

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

91-5420 Kapolei Parkway, Kapolei, O‘ahu, Hawai‘i
Monday, January 29, 2018 at 9:30 a.m. to be continued, if necessary, on
Tuesday, January 30, 2018, at 9:00 a.m.

Note: Commission Meeting Packets will be available at dhhl.hawaii.gov, by Saturday, January 27, 2018.

I. ORDER OF BUSINESS

- A. Roll Call
- B. Approval of Agenda
- C. Approval of Minutes for May 2014, October 2017
- D. Public Testimony on Agendized Items

II. ITEMS FOR DECISION MAKING

A. CONSENT AGENDA

Homestead Services Division

- D-2 Approval of Consent to Mortgage (see exhibit)
- D-3 Approval of Streamline Refinance of Loans (see exhibit)
- D-4 Approval to Schedule Loan Delinquency Contested Case Hearings (see exhibit)
- D-5 Approval of Homestead Application Transfers / Cancellations (see exhibit)
- D-6 Commission Designation of Successor to Application Rights of **JOSEPH P. NOA, (Dec'd.)** – Public Notice 2016
- D-7 Approval of Designation of Successors to Leasehold Interest and Designation of Persons to Receive the Net Proceeds (see exhibit)
- D-8 Approval of Assignment to Leasehold Interest (see exhibit)
- D-9 Approval of Amendment of Leasehold Interest (see exhibit)
- D-10 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees (see exhibit)
- D-11 Approval for Payment of Net Proceeds - **DONNA CHRISTINE KAMAHELE from JOHNNY KAMAHELE (Dec'd.)**, Residential Lot Lease No. 12683, Lot No. 25, Panaewa Residence Lots, Waiakea, Hilo, Hawaii
- D-12 Designation of Successor – **KATHLYN K. IBARA**, Lease No. 10234, Lot No. 11, Waiehu Kou 2, Maui
- D-13 Commission Designation of Successor – **VALENTINE REDO**, Lease No. 9164, Lot No. 13, Kahikinui, Maui
- D-14 Designation of Successor – **ALFRED KALEI AKI**, Lease No. 4294, Lot No. 43, Anahola, Kauai
- D-15 Designation of Successor – **JOHN K. REYES**, Lease No. 6578, Lot No. 9, Anahola, Kauai
- D-16 Informational Update to Commission Designation of Successor – Benjamin K. Keliiholokai, Residential Lease No. 1758, Lot No. 87, Waimanalo, Oahu and Commission Designation of Successor – Jeanette M. Hanawahine, Residential Lease No. 1758, Lot No. 87, Waimanalo, Oahu

B. REGULAR AGENDA

Office of the Chairman

- C-1 Approval of Waiohuli Housing Pilot Project with Department of Public Safety and University of Hawai'i Maui College
- C-2 Approval of Recommended Changes to the Draft Administrative Rules for the Water Systems and to Proceed to Rulemaking Under Chapter 91, Hawaii Revised Statutes
- C-3 Approval to Proceed to Beneficiary Consultation for Draft Administrative Rules Related to Supplemental Dwelling Units on Hawaiian Home Lands

Planning Office

- G-1 Acceptance of Beneficiary Consultation Report, Land Use Designation Alternatives for Malama Cultural Park, TMK's (2)5-3-001:002, -097 and -100, Kaunakakai, Kona, Molokai

III. 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. Update on issues related to Sandwich Isles Communications.

IV. ITEMS FOR INFORMATION/DISCUSSION

A. GENERAL AGENDA

Requests to Address the Commission

- J-1 Princeslehuanani Kumaewakainakaleomomona – Waitlist
- J-2 Sherilyn Wahinekapu – Akiona Contested Case Decision
- J-3 Joel Alverio – Lot Safety and Vacant Lot Query
- J-4 Kekoa Enomoto – Pa'upena Community Development Corporation
- J-5 Michelle Kauhane – Updates on CNHA Programs and Loan Fund
- J-6 Kuuleilani Petty-Hanawahine – Waimānalo Ohana Parcel
- J-7 Bo Kahui – Villages of La'i'opua and La'i'opua 2020

B. WORKSHOPS

Land Development Division

- E-1 For Information Only - General Lease No. 283, Ulu Ke Kukui Transitional Housing Waianae, Oahu (TMK (1) 8-7-010: 030 por.)

Land Management Division

- F-1 For Information Only – Solicitation for Developers for Renewable Energy Projects – Statewide.

C. REGULAR AGENDA

Office of the Chairman

- C-4 DHHL Workplan Update Calendar Year 2018 and Status FY 2018 Budget Implementation

Planning Office

- G-2 Legislative Update 2018
- G-3 DHHL Water Systems: Cost of Service
- G-4 Draft Environmental Assessment for the DHHL South Point Resources Management Plan, Kau, Hawaii Island and Anticipated Finding of No Significant Impact (AFONSI) TMK (3) 9-3-001:003
- G-5 Update on Kahikinui Fence Project

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

91-5420 Kapolei Parkway, Kapolei, O‘ahu, Hawai‘i
Tuesday, January 30, 2018, at 9:00 a.m.

Item F-2 of the Agenda for the January 30, 2018 Commission Meeting, originally posted on January 23, 2018, is amended as set forth below. The Agenda for the January 29, 2018 Commisison Meeting remains as posted on January 23, 2018.

I. ORDER OF BUSINESS

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

II. ITEMS FOR DECISION MAKING

A. REGULAR AGENDA

Land Management Division

- F-2 Approval for Authorization to General Lease for Renewable Energy Projects, Statewide (See Exhibit)

Planning Division

- G-6 Amend Molokai Island Plan to apply Special District Land Use Designation to Malama Cultural Park, Kaunakakai, Kona, Molokai, TMK’s (2)5-3-001:002, -097 and -100

III. 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 USDA-RD Mortgage Loans
 - D – DHHL Guarantees for FHA Construction Loans

B. WORKSHOPS

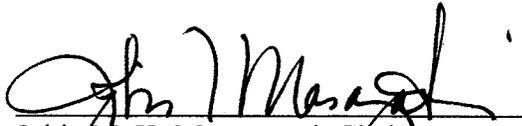
Office of the Chairman

- C-5 Right of First Refusal to Applicants on the Waitlist for Homestead Lease Transfers

IV. ANNOUNCEMENTS AND ADJOURNMENT

- A. Next Meeting –February 20 & 21, 2018, (Tuesday & Wednesday) Kapolei, O‘ahu.
- B. Adjournment

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



Jobie M. K. Masagatani, Chairman
Hawaiian Homes Commission

COMMISSION MEMBERS

Randy K. Awo, Maui
Kathleen P. Chin, Kaua‘i
David B. Ka‘apu, West Hawai‘i
Vacant, O‘ahu

Michael P. Kahikina, O‘ahu
Wallace A. Ishibashi, East Hawai‘i
Wren Wescoatt, O‘ahu
Vacant, Moloka‘i

No Community Meeting in January. Next community meeting is scheduled for Monday, February 20, 2018 at Kapolei High School.

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

ITEM D-2 EXHIBIT
APPROVAL OF CONSENT TO MORTGAGE

| LESSEE | LEASE NO. | AREA |
|---------------------------------|------------------|-------------------------------|
| AARONA, Christian A. K. | 8794 | Waimanalo, Oahu |
| AHMAD, Judith-Theresa M. | 12592 | Kanehili, Oahu |
| AIWOHI, Derek J. K., Sr. | 9246 | Kaniohale, Hawaii |
| AKO, Herbert K. | 9377 | Kaniohale, Hawaii |
| ALANA-SWAIM, Jamelyn T. | 787 | Kewalo, Oahu |
| ASUNCION, Gary K. | 2878 | Nanakuli, Oahu |
| BOBILES, Dawn E. | 5503 | Lualualei, Oahu |
| BOLTON, Dana K. | 8763 | Nanakuli, Oahu |
| CHAI, Christie Ann U. | 5630 | Lualualei, Oahu |
| CORREA, Chance C. | 11598 | Kanehili, Oahu |
| DULAN, Jana R. K. | 8969 | Waiakea, Hawaii |
| KAAI, John K., Jr. | 8526 | Princess Kahanu Estates, Oahu |
| KAAIHUE, Robert K. | 11061 | Anahola, Kauai |
| KAEA-PRONES, Ernette N. | 7478 | Waiohuli, Maui |
| KALEIKINI-FUKUDA, Shannon L. K. | 11747 | Kanehili, Oahu |
| KAMA, Peter I., Jr. | 3612 | Waimanalo, Oahu |
| KAUWELOA, David K., Jr. | 8585 | Nanakuli, Oahu |
| KELEKOLIO, Kuuleialoha A. K. | 8346 | Princess Kahanu Estates, Oahu |
| KELII, Ezekiel Kealii | 4955 | Nanakuli, Oahu |
| KUEWA, Aldon K. | 4538 | Nanakuli, Oahu |
| LAA, Peter K., III | 7959 | Nanakuli, Oahu |
| LEE, Tyra | 6237A | Panaewa, Hawaii |
| MILLER, Joi K. | 12132 | Kaupea, Oahu |
| NERPIO, Brandon K. | 6541 | Anahola, Kauai |
| NOVIKOFF, Su Lun H. N. | 11534 | Leialii, Maui |
| PASION, Stacey Lee K. | 9725 | Maluohai, Oahu |
| PENEKU, Keone H. | 412 | Nanakuli, Oahu |
| SAIZON, Angel U. | 12612 | Kanehili, Oahu |
| SALE, Michael Jr. R., II | 563 | Nanakuli, Oahu |
| SATO, Ivan K. | 11945 | Kaupea, Oahu |
| STRATTON, Juliana | 8488 | Princess Kahanu Estates, Oahu |
| TAVITA, Iosefo K. | 12568 | Kanehili, Oahu |
| ULANGCA, Lorene A. | 8585 | Nanakuli, Oahu |
| WEIGERT, Aaron W. K. | 7388 | Keokea, Maui |
| WEIGERT, Kapiolani R. | 12179 | Kaumana, Hawaii |
| WHITE, Warren P. | 826 | Kewalo, Oahu |

ITEM D-3 EXHIBIT
APPROVAL OF STREAMLINE REFINANCE OF LOANS

| LESSEE | LEASE NO. | AREA |
|----------------------|------------------|-----------------|
| MCKEE, Christina L.. | 12170 | Kaumana, Hawaii |
| NAVOR, Eugene | 2446 | Waiakea, Hawaii |
| PAKALANI, Russell E. | 6382 | Waiakea, Hawaii |

ITEM D-4 EXHIBIT

APPROVAL TO SCHEDULE LOAN DELINQUENCY CONTESTED CASE HEARINGS

| LESSEE | LEASE NO. | AREA |
|-------------------------------|------------------|------------------|
| GRACE, Richard K. | 7123 | Kawaihae, Hawaii |
| KAHALE-KANAHELE, Donna-May K. | 11360 | Kekaha, Kauai |
| KAUANUI, Keala W. | 11361 | Kekaha, Kauai |

ITEM D-5 EXHIBIT

HOMESTEAD APPLICATION TRANSFERS / CANCELLATIONS

| APPLICANT | AREA |
|---------------------------------|-------------------------------|
| AARONA, Sherilynn K.M. | Oahu IW Res |
| AIWOHI, Warrick J. | Oahu IW Res to Hawaii IW Res |
| CARREIRA, Cyrilette M. | Oahu Agr |
| CHO, Loretta L. | Maui IW Agr to Molokai IW Agr |
| CHO, Loretta L. | Maui IW Res to Molokai IW Res |
| CULLEN, Tasha M. | Hawaii IW Res to Oahu IW Res |
| DELIMA, Leini K. | Oahu IW Res |
| KAHAI, Emily K. | Hawaii IW Res |
| KALAMA, Jeremiah N. | Maui IW Res |
| KIA, Allen R.S. | Oahu IW Res to Hawaii IW Res |
| LOGAN, Lance M. | Kauai IW Res to Maui IW Res |
| MARIA, Mabel E. | Oahu IW Res |
| MIYASHIRO, Terri T. | Kauai IW Res |
| NAKOA, Lyanna A. | Oahu IW Res |
| REPERCIO, James C.T. | Oahu IW Res |
| ROSA, Reva Lee I. | Hawaii IW Res |
| ROSA, Reva Lee I. | Molokai IW Pas |
| VAN GIESON, John P.A. | Oahu IW Res |
| VAN GIESON, Kauaimanookalaniwai | Oahu IW Res |
| WRIGHT, Kawaiokeola | Oahu IW Res |

* IW = Islandwide

ITEM D-7 EXHIBIT

**LIST OF LESSEES WHO DESIGNATED SUCCESSORS TO THEIR LEASEHOLD INTEREST
FOR MONTH OF JANUARY 2018**

| LESSEE | LEASE NO. | AREA |
|-------------------------|------------------|-------------------|
| BROOKS, Ruth L. | 6832 | Waiakea, Hawaii |
| CHUN, Mary Ann P.K. | 307 | Nanakuli, Oahu |
| KAAHANUI, Jewel K. | 3165 | Hoolehua, Molokai |
| KALUAHINE, Stanley, Jr. | 11190 | Anahola, Kauai |
| KAMAI, Gretchen L. | 6376 | Waiakea, Hawaii |
| KEALOHA, Hope K. | 6304 | Keaukaha, Hawaii |
| KEAMOAI, Keoki K.K. | 8870 | Hanapepe, Kauai |
| KEAULANA, Cynthia L. | 3481 | Nanakuli, Oahu |

| | | |
|-------------------------|-------|--------------------|
| PAKELE, Jeffrey K., Sr. | 5273 | Waianae, Oahu |
| THOMAS, Eleanor K. | 3909A | Waimanalo, Oahu |
| UAHINUI, Angelita L. | 6067 | Kalamaula, Molokai |

ITEM D-8 EXHIBIT

APPROVAL OF ASSIGNMENT OF LEASEHOLD INTEREST

| LESSEE | LEASE NO. | AREA |
|-----------------------------|------------------|--------------------|
| BROWN, Courtney Lee L.A.P. | 5985 | Waimanalo, Oahu |
| CHIP, Reuben M. | 2022 | Kewalo, Oahu |
| COBURN, Monica L.K. | 4133 | Waimanalo, Oahu |
| GAEA, Marian K. | 8346 | PKE, Oahu |
| JUARIO, Helene F.K.T. | 5778 | Hoolehua, Molokai |
| KAALIALII, Genevieve Kahiwa | 4521 | Nanakuli, Oahu |
| KAHEE, Harrylee P. | 3796 | Waiakea, Hawaii |
| KAHEE, Dwight | 3796 | Waiakea, Hawaii |
| KAIO, Susie M. | 3078 | Waimanalo, Oahu |
| KALA, Alice L. | 7537 | Waiohuli, Maui |
| KAUHI, Lee Ann U. | 4120 | Waimanalo, Oahu |
| KAWAI, Larry N., III | 7735 | Waiohuli, Maui |
| KUAMOO, Lucille L. | 1999 | Kewalo, Oahu |
| MARIA, Ronald K.K. | 695 | Nanakuli, Oahu |
| MARIA, Mabel E. | 695 | Nanakuli, Oahu |
| NAEOLE, Esther E.D.A. | 7703 | Waiohuli, Maui |
| RAMOS, Tammy Ann L. | 7465 | Waiohuli, Maui |
| SHINTANI, Christy U. | 9246 | Kaniohale, Hawaii |
| SILVA, Kenneth S.K. | 12657 | Kanehili, Oahu |
| WAI, Helen N. K. | 8391 | PKE, Oahu |
| LANI, Michael K. | 12326 | Kapolei, Oahu |
| CULLEN, Raynee L. | 12465 | Kapolei, Oahu |
| LAREAU, June L.K. | 11655 | Kapolei, Oahu |
| PAAOAO, Evonne L. | 11679 | Kapolei, Oahu |
| AHUNA, Randolph K., Jr. | 4001 | Panaewa, Hawaii |
| PUNG, Eloise E. | 4001 | Panaewa, Hawaii |
| DUDOIT, Bettygene K.O. | 5836 | Kalamaula, Molokai |
| REYES, Jeremiah K. | 9161 | Kahikinui, Maui |

ITEM D-9 EXHIBIT

APPROVAL OF AMENDMENT OF LEASEHOLD INTEREST

| LESSEE | LEASE NO. | AREA |
|-------------------------|------------------|-------------------|
| AHUNA, Randolph K., Jr. | 4001 | Panaewa, Hawaii |
| CHUN, Mary Ann P.K. | 307 | Nanakuli, Oahu |
| KAAHANUI, Jewel K. | 3165 | Hoolehua, Molokai |
| KAIO, Susie M. | 3078 | Waimanalo, Oahu |
| KAUHI, Lee Ann U. | 4120 | Waimanalo, Oahu |
| KONG, Cheryl Ann K. | 3038 | Nanakuli, Oahu |
| KUAMOO, Lucille L. | 1999 | Kewalo, Oahu |

| | | |
|-----------------------|-------|--------------------|
| LARONAL, Leilani B.A. | 3708 | Nanakuli, Oahu |
| SANCHEZ, Jeanette K. | 3708 | Nanakuli, Oahu |
| NAEOLE, Esther E.D.A. | 7703 | Waiohuli, Maui |
| REESE, Rudy D.W.K. | 758 | Nanakuli, Oahu |
| THOMAS, Eleanor K. | 3909A | Waimanalo, Oahu |
| UAHINUI, Angelita L. | 6067 | Kalamaula, Molokai |
| WILSON, Dallas | 253 | Nanakuli, Oahu |
| LEVY, Winona L.W. | 253 | Nanakuli, Oahu |

ITEM D-10 EXHIBIT

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

| LESSEE | LEASE NO. | AREA |
|------------------------------|-----------|-------------------|
| APIA, Jerry K. | 9307 | Kaniohale, Hawaii |
| HANAWAHINE, Kahaleone | 11574 | Kanehili, Oahu |
| KAHOLOAA, Amber-Lee H. | 238 | Hoolehua, Molokai |
| KAHOLOAA, Keaiaimaikalani P. | 238 | Hoolehua, Molokai |
| KAMA, Ephriam M. | 12801 | Hoolimalima, Oahu |
| KAMOKU, Harold I., Sr. | 12040 | Kaupea, Oahu |
| LEWIS, Joseph W.K. | 3362 | Nanakuli, Oahu |
| LIBRES, Vincent, Jr. | 8433 | PKE, Oahu |
| PILILAAU, Cameron K. | 12060 | Kaupea, Oahu |
| ZACK, Virginia N. | 9293 | Kaniohale, Hawaii |

Item F-2 Exhibit

AVAILABLE DHHL LAND FOR RENEWABLE ENERGY PROJECTS

| ISLAND | TMK | ACRES | LOCATION | NOTES |
|---------|-----------------------|-----------|---------------|--|
| Oahu | 8-9-007:002 (portion) | 448.48 | Nanakuli | |
| Oahu | 9-1-013:038 | 97.54 | Kalaeloa | |
| Oahu | 9-1-013:040 | 49.18 | Kalaeloa | |
| Oahu | 9-1-013:117 | 57.51 | Kalaeloa | |
| Oahu | 9-1-013:118 | 43.62 | Kalaeloa | |
| Maui | 1-9-001:003 (portion) | 15,620 | Kahikinui | Up to 1000 acres for due diligence purposes; up to 500 acres under general lease |
| Molokai | 5-2-001:004 (portion) | 462.5 | Hoolehua | |
| Molokai | 5-2-011:016 | 104.991 | Maunaloa | |
| Molokai | 5-4-003:003 (portion) | 4993.3 | Kaunakakai | |
| Hawaii | 6-1-001:003 (portion) | 7563.83 | Kawaihae | |
| Hawaii | 6-1-006:003 (portion) | 20.82 | Kawaihae | |
| Hawaii | 6-1-006:010 | 20.37 | Kawaihae | |
| Hawaii | 7-3-010:007 | 200 | Kalaoa | Up to 100 acres |
| Hawaii | 9-3-001:002 (portion) | 10,089.74 | Kamaoa-Pu'ueo | |

DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
January 29 & 30, 2018
Kapolei, O'ahu

C-ITEMS
OFFICE OF THE CHAIRMAN

DAVID Y. IGE
GOVERNOR
STATE OF HAWAII



JOBIE M. K. MASAGATANI
CHAIRMAN
HAWAIIAN HOMES COMMISSION

SHAN S. TSUTSUI
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

January 29, 2018

To: Chairman and Members, Hawaiian Homes Commission

From: Paula Aila
Information & Community Relations Officer

Subject: Kealahou Project - Keokea-Waiohuli Building Pilot Project

RECOMMENDED MOTION/ACTION:

The DHHL Kealahou project team members respectfully request approval from the Hawaiian Homes Commission to 1) approve the Kealahou Project budget, and 2) provide authorization to Chair Masagatani to approve the Memorandum of Agreements between the Department of Hawaiian Home Lands and Kealahou program partners currently under development.

DISCUSSION

On December 19, 2017, the Hawaiian Homes Commission approved a home building pilot project to build one home on the Island of Maui in partnership with the DHHL, State Department of Public Safety (PSD) and the University of Hawaii Maui College (UHMC). The objectives of this pilot project are 1) to fulfill the Hawaii State Constitution Article XII, Section 1; purposes of: 1 (lots), 2 (loans) and 3 (rehabilitation) by providing an affordable home option for a DHHL beneficiary family and 2) to support the rehabilitation (purpose 3) of beneficiaries of the Hawaiian Homes Commission Act, as Amended 1920 (Act) who may be incarcerated in the Maui Community Correctional Center through education, economic and social benefits from the Kealahou Project.

Inter-agency Partner roles

| State Department | Sponsor | Project Manager | Project Leads |
|-------------------------|---|-----------------------------|----------------------------------|
| DHHL | Chair Jobie Masagatani | Paula Aila | Jo-Anne Aiwohi |
| Dept. Public Safety | Director Nolan Espinda Warden James Hirano | Rob Mahaffey Dan Tomchak | Walter Zaharevitz Dan Tomchak |
| UH Maui College | Chancellor Lui Hokoana | Karen Hanada | Nicolette van der Lee |

Keokea-Waiohuli Building Pilot Project Benefits

| State Department | Constituent Audience | Benefit(s) |
|--|---|---|
| Dept. of Hawaiian Home Lands | Beneficiaries | <ul style="list-style-type: none"> Addresses State of Constitution Article XII, Section I, Purpose 1 (Lots) and 3 (Rehabilitation) Savings on labor costs Alternative lower building costs for beneficiaries Provides baseline for to assess continuance of this project on a statewide basis |
| Dept. of Public Safety (DPS) <ul style="list-style-type: none"> Maui Community Correctional Center (MCCC) Hawaii Correctional Industries (HCI) Work Force Development (WFD) | Inmates from Maui Community Correctional Facility | <ul style="list-style-type: none"> Inmates earn non-credit carpentry training hours via UHMC On the job training at building site location Inmate pay for work completed Potentially better employment opportunities at time of release from MCCC Supports DPS rehabilitation mission of inmates |
| UH Maui College (UHMC) | Inmate students | <ul style="list-style-type: none"> Ability to pilot this non-credit course for future programs with DHHL & DPS Provide 56 non-credit training hours in the Carpentry Training from UHMC Opportunity for inmates to earn college credit for Construction Technology degree program after release from MCCC |

Kealahou Project Budget:

The budget request falls into two categories, 1) Construction costs and 2) Program costs. Funding source will be General funds.

Construction costs:

Construction costs includes all materials and labor costs to construct the home. Construction costs will pass on to a beneficiary family through a mortgage loan.

| Construction materials & labor | Costs |
|---|----------------------|
| Pkg home kit | \$ 50,000.00 |
| Septic | \$ 20,000.00 |
| General Contractor | \$ 100,000.00 |
| Workline | \$ 20,000.00 |
| Contingency i.e. septic tank costs | \$ 10,000.00 |
| Total: Not to exceed | \$ 200,000.00 |

Program Costs:

Program costs includes *non-construction* related expenses which include a skilled project manager to manage the inmate work crew, their meals and work crew transportation to and from the worksite. Other costs include procurement and Memorandum of Agreement management by Kealahou partners i.e. invoices, payments, compliance, reporting etc.

| Program management | Costs |
|---------------------------------|---------------------|
| Supervisor - onsite | \$ 20,000.00 |
| Meals | \$ 9,000.00 |
| Transportation | \$ 7,000.00 |
| Gas | \$ 3,000.00 |
| MOA Administrative Fee | \$ 6,000.00 |
| Contingency i.e. transportation | \$ 5,000.00 |
| Total: Not exceed | \$ 50,000.00 |

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 29, 2018

TO: Chairman and Members, Hawaiian Homes Commission

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

SUBJECT: Approval of Recommended Changes to the Draft
Administrative Rules for the Water Systems and to
Proceed to Rulemaking under Chapter 91, Hawaii Revised
Statutes

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission approve the recommended changes to the draft administrative rules for the Water Systems and to proceed to rulemaking under Chapter 91, Hawaii Revised Statutes.

DISCUSSION:

At the December 2017 meeting of the Hawaiian Homes Commission, the HHC deferred Item C-1, which requested approval of the recommended changes to the draft rules for the Hawaiian Home Lands water systems and requested approval to proceed to Chapter 91, HRS. The HHC requested further consideration of several items. The draft rule text is attached as Exhibit A. Staff continues to work with counsel on §10-4.1-31 water service rates and §10-4.1-42 fees for Puukapu; recommendations for those items will be provided to the HHC on Monday morning, 1/29/18.

Accordingly, staff recommends the following changes:

- a. **§10-4.1-9(b) Payment of bills and delinquency.** Delete language about "alternative payment methods" from this subsection and instead address the details of "alternative payment methods" in Department procedure.

- New §10-4.1-9(c):** Add a new subsection to provide the framework for the procedure relating to alternative payment methods: "The department may enter into a payment agreement with a consumer to facilitate the

payment of delinquent water charges. The terms of a payment agreement between the department and a lessee-consumer may include alternative payment methods and shall not exceed the term of five years. Current charges shall continue to be paid when due. The agreement shall be signed by the department and the consumer, and breach of such an agreement by the consumer shall result in further collection efforts including disconnection.

- (1) Alternative payment methods are goods that are grown, caught, or produced by the consumer and donated to the homestead community on island or services provided by the consumer free of charge to the department. Goods shall be dropped off at the district office at a time determined by the district office supervisor for distribution among beneficiaries. Services shall be provided to the department as determined by the district office supervisor.
- (2) The value of the alternative payment methods rendered shall not exceed five per cent of the delinquent amount. All terms regarding alternative payment methods, including the goods or services or both to be donated, valuation, and dates and times of service or drop off shall be included in the payment agreement."

b. **§10-4.1-10(c) (2) Discontinuation of service.** Language was changed to resolve any appeal over discontinuation of service through Departmental process only, vesting the chairman with final decision-making authority: "If the consumer is dissatisfied with the decision from the billing conference, the consumer shall have the right within five business days of receipt of the written decision to appeal the matter to the chairman. The decision of the chairman shall be final. The amount due shall be paid into an escrow trust account after the billing conference with the district office supervisor and shall not be postponed pending the appeal."

RECOMMENDATION:

Staff respectfully requests approval of the motion as stated above.

DEPARTMENT OF HAWAIIAN HOME LANDS

Adoption of Chapter 10-4.1
Hawaii Administrative Rules

[]

1. Chapter 10-4.1, Hawaii Administrative Rules, entitled "Management of Water Systems", is adopted to read as follows:

"HAWAII ADMINSTRATIVE RULES

TITLE 10

DEPARTMENT OF HAWAIIAN HOME LANDS

CHAPTER 4.1

MANAGEMENT OF WATER SYSTEMS

Subchapter 1 General Provisions

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SUBCHAPTER 1

GENERAL PROVISIONS

§10-4.1-1 Purpose. The purpose of this subchapter is to promote the health, safety, and general welfare of the community by providing standards for governing water service provided by water systems in the exclusive control of the department. [Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act §221)

§10-4.1-2 Applicability. This subchapter shall apply to all water systems under the exclusive control of the department. [Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act §221)

§10-4.1-3 Definitions. As used in this chapter, unless plainly evident from the context that a different meaning is intended:

"Applicant" means any person who submits an application for water service or additional water service.

"Application" means a written request for water service or additional water service.

"Consumer" means the person, firm, corporation, association, or governmental entity, whether owner or tenant, whose name appears on the records of the department as the party responsible and liable for receiving water service from the department.

"Consumer's water system" means the pipes and plumbing extending from the water service connection.

"Cross-connection" means any actual or potential connection between the public water supply and a source of contamination or pollution.

"County" means the county where the department water service is located.

"Department of health" means the State of Hawaii department of health.

"Governmental entity" means any State of Hawaii or county department or office.

"Main" or "main pipe" means the department's supply or distribution pipe from which service connections are made.

"Non-potable water" means water that has not been certified by the department of health as suitable for cooking, drinking, and bathing purposes.

"Potable water" means water that has been certified by the department of health as suitable for cooking, drinking, and bathing purposes.

"Premises" means a parcel of real property and any structures thereon which have water service, will require water service, or requires additional water service.

"Public water system" means a water system which provides water for human consumption as provided by the department of health in title 11, Hawaii administrative rules chapter 20.

"Service lateral" means the main tap and complete installation of pipes, fittings, and appurtenances from the main to and including the meter.

"Water meter" or "meter" means a device that measures the volume of water delivered to any premises.

"Water service" means the delivery of water to any premises.

"Water spigot" means a water spigot or standpipe that is maintained by the department and connected to a public water system for lessee access to potable water.

"Water system" means a network of pipelines, main taps, storage, facilities, pumps, shut-off valve, and other appurtenances, wells, water filtration treatment facilities, or other sources which furnishes a supply of water to the premises. [Eff and

comp] (Auth: HHC Act §222) (Imp: HHC Act §221)

§10-4.1-4 General conditions for water service.

(a) Any applicant whose premises is located within service limits established by the department and adjacent to a distribution main where pressure conditions permit may obtain water service, provided that:

- (1) The existing water system servicing the area has adequate physical and legal capacity, as determined by the department, for such intended use without impairing service to existing consumers or future lessees;
- (2) All applicable fees and deposits for such service have been paid in full;
- (3) The applicant is not delinquent on other services in his or her name; and,
- (4) The applicant agrees to abide by the rules, regulations, and policies of the department relating to water service.

(b) Water service shall be restricted to the property for which the application is made.

(c) All water service supplied by the department shall be measured by means of meters furnished by the department and only the department is authorized to install water meters on department water systems.

(d) The department shall determine the final location and size of the service lateral. Service laterals shall be operated and maintained by the department.

(e) The department shall only be responsible for the operation and maintenance of water systems in its exclusive control, which may include contracted operations and maintenance services. [Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act §221)

§10-4.1-5 Water pressure conditions and elevation agreement. (a) The department shall exercise due diligence and reasonable care to maintain

adequate pressure in its water mains but accepts no responsibility to maintain such pressure.

(b) Where a premise is situated at such an elevation that it cannot be assured of a dependable supply or of adequate service from the department's distribution system, the consumer, in consideration of water service and connection to the department's system:

- (1) Shall agree to accept such service as the department is able to render from its existing facilities;
- (2) Shall agree to install, if necessary, and maintain at the consumer's expense a tank and pump, with an air gap between the consumer's supply pipe and the department's system, of suitable design and of sufficient capacity to furnish an adequate supply of water; and
- (3) Shall execute a written release in favor of the department for all claims due to any inadequacy in the department's system or inadequacy of water supply to the premise.

(c) When the pressure of the department's supply fluctuates or is higher than that for which individual fixtures are designed, the consumer shall protect such fixtures by installing and maintaining pressure reducing, or relief valves, or both. The department shall not be liable for damage due to pressure conditions or for damages caused by or arising from the failure of, or the defective condition of such pressure regulators or relief valves, or for damage that may occur through the installation, maintenance, or use of such equipment. [Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act §221)

§10-4.1-6 Application for water service. (a)

Each prospective consumer shall complete a standard application form for the water service desired. Prospective consumers shall assume responsibility for

the payment of future charges for service at the location identified on the application before water is turned on for any use. The department shall inform the applicant in writing that the application is complete and accepted or if the application is deficient, what specific information is necessary to complete the application. The department shall assign an account number when the application is complete. The person, entity, or organization executing the application form shall liable be for the payment of all charges for water service at the designated location.

(b) Charges for service shall begin when the service lateral and the consumer's water system are physically joined and water is made available to the consumer, and will continue until:

- (1) The consumer makes a written request to discontinue service;
- (2) A judicial order to discontinue service is issued; or
- (3) The department discontinues service for failure of the consumer to comply with the provisions of this subchapter.

(d) When an application for water service is made by a former consumer who was responsible for and failed to pay all bills for water service previously rendered, regardless of location or time incurred, the department may refuse to furnish service to the premises of the applicant until the outstanding bills are paid.

(e) A consumer taking possession of the premises and using water without having made application for the transfer of water service shall be held liable for the water delivered from the date of the last recorded meter reading. If application for transfer is not made, and accumulated bills for water service are not paid upon presentation, the water service may be discontinued ten business days after written notice is sent to the consumer. [Eff and comp]
(Auth: HHC Act \$222) (Imp: HHC Act \$221)

§10-4.1-7 Installation of water service. (a)

When an application for water service has been approved, water service shall be installed as approved. There shall be one meter for each service, unless the department, because of operating necessity, installs a combination meter, or two or more meters in parallel. All meters shall be tested for accuracy before installation. All meters shall be installed along the property boundary, unless, due to operating necessity or other extenuating situations, the department approves installation of the meter elsewhere.

(b) It is the consumer's responsibility and expense to install their supply pipe and water system, to connect such system to the department's service lateral, and to install an approved backflow prevention device on the consumer's system on the downstream side of the meter. The department may provide backflow prevention devices to lessees as a means to protect the public water system. The consumer's water system shall, at all times, remain the sole property of the consumer, who shall be responsible for its maintenance, repair, and replacement.

(c) A readily accessible shutoff valve controlling all outlets shall be installed by the department on the consumer's water service supply pipe at a location to be determined by the department. In addition, the department may install a shutoff valve before the meter for the use of employees of the department. If a replacement of the shutoff valve is necessary, it shall be installed by the department and paid for by the consumer.

(d) The department may make the connection to the consumer's water service supply pipe once the consumer installs the supply pipe at the approved location.

(e) Only the department may connect or disconnect the water service to or from the department's main.

(f) When the proper size of service lateral for any premises has been determined and the department has made installation at the location specified by the consumer, the department has fulfilled its obligations insofar as the size of the service and the location thereof are concerned. If the consumer desires a change in size of the service lateral or a change in the location thereof, the consumer shall bear all costs of such change.

(g) Whenever a check valve or pressure reducing valve is installed on the consumer's cold water supply line between the meter and the hot water storage tank or heater, there shall be installed on the consumer's hot water distribution system a suitable pressure relief valve.

(h) Once installed, any costs associated with the repair or replacement of damaged or missing meters and services will be charged to the consumer. Such costs include but are not limited to gaskets, meter boxes, lid inserts, meters, pressure regulator valves, related labor, equipment, vehicles, and materials. This does not include replacement of meters that are operating outside of tolerances. [Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act §221)

§10-4.1-8 Responsibility for equipment. (a) At the consumer's own risk and expense, the consumer shall furnish, install, and keep in good, safe, and operating condition all equipment that may be required for receiving, controlling, applying, and utilizing water. The department shall not be responsible for any loss or damage caused by the improper installation of such equipment, or the negligence, want of proper care, or wrongful act of the consumer.

(b) Water service may be discontinued to any consumer whose water system includes plumbing fixtures or water containers in any form, or of any use, which in the opinion of the department may contaminate the department's water supply or may endanger the public

water supply from a public health standpoint. Any such discontinuation of service shall continue until such dangerous fixtures or uses have been corrected, removed or discontinued, and the department is assured that the dangerous fixtures or uses will not be reinstalled or resumed.

(c) The department shall not be responsible for damage to property caused by spigots, faucets, valves, and other equipment that may be open when water is turned on at the meter either when turned on originally or when turned on after temporary shutdown.

(d) All service laterals are the property of the department and shall be operated and maintained by the department.

(e) All equipment belonging to the department and installed upon the consumer's premises for measurement, test, check, or any other purpose, shall continue to be the property of the department, and the department may access the consumer's premises without consent whenever necessary to inspect, maintain, repair, replace, or remove the equipment. The consumer shall exercise reasonable care to prevent damage to meters and other equipment of the department upon the premises and shall in no way interfere with the operation of the same.

(f) Any cost to repair damaged water mains, service laterals, valves, fire hydrants, or other property of the department shall be paid for by the party responsible for the damage. The consumer shall be liable for any damage to a meter or other equipment or property of contractors, licensees or permittees, on the consumer's premises, and the department shall be promptly reimbursed by the consumer for any such damage upon presentation of the bill thereof. In the event settlement for such damage is not made within thirty days, the department may discontinue water service to the premises according to 10-4-81.

(g) When a meter is found to have been damaged by hot water or steam emanating from the premises served, the consumer shall pay for all costs required to repair the meter. [Eff and comp]
(Auth: HHC Act \$222) (Imp: HHC Act \$221)

§10-4.1-9 Payment of bills and delinquency. (a)

All bills shall be due and payable within twenty-one days from the bill date. Payment shall be made at the office of the department or, at the department's option, to duly authorized collectors of the department. Any bill not paid within thirty days from the bill date, shall be considered delinquent and the water service shall be subject to shut-off. There shall be a service charge for payments made by check or electronic debit which have been dishonored for any reason. The service charge shall be as set in section 40-35.5, HRS. On accounts where payments have been dishonored more than four times in one calendar year, the department may require payment on the account to be made by cash, by certified or cashier's check or by money order, and may require a deposit equal to the highest amount billed in the last twelve months to be held.

(b) An account is delinquent when it is not paid in full within thirty days after the bill date. A late payment charge shall be assessed at an amount established by the commission. When a delinquent account remains unpaid twenty-one days after the second regular billing, water service for the account shall be discontinued. Balances delinquent more than sixty days may be subject to an interest charge as set by the commission but not to exceed one per cent for each month or fraction thereof.

(c) The department may enter into a payment agreement with a consumer to facilitate the payment of delinquent water charges. The terms of a payment agreement between the department and a lessee-consumer may include alternative payment methods and shall not exceed the term of five years. Current charges shall continue to be paid when due. The agreement shall be signed by the department and the consumer, and breach of such an agreement by the consumer shall result in further collection efforts including disconnection.

- (1) Alternative payment methods are goods that are grown, caught, or produced by the consumer and donated to the homestead community on island or services provided by the consumer free of charge to the department. Goods shall be dropped off at the district office at a time determined by the district office supervisor for distribution among beneficiaries. Services shall be provided to the department as determined by the district office supervisor.
- (2) The value of the alternative payment methods rendered shall not exceed five per cent of the delinquent amount. All terms regarding alternative payment methods, including the goods or services or both to be donated, valuation, and dates and times of service or drop off shall be included in the payment agreement. [Eff and comp]
(Auth: HHC Act §222) (Imp: HHC Act §221)

§10-4.1-10 Discontinuation of service. (a) The department may refuse or discontinue water service for any of the following reasons:

- (1) Non-payment of bills or fees. If the consumer fails to pay any sums due, the department may discontinue service five business days after written notice is given to the consumer.
- (2) Noncompliance with rules and regulations. If the consumer fails to comply with any of the department's rules and regulations and noncompliance is not corrected within five days after written notice is given to the consumer, the department may discontinue service.
- (3) Unauthorized use of water. Without notice, the department may refuse or discontinue water service to any premises or consumer to

protect itself against fraud, abuse or unauthorized use of water. For unauthorized use of water, a surcharge may be assessed as established by the commission.

- (4) Wasteful use of water. Where negligent or wasteful use of water exists on any premises and such conditions are not corrected within five business days after written notice is given to the consumer, the department may discontinue service.
- (5) Service detrimental to others. The department may refuse to furnish water and may discontinue the service to any premises where the demands of the consumer will result in inadequate service to others.

(b) Where discontinuation of water service for any of the above reasons is proposed, the department shall, prior to the proposed shut off, give the consumer at least five business days notice. The notice shall specify the reason for the proposed shut off as well as inform the consumer of the right to dispute the shut off by making appropriate inquiry to the department at the address or phone number provided on the notice. The notice shall further inform the consumer that once water service has been discontinued, a service fee shall be charged for the reinstatement of water service.

(c) If the consumer wishes to dispute the shut off, the consumer shall within five business days from the date of the notice of shut off, request a billing conference. Once requested, the billing conference shall be scheduled at the earliest reasonable opportunity for the consumer and in no case more than ten days from the request and the consumer shall be given the option of having the conference over the phone or in person with a district office supervisor from another district office that manages a department water system. The district office supervisor conducting the billing conference shall not have previously been involved in the case, shall not be swayed or affected in any manner by other department personnel, shall be subject to all state ethics rules

on conflicts of interest, and shall exercise impartial judgment in deciding the merits of the consumer's case.

(1) At the billing conference, the consumer shall have the right to submit evidence, present and cross examine witnesses, and bring an interpreter, or representative to aid in presenting the case. The consumer shall have the right to see the department's records concerning the account and shall have the right to reasonable explanation for any matter concerning the proposed discontinuance of service. The district office supervisor conducting the billing conference shall be empowered to correct any errors in billing and to take whatever remedial action is necessary including a stay to make a just and fair resolution of the matter. The district office supervisor conducting the billing conference shall make a written decision within three working days of the conference.

(2) If the consumer is dissatisfied with the decision from the billing conference, the consumer shall have the right within five business days of receipt of the written decision to appeal the matter to the chairman. The decision of the chairman shall be final. The amount due shall be paid into an escrow trust account after the billing conference with the district office supervisor and shall not be postponed pending the appeal.

(d) A charge of \$150 shall be added to each account in which service is discontinued if the consumer or other party cuts the lock and turns the meter on without prior approval of the department. The meter shall be removed and the water service capped off. Water service shall not be reconnected until the consumer has paid the past due water charges, water disconnection charges, and the meter disconnection and reconnection charges.

(e) An account that remains disconnected or suspended because of delinquent payment shall continue to accrue monthly base rate service charges as well as late fees.

(f) A consumer about to vacate any premises supplied with water by the department shall give written notice of their intention to vacate, specifying the date service should be discontinued. If the consumer fails to give such notice, the consumer shall be responsible for all water service furnished to such premises until the department has received a notice of discontinuance. Before buildings are demolished, the department shall be notified so the water service can be shut off.

(g) The department may remove a meter for non-use after one year of non-use. A consumer whose meter is removed for non-use forfeits all previous fees and reapplication shall be treated as a new service connection with applicable costs. [Eff and comp] (Auth: HHC Act \$222) (Imp: HHC Act \$221)

§10-4.1-11 Restoration of water service. Water service shall not be resumed until all of the consumer's delinquent accounts, including all fines, fees, and reinstallation charges, including the cost of labor, materials, transportation, holiday pay, overtime pay, and any other incidental costs for the meter reinstallation and reactivation, have been paid in full or the consumer has entered into and signed an approved payment plan. [Eff and comp] (Auth: HHC Act \$222) (Imp: HHC Act \$221)

§10-4.1-12 Meter test and adjustment of bill.

(a) Any consumer who has a reasonable doubt of the accuracy of the meter serving his or her premises may request a test of the meter. The consumer may request to be notified as to the time of the test and may

been repaired. [Eff and comp]
(Auth: HHC Act \$222) (Imp: HHC Act \$221)

§10-4.1-14 Water charge adjustment. Errors in billing or collection shall be corrected in a timely manner by the department. Resulting credits on accounts or refunds shall be made as expeditiously as possible. [Eff and comp] (Auth: HHC Act \$222) (Imp: HHC Act \$221)

§10-4.1-15 Obstructed meter fine. (a) The department shall charge the consumer an obstructed meter fine per billing period when access to the water meter is significantly obstructed by landscaping or other barriers and the meter cannot be read. This fine shall be applied only after the property owner has been notified, via a door hanger, that the obstruction exists and that the problem must be corrected by the time of the next meter reading. The obstructed meter fine shall be established by the commission and posted for the public.

(b) If the consumer fails to remove the obstruction, the department may remove the obstruction and bill the consumer for the costs of remediation. [Eff and comp] (Auth: HHC Act \$222) (Imp: HHC Act \$221)

§10-4.1-16 Tampering fine. (a) The department shall levy a fine to the consumer for service laterals and water meters which are tampered with and shall further charge the consumer all costs associated with any repair to the service lateral and water meter. Consumers are prohibited from using or tampering with the valve or stopcock before the meter. Meters which are tampered with shall be removed and shall not be reinstalled until the tampering fine is paid. The

tampering fine shall be established by the commission and posted for the public.

(b) A late fee shall be charged against tampering fines that go unpaid for thirty days following the date of billing. After sixty days, the delinquency shall be reported to the commission and the amount due turned over to collections. Further legal action may be taken with commission approval.

[Eff and comp] (Auth: HHC Act \$222)
(Imp: HHC Act \$221)

§10-4.1-17 Accessing the consumer's premises.

Any properly identified officer or employee of the department shall have the right of ingress to and egress from the consumer's premises at any reasonable hour, and at any hour during an emergency, for any purpose reasonably connected to the protection of the public drinking water system and furnishing of water to said premises and the exercise of all rights secured to it by law or this subchapter. If the officer or employee is prevented from carrying out the duties, the department may shut off water service to said premises five business days after written notice is given to the consumer. [Eff and

comp] (Auth: HHC Act \$222) (Imp:
HHC Act \$221)

§10-4.1-18 Cross-connection control and backflow prevention. (a) No cross-connections shall be made without the written consent of the department.

(b) It is unlawful for any person to make, maintain, or cause temporarily or permanently, any cross-connection that has a potential for backflow between their plumbing pipes or water fixtures and the department's water system. Existing cross-connections between the department's water system and any auxiliary water supply shall be eliminated or

protected by means of an approved backflow prevention assembly. Cross-connection control and backflow prevention requirements for facilities and premises shall be in accordance to this subchapter.

(c) The department requires installation of an approved backflow prevention assembly on the consumer's side of the meter at the consumer's expense before service will be provided. The department may provide for the installation of an approved backflow prevention assembly to homestead lots in the service area.

(d) If uninterrupted water service is necessary, an additional backflow prevention assembly may be installed in an approved manner to ensure continued water service whenever inspection, testing and repair procedures is being performed on any one of these assemblies.

(e) The backflow prevention assembly installed in accordance with these rules shall, unless otherwise approved by the department in writing, be located above ground and in a manner safe from flooding or submergence in water or other liquid, properly protected from external damage, freely accessible, and with adequate working room for inspections, testing, and repairing.

(f) All backflow prevention devices shall be tested at least once annually and as often as required by the department where successive tests indicate repeated failure. Repairs, replacement of parts, or any other maintenance shall be made whenever deemed necessary by the department and at the expense of the consumer. The annual test shall be the responsibility of the consumer and shall be made in accordance with methods approved by the department. Upon request by the department, the consumer shall present an affidavit certifying that there are no cross-connections of the type prohibited under this rule on the premises or describing in detail all nonconforming connections or installations.

(g) Records of tests, repairs, parts, and inspections shall be made on forms prescribed by the department and furnished to the department. Failure

of the consumer to properly test and submit the records may, at the option of the department, result in termination of service or the department making the tests, repairing and replacing any equipment, and charging the cost to the consumer.

(h) When a backflow prevention assembly fails in service, the consumer shall notify the department. Repairs are the responsibility of the consumer. A certified general tester shall perform the testing. Backflow prevention assembly test forms shall be completed and sent to the department for confirmation that the device has been properly repaired and functions as required. Inspection and approval by the department shall be conducted before the device is put back into operation.

(i) When the department encounters water uses that represent a clear and immediate hazard to the department's water supply that cannot be immediately abated, the department shall terminate water service at the premises immediately. Written notice shall be given to the consumer after water service termination.

(j) For other situations requiring backflow protection where there is not apparent and immediate hazard to the water supply, the department may terminate water service to a consumer's premises after proper notification has been sent.

(k) Conditions relative to the installation and maintenance of cross-connection control and backflow prevention referred to in this section shall be subject to change to meet changing requirements of federal, state, and county laws, ordinances, and rules. [Eff and comp] (Auth: HHC Act S222) (Imp: HHC Act S221)

§10-4.1-19 Interruption of water supply. (a) While the department shall exercise reasonable diligence and care to deliver an adequate supply of potable water under reasonable pressure, the department shall not be financially liable for any direct or consequential damages resulting from water

supply interruption, shortage, insufficiency of supply, inadequate or excessive water pressure, leakage on the consumer's premises, or temporary colored and turbid water quality conditions caused by emergency repair of water mains. The department further disclaims all warranties, expressed or implied, and reserves the right to shut off water mains for repairs, extensions, or alterations, and to terminate water service as provided herein for conservation measures, during emergency conditions, and for other reasons deemed by the department to be necessary and proper without notice.

(b) The department may shut off water from the mains without notice for making repairs, extensions, alterations, or for other reason. Consumers depending upon a continuous supply of water shall provide for their own emergency water storage and any check valves or other devices necessary for the protection of plumbing or fixtures against failure of the pressure or supply of water in the department's mains. Repairs or improvements shall be completed as rapidly as practicable. [Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act §221)

§10-4.1-20 Meter disconnection or reconnection fees. (a) The department shall charge a fee equal to one hour of labor and overheads to those consumers requesting disconnection or reconnection of a water meter when not related to an account delinquency. The department shall apply such charges to the consumer's account.

(b) Upon request and payment of a turn off fee the department shall turn off the water at the meter during regular business hours. Upon request and payment of a turn on fee, the department shall turn on the water at the meter during regular business hours. [Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act §221)

§10-4.1-21 Change in service administration fee.

(a) The department shall levy a charge when a change in service status requires administrative action or a special meter reading by department personnel.

(b) When a change in account status requires a special water meter reading by the department a fee equal to one hour of labor and costs shall be charged to the consumer. When a change in account status does not require a special water meter reading by the department the standard change of owner fee shall be charged to the consumer. [Eff and comp]
(Auth: HHC Act §222) (Imp: HHC Act §221)

§10-4.1-22 Department fire hydrants and fire protection.

(a) Any use of a fire hydrant, fire protection reservoir, or the taking of water from one for purposes other than fire protection by persons other than authorized employees of the fire department or of the department is prohibited without a written permit from the department. The fire department shall have the prior right to use any hydrant at any time and shall have the authority to remove peremptorily, if necessary in case of emergency, any connection approved by the department. The fire department shall notify the department when use of water during non-fire events, including training, is contemplated. Hydrant main line valves shall not be used to control flows. The fire department shall coordinate with the department during a fire emergency to prevent damage to the water system.

(b) The department may provide water to a governmental entity provided the governmental entity first submits a written hydrant permit application and agrees to all the terms and conditions contained therein including but not limited to notifying the department when any use of water is contemplated, paying a security deposit for a meter assembly and backflow prevention device and utilizing the meter assembly and backflow prevention device. Any failure

of the permittee to properly utilize the meter assembly to record water taken through the fire hydrant shall constitute a violation of the hydrant permit and shall immediately terminate the hydrant permit and the permittee's right to draw water. Hydrant permits shall not be issued for a period longer than six months. Renewal shall be allowed on a case by case basis.

(c) Any damage to fire hydrants, and any consequent resulting loss or damage to property, or any injury to persons arising from or out of the damage to fire hydrants shall be paid for by the person or legal entity responsible for the damage. All repairs for any damage to fire hydrants shall be paid by the person or entity responsible for the damage.

(d) Any persons or entities, or both, found to have used, obstructed, or tampered with a department fire hydrant without the express written consent of department shall be assessed fees and charges including the estimated amount of the water taken, water discharged by the department to clear the mains, labor and materials, and administrative costs. Each invoice not paid within ten calendar days of date thereon will accrue a late charge equal to five per cent of the unpaid balance at the time it becomes delinquent and an additional five per cent for each month delinquent thereafter.

(e) The department shall, if it approves the request for a change in location of a hydrant, change such location; provided, that all labor, material, equipment, and all other costs and charges are paid in advance by the consumer. [Eff and comp]
(Auth: HHC Act §222) (Imp: HHC Act §221)

§10-4.1-23 Water spigots. (a) The department may provide water spigots connected to public water systems. The water spigot shall be labeled with the appropriate public water system number as issued by the department of health. Each water spigot, and

water spigot area, shall be maintained by the department in a manner suitable for lessee access to potable water.

(b) Each spigot shall be metered and the commission shall set the maximum amount that may be drawn from each spigot during a single billing cycle.

(c) The department shall manage access to the spigot by reasonable means.

(d) The department may restrict spigot use during time of water restrictions.

(e) The department guarantees potable water only to the point of withdrawal from the public water system. [Eff and comp] (Auth: HHC Act \$222) (Imp: HHC Act \$221)

§10-4.1-24 Consumer's sale of water. Subject to civil or criminal prosecution or both, unless specifically agreed upon by the commission, the consumer shall not sell any water received or purchased from the department. [Eff and comp] (Auth: HHC Act \$222) (Imp: HHC Act \$221)

§10-4.1-25 Electrical grounding. (a) Protective grounding of alternating current secondary distribution circuits made to the water system shall conform in all details with the national electrical code of the national board of fire underwriters and with the county building code where the water system is located.

(b) The department shall not be responsible for any damage or injury caused by any electrical grounding.

(c) No grounding of direct current to any portion of the water system shall be permitted.

(d) No grounding other than as provided in this section shall be made to any portion of the water system without the department's written approval.

(e) The department shall not be responsible for the maintaining of a continuous metallic water piping system and reserves the right, without liability to public utility electric companies, electric consumers, or any other agency, consumer, or individual, to create a physical break in its service laterals and mains, or to incorporate non-metallic pipes and appurtenances in its system and to make joints of any materials, without regard to their efficiency as conductors of electricity and without giving notice. [Eff and comp] (Auth: HHC Act §222)
(Imp: HHC Act §221)

§10-4.1-26 Unscheduled meter replacement. If a consumer requests a meter replacement prior to the scheduled routine replacement, the consumer will be billed for the service call plus the current cost of the meter. As is the case with all new meters, upon installation the meter becomes the property of the department. [Eff and comp] (Auth: HHC Act §222)
(Imp: HHC Act §221)

§10-4.1-27 Compensation. Employees of the department are strictly forbidden to demand or accept personal compensation for services rendered. [Eff and comp] (Auth: HHC Act §222)
(Imp: HHC Act §221)

§§10-4.1-28 to 10-4.1-30 (Reserved)

SUBCHAPTER 2

HAWAIIAN HOME LANDS PUBLIC WATER SYSTEMS

§10-4.1-31 Water service rates. (a) The department shall conduct a cost of service study annually, based upon enterprise accounting, and a water service rates analysis at least every three years.

(b)

[Eff and comp] (Auth:
HHC Act §222) (Imp: HHC Act §221)

§10-4.1-32 Meter reading and rendering of bills.

(a) Meter readings and billings shall be on at least a bi-monthly basis, except for closing of accounts for special conditions with the approval of the department.

(b) Closing bills for a period shorter than the regular billing period shall be determined by the sum of the charges per water meter reading and prorating of the monthly service charge. If a meter cannot be read, an estimated bill shall be rendered following acceptable practices using the reading, where available, of the same time the previous year.

(c) Bills for metered water service shall be on a per meter basis. If the consumer has more than one metered installation on the premises, each meter shall be billed separately. [Eff and comp]
(Auth: HHC Act §222) (Imp: HHC Act §221)

§10-4.1-33 Conservation and emergency measures.

(a) Whenever, in the department's opinion, special conservation measures are advisable to forestall water shortage or an emergency, the department may restrict the use of water by any means or method of control. The department shall also have the right to limit the quantity of water taken from any of its facilities. In determining the priorities in restricting the use

of water, the health and safety of the public shall be given first consideration over other uses.

(b) When the department's water supply usage exceeds the rate of resupply, the commission may declare a water shortage or emergency and further restrict the use of water by any means or method of control.

(c) The department shall notify consumers of emergency conditions by written communication through mailing, electronic posting, or the newspaper, or combination thereof. [Eff and comp]
(Auth: HHC Act §222) (Imp: HHC Act §221)

§§10-4.1-34 to 10-4.1-40 (Reserved)

SUBCHAPTER 3

PUUKAPU NON-POTABLE WATER SYSTEM

§10-4.1-41 General conditions. (a) The water supplied by the Puukapu non-potable water system is intended to be used only for pastoral uses consistent with pastoral leases. Consumers may not use water for any other purpose except with the express written consent of the department. The department makes no guarantee, warranty, or representation, expressed or implied, as to the quality, quantity, flow rate, condition, or fitness of the water supplied for any use or purpose.

(b) The department shall deliver water to the lot of each consumer at the ground elevation and at the outlet site as the department may establish upon each consumer's land convenient with the operation of the department's irrigation system, and it shall be the responsibility of each consumer to provide for the distribution of water upon the consumer's lot by the

consumer's own method. [Eff and comp]
(Auth: HHC Act §222) (Imp: HHC Act §221)

§10-4.1-42 Monthly maintenance fee. (a) The lease shall provide service conditions and for the assessment of the monthly maintenance fee.

(b) [Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act §221)

§10-4.1-43 Conservation measures and emergency conditions. (a) Whenever, in the department's opinion, special conservation measures are deemed necessary to forestall a water shortage and a consequent emergency, the department may restrict or ration the use of water by any method or means of control. Livestock watering consumers may be required to install an automatic water flow control device to prevent waste or continued overflow from livestock drinking troughs. Each device shall be approved by the department prior to installation and shall be tested periodically to determine its functionality.

(b) The department reserves the right in times of declared emergency to allow the use of water for emergency purposes. Charges for the water used shall be established by the commission based on the nature of the emergency and attendant circumstances.

(c) During periods of special conservation measures, the department shall develop notices and criteria for the manner in which water will be delivered, restricted, and allocated for the duration for the emergency. Violations of the restrictions or allocations may result in the discontinuance of service, additional water toll surcharges, or the removal of the water connection.

(d) Upon declaration of emergency conditions and implementation of mandatory conservation measures (i.e., ten per cent, twenty per cent, or thirty per cent cutbacks), consumers exceeding the level of

mandatory cutback shall be assessed a surcharge as established by the commission. [Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act §221)

§10-4.1-44 Unauthorized drawing of water. (a) No person or entity shall be permitted to draw water from any part of the system without the written consent of the department. No approval shall be granted in cases where, in the opinion of the department, the drawing of water may adversely affect the water service extended by the department to lessees.

(b) Approvals given by the department under this section are subject to revocation upon thirty days written notice." [Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act §221)

2. The adoption of chapter 10-4.1, Hawaii Administrative Rules, shall take effect ten days after filing with the Office of the Lieutenant Governor.

I certify that the foregoing are copies of the rules drafter in the Ramseyer format pursuant to the requirements of section 91-4.1, Hawaii Revised Statutes, which were adopted on [] and filed with the Office of the Lieutenant Governor.

JOBIE M. K. MASAGATANI, Chairman
Hawaiian Homes Commission

APPROVED AS TO FORM:

Deputy Attorney General

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 29, 2018

TO: Chairman and Members, Hawaiian Homes Commission

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

SUBJECT: Approval to Proceed to Beneficiary Consultation for
Draft Administrative Rules Related to Supplemental
Dwelling Units on Hawaiian Home Lands



RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission approve proceeding to beneficiary consultation for draft administrative rules related to supplemental dwelling units on Hawaiian Home Lands.

DISCUSSION:

In March 2017, staff presented a workshop to the Hawaiian Homes Commission about supplemental dwelling units and some of the unique challenges that would be faced by lessees interested in building a second dwelling unit on their lots. Since that time, staff have endeavored to create a supplemental dwelling unit process that is as simple as possible for residential lessees. Although the draft rules rely on the counties' building codes and permitting processes, the department must conduct a review of the lot, lessee compliance, and the proposed occupant or renter because the Hawaiian Homes Commission Act contains specific requirements that must be followed, authorities that cannot be compromised, and processes whose implementation carries consequences for which the department must plan and anticipate.

The text of the draft rules is attached as Exhibit A. In summary, the draft rules structure the program as follows:

§10-3-40.03 Pilot Program. The program would commence as a five-year pilot program on the islands of Oahu and Hawaii. These counties were chosen because the department has a working relationship with their permitting and planning offices that can facilitate the process for lessees and help ensure the success

of the program. There is a mandatory evaluation for the program after three years. If found to be successful, the department can expand the program by the end of year five or the program will terminate.

§10-3-40.04 SDU application and review. A completed application would be submitted by the lessee, reviewed by the department, and approved by the commission. The structure and related improvements must be permitted by the county and meet all county building requirements but the language allows the commission to provide otherwise.

§10-3-40.05 Lot requirements. DHHL review of the lot ensures a supplemental dwelling is compatible with the specific lot, the Island Plan, and the Area Plan. Although also requiring the lot meet county regulations for additional dwellings, the language ensures the department has final control over land use decisions by providing that the department may waive certain county requirements based upon the area or site itself.

§10-3-40.06 Lessee obligations, generally. The lessee must be in good standing at all times.

§10-3-40.07 Supplemental dwelling units. In addition to setting size limitations, the supplemental dwelling can be categorized as an "ohana SDU" or a "rental SDU." For ohana use, the occupant must be a qualified relative of the lessee under HHCA section 209. For rental use, the HHCA section 208 requires the renter be native Hawaiian. The Department would verify the status of the occupant or the renter. Ohana use is intended to help lessee families who live in crowded conditions such that different generations could reside in different units but still contribute to the household as a single unit. Rental use, however, is intended as an income producing option for lessees and as providing additional housing options for native Hawaiian families.

RECOMMENDATION:

Staff respectfully requests approval of the motion as stated above.

TITLE 10

DEPARTMENT OF HAWAIIAN HOME LANDS

CHAPTER 3

NATIVE HAWAIIAN REHABILITATION PROGRAM

SUBCHAPTER 3.1

SUPPLEMENTAL DWELLING UNIT

§10-3-40.01 Purpose. The purpose of this subchapter is to provide residential lessees who qualify with the option to build a supplementary dwelling unit that could help ease certain housing issues facing native Hawaiian families like need, overcrowding, and financial strain. [Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act §208)

§10-3-40.02 Definitions. As used in this subchapter, unless context clearly provides otherwise, "Dwelling unit renter" means the native Hawaiian who rents, from the lessee, either the primary dwelling unit or SDU individually, or with the native Hawaiian's immediate family, maintaining a common household to the exclusion of others.

"Good-standing" means the status of a lessee who is in compliance with all obligations contained in the residential homestead lease, the act, and this title.

"Ohana occupant" means the qualified relative under section 209(a) of the act who resides in either the primary dwelling or the ohana SDU individually or with the ohana occupant's immediate family.

"Supplemental dwelling unit (SDU)" means a dwelling unit that is supplementary to the primary dwelling, is smaller in size, has a separate entry, and includes its own kitchen, bedroom, and bathroom facilities. [Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act §208)

§10-3-40.03 Pilot program. Upon promulgation of this subchapter, the SDU program shall commence as a five-year pilot program on the islands of Oahu and Hawaii. The program shall be evaluated after three years. If deemed successful, the department may continue the program and expand to other islands, or the program shall terminate at the end of the five-year pilot period. Any SDU completed under the pilot program shall remain subject to this subchapter and any lease amendments made in furtherance of the program, even though the SDU program is discontinued or not expanded to other islands or both. [Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act §208)

§10-3-40.04 SDU application and review. (a) The lessee shall complete the application and return it to the department. Within 30 days, the department shall review the application for completeness and notify the lessee whether the application is complete or incomplete. If an application is deemed incomplete, it will be returned to the lessee with further instruction about how to revise. If the lessee fails to revise the application in accordance with the instructions provided and return the application to the department within 30 days, the application shall be cancelled.

(b) All applications require written approval from the commission before construction may commence. Such approval shall be considered only after a completed application has been submitted to the department, including a plan as to design, material, probable value of the SDU structure and related improvements, and any other information required by the department. The SDU structure and related improvements shall be permitted by and meet all building codes or other ordinances and regulations of the respective counties, except as otherwise provided by the commission. The department may take up to 60 days to render a decision on a completed application and notify the lessee of placement on the commission agenda or of the reasons for denying the application.

(c) The department shall not be required to finance construction of the SDU nor shall the department be liable for any cost or expense incurred in the processing and obtaining of the necessary county permits and approvals.

(d) The lessee shall complete construction of the SDU within one year after receiving notice that commission approval has been granted. [Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act §208)

§10-3-40.05 Lot requirements. A residential lot may qualify for the SDU program if it meets the following requirements:

- (1) Constructing an SDU on the lot is compatible with the island plan and the area plan;
- (2) The lot is at least 3,500 SF;
- (3) The lot is not landlocked;
- (4) The lot does not have more than one dwelling unit, attached or detached, already existing on the property;
- (5) Private covenants, conditions, and restrictions do not prohibit SDUs; and
- (6) Respective county requirements for an

additional dwelling unit. The department may, with the approval of the chairman, authorize a waiver of certain county regulatory requirements based upon specific area conditions, unique site characteristics, or other constraints related to the lot. [Eff and comp] (Auth: HHC Act \$222) (Imp: HHC Act \$208)

§10-3-40.06 Lessee obligations, generally. (a) To participate in the SDU program, the lessee shall be in good-standing at all times.

(b) The lessee shall reside in either the primary dwelling or in the SDU. If the lessee moves into the SDU, the lessee shall provide the department with an updated mailing address in accordance with section 10-3-10(a).

(c) Failure of the lessee to maintain good-standing shall be cause for lease cancellation pursuant to section 10-3-28. [Eff and comp] (Auth: HHC Act \$222) (Imp: HHC Act \$208)

§10-3-40.07 Supplemental dwelling units. (a) Any SDU shall fall within the following floor area maximums: 400 square feet (for lots with an area of 3,500 to 4,999 square feet) and 800 square feet (for lots with an area of 5,000 square feet or more).

(b) A lessee may apply for one of the following programs at the time of application:

- (1) Ohana SDU is specifically for non-rental, ohana use purposes. The ohana occupant shall establish the required biological relationship to the lessee to the satisfaction of the department before taking occupancy. The department may allow the ohana occupant to contribute toward

household expenses such as utilities and mortgage payments, if applicable, but rent shall not be charged.

- (2) Rental SDU is specifically for rental purposes, to supplement income for the lessee and potentially help to provide housing for native Hawaiians. The dwelling unit renter shall be qualified under the act by the department but is not required to establish a qualified relationship to the lessee. The department shall prioritize applications from lessees with a verifiable potential tenant currently on a waitlist.
- (A) The minimum rental period agreement on the unit shall be six months;
 - (B) The lessee shall provide a standard lease agreement to the tenant; and
 - (C) Each agreement shall carry a rider written by the department and signed by the lessee and dwelling unit renter that provides the general obligations of the department, waiver of liability, and guarantees made by the lessee.

(c) The lessee shall submit a request to the department if the lessee wants to change the program use of the unit. The department shall provide a response to the lessee within 30 days of receipt of the request. [Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act §208)

§10-3-40.08 Landlord-tenant code compliance.

The residential landlord and tenant code, HRS ch. 521, is applicable only so far as it does not conflict with the act, this title, and the lease itself. [Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act §208)

§10-3-40.09 Fair housing act compliance. Lessee must remain in compliance with the section 804 of the fair housing act, 42 U.S.C. §3604 insofar as it does not conflict with the act, this title, and the lease. [Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act §208)

§10-3-40.10 Existing structures, non-compliance. If one or more structures that have not been approved by the department or are unpermitted, or both, exist on the lot, the lessee may be allowed to come into compliance through the SDU process. However, if the existing structure or structures are unsafe for human habitation, the lessee may be required to bring the structure into compliance with county building codes, including demolition of the structure at the lessee's expense. [Eff and comp] (Auth: HHC Act §222) (Imp: HHC Act §208)

| Department of Hawaiian Home Lands | | | | | | |
|--|----------------------------------|------------------|---------------------------|--|-------------------|---------------------------|
| Budget and Actuals Report | | | | | | |
| FY 2018: As of December 31, 2017 | | | | | | |
| | General Fund | | | HH Administration Account | | |
| | Budget | Actuals | Remaining Balances | Budget | Actuals | Remaining Balances |
| Personnel Costs | 18,009,032 | 4,059,500 | 13,949,532 | 0 | 0 | 0 |
| Other Current Expenditures/Encumbrances | 7,111,698 | 4,515,146 | 2,596,552 | 4,824,709 | 1,264,059 | 3,560,650 |
| Total | 25,120,730 | 8,574,646 | 16,546,084 | 4,824,709 | 1,264,059 | 3,560,650 |
| | | | | | | |
| | HH Operating Fund | | | Native Hawaiian Rehabilitation Fund | | |
| | Budget | Actuals | Remaining Balances | Budget | Actuals | Remaining Balances |
| Personnel Costs | 0 | 0 | 0 | 0 | 0 | 0 |
| Other Current Expenditures/Encumbrances | 48,952,563 | 2,613,331 | 46,339,232 | 2,598,100 | 36,413 | 2,561,687 |
| Total | 48,952,563 | 2,613,331 | 46,339,232 | 2,598,100 | 36,413 | 2,561,687 |
| | | | | | | |
| | Revenue Bond Special Fund | | | NAHASDA | | |
| | Budget | Actuals | Remaining Balances | Budget | Actuals | Remaining Balances |
| Personnel Costs | 0 | 0 | 0 | 416,210 | 0 | 416,210 |
| Other Current Expenditures/Encumbrances | 3,200,000 | 3,200,000 | 0 | 32,172,400 | 13,580,556 | 18,591,844 |
| Total | 3,200,000 | 3,200,000 | 0 | 32,588,610 | 13,580,556 | 19,008,054 |
| | | | | | | |
| | HHL Trust Fund | | | | | |
| | Budget | Actuals | Remaining Balances | | | |
| Personnel Costs | 0 | 0 | - | | | |
| Other Current Expenditures/Encumbrances | 0 | 13,485 | (13,485) | | | |
| Total | 0 | 13,485 | (13,485) | | | |
| | | | | | | |

| Department of Hawaiian Home Lands | | | | | | | |
|--|--------------------|-------------------|---------------------------|--|--|--|--|
| Budget and Actuals Report | | | | | | | |
| FY 2018: As of December 31, 2017 | | | | | | | |
| | Summary | | | | | | |
| | Budget | Actuals | Remaining Balances | | | | |
| General Fund | 25,120,730 | 8,574,646 | 16,546,084 | | | | |
| DHHL Funds: | | | | | | | |
| HH Administration Account | 4,824,709 | 1,264,059 | 3,560,650 | | | | |
| HH Operating Fund | 48,952,563 | 2,613,331 | 46,339,232 | | | | |
| Native Hawaiian Rehabilitation Fund | 2,598,100 | 36,413 | 2,561,687 | | | | |
| DHHL Revenue Bond Special Fund | 3,200,000 | 3,200,000 | 0 | | | | |
| HHL Trust Fund | 0 | 13,485 | (13,485) | | | | |
| Subtotal: DHHL Funds | 59,575,372 | 7,127,288 | 52,448,084 | | | | |
| NAHASDA | 32,588,610 | 13,580,556 | 19,008,054 | | | | |
| Grand Total | 117,284,712 | 29,282,490 | 88,002,222 | | | | |

**Department of Hawaiian Home Lands
Executive Budget for FY 2018**

| Obj. Code | General Fund | Administration Account | Operating Fund | | NHRF | Rev. Bond Special Fund | NAHASDA | TOTAL BUDGET | |
|--|---|---------------------------|----------------------|------------------------|-------------------|---------------------------|-------------------|--------------------|-------------------|
| | | | Operating Portion | Development Portion | | | | | |
| 2000 | Personnel Costs | 18,009,032 | | | | | 416,210 | 18,425,242 | |
| 2900 | Other Personal Services | 732,000 | 100,000 | 0 | 0 | 0 | 0 | 832,000 | |
| 3010 | Operating Supplies - Gas & Oil Supplies | 49,300 | 8,000 | 20,000 | 0 | 0 | 0 | 77,300 | |
| 3020 | Operating Supplies - Fuel & Oil Other | 2,800 | 3,000 | 25,580 | 0 | 0 | 0 | 31,380 | |
| 3030 | Operating Supplies - Janitorial | 21,680 | 0 | 6,548 | 0 | 0 | 0 | 28,228 | |
| 3040 | Operating Supplies- Medical | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| 3090 | Operating Supplies - Others | 14,400 | 850 | 17,084 | 0 | 0 | 0 | 32,334 | |
| 3100 | Maintenance Materials Supplies & Parts | 103,600 | 8,000 | 130,000 | 0 | 0 | 0 | 241,600 | |
| 3200 | Office Supplies | 129,730 | 16,000 | 800 | 0 | 0 | 5,000 | 151,530 | |
| 3400 | Other Supplies | 23,116 | 0 | 1,500 | 0 | 0 | 0 | 24,616 | |
| 3500 | Dues and Subscriptions | 13,712 | 4,000 | 300 | 0 | 0 | 3,000 | 21,012 | |
| 3600 | Freight and Delivery Charges | 2,217 | 1,200 | 4,000 | 0 | 0 | 1,000 | 8,417 | |
| 3700 | Postage | 177,820 | 0 | 3,050 | 0 | 0 | 0 | 180,870 | |
| 3800 | Telephone | 125,210 | 0 | 400 | 0 | 0 | 15,000 | 140,610 | |
| 3900 | Printing and Binding | 109,700 | 0 | 0 | 0 | 0 | 20,000 | 129,700 | |
| 4000 | Advertising | 101,200 | 0 | 0 | 0 | 0 | 5,000 | 106,200 | |
| 4100 | Car Mileage | 19,350 | 0 | 0 | 0 | 0 | 3,000 | 22,350 | |
| 4200 | Transportation, Intrastate | 337,700 | 0 | 10,000 | 0 | 67,500 | 20,000 | 435,200 | |
| 4300 | Subsistence Allowance, Intra-State | 205,470 | 0 | 5,000 | 0 | 22,500 | 20,000 | 252,970 | |
| 4400 | Transportation, Out of State | 71,000 | 0 | 0 | 0 | 0 | 10,000 | 81,000 | |
| 4500 | Subsistence Allowance, Out of State | 61,500 | 0 | 0 | 0 | 10,000 | 10,000 | 81,500 | |
| 4600 | Hire of Passenger Cars | 78,900 | 0 | 3,000 | 0 | 10,000 | 10,000 | 101,900 | |
| 5000 | Electricity | 372,000 | 571,000 | 477,100 | 0 | 0 | 0 | 1,420,100 | |
| 5200 | Water | 103,700 | 204,000 | 249,800 | 0 | 0 | 0 | 557,500 | |
| 5400 | Other Utilities | 0 | 500 | 0 | 0 | 0 | 0 | 500 | |
| 5500 | Rental of Land and Bldg. | 32,800 | 0 | 0 | 0 | 28,300 | 38,000 | 99,100 | |
| 5600 | Rental of Equipment | 76,100 | 1,000 | 1,000 | 0 | 0 | 2,400 | 80,500 | |
| 5700 | Other Rentals | 1,772,500 | 3,000 | 0 | 0 | 25,000 | 5,000 | 1,805,500 | |
| 5810 | Repairs- Data Processing | 14,000 | 0 | 0 | 0 | 0 | 0 | 14,000 | |
| 5815 | Maintenance - Data Processing | 149,342 | 0 | 0 | 0 | 0 | 0 | 149,342 | |
| 5820 | Repairs- Equipment, Building, etc. | 47,697 | 22,000 | 30,200 | 0 | 0 | 0 | 99,897 | |
| 5825 | Maintenance- Equipment, Building, etc. | 50,978 | 377,050 | 102,472 | 0 | 0 | 50,000 | 580,500 | |
| 5830 | Repairs- Motor Vehicles | 19,700 | 5,200 | 5,000 | 0 | 0 | 0 | 29,900 | |
| 5835 | Maintenance- Motor Vehicles | 24,500 | 3,000 | 2,500 | 0 | 0 | 0 | 30,000 | |
| 5840 | Maintenance-Unencumbered Lands & Other | 300,000 | 35,800 | 0 | 0 | 0 | 0 | 335,800 | |
| 5895 | Maintenance-Other Miscellaneous | 6,000 | 93,184 | 4,000 | 0 | 0 | 0 | 103,184 | |
| 5900 | Insurance | 0 | 75,000 | 0 | 0 | 0 | 0 | 75,000 | |
| 6120 | Interest Payment--RGOB | 0 | 0 | 0 | 1,000 | 0 | 0 | 1,000 | |
| 6500 | Other Grants in Aid | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| 7110 | Services Fee Basis | 1,241,509 | 3,104,221 | 3,132,729 | 200,000 | 2,400,000 | 4,000,000 | 14,078,499 | |
| 7230 | Training Costs | 85,196 | 168,000 | 6,000 | 0 | 0 | 5,000 | 264,196 | |
| 7290 | Other Current Expenditures | 15,700 | 2,954 | 2,500 | 0 | 34,800 | 2,000 | 57,954 | |
| 7700 | Equipment | 339,571 | 17,750 | 5,000 | 0 | 0 | 0 | 362,321 | |
| 7700 | Motor Vehicle | 80,000 | 0 | 0 | 0 | 0 | 0 | 80,000 | |
| 7900 | Construction in Progress | 0 | 0 | 0 | 44,476,000 | 0 | 19,948,000 | 64,424,000 | |
| 8020 | Principal Payment--RGOB | 0 | 0 | 0 | 30,000 | 0 | 0 | 30,000 | |
| 6120/8020 | Debt Service: Revenue Bond Payment | 0 | 0 | 0 | 0 | 3,200,000 | 0 | 3,200,000 | |
| 8201 | Loans Receivable | 0 | 0 | 0 | 0 | 0 | 8,000,000 | 8,000,000 | |
| 8201 | Loans Receivable | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Total - Current Expenditure & Equipment | | 7,111,698 | 4,824,709 | 4,245,563 | 44,707,000 | 2,598,100 | 3,200,000 | 32,172,400 | 98,859,510 |
| Total | | 25,120,730 | 4,824,709 | 4,245,563 | 44,707,000 | 2,598,100 | 32,588,610 | 117,284,752 | |

| | | | | | | | | |
|--------------------------------|-------------------|------------------|------------------|-------------------|------------------|------------------|-------------------|--------------------|
| A--Personnel Cost | 18,009,032 | 0 | 0 | 0 | 0 | 0 | 416,210 | 18,425,242 |
| B --Current Expenditure | 6,692,127 | 4,806,959 | 4,240,563 | 44,707,000 | 2,598,100 | 3,200,000 | 32,172,400 | 98,417,189 |
| C --Equipment | 339,571 | 17,750 | 5,000 | 0 | 0 | 0 | 0 | 362,321 |
| M--Motor Vehicle | 80,000 | 0 | 0 | 0 | 0 | 0 | 0 | 80,000 |
| Total | 25,120,730 | 4,824,709 | 4,245,563 | 44,707,000 | 2,598,100 | 3,200,000 | 32,588,610 | 117,284,752 |

**Department of Hawaiian Home Lands
Expenditures and Encumbrances as of December 2017**

| Obj. Code | General Fund | Administration Account | Operating Fund | | NHRF | Rev. Bond Special Fund | NAHASDA | HHLTF T-902-I | TOTAL EXP & ENC | |
|--|--|---------------------------|----------------------|------------------------|------------------|---------------------------|------------------|-------------------|--------------------|-------------------|
| | | | Operating Portion | Development Portion | | | | | | |
| 2000 | Personnel Costs | 4,059,500 | | | | | | | 4,059,500 | |
| 2900 | Other Personal Services | 297,349 | | | | | | | 297,349 | |
| 3010 | Operating Supplies - Gas & Oil Supplies | 29,865 | 2,000 | 3,500 | | | | | 35,365 | |
| 3020 | Operating Supplies - Fuel & Oil Other | | | 6,421 | | | | | 6,421 | |
| 3030 | Operating Supplies - Janitorial | 4,813 | | 1,309 | | | | | 6,122 | |
| 3040 | Operating Supplies- Medical | | | | | | | | | |
| 3090 | Operating Supplies - Others | 12,919 | 4,425 | 12,244 | | | | | 29,588 | |
| 3100 | Maintenance Materials Supplies & Parts | 1,737 | | 31,985 | | | | | 33,722 | |
| 3200 | Office Supplies | 35,267 | (46) | 213 | | | 1,026 | | 36,459 | |
| 3400 | Other Supplies | 7,946 | 0 | 805 | | | 86 | | 8,838 | |
| 3500 | Dues and Subscriptions | 3,466 | | | | | 1,000 | | 4,466 | |
| 3600 | Freight and Delivery Charges | 1,608 | | 400 | | | | | 2,008 | |
| 3700 | Postage | 30,255 | 0 | 1,611 | | | 217 | | 32,083 | |
| 3800 | Telephone | 35,718 | 0 | 400 | | | 7,724 | | 43,841 | |
| 3900 | Printing and Binding | 40,709 | | | | | | | 40,709 | |
| 4000 | Advertising | 19,948 | | | | | | | 19,948 | |
| 4100 | Car Mileage | 11,221 | 18 | | | | 328 | | 11,568 | |
| 4200 | Transportation, Intrastate | 110,642 | 3,720 | 978 | | | 4,045 | | 119,385 | |
| 4300 | Subsistence Allowance, Intra-State | 61,969 | | 711 | | | 1,335 | | 64,014 | |
| 4400 | Transportation, Out of State | 16,746 | 257 | | | | 2,825 | | 19,827 | |
| 4500 | Subsistence Allowance, Out of State | 16,892 | 0 | | | | 3,789 | | 20,681 | |
| 4600 | Hire of Passenger Cars | 26,627 | 1,041 | 205 | | | 2,481 | | 30,353 | |
| 5000 | Electricity | 468,338 | 208,000 | 263,305 | | | | | 939,643 | |
| 5100 | Gas | 31 | | | | | | | 31 | |
| 5200 | Water | 61,083 | 64,000 | 54,683 | | | | | 179,766 | |
| 5210 | Water | 150 | | | 21,400 | | | | 21,550 | |
| 5300 | Sewer | | | | | | | | 0 | |
| 5400 | Other Utilities | | | | | | | | | |
| 5500 | Rental of Land and Bldg. | 1,378 | | | | | 24,064 | | 25,442 | |
| 5600 | Rental of Equipment | 38,454 | | 385 | | | 7,933 | | 46,772 | |
| 5700 | Other Rentals | 1,510,501 | | | | | | | 1,510,501 | |
| 5810 | Repairs- Data Processing | | | | | | | | | |
| 5815 | Maintenance - Data Processing | 35,869 | 0 | | | | | | 35,869 | |
| 5820 | Repairs- Equipment, Building, etc. | 24,547 | | 552 | 536 | | | | 25,635 | |
| 5825 | Maintenance- Equipment, Building, etc. | 53,235 | 15,250 | 8,946 | 7,700 | | 784 | | 85,915 | |
| 5830 | Repairs- Motor Vehicles | 7,818 | 2,555 | 8,110 | | | | | 18,484 | |
| 5835 | Maintenance- Motor Vehicles | 11,807 | | 3,661 | | | | | 15,468 | |
| 5840 | Maintenance-Unencumbered Lands & Other | 378,618 | 41,344 | | 650 | | | | 420,611 | |
| 5855 | Repair and Maintenance - Subdivision | 28,649 | 199 | | 456,989 | | | | 485,837 | |
| 5890 | Repair and Maintenance | 495 | | | | | 19,797 | | 20,292 | |
| 5895 | Maintenance-Other Miscellaneous | 619 | 4,760 | 5,056 | | | | | 10,435 | |
| 5900 | Insurance | 0 | | | | | | | 0 | |
| 6120 | Interest Payment--RGOB | | 450,000 | | | | | | 450,000 | |
| 6200 | Lanikeha Debt Service | | | | | | | | 0 | |
| 6500 | Other Grants in Aid | | | | | | 3,457,310 | | 3,457,310 | |
| 6800 | Judgement & Claims | | | | | | | 13,485 | 13,485 | |
| 7000 | Retirement and Pension Cost | | | | | | | | 0 | |
| 7110 | Services Fee Basis | 1,070,187 | 160,602 | 663,722 | 378,243 | 36,413 | 3,033,183 | | 5,342,349 | |
| 7230 | Training Costs | 26,905 | 375 | 705 | | | 765 | | 28,749 | |
| 7290 | Other Current Expenditures | 16,995 | 904 | 500 | | | 1,365 | | 19,764 | |
| 7300 | Interest on Late Payments | 126 | | 172 | 1,853 | | | | 2,151 | |
| 7500 | Land and Land Improvements | | | | | | | | 0 | |
| 7700 | Equipment | 13,645 | | | | | | | 13,645 | |
| 7700 | Motor Vehicle | | | | | | | | 0 | |
| 7720 | Machinery & Equipment | | | | | | 11,799 | | 11,799 | |
| 7899 | Other Capital Outlay | | | | | | | | 0 | |
| 7900 | Construction In Progress | | 19,656 | | 675,380 | | 3,863,436 | | 4,558,472 | |
| 7921 | Construction In Progress | | | | | | 100,000 | | 100,000 | |
| 7922 | Construction In Progress | | | | | | 200,000 | | 200,000 | |
| 7932 | Construction In Progress | | | | | | 1,632,504 | | 1,632,504 | |
| 7934 | Construction In Progress | | | | | | 72,000 | | 72,000 | |
| 7942 | Construction In Progress | | | | | | 126,000 | | 126,000 | |
| 7943 | Construction In Progress | | | | | | 500,000 | | 500,000 | |
| 7962 | Construction In Progress | | | | | | 46,125 | | 46,125 | |
| 8020 | Principal Payment--RGOB | | 285,000 | | | | | | 285,000 | |
| 6120/8020 | Debt Service: Revenue Bond Payment | | | | | 3,200,000 | | | 3,200,000 | |
| 8201 | Loans Receivable | | | | | | 458,638 | | 458,638 | |
| 8910 | Investment in Real Property | | | | | | | | | |
| 8201 | Loans Receivable | | | | | | | | | |
| 9992 | Transfers to Special Revenue Funds - Operating | | | | | | | | 0 | |
| Total - Current Expenditure & Equipment Total | | 4,615,146 | 1,264,059 | 1,070,579 | 1,642,762 | 36,413 | 3,200,000 | 13,580,556 | 13,485 | 25,222,989 |
| Total | | 8,574,646 | 1,264,059 | 1,070,579 | 1,542,752 | 36,413 | 3,200,000 | 13,580,556 | 13,485 | 29,282,489 |
| EXPENDITURES | | 6,559,470 | 139,216 | 271,585 | 89,594 | 15,413 | 147,870 | 3,767,856 | 13,485 | 11,004,488 |
| ENCUMBRANCES | | 2,015,177 | 1,124,843 | 798,994 | 1,453,158 | 21,000 | 3,052,130 | 9,812,700 | | 18,278,001 |
| TOTAL | | 8,574,646 | 1,264,059 | 1,070,579 | 1,542,752 | 36,413 | 3,200,000 | 13,580,556 | 13,485 | 29,282,489 |



HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
DEPARTMENT OF HAWAIIAN HOME LANDS

Lease Transfers: Right of First Refusal to Homestead Applicants on the Waitlist

Roadmap

- Issue: Whether homestead applicants on the waitlist should have a right of first refusal for homestead lease transfers.
- Overview: Past implementation of lease transfers.
- Lease transfers to the waitlist for FY16 to November FY18.

Issue

- HHCA section 208 allows lease transfers with approval of the commission.
- Approximately 27,000 applicants.
- Essentially, two options exist:
 - Award from the Department; or
 - Lease transfer from a current lessee.

Overview: Implementation

- 1953 Hawaiian Homes Commission Procedure Manual:
 - The proposed transferee was cross-referenced against applicants to ascertain relative priority.
 - Applicants with a higher priority were polled for interest.
 - A conference between the transferor and the interested applicant with the highest priority was arranged for final negotiations.

Overview: Implementation

- 1977 Rules and Regulations:
 - Lessee had to hold the lease for at least 7 years.
 - Transfer could be made to any individual who qualifies under the act and is at least 21 years old.
- Feb. 1983 Hawaii Administrative Rules:
 - Transfer to any individual who qualifies under the act and is at least 21 years old.
- Sept. 1983 Hawaii Administrative Rules:
 - Transfer to any individual who qualifies under the act and is at least 18 years old.

Overview: Implementation

- 1998 Hawaii Administrative Rules:
 - Transfer to any individual who is native Hawaiian and at least 18 years old.
- 2017 Hawaii Administrative Rules:
 - Transfer to any individual who is at least 18 years old and qualified under the act provided vacant lots, undeveloped lots, or undivided interests shall not be sold. Transfers to qualified relatives or beneficiaries on the waitlist have priority processing.

Lease Transfers FY16

| FY16 | | | | | |
|--------------|--|------------------------|------------------|----------|-----------|
| Month | Transfers to applicant/total transfers | Application date range | Relationship | | |
| | | | Qualified Family | Friend | None |
| July | 7/19 | 1986-2015 | 1 | | 6 |
| August | 8/28 | 1993-2010 | 6 | | 2 |
| September | 4/17 | 2003-2014 | 1 | | 3 |
| October | 7/17 | 2005-2013 | 5 | | 2 |
| November | 8/17 | 1982-2014 | 2 | | 6 |
| December | 11/14 | 1987-2011 | 7 | | 3 |
| January | 7/28 | 1976-2010 | 2 | | 5 |
| February | 6/19 | 1979-2010 | 5 | | 1 |
| March | 8/20 | 1995-2015 | 4 | 1 | 3 |
| April | 8/20 | 1988-2015 | 6 | | 2 |
| May | 17/33 | 1986-2015 | 5 | 2 | 10 |
| June | 6/18 | 2010-2015 | 2 | | 4 |
| Total | 97/259 | | 46 | 3 | 47 |

Lease Transfers FY17

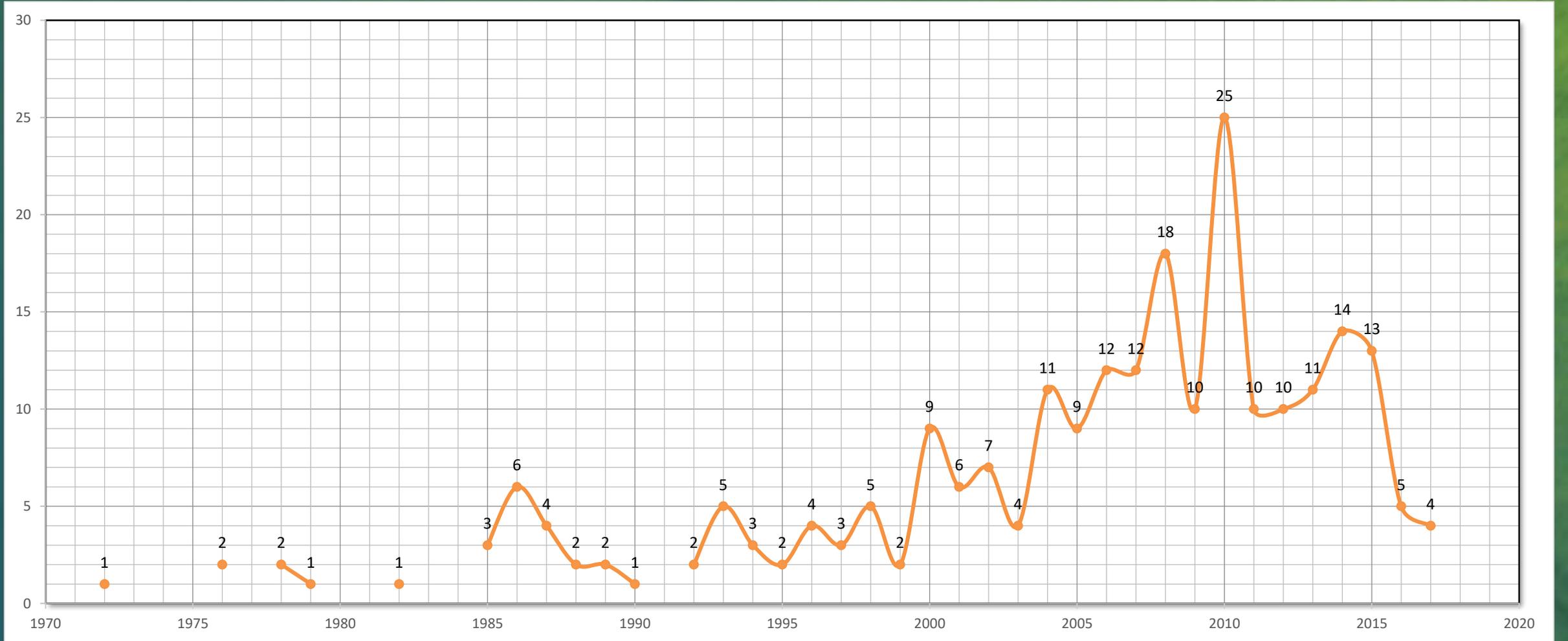
FY17

| Month | Transfers to applicant/total transfers | Application date range | Relationship | | |
|--------------|--|------------------------|------------------|----------|-----------|
| | | | Qualified Family | Friend | None |
| July | 2/9 | 1987-2001 | 2 | | |
| August | 13/21 | 1986-2013 | 6 | | 7 |
| September | 1/10 | 2010 | | | 1 |
| October | 10/25 | 1976-2016 | 6 | | 4 |
| November | 3/10 | 1996-2014 | | | 3 |
| December | 6/10 | 2000-2008 | 3 | | 3 |
| January | 7/15 | 1978-2013 | 3 | | 4 |
| February | 10/23 | 2000-2014 | 4 | | 6 |
| March | 5/27 | 2000-2012 | 2 | | 3 |
| April | 12/27 | 1985-2016 | 6 | | 6 |
| May | 7/14 | 1998-2015 | 3 | | 4 |
| June | 10/30 | 1978-2016 | 6 | | 4 |
| Total | 86/229 | | 41 | 0 | 45 |

Lease Transfers FY18

| FY18 | | | | | |
|--------------|--|------------------------|------------------|----------|-----------|
| Month | Transfers to applicant/total transfers | Application date range | Relationship | | |
| | | | Qualified Family | Friend | None |
| July | 8/18 | 1972-2006 | 4 | | 4 |
| August | 5/14 | 1999-2015 | 5 | | |
| September | 8/29 | 2002-2013 | 2 | | 6 |
| October | 17/40 | 1987-2017 | 7 | | 10 |
| November | 8/27 | 1992-2017 | 1 | | 7 |
| December | 8/18 | 1985-2010 | 2 | 2 | 4 |
| Total | 54/146 | | 21 | 2 | 31 |

Lease Transfers and Application Dates FY16 to FY18



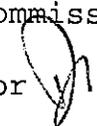
DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
January 29 & 30, 2018
Kapolei, O'ahu

D-ITEMS
HOMESTEAD SERVICES DIVISION

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 29, 2018

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

RECOMMENDED MOTION/ACTION

NONE

DISCUSSION

The following reports are for information only:

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

January 29, 2018

SUBJECT: Homestead Lease and Application Totals and Monthly Activity Reports

LEASE ACTIVITY REPORT

Month through December 31, 2017

| | As of 11/30/17 | Add | Cancel | As of 12/31/17 |
|--------------|-------------------|----------|----------|-------------------|
| Residential | 8,375 | 1 | 0 | 8,376 |
| Agricultural | 1,097 | 0 | 1 | 1,096 |
| Pastoral | 410 | 0 | 0 | 410 |
| Total | 9,882 | 1 | 1 | 9,882 |

The number of Converted Undivided Interest Lessees represents an increase of 410 families moving into homes. Their Undivided Interest lease was converted to a regular homestead lease.

| | As of 11/30/17 | Converted | Rescinded/ Surrendered/ Cancelled | As of 12/31/17 |
|-----------|-------------------|-----------|---|-------------------|
| Undivided | 916 | 1 | 0 | 915 |

Balance as of 12/31/2017

| | |
|--------------------|-------|
| Awarded | 1,434 |
| Relocated to UNDV | 7 |
| Rescinded | 109 |
| Surrendered | 5 |
| Cancelled | 2 |
| Converted | 410 |
| Balance to Convert | 915 |

Lease Report For the Month Ending December 31, 2017

| | RESIDENCE | | | AGRICULTURE | | | PASTURE | | | TOTAL LEASES | | |
|--------------------------|--------------|----------|----------|--------------|--------------|----------|----------|--------------|------------|--------------|----------|--------------|
| | Last Month | Add | Cancel | TOTAL | Last Month | Add | Cancel | TOTAL | Last Month | Add | Cancel | TOTAL |
| OAHU | | | | | | | | | | | | |
| Hoolimalima | 69 | 0 | 0 | 69 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 69 |
| Kalawahine | 91 | 0 | 0 | 91 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 91 |
| Kanehili | 359 | 0 | 0 | 359 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 359 |
| Kapolei | 256 | 0 | 0 | 256 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 256 |
| Kaupea | 325 | 0 | 0 | 325 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 325 |
| Kaupuni | 19 | 0 | 0 | 19 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 19 |
| Kewalo | 249 | 0 | 0 | 249 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 249 |
| Kumuhau | 52 | 0 | 0 | 52 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 52 |
| Lualualei | 149 | 0 | 0 | 149 | 31 | 0 | 0 | 31 | 0 | 0 | 0 | 180 |
| Malu'ohai | 156 | 0 | 0 | 156 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 156 |
| Nanakuli | 1,050 | 0 | 0 | 1,050 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1,050 |
| Papakolea | 64 | 0 | 0 | 64 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 64 |
| Princess Kahanu Estates | 271 | 0 | 0 | 271 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 271 |
| Waiahole | 0 | 0 | 0 | 0 | 16 | 0 | 0 | 16 | 0 | 0 | 0 | 16 |
| Waianae | 420 | 0 | 0 | 420 | 11 | 0 | 0 | 11 | 0 | 0 | 0 | 431 |
| Waimanalo | 745 | 1 | 0 | 746 | 2 | 0 | 0 | 2 | 0 | 0 | 0 | 748 |
| TOTAL | 4,275 | 1 | 0 | 4,276 | 60 | 0 | 0 | 60 | 0 | 0 | 0 | 4,336 |
| MAUI | | | | | | | | | | | | |
| Hikina | 30 | 0 | 0 | 30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 30 |
| Kahikinui | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 75 | 0 | 0 | 75 |
| Keokea | 0 | 0 | 0 | 0 | 65 | 0 | 0 | 65 | 0 | 0 | 0 | 65 |
| Lealii | 104 | 0 | 0 | 104 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 104 |
| Paukukalo | 180 | 0 | 0 | 180 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 180 |
| Waiehu 1 | 39 | 0 | 0 | 39 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 39 |
| Waiehu 2 | 109 | 0 | 0 | 109 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 109 |
| Waiehu 3 | 114 | 0 | 0 | 114 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 114 |
| Waiehu 4 | 97 | 0 | 0 | 97 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 97 |
| Waiohuli | 593 | 0 | 0 | 593 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 593 |
| TOTAL | 1,266 | 0 | 0 | 1,266 | 65 | 0 | 0 | 65 | 75 | 0 | 0 | 1,406 |
| EAST HAWAII | | | | | | | | | | | | |
| Discovery Harbour | 2 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| Kamaoa | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 25 | 0 | 0 | 25 |
| Kaunana | 44 | 0 | 0 | 44 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 44 |
| Keaukaha | 473 | 0 | 0 | 473 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 473 |
| Kurtistown | 3 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 |
| Makuu | 0 | 0 | 0 | 0 | 122 | 0 | 1 | 121 | 0 | 0 | 0 | 121 |
| Panaewa | 0 | 0 | 0 | 0 | 263 | 0 | 0 | 263 | 0 | 0 | 0 | 263 |
| Piipihoua | 17 | 0 | 0 | 17 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 17 |
| Puueo | 0 | 0 | 0 | 0 | 12 | 0 | 0 | 12 | 0 | 0 | 0 | 12 |
| University Heights | 4 | 0 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4 |
| Waiakea | 298 | 0 | 0 | 298 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 298 |
| TOTAL | 841 | 0 | 0 | 841 | 397 | 0 | 1 | 396 | 25 | 0 | 0 | 1,262 |
| WEST HAWAII | | | | | | | | | | | | |
| Honokala | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 23 | 0 | 0 | 23 |
| Humuula | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 5 |
| Kamoku | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 16 | 0 | 0 | 16 |
| Kaniohale | 224 | 0 | 0 | 224 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 224 |
| Kawaihae | 186 | 0 | 0 | 186 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 187 |
| Laiopua | 284 | 0 | 0 | 284 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 284 |
| Laiamilo | 30 | 0 | 0 | 30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 30 |
| Nienie | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 21 | 0 | 0 | 21 |
| Puukapu/Waimea/Kuhio VII | 114 | 0 | 0 | 114 | 110 | 0 | 0 | 110 | 215 | 0 | 0 | 440 |
| Puupulehu | 33 | 0 | 0 | 33 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 33 |
| TOTAL | 871 | 0 | 0 | 871 | 110 | 0 | 0 | 110 | 282 | 0 | 0 | 1,263 |
| KAUAI | | | | | | | | | | | | |
| Anahola | 534 | 0 | 0 | 534 | 46 | 0 | 0 | 46 | 0 | 0 | 0 | 580 |
| Hanapepe | 47 | 0 | 0 | 47 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 47 |
| Kekaha | 117 | 0 | 0 | 117 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 117 |
| Puu Opaee | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 |
| TOTAL | 698 | 0 | 0 | 698 | 46 | 0 | 0 | 46 | 1 | 0 | 0 | 745 |
| MOLOKAI | | | | | | | | | | | | |
| Hoolehua | 157 | 0 | 0 | 157 | 345 | 0 | 0 | 345 | 21 | 0 | 0 | 523 |
| Kalamaula | 163 | 0 | 0 | 163 | 71 | 0 | 0 | 71 | 3 | 0 | 0 | 237 |
| Kapaakea | 47 | 0 | 0 | 47 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 50 |
| Moomomi | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 3 | 0 | 0 | 0 | 3 |
| O'ne Aali | 28 | 0 | 0 | 28 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 28 |
| TOTAL | 395 | 0 | 0 | 395 | 419 | 0 | 0 | 419 | 27 | 0 | 0 | 841 |
| LANAI | | | | | | | | | | | | |
| Lanai | 29 | 0 | 0 | 29 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 29 |
| TOTAL | 29 | 0 | 0 | 29 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 29 |
| STATEWIDE TOTAL | 8,375 | 1 | 0 | 8,376 | 1,097 | 0 | 1 | 1,096 | 410 | 0 | 0 | 9,882 |

**HOMESTEAD AREA AND ISLANDWIDE APPLICATIONS WAITING LIST MONTHLY REPORT FOR THE MONTH ENDING
December 31, 2017**

AREA WAITING LIST

| DISTRICT AREA | RESIDENCE | | | | AGRICULTURE | | | | PASTURE | | | | TOTAL |
|------------------|--------------|----------|----------|--------------|-------------|----------|----------|-----------|------------|----------|----------|-----------|--------------|
| | Last Month | Add | Cancel | TOTAL | Last Month | Add | Cancel | TOTAL | Last Month | Add | Cancel | TOTAL | |
| Oahu District | 1,015 | 0 | 0 | 1,015 | 3 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 1,018 |
| Maui District | 73 | 0 | 0 | 73 | 4 | 0 | 0 | 4 | 5 | 0 | 0 | 5 | 82 |
| Hawaii District | 134 | 0 | 0 | 134 | 15 | 0 | 0 | 15 | 59 | 0 | 0 | 59 | 208 |
| Kauai District | 56 | 0 | 0 | 56 | 3 | 0 | 0 | 3 | 29 | 0 | 0 | 29 | 88 |
| Molokai District | 20 | 0 | 0 | 20 | 19 | 0 | 0 | 19 | 1 | 0 | 0 | 1 | 40 |
| TOTAL | 1,298 | 0 | 0 | 1,298 | 44 | 0 | 0 | 44 | 94 | 0 | 0 | 94 | 1,436 |

ISLANDWIDE WAITING LIST

| ISLAND | RESIDENCE | | | | AGRICULTURE | | | | PASTURE | | | | TOTAL |
|--------------|---------------|-----------|----------|---------------|---------------|-----------|----------|---------------|--------------|----------|----------|--------------|---------------|
| | Last Month | Add | Cancel | TOTAL | Last Month | Add | Cancel | TOTAL | Last Month | Add | Cancel | TOTAL | |
| Oahu | 9,629 | 14 | 4 | 9,639 | 3,679 | 3 | 0 | 3,682 | 0 | 0 | 0 | 0 | 13,321 |
| Maui | 3,774 | 8 | 2 | 3,780 | 4,636 | 6 | 0 | 4,642 | 602 | 0 | 0 | 602 | 9,024 |
| Hawaii | 5,704 | 6 | 0 | 5,710 | 7,125 | 6 | 0 | 7,131 | 1,870 | 1 | 0 | 1,871 | 14,712 |
| Kauai | 1,603 | 6 | 0 | 1,609 | 2,210 | 2 | 0 | 2,212 | 296 | 2 | 0 | 298 | 4,119 |
| Molokai | 785 | 1 | 0 | 786 | 1,043 | 0 | 0 | 1,043 | 198 | 0 | 0 | 198 | 2,027 |
| Lanai | 85 | 0 | 0 | 85 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 85 |
| TOTAL | 21,580 | 35 | 6 | 21,609 | 18,693 | 17 | 0 | 18,710 | 2,966 | 3 | 0 | 2,969 | 43,288 |

AREA AND ISLANDWIDE LISTS

| | RES | AG | PAS | TOTAL | ADDITIONS | | CANCELLATIONS | |
|--------------|---------------|---------------|--------------|---------------|-----------------------|------------------|-------------------------|------------------|
| | OAHU | 10,654 | 3,685 | 0 | 14,339 | New Applications | 54 | New Lease Awards |
| MAUI | 3,853 | 4,646 | 607 | 9,106 | Application Transfers | 1 | Application Transfers | 1 |
| HAWAII | 5,844 | 7,146 | 1,930 | 14,920 | Lease Rescissions | 0 | Succ'd and Cancel Own | 1 |
| KAUAI | 1,665 | 2,215 | 327 | 4,207 | App Reinstatements | 0 | Public Notice Cancel | 0 |
| MOLOKAI | 806 | 1,062 | 199 | 2,067 | HHC Adjustments | 0 | Voluntary Cancellations | 0 |
| LANAI | 85 | 0 | 0 | 85 | TOTAL | 55 | Lease Successorships | 0 |
| TOTAL | 22,907 | 18,754 | 3,063 | 44,724 | | | HHC Adjustments | 0 |
| | | | | | | | Dec'd No Successor | 0 |
| | | | | | | | Additional Acreage | 0 |
| | | | | | | | NHQ Unqualified | 0 |
| | | | | | | | TOTAL | 6 |

ITEM NO. D-1
EXHIBIT A

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

December 31, 2017

| | RESIDENCE | | | | AGRICULTURE | | | | PASTURE | | | | TOTAL |
|---------------------------|---------------|-----------|----------|---------------|---------------|-----------|----------|---------------|--------------|----------|----------|--------------|---------------|
| | Last Month | Add | Cancel | TOTAL | Last Month | Add | Cancel | TOTAL | Last Month | Add | Cancel | TOTAL | |
| OAHU DISTRICT | | | | | | | | | | | | | |
| Nanakuli | 177 | 0 | 0 | 177 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 177 |
| Waianae | 159 | 0 | 0 | 159 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 159 |
| Luafualei | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 3 |
| Papakolea/Kewalo | 72 | 0 | 0 | 72 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 72 |
| Waimanalo | 601 | 0 | 0 | 601 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 601 |
| Subtotal Area | 1,015 | 0 | 0 | 1,015 | 3 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 1,018 |
| Islandwide | 9,629 | 14 | 4 | 9,639 | 3,679 | 3 | 0 | 3,682 | 0 | 0 | 0 | 0 | 13,321 |
| TOTAL OAHU APPS | 10,644 | 14 | 4 | 10,654 | 3,682 | 3 | 0 | 3,685 | 0 | 0 | 0 | 0 | 14,339 |
| MAUI DISTRICT | | | | | | | | | | | | | |
| Paukukalo | 73 | 0 | 0 | 73 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 73 |
| Kula | 0 | 0 | 0 | 0 | 4 | 0 | 0 | 4 | 5 | 0 | 0 | 5 | 9 |
| Subtotal Area | 73 | 0 | 0 | 73 | 4 | 0 | 0 | 4 | 5 | 0 | 0 | 5 | 82 |
| Islandwide | 3,774 | 8 | 2 | 3,780 | 4,636 | 6 | 0 | 4,642 | 602 | 0 | 0 | 602 | 9,024 |
| TOTAL MAUI APPS | 3,847 | 8 | 2 | 3,853 | 4,640 | 6 | 0 | 4,646 | 607 | 0 | 0 | 607 | 9,106 |
| HAWAII DISTRICT | | | | | | | | | | | | | |
| Keaukaha/Waiakea | 72 | 0 | 0 | 72 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 73 |
| Panaewa | 0 | 0 | 0 | 0 | 15 | 0 | 0 | 15 | 0 | 0 | 0 | 0 | 15 |
| Humuula | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Kawaihae | 19 | 0 | 0 | 19 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 19 |
| Waimea | 43 | 0 | 0 | 43 | 0 | 0 | 0 | 0 | 58 | 0 | 0 | 58 | 101 |
| Subtotal Area | 134 | 0 | 0 | 134 | 15 | 0 | 0 | 15 | 59 | 0 | 0 | 59 | 208 |
| Islandwide | 5,704 | 6 | 0 | 5,710 | 7,125 | 6 | 0 | 7,131 | 1,870 | 1 | 0 | 1,871 | 14,712 |
| TOTAL HAWAII APPS | 5,838 | 6 | 0 | 5,844 | 7,140 | 6 | 0 | 7,146 | 1,929 | 1 | 0 | 1,930 | 14,920 |
| KAUAI DISTRICT | | | | | | | | | | | | | |
| Anahola | 48 | 0 | 0 | 48 | 3 | 0 | 0 | 3 | 21 | 0 | 0 | 21 | 72 |
| Kekaha/Puu Opae | 8 | 0 | 0 | 8 | 0 | 0 | 0 | 0 | 8 | 0 | 0 | 8 | 16 |
| Subtotal Area | 56 | 0 | 0 | 56 | 3 | 0 | 0 | 3 | 29 | 0 | 0 | 29 | 88 |
| Islandwide | 1,603 | 6 | 0 | 1,609 | 2,210 | 2 | 0 | 2,212 | 296 | 2 | 0 | 298 | 4,119 |
| TOTAL KAUAI APPS | 1,659 | 6 | 0 | 1,665 | 2,213 | 2 | 0 | 2,215 | 325 | 2 | 0 | 327 | 4,207 |
| MOLOKAI DISTRICT | | | | | | | | | | | | | |
| Kalamaula | 4 | 0 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4 |
| Hoolehua | 7 | 0 | 0 | 7 | 19 | 0 | 0 | 19 | 1 | 0 | 0 | 1 | 27 |
| Kapaakea | 8 | 0 | 0 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 8 |
| One Alii | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Subtotal Area | 20 | 0 | 0 | 20 | 19 | 0 | 0 | 19 | 1 | 0 | 0 | 1 | 40 |
| Islandwide | 785 | 1 | 0 | 786 | 1,043 | 0 | 0 | 1,043 | 198 | 0 | 0 | 198 | 2,027 |
| TOTAL MOLOKAI APPS | 805 | 1 | 0 | 806 | 1,062 | 0 | 0 | 1,062 | 199 | 0 | 0 | 199 | 2,067 |
| LANAI DISTRICT | | | | | | | | | | | | | |
| Islandwide | 85 | 0 | 0 | 85 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 85 |
| TOTAL LANAI APPS | 85 | 0 | 0 | 85 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 85 |
| TOTAL AREA ONLY | 1,298 | 0 | 0 | 1,298 | 44 | 0 | 0 | 44 | 94 | 0 | 0 | 94 | 1,436 |
| TOTAL ISLANDWIDE | 21,580 | 35 | 6 | 21,609 | 18,693 | 17 | 0 | 18,710 | 2,966 | 3 | 0 | 2,969 | 43,288 |
| TOTAL STATEWIDE | 22,878 | 35 | 6 | 22,907 | 18,737 | 17 | 0 | 18,754 | 3,060 | 3 | 0 | 3,063 | 44,724 |

DELINQUENCY REPORT - STATEWIDE

January 29, 2018

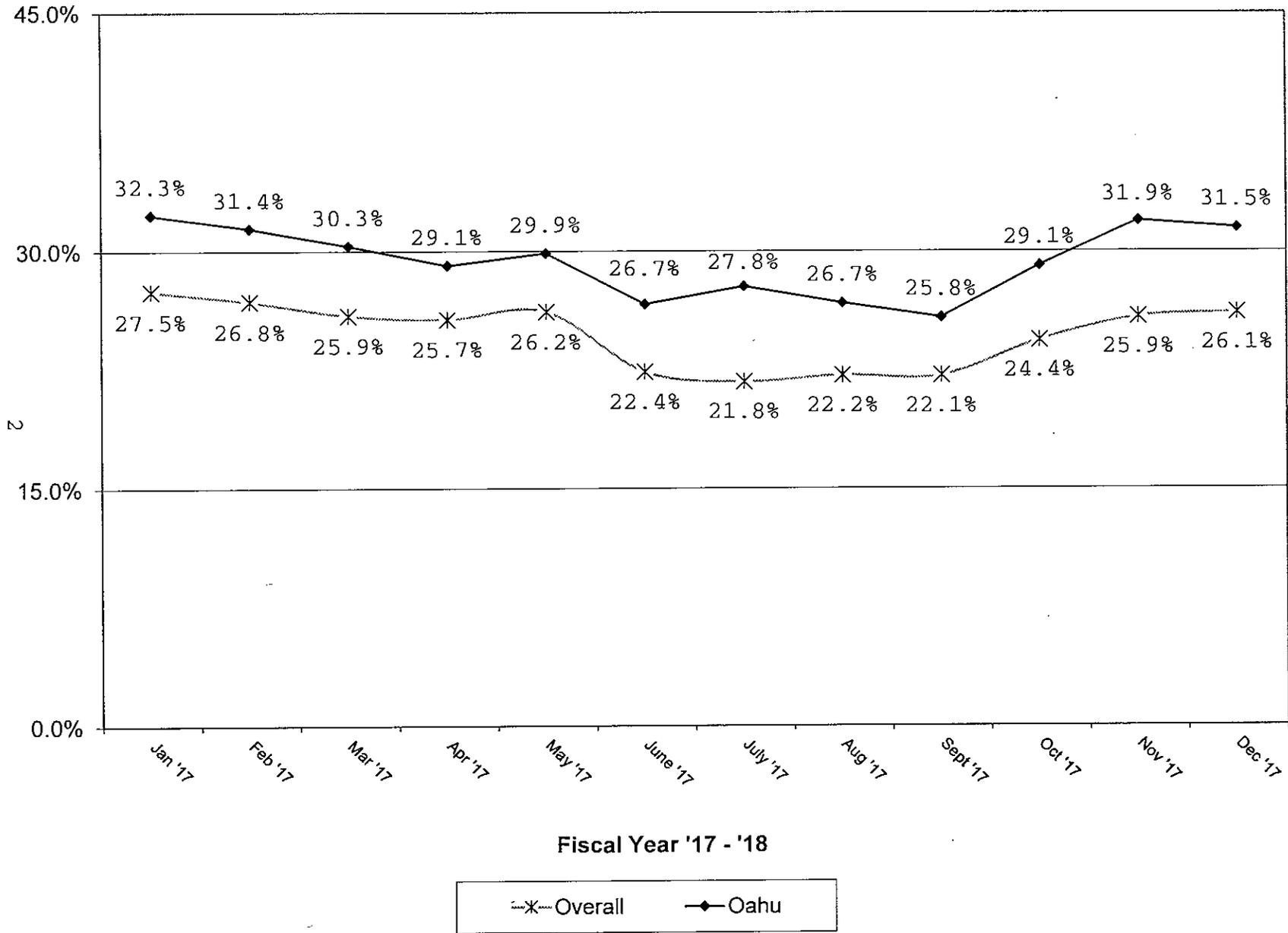
(\$Thousands)

| | Total Outstanding | | Total Delinquency | | 30 Days (low) | | 60 Days (Medium) | | 90 Days (High) | | 180 Days (Severe) | | R I S K | | % of Totals | | |
|--|-------------------|----------------|-------------------|---------------|---------------|--------------|------------------|------------|----------------|---------------|-------------------|---------------|--------------|--------------|-------------|----|--|
| | No. | (000s) | No. | (000s) | No. | (000s) | No. | (000s) | No. | (000s) | No. | (000s) | No. | (000s) | No. | \$ | |
| | | | | | | | | | | | | | | | | | |
| <u>DIRECT LOANS</u> | | | | | | | | | | | | | | | | | |
| OAHU | 410 | 34,865 | 104 | 10,975 | 21 | 1,611 | 5 | 522 | 24 | 3,129 | 54 | 5,713 | 25.4% | 31.5% | | | |
| EAST HAWAII | 223 | 13,709 | 68 | 4,453 | 11 | 701 | 5 | 202 | 10 | 279 | 42 | 3,271 | 30.5% | 32.5% | | | |
| WEST HAWAII | 80 | 8,082 | 11 | 855 | 1 | 101 | 1 | 182 | 2 | 226 | 7 | 346 | 13.8% | 10.6% | | | |
| MOLOKAI | 88 | 6,153 | 21 | 719 | 2 | 15 | 5 | 207 | 2 | 41 | 12 | 457 | 23.9% | 11.7% | | | |
| KAUAI | 104 | 7,327 | 20 | 1,378 | 5 | 469 | 2 | 97 | 3 | 116 | 10 | 696 | 19.2% | 18.8% | | | |
| MAUI | <u>87</u> | <u>10,240</u> | <u>20</u> | <u>2,617</u> | <u>6</u> | <u>1,088</u> | <u>2</u> | <u>153</u> | <u>2</u> | <u>293</u> | <u>10</u> | <u>1,083</u> | <u>23.0%</u> | <u>25.6%</u> | | | |
| TOTAL DIRECT | 992 | 80,375 | 244 | 20,998 | 46 | 3,984 | 20 | 1,362 | 43 | 4,085 | 135 | 11,566 | 24.6% | 26.1% | | | |
| | 100.0% | 100.0% | 24.6% | 26.1% | 4.6% | 5.0% | 2.0% | 1.7% | 4.3% | 5.1% | 13.6% | 14.4% | | | | | |
| Advances (including RPT) | 242 | 7,766 | 242 | 7,766 | 0 | 0 | 0 | 0 | 242 | 7,766 | | | 100% | 100% | | | |
| DHHL LOANS & Advances | 1,234 | 88,141 | 486 | 28,764 | 46 | 3,984 | 20 | 1,362 | 285 | 11,851 | 135 | 11,566 | 39.4% | 32.6% | | | |
| <u>LOAN GUARANTEES as of June 30, 2017</u> | | | | | | | | | | | | | | | | | |
| SBA | 1 | 101 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | 0.0% | 0.0% | | | |
| USDA-RD | 297 | 39,078 | 50 | 6,142 | 0 | 0 | 0 | 0 | 50 | 6,142 | | | 16.8% | 15.7% | | | |
| Habitat for Humanity | 74 | 3,295 | 29 | 1,430 | 0 | 0 | 0 | 0 | 29 | 1,430 | | | 39.2% | 43.4% | | | |
| 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 | 18 | 313 | 14 | 289 | 0 | 0 | 0 | 0 | 14 | 289 | | | 77.8% | 92.3% | | | |
| FHA Interim | 7 | 1,046 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | 0.0% | 0.0% | | | |
| OHA | 48 | 481 | 1 | 6 | 0 | 0 | 0 | 0 | 1 | 6 | | | 2.1% | 1.2% | | | |
| TOTAL GUARANTEE | <u>451</u> | <u>44,395</u> | <u>95</u> | <u>7,874</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>95</u> | <u>7,874</u> | | | <u>21.1%</u> | <u>17.7%</u> | | | |
| PMI Loans | 208 | 34,707 | 14 | 2,747 | 9 | 1,857 | 1 | 204 | 4 | 686 | | | 6.7% | 7.9% | | | |
| HUD REASSIGNED for Recovery | 139 | 17,584 | 116 | 16,402 | 2 | 94 | 0 | 0 | 3 | 243 | 111 | 16,065 | 83.5% | 93.3% | | | |
| FHA Insured Loans | <u>2,789</u> | <u>421,600</u> | <u>216</u> | <u>26,749</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>216</u> | <u>26,749</u> | | | <u>7.7%</u> | <u>6.3%</u> | | | |
| TOTAL INS. LOANS | <u>3,136</u> | <u>473,891</u> | <u>346</u> | <u>45,898</u> | <u>11</u> | <u>1,951</u> | <u>1</u> | <u>204</u> | <u>223</u> | <u>27,678</u> | <u>111</u> | <u>16,065</u> | <u>11.0%</u> | <u>9.7%</u> | | | |
| OVERALL TOTALS(EXC Adv/RP) | 4,579 | 598,661 | 685 | 74,769 | 57 | 5,936 | 21 | 1,566 | 361 | 39,636 | 246 | 27,631 | 15.0% | 12.5% | | | |
| ADJUSTED TOTALS | 4,821 | 606,427 | 927 | 82,536 | 57 | 5,936 | 21 | 1,566 | 603 | 47,403 | 246 | 27,631 | | 13.6% | | | |

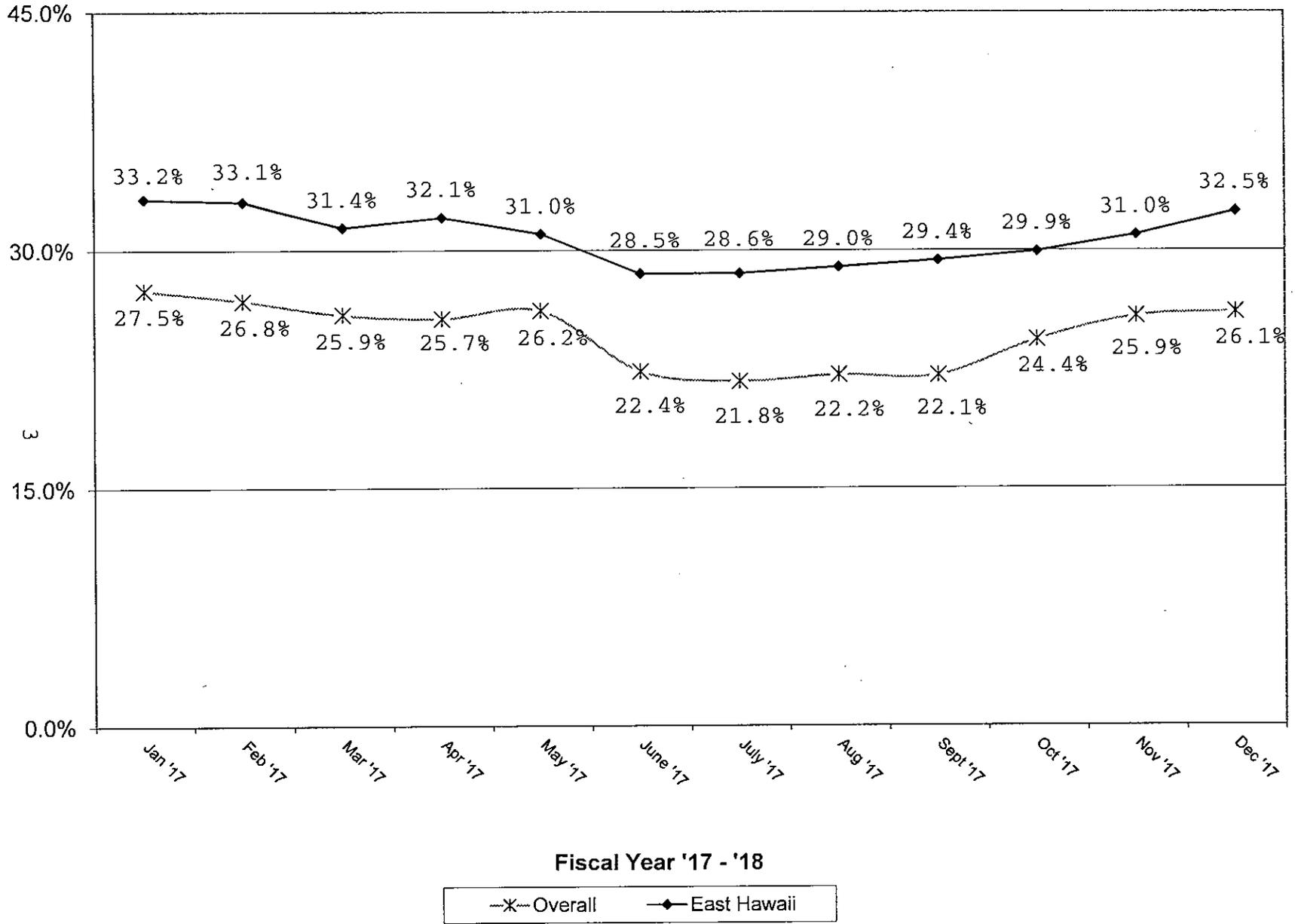
Note: HUD 184A loan program has 441 loans, with a total outstanding principal balance of \$98,859,810.92 as of June 30, 2017. 18 loans, totalling \$4,145,021.64 are delinquent.

EXHIBIT B
ITEM NO. D-1

**OAHU
Direct Loans
Delinquency Ratio Report**

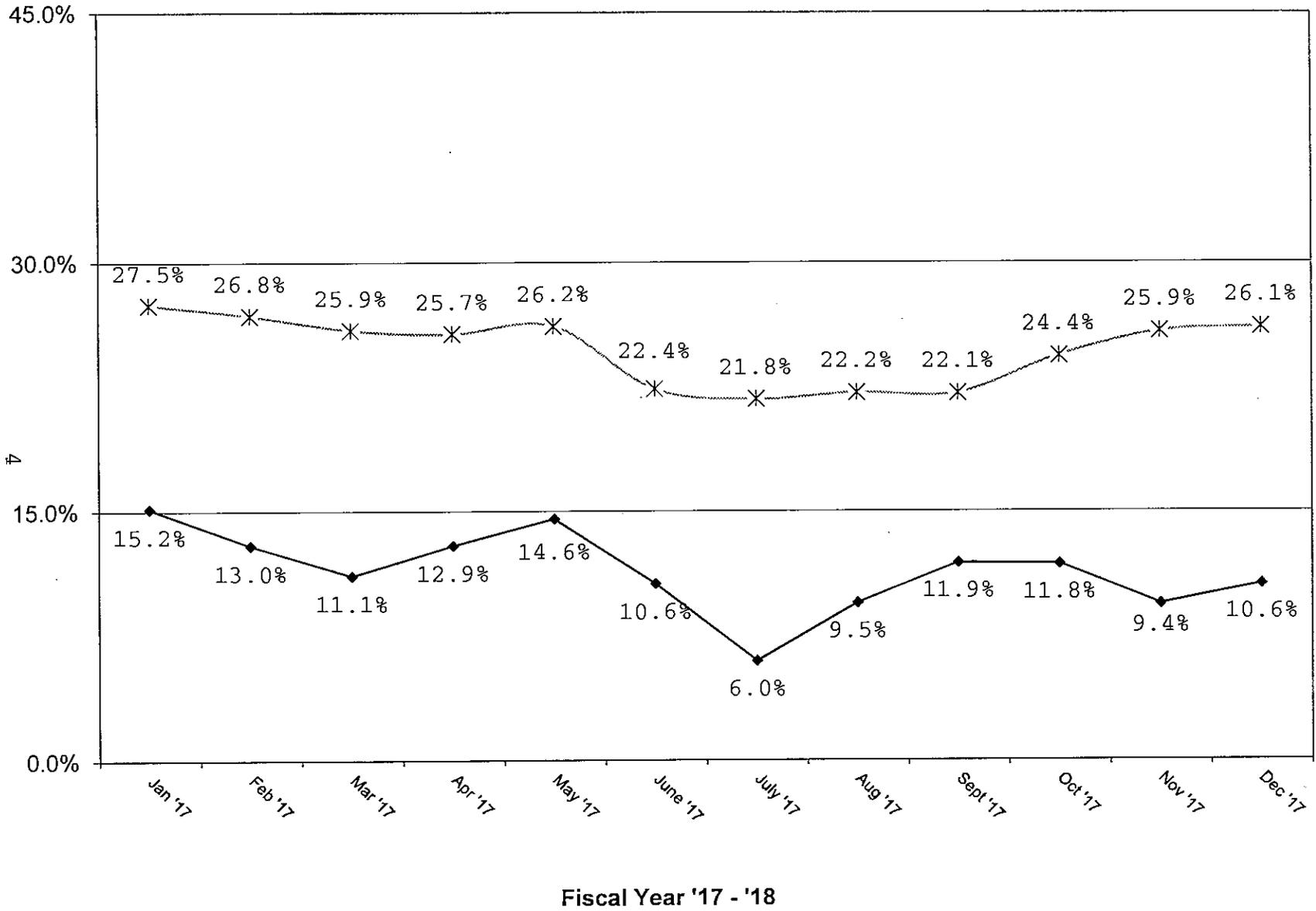


**EAST HAWAII
Direct Loans
Delinquency Ratio Report**



ITEM NO. D-1
EXHIBIT B

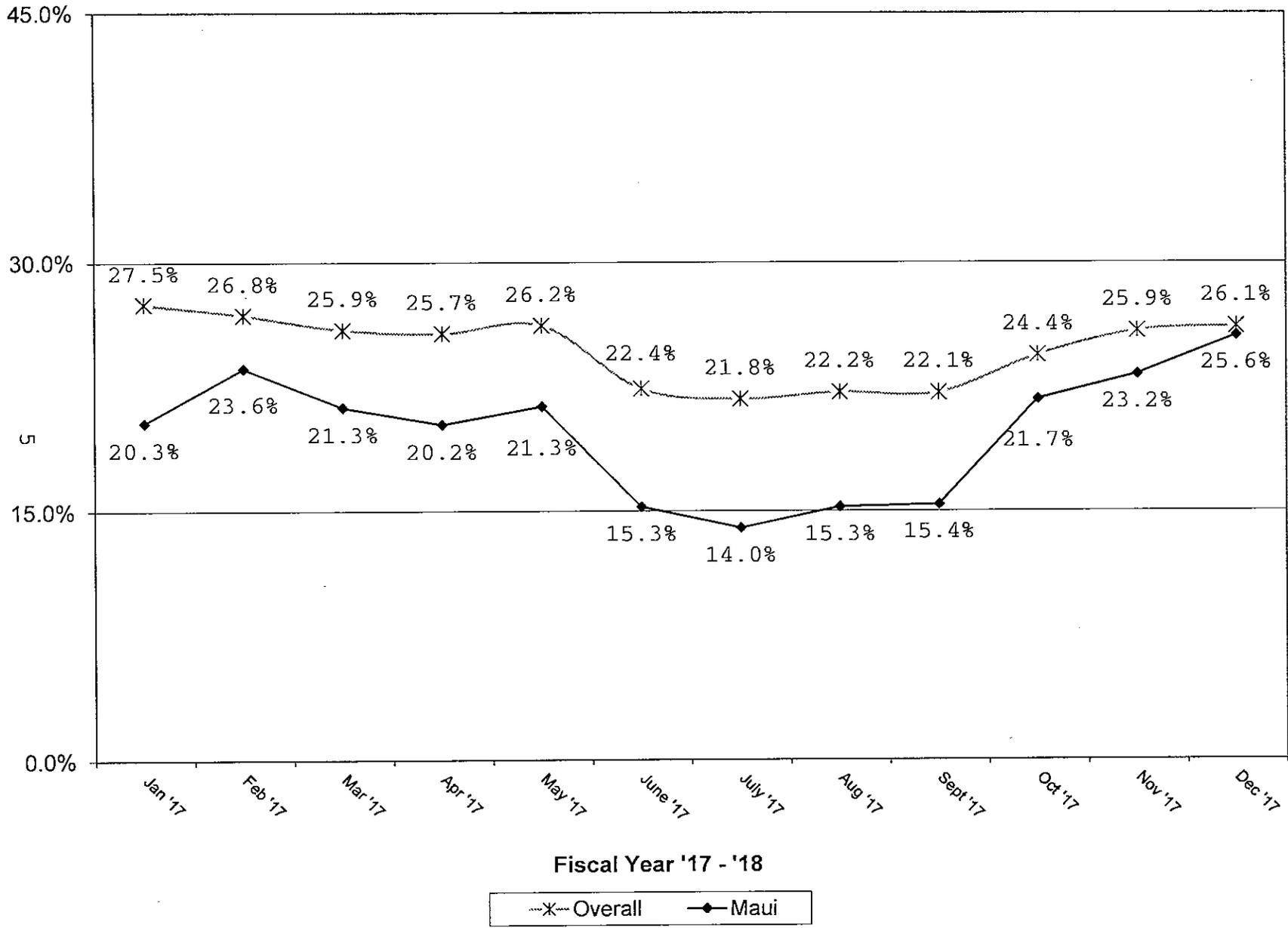
**WEST HAWAII
Direct Loans
Delinquency Ratio Report**



Fiscal Year '17 - '18

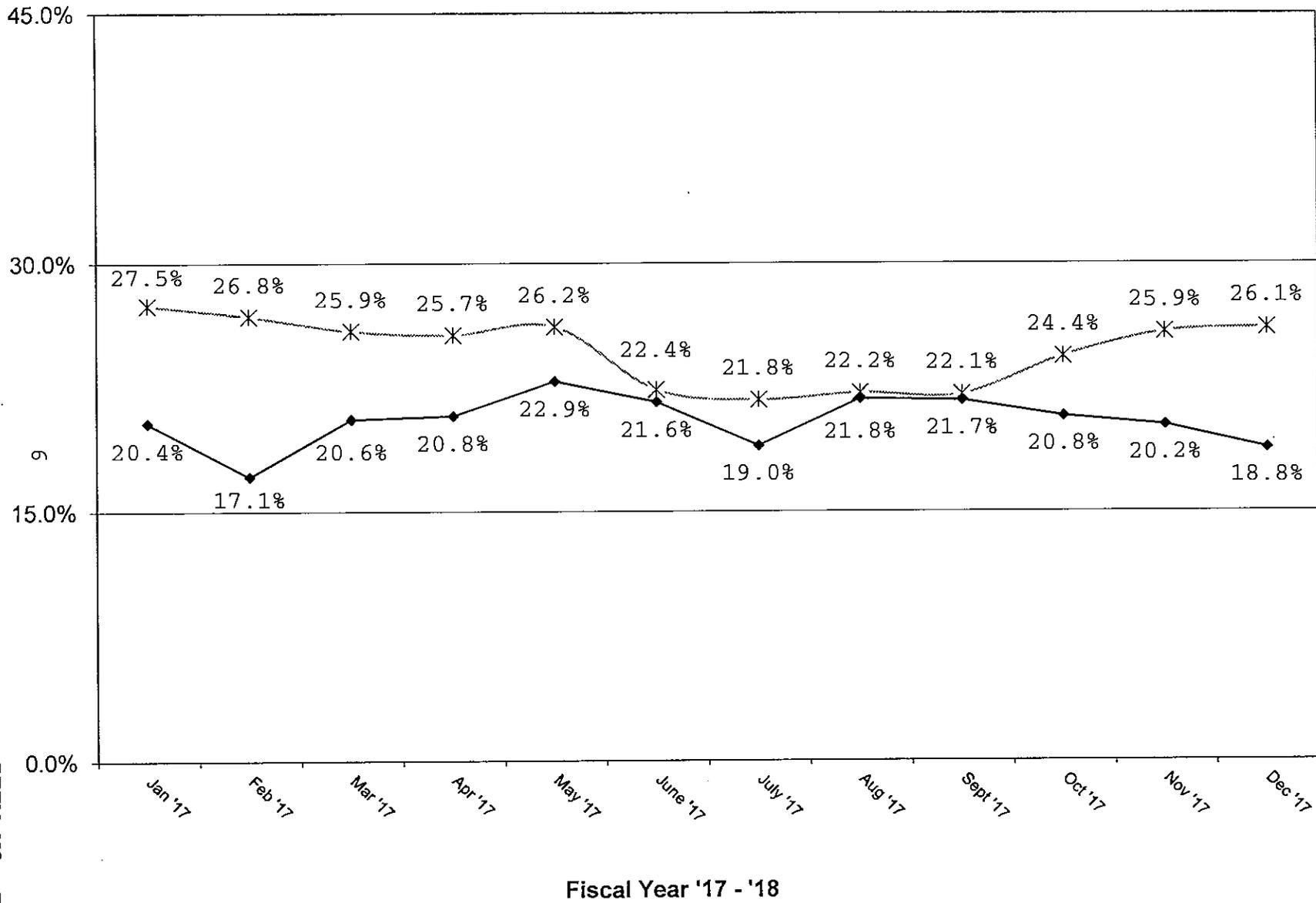
—x— Overall
—◆— West Hawaii

**MAUI
Direct Loans
Delinquency Ratio Report**



ITEM NO. D-1
EXHIBIT B

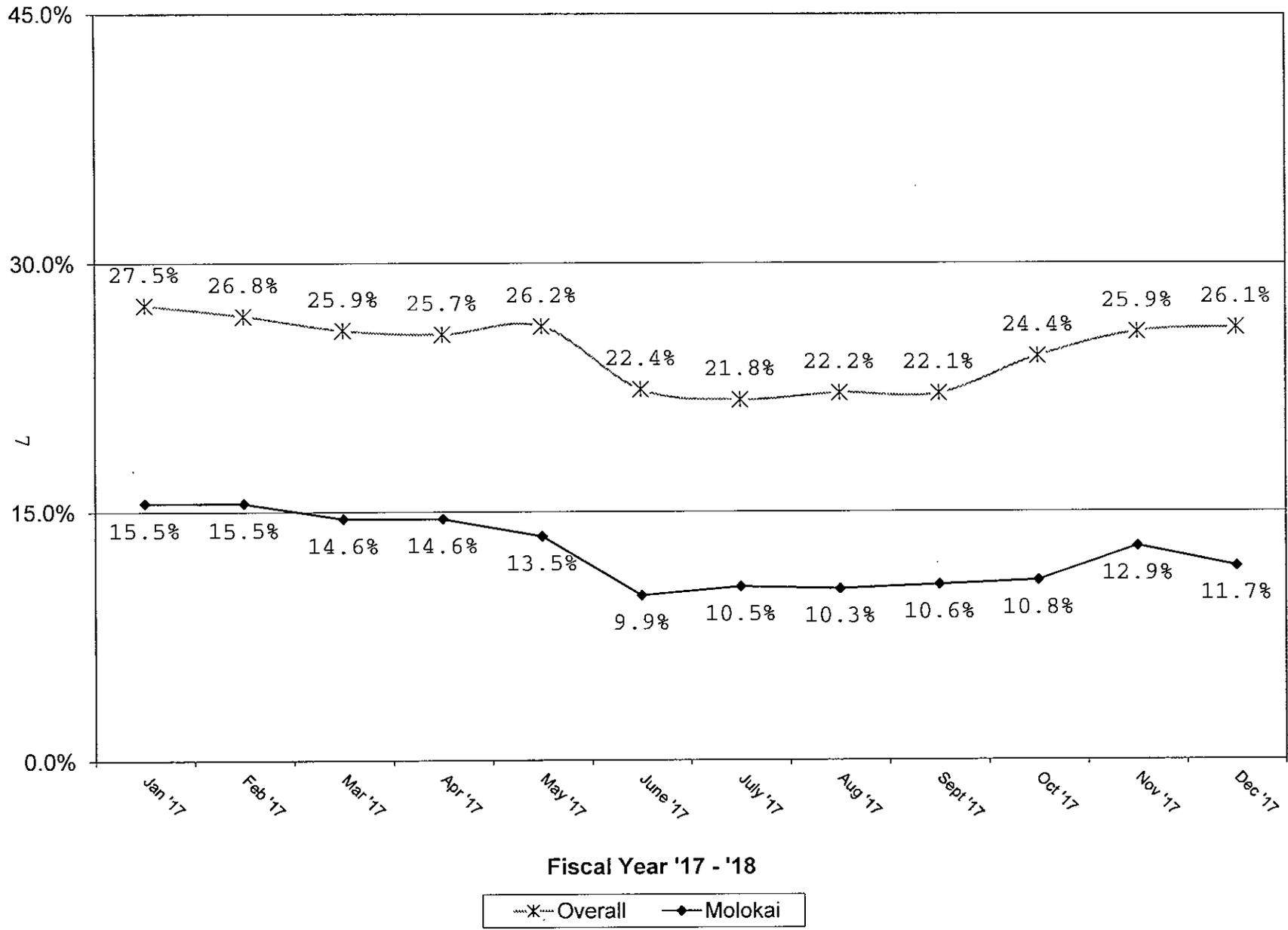
**KAUAI
Direct Loans
Delinquency Ratio Report**



ITEM NO. D-1
EXHIBIT B

* Overall
 • Kauai

**MOLOKAI
Direct Loans
Delinquency Ratio Report**



January 29, 2018

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

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

| <u>LOT NO.</u> | <u>AREA</u> | <u>LESSEE</u> | <u>Loan Amount</u> | <u>Date Approved</u> |
|----------------|-------------|-------------------|--------------------|----------------------|
| 24 | Waimanalo | Kamai, William W. | \$150,983 | 12/13/17 |
| 22 | Kakaina | Delima, Leini K. | \$269,013 | 12/18/17 |

| | <u>No.</u> | <u>Balance</u> |
|--------------------|------------|----------------|
| FY Ending 6/30/17 | 3 | \$ 547,002 |
| Previous Months | 1 | \$ 262,200 |
| This Month | <u>2</u> | <u>419,966</u> |
| FY '16-'17 to date | 3 | \$ 682,166 |

January 29, 2018

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> |
|------------------|-------------|---------------------|--------------------|----------------------|
| 11039 | PMKK | Woodward, Alikea K. | \$354,638 | 1/3/18 |

| | <u>No.</u> | <u>Balance</u> |
|--------------------|------------|----------------|
| FY Ending 6/30/17 | 5 | \$ 1,536,859 |
| Previous Months | 0 | \$ -0- |
| This Month | <u>1</u> | <u>354,638</u> |
| FY '17-'18 to date | 1 | \$ 354,638 |

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 29, 2018

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> | | | |
| Kanehili Lease No. 12612 TMK: 1-9-1-152:067 | SAIZON, Angel U. (Cash Out Refi)FHA | Hightechlend ing Inc. | \$ 527,000 |
| Kanehili Lease No. 12592 TMK: 1-9-1-152:066 | AHMAD, Judith-Theresa M. (Cash Out Refi)FHA | Bank of Hawaii | \$ 330,862 |
| Maluohai Lease No. 9725 TMK: 1-9-1-119:080 | PASION, Stacey Lee K. (Cash Out Refi)FHA | Mann Mortgage LLC | \$ 296,000 |
| Waimanalo Lease No. 8794 TMK: 1-4-1-038:030 | AARONA, Christian A. K. (Cash Out Refi)FHA | Mann Mortgage LLC | \$ 273,000 |

OAHU

| | | | |
|---|---|--------------------------|------------|
| Nanakuli Lease No. 563 TMK: 1-8-9-006:017 | SALE, Michael Jr. R., II (Cash Out Refi)FHA | Hightechlend ing Inc. | \$ 236,000 |
| Nanakuli Lease No. 8763 TMK: 1-8-9-014:026 | BOLTON, Dana K. (Cash Out Refi)FHA | Hightechlend ing Inc. | \$ 352,000 |
| Kanehili Lease No. 11598 TMK: 1-9-1-152:018 | CORREA, Chance C. (Cash Out Refi) HUD 184A | Bank of Hawaii | \$ 361,580 |
| Nanakuli Lease No. 4538 TMK: 1-8-9-010:031 | KUEWA, Aldon K. (Purchase)FHA | Bank of Hawaii | \$ 200,334 |
| Nanakuli Lease No. 7959 TMK: 1-8-9-009:014 | LAA, Peter K., III (Purchase)HUD 184A | Bank of Hawaii | \$ 197,455 |
| Waimanalo Lease No. 3612 TMK: 1-4-1-029:004 | KAMA, Peter I., Jr. (Cash Out Refi)FHA | Mann Mortgage LLC | \$ 204,000 |
| Princess Kahanu Estates Lease No. 8346 TMK: 1-8-7-042:055 | KELEKOLIO, Kuuleialoha A. K. (Purchase)USDA, RD | Guild Mortgage Co. | \$ 406,000 |
| Lualualei Lease No. 5503 TMK: 1-8-6-023:054 | BOBILES, Dawn E. (Cash Out Refi)FHA | Mann Mortgage LLC | \$ 184,000 |
| Kanehili Lease No. 11747 TMK: 1-9-1-153:022 | KALEIKINI-FUKUDA, Shannon L. K. (Cash Out Refi)HUD 184A | HomeStreet Bank | \$ 239,370 |

ITEM NO. D-2

OAHU

| | | | |
|---|---|--------------------------|------------|
| Kanehili Lease No. 12568 TMK: 1-9-1-153:111 | TAVITA, Iosefo K. (Cash Out Refi) HUD 184A | HomeStreet Bank | \$ 352,929 |
| Kaupea Lease No. 12132 TMK: 1-9-1-140:018 | MILLER, Joi K. (Cash Out Refi) FHA | Hightechlend ing Inc. | \$ 352,000 |
| Nanakuli Lease No. 4955 TMK: 1-8-9-011:031 | KELII, Ezekiel Kealii (Cash Out Refi) FHA | HomeStreet Bank | \$ 206,302 |
| Nanakuli Lease No. 412 TMK: 1-8-9-004:062 | PENEKU, Keone H. (Cash Out Refi) HUD 184A | Bank of Hawaii | \$ 386,325 |
| Princess Kahanu Estates Lease No. 8526 TMK: 1-8-7-043:099 | KAAI, John K., Jr. (Purchase) FHA | HomeStreet Bank | \$ 358,110 |
| Princess Kahanu Estates Lease No. 8488 TMK: 1-8-7-042:116 | STRATTON, Juliana (Cash Out Refi) HUD 184A | Bank of Hawaii | \$ 259,570 |
| Nanakuli Lease No. 8585 TMK: 1-8-9-012:049 | KAUWELOA, David K., Jr. & ULANGCA, Lorene A. (Cash Out Refi) FHA | Hightechlend ing Inc. | \$ 352,000 |
| Kewalo Lease No. 787 TMK: 1-2-5-021:010 | ALANA-SWAIM, Jamelyn T. (Cash Out Refi) FHA | Mann Mortgage LLC | \$ 106,000 |
| Kaupea Lease No. 11945 TMK: 1-9-1-139:045 | SATO, Ivan K. (Cash Out Refi) HUD 184A | HomeStreet Bank | \$ 300,475 |

ITEM NO. D-2

OAHU

Lualualei
Lease No. 5630
TMK: 1-8-6-023:039

CHAI,
Christie Ann U.
(Cash Out Refi)HUD
184A

HomeStreet
Bank

\$ 393,900

Kewalo
Lease No. 826
TMK: 1-2-5-021:001

WHITE,
Warren P. (Cash Out
Refi)HUD 184A

HomeStreet
Bank

\$ 121,200

Nanakuli
Lease No. 2878
TMK: 1-8-9-006:050

ASUNCION,
Gary K. (Cash Out
Refi)HUD 184A

Bank of
Hawaii

\$ 343,400

MAUI

Waiohuli
Lease No. 7478
TMK: 2-2-2-028:001

KAEA-PRONES,
Ernette N. (Cash Out
Refi)FHA

Mann
Mortgage LLC

\$ 339,000

Keokea
Lease No. 7388
TMK: 2-2-2-032:049

WEIGERT,
Aaron W. K. (1 Step
Construction)FHA

HomeStreet
Bank

\$ 277,334

Leialii
Lease No. 11534
TMK: 2-4-5-036:001

NOVIKOFF,
Su Lun H. N.
(Purchase)FHA

Hightechlend
ing Inc.

\$ 272,000

KAUAI

Anahola
Lease No. 11061
TMK: 4-4-8-003:003

KAAIHUE,
Robert K.
(Construction)VA

Department
of Veterans
Affairs

\$ 375,000

Anahola
Lease No. 6541
TMK: 4-4-8-017:040

NERPIO,
Brandon K.
(Purchase)FHA

HomeStreet
Bank

\$ 360,601

HAWAII

| | | | |
|---|--|----------------------|------------|
| Kaniohale Lease No. 9246 TMK: 3-7-4-022:033 | AIWOHI, Derek J. K., Sr. (Purchase)USDA, RD | Mann Mortgage LLC | \$ 282,000 |
| Waiakea Lease No. 8969 TMK: 3-2-2-059:059 | DULAN, Jana R. K. (Cash Out Refi)FHA | HomeStreet Bank | \$ 147,537 |
| Panaewa Lease No. 6237A TMK: 3-2-1-025:175 | LEE, Tyra (Cash Out Refi)FHA | HomeStreet Bank | \$ 171,270 |
| Kaniohale Lease No. 9377 TMK: 3-7-4-023:064 | AKO, Herbert K. (Purchase)HUD 184A | HomeStreet Bank | \$ 162,899 |
| Kaumana Lease No. 12179 TMK: 3-2-5-004:031 | WEIGERT, Kapiolani R. (Cash Out Refi)FHA | HomeStreet Bank | \$ 194,625 |

ITEM NO. D-2

| <u>RECAP</u> | | FHA | | VA | | USDA-RD |
|-------------------|------------|------------------|------------|----------------|------------|----------------|
| | <u>NO.</u> | <u>AMOUNT</u> | <u>NO.</u> | <u>AMOUNT</u> | <u>NO.</u> | <u>AMOUNT</u> |
| FY Ending 6/30/17 | 300 | \$ 72,689,610 | 8 | \$3,021,043 | 9 | \$1,695,424 |
| Prior Months | 142 | \$ 36,389,467 | 5 | \$2,319,000 | 4 | \$1,347,413 |
| This Month | <u>21</u> | <u>5,739,975</u> | <u>1</u> | <u>375,000</u> | <u>2</u> | <u>688,000</u> |
| Total FY '17-'18 | 163 | \$ 42,129,442 | 6 | \$2,694,000 | 6 | \$2,035,413 |
| HUD 184A | | | | | | |
| FY Ending 6/30/17 | 105 | \$25,483,508 | | | | |
| Prior Months | 28 | \$ 7,571,574 | | | | |
| This Month | <u>11</u> | <u>3,119,103</u> | | | | |
| Total FY '17-'18 | 39 | \$10,690,677 | | | | |

ITEM NO. D-2

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 29, 2018

TO: Chairman and Members, Hawaiian Homes Commission
FROM: Dean Oshiro, Acting HSD Administrator 
Homestead Services Division
SUBJECT: **Approval of Streamline Refinance of Loans**

RECOMMENDED MOTION/ACTION

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

DISCUSSION

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

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

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

| <u>LESSEE</u> | <u>LEASE NO. & AREA</u> | <u>REFINANCING LOAN TERMS</u> |
|---------------------|-----------------------------|--|
| McKee, Christina L. | 12170, Kaumana | NTE \$168,000 @4.5% interest per annum, NTE \$852 monthly, repayable over 30 years. |

Loan Purpose: Refinance Contract of Loan no. 18240.
Original loan amount of \$152,000 at 6%
per annum, \$912 monthly, repayable
over 30 years. A Contested Case
Hearing was not held for this account.

| | | |
|---------------|---------------|--|
| Navor, Eugene | 2446, Waiakea | NTE \$261,825 @4.5% interest per annum, NTE \$1,327 monthly, repayable over 30 years. |
|---------------|---------------|--|

Loan Purpose: Refinance Contract of Loan no. 18086.
Original loan amount of \$176,460 at
6.5% per annum, \$1,116 monthly,
repayable over 30 years. A Contested
Case Hearing was not held for this
account.

| | | |
|--------------------|---------------|--|
| Pakani, Russell E. | 6382, Waiakea | NTE \$144,000 @4.5% interest per annum, NTE \$730 monthly, repayable over 30 years. |
|--------------------|---------------|--|

Loan Purpose: Refinance Contract of Loan no. 18628.
Original loan amount of \$117,294 at 6%
per annum, \$704 monthly, repayable
over 30 years. A Contested Case
Hearing was held on November 17, 2016,
for this account.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 29, 2018

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 12/17</u> | <u>Balance At 12/17</u> |
|----------------------------------|------------------|-------------|------------------------|------------------------|------------------------|-------------------------|
| <u>Kauai</u> | | | | | | |
| Kahale-Kanahele, Donna-May K. | 11360 | Kekaha | 18122 | \$301 | \$1,795 | \$57,758 |
| Kauanui, Keala W. | 11361 | Kekaha | 18129 | \$407 | \$2,117 | \$77,650 |
| <u>Hawaii</u> | | | | | | |
| Grace, Richard K. | 7123 | Kawaihae | 19421 (ASB Buyback) | \$1,223 | \$4,863 | \$186,494 |

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 29, 2018

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 RESIDENTIAL LEASE LIST

| | | | | |
|--------------------|------------|--------|-----|------------|
| AIWOHI, Warrick J. | 11/24/2010 | HAWAII | RES | 09/06/2017 |
| KIA, Allen R.S. | 12/13/2016 | HAWAII | RES | 08/25/2017 |

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

| | | | | |
|-----------------|------------|---------|-----|------------|
| CHO, Loretta L. | 01/21/2014 | MOLOKAI | AGR | 09/14/2017 |
|-----------------|------------|---------|-----|------------|

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

| | | | | |
|-----------------|------------|---------|-----|------------|
| CHO, Loretta L. | 01/21/2014 | MOLOKAI | RES | 09/14/2017 |
|-----------------|------------|---------|-----|------------|

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

| | | | | |
|------------------|------------|------|-----|------------|
| CULLEN, Tasha M. | 04/09/2007 | OAHU | RES | 09/15/2017 |
|------------------|------------|------|-----|------------|

VAN GIESON, Kauaimanookalaniwai Assigned Residential Lease
#8743, Lot 29 in Nanakuli, Oahu
dated 11/22/2017. Remove
application dated 07/23/2009.

WRIGHT, Kawaiokeola Assigned Residential Lease
#8250, Lot 73B in Nanakuli,
Oahu dated 12/19/2017. Remove
application dated 01/11/2011.

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

KALAMA, Jeremiah N. Assigned Residential Lease
#2977, Lot 51 in Waimanalo,
Oahu dated 06/29/2017. Remove
application dated 10/29/2015.

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

KAHAI, Emily K. Assigned Residential Lease
#6398, Lot 20 in Waimanalo,
Oahu dated 12/04/2017. Remove
application dated 09/17/1985.

KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

MIYASHIRO, Terri T. Assigned Residential Lease
#9872, Lot 13862 in Maluohai,
Oahu dated 12/15/2017. Remove
application dated 06/29/2006.

4. Native Hawaiian Qualification

NONE FOR SUBMITTAL

5. Voluntary Cancellation

NONE FOR SUBMITTAL

6. Successorship

OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

CARREIRA, Cyrilette M.

Succeeded to 12/03/1998 Oahu
Islandwide Agricultural
application of father, Cyril
Kahale, Sr. Remove application
dated 07/27/2017.

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

ROSA, Reva Lee I.

Succeeded to 02/09/1994 Oahu
Islandwide Residential
application of father, Huddy A.
Iaea. Remove application dated
02/09/1994.

MOLOKAI ISLANDWIDE PASTORAL LEASE LIST

ROSA, Reva Lee I.

Succeeded to 02/09/1994 Kauai
Islandwide Pastoral application
of father, Huddy A. Iaea.
Remove application dated
02/09/1994.

7. Additional Acreage

NONE FOR SUBMITTAL

8. HHC Adjustments

NONE FOR SUBMITTAL

| | |
|---|------------|
| Last Month's Transaction Total | 6 |
| Last Month's Cumulative FY 2017-2018 Transaction Total | 155 |
| Transfers from Island to Island | 6 |
| Deceased | 0 |
| Cancellations: | |
| Awards of Leases | 11 |
| NHQ | 0 |
| Voluntary Cancellations | 0 |
| Successorship | 3 |
| Additional Acreage | 0 |
| HHC Adjustments | 0 |
| This Month's Transaction Total | 20 |
| This Month's Cumulative FY 2017-2018 Transaction Total | 175 |

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 29, 2018

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Dean T. Oshiro, Acting HSD Administrator
FROM: Ross K. Kapeliela, Application Officer
Homestead Services Division
SUBJECT: **Commission Designation of Successor to Application Rights of JOSEPH P. NOA (Dec'd.) - Public Notice 2016**

RECOMMENDED MOTION/ACTION

To designate the following individual as successor to the application rights of a deceased applicant who did not name a qualified successor.

DISCUSSION

The following qualified applicant passed away on or after October 26, 1998, without naming a qualified successor. 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. A request to succeed to the decedent's application rights was submitted within the required 180 days following the last date of publication. The prospective successor was the sole respondent and is deemed by the Department to have met the requirements of successorship. The Homestead Services Division recommends approval of the following designee:

| | |
|---------------------------------|--------------------|
| 1. Deceased Applicant: | Joseph P. Noa |
| Date of death: | March 13, 2015 |
| Successor to application rights | Tiffany H. Ching |
| Relationship to decedent: | Child |
| Island: | Oahu Islandwide |
| Type: | Residential |
| Date of Application: | September 19, 1980 |
| Date of Public Notice: | November, 2016 |

| | |
|--|-----------|
| Previous Cumulative Total for Current FY | 27 |
| Current Month's Total | 1 |
| 2017-2018 Fiscal Year Total: | 28 |

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 29, 2018

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:

| | |
|------------------------------|-----------|
| Ratified for January 2018 | 11 |
| Previous FY 2017 - 2018 | <u>44</u> |
| FY 2017 - 2018 Total to Date | 55 |

Ratified for FY '16 - '17 104

Net Proceeds

| | |
|------------------------------|----------|
| Ratified for January 2018 | 0 |
| Previous FY 2017 - 2018 | <u>1</u> |
| FY 2017 - 2018 Total to Date | 1 |

Ratified for FY '16 - '17 2

LIST OF LESSEES WHO DESIGNATED SUCCESSORS TO THEIR
LEASEHOLD INTEREST
FOR MONTH OF JANUARY 2018

| <u>Deceased Lessee</u> | <u>Designated Successor</u> |
|---|--|
| 1. Ruth L. Brooks Lot No.: 19 Area: Waiakea, Hawaii Lease No. 6832 | <u>PRIMARY:</u> Sheri Lynn Wills, Daughter <u>ALTERNATE</u> N/A <u>DESIGNEE TO RECEIVE NET PROCEEDS:</u> N/A |
| 2. Mary Ann P. K. Chun Lot No.: 106A Area: Nanakuli, Oahu Lease No. 307 | <u>PRIMARY:</u> Keanuwaialeale L. Chun, Grandson <u>ALTERNATE:</u> N/A <u>DESIGNEE TO RECEIVE NET PROCEEDS:</u> N/A |
| 3. Jewel K. Kaahanui Lot No.: 35H 1 & 35H 2 Area: Hoolehua, Molokai Lease No. 3165 | <u>PRIMARY:</u> Cleve K. Kaahanui, Grandson <u>ALTERNATE:</u> Lillian M. Ishii, Daughter <u>DESIGNEE TO RECEIVE NET PROCEEDS:</u> N/A |

Deceased Lessee

Designated Successor

4. Stanley Kaluahine, Jr.
Lot No.: 7
Area: Anahola, Kauai
Lease No. 11190

PRIMARY: Joint Tenants
Stewart J. Kaluahine, Son
Stephanie K. Reid, Daughter

ALTERNATE:
N/A

DESIGNEE TO RECEIVE NET
PROCEEDS:
N/A

5. Gretchen L. Kamai
Lot No.: 4
Area: Waiakea, Hawaii
Lease No. 6376

PRIMARY:
Roy J. Kamai, Sr., Husband

ALTERNATE: Joint Tenants
Kimberly Desamito, Granddaughter
Roy J. Kamai, Jr., Son

DESIGNEE TO RECEIVE NET
PROCEEDS:
N/A

6. Hope K. Kealoha
Lot No.: 50A
Area: Keaukaha, Hawaii
Lease No. 6304

PRIMARY:
Mercy H. Garcia-Kealoha, Daughter

ALTERNATE:
N/A

DESIGNEE TO RECEIVE NET
PROCEEDS:
N/A

7. Keoki K. K. Keamoai
Lot No.: 29
Area: Hanapepe, Kauai
Lease No. 8870

PRIMARY:
Virginia K. Nizo-Keamoai, Wife

ALTERNATE:
Christopher K. Keamoai-Kanahele,
Grandson

DESIGNEE TO RECEIVE NET
PROCEEDS:
N/A

Deceased Lessee

Designated Successor

8. Cynthia L. Keaulana
Lot No.: 58
Area: Nanakuli, Oahu
Lease No. 3481
- PRIMARY:
Lee A. K. Keaulana, Son
- ALTERNATE:
N/A
- DESIGNEE TO RECEIVE NET PROCEEDS:
N/A
9. Jeffrey K. Pakele, Sr.
Lot No.: 22
Area: Waianae, Oahu
Lease No. 5273
- PRIMARY:
Jeffrey K. Pakele, Jr., Son
- ALTERNATE:
Jennifer DeCoito, Daughter
- DESIGNEE TO RECEIVE NET PROCEEDS:
N/A
10. Eleanor K. Thomas
Lot No.: 4B
Area: Waimanalo, Oahu
Lease No. 3909A
- PRIMARY: Joint Tenants
Lawrence B. Thomas, III, Husband
Lawrence B. Thomas, VI, Son
Kauhi Thomas, Son
- ALTERNATE:
N/A
- DESIGNEE TO RECEIVE NET PROCEEDS:
N/A
11. Angelita L. Uahinui
Lot No.: 27
Area: Kalamaula, Molokai
Lease No. 6067
- PRIMARY:
Christopher M. Colipano, Son
- ALTERNATE:
Randy K. Colipano, Son
- DESIGNEE TO RECEIVE NET PROCEEDS:
N/A

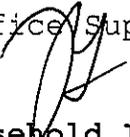
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 29, 2018

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean Oshiro, Acting Administrator
Homestead Services Division

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

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

RECOMMENDED MOTION/ACTION

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

DISCUSSION

Twenty-six (26) assignments of lease.

| <u>LESSEE</u> | <u>TRANSFeree</u> |
|---|---|
| 1. Name: Courtney Lee L. A. P. Brown Res. Lease No.: 5985 Lease Date: 1/28/1987 Lot No.: 104-A Area/Island: Waimanalo, Oahu Property Sold: Yes Amount: \$365,000.00 Improvements: 4 bedroom, 3 bath dwelling | Name: Liberty A. K. Hose Relationship: None Loan Assump: No Applicant: Yes, Oahu IW Res., 5/11/2009 |
| Reason for Transfer: "Moving off Island." Special Condition: Transferee to obtain funds to pay purchase price. | |

LESSEE

TRANSFeree

2. Name: Reuben M. Chip Name: Reuben M. Chip &
 Res. Lease No.: 2022 Jannahlee K. L. J. Chip
 Lease Date: 10/21/1948 Relationship: Lessee &
 Lot No.: 66 Daughter
 Area/Island: Kewalo, Oahu Loan Assump: No
 Property Sold: No Applicant: No
 Amount: N/A
 Improvements: 3 bedroom, 1-1/2 bath dwelling

Reason for Transfer: "I desire for my daughter to have a home to live in and receive upon my passing."

3. Name: Monica L. K. Coburn Name: Merlyn U. K. Colon
 Res. Lease No.: 4133 Relationship: None
 Lease Date: 2/5/1974 Loan Assump: No
 Lot No.: 60 Applicant: Yes, Maui IW Res.,
 Area/Island: Waimanalo, Oahu 3/20/1992
 Property Sold: Yes
 Amount: \$325,000.00
 Improvements: 4 bedroom, 2 bath dwelling

Reason for Transfer: "Unable to secure employment with comparable position and salary." Special Condition: Transferee to obtain funds to pay purchase price.

4. Name: Marian K. Gaea Name: Kuuleialoha A. K.
 Res. Lease No.: 8346 Kelekolio
 Lease Date: 12/1/1995 Relationship: None
 Lot No.: 55 Loan Assump: No
 Area/Island: PKE, Oahu Applicant: Yes, Oahu IW Res.,
 Property Sold: Yes 5/9/2016
 Amount: \$400,000.00
 Improvements: 4 bedroom, 2-1/2 bath dwelling

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

LESSEE

TRANSFEEEE

5. Name: Helene F. K. T. Juario Name: Mele Hooper
 Res. Lease No.: 5778 Relationship: Daughter
 Lease Date: 2/28/1996 Loan Assump: No
 Lot No.: 58 Applicant: No
 Area/Island: Hoolehua,
 Molokai
 Property Sold: Yes
 Amount: \$87,330.00
 Improvements: 3 bedroom, 2 bath dwelling
- Reason for Transfer: "Give my daughter the opportunity to become a homesteader." Special Condition: DHHL advance must be paid off.

6. Name: Genevieve Kahiwa Name: Cheryl Moana Marie
 Kaaialii Kaaialii
 Res. Lease No.: 4521 Relationship: Daughter
 Lease Date: 4/12/1978 Loan Assump: No
 Lot No.: 19 Applicant: No
 Area/Island: Nanakuli, Oahu
 Property Sold: No
 Amount: N/A
 Improvements: 3 bedroom, 2 bath dwelling

Reason for Transfer: "Giving lease to relative."

7. Name: Harrylee P. Kahee & Name: James K. K. Kaili
 Dwight Kahee Relationship: Cousin
 Res. Lease No.: 3796 Loan Assump: No
 Lease Date: 6/27/1969 Applicant: Yes, Hawaii IW
 Lot No.: 12 Res., 12/8/1995
 Area/Island: Waiakea, Hawaii
 Property Sold: No
 Amount: N/A
 Improvements: 3 bedroom, 1 bath dwelling

Reason for Transfer: "We want our cousin to have the place as we both live on the mainland. This way the property can stay in the family." Special Condition: Real Property Tax advance must be paid off.

LESSEE

TRANSFeree

11. Name: Larry N. Kawai, III Name: Kuuikaikapualiokekai R.
 Res. Lease No.: 7735 J. Kawai
 Lease Date: 2/7/2002 Relationship: Brother
 Lot No.: 247 Loan Assump: No
 Area/Island: Waiohuli, Maui Applicant: No
 Property Sold: No
 Amount: N/A
 Improvements: 5 bedroom, 3 bath dwelling

Reason for Transfer: "Brother lives here, unable to move here."

12. Name: Lucille L. Kuamoo Name: Lucille L. Kuamoo &
 Res. Lease No.: 1999 James K. Kaupu, Jr.
 Lease Date: 9/29/1948 Relationship: Lessee & Nephew
 Lot No.: 54 Loan Assump: No
 Area/Island: Kewalo, Oahu Applicant: No
 Property Sold: No
 Amount: N/A
 Improvements: 5 bedroom, 2 bath dwelling

Reason for Transfer: "Adding relative to lease."

13. Name: Ronald K. K. Maria & Name: Ronald K.K. Maria
 Mabel E. Maria Relationship: Son
 Res. Lease No.: 695 Loan Assump: No
 Lease Date: 11/01/1940 Applicant: No
 Lot No.: 82A
 Area/Island: Nanakuli, Oahu
 Property Sold: No
 Amount: N/A
 Improvements: 4 bedroom, 2 bath dwelling

Reason for Transfer: "Financial reasons."

LESSEE

TRANSFeree

14. Name: Esther E. D. A. Naeole Name: Kapono T. Kalama
 Res. Lease No.: 7703 Relationship: None
 Lease Date: 2/7/2002 Loan Assump: No
 Lot No.: 267 Applicant: Yes, Maui IW Res.,
 Area/Island: Waiohuli, Maui 7/8/2013
 Property Sold: Yes
 Amount: \$330,000.00
 Improvements: 3 bedroom, 2 bath dwelling

Reason for Transfer: "Moving to live with son on Big Island." Special Condition: Transferee to obtain funds to pay purchase price.

15. Name: Tammy Ann L. Ramos Name: Yolanda C. I. Griffin
 Res. Lease No.: 7465 Relationship: None
 Lease Date: 2/7/2002 Loan Assump: No
 Lot No.: 12 Applicant: Yes, Maui IW Res.,
 Area/Island: Waiohuli, Maui 8/31/2005
 Property Sold: Yes
 Amount: \$550,000.00
 Improvements: 3 bedroom, 2-1/2 bath dwelling

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

16. Name: Christy U. Shintani Name: Derek J. K. Aiwahi
 Res. Lease No.: 9246 Relationship: None
 Lease Date: 5/1/1999 Loan Assump: No
 Lot No.: 33 Applicant: Yes, Hawaii IW
 Area/Island: Kaniohale, Res., 2/28/2006
 Hawaii
 Property Sold: Yes
 Amount: \$277,500.00
 Improvements: 3 bedroom, 1 bath dwelling

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

LESSEE

TRANSFeree

17. Name: Kenneth S. K. Silva Name: Sharynn L. Moniz
 Res. Lease No.: 12657 Relationship: None
 Lease Date: 9/30/2010 Loan Assump: No
 Lot No.: 18299 Applicant: Yes, Oahu IW Res.,
 Area/Island: Kanehili, Oahu 3/30/2017
 Property Sold: Yes
 Amount: \$650,000.00
 Improvements: 5 bedroom, 4 bath dwelling

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

18. Name: Helen N. K. Wai Name: Florence L. Yelinek
 Res. Lease No.: 8391 Relationship: Aunty
 Lease Date: 11/1/1995 Loan Assump: No
 Lot No.: 100 Applicant: No
 Area/Island: PKE, Oahu
 Property Sold: No
 Amount: N/A
 Improvements: 4 bedroom, 2 bath dwelling

Reason for Transfer: "Keep it in the family. Want to move
closer to daughter and her family to help take care of
mo'opuna's." See simultaneous transfer below.

19. Name: Michael K. Lani Name: Helen N. K. Wai
 Res. Lease No.: 12326 Relationship: None
 Lease Date: 12/6/2008 Loan Assump: No
 Lot No.: UNDV007 Applicant: No
 Area/Island: Kapolei, Oahu
 Property Sold: No
 Amount: N/A
 Improvements: None

Reason for Transfer: "Got married and moved to Utah,
purchased a home and not planning on moving back. I want
to gift my Undivided Interest lease to Helen Wai. My
siblings and family members already have a home and will
eventually move to Utah."

LESSEE

TRANSFEEEE

20. Name: Raynee L. Cullen
Res. Lease No.: 12465
Lease Date: 12/6/2008
Lot No.: UNDV146
Area/Island: Kapolei, Oahu
Property Sold: No
Amount: N/A
Improvements: None

Name: Breland K. B. Cullen
Relationship: Son
Loan Assump: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

21. Name: June L. K. Lareau
Res. Lease No.: 11655
Lease Date: 12/2/2006
Lot No.: UNDV112
Area/Island: Kapolei, Oahu
Property Sold: No
Amount: N/A
Improvements: None

Name: Torri K. L. Kaopuiki
Relationship: Daughter
Loan Assump: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

22. Name: Evonne L. Paoao
Res. Lease No.: 11679
Lot No.: UNDV136
Area/Island: Kapolei, Oahu
Property Sold: No
Amount: N/A
Improvements: None

Name: Shantel L. B. Paoao
Relationship: Daughter
Loan Assump: No
Applicant: No

Reason for Transfer: "I want to give my daughter and all my grandkids a chance to have there own place."

LESSEE

TRANSFeree

23. Name: Randolph K. Ahuna, Jr. Name: Eloise E. Pung
Agr. Lease No.: 4001 Relationship: Sister
Lease Date: 9/24/1971 Loan Assump: No
Lot No.: 130, 131 & 132 Applicant: No
Area/Island: Panaewa, Hawaii
Property Sold: No
Amount: N/A
Improvements: None

Reason for Transfer: "I'm giving this lot to my sister."
See simultaneous transfer below.

24. Name: Eloise E. Pung Name: Crist K. Pung
Agr. Lease No.: 4001 Relationship: Son
Lease Date: 9/24/1971 Loan Assump: No
Lot No.: 130, 131 & 132 Applicant: No
Area/Island: Panaewa, Hawaii
Property Sold: No
Amount: N/A
Improvements: None

Reason for Transfer: "I'm giving to my son."

25. Name: Bettygene K. O. Dudoit Name: Monique Ocampo
Res. Lease No.: 5836 Relationship: Sister
Lease Date: 8/1/1985 Loan Assump: No
Lot No.: 23 Applicant: No
Area/Island: Kalamaula,
Molokai
Property Sold: No
Amount: N/A
Improvements: None

Reason for Transfer: "Transfer to sibling who may be able
to build home, I am unable to build."

LESSEE

TRANSFEE

26. Name: Jeremiah K. Reyes Name: Jermaine K. Aganos
 Pas. Lease No.: 9161 Relationship: Daughter
 Lease Date: 5/29/1999 Loan Assump: No
 Lot No.: 58 Applicant: No
 Area/Island: Kahikinui, Maui
 Property Sold: No
 Amount: N/A
 Improvements: None

Reason for Transfer: "Giving lease to relative."

| | |
|--|------------|
| Assignments for the Month of January `18 | 26 |
| Previous FY '17 - '18 balance | <u>146</u> |
| FY '17 - '18 total to date | 172 |
| Assignments for FY '16 - '17 | 229 |

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 29, 2018

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

Thirteen (13) amendments of lease.

1. Lessee: Randolph K. Ahuna, Jr.
Agr. Lease No.: 4001
Lot No., Area, Island: 130, 131, 132, Panaewa, Hawaii
Amendment: To amend the lease to incorporate the currently used terms, conditions, and covenants to the lease.

2. Lessee: Mary Ann P. K. Chun
Res. Lease No.: 307
Lot No., Area, Island: 106A, Nanakuli, Oahu
Amendment: To remove the reservation of life interest, to amend the lease title and lessor's name, to complete the property description, to incorporate the currently used terms, covenants, and conditions in the lease, and to extend the lease term to an aggregate term of 199 years.

3. Lessee: Jewel K. Kaahanui
Res. Lease No.: 3165
Lot No., Area, Island: 35H 1&2, Hoolehua, Molokai
Amendment: To amend lease title and lessor's name, and to incorporate the currently used terms, conditions, and covenants to the lease.
4. Lessee: Susie M. Kaio
Res. Lease No.: 3078
Lot No., Area, Island: 47, Waimanalo, Oahu
Amendment: To amend the lease to incorporate the currently used terms, conditions, and covenants to the lease, and to extend the lease term to an aggregate term of 199 years.
5. Lessee: Lee Ann U. Kauhi
Res. Lease No.: 4120
Lot No., Area, Island: 7, Waimanalo, Oahu
Amendment: To amend the lease to incorporate the currently used terms, conditions, and covenants to the lease.
6. Lessee: Cheryl Ann K. Kong
Res. Lease No.: 3038
Lot No., Area, Island: 195, Nanakuli, Oahu
Amendment: To amend the lease title and lessor's name, to incorporate the currently used terms, covenants, and conditions in the lease, and to extend the lease term to an aggregate term of 199 years.

7. Lessee: Lucille L. Kuamoo
 Res. Lease No.: 1999
 Lot No., Area, Island: 54, Kewalo, Oahu
 Amendment: To amend the lease title and lessor's name, to incorporate the currently used terms, covenants, and conditions in the lease, and to extend the lease term to an aggregate term of 199 years.
8. Lessee: Leilani B.A. Laronal & Jeanette K. Sanchez
 Res. Lease No.: 3708
 Lot No., Area, Island: 102A-1, Nanakuli, Oahu
 Amendment: To amend the lease to reflect the death of a joint tenant lessee, to amend the lease title and lessor's name, to incorporate the currently used terms, covenants, and conditions in the lease.
9. Lessee: Esther E. D. A. Naeole
 Res. Lease No.: 7703
 Lot No., Area, Island: 267, Waiohuli, Maui
 Amendment: To amend the lease, to release the 5 year retention period established for the Native Hawaiian Housing Block Grant, and to amend the commencement date, lot number, and property description due to final subdivision.
10. Lessee: Rudy D.W.K. Reese
 Res. Lease No.: 758
 Lot No., Area, Island: 66, Nanakuli, Oahu
 Amendment: To amend lease title and lessor's name, and to incorporate the currently used terms, conditions, and covenants to the lease.

11. Lessee: Eleanor K. Thomas
 Res. Lease No.: 3909A
 Lot No., Area, Island: 4B, Waimanalo, Oahu
 Amendment: To amend the lease to incorporate the currently used terms, conditions, and covenants to the lease.
12. Lessee: Angelita L. Uahinui
 Res. Lease No.: 6067
 Lot No., Area, Island: 27, Kalamaula, Molokai
 Amendment: To complete the property description.
13. Lessee: Dallas Wilson & Winona L. W. Levy
 Res. Lease No.: 253
 Lot No., Area, Island: 14, Nanakuli, Oahu
 Amendment: To amend the lease title and lessor's name, to complete the property description, to incorporate the currently used terms, covenants, and conditions in the lease, and to extend the lease term to an aggregate term of 199 years.

| | |
|---|------------|
| Amendments for the Month of Janaury '18 | 13 |
| Previous FY '17 - '18 balance | <u>105</u> |
| FY '17 - '18 total to date | 118 |
| Amendments for FY '16 - '17 | 193 |

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 29, 2018

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

Nine (9) non-exclusive licenses.

1. Lessee: Jerry K. Aipia
Res. Lease No.: 9307
Lot No., Area, Island: 94, Kaniohale, Hawaii
Permittee: Sunrun Inc.
2. Lessee: Kahaleone Hanawahine
Res. Lease No.: 11574
Lot No., Area, Island: 18554, Kanehili, Oahu
Permittee: Sunrun Inc.
3. Lessee: Amber-Lee H. W. Kaholoaa &
Keaiaimaikalani P. Kaholoaa
Agr. Lease No.: 238
Lot No., Area, Island: 156, Hoolehua, Molokai
Permittee: Neighborhood Power Corp.

4. Lessee: Ephriam M. Kama
Res. Lease No.: 12801
Lot No., Area, Island: 13802, Hoolimalima, Oahu
Permittee: Sunrun Inc.
5. Lessee: Harold I. Kamoku, Sr.
Res. Lease No.: 12040
Lot No., Area, Island: 16951, Kaupea, Oahu
Permittee: Sunrun Inc.
6. Lessee: Joseph W.K. Lewis
Res. Lease No.: 3362
Lot No., Area, Island: 175-B, Nanakuli, Oahu
Permittee: RevoluSun Power LLC
7. Lessee: Vincent Libres, Jr.
Res. Lease No.: 8433
Lot No., Area, Island: 142, PKE, Oahu
Permittee: Sunrun Inc.
8. Lessee: Cameron K. Pililaau
Res. Lease No.: 12060
Lot No., Area, Island: 17019, Kaupea, Oahu
Permittee: Sunrun Inc.
9. Lessee: Virginia N. Zack
Res. Lease No.: 9293
Lot No., Area, Island: 80, Kaniohale, Hawaii
Permittee: Sunrun Inc.

| | |
|--|-----------|
| Non-Exclusive License for the Month of January '18 | 9 |
| Previous FY '17 - '18 balance | <u>54</u> |
| FY '17 - '18 total to date | 63 |
| | |
| Non-Exclusive License for FY '16 - '17 | 69 |

State of Hawaii

DEPARTMENT OF HAWAIIAN HOME LANDS

January 29, 2018

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean T. Oshiro, Acting HSD Administrator 

FROM: Loida Chun, Homestead Development Assistant 
Homestead Services Division

SUBJECT: **Approval for Payment of Net Proceeds - DONNA CHRISTINE KAMAHELE from Johnny Kamahela (Dec'd.), Residential Lot Lease No. 12683, Lot No. 25, Panaewa Residence Lots, Waiakea, Hilo, Hawaii**

RECOMMENDED MOTION/ACTION

1) Accept the following appraisal, 2) approve the following purchase of improvements, and 3) authorize the following payment of net proceeds to the decedent's daughter, Donna Christine Kamahela (see Exhibit A).

| | |
|--|-----------------------------------|
| Lessee Name: | Johnny Kamahela (Deceased) |
| Lease Date: | September 7, 2010 |
| Residential Lease No./Lot No.: | 12683/25 |
| Area/Island: | Panaewa/Hawaii |
| Date of Cancellation: | February 22, 2016 |
| Date of Appraisal/Amount: | March 2, 2016/\$197,000 |
| DHHL Loan: | \$146,082.06 |
| Expenses to Prepare for Re-award, Lease Rent Credit, Etc.: | \$ 6,688.99 |
| Approx. Net Proceeds: | \$44,228.95 |

Residential Lot No. 25 was re-awarded on January 27, 2017.

RECOMMENDATION

The Department requests approval of its recommendation.

**AFFIDAVIT FOR COLLECTION
OF PERSONAL PROPERTY
OF THE DECEDENT**

THE ESTATE OF
Johnny Kamahele aka John Kamahele

DATE OF DEATH
April 23, 2015

DECEASED

RELATIONSHIP OF AFFIANT
TO DECEDENT Daughter, Sole Beneficiary,
DHHL Designated Successor

STATE OF HAWAII)
)
) SS:
)

I, the undersigned affiant, being first duly sworn on oath, deposes and says:

1. I am the successor of the above named decedent. A certified copy of the death certificate is submitted with this affidavit.
2. The gross value of the decedent's estate in this State (excluding the value of motor vehicles) does not exceed \$100,000.00.
3. No application or petition for the appointment of a personal representative is pending or has been granted in this State.
4. I am entitled to payment or delivery of the property referred to above and itemized below by virtue of HRS Section 560:3-1201, as amended, and by virtue of my relationship to the decedent indicated above.
5. I have read and understand HRS Section 560:3-1202 which is printed on the reverse side of this affidavit.
6. I make this affidavit for the purpose of collecting the following personal property:

Net Proceeds from the sale of Department of Hawaiian Home Lands (DHHL), Lease No. 12683, Lot No. 25, situated at 157 Pohai Street, Hilo, Hawaii 96720, TMK: 3-2-2-065:025

Affiant is the Designated Successor and makes this Collection of Personal Property by Affidavit based on Hawaii Revised Statutes, Section 560:3-1201, (3)(A) as Designated Successor of the Lease held by Johnny Kamahele (Deceased), daughter of Johnny Kamahele, Executor of the Will of Johnny Kamahele & sole beneficiary of the Will of Johnny Kamahele and Section 560:3-1201 (3)(B) to change the ownership of the Net Proceeds to daughter Donna Christine Kamahele, Designated Successor.

Continuation page attached.

TYPE OR PRINT NAME AND RESIDENCE OF AFFIANT
Donna Christine Kamahele

AFFIANT'S SIGNATURE

Donna Christine Kamahele

SUBSCRIBED AND
SWORN TO BEFORE ME
THIS DATE:

NOTARY PUBLIC

MY COMMISSION EXPIRES:

STATE OF HAWAII

**SEE ATTACHED
NOTARY FORM**

SEE FOLLOWING PAGE



In accordance with the Americans with Disabilities Act, as amended, and other applicable state and federal laws, if you require a reasonable accommodation for a disability when working with a court program, service or activity, please contact the ADA Coordinator at (808) 961-7424, FAX (808) 961-7411, or email adarequest@courts.hawaii.gov at least ten (10) working days before your proceeding, hearing or appointment date.

RG-LC-508 (8/2014)

AFFIDAVIT FOR COLLECTION OF PERSONAL PROPERTY OF THE DECEDENT 3C-E-210

DHHL
HSD

2010 JAN -3 PM 2: 39

Hawaii Revised Statutes:

§560:3-1202 Effect of affidavit. The person paying, delivering, transferring, or issuing personal property or the evidence thereof pursuant to affidavit is discharged and released to the same extent as if that person dealt with a personal representative of the decedent. That person is not required to see to the application of the personal property or evidence thereof or to inquire into the truth of any statement in the affidavit. If any person to whom an affidavit is delivered refuses to pay, deliver, transfer, or issue any personal property or evidence thereof, it may be recovered or its payment, delivery, transfer, or issuance compelled upon proof of their right in a proceeding brought for the purpose by or on behalf of the persons entitled thereto. Any person to whom payment, delivery, transfer or issuance is made is answerable and accountable therefor to any personal representative of the estate or to any other person having a superior right. [L 1996, c 288, pt of §1]

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 29, 2018

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Dean Oshiro, Acting Homestead Services Administrator
FROM: Mona Kapaku, Homestead District Operations Manager
Homestead Services Division
SUBJECT: **Designation of Successor - KATHLYN K. IBARA, Lease No. 10234, Waiehu Kou 2, Maui**

RECOMMENDED MOTION/ACTION

To approve the designation of Justin K. Barlahan, as successor to his late auntie's Residential Lease No. 10234, Lot No. 11, Waiehu Kou 2, Maui, for the remaining term of the lease, subject to his acceptance of the terms and conditions of the Lease.

DISCUSSION

Kathlyn K. Ibara's mother, Mrs. Katherine Barlahan was awarded Department of Hawaiian Home Lands Residence Lot Lease No. 10234 in the East Hawaii area, commencing on March 17, 1938.

On July 24, 2001, the Hawaiian Homes Commission (HHC) authorized the Chairman to execute a Settlement Agreement with Katherine Barlahan that provided for a 66-year residential homestead lease in the East Hawaii area with a 100-year extension. On February 20, 2003 the Agreement was executed.

On April 9, 2004, Mrs. Barlahan requested that she forgo the opportunity of receiving a residential lease in East Hawaii and replace it with a lease on the island of Maui where she resides. She also requested that her daughter, Kathlyn Ibara be named her successor.

On May 25, 2004, the HHC approved Mrs. Barlahan's request to a residential homestead lot on Maui.

On September 1, 2004, Mrs. Barlahan passed away.

On November 1, 2004, Mrs. Ibara selected a pre-owned home valued at \$116,000, consisting of 3-bedrooms and 2-baths in the Waiehu Kou II Subdivision.

On March 25, 2017, Kathlyn K. Ibara passed away without having filed a designation of successor to the Lease.

In compliance with the Administrative Rule 10-3-63, the department published legal ads in the Maui News, the Hawaii Tribune Herald, the West Hawaii Today, the Honolulu Star-Advertiser, and the Garden Isle on June 4, 14, 18 & 28, 2017, to notify all interested, eligible, and qualified heirs of Kathlyn K. Ibara, to submit their lease successorship claims.

The department received a successorship claim from Kathlyn K. Ibara's son, Jonathan D. Swisher and her nephew, Justin K. Barlahan.

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 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.

The decedent's son, Jonathan D. Swisher is unable to qualify to succeed to his late mother's residential lease

because he is certified at 18.75% Hawaiian, however decedent's nephew, Justin K. Barlahan is certified at 51.953125% Hawaiian.

The lease rent and real property tax is current. There is an in-house loan with a balance of \$88,823.84.

The Department requests approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 29, 2018

TO: Chairman and Members, Hawaiian Homes Commission

THRU: Dean Oshiro, Acting HSD Administrator 

FROM: Mona L. Kapaku, District Operations Manager 
Homestead Services Division

SUBJECT: **Commission Designation of Successor -
Valentine Redo,
Lease No. 9164, Lot No. 13, Kahikinui, Maui**

RECOMMENDED MOTION/ACTION

To approve the designation of Akahi Eleu Maka Kilo Redo and Alohi Hoano Ola L.V. Redo, as successors to Pastoral Lease No. 9164, Lot No. 13, Kahikinui, Maui, for the remaining term of the lease.

DISCUSSION

On May 29, 1999, Department of Hawaiian Home Lands Kuleana Homestead Lot Lease No. 9164, Pastoral Lot No. 13, was awarded to Lloyd V. Redo. On December 5, 2005, the lease was transferred to Valentine Redo (Decedent).

On January 6, 2017, Valentine Redo 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 Garden Isle, the Hawaii Tribune Herald, the West Hawaii Today, and The Maui News on June 4, 14, 18, and 28, 2017, to notify all interested, eligible and qualified heirs of the Decedent, to submit their successorship claim to the lease.

The Department received two claims from the Decedent's sons, Akahi Eleu Maka Kilo Redo and Alohi Hoano Ola L.V. Redo, who have been determined to be at least 31% Hawaiian ancestry and is eligible for successorship. The Department also received

a claim from the Decedent's mother, Janet Redo, who is 75% Hawaiian.

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, the Decedent's children, Akahi and Alohi Redo, have priority to succeed to the leasehold interest.

A Conservatorship was granted by the Court to Sari Arlyn Powell, mother of her minor sons Akahi and Alohi Redo.

There are no improvements to the lot.

The Lease rent account reports a credit balance of \$80.00 and there are no real property taxes.

The Department requests approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 29, 2018

TO: 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
Alfred Kalei Aki, Lease No. 4294
Lot No. 43, Anahola, Kauai**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Alfred Kalei Aki, Jr., Robert Francis Lani Aki and Mary Ann Kuulei Knight, as successors to Residential Lease No. 4294, Anahola, Kauai for the remaining term of the lease.

DISCUSSION

On June 28, 1977, Alfred Kalei Aki (Decedent) received through an assignment, Department of Hawaiian Home Lands Residential Lot Lease No. 4294, improved Lot No. 43, Anahola, Kauai (Lease).

On July 11, 1977, the Decedent named his wife, Helen Aki as successor to the net proceeds of the improvements value of residential lease 4294, Anahola, Kauai. On February 28, 2017, Alfred Kalei Aki passed away. On April 27, 2017, Helen Aki notified the department she was relinquishing her rights to the net proceed value of her husband's lease so that her children could submit their request to succeed.

In compliance with the Administrative Rules 10-3-63, the Department published legal ads in the Honolulu Star Advertiser, The Hawaii Tribune Herald, West Hawaii Today, The Maui News, and The Garden Island newspapers on June 4, 14, 18 and 28, 2017, to

notify all interested, eligible and qualified heirs of the Decedent, to submit their lease successorship claims.

The Department received three successorship claims from the Decedent's three children, Mary Ann Kuulei Knight (Mary Ann), Alfred Kalei Aki, Jr. (Alfred) and Robert Francis Lani Aki (Robert). All claimants have been determined to be 29.6875% Hawaiian and have 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, two bath single family dwelling built in 1977, with a covered carport.

As of December 21, 2017 lease rent owed to the Department is \$6.00.

The Department requests approval of its recommendation to name Mary Ann Kuulei Knight, Alfred Kalei Aki, Jr. and Robert Francis Lani Aki as successors to the lease.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 29, 2018

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean Oshiro, Acting Administrator
Homestead Services Division 

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

SUBJECT: **Commission Designation of Successor**
John K. Reyes, Lease No. 6578
Lot No. 9, Anahola, Kauai

RECOMMENDED MOTION/ACTION

1. To approve the designation of Dana Palmeira (Dana), as successor to Residential Lease No. 6578, Anahola, 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 appraised value of \$223,000; 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 the Estate of Arlene Reyes.

DISCUSSION

On November 27, 1989, John K. Reyes (Decedent) received through an assignment, Department of Hawaiian Home Lands Residential Lot Lease No. 6578, unimproved Lot No. 8, Anahola, Kauai (Lease).

The Decedent surrendered unimproved Lot No. 8 and was relocated to improved Lot No. 9, commencement date effective April 26, 1990.

On January 10, 2012, the Decedent named his wife, Arlene Reyes (Arlene) as successor to the net proceeds of the improvements value of residential lease 6578, Anahola, Kauai. On November 25,

2014, John K. Reyes passed away. On February 2, 2015, Arlene notified the department of the Decedent's passing. On July 26, 2015, Arlene 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, West Hawaii Today, The Maui News, and The Garden Island newspapers on September 6, 16, 20 and 30, 2015, 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 daughter, Cheryl P. Corneal (Cheryl) and Dana Palmeira (Dana), the Decedent's niece. Cheryl is 25% Hawaiian and Dana is 50% Hawaiian and an applicant on the Kauai Islandwide Waiting List. Both claimants have 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 1992, with a covered carport and utility shed.

As of October 24, 2017, there is an outstanding loan with FHA Case No. 141-1192255-759 to Midfirst Bank, dated May 27, 1998, with an original loan amount of \$83,040.00. As of October 24, 2017, the loan is 19 months delinquent. Lease rent of \$7.00 is owed, and real property taxes/trash pickup fees are due in the amount of \$492.91.

The Department requests approval of its recommendation to name Dana for successorship. Although Cheryl has the highest priority of all the claimants to succeed, she submitted a relinquishment on October 9, 2017, allowing Dana to succeed to the lease which she has agreed to assume the debts owed.

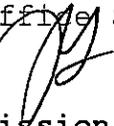
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 29, 2018

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: **Informational Update to Commission Designation of
Successor - Benjamin K. Keliiholokai, Residential
Lease No. 1758, Lot No. 87, Waimanalo, Oahu and
Commission Designation of Successor - Jeanette M.
Hanawahine, Residential Lease No. 1758, Lot No. 87,
Waimanalo, Oahu**

FOR INFORMATION ONLY

Residential Lease No. 1758, Lot No. 87, Waimanalo, Oahu (Lease), was awarded to Mary K. Hanawahine, Jr., also known as Mary K. Kaleopaa (Mary), commencing on August 30, 1946.

Mary designated her sons, William Apatia Hanawahine (William) and George Solomon Hanawahine (George), as tenants-in-common successors to the Lease. Mary died on July 25, 1989.

By way of the Transfer Through Successorship and Amendment to Lease No. 1758 instrument, dated August 28, 1990, the leasehold interest to the Lease was transferred to William and George, as tenants-in-common.

George designated his wife, Jonette A. Hanawahine (Jonette), as the successor to his tenant-in-common interest in the Lease. George passed away on May 29, 1997.

By way of the Transfer Through Successorship of a Tenant in Common Interest instrument, dated September 25, 1997, the leasehold interest to the Lease was transferred from George to Jonette. On August 1, 2016, Jonette transferred her leasehold interest in the Lease to her then husband, Benjamin K.

Keliiholokai (Benjamin), who passed away on February 8, 2017 and without designating a successor to his tenant-in-common interest to the Lease. See Exhibit A

William designated his daughter, Jeanette Hanawahine (Jeanette), as his successor to his tenant-in-common interest to the Lease. William passed away on February 3, 1999.

By way of the Transfer Through Successorship of a Tenant in Common Interest, dated April 26, 1999, the leasehold interest to the Lease was transferred from William to Jeanette.

On April 30, 2017, Jeanette passed away without designating a successor to her tenant-in-common interest to the Lease. See Exhibit B.

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 to notify all interested, eligible and qualified heirs of Benjamin and Jeanette, to submit successorship claims.

The Department received successorship claims from Benjamin's sisters, Cecelia Wahineaukai Keliiholokai (Cecelia) and Leiluluhipolanikeakakahaumaliokalani Keliiholokai Makaanani (Lei).

The Department also received a claim from Jeanette's daughter, Kuuleilani K. Petty-Hanawahine (Kuulei).

On November 20, 2017, the Department presented its recommendation for the Hawaiian Homes Commission (Commission) to approve the designation of the respective tenant-in-common interest in the Lease for Benjamin and Jeanette. However, the Commission made the decision to defer action on the Department's recommendation and instructed the Department staff to obtain additional information on the respective successorship claimants' intent with respect to the occupancy of the home.

Despite numerous attempts by telephone calls, the Department has been unsuccessful in arranging a meeting with Cecelia. On Friday, January 26, 2018, a message to contact the Department was placed on Cecelia's voice mail. By letter dated December 11, 2017, the Department advised Cecelia to contact the Department to arrange for a meeting regarding the pending

successorship of the Lease. To date, no meeting has been set with Cecelia.

On December 4, 2017, Department staff met with Lei. She reported that despite her other siblings urging not to submit a successorship claim, she did so simply because she has the right to do so, in accordance with the Administrative Rules. Lei intends to subsequently transfer her successorship interest to her son. Lei disclosed that her brother and her son, along with his wife and children, are currently residing in the home.

On December 14, 2017, Department staff met with Kuulei. She reported that her mother, her younger sister, and herself, continued to reside at the homestead following her grandfather's (William) death in 1999. However, it became increasingly difficult to remain in the home with Jonette and her family, therefore, her mother made the decision to move out in 2005. Kuulei now wants to return to the homestead and reside in the home along with her younger sister, who is still a minor. Kuulei reports that she is the legal guardian of her sister.

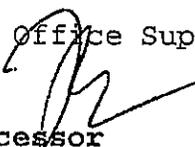
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 20, 2017

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean Oshiro, Acting Administrator 
Homestead Services Division

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

SUBJECT: Commission Designation of Successor
BENJAMIN K. KELIIHOLOKAI, Residential Lease No. 1758,
Lot No. 87, Waimanalo, Oahu

RECOMMENDED MOTION/ACTION

To approve the designation of Leiluluhipolanikeakakahaumaliokalani Keliiholokai Makanani (Lei) and Cecelia Wahineaukai Keliiholokai (Cecelia), as successors to Benjamin Keliiholokai's 50% tenant-in-common interest to Residential Lease No. 1758, Waimanalo, Oahu for the remaining term of the lease.

DISCUSSION

On August 1, 2016, Benjamin K. Keliiholokai (Decedent) received, by way of an assignment of lease a tenant-in-common interest in Department of Hawaiian Home Lands Residential Lot Lease No. 1758, Lot No. 87, Waimanalo, Oahu (Lease).

On February 8, 2017, the Decedent passed away without naming a successor to his 50% interest in the lease.

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 June 4, 14, 18, 28, 2017, to notify all interested, eligible and qualified heirs of the Decedent, to submit their lease successorship claims.

ITEM NO. D-12

ITEM NO. D-16
EXHIBIT A

The Department received successorship claims from the Decedent's sisters, Lei and Cecelia. The claimants are 75% Hawaiian 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, two bath single family dwelling.

As of November 20, 2017, there are no outstanding loans and Lease rent is current. The real property taxes are delinquent in the amount of \$678.48, and Lei and Cecelia have agreed to pay the amount due prior to final execution of the successorship.

The Department requests approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 20, 2017

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Dean Oshiro, Acting Administrator
Homestead Services Division

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

SUBJECT: Commission Designation of Successor
JEANETTE M. HANAWAHINE, Residential Lease No. 1758,
Lot No. 87, Waimanalo, Oahu

RECOMMENDED MOTION/ACTION

To approve the designation of Kuuleilani K. Petty-Hanawahine (Kuulei), as successor to Jeanette Hanawahine's 50% tenant-in-common interest to Residential Lease No. 1758, Waimanalo, Oahu for the remaining term of the lease.

DISCUSSION

On February 3, 1999, Jeanette M. Hanawahine (Decedent) received, by way of transfer through successorship, a tenant-in-common interest in Department of Hawaiian Home Lands Residential Lot Lease No. 1758, Lot No. 87, Waimanalo, Oahu (Lease).

On April 30, 2017, the Decedent passed away without naming a successor to her 50% interest in the lease.

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 June 4, 14, 18, 28, 2017, to notify all interested, eligible and qualified heirs of the Decedent, to submit their lease successorship claims.

The Department received a successorship claim from the Decedent's daughter, Kuulei. The claimant is at least 33% Hawaiian and has been determined to be eligible for succession.

ITEM NO. D-13

ITEM NO. D-16
EXHIBIT B

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, two bath single family dwelling.

As of November 20, 2017, there are no outstanding loans and Lease rent is current. The real property taxes are delinquent in the amount of \$678.48, and Kuulei has agreed to pay the amount due prior to final execution of the successorship.

The Department requests approval of its recommendation.

Original Lessee

Waimanalo Residential Lease No. 1758, was awarded to Mary K. Hanawahine, Jr. aka Mary K. Kaleopaa, on August 30, 1946. On April 10, 1989, Mary designated her sons William Apatia Hanawahine & Solomon George Hanawahine as Tenant in Common successors. On July 25, 1989 Mary passes away.

William Apatia Hanawahine (Son)

On January 6, 1999, William designated his daughter, Jeanette Mokihana Hanawahine as his successor to his 50% Tenant in Common interest. On February 3, 1999 William passes away.

Jeanette Mokihana Hanawahine (Daughter)

Passed away on April 30, 2017, naming no successor to her interest. A Public Notice is published on June 4, 2017, which closed on October 4, 2017.

Claimant

Kuulei Petty-Hanawahine, Jeanette's daughter submits a claim.

George Solomon Hanawahine (Son)

On July 17, 1990, George designated his wife, Jonette A. Hanawahine as his successor to his 50% Tenant in Common interest. On May 29, 1997, George passes away.

Jonette A. Hanawahine (Wife) ^{Warranted Clerk}

Jonette transferred her 50% portion to her current husband, Benjamin Keiiholokai. On August 1, 2016.

Benjamin K. Keiiholokai (Second Husband)

Passed away on February 8, 2017, naming no successor to his interest. A public Notice was published on June 4, 2017, which closed on October 4, 2017.

Claimants

Lei Makanani and Cecelia Keiiholokai, sisters to Benjamin, each put in a claim to their brother's interest.

DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
January 29 & 30, 2018
Kapolei, O'ahu

E-ITEMS
LAND DEVELOPMENT DIVISION

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 29-30, 2018

To: Chairman and Members, Hawaiian Homes Commission
From: Norman L. Sakamoto, Acting LDD Administrator 
Subject: General Lease No. 283, Ulu Ke Kukui Transitional Housing
Waianae, Oahu (TMK (1) 8-7-010: 030 por.)

RECOMMENDED MOTION/ACTION

None, for information only.

LOCATION

Portion of Waianae, Oahu identified as Tax Map Key (1) 8-007-010: 30.

AREA

Approximately six acres.

DISCUSSION

General Lease No. 283 was issued to the Hawaii Public Housing Authority (HPHA) for a transitional and affordable housing project in Waianae, Oahu, on six acres of an 89-acre parcel sometimes referred to as the former Voice of America site. The lease will expire on November 24, 2018, but provides for an extension of the lease period by mutual written agreement.

The existing facilities, called Ulu Ke Kukui, consist of five residential buildings, each with eight two-bedroom units and eight studio units; and an administration building which includes offices, storage, classrooms, a daycare, and cafeteria. The project was constructed in 2008. HPHA has contracted with Alternative Structures International (ASI), dba Kahumana, to operate the facilities. Services include transitioning homeless families into permanent housing, day care of children, and subsidized meals at the facility and other locations throughout Leeward Oahu.

In late 2017, DHHL hired Group 70 International to conduct an assessment of the facilities. Their findings were:

General Condition: Acceptable

Level of Maintenance: Fair

All buildings appeared structurally stable and designed and constructed appropriately. The interior of units that were observed are in generally good

condition with no indication of wall, ceiling or flooring failures, or damages. The exterior of the facility requires cleaning of bird droppings on the roof solar panels, gutters and downspout pipes. There are areas in the site parking lot and access road that will need to be rebuilt as deterioration is significant. The observed building MEP (Mechanical, Electrical, and Plumbing) systems appear functional and do not require repairing at this time. Overall, the existing facility will need minor restoration for the buildings and repaving in the asphalt areas that have failed.

Estimated cost of repairs, remediation: \$92,642

In preparation for the reversion of the premises to DHHL at lease expiration in November, staff has begun exploring the following options:

| | Remarks |
|--|--|
| Extend lease on a year by year basis | <p><u>Benefits</u></p> <p>More time for DHHL to evaluate site conditions and plan for take-over. HPHA/ASI responsible for maintenance and security. Uninterrupted benefits to community.</p> <p><u>Disadvantages</u></p> <p>Not all DHS renters are native Hawaiian beneficiaries. HUD and other grant providers require at least 5-year site control to finance major renovations.</p> |
| Extend for five years with transition to beneficiary occupancy (as renters or lessees) | <p><u>Benefits</u></p> <p>HUD and other grant providers require at least 5-year site control to finance major renovations. HPHA/ASI responsible for maintenance and security. Uninterrupted benefits to community.</p> <p><u>Disadvantages</u></p> <p>Not all DHS renters are native Hawaiian beneficiaries.</p> |
| Convert to DHHL Rental Housing (transitional, kupuna, etc.) | <p><u>Benefits</u></p> <p>Housing opportunity for native Hawaiian beneficiaries – especially those unable to purchase.</p> <p><u>Disadvantages</u></p> <p>No homestead leases would be awarded; renters remain on Waitlist. Need to solicit for entity to operate and maintain.</p> |
| Convert to DHHL Homestead Leases | <p><u>Benefits</u></p> <p>Housing opportunity for native Hawaiian beneficiaries. Sales price to beneficiaries to be determined – cost of renovation only?</p> <p><u>Disadvantages</u></p> <p>Need administrative rules for condominium leases versus land leases.</p> |

| | |
|--|--|
| | Monthly common area maintenance fees. |
| Demolish structures, redevelop as single-family lots | <u>Benefits</u> Design/ develop with balance of site. <u>Disadvantages</u> Waste of assets – buildings are still useable. |

Assuming the general lease is not extended, DHHL would need to solicit for a new leasee and/or facility operator. To ensure the new agreement is effective prior to the current lease expiration, following indicates the latest various actions would need to occur:

- May 2018 – Issue solicitation
- June 2018 – Proposals due
- August 2018 – Recommendation to Chairman
- October 2018 – Execute lease/contract
- November 24, 2018 – GL 283 expiration

DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
January 29 & 30, 2018
Kapolei, O'ahu

F-ITEMS
LAND MANAGEMENT DIVISION

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

January 29-30, 2018

To: Chairman and Members, Hawaiian Homes Commission

Through: Peter "Kahana" Albinio, Jr., Acting Administrator
Land Management Division *KA*

From: Allen G. Yanos, Property Development Agent
Land Management Division 

Subject: FOR INFORMATION ONLY
Solicitation for Developers for Renewable Energy Projects – Statewide

RECOMMENDED MOTION/ACTION:

None: for information only.

DISCUSSION:

Purpose:

The purpose of this informational briefing for the Hawaiian Homes Commission ("HHC") is to provide background for the Land Management Division's ("LMD") plan to solicit letters of interest ("proposals") for the development of renewable energy projects on Department of Hawaiian Home Lands ("DHHL") lands statewide.

Background:

On October 23, 2017, the Hawaiian Electric Companies, comprised of the Hawaiian Electric Company, Inc, Maui Electric Company, Limited, and Hawaii Electric Company, Inc., ("HECO") filed draft Request for Proposals ("RFPs") for various renewable energy generation projects on Oahu, Maui, and Hawaii Island with the state Public Utilities Commission ("PUC") in Docket No. 2017-0352. In anticipation that the review process will be completed soon and the PUC approves issuance of the final RFPs sometime in early 2018, LMD plans to solicit proposals, as soon as practical, for the development of renewable energy projects on parcels located throughout the state, all as shown in Exhibit "A". These are parcels that were also included in the list provided to HECO by DHHL as available for renewable energy projects pursuant to HECO's request for land information from major landowners in December 2016. LMD formulated the list in consultation with the Planning Office and the Land Development Division.

These parcels been confirmed under their respective island plans as areas not suitable for homestead development within the next twenty years and/or lack the necessary infrastructure for residential development. They also represent areas that have the potential for the siting of renewable energy projects which would otherwise remain vacant and not generate revenue for the Hawaiian Home Lands Trust.

The purpose for requesting the approval to general lease land in this group of parcels statewide now is to: 1) help prospective renewable energy developers meet HECO's RFP timetable; 2) make efficient use of DHHL staff time and resources to lease the parcels that have received the greatest interest for renewable energy projects; and 3) to better coordinate the solicitation and beneficiary consultation process rather conduct them individually. By this action, DHHL also continues the commitment to its *Ho`omalu`o* Energy Policy and to "Ko`o: Facilitate the use of diverse renewable energy resources" where Objective 2 is to:

Pursue the leasing of those lands that are identified as suitable for renewable energy projects. (First priority should be given to entities that would provide "firm" renewable energy power such as garbage-to-energy (mass-burn), geothermal, pump-storage hydropower, solar-thermal and second priority to "as-available" renewable energy power such as wind, solar-photovoltaic, and wave.

Process:

The process of soliciting proposals from developer(s) and eventually issuing a general lease will tentatively be through Section 171-95.3, HRS, "Renewable Energy Producers; lease of public lands without public auction." This statutory leasing process, without public auction, will require public notice of the solicitation for renewable energy project proposals, allow all interested renewable energy producers to participate in the process, and require public hearings prior to decision-making by the HHC for the issuance of a right-of-entry for due diligence tasks and a general lease on land for the selected developers and their renewable energy projects. The process may change, however, depending on the renewable energy projects selected and guidance received from the Office of the Attorney General.

LMD plans to issue solicitations for renewable energy projects that may include solar, wind, biomass, or whatever may be appropriate for the area. Proposals will be evaluated by a committee that shall include DHHL's staff and its renewable energy consultants. Following the evaluation of the proposals, the HHC Chairman, with the recommendation of DHHL staff and renewable energy consultants, will select and prioritize which proposals shall proceed further with the leasing process. A right-of-entry will be issued for the due diligence tasks and to determine the feasibility of a project. Upon the satisfaction of certain conditions, the general lease will be issued for the continued development, construction, operations and maintenance of the project for a lease term of at least twenty years following the project's commencement of operations date.

LEGAL AUTHORIZATION:

Section 204(a)(2) of the Hawaiian Homes Commission Act, 1920, as amended, reads in part...“In the management of any retained available lands not required for leasing under Section 207(a), the department may dispose of such lands to the public, including native Hawaiians, on the same terms, conditions, restrictions and uses applicable to the disposition of public lands as provided in Chapter 171, Hawaii Revised Statutes, provided that the Department may not sell or dispose of such land in fee simple....”

Section 220.5 of the Hawaiian Homes Commission Act, 1920, as amended, also authorizes DHHL to enter into project developer agreements with a qualified developer for commercial or multi-purpose projects, subject to Section 171-60(a)(3), HRS.

Section 10-4-1 of the DHHL’s Administrative Rules, as amended, also states in part that... “The department may lease, license or otherwise deal with any available lands as may not be immediately needed for the purposes of the Act as provided by Section 204(a)(2) of the act and Chapter 171, HRS, upon such terms and conditions as to it may deem fair reasonable.”

Section 171-95, HRS, as amended, authorizes disposition to public utilities and renewable energy producers of public lands for terms up to, but not in excess of, sixty-five years at such rental and on such other terms and conditions as the Board may determine. For the purposes of this section, “renewable energy producer” means “any producer or developer of electrical or thermal energy produced by wind, solar energy hydropower, geothermal resources, landfill gas, waste-to-energy; ocean thermal energy conversion, cold seawater, wave energy, biomass, including municipal solid waste...that sell all of the net power produced from the demised premises to an electric utility company regulated under Chapter 269....”

Section 171-95.3, HRS, authorizes the lease or renewal of a lease of public lands “to renewable energy producers, as defined in section 171-95, without public auction only pursuant to a public process that includes public notice under Section 1-28.5 providing other interested renewable energy producers opportunity to participate in the process....”

NEXT STEPS:

- Seek approval from the HHC to authorize the leasing of these parcels and to grant the HHC Chairman the authorization to approve and prioritize, with DHHL staff and renewable energy consultants’ recommendations, which renewable energy projects shall proceed for general leasing.
- Issue solicitations for proposals for the development of renewable energy projects.
- Upon the selection of the developers for renewable energy projects, immediately initiate the process for issuance of a right-of-entry for due diligence purposes and a general lease pursuant to Section 171-95.3, HRS, if appropriate for the projects selected; otherwise, other statutory processes may be utilized.

January 2018

RECOMMENDATION:

None; for information only.

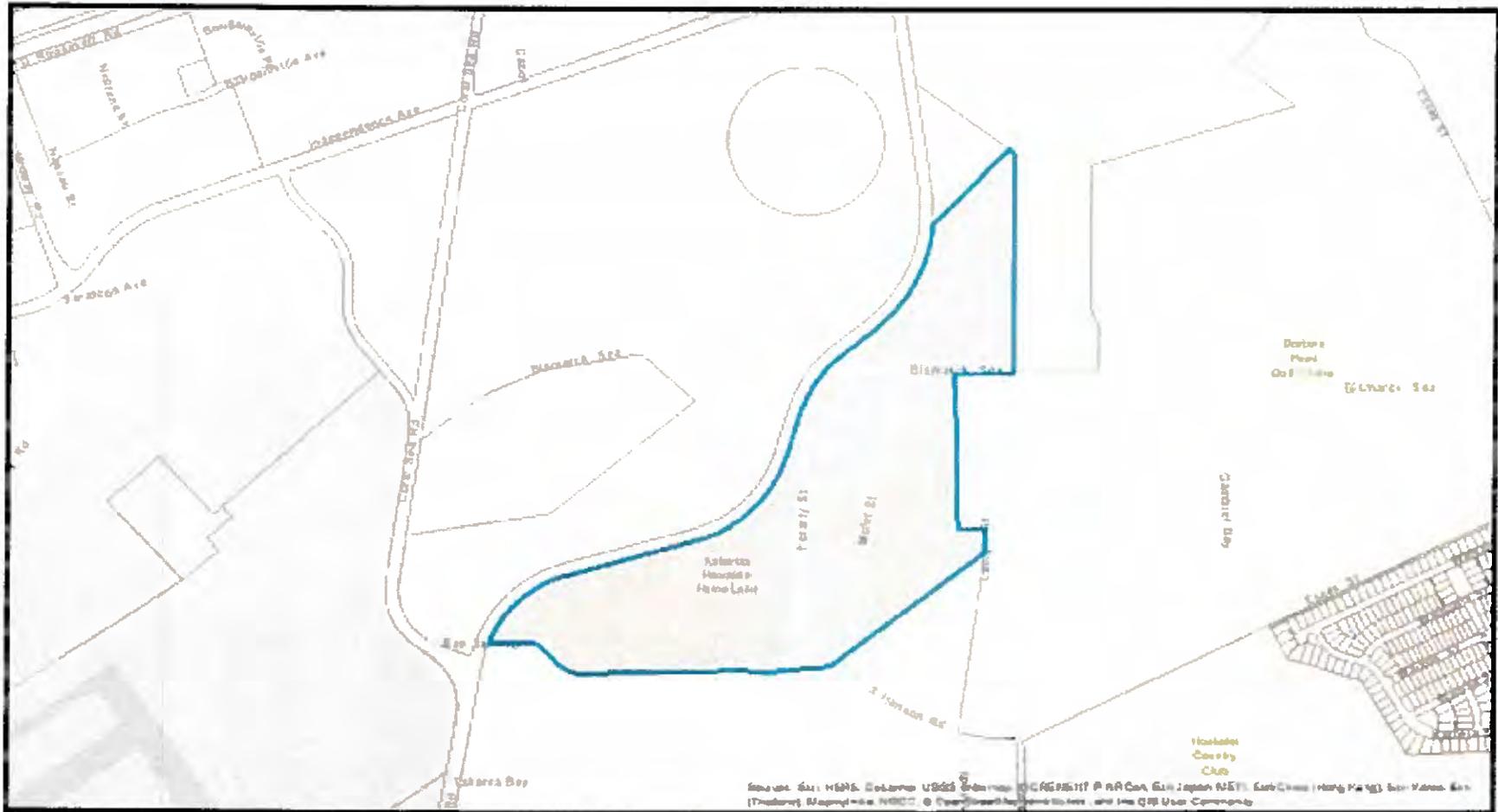
Exhibit "A"

AVAILABLE DHHL LAND FOR RENEWABLE ENERGY PROJECTS

| ISLAND | TMK | ACRES* | LOCATION | NOTES |
|---------------|-----------------------|---------------|-----------------|---|
| Oahu | 8-9-007:002 (portion) | 448.48 | Nanakuli | See Appendix "A" |
| Oahu | 9-1-013:038 | 97.54 | Kalaeloa | See Appendix "B" |
| Oahu | 9-1-013:040 | 49.18 | Kalaeloa | See Appendix "C" |
| Oahu | 9-1-013:117 | 57.51 | Kalaeloa | See Appendix "D" |
| Oahu | 9-1-013:118 | 43.62 | Kalaeloa | See Appendix "E" |
| Maui | 1-9-001:003 (portion) | 15,620 | Kahikinui | See Appendix "F". Up to 1000 acres for due diligence purposes; up to 500 acres under general lease. |
| Molokai | 5-2-001:004 (portion) | 462.5 | Hoolehua | See Appendix "G" |
| Molokai | 5-2-011:016 | 104.991 | Maunaloa | See Appendix "H" |
| Molokai | 5-4-003:003 (portion) | 4993.3 | Kaunakakai | See Appendix "I" |
| Hawaii | 6-1-001:003 (portion) | 7563.83 | Kawaihae | See Appendix "J" |
| Hawaii | 6-1-006:003 (portion) | 20.82 | Kawaihae | See Appendix "K" |
| Hawaii | 6-1-006:010 | 20.37 | Kawaihae | See Appendix "L" |
| Hawaii | 7-3-010:007 | 200 | Kalaoa | See Appendix "M". Up to 100 acres in the lower half. |
| Hawaii | 9-3-001:002 (portion) | 10,089.74 | Kamoa-Pu'ueo | See Appendix "N" |

*Approximate acreage

Parcel Detail for (1) 9-1-013:038



Data reported by DHHL

County: Honolulu
Island: Oahu
Fee Owner: DHHL
Parcel Acreage: 97.4940
Updated: 12/31/2014

Data from Statewide GIS Program

State Land Use District: Urban

Data from Honolulu County sources

Owner(s): HAWAIIAN HOME LANDS
County Zoning: F-1 Federal and Military Preservation District

Public Land Trust Information System

Map Help About the PLTIS

ID Search

Enter an Alternate ID, tax map key (TMK), portion of TMK or range of 9 digit TMKs

Ex. (1) 2-1-033:025 or 121033025

191013117

Go

Or enter an Encumbrance ID

Go

Clear Highlight

Polygon Search

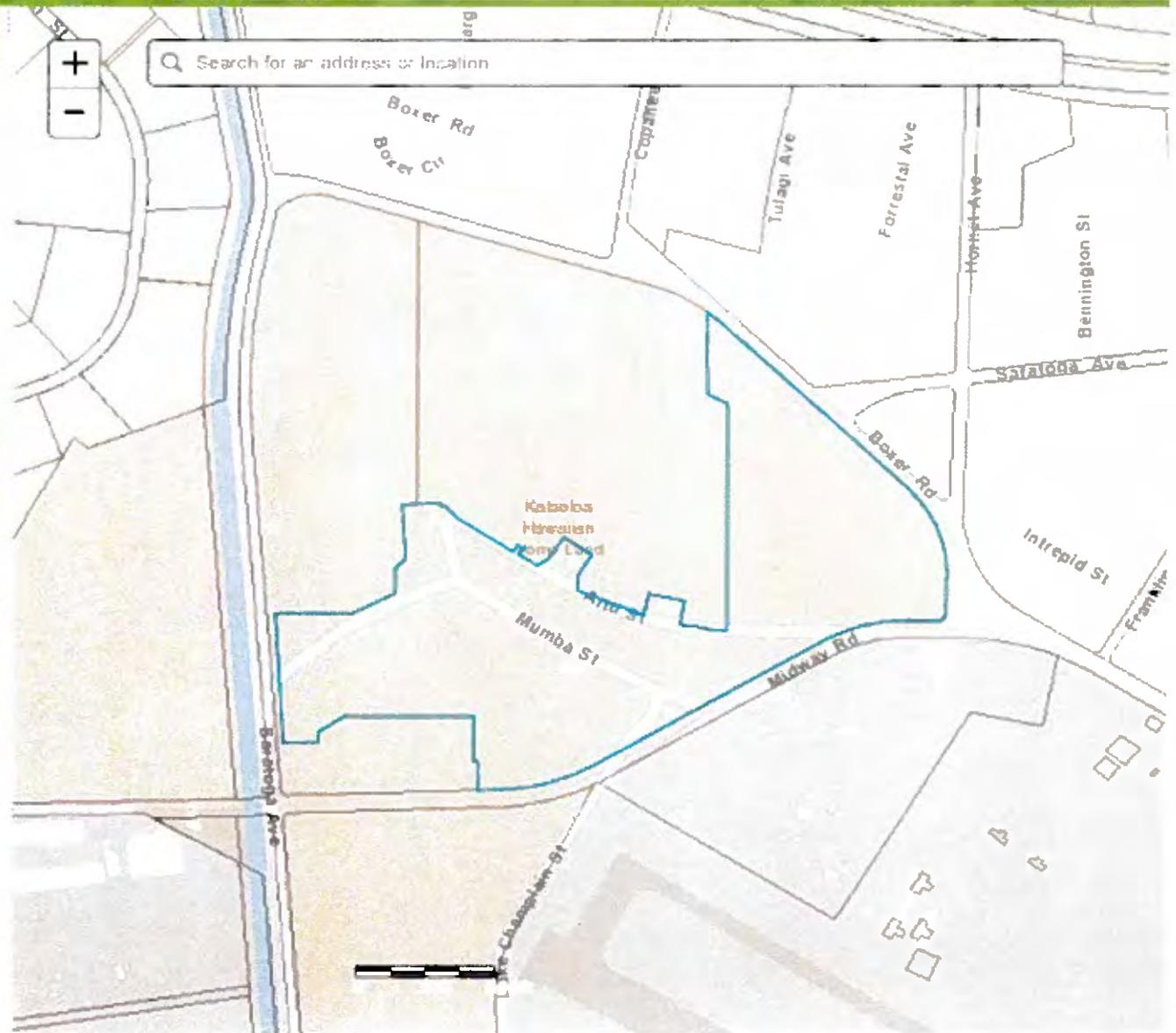
Basic Query

Advanced Query

Layers and Rendering

Print and Bookmark

Map Legend



Public Land Trust Information System

Map Help About the PLTIS

ID Search

Enter an Alternate ID, tax map key (TMK), portion of TMK or range of 9 digit TMKs

Ex (1) 2-1-033:025 or 121033025

Or enter an Encumbrance ID

Polygon Search

Basic Query

Advanced Query

Layers and Rendering

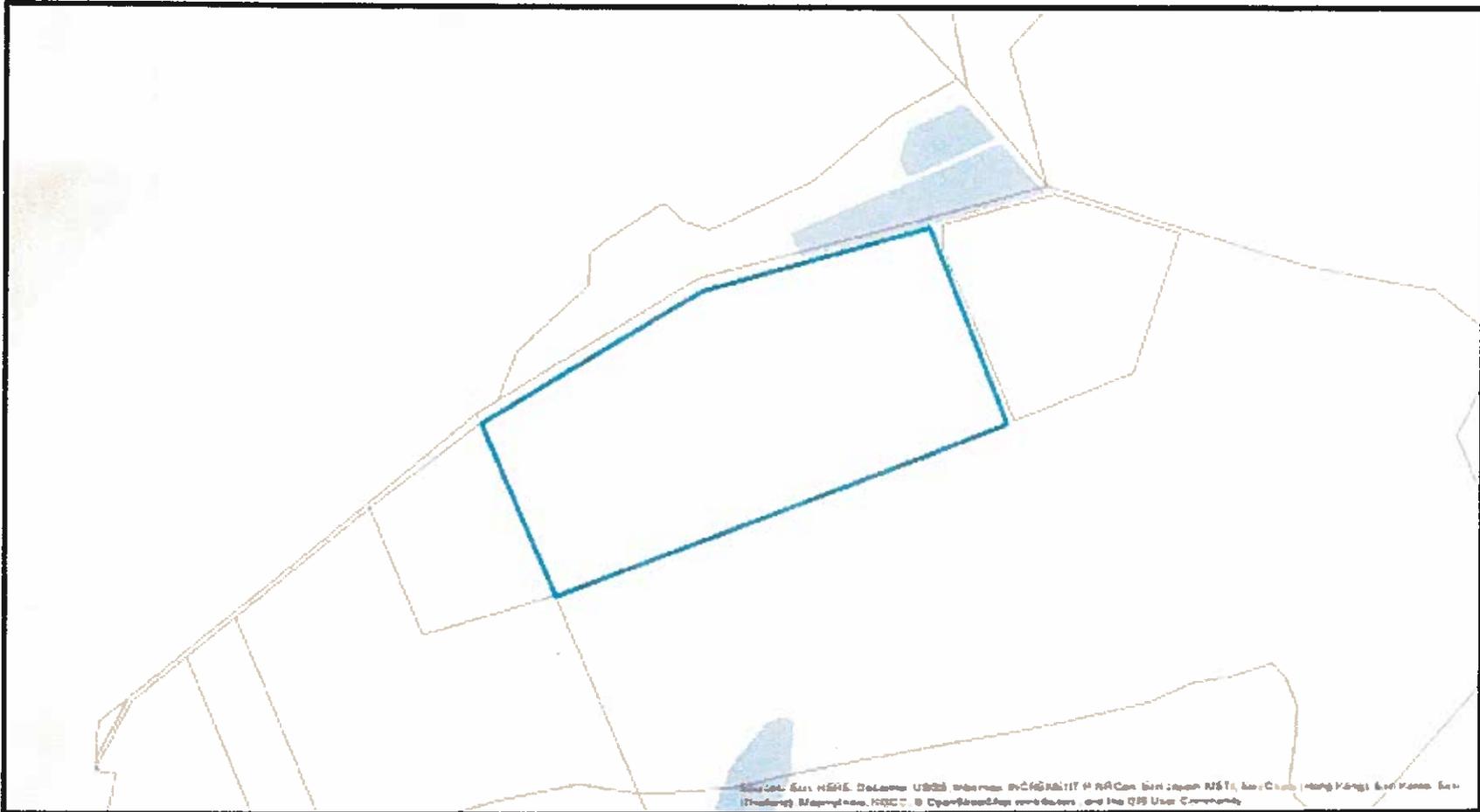
Print and Bookmark

Map Legend



APPENDIX "E"

Parcel Detail for (2) 5-2-011:016



Data reported by DHHL

County: Maui
Island: Molokai
Fee Owner: DHHL
Parcel Acreage: 104.9910
Updated: 12/31/2014

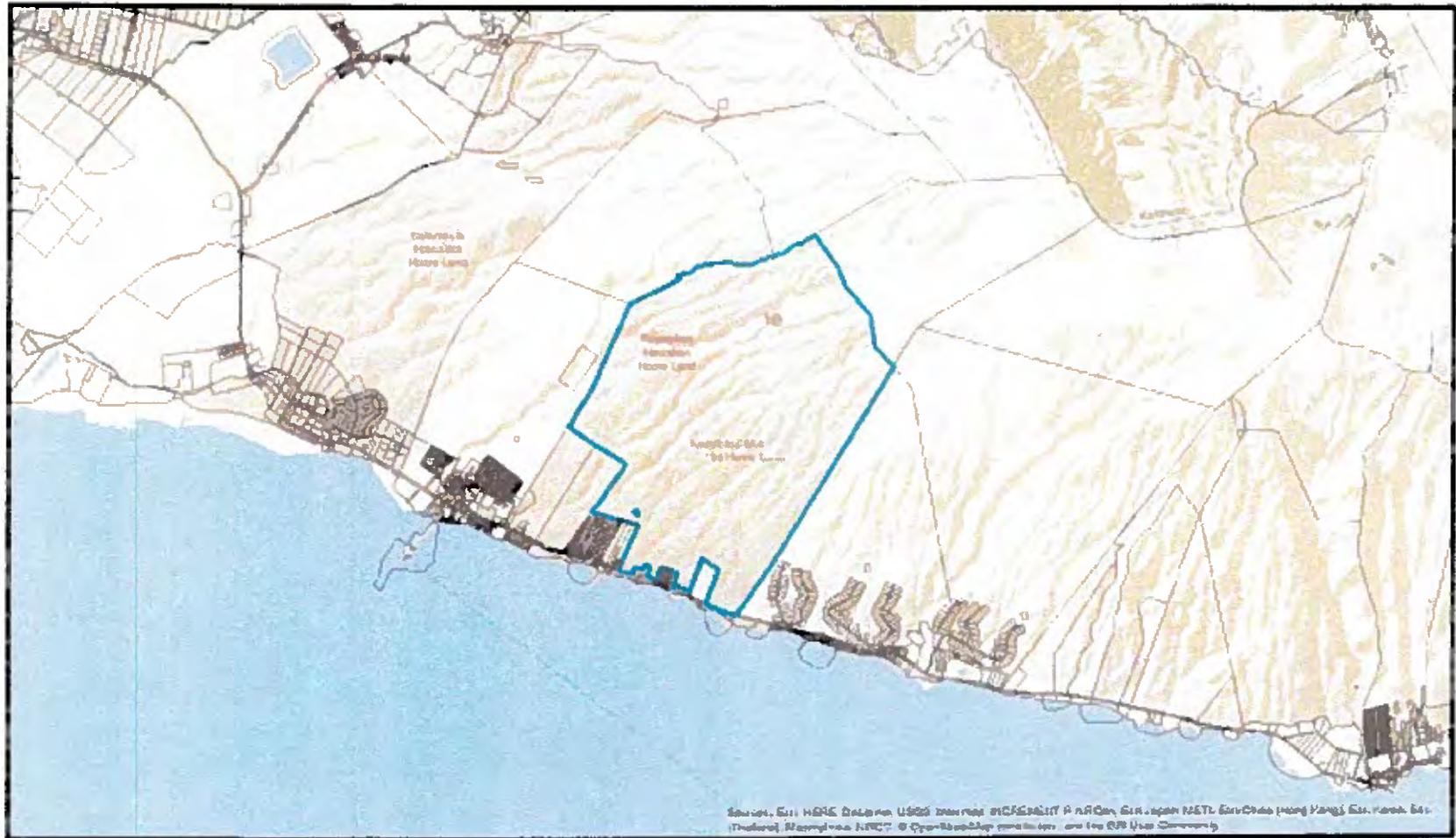
Data from Statewide GIS Program

State Land Use District: Agriculture

Data from Maui County sources

Owner(s): HAWAIIAN HOME LANDS
County Zoning (Draft): AG Agriculture

Parcel Detail for (2) 5-4-003:003



Data reported by DHHL

County: Maui
Island: Molokai
Fee Owner: DHHL
Parcel Acreage: 4,993.3040
Updated: 12/31/2014

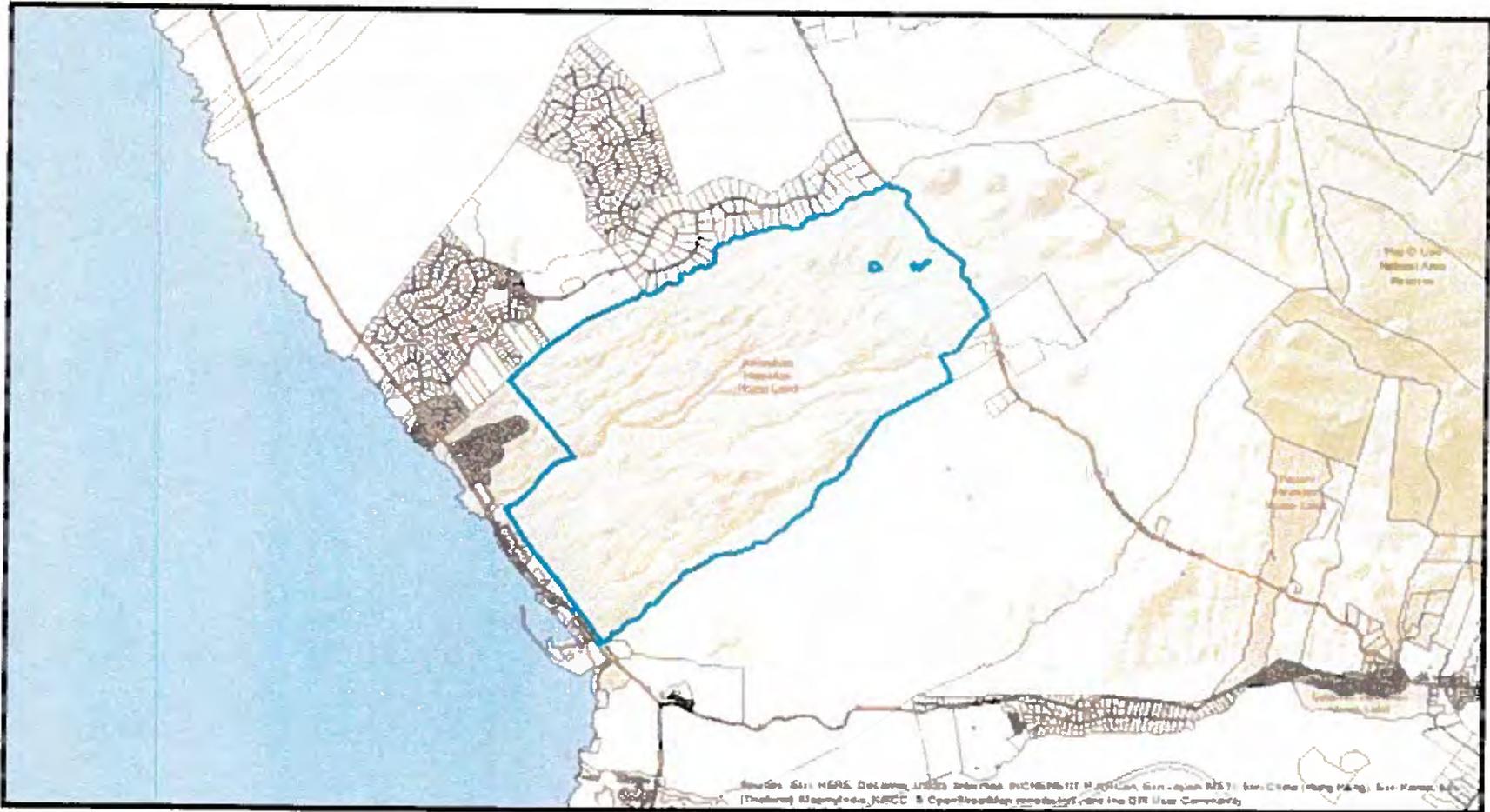
Data from Statewide GIS Program

State Land Use District: Agriculture, Conservation, Urban

Data from Maui County sources

Owner(s): HAWAIIAN HOME LANDS
County Zoning (Draft): AG Agriculture, Interim

Parcel Detail for (3) 6-1-001:003



Data reported by DHHL

County: Hawaii
Island: Hawaii
Fee Owner: DHHL
Parcel Acreage: 7,650.0000
Updated: 12/31/2014

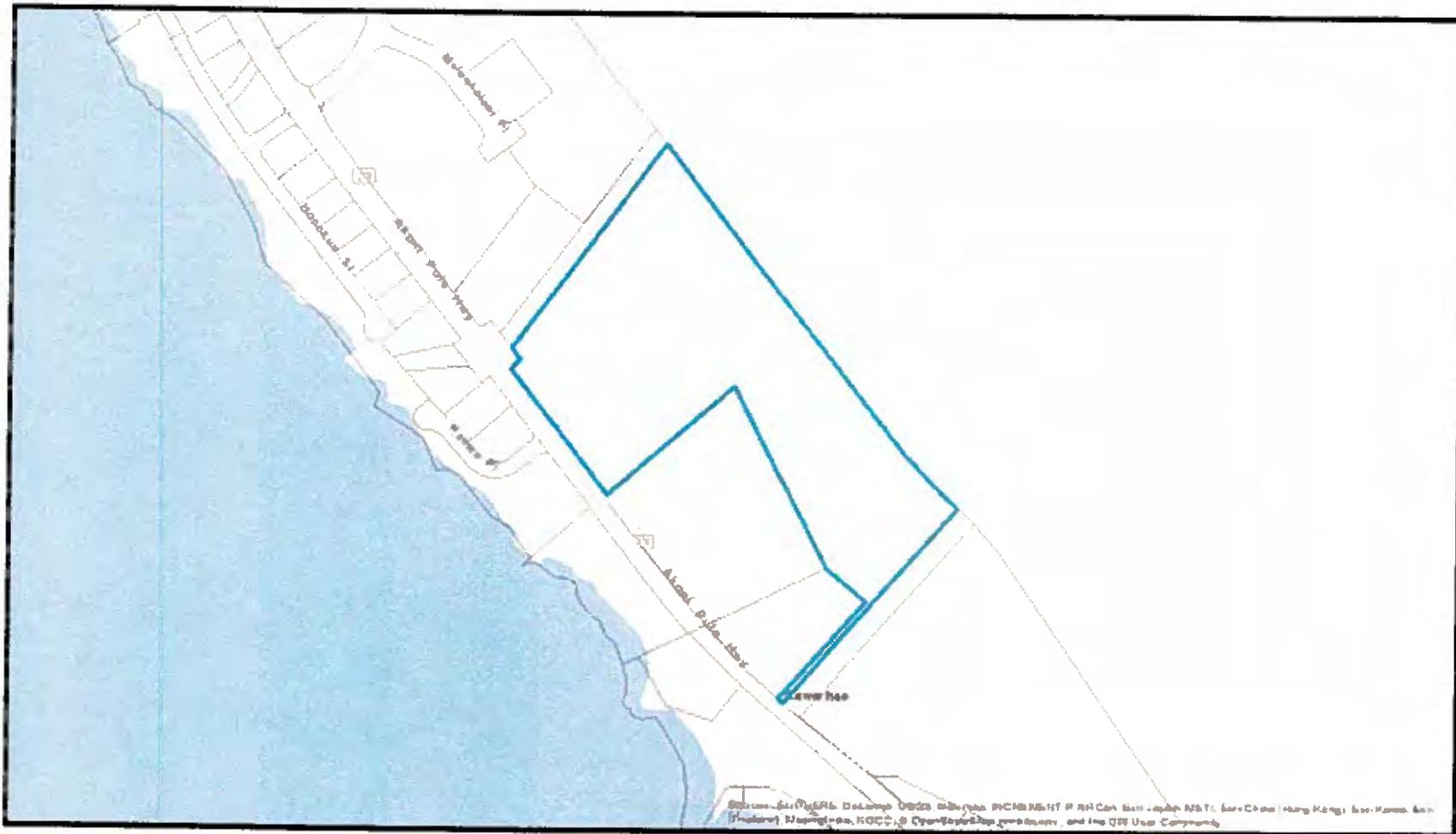
Data from Statewide GIS Program

State Land Use District: Agriculture, Urban

Data from Hawaii County sources

Owner(s): HAWAIIAN HOME LANDS
County Zoning: A-40a, CV-10, MG-1a

Parcel Detail for (3) 6-1-006:003



Data reported by DHHL

County: Hawaii
Island: Hawaii
Fee Owner: DHHL
Parcel Acreage: 20.3590
Updated: 12/31/2014

Data from Statewide GIS Program

State Land Use District: Agriculture, Urban

Data from Hawaii County sources

Owner(s): HAWAIIAN HOME LANDS
County Zoning: MG-1a

Parcel Detail for (3) 6-1-006:010



Data reported by DHHL

County: Hawaii
Island: Hawaii
Fee Owner: DHHL
Parcel Acreage: 20.2550
Updated: 12/31/2014

Data from Statewide GIS Program

State Land Use District: Urban

Data from Hawaii County sources

Owner(s): HAWAIIAN HOME LANDS
County Zoning: MG-1a

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

January 29-30, 2018

To: Chairman and Members, Hawaiian Homes Commission

Through: Peter "Kahana" Albinio, Jr., Acting Administrator
Land Management Division 

From: Allen G. Yanos, Property Development Agent
Land Management Division 

Subject: Approval for Authorization to General Lease for Renewable Energy Projects --
Statewide

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission ("HHC") authorizes the following:

1. To advertise and conduct land dispositions for the parcels of Hawaiian home lands for potential renewable energy projects shown in Exhibit "A" and grant the HHC Chairman authorization to prioritize, with DHHL staff and renewable energy consultants' recommendations, which renewable energy projects shall proceed further for general leasing.
2. To set all appropriate terms and conditions, to be approved by the HHC Chairman in accordance with the requirements of Chapter 171, Hawaii Revised Statutes ("HRS"), as amended, or Section 220.5, Hawaiian Homes Commission Act, 1920, as amended;
3. To expend budgeted funds to conduct an appraisal report on the aforementioned parcels which are designated for non-residential commercial/industrial development; and
4. To retain outside legal counsel, if necessary, in the lease negotiations of the final terms and conditions of the lease agreements.

DISCUSSION:

Creating interest for its proposed general leasing program has generally been a primary objective of the Land Management Division (LMD) of the Department of Hawaiian Home Lands (DHHL). In conjunction with publication of legal notices to dispose of public lands, LMD will typically initiate its marketing plan by notifying those who have expressed interesting in leasing land from DHHL. DHHL also follows the real estate practice of continually marketing its commercial properties to draw the interest of qualified and creditworthy lessees.

On October 23, 2017, the Hawaiian Electric Companies, comprised of the Hawaiian Electric Company, Inc, Maui Electric Company, Limited, and Hawaii Electric Company, Inc., (“HECO”) filed draft Request for Proposals (“RFPs”) for various renewable energy generation projects on Oahu, Maui, and Hawaii Island with the state Public Utilities Commission (“PUC”) in Docket No. 2017-0352. Based on the numerous inquiries for DHHL land over the past several months by renewable energy developers and in anticipation that the PUC will approve issuance of the final RFPs sometime in March 2018, LMD will solicit proposals, as soon as practical, for the development of renewable energy projects on selected parcels located statewide

In consultation with the Planning Office and the Land Development Division, LMD has selected the parcels and regions for leasing reflected in Exhibit “A” that have also been reported to HECO pursuant to its land request for information directed to major landowners in December 2016. These parcels been confirmed under their respective island plans as areas not suitable for homestead development within the next twenty years and/or lack the necessary infrastructure for residential development. They also represent areas that have the potential for the siting of renewable energy projects which would otherwise remain vacant and not generate revenue for the Hawaiian Home Lands Trust.

The purpose for requesting the approval to general lease land in this group of parcels statewide now is to: 1) help prospective renewable energy developers meet HECO’s RFP timetable; 2) make efficient use of DHHL staff time and resources to lease the parcels that have received the greatest interest for renewable energy projects; and 3) to better coordinate the solicitation and beneficiary consultation process rather conduct them individually. By this action, DHHL also continues the commitment to its *Ho`omaluō* Energy Policy and to “Ko`o: Facilitate the use of diverse renewable energy resources” where Objective 2 is to:

Pursue the leasing of those lands that are identified as suitable for renewable energy projects. (First priority should be given to entities that would provide “firm” renewable energy power such as garbage-to-energy (mass-burn), geothermal, pump-storage hydropower, solar-thermal and second priority to “as-available” renewable energy power such as wind, solar-photovoltaic, and wave.

The process of soliciting proposals from developers and eventually issuing a general lease will tentatively be through Section 171-95.3, HRS, “Renewable Energy Producers; lease of public lands without public auction.” This statutory leasing process, without public auction, will require public notice of the solicitation for renewable energy project proposals, allow all interested renewable energy producers to participate in the process, and require public hearings prior to decision-making by the HHC. The process may change, however, depending on the renewable energy projects selected and guidance received from the Office of the Attorney General.

Proposals will be evaluated by a committee that shall include DHHL’s staff and its renewable energy consultants. Following the evaluation of the proposals, the HHC Chairman, with the recommendation of DHHL staff and renewable energy consultants, will select and prioritize which proposals shall proceed further with the leasing process. A right-of-entry for the

due diligence tasks will be issued as a prerequisite for the issuance of a general lease for the continued development, construction, operation and maintenance of the project for a lease term of at least twenty years following the project's commencement of operations date.

LEGAL AUTHORIZATION:

Section 204(a)(2) of the Hawaiian Homes Commission Act, 1920, as amended, reads in part...“In the management of any retained available lands not required for leasing under Section 207(a), the department may dispose of such lands to the public, including native Hawaiians, on the same terms, conditions, restrictions and uses applicable to the disposition of public lands as provided in Chapter 171, Hawaii Revised Statutes, provided that the Department may not sell or dispose of such land in fee simple....”

Section 220.5 of the Hawaiian Homes Commission Act, 1920, as amended, also authorizes DHHL to enter into project developer agreements with a qualified developer for commercial or multi-purpose projects, subject to Section 171-60(a)(3), HRS.

Section 10-4-1 of the DHHL's Administrative Rules, as amended, also states in part that... “The department may lease, license or otherwise deal with any available lands as may not be immediately needed for the purposes of the Act as provided by Section 204(a)(2) of the act and Chapter 171, HRS, upon such terms and conditions as to it may deem fair reasonable.”

Section 171-95, HRS, as amended, authorizes disposition to public utilities and renewable energy producers of public lands for terms up to, but not in excess of, sixty-five years at such rental and on such other terms and conditions as the Board may determine. For the purposes of this section, “renewable energy producer” means “any producer or developer of electrical or thermal energy produced by wind, solar energy hydropower, geothermal resources, landfill gas, waste-to-energy; ocean thermal energy conversion, cold seawater, wave energy, biomass, including municipal solid waste...that sell all of the net power produced from the demised premises to an electric utility company regulated under Chapter 269....”

Section 171-95.3, HRS, authorizes the lease or renewal of a lease of public lands “to renewable energy producers, as defined in section 171-95, without public auction only pursuant to a public process that includes public notice under Section 1-28.5 providing other interested renewable energy producers opportunity to participate in the process....”

RECOMMENDATION

Land Management Division requests approval of the motion as stated.

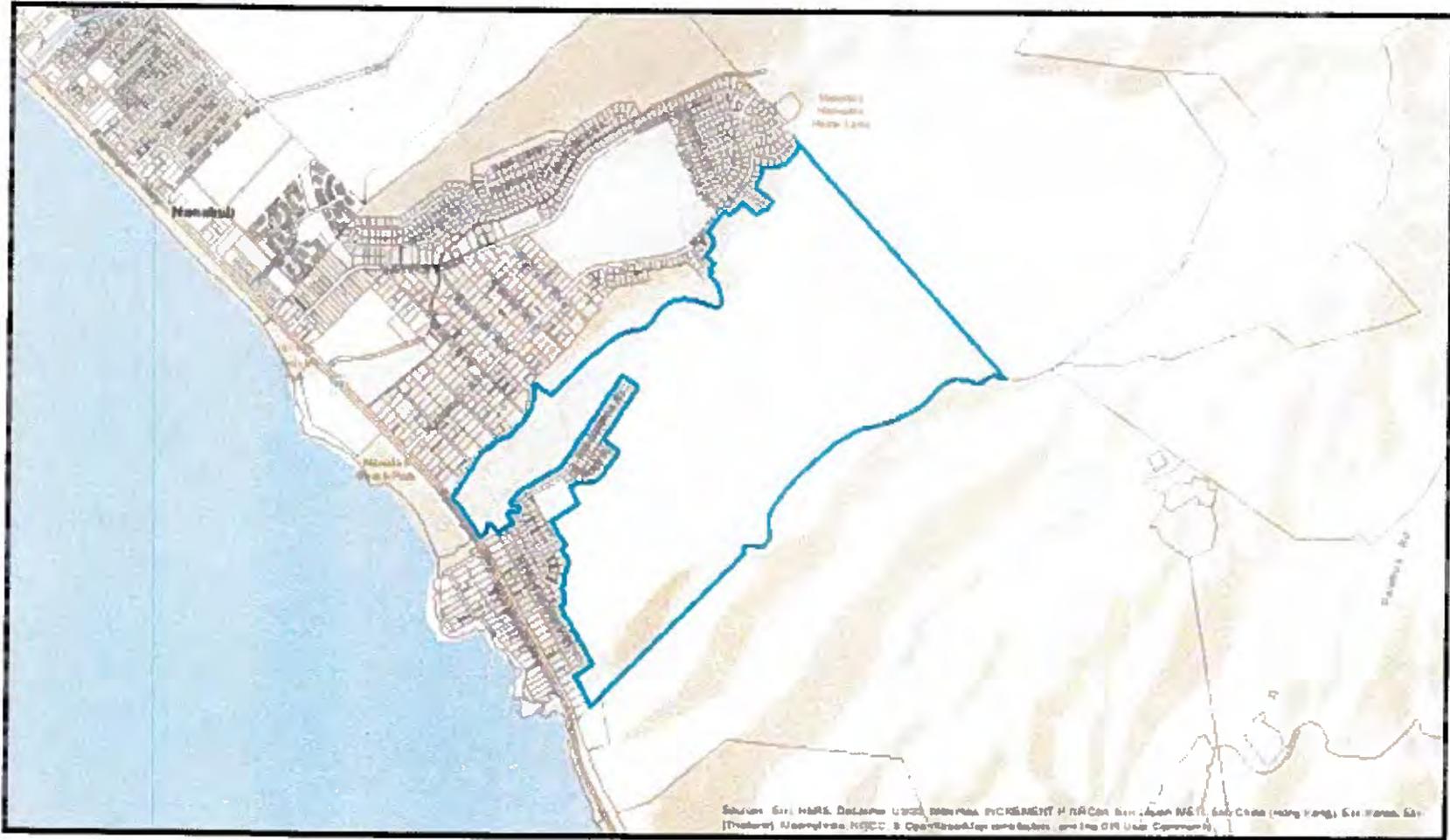
Exhibit "A"

AVAILABLE DHHL LAND FOR RENEWABLE ENERGY PROJECTS

| ISLAND | TMK | ACRES* | LOCATION | NOTES |
|---------------|-----------------------|---------------|-----------------|---|
| Oahu | 8-9-007:002 (portion) | 448.48 | Nanakuli | See Appendix "A" |
| Oahu | 9-1-013:038 | 97.54 | Kalaeloa | See Appendix "B" |
| Oahu | 9-1-013:040 | 49.18 | Kalaeloa | See Appendix "C" |
| Oahu | 9-1-013:117 | 57.51 | Kalaeloa | See Appendix "D" |
| Oahu | 9-1-013:118 | 43.62 | Kalaeloa | See Appendix "E" |
| Maui | 1-9-001:003 (portion) | 15,620 | Kahikinui | See Appendix "F". Up to 1000 acres for due diligence purposes; up to 500 acres under general lease. |
| Molokai | 5-2-001:004 (portion) | 462.5 | Hoolehua | See Appendix "G" |
| Molokai | 5-2-011:016 | 104.991 | Maunaloa | See Appendix "H" |
| Molokai | 5-4-003:003 (portion) | 4993.3 | Kaunakakai | See Appendix "I" |
| Hawaii | 6-1-001:003 (portion) | 7563.83 | Kawaihae | See Appendix "J" |
| Hawaii | 6-1-006:003 (portion) | 20.82 | Kawaihae | See Appendix "K" |
| Hawaii | 6-1-006:010 | 20.37 | Kawaihae | See Appendix "L" |
| Hawaii | 7-3-010:007 | 200 | Kalaoa | See Appendix "M". Up to 100 acres in the lower half. |
| Hawaii | 9-3-001:002 (portion) | 10,089.74 | Kamaoa-Pu'ueo | See Appendix "N" |

*Approximate acreage

Parcel Detail for (1) 8-9-007:002



Data reported by DHHL

County: Honolulu
Island: Oahu
Fee Owner: DHHL
Parcel Acreage: 485.0060
Updated: 12/31/2014

Data from Statewide GIS Program

State Land Use District: Agriculture, Urban

Data from Honolulu County sources

Owner(s): HAWAIIAN HOME LANDS
County Zoning: AG-2 General Agriculture District,
 Country District

Parcel Detail for (1) 9-1-013:038



Data reported by DHHL

County: Honolulu
Island: Oahu
Fee Owner: DHHL
Parcel Acreage: 97.4940
Updated: 12/31/2014

Data from Statewide GIS Program

State Land Use District: Urban

Data from Honolulu County sources

Owner(s): HAWAIIAN HOME LANDS
County Zoning: F-1 Federal and Military Preservation District

Parcel Detail for (1) 9-1-013:040



Data reported by DHHL

County: Honolulu
Island: Oahu
Fee Owner: DHHL
Parcel Acreage: 49.1250
Updated: 12/31/2014

Data from Statewide GIS Program

State Land Use District: Urban

Data from Honolulu County sources

Owner(s): HAWAIIAN HOME LANDS
County Zoning: F-1 Federal and Military Preservation District

Public Land Trust Information System

Map Help About the PLTIS

ID Search

Enter an Alternate ID, tax map key (TMK), portion of TMK or range of 9 digit TMKs

Ex. (1) 2-1-033:025 or 121033025

191013117

Go

Or enter an Encumbrance ID

Go

Clear Highlight

Polygon Search

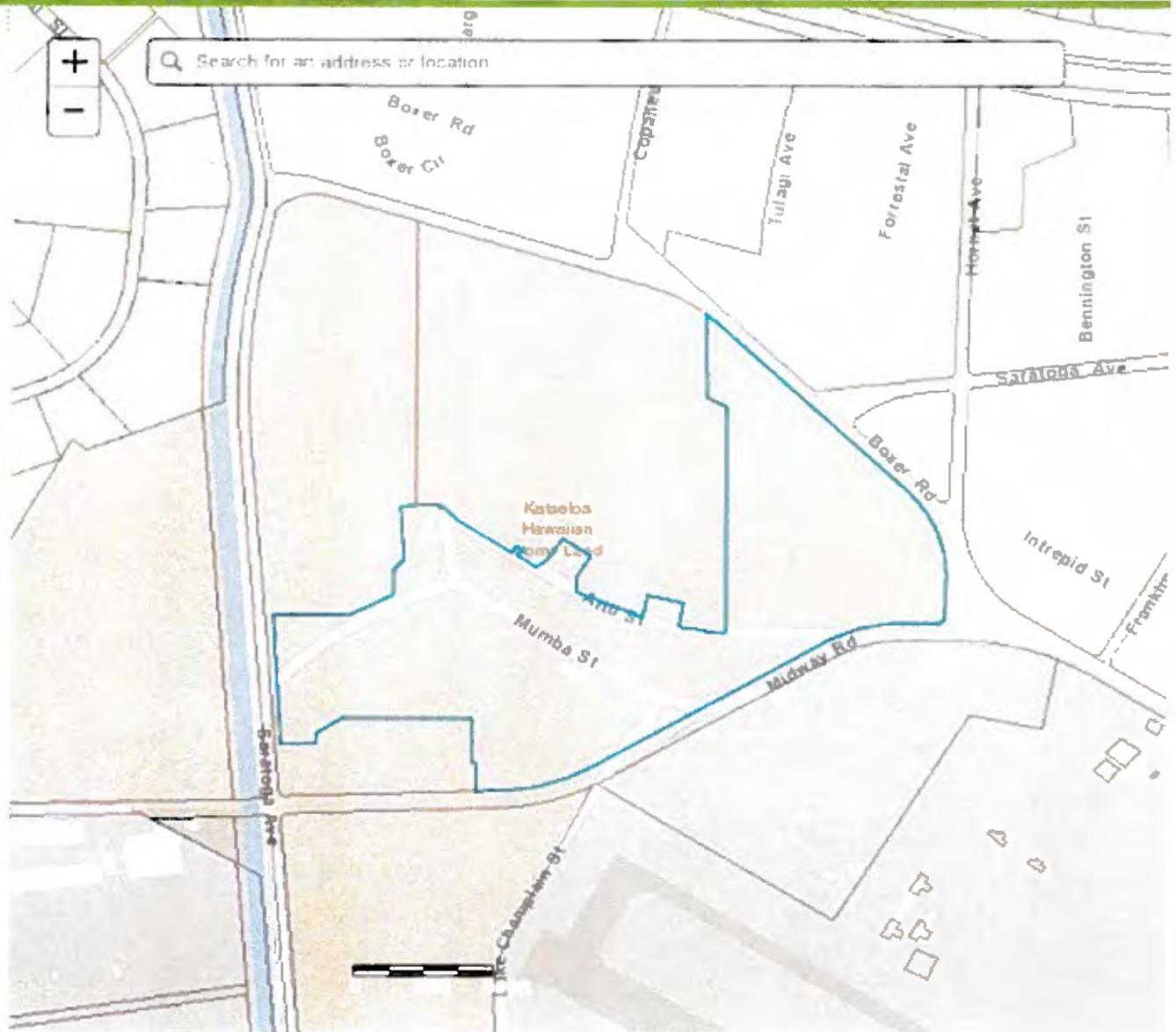
Basic Query

Advanced Query

Layers and Rendering

Print and Bookmark

Map Legend



Public Land Trust Information System

Map Help About the PLTIS

ID Search

Enter an Alternate ID, tax map key (TMK), portion of TMK or range of 9 digit TMKs

Ex. (1) 2-1-033:025 or 121033025

191013118

Go

Or enter an Encumbrance ID

Encumbrance ID

Go

Clear Highlight

Polygon Search

Basic Query

Advanced Query

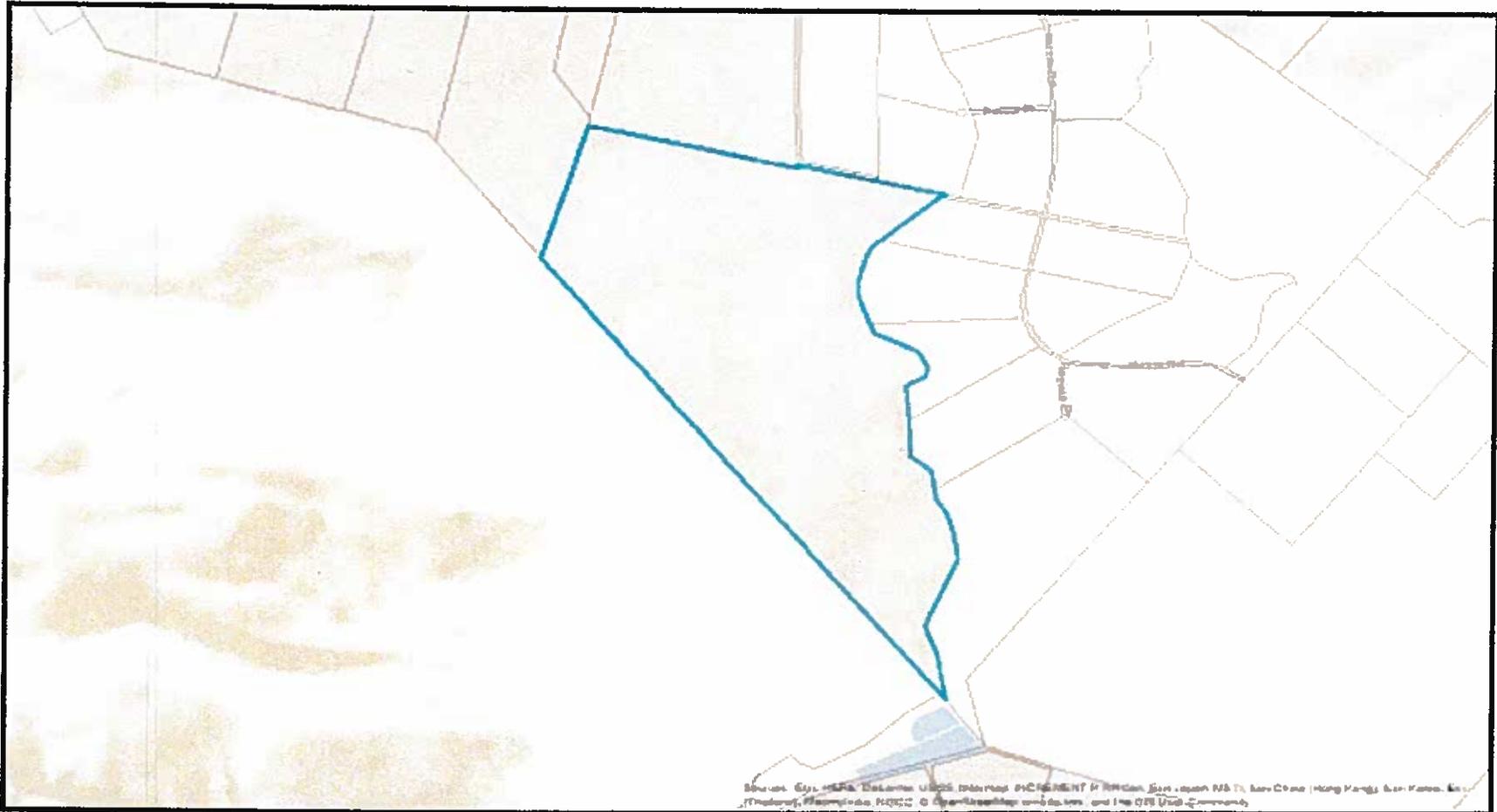
Layers and Rendering

Print and Bookmark

Map Legend



Parcel Detail for (2) 5-2-001:004



Data reported by DHHL

County: Maui
Island: Molokai
Fee Owner: DHHL
Parcel Acreage: 462.5000
Updated: 12/31/2014

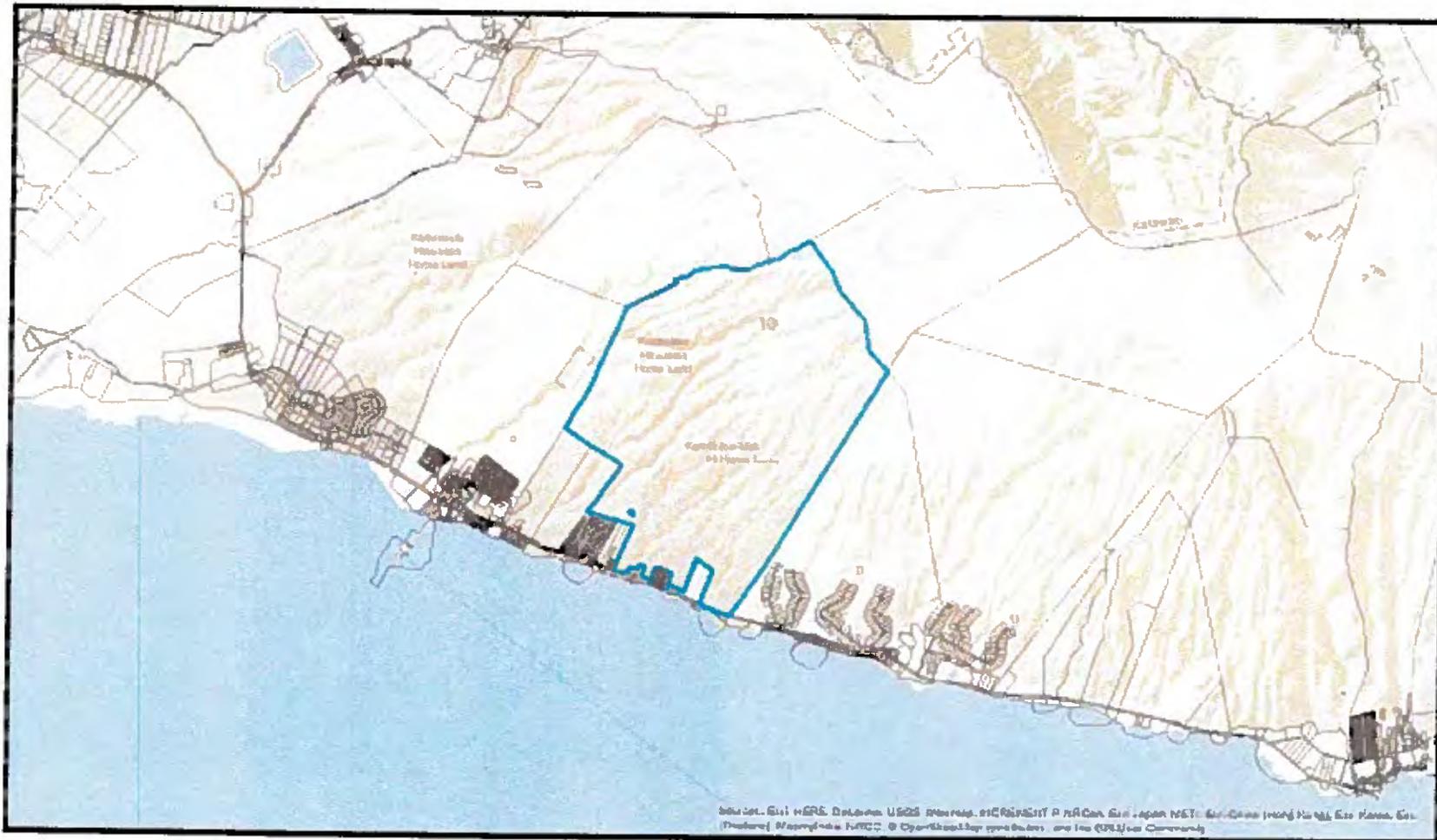
Data from Statewide GIS Program

State Land Use District: Agriculture

Data from Maui County sources

Owner(s): HAWAIIAN HOME LANDS
County Zoning (Draft): AG Agriculture

Parcel Detail for (2) 5-4-003:003



Data reported by DHHL

County: Maui
Island: Molokai
Fee Owner: DHHL
Parcel Acreage: 4,993.3040
Updated: 12/31/2014

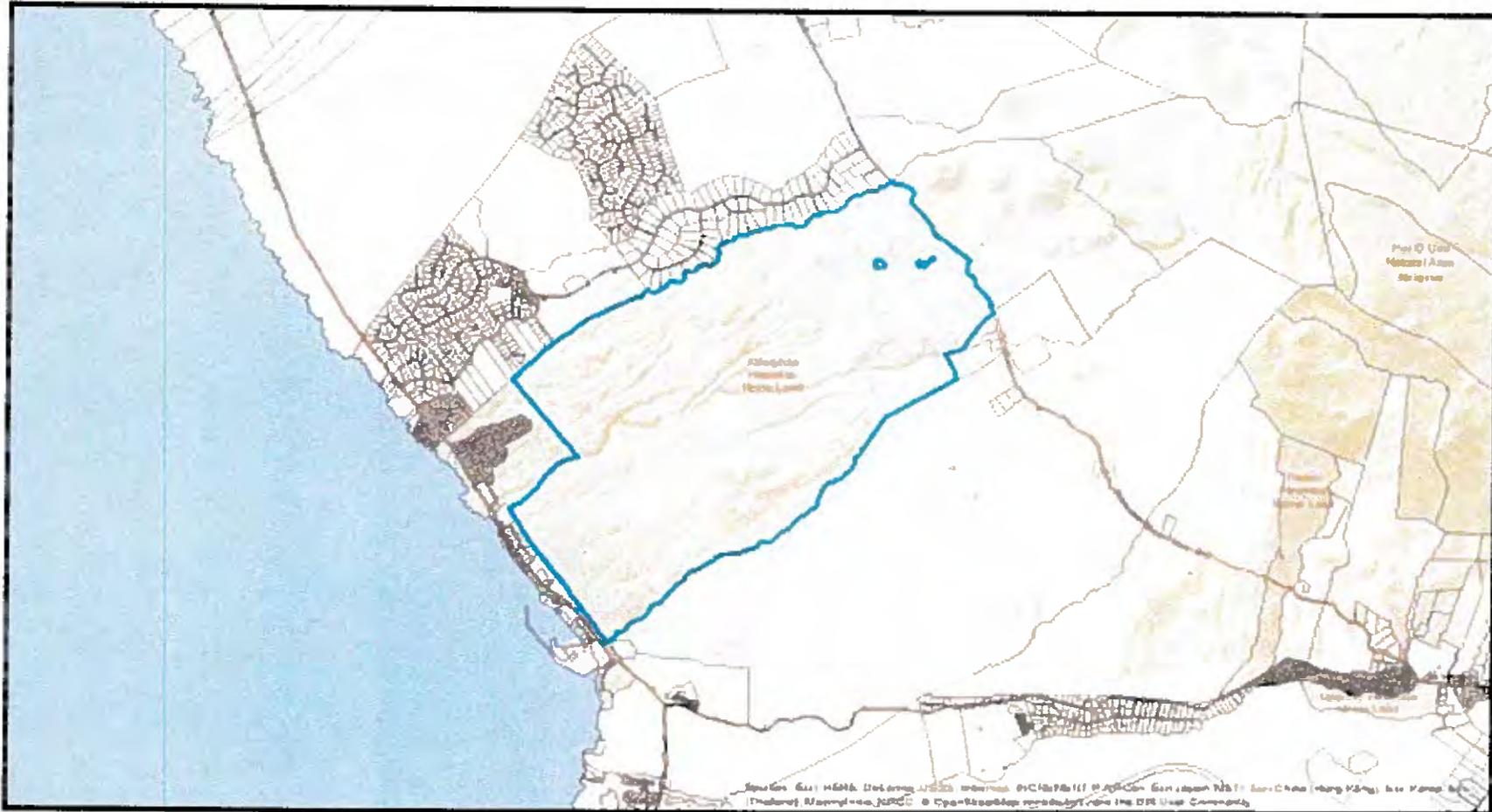
Data from Statewide GIS Program

State Land Use District: Agriculture, Conservation, Urban

Data from Maui County sources

Owner(s): HAWAIIAN HOME LANDS
County Zoning (Draft): AG Agriculture, Interim

Parcel Detail for (3) 6-1-001:003



Data reported by DHHL

County: Hawaii
Island: Hawaii
Fee Owner: DHHL
Parcel Acreage: 7,650.0000
Updated: 12/31/2014

Data from Statewide GIS Program

State Land Use District: Agriculture, Urban

Data from Hawaii County sources

Owner(s): HAWAIIAN HOME LANDS
County Zoning: A-40a, CV-10, MG-1a

Parcel Detail for (3) 6-1-006:010



Data reported by DHHL

County: Hawaii
Island: Hawaii
Fee Owner: DHHL
Parcel Acreage: 20.2550
Updated: 12/31/2014

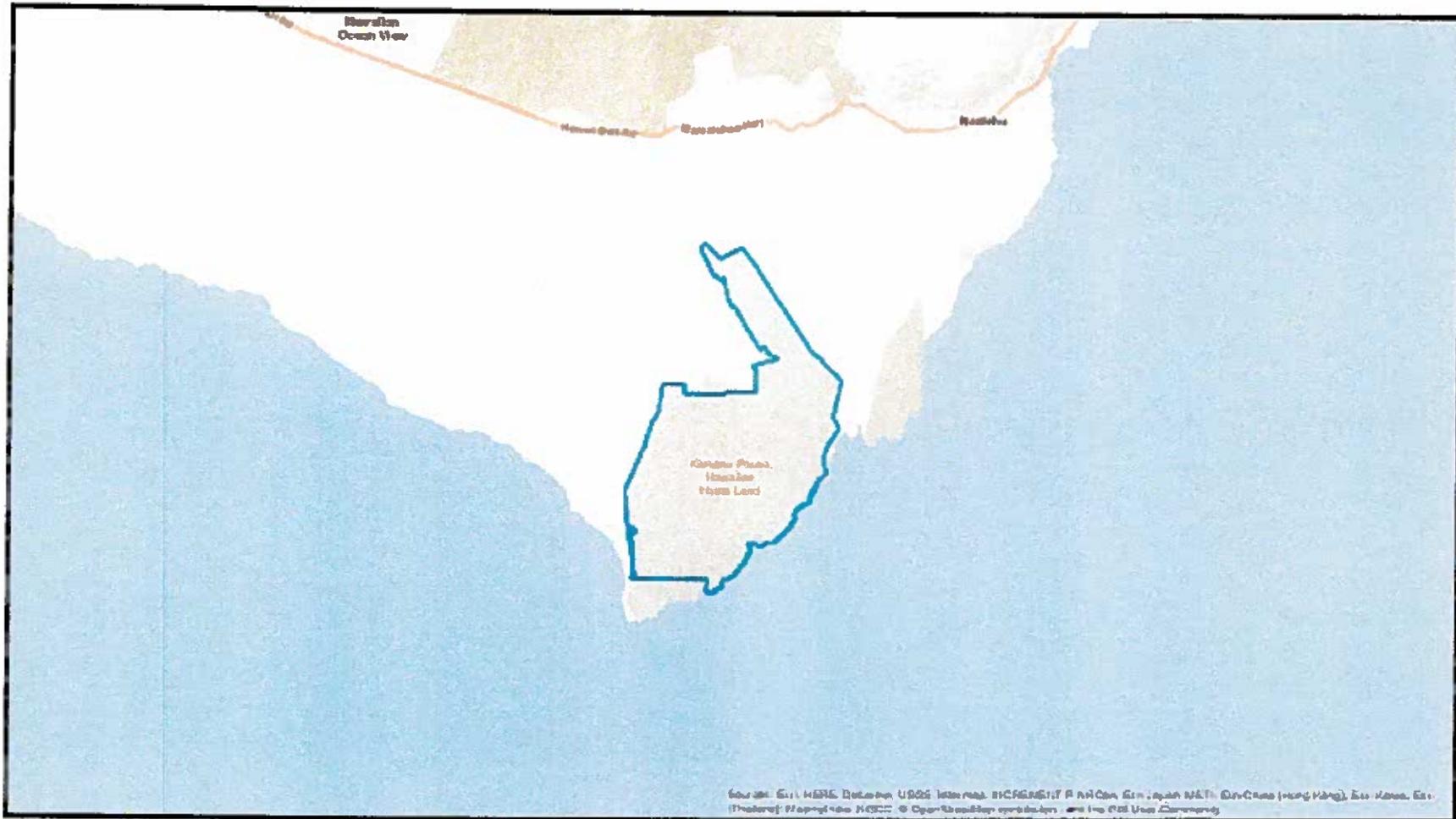
Data from Statewide GIS Program

State Land Use District: Urban

Data from Hawaii County sources

Owner(s): HAWAIIAN HOME LANDS
County Zoning: MG-1a

Parcel Detail for (3) 9-3-001:002



Data reported by DHHL

County: Hawaii
Island: Hawaii
Fee Owner: DHHL
Parcel Acreage: 10,089.7400
Updated: 12/31/2014

Data from Statewide GIS Program

State Land Use District: Agriculture, Conservation

Data from Hawaii County sources

Owner(s): HAWAIIAN HOME LANDS
County Zoning: A-20a

DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
January 29 & 30, 2018
Kapolei, O'ahu

G-ITEMS
PLANNING PROGRAM DIVISION

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

JANUARY 29 & 30, 2018

To: Chairman and Members, Hawaiian Homes Commission (HHC)

Through: Kaleo Manuel, Acting Planning Program Manager 

From: Nancy McPherson, Planner 

Subject: Acceptance of Beneficiary Consultation Report, Land Use Designation Alternatives for Malama Cultural Park, TMK's (2)5-3-001:002, -097 and -100, Kaunakakai, Kona, Molokai

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) accepts this Beneficiary Consultation Report as the public record of beneficiary input and feedback relative to DHHL land use designation alternatives for Malama Cultural Park, Kaunakakai, Kona, Molokai.

DISCUSSION

Background

In 2011, as part of the Act 14 Settlement process, three parcels totaling 4.58 acres, located in Kaunakakai, Molokai to the west of Kaunakakai Wharf Road and makai of Maunaloa Highway, were transferred over to DHHL from DLNR. The Molokai Island Plan, having been approved in 2005, did not include these parcels, therefore the land has never been given a DHHL land use designation. See Exhibit 'A', Malama Park Map

The Malama Cultural Park area is so named because of an initiative in the 1990's to create a community- and culturally-based economic development project around the former ali'i administrative center and leisure-time retreat ("Malama") of King Kamehameha V (Lot Kapuāiwa Kalanimakua Ali'iōlani Kalani Kapuapaikalaninui). The area is historically significant and has been well-documented over the years. See Exhibit 'B', Historic Documents

At one point the entire park site of 11.27 acres was under State control, but when implementation of the Malama Cultural Park plan was put on hiatus in the late 1990's due to lack of funding, 7 acres on the western side was returned to the County of Maui for management as a County park and for the Molokai Yacht Club's continued use. See Exhibit 'C', TMK Map

Existing uses include storage of canoes for several Molokai canoe clubs, facilities for the Molokai Canoe Club that were inherited with the parcels when the land was transferred over from DLNR, and regular canoe practices. The County of Maui-owned side of the site is licensed to several organizations such as the Aha Kukui o Molokai Canoe Club and the Molokai Yacht Club. See Exhibit 'C', TMK Map

Outreach to beneficiaries started in April of 2016 on Molokai at two community events, and two meetings were held on the island in 2016 and 2017. The purpose of the outreach strategy was to gauge interest in stewardship and collaborative planning for the park, and collect information on history, issues and opportunities, areas to be sensitive of, and thoughts on potential land uses and activities. Beneficiaries and homestead leaders were notified by mail. See Exhibits 'D' and 'E', Invitation Letters.

This submittal constitutes the formal Beneficiary Consultation Report describing beneficiary input and feedback obtained during the informational community meeting and the Beneficiary Consultation meeting, both held on Molokai, as well as comments received during the subsequent 30-day comment period that ended November 24, 2017, and is hereby submitted to the HHC for acceptance.

Beneficiary Consultation

The Department's Beneficiary Consultation Policy, approved in January 2009, recognizes that meaningful, timely and effective beneficiary consultation is essential to the successful implementation of Hawaiian Homes Commission policies, programs, and projects. The purpose of this DHHL beneficiary consultation was to collect beneficiary feedback and input on land use designation alternatives for DHHL's three Malama Cultural Park parcels.

STEP 1. THE PROPOSED ACTION IS DESCRIBED (See Exhibits D-L):

Efforts to provide beneficiaries with information and collect their mana'o on Malama Park were initiated at the Molokai Community Meeting of the Hawaiian Homes Commission and the Molokai Earth Day event, both occurring in April of 2016. Planning Office staff solicited ideas for and expressions of interest in stewardship opportunities for restoring and reviving the site.

Subsequently, an informational stakeholders' meeting on DHHL's Malama Park parcels was held at Kūlana 'Ōiwi Multi-Service Center, Kalama'ula, Molokai on November 17, 2016. At the meeting, which was attended by over twenty persons representing a good cross section of stakeholders, Planning Office staff provided historic background on the Malama Cultural Park site and a brief description of the DHHL land use planning and project development process, including the potential for development of a Master Plan for the Malama Cultural Park in coordination with the County of Maui Parks Department. Beneficiary mana'o on issues and opportunities for the site was recorded, and the information was used in the due diligence and land use analysis phase, which took place from December 2016 to August 2017, as well as the next round of beneficiary engagement on planning for Malama Park, the Beneficiary Consultation phase.

The Beneficiary Consultation (BC) on the Malama Cultural Park Land Use Designation (LUD) was intended to elicit comments on the land use analysis and LUD alternatives for the three parcels totaling approximately 4.58 acres. The consultation meeting was held at Kūlana 'Ōiwi, Kalama'ula, Molokai on October 25, 2017. Twenty-two beneficiaries attended the meeting. A slide presentation was prepared to describe the proposed action and the comments and concerns of beneficiaries that had been expressed up to that point. Handouts were also distributed at the meetings providing additional information, including copies of the DHHL General Plan, the land use definitions from the Molokai Island Plan, and copies of the Quitclaim Deed that transferred the parcels from DLNR to DHHL.

STEP 2. BENEFICIARIES WERE NOTIFIED OF OPPORTUNITIES TO CONSULT (See Exhibits D-E):

A letter inviting Moloka'i beneficiaries to attend the Informational Meeting was mailed out on October 26, 2016 to the Homestead Association leadership, the presidents of the three canoe clubs that use the area for canoe practice, and a number of beneficiaries that were involved in the original Malama Cultural Park planning effort in the 1990's.

An invitation letter for the Beneficiary Consultation meeting was mailed out to 658 Molokai lessees and 965 Molokai waiting list applicants on October 2, 2017. Notice of the meeting was posted in the Molokai District Office, and follow up email reminders were sent to homestead association leaders.

STEP 3. PRESENTATION MATERIALS FOR ALL MEETINGS ARE AVAILABLE FOR FEEDBACK: (See Exhibits A through J)

Presentation materials in the form of handouts were available at the meetings, and extras were left at the Molokai District Office front counter.

STEP 4: COMMENTS ARE COMPILED INTO MEETING REPORTS (See Exhibits J through O):

This submittal constitutes the formal Beneficiary Consultation report describing beneficiary input and feedback obtained during the data gathering in April 2016, the informational community meeting on November 17, 2016 and the Beneficiary Consultation meeting held on Molokai on October 25, 2017 as well as comments received during the subsequent 30-day comment period, and is hereby submitted to the HHC for acceptance.

Summary of Beneficiary Consultation Comments and Staff Recommendations

Meeting notes from the informational community meeting were provided as handouts at the beneficiary consultation meeting. The comment deadline given to beneficiaries at the consultation meeting was November 24, 2017. Twenty-two (22) letters were received during the 30-day comment period, and two phone

comments were received prior to the beneficiary consultation meeting. The following table summarizes all comments received during the informational and beneficiary consultation meetings and the 30-day comment period, and sorts them by subject or topic, as well as provides any responses from DHHL. See Exhibits 'K' and 'M'

| Subject | Question/Comment/Suggestion | Response/Key point |
|--|---|--|
| Info Meeting | | |
| Use old Plan as a basis | Use the old Malama Park development plan done in the '90's as a working guide for future meeting. | DHHL supports implementing as much of the original plan as is feasible, as it had widespread community support. |
| | Bring old Plan & review before the Meeting | DHHL supports implementing as much of the original plan as is feasible. |
| Planning timeline | (What is) time table of Plan - 10 years? 20 years? | Ideally, within the next 5 years. |
| | So everything is in the planning stage now. Is it safe to assume that everything right now is status quo until the new plan is implemented? | Yes. Land use designation will guide us to what the next steps are. |
| Educational uses for wetlands and historic sites | Really want to restore the wetlands to use as an educational site with boardwalks, signage, field trip for school children, school partnerships aside from the wetlands, signage and storyboards for the cultural sites like King Kamehameha V home, etc. | Specific uses will be worked out during the Master Planning phase. DHHL supports educational opportunities for cultural and natural resources. |
| Empower homesteaders to do Park planning | For future meetings, maybe the homesteaders can run the meeting, w/Nancy and Shelly there to answer our questions now that we know what we have to do. | Once land use designation is approved, beneficiaries will be involved in master planning. |

| Subject | Question/Comment/Suggestion | Response/Key point |
|------------------------------------|---|---|
| Phone Comments | | |
| Land not suitable for Homesteading | Why is DHHL accepting land that can't be used for homesteading? I've been on the Molokai waiting list for 20 years. Don't waste trust resources if it's not going to provide new lots for applicants. | DHHL acquired lands for both homesteading and non-homesteading uses per Act 14 to provide the trust with ways to more holistically implement HHCA mandates. |
| Canoe club use is important | Canoe paddling is cultural activity. They have a right to be there on the shoreline. Brings families together, promotes healthy lifestyle, benefits kids, disabled & special needs. Need to support it. | DHHL acknowledges the historic importance of canoe clubs and paddling at Malama Park. |
| 30-Day Comment Period | | |
| Support LUD of Special District | 22 form letters submitted. Seven were self-identified as being from beneficiaries. All were in support of Special District. | DHHL Planning Office recommends Special District as the most appropriate land use designation. |

CONCLUSIONS AND NEXT STEPS

Response to DHHL's efforts to start the planning process for Malama Park have been positive, with one or two exceptions. There is concern that the efforts of the past will not be honored to the extent that they should be, and a strong interest in stewardship, community empowerment and collaborative planning, the process for which being best led by beneficiaries. An applicant was unclear about how this park effort would benefit beneficiaries on the waiting list for lots on Molokai. One commenter emphasized that the use of the shoreline by the canoe clubs must be preserved and supported as a cultural right.

Reviving the Malama Cultural Park Plan and restoring the park site is a matter of civic and cultural pride to the beneficiaries, and with the right kind of guidance and technical assistance, the vision the Molokai beneficiaries once had, and for the most part still have, for the site as a culturally based community economic development project, educational center and recreational site could still be realized. The comments strongly emphasize that due to the sensitivity and significance of the cultural and natural resources there, as well as other factors, the Special District designation, necessitating additional master planning involving beneficiary stakeholders, would be the appropriate land use designation for the three parcels. The Planning Office anticipates providing the HHC with a submittal for action on a recommended land use designation in January 2018.

RECOMMENDED MOTION / ACTION

That the Hawaiian Homes Commission (HHC) accept the item as recommended.



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DEPARTMENT OF HAWAIIAN HOME LANDS

Malama Park

Legend

Malama Park Site

ITEM G-1
EXHIBIT 'A'

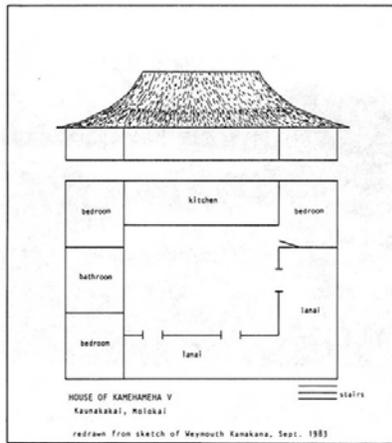
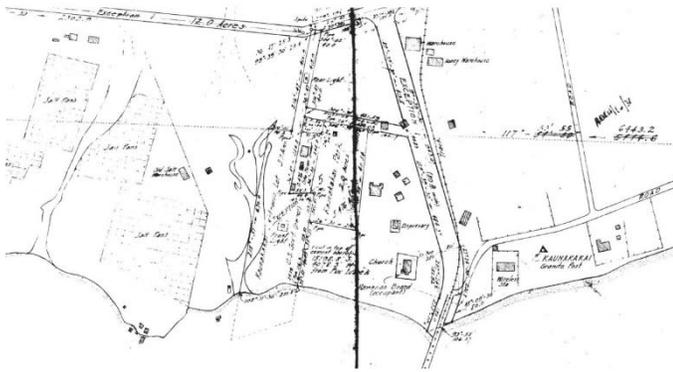


Figure 3: Home of Kamehameha V: Malama House Floor Plan, Kaunakakai Beach, Molokai, (Athens, 1983)

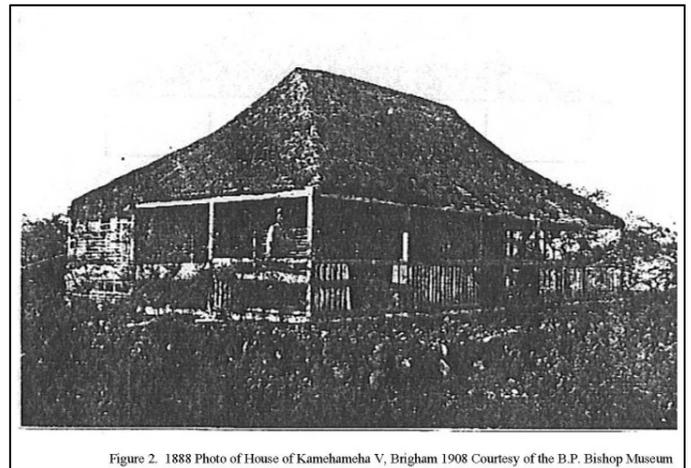


Figure 2. 1888 Photo of House of Kamehameha V, Brigham 1908 Courtesy of the B.P. Bishop Museum

1995-09-08-10-FA- Malama Cultural Park

SEP 8 1995
FILE COPY

ENVIRONMENTAL ASSESSMENT

MALAMA CULTURAL PARK

Maui County
Kaunakakai, Moloka'i

Department of Business, Economic
Development and Tourism
State of Hawaii

August 31, 1995

FINAL

HRS 343 Draft Environmental Assessment
and Application for Special Management
Area Permit

prepared in support of a *halau wa'a*
(canoe house) located at

Malama Cultural Park
TMK (2) 5-3-001:005
Kaunakakai, Molokai, Hawaii

December, 2009
[Revised August, 2010]

Prepared for:
'Aha Kukui o Molokai
P.O. Box 391
Hoolehua, HI 96729
(808) 567-6850

Prepared by:
Chris Hart & Partners, Inc.
115 N. Market Street
Wailuku, Maui, Hawaii 96793
(808) 242-1955

CHRIS HART
Partners

ITEM G-1

EXHIBIT 'B'

DAVID Y. IGE
GOVERNOR
STATE OF HAWAII

SHAN S. TSUTSUI
LT. GOVERNOR
STATE OF HAWAII



JOBIE M. K. MASAGATANI
CHAIRMAN
HAWAIIAN HOMES COMMISSION

WILLIAM J. AILA, JR.
DEPUTY TO THE CHAIRMAN

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

P. O. BOX 1879
HONOLULU, HAWAII 96805

October 26, 2016

Aloha mai kākou:

The Department of Hawaiian Home Lands (DHHL) Planning Office invites you and your boards of directors to attend an information meeting on the future of DHHL land in Malama Park in Kaunakakai, Molokai. We are inviting DHHL beneficiary organizations and other interested stakeholders to learn about DHHL's long term land use and master planning process and participate in scoping of issues and opportunities for the Park. This meeting is an opportunity for you to present your ideas on ways to improve your community and exercise stewardship of this very historic and special site. To get a better idea of what island plans are, please view the Molokai Island Plan on the DHHL website at:

http://dhhl.hawaii.gov/wp-content/uploads/2012/05/Island_Plan_Molokai_2005.pdf

DHHL staff will be conducting this first informational meeting in order to initiate the process to designate the parcel with a DHHL land use, followed by master planning, an implementation schedule, and development of a long term management strategy. The meeting will be held on:

**Thursday November 17, 2016
5:30 pm – 7:30 pm
DHHL/OHA Conference Room
Kūlana 'Ōiwi Multi-Service Center
600 Maunaloa Highway, Kalama'ula
(Mea'ai will be provided)**

We look forward to a productive discussion and your contributions to making Malama Park a functional and enjoyable place to recreate. Your participation will make a difference. If you have any questions, please contact Nancy M. McPherson at (808) 620-9519 or nancy.m.mcpherson@hawaii.gov.

Me ke aloha,

Jobie M. K. Masagatani, Chairman
Hawaiian Homes Commission

ITEM G-1

EXHIBIT 'D'

DAVID Y. IGE
GOVERNOR
STATE OF HAWAII



JOBIE M. K. MASAGATANI
CHAIRMAN
HAWAIIAN HOMES COMMISSION

SHAN S. TSUTSUI
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

September 29, 2017

Dear Molokai Beneficiaries:

The Department of Hawaiian Home Lands (DHHL) invites you to attend a beneficiary consultation meeting to discuss potential land use designations for the Malama Cultural Park site, TMK (2) 5-3-001, -097, and -100, with a total area of 4.59 acres (see attached map). The purpose of this beneficiary consultation meeting is to provide you with more detailed information on the Island Plan land use designation process and to allow you an opportunity for input on potential land uses for the Malama Cultural Park site at Kaunakakai Wharf Road, Kaunakakai, Moloka'i.

The makai area of Kaunakakai that includes Malama Cultural Park is a *wahi pana* with historic significance as a canoe landing place, administrative center and residential compound for the ali'i and their retainers extending back many hundreds of years. The Malama platform was the site of a residence for King Kamehameha V (Lot Kapu'āiwa), and Princes Ruth Ke'elikōlani had a house northwest of the platform. After the overthrow of the Hawaiian Kingdom, the area was used by the American Sugar Co., then by Molokai Ranch, for agricultural, industrial and shipping-related activities.

In the 1950's, title was transferred from Molokai Ranch to the State of Hawai'i, and the site was managed by various State agencies until it was transferred to DHHL in 2011 as part of the Act 14 settlement with the State. The site now needs a DHHL land use designation due to the fact that the land was transferred into the inventory after completion of the Molokai Island Plan in 2005.

The meeting will be held at:

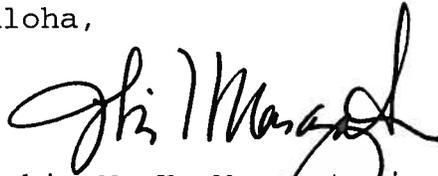
Place: Kūlana 'Ōiwi Hālau*
600 Maunaloa Highway
Date: Wednesday, October 25, 2017
Time: 6:00 p.m. to 8:00 p.m.

**In case of bad weather, alternative location is
DHHL/OHA Conference Room, also at Kūlana 'Ōiwi*

ITEM G-1
EXHIBIT 'E'

We hope you will make time to attend and participate. Should you have any questions or require further information, please contact DHHL Planning Office Molokai Liaison, Nancy McPherson, at telephone: (808) 620-9519, or via e-mail at nancy.m.mcpherson@hawaii.gov.

Aloha,

A handwritten signature in black ink, appearing to read "Jobie M. K. Masagatani". The signature is fluid and cursive, with a prominent initial "J" and "M".

Jobie M. K. Masagatani, Chairman
Hawaiian Homes Commission

Enclosure

ITEM G-1

EXHIBIT 'E'



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Malama Park

Legend

Malama Park Site



DEPARTMENT OF HAWAIIAN HOME LANDS

ITEM G-1

EXHIBIT 'E'

AGENDA
DHHL INFORMATIONAL MEETING FOR
MALAMA PARK STAKEHOLDERS
THURSDAY, NOV. 17, 2017
5:30 PM – 7:30 PM
DHHL CONFERENCE ROOM
KŪLANA 'ŌIWI, KALAMA'ULA

5:30 – 5:45 Opening Pule, Introductions, Mea'ai

5:45 – 6:05 Informational Presentation by DHHL

6:05 – 6:20 Scoping – Issues and Opportunities -- Q&A

6:20 – 6:30 Break

6:30 – 7:15 **Visioning Exercise – “What will Malama Park be like in 2026?”**

7:15 – 7:30 Next Steps, Mahalo, Closing Pule

HANDOUTS

- Criteria for Evaluating Non-revenue Generating Land Use Dispositions
- Capacity Building Diagram
- DHHL Project Development Flowchart
- Planning System Diagram

ITEM G-1

EXHIBIT 'F'



DEPARTMENT OF HAWAIIAN HOME LANDS
BENEFICIARY CONSULTATION

Land Use Designation for
DHHL Parcels at Malama Cultural Park
Wednesday, October 25, 6:00 P.M. to 8:00 P.M.
Kūlana 'Ōiwi Hālau, Kalama'ula, Moloka'i

AGENDA

- | | |
|-------------|--|
| 6:00 – 6:15 | Opening Pule, Introductions, Mea'ai |
| 6:15 – 6:35 | Informational Presentation by DHHL |
| 6:35 – 6:45 | Health Break |
| 6:45 – 7:45 | Breakout - LUD Opportunities |
| 7:45 – 8:00 | Summary, Next Steps, Mahalo, Closing Pule |

ITEM G-1

EXHIBIT 'G'



**DHHL Informational Meeting
Malama Park Planning Process
Nov. 17, 2016**

Meeting Agenda

5:30 – 5:45 Opening Pule, Introductions, Mea'ai
 5:45 – 6:05 Informational Presentation by DHHL
 6:05 – 6:20 Scoping - Issues & Opportunities - Q&A
 6:20 – 6:30 Break
 6:30 – 7:15 Visioning Exercise
“What will Malama Park be like in 2026?”
 7:15 – 7:30 Next Steps, Mahalo, Closing Pule

Meeting Purpose & Expectations

Purpose of meeting is to:

- Promote exchange of information & coordination
- Collect mana'o of stakeholders on issues and opportunities
- Explain Island Plan amendment & land use designation process
- Initiate preliminary visioning & scoping

Purpose of meeting is NOT to:

- Make decisions about uses, users or dispositions

Meeting Suggestions

- One speaker at a time
- Listen to understand
- Please turn off or silence cell phones
- Keep side conversations to a minimum
- Everyone who wants to be heard will be heard
- It's okay to disagree as long as we are respectful of each other
- Maintain an open and positive attitude

EXHIBIT 'H'
 ITEM G-1

Cultural & Historic Significance

- Pre-Contact history as an ali'i administrative center
- 1800's – Fishing Lodge of Kamehameha V (Lot Kapuaiwa); Princess Ruth's house
- Post-overthrow, circa 1900: American Sugar Co. coal dump; industrial uses predominate
- Pineapple loading dock – transferred to ships
- 1990's – Malama Cultural Park Master Plan and Environmental Assessment
- Seventeen centuries of history

Cultural & Historic Significance



Figure 2. 1888 Photo of House of Kamehameha V, Brigham 1988 Courtesy of the U.P. Bishop Museum

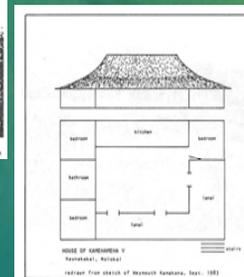


Figure 3. House of Kamehameha V: Midama House Floor Plan, Kamehameha Beach, Midkhai, (Adams, 1983)

Cultural & Historic Significance



Malama Cultural Park 1993



ITEM G-1
EXHIBIT 'H'

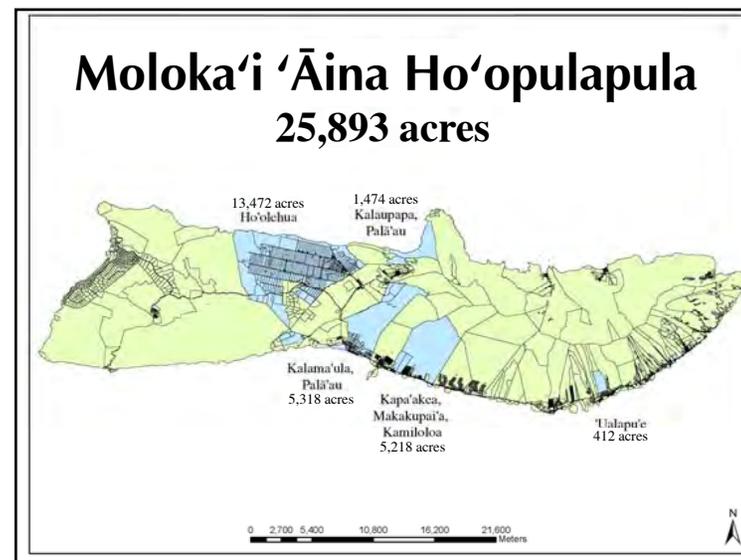
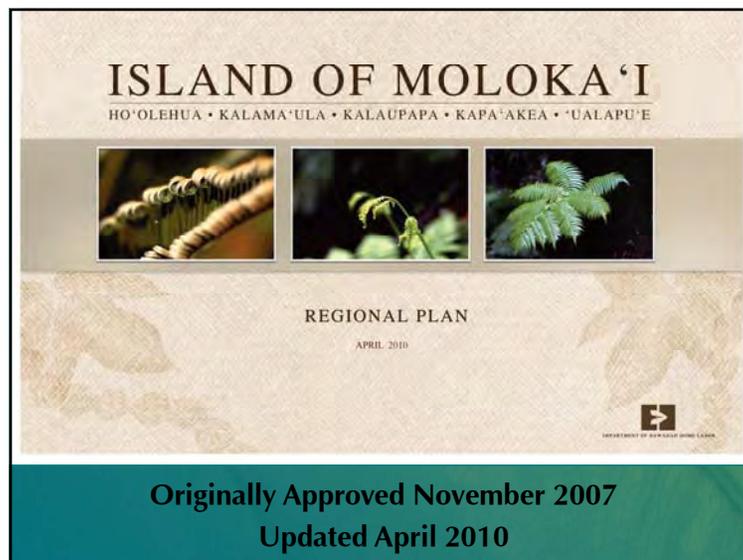
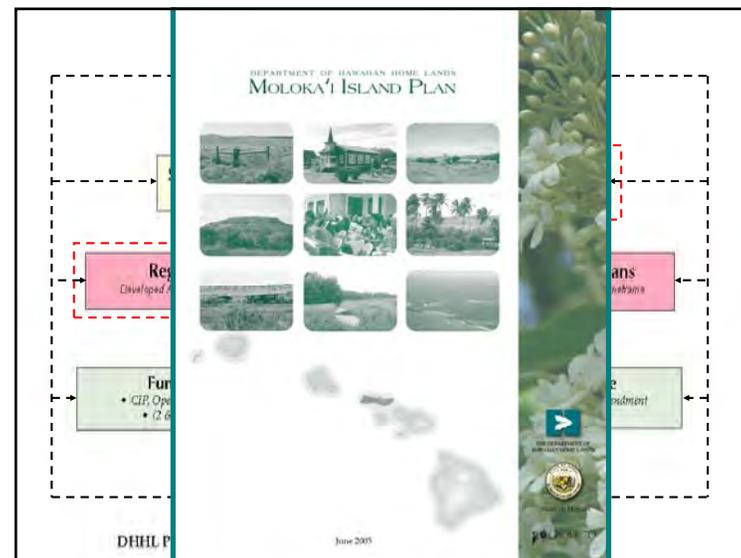
Hawaiian Homes Commission Act & General Plan

Land Use Planning

- Goal: Utilize Hawaiian Home Lands for uses most appropriate to meet the needs and desires of the beneficiary population.
- Objective: Consider opportunities to acquire or exchange for lands best suited for purposes of the Hawaiian Homes Commission Act.

Land & Resource Management

- Goal: Be responsible, long term stewards of the Trust's lands and natural, historic and community resources located on these lands.
- Objectives:
 - Preserve & protect significant natural, historic and community resources on Trust lands;
 - Manage interim land dispositions in a manner that is environmentally sound and does not jeopardize their future uses.



ITEM G-1
EXHIBIT 'H'

TMK's (2)5-3-001:002, -097 & -100 transferred from DLNR to DHHL in 2011



Total DHHL-owned area: 4.592 acres

Molokai Island Plan Land Use Designations

- Island plans identify land use designations and priority areas for development.
- Land use designations provide a general pattern for the location and distribution of future land uses within the island.
- All proposed amendments to island plan land use designations shall be approved by the Hawaiian Homes Commission.

Amending Molokai Island Plan Methodology

- Conduct a land use suitability analysis: assess existing conditions and generate alternatives and mitigation measures for any potential impacts (3-4 mos.).
- Once all data has been gathered, conduct Beneficiary Consultation to assess beneficiary preference for uses for the site (2 mos.)
- DHHL will submit a request to the HHC for land use designation of the acquired land, pursuant to a thorough review of the impacts of the proposed changes (1 mo.)

Amending Molokai Island Plan Land Use Designations

The Land Use Suitability Analysis will evaluate:

- Existing uses and uses on surrounding properties
- Topography, soils, status of infrastructure
- Flood zones, tsunami zones, wetlands, cultural sites and historic resources, coastal resources
- Potential socio-economic and environmental impacts; public services, physical environment, traffic and parking

EXHIBIT 'H'
ITEM G-1

Amending Molokai Island Plan Process & Tentative Timeline

| | |
|------------------|---|
| Jan. – Apr. 2017 | Initiate Data Collection for Land Use Suitability Analysis |
| May – June 2017 | Beneficiary Consultation |
| July – Aug. 2017 | Go to Hawaiian Homes Commission for Land Use Amendment to Molokai Island Plan |
| 2017 | Discuss Memorandum of Understanding (MOU) with County of Maui |
| To be decided | Scoping and Master Planning process with community/stakeholders |

Malama Park Issues & Opportunities

- In Tsunami Inundation Zone; prone to flooding; petroleum contamination
- Infrastructure repairs/upgrades needed (Water, Wastewater, Electrical)
- Both State & County ownership/jurisdiction
- Reconnect Community to a Wahi Pana
- Stewardship & Educational Opportunities
- Hub for Recreation and Traditional Culture
- Gateway Location

Malama Park Visioning

“What will Malama Park be like in 2026?”

Snow Cards Exercise

- Take a sticky note and write a one sentence statement that describes an aspect of your vision for Malama Park in 2026.
- Please only write one statement per post-it.
- When pau, stick it on the wall.
- When everyone is pau, as a group we will spend some time grouping the statements by theme

Next Steps

- Transcribe and analyze all mana’o gathered at this meeting
- Draft summary report, review, and email final report to all those who we have email addresses for
- Begin data gathering for land suitability and impact analysis, which may include oral history, interviews, survey

EXHIBIT 'H'
ITEM G-1



HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
 DEPARTMENT OF HAWAIIAN HOME LANDS

**DHHL Beneficiary
 Consultation
 Land Use Designation for
 Malama Cultural Park
 Oct. 25, 2017**

Meeting Agenda

6:00 – 6:15 Opening Pule, Introductions, Mea'ai
 6:15 – 6:35 Informational Presentation by DHHL
 6:35 – 6:45 Health Break
 6:45 – 7:45 Breakout Session - LUD Opportunities
 7:45 – 8:00 Summary, Next Steps, Mahalo,
 Closing Pule

**Meeting Purpose &
 Expectations**

Purpose of meeting is to:

- Follow up on info meeting held in November 2016
- Explain Island Plan amendment & land use designation process in more detail
- Collect mana'o of stakeholders on opportunities for each of four land use designations
- Other issues if time

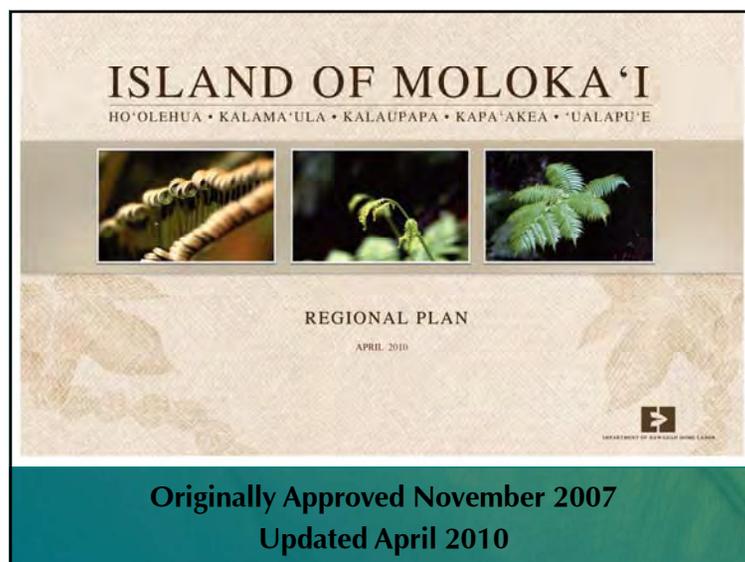
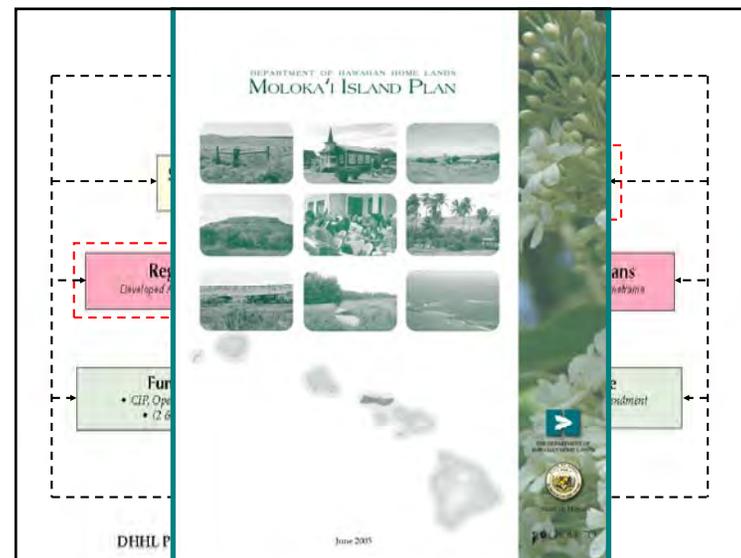
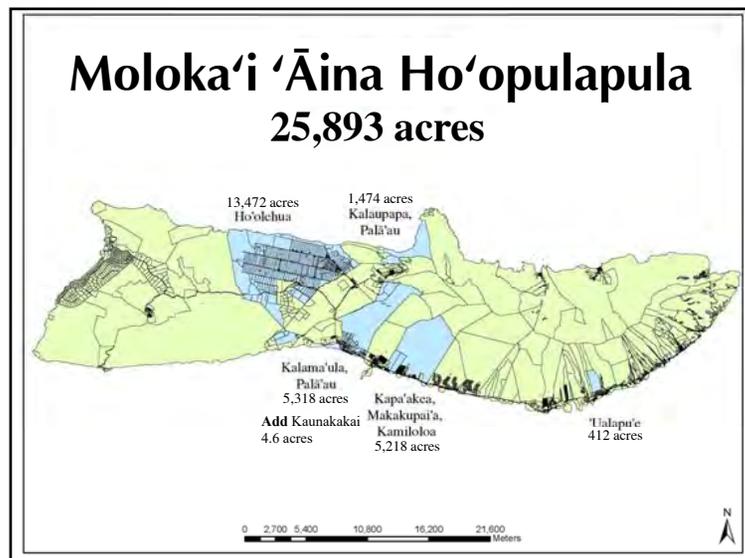
Purpose of meeting is *NOT* to:

- Make final decisions about uses, users or dispositions

Meeting Kuleana

- One speaker at a time
- Listen to understand
- Please turn off or silence cell phones
- Keep side conversations to a minimum
- Everyone who wants to be heard will be heard
- It's okay to disagree as long as we are respectful of each other
- Maintain an open and positive attitude

ITEM G-1
EXHIBIT 'I'



Hawaiian Homes Commission Act General Plan (2002)

Land Use Planning

- Goal: Utilize Hawaiian Home Lands for uses most appropriate to meet the needs and desires of the beneficiary population.
- Objective: Consider opportunities to acquire or exchange for lands best suited for purposes of the Hawaiian Homes Commission Act.

Land & Resource Management

- Goal: Be responsible, long term stewards of the Trust's lands and natural, historic and community resources located on these lands.
- Objectives:
 - Preserve & protect significant natural, historic and community resources on Trust lands;
 - Manage interim land dispositions in a manner that is environmentally sound and does not jeopardize their future uses.

ITEM G-1 EXHIBIT 'I'

Molokai Island Plan (2005) Key Planning Concepts

- Create full-service communities
- Use the ahupua'a concept where feasible
- Identify income generating opportunities
- Designate General Agriculture areas for hui and individual entrepreneurs to lease and develop
- Designate Special Districts for special areas to create a Hawaiian sense of place
- Preserve and enhance the use and management of water rights and resources

Molokai Island Plan (2005) Land Use Designations

- Island plans identify land use designations and priority areas for development.
- Land use designations provide a general pattern for the location and distribution of future land uses within the island.
- *All proposed amendments to island plan land use designations shall be approved by the Hawaiian Homes Commission.*

Molokai Island Plan (2005) Land Use Definitions

| | SETTING/INTENT/PURPOSE | LOT SIZE | MINIMUM INFRASTRUCTURE |
|---------------------------------------|--|---------------------|--|
| Residential (Homestead) | Residential subdivisions built to County standards in areas close to existing infrastructure | ≤ 1 acre | County standards |
| Subsistence Agriculture (Homestead) | Small lot agriculture. Lifestyle areas intended to allow for home consumption of agricultural products. Occupancy optional. | ≤ 5 acres | Water (catchment or storage) Road access |
| Supplemental Agricultural (Homestead) | Large lot agriculture. Intended to provide opportunities for agricultural production for supplemental income & home use. Occupancy optional. Farm plan & 2/3 cultivation required. | ≤ 40 acres | Water (catchment or surface) Road access |
| Pastoral (Homestead) | Large lot agriculture specifically for pastoral uses. Occupancy optional. Ranch plan & fencing required. | ≥ 1,000 acres | Road access & livestock drinking water |
| General Agriculture | Intensive or extensive farming or ranching allowed. Uses subject to HRS Chapter 205. May serve as an interim use until opportunities for higher & better uses become available. | TED | N/A |
| Special District | Areas requiring special attention because of unusual opportunities and/or constraints. e.g. natural hazard areas, open spaces, rare lands (as from infrastructure (difficult to improve), mixed use areas, greenways | TED | To be determined (TED) |
| Community Use | Common areas for community uses. Includes space for parks & recreation, cultural activities, CEIS, & other public amenities | TED (see standards) | County standards |
| Conservation | e.g. watersheds, endangered species, sensitive historic & cultural sites | TED | N/A |
| Commercial | e.g. retail, business and commercial activities | TED (see standards) | County standards |
| Industrial | e.g. processing, construction, manufacturing, transportation, wholesale and warehousing | TED | County standards |

Table 2.1 - DHHL Land Use Designations

Molokai Island Plan (2005) Land Use Plan - Kalama'ula

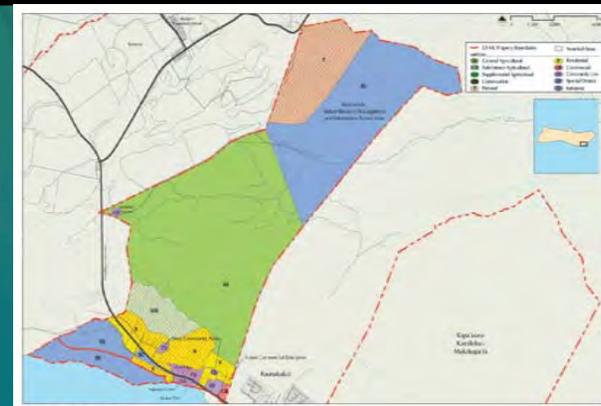
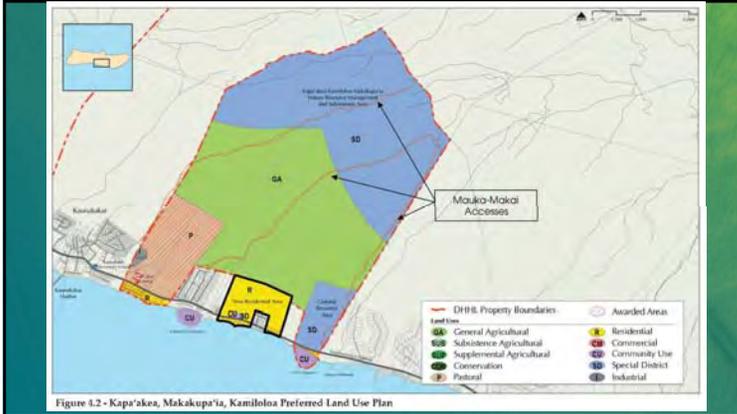


Figure 5.7 - Kalama'ula Preferred Land Use Plan

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Molokai Island Plan (2005) Land Use Plan - Kapa'akea/ Kamiloloa/Makakupa'ia



TMK's (2)5-3-001:002, -097 & -100 transferred from DLNR to DHHL in 2011



Amending Molokai Island Plan

- Conduct a land use suitability analysis: assess existing conditions and generate alternatives and mitigation measures for any potential impacts (Jan. 2016 to Oct. 2017).
- Once all data has been gathered, hold Beneficiary Consultation to gather beneficiary mana'ono on land use designation(s) for the site (Oct. - Dec. 2017)
- DHHL will submit a request to HHC for land use designation of acquired land, after final review of potential impacts of designation (Jan. - Apr. 2018)

Amending Molokai Island Plan Land Use Designations

- Land Use Suitability Analysis evaluates:
- Existing uses on site; uses on surrounding properties
 - Topography, soils, status of infrastructure
 - Flood zones, tsunami zones, wetlands, cultural sites and historic resources, coastal resources
 - Potential socio-economic and environmental impacts
 - Impacts to public services, physical environment, traffic and parking

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Informational Meeting Nov. 17, 2016

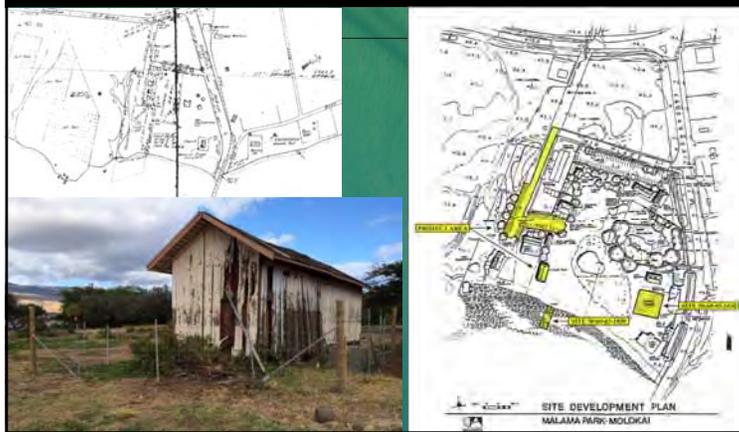
Discussion Highlights

- Poor drainage, ponding of water is a big issue - too muddy!
- Restore wetland, use for education, to filter storm water runoff
- Sanitation - need to deal with restroom situation
- Water - need to resolve between State & County
- Contaminated soils - need to be aware of this
- Canoe clubs need their land use requests resolved
- Need more shelter - hale or pavilion for community
- Replace landscaping with species better suited for that area
- Coordinate access, hold clean up days, practice mālama.
- Remove Jailhouse (& Courthouse), put pukas in Wharf Rd.

Infrastructure & Public Facilities



Cultural & Historic Resources



Surrounding Land Uses



ITEM G-1
EXHIBIT 'I'

Malama Cultural Park Issues & Opportunities

- In Tsunami Inundation Zone; prone to flooding; petroleum contamination (-)
- Infrastructure repairs/upgrades needed (Water, Wastewater, Electrical) (-)
- State & County ownership/jurisdiction (-)
- Reconnect Community to Wahi Pana (+)
- Stewardship & Educational Opportunities (+)
- Hub for Recreation & Traditional Culture (+)
- Gateway Location (+)

Land Use Designations Homesteading vs. Non-homesteading

- Coastal & flood hazard area, shallow water table, cultural sites & layer, salt & petroleum in soil, poor drainage ⇒ **lands not suitable for homesteading** (Residential, Subsistence Ag, Supplemental Ag, Pastoral)
- **Non-homesteading uses:** LUD alternatives provide a range of low, medium, and high intensity development options (Conservation, Special District, Community Use, Commercial)

N-H Land Use Designations Definitions

- Less Restrictive
- **Conservation:** Protect the resources of the ahupua'a including water resources, watersheds, endangered species, sensitive historic & cultural sites. Usually mirrors State LU Conservation Boundary.
 - **Special District:** Areas requiring special attention because of unusual opportunities and/or constraints. e.g. natural hazard areas, open spaces, raw lands far from infrastructure (difficult to improve), mixed use areas, green-ways. Requires additional planning (Master Plan and/or Management Plan)
 - **Community Use:** Common areas, space for parks & recreation, cultural activities, CBED, & other public amenities. Commercial activities not intended as income generation tools for DHHL.
 - **Commercial/Industrial:** Retail, business & commercial activities that generate income for DHHL. Lease revenues can be used to fund homestead development. Competitive bid process per Rules.

Conservation General Plan Goals

- Be responsible, long-term stewards of the Trust's lands and the natural, historic and community resources located on these lands.
- **Objectives:**
 - Preserve and protect significant natural, historic and community resources on Trust lands.
 - Manage interim land dispositions in a manner that is environmentally sound and does not jeopardize their future uses.
 - Enforce governmental health and safety standards and protect life and property from the effects of natural hazards and disaster on Hawaiian home lands.
 - Allow native Hawaiian use of natural resources on Trust lands for traditional and cultural purposes.

EXHIBIT 'I'
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Conservation Opportunities

- Protects sensitive environments (shorelines, wetlands) and cultural resources by restricting development
- May be eligible for conservation funding
- Focus on environmental & cultural education and restoration
- Management Plan
- Normally given to more remote areas, e.g. upper watersheds, and extensive wetlands

Special District General Plan Goals

- “Preserve and protect significant natural, historic and community resources on Trust lands”
- “Allow native Hawaiian use of natural resources on Trust lands for traditional and cultural purposes”
- “Manage interim land dispositions in a manner that is environmentally sound and does not jeopardize their future uses”

Special District Opportunities

- Addresses same goals as Conservation, but allows for more access, activities and amenities
- Allows for mixing of uses (e.g. Conservation & Community Use) with development of a Master Plan / Management Plan
- Additional planning required, but can create own design standards, which allows for more flexibility (e.g. BMP’s, shoreline setback, mitigation measures) in lieu of County standards

Community Use General Plan Goals

- Utilize Hawaiian Home Lands for uses most appropriate to meet the needs and desires of the beneficiary population.
- Develop livable, sustainable communities that provide space for or access to the amenities that serve the daily needs of its residents.
 - Objective: Provide space for and designate a mixture of appropriate land uses, economic opportunities and community services in a native Hawaiian-friendly environment.

EXHIBIT I
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Community Use Opportunities

- Focus on recreational opportunities & community-based economic development
- Licensing process through Land Management – 501(c)(3) status required
- Business Plan & liability insurance required
- May need to develop a Management Plan to accommodate all users & volunteers
- Could also be co-managed by District Office & Molokai Parks Committee
- Has to meet County zoning & dev't. standards

Commercial General Plan Goals

- Generate significant revenue to provide greater financial support towards fulfilling the Trust's mission.
- Provide economic opportunities for beneficiaries within areas designated for their use.
- Objectives:
 - Assist native Hawaiian entrepreneurs by supporting opportunities for business education, training, financing, planning and leasing.
 - Acquire land that expands opportunities for revenue generation.

Commercial Opportunities

- Primary purpose is to generate revenue for the Hawaiian Home Lands Trust (DHHL)
- General Lease, competitive bid process through Land Management Division
- May attract interest & investment from off-island
- Not dependent on grants – for profit model
- Projects have to meet County codes

Health Break

10 Minute Break

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EXHIBIT 'I'

LUD Breakout Session 6:45 p.m. – 7:45 p.m.

- Break up into three groups
- Spend 15 - 20 minutes discussing opportunities for each LUD
- Recorder will write down your mana‘o
- At 7:45 we'll do a 5 minute report back from each group

Malama Cultural Park LUD Breakout Session

Land Use Designations Report Back

Amending Molokai Island Plan Process & Tentative Timeline

| | |
|------------------|--|
| Jan. - Oct. 2017 | Data Collection for Land Use Suitability Analysis |
| Oct. - Dec. 2017 | Beneficiary Consultation; Submit Report to HHC for acceptance in December |
| Jan. - Apr. 2018 | Prepare HHC submittals, MIP Land Use Amendment & Interim Land Dispositions |
| Jan. - May 2018 | Develop Memorandum of Understanding (MOU) w/County of Maui if needed |
| Jan.-August 2018 | Scoping, Environmental Review & Master Planning process, or RFP |
| Fall 2018 | Finalize EA and Master Plan, if needed; Implementation |

Next Steps

- Benef. Consultation 30 Day Comment Period – ends **Nov. 24** (Friday after Thanksgiving)
- Submit BC Report to Hawaiian Homes Commission for acceptance at Dec. meeting (Dec. 18 - 19, in Kapolei, O‘ahu)
- Prepare submittals for Hawaiian Homes Commission meeting on Molokai (April 2018)

EXHIBIT I
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Data Gathering – Stewardship of Kapuāiwa Grove and Malama Park
 HHC Community Meeting, Kalamaula, Molokai
 April 17, 2017 6:00 – 8:00 p.m.

Seven meeting attendees signed up as interested in stewardship.
 Posters for both projects were put on the table for attendees to write their ideas on.

VISIONING EXERCISE
 WHAT DOES MALAMA PARK LOOK LIKE?

| In 5 Years | In 10 Years |
|--|--|
| <ul style="list-style-type: none"> Put benches or seats Put flowers & grow grass Cut grass, weeds More grass than dirt | <ul style="list-style-type: none"> Fishing Netting Diving |
| <ul style="list-style-type: none"> Benches Picnic Tables Native plants & flowers Maybe community raised bed gardens? | <ul style="list-style-type: none"> Fishing swimming |
| <ul style="list-style-type: none"> Large traditional Hale & other indigenous structures | |
| <ul style="list-style-type: none"> 'Ohana Friendly! 😊 Cultural Native plants... | |
| <ul style="list-style-type: none"> New bathroom that has more stalls Plants / Flowers | |
| <ul style="list-style-type: none"> Build a Water Park | |
| <ul style="list-style-type: none"> Picnic tables Shade trees Benches | |
| <ul style="list-style-type: none"> More grass being grown... (more grass than dirt) Cut grass, and weeds gone Maybe a grass shack to kick back? | |
| <ul style="list-style-type: none"> More grass Playground | |
| <ul style="list-style-type: none"> Grills for fire Picnic Tables Native Plants Community Days Showers & bathroom | |
| <ul style="list-style-type: none"> Cultural Hale | |

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 EXHIBIT 'J'

Comments/Suggestions By Categories

| Category | Comment | Frequency |
|-----------------|---|------------------|
| Landscaping | Grass (grow/cut/more grass than dirt) | 6 |
| | Native plants | 3 |
| | Flowers | 3 |
| | Remove weeds | 2 |
| | Shade trees | 1 |
| | Community garden w/ raised beds | 1 |
| Structures | Large traditional structure/hale/grass shack/cultural hale/ Indigenous structures | 4 |
| | Benches/seating | 3 |
| | Picnic tables | 3 |
| | New bathroom / more stalls / shower | 2 |
| | Playground | 1 |
| | Grills for fire | 1 |
| | Water Park | 1 |
| | Other / Activities | 'Ohana-friendly |
| | Community Days | 1 |
| | Culture | 1 |
| | Fishing | 2 |
| | Netting | 1 |
| | Swimming | 1 |
| | Diving | 1 |
| | | |

Notes, Malama Park Informational Meeting

Nov. 17, 2016 5:30 P.M. to 7:30 P.M.

Kūlana 'Ōiwi, DHHL Conference Room

DHHL Staff: E. Halealoha Ayau, Acting Molokai District Supervisor; Shelly Carreira, Land Agent, Land Management Division; Nancy McPherson, Planning Office

20+ Stakeholders in attendance

Issues & Opportunities

- Title search – It was all supposed to be one parcel under DBEDT
- County DPW rerouting wastewater [storm water] to wetland; berming will increase ponding [of storm water]
- Range Light Park [aka Kaunakakai Lighthouse Park] – can't block the light [navigation light for harbor, federal easement]
- Bathroom – on County side, or State? [need a survey]
- Survey for wetland has been done
- Nitrogen loading feeding gorilla ogo – effluent [bathroom makai?]
- Restore wetlands – filters runoff going to ocean. Signage, boardwalk
- Wetland mitigations all along coast – County kept dumping & destroying coastal wetlands. Need to restore native plants; water birds.
- Toxins all over that place – contamination
- Was a beautiful beach area once (followed by a conversation about solid road to wharf)
- Can coexist with the wetland – paddlers
- Parking of canoes – Hemo the fence
- Plan is to make it valuable to more than canoe clubs
- Education – funding for wetlands and watersheds [is out there]
- Canoe clubs are staying
- Need a hale for the community – Farmer's Market – Pavilion
- Stick with traditional Native Hawaiian architecture [like in Malama Cultural Park Plan]
- Didn't use native/Polynesian species for landscaping – need plants that don't need irrigation
- Bring in on-island experts – Bill Garnett, Ed Misaki, Arleone Dibben-Young

Comments from Discussion

- Once we decide on uses, who will manage it? [How do we handle] volunteers?
- Why can't we split up kuleana so it's not overwhelming?
- Need water – is there a water bill [outstanding]?
- Need a master plan
- Vets put a big valve [water meter] – had to go across road – run sewer line across road.

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EXHIBIT 'K'

- Is DHHL going back to feds for \$\$? Use that [to fund Malama Park].
- Tourism – isn't state interested in that?
- No bathrooms [public restrooms] in Kaunakakai – have to go to wharf bathrooms.
- How about using composting toilets?
- Use solar lighting – minimize infrastructure impacts
- Until the master plan is ready, what happens to the users there now?
- What about maintenance? Who will clean?
- Volunteers – how do we get access to the site?
- What happens to people who just go there?
- Use archaeological experts already on Molokai, e.g. Pulama [Lima].
- Can we do work days?
- What about the jail and the courthouse – can they be removed?
- National Park Service is interested in the Jail and Courthouse – we want to get rid of them. Honouliuli – check with them.
- Courthouse was next to jail until Phase III – put Courthouse back over there. Could be a lā'au lapa'au center in the Courthouse. Dorothe Curtis was involved originally – developed a walking historic tour of Kaunakakai. Jail was to be a dressing room for hula dancers. Move it until Phase III of State Complex plan is initiated.
- Can't move jail at this point – it will fall apart.
- Need \$ to move those structures.
- Need to keep in mind that this was a historic compound for ali'i – project was moving forward under Gov. Waihee. Is a hazard now. Doesn't match as a traditional area. Jail and Courthouse were only supposed to be there temporarily.
- Cayetano had \$ for Malama Park – there was controversy.
- Enterprise Community – one of the projects was Malama Park. Needed \$ for operations – irrigation created a high water bill. Forestry [DoFAW] was maintain for a while. Now we have opportunity. 2-4 years.
- Go back to what we did in the 1990's – dust it off – Malama Cultural Park Master Plan. Use the work that's already be done.
- Do this with the Associations – not DHHL. Don't get stuck in their process. Update the Plan in a community-based way.
- Made inquiries – how to use the bathrooms – asked the State. Became a nightmare. Whose kuleana is it to water [landscaping]? SDOT-Harbors? County of Maui? Was sent to different people. No one knew whose kuleana it was. Gave up finally.
- Government agencies were pointing at each other – thought it was the other guy.
- Area should be for culturally-based micro-enterprise, like in Anahola.
- County – SMA Permit application is in for drainage project. No public hearing yet, but will be soon. People can testify.
- DBEDT had 11 acres total, then gave some back to the County.

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EXHIBIT 'K'

Notes, Beneficiary Consultation on Land Use Designation for Malama Cultural Park
October 25, 2017
6:00 p.m. to 8:00 p.m.
Kūlana 'Ōiwi Hālau, Kalama'ula, Molokai

Invitation Letters (Attachment A) were mailed on October 3, 2017 to all Molokai lessees and Molokai applicants statewide, for a total of 1,625 letters

Attendance: 24 beneficiaries

Staff: Gene Ross Davis, Julie Kaupu and Cindy Manaos from the Molokai District Office, Shelly Carreira from the Land Management Division and Nancy McPherson and Julie-Ann Cachola from the Planning Office.

Handouts: Invitation Letter and Map (Att. A), Agenda (Att. B), Notes from 11-17-2016 Informational Meeting (Att. C)

Nancy opened the meeting with a 30-minute presentation on the Planning System, focusing on the Island Plan Land Use designation process. She explained the land transfer and the General Plan goals, objectives and content for each of the four candidate non-homesteading Land Use Designations.

1. Does Special District allow commercial uses?
 - This is different from commercial leases. You would have to be within (covered by) the Master Plan. You could be a nonprofit or a nonprofit with a for-profit arm. But this will be worked out in the Master Plan.
 - Special District allows flexibility and focus; everyone can work together on developing the Plan.
2. Who develops the Master Plan?
 - DHHL pays for it, hires the consultant, who will involve stakeholders and beneficiaries in developing the plan.
 - It would identify which uses are appropriate
3. One part is the County, some are Hawaiian Home Lands, are we talking about the whole area?
 - We're only talking about the Hawaiian Home Lands area. We need to figure out what is the best use—so we have:
 - Molokai Canoe Club
 - Mālama Platform
 - Hula Pā
 - Amphitheater
 - Pineapple loading dock
 - Jailhouse
 - Wetland (half)
4. We need to survey the boundary—there's some parts that are questionable.
5. We need to begin discussions with the County, so that what happened with the County shutting off the water meter will not happen again.
6. When you say "wetlands," is this the drainage area?
 - Historically, water would come down; it all used to be a wetland.
 - The wetlands have an important role: when the drainage comes down, the wetlands filters the water, cleans out the toxins and takes out the sediment before it goes to the ocean; when it goes to the ocean, it's clear, clean water.
7. How much of the wetlands area is within DHHL lands?
 - Probably around half of the wetland is DHHL's.
 - Summer it will look dry, but the water is underneath.

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EXHIBIT 'L'

8. I recently found out that if a development project fills in the wetland, you don't have to replace it; the "taking" issue doesn't apply.
9. The wharf is the only place to go to paddle canoe. I want all the canoe clubs to be able to stay. Liko is already taking care of the site. Young archaeologists are coming home, let them do work there.
10. I take kids down there and explain that this is an example of an unhealthy wetland. Then I tell them to imagine what it could look like when it is fully restored. If you restore the wetland, the birds will come back. It could be a cool place for education. Tourists are right in Kaunakakai. We could have storyboards, etc. It could be a really nice place.
11. Just because canoes are there, we never said others can't be there.
12. For people who live in Kaunakakai, there's nowhere else to go to the beach. We use that area for swimming, walking, etc.
13. Kalama'ula kids all go to the wharf to swim—it's something they do together.
14. I'm willing to help restore the wetland.
15. How far are you going to go?
16. If you restore wetland, restore the sites, there's still a lot of area to work with.
17. It sounds like you're suggesting Special district.
18. I think our interests in various aspects of the area will help to make it work. We're all friends here.
19. If the wetland is unhealthy, what has to be done?
20. First of all, it's the wrong kind of Akulikuli that is down there. There's the invasive piko weed. The invasives need to be taken out and we need to get the native plants in as soon as possible, for instance, makaloa could be used.
21. Community use is similar to the canoe clubs using the area.
22. We need to manage the area collaboratively.
23. Can we have commercial activities under a Special District?
24. My mother talked about Malama Park—she said people used to go there and play ball. I'm concerned about the cultural sites, but in the past, that area was used for everything.
25. Special District, between the lines, commercial activity is possible?
 - o Yes but it might not be handled in the same way as regular commercial.
26. If the whole parcel is 4.2 acres, we're really only talking about 2 acres.
27. Special district seems like it's a mixed use, arbitrary land use category. What if we put an apartment within the 2 acres? It would provide much needed housing, especially for young adults so they don't have to move away. The town is within walkable distance—which is what good plans have. I usually don't support projects like this, but we're acting like we don't have any other acreage anywhere else. I'm happy to promote low density use by the shoreline. I'm just saying to everyone that we should think broadly about the possibilities.
28. If we designate this area as Special District, where will it be relative to the other Special Districts on Molokai?
 - o Unfortunately, the planning office had put in a request to fund the development of Master Plans for all the special district areas on Molokai, but our budget request was cut.
29. What you're talking about doing (letting DHHL take the lead) is going to take 10 to 20 years. If we go for Community Use, it could go a lot faster.
 - o True, but if the Department had pressure from the beneficiaries, it would be done.
30. What you're talking about is using trust funds versus Grant-in-Aid funds
31. Whatever you designate the land use, canoe paddling is not going to stop.
32. The land use designation of "Community use" would include all the community?
33. Could you separate the parcel into 2 separate uses? The front part of the parcel could be used for one use while the back of the parcel could be used for something else.

34. Is there a timeline? What's preventing us to look at it as a Special District? Is it money/funding? The canoe club has been taking care of the area.
 - o The Land Management Division and the Planning Office, in talking with the Chairman, decided that we should determine the Land Use Designation first. Then we could have an interim land disposition. The Beneficiary Consultation period will be open for the next 30 days—so please send in your comments. After the 30 days, a Beneficiary Consultation report would be developed for submittal at the Commission's December meeting, with a request for the Commission to accept the report. We anticipate taking the request for the Land Use Designation change to the Commission in April. During the time leading up to April, we have to be in contact with each other; we need to prepare for April. If everyone is united at the Commission meeting in April, it will be easier for them approve the land use designation.
35. Regarding your earlier statement about the District Manager working with a Parks Committee, what was the intended purpose of the committee and what happened as a result of the Committee?
 - o When the District Office managed all of the parks on the island, the manager wanted beneficiaries to have a say on what kind of improvements should be made.
36. The Park Committee existed a long time ago, but then each Association started managing parks in their areas so we didn't need a Parks Committee.
37. The problem is operational funds—when DHHL doesn't have the money to do it—then what?
38. Management is an issue. Could the canoe clubs be kicked out?
 - o Special District wants to include everyone there.
39. It seems like you're trying to fit a round peg in a square hole because what we really want doesn't exist. Between Special District and Community Use, there a gap. There's restrictions.
 - o The Land Use Designation determines what kind of land dispositions would be uses.
40. We want a short-term plan and a long-term plan.
41. Can associations make money on the 2 acres? Could associations make income and use it to make the necessary improvements?
42. The short-term issue is health and safety. The issue is, who is leading this effort?
43. Scarlett would just go on her own and would mow the area because she saw that it needed to be mowed—then someone told her to stop, due to safety hazards.

2017 NOV 24 PM 3:08

DEPT. OF HAWAIIAN HOME LANDS
MOLOKAI BRANCH

November 14, 2017

Ms. Jobie Masagatani, Chairperson
Hawaiian Homes Commission
Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

Dear Chair Masagatani:

SUBJECT: BENEFICIARY CONSULTATION: SUPPORT SPECIAL DISTRICT LAND USE DESIGNATION FOR MALAMA CULTURAL PARK, 60 KAUNAKAKAI PLACE, LOCATED IN KAUNAKAKAI, ISLAND OF MOLOKAI, TMK (2) 5-3-001:002 0000

We would like the Department of Hawaiian Home Lands support the request of Kalama'ula Mauka Homestead Association to designate 4.028 acres including the two parcels: 12,609 sqft (TMK: (2) 5-3-001:097) and 12,000 sqft (TMK: (2) 5-3-001:100), as **Special District** of the Malama Cultural Park located in 60 Kaunakakai Place, Kaunakakai, island of Molokai, TMK (2) 5-3-001:002. Special District Use is an area requiring special attention because of unusual opportunities and/or constraints, e.g. natural hazard areas, open spaces, cultural resource, raw lands for infrastructure, mixed use areas, and greenways. Special District Use will allow the following:

1. Support the continued use of the canoe clubs to perpetuate the art and competition of canoeing;
2. Restore and maintain the natural and cultural resources of the ecosystem that exists on the parcel;
3. Create a viable socio-economic system.

The subject parcel is consistent with the existing use and characteristics of the surrounding lands. Special District Use is best suited for Malama Cultural Park.

Thank you for your time and consideration. Please consider **Special District Use** as the most appropriate designation for Malama Cultural Park.

Sincerely,

Name Sybil K Lopez
Phone 808 223 6787
Homestead Beneficiary

Signature [Handwritten Signature] President
Email [Handwritten Email] KMHA

ITEM G-1

EXHIBIT 'M'

2017 NOV 24 PM 3:08

DEPT. OF HAWAIIAN HOME LANDS
MOLOKAI BRANCH

November 14, 2017

Ms. Jobie Masagatani, Chairperson
Hawaiian Homes Commission
Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

Dear Chair Masagatani:

**SUBJECT: SUPPORT SPECIAL DISTRICT LAND USE
DESIGNATION FOR MALAMA CULTURAL PARK, 60
KAUNAKAKAI PLACE, LOCATED IN KAUNAKAKAI,
ISLAND OF MOLOKAI, TMK (2) 5-3-001:002 0000**

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Thank you for your time and consideration. Please consider **Special District Use** as the most appropriate designation for Malama Cultural Park.

Sincerely,

Phone 907-458-0184

Diamond Ignacio

ITEM G-1

EXHIBIT 'M'

2017 NOV 24 PM 3:08

DEPT. OF HAWAIIAN HOME LANDS
MOLOKAI BRANCH

November 14, 2017

Ms. Jobie Masagatani, Chairperson
Hawaiian Homes Commission
Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

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The subject parcel is consistent with the existing use and characteristics of the surrounding lands. Special District Use is best suited for Malama Cultural Park.

Thank you for your time and consideration. Please consider **Special District Use** as the most appropriate designation for Malama Cultural Park.

Sincerely,

Rosie Jones-Batana
Phone 11/19/17

*Hoolehua Homesteader
Born + Raised*

ITEM G-1

EXHIBIT 'M'

2017 NOV 24 PM 3:08

DEPT. OF HAWAIIAN HOME LANDS
MOLOKAI BRANCH

November 14, 2017

Ms. Jobie Masagatani, Chairperson
Hawaiian Homes Commission
Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

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The subject parcel is consistent with the existing use and characteristics of the surrounding lands. Special District Use is best suited for Malama Cultural Park.

Thank you for your time and consideration. Please consider **Special District Use** as the most appropriate designation for Malama Cultural Park.

Sincerely,

Name Beatrice Sproat-Augustine
Phone 808.646.9478
Homestead Beneficiary

Signature _____
Email _____



ITEM G-1

EXHIBIT 'M'

2017 NOV 24 PM 3:08

DEPT. OF HAWAIIAN HOME LANDS
MOLOKAI BRANCH

November 14, 2017

Ms. Jobie Masagatani, Chairperson
Hawaiian Homes Commission
Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

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The subject parcel is consistent with the existing use and characteristics of the surrounding lands. Special District Use is best suited for Malama Cultural Park.

Thank you for your time and consideration. Please consider **Special District Use** as the most appropriate designation for Malama Cultural Park.

Sincerely,

Name Robb E. Starkey
Phone 560-5449
Homestead Beneficiary

Signature [Handwritten Signature]
Email evarista@wave-hiv.net

ITEM G-1

EXHIBIT 'M'

2017 NOV 24 PM 3:08

DEPT. OF HAWAIIAN HOME LANDS
MOLOKAI BRANCH

November 14, 2017

Ms. Jobie Masagatani, Chairperson
Hawaiian Homes Commission
Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

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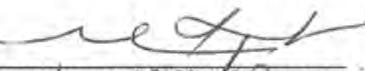
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The subject parcel is consistent with the existing use and characteristics of the surrounding lands. Special District Use is best suited for Malama Cultural Park.

Thank you for your time and consideration. Please consider **Special District Use** as the most appropriate designation for Malama Cultural Park.

Sincerely,

Name Martene Sproat
Phone 336-0804
Homestead Beneficiary

Signature 
Email martenesproat@gmail.com

ITEM G-1

EXHIBIT 'M'

2017 NOV 24 PM 3:08

DEPT. OF HAWAIIAN HOME LANDS
MOLOKAI BRANCH

November 14, 2017

Ms. Jobie Masagatani, Chairperson
Hawaiian Homes Commission
Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

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**SUBJECT: SUPPORT SPECIAL DISTRICT LAND USE
DESIGNATION FOR MALAMA CULTURAL PARK, 60
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The subject parcel is consistent with the existing use and characteristics of the surrounding lands. Special District Use is best suited for Malama Cultural Park.

Thank you for your time and consideration. Please consider **Special District Use** as the most appropriate designation for Malama Cultural Park.

Sincerely,



Phone 640.9830

ITEM G-1

EXHIBIT 'M'

2017 NOV 24 PM 3:08

DEPT. OF HAWAIIAN HOME LANDS
MOLOKAI BRANCH

November 14, 2017

Ms. Jobie Masagatani, Chairperson
Hawaiian Homes Commission
Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

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Thank you for your time and consideration. Please consider **Special District Use** as the most appropriate designation for Malama Cultural Park.

Sincerely,


Phone 326-0727

Peggy Torres

ITEM G-1

EXHIBIT 'M'

2017 NOV 24 PM 3:09

DEPT. OF HAWAIIAN HOME LANDS
MOLOKAI BRANCH

November 14, 2017

Ms. Jobie Masagatani, Chairperson
Hawaiian Homes Commission
Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

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Thank you for your time and consideration. Please consider **Special District Use** as the most appropriate designation for Malama Cultural Park.

Sincerely,



Phone 652-6545

Ruby Villa

ITEM G-1

EXHIBIT 'M'

2017 NOV 24 PM 3:09

DEPT. OF HAWAIIAN HOME LANDS
MOLOKAI BRANCH

November 14, 2017

Ms. Jobie Masagatani, Chairperson
Hawaiian Homes Commission
Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

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Thank you for your time and consideration. Please consider **Special District Use** as the most appropriate designation for Malama Cultural Park.

Sincerely,

Name Mrs. M. Makua (Kandi)
Phone 808-627-6270
Homestead Beneficiary

Signature Makua Leuba
Email _____

ITEM G-1
EXHIBIT 'M'

2017 NOV 24 PM 3:09

DEPT. OF HAWAIIAN HOME LANDS
MOLOKAI BRANCH

November 14, 2017

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Hawaiian Homes Commission
Department of Hawaiian Home Lands
Hale Kalaniana'ole
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Kapolei, Hawaii 96707

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Thank you for your time and consideration. Please consider **Special District Use** as the most appropriate designation for Malama Cultural Park.

Sincerely,

Name Romyra Hozan
Phone 655-1171
Homestead Beneficiary

Signature 
Email _____

ITEM G-1

EXHIBIT 'M'

2017 NOV 24 PM 3:09

DEPT. OF HAWAIIAN HOME LANDS
MOLOKAI BRANCH

November 14, 2017

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Hawaiian Homes Commission
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Thank you for your time and consideration. Please consider **Special District Use** as the most appropriate designation for Malama Cultural Park.

Sincerely,

Name ESTHER TORRES UMI
Phone 567-6560
Homestead Beneficiary

Signature
Email

[Handwritten signature]
[Handwritten signature]
[Handwritten signature]
[Handwritten signature]

ITEM G-1

EXHIBIT 'M'

2017 NOV 24 PM 3:09

DEPT. OF HAWAIIAN HOME LANDS
MOLOKAI BRANCH

November 14, 2017

Ms. Jobie Masagatani, Chairperson
Hawaiian Homes Commission
Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

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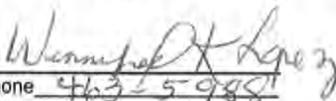
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Sincerely,


Phone 463-5988

ITEM G-1

EXHIBIT 'M'

2017 NOV 24 PM 3:09

DEPT. OF HAWAIIAN HOME LANDS
MOLOKAI BRANCH

November 14, 2017

Ms. Jobie Masagatani, Chairperson
Hawaiian Homes Commission
Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

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DESIGNATION FOR MALAMA CULTURAL PARK, 60
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Sincerely,


Phone (808) 336-1920

ITEM G-1

EXHIBIT 'M'

2017 NOV 24 PM 3:09

DEPT. OF HAWAIIAN HOME LANDS
MOLOKAI BRANCH

November 14, 2017

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91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

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KAUNAKAKAI PLACE, LOCATED IN KAUNAKAKAI,
ISLAND OF MOLOKAI, TMK (2) 5-3-001:002 0000**

We would like the Department of Hawaiian Home Lands support the request of Kalama'ula Mauka Homestead Association to designate 4.028 acres including the two parcels: 12,609 sqft (TMK: (2) 5-3-001:097) and 12,000 sqft (TMK: (2) 5-3-001:100), as **Special District** of the Malama Cultural Park located in 60 Kaunakakai Place, Kaunakakai, island of Molokai, TMK (2) 5-3-001:002. Special District Use is an area requiring special attention because of unusual opportunities and/or constraints, e.g. natural hazard areas, open spaces, cultural resource, raw lands far infrastructure, mixed use areas, and greenways. Special District Use will allow the following:

1. Support the continued use of the canoe clubs to perpetuate the art and competition of canoeing;
2. Restore and maintain the natural and cultural resources of the ecosystem that exists on the parcel;
3. Create a viable socio-economic system.

The subject parcel is consistent with the existing use and characteristics of the surrounding lands. Special District Use is best suited for Malama Cultural Park.

Thank you for your time and consideration. Please consider **Special District Use** as the most appropriate designation for Malama Cultural Park.

Sincerely,



LELECHE TAKASHIMA
Phone 808 455 0111

ITEM G-1

EXHIBIT 'M'

2017 NOV 24 PM 3:09

DEPT. OF HAWAIIAN HOME LANDS
MOLOKAI BRANCH

November 14, 2017

Ms. Jobie Masagatani, Chairperson
Hawaiian Homes Commission
Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

Dear Chair Masagatani:

**SUBJECT: SUPPORT SPECIAL DISTRICT LAND USE
DESIGNATION FOR MALAMA CULTURAL PARK, 60
KAUNAKAKAI PLACE, LOCATED IN KAUNAKAKAI,
ISLAND OF MOLOKAI, TMK (2) 5-3-001:002 0000**

We would like the Department of Hawaiian Home Lands support the request of Kalama'ula Mauka Homestead Association to designate 4.028 acres including the two parcels: 12,609 sqft (TMK: (2) 5-3-001:097) and 12,000 sqft (TMK: (2) 5-3-001:100), as **Special District** of the Malama Cultural Park located in 60 Kaunakakai Place, Kaunakakai, island of Molokai, TMK (2) 5-3-001:002. Special District Use is an area requiring special attention because of unusual opportunities and/or constraints, e.g. natural hazard areas, open spaces, cultural resource, raw lands far infrastructure, mixed use areas, and greenways. Special District Use will allow the following:

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The subject parcel is consistent with the existing use and characteristics of the surrounding lands. Special District Use is best suited for Malama Cultural Park.

Thank you for your time and consideration. Please consider **Special District Use** as the most appropriate designation for Malama Cultural Park.

Sincerely,


Ross TAKASHIMA
Phone 808-658-0475

ITEM G-1

EXHIBIT 'M'

2017 NOV 24 PM 3:09

DEPT. OF HAWAIIAN HOME LANDS
MOLOKAI BRANCH

November 14, 2017

Ms. Jobie Masagatani, Chairperson
Hawaiian Homes Commission
Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

Dear Chair Masagatani:

**SUBJECT: SUPPORT SPECIAL DISTRICT LAND USE
DESIGNATION FOR MALAMA CULTURAL PARK, 60
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ISLAND OF MOLOKAI, TMK (2) 5-3-001:002 0000**

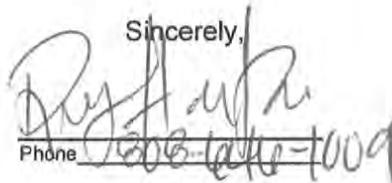
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The subject parcel is consistent with the existing use and characteristics of the surrounding lands. Special District Use is best suited for Malama Cultural Park.

Thank you for your time and consideration. Please consider **Special District Use** as the most appropriate designation for Malama Cultural Park.

Sincerely,


Phone 808-261-1009

ITEM G-1

EXHIBIT 'M'

2017 NOV 24 PM 3:09

DEPT. OF HAWAIIAN HOME LANDS
MOLOKAI BRANCH

November 14, 2017

Ms. Jobie Masagatani, Chairperson
Hawaiian Homes Commission
Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

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Thank you for your time and consideration. Please consider **Special District Use** as the most appropriate designation for Malama Cultural Park.

Sincerely,


Phone _____

ITEM G-1
EXHIBIT 'M'

2017 NOV 24 PM 3:09

DEPT. OF HAWAIIAN HOME LANDS
MOLOKAI BRANCH

November 14, 2017

Ms. Jobie Masagatani, Chairperson
Hawaiian Homes Commission
Department of Hawaiian Home Lands
Hale Kalariana'ole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

Dear Chair Masagatani:

**SUBJECT: SUPPORT SPECIAL DISTRICT LAND USE
DESIGNATION FOR MALAMA CULTURAL PARK, 60
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Thank you for your time and consideration. Please consider **Special District Use** as the most appropriate designation for Malama Cultural Park.

Sincerely,


Yvonne DeBorja
Phone _____

ITEM G-1

EXHIBIT 'M'

2017 NOV 24 PM 3:09

DEPT. OF HAWAIIAN HOME LANDS
MOLOKAI BRANCH

November 14, 2017

Ms. Jobie Masagatani, Chairperson
Hawaiian Homes Commission
Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

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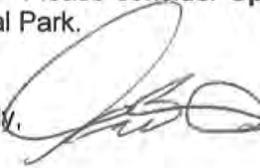
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Sincerely,



Ivona Espinola
Phone 808 990 8854

ITEM G-1

EXHIBIT 'M'

November 14, 2017

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Hawaiian Homes Commission
Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

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Thank you for your time and consideration. Please consider **Special District Use** as the most appropriate designation for Malama Cultural Park.

Sincerely,


Phone 808-927-4840

ITEM G-1

EXHIBIT 'M'

November 14, 2017

Ms. Jobie Masagatani, Chairperson
Hawaiian Homes Commission
Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

Dear Chair Masagatani:

**SUBJECT: SUPPORT SPECIAL DISTRICT LAND USE
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Thank you for your time and consideration. Please consider **Special District Use** as the most appropriate designation for Malama Cultural Park.

Sincerely,


Phone 808-427-4640

ITEM G-1

EXHIBIT 'M'



DEPARTMENT OF HAWAIIAN HOME LANDS

DEPARTMENT OF HAWAIIAN HOME LANDS
SIGN-IN SHEET

EVENT Malama Park Informational Meeting

DATE November 17, 2016
5:30 pm – 7:30 pm
Kūlana 'Ōiwi, Kalama'ula, Molokai

(Please print)

** (A=Applicant, L=Lessee, Both=Applicant and Lessee, O=Other) **

| BENEFICIARY | NAME | MAILING ADDRESS | E-MAIL | TELEPHONE |
|---|--------------------------|---|-------------------------|-----------------------------|
| A <input checked="" type="radio"/> L <input type="radio"/> B <input checked="" type="radio"/> O | Doreen Gaspar | P.O. Box 1045 K'Kai | Kapaiakeatomes@aol.com | 330-8010 |
| A <input checked="" type="radio"/> L <input type="radio"/> B <input type="radio"/> O | Georgette Kaneakua | P.O. Box 214 Kula | | |
| A <input checked="" type="radio"/> L <input type="radio"/> B <input type="radio"/> O | Brent Nakahi | P.O. Box 1626 K'Kai | | 560-3963 |
| A <input checked="" type="radio"/> L <input type="radio"/> B <input type="radio"/> O | Bev. Pauole-Moore | Box 88 | molokairep1@gmail.com | 553 9000 (w) 3386260 (h) |
| A <input type="radio"/> L <input type="radio"/> B <input checked="" type="radio"/> O | Cindy Mauao | Box 1282 " 96748 | hcmaoais@gmail.com | 658-2044 |
| <input checked="" type="radio"/> A <input type="radio"/> L <input type="radio"/> B <input checked="" type="radio"/> O | RONALD KIMBALL | 2260 KAMEHAMEHA V HWY, K'Kai ⁹⁶⁷⁴⁸ | rkimball1@hawaii.vr.com | 553-3530 |
| A <input checked="" type="radio"/> L <input type="radio"/> B <input type="radio"/> O | Kapua Lūi | P.O. Box 36 K'Kai ⁹⁶⁷⁴⁸ | kalemanua@live.com | 646-1551 |
| <input checked="" type="radio"/> A <input type="radio"/> L <input type="radio"/> B <input type="radio"/> O | Elea Kahokuloa "Dee Ann" | 1655 Kam V Hwy 96748 | dgelea@yahoo.com | 553-3335/712-2456 |
| A <input checked="" type="radio"/> L <input type="radio"/> B <input type="radio"/> O | Gene Ross & Davis | P.O. Box 52 K'Kai, HI 96748 | rossdavis777@yahoo.com | 658-0795 |
| A <input type="radio"/> L <input type="radio"/> B <input type="radio"/> O | Ella Alcon | PBx 889 K'Kai | ella.alcon@mauicountyus | 646-0718 |

****Please include email if you wish to receive future meeting notifications electronically****

EXHIBIT 'N'
ITEM G-1



DEPARTMENT OF HAWAIIAN HOME LANDS
SIGN-IN SHEET

DEPARTMENT OF HAWAIIAN HOME LANDS

(Please print)

** (A=Applicant, L=Lessee, Both=Applicant and Lessee, O=Other) **

| BENEFICIARY | NAME | MAILING ADDRESS | E-MAIL | TELEPHONE |
|--|------------------------|--------------------------|-----------------------|-----------|
| A <input checked="" type="radio"/> L <input type="radio"/> B <input type="radio"/> O | Walter + Loretta Ritte | | wrtw@hotmail | 567 9415 |
| A <input checked="" type="radio"/> L <input type="radio"/> B <input type="radio"/> O | Kaala Wright | P.O. Box 1300. | | 800 8281 |
| A <input type="radio"/> L <input checked="" type="radio"/> B <input type="radio"/> O | Sybil Klog | PO Box 952 | lsp2888@gmail.com | 336 1587 |
| A <input type="radio"/> L <input checked="" type="radio"/> B <input type="radio"/> O | Hala Pa-kala | bx 822 | halapakala@yahoo | 658-0260 |
| A <input checked="" type="radio"/> L <input type="radio"/> B <input type="radio"/> O | Liko Wallace | P.O. Box 935, K'Kai | likowallace@ymail.com | 553-5071 |
| A <input type="radio"/> L <input type="radio"/> B <input checked="" type="radio"/> O | Clare Mowae | PO Box 1236, K'Kai | claresmowae@gmail.com | 336-0946 |
| A <input checked="" type="radio"/> L <input type="radio"/> B <input type="radio"/> O | Penny Martin | P.O. Box 341 K'Kai, HI | eteruth@yahoo.com | 553 5136 |
| A <input type="radio"/> L <input type="radio"/> B <input type="radio"/> O | Debrae Puni | P.O. Box 579 K'Kai, HI | debrae@gmail.com | 553-5894 |
| A <input checked="" type="radio"/> L <input type="radio"/> B <input type="radio"/> O | Mac Peepoe | P.O. Box 173 K'Kai 96757 | karenpeepoe@yahoo.com | 646 0542 |
| A <input checked="" type="radio"/> L <input type="radio"/> B <input type="radio"/> O | Lord Buchanan | | | |

Please include email if you wish to receive future meeting notifications electronically

EXHIBIT 'N'
ITEM G-1



DEPARTMENT OF HAWAIIAN HOME LANDS
SIGN-IN SHEET

EVENT Beneficiary Consultation
Malama Park Land Use Designation

DATE October 25, 2017 6:00 p.m. to 8:00 p.m.

DEPARTMENT OF HAWAIIAN HOME LANDS

(Please print)

(A=Applicant, L=Lessee, Both=Applicant and Lessee, O=Other)

| BENEFICIARY | NAME | MAILING ADDRESS | E-MAIL | TELEPHONE |
|--|----------------------|--|----------------------------|-------------|
| A <input checked="" type="radio"/> B O | RETHYSCA HOOPER | Po Box 204 Hulehua ^{HI} 96789 | rayna8n@yahoo.com | 8086581171 |
| A <input checked="" type="radio"/> B O | Liko Wallace | P.O. Box 935 K'kai, 96748 | likowallace@gmail.com | 658-0714 |
| A <input checked="" type="radio"/> B O | HANA PA KALA | Bx 832 K'kai, 96748 | kalapkala@yahoo | 658-0260 |
| A <input checked="" type="radio"/> B O | Lorene Helm | Po Box 391 Hulehua 96789 | kehauhani1950@gmail.com | 658-1428 |
| A <input checked="" type="radio"/> B O | Spil Lopez | PO Box 952 K'kai, HI | lopez8808@gmail.com | 336-1587 |
| A L <input checked="" type="radio"/> O | JULIANA KAWA | P.O Box 109 Hihua, HI. | juliana_ramos6@hotmail.com | # 336-0865 |
| A L B O | Lori Buchanan | Box 133 H hua | molokai lori@gmail.com | |
| A <input checked="" type="radio"/> B O | Penny Martin | P.O. Box 341 K, Kai, HI | etevuth@yahoo.com | 808-5535136 |
| A L <input checked="" type="radio"/> O | Sherry Cordero Evans | 94636 Widemann St. 96748 | sherryshiners@hotmail.com | 729-4641 |
| A L <input checked="" type="radio"/> O | Keani Rawlins | Bx 935 K'kai | keani_nwr@msn.com | 351-0263 |

Please include email if you wish to receive future meeting notifications electronically

EXHIBIT
ITEM G-1
101



DEPARTMENT OF HAWAIIAN HOME LANDS
SIGN-IN SHEET

EVENT Beneficiary Consultation
Malama Park Land Use Designation

DATE October 25, 2017 6:00 p.m. to 8:00 p.m.

DEPARTMENT OF HAWAIIAN HOME LANDS

(Please print)

(A=Applicant, L=Lessee, Both=Applicant and Lessee, O=Other)

| BENEFICIARY | NAME | MAILING ADDRESS | E-MAIL | TELEPHONE |
|-------------|---------------------------|--|----------------------------------|---------------------|
| A (L) B O | <i>Luslaini Anzabaha</i> | <i>P.O. Box 143 Hahaione HI 96748</i> | | <i>553-3559</i> |
| A (L) B O | <i>Dorothy L Kong</i> | <i>P.O. Box 296084 Honolulu</i> | | <i>658-1550</i> |
| A L B (O) | <i>Cindy Manao</i> | <i>Po Box 1282, Kaulaakaei</i> | | <i>658-2044</i> |
| (A) L B O | <i>Mary Asato</i> | <i>87-141 #5 Heleluia, Hon, HI 96797</i> | | <i>291-6408</i> |
| (A) L B O | <i>April Pelekane</i> | <i>PO BOX 1536 Kaulaakaei</i> | | <i>658-1924</i> |
| A L (B) O | <i>Acie Buan</i> | <i>P.O. Box 134, H. Hon</i> | | <i>562-6027</i> |
| A L B O | <i>Pilioloha Kalaiwaa</i> | <i>110 Kualapuu HI 96751</i> | | <i>808-646-0261</i> |
| A (L) B O | <i>Kapua Lauffi</i> | <i>Po Box 30 Kkai</i> | <i>Kalamaula@live.com</i> | <i>808 446-1557</i> |
| A (L) B O | <i>Tommy Lauffi</i> | <i> </i> | <i>'</i> | <i>''</i> |
| A L B O | <i>Pinky Gaspar</i> | <i>PO BOX 1045 Kkai</i> | <i>KapuaKerthomestee@aol.com</i> | <i>808-330-8097</i> |

Please include email if you wish to receive future meeting notifications electronically

EXHIBIT 'O'

ITEM G-1



DEPARTMENT OF HAWAIIAN HOME LANDS

DEPARTMENT OF HAWAIIAN HOME LANDS
SIGN-IN SHEET

EVENT Beneficiary Consultation
Malama Park Land Use Designation

DATE October 25, 2017 6:00 p.m. to 8:00 p.m.

(Please print)

** (A=Applicant, L=Lessee, Both=Applicant and Lessee, O=Other) **

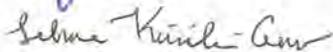
| BENEFICIARY | NAME | MAILING ADDRESS | E-MAIL | TELEPHONE |
|--------------------|-------------------------|-------------------------------------|-----------------------------|--------------|
| A <u>L</u> B O | Kammy Purdy | POB 84 Hhwa 96729 | kammypurdy@gmail.com | 808-658-0444 |
| A L B O | Don. Coakley | P.O. Box 1677 Kiki 96745 | kuoharua@att.net | |
| A <u>L</u> B O | Wilma Nedani Joy | POB 355 Hoolahua 96741 | | 567-6370 |
| A <u>L</u> B O | Bev. Pauole Moore | Box 88 K'Kai 96748 | molokairep1@gmail.com | 553-9000 |
| A L B O | | | | |
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EXHIBIT '01
ITEM G-1

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

January 29-30, 2018

To: Chairman and Members, Hawaiian Homes Commission
Through: Kaleo Manuel, Acting Planning Program Manager 
From: Lehua Kinilau-Cano, HHL Legislative Analyst 
Subject: Legislative Update 2018

RECOMMENDATION/ACTION:

None; For information only.

DISCUSSION

DHHL Bill in the Governor's Package

At its regular meeting of September 18, 2017, the Hawaiian Homes Commission approved two legislative proposals to be recommended for inclusion in the Governor's Package for the 2018 Regular Session. Following this approval, these legislative proposals were reviewed by the Department of the Attorney General, the Governor's Policy Office, and the Governor. One (1) proposal was accepted in the final package and the final draft that was submitted is enclosed in Exhibit 'A'.

Here is a summary of the proposal:

• **RELATING TO PERSONAL PRIVACY.**

Specifies certain records of the Department of Hawaiian Home Lands are not required to be publicly disclosed or made open to inspection pursuant to public records requests and may be discussed during an executive meeting of the Hawaiian Homes Commission.

The State Budget

The State Budget as proposed by the Governor is reflected in HB1900. A chart highlighting DHHL's sufficient funds request as compared to the Governor's request for Purpose 4 - Operating & Admin expenses and Purposes 1-3 - Lots, Loans & Rehabilitation Projects is attached as Exhibit 'B'.

Budget Briefings

The Senate Committees on Ways and Means and Hawaiian Affairs held an informational briefing on DHHL's 2019 Supplemental Budget Request on Wednesday, January 10. The briefing materials can be reviewed at [https://www.capitol.hawaii.gov/session2018/testimony/INFO TESTIMONY WAM-HWN 01-10-18 HHL.pdf](https://www.capitol.hawaii.gov/session2018/testimony/INFO%20TESTIMONY%20WAM-HWN%2001-10-18%20HHL.pdf). The House Committee on Finance held an informational briefing on DHHL's 2019 Supplemental Budget Request on Tuesday, January 16.

RECOMMENDED MOTION/ACTION

None; For information only.

____.B. NO._____

1 the application or lessee file to assist the family or
2 individual designated by the applicant or lessee with
3 the processing of an application or lease award;

4 (3) Designation of successor to a lease;

5 (4) Designation of successor to application rights for a
6 homestead lease;

7 (5) Requests to succeed to a homestead lease; and

8 (6) Requests to succeed to application rights.

9 (b) The hawaiian homes commission may hold an executive

10 meeting as provided in section 92-4 for the purpose of

11 discussing the records made exempt from public disclosure by

12 subsection (a) in the same manner as for the purposes listed in

13 subsection (a) of section 92-5."

14 SECTION 2. This Act shall take effect upon its approval.

15

16 INTRODUCED BY: _____

17 BY REQUEST

____.B. NO. _____

Report Title:

Department of Hawaiian Home Lands; Disclosure of Government Records

Description:

Specifies certain records of the Department of Hawaiian Home Lands are not required to be publicly disclosed or made open to inspection pursuant to public records requests and may be discussed during an executive meeting of the Hawaiian Homes Commission.

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 PERSONAL PRIVACY.

PURPOSE: Protects the sensitive content of homestead application files and homestead lease files by specifying that certain records of the Department of Hawaiian Home Lands are not required to be publicly disclosed or made open to inspection pursuant to public records requests and may be discussed during an executive meeting of the Hawaiian Homes Commission.

MEANS: Add a new chapter to the Hawaii Revised Statutes.

JUSTIFICATION: The Department has received Uniform Information Practices Act requests for specific homestead application files and homestead lease files that include personal contact information, genealogies, finance and loan documents, and other correspondence. Hawaii Administrative Rules Title 10 requires that "personal data received or recorded by the department shall be held in absolute confidence and no release of information shall be made without written approval of the individual concerned." The Department has also experienced the discussion of sensitive private family matters at its monthly public Hawaiian Homes Commission meetings.

Impact on the public: This proposal further protects the interest of Hawaiian home land applicants, lessees, and their successors by protecting information in which they have a significant privacy interest.

Impact on the department and other agencies:
None.

HHL-01(18)

EXHIBIT A

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: HHL 625.

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE DATE: Upon approval.

DHHL's "Sufficient Funds" & Executive Supplemental Budget FY19 – Purpose #4

| | FY2019 DHHL | FY2019 GOV |
|---|-----------------------|-----------------------|
| A & O Budget Request (A) | (260) \$31,831,519 | (200) \$23,370,730 |
| Operating R&M for Existing Infrastructure (A) | \$3,613,000 | |
| CIP R&M for Existing Infrastructure (C) | \$35,315,000 | \$10,000,000 |
| Total HHC A & O Budget Request | \$70,759,519 | \$33,370,730 |



DHHL's "Sufficient Funds" & Executive Supplemental Budget FY19 – Purposes #1-3

| | FY2019 DHHL | FY2019 GOV |
|---------------------|----------------|---------------|
| Lot Development (C) | \$147,125,000 | \$15,000,000 |
| Loans (C) | \$73,100,000 | |
| Rehab Projects (C) | *\$29,050,000 | |
| Rehab Projects (A) | ^\$13,109,100 | |
| Total | \$262,384,100 | \$15,000,000 |

*Total reflects projects requested by homestead leaders.

^ Includes \$365,000 requested by homestead leaders.



State of Hawaii

Department of Hawaiian Home Lands

January 29 - 30, 2018

To: Chair and Members, Hawaiian Homes Commission
Through: M. Kaleo Manuel, Acting Planning Program Manager
From: Gigi O. Cairol, Grants Specialist
E. Halealoha Ayau, Water Resources Specialist
Subject: DHHL Water Systems: Cost of Service

RECOMMENDED MOTION/ACTION

None. For information only.

BACKGROUND AND PURPOSE

The Department of Hawaiian Home Lands (DHHL) owns and operates 4 water systems statewide: Ho'olehua on Moloka'i; Anahola Farm Lots on Kaua'i; Kawaihae and Pu'ukapu in West Hawai'i. Three are regulated Public (drinking) Water Systems and one - Pu'ukapu - is a non-potable water system that is not regulated.

At the June 2017 regularly scheduled Hawaiian Homes Commission (HHC) meeting, a workshop was conducted by a federal 501(c)(3) nonprofit organization on the Technical, Managerial, Financial or "TMF" capacities for water system owners. (See Exhibit A). Today's workshop will expand on the Financial Capacity area, particularly the following.

- DHHL costs to provide water service
- Trust subsidy to break even
- Water rate analysis
- Organizational structure to effectively manage the Water Systems

As the owner of water systems, HHC and DHHL are responsible for providing safe, clean water and protecting community health and safety, while maintaining compliance with federal and state laws. These include the following.

- Federal Safe Drinking Water Act (SDWA) of 1974, as amended
- Federal Clean Water Act (CWA)
- State of Hawaii, Department of Health Hawaii Administrative Rules (HAR)

Authority

- Hawaiian Homes Commission Act of 1920, as amended, Section 221f. "Water systems under the exclusive control of the department shall remain under its exclusive control."
- DHHL HAR, Section 10-3-76(i). "Water from department systems shall be sold at rates established by the commission. The department shall establish the frequency of billing and may determine a minimum monthly charge."
- Public Utilities, Hawaii Revised Statutes Chapter 269, Section 31(a), regarding setting water rates. "This chapter shall not apply to . . . public utilities owned and operated by the State, or any county, or other political subdivision."
- Water Policy Plan, HHC approved July 2014
 - o Mission: Understand our trust water assets and manage water systems.
 - o Priority Policies: Develop, manage and steward water in a manner that balances cost, efficiency measures, and Public Trust uses; and educate beneficiaries, DHHL, HHC and other stakeholders continually on our water kuleana.
 - o Goals: Secure revenue and reduce operation costs to break even; and increase security and reliability for DHHL beneficiaries and water system users.
- Enterprise Accounting Policy, HHC adopted 2012
DHHL will budget for the Water System utilizing an enterprise account accounting structure.

RECOMMENDATION

None. For information only

State of Hawaii

Department of Hawaiian Home Lands

June 19 - 20, 2017

To: Chair and Members, Hawaiian Homes Commission
Through: M. Kaleo Manuel, Acting Planning Program Manager *[Signature]*
From: Gigi O. Cairel, Grants Specialist *[Signature]*
Subject: Water Systems 101: Technical, Managerial, Financial Capacity

RECOMMENDED MOTION/ACTION

None. For information only.

BACKGROUND AND PURPOSE

In August 2016, the Department of Hawaiian Home Lands (DHHL) received notice of a funding award of \$16 million in federal grant funds from the US Department of Agriculture (USDA) Rural Development. These funds are to be used for major capital improvements to the DHHL drinking water systems and other infrastructure in: Ho'olehua on Moloka'i; Anahola Farm Lots on Kaua'i; and La'i 'Ōpua Village 4 Hema in Kona.

One of the USDA grant conditions requires "members of the governing body [Hawaiian Homes Commission] to possess the necessary technical, managerial, and financial capacity or "TMF" skills to consistently comply with pertinent Federal and State laws and requirements. It is recommended that the governing board receive training within one year of appointment or election to the governing board, and refresher training for all governing board members on a routine basis."

USDA grant conditions go on to further state, "Facility [water system] must be operated on a sound business plan. You must adopt policies and procedures outlining the conditions of Service and use of the system. Mandatory connection policies should be used where enforceable. The policies must contain an effective collection policy for accounts not paid in full within a specified number of days after the date of billing. They should include appropriate late fees, specified timeframes for disconnection of service, and re-connection fees."

DHHL has engaged the Rural Community Assistance Corporation (RCAC) to conduct an overview on the TMF capacity necessary to manage and operate small rural water systems. RCAC is a federal

501(c)(3) nonprofit corporation providing technical assistance and training in environmental infrastructure, affordable housing, community development financing, and economic and leadership development. Since 1978, RCAC has been serving rural communities throughout 13 western states including Native American tribal communities, Alaska, Hawai'i and the Western Pacific.

HAWAIIAN HOMES COMMISSION (HHC) AND DHHL KULEANA

HHC and DHHL own four Water Systems - Ho'olehua (PWS 230¹), Anahola Farm Lots (PWS 432), Kawaihae (PWS 164), and Pu'ukapu. Three of the four meet the Department of Health (DOH) definition of a Public Water System (PWS), thus are regulated by DOH.

- Total number of connections is 865
- Total beneficiary population served is 3,320 (estimate)

- Total Operating costs in Fiscal Year (FY) 2016: \$1,500,000²
- FY 2016 user rate contribution: \$ 600,000
- DHHL contribution: \$ 900,000

As the owner of water systems, HHC and DHHL are responsible for providing clean drinking water and protecting community health and safety, while maintaining compliance with federal and state laws. These include the following.

- Federal Safe Drinking Water Act (SDWA) of 1974, as amended
- Federal Clean Water Act (CWA)
- State of Hawai'i, Department of Health Hawai'i Administrative Rules

Other water related laws and policies include:

- Hawaiian Homes Commission Act of 1920, as amended
Section 221f: Water systems under the exclusive control of the department shall remain under its exclusive control.
- HHC-approved Enterprise Accounting Policy, 2012
DHHL will budget for the Water System utilizing an enterprise account accounting structure.
- HHC-approved Water Policy Plan, 2014
Mission: In a manner consistent with our values, HHC and DHHL shall strive to ensure the availability of adequate, quality water by working cooperatively to understand our

¹ PWS is "Public Water System" as defined by the State of Hawaii Department of Health (DOH). DOH regulated water systems are given a PWS number. Note that DHHL's Pu'ukapu water system is an un-regulated system, so it does not have a PWS number.

² These figures do not include Reserve Funding for emergencies, future capital improvements, etc.

trust water assets; plan for our water needs; aggressively understand, exercise and assert our kuleana as stewards of water; develop and protect water sources; and manage [our] water systems.

What is TMF? And, how are we doing?

| TMF CAPACITY AREAS | DHHL Achievements |
|--|---|
| <p>Technical - properly licensed and certified operators are operating and maintaining the water system so that it delivers safe, clean drinking water to customers. This includes water storage, treatment and distribution.</p> | <ul style="list-style-type: none"> • DHHL Certified Operators for Ho'olehua • Increased contract oversight of third party water operators for Anahola, Kawaihae & Pu'ukapu • Addressed deficiencies identified in DOH Sanitary Surveys |
| <p>Managerial - manager oversees all water systems & makes major decisions; hires & supervises personnel with appropriate skills & expertise; prepares overall budget; engages in long-range planning; asset inventory; customer service</p> | <ul style="list-style-type: none"> • HHC-approved Water Policy • Interim cross-divisional ad hoc team • TMF capacity training for governing entity • 2016 Emergencies handled well (Anahola pressure issue & Ho'olehua vandalism) |
| <p>Financial - budgeting, rate setting, collections/billing, financial statements; federal grants management & compliance.</p> | <ul style="list-style-type: none"> • HHC-Approved Enterprise Accounting Policy • Cost of Service Analysis completed • Secured \$16M federal funds for major capital improvements |

CURRENT CHALLENGES

- DHHL organizational structure is highly de-centralized thus impacting accountability & transparency
- DHHL water systems are categorized as small systems, thus difficult to achieve economies of scale
- Recruiting & retaining certified operators & other personnel with the appropriate expertise and skills
- Staffing challenges
 - Water operator staffing level is barely adequate for 24/7 coverage

- o Mis-match of skills - Homestead Services Division District Office are performing fiscal functions such as water service billing and collections
- o Fiscal office staff shortage for handling water billing & collections, federal grants management, federal funds reporting
- o Staff assigned to the water systems perform other duties
- Improve Contract oversight of 3rd party O&M contractors
- Financial sustainability
- Billing software and compatibility issues with DHHL accounting systems

NEXT STEPS

For HHC:

- Operate the water systems as an enterprise vs privatization/dedicate to County?
 - o HHCA Section "retain exclusive control"
 - o Training ground for homestead jobs. Water operator skills are highly sought after
- Adopt Water Administrative Rules regarding connecting to the water system, terms/conditions for using the system, billing/collection/delinquencies, enforcement & disconnection /reconnection procedures & fees.
- Approve adequate budget, resources, and tools to plan for future needs, operate & maintain, and have healthy reserve funds for the water systems
- Annual refresher on TMF Capacity and orientation for new HHC members

For DHHL:

- Immediate need: Increase staff time & expertise
 - o Technical operations - add at least one full-time certified-level 2 operator for Ho'olehua
 - o Managerial - add 1 full-time Water manager and 2 staff.
 - o Financial - 2 - 3 Fiscal staff dedicated to Water Enterprise Accounting and USDA federal grants compliance
- Review DHHL organizational structure and improve effectiveness to manage DHHL water systems overall
- Ongoing Public education effort
- Complete Water User Rate Study to increase financial sustainability
- Procure new water billing software or consider contracting out

RECOMMENDATION

None. For information only

Summary

DHHL Water Systems: TMF Capacity

| TECHNICAL | MANAGERIAL | FINANCIAL |
|---|---|--|
| <p>Completed</p> <ul style="list-style-type: none"> ✓ 3 Certified Operators ✓ Increased O&M Contract oversight | <p>Completed</p> <ul style="list-style-type: none"> ✓ HHC Water Policy 2014 ✓ Cross division ad hoc team | <p>Completed</p> <ul style="list-style-type: none"> ✓ \$16M USDA grant awarded ✓ HHC Enterprise Accounting 2012 ✓ Cost of Service Analysis |
| <p>In Progress</p> <ul style="list-style-type: none"> ➤ Add 1 Operator level 2 ➤ Improve consistency in O&M Contract Scopes of Work | <p>In Progress</p> <ul style="list-style-type: none"> ➤ Water Admin Rules – BC ➤ Effective Utility Management | <p>In Progress</p> <ul style="list-style-type: none"> ➤ Interim Rate Study ➤ Implement Enterprise Accounting ➤ USDA grants management |
| <p>To Do</p> <ul style="list-style-type: none"> <input type="checkbox"/> Dedicate 100% staff time on Water Operations <input type="checkbox"/> Shift O&M contract oversight to Water staff | <p>To Do</p> <ul style="list-style-type: none"> <input type="checkbox"/> Water Div. w/dedicated staff <input type="checkbox"/> Water Facility Master Plan <ul style="list-style-type: none"> <input type="checkbox"/> Asset Inventory <input type="checkbox"/> Record Keeping <input type="checkbox"/> Public Education <input type="checkbox"/> Customer Service | <p>To Do</p> <ul style="list-style-type: none"> <input type="checkbox"/> Dedicate Fiscal staff <input type="checkbox"/> Water billing/collections <input type="checkbox"/> Data automation |

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

January 29-30, 2018

To: Chairman and Members, Hawaiian Homes Commission
Thru: M. Kaleo Manuel, Acting Planning Program Manager 
From: Andrew H. Choy, Planner 
Subject: For Information Only Draft Environmental
Assessment for the DHHL South Point Resources
Management Plan, Kau, Hawaii Island and
Anticipated Finding of No Significant Impact
(AFONSI) TMK (3)-9-3-001:003

Recommended Action

None; for information only.

Discussion

PURPOSE

The purpose of this informational briefing is to update the HHC on the status of the DHHL South Point Resources Management Plan (RMP) and provide the HHC an opportunity to provide comments on the DEA prior to publication in the Office of Environmental Quality Control's Environmental Notice Bulletin. The adoption and implementation of the RMP was also identified as a Priority Project in the 2012 DHHL Kau Regional Plan.

The DEA (Exhibit B) is posted on the DHHL website for review at:

<http://dhhl.hawaii.gov/po/environmental-review/>

BACKGROUND

At its October 16, 2016 meeting, the Hawaiian Homes Commission adopted the RMP (See HHC submittal Exhibit A). South Point is an extremely important wahi pana that has been undermanaged and neglected by DHHL for decades. All of the resource management issues that have arisen over these decades have stemmed from the lack of a consistent DHHL management presence in the area due to insufficient funds, staffing levels, and resources to manage these lands at a higher level. DHHL's inconsistent presence at South Point has given rise to a "wild-wild-west" type management regime among private individuals with dissimilar priorities and interests.

The current management regime coupled with increased visitor interest in South Point attractions such as Mahana Bay (Green Sands Beach) has resulted in unregulated and unpermitted activities on DHHL lands and has left visible scars on the natural landscape as well as emotional scars on the relationships among individuals and families in the Kau community. As such, a management plan for DHHL lands in South Point was necessary. Because the majority of the management activities in the management plan are considered a use of state land lands, preparation of an environmental assessment as prescribed by HRS Chapter 343 is required.

DRAFT ENVIRONMENTAL ASSESSMENT (SUMMARY)

The DEA (Exhibit B) assesses the potential environmental impact of the resource management activities that are prescribed in the RMP. The RMP recommends the following management activities:

| SUMMARY OF GOALS, PROJECTS AND STRATEGIES | |
|---|---|
| Goal 1: Restore, preserve, and protect cultural and natural resources. | |
| 1.1 | Restore and protect important cultural sites and natural resources within the DHHL's property. |
| 1.2 | Plan, design, and construct a walking path that guides visitors around the cultural and natural resources near South Point. |
| Goal 2: Perpetuate native Hawaiian culture, values, history and language for future generations. | |
| 2.1 | Provide opportunities for 'āina-based educational programs at South Point. |
| 2.2 | Design and implement a permit system to allow for 'ohana camping at South Point. |
| 2.3 | Plan, design, and create an area to serve as a gathering place for the local community. |
| Goal 3: Provide a safe, clean, and friendly environment. | |
| 3.1 | Manage vehicular access at South Point. |
| 3.2 | Provide sanitary amenities and signage at South Point. |
| 3.3 | Plan, design and construct a service road and a pedestrian path to Mahana Bay. |
| 3.4 | Develop and implement a public education campaign to increase awareness and to deter unpermitted recreational activities. |
| 3.5 | Improve access to lifesaving equipment for the local community and visitors. |
| 3.6 | Improve access to Kaulana boat ramp and launching area. |
| 3.7 | Develop and implement a fire management plan. |
| Goal 4: Generate revenue in order to sustainably fund cultural and natural resources management activities and provide economic opportunities for DHHL beneficiaries and their families. | |
| 4.1 | Institute a parking fee for South Point. |
| 4.2 | Provide training and technical assistance to DHHL beneficiaries to become legal business entities on DHHL lands. |
| 4.3 | Provide opportunities/programs that engage visitors in the history and culture of the place. |
| 4.4 | Seek alternative sources to fund resource protection projects for South Point. |

The enclosed illustration (Figure 1, page 4) in the DEA (Exhibit B) depicts the spatial orientation of the above projects. A more detailed description of the entire management plan, and management activities' potential

impact to the surrounding environment and planned mitigation measures can be found in the DEA. In summary, these proposed uses are anticipated to have minimal impact to the surrounding environment. Furthermore, the lack of action will lead to additional and more severe environmental degradation.

Natural Resources

During the botanical survey of the project area, one endangered plant species was identified, the ohai. Additionally, there were six endemic and 16 indigenous plant species identified in the project area. Two native bird species were identified in the project area, the pueo and the noio. No endangered animals were observed in the project area during the EA study.

Cultural Resources

The project area contains several known important cultural sites and approximately 700 acres of the project area is designated as a National Historic Landmark. An *archaeological inventory survey* (AIS) was conducted as a part of this DEA on portions of the project area where potential ground disturbing activities would be located. These ground disturbing activities include: road, trail, trail.

Fieldwork was conducted from June to August 2017. Fieldwork consisted of a 100% pedestrian inspection, an extensive subsurface testing program, and photo documentation of previously recorded sites located along the Green Sand Beach Pedestrian Path. The AIS found that the original proposed alignment for the emergency road and the walking trail in the 2016 plan needed to change to account for steep topography and archaeological sites found in the area. Therefore, the alignments of the maintenance and emergency access road and walking trail in the 2016 plan have been modified. The final current alignment and location of for the road and trail is shown in Figure 2 of Exhibit B.

The AIS also documented numerous historic properties found in previous archaeological studies within and near the Project area, as well as five newly discovered historic properties. In summary, the AIS confirms that South Point

is rich with significant historical and cultural sites. No-action on the part of DHHL management of South Point will result in continued degradation of these sites. The entire AIS report can be found in the DEA report Appendix D (Exhibit B).

Infrastructure

The DHHL Kamaoa-Puueo tract is serviced by the County of Hawaii Waiohinu-Naalehu Public Water System 108 which serves the communities of Naalehu and Waiohinu. The system extends all the way down near the barracks at South Point. The only proposed potable water use in the 2016 RMP is related to a possible visitors' center. Projected potable water demand for the visitors' center is expected to be minimal and will not significantly impact the existing water system.

Vehicular access to South Point from Mamalahoa Highway is via the County's South Point Road. A point-in-time traffic count was conducted over a two-day period in June 2017. Traffic was counted on a weekday and a weekend during the hours of 7:00am to 5:00pm. Approximately 300 cars were counted on the weekday and 380 cars were counted on the weekend accessing South Point. A previous point-in-time traffic count was conducted in May 2016 on a weekday. During the May 2016 count, 243 cars headed to South Point were counted between 6:00am and 6:00pm.

Parking areas delineated in the 2016 RMP could accommodate an estimated 85 cars near the barracks and 15 vehicles near the fish hoist at any one time. Without management and regulation of vehicle access as proposed in the 2016 RMP, the current volume of daily traffic headed to South Point will continue to overwhelm and degrade the natural and cultural resources in the area.

There are no electricity or telecommunication services that exist in the project area.

DHHL Planning System Consistency

The DEA also addresses the proposed project uses for consistency with existing plans and applicable land use policies. As previously mentioned, the development of a South Point Resource Management Plan was identified as a

priority project in the DHHL Kau Regional Plan. The DHHL Hawaii Island Plan land use designation for the South Point area is Special Area District. Per the Island Plan, Special Area Districts consist of areas requiring special attention due to the presence of unique natural and cultural resources. The management activities prescribed in the South Point Resource Management Plan are consistent with the allowable uses within the Special Area District land use designation.

Based upon the analysis completed in the DEA, staff anticipates a finding of no significant impact for the South Point Resources Management Plan. This determination is based upon the 13 criteria of significance that approving agencies must consider as specified in HAR 11-200-12.

1. *Involve an irrevocable loss or destruction of any natural or cultural resources.*

The proposed Project is not expected to adversely impact any natural or cultural resources. Technical studies have been conducted to assess the potential impact of the proposed Project on fauna and flora, as well as cultural and archaeological resources at South Point. These studies have found the proposed Project will not negatively impact native fauna and flora populations at South Point. The archaeological inventory survey and cultural impact assessment conducted for this Project also found that the proposed actions will not negatively impact the natural and cultural resources and practices of the Project area. Though archaeological features might be encountered during the construction phase, an archaeological monitoring plan will be in place and an archaeological monitor will be present at all times of construction. Should any resources be discovered during construction, all work will cease immediately and SHPD will be contacted.

2. *Curtail the range of beneficial uses of the environment.*

The proposed Project is not expected to curtail the range of beneficial use of the environment since the proposed actions are minimal. Rather, the proposed

actions will improve the integrity of the environment at South Point.

3. *Conflict with the state's long-term environmental policies or goals and guidelines as expressed in Chapter 344 HRS, and any revisions thereof and amendments thereto, court decisions, or executive orders.*

The proposed Project is consistent with the environmental policies, goals, and guidelines expressed in HRS Chapter 344.

4. *Substantially affects the economic or social welfare of the community or state.*

The proposed Project is not expected to have significant negative socio-economic effect, but rather, is anticipated to provide significant benefits to communities surrounding South Point through employment opportunities, restoring and maintaining the sense of place of South Point that many value.

5. *Substantially affects public health.*

The proposed Project is not anticipated to negatively affect public health. Instead, the proposed Project will improve public health and safety by providing toilets to improve sanitary conditions, as well as infrastructure for emergency service vehicles.

6. *Involves substantial secondary impacts, such as population changes or effects on public facilities.*

The proposed Project is not anticipated to have secondary impacts such as population changes or effects on public facilities. The proposed project will not encourage changes in population size.

7. *Involves a substantial degradation of environmental quality.*

No substantial degradation of environmental quality is expected as a result of the proposed Project. However, the proposed Project is expected to substantially improve the environmental quality of South Point.

8. *Is individually limited but cumulatively has considerable effect upon the environment or involves a commitment for larger actions.*

The proposed Project is not expected to have a significant negative cumulative effect upon the environment. Rather, if all resource management activities are implemented, the cumulative effect on the environment is expected to be very positive.

9. *Substantially affects a rare, threatened or endangered species, or habitat.*

The fauna and flora study that was conducted for this Project found that the proposed actions will not negatively impact rare, threatened, or endangered species or its habitat. The study notes that the proposed management actions of the Project will instead enhance and improve habitats at South Point that will in turn attract more native species.

10. *Detrimentially affects air or water quality or ambient noise levels.*

The proposed project is not anticipated to have any long-term impacts on air, water quality, or noise conditions. Impacts on air and water quality and noise conditions are anticipated to be minor and short-term resulting from construction-related activities, and will cease upon Project completion. Short-term impacts may include an increase in dust generating around the Project area; an increase in noise levels from construction equipment and onsite vehicles; and increase in the amount of sediment in storm runoff because of exposed soils. However, the proposed Project is located far away from residential areas, therefore, will not impact surrounding communities. Nevertheless, these short-term impacts will be mitigated through use of Best Management Practices (BMPs) to minimize and mitigate potential negative impacts.

Also, the actions of the RMP are anticipated to protect against detrimental effects to air or water quality by limiting destructive activities that expose

soils. Proposed actions will also encourage the re-establishment of native vegetation in exposed areas, thereby reducing the potential for soil erosion.

11. *Affects or is likely to suffer damage by being located in an environmentally sensitive area such as flood plain, tsunami zone, beach, or erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal water.*

The Project area is located in Zone X of the FEMA's Flood Insurance Rate Map which is in an area of minimal flood hazard and higher than the elevation of the 0.2-percent-annual-chance or 500-year flood. The Project area is also outside of the tsunami evacuation zone and is classified as an area with low risk of wildfires. Therefore, the proposed Project is not located in an environmentally sensitive area.

12. *Substantially affects scenic vistas and view-planes identified in county or state plans or studies.*

The proposed project will not adversely affect the public's enjoyment of scenic vistas and view planes. Instead, the proposed Project is anticipated to improve and protect the integrity of the cultural and natural resources of South Point and enhance coastal views at South Point.

13. *Require substantial energy consumption.*

The proposed project is not anticipated to consume a substantial amount of energy.

NEXT STEPS FOR EA COMPLETION

The following is a list of anticipated next steps and milestones in the completion of the EA.

- DEA anticipated to be published in the February 8, 2018 OEQC bi-monthly bulletin
- 30-day public comment period on the DEA ends March 7, 2018;

- Revise DEA per public comments and complete Final Environmental Assessment (FEA) (May 2018);
- Present FEA to HHC; HHC issues Finding of No Significant Impact (FONSI) declaration for the project (May 2018)
- HHC FONSI declaration for the project and FEA submitted to OEQC for publication in OEQC bi-monthly bulletin. (June 2018)

NEXT STEPS FOR OVERALL PROJECT IMPLEMENTATION

In addition to the completion of the FEA and HHC declaration of FONSI for the project in accordance with Hawaii Revised Statutes Chapter 343 and HAR 11-200, the following priority projects as identified in the South Point Resource Management Plan will need to be implemented:

- Restore and protect important cultural sites and natural resources within DHHL's property;
 - Creation and installation of interpretive signage for known cultural and natural resources;
 - Organize community work days;
 - Issue a curatorship agreement with a community organization to steward cultural resources at Ka Lae;
 - Construction of protective barriers around sensitive resources like Palahemo and Puu Alii;
- Manage vehicular access at South Point;
 - Establish a consistent DHHL enforcement presence;
 - Creation of a full-time DHHL Resource Manager at South Point;
 - Installation of entrance station, security booth, and gate;
 - Designation and enforcement of permitted parking areas;
- Provide sanitary amenities and signage at South Point;
 - Deploy waste receptacles;
 - Install entrance sign;
 - Install regulatory signage (no trespassing, no cliff jumping);

- o Provide portable toilets;
- Institute a parking fee for South Point;
 - o Further research and outreach to develop a fee structure;
 - o Establish internal policies and procedures to collect parking fee;
 - o Deploy DHHL staff or contractors to enforce and collect fee;
- Plan, design, and construct a pedestrian path and service road to Mahana Bay;
 - o Procure vendor to design and engineer service road and walking paths;
 - o Procure vendor to construct service road and walking paths.

Sufficient budget will need to be allocated by the HHC and DHHL to implement plan recommendations. Furthermore a willingness by current and future decision-makers to follow through on plan recommendations will be needed to ensure successful implementation.

Recommended Action

For information only. No action required.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

October 16, 2016

To: Chairman and Members, Hawaiian Homes Commission
Thru: M. Kaleo Manuel, Acting Planning Program Manager 
From: Andrew H. Choy, Planner 
Subject: Adoption of South Point Resource Management Plan,
Kamā'oa, Ka'ū, Hawai'i.

Recommended Action

That the Hawaiian Homes Commission:

1. Adopt the South Point Resources Management Plan, Kamā'oa, Ka'ū (2016) (Exhibit A); and
2. Authorize dissemination of the South Point Resources Management Plan.

Discussion

BACKGROUND & PURPOSE

The DHHL Ka'ū Regional Plan that was adopted by the HHC in 2012 identified as one of its priority projects the need for a management plan for DHHL's coastal lands in the ahupua'a of Kamā'oa which is also commonly referred to as "South Point." It is believed that this is the place where Polynesians first discovered Hawai'i and that the first settlers arrived as early as 124 AD. To the native Hawaiian beneficiary community as well as the larger Native Hawaiian community and residents of Ka'ū, South Point is an extremely important wahi pana that has been undermanaged and neglected by DHHL for decades.

All of the resource management issues that have arisen over these decades have stemmed from the lack of a

consistent DHHL management presence at South Point due to insufficient funds, staffing levels, and resources to manage these lands at a higher level. DHHL's inconsistent presence at South Point has given rise to a "wild-wild-west" type management regime among private individuals with dissimilar priorities and interests. The current management regime coupled with increased visitor interest in South Point attractions such as Mahana Bay (Green Sands Beach) has resulted in unregulated and unpermitted activities on DHHL lands and has left visible scars on the natural landscape as well as emotional scars on the relationships among individuals and families in the Ka'ū community.

The purpose of this Resources Management Plan (Exhibit A) and planning process is to work with DHHL beneficiaries in order to identify feasible and sustainable solutions to improve DHHL management of the South Point area. Mana'o of family members and associates of DHHL beneficiaries in which DHHL beneficiaries chose to invite into the planning process were included in the analysis as well.

OUTREACH PROCESS & METHODOLOGY

Table 1 summarizes the timeline for this planning process. This 16-month planning and beneficiary consultation process began in June 2015. The majority of the time and resources for this planning process has been utilized to engage and outreach with DHHL Ka'ū beneficiaries. Table 1 highlights the following plan activities that were completed to date:

Table 1

| Dates | Activity | Intended Outcome |
|--------------------|---|---|
| July 2015 | Community Meeting #1 "Kick-off" Meeting. About 70 people attended of which 50 self-identified as a DHHL beneficiary. | Beneficiaries were informed about the upcoming plan process, schedule, and introduced to the DHHL staff and consultants. |
| Aug. to Sept. 2015 | 5 small group "talk story" sessions that involved approximately 35 key South Point stakeholders were conducted. Stakeholders included DHHL beneficiaries, kama'aina and kūpuna. | Management issues and conflicts among different stakeholder groups were identified. Common shared management goals and opportunities among stakeholders were also identified. |
| Sept. 2015 | HHC members conducted a site visit of DHHL South Point lands and important South Point wahi pana. | HHC members gained a better understanding of the existing condition and management issues at South Point. |
| Dec. 2015 | Community "Speak Out" conducted. The five hour event was meant to provide a flexible opportunity for people to share ideas. About 40 people attended of which 25 self-identified as a DHHL beneficiary. | Beneficiaries identified specific management activities to help achieve management goals. |
| Jan. 2016 | A preliminary draft management plan was completed and circulated internally for review. | Preliminary draft plan summarized, organized, and prioritized community mana'o heard to date. |
| Feb. to March 2016 | DHHL staff worked with consultant to revise preliminary draft. | Priority projects were identified. Cost-estimates for immediate priorities were developed and vetted. |

| | | |
|-------------------|--|---|
| April to May 2016 | Additional site visits to South Point were conducted with neighboring landowner Kamehameha Schools, SHPD, OHA, and board members of the Ala Kahakai Trail Association. | Logistical and site considerations of priority projects were further considered. Additional data was collected. |
| May 2016 | Draft Management Plan was completed and published on DHHL website. | Draft Plan made available for public review and comment. |
| Aug. 2016 | Community meeting was conducted to receive comment and feedback on Draft Management Plan. | Collect feedback and input from community on Draft Management Plan. |
| Sept. 2016 | A "Pre-Final" was Plan Completed | Draft management plan was revised per feedback and comment from the community. |

Results of Outreach Process

Meeting notes from each of the above activities are included in as an appendix in Exhibit A. Below is a summary of management issues. As stated previously, all of these management issues arise from the lack of a consistent DHHL presence at South Point:

1. Over the past several decades, there has been a lack of management by DHHL - in terms of presence, response to problems and enforcement.
2. South Point has become a playground for both local people and tourists who drive-off road and tear up the landscape with no regards to the land and its resources.
3. Unrestricted vehicular access to the area has left severe scars on the landscape.
4. Many visitors also have no knowledge of the resources and fragile ecosystem of the place.
5. There is a potential liability to DHHL if people are injured from these unregulated activities on DHHL lands.

6. There is a lack of sanitary amenities such as toilets and waste receptacles on-site.
7. Local fishermen rely on resources for subsistence, but there is alleged overfishing from "outsiders" and sports fishermen.
8. There is a lack of economic opportunities available in Ka'ū, but there are potential opportunities to generate revenue at South Point from visitors for the Trust and its beneficiaries.
9. The land has been exploited by individuals providing illegal shuttle services who care only about economic gain even at the expense of the land and resources.

Draft Management Plan

A draft management plan was presented to the HHC in June 2016. Four overall management goals were identified during the outreach process. These management goals are:

1. **Natural & Cultural Resource Management:** Restore, preserve, and protect cultural and natural resources.
2. **Native Hawaiian Culture, Knowledge, and Traditional Practices:** Perpetuate Native Hawaiian culture, values, history and language for future generations.
3. **Health & Safety:** Provide a safe, clean, and friendly environment.
4. **Economic Self-Sufficiency:** Generate revenue in order to sustainably fund cultural and natural resource management activities and provide economic opportunities for DHHL beneficiaries and their families.

Initially, approximately 30 management projects associated with the above goals were identified. Upon further review and vetting, the management activities were further refined into 15 projects. These proposed projects are summarized on page 43 of Exhibit A.

Pages 41-42 of Exhibit A provides a visual representation of the locations of where beneficiaries have identified as priority management areas for these management projects to take place at South Point. Management activities seem to have clustered around four

distinct "management-units" in South Point. These management units (illustrated in Exhibit D) are:

1. Management Unit A - Entrance to South Point
2. Management Unit B - Barracks Area
3. Management Unit C - Ka Lae
4. Management Unit D - Kaulana Boat Ramp to Mahana Bay

Focusing on these units will direct resources to areas of management priority.

PRIORITY PROJECT RECOMMENDATIONS

Of the 15 projects, six were identified as *Priority Projects* i.e. projects that need to be implemented immediately in order for other future management projects to be successful. These six projects include (not in rank order):

1. Provide Sanitary Amenities and Signage at South Point;
2. Manage Vehicular Access at South Point;
3. Institute a Parking Fee for South Point;
4. Plan, Design, and Construct a Service Road and a Pedestrian Path to Mahana Bay;
5. Provide Business Training and Technical Assistance;
6. Restore and Protect Important Cultural Sites and Natural Resources within DHHL's Property.

Final Management Plan

As mentioned previously, DHHL conducted a community meeting in August 2016 to get feedback and comments on the draft management plan. A summary of comments received is included below in the following section. Notes from the August 2016 meeting as well as all comments received on the draft management plan are included in Exhibit B. Based on the comments received on the draft management plan, the following substantive revisions were made to the final management plan:

- **DHHL will refrain from installing a gate at this time.** There were many comments that installing a gate and closing it between 6:00PM and 6:00AM would prevent access for fishermen at night. Fishermen often fish at night during varied hours depending upon the season and/or lunar cycle. Several of the comments received

on the draft plan also stated that the amount of traffic and vehicles entering South Point is relatively small compared to vehicle traffic during day-time hours. Thus, based on the input received, DHHL will refrain from installing a gate at this time. However, should future night-time activities at South Point prove to be detrimental to the surrounding environment, DHHL will strongly consider gate installation in order to protect the unique natural and cultural resources of the area.

- **The plan has been re-organized so that the cultural and natural resource themes and activities are clearly articulated.** Several comments received on the draft plan expressed concern that the plan seemed to over-emphasize individual monetary gain and commercial activities over natural and cultural resource management and that the plan needs to put more emphasis on the cultural and ecological significance of South Point.
- **The service road will be used exclusively as a service road for emergency and maintenance vehicles only.** Based on similar input and sentiment as the above bullet point, the plan now recommends that the service road (Priority Project #4) will be exclusively for emergency and maintenance vehicle use only. The service road will not be used for private tours or shuttling services. A service road is still needed as DHHL would be unable to deploy trash cans and portable toilets near Mahana Bay. Without trash cans and portable toilets, trash and defecation will continue to be an issue at Mahana Bay.
- **The plan recommends that revenue generated at South Point be re-invested back into South Point management activities and providing infrastructure for homesteading.** There was strong consensus amongst all meeting participants that revenues generated at South Point should be re-invested into DHHL Ka'ū lands. There was also sentiment that jobs, contract work, and economic opportunities at South Point that DHHL initiates should involve DHHL Ka'ū beneficiaries and the larger Ka'ū community.

Estimated Plan Costs

Table 2, below, is a summary of estimated priority project costs. A description of each priority project is discussed in further detail, including logistical and cost considerations, in Section 3.2 of Exhibit A.

Table 2 Summary of Priority Project Estimated Costs

| Priority Project | One-Time Cost Totals | Annual Operating Cost Totals |
|--|------------------------------|----------------------------------|
| Provide Sanitary Amenities and Signage at South Point | \$5,200 - \$8,200 | \$14,000 - \$24,000 |
| Manage Vehicular Access | \$20,000 - \$40,000 | \$329,000- \$342,000 |
| Institute A Parking Fee | \$5,300 - \$10,500 | \$0 |
| Plan, Design, and Construct a Service Road and Pedestrian Path to Mahana Bay | \$2,218,600 - \$3,333,600 | \$100,300* |
| Provide Business Training and Technical Assistance | \$5,000- \$10,000 | \$0 |
| Restore and Protect Important Cultural Sites and Natural Resources | \$144,000 - \$240,000 | \$10,000 - \$50,000 |
| TOTALS | \$2.4M to \$3.6M | \$453,300 - \$516,000 |

*If gravel maintenance road is constructed. Maintenance for paved road is lower.

Next-Steps

The plan articulates implementation action-steps and the time frame for action for each of the six priority projects that DHHL should take upon the adoption of the plan by the HHC. Implementation action-steps for each priority project can be viewed in section 3.2 of Exhibit A. However, the immediate overall next step, upon HHC adoption of the South Point Resources Management Plan, is to conduct an environmental assessment of the management plan in

accordance with HRS Chapter 343. DHHL is in the process of procuring a contractor and hopes to initiate the environmental assessment process during the first quarter of 2017.

RECOMMENDED ACTION

That the Hawaiian Homes Commission take the above recommended action as stated.

HHC January 26-27 Meeting
Agenda Item G-4

Exhibit B:

South Point Resources Management Plan
Draft Environmental Assessment Report

<http://dhh1.hawaii.gov/po/environmental-review/>

DRAFT Environmental Assessment:

THE DHHL SOUTH POINT RESOURCES
MANAGEMENT PLAN

Prepared by:
TOWNSCAPE, INC
Prepared for:
DEPARTMENT OF HAWAIIAN HOME LANDS

List of Acronyms

| | |
|-------|--|
| AIS | Archaeological Inventory Survey |
| AMP | Archaeological Monitoring Program |
| ASEA | Southeast Mauna Loa Aquifer Sector Area |
| CDP | Community Development Plan |
| COH | County of Hawai'i |
| CSH | Cultural Surveys Hawai'i, Inc. |
| CZM | Coastal Zone Management |
| DHHL | Department of Hawaiian Home Lands |
| DOH | Department of Health |
| DPP | Department of Planning and Permitting |
| DWS | Department of Water Supply |
| EA | Environmental Assessment |
| EIS | Environmental Impact Statement |
| FEMA | Federal Emergency Management Agency |
| FIRM | Flood Insurance Rate Map |
| GIS | Geographical Information Systems |
| HAR | Hawai'i Administrative Rules |
| HDOH | Hawai'i Department of Health |
| HELCO | Hawaiian Electric Light Company |
| HRS | Hawai'i Revised Statutes |
| LCAs | Land Commission Awards |
| mgd | million gallons per day |
| MSL | Mean Sea Level |
| NHL | National Historic Landmark |
| NRCS | U.S. Department of Agriculture, Natural Resources Conservation Service |
| NRHP | National Register of Historic Places |
| NPDES | National Pollutant Discharge Elimination System |
| SFHA | Special Flood Hazard Area |
| SIHP | State Inventory of Historic Properties |
| SHPD | State Historic Preservation Division |
| SMA | Special Management Area |
| TMK | Tax Map Key |
| TSI | Townscape, Inc. |

PROJECT SUMMARY

Project Name: DHHL South Point Resources Management Plan, Ka'ū District, Hawai'i Island, Hawai'i.

Proposing Agency: Department of Hawaiian Homelands
P.O. Box 1879
Honolulu, Hawaii 96805
Contact: Andrew Choy

Consultant: Townscape, Inc.
900 Fort Street Mall, Suite 1160
Honolulu, HI 96813
Contact: Angela Fa'anunu, PhD.
Phone: (808) 227-8855
E-mail: faanunu@townscapeinc.com

Tax Map Key: (3)-9-3-001:003

Location: Located in Kamā'oa-Pu'ueo Ahupua'a, in the district of Ka'ū, on Hawai'i Island. Situated south of Nā'ālehu town, South Point is the southern-most point of the Hawaiian Islands. The Hawaiian Homestead of Ka'ū is the nearest settlement to the Project area which consists of a handful of 20-acre agricultural lots and 25-acre pastoral lots, some of which have residential houses.

DHHL Land Use Designation: Special District

State Land Use District: Agriculture District; Conservation District

County of Hawai'i Zoning: Ag-20a: Agricultural Zone with minimum lot size of 20 acres

Anticipated Determination: Finding of No Significant Impact (FONSI)

Agencies and Parties Consulted:

Federal
US Army Corps of Engineers
US Coast Guard, District 14
US Department of the Interior:
US Fish and Wildlife Service
National Marine Fisheries Service, Pacific Island Region, NOAA
Office for Coastal Management, NOAA
Pacific Island Fisheries Science Center, NOAA
National Park Service, Ala Kahakai Historic Trail

State
Department of Land and Natural Resources:
Commission on Water Resource Management

Engineering Division
State Historic Preservation Division
Division of Forestry and Wildlife
Division of Boating and Ocean Recreation
Division of Aquatic Resources
Office of Conservation and Coastal Lands
Department of Health:
Clean Water Branch
Wastewater Branch
Environmental Planning Office
Department of Business, Economic Development & Tourism
Department of Transportation
Office of Hawaiian Affairs

County of Hawai'i

Mayor's Office
Department of Planning
Department of Water Supply
Department of Environmental Management
Department of Public Works
Department of Mass Transit
Department of Parks and Recreation
Department of Finance
Department of Research and Development
Fire Department
Police Department
Hawai'i County Council, District 6
Hawai'i County House of Representatives

Other

Kamehameha Schools
Hawaiian Civic Clubs of Ka'u
Outdoor Circle
I Ola Na 'Āina Momona
Discovery Harbor Community Association
Hana Laulima Lahui o Ka'u
Ho'omalua Ka'u
Ka Ohana o Honuapo
Ka'u Agroforestry Association
Ka'u Hawaiian Homelands Association
Ka'u Preservation
Na Mamo o Kāwā
O Ka'u Kākou

Responses received during initial consultation:

State of Hawai'i Department of Health:
Clean Water Branch
Wastewater Branch
State of Hawai'i Department of Land and Natural Resources:

Division of Aquatic Resources
Office of Conservation and Coastal Lands
Hawai'i County, Mayor's Office
Hawai'i County, Department of Water Supply
Hawai'i County, Fire Department
Hawai'i County, Police Department
Hawai'i County Council, District 6
Ka'ū Hawaiian Home Lands Association

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1 INTRODUCTION

1.1 Proposing Agency and Action

At the request of the State of Hawai'i's Department of Hawaiian Home Lands (DHHL), Townscape, Inc. (TSI) is preparing an Environmental Assessment (EA), in accordance with Hawai'i Revised Statutes (HRS) Chapter 343, for the implementation of the 2016 DHHL South Point Resources Management (RMP 2016). Future implementation of the RMP 2016 is a use of state lands and funds, therefore, triggers HRS Chapter 343. DHHL proposes implementing the RMP to protect and restore natural and cultural resources on DHHL lands at South Point.

Unregulated access to DHHL lands at South Point, also known as Ka Lae, has compromised the integrity of its heritage sites and of coastal ecosystems. Specifically, heavy use of recreational trucks, ATVs, and motor bikes has not only destroyed sacred sites but has resulted in widespread soil and sand erosion. The unregulated use of off-road vehicles, coupled with the site's exposure to the prevailing winds, has left the natural and cultural resources of South Point in critical condition. To address these threats and accomplish the goals of the RMP 2016, the plan proposes sixteen projects and strategies which consist of near-term priority projects and long-term projects. Refer to Section 1.4 for details on these actions.

1.2 Purpose of Environmental Assessment

This document is an Environmental Assessment (EA) to assess short and long-term impacts to the natural and man-made environment surrounding the Project area, as a result of the proposed Project. The document also identifies mitigation measures to minimize impacts where potential impacts to the environment might occur. The use of State of Hawai'i funds, as well as public lands for this project, triggers an environmental review, as required by Hawai'i Revised Statutes (HRS) Chapter 343 of the State of Hawai'i. The environmental review process allows for three courses of action depending on a project's anticipated level of environmental impacts. These are:

- 1) an exemption from environmental review;
- 2) a project lacks potential "significant*" environmental impacts and only an Environmental Assessment is required; and
- 3) "significant" environmental impacts are anticipated and an Environmental Impact Statement (EIS) is required.

Pre-assessment for this Project suggests no "significant" impacts are expected to result from the proposed actions of this Project, therefore, an EA was prepared.

*Significant is defined under HAR Chapter 200

The DHHL contracted TSI to prepare the EA. Various consultants were sub-contracted to conduct studies in technical areas necessary for project design and for identifying and understanding potential impacts of the Project to the environment. These included:

- Townscape, Inc.— Prime Consultant
 - Traffic Study
 - Cultural Impact Assessment
- Cultural Surveys Hawai'i, Inc.— Archaeology

-
- Geometrician Associates— Fauna and Flora

1.3 Project Location

This Project is located on Tax Map Key (TMK) parcel number: (3)-9-3-001:003, in the ahupua‘a of Kamā‘oa-Pu‘ueo, in the district of Ka‘ū, on Hawai‘i Island (See Figure 1). Situated south of Nā‘ālehu town, South Point is the southern-most point of the Hawaiian Islands. Often referred to as the country, South Point is located in a remote area, far away from major centers of human settlement. The nearest settlement to the Project area are DHHL agricultural and pastoral homestead lots at Kamā‘oa-Pu‘ueo, consisting of 12 agricultural lot homesteads and 25 pastoral lot homesteads. Not all of these homestead lots are occupied at this time. Kamā‘oa Road, which turns into South Point Road, and Kalae Rd, connects South Point to Nā‘ālehu and to Māmalahoa Highway. South Point is surrounded by the Pacific Ocean on its western, southern, and eastern boundary.

1.4 Proposed Action

The purpose of the RMP 2016, is to guide future actions to steward the land and resources held under the Hawaiian Homes Land Trust located at South Point and coastal lands extending northeast to Māhana Bay. The plan also serves as a guide for DHHL and the Hawaiian Homes Commission to determine funding requirements and needs for the projects in this area. The RMP 2016 identified a vision for South Point as “a self-sustaining, healthy and safe community where the ‘āina—inclusive of the people and resources within it—and native Hawaiian culture and values thrive.” To achieve this vision, the plan proposes four management goals for the area which include:

- (1) **Natural & Cultural Resources Management:** Restore, preserve, and protect cultural and natural resources.
- (2) **Native Hawaiian Culture, Knowledge, & Traditional Practices:** Perpetuate native Hawaiian culture, values, history and language for future generations.
- (3) **Health & Safety:** Provide a safe, clean, and friendly environment.
- (4) **Economic Self-Sufficiency:** Generate revenue in order to sustainably fund cultural and natural resources management activities and provide economic opportunities for DHHL beneficiaries and their families.

To achieve the above goals, the RMP 2016 identifies sixteen projects and strategies which consists of near- and long-term management actions for South Point. These projects and strategies are summarized in Table 1 and listed by goal. Of the 16 projects proposed in Table 1, seven projects have been selected as priority projects to be implemented in the near-term and the remaining projects are long-term strategies to be implemented over time. Priority projects include the following actions:

- (1) Restore and protect important cultural sites and natural resources within the DHHL’s property.
 - (2) Plan, design, and construct a walking path that guides visitors around the cultural and natural resources near South Point.
 - (3) Manage vehicular access at South Point.
-

- (4) Provide sanitary amenities and signage at South Point.
- (5) Institute a parking fee for South Point.
- (6) Plan, design and construct a service road and a pedestrian path to Māhana Bay.
- (7) Provide training and technical assistance to local people to become legal business entities on DHHL lands.

Table 1. RMP 2016 Summary of Goals, Projects, and Strategies

| SUMMARY OF GOALS, PROJECTS AND STRATEGIES | |
|---|---|
| Goal 1: Restore, preserve, and protect cultural and natural resources. | |
| 1.1 | Restore and protect important cultural sites and natural resources within the DHHL's property. |
| 1.2 | Plan, design, and construct a walking path that guides visitors around the cultural and natural resources near South Point. |
| Goal 2: Perpetuate native Hawaiian culture, values, history and language for future generations. | |
| 2.1 | Provide opportunities for 'āina-based educational programs at South Point. |
| 2.2 | Design and implement a permit system to allow for 'ohana camping at South Point. |
| 2.3 | Plan, design, and create an area to serve as a gathering place for the local community. |
| Goal 3: Provide a safe, clean, and friendly environment. | |
| 3.1 | Manage vehicular access at South Point. |
| 3.2 | Provide sanitary amenities and signage at South Point. |
| 3.3 | Plan, design and construct a service road and a pedestrian path to Mahana Bay. |
| 3.4 | Develop and implement a public education campaign to increase awareness and to deter unpermitted recreational activities. |
| 3.5 | Improve access to lifesaving equipment for the local community and visitors. |
| 3.6 | Improve access to Kaulana boat ramp and launching area. |
| 3.7 | Develop and implement a fire management plan. |
| Goal 4: Generate revenue in order to sustainably fund cultural and natural resources management activities and provide economic opportunities for DHHL beneficiaries and their families. | |
| 4.1 | Institute a parking fee for South Point. |
| 4.2 | Provide training and technical assistance to DHHL beneficiaries to become legal business entities on DHHL lands. |
| 4.3 | Provide opportunities/programs that engage visitors in the history and culture of the place. |
| 4.4 | Seek alternative sources to fund resource protection projects for South Point. |

The main near-term priority for DHHL is to gain site control by managing vehicular access. The RMP 2016 found that implementing other recommended actions to protect the integrity of resources without first establishing on-site presence at South Point to enforce management policies would be ineffective and a waste of financial resources and effort. Thus, the proposed actions to address the priority projects mentioned above include the following:

- A: The installation of an entrance gate at the intersection of Kalae Rd. and South Point Road, and a security booth 0.75 miles north of the intersection along South Point Road;
- B: Two designated parking areas at the “Barracks” near the Kaulana Boat Ramp and at Ka Lae;
- C: A cultural interpretive walking trail at Ka Lae with associated signage and protective barriers around cultural sites;
- D: A pedestrian path and an emergency access road extending from the “Barracks” to Māhana (Green Sands) Bay.

The overall Project acreage, comprising of the interpretive walking trail, the pedestrian path, emergency access road and two parking lots total 17.8 acres.

A cultural impact assessment (CIA) conducted for this EA indicated that the majority of participants consulted for the study were concerned about the impacts of unmanaged access to South Point on natural and cultural resources and practices. The majority of informants supported closing down the road to South Point to allow the land to heal. One individual highlighted that continuing to allow public access to DHHL lands is an impact on traditional and customary Hawaiian practices. These actions not only continue to negatively impact the psychological well-being of Native Hawaiians, but also the degraded state of natural and cultural resources caused by unmanaged access at South Point, directly impacts the ability of Native Hawaiians to carry out their traditional and customary practices. The CIA also suggested a general consensus among study participants that limiting vehicular access to South Point was a good idea that is consistent with the historic use of the place where everyone walked. Therefore, the proposed actions (A – D) were welcomed as management strategies for South Point.

Considering the cultural and archaeological significance of South Point, as demonstrated by studies conducted for this EA, the DHHL may designate South Point as a “Heritage Park” pursuant to HAR 10-4-31.

1.4.1 Project Area Change

An archaeological inventory survey (AIS) along the footprint of proposed actions A to D was conducted in 2017 (Figure 1). However, the AIS found that the original alignment for the emergency road, the walking trail, and the parking lots needed to change to account for steep topography and archaeological sites found in the area. Therefore, the alignments of the emergency access road and walking trail in the 2016 plan have been modified as a result of the findings and recommendations in the AIS study that was conducted for this EA. New alignments for those proposed actions were created. The current alignment and location of the emergency road and trail is shown in Figure 2.

1.5 Background

South Point—more commonly referred to as Ka Lae by local people—is a special and unique place for the people of Ka’ū and for residents from other regions of Hawai’i Island. For many, this treasured wahi pana connects the past to the future, providing a source of pride and identity for communities in Ka’ū and for many Hawaiian families. Its significant cultural landscape tells of the early native Hawaiian settlement of the area. Ka Lae is believed to be the site where Polynesians from the Marquesas Islands and possibly other islands, first settled when they arrived in Hawai’i, which is estimated to have occurred as early as A.D. 124.

Recognizing its historical and cultural importance, approximately 710 acres of this area has been designated as a National Historic Landmark (NHL) because it provides “the longest and most complete record of human occupation in the Hawaiian Islands.” Important cultural sites within the NHL include Pu’u Ali’i, Kalalea Heiau, Lua o Palahemo, canoe mooring holes, and Lua Makalei. In addition to its cultural significance, Lua o Palahemo is a unique natural resource; several types of anchialine pool shrimp are known to exist in this anchialine pool, including ‘ōpae ‘ula and the endangered *Vetericaris chaceorum*. Additionally, rare plants such as the endangered ‘ohai also exist within this sacred ‘āina.

Mo’olelo shared by kūpuna depict South Point as a place of remarkable beauty and great cultural significance with iwi kupuna and sacred sites. However, over the years South Point has been desecrated and exploited by off-road vehicle enthusiasts, extractive actions by visitors and sports fishermen. An earlier management plan was completed for South Point in 1983 by PBR Hawai’i, however, the ongoing issues of this area still have not been addressed three decades later. The lack of on-site management and enforcement by the DHHL has allowed unrestricted vehicular access to continue resulting in miles of deep, wide, and extremely severe erosion scars, ranging from several feet to over eight feet in depth.

Many Ka’ū community members are frustrated that there has been no progress for the management of South Point resources. Communities of Ka’ū pleaded in public meetings and talk-story consultations, to “let the land heal” so that the remaining unique ecosystems of Ka Lae can be shared with future generations. There is general skepticism within the Ka’ū community about the DHHL’s ability to manage these Trust lands effectively. Many called on the DHHL to do something about the destruction and assume active management of South Point. The need to protect and preserve the natural and cultural sites of South Point was also identified as a priority project in DHHL’s Ka’ū Regional Plan that was adopted by the Hawaiian Homes Commission in 2012. Thus, in an effort to address some of these long-standing issues, Townscape, Inc., was contracted in June, 2015, to develop the DHHL South Point Resources Management Plan (RMP)The Project was completed in November, 2016. The RMP is available in Appendix A of this document and on-line at: https://dhhl.hawaii.gov/wp-content/uploads/2017/06/DHHL-South-Point-Final-Plan_101916_to-DHHL_low-res.pdf.

1.5.1 The DHHL South Point Resources Management Plan (RMP)

The RMP was developed based on information gathered from consultations with DHHL beneficiaries, and Ka‘ū kūpuna and kama‘āina knowledgeable about South Point. These community members provided their mana‘o to assist the planning team in formulating recommended projects and strategies. Community outreach included two public meetings, a series of small group “talk story” sessions, and an interactive five-hour community “SpeakOut” event. During these community consultations, community members shared their vision, concerns, and ideas for management strategies. Many issues discussed in the 1983 plan were again raised during consultations for the RMP, and some of the projects and strategies presented in the RMP reflect similar recommendations from the 1983 plan. In addition to community members, Kamehameha Schools and some of the agencies and organizations who work to preserve and protect cultural and natural resources were also consulted.

Major concerns expressed during consultations included:

- Over the past several decades, there has been a lack of management by DHHL—in terms of presence, response to problems and enforcement.
- South Point has become a playground for both local people and tourists who drive off-road and tear up the landscape with no regards to the land and its resources.
- Unrestricted vehicular access to the area has left severe scars on the landscape.
- Many visitors also have no knowledge of the resources and fragile ecosystem of the place.
- There is a potential liability to DHHL if people are injured from these unregulated activities on DHHL lands.
- There is a lack of sanitary amenities such as toilets and waste receptacles on-site.
- Local fishermen rely on resources for subsistence, but there is alleged overfishing from “outsiders” and sports fishermen.
- There is a lack of economic opportunities available in Ka‘ū, but there are potential opportunities to generate revenue at South Point from visitors for the Trust and its beneficiaries.
- The land has been exploited by individuals providing illegal shuttle services who care only about economic gain even at the expense of the land and resources.

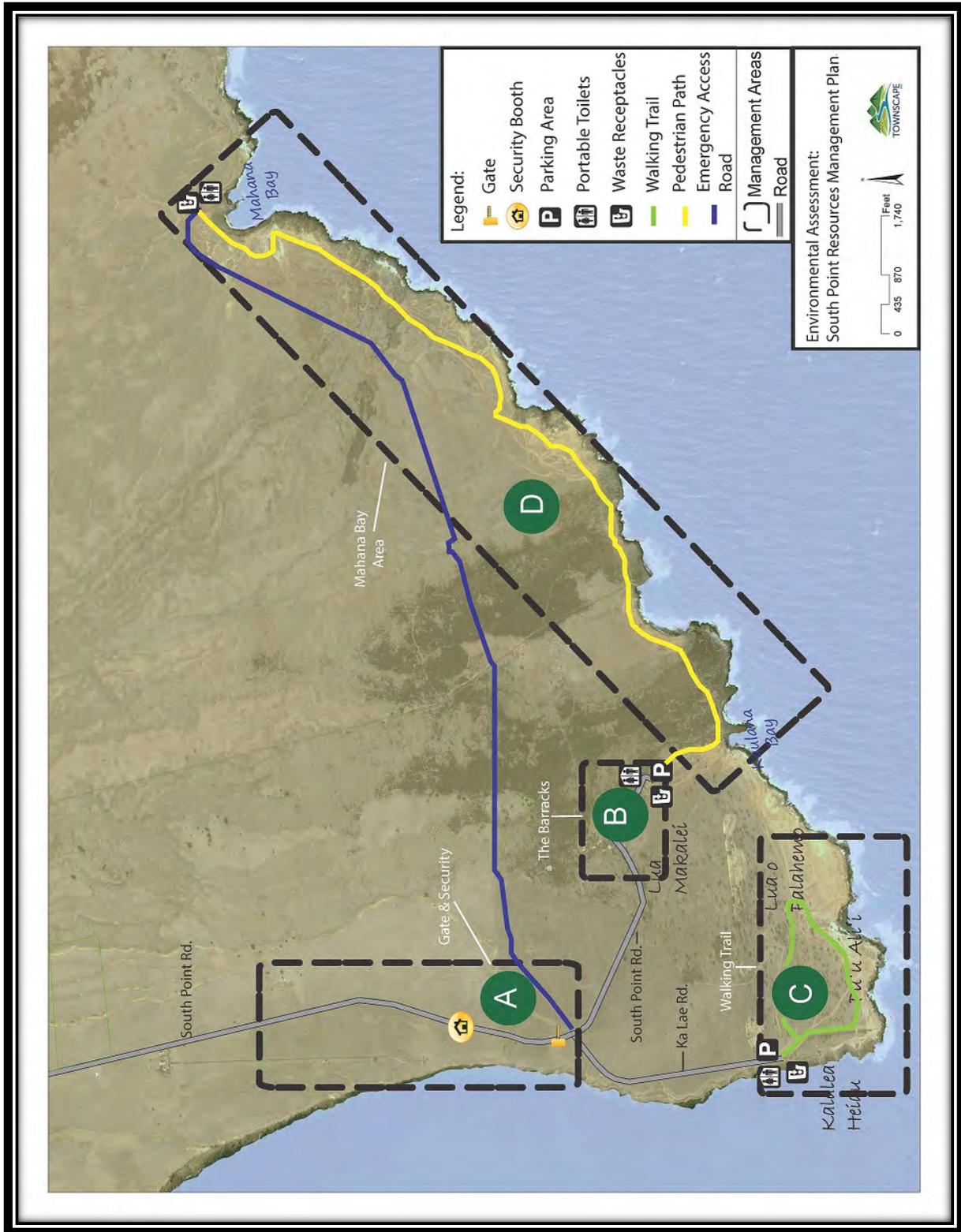


Figure 1. Original Project Area Map

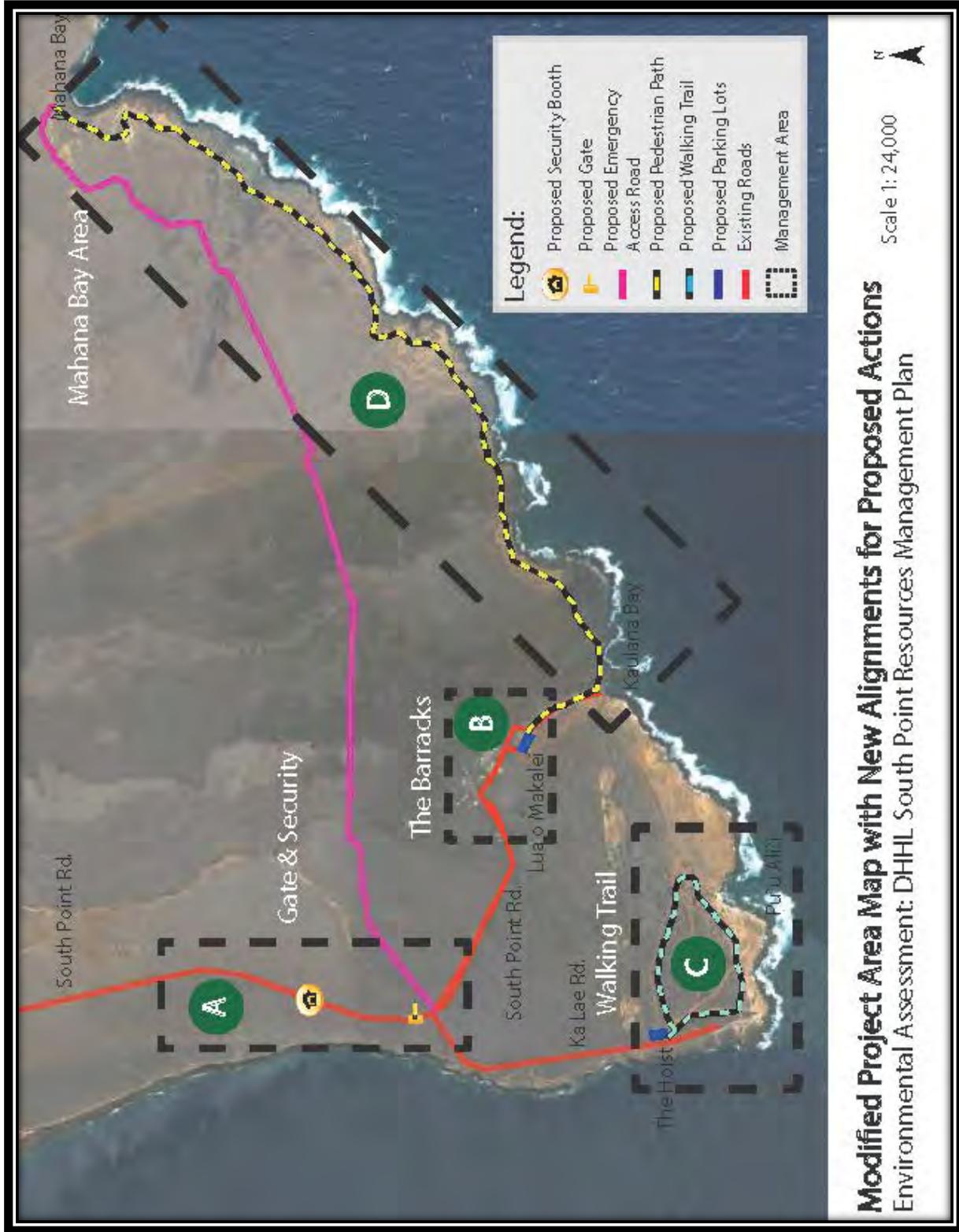


Figure 2. Modified Project Area Map

2 DESCRIPTION OF THE ENVIRONMENT AND POTENTIAL IMPACTS AND MITIGATION MEASURES

2.1 Physical Environment

2.1.1 Land Tenure and Existing Land Uses

2.1.1.1 Land Tenure:

The District of Ka'ū was divided into smaller regions or 'okana (District or sub-district, usually comprising several ahupua'a), which comprised of nearly 30 ahupua'a. The Project area is located within Kamā'oa Ahupua'a, also known as Kamā'oa-Pu'ueo, in the 'ili 'āina (smaller subdivision of an ahupua'a) of Ka Lae. According to Soehren (2010), Kamā'oa contains over 30 'ili 'āina or 'ili kū. Following the Great Māhele of 1848, Kamā'oa Ahupua'a was granted to Leleiohoku who returned it in commutation for lands elsewhere. Kamā'oa was retained by the Government. Māhele records indicate that numerous Land Commission Awards (LCA)s were claimed in Kamā'oa, however, many of them were not awarded. In the 'ili of Kalae, three kuleana claims were made, and all were awarded to Kaoo, Molaolao, and Kuaipalahalaha, as shown in Table 2. A map of the approximate location of LCA 9249, relative to the Project area, is shown on Figure 8 of the archaeological inventory survey conducted for this EA in Appendix D.

Table 2. Land Commission Awards at South Point

| LCA # | Awardee | Royal Patent # | Acreage | Land Use Description |
|-------|----------------|----------------|---------|--|
| 9249 | Kaoo | - | 5.5 | One 'apana: one house lot, three sweet potato kihāpai (fields) |
| 9249B | Molaolao | 5115 | 7.75 | One 'apana: four sweet potato kihāpai |
| 9249C | Kuaipalahalaha | 7098 | 4.0 | One 'apana: five sweet potato kihāpai |

The Project area, is composed of approximately 11,000 acres and under is the jurisdiction of the Department of Hawaiian Home Lands (DHHL). The Hawaii Organic Act 1900, stipulates that "Public Lands" includes all lands in the Territory of Hawai'i classed as "government or crown lands prior to August 15, 1895 or acquired by the government upon or subsequent to such date by purchase, exchange, escheat, or the exercise of the right of eminent domain, or in any other manner, with five exceptions. One of the five exceptions includes: (1) lands designated in Section 203 of the Hawaiian Homes Commission Act, 1920, hereafter referred to as Act 1920. Section 203 (1), of Act 1920 states that "Certain public lands designated "Available Lands" include (1) Kamā'oa-Pu'ueo on the island of Hawai'i (all 11,000 acres, more or less).

Thus, the designation of the Project area as "Available Lands" differs from other "Public Lands" administered by state agencies for the State of Hawai'i. As such, the use of Project area lands is NOT intended for the general public of the State of Hawai'i but for the benefit and use of native Hawaiians as defined by Act 1920 and the Hawai'i State Constitution. The United States and the State of Hawai'i have a fiduciary duty to faithfully administer the provisions of Act 1920 on behalf of the native Hawaiian beneficiaries of the Act. Therefore, the use of Available Lands, such as the

Project area, differs from the use of lands for public parks on state and county lands in that the facilities provided by the DHHL on these lands, are to address the needs of native Hawaiians, NOT those of the general public.

Note: Although a portion of the western section of TMK (3)-9-3-001:003, on which the hoist is located, is shown in the State geographical information system (GIS) as belonging to the State of Hawai'i's Department of Land and Natural Resources (DLNR), the parcel was returned to DHHL in 1984 by Executive Order 3273. The change is not reflected in geographical GIS maps generated for this site, therefore, it is necessary to clarify that this section was returned to the DHHL and is currently under the management of the DHHL.

Other major landowners with property in close proximity to the Project area include Kamehameha Schools, the State of Hawai'i, and the United States (U.S.) Coast Guard. The latter owns the parcel at Ka Lae on which the existing lighthouse and Kalalea Heiau are located.

2.1.1.2 Existing Land Use Designations:

The DHHL Hawai'i Island Plan, a 10-year plan published in 2002 to assess the potential use of the 116,963 acres of DHHL lands on Hawai'i Island, recommends optimal use of the land to meet the needs of DHHL beneficiaries. In the Plan, the southern-most portion of Kamā'oa-Pu'ueo, which corresponds with the Project area, is designated as a Special District that requires special attention and additional study due to unique features and resources.

Hawai'i Revised Statute (HRS) Chapter 205, established the State Land Use Commission, which classifies all lands in Hawai'i into four land use districts: Urban, Rural, Agricultural, and Conservation. The Project area is within the Conservation and Agricultural Districts. Specifically, each of the proposed actions overlap both Conservation and Agricultural Districts, as shown in Figure 3. Permitted uses within this district are established and managed by the respective counties through land use ordinance.

The Hawai'i County Code regulates land use to encourage orderly development in accordance with adopted land use policies, including the Hawai'i County General Plan and the County's Community Development Plans (CDPs). The management actions proposed within the Project area fall under the County's Ag-20a zoning designation which is an agricultural zone with minimum lot size of 20 acres. Public uses and structures necessary for agricultural practice are permitted uses in this zone per the County Code's Chapter 25-5-72 Item 18. It should be noted, however, that DHHL lands are not required to conform with County zoning regulations.

Potential Impacts and Mitigation Measures

No significant impacts on the land tenure and existing land uses are anticipated to result from the proposed actions. Instead, the proposed actions will improve the integrity of the existing lands of the Project area.

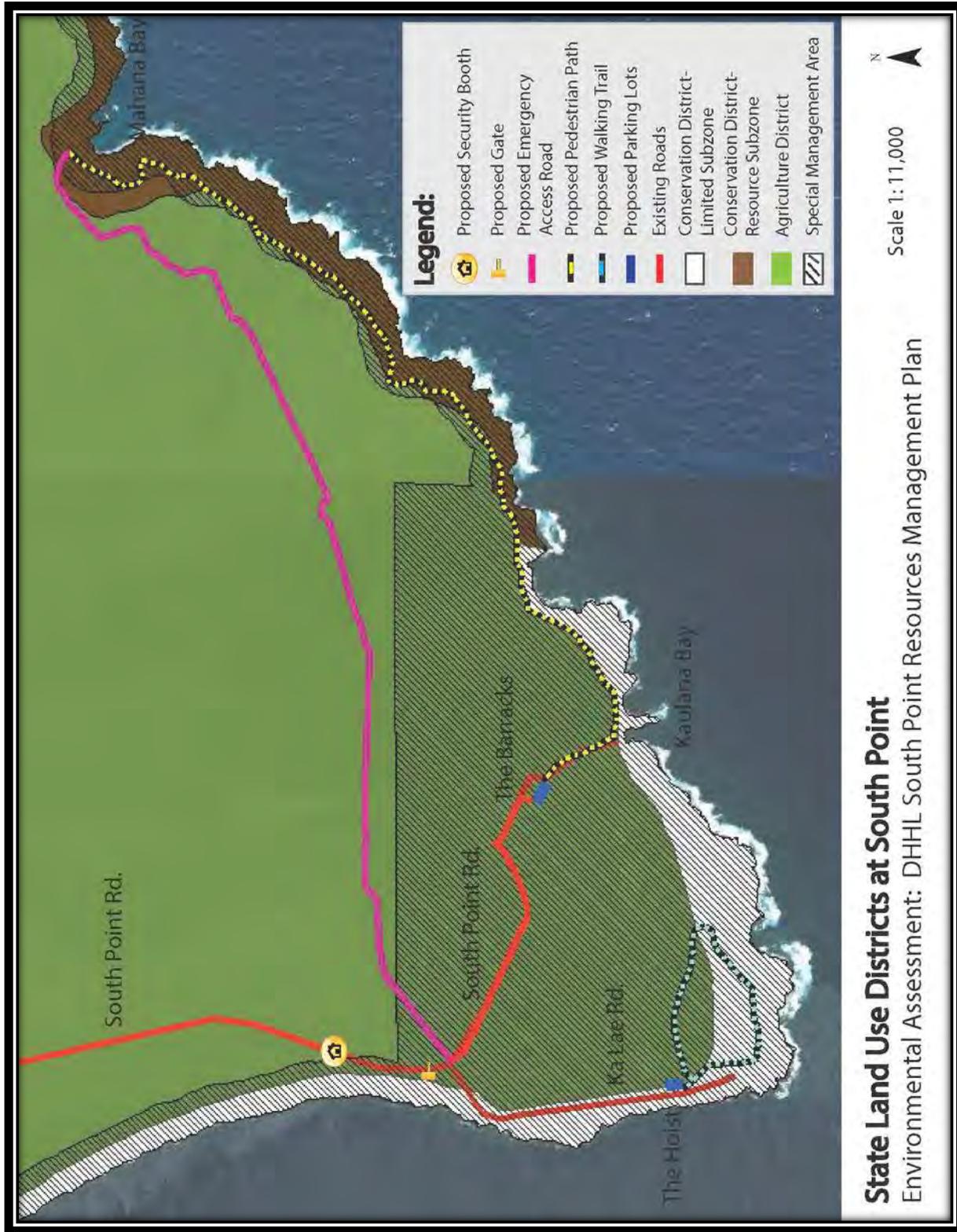


Figure 3. State Land Use Districts at South Point

2.1.2 Climate and Hydrology

2.1.2.1 Climate

Rainfall in the Hawaiian Islands is spatially variable because of the islands' topography and the prevailing northeasterly trade winds. Dry areas receive less than 10 inches of rainfall annually and wet areas receive greater than 400 inches¹. In Ka'u, the mean annual rainfall for South Point is 27 inches which varies throughout the year with 4 inches in January (winter) and 1.7 inches in July (summer). The mean annual temperature is 73°F and ranges from 69.7°F in winter to 75.6°F in the summer. Combined with its exposure to the prevailing northeasterly trade winds which frequently impact the area, as shown in Figure 4, the climate of South Point can be characterized as dry, windy, and hot for most of the year.

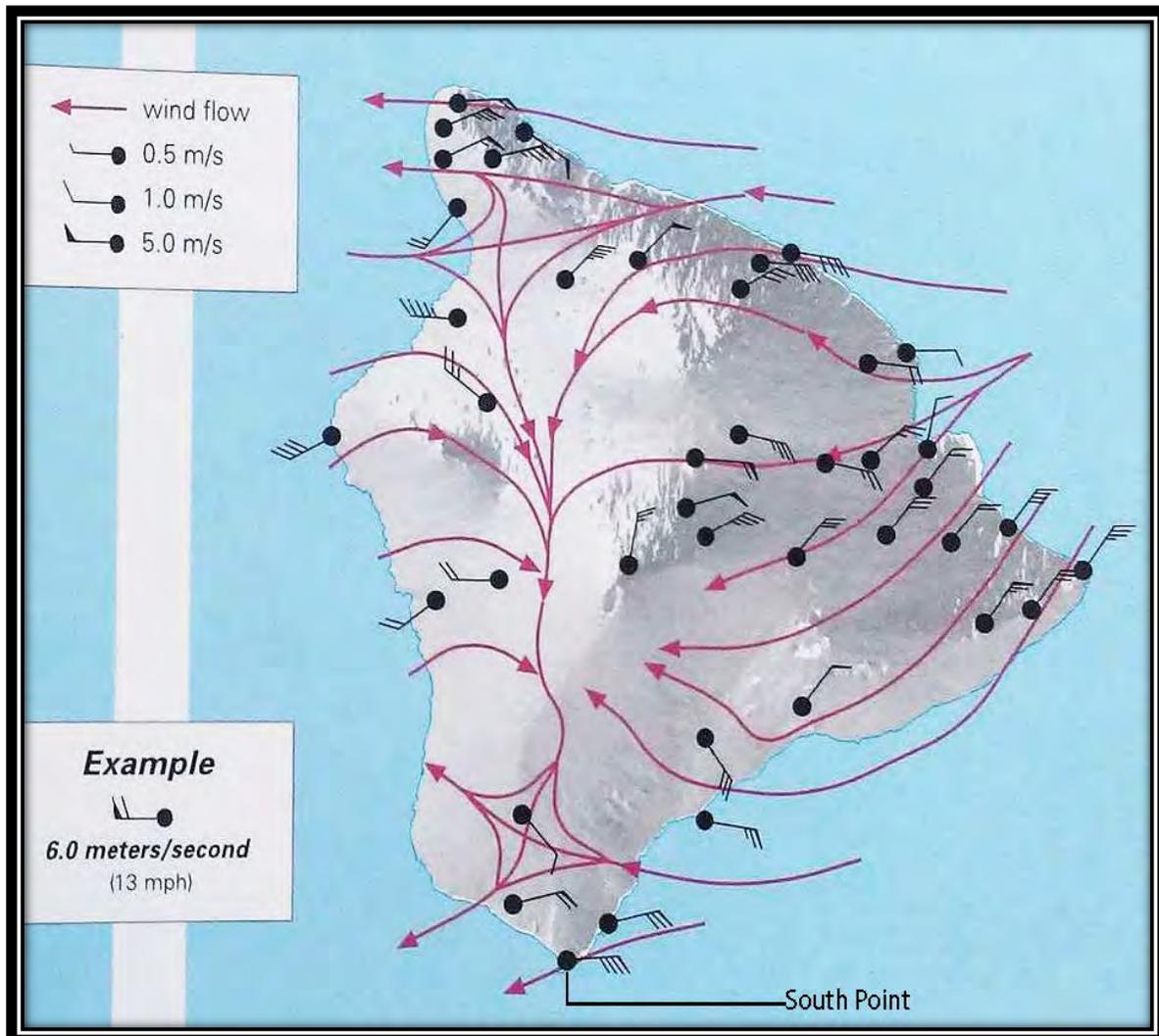


Figure 4. Wind direction and flow at South Point²

¹ <https://hi.water.usgs.gov/publications/pubs/fs/fs126-00.pdf>

² Juvik S. and James Juvik, 1973. *Atlas of Hawai'i : Third Edition*. University of Hawai'i Press, Honolulu.

2.1.2.2 Hydrology

In Hawai'i, ground water is the most reliable source of water supply due to minimal daily or seasonal changes in water tables. Precipitation not lost through evapotranspiration or through streams into the ocean, percolates into the ground and collects in aquifers under the island that slowly leak water into the sea³. Most water is maintained in basal freshwater lenses that “float” on the salt-water permeated rock below but in some locations, significant water is trapped between dikes or perched above impervious ash layers.

The island of Hawai'i contains high ground water levels in the rift zones of Kīlauea and Kohala Volcanoes. High water levels, possibly associated with a buried rift zone of Hualālai Volcano or fault scarps draped with lava flows, also are present along the western coast. Areas of high water levels are also found along the northern flank and eastern flanks of Mauna Kea and on the southeastern flank of Mauna Loa. The occurrence of fresh ground water in each of the Hawaiian Islands can be depicted using water levels measured in wells. Water levels less than 50 feet above sea level, represented by red dots in Figure 5, were arbitrarily chosen to show occurrences of thin freshwater lenses. Water levels greater than 50 feet above sea level, represented by blue dots in Figure 5, show areas where vertically extensive freshwater-lens systems or dike-impounded water exist. As shown in Figure 5, the number of wells in the Ka'ū District is less than in other parts of Hawai'i Island. Several wells, with water levels less than 50 feet above sea level (red dots) are shown to occur at South Point in Figure 5.

South Point lies within the boundaries of the Southeast Mauna Loa Aquifer Sector Area (ASEA) which includes 'Ōla'a, Kapapala, Nā'ālehu, and Ka Lae (80504) Aquifer System Areas⁴. The ASEA covers the south central portion of the island, primarily the Ka'ū District, and the northwestern section of the Puna District. The Water Resources Protection Plan for the State of Hawai'i identified the Ka Lae Aquifer as having a sustainable yield of 31 million gallons per day (mgd). However, the sustainable yield does not consider whether the water resource is feasible to develop.

2.1.2.3 Potable Water

Water Source

Sources of water for domestic systems for Hawai'i County include catchment systems, wells, tunnels or springs, or delivered water. The South Point area uses the County DWS #108 Waiohinu-Naalehu Public Water System which serves the communities of Nā'ālehu, Wai'ōhinu, and South Point. After the closure of the sugar plantation, the Department of Water Supply (DWS) has assumed the management of this water system, while ownership of the system is still undetermined. This water system depends primarily on the New Mountain House Tunnel Spring and Hā'ao Spring for its water supply. Over 20 percent of the water drawn from the DWS system is used for agriculture⁵. Currently, an existing 50,000-gallon water tank is located near the Barracks site at South Point on DHHL property that is maintained by the DWS though ownership

³ https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_037166.pdf

⁴ http://hawaiiidws.org/7%20the%20water/wateruseplan/HWUDP%20Chapter%20805_Final.htm

⁵ https://dlnr.hawaii.gov/forestry/files/2013/02/Kau_FR_Mgnt_Plan_2012.pdf

of the tank is also undetermined. The tank is not currently being accessed by South Point residents for water.

Previously, a deep well at South Point was drilled in 1990 but it was not operational due to high salinity. The Department of Land and Natural Resources (DLNR) drilled a well with a possible capacity of 36,000 to 180,000 mgd for potable water or 140,000 to 430,000 mgd for irrigation water⁶. However, tests during well construction failed to pinpoint a pumping level at which the chloride level stabilized. Thus, no water distribution system was installed.

Water Needs

The RMP 2016 proposes several potential projects that will need water. These include: toilet facilities, a security booth, a gathering place/community center, and overnight camping. A traffic study conducted for this EA indicated that approximately 728 people visited South Point on a weekday and approximately 906 people visited on a weekend day. Assuming these numbers reflect the approximate number of visitors to South Point on any given week day and weekend day, respectively, an estimated 3,640 people visit South Point during the week and 1,812 people visit during the weekend. Based on these numbers, approximately 5,452 people are likely to visit South Point every week, or 283,504 visitors per year. Though more visitor count events are needed to establish a more accurate estimate of visitors to South Point, these numbers suggest that significant water supply will be necessary to support toilet facilities alone to service approximately 779 people per day or 5,000 people or more per week at South Point.

Sewage usage roughly requires approximately five to ten gallons of water per person during the daytime and about 100 gallons per person for overnight camping. Assuming 779 visitors per day, approximately 4,000 to 8,000 gallons of water will be required for daytime toilet facilities per day. This estimate is for daytime toilet usage alone, excluding water needs for a security booth, a gathering place/community center, and overnight camping.

Potential Impacts and Mitigation Measures

No significant impacts on water resources are anticipated to result from the proposed actions as none of the proposed actions will be drilling underground to impact groundwater. Also, to address the future water needs of the RMP 16 expressed above, funding has been approved to allow DHHL to develop and improve the water infrastructure in Ka'ū and at South Point. The DHHL is working more closely with DWS to plan for better water management at South Point.

2.1.3 Anchialine Pool

Palahemo is an anchialine pool at South Point which is a landlocked body of water with a subterranean connection to the ocean. Anchialine pools are a feature of coastal aquifers and are density stratified, with the water near the surface being fresh or brackish, and saline water intruding from the coast below at some depth⁷. Consultations with people from Ka'ū indicate that the water levels of Palahemo fluctuate with tidal changes due to its proximity to the ocean.

⁶ https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_037166.pdf

⁷ https://en.wikipedia.org/wiki/Anchialine_pool

Potential Impacts and Mitigation Measures

No significant impacts are anticipated to result from the proposed actions because no actions will occur in the anchialine pool. Instead, the proposed Project is expected to improve the conditions in and around Palahemo by reducing vehicular access and discouraging recreational activities on motorbikes, ATVs, and trucks at South Point that have caused sedimentation from soil erosion. In addition, re-vegetating the vicinity of the pool with native plants will further prevent soil erosion at Palahemo.

2.1.4 Topography

The Project area gradually descends in elevation from 900 feet to 1,000 feet above sea level at Nā'ālehu to approximately 200 feet above mean sea level where the proposed emergency road is situated. The topography of most of the Project area is below 100 feet above mean sea level.

2.1.5 Geology

Hawai'i Island consists of five coalescent, subaerial (above sea level) volcanoes. Mauna Loa is one of these volcanoes that has influenced the geology of South Point. Mauna Loa is considered to be an active volcano though it is nearing the end of its shield stage, therefore, the volcano's frequency and rate of eruption are declining. However, Mauna Loa still discharges lavas of tholeiitic basalt. Between 1843 and 1995, Mauna Loa erupted 36 times, but only three eruptions have occurred since 1950 (1950, 1975, and 1984)⁸. As shown in Figure 6, the geology of South Point consists primarily of Ka'ū Basalt and Kahuku Basalt.

2.1.6 Soils

Juvik and Juvik (1973) characterize the soil orders of South Point as consisting mostly of Andisols and Histosols-lava. Andisols occur mainly on lava flows older than 3,000 years on Hawai'i and are characterized to take up large amounts of phosphorous. Andisols are the most common soil type in the state of Hawai'i and may persist for more than a million years in very moist environments. Histosol-lava soils are organic soils that develop when plants and decomposing forest litter alter geologically young lava flows. These soils generally form a well-drained, thick layer on the lava rock.

There are 52 different soil types that occur in the Ka'ū District⁹. At South Point, four different soil types are present in the areas of the proposed actions for this Project with the majority of the area consisting of Pakini (PKB) and Ka'alualu (rLV) soils. These soils are explained in more detail in Table 3 and depicted in Figure 7. The sandy loam soils, which make up the majority of the Project area, contain at least 50 percent sand. Exposed sand loam soils are highly erodible by wind and, as shown in Figure 4, South Point is exposed to the prevailing northeasterly trade winds that frequently impact the area. Thus, soil erosion is a naturally-occurring process that occurs at South Point and has shaped the geography of the coastline.

⁸ Juvik S. and James Juvik, 1973. *Atlas of Hawai'i : Third Edition*. University of Hawai'i Press, Honolulu.

⁹ https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_037166.pdf

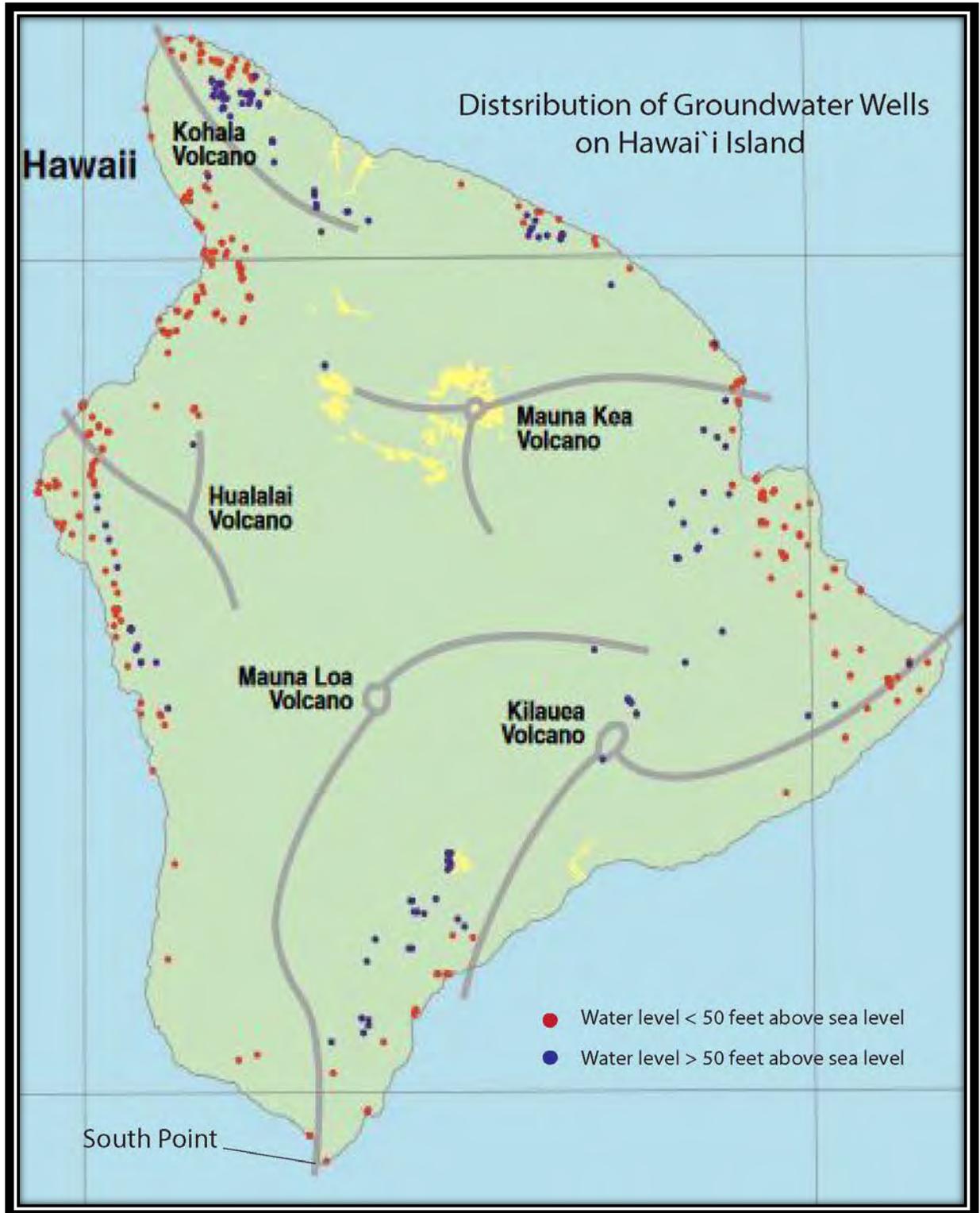


Figure 5. Distribution of groundwater wells on Hawai'i Island

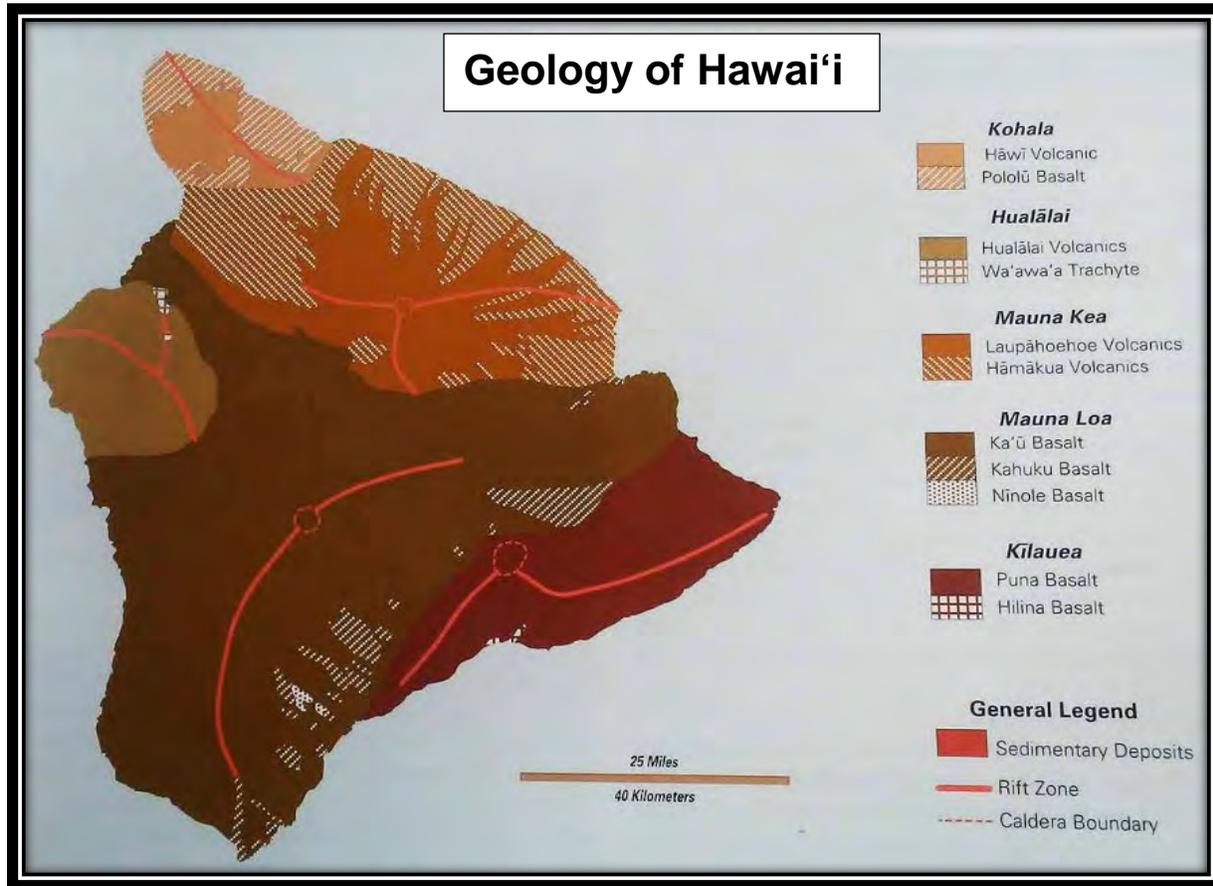


Figure 6. Geology of Hawai'i Island (Juvik and Juvik 1973)

Soil Erosion is a visible cause of declining soil quality. The loss of top soil from erosion removes the most favorable layer for plant cultivation diminishing nutrients and organic matter in the soil. As shown in Table 3, the soil types of the Project area are not prime farmland. Eroded soil may also be carried by runoff into coastal waters and degrade water quality, a phenomenon that occurs frequently at South Point from the widespread use of recreational vehicles. Though soil erosion is a naturally-occurring process, the unmanaged use of recreation vehicles has cut grooves into the land and also denuded vegetation that hold the soil and prevent erosion. Combined with the impact of wind on very fine sandy loam particles, these actions have exacerbated coastal erosion at South Point.

Coastal Erosion and Sea-Level Rise: According to Juvik and Juvik, 1973, the coastal areas along the southern coast of Hawai'i Island, such as South Point, are subject to rocky shoreline collapse and landslides¹⁰. Sections of rocky shoreline on Hawai'i Island can suddenly collapse when coastal rock formations and steep slopes are destabilized by landslides and undercutting by waves. This phenomenon occurs along the coastline bordering Pu'u Ali'i and storm events exacerbate the process. Coastal erosion is also attributed to sea-level rise. Data for Hawai'i show that the rate of sea level change depends partly on how rapidly an island is subsiding or sinking.

¹⁰ Juvik S. and James Juvik, 1973. *Atlas of Hawai'i : Third Edition*. University of Hawai'i Press, Honolulu.

Hawai'i island is sinking faster than the neighboring islands because its massive geologically young volcanic rock weighs heavily on the underlying crust. Thus, Hawai'i has been experiencing a rate of 1.6 inches of sea level rise per decade. This rate may be compounded by global warming which is predicted to worsen in the future. Thus, erodible coasts and low-lying shores, such as those along South Point, would be most vulnerable to sea-level hazards.

Potential Impacts and Mitigation Measures

The proposed Project is expected to reduce soil erosion at South Point and improve soil quality as vegetation covers exposed areas. The Project proposes to create only one path along the coast and allow vegetation to grow. No significant long-term impacts on soils are anticipated as a result of the proposed Project; therefore, no mitigative measures are proposed for the long-term.

Table 3. Soil types in areas of the proposed actions

| <u>Soil Label</u> | <u>Soil Description</u> |
|---|--|
| <u>PKB: Pakini medial very fine sandy loam, 2-10 percent slope</u> | This soil type typically occurs at an elevation of 0-1,000 feet in areas with mean precipitation of 15 to 30 inches and temperatures of 72-75 Fahrenheit (F). Pakini soils are made of ash fields on lava flows. This soil type is well drained, runoff is low, frequency of flooding is low and depth to water table is more than 80 inches. Pakini has minor components of Ka'alualu soil. This soil is not prime farmland. |
| <u>rVS: Ka'alualu cobbly medial loamy sand, 2 to 10 percent slopes</u> | This soil type typically occurs at an elevation of 0-1,000 feet in areas with mean annual precipitation of 15 to 30 inches and temperatures of 72 to 75 F. Ka'alualu soils are also ash fields on 'ā'ā lava flows, containing minor components of Pakini soil. This soil type is somewhat excessively drained with a low likelihood of runoff and flooding, and the depth to the water table is more than 80 inches. This soil type is not prime farmland. |
| <u>rLV: Ka'alualu extremely cobbly medial loamy sand, 2 to 10 percent slope</u> | This soil type typically occurs at 0 to 1,000 feet in areas with mean annual precipitation of 15 to 30 inches and annual air temperature of 72 to 75 F. This soil type consists of minor Pakini soil, is also set as ash fields on 'ā'ā lava flows, and occurs at about 20 to 40 inches to lithic bedrock. This soil is somewhat excessively drained, occurs more than 80 inches from the water table and has a very low runoff capacity with low frequency of flooding. This soil type is not prime farmland. |
| KBC: Ka'alualu-Pakini Complex, 2 to 10 percent slope | This soil type typically occurs at 0 to 1,000 feet in areas with mean annual precipitation of 15 to 30 inches and annual air temperature of 72 to 75 F. This soil type consists of 60 percent Ka'alualu and 40 percent Pakini soils. The KBC occurs as ash fields on 'ā'ā lava flows, is 20 to 40 inches to lithic bedrock, is somewhat excessively drained, more than 80 inches to the water table, and has very low water runoff and flooding capacity. This soil type is not prime farmland. |

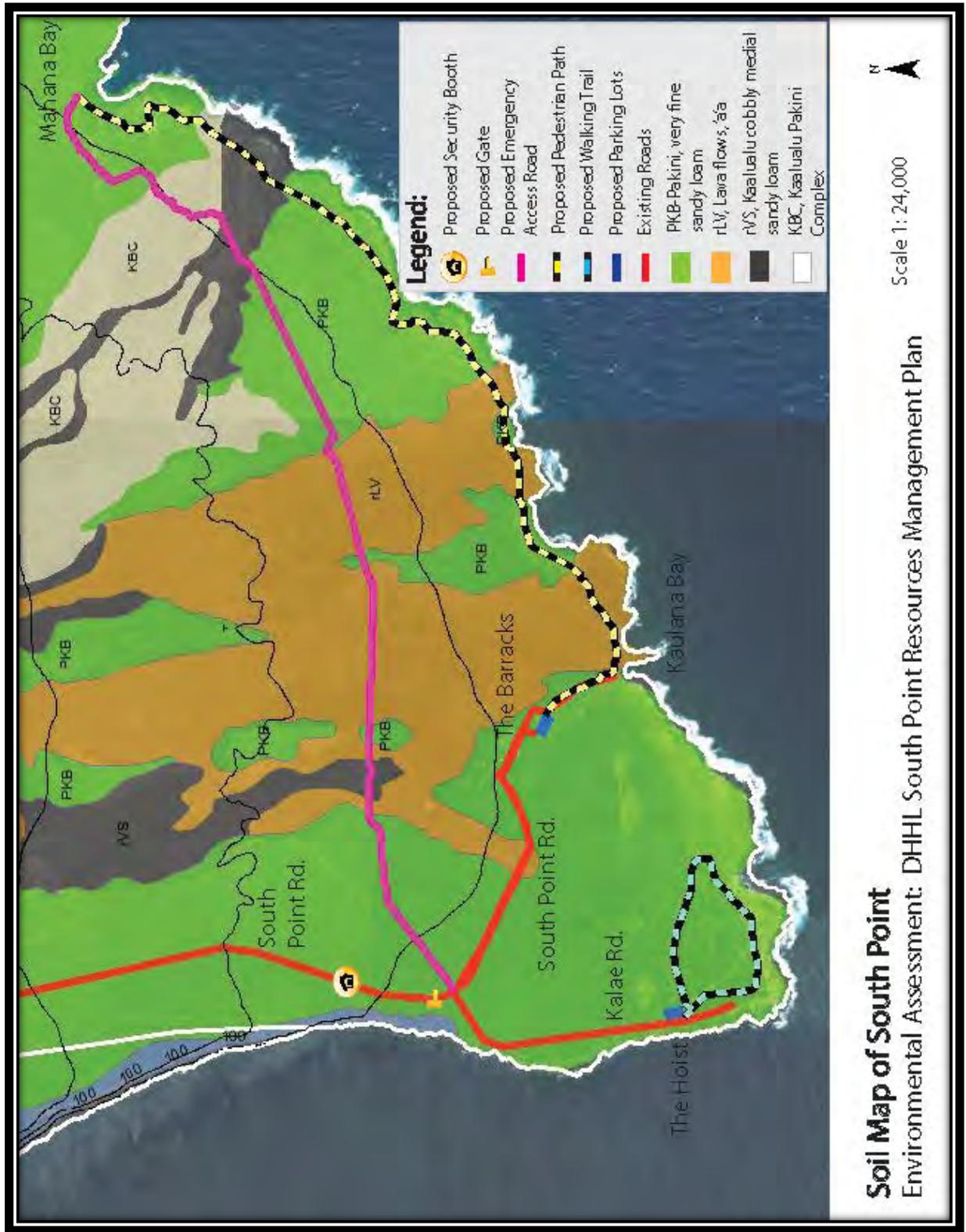


Figure 7. Soil Map of South Point

2.1.7 Air Quality

Air pollution control is regulated by the State Department of Health's Clean Air Branch. Rules and regulations governing air pollution control include HRS, Chapter 342B, "Air Pollution Control," HAR Title 11, Chapter 59, "Ambient Air Quality Standards," and HAR Title 11, Chapter 60.1 "Air Pollution Control."

Air quality at South Point is influenced by dust from soil and wind erosion, as described in more detail in Section 2.1.6. Currently, unregulated recreational use of vehicles at South Point have created many roads and deep grooves in the land that has led to soil erosion and exacerbated by exposure to windy trade wind conditions. The Project site is located in an undeveloped, remote area, therefore, the site is isolated from residential and populated areas.

Potential Impacts and Mitigation Measures

The proposed Project is expected to improve air quality at South Point. Actions proposed in this Project are intended to create more organized access ways in and around South Point to reduce widespread development of roadways and allow vegetation to grow. Thus, the proposed Project is expected to reduce long-term air pollution attributed to soil erosion. No significant long-term impacts on air quality are anticipated as a result of the proposed Project; therefore, no mitigative measures are proposed for the long-term.

Short-term construction-related activities related to building fences around cultural sites may generate dust affecting the air quality in and around the Project area. However, considering the site's isolation from populated areas and the presence of trade wind conditions, it is anticipated that pollutants will be blown towards the ocean. The short-term effects on air quality will be mitigated by compliance with State DOH Administrative Rules, Title 11, Chapter 60, "Air Pollution Control." The following are BMPs that may be implemented to control dust:

- Phase construction activities, focus on minimizing dust-generating materials and activities;
- Landscape and rapidly cover bare areas, including slopes;
- Control dust from debris being hauled away from the Project site;
- Provide adequate dust control measures during weekends, after hours, and prior to daily start-up of construction activities.

2.1.8 Noise

Noise is regulated by the State Department of Health, Indoor and Radiological Health Branch. Rules and regulations for noise include HRS Chapter 342, "Noise Pollution" and HAR, Title 11 Chapter 46, "Community Noise Control." Maximum permissible sounds levels in dBA are classified into 3 zoning districts: Class A which includes lands zoned as Conservation; Class B includes lands zoned as Business and Commercial, and Class C includes lands zoned as agriculture, country, industrial or similar. These zoning classifications are depicted in Table 4 which are applicable to the various County zoning designations within the Project area. The project area falls under Class A and Class C.

Table 4. Allowable Noise Limits

| Zoning | Daytime (7:00am – 10:00 pm) | Nighttime (10:00pm-7:00am) |
|-----------------------------------|--|---------------------------------------|
| Class A (Includes Conservation) | 55 dBA* | 45 dBA |
| Class B (Business, Commercial) | 60 dBA | 50 dBA |
| Class C (Industrial, Agriculture) | 70 dBA | 70 dBA |

*Refers to the A-weighted sound level or unit of measurement describing the total sound level of all noises as measured with a sound level meter using the “A” weighting network.

Potential Impacts and Mitigation Measures

Impacts from noise are anticipated to be temporary from construction-related activities and traffic associated with the construction activities. Also, considering the remote location of the Project area that is far away from areas of human settlement, the proposed Project will have no significant impact on noise levels.

2.1.9 Flora and Fauna

Studies were conducted by Geometrician Associates, in the summer of 2017, to document flora and fauna, threatened or endangered plant or animal species, critical habitat, and the potential to be currently using any habitat within the Project area. Data were collected from Ka Lae to Māhana Bay, and at an intensive level along various existing and proposed trails, roadways, parking areas, and other discrete sites as indicated in the study which can be found in Appendix C of this report. Plant species were identified and inventoried using walking transects spaced 100 feet apart, from the shoreline to distances ranging from a quarter to a half mile. A handheld GPS was used to flag locations as appropriate.

A vertebrate faunal assessment was also conducted which consisted of a bird survey at multiple times and an assessment of the habitat and standard mitigation measure for any threatened or endangered animals. Dusk and dawn observations were conducted for Hawaiian hoary bats, but with presumption that bats are present whether or not visually detected. The study was completed in 16 personnel days. The flora and fauna study is referred to hereafter as the 2017 study and is summarized here but the report is listed in Appendix C.

2.1.9.1 Flora

The 2017 study documented 75 plant species of which 17 are listed as indigenous, six are endemic, and one is both a federal and state listed endangered species. These native plants are listed in Table 5 below. All plant species found in the Project area are listed in Table 1 of the 2017 report in Appendix C.

The most common vegetation found at South Point, was the Mixed Alien Lowland Dry Grasslands, which was consistent with a report conducted by The Nature Conservancy (TNC), hereafter referred to as the 1993 TNC report. This invasive vegetation type was seen to increase in areas

of vehicular damage as it tends to fill in damaged areas. Alien grasslands are maintained by fire and grazing regimes, to which they are generally better adapted than native species. The TNC report stated that in the absence of disturbances, "...it is likely that the alien grasslands would develop eventually into either shrubland or forest."

The most common grass in the Project area is buffelgrass (*Cenchrus ciliaris*), with much lesser amounts of pitted beardgrass (*Bothriochloa pertusa*), Bermuda grass (*Cynodon dactylon*), Guinea grass (*Panicum maximum*), and others. Mixed in with these grasses, and occasionally dominating in patches especially where 'ā'ā is present, are kiawe, koa haole, sourbush, Sodom apple (*Solanum linnaeanum*), and lantana. It should be noted that 'ilima, 'uhaloa, kakalaioa and some other native plants can be found mixed in the alien grasslands.

Native Plant Communities

The TNC report described five native terrestrial coastal communities at South Point in 1993. These communities included:

- 'Aki'aki Coastal Dry Grassland
- 'Ākulikuli Coastal Dry Herbland
- Mau'u 'Aki'aki Coastal Dry Grassland
- 'Ilima Coastal Dry Shrubland
- Nehe Coastal Dry Shrubland

The 2017 study found that these native coastal communities often overlapped and extended continuously from Ka Lae to Māhana, with a variable width of up to a quarter mile. The study found that the same vegetation pattern holds a quarter century later at South Point, except that the area has been more heavily dissected and trampled by roads. Patches of rare plants reported in 1993, are no longer found, and where they are found, the plants are less extensive. Table 3 summarizes the findings for each of the five native coastal communities described at South Point.

Threatened/Endangered and Rare Species

No plant critical habitat is present in the Project area and only one plant species currently listed as threatened or endangered (T&E) under the Endangered Species Act of 1973, as Amended (16 USC 1531-1544), was found at South Point: 'ōhai (*Sesbania tomentosa*). 'Ōhai was found in all of the areas noted in the 1993 TNC report, although probably at reduced frequencies. Most plants were contained within roped-off and signed enclosures, with plants sometimes sprawling outside and isolated individuals located nearby. Although clearly threatened by a variety of factors, management actions are helping to preserve these fragile populations.

The endangered *Portulaca villosa*, was reported in the TNC 1993 report to be found in several areas, including Papakolea (west of Māhana Bay), at Ka Lae, and near Hanalua Bay. The herb was not identified in the 2017 study, however, the small plant may be difficult to spot in dense vegetation, particularly if there are dry conditions and/or it is not flowering. Thus, it is possible that the endangered herb is present. The rare sprawling shrub, maiapilo (*Capparis sandwichiana*), was noted in several closely spaced patches in just one rocky area near Hanalua Bay, mauka of

the four-wheel drive roads and footpaths. The location of this patch has been provided to DHHL. This rare plant was not reported in the 1993 TNC report.

Table 5. Native Plants identified in the Project area, 2017 (I=Indigenous, E=Endemic, End=Federal and State listed endangered species).

| Scientific Name | Family | Common Name | Life Form | Status |
|---|-----------------|--------------------------|-------------|------------|
| <i>Argemone glauca</i> | Papaveraceae | Pua Kala/Prickly Poppy | Herb | I |
| <i>Boerhavia repens</i> | Nyctaginaceae | Alena | Herb | I |
| <i>Caesalpinia bonduca</i> | Fabaceae | Kakalaioa | Vine | I |
| <i>Capparis sandwichiana</i> | Capparaceae | Maiapilo | Shrub | E |
| <i>Cuscuta sandwichiana</i> | Convolvulaceae | Kaunaoa Pehu/Dodder | Vine | E |
| <i>Cyperus polystachyos</i> | Cyperaceae | Cyperus | Sedge | I |
| <i>Fimbristylis cymosa</i> | Cyperaceae | Mau'u 'Aki'aki | Sedge | I |
| <i>Heliotropium curassavicum</i> | Boraginaceae | Hinahina | Herb | I |
| <i>Heteropogon contortus</i> | Poaceae | Pili Grass | Herb | I |
| <i>Hibiscus tiliaceus</i> | Malvaceae | Hau | Shrub | I |
| <i>Ipomoea indica</i> | Convolvulaceae | Koali 'Awa/Morning Glory | Vine | I |
| <i>Ipomoea tuboides</i> | Convolvulaceae | Hawaiian Moon Flower | Vine | E |
| <i>Jacquemontia ovalifolia</i> | Convolvulaceae | Pa'u o Hi'iaka | Vine | I |
| <i>Mariscus phleoides</i> | Cyperaceae | None | Herb | E |
| <i>Melanthera integrifolia</i> | Asteraceae | Nehe | Herb | E |
| <i>Panicum fauriei</i> var. <i>latius</i> * | Poaceae | Panicum | Grass | E |
| <i>Scaevola taccada</i> | Goodeniaceae | Naupaka | Shrub | I |
| <i>Sesbania tomentosa</i> | Fabaceae | 'Ōhai | Herb | End |
| <i>Sesuvium portulacastrum</i> | Aizoaceae | 'Ākulikuli | Herb | I |
| <i>Sida fallax</i> | Malvaceae | 'Ilima | Shrub | I |
| <i>Sporobolus virginicus</i> | Poaceae | 'Aki'aki Grass | Herb | I |
| <i>Thespesia populnea</i> | Malvaceae | Milo | Tree | I |
| <i>Tribulus cistoides</i> | Zygophyllaceae | Nohu | Herb | I |
| <i>Waltheria indica</i> | Sterculiaceae | 'Uhaloa | Herb | I |

Table 6. Native coastal communities at South Point, 2017.

| | |
|---|---|
| 'Aki'aki (<i>Sporobolus virginicus</i>) Coastal Dry Grassland | The 1997 study found that the indigenous grass, 'aki'aki, is well developed between Ka Lae and Māhana Bay, especially in 'ā'ā, but also in ash deposits and sometimes pāhoehoe. This finding is consistent with the 1993 TNC report. 'Aki'aki, along with mau'u 'aki'aki (<i>Fimbristylis cymosa</i>), is the dominant plant in the first band of plants mauka of the ocean. This zone transitions to various other types of plants inland. Other plants found in this zone, include mau'u 'aki'aki, nehe (<i>Melanthera integrifolia</i>), 'ilima, pa'u o Hi'iaka (<i>Jacquemontia ovalifolia</i>), kipukai (<i>Heliotropium curassavicum</i>), 'ākulikuli (<i>Sesuvium portulacastrum</i>) and <i>Panicum fauriei</i> |
|---|---|

| | |
|---|---|
| | var. <i>latius</i> . Other natives like hau (<i>Hibiscus tiliaceus</i>) and naupaka are also sparingly present. In the 1993 TNC report, the endangered 'ihi (<i>Portulaca villosa</i>) was seen in the 'Aki'aki Coastal Dry Grassland in one location, however, was not relocated in the 2017 study. |
| 'Ākulikuli (<i>Sesuvium portulacastrum</i>) Coastal Dry Herbland | The 'ākulikuli vegetation type is dominated by prostrate mats of 'ākulikuli and is usually found in sandy, ashy or rocky areas where spray and wash from the sea bring in large quantities of salt that restrict the growth of other plants. Consequently, rare plants are generally not found here, although it intermingles with other communities, and various coastal plants can be found mixed in. Australian saltbush favors similar areas, and in the more mauka areas where salt spray and wash are not as prevalent. |
| Mau'u 'Aki'aki (<i>Fimbristylis cymosa</i>) Coastal Dry Herbland | This community often occurs as the first band of vegetation in pāhoehoe landscapes that offer relatively few handholds for vegetation to take root. It is not very diverse, often having the sedge mau'u 'aki'aki and little else. |
| 'Ilima (<i>Sida fallax</i>) Coastal Dry Shrubland | 'Ilima (<i>Sida fallax</i>) is described in the TNC 1993 report, as “variable in stature and species make-up, ranging from simple stands of 'ilima with few other associates, to variable assemblages of coastal plants in complex mosaics, with 'ilima most prominent. At Kamā'oa-Puueo, 'ilima shrubland extended from near sea level to locations up to ...975 feet [in elevation] inland, on both ash and 'a'a substrates.” 'Ilima borders the 'akiaki communities listed above, often lying just mauka of them. |
| Nehe (<i>Melanthera integrifolia</i>) Coastal Dry Shrubland | This community is dominated by one of several species of <i>Melanthera</i> , generally <i>M. integrifolia</i> . Nehe is found in the Project area on 'ā'ā flows and immediately adjacent ash substrates. Like the 'Ilima Shrubland, nehe is found mauka of the other three types. There is often a mosaic of different types and no clear dividing lines. Associated native plants include those found in other types listed above, plus occasional kakonakona grass (<i>Panicum torridum</i>), the sedge <i>Mariscus phleoides</i> , and the relatively rare koali pehu (<i>Ipomoea tuboides</i>). |

2.1.9.2 Fauna

Birds

The 2017 study recorded 17 species of birds in the Project area which included five native species and twelve non-natives (Appendix C). Native birds found are listed in Table 5 below.

Table 7. Native Fauna observed in the Project area, 2017

| Scientific Name | Common Name, Hawaiian Name | Status |
|------------------------------------|------------------------------|---------------------|
| <i>Anous minutus</i> | Black noddy tern, noio | Indigenous Resident |
| <i>Asio flammeus sandwichensis</i> | Hawaiian s-eared owl, pueo | Endemic Resident |
| <i>Fregata minor</i> | Great Frigatebird, 'iwa | Indigenous Resident |
| <i>Heteroscelus incanus</i> | Wandering Tattler, 'ulili | Migratory Resident |
| <i>Pluvialis fulva</i> | Pacific Golden-plover, kōlea | Migratory Resident |

The most common land birds were mynas (*Acridotheres tristis*), skylarks (*Alauda arvensis*), and zebra doves (*Geopelia striata*). These birds were found in all areas of the Project area, with the skylarks being more abundant in the buffelgrass grasslands and the mynas and zebra doves in

areas with trees and shrubs. On June 7, a single short-eared owl or pueo (*Asio flammeus sandwichensis*) was detected on a transect near Pu'u Ali'i. A single 'iwa (*Fregata minor palmerstonior*) or great frigate bird, was observed just off-shore of South Point. Noio (*Anous tenuirostris melanogenys*) or black noddy tern were also seen off the tall cliffs north of South Point. No other seabirds were detected, however, most Hawaiian seabirds frequent offshore areas, and the lack of detection does not signify absence.

Endangered Birds

No endangered birds were observed such as the Hawaiian hawk or 'io (*Buteo solitarius*), Hawaiian goose or nēnē (*Branta sandvicensis*), Hawaiian stilts (*Himantopus mexicanus knudseni*), or any of the native duck or moorhen species. Seabirds that may use the airspace over the Project area include the endangered Hawaiian dark-rumped petrel or 'ua'u (*Pterodroma phaeopygia sandwichensis*), the threatened Newell's shearwater or 'a'o (*Puffinus puffinis newelli*), and the endangered band-rumped storm-petrel or 'akē'akē (*Oceanodroma castro cryptoleucura*). The petrels and shearwater hunt over the ocean during the day and fly to higher elevations at night to roost and nest. Hawaiian petrels presently nest on the southwest rift zone of Mauna Loa, but based on elevation and vegetation, no part of the Project area provide suitable habitat for these seabirds.

The 2017 study reported that the most valuable bird habitat in the Project area is for shorebirds in the coastal zone. Migratory birds were only seen during the one observation on August 20, 2017, just outside the summer migration period. On that day, several wandering tattlers or 'ulili (*Heteroscelus incanum*) and a number of Pacific golden-plovers or kōlea (*Pluvialis dominica*) were observed. The 2017 study noted, that on other years, researchers have frequently seen ruddy turnstones or 'akekeke (*Arenaria interpres*) and even on occasion a bristle-thighed curlew or kioea (*Numenius tahitiensis*) at South Point.

Mammals, Reptiles and Amphibians

Although no systematic bat surveys were performed, and no bats were observed (most observations took place between 8 AM and 4:30 PM outside the time in which bats are usually observed, with a single dawn and dusk observation period), bats have been observed in many areas of Ka'ū¹¹. The 1993 TNC report did not find Hawaiian hoary bats or 'ōpe'ape'a (*Lasiurus cinereus semotus*) but stated that the species may exist in the area because of previously collected specimens. This endangered species should be presumed to be present at least occasionally and to roost in some parts and of the Project area. Non-native mammals, amphibians and reptiles were not inventoried, although cattle, mongooses and mice were seen. The current scope does not allow detailed discussion, but goats, pigs, cattle, mongooses, rats, mice, cats and various lizards have some potential to interact negatively with native flora and fauna.

¹¹ PBR Hawaii. 1988. *Punalu'u Resort, Final Environmental Impact Statement*.

Invertebrates

Although invertebrates were not included in the 2017 study, the study noted that 23 species of invertebrate are currently listed as threatened or endangered in the State of Hawai'i. These include a spider, an amphipod, a moth, snails, picturewing flies, yellow-faced bees and damselflies. Most of the listed species are restricted to other islands, or found at substantially higher elevations or wetter habitats on the Big Island, or with specific host plant species that are lacking in the area. With the exception of yellow-faced bees, none of these species has a high potential to be present in the Project area.

Coastal invertebrate fauna on the southern half of the Big Island includes several rare, threatened or endangered species from two groups: damselflies (the endangered *Megalagrion xanthomelas*, or the orangeblack Hawaiian damselfly), and yellow-faced bees (the endangered *Hylaeus anthracinus* and the rare species *Hylaeus flavipes*). The estuarine marshes of the Kāwā spring system and Honu'apo support documented damselfly populations, which may also be present at Ka'alu'alu. *Hylaeus anthracinus* is known to be restricted to small patches of habitat on each island, including South Point on the Big Island. It is possible that additional sites may exist. In *Insects of Hawaii* (Daly and Magnacca 2003), *Hylaeus flavipes* is noted as being found on the islands of Hawai'i, Maui, and Lana'i. They have recently been collected in the Ka'ū Desert and at Kaulana near South Point. Host plants are known to include plants from the genera *Dodonaea*, *Jacquemontia*, *Myoporum*, *Scaevola*, *Sesbania*, *Sida*, *Sophora*, *Leptecophylla*, *Tournefortia* and *Tribulus*. A number of species from some of these plant genera are widely known in the study area and elsewhere in coastal Ka'ū. The study did not assess invertebrate fauna, but no threatened, endangered or rare species were observed. No damselflies were seen either. Numerous plants in the host genera were opportunistically examined, but no members of the *Hylaeus* genus were observed.

Shrimp or 'Ōpae'ula

The 2017 study mentions that “anchialine pond, nearshore and marine ecosystems may actually be the most valuable biological asset in coastal Ka'ū.” The 1993 TNC report noted the biological importance of the anchialine resources, including rare native 'ōpae'ula, at Lua o Palahemo, which was threatened by pollution, eutrophication and the introduction of alien fish. The report noted:

It is a unique biological site, containing a combination of anchialine pool organisms that is not found anywhere else in the archipelago, or the world. One of the shrimps found at Lua o Palahemo, *Halocaridina palahemo*, is unique to the site. Other shrimps at the site, including *Vetericaris chaceorum*, *Antecaridina lauensis*, *Calliasmata pholidota*, and *Procaris hawaiana*, are known from very few sites worldwide. In short, Lua o Palahemo comprises the largest concentration of candidate endangered anchialine pool organisms in the world.

Since that time, *Vetericaris chaceorum* and *Procaris hawaiana* were listed as endangered..

Turtles and Monk Seals

Coastal waters and beaches of Ka'ū are well-documented feeding areas for the endangered green sea turtle (*Chelonia mydas*), nesting areas for the endangered Hawaiian hawksbill turtle (*Eretmochelys imbricata*), and haul-out areas for Hawaiian monk seals (*Monachus schauinslandi*). The water surrounding the entire Big Island are critical habitat for the Hawaiian monk seal.

Potential Impacts and Mitigation Measures

The 2017 study showed that the strand vegetation at South Point is diverse and unique and includes rare, threatened, and endangered species. Where the vegetation is not damaged by human activity, the Project area offers excellent habitat for migratory shorebirds, pueo, and native insects. The study indicated that the proposed management plan actions of the proposed Project to reduce vehicular use in the shoreline portion of the corridor and restrict vehicles in the Project area, will significantly improve the environment and enhance and preserve the unique flora and fauna. The study further states that “the areas chosen for the infrastructure necessary to support the management plan, including parking lots, emergency road, guard booth and gate, do not contain valuable native vegetation, flora or animal habitat, and are suitable for their proposed uses.”

Therefore, the proposed Project will not have significant negative impacts on the fauna and flora of the Project area. Instead, the proposed Project is expected to improve the habitat of fauna and flora of the Project area and support the growth of and possible re-establishment of native populations.

2.1.10 Hazards

2.1.10.1 Geologic

The entire island of Hawai'i is subject to geologic hazards, especially lava flows and earthquakes. The surface geology of South Point consists mostly of 'ā'ā basaltic lava flows of the Ka'ū Volcanic series that erupted from Mauna Loa between 750 and 3,000 years ago (Wolfe and Moris 1996). South Point is located in Lava Flow Hazard Zone 2, the second highest on a scale of 1 to 9. In terms of seismic risk, the entire island of Hawai'i is rated Zone 4 Seismic Probability Rating (Uniform Building Code, Appendix Chapter 25, Section 2518). Zone 4 areas are at risk from major earthquake damage, especially to poorly designed or built structures.

Potential Impacts and Mitigation Measures

Generally, geologic conditions do not appear to impose any constraints on the proposed Project. It is recognized that most of Hawai'i Island is subject to the risk of lava inundation. Any future structures will be built according to County of Hawai'i building code standards.

2.1.10.2 Flooding

The Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) shows that the proposed Project overlaps the Zone X and Zone VE flood zones. Zone X is considered to be at moderate risk of flooding under the National Flood Insurance Program, thus,

flood insurance is not required in Zone X. Zone VE is subject to inundation by the 1-percent-annual-chance flood event with additional hazards due to storm-induced velocity wave action. Flood insurance is mandatory for Zone VE.

The majority of the Project area is located within Zone X with only a small portion of the pedestrian path overlapping Zone VE.

Potential Impacts and Mitigation Measures

The proposed Project is not anticipated to increase flood hazards or have any impacts on the tsunami zone. Detailed weather and tsunami forecasts enable emergency evacuation plans to be executed should such flood or tsunami events occur. In the event of flooding or tsunami threats, the pedestrian path will be closed and the emergency road shall be used for evacuations.

2.1.11 Archaeology

An Archaeological Inventory Survey (AIS) for the proposed RMP 2016, was conducted by Cultural Surveys Hawai'i, hereafter referred to as Bautista et. al, 2017 (Appendix D). Fieldwork was conducted in 86-person days between June, 2017 to August 2017. Fieldwork consisted of a 100% pedestrian inspection, an extensive subsurface testing program, and photo documentation of previously recorded sites located along the Green Sand Beach Pedestrian Path. Bautista et. al, 2017, documented numerous historic properties found in previous archaeological studies within and near the Project area, as well as five newly discovered historic properties during fieldwork for this Project. Those findings are summarized below and the AIS can be referenced in Appendix D for more detailed information on the survey.

2.1.11.1 *Historic and Archaeological Districts*

The Project area crosses three historic and archaeological districts, as shown in Figure 8. These districts, with their corresponding State Inventory of Historic Properties (SIHP) numbers, include:

- South Point Complex National Historic Landmark (NHL) (SIHP # 5010-75-04140);
- Māhana Archaeological District (SIHP # 50-10-76-10230); and
- Kīpuka Kuniau Archaeological District (SIHP # 50-10-76-10231).

This section briefly describes the historic properties within each district. However, more detailed descriptions of each historic property can be found in the AIS report by Bautista et. al, 2017 (Appendix D). The distribution of the various historic properties within each district relative to the proposed actions for the RMP 2016, is presented in Figures 8 to 12.

SIHP # 50-10-[76]-04140, South Point Complex, National Historic Landmark

The South Point Complex was first established as a National Historic Landmark (NHL) and registered with the National Register of Historic Places (NRHP) on October 15, 1966 (National Register 1966). In 1962, Regional Archaeologist Paul J.F. Schumacher nominated the South Point Complex as a NHL in a National Park Service (NPS) document (see Bautista et. al, 2017, Appendix B in Volume 2). According to the NPS document, six sites (the first six sites listed below) made up the entirety of the South Point Complex. In 1970, the boundary of the NHL was expanded to an area of approximately 710 acres which included a seventh site, Kapapaloa Bay Village. These are the sites that make up the NHL:

1. Pu'u Ali'i (SIHP # 50-10-76-03605);

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2. Lua Mākālei Cave Shelter (SIHP # 50-10-76-03606);
 3. Kalalea Heiau (SIHP # 50-10-76-03607);
 4. Canoe Mooring Holes (SIHP # 50-10-76-03608);
 5. Salt Pans near Kalalea Heiau (no SIHP #);
 6. Pohakuokeau “Stone of Times” (no SIHP #); and
 7. Kapapaloa Bay Village (SIHP # 50-10-76-03911)

The South Point Complex is recognized for its rich and significant archaeological resources and depicted in Figures 9 and Figure 10. The 1970 NRHP nomination form asserts, “[T]he South Point complex is a group of sites which provides the longest and most complete record of human occupation of the Hawaiian Islands.” Early excavations from the 1950s revealed a plethora of traditional fishhooks that were used to establish a relative chronology of fishhook types (Emory et al. 1959). Price-Beggerly (1987:55) notes, “[E]arly research in this area stimulated and challenged previous theories on the origin and migration of the Polynesians who settled Hawai’i.” Unfortunately, a bulk of the fieldwork conducted in the 1950s and 1960s, in what is now the South Point Complex NHL, remains unpublished.

[SIHP # 50-10-76-10230, Mahana Archaeological District](#)

The Mahana Archaeological District was listed on the NRHP on October 14, 1986 (National Register 2017). The nomination form for the Mahana Archaeological District was prepared by Jim Landrum in September 1984 (see Appendix B in Volume 2). Six sites are included in the Mahana Archaeological District and they represent traditional Hawaiian coastal settlements in the South Point region, ranging from pre-historic to historic occupation. The boundaries Landrum provided were based on his 1984 survey, as well as the natural geographic area of the bay, comprising an area of 153.35 acres. Landrum noted that there are “additional sites outside of the ...district that probably are related to the district complex.”

[SIHP # 50-10-76-10231, Kīpuka Kuniāu Archaeological District](#)

The Kīpuka Kuniāu Archaeological District was also nominated to the NRHP by Jim Landrum in 1984, but it has not been listed. The Kīpuka Kuniāu Archaeological District is adjacent to, and essentially an extension of, the South Point Complex NHL. The district is located mauka of the South Point Complex. The proposed district boundaries were designated by the limits of Landrum’s 1984 survey, comprising 399.45 acres. The district contains 24 pre-Historic sites with 138 features. These sites represent traditional Hawaiian temporary habitation settlements associated with agricultural activity in the South Point region. The sites within the district could yield more information about Hawaiian subsistence activities, environmental exploitation, environmental data, and settlement patterns, as well as their relationship to coastal settlement sites.

2.1.11.2 Historic Properties

I. Historic Properties from Previous Archaeological Studies

A review of previous archaeological studies at South Point was conducted and the distribution of these studies relative to the proposed actions for the RMP for South Point, is depicted in Figure

12. However, previous research at South Point is limited and outdated. Some of the best documentation of large-scale geographical and archaeological sites areas at Ka Lae comes from Landrum (1984)—a study that is now over 30 years old. Given the significant and ongoing natural, anthropogenic, and/or bovine impacts at Ka Lae, it must be considered that archaeological features have for the most part continued to degrade. Bautista et. al, 2017, lists approximately 82 historic properties from previous studies which can be referenced in Table 6 of the AIS report in Appendix D.

II. New Historic Properties Discovered in Project area

Bautista et. al (2017) found five newly documented historic properties within the Project area.

These included:

1. SIHP # 50-10-76-30726: a large historic ranching enclosure;
2. SIHP # 50-10-76-30727: a historic ranching boundary wall;
3. SIHP # 50-10-76-30728: a rock mound of unknown age and function;
4. SIHP # 50-10-76-30729: a pre-Contact temporary habitation complex;
5. SIHP # 50-10-76-30730: a subsurface pre-Contact human burial site.

In accordance with HAR §13-275-6, all five of the newly identified historic properties are assessed as significant under Criterion D for their information content. SIHP # 50-10-76-30730, a subsurface pre-Contact human burial site, is also assessed as significant under Criterion E for its inherent importance to the Hawaiian people as a burial site. In accordance with HAR §13-275-7, the project effect recommendation is “effect, with proposed mitigation commitments.”

Potential Impacts and Mitigation Measures

Though South Point has numerous historic properties, the AIS conducted for this Project has generated sufficient information regarding the location, function, age, and construction methods of historic sites to mitigate any adverse effects from the proposed actions for this Project. Thus, the proposed actions will not have any significant impacts on archaeological sites. More specifically, the location of each proposed action, is dictated by the location of historic properties. Therefore, the orientation and location of the emergency road, pedestrian path, and walking trail alignments and paths will continue to be modified to be positioned away from any historic property.

Regarding SIHP # 50-10-76-30730, this newly identified historic property will be preserved in place, pursuant to HAR §13-275-8. No further work is recommended for SIHP -30726 through -30729. As recommended by the AIS, an archaeological monitoring program will be implemented where ground disturbance work will occur along the three proposed routes of the Project. Monitoring locations and conditions will be delineated and detailed in an archaeological monitoring plan (AMP) prepared in accordance with HAR §13-279-4 and accepted by SHPD.

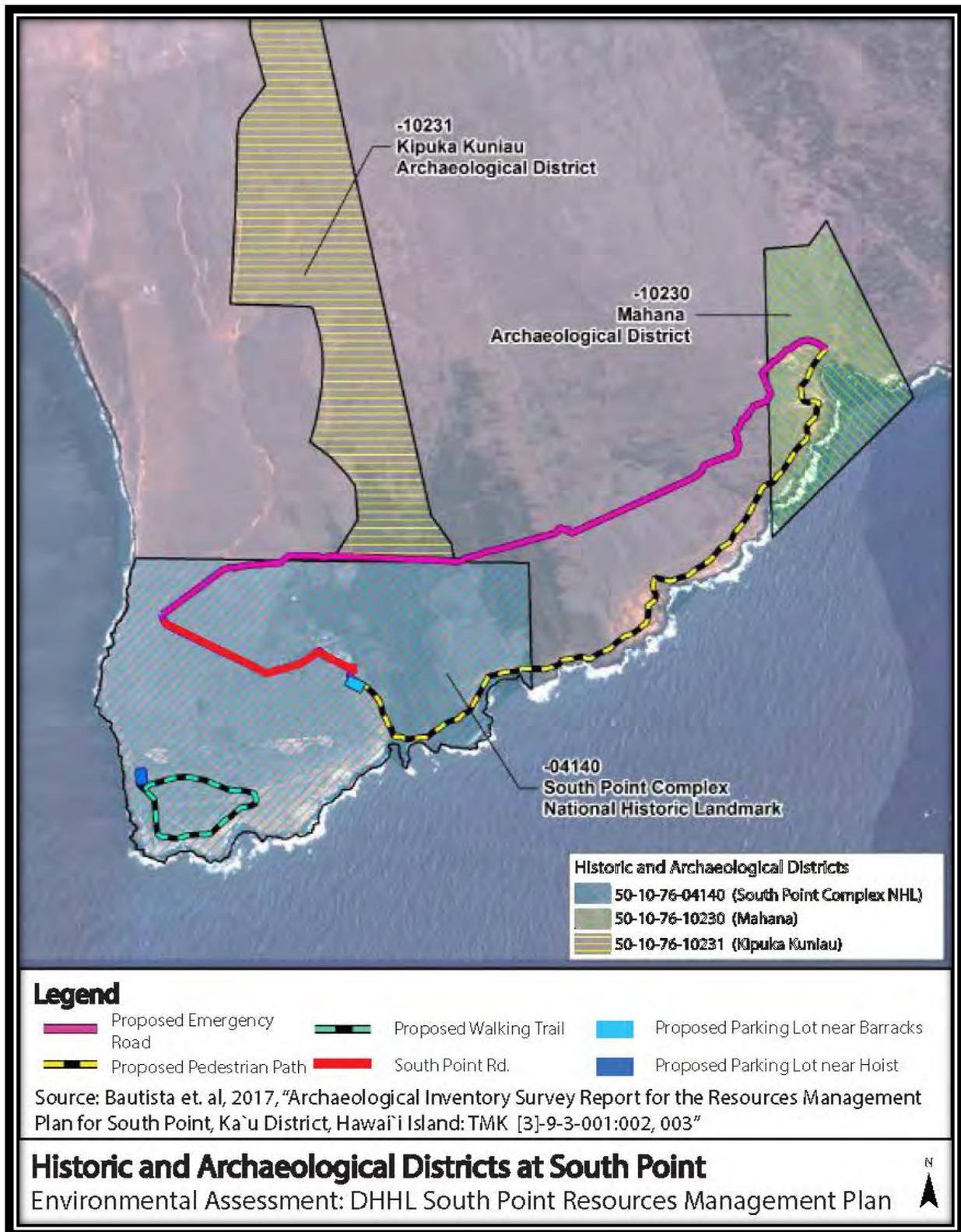


Figure 8. Historic and Archaeological Districts at South Point

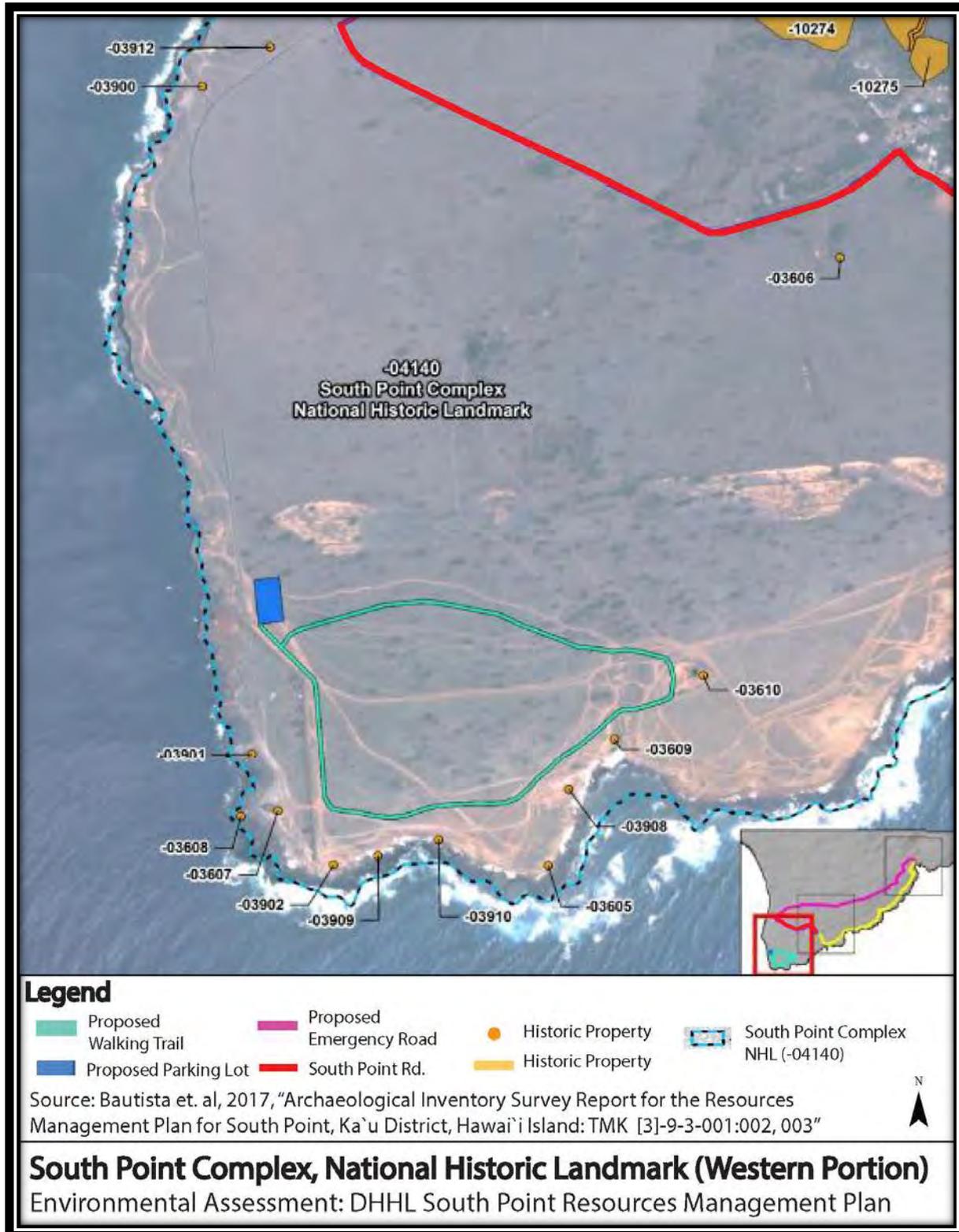


Figure 9. South Point Complex, National Historic Landmark, Western Portion of Project area

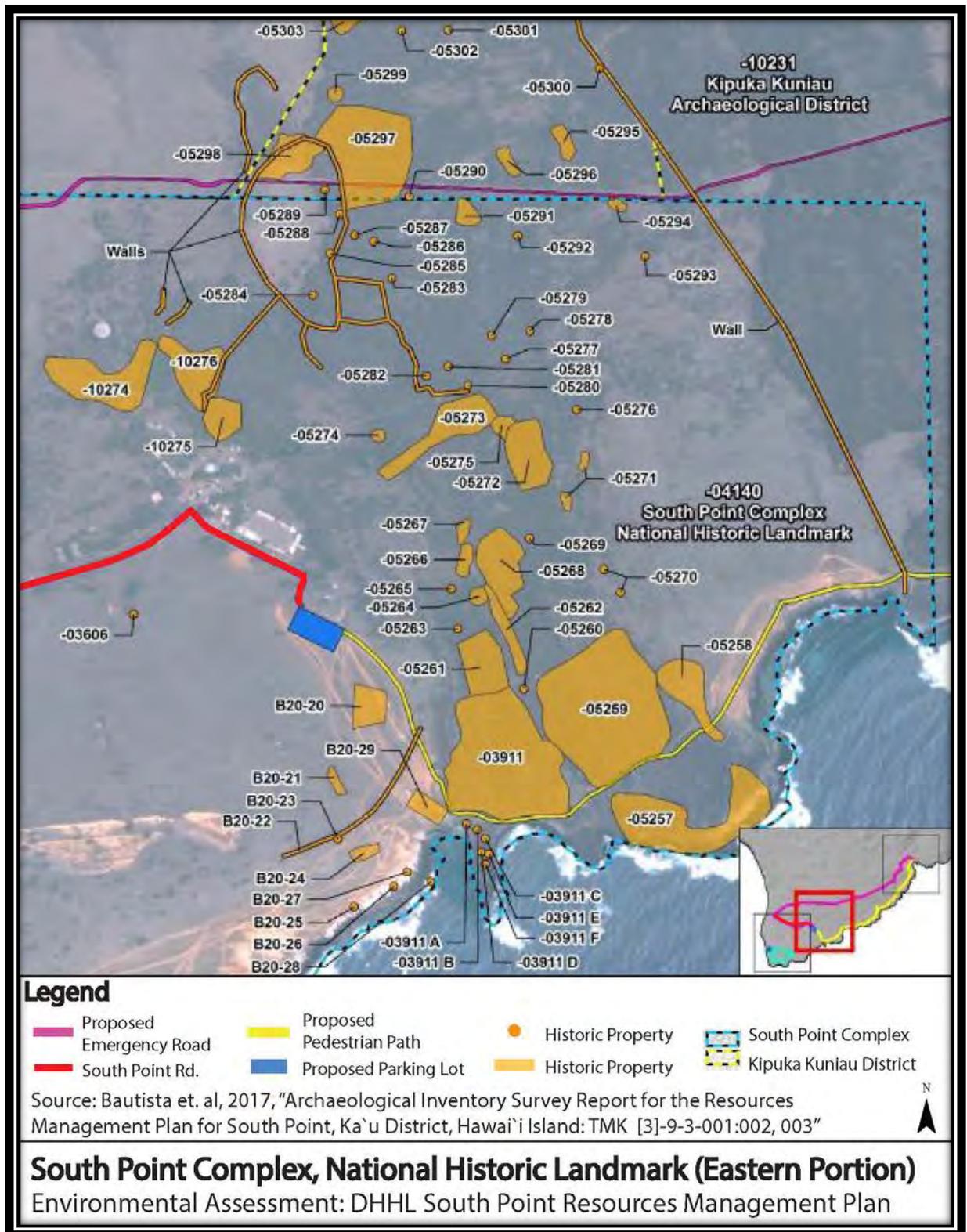


Figure 10. South Point Complex, NHL (Eastern Portion) and Kipuka Kuniau Archaeological District

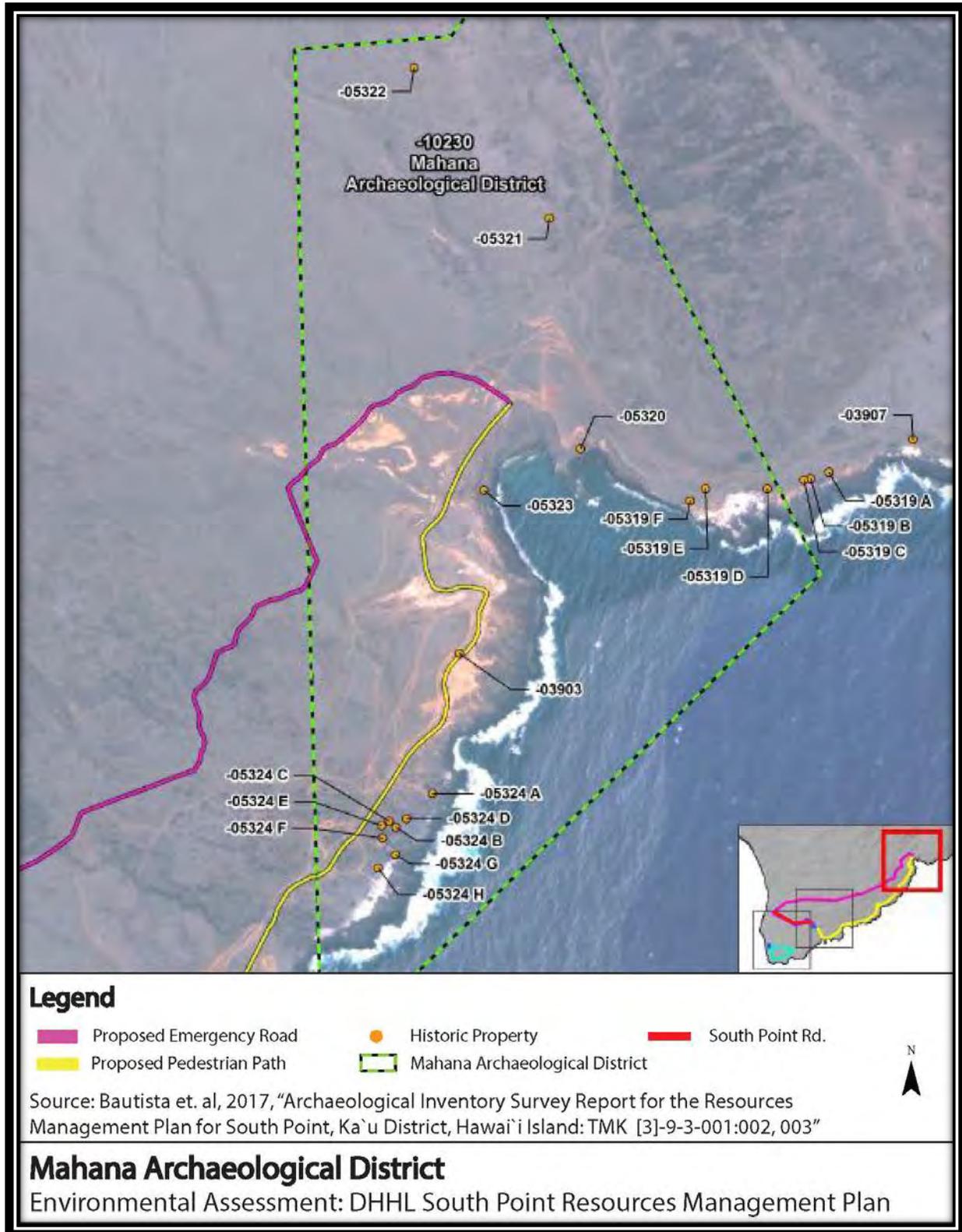


Figure 11. Mahana Archaeological District

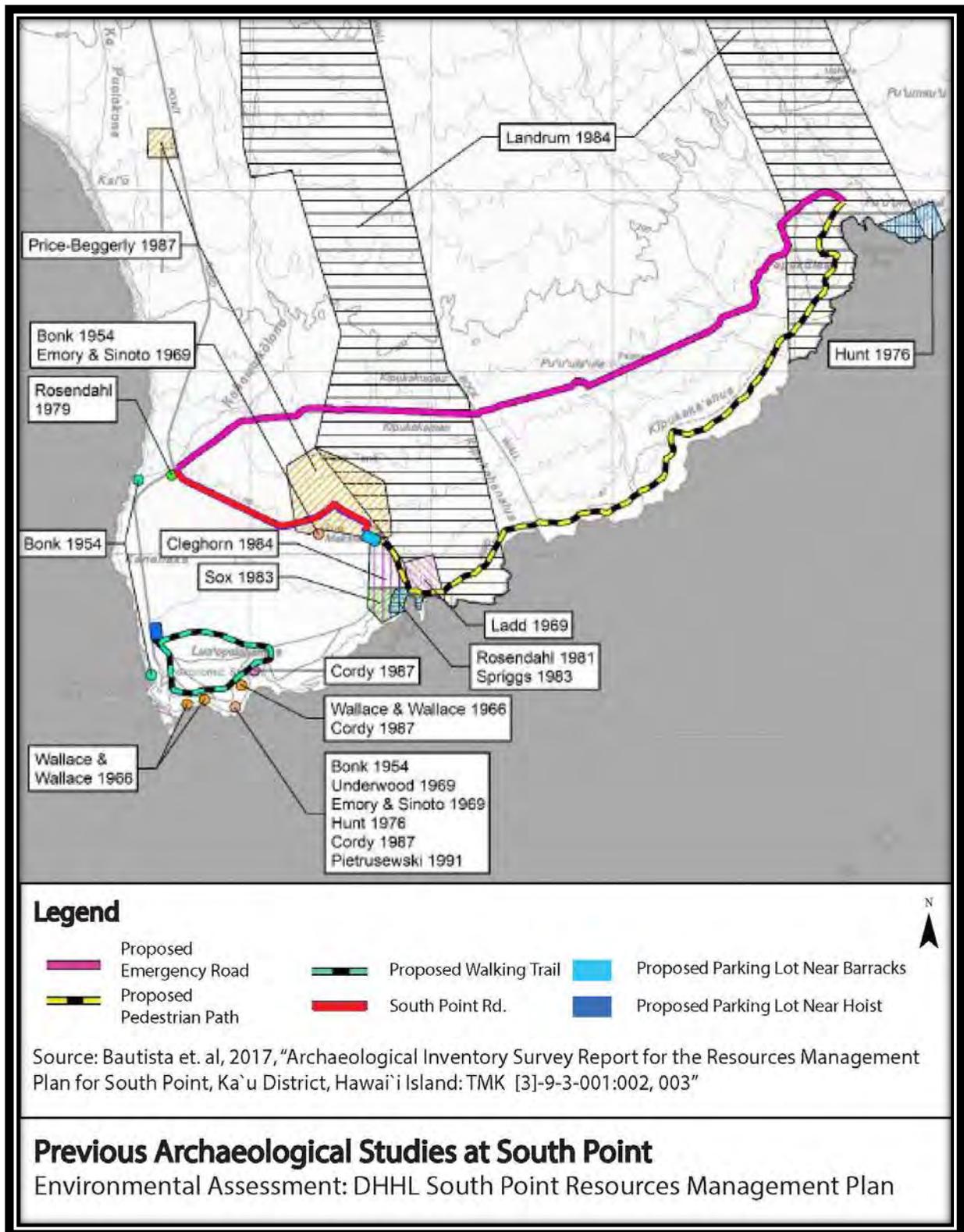


Figure 12. Previous Archaeological Studies at South Point

2.1.12 Cultural Impact Assessment

A cultural Impact Assessment (CIA) was conducted by TSI to assess the potential impacts of the proposed Project on the cultural resources and practices of the Project area within the greater context of Kamā'oa-Pu'ueo Ahupua'a. The CIA consisted of background research of historical documents, maps, and existing archaeological information related to the Project area, as well as community consultations with kūpuna and kama'āina with knowledge about previous and current cultural resources and practices of the Project area and the larger Kamā'oa-Pu'ueo Ahupua'a. Information collected were synthesized to assess the potential impact of the proposed Project on the cultural resources and practices of the Project area and its larger context within Kamā'oa-Pu'ueo Ahupua'a and the district of Ka'ū. The CIA can be found in Appendix E of this document.

2.1.12.1 *Results of Background Research*

Background research for this Project yielded the following results, presented in approximate chronological order:

1. The Project area, which consists of approximately 11,000 acres of DHHL-owned land, is located within the ahupua'a of Kamā'oa-Pu'ueo, also known as Kamā'oa Ahupua'a, in the 'ili 'āina (smaller subdivision of an ahupua'a) of Ka Lae.
2. Kamā'oa is described as: "Plain near Ka Lae (South Point), Ka'ū, Hawai'i, a place noted for red dust; people jumped from a cliff (Kau-maea-lele-kawa) near here into a dust heap in imitation of the sport of leaping from a cliff into water (lele kawa) (Pukui et al. 1974)." Pu'ueo is described as, "land sections... Ka Lae qds., Hawai'i." Ka Lae translates literally as, "the point," (Pukui et al. 1974) and is referred to as, "South Point, Hawai'i, the southernmost point in all the fifty states; quadrangle, south Hawai'i."
3. Settlement of the Project area, and the southern-most coastline of Hawai'i by early Polynesians, possibly occurred by the fourth or fifth century AD (Kirch (1985:81–87). Radiocarbon dates from sources approximately 6 miles northwest of the Project area, suggest occupation between AD 1420 and 1655 (Robins et al. 1992). Handy and Handy (1972:545) also describe the ahupua'a of Kamā'oa as the homeland of one group of early settlers who in historic times called themselves the 'clan of Pele.' Linguistic origins of the place names in Ka'ū, like Manu'a and Ta'u [or Ka'u] to Samoa, infer possible early migrations from Samoa (Handy and Handy 1972:545).
4. Mo'olelo (stories, oral histories), wahi pana (storied places), and 'ōlelo no'eau (proverbs) associated with the Project area are plentiful suggesting early settlement of the area by a viable Native Hawaiian population. The presence of distinguished heiau (Pre-Christian place of worship), rock walls, canoe-moorings, and other cultural features is testament to early settlement.
5. Oral histories describe the Project area and the lands of Ka'ū as an arid, rugged land with a resilient and rebellious people.
6. Population census conducted by missionaries in 1831-1832, recorded a total population of 5,800 in the district of Ka'ū which decreased to 2,210 by 1853 with an estimated population of 150 at Ka Lae.

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7. During the Māhele, Kamā'oa Ahupua'a was granted to Leleiohoku who returned it in commutation for lands elsewhere, thus, the land became government lands. Three kuleana claims were made and awarded in the 'ili of Kalae to Kao, Molaolao, and Kuaipalahalaha who all cultivated sweet potato.
 8. The Plantation Era significantly impacted the social and economic history of Ka'ū which began with cattle ranching after 1850 when Princess Ruth Ke'elikolani started Ka'alu'alu Ranch and the first sugar mill was established in Wai'ōhinu in 1866 (Elwell and Elwell 2004). Chinese laborers were brought to work in the sugar plantations in Ka'ū in 1876 followed by an influx of immigrant workers including Portuguese, Japanese, Pacific Islanders, and Filipinos who eventually settled in Ka'ū. The sugar industry ended in Ka'ū in 1996 but ranching persisted as the main economy at Ka Lae. Macadamia nut and coffee farm ventures replaced the sugar industry which continue in Ka'ū today.
 9. The Ka Lae Lighthouse at South Point was established by a 1908 Presidential Proclamation.
 10. Military presence at South Point began in 1926, with the designation of 517 acres in Ka Lae for a U.S. Air Service military reservation airplane landing field called Morse Field. The construction of Morse Field Barracks and the airstrip in the 1940s also brought a water line to South Point by 1941. Military infrastructure was destroyed as a precautionary measure against enemy use during World War II but remnants of these structures and roads remain at South Point today.
 11. The DHHL acquired the lands of Kamā'oa-Pu'ueo in 1970 and since that time, limited development has occurred within the Project area.
 12. An increase in tourism to South Point has occurred in recent years, attributed to sites like Māhana Bay and the growing prominence of Ka Lae as the Southern-most point of the United States of America. Unregulated recreational use has led to severe degradation of the DHHL lands at South Point.

2.1.12.2 *Results of Community Consultations*

TSI attempted to contact 36 community members, government agencies, community organizations, and individuals, including residents, "recognized" descendants, and cultural practitioners. Of the 15 people that responded, five kūpuna (elders) and/or kama'āina (Native-born) participated in formal interviews for more in-depth contributions to the CIA and four people provided a statement via e-mail. However, one individual chose to remove their statement from the study. Three interviews from previous TSI work at South Point were also included resulting in a total of eight individuals who provided in-depth information in interviews for this Project. The interviews were conducted from August to October, 2015 and from May to November, 2017. These community consultations indicate:

1. South Point is a place where kūpuna and kama'āina of Ka'ū identify with, feel deep spiritual connections to, and where many spent their childhood learning and applying Native Hawaiian traditional practices such as: fishing; gathering limu, salt, and 'opihi; camping; and spending time with family. A kupuna expressed that she finds her spiritual self at South Point where she is able to talk to the wind. Others describe life in Ka'ū as

characterized by strong, resilient, and rugged people who value relationships and close-knit communities that nurture family and take care of each other.

2. Camping was and continues to be a common practice at South Point among Ka'ū families, particularly on the first day of summer, on the weekends, where the ocean is more calm for swimming such as at Kaulana Bay and in the area between Kahuku Beach towards Ka'alualu.
3. The settlement of DHHL lands at South Point by Native Hawaiians is believed by one informant to have been ignored by the DHHL since 1920 who have prioritized "everybody else's needs over those of Native Hawaiians. He recounted a series of unsuccessful proposed developments as examples, including NASA's proposed rocket launching project at Ka Lae, the Department of Transportation's proposal for a public boat ramp at Kaulana and many others that local residents protested.
4. The Project area is rich in archaeological features associated with early settlement of the area, and the first inhabitation of the Hawaiian Islands from the South Pacific. Community members highlight important features from this era at South Point including: canoe mooring holes at Ka Lae, Kalalea Heiau, an extensive historic rock wall, burial grounds of Pu'u Ali'i, ancient trails,
5. Kamā'oa-Pu'ueo Ahupua'a is rich in mo'olelo associated with early Native Hawaiian settlement. Community members recounted mo'olelo associated with supernatural experiences near Kalalau Heiau, mo'olelo that demonstrate the rebellious and resilient nature of Ka'ū people, moolelo that describe the geneology of Ka'ū including the various place names at Kamā'oa-Pu'ueo, such as Palahemo, Lua o Makalei, Kaulana, Kapalaoa, the two sisters that died at Palahemo.
6. South Point is considered by many Ka'ū residents as a wahi pana of great spiritual significance that warrant protection. These sites include:
 - **Palahemo:** Consultations indicated that Palahemo is spiritually significant because: Ku Mauna [in Pahala], the rain god, can be viewed from Palahemo, therefore, "it brings you closer to the gods"; it is the dwelling of a mo'o (lizard) of the same name; and the boundaries of the Puna and Kona Districts are visible from the pond, thus, one can see the entire Ka'ū District from Palahemo. An informant explained that previously, Ka'ū was known for two stones, Ka'ūloa and Wai'ōhinu, located in the mauka region between Na'alehu and Wai'ōhinu. Over time, the stones receded and disappeared underground and Palahemo became the symbol for Ka'ū. So highly regarded is Palahemo that a kupuna explained, "You haven't seen Ka'ū if you haven't seen Palahemo." The site is also associated with various 'ōlelo no'eau (proverbs), as shown in Section 3.1.5.
 - **Kalalea Heiau:** One informant recounted stories of supernatural experiences surrounding this heiau while another shared that the heiau was for fishermen and women were not allowed to enter the heiau.
 - **Pu'u Ali'i:** A native Hawaiian burial ground where many iwi were removed during early archaeological studies by Bishop Museum and stored in garbage bags at the museum. Many of the iwi were repatriated to Pu'u Ali'i in the 1980s following the creation of NAGPRA that mandated the return of iwi to their places of origin. An

informant expressed concern over the protection of iwi at Pu'u Ali'i and who should assume responsibility over their management because the iwi belong to the people of Ka'u rather than the DHHL. Another informant remembered seeing Palikapu Dedman bring the iwi back to Pu'u Ali'i. The same individual considered Pu'u Ali'i and Palahemo as the "heaviest" sites of South Point and he was socialized to treat these sites as sacred. He shared incidences where he had taken people down to pour water and conduct protocol relating to iwi kupuna buried at the site. Some Maori also consider themselves to originate from ancestors buried at Pu'u Ali'i.

- **Lua O Mākālei:** A cave in the vicinity of the Barracks that is believed to have been used for sheltering and training warriors during Kamehameha I's reign, serve as a habitat for the endemic pueo (*Asio flammus sanwicensis*), and contains burials. Consultations indicate that Mākālei is a supernatural tree of the Goddess Haumea, mother of Pele, used as a lure for fishing. Mākālei is also a lua technique that refers to, "gaug[ing] out the eye."
7. Palahemo is an anchialine pond that provided habitat for the red 'ōpae'ula (shrimp). Consultations indicate that the pond extends to 150 feet and is connected to the ocean below, therefore, is responsive to the flow and ebb of the tides. 'Ōpae'ula from the pond was used traditionally for 'ōpelu fishing, however, the pond is currently inhabited by a grayish-black shrimp, is seasonally wasp-infested, and is now "heavily muddied" from loose dirt created by vehicular access near the pond.
 8. Māhana Bay was described by a kupuna as a canoe landing where people used to leave their canoes there for fishing: "They would just remove the ama and take that with them but leave the canoe in the bay," he recalled. Māhana Bay was also described as having a strong current. Several informants shared that Māhana Bay was not typically a destination for kama'āina of Ka'u who regularly accessed South Point, but rather, Ka'alualu was usually the destination and Māhana was just along the way. "From Kaulana to Ka'alualu, people would surround net, lobster net, lay net at night and check the next day, even turtle net... [and they would] feed kū'ula (ko'a)," said a kupuna of South Point.
 9. The south winds usually blow at South Point during the winter months and a prominent current known as Hala'ea, fronts Ka lae. During the winter, the ocean is calm and ideal for fishing and South Point is "beautiful with lantana flowers everywhere."
 10. South Point was and continues to be an important fishing ground—Broken Landing is known for spearfishing, the cliffs at Ka Lae are known for line fishing, the areas from Kaulana Bay to Māhana, was known for net fishing when the water was calm, and Kaulana Bay was known for limu kohu and where boats launch from for deep-sea fishing. Marine products frequently caught and collected included manini, 'āholehole, pakukui, kala, 'opihi, and 'a'ama. Kupuna recall fishing for 'ōpelu using pumpkin, taro, and 'ōpae'ula caught at Palahemo. Today, deep-sea fishing off the coast of South Point for tuna and marlin is more common, however, fish caught is usually sold in Hilo.
 11. The hoist was built by an informant's father, to provide access to fishermen to enter and exit the ocean along the cliffs at Ka Lae. Fishermen would leave their catch at the top area of hoist while they fished.
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12. Salt gathering was a common practice at Ka Lae but the practice has ceased to exist because of unsanitary conditions from people urinating along the coastline. Consultations indicate that the practice occurred along the entire shoreline from Ka Lae to Ka'alualu and the salt was described by kupuna as "glassy." When salt was not available, a rock from the ocean could be boiled.
 13. Previously, there was one coastal road that extended from Kaulana Bay to Māhana Bay. Two informants remember only one road along this shoreline growing up where people accessed by foot and on horseback for fishing and as a thorough way to Ka'alualu. One kupuna recalled that fishermen who accessed the hoist would park on the mauka-side of the historic wall and walk down to the hoist. Informants explained that in more recent years, the recreational use of vehicles at South Point has created many roads that have damaged the land and desecrated sacred sites like Palahemo and Pu'u Ali'i.
 14. The Project area has native plants that informants highlight as worth protecting. Consultations also indicate that previously, plants were successfully cultivated at South Point despite dry conditions. These included vegetables like pumpkin, and canoe plants like coconut.
 15. In the 1990s, the non-profit, 'Ohana o Kalae, operated an education program that taught children of Ka'ū, Hawaiian cultural knowledge and practices. Accounts from community members indicate that the program was highly effective.
 16. Water is an important but limited resource at South Point. Lineal descendants of South Point recall stories told by kupuna that "water in Ka'ū runs underground" and that early residents would capture water percolating from below, as well as from springs originating from Hā'ao Springs. South Point lacks a systematic water supply which has been a point of contention among homesteaders and DHHL for over 30 years. A DHHL homesteader at South Point identified several water sources at South Point including: a 50,000-gallon water tank located near the Barracks that is supplied by a four-inch waterline from Hā'ao Springs and maintained by the County of Hawai'i's Department of Water; a DHHL-owned fresh water well contaminated by saltwater intrusion from excessive drilling; and two County meters that several beneficiaries split, one of which was paid for by a beneficiary. A kupuna felt that the availability of water would unite Native Hawaiians of the area with common goals of achieving plans for South Point.
 17. Kupuna remember the prevalence of ranching and the paniolo lifestyle at South Point and how "cows used to be everywhere." However, a homesteader at South Point pointed out that 25-acres, the size of DHHL lots at South Point, is too small to support a ranching operation.
 18. During the Plantation Era, the plantations supported the livelihood of most people in Ka'ū and an informant believed that Ka'ū has never recovered from the closing of the plantations. The land at South Point was owned by C. Brewer & Co. Ltd. Plantation, one of the "Big Five," and it was subsequently sold to Parker Ranch. Though the Plantation Era ended, he believed a new "Big Five" emerged to replace the plantations that continue to keep rural communities on the periphery, resulting in economic hardships that characterize life in Ka'ū today. These include: the construction company, shipping and commerce, real estate and land holdings, the visitor industry, and the military.
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19. South Point was also occupied by the military and served as a gun nest during World War II. A kupuna remembered that service men used to live at South Point and it was the military that initially brought the water into South Point. The kupuna believed that the military destroyed many cultural resources that were at South Point and another informant explained that the military negatively impacted the environment of South Point by filling up Lua o Makalei with rubbish cans and barbed wire and failed to clean up a tar pit that still exists at South Point.

2.1.12.3 *Potential Cultural Impacts and Recommendations*

Though all study participants spoke of the history of impact to cultural resources and practices at South Point resulting from unmanaged access to South Point, several informants believed that there had been enough destruction to resources at South Point previously, from military and ranching activities, that any actions from the RMP 2016 would not negatively impact the area. One individual pointed out that the U.S. Military had negatively impacted the environment at South Point. He shared the following:

The military filled up Lua o Makalei with rubbish-cans and barbed wire. When we came down, we had them clean up the mess. When the military left, they did not put that place back to the way it was. They had that alternate airport but they didn't clean up that tar pit. They applied to use the Superfund but they never got it. The tar pit is still there.

The same individual also stated that continuing to allow public access to South Point, impacts traditional and customary Hawaiian practices. He explained that these actions not only continue to negatively impact the psychological well-being of Native Hawaiians, but also the degradation of natural and cultural resources caused by unmanaged access at South Point, directly impacts the ability of Native Hawaiians to carry out their traditional and customary practices. As one of the few remaining spaces in Hawai'i that has been designated for Native Hawaiians, he recommended closing the gate to South Point and limiting public access except for Native Hawaiian beneficiaries. He felt that this action is necessary to allow the land to heal.

Though the RMP 2016 does not advocate a road closure, the actions proposed in the plan were generally regarded by most participants of this study to improve the integrity of natural and cultural resources of the area, thereby, improving the capacity of the land to support cultural practices in the long term. Thus, the RMP 2016, was supported by the majority of informants consulted for this study, as a positive impact on the cultural resources and practices at South Point.

The following cultural impacts and recommendations are based on a synthesis of all information gathered during preparation of the CIA. The study indicated that the Project area is located within a culturally significant area with many burial and archaeological sites. The most significant potential cultural impacts, if the RMP 2016 is implemented, include: the possibility of encountering iwi kūpuna (human skeletal remains) and cultural sites, during subsurface ground disturbance; limiting access to traditional and cultural practices; and impacting sense of place. To help mitigate the potential adverse impacts of the proposed Project on Hawaiian cultural beliefs, practices, and resources, recommendations should be faithfully considered, and the development of the appropriate measures to address each concern should be implemented.

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1. Several respondents indicated that burials are located throughout the Project area, particularly in the area surrounding Pu'u Ali'i. Another individual recommended conducting an archaeological inventory survey prior to the design and development of the emergency access road. TSI recommends archaeological monitoring, as well as cultural monitoring during all phases of development.
 2. Should cultural or burial sites be identified during ground disturbance, all work should immediately cease and the appropriate agencies notified pursuant to applicable law. Kūpuna and/or lineal descendents from the Project area should also be consulted to ensure proper cultural protocol are addressed.
 3. Installing the proposed entrance gate should not limit Native Hawaiian access to traditional and customary practices. South Point is one of the most important fishing grounds in the Ka'ū District. Consultations indicated concern that the proposed gate in the RMP 2016 might limit the ability of cultural practitioners to continue their practice. To mitigate these concerns the following recommendations were provided:
 - a. Four participants recommended that the gate not limit kūpuna and local people from accessing South Point for cultural practices; therefore, provide parking along South Point Road and allow for pedestrian access;
 - b. One respondent recommended allowing 24-hour access to cultural practitioners and another individual highlighted Volcano National Park as an example of 24-hour access to cultural practitioners;
 - c. One respondent recommended that there be enforcement. "If there's no enforcement, nothing will happen," he said. He further suggested that if the security/information booth is intended to acclimate visitors to South Point, then it should be more than a booth, such as the visitor center at Mauna Kea;
 - d. One respondent recommended that a gate with security guards should also be implemented at the backside or the Ka'alualu side of the Project area to account for the whole area;
 - e. In the event that an entrance fee to South Point is implemented, three participants recommended that the fee be waived for the people of Ka'ū.
 4. Installing a fence/protective barrier around Pu'u Ali'i and Palahemo should not limit access to traditional and customary practices at those sites. One individual recommended that if a fence is built around Pu'u Ali'i, there should be ways that still allow access for cultural practice.
 5. Implementing the RMP 2016 should not impact the sense of place of South Point. One respondent stated that: "It is important that we maintain the sense of place at Ka Lae," a sentiment shared by all who participated in the study. The following recommendations were provided to protect sense of place:
 - a. Use natural materials for the construction of proposed actions. One participant recommended that the pedestrian pathway and proposed roads should be as
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- natural as possible to blend in with the environment. He also strongly discouraged the use of asphalt, concrete or man-made materials for the pedestrian pathway. A kupuna recommended building a protective stone wall around Palahemo.
- b. Two community members recommended allowing community members to implement immediate actions that do not require an environmental review process, such as: posting of signage with rules regarding off-road vehicle use; hiring of security officers to enforce rules; placement of additional lua at the Barracks and fishing hoist; trash collection; facilitation of stewardship agreements with community organizations and government agencies for cultural and natural resource management; and the creation of an advisory committee.
 - c. Increase education awareness about the sacred sites and cultural significance of South Point through the use of signage and protective barriers. However, the design and exact placement of the cultural interpretive walking trail and any associated interpretive signage/protective barriers around cultural sites, should be informed by descendants of South Point. One participant recommended working closely with community and descendants of the area.
6. Community members and organizations should be briefed and consulted as the Project design progresses. This will keep the community informed of changes that could result in unanticipated adverse cultural impacts. A kupuna supports this idea and recommended that management of South Point should be a co-management effort where community groups also have a responsibility towards stewardship of the place. One individual shared that he could have volunteers ready to help restore the historical wall near the hoist. Another respondent called on the DHHL to assume their responsibility to prioritize the settlement of native Hawaiian people not only at South Point but throughout the State of Hawai'i.

Potential Impacts and Mitigation Measures

Though the CIA identified several potential cultural impacts resulting from the proposed RMP 2016, the study proposed recommendations and mitigative measures, shown in Section 2.1.12.3, to mitigate any adverse effects from the proposed actions of the Project. These recommendations shall be considered for the implementation of the RMP 2016 to avoid and minimize any impacts to cultural resources, beliefs, and practices. Additionally, the CIA also found that the majority of participants consulted for the study considered the RMP 2016 a positive intervention to improve the integrity of natural and cultural resources of the area, thereby, improving the capacity of the land to support cultural practices in the long term. Thus, the RMP 2016 was supported by the majority of informants consulted for this study as potentially positively impacting the cultural resources and practices at South Point. No significant impacts on cultural resources and practices are anticipated to result from the proposed Project.

2.2 Socio-Economic Characteristics

2.2.1 Population Demographics

South Point is surrounded by several settlement centers whose residents access South Point regularly. In 2015, the US Census estimated the populations of these places which included: Nā'ālehu (847 people), Wai'ōhinu (112), Pāhala (1,405), Discovery Harbor (1,107), and Ocean View (4,276). The average family size was highest in Nā'ālehu with 5.3 people per household, followed by Pāhala (4.3), Wai'ōhinu (4) and Ocean View (4), and then Discovery Harbor (3.2). Of these places, Nā'ālehu and Discovery Harbor are within the ahupua'a of Kamā'oa-Pu'ueo. Nā'ālehu experienced a -2.2% decrease in its population from 2010. During this time period, adjacent Discovery Harbor increased its population by 16.6%. In 2015, the median age in Nā'ālehu was 47.2 and 45.7 for Discovery Harbor.

With regards to education, the five settlement areas near South Point had lower education-level attainment compared to the State of Hawai'i. The percent of residents with a college degree was as follows: State of Hawai'i (31%), Nā'ālehu (11%), Wai'ōhinu (14%), Pāhala (12%), Ocean View (13%), and Discovery Harbor (19%). Nā'ālehu had the highest percentage of students dropping out of high school (21%), followed by Pāhala (15%), Wai'ōhinu (12%), Ocean View (10%), and Discovery Harbor (4%).

Potential Impacts and Mitigation Measures

The proposed Project will not directly increase the population of settlement centers surrounding South Point, therefore, no significant impacts are anticipated to result from this Project.

2.2.2 Economy

In 2016, the median income per worker, as well as per household in settlement areas near South Point were lower than the State of Hawai'i¹². Figure 7 shows that of the five settlement areas listed, Nā'ālehu (\$26,296) had the lowest median income per worker while Ocean View had the highest (\$41,616) following by Discovery Harbor (\$38,421), Pāhala (\$33,234) and Wai'ōhinu (\$31,563). However, the median household income was highest in Pāhala (\$50,125), and then Nā'ālehu (\$40,568), Discovery Harbor (\$36,071), Ocean View (\$34,128), and Wai'ōhinu (\$30,875). The difference in household income reflects larger household sizes in Nā'ālehu, Pāhala, and Discovery Harbor.

The percentage of the population within each settlement area below the poverty line varies for these five areas. Nā'ālehu (17.6%) had the lowest percentage below the poverty line followed by Pāhala (18.1%), Wai'ōhinu (22.9%), Discovery Harbor (25.7%), and Ocean View (47.5%).

Potential Impacts and Mitigation Measures

¹²<http://www.towncharts.com/Hawaii/Demographics/Naalehu-CDP-HI-Demographics-data.html>

The proposed Project is not anticipated to negatively impact the economy in the settlement areas surrounding South Point. Instead, one of the goals of the RMP 2016 is to generate revenue in order to sustainably fund cultural and natural resources management activities and provide economic opportunities for DHHL beneficiaries and their families. Strategies to achieve this goal may include: instituting a parking fee to South Point; provide training and technical assistance to DHHL beneficiaries to become legal business entities on DHHL lands; provide opportunities/programs that engage visitors in the history and culture of the place; and seek alternative sources to fund resource protection projects for South Point. Thus, implementing the RMP 2016 would likely increase economic opportunities for South Point and its surrounding areas.

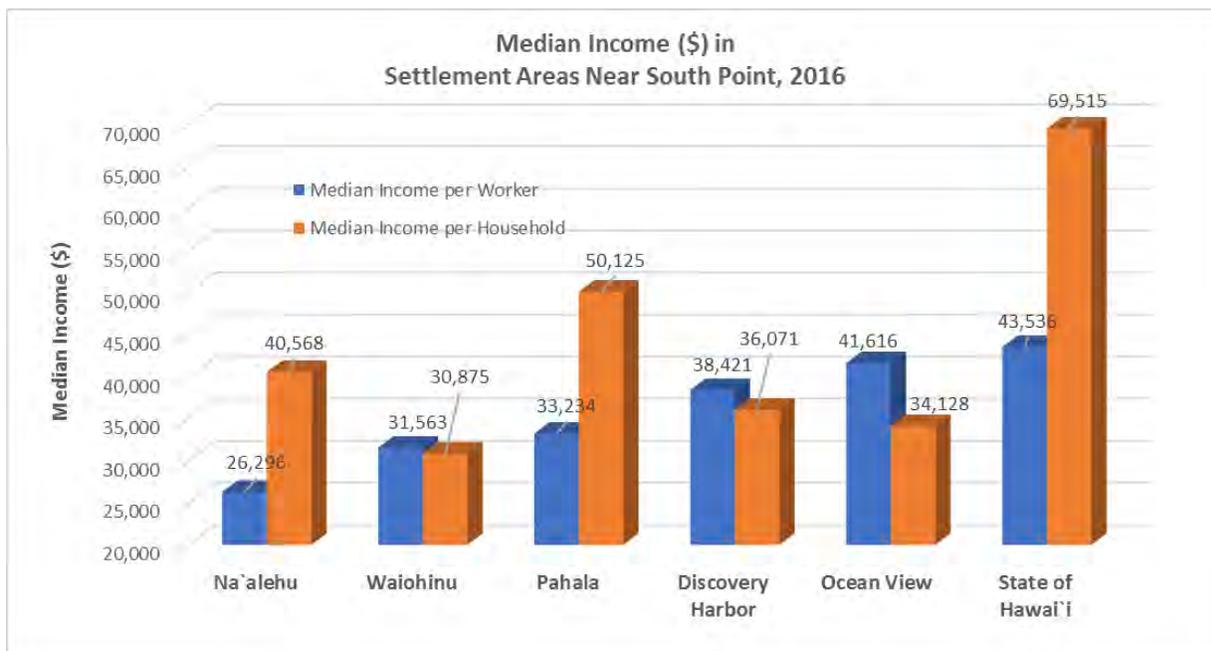


Figure 13. Median income by worker and household in settlement areas near South Point

2.2.3 Housing

The 2016 American Community Survey found that the total number of housing units in settlement centers surrounding South Point were: Nā'ālehu (295), Wai'ōhinu (54), Pāhala (502), Discovery Harbor (668), and Ocean View (2,623). The housing density in the area, which is measured by houses per square land mile, showed the following: Nā'ālehu (123), Wai'ōhinu (40), Pāhala (599), Discovery Harbor (188), and Ocean View (72). The average housing density in the U.S.A. is 38 and 82 for the State of Hawai'i. Thus, the housing density of Nā'ālehu and Discovery Harbor are both greater than the average for the USA and the State of Hawai'i.

In 2016, Nā'ālehu had the highest percent of home ownership of all five settlements near South Point with 82 percent of people owning their homes and only 18 percent rented. The other settlement centers of Wai'ōhinu (77%), Pāhala (64%), Discovery Harbor (61%), and Ocean View (78%) all had a greater percentage of their residents owning their homes compared to the State

of Hawai'i (57%). Of the five settlements, Wai'ōhinu (\$216,700) had the highest median home value compared to Nā'ālehu (\$163,200), Pāhala (\$178,900), Discovery Harbor (\$216,600), and Ocean View (\$113,100). The median home value for the State of Hawai'i was \$515,300. Though Ocean View had the lowest median home value, Ocean View had the highest median monthly rent of \$914 compared to Nā'ālehu (\$775), Pāhala (\$750), Discovery Harbor (\$739), and Wai'ōhinu (\$583). The cost of rent in these areas were significantly lower than the median monthly rental cost for the State of Hawai'i which was \$1,438.

Potential Impacts and Mitigation Measures

The proposed Project will not increase the population or the number of houses in the area, therefore, no significant impacts are expected to result from this Project.

2.2.4 Traffic

South Point is situated in the southern-most location of Hawai'i Island. It is accessed from the east side of the island on Hawai'i Belt Road. Also known as Māmalahoa Highway, the road passes through the town of Nā'ālehu and wraps around the district of Ka'ū to the west side of the island in Kona. The section of the highway that extends between Hilo and Kona and passes through the district of Ka'ū, is known as the Hawai'i State Route 11. As shown in Figure 14, Hawai'i Belt Road connects to Kamā'oa Road which leads to South Point Road. Within the Project area, South Point Road turns into Kalae Road where the proposed emergency road begins. Kalae Road extends west towards the southern-most tip of the island, through an area referred to as "the Hoist" near the location of the proposed walking trail. South Point Road continues south east through an area referred to as "the Barracks," towards the pedestrian path that extends to Māhana Bay. South Point Road is owned and maintained by the County of Hawai'i up to a point above the fork in the road where Kalae Road begins. South of this point, the roadways are under the jurisdiction of the Hawai'i State Department of Hawaiian Home Lands.

Thus, South Point is situated away from and south of the major thorough ways of travel between Kona to Hilo and among settlement areas in Ka'ū. In June, 2017, staff of Townscape, Inc., conducted traffic counts at the intersection of Kalae Road and South Point Road to better understand traffic conditions within the Project area at South Point. The following section describes the study in more detail.

2.2.4.1 Traffic Study

Method

Traffic counts at South Point were conducted on June 2nd and 4th, 2017 which corresponded to a week day and a weekend day. Counts began at 7 A.M until 7 P.M. on both days and data were collected by two individuals at the intersection between Kalae Road and South Point Road. Data recorded included the following variables: total number of vehicles, number of vehicles traveling to "the Hoist" on Kalae Road, number of vehicles traveling to "the Barracks" on South Point Road, vehicle type, number of people per vehicle, and whether the passengers of vehicles were "local" or non-local. The distinction between "local" versus "non-local" was based on subjective observations by recorders on whether vehicles with accompanying passengers were tourists (non-local) or not (local).

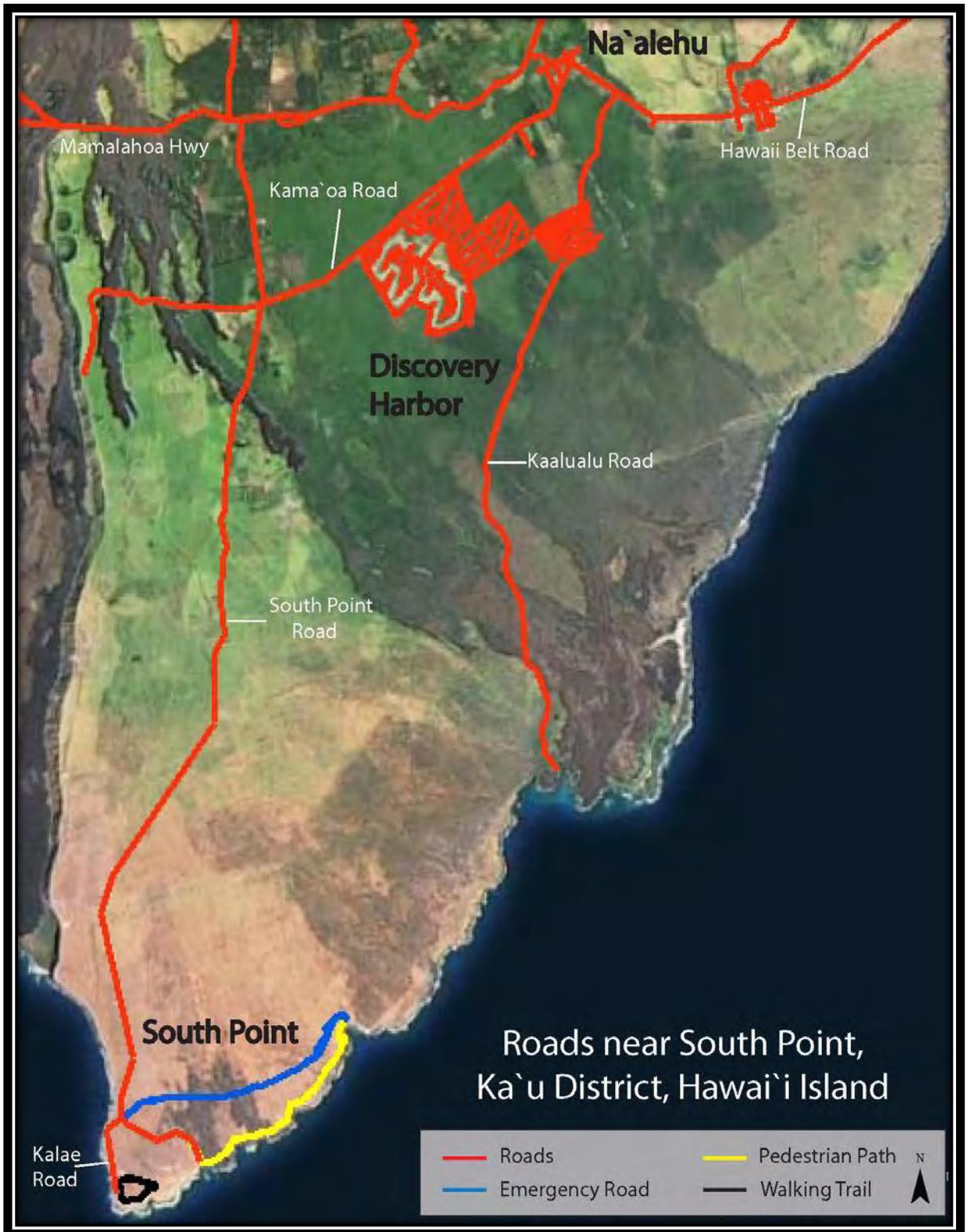


Figure 14. Roads near South Point, Ka'u District, Hawaii'i Island

The number of vehicles parked near “the hoist,” “the Barracks,” and Kaulana Bay were recorded 3 times each day at 7AM, noon, and at 4:30-5:00 PM. During these times, one recorder drove to these sites for observations while the other remained at the count site to collect data. Parking lot counts for Kaulana and the Barracks are not available from June 4th, at 4:30-5:00 PM.

Findings

Visitors to South Point

The study found that a significant number of vehicles visit South Point on a daily basis, regardless of the day of the week. On Friday, June 2nd, 2017, a total of 308 vehicles carrying 728 passengers, was recorded at South Point. Of the total number of vehicles, only about 31% of vehicles were local (Figure 15) while the majority were non-locals. Also, the majority (62%) of vehicles visited the Barracks compared to only 38% visiting the Hoist (Figure 16). Comparatively, the number of vehicles recorded at South Point were higher on Sunday, June 4th, with 379 vehicles carrying 906 passengers. As shown in Figure 9, the proportion of local vehicles (29%) recorded on Sunday was similar to Friday though slightly less. Though more vehicles visited the Barracks on Friday, almost the same number of vehicles were recorded visiting the Barracks (190) compared to the Hoist (189) on Sunday. The number of vehicles at the Barracks stayed the same around 190 to 191 vehicles regardless of the day of the week, whereas the number of vehicles at the Hoist during the week was significantly less compared to the weekend.

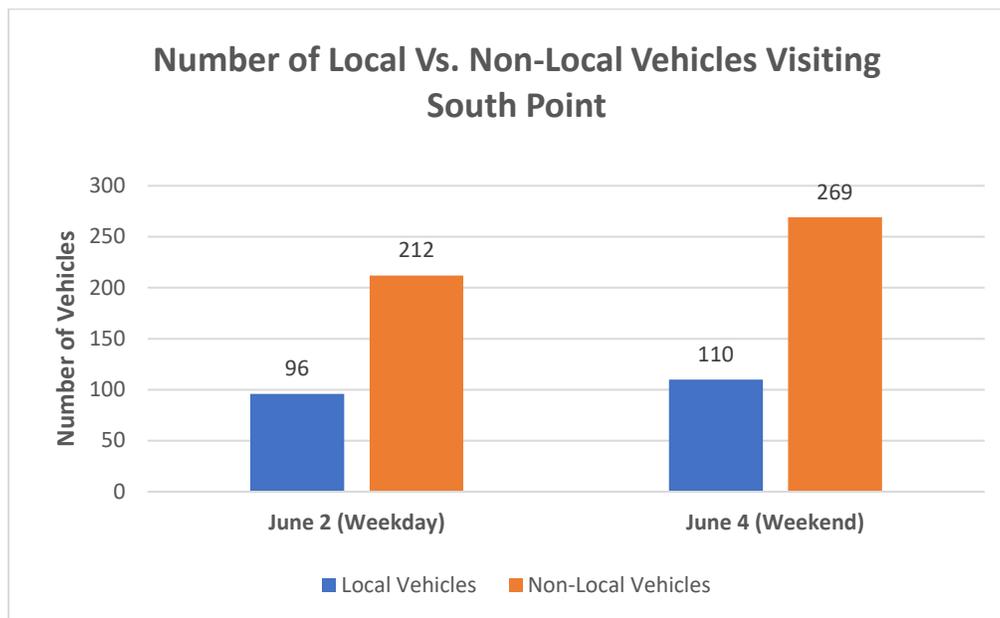


Figure 15. Local and Non-Local Vehicles at South Point

Vehicle Type

Table 8 shows that cars make up the largest proportion (39-41%) of vehicles visiting South Point regardless of the day of the week followed by SUVs (~21%), jeeps (15-16%), trucks (18-19%), and vans (2-5.5%). The proportion of vehicle type recorded at South Point over the two-day period reflects the higher number of non-locals visiting South Point. Non-locals were more likely drive rental cars, SUVs, and jeeps while truck users were locals. Interestingly, ATV, dirt bikes, and

motorcycles, were only recorded at South Point on June 4th, the weekend day (Figure 17). Though more observation days are required to further understand the use of these vehicles at South Point, a general trend might be inferred that people generally have more time during the weekend for recreational activities. Thus, the use of ATV, dirt bikes, and motorcycles might be more common at South Point on the weekend.

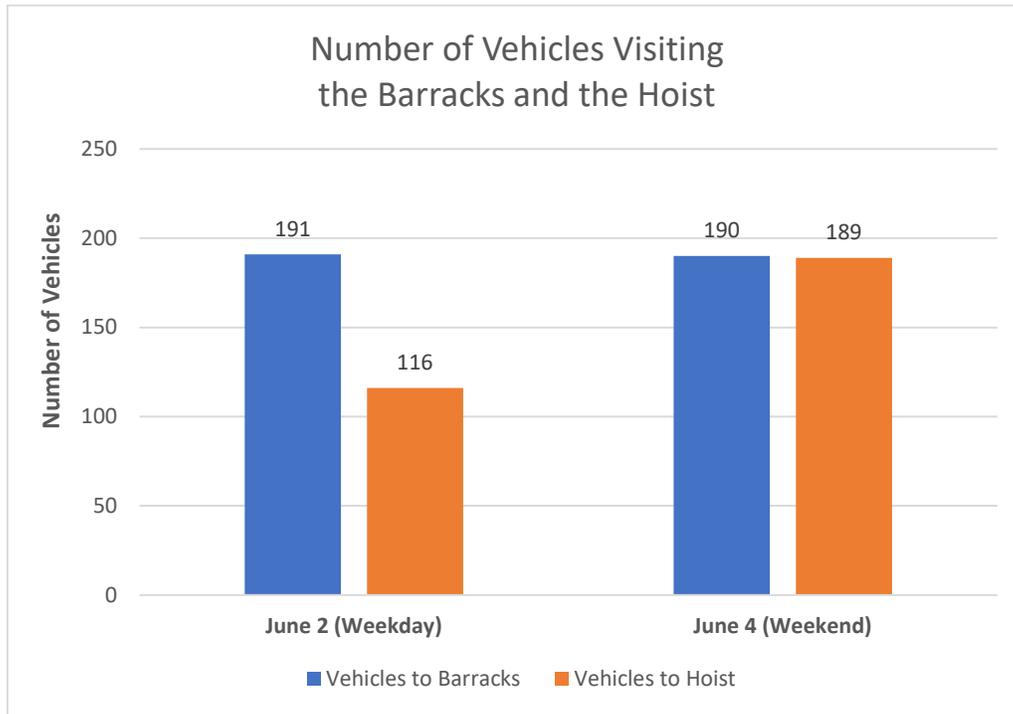


Figure 16. Number of vehicles visiting the Barracks and the Hoist

Table 8. Type of Vehicle recorded at South Point on June 2, and June 4, 2017

| Vehicle Type | June 2-Week Day | | June 4-Weekend Day | |
|--------------|--------------------|-------------------------------|--------------------|-------------------------------|
| | Number of Vehicles | Percent of Total Vehicles (%) | Number of Vehicles | Percent of Total Vehicles (%) |
| Cars | 121 | 39.3 | 156 | 41.2 |
| Jeep | 50 | 16.2 | 56 | 14.8 |
| Suv | 62 | 20.1 | 82 | 21.6 |
| Truck | 58 | 18.8 | 68 | 17.9 |
| Van | 17 | 5.5 | 10 | 2.6 |
| ATV | 0 | 0 | 4 | 1.1 |
| Dirt Bike | 0 | 0 | 2 | 0.5 |
| Motorcycle | 0 | 0 | 1 | 0.3 |
| Total | 308 | 100 | 379 | 100 |

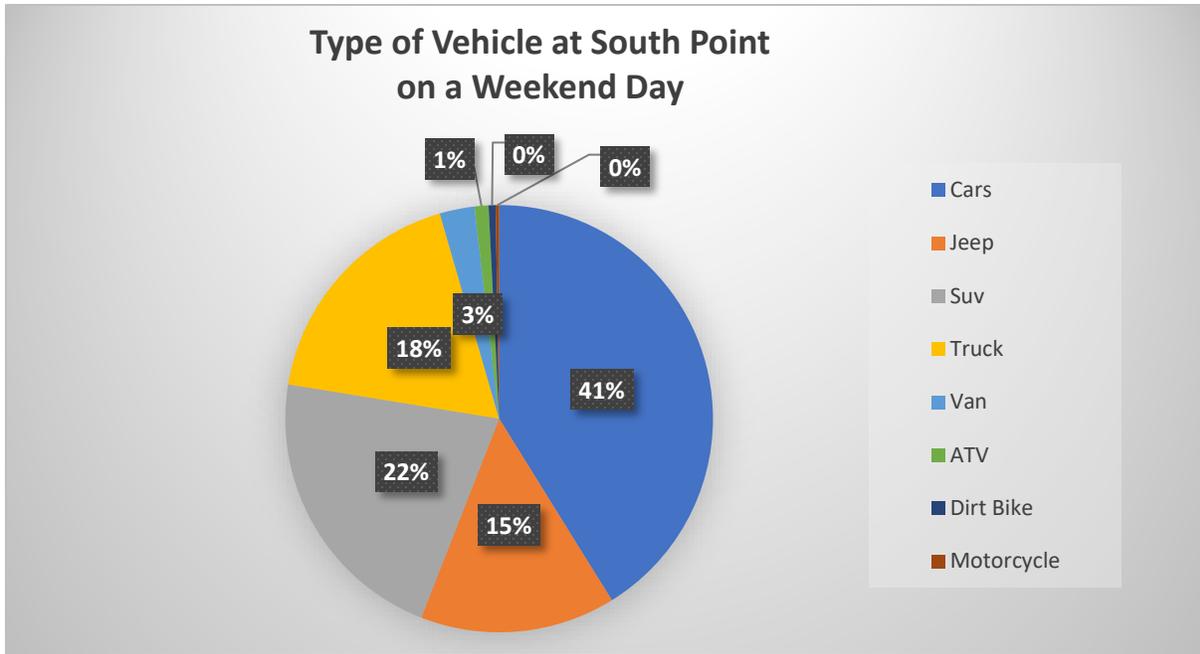


Figure 17. Vehicle type at South Point on a Weekend Day

Parking

On both days, the number of parked vehicles at South Point were generally less during the morning hours compared to the afternoon (Table 9). The Barracks had the most number of parked vehicles at any one time compared to the Hoist or Kaulana. Also, approximately 20 vehicles at the Barracks belong to the operators of an unauthorized shuttle service. The parking lot at the Barracks reached its capacity at 44 vehicles which suggests that in the afternoon hours, the parking area at the Barracks is likely full.

Table 9. Number of vehicles parked at different locations at South Point

| Number of Parked Vehicles (June 2, 2017) | | | | |
|---|-------|----------------------|-------------------|----------------|
| Time of Day | Hoist | Barracks | Kaulana Boat Ramp | Total |
| 7:00-7:30 AM | 6 | 32 | 2 | 40 |
| 12:00-12:30 PM | 13 | 40 | 3 | 56 |
| 4:30-5:00 PM | 19 | 51 | 4 | 74 |
| Number of Parked Vehicles (June 4, 2017) | | | | |
| Time of Day | Hoist | Barracks | Kaulana Boat Ramp | Total |
| 7:00-7:30 PM | 3 | 24 | 2 | 29 |
| 12:00-12:30 PM | 39 | 44 *parking lot full | 6 | 89 |
| 4:30-5:00 PM | 15 | *Not Available | *Not available | *Not available |

Potential Impacts and Mitigation Measures

No significant impacts to traffic in the surrounding settlement centers of South Point will occur as a result of the proposed Project because South Point Road is removed from Māmalahoa Highway and major roads that Kaʻū residents use. Also, the development of two designated parking lot areas near the Barracks and the Hoist will improve vehicular parking conditions at South Point and provide a safer parking environment for visitors. Designated parking areas will also reduce soil erosion and improve air and water quality of the area. It is worth noting that a significant number of vehicles visit South Point daily, transporting many visitors into South Point. The perpetual influx of visitors suggests that management strategies, such as those proposed in the proposed Project, should be in place to address the human impacts of visitors on the natural and cultural landscape of South Point.

2.3 Public Facilities and Services

2.3.1 Wastewater Treatment and Disposal

Wastewater, is water that has been negatively impacted by human use as a result of domestic, industrial, commercial, or agricultural activities. This includes surface runoff or storm water, and any sewer inflow or sewer infiltration.

Currently, no industrial, commercial, or agricultural activities occur in the Project area. Two porta-potty toilets are located near the hoist and are utilized by visitors to Ka Lae. The toilets are serviced by a non-profit organization. However, in a letter on November 2, 2017, the State of Hawaiʻi's Department of Health, Wastewater Branch (DOH,WWB), indicated that:

“the project area will receive domestic wastewater from residents, visitors, and tourist to the project site and therefore, shall not be exempted from Hawaii Administrative Rules (HAR), Section 11-62-7.1 © (2) which is provided for facilities generating non-domestic wastewater that are located in certain agricultural and conservation districts.”

The DOH also stated that wastewater discharged to a portable toilet is considered domestic wastewater and is subject to the provisions of HAR Chapter 11-62, Subchapters 2 and 3. The DOH further stated that a portable toilet is not a wastewater system that complies with the provisions of HAR Chapter 11-62, Subchapter 3, thus, portable toilets will not be approved by the DOH for the use at South Point.

Potential Impacts and Mitigation Measures

To mitigate the wastewater situation and ensure that the proposed Project is compliant to the provisions of HAR Section 11-62-7.1, several wastewater system alternatives are proposed in lieu of porta-potty toilets at South Point. Although at this time, the preferred wastewater system alternative has not been determined, the chosen wastewater system will include design considerations to address any effects associated with the construction of and/or discharges from the wastewater systems to any public trust, Native Hawaiian resources, or the exercise of traditional cultural practices.

The location of the chosen wastewater system at South Point is important considering the proximity of the Project area to the ocean, as well as being situated in an area of high cultural and archaeological significance. Major fecal microbial pollution can occur if septic systems are located in improper soils and where surface and groundwater is shallow. This may be problematic along coastal areas where soils are sandy and porous. Thus, the location of this alternative structure/(s) would need to be chosen carefully with an appropriate setback from the coast to avoid impacts to natural and cultural resources. According to the State of Hawai'i, Department of Health, nine site conditions have significant influence over the selection of onsite wastewater treatment and disposal systems¹³. These include depth to water table, impermeable soil or rock formation, steep terrain, flood zones, proximity to in land surface waters, protection of coastal waters from excessive nutrient inputs, areas with high density of cesspools and/or areas with high rates of cesspool failures, protection of groundwater resources, and hydrology.

Possible locations at South Point for the chosen wastewater system might include: (1) the vicinity of the Barracks; and (2) outside the Project area located further away from the coast, such as near the location of the proposed gate and/or guard shack. Consultations for this Project indicated that toilet facilities and water infrastructure to support these facilities, previously existed at the Barracks during the U.S. Military's occupation of South Point during World War II. Community members recall toilet facilities at the Barracks in the 1980s when an education program was conducted at South Point. However, once the appropriate wastewater system is chosen, an assessment of site conditions will be conducted to identify the most ideal site conditions for the chosen system.

A professional engineer will be consulted to ensure that proper permits, plans, and construction meet state and local regulations for treatment systems. The construction of such systems will be a collaboration between the DHHL, the engineers, the contractors, and the manufacturers of the systems. Also, the systems require operation and maintenance to be clearly delineated, and by state regulations, there must be an operator or supervisor of the wastewater systems with flows greater than 1,000 gpd. Therefore, no negative impacts resulting from the proposed Project is anticipated.

Alternative Wastewater Systems:

I. Compost Toilet: A composting toilet is a type of toilet that uses a predominantly aerobic process to treat human waste by composting or managed aerobic decomposition. These toilet systems typically use no water for flushing, thus, are also called a "dry toilet." In some systems, carbon additives like sawdust, coconut coir, or peat moss is added after each use to create air pockets in human waste to promote aerobic decomposition. This also improves the carbon-to-nitrogen ratio and reduces potential odor. Most composting toilets rely on mesophilic composting as well as retention time to destroy pathogens. The end product may also be treated by a secondary system which is usually another composting step. This type of toilet is often used when water is limited or a connection to a sewage treatment plant is unavailable. However, the capacity of composting toilets is limited and can only service low numbers of users per day. Also, the use

¹³ <http://health.hawaii.gov/wastewater/files/2013/06/onsitesurvey.pdf>

of composting toilet systems in Hawai'i is challenging because maintenance is often problematic in that it is often difficult to find skilled personnel to fix the compost toilet system when it breaks down or to replace parts. Considering the large volumes of people visiting South Point, with 700 to 800 visitors per day, compost toilet systems are not feasible for South Point.

II. Individual Large Capacity Septic Tank:

Sewage usage roughly requires approximately five to ten gallons of water per person during the daytime and about 100 gallons per person for overnight camping. With the assumption that approximately 779 people may visit South Point on any given day or more than 5,000 per week, based on estimates described in Section 2.1.2.3 (Potable Water) and Section 2.24 (Traffic), an individual large capacity septic tank/(s) with appropriate leach fields would need to be large enough (4,000 to 8,000-gallons) to accommodate this volume of daily use. Septic tank capacity would also need to consider additional water needs should overnight camping be permitted in the future, as proposed in the RMP 2016. In the County of Hawai'i, non-residential toilet facilities that use individual septic tank systems with more than a 1,000-gallon capacity, require a variance for up to five years. Therefore, a variance would be necessary for this alternative.

III. Small Treatment Plant:

A small treatment plant alternative might be considered for the proposed Project. However, this endeavor may be larger than the other alternatives, more expensive, and may not be appropriate for the fragile ecosystem and culturally-sensitive areas of South Point.

2.3.2 Emergency Facilities

South Point is isolated and far away from emergency facilities. The nearest emergency facility is the Hawai'i County Fire Department station located in the center of Nā'ālehu town, approximately 15 miles from South Point and about a 26-minute drive from the hoist. The fire station provides emergency medical services and operates an ambulance to service the Ka'ū District. The fire station at Pāhala operates a fire engine for fire emergencies. The Nā'ālehu Police Station is located on the outskirts of Nā'ālehu town, approximately 18 miles from South Point, or half-hour by car. The nearest emergency medical center to the Project area is Ka'ū Hospital, located approximately 27 miles away in Pāhala. Though the hospital is located in the Ka'ū District, drive time is still expected to take approximately 42 minutes from the hoist at South Point.

Community consultations indicate that medical emergencies at South Point are often related to injuries resulting from recreational activities at South Point. Fatalities and accidents have been reported to include incidents of people jumping off the hoist at Ka Lae, as well as people drowning from swimming or being swept away by strong currents, particularly in the vicinity of Māhana Bay. Unprepared tourists hiking along the three-mile stretch of coastline towards Māhana Bay have also been reported to need medical attention due to dehydration and injuries.

South Point Road, the main access road to South Point, is a paved road that is maintained by the County of Hawai'i, as well as the DHHL. The road is well-maintained and accessible to medical, fire, and police emergency vehicles and services. Currently, there is a dirt road that extends from

the fork in the road where Kalae Road connects with South Point Road to Māhana Bay, but the road is bumpy and needs 4-wheel drive. Therefore, access to Māhana Bay for emergency services is not as easily accessible.

Potential Impacts and Mitigation Measures

The proposed emergency road extending from the beginning of Ka Lae Road to Māhana Bay, is intended to improve emergency access to more remote areas of the Project area. Therefore, the proposed Project will not interfere with or hinder access to emergency services and/or facilities. Instead, the proposed Project will directly improve emergency access to the Project area and make the surrounding areas safer.

2.3.3 Power and Communication

There are no existing electric lines, telephone poles, or internet towers in the Project area.

Potential Impacts and Mitigation Measures

The proposed Project will have no impact on power and communication in the surrounding area, because there are no existing electric lines, telephone poles or internet towers in the Project area.

3 RELATIONSHIPS TO STATE AND COUNTY LAND USE PLANS, POLICIES, AND CONTROLS

3.1 DHHL General Plan

The DHHL General Plan, approved in 2002, is the umbrella statewide plan that guides future plans for long-term management of DHHL lands. There are seven categories of goals and objectives in the DHHL General Plan to support DHHL’s mission “to manage the Hawaiian Home Lands trust effectively and to develop and deliver lands to native Hawaiians.” The following management areas, with their respective long-range goals, are relevant to South Point and reflected in the RMP 2016.

3.1.1 Land Use Planning

- Utilize Hawaiian Home Lands for uses most appropriate to meet the needs and desires of the beneficiary population.
- Develop livable, sustainable communities that provide space for or access to the amenities that serve the daily needs of its residents.

3.1.2 Land and Resources Management

- Be responsible, long-term stewards of the Trust’s lands and the natural, historic and community resources located on these lands.

3.1.3 Economic Development

- Provide economic opportunities for beneficiaries within areas designated for their use;
- Generate significant revenue to provide greater financial support towards fulfilling the Trust’s mission.

3.1.4 Building Healthy Communities

- Establish the homestead associations to manage and govern their communities.
- Establish self-sufficient and healthy communities on Trust lands.

3.2 DHHL Hawai’i Island Plan

The DHHL Hawai’i Island Plan is a 10-year plan, published in 2002, to assess the potential use of the 116,963 acres of DHHL lands on Hawai’i Island. The goal of the Hawai’i Island Plan is to assess and recommend future uses for DHHL lands on Hawai’i Island. The plan recommends optimal use of the land to meet the needs of DHHL beneficiaries. In the Plan, the southern-most portion of Kamā’oa-Pu’ueo, which corresponds with the Project area, is designated as a Special District that requires special attention and additional study due to unique features and resources. The RMP for South Point and associated studies, such as this environmental assessment and the technical studies for the report, furthers the understanding of the unique resources and features of South Point that informs more appropriate management strategies.

3.3 DHHL Native Hawaiian Development Plan (NHDPP)

The NHDPP identifies priority programs and services that should be provided for beneficiaries within 3-6 years. The purpose of the NHDPP is to “improve the general welfare and conditions of native Hawaiians through educational, economic, political, social, cultural, and other programs.”

The NHDPP identifies the need to provide more than a land lease to “rehabilitate a native Hawaiian family. It focuses on two areas of development: Individual Development and Community Development. The NHDPP identified educational opportunities through scholarships and technical assistance programs in homesteading, as well as providing grants, technical assistance, and training to homestead associations and organizations, as strategies to increasing the self-sufficiency of beneficiaries. The proposed RMP for South Point could potentially provide such opportunities, supporting the purpose of the NHDPP.

3.4 DHHL Ka’ū Regional Master Plan

The DHHL Ka’ū Regional Plan, published in 2012, is a two to four year plan to guide the future direction of homestead lands. The Plan applies the goals, policies, and land use designations set forth in the DHHL’s General Plan and Hawai’i Island Plan for the Ka’ū region. Two priority projects for South Point identified in the DHHL Ka’ū Regional Plan include:

- Develop Vehicular Roadways(s) and Pedestrian Pathways within the Coastal Area of Ka Lae (to manage access to Kaulana Bay, the fishing grounds at Ka Lae and protect sensitive resources);
- Protect and Preserve Cultural Sites in Kamā’oa.

Thus, the RMP 2016 directly addresses the priority projects identified for South Point in the DHHL Ka’ū Regional Plan.

3.5 Hawai’i State Plan

Hawai’i Revised Statute (HRS) Chapter 226, sets forth the Hawai’i State Plan that serves as a guide for the future long-range development of the State of Hawai’i. The Plan was created in response to a need to improve the planning process in the State of Hawai’i, to increase the effectiveness of public and private actions, and to improve coordination among different agencies and levels of government, to provide for wise use of Hawai’i’s resources and to guide the future development of the State. The Plan was drafted and passed in 1978, almost four decades ago. The goals of the Hawai’i State Plan include the following:

- (1) A strong, viable economy, characterized by stability, diversity, and growth, that enables the fulfillment of the needs and expectations of Hawai’i’s present and future generations.
- (2) A desired physical environment, characterized by beauty, cleanliness, quiet, stable natural systems, and uniqueness, that enhances the mental and physical well-being of the people.
- (3) Physical, social, and economic well-being, for individuals and families in Hawai’i, that nourishes a sense of community responsibility, of caring and of participation in community life.

The goals of the RMP 2016 are consistent with and support the goals of the Hawai’i State Plan which seeks to develop a strong economy, maintain the integrity of a desirable physical environment, and enhance the well-being of Hawai’i.

3.6 State Land Use Law

The State Land Use Law, Chapter 205 HRS, established the State Land Use Commission, which classifies all lands in Hawai’i into four land use districts: Urban, Rural, Agricultural, and

Conservation. The Project area is within the Agricultural and Conservation Districts. Similarly, the Proposed actions are located within both land use districts. However, the DHHL is exempt from the requirements of the State Land Use Law.

3.7 Coastal Zone Management Program

The Hawaii Coastal Zone Management (CZM) Program was created in 1977 through the enactment of HRS Chapter 205A. The program was created to coordinate federal, state and county agency efforts in the comprehensive management of Hawai'i's valuable coastal resources. The CZM Program is administered by the Office of Planning, but the four counties are responsible for administering the program locally through Special Management Area (SMA) permits and shoreline setback provisions in their respective counties. HRS Chapter 205A requires State agencies, such as the DHHL, to be in legal and operational compliance to the objectives and policies and the CZM Program. The policies of the CZM articulate the following objectives, as stated in §205A-2:

- (1) **Recreational resources**; Provide coastal recreational opportunities accessible to the public.
- (2) **Historic resources**; Protect, preserve, and, where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.
- (3) **Scenic and open space resources**; Protect, preserve, and, where desirable, restore or improve the quality of coastal scenic and open space resources.
- (4) **Coastal ecosystems**; Protect valuable coastal ecosystems, including reefs, from disruption and minimize adverse impacts on all coastal ecosystems.
- (5) **Economic uses**; Provide public or private facilities and improvements important to the State's economy in suitable locations.
- (6) **Coastal hazards**; Reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion, subsidence, and pollution.
- (7) **Managing development**; Improve the development review process, communication, and public participation in the management of coastal resources and hazards.
- (8) **Public participation**; Stimulate public awareness, education, and participation in coastal management.
- (9) **Beach protection**; Protect beaches for public use and recreation.

-
- (10) **Marine resources**; Promote the protection, use, and development of marine and coastal resources to assure their sustainability.

The proposed actions for the RMP 2016 support all ten objectives of the CZM Program, including recreational activities on the coast. Though the proposed actions are intended to manage and limit the use of recreational vehicles that occur **on DHHL property and destroy natural and cultural resources on DHHL property**, the proposed actions do not prohibit access to recreational activities along the coast. Therefore, access to coastal recreational resources will not be impacted as a result of the proposed Project.

3.8 Hawai'i Historic Preservation Laws

3.8.1 HRS Chapter 6E

HRS Chapter 343, Hawai'i's environmental law, requires consideration of a proposed project's effect on cultural practices and resources. Through document research and cultural consultation efforts in an archaeological inventory study and a cultural impact assessment for this Project, this environmental assessment provides information pertinent to the assessment of the proposed Projects' impacts to cultural practices and resources (per the *Office of Environmental Quality Control's Guidelines for Assessing Cultural Impacts*) which may include Traditional Cultural Properties (TCP) of ongoing cultural significance that may be eligible for inclusion on the State Register of Historic Places, in accordance with Hawai'i State Historic Preservation Statute (Chapter 6E) guidelines for significance criteria according to Hawai'i Administrative Rules (HAR) §13–275 under Criterion E.

3.9 Hawai'i County General Plan

The General Plan is guided by the Hawai'i State Plan and sets forth the long-range goals, policies, standards, and courses of action for the County of Hawai'i, as well as the legal basis for all of the other elements of the County's planning structure. Thus, the General Plan is the umbrella plan that establishes the other limits or boundaries that the County must operate within. Together with the Functional Plans, the Community Development Plans (CDPs), and Area Improvement Plans for each district, the General Plan provides a direction and framework to guide the programs and activities of Hawai'i County. The original General Plan was adopted in 1965. However, this plan did not include the district of Ka'ū. After the ratification of the County Charter in 1968, a General Plan was adopted in 1971 that provided the foundation for a comprehensive plan for the entire County of Hawai'i. The most current General Plan was published in 2005.

The proposed Project is consistent with and supports various focus areas of the General Plan. These include environmental quality, historic preservation, natural beauty, natural resources and shoreline, and agricultural land use. These areas are described in more detail below:

3.9.1 Environmental Quality

According to the General Plan, the County's basic industries of agriculture, tourism, and scientific and technological enterprises, depend upon a "clean" environment for optimum growth. The agricultural industry depends upon the availability of clean air, soil, and water. The island's major

visitor attraction, especially for tourists from large urban centers, is its natural beauty accentuated by the quality of the air, land, and water. Thus, the environmental quality of the County not only enhances the quality of life for its residents, but is also a major economic asset. The General Plan also states that it is essential to control soil erosion, water runoff, and protect endangered plants and animal species, among other things, in order to maintain an ecological balance for the biological physical, social and physiological well-being of the island community.

3.9.2 Historic Preservation

The General Plan acknowledges the wealth of historic and archaeological sites in Hawai'i County and proposes the following goals:

- (a)** Protect, restore, and enhance the sites, buildings, and objects of significant historical and cultural importance to Hawai'i.
- (b)** Appropriate access to significant historic sites, buildings, and objects of public interest should be made available.
- (c)** Enhance the understanding of man's place on the landscape by understanding the system of ahupua'a.

3.9.3 Natural Beauty

The General Plan acknowledges the natural beauty of Hawai'i as one of the most significant and valuable assets of Hawai'i County. To protect and enhance the natural beauty of Hawai'i County, the following goals are proposed:

- (a)** Protect, preserve and enhance the quality of areas endowed with natural beauty, including the quality of coastal scenic resources.
- (b)** Protect scenic vistas and view planes from becoming obstructed.
- (c)** Maximize opportunities for present and future generations to appreciate and enjoy natural and scenic beauty.

3.9.4 Natural Resources and Shoreline

Natural resources include, but are not limited to, the land, water, air, flora, fauna, soils, geologic features, geothermal steam, climate, wind, sunshine, ocean waters, and shoreline. With growing populations and urbanization, there is greater demand on these resources. To protect the natural resources and shorelines of Hawai'i County, the following goals are proposed in the General Plan:

- (a)** Protect and conserve the natural resources from undue exploitation, encroachment and damage.
- (b)** Provide opportunities for recreational, economic, and educational needs without despoiling or endangering natural resources.
- (c)** Protect and promote the prudent use of Hawaii's unique, fragile, and significant environmental and natural resources.
- (d)** Protect rare or endangered species and habitats native to Hawaii.
- (e)** Protect and effectively manage Hawaii's open space, watersheds, shoreline, and natural areas.
- (f)** Ensure that alterations to existing land forms, vegetation, and construction of structures cause minimum adverse effect to water resources, and scenic and recreational amenities

and minimum danger of floods, landslides, erosion, siltation, or failure in the event of an earthquake.

3.9.5 Land Use: Agriculture

Approximately 46% or almost half of Hawai'i's land is in the Agricultural District. Thus, the following goals are proposed in the General Plan to support and protect agricultural lands in Hawai'i County:

- (a) Identify, protect and maintain important agriculture lands on the island of Hawai'i.
- (b) Preserve the agricultural character of the island.
- (c) Preserve and enhance opportunities for the expansion of Hawai'i's Agricultural

The majority of the area for this Project is within the Agricultural District. The proposed RMP 2016 is intended to manage human activities and restore the land, therefore, is consistent with the goals for agricultural land use, as set forth by the General Plan for Hawai'i County.

3.10 Hawai'i County Zoning

Hawai'i County's Land Use Ordinance regulates land use to encourage orderly development in accordance with adopted land use policies, including the Hawai'i County General Plan and the County's six Community Development Plans. The actions for the proposed Project, all fall into one zoning designation which is Agricultural Lots with a minimum lot size of 20 acres or Ag-20a. Permitted uses within the Agricultural District are listed in Section 25-5-72 of the Hawai'i County Code. However, the DHHL is not subject to County zoning codes.

The actions proposed in the RMP 2016 are consistent with the permitted uses within the Agricultural District and include the following uses that are relevant to the proposed RMP 2016:

- (1) Agricultural parks;
- (3) Agricultural tourism as permitted under section 25-4-15;
- (18) Public uses and structures which are necessary for agricultural practices;
- (19) Retention, restoration, rehabilitation, or improvement of building or sites of historic or scenic interest.

The Hawaiian Homes Commission has exclusive authority of land use on Hawaiian Home Lands.

3.11 Ka'ū Community Development Plan

The Ka'ū Community Development Plan (CDP), revised in 2017, is a 10-year-plan, to translate and implement the broad goals of Hawai'i County's General Plan on a regional basis. The CDP is intended to be a forum for community participation in managing growth and coordinating the delivery of government services to communities. The Ka'ū CDP planning area includes most of the Judicial District 9 of Hawai'i County which include South Point. The CDP sets forth community objectives for Ka'ū. The following objectives are relevant for the proposed Project at South:

- 3. Protect, restore, and enhance ecosystems, including mauka forests and the shorelines, while assuring responsible access for residents and for visitors;

- 4. Protect, restore, and enhance Ka'ū's unique cultural assets, including archeological and historic sites and historic buildings;
- 6. Encourage community-based management plans to assure that human activity doesn't degrade the quality of Ka'ū's unique natural and cultural landscape;

The RMP 2016 is consistent with and supports many of the community objectives listed here for Ka'ū.

4 PERMITS AND APPROVALS REQUIRED

To ensure that the proposed actions for the RMP for South Point are compliant to and consistent with the land use policies and regulations for the lands at South Point, the following permits and plans are needed from the respective oversight agencies.

| Permit and Approval | Oversight Agency |
|---|--|
| Grubbing and Grading Permit | Hawai'i County, Department of Planning |
| County Building Permit | Hawai'i County, Department of Public Works, Building Division |
| National Pollution Discharge Elimination System (NPDES) | Hawai'i State Department of Health Clean Water Branch |
| Archaeological Monitoring Plan Approval | Hawai'i State Department of Land and Natural Resources (DLNR), Division of Historic Preservation |

5 ALTERNATIVES TO THE PROPOSED ACTION

Three alternatives are proposed for this EA and described in this section. Of the three, Alternative II is the preferred alternative of the DHHL and Alternative III is the preferred alternative of the majority of Ka'ū community members consulted in the CIA study for the EA.

1. Alternative I: No Action

Under the **No Action** alternative, no management actions will be implemented and existing conditions at South Point remain unchanged. The **No Action** alternative is not an option as widespread destruction of natural and cultural resources at South Point, from human impact, is at a critical point.

2. Alternative II: Manage human activities at South Point, including management of vehicular access onto DHHL lands by implementing actions in four areas at South Point, as proposed in the Resources Management Plan for South Point.

Alternative II of allowing vehicular access onto DHHL lands at South Point and implementing management actions in four management areas is the preferred alternative of the DHHL. Alternative II has several advantages:

- A. The installation of an entrance gate at the intersection of Kalae Rd. and South Point Rd, and a security booth 0.75 miles north of the intersection along South Point Rd, will:

-
- 1) Create opportunities for revenue generation by charging an entrance fee at the gate that can be used to manage the natural and cultural resources of South Point;
 - 2) Create opportunities for education and awareness about South Point at the gate entrance that would lead to more informed visitors and possible long-term management actions for South Point;
 - 3) Increase employment opportunities for the district of Ka'ū through the hiring of security guards and staff to manage the area;
 - 4) Provide DHHL presence at South Point and subsequently, greater public safety in the area through the provision of security personnel.
- B. Two designated parking areas at the "Barracks" near the Kaulana Boat Ramp and at Ka Lae will:
- 1) Deter visitors from driving off-road and destroying natural and cultural resources;
 - 2) Encourage public safety by providing a designated area for vehicles in specific places rather than throughout the property, as well as provide opportunities for the placement of security guards in the future to reduce car theft and break-ins;
 - 3) Provide a mechanism for monitoring capacity to ensure that the carrying capacity of the environment is not exceeded by the number of visitors.
- C. A cultural interpretive walking trail at Ka Lae with associated signage and protective barriers around cultural sites will:
- 1) Encourage opportunities for education and raising awareness about the cultural and historical significance of South Point;
 - 2) Attract visitors to Ka'ū that would increase and support opportunities for economic activity;
 - 3) Provide recreational opportunities for local communities, including kūpuna and youth, to enjoy the rich cultural heritage of Ka'ū, thereby increasing pride in place and a greater quality of life;
 - 4) Protect significant cultural sites and fragile ecosystems at South Point.
- D. A pedestrian path and an emergency access road extending from the "Barracks" to Māhana Bay will:
- 1) Protect the natural and cultural resources along the coast from Kaulana Bay to Māhana by creating only one path along the coast;
 - 2) Increase public health safety through the provision of a defined access road along the coast, as well as improving the access road for emergency service vehicles to Māhana Bay.

3. [Alternative III: Limit vehicular access onto DHHL lands at South Point by closing public access through the DHHL-owned portion of South Point Road.](#)

Alternative III, the preferred alternative by the majority of Ka'ū community members interviewed for the Cultural Impact Assessment, proposes closing down the DHHL-owned portion of South Point Road and prohibiting vehicles from entering DHHL property. This alternative is more straight forward than Alternative II.. Alternative III has several advantages. Prohibiting vehicular access onto DHHL lands at South Point would:

-
- 1) Significantly reduce human impacts on the natural and cultural resources at South Point and allow the land to recover more quickly. Thus, restoration efforts would yield more immediate positive results in the absence of the threats of human impact;
 - 2) Be less expensive for DHHL since the cost of proposed actions in Alternative II would not be necessary;
 - 3) Be consistent with and allowed under the land tenure of the Project area as “Available Lands” rather than Public Lands that supports the needs of native Hawaiian people rather than the general public;
 - 4) Be consistent with the historic land use of the Project area where South Point was accessed by foot;
 - 5) Be consistent with and support the desire of the majority of the Ka’ū community members consulted for this Project who recommended shutting down the road to South Point and letting the land heal.

However, **Alternative III** would limit potential economic opportunities for potential income generation in an area that is economically disadvantaged. As shown in Chapter 3 of this document, one of the goals of the DHHL is to build the self-sufficiency of DHHL beneficiaries. This goal is expressed in the various DHHL plans to manage DHHL lands on Hawai’i Island. Alternative III would eliminate potential economic opportunities to utilize the natural and cultural resources of South Point to support and build the capacity of beneficiaries.

6 DETERMINATION

6.1 Cumulative Impacts

Based on the analysis presented in this EA, the proposed Project is not anticipated to have significant impacts to the natural, built, or social environment. The proposed Project is not expected to have a significant cumulative effect upon the environment. Instead, management actions of the proposed Project will:

- 1) Restore, preserve, and protect cultural and natural resources;
- 2) Perpetuate native Hawaiian culture, values, history and language for future generations;
- 3) Provide a safe, clean, and friendly environment; and
- 4) Generate revenue to sustainably fund cultural and natural resources activities and provide economic opportunities for DHHL beneficiaries and their families.

The proposed actions are compliant to and consistent with the goals of various land use policies and plans in Hawai’i, including the Hawai’i State Plan, the Coastal Zone Management Program, the SMA, Historic Preservation laws, the Hawai’i County General Plan, Hawai’i County Zoning, the Community Development Plan for Ka’ū, and the various land use plans for DHHL lands on Hawai’i Island, such as DHHL General Plan, the DHHL Hawai’i Island Plan, the DHHL Native Hawaiian Development Plan, and the DHHL Ka’ū Regional Master Plan.

The primary impacts of the proposed actions would result from construction activities, such as dust, noise, traffic, and erosion. These will be short-term impacts that will be mitigated through use of Best Management Practices to minimize and mitigate potential negative impacts.

6.2 Findings and Reasons Supporting the Determination

The potential effects of the proposed project are evaluated based on the significance criteria identified in the HAR, Section 11-200-12. The following is a summary of the potential effects of the Project.

1. Irrevocable commitment to loss or destruction of any natural or cultural resource

The proposed Project is not expected to adversely impact any natural or cultural resources. Technical studies have been conducted to assess the potential impact of the proposed Project on fauna and flora, as well as cultural and archaeological resources at South Point. These studies have found the proposed Project will not negatively impact native fauna and flora populations at South Point. The archaeological inventory survey and cultural impact assessment conducted for this Project also found that the proposed actions will not negatively impact the natural and cultural resources and practices of the Project area. Though archaeological and cultural features might be encountered during the construction phase, an archaeological monitoring plan will be in place and an archaeological monitor will be present at all times of construction. Should any resources be discovered during construction, all work will cease immediately and SHPD will be contacted.

2. Curtailment of the range of beneficial uses of the environment.

The proposed Project is not expected to curtail the range of beneficial use of the environment since the proposed actions are minimal. Rather, the proposed actions will improve the integrity of the environment at South Point.

3. Conflicts with the State's long-term environmental policies or goals and guidelines as expressed in Chapter 344, HRS, and any revisions thereof and amendments thereto, court decisions, or executive orders.

The proposed Project is consistent with the environmental policies, goals, and guidelines expressed in HRS Chapter 344.

4. Substantially affects the economic or social welfare of the community or State.

The proposed Project is not expected to have significant negative socio-economic effect, but rather, is anticipated to provide significant benefits to communities surrounding South Point through employment opportunities, restoring and maintaining the sense of place of South Point that many value.

5. Substantially affects public health.

The proposed Project is not anticipated to negatively affect public health. Instead, the proposed Project will improve public health and safety by providing toilets to improve sanitary conditions, as well as infrastructure for emergency service vehicles.

6. Involves substantially secondary impacts, such as population changes or effects on public facilities.

The proposed Project is not anticipated to have secondary impacts such as population changes or effects on public facilities. The proposed project will not encourage changes in population size.

7. Involves substantial degradation of environmental quality.

No substantial degradation of environmental quality is expected as a result of the proposed Project. However, the proposed Project is expected to substantially improve the environmental quality of South Point.

8. *Is individually limited but cumulatively has considerable effects on the environment, or involves a commitment for larger actions.*

The proposed Project is not expected to have a significant cumulative effect upon the environment.

9. *Substantially affects a rare, threatened, or endangered species or its habitat.*

The fauna and flora study that was conducted for this Project found that the proposed actions will not negatively impact rare, threatened, or endangered species or its habitat. The study notes that the proposed management actions of the Project will instead enhance and improve habitats at South Point that will in turn attract more native species.

10. *Detrimentially affects air or water quality or ambient noise levels.*

The proposed Project is not anticipated to have any long-term impacts on air, water quality, or noise conditions. Impacts on air and water quality and noise conditions are anticipated to be minor and short-term resulting from construction-related activities for the proposed roads, trails and paths, community center, wastewater system, and security booth. These short-term impacts will cease upon Project completion. Short-term impacts may include an increase in dust generating around the Project area; an increase in noise levels from construction equipment and onsite vehicles; and increase in the amount of sediment in storm runoff because of exposed soils. However, the proposed Project is located far away from residential areas, therefore, will not impact surrounding communities. Nevertheless, these short-term impacts will be mitigated through use of Best Management Practices (BMPs) to minimize and mitigate potential negative impacts.

Also, the actions of the RMP 2016 are anticipated to protect against detrimental effects to air or water quality by limiting destructive activities that expose soils. Proposed actions will also encourage the re-establishment of native vegetation in exposed areas, thereby reducing the potential for soil erosion.

11. *Affects or is likely to suffer damage by being located in an environmentally sensitive area, such as a floodplain, tsunami zone, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters.*

The Project area is located in Zone VE (pedestrian path) and Zone X (emergency road, pedestrian path, walking trail, and parking lots) of the FEMA's Flood Insurance Rate Map. Zone VE is subject to inundation by the 1-percent-annual-chance flood event with additional hazards due to storm-induced velocity wave action. Zone X is considered to be at moderate risk of flooding under the National Flood Insurance Program.

The proposed Project is not anticipated to increase flood hazards or have any impacts on the tsunami zone. Detailed weather and tsunami forecasts enable emergency evacuation plans to be executed should such flood or tsunami events occur. In the

event of flooding or tsunami threats, the pedestrian path will be closed and the emergency road shall be used for evacuations. Improving the proposed emergency road in the RMP 2016 will increase public safety in emergency situations.

12. Substantially affects scenic vistas and view planes identified in county or state plans or studies.

The proposed Project will not adversely affect the public's enjoyment of scenic vistas and view planes. Instead, the proposed Project is anticipated to improve and protect the integrity of the cultural and natural resources of South Point and enhance coastal views at South Point.

13. Requires substantial energy consumption.

The proposed project is not anticipated to consume a substantial amount of energy.

Based on the evaluation of the significant criteria and the information contained in this Draft Environmental Assessment, an Environmental Impact Statement will not be required and a Finding of No Significant Impact has been determined for this Project.

7 LIST OF APPENDICES

Appendix A: DHHL South Point Resources Management Plan

Appendix B: Pre-Consultation Letter and Agency Responses

Appendix C: Fauna and Flora Report

Appendix D: Archaeological Inventory Survey

Appendix E: Cultural Impact Assessment

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

January 29-30, 2018

To: Chairman and Members, Hawaiian Homes Commission
Thru: M. Kaleo Manuel, Acting Planning Program Manager
From: Julie-Ann Cachola, Planner 
Subject: G-5 Update on Kahikinui Fence Project

Recommended Action

None; For information only.

Discussion

The moku of Kahikinui is comprised of 8 ahupua'a, encompassing 22,860 acres, from the summit of Haleakalā, down the southern slope to the ocean; it is the second largest parcel of land in the Hawaiian Home Lands inventory. Roughly a third of the moku, just over 7,000 acres contains the realm of the forest. Unfortunately, cattle ranching practices, occurring since the early 1800's, which were continued by the Department under a General Lease nearly destroyed the native forest that once encompassed the moku all the way down to the shoreline. In 1994, nearing the expiration of the ranching General Lease, beneficiaries organized as Ka 'Ohana o Kahikinui. They presented a Conceptual Master Plan to the HHC as an alternative development model where beneficiaries would be given immediate access to the lands for homesteading purposes while also assuming community management responsibilities for Kahikinui's natural and cultural resources. From 1994 to the present, Ka 'Ohana o Kahikinui has been engaged in community-based planning to manage the moku and restore the forest.

In the area of natural resource management, the 'Ohana worked with the Department and other partners to develop the Kahikinui Forest Reserve Community Management Conceptual Plan, which recognized that healthy native ecosystems were integral to the successful resettlement of Kahikinui and conveyed a vision for multi-generational restoration and perpetuation of natural

and cultural resources. The Plan, approved by the HHC in 1995, specified actions including: creation of an on-site propagation facility; aerial and ground hunts to displace feral ungulates; fire suppression and prevention planning; and invasive species control. However, the first order of business was to erect a fence around the reforestation area to keep the feral animals out of the forest.

The Leeward Haleakalā Watershed Restoration Partnership (LHWRP) has taken on the kuleana of the Kahikinui Fence Project. The LHWRP has been conducting resource management activities in the mauka forest for many years. Since its inception, LHWRP secured nearly \$2 million in grants and have contributed thousands of hours of staff time to construct forest protection fences, control invasive species, protect rare native species, complete fire planning and firebreaks, and conduct restoration planning for the mauka site. They have worked in collaboration with Ka 'Ohana o Kahikinui toward their shared long-range goals to increase biodiversity, forest resilience, improved watershed function, and enhance opportunity for economic and cultural resource utilization.

It is through their efforts, that the Kahikinui Fence Project is nearly complete. At completion, the fenceline will be 9.1 miles long, encompassing 4,500 acres in order to protect the remaining native forest on the slopes of leeward Haleakalā. To date, 5.6 miles of the fence has been constructed. Construction for the final phase of the fence (3.5 miles) will begin in February and should be completed in 3-6 months. The completion of the fence will mark the completion of a major benchmark in the restoration plan. In anticipation of the closing of the fence and before restoration can be initiated, feral ungulates must be removed to allow for natural regeneration and survival of outplanted native species. While customary practices of removal involve 100% eradication through aerial shooting by DLNR resource managers, the 'Ohana expressed concern over the waste of life and the waste of a resource. In search for a solution, the LHWRP and the 'Ohana found KIA Hawai'i.

KIA Hawai'i is a full-service ungulate management company that specializes in the planning, detection, assessment, capture, removal and certification of ungulate or small mammal populations utilizing Forward Looking Infrared (FLIR) technology. Recognizing that the feral animals are a valuable resource, over the past year, KIA Hawai'i has been working with LHWRP and the 'Ohana to develop an innovative process to remove the ungulates from within the fenced area and salvage the meat.

KIA produced the first map and count of the ungulate population in the forest¹ and conducted a pilot project to ensure that his method of capture was viable at Kahikinui. The pilot project was completed and the group now has a viable method to capture and utilize cattle at Kahikinui. Over the next 18 months, the animals will be killed humanely and in accordance with all DHHL, State, and Federal regulations and the meat will be distributed to the DHHL Homesteaders at Kahikinui and to other homestead communities as resources allow.

The 'Ohana (homesteaders) at Kahikinui, the LHWRP and KIA Hawai'i seeks the support of the Commission to protect and restore the forests and community resources at Kahikinui. Specifically, HHC support is requested for a 1-year Right-of-Entry permit to KIA Hawai'i so they may begin implementing the ungulate management and meat delivery program. This program is planned to be implemented outside of the fenced forest protection area into the future as part of a sustainable food production program to manage and utilize the feral animals to provide consistent sources of protein to the local community as a complement to a community pasture and other food production endeavors identified by the 'Ohana. KIA expects that it will require 3-years for the removal of the ungulates from within the resource management fence.

Commission support will also be needed as ungulate management is underway. The 'Ohana and LHWRP will be seeking funds for internal fencing so that community-based restoration can begin in priority areas. In addition, funds would be needed for longer-term restoration efforts of outplanting, invasive species management, fire protection, and community outreach.

The Planning Office supports these efforts as they represent a new paradigm in conservation that aligns cultural and conservation goals with goals to improve sustainable food production and secure freshwater resources.

¹ Results of the survey KIA conducted on September 9, 2016 confirmed:

- 988 cows were present with 389 detected inside the fence, 45 (8.6%) of those were calves.
- 1,324 goats were present with 931 detected inside the fence.
- 449 deer were present with 131 detected inside the fence.
- 124 pigs were present with 89 detected inside the fence.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

January 29-30, 2018

To: Chairman and Members, Hawaiian Homes Commission
Through: Kaleo Manuel, Acting Planning Program Manager 
From: Nancy McPherson, Planner
Subject: Amend Molokai Island Plan to apply Special District
Land Use Designation to Malama Cultural Park,
Kaunakakai, Kona, Molokai, TMK's (2)5-3-001:002, -097
and -100,

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) approve an amendment to the Molokai Island Plan (2005) as illustrated in **Exhibit 'A'**, "Proposed Special District Designation" for a 4.58 acre area, the State-owned portion of the Malama Cultural Park site, to be designated for Special District use, subject to additional specific and master planning.

DISCUSSION

DHHL GENERAL PLAN & PLANNING SYSTEM, 2002

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.

On May 21, 2002, the Hawaiian Homes Commission approved a Planning System and authorized the DHHL to promulgate rules. Within the Planning System, Island Plans are to 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.
- Cover a twenty-year timeframe, with updates every ten years

See **Exhibit 'B'** for a diagram of the DHHL Planning System.

MOLOKAI ISLAND PLAN, 2005

In June of 2005, the Hawaiian Homes Commission approved the Molokai Island Plan. See **Exhibits 'C' and 'D'** for land use plan maps of the lands on either side of the Kaunakakai ahupua'a in the planning areas of Kapa'akea-Kamiloloa-Makakupa'ia and Kalama'ula. At the time of the adoption of the Molokai Island Plan, DHHL did not have any lands in the Kaunakakai ahupua'a. The Kaunakakai lands were transferred into the DHHL inventory in 2011. See **Exhibit 'E'**, Quitclaim Deed.

The following table summarizes the land uses for the two DHHL planning areas adjacent to the Kaunakakai ahupua'a:

| Land Use Designation (LUD) | Kapa'akea, Kamiloloa, Makakupa'ia (Acres) | % of total | Kalama'ula- Pala'au (Acres) | % of total |
|----------------------------|--|---------------|-----------------------------------|---------------|
| Homesteading: | | | | |
| Residential | 264 | 5.0 | 398 | 7.5 |
| Subsistence Agriculture | 0 | 0.0 | 213 | 4.0 |
| Supplemental Agriculture | 0 | 0.0 | 0 | 0.0 |
| Pastoral | 465 | 9.0 | 539 | 10.1 |
| Non-Homesteading: | | | | |
| General Agriculture | 2,165 | 41.5 | 2,353 | 44.2 |
| Special District | 2,247 | 43.0 | 1,719 | 32.3 |
| Community Use | 61 | 1.2 | 83 | 1.5 |
| Conservation | 0 | 0.0 | 0 | 0.0 |
| Commercial | 0 | 0.0 | 13 | 0.2 |
| Industrial | 16 | 0.3 | 0 | 0.0 |
| Totals | 5,218 | 100 | 5,318 | |

Table 1 – Summary of Kapa'akea-Kamiloloa-Makakupa'ia & Kalama'ula-Pala'au Land Use Plans, from Molokai Island Plan (2005)

- Currently, there are a total of 238 residential, 71 agricultural and 3 pastoral homestead leases in the two planning areas. An additional 343 residential homesteads are proposed, for a total of 581 homesteads at full build-out.
- With an average household size of three (3), the projected total of 581 homesteads represents a population of 1,743 persons in the two planning areas at full buildout (Source for family size: U.S. Census 2010)
- While the percentage of land in Special District LUD is relatively high for both planning areas, most of the land is accessible only by four-wheel-drive vehicle, has very limited or no access to water, or is a wetland.

- The Malama Cultural Park site is just makai of Kaunakakai town, which is central to the island's population and activities, and is an economic, transportation and social hub for the community.
- The site's location and historic importance necessitates that great care be exercised in site planning and management. Therefore, the additional master planning and impact analysis, with inclusive, effective stakeholder participation, that will be required by the Special District designation makes that designation desirable for the site.

Under "Planning Themes," the Molokai Island Plan discusses General Plan goals and objectives in terms of the Molokai Island Plan. During the land suitability analysis phase, it was determined that the land was not suitable for homesteading, therefore those land use designations were not considered further. The most suitable non-homesteading LUD's were evaluated in terms of General Plan goals and objectives and Island Plan planning themes. See below, **Table 2**, "General Plan Analysis of Non-Homesteading LUD's."

| General Plan Goals & Objectives | Supports CON | Supports SD | Supports CU | Supports COM/IND |
|--|--------------|-------------|-------------|------------------|
| Land Use Planning | | | | |
| Goals: | | | | |
| Utilize Hawaiian Home Lands for uses most appropriate to meet the needs and desires of the beneficiary population. | | X | X | |
| Develop livable, sustainable communities that provide space for or access to the amenities that serve the daily needs of its residents. | | X | X | |
| Objective: Provide space for and designate a mixture of appropriate land uses, economic opportunities and community services in a native Hawaiian-friendly environment. | | X | X | |
| Land & Resource Management | | | | |
| Goal: Be responsible, long-term stewards of the Trust's lands and the natural, historic and community resources located on these lands. | X | X | X | |
| Objectives: | | | | |
| Preserve and protect significant natural, historic and community resources on Trust lands. | X | X | X | |
| Manage interim land dispositions in a manner that is environmentally sound and does not jeopardize their future uses. | X | X | X | |

| General Plan Goals & Objectives | Supports CON | Supports SD | Supports CU | Supports COM/IND |
|---|-----------------|----------------|----------------|---------------------|
| Enforce governmental health and safety standards and protect life and property from the effects of natural hazards and disaster on Hawaiian home lands. | X | X | X | X |
| Allow native Hawaiian use of natural resources on Trust lands for traditional and cultural purposes. | X | X | X | |
| Economic Development | | | | |
| Goals: | | | | |
| Generate significant revenue to provide greater financial support towards fulfilling the Trust's mission. | | | | X |
| Provide economic opportunities for beneficiaries within areas designated for their use. | | X | X | X |
| Objectives: | | | | |
| Assist native Hawaiian entrepreneurs by supporting opportunities for business education, training, financing, planning and leasing. | | X | X | X |
| Acquire land that expands opportunities for revenue generation. | | X | X | X |

Table 2 - General Plan Analysis of Non-Homesteading LUD's

The recommendation for land use designation of Special District is also supported by the following descriptive language in the Molokai Island Plan (2005):

The Special District designation is for land with special opportunities such as natural, cultural or historic resources or severe constraints such as flood control or endangered species. This category is applied to environmentally or culturally sensitive land that requires some conservation principles but can also be used for compatible activities if managed correctly. Ideally, native Hawaiian beneficiaries will oversee these lands and use them to create a Hawaiian sense of place for all beneficiaries living on Moloka'i.

This designation protects special areas while making them available for certain justified uses. The Special District areas are significant for the entire island, not just the parcel in which they are located.

MOLOKAI REGIONAL PLAN (2010)

The Hawaiian Homes Commission approved the update to the Molokai Island Plan in April of 2010. The regional plans are located on the third tier of the Department's planning system which focuses on the community/regional level. The Molokai

Regional Plan applies the goals, policies, and land use designations of the Molokai Island Plan to specific geographic regions. The regional plans are a means to:

- Identify data -- people, lands, and infrastructure of homestead communities and the surrounding region;
- Identify what DHHL and other landowners are planning to do;
- Provide the primary mechanism for beneficiary input in the development of their homestead communities;
- Identify issues and potential projects; and
- Identify Priority Projects determined by the Department and the respective homestead community.

There is no language in the Molokai Regional Plan that applies to the Malama Cultural Park site, as Regional Plans study existing homestead areas and the site was not yet in the inventory when the Regional Plan was approved. However, the need for additional recreational areas for Molokai homestead communities was clearly expressed in both the Molokai Regional Plan and the Molokai Island Plan. In fact, the land was accepted by DHHL as part of the Act 14 settlement mainly because it would provide cultural and recreational opportunities in a central location and maintain a Hawaiian sense of place as well as access to the shoreline.

Once a land use designation for the acquired parcels has been approved, it is anticipated that the Malama Cultural Park site will be discussed and evaluated in more detail in an update to the Molokai Regional Plan.

BACKGROUND

A brief history of past State planning efforts for the community-based economic development project, Malama Cultural Park, was presented in the Beneficiary Consultation Report. See Item G-1, "Acceptance of Beneficiary Consultation Report, Land Use Designation Alternatives for Malama Cultural Park" from the December 18, 2017 HHC Meeting. Traditionally the site of a royal compound and administrative center for the island, the existence of a hale for Princess Ruth as well as a retreat home for King Kamehameha V, Lota Kapuāiwa, have been documented via archaeological surveys, cultural impact assessments, and other research, much of which was conducted during preparation of the Environmental Assessment (EA) for the Malama Cultural Park Master Plan, and which involved a large number of beneficiaries and other interested community members. The Final EA for the project was published on Sept. 8, 1995.

Existing uses include storage of canoes for two canoe clubs, facilities for the Molokai Canoe Club including shelter, a shower and restroom, and equipment storage, and regular canoe practices. The County of Maui-owned parcels are managed by the Parks Department and licensed to organizations such as the Aha Kukui o Molokai Canoe Club and the Molokai Yacht Club. See **Exhibit 'F'**, TMK Maps.

METHODOLOGY

Steps to Amend the Molokai Island Plan:

- Conduct a land use suitability analysis: assess existing conditions and generate alternatives and mitigation measures for any potential impacts (Jan. 2016 to Oct. 2017)
- Once all data has been gathered, hold Beneficiary Consultation to gather beneficiary mana'o on land use designation(s) for the site (Oct. - Dec. 2017)
- Based on land suitability analysis and feedback from beneficiaries, compare alternatives, do impact analysis, and select preferred LUD alternative
- DHHL submits Beneficiary Consultation Report to HHC (Dec. 2017) then makes a request to HHC for land use designation of acquired land, after final review of potential impacts of designation (Jan. - Apr. 2018)

Land Use Designation Methodology

STEP 1 - Gather Background Information

- Collect & analyze environmental, cultural & socioeconomic data & features of the property

Sources for Malama Cultural Park data:

- Malama Cultural Park Master Plan and Environmental Assessment (1996), DBEDT
- Malama Park Halau Wa'a Draft EA (2006), Aha Kukui o Molokai Canoe Club
- Mana'o of Beneficiaries gathered from outreach activities and multiple site visits

The Land Use Suitability Analysis evaluates:

- Existing uses on site; uses on surrounding properties
- Topography, soils, status of infrastructure
- Flood zones, tsunami zones, wetlands, cultural sites and historic resources, coastal resources
- Potential socio-economic and environmental impacts
- Impacts to public services, physical environment, traffic and parking

Background Information and Existing Conditions Analysis

The following table, **Table 3**, presents data analyzed for the existing conditions and land suitability analysis:

| Category | Type of Info | Existing Conditions | Suitability Issues |
|------------------------------------|---|---|---|
| Physical Conditions | Topography & elevation | Ave. elev. 3', low lying shoreline area; mauka area previously graded & filled. | Vulnerable to coastal hazards, flooding |
| | Streams & waterways | Kaunakakai Stream and wetlands lie to the west | Flood hazards - Kaunakakai levee not certified |
| | Soil types & soil productivity | KMW: Kealia Silt Loam. Poor drainage & high salt content. Ponding occurs in low areas after periods of heavy rain. When soil dries, salt crystals accumulate on ground surface. Brackish water table occurs at depth of 12 to 40 inches, depending on tide. | Not suitable for ag. Subject to poor drainage. Any excavation should be minimal due to shallow water table, petroleum contamination |
| | Wetlands & flood zones | Small wetland; County area to west has recurring ponding issues. Flood hazard area AE, BFE 8', VE at shoreline | Increase in intensity of use would mean filling in of wetland & mitigation |
| | Rainfall | Mean annual rainfall in Kaunakakai is 400mm (15.75") | More heavy rain events due to climate change |
| | Natural hazards | Tsunami, effects of sea level rise, storm surge, inland flooding | Locate permanent structures away from shoreline |
| Biological Conditions | Threatened & endangered species & habitat | Endangered & threatened shorebirds inhabit wetland | No development in or near wetland |
| Infrastructure & Public Facilities | Water | Master potable water meter on County side of Park. No ag water for irrigation | Need MOU w/County, or will need to install separate water meter |
| | Wastewater | Existing 18" sewer line runs along Kaunakakai Place, which connects to 18" sewer line on Maunaloa Hwy that runs to Kaunakakai WWTP. 8" sewer line connects to existing restroom on the County park side. Existing unpermitted restroom. | As-built plans exist, but actual installation may be different. Need to locate & assess lines. Need to remedy unpermitted restroom. |
| | Underground utilities | Irrigation, phone & electric lines installed in the 1990's. Current conditions unknown. | As-built plans exist, but actual installation may be different. Need to locate & assess. |

| Category | Type of Info | Existing Conditions | Suitability Issues |
|-------------------------------|--|--|---|
| Cultural & Historic Resources | Known cultural sites documented by previous archaeological and ethnological work | Site 50-60-03-1030, Malama Platform, was site of King Kamehameha V's fishing lodge; Site 50-60-03-630, extensive subsurface cultural deposit, underlies some of project area. Site of Princess Ruth's house. | Malama platform to be avoided and protected with a 25' buffer. Any excavation must be closely monitored w/SHPD-approved AMP. Wahi pana. |
| Land Use & Compatibility | Surrounding uses | Kaunakakai Wharf & Harbor to S; County park, Yacht Club, Myer office bldg. to W; industrial uses & hwy to N, Wharf Rd., Molokai Vets & comm'l to E. | Multiple uses (e.g. recreation, cultural events, some Commercial) compatible w/surrounding uses. |
| | State land use | Urban. CON to west of County park site. | none |
| | County Community Plan land use & zoning | Park; Interim | None - N/A |

Table 3 Existing Conditions & Land Suitability Analysis

Land Suitability Analysis: Homesteading vs. Non-homesteading

The first, and most critical, decision on land suitability is to determine whether the land is suited and/or needed for homesteading. Despite its central location, the land was deemed "not suitable for homesteading" due to the following conditions:

- coastal & flood hazard area
- shallow water table
- presence of cultural sites & cultural layer.
- presence of wetland
- salt buildup in soil, petroleum contamination
- poor drainage, area subject to ponding of storm water
- limited acreage

This analysis eliminated the Residential, Subsistence Ag, Supplemental Ag and Pastoral LUD's from further consideration. In addition, General Agriculture was also eliminated due to the small land area, poor soil conditions, including high salt content and petroleum contamination, proximity to the shoreline, and the presence of cultural resources. See Exhibit 'G', Archaeological Sites.

The remaining non-homesteading LUD alternatives (Conservation, Special District, Community Use, Commercial/Industrial) were then examined in more detail. These LUD's provide a range of low, medium, and high intensity development options, with Conservation being the most restrictive

and Commercial/Industrial the least restrictive. See **Table 2**, "General Plan Analysis of Non-Homesteading LUD's," above.

STEP 2: Conduct Community Outreach to gather info on existing conditions, issues & opportunities, and stakeholder priorities

A summary of mana'o from the Nov. 17, 2016 Informational Meeting with key stakeholders was prepared, and shared with beneficiaries at the Beneficiary Consultation meeting in October 2017:

- Poor drainage, ponding of water is a big issue - too muddy!
- Restore wetland, use for education, to filter storm water runoff
- Sanitation - need to deal with restroom situation
- Water - need to resolve between State & County
- Contaminated soils - need to be aware of this
- Canoe clubs need their land use requests resolved
- Need more shelter - hale or pavilion for community
- Replace landscaping with species better suited for that area
- Coordinate access, hold clean up days, practice mālama.
- Remove Jailhouse (& Courthouse), put pukas in Wharf Rd.

A summary of initial Issues (-) & Opportunities (+) identified for the site is as follows:

- In Tsunami Inundation Zone; prone to flooding; petroleum contamination (-)
- Infrastructure repairs/upgrades needed (Water, Wastewater, Electrical) (-)
- State & County ownership/jurisdiction (-)
- Reconnect Community to Wahi Pana (+)
- Stewardship & Educational Opportunities (+)
- Hub for Recreation & Traditional Culture (+)
- Gateway Location (+)

Analysis of Land Use Designation Alternatives

The five non-homesteading LUD alternatives deemed most suitable for the site were presented to the beneficiaries for discussion during the Beneficiary Consultation Meeting in October 2017. The presentation went over the LUD definitions, listed in order of decreasing restrictiveness. Opportunities afforded by each LUD were discussed, as well as potential issues. The relationships between LUD's and options for beneficiary site control, management etc. were covered, including the option of DHHL retaining control with management guidance from a reconstituted Molokai Parks Advisory Council, as described in

§10-4-33 HAR. See below, **Table 4**, "Non-Homesteading LUD Definitions, Opportunities & Issues."

| LUD | Definition | Opportunities | Issues |
|--------------------------------|---|---|---|
| Conservation | Protect the resources of the ahupua'a including water resources, watersheds, endangered species, sensitive historic & cultural sites. Usually mirrors State Land Use Conservation Boundary. | Protects sensitive environments (shorelines, wetlands) & cultural resources by restricting development, access | Normally given to more remote areas, e.g. upper watersheds, extensive wetlands |
| | | Restoration activities may be eligible for conservation funding | May limit recreational and commercial uses & activities |
| | | Focus on environmental & culturally-based education and restoration | Most restrictive LUD |
| | | Stewardship opportunities; Management Plan required | Not in alignment with traditional uses of area (e.g. paddling, fishing) |
| Special District | Areas requiring special attention because of unusual opportunities and/or constraints. e.g. natural hazard areas, open spaces, raw lands far from infrastructure (difficult to improve), mixed use areas, green-ways. Requires additional planning (Master Plan and/or Management Plan, Environmental Assessment) | Addresses same goals as Conservation, but allows for more access, stewardship, activities and amenities | Requires additional planning, which could mean more time and money |
| | | Allows for mixing of uses (e.g. Conservation & Community Use) with development of a Master Plan / Management Plan | Will require participation of all stakeholders – more complicated than dealing with only one entity |
| | | Additional planning required, but can create own design standards, which allows for more flexibility (e.g. BMP's, shoreline setback, mitigation measures) in lieu of County standards | Will require cooperative planning, MOU with County of Maui to make area functional for all users |
| Community Use | Common areas, space for parks & recreation, cultural activities, CBED, & other public amenities. Commercial activities not intended as income generation tools for DHHL. | Focus on recreational opportunities & community-based economic development | Licensing process through Land Management – 501(c)(3) status required |
| | | Potential revenue generation for homestead associations / beneficiary organizations | Business Plan & liability insurance required |
| | | May need a Management Plan to accommodate all users & manage volunteers | Development has to meet County zoning & dev't. standards, Jurisdictional issues must be resolved |
| | | Could also be co-managed by District Office & Molokai Parks Committee | Infrastructure repairs/upgrades needed (Water, Wastewater, Electrical) |
| Commercial / Industrial | Retail, business & commercial activities and industrial uses, e.g. transportation and warehousing, that generate income for DHHL. Lease revenues can be used to fund homestead development. Competitive bid process per Rules. | Primary purpose is to generate revenue for the Hawaiian Home Lands Trust (DHHL) | Revenue generated does not go directly back to community – back to Trust |
| | | General Lease, competitive bid process through Land Management Division | Competitive process – bidders need to have resources, all certifications, track record |
| | | May attract interest & investment from off-island | May attract interest & investment from off-island. Less local control |
| | | Not dependent on grants – for profit model | Projects must comply with all County codes |

Table 4 – Non-Homesteading LUD Definitions, Opportunities & Issues

appropriate, community-based revenue generating activities on the site, which would preclude retention of site control by DHHL due to the restriction in the administrative rules:

§10-4-44 Commercial and private operations. The following activities are prohibited in department parks: (1) Engaging in or soliciting business

While there was some support expressed for the Community Use designation, the general sentiment was that reviving Malama Cultural Park should be a "kakou thing" with as much community support and participation as possible, and that the Special District process of additional master planning would reduce competition for site control and ensure that all stakeholders' needs and desires were being accounted for. The desire to achieve a balanced of well-planned, environmentally- and culturally-sensitive uses and activities on the site while providing homestead associations, other beneficiary-serving organizations, and canoe clubs opportunities to pursue stewardship, educational and cultural programs on this historic and centrally located site was strongly expressed by beneficiaries.

Also expressed was a desire to move away from a "Western-oriented" planning paradigm and toward a more culturally appropriate process when conducting master and management planning for Malama Cultural Park. There was also concern that DHHL would either not allocate sufficient resources and staff time to this effort, therefore holding beneficiaries back, or that too much trust funds would be spent on consultants and not enough on implementation of the Cultural Park itself.

CONCLUSIONS

There is general support for a land use designation of Special District for the Malama Cultural Park parcels, with the assurance that subsequent master planning, environmental review and management planning processes will be beneficiary-centered, culturally sensitive, inclusive of all stakeholders, and more respectful and reflective of Kanaka 'Ōiwi values and indigenous planning methodologies. The Molokai community, led by beneficiaries, is enthusiastic about the opportunity to revive the Malama Cultural Park vision with DHHL as a hopefully more motivated participant.

There was much discussion during the Community Plan Advisory Committee phase of the County of Maui's Molokai Community Plan update effort of getting DHHL and the County of Maui to work together to resolve jurisdictional, infrastructure and other issues that, in addition to the lack of funding or a project champion, have been hurdles to implementation of the original Master Plan, or even for regular use of the site by the community for special

events such as the annual channel canoe races. Due to the sensitivity and significance of the cultural and natural resources of the site, and the need for more flexibility in planning and disposition, the Planning Office is recommending the Special District designation as the most appropriate land use designation for the three parcels.

RECOMMENDED MOTION / ACTION

That the Hawaiian Homes Commission (HHC) approve the motion as recommended.

DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
January 29 & 30, 2018
Kapolei, O'ahu

J-ITEMS
GENERAL AGENDA

Burrows-Nuuanu, Leatrice W

Subject: FW: November 2017 Hawaiian Homes Commission Meeting J-Agenda

From: Wahine Nui [mailto:nahavas@yahoo.com]
Sent: Wednesday, November 08, 2017 1:54 PM
To: Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov>
Subject: Re: November 2017 Hawaiian Homes Commission Meeting J-Agenda

Hui.... ALOHA LEAH, E KA LA MAI

I just spoke to THE OFFICE OF MAZIE HIRONO.... and I will be getting higher assistance concerning me BEING ON THIS DHHL WAITING LIST....FOR OVER 25yrs.....I will be meeting with them to go over my CONCERNS IN THE NEXT 2 WEEKS.

I DO WANT TO RESCHEDULE FOR DEC. OAHU DHHL MEETING TO THEN SEE WEA WE STAND THANK YOU

PrincesLehuanani

808-359-1848

nahavas@yahoo.com

Sent from Yahoo Mail for iPhone

On Wednesday, November 1, 2017, 11:46 AM, nahavas@yahoo.com <nahavas@yahoo.com> wrote:

thank you kindly Leah,
and please give my Aloha to Jobie,
soon as the schedule is done can I have one emailed to me.
see you all on our MAUI KINGDOM CAPITAL.
thank you

princeslehuanani
kumaewakainakaleomomona
nahavas@yahoo.com
[808-359-1848](tel:808-359-1848)

Burrows-Nuuanu, Leatrice W

Subject: FW: Sheri Wahinekapu Inquiry (430-8307)

From: Du Pont, James W

Sent: Friday, December 22, 2017 9:58 AM

To: Oshiro, Dean T <dean.t.oshiro@hawaii.gov>

Cc: Garcia, Juanito P <juanito.p.garcia@hawaii.gov>; Lucero, Karen M <karen.m.lucero@hawaii.gov>; Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov>; Aila Jr, William J <william.j.ailajr@hawaii.gov>

Subject: FW: Sheri Wahinekapu Inquiry (430-8307)

Aloha. Sheri wants to be on the agenda for January 2018 and plans to write a letter to the commission regarding the extended delay in making a decision on the TTS. She's very upset.

From: Du Pont, James W

Sent: Friday, December 22, 2017 9:13 AM

To: Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov>

Cc: Apoliona, Francis G <francis.g.apoliona@hawaii.gov>; Iha, Craig Y <craig.y.iha@hawaii.gov>

Subject: Sheri Wahinekapu Inquiry (430-8307)

Aloha. Sheri called to ask for an update on the contested case hearing. She wants to know the commission made a decision on whether James Akiona, Jr. is the recognized successor to their father's leases at Honoka'ia.

Mahalo.

Joel Alverio

89-404 Farrington hwy waianae hawaii 96792

Phone 479-7370 email -joelalverio@me.com

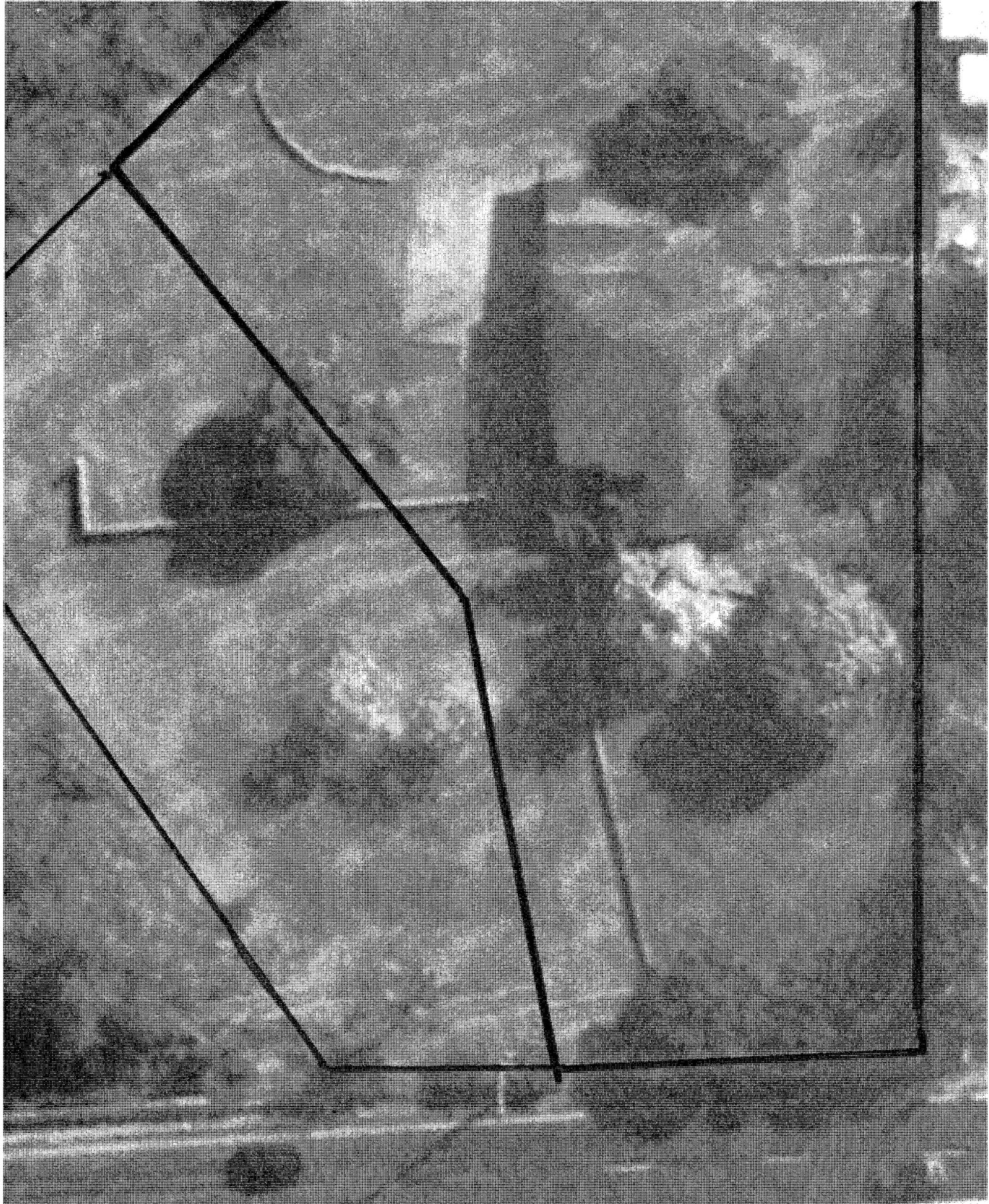
1-23-18

To; Department of Hawaiian homelands

To whom it may concern , I have recently obtained this property at 89-404 farrington hwy and the previous owners said they owned and maintained this portion of land, after I staked out the property which was not included in the sale I realized that this property is not within the property pins, the previous owners said that they had maintained that section of property for over 30 years and actually have made a wall on the property as well I am asking to maintain it as well and put up a chain link fence to secure my property from the growing homeless camp under the bridge as well as cutting down the grass eliminating the chance of a brush fire that may harm my home as well as compromise the bridges structural integrity and possible shutting down farrington hwy, this property is in the flood zone and no structure can be built and the only way access to this portion of land is from my property so I humbly ask if can obtain this property for my own to maintain and preserve my home and the bridge, thank you .

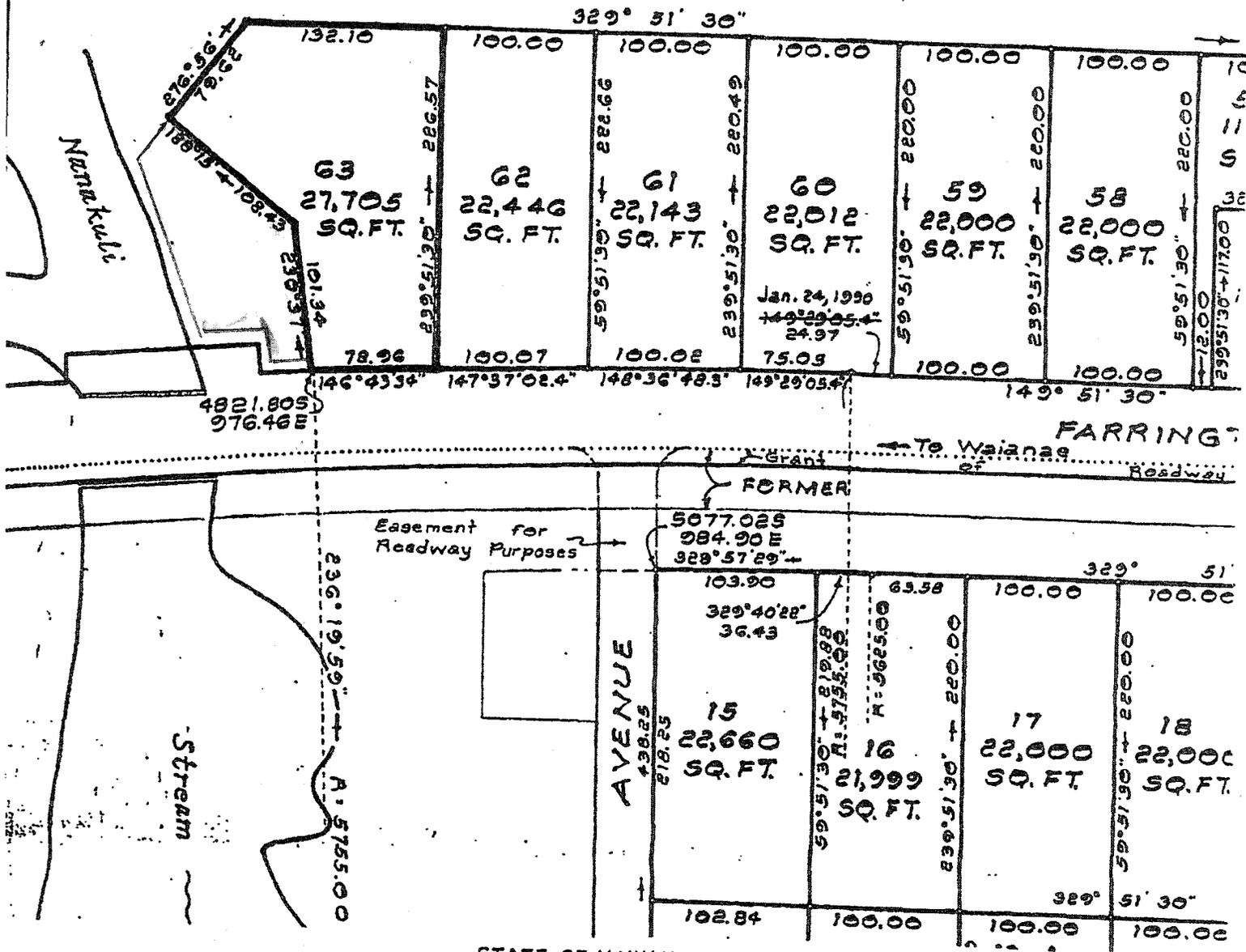
Sincerely , Joel Alverio

A handwritten signature in black ink, appearing to read "Joel Alverio", written in a cursive style.



ington Hwy

1-8-9-6-42



STATE OF HAWAII
 DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
 SURVEY DIVISION
 Kazutaka Saiki - State Land Surveyor
 (Revised - May 1978)
 HAWAIIAN HOME LAND
 NANAKULI RESIDENCE LOTS
 (FIRST SERIES)
 Nanakuli, Waianae, Oahu, Hawaii
 Scale: 1 inch = 100 feet

Plat 19.1(A) H.H.

Burrows-Nuuanu, Leatrice W

Subject: FW: J agenda

-----Original Message-----

From: Kekoa Enomoto [mailto:kenomoto1@hawaii.rr.com]

Sent: Tuesday, January 16, 2018 5:56 PM

To: Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov>

Subject: J agenda

Aloha mai e Leah,

Ke 'olu'olu, may my daughter, Lehua Kadooka, and I be placed on the J agenda 1/30/28 to show a Pa'upena CDC (Community Development Corp.) PowerPoint (deferred from 12/18/17 commission meeting) to the Hawaiian Homes Commission? Mahalo for your kokua, -Kekoa Enomoto Pa'upena CDC board chairwoman Kēōkea Homestead Farm Lots Association board member
(808) 276-2713

Sent from my iPhone

Burrows-Nuuanu, Leatrice W

From: Michelle Kauhane <michelle@hawaiiancouncil.org>
Sent: Thursday, January 11, 2018 12:38 PM
To: Burrows-Nuuanu, Leatrice W
Cc: Michelle Kauhane; Info
Subject: Re: Commission meeting Agenda

January is great. Mahalo for the heads up.

Happy New Year!

Michelle Kauhane

On Jan 11, 2018, at 11:37 AM, Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov> wrote:

Aloha Michelle,
Mahalo for your email. I can definitely list you on the February J Agenda, but also wanted to let you know that the January J Agenda is still available. Not sure if you heard, the January meeting was moved to the 29th & 30th, so there's still time to be listed. I've attached a revised 2018 HHC Meeting Schedule for your information.

Let me know if you prefer January, otherwise I've listed you for February.

Mahalo, Leah

Leah Burrows-Nuuanu
Hawaiian Homes Commission
Department of Hawaiian Home Lands
91-5420 Kapolei Parkway
Kapolei, HI 96707
Phone: 808 620 9504/ Fax: 808 620 9529
Email: Leatrice.W.Burrows-Nuuanu@hawaii.gov

-----Original Message-----

From: Michelle Kauhane [<mailto:michellekauhane@yahoo.com>]
Sent: Thursday, January 11, 2018 11:09 AM
To: Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov>
Cc: Hawaiiancouncil Info <info@hawaiiancouncil.org>
Subject: Commission meeting Agenda

LEAH -

I would like to be added to the J-agenda for the February Commission meeting to provide the HHC with an update on CNHA programs and Loan Fund.

Mahalo,

Burrows-Nuuanu, Leatrice W

Subject: FW: HHC Contact: To Commission Secretary

From: rpuaoi [mailto:rpuaoi@yahoo.com]

Sent: Sunday, January 21, 2018 4:15 PM

To: Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov>

Subject: RE: HHC Contact: To Commission Secretary

Aloha Ms. Burrows-Nuuanu,

Mahalo for your response. My aunty and I did speak with Juan Garcia and Lloyd from the Oahu District office in November.

There has been a number of maybes for placement on the commission agenda. I'm not sure what the schedule is for other claimants and the staff, but want to be able to talk to Commissioners on January 29th, by soeking on the J agenda. I want to try and answer the commissioners questions on our intentions for the lease, that they requested in October.

Mahalo for placing us on next weeks agenda as we already requested time off based on our conversation back in November to address the Commission. We look forward to providing information to the Commissioners.

Kuuleilani

Aloha,

I would like to provide and receive information on my claim for my mothers lease on Ala Kia Street in Waimanalo.

I would like to read my written testimony and have my aunty there to ask questions and be clear on policies and procedures on how the commission and DHHL is able to protect me as a young lessee.

Its been really overwhelming.

Kuuleilani

Burrows-Nuuanu, Leatrice W

From: Bo Kahui <bokahui@laiopua.org>
Sent: Wednesday, January 03, 2018 2:51 PM
To: Burrows-Nuuanu, Leatrice W
Cc: Masagatani, Jobie K; Choy, Andrew H; Bo Kahui; Dora Aio; Iwalani tsai; Kapua Baker; Karleen Cox; Leimamo Bean; Lovette Llantos; Maring Gacusana; Avery Kramer; Daisy Mitchell; diana. akao; Greg Ogin; Gregory Ogin; J Porter DeVries Esq.; Sam Walker Sr; David Kaapu; david kaapu
Subject: Request to Address the Commission

Follow Up Flag: Follow up
Flag Status: Flagged

Aloha Lea

On behalf of Laiopua 2020 and the Villages of Laiopua Association, I would like to be placed on the Commission Agenda for the months of January and February 2018. I will provide you and agenda one week prior to the Commission meeting.

Mahalo Nui

Craig "Bo" Kahui

Executive Director

Laiopua 2020

808-327-1221

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