



# CONFERENCE REPORT

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<b>TO:</b>	The Department of Hawaiian Home Lands (DHHL)		
<b>FROM:</b>	G70		
<b>DATE:</b>	02/06/2020	<b>LOCATION:</b>	Kekaha, Kaua'i
<b>PROJECT:</b>	DHHL Pu'u 'Ōpae Kuleana Homestead Lots Settlement Plan	<b>PROJECT NO:</b>	217042-01
<b>SUBJECT:</b>	Beneficiary Consultation Meeting #3	<b>NO. OF PAGES:</b>	6
<b>THOSE PRESENT:</b>	DHHL: Andrew Choy, Nancy McPherson, Julie-Anne Cachola, Erna Kamibayashi	G70: Kawika McKeague, Ryan Char, Cody Winchester	
	Translations: Makana Garma- 'Ōlelo Ni'ihau		

The Department of Hawaiian Home Lands (DHHL) and G70 held a joint public meeting with beneficiaries who are on the Kaua'i Island Agricultural and Pastoral Waitlist. The meeting was held at the Kekaha Elementary School cafeteria on February 6<sup>th</sup>, 2020, from 6:00 to 8:00 pm. Approximately 40 attendees participated in the meeting. Among the approximately 40 in attendance was a congregation of about 4 residents from the island of Ni'ihau. Makana Garma assisted with 'Ōlelo Ni'ihau translations of meeting materials and facilitating discussions. For the first time in DHHL history, presentation handouts and slides have been translated into 'Ōlelo Ni'ihau. Presentation materials will be made available on the DHHL website.

## Opening Statements from Andrew Choy (DHHL):

- Introductions of DHHL staff present at the meeting
- There are upcoming opportunities for Kuleana Homesteading on Kaua'i at Pu'u 'Ōpae and Anahola
- Kuleana Homesteading is part of DHHL's efforts to address beneficiaries concerns about lengthy waits on the waitlist and requests to be awarded raw land
- Tonight's meeting is not about awarding lots. Instead, it is an informational and beneficiary consultation meeting. Future meetings will be held with regard to lot awards
- Meeting tonight will include our presentation on the Settlement Plan as well as small group discussions
- Pule provided by meeting attendee

## Welcoming Remarks from Commissioner Dennis Neves (HHC):

## Discussion on the Purpose and Intent of the Kuleana Program by Julie Anne Cachola (DHHL):

- Whole new program: Kuleana

- “Lease in your hand, feet on the land
- What is the Kuleana Program
  - Kuleana- Right, privilege, your responsibility
  - Hawai'i Administrative Rules 10-3-30
  - Department obligations
    - Lot metes and bounds
    - Unpaved road access to lot
  - Settling on unimproved lands
  - Lots are awarded AS IS; immediate access with no improvements
  - Lands chosen because:
    - land is not easy to develop
    - excessive costs and time to develop
    - someone can live on land now
  - Kuleana awards are for people who want immediate access to the land
  - Program will put you on the land as quickly as possible -- faster than traditional lease program
  - A traditional house = prequalify for home loan
  - Kuleana lease = no financial obligations
  - This type of lease is not for everyone
  - It is not a turnkey lease
  - The Kuleana waitlist is for agriculture and pastoral list, not residential
- Lessees must create a community association / hui
  - Complex challenges require that community faces them together. Awardees must become a member of the hui.\
  - Lessees must participate in maintenance of roads
  - Preservation of natural, cultural, and historic resources
- Lessees must follow the county codes, zoning, etc. until...
  - Organization / kuleana hui, develops own codes and zoning
  - Get rules approved by commission
  - Once approved, awardees won't have to abide by county rules
- 1995 –Kahikinui Project, Maui
  - Land was only occupied by general lease ranchers
  - Homesteaders wanted land to be for Hawaiians, not for cattle
  - Remote lands meant long wait for infrastructure
  - Program designed to let the people take care of the land; be the eyes and ears
- Typical Timeline:
  - Typical timeline: wait time for securing funding, consultants, design, funding, construction.
  - Land remains idle
- Kuleana Timeline:
  - Put you on the land first
  - Rehabilitation starts at the beginning
  - Develop your community association

- Manage resources as a hui
- Develop community center
- Opportunity for community-based management, economic development, resource development
- Planning process:
  - EA to be finalized in June or July
  - DHHL could award soon thereafter, coordinating with KIUC and Subdivision for TMK's.

### **Presentation by Kawika McKeague (G70):**

The presentation had a duration of approximately 45 minutes. The PowerPoint and discussion questions were translated into 'Ōlelo Ni'ihau.

The presentation covered the following topics:

1. *Why are we here?*
2. *Planning for Kuleana Homesteading for Subsistence Agricultural Lots at Pu'u 'Ōpae*
3. *What has been done to ho'omākaukau?*
4. *Report of the work completed by many that brings us to tonight's presentation*
5. *How do I as a beneficiary help this process?*
6. *Role of beneficiary input has and will be KEY from beginning to end*
7. *How beneficiary input has informed the Kuleana Settlement layout and design*
8. *What still needs to be accomplished and where do we go from here?*
9. *Timeline of remaining tasks and schedule to eventual awarding of lots*

The presentation showcased an updated lot layout scheme. The scheme included a total of 240 half-acre Subsistence Agriculture lots, 11 ten-acre Pastoral lots, 63 acres of Supplement Agriculture, 152 acres of Community Use, and 702 acres of Special District. Slides were shown to demonstrate what all could be done on a half-acre of land. The plan also includes shared common green areas. Subsistence Agriculture lots are located along the perimeter of the shared common greens. The homestead association may determine the best use for these shared spaces. The presentation discussed potential uses and programs for the Community Use and Special District areas.

The presentation focused on the primary concerns expressed by beneficiaries at the previous consultation meeting. These concerns included: roadway maintenance, potable water, wildfire hazard, wastewater, preservation of cultural resources, and electrical power. The presentation outlines potential ways individuals or the homestead association may address these concerns.

### Group Discussion:

At the conclusion of the presentation, the audience had an opportunity to ask questions and provide comment. Beneficiaries broke out into four small groups for a 45 minute discussion on the following questions:

1. *What would be viable alternatives for your potable water, wastewater, and power needs? If you accepted a Kuleana Lease at Pu'u 'Ōpae, how would you address these needs?*
2. *Would this Settlement Plan, as shown today, work for you and your family?*
3. *The Rules say DHHL has to provide an unpaved road—do you think it should be paved?\**
4. *What would be viable alternatives for the shared common areas?*
5. *Do you have any questions or comments about what was shown today?*

*\*\*Keep in mind that any Departmental involvement means more time...*

### Discussion Highlights:

- What excites you most about the opportunity at Pu'u 'Ōpae?
  - The plan incorporated our mana'o
  - Faster awarding process
  - No need for financial obligation
  - Like having options and ability to do what community wants
- What gives you pause / what would be a deal breaker?
  - Still some uncertainty about how the Kuleana program works. Never heard of it before tonight.
  - How much of a time commitment / how much work will it be to maintain land?
  - What was learned from Kahikinui? Will this project be better than Kahikinui?
  - Can I choose to occupy lot? Beneficiaries can only have one home. What is the definition of a "home"? Can I live in a shed?
  - Who will build homes? Will homes be safe enough without being to State and County codes?
  - Can Kupuna transfer lot to a family member?
  - Cutting thru red tape
  - Hard to nail timeframe
  - Guidance/enforcement of rules
- What are viable alternatives for potable water, wastewater, and energy?
  - Rain catchment

- Spring water
  - Generator
  - Solar
  - Wind
  - Want KIUC to provide energy. Not fair for KIUC to use Hawaiian land without giving back. They should provide energy free for beneficiaries if they plan on using beneficiary land.
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- Would this plan work for you and your family?
    - Plan is good.
    - It would be great for a young family to live and work on
    - Like the options presented.
    - Like the ability to choose how to use spaces.
    - Time commitment could be an issue for some.
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- Do you prefer for the roads to be paved?
    - Concern for erosion.
    - What would be the frequency of repairs? How much work would it be to self-maintain roads?
    - Need 4-wheel drive
    - 5 years would be too long to wait for road improvements.
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- What are viable alternatives for the shared / common spaces?
    - Education-learn about farm and culture. Learn how to become stewards of the land.
    - Education for rural families.
    - Space for keiki- recreation, education, and cultural practices
    - Would the Department of Education pay to create an education program for community? EA could look at funding opportunities for education.
    - Food forest
    - Community gardens
    - Pollinator garden
    - Cluster wastewater
    - Growing food
    - Training workshops prior to settlement
    - Agricultural test areas
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- Do you have any questions or comments about what was shown today?
    - Livestock zoning (should they zone where livestock is allowed?)
    - Can KIUC rent go to Puu Opae
    - Phasing, who's there?
    - Time for award impacts family plans
    - Need good lands, right soil types
    - Canoe builders, sandalwood

- Community does some roads of the roads, why wait for KIUC?
- Want to learn
- How much pipes DHHL install?
- Phases
- Hemp and remove poison from ground (from sugar cane era)
- Need to experience environment Before deciding
- Timing of lease should be independent of KIUC
- Need commitment of lease to commit to planning
- Community lot lines not as important
- Entrepreneur or subsistence?