

## **HAWAIIAN HOMES COMMISSION**

Minutes of August 18, 2020, via Videoconference  
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. 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 videoconference)  
Zachary Z. Helm, Moloka'i Commissioner (via videoconference)  
David B. Ka'apu, West Hawai'i Commissioner (via videoconference)  
Michael L. Kaleikini, East Hawai'i Commissioner (via videoconference)  
Russell K. Kaupu, O'ahu Commissioner (via videoconference)  
Pauline N. Namu'o, O'ahu Commissioner (via videoconference)  
Dennis L. Neves, Kauai Commissioner (via videoconference)  
Patricia A. Teruya, O'ahu Commissioner (via videoconference)

### **COUNSEL**

Ryan Kanakaole, Deputy Attorney General (via videoconference)

### **STAFF**

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

## **ORDER OF BUSINESS**

### **CALL TO ORDER**

Chair Aila called the meeting to order at 9:36 a.m. All members were present via videoconference at roll call.

Pursuant to the Governor's July 17, 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 August 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.

### **APPROVAL OF AGENDA**

Chair Aila noted agenda items E-1, F-3, G-1, and E-2, will be moved to after the Commission's Executive Session.

MOTION/ACTION

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

**APPROVAL OF JULY 21, 2020 MEETING MINUTES**

MOTION/ACTION

Moved by Commissioner Teruya, seconded by Commissioner Helm, to approve with amendments, July 21, 2020, Commission Meeting 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](http://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.

- |                     |                           |
|---------------------|---------------------------|
| 1.Kaui Almeida      | 7.Jade Smith – Individual |
| 2.Jojo Tanimoto     | 8.Kaipō MacDonald         |
| 3.Liko Wallace      | 9.Val Monson              |
| 4.Blossom Feiteira  | 10.DeGray Vanderbilt      |
| 5.James Kincaid     | 11.Shawndell Kamalani     |
| 6.Jade Smith – WCDC | 12.Paahana Kincaid        |

Note: Testimonies are attached.

Commissioner Awo stated the Maui Mokuḡuni Council forwarded several questions related to updates on CIP projects that were funded by the Legislature. Chair stated he would ask staff to respond in writing, copying Commissioners.

Commissioner Kaapu stated regarding Ms. Tanimoto's concerns; he appreciated the Department's follow up with her regarding the gate at Kailapa and the environmental issues.

Commissioner Kaleikini spoke briefly about the PHHLCA leadership issues and the Commission's encouragement for mediation. He was invited to a few meetings with Ms. Almeida's group but noted he has not been in contact with the other group. Ms. Almeida's group would like to resolve it within the community, but there are challenges among the community in acknowledging leadership. There may be a time when we may have to consider more involvement but hopes the community can sort through it. The moratorium is impacting the community. Deputy AG Ryan Kanakaole stated he would feel more comfortable discussing the plan of action in the Commission's executive session.

Commissioner Neves asked to add Item F-3 to after the executive session; he has a legal question.

Commissioner Teruya asked that staff respond to the emails that come from beneficiaries. A response to let them know that their email was received. She doesn't want anyone to be ignored. Commissioner Helm agreed that someone should respond to each testimony.

Commissioner Awo returned to his original questions about updates on Maui CIP funds and added that he would prefer that the answers be recorded in the minutes so beneficiaries can find

it whenever the same questions surfaces. He is just trying to find a better way of communicating to the beneficiaries.

Acting Land Development Division Administrator Stewart Matsunaga provided an update of what the Department encumbered in various projects state-wide.

- \$2 million - Non-potable ag water system for Kēōkea – Contract for feasibility study and planning. Department of Agriculture (DOA) mentioned no water source to be able to extend the water line from its endpoint to Kēōkea-Waiohuli. DHHL will revisit the issue with the DOA to discuss alternatives.
- \$400,000 - Archaeological preservation improvements - The remaining \$900,000 is being reappropriated back to DHHL.
- \$8.9 million - Waiohuli Residence Lots - contract for construction to start in 2021.
- \$1.5 million - Ho'olehua, Moloka'i scattered lots.
- \$900,000 for Nā'iwa planning and design. \$2.1 million is being reappropriated back to DHHL for additional design. The infrastructure will cost between \$5 to \$10 million.

The Department was appropriated \$20 million for Lot Development and \$5 million for Repair and Maintenance, state-wide. Land Development Division is struggling to get projects into the design stage and then into construction, incrementally.

Commissioner Helm asked how long the design phase for Nā'iwa will take. S. Matsunaga stated the design phase takes a year to a year and a half. One of the issues is potable water. Acting Planning Manager Andrew Choy added that DHHL has to submit a permit to the Commission on Water Resource Management. If our application is approved, DHHL will have enough water for Nā'iwa, and the Ho'olehua scattered lots. The target to apply is September.

Commissioner Neves stated that the Department needs to convey that projects are phased over several years, and the amount of funding allocated determines how fast a project can move. If we have a \$20 million budget for the entire State, projects will take time to complete.

Commissioner Teruya asked for updates on the Ma'ili Villages and Ulu Ke Kukui projects. S. Matsunaga stated he would need to get back to Commissioners with a status

## **ITEMS FOR DECISION MAKING**

### **CONSENT AGENDA**

#### **HOMESTEAD SERVICES DIVISION**

- ITEM D-2 Ratification of Loan Approvals (see exhibit)**
- ITEM D-3 Approval of Consent to Mortgage (see exhibit)**
- ITEM D-4 Approval of Refinance of Loans (see exhibit)**
- ITEM D-5 Approval of Streamline Refinance of Loans (see exhibit)**
- ITEM D-6 Approval of Homestead Application Transfers/Cancellations (see exhibit)**
- ITEM D-7 Approval of Designation of Successors to Leasehold Interest and Designation of Persons to Receive the Net Proceeds (see exhibit)**
- ITEM D-8 Approval of Assignment of Leasehold Interest (see exhibit)**
- ITEM D-9 Approval of Amendment of Leasehold Interest (see exhibit)**
- ITEM D-10 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees (see exhibit)**

RECOMMENDED MOTION/ACTION

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.

Commissioner Teruya stated that she received several emails regarding a lease transfer and a beneficiary's experience with the lack of response from the Department. J. Garcia agreed that at the very least, staff should let beneficiaries know that their communications are being received.

Commissioner Helm is asking for a response regarding some Moloka'i issues. There was a transfer and a relocation request. J. Garcia responded that he would follow up and report to Commissioner Helm directly.

MOTION/ACTION

Moved by Commissioner Helm to approve the Consent Agenda. 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			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed unanimously- nine (9) Yes votes						

**REGULAR AGENDA**

**OFFICE OF THE CHAIRMAN**

**ITEM C-1 Approval of Lease Awards Kakaina Subdivision, Waimānalo, Hawai'i (see exhibit)**

RECOMMENDED MOTION/ACTION

Acting Contact and Awards Division Administrator Paula Aila and Awards Program Specialist Moana Freitas presented the following:

Motion to approve the awards of the Department of Hawaiian Home Lands Residence Lot Leases to the applicants listed below for ninety-nine (99) years, subject to the purchase of the existing improvements on the lot by way of a loan or cash.

MOTION/ACTION

Moved by Commissioner Neves to approve the motion, as stated in the submittal. 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			
Commissioner Kaleikini			X			
Commissioner Ka'upu			X			
Commissioner Namu'o			X			
Commissioner Neves	X		X			
Commissioner Teruya			X			
Chairman Aila			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed unanimously- nine (9) Yes votes						

**ITEM C-2 Appointment of a Permitted Interaction Group Pursuant to Hawaii Revised Statutes (HRS) Section 92-2.5 and Hawaii Administrative Rules (HAR) Section 10-2-16 (b) (1), to Participate in an Investigative Committee for the Update of the DHHL General Plan Statewide**

RECOMMENDED MOTION/ACTION

Acting Planning Manager Andrew Choy and Planner presented the following: Appointment of a Permitted Interaction Group Pursuant to Hawaii Revised Statutes (HRS) Section 92-2.5 and Hawaii Administrative Rules (HAR) Section 10-2-16 (b) (1), to Participate in an Investigative Committee for the Update of the DHHL General Plan Statewide.

MOTION

Moved by Commissioner Neves, seconded by Commissioner Kaleikini, to approve the motion as stated in the submittal.

DISCUSSION

Chair Aila stated the Investigative Committee would assist the Department with a framework by which to go out then and solicit comments from beneficiaries. A. Choy stated the Department has contracted with a vendor to help update the Department's, General Plan. The General Plan is a policy document that helps to guide the Department over a twenty-year time frame. There will be at least two rounds of state-wide meetings.

Commissioner Teruya asked who was contracted to assist with the plan. A. Choy stated SSFM International, and they are also working on another plan for the Department in Hanapepe.

Chair Aila noted the members of the Committee, including himself, are Commissioners Awo, Ka'upu, and Helm.

Commissioner Awo reiterated for the record that there would be opportunities for beneficiary consultation.

ACTION

Moved by Commissioner Neves to approve the motion, as stated in the submittal. seconded by Commissioner Kaapu						
Commissioner	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Helm			X			
Commissioner Ka'apu			X			
Commissioner Kaleikini		X	X			
Commissioner Ka'upu			X			
Commissioner Namu'o			X			
Commissioner Neves	X		X			
Commissioner Teruya			X			
Chairman Aila			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passes with nine (9) Yes votes						

**ITEM C-3 Acceptance of the 2020 Annual Performance Report (APR) – Native Hawaiian Housing Block Grant (NHHBG)**

RECOMMENDED MOTION/ACTION

Legislative Analyst Lehua Kinilau-Cano presented the following: Motion to accept the 2020 Annual Performance Report (APR) – Native Hawaiian Housing Block Grant (NHHBG) for transmittal to the U.S. Department of Housing & Urban Development (HUD).

MOTION

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

DISCUSSION

Commissioner Awo asked what will happen to the \$3.9 million balance. L. Kinilau-Cano stated that they underestimate the amount of funding for homeowner financing and over-deliver. A substantial amount of those funds are going toward homeowner financing for vertical construction for beneficiaries.

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			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passes unanimously with nine (9) Yes votes.						

**ITEM C-4 Approval to Extend the DHHL COVID-19 Emergency Rental Assistance Program from Not More Than Six (6) Months to Twelve (12) Months of Assistance**

RECOMMENDED MOTION/ACTION

Legislative Analyst Lehua Kinilau-Cano presented the following: Motion to approve the extension of the DHHL COVID-19 Emergency Rental Assistance Program for Not More Than Six (6) Months to Twelve (12) Months of Assistance.

MOTION

Moved by Commissioner Ka'apu, seconded by Commissioner Neves, to approve the motion as stated in the submittal.

DISCUSSION

L. Kinilau-Cano stated it seemed appropriate to extend assistance to families at the COVID-19 situation continues. There may be a need to amend the most recent Housing Plan approved by the Commission. They removed the Hale Services because those are now being provided with trust funds. Sixty-six families have been approved for assistance, which would stretch the resources of the Hale Program, which is meant for homeownership. The needs of the beneficiaries often are more rental related. There is some overlap in terms of financial literacy for debt reduction or credit repair, but at the same time, some of the services are unique.

If the Commission approved the action, the families should also get financial literacy counseling in the interim so that when the subsidy ends, they can be in a position to better take care of themselves. That's one of the goals for next month.

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			
Commissioner Helm			X			
Commissioner Ka'apu			X			
Commissioner Kaleikini			X			
Commissioner Ka'upu	X		X			
Commissioner Namu'o			X			
Commissioner Neves		X	X			
Commissioner Teruya			X			
Chairman Aila			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passes unanimously with nine (9) Yes votes.						

**ITEM C-6 Approval of Activities for the July 9, 2021 – July 8, 2022, Centennial Celebration of the Hawaiian Homes Commission Act of 1920, as Amended.**

RECOMMENDED MOTION/ACTION

Deputy to Chairman Tyler Gomes presented the following:

Motion to approve the proposed activities for the July 9, 2021 – July 8, 2022, Centennial Celebration of the Hawaiian Homes Commission Act of 1920, as Amended.

MOTION

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

DISCUSSION

Commissioner Helm asked if the community was involved in the event selection process. Deputy Gomes stated that the team wanted to get a better feel from the Commission about the budget and anything the Commissioners want or don't want before going to the community.

Commissioner Teruya asked that the Department work with CNHA (Council for Native Hawaiian Advancement) and other Hawaiian organizations to celebrate Prince Kūhiō since many of the 2020 events were canceled because of COVID-19.

Commissioner Namuo stated she supports a \$50,000 budget for a documentary and that the Department to accept State funds wherever possible. Commissioner Ka'apu agreed and felt the money would be better spent working with associations and homestead communities to see how they could be included.

Commissioner Teruya volunteered to help staff plan the Prince Kūhiō celebration. There are funds available for events like this from the Hawai'i Tourism Authority.

Commissioner Kaleikini asked that what the documentaries would include. Deputy Gomes stated it would include everything from Kūhiō's life to the history of the homesteads before the passing of the Hawaiian Homes Commission Act. His tours around the island to advocate on behalf of the Act. The passing itself, including the hearing, which much of the testimony is still relevant today. Looking at the impacts of the passing of the Hawaiian Homes Commission Act up through the present. Including Kūhiō's vision for the county system, which is his invention, as well as the civic clubs and how all of those pieces played together for a more robust and rehabilitated native Hawaiian community. If the Commission wanted to do just one documentary, it could be a little longer to at least make sure we hit all the salient points.

Chair Aila asked if Commissioners preferred that staff come back next month with a scaled-down version of the submittal. Commissioner Kaleikini asked that it include topics the documentary will cover.

#### ACTION

None. The Item was deferred to September.

### LAND MANAGEMENT DIVISION

**ITEM F-1 Approval to Authorize 2020 Renewable Energy Project Solicitations and for Delegation of Authority to the Chairman to Facilitate Implementation of these Solicitations: Various Hawaiian Home Lands listed herein: Islands of O'ahu, Maui, Molokai, and Hawaii Island (see exhibit)**

#### RECOMMENDED MOTION/ACTION

Acting Land Management Division Administrator Kahana Albinio and Property Development Agent Allen Yanos presented the following:

Motion that the Hawaiian Homes Commission ("HHC") approves:

- 1) The Department to solicit proposals for renewable energy projects, including Community-Based Renewable Energy projects, on one or more parcels of the available lands shown in Table 2; and
- 2) To delegate authority to the Chairman to take all actions necessary and appropriate to implement, execute, and otherwise facilitate the solicitations (as described below) and offering of those available lands, except that the HHC reserves the following actions:
  - a. approval to conduct beneficiary consultation meetings for the selected applicants
  - b. approval of the beneficiary consultation reports issued for the selected applicants and their respective projects as the official record of comments
  - c. approval of the Right-of-Entry permits for due diligence tasks and options for general leases

#### MOTION

Moved by Commissioner Neves, seconded by Commissioner Kaleikini, to approve the motion as stated in the submittal.

#### DISCUSSION

A. Yanos stated the reason for the delegation of authority to the Chairman is to quickly address any issues that might arise during the application and lease process. Department is still finalizing the sites that are going to be offered for the upcoming solicitation and how many solicitations are going to be offered. The statutory leasing process in the submittal takes six to seven months. For DHHL to participate and provide lands for these developers who respond to

HECO's (Hawaiian Electric Company) RFP (Request for Proposals), these steps need to be initiated early. Rather than waiting for final RFP's from HECO, the Department wants to initiate the process now.

Commissioner Awo stated he understands the practicality of the Chairman overseeing these complex negotiations leases; the Mokupuni Council expressed strong objections to delegating authority and that it should be coming from the beneficiaries. There is value in beneficiary input, and what is missing is a formalized pathway for beneficiaries to participate before certain decisions are made. The General Plan review is timely for this issue because another designation for renewable energy projects should be included. Beneficiary consultation can be part of that plan.

Commissioner Helm stated his concern is how the projects affect the environment and how beneficiaries can benefit directly from them.

Commission Ka'apu stated he agrees that when doing the General Plan, it should take into account the particular parcels that may be available for renewable energy use. The State is committed to be all renewable energy by 2035, so the Commission can expect a lot more proposals so that HECO or HELCO, or whoever it is, can invest in more renewable energy. On the one hand, we want to designate what we think are lands that will be available for general leases and would be good for renewable energy projects. The earlier we can do that and get the beneficiary consultation, then it doesn't come as a surprise to them, and they've already given their input. There will be a report that outlines which parcels on each island have been designated for renewable energy. When the projects come up and are proposed by HELCO, he agrees that the Chair could have the authority to move things along subject to reports to the Commission. Things happen very quickly, and it doesn't lend to an easy process for Commission approval.

Commissioner Kaleikini supported the motion and delegation of authority to the Chairman. The State is a little behind in terms of meeting the goal of %100 per renewable energy by 2045, so he thinks it would be a good idea to get the process formalized. He agreed that beneficiary consultation could come after the designation of available parcels.

Commissioner Teruya stated that she is concerned the Nānākuli Ranch parcel is on the list. The Regional Plan, adopted in 2018, made no mention of a solar park in Nānākuli. Currently, there are six solar farms in the Waianae-Nānākuli area, and beneficiaries get no benefit from them. She is supportive of the list of parcels; there are a lot of places on Moloka'i, Hawai'i island, and O'ahu. For Nānākuli Ranch, the community didn't even get a chance to talk about it.

A. Yanos clarified that based on the current holding capacity, the amount of land to be used for the project is 7-10 acres out of the 440 total acres. The other important thing is that this is a Community Based Renewable Energy request for proposals. The Department will be looking at proposals that support dissipation for our beneficiaries in the project, perhaps as subscribers. They will look at ways to maximize participation when negotiating with prospective developers.

Commissioner Ka'apu added that there is a line for when beneficiary consultation is required. The Commission may need to have a review of the Administrative Rules again because sometimes beneficiaries get confused as to when beneficiary consultation is required. There may be an expectation that every decision the Commission makes. Chair Aila stated the

Beneficiary Consultation rules are on the website but can have Planning Office provide a workshop for Commissioners next month.

Commissioner Ka'upu stated he supports the motion and understands the need for expediency to participate in the State's move toward energy sustainability. He also understands the need for beneficiaries to understand and comment on these projects.

Chair Aila summarized the discussion highlighting two points: 1) In looking at the General Plan, to include a comprehensive discussion about future lands that may be available for renewable energy projects, 2) Concern about giving too much authority to the Chair. For now, he will wield the authority carefully given the timelines and that there will be lots of discussion with the community in terms of the land dispositions, which are sure to follow afterward.

Commissioner Awo stated for the record that the Mokupuni Council was opposed to using 15,000 acres for renewable energy. After review of the submittal, it is actually up to 1,000 acres for due diligence, and eventually 500 acres for general leasing.

ACTION

Moved by Commissioner Neves to approve the motion, as stated in the submittal. seconded by Commissioner Kaleikini						
Commissioner	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Helm			X			
Commissioner Ka'apu			X			
Commissioner Kaleikini		X	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: <input type="checkbox"/> UNANIMOUS <input checked="" type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passes with eight (8) Yes votes and one (1) No vote.						

RECESS  
RECONVENE

11:31 AM  
11:45 AM

**ITEM F-2 Approval to Amendment of General Lease 290, Kapolei Community Development Corp. (KCDC), East Kapolei, Oahu, TMK (1) 91151002**

RECOMMENDED MOTION/ACTION

Acting Land Management Division Administrator Kahana Albinio introduced KCDC President Scott Abrigo, and Attorney David Lau, who presented the following:  
Motion that the Hawaiian Homes Commission grant its approval to the following:

- A. Declare and grant a perpetual nonexclusive easement for pedestrian, vehicular, and other access and utilities over, under, across, and through Kekahili Street, appurtenant to and for the benefit of the Benefited Property subject to the conditions listed in the submittal.
- B. To amend General Lease No. 290 as listed in the submittal

#### DISCUSSION

S. Abrigo provided a slide presentation about the Kapolei Community Development Corporation. The presentation is attached.

#### MOTION

Moved by Commissioner Neves, seconded by Commissioner Teruya, to approve the motion as stated in the submittal.

#### DISCUSSION

Commissioner Kaapu asked who makes up Ho'omaka Marketplace LP. S. Abrigo stated that Ho'omaka Marketplace is an entity created by KZC to take on the lease. KCDC Attorney David Lau stated Ho'omaka was created for the purposes of developing the project under the lease. Mark Zimmerman is one of the founders of KZ Companies. Commissioner Kaapu asked who makes up the other limited partners. D. Lau stated he did not have the information but could provide it to Commissioners.

Commissioner Kaapu asked why Article V is being removed. D. Lau stated in an earlier version of the General Lease, there was a provision that allowed the Chairman to extend a three-year construction period. Still, in an earlier version of the General Lease that provision was written out of the lease, but it looked like when it was amended, they forgot to remove that part too. It was cleaning up the language of the lease.

Commissioner Kaapu stated it is problematic to have these amendments listed piecemeal without being able to look at the entire document or the history. It would be helpful to lay out the changes in an understandable manner, but he has no context as to why it is being changed. He asked why Article V section 15 is being amended. D. Lau stated that the language was amended so that the developer is the unit owner and will control the common areas of the condo regime.

Commissioner Kaapu summarized his understanding that the developer will never turn over ownership to an association, that it would retain the rights. Additionally, he stated the section says the Commission approved the Condominium Documents, and he asked to make sure that it is the case. The section should cite when the approval was obtained.

Commissioner Ka'upu asked to be provided the Condominium Documents, Map, Declaration, and the Bylaws.

Commissioner Teruya stated Ho'omaka Marketplace's DCCA filings are not up to date and asked for an explanation of the wording in the filing, "shall continue until dissolved or termination."

Chair Aila deferred the Item until later in the agenda to allow K. Albinio time to confirm the prior written approval.

**ITEMS FOR INFORMATION/DISCUSSION**

**ADMINISTRATIVE SERVICES OFFICE**

**ITEM H-1 For Information Only – Postponement of Mortgage Payments – Impact on Loan Fund**

**RECOMMENDED MOTION**

None. For information only. Administrative Services Officer Rodney Lau presented the information in the submittal.

**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 11:31 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 issues related to Sandwich Isles Communications
2. Update on Honokaia Non-Potable Water System Settlement
3. Update of Lai'opua Rent with Option to Purchase Project Offering
4. Notice of Availability of Surplus Real Property Former National Oceanic and Atmospheric Administration, National Weather Service Pacific Tsunami Warning Center, 'Ewa Beach, O'ahu, TMK (1) 9-001-001 (por.)

**EXECUTIVE SESSION OUT 1:15 PM**

**RECESS 1:15 PM**

**RECONVENE 1:25 PM**

**ITEMS FOR DECISION MAKING**

**LAND DEVELOPMENT DIVISION**

**ITEM E-1 Budget Approval for Additional Funding not to Exceed \$200,000 for Honokaia Non-Potable Water System Improvements**

**RECOMMENDED MOTION/ACTION**

Acting Land Development Division Administrator Stewart Matsunaga presented the following amended recommended motion:

Motion that the Hawaiian Homes Commission (HHC) approves an increase to the funding ceiling for the design and construction of the Honokaia Non-Potable Water System project not to exceed an additional amount of \$200,000 from \$1,665,000.00 up to \$1,865,000, and approval for the Department to issue a Notice to Proceed to the awarded contractor to initiate construction of the water system.

MOTION/ACTION

Moved by Commissioner Kaapu to approve the motion, as stated in the submittal. Seconded by Commissioner Helm						
Commissioner	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			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		X			
Chairman Aila			X			
TOTAL VOTE COUNT			9			
MOTION: [ X ] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED						
Motion passes with nine (9) Yes votes.						

**ITEM F-2 Approval to Amendment of General Lease 290, Kapolei Community Development Corp. (KCDC), East Kapolei, Oahu, TMK (1) 91151002**

**Note: This Item was continued from earlier in the agenda.**

RECOMMENDED MOTION/ACTION

Acting Land Management Division Administrator Kahana Albinio introduced Scott Abrigo, who presented the following:

Motion that the Hawaiian Homes Commission grant its approval to the following:

- C. Declare and grant a perpetual nonexclusive easement for pedestrian, vehicular, and other access and utilities over, under, across, and through Kekahili Street, appurtenant to and for the benefit of the Benefited Property subject to the conditions listed in the submittal.
- D. To amend General Lease No. 290 as listed in the submittal

MOTION (the motion was made at the earlier discussion)

Moved by Commissioner Neves, seconded by Commissioner Teruya, to approve the motion as stated in the submittal.

DISCUSSION

K. Albinio stated with regard to Commissioner Ka'apu's inquiry about the approval of the Condominium Documents. The Commission approved the issuance of final approval to pursue the Condominium Property Regime in July 2018. The Department has the paperwork which is being reviewed by the Attorney General's office; the Chair has not signed it yet. A copy can be provided to Commissioners, and he will be sure to include the date of approval in the conditions.

Commissioner Teruya asked to amend the motion to include language that Ho'omaka Marketplace LP is in good standing with their DCCA registration at the time the General Lease is signed.

MOTION TO AMEND/ACTION

Commissioner Teruya moved, seconded by Commissioner Neves, to amend the motion as stated. Motion carried unanimously.

ACTION ON MAIN MOTION AS AMENDED

Moved by Commissioner Neves, to approve the main motion as amended . Seconded by Commissioner Teruya						
Commissioner	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			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	X			
Chairman Aila			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passes with nine (9) Yes votes.						

**ITEM F- 3 Approval of Annual Renewal of Right of Entry Permit(s), Kaua'i Island (see exhibit)**

RECOMMENDED MOTION

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 Kaua'i Island Right of Entry Permit(s) as listed on Exhibit "A" and identified by approximate location on the Kaua'i Island Map Exhibit "A-1" that are in compliance and issued temporary approvals, as of September 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 August 31, 2021, or at the next scheduled HHC meeting on Kauai 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 Teruya, seconded by Commissioner Namuo, to approve the motion as stated in the submittal.

Commissioner Teruya asked to amend the motion to include follow-up on two (2) ROE permits that are delinquent, and three (3) pastoral ROE permittees requiring further investigation for non-compliance issues.

MOTION TO AMEND

Commissioner Teruya moved, seconded by Commissioner Namuo, to amend the motion as stated. Motion carried unanimously.

Commissioner Ka'apu asked for another amendment to remove ROE 562, for delinquency concerns.

2<sup>nd</sup> MOTION TO AMEND

Commissioner Ka'apu moved, seconded by Commissioner Teruya, to amend the motion as stated. Motion carried unanimously.

ACTION ON MAIN MOTION AS AMENDED

Moved by Commissioner Teruya, to approve the main motion as amended Seconded by Commissioner Namuo						
Commissioner	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			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		X			
Chairman Aila			X			
TOTAL VOTE COUNT			9			
MOTION: [ X ] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED						
Motion passes with nine (9) Yes votes.						

**PLANNING OFFICE**

**ITEM G-1 Delegate Authority to the Chairman to Respond to the Notice of Availability for Surplus Property from the General Services Administration, concerning the Selection of up to 80 acres of the Former National Oceanic and Atmospheric Administration National Weather Service Pacific Tsunami Warning Center' Ewa Beach, O'ahu, TMK (1) 9-001-001 (por.)**

RECOMMENDED MOTION/ACTION

Acting Planning Manager Andrew Choy and Planner Pearlyn Fukuba presented the following: Motion that the Hawaiian Homes Commission (HHC) delegate authority to the Chairman to respond to the General Services Administration (GSA) Notice of Availability for the above-referenced property; to select approximately 80 acres of that property for appraisal according to Section 203(f) of the Hawaiian Home Lands Recovery Act of 1995 (HHLRA), and to negotiate the terms and conditions of DHHL's acceptance of such property under the HHLRA.

DISCUSSION

P. Fukuba and A. Choy provided a slide presentation that is attached.

MOTION

Commissioner Teruya moved to accept the motion, as stated in the submittal.

Commissioner Kaapu and Awo shared concerns about future sea-level rise and mitigation efforts if the makai portions are used for homesteads. A. Choy stated the property hasn't gone through the planning process. Still, one of the first things would be to address sea-level rise. They cited the trouble facing homesteaders in Kapa'akea, Moloka'i. Planner Nancy McPherson noted Kapa'akea is a little different because it was a marsh that was filled in.

Commissioner Helm asked if the land can be swapped with other State agencies like DLNR. It seems like a good place to have a park in exchange for better homesteading land.

Commissioner Teruya asked about asbestos and mitigation. P. Fukuba stated four of the homes were built in the 1960s, and they used Canec in the ceilings. DHHL would need to hire an expert to assess the situation.

MOTION

Commissioner Neves seconds the motion.

ACTION

Moved by Commissioner Teruya, to approve the main motion as amended Seconded by Commissioner Neves						
Commissioner	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			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		X			
Chairman Aila			X			
TOTAL VOTE COUNT			9			
MOTION: [ X ] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED						
Motion passes with nine (9) Yes votes.						

**ITEMS FOR INFORMATION/DISCUSSION**

**OFFICE OF THE CHAIRMAN**

**ITEM C-5 For Information Only – Summary of Responses to Proposed Legislative Action Request for 2021 & Draft Legislative Proposals**

RECOMMENDED MOTION/ACTION

None. For information Only – Legislative Analyst Lehua Kinilau-Cano presented a submittal to be approved in September. There were twenty-six proposals submitted. She summarized the list of proposals.

DISCUSSION

Commissioner Namu'o asked if there was opposition to DHHL's request for a member on the Commission on Water Resource Management. L. Kinilau-Cano stated DLNR has not been supportive.

**ITEM C-7 For Information Only – Report of the Investigative Committee on Native Hawaiian Qualification Process**

RECOMMENDED MOTION/ACTION

None. For information Only – Executive Assistant Jobie Masagatani and Administrative Rules Officer Hokulei Lindsey presented the Report of the Investigative Committee on Native Hawaiian Qualification.

DISCUSSION

H. Lindsey reviewed the submittal and recommendation that the HHC recall, pursuant to §10-2-16(a), HAR, the final acceptance of the NHQ determination as a function requiring the exercise of judgment or discretion. The Committee further recommends the HHC use three categories to review NHQ for final acceptance:

1. Qualified through Kumu 'ohana and accepted by consent of the HHC;
2. Unqualified based upon uncertain and/or exhausted documentation to be reviewed and acted upon by the HHC with detailed analysis and recommendation from the Department; and
3. Unqualified because impacted by subsequent information to be addressed by the HHC through a contested case brought by the Department.

J. Masagatani noted the Commission would need to take action on the recommendation, and stated that there is a second phase to the process. The Committee will be making additional recommendations on the criteria that would be applied to try to delineates those cases that may not have complete documentation.

DAG Kanakaole stated that in order for the Commission to take action, the work of the Committee would have to be complete. So the Committee will provide its recommendations for criteria next month and seek Commission approval at the following meeting.

**LAND DEVELOPMENT DIVISION**

**ITEM E-2 For Information Only – Update of Development Agreement between the Department of Hawaiian Home Lands and Ikaika Ohana/A0597 Kona LP for "Hawaiian Home Lands Rental Housing in the Village of Laiopua**

RECOMMENDED MOTION

None. For information Only – Acting Land Development Division Stewart Matsunaga introduced Ikaika Ohana representatives James Roth and Delena Osorio, who provided a slide presentation that is attached.

DISCUSSION

None.

## LAND MANAGEMENT DIVISION

### **ITEM F-4 For Information Only - Moanalua Kai Redevelopment Options, Shafter Flats, Island of O'ahu**

#### RECOMMENDED MOTION

None. For information Only – Acting Land Management Division Administrator Kahana Albinio, Property Development Agent Allen Yanos, and Planner Nancy McPherson provided a slide presentation, which is attached.

#### DISCUSSION

Chair Aila asked Commissioner Kau'pu if he would be willing to work with staff about the possibility of a master developer to come in and do something with the parcels. Commissioner Kau'pu agreed.

## PLANNING OFFICE

### **ITEM G-2 For Information Only – UH-CTAHR Hawai'i Island Extension Agent Update and DHHL Agriculture Program Plan Process Update**

#### RECOMMENDED MOTION

None. For information Only – Acting Planning Manager Andrew Choy, Planner Julie Cachola, and CTAHR Extension Agent Kiersten Akahoshi offered a slide presentation, which is attached.

#### DISCUSSION

Commissioner Kaapu asked how homestead farmers can get to the next step where they join associations and farm bureaus where other farmers who grow the same things pool their expertise. Another question is, how often do beneficiaries engage with the other extension agents in CTAHR. K. Akahoshi stated beneficiaries are often referred to other agents when their questions are beyond her field of expertise, which is horticulture.

A. Choy stated in terms of the next steps, some of the questions the Department wants to answer through the agriculture farm planning process, is how do we increase the number of successful native Hawaiian farmers on Hawaiian homelands. That's the basic premise; it is a people plan, not a land plan.

The Department hopes to start beneficiary consultation in November and have a draft plan to present to the Commission in the Spring of next year and final approval by June 2020.

### **ITEM G-3 For Information Only – Update on Kalaupapa Management, Kalawao County, Island of Moloka'i**

#### RECOMMENDED MOTION/ACTION

None. For information Only – Acting Planning Manager Andrew Choy and Planner Nancy McPherson offered a slide presentation, which is attached.

#### DISCUSSION

Commissioner Awo stated beneficiaries are troubled that after so many years of dedicated participation by DHHL and beneficiaries and relationship building, that no consultation with

DHHL or beneficiaries was conducted prior to such a major shift in approach. It appears He asked what it would take to cancel the lease. The National Park Service said that the completion of scoping demonstrates that there is no public controversy concerning potential environmental effects. There has been public controversy primarily from native Hawaiians concerning potential cultural impacts.

N. McPherson added that it is a NEPA (National Environmental Policy Act) EA and EIS; it is not something that will be coming before the Commission for approval.

Chair Aila stated staff would look at whatever tools there are to bring the discussion back to beneficiary concerns.

## **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.

### **GENERAL AGENDA**

- ITEM J-1 Emma Yap – Director, Pa‘upena Community Development Corporation**  
**ITEM J-2 Maile Atay – Waiehu Kou Community Cultural Center**  
**ITEM J-3 Cora Schnackenberg – President, Ahonui Homestead Association**  
**ITEM J-4 Kaulana Costa- President, The Hawaiian Council**

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.

## **ANNOUNCEMENTS AND ADJOURNMENT**

#### MOTION/ACTION

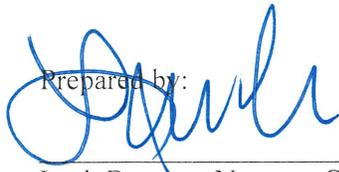
Moved by Commissioner Awo, seconded by Commissioner Kaapu, to adjourn the meeting.  
Motion carried unanimously.

### **ADJOURNMENT**

**6:34 PM**

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:

September 20, 2020

Attachments

1. Public Testimony – Kauai Almeida
2. Public Testimony – Jojo Tanimoto
3. Public Testimony – Liko Wallace
4. Public Testimony - Blossom Feiteira
5. Public Testimony - James Kincaid
6. Public Testimony - Jade Smith – WCDC
7. Public Testimony - Jade Smith – Individual
8. Public Testimony - Kaipō MacDonald
9. Public Testimony - Val Monson
10. Public Testimony - DeGray Vanderbilt
11. Public Testimony - Shawndell Kamalani
12. Public Testimony - Paahana Kincaid
13. Slide Presentation – Item E-2
14. Slide Presentation – Item F-2
15. Slide Presentation – Item F-4
16. Slide Presentation – Item G-2
17. Slide Presentation – Item G-3

**Hawaiian Homes Commission Meeting  
August 18, 2020**

**PUBLIC TESTIMONY ON  
AGENDIZED ITEMS**

- 1. Kauai Almeida**
- 2. Jojo Tanimoto**
- 3. Liko Wallace**
- 4. Blossom Feiteira**
- 5. James Kincaid**
- 6. Jade Smith – WCDC**
- 7. Jade Smith – Individual**
- 8. Kaipo MacDonald**
- 9. Val Monson**
- 10. DeGray Vanderbilt**
- 11. Shawndell Kamalani**
- 12. Paahana Kincaid**

Panaewa Hawaiian Home Lands Community Association (PHHLCA)  
132 Kaieie Place Hilo Hawaii 96720 Tele: (808) 938-3330

July 24, 2020

Chairman Aila and all Commission Members  
Department of Hawaiian Home Lands  
91-5420 Kapolei Pkwy  
Kapolei, Hawaii 96707

PHHLCA Homestead Association  
132 Kaieie Place  
Hilo, Hawaii 96720

Aloha,

On Tuesday, July 21, 2020 PHHLCA held a Special Meeting ( per PHHLCA Bylaws )requested by 10 General Members to solidify the results of the PHHLCA elections of December 18, 2018.

Members who had a claim contrary to the election results were invited to give oral testimony or, due to COVID-19 concern, written testimony.

No contrary testimony was submitted and by unanimous vote it was agreed to support the results of the 12/18/18 PHHLCA elections and recognize Kauilani Almeida as the president of PHHLCA from the time of her election until the end of her term in December of 2021.

Mahalo to East Hawaii Commissioner Michael Kaleikini for being present as an observer.

The moratorium placed by the DHHL Commission should be removed immediately allowing our Panewa homestead community to thrive again in our efforts to resurrect the Kamoleao Health and Wellness Center in partnership with DHHL.

#2

Ms. Jojo Tanimoto  
P.O.Box 44337  
Kamuela, Hawaii 96740  
Phone: 808-895-5226  
Email: [Guavaland622@gmail.com](mailto:Guavaland622@gmail.com)

Hawaiian Homes Commission  
91-5420 Kapolei Parkway  
Kapolei, Hawaii. 96707

Item F-1, Renewable Energy Project-Kawaihae.  
Request to Gate and Fence off the Road to the Kailapa Water Tank  
Remove the gate above the Water Tank

Aloha

Thank you for the opportunity to bring to your attention, a long standing problem that My neighbors and now me, seek your assistance in resolving an important issue: No enforcement of TRESPASSING on the Roadway to our potable water resource. We believe a gate and fence will limit the access to only DHHL staff and the water company staff; and protect our water resource.

Apparently, this water tank was built in 1997. My brother had the lot below this tank. He passed and I succeeded him. He used to say there is a lot of people going up the road; but it is clearly marked "KAPU" DHHL. The problem I observe is enforcing this signage. No amount of complaints to the Kamuela office has resolved this issue, all this time.

Recently during COVID, it has become even more noisy-24/7, and in the dark. (No school). Seems there are a number of ATV's (off road vehicles) in this subdivision using this road for recreation. A lot of children-usually unescorted; challenge themselves on this steep and dangerous slope. The youngest I saw last week could barely reach the peddles, he had to shift his weight to reach the peddles.

There are people that trailer their ATV and dogs and guns. I have small dogs and a 1 ½ year old at home, next to this road. A few months back, a helicopter landed above my backyard, going around the pu'u and coming back. It was so loud, I called the FAA to remove this noisy chopper. I found out from the workers at Kohala Center that they were installing fencing for the ungulates and the Commission approved this action; but nobody told me or my neighbors. We would have objected to them using this road. I checked with my commissioner and found out the entry is not supposed to be from this road. Now, there is a gate with a few locks. My neighbors and I are wondering what considerations are made to resolve our issue. Further, does this ROE also stipulate no spraying of poison next to the water tank? I saw a spray tank in the truck. **Please remove this gate and move it elsewhere.**

#### (F-1) Renewable Energy in Kawaihae

There are a number of neighbors in my community that have no idea what this is. I have not seen an Environmental Report or any beneficiary consultation; and **I am requesting this consultation.** There are a lot of questions we would like to understand.

For example, Is this a lease or Right of Entry. Who acquired these three parcels? When does this Project begin and end? Where will it be located? Where are they getting their water needs? What happened to the Kawaihae Plan? What happened to the Bypass Road above the harbor? Get us out from the tsunami zone. The State Highways already did the survey and archaeological research. What about the animals that got fenced? Will there a Mauna Aina Program so the community can acquire food resources, or does this unknown entity get that for free?

**Please, do not let them enter the Water Tank Road?**

Most important-please install the gate, fence the area, and move the Mauka gate away from the water tank.

We await your reply. Mahalo.

Sincerely,

Ms Jojo Tanimoto-Kailapa Subdivision

#3

First Name: Liko  
Last Name: Wallace

Message:

Update on Legislative Appropriations in FY 2018 of \$1.5 million for Hoolehua Scattered Lots site improvements and FY 2019 of \$1.5 million for Na'iwa subdivision-site improvements.

Hawaiian Homes Commission  
Mr. William J. Aila, Jr., Chairperson  
Via Teleconference Meeting  
August 18, 2020

Testimony on Agendized Items  
By  
Blossom Feiteira  
Association of Hawaiian Home Lands  
President-Maui Island

Aloha Mr. Chair and Members of the Hawaiian Homes Commission. Submitted for your consideration is my testimony on various agenda items.

Mahalo for your time.

#### B. Regular Agenda

C-2: Establishing a P.I.G. (Permitted Interaction Group) to update the DHHL General Plan.

The General Plan was first established in 2002 and is a policy document developed by staff and approved by Commission.

This document provides the department with guidance on the various uses of Trust lands up to and including non-homesteading use.

Its timeframe was set at 20 years and it took approximately 12-18 months to finalize. All island plans were developed based on the policies and recommendations of the General Plan.

Support. The 20 year time frame is coming to a close. Updates and amendments to the General Plan is necessary as use of our lands have changed somewhat in particular with the use of our lands for renewable energy. Additional policies should also be added, in particular the policy of putting our trust lands in short and long term holding patterns (i.e. general ag) that are then used for long term non-homestead developments. (i.e. renewable energy development with life span of 20+ years.) I am not opposed to generating revenue for the department, however, given the amount of information the department has acquired over the past 20 years and technology being what it now is, there are more opportunities to explore the use of our lands for homesteading and meeting beneficiary demands.

C-4: Extending DHHL Covid 19 Emergency Rental Assistance program.

Support with recommendations for expansion and distribution.

Since the program was established, there has been numerous inquiries from those that are on the waitlist, or UI lessees that were struggling before COVID and are worse off with COVID. All Emergency Assistance programs are focused on COVID, however there are those that due to circumstances outside of COVID are suffering as well.

Case in point: An applicant who was working a fulltime position making minimum wage when COVID arrived was suddenly taken off the work schedule with no explanation. She assumed that she was laid off and applied for unemployment. She was denied benefits because the employer indicated that she voluntarily left her position. Her appeal timeframe has since passed.

But because of the situation, she has been denied assistance from all potential programs, since they are all geared to COVID.

In this case as well as many others, it is because our people are unaware of their rights and have difficulty in seeking out assistance in pursuing a resolution.

I would ask the commission to amend the criteria for this emergency assistance to include addressing hardship circumstances.

C-6: Approval Of Activities for Centennial Celebration.

Support. Our Trust has survived through the numerous attacks against it. From the numerous lawsuits, to the lack of sufficient financial support, we should celebrate this wonderful milestone.

F-1: Authorizing 2020 Renewable Energy Project Solicitations.

I am in support of the delegation of authority to the Chair. However, given the past interactions with our beneficiary community in these matters, I would recommend that before the item is placed on the agenda in this manner that the department take the time to at least inform the beneficiary community of their intentions before the item goes before the Commission. Beneficiaries learning after the fact creates the animosity and challenges for both the beneficiaries and Department. Understanding that when these solicitations are announced by the utility companies, the time frame for response is a very short, which is why I believe this process takes place the way it does.

In order to avoid continued opposition and challenges to future offerings for renewable energy, I would like to make the following recommendations:

In light of the adopted policy for renewable energy by the department the proposed submittal C-2, it might be a good time for the department, in their deliberations and beneficiary consultations, that lands be identified specifically for renewable energy development.

G-1: Response to Notice of Availability of Surplus Property.

Support. Based on information from the submittal it seems that this property would be well suited to the development of homestead opportunities.

F-4: Moanalua Kai Redevelopment Options.

Based on the submittal, it sounds like this property should be left as is with at the very most, maintenance of existing buildings for continuation of existing revenue base. Any other developments by the department would not be cost effective and a potential loss given the current state of climate change.

G-3: Update on Kalaupapa.

While this briefing is information only, I want to share some thoughts about the NPS and its switch from an EIS to an EA.

The draft EIS contains significant information that is not included in the EA, including: NPS opposition to homesteading, the lifting of the 100 visitors per day restriction, their education strategy of the history of Kalaupapa, and visitor access.

The premise in which their opposition to homesteading is based on is that there are no residences in National Parks. I would disagree as I know of at least one National Park that does. Canyon De Cheney, a 6 million acre park in Northern Arizona sits on Navajo Nation Land. There are approximately 47 Navajo families who reside in the park and are the owners and operators of all the commercial enterprises that take place in the park, including guided hikes, tours and concessions.

In their desire to lift the 100 visitor/day restrictions, they have not indicated what the number of visitors will be only that control will be determined by some process within the NPS system. However, in the appendices of the EIS, the NPS conducted a study to determine “pillow count” which is a study used by hotels and other tourism activities to determine occupancy and capacity. According to the EIS, the pillow count for Kalaupapa is 300. The study used the current residence structures to make that determination. In other parts of the EIS it clearly identifies the residences of the demised residents as potential “cottages” for both staff and visitors.

Their plan for sharing the history of Kalaupapa is to establish kiosks in various areas of the settlement (including Kalawao) with plaques that visitors can read about.

The plan for tours and visitors include both escorted and unescorted access by visitors across the proposed park area, which also includes Kalawao. The highly sensitive nature of Kalaupapa as a whole (both archaeological and spiritual) will be significantly impacted by access activities without any due consideration for the protection of sites, burial areas and historic buildings or the settlement itself.

As the Commission and department moves forward in the deliberations with the NPS, I would ask that the Commission and department include those that will be most impacted by any

decision made. Based on the recommendation in the submittal, support from the Commission to establish a task force for Kalaupapa is most timely.

C-7 and H-1.

It is difficult to weigh in on such important items such as these without a submittal to review prior to Commission meetings. Issues and challenges regarding NHQ have been a contact point of concern for beneficiaries, and this would have been an excellent opportunity to hear from beneficiaries on the deliberations that took place.

I want to commend the Commission in their decision to waive mortgage payments during this very difficult economic times. I understand that the loan fund is taking a severe financial hit and will continue to do so until some sense of normalcy can return. Until then, however, I would ask the Commission to continue in your support for the suspension of mortgage payments for loans in the department's portfolio through an extension of time.

To:  
HHC Secretary

#5

First Name: James  
Last Name: Kincaid

Phone:  
8082210193

Email:  
[surfskiguy7@gmail.com](mailto:surfskiguy7@gmail.com)

Subject:  
Submit Written Testimony

Message:  
Paukukalo Hawaiian Homestead Community Association Inc.  
644 Waihona Street  
Wailuku, Hawai'i 96793  
Cellphone/text (808) 276-8978  
Email: [manavel\\_11@msn.com](mailto:manavel_11@msn.com)

August 17, 2020

Aloha e Hawaiian Homes Commissioners,

We are The Rev. Velma Mariano and James Kincaid of Paukukalo homestead advocating on agenda item C-3 Acceptance of the 2020 Annual Performance Report (APR) — Native Hawaiian Housing Block Grant (NHHBG). I, The Rev. Velma Mariano, serve as a director and grants manager for the Paukukalo Hawaiian Homestead Community Association Inc. And I, James Kincaid, am a contractor and 29-year Paukukalo homesteader.

Regarding agenda item C-3 on NHHBG aka NAHASDA (Native American Housing Assistance and Self Determination Act of 1996), homelands leader Robin Puanani Danner last December had told her peers, "NAHASDA provides Indians and Hawaiians federal funds for low-income housing on trust lands. Hawaiians were getting \$13 million a year (to DHHL to administer), thanks to Senator Inouye back in 2002.

"Five years ago, the feds cut Hawaiians off, the level went down to \$500,000 and is now at \$2 million, because DHHL failed to spend \$60 million in backlog funds. Which means we, the people, have lost about \$10 million a year the last five years = \$50 million in pure equity to build, build, build affordable housing on trust lands," said Danner, who chairs the Sovereign Council of Hawaiian Homestead Associations, or SCHHA.

In mid-June, Danner had updated that "it looks like Senator Hoeven (John Hoeven of North Dakota) has . . . decided to include Hawaiians in the reauthorization bill for NAHASDA (that) raises the annual allocation from \$2 million to \$13 million annually."

In agenda item C-3, DHHL legislative analyst Lehua Kinilau-Cano reports an unspent \$3.98 million NAHASDA balance. In the interests of DHHL not accumulating backlog funds and again threatening its annual NAHASDA allocation, we propose that DHHL deploy the \$3.98 million NAHASDA balance to renovate kupuna homes at Paukukalo.

Paukukalo was the Valley Isle's first homestead subdivision in the 1960s and contains 182 single-family units on 61 acres in Central Maui. The 64 first-phase homes are some 5.5 decades old. DHHL Neighbor Islands district operations supervisor Mona Kapaku estimates that construction to provide ADA (Americans with Disabilities Act) accessibility alone would cost from \$20,000 to \$50,000 per home. To renovate 55-year-old homes at Paukukalo homestead, we seek the available NAHASDA balance of \$3.98 million, to provide an average of \$62,197.50 per renovation.

In conclusion, we advocate that the commission not accept the 2020 Annual Performance Report on Native Hawaiian Housing Block Grant unless and until DHHL encumbers the available NAHASDA balance of \$3,980,640.26 toward the renovation of kupuna housing at Paukukalo.

Mahalo for your consideration,  
The Rev. Velma Mariano  
James Kincaid

cc: U.S. Senator Brian Schatz  
Stephen Cramer, president, Paukukalo Hawaiian Homestead Community Association Inc.  
Lehua Kinilau-Cano, legislative analyst, DHHL Robin Puanani Danner, chairwoman, SCHHA Lee Imada,  
managing editor, The Maui News

Wakiu Community Development Corporation  
Post Office Box 1269  
Kula, Hawai'i 96790  
Cellphone/text (808) 870-2820  
Email: [kaukaulani@gmail.com](mailto:kaukaulani@gmail.com)  
August 17, 2020

Aloha Commissioners,

My name is Alohalani Smith, Founder & Interim President of Wakiu Community Development Corporation and I've lived in Kaupo for 20 years.

By way of introduction, Wakiu CDC operates under the auspices of the Hawaiian Homes Commission Act, its six-member charter board of directors are waitlist beneficiaries, as follows:

Founding chairwoman Jade Alohalani Smith  
Vice president Sam Kalalau  
Directors: Desiree Manaois Graham  
            Fawn Kukunaokala Helekahi-Burns  
            Loretta O'Hara  
            Mary Kahana

The Wakiu board adopted on July 31, 2020, organizational bylaws and a mission statement, as follows:

To empower native Hawaiian. beneficiaries of East Maui through engagement and understanding of the Hawaiian Homes Commission Act;

To develop a strategic community plan for land use and resource management of the Hawaiian Homes Trust Lands in Wakiu, Hana;

To provide assistance to native Hawaiian beneficiaries to help them successfully acquire a lease of trust lands located in East Maui;

To advocate for the prioritization of East Maui beneficiaries for an award of trust lands within the East Maui Communities.

To Provide assistance for Economic and business training to utilize homesteads for financial sustainability.

We would like to state for the record that we Wakiu CDC DO **NOT APPROVE** the Authority to the chairperson to solicit any HHL that will be used for anything other than placing Native Hawaiians on the lands in a prompt manner as it is deemed in various sections of the Hawaiian Home Lands Act as listed below:

Sec 101. Purpose – Sub-section:

a. “..that the policy of this Act is to enable Native Hawaiians to return to their lands in order to fully support self-sufficiency,...self-determination...and the preservation of the values, traditions, and culture of native Hawaiians.”

b. (1) Establishing a permanent land base for the benefit and USE of Native Hawaiians upon which they may live, farm, ranch...,and otherwise engage in commercial or industrial or any other activities as authorized in this Act;...

(2) Placing Native Hawaiians on lands set aside..under this Act.... in a PROMPT and efficient manner...and assuring long-term tenancy to beneficiaries of this act and their successors;

(3) Preventing alienation of the fee title...to the lands set aside under this Act...so that these lands will always be held in trust for the continued use by NATIVE HAWAIIANS in PERPETUITY

Which prohibits "solicitation of DHHL" so it can ALWAYS remain for future native Hawaiian Use.

Mahalo for giving me the opportunity to testify. Aloha

Jade Alohalani Smith  
33275 Piilani Highway  
Kaupo, Hawai'i 96713  
Cellphone/text (808) 870-2820  
Email: [kaukaulani@gmail.com](mailto:kaukaulani@gmail.com)  
August 17, 2020

My name is Jade Alohalani Smith, I'm a Beneficiary of the Prince Kuhio's Trust. I'm here to state for the record that I oppose Agenda Item F-1 - under Land Management Division for approval to Authorize 2020 Renewable Energy Project Solicitations and for delegation of Authority to the Chairman to facilitate implementation of these solicitations for Oahu, Maui, Molokai and Hawaii.

It seems that there wasn't any consultation with the Beneficiary (s) at large to solicit any Hawaiian Home Lands to Non-Beneficiary on any Land mandated to the Beneficiary. Section 208: Conditions of the leases require the original lessee shall be a native Hawaiian. It does not support the Hawaiian Homes Commission Act.

All proposals or projects are to be brought forward for the Beneficiary Consultation. We want all our lands. We never gave any to Non-Beneficiary because we are dying on the list for our lands, water, mercantile and capital.

May I remind you that Prince Kuhio's Legacy is to rescue the Hawaiian people from extinction by placing Hawaiians on their ancestral lands and to perpetuate the growth of healthy Hawaiian community on aina hoopulapula (homestead lands).

Thank you for giving me the opportunity to testify on Agenda J, item F-1. Aloha

First Name: Kainoa  
Last Name: MacDonald

Subject:  
Submit Written Testimony

Message:  
Aloha e members of the Hawaiian Homes Commission,

‘O Kainoa Lei MacDonald ko`u inoa. I am a native Hawaiian entrepreneur, a Maui residential waitlister and the volunteer digital facilitator for a number of homelands community initiatives. The latter include monthly Maui/Lana`i Mokupuni Council meetings; the Maui Grants Hui grant-writing support group, and the four-part Maui Centennial Puwalu (conference) series celebrating the 100th anniversary of the 1920 Hawaiian Homes Commission Act federal trust.

I offer advocacy on agendized item C-5 regarding proposed DHHL legislation action, since I was not an email recipient of a 7/23/20 legislation-action request 2.5 weeks before the 8/10/20 submission deadline, and on agendized item D-1-A Homestead lease and application totals and monthly activity reports.

I propose two pieces of DHHL legislation action, as follows:

- The Kuhio Awards Program that would make accelerated awards of all available trust lands statewide as soon as feasible to 45,386 homestead applicants (per 7/31/20 homestead application totals), as follows:

23,233 residential waitlisters — 1 acre each, or	23,233 acres
19,075 agricultural waitlisters — 2 acres each, or	38,150 acres
3,078 pastoral waitlisters — 10 acres each, or	30,780 acres
Subtotal —	91,163 acres to be awarded

Currently beneficiaries lease an estimated	41,000 acres
Nonbeneficiaries lease an estimated	60,000 acres*
Subtotal	101,000 already leased
Subtracted from trust lands inventory of	203,500 acres
Equals	102,500 acres available

Balance of available acres (102,500 minus 91,163) = 11,337 aggregate acres to be used for subdivisions’ roads and amenities, e.g., parks; schools; community facilities (kupuna center, commercial kitchen); gym and athletic fields; clinic and dialysis center; intergenerational agricultural facility with adjacent cooperative ag fields; farmers market; wastewater reclamation; church and cemetery; retail complex; arts, theater, and hula halau facility; green waste and composting facility; indigenous university; industrial area and sod manufacturing, and/or community pasture.

\* (For future homestead awards, more 50-percent blood-quantum applicants would access 60,000 homelands acres upon repatriation from non-beneficiary use.)

- The Kuhio Awards Reparations Program in the context of the 7/1/20 Hawai'i Supreme Court decision regarding "the ever-lengthening waitlist for lease awards of Hawaiian homelands." Under the Kuhio Awards Reparations Program, DHHL immediately would satisfy plaintiffs' homestead-award preferences (residential, ag and/or pastoral on one's preferred island) statewide; in turn, plaintiffs would sign an agreement that they will accept the homestead awards in lieu of monetary reparations mandated by the court decision.

Mahalo for this opportunity to propose DHHL legislation action on behalf of The Lahui, including more than 45,300 of us homestead applicants. I offer this proposed legislation because I do not want to see the department leasing Hawaiian homelands to non-beneficiary entities in order to raise tens of millions of dollars to satisfy court-mandated monetary reparations; the latter DHHL action would further alienate native Hawaiian beneficiaries from our trust lands.

Moreover, I am sure that DHHL does not want to see another waitlisters lawsuit against the State of Hawai'i because of bureaucracy, inequities, or whatever reasons or excuses, in addressing the homelands waitlist. Therefore, we beneficiaries implore DHHL to address the waitlist in a meaningful, effective, revolutionary way, appropriate to Kuhio's intent in spearheading the then-revolutionary Hawaiian Homes Commission Act federal law a century ago.

cc: U.S. Senator Brian Schatz

Ka'iini Kimo Kaloi, director, Office of Native Hawaiian Relations, U.S. Department of the Interior (DOI)

Stanton K. Enomoto, senior program director, DOI Office of Native Hawaiian Relations

Lisa C. Oshiro Suganuma, policy analyst, DOI Office of Native Hawaiian Relations

Hawai'i Senator Maile Shimaburkuro, chairwoman, Senate Committee on Hawaiian Affairs

Hawai'i Representative Ryan Yamane, chairman, House Committee on Water, Land & Hawaiian Affairs

Lee Imada, managing editor, The Maui News

Rob Perez, reporter, Honolulu Star-Advertiser

Na'u me ka 'oia'i'o  
Kainoa Lei MacDonald  
Owner and Strategy Consultant  
Credit Edge Solutions LLC

First Name: Valerie  
Last Name: Monson

Subject:  
Submit Written Testimony

Message:  
August 17, 2020

William Aila, Chairman  
Hawaiian Homes Commission  
Department of Hawaiian Homelands  
PO Box 1879  
Honolulu, Hawai'i 96805

Dear Chairman Aila and Commissioners,

I am writing on behalf of Ka 'Ohana O Kalaupapa, a nonprofit organization made up of Kalaupapa residents, family members/descendants, friends of the community and anyone who supports remembering this important history. Ka 'Ohana was the idea of Bernard K. Punikai`a, one of the great leaders in the history of Kalaupapa. Ka 'Ohana was established in 2003 at the request of Punikai`a and other Kalaupapa residents. The President of Ka 'Ohana has always been a Kalaupapa resident: our current President is Clarence "Boogie" Kahilihiwa.

Thank you for this opportunity to provide testimony for the Hawaiian Homes Commission on the ongoing management of Kalaupapa.

Over the years, Ka 'Ohana O Kalaupapa has created a number of programs to help descendants reconnect to their Kalaupapa ancestors and to educate the general public, students and teachers by providing a way to learn a more accurate and inclusive history of Kalaupapa. We have helped more than 800 descendants reconnect to their Kalaupapa ancestors, developed traveling exhibits that have appeared on every island at least once and are in the midst of establishing The Kalaupapa Memorial which will display the names of nearly 8,000 men, women and children who were forcibly isolated at Kalaupapa because of government policies regarding leprosy (now also called Hansen's disease).

Kalaupapa National Historical Park began discussions on its General Management Plan/Environmental Impact Statement in the Spring of 2009.

For the past 11+ years, Ka 'Ohana O Kalaupapa has been an active participant in this process, conducting our own research, attending meetings and providing testimony every step of the way. In 2009, Ka 'Ohana developed a 28-page Position Paper for the future of Kalaupapa and endorsed by the Office of Hawaiian Affairs, Senator Mazie Hirono (then US Representative) and others. We have spent countless hours trying to help NPS develop the best plan possible for the future of Kalaupapa. Our Position Paper and subsequent comment letters issued in 2013, 2015 and 2019 are all available on our website: [www.kalaupapaohana.org](http://www.kalaupapaohana.org)

We submitted our last comments on the GMP/EIS in June, 2015. We were shocked to hear in 2018 -- shortly before Thanksgiving -- that NPS had made the unilateral decision to change from a GMP/EIS to a

GMP/Environmental Assessment. We have continued to ask NPS why -- after six years of presenting the GMP as an EIS and seemingly being very close to issuing a Record of Decision -- it would suddenly change from an EIS to an EA. We have not received a sufficient answer.

In March, 2019, five key organizations -- the Department of Hawaiian Homelands, the State Historic Preservation Division, The Maui County Cultural Resources Commission, Historic Hawai'i Foundation and Ka 'Ohana O Kalaupapa -- all submitted testimony that did not support NPS' conclusion to issue a Finding of No Significant Impact on the GMP/EA.

Since May 7, 2020, we have been involved in regular conference call meetings with NPS and other consulting parties -- including DHHL -- on a Programmatic Agreement to accompany the GMP/EA. Most of these meetings include participants expressing frustration at the process and a lack of understanding of what the PA will accomplish.

We are respectfully asking the Hawaiian Homes Commission to:

\*Request that Kalaupapa National Historical Park (KNHP) provide DHHL with a written explanation of why It decided to change from a GMP/EIS to a GMP/EA unilaterally with no discussion among the consulting parties who have been involved in this process for many years, including DHHL -- and to provide specific details of the rationale behind this decision.

\*Support the development of a Working Group of knowledgeable organizations or individuals who have participated in the GMP process faithfully over the years to provide advice and oversight to Kalaupapa National Historical Park which currently has no real oversight at Kalaupapa.

This working group needs to "have teeth" so KNHP takes the recommendations of the Working Group seriously and is held accountable. The idea of such a group has been discussed by consulting parties in the Programmatic Agreement meetings. Ka 'Ohana O Kalaupapa believes the Working Group should not be appointed by the NPS because individuals could be sought out who would simply rubberstamp any NPS projects.

We thank you for your attention to this very important matter. There are only 12 Kalaupapa residents who have the right to live at Kalaupapa under the old laws. Through Ka 'Ohana O Kalaupapa, the number of descendants reconnecting to their Kalaupapa ancestors and making sure their legacy is always remembered is growing. The descendants will keep Kalaupapa alive for years to come.

Ka 'Ohana O Kalaupapa would be happy to meet with the Hawaiian Homes Commission at anytime.

Please feel free to contact me at:

[vmonson@kalaupapaohana.org](mailto:vmonson@kalaupapaohana.org)

With aloha,

Valerie Monson  
Executive Director

Please note that our letterhead and my signature would not copy onto this link along with the text. I'm happy to fax or send a PDF.

Chair William J. Aila, Jr., Chairman and Members  
Hawaiian Homes Commission  
P.O. Box 1879  
Honolulu, Hawaii 96805

Subject: Testimony on Agenda item III G-3 Update on Kalaupapa Management, Kalawao County, Island of Molokai.

Aloha Chair Aila and Members:

My testimony today is as an individual who has been involved with Kalaupapa for over a quarter of a century. As background, I was former Chair of the Molokai Planning Commission and was a founding member of Ka 'Ohana O Kalaupapa in 2003 along with Kalaupapa residents, their extended ohana and long time friends of the community. Since 1993 I have had the honor of serving as Santa ant the annual Kalaupapa Lions Club Christmas Party. I am currently a member of the Ka 'Ohana Board of Directors and Kalaupapa Memorial Committee and have done much of the work for the 'Ohana interfacing with professional firms as Ka 'Ohana has navigated through a total of several state and federal environmental compliance process for the Kalaupapa Memorial project.

I have read the submittal on the DHHL website of the submittal provided to the Commission on the subject item by Nancy McPherson of your Planning Office. The submittal primarily seems to be focused on the current negotiations between NPS and consulting parties, including major stakeholders at Kalaupapa who own or have an interest in properties at Kalaupapa and/or have special mandate status such as the Department of Hawaiian Home Lands (DHHL), the Office of Hawaiian Affairs (OHA), the Department of Land and Natural Resources (DLNR), Ka 'Ohana O Kalaupapa, the Catholic Diocese of Honolulu, the County of Maui, the Department of Health, etc.

I have attached a list of recommendations that I respectfully request the Hawaiian Homes Commission to consider. Several recommendations dovetail with concerns expressed in DHHL's March 7, 2019, 6-page comment letter signed by Jobie M.K. Masagatani, Chair of the HHC, which responded to NPS's new draft GMPEA released a few months earlier. I sincerely believe if the Commission supports these recommendations, it will greatly assist the efforts by all consulting parties to expedite the completion complete of a final General Management Plan (GMP) for the Kalaupapa, one that would be worthy of the special place in the history of Hawaii.

In the remainder of this testimony I will share some information that may contribute to supporting some of the recommendation I am requesting the Commission to consider.

As you many know, Kalaupapa National Historical Park differs significantly from most other national parks in that nearly all of the 8,725 acres of land, 2,000 acres of water, and

improvements within the authorized boundary may remain in non-Federal ownership to be managed by the National Park Service through cooperative agreements. Land and facilities within the National Historical Park boundaries are administered by the State of Hawai'i, Departments of Health, Land and Natural Resources, Transportation, and Hawaiian Home Lands; and small private holdings at the top of the cliffs. The National Park Service owns only 23 acres that includes two historic houses and four outbuildings that surround the Moloka'i Light Station.

Kalaupapa National Historical Park became a unit of the National Park System in 1980 and has never had a general management plan to guide the management of the national park for the various landowners.

In 2009 NPS and consulting parties, including DHHL, began the process to develop a GMP for Kalaupapa. NPS and the consulting parties agreed to develop the GMP in the format of an Environmental Impact Statement (GMP/EIS), not only because of the complexities surrounding the fact that NPS did not own but 23 acres at the Park and the fact that every other National Park in the Country developed their respective, initial GMPs in an EIS format, but also because at the time there were not only issues in the GMP that had obvious potential to adversely effect historic properties in a significant way, but there already existed issues that were cause adverse effects as acknowledged by NPS as early as 2005 (those adverse effects continue to significantly impact historic properties up until today). In addition, there were issues to be covered in the GMP that were bound to be surrounded by controversy since most of the land at Kalaupapa is state-owned, a fact that proved to be true.

All National Parks start out with the premise that their presence in a certain renowned area is bound to have the potential of causing adverse impact to historic /cultural resources properties and most likely will involve some degree of controversy, and that is why all the initial GMPs developed by Parks are in the GMP format.

For whatever reason NPS has not made provided any of the consulting parties, including DHHL with a logical explanation as to why it made the unilateral decision to switch the GMP from and EIS format to an EA format.

DHHL's above mentioned comment letter to NPS dated March 7, 2019, regarding their new GMP in an EA format included the following concern:

"DHHL is somewhat dismayed that after so many years of dedicated preparation by this agency, as well as the beneficiaries, and the gradual building of a good faith relationship with NPS, no consultation with DHHL was conducted prior to such a major shift in approach."

Several other consulting parties have expressed the same disappointment and concern with regard to NPS's unilateral decision on such a major issue and have asked NPS for an explanation regarding its decision making on this important issue.

In NPS's Management Policies, Section 2.1.1. entitled "Decision-making" is the following policy statements: NPS will use planning to bring logic, analysis, public involvement, and accountability into the decision-making process. Each park will be able to demonstrate to decision-makers, staff, and the public how decisions relate to one another in terms of a comprehensive, logical, and trackable rationale."

This is all the consulting parties are asking for a rational explanation that the logic for can be understood.

In numerous National Park GMPs, including other comparable Parks in Hawaii, there are cost estimates included regarding the estimated cost of implementation the GMP. It is important to have this baseline data for planning purposes as the management of respective National Parks move forward with their government and non-government partners. It seems even more important to Kalaupapa NHP with it multiple partnerships, special mandates and jurisdictional issues for everyone to have an idea of the basic cost estimates to implement the general plan based on information available at the time.

In 2012 NPS represented to the Kalaupapa NHP Advisory Commission, a federal entity, the following:

" One key thing that is happening right now is that we have a consultant doing cost estimates. So this is the financial side of this plan. This is understanding how much it's going to cost, how many dollars is it going to cost to maintain Kalaupapa for the long term, how much is it going to cost to maintain over 200 historic buildings at Kalaupapa and all of the associated resources."

Those cost estimates were included in the draft GMP/EIS that DHHL and other consulting parties provided comment letters on. The figures showed that to implement the three phases of the NPS's preferred alternative for the GMP, it would cost a total of \$39, 870,000, which includes contributions from NPS's partners at Kalaupapa of \$6,085,000.

In addition, the GMP/EIS cost estimates showed NPS's annual operating cost at Kalaupapa of \$\$6,175,000.

Also, one of adverse effects to historic properties that exists today and was acknowledged as such by NPS as far back as 2005 is deferred maintenance. In a report prepared by NPS for FY 2018, deferred maintenance at Kalaupapa has grown to over \$27,000,000. A copy of that report was provided to me by a DHHL beneficiary. Who has been concerned about the ability of NPS to sustain it operations at Kalaupapa, a concern by others during the GMP process.

It is important not to hide the reality of costs but rather highlight them so that NPS and its partners can work together to resolve an issue that is important to Kalaupapa's future. At one of the recent Section 106 meetings with consulting parties NPS did acknowledge they didn't know what they were going to do about the massive deferred maintenance that has

accumulated over the years and has generated a major challenge for NPS in its efforts to move forward on a sustained financial level.

At a recent Section 106 meeting NPS shared with the consulting parties that the cost estimates deleted were still good cost estimates. It seems then that NPS should include them in the new draft GMP and if needed massage them a bit to account for inflation etc.

One cost associated measure was included in an attachment to DHHL's Planning Office submittal for the August 18, 2020 HHC meeting included the following position NPS had adopted: " NPS won't reinvest if they don't get an extension 20 years prior" This was NPS position on the lease in response to the following inquiry at a public beneficiary meeting on Molokai regarding the issue of the 50-year lease between NPS and DHHL which is scheduled to expire in 2014: "Do we get a clean slate in 2014".

The lease can be renewed, but should it not be DHHL takes over any improvements NPS has made on DHHL lands at no cost. In the past NPS has shared with DHHL if DHHL terminates the lease early it will owe NPS \$44,000,000 for improvement made by NPS. DHHLand beneficiaries have questioned this figure as being inflated.

When this issue was raised in one of the GMP Section 106 meeting, NPS said they were unaware of taking that position and would look into the matter and get back to the consulting parties. NPS has not responded to date.

One other matter of concern among consulting parties is the transition team that has been put together to work out how things might evolve when the Department of Health transitions out of Kalaupapa in the not so distant future when there is no longer a patient community there. There are twelve residents left with the right to live at Kalaupapa. The average age is 85.

At this juncture the members of the transition team are all government agencies. None of the non-government stakeholders at Kalaupapa who are property owners ther and/or have special mandate status as NPS has acknowledged are on the team. Non-government stakeholders should be included, as well as some representation from a NHO organization(s) on topside. This seems critical if a meaningful and well throughout transition plan is going to be crafted.

Below, I have attached some suggested recommendation that hopefully the Commission and/or Planning Office will encourage NPS to follow through on. Several of these, if not all, seem to be concerns that have been raised by DHHL in the past but ignored by NPS.

I appreciate the opportunity to share my thoughts for the Commission and staff consider. I hope the information is helpful. I also would like to express my sincere gratitude to DHHL and many of your beneficiaries for the support given to Ka 'Ohana O Kalaupapa over the years.

Me ka mahalo nui, DeGray Vanderbilt  
808-283-8171: Email: [degray.vanderbilt@gmail.com](mailto:degray.vanderbilt@gmail.com)

REQUESTED RECOMMENDATIONS FOR THE COMMISSION TO CONSIDER:

1. Please request National Park Service provide DHHL and the other GMP consulting parties with a logical explanation that includes specific rationale for NPS making the unilateral decision to change the format of the Kalaupapa General Management Plan (GMP) from an Environmental Impact Statement (EIS) format to a less detailed Environmental Assessment (EA) format.
2. Please recommend to NPS that it deleted from the GMP/EIS document when it decided to adopt an EA format in anew draft GMP, along with the name of the of the professional consulting party (s) that developed the cost estimates and the assumptions the consultants used in developing the estimates.

These include the cost to implement the GMP in three phases along with the annual operating and maintenance cost estimates.

3. It would be appreciated if DHHL would also ask for NPS to provide a breakdown of the \$27,000,000 in deferred maintenance at Kalaupapa that provide to the government in FY 2018.

NPS came up with the deferred maintenance total it seems they would have the line item cost that contributed to the total to share with DHHL and the consulting parties.

4. I would also like the Commission or staff to consider requesting that DHHL be a invited by NPS to be a signatory on any final Section 106 programmatic agreement that is developed to implement the GMP.

This is import. The following federal regulations address this issue: “ In accordance with 36 CFR § 800.6(c)(2), an invited signatory, upon signing, has the authority to amend and terminate the agreement. The agency official may invite additional parties to sign the agreement, such as an Indian tribe or NHO who attaches religious and cultural significance to historic properties affected by the undertaking (off tribal lands), or any party that assumes a responsibility under the agreement. “

NPS has been asked by consulting parties to invite DHHL as a signatory party. It seems obvious because of the fact that DHHL is not only a landowner, but consistent with the federal regulations cited above, that DHHL should be a signatory on this important document. NPS says it is looking into the matter. I believe DHHL’s staff is researching the matter as well. NPS has said it want to offer DHHL to be a consenting/consulting party like everyone else, a position that does not have the authority of being a signatory to the agreement.

Mahalo for your consideration. Please excuse any misspellings or grammar mishaps.

First Name: Shawndelle

Last Name: Kamalani

Subject:

Submit Written Testimony

Message:

Pu'unani

Hawaiian Homestead Association

225 Halona Street

Kihei, Maui, Hawai'i 96753

Cell/text (808) 344-9762

Email: [keoiwa7@gmail.com](mailto:keoiwa7@gmail.com)

May 18, 2020

Aloha Mai e Hawaiian Homes Commissioners,

I am Shawndelle Keoiwa Kamalani, Interim President of Pu'unani Hawaiian Homestead Association in Waikapu, Maui. I am advocating on agenda item F-1, the first motion that is being made should be reworded to state; (1) The department will solicit from waitlisters and beneficiaries, proposals for Renewable Energy projects, on one or more parcels of the available lands shown in Table 2.

The second motion should not be passed. I do not want to give full authority to the Chairman to take all actions necessary and appropriate to implement, execute, and otherwise facilitate the solicitation and offering of those available lands. All decisions and actions should be made by the whole Commission, with beneficiary consultation. The lands and projects should be used by beneficiaries and not non-beneficiaries.

That would be tragic to give all the authority to the Chairman, he would be pushing his own agenda, and he would not put the beneficiaries' priorities first. I plead to all of you, Commissioners to not approve this motion. Please inquire to those whom are currently on the lands, they have great ideas for renewable energy resources.

I am grateful to be given the opportunity to advocate on this agenda.

Mahalo nui loa,

Shawndelle Keoiwa Kamalani

Interim President

Pu'unani Hawaiian Homestead Association

First Name: Paahana

Last Name: Kincaid

Subject:

A Request to be on the "J" Agenda

Message:

Aloha e Hawaiian Homes Commission members,

I am Pa`ahana Kincaid, a Maui Native Hawaiian entrepreneur offering advocacy on agenda item G-1 Delegate authority to the chairman to respond to the notice of availability for surplus property from the General Services Administration, concerning the selection of up to 80 acres of the former National Oceanic and Atmospheric Administration National Weather Service Pacific Tsunami Warning Center `Ewa Beach, O`ahu, TMK (1) 9-001-001 (por.).

Before the department, the commission and the chairman expend untold resources of time, energy and moneys on procuring surplus property, kindly devote time and attention to the estimated 29,000 acres of unimproved, unawarded Hawaiian homelands on my island of Maui. I seek to use constructively a 75-acre Makena parcel and will be forwarding a land-use request to do so. My hope is that DHHL will dedicate as much time and hundreds of pages of due diligence to my request as to agenda item G-1.

May this letter find you to be healthy and well.

My father has been on the Maui Pastoral/Agricultural waitlist since April 30, 1980--currently 40 years. He is currently number eight (8) on the list. Our Ohana; are all beneficiaries of our Kupuna and their Legacy. It is a Kuleana that we all, as Kanaka Maoli, freely and honorably accept: to continue the love and guidance they have bestowed upon us.

In this same spirit, the purpose of this letter is to inform you of our intent, on behalf of my Ohana, to initiate actions to secure the subject 75-acre parcel, referred to as Ahihi hereon; referenced in the Maui Island Plan Document, published in September 2004; which details The Department of Hawaiian Homelands (DHHL) Maui Nui land inventory, encompassing Maui, Molokai, and Lanai, in its entirety.

This particular property has been vacate since the enactment of the Hawaiian Home Lands and currently has no plans for development according to the 2004 Maui Island Plan. There is no reason to believe that anything is going to happen with said parcel in the foreseeable future since it is located in a very remote section of south Maui and has no infrastructure. We have a viable plan to utilize said parcel, invest tremendous amounts of time, energy and expertise to make this property self-sustaining. We hope to bring Life to the Aina.

Our Plan is to construct and build roads to access this parcel from the upper road (Papaka Road, Old Government Road) and the lower road (Makena Road) which abuts the property. There is currently a 2-inch Driscoll water line that services that area and we are currently applying with the Department of Water Supply, Maui County to secure a meter for this parcel. As we move forward to grub the property, determine the metes and bounds, and identify the perimeters of said parcel, we will move forward to drill a well to secure a permanent source for water and build water tanks to catch and store this precious resource. Furthermore, we will employ a photovoltaic electrical system to drive our electrical needs. We will move on site several containers for storage of agriculture and construction equipment

and materials and utilize these storage spaces as living quarters as will be required to maintain progress in all phases of the game management, agricultural plans, conservation management, and construction build-out. Moreover, we will employ the latest technology in wastewater treatment.

We currently have reached out to the DLNR with regards to grants that are available for conservation and reforestation. Additionally, we are reaching out to the Kahikinui community for support and we are optimistic that Ulupalakua Ranch will be cooperative in our endeavors.

Our position is to utilize state /public /ceded lands to access said parcel. We hereby request that the commission grant a Lease for this 75- acres at TMK (2) 2 -1-04: 114 in favor of James Kahelelani Kincaid. Please let me know what additional information you need from us in order for the Commission to vote on this request.

Kind Regards,

Paahana Kincaid



## **Hawaiian Home Lands Rental Housing in the Villages of La'i Ōpua**

**Presentation by Ikaika Ohana**

**For the Hawaiian Homes Commission**

**August 2020**

### **Topics**

- Our Team
- Concept
- Timeline
- Financial Structure
- Tenant Services
- Next Steps

## Our Team

### Development Team and Roles

---

Team Member	Role
A0597 Kona, L.P.	Development Agreement Assignee / Borrower
Ikaika Ohana and UHC H4 LLC	Developer / General Partners of A0597 Kona, L.P.
Design Partners Incorporated	Architect
RM Towill	Engineer
Coastal Construction Co.	General Contractor
Hunt Capital Partners	Investor
American Savings Bank	Lender
Cox, Castle & Nicholson	Legal Counsel
McCorriston Miller Mukai MacKinnon LLP	Legal Counsel

## Our Concept

### Hawaiian Home Lands Rental Housing in the Villages of La'i'Ōpua

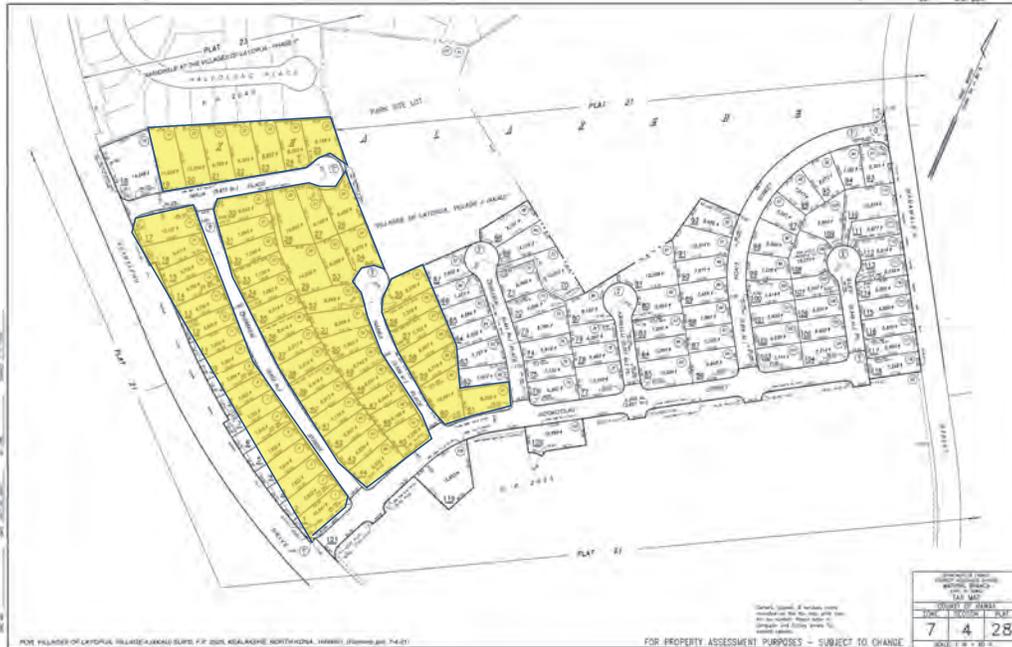
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- Based on February 2019 Development Agreement
- Hawaiian Home Lands Trust Fund - \$5 million
- First Phase – 60 units
  - Fully funded, shovel ready
- Future Phasing – 103 units
  - We will apply for additional resources in upcoming funding rounds to facilitate the development of the remaining units

## Our Concept

### Hawaiian Home Lands Rental Housing in the Villages of La'i'Ōpua

First Phase - 60 affordable units in Village 4 - Akau



## Our Concept

### Hawaiian Home Lands Rental Housing in the Villages of La'i'Ōpua Execution

- The property will offer the units for rent over a 15 year period to qualified tenants
- Tenants will be qualified according to DHHL, LIHTC, and HHFDC requirements as well as rental industry standards
- After the 15 year rental period the units will be offered for sale to existing tenants or other qualified buyers

## Design

### Hawaiian Home Lands Rental Housing in the Villages of La'i'Ōpua

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## Design

### Hawaiian Home Lands Rental Housing in the Villages of La'i'Ōpua

---

Model	Bed / Bath	Living Area (SF)	Lanai (SF)	Garage (SF)
1 *	2 / 2	1,020	220	437
2 *	2 / 2	1,000	194	444
3ADA	2 / 2	1,018	187	493
4 *	3 / 2	1,249	156	443
5ADA	3 / 2	1,355	233	467
6 *	3 / 2.5	1,263	244	458
7	4 / 3	1,553	191	439
8ADA	4 / 2	1,433	84	447

\* Model also used in reverse layout

\*\* Please refer to Exhibit A for Site Plan and Unit Layouts

## Timeline

### Hawaiian Home Lands Rental Housing in the Villages of La'i'Ōpua Schedule

Milestone	Date
HHFDC Award of Funding	Jul 2020
Financial Close	Aug 2020
Construction of Homes	Sep 2020 – Oct 2021*
Initial Tenant Financial Qualification	Nov 2020 – Dec 2021 **
Initial Rent-Up and 15 Year Rental Period	Feb 2021 – Dec 2035
Unit Sales and Conversion to Homestead Leases	Jan 2036

\* First units should be available by Feb 2021. Last units available by Oct 2021

\*\* Lease-up and tenant underwriting begin prior to occupancy of the first units

## Structure

### Hawaiian Home Lands Rental Housing in the Villages of La'i'Ōpua Sources and Uses

Sources	Amount	Uses	Amount
LIHTC Proceeds	23,397,000	Construction Hard Costs	27,000,000
HHFDC – RHRF Loan	7,620,000	Contingency & Reserves	3,350,000
DHHL Proceeds	5,000,000	Financing Costs	2,075,000
American Savings Bank	1,938,000	Professional Services	2,500,000
		Other Costs	3,030,000
<b>TOTAL</b>	<b>37,955,000</b>	<b>TOTAL</b>	<b>37,955,000</b>

## Structure

### Hawaiian Home Lands Rental Housing in the Villages of La'i'Ōpua Income and Rent Limits

---

#### Income Limits – 4 person household \*

AMI Level	30%	40%	60%
Annual Income	\$24,990	\$33,320	\$49,980

#### Monthly Rent Limits \*\*

Unit Size	2-Bedroom	3-Bedroom	4-Bedroom
30% AMI	\$562	\$649	\$725
40% AMI	\$750	\$866	\$967
60% AMI	\$1,125	\$1,299	\$1,450

\* Based on 2020 income levels

\*\* Rent includes the value of rent and utilities paid by the tenant

## Structure

### Hawaiian Home Lands Rental Housing in the Villages of La'i'Ōpua Unit Sales

---

- Existing tenants will have the first option to purchase their units after the 15 year rental period
- Unit sales will comply with IRC Section 42 standards
- Sales values will be affordable and based on income levels at the time of sale
- The formula to determine a unit's sales value is documented in the July 9, 2020 HHFDC For-Action

**Hawaiian Home Lands Rental Housing in the  
Villages of La'i'Ōpua  
Tenant Services**

---

- Home buying programs and training courses
- Home care courses
- Periodic tenant/home buyer evaluations
- Educational classes
- Health and wellness programs



# Kapolei Community Development Corporation

## Kapolei Community Development Corporation

- KCDC is a 501(c)(3) non-profit organization that serves the homesteads in Malu'ōhai, Kaupe'a, Kānehili and Kauluokaha'i in the Kapolei Region
- Founded on tenets of Community, Culture, Education & Partnerships in 2008
- Volunteer non-paid board



**Scott  
Abrigo**  
President  
*Malu'ohai*



**Chantal  
Keli'ihomalu**  
Secretary  
*Kānehili*



**Kekoa  
Gonzales**  
Director  
*Kānehili*



**PeeWee  
Ryan**  
Vice  
President  
*Kānehili*



**Jame  
Schaedel**  
Director  
*Malu'ohai Resident  
Association  
Designate*



**Michelle  
Kauhane**  
Director  
*Kaue'a  
Homestead  
Association  
Designate*



**Leonani  
Puailihau**  
Treasurer  
*Malu'ohai*



**Guy  
Kapeliela**  
Director  
*Kaue'a*



**Alika  
Kea**  
Director  
*Kānehili  
Community  
Association  
Designate*



# Kapolei Heritage Center

- 91-1250 Kinoiki Street
- Constructed, managed and operated by KCDC
- KCDC's conduit to serving the Kapolei Homestead Region



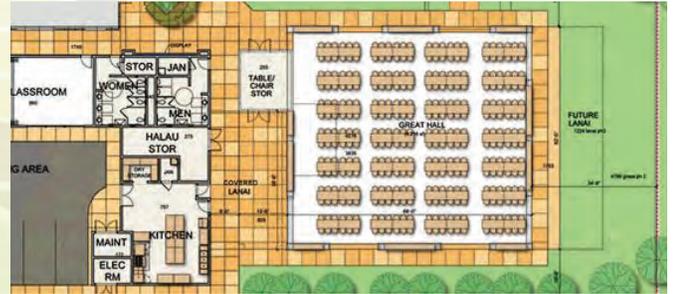
## Built Phase 1 (2016)

- 2 Classrooms
- Certified Kitchen
- Convenient online booking
- [www.kapoleiheritage.org](http://www.kapoleiheritage.org)
- # of Users (Average)
  - 350 Week
  - 1,400 Month
  - 16,800 Annual (11,760 NH)



# Proposed Phase 2 - Hālau

- 350+ People Capacity
- Flex space (1 large space or 3 smaller spaces)
- Build parking lot
- Accomodate large events
- More space for programs



Our  
Progress



# KCDC Partnerships



HAWAIIAN  
HOME LANDS  
HAWAIIAN HOMES COMMISSION  
DEPARTMENT OF HAWAIIAN HOME LANDS

## Homestead Associations

- Malu'ōhai
- Kaupe'a
- Kānehili



ULU A'E  
LEARNING CENTER



## Kupuna and Keiki Programs

- Partnered with Alu Like on a Kupuna program
  - Monday Mornings
  - 35-40 Kupuna
- Partnered with Keiki O Ka 'Āina on a Keiki/Parent program
  - Tuesday - Friday
  - Classes are full!



# Free Ukulele Classes

- KCDC partnered with Ukulele Project Hawaii
- Classes on Monday evenings
- Beginning and advanced classes
- Online registration
- [www.UkuleleProjectHawaii.com](http://www.UkuleleProjectHawaii.com)
- Free



# Honouliuli Educational Fair - 1/11

- 2nd Annual Education Fair
- At Island Pacific Academy
- Hawaiian focused education opportunities in the region.



# Hāpai Pōhaku Scholarship Fund

- Funded by an \$50K endowment from Malu'ōhai, Kaupe'a, Kānehili & KCDC
- **\$2,000.00** annual scholarship
- Assist Kapolei homestead students pursuing higher education
- [www.hawaiicommunityfoundation.org](http://www.hawaiicommunityfoundation.org)



Ms. Jaelyn Domingo



## Homestead Health Survey



Malu'ōhai Residents' Association

Kānehili Community Association

**Kapolei Homestead Health Survey**

Look for the survey in the mail. Complete and return it, to receive a \$15 Foodland Gift Card!

Help us better understand the issues related to health and wellbeing in our Kapolei homestead community. The results will help us advocate for resources and services that will benefit our Kapolei homesteads in the future. Complete the survey or come to an open house if you have questions, need help or want to turn it in to get your free gift card.

**Survey Open House**  
**March 3 (Tues.)**  
**March 10 (Tues.)**  
 6:30 pm - 8:00 pm  
 Kapolei Heritage Center  
 91-1250 Kinoiki St.  
 Kapolei HI 96707

## HOMESTEAD HEALTH SURVEY



# Covid Response

- Partnered with KS, KROC Center Hawaii, Alu Like, CNHA, Hawaii Community Foundation, USDA, Longs Drugs and Others
- 38,000 Meals Distributed
- 1,100 Covid Kits
- Raised \$15,000 in Gift Cards



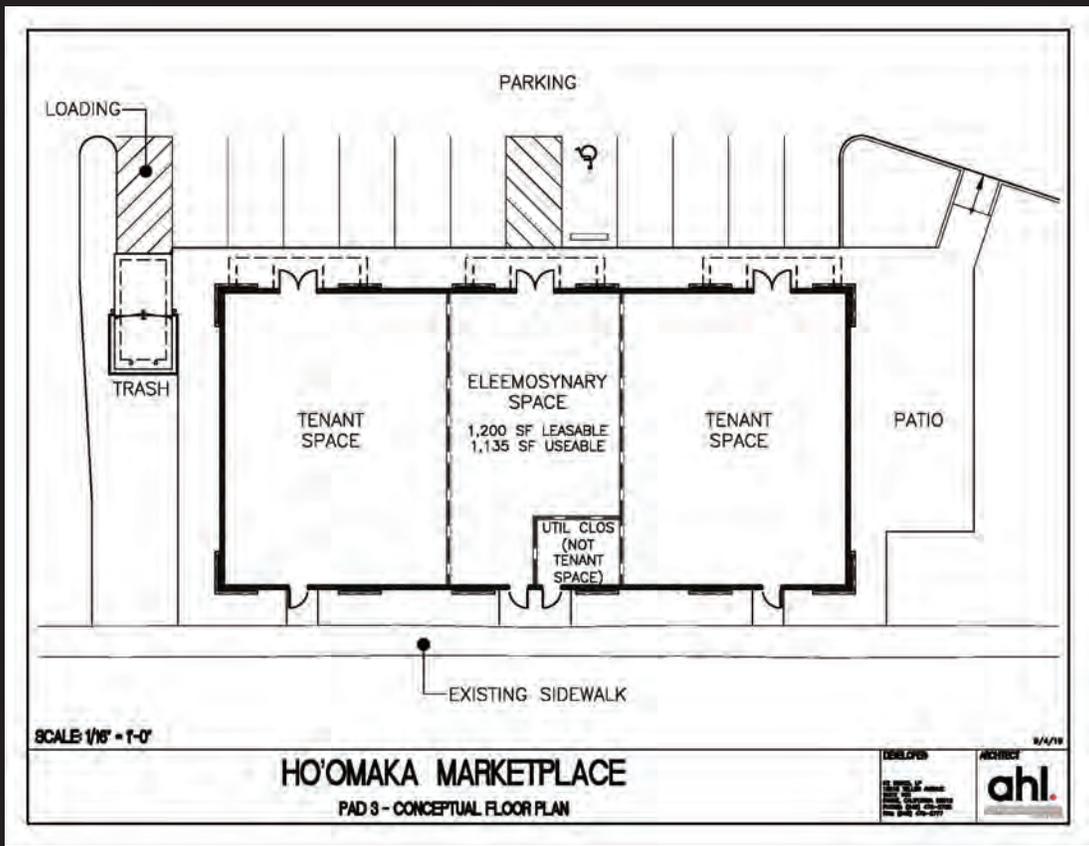
# Ho'omaka Marketplace



- Ho'omaka - "To Begin"
- Commercial zoning
- KCDC partnered with KZ Companies
- Provide KCDC with the resources for a sustainable future

**HO'OMAKA**  
MARKETPLACE







**MAHALO!**



# Moanalua Kai near two HART stations



## What is Transit-Oriented Development (“TOD”)?

- A type of community development
- Includes mix of land uses such as housing, office, retail and/or other amenities
- Integrated into a walkable, moderate-to-high density neighborhood
- Located within designated TOD zones or within one-half mile radius of public transportation connection points

(Source: Reconnecting America (<http://www.reconnectingamerica.org/what-we-do/what-is-tod/>))

# Why is TOD important to DHHL?

- The Moanalua Kai (Shafter Flats) parcels are within ½ mile radius of rail stations as part of the Honolulu Rail Transit Project, and are within the TOD planning areas
- Airport Area TOD Plan (HC&C-in progress) will provide a guide for redevelopment that will
  - provide incentives for mixed uses, higher densities and enhanced amenities
  - coordinate with CIP, future infrastructure plans & responses to sea level rise

## Moanalua Kai Lease Expiration Dates



- Short Term Use
- Expires 2022
- Expires 2025
- Expires 2064
- In Dispute



## Various Street Views



DHHL acquired DLNR's Shafter Flats parcels in 1986 in exchange for DHHL lands in Hilo, Kamuela, and Molokai for DOT's airport expansion.

DLNR created the industrial subdivision in the late 1960's. All the improvements in the area were built in the late 1960's/early 1970's.



## Various Street Views

Flooding and the vandalism from the homeless in the area have been common issues for all the lessees



Most lessees have maintained their properties well over the years

## Flooding During High Tides

2706 & 2696 Kilihau Street



December 2016 at 5:00 am



August 2017 at 3:15 pm

## **Moanalua Kai Preliminary Conceptual Plans**

**To reposition our properties and increase their income-generating capacity:**

- **Redevelop area for continued industrial use**
- **Build more modern facilities based on TOD, future rail service, location, and general market opportunities**
- **Build some higher density, vertical structures**
- **Two five-story buildings of 433,000 sq. ft. each**
- **Five showroom-type buildings that total 86,000 sq. ft.**

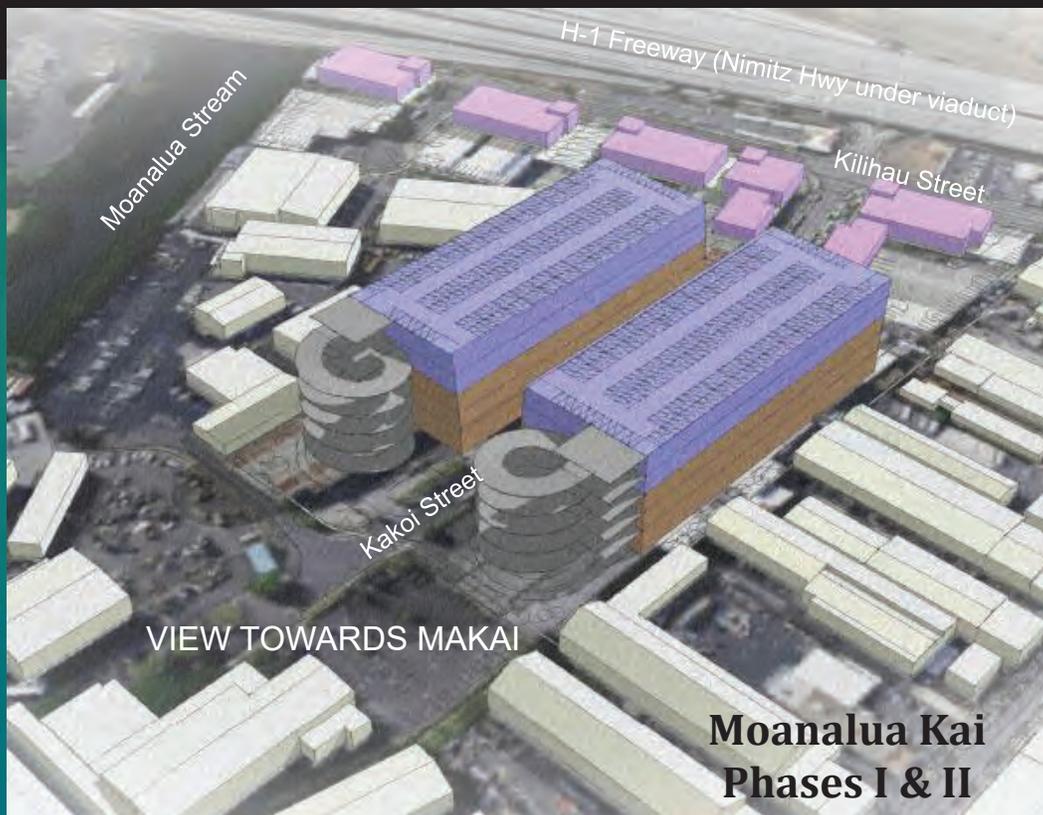
## **Moanalua Kai Preliminary Conceptual Plans (Continued)**

- **Groundbreaking for Phase I in 2025 for multi-story building on Waikiki side of Kakoi Street and four showrooms along Kilihau Street**
- **Phase II in about five years (2034) after stabilization of occupancy around 2029 and assuming resolution of the 2064 ground lease**
- **Phase II to include second multi-story building on Ewa side of Kakoi Street and last showroom facility**

# Moanalua Kai Preliminary Conceptual Plans



# Moanalua Kai Preliminary Conceptual Plans



## Examples of Multi-Story Industrial Properties in Honolulu



↑ Airport Industrial Park  
(Built in 1989 & 1992)

← Kakaako Commerce Center  
(Built in 1971)

## Findings of the Feasibility Report

- Area subject to periodic flooding during high tides and severe weather
- Susceptible to more flood risk due to sea level rise and severe weather in the future
- Area underlain by fill materials and soils needing more evaluation; need foundation improvements and enhancements
- Area subject to certain height and noise restrictions due to proximity to airport and location underneath restricted airspace

## **Findings of the Feasibility Report (continued)**

- **New structures must be elevated above existing grades pursuant to regulatory guidelines**
- **Special foundations needed to elevate and secure the ground under multi-story buildings**
- **Development costs to be very high, estimated at total of \$405 million in 2019 dollars**
- **From a private developer's standpoint, net operating income, even after 15 years, will not cover development costs**

## **Findings of the Feasibility Report (continued)**

- **Based on conceptual cash flows, the redevelopment project will only be able to support permanent financing for only 28% to 30% of development costs**
- **About 70% of funds for redevelopment would need to come from equity or other sources**
- **Redevelopment project does not appear to be attractive to a market-based developer**

## **Findings of the Feasibility Report (continued)**

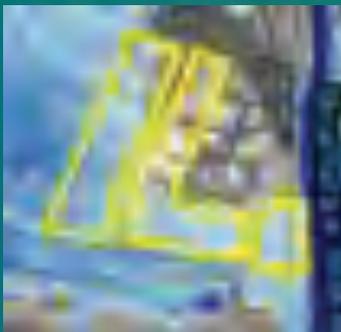
- **Report recommends lower density redevelopment**
- **An “as is” scenario for parts of the area**
- **Consider early termination or restructuring of existing ground leases**
- **Report also recommends that the goals and planning for the area consider environmental and site conditions data uncovered**

## **Options Considered**

- **Seek a consultant to help formulate further options or how to proceed further**
- **Proceed with RFPs for a master developer(s) to determine if any interest to redevelop area**
- **Proceed with limited redevelopment**
- **Seek an exchange or sale for Moanalua Kai**

## The Sea Level Rise Dilemma: Potential Economic Loss & Flooded Roadways

The majority of Moanalua Kai is underwater except for the northeastern corner under a 2050 “extreme” scenario.



NOAA Sea Level Rise Viewer 3-foot Rise in Sea Level



## The Sea Level Rise Dilemma: Potential Economic Loss & Flooded Roadways

Moanalua Kai is entirely underwater around 2070 or 2080 under the “extreme” sea level rise scenario



NOAA Sea Level Rise Viewer 6-foot Rise in Sea Level



## **Staff Recommendations**

- **Seek an exchange or sale for Moanalua Kai**
- **Determine if there is any interest by a master developer to redevelop the area**
- **Plan further for limited redevelopment**

## **Next Steps**

- **Explore the sale and exchange options further**
- **Pursue a way to determine if there is any interest from potential master developers**
- **Plan for issuance of short-term dispositions for parcels with leases that will be expiring**
- **Conduct further planning and additional due diligence to pursue limited redevelopment**
- **Continue to participate in the City & County's Airport Area TOD planning process**



# HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION  
DEPARTMENT OF HAWAIIAN HOME LANDS

## **Mahalo**

**Land Management Division  
Planning Office**



# CTAHR-DHHL Agricultural Education Program

September 2018 – August 2020

Kiersten Akahoshi  
Jr. Extension Agent – DHHL, Hawai'i County



COOPERATIVE EXTENSION  
UNIVERSITY OF HAWAII AT MĀNOA  
COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES



62

Workshops

>1,100

Homesteader Contacts

21

Farm Plans

>40

Office Visits

>70

Farm Visits



COOPERATIVE EXTENSION

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COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES



# COOPERATIVE EXTENSION

UNIVERSITY OF HAWAI'I AT MANOA



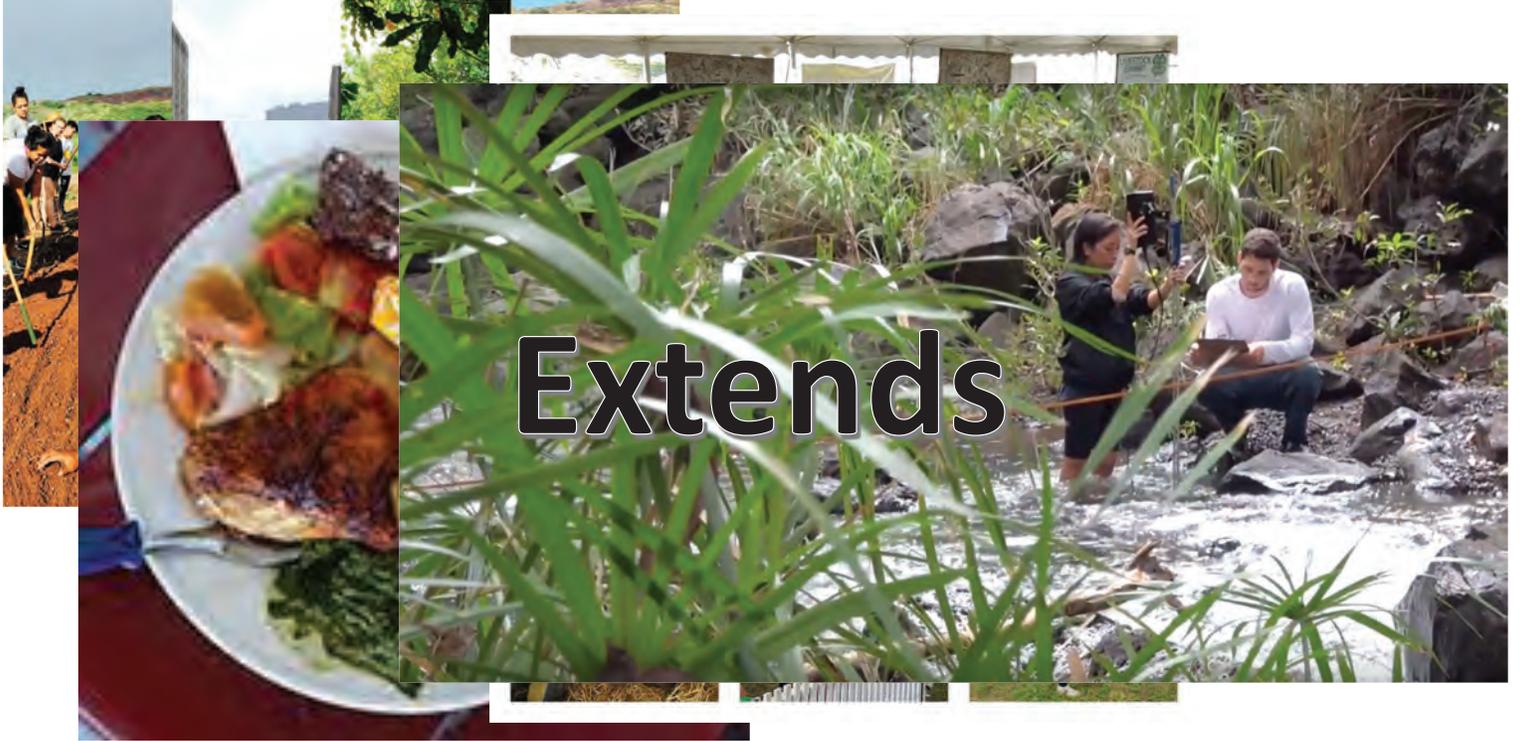
COOPERATIVE EXTENSION

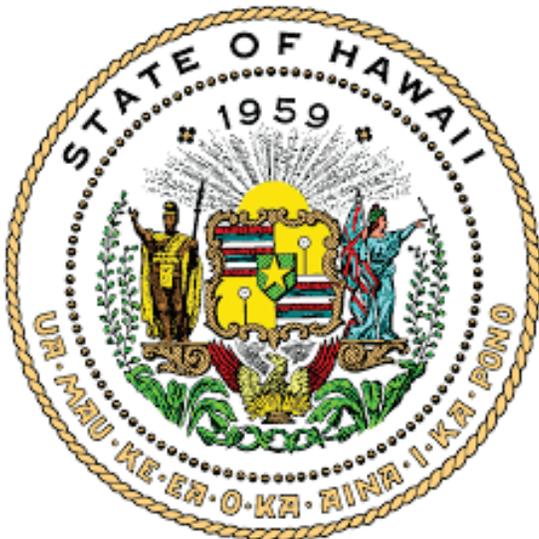
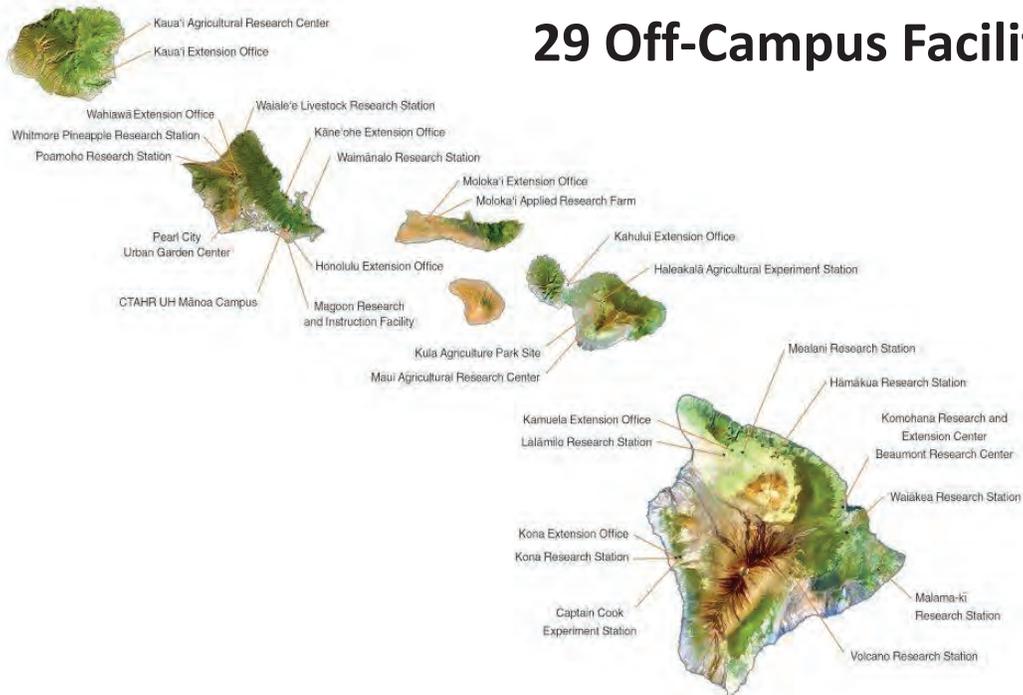
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# COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES

UNIVERSITY OF HAWAI'I AT MĀNOA



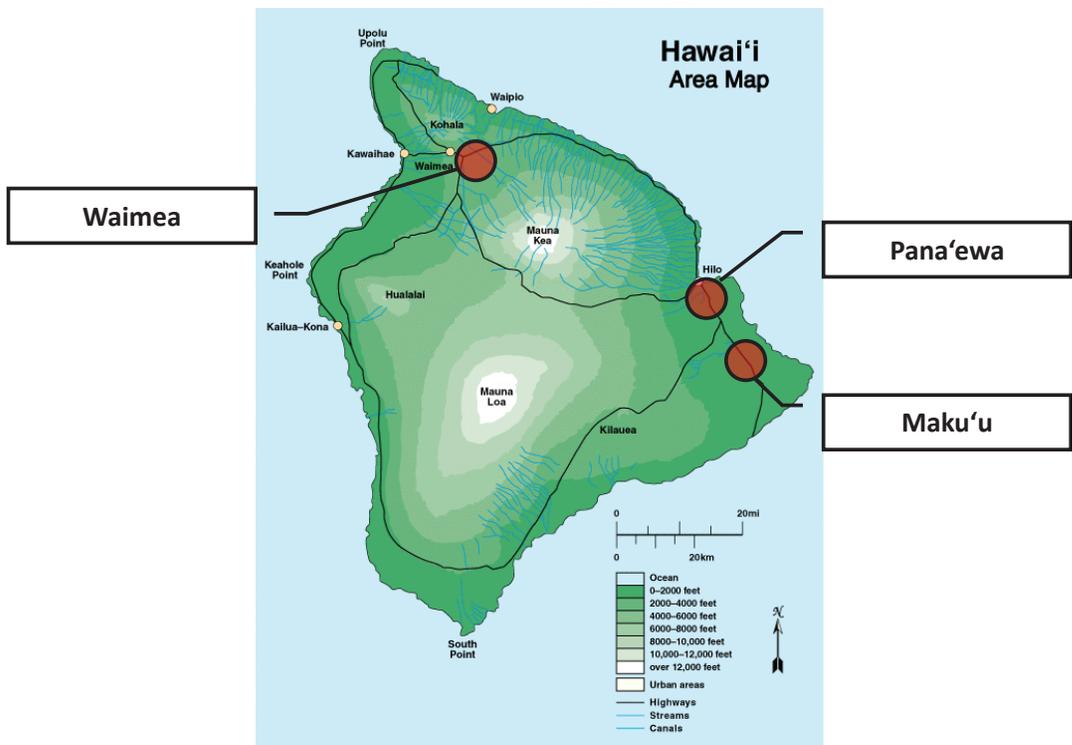


Issues • Innovation • Impact

A Part of the Cooperative Extension System

Welcome to the  
**COUNTY OF HAWAII**







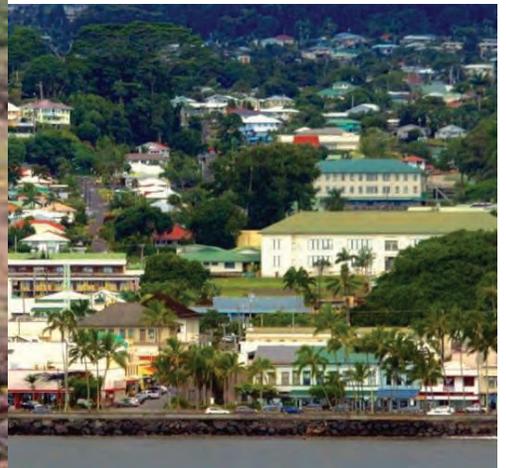
# Maku'u



A  
m



# Pana'ewa



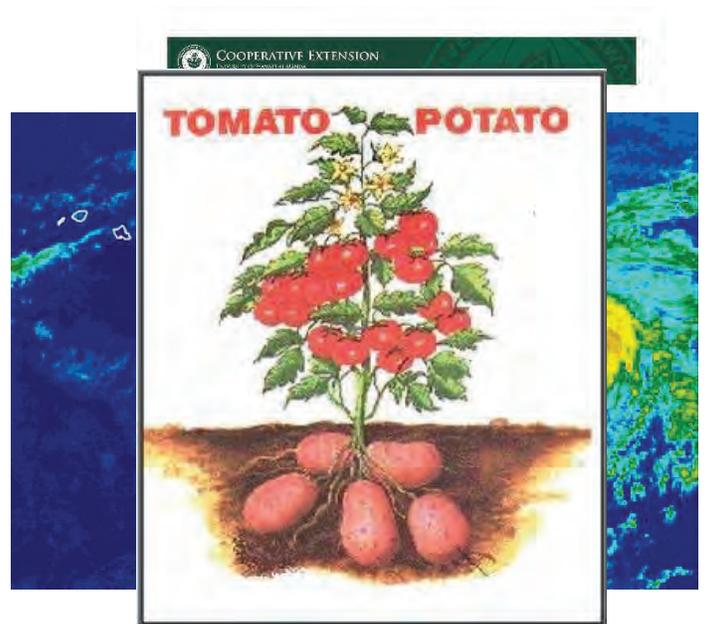


# Waimea



# Educational Topics

- Regional needs
- Participant feedback
- Homestead community associations
- Community leaders
- Current events
- Novelty





# Homesteader Engagement

- E-mail lists
- District offices
- Homestead community associations
- Online calendar
- Public gatherings



62

Workshops

>1,100

Homesteader Contacts

21

Farm Plans

>40

Office Visits

>70

Farm Visits



**Increased confidence in computer skills**

**Increased confidence in food safety**

**Increased ability to find reliable information on the internet**

**More awareness of technical and financial assistance**

**Better quality of life**



**Gained knowledge and awareness of soil health**

**Increased skill in plant propagation**

**Broadened awareness of agriculture**



# Increased interest in agricultural activities on their homestead



## Follow ups:

- Submitting samples
- Propagating plants
- Growing food on the homestead
- Maintaining orchard crops
- Using soil amendments
- Using the internet to vet information
- Raising livestock



# The need for time...





## HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

### **Item G-3**

## **For Information Only – Update on Kalaupapa Management, Kalawao County, Island of Molokai**

**August 18, 2020**

DEPARTMENT OF HAWAIIAN HOME LANDS – PLANNING OFFICE



## **Background – Purpose of Submittal**

- National Park Service is finalizing General Management Plan (GMP) for Kalaupapa National Historic Park (NHP)
- Last update to Hawaiian Homes Commission was during presentation of a Beneficiary Consultation Report in 2015
- Beneficiaries have requested that the Planning Office provide an update to the HHC on NPS' and other planning efforts underway for Kalaupapa.

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## Background – Historic Timeline

- Kalaupapa includes the ahupua'a of Kalaupapa, Makanalua & Kalawao. Waikolu Valley also provided resources.
- Traditional name of peninsula is Makanalua -- estimated to have been settled over 900 years ago.
- Early 1700's: Site of a major battle over fishing rights between the chiefs of the Kona and Ko'olau districts of Molokai. The Kona chiefs, backed by Kualii, a chief from O'ahu, prevailed in the battle, resulting in the Kona and O'ahu chiefs taking control of Molokai.
- Kalaupapa translates to "the flat plain," but also may refer to the reef flats off the northern shore of the peninsula.
- Known for kalo from lo'i of Waikolu, 'uala, pa'akai, i'a and kapa
- Due to lack of development pressure, considered one of the most intact and extensive complexes of cultural sites in the Hawaiian Islands.

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## Historic Timeline (cont.)

- 1820's : Hansen's Disease (aka Ma'i Ali'i, Ma'i Pākē, Ma'i Lēpela) present in Hawai'i.
- 1850: Board of Health created by Kamehameha III, Kauikeaouli
- 1865: "An Act to Prevent the Spread of Leprosy" enacted during reign of King Kamehameha V, Lot Kapuāiwa.
- 1865-present: 8,000 patients isolated at Kalaupapa
- 1889: Patients moved from Kalawao to Kalaupapa
- 1969: End of isolation



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# Agencies with Kuleana in Kalaupapa

Agency	Kalaupapa Kuleana
DHHL	Manage long-term General Lease No. 231 (LMD); update & implement Molokai Island Plan for Kalaupapa-Pālā'au (PO); participate in interagency coordination & transition planning (LMD, LDD, PO, OCH); coordinate beneficiary outreach & consultation on NPS GMP (PO)
DOH	Manage buildings, programs such as visitors and tours, & resources under DOH control; provide healthcare, meals, interior home repair, yardwork & other supportive services to patient-residents, administration & recordkeeping; administer applicable laws in Kalawao County
NPS	Maintain & operate water & fuel distribution, electrical & waste management systems; maintain roads; preserve & restore historic structures, cemeteries & cultural sites; maintain public grounds & landscaping; maintain interpretive signage at Pālā'au Lookout; assist DOH in enforcement of regulations; fire suppression; first aid and rescue operations for visitors; major/exterior repairs to patient-resident homes.
DOT	Manage airport operations; maintain & enhance buildings, runway, lighting & fuel systems; provide safety & fire protection services at airport.
DLNR	Manage conservation & Forest Reserve areas; control invasive species & animals in coordination w/NPS; environmental & natural resource management in Pu'u Ali'i Natural Area Reserve.
Maui County	Provide Emergency Response via a Mutual Aid Agreement – tsunami, wildfire, hurricane etc.

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# Agency Coordination

- April 2016: Kalaupapa Transition Interagency Working Group formed
- Attendees: DOH, DHHL, NPS, State DOT-Airports, DLNR, Maui County, DOI-ONHR
- DHHL Team includes staff from PO, LMD, LDD, OCH
- Meetings have primarily focused on day-to-day management, repair, and maintenance issues
- Goal is to identify and mitigate any challenges or issues that could impact a smooth transition once DOH no longer has kuleana in Kalaupapa

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# Existing Plans

## DHHL Molokai Island Plan (2005)

- Planning Area of 1,468 acres includes Pālā'au (Apana 3), currently under license to DLNR as a State Park
- Land Use Designations (LUD's) are Special District, Community Use, Conservation and Commercial (in Pālā'au)

Molokai Regional Plan 2010 & Update (2019): Kalaupapa was discussed but no Priority Projects were identified

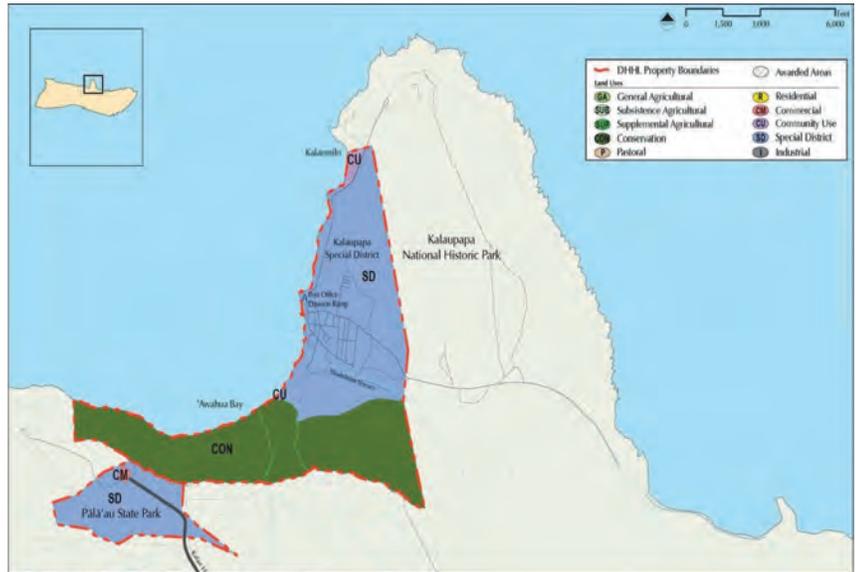


Figure 6.2 - Kalaupapa-Pālā'au Preferred Land Use Plan

# LUD Acreage Summary

Land Use Designation (LUD)	Acres in Kalaupapa	Acres in Pālā'au	Total	% of Molokai LUD
Special District	621	226	847	15
Conservation	0	609	609	93
General Ag	0	0	0	0
Residential	0	0	0	0
Pastoral	0	0	0	0
Subsistence Ag	0	0	0	0
Supplemental Ag	0	0	0	0
Industrial	0	0	0	0
Community Use	7	0	7	3
Commercial	0	5	5	8
<b>TOTALS</b>	<b>628</b>	<b>840</b>	<b>1,468</b>	<b>5</b>

- Special District for settlement area requires additional planning
- Guidelines needed – work with Patient's Advisory Council, Department of Health (DOH), NPS
- Idea to establish a pu'uhonua (traditional concept of a place of refuge) - envisioned as a native Hawaiian healing and wellness center.

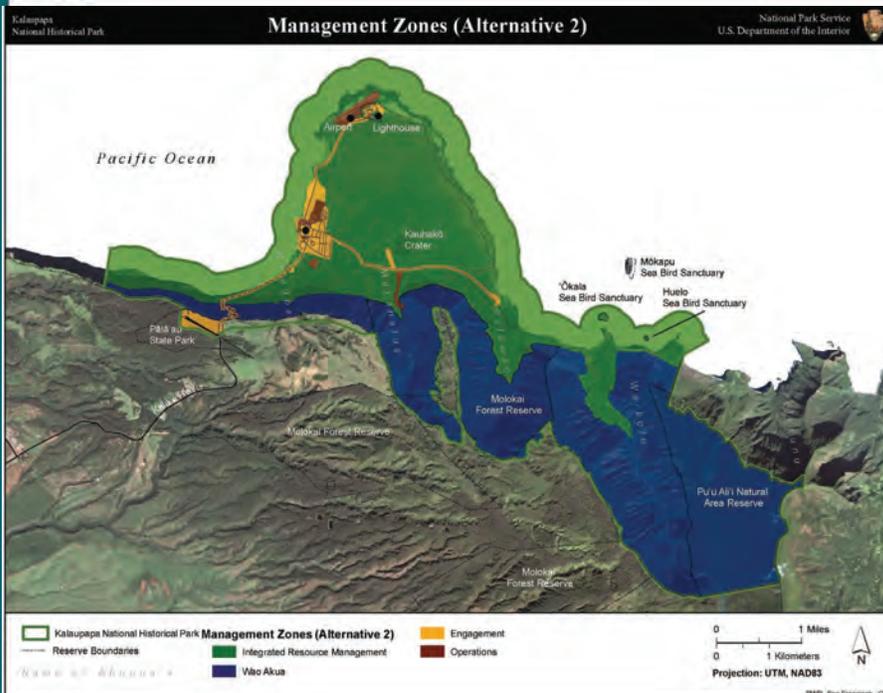
- Five acres of Commercial Use in Pālā'au envisioned to create a cultural community center appropriate to perpetuation of traditional cultural practices of Hawai'i but that is specific to historical legacy of Molokai, Kalaupapa specifically

# NPS General Management Plan (GMP)

- 2009: NPS starts planning process to develop a General Management Plan for the Kalaupapa NHP. DHHL participates in Scoping phase
- 2011: DHHL holds two Beneficiary Consultation meetings, with NPS participation, topside during NPS' Preliminary Alternatives phase
- 2015: DHHL holds two Beneficiary Consultation meetings, with NPS participation, topside during NPS' Preferred Alternatives phase
- June 2015: Planning Office presents informational submittal to HHC on BC (Exhibit A)
- July 2015: Planning Office presents action item requesting acceptance of Beneficiary Consultation Report (Exhibit B)
- November 2018: NEPA for GMP was changed from an EIS to EA
- Three comment letters reflecting comments and concerns of both DHHL and beneficiaries were sent to NPS as part of this process

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## NPS Management Zones



All related documents can be downloaded here:

<https://parkplanning.nps.gov/documentsList.cfm?projectID=24883>

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# Summary of Kalaupapa Planning Processes & Related Beneficiary Feedback

Year	Plan / consultation Process	Summary of Beneficiary Feedback
2005	Moloka'i Island Plan	Preserve legacy; respect patients; only for education; teach old ways; NPS must work with Native Hawaiians.
2010	Moloka'i Regional Plan	DHHL engage with NPS in planning; ensure traditional access & gathering rights; Pālā'au separate from Kalaupapa; ag homesteading; consult with beneficiaries
2011	NPS GMP/ Preliminary Alternatives	Consistency with DHHL Molokai Island Plan; Support for Alternative B; Traditional and customary practices & access to resources; preference for training, employment (inc. management-level) and concessions; hunting; special access days; restrictions for overnight stays; cultural input; task force of stakeholders to provide ongoing long-term guidance; reuse of health facilities for traditional healing
2015	NPS GMP/ Preferred Alternative	Identify existing facilities that could be reused by beneficiaries; Sunset date for GMP and exit strategy for NPS; desire for beneficiary-focused stewardship of cultural resources & restoration and reuse of traditional agricultural complexes; calculate carrying capacity; reestablish traditional recreational activities; consistent outreach to topside Molokai 'ohana; remove boundary proposal adding Pelekunu and Pu'u o Hoku Ranch
2019	Change from EA to EIS	Lack of Consultation prior to change; removal of important information from EA; Comment period over Christmas; too short of a comment period.

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## Next Steps

The Planning Office has received several beneficiary requests to form and start holding meetings of a Kalaupapa Stakeholder/ Beneficiary Working Group with the following criteria for composition:

- Ka 'Ohana O Kalaupapa has a 25-year history of actively working with patient residents, their 'ohana and lineal descendants of patients, as well as extensive knowledge of the history of Kalaupapa and current conditions in the Settlement.
- Beneficiaries of the HHL who are on the Molokai Island wait list. These applicants will be impacted by any decisions relating to Kalaupapa.
- Beneficiaries of the HHL who have family members buried in Kalaupapa.
- DHHL beneficiaries who have participated in the NPS General Management Plan and Section 106 Consultation processes.

The Planning Office has also received beneficiary requests to update the HHC at regular intervals as the various planning efforts discussed in this submittal proceed.

DEPARTMENT OF HAWAIIAN HOME LANDS – PLANNING OFFICE



# Update on Kalaupapa Management

Questions and Feedback?



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# Mahalo



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