por.)

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):

THIS land use would directly benefit beneficiaries by presenting the opportunity for self sustainability through innovative economic ideas within the eco-hub which is located close to home without transiting to further eco-opportunities outside of Kahikinui. Education about Hawaiian culture, practices, traditions, history, species, current life style of Kahikinui homesteaders, dangers presented & more, would help beneficiaries & outsiders alike to understand our unique society & the fragile eco-system we steward & the measures that need to be taken to help preserve, understand, & perpetuate what is precious.

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 DHHIL and may require additional information to be submitted;
2. This request does not constitute any form of DHHIL approval in this non-homesteading land use request as submitted;
3. In the best interest of the trust, DHHIL 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 DHHIL website for beneficiary and public comment;
5. Additional Island or Regional Specific Beneficiary Consultation will be required per the DHHIL Beneficiary Consultation Policy;
6. All input/comments received will be provided to the Hawaiian Homes Commission if/when approval or disposition is considered by the HHC;
7. Associated non-refundable processing and documentation fees shall be assessed for each respective disposition request as follows:

Revenue Permit - \$100.00 License - \$200.00 General Lease - Cost Documentation (all) - \$75.00

Ka Ohana O Kahikinui inc. 08/11/2019
 Principal, Individual or Organization Name Date

FRANKS KAWANAHU WHELAN (PRESIDENT) [Signature]
 Applicant and Representative Name & Title Signature



**STATE OF HAWAII
STATE PROCUREMENT OFFICE**

CERTIFICATE OF VENDOR COMPLIANCE

This document presents the compliance status of the vendor identified below on the issue date with respect to certificates required from the Hawaii Department of Taxation (DOTAX), the Internal Revenue Service, the Hawaii Department of Labor and Industrial Relations (DLIR), and the Hawaii Department of Commerce and Consumer Affairs

Vendor Name: **KA `OHANA O KAHIKINUI, INC.**

Issue Date: **08/09/2019**

Status: **Compliant**

Hawaii Tax#: 20506376

New Hawaii Tax#:

FEIN/SSN#: XX-XXX4040

UI#: No record

DCCA FILE#: 102931

Status of Compliance for this Vendor on issue date:

Form	Department(s)	Status
A-6	Hawaii Department of Taxation	Compliant
	Internal Revenue Service (Compliant for Gov. Contract)	Compliant
COGS	Hawaii Department of Commerce & Consumer Affairs	Exempt
LIR27	Hawaii Department of Labor & Industrial Relations	Compliant

Status Legend:

Status	Description
Exempt	The entity is exempt from this requirement
Compliant	The entity is compliant with this requirement or the entity is in agreement with agency and actively working towards compliance
Pending	The entity is compliant with DLIR requirement
Submitted	The entity has applied for the certificate but it is awaiting approval
Not Compliant	The entity is not in compliance with the requirement and should contact the issuing agency for more information

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

July 15-16, 2019

To: Chairman and Members, Hawaiian Homes Commission

Thru: Andrew H. Choy, Acting Planning Program Manager *AC*

From: Julie-Ann Cachola, Planner

Subject: Acceptance of Beneficiary Consultation Report for four separate requests to utilize Hawaiian Home Lands on the island of Maui from the (1) Waiohuli Hawaiian Homesteaders Association TMK 2-2-2-028:152 (17 acres) and TMK 2-2-2-028:181 (por.) (183.28 acres); (2) Paupena Community Development Inc. TMK 2-2-2-034:026 (208.268 acres) and 2-2-2-002:014 (por.) (4,832,913 acres); (3) Keokea Homestead Farm Lots Association TMK 2-2-2-032:067 (47.857 acres) and 2-2-2-032:068 (23.865 acres); (4) Ka Ohana O Kahikinui TMK 2-1-9-001:007 (por.) (7,049.92 acres) and TMK 2-1-9-001:003 (por.) (15,620 acres);

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) accept this Beneficiary Consultation Report as the official public record of beneficiary comments relative to the four separate requests for use of Hawaiian Home Lands by the (1) Waiohuli Hawaiian Homesteaders Association, (2) Paupena Community Development Inc., (3) Keokea Homestead Farm Lots Association, and (4) Ka Ohana O Kahikinui.

DISCUSSION

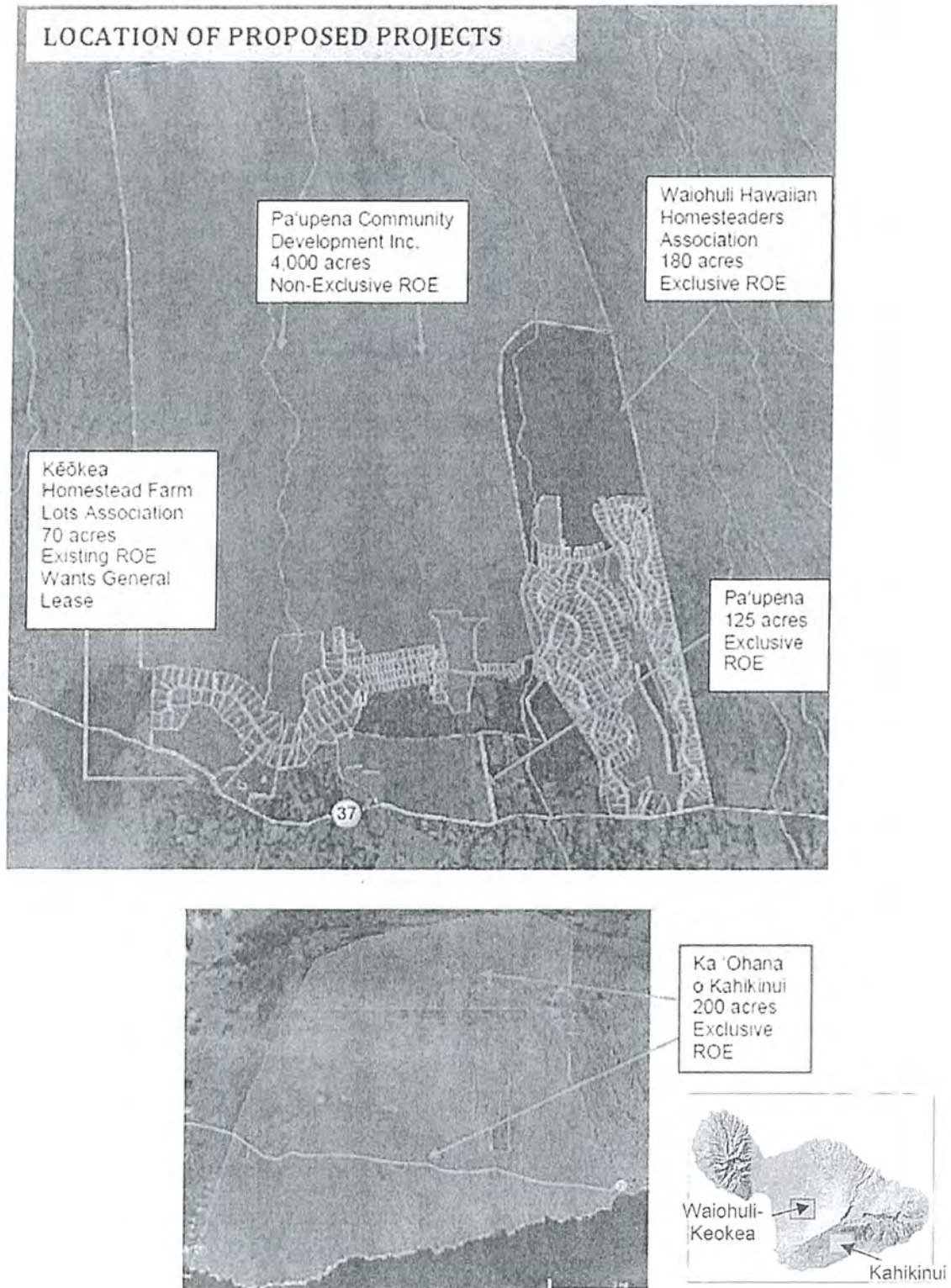
Background

The Waiohuli Hawaiian Homesteaders Association (WHHA), Paupena Community Development Inc. (PCDI), Keokea Homestead Farm Lots Association (KHFLA), and Ka Ohana o Kahininui (KOOK) have previously requested the use of Hawaiian Home Lands for non-homesteading purposes. A summary description of each of these separate requests from the four associations are summarized in Table 1 below. Location maps of the land area requested are included in Figure 1.

Table 1 Proposed Projects from Community Associations

Hawaiian Homestead Association	Project Description	Land Disposition Requested	Approximate Number of Acres
Waiohuli Hawaiian Homesteaders Association	Due diligence to validate feasibility, build collaborations, secure resources, and work with DHHL to create a range of turn-key homes for Maui applicants. The Waiohuli Economic Development Opportunity (WE-DO) project will create employment opportunities and career development in fields and services involved in land development.	2 year, exclusive Right-of-Entry (ROE) for due diligence purposes.	180 acres
Pa'upena Community Development Inc.	Provide beneficiaries training and experience in ranching and farming techniques on HHLs at Waiohuli makai. Involve beneficiaries in running 100 head of cattle and develop a 10-20-acre agricultural demonstration site to foster relationships, organize and build capacity in beneficiaries before they receive homestead leases.	Makai Waiohuli: 4,000 acres Non-Exclusive ROE Mauka Waiohuli: 123 acres Exclusive ROE	4,125 acres
Kēōkea Homestead Farm Lots Association (KHFLA)	KHFLA has an ROE to the area and has started planning for long-term development of agriculture commercial, educational and health care opportunities to benefit Upcountry beneficiaries. Requested Land Disposition allows KHFLA to secure loan and grant funding from Federal, State, private and public organizations.	60 year General Lease	70 acres
Ka'Ohana o Kahului	Hale Pili: 5 to 16 acres on Pi'ilani Highway to develop economic opportunities for beneficiaries residing in Kahului. This project was identified in the management strategy adopted by the HHC in 1997. Kahua: warden approximately 4 miles of the access road in Kahua to facilitate: 1) removal of invasive species, fireweed, pine, and blackberry bushes; 2) herd assessments and monitoring of ungulate population for long term planning; and 3) development of cultural education curriculum including identification of native species.	2-year ROE for due diligence purposes	Hale Pili: 16 acres Kahua: 184 acres

Figure 1



In 2009, DHHL initiated the Kulia I Ka Nuu Program (Kulia). The Kulia program provided homestead association's interested in accessing DHHL a process and procedure to do so by creating an application process to apply for DHHL land and a monetary grant to help with initial planning and due diligence studies. The program also provided a series of trainings intended to increase the capacity of association board members to better be able to successfully implement their development projects. After the successful completion of the trainings, DHHL awarded the grant of land and money to the association. However, the Kulia program was discontinued by the Hawaiian Homes Commission in 2012.

Absent Kulia, there was no subsequent internal process or program to intake and process unsolicited requests for use of Hawaiian Home Lands for non-profit purposes in a consistent and fair manner. In 2015 to 2016, the DHHL Planning Office and Land Management Division staff met over a series of meetings to make improvements to the process for handling and processing unsolicited requests to utilize DHHL land. At the conclusion of these meetings a set of due diligence criteria for DHHL staff to consider when evaluating unsolicited proposals to utilize Hawaiian Home Lands (Exhibit A). However, while the outcome of these meetings provided an evaluation tool for DHHL staff to evaluate applicants, it did not provide an overall process or guideline to staff on when and how to process unsolicited requests. As a result, many non-profits including DHHL community associations submitted proposals to DHHL addressing the criteria outlined in Exhibit A, but several proposals were not acted upon in a timely manner.

In March 2019, Planning Office presented a revised application process for unsolicited requests for use of Hawaiian Home Lands from non-profit organizations Exhibit B. The new application incorporates most of the criteria that were identified previously in the April 2016 HHC submittal into the application process. The purpose of the application was to create a (1) fair and transparent internal process for processing requests for use of Hawaiian Home Lands for elynomasonry purposes and (2) ensure that the proposed use of Hawaiian Home Lands does not significantly impact DHHL's ability to provide programs and services to current and future beneficiaries. The application process provides steps and a general timeframe for completion of each step. However, it should be noted that one short-coming of the new application process is the ability to measure an applicant's current capacity and growing capacity over time to successfully implement their proposed project.

As part of the new application process, one action-step that is required on the part of DHHL is to conduct a Beneficiary Consultation Meeting regarding the proposed project(s) if the proposed project(s) was not identified as a priority project in a DHHL Regional Plan. The four proposed projects from the four community associations were not identified in a DHHL Regional Plan. Thus each of the four projects required Beneficiary Consultation. Per the DHHL Beneficiary Consultation Policy that was adopted by the HHC in 2009, prior to any approval for a long-term lease or license, beneficiaries that may be affected by the proposed use of Hawaiian Home Lands must be consulted to collect their input and feedback.

Beneficiary Consultation Meeting

On May 16, 2019, DHHL sent a Beneficiary Consultation meeting invitation letter to beneficiaries residing in the Kula zipcode (96790) regarding the four above projects (Exhibit C).

On May 30, 2019, DHHL conducted a formal Beneficiary Consultation meeting on the four different proposed projects. Each association was given 10-minutes to present background information about their association and their project proposal to utilize Hawaiian Home Lands (Exhibit D). Following each association presentation, DHHL facilitated a 10-minute question and comment session from audience members on the proposed project. Meeting sign-in sheet can be found in Exhibit E. Meeting notes from the meeting can be found in Exhibit F.

A total of 43 people signed in on the meeting sign-in sheet of which 38 people self-identified themselves as DHHL beneficiaries (35 lessees and 3 waitlist applicants). In addition to verbal questions and comments received at the meeting, a total of 6 written comments were received at the meeting (Exhibit G).

In addition to the May 30, 2019 meeting, beneficiaries were also given the opportunity to provide comments to DHHL over the course of a 30-day comment period from May 30, 2019 to June 30, 2019. 10 written comments were received via email during the 30-day comment period (Exhibit H). The following discussion is a summary of all comments received for each of the four proposed projects.

Consultation Findings & Analysis

Tables 2 thru 6 below summarize information DHHL received from all sources including:

- Questions and comments made during the Consultation Meeting
- Comments received during the 30-day comment period May 30, 2019 to June 30, 2019.

Table 2 Summary of Comments Regarding WHHA Land Use Request

Topic	Comments/Questions	Response/Recommendation
Project Timeframe	Can you explain a little bit more about the timeframe?	WHHA Response: No definite timeframe yet. We need access to the land and study it. That will determine timeframe.
	Recommend the approval of the ROE for research purposes as long as there is a end date or deadline for results of the research.	
Project Funding and Budget	How much budget they have?	WHHA Response: The budget depends on the partnering we do. Get everyone to come to the table. WHHA has gotten money, proven ourselves; by developing our community facilities. For every \$1 we receive we leverage \$2.
	Why does DHHL not have the money? Why does WHHA not have the money?	
Project Partnerships	So you are going to partner with all these people? Who?	WHHA Response: Unfortunately, we can't disclose that information at this time, but they are motivated and willing to work with us.

Topic	Comments/Questions	Response/Recommendation
	I'm a successor on the waitlist. Have to dream and people willing to sit down and dream together. Try to remember those people who are doing the hard work.	WHHA Response: Collaborations with Hawaiians - check your ego at the door.
WHHA has a good track record	Thanks for the beautiful community center, the facility. Our family has events there through us... Beautiful facility and setting. It's a blessing	Comment noted.
	Great job WHHA. Wish you guys well.	
Water for the project	Where is the water going to come from?	WHHA Response: There's a monitoring well site identified on the property. We know that there's enough water upcountry. This proposal includes drilling a well.
	There's a well on the property?	WHHA Response: Yes. It is deep, it will be expensive to develop. DHHL Response: There is a difference between a test well and a production well. Even if there is a test well, it needs to be further developed to be a production well. Could cost \$12M or more.

Table 3 Summary of Comments Regarding PCDI Land Use Request

Topic	Comments/Questions	Response/Recommendation
Amount of acreage for each use	Of all the proposed uses on the site (4,000acre site) what's the amount for each?	PCDI Response: We will not know until we're able to access the land and do due diligence studies. We can't make that assessment yet until we are able to access the land. Size of pastoral lots would be dictated by DHHL rules
	How many acres for pastoral and how many acres per lot?	
Project timeframe and feasibility	What is timeframe for housing units?	PCDI Response: We will need a 2-year due diligence period. That is why we are seeking a ROE.
	It is very ambitious, but not unrealistic. 5-years to do this is a little ambitious. Come up with a process before Phase 1 - what are your due diligence activities. You don't want to create a problem before you already start.	PCDI Response: Your assessment is accurate. We don't know what kind of lands are down there. That is why we need access to go on the land and study it.
Proposed affordable housing is needed	Would it be possible to have land where people can build what they want to build? Many people will not be able to qualify for that amount (\$1500 per month mortgage)	PCDI Response: We will ask waitlist beneficiaries what you want on there.
	This plan to house 1,200 people off the waitlist, we need to get it done, need to stop relying on a state agency.	Comment noted.

Topic	Comments/Questions	Response/Recommendation
120 Acre Mauka Lot for Pastoral Use	Where is the 120-acre lot that you are seeking an exclusive ROE for?	PCDI Response: It is along the Kula Highway. Can also access from Keanuhea, but over undivided interest lots.
Support for PCDI proposals (9 comment letters)	I support the land-use request by PCDI for a two-year, due diligence ROE to 4,128 Waiohuli / Keokea acres.	Comments noted.
	I support ROE for 123 acres so that PCDI can clear the land of abandoned vehicles and opala at its own expense.	
	I understand the homeland acreage is noncontiguous, or in two separate parcels.	
Oppose PCDI Proposal (1 comment letter)	No experience raising cattle.	
	Little knowledge about the land.	
	Against water usage in a dry area.	

Table 4 Summary of Comments Regarding KHFLA Land Use Request

Topic	Comments/Questions	Response/Recommendation
KHFLA Previous Success	Mahalo to Alike. The Keokea project started in 1996-1998. Steven Newhouse started, but passed on. Able to do nursery with grant money from DHHL.	Comments noted.
Support KHFLA vision	Most impressed with your presentation - includes keiki and kupuna. Mahalo for bringing your vision together. I support your vision.	Comments noted.

Table 5 Summary of Comments Regarding KOOK Land Use Request

Topic	Comments/Questions	Response/Recommendation
Current KOOK management activities	Hale Pili area - is there anything being done there now, like vendors?	KOOK Response: We have our community meetings there, got a food truck to refurbish as an outside dining area, lessees are interested in being vendors. Need site control to do our activities. That is why we are requesting land from DHHL.
	When you remove invasives, do you put out a notice so people can come out to help?	KOOK Response: First Saturday of each month is a community workday. Call Eddy if you want to get involved.

Table 6 General Questions & Comments Received During the Meeting

Topic	Comments/Questions	Response/Recommendation
Commonalities among different proposals.	Overlap in ideas is ok because these are different and unique communities	Comments noted
	What I'm seeing is the unity of all the communities, unite all the homesteads.	
	All associations should look at the services and buildings (i.e. daycare, kupuna, housing etc.) and do it together; Thought based on they are all the same area.	

Topic	Comments/Questions	Response/Recommendation
Pastoral Homesteading	I was on the pastoral waiting list for 16 years, why is DHHL not awarding anymore pastoral homesteads?	<p>KOOK Response: In Kahikinui, it was very dry there was no carrying capacity to add more lots.</p> <p>DHHL Response: DHHL does periodic surveys of its applicants to gain an understanding of what their preference is. Residential homesteading was identified as a priority. Now its starting to shift to agriculture.</p>
Request for DHHL to provide funding for EA and due diligence studies	<p>The associations requesting land tonight will have to do an EA. What's the chance that DHHL will fund an EA?</p> <p>What if everyone agreed on the activities and we combine it all in one EA?</p>	<p>DHHL Response: It's something we request in the budget. But there is no guarantee that the request will be funded.</p> <p>DHHL Response: We can consider it but DHHL cannot guarantee funding an EA for any of these projects. First step is to get ROE approved from the HHC. Once that happens, we could have a meeting to discuss options. But, the larger the area, the more it is going to cost. An aggregate EA would increase the size and cost. Staff does not want to over-promise and underdeliver.</p>

RECOMMENDED ACTION

DHHL staff respectfully requests approval as recommended.

LIST OF EXHIBITS

- EXHIBIT A: Item G-3 April 2016 HHC Meeting
- EXHIBIT B: Revised Application for Unsolicited Requests for use of Hawaiian Home Lands from Non-Profit Organizations
- EXHIBIT C: May 30, 2019 Beneficiary Consultation Meeting Invite Letter
- EXHIBIT D: Meeting Presentation
- EXHIBIT E: Sign-In Sheet
- EXHIBIT F: Meeting Notes
- EXHIBIT G: Written Comments Submitted at the May 30, 2019 Meeting
- EXHIBIT H: Written Comments Submitted at during the 30-day comment period May 30 to June 30, 2019.

Priority Project: Develop a New Stewardship Economy for Kahikinui

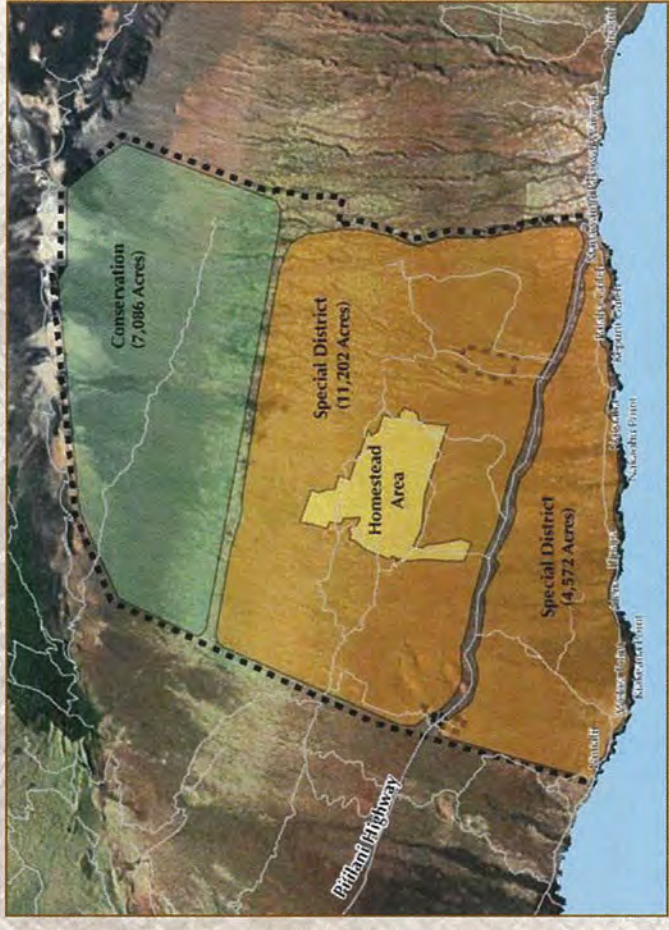
Description

There is general support for the concept of developing new economic opportunities for Kahikinui that are in tune with its resources, compatible with the land and Hawaiian cultural values. However, the range of ideas is extremely broad and community preferences seem to focus on shorter term more immediate opportunities. This is appropriate in that for the most part these activities tend to be stand alone and are not connected to each other. The following ideas received interest during the selection of priority projects indicating homesteader interest in following through with them.

- Develop the Hale Pili area as a commercial node for the region. Facilities should include a convenience store, restroom facilities and a gift/craft shop. The rest stop is important to entice people to stop along the route from Hāna to Ulupalakua. Tourists in groups, bikers and bicyclist and others traveling through the district would not have had a rest stop for miles in either direction and would welcome a rest stop in a location with a great view. During the stop the product, history and craft of the region could be sold. The unique qualities of Kahikinui should be presented.
- Salt collection and sale was selected but this is probably a proxy for a more general sale of local products from the natural resources of the land and sea. These resources must be protected and managed and sustainably harvested. Tropical hardwoods, various jerky from the land and sea could also fall into this category.
- Develop cabins for community use but allow rental to outsiders for a fee. This concept provides for recreational access to the natural resources of the region including the makai and mauka areas. These cabins could be the beginnings of eco/cultural tours that tread lightly on the land. The AWE project is moving forward. Residents feel the project impacts Kahikinui and there should be some compensation to Kahikinui for these impacts. Negotiations with AWE are underway to obtain community benefits. These include jobs and other issues; possibly energy bill rebates or subsidies. These efforts are generally supported. Also, AWE represents that broad category of renewable energy projects that may develop in the region. The basic sentiment seems to be that renewable energy development is a generally desirable goal and the people of Kahikinui want to be participants in it both philosophically and directly with jobs, project planning and development of benefits packages.
- The idea of developing a quarry/batch plant in Kahikinui was an idea mentioned from the very early meetings for the regional plan. A site near the Luala'lua was previously used as a rock quarrying operation and could be resurrected into a business owned and managed by the community. As one member said, Kahikinui has lots of rocks. It might be needed during the construction of the AWE project.

Potential Partners



The evolution of a new economy is a complex and confusing process. While the broad parameters of a stewardship economy have been articulated, translating this into specific businesses and economic activity will be largely dependent on individual champions of the ideas and potential partners with the resources to implement the idea. Potential contractors and building supply companies have already been mentioned for the quarry. Eco-tours may be enhanced by partnerships with firms already engaged in this kind of business. DLNR, KOOK, LIFE, and KGLMO are also natural partners here as is the Leeward Haleakalā Watershed Restoration Partnership, DHHL, Alu Like, OHA, and Kamehameha Schools. Much will depend on entrepreneurial individuals and approval from DHHL.





STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

August 19-20, 2019

To: Chairman and Members, Hawaiian Homes Commission

Through: Peter "Kahana" Albinio, Jr., Acting Administrator
Land Management Division 
Andrew Choy, Acting Program Manager 
Planning Office

From: Shelly Carreira, Land Agent 
Land Management Division
Julie-Ann Cachola, Planner 
Planning Office

Subject: Approval to Issuance of Right of Entry to Pa'upena Community Development Inc.,
Waiohuli-Keokea, Maui, TMK (2) 2-2-034:026 (portion) & 028 (portion)

APPLICANT:

Pa'upena Community Development Inc. "PERMITTEE"

RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission (HHC) grant its approval to issue a Right of Entry (ROE) permit to Pa'upena Community Development Inc., for approximately 127.0 acres (more or less) of Hawaiian home lands TMK: (2) 2-2-034:026 (portion) & 028 (portion) for the purpose of conducting due diligence studies including but not limited to project master plan, business plan, and related Chapter 343, HRS compliance requirements and Chapter 6E, HRS compliance requirements.

1. Authorize the issuance of a Right of Entry permit to PERMITTEE covering the subject area under the terms and conditions cited below, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current right of entry permit form, as may be amended from time to time;
 - B. The term of the Right of Entry shall be month to month for up to thirty-six (36) months, commencing upon execution, with the option for two additional twelve (12) month extensions at the sole discretion of PERMITTOR;
 - C. The fee for the term of this ROE shall be gratis;
 - D. PERMITTEE shall submit a Master Plan. Master plan shall include but not be limited to:

- i. Narrative description that clearly articulates permittee's project goals for the project area and detailed description of each proposed programmatic element and land use by the permittee.
 - ii. Narratively and graphically describe characteristics of the project area including topography, portions of the project area susceptible to natural disaster events, location of known sensitive or unique natural and cultural resources, water resources, access points for vehicle and pedestrian ingress and egress, identification of level of infrastructure improvements required and location of improvements;
 - iii. Site plan drawing at scale of the project area depicting conceptual size and location of proposed improvements and programmatic use of the project area.
 - E. PERMITTEE shall submit a Project Business Plan. The Project Business Plan shall include a description of expense and income budget (start-up/initial costs, operating budget, reserve fund, fundraising campaign). Business plan shall identify rough order of magnitude (ROM) cost for all capital improvements proposed by permittee to the premises including off-site infrastructure. Business plan shall include ROM cost for operation and maintenance expenses. Business plan shall include ROM for programmatic expenses including but not limited to staff salary and compensation. Business plan shall identify potential revenue sources and reasonably justified estimated revenue projections from each of these sources.
 - F. PERMITTEE shall consult with and work closely with PERMITTOR on completing HRS Chapter 343 and HRS Chapter 6E compliance documentations and studies. If HRS Chapter 343 Environmental Assessment study or Environmental Impact Study is required, approval of these studies is subject to the approval of the Hawaiian Homes Commission. Chapter 6E compliance is subject to the approval/concurrence of the Department of Land Natural Resources State Historic Preservation Division.
 - G. As part of the PERMITTOR's regular review of PERMITTEE activities, and in exchange for gratis base rent, lessee shall submit a bi-annual progress report to the PERMITTOR every six months starting from the ROE permit commencement date. The bi-annual progress reports shall document the LESSEE's activities of the previous period and shall include but not be limited to the following:
 - i. Timeline and schedule to complete due diligence studies as described in Sections D thru G of this agreement. Timeline and schedule should identify major milestones in the completion of due diligence studies.
 - ii. Description of major activities related to the project timeline and schedule that were conducted and/or completed in the six-month period.
 - iii. Progress report shall also include description of circumstances that may affect the permittee's timeline and schedule for completion of due diligence studies.
 - iv. Progress report shall identify any professional service provider or third-party assisting the permittee in the completion of due diligence studies.
 - H. The documentation and processing fee shall be waived;
 - I. Such other terms and conditions as may be prescribed by the Hawaiian Homes Commission to best serve the interest of the Hawaiian Home Lands Trusts;
2. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR this project will probably have minimal or no significant effect on the environment.

LOCATION:

Portions of Hawaiian home lands situated in Waiohuli-Keokea, Island of Maui, identified as TMK: (2) 2-2-034:026 & 028 (See Exhibit "A")

AREA:

127.0 Acres (more or less)

BACKGROUND/DISCUSSION

Pa'upena CDC initially submitted a land use request to DHHL on December 29, 2016 for approximately 5,057 acres, TMK: (2) 2-2-02:014 for the purposes of running cattle and agricultural activities, see Exhibit "B". After the initial request, Pa'upena also identified lands under TMKS (2) 2-2-034:026 & 028 (mauka parcel) as another desirable area that the organization wanted to manage. Subsequent to submitting their original land use request, Pa'upena CDC amended their land use request to include additional proposed uses on the 4,000 acre parcel. The additional uses included developing 1,200 single-family housing units and supporting infrastructure for waitlist beneficiaries, golf course, athletic complex, in addition to farming and pastoral opportunities.

A beneficiary consultation meeting was conducted on May 30, 2019 to collect beneficiary input and feedback on Pa'upena CDC's land use request. A beneficiary consultation report was submitted to the HHC in July 2019 for acceptance, see Exhibit "C". The HHC did not accept the beneficiary consultation report for Pa'upena CDC's land use request citing concerns over the size and intensity of uses proposed on the 4,000 acre parcel. The HHC would like to see Pa'upena CDC succeed in its initiatives and expressed concern that the proposed use of the 4,000 acres was not reasonable at the current time and would not set the organization up for success. Staff was encouraged to work with Pa'upena CDC to find a more manageable size parcel with more achievable development goals as the HHC would like to increase the probability of Pa'upena's CDC successful utilization of Hawaiian Home Lands.

DHHL staff met with Pa'upena CDC board members on August 2, 2019. After discussing the HHC's concerns with the board members, the board members were agreeable to taking TMK (2) 2-2-034:026 (mauka parcel) to raise cattle and for agricultural purposes. Pa'upena CDC board members strongly expressed a desire to be able to manage a portion of TMK (2) 2-2-002:014 in the future after they have demonstrated success on TMK (2) 2-2-034:026 and 028.

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

The recommended disposition is consistent with the following plans, policies, and programs:

- 1) DHHL General Plan (2002) 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.

Objectives: Provide space for and designate a mixture of appropriate land uses, economic opportunities, and community services in a native Hawaiian friendly environment.

- 2) Maui Island Plan, September 2004

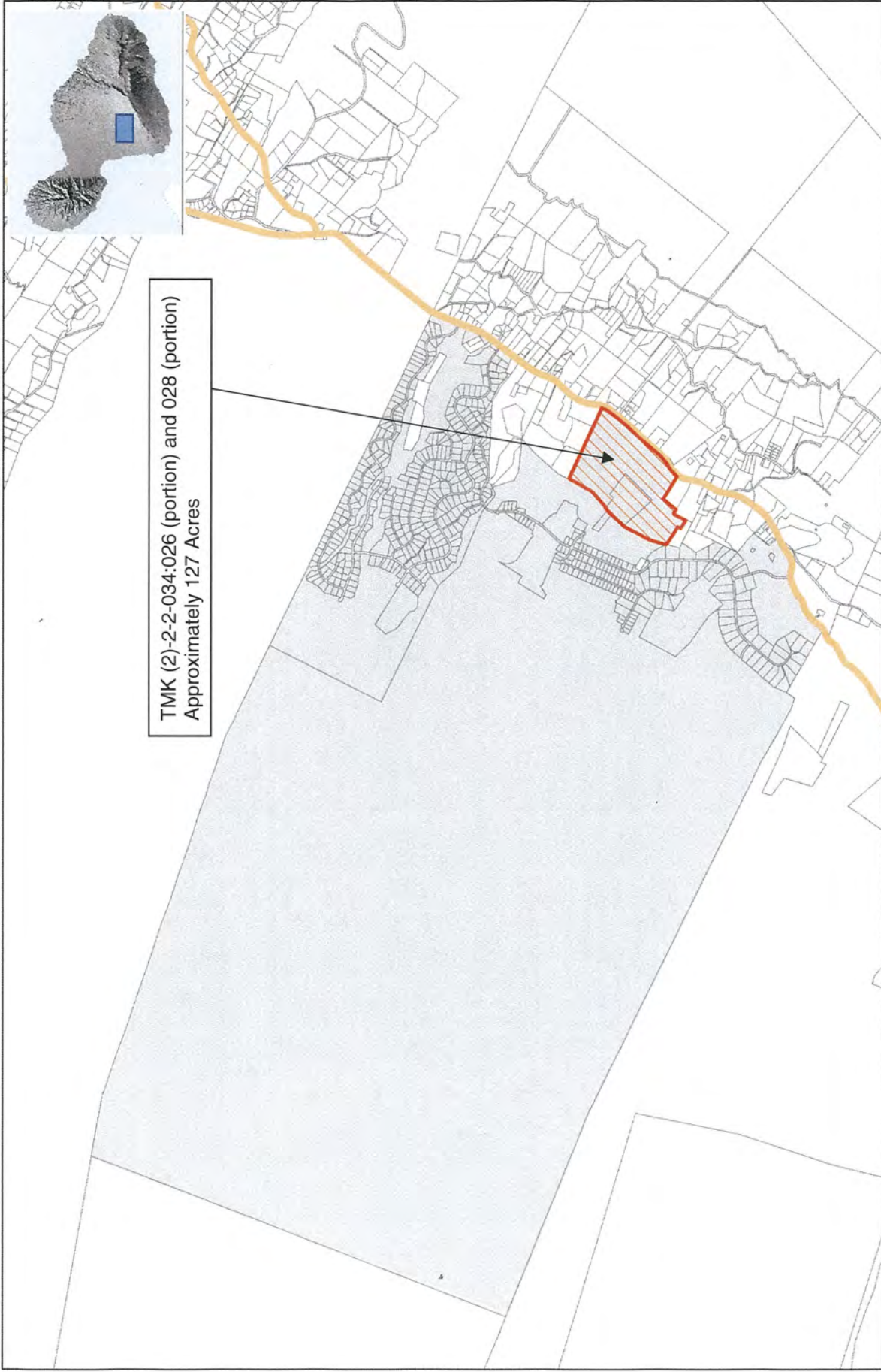
- Land Use Designation: Residential, General Agriculture, September 2004, Figure B, Keokea/Waiohuli Land Use Plan
- 3) Regional Plan: The proposed use of Hawaiian Home Lands was not identified in the Keokea-Waiohuli Regional Plan dated June 2010. As mentioned previously, a beneficiary consultation meeting was conducted on May 30, 2019 to get beneficiary feedback on the proposed use of Hawaiian Home Lands.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

In accordance with the Department of Hawaiian Home Lands Comprehensive Exemption List as Reviewed and Concurred Upon by the Environmental Council on June 30, 2015, the Right of Entry permit request is exempt from the preparation of an environmental assessment pursuant to Exemption Class #5, “Basic data collection, research, experimental management, and resource evaluation activities which do not result in serious or major disturbances to an environmental resource.”

RECOMMENDATION

Land Management Division and Planning Office recommends approval of the requested motion/action as stated.



TMK (2)-2-2-034:026 (portion) and 028 (portion)
Approximately 127 Acres

Legend




-  Paupena ROE Boundary
-  DHHL Land
-  State Highway

EXHIBIT A

ITEM NO. F-5



DAVID Y. IGE
GOVERNOR
STATE OF HAWAII

RECEIVED
LAND MANAGEMENT
DIVISION



JOBIE M. K. MASAGATANI
CHAIRMAN
HAWAIIAN HOMES COMMISSION

SHAN S. TSUTSUI
LT. GOVERNOR
STATE OF HAWAII

2016 DEC 29 AM 11:34

WILLIAM J. AILA, JR.
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P. O. BOX 1879
HONOLULU, HAWAII 96805

REQUEST FORM FOR NON-HOMESTEADING LAND USE PURPOSES

PART I: APPLICANT INFORMATION

Name: Pa'upena Community Development Inc.

Address: 96 Ahulua St., Kula, HI 96790
Home: (808) 878-6167, Cell: (808) 276-2713

Phone No. Email: kenomoto1@hawaii.rr.com

If Corporation/Organization/Company/LLC/Non-Profit:

Name: _____

Address: _____

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:

President Norman Abihai
Vice president/treasurer Andrew Aukai Hatchie Jr.
Secretary Kekoa Enomoto

Mission of Organiz Pa'upena Community Development Inc. is a beneficiary-owned group, whose vision is to fulfill Prince Kuhio's century-old dream for native Hawaiians to reconnect with Waiohuli ahupua'a in thriving farming and ranching communities, and to share this paradigm throughout the pae'aina (archipelago). The mission of Pa'upena Community Development Inc. is to provide resources and training for fellow Hawaiian Homes trust beneficiaries to build homes and self-sufficient communities.

Date Incorporated: ^{11.29.10} 1 State of Incorporation: HAWAII

Federal Tax ID#: 81-7541375 State Tax ID#: GE-093-008-4864-01

PART 2: NON-HOMESTEADING LAND USE REQUEST

Describe proposed non-homesteading land use envisioned under this request as submitted _____

The non-homesteading land use envisioned under this request is for Pa'upena Community Development Inc. to run 100 head of cattle. In addition, Pa'upena principals will dedicate 10 to 20 acres for an agricultural demonstration site to educate and train beneficiaries in farming concepts and techniques.

Land Request Form No. 17:003

ITEM NO. F-5
EXHIBIT "B"

Land Area requested: Acreage/Sq.Ft. 5,057 acres Term: two-year RFE
Island: Mau Tax Map Key No.: (2)2-2-002:014 (2017, 2019)

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): _____

The proposed land use will benefit the federal 1921 Hawaiian Homes Commission Act trust in five direct and indirect ways: by fulfilling the act, Prince Kuhio's vision and the commission's kuleana; by preparing trust applicants for their awards, and by producing rental fees. (continued on separate page)

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

Paiopua Community Development Inc. 12.24.16
Print Individual or Organization Name Date
HEKON ENIMOTO, secretary HEKON ENIMOTO
Authorized Representative Name & Title Signature

Pa`upena Community Development Inc. land-use application 12/24/16
Continued from Page 2:

2016 DEC 29 AM 11: 34

First, the proposed land use of a beneficiary organization running 100 head of cattle in the paniolo tradition and providing agricultural training fulfills purposes of the Hawaiian Homes Commission Act. The latter document proclaims: "The policy of this Act is 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."

Second, the land-use proposal realizes Prince Jonah Kuhio Kalaniana`ole's desire to give his people land to farm, ranch and be enriched. As the federal document declares: "The principal purposes of this Act include but are not limited to:

(1) 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 as authorized in this Act;

(2) Placing native Hawaiians on the lands set aside under this Act in a prompt and efficient manner and assuring long-term tenancy to beneficiaries of this Act and their successors; . . .

(4) Providing adequate amounts of water and supporting infrastructure, so that homestead lands will always be usable and accessible; and

(5) Providing financial support and technical assistance to native Hawaiian beneficiaries of this Act so that by pursuing strategies to enhance economic self-sufficiency and promote community-based development, the traditions, culture and quality of life of native Hawaiians shall be forever self-sustaining."

Third, the HHCA trust benefits because the land-use proposal enables the Hawaiian Homes Commission director and members to exercise their fiduciary duty "to act exclusively in the interest of beneficiaries under the act (and to) adhere to the terms of the trust as set forth in the act," per Title 10 Administrative Rules Section 10-2-19.

Fourth, beneficiaries running 100 head of cattle and cultivating crops will prepare applicants to accept ag and pastoral awards, and the associated kuleana. Lastly, income generation via Right Of Entry rental fees directly will benefit the trust.

WITH regard to beneficiary applicants and lessees, the land-use proposal will benefit them in eight ways: First, the proposed land use will repatriate trust lands from nonbeneficiary use, to beneficiary use. Beneficiaries running cattle and growing crops will gain ranching-and-farming training and experience. And the land-use proposal provides a scenario for ag and pastoral applicants to bond, organize and capacitate in their group(s) before getting onto homestead `aina.

Beneficiaries further benefit because the land-use proposal will provide opportunities for lessees and applicants to 1) be mentored by area rancher Jerry Sakugawa; 2) thereby have a sense of place, i.e., to know and respect unique attributes and resources of the Waiohuli ahupua`a; 3) buy Pa`upena beef at discount prices; 4) learn to cultivate native crops, such as kalo, `uala, `awa, mai`a and ko; and 5) collaborate to plan, design and develop their own farm/ranchlands community because, as Section 201.5 of the Act states: "The aboriginal, indigenous people of the State retain their inherent sovereign authority and their right to organize for their common welfare."

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

July 15-16, 2019

To: Chairman and Members, Hawaiian Homes Commission
Thru: Andrew H. Choy, Acting Planning Program Manager *Ac*
From: Julie-Ann Cachola, Planner
Subject: Acceptance of Beneficiary Consultation Report for four separate requests to utilize Hawaiian Home Lands on the island of Maui from the (1) Waiohuli Hawaiian Homesteaders Association TMK 2-2-2-028:152 (17 acres) and TMK 2-2-2-028:181 (por.) (183.28 acres); (2) Paupena Community Development Inc. TMK 2-2-2-034:026 (208.268 acres) and 2-2-2-002:014 (por.) (4,832.913 acres); (3) Keokea Homestead Farm Lots Association TMK 2-2-2-032:067 (47.857 acres) and 2-2-2-032:068 (23.865 acres); (4) Ka Ohana O Kahikinui TMK 2-1-9-001:007 (por.) (7,049.92 acres) and TMK 2-1-9-001:003 (por.) (15,620 acres);

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) accept this Beneficiary Consultation Report as the official public record of beneficiary comments relative to the four separate requests for use of Hawaiian Home Lands by the (1) Waiohuli Hawaiian Homesteaders Association, (2) Paupena Community Development Inc., (3) Keokea Homestead Farm Lots Association, and (4) Ka Ohana O Kahikinui.

DISCUSSION

Background

The Waiohuli Hawaiian Homesteaders Association (WHHA), Paupena Community Development Inc. (PCDI), Keokea Homestead Farm Lots Association (KHFLA), and Ka Ohana o Kahininui (KOOK) have previously requested the use of Hawaiian Home Lands for non-homesteading purposes. A summary description of each of these separate requests from the four associations are summarized in Table 1 below. Location maps of the land area requested are included in Figure 1.

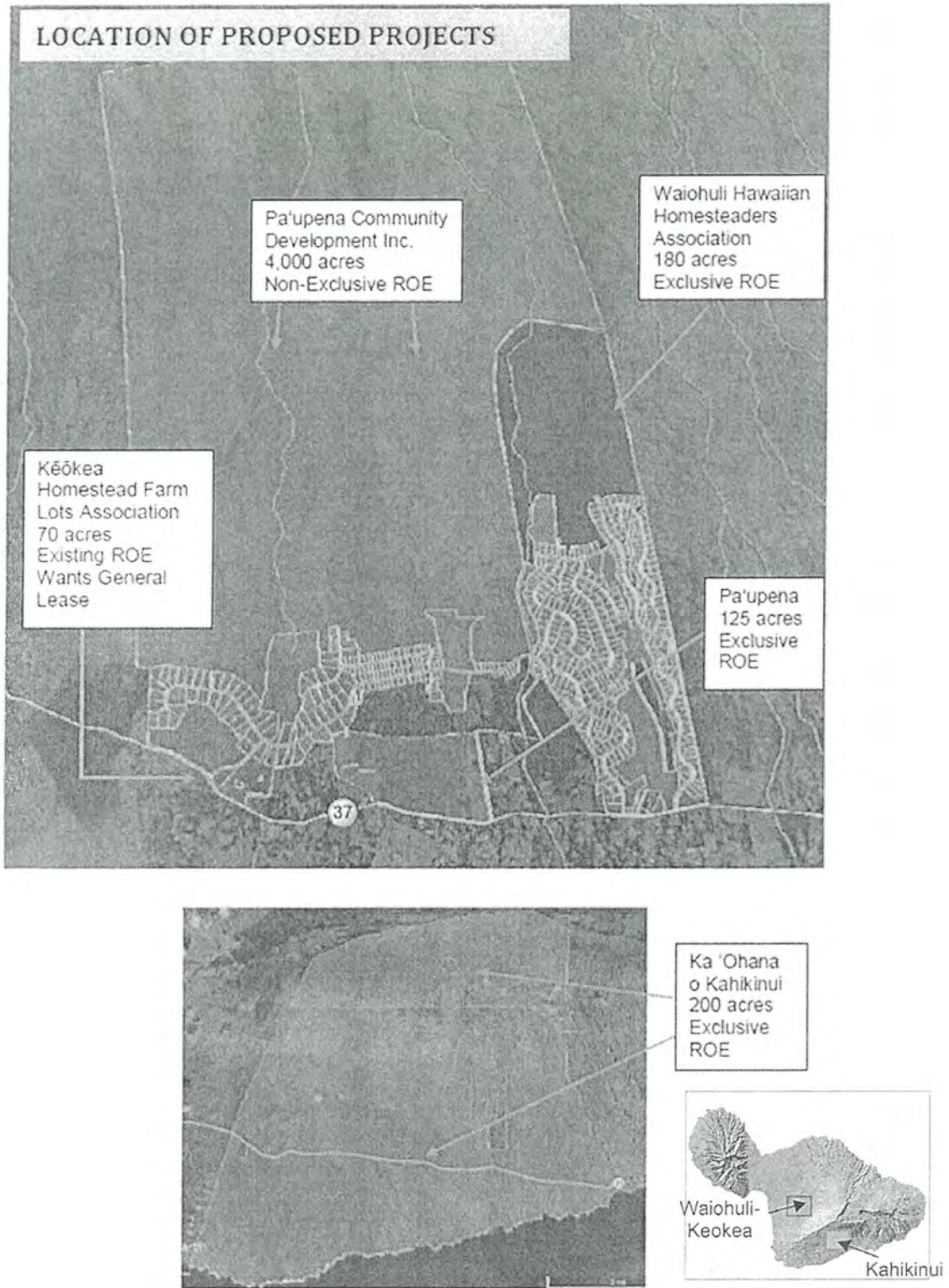
ITEM NO. G-1

**ITEM NO. F-5
EXHIBIT "C"**

Table 1 Proposed Projects from Community Associations

Hawaiian Homestead Association	Project Description	Land Disposition Requested	Approximate Number of Acres
Waiohuli Hawaiian Homesteaders Association	Due diligence to validate feasibility, build collaborations, secure resources, and work with DHHL to create a range of turn-key homes for Matti applicants. The Waiohuli Economic Development Opportunity (WE-DO) project will create employment opportunities and career development in fields and services involved in land development.	2 year, exclusive Right-of-Entry (ROE) for due diligence purposes.	180 acres
Pa'upena Community Development Inc.	Provide beneficiaries training and experience in ranching and farming techniques on HHLs at Waiohuli makai. Involve beneficiaries in running 100 head of cattle and develop a 10-20-acre agricultural demonstration site to foster relationships, organize and build capacity in beneficiaries before they receive homestead leases.	Makai Waiohuli: 4,000 acres Non-Exclusive ROE Mauka Waiohuli: 123 acres Exclusive ROE	4,125 acres
Kēōkea Homestead Farm Lots Association (KHFLA)	KHFLA has an ROE to the area and has started planning for long-term development of agriculture, commercial, educational and health care opportunities to benefit Upcountry beneficiaries. Requested Land Disposition allows KHFLA to secure loan and grant funding from Federal, State, private and public organizations.	60 year General Lease	70 acres
Ka 'Ohana o Kahukūnu	Hale Pili: 5 to 16 acres on Pi'ilani Highway to develop economic opportunities for beneficiaries residing in Kahukūnu. This project was identified in the management strategy adopted by the HHC in 1997. Kahua: widen approximately 4 miles of the access road in Kahua to facilitate: 1) removal of invasive species, fireweed, pine, and blackberry bushes; 2) herd assessments and monitoring of ungulate population for long term planning, and 3) development of cultural education curriculum, including identification of native species.	2-year ROE for due diligence purposes.	Hale Pili: 16 acres, Kahua: 184 acres

Figure 1



In 2009, DHHL initiated the Kulia I Ka Nuu Program (Kulia). The Kulia program provided homestead association's interested in accessing DHHL a process and procedure to do so by creating an application process to apply for DHHL land and a monetary grant to help with initial planning and due diligence studies. The program also provided a series of trainings intended to increase the capacity of association board members to better be able to successfully implement their development projects. After the successful completion of the trainings, DHHL awarded the grant of land and money to the association. However, the Kulia program was discontinued by the Hawaiian Homes Commission in 2012.

Absent Kulia, there was no subsequent internal process or program to intake and process unsolicited requests for use of Hawaiian Home Lands for non-profit purposes in a consistent and fair manner. In 2015 to 2016, the DHHL Planning Office and Land Management Division staff met over a series of meetings to make improvements to the process for handling and processing unsolicited requests to utilize DHHL land. At the conclusion of these meetings a set of due diligence criteria for DHHL staff to consider when evaluating unsolicited proposals to utilize Hawaiian Home Lands (Exhibit A). However, while the outcome of these meetings provided an evaluation tool for DHHL staff to evaluate applicants, it did not provide an overall process or guideline to staff on when and how to process unsolicited requests. As a result, many non-profits including DHHL community associations submitted proposals to DHHL addressing the criteria outlined in Exhibit A, but several proposals were not acted upon in a timely manner.

In March 2019, Planning Office presented a revised application process for unsolicited requests for use of Hawaiian Home Lands from non-profit organizations Exhibit B. The new application incorporates most of the criteria that were identified previously in the April 2016 HHC submittal into the application process. The purpose of the application was to create a (1) fair and transparent internal process for processing requests for use of Hawaiian Home Lands for eynomasonry purposes and (2) ensure that the proposed use of Hawaiian Home Lands does not significantly impact DHHL's ability to provide programs and services to current and future beneficiaries. The application process provides steps and a general timeframe for completion of each step. However, it should be noted that one short-coming of the new application process is the ability to measure an applicant's current capacity and growing capacity over time to successfully implement their proposed project.

As part of the new application process, one action-step that is required on the part of DHHL is to conduct a Beneficiary Consultation Meeting regarding the proposed project(s) if the proposed project(s) was not identified as a priority project in a DHHL Regional Plan. The four proposed projects from the four community associations were not identified in a DHHL Regional Plan. Thus each of the four projects required Beneficiary Consultation. Per the DHHL Beneficiary Consultation Policy that was adopted by the HHC in 2009, prior to any approval for a long-term lease or license, beneficiaries that may be affected by the proposed use of Hawaiian Home Lands must be consulted to collect their input and feedback.

Beneficiary Consultation Meeting

On May 16, 2019, DHHL sent a Beneficiary Consultation meeting invitation letter to beneficiaries residing in the Kula zipcode (96790) regarding the four above projects (Exhibit C).

On May 30, 2019, DHHL conducted a formal Beneficiary Consultation meeting on the four different proposed projects. Each association was given 10-minutes to present background information about their association and their project proposal to utilize Hawaiian Home Lands (Exhibit D). Following each association presentation, DHHL facilitated a 10-minute question and comment session from audience members on the proposed project. Meeting sign-in sheet can be found in Exhibit E. Meeting notes from the meeting can be found in Exhibit F.

A total of 43 people signed in on the meeting sign-in sheet of which 38 people self-identified themselves as DHHL beneficiaries (35 lessees and 3 waitlist applicants). In addition to verbal questions and comments received at the meeting, a total of 6 written comments were received at the meeting (Exhibit G).

In addition to the May 30, 2019 meeting, beneficiaries were also given the opportunity to provide comments to DHHL over the course of a 30-day comment period from May 30, 2019 to June 30, 2019. 10 written comments were received via email during the 30-day comment period (Exhibit H). The following discussion is a summary of all comments received for each of the four proposed projects.

Consultation Findings & Analysis

Tables 2 thru 6 below summarize information DHHL received from all sources including:

- Questions and comments made during the Consultation Meeting
- Comments received during the 30-day comment period May 30, 2019 to June 30, 2019.

Table 2 Summary of Comments Regarding WHHA Land Use Request

Topic	Comments/Questions	Response/Recommendation
Project Timeframe	Can you explain a little bit more about the timeframe?	WHHA Response: No definite timeframe yet. We need access to the land and study it. That will determine timeframe.
	Recommend the approval of the ROE for research purposes as long as there is a end date or deadline for results of the research.	
Project Funding and Budget	How much budget they have?	WHHA Response: The budget depends on the partnering we do. Get everyone to come to the table. WHHA has gotten money, proven ourselves; by developing our community facilities. For every \$1 we receive we leverage \$2.
	Why does DHHL not have the money? Why does WHHA not have the money?	
Project Partnerships	So you are going to partner with all these people? Who?	WHHA Response: Unfortunately, we can't disclose that information at this time, but they are motivated and willing to work with us.

Topic	Comments/Questions	Response/Recommendation
	I'm a successor on the waitlist. Have to dream and people willing to sit down and dream together. Try to remember those people who are doing the hard work.	WHHA Response: Collaborations with Hawaiians - check your ego at the door.
WHHA has a good track record	Thanks for the beautiful community center, the facility. Our family has events there through us... Beautiful facility and setting. It's a blessing	Comment noted.
	Great job WHHA. Wish you guys well.	
Water for the project	Where is the water going to come from?	WHHA Response: There's a monitoring well site identified on the property. We know that there's enough water upcountry. This proposal includes drilling a well.
	There's a well on the property?	WHHA Response: Yes. It is deep, it will be expensive to develop. DHHL Response: There is a difference between a test well and a production well. Even if there is a test well, it needs to be further developed to be a production well. Could cost \$12M or more.

Table 3 Summary of Comments Regarding PCDI Land Use Request

Topic	Comments/Questions	Response/Recommendation
Amount of acreage for each use	Of all the proposed uses on the site (4,000acre site) what's the amount for each?	PCDI Response: We will not know until we're able to access the land and do due diligence studies. We can't make that assessment yet until we are able to access the land. Size of pastoral lots would be dictated by DHHL rules
	How many acres for pastoral and how many acres per lot?	
Project timeframe and feasibility	What is timeframe for housing units?	PCDI Response: We will need a 2-year due diligence period. That is why we are seeking a ROE.
	It is very ambitious, but not unrealistic. 5-years to do this is a little ambitious. Come up with a process before Phase 1 - what are your due diligence activities. You don't want to create a problem before you already start.	PCDI Response: Your assessment is accurate. We don't know what kind of lands are down there. That is why we need access to go on the land and study it.
Proposed affordable housing is needed	Would it be possible to have land where people can build what they want to build? Many people will not be able to qualify for that amount (\$1500 per month mortgage)	PCDI Response: We will ask waitlist beneficiaries what you want on there.
	This plan to house 1,200 people off the waitlist, we need to get it done, need to stop relying on a state agency.	Comment noted.

Topic	Comments/Questions	Response/Recommendation
120 Acre Mauka Lot for Pastoral Use	Where is the 120-acre lot that you are seeking an exclusive ROE for?	PCDI Response: It is along the Kula Highway. Can also access from Keanuhea, but over undivided interest lots.
Support for PCDI proposals (9 comment letters)	I support the land-use request by PCDI for a two-year, due diligence ROE to 4,128 Waiohuli / Keokea acres.	Comments noted.
	I support ROE for 123 acres so that PCDI can clear the land of abandoned vehicles and opala at its own expense.	
	I understand the homeland acreage is noncontiguous, or in two separate parcels.	
Oppose PCDI Proposal (1 comment letter)	No experience raising cattle.	
	Little knowledge about the land.	
	Against water usage in a dry area.	

Table 4 Summary of Comments Regarding KHFLA Land Use Request

Topic	Comments/Questions	Response/Recommendation
KHFLA Previous Success	Mahalo to Alika. The Keokea project started in 1996-1998. Steven Newhouse started, but passed on. Able to do nursery with grant money from DHHL.	Comments noted.
Support KHFLA vision	Most impressed with your presentation - includes keiki and kupuna. Mahalo for bringing your vision together. I support your vision.	Comments noted.

Table 5 Summary of Comments Regarding KOOK Land Use Request

Topic	Comments/Questions	Response/Recommendation
Current KOOK management activities	Hale Pili area - is there anything being done there now, like vendors?	KOOK Response: We have our community meetings there, got a food truck to refurbish as an outside dining area, lessees are interested in being vendors. Need site control to do our activities. That is why we are requesting land from DHHL.
	When you remove invasives, do you put out a notice so people can come out to help?	KOOK Response: First Saturday of each month is a community workday. Call Eddy if you want to get involved.

Table 6 General Questions & Comments Received During the Meeting

Topic	Comments/Questions	Response/Recommendation
Commonalities among different proposals.	Overlap in ideas is ok because these are different and unique communities	Comments noted
	What I'm seeing is the unity of all the communities, unite all the homesteads.	
	All associations should look at the services and buildings (i.e. daycare, kupuna, housing etc.) and do it together; Thought based on they are all the same area.	

Topic	Comments/Questions	Response/Recommendation
Pastoral Homesteading	I was on the pastoral waiting list for 16 years, why is DHHL not awarding anymore pastoral homesteads?	<p>KOOK Response: In Kahikinui, it was very dry there was no carrying capacity to add more lots.</p> <p>DHHL Response: DHHL does periodic surveys of its applicants to gain an understanding of what their preference is. Residential homesteading was identified as a priority. Now its starting to shift to agriculture.</p>
Request for DHHL to provide funding for EA and due diligence studies	The associations requesting land tonight will have to do an EA. What's the chance that DHHL will fund an EA?	DHHL Response: It's something we request in the budget. But there is no guarantee that the request will be funded.
	What if everyone agreed on the activities and we combine it all in one EA?	DHHL Response: We can consider it but DHHL cannot guarantee funding an EA for any of these projects. First step is to get ROE approved from the HHC. Once that happens, we could have a meeting to discuss options. But, the larger the area, the more it is going to cost. An aggregate EA would increase the size and cost. Staff does not want to over-promise and underdeliver.

RECOMMENDED ACTION

DHHL staff respectfully requests approval as recommended.



LIST OF EXHIBITS

- EXHIBIT A: Item G-3 April 2016 HHC Meeting
- EXHIBIT B: Revised Application for Unsolicited Requests for use of Hawaiian Home Lands from Non-Profit Organizations
- EXHIBIT C: May 30, 2019 Beneficiary Consultation Meeting Invite Letter
- EXHIBIT D: Meeting Presentation
- EXHIBIT E: Sign-In Sheet
- EXHIBIT F: Meeting Notes
- EXHIBIT G: Written Comments Submitted at the May 30, 2019 Meeting
- EXHIBIT H: Written Comments Submitted at during the 30-day comment period May 30 to June 30, 2019.

G-ITEMS

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

August 19-20, 2019

To: Chairman and Members, Hawaiian Homes Commission
Thru: Andrew H. Choy Acting Planning Program Manager 
From: Malia M. Cox, Planner 
Subject: Amend Maui Island Plan to apply Community Use, Commercial Use, General Agriculture, Industrial, Subsistence Agriculture, and Supplemental Agriculture Land Use Designations to Pūlehunui, Maui; TMK (2)3-8-008:034 (Pūlehunui South)

RECOMMENDED ACTIONS

That the Hawaiian Homes Commission (HHC) approve an amendment to the *Maui Island plan* (MIP) (2004) to apply Community Use, Commercial Use, General Agriculture, Industrial, Subsistence Agriculture, and Supplemental Agriculture Land Use Designations to Pūlehunui, Maui; TMK (2)3-8-008:034 (Pūlehunui South)

DISCUSSION

The land use designations for Pūlehunui South, approximately 646 acres at TMK (2) 3-8-008:034, an area identified as Pu'unēnē in the MIP requires revision. This approval would amend land use designations from the existing General Agriculture and Industrial designations to Community Use, Commercial Use, Supplemental Agriculture, Subsistence Agriculture, General Agriculture and Industrial to support the master planning efforts and DHHL's General Plan Goals. (See Exhibit A- Figure 3-1, Proposed DHHL Maui Island Plan Amendment)

The HHC has been briefed on various components of the Master Planning efforts in Pūlehunui, Maui five times previously:

- February 21, 2012, Land Use Amendment to the Maui Island Plan for lands acquired in Pūlehunui after 2004 (HHC Approval);
- November 21, 2017, an Environmental Impact Statement Preparation Notice (EISPN) (For HHC information);
- October 16, 2018, a Draft EIS (For HHC information);
- May 21, 2019, a Final EIS (For HHC information);
- May 30, 2019, HHC approval of the transmission of Final EIS to Governor of the State of Hawaii for acceptance

DHHL Planning Process

DHHL developed a three-tiered planning system to guide planning of its land holdings and policies for resource management, and for the benefit of current and future beneficiaries. The planning system includes an over-arching General Plan, followed by Strategic Program Plans and Island Plans, in the second tier and Regional and Development Plans in the third tier.

DHHL General Plan, (adopted 2002)

The General Plan (Tier 1 of the Planning System) is a Statewide plan developed with a long-term perspective (20 years) that established seven categories of goals and objectives to meet DHHL's mission. These categories are Land Use Planning, Residential Uses, Agricultural and Pastoral Uses, Water Resource, Land Resource Management, Economic Development, and Building Healthy Communities.

On February 26, 2002, the Hawaiian Homes Commission approved a DHHL General Plan to provide comprehensive direction and guidance in implementation of the Hawaiian Homes Commission Act.

Maui Island Plan, (adopted 2004)

The island plans (Tier 2 of the Planning System) were developed to have a long-term perspective (around 20 years with an update every 10 years) and accomplish the following:

- Implement comprehensive General Plan goals and objectives

- Establish land use designations to encourage orderly social, physical, and economic development.
- Identify priority areas for homestead development.

The Hawaiian Homes Commission approved the Maui Island Plan in September 2004. DHHL lands holdings on Maui were divided into five regions, Central, East, South, Up-country, and West. The area of proposed revision to the land use designation is located within the Central Maui region. The Maui Island Plan divides the Central Maui region into four areas shown in *Figure G1.1- DHHL Maui Regions*, and described in *Table G1-1, Central Maui Land Uses, 2004* below.

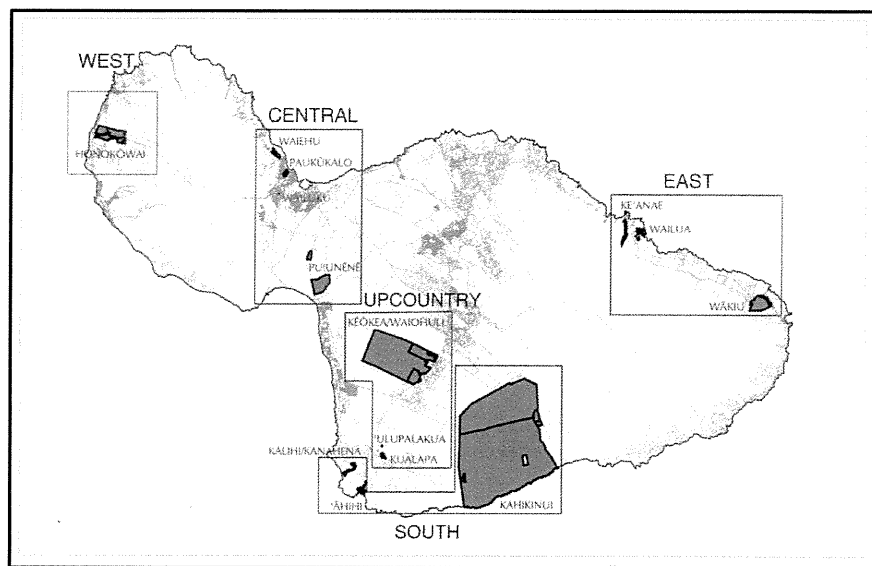


Figure G1. 1- DHHL Maui Regions

Table G1-1 Central Maui Land Uses, 2004

Area	Total Acres	Land Use	Land Use acres
Pu'unēnē	726	Industrial	180
		General Agriculture	546
Paukūkalo	64	Residential	58
		Community Use	6
Waiehu	91	Residential	84
		Community Use	7
Wailuku	0.19	Commercial	0.19

The Central Region land uses identified in the 2004 Maui Island plan are described in Table G1-1 above and

shown in Exhibit C- Figure E, Pu'unēnē Land Use Plan.

Maui Island Plan- Land Use Amendment 2012

DHHL acquired additional lands in the Central Maui Region after the approval of the 2004 Maui Island Plan. On February 1, 2011, 104.356 acres located at TMKs (2)3-8-008:035, (2)3-8-008:008 were transferred from the Department of Land and Natural Resources into DHHL's inventory pursuant to Act 14, SpSLH1995. (see Exhibit B, Quitclaim Deed)

On February 21-22, 2012, the HHC approved an amendment to the *Maui Island Plan* to include the lands at TMKs (2)3-8-008:035, (2)3-8-008:008 transferred into the inventory on February 1, 2011, and that the lands be designated for Industrial Uses. As described in the February 2012, HHC submittal packet for Maui Island Plan amendment, the intent of the industrial designation was based upon beneficiary consultation, and consistency with Maui County's M-1 light Industrial District. Beneficiaries that participated in the land use designation consultation process indicated a desire for both light industrial and commercial uses. The M-1 light industrial allows warehousing and distribution activities as well as retail businesses, service establishments, general business enterprises, and financial, governmental, commercial and professional activities. DHHL determined that designating the land Industrial would provide the most flexibility moving forward while honoring the views of the beneficiaries involved in the consultation process. A DHHL Industrial land use designation allows for both industrial activities as well as the lower intensity commercial uses in this area.

Maui Regional Plans

Regional Plans are part the third tier of DHHL's planning system. Regional plans have a short-term focus at the community/regional level. These plans apply the goals, policies and land use designations to specific geographic regions that have been at least partially developed. It is a mechanism for DHHL to affect development rather than reacting to actions by other organizations. On the island of Maui, DHHL has developed four regional plans, Leali'i-Honokōwai (2009), Kēōkea-Waiohuli (2010), Paukūkalo-Wai'ehu Kou (2010), and Kahikinui (2011). No regional plan has been developed for DHHL's Pu'unēnē land-holdings where Pūlehunui is located.

Development Master Plan for Pūlehunui Lands

Development Plans are also part the third tier of DHHL's planning system. The development plan is utilized as a planning tool for undeveloped areas and has a 10-year time frame. DHHL owns two tracts of undeveloped land in Pūlehunui within the former Pu'unēnē Naval Air Station (Pu'unēnē NAS) and the surrounding area totaling 830 acres. Currently these lands are designated for industrial and agriculture uses as described Table G1-2, *Pu'unēnē Area Land Uses, 2012* below.

Table G1-2 Pu'unēnē Area Land Uses, 2012

Pu'unēnē Area	2012- Maui Island Plan Land Use	Acres
Pūlehunui North	industrial use	184
Pūlehunui South	industrial use	100
	agricultural use	546
TOTAL ACRES		830

DHHL along with three other regional State agency stakeholders, (Department of Land and Natural Resources {DLNR}, Department of Accounting and General Services {DAGS}, and the Department of Public Safety {PSD}), agreed to work collaboratively in the development of their lands within the Pu'unēnē NAS. This effort resulted in a 2014, Memorandum of Understanding (MOU) charging this group to work synergistically on joint infrastructure financing, planning and development providing significant economic benefits to Maui. This joint agency planning effort has helped facilitate the master planning of DHHL's Pūlehunui lands. In addition, it is allowing the development of these lands in a manner that is financially and environmentally efficient, maximizes the use of State funds while minimizing unavoidable environmental impacts.

Pursuant to DHHL's mission, land uses in Pūlehunui were refined through the beneficiary consultation process. This ensures conformance with DHHL's Maui Island Plan. DHHL has engaged in beneficiary consultation activities regarding the master planning efforts for the region since November 2017. (Beneficiary consultation was also conducted in 2012 to designate lands uses for lands acquired by DHHL after the completion of the 2004 Maui Island Plan.) Based on consultation efforts, DHHL beneficiaries indirectly/directly

profit from consultation activities through land improvement, homesteading opportunities, and opportunities to pursue revenue generating through various lease/license instruments in Pūlehunui.

DHHL engaged in a robust environmental, cultural, anthropogenic, and socio-economic review of the proposed master plan for DHHL's 830 acres in Pu'unēnē (184 acres in Pūlehunui North, and 646 acres in Pūlehunui South) as part of the State of Hawai'i's environmental review process. The HHC, DHHL beneficiaries as well as public, and agency stakeholders had multiple opportunities for input during the development of the Environmental Impact Statement and associated documents. See Exhibit E for a summary of the Impact Mitigations proposed for the Pūlehunui Regional Infrastructure Master Plan.

Beneficiary, stakeholder and public outreach efforts undertaken include:

- November 21, 2017: HHC Meeting/Workshop
- December 23, 2017: Publication of the EIS Preparation Notice
- January 18, 2018: EIS Public Scoping Meeting
- April 1-31, 2018: Beneficiary Online Agriculture Survey
- April 21 & 28, 2018: Beneficiary Planning Charrettes
- September 5, 2018: Beneficiary Report Back Meeting
- October 16, 2018: HHC Meeting/Workshop
- December 8, 2018: Publication of the Draft EIS
- May 20-21, 2019: HHC Meeting/Workshop
- May 30, 2019: HHC Meeting
- June 23, 2019: Publication of Final EIS

DHHL developed an infrastructure master plan for Pūlehunui North and South informed by beneficiary input and the Chapter 343 Environmental Review process. See *Figure G1.2 Pūlehunui North Development Plan*, and *Figure G1.3 Concept Plan Pūlehunui South*.

No land use changes were identified during the master planning process for Pūlehunui North. However, the land uses proposed for Pūlehunui South require a revision of the existing land uses identified in the Maui Island Plan.

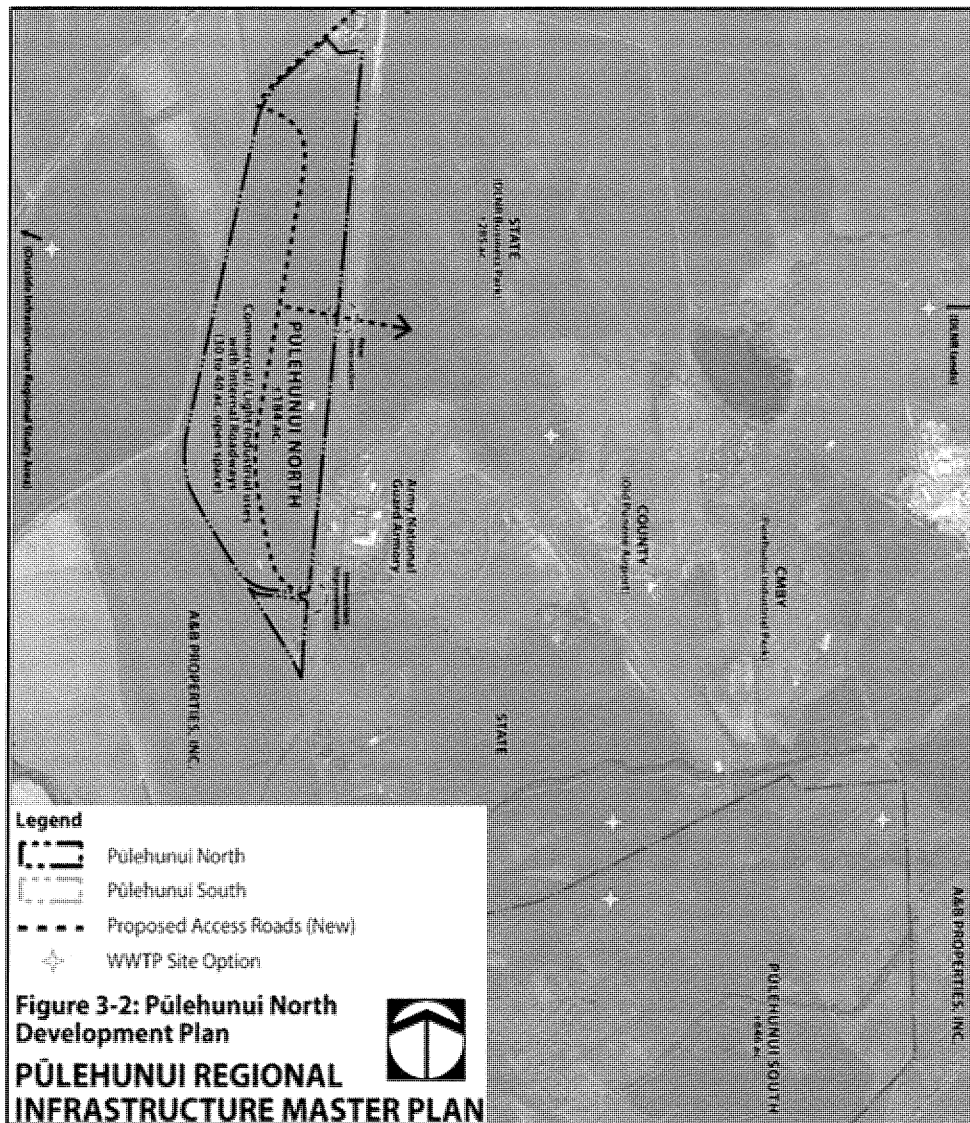


Figure G1.2 Pūlehunui North Development Plan

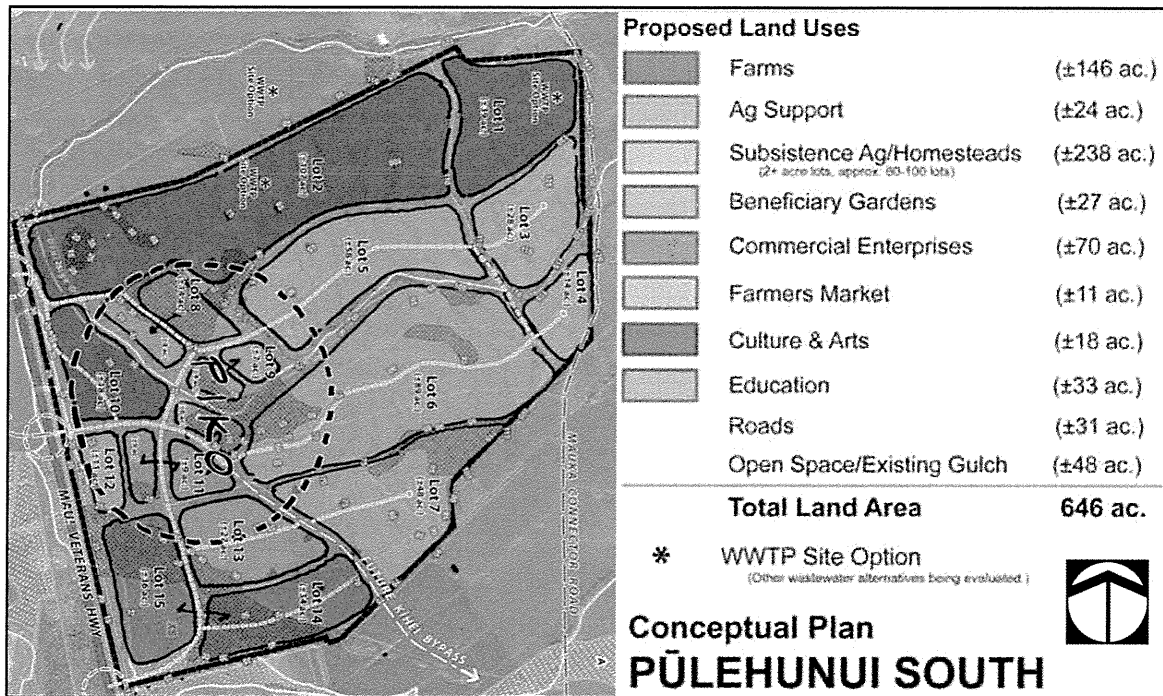


Figure G1.3 Concept Plan Pūlehunui South

Recommended Land Use Revisions to Amend Maui Island Plan

DHHL is recommending amending the Maui Island Plan land use designation for Pūlehunui South, a 646 acres area in Pu'unēnē, Central Region, Maui Island Plan, to align with proposed lands uses developed during Pūlehunui Regional Infrastructure Master Planning process. The land use designation revision will allow for DHHL to pursue the development of agricultural homesteads along with other community uses. Currently the Maui Island Plan (amended in 2012) does not have any lands available for homesteading in the Pu'unēnē region. Homesteading and community uses do not conform with the existing Industrial and General Agriculture land uses described in the Maui Island Plan. The land use designation changes would convert 297 acres from non-homesteading land uses designations to homesteads designations. See Table G1-3, Proposed land use designations for Pūlehunui South below and Exhibit A-Figure 3-1, Proposed DHHL Maui Island Plan Amendment for proposed revisions.

Table G1-3
Proposed land use designations for Pūlehunui South

Land Use Designation	Available for Homestead Use	Maui Island Plan (2004) Acres	Proposed Maui Island Plan Amendment Acre
General Agriculture	No	546	154
Industrial	No	100	31
Supplemental Agriculture	Yes	0	28
Subsistence Agriculture	Yes	0	269
Community Use	No*	0	80
Commercial Use	No	0	84

* While community use does not allow for direct homesteading by beneficiaries, it is available to support the proposed homesteading land uses in the region.

Project Schedule

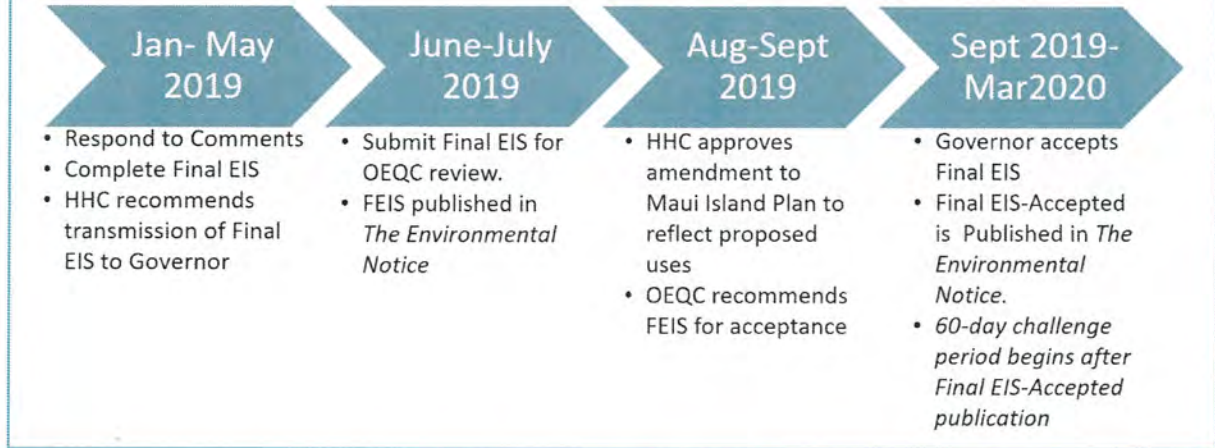
Since the Pūlehunui Regional Infrastructure Master Plan project was last presented to the HHC on May 30, 2019, several key milestones have been met.

- June 23, 2019: The Final EIS was published in *The Environmental Notice*.
- July 24, 2019: The Office of Environmental Quality Control (OEQC) initiated processing of the Final EIS for the Pūlehunui Regional infrastructure Master Plan for gubernatorial review and acceptance. OEQC anticipates the packet will be submitted by the end of August 2019.

DHHL anticipates the planning phase of this project will be completed in November 2019 with the acceptance of the Final EIS by the Governor and conclusion of the FEIS-accepted challenge period.

Planning Schedule Milestones

Pūlehunui Regional Infrastructure Master Plan (EIS)



Once the Final EIS is accepted by the Governor, the legal challenge period expires, and DHHL amends the Maui Island Plan, this project can move into the development phase. Following is the anticipated schedule for development.

Development Schedule Milestones

Pūlehunui Regional Wastewater Infrastructure Development





Proposed Land Use Designations

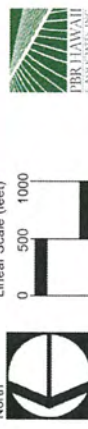
	General Agriculture	(154 ac.)
	Supplemental Agriculture	(28 ac.)
	Subsistence Agriculture	(269 ac.)
	Community Use	(80 ac.)
	Commercial Use	(84 ac.)
	Industrial	(31 ac.)

Total: 646 ac.

**Figure 3-1
Proposed DHHL Maui Island
Plan Amendment**

**PŪLEHUNUI REGIONAL
INFRASTRUCTURE MASTER PLAN**

Department of Hawaiian Home Lands
North
Island of Maui



Date: 7/16/2018

EXHIBIT A

IL_Pulehuna_MP_DevMGRS/Project/MP_Proposed_Amendment/2018/07/03_Maui_Island_Plan_-_Proposed_Amendment.mxd
 HL_Pulehuna_MP_DevMGRS/Project/MP_Proposed_Amendment/2018/07/03_Maui_Island_Plan_-_Proposed_Amendment.pdf

Easement C, and reserving, however, to the State of Hawaii, its successors and assigns, perpetual non-exclusive waterline Easement W-2, more particularly described in Exhibit "A" and delineated on Exhibit "B," both of which are attached hereto and made parts hereof, said exhibits being respectively, a survey description and survey map designated C.S.F. No. 25,026 dated December 20, 2010, prepared by the Survey Division, Department of Accounting and General Services, State of Hawaii and designated as Tax Map Key No. (2) 3-8-008:008, subject, further, to unrecorded Revocable Permit No. S-7368 dated March 29, 2004, issued to Alexander & Baldwin, Inc., a Hawaii corporation.

Lot C, (Revised-December 2010) Portion of the Lands of Pulehunui and Waikapu, containing an area of 97.433 acres, vehicle access shall not be permitted into and from Mokulele Highway, Federal Aid Project No. NH-0900(59) over and across Course 1, more particularly described in Exhibit "C" and delineated on Exhibit "D," both of which are attached hereto and made parts hereof, said exhibits being respectively, a survey description and survey map designated C.S.F. No. 25,027 dated December 20, 2010, prepared by the Survey Division, Department of Accounting and General Services, State of Hawaii and designated as Tax Map Key No. (2) 3-8-008:035, subject, however, to unrecorded Revocable Permit No. S-7368 dated March 29, 2004, issued to Alexander & Baldwin, Inc., a Hawaii corporation.

AND the Grantee for itself, its successors and assigns, covenants with the Grantor and its successors as follows:

1. The Grantee acknowledges and is fully aware that a comprehensive search of title covering the lands conveyed herein has not been completed by Grantor and agrees that the lands conveyed herein may be subject to additional encumbrances, known and/or unknown, recorded and/or unrecorded.

2. Non-warranty. The Grantor does not warrant the conditions of the lands conveyed herein, and the Grantee accepts said lands "as is."

3. Hold-harmless. In case the Grantor shall, without any fault on its part, be made a party to any litigation commenced by or against the Grantee as a result of (a) the issuance of this quitclaim deed or a challenge to the validity thereof, or (b) the conveyance of the lands herein (other than eminent domain and/or quiet title proceedings), the Grantee shall defend and hold the Grantor harmless from and against any claim or demand for loss, liability, or damage.

TO HAVE AND TO HOLD the same together with all of the rights, easements, privileges and appurtenances thereunto belonging or in anywise appertaining or held and enjoyed therewith unto said Grantee, its successors and assigns, forever except as noted herein.

IN WITNESS WHEREOF, the STATE OF HAWAII, the Grantor herein, by its Board of Land and Natural Resources, has caused the seal of the Department of Land and Natural Resources to be hereunto affixed and these presents to be duly executed this 15th day of February, 2011, and the DEPARTMENT OF HAWAIIAN HOME LANDS, by its HAWAIIAN HOMES COMMISSION, the Grantee herein, has caused these presents to be executed this 25th day of January, 2011, both effective as of the day, month, and year first above written.

Approved by the Board of Land and Natural Resources at its meetings held on October 28, 1994, April 9, 1998, September 25, 1998, August 27, 2004, September 24, 2004, October 14, 2005, and October 28, 2010.

STATE OF HAWAII

By William J. Aila, Jr.
WILLIAM J. AILA, JR.
Chairperson
Board of Land and
Natural Resources

GRANTOR

APPROVED AS TO FORM:

Colin J. Lau
COLIN J. LAU
Deputy Attorney General

Dated: 1/13/11

DEPARTMENT OF HAWAIIAN HOME LANDS,
STATE OF HAWAII

By Albert "Alapaki" Nahale-a
Albert "Alapaki" Nahale-a
CHAIRPERSON Designate
HAWAIIAN HOMES COMMISSION

GRANTEE

APPROVED AS TO FORM:

John Wong
John Wong
Deputy Attorney General

Dated: 1/25/11

403705_1.DOC

EXHIBIT B



STATE OF HAWAII)
) SS.
CITY & COUNTY OF HONOLULU)

On this 25th day of January, 2011,
before me appeared ALBERT "ALAPAKI" NAHALE-A, to me personally
known, who, being by me duly sworn, did say that he is the
Chairman Designate of the Hawaiian Homes Commission and the
person who executed the foregoing instrument and acknowledged to
me that he executed the same freely and voluntarily for the use
and purposes therein set forth.



Abigail L. Tubera
Notary Public, State of Hawai'i
Print Name: ABIGAIL L. TUBERA
My commission expires: 11/21/2012

NOTARY CERTIFICATION STATEMENT	
Document Identification or Description: <u>Quitclaim Deed between DLNR and DHHK,</u>	
<u>TMK: (2)3.8.008:008 + 35, Pulehuanui + Waikapu,</u>	
<u>Wailuku</u>	
Doc. Date: _____ or <input checked="" type="checkbox"/>	Undated at time of notarization.
No. of Pages: <u>12</u>	
Jurisdiction: <u>1st</u> Circuit	(in which notarial act is performed)
<u>Abigail L. Tubera</u>	<u>1/25/11</u>
Signature of Notary	Date of Notarization and Certification Statement
ABIGAIL L. TUBERA	
Print Name of Notary	



EXHIBIT B



STATE OF HAWAII
SURVEY DIVISION
DEPT. OF ACCOUNTING AND GENERAL SERVICES
HONOLULU

C.S.F. No. 25,026

December 20, 2010

(REVISED – DECEMBER 2010)
PORTION OF
THE LANDS OF PULEHUNUI AND WAIKAPU

LOT A

Pulehunui and Waikapu, Wailuku, Maui, Hawaii

Comprised of the following parcels of land conveyed to the Territory of Hawaii by the United States of America by Quit-Claim Deed dated December 31, 1948 and recorded in Liber 2199, Pages 461-479 (Land Office Deed 8663).

- A. Portion of Land Patent 8140, Land Commission Award 5230 to Keaweamahi.
- B. Portion of Grant 3152 to Henry Cornwell.

Beginning at the south corner of this parcel of land and on the west side of Mokulele Highway, Federal Aid Project No. NH-0900(59), the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HELE" being 343.67 feet South and 12,555.02 feet East, thence running by azimuths measured clockwise from True South:-

1. Along the east side of Mehameha Loop on a curve to the left with a radius of 2100.00 feet, the chord azimuth and distance being:
157° 46' 59" 647.35 feet;
2. 148° 55' 722.80 feet along the east side of Mehameha Loop;

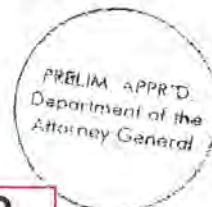


EXHIBIT B

- 2. Thence along the east side of Mehameha Loop on a curve to the left with a radius of 2100.00 feet, the chord azimuth and distance being:
155° 11' 20" 228.72 feet;
- 3. 328° 54' 49" 367.92 feet;
- 4. Thence along the west side of Mokulele Highway, F.A.P. No. NH-0900(59) on a curve to the left with a radius of 5749.58 feet, the chord azimuth and distance being:
1° 19' 35.5" 46.63 feet
to the point of beginning and containing an AREA OF 6371 SQUARE FEET.

RESERVING, HOWEVER, to the State of Hawaii, its successors and assigns, Perpetual Non-Exclusive Waterline Easement W-2 as shown on plan attached hereto and made a part hereof and more particularly described as follows:

Beginning at the southeast corner of this easement and on the west side of Mokulele Highway, Federal Aid Project No. NH-0900(59), the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HELE" being 80.88 feet South and 12,559.78 feet East, thence running by azimuths measured clockwise from True South:-

- 1. 92° 18' 15.01 feet;
- 2. 58° 55' 30.59 feet;
- 3. 148° 54' 49" 15.00 feet;
- 4. 238° 55' 35.09 feet;
- 5. 272° 18' 19.54 feet;



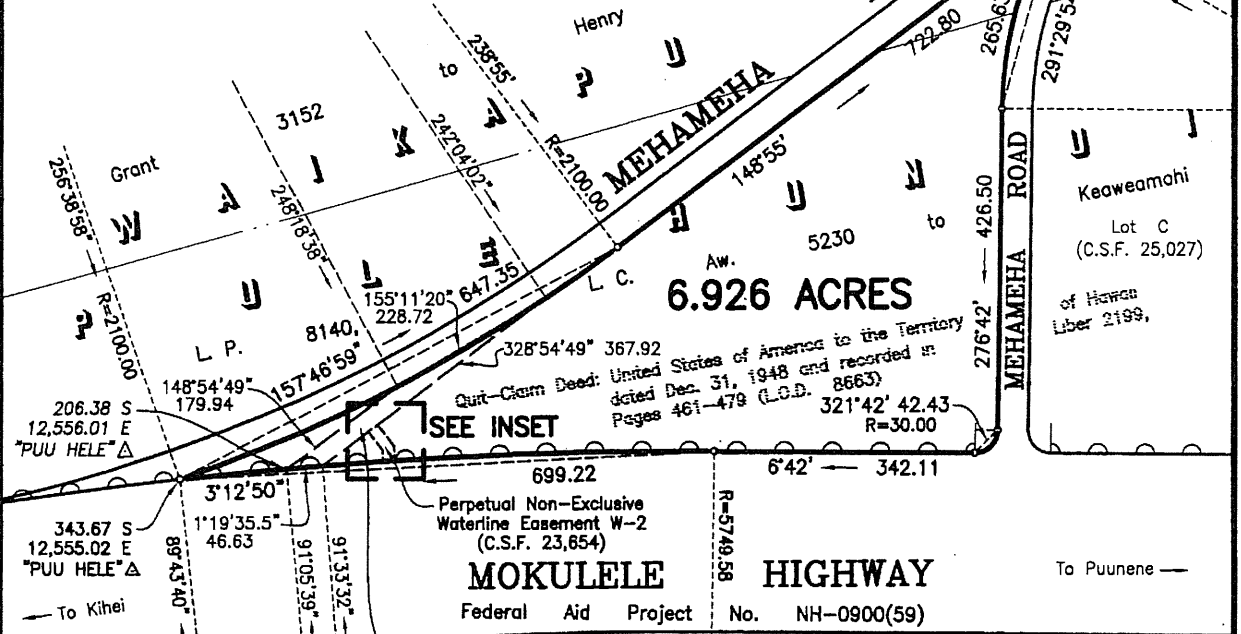
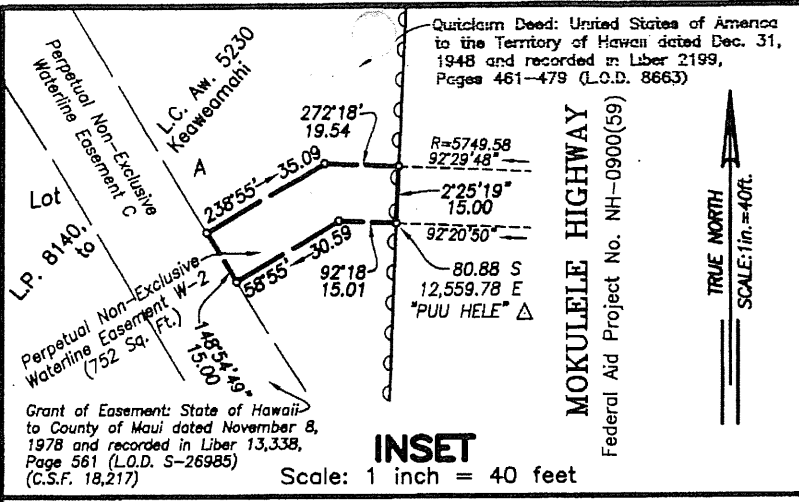
6. Thence along the west side of Mokulele Highway, F.A.P. No. NH-0900(59) on a curve to the left with a radius of 5749.58 feet, the chord azimuth and distance being:
2° 25' 19" 15.00 feet
to the point of beginning and containing an AREA OF 752 SQUARE FEET.

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

By: *Gerald Z. Yonashiro*
Gerald Z. Yonashiro
Land Surveyor ry

Compiled from CSF 23132
and other Govt. Survey Records.





REDUCED NOT TO SCALE

Notes:
d b denotes access permitted
denotes no vehicle access permitted

(REVISED-DECEMBER 2010)
PORTION OF
THE LANDS OF PULEHUNUI AND WAIKAPU
LOT A
Pulehunui and Waikapu, Wailuku, Maui, Hawaii

Scale: 1 inch = 200 feet

EXHIBIT "B"

TAX MAP 3-8-08: 08
C.S.F. NO. 25,026

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

6ZY December 20, 2010

EXHIBIT B



STATE OF HAWAII
SURVEY DIVISION
DEPT. OF ACCOUNTING AND GENERAL SERVICES
HONOLULU

C.S.F. No. 25,027

December 20, 2010

(REVISED – DECEMBER 2010)
PORTION OF
THE LANDS OF PULEHUNUI AND WAIKAPU

LOT C

Pulehunui and Waikapu, Wailuku, Maui, Hawaii

Comprised of the following parcels of land conveyed to the Territory of Hawaii by the United States of America by Quit-Claim Deed dated December 31, 1948 and recorded in Liber 2199, Pages 461-479 (Land Office Deed 8663).

- A. Portion of Land Patent 8140, Land Commission Award 5230 to Keaweamahi.
- B. Portion of Grant 3152 to Henry Cornwell.

Beginning at the northeast corner of this parcel of land and on the west side of Mokulele Highway, Federal Aid Project No. NH-0900(59), the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HELE" being 3854.33 feet North and 13,005.36 feet East, thence running by azimuths measured clockwise from True South:-

1. 6° 42' 3081.83 feet along the west side of Mokulele Highway, Federal Aid Project No. NH-0900(59);

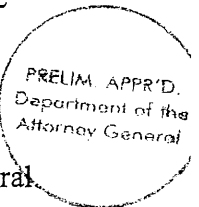


EXHIBIT B

2. Thence along the northwest corner of the intersection of Mokulele Highway, Federal Aid Project No. NH-0900(59) and Mehameha Road on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
51° 42' 42.43 feet;
3. 96° 42' 426.50 feet along the north side of Mehameha Road;
4. Thence along the north side of Mehameha Road on a curve to the right with a radius of 480.00 feet, the chord azimuth and distance being:
122° 48' 30" 422.47 feet;
5. 148° 55' 818.00 feet along the east side of Mehameha Loop;
6. Thence along the east side of Mehameha Loop on a curve to the right with a radius of 1155.00 feet, the chord azimuth and distance being:
171° 16' 30" 878.72 feet;
7. 193° 38' 1442.92 feet along the east side of Mehameha Loop;
8. 276° 42' 1396.57 feet along the remainder of Grant 3152 to Henry Cornwell and along the remainder of L.P. 8140, L.C. Aw. 5230 to Keaweamahi to the point of beginning and containing an AREA OF 97.433 ACRES.

Vehicle access shall not be permitted into and from Mokulele Highway, Federal Aid Project No. NH-0900(59) over and across Course 1 of the above-described parcel of land.

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

By: Gerald Z. Yonashiro
Gerald Z. Yonashiro
Land Surveyor ry

Compiled from CSF 23133
and other Govt. Survey Records.

EXHIBIT B



REDUCED NOT TO SCALE

TRUE NORTH

Scale: 1 inch = 500 feet

W A J K A P U
Grant 3152 Henry Cornwell

MEHAMEHA LOOP

Quit-Claim Deed: State of Hawaii to Dept. of Hawaiian Home Lands dated January 16, 2002 and recorded as Dec. No. 2002-010426 (L.C.D. S-28509) (G.S.F. 23,134)

Lot D

276'42'

1396.57

3854.33 N
13,005.36 E
"PUU HELE" Δ

Quit-Claim Deed: United States of America to the Territory of Hawaii dated December 31, 1948 and recorded in Liber 2199, Pages 461-479 (L.C.D. 8665)

Federal Aid Project No. NH-0900(59)

To Puuone

Keaweamoiki

R=1155.00

97.433 ACRES

HIGHWAY

MOKULELE

L.P. 8140, L.C. Aw. 5230

To Kihei

MEHAMEHA ROAD

Lot A
(C.S.F. 25,026)

PRELIM APPR'D
Department of the
Attorney General

Notes:

denotes access permitted
 denotes no vehicle access permitted

EXHIBIT "D"

(REVISED-DECEMBER 2010)
PORTION OF
THE LANDS OF PULEHUNUI AND WAIKAPU
LOT C

JOB Ma-364(10)
C. BK.

Pulehunui and Waikapu, Wailuku, Maui, Hawaii
Scale: 1 inch = 500 feet

TAX MAP 3-8-08: 35

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

EXHIBIT B

C.S.F. NO. 25,027

GZY December 20, 2010

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION WORKSHOP/AGENDA

91-5420 Kapolei Parkway, Kapolei, O`ahu, Hawai`i
February 21, 2012, 9:30 a.m., & February 22, 2012, 8:30 a.m.

ORDER OF BUSINESS

Roll Call
Approval of Agenda
Approval of Minutes of December 12, 13, & 20, 2011, January 23-24, 2012

A - WORKSHOP PRESENTATIONS

A-1 Native American Housing and Self-Determination Act (NASDA) and Native Hawaiian Housing Plan (NHHP)

B - PUBLIC TESTIMONY ON AGENDIZED ITEMS

C - OFFICE OF THE CHAIRMAN

C-1 Resolution to Support OHA Ceded Land Settlement
C-2 Approval of Amendments to the Native Hawaiian Housing Plan
C-3 Policy Development for Amendments to HAR Title 10 - Treatment of Previous Lessees
C-4 Policy Development for Amendments to HAR Title 10 - "One Chance"
C-5 Potential Acquisition of Lots in Ke Ola O Poka`I Bay Development, Waianae, Oahu
C-6 Hawaiian Homes Trust Grants Program

D - HOMESTEAD SERVICES DIVISION

D-1 HSD Status Reports
Exhibits:
A - Homestead Lease and Application Totals and Monthly Activity Reports
B - Delinquency Report and Status of Contested Case Hearings
C - DHHL Guarantees for USDA-Rural Development Mortgage Loans
D - DHHL Guarantees for FHA Construction Loans

D-2 Approval of Consent to Mortgage
D-3 Refinance of Loans

EXHIBIT C

- D-4 Schedule of Loan Delinquency Contested Case Hearings
- D-5 Homestead Application Transfers / Cancellations
- D-6 Reinstatement of Deferred Applications
- D-7 Commission Designation of Successor to Application Rights - Public Notice 2010
- D-8 Ratification of Designation of Successors to Leasehold Interest and Designation of Persons to Receive Net Proceeds
- D-9 Approval of Assignment of Leasehold Interest
- D-10 Approval of Amendment of Leasehold Interest
- D-11 Request to Schedule Contested Hearing - Lease Violations
- D-12 Commission Designation of Successor - **James Akoni, Jr. and John K. Akoni**

F- LAND MANAGEMENT DIVISION

- F-1 Memorandum of Understanding (MOU) between the Department of Hawaiian Home Lands, Kamehameha Schools and Nanakuli Hawaiian Homestead Community Association, Nanakuli, O`ahu
- F-2 Issuance of License, Na Kupa`a o Kuhio, Kealakehe, Hawai`i
- F-3 Issuance of Request of Entry (ROE) Permit, USDA, Keaukaha, Hawai`i
- F-4 Ratification of Consents and Approvals by Chairman, Hawaiian Homes Commission
- F-5 Notices of Default and Revocations, Statewide
- F-6 Assignment of Partial Interest, License Agreement No. 372, Waimana Enterprises, Inc. / Eligible Telecommunications Carrier Designation, Ka Makani, LLC
- F-7 Approval for a Global Renewable Energy Request for Proposals (RFP), Statewide

G - PLANNING OFFICE

- G-1 Land Use Amendment to Anahola Town Center Plan, Anahola, Kaua`i
- G-2 Land Use Amendment to Maui Island Plan, Pulehunui (Pu`unene), Maui
- G-3 Designating the Chairman as "Declarant", Homestead Associations with With (DCCR) Declaration of Covenants, Conditions and Restrictions

J-GENERAL AGENDA

- J-1 Request to Address Commission - **Stacy Crivello, Kalamaula Homestead Assn.**
- J-2 Request to Address Commission - **Kilauea Wilson**
- J-3 Request to Address Commission - **William Kaholoaa**

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.

EXHIBIT C

1. Richard Nelson, III, Kaliko Chun et al. v HHC, Civil No. 09-1-161507
2. Kalima v SOH, DHHL, Civil No. 99-0-4771-12(EHH) (Class Action)
3. Petition for Certiorari to US Supreme Court, Corboy v Louie
4. Resolution of Property Tax Liability
5. Defect of Title Claims
6. In the Matter of Piliialoha, et al, v Thomas Rogers, Civil No. 0701-002185
7. Regarding HRS 10-2-18, 10-2-19 & 10-2-20
8. Alternate Land Use for Pastoral & Agricultural Homestead Leases
9. Ceded Land Settlement Between SOH & OHA
10. Civil Union Law
11. Re: Hawaiian Homes Commission Act 208(5) - Conditions of Lease
12. Retaining of Private Counsel for HHC
13. Matter Relating to Puowaina Parcel, Papakolea, O`ahu
14. June Aina v Mark Development

ANNOUNCEMENTS AND ADJOURNMENT

1. Next Meeting – March 19, 2012 Kapolei, Hawai`i
2. Other Announcements
3. Adjournment



Albert "Alapaki" Nahale-a, Chairman
Hawaiian Homes Commission

COMMISSION MEMBERS

Imaikalani P. Aiu, Kaua`i
Perry O. Artates, Maui
Leimana DaMate, West Hawai`i
J. "Kama" Hopkins, O`ahu

Michael P. Kahikina, O`ahu
Ian B. Lee Loy, East Hawai`i
Henry K. Tancayo, Moloka`i
Renwick V.I. Tassill, O`ahu

Community Meeting Scheduled for March 19, 2012, 6:00 p.m.
Kapolei High School Cafeteria, 91-007 Kapolei Prkwy, Kapolei, O`ahu

Special Accommodations (such as Sign Language interpreter, large print, taped materials) can be provided, if requested at least five (5) working days before the scheduled meeting on the respective island by calling (808) 620-9590.

EXHIBIT C

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

February 21, 2012

To: Chairman and Members, Hawaiian Homes Commission

From: Darrell Yagodich, Planning Program Manager
Planning Office *Darrell Yagodich*

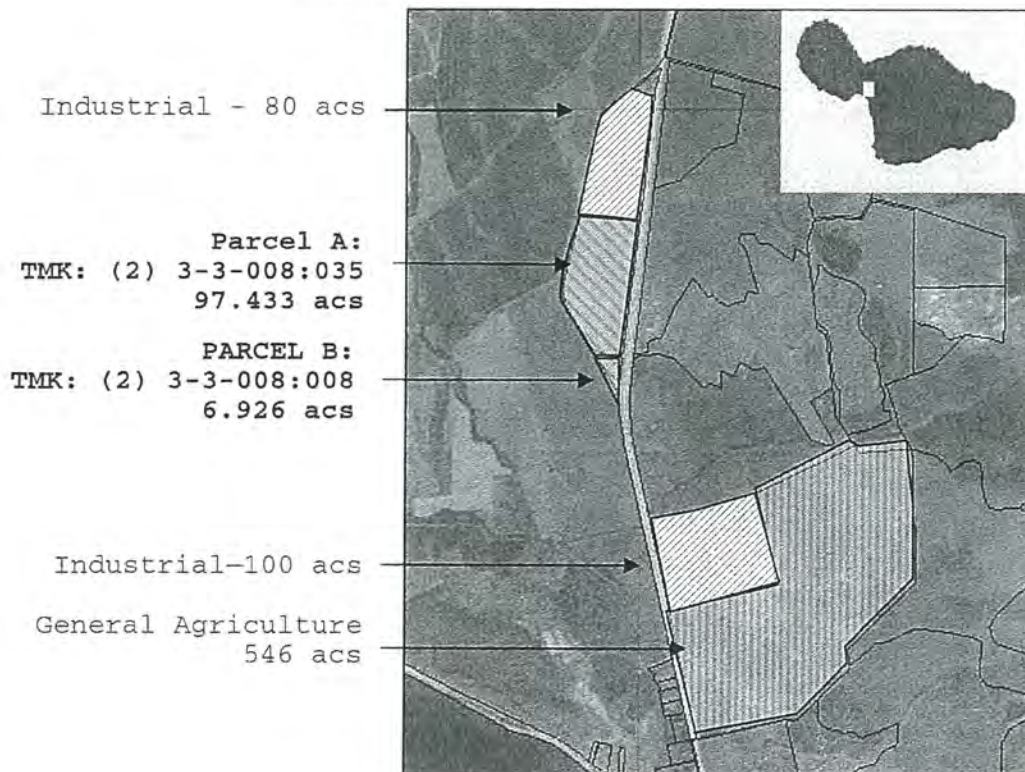
Julie-Ann Cachola, Planner
Planning Office *Julie-Ann Cachola*

Subject: Land Use Amendment to the Maui Island Plan,
Pulehunui (Pu'unēnē), Maui

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission amend the Maui Island Plan to include two newly acquired parcels, Tax Map Key No. (2) 3-8-008:035, comprised of 97.433 acres and Tax Map Key No. (2) 3-8-008:008 which encompass 6.926 acres, located in Pulehunui, Maui. Further, that the parcels be designated for Industrial land uses.

Figure 1
Hawaiian Home Lands Trust, Pulehunui, Maui



DISCUSSION

Hawaiian Home Lands in Pulehunui, Maui

The Hawaiian Home Lands Trust in the Pulehunui area (South-Central Maui) encompasses a total of 830 acres which are split into two separate areas located along both sides of Mokulele Highway, a major arterial road that connects Kahului and Kihei through Central Maui. The northern parcels are on the west side of Mokulele Highway, totaling 185 acres. The southern parcels lie on the east side of Mokulele Highway and includes a total of 646 acres. Both parcels are approximately 4-5 miles from Kahului and within 2-3 miles of Kihei.

Existing State Land Use and County Zoning

All of the Pulehunui parcels were used for sugar cane production. As such, they are all classified in the State Agricultural Land Use District and are zoned by the county for Agricultural uses.

Maui County's Kihei-Makena Community Plan designates DHHL's 185-acre parcel and the lands directly across the Highway (Maui County's 182-acre parcel) in Project District 10 (PD-10). Project Districts allow for flexible and creative planning approaches as opposed to conventional zoning which binds the parcel of land to a particular land use. Project Districts allow continuity among land uses while providing a comprehensive network of infrastructural facilities and systems. The Project District calls for a variety of public uses as well as open space, parks and other public spaces.

*"The objective of PD-10 is to establish a master planned recreational and industrial expansion area to meet future recreational needs and to provide areas for industrial activities, including government facilities, whose locations are better suited away from urban areas. Site planning shall seek to maximize the range of potential user groups while minimizing potential for incompatibilities between recreational, governmental, and industrial activities."
(Kihei-Makena Community Plan, 1998)*

DHHL's Maui Island Plan and Existing Land Use Designations

The Department of Hawaiian Home Lands' Maui Island Plan was completed in September 2004. The Island Plan serves as a comprehensive resource for planning and managing trust lands. The plan examines infrastructure needs and opportunities from an island wide perspective, gauges beneficiary needs and demands, proposes plans for both homesteading and non-homesteading uses, and estimates costs for both on- and off-site infrastructure.

During the Island Plan process, we discovered that DHHL lands in the Pulehunui area are not suitable for residential uses, mainly due to noise impacts from the nearby Maui Raceway Park. However, the Island Plan also determined that Pulehunui could create significant opportunities to generate income through mixed industrial/commercial development. As a result, the 80-acre parcel adjacent to Parcels A and B, was designated for Industrial use. The large 646-acre parcel located further south was designated for Industrial use (100-acres) with the remaining 546-acres designated for General Agricultural use.

Parcels A and B were transferred from DLNR to DHHL on February 1, 2011 and have not been designated for any particular land use. Since the parcels are adjacent to the existing 80-acre parcel designated for Industrial uses and since the Industrial designation is consistent with the uses identified for Project District 10, staff proposes to maintain the Industrial Land Use Designation for Parcels A and B. This Industrial Land Use Designation is meant to be consistent with Maui County's M-1 Light Industrial District, which allows warehousing and distribution activities, as well as retail businesses, service establishments, general business enterprises, and financial, governmental, commercial and professional activities. Resident uses are not suitable for development in this area.

Consultation Session Highlights

In accordance with the Commission's Beneficiary Consultation Policy, the Planning Office conducted a beneficiary consultation session with Maui lessees and applicants who reside on the island of Maui on August 4, 2011. The Beneficiary Consultation Report for this meeting was brought to the Commission on October 17, 2011 for review and approval (Exhibit A).

An additional beneficiary consultation was held on November 28, 2011 to provide an update on the Pulehunui Master Plan. The Master Plan engaged beneficiaries in discussing overall land use designations in the area. Beneficiary comments related specifically to land use included:

"During the Island Planning process, beneficiaries decided to 'give' the department the 185-acre parcel for revenue-generation. For the beneficiaries, the opportunity is to have a piece of land that they can develop on their own as a commercial entity. There are opportunities to work with farmers and develop prospects of generating revenue...when we generate our own revenue, then we can decide hoe the money is used. We make our own decisions regarding uses, how to work with farmers, etc."

The biggest area of inquiry related to how beneficiaries could participate in the development process. The Chairman responded to all of these inquiries which may be reviewed in Exhibit B.

During the two consultation sessions, no one expressed objections or concerns regarding industrial and mixed commercial development at Pulehunui. On the contrary, beneficiaries were supportive, often providing their ideas about specific industrial/commercial activities that could be developed.

Recommendation

Staff respectfully requests Commission approval of the recommended motion.

EXHIBIT A

Beneficiary Consultation on Pu‘unēnē
Lihikai Elementary School, Kahului, Maui
August 4, 2011
6:00 p.m. to 8:00 p.m.

RECORD OF COMMENTS RECEIVED

Attendance: 59 people signed in at the door; an estimated 100 people were in attendance. Departmental representatives in attendance: Perry Artates, Maui Commissioner; Alapaki Nahale-a, Chairman; Michelle Kauhane, Deputy Director; Linda Chinn and Carolyn Darr, Land Management Division; Darrell Yagodich and Julie-Ann Cachola, Planning Office; Mona Kapaku, Jane Gordon, and Maria Ornellas, Maui District Office.

The following points are beneficiary comments and questions raised during the meeting. The comments have been grouped by subject-matter and Departmental responses have been included if a response was provided. The last section identifies Chairman Nahale-a's closing comments. Please note that these notes do not include the Department's presentation presented at the beginning of the meeting. The presentation is provided in the Pu‘unēnē Beneficiary Consultation Report.

Land Uses/Land Use Design

- I was involved in the process at the beginning when we were working on the Maui Island Plan—we were really focused on supporting the Department's need to generate revenue. We also wanted the Department to address the needs of the Agriculture Wait List. As a result, we recommended the 80-acre parcel for commercial development. On the 600-acre parcel, we wanted a portion to be set aside for Maui beneficiaries to earn revenue, with the remaining lands divided into 200 Agricultural homestead lots. The reason we recommended this is because the noise generated by the drag strip exceeds noise thresholds 2 days/month which means that federal funding cannot be used in this area. The commercial piece is where our farmers can sell their products which will support our economic development. Is the Department still looking at this?
 - Department response: We were looking at a wastewater treatment center on the 100 ac industrial piece which was set aside on the 600-acre parcel because there are customers ready to go; the technology is much better now; and this will provide an opportunity to generate revenue.
- On the opposite corner, can the Department set aside another 100 acres for our (beneficiary) industrial development?
- The front portion along the road is prime commercial land therefore you should push the wastewater treatment plant further back, away from the highway.
- I was in prison, you don't want to be in the center of everything, you want to be at the end of the road—Kaupo. Plus we have a traffic problem now—there are 6 stop lights to get through. I tried to contact my commissioner, but we don't have a direct line of communication anywhere. Mr. Hall conducted this meeting last year, but was unavailable after that.

EXHIBIT C

- I support what Blossom said (the first comment), but I would propose a convention center, hotel, 12 slot machines—maybe smaller than Honolulu's convention center.
- This is win-win; if we don't develop the commercial side, everyone doesn't have water or sewage treatment. If we do, we can open new lands.
- The area you're talking about was fallow; it has been in agricultural use for many years.
- Get the federal government to appropriate funds to build another highway from Kihei up to Waiohuli.

Beneficiary Needs

- I have been in planning a bowling alley for the last 10 years. We want to raise money. The only thing holding me back is getting on the land. If I can get the land it will cut my costs in half. It's a multi level building that can accommodate a number of activities (ballroom dancing, etc.). I would rather stay on the Hawaiian side; the building will generate work for the people.
- Regarding this consultation---beneficiaries should say what you need to say...e.g, the Deputy Director is a homesteader. We worked with Linda Chinn—we said we want jobs—so the Photovoltaic solar company is now going to hire 16 people from our homestead. It's a wish list, but state it.
- This discussion has generated a lot of interest especially because we can stay engaged. How do we stay engaged collectively as a body to move forward? If 50 people engage with 50 different people, we can touch a lot of people.
- How does a beneficiary have access to a commercial venture?
 - Department response: We now have a policy of putting 15% of all general lease revenues in to the Native Hawaiian Rehabilitation Fund, which is reserved for a wide range of social, economic, community development, and cultural uses.
- We need our homebase; we need to put people on the land.
- This project is so important to us.

Process Issues-Stakeholders

- How far are you into this plan? Why aren't the HHC commissioners here now since they will be making decisions on this? If there are millions of dollars at stake, why not bring the people here that are going to make the decisions?
- I'd like to have our neighboring landowners present at our next consultation session so we can ask them questions and so we can get input from them. Who pays first? How much does everyone pay?
- I like the idea that the Department is coming to the beneficiaries first, then the next meeting, invite our neighbors. Also, DHHL has water, so they all have to come talk to us and get on board with us --it's not about what is good for us because we already know what is good for us. This is good for everyone. Strong families create strong communities; a strong county; and a strong state.
- We don't want to go last; we want to lead; we want to go first; NOW. We can put all this input together. We're not that fall apart, but the longest part often is the process.

EXHIBIT C

Management of Revenues

- Do you manage the commercial property?
 - Department response: We capture the ground lease rent; we are not the developer, but we have been working different ways in order to get more revenue.
- The purpose of the act is simple—we need to take care of our family, survive and thrive; we took lessons from Walmart in Hilo—they gave \$100K/year to a community organization. Based on that, we wanted to have control over how much money we generate and allocate to our island for revenue to be self-sufficient. Highest and best use—is our contribution to the pot. Let us negotiate with the lessee because we know our community.
- So if you get revenues from Agricultural side, you don't need revenue from the commercial side?
- So we'd tell other community leaders to come on our side. We want a clear distinction; we want to control lease rent.

Other Issues

- What is the status of the DHHL regarding Hawaiian sovereignty? This is going to take a long time, we need this done now. If not, it's all BS.
- I used to teach in private school systems so this is a main concern—having a secondary college. School/education is very important.
- Perry mahalo for coming; since you are in the trades, you know we're in a bad situation statewide. We have families losing their homes; we're also losing the human beings in the homes because they're under a lot of pressure. That's why we're all cramped up. The Department does not have enough funds so a partnership with other state agencies would be good.
- As we're generating revenue, can DHHL acquire land in new areas?
 - Department response: Yes we can. One of the things that bothers me is if you were raised in Hawai'i Kai, you can't live there because we didn't buy any land there.

CHAIRMAN'S SUMMARY/CLOSING REMARKS:

- Based on everyone's comments, is it safe to say that you like what we presented? I will hold staff accountable to make sure that the elements we discussed are addressed in the planning and development of our Pu'unēnē lands. What I heard is that the community backs the Department in terms of generating income through commercial and industrial development, but they also want us to do agriculture, as long as we push the wastewater treatment plant back so that it's not close to the highway.
- Can we agree on a timeline? Do you want to go fast? Because we can go fast. October is the HHC meeting on Maui—if we can commit to going to the meeting and commit to work together on the community piece, that would be good. We can get something out for approval in October. What's great is the support I'm hearing here tonight. Are there any objections?
 - I'm for this project, you're doing great job, mana'o is good, but one of the problems is the traffic so you have to look at this.
 - I like what Tasha said about everyone getting together; who is po'o? Blossom.
 - Thank you for exposing us to this process.

EXHIBIT C

EXHIBIT B

Beneficiary Consultation on Pu‘unēnē

Paukūkalo Community Center

November 28, 2011

6:00 p.m. to 8:00 p.m.

RECORD OF COMMENTS RECEIVED

Attendance: 34 people signed in at the door; an estimated 50 people were in attendance. Departmental representatives in attendance: Perry Artates, Maui Commissioner; Alapaki Nahale-a, Chairman; Linda Chinn and Carolyn Darr, Land Management Division; Julie-Ann Cachola, Planning Office; Mona Kapaku, Jane Gordon, and Maria Ornellas, Maui District Office.

Summary of Comments Received

Chairman Nahale-a facilitated the discussion portion of the meeting. The attached Record of Comments Received presents all of the comments received. The table below summarizes the major points raised by beneficiaries and presents the Department’s responses.

Beneficiary Comments	Department’s Response
<ul style="list-style-type: none">• Why would you only identify one developer for the whole parcel?	<ul style="list-style-type: none">○ The RFP allows multiple developers or a single developer...it’s open. You can bid for the entire parcel or just 30%, or 75% of the parcel.○ It’s a way to evaluate the “best” project○ With large area like this, it’s always easier to do one developer
<ul style="list-style-type: none">• Where are beneficiaries in this development?	<ul style="list-style-type: none">○ 100-ac industrial piece○ Ag lots in the 646-acre parcel.○ Policy of 15% of general leases revenue go to NH Rehabilitation Fund
<ul style="list-style-type: none">• Beneficiary benefits? Can a portion of the revenue generated stay on-island? Would it be too early to ask who we have in mind?	<ul style="list-style-type: none">○ We don’t have a specific developer in mind—we want the best proposal.○ The RFP is general, so it’s open to a wide range of proposals○ Regarding keeping a portion of general lease revenues on the island—this is a long-standing issue that started from Prince Kuhio Mall in Hilo. Now we have a policy that 15% of general lease revenue goes to fund NHRF (Native Hawaiian Rehabilitation Fund). This fund is used for grants, scholarships, homestead association projects, and wait list applicants. This is funded by 30% of sugar and water licenses, but this fund has gone way down since sugar
<ul style="list-style-type: none">• Can we look at 20% on Maui??	<ul style="list-style-type: none">○ We could, but the largest wait list is on Oahu.○ Current lease revenue on Maui is zero-- so that would

Beneficiary Comments	Department's Response
	<p>mean no funding for Maui projects.</p> <ul style="list-style-type: none"> ○ Chair explained a project in Anahola as an example. He is very open to these types of proposals—be creative—on how we can partner. ○ Example in Hilo—prime parcel..but for over 15 years, it hasn't been developed. Capacity and financing is important.
<ul style="list-style-type: none"> • During the Island Planning process, beneficiaries decided to 'give' the department the 185-acre parcel for revenue-generation. For the beneficiaries, the opportunity is to have a piece of land that they can develop on their own as a commercial entity; there is an opportunity to work with farmers and develop prospects of generating revenue...when we generate our own revenue, then we can decide how the money is used. We make our own decisions re: uses, how to work with farmers, etc. 	<ul style="list-style-type: none"> ○ Dept has a new Strategic Plan—we discovered that the Dept has been spending more than it makes—on top of that, we have used up our savings and the state's \$30M annual payments end in 2014—so we have a great need to generate revenue to do our mission. We're not letting the State off the hook regarding funding our operations, but if we generate our own revenue...
<ul style="list-style-type: none"> • What is the upset price? 	<ul style="list-style-type: none"> ○ \$4 million ○ We don't determine the rate—it's done by an appraiser ○ Parcels are raw land, so developers have to put in millions of dollars of improvements to the land. ○ If we could be our own developer, we'd have to take on all the risks. ○ Lease rents are competitive—they allow development of our land so that we can capture a higher rent.
<ul style="list-style-type: none"> • Is there any way for us to develop a small parcel of land? 	<ul style="list-style-type: none"> ○ Aren't we supposed to give land to Hawaiian businesses? No – we're supposed to get Hawaiians in homesteading. ○ Solution—the HHCA allows us to do community development, so you can come in and develop a homestead commercial venture and develop a plan for that land. ○ Want to put out policy that gives preference to NHs for general leases. ○ We're not trying to give land away for free—it says "preference," not for free. ○ There are Legal/technical problems to qualify as a developer—we should be able to go above it. ○ A Hybrid model is "participation rent." You get a flat rate on rent plus an added percentage. ○ Another hybrid is to do community economic development. ○

Beneficiary Comments	Department's Response
<ul style="list-style-type: none"> • Can you comment on what happened in Hilo so we can avoid those problems 	<ul style="list-style-type: none"> ○ We had a big vision; but no capacity to develop the land ○ We didn't have continuity in leadership—a new Board would come in a scrap the plan, do a new one— ○ You can have a good vision, but you have to take them in chunks ○ First thing is: do something on the land ○ Volunteer homestead organizations are hard to sustain ○ Community development---a community that's unified is powerful...if we get unified, we can do anything...energy spent on this is valuable,
<ul style="list-style-type: none"> • This has been a time consuming process. Would it be more attractive if there was only one landowner? So DLNR would give all the land in the region to DHHL? Advocacy is good—we have excellent advocates especially if we sit together and agree and everyone is on the right track. The more we have opposition among each other, the longer it will take. Right now—time is running out...legislature is coming up. This project is a benefit to all native Hawaiians and we need to engage our own back yard—by having advocates speaking on behalf of all the associations. We need to move along with supporting each other vs. coming up with what we don't like. Let's pull together. 	<ul style="list-style-type: none"> ○ We have a long history—we have a lot of improvement to do—the way to make permanent change is at the policy level—we've changed our format and we have commissioners willing to take on discussion of issues.
<ul style="list-style-type: none"> • Been with the dept for years—every change of administration, changes the Chairman/leadership—we need to keep Alapaki in this position. 	<ul style="list-style-type: none"> ○ We are aware our time is limited— ○ We think the best way to have impact is to get policies in place. ○ We're asking governor to let homesteaders have more say over HHC. We need to look at this so there's not always a change of guard. What can we do? How can we put building blocks in place so that no matter who comes in, there's a standard that is set?
<ul style="list-style-type: none"> • 2 years ago I retired from MCCC—I helped draw the jail plan and can help the Dept. develop a workable facility. 	<ul style="list-style-type: none"> ○

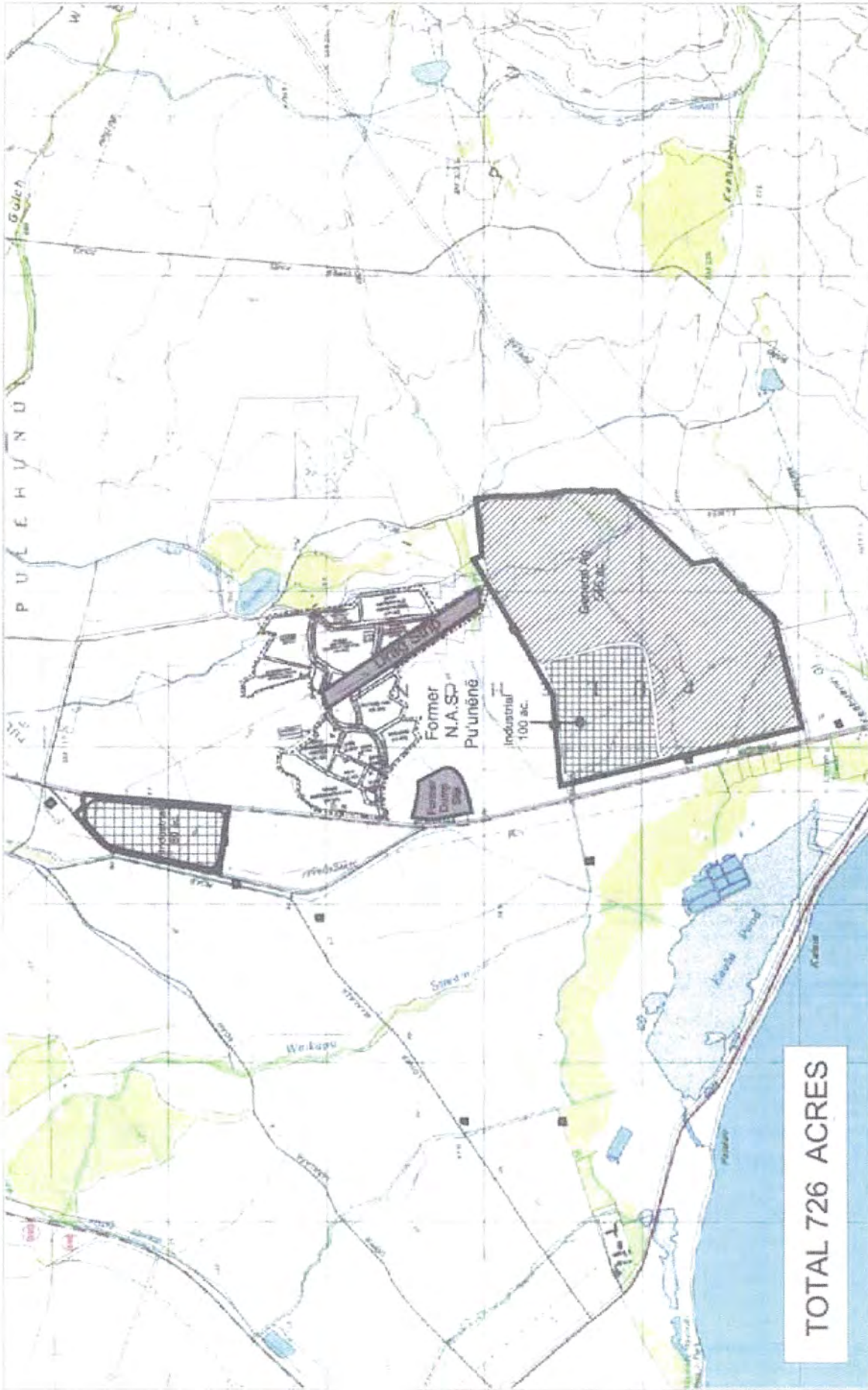


Figure E
 PŪ'ŪNĒ
 Land Use Plan
MAUI LAND INVENTORY
 DEPARTMENT OF HAWAIIAN HOME LANDS

Land Use Summary	Approximate Acres
General Agriculture	546
Industrial	180
Total	726

Legend

DHHL Land Boundary

Scale: 0, 1500, 3000 (FEET)

7/02/03

Source: United States Geologic Survey and Department of Hawaiian Home Lands

EXHIBIT D

IMPACT MITIGATION SUMMARY

A mitigation summary table is provided below, with further detail provided in text form.

Impact	Proposed Mitigation Measures to Avoid, Rectify, or Reduce Impact
Climate	<ul style="list-style-type: none"> Localized heat island effect mitigated with landscaping and landscape buffers in non-agricultural areas
Geology & Topography	<ul style="list-style-type: none"> Design will respect existing topography and minimize extensive cut and fill. Low-Impact Development Strategies will be considered Interagency coordination on grading will be considered
Natural Hazards	<ul style="list-style-type: none"> No structures will be built in the area of Pūlehunui South in flood zone AE Earthquake and hurricane damage will be mitigated for structures constructed in compliance with the County Building Code.
Soils	<ul style="list-style-type: none"> Windbreaks and crop rotation will be used to reduce fallow land and exposed soils Best Management Practices are proposed for construction activities
Streams and Surface Water	<ul style="list-style-type: none"> Low-Impact Development Strategies will be considered Develop drainage plan to mitigate existing insufficient capacity Best Management Practices are proposed for construction activities Adhere to the provisions of Chapters 11-54 and 11-55, HAR Water efficiency and conservation measures
Flora	<ul style="list-style-type: none"> Embrace the use of native plantings Adhere to applicable requirements of §103D-408, HRS
Fauna	<ul style="list-style-type: none"> No site clearing should occur between June 1 and September 15 to avoid 'ōpe`ape`a. If site clearing must occur during this time, the DLNR DOFAW will be consulted. Barbed wire will not be used for fencing. Examination of tree tobacco plants will occur during November through April DHHL will seek USFWS guidance prior to any site clearing activities Nēnē transiting the area will not be bothered or harassed Pūlehunui South will utilize appropriate exterior lighting such as hooded lights and avoidance of excessive lighting. Where feasible, outdoor lights at Pūlehunui South will be fully shielded so the bulb can only be seen from below bulb height, and only used when necessary. Nighttime construction will not occur between September 15 and December 15. Prospective developer(s) at Pūlehunui North will be encouraged to utilize appropriate exterior lighting such as hooded lights and avoidance of excessive lighting. DHHL will encourage prospective developer(s) to use outdoor lights that are fully shielded so the bulb can only be seen from below bulb height, and only used when necessary. DHHL will advise against nighttime construction between September 15 and December 15.

PŪLEHUNUI REGIONAL INFRASTRUCTURE MASTER PLAN
Impact Mitigation Summary

Impact	Proposed Mitigation Measures to Avoid, Rectify, or Reduce Impact
	<ul style="list-style-type: none"> • DHHL will consult DLNR for any disturbance of woody vegetation taller than 15 feet • USFWS guidance will be sought/followed prior to site clearing • Appropriate lighting/shielding will be used at Pūlehunui South to mitigate impact to seabirds • Proper site drainage will avoid attracting wildlife to the property, to mitigate aircraft strike risk and avoid predation by invasive species • Specifications will be included with information for developers regarding design and landscaping that does not attract wildlife • If needed, DHHL will take appropriate measures to ensure the proper mitigation of the potential wildlife hazard and follow FAA Advisory Circular 150/5200-33B guidance • Embrace the use of native plantings
Archaeological and Historic Resources	<ul style="list-style-type: none"> • Continue consultation with SHPD • Comply with all State and County laws and rules regarding the preservation of archaeological and historic sites • DHHL and future developers will follow recommended strategies to mitigate impacts
Cultural Resources	<ul style="list-style-type: none"> • DHHL will employ mitigations recommended by the Cultural Impact Assessment to honor traditional landscape and protect cultural resources, to the extent practicable <ul style="list-style-type: none"> ○ Use traditional place names when possible in DHHL Project Area design, signage, and related materials ○ Minimize coastal resource degradation. Monitor and record rain and weather patterns ○ Increase awareness of the connectivity between the mauka and makai weather patterns of Kula Moku ○ Farm planning should consider the use of appropriate native ground cover in non-cultivated areas ○ Foster and encourage a mālama ‘āina land stewardship ethic that extends beyond the physical boundaries of DHHL’s lands ○ Prior to the initiation of land development, appropriate blessings should be carried out as the central isthmus and lower region of Pūlehunui is known as a place in which the spirits reside. ○ For the contemplated use of off-site water sources: continued consultation with Native Hawaiian communities and other stakeholders that may hold appurtenant and riparian rights within the originating watershed(s) ○ Embrace the re-introduction and cultivation of suitable native plants, in support of la‘au lapa‘au (traditional Hawaiian medicine) practices and traditional crafts ○ Consider traditional trail systems during lot design • Develop drainage plan to mitigate existing insufficient capacity

PŪLEHUNUI REGIONAL INFRASTRUCTURE MASTER PLAN
Impact Mitigation Summary

Impact	Proposed Mitigation Measures to Avoid, Rectify, or Reduce Impact
Traffic	<ul style="list-style-type: none"> • Traffic signal timing plans will be optimized • DHHL will coordinate with DOT on its fair share of improvements. • DHHL and DLNR will coordinate with DOT on Statewide Transportation Improvement Program regarding Maui Veterans Highway capacity • DHHL will coordinate with DLNR regarding proposed new intersection • Consider connections to existing and future public and multimodal transportation networks.
Sound	<ul style="list-style-type: none"> • Compliance with Chapter 11-46, HAR • Properly muffled construction equipment • Coordination with the Maui Humane Society during construction, as needed • Temporary sound barriers and other construction phase mitigations • Operational noise will comply with DOH requirements • Noise/visual buffer areas on both sides of the highway • Buffer zone design may include grade-separated bike paths and stormwater management features • Sensitive uses located away from the highway. DHHL will consider re-locating sensitive uses within the property as needed. • Setbacks will be established for hotel, commercial and light industrial uses is constructed • Sound attenuating walls and/or berms will be considered for both indoor and outdoor spaces. • HUD compliant noise study will be conducted
Air Quality	<ul style="list-style-type: none"> • Construction BMPs for air quality • DHHL will consider ways to incorporate state-of-the-art energy conservation and green practices in the development of the DHHL Project Areas
Man-made Hazards	<ul style="list-style-type: none"> • If potentially hazardous substances, pollutants, or contaminants are identified, the DOH HEER Office will be contacted • DHHL will coordinate with the DOH and USACE regarding former agricultural uses and the former NAS Pu'unēnē, and adhere to applicable technical guidance • DHHL will consult the DOH regarding any anticipated residential or other sensitive uses of the DHHL Project Areas
Visual Resources	<ul style="list-style-type: none"> • Pūlehunui North will be extensively landscaped • The majority of Pūlehunui South will be used for continued agriculture and supporting uses • Pūlehunui south will utilize appropriate exterior lighting to mitigate light pollution. Prospective developer(s) at Pūlehunui North will be encouraged to do the same.
Water System	<ul style="list-style-type: none"> • Best Management Practices are proposed for construction activities • Water efficiency and conservation measures
Irrigation Water System	<ul style="list-style-type: none"> • Utilize, to the extent possible, the major components of the existing system, to convey ditch water to Pūlehunui South

PŪLEHUNUI REGIONAL INFRASTRUCTURE MASTER PLAN
Impact Mitigation Summary

Impact	Proposed Mitigation Measures to Avoid, Rectify, or Reduce Impact
	<ul style="list-style-type: none"> Potential efficiencies depending on the selected wastewater alternative
Wastewater System	<ul style="list-style-type: none"> n/a
Drainage System	<ul style="list-style-type: none"> Best Management Practices are proposed for construction activities Interagency coordination will be considered
Solid Waste	<ul style="list-style-type: none"> Soil and rocks displaced from grading and clearing will be used as fill within the DHHL Project Areas Solid waste that may be generated during construction that cannot be repurposed or recycled will be disposed at the Central Maui Landfill Green waste will be properly disposed of Best Management Practices are proposed for construction activities After construction, DHHL will implement strategies from the County of Maui Integrated Solid Waste Management Plan (2009) for recycling options
Electrical and Telecommunications	<ul style="list-style-type: none"> Engage in energy saving strategies Consider use of alternative and renewable energy source(s) Consider connections to existing and future public and multimodal transportation networks to reduce vehicular energy consumption New electrical substation needed to support the region
Agriculture	<ul style="list-style-type: none"> Windbreaks and crop rotation will be used to reduce fallow land and exposed soils Temporary best management practices will minimize soil loss and erosion hazards during construction Compliance with Chapters 11-54 and 11-55, HAR
Socio-Economic Characteristics	<ul style="list-style-type: none"> n/a
Public Services and Facilities	<ul style="list-style-type: none"> DHHL will coordinate with Federal, State, and County agencies DHHL will consult and comply with DOE school impact fees requirements and other potential impacts to educational resources DHHL will investigate opportunities to connect with existing and future multimodal transportation networks Proper site drainage will avoid attracting wildlife to the property, to ensure aircraft safety Should unforeseen impacts arise from aircraft activities on site users which are not mitigated by the strategies described in this EIS, DHHL will consider additional measures
Cumulative Impacts	<ul style="list-style-type: none"> Noise and visual buffers for cumulative impacts can also accommodate grade-separated bike paths and provide stormwater management ecosystem services Energy-saving strategies and the use of alternative/renewable energy will be considered to mitigate secondary and/or cumulative increased energy consumption. DHHL will investigate ways to connect to existing and future public and multimodal transportation networks. Coordinate with State and County traffic control operations (including Police Department) to mitigate temporary construction impacts

PŪLEHUNUI REGIONAL INFRASTRUCTURE MASTER PLAN
Impact Mitigation Summary

Impact	Proposed Mitigation Measures to Avoid, Rectify, or Reduce Impact
	<ul style="list-style-type: none"> • Coordinate amongst the agencies party to the MOU to mitigate cumulative impacts related to construction shortages should multiple projects be under construction at the same time. The regional approach to infrastructure master planning offers the possibility of a coordinated development of water, wastewater, and traffic improvements within the Infrastructure Regional Area. •
Secondary Impacts	<ul style="list-style-type: none"> • DHHL will coordinate with public service providers such as the County Police Department, County Fire Department, and State DOE to determine and mitigate secondary impacts to public services. DHHL understands that Additional funds to support certain public services could potentially be allotted from the increased tax revenues resulting from the Proposed Action. • Energy-saving strategies and the use of alternative/renewable energy will be considered to mitigate secondary and/or cumulative increased energy consumption. DHHL will investigate ways to connect to existing and future public and multimodal transportation networks.

CLIMATE

The Proposed Action is not expected to have a significant effect on climatic conditions and no mitigation measures are proposed. To address a localized heat island effect, proposed landscaping and landscaped buffers will be integrated into the non-agricultural components of proposed improvements in Pūlehunui North and Pūlehunui South. Roughly 30 and 40 acres of open space have been assumed in the development plan to meet drainage needs at Pūlehunui North. The majority of Pūlehunui South will be used for agriculture.

GEOLOGY AND TOPOGRAPHY

To mitigate impacts to geology and topography, future design work will respect existing topography to the extent practicable. Significant landform transformations in terms of cut and fill requirements are not anticipated. All grading work will comply with applicable requirements of Chapter 20.08, Soil Erosion and Sedimentation of the Maui County Code (MCC).

The proposed drainage plan for the DHHL Project Areas is anticipated to positively impact current runoff conditions. Low-impact Development (LID) strategies will be considered at the DHHL Project Areas, which would further mitigate potential impacts.

While the Proposed Action will alter how the land is currently used, the proposed improvements are not expected to significantly impact the overall geological character of the region. Construction activities, such as grading, may alter the topography of Pūlehunui North and Pūlehunui South to accommodate the Proposed Action and address potential flooding concerns. Appropriate engineering, design and construction measures will be implemented to minimize potential erosion due to grading of soils during construction. All grading work will comply with applicable requirements of Chapter 20.08, Soil Erosion and Sedimentation of the Maui County Code (MCC).

The agencies party to the MOU may wish to collaborate on earthwork; some projects may create excess cut, while others may require fill material.

NATURAL HAZARDS

To mitigate potential impacts from natural hazards, no habitable structures will be built in the Zone AE portion of Pūlehunui South. Significant adverse effects with respect to flood and tsunami hazards are not anticipated as a result of the Proposed Action. The Pūlehunui community will not exacerbate any hazard conditions. Potential damage caused by earthquakes and hurricanes will be mitigated, for structures constructed in compliance with the County Building Code.

According to the Hawai'i Sea Level Rise Vulnerability and Adaptation Report (Hawai'i Climate Change Mitigation and Adaptation Commission, 2017), the DHHL Project Areas would not be directly impacted by 3.2 feet of Sea Level Rise.

SOILS

By reinstating agriculture at the currently-fallow Pūlehunui South, the Proposed Action will allow for better maintenance of the property through the active management and irrigation of soils and productive agriculture operations. The return of Pūlehunui South to agricultural uses will provide mitigation for long term soil erosion through use of windbreaks and crop rotation cycles that avoid leaving fallow land open and exposed to wind.

Construction phase mitigations for impacts to soil resources in the DHHL Project Areas include the following best management practices (BMPs) which will be considered by contractors:

- Prevent cement products, oil, fuel and other substances from falling or leaching into the ground. Remove all construction debris and toxic substances daily to prevent entry into the ground.
- Maintain vehicles and equipment to prevent oil or other fluids from leaking. Concrete trucks and tools used for construction should be rinsed offsite.
- Properly install and maintain erosion control barriers such as silt fencing or straw bales.
- Disturb the smallest area possible.
- Retain ground cover until the last possible date. Stabilize denuded areas by sodding or planting as soon as possible. Use high seeding rates to ensure rapid stand establishment.
- Apply any pesticides only during dry periods or low rainfall to minimize chemical runoff (applied only by certified applicators).
- Keep runoff onsite.
- Construction exceeding one acre is required to comply with National Pollutant Discharge Elimination System (NPDES) permitting requirements.

Contractors will be required to provide BMPs as part of their contracts.

STREAMS AND SURFACE WATER

None of the water or irrigation alternatives for the Proposed Action propose any amendment or alteration to the existing interim instream flow standards (IIFS). The contemplated alternatives would service the Infrastructure Regional Study Area without preventing attainment of the IIFS.

The Proposed Action is not anticipated to adversely impact downgradient perennial streams, major drainageways, wetlands or waterbodies (and in particular Keālia Pond). There will be no increase in runoff

from the proposed development of either Pūlehunui North or Pūlehunui South towards Keālia Pond. Rather, the proposed drainage plan for the DHHL Project Areas is anticipated to positively impact current runoff conditions. Low-impact Development (LID) strategies will be considered at the DHHL Project Areas, which would further mitigate potential impacts.

To mitigate impacts to surface and groundwater resources, the following best management practices (BMPs) will be considered by contractors during the construction phase:

- Prevent cement products, oil, fuel and other substances from falling or leaching into the ground. Remove all construction debris and toxic substances daily to prevent entry into the ground.
- Maintain vehicles and equipment to prevent oil or other fluids from leaking. Concrete trucks and tools used for construction should be rinsed offsite.
- Properly install and maintain erosion control barriers such as silt fencing or straw bales.
- Disturb the smallest area possible.
- Retain ground cover until the last possible date. Stabilize denuded areas by sodding or planting as soon as possible. Use high seeding rates to ensure rapid stand establishment.
- Apply any pesticides only during dry periods or low rainfall to minimize chemical runoff (applied only by certified applicators).
- Keep runoff onsite.
- Construction exceeding one acre is required to comply with National Pollutant Discharge Elimination System (NPDES) permitting requirements.
- Contractors will be required to provide BMPs as part of their contracts.

Any potential impacts to Class A waters caused by the construction and/or operation of the proposed action will meet the provisions of the: a) anti-degradation policy (Chapter 11-54-1.1, HAR); b) designated uses (Chapter 11-54-3, HAR); and c) water quality criteria (Chapter 11.54-4 through 11-54-8, HAR).

Pursuant to the Clean Water Act, a Section 401 Water Quality Certification from the State Department of Health, Clean Water Branch will be obtained if it is determined that the proposed action may result in any discharge into navigable waters or as otherwise triggered.

All discharges related to the construction and operation of the proposed action will comply with the State's Water Quality requirements contained in Chapters 11-54 and 11-55, HAR.

Water efficiency strategies will help to mitigate the impacts of the Proposed Action on water resources, and DHHL will consider the following:

- Design buildings and landscaped areas to reduce overall water demand as much as possible.
- Use the most appropriate water quality for the projected need (balance potable and non-potable uses).
- From a regional infrastructure standpoint, it is noted that post-treatment products such as RO concentrate or R-1 recycled water, or untreated non-potable water could be used to irrigate certain areas, thereby decreasing overall potable system demand.
- Opportunities to reduce projected demands by installing rainwater catchment systems will be considered. (Given rainfall rates of 11 to 13 inches per year it is not anticipated that stormwater will be a dependable source of irrigation water. However, DHHL is open to considering potential alternative water sources such as rainwater catchment.
- Other opportunities to increase overall system efficiency may exist and DHHL will consider any that may be feasible.

Site users at the DHHL Project Areas will be encouraged to consider the following water conservation measures:

- Facility design to maximize water efficiency;
- Water efficient fixtures;
- Dual flush toilets;
- Leak detection sensors and alarms;
- Minimizing landscaped areas requiring extensive irrigation;
- Use of landscaping materials with low water needs (xeriscaping and embracing the use of native plants);
- Smart irrigation systems and moisture sensing feedback technology; and
- Use of automatic drip irrigation as the predominant delivery system.

FLORA

Note: Widespread fires in Central Maui in July 2019 appear to have removed essentially all vegetation at the DHHL Project Areas. Mitigation strategies as put forth in the Final EIS are below but may be subject to change per agency consultation.

There is little of botanical concern at the DHHL Project Areas. The Proposed Action is therefore not expected to have any significant negative impact on the botanical resources in this part of Maui. No mitigations were recommended regarding the botanical resources in the DHHL Project Areas.

DHHL will embrace the use of native plants as a means of water conservation and to support cultural practices; this may positively impact flora resources. DHHL will also adhere to all applicable requirements of §103D-408, HRS Hawaiian plants; use in public landscaping. In general, DHHL embraces the use of native plantings and acknowledges the risks of moving soil and plant material between the islands.

FAUNA

Note: Widespread fires in Central Maui in July 2019 appear to have removed essentially all vegetation at the DHHL Project Areas. Mitigation strategies as put forth in the Final EIS are below but may be subject to change per agency consultation.

PŪLEHUNUI SOUTH FAUNA

One 'ōpe'ape'a or Hawaiian bat was positively detected in the northwest corner of Pūlehunui South. To mitigate potential impacts to the 'ōpe'ape'a, contractors at the DHHL Project Areas will be instructed to avoid site clearing activities between June 1 through September 15. If site clearing must occur during this time, the DLNR Division of Forestry and Wildlife will be consulted before disturbance, removal or trimming of woody vegetation taller than 15 feet. Furthermore, the bats forage for insects as low as three feet to higher than 500 feet above the ground, and therefore barbed wire will not be used for fencing to mitigate harm to the bats caused by entanglement.

No Endangered Blackburn's sphinx moth (*Manduca blackburni*) adults, larvae or eggs were observed at Pūlehunui South during the biological survey. While tree tobacco plants are considered to be weeds in Hawai'i, they have been given federal protections when they are in association with the Endangered Blackburn's sphinx moth eggs and larvae. These plants should be examined again between November and April (the latter part of the wet season) to get a more definitive reading of their presence or absence. USFWS guidance will be followed and, if necessary, consultation with the USFWS will be sought prior to site clearing to address an appropriate plan for removal of existing tobacco plants on the Pūlehunui South

property. (The USFWS will be contacted for additional guidance, should moths or host plants over three feet in height be identified. DHHL notes that should no moths or host plants be identified, USFWS has indicated that measures should be taken to avoid attracting moths and prohibit tree tobacco from entering the property.)

No nēnē were seen during the survey but they could be attracted to rain puddles. Their use of the Pūlehunui South will be greatly lessened by the cessation of field irrigation. If nēnē are present, they should not be bothered or harassed and should be allowed to leave at their own convenience.

No seabirds were identified at Pūlehunui South. However seabirds in the general vicinity may traverse the DHHL Project Areas at night during the breeding, nesting and fledging seasons (March 1 to December 15). Species of such seabirds may include the Hawaiian petrel (*Pterodroma sandwichensis*), band-rumped storm-petrel (*Oceanodroma castro*), and the threatened Newell's shearwater (*Puffinus newelli*). To mitigate impacts to seabirds, Pūlehunui South will utilize appropriate exterior lighting such as hooded lights and avoidance of excessive lighting. Where feasible, outdoor lights at Pūlehunui South will be fully shielded so the bulb can only be seen from below bulb height, and only used when necessary. Nighttime construction will not occur between September 15 and December 15.

DHHL acknowledges that standing water may create a potential wildlife attractant thereby presenting a bird-strike risk to aircraft flying in the region, as well as potentially attracting vulnerable birds to areas inhabited by non-native predators. The occasions that detention basins will contain standing water for long periods of time are anticipated to be minimal. At the request of DOT-AIR, DHHL will specify to prospective developers and other site users that design and landscaping at the DHHL Project Areas should not attract wildlife. Should wildlife be determined to present a potential hazard to aircraft, DHHL will take appropriate measures to ensure the proper mitigation of the potential wildlife hazard. DHHL notes FAA Advisory Circular 150/5200-33B, Hazardous Wildlife Attractants on or Near Airports, provides guidance for developments and wildlife management near airports.

Proper eradication of any rodents will occur in compliance with HAR Chapter 11-26 prior to site clearing at the DHHL Project Areas.

PŪLEHUNUI NORTH FAUNA

No Endangered Hawaiian hoary bats were detected during the survey of Pūlehunui North. Nevertheless, to mitigate potential impacts to the 'ōpe'ape'a, contractors at the DHHL Project Areas will be instructed to avoid site clearing activities between June 1 through September 15. If site clearing must occur during this time, the DLNR Division of Forestry and Wildlife will be consulted before disturbance, removal or trimming of woody vegetation taller than 15 feet. Furthermore, the bats forage for insects as low as three feet to higher than 500 feet above the ground, and therefore barbed wire will not be used for fencing to mitigate harm to the bats caused by entanglement.

Proper eradication of any rodents will occur in compliance with HAR Chapter 11-26 prior to site clearing.

No Blackburn's sphinx moths, their eggs or larvae were found in Pūlehunui North. These plants should be examined again between November and April (the latter part of the wet season) to get a more definitive reading of their presence or absence. USFWS guidance will be followed and, if necessary, consultation with the USFWS will be sought prior to site clearing to address an appropriate plan for removal of existing tobacco plants. (The USFWS will be contacted for additional guidance, should moths or host plants over three feet in height be identified. DHHL notes that should no moths or host plants be

identified, USFWS has indicated that measures should be taken to avoid attracting moths and prohibit tree tobacco from entering the property.)

The biological survey noted that the habitat in this area is not suitable for any of Hawai'i's native forest birds, water birds or seabirds. However seabirds in the general vicinity may traverse the DHHL Project Areas at night during the breeding, nesting and fledging seasons (March 1 to December 15). Species of such seabirds may include the Hawaiian petrel (*Pterodroma sandwichensis*), band-rumped storm-petrel (*Oceanodroma castro*), and the threatened Newell's shearwater (*Puffinus newelli*). To mitigate impacts to seabirds, prospective developer(s) at Pūlehunui North will be encouraged to utilize appropriate exterior lighting such as hooded lights and avoidance of excessive lighting. DHHL will encourage prospective developer(s) to use outdoor lights that are fully shielded so the bulb can only be seen from below bulb height, and only used when necessary. DHHL will advise against nighttime construction between September 15 and December 15.

DHHL acknowledges that standing water may create a potential wildlife attractant thereby presenting a bird-strike risk to aircraft flying in the region, as well as potentially attracting vulnerable birds to areas inhabited by non-native predators. It is highly unlikely that detention basins will contain standing water in the event of a storm, and any standing water is anticipated to be minimal. At the request of DOT-AIR, DHHL will specify to prospective developers and other site users that design and landscaping at the DHHL Project Areas should not attract wildlife. Should wildlife be determined to present a potential hazard to aircraft, DHHL will take appropriate measures to ensure the proper mitigation of the potential wildlife hazard. DHHL notes FAA Advisory Circular 150/5200-33B, Hazardous Wildlife Attractants on or Near Airports, provides guidance for developments and wildlife management near airports.

ARCHAEOLOGICAL AND HISTORIC RESOURCES

Department of Hawaiian Home Lands and its archaeological contractors will comply with all State and County laws and rules regarding the preservation of archaeological and historic sites. Should historic remains such as artifacts, burials, concentrations of shell or charcoal be inadvertently encountered during the construction activities, work will cease immediately in the immediate vicinity of the find and the find will be protected. The archaeological contractor shall immediately contact SHPD, which will assess the significance of the find and recommend appropriate mitigation measures, if necessary.

PŪLEHUNUI NORTH

SHPD will be consulted regarding the existing Archaeological Inventory Surveys (AIS) for Pūlehunui North, prior to the developer(s) applying for any permits for that property. For both Facility 51 and Facility 74, Xamanek recommended a preservation plan or, in the event that the buildings cannot be preserved, consultation with DLNR State Historic Preservation Division (SHPD). Precautionary monitoring for earthmoving activities was also recommended for excavation deeper than 1.5 feet, since some portions of the property were untested due to sugar cane occupying the area. For Facility 100, Xamanek recommended a preservation plan. In the event that the building cannot be preserved, Xamanek recommended Historic American Buildings Survey (HABS) and Historic American Engineering Record (HAER)-level data recovery. In the event that the building will be demolished, Xamanek recommended prior consultation with SHPD. Precautionary monitoring for excavation deeper than two feet was also recommended; while no intact cultural deposits were encountered, shellfish and coral were observed at the ground surface in some portions of Parcel 36. Therefore, cultural materials may be located below the plow zone. The buildings are associated with events that have made an important contribution to the broad patterns of our history (Criterion A) and have yielded or are likely to yield important information

for research on prehistory or history (Criterion D). The buildings are eligible for the National Historic Places because they embody the distinctive characteristics of a type, period, or method of construction; represent the work of a master; or possess high artistic value (Criterion C). All three buildings are constructed of concrete and are in fair or better condition, and therefore should be considered for future use. Previous challenges to these historical resources include trespassing, vandalism such as graffiti, and illegal occupancy. However, structurally-speaking, all three Facilities were in fair condition or better at the time of the survey. If secured and maintained, the buildings are an asset to the property and may be repurposed and integrated into future Site uses, potentially as a hurricane shelter or other emergency use, due to the high quality of construction and low flooding concern.

PŪLEHUNUI SOUTH

‘Āina Archaeology is assisting DHHL in initiating HRS Chapter 6E consultation for Pūlehunui South. Recommended mitigations will be provided for each feature at Pūlehunui South, based on significance criteria, building condition, and integrity. Former uses will be taken into consideration as plans for the DHHL Project Areas progress. DHHL’s environmental consultant is aware of the former uses at Feature K and the Department of Health will be consulted prior to any ground disturbance in the vicinity of Feature K. Refer also to mitigation under “Man-Made Hazards”.

Prior to development of each phase of the Proposed Action, additional historical research, consultation, and/or archaeological inventory surveys may need to be conducted in order process grading and building permits.

CULTURAL RESOURCES

No physical alteration of cultural resources, practices or beliefs are anticipated within the DHHL Project Areas.

The CIA recommended cultural mitigations with the goal of honoring the traditional landscape while protecting cultural resources. These recommendations are summarized below and DHHL will employ these strategies to the extent practicable:

- Use traditional place names when possible in DHHL Project Area design, signage, and related materials.
- Minimize coastal resource degradation that may result from flooding (the PER will assist greatly in this effort). Monitor and record rain and weather patterns which may assist with future land use decisions.
- Increase awareness of the connectivity between the mauka and makai weather patterns of Kula Moku.
- As a part of farm planning, the use of appropriate native ground cover in non-cultivated areas should be considered to minimize dust pollution that may result from modern agricultural practices and carried by the winds through the central valley.
- Foster and encourage a mālama ‘āina land stewardship ethic that extends beyond the physical boundaries of DHHL’s lands. Strategies to accomplish this could include BMP monitoring/enforcement, continued agency consultation, and environmental outreach/education programs where possible. Prospective developers or tenants at Pūlehunui North who embrace this land ethic should be favorably considered from a cultural standpoint.
- Prior to the initiation of land development, whether residential, business, or agriculture, appropriate blessings should be carried out as the central isthmus and lower region of Pūlehunui is known as a place in which the spirits reside. As water from off-site resources continues to be

investigated as a possible water source, the CIA recommended continued consultation with Native Hawaiian communities and other stakeholders that may hold appurtenant and riparian rights within the originating watershed(s).

- Embrace the re-introduction and cultivation of suitable native plants, in support of la‘au lapa‘au (traditional Hawaiian medicine) practices and traditional crafts.
- Consider traditional trail systems during lot design. The DHHL Project Areas have not been used for traditional trail access within the last century; this mitigation embraces a revival of trail system access to the shoreline, as well as between Waikapū and upland Kula.

To address potential concerns related to drainage, it is noted that with the proposed drainage improvements for Pūlehuui South the total onsite runoff from that property will be reduced by 96 percent compared to existing conditions. The remaining flow in the unnamed gulch (which is generated from almost 2,000 acres outside the Infrastructure Regional Study Area) will flow through the existing gulch and directed to existing culverts at Maui Veterans Highway. Refer also to mitigation under “Drainage System”.

ROADWAYS AND TRAFFIC

Base Year 2038

Projections for Base Year 2038 traffic included increases generated by a 2.1 percent annual growth rate along Maui Veterans Highway and numerous developments forecast to be completed within the vicinity of the DHHL Project Areas. These nearby developments include the DLNR Industrial and Business Park, Pu‘unēnē Heavy Industrial Subdivision, Maui Regional Public Safety Complex (MRPSC), Central Maui Baseyard Expansion, Pi‘ilani Promenade, Maui Bay Villas (formerly Maui Lū), Kīhei High School, Maui Business Park Phase II, Kīhei Residential, Kaiwahine Village, Kenolio Apartments, Maui Research & Technology Park, Krausz Downtown Kīhei, Liloa Village, South Maui Community Park, Alahele Subdivision.

Various widening improvements are proposed at the Maui Veterans Highway/Mehameha Loop (North)/Kama‘āina Road intersection as part of the development of the Pu‘unēnē Heavy Industrial Subdivision. The State of Hawai‘i Department of Transportation’s (DOT) *Federal Aid Highways 2035 Transportation Plan for the District of Maui* (Plan) dated July 2014 (“DOT 2035 Transportation Plan”) estimated that by the year 2035, traffic volumes on Maui Veterans Highway will increase by over 80 percent due to nearby population and land development growth in the area. To increase highway capacity and accommodate this traffic growth, the DOT 2035 Transportation Plan conceptually identified the widening of Maui Veterans Highway to construct two additional travel lanes on Maui Veterans Highway from Kuihelani Highway in Kahului to Pi‘ilani Highway in Kīhei as a potential need by Year 2035. It should be noted that this Maui Veterans Highway Widening improvement is currently not a DOT-funded or programmed project. Because it is currently not a funded improvement and is not programmed in the latest Statewide Transportation Improvement Program, this widening improvement was not included in the TIAR; the TIAR does not assume its implementation by 2038.

Future Year 2038

For purposes of the TIAR, a forecast Year 2038 was used to analyze the full impacts of the Pūlehuui Regional Subdivision, which includes the DHHL Project Areas, DLNR Industrial and Business Park, Maui Regional Public Safety Complex (MRPSC) and Pu‘unēnē Heavy Industrial Subdivision.

Upon completion of the DHHL Project Areas, traffic in the study area is expected to increase over Base Year 2038 conditions. For purposes of the traffic analysis, widening improvements along Maui Veterans Highway were recommended at each study intersection based on LOS analysis for Future Year 2038. As a result of the increase in traffic volumes, several roadway improvements are recommended with the DHHL Project Areas.

The signal timing plans at Maui Veterans Highway/Mehameha Loop (North)/ Kama'āina Road, Maui Veterans Highway/DHHL North Access/DLNR Access and Maui Veterans Highway/Mehameha Loop (South)/Pūlehunui Motorsports Park Access Road intersections should be optimized to provide favorable throughput progression along Maui Veterans Highway.

Due to the uncertainty of DOT's Maui Veterans Highway widening improvement (as mentioned previously), DHHL will coordinate with DOT on its fair share of improvements. Based on a comparison of DHHL Project Area traffic increase to total Future Year 2038 forecast traffic, the DHHL Project Areas will constitute approximately 14 percent of all traffic, based on its composite average increase for all peak hours of traffic.

Traffic generated by the DHHL Project Areas will not contribute significantly to regional traffic nor cause unacceptable delay time at the studied intersections by the completion of the Proposed Action (Future Year 2038). While vehicle delays at the studied intersections are expected to increase as a result of the Proposed Action, the anticipated vehicle wait time does not vary significantly from future year conditions without the Proposed Action (Base Year 2038) and the study intersections will continue to operate within reasonable wait times (LOS D or better).

In addition to the improvements described above the County of Maui's *Maui Island Plan* conceptually identifies two future regional roadways that may further alleviate traffic conditions in the region: the Upcountry-Kīhei Corridor and the Kīhei Mauka Bypass Collector Road. While these two roadways have not yet been funded or designed and therefore are excluded from the TIAR analysis, they are considered qualitatively as a regional roadway solution. The Upcountry-Kīhei Corridor is a new future bypass road that will provide a more direct connection between Kīhei and the upcountry areas of Haleakalā. This bypass could substantially reduce north-south traffic along Maui Veterans Highway. The Kīhei Mauka Bypass Collector Road roadway alignment and termination points are not defined, however the anticipated land uses at Pūlehunui South do not preclude accommodation of the Kīhei Mauka Bypass Collector Road through roadway easements and/or right-of-way acquisition. DHHL is open to coordination with other agencies to further explore accommodating the Kīhei Mauka Bypass Collector Road.

SOUND

Construction-Related Noise

The Proposed Action will comply with all applicable rules and provisions including those of Chapter 11-46, HAR. If noise created during the construction phase of the proposed action is expected to exceed the maximum allowable levels, then a noise permit will be obtained before the commencement of work.

The use of properly muffled construction equipment should be required on all job sites. The incorporation of DOH construction noise limits and curfew times, which are applicable throughout the State of Hawai'i is another noise mitigation measure. Noisy construction activities are not allowed on Sundays and

holidays, during the early morning, and during the late evening and nighttime periods under the DOH permit procedures.

Construction noise impacts are possible at the Maui Humane Society due to the relatively small (350 ft) buffer distance to Pūlehunui North. Special coordination procedures between the construction contractor and the animal caretakers may be required during close-in site preparation activities. The use of temporary sound barriers (wooden walls, bumper-to-bumper buses with closure panels, etc.) or even portable air conditioning equipment could provide additional sound attenuation during site preparation activities.

Operational Related Noise

By existing DOH regulations, fixed noise machinery on commercial and industrial buildings within DHHL Project Areas may emit sound levels continuously during the day and night, as long as their sound levels do not exceed 70 dBA at or beyond the lot property boundaries. Risks of adverse noise impacts from onsite noise sources are considered to be minimal. The study recommended that noise mitigation measures which limit the noise from fixed mechanical equipment to those allowed by the DOH should be required of all tenants within the DHHL industrial and commercial areas.

Vehicular Noise

The dominant traffic noise in the DHHL Project Areas will continue to be traffic along Maui Veterans Highway, with the increases in future traffic noise levels from the Pūlehunui North and South project-generated traffic being relatively small along this roadway, and primarily associated with non-project traffic.

Within Pūlehunui South, a planned 1,900 foot buffer distance to the highway's centerline will mitigate future traffic noise levels at the planned agricultural homesteads, which is predicted to not exceed 55 DNL by 2038 and will be controlled by traffic moving within Pūlehunui South and on perimeter roadways. The area designated for Education within Pūlehunui South is planned to be located with minimum 750 foot buffer distance from the centerline of Maui Veterans Highway. The lots adjacent to the highway right-of-way designated for Culture and Arts within Pūlehunui South are expected to be exposed to incompatible traffic noise levels from Maui Veterans Highway, which exceed 65 DNL. The lots adjacent to the highway right-of-way and designated for commercial uses within Pūlehunui South are predicted to be exposed to traffic noise levels between 65 and 70 DNL, which is considered to be "Marginally Compatible" but not "Incompatible". Traffic noise levels at the interior lots of the Culture and Arts and Commercial portions of Pūlehunui South will probably become "Compatible" for their planned uses as man-made structures provide noise shielding effects from the highway noise. The use of sound attenuating walls and/or berms may also be used as a traffic noise mitigation measure for both indoor and outdoor spaces, and DHHL will consider re-locating sensitive uses within the property as needed. Traffic noise levels at the planned industrial lots within Pūlehunui South should be "Compatible" due to their larger setbacks from the highway. Risks of adverse noise impacts from future traffic noise are considered to be low for all uses within Pūlehunui South, except at the Culture and Arts frontal lots.

Pūlehunui North includes a possible hotel (at the discretion of a future developer) in addition to commercial/light industrial uses. The hotel should be "Compatible" with 2038 highway noise levels as long as a minimum 215 feet setback is maintained from the centerline of the highway, so as to not exceed 65 DNL. If a Hotel is developed, it will likely include air conditioning, which means that windows will be closed and serve to attenuate noise from traffic along Maui Veterans Highway and stationary noise from other uses at Pūlehunui North. Commercial/Light Industrial uses on Pūlehunui North should not be exposed to

“Incompatible” highway noise levels of 75 DNL because of their minimum setback distance of 110 feet from the highway centerline. Risks of adverse noise impacts from future traffic noise at Pūlehunui North are considered to be very low. In addition, the use of sound attenuating walls and/or berms may also be used as a traffic noise mitigation measure for both indoor and outdoor spaces.

PMP Noise

Noise from Pūlehunui Motorsports Park (PMP) are predicted to be audible at noise sensitive receptors within the DHHL Project Areas. While lands designated for agricultural or industrial uses can technically be compatible with outdoor noise exposure levels as high as 76 DNL, residences or other noise sensitive receptors located on these lands could react unfavorably when exposed to such high intermittent noise levels, as were measured at PMP. Because noise during drag racing events at PMP will probably be audible at noise sensitive locations at Pūlehunui South, and because future residences are potential receptors at these locations, there is a risk that noise complaints may occur regarding these noise producing activities at PMP. As the use of closure and air conditioning is anticipated at the hotel, risks of adverse noise impacts from PMP are considered to be low at the hotel. A HUD compliant noise study will be conducted to determine whether the FHA/HUD noise standard of 65 DNL will be exceeded at noise sensitive uses at Pūlehunui South.

To mitigate potential impacts of PMP activities on potential residences and other sensitive noise receptors that may be associated with the proposed land uses, a noise study that meets the requirements of 24 CFR Part 51, Subpart B will be conducted prior to construction of buildings that will house any such uses. The study will address noise standards and any appropriate mitigation required under 24 CFR Part 51, Subpart B. Following the recommendation of the Acoustic Study, disclosure about the audibility of the PMP’s activities will be provided to future users at the DHHL Project Areas.

Pu’unēnē Armory Noise

Pu’unēnē Armory activities are not anticipated to impact or be impacted by the DHHL Project Areas as the DHHL Project Areas are located a minimum of 200 feet from the armory (and farther from the armory’s landing pad) and will include visual and noise buffers as discussed previously. Based on the information provided in the Final EA for the armory, the helipad would accommodate two takeoffs and two landings per month (total 24 events per year). Annual exercises would involve three to five takeoffs and three landings (maximum 8 events over a two-week period). Therefore the maximum number of takeoff or landing events would be 32 per year. Per the EA, these events would not occur at night, thereby further reducing acoustical impacts. Based on this information, noise levels under the landing track are not anticipated to exceed 55 DNL.

With the recommended mitigation measures, the proposed development of the DHHL Project Areas is not anticipated to have an adverse impact on noise in the vicinity of the Infrastructure Regional Study Area.

AIR QUALITY

Construction-Related Impacts

Measures to control or mitigate impacts to air quality during construction include:

- The construction contractor should use water or suitable chemicals to control fugitive dust in the demolition of any existing buildings or structures, construction operations, the grading of roads, or the clearing of land.
- The construction contractor should apply asphalt, water, or suitable chemicals on roads, material stockpiles, and other surfaces which may result in fugitive dust.

- The construction contractor should cover all moving, open-bodied trucks transporting materials which may result in fugitive dust.
- The construction contractor should maintain roadways in a clean manner.
- The construction contractor should promptly remove earth or other materials from paved streets which have been transported there by trucking, earth-moving equipment, erosion, or other means.
- Staging areas should be located away from on-site residential land uses.
- On-site electricity should be obtained from the electrical grid rather than temporary diesel or gasoline generators.
- Equipment and vehicle engines should be maintained in good condition and in proper tune per manufacturers' specifications.
- All construction equipment and delivery vehicles should be turned off when not in use or prohibit idling in excess of five minutes. Haul trucks in particular that stage waiting to be called to remove dirt from the site should not be allowed to idle while queuing.
- Land uses sensitive to air pollution (e.g., residences, educational facilities, and hotels) should not be located within 1,000 feet of a distribution center that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week).

Additional dust control measures to be considered include, but are not limited to, the following:

- Planning the different phases of construction, focusing on minimizing the amount of dust-generating materials and activities, centralizing on-site vehicular traffic routes;
- Providing an adequate water source at the site prior to start-up of construction activities;
- Landscaping and providing rapid covering of bare areas, including slopes, starting from the initial grading phase; and
- Providing adequate dust control measures during weekends, after hours, and prior to daily start-up of construction activities

Operational-Related Regional Emissions

The proposed action includes the development of on-site sensitive receptors such as residences and educational facilities planned for Pūlehunui South and a hotel planned for Pūlehunui North. The nearest off-site sensitive receptors are residential areas located approximately 0.4 miles to the southwest and 0.5 miles to the south-southeast. There is no potential for on-site emissions to affect local land uses. Regarding regional emissions, the DHHL Project Areas are located in an Attainment/Unclassified area for all National Ambient Air Quality Service (NAAQS) and regional air quality is good. There is no potential for the proposed uses in the DHHL Project Areas to substantially affect regional air quality.

Operational-Related Localized Emissions

The Proposed Action does not include a source of direct pollutant emissions. Indirect source of emissions includes off-site electrical generation activities (if the energy source is non-renewable) and tailpipe emissions from on-road vehicles. Although the Proposed Action includes development within the DHHL Project Areas, the anticipated land uses include 30 to 40 acres for open space at Pūlehunui North and majority agricultural uses at Pūlehunui South. DHHL will consider ways to incorporate state-of-the-art energy conservation and green practices in the development of the DHHL Project Areas. Development of the DHHL Project Areas would not interfere with the development of clean energy supplies.

The U.S. EPA has published guidance on prevention of carbon monoxide (CO) “hot spots” at congested intersections resulting from idling and slow-moving vehicles. The guidance focuses on the avoidance of localized spikes in CO concentrations causing violations of the ambient air quality standards. Screening results for CO dispersion modeling exercise determined that an intersection experiencing a peak hour volume would not produce large enough CO concentrations to be a pollutant of concern, which is also evident by the lack of monitoring in the region. There is no potential for the proposed uses in the DHHL Project Areas to result in a CO hot spot.

MAN-MADE HAZARDS

DHHL notes that the Department of Health Hazard Evaluation and Emergency Response Office (HEER Office) provides leadership, support, and partnership in preventing, planning for, responding to, and enforcing environmental laws relating to releases or threats of releases of hazardous substances. If potentially hazardous substances, pollutants, or contaminants are identified, the HEER Office will be contacted to determine the appropriate actions to comply with the relevant environmental laws, including Chapters 11-260 to 11-280, HAR, relating to hazardous waste. If potential construction sites are found to be contaminated, then all removal and remedial actions to clean up hazardous substance or oil releases by past and present owners/tenants must comply with State Law (Hawai‘i Revised Statutes, Chapter 128D, “Environmental Response Law”, Chapter 451, “State Contingency Plan”).

Former uses including military and agricultural uses will be taken into consideration as plans for the DHHL Project Areas progress. DHHL’s environmental consultant is aware of the former uses at Feature K and the Department of Health will be consulted prior to any ground disturbance in the vicinity of Feature K. As plans for the DHHL Project Areas progress, a Phase II ESA and/or other investigations may be appropriate depending on site plans, building footprints, and other details. At the appropriate stage(s) in the development process, DHHL will coordinate with the DOH and USACE regarding other possible former uses at the former NAS Pu‘unēnē and will adhere to applicable technical guidance. DHHL will consult the DOH regarding any anticipated residential or other sensitive uses of the DHHL Project Areas including areas formerly under agriculture production. DHHL will adhere to DOH guidance regarding pesticide contamination.

In accordance with Hawai‘i Administrative Rules Title 11, Department of Health, Chapter 58.1 (HAR §11-58.1) property owners are responsible for “removing accumulated solid waste to an approved solid waste disposal facility.” As of the writing of the Phase I ESA for Pūlehunui North, arrangements had been made to remove the aforementioned drums from the site with proper disposal. Any removal of solid waste from the site will be done in accordance with the relevant State laws, referenced above.

Proposed uses at the DHHL Project Areas are not anticipated to create any man-made hazards.

VISUAL RESOURCES

The Proposed Action will not impact any Scenic Corridors identified in the Maui Island Plan. Pūlehunui North will change the visual character of the property from vacant lands to income-generating land uses, such as commercial and/or industrial uses. However, Pūlehunui North will be extensively landscaped as part of the development improvements which will ensure visual buffering and softening of the built landscape. It is likely that those in vehicles travelling along Maui Veterans Highway will be focusing their attention on the road, the West Maui Mountains, and/or Haleakalā. The majority of Pūlehunui South will be used for agriculture and supporting uses, with some of its open space supporting agricultural crops selected to avoid impacting visual resources or business visibility.

Another potential impact concerns the use of exterior lighting and the potential for light pollution. Prospective developer(s) at Pūlehunui North will be encouraged to utilize appropriate exterior lighting such as hooded lights and avoidance of excessive lighting, to mitigate visual impacts such as light pollution. Pūlehunui South will utilize appropriate exterior lighting.

WATER SYSTEM

DHHL consulted the Maui County Department of Parks and Recreation (DPR) on the EISPN and received a comment that DPR is creating a master plan for the Pūlehunui Motorsports Park (PMP). DPR further commented that the PMP currently lacks infrastructure for potable water, wastewater, electricity, storm water management, communication, or other basic services. Given its proximity to the Infrastructure Regional Study Area and anticipated continued use as a motorsports park, DHHL’s engineering and traffic studies for the Proposed Action will take into account the water, wastewater, and traffic demand generated by the PMP (in addition to the parties to the MOU). DHHL therefore anticipates a positive impact to the DPR PMP by partially supporting its infrastructure needs. DHHL anticipates further positive impacts to regional infrastructure because the Proposed Action could accommodate projected infrastructure needs of not just State agencies, but a County agency as well.

The Preliminary Engineering Report (PER) prepared for the Proposed Action assessed three alternatives for water supply. These alternatives would provide water for potable, non-potable and fire protection purposes for most of the Infrastructure Regional Study Area’s needs. A separate non-potable system would supply irrigation water to lands at Pūlehunui South.

Water System Alternatives

Alternative	Water Source	Treatment	Location
1	County water (DWS)	n/a	n/a
2A	EMI existing ditch system (new raw water reservoir)	New membrane filtration facility	DLNR Industrial and Business Park, southern boundary
2B	EMI existing ditch system (existing HC&S Reservoir 90)	New membrane filtration facility	Pūlehunui South, northeastern boundary
3A	New offsite skimming well	New reverse osmosis facility	DLNR Industrial and Business Park, northeast portion
3B	New offsite skimming well	New reverse osmosis facility	Pūlehunui South, northeastern boundary (same as 2B)

Alternative 1 is based on the assumption that water for the Infrastructure Regional Study Area will be provided by the DWS via a connection to the DWS’ existing water system. Alternative 2 is based on the development of a surface water treatment plant (S-WTP) that would treat surface water from East Maui Irrigation’s (EMI’s) existing ditch system¹. Alternative 2 would be privately owned and operated and would require construction of new waterlines and storage tanks. Alternative 3 is similar to Alternative 2, except that the source of water would be brackish water from an offsite skimming well similar to existing A&B irrigation wells previously used for sugar cane irrigation in the area.

¹ Mahi Pono LLC is in the process of acquiring A&B’s interest in East Maui Irrigation Company, LLC. Currently Mahi Pono is a part-owner of EMI, along with A&B.

PREFERRED ALTERNATIVE

The preferred regional water system alternative may be Alternative 1, which is to have DWS supply water for the Infrastructure Regional Study Area. However DHHL is still evaluating the range of water alternatives described above. A major advantage of Alternative 1 would be that DWS owns and operates their water system and therefore State users of the system would not need to construct or operate a water treatment facility. With Alternatives 2 and 3, a private company would need to be hired to operate the on-site treatment facilities. An additional advantage to Alternative 1 is that the Proposed Action would be serviced by a large water system which can more easily accommodate disruptions in the system, e.g., a power failure at a well or a treatment facility. From a cost standpoint, Alternative 1 may be favorable pending further research. Despite these advantages, Alternative 1 is also the alternative with the greatest uncertainty with respect to implementation timeframes as it relates to offsite storage tank and new source development requirements. DHHL will coordinate with the County of Maui Department of Water Supply (DWS) before identifying a preferred water alternative.

DHHL expects that a regional approach to water infrastructure will be preferred, unless individual agency constraints necessitate separate development timelines or uncertainty in phasing precludes MOU party coordination.

Regardless of the alternative selected, water efficiency strategies will help to mitigate the impacts of the Proposed Action on water resources, and DHHL will consider the following:

- Design buildings and landscaped areas to reduce overall water demand as much as possible.
- Use the most appropriate water quality for the projected need (balance potable and non-potable uses).
- From a regional infrastructure standpoint, it is noted that post-treatment products such as RO concentrate or R-1 recycled water, or untreated non-potable water could be used to irrigate certain areas, thereby decreasing overall potable system demand.
- Opportunities to reduce projected demands by installing rainwater catchment systems will be considered. (Given rainfall rates of 11 to 13 inches per year it is not anticipated that stormwater will be a dependable source of irrigation water. However, DHHL is open to considering potential alternative water sources such as rainwater catchment.
- Other opportunities to increase overall system efficiency may exist and DHHL will consider any that may be feasible.

Site users at the DHHL Project Areas will be encouraged to consider the following water conservation measures:

- Facility design to maximize water efficiency;
- Water efficient fixtures;
- Dual flush toilets;
- Leak detection sensors and alarms;
- Minimizing landscaped areas requiring extensive irrigation;
- Use of landscaping materials with low water needs (xeriscaping and embracing the use of native plants);
- Smart irrigation systems and moisture sensing feedback technology; and
- Use of automatic drip irrigation as the predominant delivery system.

To mitigate impacts to surface and groundwater resources, the following best management practices (BMPs) will be considered by contractors during the construction phase:

- Prevent cement products, oil, fuel and other substances from falling or leaching into the ground. Remove all construction debris and toxic substances daily to prevent entry into the ground.
- Maintain vehicles and equipment to prevent oil or other fluids from leaking. Concrete trucks and tools used for construction should be rinsed offsite.
- Properly install and maintain erosion control barriers such as silt fencing or straw bales.
- Disturb the smallest area possible.
- Retain ground cover until the last possible date. Stabilize denuded areas by sodding or planting as soon as possible. Use high seeding rates to ensure rapid stand establishment.
- Apply any pesticides only during dry periods or low rainfall to minimize chemical runoff (applied only by certified applicators).
- Keep runoff onsite.
- Construction exceeding one acre is required to comply with National Pollutant Discharge Elimination System (NPDES) permitting requirements.
- Contractors will be required to provide BMPs as part of their contracts.

IRRIGATION WATER SYSTEM

One option would be to utilize, to the extent possible, the major components of the existing system, to convey the ditch water to the Pūlehunui South project site. Each lot owner/lessee would be responsible for installing their own irrigation system within their lot to irrigate their agricultural fields, as necessary. A second option would be to essentially replicate the existing irrigation system, if the existing system cannot be utilized either due to the condition of the components or issues regarding ownership.

Any new distribution irrigation lines would be located within the Pūlehunui South roads to supply irrigation water to the lots.

During the Draft EIS public review period, the State Commission on Water Resource Management (CWRM) wrote:

The second alternative is to treat and use surface water from the East Maui Irrigation (EMI) System. The DEIS should discuss the interim instream flow standards (IIFS) for East Maui streams that supply the EM I system and whether the IIFS accommodates the proposed development.

[...]

A separate non-potable system is also proposed to supply irrigation water for agricultural needs and landscaping. An existing HC&S system is identified as an option to meet the estimated demand of 0.784 mgd. Similar to Alternative 2, a discussion of the streams to be impacted and compliance with IIFS should be included in the DEIS.

None of the water or irrigation alternatives for the Proposed Action propose any amendment or alteration to the existing IIFS. The contemplated alternatives would service the Infrastructure Regional Study Area without preventing attainment of the IIFS.

WASTEWATER SYSTEM

DHHL consulted the Maui County Department of Parks and Recreation (DPR) on the EISPN and received a comment that DPR is creating a master plan for the Pūlehunui Motorsports Park (PMP). DPR further commented that the PMP currently lacks infrastructure for potable water, wastewater, electricity, storm water management, communication, or other basic services. Given its proximity to the Infrastructure Regional Study Area and anticipated continued use as a motorsports park, DHHL’s engineering and traffic studies for the Proposed Action will take into account the water, wastewater, and traffic demand generated by the PMP (in addition to the parties to the MOU). DHHL therefore anticipates a positive impact to the DPR PMP by partially supporting its infrastructure needs. DHHL anticipates further positive impacts to regional infrastructure because the Proposed Action will accommodate projected infrastructure needs of not just State agencies, but a County agency as well.

A design average daily flow of 618,000 gpd will be generated by Infrastructure Regional Study Area at full buildout.

The PER prepared for the Proposed Action assessed four alternatives for wastewater management. Alternative 1 (1A and 1B) would involve collecting wastewater from the Infrastructure Regional Study Area and transferring it to the Maui County Kīhei WWRF for treatment. Alternative 2 (2A, 2A-1, 2B, and 2C) would involve collecting the wastewater from the Infrastructure Regional Study Area and transferring it to a regional WWRF located either on DLNR or DHHL property where developments are being proposed. Alternative 3 (3A and 3B) would involve a regional WWRF located within adjacent DLNR properties where no developments are being proposed in the foreseeable future. Finally, Alternative 4 would involve pumping all wastewater generated at the Infrastructure Regional Study Area to a future County of Maui Regional WWRF located south of the Infrastructure Regional Study Area, along Kuihelani Highway.

Wastewater System Alternatives

Alternative	Treatment Facility	Location
1A	Existing County WWRF	Upgrade collection system along S. Kīhei Road. Treat at Kīhei WWRF.
1B	Existing County WWRF	New collection system along Līloa Drive. Treat at Kīhei WWRF.
2A	New Private WWRF	Pūlehunui South, northern boundary
2A-1	New Private WWRF	Pūlehunui South, northern boundary
2B	New Private WWRF	DLNR Industrial and Business Park, southwest portion
2C	New Private WWRF	Pūlehunui South, northeast/mauka portion
3A	New Private WWRF	DLNR (2) 3-8-008-038, southern boundary
3B	New Private WWRF	DLNR (2) 3-8-008-001, east/mauka portion
4	New County WWRF	County property along Kuihelani Highway, outside Infrastructure Regional Study Area; interim facility within Infrastructure Regional Study Area at Pūlehunui North

PREFERRED ALTERNATIVE

The preferred alternative is currently Alternative 2A-1 which represents a refinement of wastewater Alternatives 2A and 2C.

In summary, the Alternative 2A-1 treatment facility may be expanded, relocated, and/or repurposed in the future, at which point impacts would be more similar to those under Alternative 2A, 2C, or 4. The rationale for the new preferred design is as follows.

1. Continuing conversations with the County of Maui indicate that funding has not been secured for the Central Maui WWRF, and the completion date is unknown. Construction of Alternative 2A-1 could be completed well in advance of regional demand, with a target date of 2023 if construction commences in fall 2020. Preparation to commence on the design for Alternative 2A-1 is underway and the target design completion date for the pump stations, gravity sewer lines and temporary WWRF is anticipated for the end of 2019.
2. The refinement of Alternative 2A is designed to maximize use of currently available funding, ensuring that the temporary facility will service the Infrastructure Regional Study Area without the need to secure immediate additional funding.
3. The use of R-1 water quality effluent for irrigation within the Infrastructure Regional Study Area was not considered to be feasible under Alternative 4.

DHHL expects that a regional approach to wastewater infrastructure will be preferred, unless individual agency constraints necessitate separate development timelines or uncertainty in phasing precludes MOU party coordination.

DRAINAGE SYSTEM

A Flood Development Permit will be applied for, for any parcel that is not located within Flood Zone X or XS.

The land uses proposed for the DHHL Project Areas will result in increased impervious surfaces and thus increased stormwater runoff, although the increase in impervious surfaces will be less significant Pūlehunui South due to large areas of open and undeveloped space.

Generally, the recommended drainage designs will reduce the size of drainage areas, creating sub-areas and providing localized basins within each area to manage stormwater. This decentralized approach provides several advantages for the efficient management of stormwater flows. The proposed stormwater management plan for each proposed drainage basin will also address stormwater quality. For example, water quality impacts will be mitigated with the implementation of grass swales, reduced impervious coverage, and stormwater retention areas.

Pūlehunui North

New retention basins will completely retain the stormwater runoff generated from each development lot, independent of the others. Piped overflow conveyance systems or surface flow paths will safely manage excess flows. Roadway runoff will also be retained and managed onsite.

The full retention of site runoff will reduce storm drain infrastructure needs within the property, and there will be no site runoff from the property for the 50-year, 1-hour storm. Some onsite areas are potentially at risk for flooding due to insufficient existing drainage capacities.

A detailed hydraulic analysis should be conducted in the design phase for the property, to determine the potential for flooding along the west side of Mehamaha Loop, where high flows from the existing ditch

extending from Pūlehu Gulch could potentially flood into Mehameha loop and the property. A possible mitigation would be to raise Mehameha Loop or the property, or to widen or improve the existing ditch.

A second potential area of flooding is at the existing DOT culvert at the south end of Mehameha Loop. Pūlehunui North does not contribute any runoff to this culvert but may be impacted by the offsite runoff near the southern intersection of Mehameha Loop and Maui Veterans Highway. To mitigate flood risk at this location, a larger culvert could be added at Mehameha Loop or measures such as raised grades or berms could be implemented to protect Pūlehunui North from surface flow. Further analysis of the existing DOT culvert will be conducted in the future design phase.

Pūlehunui South

New retention basins will completely retain the stormwater runoff generated from each development lot, independent of the others. Piped overflow conveyance systems or surface flow paths will safely manage excess flows. Offsite runoff generated by drainage area O-2a will flow through the existing onsite gulch. As previously mentioned, the gulch eventually ends and disperses runoff before reaching Maui Veterans Highway. This existing flow will be modified to divert the runoff to the existing culverts at Maui Veterans Highway.

With the proposed design, the total onsite runoff will be reduced by 96 percent compared to existing conditions. Development of structures within in any flood zone areas will be avoided or the flood condition will be mitigated by filling the area to raise it out of the flood zone. The Kolaloa Gulch channel will remain free of encroachment so that flood flows will be unimpeded.

DLNR Industrial and Business Park

New detention basins are proposed at various locations throughout the project site to manage runoff increases. Some basins will be designed to slowly release runoff over time through low flow outlets, while others will be designed for full stormwater retention. The basins will work together in series or in parallel to ensure that the amount of runoff in the proposed condition does not exceed the existing condition. Drain inlets and piped storm drain systems will be placed under roadways or in landscaped areas to convey runoff to the proposed basins. Swales will also be used wherever possible. Since there is a significant amount of offsite runoff currently passing through the project site, diversions and thru conveyance systems will be used to allow this runoff to continue to pass safely through. No detention systems will be placed within the thru conveyance systems because of the large volume of runoff flowing through them and to avoid restricting the conveyance capacity. The total onsite 50-year runoff after detention/retention will be 124.42 cubic feet per second (cfs), which is a 35 percent reduction from existing conditions. The existing downstream culvert at Raceway Park Drive will remain undersized, however, the reduction in site runoff will help to improve the current condition. The bulk of the flows to the culvert are from offsite areas.

A number of deficiencies have been identified in HC&S Reservoir 90 by the State Dam Safety Program and the dam poses a potential risk to DLNR and other makai properties. It is recommended that DLNR and other stakeholders work with and/ or negotiate with HC&S to further assess the dam and make the required repairs and upgrades.

Maui Regional Public Safety Complex

Runoff from the developed site is planned to be managed by a combination of open retention basins and an underground perforated pipe storage system. The goal will be to retain the increase in 50-year, 1-hour

storm runoff so that flow rates are kept to predevelopment levels. Runoff stored in the basins will be allowed to infiltrate into the ground, while excess runoff will overflow to the south.

To mitigate impacts to surface and groundwater resources, the following best management practices (BMPs) will be considered by contractors during the construction phase:

- Prevent cement products, oil, fuel and other substances from falling or leaching into the ground. Remove all construction debris and toxic substances daily to prevent entry into the ground.
- Maintain vehicles and equipment to prevent oil or other fluids from leaking. Concrete trucks and tools used for construction should be rinsed offsite.
- Properly install and maintain erosion control barriers such as silt fencing or straw bales.
- Disturb the smallest area possible.
- Retain ground cover until the last possible date. Stabilize denuded areas by sodding or planting as soon as possible. Use high seeding rates to ensure rapid stand establishment.
- Apply any pesticides only during dry periods or low rainfall to minimize chemical runoff (applied only by certified applicators).
- Keep runoff onsite.
- Construction exceeding one acre is required to comply with National Pollutant Discharge Elimination System (NPDES) permitting requirements.
- Contractors will be required to provide BMPs as part of their contracts.

Independent Drainage Systems

There do not appear to be many reasons for the DLNR, Pūlehunui North, Pūlehunui South, or MRPS projects to combine or collaborate on new retention systems, conveyance systems, or any other drainage improvements. No anticipated projects are directly upstream or downstream of the other, and the drainage systems in the Infrastructure Regional Study Area are mostly separate. The land slope in the area is relatively flat, which may make it difficult or impossible to combine drainage systems due to insufficient slope.

Furthermore, it is generally advantageous to manage runoff with localized retention basins that have contributing areas less than 100 acres. Retention basins for drainage areas larger than 100 acres can end up being three times as large as those that manage areas less than 100 acres, due to County requirements that will be triggered based on contributing area size. In addition to larger storage systems, a combined or centralized approach to drainage design would require the storm drain systems to also be significantly larger, to carry the larger flows. Therefore, using a decentralized approach will lead to cost savings and space efficiency by using smaller drainage infrastructure, smaller storage systems, and less developable land.

Opportunities for Coordination

The agencies party to the MOU may wish to coordinate to address the deficient condition of HC&S Reservoir 90, mauka of the DLNR Industrial and Business Park. Further, the State agencies may wish to collaborate on earthwork; some projects may create excess cut, while others may require fill material. Coordination may or may not be desirable for improvements to the existing DOT culvert at Raceway Park Drive near the intersection with Maui Veterans Highway, and the existing DOT culvert at Mehameha Loop.

SOLID WASTE

Wastes generated by site preparation will primarily consist of vegetation, rocks, and debris from clearing, grubbing, and grading. Soil and rocks displaced from grading and clearing will be used as fill within the DHHL Project Areas. Solid waste that may be generated during construction that cannot be repurposed or recycled will be disposed at the Central Maui Landfill. As the DHHL Project Areas become operational, solid waste resulting from the DHHL Project Areas will be collected and disposed of for disposal at the Central Maui Landfill.

Green waste will either be chipped into mulch for use on site or will be taken to green waste recycling centers. Currently there are three green waste recycling centers on Maui: Maui Eko Systems, Inc., Maui Earth Compost & Soil Mixes, and Campaign Recycle Maui. All of these are located in Central Maui. If large amounts of green waste are expected from an individual phase of construction, delivery will be coordinated with the green waste recycling centers to ensure that there is adequate capacity among the centers to accept the anticipated amount of vegetation.

Construction waste will consist of waste lumber, concrete, and other building materials. Very little demolition material is expected, as the DHHL Project Areas are primarily vacant lands. DHHL will comply with all applicable rules regarding solid waste. Mitigation may include but is not limited to:

- Contractors will implement a waste management and recycling program to maintain clean construction sites, maximize material recycling, and minimize disposal truck traffic impacts.
- After construction, DHHL will implement strategies from the County's Integrated Solid Waste Management Plan (2009) for diverting solid waste from landfills by providing options for recycling.
- The goal for waste management is to appropriately reduce, reuse and recycle materials, to minimize generation of solid waste and achieve diversion from landfills. In conformance with Chapter 344-4(2), HRS, the DHHL Project Areas will promote the optimal use of solid wastes through programs of waste prevention, energy resource recovery, and recycling.
- DHHL will work with contractors to minimize the amount of solid waste generated during construction.
- Waste from site preparation and construction will be stored, handled, and properly disposed so as to divert the maximum amount of waste material caused by the development away from the County's landfill.

ELECTRICAL AND TELECOMMUNICATIONS

The DHHL Project Areas will require electrical, telephone, and CATV services. Coordination with MECO, Hawaiian Telcom, and Sandwich Isles Communication will be undertaken during the engineering plans preparation phase of work to ensure that all electrical, telephone, and cable television service requirements for the proposed development are adequately addressed.

MECO will eventually need to install a new substation in the area on an approximately one-acre parcel with perpetual easements, provided that land can be obtained and secured. The preferred location of the substation would be near existing transmission lines along Mehamaha Loop or at the Maui Veterans Highway and the Kam'āina Road intersection. MECO would need to consider future regional developments in determining the timeline for the new substation. It would be the responsibility of individual lot owners and/or contractors to submit service requests to MECO. Easements will be required to cover any and all new poles, overhead, and underground facilities located on private property and include required vehicular access.

Energy saving strategies and use of alternative/renewable energy (such as solar and wind power) will be considered as plans for the DHHL Project Areas progress. DHHL has developed and is implementing its own renewable energy policy, Ho'omalū Energy Policy, to enable native Hawaiians and the broader community to lead the state's effort to achieve energy self-sufficiency and sustainability. Based on PSD's comments, PSD will likely coordinate with The Gas Company to bring utility gas to the proposed MRPSC, as well as consider alternative renewable energy sources such as solar and wind power in designing and constructing the MRPSC. Individual agencies may pursue gas utility options to supply their respective projects, if site conditions allow for the requisite infrastructure. Similarly, renewable energy sources such as solar and wind power would be considered on a site by site basis by the entity involved in developing its individual project.

IMPACT TO EXISTING AGRICULTURAL USE

The anticipated amendment to the Department's Maui Island Plan is being sought to accommodate the plan for agriculture and supporting uses at Pūlehunui South, based on outreach to DHHL beneficiaries. Generally, the anticipated land uses at the DHHL Project Areas are the product of extensive outreach to the DHHL beneficiary community, in line with the Department's mission.

The development of Pūlehunui North and Pūlehunui South will repurpose approximately 360 acres of fallow former agricultural lands, for commercial/light industrial and community uses, substantial portions of which will remain in open space or be committed to agriculture supporting uses. This change in use represents a small portion of the State Land Use designated "Agricultural" lands on Maui. It is noted that the DHHL Project Areas are not designated as IAL pursuant to Chapter 205-42, HRS.

Agricultural use at Pūlehunui South will require a water supply for irrigation as well as windbreaks to protect the proposed agricultural uses from strong winds and mitigate soil erosion. Long term soil erosion can also be mitigated through use of windbreaks and crop rotation cycles that avoid leaving fallow land open and exposed to wind. A primary windbreak should be planted along the windward boundary of the property. The recommended tree used for the primary windbreak is Norfolk Island Pine (*Araucaria heterophyllum*) as it is considered a tall species that is designed to diffuse the wind rather than block it. It is also recommended that two rows of trees be planted in an alternating sequence (such that the second row blocks the gap created by the first row). Plants or non-growing material can be used for intermediate windbreaks. The distance between intermediate windbreaks will depend upon the crops that are planted and the effectiveness of the primary windbreak. (DHHL is open to considering alternative viable windbreak trees such as native species.)

Temporary erosion control measures will be implemented to minimize soil loss and erosion hazards during the construction period, thereby mitigating adverse impacts to future agricultural activities and properties downwind or downstream. Temporary Best Management Practices (BMPs) may include sediment basins, diversion berms and swales, silt fences, dust fences, inlet protection, slope protection, stabilized construction entrances and truck wash-down areas. Periodic water spraying on loose soils will take place to minimize airborne dirt particles from reaching adjacent properties.

All discharges related to the Proposed Action's construction or operation activities, whether or not National Pollutant Discharge Elimination system permit coverage and/or Section 401 Water Quality Certification are required, must comply with the Water Quality Standards, specified in HAR, Chapter 11-54, and/or permitting requirements, specified in HAR, Chapter 11-55. An application for a National

Pollution Discharge Elimination System (NPDES) permit will be submitted to the State Department of Health (DOH) for review and approval as applicable.

Pursuant to the Clean Water Act, a Section 401 Water Quality Certification from the State Department of Health, Clean Water Branch will be obtained if it is determined that the proposed action may result in any discharge into navigable waters or as otherwise triggered. All discharges related to the construction and operation of the proposed action will comply with the State's Water Quality requirements contained in Chapters 11-54 and 11-55, HAR.

Following the previous use of Pūlehunui South by the Hawaiian Commercial & Sugar Company (HC&S) for sugar cultivation, there is strong community support for the continuation of agricultural uses on this land. There is also an opportunity to grow a variety of food crops in a range of farming approaches and farm sizes, including commercial farm crops and crops for subsistence agriculture that can support Maui residents as well as provide opportunities in the local economy. Recent feedback from the beneficiary community showed overwhelming support for subsistence agricultural, diversified agriculture, and other community uses at Pūlehunui South.

SOCIO-ECONOMIC CHARACTERISTICS

Population

While the Kīhei-Mākena area has historically seen substantial focus on resort- and visitor-related commercial development, the developments proposed within the Infrastructure Regional Study Area offer needed regional infrastructure solutions and more focus on industrial and primary resident (including native Hawaiian)-serving projects.

Only modest population growth is anticipated in the DHHL Project Areas (at Pūlehunui South), assuming homesteads will be implemented in the areas identified, as described further under "Kīhei-Mākena Community Plan Area".

Kīhei-Mākena Community Plan Area

As noted in the Draft County Forecast, residential growth in the Kīhei-Mākena region has been consistent, remaining home to almost a quarter of Maui's households. (Wailuku-Kahului remains the economic and population center of the island, as home to over a third of Maui's households.) By providing a regional infrastructure master plan, the Proposed Action facilitates the creation of facilities and jobs to sustain this growth, thus supporting projected long-term patterns of settlement and growth on Maui. Additionally, as observed in the DLNR Industrial and Business Park DEIS Final EIS, much of the existing inventories of industrial lands in the region currently bear prices that encourage commercial and/or quasi-retail uses, which are allowed by their "stacked" zoning designations. On the other hand, conventional light industrial subdivisions are still observed in Central Maui but were noted to have diminishing developable inventory.

During the Draft EIS public review period, the County of Maui Planning Department wrote:

4. For the Final EIS, please include a statement that it is anticipated that the Maui County Code (MCC), Title 19 will likely undergo revision in the next few years. The Department does not favor stacking uses and M-1 Light Industrial zoning consists of many different types of uses. When Title 19 is revised, the permitted uses within the M-1 Light Industrial zoning may also be amended so that it is just light industrial.

DHHL observes that such a revision may impact lands in the Infrastructure Regional Study Area subject to County land use controls and, indirectly, the regional market for light industrial lands. Conventional light industrial subdivisions in Central Maui are noted to have diminishing developable inventory which may offset some of those impacts. (The Hawaiian Homes Commission Act (§§204 and 206), which has been incorporated into Article XII of the Hawai'i State Constitution, vests DHHL with exclusive authority to control its lands, and as noted DHHL anticipates a diverse range of uses at the DHHL Project Areas.)

Economic Overview

While unemployment remains at historically low levels on the island, anticipated growth in population is currently expected to outstrip growth in wage and salaried jobs, particularly in the Kīhei-Mākena and Wailuku-Kahului areas. The Draft County Forecast is based on analyses that do not necessarily reflect specifically proposed developments in each area, and the developments in the Infrastructure Regional Study Area offer a means of mitigating traffic and other impacts by generating a wide variety of jobs close to areas of population growth.

Economic and Fiscal Impacts

The Proposed Action will enable long-term developments by four State agencies, and those developments will in turn generate substantial employment and fiscal benefits during their development and operations.

Employment

The Pūlehunui Projects will be the source of many new jobs on-site, and will represent net new job creation in both the County and the State. Considering the Proposed Action impacts:

- Development employment - During its buildout, the Proposed Action is estimated to generate some 490 to 600 full-time equivalent (FTE)⁴ jobs annually, including positions supported directly and indirectly by its initial development expenditures. About 65 percent of these jobs are expected to be located on Maui, representing about 320 to 390 FTE jobs in an average year between 2020 and 2038.
- Operational employment - The employment impacts of a real estate development are often thought of as those that occur at its new facilities. While this is important, and many such on-site jobs will be new, others may be jobs that would have existed, or previously existed, elsewhere in the County and/or State. Therefore, assessment of the operations-related employment impacts is presented two ways: in terms of on-site employment as well as net new employment.
 - On-site – By the time of their completion in 2038, the Proposed Action is estimated to support some 3,070 FTE jobs on-site. These would all be direct, ongoing positions.
 - Net new – While some of the on-site jobs could represent positions that might have been located elsewhere in the County and/or State even if the Proposed Action was not developed, by buildout in 2038, the Proposed Action is expected to have created some 4,300 FTE positions statewide. Of this statewide total, about 83 percent, or 3,600 positions are estimated to have been created in Maui County. These “net new” jobs include technical, managerial and staff positions at the various Pūlehunui Projects themselves, and many other positions in myriad industries that can be expected to be generated throughout the economy via indirect and induced economic factors. Like the on-site positions, these net new operating benefits are expected to be ongoing.

Personal earnings

Personal earnings are evaluated with respect to the development and net new operational job creation described above. With respect to the Proposed Action:

- Development-related positions are expected to support total personal earnings of some \$33M to \$40M in a typical year, statewide, during the Projects' design and construction. These earnings represent an average of about \$67,000 per FTE job, including direct construction-related jobs as well as the indirect and induced opportunities created throughout the economy. The many jobs created directly by the development are expected to enjoy higher salaries than this overall average, in the range of about \$86,000 to \$87,000 FTE. About 65 percent of development earnings can be expected to be realized in Maui County, representing some \$21M to \$26M per year in development-related earnings during buildout of the Proposed Action.
- Net new operational positions at the Proposed Action is projected to support about \$198M per year in new earnings for Hawai'i residents statewide, at buildout. On average, net new FTE positions are expected to earn about \$46,000 to \$47,000 each.

Maui residents are anticipated to realize about 81 percent of the statewide total annual earnings, or about \$160M by 2038 and annually thereafter.

Population Movements

Population movements may be driven by the Pūlehunui Projects' employment opportunities as well as the new residential opportunities at the planned agricultural homesteads. In addition to these resident impacts, the possible hotel at Pūlehunui North could be expected to have a de facto population impact, meaning persons present in the County or State on any given day.

Population impacts are of interest in themselves and are also evaluated because additional persons would be expected to require additional State and County resources and services, and the costs of those operations are the subject of analysis in the fiscal impacts section.

- Employment - Employment impacts are assessed for the Projects' direct impacts only. Development opportunities are expected to drive some temporary relocations to the County and possibly the State, while operational positions could represent long-term impacts. A small share of those employees who are relocating because of an employment opportunity is assumed to be accompanied by dependent(s).
- Homesteads - While DHHL has observed that home development in its agricultural homestead communities is very slow, so as not to under estimate the Pūlehunui Projects' potential population impacts, it is assumed that all 100 planned lots are improved with homes by 2038, and that up to 60 percent of the associated households move from another County because of this homestead opportunity.
- Resident population impacts - Altogether, over time the Proposed Action could be associated with up to 490 persons who have relocated to Maui County from another County. Within that group, a subset of some 220 could be persons who relocated from another State. These population impacts are expected to decline after 2038, as the impact of development employment diminishes.
- Visitor population impacts - The 200-room possible hotel at Pūlehunui North could also be expected to accommodate some 340 guests on an average day. About 10 percent of these visitors

PŪLEHUNUI REGIONAL INFRASTRUCTURE MASTER PLAN
Impact Mitigation Summary

are estimated to be Kama'āina, and while therefore their presence on Maui represents a de facto population impact for the County, it would not be an impact to the State.

Fiscal Impacts

An overall positive fiscal impact is anticipated. The Pūlehunui Projects include many elements that will directly serve or benefit to the important missions of the four State agencies considered here, in qualitative as well as financial terms. However, this section focuses on fiscal impacts, in terms of the creation of new revenues and expenses for the County and State governments.

The total (including direct, indirect and induced) fiscal impacts of the Pūlehunui Projects are summarized as follows:

Estimated Total Fiscal Impacts²

	2028	2038	Ongoing (stabilized annual)
PROPOSED ACTION:			
Net additional revenues (\$mil)			
To the County	\$1.3	\$2.3	\$2.3
To the State	\$9.5	\$12.6	\$9.0
Net revenue/expenditure ratio			
For the County	2	2	2
For the State	11	8	6
CUMULATIVE IMPACTS:			
Net additional revenues (\$mil)			
To the County	\$5.1	\$8.0	\$8.1
To the State	\$20.7	\$31.2	\$26.4
Net revenue/expenditure ratio			
For the County	4	3	3
For the State	12	9	8

Source: PBR HAWAII, 2018.

² 2018 dollars, in millions

In addition to the government revenue and cost impacts quantified above, the Pūlehunui Regional Infrastructure Master Plan will result in the implementation of several needed regional infrastructure projects that will benefit government as well Hawai'i residents, as discussed in the accompanying EIS.

PUBLIC SERVICES AND FACILITIES

SCHOOLS

DHHL will continue to consult with the appropriate Federal, State, and County agencies to determine potential impacts and coordinate mitigation approaches. DHHL recognizes that if residences are constructed at Pūlehunui South, school-aged children from those households will place additional demand for public and private educational facilities. To mitigate potential impacts, as plans for the DHHL Project Areas progress, DHHL will consult the DOE regarding school impact fees and other potential impacts to educational resources. DHHL Project Areas will comply with any applicable impact fee requirements (including an Educational Contribution Agreement, as applicable). The realization of Pūlehunui South may even make a positive impact on educational opportunities. Based on the demand for community uses including cultural education, 33 acres of land have been set aside for educational uses at this property.

Pūlehunui North is not expected to be a direct population generator. As such, it is not anticipated to place additional demand upon educational facilities in the Kahului and Kīhei regions.

POLICE

Those working or visiting Pūlehunui at some time may require police protective services at some time. As the County's population grows, there will be a need for the County to allocate resources from real property taxes and other forms of revenue necessary to adequately fund police services. To mitigate potential impacts from the DHHL Project Areas, these additional funds could potentially be allotted from the increased tax revenues resulting from the Proposed Action. In addition DHHL will continue to consult with the appropriate Federal, State, and County agencies to determine potential impacts and coordinate mitigation approaches. The net additional County operating revenues are projected at \$2.3M per year by the time of project buildout, in 2018 dollars. The anticipated additional County revenues are expected to represent two times the additional operating expenses that may result from the Proposed Action's development.

FIRE AND EMERGENCY SERVICES

Those working or visiting Pūlehunui are likely to require fire protection or emergency medical services at some time. As the County's population grows, there will be a need for the County to allocate resources from real property taxes and other forms of revenue necessary to adequately fund fire prevention and emergency services. These additional funds could potentially be allotted from the increased tax revenues resulting from the Proposed Action. In addition DHHL will continue to consult with the appropriate Federal, State, and County agencies to determine potential impacts and coordinate mitigation approaches. As previously noted, the net additional County operating revenues are projected at \$2.3M per year by anticipated buildout, in 2018 dollars. The anticipated additional County revenues are expected to represent two times the additional operating expenses that may result from the Proposed Action's development.

All structures will be designed and built in compliance with all fire protection requirements. Fire apparatus access roads and water supply for fire protection will comply with the Uniform Fire Code.

MEDICAL

Those working or visiting Pūlehunui at some time may require health care and emergency medical services. Medical services are available in the region. Pūlehunui North's proposed commercial areas may attract doctors' offices and/or a medical clinic, to serve the community and neighboring areas.

PUBLIC TRANSPORTATION

During the Draft EIS public review period, the County of Maui Planning Department wrote:

6. We note that you mention that as your project area progresses, you will explore multimodal transportation networks. We ask that you please develop it with consideration of the Central Maui Pedestrian and Bicycle Master Plan for 2030.

The Central Maui Pedestrian and Bicycle Master Plan for 2030 was reviewed and it did not appear to extend to the Infrastructure Regional Study Area (State of Hawai'i DOH— Healthy Hawaii Initiative, 2012). However, Pūlehunui North's internal roadways will be designed and built to meet County standards and should be able to accommodate the County's public bus transit service. It is hoped that when there is sufficient demand that either the #10 ("Kīhei Islander") or #15 ("Kīhei Villager") bus routes can be extended into the property, as a means of reducing private vehicular trips on area roads and highways (promoting transportation energy savings), and to provide better transportation and mobility options for those who can and cannot drive.

As plans for the DHHL Project Areas progress, DHHL will investigate opportunities to connect to existing and future multimodal transportation networks such as the existing bicycle and bus infrastructure network. DHHL notes that the DLNR is coordinating with the County of Maui DOT regarding the possibility of creating a bus stop near the DLNR Business and Industrial Park (Munekiyo Hiraga, 2019) and will cooperate with any such efforts relating to the DHHL Project Areas.

RECREATIONAL FACILITIES

Those working or visiting Pūlehunui may utilize existing County and State recreational facilities, but most employees or visitors will reside outside of Pūlehunui, and will likely utilize in recreational facilities closer to their place of residence. If DHHL homesteads are developed at Pūlehunui South, those households will place additional demand for public and private recreational facilities.

Besides the opportunities for agricultural and cultural tourism in Pūlehunui South, one potential income generating use being contemplated in Pūlehunui North is a cultural center, such as the Polynesian Cultural Center or the Paradise Cove. Such a use would attract visitors staying in Kīhei and Wailea. Large, contiguous commercial lots within Pūlehunui North would be suitable for a more comprehensive commercial or retail complex and/or a visitor attraction destination, cultural center, business hotel or other large visitor industry-based use. For the purposes of preliminary engineering and traffic analyses, a hotel is one of the assumed uses at Pūlehunui North (at the discretion of a future developer) to account for potential developments at this property consistent with DHHL's Maui Island Plan designation.

AIRPORTS AND AIRFIELDS

DHHL acknowledges that standing water may create a potential wildlife attractant thereby presenting a bird-strike risk to aircraft flying in the region, as well as potentially attracting vulnerable birds to areas inhabited by non-native predators. A high proportion of the rainfall that Maui receives each year falls on the northeast facing shores, leaving the central isthmus and southern coastal areas relatively dry. Therefore, it is highly unlikely that detention basins will contain standing water in the event of a storm, and any standing water are anticipated to be minimal. At the request of DOT-AIR, DHHL will specify to

prospective developers and other site users that design and landscaping at the DHHL Project Areas should not attract wildlife. Should wildlife be determined to present a potential hazard to aircraft, DHHL will take appropriate measures to ensure the proper mitigation of the potential wildlife hazard. DHHL notes FAA Advisory Circular 150/5200-33B, Hazardous Wildlife Attractants on or Near Airports, provides guidance for developments and wildlife management near airports.

Air quality on Maui, and throughout the State of Hawai'i, is considered to be good due to the presence of northeasterly trade winds that tend to disperse pollutants seaward. Regarding regional emissions, the DHHL Project Areas are located in an Attainment/Unclassified area for all National Ambient Air Quality Service (NAAQS) and regional air quality is good. Should DHHL suspect that fumes, smoke, noise, vibrations, odors, and other airport-related exposures may impact the anticipated uses of its lands, more protective mitigation strategies will be considered at such time, depending on the nature of the concern. Should other unforeseen impacts arise from aircraft activities which are not mitigated by the strategies described in this EIS, DHHL will consider additional measures.

Pu'unēnē Armory activities are not anticipated to impact or be impacted by the DHHL Project Areas as the DHHL Project Areas are located a minimum of 200 feet from the armory (and farther from the armory's landing pad) and will include visual and noise buffers.

A noise exposure map of Kahului Airport, located a minimum of four miles north of the DHHL Project Areas, demonstrates that aircraft may transit over Pūlehunui North but are not anticipated to restrict the anticipated land uses. To prevent potential impacts to airport activities from wildlife, glint/glare hazards, obstructions and other issues, the Federal Aviation Administration (FAA) is being consulted to ensure compliance with any applicable rules and laws including those outlined in the State Office of Planning's technical assistance memorandum regarding airports in the state.

CUMULATIVE IMPACTS

Cumulative impacts are those that result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions. The following section briefly describes the potential cumulative impacts the Proposed Action may have in conjunction with other area improvements and projects, including non-DHHL developments that may occur in the Infrastructure Regional Study Area.

- The cumulative intensification of development of Pūlehunui will likely alter the landscape and visual character of the region. Cumulative noise impacts related to traffic and an increased intensity of land uses may also occur. Noise buffer areas on either side of the highway will serve as visual buffers as well. Portions of the buffer areas along Maui Veterans Highway will help to mitigate visual impacts, and can also be designed to include grade-separated bike paths and include areas for stormwater management.
- Positive cumulative economic impacts are anticipated. The cumulative development cost of all anticipated projects in the Infrastructure Regional Study Area is estimated at \$2.34B. In total, these expenditures are expected to average about \$141.6M per year between 2020 and 2028, and \$106.9M per year between 2029 and 2038. Positive cumulative impacts may occur on the economy (and to DHHL) as the mix of uses in the area diversifies and is able to support additional businesses and services. The surrounding (non-State owned) land values may also increase due to increased activity and densities. New activity and density may potentially increase tax revenues for both the State and the County in general excise tax, income tax, and property tax collections. However,

because the DHHL Project Areas are State-owned, it will not contribute to increased property tax revenues except for the onsite commercial and industrial uses.

- Energy use and increased traffic may create secondary and/or cumulative impacts such as increased greenhouse gas emissions due to energy use and vehicle noise and emissions. The long-term operation and maintenance of regional infrastructure alternatives such as that proposed under wastewater Alternative 2A-1 would also be anticipated to result in an increased direct demand for energy. Energy saving strategies and use of alternative/renewable energy will be considered. DHHL will investigate ways to connect to existing and future public and multimodal transportation networks.

To mitigate temporary cumulative impacts related to construction (air quality, stormwater runoff, noise, and traffic) DHHL will coordinate with State and County traffic control operations (including the Police Department) to mitigate such impacts. There may also be cumulative impacts related to shortages of construction materials, skilled contractors, and other related inputs during the construction phases should multiple projects be under construction at the same time. Coordination amongst the agencies party to the MOU may help to mitigate potential shortages. A substantial mitigation to cumulative construction impacts is the Proposed Action itself; the regional approach to infrastructure master planning offers the possibility of a coordinated development of water, wastewater, and traffic improvements within the Infrastructure Regional Area.

SECONDARY IMPACTS

Secondary impacts include those that are indirectly caused by the action and are later in time or are farther removed in distance but are still reasonably foreseeable. The following section briefly describes the potential secondary impacts that may result indirectly from the Proposed Action.

- No adverse secondary socio-economic impacts are anticipated, therefore no mitigation is proposed. The Proposed Action is expected to generate some \$1.03 billion in development expenditures in the State, or about \$49.0 million to \$59.8 million per year over the 19-year development period.
- Secondary impacts to public services, such as the County's Police Department, Fire Department, and the public school system may occur in the form of increased demands on public service budgets and workforce to serve the DHHL Project Areas. Public services, such as the County's Police Department, may need to increase budgets or reallocate resources and staff as a secondary impact to serve the increased employee and visitor/customer population at Pūlehunui North, with less secondary impacts on the Police Department's resources from DHHL beneficiaries farming/working at Pūlehunui South. Similarly, the increased Pūlehunui North employee and visitor/customer population may have the secondary impact of the increased need for medical services, which may bring additional businesses and employees to the area. Mitigation includes consultation with Federal, State, and County agencies to determine potential secondary impacts. DHHL will coordinate with these agencies accordingly. Additional funds to support certain public services could potentially be allotted from the increased tax revenues resulting from the Proposed Action.
- No adverse secondary social impacts are anticipated, therefore no mitigation is proposed. The increased (mostly daytime) employee and visitor/customer population at the DHHL Project

Areas combined with similar impacts from other State projects, may result in increased safety in the area as increased activity creates less desirable circumstances for illicit activities. More community activities and opportunities to meet people from diverse backgrounds may also stimulate new social networks and relationships between future employees, visitors, and future business patrons to the area.

- Secondary impacts related to increased regional utility and infrastructure demand may include induced jobs as discussed above for those utilities and infrastructure systems serving the Proposed Action such as telecommunication services, water, wastewater, energy and solid waste, green waste, and recycling handlers and processors who will receive the increased materials from the Proposed Action. Related is the anticipated possible shifting of demand on existing resources and services from other areas of Maui. However, the Proposed Action is not anticipated to increase the overall population of Maui as it is anticipated that any future residents of Pūlehunui South will already reside in Maui. In this case, the secondary impact is the shifting of demand on existing resources and services from other parts of the island.

Increased energy use and increased traffic may create secondary and/or cumulative impacts such as increased greenhouse gas emissions due to energy use and vehicle noise and emissions. The long-term operation and maintenance of regional infrastructure alternatives such as that proposed under wastewater Alternative 2A-1 would also be anticipated to result in an increased demand for energy. Energy saving strategies and use of alternative/renewable energy will be considered. DHHL has developed and is implementing its own renewable energy policy, Ho‘omalū Energy Policy, to enable native Hawaiians and the broader community to lead the state’s effort to achieve energy self-sufficiency and sustainability. DHHL will investigate ways to connect to existing and future public and multimodal transportation networks. Increased GHG due to electrical demand generated by the Pūlehunui North and Pūlehunui South and vehicle noise and emissions due to increased traffic are discussed in “Roadways and Traffic”.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

August 19 & 20, 2019

TO: Chairman and Members, Hawaiian Homes Commission
FROM: Andrew Choy, Acting Planning Program Manager
SUBJECT: G-2 For Information Only – Maui Regional Update

RELEVANT MATERIAL WILL BE DISTRIBUTED UNDER SEPARATE COVER.

ITEM NO. G-2

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

August 19-20, 2019

To: Chairman and Members, Hawaiian Homes Commission
Through: Andrew Choy, Acting Planning Program Manager *Ac*
From: Lehua Kinilau-Cano, HHL Legislative Analyst *Lehua Kinilau - Cano*
Subject: For Information Only - Summary of Responses to Proposed Legislative Action Request for 2020 & Draft Legislative Proposals

RECOMMENDED ACTION/MOTION:

None; For information only.

DISCUSSION

Outreach commenced since last month's Hawaiian Homes Commission meeting requesting input on DHHL's Legislative Package for the 2020 legislative session. An email was sent to the 7 Commissioners, 132 staff, 142 testifiers on DHHL related measures from the 2016-2019 legislative sessions, 39 legislative talk story attendees, and 111 homestead associations and other stakeholders. The outreach list is attached as Exhibit 'A'. ICRO assisted by posting the information on DHHL's website and on Facebook.

29 proposals were received. Here is a summary of the proposals:

Issue	Submitted by	Result
Lower BQ for successorship	Lessee	Legislation enacted, Congressional consent required
Assist homestead community associations to build land-based aquaculture facilities	Lessee	Budget
\$14+ million for water source development	Beneficiary	Sufficient sums budget included \$15.5 million from Puwalu
\$2 million in operating funding	Beneficiary	Sufficient sums budget included \$750,000 from Puwalu
Ability to rent to any Native Hawaiian	Lessee	Not recommended

Issue	Submitted by	Result
Independent legal counsel	Stakeholder	HHC approved proposal for 2017 Session
DHHL build an approved museum on its land to house artifacts and iwi	Stakeholder	No Capacity
Operation of a Kupuna Day Care Center or one care home in the community	Homestead association	Sufficient sums budget included \$250,000 from Puwalu for feasibility study
\$5,000 for a grant writer	Homestead association	Budget or possibly next grant cycle
No apartments, applicants should get land/lot	Applicant	Proposed multi-family rules under consideration
\$100 million for lot development	Applicant	Sufficient sums budget included \$74.7 million in FY20 and \$79.9 million in FY21 for lot development
\$500,000 for new Enforcement and Compliance Division	Beneficiary	Budget
Build affordable rentals on ceded lands for Hawaiians	Lessee	More review
Hemp farming on Hawaiian Home Lands	Stakeholder	Consider a feasibility study
More loan products and financial counseling for ag and pastoral lessees	Stakeholder	Legislation not required
Create a directory of elected leaders on the homelands	Stakeholder	Legislation not required
Improve DHHL's foreclosure process	Stakeholder	Foreclosure prevention and lease cancellation assistance services provided by HALE
Increase access to home equity	Stakeholder	Legislation not required
Secure State investments in affordable housing for Native Hawaiians	Stakeholder	Budget
Better coordination and collaboration with DHHL	Stakeholder	Legislation not required
Create ability to waive off waitlist if accept rental	Stakeholder	Proposed rules allow renters to remain on waiting list

Issue	Submitted by	Result
Create expedited lease cancellation process	Stakeholder	Contested case rules are planned to be revised
Grievance form	Stakeholder	Administrative burden
Detached ADUs on res/ag/pastoral lots	Stakeholder	Proposed rules for SDUs would allow for pilot on res lots
Allow DHHL awardee to live on vacant lot in a temporary structure while building home	Stakeholder	Health & safety concerns
List HHC commissioners' direct phone & email	Stakeholder	HHC Commissioners can be reached through the HHC Commission Secretary
Alternate means of communication after 3 attempts	Stakeholder	Post names to DHHL website, social media & newsletter and seek other channels to publish list
Remove deceased beneficiaries from the waitlist	Stakeholder	Review and update MOU with DOH
Create a process to apply for Hawaiian homestead online	Stakeholder	Legislation not required

After considering the responses received, only one draft legislative proposal is presented below and the actual draft of the bill and justification sheet is enclosed in Exhibit 'B'.

PROPOSAL SUMMARY

*Proposal HHL-01(20)
RELATING TO INDEPENDENT LEGAL COUNSEL.*

This proposal allows the Department to retain independent legal counsel to be paid by the State and use the services of the attorney general as needed when the interests of the State and the department are aligned.

The department has a trust duty to its beneficiaries and in the fulfillment of its trust obligations, the department may at times be at odds with the interests of the State. It is at these times that the department must be assured that its counsel provides legal guidance strictly in the interest of its client. Independent counsel that is hired and retained by the department eliminates any cloud of uncertainty that there is a conflict of

interest that the department is represented by the Attorney General's office that also represents the State of Hawai'i.

This measure has not been part of the Administration's legislative package, but has been introduced by several legislators over the past few years and has not passed.

CONCLUSION

This draft legislative proposal will be finalized and submitted for approval by the Commission next month and submitted for review by the Governor, Department of the Attorney General, and the Department of Budget & Finance. The proposal is pending final approval and no proposal is considered part of the package until final approval is granted by the Governor. In this phase of the review process, the department may amend or withdraw any measure.

RECOMMENDED ACTION/MOTION:

None; For information only.

TESTIFIERS ON DHHL RELATED MEASURES FROM 2016	
Name	Organization
Kihei Ahuna	
Paula Aila	
Kainea Aiwohi	
Micah Alameda	
Aldene Albinio	
Kahana Albinio	
Annelle Amaral	Association of Hawaiian Civic Clubs
Amber	
Kamakana Aquino	Waimanalo Hawaiian Homes Association
Dylan Armstrong	
Don Aweau	
Natasha Boteilho	
Quenton Browm	
Michelle Brown	
Bill Brown	Pana'ewa Hawaiian Home Lands Community Association
Doreen N. Canto	
S Carreira	
Kathleen Pua Chin	
Demont Conner	Ho`omana Pono, LLC
Leimana DaMate	Aha Moku Advisory Council
Robin Danner	Sovereign Councils of the Hawaiian Homelands Assembly
Rosie F Davis	
Vince Kanai Dodge	
Jeffrey Fujimoto	
Doreen Gaspar	Kapaakea Hawaiian Homestead Assn
Makanalani Gomes	
Kama Hopkins	
Wallace A. Ishibashi Jr.	
Sharronlee Joseph	
Wilma Noelani Joy	
Elmer Ka`ai	
Kaala	
Patrick Kahawaiolaa	Keaukaha Community Association
Kate Kahoano	
Craig "Bo" Kahui	Villages of Laiopua Association
Rachel L. Kailianu	Ho`omana Pono, LLC
Carol Lee Kamekona	
Diane Kanealii	Kailapa Community Association
Roger Kanealii	
Lilia Kapuniai	
Marion Kapuniai	
Michelle Kauhane	
Puni Kekauoha	
Kapua Keliikoa-Kamai	
Leimomi Khan	Kalihi Palama Hawaiian Civic Club

TESTIFIERS ON DHHL RELATED MEASURES FROM 2017	
Name	Organization
Lawrence Lasua	Kalamaula Homesteaders Association
Alexander Akana	
Melody Alcon	
Carl M Jellings Sr	
Jim Cisler	
Asti Merino	
Teri Heede	
Robert K. Lindsey, Jr.	
Lorry A Merino	
Stephen Park	
Piilani Akana	
Melissa Rietfors	
Suzanne Marciel	
Kalola Kaulili	
Javier Mendez-Alvarez	
Faataatia Lauifi Jr	
Shaye K Lauifi	
Tanya Lauifi	
Shane Nelsen	
Puanani Etcheverry	
Mapu Kekahuna	
Dawn Tanimoto	
Noelani	
Reis Haituka	
Kalani Johnston	
Robert Kaaihue	
Jerry Wayne Flowers Jr	
Solomon P Kahoohalahala	
Crystal Kia Paul	
Jimmy Gomes	
Tyson Kubo	
Verna Uyetake	
Kealakai Knoche	
Sherry Sasada	
Frances Dinnan	
Ronald Lee	
Kahili Norman	
Debbie Kini	
Kimberlee Woodward	
Maxine Anderson	
Shon Bowden III	

OTHER STAKEHOLDERS	
Name	Organization
Keeaumoku Kapu	Aha Moku o Maui Inc.
Kammy Purdy	Ahupua`a o Moloka`i
Black Ho'ohuli	Ahupua`a o Nanakuli
Dre Kalili	Association of Hawaiian Civic Clubs
Jalna Keala	Association of Hawaiian Civic Clubs
Blossom Feiteira	Association of Hawaiians for Homestead Lands
Samson Brown	Au Puni O Hawaii
Jeff Gilbreath	Hawaiian Community Assets, Inc.
Kealii Lopez	Imua Hawaii
Piilani Hanohano	Kamehameha Schools
Melissa Pavlicek	Kamehameha Schools
Vivian Ainoa	Kamiloloa One Alii Homestead Association
Roth Puhala	Ke One O Kakuhihewa
Paula Kekahuna	Maku`u Farmers Association
Uilani Kapu	Na Aikane O Maui
Mililani Trask	Na Koa Ikaika Ka Lahui Hawaii
Roxanne Hanawahine	Na Ohana o Puaoi a me Hanawahine
Paige Kapiolani Barber	Nanakuli Housing Corporation
	Native Hawaiian Education Council
Pohai Ryan	Native Hawaiian Hospitality Association
Camille Kalama	Native Hawaiian Legal Corporation
Alan Murakami	Native Hawaiian Legal Corporation
Kaliko Chun	Nelson case
Monica Morris	Office of Hawaiian Affairs
Sterling Wong	Office of Hawaiian Affairs
Apela Peahi	Peahi Ohana
Ronald Kodani	Piihonua Hawaiian Homestead Community Association
Roy Oliveira	Waiehu Kou Phase 3 Association
Daniel Ornellas	Waiehu Kou Phase 3 Association
Cynthia Rezentes	
Keoni Agard	
Keoni Bunag	
Sharlette Poe	
Randy Akee	
Carrie Ann Shirota	
Pauahi Hookano	
Nina Fisher	
Kahunawai Wright	
Patti Barbee	
Walterbea Aldeguar	
Karen Awana	
Jolyn Ballenti	
Esther Kiaaina	
Geanine Gomes	
Georgie Navarro	

OTHER STAKEHOLDERS	
Name	Organization
Kaukaohu Wahilani	
Kali Watson	Hawaiian Community Development
Scott Abrigo	Kapolei Community Development Corporation
Eric Enos	Ka'ala Farms
	Queens
Namaka Rawlins	Aha Punana Leo
Angela Correa-Pei	Kamehameha Schools
Sylvia Hussey	Office of Hawaiian Affairs
Joceyn Doane	Office of Hawaiian Affairs
Keone Nakoa	Office of Hawaiian Affairs
Sheri Daniels	Papa Ola Lokahi
Alohi Bikle	Papa Ola Lokahi
Tercia Ku	Papa Ola Lokahi
Mervina Cash-Kaeo	Alu Like
Sommerset Wong	Kamehameha Schools
Ka'ano'i Walk	Kamehameha Schools
Kau'i Burgess	Kamehameha Schools
Melissa Umemori Hampe	Kamehameha Schools
Olu Campbell	Kamehameha Schools
Sam Kippen	Kamehameha Schools
Diane Paloma	Lunalilo Home
Hailama Farden	Association of Hawaiian Civic Clubs
Makana Paris	Association of Hawaiian Civic Clubs
Kaiwi Yoon	Bishop Museum
Kanoe Tjorvatjoglou-Cup Choy	Council for Native Hawaiian Advancement
Colin Kippen	Council for Native Hawaiian Advancement
Capsun Poe	Department of Education
Kau'i Sang	Department of Education
Kevin Chang	Kuaaiana Ulu Auamo
Summer Keliipio	Liliuokalani Trust
Taffi Wise	Kanu o ka Aina Learning Ohana
Joseph Lapilio	Waianae Economic Development Council
David Forman	William S Richardson School of Law
Kapua Sproat	William S Richardson School of Law
Kukui Maunakea-Forth	MA'O Organic Farms

A BILL FOR AN ACT

RELATING TO INDEPENDENT LEGAL COUNSEL.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 28-8.3, Hawaii Revised Statutes, is
2 amended as follows:

3 (1) By amending subsection (a) to read as follows:

4 "(a) No department of the State other than the attorney
5 general may employ or retain any attorney, by contract or
6 otherwise, for the purpose of representing the State or the
7 department in any litigation, rendering legal counsel to the
8 department, or drafting legal documents for the department;
9 provided that the foregoing provision shall not apply to the
10 employment or retention of attorneys:

11 (1) By the public utilities commission, the labor and
12 industrial relations appeals board, and the Hawaii
13 labor relations board;

14 (2) By any court or judicial or legislative office of the
15 State; provided that if the attorney general is
16 requested to provide representation to a court or
17 judicial office by the chief justice or the chief
18 justice's designee, or to a legislative office by the

- 1 speaker of the house of representatives and the
2 president of the senate jointly, and the attorney
3 general declines to provide such representation on the
4 grounds of conflict of interest, the attorney general
5 shall retain an attorney for the court, judicial, or
6 legislative office, subject to approval by the court,
7 judicial, or legislative office;
- 8 (3) By the legislative reference bureau;
- 9 (4) By any compilation commission that may be constituted
10 from time to time;
- 11 (5) By the real estate commission for any action involving
12 the real estate recovery fund;
- 13 (6) By the contractors license board for any action
14 involving the contractors recovery fund;
- 15 (7) By the office of Hawaiian affairs;
- 16 (8) By the department of commerce and consumer affairs for
17 the enforcement of violations of chapters 480 and
18 485A;
- 19 (9) As grand jury counsel;
- 20 (10) By the Hawaii health systems corporation, or its
21 regional system boards, or any of their facilities;
- 22 (11) By the auditor;

____.B. NO.____

- 1 (12) By the office of ombudsman;
- 2 (13) By the insurance division;
- 3 (14) By the University of Hawaii;
- 4 (15) By the Kahoolawe island reserve commission;
- 5 (16) By the division of consumer advocacy;
- 6 (17) By the office of elections;
- 7 (18) By the campaign spending commission;
- 8 (19) By the Hawaii tourism authority, as provided in
- 9 section 201B-2.5;
- 10 (20) By the division of financial institutions for any
- 11 action involving the mortgage loan recovery fund;
- 12 (21) By the office of information practices; [~~or~~]
- 13 (22) By the department of Hawaiian home lands; provided
- 14 that:
- 15 (A) The department of Hawaiian home lands may use the
- 16 services of the attorney general as needed and
- 17 when the interests of the State and the
- 18 department of Hawaiian home lands are aligned;
- 19 and
- 20 (B) Legal fees owed to independent counsel shall be
- 21 paid by the State; or

1 [~~(22)~~] (23) By a department, if the attorney general, for
 2 reasons deemed by the attorney general to be good and
 3 sufficient, declines to employ or retain an attorney
 4 for a department; provided that the governor waives
 5 the provision of this section."

6 (2) By amending subsection (c) to read as follows:

7 "(c) Every attorney employed by any department on a full-
 8 time basis, except an attorney employed by the public utilities
 9 commission, the labor and industrial relations appeals board,
 10 the Hawaii labor relations board, the office of Hawaiian
 11 affairs, the Hawaii health systems corporation or its regional
 12 system boards, the department of commerce and consumer affairs
 13 in prosecution of consumer complaints, insurance division, the
 14 division of consumer advocacy, the University of Hawaii, the
 15 Hawaii tourism authority as provided in section 201B-2.5, the
 16 office of information practices, the department of Hawaiian home
 17 lands, or as grand jury counsel, shall be a deputy attorney
 18 general."

19 SECTION 2. Statutory material to be repealed is bracketed
 20 and stricken. New statutory material is underscored.

21
 22

____.B. NO.____

1 SECTION 3. This Act shall take effect upon its approval.

2

3

INTRODUCED BY: _____

4

BY REQUEST

____.B. NO.____

Report Title:

Department of Hawaiian Home Lands; Legal Counsel

Description:

Allows the Department of Hawaiian Home Lands to retain independent legal counsel as needed. Authorizes the Department of Hawaiian Home Lands to use the services of the Attorney General as needed and when the interests of the State and the Department of Hawaiian Home Lands are aligned. Provides that funds owed to independent legal counsel shall be paid by the State.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO INDEPENDENT
LEGAL COUNSEL.

PURPOSE: Allows the Department of Hawaiian Home
Lands to retain independent legal counsel
to be paid by the State and also use the
services of the Attorney General as
needed when the interests of the State
and the Department of Hawaiian Home Lands
are aligned.

MEANS: Amend section 28-8.3(a) and (c), Hawaii
Revised Statutes.

JUSTIFICATION: The department has a trust duty to its
beneficiaries and in the fulfillment of its
trust obligations, the department may at
times be at odds with the interests of the
State. It is at these times that the
department must be assured that its counsel
provides legal guidance strictly in the
interest of its client. Independent counsel
that is hired and retained by the department
eliminates any cloud of uncertainty that
there is a conflict of interest that the
department is represented by the Attorney
General's office that also represents the
State of Hawaii.

Impact on the public: This proposal further
protects the interest of beneficiaries of
the Hawaiian Homes Commission Act by
allowing the department to retain
independent legal counsel.

Impact on the department and other agencies:
This proposal could reduce the legal
services provided by the Attorney General's
office.

GENERAL FUND: \$500,000.

HHL-01(20)

EXHIBIT B

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: HHL 625.

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE DATE: Upon approval.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

August 19 & 20, 2019

TO: Chairman and Members, Hawaiian Homes Commission
FROM: Andrew Choy, Acting Planning Program Manager
SUBJECT: G-4 For Information Only – Maui Water Issues Update

RELEVANT MATERIAL WILL BE DISTRIBUTED UNDER SEPARATE COVER.

ITEM NO. G-4

J-ITEMS

Subject: FW: J agenda request

-----Original Message-----

From: Blossom Feiteira <

Sent: Sunday, August 01, 2019 7:42 AM

To: Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov>

Subject: J agenda request

Aloha Lea,

Not sure if I am too late but any chance I can get on the J agenda for Lei Ali'i? And Kahikinui too.

Let me know please.

Mahalo,

Blossom Feiteira

Association of Hawaiians for Homestead Lands-Maui Sent from my iPhone

From: donna sterling <
Sent: Friday, August 02, 2019 9:01 AM
To: Burrows-Nuuanu, Leatrice W
Subject: 8/19/2019 Commissioner Mtg

Aloha

Request to be placed on 8/19/2019 J Item Of Agenda as Donna Sterling Lot #41 Kahikinui resident and President Of Helekunihi Cultural Foundation Kahikinui.

Mahalo

Donna Sterling

Please advise receipt of this request.

Sent from my iPhone



Nā Maka
o ka 'Aina



HAWAIIAN HOME LANDS

LANDLOCKED
PARCEL

EASEMENT AREA

Maipōpae

Google Earth

© 2018 DigitalGlobe

Google

EST/UM



August 7, 2019

William Aila

Interim Chairman and Director

Department of Hawaiian Home Lands

91-5420 Kapolei Parkway

Kapolei, HI 96707

RE: KAHIKINUI HOMESTEAD DECLARED IN STATE OF EMERGENCY

Testimony from Donna Sterling Resident, Lot#41 Nawini Road, Kahikinui Maui also Founder/President of Helekunihi Cultural Foundation a 501 C-3 Non Profit Located in Mahamenui Ahupua'a in the Moku of Kahikinui

Aloha Chair and Commissioners:

Aloha my name is Donna Sterling a lineal descendent of Kahikinui and a permanent resident of Kahikinui Kuleana Homestead for the past 18 years. We have a small squash and mamaki farm to market which helps to supplement our income.

I am here today to provide information on two issues affecting our Helekunihi 'Ohana. Why create another community group or association?

- **only residents living 24/7 can vote for Board members**
- **I live 24/7 but was denied voting for board elections on June 9, 2019 with no reason from board but referred me to DHHL. Til today no one has given me a reason. Asked to be placed on next community agenda again denied with President responding "we've talked about this all ready, there are other issues. No one from the board has discussed this issue with me. This should never happen to me again or anyone else. Will address at next community meeting 8/11/2019 10 am Hale Pili.**
- **All Leaseholders are not being represented by the Board. Why? They are not allowed to vote by by-laws again. All Leaseholders have no say in their community elections. These bylaws have SEGRAGATED our community. After years of trying to change bylaws through a bylaws committee, it falls on the wayside by the present board.**
- **KOOK lost our IRS non profit status for 4 years due to the lack of annual filing with the DCCA for three years consecutively. Reinstatement was done and is functioning with reservation by leaseholders.**

Commissioners, please refer to the following packet enclosures:

- Ka Ohana O Kahikinui By Laws
- July 22, 2019 Leaseholder Survey Letter
- Helekunihi Palapala Sila Nui #2824
- Color Photo of partial Burn Lot #41 and Helekunihi Cultural Foundation Hale saved from burn
- DHHL to HCF Five Year Road Easement
- HCF (Helekunihi Cultural Foundation) list of all the good brought forward to the community and the moku of Kahikinui
- Green kahikinui moku map showing Helekunihi Parcel
- Aloha Statement of HCF
- Photo of HCF Lock with welders composite material

HELEKUNIHI CULTURAL FOUNDATION EASEMENT ACCESS

Helekunihi Cultural Foundation (HCF) is a landlocked parcel owned by Ulupalakua Ranch. Our foundation has a five year lease from the ranch. Our Helekunihi family has the Palapala Sila Nui #2824. We have been granted a five year DHHL Easement, from the main road Pii'lani Hwy a half mile up to our bottom boundary. The road is an unpaved 4 wheel drive road. Two metal gates are at the entrance with two combination locks. Facing Mauka fronting the gate, left side is a Ka Ohana O Kahikinui community lock. On the right side is Helekunihi Cultural Foundation combination lock. We both share access.

Unauthorized entry by people has happened without our knowledge. Once we were locked out by someone in the community and we called Wailuku DHHL to ask the KOOK board to give us the combination to a lock on our side so we could put our own lock on. After I discuss access road with the Ranch; then July 2019 we had someone put welder's composite material over our combination lock. A police report was filed Report #19-030046 .

People accessing the DHHL easement and into 3,300 feet of private Ulupalakua and Helekunihi Cultural Foundation have no permission from either UR or our HCF. For years people have assumed it was ok to use the road. Since 2007, our foundation has reached out to KOOK for meetings creating discussion on access courtesy to let when and who are accessing. KOOK continues to decline any invitation by HCF to remedy this issue. Liability has always been an issue for HCF and UR. One group, Kahikinui Game and Land Management has successfully blocked an area left of the gate with pipes, preventing vehicular traffic driving over a dirt berm.

Commissioner's, please refer to #2 of the Easement to HCF, which states "The license easement is for ingress and egress to the landlocked parcel ONLY and shall not be used for the purpose of accessing Hawaiian Home Lands outside of the easement area, as identified and shown on Exhibit"A", for hunting and/or other purposes." This amendment was drawn up by DHHL Land Management received a complaint from KOOK Board. Complaint was Donna Sterling was letting people in to hunt. When I tried to explain situation to

The only way an easement was to occur was to accept an amendment attached to our 5 year DHHL Easement from 1/1/2018 to and terminating on 12/31/2022.

Kahikinui has a long history of poor to no communication among the community. An example of no communication to our HCF is the KIA ungulate Removal plan. June 29, 2019 HCF has a scheduled board meeting at our parcel. Upon arriving at the gate to open lock we notice 6-7 trucks parked outside our parcel. Not sure their purpose we decided to cancel meeting, especially if they have guns and hunting. One phone call by me to Kaleo Cullen President of KOOK who said it was KIA doing ungulate removal. Again lack of communication of the KOOK board to HCF. Now it is a big safety issue to our foundation.

Our HCF intends to abide by the easement. To control unauthorized access through the gate and through our property, we recommend another route around our property is needed. We will be suggesting the community look at accessing Puu Pane through the homestead subdivision. An alternate route would cut unauthorized traffic giving way to only authorized traffic given by UR and HCF. We will meet with UR, HCF, Kahikinui Kia', and KOOK to access alternatives.

As you probably are aware of the 7 to 8 large fires in Kahikinui since 2003, safety along with creating an environment of friendly neighbors is important. Photographs in your paperwork is our resident Lot #41 and the other is the Helekunihi Cultural Foundation hale. As you can see fires surround us but MFD does an excellent job of saving our structures. Fire has and is at the top of our priority list. I have recently volunteered to serve my community as a Commissioner on the Mau Fire and Public Safety Commission. Mending healing what ever it takes to keep our beloved Kahikinui safe for all.

HCF continue to be a Pillar of values based on the Kapu Aloha:

Our Board of Director's are planning to pave the easement road and will meet with DHHL as Lessors as the project moves forward. We have a mission statement of engaging in native Hawaiian Plants and that a University School in place on our parcel will be functioning as well. Hawaiian Practioners have been contacted and are in for this Project. This is why securing a safe and healthy area surrounding our parcel is critical. We have completed a 7 year \$100,000 NRCS Conservation Plan, and now have 10 acres of fencing preserving Wiliwili trees and the 1,200 native plants we planted.

We also ask that DHHL Maui Commissioner Randy Awo or someone on staff who knows Kahikinui issues attend the joint meetings. Communication, communication and communication is critical to a healthy lahui..

Mahalo Chair

Respectfully

Donna Sterling

Recommendation 9

BY LAWS OF
KA OHANA O KAHIKINUI, INC.

ARTICLE I:
NAME, PURPOSE, SEAL

1.10: NAME:

The name of the corporation shall be:

KA OHANA O KAHIKINUI, INC.

1.20: PURPOSE:

The purpose of this corporation is to:

Develop, implement, and maintain a community based land and natural resource management program; the documentation and registration of all historical and archaeological sites in Kahikinui, the restoration and maintenance of those historical and archaeological sites determined to have cultural significance; to develop self sufficiency through subsistence homesteading.

1.30: NON-PROFIT:

The corporation is organized exclusively for charitable, religious, educational and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal code.

1.40: SEAL: *Delete*

will not be utilized
This corporation shall have a seal.

ARTICLE II:
BOARD OF DIRECTORS

2.10: BOARD OF DIRECTORS:

The property and affairs of the corporation shall be ⁵ governed by a Board of Directors consisting of ~~8~~ ⁷ members. The Board of Directors shall exercise all lawful authority for that purpose. All members of the Board of Directors shall be residents of the State of Hawaii. ~~to~~ ^{Regular member}

2.20: MEETINGS:

The Board of Directors shall have an annual meeting during the second quarter of each year (or at a place and on a date proximate thereto, as selected by the prior agreements of all directors), and may have additional meetings at such other times and places as appropriate. If necessary, and meeting of the Board of Directors may be held by a telephone conference.

2.30: QUORUM:

? 3 ~~4~~ Directors shall constitute a quorum. In all matters, the members of the Board of Directors shall strive to obtain a unanimous consensus, but lacking a consensus, a majority of the Directors present at any meeting where there is a quorum shall rule.

2.40: ELECTION:

Directors will be elected by the ^{Regular} membership at the annual meeting, to serve until their successors are elected. Directors may succeed themselves in office.

2

2.50: TERM:

Each Director shall be elected for a term of two years. 0 of Directors receiving the least amount of votes at the initial election shall serve for one year, and be elected every two years thereafter.

2.60 VACANCIES:

The remaining members of the Board of Directors, even if less than a quorum, shall designate new Directors to serve the rest of the unexpired terms of any vacancies arising on the Board of Directors between elections held at annual meetings. If Three consecutive meetings are missed by a Director, this Director shall be relieved of all duties as a Director of the Board.

2.70 NOTICE:

Notice of any meeting of the Board of Directors and annual membership meetings shall be given in writing and mailed by any Director at least ten days before each such meeting, except that the Directors may waive such notice and act at any meeting or otherwise as permitted by the laws governing nonprofit corporations in the State of Hawai'i.

ARTICLE III: OFFICERS

3.10 ELECTION

At the annual meeting, the first order of business for newly elected members of the Board of Directors shall be to elect from among themselves the officers of the corporation. The officers of the corporation shall consist of a President, a Vice President/Secretary, and

3

a Treasurer. Officers shall serve during the same two year terms as their memberships on the Board of Directors, and officers may be elected to succeed themselves in office.

3.20: PRESIDENT:

The President of the Corporation will preside at meetings of the Board of Directors and shall have the power to ~~sign~~ contracts, notes, minutes of the

SIGN

meetings, and all other instruments approved by the Board of Directors. The President may appoint for a specified term any qualified person to any standing or special committee provided by these by-laws or established by any resolution of the Board of Directors.

3.30: VICE PRESIDENT:

The Vice President of the corporation will provide assistance to each officer, as necessary, in of the purposes of the corporation. In case of the absence of the President from any meeting of the membership or the Board of Directors, the Vice-President will preside.

3.40: SECRETARY:

The Secretary of the corporation will keep minutes of all meetings of the Board of Directors and shall maintain the general records of the corporation, including a registry of regular and associate members, and shall undertake such acts as may be necessary to keep the corporation in good standing in the State of Hawai'i and in any jurisdiction approved by the Board of Directors for the conduct of corporate activities.

4

3.50: TREASURER:

The Treasurer of the corporation will keep the financial books and records of the corporation, and report upon same to the Board of Directors at least annually. The signature of both the Treasurer and also the signature of any other officer must jointly appear on all checks issued on any account of the corporation. Any payment or allocation of corporate funds or resources must be approved by the Board of Directors either specifically or as an item of an authorized budget or a purpose established by a resolution of the Board of Directors and designated for expenditures.

**ARTICLE IV:
MEMBERS AND COMMITTEES:**

4.10: MEMBERS:

The corporation shall have members.

Member

4.12: PROBATIONARY STATUS:

*No Probationary
Period*

All those who apply for membership to Ka Ohana O Kahikinui will be ~~given a period of probation to~~ establish acceptance for regular membership. ~~The probationary period shall not be less than 90 days and shall not exceed 180 days. Upon completion of the probation period,~~ Application for regular membership shall be determined upon the following:

*Need to be on
application
a + 10
+ 4:15*

- a. Amount of participation in ~~all~~ community activities;
- b. Has met the eligibility requirements set forth by the Department of Hawaiian Home Lands;
- ~~c. Sponsorship of no less than 2 regular members in good standing of the Ohana.~~ *Delite*

4.15: QUALIFICATIONS FOR REGULAR MEMBERSHIP:

Regular membership shall be made available to any person age 18 years or older providing that he/she meets the following criteria:

- 1. Must meet the eligibility requirements of the Department of Hawaiian Home Lands;
- 2. ~~Must reside~~ *FT-PT (K)* in Kahikinui, ^{*Kuleana Homes tract lots*} Maui, Hawai'i;
MUST Reside Full time in Kahikinui Kuleana Homestead LOTS
- 3. ~~Has met the probationary period and requirements~~

Delete

~~established by the Ohana;~~

4. Must agree to abide by these by-laws, and the rules and policies that govern the Ohana;
5. Must agree to sign and adhere to the covenant agreements that are attached herein;
6. ~~Must agree to participate in all community activities established by the Ohana to protect the integrity of Kahikinui;~~
7. Must agree to assign all conflicts to the Ohana for mediation and resolution.

*new lessees ?
have C.P + DCCA*

Delete

4.25: ASSOCIATE MEMBERSHIP:

Associate membership in the corporation shall be made available upon request providing that they meet the following:

1. Must agree to abide by these by-laws, and to
6
adhere to the rules and policies that govern the Ohana;
2. Must agree to sign and adhere to the covenant agreements attached herein;
3. ~~Must agree to participate in all community activities established by the Ohana to protect the integrity of Kahikinui;~~
4. Must agree to assign all conflicts to the Ohana for mediation and resolution.

Delete

4.25: ACCEPTANCE OF MEMBERSHIP APPLICATIONS:

The Secretary of the corporation (or, in the absence of the Secretary, the President of the corporation) shall receive applications for membership and, within 10 days after receipt of the application, shall determine

whether the application is complete and satisfactory. Upon determining that an application for membership is complete and satisfactory, the person applying shall be immediately registered in the appropriate membership class, within the same 10 days after receipt of the application. Upon determining that an application for membership is not complete and satisfactory, the person applying shall be given notice of the reasons for the determination, such notice shall be sent by first class mail within the same three days after receipt of the application, and may additionally be given by any other appropriate method.

4.30: VOTING:

Only registered regular members shall be entitled to vote in any elections or in any other matters requiring

⁷
regular membership votes that may be conducted by the corporation. Unless otherwise required by these by-laws, any matter presented for a vote may be decided by the voice vote of a simple majority of the regular membership in good standing present at a meeting of the membership where a quorum exists at the time of the vote. Proxy voting shall not be permitted, unless the specific matter upon which a vote is being called for is listed upon the proxy. Proxy vote shall be submitted to the Secretary (or in the absence of the Secretary, the President of the corporation) prior to the beginning of the membership meeting. Upon the

Registered members request of not less than thirty-five percent of the members present at a membership meeting, the determination of a specific matter subject to membership vote shall require a written ballot for voting instead of a voice vote.

4.35: FEES, DUES, ASSESSMENTS:

Any fees, dues, and assessments payable by members of this corporation shall be established only upon the

affirmative vote of 100 percent of the ^{*regular*} membership ~~both regular and associate~~ *delete*

4.40: COMMITTEES:

The Board of Directors may establish by resolution any standing or special committees that may be deemed necessary in the exercise of their discretion. The governance of, qualification for and terms of membership, duties and direction of all corporate committees shall be established by such guidelines as may from time to time be set forth in resolutions of the Board of Directors. Each committee shall keep minutes and appropriate records of its proceedings and activities. Committee minutes and records shall be delivered to the Secretary of the corporation.

4.45: REMOVAL FROM MEMBERSHIP:

Any member of the corporation may be removed from membership for failure to abide by the by-laws of the corporation or other substantial misconduct only upon the affirmative vote of not less than two-thirds (2/3rds) of the regular membership, following notice to the member of not less than twenty days specifying the grounds for removal from membership, and after an opportunity for the member to be heard at a regular or

special meeting of the membership.

4.50: ANNUAL MEETING OF THE MEMBERSHIP:

The membership of the of the corporation shall have an annual meeting on the Island of Maui, State of Hawai'i on the ~~second~~^{third} Saturday of March of each year at a time and place so designated by the Board of Directors.

4.55: NOTICE OF ANNUAL MEMBERSHIP MEETING:

Notice of the place and time of the annual membership meeting shall be delivered by first class mail, by

8
add 4.65 see 4.65
4.65

telephone, or in person no later than ten days prior to the date established herein.

4.60: SPECIAL MEETINGS OF THE MEMBERSHIP:

The membership of the corporation may have special meetings upon the call of any officer of the corporation, or upon the written petition of twenty-five percent of the regular membership specifying the general nature of the business proposed for consideration. A petition for a special meeting of the membership shall be delivered in person or by first class mail to any officer, and the officer receiving such a request shall proceed without delay to call the special meeting requested.

~~4.65: NOTICE OF MEMBERSHIP MEETINGS:~~

~~Notice of each meeting of the membership of the corporation shall be sent to each member by regular first class mail to the member's current address, as shown in the records of the corporation, not less than ten days and not more than thirty days before the date~~

Delete

*Donna
Justin
Alvin*

of the meeting. The notice shall specify the date, time and place of the membership meeting and shall describe the general nature of the meeting and the business proposed for consideration. *add to 4.55*

4.70: QUORUM:

A majority of the regular membership present at a meeting of the corporation shall constitute a quorum for the transaction of business at any meeting of the membership of the corporation.

ARTICLE V:
MISCELLANEOUS MATTERS

5.10: INDEMNIFICATION:

The corporation shall indemnify the members of the

9

Board of Directors, all corporate committees, and corporate agents and employees to the fullest extent allowed by laws governing nonprofit corporations in the State of Hawai'i.

5.20: BONDS AND INSURANCE:

The Board of Directors may obtain such bonds and insurance as may be deemed appropriate in its discretion to accomplish indemnification and related purposes.

5.30: FISCAL YEAR:

The fiscal year of the corporation shall be the annual year.

5.40: AMENDMENTS OF ARTICLES OF INCORPORATION:

The Articles of Incorporation may be amended

10 minutes

special meeting of the membership.

4.50: ANNUAL MEETING OF THE MEMBERSHIP:

The membership of the of the corporation shall have an annual meeting on the Island of Maui, State of Hawai'i on the ~~second~~^{third} Saturday of March of each year at a time and place so designated by the Board of Directors.

4.55: NOTICE OF ANNUAL MEMBERSHIP MEETING:

Notice of the place and time of the annual membership meeting shall be delivered by first class mail, by

add 4.65 8
see 4.65

telephone, or in person no later than ten days prior to the date established herein.

4.60: SPECIAL MEETINGS OF THE MEMBERSHIP:

The membership of the corporation may have special meetings upon the call of any officer of the corporation, or upon the written petition of twenty-five percent of the regular membership specifying the general nature of the business proposed for consideration. A petition for a special meeting of the membership shall be delivered in person or by first class mail to any officer, and the officer receiving such a request shall proceed without delay to call the special meeting requested.

4.65: NOTICE OF MEMBERSHIP MEETINGS:

Delete

Notice of each meeting of the membership of the corporation shall be sent to each member by regular first class mail to the member's current address, as shown in the records of the corporation, not less than ten days and not more than thirty days before the date

July 22, 2019

Aloha Kahikinui Leaseholders,

For the purpose of transparency for DHHL Kahikinui Leaseholders, the group Kahikinui Kia'i has been created.

There are concerns of the conduct of existing board of Ka 'Ohana O Kahikinui. The current by-laws of KOOK (Ka 'Ohana O Kahikinui) does not include all lessees. The KOOK 501(c)-3 is not in compliance with federal non-profit regulations. All lessees need to be represented by their board. We need a board that is inclusive of all lessees.

With the many recent emergency events on Maui, safety and protection is at the top of our minds.

Please join us on **Saturday, August 10, at 8:30 a.m. at the main Homestead gate** and share any concerns you may have.

Those who are able to kokua road brush clearing we will drive to the work area after we gather at main gate. *More info forthcoming.*

Your mana'o is important to all. Using the provided self-addressed stamped envelope, please reply with your thoughts and signature.

Mahalo,

Donna Sterling

Resident @Lot #41
Nawini Road Kahikinui Maui
P.O. Box 700, Makawao, HI 96768



Please cut and mail this portion

Kahikinui Kia'i:

I am in support of the newly formed group Kahikinui Kia'i YES NO

I am concerned about the conduct of Ka 'Ohana O Kahikinui (KOOK) YES NO

Other thoughts and/or concerns I'd like to share:

Please use the self-addressed stamped envelope to return this input form, Mahalo for your participation.
Donna Sterling, P.O. Box 700, Makawao, HI 96768

a meloko a le Aupuni *119* oho a e'ili ako emi ihi mai paha.
Eia ke kumu o ka lilo ana; ua haawi mai oia iloko o ka waibona waiwai o ke Aupuni i

57.50
Aka, ua koe i ke Aupuni na mine minerala a me na mine metala a pau.

No *Kulekunihi*
ua aina la i haawia, no ~~me~~ mau loa aku no, ma ke ano aloho a no ko ~~me~~ mau hoo'ia, a me ko
~~me~~ waibona, ua pili nce ka subu a ka Por Abeolelo o kau ike ai ma na aina aloho a pau i kela
manawa i keia manawa.

A i sata e ike ai, ua kau wau i ko'u moa, a me ka Sila Nui o ko Hawaii Pas Aia,
ma Honolulu, i keia la *3 o Jan*, 18*81*.

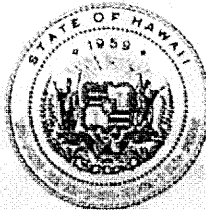
W. K. Kahanamoku

W. K. Kahanamoku
Kaka Mui to Kahuia Kui
W. K. Kahanamoku





DAVID Y. IGE
GOVERNOR
STATE OF HAWAII



JOBIE M. K. MASAGATANI
CHAIRMAN
HAWAIIAN HOMES COMMISSION

DOUGLAS S. CHIN
LT GOVERNOR
STATE OF HAWAII

WILLIAM J. AILA, JR.
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P. O. BOX 1879
HONOLULU, HAWAII 96805

April 11, 2018

CERTIFIED MAIL
7013 2630 0002 3664 3219
RETURN RECEIPT REQUESTED

Ms. Donna Sterling, President
Helekunihi Cultural Foundation
P.O. Box 700
Makawao, Hawaii 96768

Dear Ms. Sterling:

Subject: First Amendment, License No. 702, Helekunihi Cultural
Foundation, Kahikinui, Maui

Enclosed and being transmitted herewith are two (2) original and
fully executed First Amendment to License No. 702 documents for your
records.

Mahalo for your cooperation and assistance with the amendment
process. Should you have any questions or need further assistance,
please contact Shelly Carreira, Land Agent, Land Management Division
at 808.620.9459 or by email at shelly.p.carreira@hawaii.gov.

Aloha,

Peter "Kahana" Albinio, Jr.
Acting Administrator
Land Management Division

enc.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

FIRST AMENDMENT TO LICENSE NO. 702

THIS FIRST AMENDMENT, executed this 2 day of April, 2018, by the State of Hawaii, DEPARTMENT OF HAWAIIAN HOME LANDS, whose place of business is 91-5420 Kapolei Parkway, Kapolei, Hawaii 96707, and whose mailing address is P. O. Box 1879, Honolulu, Hawaii 96805, hereinafter referred to as "LICENSOR," and HELEKUNIHI CULTURAL FOUNDATION, whose mailing address is P.O. Box 700, Makawao, Hawaii 96768, hereinafter referred to as "LICENSEE."

WITNESSETH THAT

WHEREAS, License No. 702 was made and issued on January 8th, 2008, authorizing LICENSEE access over and across a portion of Hawaiian home lands situated at Mahamenui, Kahikinui, Maui, for access purpose only to and from LICENSEE'S land locked parcel, identified by Tax Map Key No. (2) 1-9-001:003 (por.);

WHEREAS, pursuant to the authority granted, License No. 702 was made and issued to the Helekunihi Cultural Foundation, for a term commencing on January 1, 2008 and ending on December 31, 2017;

WHEREAS, LICENSEE has requested to extend the term of the License No. 702 for an additional five (5) year period;

WHEREAS, LICENSOR has reviewed and evaluated LICENSEE'S use of the premises and has found that LICENSEE has observed and performed all of the terms and conditions set forth in License No. 702;

NOW THEREFORE, LICENSOR AND LICENSEE, for and on behalf of themselves, their successors and assigns, do hereby agree to amend License No. 702 as follows:

1. The term of the License shall be extended for five (5) years, retroactively commencing on January 1, 2018 and terminating on December 31, 2022;



2. The license easement is for ingress and egress to the landlocked parcel ONLY and shall not be used for the purpose of accessing Hawaiian home lands outside of the easement area, as identified and shown on Exhibit "A", for hunting and/or other purposes;
3. LICENSEE shall pay a documentation and processing fee of \$150.00;
4. The amendment document shall be subject to the review and approval of the Deputy Attorney General, State of Hawaii; and
5. Except as amended herein, all of the terms, conditions, covenants, and provisions of License No. 702 shall continue and remain in full force and effect.

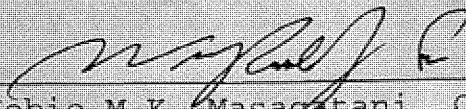
[REMAINDER OF PAGE BLANK -- SIGNATURE PAGE FOLLOWS]



IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed as of the day and year first above written.

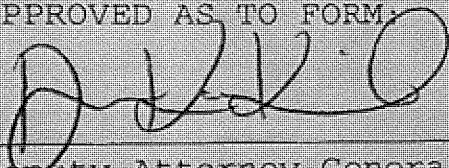
APPROVED BY THE
CHAIRMAN HHC ON
February 7, 2018

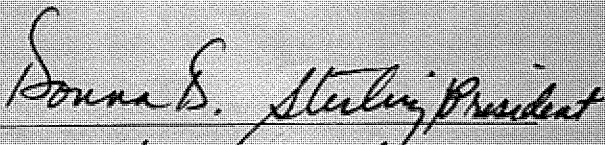
State of Hawaii
DEPARTMENT OF HAWAIIAN HOME LANDS

By 
Jobie M.K. Masagatani, Chairman
Hawaiian Homes Commission

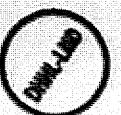
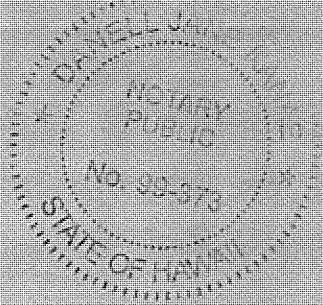
LICENSOR

APPROVED AS TO FORM:


Deputy Attorney General
State of Hawaii

By 
By Ats: Haka Kapihi Cultural Foundation

LICENSEE



STATE OF Hawaii)
COUNTY OF Mau) SS

On this 2nd day of April, 2018, before me personally appeared Donna D Sterling and N/A, to me known, who, being by me duly sworn, did say that they are the persons who executed the foregoing instrument and acknowledge to me that they executed the same freely and voluntarily for the use and purposes therein set forth.

Danell Jane Kanae
Notary Public, State of Hawaii
Danell Jane Kanae
Print Name of Notary Public
My commission expires: 08/01/19

NOTARY CERTIFICATION STATEMENT

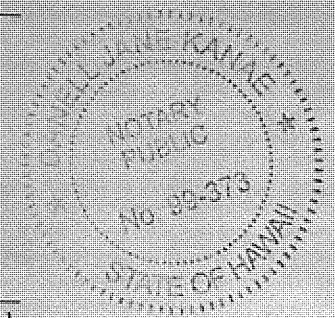
Document Identification or Description:
State of Hawaii
Department of Hawaiian Home Lands
First Amendment to License No 702

Doc. Date: April 2, 2018 or Undated at time of notarization.

No. of Pages: 6 Jurisdiction: 2nd Circuit
(in which notarial act is

performed) *Danell Jane Kanae* 4/10/18
Signature of Notary Danell Jane Kanae Date of Notarization and Certification Statement

My commission expires: 08/01/19



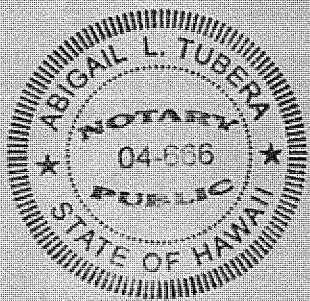
STATE OF HAWAII

CITY & COUNTY OF HONOLULU

)
) ss:
)

On April 6, 2018, in the First Circuit, State of Hawaii, before me appeared WILLIAM J. AILA, JR., to me personally known, who, being by me duly sworn or affirmed, did say that he is the deputy to Chairman JOBIE M. K. MASAGATANI, and the person executed the foregoing instrument identified or described as FIRST AMENDMENT TO LICENSE NO. 702, as the free act and deed of such person, and if applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.

The foregoing instrument is dated April 2, 2018, and contained six (6) pages at the time of this acknowledgment/certification.



Abigail L. Tubera

Print Name: Abigail L. Tubera

Notary Public, State of Hawaii

My commission expires: November 21, 2020



Department of Hawaiian Home Lands

Draft of good things HCF has done for Moku O Kahikinui

- 11/20/07 DHHL Easement to HCF Approved for 10 years
- 8/24/07 Lease from UR to HCF signed and approved 10 years
- 2007 Brandon Baltazar of Double B Ranch welds double lock at Puupane Corral gate
- 2007 Pat Kusanoki donates steel plate to hold to locks one for KOOK community and the other for HCF access
- 5/2/17 Meeting with UR and HCF requesting 5 year lease extension
- 2010 to 2015 NRCS Conservation Plan received total funding \$163,000.00 to install 10 acre 8' deer fence enclosure for native plant reforestation while preserving groves of Wiliwili trees Build storage/volunteer building, compost toilet, hazardous metal storage shed. Plant over 2,000 native Hawaiian plants
- 2011-2012 Install 3,000 gallon water tank and pvc pipes, valves faucets to water native plantings
- 2013 volunteers gather to fix damaged access road, asked kook to join us no response
- 2008 rebury ancestral 'Iwi in Hale wall
- 2011 Job Corp 32 students spend the day to paint, weedwack, erected fencing, rockwall continue from existing, roundup Invasive weeds
- Invitation to KOOK community to visit HCF do site visit Aimoku Pali and Alvin Vierra, and Eddie Akahi came
- 2007-present over 167 volunteers manpower to work projects on aina
- 2014 to 2017 lessees unable to access community side of the lock as gate keeper not available to contact. Lessees access to hunt and gather seeds. HCF gave our combo to lessees to access.
- People accessing gates no matter what side are HCF; KOOK Board, KOOK lessees and friends family, Leeward Haleakala Watershed Partnership, Art Medeiros, Ainoa Kaiaokamalie, State of Hawaii Dept of Forestry and Wildlife, Na Kula volunteers,
- 3/7/15 Ka'apuni Torch March at Hale Pili.gathering including marchers friends family visitors community of Kahikinui Lessees, Aha Moku Representatives, Lomi lomi vendors. HCF donated \$800.00 of food to feed 160 people for two days. And provide sleeping tents cots water etc.
- 2007 Respond to K OOK Board directive of removing personal items from container, and hale and around hale at the Hale Pili. Made 3 round trips with three full size trucks of rubbish to rubbish dump. Four volunteers from HCF showed up for work that day.
- Monitor gates in the 26 to 28 mile marker
- 2011-2012 Joint effort by HCF and KOOK Community to have two areas set up for pipi drops by chopper for people not just lessees anyone contacted to clean and take meat. KGLMO (Kahikinui Game Land Management Ohana) assisted and coordinated with ground personnel

- 8/29/09 HCF reported to MPD locks were cut by Kimo Akahi at 26 mile marker and entrance was on dhhl land without permission .It became a civil matter with dhhl and was a Criminal Trespass II. A letter dated 10/3/2009 to Linda Chin Administrator, DHHL was written addressing the incident and with 5 recommendations to Mr. Akahi.
- 2010 Brush management removal to create a fire break buffer were done by hand due to the cultural sensitivity of the aina.
- 2010 HCF participated in the DOD Summer Youth Program utilizing one young adult to manually dig the perimeter of proposed 10 acre fencing
- 2008 Alika Smith and Wife Aloha and Maya Pimentel volunteered to locate 6 survey property pins for Helekunihi parcel. Alika used Austin and Tsetsumi surveyors.
- 2016 HCF Weedwack hale Pili mile marker 24 community center in preparation of meeting of community
- 2011 HCF followed Maui County Building Codes in constructing our storage/volunteer building
- 2017 HCF volunteers have ceased to hunt in our parcel and outside of our parcel on dhhl
-
-

Aloha

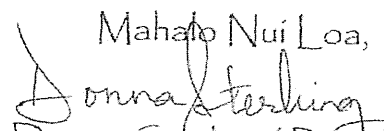
The Helekunihi Cultural Foundation (HCF) is a non profit organization with the mission: To engage in the propagation of native Hawaiian plants for reforestation, restore water systems, preserve ancestral archaeological sites and continue traditional Hawaiian values with spiritual connections to all natural resources. This letter is to inform you about our short term and long term plans.

Our goal is to begin to transform the 119 acres of the Helekunihi property in Kahikinui for two primary reasons:

To identify successful methods for re-establishing native plant communities in southwestern Maui. To develop ways of educating people about native plants and their traditional uses by Native Hawaiians in Kahikinui and involving them in restoration efforts while protecting the archaeological remnants of its former inhabitants.

During the next few years HCF plans to substantially increase our efforts to raise and establish native plants throughout the property. To do this, we will develop a plant nursery and increase water storage capacity. The plants are to be started in fenced, irrigated nursery plots, and then planted out on the Helekunihi property in appropriate locations.

HCF is determined to preserve, develop, and pass on to future generations this ancestral territory of low dry land forest. Our kuleana is to restore the native grandeur of Helekunihi in Kahikinui, Maui.

Mahalo Nui Loa,

Donna Sterling (President)



Subject:

EA...

Fritc

From: Vala Kuma <

Sent: Wednesday, August 07, 2019 6:36 AM

To: Princes Lehuanani <princeslehuanani@yahoo.com>; Wahine Nui <nahavas@yahoo.com>; Burrows-

aloha leah,

Thank you LOUSIE, I am so so so very GRATEFUL,
for all you do for me and my entire maui ohana nation,
seeking the safety of me wen I do attend your island
to island public meeting DHHL commissioners meetings.
I look forward to meeting with Oahu new DHHL chairperson,
Mr. William Aila, please give him my Aloha Kapu.
I do request that if you could also have the Security Guard,
that was employed and also if person up front counter of
your front entrance can also be present at our meeting, im looking
at first thing next MONDAY ...AUG.12th, 2019...9-10am...SOLID
MAHALO TO ALL FOR YOUR KIND CONCERNS AND UNDERSTANDING.

EO...EA

Princeslehuanani

Kumaewakainakaleomomona

...

From: Bo Kahui <
Sent: Tuesday, July 30, 2019 4:08 PM
To: Burrows-Nuuanu, Leatrice W
Cc: Dora Aio; Kawehi Inaba
Subject: Request to be placed on the J Agenda

Aloha Lea,
I'm submitting this request to be placed on the J agenda for the next DHHL Commission hearing on Aug 19th and 20th.
Please advise
Mahalo Nui
Craig "Bo" Kahui
Executive Director
Laiopua 2020
808-327-1221

NOTICE: The information contained in this electronic mail transmission is intended by the sender for the sole use of the named individual(s) or entity(ies) to which it is directed and may contain information that is privileged or otherwise confidential. Please do not copy it or use it for any purpose or disclose its contents to any other person. To do so could violate state and federal privacy laws. If you have received this electronic mail transmission in error, please delete it from your system without copying or forwarding it and notify the sender of the error by reply email or by telephone so that the sender's address records can be corrected. Thank you for your cooperation.



Virus-free. www.avast.com