

HAWAIIAN HOMES COMMISSION
Minutes of February 19 and 20, 2013
Meeting Held in Kapolei, Oahu

Pursuant to proper call, the 636th Regular Meeting of the Hawaiian Homes Commission was held at the Department of Hawaiian Home Lands, 91-5420 Kapolei Parkway, Kapolei, Hawaii, beginning at 9:35 a.m.

PRESENT Jobie M. K. Masagatani, Chairman Designate
 Imaikalani Aiu, Commissioner, Kauai
 Perry O. Artates, Commissioner, Maui
 Leimana DaMate, Commissioner, West Hawaii
 Gene Ross K. Davis, Commissioner, Molokai
 J. Kama Hopkins, Commissioner, Oahu
 Michael P. Kahikina, Commissioner, Oahu
 Ian B. Lee Loy, Commissioner, East Hawaii
 Renwick V. I. Tassill, Commissioner, Oahu

COUNSEL S. Kalani Bush, Deputy Attorney General

STAFF Derek Kimura, Executive Assistant, Office of the Chair
 Linda Chinn, Administrator, Land Management Division
 Francis Apoliona, Compliance Officer
 Darrell Yagodich, Administrator, Planning Office
 Dean Oshiro, Acting Administrator, Homestead Services Division
 Sandra Pfund, Administrator, Land Development Division
 Norman Sakamoto, Land Development Specialist, Office of the Chair
 Juan Garcia, District Operation Supervisor, Homestead Services Division
 Kaleo Manuel, Planner, Planning Office
 Julie Cachola, Planner, Planning Office
 Niniau Simmons, NAHASDA Manager
 Kamano Mills, Special Assistant, Office of the Chair
 Dre Kalili, Policy and Program Specialist, Office of the Chair
 Nancy McPherson, Planner, Planning Office
 Carolyn Darr, Land Agent, Land Management Division
 Shelly Carreira, Land Agent, Land Management Division
 Elaine Searle, Secretary to the Commission

AMENDED AGENDA

Moved by Commissioner Lee Loy to correct Item No. D-16, which should read "Request for Relocation," seconded by Commissioner Hopkins. Motion carried unanimously.

APPROVAL OF AGENDA

Moved by Commissioner Kahikina, seconded by Commissioner Hopkins, to approve the amended agenda. Motion carried unanimously.

INTRODUCTION

The Chair introduced Land Agent Shelly Carreira, of the Land Management Division.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION WORKSHOP/AGENDA
91-5420 Kapolei Parkway, Kapolei, Hawai'i
February 19, 2013, 9:30 a.m. and February 20, 2013, 1:00 p.m.

ORDER OF BUSINESS

Roll Call
Approval of Agenda

A - WORKSHOP PRESENTATIONS

- A-1 Water Policy Plan: Water Use Permit Applications
- A-2 O'ahu Island Plan: Process and Timeline
- A-3 Review of Native American Housing Assistance and Self Determination Act 2012 Grant Cycle Recommendations
- A-4 Native American Housing Assistance and Self Determination Act Spend Down 2013
- A-5 HUD Study: An Assessment of Native American, Alaska Native, and Native Hawaiian Housing Needs

B - PUBLIC TESTIMONY ON AGENDIZED ITEMS

C - OFFICE OF THE CHAIRMAN

- C-1 Native American Housing Assistance and Self Determination Act 2012 Grant Cycle Recommendations
- C-2 Approval of Memorandum of Understanding Between the United States Department of Housing and Urban Development (HUD) and the State of Hawai'i Department of Hawaiian Home Lands Regarding a Household Survey Conducted as Part of HUD's Study: An Assessment of Native American, Alaska Native, and Native Hawaiian Housing Needs
- C-3 Status Report on Negotiations with Green Energy Team, LLC working with Homestead Community Development Corporation, Anahola Kaua'i

D - HOMESTEAD SERVICES DIVISION

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

- D-2 Approval of Various Lease Awards - **Leon Gonsalves, Sr.**
- D-3 Ratification of Loan Approvals (see exhibit)
- D-4 Approval of Consent to Mortgage (see exhibit)
- D-5 Schedule of Loan Delinquency Contested Case Hearings (see exhibit)
- D-6 Homestead Application Transfers / Cancellations (see exhibit)
- D-7 Reinstatement of Deferred Application - **Abel Huihui**
- D-8 Ratification of Designation of Successors to Leasehold Interest and Designation of Persons to Receive Net Proceeds (see exhibit)
- D-9 Approval of Assignment of Leasehold Interest (see exhibit)
- D-10 Approval of Amendment of Leasehold Interest (see exhibit)
- D-11 Commission Designation of Successor - **Valerie K. La'a**, Lease No. 8757
- D-12 Request to Schedule Contested Case Hearing - **Thella Marie Asing, Joseph K. Winchester and Albert Winchester**, Lease No. 3948
- D-13 Request to Schedule Contested Case Hearing - **Mervin L. Smythe**, Lease No. 2627
- D-14 Request to Schedule Contested Case Hearing - **Lease Violation** (see exhibit)
- D-15 Request to Authorize the Chair to Sign Change of Beneficiary - **Ha'aeo K. Gilman and Florence Lariosa**, Lease No. 7786
- D-16 Request to Surrender Lease - **Danell Kala Lindsey**
- D-17 Request to Authorize Contested Case Hearing for Alleged Lease Violations, Lease No. 3521, Lot 75, Anahola, Kaua'i
- D-18 Commission Designation of Successor - **Norman Duke Kapuniai**

F – LAND MANAGEMENT DIVISION

- F-1 Status Report - Authorization for Direct Negotiation for Proposals for Renewable Energy Development, Island of Maui
- F-2 Ratification of Consents and Approvals by Chairman, Hawaiian Homes Commission
- F-3 Notices of Defaults/Revocations, Statewide
- F-4 Status Report - Land Use Request Form Pursuant to Resolution 260

G - PLANNING OFFICE

- G-1 Authorize the Chairman to Take Actions to Secure the Control and Use of Water in Pu'unene, Maui, Through State Administrative Actions
- G-2 Status Report on Implementation Plan to Remove Moratorium on Subdivision, and Transfer of Agricultural and Pastoral Leases

RECESS

If you require an auxiliary aid or accommodations due to a disability, please contact 808-620-9590 at least five (5) working days prior to the scheduled meeting or email kuuwehi.hiraishi@hawaii.gov.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION AGENDA
91-5420 Kapolei Parkway, Kapolei, Hawai'i
February 20, 2013, 1:00 p.m.

J - GENERAL AGENDA

J-1 Request to Address Commission - Bo Kahui, L2020 and Villages of La'i opua

EXECUTIVE SESSION

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

1. In the Matter of Delinquent Taxes
2. In the Matter of Freddy Nobriga Enterprises, Inc. and Alfred Nobriga v DHHL, et al.
Civil No. 03-1-0217, Third Circuit Court
3. In the Matter of Leonard Low v DHHL, HHC, and DOA, Civil No. 13-1-0297-02
4. Merits and Conflicts of Section 171-17(b) and 171-33, HRS as Applied to Section
204(a)(2), HHCA 1920, as Amended
5. In the Matter of Sale of Leases

ANNOUNCEMENTS AND ADJOURNMENT

1. Next Meeting – March 18, 2013, Kapolei, Hawai'i
2. Other Announcements
3. Adjournment



Jobie M. K. Masagatani, Chair Designate
Hawaiian Homes Commission

COMMISSION MEMBERS

Imaikalani P. Aiu, Kaua'i
Perry O. Artates, Maui
Leimana DaMate, West Hawai'i
Gene Ross K. Davis, Moloka'i

J. Kama Hopkins, O'ahu
Michael P. Kahikina, O'ahu
Ian B. Lee Loy, East Hawai'i
Renwick V. I. Tassill, O'ahu

Next community meeting - March 18, 2013, Kapolei High School, 6 p.m.
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AMENDED AGENDA

Moved by Commissioner Lee Loy to correct Item No. D-16, which should read "Request for Relocation," seconded by Commissioner Hopkins. Motion carried unanimously.

APPROVAL OF AGENDA

Moved by Commissioner Kahikina, seconded by Commissioner Hopkins, to approve the amended agenda. Motion carried unanimously.

INTRODUCTION

The Chair introduced Land Agent Shelly Carreira, of the Land Management Division.

A - WORKSHOP PRESENTATIONS

ITEM NO.: A-1

SUBJECT: Water Policy Plan: Water Use Permit Applications

Planner Kaleo Manuel and Consultant Jonathan Likeke Scheuer, PhD, continued their presentation on the Water Policy Plan from last month, and incorporated a power point presentation on Water Use Permit Applications and the powers of the Hawaiian Homes Commission, as well as the characteristics of water source. Department of Hawaiian Home Lands is simultaneously developing a Water Policy Plan, and its Planning Office is in the final stages of assessing the water demands for each parcel of land within the department's inventory. Once this phase is accomplished, the Planning Office will then determine how water will be acquired for that demand.

J. Scheuer noted that there are eight unique categories of Water Rights available to the Hawaiian Homes Commission:

- Water Reservations
- Water License Revenue
- Public Trust Status
- Priority Development
- Acquire Water Licenses
- Issue Legal Agreements
- Deliver water
- Derive Revenue

J. Scheuer highlighted points on Water Use Permits issued in designated management areas, where the State of Hawaii has stepped in to regulate the use of water. All new applicant permits issued, in any new management area across the state, must state whether or not it will harm the rights of the Hawaiian Homes Commission (HHC) and the Department of Hawaiian Home Lands (DHHL). The permit may be revoked when this commission determines it needs the water, which could involve a contested case hearing, if crucial.

The 1978 Constitutional Convention mandated that the legislature create a water code, which was finally passed in 1987. There was some resistance from Maui County, as they opposed the Iao aquifer being controlled by the State of Hawaii, which eventually happened in 2004. All of Oahu, except the Waianae area, is designated as a ground water management area, which includes Molokai Island and the Iao aquifer on Maui, according to J. Scheuer. Surface water management areas are designated separately on the island of Maui "Na Wai Eha" which include Waihee, Waiehu, Waikapu, and Iao, and streams associated with them.

All new applicant permits issued in any new management area across the state requires a water use permit, filed with the Water Use Commission, otherwise, one cannot use the water. Handouts were provided to be a part of these minutes as Exhibits "A" and "B" for Item A-1.

This commission has the authority to seek water reservations, statewide, on designated and/or undesignated areas, noted J. Scheuer. The commission has asserted its rights, on occasion, but has not been consistent. Over the past 60 years, there has been a significant decrease in the amount of rainfall and stream flow, and scientists indicate this trend will continue. Decisions made on how much water can be taken from an aquifer or diverted from a stream were based on previous trends, noted J. Scheuer. The department needs to take into consideration having water available for the 99-year leases, and the time is now, to ensure that the department gets its share of water before it becomes scarce.

Commissioner DaMate recommended that the commission exercise its water rights, by condemning the water ditch in Haiku, Maui, to provide essential water for homesteaders and other native Hawaiian beneficiaries, and to grow taro and other vegetation. Commissioner Artates noted that some native Hawaiians living close to the streams in Iao (the aquifer that supplies Pulehunui) are not supportive of the department's plans for water usage. In addition, animosity exists between two native Hawaiian groups; one with water, the other, without. Commissioner Tassill inquired as to how Kau's "cry for water" will be addressed. In answer to Commissioner Tassill's question, Planner K. Manuel, noted that a regional plan was completed in the 1980's, and since then, the Planning Office has engaged in finding solutions to this problem. In Kau, water is serviced through old military water lines, to which the Hawaii County has placed a moratorium. A consultant was hired to assess strategies and development options for Kau. The Department of Agriculture (DOA) is servicing all non-potable ditch systems, and DHHL is assessing whether to secure diversionary water or to develop new resources. Commissioner Lee Loy confirmed that the department participated with Kau water co-op groups, to discuss solutions to the water issues there. His recommendation is to continue planning for water reservations for homestead communities in Lalamilo, as well as farming and ranching areas in Puukapu, island of Hawaii. Being proactive, thoughtful, and conservative, the department could provide water for all homesteads, and people in Hawaii, said J. Scheuer. Commissioner Aiu recommended reserving as many rights as possible, in preserving the water.

AMENDED AGENDA

Moved by Commissioner Aiu, seconded by Commissioner DaMate, to take up Workshop Items A-3 and A-4, followed by public testimony associated with NAHASDA agenda items, and then Item C-1. Motion carried unanimously.

ITEM NO.: A-3

**SUBJECT: Review of Native American Housing Assistance and Self-Determination Act
2012 Grant Cycle Recommendations**

NAHASDA Manager Niniau Simmons noted that a five-year housing plan, which is presented to the commission annually, was last presented in June 2012. The grant subsidies and allocations were set at a \$2,760,000 threshold for model activities, with 14 applications received during an open grant period, including 2 ineligible applications. The total asking amount for the 12 applications was over \$32 million. The committee, comprised of staff, reviewed all of the grants and approved a \$2 million grant for the 12 applications. N. Simmons provided a list of grant allocations recommended by the committee.

- \$742,900, Lai Opua 2020
- \$380,000, Council for Native Hawaiian Advancement
- \$300,000, Habitat for Humanity, Kauai
- \$46,990, Habitat for Humanity, Maui
- \$158,777, Habitat for Humanity, West Hawaii
- \$151,398, Hawaii First FCU
- \$27,000, Hawaiian Homestead Assistance
- \$312,457, Hawaiian Community Assets
- \$46,905, Kailapa Community Association
- \$27,000, Hawaiian Homestead Assistance
- \$46,905, Kailapa Community Association
- \$38,203, Kula No Na Poe
- \$171,030, Molokai Affordable Homes and Community Development Corporation
- \$360,980, Nanakuli Housing Corporation

ITEM NO.: A-4

**SUBJECT: Native American Housing Assistance and Self-Determination Act Spend
Down 2013**

NAHASDA Manager Niniau Simmons presented a workshop on the potential NAHASDA spend down plan. Timeline on these activities were broken down into two separate parts:

- 1) Investment Account – HUD (Housing and Urban Development) approved to allow the department to invest program years 2010 and 2011 into a separate investment account.
- 2) Budget for program year 2012 monies –NAHASDA budget submittal was estimated at a \$13 million award. The award came in with a lesser amount of \$12,700,000, an estimated difference of \$726,000.

A list of 27 families for the home repair program was received from the City and County of Honolulu. The current set-aside amount for home repairs is \$50,000 per home. An attempt is being made to increase it to \$75,000. Aging homes exhibit severe hazardous conditions and are in disrepair. This program identifies those homes with serious safety issues that indicate replacement.

The Grant-In-Aid corresponds with grant committee recommendations for allocations. Housing services is considered as a way to refinance Habitat for Humanity-DHHL portfolio, statewide, which performed well. This would be a way for NAHASDA to expend monies, while investing in mortgages that would result in program income for NAHASDA-related activities. NAHASDA funds could be utilized to refinance a Habitat portfolio; thus, allowing Habitat for Humanity to initiate more DHHL loans, said N. Simmons.

Special Assistant Kamanao Mills formed a selection committee and a review committee, to choose the final firm for the NAHASDA program audit. A rough budget estimate was determined, based on the \$72 million that came through NAHASDA to the department. A previous applicant survey conducted by SMS was completed in 2008, costing the department approximately \$500,000. NAHASDA utilized the data gathered from the applicant survey, and now, NAHASDA funding will be added in the Administrative-Planning category for an updated survey, said N. Simmons.

Elderly widows living in older homes and on fixed income are some of the concerns expressed by Commissioner Davis. These beneficiaries would be eligible for assistance, noted N. Simmons. Commissioner DaMate inquired whether "Acts of God" damages would qualify for repair assistance. Families below the AMI (area median income) would qualify for repairs, added N. Simmons. Commissioner Lee Loy requested a summary of reports be available to the commission, to help them understand how projects are selected and funds allotted. Commissioner Aiu stressed how purchasing a product that may cost less up front, could cost more, as the product could be sub-par on energy and thermal usage. He encouraged paying particular attention to performance quality. He suggested consideration be given to home repairs, as homes generally last 40 years. There is consideration to link the former HOAP program with a home repair project involving NAHASDA, where matching funds would be available for home repairs. This would encourage beneficiaries to manage their finances when repairs are necessary. Commissioner Hopkins thanked staff for providing the spend-down plan.

At one point there was representation from each island for community grant reviews, recalled Commissioner DaMate. Due to reduced budget funding, a decision was not reached regarding DHHL grants, clarified Chair. Since the process shifted to a Section 203, RFP (Request for Proposal) process, Kamanao Mills recommended the option of having community members serve on the evaluation committees for future grant cycles.

B - PUBLIC TESTIMONY ON AGENDIZED ITEMS

Bo Kahui, La'i Opua 2020, Re: Item C-1, B. Kahui and the Villages of La'i Opua (VOL) support the spend-down alternative presented in a memorandum, should funding be available. La'i Opua 2020 (L2020) is seeking \$4 million to cover additional cost items for aggregate and pipe material for its community center facility in Kailua-Kona. Of the \$742,900 received from NAHASDA, L2020 is prepared to expend its funding. According to B. Kahui, the area qualifies as a distressed community, where native Hawaiians make up 12% of the estimated population of 9,000 people living there. The health clinic will be open to everyone, including other Native Hawaiians not residing on homestead lands. According to the 2012 census data, B. Kahui deems this project qualifies under the income requirement for NAHASDA. Consultant Tamar DeFries concurred that a recent market evaluation determined that the Kailua-Kona area qualifies as an 80% below the AMI (area median income) and is considered a severely distressed area. B. Kahui noted that L2020 plans to meet with HUD Deputy Assistant Secretary Rodger Boyd, in Washington, D. C., to champion the L2020 project, as well as other homestead community projects. Testimony provided by VOL (Villages of La'i Opua) President, Dora Aio-Leamons, to be made a part of these minutes as Exhibit "A" for Item B-1.

Robin Danner, Council for Native Hawaiian Advancement, Re: Items A-3 and A-4, R. Danner conveyed that CNHA submitted a NAHASDA grant request for a "Residential Employment Living Improvement Program" (RELIP), leveraging NAHASDA funding to address aging homesteads with severe health and safety issues, by incorporating fellowships and apprenticeships into the home improvement aspect, including renewable energy, ADA access, overcrowded living, and under-employed beneficiaries. The total project budget was for \$16 million, requesting \$14.4 million from NAHASDA, with CNHA providing capital funds of \$1.5 million from other resources. R. Danner said she is pleased with the \$380,000 offered by NAHASDA. She said that HUD Deputy Assistant Secretary for Native American Programs, Rodger Boyd, expressed concern over unspent two-year-old grant funding. His recommendation was to offload NAHASDA funds to U.S. Treasury certified Community Development Financial Institutions (CDFI). According to R. Danner, the commission previously approved investing past year funding into a revolving loan program, and planned to utilize these funds for land acquisition, such as foreclosures, to expand the inventory of the Trust. She was disappointed that funding did not cover administrative costs. Although CNHA's request is to receive \$380,000 for 19 energy retrofits, part of their funding request was to be for administrative costs, to develop the residential RELIP program over an eight-month period, while anticipating additional NAHASDA funding of \$14 million for its project, to not only cover home improvements, but employment as well. She recommended the spend-down of \$25 million of NAHASDA funds. She anticipates strategizing with Indian tribes, to include native Hawaiians under its umbrella.

NAHASDA Manager Niniau Simmons said that the LOCCS (Line of Credit Control System) is a federal accounting system, and placing the NAHASDA funds in an interest-bearing account does not stop the federal government from accessing it.

C - OFFICE OF THE CHAIRMAN

ITEM NO.: C-1

SUBJECT: Native American Housing Assistance and Self-Determination Act 2014 Grant
Cycle Recommendations

RECOMMENDATION

To place the following report on the February 19, 2013, HHC Agenda for information and discussion, with decision making scheduled for the February 20, 2013 HHC meeting.

DISCUSSION

This matter will be scheduled for decision making in tomorrow's agenda, noted Chair. Commissioner Aiu noted that the original RFP (Request for Proposal) included the entire past NAHASDA balances, and not just the 2012 grant. He recommended immediate awarding of these funds. N. Simmons said she discovered a paper trail of the program budget that was approved in June 2012, and presented in today's agenda. She will include any other information for other budgeted years, if discovered.

Staff was working within an authorized action taken by the commission at the June 2012 meeting, in terms of evaluation of proposals, based on what the department was authorized to spend for this current year, said Chair. She asked whether there would be an issue for due process for other grantees, if program amounts are adjusted. Deputy AG Bush suggested to not adjust the amounts, as other grant recipients could challenge the decision. Commissioner Hopkins begged to differ and asked for clarification on the amount to be expended for 2012. Commissioner Lee Loy noted that the commission approved the expenditure for 2012 and the RFP was addressed in previous years. N. Simmons clarified that since there were no funding levels set, there was a call for proposals. Guidance was provided to staff in evaluating the grants, which was based on the department's current program year that was authorized by the commission, added Chair. The commission agreed to adjourn to executive session, to discuss the issue further.

MOTION/ACTION

Moved by Commissioner Lee Loy, seconded by Commissioner Aiu, to adjourn to executive session. Motion carried unanimously.

RECESS 12:23 p.m.

EXECUTIVE SESSION

The Commission convened in executive session 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, regarding the above-stated matter.

MOTION/ACTION

Moved by Commissioner Lee Loy, seconded by Commissioner Aiu, to reconvene to regular session. Motion carried unanimously.

RECONVENE 1:00 p.m.

ITEM NO.: A-2

SUBJECT: Oahu Island Plan: Process and Timeline

DHHL Planner Nancy McPherson presented a three-tier implementation planning system for the Oahu Island Plan:

- 1) General Plan – statewide, 20-year timeframe;
- 2) Strategic Program Plans – statewide, 3 to 6-year timeframe; and Island Plans – regional, 20-year timeframe;
- 3) Regional Plans – developed areas, 2 to 4-year timeframe; and Development Plans – undeveloped areas, 10-year timeframe.

Four (4) island plans were completed, statewide, with Oahu being the last island, noted N. McPherson. Planner Consultant Scott Abrigo, PBR Hawaii, provided additional information on the Oahu Island Plan. To their credit, PBR Hawaii was involved with the Hawaii Island Plan in 2002, Maui Island Plan in 2005, and now the Oahu Island Plan process; obtaining information for site analyses, determining what is developable, conducting surveys, arranging for beneficiary meetings, identifying the priority areas, and, finally, obtaining commission approval. This process is a 20-year plan, with reviewed updates, noted S. Abrigo. He provided information on the goals and general information, such as what kinds of lands are developable on Oahu, as well as the high-demand areas, where people want to reside. There is also a possibility for acquisition of lands to consider. One recommendation is to keep the counties informed about the department's plans and the commission's ultimate authority on land usage. Some counties have been reluctant, in the past, to articulate their island plans to the department, and have taken a passive view, added Planner Kaleo Manuel. This process is tied to land use and zoning. N. McPherson encouraged the commission to have beneficiaries respond to an online questionnaire. Material submitted is to be made a part of these minutes, as Exhibit "A" for Workshop Item A-2.

ITEM NO.: A-5

SUBJECT: HUD Study: An Assessment of Native American, Alaska Native, and Native Hawaiian Housing Needs

Policy Program and Legislative Analyst Dre Kalili introduced Director Chuck Hanson, Econometrica, Inc., a research technical assistance, and evaluation company, subcontracted to the Urban Institute, who is coordinating a study of Native American, Alaskan Natives, and Native Hawaiian housing needs, contracted through HUD (U.S. Department of Housing and Urban Development). This study could enable opportunities for assistance from NAHASDA funding. C. Hanson noted that a spend-down problem for NAHASDA funds is not unique to Hawaii as other native tribes throughout the country have similar issues. This study is a follow-up to a 1996 study, which resulted in the creation of NAHASDA. Senator Daniel Inouye had a hand in providing a funding resource, to conduct a household study survey of 500 households from the applicant waiting list, at the request of former Hawaiian Homes Commission Chair Alapaki Nahalea. This survey will include DHHL, community leaders, stakeholders, lenders, and service providers. A briefing was held in November 2012 and an MOU (Memorandum of Understanding) is anticipated for approval in spring of 2013. The goal is to have the data available by 2014, said C. Hanson.

Commissioner Aiu queried as to how this survey would aid in the dissemination of information. C. Hanson noted that the information would be reviewed by the department, prior to any information being published. Chair inquired as to how this survey would differ from the ones the department conducts. C. Hanson explained that this survey will be an in-person, in-house survey, and would be statistically more reliable. The survey would help to indicate the housing needs of the greater Native Hawaiian population. The 500 interviews will be conducted with 500 applicant households. In addition, there will be interviews with homestead associations, lenders, service providers, staff, etc. This will help in determining the trends of the native people, such as its population, location, and loan category. The questionnaire is in depth and data could be used for other important AMI (area median income) indicators, added C. Hanson. The funding for this project was provided through congressional appropriations to HUD and C. Hanson's team responded with the additional resources made available by Congress, to conduct the household survey.

B - PUBLIC TESTIMONY ON AGENDIZED ITEMS (cont.)

Blossom Feiteira – President, Association of Hawaiians for Homestead Lands,
Re: Item C-2, B. Feiteira supports the opportunity for HUD/DHHL to partner on a federal level to gather information for beneficiary housing needs, and to also acquire baseline data for lobbying for federal funds in the future.

Re: Item F-1, B. Feiteira appreciates the effort by the department in slowing down the process of disposing of lands in Pulehunui and Honokowai, on Maui, for renewable energy. From the beneficiary standpoint, they understand the need for the department to make money; however, they also planned to use the same lands for agriculture use. She recommended working more closely with the department and the people on the "ag" waitlist. **Re: Item F-4**, B. Feiteira is concerned regarding a section missing in the Land Use Request Form which is identified under Section 204 and 207. The Chair will follow up on the issue. B. Feiteira thanked Chair for making water a priority in the department, especially in Pulehunui (Puunene).

Re: Item G-2, B. Feiteira supports the subdivisions and transfer of ag and pastoral leases, yet cautions regarding allowing subdivisions for the purpose of selling leases. She recommended that the commission limit the ability of a beneficiary, to do this, as well as subdivide a lease into smaller parcels. The Chair recommended that B. Feiteira attend meetings referencing these matters.

Kekoa Enomoto, Waiohuli Undivided Interest Lessees, Re: A-5, The Waiohuli Undivided Interest Lessees are grateful to staff Stewart Matsunaga and Kama'ano Mills for undertaking a draft letter response form and survey, to determine housing needs and lessee profile, in anticipation of a HOAP assistance program workshop. **Re: Item A-1**, K. Enomoto has advocated for a water plan for Waiohuli Undivided Interest lessees for the past eight (8) years. Naiwa homesteaders on Molokai have been waiting twenty (20) years for water. She proposed that Naiwa homestead water needs be included in the DHHL water reservation plan. **Re: Items F-1 and D-1(a)**, K. Enomoto requested speed, urgency, and focus, as demonstrated in the renewable energy program, be applied to the 289 Waiohuli Undivided Interest lessees, who signed leases eight (8) years ago, and the thousands of waitlisted applicants. She emphasized the vision and mission of Prince Kuhio and DHHL in placing native Hawaiians on the land, and requested that DHHL not focus on 1,400 acres of windmills and solar panels on Waiohuli, Leialii and Kahikinui.

Re: Executive Session Item 5, K. Enomoto recommended a full-time liaison position be established, to assist beneficiaries with the purchase, transfer, and sale of leases, due to unexpected job, family, and priority needs. Commissioner Hopkins concurred with K. Enomoto on the department's mission, to place native Hawaiians on the land; however, the Trust is seeking ways to enhance alternative energy needs. K. Enomoto reiterated the importance in prioritizing the needs of beneficiaries on the waitlist, similar to the efforts displayed on renewable energy.

ITEM NO: C-2

SUBJECT: Approval of Memorandum of Understanding Between the United States Department of Housing and Urban Development (USDA-HUD) and the State of Hawaii Department of Hawaiian Home Lands Regarding a Household

Survey Conducted as Part of HUD's Study: An Assessment of Native American, Alaska Native, and Native Hawaiian Housing Needs

MOTION/ACTION

Moved by Commissioner Artates, seconded by Commissioner Kahikina. Motion carried unanimously.

ITEM NO. C-3

SUBJECT: Status Report on Negotiations with Green Energy Team, LLC Working With Homestead Community Development Corporation, Anahola, Kauai

MOTION/ACTION

None. For Information Only

DISCUSSION

Land Development Specialist Norman Sakamoto presented a status report on negotiations with Green Energy Team, LLC (GET) working with Homestead Community Development Corporation (HCDC). On January 18, 2013, HCDC withdrew their condition to be named as a primary lessee/licensee or as a co-lessee/licensee on the property. An informational meeting and two public hearings will be scheduled on Kauai, and conclude with a special commission meeting. Rent terms are still one of the unresolved items being negotiated, added N. Sakamoto. Commissioner Aiu requested to adjourn in executive session to address specific negotiation issues. Commissioner Lee Loy recognized HCDC stepping back from participating in negotiations as commendable, to allow negotiations to move forward. HCDC's position to step away from the license to allow DHHL to execute a license with Green Energy will be honored as long as its homestead benefits agreement with Green Energy will remain intact, affirmed R. Danner. She described the Anahola homestead leaders as models for homestead benefit agreements to ensure the Trust receives fair market value and homestead associations become part of the operational deal. Commissioners Lee Loy and Kahikina thanked R. Danner for her comments.

MOTION/ACTION

Moved by Commissioner Aiu, seconded by Commissioner Lee Loy, to adjourn to executive session. Motion carried unanimously.

RECESS

2:40 p.m.

EXECUTIVE SESSION

The Commission convened in executive session 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 the above-mentioned item.

Moved by Commissioner Hopkins, seconded by Commissioner Aiu, to reconvene in regular session. Motion carried unanimously.

RECONVENE 3:40 p.m.

D - HOMESTEAD SERVICES DIVISION

ITEM NO: D-1

SUBJECT: HSD Status Reports

None, for information only.

Exhibits:

A - Homestead Lease and Application Totals and Monthly Activity Reports

B - Delinquency Report

C - DHHL Guarantees for FHA Construction Loans

ITEM NO: D-2

SUBJECT: Approval of Various Lease Awards - Leon Gonsalves, Sr.

MOTION/ACTION

Moved by Commissioner Kahikina, seconded by Commissioner Hopkins. Motion carried unanimously.

ITEM NO: D-3

SUBJECT: Ratification of Loan Approvals (see exhibit)

MOTION/ACTION

Moved by Commissioner Kahikina, seconded by Commissioner Hopkins. Motion carried unanimously.

ITEM NO: D-4

SUBJECT: Approval of Consent to Mortgage (see exhibit)

MOTION/ACTION

Moved by Commissioner Hopkins, seconded by Commissioner Kahikina. Motion carried unanimously.

ITEM NO: D-5

SUBJECT: Schedule of Loan Delinquency Contested Case Hearings (see exhibit)

MOTION

Moved by Commissioner Kahikina, seconded by Commissioner Hopkins.

DISCUSSION

Chair noted that staff is preparing a workshop on contested case hearings for next month's agenda. Acting Administrator D. Oshiro added that it will be presented in partnership with the Loan Services Branch. Commissioner Davis received a letter from Robin Meyer, who assumed that today's agenda was to address her loan issues. D. Oshiro explained that R. Meyer's loan is an FHA buyback and the department is awaiting paperwork, to determine what is owed. Once the information is provided, R. Meyer will have an opportunity for a workout plan with a loan officer. D. Oshiro confirmed that R. Meyer was updated recently of her current status.

ACTION

Motion carried unanimously.

ITEM NO: D-6

SUBJECT: Homestead Application Transfers / Cancellations (see exhibit)

MOTION/ACTION

Moved by Commissioner Artates, seconded by Commissioner Hopkins. Motion carried unanimously.

ITEM NO: D-7

SUBJECT: Reinstatement of Deferred Application - Abel Huihui

MOTION/ACTION

Moved by Commission Hopkins, seconded by Commissioner Artates. Motion carried unanimously.

ITEM NO: D-8

SUBJECT: Ratification of Designation of Successors to Leasehold Interest and Designation of Persons to Receive Net Proceeds (see exhibit)

MOTION/ACTION

Moved by Commissioner Artates, seconded by Commissioner Kahikina. Motion carried unanimously.

ITEM NO: D-9

SUBJECT: Approval of Assignment of Leasehold Interest (see exhibit)

MOTION

Moved by Commissioner Artates, seconded by Commissioner Kahikina.

DISCUSSION

Commissioner Lee Loy requested to have Item No. 1, Lease No. 6411 (Elodia Ho-a and Almarie N. I. Stothers), deferred until the next regular monthly meeting, to allow for further investigation on the use of this lease.

AMENDED MOTION/ACTION

Moved by Commissioner Lee Loy, seconded by Commissioner Aiu, to defer Item No. 1, as stated in the exhibit. Motion carried unanimously.

ACTION

Motion carried unanimously on the original motion, as amended.

ITEM NO: D-10

SUBJECT: Approval of Amendment of Leasehold Interest (see exhibit)

MOTION/ACTION

Moved by Commissioner Artates, seconded by Commissioner Kahikina. Motion carried unanimously.

ITEM NO: D-11

SUBJECT: Commission Designation of Successor - Valerie K. Laa, Lease No. 8757

MOTION/ACTION

Moved by Commissioner Artates, seconded by Commissioner Kahikina. Motion carried unanimously.

ITEM NO: D-12

SUBJECT: Request to Schedule Contested Case Hearing - Thella Marie Asing, Joseph K. Winchester and Albert Winchester, Lease No. 348

RECOMMENDATION

Staff recommended Motion/Action is to deny successors' request for a hearing, noted Acting Administrator D. Oshiro.

MOTION

Moved by Commissioner Artates, seconded by Commissioner Kahikina.

DISCUSSION

The Commission approved three siblings as successors to the lease, who are contesting that the decedent, their brother, should have never qualified for an FHA loan. As successors, they are willing to accept the lease, without the existing loan. According to Acting Administrator D. Oshiro, the outstanding loan becomes part of the existing lease once a lease is transferred. In this situation, the department is not liable, as the matter is between the borrower and the lender, who adheres to strict federal guidelines in determining who can qualify. D. Oshiro contends that no rule or law was violated by this department to warrant a contested case hearing. Legally, there is no named successor as the three designated successors have yet to sign the lease, obligating them to the loan. Lease documents have been transferred to their attorney for review.

A workshop is planned for next month to address these types of concerns, noted District Operation Supervisor Juan Garcia. With the lapse of a 120-day public notice completed, the department may need to request to vacate the commission's decision to designate successors, in this case, thus allowing cancellation of the lease, and award to another beneficiary. An appraisal would be ordered to determine the appraisal value, with proceeds going to the decedent's estate. Commissioner Tassill recommended adjourning to executive session, to discuss the issue further.

MOTION/ACTION

Moved by Commissioner Tassill, seconded by Commissioner Hopkins, to adjourn to executive session. Motion carried unanimously.

RECESS 4:03 p.m.

EXECUTIVE SESSION

The Commission convened in executive session 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 the above-mentioned matter.

MOTION/ACTION

Moved by Commissioner Lee Loy, seconded by Commissioner Aiu, to reconvene in regular session. Motion carried unanimously.

RECONVENE 4:27 p.m.

ITEM NO: D-12 (cont.)

SUBJECT: Request to Schedule Contested Case Hearing - Thella Marie Asing, Joseph K. Winchester and Albert Winchester, Lease No. 348

A roll call vote was taken.

ACTION

AE (7)

AIU DAVIS MASAGATANI
ARTATES KAHIKINA *
DAMATE LEE LOY .

* with reservation

AOLE (2)

HOPKINS
TASSILL

ACTION

Motion carried.

ITEM NO: D-13

SUBJECT: Request to Schedule Contested Case Hearing - Mervin L. Smythe, Lease No. 2627

RECOMMENDATION

Staff recommended Motion/Action is to deny the request for a hearing to contest DHHL's decision regarding Mervin L. Smythe's request to transfer his leasehold interest, noted D. Oshiro.

MOTION/ACTION

Moved by Commissioner Kahikina, seconded by Commissioner Artates.

DISCUSSION

Emma and Bushrod Meyers appeared with Counsel T. J. Quan to request a contested case hearing before this commission as potential successors to Mervin L. Smythe's Lease No. 2627, in Nanakuli, Oahu. T. J. Quan noted that M. Smythe lived in Seattle and approached the Meyers' family in 2009 to become caretakers for his property. At that time, other family members were living there in dilapidated conditions under questionable circumstances. M. Smythe entrusted his home to the Meyers to make home improvements to his home, which they maintain until today. T. J. Quan said that testimony from neighbors will attest to the fact that Emma and Bushrod Meyers have contributed invariably to the upkeep of this leasehold property. On M. Smythe's last visit to Hawaii in June 2012, he decided to execute a transfer of lease document and submitted it to DHHL on June 18, 2012, eight (8) days prior to his sudden death. DHHL then stopped the transfer process and engaged in a Successorship process under HHCA Section 209. Pending the Successorship of the lease, the Meyers continue to reside on the property and maintain it. T. J. Quan requested that M. Smythe's intentions be honored, by continuing the lease transfer request. He proposed that a contested case hearing is appropriate, due to the Meyers' constitutional and due process rights.

Emma Meyers has been on the waitlist since 1970. She indicated that it was M. Smythe's intention to take care of his business affairs on his own, and at this point, she is carrying out his wishes. She received and complied with every form received by the department to complete the transfer process. Though the Meyers are not blood related to M. Smythe, B. Meyers conveyed that M. Smythe treated them as his family, with a bonding friendship between them. M. Smythe

was pleased with the Meyers' care of the property. B. Meyer said he is present today because of M. Smythe's wishes, to allow the lease to pass to him and his wife Emma.

J. Garcia explained that it was impossible to come before the commission for approval within eight (8) days after the transfer of lease document was submitted. Upon M. Smythe's passing, the transfer request was not effective and could not be processed. A public notice was then published, seeking eligible successors and two nieces of M. Smythe responded to the notice.

MOTION/ACTION

Moved by Commissioner Aiu, seconded by Commissioner Hopkins, to adjourn to executive session, to consult with its attorney on this matter. Motion carried unanimously.

RECESS 4:50 p.m.

EXECUTIVE SESSION

The Commission convened in executive session 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 the above-stated matter.

MOTION/ACTION

Moved by Commissioner Hopkins, seconded by Commissioner Kahikina to reconvene in regular session. Motion carried unanimously.

RECONVENE 5:13 p.m.

Note: Commissioners Lee Loy and Tassill were excused from the meeting.

ITEM NO: D-13 (cont.)

SUBJECT: Request to Schedule Contested Case Hearing - Mervin L. Smythe,
Lease No. 2627

ACTION

The motion "failed" to pass.

MOTION/ACTION

Moved by Commissioner Kahikina to authorize a contested case hearing, to include other parties that are also claimants to the lease, seconded by Commissioner Hopkins. Motion carried unanimously.

AMENDED AGENDA

Moved by Commissioner Hopkins, seconded by Commissioner Kahikina, to convene with Item No. D-16. Motion carried unanimously.

ITEM NO: D-16

SUBJECT: Request for Relocation - Danell Kala Lindsey

RECOMMENDATION

The department has completed its due diligence and is requesting the relocation for Ms. Danell Lindsey, noted D. Oshiro. Commission reviewed confidential medical documents.

MOTION

Moved by Commissioner Artates, seconded by Commissioner Kahikina.

DISCUSSION

Ms. D. Lindsey expressed gratefulness to the commission for considering her request. An appraisal will determine the worth of the home once the commission approves this submittal, noted D. Oshiro. As lots become available, M. Lindsey will be contacted by the Housing Project Branch, where she will have an opportunity to select or defer a lease, based on location of the lots and the purchase price. It is uncertain when another lot would become available, as there are beneficiaries on the relocation list ahead of Ms. Lindsey.

ACTION

Motion carried unanimously.

Motion by Commissioner Hopkins, seconded by Commissioner Kahikina to recess the meeting. Motion carried unanimously.

RECESS: 5:25 p.m.

HAWAIIAN HOMES COMMISSION
Minutes of February 20, 2013
Meeting Held in Kapolei, Oahu

RECONVENE: 1:37 p.m.

PRESENT Jobie M. K. Masagatani, Chairman Designate
Imaikalani Aiu, Commissioner, Kauai
Perry O. Artates, Commissioner, Maui
Leimana DaMate, Commissioner, West Hawaii
Gene Ross K. Davis, Commissioner, Molokai
J. Kama Hopkins, Commissioner, Oahu
Michael P. Kahikina, Commissioner, Oahu
Renwick V. I. Tassill, Commissioner, Oahu

EXCUSED Ian B. Lee Loy, Commissioner, East Hawaii

COUNSEL S. Kalani Bush, Deputy Attorney General

STAFF Derek Kimura, Executive Assistant, Office of the Chairman
Linda Chinn, Administrator, Land Management Division
Francis Apoliona, Compliance Officer
Darrell Yagodich, Administrator, Planning Office
Dean Oshiro, Acting Administrator, Homestead Services Division
Juan Garcia, District Operation Supervisor, Homestead Services Division
Kaleo Manuel, Planner, Planning Division
Julie Cachola, Planner, Planning Division
Niniau Simmons, NAHASDA Manager
Kamanao Mills, Special Assistant, Office of the Chairman
Nancy McPherson, Planner, Planning Division
Carolyn Darr, Land Agent, Land Management Division
Shelly Carreira, Land Agent, Land Management Division
Elaine Searle, Secretary to the Commission

ITEM NO: D-14

SUBJECT: Request to Schedule Contested Case Hearing - Lease Violation (see exhibit)

MOTION/ACTION

Moved by Commissioner Artates, seconded by Commissioner Hopkins. Motion carried unanimously.

ITEM NO: D-15

SUBJECT: Request to Authorize the Chair to Sign Change of Beneficiary - Haaheo K. Gilman and Florence Lariosa, Lease No. 7786

MOTION/ACTION

Moved by Commissioner Artates, seconded by Commissioner Hopkins. Motion carried unanimously.

ITEM NO: D-17

SUBJECT: Request to Authorize Contested Case Hearing for Alleged Lease Violations, Lease No. 3521, Lot 75, Anahola, Kauai

MOTION/ACTION

Moved by Commissioner Artates, seconded by Commissioner Aiu. Motion carried unanimously.

ITEM NO: D-18

SUBJECT Commission Designation of Successor - Norman Duke Kapuniai

MOTION/ACTION

Moved by Commissioner Artates, seconded by Commissioner Hopkins. Motion carried unanimously.

MOTION

Moved by Commissioner Hopkins, seconded by Commissioner Aiu to reconsider Item D-18.

DISCUSSION

Commissioner DaMate questioned whether the Designation of Successorship will impact the Honokaia litigation, to which N. Kapuniai was one of the plaintiffs. Deputy AG Bush affirmed that N. Kapuniai was not a party to the Honokaia litigation, thus, this transaction would not be affected by other circumstances.

MOTION WITHDRAWN

Commissioner Hopkins withdrew his motion. The original motion stands in effect.

ITEM NO: C-1

SUBJECT: Native American Housing Assistance and Self-Determination Act 2012 Grant
Cycle Recommendations

RECOMMENDATION

NAHASDA Manager Niniau Simmons recommended to place the following report on the February 19, 2013 HHC Agenda for information and discussion, with decision making scheduled for February 20, 2013 meeting.

MOTION

Moved by Commissioner DaMate, seconded by Commissioner Aiu.

DISCUSSION

N. Simmons thanked the commission for permitting her to address the commission earlier yesterday, so she could attend to other important matters. Commissioner Hopkins expressed appreciation for the work involved in preparation of this report.

MOTION/ACTION

Moved by Commissioner Hopkins, seconded by Commissioner Aiu, to adjourn to executive session, to question counsel on matters concerning this submittal. Motion carried unanimously.

RECESS

1:46 p.m.

EXECUTIVE SESSION

The Commission convened in executive session 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 in the above-mentioned item.

RECONVENE 2:12 p.m.

MOTION/ACTION

Moved by Commissioner Hopkins, seconded by Commissioner Artates to reconvene to regular session. Motion carried unanimously.

ITEM NO: C-1 (cont.)

SUBJECT: Native American Housing Assistance and Self Determination Act 2012 Grant
Cycle Recommendations

DISCUSSION

Commissioner Hopkins reiterated his mahalo to staff by demonstrating diligence and hard work in advocating for the beneficiary and its community organizations. Commissioner Aiu has concerns with the HUD payback, should a grantee not stay within the HUD parameters of 80% AMI and 50% native Hawaiian blood quantum. He recommended a higher level of scrutiny be maintained at all times to meet the requirements of these grants. He pointed out that N. Simmons was able to provide funding for the LaiOpua project that is reflective of the population served, and he commends her for establishing appropriateness as it relates to this funding source, taking into consideration liability that affects this department. He wants the public to be aware of the responsibilities of receiving grants, small or large. Bo Kahui, La'i Opua 2020 CEO said an estimated 1,100 native Hawaiians are served in the medical facilities in their area, and by the department expanding more Habitat type homes on homestead lands, and with more NAHASDA-qualified members in their community, they could reach their end goal. He applauded N. Simmons for the work she has accomplished. He supports the recommendation of this commission and will continue to work diligently to build more homes to then qualify for additional funding for their project. He plans to meet with Deputy Assistant Secretary Rodger Boyd in Washington D.C. to continue his pledge for his community. Commissioner Aiu wants to ensure that everything is done correctly. Commissioner DaMate said there is a greater responsibility than to answer a federal mandate on numbers. Kailua-Kona at one time was predominantly made up of Hawaiians who were pushed out of the area 15 to 20 years ago to the outskirts of Kau and other areas. She believes that the medical center will be a necessity as Kona Hospital will be unable to handle the influx of Hawaiians moving back to the LaiOpua

homestead. Commissioner Tassill applauded B. Kahui's efforts at setting a precedent for other communities to follow.

ACTION

Motion carried unanimously.

F - LAND MANAGEMENT DIVISION

ITEM NO: F-1

SUBJECT: Status Report - Authorization for Direct Negotiation for Proposals for Renewable Energy Development, Island of Maui

MOTION/ACTION

None, for information only.

DISCUSSION

Administrator Linda Chinn, Land Management Division reported that forty-four (44) proposals were received for three (3) potential renewable energy projects on Maui; 11 for Kahikinui, 18 for Pulehunui, and 15 for Honokowai. Each proposal will be reviewed. A community meeting was held in Paukukalo for homesteaders and a meeting with Leialii homesteaders will be rescheduled. Today is the due date for any additional information submitted by the developers. A public hearing is scheduled in mid-March, a special meeting in April for approval, and a tentative final approval in May 2013 for the lease terms. There are three types of energy projects being considered: wind, solar, and biomass. An on-site visit to these properties is being considered.

ITEM NO: F-2

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

RECOMMENDATION

Administrator L. Chinn recommended that the commission ratify consents and approvals granted by the Hawaiian Homes Commission Chairman with Consent to Mortgage, GL No. 297/298, for the Nanakuli Hawaiian Homestead Community Association (NHHCA) project; three (3) Approvals of Improvement Plans, and a Consent to Sublease.

MOTION/ACTION

Moved by Commissioner Hopkins, seconded by Commissioner Artates. Commissioner Kahikina recused himself from voting. Motion was carried unanimously.

ITEM NO: F-3

SUBJECT: Notices of Defaults/Revocations, Statewide

MOTION

Moved by Commissioner DaMate, seconded by Commissioner Artates.

MOTION/ACTION

Moved by Commissioner Hopkins, seconded by Commissioner DaMate, to adjourn to executive session, to confer with counsel. Motion carried unanimously.

RECESS 2:43 p.m.

EXECUTIVE SESSION

The Commission convened in executive session 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 the above-subject matter.

MOTION/ACTION

Moved by Commissioner Hopkins, seconded by Commissioner DaMate to reconvene to regular session. Motion carried unanimously.

RECONVENE 2:55 p.m.

ITEM NO: F-3 (cont.)

SUBJECT: Notices of Defaults/Revocations, Statewide

DISCUSSION

Commissioner Kahikina questioned the status of Revocable Permit (RP) 411, SORT, as they were featured in a newspaper article. L. Chinn indicated that a notice of payment was sent for an

outstanding balance of \$7,329.58. Payment was received on January 17, 2013; however, there is now an outstanding balance of \$9,751.00. In addition, there are other permitting violations, which the department is currently investigating. L. Chinn noted that the department attempts to work with all tenants to allow them time to cure their violations. In this case, there were violations, then corrections, and then more violations. It is an ongoing issue. Commissioner Kahikina described complaints made regarding disruption of cultural sites and removal of soil. There is a cultural site that abuts the property, noted L. Chinn. But, no evidence of disruption was detected. The military also affirmed no dumping at a pond site. Collections procedures are followed by the department. The Revocable Permit (RP) guidelines appear on the permit and the department adheres to procedures set under (HRS) 171.55. Notice of delinquency for RP's has a 5-day period, and GL's (General Lease) have a 59-day period, before a default notice is dispatched. Other non-payment violations will have a 30-day notice to correct any issues.

ACTION

Motion carried unanimously.

ITEM NO: F-4

SUBJECT: Status Report - Land Use Request Form Pursuant to Resolution 260

MOTION/ACTION

None, for information only.

DISCUSSION

The commission passed Resolution 260 on May 1, 2012, which requires LMD to submit all application requests for all non-homesteading leasing of Trust lands. This report is the first of its kind and covers May and June 2012 reporting. L. Chinn plans to provide a report within the next two months for the remainder of the year. In addition, an annual report provides information on all Revocable Permits and General Leases. Commissioner DaMate recognized the energy and time having to create these reports. Commissioner Aiu said these reports may aid in determining the department's strategic plans and priorities. The Chair noted that it will take time to formulate. One of the objectives is to tie in the work that the Planning Office does, such as the Regional Plans, which integrates priority projects that come from the community. Also, how does one evaluate unsolicited proposals that may create opportunities? The Island and Regional Plans should be used to help evaluate these types of proposals but we fail to utilize them in decision-making situations, added Chair. Commissioner Kahikina inquired whether this would be a burden to staff. L. Chinn conveyed that she has limited resources in staff and they are stretched to service in all capacities.

AMENDED AGENDA

Moved by Commissioner Aiu, seconded by Commissioner Hopkins, to convene with Item No. G-1. Motion carried unanimously.

G - PLANNING DIVISION

ITEM NO: G-1

SUBJECT: Authorize the Chairman to Take Actions to Secure the Control and Use of Water in Puunene, Maui, Through State Administrative Actions

RECOMMENDATION

Administrator Darrell Yagodich recommended that the Hawaiian Homes Commission authorize the Chair to:

- 1) Update a pending request for water reservation from the Commission on Water Resource Management (CWRM) to adequately reserve water for current and foreseeable development and use of Hawaiian home lands in Central Maui;
- 2) Formally submit the Water Use Permit Application (WUPA) to CWRM for 0.911 MGD of unallocated water from the Iao Aquifer for use on Hawaiian home lands in Puunene, Maui;
- 3) Take other actions as necessary to effectuate and follow up on these requests.

MOTION

Moved by Commissioner Artates, seconded by Commissioner Hopkins.

DISCUSSION

This action today appears to set a designation of water, noted Commissioner Hopkins. Consultant J. Scheuer said there are a number of potential sources of water for the uses described in the Island Plans. The request is for ground water from the Iao Aquifer where the sustainable yield is for 19 MGD (million gallons a day), and all but .9 MGD has been allocated, held primarily by the County of Maui. Seeking a water use permit is the second part of the solution. The County of Maui has found greater efficiency, by getting people to fix leaks, install low-flow fixtures, and having people use non-potable water. The option before this commission does not require infrastructure (source development) investment, as other options do, nor will it pit the department against other native Hawaiians.

ACTION

Motion carried unanimously.

MOTION/ACTION

Moved by Commissioner Hopkins, seconded by Commissioner Artates, to adjourn to executive session, to address Executive Session Item No. 3 and then Item No. 2. Motion carried unanimously.

RECESS 3:30 p.m.

EXECUTIVE SESSION

The Commission convened in executive session 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 the following subject matter.

3. In the Matter of Leonard Low v DHHL, HHC, and DOA, Civil No. 13-1-0297-02
2. In the Matter of Freddy Nobriga Enterprises, Inc. and Alfred Nobriga v DHHL, et al., Civil No. 03-1-0217, Third Circuit Court

MOTION/ACTION

Moved by Commissioner DaMate, seconded by Commissioner Davis, to reconvene in regular session

RECONVENE 3:37 p.m.

Note: Commissioners Hopkins and Tassill were excused from the meeting.

AMENDED AGENDA

Moved by Commissioner DaMate, seconded by Commissioner Davis, to convene in regular session and address Item No. J-1.

ITEM NO: J-1

SUBJECT: Request to Address the Commission – Bo Kahui, L2020 and Villages of LaiOpua

MOTION/ACTION

None, for information only.

DISCUSSION

Bo Kahui presented a list of lessees with outstanding delinquent dues. He is requesting that the commission engage a hearings officer or someone that lives on Hawaii island, who can address the delinquent lessees of the Villages of LaiOpua. The amount in arrears is estimated to be \$70,000 to \$75,000. Several lessees are seriously delinquent and B. Kahui suspects that perhaps they are having issues with their mortgage as well. The one solution is to increase dues to cover costs. The Chair shared that this issue is also prevalent on Maui, in master-planned communities that have DCCR's (Declaration of Covenants, Conditions and Restrictions) and where individuals who do pay their dues are impacted. Assigning duties to a staff member will also need to be addressed, noted Chair.

Funds that are collected are used to cover water, utilities, and maintenance of the community center, expressed B. Kahui. Others who use the facilities are not charged because they offer other services to the community. B. Kahui presented material submitted to be made a part of these minutes as Exhibit "A" for Item J-1.

ITEM NO: G-2

SUBJECT: Status Report on Implementation Plan to Remove Moratorium on
Subdivision, and Transfer of Agricultural and Pastoral Leases

MOTION/ACTION

None, for information only.

DISCUSSION

Darrell Yagodich met with project managers from the different islands to review the implementation processes and forms to prepare for the removal of the Agricultural and Pastoral subdivision and transfer moratorium. In order to firm up on how things would be processed, additional information was added; such as a site inspection report and a workshop and/or counseling requirement. The department met with officials of Maui County and plans to meet with Hawaii County officials. Some helpful information was shared by Maui County in utilizing a batching process. In addition, both the department and the counties will need to devise a system to achieve a better flow from both sides.

D. Yagodich stated that the Molokai Island District Manager expressed concern about the impact of the subdivisions on the water system. Assessments will need to be made to determine how much more can be sustained on certain water lines. If the department is to provide the water, then the department needs to sign a form, agreeing to that requirement. Another suggestion, made by Maui County, was to subdivide one lot into no more than two, which offers a simpler process. Having to develop several lots at one time creates a much larger impact and requires a more detailed review, added D. Yagodich. A workshop will be presented to the commission in April, said Kaleo Manuel.

MOTION/ACTION

Moved by Commissioner Artates, seconded by Commissioner Aiu, to adjourn the regular meeting. Motion carried unanimously.

ADJOURNMENT: 4:25 p.m.

ANNOUNCEMENTS AND ADJOURNMENT

NEXT MEETING

March 18, 2013, Kapolei, Oahu

ANNOUNCEMENTS

Next community meeting will be held at Kapolei High School,
March 18, 2013 at 6:00 p.m.

ADJOURNMENT

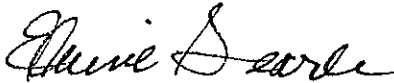
4:25 p.m.

Respectfully submitted,



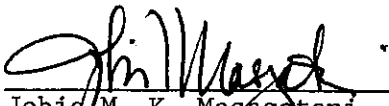
Jobie M. K. Masagatani, Chairman Designate
Hawaiian Homes Commission

Prepared by:



Elaine Searle, Secretary
Hawaiian Homes Commission

APPROVED BY:
The Hawaiian Homes Commission
At Its Regular Monthly Meeting Of
February 19, 2014



Jobie M. K. Masagatani, Chairman
Hawaiian Homes Commission

HAWAIIAN HOMES COMMISSION

SIGN IN SHEET TESTIMONY

Date & Time: FEB 19 2013

Re: HHC REGULAR AGENDA

Location: 91-5420 Kapolei Pkwy

FULL NAME (PLEASE SIGN)	ADDRESS (STREET, CITY, ZIP)	Reference ITEM NO.	TELEPHONE
1. Craig "Bo" Kahui	74-3399 Kuluhi St.	A3, A4	
2. Blossom FETEIRA	PO Box 2963 Wailuku	D3/D4, F2, F4, G1, G2, F-1	446-5512
3. Letra Fironoto	393 Puco Dr., Kula	A1, A5, F1	270-2713
4. R. DAWDER	A0A102A	A3 9-4	
5. TJ Queen	1088 Bishop St. 9th Floor, HI 96813	D-13	
6.			
7.			
8.			
9.			
10.			
11.			
12.			

Water Policy Plan: Water Use Permit Applications, Power & Source Characteristics

HHC Meeting – O`ahu, Hawai`i
Kaleo Manuel, Planner
Jonathan Likeke Scheuer, Consultant
February 19, 2013

East Maui Irrigation Ditch

Kaleo to begin with introductions and first three slides

HHC Item No. A-1
Exhibit A
Date 2-19-13

Today's workshop

- **Review**
 - Water Policy Planning Process
 - Powers of the HHC regarding water
- **Water Use Permits**
- **Characteristics of different water sources**
- **Characteristics of different HHC water powers**

East Maui Irrigation Ditch

- Overview of the presentation
- Previous review of powers was covered at 7/23/2012 meeting of the HHC; review here will continue from there
- There are also handouts – one from 7/23 meeting, another is a high level diagram of the reservation and licensing processes

What is the Water Policy Plan?

- **3-5 page document / 3-6 year guidance**
- **Simultaneously working on**
 - Water demand estimates for the SWPP
 - DHHL presence on water policy issues
 - High priority needs areas

Lower Tao Stream, Maui

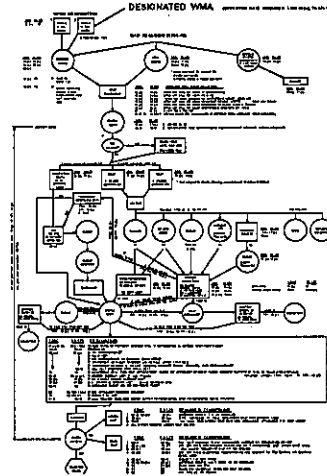
- What will the Water Policy Plan be?
 - A 3 – 5 page document developed collaboratively by the Commission, the Staff, and myself, working with beneficiaries and stakeholders, and approved by the Commission
 - It will be a guide for the next 3-6 years on how water should be approached strategically by the department, to use its legal powers and other tools to achieve the mission of the Department – providing homesteads (residential, agricultural, aquacultural, ranching)
 - Simultaneously:
 1. Working on estimates of water for DHHL lands via the update to the SWPP – End of process will result in reservations statewide for our foreseeable needs
 2. Staff has been increasing its presence on water issues; for instance regularly attending meetings of the CWRM, participating in County Water Planning processes – better coordination and communication
 3. There are few high priority areas where there are immediate water issues that need to be addressed - mostly related to availability of water and therefore competition for resource

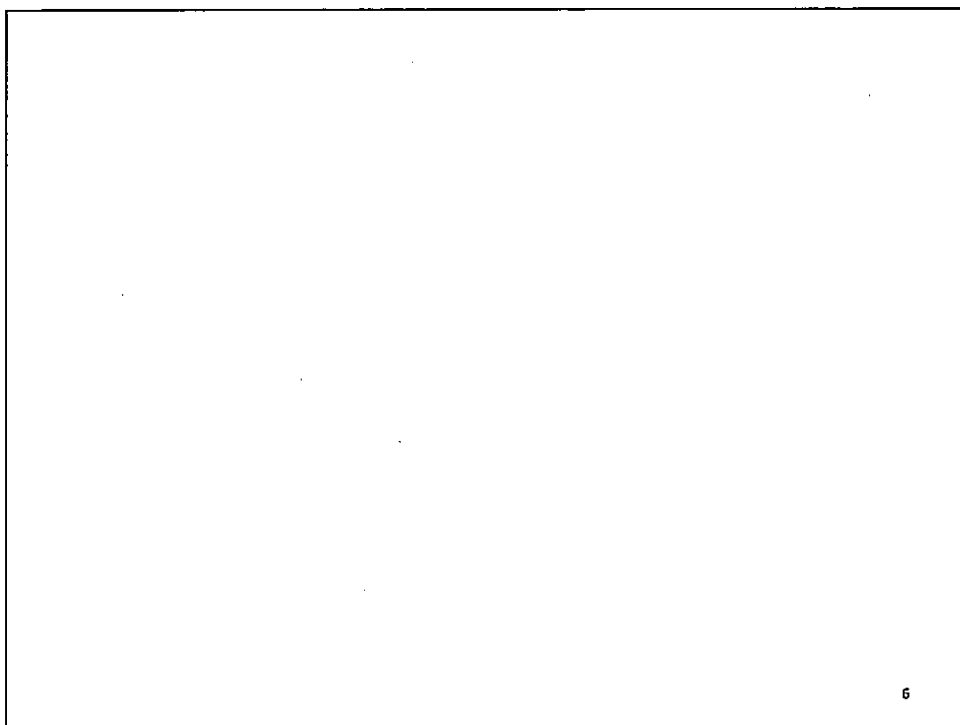
HHC Water Rights

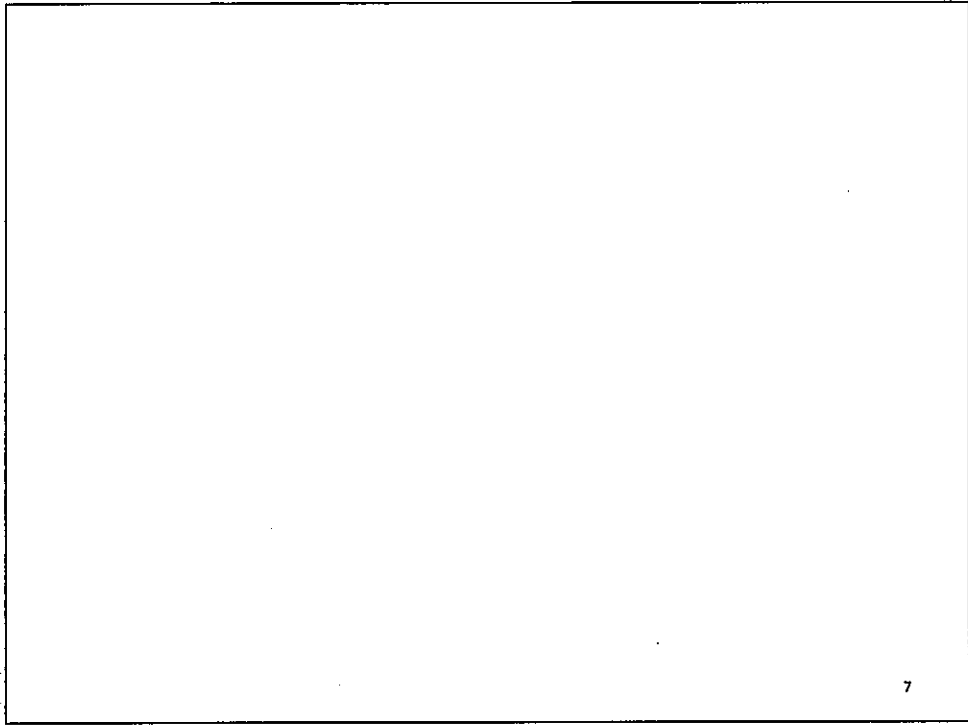
- Water Reservations
- Water License Revenue
- Public Trust Status
- Priority Development
- Acquire Water Licenses
- Issue Legal Agreements
- Deliver water
- Derive Revenue
- MIS

Lower Tao Stream, Maui

- Photo is of the Blue hole diversion ditch, Wailua, Kaua'i.
- 1st main authority: Water Reservations – the right to have the state set aside water for future use of the department
 - Described in the state water code
 - Requires work by DHHL to justify needs, update, advocate to Commission on Water Resource Management (CWRM)
 - We are working on reservations statewide
- 2nd main authority: water license revenue
 - 30% of revenue from water licenses
 - Comes from the Hawaii State Constitution (HSC)
 - Requires work by DHHL to monitor, audit, advocate
- 3rd main authority: DHHL Uses are a Public Trust (PT) use
 - PT uses are uses that inherently have priority over other uses
 - Other PT uses are traditional and customary (T&C) uses, recreational, ecological, domestic
 - PT status of HHC uses clearest for homesteading purposes (221)
 - Described in kingdom law, court cases, constitution, water code
 - Requires advocacy of many kinds







Designated and Undesignated Areas

Undesignated Areas	Designated
"Common Law" applies	Common law rights extinguished
Well Construction (WC) and Pump Installation (PI) permits, or stream channel alteration permits required (SCAP)	WC, PI, SCAP and WUP required
Permits issued administratively	Subject to hearing, contested case
Only if other's use impacts yours can you contest it	Existing uses must be reasonable / beneficial
	New uses must meet other criteria
	New permits conditioned on DHHL needs
	DHHL permits are supposed to have priority for issuance

8

- Designation is the primary way state regulates water withdrawal
- Only exists in the code because of the "Maui compromise"
- So we have a dual system of regulation
- In undesignated areas
 - Correlative rights (for groundwater), riparian (for surface)
 - Well construction and pump installation permit required
 - No hearings or meaningful chance to comment
 - Only way to stop is to prove specific interference
- In designated areas
 - Common law rights extinguished
 - All permittees have standards
 - New permits conditioned on HHC rights

Permits, Designation & Reservations



Conclusion: Reservations and Permits

- Reservations can be requested statewide
 - This is ongoing through the State Water Projects Plan
- Priority areas also being focused on
 - E.g. Waimea Kaua`i, Pu`unene Maui
- Reservations outside designated areas may not result in actually “having” water

Water Source Characteristics

- **Location**
- **Abundance & Yield**
- **Reliability (short and long term)**
- **Quality**
- **Physical ease and cost of development**
- **Ease and cost of operation**
- **Existing cultural values / uses**
- **Existing competing uses / values**
- **Likelihood of litigation**

Diversion, Upper `Āao, Maui

11

- Every potential source of water has different characteristics
- Some of these are “natural” and some are cultural / social / economic
- Some characteristics are intuitive / obvious – a source can be close or far, limited or sufficient
- Some characteristics need to be investigated – like reliability
- Some characteristics are not immediately obvious – like the likelihood of litigation

Source Development Implications

- **Example 1: Diverting stream water**
 - May be cheaper than pumping to operate
 - May not be as reliable (short and long term)
 - May have cultural impacts
 - May pit DHHL against beneficiaries
 - May be more likely to be litigated
- **Example 2: Desalinate onsite water**
 - May have fewer competing users
 - Will cost more in the long term

Diversion, Upper Tao, Maui

12

Because source characteristics differ, source development choices have policy implications

HHC Powers Characteristics

- Tested or untested
- Interact with other HHC powers
- Compete with other Hawaiian rights
- Compete with other Hawaiian organizations
- Help a subset of beneficiaries
- Efficiency vs. control
- “Flammability”

Cane Fire, Maui

- **Just as different sources have different characteristics, so do the different HHC water powers**
- **Tested or untested (e.g. reservations in undesignated areas)**
- **Interact with other HHC powers (licececs)**

HHC Powers Implications

- **Example 1: Seek to transfer license for East Maui**
 - Directly competes with A&B
 - Lose license revenue
 - May pit DHHL against beneficiaries
 - Commits DHHL to supporting E Maui diversions
- **Example 2: Do not use powers / desal onsite**
 - Avoids competition and “flammability”
 - Achievable / low risk
 - Locks in long term high costs

Cane Fire, Maui






- **Just as different sources have different characteristics, so do the different HHC water powers**
- **Tested or untested (e.g. reservations in undesignated areas)**
- **Interact with other HHC powers (licenses)**



Department of Land and Natural Resources
Commission on Water Resource Management
Stream Protection and Management Branch

Na Wai Eha, Maui Designated Surface Water Management Areas

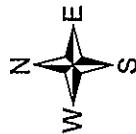
Legend

-  Hydrologic Units and Code
-  TMK Parcels
-  Streams
-  Irrigation System
-  Diversions

This map was produced by the Department of Land and Natural Resources (DLNR), Commission on Water Resource Management for planning purposes. It should not be used for boundary interpretations or other spatial analysis beyond the limitations of the data. Information regarding compilation dates and accuracy of the data presented can be obtained from DLNR.

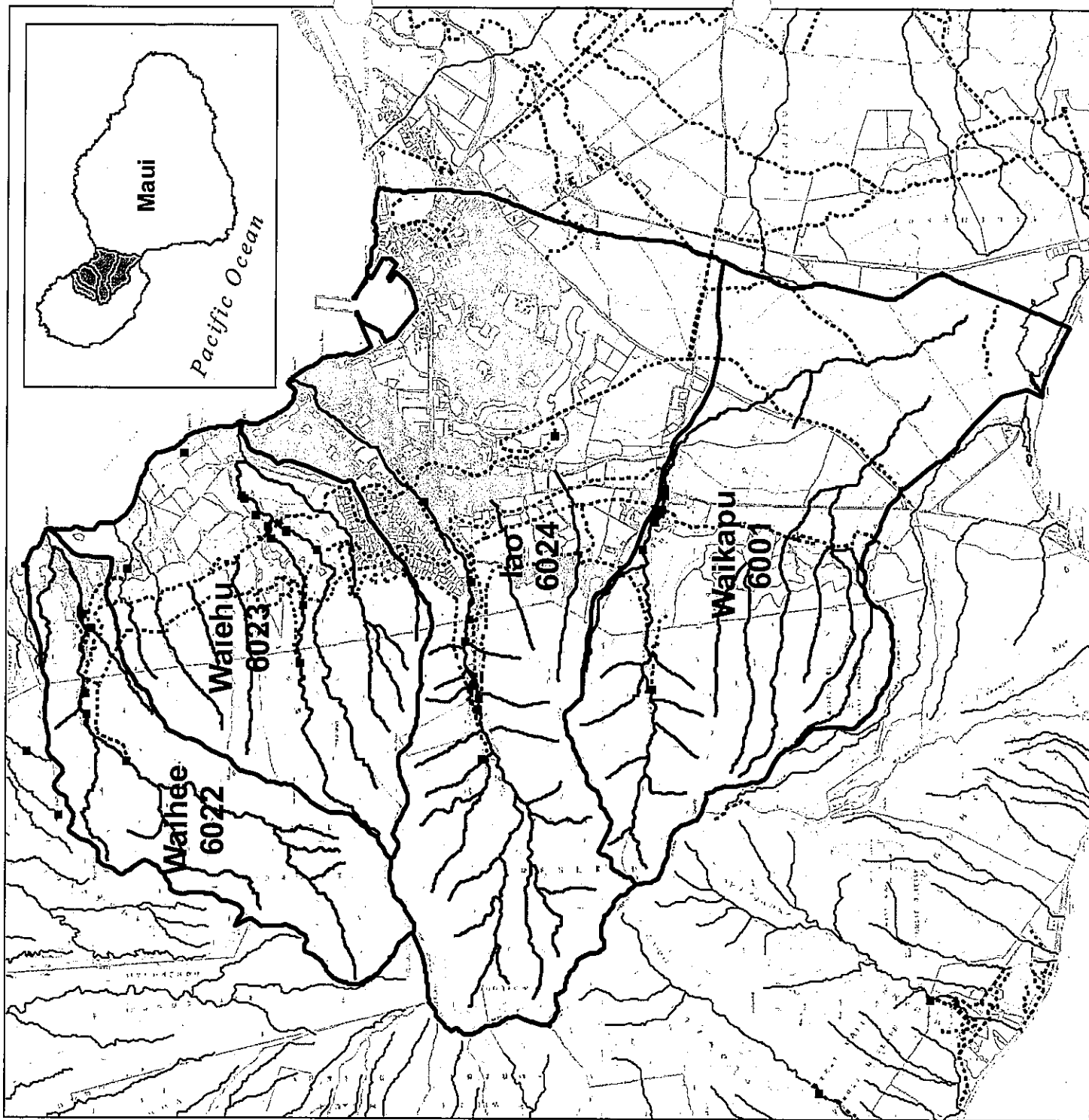
Date: 04/29/2008

Datum: North American Datum 1983



0 0.35 0.7 1.4 2.1 2.8 Miles

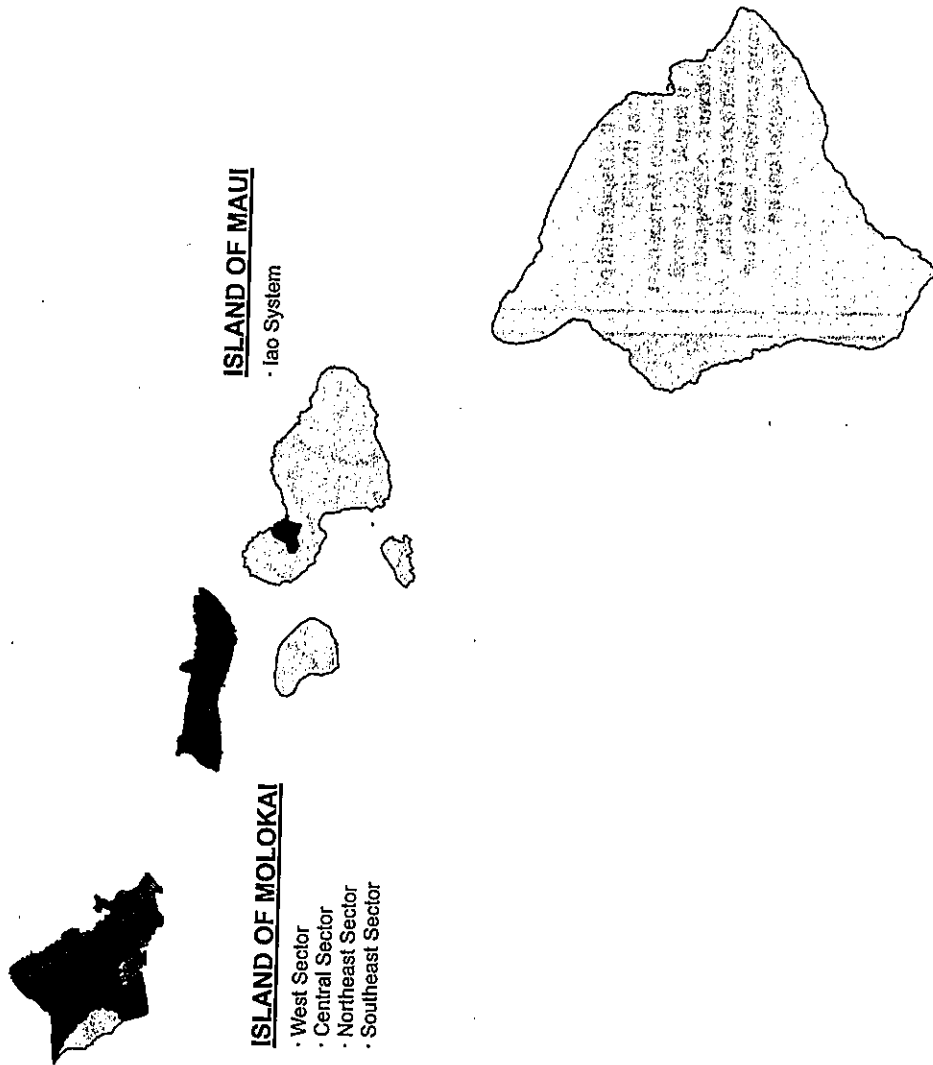
A-1
EXH A



WATER MANAGEMENT AREAS

FOR GROUND WATER ONLY

■ Water Management Areas



ISLAND OF OAHU

- North Sector
- Windward Sector
- Honolulu Sector
- Pearl Harbor Sector
- Central Sector

ISLAND OF MOLOKAI

- West Sector
- Central Sector
- Northeast Sector
- Southeast Sector

ISLAND OF MAUI

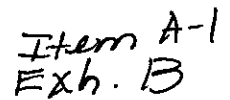
- Iao System



STATE OF HAWAII
Department of Land and Natural Resources
Commission on Water Resource Management

Item A-1
Exh. A


(EFFECTIVE DATE REQUIRED 174C-50 (c), 13-171-15)



Designated and Undesignated Areas

Undesignated Areas	Designated
"Common Law" applies	Common law rights extinguished
Well Construction (WC) and Pump Installation (PI) permits, or stream channel alteration permits required (SCAP)	WC, PI, SCAP and WUP required
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	DHHL permits are supposed to have priority for issuance

Item A-1
Exh. B

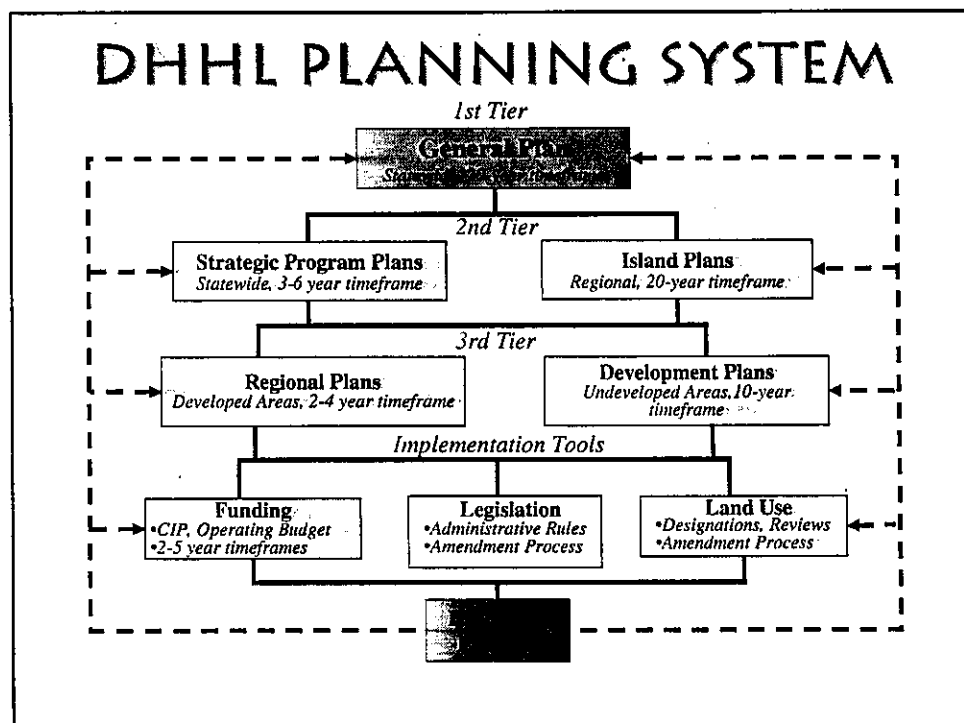


Department of Planning and Economic Development

O'ahu Island Plan

February 19, 2013

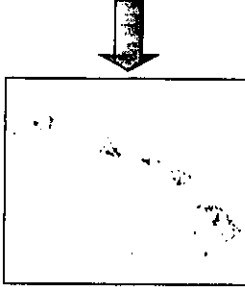
*Hawaiian Home Lands Trust
Established 1921 by Prince Kūhio & U.S. Congress*



GENERAL PLAN

General Plan

*Statewide
Perspective*

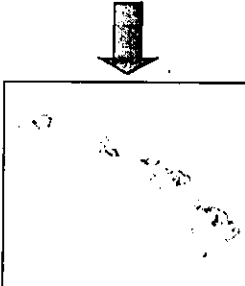


- Establishes goals/objectives
 - What should be accomplished
 - How to accomplish within timeframe
- Defines Land Use Designations to be applied via Island Plans
- Long-term perspective
 - 20-year plan
 - Updated every 10 years
 - Internal review every 5 years

STRATEGIC PROGRAM PLANS

**Strategic
Program Plans**

*Statewide
Perspective*



- Translates General Plan policies and priorities into specific action plans for each program area
- Program areas:


-Community Development	-Land Use
-Economic Development	-Agriculture
-Resource Management	-Pastoral Use
-Water Resources	-Housing
-Energy	
- Statewide focus
- 3-6 year timeframe

ISLAND PLANS

Island Plans

*Island-wide
Perspective*

↓



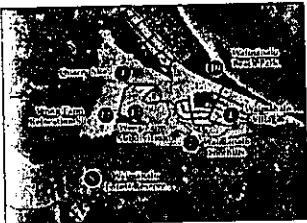
- Establish land use goals and objectives of the General Plan specific to each island
- Identify Island-wide Needs, Opportunities and Priorities
- Assign land use designations for land holdings on each island
- 20-year planning horizon, updated every 10 years

REGIONAL PLANS

Regional Plans

*Homestead Area
Perspective*

↓

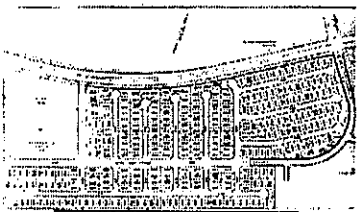


- For established and new homestead communities
- Identify needs and desires of specific homestead communities
- Participation via homestead association, stakeholder, & community meetings
- Priority projects may include CIP, zoning changes, land, programs

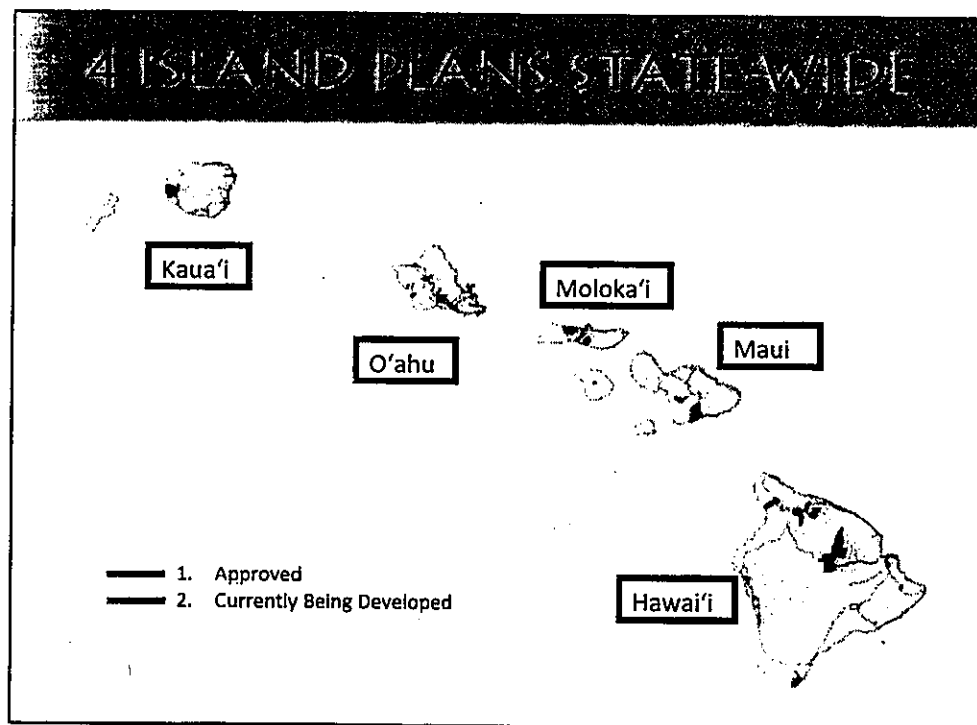
DEVELOPMENT PLANS

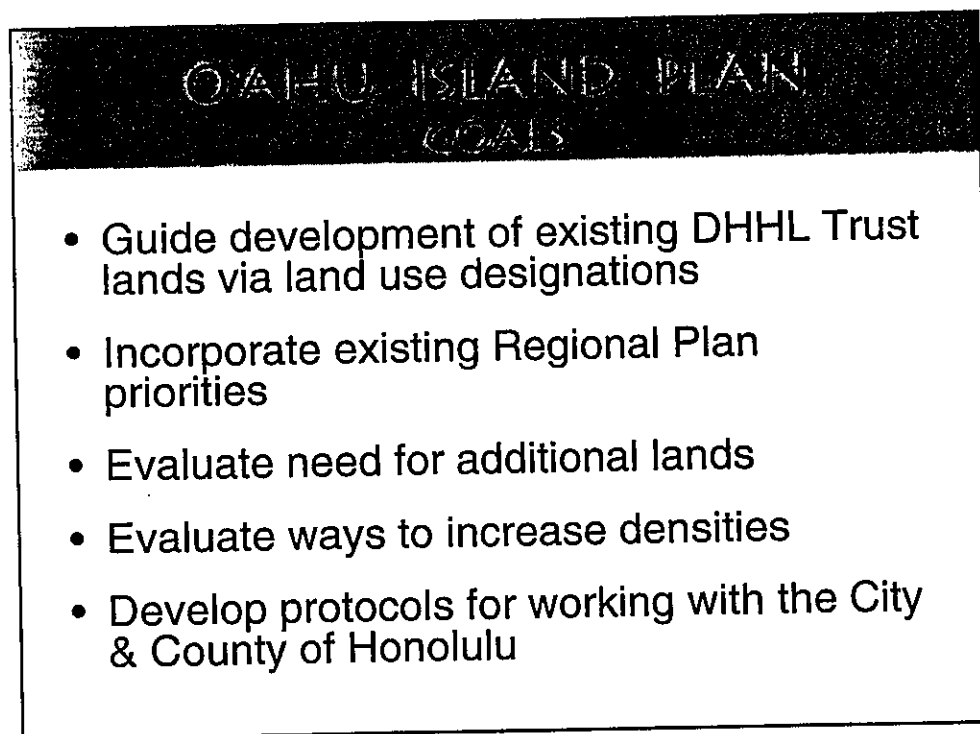
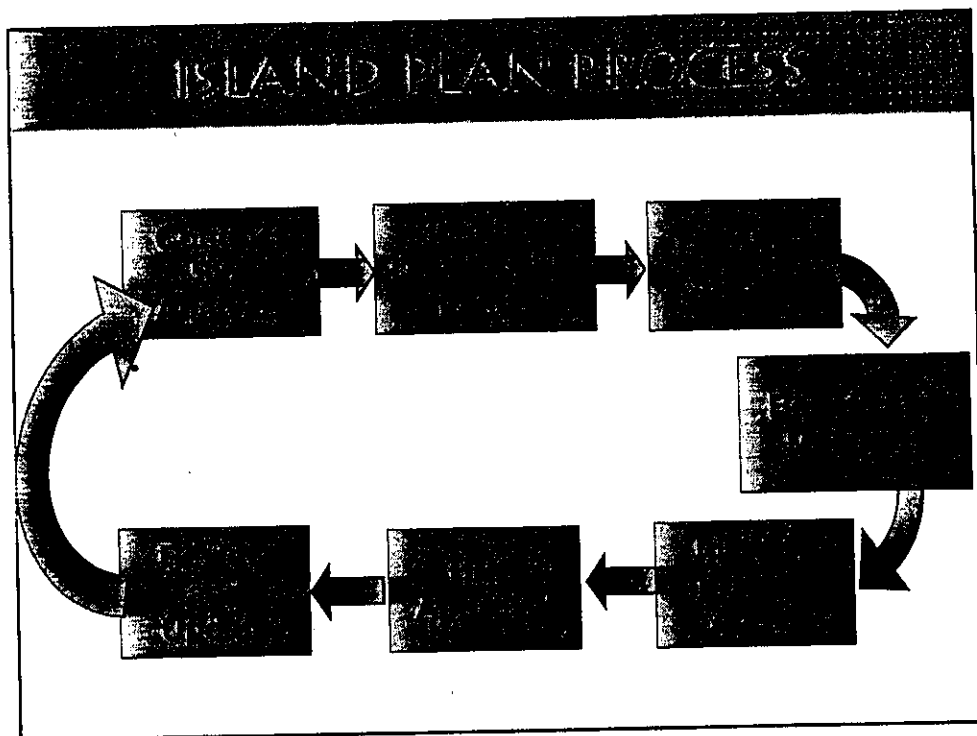
Development Plans

Tract-Specific Perspective



- Coordinate development and use of vacant lands within each tract (ahupua'a)
- Detail land use, design, and on-site infrastructure requirements
- Follow priority areas of each island plan
- 10 year timeframe





OAHU ISLAND PLAN GENERAL INFORMATION

- Trust Lands on O'ahu:
 - 6,726 Acres (as of January 2012)
- O'ahu Beneficiaries
 - 4,288 Lessees (as of June 30, 2012)
 - 4,228 Residential Awards
 - 60 Agriculture Awards
 - 13,368 Applicants (as of June 30, 2012)
 - 9,949 Residential Applicants
 - 3,419 Pastoral Applicants

OAHU ISLAND PLAN STAKEHOLDERS

Who is involved?

- Beneficiaries
 - Applicants on O'ahu List
 - O'ahu Lessees
 - Beneficiary Organizations
- DHHL Trust
- City and County of Honolulu
- Native Hawaiian Trusts
- Other Public Agencies

OAHU ISLAND PLAN PROCESS

- Develop Island-wide Profile
- Conduct Evaluation of O'ahu's Trust Lands
 - Evaluate and assess land holdings
 - Identify Unconstrained Lands
 - Estimate Infrastructure Costs
 - Identify Reasonably Developable Lands
 - Develop Preliminary Land Use Designations
- Gather Information from Stakeholders
- Brief Hawaiian Homes Commission

OAHU ISLAND PLAN PROCESS

- Conduct Beneficiary Engagement
 - Hold Focus Groups
 - Conduct Applicant Preference Survey
 - Conduct Community Open Houses
- Refine Land Use Designations
- Identify Priority Areas for Development
- Identify Potential Acquisitions
- Prepare Land Use Analysis & Recommendations
- Conduct Beneficiary Consultation Meetings
- Submit Plan to Commission for Approval (Sept.)

OAHU ISLAND PLAN TIMELINE										
	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	
1. First HHC Workshop (O'ahu), then monthly updates to Commission										
2. Beneficiary Survey (March mail-out)										
3. Community Open Houses (3)										
4. Agency & In-house Consultations										
5. Draft Preparation										
6. Beneficiary Consultation										
5. Draft OIP - HHC Review (Maui)										
6. Final OIP - HHC Approval (Kona)										

OAHU ISLAND PLAN

- MAHALO -

QUESTIONS?



COUNCIL FOR NATIVE HAWAIIAN ADVANCEMENT

2149 Lauwiliwili Street, Suite 200, Kapolei, Hawaii 96707

Tel: 808.596.8155/800.709.2642 • Fax: 808.596.8156/800.710.2642

www.hawaiiancouncil.org

Date: February 19, 2012

To: Chair and Members, Hawaiian Homes Commission

From: Robin Puanani Danner, CNHA President & CEO

Re: DHHL Recommendation of NAHASDA Grant Funds

BACKGROUND

CNHA submitted a NAHASDA grant request to meet the June 15, 2012 deadline set by DHHL. The primary focus of our grant request was to fund the development and delivery of a permanent revolving loan fund product for beneficiaries to accomplish major home improvements, including renewable energy. The program CNHA is requesting NAHASDA funding assistance to create is the *Residential Employment Living Improvement (RELI) Program*.

Our request proposed to address the following:

1. The **aging inventory** of beneficiary homes in homestead areas across the state through major home improvement;
2. Ensure beneficiaries have ample access to capital for **renewable energy** technologies and are not left behind;
3. Kupuna **ADA access** needs;
4. Over-crowding circumstances by completing **bedroom additions**;
5. Health and safety issues by focusing on **bathroom and kitchen** upgrades;
6. Leverage non-trust fund and non-NAHASDA funds toward **under-employed and unemployed** beneficiaries statewide through fellowship scholarships in the actual home improvements being made.

RELI Program Budget and Use of Funds

Dedicated to Loan Capital for Beneficiaries	\$15,500,000
Personnel & Consultants	\$ 245,942
Non Personnel Costs (Scholarships, Training, Etc)	\$ 294,058
Total Budget	\$16,040,000

RELI Program Budget Source of Funds

NAHASDA Grant Capital	\$14,470,000
CNHA Matching Capital	\$ 1,570,000
Total Budget	\$16,040,000

NAHASDA UNENCUMBERED FUNDS

In February 2012, CNHA attended the Hawaiian Homes Commission meeting, wherein the Deputy and Chief of Staff reported to the Commission that ONAP Deputy Assistant Secretary, Rodger Boyd raised concern over unspent NAHASDA funds that were more than two years old.

A-3
Testimony

He recommended an approach being deployed by other Tribally Designated Housing Entities (TDHEs), to spend down funding through the distribution of NAHASDA funds to U.S. Treasury certified Native Community Development Financial Institutions (CDFI) to deliver revolving loan funds to low income families.

It was reported during that meeting that the Native Hawaiian Housing plans with unspent funds dating back multiple years, were duly amended to include two approaches; 1) revolving loan funds to Native CDFI's; and 2) land acquisition. At the time of the February 2012 Commission meeting, the unencumbered NAHASDA awards were well above \$15 million.

Although the 2012 NAHASDA program budget includes line items for grants in the amounts of \$2 million and model activities for a total of \$760,000, DHHL is required to spend grant funds received in prior years first. The significance of this data, is that the 2012 NAHASDA program budget is irrelevant to the grant recommendations being made. None of the 2012 NAHASDA grants awarded will be funded from the 2012 NAHASDA funding allocation.

CONCERNS

We became aware of the DHHL recommendation to the Commission relative to our CNHA Grant Proposal, last night, upon reviewing the February Commission Agenda and submittals. We have the following concerns:

- **Delays** – the process to bring grant recommendations forward has taken 8 months;
- **Non-Communication** – at no time has the DHHL Director discussed the intent of submitting a portion of our original proposal;
- **One Component** – DHHL has arbitrarily selected a single component of our RELI program approach without asking a single question about whether this component is feasible without the others;
- **Administrative Costs** – DHHL recommendation does not include any administrative costs;
- **Unencumbered Funds & Housing Plans** – DHHL recommendation is not in line with the revised Native Hawaiian Housing Plans for multiple years, or the February 2012 Commission report.

REQUEST of COMMISSION

CNHA respectfully requests the Hawaiian Homes Commission amend the grant recommendation by DHHL staff which is for CNHA to provide 19 energy retrofits at a total cost of \$380,000 and instead, authorize CNHA to utilize the funds for the development of the proposed *Residential Living Improvement (RELI) Program* under our original grant submittal.

CNHA will dedicate a total of \$160,000 in its own funding toward the development and delivery components. Upon completion of the RELI program product at the end of the grant year, CNHA will seek and dedicate a minimum of \$500,000 in non-trust funds toward home improvement capital to beneficiaries of the Hawaiian Homes Commission Act (HHCA).

The Hawaiian Homes Commission, at its sole discretion, has the authority to amend, approve or deny the allocation of NAHASDA funds. Although we have had less than 24 hours to contemplate the challenge presented by the DHHL recommendation on our grant proposal, we believe our request will lead to the clear solution of developing the RELI program, as intended.

We would further request that the Commission ensure that DHHL conforms to the amended Native Hawaiian Housing Plans, which clearly intended to meet the concerns of the HUD Assistant Secretary with regard to Unencumbered NAHASDA Funds so that the beneficiaries of the trust do not lose these valuable resources.

Villages of La'i Opua

LA'I'OPUA MASTER ASSOCIATION

74-5100 Haleolono Street, Kailua-Kona, HI 96740

Office 355-8689

Fax 355-8589

February 19, 2013

Jobie Masagatani, Chairwomen
Department of Hawaiian Homes Land
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

Aloha Ms. Masagatani,

On Wednesday February 13, 2013, Villages of La'i'Opua Master Association (VOL) held its monthly Board of Directors meeting. The VOL Board of Directors unanimously agreed to support La'i'Opua 2020's request to DHHL and Commissioners' for Native Housing Assistance and Self Determination Act (NAHASDA) optional request for additional funding support for the installation of "phase one" of our community center facilities to include the medical clinic and community center facility.

La'i'Opua 2020 has been working diligently seeking funding sources to bring the community facilities phase one project to fruition. The La'i'Opua 2020 proposed *NAHASDA Option Plan B- \$4.068M* allows L2020 to procure aggregate & pipe materials for the initial infrastructure installation. *NAHASDA Option B- \$4.068M* would essentially complete the aggregate material fill and pipe procurement for a total of 3 months to La'i'Opua 2020's NAHASDA spend plan opportunity beginning April 2013 through June 2013.

The Villages of La'i'Opua Master Association Board of Director's supports La'i'Opua 2020 request for NAHASDA funding. It's important to note that this alternative request addresses the DHHL Commission's need to spend down these NAHASDA funds which may be at risk or in jeopardy of forfeiture back to the federal agency- Housing and Urban Development. It's critical to point-out that it's our understanding that La'i'Opua 2020's intention to offer the DHHL Commission and the NAHASDA Director & Review Committee alternatives if NAHASDA funding opportunity arise.

Please contact me or L2020 Executive Director- Craig "Bo" Kahui if you need further information or clarification.

Sincerely,



Dora Aio-Leamons

President, VOL


Cc: DHHL Commissioners
VOL Board
L2020 Board

Testimony
A-3
2-19-13

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

19 Peipeluali 2013

TO: Chairman and Members, Hawaiian Homes Commission

FR: Niniau K. Simmons, NAHASDA Manager 

SUBJECT: Native American Housing Assistance and Self Determination Act
Review of Spend Down Potential Activities

FOR WORKSHOP ONLY

This report will cover the potential activities being assessed for the spend down of NAHASDA funds for Program Years '09 - '12 of the Native Hawaiian Housing Block Grant (NHHBG).

Investment Account(s)

In November 2012, the federal Department of Housing and Urban Development (HUD) approved the Department of Hawaiian Homestead's request to invest NHHBG funds for up to two years. The following program years were identified and approved for investing in an interest-bearing account:

10HBGHI0001	\$12,700,000
11HBGHI0001	\$12,674,600

Also included in HUD's approval letter were the stringent requirements that DHHL and the financial institution must adhere to. At this time, financial institutions are being reviewed and assessed for appropriate fit.

Potential Approved Activities

Each year, DHHL submits an annual Native Hawaiian Housing Plan to HUD and a corresponding program budget for approval to the commission. This past summer, DHHL also submitted a required Five-Year Housing Plan along with its annual submittal. The following projects and amounts will be highlighted with a brief description and subsequent citation from either the annual or Five-Year Housing Plan approved by the Hawaiian Homes Commission at its June 19, 2012 meeting.

HUD Grant #	Award Amt	Program Budget	Difference
12 HBGHI0001	\$12,700,000	\$13,426,000	<\$726,000>

Hawaiian Homes Commission NAHASDA Program Budget:

Category	Budgeted Amt	Adjusted Budget	Housing Plan Goal
Development/Infrastructure	\$ 6,544,700	\$ 4,437,464	1
Loan Programs	\$ 2,000,000	\$ 2,000,000	2, 3, & 4
Grants/Subsidies	\$ 2,000,000	\$ 1,946,835	2, 3, 4, & 5
Housing Services	\$ 1,500,000	\$ 1,500,000	2, 4, & 5
Crime Prevention/Safety	\$ 100,000	\$ 46,905	5 & 6
Model Activities	\$ 760,000	\$ 742,900	5 & 6
Admin/Planning	\$ 1,426,000	\$ 1,426,000	6, 7 & 8
TOTAL:	\$13,426,000	\$12,700,000	

Development/Infrastructure

1. Site Construction, Pi'ilani Mai Ke Kai Phase II: to fund 20% of the Earthworks Contract as indicated in the FY 2013 Interim Development Budget approved by the Hawaiian Homes Commission at its June 19, 2012 meeting. Site work to include grading; construction of roads; and utility improvements for 51 lots.

Five-Year/Annual Plan Goal No. 1: Increase the affordable housing inventory on Hawaiian Home Lands to meet the increasing or unmet demand for housing by low-income native Hawaiian families.

Amount: \$687,464

2. Packaged Homes for Standing Inventory Lots: purchase fifty (50) packaged homes for use in either self-help or construction financing by eligible lessees. Davis-Bacon wage rates apply for those lessees who utilize a contractor for home construction.

Five-Year/Annual Housing Plan Goal No. 1: Increase the affordable housing inventory on Hawaiian Home lands to meet the increasing or unmet demand for housing by low-income native Hawaiian families.

Amount: \$3,750,000

Loan Programs

3. Home Repair Program: to fund existing applicants from the City & County of Honolulu and the County of Hawai'i programs.

Five-Year/Annual Plan Goal No. 4: Reduce the number of homes in need of repair or replacement that are occupied by eligible native Hawaiian families.

Amount: \$1,250,000

4. NAHASDA Home Repair/Replacement Loan: zero interest home repair/replacement loan to assist homesteaders whose home is beyond minor repair and requiring extensive renovations and/or replacement.

Five-Year/Annual Plan Goal No. 4: Reduce the number of homes in need of repair or replacement that are occupied by eligible native Hawaiian families.

Amount: \$1,250,000

Grants/Subsidies

5. Grant in Aid: to fund 2012 grant activities for homesteads state-wide. Amount approved by the Hawaiian Homes Commission in its NAHASDA and Department budget submittals at its June 19, 2012 meeting.

Five-Year/Annual Plan Goal No. 5: Promote and encourage safe and healthy communities on Hawaiian Home Lands.

Amount: \$1,946,835

Housing Services

6. Habitat for Humanity Portfolio Re-finance: to re-finance qualified mortgages through native Community Development Financial Institutions (CDFI). The native CDFIs will coordinate all aspects of the re-financing and provide ongoing mortgage servicing as well. Program income derived will go back to NAHASDA eligible activities. Habitats would then utilize amount freed up to engage in new DHHL loans.

Five-Year/Annual Housing Plan Goal No. 2: Provide direct assistance and supplemental services to support eligible native Hawaiian families in accessing and sustaining affordable housing opportunities available on Hawaiian Home Lands.

Amount: \$1,350,000

7. Home Ownership Assistance Program: a program to assist DHHL applicants and soon to be lessees develop the financial skills necessary for home maintenance and ownership.

Five-Year/Annual Plan Goal No. 6: Increase access to educational or training programs that assist native Hawaiian families.

Amount: \$150,000

Crime Prevention/Safety

8. Emergency equipment purchase: from 2012 grant allocation to Kailapa Community Association.

Five-Year/Annual Plan Goal No. 5: Promote and encourage safe and healthy communities on Hawaiian Home Lands.

Amount: \$46,905

Model Activities

8. External Electrical & Lighting, Offsite work: from 2012 grant cycle for La'i `Ōpua.

Five-Year/Annual Plan Goal No. 5: Promote and encourage safe and healthy communities on Hawaiian Home Lands.

Amount: \$742,900

Admin/Planning

9. NAHASDA Program Audit: to conduct a program-wide audit from 2002 thru present.

Five-Year/Annual Plan Goal No. 8: Enhance the capacity of DHHL to implement NAHASDA.

Amount: \$250,000 - \$500,000

10. SMS Applicant Survey: last survey done in 2008 of waitlist applicants.

Five-Year/Annual Plan Goal No. 8: Enhance the capacity of DHHL to implement NAHASDA.

Amount: \$500,000

11. Personnel: salaries, fringe for staff.

Five-Year/Annual Plan Goal No. 8: Enhance the capacity of DHHL to implement NAHASDA.

Amount: \$426,000

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Assessment of Native American, Alaska Native and Native Hawaiian Housing Needs

Hawaiian Homes Commission • February 19, 2013



ECONOMETRICA, INC.



Hawaiian Homes Commission 2-19-2013

The Study Team



HUD – Office of Policy
Development and Research



ECONOMETRICA, INC.



NORC
at the UNIVERSITY of CHICAGO

Hawaiian Homes Commission 2-19-2013

A-5+X
Exhibit A
2-19-13

Study Purpose

- To consider housing conditions and socio-economic situations of Native American, Alaska Native and Native Hawaiian populations to provide a broader context of the housing needs

Hawaiian Homes Commission 2-19-2013

Study Yield

- Determinants of housing needs
 - Emphasizing trends in demographic, social, and economic conditions
- Current Housing conditions
- Housing policies and programs

Hawaiian Homes Commission 2-19-2013

Sources of Information

- In-person household surveys
 - 1,280 AIAN; 500 Native Hawaiian
- Interviews with tribal housing offices
- Interviews with community leaders
- Interviews with lenders and service providers
- Secondary sources

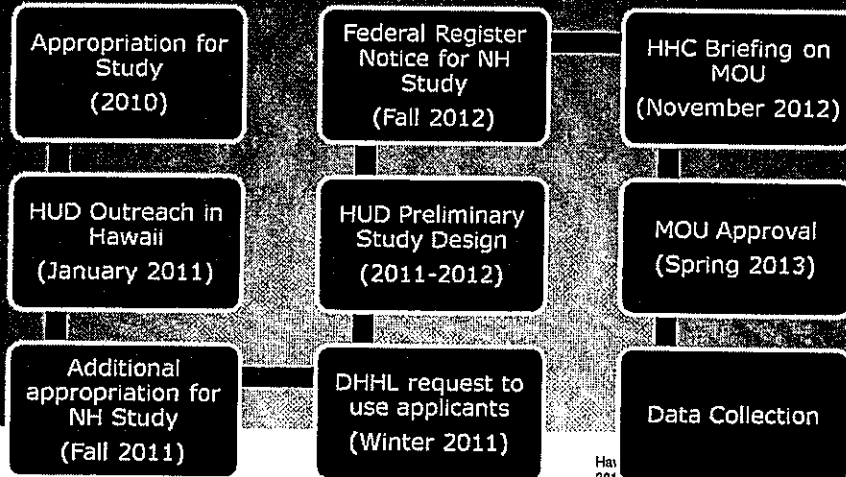
Hawaiian Homes Commission 2-19-2013

Native Hawaiian Study

- 500 household surveys of DHHL applicants
- Interviews with:
 - Homestead leaders
 - DHHL staff
 - Housing service providers
 - Other stakeholders
- Drills down to specific data not available to AIAN population

Hawaiian Homes Commission 2-19-2013

Study Process/Timeline



May
2013

Formalizing a HUD-DHHL relationship

- The MOU formalizes:
 - Each agency's role and responsibilities
 - Confidentiality requirements
 - Use of data
- HHC action item C-2

Hawaiian Homes Commission 2-19-
2013



Questions?

Hawaiian Homes Commission 2-19-
2013

Testimony of Waiohuli Undivided Interest Lessees Association to
Hawaiian Homes Commission
2/19/13 at DHHL Kapolei

Aloha mai e na Hawaiian Homes commissioners,

I am Kekoa Enomoto of Maui, testifying on behalf of 289 beneficiaries represented by the Waiohuli Undivided Interest Lessees Association, on several agenda items, starting with **Item A-5: Assessment of Native Hawaiian Housing Needs.**

In a parallel action, Hinano Mills of DHHL met with Waiohuli Undivided Interest Lessees Association board members and presented a draft letter/response form/survey. The latter is a compact survey to determine beneficiaries' financial profiles/housing needs in anticipation of them undertaking HOAP, or the Home Ownership Assistance Program. Hinano estimated that HOAP would empower the 289 Waiohuli Undivided Interest Lessees to pre-qualify for construction loans and/or mortgages in two years, by January 2015.

We are grateful for DHHL staffers Stewart Matsunaga and ^{Kamania} Hinano Mills meeting January 29 with Waiohuli/Keokea beneficiaries, and that Community Planning & Engineering consultants have begun to mitigate flooding at the Keokea and Waiohuli homesteads.

At the January 29 session, Keokea Homestead Farm Lots Association officers requested that their agricultural lessees also be able to take the survey and HOAP workshop in order to meet their housing needs.

Regarding **Agendized item A-1 Water Policy Plan:** I mentioned to a Molokai friend that I advocate on behalf of Waiohuli beneficiaries, who have been waiting eight years to get onto homestead lots. She responded that Friendly Isle beneficiaries had been waiting 20 years for water at their five-acre ag homesteads at Na'iwa. Therefore, I propose that Na'iwa homestead water needs be included in DHHL water reservations in the State Water Plan.

Concerning **Agendized items F-1 Renewable Energy Development, Island of Maui; and D-1-A Homestead Lease and Application Totals:** At its January 14 meeting, the Hawaiian Homes Commission heard about and approved a Maui renewable energy proposal. Within two weeks, three DHHL administrators, a staffer and a commissioner met with Maui homestead leaders. After a 1-hour and 45-minute presentation, I remarked on the focus, speed and urgency that DHHL personnel had shown in two weeks to promote renewable energy. I added I would like to see the same priority and resources directed toward 289 Waiohuli Undivided Interest Lessees, who had signed their leases eight years ago, and also toward thousands of wait-list applicants – not to mention Na'iwa-area beneficiaries – to be placed successfully on the 'aina. I emphasized that the vision of Prince Kuhio and the mission of the Department of Hawaiian Home Lands is to place native Hawaiian beneficiaries, not windmills and solar panels, on 1,400 acres of Maui homelands at Waiohuli, Leialii and Kahikinui.

In regard to **Agendized item No. 5 under Executive Session, In the Matter of Sale of Leases:** At the above-mentioned Maui renewable energy meeting, District Operations Manager Mona Kapaku said she felt DHHL should have a full-time liaison to represent and serve beneficiaries.

As secretary of both the Keokea Homestead Farm Lots Association and the Waiohuli Undivided Interest Lessees Association, I witness beneficiaries whose lives and priorities change with marriage, jobs, children, grandchildren, foster children and adoptive children. As a result, the beneficiaries may want to buy, sell, transfer or exchange their homestead leases. I would like to see the department proactively resolve this area of need.

A-5,
Testimony
2-19-13

Therefore, I second Mona Kapaku's proposal for a full-time liaison on the DHHL staff to serve beneficiaries.

To recap, I recommend that Molokai's Na'iwa-area homestead be included in the water policy plan. I am grateful that Waiohuli Undivided Interest Lessees will be sent a native Hawaiian housing needs survey. I second the idea of having a full-time DHHL liaison to represent and serve beneficiaries in the sale of leases and other matters. And, I support the same kind of focus, priority and resources, that have been aimed at Maui renewable energy development, to be directed at Waiohuli Undivided Interest Lessees, Na'iwa-area beneficiaries and wait-list applicants throughout the archipelago.

Mahalo nui.

-Kekoa Enomoto

February 18, 2013

Department of Hawaiian Home Lands
Hawaiian Homes Commission
91-5420 Kapolei Parkway
Kapolei, HI 96709

Re: Contested Case Hearing for Robin Meyer on Feb. 19, 2013 in Kapolei, HI
Lease No. 6055, Lot No. 5, Hoolehua, Molokai (Residential)

Dear Commissioners:

I was just informed by the Molokai District Office that my Residential Lease in Hoolehua, Molokai has been scheduled for a Contested Case Hearing on February 19, 2013. I have not received any letters or formal notice from anyone at DHHL regarding this hearing. I have also not received any correspondence from DHHL addressing the delinquency on my loan. Verbal notification from the Molokai District Office is the first communication that I received concerning this matter. I would have preferred to address you in person, but was unable to make travel arrangements with the short notice. I would therefore request that you accept this letter in my absence.

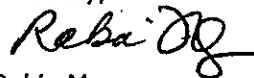
I am aware of my current delinquency with Bank of America. I have been trying my very best to keep up with my mortgage payments. However, with the recent passing of both my father-in-law and mother-in-law, I have incurred unexpected expenses with settling their affairs. I have also been given custody of their minor daughter (my sister-in-law) who my husband and I are now raising along with our own children. These recent changes in my life have caused an unfortunate set back with our financial situation.

I understand the seriousness of my delinquency, and would like the opportunity to work with DHHL in clearing this matter. Although I am experiencing a lot of hardships at this time, I am fortunate to still be employed part-time with Care Resource of Hawaii, a subsidiary of Queens Medical Center. I am receiving a paycheck bi-weekly, and am more than willing to set aside an agreed upon amount each month to be applied towards a payment plan that will help to reduce my delinquency.

I thank you in advance for working with me. It has always been a dream of mine to be a homeowner, but more importantly a Lessee. I feel privileged to have a homestead in Hoolehua that my family and my posterity can enjoy. Please know that you have my full cooperation in resolving this matter.

If you have any questions, or need additional information, feel free to contact me either by phone at (808) 336-0302 or by email at klkmeyer@hotmail.com.

Sincerely,



Robin Meyer
Hoolehua Homesteader

D-5
Exh. A-
7-12-12

Maui Renewable Energy Projects

Meeting with Homestead Leaders

Paukukalo, Wai'ehu Kou, Hui o Pulehunui

February 4, 2013

AGENDA

1. Introduction/Background
2. Renewable Energy Primer
3. Process and Timetable for Renewable Energy Projects
4. Discussion on Identified Parcels
5. Discussion on Proposed Template for Homestead Benefits
6. Energy Policy Update –Heads-up

1. INTRODUCTION/BACKGROUND

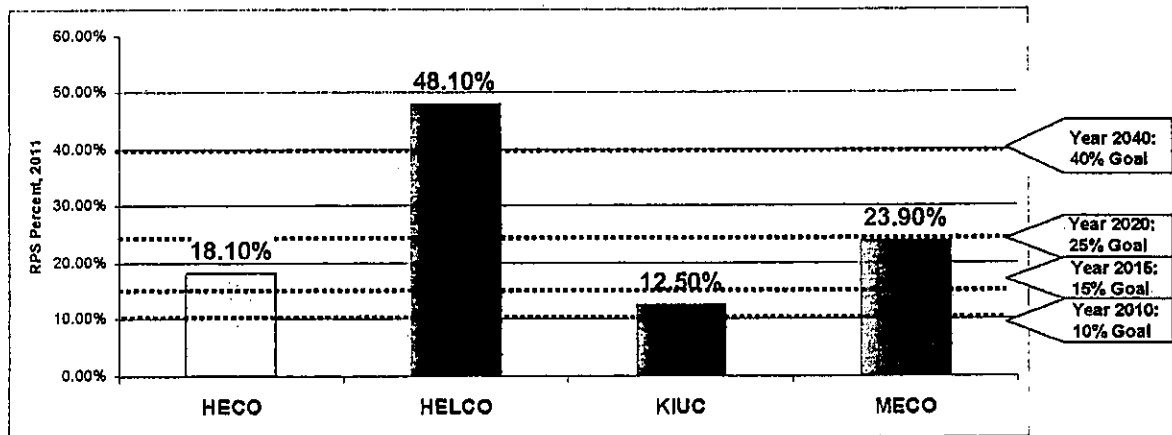
- In the January HHC Meeting, the Commission approved posting of a public notice in all of the major newspapers announcing that DHHL would be accepting letters of interest for renewable energy development on Maui Hawaiian Home Lands at Kahikinui, Pulehunui, and Honokowai. Upon concerns raised, the Department committed to meet with homestead leaders. See HHC Submittal, Dated Jan 14, 2013, Item F-4
- On January 18, 2013 the Public Notice was published in newspapers and our website. See Public Notice
- The Planning Office and Land Management Division have scheduled a number of meetings on Maui as a means to engage beneficiaries in this process.
 - a. Briefing meetings with homestead leaders--Jan 31, Feb 4 and Feb 5.
 - b. Special HHC Meeting on Maui – Feb 14
 - c. Two (2) Public Hearings on Maui – Feb 14 and 15
 - d. Maui Beneficiary Consultation Meeting (Applicants/Lessees) – March 4

2. WHY IS THE DEPARTMENT SOLICITING RENEWABLE ENERGY PROPOSALS?

- The Department is pursuing opportunities for renewable energy development because the Trust needs the money.
- Electric Companies are required by law to meet specific renewable energy standards by 2015, 2020, 2030 and 2040. All companies have met the 2015 requirements; HELCO has already met the 2040 standard.

F-1
EXHIBIT "A"
2-20-13

Renewable Portfolio Standards (2011)



- In order to meet these standards, the Electric Companies are buying renewable energy through Requests for Proposals, the Feed-in-Tariff (FIT) program and Net-Metering.
- MECO is getting ready to release a RFP for 50 MW of renewable energy on island (25MW firm; 25MW intermittent). HECO is getting ready to release a RFP for 200 MW of renewable energy for O'ahu that can be generated off-island—proposals must include the development of an undersea transmission cable. The RFPs give developers a very short time to respond.
- Developers have a better chance at bidding for the RFPs if they already have site control; their bids can be more accurate if site variables (location, terrain, development constraints, community benefits) are known.

3. WHAT IS THE DEPARTMENT'S EXPERIENCE IN WORKING WITH RENEWABLE ENERGY DEVELOPERS?

- Table 1 identifies Trust lands that have been issued for renewable energy development.

Table 1: Trust Lands Issued for Renewable Energy Development

Land Disposition	Lessee	Acres	Energy	Annual Rent	Lease Term	Price/Ac/Yr
General Lease Section 204(a)(2) Chapter 171-95	Kalaeloa Solar One LLC	82	10 MW	\$856,659	22 years	\$10,447
General Lease Section 204(a)(2) Chapter 171-95	Kalaeloa Home Lands Solar LLC	30	5 MW	\$302,760	22 years	\$10,142
General Lease Section 204(a)(2) Chapter 171-59	Big Island Carbon LLC	12.61	1,000 tons granular carbon	\$450,000	55 years	\$35,686
License Section 207(c)(1)(B)	Homestead Community Development Corp. and KIUC	55	12 MW	\$100,800	22 years	\$183

4. WHAT IS THE PROCESS AND TIMETABLE FOR THE MAUI RENEWABLE ENERGY PROJECTS?

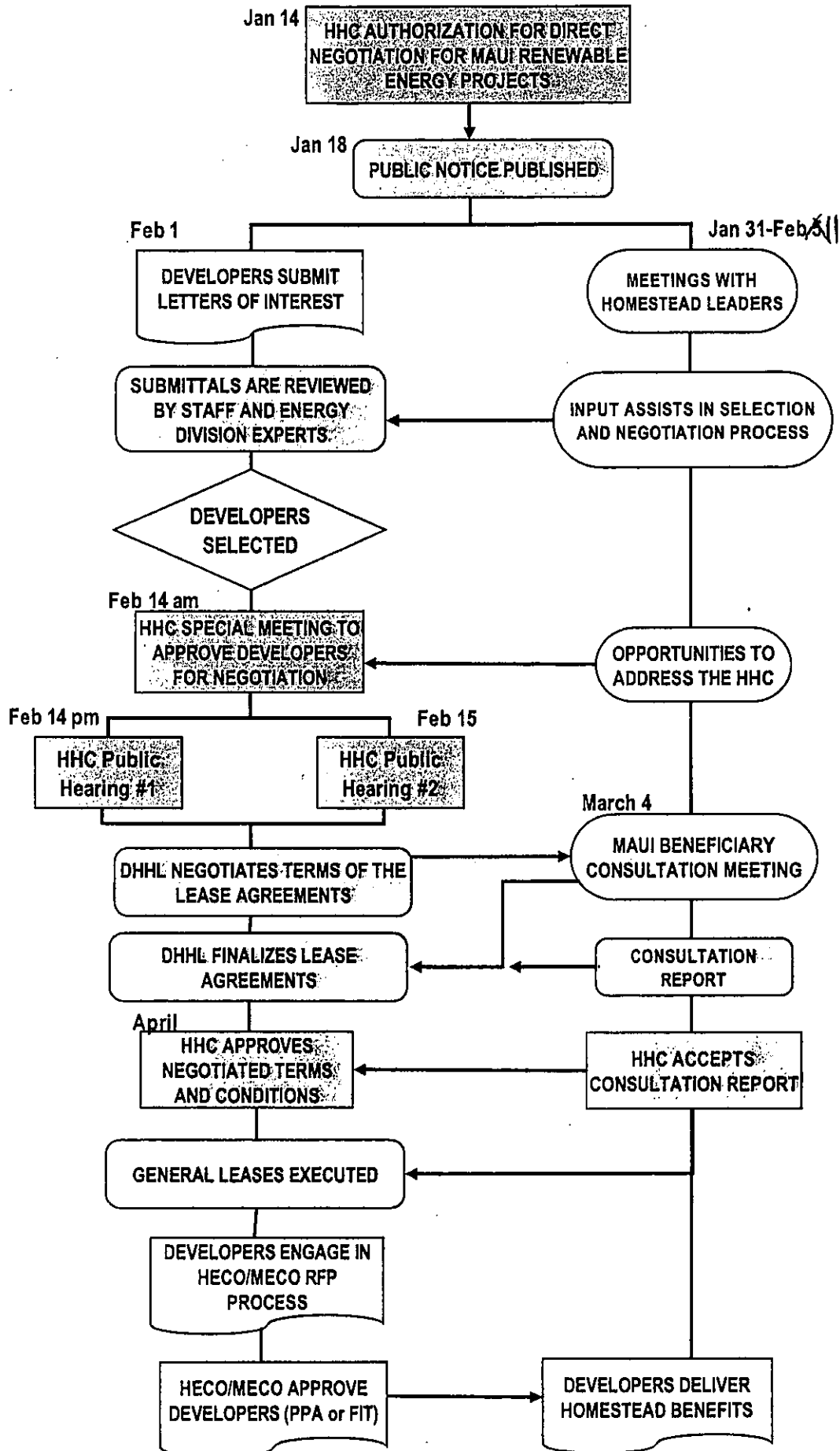
- The attached flowchart identifies the process for the projects—including approvals, public hearings, and opportunities for beneficiaries to engage in the process.
- The quick timeframe ensures that projects selected for development on Maui Trust lands will have the best shot at securing energy agreements with the Electric Companies.

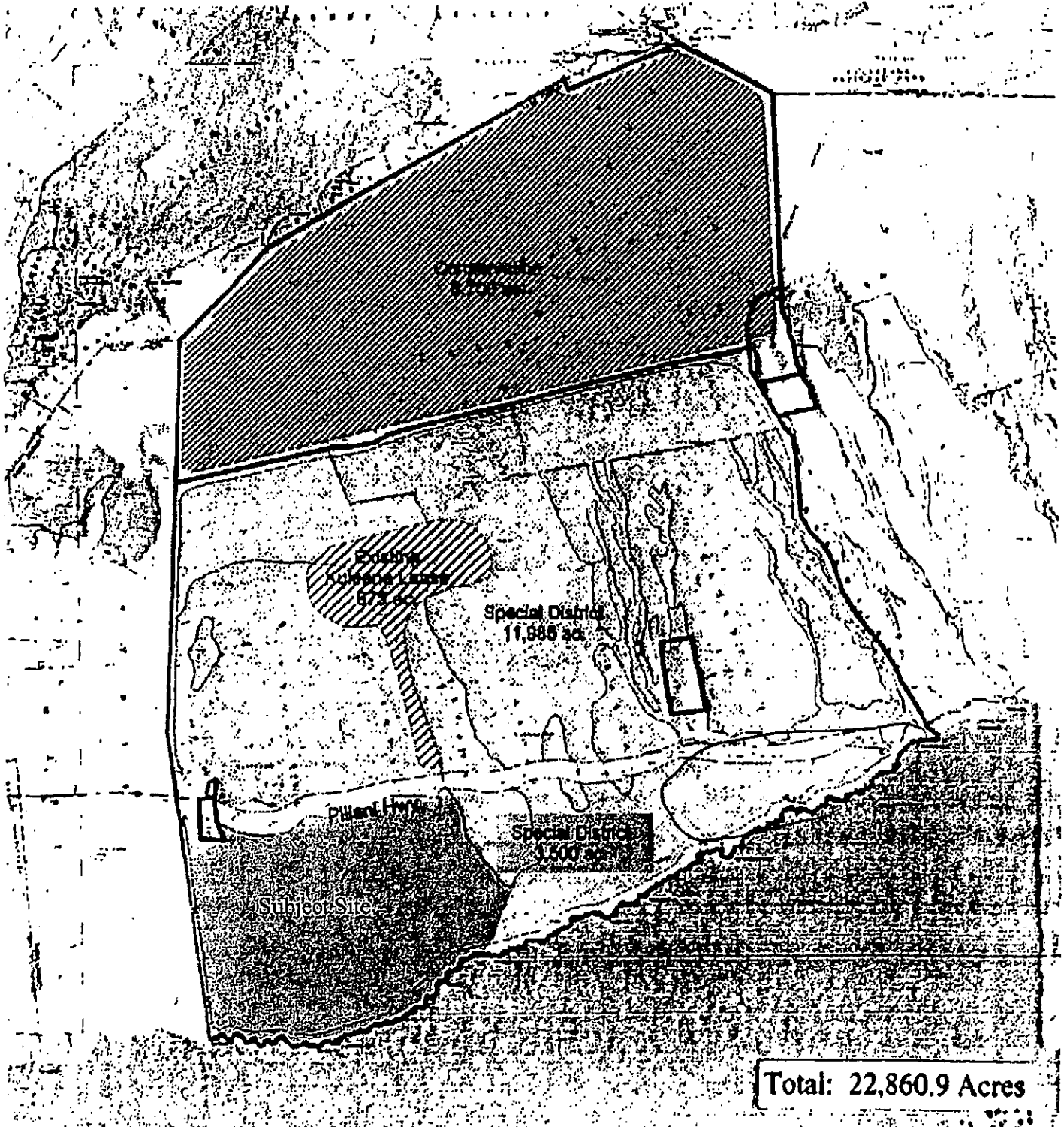
5. WHAT PARCELS/AREAS ARE BEING MADE AVAILABLE FOR RENEWABLE ENERGY DEVELOPMENT?

- Kahikinui Tract: Makai portion, up to 500 acres
- Pulehunui Tract: Industrial/Agricultural Homestead parcel, up to 500 acres
- Honokowai Tract: General Agricultural areas on both sides of the gulch, up to 400 acres

MAUI RENEWABLE ENERGY PROJECTS

Process and Timetable





Legend
 Dotted Land Boundary

**Land Use Summary
 Land Use Categories**

	Conservation	6,700
	Special District	11,885
	Kulane Lease	675
	Total	22,860

Upper
 Acres

Figure M
 KAHIKINUI
 Land Use Plan

MAUI LAND INVENTORY

DEPARTMENT OF NATURAL RESOURCES



(FEET)



EXHIBIT

ITEM NO. F-4

Source: United States Geological Survey
 Maui Land Inventory (1997) proposed Land Use Categories

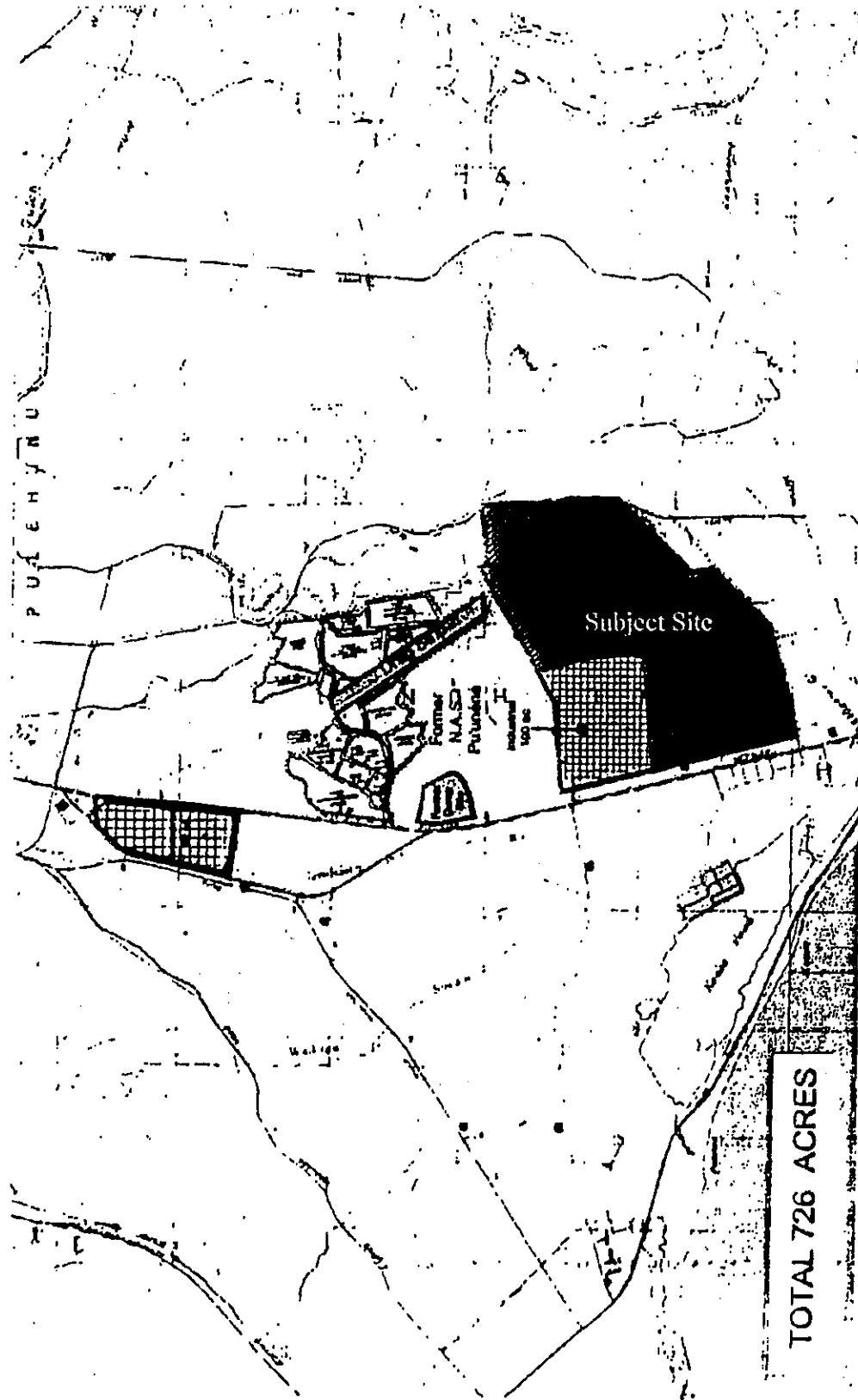


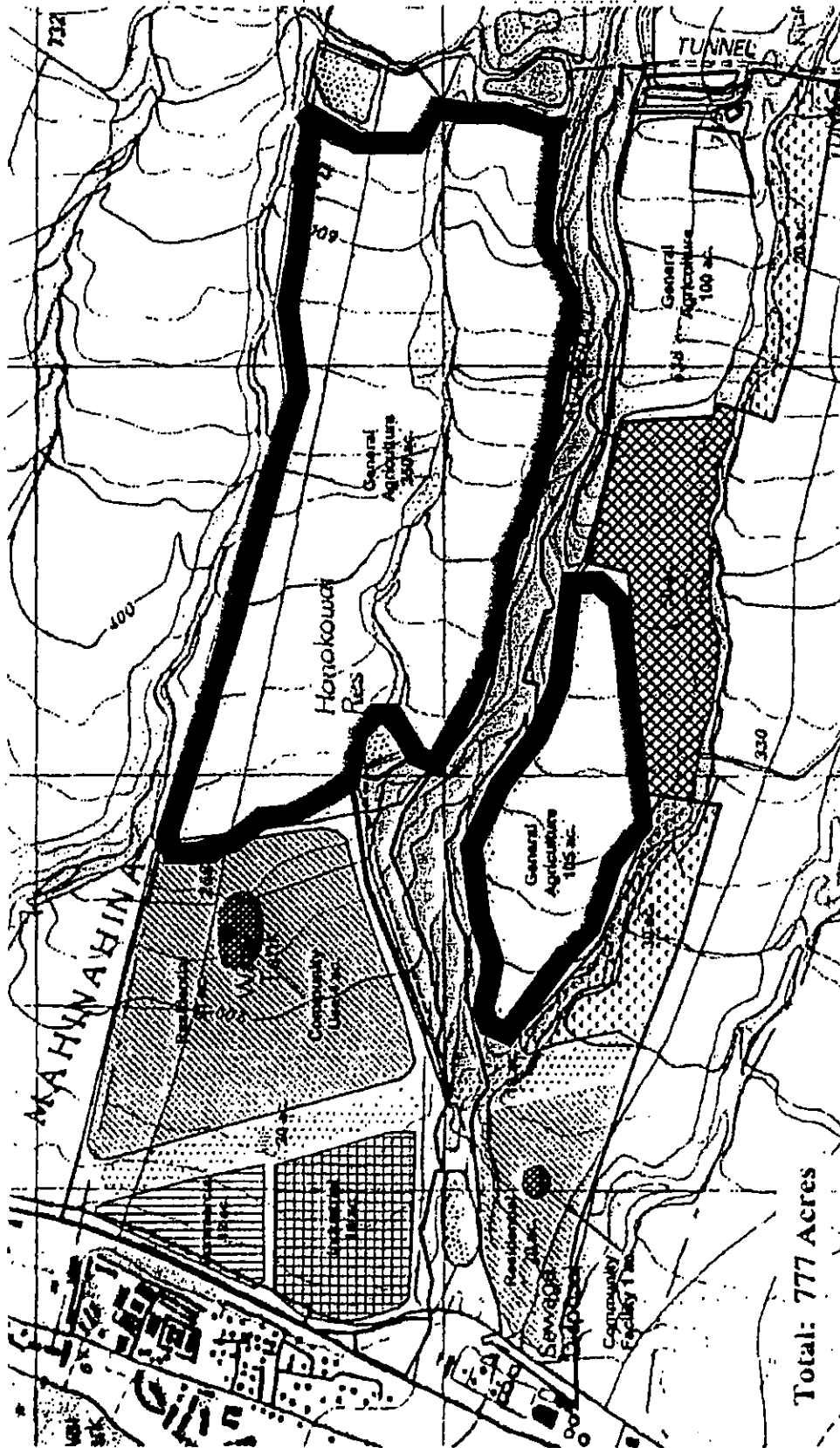
Figure 4-11
 PU'U'U'U'U'
 Land Use Alternative 2
MAUI LAND INVENTORY
 DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF LAND AND NATURAL RESOURCES

Area	Acres
General	546
Industrial	180
Total	726

Land Use Summary

General	546
Industrial	180
Total	726

Legend
 DHHHL Land Boundary



Total: 777 Acres

Legend

— DHHL Land Boundary

▨ Proposed Land Exchange:

▨ Kaanapali Development Corporation

▨ DHHL

Land Use Summary

Land Use	Lot Size	Number of Lots	Approx. Acres
Residential	10,000 sf	411	111
General Agriculture			635
Community Use			5
Industrial			14
Commercial Use			12
Total		411	777

Figure 5-10

HONOKOWAI
Land Use Alternative 1

MAUI LAND INVENTORY



Source: United States Geological Survey, Kanara International, Inc. and Department of Hawaiian Home Lands

6. **FRAMEWORK FOR DISCUSSION ON HOMESTEAD BENEFITS TEMPLATE**

- "Community Benefits Agreement" emerged in the late 1990s as a way for development projects to:
 - a. Mitigate negative impacts (environmental, social, cultural, economic) associated with the project
 - b. Be a good corporate neighbor
 - c. Secure local community support of the project which expedites permitting processes
 - d. Ensure that the community most affected by the project, benefit from the project
 - e. Ensure that the economic development projects bring measurable and permanent improvement in the lives of those most affected, especially low-income, economically depressed communities.
- Project-Specific Benefits: The Department has negotiated homestead benefits as conditions of General Lease agreements in the past, but these project-specific negotiations have not been consistent. There have been different types of benefits (in-kind, monetary), distributed through different means, distributed over different times (one-time, recurring). Outcomes are different due to the project-specific negotiations.
 - a. Hilo, Waiakea Center--\$100,000 annual donation
 - b. Kahikinui--\$1 million road
 - c. Anahola Solar—20% rent; 2% of gross revenues
 - d. Kalaheo—Education scholarship fund
- Across-the-Board Allocations: Another approach is to establish a certain percentage that would be applied to all projects, across-the-board, that would be used for homestead benefits. Different percentages have been discussed—15% of revenues to NHRF—and the Energy Ad Hoc Committee is recommending 20% of land revenues.
 - a. Percent of lease rent revenue?
 - b. Percent of gross revenue?
 - c. Percent in addition to lease rent revenue?
- Required elements in any homestead benefit agreement:
 - a. Benefits the Trust—is an asset for the Trust
 - b. Equity and Fairness in Benefits---balances distribution of benefits between those homesteads that are most impacted versus other homestead areas versus other beneficiaries (Undivided Interest lessees, applicants).
 - c. If money is involved, it must be accountable—need to set up a structure for handling the money, need to establish how monies would be distributed, need to determine who decides how the monies would be distributed, what is the decision-making process?
 - d. The Department needs to be involved in the negotiated agreement.
 - e. Make it as easy as possible for developers to deliver homestead benefits.

DISCUSSION ON HOMESTEAD BENEFITS PACKAGE TEMPLATE

**HHC-APPROVED REGIONAL PLAN PRIORITY
PROJECTS USING PAUKUKALO-WAI'EHU
KOU AS AN EXAMPLE**

Paukukalo Armory Site Development	Site/facility to service the needs of the region, including, for example, a kupuna center, a certified kitchen, and a native Hawaiian health care center.
Investigate Feasibility of Use of Wai'ehu Kou Vacant Lands between Wai'ehu Kou III and IV	The Wai'ehu Kou beneficiaries are interested in investigating possible uses for vacant lands located between Wai'ehu Kou III and IV. Several options for this site include a community garden, agricultural production, permaculture, and crop planting.
Address Traffic Congestion and Transportation Needs	Possible projects include: Extending the County bus line to provide public transportation for Wai'ehu Kou homesteaders and an internal bike path and walking trail network system which would connect Wai'ehu Kou I, II, III, and IV.
Address drainage issue at Paukukalo.	Need drainage improvements along the section of Kalākaua Street that intersects with Kūhiō Place and Keali'i Drive, to address flooding and drainage problems.
Identify Community Economic Development Uses at Pu'unēnē	Explore the possibilities of using lands at Pulehunui (100 acres of industrial lands) to generate revenue for DHHL and homesteads associations.

DIRECT ECONOMIC BENEFITS TO BENEFICIARIES

Job Training	Opportunities for training to better qualify for pre-development and project services contracts, construction and project jobs
Construction Jobs	Opportunities to be hired for temporary project construction jobs
Project Services	Opportunities to provide project contract services on a fee basis (e.g., security services, janitorial services, equipment maintenance services)
Project Jobs	Opportunities to be hired for full-time or part-time, salary or hourly, project jobs

NATIVE HAWAIIAN DEVELOPMENT BENEFITS (existing NHDPP)

Education Scholarships	May specify field of study, college, merit or need, students from certain communities, other criteria. Specify general or specific endowment or one-time contribution.
Farm and Pastoral Support	Specify nature of support for farm and pastoral homestead groups and lessees. May include training, technical assistance, financing, marketing. Forms of support can include mentoring, internships, financial contributions, volunteering, use of equipment to clear and grub land.
Homestead Organization Capacity-Building	Specify nature of support for homestead organizations to achieve their vision and objectives. May include training, technical assistance, financing, management support, access to third-party expertise. Forms of support can include mentoring, internships, grants and loans, volunteering.

Community Economic Development Capacity-Building	Specify nature of support for homestead organizations to achieve economic self-sufficiency. May include training, technical assistance, financing, management support, access to third party expertise. Forms of support can include mentoring, internships, grants and loans, volunteering.
Cultural and Natural Resources	Efforts to support the proper protection, management, and use of cultural and natural resources on Hawaiian home lands. Resources may be in project region or in a designated historic, cultural, or natural preserve (e.g. Hakalau Forest Preserve, Waiohuli Native Dry Forest, Kamaoa-Puuoe National Historic Landmark, Waiawa Valley, Moomomi-Anahaki Preserve). Use of resources may be for cultural and land use purposes (e.g., hula, medicine, worship, agricultural terraces, lo'i)
Island-Specific Native Hawaiian Homestead Development Endowment Fund	Identify funding contributions to an island-specific endowment fund in order to fund island-specific homestead priorities.

LAND DEVELOPMENT BENEFITS IMPROVE LAND FOR NATIVE HAWAIIAN USE

Pre-Development Services	Opportunities to provide project planning, design/architectural, inspection, construction services on a fee basis
Oversize On-Site Infrastructure	On-site roads, water, sewer, drainage systems built for your project, sized to accommodate planned future homestead uses nearby
Placement of Infrastructure	Roads, intersections, water, sewer, drainage systems built for your project, placed specifically to support planned future homestead uses nearby

Off-Site Infrastructure	Off-site highway intersection signals, water wells and storage, sewage treatment plants and reclamation, sized to accommodate planned future homestead uses nearby
Support Conservation & Re-Use	Efforts to support conservation and re-use of potable and non-potable water, treated wastewater, renewable energy for planned future homestead uses nearby

CREATE YOUR OWN BENEFITS PROJECT IN CONSULTATION WITH THE HOMESTEAD COMMUNITY

Adopt A Project	Commit to work, side-by-side, with a homestead community to plan, design, finance, build, and manage a community benefits project (e.g., community center, hula halau, taro loi, after school tutoring)
Adopt An Organization	Commit to work and engage with a homestead community to build their capacity as an organization, define their vision and goals, and carry out their community vision and goals. (e.g. a homestead association or sports league)
Adopt A Region	Commit to work and engage with a group of homestead communities in a region to build their capacity as an organization, define their vision and goals, and carry out their vision and goals for the region. (e.g. support a new regional park)
Adopt A Cause	Commit to work with public and private entities to achieve a measureable community benefit. (e.g. to increase high school graduation rates by xx % in xxx years, to restore a native species population to xx in xxx years, to reduce addiction from xxx to xxx in xx years.

La'i'opua 2020 Native American Housing Assistance and Self-Determination Act (NAHASDA)
Department of Hawaiian Home Lands Commission
DHHL Commission Hearing- Kapolei Hawaii
February 19, 2013

La'i'opua 2020 NAHASDA Spend Plan Opportunity

Executive Summary

1 - 3

Project General Description
NAHASDA Grant Submission
Determination of Need
Job Creation

Description of Expenditure for NAHASDA Spend Down Plan

4

Budget & Spend Plan:

4

Option B: \$ 4,068,483 Expenses April, May, & June

Exhibit Documents:

1. Budget Proforma: NAHASDA 3 Month Spend down Plan
2. Permits:
 - A. Grubbing & Grading: Approved
 - B. NPDES Permit-
(Permit to be issued on March 7, 2013)
3. RFP: Aggregate & Pipe Material Procurement
 - A. Public Notice Posted Feb 11, 2013
(Contract to be issued March 15, 2013)
4. Grubbing & Grading Design Plan; completed- (plans available upon request)
5. Site Development Design Plan; 90% completed- (plans available upon request)

J-1
2-

La'i'opua 2020 Native American Housing Assistance and Self-Determination Act (NAHASDA)
Department of Hawaiian Homes Land Commission
DHHL Commission Hearing
February 19, 2013

Executive Summary

La'i'Ōpua 2020 is a Kona-based 501(c)(3) tax-exempt organization whose primary purpose is to identify community needs, develop and foster the creation of community facilities, and plan and partner with service providers to offer a variety of services and programs for residents of the Villages of La'i'Ōpua and the broader North Kona area. Our current focus is on the planning and construction of the La'i'Ōpua Community Center Complex and a commercial center within the Villages of La'i'Ōpua Hawaiian homestead subdivision.

La'i'Ōpua 2020 (L2020) was incorporated in March 2006 and received its federal 501(c)3 tax-exempt status in September 2007. The organization is guided by a board of seven area residents. La'i'Ōpua 2020 serves as the charitable arm of the Villages of La'i'Ōpua Master Association (formerly known as Kaniohale Community Association) -- the Hawaiian homeowners association for the subdivision built by the Department of Hawaiian Home Lands (DHHL).

La'i'Ōpua 2020's goal is to create a modern day "*pu'uhonua*", a place of security and safety, where one can readily access a wide spectrum of health, education, recreation, and social services that are affordable and easily accessible. We have secured a 65-year general lease (with sub-leasing authority) from DHHL for the 26.75 acre parcel of vacant land adjacent to Kealakehe High School to develop the La'i'Ōpua Community Center Complex. When fully built out, the complex will include a community center, medical clinic, child and adult day care facility, a preschool, gymnasium, aquatic center, ball fields and outdoor courts, amphitheater, meeting facilities, and office space. In total, the complex is projected to cost close to \$92 million dollars.

Figure 1 La'i'Ōpua Community Center Complex Conceptual Plan



This complex will serve as a regional resource, hosting and providing an array of programs and services to meet the health, social, educational and recreational needs of both the Hawaiian homesteads in the Villages of La'i'Ōpua and residents of the greater North Kona community

The vision for the complex arose out of community discussions in 2005 about the lack of recreational facilities and social services close to La'i'Ōpua. The project was initially conceived as a community center building and sports fields. As discussions throughout the community continued, the vision for the complex grew and several organizations became interested in partnering with us. Currently, our partners include the West Hawai'i Community Health Center (WHCHC), Kealakehe High School, the Kamehameha Schools, the Office of Hawaiian Affairs, Alu Like, Legal Aid Society, Child and Family Service, Kona Adult Day Care Services, Neighborhood Place of Kona, Friends of the Children's Justice Center, and the County of Hawai'i.

La'i'Ōpua 2020 NAHASDA Grant submission June 2012

In June 2012, La'i'opua 2020 submitted a NAHASDA grant request in the amount of \$14.2M to assist L2020 with the initial construction of the community center and medical facility infrastructure and vertical construction of the buildings. The goal of this project is to complete on- and off-site infrastructure and vertical construction of a 12,859sf multi-purpose community center building and a 10,450sf medical clinic in 40 months¹. This is the first step toward La'i'Ōpua 2020's ultimate goal of creating a modern day "pu'uhonua," a place of security and safety, where one can readily receive a wide spectrum of health, education, recreation, and social services that are affordable and easily accessible. La'i'opua 2020's spend plan option B, noted on page 4 offers a short term 4 month spend down on available NAHASDA funds.

Determination of Need

The La'i'Ōpua Community Center complex is based on the premise that vital and necessary social infrastructure should be determined and in place as part of the region's overall comprehensive development, rather than well after the fact. While the initiative for this project has come from the homesteaders of La'i'Ōpua, upon its completion, the La'i'Ōpua Community Center complex will be a resource for the Kailua-Kona and North Kona regions.

The initial users of the community center and medical clinic will be the 620 La'i'Ōpua homestead households² and the residents of the surrounding Kealakehe region; including approximately 2,500 residents living in the 336 public housing units adjacent to La'i'Ōpua. The Hawaii Public Housing Authority confirms that at least 44% of these households have incomes under 50% of the AMI for the county. The County of Hawai'i projects that the population of North Kona will increase by about 28% to 42,275 by the year 2020 (assuming a moderate rate of growth.) This growth will include a significant number of Hawaiians living in DHHL's new developments and low- and moderate-income families living in Hawaii Housing Finance and Development Corporation's (HHFDC) affordable housing development. When fully built out, the Villages of La'i'Ōpua and HHFDC's Forest City development will include about 4,100 homes and approximately 20,000 residents.

This population increase drives the need for health, social, and educational programs and services. For example, the Kona Community Hospital, the nearest health care facility, is some 15 miles away and the nearest public recreational facility is at least five miles from La'i'Ōpua. They are neither close enough nor do they have the capacity to meet the health and social needs of these future residents.

¹ Although the NAHASDA application guidelines recommend a 12 month project period, a construction project of this scope on raw, sloping land requires considerably more time. The construction timeframe takes into account building conditions, community involvement, and time requirements for governmental review and approval of building permits.

² This includes the existing 270 homes and 350 planned for construction in the near future.

Most important, in 2011 according to West Hawaii Community Health Clinic recent data, the total number of patients served was 9,134. One thousand one hundred twenty two or 12.28% were Native Hawaiians and 80% of the Native Hawaiian population that was served was at 100% to 200% below the poverty level, typically Medicaid. This represents a slightly higher number of Native Hawaiians living at the Villages of La'i'opua homestead exceeding the NAHASDA requirement in which the WHCHC Clinic served over 50% the Hawaiian population of the target area- Villages of La'i'opua estimated at 1100. Lastly, the income of Hawaiian patients served is well below the 80% AMI. WHCHC is our partner that will operate the L2020 clinic.

Job Creation

Using recent economic and employment data, we can expect that many of the future residents will be low to moderate income families with a need for affordable and easily accessible services. According to 2010 census data over 14% of Big Island residents fall below the poverty level, compared to 9.6% for the state as a whole. In March 2012 (most recent published figures) the unemployment rate for Hawaii County was 9.2%; second only to Molokai. In comparison, the overall rate for the state was 6.4%. These are all indications of a need for social services and job opportunities. Another indication of the high number of low income residents that will be served by this project is the percentage of students who qualify for free or reduced school lunch. Based on the most recently published DOE data, 70% (613 students) in the elementary school, 61% (394) at the Intermediate school, and 49% (598) of the students at the high school qualify for this federal program³.

While the goal of this project is to bring much needed health, recreational, and social services to a growing community, an added benefit is the creation of new jobs through both the construction and operations of the future facilities. Using the multiplier of 14 construction related jobs per \$1 million (the factor used by the Hawaii Department of Business, Economic Development, and Tourism for estimating job creation with federal Recovery Act money), we can project approximately 56 construction related jobs will be created over the course of this 4 month project under the spend plan *Options B* expressed in the following page.

In addition, the community center and medical clinic will contribute to the economic vitality of the region. Both will provide jobs for area residents, including critical entry-level jobs, along with training and career-building opportunities that are community-based. They will also purchase goods and services from local businesses. A study published by the National Association of Community Health Centers estimated that the average economic impact (direct, in-direct, and induced) of a small rural health center in Hawaii in 2005 was a little over \$1million and employed the equivalent of 129 full-time people.

Similar data from a 2009 report by the Building Owners and Managers Association (BOMA) found that the equivalent of 17.8 full-time positions were created for every \$1million spent on operating costs for an office building. Add to this the expenditures and employment created by the other planned facilities, including the pre-school, gym, and adult day-care center, we can clearly see that this first construction phase is the beginning of the creation of a significant economic engine for this region of the Kona Coast.

³ For the 2011-2012 school year the eligibility standard for a family of four was a maximum household income of \$29,055 for a free lunch and \$41,348 for a reduced price lunch.

La'i'opua 2020- NAHASDA Funding Options and Recommendations

La'i'opua 2020 is providing this brief summary and NAHASDA Funding Options and Recommendation as an alternative to the NAHASDA Committee's Recommendation in the event NAHASDA funds are available. It's important to note that this alternative request addresses the DHHL Commission's need to spend down these NAHASDA funds which may be at risk or in jeopardy of forfeiture back to the federal agency- Housing and Urban Development. It's critical to point-out that it's La'i'opua 2020's intention to offer the DHHL Commission and the NAHASDA Director & Review Committee alternatives if funding opportunity arise.

Option B: Spend Plan April thru June 2013 \$4,068,482
(Soft costs- \$482,658, Hard costs- \$3,585,824)

Project Soft Costs payments from April to June 2013 will include a Hawaii County assessment for \$331,976 for the design and construction of a utility connection hub adjacent to the newly constructed Ane Keohokalole Highway, which represents over 70% of soft costs payments. Other significant soft costs payments for the period include, Bidders risk insurance, \$27,000, Site insurance, \$18,000, Geotechnical monitoring, \$18,000, project management, \$21,600, legal fees, \$8,000 and permits, \$3,000. The remaining balance of soft costs will include a 6% cost contingency, payments for administrative expenses and monthly payments to a surveyor who will compute the aggregate material inventory.

Project Hard Costs payments from April to June 2013 will include payments to a contractor who will generate and stockpile the necessary earthwork aggregate material for grading the entire project site. The contractor will also be paid for the purchase and storing of Water/Sewer pipe materials for the project. A Contractor Bid process has been initiated to determine the actual contracted costs, but it is anticipated during this period aggregate materials payments will be \$2,207,790 and pipe materials, \$93,050. Other significant hard costs payments will include \$920,000 for Offsite Electrical work by HELCO who will install the necessary electrical meters, boxes and connections to bring power to the community center facilities and area. A 10% hard cost contingency has been applied to the projected payments.

In closing, La'i'opua 2020 will accept the recommendation of the NAHASDA Director and the decision of the DHHL Commission. However, La'i'opua 2020 community center development is "shovel ready" and we can maximize the use of NAHASDA funding and further the goals and objectives of La'i'opua 2020 to bring to fruition its community center phase one construction to deliver social, educational, recreational, cultural, and medical services and programs to the native Hawaiian homestead community Villages of La'i'opua Association and surrounding neighborhoods.

Sincerely,
Craig "Bo" Kahui
Executive Director

La'i Opua 2020 Community Center
Plan Approval Design Cost Estimate
October 2012 (TWA % Input 1/18/2013)

Summary	Total	NAHASDA Spend Options
Offsite	\$ 985,900	NAHASDA Recommended Amt. 740,000
Phase 1 Entry	\$ 1,623,400	
Phase 1 Community Center	\$ 2,766,500	Option B 4,068,483
Phase 1 Medical Center	\$ 3,288,940	
Total	\$ 8,664,740	

Item	Quantity	Unit	Unit Price	Total
<u>Sitework</u>				
Demolish/Remove concrete sidewalk & A.C. Pav't	1	LS	\$ 10,000	\$ 10,000
Clear and Grub	8.1	Acres	\$ 2,000	\$ 16,200
Excavation	7,620	CY	\$ 20	\$ 152,400
Embankment	99,450	CY	\$ 30	\$ 2,983,500
2-1/2-inch Asphalt Concrete Pavement	93,500	SF	\$ 10	\$ 935,000
6-inch Layer Aggregate Base Course	1,740	CY	\$ 50	\$ 87,000
4-inch Concrete Sidewalk	12,900	SF	\$ 10	\$ 129,000
6" Select Borrow	240	CY	\$ 40	\$ 9,600
6-inch Asphalt Curb	350	LF	\$ 20	\$ 7,000
Traffic Signs	1	LS	\$ 20,000	\$ 20,000
Curb Ramp	2	EA	\$ 5,000	\$ 10,000
Striping	1	LS	\$ 15,000	\$ 15,000
Erosion Control	1	LS	\$ 20,500	\$ 20,500
<u>Water System</u>				
8-inch PVC Waterline	2,160	LF	\$ 120	\$ 259,200
6-inch PVC Waterline	240	LF	\$ 110	\$ 26,400
Copper Water Lateral	70	LF	\$ 30	\$ 2,100
Fire Hydrant Assembly	6	EA	\$ 7,500	\$ 45,000
8" D.C. Meter	1	EA	\$ 10,000	\$ 10,000
Gate Valve	23	EA	\$ 2,000	\$ 46,000
Connect to Existing Waterline	3	EA	\$ 500	\$ 1,500
Cut and Plug for future connection	5	EA	\$ 500	\$ 2,500
<u>Sewer System</u>				
8-inch PVC Sewerline	630	LF	\$ 120	\$ 75,600
6-inch PVC Sewerline	100	LF	\$ 110	\$ 11,000
Sewer Manhole	2	EA	\$ 15,000	\$ 30,000
Drop Sewer Manhole	1	EA	\$ 35,000	\$ 35,000
Connect to Existing Sewer Line	2	EA	\$ 500	\$ 1,000
<u>Drainage System</u>				
6' Deep Seepage Pit	9	EA	\$ 15,000	\$ 135,000
<u>Electrical System</u>				
Estimated	1	LS	\$ 2,611,240	\$ 2,611,240
<u>Offsite Electrical</u>				
See Attached				\$ 920,000

Total Project **\$ 8,606,740**

Note:

If Com. Center is not built, additional 2,100 CY fill (\$63,000) will be necessary to daylight to grade
If Med. Center is not built, additional 2,500 CY fill (\$75,000) will be necessary to daylight to grade

[illegible]

County of Hawaii
DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION

75-5706 Kuakini Hwy,
Kailua-Kona, HI 96740

Aupuni Center
101 Pauahi St. Suite 7
Hilo, HI 96720

GRADING PERMIT NO. 9-2271

Fee: \$ WAIVED

Check only - payable to:

COUNTY DIRECTOR OF FINANCE

Owner: Department of Hawaiian Home Lands

Phone: 808-620-9500

Civil Eng./ Surveyor: R.M. Towill Corporation

Address: 73-5574 Maiau Street, Suite 11

Phone: 329-4494

License No.: Jason Tateishi 12096C

Contractor: To Be Determined

Address: _____

Phone: _____

License No.: _____

Location: Villages of LaiOpua

Tax Map Key: (3) 7-4-021:002 & 003

Cut (CY): 8,700

Parcel Area (acre): 26.2

Area to be Graded (acre): 7.181

Disposal Site: Onsite

Estimated Starting Date: February 2013

Estimated Completion Date: January 2014 Fill (CY): 94,200

(minimum 2 working days after issuance date)

Borrow Site: TBD

Remarks:

NEED REVISED SHAD LETTER OK, REC'D 01/18/13

Applicants should follow steps 1 through 3. Please mail or hand-deliver to DLNR.

FORM "X"

1. State Department of Land and Natural Resources (DLNR)- Historic Preservation Division

933-7653 (Hawaii Island) 40 Pookela Street, Hilo, HI 96720

Received By: _____

Date: _____

Approved By: _____

Date: _____

LOG NO: 2002-3413
DOC NO: 1206MVE06

JUNE 8, 2012

2. Planning Department

Received By: _____

Date: _____

Approved By: _____

Date: _____

M. Hony

11/30/12

DM

11/30/12

3. Department of Public Works (Permits can be approved by Kona or Hilo offices)

Received By: _____

Date: _____

Approved for Permit Issuance

Date: _____

mmr

12/03/12

mmr

01/18/13

I hereby certify that all work as requested above will conform to Chapter 10 of the Hawaii County Code.

Owner: _____

John Marata

Date: _____

11/16/12

Return to the Department of Public Works, Engineering Division, upon completion of work.

Certification Accepted By: _____

Date: _____

(DPW inspector/ engineer)

County of Hawaii is an Equal Opportunity Provider and Employer

CUSTOMER COPY

RICHARD

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
601 KAMOKILA BOULEVARD, ROOM 555
KAPOLEI, HAWAII 96707

WILLIAM J. AFLA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCES MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
DEPARTMENT OF CONSERVATION
COMMISSION ON WATER RESOURCES MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAIROAWA ISLAND RESERVE COMMISSION
LAND
STATE PARKS

January 17, 2012

Jason Tateishi
R.M. Towill Corporation
73-5574 Maiau Street
Kailua-Kona, HI 96740

LOG NO: 2012.3578
DOC NO: 1301MV08
Archaeology

Dear Mr. Tateishi:

SUBJECT: Chapter 6E-42 Historic Preservation Review –
County of Hawaii Grading Permit Application for the La'i 'Opua Community Center
Kealakehe Ahupua'a, North Kona District, Island of Hawai'i
TMK: (3) 7-4-021:003 & :002

Thank you for submitting the grading permit application that was received on December 15, 2012. According to the application, this project involves the grading of approximately 7.181 acres to facilitate the development of a community center for La'i 'Opua 2020. The majority of this project will take place on parcel :003 and a small portion of the work will extend onto parcel :002. A field inspection of this portion of :002 was conducted by SHPD archaeologist Michael Vitousek on December 15, 2012, and no historic properties were observed in this area.

A review of our records indicates that the parcel :003 project area was originally surveyed by Donham (1990), and most recently re-surveyed by Clark et. al. (2010: SHPD Rpt. No. H-2349). Data recovery of a single site was recommended, and a data recovery plan (Rechtman and Ketner 2010) was prepared and accepted by SHPD (Log 2010.3685, Doc 1011TD14). Subsequently, a data recovery report was accepted by SHPD (Clark et al. 2011; Log: 2012.3413, Doc 1206MV06). The approved 2010 inventory survey report for parcel :003 recommends that a qualified archeologist be present during the initial ground disturbing activities. The recommendation for an archaeological monitor was later requested by SHPD via correspondence (Log 2010.0433, Doc. 1003MD24). We have no record of receiving the monitoring plan for review and approval.

We believe that no historic properties will be affected by the proposed project, with the understanding that archaeological monitoring will occur during all ground altering activities. Prior to the commencement of any ground alteration in connection with this permit, please submit a monitoring plan to our office for review and approval pursuant to Hawaii Administrative Rule (HAR) 13-279-4. Please contact Mike Vitousek at (808) 652-1510 or Michael.Vitousek@Hawaii.gov if you have any questions or concerns regarding this letter.

Aloha,

Theresa K. Donham
Archaeology Branch Chief and
Deputy State Historic Preservation Officer

cc: Bo Kahui (bokahui@yahoo.com)

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

In reply, please refer to:
EMD/CWB

01040PMR.13b
DATE: January 28, 2013
NPDES PERMIT NO.: HI S000219

PERMIT RATIONALE: NATIONAL POLLUTANT DISCHARGE ELIMINATION
SYSTEM (NPDES) PERMIT TO DISCHARGE TO THE
WATERS OF THE UNITED STATES

PERMITTEE: LA'I'OPUA 2020

PROJECT: LA'I'OPUA COMMUNITY CENTER – PHASE I

PROJECT LOCATION

Keanalehu Drive,
Approximately 600 feet east of
Kealakehe High School
Kailua-Kona, Hawaii 96740
TMKs: (3) 7-4-021:002 and 003

PERMITTEE MAILING ADDRESS

La'i'Opua 2020
74-5599 Luhia Street, No. E5
Kailua-Kona, Hawaii 96740
Contact: Mr. Craig "Bo" Kahui
Executive Director
Phone No.: (808) 327-1211
Fax No.: (808) 327-1223
Email: bokahui@yahoo.com

PERMIT STATUS

La'i'Opua 2020 submitted an Individual NPDES Permit application for discharges of storm water associated with construction activities for the La'i'Opua Community Center – Phase I project dated December 19, 2012. The DOH-CWB has reviewed the revised Individual NPDES Permit application and considers it to be complete. Permit No. HI S000219 has been assigned to the Individual NPDES Permit application.

The Director of Health (Director) proposes to issue a permit to discharge to the waters of the State and has included in the proposed draft permit those terms and conditions which the Director determined are necessary to carry out the provisions of the Federal Clean Water Act of 1977 (PL 95-217) and Hawaii Revised Statutes (HRS), Chapter 342D.

The NPDES Permit will expire at midnight, five (5) years from the date of issuance.

SCOPE OF THE CONSTRUCTION ACTIVITY AND LOCATION OF THE PROJECT

The purpose of the project is to develop a community services center facility along Keanalehu Drive. The overall project scope is development of a service center facility to include a community center, medical center, day care services, child and family services, a gym and pool facilities. The scope to be covered under this permit is limited to the Phase I development which consists of a community center and medical center with associated infrastructure improvements to support the development. Construction activities include grading, installation of utilities (sewer, drain, electric, phone, etc.), roadway and parking lot construction, vertical construction and landscaping. The project will also involve intersection improvements along Keanalehu Drive, however, these improvements will not result in disturbed soils.

The project is located along Keanalehu Drive, approximately 600 feet east of Kealakehe High School, Kailua-Kona, Island of Hawaii, Hawaii. Storm water runoff from the project sites will discharge to the receiving State waters at:

Discharge Point No.	Receiving State Water	Classification	Latitude (N)	Longitude (W)
1	Pacific Ocean	AA, Marine Waters	19°38'46"	156°00'57"

RECEIVING WATER CLASSIFICATION

The receiving water, the Pacific Ocean, is classified by the DOH as a Class AA, Marine Waters. It is the objective of Class AA waters that these waters remain in their natural pristine state as nearly as possible with an absolute minimum of pollution or alteration of water quality from any human-caused source or actions. To the extent practicable, the wilderness character of these areas shall be protected.

CWA section 303(d) requires states to identify specific water bodies where water quality standards are not expected to be met after implementation of technology-based effluent limitations on point sources. The DOH published the 2008/2010 State of Hawaii Water Quality Monitoring and Assessment Report on July 3, 2012. The report is pursuant to Sections 303(d) and 305(b) of the Clean Water Act.

The receiving water discharge point is located near the Old Kona Airport State Recreation Area which is identified as a Category 3 waters in the assessment report. At present, no TMDLs have been established for this waterbody.

OCEAN DISCHARGE CRITERIA

The Director has considered the Ocean Discharge Criteria, established pursuant to Section 403(c) of the Clean Water Act for the discharge of pollutants into the territorial

sea, the waters of the contiguous zone, or the oceans. The EPA has promulgated regulations for Ocean Discharge Criteria in 40 Code of Federal Regulations Part 125, Subpart M. Therefore, the Director has determined that the discharge will not cause unreasonable degradation to the marine environment. Based on current information, the Director proposes to issue a permit.

DESCRIPTION OF THE PROPOSED DISCHARGE

La'i'Opua 2020 requests to discharge storm water runoff from the proposed construction site. Best Management Practices (BMPs) for storm water runoff and non-storm water sources will be implemented to minimize the discharge of erosion and other pollutants from entering receiving State waters. La'i'Opua 2020 has indicated that storm drain inlet protection, perimeter sediment controls (e.g., silt fences, compost filter socks, gravel snake bags, straw wattles or equivalent), stabilized construction entrance/exit, vacuuming of saw-cutting slurry, concrete washout designated area controls (e.g., plastic lined pit/bermed area), good housekeeping, spill control practices, etc. will be utilized.

Post construction BMPs to prevent erosion and storm water runoff after the project is completed, shall include maintenance activities, permanent stabilization (e.g., paving, etc.), and landscaping (installation, inspection, and maintenance to ensure complete coverage and growth) of disturbed areas which are not paved.

La'i'Opua 2020 prepared a contingency plan for this project. This plan includes monitoring weather forecast, inspecting the project site, repairing BMPs, storing extra BMP material for repairs, and notifying the DOH of any illicit discharges.

PERMIT CONDITIONS

The Director has considered the permit conditions to discharge storm water runoff associated with construction activity, established pursuant to the Federal Water Pollution Control Act, Federal Clean Water Act, and the HRS. The Director has determined that the discharges will not cause unreasonable degradation to the receiving water environment when the La'i'Opua 2020 complies with the conditions of the permit. Therefore, based on current information, the Director proposes to issue a permit.

PROPOSED DETERMINATIONS

1. The General Requirements as stated in Part A of the permit are necessary in preventing pollutants to be discharged with the storm water to the receiving State waters, in addition to the general BMP provisions proposed in the Application.

2. The Reporting Requirements as stated in Part B of the permit are to inform the La'i'Opua 2020 of submittal and reporting requirements for compliance with the permit conditions.
3. The BMPs as stated in Part C of the permit are to emphasize pollution prevention measures that are applicable to the construction activities. The application cited the Special Conditions for Land Disturbances from Hawaii Administrative Rules (HAR), Chapter 11-55, Appendix C, Section 11.

ANTIBACKSLIDING AND ANTIDegradation

The proposed permit meets antibacksliding requirements because the proposed project is a new facility/construction activity and includes the permit requirements established by the DOH for the discharges of storm water associated with construction activities.

The proposed permit meets Hawaii's antidegradation policy because it requires the Permittee to apply the best degree of treatment or control to the discharge that will result with the residual soil reaching the receiving body of water from the project site to be of an acceptable level, as provided under HAR, Section 11-54-4(c).

PUBLIC COMMENT AND CONTACT INFORMATION

Persons wishing to comment upon or object to the proposed Draft NPDES in accordance with HAR, Sections 11-55-09(b) and 11-55-09(d), may submit their comments in writing either in person or by mail, to:

Clean Water Branch
Environmental Management Division
Department of Health
919 Ala Moana Boulevard, Room 301
Honolulu, HI 96814-4920

AFFIDAVIT OF PUBLICATION

State of Hawaii)
) SS:
County of Hawaii)

M. R. Chavez, being first duly sworn, deposes and says:

1. That she is the Classified Accountant of WEST HAWAII TODAY, a newspaper published in the City of Kailua Kona, State of Hawaii.

2. That "NOTICE OF PROPOSED WATER POLLUTION CONTROL PERMIT FOR LA'I'OPIUA COMMUNITY CENTER - PHASE I" of which a clipping from the newspaper is attached hereto, was published in said newspaper on the following date(s) February 7, 2013 (etc.)

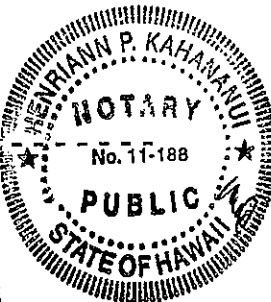
M. R. Chavez

Subscribed and sworn to before me
This 7th day of February, 2013

Henriann P. Kahananui

Notary Public, Third Circuit,
State of Hawaii

Henriann P. Kahananui



My Commission expires: June 6, 2015

Page(s): 1

**NOTICE OF PROPOSED WATER POLLUTION CONTROL
PERMIT FOR LATOPIUA COMMUNITY CENTER - PHASE I
NPDES PERMIT NO. HI S000219**

13-CW-PW-15

February 7, 2013

The Department of Health (DOH) tentatively proposes to issue a National Pollutant Discharge Elimination System (NPDES) permit to discharge storm water associated with construction activity to receiving State waters, subject to special conditions to:

**LATOPIUA 2020
74-5599 LUHIA STREET, NO. E5
KAILUA-KONA, HAWAII 96740**

The proposed permit for the new discharge will expire five (5) years from the date of issuance.

The project is located along Kealahou Drive approximately 600 feet east of Kealahou High School, Kailua-Kona, Island of Hawaii, Hawaii, TMC (S) 7-4-021-002 and 003.

The purpose of the project is to develop a community services center facility along Kealahou Drive. The overall project scope is the development of a service center facility to include a community center, medical center, day care services, child and family services, and a gym and pool facilities. The scope to be covered under this permit is limited to the Phase I development which consists of a community center and medical center with associated infrastructure improvements to support the development.

Construction activities include grading, installation of utilities (sewer, drain, electric, phone, etc.), roadway and parking lot construction, vertical construction, and landscaping.

The project will also involve intersection improvements along Kealahou Drive; however, these improvements will not result in disturbed soils.

LatoPIua 2020 requests to discharge storm water runoff from the proposed construction site. Best Management Practices (BMPs) for storm water runoff and non-storm water sources will be implemented to minimize the discharge of erosion and other pollutants from entering receiving State waters. LatoPIua 2020 has indicated that storm drain inlet protection, perimeter sediment controls (e.g., silt fence, compost filter socks, gravel socks, bags, straw, wattles, or equivalent), stabilized construction entrance, silt fencing of raw cutting slurry, concrete washout designated area controls (e.g., plastic lined pit/burned area), good housekeeping, spill control practices, etc., will be utilized.

Post construction BMPs include maintenance activities, permanent stabilization (e.g., paving, etc.), and landscaping. Installation, inspection, and maintenance to ensure complete coverage and growth of disturbed areas which are not paved.

The receiving water, the Pacific Ocean, is classified by the DOH as a Class AA Marine Waters. It is the objective of Class AA waters that these waters remain in their natural pristine state as nearly as possible with an absolute minimum of pollution or alteration of water quality from any human-caused source or action. To the extent practicable, the wilderness character of these areas shall be protected.

Persons wishing to comment upon or object to the proposed NPDES permit or to request a public hearing should submit their comments or requests in writing no later than 30 calendar days after the date of this notice, either in person or by mail, to:

**Clean Water Branch
Environmental Management Division
Department of Health
919 Ala Moana Boulevard, Room 3014
Honolulu, HI 96814-4920**

Copies of the proposed public notice permit and other information are available for public inspection, Monday through Friday (excluding holidays) from 7:45 a.m. until 4:15 p.m. at the DOH office address shown above, the Kona District Health Office, 79-1020 Haukapila St., Room 115, Kealahou, HI 96750; and the Hilo District Health Office, 1582 Kamehameha Ave., Hilo, HI 96720. Copies may be bought. The public notice permit and rationale are also available on the internet at: <http://www.hawaii.gov/health/environmental/water/cleanwater/nubots/index.html>.

For more information or if you have special needs due to disability that will aid you in inspecting and/or commenting on the public notice permit and related information, please contact Mr. Darryl Lum, Supervisor of the Engineering Section, Clean Water Branch, at the above address or (808) 536-4309 (Voice) at least seven (7) calendar days before the comment deadline. For those who use a TTY/TDD, please call through Sprint Relay Hawaii at 1-811 or 1-877-447-5991.

All comments and requests received on time will be considered. If DOH determines that there is significant public interest, a public hearing may be held after at least 30 calendar days of public notice.

If DOH's position is substantially unchanged after considering all timely written comments and all oral comments at any public hearing that may be held, then the DOH will issue the NPDES permit and this action will be final.

Please notify anyone you know who would be interested in this matter.

**Loretta J. Fuddy, A.C.S.W., M.P.H.
Director of Health**

02003FMR-13a
(No. 71980, West Hawaii Today, February 7, 2013)

AFFIDAVIT OF PUBLICATION

State of Hawaii)
) SS:
County of Hawaii)

M. R. Chavez, being first duly sworn, deposes and says:

1. That she is the Classified Accountant of WEST HAWAII TODAY, a newspaper published in the City of Kailua Kona, State of Hawaii.

2. That **"La'i'opua 2020 Request For Bids For Aggregate& Pipe Materials Construction Site: Villages of La'i'opua, Kailua-Kona, HI 96740"** of which a clipping from the newspaper is attached hereto, was published in said newspaper on the following date(s) February 11, 2013 (etc.)

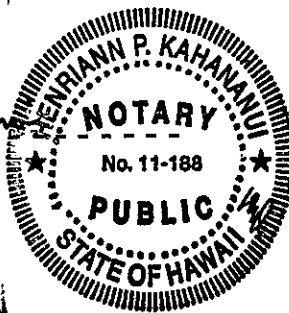
M. R. Chavez

Subscribed and sworn to before me
This 11th day of February, 2013

Henriann P. Kahananui

Notary Public, Third Circuit,
State of Hawaii

Henriann P. Kahananui



My Commission expires: June 6, 2015

Page(s): 1

**La'i'opua 2020
Request For Bids
For
Aggregate & Pipe Materials**

Construction Site: Villages of La'i'opua
Kailua Kona, HI 96740

Project Description: La'i'opua 2020 is requesting bids for the furnishing and delivery of aggregate and pipe to the Project Site: Villages of La'i'opua, Kailua-Kona, HI, TMK (3) 7-4-21:2 & 3. Phase 1 of the Community Center Site Development.

Deliverable/Date: Bids are due no later than 2:00 PM (HST) on Monday February 25, 2013.

Request For Bids and Specifications are available upon request from:
Email: armin@hifiberinc.com

Proposals will be accepted **only** from vendors licensed to do business in the State of Hawaii.

La'i'opua 2020 is a 501-C(3) corporation, whose mission is to plan, design, and implement the construction of community facilities of a multi-purpose community center in the Kealahou area and to promote social, educational, recreational, cultural, and medical programs and services as part of its program objectives.....

(No. 72128-West Hawaii Today: February 11, 2013)

Villages of La'i Opua

LA'I'OPUA MASTER ASSOCIATION

74-5100 Haleolono Street, Kailua-Kona, HI 96740

Office 355-8689

Fax 355-8589

February 19, 2013

Jobie Masagatani, Chairwomen
Department of Hawaiian Homes Land
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

Aloha Ms. Masagatani,

On Wednesday February 13, 2013, Villages of La'i'Opua Master Association (VOL) held its monthly Board of Directors meeting. The VOL Board of Directors unanimously agreed to support La'i'Opua 2020's request to DHHL and Commissioners' for Native Housing Assistance and Self Determination Act (NAHASDA) optional request for additional funding support for the installation of "phase one" of our community center facilities to include the medical clinic and community center facility.

La'i'Opua 2020 has been working diligently seeking funding sources to bring the community facilities phase one project to fruition. The La'i'Opua 2020 proposed *NAHASDA Option Plan B- \$4.068M* allows L2020 to procure aggregate & pipe materials for the initial infrastructure installation. *NAHASDA Option B- \$4.068M* would essentially complete the aggregate material fill and pipe procurement for a total of 3 months to La'i'Opua 2020's NAHASDA spend plan opportunity beginning April 2013 through June 2013.

The Villages of La'i'Opua Master Association Board of Director's supports La'i'Opua 2020 request for NAHASDA funding. It's important to note that this alternative request addresses the DHHL Commission's need to spend down these NAHASDA funds which may be at risk or in jeopardy of forfeiture back to the federal agency- Housing and Urban Development. It's critical to point-out that it's our understanding that La'i'Opua 2020's intention to offer the DHHL Commission and the NAHASDA Director & Review Committee alternatives if NAHASDA funding opportunity arise.

Please contact me or L2020 Executive Director- Craig "Bo" Kahui if you need further information or clarification.

Sincerely,



Dora Aio-Leamons
President, VOL

Cc: DHHL Commissioners
VOL Board
L2020 Board

J-1 A-1
Exhibit

Villages of La'i'opua

La'i'opua Master Association
74-5100 Haleolono Street

808-355-8689
Kailua-Kona, HI 96740

Jobie Masagatani, Chairman
Department of Hawaiian Home Lands
PO Box 1879
Kapolei, HI 96850

Ms Masagatani,

On July 24, 2012 at the DHHL Commission hearing held in Waimea, the Villages of La'i'opua requested for contested case hearings for seven homestead lessees who were in serious arrears of their association dues.


To date nothing has been done nor were there any attempts or documentation that contested case hearing were scheduled.

On behalf of the VOL Master Association, we would seek your assistance in this matter and request the following recommendation;

- A report to VOL Association regarding status of VOL contested case hearings and update of the request made in July 24, 2012
- Recommend a hearings office hired on Hawaii Island to cut cost to resolve contested cases.
- Recommend a hearings officer dedicated to assist VOL Association with its severe backlog of contested case hearings.

We, the VOL Master Association seek your support to help our association to resolve these contested cases.

Please contact me if you need further information

Mahalo
Craig "Bo" Kahui 
Hawaiian Affairs Committee

CC: DHHL Commissioners
VOL Board & President

J-1
Exh B
2-20-13

LA'I'OPUA ASSOCIATION
74-5100 Haleolono Street, Kailua Kona, HI 96740

Office: (808)355-8689
Fax: (808) 355-8589

July 24, 2012

Jobie M.K. Masagatani, Chairman Designate
Hawaiian Homes Commission
P.O. Box 1879
Honolulu, HI 96805

Dear Ms Masagatani and Commission Board,

Thank you for this opportunity to present our cases. Our critical list of default maintenance fees has been a serious concern for numerous years. With many people facing tough economic times, this issue is getting worse. We humbly request the Department's assistance in addressing these top issues. Attached are twelve (12) letters that were dated September 11, 2011 and mailed out to the lessee's. To date these lessee's have not been put on the Contested Case hearing list.

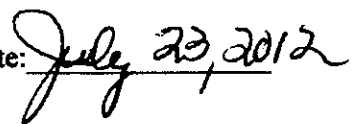
Also attached, is our list of default lessee's of which show seven (7) additional lessee's also as listed below, who are in serious default.

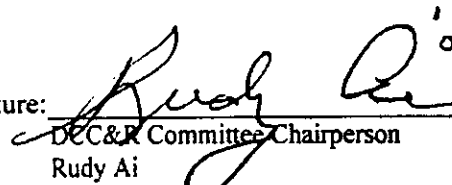
1. Asing, Robert	\$1,361.60	Lot 28	Balance as of July 19, 2012
2. Dela Cerna, Charlotte	\$1,798.70	Lot 31	Balance as of July 19, 2012
3. Goings, Tiare	\$ 905.23	Lot 11	Balance as of July 19, 2012
4. Loo, Chuck	\$ 795.09	Lot 89	Balance as of July 19, 2012
5. Paalua, Ryder	\$ 916.93	Lot 52	Balance as of July 19, 2012
6. Place, Stephanie	\$1,500.43	Lot 77	Balance as of July 19, 2012
7. Tualaulelei, Shaula	\$1,946.18	Lot 23	Balance as of July 19, 2012

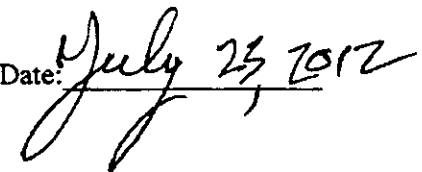
I, as President and on behalf of my fellow Villages of La'i'opua board members, request your assistance in this extremely important issue. As noted on the list of lessee's currently in default, the total amount in arrearage is a staggering \$70,000.00 or so. As we have now become the Master Association, our collections will extend to our new Phase 5 Villages as well. In light of all of these issues it is critical that we gain your assistance.

Thank you kindly,

Signature: 
Villages of La'i'opua Board President
Dora Aio-Leamons

Date: 

Signature: 
DCC&R Committee Chairperson
Rudy Ai

Date: 

DHHL Commission Meeting
July 24, 2012 @ 8:30am
64-756 Mamahaloa Highway
Kamuela, Hawaii 96748
DHHL Waimea Community Center

DHHL Commission Meeting Agenda & Talking Points

1. Villages Of La'i'Opuu :
 - i. Master Association; DCCR- Design Guidelines
 - ii. Association Addresses/ Dues
 - iii. Request for Contested Case Hearings: see memo & list
2. Habitat For Humanity
 - i. Blitz Build: Build 5 homes in 10 days
 - ii. One home available/ Request assistance
3. Community Center Development: Site Plan
 - i. COH Plan Approval & Plans
 - ii. Community Center Status: Lease Agreement; KS & OHA
 - iii. Medical Clinic Status
 - iv. Current Project Timeline
 - v. Overall Project Cost Estimate
 - vi. Funding & Equity Investments
4. NAHASDA Grant Proposal:
 - i. Funding Request & Request endorsement DHHL & Congressional & Support
 - ii. Resources & OHA Support
5. Commercial Center Development
 - i. Purpose: Support Community Center Development & Programs
 - ii. Development Agreement
 1. Attorney Reviews & Comments
 2. Developer Review of L2020 Response
 3. Contract & Agreement executed a.s.a.p.

Kanawai Enforcement Procedures

Mahiki 1

Homestead association sends "First Notice of Violation" to lessee giving 30 days to correct violation.

Mahiki 2 – at 30 days

Homestead association sends "Second Notice of Violation" to lessee giving 15 days to correct violation.

Mahiki 3 – at 45 days

Homestead association sends "Final Notice" to lessee giving 15 days to correct violation. Association also requests DHHL's assistance.

Hihia 1 – at 60 days

DHHL's Homestead Services Division (HSD) sends letter to lessee to (1) allow a response to association's complaint; (2) explain consequences of failing to correct violation; and (3) give lessee 60 days to correct violation.

Hihia 2 – at 120 days

HSD sends a "Demand Letter" to lessee to (1) confirm violation has not been resolved; (2) explain a contested case hearing will be requested; and (3) provide a final 30 days to correct violation.

Ho'omauhala 1 – at 150 days and beyond

If enforcement efforts have failed, steps to conduct a contested case hearing are initiated. DHHL's enforcement team (E-Team) follows established procedures for a contested case hearing.

Ho'omauhala 2

A contested case hearing is scheduled and convened. Within 30 days of the hearing a recommended decision is issued by the Hearings Officer.

Ho'omauhala 3

Recommended decision is presented to the HHC at an Adverse Hearing. A Decision & Order is approved.

Pani 1

Lease is cancelled. Lessee must vacate lot.

Pani 2

Association receives any compensation due from Lessee from net proceeds of the vacated property.

Kaniohale at the Villages of La'opua
Member Balance Summary
As of July 19, 2012

	Total
AGUIAR, NAOMI (JARRETT)	60.00
AHUNA, Kekoa and Dona JOSEPH (GLADYS)	1,744.86
AI, RUDY (ETTA DREW)	120.00
AIONA, MARK (TAMMY)	60.00
AIPIA, JERRY KALANI (WENDY)	60.00
Akao, Richard and Diana	240.00
AKIONA, HAROLD (RENE)	312.06
AKIONA-DE JESUS, NEDDIE	2,501.39
Ako, James	62.47
ANAKALEA, HERBERT (JOSPHINE)	60.00
ANGAY, LEONARD (CHO, LERONORA)	60.00
Apina, Beverly	60.00
ASING, ROBERT K. (CLARE)	1,361.60
Avenue, Leonard	60.00
Avilla, Gwendolyn lot 90	60.00
BAILEY, CHARLES (CORRINE)	121.21
BAKER, ELSIE KAPUA (MICHAEL)	60.00
BEAN ROLINDA	120.00
BOWMAN, NICHOLAS B.H.	60.00
BUSH MARION/LORRI Kellikpi, Marion	181.20
CAMPBELL, JOHN N.	182.40
Carvalho, Marvalee	2,661.97
Casuga, Laurie	60.00
CHAN, MARIE (AIO, LILY)	-68.80
CHING, MICHAEL K.	60.00
Clark, Gary Allen Kuhio	120.00
COBB-ADAMS, ALEXIS (GERD K.)	60.00
CONN, SWOPE H.	120.00
CORPUS, DENNIS (JESSICA /SONJA	60.00
COX, TINA (CLIFFORD)	120.00
DeAguiar, Lila K.P.	181.20
DEEL, EMILY (MEDINA, EVALANI)	60.00
DEGUAIR ESTELLE	304.13
DELA CERNA, CHARLOTTE (GREG)	1,798.70
DUNCAN, ADAM	8.44
DUVAUCHELLE (BRIGHTER), CHARMAINE (CY)	60.00
Eckart, TENNILLE (ELVENIA, JUDY)	122.45
Ellis, Brian G.K.	120.00
Enriquez, Montgomery and Nicole Ka'hewal	60.00

FARM SR., GERALD (ELAINE)	60 00
Fernandez KAHOONEI, LUCY ALFRED)	60.00
FOX, MERCEDES (FOX), SEAN	776.92
FREITAS, MARCELINE (KATHERINE)	60.00
FUERTE, JEFFERY & SUZETTE	60.00
FUKUDA, ELIZABETH M.(JAMES)	1,523.16
GACUSANA, MARING (BIDAL)	60.00
GILMAN, RICHARD (CHRISTINA)	249.33
GIRON, MAUREEN	119.64
GOINGS, TIARE (RYDER, MIRIAM)	905.23
GUNDERSON, CHERILYN/CALVIN (KAHUMOKU, SHA	800.26
HALL JR. JOSEPH (MARY JO)	181.20
Hall, David	60.00
HANOHANO, NELSON H. (ABBIE)	119.65
Hanson, Cynthia	1,052.00
Hauanio, CAMILLE (Anthony Oliveria	2,324.78
HAUANIO, DARREN (CATA)	666.00
HAUANIO, WALLACE (DEBORAH)	181.20
HEKEKIA, CHAD (KEONI)	60.00
HUSSEY, LEONARD (LORRETA)lot 34	132.15
I, RANDY (GEORGINA)	60.00
JAY, JAMES JR. (JOYCE)	-188.16
KAHALIOUMI, KRISTEN (TARA)	589.99
KAHANU, BENJAMIN (S. MAPUANA)	109.00
KAHANU, PAMELA (DEBORAH)	275.91
KAHANU, PAUL (TANNA)	1,960.08
KAHAWAI, MAMIE (DANIEL)	60.00
KAHUI, CRAIG BO (MELISSAN)	120.00
KAHUMOKU, NELLIE ANN	0.00
KAIWI, JOHN (ANGELA)	349.11
KAKALIA, DEREK (TIFFNIE)	1,641.56
KALAI, RENNY	5,280.48
KALANI, GERARD (MAXINE)	312.40
KALUAU, HOSEA, (HOLLY)	120.00
KAMAKA, DENISE (HOUSTON, LIA)	60.00
KAMAKA, FRANKLIN (MAUHILI, KANOE)	484.20
Kamehaiku, David	60.00
Kamoku, Betty Jean L.	434.68
Kanda, Uilani KPJ	181.20
KANE-, KAPUA (FRED BELL HUIHUI)	60.00
KANEALII, JOSEPH I. (MARGARETTE)	60.00
KANEO, STEPHANIE M. (makekau)	60.00
KANEHAILUA III, ERNEST K.	1,132.07
KANIHO, Dee Anne	435.47

KANUI, JOHN	30.00
KAOHU, WILLIAM (RENEE)	60.00
KAOPUIKI, WILLIAM (PAT)	60.00
KAULIA, CINDY (DAVID SR)	624.36
KAUPIKO, WAYNE (RODRIGUES, JACQUELINE)	120.00
KAWASHIMA, SUEICHI (YOSHIKO)	60.00
Ke, Bill K. and Ululani Tanya	120.00
Kealoha, Keone C.	60.00
KEKAHUNA, JOHN (ANNETTE)	60.00
KEKUAOKALANI, SAMUEL (JOANNA)	60.00
KELI'IKIPI, MARRION P. D. (LORRI)	-301.20
KEOHULO, NOLAN	2,269.42
KOFFMAN, JUDITH (BARRY)	120.00
KRUGER, ELBERTA F. (RENWICK)	-120.00
KUAHIWINUI, EDDIE	2,574.92
KUAILANI SR., FRANCIS E. (FRANCIS JR.)	60.00
Kupihe, Walter	310.05
LINO, MILLEY (TIMOTHY)	60.00
LOO, CHUCK (BILLY OR SHARRIE)	975.09
LOO, RACHEL (Lionel & Gwendolyn Avilla)	9.12
LOUIA, ELISA (WILLIAM)	60.00
LOUIS, IVAN (MARIE)	637.39
Macomber, John	60.00
Magbanua, Momi	1,553.37
MAHELONA, STEVEN (LAURIE)	-60.00
MAHI, BESSIE (ERIN)	749.63
Maluo, Samuel K.	497.82
MANO'I, EDDIE (PILA-MANOI, PARIS)	60.00
MANUIA-MALAKAUA, JURENE N. (DARRELL)	609.72
MARTINEZ, WENDY L. (MICHAEL)	60.00
MATA, IVA (ALBERT (TINY)) <i>LOST LEASE</i>	1,953.65
MATSUYAMA, TAINATO	853.10
MAUNU JR. HERBERT (KAMAKA EMILY)	60.00
MCCANDLESS, LEINANI	60.00
MEDEIROS, KYLE (LISA)	60.00
MEISNER, MANON (MARC)	435.47
Mendiola, Claude and Connie	30.00
MILLER, ALAN	948.39
MINNER, PAUL (Sharla Kahale)	84.85
MITCHELL, ROYAL (ODETTA)	243.84
MULKEY, COREEN & JOHN (CORREIA, MICHELE)	60.00
NAE'OLE-Takasato, MARSHA	60.00
Nahakuelua, Elaine	100.00
Nahale, LORNA (WYATTLANE)	336.17

NAHULU, TERIANNE (SPIVY, JOHN)	403 68
NAKASONE, HARRIET (STANLEY)	60.00
NAKEA, FLORIS	943 62
NAKILA SR. JOEL (KAPELE-NAKILA, ALTHEA)	119.97
NAVARES, MERRY LYNN (ALFRED)	60.00
Nesting, Shannon	60.00
NIHAU, SHEYE (ONTIVEROS, UUSULA)	2,961.04
NISHIOKA, MAYME	60.00
OLINGER, HAROLD SR. (NADINE)	60.00
PAALUA, RYDER (DARLENE)	916 93
PAIO, MATTHEW (NATASHA)	-120.00
PALAKIKO, LAECONIA (ANNETTE)	60.00
PALAKIKO, MARCUS (KAREN)	127.34
PALEKA, HERBERT I. (MELIA)	60.00
PECK, BRIAN (MARCHELL)	60.00
PERRY, JOANN (BROWN JR., W. KELII)	60.00
PLACE, STEPHANIE (METAVANTE CORP)	1,500.43
PUALOA, UILANI (COLLEEN)	60.00
QUINONES, LAVERNE (WALTER)	121 23
RAPOZO, JILL	443 50
RECOLAN-SYLVA, LAVERNE (ISAAC SYLVA JR.)	60.00
REGIDOR, MOSES (REBA)	60.00
REIMANN, ALAN (DIZOL, PAULA)	647.04
REIMANN-GIEGERL, ANUHEA (FRANZ)	-120.00
Rentals	250.00
RIVERA, DAVINA (G.R.)	60.00
Rivera, Tracy	120.00
ROBERTS, THOMAS (MARIA)	-120.00
Rocha, Frances	1,151 47
ROMERO, RICHELLE (ANGEL)	60.00
ROSEHILL, HELEN (WILLIAM)	498.67
SACAY, ANNA	60.00
SANTIAGO(Black), RACHEL (PATRICK)	60.00
SHAVER, LESCIA (LEO)	60.00
SHINTANI, CHRISTY (GREGG)	850 46
SHIRAI, LOIS K	60.00
SMITH, HARRIET (LAURIE ANN)	120.00
SOARES, Melvin	60.00
SOO, MICHAEL A. (KELLY)	60.00
Spencer, Tyde	60.00
STANLEY, COLLETTE W.A.	782 65
TANAKA, LESLIE LEASE CANCELLED	1,963 62
TERLEP, HENRY (KEHAULANI)	120.00
Thomas, Harry Ho'opale II	707 15

THOMPSON, Leimamo (GEORGE)	244 24
TUALAULELEI, SHAULA (PATI)	1,946.18
Ubando-PUALOA, LOIS & TERRANCE	119 76
Valeho, Keli Patrick	60.00
VASCONCELLOS, Jill	60.00
VENTURA, LOUIS (ANDREA)	30.00
VIERRA, LORENA P.	613.56
VILLAFANIA, DIAHN (JEFF)	60.00
Wahinekapu, James	120.00
WALKER SR. , SAMUEL	30 00
WANA, DEVIN K. (LILY)	60 00
Weza, Keola and Kahea	120.00
WILLS JR. , WAYNE (DEBRA)	183.03
WILSON, WANNETA	-20.00
WONG, APRIL (CHARLES)	120.00
WONG, JOHATHAN (WALLIE)	30.00
WONG, JOSEPH M. (MARBELYN)	60.00
WONG, LUKE (LILLY)	599 14
YOUNG, RAMSEY REEVES (ELIZABETH)	60 00
ZACK, VIRGINIA	60.00
TOTAL	\$73,494.66

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