

HAWAIIAN HOMES COMMISSION
Minutes of April 19, 2011
Meeting Held in Kalama`ula, Moloka`i, Hawai`i

Pursuant to proper call, the 614th Regular Meeting of the Hawaiian Homes Commission was held at the Department of Hawaiian Home Lands' Moloka`i District Office, 600 Maunaloa Highway, Kalama`ula, Moloka`i, Hawai`i beginning at 9:00 a.m.

PRESENT Mr. Albert "Alapaki" Nahale-a, Chairman
Mr. Donald S.M. Chang, Commissioner, O`ahu
Mr. Stuart K. Hanchett, Commissioner, Kaua`i
Ms. Malia Kamaka, Commissioner, West Hawai`i
Ms. Trish K. Morikawa, Commissioner, O`ahu
Mr. Henry Tancayo, Commissioner, Moloka`i

EXCUSED Mr. Perry O. Artates, Commissioner, Maui

COUNSEL S. Kalani Bush, Deputy Attorney General

STAFF Bob J. Hall, Deputy to the Chairman
M. Wai`ale`ale Sarsona, Executive Assistant
Francis Apoliona, Compliance Officer
Linda Chinn, Administrator, Land Management Division
Dan Keli`i, Administrator, Homestead Services Division
Mona Kapaku, Assistant Administrator, Homestead Services Division
George Maioho, Supervisor, Moloka`i District Officer
Julie Cachola, Planner, Planning Division
Crystal Kua, Information & Community Relations Officer
Kaleo Manuel, Planner, Planning Division
Elaine Searle Secretary to the Commission

PULE Chairman Alapaki Nahale-a

AGENDA Commissioner Malia Kamaka moved, seconded by Commissioner Stuart Hanchett, to approve the agenda. Motion carried unanimously.

MINUTES Commissioner Stuart Hanchett moved, seconded by Commissioner Trish Morikawa, to approve the minutes of March 22, 2011 as circulated. Motion carried unanimously.

ITEM NO: B-1
SUBJECT: HSD Status Reports

MOTION/ACTION

None, for information only.

Homestead Services Administrator Dan Keli'i reported on monthly activities the department is engaged in. He reported that the department's delinquency rate has stabilized for the month. Homestead services will be addressing some problems with FHA loans.

ITEM NO: B-2
SUBJECT: Notification of Various Lease Awards and Cancellation of Corresponding Applications

MOTION/ACTION

Moved by Commissioner T. Morikawa, seconded by Commissioner S. Hanchett. Motion carried unanimously.

COMMENT

Chairman Nahale-a clarified for the record the names of the applicants.

ITEM NO: B-3
SUBJECT: Rescission of Homestead Lease Award and Reinstatement of Applications – La`i opua Villages 4 & 5, Undivided Interest

MOTION/ACTION

Moved by Commissioner M. Kamaka, seconded by Commissioner S. Hanchett. Motion carried unanimously.

COMMENTS

These applicants have been referred to the Home Ownership Assistance Program (HOAP) for further assistance and evaluation due to their inability to qualify for home loans. Rescinding their undivided lease awards reinstates them on the application list at their previous status.

ITEM NO: B-4
SUBJECT: Rescission of Homestead Lease Awards and Reinstatement of Applications – Pi`ilani Mai Ke Kai, Undivided Interest

MOTION

Moved by Commissioner T. Morikawa, seconded by Commissioner M. Kamaka.

DISCUSSION

Commissioner S. Hanchett stated that applicants who rescinded the Pi'ilani Mai Kekai awards are rethinking their decision. These applicants were awaiting another project in Wailua which has since been delayed. Homestead District Supervisor Mona Kapaku pointed out that once an applicant accepts a lease, they are ineligible to accept another lease. These applicants should write-in their request to the department's housing division informing them of their change of status. A back-up list is deemed necessary when initial lease offerings have been exhausted. To achieve these objectives, one needs to have precedence and qualification. Chairman Nahale-a concurs that communicating to the department through correspondence is the best means for tracking information.

ACTION

Motion carried unanimously.

ITEM NO: B-5

SUBJECT: Rescission of Homestead Lease Award and Reinstatement of Application

MOTION/ACTION

Moved by Commissioner T. Morikawa, seconded by Commissioner M. Kamaka. Motion carried unanimously.

ITEM NO: B-6

SUBJECT: Ratification of Loan Approvals

MOTION/ACTION

Moved by Commissioner M. Kamaka, seconded by Commissioner S. Hanchett. Motion carried unanimously.

Note: Correction made on page 1: Lot #115 should be Lot #151 – Kaleo Bertleman.

ITEM NO: B-7

SUBJECT: Ratification of Consent to Mortgage

MOTION/ACTION

Moved by Commissioner S. Hanchett, seconded by Commissioner M. Kamaka. Motion carried unanimously.

ITEM NO: B-8

SUBJECT: Schedule of Loan Delinquency Contested Case Hearings

MOTION/ACTION

Moved by Commissioner M. Kamaka, seconded by Commissioner S. Hanchett. Motion carried unanimously.

ITEM NO: B-9

SUBJECT: Homestead Application Transfers / Cancellations

MOTION/ACTION

Moved by Commissioner H. Tancayo, seconded by Commissioner S. Hanchett. Motion carried unanimously.

ITEM NO: B-10

**SUBJECT: Ratification of Designations of Successors to Leasehold Interest and
Designation of Persons to Receive the Appraised Value**

MOTION/ACTION

Moved by Commissioner M. Kamaka, seconded by Commissioner S. Hanchett. Motion carried unanimously.

ITEM NO: B-11

SUBJECT: Ratification of Assignment of Leasehold Interest

MOTION/ACTION

Moved by Commissioner S. Hanchett, seconded by Commissioner M. Kamaka. Motion carried unanimously.

ITEM NO: B-12

SUBJECT: Request to Schedule Contested Case Hearing – Lease Violations

MOTION/ACTION

Moved by Commissioner H. Tancayo, seconded by Commissioner S. Hanchett. Motion carried unanimously.

ITEM NO: B-13

SUBJECT: Lease Cancellations

MOTION/ACTION

Moved by Commissioner T. Morikawa, seconded by Commissioner S. Hanchett. Motion carried unanimously.

ITEM NO: B-14

SUBJECT: Request to Surrender Lease – Daniel K. Kennedy

MOTION/ACTION

Moved by Commissioner H. Tancayo, seconded by Commissioner S. Hanchett. Motion carried unanimously.

ITEM NO: D-1

SUBJECT: Issuance of Right-of-Entry Permit, Hawai`i Department of Land and Natural Resources, Division of Forestry and Wildlife, Humu`ula, Hawai`i

MOTION/ACTION

Moved by Commissioner M. Kamaka, seconded by Commissioner S. Hanchett. Motion carried unanimously.

ITEM NO: D-2

SUBJECT: Issuance of License, Hawai`i Department of Land and Natural Resources, Pala`au, Moloka`i

RECOMMENDATION

- 1) cancel License Agreement No. 336 issued to Department of Land and Natural Resources (DLNR), due to expire December 27, 2011;

- 2) issuance of new license to Department of Land and Natural Resources (DLNR) as licensee for non-exclusive right to continue to operate, manage and steward the Pala`au State Park for recreational and cultural purposes.

MOTION

Moved by Commissioner H. Tancayo, seconded by Commissioner S. Hanchett. Motion carried unanimously.

DISCUSSION

Land Management Division (LMD) Administrator, Linda Chinn, noted that the department has reserved the right to withdraw a portion of the property for future economic development. Chairman Nahale-a thanked Ms. Chinn for displaying the breakdown of costs and expenses in the report.

ACTION

Motion carried unanimously.

ITEM NO: D-3

SUBJECT: Issuance of License for Access and Utility Purposes, Dr. Scott Sims, Moloa`a, Kaua`i

RECOMMENDATION

Issuance of a perpetual, non-benefit and non-exclusive license to Dr. Scott Sims for access to allow for ingress and egress to his land-locked property, subject to conditions listed.

MOTION

Moved by Commissioner T. Morikawa, seconded by Commissioner S. Hanchett.

DISCUSSION

A preliminary survey of an 18 foot widening of the roadway was deemed insufficient and needs to be widened further. Once the proposed roadway has been satisfied, a one-time fair market value fee will be assessed. It was determined that Dr. Sims would also be responsible for any relocation of fencing along the roadway.

ACTION

Motion carried unanimously.

ITEM NO: D-4

**SUBJECT: License Agreement No. 673, `O`iwi Lokahi `O Ka Mokupuni ` Keawe,
Humu`ula, Hawai`i**

RECOMMENDATION

To grant approval of amendments to License Agreement No. 673 (LA 673) issued to Oiwi Lokahi O Ka Mokupuni O Keawe (OIWI)

- a) extension of twenty-four months with extended term to expire December 31, 2013;
- b) grant added acreages up to 1,000 acres for remainder of Laumaia II
- c) consent to an exclusive sub-license agreement with Carbon Bio-Engineers, Inc. to allow for partnership in eradicating and processing of the gorse shrub.

MOTION

Moved by Commissioner M. Kamaka, seconded by Commissioner H. Tancayo.

DISCUSSION

OIWI President, Kanani Kapuniai and Project Manager, Duke Kapuniai appeared before the commission and provided an update of its goals which is to “provide beneficiaries with homestead opportunity by turning the negative value of the invasive gorse plant into a revenue source.” Ms. Kapuniai read letters of support which are included in a brochure titled “Opportunities for the Gorse Problem on Hawaiian Home Lands at Humu`ula, Hawai`i” made a part of these minutes as Exhibit “A”.

A new type of technology will be initiated in harvesting the gorse, noted Project Manager Duke Kapuniai. The gorse will be processed on the mountain then transported by tankers below to be used as biofuel. Roads were improved in order to service the tankers that will haul the gorse. Mr. Kapuniai provided pictures and containment areas where gorse has not grown in the past two years. He explained how gorse is extracted by brush rakes which pull the plant from its roots while keeping the grass intact and not disturbing the soil.

Commissioner T. Morikawa queried as to why additional acreage is necessary as clearance of the first 1,000 acres has not been satisfied. Commissioner S. Hanchett expressed concern on what would happen should the Kapuniai’s abandon the agreement leaving the sub licensee to stand alone.

It took time to prepare for this venture, not having experienced this before, noted Mr. Kapuniai. Delays occurred as restrictions were placed on the product being removed “as is”, and the rented equipment proved inadequate. Better equipment was necessary to complete the job. With Carbon Bio-Engineers (CBE) as its new partner and funding source, the project hopefully should provide investment opportunities for themselves and CBE, noted Mr. Kapuniai. They are eager

to embark on negotiations with CBE and utilize a new type of portable equipment to enhance the processing of the gorse plant.

Chairman Nahale-a senses the concern of the Commission members and believes addressing a sub-license language is critical to this license agreement. The momentum of this commission is to delay approval of this decision until the attorney general's office has reviewed the recommendations and issues an opinion.

AMENDED MOTION

Moved by Commissioner M. Kamaka to defer this matter for 30 days to allow the Attorney General's office to review the sub-license agreement issue, seconded by Commissioner T. Morikawa.

DISCUSSION

If the Attorney General's office accepts the recommendation of the department to formalize this agreement, Commissioner S. Hanchett deems it prudent to allow the Chairman to advise the Kapuniai's of its decision, to not burden them to travel unnecessarily to the next meeting.

ACTION

Motion carried unanimously.

ITEM NO: D-5

SUBJECT: Preliminary Approval to Issue a License to Hawai'i Community
Development Corporation, Lot 51, Kekaha Residential Lots, Kekaha, Kaua'i

MOTION/ACTION

Moved by Commissioner H. Tancayo, seconded by Commissioner M. Kamaka. Motion carried unanimously.

ITEM NO: D-6

SUBJECT: Finding of No Significant Impact (FONSI) General Lease No. 231, National
Park Service, Kalaupapa, Moloka'i

MOTION/ACTION

Moved by Commissioner H. Tancayo, seconded by Commissioner S. Hanchett. Motion carried unanimously.

ITEM NO: D-7

SUBJECT: Issuance of General Lease, Waimanalo Hawaiian Homes Association, Waimanalo, Hawai`i

MOTION/ACTION

Moved by Commissioner T. Morikawa, seconded by Commissioner M. Kamaka.

DISCUSSION

Waimanalo Hawaiian Homestead Association (WHHA) President, Paul Richards appeared before the Commission and praised the ingenuity of the Kūlia Ika Nu`u training strategy which has provided opportunities for its fourth 4th phase planning of its technical lab. By taking advantage of a federal program through an incentive program, WHHA is able to make an investment of \$25,000 which will yield a return of \$1.8 million dollars to help build its tech center. Ms. Karen Williams, representing Trevoy Investment spoke of a New Market Tax Credit (NMTC) which is a federal subsidy source that brings together an investor who is interested in receiving tax benefits and economic benefit from these transactions of federally funded tax benefits. Wells Fargo Bank has accepted its position as investor in providing the capital for the tax credits and bringing this pioneering tool to Hawaiian home lands. The monies generated will provide a facility to house three classrooms; a training room, a business center and employment center for printing and a recording studio. Breaking ground is scheduled for August, 2011 with completion date in one year. Moana Akana, WHHA secretary, shared her mana`o on the capability of the “kanaka maoli” to embrace the new technological features and their willingness to learn. Paul Richards acknowledged the diligent leadership of Tamar deFries who has demonstrated courage and fortitude in making this project become a reality for the community.

ACTION

Motion carried unanimously.

ITEM NO: D-8

SUBJECT: Ratification of Consents and Approvals by Chairman, Hawaiian Homes Commission, Statewide

MOTION/ACTION

Moved by Commissioner T. Morikawa, seconded by Commissioner H. Tancayo. Motion carried unanimously.

ITEM NO: D-9

SUBJECT: Notices of Default and Revocation, Statewide

MOTION

Moved by Commissioner S. Hanchett, seconded by Commissioner M. Kamaka.

DISCUSSION

Land Management Administrator Linda Chinn reported that the Fiscal Office has been working diligently with Land Management personnel to provide a true and more accurate delinquency report. It should be available within 60 days.

Chairman inquired if information could be available on the Kona Marina account which has an outstanding delinquency of 800,000. Ms. Chinn also noted that the attorney general's office is preparing a court date for the eviction of Hawaii Pro Sound.

ACTION

Motion carried unanimously.

COMMENT

Ms. Chinn noted that a letter was received from the Kekaha Association president regarding beneficiary consultation which will be distributed to the Commissioners.

ITEM NO: E-1

SUBJECT: Approval to Hire Independent Counsel to Assert Hawaiian Home Lands Water Rights

RECOMMENDATION

Program Manager Kaleo Manuel presented the recommendations:

- 1) hiring of independent counsel to assert Hawaiian home lands water and other rights, reserve water for its foreseeable needs and negotiate use of related surface water distribution systems;
- 2) authorize payment not to exceed \$100,000 in funds from the existing approved planning office budget for this purpose;
- 3) authorize chairman to negotiate such terms and conditions as deemed appropriate.

MOTION

Moved by Commissioner T. Morikawa, seconded by Commissioner H. Tancayo.

DISCUSSION

Commissioner S. Hanchett questioned whether it was worth spending \$100,000. The primary purpose of this intervention is to focus on the Federal Energy Regulatory Commission (FERC) intervention because it is coming up soon, noted Kaleo Manuel. The continuing water rights and uses needs to occur sooner rather than later. He added that more money and time need to be devoted to this. Chairman Nahale-a suggested that monies be taken from the existing operating budget instead, leaving the Planning Office monies intact.

RECESS 10:35 a.m.

Moved by Commissioner M. Kamaka, seconded by Commissioner T. Morikawa to adjourn to Executive Session to discuss Item E-1. Motion carried unanimously

EXECUTIVE SESSION

The Commission convened in Executive Session Pursuant to Section 92-5 (a), HRS, to consult with its attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities.

RECONVENE 10:55 a.m.

Moved by Commissioner T. Morikawa, seconded by Commissioner M. Kamaka to reconvene to the regular meeting. Motion carried unanimously.

ITEM E-1 (continuation)

**SUBJECT: Approval to Hire Independent Counsel to Assert Hawaiian Home Lands
Water Rights**

AMENDED MOTION/ACTION

Moved by Commissioner T. Morikawa, seconded by Commissioner M. Kamaka to allow the Chairman to authorize to the Attorney General's office to file a motion prior to counsel being obtained. Motion carried unanimously.

ACTION

Motion carried unanimously on the original motion.

RECESS 10:55 a.m.

Moved by Commissioner T. Morikawa, seconded by Commissioner M. Kamaka to adjourn to Executive Session. Motion carried unanimously.

EXECUTIVE SESSION

The Commission convened in Executive Session Pursuant to Section 92-5 (a), HRS, to consult with its attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities.

1. In the Matter of Ginger and Shane Moniz

RECONVENE 11:00 a.m.

Moved by Commissioner T. Morikawa, seconded by Commissioner M. Kamaka to reconvene to regular meeting. Motion carried unanimously.

ADJOURNMENT 11:00 a.m.

Moved by Commissioner T. Morikawa, seconded by Commissioner M. Kamaka to adjourn the meeting. Motion carried unanimously.

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Opportunities for the Gorse Problem

on

Hawaiian Homes Land

at

Humu'ula, Hawaii

Turn that Problem into an Opportunity!

Discussed by

*N Duke Kapuniai,
Project Manager*

for

'Oiwi Lokahi O Ka Mokupuni O Keawe

HHC Item No. D-4
Exhibit A
Date 4-19-11

‘Oiwi Lokahi O Ka Mokupuni O Keawe

**The beneficiary organization with Federal Tax Exempt Status – 501 (c) 3
With License Agreement No. 673 for Laumaia II (1,000 acres/5 years)**

Goal of ‘Oiwi Lokahi O Ka Mokupuni O Keawe:

“To settle Hawaiian Homestead Lands by beneficiaries of the Hawaiian Homes Commission Act, and, to develop self-sufficiency through homesteading and economic development”

Goals for Gorse Project

“Provide beneficiaries with homesteading opportunities by turning the current negative value of the invasive gorse plant, which infests approximately 14,000 +/- acres, into a revenue source”

“Dedicate a percentage of revenue towards infrastructure costs for Village #1, as described in the Humu‘ula Rural Villages and Landscape Restoration Plan presented to the Hawaiian Homes Commission, March 2005”

Desired Outcome for Gorse Project

***Beneficiary Stewardship
Of
Restored Hawaiian Homes Trust Lands at Humu‘ula, Hawaii***

‘Oiwi Lokahi O Ka Mokupuni O Keawe

**The beneficiary organization with Federal Tax Exempt Status – 501 (c) 3
With License Agreement No. 673 for Laumaia II (1,000 acres/5 years)**

Discussions for Options for Gorse Conversion to Marketable Product

<u>Company/Purpose</u>	<u>Outcome</u>
1) Pacific Bio Diesel	Wanted seeds, only
2) Oceanic Institute	Wanted grant funds to erect their facility
3) Livestock Feed with CTAHR	SBIR- not enough research to justify
4) Hawaii Electric Light Company, Inc	Discussion-Not in the business of buying electricity – Will purchase all the fuel
5) Livestock Feed/Swine	DOA concerned about gorse leaving Humu‘ula and management of gorse at production site and IMO
6) Inter-tribal Economic Alliance	Create bio-mass energy to electricity To reduce energy costs – ITEC & MTEC did not get grant
7) Carbon Diversion, Inc.	Started Jan, 2009, end June 2009 Funding halted
8) ‘Aina Koa Pono	Wanted Lease before any further discussion
9) Carbon Bio Engineers, Inc.	In discussion

‘Oiwi Lokahi O Ka Mokupuni O Keawe

**The beneficiary organization with Federal Tax Exempt Status – 501 (c) 3
With License Agreement No. 673 for Laumaia II (1,000 acres/5 years)**

Turn that Problem into an Opportunity

Six Points of Discussion to Consider Twenty-Four Months Extension of License Agreement Terms And Additional Acreage

WHAT: Restore gorse infested Trust Lands for Beneficiary Stewardship

WHERE: North East Flank of Mauna Kea at the 6,000 ft – 8,000 ft elevation

WHY: Gorse infestation has rendered Hawaiian Homes Trust Lands
Unusable

WHEN: Gorse is ready for harvesting (gathering), grinding, and processing
today

WHO: ‘Oiwi Lokahi O Ka Mokapuni O Keawe, through its **Project Manager, Duke Kapuniai**, in Participation Agreement with **Carbon Bio-Engineers, Inc.** by consent of **Department of Hawaiian Home Lands** (land owner).

HOW: Process named *Thermal Conversion of Organic Matter (TCOM)*

**Sovereign Councils
of the**



**Hawaiian Homelands
Assembly**

1050 Queen St. Suite 200
Honolulu, Hawaii 96814
Phone (808) 529-9127
Fax (808) 356-3556

Kamaki Kanahele
Chair
O'ahu

Lorraine Rapozo
Vice-Chair
Kaua'i

Jared Aiwohi
Executive Officer
Maui

Marlene K Purdy
Secretary
Moloka'i

M. Kanani Kapuniai
Treasurer
Hawai'i

Richard Soo
Executive Director

RESOLUTION

By

**Sovereign Councils of the Hawaiian Homelands Assembly
2011 Spring Quarterly Meeting
Honolulu, Hawaii
March 19, 2011**

WHEREAS, Gorse, an invasive plant species, has caused a blight on the lands of Humu'ula on the eastern slopes of Mauna Kea, County of Hawaii, State of Hawaii, presently infesting approximately 13,000 acres, and continuing to spread, at Humu'ula and Upper Pi'ihonua;

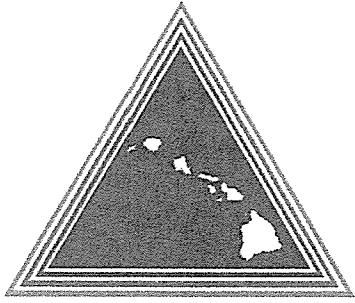
WHEREAS, Duke Kapuniai, a member of the SCHHA and resident of the Hawaiian Home Lands community at Pu'ukapu, County of Hawaii, State of Hawaii, was designated as Project Manager by 'Oiwī Lokahi' a beneficiary organization with Federal Tax Exempt Status (501 C 3) which has executed License Agreement No.673 with the Department of Hawaiian Home Lands to conduct a research and development project using the invasive gorse shrub;

WHEREAS, with no compensation from the Department for the past four and a half years of the term of this License, Duke Kapuni has convened focus groups and has collaborated with different organizations on possibilities to reduce this waste stream to useful high-yield marketable products;

WHEREAS, Duke Kapuniai has determined that gorse can be harvested and used as an effective stock for biofuel, and has entered into discussions with Energy Production Companies, to become a provider of gorse as feedstock for biofuel from the lands at Humu'ula;

WHEREAS, Duke Kapuniai wishes to have Licenses Agreement No. 673 to Oiwī Lokahi extended for two years, and upon expiration of the extension will be requesting that the Department of Hawaiian Home Lands provide a long term lease over the approximately 13,000 acres of gorse infested trust lands at Humu'ula for the purpose of harvesting the gorse for sale as feedstock for conversion to biofuel;

**Sovereign Councils
of the**



**Hawaiian Homelands
Assembly**

1050 Queen St. Suite 200
Honolulu, Hawaii 96814
Phone (808) 529-9127
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Richard Soo
Executive Director

WHEREAS, the Hawaiian Homes Commission Act, 1921, as amended, Section 204 (2) provides in pertinent part "the department is expressly authorized to negotiate, prior to negotiations with the general public, the disposition of Hawaiian homelands or any improvements thereon to a native Hawaiian, or organization or association owned or controlled by native Hawaiians, for commercial, industrial, or other business purposes, in accordance with the procedures set forth in Chapter 171, Hawaii Revised Statutes"; and,

WHEREAS, Chapter 171, Hawaii Revised Statutes was amended by S.B. No. 50 to allow the State to lease public lands to renewable energy producers by direct negotiations with certain requirements.

NOW THEREFORE, The Sovereign Councils of the Hawaiian Home Lands Assembly, by unanimous vote taken at its 2011 Spring Quarterly Meeting on March 19, 2011 hereby **RESOLVES** that:

1. The Department of Hawaiian Home Lands be strongly requested to take all action required to extend License Agreement No.673 to 'Oiwī Lokahi for two years, and upon expiration of the extension to issue a long term lease or license with term of no less than 55 years over the lands at Humu'ula with gorse growth comprised of no fewer than 13,000 acres to a lessee to be designated by 'Oiwī Lokahi for the purpose of harvesting gorse and planting of other agricultural products for the production of feedstock for sale to a renewable energy producer, for the production of Biofuel.
2. This Resolution be presented to the Director of the Department of Hawaiian Home Lands/ to the Chairman of the Hawaiian Homes Commission.

Kamaki Kanahele
Chairman

DATED: March 19, 2011
Honolulu, Hawaii

Duke Kapuniai

From: Patrick Kahawaiolaa <elamafarms@gmail.com>
Sent: Sunday, April 17, 2011 9:02 AM
To: Duke Kapuniai
Cc: muspencer@hawaii.rr.com; Paula Kekahuna; doraikola@aol.com; bokahui@yahoo.com; kelly@hawaiiancommunity.net; h281dad@aol.com
Subject: Re: Letter of Support for Duke Kapuniai's "Gorse to Marketable Product" Gorse Project at Humuula, Hawaii

Aloha members of the Hawaiian Homes Commission,

I am Patrick L. Kahawaiola'a, a native Hawaiian as defined under the HHCA, 1920 as amended and the current president of the Keaukaha Community Association.

The Keaukaha Community Association can offer its support for the efforts of 'Oiwi Lokahi O Ka Mokupuni O Keawe to first and foremost facilitate "settling" beneficiaries on Hawaiian Home lands and second to "conduct" research and development for the "eradication" of gorse.

Any beneficiary organization seeking to *"...better the conditions of native Hawaiians..."* deserves the support of other native Hawaiian organizations.

The eradication of this noxious weed from our trust lands is and should be the paramount and primary concern of the DHHL before any consideration of using those lands to benefit native Hawaiian beneficiaries. After a site visit about a year ago KCA went on the record to make sure that before any "new" development of those trust lands occur some 4K to 7K acres of the total 56,000K acres are *rid* of the gorse. Failing that, it would be *inconceivable* to entertain any provisions of the HHCA, 1920, up to and including the Aina Mauna Legacy Land Project before the HHC.

If the Hawaiian Homes Commission agrees that the purpose of 'Oiwi is to work towards getting rid of this invasive species from the landscape of Humuula in order to be able to settle beneficiaries on Hawaiian Home lands and implement the Aina Mauna Legacy project when that is done, then we of the Keaukaha Community Association supports their efforts.

If further clarification is needed on the position of the KCA I can be reached at (808) 937-8217 or at kcaiprez@gmail.com

'Owau me ka ha'aha'a

Patrick L. Kahawaiola'a

MELE U. SPENCER

April 18, 2011

Alapaki Nahale-a, Chairman and Commissioners
Hawaiian Homes Commission
(Submitted through Duke Kapuniai)

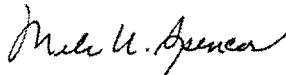
Dear Chairman Nahale-a and Commissioners:

This letter is issued in support of 'Oiwi Lokahi O Ka Mokupuni O Keawe, under the stewardship of Duke Kapuniai, to receive an extension from the Hawaiian Homes Commission, on their license and additional pasture lands covered by gorse. In fact, I think more lands should be covered by this license.

In October, 2009, as part of the beneficiary consultation process for the Aina Mauna Legacy Program, I submitted testimony in support of turning the approximately 13,000 acres of pasture lands infested with gorse over to the bio-fuel company, under the stewardship of Duke Kapuniai. Considering the millions of dollars that have been expended, the gorse project will convert a noxious plant to a marketable product and restore the lands for use by beneficiaries; a win-win situation for all involved.

I am a native Hawaiian living on homestead lands and am the President of the Keaukaha Panaewa Farmers Association (KPFA). I submit this letter as an individual, since it is a matter of protocol that the Keaukaha Panaewa Farmers Association board vote on issues before official stances are signed by me. There was insufficient to for board action. However, as a general rule, this board usually votes positively to support other homestead associations.

Sincerely,



MELE U. SPENCER

Update April 2011





Road Improvements



First push

2/5/2009 9:55



Pad Finishing

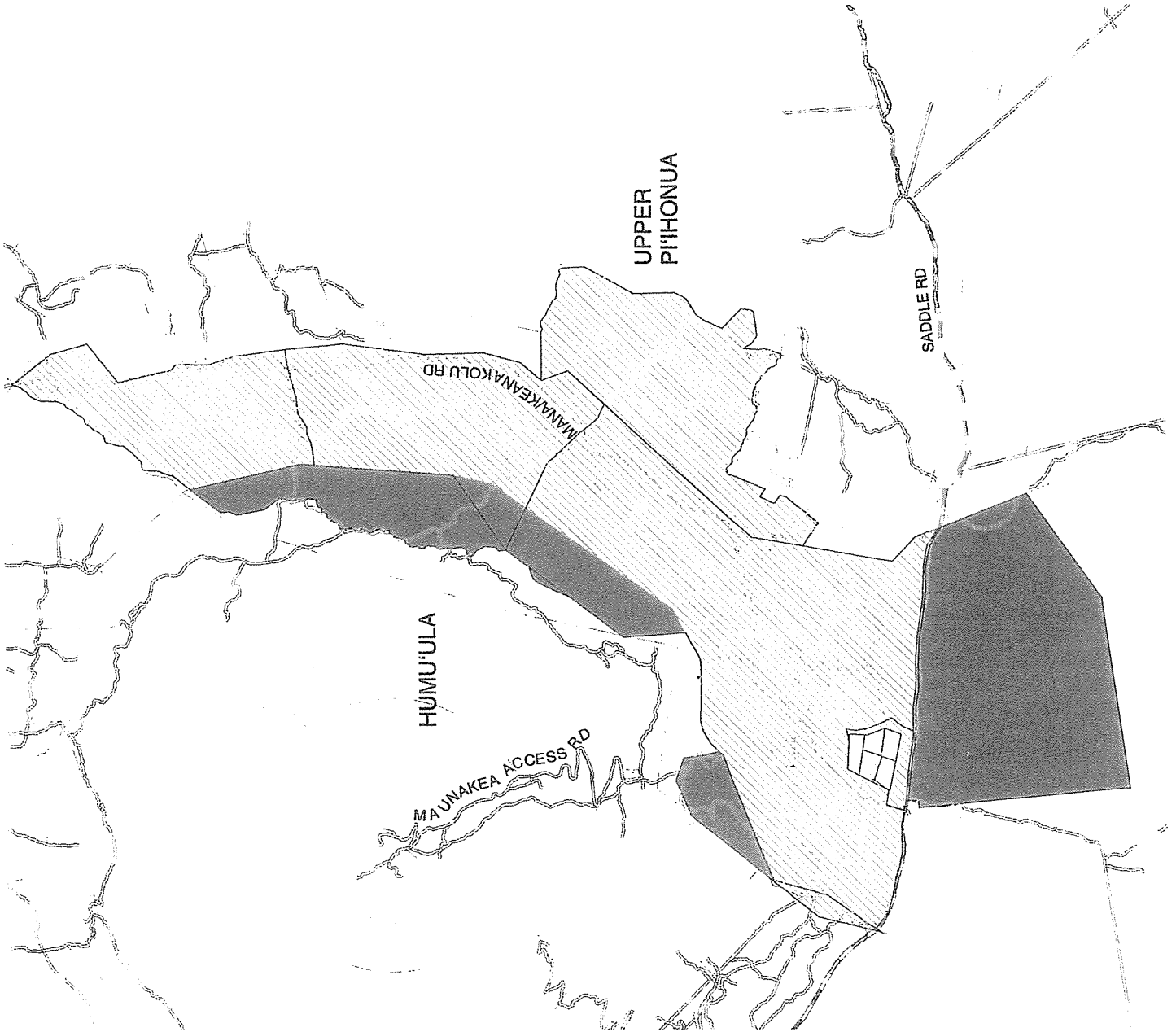
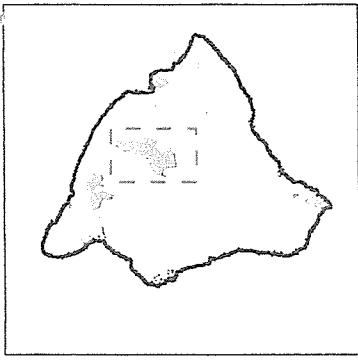


*Conservation
plan
implementation*

3 of 6







Legend

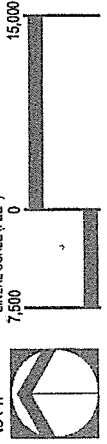
Land Use Categories

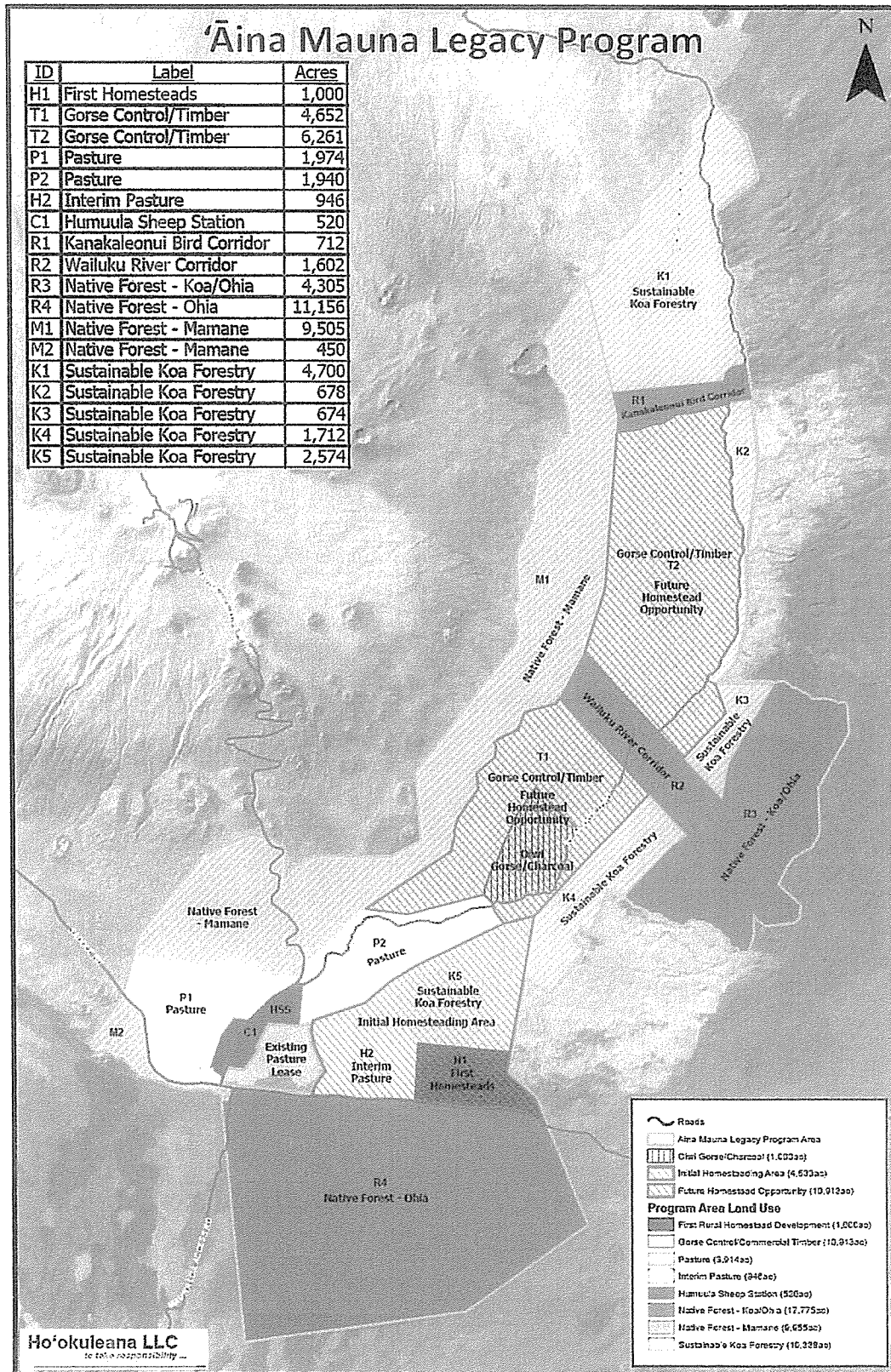
- Commercial
- Community Use
- Conservation
- General Agriculture
- Industrial
- Pastoral
- Residential
- Special District
- Subsistence Agriculture
- Supplemental Agriculture

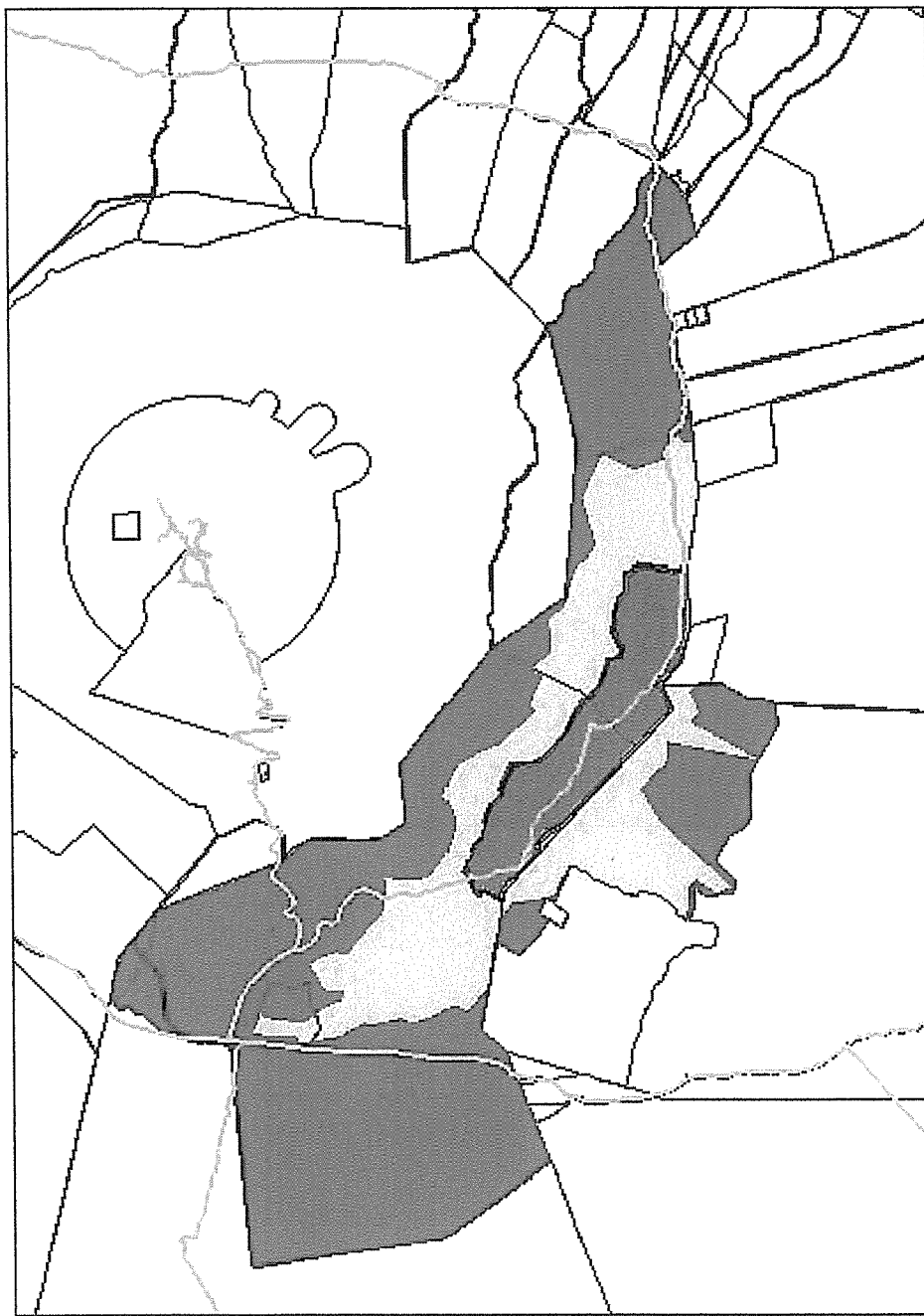
**CENTRAL HAWAI'I
HAWAI'I LAND INVENTORY**

DEPARTMENT OF HAWAIIAN HOME LANDS ISLAND OF HAWAI'I

NORTH LINEAL SCALE (FEET)







Map Noting Extent of Gorse Infestation on the Site

Color coding

Salmon: Overall extent of Gorse infestation (varying degrees of infestation over the coverage area)

Pink (with Brown border): Gorse Containment Area (significant infestation in this area)

ANNOUNCEMENTS AND ADJOURNMENT

NEXT MEETING May 26, 2011, Lihue, Kaua`i, Hawai`i

ANNOUNCEMENTS Next community meeting to be held at Chiefess Kamakahelei Middle School, Lihue, Kaua`i, May 25, 2011.

ADJOURNMENT 11:00 a.m.

Respectfully submitted:



Albert "Alapaki Nahale-a, Chairman
Hawaiian Homes Commission

Prepared by:



Elaine G. Searle
Secretary to the Commission

APPROVED BY:
The Hawaiian Homes Commission
At Its Regular Monthly Meeting Of
May 26, 2011



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