HAWAIIAN HOMES COMMISSION

Minutes of May 19, 2020, via Teleconference
DHHL Main Office, Hale Pono'i, Kapolei, O'ahu, Hawai'i

Pursuant to proper call, the meeting of the Hawaiian Homes Commission was held via teleconference, moderated by Chairman William Aila Jr. and Commission Secretary Leah Burrows-Nuuanu, from Hale Pono'i, 91-5420 Kapolei Parkway, Kapolei, O'ahu, Hawai'i, beginning at 9:30 a.m.

PRESENT William J. Aila Jr., Chairman
Randy K. Awo, Maui Commissioner (via teleconference)
Zachary Z. Helm, Moloka'i Commissioner (via teleconference)
David B. Ka'apu, West Hawai'i Commissioner (via teleconference)
Michael L. Kaleikini, East Hawai'i Commissioner (via teleconference)
Russell K. Kaupu, O'ahu Commissioner (via teleconference)
Pauline N. Namu'o, O'ahu Commissioner (via teleconference)
Dennis L. Neves, Kauai Commissioner (via teleconference)

COUNSEL Ryan Kanaka'ole, Deputy Attorney General (via teleconference)

EXCUSED Patricia A. Teruya, O'ahu Commissioner

STAFF Tyler I. Gomes, Deputy to the Chairman
Leah Burrows-Nuuanu, Secretary to the Commission
Andrew Choy, Action Planning Manager
Kahana Albinio, Acting Land Management Division Administrator
Juan Garcia, Acting Homestead Services Division Administrator
Cedric Duarte, Information & Community Relations Officer
Stewart Matsunaga, Acting Land Development Division Administrator
Paula Aila, Finance and Development Specialist
Jamilia Epping, Information Specialist

ORDER OF BUSINESS

CALL TO ORDER

Chair Aila called the meeting to order at 9:40 a.m. Commissioner Teruya asked to be excused. Eight (8) members were present via teleconference at roll call.

Pursuant to the Governor's March 16, 2020, and May 5, 2020, Supplementary Proclamations in response to the COVID-19 pandemic, Hawai'i Revised Statutes ("HRS") Chapter 92 regarding public agency meetings and records are currently suspended through May 31, 2020, to the extent necessary to enable boards to conduct business without holding meetings open to the public and to allow state agencies the ability to more effectively provide emergency relief and engage in emergency management functions. At this time, we do not have the capability to create an audience live listening feature. A recording of the meeting will be posted to the DHHL website as soon as possible.

APPROVAL OF AGENDA

MOTION/ACTION

Moved by Commissioner Helm, seconded by Commissioner Kaapu, to approve the agenda. Motion carried unanimously.

APPROVAL OF APRIL 21, 2020 MEETING MINUTES

MOTION/ACTION

Moved by Commissioner Helm, seconded by Commissioner Awo, to approve the Commission's April 21, 2020 Minutes. Motion carried unanimously.

PUBLIC TESTIMONY ON AGENDIZED ITEMS (via weblink only)

Testimony on agendized items was submitted in writing via the Department of Hawaiian Home Lands website at www.dhhl.hawaii.gov/hhc/hhc-contact. Testimonies received by yesterday's 4:30 p.m. deadline were forwarded to Commissioners. Testimonies received after the deadline will be stamped "Late" and submitted to the Commissioners after the meeting is adjourned.

ITEM A-1 Cora Schnackenberg
ITEM A-2 Shawndelle Kamalani

Note: Testimonies are attached.

ITEMS FOR DECISION MAKING

CONSENT AGENDA

HOMESTEAD SERVICES DIVISION

ITEM D-2 Approval of Consent to Mortgage (see exhibit)
ITEM D-3 Approval of Streamline Refinance of Loans (see exhibit)
ITEM D-4 Approval of Homestead Application Transfers / Cancellations (see exhibit)
ITEM D-5 Approval of Designation of Successors to Leasehold Interest and Designation of Persons to Receive the Net Proceeds (see exhibit)
ITEM D-6 Approval of Assignment of Leasehold Interest (see exhibit)
ITEM D-7 Approval of Amendment of Leasehold Interest (see exhibit)
ITEM D-8 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees (see exhibit)
ITEM D-9 Cancellation of Lease – WILLIAM G. AKI, Agriculture Lease No. 2375, Lot No. 8, Hoolehua, Molokai and Lot No. 11a, Kalamaula, Molokai
ITEM D-10 Cancellation of Lease – ARTHUR M. LEE, Agriculture Lease No. 7910, Lot No. 14, Hoolehua, Molokai

RECOMMENDED MOTION/ACTION

Acting Homestead Services Division Administrator Juan Garcia presented the following: Motion to approve the Consent Agenda D-2 through D-10, as listed in the submittal.

MOTION/ACTION

Moved by Commissioner Awo to approve the Consent Agenda stated in the submittal. Seconded by Commissioner Helm						
Commissioner	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo	X		X			
Commissioner Helm		X	X			
Commissioner Ka'apu			X			
Commissioner Kaleikini			X			
Commissioner Ka'upu			X			
Commissioner Namu'o			X			
Commissioner Neves			X			
Commissioner Teruya						X
Chairman Aila			X			
TOTAL VOTE COUNT			8			1
MOTION: [X] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED Motion passed unanimously- eight (8) Yes votes						

REGULAR AGENDA

OFFICE OF THE CHAIRMAN

ITEM C-1 Approval of Lease Award Donna M. Moffett, Hawai'i, Hawaii

RECOMMENDED MOTION/ACTION
Finance and Development Specialist Paula Aila presented the following:
Motion to approve the award of Department of Hawaiian Home Lands Residence Lot Lease to Donna M. Moffett for ninety-nine (99) years.

MOTION
Moved by Commissioner Neves, seconded by Commissioner Awo, to approve the award of Department of Hawaiian Home Lands Residence Lot Lease to Donna M. Moffett for ninety-nine (99) years.

DISCUSSION
Commissioner Kaleikini asked P. Aila to elaborate on the project and how beneficiaries can participate.

P. Aila stated DHHL has a memorandum of understanding with the University of Hawaii Hilo College's carpentry program to build one (1) home per year. The students do a semester at a time, learning different carpentry skills so that when they graduate, they are prepared to enter the construction workforce. The partnership has been in place for fifty-three years. After completion of the home, the DHHL Awards Division works with the Hawai'i Island residential waitlist to identify qualified beneficiaries.

Commissioner Kaleikini asked how many beneficiaries were interested in the HHC program. P. Aila stated the list of eligible waitlisters was approximately 3,000. Those who respond with

interest went through a financial pre-qualifying process. Of those that qualified, the person with the earliest application date is awarded.

Commissioner Neves asked about income qualification and whether the project was meant for low-income beneficiaries. P. Aila stated the labor was provided by the students, so the cost of the homes generally run between $200,000 and $250,000.

Commissioner Kaleikini asked if the Department has similar projects on other islands. P. Aila replied that DHHL has a new project on Maui called the Ke Ala Hou program. It's similar in concept except that instead of college students, the labor is provided by the Department of Public Safety as a skill-building program for incarcerated men gain construction skills to assist with employment after they are released.

Commissioner Awo asked for an update on the status of the Maui project. P. Aila stated the lot is in Waiohuli, and the building plans have been submitted.

MOTION/ACTION

Moved by Commissioner Neves to approve the award of Department of Hawaiian Home Lands Residence Lot Lease to Donna M. Moffett for ninety-nine (99) years.
Seconded by Commissioner Awo

Commissioner	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo		X	X			
Commissioner Helm			X			
Commissioner Ka'apu			X			
Commissioner Kaleikini			X			
Commissioner Ka'upu			X			
Commissioner Namu'o			X			
Commissioner Neves	X		X			
Commissioner Teruya						X
Chairman Aila			X			
TOTAL VOTE COUNT			8			1

MOTION: [X] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED

Motion passed unanimously- eight (8) Yes votes

LAND MANAGEMENT DIVISION

ITEM F-1 Approval to extend Right of Entry Permit 683 to The Kohala Center for Fence Project and Watershed Management, Kawaihae, Hawai'i, TMK No. (3)-6-1-001:003: 016

RECOMMENDED MOTION/ACTION

Acting Land Management Division Administrator Kahana Albinio and Property Development Agent Kuali'i Camara presented the following:

Motion that the Hawaiian Homes Commission extends Right of Entry Permit 683 to The Kohala Center for Fence Project and Watershed Management, Kawaihae, Hawai'i, TMK No. (3)-6-1-001:003: 016.

MOTION
Moved by Commissioner Kaapu, seconded by Commissioner Helm, to extend Right of Entry Permit 683 to The Kohala Center for Fence Project and Watershed Management, Kawaihae, Hawai'i, TMK No. (3)-6-1-001:003: 016.

DISCUSSION
K. Camara read from the submittal, highlighting that the priority of the project is to protect the Honokoa Watershed from erosion, and in turn protecting the reefs from sediment.

Commissioner Helm asked if there was input from the community. K. Camara stated he met with the Kailapa Community, and their resilience plan aligns with the goals of the project.

Commissioner Kaapu stated he also met with the Kailapa Community in February 2020, and they were in support of the fencing. He asked if Phase II will completely enclose the parcel. K. Camara stated there is a small section along the highway that is still open, but the rest is contained.

Commissioner Kaapu added that the Kailapa Homestead Association has asked for a right-of-entry permit for this area. At some point, DHHL will want to do ag lots or homesteading. The more DHHL is actively involved with Kailapa, the better.

MOTION/ACTION

Moved by Commissioner Kaapu to extend Right of Entry Permit 683 to The Kohala Center for Fence Project and Watershed Management, Kawaihae, Hawai'i, TMK No. (3)-6-1-001:003:016. Seconded by Commissioner Helm						
Commissioner	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Helm		X	X			
Commissioner Ka'apu	X		X			
Commissioner Kaleikini			X			
Commissioner Ka'upu			X			
Commissioner Namu'o			X			
Commissioner Neves			X			
Commissioner Teruya						X
Chairman Aila			X			
TOTAL VOTE COUNT			8			1
MOTION: [X] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED Motion passes with eight (8) Yes votes						

ITEM F-2 Annual Renewal of Right of Entry Permit(s), No 1th & West Hawai' i Island

RECOMMENDED MOTION/ACTION
Acting Land Management Division Administrator Kahana Albinio presented the following:

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

A. Renew all North & West Hawaii Island Right of Entry Permit(s) as listed on Exhibit "A" and identified by approximate location on the North & West Hawai'i Island Map Exhibit "A-1" that are in compliance and issued temporary approvals, as of June 1, 2020.
B. The annual renewal period shall be on a month-to-month basis for up to twelve (12) months, but no longer than May 30, 2021, or at the next scheduled HHC meeting in North or West Hawai'i island whichever occurs sooner.
C. Authorize the Chairman to negotiate and set forth other terms and conditions that may be deemed to be appropriate and necessary.

MOTION
Moved by Commissioner Helm, seconded by Commissioner Awo, to approve the motion as stated in the submittal.

DISCUSSION
Commissioner Kaapu stated that he is starting his eighth year as a Commissioner, and he doesn't think that any of the properties listed have moved the entire time. There have been changes to the process, and how Commissioners get the information, there just isn't any progress in terms of moving beneficiaries on to the properties.

The 105 acres that Malama Solomon has can be leased out, and the pastoral leases for Kahua and Parker Ranches should be addressed. The Kailapa Community Association has expressed interest in having a community grazing area, and he thinks the Department can at least accomplish that. He thought Palekoki Ranch was done, and he isn't sure how to bring the two groups together or how to start working with the associations to provide stewardship over at least parts of the parcel.

Commissioner Awo stated he understands the challenges facing the Department and what will happen when there is no one on the land. He stated he has a legal question for counsel and wanted to add the item to the Executive Session agenda.

Chair Aila deferred action until after the Executive Session at the end of the meeting.

PLANNING OFFICE

ITEM G-1 Adoption of the Kealakehe- La'i 'Ōpua Regional Plan Update (2020), Kealakehe, North Kona, Hawaii

RECOMMENDED MOTION/ACTION
Acting Planning Manager Andrew Choy presented the following:
Motion that the Hawaiian Homes Commission:
1. Adopt the Kealakehe- La'i 'Opua Regional Plan Update (2020) (Exhibit A); and
2. Authorize dissemination of the Kealakehe- La'i 'Opua Regional Plan Update (2020).

MOTION
Moved by Commissioner Namu'o, seconded by Commissioner Awo, to approve the motion as stated in the submittal.

DISCUSSION

Commissioner Kaapu stated the associations spend a lot of time coming up with priority projects. Still, it is more of a wish list because the attention, time, and money that the Department and Commission put into it don't always match. In the case of the Honokohau project, La'i Opua 2020 wanted to be the driver in negotiating the contract with the developer. When an association advances a priority project, what is the interplay with the Commission so that it can be more of a win-win situation, as opposed to something that causes tension between the association and the Department.

A. Choy stated it would depend on the project. In the Honokohau situation, the department could issue a competitive solicitation to any developer based on the highest and best use for the parcel, returning value to the Department. In that process, the Department would negotiate a community benefits package with the developer so that some revenue could go back to the association. The other option could be a direct lease or license to an association for the development of the property under the eleemosynary process. It is a policy decision whether to seek the highest and best use for the parcel or in lieu of market rents that would be received from the property, decide the community services and programs are a priority. He added that any future development for that area is dependent on priority project number one, which is water development in North Kona. There are priority projects that are in line with what the Department needs and what the community wants.

Commissioner Kaapu stated his understanding is that the Department does not get involved with negotiating community benefits packages. Chair Aila confirmed current practice is the Department does not have a role in that process. If the Commission is inclined, a workshop can be added to a future agenda. Commissioner Kaapu requested a workshop if the Department is recommending a change in the process.

Commissioner Namu'o agreed with looking at the policy of the community benefits process.

ACTION

Moved by Commissioner Namuo to approve the motion, as stated in the submittal. Seconded by Commissioner Awo						
Commissioner	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo		X	X			
Commissioner Helm			X			
Commissioner Ka'apu			X			
Commissioner Kaleikini			X			
Commissioner Ka'upu			X			
Commissioner Namu'o	X		X			
Commissioner Neves			X			
Commissioner Teruya						X
Chairman Aila			X			
TOTAL VOTE COUNT			8			1
MOTION: [X] UNANIMOUS [] PASSED [ ] DEFERRED [ ] FAILED Motion passed unanimously -eight (8) Yes votes.						

ITEMS FOR INFORMATION AND DISCUSSION

GENERAL AGENDA

ITEM J-1 Bo Kahui – Villages of La'i'Opua
ITEM J-2 Kekoa Enomoto – Pa'upena Community Development Corporation
ITEM J-3 Alohalani Smith – Waikiu Community Development Corporation

Chair Aila stated the J Agenda listees submitted written testimony, which was provided to Commissioners. He asked if there were any questions regarding the testimonies. There were none.

Note: Testimonies are attached.

WORKSHOPS

PLANNING OFFICE

ITEM G-1 For Information Only – Water Policy Plan Implementation Program Report for FY 2020 and Draft Water Policy Plan Implementation Program for FY 2021

RECOMMENDED MOTION/ACTION
None. For Information Only.
Acting Planning Manager Andrew Choy introduced DHHL Water Consultant Dr. Jonathan Scheuer who presented the following:

DISCUSSION
This submittal provides (1) a report on progress made towards the Commission's water policy objectives under the FY 2020 Water Policy Plan ("WPP") Implementation Program ("IP"), and (2) a Proposed WPP-IP for FY 2021.

I. Purpose
The Hawaiian Homes Commission (HHC) Water Policy Plan was passed as a comprehensive water policy by and for the HHC in 2014. Based on our research, it was the first water policy of the Trust since the passage of the Hawaiian Homes Commission Act (HHCA) in 1921. It was adopted by the HHC after three years of research and two rounds of beneficiary meetings across Hawai'i. The Policy Plan, as adopted, is available with working links on the DHHL website.

Commissioner Helm asked for a status of the Moloka'i water expansion request. J. Scheuer stated the completion of the U.S. Geological Survey study; there is strong evidence for why water should be awarded to the Department. The staff has been working on the completion of a complex water use permit application for submission to the Commission on Water Resource Management.

Commissioner Helm asked about the status of the Moloka'i Irrigation System (MIS). A. Choy stated staff will engage the Department of Agriculture to get information needed for a feasibility study to determine the true cost of maintaining and operating the MIS.

Commissioner Kaleikini asked what the process is for associations to be involved in the budget requests. A. Choy said this particular funding request is to deal with associated environmental assessments and environmental compliance issues required for water sources that have already been identified.

Commissioner Neves asked if the KIUC (Kaua'i Island Utility Cooperative) contested case hearing results were issued. J. Scheuer stated the case is still pending, and the Department isn't a party in the case.

REGULAR AGENDA

HOMESTEAD SERVICES DIVISION

ITEM D-1 HSD Status Reports
A - Homestead Lease and Application Totals and Monthly Activity Reports
B – Delinquency Report
C – DHHL Guarantees for USDA-RD Mortgage Loans

RECOMMENDED MOTION/ACTION
None. For Information Only.
Acting Homestead Services Division Administrator Juan Garcia presented a report on the number of borrowers with direct loans. There were 967 total direct borrowers, and 277 of them took advantage of postponing their April loan installments. Assigned loans from the U.S. Department of Housing and Urban Development are 156 total borrowers, and 70 of them took advantage of postponing their April loan installment.

Commissioner Neves asked for the same type of report for the rental provided to income generating leases.

MOTION/ACTION
Moved by Commissioner Neves, seconded by Commissioner Kaapu to convene in an executive session pursuant to Section 92-5(a)(4), HRS, to consult with its attorney on questions and issue pertaining to the Commission's powers, duties, privileges, immunities, and liabilities. Motion carried unanimously.

EXECUTIVE SESSION IN 11:27 AM

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

1. Update on Honokaia Non-Potable Water System Settlement

EXECUTIVE SESSION OUT 11:47 AM

ITEM F-2 Annual Renewal of Right of Entry Permit(s), North & West Hawai'i Island (Continued)

RECOMMENDED MOTION/ACTION
Acting Land Management Division Administrator Kahana Albinio presented the following: Motion that the Hawaiian Homes Commission approve the following actions while developing a process to making short-term agricultural and pastoral land dispositions available to beneficiaries:

MOTION
Moved by Commissioner Helm, seconded by Commissioner Awo, to approve the motion as stated in the submittal.

ACTION

Moved by Commissioner Helm to approve the motion, as stated in the submittal. Seconded by Commissioner Awo						
Commissioner	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo		X	X			
Commissioner Helm	X		X			
Commissioner Ka'apu			X			
Commissioner Kaleikini			X			
Commissioner Ka'upu			X			
Commissioner Namu'o			X			
Commissioner Neves			X			
Commissioner Teruya						X
Chairman Aila			X			
TOTAL VOTE COUNT			8			1
MOTION: [ ] UNANIMOUS [X] PASSED [ ] DEFERRED [ ] FAILED Motion passed eight (8) Yes votes. Comm. Kaapu with Reservations.						

ANNOUNCEMENTS AND ADJOURNMENT

MOTION/ACTION
Moved by Commissioner Neves, seconded by Commissioner Awo, to adjourn the meeting. Motion carried unanimously.

ADJOURNMENT **11:52 A.M.**

Respectfully submitted:

William J. Aila Jr., Chairman
Hawaiian Homes Commission

Prepared by:

Leah Burrows-Nuuanu, Commission Secretary
Hawaiian Homes Commission

APPROVED BY:
The Hawaiian Homes Commission at its regular monthly meeting on:

June 16, 2020

Attachments

1. Public Testimony – Cora Schnackenberg – Item F-1
2. Public Testimony – Shawndelle Kamalani – Puunani Hawaiian Homes Association
3. Item G-2 – Ola I Ka Wai Slide Presentation
4. Item D-1 – COVID-19 Loan Deferral Report

Aloha! Commissioners,

RE: Administrative Rules 10-3-30 (d) and (e) Kuleana homestead leases

My name is Cora Caparida-Schnackenberg, President of Ahonui Homestead Association representing members of the "waitlisted applicants" of DHHL.

In February 2020, you the Commissioners have approved Ahonui "Ualapue Kuleana Homestead" projects as one of the 24 potential projects identified in the Molokai Regional Plan 2020.

We are so grateful as many of the beneficiaries have worked hard from the beginning to current in hope to expedite putting the "wait-listers" on the land.

On or about February 18, 2020, I have brought to your attention of the following.

1. 2005 Molokai Island Plan regarding TMK: (2) 5-6-006:017 and (2) 5-6-002:026 needs to be updated through a beneficiary consultation to alleviate the conflict between both the Island Plan and the updated 2019 Molokai Regional Plan.

2. Our project is a community-based project which "beneficiaries" (DHHL waitlisted applicants) involvement and commitment were important in the development of the plan thus, it was necessary and pivotal for DHHL to be involved in the process however three (3) staff (supervisory and planning position) from DHHL (Molokai, Maui, and Oahu) refused to assist (us) applicants in the development of our plan.

3. Thus, Ahonui Homestead Association made efforts and attempts for 8 months to stimulate interest on Molokai and statewide through radio station, newspaper, and community bulletins. We printed out and used DHHL waitlisted list on their website to stimulate beneficiaries' interest for agriculture Kuleana off-grid project on Molokai, Ualapue district. Again, I have sought assistance from Molokai DHHL office, Maui, and Oahu for their assistance, again refused.

4. Ahonui targeted 175 (DHHL) applicants (waitlisted) however only 65 registered for the project; 5 from neighbor island, 37 from the Ualapue area, and rest are scattered from different area on Molokai (Kaunakakai/Hoolehua).

5. Finally, Ahonui consulted with Molokai Commissioner, Zack Helm as to our efforts as stated above. Commissioner Helm encouraged Ahonui to proceed with our project.

In regards, to administrative rules 10-3-30 (d) and (e) Kuleana homestead leases

> **(d)** The commission shall determine which homestead waiting list, or combinations thereof, may be used to make the awards and what list, or combinations thereof, may be used if the original list used to make the awards is exhausted.

(e) The department, together with interested applicants, shall develop a plan for settlement and development of the designated tract. All settlement plans shall be subject to approval by the commission. The plan shall include, but not be limited to the following…

We, the waitlisted applicants and members of Ahonui Homestead Association have done our fiduciary duties as best we knew how. We have included and sought assistance from DHHL as their involvement was necessary. We feel that the department did not meet their obligation and have violated their own "administrative rules" as indicated and stated "e" above.

We, the Ahonui Homestead Association are requesting that Our Commissioners would seriously consider and approve the adoption of the 65 waitlisted applicants as registered for the "Kuleana homestead leases" (off-grid, Ualapue Kuleana Project) as awardees and leases to the Ualapue project; to allow for further continuation of planning and development of the project and that a planner from DHHL be assigned.

I pray that you as our commissioners would seriously consider and grant our registered list as attached as the awardees. Should you have any questions, please contact me at 808-646-0051.

Mahalo for your time on this matter,

Cora Caparida-Schnackenberg
Ahonui Homestead Association

UALAPUE KULEANA PROJE T REGISTRY

1.	Rowan Puaa	973
2.	Samuel K. Pedro	43
3.	Charity Kekauoha	713
4.	William Kekauoha	672
5.	(sp. Iwalani) John adowaki	171
6.	Herbert Hoe	492
7.	Christine Kehaui rd	
8.	Terah-lynn Garces- eyes	
9.	Fiona Benjamin	897
10.	Marilyn Kaulili	293
11.	Gussie Dudoit	1090
12.	Sandra Arce Englis	96
13.	Jody Kalilikane-Boc boc	
14.	Ivan/Catherine Ka amae	86
15.	Bronson Kalipi	617
16.	Donovan Keliipuea	
17.	Zaidarene W Kalipi	595
18.	Palmer Naki	659
19.	Alma Gamiao	667
20.	Cynthia K. Gutierres	302
21.	Blossom Poepoe	2
22.	Garlie "Alfredo" Rin	7
23.	DeCosta Thelma/No man	195
24.	Ramona Smith	947
25.	Phillip Stephens	
26.	Tyrah Kaapuni	1061
27.	Jonathan English	974

28.	Florence Kong	884
29.	Delbrine "Kaui" K Manera	240
30.	Cora Schnackenberg Caparida	164
31.	Nakooka, Dwight	43
32.	Kawika Farm	200
33.	Valeny Dudoit	767
34.	Clifford Kapono	36
35.	Colleen L Yarbrugh-Bordenx	117
36.	Issac Gloor /Cheryl	95
37.	Christopher K Chang	257
38.	Shawnsen Kong Manintin	270
39.	Mehana Pupuhi-Togia	
40.	Charles Pelekane	213
41.	John Kuahuia	
42.	Leimamo Kuahuia	920
43.	John W.K Keohuloa	650
44.	Hanalei Keohuloa	792
45.	Joe Yamamoto	572
46.	Dean K. Hoe	821
47.	Scott Dudoit	
48.	Nahiwa Naki	932
49.	Winnifred K Lopez	938
50.	William Kalipi Jr	105
51.	Lenora K Keomaka	1036
52.	Theodora P Sibayan	498
53.	Gavin Pelekane Tamashiro	962
54.	Pelekai, Robert Jr	47
55.	Kimberly English	986
56.	Issac Naki	1008

57.	Gordon Oliveria	
58.	Chadlyn"Chad" Hirata	1029
59.	Alika Nihipali	
60.	Deanna Foo	
61.	Dickson Stone	
62.	Juliana Bicoy	65
63.	Jerry Kehouloa	
64.	Mary Jane Kahalewai	
65.	Desiree A Ilima/Paaaina	

Ahonui Homestead Association
Post Office Box 417
Ho`olehua, Molokai, Hawai`i 96739
Cellphone (808) 646-0051
Email cora.schnackenberg@yahoo.com
May 18, 2020

Aloha e Hawaiian Homes Commissioners,

I am Cora Schnackenberg, president of Ahonui Homestead Association on Molokai. I would like to advocate on agendized item F-1 Approval to extend Right of Entry (ROE) Permit 683 to the Kohala Center for fence project and watershed management, Kawaihae, Hawai`i, TMK No. (3)-6-1-001:003, :0016.

I understand that the Kohala Watershed Partnership seeks renewal of a 3-year-old, no-cost ROE to 380.13 Kawaihae homeland acres to install 12 miles of fence line for ungulate management, according to the 2018 DHHL Annual Report. In 2017, the Hawaiian Homes Commission approved the land-use request of the non-Hawaiian, nonbeneficiary entity, Kohala Watershed Partnership.

The Hawaiian Homes Commission just approved the land-use request of the native-Hawaiian, beneficiary entity, Ahonui ("patience" in Hawaiian) Homestead Association (in 2020 Molokai Regional Plan) 15 years after the 2005 Molokai Island Plan.

I respectfully request that the Hawaiian Homes Commission with consideration and approval of the Kohala/Kawaihae renewal and with all fairness that the commission consider the approval awarding 65 or more accelerated leases for Molokai waitlist beneficiaries to farm `Ualapu`e trust lands.

I believe that accelerated-lease awards are the next step in the kuleana process on Molokai; so beneficiaries may have a sense of ownership, become invested, and participate, thus increasing community capacity. DHHL set the precedent for such accelerated-lease awards 3.5 decades ago when the department held 1986 lot selection by some 400 beneficiaries for Maui's Waiohuli residential and Keokea agricultural subdivisions — two exemplary accelerated-lease homesteads.

However, the DHHL Planning Office contends that the next step in the kuleana process is to enlist a planner, for which DHHL Planning staff said there is no available funding. But I propose that DHHL provide technical assistance in the form of an `Ualapu`e planner, per Hawaiian Homes Commission Act (HHCA) Section 219.1, with part of the $100 million reportedly in nine DHHL beneficiary trust-fund accounts.

HHCA Section 219.1 explains "General Assistance (a) The department is authorized to carry on any activities it deems necessary to assist the lessees in obtaining maximum utilization of the leased lands, including taking any steps necessary to develop these lands for their highest and best use commensurate with the purposes for which the land is being leased as provided for in Section 207, and assisting the lessees in all phases of farming, ranching, and aquaculture operations . . . "

In conclusion, the native-Hawaiian, beneficiary Ahonui Homestead Association seeks at least equal commission support as the non-Hawaiian, nonbeneficiary Kohala Watershed Partnership in accessing and fulfilling the potential of our trust lands.

Mahalo,

Cora Schnackenberg
President
Ahonui Homestead Association
808-646-0051

PUBLIC TESTIMONY on AGENDIZED ITEMS

Hawaiian Homes Commission Meeting May 16, 2020 via Weblink

Sent: Sunday, May 17, 2020 5:01 PM
Subject: HHC Contact: Submit Written Testimony

To: HHC Secretary

First Name: Shawndelle
Last Name: Kamalani

Email: keoiwa7@gmail.com

Subject: Puunani Hawaiian Homestead Association

Message:
Aloha Mai e Hawaiian Homes Commissioners,

I am advocating on agenda item D-1A Homestead lease and application totals and monthly activity reports, on the subject of the 3,844 beneficiaries on the Maui residential waitlist. The latter includes seven beneficiaries who've been waiting 59 years, since 1961, for Valley Isle homestead awards.

I would like to contact Maui liaison Julie-Ann Cachola of the DHHL Planning Office to ask for a list of the names only of the top 250 of those 3,844 beneficiaries on the Maui residential waitlist by date of application with Maui ZIP codes. I seek to contact and organize these
250 Maui residential waitlisters, as part of the organizational mission for a fledgling association of the planned 48.3-acre, 161-lot Pu`unani homestead subdivision at Waikapu, Maui.

My name is Shawndelle Keoiwa Kamalani of Kihei, Maui. I am the interim president of Pu'unani Hawaiian Homestead Association, recently incorporated as a Hawai`i nonprofit.

The mission of the Pu`unani Hawaiian Homestead Association is to serve and advocate on behalf of the Pu`unani homestead subdivision community. The association's initial objectives are (1) to contact, organize and engage the prospective residents of the planned Pu`unani homestead subdivision; so they may bond as a community and have input into any policies that may impact them, (2) to enlighten and educate the prospective Pu`unani residents on their entitlements under the
1921 Hawaiian Homes Commission Act, and (3) to help empower them to qualify for mortgages and to be self-sufficient beneficiaries on the trust lands.

The officers of Pu`unani Hawaiian Homestead Association include interim Vice President Shawnalison Keanuenue-holowahine Kana`e of Waiehu and interim Secretary/Treasurer Mililani Kiesling of Wailuku.
All three of us are Maui residential waitlisters.

PUBLIC TESTIMONY on AGENDIZED ITEMS

Hawaiian Homes Commission Meeting May 16, 2020 via Weblink

First Name: Shawndelle
Last Name: Kamalani

Subject: Puunani Hawaiian Homestead Association

Continued Message:

I graduated from the Kamehameha Schools Kapalama in 1991, have worked for Hawaiian Airlines 14 years, and have genealogical ties to South Maui. My great-great-great-great-grandparents were John Kukahiko and Kamaka Kuhaulua of Makena. My grandparents are George and Eleanor
(Burns) Ferreira, and my parents are Everett and Carolyn (Kaui) Ferreira. My husband, Wailea firefighter David Kamalani, and I have five children.

Besides contacting DHHL Maui liaison Julie-Ann Cachola, we Pu`unani officers support Paukukalo Hawaiian Homestead Community Association President Stephen Cramer's discussion with Pu`unani developer Everett Dowling, to provide a park for the Pu`unani subdivision. And we agree with Mr. Dowling's Feb. 10, 2020, announcement at Paukukalo that there will be no DCCR (Declaration of Conditions, Covenants, and
Restrictions) for Pu`unani subdivision homesteaders.

I am grateful for this opportunity to advocate on behalf of 3,844 Maui residential waitlist beneficiaries, including seven waiting nearly six decades for Valley Isle homestead awards. We look forward to making an association PowerPoint presentation during the community supper meeting at 6 p.m. Oct. 19, 2020, after the Hawaiian Homes Commission meets earlier that day at Paukukalo.

Mahalo nui loa, a me a hui hou,

Shawndelle Keoiwa Kamalani
Interim president
Pu`unani Hawaiian Homestead Association

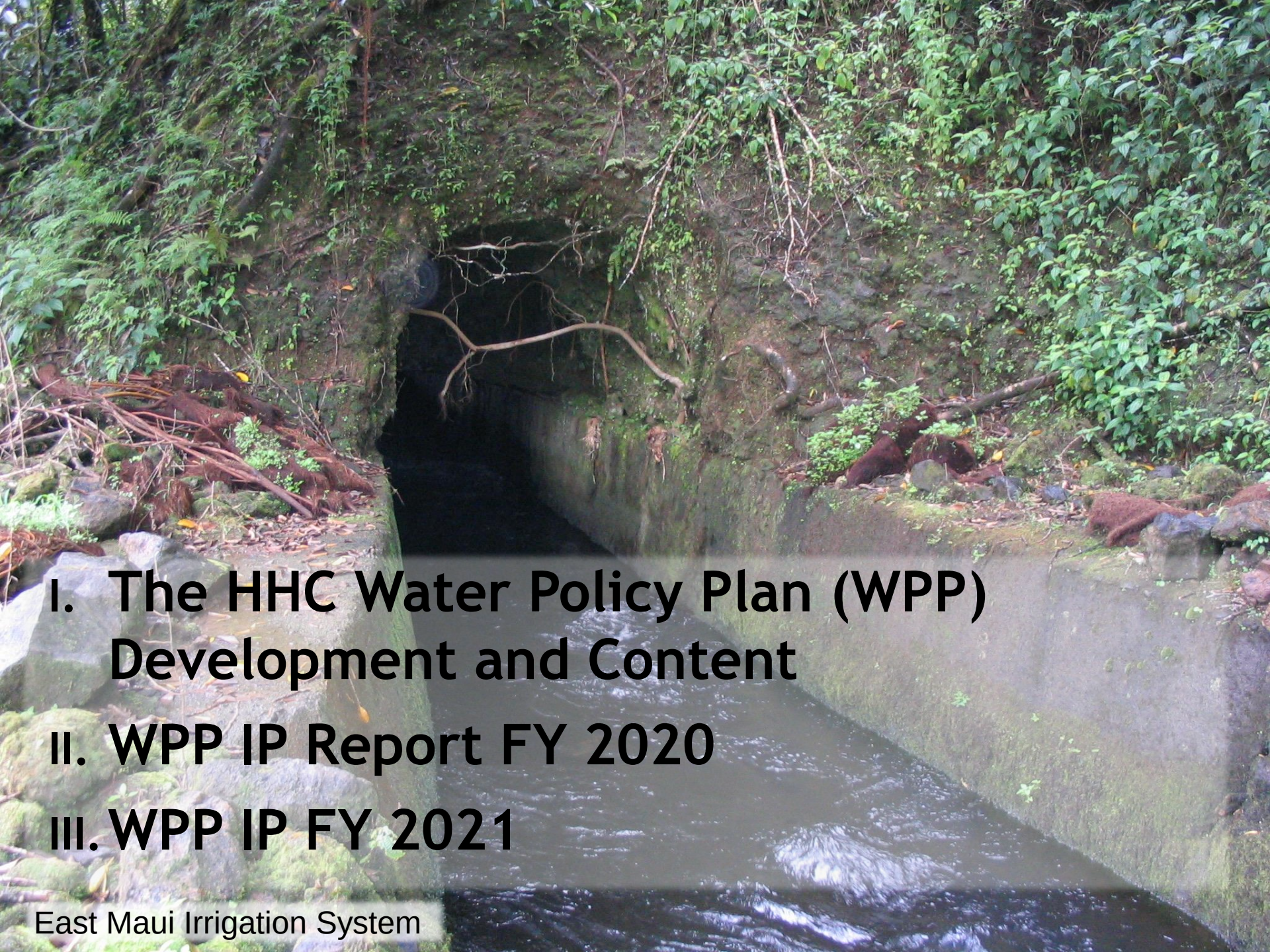
The Water Policy Plan Implementation Program FY 2020 Report and 2021 Program

Andrew Choy, Acting Planning Program Manager

Jonathan Likeke Scheuer, Consultant

May 19, 2020 Via Teleconference

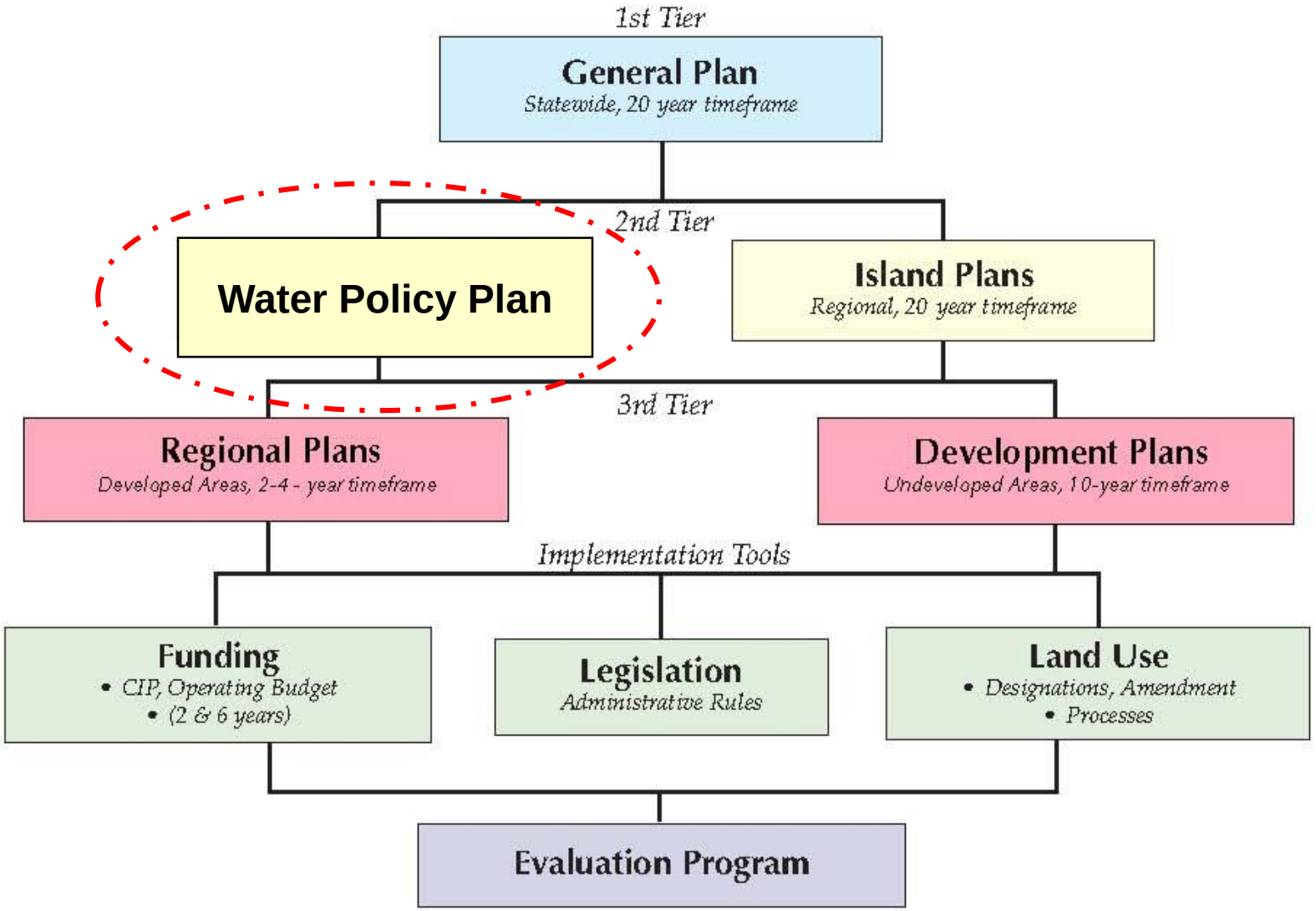
Wai`ale`ale “Blue Hole”, Kaua`i



I. The HHC Water Policy Plan (WPP) Development and Content
II. WPP IP Report FY 2020
III. WPP IP FY 2021

East Maui Irrigation System

DHHL Planning System



DHHL Planning System

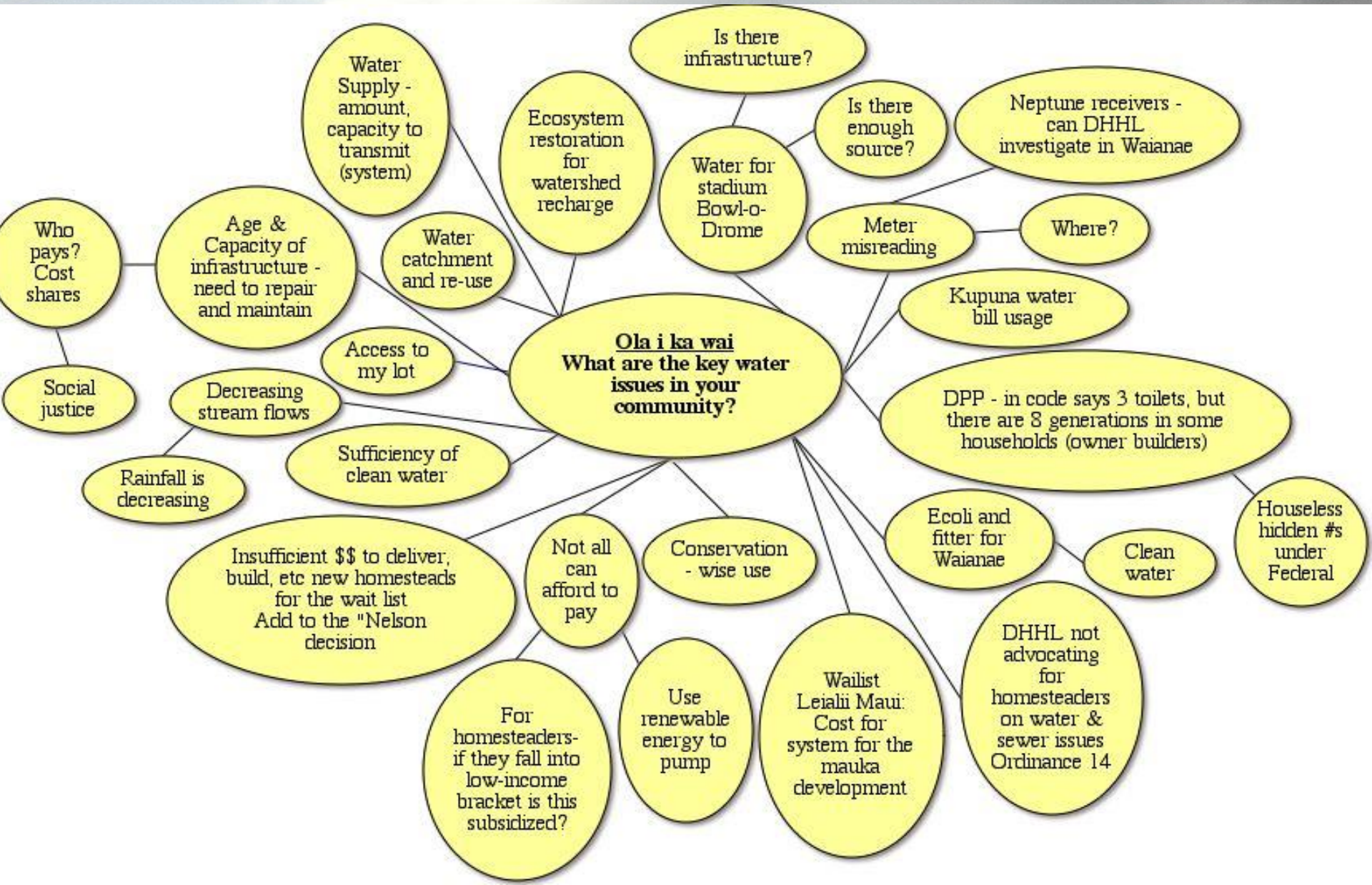
WPP Development: Research

- Department and Water Commission files
- Review of DHHL legal rights and roles
- Specific Projects (e.g. Pulehunui, Maui)
- State Water Projects Plan Update
- Scoping Interviews
- Statewide beneficiary meetings
  - Notes, conversation maps, letters

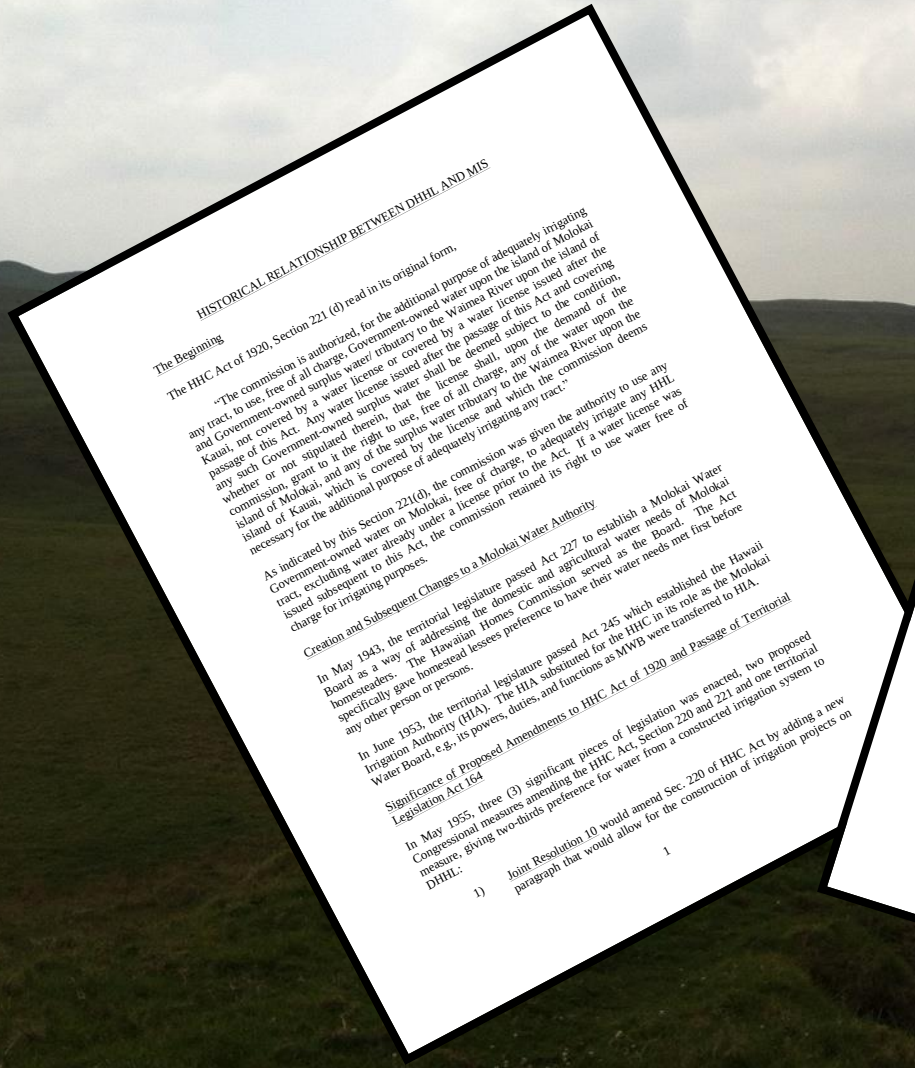
Meetings - 2013

Oct. 23	O‘ahu	Stevenson Middle School Cafeteria
Oct. 30	Kaua‘i	Chiefess Kamakahelei Middle School
Nov. 4	Molokai	Lanikeha Community Center
Nov. 5	O‘ahu	Kapolei Middle School Cafeteria
Nov. 6	O‘ahu	Blanche Pope Elementary Cafeteria
Nov. 7	Lāna‘i	Lāna‘i Elementary & High Cafeteria
Nov. 12	Hawai‘i	DHHL Kūhiō Hale, Waimea
Nov. 13	Hawai‘i	Hilo High School Cafeteria
Nov. 14	Maui	DHHL Paukūkalo Community Center

Conversation maps



Meeting Notes



HISTORICAL RELATIONSHIP BETWEEN DHHL AND MIS

The Beginning

The HHC Act of 1920, Section 221 (d) read in its original form,

"The commission is authorized, for the additional purpose of adequately irrigating any tract, to use, free of all charge, Government-owned water upon the island of Molokai and Government-owned surplus water/ tributary to the Waimea River upon the island of Kauai, not covered by a water license or covered by a water license after the passage of this Act. Any water license issued after the passage of this Act and covering any such Government-owned surplus water shall be deemed subject to the condition, whether or not stipulated therein, that the license shall, upon the demand of the commission, grant to it the right to use, free of all charge, any of the water upon the island of Molokai, and any of the surplus water tributary to the Waimea River upon the island of Kauai, which is covered by the license and which the commission deems necessary for the additional purpose of adequately irrigating any tract."

As indicated by this Section 221(d), the commission was given the authority to use any Government-owned water on Molokai, free of charge, to adequately irrigate any HHL tract, excluding water already under a license prior to the Act. If a water license was issued subsequent to this Act, the commission retained its right to use water free of charge for irrigating purposes.

Creation and Subsequent Changes to a Molokai Water Authority

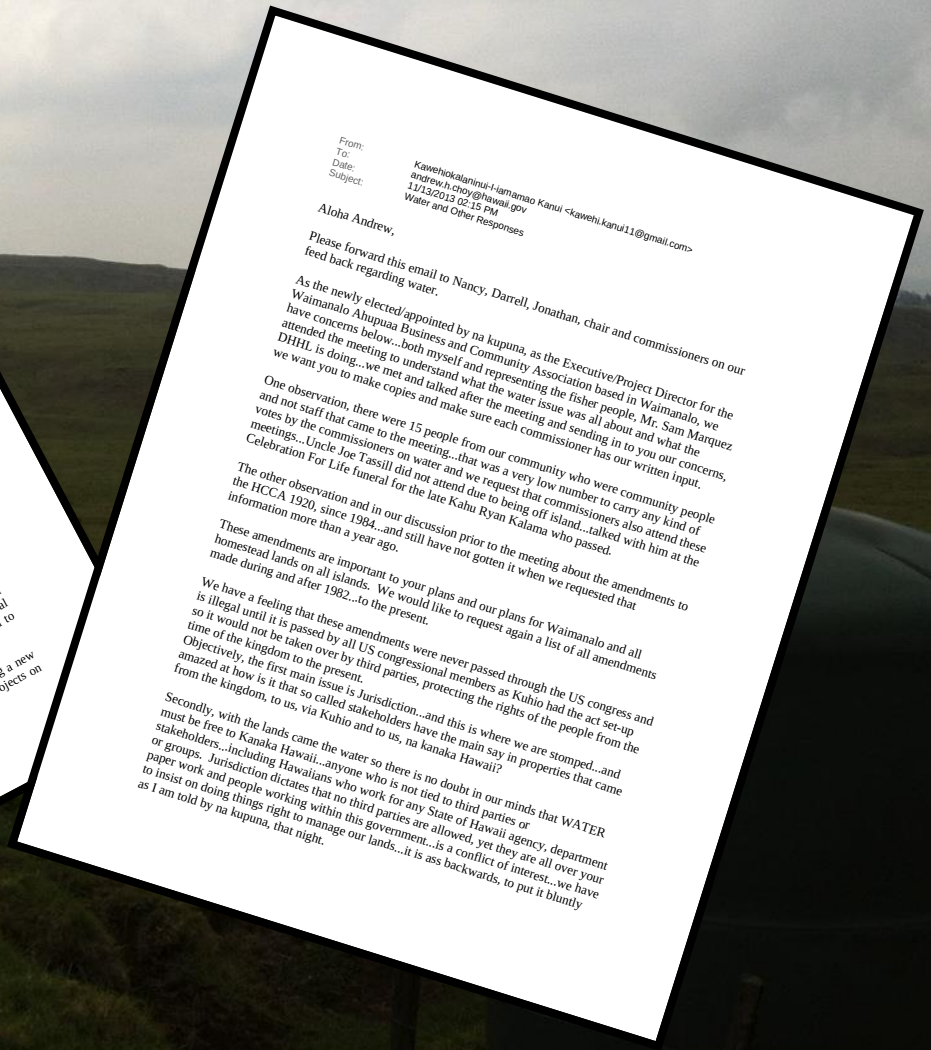
In May 1943, the territorial legislature passed Act 227 to establish a Molokai Water Board as a way of addressing the domestic and agricultural water needs of Molokai homesteaders. The Hawaiian Homes Commission served as the Board. The Act specifically gave homestead lessees preference to have their water needs met first before any other person or persons.

In June 1953, the territorial legislature passed Act 245 which established the Hawaii Irrigation Authority (HIA). The HIA substituted for the HHC in its role as the Molokai Water Board, e.g., its powers, duties, and functions as MWB were transferred to HIA.

Significance of Proposed Amendments to HHC Act of 1920 and Passage of Territorial Legislation Act 164

In May 1955, three (3) significant pieces of legislation was enacted, two proposed Congressional measures amending the HHC Act, Section 220 and 221 and one territorial measure, giving two-thirds preference for water from a constructed irrigation system to DHHL.

1) Joint Resolution 10 would amend Sec. 220 of HHC Act by adding a new paragraph that would allow for the construction of irrigation projects on



From: Kawehiokalaninui-I-iamamao Kanui <kawehi.kanui11@gmail.com>
To: andrew.h.choy@hawaii.gov
Date: 11/13/2013 06:15 PM
Subject: Water and Other Responses

Aloha Andrew,

Please forward this email to Nancy, Darrell, Jonathan, chair and commissioners on our feed back regarding water.

As the newly elected/appointed by na kupuna, as the Executive/Project Director for the Waimanalo Ahupuaa Business and Community Association based in Waimanalo, we have concerns below...both myself and representing the fisher people, Mr. Sam Marquez attended the meeting to understand what the water issue was all about and what the DHHL is doing...we met and talked after the meeting and sending in to you our concerns, we want you to make copies and make sure each commissioner has our written input.

One observation, there were 15 people from our community who were community people at the meeting...that was a very low number to carry any kind of votes by the commissioners on water and we request that commissioners also attend these meetings...Uncle Joe Tassill did not attend due to being off island...talked with him at the Celebration For Life funeral for the late Kahu Ryan Kalama who passed.

The other observation and in our discussion prior to the meeting about the amendments to the HCCA 1920, since 1984...and still have not gotten it when we requested that information more than a year ago.

These amendments are important to your plans and our plans for Waimanalo and all homestead lands on all islands. We would like to request again a list of all amendments made during and after 1982...to the present.

We have a feeling that these amendments were never passed through the US congress and is illegal until it is passed by all US congressional members as Kuhio had the act set-up so it would not be taken over by third parties, protecting the rights of the people from the time of the kingdom to the present.

Objectively, the first main issue is Jurisdiction...and this is where we are stomped...and amazed at how is it that so called stakeholders have the main say in properties that came from the kingdom, to us, via Kuhio and to us, na kanaka Hawaii?

Secondly, with the lands came the water so there is no doubt in our minds that WATER must be free to Kanaka Hawaii...anyone who is not tied to third parties or stakeholders...including Hawaiians that no third parties are allowed, yet they are all over your or groups. Jurisdiction dictates that no third parties are allowed, yet they are all over your paper work and people working within this government...is a conflict of interest...we have to insist on doing things right to manage our lands...it is ass backwards, to put it bluntly as I am told by na kupuna, that night.

Different meetings had different concerns

- **Oʻahu (Honolulu):** Provide more education, outreach, advocacy
- **Kauaʻi:** Support stream restoration, ag water, HHC representation on CWRM
- **Molokai:** Take back the MIS, support self-sufficiency
- **Oʻahu (Kapolei):** Address water rates / high cost of water
- **Oʻahu (Waimānalo):** Advocate for Maoli rights, design homesteads for water
- **Lānaʻi:** Address desalinization & development impacts
- **Hawaiʻi (Waimea):** Provide Ag water, address water system management
- **Hawaiʻi (Kona):** Oppose Keauhou designation
- **Hawaiʻi (Hilo):** Address a lack of fairness of the County BWS
- **Maui:** DHHL vs. kuleana water rights; support kalo water needs

Key themes

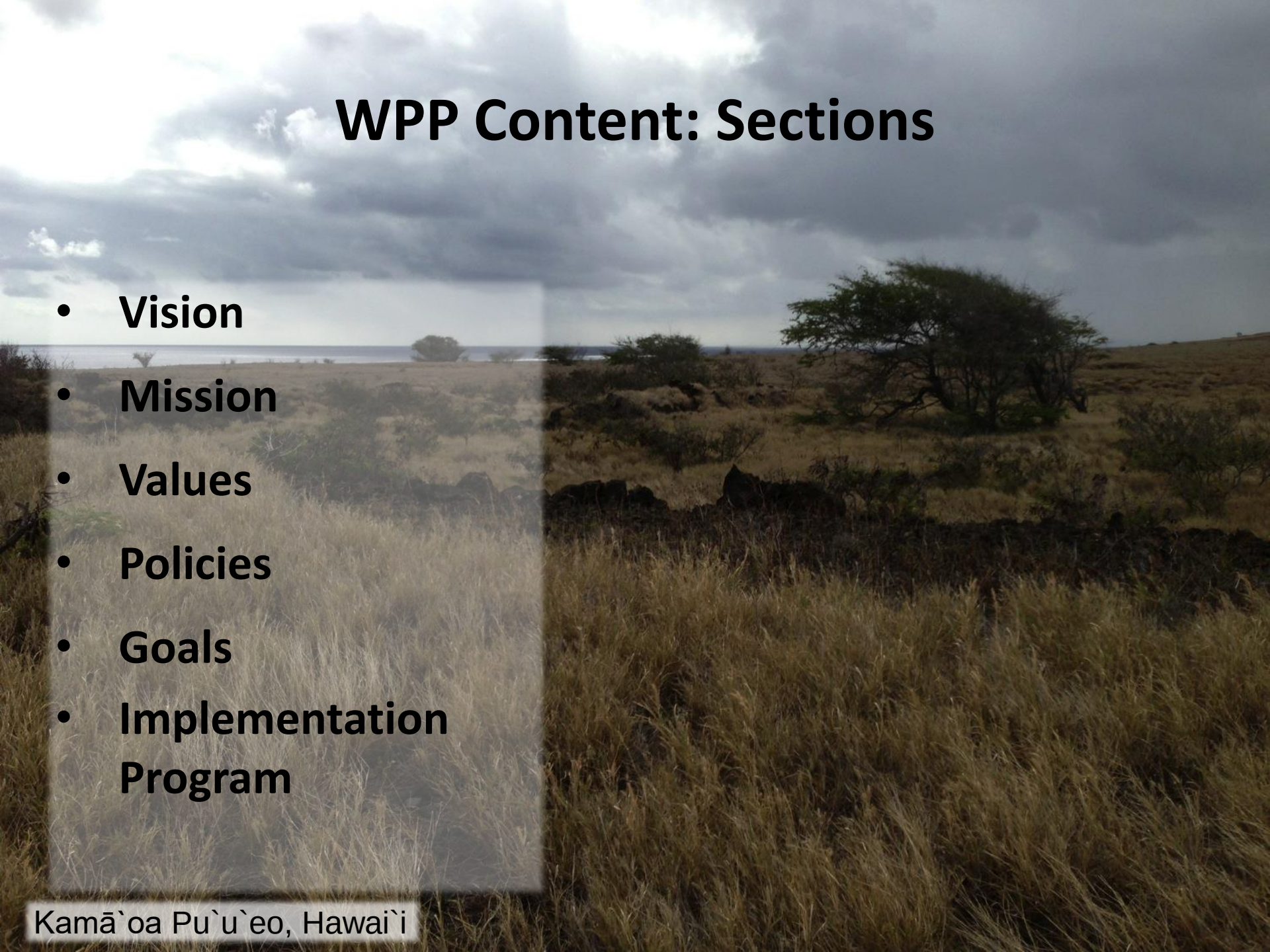
- Water is a critical trust asset
- We need sufficient water now & in the future
- DHHL's knowledge of water is limited
- Water management should be balanced
- Beneficiary partnership is essential
- Continuous, aggressive advocacy is critical
- Water connects DHHL to other trusts, and to all other people

Final Drafting and Approval

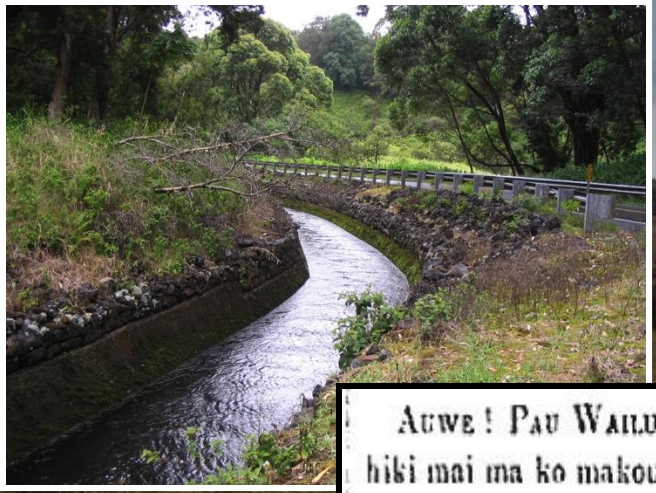
- Statements further grouped as they relate to values, policies, and goals
- Draft cross checked with beneficiary input
- Review by DHHL staff
- Unanimous approval as DRAFT by the HHC on February 19, 2014
- Statewide Beneficiary Consultation Meetings
- Unanimous approval by HHC on July 22, 2014

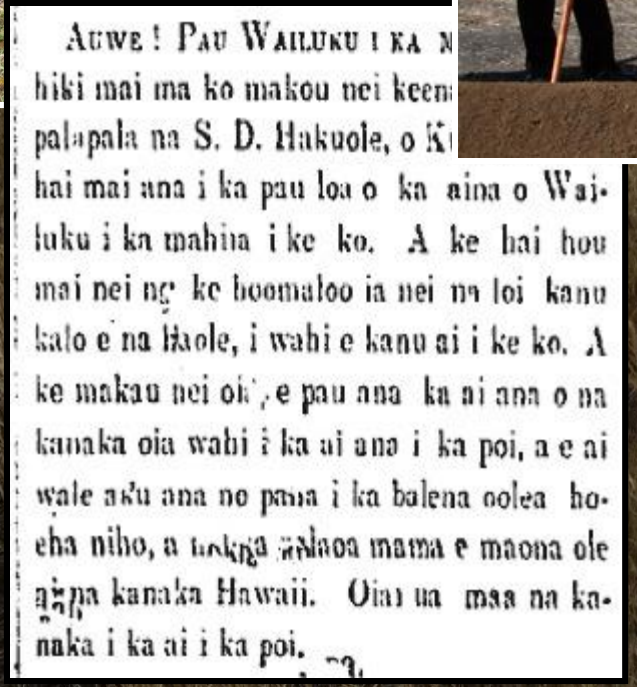
WPP Content: Sections

- Vision
- Mission
- Values
- Policies
- Goals
- Implementation Program



Values: Waiwai, Waihona, Mālama, Laulima





AUWE ! PAU WAILUKU I KA M
hiki mai ma ko makou nei keen
palapala na S. D. Hakuole, o K
hai mai ana i ka pau loa o ka aina o Wai-
luku i ka mahina i ke ko. A ke hai hou
mai nei ng ke hoomaloo ia nei na loi kanu
kalo e na Haole, i wahi e kanu ai i ke ko. A
ke makau nei oi, e pau ana ka ai ana o na
kanaka oia wahi i ka ai ana i ka poi, a e ai
wale aku ana no pana i ka balena oolea ho-
eha niho, a [illegible] mama e maona ole
[illegible] kanaka Hawaii. Oiai ua maa na ka-
naka i ka ai i ka poi.

Four Priority Goals

1. Affirmatively communicate
2. Aggressively advocate
3. Water Assets Inventory
4. Watershed Protection

II. WPP IP FY 2020 – Accomplishments

- Water Lease advocacy and reservations statewide (incl. Wailuku R. Hilo)
- Beneficiary training across Hawai`i with Ka Huli Ao
- Molokai USGS studies and permitting work
- WAI cultural assets inventory
- N. Kona source development work

IV. WPP IP FY 2021 – Major Goals

1.b. Continued Trainings

2.a. NHRF Advocacy (171-58)

2.b. Seek reservations and water

2.c. Monitoring other agencies

3.a. WAI development

5.c. MIS Cost of Service Study

IV. WPP IP FY 2020 – Budget

1.b. Training	150,000
5.b. Water Source Dev.	300,000
5.c. MIS COSS	150,000
TOTAL	$650,000

Nīnau?

		Lessees from 3/31/2020 listing not paying in April 2020						
							Direct Loans	
Count of TTL BAL	**Column Labels**							
Row Labels	**EHDO**	**KAUAI**	**MAUI**	**MOLOKAI**	**OAHU**	**WHDO**	**Grand Total**	
-	146	70	52	74	276	72	690	71.35%
1.00	66	28	39	13	115	16	277	28.65%
Grand Total	**212**	**98**	**91**	**87**	**391**	**88**	**967**	100.00%
Non-Deferral	68.87%	71.43%	57.14%	85.06%	70.59%	81.82%	71.35%	
Deferral	31.13%	28.57%	42.86%	14.94%	29.41%	18.18%	28.65%	
Total	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	
The 1.00 represents an increase of one installment in the past due, using interest for installment								

		Lessees from 3/31/2020 listing not paying in April 2020						
							326	
Count of TTL BAL	**Column Labels**							
Row Labels	**EHDO**	**KAUAI**	**MAUI**	**MOLOKAI**	**OAHU**	**WHDO**	**Grand Total**	
-	10		16	3	53	4	86	55.13%
1.00	12	1	17		34	6	70	44.87%
Grand Total	**22**	**1**	**33**	**3**	**87**	**10**	**156**	100.00%
Non-Deferral	45.45%	0.00%	48.48%	100.00%	60.92%	40.00%	55.13%	
Deferral	54.55%	100.00%	51.52%	0.00%	39.08%	60.00%	44.87%	
Total	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	
The 1.00 represents an increase of one installment in the past due, using interest for installment								