

STATE OF HAWAI‘I  
DEPARTMENT OF HAWAIIAN HOME LANDS  
**HAWAIIAN HOMES COMMISSION MEETING/WORKSHOP AGENDA**  
91-5420 Kapolei Parkway, Kapolei, O‘ahu, Hawai‘i, Interactive Conference Technology (ICT)  
Tuesday, January 18, 2022, at 9:30 a.m. to be continued, if necessary, on  
Wednesday, January 19, 2022, at 9:30 a.m.  
*Livestream available at [www.dhhl.hawaii.gov/live](http://www.dhhl.hawaii.gov/live)*

*Note: Commission Meeting Packets will be available at [dhhl.hawaii.gov](http://dhhl.hawaii.gov) by Thursday, January 13, 2022.*

**I. ORDER OF BUSINESS**

- A. Roll Call
- B. Approval of Agenda
- C. Approval of Minutes for December 20 & 21, 2021
- D. Public Testimony on Agendized Items – see information below

**II. ITEMS FOR DECISION MAKING**

**A. CONSENT AGENDA**

Homestead Services Division

- D-2 Approval of Consent to Mortgage (see exhibit)
- D-3 Ratification of Loan Approvals (see exhibit)
- D-4 Approval of Homestead Application Transfers / Cancellations (see exhibit)
- D-5 Approval to Certify Applications of Qualified Applicants for the Month of December 2021 (see exhibit)
- D-7 Approval of Designation of Successors to Leasehold Interest and Designation of Persons to Receive the Net Proceeds (see exhibit)
- D-8 Approval of Assignment of Leasehold Interest (see exhibit)
- D-9 Approval of Amendment of Leasehold interest (see exhibit)
- D-10 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees
- D-12 Commission Designation of Successor – **JOHN NOA LIMAHAI**, Residential Lease No. 12675, Lot No. 35, Anahola, Kauai
- D-13 Commission Designation of Successor – **SHAUNA-ANN EVALANI PEREIRA**, Residential Lease No. 5091 Lot No. 264A, Keaukaha, Hawai‘i
- D-14 Commission Designation of Successor – **RAYMOND KAMA BUMATAY**, Residential Lease No. 4218, Lot No. 140, Pana‘ewa, Hawai‘i
- D-15 Cancellation of Lease – **MICHAEL M. JOHN, JR.**, Residential Lease No. 1880, Lot No. 34B1, Keaukaha, Hawai‘i
- D-16 Cancellation of Lease – **NAOMI N. MUNEKATA.**, Agricultural Lease No. 6952, Lot No. 1, Maku‘u, Hawai‘i

**B. REGULAR AGENDA**

Homestead Services Division

- D-6 Approval to Cancel Applications for Non-Qualified Applicants (see exhibit)
- D-11 Commission Designation of Successor – **MARIAN I. KAHALE**, Residential Lease No. 4051, Lot No. 64, Waimanalo, Oahu

Office of the Chairman

- C-1 Approval of Lease Waiakea Pre-Owned Residential Home, Hilo, Hawaii, Approval of Lease Kaumana Pre-Owned Residential Home, Hilo, Hawaii (see exhibit)

Planning Office

- G-1 Declare a Finding of No Significant Impact (FONSI) for the Honokōwai Master Plan Final Environmental Assessment, Honokōwai, Kā‘anapali Moku, Maui, TMKs (2)4-4-001:015, (2) 4-4-002:003, 008, 009, 011, 015, 018 and 038
- G-2 Amend the Maui Island Plan to Apply Subsistence Agriculture, Supplemental Agriculture, Residential, Community Use, Conservation, and Industrial Land Use Designations to Honokōwai, Kā‘anapali Moku, Maui TMK Nos. (2) 4-4-001:015; (2) 4-4-002:003, 008, 009, 011, 015, 018, and 038

**III. ITEMS FOR INFORMATION/DISCUSSION**

**A. REGULAR ITEMS**

Office of the Chairman

- C-2 Report of the Investigative Committee on King’s Landing to the Hawaiian Homes Commission (King’s Landing Permitted Interaction Group)

Homestead Services Division

- D-1 HSD Status Reports
  - A.-Homestead Lease and Application Totals and Monthly Activity Reports
  - B.-Delinquency Reports
  - C.-DHHL Guarantees for Council for Native Hawaiian Advancement Construction Loans

Land Development Division

- E-1 For Information Only – Kapolei Projects Update

**B. WORKSHOPS**

Planning Office

- G-3 For Information Only – USDA Application and Na Kūpa‘a o Kūhiō Update
- G-4 For Information Only – DHHL South Moloka‘i Shoreline Erosion Management Plan (SM-SEMP)
- G-5 For Information Only – In-Depth Update on Climate Change and Resilience Planning Affecting Hawaiian Home Lands, Statewide

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS  
**HAWAIIAN HOMES COMMISSION MEETING/WORKSHOP AGENDA**

91-5420 Kapolei Parkway, Kapolei, O'ahu, Hawai'i, ICT - Zoom  
Wednesday, January 19, 2022 at 9:30 a.m.

**I. ORDER OF BUSINESS**

- A. Roll Call
- B. Public Testimony on Agendized Items - see information below

**II. ITEMS FOR INFORMATION/DISCUSSION**

**A. GENERAL AGENDA**

Requests to Address the Commission

- J-1 Kauai Almeida – Pana'ewa Hawaiian Home Lands Community Association
- J-2 Allen Cardines – Nānakuli Neighborhood Security Watch
- J-3 Maxine Kahalelio – Pu'ukapu Concern
- J-4 Blossom Feiteira – Various Concerns
- J-5 Kekoa Enomoto – Keokea/Waiohuli Cultural Management Plan
- J-6 Jojo Tanimoto – Kawaihae Lease Boundary Issue
- J-7 Ainaaloha Ioane – Kings Landing Village
- J-8 Squeaky Peahi – Waimānalo Homestead Association
- J-9 Al Hee – Sandwich Isles Communication

Office of the Chairman

- C-3 Update on issues related to Telecommunications and Broadband services on Hawaiian Home Lands

**III. EXECUTIVE SESSION**

The Commission anticipates convening an 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 the following matters:

1. Update on issues related to Telecommunications and Broadband services on Hawaiian Home Lands;
2. Discussion on *In re Paniolo Cable Company, LLC*. Case No. 18-01319 (RJF) before the U.S. Bankruptcy Court, District of Hawai'i; and
3. Discussion on *United States of America vs. Sandwich Isles Communications, Inc., et al.*, Case No. 18-00145 (JMS-RT) before the U.S. District Court for the District of Hawai'i

**IV. ANNOUNCEMENTS AND ADJOURNMENT**

- A. Next HHIC Meeting February 22 & 23, 2021, Tuesday & Wednesday, (ICT) Zoom
- B. Adjournment

  
\_\_\_\_\_  
William A. Aila Jr., Chairman  
Hawaiian Homes Commission

## COMMISSION MEMBERS

Randy K. Awo, Maui  
Patricia A. Teruya, O‘ahu  
Pauline N. Namu‘o, O‘ahu  
Michael L. Kaleikini, East Hawai‘i

Zachary Z. Helm, Moloka‘i  
David B. Ka‘apu, West Hawai‘i  
Dennis L. Neves, Kaua‘i  
Russell K. Ka‘upu, O‘ahu

Pursuant to the Governor’s Proclamation Relating to the COVID-19 Delta Response, Hawai‘i Revised Statutes Chapter 92 regarding public agency meetings and records is currently suspended in part through till February 28, 2022 to the extent necessary to minimize the potential spread of COVID-19 and its variants.

If you need an auxiliary aid/service or other accommodation due to a disability, contact Michael Lowe at 620-9512, or michael.l.lowe@hawaii.gov, as soon as possible, preferably by January 14, 2022. If a response is received after then, we will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled. Upon request, this notice is available in alternate formats.

**Public Testimony on Agendized Items** can be provided either as: (1) written testimony or (2) live, oral testimony online by submitting a form **at least 24 hours prior**, at <https://dhh.hawaii.gov/hhc/testimony/>, with your name, phone number, email address, and the agenda item on which you would like to testify. Once your request has been received, you will receive an email with the Zoom link via which to testify. You will need a computer with internet access, video camera and microphone to participate. If you require access by phone only, please indicate that in your request. Testimony will be limited to a maximum of three (3) minutes per person.

**ITEM C-1 EXHIBIT**

APPROVAL OF LEASE AWARD WAIAKEA PRE-OWNED RESIDENTIAL HOME, HILO,  
HAWAII

<u>NAME</u>	<u>APPL DATE</u>	<u>LOT NO</u>	<u>TAX MAP KEY</u>	<u>LEASE NO</u>
LOUIS K WALLACE III	03/27/1980	63	(3) 2-2-059-006	12976

APPROVAL OF LEASE AWARD KAUMANA PREOWNED RESIDENTIAL HOME-HILO,  
HAWAII

<u>NAME</u>	<u>APPL DATE</u>	<u>LOT NO</u>	<u>TAX MAP KEY</u>	<u>LEASE NO</u>
JULIA K KAEHUAEA	02/27/1978	8	(3) 2-5-005-127	12977

**ITEM D-2 EXHIBIT**

APPROVAL OF CONSENT TO MORTGAGE

<b>LESSEE</b>	<b>LEASE NO.</b>	<b>AREA</b>
AIKALA, Joseph K.	9979	Princess Kahanu Estates, Oahu
ALULI, Shavon N.	12594	Kanehili, Oahu
APA, Ryan K.	8909	Maluohai, Oahu
BAKER, Brian K.	3421	Nanakuli, Oahu
BERNABE, Robin M.	5275	Waianae, Oahu
CARROL, Donna	8136	Lualualei, Oahu
DAMAS, Debbie	11688	Kanehili, Oahu
DESHA, Ainahau G.	6221	Panaewa, Hawaii
DIOREC, Colleen S. Y. P.	12582	Kanehili, Oahu
DUKES, Yolanda K.	11460	Leialii, Lanai
ELI, Taylor P.	8938	Waianae, Oahu
FARM, Gerald	9406	Kaniohale, Hawaii
FURTADO, Edith L. A.	11768	Kanehili, Oahu
GRIFFIN, Leslie K.	12577	Kanehili, Oahu
IAEA, Daniel K., Jr.	5447	Paukukalo, Maui
KAILIMAI, Tobe K.	7139	Kawaihae, Hawaii
KAIMIMOKU, Marcilina N.	12340	Kauluokahai, Oahu
KAINA, Elzadia P.	11954	Kaupea, Oahu
KAINA, Gavin P. M.	11954	Kaupea, Oahu
KAN-HAI, Shawn I.	10321	Waiohuli, Maui
KAWAMURA, Glenn L.	11023	Anahola, Kauai
KEALOHA, Keone C.	9417	Kaniohale, Hawaii
KEAO, Russell K.	7770	Waimanalo, Oahu
KINTARO, Maile K. K.	10422	Waiohuli, Maui
LESLIE, Gordon K.	11867	Kanehili, Oahu
LEVASA, Leihua K.	5136	Nanakuli, Oahu
MATSUMOTO, Shantay K.	844	Waimanalo, Oahu
MATTHEWS, George W.	10172	Kaniohale, Hawaii
MOKIAO, Kolden K. T.	12517	Kauluokahai, Oahu
MONTEZ, Dylan D. K. M. U.	9774	Maluohai, Oahu
PALACOL-ATUMATA, Evelyn M.	11958	Kaupea, Oahu
PETERS, Angus K.	7633	Waiohuli, Maui
ROBINSON, Kekai R.	9939	Waiehu 3, Maui

VICKERS, Vernon A.	8319	Princess Kahanu Estates, Oahu
VICTORINO, Frances Y. I.	8717	Waianaes, Oahu
VIERRA, Leah K.	7486	Waiohuli, Maui
VINCENT, Wendell A., Jr.	9916	Keaukaha, Hawaii
WHITE, Loretta I.	8136	Lualualei, Oahu
WONG-LONZANIDA, Wailani K.	8322	Princess Kahanu Estates, Oahu
ZABLAN, Isaac K.	10970	Lanai, Lanai

**ITEM D-3 EXHIBIT**  
RATIFICATION OF LOAN APPROVALS

<b>LESSEE</b>	<b>LEASE NO.</b>	<b>AREA</b>
AEA, Annie M.	17165	Kaupea, Oahu
KEA, Tracy K.	TBD	Kauluokahai, Oahu

**ITEM D-4 EXHIBIT**  
HOMSTEAD APPLICATION TRANSFERS / CANCELLATIONS

<b>APPLICANT</b>	<b>AREA</b>
ACHUARA, Kimberly K.S.	Kauai IW Res
AHUE, Wilford R.	Maui IW Agr
ANDERSON, William K.	Oahu IW Res
ANDERSON, William K.	Maui IW Agr
ARIAS, Nettie	Oahu IW Res
BAKER, Brian K.	Oahu IW Res
BORTON, Lani K.P	Kauai IW Res
BURNS, Kunane Paul	Oahu IW Res
CACHO-KEKAHUNA, Kaleoikamakamae L.	Oahu IW Res
CATEKISTA, Helen C.	Waimanalo Area / Oahu IW Res
CHALKER, Janelle K.K.	Hawaii IW Res
CHO, Henry Sr.	Hawaii IW Agr
CHO, Henry Sr.	Hawaii IW Res
CHONG, Alvin E., IV	Hawaii IW Res
CORDERO, Luana Mae	Hawaii IW Agr
CORDERO, Luana Mae	Hawaii IW Res
COSTA-CARVALHO, Ryan E.K.	Waimanalo Area / Oahu IW Res
CRUZ, Sherilyn N.	Oahu IW Res
DE LIMA, Charmaine L.	Waimanalo Area / Oahu IW Res
ENOKA, James A.	Hawaii IW Agr
FERNANDEZ, Earl	Hawaii IW Agr
FERNANDEZ, Earl	Hawaii IW Res
FERRIMAN, Sharon E.	Oahu IW Res
FISH, Joyce L.	Oahu IW Res
FISH, Joyce L.	Maui IW Agr
HANOHANO, Donna Rae K.	Maui IW Res
HARP, Carolyn S.	Hawaii IW Agr
HEW LEN, Aaron T.	Oahu IW Res
HO, Keli K.	Maui IW Res
HOKE, Arthur A., III	Hawaii IW Agr

HOKE, Arthur A., III	Hawaii IW Res
HUSSEY, Arnold T.	Maui IW Agr
JAVONERO, Elizabeth K.	Oahu IW Res
KAAPANA, Manuel Y., Jr.	Hawaii IW Agr
KAMA, Justin K.	Maui IW Res
KAMAKA, Charles K., Jr.	Oahu IW Res
KAMAKA, Larry	Hawaii IW Agr
KANAHELE, Kay K.	Kauai IW Res
KANINAU, Melvin	Maui IW Res
KANINAU, Melvin	Hawaii IW Agr
KAOLULO, Melvin K.	Maui IW Pas
KAOLULO, Melvin K.	Maui IW Res
KAWAILIMA, Prescott K.	Hawaii IW Agr
KEALOHA, Alexander A.	Hawaii IW Res
KEAWE, Michelle K., Jr.	Oahu IW Res
KEKOA SOUZA, Wesley L.	Oahu IW Res
KELIIOA, William K., II	Oahu IW Res
KIHE, Jami K.	Oahu IW Res to Hawaii IW Res
KUPA, Daniel K., Jr.	Oahu IW Res
LENCHANKO, Bernard H.	Oahu IW Res
LII-DAVIS, Joleen K.	Oahu IW Res
LII-MOETULUI, Mary M.	Oahu IW Res
MAHI-HIGA, Heuionalani C.	Kauai IW Res
MAKAILA, Tad K.	Oahu IW Res
MAKUA, Cheri L.	Oahu IW Res
MARTINES, Lollita J.	Oahu IW Res
MARTINES, Lollita J.	Hawaii IW Agr
MEDEIROS, Jereleenn L.	Oahu IW Res
MURPHY, Denise P.	Hawaii IW Res
NAKI, Alexandria N.A.	Maui IW Res
PAULO, Kekuanoni K.	Kauai IW Agr to Hawaii IW Agr
PAULO, Kekuanoni K.	Kauai IW Res to Hawaii IW Res
PEARCE, Judith-Lee M.	Oahu IW Res
PHILLIPS, Linda L.	Oahu IW Res
PLUNKETT, George A.	Maui IW Res
SIALANA, Rebecca L.	Kauai IW Pas
SOUZA, Bernadine K.	Kauai IW Res
TONG, Samuel A.	Oahu IW Res
UAHINUI, Joseph K.	Oahu IW Res
WALLACE, Eltness L.	Maui IW Res
WRIGHT, Lauralyn L.	Oahu IW Res

\* IW = Islandwide

**ITEM D-5 EXHIBIT**

**QUALIFIED HOMESTEAD APPLICANTS FOR APPROVAL**

<b>APPLICANT</b>	<b>AREA</b>
AIONA, Leonard	Oahu IW Res
BAL, Duncan R.K.	Maui IW Pas
COSTALES, Erika P.	Hawaii IW Res
FURTADO, Shylynn K.	Hawaii IW Res
HELEPOLOLEI, Toby K.	Oahu IW Agr
HELEPOLOLEI, Toby K.	Hawaii IW Res
HEPA, Derrick	Kauai IW Agr
HEPA, Derrick	Kauai IW Res
HUAHIO, Sarah J.W.	Oahu IW Agr
HUAHIO, Sarah J.W.	Oahu IW Res
IRVINE-PULE, Keikilani K.E.L.M.	Hawaii IW Agr
IRVINE-PULE, Keikilani K.E.L.M.	Oahu IW Res
KAAUWAI, Kauanoë R.	Oahu IW Res
KAIMIKAUA, Pualani E.C.	Oahu IW Res
KAINA, Anthony P.K.O.M.	Maui IW Res
KAINA, Anthony P.K.O.M.	Maui IW Agr
KAMAILE, Liwai I.K. III	Oahu IW Res
KANAKANUI, Kevin K.C.	Oahu IW Agr
KEAHI, Devin A.K.	Oahu IW Res
KEKAUALUA, Kaneke M.	Hawaii IW Res
KOZENIEWSKI, Homelani R.	Oahu IW Res
LINGENFELDER, Kamuela M.	Hawaii IW Agr
LINGENFELDER, Kamuela M.	Hawaii IW Res
LLANES, Kulia K.	Hawaii IW Res
LLANES, Kulia K.	Hawaii IW Pas
MILLER, Nahum Eldredge Kimo	Hawaii IW Agr
MILLER, Nahum Eldredge Kimo	Hawaii IW Res
NAKIHEI, Crystal K.L.	Molokai IW Agr
NAKIHEI, Crystal K.L.	Molokai IW Res
NAPALAPALAI, Kalei	Hawaii IW Agr
NIHOA, Moki Keala	Hawaii IW Agr
NIHOA, Moki Keala	Hawaii IW Res
NISHIMURA, Kimi K.K.	Oahu IW Res
PALENAPA, Joseph J.L.K.	Oahu IW Res
POHANO, Roxanne C.K.	Oahu IW Agr
POHANO, Roxanne C.K.	Oahu IW Res
STEVENS, Richard D. Jr.	Oahu IW Agr
STEVENS, Richard D. Jr.	Oahu IW Res
TIOGANGCO, Richard Noel Carlos	Hawaii IW Agr
TIOGANGCO, Richard Noel Carlos	Hawaii IW Res
VILLANUEVA, Nanea Faith	Hawaii IW Agr
VILLANUEVA, Nanea Faith	Hawaii IW Res
WELCH, David J.	Hawaii IW Pas
WELCH, David J.	Maui IW Res

\* IW = Islandwide

**ITEM D-6 EXHIBIT**

**NON QUALIFIED HOMESTEAD APPLICANTS FOR CANCELLATION**

<b>APPLICANT</b>	<b>AREA</b>
AKI, Melvin, Sr.	Kauai IW Agr
LAVEA, Donnaree H.E.	Hawaii IW Agr
LAVEA, Donnaree H.E.	Hawaii IW Res
LOUIS, Ivan K.	Hawaii IW Pas
MAHONEY, Gertrude G.	Maui IW Res
MAHONEY, Gertrude G.	Hawaii IW Agr
MALDONADO, Emily G.L.	Maui IW Agr
MALDONADO, Emily G.L.	Maui IW Res
MARTIN, Lillian S.	Kauai IW Agr
MARTIN, Lillian S.	Kauai IW Res
MEDEIROS, Laverne P.	Kauai IW Agr
MEDEIROS, Laverne P.	Kauai IW Res
MEDEIROS, Randolph K.	Hawaii IW Agr
MEDEIROS, Randolph K.	Hawaii IW Res
MOOSE, Carl D., Jr.	Hawaii IW Agr
MOOSE, Carl D., Jr.	Hawaii IW Res
STITH, Anita L.	Oahu IW Res
STITH, Anita L.	Hawaii IW Agr

\* IW = Islandwide

**ITEM D-7 EXHIBIT**

**APPROVAL OF DESIGNATION OF SUCCESSORS TO LEASEHOLD INTEREST AND  
DESIGNATION OF PERSONS TO RECEIVE THE NET PROCEEDS**

<b>LESSEE</b>	<b>LEASE NO.</b>	<b>AREA</b>
AIU, Winogene E. K.	8737	Waianae, Oahu
KAHANAIOI, Paul	4442	Waianae, Oahu
KALUAHINE, Saint Mathew	3348	Anahola, Kauai
MAUKELE, Kauionalani P. A.	2817	Waimanalo, Oahu
SOUZA, Eldon George	8428	PKE, Oahu

**ITEM D-8 EXHIBIT**

**APPROVAL OF ASSIGNMENT OF LEASEHOLD INTEREST**

<b>LESSEE</b>	<b>LEASE NO.</b>	<b>AREA</b>
AIONA, Charlotte L.	4356	Nanakuli, Oahu
BOYETT, Jimmie L., Jr.	8486	PKE, Oahu
CANEDA, Cheryle E.	7784	Waimanalo, Oahu
GONZALEZ, Janmar H.	8378	PKE, Oahu
KAHELE, Lois L.	5314	Waianae, Oahu
KEKUAWELA, Herbert A.	11556	Kanehili, Oahu

LEWIS, Lauren G.	11397	Kaupea, Oahu
MONTEZ, Maury Blu K. N.	9774	Maluohai, Oahu
MONTEZ, Uluwehi B.	9774	Maluohai, Oahu
MONTEZ, Frank Cruz, Jr.	9774	Maluohai, Oahu
VALENTE, Keven L.	3757	Waimanalo, Oahu

**ITEM D-9 EXHIBIT**

APPROVAL OF AMENDMENT OF LEASEHOLD INTEREST

<b>LESSEE</b>	<b>LEASE NO.</b>	<b>AREA</b>
KALUAHINE, Saint Mathew	3348	Anahola, Kauai
TAYLOR, Terry Lee L.	10333	Waiohuli, Maui
VALENTE, Keven L.	3757	Waimanalo, Oahu

**ITEM D-10 EXHIBIT**

APPROVAL TO ISSUE A NON-EXCLUSIVE LICENSE FOR ROOFTOP PHOTOVOLTAIC  
SYSTEMS FOR CERTAIN LESSEES

<b>LESSEE</b>	<b>LEASE NO.</b>	<b>AREA</b>
FIELDS, Dawn W.	11164	Panaewa, Hawaii
FUTRELL, Pokiimakamai V. M.	11556	Kanehili, Oahu
KAPAHUA, Justine K. S. K.	10240	Waianae, Oahu
MONTEZ, Dylan-Keanu D. K. N.	9774	Maluohai, Oahu

**HAWAIIAN HOMES COMMISSION  
JANUARY 18 & 19, 2022  
INTERACTIVE CONFERENCE  
TECHNOLOGY**

**C – ITEMS  
OFFICE OF THE CHAIRMAN**

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

January 18, 2022

TO: Chairman and Members, Hawaiian Homes Commission



Contact & Awards Division

FROM: Michelle Hitzeman, HALE Manager  
Moana Freitas, Case Management Specialist  
Contact & Awards Division

SUBJECT: Approval of Lease Award

RECOMMENDED MOTION/ACTION

Approve the awards of 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.

DISCUSSION

Waiakea Pre-Owned Residential Home – Hilo, Hawaii

<u>NAME</u>	<u>APPL DATE</u>	<u>LOT NO</u>	<u>TAX MAP KEY</u>	<u>LEASE NO</u>
LOUIS K WALLACE III	03/27/1980	63	(3) 2-2-059-006	12976

Kaumana Pre-Owned Residential Home – Hilo, Hawaii

<u>NAME</u>	<u>APPL DATE</u>	<u>LOT NO</u>	<u>TAX MAP KEY</u>	<u>LEASE NO</u>
JULIA K KAEHUAEA	02/27/1978	8	(3) 2-5-005-127	12977

ITEM NO. C-1

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

January 18 & 19, 2022

TO: Chairman and Members, Hawaiian Homes Commission  
FROM: Jobie Masagatani, Special Assistant to the Chairman  
SUBJECT: C-2 Report of the Investigative Committee on King's Landing to the Hawaiian  
Homes Commission (King's Landing Permitted Interaction Group)

This submittal will be sent under separate cover.

ITEM NO. C-2

STATE OF HAWAI'I  
DEPARTMENT OF HAWAIIAN HOME LANDS

January 18, 2022

To: Chairman and Members, Hawaiian Homes Commission  
From: Cedric Duarte, ICRO  
Subject: For Information Only – Update on issues related to Telecommunications and Broadband services on Hawaiian Home Lands

RECOMMENDED ACTION

None. For information only.

Discussion

This informational briefing is to update the Hawaiian Homes Commission (HHC) on the status of the Department of Hawaiian Home Lands (DHHL) issues related to Telecommunications and Broadband services on Hawaiian Home Lands.

PURPOSE

BACKGROUND

DHHL has informed its lessees, tenants, and permittees that under Federal law they may obtain broadband telecommunications services from any provider of their choice.

For many years, Sandwich Isle Communications, Inc. (SIC) was the exclusive provider of broadband telecommunications services under DHHL License No. 372 (License 372) which was issued to SIC's parent company, Waimana Enterprises, Inc. on May 9, 1995.

On June 30, 2017, the Federal Communications Commission (FCC) adopted a Memorandum Opinion and Order determining that all exclusivity claims arising from License 372 are preempted by Federal law and are therefore unenforceable.

Subsequently, on August 31, 2021, Hawaiian Telcom (HT) completed the purchase of inter-island submarine and middle-mile terrestrial fiber infrastructure assets from the bankruptcy estate of the Paniolo Cable Company, a firm previously within the Waimana Enterprises, Inc family of companies.

HT's purchase of the bankrupt Paniolo Cable Company assets did not include any previously negotiated commercial agreements with SIC. Use of the inter-island submarine

and middle-mile system by SIC to provide broadband telecommunications services to Hawaiian Home Lands will end on March 31, 2022, unless a new agreement can be reached.

The FCC's 2017 Order, combined with HT's purchase of telecommunications assets on DHHL lands, means that DHHL lessees, tenants, and permittees now have more options for broadband telecommunications services. In addition, a new conduit use agreement between SIC and Charter Communications, which does business as Spectrum in Hawai'i, will also open additional services.

Current SIC customers may choose to continue their current service or select services from other providers, including Hawaiian Telcom, Spectrum, or other carriers who can provide broadband telecommunications services.

DHHL will receive at least \$90 million from the Infrastructure Investment and Jobs Act to provide high-speed internet access to the Native Hawaiian community. In 2021, the Department received the last of five neighbor islands licenses from the FCC to access the 2.5 GHz band spectrum for the development of wireless broadband networks. Details on the Department's expansion plan for broadband services are anticipated for late 2022.

DAVID Y. IGE  
GOVERNOR  
STATE OF HAWAII

JOSH GREEN  
LT. GOVERNOR  
STATE OF HAWAII



WILLIAM J. AILA, JR.  
CHAIRMAN  
HAWAIIAN HOMES COMMISSION

TYLER I. GOMES  
DEPUTY TO THE CHAIRMAN

**STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS**

P. O. BOX 1879  
HONOLULU, HAWAII 96805

January 14, 2022

Name  
Address  
City, State, Zip code

Dear Lessee:

Subject: Broadband Services Update on Hawaiian Home Lands

This letter is to inform you that in accordance with a Federal Communications Commission (FCC) Memorandum Opinion and Order adopted on June 30, 2017, the Department of Hawaiian Home Lands (DHHL), will no longer enforce the exclusivity provision of DHHL License Agreement No. 372, issued to Waimana Enterprises, Inc. on May 9, 1995.

Waimana Enterprises, Inc. is Sandwich Isle Communications, Inc.'s (Sandwich Isles) parent company from who you may have telephone and internet services.

In the past, DHHL lessees were prevented from obtaining telecommunications services from any other carrier besides Sandwich Isles. As a result of the lifting of the former exclusivity provision, lessees on Hawaiian Home Lands are now able to choose who to receive these services from.

Current Sandwich Isles customers may choose to continue to use their existing service or may select services from other providers, including Hawaiian Telcom, Spectrum, or other carriers who can bring service to your lot. It is important to note that some service providers may not be able to provide all services immediately.

Please feel free to call (808) 620-9500 should you have additional questions or concerns.

Aloha,

William J. Ailā, Jr.  
Chair, Hawaiian Homes Commission

cc:

DAVID Y. IGE  
GOVERNOR  
STATE OF HAWAII

JOSH GREEN  
LT. GOVERNOR  
STATE OF HAWAII



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This letter is to inform you that in accordance with a Federal Communications Commission (FCC) Memorandum Opinion and Order adopted on June 30, 2017, the Department of Hawaiian Home Lands (DHHL), will no longer enforce the exclusivity provision of DHHL License Agreement No. 372, issued to Waimana Enterprises, Inc. on May 9, 1995.

Waimana Enterprises, Inc. is Sandwich Isle Communications, Inc.'s (Sandwich Isles) parent company from whom many of you have telephone and internet services.

In the past, DHHL General Lessees and Permittees were prevented from obtaining telecommunications services from any other carrier besides Sandwich Isles. As a result of the lifting of the former exclusivity provision, tenants on Hawaiian Home Lands are now able to choose who to receive these services from and would not be in violation of their Lease, License, or Right-Of-Entry agreement.

Current Sandwich Isles customers may choose to continue to use their existing service or may select services from other providers, including Hawaiian Telcom, Spectrum, or other carriers who can bring service to your business. It is important to note that some service providers may not be able to provide all services immediately.

Please feel free to call (808) 620-9500 should you have additional questions or concerns.

Aloha,

William J. Ailā, Jr.  
Chair, Hawaiian Homes Commission

cc:

**HAWAIIAN HOMES COMMISSION  
JANUARY 18 & 19, 2022  
INTERACTIVE CONFERENCE  
TECHNOLOGY**

**D – ITEMS**

**HOMESTEAD SERVICES DIVISION**

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 18, 2022

TO: Chairman and Members, Hawaiian Homes Commission

From: Juan Garcia, HSD Administrator 

SUBJECT: **Homestead Services Division Status Reports**

RECOMMENDED MOTION/ACTION

NONE

DISCUSSION

The following reports are for information only:

Exhibit A: Homestead Lease & Application Totals and Monthly Activity Reports

Exhibit B: Delinquency Report

Exhibit C: DHHL Guarantees for Council for Native Hawaiian Advancement Construction Loans

January 18, 2022

SUBJECT: Homestead Lease and Application Totals and Monthly Activity Reports

LEASE ACTIVITY REPORT

Month through December 31, 2021

	As of 11/30/21	Add	Cancel	As of 12/31/21
Residential	8,484	4	7	8,481
Agricultural	1,093	0	0	1,093
Pastoral	413	0	0	413
<b>Total</b>	<b>9,990</b>	<b>4</b>	<b>7</b>	<b>9,987</b>

The cumulative number of Converted Undivided Interest Lessees represents an increase of 537 families moving into homes. Their Undivided Interest lease was converted to a regular homestead lease.

	As of 11/30/21	Converted	Rescinded/ Surrendered/ Cancelled	As of 12/31/21
Undivided	785	1	6	778

Balance as of 12/31/2021

Awarded	1,434
Relocated to UNDV	7
Rescinded	117
Surrendered	5
Cancelled	4
Converted	<u>537</u>
Balance to Convert	778

Lease Report For the Month Ending December 31, 2021

	RESIDENCE			AGRICULTURE			PASTURE			TOTAL LEASES		
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
<b>OAHU</b>												
Kakaina	29	0	0	29	0	0	0	0	0	0	0	29
Kalawahine	90	0	0	90	0	0	0	0	0	0	0	90
Kanehili	399	0	0	399	0	0	0	0	0	0	0	399
Kapolei	179	0	1	178	0	0	0	0	0	0	0	178
Kaulookahai	134	3	0	137	0	0	0	0	0	0	0	137
Kaupea	326	0	0	326	0	0	0	0	0	0	0	326
Kaupuni	19	0	0	19	0	0	0	0	0	0	0	19
Kewalo	249	0	0	249	0	0	0	0	0	0	0	249
Kurmuhau	52	0	0	52	0	0	0	0	0	0	0	52
Lualualei	147	0	0	147	31	0	0	31	0	0	0	178
Malu'ohai	226	0	0	226	0	0	0	0	0	0	0	226
Nanakuli	1,045	0	0	1,045	0	0	0	0	0	0	0	1,045
Papakolea	64	0	0	64	0	0	0	0	0	0	0	64
Princess Kahanu Estates	271	0	0	271	0	0	0	0	0	0	0	271
Waiahole	0	0	0	0	16	0	0	16	0	0	0	16
Wai'anae	421	0	0	421	12	0	0	12	0	0	0	433
Waimanalo	719	0	0	719	2	0	0	2	0	0	0	721
<b>TOTAL</b>	<b>4,370</b>	<b>3</b>	<b>1</b>	<b>4,372</b>	<b>61</b>	<b>0</b>	<b>0</b>	<b>61</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4,433</b>
<b>MAUI</b>												
Hikina	31	0	0	31	0	0	0	0	0	0	0	31
Kahikinui	0	0	0	0	0	0	0	0	75	0	0	75
Keokea	0	0	0	0	65	0	0	65	0	0	0	65
Lelii	103	0	0	103	0	0	0	0	0	0	0	103
Paukukalo	178	0	0	178	0	0	0	0	0	0	0	178
Waiehu 1	39	0	0	39	0	0	0	0	0	0	0	39
Waiehu 2	109	0	0	109	0	0	0	0	0	0	0	109
Waiehu 3	114	0	0	114	0	0	0	0	0	0	0	114
Waiehu 4	97	0	0	97	0	0	0	0	0	0	0	97
Waichuli	593	0	0	593	0	0	0	0	0	0	0	593
<b>TOTAL</b>	<b>1,264</b>	<b>0</b>	<b>0</b>	<b>1,264</b>	<b>65</b>	<b>0</b>	<b>0</b>	<b>65</b>	<b>75</b>	<b>0</b>	<b>0</b>	<b>1,404</b>
<b>EAST HAWAII</b>												
Discovery Harbour	2	0	0	2	0	0	0	0	0	0	0	2
Kamapa	0	0	0	0	0	0	0	0	25	0	0	25
Kaumana	42	0	0	42	0	0	0	0	0	0	0	42
Keaukaha	473	0	0	473	0	0	0	0	0	0	0	473
Kurtistown	3	0	0	3	0	0	0	0	0	0	0	3
Maku	0	0	0	0	121	0	0	121	0	0	0	121
Panaewa	13	0	0	13	260	0	0	260	0	0	0	273
Piihonua	17	0	0	17	0	0	0	0	0	0	0	17
Puueo	0	0	0	0	12	0	0	12	0	0	0	12
University Heights	4	0	0	4	0	0	0	0	0	0	0	4
Waiakea	286	0	0	286	0	0	0	0	0	0	0	286
<b>TOTAL</b>	<b>840</b>	<b>0</b>	<b>0</b>	<b>840</b>	<b>393</b>	<b>0</b>	<b>0</b>	<b>393</b>	<b>25</b>	<b>0</b>	<b>0</b>	<b>1,258</b>
<b>WEST HAWAII</b>												
Honokaia	0	0	0	0	0	0	0	0	24	0	0	24
Humu'ula	0	0	0	0	0	0	0	0	5	0	0	5
Kamoku	0	0	0	0	0	0	0	0	16	0	0	16
Kanohale	224	0	0	224	0	0	0	0	0	0	0	224
Kawaihae	192	0	0	192	0	0	0	0	1	0	0	193
Laiopua	283	0	6	277	0	0	0	0	0	0	0	277
Lalamilo	30	0	0	30	0	0	0	0	0	0	0	30
Nienie	0	0	0	0	0	0	0	0	21	0	0	21
Puukapu/Waimea/Kuhio VII	116	1	0	117	110	0	0	110	218	0	0	445
Puupulehu	33	0	0	33	0	0	0	0	0	0	0	33
<b>TOTAL</b>	<b>878</b>	<b>1</b>	<b>6</b>	<b>873</b>	<b>110</b>	<b>0</b>	<b>0</b>	<b>110</b>	<b>285</b>	<b>0</b>	<b>0</b>	<b>1,273</b>
<b>KAUAI</b>												
Anahola	531	0	0	531	46	0	0	46	0	0	0	577
Hanapepe	47	0	0	47	0	0	0	0	0	0	0	47
Kekaha	117	0	0	117	0	0	0	0	0	0	0	117
Puu Opae	0	0	0	0	0	0	0	0	1	0	0	1
<b>TOTAL</b>	<b>695</b>	<b>0</b>	<b>0</b>	<b>695</b>	<b>46</b>	<b>0</b>	<b>0</b>	<b>46</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>742</b>
<b>MOLOKAI</b>												
Hooluhua	153	0	0	153	345	0	0	345	21	0	0	519
Kalamaula	166	0	0	166	70	0	0	70	3	0	0	239
Kapaakea	47	0	0	47	0	0	0	0	3	0	0	50
Moomomi	0	0	0	0	3	0	0	3	0	0	0	3
One Aili	27	0	0	27	0	0	0	0	0	0	0	27
<b>TOTAL</b>	<b>393</b>	<b>0</b>	<b>0</b>	<b>393</b>	<b>418</b>	<b>0</b>	<b>0</b>	<b>418</b>	<b>27</b>	<b>0</b>	<b>0</b>	<b>838</b>
<b>LANAI</b>												
Lanai	44	0	0	44	0	0	0	0	0	0	0	44
<b>TOTAL</b>	<b>44</b>	<b>0</b>	<b>0</b>	<b>44</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>44</b>
<b>STATEWIDE TOTAL</b>	<b>8,484</b>	<b>4</b>	<b>7</b>	<b>8,481</b>	<b>1,093</b>	<b>0</b>	<b>0</b>	<b>1,093</b>	<b>413</b>	<b>0</b>	<b>0</b>	<b>9,987</b>

HOMESTEAD AREA AND ISLANDWIDE APPLICATIONS WAITING LIST MONTHLY REPORT FOR THE MONTH ENDING  
December 31, 2021

AREA WAITING LIST

DISTRICT AREA	RESIDENCE			AGRICULTURE			PASTURE			TOTAL
	Last Month	Add	Cancel	Last Month	Add	Cancel	Last Month	Add	Cancel	
Oahu District	936	0	1	0	0	0	0	0	0	935
Maui District	50	0	0	4	0	0	5	0	0	59
Hawaii District	129	0	0	28	0	0	46	0	0	203
Kauai District	51	0	0	3	0	0	27	0	0	81
Molokai District	20	0	0	17	0	0	1	0	0	38
<b>TOTAL</b>	<b>1,186</b>	<b>0</b>	<b>1</b>	<b>52</b>	<b>0</b>	<b>0</b>	<b>79</b>	<b>0</b>	<b>0</b>	<b>1,316</b>

ISLANDWIDE WAITING LIST

ISLAND	RESIDENCE			AGRICULTURE			PASTURE			TOTAL
	Last Month	Add	Cancel	Last Month	Add	Cancel	Last Month	Add	Cancel	
Oahu	10,062	20	10	3,880	5	1	0	0	0	13,956
Maui	3,844	4	1	4,692	2	3	621	1	1	9,159
Hawaii	5,841	11	7	7,285	8	8	1,906	1	1	15,036
Kauai	1,650	1	5	2,251	1	3	302	0	0	4,197
Molokai	820	1	1	1,083	2	0	206	0	0	2,111
Lanai	74	0	0	0	0	0	0	0	0	74
<b>TOTAL</b>	<b>22,291</b>	<b>37</b>	<b>24</b>	<b>19,191</b>	<b>18</b>	<b>15</b>	<b>3,035</b>	<b>2</b>	<b>2</b>	<b>44,533</b>

AREA AND ISLANDWIDE LISTS

AREA AND ISLANDWIDE LISTS	RES			AG			PAS			TOTAL			ADDITIONS			CANCELLATIONS												
	Last Month	Add	Cancel	Last Month	Add	Cancel	Last Month	Add	Cancel	Last Month	Add	Cancel	New Applications	Application Transfers	Lease Rescissions	App Reinstatements	HHC Adjustments	New Lease Awards	Application Transfers	Succ'd and Cancel Own	Public Notice Cancel	Voluntary Cancellations	Lease Successorships	HHC Adjustments	Dec'd No Successor	Additional Acreage	NHQ Unqualified	TOTAL
OAHU	11,007	3,884	0	3,884	0	0	14,891	0	0	0	0	0	45	12	0	0	0	5	12	2	0	1	0	0	0	0	0	5
MAUI	3,897	4,695	626	9,218	2	3	9,218	2	3	4,691	621	1	12	0	0	0	0	1	1	2	0	0	0	0	1	0	0	12
HAWAII	5,974	7,313	1,952	15,239	8	8	15,239	8	8	7,285	1,906	1	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	2
KAUAI	1,697	2,252	329	4,278	1	3	4,278	1	3	2,249	302	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MOLOKAI	840	1,102	207	2,149	2	0	2,149	2	0	1,085	206	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
LANAI	74	0	0	74	0	0	74	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
<b>TOTAL</b>	<b>23,489</b>	<b>19,246</b>	<b>3,114</b>	<b>45,849</b>	<b>18</b>	<b>15</b>	<b>45,849</b>	<b>18</b>	<b>15</b>	<b>19,194</b>	<b>3,035</b>	<b>2</b>	<b>2</b>	<b>57</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>21</b>	<b>42</b>

HOMESTEAD AREA AND ISLANDWIDE APPLICATIONS WAITING LIST MONTHLY REPORT FOR THE MONTH ENDING

December 31, 2021

	RESIDENCE			AGRICULTURE			PASTURE			TOTAL
	Last Month	Add	Cancel	Last Month	Add	Cancel	Last Month	Add	Cancel	
<b>OAHU DISTRICT</b>										
Nanakuli	161	0	0	0	0	0	0	0	0	161
Waianae	141	0	0	0	0	0	0	0	0	141
Luaualei	0	0	0	0	0	0	0	0	0	0
Papakolea/Kewalo	67	0	1	0	0	0	0	0	0	66
Waimanalo	557	0	0	0	0	0	0	0	0	557
Subtotal Area	936	0	1	0	0	0	0	0	0	935
Islandwide	10,062	20	10	3,880	5	1	3,884	0	0	13,956
<b>TOTAL OAHU APPS</b>	<b>10,998</b>	<b>20</b>	<b>11</b>	<b>3,880</b>	<b>5</b>	<b>1</b>	<b>3,884</b>	<b>0</b>	<b>0</b>	<b>14,891</b>
<b>MAUI DISTRICT</b>										
Paukukalo	50	0	0	0	0	0	0	0	0	50
Kula	0	0	0	4	0	0	4	0	0	5
Subtotal Area	50	0	0	4	0	0	4	0	0	59
Islandwide	3,844	4	1	4,692	2	3	4,691	1	1	9,159
<b>TOTAL MAUI APPS</b>	<b>3,894</b>	<b>4</b>	<b>1</b>	<b>4,696</b>	<b>2</b>	<b>3</b>	<b>4,695</b>	<b>1</b>	<b>1</b>	<b>9,218</b>
<b>HAWAII DISTRICT</b>										
Keaukaha/Waiakea	69	0	0	0	0	0	0	0	0	69
Panewa	0	0	0	16	0	0	16	0	0	16
Humuia	0	0	0	0	0	0	0	0	0	0
Kawihae	16	0	0	0	0	0	0	0	0	16
Waimea	44	0	0	12	0	0	12	0	0	102
Subtotal Area	129	0	0	28	0	0	28	0	0	203
Islandwide	5,841	11	7	7,285	8	8	7,285	1	1	15,036
<b>TOTAL HAWAII APPS</b>	<b>5,970</b>	<b>11</b>	<b>7</b>	<b>7,313</b>	<b>8</b>	<b>8</b>	<b>7,313</b>	<b>1</b>	<b>1</b>	<b>15,239</b>
<b>KAUAI DISTRICT</b>										
Anahola	43	0	0	3	0	0	3	0	0	66
Kekaha/Puu Opae	8	0	0	0	0	0	0	0	0	15
Subtotal Area	51	0	0	3	0	0	3	0	0	81
Islandwide	1,650	1	5	2,251	1	3	2,249	0	0	4,197
<b>TOTAL KAUAI APPS</b>	<b>1,701</b>	<b>1</b>	<b>5</b>	<b>2,254</b>	<b>1</b>	<b>3</b>	<b>2,252</b>	<b>0</b>	<b>0</b>	<b>4,278</b>
<b>MOLOKAI DISTRICT</b>										
Kalamauia	4	0	0	0	0	0	0	0	0	4
Hoolihua	8	0	0	17	0	0	17	0	0	26
Kapaakea	7	0	0	0	0	0	0	0	0	7
One Alii	1	0	0	0	0	0	0	0	0	1
Subtotal Area	20	0	0	17	0	0	17	0	0	38
Islandwide	820	1	1	1,083	2	0	1,085	0	0	2,111
<b>TOTAL MOLOKAI APPS</b>	<b>840</b>	<b>1</b>	<b>1</b>	<b>1,100</b>	<b>2</b>	<b>0</b>	<b>1,102</b>	<b>0</b>	<b>0</b>	<b>2,149</b>
<b>LANAI DISTRICT</b>										
Islandwide	74	0	0	0	0	0	0	0	0	74
<b>TOTAL LANAI APPS</b>	<b>74</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>74</b>
<b>TOTAL AREA ONLY</b>	<b>1,186</b>	<b>0</b>	<b>1</b>	<b>52</b>	<b>0</b>	<b>0</b>	<b>52</b>	<b>0</b>	<b>0</b>	<b>1,316</b>
<b>TOTAL ISLANDWIDE</b>	<b>22,291</b>	<b>37</b>	<b>24</b>	<b>19,191</b>	<b>18</b>	<b>15</b>	<b>19,194</b>	<b>2</b>	<b>2</b>	<b>44,533</b>
<b>TOTAL STATEWIDE</b>	<b>23,477</b>	<b>37</b>	<b>25</b>	<b>19,243</b>	<b>18</b>	<b>15</b>	<b>19,246</b>	<b>2</b>	<b>2</b>	<b>45,849</b>

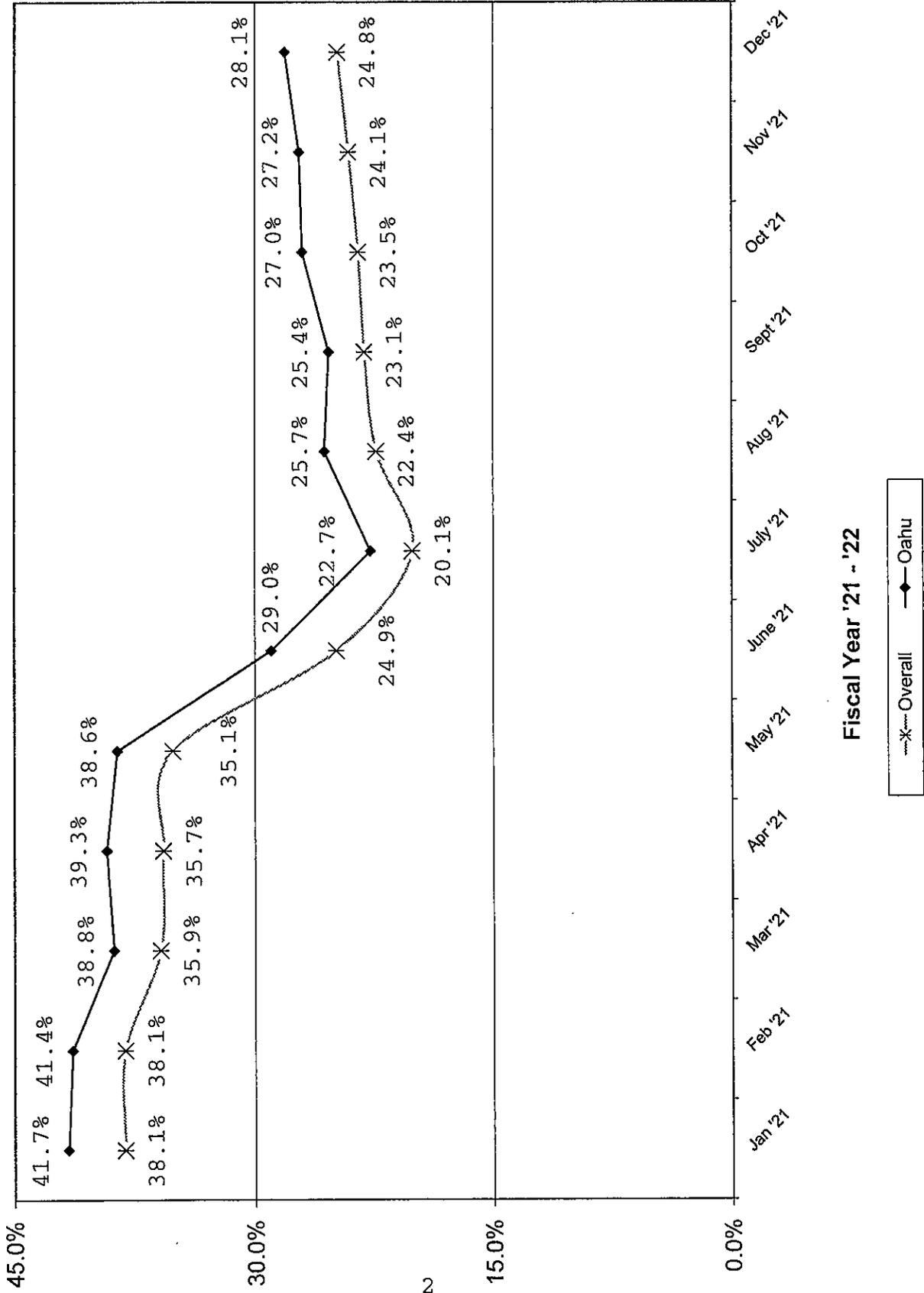
DELINQUENCY REPORT - STATEWIDE  
January 18, 2022  
(\$ Thousands)

DIRECT LOANS	Total Outstanding (000s)			Total Delinquency (000s)			30 Days (low) (000s)			60 Days (Medium) (000s)			90 Days (High) (000s)			180 Days (Severe) (000s)			% of Totals 12/31/2021	
	No.	Amt.		No.	Amt.		No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.	No.	\$
OAHU	390	38,169		124	10,739	18	1,204	15	1,258	21	1,852	70	6,425						31.8%	28.1%
EAST HAWAII	206	12,094		61	4,167	11	306	6	520	3	166	41	3,174						29.6%	34.5%
WEST HAWAII	83	8,468		9	697	4	332	0	0	1	1	4	364						10.8%	8.2%
MOLOKAI	83	7,332		16	710	5	225	1	130	2	26	8	329						19.3%	9.7%
KAUAI	92	7,125		22	1,224	8	409	3	185	4	220	7	411						23.9%	17.2%
MAUI	98	12,980		30	3,859	5	506	6	908	5	713	14	1,731						30.6%	29.7%
<b>TOTAL DIRECT</b>	<b>952</b>	<b>86,168</b>	<b>100.0%</b>	<b>262</b>	<b>21,396</b>	<b>51</b>	<b>2,982</b>	<b>31</b>	<b>3,001</b>	<b>36</b>	<b>2,978</b>	<b>144</b>	<b>12,434</b>	<b>14.4%</b>					<b>27.5%</b>	<b>24.8%</b>
Advances (including RPT)	264	6,382		264	6,382	0	0	0	0	264	6,382								100%	100%
<b>DHHL LOANS &amp; Advances</b>	<b>1,216</b>	<b>92,550</b>		<b>526</b>	<b>27,778</b>	<b>51</b>	<b>2,982</b>	<b>31</b>	<b>3,001</b>	<b>300</b>	<b>9,360</b>	<b>144</b>	<b>12,434</b>	<b>43.3%</b>					<b>43.3%</b>	<b>30.0%</b>
<b>LOAN GUARANTEES as of June 30, 2021</b>																				
SBA	2	77		0	0	0	0	0	0	0	0								0.0%	0.0%
USDA-RD	279	32,123		49	6,335	0	0	0	0	49	6,335								17.6%	19.7%
Habitat for Humanity	47	1,536		24	733	0	0	0	0	24	733								51.1%	47.7%
Maui County	5	74		0	0	0	0	0	0	0	0								0.0%	0.0%
Nanakuli NHS	1	7		1	7	0	0	0	0	1	7								100.0%	100.0%
City & County	12	264		11	260	0	0	0	0	11	260								91.7%	98.5%
FHA Interim	6	961		0	0	0	0	0	0	0	0								0.0%	0.0%
OHA	2	9		2	9	0	0	0	0	2	9								100.0%	100.0%
<b>TOTAL GUARANTEE</b>	<b>354</b>	<b>35,051</b>		<b>87</b>	<b>7,344</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>87</b>	<b>7,344</b>	<b>24.6%</b>							<b>24.6%</b>	<b>21.0%</b>
PMI Loans	145	20,904		4	837	1	197	1	202	2	438								2.8%	4.0%
HUD REASSIGNED for Recovery	141	16,607		118	15,105	2	74	0	0	5	480								83.7%	91.0%
FHA Insured Loans	2,873	496,064		273	44,906	0	0	0	0	273	44,906								9.5%	9.1%
<b>TOTAL INS. LOANS</b>	<b>3,159</b>	<b>533,575</b>		<b>395</b>	<b>60,848</b>	<b>3</b>	<b>271</b>	<b>1</b>	<b>202</b>	<b>280</b>	<b>45,824</b>	<b>11.1%</b>							<b>12.5%</b>	<b>11.4%</b>
<b>OVERALL TOTALS(EXC Adv/RP)</b>	<b>4,465</b>	<b>654,794</b>		<b>744</b>	<b>89,588</b>	<b>54</b>	<b>3,253</b>	<b>32</b>	<b>3,203</b>	<b>403</b>	<b>56,146</b>	<b>255</b>	<b>26,985</b>	<b>16.7%</b>					<b>16.7%</b>	<b>13.7%</b>
<b>ADJUSTED TOTALS</b>	<b>4,729</b>	<b>661,176</b>		<b>1,008</b>	<b>95,970</b>	<b>54</b>	<b>3,253</b>	<b>32</b>	<b>3,203</b>	<b>667</b>	<b>62,528</b>	<b>255</b>	<b>26,985</b>	<b>14.5%</b>					<b>14.5%</b>	<b>11.4%</b>

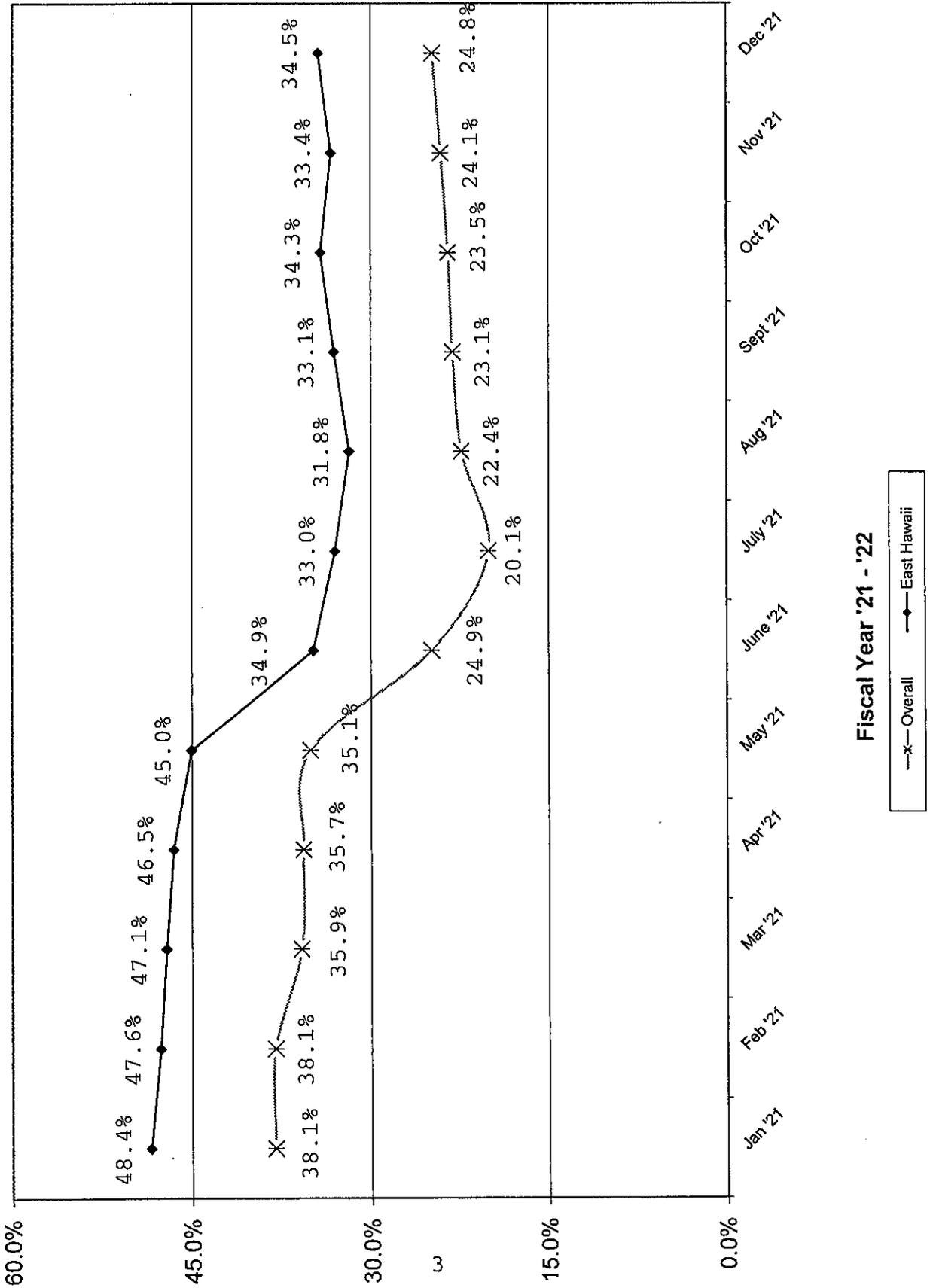
Note: HUD 184A loan program has 507 loans, with a total outstanding principal balance of \$112,122,650 as of June 30, 2021. 27 Loans, totaling \$6,600,376 are delinquent.

The deferred interest for 515 loans comes out to \$2,441,745.17 as of 12/31/2021.

OAHU  
Direct Loans  
Delinquency Ratio Report



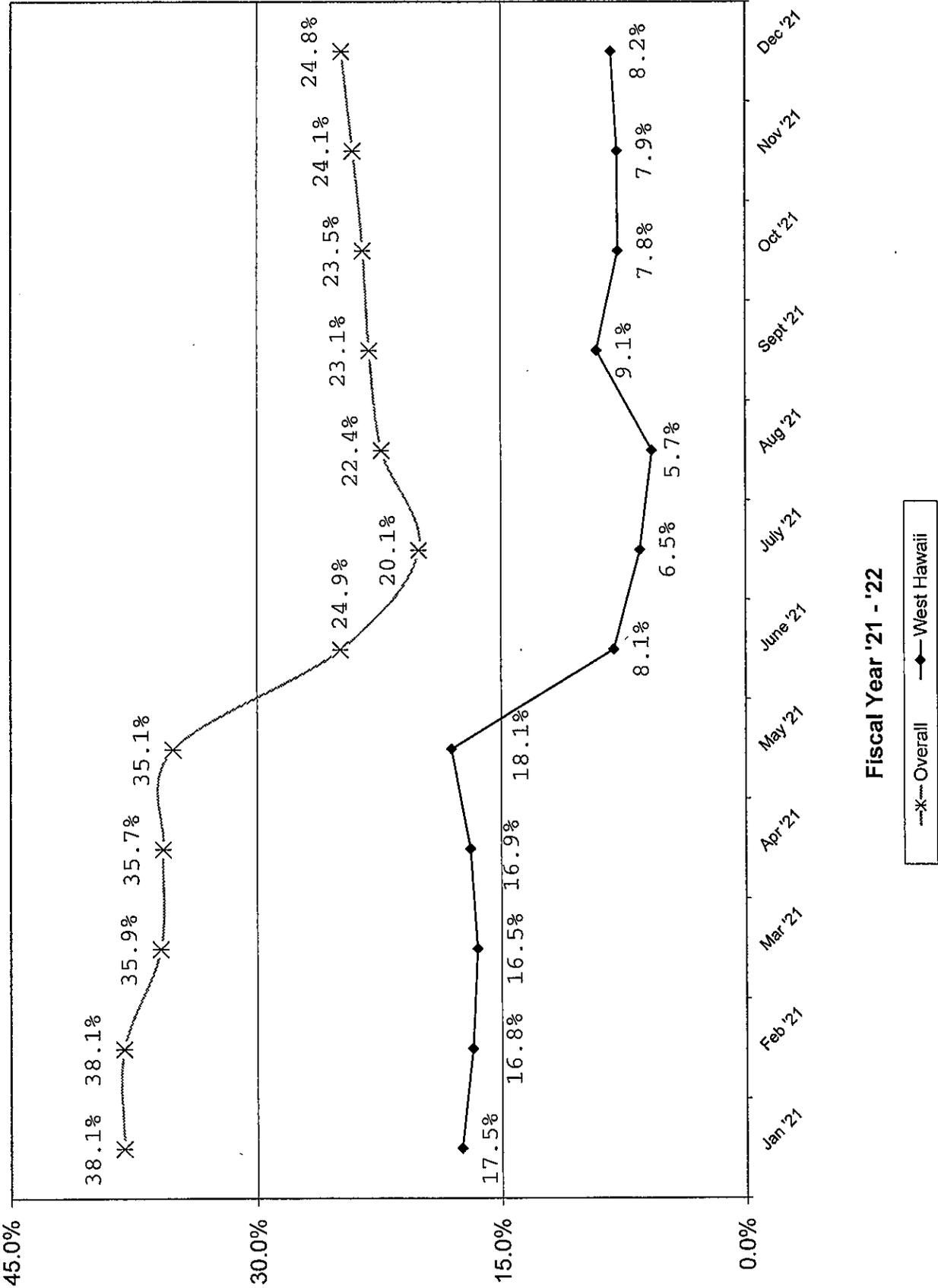
**EAST HAWAII  
Direct Loans  
Delinquency Ratio Report**



**Fiscal Year '21 - '22**

x Overall    ◆ East Hawaii

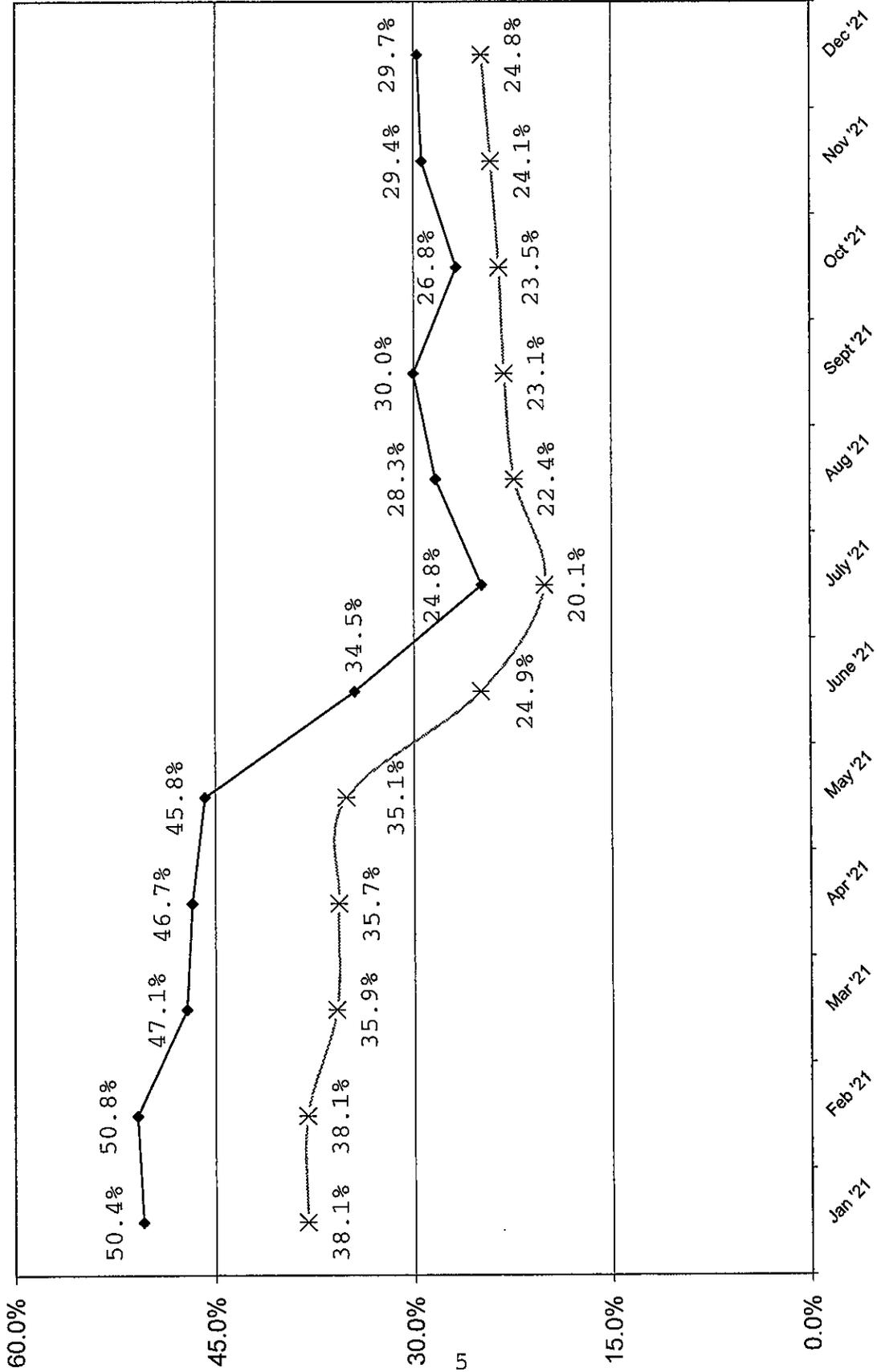
**WEST HAWAII  
Direct Loans  
Delinquency Ratio Report**



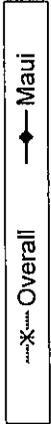
**Fiscal Year '21 - '22**

---x--- Overall    ---◆--- West Hawaii

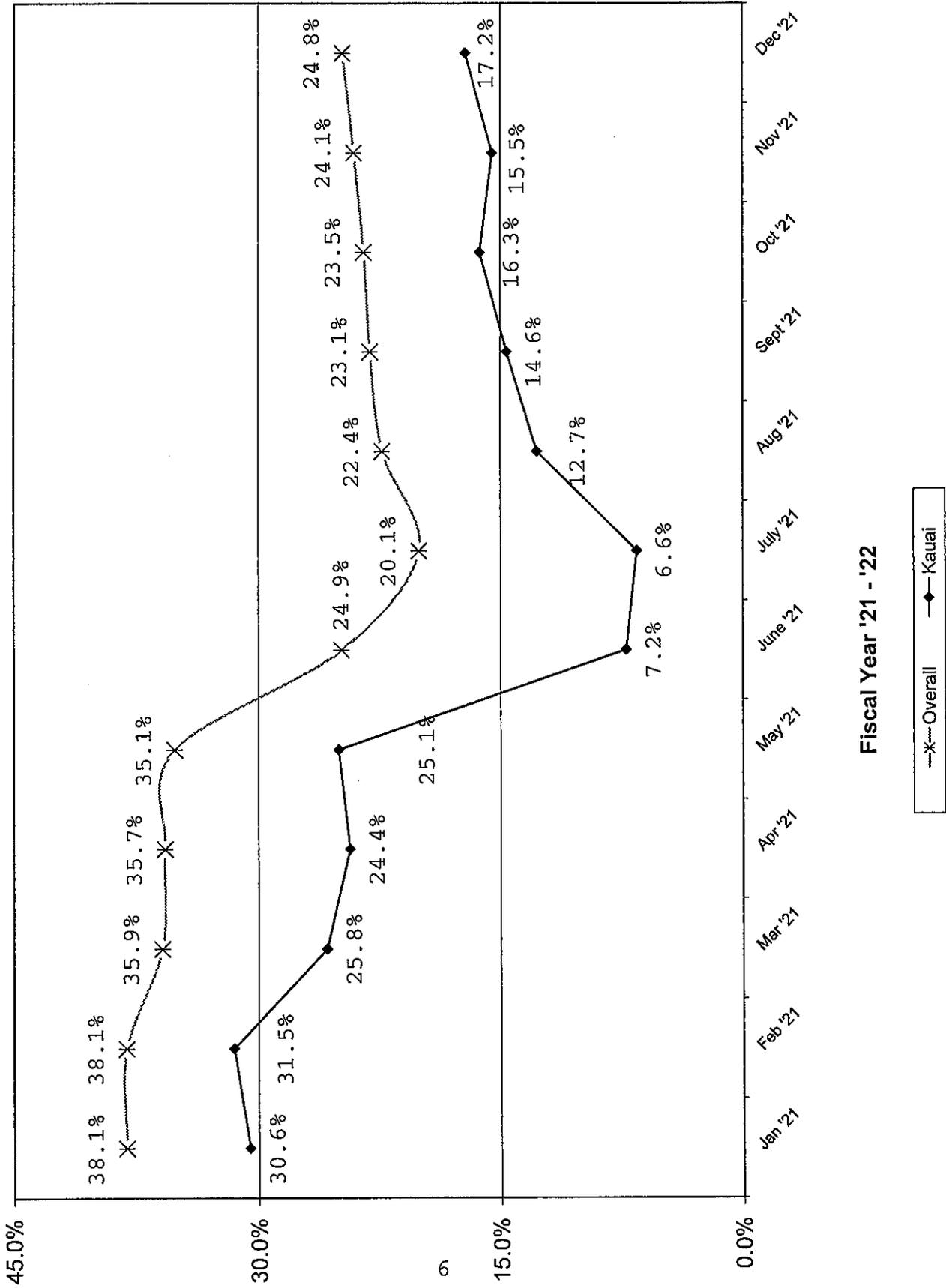
**MAUI**  
**Direct Loans**  
**Delinquency Ratio Report**



Fiscal Year '21 - '22



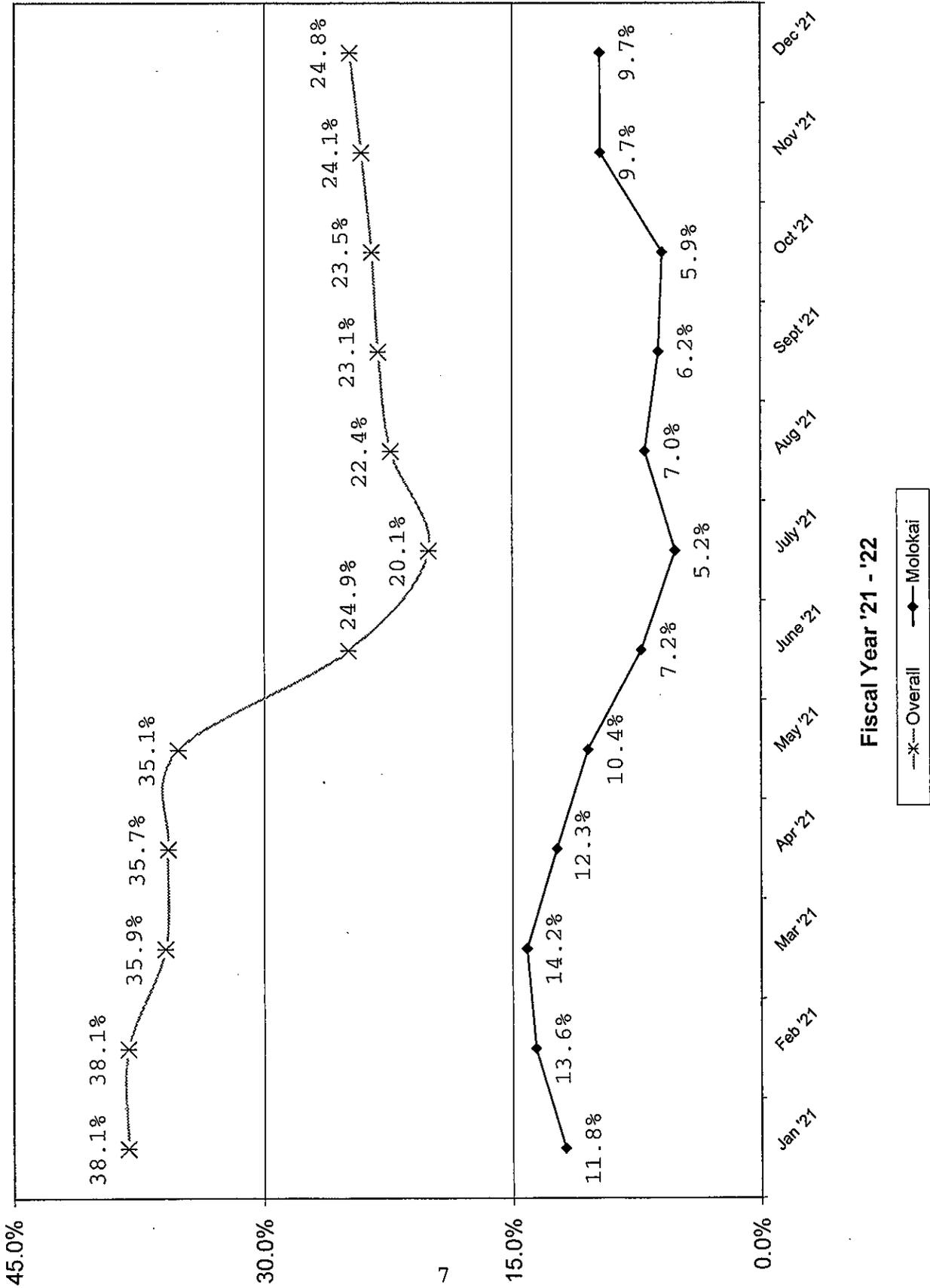
**KAUAI**  
**Direct Loans**  
**Delinquency Ratio Report**



Fiscal Year '21 - '22

---x--- Overall    ---◆--- Kauai

**MOLOKAI**  
**Direct Loans**  
**Delinquency Ratio Report**



January 18, 2022

SUBJECT: **DHHL Guarantees for Council for Native Hawaiian Advancement (CNHA) Loans**

DISCUSSION: The Department issued guarantees for the following CNHA loans pursuant to a Memorandum of Agreement (MOA) dated September 10, 2010:

<u>LOT NO.</u>	<u>AREA</u>	<u>LESSEE</u>	<u>Loan Amount</u>	<u>Date Approved</u>
27B	Keaukaha	Hoopii, Carrie K.	\$204,125	12/20/21

	<u>No.</u>	<u>Balance</u>
FY Ending 6/30/21	0	\$ -0-
Previous Months	0	\$ -0-
This Month	<u>1</u>	<u>204,125</u>
FY '21-'22 to date	1	\$ 204,125

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 18, 2022

TO: Chairman and Members, Hawaiian Homes Commission  
THROUGH: Juan Garcia, HSD Administrator  
Homestead Services Division  
FROM: Dean Oshiro, Loan Services Manager  
SUBJECT: **Approval of Consent to Mortgage**

RECOMMENDED MOTION/ACTION

To approve the following consents to mortgages for Federal Housing Administration (FHA) insured loans, Department of Veterans Affairs (VA) loans, United States Department of Agriculture, Rural Development (USDA, RD) guaranteed loans, United States Housing and Urban Development (HUD 184A) guaranteed loans and Conventional (CON) loans insured by private mortgage insurers.

DISCUSSION

<u>PROPERTY</u>	<u>LESSEE</u>	<u>LENDER</u>	<u>LOAN AMOUNT</u>
<u>OAHU</u>			
Maluohai Lease No. 8909 TMK: 1-9-1-120:017	APA, Ryan K. (Cash Out Refi) FHA	Guild Mortgage	\$ 363,300
Maluohai Lease No. 9774 TMK: 1-9-1-119:033	MONTEZ, Dylan D. K. M. U. (Purchase)FHA	SecurityNat- ional Mortg- age Company	\$ 653,000
Waianae Lease No. 8717 TMK: 1-8-5-031:044	VICTORINO, Frances Y. I. (Cash Out Refi) FHA	Bank of Hawaii	\$ 285,000

OAHU

Kanehili Lease No. 12577 TMK: 1-9-1-153:112	GRIFFIN, Leslie K. (Streamline Refi) FHA	Mid America Mortgage Inc.	\$ 262,000
Kaupea Lease No. 11958 TMK: 1-9-1-139:168	PALACOL-ATUMATA, Evelyn M. (Cash Out Refi) FHA	Mann Mortgage, LLC	\$ 402,000
Lualualei Lease No. 8136 TMK: 1-8-6-023:065	WHITE, Loretta I. &, CARROL, Donna (Cash Out Refi) FHA	Mid America Mortgage Inc.	\$ 264,000
Waianae Lease No. 5275 TMK: 1-8-5-032:024	BERNABE, Robin M. (Cash Out Refi) FHA	Mann Mortgage, LLC	\$ 210,000
Waianae Lease No. 8938 TMK: 1-8-5-031:073	ELI, Taylor P. (Purchase)FHA	HomeStreet Bank	\$ 75,000
Kanehili Lease No. 11768 TMK: 1-9-1-153:029	FURTADO, Edith L. A. (Cash Out Refi) FHA	HighTechLen- ding Inc.	\$ 389,250
Princess Kahanu Estates Lease No. 8322 TMK: 1-8-7-042:031	WONG-LONZANIDA, Wailani K. (Cash Out Refi) FHA	HighTechLen- ding Inc.	\$ 311,400
Waimanalo Lease No. 7770 TMK: 1-4-1-036:009	KEAO, Russell K. (Cash Out Refi) FHA	Guild Mortgage	\$ 285,450
Kanehili Lease No. 12582 TMK: 1-9-1-153:129	DIOREC, Colleen S. Y. P. (Cash Out Refi) FHA	HighTechLen- ding Inc.	\$ 389,250

ITEM NO. D-2

OAHU

Kaupea Lease No. 11954 TMK: 1-9-1-139:160	KAINA, Elzadia P. &, KAINA, Gavin P. M. (Purchase)VA	Department of Veterans Affairs	\$ 708,750
Princess Kahanu Estates Lease No. 9979 TMK: 1-8-7-042:092	AIKALA, Joseph K. (Cash Out Refi) HUD 184A	HomeStreet Bank	\$ 240,000
Kauluokahai Lease No. 12517 TMK: 1-9-1-017:088	MOKIAO, Kolden K. T. (Cash Out Refi) FHA	Mann Mortgage, LLC	\$ 405,000
Princess Kahanu Estates Lease No. 8319 TMK: 1-8-7-042:028	VICKERS, Vernon A. (Cash Out Refi) FHA	HighTechLen- ding Inc.	\$ 330,862
Waimanalo Lease No. 844 TMK: 1-4-1-020:039	MATSUMOTO, Shantay K. (Cash Out Refi) FHA	HighTechLen- ding Inc.	\$ 207,600
Nanakuli Lease No. 3421 TMK: 1-8-9-005:098	BAKER, Brian K. (Cash Out Refi) FHA	Guild Mortgage	\$ 155,700
Kauluokahai Lease No. 12340 TMK: 1-9-1-017:088	KAIMIMOKU, Marcilina N. (Purchase)USDA	Guild Mortgage	\$ 260,606
Kanehili Lease No. 12594 TMK: 1-9-1-153:116	ALULI, Shavon N. (Rate Term) FHA	Mid America Mortgage Inc.	\$ 327,000
Kanehili Lease No. 11688 TMK: 1-9-1-153:097	DAMAS, Debbie (Purchase)VA	Department of Veterans Affairs	\$ 455,625

ITEM NO. D-2

OAHU

Nanakuli Lease No. 5136 TMK: 1-8-9-013:039	LEVASA, Leihua K. (Cash Out Refi) FHA	Mann Mortgage, LLC	\$ 262,000
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Kanehili Lease No. 11867 TMK: 1-9-1-153:151	LESLIE, Gordon K. (Cash Out Refi) FHA	Mid America Mortgage Inc.	\$ 449,000
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MAUI

Paukukalo Lease No. 5447 TMK: 2-3-3-006:009	IAEA, Daniel K., Jr. (Purchase)FHA	loanDepot.c- om, LLC	\$ 485,000
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Waiohuli Lease No. 7633 TMK: 2-2-2-027:055	PETERS, Angus K. (Streamline Refi) FHA	Mid America Mortgage Inc.	\$ 724,000
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Waiohuli Lease No. 10422 TMK: 2-2-2-033:061	KINTARO, Maile K. K. (Cash Out Refi) FHA	HomeBridge Financial Services, Inc.	\$ 347,500
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Waiehu 3 Lease No. 9939 TMK: 2-3-2-024:086	ROBINSON, Kekai R. (Cash Out Refi) FHA	HomeBridge Financial Services, Inc.	\$ 456,720
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Waiohuli Lease No. 7486 TMK: 2-2-2-028:009	VIERRA, Leah K. (Cash Out Refi) FHA	Mid America Mortgage Inc.	\$ 301,000
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Waiohuli Lease No. 10321 TMK: 2-2-2-028:005	KAN-HAI, Shawn I. (Cash Out Refi) FHA	Mid America Mortgage Inc.	\$ 593,000
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ITEM NO. D-2

LANAI

Lanai Lease No. 10970 TMK: 2-4-9-024:015	ZABLAN, Isaac K. (Cash Out Refi) HUD 184A	HomeStreet Bank	\$ 310,000
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Leialii Lease No. 11460 TMK: 2-4-5-036:020	DUKES, Yolanda K. (Rate Term) HUD 184A	1st Tribal Lending	\$ 197,925
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KAUAI

Anahola Lease No. 11023 TMK: 4-4-8-022:011	KAWAMURA, Glenn L. (Cash Out Refi) FHA	Bank of Hawaii	\$ 270,000
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HAWAII

Kaniohale Lease No. 9417 TMK: 3-7-4-023:104	KEALOHA, Keone C. (Cash Out Refi) FHA	Mann Mortgage, LLC	\$ 303,000
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Panaewa Lease No. 6221 TMK: 3-2-1-025:070	DESHA, Ainahau G. (Cash Out Refi) FHA	HighTechLen- ding Inc.	\$ 300,000
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Kawaihae Lease No. 7139 TMK: 3-6-1-008:018	KAILIMAI, Tobe K. (Cash Out Refi) FHA	Mann Mortgage, LLC	\$ 426,000
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Keaukaha Lease No. 9916 TMK: 3-2-1-023:010	VINCENT, Wendell A., Jr. (Cash Out Refi) FHA	HomeStreet Bank	\$ 380,000
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Kaniohale Lease No. 10172 TMK: 3-7-4-023:034	MATTHEWS, George W. (Cash Out Refi) FHA	HighTechLen- ding Inc.	\$ 389,250
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HAWAII

Kaniohale  
Lease No. 9406  
TMK: 3-7-4-023:093

FARM,  
Gerald (Cash Out  
Refi) FHA

Mid America     \$ 170,000  
Mortgage  
Inc.

<u>RECAP</u>	<u>NO.</u>	FHA	<u>AMOUNT</u>	<u>NO.</u>	VA <u>AMOUNT</u>
FY Ending 6/30/21	535	\$	172,610,901	26	\$ 8,186,829
Prior Months	244	\$	79,784,013	5	\$ 2,336,312
This Month	32		11,172,282	2	1,164,375
Total FY '21-'22	276	\$	90,956,295	7	\$ 3,500,687
			<u>HUD 184A AMOUNT</u>		<u>USDA-RD AMOUNT</u>
FY Ending 6/30/21	77	\$	23,021,162	13	\$ 5,288,000
Prior Months	36	\$	10,904,308	4	\$ 874,000
This Month	3		747,925	1	260,606
Total FY '21-'22	39	\$	11,652,233	5	\$ 1,134,606

ITEM NO. D-2

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 18, 2022

TO: Chairman and Members, Hawaiian Homes Commission  
THROUGH: Juan Garcia, HSD Administrator  
Homestead Services Division  
FROM: Dean Oshiro, Loan Services Branch Manager  
SUBJECT: **Ratification of Loan Approvals**

RECOMMENDED MOTION/ACTION

To ratify the approval of the following loan previously approved by the Chairman, pursuant to section 10-2-17, Ratification of Chairman's action, of the Department of Hawaiian Home Lands Administrative Rules.

<u>LESSEE</u>	<u>LEASE NO. &amp; AREA</u>	<u>LOAN TERMS</u>
Aea, Annie M.	17165, Kaupea	NTE \$200,000 @ 4% interest per annum, NTE \$960 monthly, repayable over 30 years

Loan Purpose: Refinance of Contract of Loan No. 19607. Original loan amount of \$192,757 at 5.875% per annum, \$1,549 monthly, repayable over 30 years. A contested case hearing was held on December 21, 2021 for this account.

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LESSEE

LEASE NO. & AREA

LOAN TERMS

Kea, Tracy K.

TBD, Kauluokahai

Loan #1: Interim  
construction loan NTE  
\$250,000 @ 4% interest  
per annum, payments of  
interest only, 1-year  
term

Loan #2: Permanent  
mortgage loan to payoff  
Loan #1. NTE \$250,000 @  
4% interest per annum,  
NTE \$1,195 monthly,  
repayable over 30 years

Loan Purpose: Construction of a new home.

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<u>REFINANCE</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/21	7	\$ 823,100
Prior Months	2	317,000
This Month	<u>1</u>	<u>200,000</u>
Total FY '21-'22	3	\$ 517,000

<u>REPAIR</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/21	0	\$ -0-
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '21-'22	0	\$ -0-

<u>HOME CONSTRUCTION</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/21	3	\$ 814,195
Prior Months	0	-0-
This Month	<u>1</u>	<u>250,000</u>
Total FY '21-'22	1	\$ 250,000

<u>FARM</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/21	0	\$ -0-
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '21-'22	0	\$ -0-

<u>TRANSFER WITH LOAN</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/21	0	\$ -0-
Prior Months	1	133,000
This Month	<u>0</u>	<u>-0-</u>
Total FY '21-'22	1	\$ 133,000

<u>AWARD</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/21	4	\$ 290,000
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '21-'22	0	\$ -0-

<u>OTHER</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/21	0	\$ -0-
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '21-'22	0	\$ -0-

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 18, 2022

TO: Chairman and Members, Hawaiian Homes Commission  
THROUGH: Juan Garcia, HSD Administrator   
FROM: Nicole F. Bell, Specialist V  
Application Branch, Homestead Services Division  
SUBJECT: **Approval of Homestead Application Transfers/Cancellations**

RECOMMENDED MOTION/ACTION

To approve the transfers and cancellations of applications from the Application Waiting Lists for reasons described below:

DISCUSSION

1. Requests of Applicants to Transfer

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

KIHE, Jami K.	03/11/2010	HAWAII	RES	08/23/2021
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KAUAI ISLANDWIDE AGRICULTURAL LEASE LIST

PAULO, Kekuanoni K.	06/15/2021	HAWAII	AGR	11/05/2021
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KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

PAULO, Kekuanoni K.	06/15/2021	HAWAII	RES	11/05/2021
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2. Deceased Applicants

WAIMANALO AREA / OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

CATEKISTA, Helen C.	PN 11/2017			03/18/1963
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OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

ANDERSON, William K.	PN 11/2017	03/19/1985
FISH, Joyce L.	PN 11/2015	11/25/1994
MARTINES, Lollita J.	PN 11/2017	06/12/1985
PEARCE, Judith-Lee M.	PN 11/2016	01/23/2008
JAVONERO, Elizabeth K.	Applicant's date of death occurred while the 04/02/1984 amendment of the HAR section 10-3-8 was in effect. This version of the rule precedes the current 10/26/1998 amendment, which allows for qualified successors to participate in the Public Notice process. Remove application dated 10/15/1982.	

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

AHUE, Wilford R.	PN 11/2017	01/21/1986
ANDERSON, William K.	PN 11/2017	11/05/1986
FISH, Joyce L.	PN 11/2015	09/10/1986
HUSSEY, Arnold T.	PN 11/2013	10/18/2007

MAUI ISLANDWIDE PASTORAL LEASE LIST

KAOLULO, Melvin K.	PN 11/2013	08/01/1986
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MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

KANINAU, Melvin	PN 11/2016	05/04/1998
KAOLULO, Melvin K.	PN 11/2013	08/08/1986

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

CHO, Henry Sr.	PN 11/2017	12/20/2004
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CORDERO, Luana Mae	PN 11/2017	04/10/1990
FERNANDEZ, Earl	PN 11/2016	11/24/1986
HARP, Carolyn S.	PN 11/2016	12/10/1992
HOKE, Arthur A., III	PN 11/2017	08/22/2007
KAAPANA, Manuel Y., Jr.	PN 11/2016	09/14/1982
KAMAKA, Larry	PN 11/2016	08/24/1984
KANINAU, Melvin	PN 11/2016	03/07/1989
KAWAILIMA, Prescott K.	PN 11/2016	07/27/1993
MARTINES, Lollita J.	PN 11/2017	06/12/1985

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

CHO, Henry Sr.	PN 11/2017	03/24/2005
CORDERO, Luana Mae	PN 11/2017	04/10/1990
FERNANDEZ, Earl	PN 11/2016	11/24/1986
HOKE, Arthur A., III	PN 11/2017	08/22/2007
KEALOHA, Alexander A.	PN 11/2014	06/18/1991

KAUAI ISLANDWIDE PASTORAL LEASE LIST

SIALANA, Rebecca L.	PN 11/2016	05/21/1987
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3. Awards of Leases

WAIMANALO AREA / OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

COSTA-CARVALHO, Ryan E.K.	Assigned Residential Lease #12951, Lot 102 in Ka'uluokaha'i, Oahu dated 11/30/2021. Remove application dated 04/10/1969.
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DE LIMA, Charmaine L.

Assigned Residential Lease  
#12942, Lot 57 in Ka'uluokaha'i,  
Oahu dated 12/21/2021. Remove  
application dated 10/17/1962.

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

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ARIAS, Nettie

Assigned Residential Lease  
#12946, Lot 54 in Ka'uluokaha'i,  
Oahu dated 11/24/2021. Remove  
application dated 03/01/1978.

BAKER, Brian K.

Assigned Residential Lease  
#3421, Lot 83-A in Nanakuli,  
Oahu dated 06/15/2021. Remove  
application dated 07/09/2002.

BURNS, Kunane Paul

Assigned Residential Lease #366,  
Lot 59 in Nanakuli, Oahu dated  
07/09/2021. Remove application  
dated 07/30/1991.

CACHO-KEKAHUNA, Kaleoikamakamae L.

Assigned Residential Lease  
#12937, Lot 62 in Ka'uluokaha'i,  
Oahu dated 10/25/2021. Remove  
application dated 11/24/2020.

CRUZ, Sherilyn N.

Assigned Residential Lease  
#12893, Lot 18481 in Kanehili,  
Oahu dated 05/15/2020. Remove  
application dated 11/18/2014.

FERRIMAN, Sharon E.

Assigned Residential Lease  
#12018, Lot 17098 in Kaupea,  
Oahu dated 02/18/2021. Remove  
application dated 08/25/2017.

HEW LEN, Aaron T.

Assigned Residential Lease  
#12908, Lot 18542 in Kanehili,  
Oahu dated 09/30/2020. Remove  
application dated 09/16/2015.

KAMAKA, Charles K., Jr.

Assigned Residential Lease  
#2210, Lot 153 in Kewalo, Oahu  
dated 01/17/2020. Remove  
application dated 06/24/1994.

KEAWE, Mitchell K., Jr.	Assigned Residential Lease #12925, Lot 158 in Ka'uluokaha'i, Oahu dated 06/03/2021. Remove application dated 10/28/2011.
KEKOA SOUZA, Wesley L.	Assigned Residential Lease #2978, Lot 198 in Nanakuli, Oahu dated 06/03/2021. Remove application dated 10/27/2020.
KELIIKOA, William K., II	Assigned Residential Lease #12840, Lot 134 in Ka'uluokaha'i, Oahu dated 06/03/2019. Remove application dated 08/08/2006.
KUPA, Daniel K., Jr.	Assigned Residential Lease #4392, Lot 61 in Nanakuli, Oahu dated 06/26/2012. Remove application dated 06/14/1993.
LENCHANKO, Bernard H.	Assigned Residential Lease #12898, Lot 18486 in Kanehili, Oahu dated 07/02/2020. Remove application dated 05/01/2019.
LII-DAVIS, Joleen K.	Assigned Residential Lease #3696, Lot 243 in Kewalo, Oahu dated 09/09/2021. Remove application dated 07/08/1996.
LII-MOETULUI, Mary M.	Assigned Residential Lease #3696, Lot 243 in Kewalo, Oahu dated 09/09/2021. Remove application dated 05/17/2004.
MAKAILA, Tad K.	Assigned Residential Lease #11952, Lot 17107 in Kaupea, Oahu dated 07/16/2019. Remove application dated 05/11/1995.
MAKUA, Cheri L.	Assigned Residential Lease #12945, Lot 96 in Ka'uluokaha'i, Oahu dated 08/31/2021. Remove application dated 03/30/1999.

MEDEIROS, Jereleenn L.

Assigned Residential Lease  
#12844, Lot 124 in  
Ka'uluokaha'i, Oahu dated  
06/07/2019. Remove application  
dated 10/16/2013.

PHILLIPS, Linda L.

Assigned Residential Lease  
#12308, Lot 7 in Hikina, Maui  
dated 12/28/2020. Remove  
application dated 03/20/2006.

TONG, Samuel A.

Assigned Residential Lease  
#12952, Lot 101 in  
Ka'uluokaha'i, Oahu dated  
11/22/2021. Remove application  
dated 08/06/1979.

UAHINUI, Joseph K.

Assigned Residential Lease  
#12850, Lot 122 in  
Ka'uluokaha'i, Oahu dated  
08/12/2019. Remove application  
dated 01/20/2006.

WRIGHT, Lauralyn L.

Assigned Residential Lease  
#12947, Lot 53 in Ka'uluokaha'i,  
Oahu dated 11/30/2021. Remove  
application dated 01/18/1985.

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

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HANOHANO, Donna Rae K.

Assigned Residential Lease  
#7541, Lot 127 in Waiohuli, Maui  
dated 05/19/2021. Remove  
application dated 03/17/2011.

HO, Keli K.

Assigned Residential Lease  
#10415, Lot UNDV118 in Waiohuli,  
Maui dated 05/11/2021. Remove  
application dated 10/09/2008.

KAMA, Justin K.

Assigned Residential Lease  
#11531, Lot 91 in Leialii, Maui  
dated 08/03/2021. Remove  
application dated 02/28/2006.

NAKI, Alexandria N.A.

Assigned Residential Lease  
#5939, Lot 9 in Waiehu-Kou, Maui  
dated 10/07/2021. Remove  
application dated 09/29/2006.

PLUNKETT, George A.

Assigned Residential Lease  
#9949, Lot 98 in Waiehu-Kou 3,  
Maui dated 11/02/2021. Remove  
application dated 01/23/1986.

WALLACE, Eltness L.

Assigned Residential Lease  
#7694, Lot 280 in Waiohuli, Maui  
dated 05/11/2021. Remove  
application dated 05/30/2006.

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

CHALKER, Janelle K.K.

Assigned Residential Lease  
#5195, Lot 62 in Nanakuli, Oahu  
dated 01/28/2021. Remove  
application dated 08/24/2007.

MURPHY, Denise P.

Assigned Residential Lease  
#2699, Lot 77 in Kuhio Village,  
Hawaii dated 11/01/2021. Remove  
application dated 05/03/2013.

KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

ACHUARA, Kimberly K.S.

Assigned Residential Lease  
#11012, Lot UNDV011 in Anahola,  
Kauai dated 06/17/2021. Remove  
application dated 02/09/2006.

BORTON, Lani K.P.

Assigned Residential Lease  
#11155, Lot UNDV154 in Anahola,  
Kauai dated 04/16/2021. Remove  
application dated 06/17/2019.

KANAHELE, Kay K.

Assigned Residential Lease  
#4677, Lot 48 in Kekaha, Kauai  
dated 07/01/2021. Remove  
application dated 01/29/2008.

MAHI-HIGA, Heuionalani C.

Assigned Residential Lease  
#8700, Lot 7 in Anahola, Kauai  
dated 05/20/2021. Remove  
application dated 03/15/2010.

SOUZA, Bernadine K.

Assigned Residential Lease  
#8877, Lot 36 in Hanapepe, Kauai  
dated 03/02/2021. Remove  
application dated 08/17/2020.

4. Native Hawaiian Qualification

NONE FOR SUBMITTAL

5. Voluntary Cancellation

NONE FOR SUBMITTAL

6. Successorship

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

---

ENOKA, James A.

Succeeded to Molokai Islandwide  
Pastoral application of Uncle,  
Theodore K. Enoka, dated  
10/20/2003. Remove application  
dated 07/21/1989.

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

---

CHONG, Alvin E. IV

Succeeded to Hawaii Islandwide  
Residential application of  
Parent, Alvin E. Chong, Jr.,  
dated 04/09/1979. Remove  
application dated 10/15/2008.

7. Additional Acreage

NONE FOR SUBMITTAL

8. HHC Adjustments

NONE FOR SUBMITTAL

Last Month's Transaction Total	21
Last Month's Cumulative FY 2021-2022 Transaction Total	182
Transfers from Island to Island	3
Deceased	29
Cancellations:	
Awards of Leases	37
NHQ	0
Voluntary Cancellations	0
Successorship	2
Additional Acreage	0
HHC Adjustments	0
This Month's Transaction Total	71
<b>This Month's Cumulative FY 2021-2022 Transaction Total</b>	<b>253</b>

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

December 20, 2021

TO: Chairman and Members, Hawaiian Homes Commission  
THROUGH: Juan Garcia, HSD Administrator   
FROM: Nicole F. Bell, Specialist V  
Application Branch, Homestead Services Division  
SUBJECT: **Approval to Certify Applications of Qualified Applicants for the month of December 2021**

RECOMMENDED MOTION/ACTION

To approve the certification of applications of qualified applicants for the month of December 2021. The Department has verified the native Hawaiian blood quantum requirement of each applicant according to section 10-3-2 of the Hawaii Administrative Rules.

DISCUSSION

At its October 2020 regular meeting, the Hawaii Homes Commission adopted the recommendation of the HHC Investigative Committee on the Native Hawaiian Qualification Process to recall to the HHC, pursuant to Hawaii Administrative Rules § 10-2-16(a), the authority to accept the Native Hawaiian Quantum (NHQ) determination for an individuals as a function requiring the exercise of judgement or discretion. The recommendation included a process to implement the Commission's review and acceptance of NHQ determinations. These applicants have been deemed by the Department to have met the native Hawaiian blood quantum requirement through the kumu 'ohanaprocess.

OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

HELEPOLOLEI, Toby K.	8/10/2021
STEVENS, Richard D. Jr.	8/10/2021
HUAHIO, Sarah J.W.	10/14/2021
POHANO, Roxanne C.K.	10/20/2021

KANAKANUI, Kevin K.C. 10/29/2021

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

KAMAILE, Liwai I.K. III 8/6/2021  
HELEPOLOLEI, Toby K. 8/10/2021  
STEVENS, Richard D. Jr. 8/10/2021  
IRVINE-PULE, Keikilani K.E.L.M. 8/11/2021  
NISHIMURA, Kimi K.K. 10/13/2021  
HUAHIO, Sarah J.W. 10/14/2021  
KEAHI, Devin A.K. 10/18/2021  
PALENAPA, Joseph J.L.K. 10/19/2021  
POHANO, Roxanne C.K. 10/20/2021  
KAIMIKAUA, Pualani E.C. 10/29/2021  
KOZENIEWSKI, Homelani R. 11/1/2021  
KAAUWAI, Kauanoë R. 11/3/2021  
AIONA, Leonard 11/4/2021

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

KAINA, Anthony P.K.O.M. 8/11/2021

MAUI ISLANDWIDE PASTORAL LEASE LIST

BAL, Duncan R.K. 8/6/2021

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

KAINA, Anthony P.K.O.M. 8/11/2021  
WELCH, David J. 10/13/2021

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

LINGENFELDER, Kamuela M.	8/10/2021
IRVINE-PULE, Keikilani K.E.L.M.	8/11/2021
VILLANUEVA, Nanea Faith	9/21/2021
NAPALAPALAI, Kalei	10/12/2021
NIHOA, Moki Keala	10/20/2021
MILLER, Nahum Eldredge Kimo	10/20/2021
TIOGANGCO, Richard Noel Carlos	10/22/2021

HAWAII ISLANDWIDE PASTORAL LEASE LIST

LLANES, Kulia K.	9/12/2021
WELCH, David J.	10/13/2021

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

COSTALES, Erika P.	7/14/2021
LINGENFELDER, Kamuela M.	8/10/2021
KEKAUALUA, Kaneke M.	9/7/2021
LLANES, Kulia K.	9/12/2021
VILLANUEVA, Nanea Faith	9/21/2021
NIHOA, Moki Keala	10/20/2021
MILLER, Nahum Eldredge Kimo	10/20/2021
TIOGANGCO, Richard Noel Carlos	10/22/2021
FURTADO, Shylynn K.	11/9/2021

KAUAI ISLANDWIDE AGRICULTURAL LEASE LIST

HEPA, Derrick	11/2/2021
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KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

HEPA, Derrick 11/2/2021

MOLOKAI ISLANDWIDE AGRICULTURAL LEASE LIST

NAKIHEI, Crystal K.L. 9/23/2021

MOLOKAI ISLANDWIDE RESIDENTIAL LEASE LIST

NAKIHEI, Crystal K.L. 9/23/2021

Previous Cumulative Total for Current FY	45,079
Current Month's Total	44
<b>Fiscal Year Total: July 2021-June 2022</b>	<b>45,123</b>

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 18, 2022

TO: Chairman and Members, Hawaiian Homes Commission  
THROUGH: Juan Garcia, HSD Administrator   
FROM: Nicole F. Bell, Specialist V   
Application Branch, Homestead Services Division  
SUBJECT: **Approval to Cancel Applications of Non-Qualified Applicants**

RECOMMENDED MOTION/ACTION

To approve the cancellations of applications from the Application Waiting Lists due to Native Hawaiian Qualification. The Department has been unable to verify the following applicant's native Hawaiian blood quantum requirement per the *Hawaiian Homes Commission Act, 1920*, as amended.

DISCUSSION

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

STITH, Anita L.	Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 11/14/1986.
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MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

MALDONADO, Emily G.L.	Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 9/19/1986.
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MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

MALDONADO, Emily G.L.	Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 9/19/1986.
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MAHONEY, Gertrude G.

Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 2/28/2003.

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

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LAVEA, Donnaree H.E.

Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 7/30/1986.

MAHONEY, Gertrude G.

Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 4/3/1986.

MEDEIROS, Randolph K.

Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 10/29/1985.

MOOSE, Carl D., Jr.

Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 8/19/1985.

STITH, Anita L.

Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 11/14/1986.

HAWAII ISLANDWIDE PASTORAL LEASE LIST

---

LOUIS, Ivan K.

Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 12/23/1997.

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

---

LAVEA, Donnaree H.E.

Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 7/30/1986.

MEDEIROS, Randolph K.

Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 10/29/1985.

MOOSE, Carl D., Jr.

Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 8/19/1985.

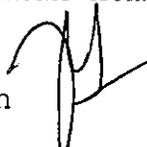


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 18, 2022

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator  
Homestead Services Division 

FROM: Ross K. Kapeliela, Acting ODO Supervisor  
Homestead Services Division 

SUBJECT: **Approval of Designation of Successors to Leasehold Interest and Designation of Persons to Receive the Net Proceeds**

RECOMMENDED MOTION/ACTION

1. To approve the designation of successor to the leasehold interest and person to receive the net proceeds, pursuant to Section 209, Hawaiian Homes Commission Act, 1920, as amended;

2. To approve and accept that designated successors are of no less than the required 25% or 50% Hawaiian ancestry as appropriate pursuant to Section 209, Hawaiian Homes Commission Act, 1920 as amended.

\*See attached list of Lessees.

Leasehold Interest:

Ratified for January 2022	5
Previous FY 2021 - 2022	<u>40</u>
FY 2021 - 2022 Total to Date	45

Ratified for FY '20 - '21	92
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Net Proceeds

Ratified for January 2022	0
Previous FY 2021- 2022	<u>0</u>
FY 2021 - 2022 Total to Date	0

Ratified for FY '20 - '21	0
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**LIST OF LESSEES WHO DESIGNATED SUCCESSORS TO THEIR  
LEASEHOLD INTEREST  
FOR MONTH OF JANUARY 2022**

<u>Deceased Lessee</u>	<u>Designated Successor</u>
1. Winogene E. K. Aiu Lot No.: 3 Area: Waianae, Oahu Res. Lease No. 8737	<u>PRIMARY:</u> Michael J. N. Aiu, Son  <u>ALTERNATE:</u> Steffany A. K. Becker, Granddaughter  <u>DESIGNEE TO RECEIVE NET PROCEEDS:</u> N/A
2. Paul Kahanaoi Lot No.: 95 Area: Waianae, Oahu Res. Lease No. 4442	<u>PRIMARY:</u> Steven Kahanaoi, Brother  <u>ALTERNATE:</u> N/A  <u>DESIGNEE TO RECEIVE NET PROCEEDS:</u> N/A
3. Saint Mathew Kaluahine Lot No.: 36-B Area: Anahola, Kauai Res. Lease No. 3348	<u>PRIMARY:</u> Sherry Ann K. Kaluahine- Cacal, Daughter  <u>ALTERNATE:</u> Pam P. K. Arroyo, Daughter  <u>DESIGNEE TO RECEIVE NET PROCEEDS:</u> N/A

4. Kauionalani P. A. Maukele  
Lot No.: 79-A  
Area: Waimanalo, Oahu  
Res. Lease No. 2817

PRIMARY:  
Holly Pagan, Daughter

ALTERNATE:  
N/A

DESIGNEE TO RECEIVE NET  
PROCEEDS:

Elijah Pookela Pagan,  
Grandson\*  
\*Omit, only spouse and  
children eligible for net  
proceeds.

5. Eldon George Souza  
Lot No.: 137  
Area: PKE, Oahu  
Res. Lease No. 8428

PRIMARY: Joint Tenants  
Chelsea K. D. Souza,  
Daughter  
Chad M. K. Souza, Son  
Chays J. K. Souza, Son

ALTERNATE:  
N/A

DESIGNEE TO RECEIVE NET  
PROCEEDS:

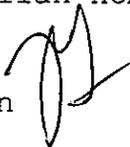
Nicole M. D. Souza, Wife

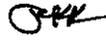
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 18, 2022

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator   
Homestead Services Division

FROM: Ross Kapeliela, Acting ODO Supervisor   
Homestead Services Division

SUBJECT: **Approval of Assignment of Leasehold Interest**

RECOMMENDED MOTION/ACTION

1. To approve the assignment of the leasehold interest, pursuant to Section 208, Hawaiian Homes Commission Act, 1920, as amended, and subject to any applicable terms and conditions of the assignment, including but not limited to the approval of a loan.

2. To approve and accept that transferees are of no less than the required 25% or 50% Hawaiian ancestry as appropriate pursuant to Section 208, Hawaiian Homes Commission Act, 1920, as amended.

DISCUSSION

Ten (10) assignments of lease.

1. Lessee Name: Charlotte L. Aiona  
Res. Lease No. 4356, Lot No. 64  
Lease Date: 5/25/1978  
Area: Nanakuli, Oahu  
Property Sold & Amount: No, N/A  
Improvements: 3 bedroom, 3 bath dwelling

Transferee Name: Ashten A. Aiona  
Relationship: Son  
Loan Assumption: No  
Applicant: Yes, Oahu IW Res., 9/14/2007

Reason for Transfer: "Giving lease to relative and financial reasons."

2. Lessee Name: Jimmie L. Boyett, Jr.  
Res. Lease No. 8486, Lot No. 196  
Lease Date: 2/1/1996  
Area: PKE, Oahu  
Property Sold & Amount: Yes, \$355,000.00  
Improvements: 2 bedroom, 1 bath dwelling

Transferee Name: Lionel K. Kalama  
Relationship: None  
Loan Assumption: No  
Applicant: No

Reason for Transfer: "Financial reasons." Special  
Condition: Transferee to obtain funds to pay purchase  
price.

3. Lessee Name: Cheryle E. Caneda  
Res. Lease No. 7784, Lot No. 9  
Lease Date: 2/13/1989  
Area: Waimanalo, Oahu  
Property Sold & Amount: No, N/A  
Improvements: 4 bedroom, 2 bath dwelling

Transferee Name: Brandon Makaawaawa  
Relationship: Son  
Loan Assumption: No  
Applicant: No

Reason for Transfer: "Giving lease to relative."

4. Lessee Name: Janmar H. Gonzalez  
Res. Lease No. 8378, Lot No. 87  
Lease Date: 10/1/1995  
Area: PKE, Oahu  
Property Sold & Amount: Yes, \$369,000.00  
Improvements: 2 bedroom, 1 bath dwelling

Transferee Name: Edward H. Kelly, Jr.  
Relationship: None  
Loan Assumption: No  
Applicant: Yes, Oahu IW Res., 4/13/2005

Reason for Transfer: "Financial reasons." Special  
Condition: Transferee to obtain funds to pay purchase  
price.

5. Lessee Name: Lois L. Kahele  
Res. Lease No. 5314, Lot No. 63  
Lease Date: 8/2/1982  
Area: Waianae, Oahu  
Property Sold & Amount: Yes, \$300,000.00  
Improvements: 2 bedroom, 2 bath dwelling

Transferee Name: Stanyale L. Kahele  
Relationship: Daughter  
Loan Assumption: No  
Applicant: Yes, Oahu IW Res., 11/13/2019

Reason for Transfer: "Giving lease to relative." Special  
Condition: Transferee to obtain funds to pay purchase  
price.

6. Lessee Name: Herbert A. Kekuawela  
Res. Lease No. 11556, Lot No. 18662  
Lease Date: 5/15/2009  
Area: Kanehili, Oahu  
Property Sold & Amount: Yes, \$650,000.00  
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Pokiimakamai V. M. Futrell  
Relationship: None  
Loan Assumption: No  
Applicant: Yes, Oahu IW Res., 7/17/2018

Reason for Transfer: "Medical reasons." Special Condition:  
Transferee to obtain funds to pay purchase price.

7. Lessee Name: Lauren G. Lewis  
Res. Lease No. 11397, Lot No. 17212  
Lease Date: 5/9/2007  
Area: Kaupea, Oahu  
Property Sold & Amount: Yes, \$400,000.00  
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Shelby N. L. Ching  
Relationship: Sister  
Loan Assumption: No  
Applicant: No

Reason for Transfer: "Giving lease to relative." Special  
Condition: Transferee to obtain funds to pay purchase  
price.

8. Lessee Name: Maury Blu K. N. Montez & Uluwehi B. Montez  
Res. Lease No. 9774, Lot No. 13681  
Lease Date: 8/1/2001  
Area: Maluohai, Oahu  
Property Sold & Amount: Yes, \$650,000.00  
Improvements: 4 bedroom, 3-1/2 bath dwelling

Transferee Name: Frank Cruz Montez, Jr.  
Relationship: Grandfather  
Loan Assumption: No  
Applicant: Yes, Hawaii IW Res., 10/23/2008

Reason for Transfer: "Moving off island." Special  
Condition: Transferee to obtain funds to pay purchase  
price. See simultaneous transfer below.

9. Lessee Name: Frank Cruz Montez, Jr.  
Res. Lease No. 9774, Lot No. 13681  
Lease Date: 8/1/2001  
Area: Maluohai, Oahu  
Property Sold & Amount: Yes, \$650,000.00  
Improvements: 4 bedroom, 3-1/2 bath dwelling

Transferee Name: Dylan Keanu D. K. N. Montez  
Relationship: Grandson  
Loan Assumption: No  
Applicant: No

Reason for Transfer: "Giving lease to relative." Special  
Condition: Transferee to obtain funds to pay purchase  
price.

10. Lessee Name: Keven L. Valente  
Res. Lease No. 3757, Lot No. 108  
Lease Date: 8/30/1968  
Area: Waimanalo, Oahu  
Property Sold & Amount: No, N/A  
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Wayne K. Crowell  
Relationship: None  
Loan Assumption: No  
Applicant: Yes, Oahu IW Res., 3/27/2018

Reason for Transfer: "Moving off island."

Assignments for the Month of January '22	10
Previous FY '21 - '22 balance	<u>124</u>
FY '21 - '22 total to date	134
Assignments for FY '20 - '21	201

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

January 18, 2022

TO: Chairman and Members, Hawaiian Homes Commission  
THROUGH: Juan Garcia, Administrator   
Homestead Services Division  
FROM: Ross K. Kapeliela, Acting ODO Supervisor   
Homestead Services Division  
SUBJECT: **Approval of Amendment of Leasehold Interest**

RECOMMENDED MOTION/ACTION

To approve the amendment of the leasehold interest listed below.

DISCUSSION

Three (3) amendments of lease.

1. Lessee: Saint Mathew Kaluahine  
Res. Lease No.: 3348  
Lot No., Area, Island: 36-B, Anahola, Kauai  
Amendment: To amend the lease to incorporate the currently used terms, covenants and conditions to the lease and to extend the lease term to an aggregate term of 199 years.
  
2. Lessee: Terry Lee L. Taylor  
Res. Lease No.: 10333  
Lot No., Area, Island: UNDV036, Waiohuli, Maui  
Amendment: To amend the commencement date, lot number, and property description due to final subdivision approval.

3. Lessee: Keven L. Valente  
 Res. Lease No.: 3757  
 Lot No., Area, Island: 108, Waimanalo, Oahu  
 Amendment: To amend the lease to incorporate  
 the currently used terms, covenants  
 and conditions to the lease and to  
 update the property description.

Amendments for the Month of Janaury '22	3
Previous FY '21 - '22 balance	<u>79</u>
FY '21 - '22 total to date	82
Amendments for FY '20 - '21	112

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 18, 2022

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator   
Homestead Services Division

FROM: Ross K. Kapeliela, Acting ODO Supervisor   
Homestead Services Division

SUBJECT: **Approval to Issue a Non-Exclusive License for Rooftop Photovoltaic Systems for Certain Lessees**

RECOMMENDED MOTION/ACTION

To approve the issuance of a non-exclusive license to allow the Permittee to provide adequate services related to the installation, maintenance, and operation of a photovoltaic system on the premises leased by the respective Lessees.

The non-exclusive license is necessary as the Lessee can not issue his/her own licenses.

DISCUSSION

Four (4) non-exclusive licenses.

1. Lessee: Dawn W. Fields  
Res. Lease No.: 11164  
Lot No., Area, Island: 21, Panaewa, Hawaii  
Permittee: Sunrun Installation Services, Inc.
2. Lessee: Pokiimakamai V. M. Futrell  
Res. Lease No.: 11556  
Lot No., Area, Island: 18662, Kanehili, Oahu  
Permittee: Sunrun Installation Services, Inc.

3. Lessee: Justine K. S. K. Kapahua  
 Res. Lease No.: 10240  
 Lot No., Area, Island: 31, Waianae, Oahu  
 Permittee: Sunrun Installation Services, Inc.
4. Lessee: Dylan-Keanu D. K. N. Montez  
 Res. Lease No.: 9774  
 Lot No., Area, Island: 13681, Maluohai, Oahu  
 Permittee: Sunrun Installation Services, Inc.

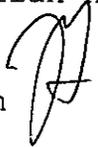
Non-Exclusive License for the Month of January '22	4
Previous FY '21 - '22 balance	<u>29</u>
FY '21 - '22 total to date	33
Non-Exclusive License for FY '20 - '21	64

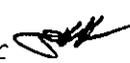
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 18, 2022

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator   
Homestead Services Division

FROM: Ross K. Kapeliela, Acting ODO Supervisor   
Homestead Services Division

SUBJECT: **Commission Designation of Successor - MARIAN I. KAHALE  
Residential Lease No. 4051, Lot No. 64, Waimanalo,  
Oahu**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Asulu Laybon (Asulu) and Shareen Dumlao (Shareen), as successors to Residential Lease No. 4051, Lot No. 64, Waimanalo, Oahu, for the remaining term of the lease;
2. To approve and accept that Asulu and Shareen are of no less than the required 25% Hawaiian ancestry and are therefore qualified successors pursuant to Section 209 of the Hawaiian Homes Commission Act, 1920, as amended;
3. To stipulate that Asulu's and Shareen's rights and interest in the Lease do not vest until Asulu and Shareen have signed that: (i) Transfer Through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if Asulu and Shareen do not sign all such documents on or before **March 31, 2022** (the Deadline), that the Commission's selection of Asulu and Shareen as successors is automatically revoked;
4. To authorize the Department to extend the Deadline up to 60 days for good cause;
5. To declare that if Asulu's and Shareen's selection as successors is revoked; then under Section 209 (a) of the Hawaiian Homes Commission Act, as amended, "the lease shall resume its status as unleased Hawaiian home lands and the department is

authorized to lease the land to a native Hawaiian as provided [by the] Act.”

## DISCUSSION

As the original lessee, Marian Ida Kahele (Decedent) received Lease No. 4051 for Waimanalo Residential Lot No. 64, dated October 12, 1973 (Lease).

On a *Designation of Successor* form dated January 21, 2009, the Decedent named her sister, Leetha L. Faleafine (Leetha), to succeed to the Lease in the event of the Decedent's passing. Upon receipt on January 26, 2009, the Department time stamped the designation form and subsequently sent a May 1, 2009, letter to the Decedent apprising her that the Department had accepted her designation.

On April 3, 2019, the Decedent passed away and Leetha began the lease successorship process by submitting the Decedent's death certificate to the Department on February 13, 2020.

Also, on February 13, 2020, the Department received Leetha's completed *Successorship to Lease Response Form* which indicated her intent to succeed to the Lease.

On March 24, 2020, the Department began reviewing documents to verify Leetha's quantum qualification and familial relationship to the Decedent. Although Leetha is a Waimanalo area residential applicant with an application date of April 18, 1972, inexplicably, there are no genealogy documents in her file. The Department's APPX system shows that she is a "p" or "pending" applicant—likely a reflection of the fact that she is missing documentation in her file.

On April 8, 2020, the Department contacted Leetha to ask for genealogy documentation. Leetha agreed to send in the information, however, the Department never received the requested documentation.

On November 5, 2020, while conducting a page-by-page review of the Decedent's file, staff discovered Leetha's birth certificate which enabled the Department to verify her quantum and familial relationship to the Decedent.

An Amendment of Lease was subsequently submitted for Commission approval at its December 21, 2020, regular meeting.

On December 22, 2020, the approved Amendment of Lease was submitted for drafting.

The completed lease draft was returned to the Homestead Services Division on January 11, 2021.

The lease document was subsequently transmitted to the Department of the Attorney General on January 14, 2021, for review and approval as to form.

On January 20, 2021, Leetha's family informed the Department that Leetha had passed away on January 5, 2021.

After legal review and approval, the Department received the approved lease document from the Department of the Attorney General on January 26, 2021.

The Department received Leetha's death certificate on February 16, 2021.

As the Decedent did not name alternate successors, Leetha's passing meant the Lease no longer had a named successor. Accordingly, pursuant to Administrative Rule 10-3-63, the Department published legal notices in the Honolulu Star-Advertiser, the Hawaii Tribune Herald, West Hawaii Today, The Maui News, and The Garden Island newspapers on June 7, 14, 21, and 28, 2021, calling for all interested, eligible and qualified heirs of the Decedent, to submit their successorship claims to the Lease.

In response to the notices, the Department received successorship claims from the Decedent's daughter, Katherine Kahale-Taylor, on July 7, 2021, and from the Decedent's son, Kirk Kahale, on August 16, 2021—both of whom have been determined to exceed the required 25% Hawaiian ancestry and are therefore eligible for successorship to the Lease.

Although verified at no less than 25% Hawaiian ancestry derived solely from Leetha's 50% quantum alone, to preserve their right to succeed to the Lease, Leetha's daughters, Asulu and Shareen, also submitted their own successorship claims to the Lease on September 23, 2021, in response to the legal notice.

Pursuant to Section 209 of the Hawaiian Homes Commission Act of 1920, as amended (Act), when a lessee fails to designate a successor, the Commission is authorized to terminate this lease or to continue the lease by designating a successor. Section 209

states in part that the department may select from only the following qualified relatives of the decedent:

1. Husband or wife; or
2. If there is no husband or wife, then the children; or
3. If there is no husband, wife, or child, then the grandchildren; or
4. If there is no husband, wife, child, or grandchild, then the brothers or sisters; or
5. If there is no husband, wife, child, grandchild, brother, or sister, then from the following relatives of the lessee who are native Hawaiian: father and mother, widows or widowers of the children, widows or widowers of the brothers and sisters, or nieces and nephews.

As nieces to the Decedent, Leetha's children do not meet the native Hawaiian quantum requirement to succeed to their aunt (see Item 5 above), however, the issue at hand is the fact that Leetha's children would certainly have been afforded the opportunity to succeed to the Lease at 25% Hawaiian ancestry had Leetha executed the Lease document before her untimely passing. A mere twenty-one days elapsed between Leetha's passing and the Department's receipt of the approved *Transfer Through Successorship* document from the Department of the Attorney General. All that remained was for Leetha to execute the document.

The Department believes the intent of the Decedent to have her Lease pass to her sister, Leetha, is unequivocal as evidenced by the Decedent's signed designation, unchanged since January 21, 2009. Furthermore, Leetha's response form indicated that she had every intent to succeed to her sister's Lease. Ultimately, while the Decedent's children are certainly qualified to succeed to the Lease, the Decedent listed no other successors, primary or alternate, on her designation form.

Collectively, the Decedent, Leetha, Leetha's children and Leetha's grandchildren lived on the subject lot for more than 30 years which may help to explain why the Decedent clearly intended her Lease to pass to her sister, Leetha and conceivably, to Leetha's own family.

Accordingly, for the reasons detailed above, the Department believes the transfer through successorship to Leetha and by extension, to her daughters Asulu and Shareen, should be allowed to proceed despite the fact that Leetha did not execute the document before her passing.

Improvements to the homestead lot consist of a 5-bedroom, 3-bath, single family dwelling constructed in 1974.

There is an outstanding mortgage attached to the lease in the amount of \$149,500, real property taxes are current, and the lease rent is also current.

The Department respectfully requests approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 18, 2022

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator  
Homestead Services Division

FROM: Erna Kamibayashi, Kauai District Office Supervisor  
Homestead Services Division

SUBJECT: **Commission Designation of Successor  
JOHN NOA LIMAHAI, Residential Lease No. 12675  
Lot No. 35, Anahola, Kauai**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Jinna Kananiokēānuenue Limahai (Jinna) as successor to Residential Lease No. 12675, Lot No. 35, Anahola, Kauai (Lease) for the remaining term of the lease.
2. To approve and accept that Jinna is of no less than the required 25% Hawaiian ancestry and therefore is a qualified successor pursuant to Section 209 of the Hawaiian Homes Commission Act 1920, as amended;
3. To stipulate that Jinna's right and interest in the Lease does not vest until Jinna has signed that: (i) transfer through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if Jinna does not sign all such documents on or before **March 31, 2022** (the deadline) that the Commission's selection of Jinna as a successor is automatically revoked;
4. To authorize the Department to extend the Deadline up to 60 days for good cause; and
5. To declare that if Jinna's selection as a successor is revoked; then under Section 209 (a) of the Hawaiian Homes Commission Act, as amended, "the lease shall resume its status as unleased Hawaiian home lands the department is authorized to lease the land to a native Hawaiian as provided by the Act."

## DISCUSSION

John Noa Limahai (Decedent) was awarded Residential Lot Lease No. 12675, Lot No. 35, located in the Piilani Mai Ke Kai Subdivision, Anahola, Kauai on March 24, 2010.

On December 25, 2019, the Decedent passed away without naming a successor to his Lease.

In compliance with the Administrative Rules 10-3-63, the Department published legal ads in the Honolulu Star Advertiser, The Hawaii Tribune Herald, West Hawaii Today, The Maui News, and The Garden Island newspapers on June 7, 14, 21 and 28, 2021, to notify all interested, eligible and qualified heirs of the Decedent, to submit their lease successorship claims.

On December 24, 2020, the Department received a successorship claim from the Decedent's daughter, Jinna Colburn also known as Jinna Kananiokēānui Limahai.

Pursuant to Section 209 of the Hawaiian Home Commission Act of 1920 (Act), as amended, when a lessee fails to designate a successor, the commission is authorized to terminate the lease or to continue the lease by designating a successor. Section 209 states in part that the department may select from only the following qualified relatives in priority order:

1. Husband or wife; or
2. If there is no husband or wife, then the children; or
3. If there is no husband, wife, or child, then the grandchildren; or
4. If there is no husband, wife, child, or grandchild, then brothers or sisters; or
5. If there is no husband, wife, child, grandchild, brother, or sister, then from the following relatives of the lessee who are native Hawaiian: father and mother, widows or widowers of the children, widows or widowers of the brothers and sisters, or nieces and nephews.

Improvements to the homestead lot consist of a 3-bedroom and 2-bath single family dwelling consisting of 1,286 square feet with enclosed garage. Improvements also include a solar water heater system.

Kauai County is exempt from real property tax. As of December 31, 2021, Trash collection fees are delinquent in the amount of \$122.36 and the lease rent reports a credit balance of \$87.00. There is no outstanding mortgage attached to this lease.

The Department requests approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 18, 2022

TO: Chairman and Members, Hawaiian Homes Commission

THRU: Juan Garcia, Administrator   
Homestead Services Division

FROM: Olinda L. Fisher, EHDO District Supervisor  
Homestead Services Division

SUBJECT: **Commission Designation of Successor -  
SHAUNNA-ANN EVALANI PEREIRA, Residential Lease No.  
5091, Lot No. 264-A, Keaukaha, Hawai'i**

RECOMMENDED MOTION/ACTION

1. To approve the selection of George Joseph Lono Waiki Pereira (George) and Jodilynne Leilaniwaiki Pereira (Jodilynne) to succeed to the lease of Shaunna-Ann Evalani Pereira in Residential Lease No. 5091, Lot No. 264-A, Keaukaha, Hawaii (Lease) for the remaining term of the Lease;

2. To stipulate that the successors rights and interest in the Lease does not vest until George and Jodilynne has signed that: (i) Transfer Through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if George and Jodilynne do not sign all such documents on or before **March 31, 2022** (the Deadline) that the Commission's selection of George and Jodilynne as successors is automatically revoked;

3. To authorize the Department to extend the Deadline up to 60 days for good cause; and

4. To declare that if any of the successors selection as successors is revoked; then under Section 209 (a) of the Hawaiian Homes Commission Act, as amended, "the lease shall resume its status as unleased Hawaiian home lands the department is authorized to lease the land to a native Hawaiian as provided by the Act.";

5. To amend the Lease document, to incorporate the currently used conditions, covenants, and terms, and to occupy the homestead lot within sixty (60) days from the execution of the lease document.

#### DISCUSSION

On August 22, 2019, Shaunna-Ann Evalani Pereira (Decedent) received Department of Hawaiian Home Lands Assignment of Lease and Consent to Lease No. 5091, Lot No. 264-A, Keaukaha, Hawaii (Lease).

On September 12, 2020, the Decedent's death certificate was received informing the Department of her passing on February 11, 2020. As there were no named successor to the lease the Department proceeded with a public notice.

In compliance with Administrative Rule 10-3-63, the Department published legal notices in the Honolulu Star Advertiser, the Garden Isle, the Hawaii Tribune Herald, West Hawaii today, and The Maui News on June 7, 14, 21 and 28, 2021, to notify all interested, eligible and qualified heirs of the Decedent, to submit their successorship claims to the lease.

The Department received two successorship claims from the Decedent's brother, George, and Decedent's sister, Jodilynne, who were both deemed eligible for successorship to the Lease.

Pursuant to Section 209 of the Hawaiian Homes Commission Act of 1920, as amended (Act), when a lessee designates an ineligible successor, the commission is authorized to terminate this lease or to continue the lease by designating a successor. Section 209 states in part that the department may select from only the following qualified relatives of the decedent:

1. Husband or wife; or
2. If there is no husband or wife, then the children; or
3. If there is no husband, wife, or child, then the grandchildren; or
4. If there is no husband, wife, child, or grandchild, then the brothers or sisters; or

5. If there is no husband, wife, child, grandchild, brother, or sister, then from the following relatives of the lessee who are native Hawaiian: father and mother, widows or widowers of the children, widows or widowers of the brothers and sisters, or nieces and nephews.

Improvements to the homestead lot consist of a 3-bedroom and 2 1/2 bath single family dwelling, which was constructed in 1982.

There are no outstanding loans, and the lease rent and real property tax are current.

The Department requests approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 18, 2022

TO: Chairman and Members, Hawaiian Homes Commission

THRU: Juan Garcia, Administrator   
Homestead Services Division

FROM: Olinda L. Fisher, EHDO District Supervisor  
Homestead Services Division

SUBJECT: **Commission Designation of Successor -  
RAYMOND KAMA BUMATAY, Agricultural Lease No. 4218, Lot  
No. 140, Panaewa, Hawai'i**

RECOMMENDED MOTION/ACTION

1. To approve the selection of Douglas Leimana Keaaliikaneaukaiokapikipika Bumatay (Douglas) to succeed to the lease of Raymond Kama Bumatay in Agricultural Lease No. 4218, Lot No. 140, Panaewa, Hawaii (Lease) for the remaining term of the Lease;

2. To stipulate that the successor rights and interest in the Lease does not vest until Douglas has signed that: (i) Transfer Through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if Douglas does not sign all such documents on or before **March 31, 2022** (the Deadline) that the Commission's selection of Douglas as successors is automatically revoked;

3. To authorize the Department to extend the Deadline up to 60 days for good cause; and

4. To declare that if any of the successors selection as successors is revoked; then under Section 209 (a) of the Hawaiian Homes Commission Act, as amended, "the lease shall resume its status as unleased Hawaiian Home Lands the department is authorized to lease the land to a native Hawaiian as provided by the Act.";

5. To amend the Lease document, to incorporate the currently used conditions, covenants, and terms, and to occupy the homestead lot within sixty (60) days from the execution of the lease document.

#### DISCUSSION

On November 1, 1976, Raymond Kama Bumatay (Decedent) was awarded Department of Hawaiian Home Lands Agricultural Lease No. 4218, situate at Panaewa, Hawaii (Lease).

On January 4, 2007, the Decedent named his daughter Lorilei Kalaniopio as successor to the lease and his wife Janice Bumatay as net proceeds recipient to the Lease.

On October 1, 2020, the Department received the Decedent's death certificate notifying the Department of his passing on July 31, 2020.

On November 12, 2020, by a written and signed statement, dated November 12, 2020, Lorilei renounced her successorship interest, leaving no named successor to the Lease.

On December 10, 2021, by a written and signed statement, dated December 9, 2021, Janice declined the appraisal process of the structure and renounced her rights as the net proceeds receiver, to allow her son Douglas to claim the successorship.

In compliance with Administrative Rule 10-3-63, the Department published legal notices in the Honolulu Star Advertiser, the Garden Isle, the Hawaii Tribune Herald, West Hawaii today, and The Maui News on June 7, 14, 21 and 28, 2021, to notify all interested, eligible and qualified heirs of the Decedent, to submit their successorship claims to the lease.

The Department received one successorship claim from the Decedent's son Douglas, who was deemed eligible for successorship to the Lease.

Pursuant to Section 209 of the Hawaiian Homes Commission Act of 1920, as amended (Act), when a lessee designates an ineligible successor, the commission is authorized to terminate this lease or to continue the lease by designating a successor. Section 209 states in part that the department may select from only the following qualified relatives of the decedent:

1. Husband or wife; or
2. If there is no husband or wife, then the children;  
or
3. If there is no husband, wife, or child, then the grandchildren; or
4. If there is no husband, wife, child, or grandchild, then the brothers or sisters; or
5. If there is no husband, wife, child, grandchild, brother, or sister, then from the following relatives of the lessee who are native Hawaiian: father and mother, widows or widowers of the children, widows or widowers of the brothers and sisters, or nieces and nephews.

Improvements to the homestead lot consist of a 4-bedroom and 3 bath single family dwelling, constructed in 1981.

There are no outstanding loans, and the lease rent and real property tax are current.

The Department requests the approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 18, 2022

TO: Chairman and Members, Hawaiian Homes Commission

THRU: Juan Garcia, Administrator   
Homestead Services Division

FROM: Olinda L. Fisher, EHDO District Supervisor  
Homestead Services Division

SUBJECT: **Cancellation of Lease - Michael M. John Jr.,  
Residential Lease No. 1880, Lot No. 34B-1, Keaukaha,  
Hawaii**

RECOMMENDED MOTION/ACTION

To approve the cancellation of Residential Lease No. 1880, Lot No. 34B-1, Keaukaha, Hawaii, pursuant to the Hawaiian Homes Commission Act of 1920, as amended, as there were no claimants to the Lease interest.

DISCUSSION

By way of the Department of Hawaiian Home Lands Transfer Through Successorship and Amendment to Lease No. 1880, dated June 1, 2010, Michael M. John, Jr. (Decedent) received Residential Lease No. 1880, Lot No. 34B-1, Keaukaha, Hawaii (Lease).

On December 6, 2016, the Decedent named his brother Samuel Mitsuhoshi John (Samuel) as successor to the Lease.

On September 2, 2020, the Decedent passed away. The Department received the Decedent's death certificate on December 15, 2020.

By way of written and signed statement On April 5, 2021, Samuel, relinquished his successorship rights to the Lease.

In compliance with Administrative Rule 10-3-63, the Department published legal notices in the Honolulu Star

STATE OF HAWAII .

DEPARTMENT OF HAWAIIAN HOME LANDS

January 18, 2022

TO: Chairman and Members, Hawaiian Homes Commission

THRU: Juan Garcia, Administrator   
Homestead Services Division

FROM: Olinda L. Fisher, EHDO District Supervisor  
Homestead Services Division

SUBJECT: **Cancellation of Lease - Naomi N. Munekata,  
Agricultural Lease No. 6952, Lot No. 1, Makuu, Hawaii**

RECOMMENDED MOTION/ACTION

To approve the cancellation of Agricultural Lease No. 6952, Lot No. 1, Makuu, Hawaii, pursuant to the Hawaiian Homes Commission Act of 1920, as amended, as there were no claimants to the Lease interest.

DISCUSSION

By way of the Department of Hawaiian Home Lands Assignment of Lease and Consent to Lease No. 6952, dated October 1, 1986, Naomi Nahaolelua Munekata (Decedent) received the Lease.

On February 4, 2013, the Decedent passed away and her death certificate was received by the Department on October 12, 2020.

On November 3, 1989, the Decedent named her daughter Moana L. Vierra as the successor to the lease. By way of a written and signed statement dated October 26, 2020, Moana relinquished her successorship rights to the Lease.

In compliance with Administrative Rule 10-3-63, the Department published legal notices in the Honolulu Star Advertiser, the Garden Isle, the Hawaii Tribune Herald, West Hawaii today, and The Maui News on June 7, 14, 21, and 28, 2021, to notify all interested, eligible and qualified heirs of the Decedent, to submit their successorship claims to the lease.

No claims were received by the Department before the closing of the Public Notice to succeed to the Lease.

Pursuant to Section 209 of the Hawaiian Homes Commission Act of 1920, as amended (Act), "the land subject to the lease shall resume its status as unleased Hawaiian Home Lands and the Department is authorized to lease to another qualified native Hawaiian as provided in the Act."

There are no improvements on the vacant 5.25-acre lot. The Lease rent is past due in the amount of \$8.00 and real property tax is delinquent in the amount of \$2,154.80. There are no other debts attached to this lease.

The Department request the approval of its recommendation.

**HAWAIIAN HOMES COMMISSION  
JANUARY 18 & 19, 2022  
INTERACTIVE CONFERENCE  
TECHNOLOGY**

**E – ITEMS**

**LAND DEVELOPMENT DIVISION**

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 18-19, 2022

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Stewart Matsunaga, Acting Administrator, Land Development Division

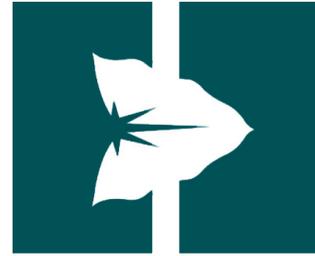
SUBJECT: Item E-1 For Information Only  
East Kapolei Project Updates



RECOMMENDED MOTION/ACTION

None – For Information Only

ITEM NO. E-1



# HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

## **East Kapolei Project Updates**

**Land Development Division**

**Item E-1**

**For Information Only**

January 18-19, 2022



# EAST KAPOLEI





# KANEHILI (EAST KAPOLEI I)

*Kānehili*

404 single-family houses

DHHL Offices

Community facilities

Fire Station

Commercial Parcels

Phase 9: 37 Turnkey Houses by Gentry Kapolei – all completed/occupied October 2020

Pedestrian Access – completed March 2021

November 2020



# KAULUOKAHAI (EAST KAPOLEI II)

## Ka'uluokaha'i

Increment II-C

Increment II-E

Phase 2: 21 Vacant Lots  
In progress

Phase 3: 39 Turnkey Houses  
Scheduled completion February 2022

Phase 1: 100 Turnkey Houses  
Completed December 2019

Increment II-B

Increment II-A

Drafting Request for Proposals for transit-oriented development:  
multi-family rentals and retail.

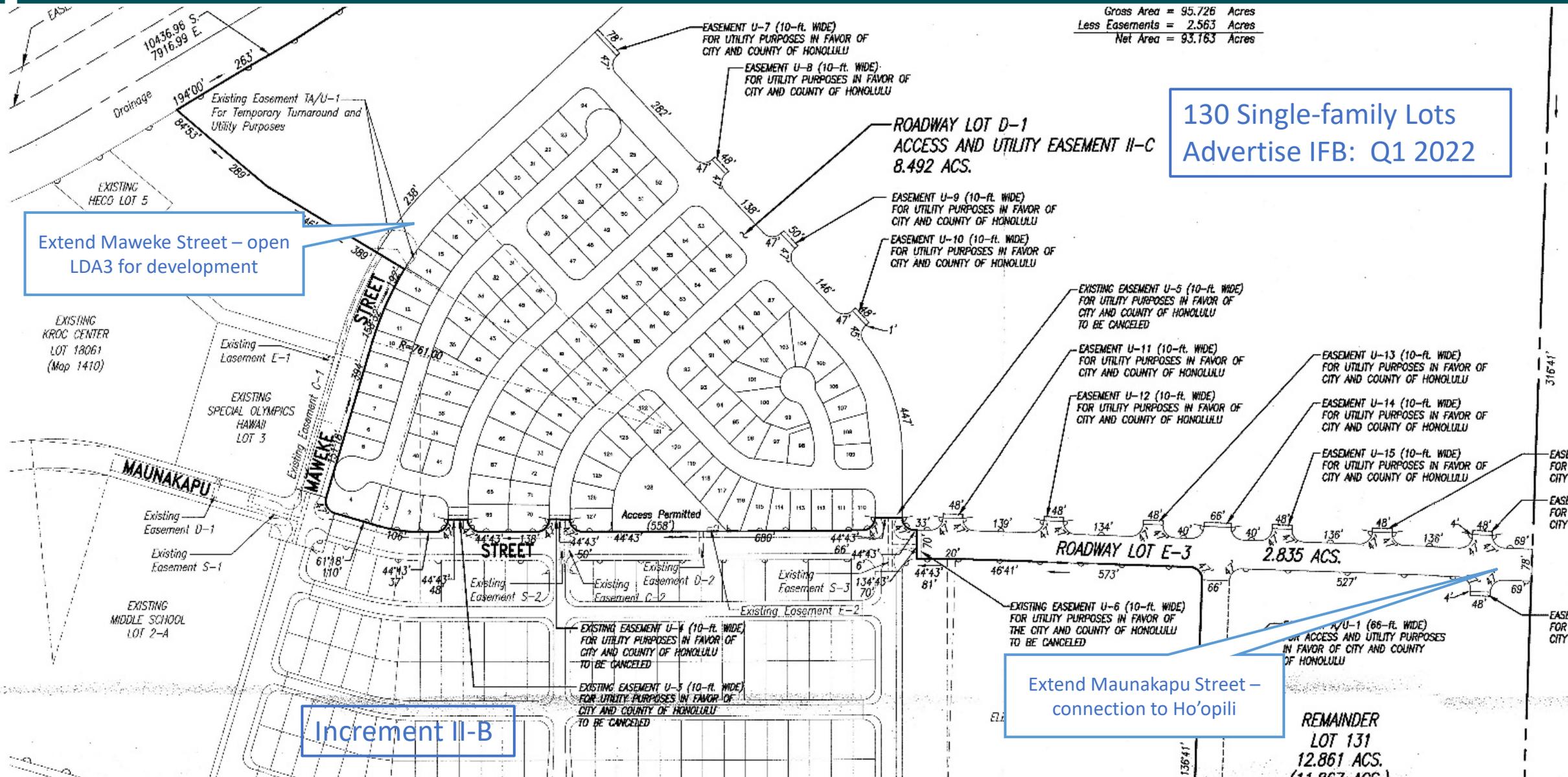


# KAULUOKAHAI INCREMENT II-C

Gross Area = 95.726 Acres  
 Less Easements = 2,563 Acres  
 Net Area = 93.163 Acres

130 Single-family Lots  
 Advertise IFB: Q1 2022

Extend Maweke Street – open LDA3 for development



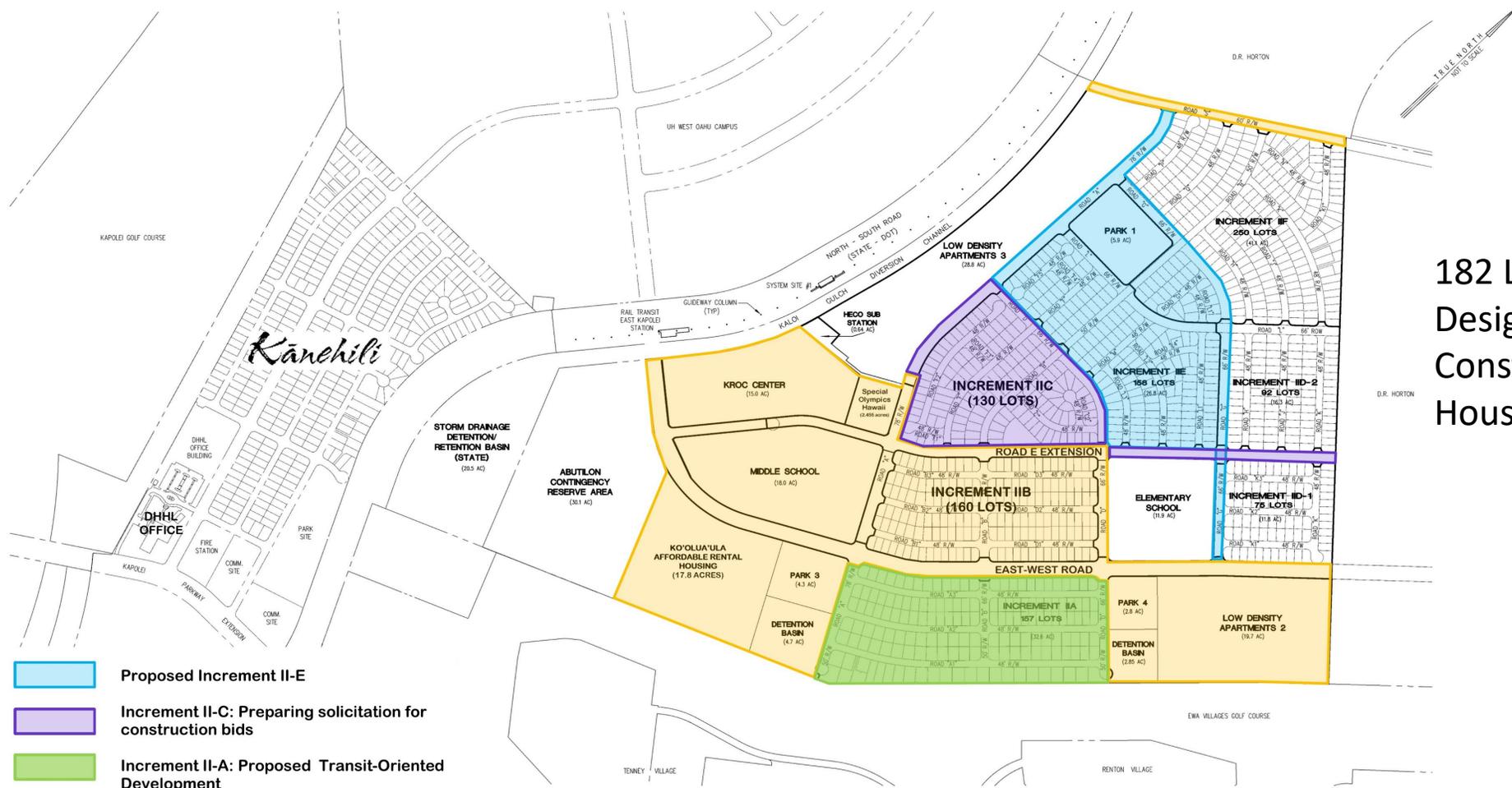
Increment II-B

Extend Maunakapu Street – connection to Ho'opili

REMAINDER LOT 131  
 12,861 ACS.



# KAULUOKAHAI INCREMENT II-E



**Increment II-E**  
 182 Lots  
 Design: 2022-24  
 Construction: 2025-26  
 House Construction: 2027-28

## EAST KAPOLEI II - ROADWAY MASTER PLAN

HONOLULU, EWA, OAHU, HAWAII

PREPARED BY: COMMUNITY PLANNING AND ENGINEERING  
FOR: DEPARTMENT OF HAWAIIAN HOME LANDS

NOT TO SCALE

PRELIMINARY-SUBJECT TO CHANGE

SEPTEMBER 28, 2009  
AUGUST 27, 2009  
JUNE 22, 2009  
MAY 12, 2009



# Mahalo



DEPARTMENT OF HAWAIIAN HOME LANDS

[www.dhhl.hawaii.gov](http://www.dhhl.hawaii.gov)

**HAWAIIAN HOMES COMMISSION  
JANUARY 18 & 19, 2022  
INTERACTIVE CONFERENCE  
TECHNOLOGY**

**G – ITEMS  
PLANNING OFFICE**

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

January 19-20, 2022

To: Chairman and Members, Hawaiian Homes Commission

Thru: Andrew H. Choy, Acting Planning Program Manager

From: Malia M. Cox, Compliance Specialist

Subject: Declare a Finding of No Significant Impact (FONSI) for the Honokōwai Master Plan Final Environmental Assessment, Honokōwai, Kā'anapali Moku, Maui, TMKs (2)4-4-001:015, (2) 4-4-002:003, 008, 009, 011, 015, 018 and 038

**Recommended Action**

That the Hawaiian Homes Commission (HHC) issue a Finding of No Significant Impact (FONSI) declaration based on the Final Environmental Assessment (EA) for the DHHL for the Honokōwai Master Plan, Honokōwai, Lahaina District, Maui, TMKs (2)4-4-001:015, (2) 4-4-002:003, 008, 009, 011, 015, 018 and 038

**Discussion**

An informational briefing regarding the draft Environmental Assessment of the Honokōwai Master Plan was presented to the HHC in June, 2021. To reduce redundancy, a copy of the June 2021 report to the commission is included as a reference (Exhibit A) and only changes and new information are included here.

The focus of this submission is to review the Honokōwai Master Plan Final EA; the criteria for a Finding of No Significant Impact (FONSI) and project schedule. The Final EA is attached as Exhibit B and will be posted on DHHL's website at <https://dhhl.hawaii.gov/po/maui/honokowai-community-master-plan-and-environmental-review/>

**Project Description**

DHHL is proposing a master plan development that will provide a variety of homesteading opportunities including up to 573 new multi-family Residential homesteads, 356 single-family residential homesteads, and 252 subsistence agriculture homesteads on approximately 454 acres. Other complementary land uses will include up to 14 acres for supplemental homestead agriculture<sup>1</sup>; 71 acres for community uses<sup>2</sup>; 146 acres in conservation. Approximately 16 acres are proposed for light industrial activities to provide a buffer between the existing County sewer treatment facility and the new homestead community. Approximately 76 acres will be utilized for road and county facilities. The project no longer includes the conceptual reservation of lands for DOTs Bypass Phase 1-D. The Project is proposed on eight

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<sup>1</sup> Supplement agriculture is a non-residential homestead award for agriculture uses

<sup>2</sup> Community uses proposed include parks, community agriculture and community commercial areas

parcels, TMK: TMKs (2)4-4-001:015, (2) 4-4-002:003, 008, 009, 011, 015, 018 and 038 that straddle Honokōwai Gulch, totaling approximately 777 acres.

#### Public and Beneficiary Consultation Update

Since the June 2021 Commission meeting, the general public (including beneficiaries) was provided an opportunity to provide written comment on the project from July 8, 2021 through August 9, 2021. An additional beneficiary informational meeting was held via zoom on November 8, 2021.

#### Stakeholder Consultation Update

DHHL staff and its consultant teams also met and consulted with various stakeholders including State and County agencies, surrounding landowners as well as non-governmental organizations as part of the planning and environmental assessment process. The stakeholder consultation process is on-going.

#### Technical Study Update

The Project is proposed on DHHL lands thus triggering the preparation of an environmental assessment as prescribed by Hawai‘i Revised Statutes, Chapter 343. As part of the final Environmental Assessment preparation the following technical studies underwent a re-analysis to account for changes to the project and were updated where appropriate:

- A Transportation Impact Analysis
- An Infrastructure Analysis
- A Drainage Analysis

### FINAL ENVIRONMENTAL ASSESSMENT (FEA) SUMMARY

#### **Comments Received during the 30-Day Public Comment Period**

Various government agencies at the federal, state and county level and individual stakeholders commented on the Draft Environmental Assessment (DEA). A summary of the comments received during the DEA 30-day public comment period are provided in Table 1 along with a summary of responses and edits made to the FEA. A complete record of comments received, and responses are appended to the FEA.

Table 1-Public Comments and Summary of Responses

Agency, Organization, Individual Providing Comment	Topic of Interest or Concern included in Comment Letter	Summarized responses Written Comments and Responses are included in totality as appendix in the Final EA
<b>State</b>		
State DAGS	<ul style="list-style-type: none"> <li>No comments at this time.</li> </ul>	<ul style="list-style-type: none"> <li>Acknowledgement of participation in the process.</li> </ul>
State DBEDT HHFDC	<ul style="list-style-type: none"> <li>Department supports project</li> </ul>	<ul style="list-style-type: none"> <li>Acknowledgement of participation in the process.</li> <li>Appreciation of departments statement of support.</li> </ul>
State DOE	<ul style="list-style-type: none"> <li>HIDOE estimates 390 students will be generated at full build out.</li> <li>Request clarification regarding accessory dwelling units.</li> </ul>	<ul style="list-style-type: none"> <li>ADU are anticipated to be allowed, subject to County review and verification of infrastructure and other County requirements.</li> <li>DHHL will continue consultation and coordination with HIDOE regarding school impact fees.</li> </ul>
State DOH - CAB	<ul style="list-style-type: none"> <li>Recommend coordination with asbestos abatement office for construction and demolition involving asbestos containing materials.</li> <li>Obtain necessary permits.</li> <li>Control fugitive dust.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed action is not anticipated to involve any construction and/or demolition requiring asbestos abatement.</li> <li>The FEA addresses generation of fugitive dust, compliance with Chapter 11-60.1.</li> </ul>
State DOH - IRHB	<ul style="list-style-type: none"> <li>Recommend action compliance with HAR chapters 11-39, 11-41, 11-45, 11-46, and 11-501.</li> </ul>	<ul style="list-style-type: none"> <li>Proposed action will comply with all applicable rules and regulations.</li> </ul>
State DOH – Solid and Hazardous Waste Branch	<ul style="list-style-type: none"> <li>Recommend action compliance with HAR chapters 11-58.111.260.1 thru 11-279, 11-280.1, 11-282; and HRS chapters 342 G, 342 H, 342 I, 342 L.</li> </ul>	<ul style="list-style-type: none"> <li>Proposed action will comply with all applicable rules and regulations.</li> </ul>
State DOH – Maui Office for DOH – WWB	<ul style="list-style-type: none"> <li>Recommend inclusion of Discharges of wastewater to any public trust.</li> <li>No objections to the use of IWS for farm dwellings on agriculture lots.</li> </ul>	<ul style="list-style-type: none"> <li>DHHL will take public trust resources, Native Hawaiian resources, and any cultural resources into consideration in the design phase.</li> </ul>
State Dept of Human Services	<ul style="list-style-type: none"> <li>No Comments at this time.</li> </ul>	<ul style="list-style-type: none"> <li>Acknowledgement of participation in the process.</li> </ul>
State DOT- Highways	<ul style="list-style-type: none"> <li>Project not expected to result in significant impacts based on DHHL’s proposed recommendation.</li> <li>Recommend connection with Pulelehua (neighboring development to the north).</li> <li>Recommend multimodal transportation.</li> <li>Request EA narrative address</li> </ul>	<ul style="list-style-type: none"> <li>Master Plan no longer includes the Bypass Phase 1-D. Traffic and Engineering Studies have been updated accordingly.</li> <li>DHHL has considered the reallocation of lands conceptually reserved in the DEA for the Bypass, in favor of other DHHL and/or beneficiary uses in the FEA.</li> <li>DHHL to emphasize traffic demand management strategies as laid out in the TIAR.</li> <li>The FEA was revised to include considerations for</li> </ul>

	<p>regional traffic impacts.</p> <ul style="list-style-type: none"> <li>• Notification to DHHL that bypass Phase 1-D is not designed or funded, and the alignment may be outside DHHL lands.</li> <li>• Recommend management of construction related traffic.</li> </ul>	<p>multimodal facilities where feasible.</p> <ul style="list-style-type: none"> <li>• Construction Management Plan will be prepared for each development phase and/or project.</li> <li>• DHHL will continue coordination with HDOT as development progresses and will contribute its fair share mitigations as required.</li> </ul>
State DOT- Airports	<ul style="list-style-type: none"> <li>• Pre-assessment consultation comments were adequately addressed in the FEA.</li> </ul>	<ul style="list-style-type: none"> <li>• Acknowledgement of participation in the process.</li> </ul>
State Dept of Public Safety	<ul style="list-style-type: none"> <li>• No Comments at this time.</li> </ul>	<ul style="list-style-type: none"> <li>• Acknowledgement of participation in the process.</li> </ul>
State DLNR - CWRM	<ul style="list-style-type: none"> <li>• Coordination with County's Planning and Water Departments State's DLNR regarding WUDP and SWPP is recommended.</li> <li>• Coordination with State's DOH is recommended.</li> <li>• Consider water efficiency measures, storm water and landscape irrigation conservation BMPs.</li> <li>• Obtain necessary permits (well construction, pump installation).</li> <li>• CWRM supports DHHLs proposal of the use of reclaimed water.</li> </ul>	<ul style="list-style-type: none"> <li>• The FEA addresses both WUDP and SWPP.</li> <li>• Coordination with County and State agencies is on-going and will continue as needed.</li> <li>• Water efficiency measures, stormwater management, water conservation and irrigation demands are addressed in the FEA</li> <li>• DHHL will obtain necessary permit prior to groundwater development and/or well construction</li> </ul>
State DLNR – Engineering Division	<ul style="list-style-type: none"> <li>• No Comments at this time.</li> </ul>	<ul style="list-style-type: none"> <li>• Acknowledgement of participation in the process.</li> </ul>
State DLNR – Land Division Maui District	<ul style="list-style-type: none"> <li>• No Comments at this time.</li> </ul>	<ul style="list-style-type: none"> <li>• Acknowledgement of participation in the process.</li> </ul>
State DLNR - OCCL	<ul style="list-style-type: none"> <li>• No Comments at this time.</li> </ul>	<ul style="list-style-type: none"> <li>• Acknowledgement of participation in the process.</li> </ul>
<b>County</b>		
County Dept of Environmental Management	<ul style="list-style-type: none"> <li>• Recommend collaboration on wastewater with Pulelehua.</li> <li>• Requested revisions to PER discussion of County facilities.</li> <li>• No developer assessment fees are required at this time.</li> </ul>	<ul style="list-style-type: none"> <li>• The FEA, section 4.8.1-Non-potable water, and engineering report were revised based on comments.</li> <li>• The FEA, section 4.8.2 and engineering report were revised based on comments.</li> <li>• Acknowledgement of support of DHHLs on-going collaboration with Pulelehua.</li> <li>• Acknowledgement that wastewater system capacity cannot be ensured until the issuance of building permits and developer requirement to fund off-site improvements.</li> <li>• Acknowledgement that no assessment fees are required</li> </ul>

		<p>at this time.</p> <ul style="list-style-type: none"> <li>• Details regarding sewer laterals, easements, commercial kitchens, cooling water, etc., will be addressed in a later stage of development/ and engineering design.</li> </ul>
County Dept of Fire and Public Safety	<ul style="list-style-type: none"> <li>• No objections to information provided.</li> <li>• Reservation of right to comment during building permit review.</li> </ul>	<ul style="list-style-type: none"> <li>• Acknowledgement of participation in the process.</li> <li>• DHHL will consult with Fire and Public Safety for formal review of applicable fire protection requirements during building permit review.</li> </ul>
County Dept of Housing and Human Concerns	<ul style="list-style-type: none"> <li>• Project is not subject to Chapter 2.96, Maui County Code.</li> </ul>	<ul style="list-style-type: none"> <li>• Acknowledgement of determination that project is not subject to Chapter 2.96.</li> <li>• Acknowledgement of participation in the process.</li> </ul>
County Dept of Park and Recreation	<ul style="list-style-type: none"> <li>• Project is exempt from park assessment fees.</li> </ul>	<ul style="list-style-type: none"> <li>• Acknowledgement of determination that project is exempt from park assessment fees.</li> <li>• Acknowledgement of participation in the process.</li> </ul>
County Planning Department	<ul style="list-style-type: none"> <li>• West Maui Community Plan (WM-CP)</li> <li>• Multifamily home clustering</li> <li>• Timing of phasing</li> <li>• Roadway design</li> <li>• Multimodal connectivity</li> <li>• Side street connections with adjacent properties</li> <li>• Recreational facilities</li> <li>• Water supply</li> <li>• Trash collection</li> <li>• Wildfire</li> <li>• Pesticides</li> <li>• Traffic study</li> <li>• Archaeology</li> <li>• Kapalua Airport</li> </ul>	<ul style="list-style-type: none"> <li>• Hawaiian Homes Commission Act (Sections 204 and 206) vests DHHL with exclusive authority to control its lands.</li> <li>• The plan is based on feedback from HHC beneficiaries, specifically waitlisted applicants.</li> <li>• DHHL has reallocated lands conceptually reserved for the Bypass, in favor of other DHHL and/or beneficiary uses in response to written comments from DOT in consultation with beneficiaries.</li> <li>• The FEA addresses relevant County Plans in section 5.3 including WM-CP update and Maui Metropolitan Planning (MMPO) Organizations conceptual planning. DHHL has been participating as a stakeholder in the WM-CP update process and consulted with MMPO.</li> <li>• Within the areas identified for multi-family DHHL is open to the consideration of alternative designs meeting the desired density.</li> <li>• The FEA section 3.4 phasing has been revised to include all components of the development. Timing is directly related to funding from the State Legislature.</li> <li>• DHHL will take County Planning recommendations into consideration.</li> <li>• DHHL will not impede implementation of planned improvements and will contribute to multi-modal facilities where appropriate, practical, safe and desirable for beneficiaries and other site users.</li> <li>• The FEA reflects DHHL's intent to reestablish use of existing cane roads. Certain roads may not be brought to County standards particularly in subsistence</li> </ul>

		<p>agriculture areas.</p> <ul style="list-style-type: none"> <li>• DHHL has reached out to both Kā'anapali Land Management Corporation and Pulelehua Development expressing willingness to coordinate roadway connection.</li> <li>• Project-level details about the Honokōwai Master Plan are not yet known and will be developed in accordance with the wishes of DHHL's beneficiary community. Park spaces could easily accommodate a playground, in consultation with site users. The County of Maui Department of Parks and Recreation was consulted on the Honokōwai Master Plan.</li> <li>• DHHL will provide verification of a long-term, reliable supply of water including a Water Resource Engineering Report, before applicable subdivisions are approved.</li> <li>• A revised Preliminary Infrastructure Analysis Report is included in Appendix F of the FEA. The final FEA section 4.8.2 clarifies wastewater generation and waste water demands for agriculture uses</li> <li>• IWS in certain homesteads are anticipated. The FEA, section 6.4, discusses pros and cons of providing sewer service to entire master plan area.</li> <li>• It is intended for County to provide trash collection service</li> <li>• DHHL will take the recommendation for underground utilities under consideration</li> <li>• The FEA, section 3.5.7, address wildfires and has been revised to indicate the adjacent area is a High Hazard area.</li> <li>• The FEA, section 4.6 addresses residual pesticide risk and proposed mitigations measures.</li> <li>• The unsignalized intersection of Honoapi'ilani Highway and Kaka'alaneo Drive is forecast to operate deficiently (LOS E/F) under 2028 baseline no-action conditions.</li> <li>• The FEA addresses archaeological and historic resources and describes proposed mitigation measures. A preservation plan will be implemented following HRS 6E-8 review, and DHHL will comply with all laws and rules regarding preservation of archaeological and historic sites</li> <li>• DHHL will comply with FAA requirements as applicable. The State of Hawai'i Department of Transportation and Federal Aviation Administration were consulted on the Honokōwai Master Plan. Should other unforeseen impacts arise from aircraft activities</li> </ul>
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		which are not mitigated by the strategies described in this EA, DHHL will consider additional measures.
County Police Dept	<ul style="list-style-type: none"> <li>• Additional vehicles and residents may affect MPD operations.</li> <li>• Request more details in traffic study or plan.</li> <li>• Future bypass through project may alleviate some congestions.</li> </ul>	<ul style="list-style-type: none"> <li>• The FEA, section 4.10, addresses traffic mitigation.</li> <li>• The FEA was revised to include DHHL coordination with MPD regarding traffic, and to ensure adequate law enforcement and safety services.</li> <li>• DHHL has reallocated lands conceptually reserved for the Bypass, in favor of other DHHL and/or beneficiary uses based on written comments from State DOT. The FEA has be revised to consider an additional highway access connection at Hālāwai Drive.</li> </ul>
County Dept of Water Supply	<ul style="list-style-type: none"> <li>• Compliance with County Water Use and Development Plan</li> <li>• Pollution prevention</li> <li>• Water Conservation</li> </ul>	<ul style="list-style-type: none"> <li>• The FEA addresses many suggested WUDP strategies in section 4.8. DHHL will comply to the extent practicable</li> <li>• Pollution Prevention BMP are addressed in sections 3.4, 3.4, 4.2, and 4.8</li> <li>• Water Conservation is addressed in FEA, section 3.4.</li> </ul>
<b>Individual</b>		
Individual – Wayne Hedani	<ul style="list-style-type: none"> <li>• Prioritize getting the maximum number of lots (1,500) developed</li> <li>• Eliminate 2-acre agriculture lots and add community gardens instead</li> <li>• Each home can grow food in victory gardens</li> <li>• Start building</li> </ul>	<ul style="list-style-type: none"> <li>• The proposed Honokōwai Master Plan is based on feedback from waitlisted applicants. DHHL’s extensive consultation with the beneficiary community is detailed in section 5.1 of the EA</li> </ul>
Individual – Kainani Higbee	<ul style="list-style-type: none"> <li>• Award Residential in First Phase</li> <li>• Consider removing phased to development and develop the entire project all at once.</li> </ul>	<ul style="list-style-type: none"> <li>• The Honokōwai homestead development plan includes both agriculture and residential homestead opportunities. Although agriculture lots will be prioritized for Phase I, DHHL is also planning additional residential homesteading opportunities in its nearby Leiali‘i development.</li> <li>• Timing of all DHHL development is contingent upon receiving sufficient funding to implement. Beneficiaries on DHHL’s Maui residential waitlists will be notified when homestead awards become available in both Honokōwai and Leiali‘i</li> </ul>

**Changes incorporated into the FEA**

Several comments resulted in substantive changes to the proposed land uses. Comments from the State of Hawaii Department of Transportation (HDOT) clarified the development plans for a by-pass to Honoapi‘ilani Highway. Based on the comments provided during the comment

period and additional written discussions with HDOT staff, the proposed conceptual by-pass easement as well as the adjacent buffer areas were removed from the master plan, freeing up space to provide an additional 51 residential and 2 agriculture homesteads in addition to what was proposed in the DEA. DHHL re-engaged with beneficiaries and re-evaluated traffic and infrastructure impacts. Table 2 provides a summary of proposed land uses based on the updated conceptual plan (see Figure 1).

<b>Table 2 Summary of Proposed Land Uses</b>				
<b>Proposed Use</b>		<i>DEA Home/Lot (acres)</i>	<b>FINAL Acres (% of project)<sup>3</sup></b>	<b>FINAL Home/Lot Count</b>
<b>Homestead Uses</b>	<p align="center"><b>Subsistence Agriculture</b></p> <ul style="list-style-type: none"> <li>• Lots one to two acres in size.</li> <li>• Lessees are required to actively cultivate subsistence agriculture OR reside and cultivate subsistence agriculture on their lot.</li> <li>• Crops are expected to provide food to be consumed in the home or provide supplemental household income.</li> </ul>	250 (337)	342 (44%)	252
	<p align="center"><b>Residential-Single-family</b></p> <ul style="list-style-type: none"> <li>• Lots no larger than 7,500 square-feet in size.</li> <li>• Residential subdivisions are built to County standards in areas close to existing infrastructure and in conjunction with community use areas.</li> </ul>	335 (70)	75 (10%)	356
	<p align="center"><b>Residential-Multi-family</b></p> <ul style="list-style-type: none"> <li>• Low-rise (two to three-story townhomes) with a density of up 15 units per acre</li> <li>• Residential subdivisions are built to County standards in areas close to existing infrastructure and in conjunction with community use areas.</li> </ul>	543 (35)	37 (5%)	573
	<p align="center"><b>Homestead Supplemental Agriculture</b> (variable acreage)</p> <ul style="list-style-type: none"> <li>• Additional acreage to supplement subsistence agriculture lessees within the same homestead community with additional acreage to grow crops</li> <li>• Awards are for not residential use.</li> </ul>	0 (14)	14 (2%)	n/a

<sup>3</sup> Due to rounding, total may not equal 100%.

<b>Table 2 Summary of Proposed Land Uses</b>				
<b>Proposed Use</b>		<i>DEA Home/Lot (acres)</i>	<b>FINAL Acres (% of project)<sup>3</sup></b>	<b>FINAL Home/Lot Count</b>
<b>Community Uses</b>	<b>Commercial: Community and Civic Uses</b> <ul style="list-style-type: none"> <li>• Areas to provide a more complete functional and livable community</li> <li>• Commercial areas will be based on community needs and may contain agriculture support facilities, care facilities, community centers, farmer's market</li> </ul>	0 (24)	27 (3%)	n/a
	<b>Community Use</b> <ul style="list-style-type: none"> <li>• Community Agriculture- communal farming and gardening areas (16 acres)</li> <li>• Community Recreation- walking paths and parks (28 acres)</li> </ul>	0 (44)	44 (6%)	n/a
<b>Other Uses</b>	<b>Industrial</b> <ul style="list-style-type: none"> <li>• Areas requiring special attention because of unusual opportunities and/or constraints.</li> <li>• Physical and visual buffers between existing County Waste Water Reclamation Facility and the Project.</li> </ul>	0 (16)	16 (2%)	n/a
	<b>Conservation</b> (Sensitive areas, with potential for) <ul style="list-style-type: none"> <li>• Biological habitat restoration,</li> <li>• Development challenges,</li> <li>• Drainageway buffers,</li> <li>• Biological resource protection and open space.</li> </ul>	0 (146)	146 (19%)	n/a
	<b>Roads&amp; County Facilities</b> <ul style="list-style-type: none"> <li>• Roadways- internal roadways (58)</li> <li>• County Facilities- Mahinahina Water Treatment Plant (already built-18 acres)</li> </ul>	0 (91)	76 (10%)	n/a
<b>TOTAL</b>			<b>777</b>	<b>1,181</b>

Table 2 Summary of Proposed Land Uses			
Proposed Use	DEA Home/Lot (acres)	FINAL Acres (% of project) <sup>3</sup>	FINAL Home/Lot Count
		acres	homes/lots

While these changes resulted in how the lands within Honokōwai are utilized, there was no change in the overall impacts of this project. The following illustrations, Figure 1- Concept Plan and Figure 2-Illustrative Perspective, depict spatial layout of the proposed land uses and what the project is envisioned to look like at full buildout. A more detailed description of the entire Project and its potential impact to the surrounding environment and planned mitigation measures can be found in the FEA, sections two thru five. In summary, even with the increase in the total number of homesteads units from 1,128 lots to 1,181, the findings of this Final Environmental Assessment did not change from the anticipated findings of the Draft EA of no significant impact on/to the surrounding environment. However, as indicated during the informational submission provided to this commission in June 2021, the lack of action will limit the available opportunities for applicants to receive an agricultural or residential homestead award. As of November 30, 2021, there are 4,692 applications on the Maui Agricultural waitlists and 3,848 applications on the Maui Residential waitlists. The lack of action will also require DHHL to continue to manage 759<sup>4</sup> acres of vacant, fallow lands in Honokōwai, diverting funds away from DHHL’s mission of developing and delivering lands to native Hawaiians.



Figure 1- Revised Concept Plan

<sup>4</sup> The Mahinahina Water Treatment Plant has already been constructed and occupies approximately 18 acres within Honokōwai.



Figure 2-Illustrative Perspective

The proposed infrastructure described in the during the June 2021 informational submission and presentation to the commission remains the same except for the changes described in Table 3 below.

<b>Table 3- Changes to Proposed Infrastructure since the Release of the DEA</b>	
<b>Roads and Access</b>	<ul style="list-style-type: none"> <li>• Integration of proposed Phase 1-D of the Lahaina Bypass highway has been eliminated from the project design.</li> <li>• Integration of roadway connections to the proposed development north of Honokōwai, have been added to the project design.</li> <li>• Access to the Project area includes three locations previously described and may also include an additional point of connection to Honoapi'ilani Highway via the Hālāwai Drive access.</li> <li>• Multi-modal transportation will be considered where feasible.</li> </ul>
<b>Grading and Runoff, Drainage, and Erosion Control</b>	<ul style="list-style-type: none"> <li>• Revisions incorporated to accommodate additional lots requirements. No change to overall drainage and erosion control requirements.</li> </ul>
<b>Potable Water Supply</b>	<ul style="list-style-type: none"> <li>• Revisions incorporated to accommodate additional lots requirements and to clarify information provided by County.</li> </ul>
<b>Non-Potable (Irrigation) Water Supply</b>	<ul style="list-style-type: none"> <li>• Revisions incorporated to accommodate additional lots requirements and to clarify information provided by County.</li> </ul>

<b>Table 3- Changes to Proposed Infrastructure since the Release of the DEA</b>
<p><b>Wastewater Disposal</b></p> <ul style="list-style-type: none"> <li>• Revisions incorporated to accommodate additional lots requirements and to clarify information provided by County.</li> </ul>
<p><b>Solid Waste</b></p> <ul style="list-style-type: none"> <li>• No changes to previously proposed infrastructure. Revisions to FEA to better clarify that the project intends to utilize county provided trash collection services.</li> </ul>
<p><b>Electrical Power</b></p> <ul style="list-style-type: none"> <li>• No changes to previously proposed infrastructure</li> </ul>
<p><b>Communications</b></p> <ul style="list-style-type: none"> <li>• No changes to previously proposed infrastructure</li> </ul>

Finding of No Significant Impact

Based upon the analysis completed in the FEA, the staff recommends a finding of no significant impact for the Project. This determination is based upon the 13 criteria of significance that approving agencies must consider as specified in Hawai'i Administrative Rules 11-200.1-13. An analysis of the 13 criteria of significance is presented below:

- 1. Irrevocably commit a natural, cultural, or historic resource.**

The proposed project is not anticipated to involve any construction activity that may lead to a loss or destruction of any sensitive natural or cultural resource. The Master Plan Area has been the subject of flora/fauna, archaeological and cultural studies. Natural, cultural and historic resources are concentrated in the gulches that run through the Master Plan Area, away from where development activities are proposed. Measures to avoid impacts to natural, cultural, and historic resources are identified within this document should they inadvertently be encountered in the development phases of the Proposed Action.
- 2. Curtail the range of beneficial uses of the environment.**

The Project expands the beneficial use of the Master Plan Area by providing affordable housing opportunities and potential for a return to agricultural uses on land that is lying fallow.
- 3. Conflict with the State's environmental policies or long-term environmental goals established by law**

The proposed project is not in conflict with the long-term environmental policies, goals, and guidelines of the State of Hawai'i. As presented earlier in this EA, the project's potential adverse impacts are associated only with the short-term construction-related activities, and such impacts can be mitigated through adherence to standard construction mitigation practices.
- 4. Have a substantial adverse effect on the economic welfare, social welfare, or cultural practices of the community and State.**

The proposed project will have beneficial effects on the economy and social welfare through the construction of homes for Beneficiaries of the Hawaiian Home Lands Trust, and creating opportunities for a return of agricultural practices on lands that are lying fallow.

Commercial and community uses proposed in the Project Area will support the new residents and agricultural uses. The Proposed Action is also expected to provide beneficial impacts with respect to cultural practices, by creating opportunities to grow, process, trade, and sell traditional and or native plants that can serve aesthetic, traditional and educational purposes.

5. **Have a substantial adverse effect on public health.**

There will be temporary impacts to noise and air quality levels during the construction phase of the project; however, these potential impacts will be short-term and are not expected to substantially affect public health. Wastewater disposal will occur in compliance with State Department of Health standards, through connection to the existing sewer infrastructure and individual septic systems approved by the Department of Health.

6. **Involve adverse secondary impacts, such as population changes or effects on public facilities.**

Although the Project will increase population in the immediate area, the population increase has been planned for through long-range land use and infrastructure planning on the part of DHHL, the County of Maui and the State of Hawai'i as discussed throughout this EA.

7. **Involve a substantial degradation of environmental quality.**

Construction activities associated with the proposed project are anticipated to result in negligible short-term impacts to noise and air-quality in the immediate vicinity. With the incorporation of the recommended mitigation measures during the construction period, the project will not result in degradation of environmental quality. No long-term negative impacts are expected from project implementation.

8. **Be individually limited but cumulatively have substantial adverse effect upon the environment, or involves a commitment for larger actions.**

The design of the Master Plan Area minimizes cumulative impacts to the environment. These design elements include use of R-1 water for irrigation, landscape buffers adjacent to gulches, and grassed swales to accommodate and return water to the ground rather than piping toward nearshore resources. The Proposed Action does not instigate a commitment for larger actions. As described throughout this document, long term land use planning and infrastructure planning have identified the Plan Area (and surrounding lands) for development and as such, DHHL, the County of Maui, and the State of Hawai'i have been developing or projecting infrastructure improvements to support the development.

9. **Have a substantial adverse effect on a rare, threatened or endangered species or its habitat.**

The Proposed Action is not anticipated to have any adverse impact to rare, threatened, or endangered species. Opportunities for positive impact on botanical resources are created by the Proposed Action through reintroduction of traditional practices and supporting resources including ethnic and/or native species, and incorporation of native species in landscaping.

Mitigation measures to avoid impacts to seabirds, Hawaiian hoary bat, nēnē, pueo and Blackburn's Sphynx Moth are included in this EA.

10. **Have a substantial adverse effect on air or water quality or ambient noise levels.**  
 Construction activities for development of the Project could potentially impact noise and air and water quality levels on the Master Plan Area. However, these impacts will be short-term and mitigatable. All construction activities will comply with applicable regulations and will implement appropriate mitigation measures as necessary. After construction, the development is not expected to adversely impact ambient noise levels or water and air quality. There will be an increase in impervious surfaces over the Master Plan Area's former undeveloped use; however, any increase in runoff will be accommodated by proposed low-impact drainage improvements and will not detrimentally affect water quality.
  
11. **Have a substantial adverse effect on or be likely to suffer damage by being located in an environmentally sensitive area such as a flood plain, tsunami zone, sea level rise exposure area, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters.**  
 The development will not affect any environmentally sensitive area and buffers are proposed adjacent to the gulches and streams that run through the Master Plan Area. Development areas are located outside FIRM-designated flood plains and inland from the coast away from tsunami zones, sea level rise exposure areas, and beaches. Homes will be constructed in compliance with County of Maui building codes, which are adopted to protect residents to the extent possible from hazardous weather conditions.
  
12. **Have a substantial adverse effect on scenic vistas and view planes, during day or night, identified in county or state plans or studies.**  
 The Master Plan Area is not specifically listed as a scenic vista or view plane. Expected development is of a low-rise nature that will not be impactful to views across the landscape.
  
13. **Require substantial energy consumption or emit substantial greenhouse gases.**  
 The Proposed Action will increase energy consumption over the current use, vacant land. However, energy consumption of the proposed uses is not considered to be "substantial". DHHL has developed and is implementing its own renewable energy policy and works within a variety of programs to assist Beneficiaries with financing solar or other renewable sources of energy as a means to reduce household utility costs.

Based on these 13 criteria, DHHL does not expect that activities associated with the Proposed Project would have a significant effect on the environment and recommends the issuance of a Finding of No Significant Impact. This findings recommendation is based on analysis of impacts and mitigation measures examined in this document, public comments received during the pre-assessment consultation, and analyzed under the above criteria.

Potential Impacts and Proposed Mitigation Measures Identified in the DEA

Based on the evaluation of the proposed Project the following mitigations identified in Table 4, Proposed Mitigations Measures for Impacts to Natural and Human Environment are proposed and refined in the FEA.

Table 4- Proposed Mitigations Measures for Impacts to Natural and Human Environment

Natural & Human Environment	Proposed Mitigation Measures
Climate	The Project is not anticipated to have an impact on climatic conditions. Mitigations include energy conservation, green practices, considering renewable resources and passive energy conservation. Creation of hardscapes may slightly increase local air temperature for a non-significant impact. Mitigations include integrated landscaping.
Geology & Topography	The Project is not anticipated to have an impact on geology or topography. Mitigations include minimizing alteration to existing topography, low-impact development strategies, and overall proper drainage design.
Soils	The Project is anticipated to have an impact Positive long-term impact through the return of agriculture and irrigation on fallow lands which are ideal for agricultural use. Mitigable short-term impact during construction. Mitigations include construction best management practices (BMPs) and compliance with applicable rules and regulations.
Surface Water, Wetlands & Groundwater	The Project is not anticipated to have any long-term adverse impact to surface water, wetlands, or groundwater. Roughly 150 acres of conservation space, 30 acres of park space, and majority agricultural uses are anticipated as part of the Proposed Action. Mitigations include minimizing alteration to existing topography, low-impact development strategies including the implementation of a grassed swale system, compliance with applicable State requirements, compliance with the Clean Water Act, and water conservation. Plans will include a 100-foot setback from gulches, for conservation purposes. Positive impact with regard to injection wells through use of a substantial quantity of R-1 quality effluent from the County wastewater treatment facility. Mitigable short-term impact during construction. Mitigations include construction BMPs and compliance with applicable rules and regulations.
Natural Hazards- Flood	The Project is anticipated to have mitigable flood and climate change impacts, but no tsunamis, hurricanes, earthquakes, volcanic hazard impacts. Mitigations include no habitable structures in lands designated Flood Zone A, compliance with Uniform Building Code and other applicable standards, and water conservation measures to mitigate stress on water resources.
Natural Hazards- Fire	The Project is not anticipated to have a mitigatable impact from wildfire. The project is adjacent to an area designated as a High Hazard area. Positive impact on wildfire reduction across the landscape through proper land maintenance, the return of active agriculture and irrigation, and the establishment of a 30-foot defensible space between new structures and undeveloped areas.
Biological Resources	The Project is not anticipated to have an adverse impact to botanical resources. Possible positive impact on botanical resources through reintroduction of traditional practices and supporting resources including

Natural & Human Environment	Proposed Mitigation Measures
	<p>ethnic and/or native species, and incorporation of native species in landscaping.</p> <p>If DHHL becomes aware of the presence of protected species, site users, onsite staff, and contractors will be notified. Mitigable impact to Hawaiian hoary bat. Mitigations include avoidance of site clearing activities between June 1 and September 15, or consultation with DLNR before disturbance of vegetation taller than 15 feet. Barbed wire will not be used for fencing during construction, and alternatives to barbed wire will be encouraged. No impacts to nēnē or pueo. DLNR will be contacted if birds are believed to be breeding in the Master Plan Area. Reduced speed limits will be posted if any are found to be present. Mitigable impact to seabirds. Mitigations include appropriate exterior lighting, and avoidance of nighttime construction activities between September 15 and December 15. No impact to Blackburn’s sphinx moth. Mitigations include examining host plants between November and April, notification of USFWS should host plants over three feet be identified, adherence to all USFWS guidance, and discouraging the growth of host weeds. DHHL will restrict agricultural activities that could attract wildlife to nearby airport facilities.</p>
Archaeological & Historic Resources	<p>The Project is not anticipated to have an impact on archaeological nor historic resources. Development activities will be limited to kula lands rather than gulches. Mitigations include compliance with technical consultant recommendations including:</p> <ul style="list-style-type: none"> <li>• Preservation Plan following HRS 6E-8 review;</li> <li>• Compliance with all laws and rules regarding preservation of archaeological and historic sites;</li> <li>• Further (ongoing) consultation with SHPD;</li> <li>• In the unlikely event that subsurface historic resources are identified during development, work will cease in the immediate vicinity of the find, the find will be protected from additional disturbance, and SHPD will be contacted;</li> <li>• Relevant construction documents will include a provision detailing the aforementioned criteria for all project-related development of the Master Plan Area;</li> <li>• Consultation with Maui Cultural Lands, Inc. will be conducted for all sites currently maintained by the grass roots land trust; and</li> <li>• Continued consultation with stakeholders related to historic practices will be conducted, as plans for the Master Plan Area evolve.</li> </ul>
Cultural Resources	<p>The Project is anticipated to have an overall positive impact. No significant adverse impacts. Mitigations include proper design of infrastructure and siting of land uses, avoidance of areas with cultural resources, and attempts to employ the following measures:</p>

Natural & Human Environment	Proposed Mitigation Measures
	<ul style="list-style-type: none"> <li>• Stakeholder interviews revealed a desire for residents to grow traditional and/or native plants that could serve aesthetic, traditional, and educational purposes. Crops grown in the mauka regions of the development could be traded or shared with residents in the makai portion; thereby, allowing residents to engage in the traditional practice of kuapo (trade).</li> <li>• A community facility to process agricultural products should also be considered, to facilitate intra-community trade as noted above.</li> <li>• Provide agricultural and Hawaiian culture resources for site users. For instance, proposed uses are compatible with the construction of a hale wa‘a (canoe house) that could be used to teach and learn about voyaging culture.</li> <li>• Encourage use of traditional place names when possible</li> <li>• Minimize coastal resource degradation that may result from flooding.</li> <li>• Increase awareness of the connectivity between the mauka and makai resources of Honokōwai Ahupua‘a.</li> <li>• As a part of farm planning, the use of appropriate native ground cover in non-cultivated areas should be considered to minimize dust pollution that may result from modern agricultural practices and carried by the winds.</li> <li>• Foster and encourage a mālama ‘āina land stewardship ethic that extends beyond the physical boundaries of DHHL’s lands. Strategies to accomplish this could include BMP monitoring/enforcement, continued agency consultation, and environmental outreach/education programs where possible. Any prospective third-party developers or tenants of commercial/industrial areas who embrace this land ethic should be favorably considered from a cultural standpoint.</li> <li>• Prior to the initiation of land development, whether residential, business, or agriculture, appropriate blessings and/or protocols should be carried out.</li> <li>• Embrace the re-introduction and cultivation of suitable native and canoe plants, in support of traditional practices and/or crafts.</li> <li>• Preserve traditional mauka/makai access through a connective community design. Traditional trails are not known the Project area; this mitigation embraces a revival of a trail system access across the property.</li> <li>• Continue research into cultural resources within the Project area.</li> </ul>
Sound	<p>The Project is not anticipated to have any long-term impacts from site operations. Mitigations include compliance with applicable regulations and limiting noise from fixed mechanical equipment by tenants. Mitigable short-term impact during construction. Mitigations include obtaining a noise permit if necessary and properly muffling construction equipment, incorporation of applicable noise limits, curfew times, and hours. Distance and elevation change mitigate nuisance to existing residences during new</p>

Natural & Human Environment	Proposed Mitigation Measures
	construction. Temporary sound barriers or portable air conditioning equipment will be considered. Mitigable impact from construction of the future Lahaina Bypass Phase 1-D. Mitigations include siting sensitive uses away from the Bypass alignment.
Air Quality	The Project is not anticipated to have any long-term impacts on local or regional air quality. Mitigations include energy conservation and green practices. Mitigable short-term impact during construction. Mitigations include construction BMPs.
Human-made Hazards	The Project is anticipated to have mitigable impacts. Mitigations will be as needed and will include retaining an environmental consultant to submit a Sampling and Analysis Work Plan to the DOH HEER Office, to evaluate residual pesticide risk in any areas of the Project area intended for re-development. If contamination is confirmed or likely, DHHL will issue a notice to site users and as needed, DHHL will address contamination concerns in cooperation with the HEER Office including possible land use restrictions or remedial action.
Roadways and Public Transit	The Project is not anticipated to have any adverse impacts on existing roadways or existing traffic conditions in the vicinity. The Honokōwai Master Plan will limit access points to Honoapi‘ilani Highway and are being coordinated with DOT-HWY. DHHL is coordinating on a potential roadway connection with the neighboring Pulelehua development. No adverse impact on public transit or multimodal facilities. DHHL will not impede planned safety and complete streets improvements along Lower Honoapi‘ilani Highway and will contribute to the region’s multimodal facilities where appropriate. Designated areas within onsite conservation buffers may also be used for appropriately designed pedestrian trails that can provide safe mauka and makai access.
Infrastructure and Utilities	The Project is not anticipated to have any adverse impacts regarding potable water and non-potable water. The proposing agency DHHL is coordinating with other agencies. Potable water systems would be designed to County standards, and water supplies in the aquifer are sufficient to support the Proposed Action. The Proposed Action’s water needs have been identified by the State Water Projects Plan adopted in 2017. Impacts regarding potable water will be reduced through the use of a dual potable/non-potable water system. The Master Plan also includes lands set aside for County use, including for the County’s existing Mahinahina Water Treatment Plant. No adverse impact regarding non-potable water. Substantial irrigation demand will be met through the use of R-1 quality effluent and surface water.

Natural & Human Environment	Proposed Mitigation Measures
	<p>The Project is not anticipated to have any adverse impacts regarding wastewater. The existing County facility has capacity available to accommodate the Proposed Action. The use of individual wastewater systems (IWS) where appropriate will reduce demand on the municipal system. Sensitive uses will not be placed near the existing County facility.</p> <p>The Project is anticipated to have mitigable long-term impacts regarding drainage. Mitigations include minimized alterations to existing grading and existing drainage patterns, and adherence to the site drainage plan(s). Mitigable short-term impact during construction. Mitigations include construction best management practices (BMPs), implementation of a grassed swale system, and compliance with applicable rules and regulations.</p> <p>The Project is not anticipated to have an impact regarding solid waste or other utilities. DHHL will consult with MECO regarding electrical utilities and will explore photovoltaic alternatives. DHHL has developed and is implementing its own renewable energy policy. To mitigate impacts related to existing onsite solid waste deposits, DHHL will comply with the recommendations from the DOH – Solid and Hazardous Waste Branch and is taking active measures to prevent solid waste dumping from occurring in the future.</p>
Socio-Economic Characteristics	<p>The Project is not anticipated to have an adverse impact on population. The Proposed Action will provide homestead awards to native Hawaiians, many of whom are low-income families. Therefore, the Proposed Action will benefit rather than expose or disproportionately adversely affect minority or low-income persons in comparison to the rest of the population. Population increases suggest a corollary need for more jobs and housing, as well as substantial investments in public and commercial services and infrastructure. The Proposed Action stands to provide both jobs and housing.</p>
Public Services and Facilities	<p>The Project is anticipated to have an mitigable impact on HIDOE schools. Mitigations include coordination with HIDOE regarding the West Maui School Impact Fee District based on the chosen residential composition for the Project area. Various beneficiary stakeholders have expressed enthusiasm for uses such as a Hawaiian language school, cultural education facilities, a charter school and daycare for the Project area. If realized, these would contribute positively to Maui’s educational opportunities.</p>
Airport Operations / Facilities	<p>The Project is not anticipated to have an impact on airport operations or facilities. A Notice of Proposed Construction or Alteration (or multiple notices) will be submitted to the FAA as needed. DHHL will restrict agricultural activities that could attract wildlife to nearby airport facilities. DHHL acknowledges that photovoltaic systems can cause visual and/or</p>

Natural & Human Environment	Proposed Mitigation Measures
	radio interference for aircraft pilots, and that any such system in the Project area should be prepared for immediate hazard mitigation upon notification by HDOT and/or FAA. Mitigable impacts from airport operations or facilities. Should DHHL suspect that fumes, smoke, noise, vibrations, odors, and other airport-related exposures may impact the anticipated uses of its lands, more protective mitigation strategies will be considered at such time, depending on the nature of the concern. Should other unforeseen impacts arise from aircraft activities which are not mitigated by the strategies described in this EA, DHHL will consider additional measures.

NEXT STEPS FOR COMPLETION OF ENVIRONMENTAL ASSESMENT PHASE

The following is a list of anticipated next steps and milestones in the completion of the EA.

- HHC FONSI declaration for the project and FEA submitted to the Environmental Review Program (formerly the Office of Environmental Quality) for publication in its *The Environmental Notice* bi-monthly bulletin. (February 2022)
- 30-day challenge period of the Final EA ends March 10, 2022.

NEXT STEPS FOR OVERALL PROJECT IMPLEMENTATION

In addition to the completion of the FEA and HHC declaration of FONSI for the project in accordance with Hawaii Revised Statutes Chapter 343 and HAR 11-200.1, the following actions permits, approvals, and coordination are needed.

RESPONSIBLE ENTITY	PERMIT/APPROVAL/COORDINATION
Hawaiian Homes Commission	Update DHHL Maui Island Plan with updated Land Use Plan for Honokōwai
Hawaii Department of Transportation	Coordination regarding traffic and roadway improvements
State Department of Health – Clean Water Branch	National Pollutant Discharge Elimination System (NPDES) Permit
State Department of Health – Clean Air Branch	Coordination regarding Chapter 11.60.1

State Department of Health – Disability and Communication Access Board	Review
State Department of Health – Indoor and Radiological Health Branch	Community Noise Permit (if applicable)
State Department of Health Wastewater Branch	Review, Individual Wastewater System approval (by future lessees)
State Department of Land and Natural Resources – State Historic Preservation Division	Chapter 6E, HRS compliance and Section 106 compliance as needed
State Department of Land and Natural Resources – Commission on Water Resource Management	Permits (Surface water use, groundwater development and or well construction as applicable)
State Department of Education	Consultation and coordination relating to school impact fees
County of Maui Department of Public Works	Grading/Subdivision/Building/Electrical Permits, plan review
County of Maui Fire and Public safety Department	Consultation
County of Maui Police Department	Coordination regarding traffic, law enforcement and safety services
County of Maui Department of Water Supply	Review, coordination, and allocation of additional water
County of Maui Planning Department and/or Planning Commission	Use Permits, plan review Flood Development Permit (if applicable)
County of Maui Department of Parks	Consultation
County of Maui Wastewater Reclamation Division	Review
Pulelehua Development	Coordination
Kā'anapali Land Management Corporation	Coordination
Honokōwai lessees and beneficiaries on waitlist	identification and implementation of community uses

MLP, Pioneer Mills, Kaanapali Coffee Farms	Easement for roadway connections
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Sufficient budget will need to be allocated by the HHC and DHHL to implement the Project. Furthermore, a willingness by current and future decision-makers to follow through with various aspects of the Project will be needed to ensure successful implementation.

# INFORMATION ONLY

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

June 21, 2020

To: Chairman and Members, Hawaiian Homes Commission

Thru: Andrew H. Choy, Acting Planning Program Manager *AC*

From: Malia M. Cox, Planner

Subject: For Information Only—Draft Environmental Assessment for the Honokōwai Master Plan, Honokōwai, Lahaina District, Maui, and Anticipated Finding of No Significant Impact (AFONSI) TMRs (2)4-4-001-015, (2) 4-4-002-003, 008, 009, 011, 015, 018 and 038

**Recommended Action**

None-for information only

**Discussion**

**PURPOSE**

The purpose of this informational briefing is to update the HHC on the status of the Honokōwai Master Plan; to present summary highlights of the Draft Environmental Assessment (DEA); and to notify Commissioners of the Draft Environmental Assessment (DEA) prior to publication in the Office of Environmental Quality Control's *The Environmental Notice (TEN)* periodical.

The DEA is attached as Exhibit A and will be posted on DHHL's website at <https://dhhl.hawaii.gov/pa/honokowai-community-master-plan-and-environmental-review>

**PROJECT DESCRIPTION**

DHHL has begun the evaluation of its lands in Honokōwai for homesteading and other uses. This evaluation was done by developing a master plan through the Beneficiary Consultation process and technical studies, while ensuring conformance with DHHL's Maui Island Plan 2004, to provide direct and indirect benefits to DHHL beneficiaries and programs. DHHL's primary intent is to provide beneficiaries with opportunities for subsistence agricultural, residential, community, commercial, and industrial uses, and by providing adequate infrastructure to support those uses. DHHL is proposing a master plan development that will provide a variety of homesteading opportunities including up to 543 new multi-family Residential homesteads, 335 single-family residential homesteads, and 250 subsistence agriculture homesteads on approximately 455 acres. Other complementary land uses will include up to 14 acres for supplemental homestead agriculture<sup>1</sup>; 72 acres for community uses<sup>2</sup>; 150 acres

<sup>1</sup> Supplement agriculture is a non-residential homestead award for agriculture uses  
<sup>2</sup> Community uses proposed include parks, community agriculture and community commercial areas

in conservation. Approximately 16 acres are proposed for light industrial activities to provide a buffer between community and residential uses and the existing sewer treatment facility. The Project is proposed on eight parcels, TMR: TMRs (2)4-4-001-015, (2) 4-4-002-003, 008, 009, 011, 015, 018 and 038 that straddle Honokōwai Gulch, totaling approximately 777 acres.

**BACKGROUND**

The Project area was initially identified in DHHL's Maui Island Plan as one of two areas given the highest priority for development on Maui. At the time of the Maui Island Plan's development (early 2000's), the Project area was the only land in DHHL's inventory in west Maui. The Project area was identified for accelerated planning and award based on its geographic location and proximity to infrastructure. In October 2003, DHHL published a notice for public comment on its master plan Environmental Impact Statement Preparation Notice (EISP/N) that focused on residential for development with agriculture, community, and industrial uses, consistent with the recommendations that were eventually published in the Maui Island Plan. After the publication of the Project area EISP/N in 2003, and DHHL's Maui Island Plan in 2004, the State of Hawaii's Housing and Finance Development Corporation (HFDC) transferred approximately 75.5 acres of land in west Maui to DHHL. The HFDC land transfer included Phase 1A (approximately 24.6 acres already under construction) within the Villages of Leiali<sup>3</sup>, a master planned community. The transfer also included an additional 50.9 acres within Phase 1B of the Villages of Leiali<sup>4</sup>. Since the planning, permitting and partial construction of infrastructure was already completed for Phase 1A, DHHL was able to quickly complete Phase 1A and create 104 residential lots. Also, part of the acquisition Phase 1B created an opportunity for the development of another 250 residential lots. This unexpected acquisition of lands that were ready for the construction of 350 residential lots shifted the Department's regional focus from Honokōwai to Leiali<sup>5</sup>. While the acquisition of Leiali<sup>5</sup> addressed some of the residential homestead needs in the region, it did not address agricultural, commercial, or community land use needs expressed in the original Honokōwai Master Plan. Although the focus shifted from Honokōwai to Leiali<sup>5</sup>, beneficiaries continued to prioritize master planning of Honokōwai. The "Review of the Honokōwai lands," was identified as a "Priority Project" by beneficiaries in the 2009 Leiali<sup>5</sup>/Honokōwai Regional Plan.

With continued beneficiary pressure to find beneficial uses for the Honokōwai lands and considering the ability for Leiali<sup>5</sup> to address some of the demand for residential homesteads, DHHL's Planning Office began a master plan update process by re-engaging beneficiaries in September 2019 to create a new homestead community in Honokōwai. Based on the discussions and information gathered, as well as the needs of the Department, DHHL officially withdrew the 2003 Honokōwai EISP/N on November 23, 2019, with the intent of submitting the appropriate documentation to OEQC based on a new master plan with a greater focus on agriculture homesteads being developed.

<sup>3</sup> Honokōwai was not part of the original HHC. It became part of the Hawaiian Home Lands trust as part of the 1992 Federal Government's reallocation of money and lands as compensation for the State's improper or unauthorized use or transfer of HHL lands since Statehood in 1959.

<sup>4</sup> HFDC has been succeeded by Hawaii Housing and Finance Development Corporation (HHFDC)

# INFORMATION ONLY

The Project is proposed on DHHL lands and will likely involve the use of state funds triggering the preparation of an environmental assessment as prescribed by Hawaii's Revised Statutes, Chapter 343. As part of the master planning process draft EA preparation the following technical studies were conducted:

- A Cultural Impact Assessment involving interviews and consultation with Honokōwai residents, kupuna, landowners, and businesses.
- A Botanical and Faunal Survey
- An Archaeological Reconnaissance Survey
- A Transportation Impact Analysis
- An Infrastructure Analysis
- A Drainage Analysis
- A Water Study<sup>6</sup>

In addition to gathering data through technical studies, DHHL and its consultants engaged with the beneficiary community, stakeholders, and adjacent landowners as part of the planning process.

**Beneficiary Consultation**

Beneficiary input was obtained through a series of beneficiary consultation meetings as well as an agriculture survey to obtain updated information regarding the demand for homestead types and to identify desired types of development, community, and other uses. DHHL conducted a series of beneficiary outreach and consultation meetings starting with a July 2018, beneficiary consultation meeting regarding the Mahinahina water Treatment plant located within Honokōwai. This was followed by a series of three beneficiary consultation master plan development meetings<sup>6</sup> that ended in November 2020 with discussions and presentations regarding the Project selection as the preferred master plan alternative. The dates of each beneficiary consultation meeting follow:

- July 23, 2018: Beneficiary Consultation regarding Intergovernmental Agreement with County of Maui Department of Water Supply Related to the Mahinahina Treatment Plant<sup>7</sup>
- September 25, 2019: Beneficiary Consultation Master Plan Development Meeting #1
- February 26, 2020: Beneficiary Consultation Master Plan Development Meeting #2
- November 12, 2020 – Beneficiary Consultation Master Plan Development Meeting #3

**Stakeholder Consultation**

DHHL staff and its consultant teams also met and consulted with various stakeholders including State and County agencies, surrounding landowners as well as non-governmental

<sup>6</sup> DHHL conducted a water study under a separate Chapter 343 process for DHHL Honokōwai Water System Improvements that was utilized as part of the water study for the Master Plan. This March 8, 2021, *The Environmental Notice published & Record of Determination* (No supplemental EIS required) signed by Governor Ige on February 22, 2021, for the DHHL Honokōwai Water System Improvements.

<sup>7</sup> Master plan development meeting materials can be found at <https://dhhl.hawaii.gov/pa/honokowai-community-master-plan-and-environmental-review/>

<sup>8</sup> The HHC Commission accepted the report regarding this beneficiary consultation on September 24, 2018. Information regarding the beneficiary consultation for the Mahinahina can be found at <https://dhhl.hawaii.gov/pa/beneficiary-consultation-statewide-projects/mahinahina-surface-water-treatment-plant-honokowai/>

organizations as part of the planning and environmental assessment process. The stakeholder consultation process is on-going.

Both beneficiaries and stakeholders will have additional opportunities to engage in the consultation process. The public will have an opportunity to comment on the draft EA once published in *TEN*. DHHL anticipates publication in *TEN* in July 2021.

**DRAFT ENVIRONMENTAL ASSESSMENT (DEA) SUMMARY**

Based on the information gathered through the technical studies, beneficiary and stakeholder consultation process the following land uses have been proposed in Table 1, Summary of Proposed Land Uses. The DEA (Exhibit A) assesses the potential environmental impact of these proposed uses:

Table 1-Summary of Proposed Land Uses			
Proposed Use	Acres (% of project)	Lots/ Homes	
Homestead Uses	<b>Subsistence Agriculture</b> • 1 lots one to two acres in size. • Lessees are required to actively cultivate subsistence agriculture OR reside and cultivate subsistence agriculture on their lot. • Crops are expected to provide food to be consumed in the home or provide supplemental household income.	337 (43%)	250
	<b>Residential-Single-family</b> • Lots no larger than 7,500 square-feet in size. • Residential subdivisions are built to County standards in areas close to existing infrastructure and in conjunction with community use areas.	70 (9%)	335
	<b>Residential-Multi-family</b> • Low-rise (two to three-story townhomes) with a density of up to 15 units per acre • Residential subdivisions are built to County standards in areas close to existing infrastructure and in conjunction with community use areas.	35 (5%)	543
	<b>Homestead Supplemental Agriculture</b> (variable acreage)	14 (2%)	n/a

<sup>9</sup> Due to rounding, total may not equal 100%.

## EXHIBIT A

# INFORMATION ONLY

Table 1-Summary of Proposed Land Uses			
Proposed Use	Acres (% of project) <sup>8</sup>	Lots/ Homes	
<ul style="list-style-type: none"> <li>Additional acreage to supplement subsistence agriculture lessees within the same homestead community with additional acreage to grow crops</li> <li>Awards are for not residential use.</li> </ul>			
<b>Community Uses</b>	<b>Commercial: Community and Civic Uses</b> <ul style="list-style-type: none"> <li>Areas to provide a more complete functional and livable community</li> <li>Commercial areas will be based on community needs and may contain agriculture support facilities, care facilities, community centers, farmer's market</li> </ul>	24 (3%)	n/a
	<b>Community Use</b> <ul style="list-style-type: none"> <li>Community Agriculture- communal farming and gardening areas (16 acres)</li> <li>Community Recreation- walking paths and parks (28 acres)</li> </ul>	44 (6%)	n/a
<b>Other Uses</b>	<b>Industrial</b> <ul style="list-style-type: none"> <li>Areas requiring special attention because of unusual opportunities and/or constraints.</li> <li>Physical and visual buffers between existing County Waste Water Reclamation Facility and the Project.</li> </ul>	16 (2%)	n/a
	<b>Conservation</b> (Sensitive areas, with potential for) <ul style="list-style-type: none"> <li>Biological habitat restoration;</li> <li>Development challenges;</li> <li>Drainageway buffers,</li> <li>Biological resource protection and open space.</li> </ul>	146 (19%)	n/a
	<b>Roads &amp; County Facilities</b> <ul style="list-style-type: none"> <li>Roadways- internal roadways &amp; proposed HDOJ Lahaina By-pass (73 acres)</li> <li>County Facilities- Mahinahina Water Treatment Plant (already built- 18 acres)</li> </ul>	91 (12%)	n/a
<b>TOTAL</b>		<b>777 acres</b>	<b>1128 units</b>

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There are 4,694 applications on the Maui Agricultural waitlists and 3,881 applications on the Maui Residential waitlists. The Project as proposed will provide opportunities for both agriculture and residential applicants.

The following illustration, Figure 1- Illustrative Site Plan, depicts the spatial layout of the proposed land uses. A more detailed description of the entire Project and its potential impact to the surrounding environment and planned mitigation measures can be found in the DEA, section 2.3. In summary, these proposed land uses are not anticipated to have a significant impact on the surrounding environment. However, the lack of action will limit the available opportunities for applicants to receive an agricultural or residential homestead award. Additionally, the lack of action will require DHHL to continue to manage 759<sup>9</sup> acres of vacant, fallow lands in Honokōwai, diverting funds away from DHHL's mission of developing and delivering lands to native Hawaiians.



Figure 1- Illustrative Site Plan

<sup>9</sup> The Mahinahina Water Treatment Plant has already been constructed and occupies approximately 18 acres within Honokōwai

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# INFORMATION ONLY

Infrastructure will provide for the health and safety of residents and visitors, as described in Table 2, Proposed Infrastructure, below:

Table 2-Proposed Infrastructure
<b>Roads and Access</b> <ul style="list-style-type: none"> <li>Constructed to County standards with intent to dedicate to County.</li> <li>Limited access point on Honoapiʻilani Highway</li> <li>Interconnectivity with adjacent proposed Pulelehua residential/commercial development is being coordinated</li> <li>Pedestrian trails are proposed to provide mauka and makai access</li> <li>Integration of proposed Phase 1-D of the Lahaina Bypass highway is integrated into project design.</li> </ul>
<b>Grading and Runoff, Drainage, and Erosion Control</b> <ul style="list-style-type: none"> <li>The Project will minimize alteration of the existing draining pattern.</li> <li>Project will adhere to County drainage requirements.</li> <li>Gulches/streams are designated as conservation areas.</li> <li>Retention basins will be constructed within existing drainageways</li> <li>Grassed roadway and lot swales will be integrated into the Project</li> </ul>
<b>Potable Water Supply</b> <ul style="list-style-type: none"> <li>Domestic water supply for phases 1 and 2 will be supplied through a license agreement between DHHL and DWS and the development of a new well through an intergovernmental agreement between HHFDC and DHHL.</li> <li>The remaining phases of the proposed project will be developed as additional domestic water supply is secured.</li> </ul>
<b>Non-Potable (Irrigation) Water Supply</b> <ul style="list-style-type: none"> <li>The analysis indicated there is adequate irrigation water for the project through surface and reclaimed water.</li> <li>The Lahaina Wastewater Reclamation Facility (LWWRP) has approximately 2-million gallons per day (mgd) of reclaimed R-1 water in surplus. The R-1 surplus water can be made available to DHHL's Honokōwai lands through an existing wastewater transmission line easement.</li> <li>Commission of Water Resources Management approved 2.0 million gallon per day surface water reservation for Honokōwai</li> </ul>
<b>Wastewater Disposal</b> <ul style="list-style-type: none"> <li>The LWWRP currently has the capacity to accommodate all waste water generated within the Project area. The LWWRP treats 44% of its 9 mgd design capacity.</li> <li>DHHL is anticipating the connection of all components of the Project to LWWRP except subsistence agriculture homestead lots on acre or greater.</li> </ul>

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Table 2-Proposed Infrastructure
<ul style="list-style-type: none"> <li>Subsistence agriculture lots are anticipated to utilize individual wastewater systems but may be connected to the LWWRP should the needs of the department change.</li> </ul>
<b>Solid Waste<sup>10</sup></b> <ul style="list-style-type: none"> <li>Upon award, solid waste disposal to be the responsibility of each lessee.</li> <li>DHHL will comply with DOI-Solid and Hazardous Waste Branch regarding waste currently located within the Project area including removal and any necessary investigative and/or remedial actions</li> </ul>
<b>Electrical Power</b> <ul style="list-style-type: none"> <li>Maui Electric Company, Limited's (MECO) electrical distribution system is adequate to service the Project area.</li> <li>Overhead electrical lines currently traverse through the Project area. Continued coordination with MECO is required to utilize existing facilities to service the project area.</li> <li>Photovoltaic alternatives may be explored as part of DHHL's renewable energy policy and to off-set pumping costs for R-1 water to upper reservoirs.</li> </ul>
<b>Communications</b> <ul style="list-style-type: none"> <li>Telephone services are currently sized, adequate, and available to service the Project</li> </ul>

Following is a summary of the evaluations conducted as part of the master planning process on the natural and human-made resources within the Project area:

### Historic and Cultural Resources

A literature review and site inspection found that much of the Project area has been extensively modified by historic sugar and pineapple cultivation. Several pre-Contact archaeological features were observed. All observed features were found within the proposed conservation areas within the natural gulch drainage features, or proposed gulch set-back areas. See Figure 2, Cultural Sites and Land Commission Awards Overlay.

A cultural impact assessment (CIA) was conducted to identify cultural resources and historic uses in order to identify potential impacts. In addition to historical sources and research, the CIA was informed by consultation with stakeholders who provided their mana'o and 'ike (thoughts and knowledge) about the lands and waters of the Honokōwai alupua'a. The CIA and DEA provide a vivid description regarding the traditional settlements within the area as well as its connection to significant fishing grounds off-shore.

<sup>10</sup> The Master Plan Area has deposits of solid waste located at IMK parcel (2) 4-4-002-018 which were not deposited there by DHHL. Removal and remediation will occur prior to any future use.

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## EXHIBIT A

# INFORMATION ONLY

The nineteenth century brought commercial, demographic, social, and religious changes to the region. Closely following the arrival of the first whaling ships to Hawai'i in 1819, the first Protestant missionaries and their families arrived in Lahaina in 1823. This put pressure on agricultural demand in the area.

At the onset of the Great Māhele in 1848, Honokōwāi was initially retained as Crown Lands by Kamehameha III. To ease the process of land titling, both native Hawaiians and other residents could purchase land outright from either Crown Lands or Government Lands through Palapala Sila Nui (Royal Patent Grants), in addition to kuleana claims through LCAs. In Honokōwāi, all but one of the LCAs awarded also received a Royal Patent Grant. Between 1849 and 1897, there were 70 petitions for land claims in Honokōwāi, and 59 were successfully awarded I and Commission Awards (LCA). These LCA can be seen in relation to the Project area in Figure 2, Cultural Sites and Land Commission Awards Overlay.

The traditional Hawaiian ahupua'a system struggled against foreign entrepreneurs pushing for private land ownership and a market-based economy to support the increased demand for agricultural products. The Great Māhele of 1848 solidified the latter, allowing capitalism to take root and foreign businesses to dominate the landscape. For nearly a century following 1840, sugar milling and later pineapple industries dominated Honokōwāi. This conversion away from traditional agriculture practices resulted in water permanently being transported out of the watershed through diversions, and water agreements in favor of the large sugar/pineapple industrial agriculture complex (what are now known as Maui Land and Pine and Pioneer Mill). These diversions negatively impacted both the native population and environment. By the 1930's Pioneer Mill was the second largest sugar producer in Maui Nui. However, the loss of labor through out that latter part of the 20<sup>th</sup> century ultimately led to closure of the plantations in Honokōwāi.

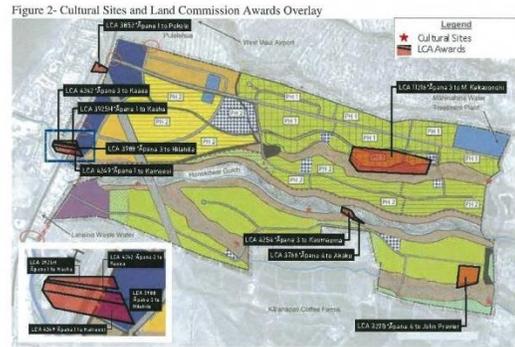


Figure 3 - Project Phases. PH 1 = Phase 1 PH 2 = Phase 2



# INFORMATION ONLY

### Hydrology and Drainage

There are three natural drainage basins in the vicinity of the Project area. The primary drainage basin, Honokōwāi Gulch<sup>11</sup>, separates the north and south portions of the Project Area. The main channel of Honokōwāi Stream is located within the gulch, with a tributary (Kanaana Stream and Gulch) flowing south of Honokōwāi gulch before and joining the Honokōwāi Stream approximately one-half mile from Honopi'ilani Highway. Kanaana Stream was perennial at one time, but due to water diversions, flows intermittently. North of Honokōwāi Gulch stream is Onepcha Gulch, a natural drainage way (with intermittent flow) that feeds into Honokōwāi Reservoir<sup>12</sup>.

The Project's western (ma'ali) boundary is located a minimum of approximately one-quarter mile from the nearest coastline which is classified as a Class A water ("open coastal waters between Pu'u Olai and Nakalele Point"). Mitigations including substantial setback from the edges of the gulches have been designed into the project to minimize project impacts on the near-shore waters.

The Project will meet or exceed County drainage requirements limiting alteration to the existing drainage pattern and extensive grading. In addition, the Project design includes retention basins<sup>13</sup> integrated into the gulch/set-back areas; and will utilize grassed swales to control and convey runoff.

### Natural Resources

Due to its long history of intensive sugarcane and pineapple cultivation, a biological survey found the site to be dominated by non-native vegetation. However, a few common native plant species, including wilowili, 'a'ali'i, 'uhaloa, pōpōlo, 'ilima, 'ala'ala wai nui, 'iwa'iwa, koali'awa, and pū'ū o Ii'i'aka were observed in the Project area. No mammals were observed during the survey<sup>14</sup>. Many birds, primarily common non-native birds were observed within the Project area. In addition to the non-native birds, several dozen shorebirds were seen foraging in and near the wastewater treatment facility including Kōlea, Akoleke, and 'Ūlihi. While not observed, there is the chance that the Project site may be home to the native green blue butterfly and Blackburn's sphinx moth. Tobacco tree (host plant for endangered Blackburn's sphinx moth) and 'a'ali'i (host plant for native green blue butterfly) were identified in several areas within the project.

<sup>11</sup> Honokōwāi gulch is located outside the project boundaries, between the northern and southern portions of the Project area. It is not part of DHIIL's landholdings.  
<sup>12</sup> Honokōwāi Reservoir is situated in the midst of the north portion of the Project area, but is excluded from DHIIL's landholdings and is not included in this master planning process.  
<sup>13</sup> Retention basins will be constructed with volume more than the increase in runoff from the 100-year, 24-hour storm. Within each designated development site within the Project area will mitigate any increase in runoff from a 50-year, 1-hour storm event. The residual runoff from greater storm events will be conveyed to master drainage along common roadways.  
<sup>14</sup> Cat scat was found within the Project boundaries.

### Consistency with DHIIL Planning System

The DEA addresses the proposed project uses for consistency with existing plans and applicable land use policies. The DHIIL Maui Island Plan, completed in 2004, identified Honokōwāi as the priority tract for development. With the addition of Local I to DHIIL's inventory, and creation of the subsistence agriculture homestead award, the proposed land use priorities have changed from a residential focus to a focus on subsistence agriculture homestead in addition to residential homesteads. A change in the land uses will require approval from HIIC at the conclusion of the HRS 343 process.

### Anticipation of a Finding of No Significant Impact

Based upon the analysis completed in the DEA, the staff anticipates a finding of no significant impact for the Project. This determination is based upon the 13 criteria of significance that approving agencies must consider as specified in Hawai'i Administrative Rules 11-200.1-13. An analysis of the 13 criteria of significance is presented below:

1. **Irreversibly commit a natural, cultural, or historic resource.**  
 The proposed project is not anticipated to involve any construction activity that may lead to a loss or destruction of any sensitive natural or cultural resource. The Project area has been the subject of flora/fauna, archaeological and cultural studies. Natural, cultural and historic resources are concentrated in the gulches that run through the Project area, away from where development activities are proposed. Measures to avoid impacts to natural, cultural, and historic resources are identified within this document should they inadvertently be encountered in the development phases of the Proposed Project.
2. **Curtaill the range of beneficial uses of the environment.**  
 The Project expands the beneficial use of the Project area by providing affordable housing opportunities and potential for a return in agricultural uses on land that is lying fallow.
3. **Conflict with the State's environmental policies or long-term environmental goals established by law.**  
 The proposed project is not in conflict with the long-term environmental policies, goals, and guidelines of the State of Hawai'i. As presented earlier in this EA, the project's potential adverse impacts are associated only with the short-term construction-related activities, and such impacts can be mitigated through adherence to standard construction mitigation practices.
4. **Have a substantial adverse effect on the economic welfare, social welfare, or cultural practices of the community and State.**  
 The proposed project will have beneficial effects on the economy and social welfare through the construction of homes for Beneficiaries of the Hawaiian Home Lands Trust and creating opportunities for a return of agricultural practices on lands that are lying fallow. Commercial and community uses proposed in the Project Area will support the new residents and agricultural uses. The Proposed Project is also expected to provide beneficial impacts with respect to cultural practices, by creating opportunities to grow, process, trade, and sell traditional and/or native plants that can serve aesthetic, traditional and educational purposes.

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5. **Have a substantial adverse effect on public health.**  
There will be temporary impacts to noise and air quality levels during the construction phase of the project; however, these potential impacts will be short-term and are not expected to substantially affect public health. Wastewater disposal will occur in compliance with State Department of Health standards, through connection to the existing sewer infrastructure and individual septic systems approved by the Department of Health.
6. **Involve adverse secondary impacts, such as population changes or effects on public facilities.**  
Although the Project will increase population in the immediate area, the population increase has been planned for through long-range land use and infrastructure planning on the part of DHHL, the County of Maui and the State of Hawai'i as discussed throughout this EA.
7. **Involve a substantial degradation of environmental quality.**  
Construction activities associated with the proposed project are anticipated to result in negligible short-term impacts to noise and air-quality in the immediate vicinity. With the incorporation of the recommended mitigation measures during the construction period, the project will not result in degradation of environmental quality. No long-term negative impacts are expected from project implementation.
8. **Be individually limited but cumulatively have substantial adverse effect upon the environment, or involves a commitment for larger actions.**  
The design of the Project area minimizes cumulative impacts to the environment. These design elements include use of R-1 water for irrigation, landscape buffers adjacent to gulches, and grassed swales to accommodate and return water to the ground rather than piping toward nearshore resources. The Proposed Project does not instigate a commitment for larger actions. As described throughout this document, long term land use planning and infrastructure planning have identified the Plan Area (and surrounding lands) for development and as such, DHHL, the County of Maui, and the State of Hawai'i have been developing or projecting infrastructure improvements to support the development.
9. **Have a substantial adverse effect on a rare, threatened or endangered species or its habitat.**  
The Proposed Project is not anticipated to have any adverse impact to rare, threatened, or endangered species. Opportunities for positive impact on botanical resources are created by the Proposed Project through reintroduction of traditional practices and supporting resources including ethnic and/or native species, and incorporation of native species in landscaping.  
  
Mitigation measures to avoid impacts to seabirds, Hawaiian hoary bat, nēnē, pūao and Blackburn's Sphinx Moth are included in this EA.
10. **Have a substantial adverse effect on air or water quality or ambient noise levels.**  
Construction activities for development of the Project could potentially impact noise and air and water quality levels on the Project area. However, these impacts will be short-term and mitigatable. All construction activities will comply with applicable regulations and will

implement appropriate mitigation measures as necessary. After construction, the development is not expected to adversely impact ambient noise levels or water and air quality. There will be an increase in impervious surfaces over the Master Plan Area's former undeveloped use; however, any increase in runoff will be accommodated by proposed low-impact drainage improvements and will not detrimentally affect water quality.

11. **Have a substantial adverse effect on or be likely to suffer damage by being located in an environmentally sensitive area such as a flood plain, tsunami zone, sea level rise exposure area, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters.**  
The development will not affect any environmentally sensitive area and buffers are proposed adjacent to the gulches and streams that run through the Master Plan Area. Development areas are located outside FIRM-designated flood plains and inland from the coast away from tsunami zones, sea level rise exposure areas, and beaches. Homes will be constructed in compliance with County of Maui building codes, which are adopted to protect residents to the extent possible from hazardous weather conditions.
12. **Have a substantial adverse effect on scenic vistas and view planes, during day or night, identified in county or state plans or studies.**  
The Master Plan Area is not specifically listed as a scenic vista or view plane. Expected development is of a low-rise nature that will not be impactful to views across the landscape.
13. **Require substantial energy consumption or emit substantial greenhouse gases.**  
The Proposed Project will increase energy consumption over the current use, vacant land. However, energy consumption of the proposed uses is not considered to be "substantial." DHHL has developed and is implementing its own renewable energy policy and works within a variety of programs to assist Beneficiaries with financing solar or other renewable sources of energy as a means to reduce household utility costs.

Based on these criteria, DHHL does not expect that activities associated with the Proposed Project would have a significant effect on the environment.

### Potential Impacts and Proposed Mitigation Measures Identified in the DEA

Based on the evaluation of the proposed Project the following mitigations identified in Table 3, Proposed Mitigation Measures for Impacts to Natural and Human Environment are proposed in the DEA.

Table 2- Proposed Mitigation Measures for Impacts to Natural and Human Environment

Natural & Human Environment	Proposed Mitigation Measures
Climate	The Project is not anticipated to have an impact on climatic conditions. Mitigations include energy conservation, green practices, considering renewable resources and passive energy conservation. Creation of landscapes may slightly increase local air temperature for a non-significant

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Natural & Human Environment	Proposed Mitigation Measures
Geology & Topography	Impact. Mitigations include integrated landscaping.  The Project is not anticipated to have an impact on geology or topography. Mitigations include minimizing alteration to existing topography, low-impact development strategies, and overall proper drainage design.
Soils	The Project is anticipated to have an impact Positive long-term impact through the return of agriculture and irrigation on fallow lands which are ideal for agricultural use. Mitigable short-term impact during construction. Mitigations include construction best management practices (BMPs) and compliance with applicable rules and regulations.
Surface Water, Wetlands & Groundwater	The Project is not anticipated to have any long-term adverse impact to surface water, wetlands, or groundwater. Roughly 150 acres of conservation space, 30 acres of park space, and majority agricultural uses are anticipated as part of the Proposed Action. Mitigations include minimizing alteration to existing topography, low-impact development strategies including the implementation of a grassed swale system, compliance with applicable State requirements, compliance with the Clean Water Act, and water conservation. Plans will include a 100-foot setback from gulches, for conservation purposes. Positive impact with regard to injection wells through use of a substantial quantity of R-1 quality effluent from the County wastewater treatment facility. Mitigable short-term impact during construction. Mitigations include construction BMPs and compliance with applicable rules and regulations.
Natural Hazards- Flood	The Project is anticipated to have mitigable flood and climate change impacts, but no (tsunami, hurricane, earthquake, volcanic hazard impacts. Mitigations include ro habitable structures in lands designated Flood Zone A, compliance with Uniform Building Code and other applicable standards, and water conservation measures to mitigate stress on water resources.
Natural Hazards- Fire	The Project is not anticipated to have a mitigatable impact from wildfire. Positive impact on wildfire reduction across the landscape through proper land maintenance, the return of active agriculture and irrigation, and the establishment of a 30-foot defensible space between new structures and undeveloped areas.
Biological Resources	The Project is not anticipated to have an adverse impact to botanical resources. Possible positive impact on botanical resources through reintroduction of traditional practices and supporting resources including ethnic and/or native species, and incorporation of native species in landscaping.  If DHHL becomes aware of the presence of protected species, site users, onsite staff, and contractors will be notified. Mitigable impact to Hawaiian

Natural & Human Environment	Proposed Mitigation Measures
Archaeological & Historic Resources	hoary bat. Mitigations include avoidance of site clearing activities between June 1 and September 15, or consultation with D1.NR before disturbance of vegetation taller than 15 feet. Barbed wire will not be used for fencing during construction, and alternatives to barbed wire will be encouraged. No impacts to nēnē or pūao. D1.NR will be contacted if birds are believed to be breeding in the Master Plan Area. Reduced speed limits will be posted if any are found to be present. Mitigable impact to seabirds. Mitigations include appropriate exterior lighting, and avoidance of nighttime construction activities between September 15 and December 15. No impact to Blackburn's sphinx moth. Mitigations include examining host plants between November and April, notification of USFWS should host plants over three feet be identified, adherence to all USFWS guidance, and discouraging the growth of host weeds. DHHL will restrict agricultural activities that could attract wildlife to nearby airport facilities.  The Project is not anticipated to have an impact on archaeological nor historic resources. Development activities will be limited to kula lands rather than gulches. Mitigations include compliance with technical consultant recommendations including: <ul style="list-style-type: none"> <li>• Preservation Plan following HRS 6E-8 review;</li> <li>• Compliance with all laws and rules regarding preservation of archaeological and historic sites;</li> <li>• Further (ongoing) consultation with SHPD;</li> <li>• In the unlikely event that subsurface historic resources are identified during development, work will cease in the immediate vicinity of the find, the find will be protected from additional disturbance, and SHPD will be contacted;</li> <li>• Relevant construction documents will include a provision detailing the aforementioned criteria for all project-related development of the Master Plan Area;</li> <li>• Consultation with Maui Cultural Lands, Inc. will be conducted for all sites currently maintained by the grass roots land trust; and</li> <li>• Continued consultation with stakeholders related to historic practices will be conducted, as plans for the Master Plan Area evolve.</li> </ul>
Cultural Resources	The Project is anticipated to have an overall positive impact. No significant adverse impacts. Mitigations include proper design of infrastructure and siting of land uses, avoidance of areas with cultural resources, and attempts to employ the following measures: <ul style="list-style-type: none"> <li>• Stakeholder interviews revealed a desire for residents to grow traditional and/or native plants that could serve aesthetic, traditional, and educational purposes. Crops grown in the mauka regions of the development could be traded or shared with residents in the makai</li> </ul>

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Natural & Human Environment	Proposed Mitigation Measures
	<p>portion; thereby, allowing residents to engage in the traditional practice of kupa (trade).</p> <ul style="list-style-type: none"> <li>A community facility to process agricultural products should also be considered, to facilitate intra-community trade as noted above.</li> <li>Provide agricultural and Hawaiian culture resources for site users. For instance, proposed uses are compatible with the construction of a hale wa'a (canoe house) that could be used to teach and learn about voyaging culture.</li> <li>Encourage use of traditional place names when possible</li> <li>Minimize coastal resource degradation that may result from flooding.</li> <li>Increase awareness of the connectivity between the maaka and makai resources of Honokōkai alupua'a.</li> <li>As a part of farm planning, the use of appropriate native ground cover in non-cultivated areas should be considered to minimize dust pollution that may result from modern agricultural practices and carried by the winds.</li> <li>Foster and encourage a mālama 'āina land stewardship ethic that extends beyond the physical boundaries of DHHI's lands. Strategies to accomplish this could include BMP monitoring/enforcement, continued agency consultation, and environmental outreach/education programs where possible. Any prospective third-party developers or tenants of commercial/industrial areas who embrace this land ethic should be favorably considered from a cultural standpoint.</li> <li>Prior to the initiation of land development, whether residential, business, or agriculture, appropriate blessings and/or protocols should be carried out.</li> <li>Embrace the re-introduction and cultivation of suitable native and canoe plants, in support of traditional practices and/or crafts.</li> <li>Preserve traditional maaka/makai access through a connective community design. Traditional trails are not known the Project area; this mitigation embraces a revival of a trail system access across the property.</li> <li>Continue research into cultural resources within the Project area.</li> </ul>
Sound	<p>The Project is not anticipated to have any long-term impacts from site operations. Mitigations include compliance with applicable regulations and limiting noise from fixed mechanical equipment by tenants. Mitigable short-term impact during construction. Mitigations include obtaining a noise permit if necessary and properly muffling construction equipment, incorporation of applicable noise limits, curfew times, and hours. Distance and elevation change mitigate nuisance to existing residences during new construction. Temporary sound barriers or portable air conditioning equipment will be considered. Mitigable impact from construction of the</p>

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Natural & Human Environment	Proposed Mitigation Measures
	<p>future Lahaina Bypass Phase 1-D. Mitigations include siting sensitive uses away from the Bypass alignment.</p>
Air Quality	<p>The Project is not anticipated to have any long-term impacts on local or regional air quality. Mitigations include energy conservation and green practices. Mitigable short-term impact during construction. Mitigations include construction BMPs.</p>
Human-made Hazards	<p>The Project is anticipated to have mitigable impacts. Mitigations will be as needed and will include retaining an environmental consultant to submit a Sampling and Analysis Work Plan to the DOH HEER Office, to evaluate residual pesticide risk in any areas of the Project area intended for re-development. If contamination is confirmed or likely, DHHI will issue a notice to site users and as needed, DHHI will address contamination concerns in cooperation with the HEER Office including possible land use restrictions or remedial action.</p>
Roadways and Public Transit	<p>The Project is not anticipated to have any adverse impacts on existing roadways or existing traffic conditions in the vicinity. The Honokōkai Master Plan will limit access points to Honoapiʻilani Highway and are being coordinated with DOT-HWY. DHHI is coordinating on a potential roadway connection with the neighboring Pulelehua development. Positive impact on the future Lahaina Bypass Phase 1-D by setting aside a conceptual land area to accommodate it. No adverse impact on public transit or multimodal facilities. DHHI will not impede planned safety and complex street improvements along Lower Honoapiʻilani Highway and will contribute to the region's multimodal facilities where appropriate. Designated areas within onsite conservation buffers may also be used for appropriately designed pedestrian trails that can provide safe maaka and makai access.</p>
Infrastructure and Utilities	<p>The Project is not anticipated to have any adverse impacts regarding potable water and non-potable water. The proposing agency DHHI is coordinating with other agencies. Potable water systems would be designed to County standards, and water supplies in the aquifer are sufficient to support the Proposed Action. The Proposed Action's water needs have been identified by the State Water Projects Plan adopted in 2017. Impacts regarding potable water will be reduced through the use of a dual potable/non-potable water system. The Master Plan also includes lands set aside for County use, including for the County's existing Mahāhāna Water Treatment Plant. No adverse impact regarding non-potable water. Substantial irrigation demand will be met through the use of R-1 quality effluent and surface water.</p>

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Natural & Human Environment	Proposed Mitigation Measures
	<p>The Project is not anticipated to have any adverse impacts regarding wastewater. The existing County facility has capacity available to accommodate the Proposed Action. The use of individual wastewater systems (IWS) where appropriate will reduce demand on the municipal system. Sensitive uses will not be placed near the existing County facility.</p> <p>The Project is anticipated to have mitigable long-term impacts regarding drainage. Mitigations include minimized alterations to existing grading and existing drainage patterns, and adherence to the site drainage plan(s). Mitigable short-term impact during construction. Mitigations include construction best management practices (BMPs), implementation of a grassed swale system, and compliance with applicable rules and regulations.</p> <p>The Project is not anticipated to have an impact regarding solid waste or other utilities. DHHI will consult with MECO regarding electrical utilities and will explore photovoltaic alternatives. DHHI has developed and is implementing its own renewable energy policy. To mitigate impacts related to existing onsite solid waste deposits, DHHI will comply with the recommendations from the DOH – Solid and Hazardous Waste Branch and is taking active measures to prevent solid waste dumping from occurring in the future.</p>
Socio-Economic Characteristics	<p>The Project is not anticipated to have an adverse impact on population. The Proposed Action will provide homestead awards to native Hawaiians, many of whom are low-income families. Therefore, the Proposed Action will benefit rather than expose or disproportionately adversely affect minority or low-income persons in comparison to the rest of the population. Population increases suggest a corollary need for more jobs and housing, as well as substantial investments in public and commercial services and infrastructure. The Proposed Action stands to provide both jobs and housing.</p>
Public Services and Facilities	<p>The Project is anticipated to have a mitigable impact on HIDOE schools. Mitigations include coordination with HIDOE regarding the West Maui School Impact Fee District based on the chosen residential composition for the Project area. Various beneficiary stakeholders have expressed enthusiasm for uses such as a Hawaiian language school, cultural education facilities, a charter school and daycare for the Project area. If realized, these would contribute positively to Maui's educational opportunities.</p>
Airport Operations / Facilities	<p>The Project is not anticipated to have an impact on airport operations or facilities. A Notice of Proposed Construction or Alteration (or multiple notices) will be submitted to the FAA as needed. DHHI will restrict</p>

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Natural & Human Environment	Proposed Mitigation Measures
	<p>agricultural activities that could attract wildlife to nearby airport facilities. DHHI acknowledges that photovoltaic systems can cause visual and/or radio interference for aircraft pilots, and that any such system in the Project area should be prepared for immediate hazard mitigation upon notification by IADOT and/or FAA. Mitigable impacts from airport operations or facilities. Should DHHI suspect that fumes, smoke, noise, vibrations, odors, and other airport-related exposures may impact the anticipated uses of its lands, more protective mitigation strategies will be considered at such time, depending on the nature of the concern. Should other unforeseen impacts arise from aircraft activities which are not mitigated by the strategies described in this EA, DHHI will consider additional measures.</p>

### NEXT STEPS FOR EA COMPLETION

The following is a list of anticipated next steps and milestones in the completion of the EA.

- DEA anticipated to be published in the July 8, 2021. OEQC IEN
- 30-day public comment period on the DEA ends August 7, 2021.
- Revise DEA per public comments and complete Final Environmental Assessment (FEA) (September 2021).
- Present FEA to IHIC; IHIC issues Finding of No Significant Impact (FONSI) declaration for the project (September 2021).
- IHIC FONSI declaration for the project and FEA submitted to OEQC for publication in OEQC bi-monthly bulletin. (October 2021)

### NEXT STEPS FOR OVERALL PROJECT IMPLEMENTATION

In addition to the completion of the FEA and IHIC declaration of FONSI for the project in accordance with Hawaii Revised Statutes Chapter 343 and HAR 11-200.1, the following actions permits, approvals, and coordination are needed.

RESPONSIBLE ENTITY	PERMIT/APPROVAL/COORDINATION
Hawaiian Homes Commission	Update DHHI Maui Island Plan with updated Land Use Plan for Honokōkai

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State Department of Health - Clean Water Branch	National Pollutant Discharge Elimination System (NPDES) Permit
State Department of Health - Disability and Communication Access Board	Review
State Department of Health - Indoor and Radiological Health Branch	Community Noise Permit (if applicable)
State Department of Health - Wastewater Branch	Review, Individual Wastewater System approval (by future lessees)
State Department of Land and Natural Resources - State Historic Preservation Division	Chapter 6L, HRS compliance and Section 106 compliance as needed
State Department of Land and Natural Resources - Commission on Water Resource Management	Surface Water Use Permit (if applicable)
County of Maui Department of Public Works	Grading/Subdivision/Building/Electrical Permits, plan review
County of Maui Department of Water Supply	Review, coordination, and allocation of additional water
County of Maui Planning Department and/or Planning Commission	Use Permits, plan review Flood Development Permit (if applicable)
County of Maui Wastewater Reclamation Division	Review
Pulelehua Development	Coordination
Hawaii Department of Transportation	coordination regarding the proposed Lahaina By-pass
Honokōwai lessees and beneficiaries on waitlist	identification and implementation of community uses

Sufficient budget will need to be allocated by the HHC and DIIHL to implement the Project. Furthermore, a willingness by current and future decision-makers to follow through with various aspects of the Project will be needed to ensure successful implementation.

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

January 18-19, 2022

To: Chairman and Members, Hawaiian Homes Commission  
Thru: Andrew H. Choy Acting Planning Program Manager  
From: Malia M. Cox, Compliance Specialist  
Subject: G-2 – Amend the Maui Island Plan to Apply Subsistence Agriculture, Supplemental Agriculture, Residential, Community Use, Conservation, and Industrial Land Use Designations to Honokōwai, Kā‘anapali Moku, Maui TMK Nos. (2) 4-4-001:015; (2) 4-4-002:003, 008, 009, 011, 015, 018, and 038

**RECOMMENDED ACTIONS**

That the Hawaiian Homes Commission (HHC) approve an amendment to the *Maui Island plan* (MIP) (2004) to apply Subsistence Agriculture, Supplemental Agriculture, Residential, Community Use, Conservation, and Industrial Land Use Designations to Honokōwai, Maui; TMKs (2) 4-4-001:015; (2) 4-4-002:003, 008, 009, 011, 015, 018, and 038.

**DISCUSSION**

The land use designations for Honokōwai, approximately 777 acres in the MIP requires revision. This approval would amend land use designations from the existing Commercial, Industrial, General Agriculture, Community Use, Supplemental Agriculture and Residential to Subsistence Agriculture, Supplemental Agriculture, Residential, Community Use, Industrial Use, and Conservation Land Use to support the master planning efforts and DHHL’s General Plan Goals. See *Figure 1 Proposed DHHL Maui Island Plan Amendment*.

The HHC was previously briefed on this master planning effort for Honokōwai, in June 2021.

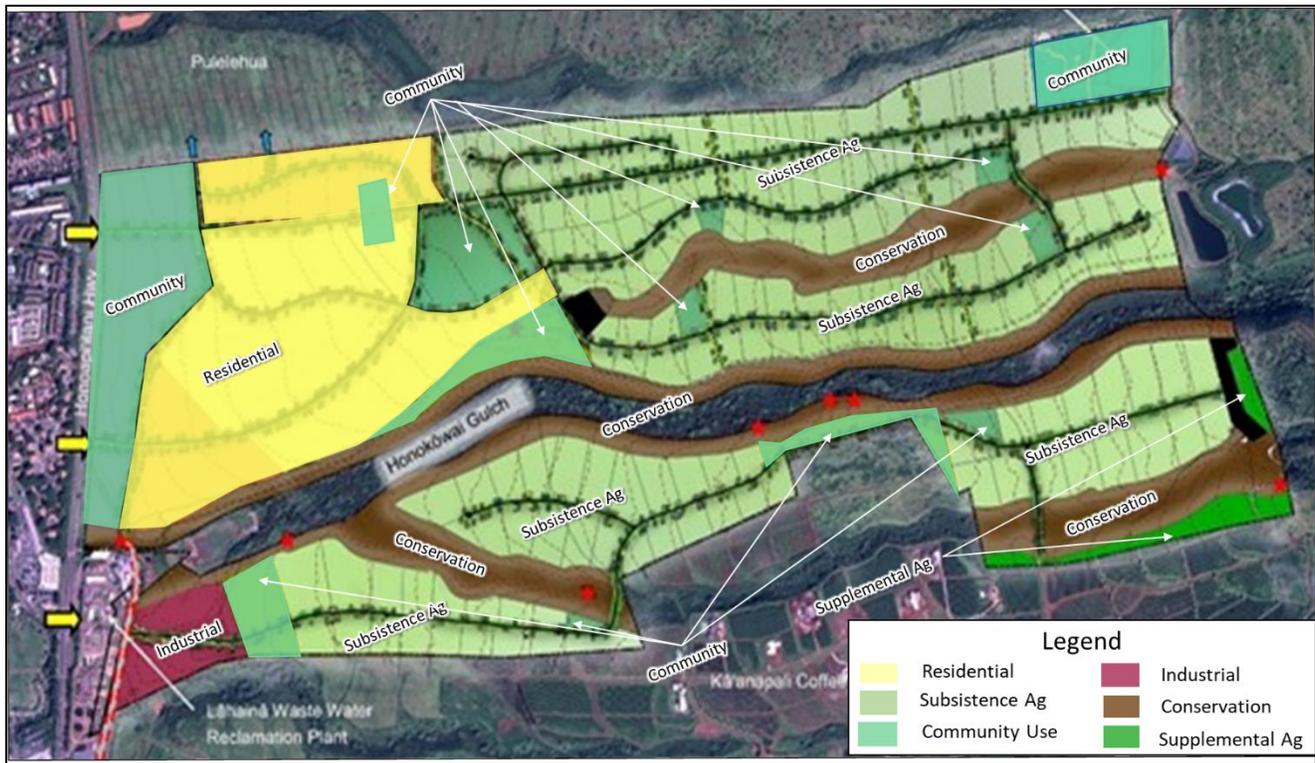


Figure 1 Proposed DHHL Maui Island Plan Amendment

DHHL Planning Process

DHHL developed a three-tiered planning system to guide planning of its land holdings and policies for resource management, and for the benefit of current and future beneficiaries. The planning system includes an over-arching General Plan, followed by Strategic Program Plans and Island Plans, in the second tier and Regional and Development Plans in the third tier.

DHHL General Plan, (adopted 2002)

The General Plan (Tier 1 of the Planning System) is a Statewide plan developed with a long-term perspective (20 years) that established seven categories of goals and objectives to meet DHHL’s mission. These categories are Land Use Planning, Residential Uses, Agricultural and Pastoral Uses, Water Resource, Land Resource Management, Economic Development, and Building Healthy Communities.

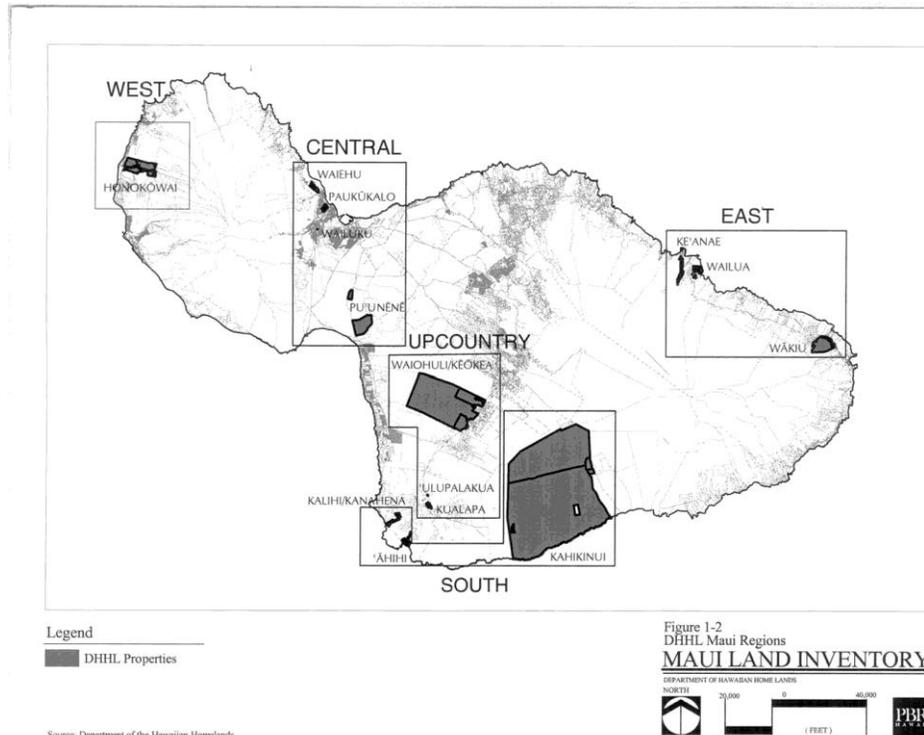
On February 26, 2002, the Hawaiian Homes Commission approved a DHHL General Plan to provide comprehensive direction and guidance in implementation of the Hawaiian Homes Commission Act.

Maui Island Plan, (adopted 2004)

The island plans (Tier 2 of the Planning System) were developed to have a long-term perspective (around 20 years with an update every 10 years) and accomplish the following:

- Implement comprehensive General Plan goals and objectives
- Establish land use designations to encourage orderly social, physical, and economic development.
- Identify priority areas for homestead development.

The Hawaiian Homes Commission approved the Maui Island Plan in 2004. DHHL lands holdings on Maui Island were divided into five regions, Central, East, South, Up Country and West as shown in *Figure 2- DHHL Maui Island Regions*. The area of proposed revision to the land use designation is located within the west Maui region.



*Figure 2- 2004 Maui Island Plan- Maui Island Regions (Honokōwai is in West Maui Region)*

Subsequent to the 2004 release of the Maui Island Plan, DHHL acquired additional lands in the Central and West Maui regions. An updated land inventory for Maui is shown in Figure 3.

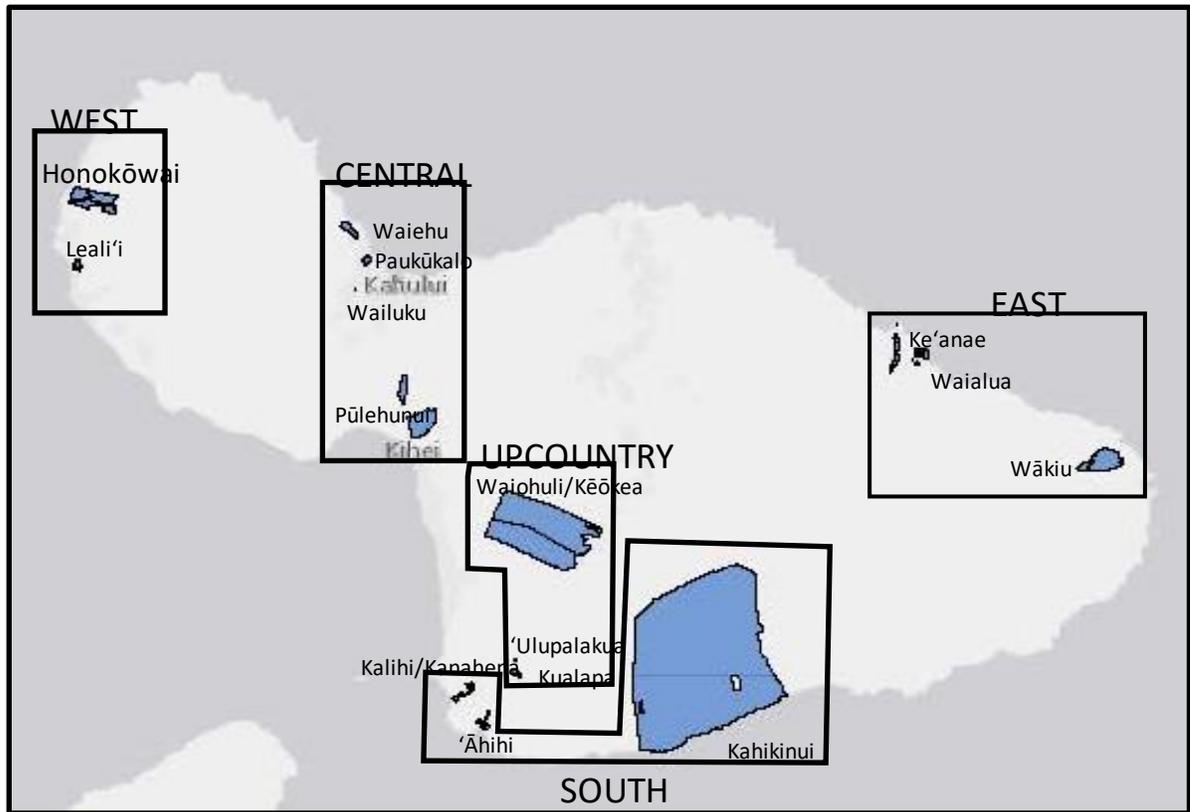


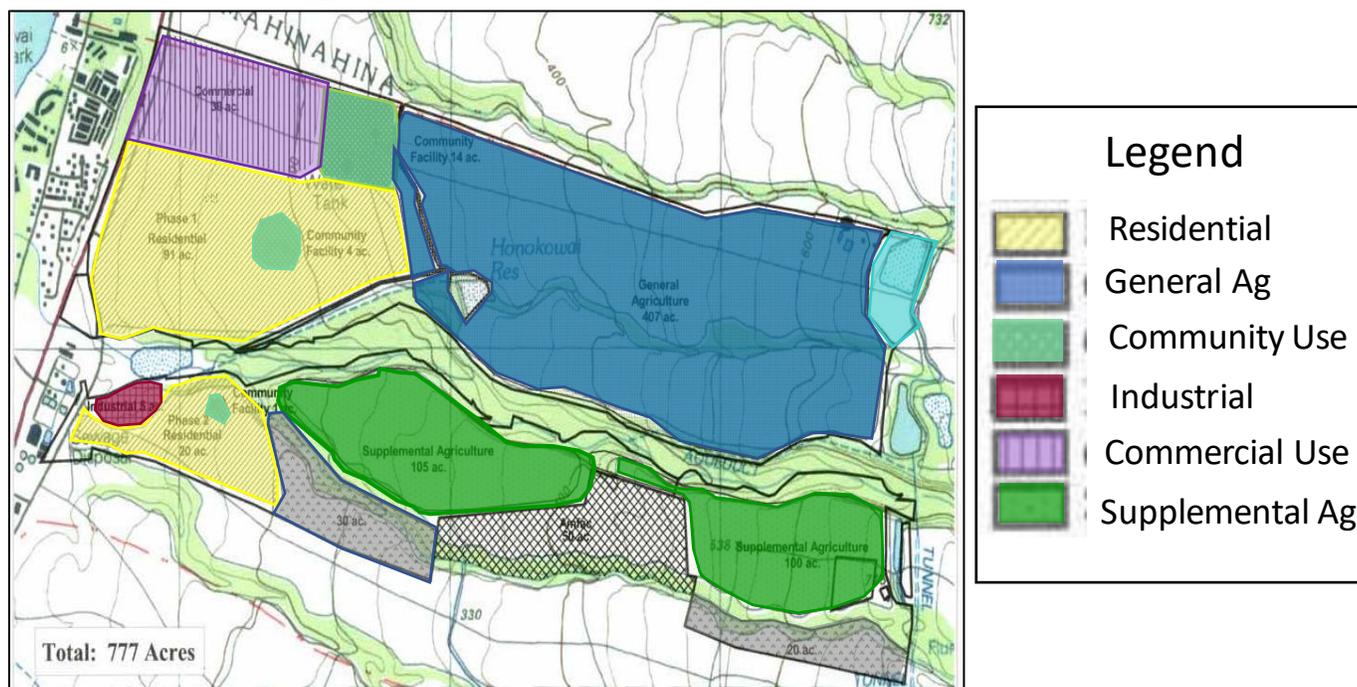
Figure 3- Current Hawaiian Home Lands Inventory on Maui Island, 2022

Based on the current land holdings, the West Maui region is further divided into 2 smaller tracts of land as described in Table 1, *West Maui Land Uses* and shown in Figure 4, *Land Use Summary Maui Island Plan 2004*.

Table 1 *West Maui Land Uses*

Area	Land Use
Honōkōwai	Residential Homestead
	Supplemental Agriculture Homestead
	Community Use
	General Agriculture
	Commercial
	Industrial
Leali'i	Residential Homestead

Figure 4-Land Use Summary- Maui Island Plan 2004



### Maui Island Regional Plans

Regional Plans are part of the third tier of DHHL’s planning system. Regional plans have a short-term focus at the community/regional level. These plans apply the goals, policies and land use designations to specific geographic regions that have been at least partially developed. It is a mechanism for DHHL to affect development rather than reacting to actions by other organizations. On Maui, DHHL has worked with local beneficiaries to develop four regional plans, Leali‘i-Honokowai (2009), Kēōkea-Wai‘ohuli (2010), Waiehu Kou-Paukūkalo (2010), and Kahikinui (2011). The Leali‘i-Honokowai Regional plan identified two projects relating to the development of Honokowai as priorities, Preliminary review of Honokowai Lands, and water source development<sup>1</sup>.

As described in the Maui Island Plan, Honokōwai was identified as a high priority project. Detailed analysis of DHHL’s land holdings on Maui island were conducted for areas identified as development priorities. This detailed analysis included Honokōwai.

However, subsequent to the release of MIP in 2004, DHHL acquired approximately 75 acres of land within the Villages of Leali‘i. The use entitlements and some of the infrastructure was completed for approximately 25 acres making it primed for construction and award. With the 2004 acquisition the priority shifted away from Honokōwai, to the shovel-ready development of Leali‘i. The land inventory of Maui has changed as shown in Figure 3 with the addition of land in Leali‘i as well as lands within the central region of Maui.

<sup>1</sup> The water source development priority project identified in the 2009 regional plan benefits both west Maui land tracts, Leali‘i and Honokōwai. This project is on-going.

Development Plan for Honokōwai Lands

Development Plans are also part the third tier of DHHL’s planning system. The development plan is utilized as a planning tool for undeveloped areas and has a 10-year time frame. DHHL owns eight parcels (TMKs (2) 4-4-001:015; (2) 4-4-002:003, 008, 009, 011, 015, 018, and 038.) of totally approximately 777 acres. Of that, 759 acres are undeveloped. The remaining 18 acres have been developed by the county with community facilities including the Mahinahina water treatment facility.

Pursuant to DHHL's mission, land uses in Honokōwai were refined through the beneficiary consultation process. This ensures conformance with DHHL’s Maui Island Plan. DHHL has engaged in beneficiary consultation activities regarding the planning efforts for the region since it was identified as a priority development area in the Maui Island Plan.

DHHL engaged in a robust environmental, cultural, anthropogenic, and socio-economic review of the proposed Master Plan for DHHL’s 777 acres in Honokōwai as part of the State of Hawai’i’s environmental review process. The HHC, DHHL beneficiaries as well as public, and agency stakeholders had multiple opportunities for input during the development of the Environmental Assessment and associated documents.

Beneficiary and public outreach efforts undertaken include:

- September 25, 2019: Beneficiary Planning Meeting #1
- February 26, 2020: Beneficiary Planning Meeting #2
- November 12, 2020 Beneficiary Planning Meeting #3
- July 8, 2021 Publication of the Draft EA
- November 8, 2021: Beneficiary Informational Meeting

Land use changes were identified during the planning process for Honokōwai. As such, a revision of the existing land uses identified in the Maui Island Plan is required.

Recommended Land Use Revisions to Amend Maui Island Plan

DHHL is recommending amending the Maui Island Plan land use designation for approximately 777 acres of land in Honokōwai, West Region, to align with proposed lands uses developed during the planning process. The land use designation revision will allow for DHHL to pursue the development of subsistence agricultural and residential homesteads along with other community and industrial uses while creating conservation and visual buffers. The Maui Island Plan does not include any lands designated for subsistence agriculture. Based on these land use designations, the lands in Honokowai can provide homesteading opportunities for both agriculture and residential applicants with appropriate spaces designated for a variety of community uses based on the needs of the future homestead community.

A comparison of the current land use designations and proposed are described in *Table 3, Proposed land use designations for Honokōwai. Figure 5 Comparison of Current and Proposed Land Uses* provides a visual comparison between the current land uses and the proposed land use designations.

*Table 3: Proposed land use designations for Honokōwai*

Land Use Designation	Available for Homestead Use	Current Maui Island Plan (2004) Acres <sup>¥</sup>	Proposed Amendment Acres Sub-total <sup>†</sup> (type)	Proposed Acres Total by Designation
Subsistence Agriculture	<b>Yes</b>	0	342	<b>342</b>
Residential	<b>Yes</b>	111	75 (single-family)	<b>112</b>
			37 (Multi-family)	
Supplemental Agriculture	<b>Yes</b>	205	14	<b>14</b>
Community Use-	No*	19	27 (commercial)	<b>89</b>
			16 (agriculture)	
			28 (Parks/Trails)	
			18 (County Facilities)	
Commercial Use	No	30	0	<b>0</b>
Conservation	No	0	146	<b>146</b>
Industrial	No	5	16	<b>16</b>
General Agriculture	No	407	0	
<b>Total Acreage</b>		<b>777</b>		<b>777<sup>ϕ</sup></b>

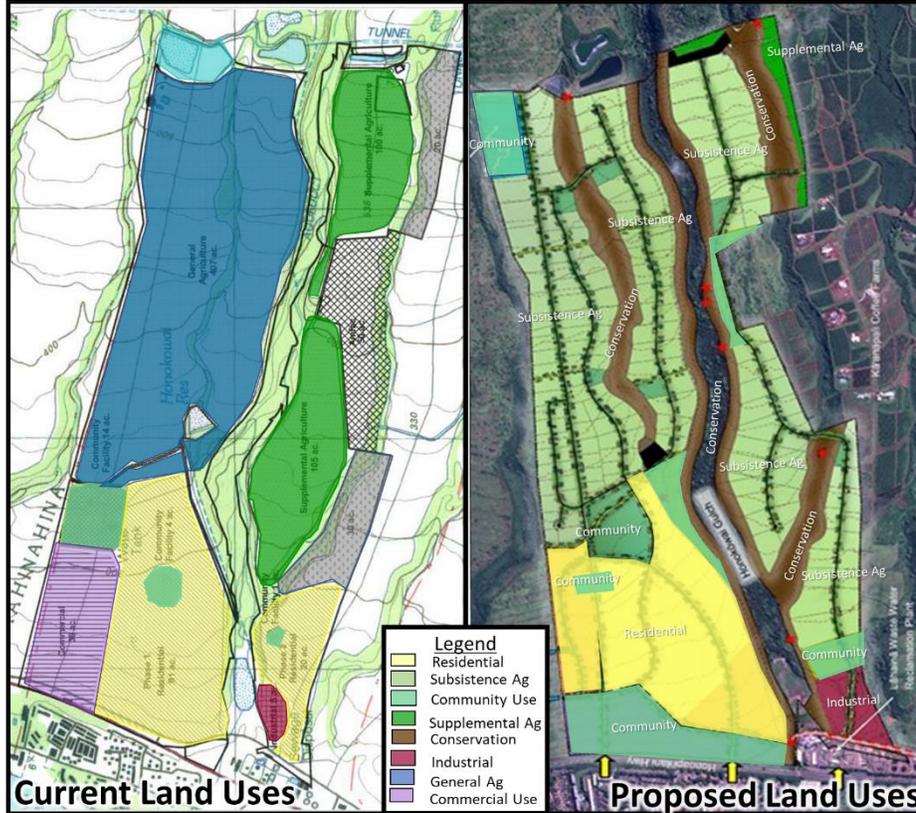
<sup>¥</sup> 50 acres were designated in the 2004 Maui Island Plan for a one-to-one land exchange with the adjoining property owner. This land exchange was intended to provide access to DHHL's mauka Honokowai lands south of Honokowai gulch. The land exchange would have been beneficial to both DHHL and the adjacent landowner, however it did not occur. Such a land exchange would still be beneficial in providing access to DHHL's land locked parcel based on the current conceptual plan and land use designations.

<sup>†</sup> Participants in the consultation planning meetings identified several different types of residential homesteading and community uses that would be beneficial in the development of a community in Honokōwai. The acreages associated with these sub-types are listed in this column.

\* While community use does not allow for direct homesteading by beneficiaries, it is available to support the proposed homesteading land uses in the region.

<sup>ϕ</sup> The proposed acreage total by land use designation includes an estimated 58 acres identified for internal roadways not incorporated into the individual land use designations.

Figure 5 Comparison of Current and Proposed Land Uses



Project Schedule

Since the Honokōwai project (informational briefing regarding draft EA) was last presented to the HHC in June 2021, several milestones have been met.

- July 8, 2021: The Draft EA was published in *The Environmental Notice*
- November 8, 2021: Beneficiary Informational Meeting
- Pending: HHC approval of the Final EA

DHHL anticipates the conceptual planning, and HRS Chapter 343 environmental review phase of this project will be completed in March 2022 with the approval of the Final EA by the HHC (January 2022), transmittal of the FEA from DHHL to the Office of Planning and Sustainable Development’s Environmental Review Program Control in early February, and conclusion of the FEA 30-day challenge period in early March. Assuming no legal challenges during the 30-day period, the project will proceed to the engineering and design for Phase I based on funding approval. Coordination, consultation and/or approval with/from various governmental agencies, adjacent developers and other stakeholders is on-going and will continue as required.

This is the first subdivision development in west Maui with an agriculture component. The first two phases of this project can be developed based on existing water allocation available for lot

development. Although the concept plan includes both residential and agriculture homesteads, the first phase will only include agriculture homesteads. A second phase of residential homesteads is being developed at the near-by Leali'i subdivision on a concurrent development schedule. Eligible residential wait-list applicants interested in west-Maui will have the opportunity to be considered for a lot in Leali'i, or as part of the second phase of development proposed for Honokōwai. The development of the remaining phases will be pursued once adequate water is secured and available.

State of Hawaii

Department of Hawaiian Home Lands

January 18 – 19, 2022

TO: Chair and Members, Hawaiian Homes Commission

Through: Andrew H. Choy, Acting Planning Program Manager 

FROM: Gigi O. Cairel, Grants Specialist 

SUBJECT: USDA Application and Nā Kupa‘a o Kūhiō Update

RECOMMENDED MOTION/ACTION

None. For information only.

BACKGROUND

In 2005 – 2006, there was a federal set-aside of funds created by the US Congress for the Department of Hawaiian Home Lands (DHHL) water and wastewater infrastructure projects. The Congressional commitment was for \$5 million annually. The funds were administered by the US Department of Agriculture Rural Development (USDA RD), under the Water and Environmental Program (WEP), Water and Waste Disposal Direct Loan and Grant program. The WEP program has been in existence for almost 60 years and is commonly used in many States, US Territories, Tribes and Alaska Native villages. (See Exhibit A). At the time, both USDA RD and DHHL agreed to utilize a federally tax-exempt 501(c)(3) nonprofit to serve as applicant to access the USDA RD WEP funds and to use the funds expeditiously. In 2006, DHHL and Nā Kupa‘a o Kūhiō established a partnership to access these Congressional set-aside funds. Nā Kupa‘a o Kūhiō is a private, nonprofit, federally tax-exempt 501(c)(3) organization.

The partnership was to assist DHHL to develop the infrastructure for new homestead lots statewide. The partnership involved the department identifying USDA RD WEP-eligible water and wastewater infrastructure projects. Nā Kupa‘a o Kūhiō then applied to USDA RD for the federal funds for construction and improvements to drinking water and wastewater systems that serve homesteads in USDA RD-defined rural areas. Per USDA RD WEP regulations, and as the applicant, Nā Kupa‘a o Kūhiō must own, operate and maintain the water and wastewater systems during construction and throughout the life of the USDA RD loan (typically 35 years). Nā Kupa‘a o Kūhiō then leased the systems to DHHL to enable water and wastewater services to be

provided to the homesteads. This lease-back agreement enabled DHHL to fulfill its Trust obligations to provide infrastructure and lots to Trust beneficiaries.

### Accomplishments

From 2006 to 2011, Nā Kupa‘a o Kūhiō applied for and was obligated federal funds totaling over \$19 million for multiple water and wastewater projects to support new homesteads throughout the state. See Table 1 below for a list of projects.

Table 1.  
List of Projects

Project	Island	USDA RD Amount awarded
Ho‘olehua water system improvements – Phase IV	Moloka‘i	\$2,487,000
Maku‘u off-site well	Hawai‘i	\$5,248,000
Waiohuli/Kēōkea Phase 3 and 4 water	Maui	\$2,768,655
La‘i ‘Ōpua Village 4 water and wastewater	Hawai‘i	\$3,051,350
Kaka‘ina water and wastewater	O‘ahu	\$918,800
Pi‘ilani Mai Ke Kai Phase 2 water	Kaua‘i	\$810,000
Ka‘uluokaha‘i water and wastewater	O‘ahu	\$3,701,000
	TOTAL	\$18,984,805
	Round	\$19,000,000

For various reasons, including project readiness, the full \$19 million was not utilized and, eventually, \$11 million was de-obligated by USDA RD. In the end, the DHHL/ Nā Kupa‘a o Kūhiō partnership leveraged \$5.4 million in USDA RD funds and resulted in a total of 256 new homestead lots in the following areas:

- Kaka‘ina/ Waimānalo – 45 lots
- Pi‘ilani Mai Ke Kai/ Anahola – 51 lots
- Ka‘uluokaha‘i/ Kapolei – 160 lots

The \$2,487,000 in USDA RD funds was also implemented for the DHHL existing Ho‘olehua water system (Phase IV improvements), which serves over 600 customers – beneficiaries and non-beneficiaries.

## Challenges

The DHHL/ Nā Kupa‘a o Kūhiō partnership faced many challenges in implementing the USDA RD funds and project execution, including the following:

- “Funder Fit” – DHHL new subdivision projects are not typical projects that are funded by USDA RD WEP. USDA RD generally funds existing water and wastewater systems that are failing and in need of improvements to address health and safety; or existing small, rural communities that lack safe drinking water and sanitary waste disposal. DHHL’s greatest need for funds is for new homestead lots to address the growing applicant list for a homestead. Thus, utilizing the USDA RD WEP funds posed federal regulatory, administrative and policy challenges.
- Project readiness – when the USDA RD WEP funds were obligated to Nā Kupa‘a o Kūhiō, the project simply was not ready to construct as the project was still in the planning /environmental compliance phase; and/or funding for roads, drainage, street lights, etc. were not yet secured.
- Partner organizational capacity – Nā Kupa‘a o Kūhiō was a start-up nonprofit when DHHL established the partnership. The volunteer board, then and now, is highly professional and skilled. Unfortunately, Nā Kupa‘a o Kūhiō did not grow its administrative and project management capacity to handle \$20 million in federal funds and multiple projects across the state.

## Last project to closeout

The water and wastewater system for the Ka‘uluokaha‘i homestead was the last project from the DHHL/ Nā Kupa‘a o Kūhiō partnership. The project consisted of water distribution lines within the subdivision, which connected to the Honolulu Board of Water Supply (BWS) system. The wastewater component consisted of wastewater disposal collection lines, which connected to the City and County wastewater treatment system. Ka‘uluokaha‘i residents are direct customers of BWS. This project had to be coordinated with other subdivision infrastructure — roads, drainage, street lights, etc. These other components were ready to go, so it was agreed to move forward with the water and wastewater piece though the federal funds were not yet accessible by Nā Kupa‘a o Kūhiō. To keep the project going, DHHL then entered into an interim financing agreement with Nā Kupa‘a o Kūhiō to bridge the funding gap. The project was completed on time and within budget in 2015.

It was later discovered that the USDA RD WEP funds — total of \$3.7 million — were never released from USDA to Nā Kupa‘a o Kūhiō. USDA RD appealed to DHHL for assistance. All parties came to an agreement on the path to move forward: USDA RD committed to transfer the \$3.7 million funding obligation from Nā Kupa‘a o Kūhiō to DHHL.

This will involve several steps, including the following:

- DHHL and Nā Kupa‘a o Kūhiō to jointly notify USDA RD that both parties are mutually agreeable to this transfer. See Exhibit B.
- DHHL to submit an application to USDA RD.
- DHHL and USDA RD to negotiate the terms and conditions of the funding obligation.
- DHHL to re-visit the DHHL Interim Financing Agreement between DHHL and Nā Kupa‘a o Kūhiō. See Exhibit C.

#### Change to DHHL as the applicant

In 2016, DHHL was notified that the federal set-aside funds grew to \$20M, in spite of the \$19M initially obligated to Nā Kupa‘a o Kūhiō. USDA RD was requesting more applications to obligate the funds. In evaluating the partnership with Nā Kupa‘a o Kūhiō, the challenges faced by all parties, and in reviewing the USDA RD WEP program requirements, DHHL moved forward with serving as the applicant ourselves. DHHL started with improvements to our existing water systems — Ho‘olehua and Anahola. DHHL also applied for WEP funds for the La‘i ‘Ōpua Village 4 Hema phase water, wastewater and storm drainage. In 2018, DHHL was able to obtain the entire balance of the Congressional set-aside funds.

#### NEXT STEPS

In order to closeout the last project with Nā Kupa‘a o Kūhiō – Ka‘uluokaha‘i water and wastewater (\$3.7 million) – DHHL intends to bring forth the following items at a future date for HHC action:

- Authorize the Chairman to submit the funding application for \$3.7 million to USDA RD.
- Authorize the Chairman to negotiate the final terms and conditions of the USDA RD WEP funds.
- Since the federal funds are intended to be transferred from Nā Kupa‘a o Kūhiō to DHHL, the DHHL interim loan agreement with Nā Kupa‘a o Kūhiō is no longer needed. DHHL to re-visit this agreement. Nā Kupa‘a o Kūhiō

#### RECOMMENDED MOTION/ACTION

None. For information only.

# Water & Waste Disposal Loan & Grant Program

## What does this program do?

**This program provides funding for clean and reliable drinking water systems, sanitary sewage disposal, sanitary solid waste disposal, and storm water drainage to households and businesses in eligible rural areas.**

## Who may apply?

**This program assists qualified applicants who are not otherwise able to obtain commercial credit on reasonable terms. Eligible applicants include:**

- **Most state and local governmental entities**
- **Private nonprofits**
- **Federally recognized Tribes**

### **What is an eligible area?**

Areas that may be served include:

- Rural areas and towns with populations of 10,000 or less – check eligible addresses
- Tribal lands in rural areas
- Colonias

### **What kinds of funding are available?**

Long-term, low-interest loans. If funds are available, a grant may be combined with a loan if necessary to keep user costs reasonable

### **How may the funds be used?**

Funds may be used to finance the acquisition, construction, or improvement of:

- Drinking water sourcing, treatment, storage, and distribution
- Sewer collection, transmission, treatment, and disposal
- Solid waste collection, disposal, and closure
- Storm water collection, transmission, and disposal

In some cases, funding may also be available for related activities such as:

- Legal and engineering fees
- Land acquisition, water and land rights, permits, and equipment
- Start-up operations and maintenance

- Interest incurred during construction
- Purchase of facilities to improve service or prevent loss of service
- Other costs determined to be necessary for completion of the project
- See 7 CFR Part 1780.7 and 1780.9 for a complete list

### **What is the loan term and rate?**

The loan term is up to a 40-year payback period, based on the useful life of the facilities financed with a fixed interest rate. The interest rate is based on the need for the project and the median household income of the area to be served. Contact us for details and current interest rates applicable for your project.

### **Are there additional requirements?**

- Borrowers must have the legal authority to construct, operate, and maintain the proposed services or facilities.
- All facilities receiving federal financing must be used for a public purpose.
- Partnerships with other federal, state, local, private, and nonprofit entities that offer financial assistance are encouraged.
- Projects must be financially sustainable.

## How do we get started?

Applications are accepted year round and may be filed electronically using [RD Apply](#). The RD Apply Customer Help Guide is provided to help you get started and work through the application process. Applications are also accepted through your [local RD office](#). Program resources are available online (i.e., forms, guidance, certifications, etc.).

## Who can answer questions?

Contact the local representative who serves your area. Participating nonprofits in your area may also offer assistance and training.

## What governs this program?

- Basic Program – [7 CFR, Part 1780](#)
- Loan Servicing – [7 CFR, Part 1782](#)
- Section 306 of the Consolidated Farm and Rural Development Act

## Why does USDA Rural Development do this?

This program helps very small, financially distressed rural communities extend and improve water and waste treatment facilities that serve local households and businesses. Good practices can save tax dollars, improve the natural environment, and help manufacturers and businesses to locate or expand operations.

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**NOTE: Because citations and other information may be subject to change, please always consult the program instructions listed in the section above titled “*What Governs This Program?*” You may also contact your local office for assistance. You will find additional forms, resources, and program information at [rd.usda.gov](http://rd.usda.gov). *USDA is an equal opportunity provider, employer, and lender.***

DAVID Y. IGE  
GOVERNOR  
STATE OF HAWAII



WILLIAM J. AILA, JR.  
CHAIRMAN  
HAWAIIAN HOMES COMMISSION

JOSH GREEN  
LT. GOVERNOR  
STATE OF HAWAII

TYLER I. GOMES  
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

P. O. BOX 1879  
HONOLULU, HAWAII 96805

March 31, 2021

Mr. Alton Kimura, Community Programs Director  
U.S. Department of Agriculture Rural Development  
154 Waiianuenue Avenue Room 311  
Hilo, Hawaii 96720

Subject: *East Kapolei IIB Water and Wastewater Project*

Dear Mr. Kimura,

This letter is to confirm that both the Department of Hawaiian Home Lands (DHHL) and Na Kupa'a o Kuhio (Na Kupa'a) have mutually agreed to the transfer of the U.S. Department of Agriculture Rural Development (USDA RD) Water and Environment Program (WEP) loan of \$2,188,000 and grant of \$1,513,000 funds obligation from Na Kupa'a to DHHL for the East Kapolei IIB Water and Wastewater project. The total amount of federal funds transferred under this agreement is \$3,701,000.

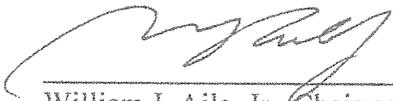
DHHL and Na Kupa'a have been in partnership since 2006 to support water and wastewater infrastructure projects in under-served native Hawaiian communities throughout the State of Hawaii. Jointly, DHHL and Na Kupa'a have leveraged their respective funds and accessed over \$5.4 million in USDA RD WEP funds for multiple water and wastewater projects. For the East Kapolei IIB project, which is the last and final project between DHHL and Na Kupa'a, USDA RD initially obligated federal funds to Na Kupa'a in 2011. The project was constructed and completed in 2016. USDA RD informed DHHL that the WEP loan has not closed with Na Kupa'a and no WEP funds have been released to Na Kupa'a to date. To resolve this matter, both DHHL and Na Kupa'a agree to the transfer of WEP funds from Na Kupa'a to DHHL.

EXHIBIT "B"

Mr. Alton Kimura  
March 31, 2021  
Page 2

We appreciate USDA RD's assistance and support over the years on these important infrastructure projects in native Hawaiian homestead communities. Federal USDA WEP funds contributed to housing over 260 native Hawaiian families and providing access to safe drinking water and wastewater disposal services. If there are any questions, or further information is needed, please contact me at (808) 620-9500 or by email at [william.j.ailair@hawaii.gov](mailto:william.j.ailair@hawaii.gov).

Mahalo,



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William J. Aila, Jr., Chairman  
Hawaiian Homes Commission



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Wendell Lee, Board Member  
Na Kupa`a o Kuhio

EXHIBIT "B"

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

August 18, 2014

To: Chairman and Members, Hawaiian Homes Commission  
From: Sandra Pfund, Administrator, Land Development Division  
Subject: Approval of an Interim Construction Loan to Na Kupa'a  
O Kuhio for the East Kapolei IIB Subdivision, Kapolei,  
Oahu

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission approve the issuance of an Interim Construction Loan to Na Kupa'a O Kuhio ("Na Kupa'a") in the amount of \$3.701 Million Dollars from the Department of Hawaiian Home Lands Trust Fund to fund construction and project management services for the East Kapolei IIB Subdivision, Kapolei, Oahu.

FACTS

1. On September 24, 2004, the Board of Land and Natural Resources ("BLNR") approved the issuance of a Quitclaim Deed to the Department of Hawaiian Home Lands ("DHHL") for the lands comprising the East Kapolei IIB Subdivision, which is a portion of Lot 18066 as shown on Map 1410 of Land Court Application 1069.
2. On February 5, 2009, the Department of Land and Natural Resources ("DLNR") and DHHL executed an unrecorded Quitclaim Deed for the subject parcel of 26.794 acres. (Exhibit A)
3. The Quitclaim Deed was issued in advance of registering the parcel in the Land Court of the State of Hawaii because several sequential subdivisions of land for development of DHHL's East Kapolei Development under Land Court Application 1069 needed to be petitioned and approved in Land Court prior to subdivision of East Kapolei IIB increment.

ITEM NO. E-3

EXHIBIT "C"

4. DHHL secured the unrecorded Quitclaim Deed in order to ensure site control of the parcel since significant investments of funds were being made to develop the parcel for homesteading.
5. The East Kapolei lands were acquired by the DLNR, State of Hawaii, from the Estate of James Campbell. The Campbell lands were registered in Land Court, which was originally established in 1903 as a means to confirm and register land ownership. Certificate of titles were issued to owners of land registered in Land Court and documents run in sequence from the first issuance in 1903. Unlike Regular System property, title to ownership of property in Land Court is guaranteed by the State of Hawaii. Properties placed in Land Court go through a lengthy process of a judicial review of the survey of the parcel, title abstract and determination of ownership.
6. The Land Court petition to subdivide and transfer to DHHL the East Kapolei IIB lot (Lot 18066) under Land Court Application 1069 has been submitted to Land Court but is expected to take upwards of 6 months to a year to be successfully registered and approved by Land Court.

DISCUSSION:

7. The United States Department of Agriculture -Rural Development (USDA-RD) approved a loan of \$2,188,000 and a grant of \$1,513,000 to Na Kupa'a for the construction of the water and wastewater systems for East Kapolei IIB.
8. One of the USDA-RD underwriting requirements required to close the loan is that Na Kupa'a provide an opinion prepared by its attorney that Na Kupa'a has legal title to the property upon which the water and wastewater systems will be constructed.
9. Evidence of title to Na Kupa'a included the unrecorded Quitclaim Deed described hereinabove and DHHL License No. 757 executed between DHHL and Na Kupa'a on June 22, 2011. (Exhibit B)
10. Na Kupa'a attorney Wesley Chang could not issue a Title Opinion Letter because the unrecorded Quitclaim Deed is not recognized under Land Court and thus state law, until the Petition to subdivide the property and register the

transfer of title has been reviewed and approved by Land Court.

11. Time is of the essence to begin construction. The construction contract has been awarded to Royal Contracting and the contractor is prepared to begin construction immediately.
12. Should DHHL and Na Kupa'a execute an Interim Construction Loan to bridge the period to complete the Land Court Petition to transfer title from DLNR to DHHL, USDA-RD agrees to assume the financing as originally awarded, provided that all other USDA terms and conditions for the funding are met. (Exhibit C)
13. Terms for the Interim Construction Loan to Na Kupa'a:
  - a. Term of Loan: 1 year
  - b. Interest Rate: 0%
  - c. Amount: \$3,701,000
14. Interim Construction Funding in the amount of \$3,701,000 was approved by the Hawaiian Homes Commission under the FY 2015 Development Budget on July 22, 2014.

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission approve the issuance of an Interim Construction Loan to Na Kupa'a O Kuhio ("Na Kupa'a) in the amount of \$3.701 Million Dollars from the Department of Hawaiian Home Lands Trust Fund to fund construction and project management services for the East Kapolei IIB Subdivision, Kapolei, Oahu.



described in Exhibit "C" and delineated on Exhibit "C-1," both of which are attached hereto and made parts hereof, and

LOT II-D-1, situate at Honouliuli, Ewa, Oahu, Hawaii, being a portion of Lot 18066, as shown on Map 1410, of Land Court Application 1069, containing an area of 12.875 acres, covered by Transfer Certificate of Title No. 908,339 issued to the State of Hawaii, more particularly described in Exhibit "D" and delineated on Exhibit "D-1," both of which are attached hereto and made parts hereof.

AND the Grantee for itself, its successors and assigns, covenants with the Grantor and its successors as follows:

1. The Grantee acknowledges and is fully aware that a comprehensive search of title covering the lands conveyed herein has not been completed by Grantor and agrees that the lands conveyed herein may be subject to additional encumbrances, known and/or unknown, recorded and/or unrecorded.

2. Non-warranty. The Grantor does not warrant the conditions of the lands conveyed herein, and the Grantee accepts said lands "as is."

3. Hold-harmless. In case the Grantor shall, without any fault on its part, be made a party to any litigation commenced by or against the Grantee as a result of (a) the issuance of this quitclaim deed or a challenge to the validity thereof, or (b) the conveyance of the lands herein (other than eminent domain and/or quiet title proceedings), the Grantee shall defend and hold the Grantor harmless from and against any claim or demand for loss, liability, or damage.

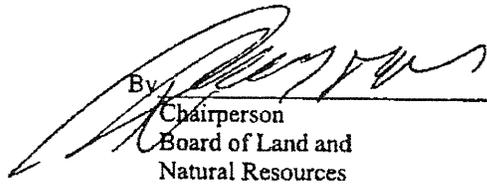
TO HAVE AND TO HOLD the same together with all of the rights, easements, privileges and appurtenances thereunto belonging or in anywise appertaining or held and enjoyed therewith unto said Grantee, its successors and assigns, forever except as noted herein.

[The remainder of this page is intentionally left blank.]

IN WITNESS WHEREOF, the STATE OF HAWAII, the Grantor herein, by its Board of Land and Natural Resources, has caused the seal of the Department of Land and Natural Resources to be hereunto affixed and these presents to be duly executed this 5<sup>th</sup> day of February, 2009, and the DEPARTMENT OF HAWAIIAN HOME LANDS, by its HAWAIIAN HOMES COMMISSION, the Grantee herein, has caused these presents to be executed this 5<sup>th</sup> day of February, 2009, both effective as of the day, month, and year first above written.

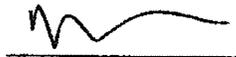
Approved by the Board of Land and Natural Resources at its meeting held on September 24, 2004.

STATE OF HAWAII

By   
Chairperson  
Board of Land and  
Natural Resources

GRANTOR

APPROVED AS TO FORM:

  
Deputy Attorney General  
Dated: 12/17/08

DEPARTMENT OF HAWAIIAN HOME LANDS,  
STATE OF HAWAII

  
MICAH A. KANE, CHAIRPERSON  
HAWAIIAN HOMES COMMISSION

GRANTEE

APPROVED AS TO FORM:

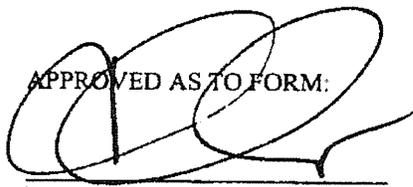
  
Deputy Attorney General  
Dated: 12/20/2008

EXHIBIT "A"

LOT II-A

at Honouliuli, Ewa, Oahu, Hawaii

Being a portion of Lot 18066 as shown  
on Map 1410 of Land Court Application 1069.

Beginning at the South corner of this parcel, being the North side of  
Lot 11286 as shown on Map 838 of Land Court Application 1069,  
the coordinates of said point of beginning referred to Government Survey  
Triangulation Station "Kapuai New" being 12,412.75 feet South  
and 9,252.60 feet East and running by azimuths measured  
clockwise from true South:

- |     |              |              |   |
|-----|--------------|--------------|---|
| 1.  | 151° 18'     | 813.45 feet  | along portion of Lot 18066;   |
| 2.  | 241° 18'     | 436.35 feet; |   |
|     |              |              | thence on a curve to the right with a radius of<br>30.00 feet, the chord azimuth and distance being:    |
| 3.  | 286° 18'     | 42.43 feet;  |   |
| 4.  | 241° 18'     | 78.00 feet;  |   |
|     |              |              | thence on a curve to the right with a radius of<br>30.00 feet, the chord azimuth and distance being:    |
| 5.  | 196° 18'     | 42.43 feet;  |   |
| 6.  | 241° 18'     | 189.06 feet; |   |
|     |              |              | thence on a curve to the left with a radius of<br>964.00 feet, the chord azimuth and distance<br>being: |
| 7.  | 233° 00' 30" | 278.04 feet; |   |
| 8.  | 224° 43'     | 283.15 feet; |   |
|     |              |              | thence on a curve to the right with a radius of<br>30.00 feet, the chord azimuth and distance being:    |
| 9.  | 269° 43'     | 42.43 feet;  |   |
| 10. | 224° 43'     | 66.00 feet;  |   |
|     |              |              | thence on a curve to the right with a radius of<br>30.00 feet, the chord azimuth and distance being:    |
| 11. | 179° 43'     | 42.43 feet;  |   |
| 12. | 224° 43'     | 671.99 feet; |   |
|     |              |              | thence on a curve to the right with a radius of<br>30.00 feet, the chord azimuth and distance being:    |
| 13. | 269° 43'     | 42.43 feet;  |   |

14. 224° 43' 66.00 feet;

thence on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

15. 179° 43' 42.43 feet;

16. 224° 43' 301.00 feet;

17. 314° 43' 745.00 feet;

18. 44° 43' 2,209.18 feet

along Lot 11286;

19. 67° 16' 582.45 feet

to the point of beginning and containing an area of 47.317 acres.

735 Bishop Street, Suite 330  
Honolulu, Hawaii 96813  
(808) 521-3990

December 5, 2008



ACE LAND SURVEYING LLC

A handwritten signature in black ink, appearing to read "Kevin K. Kea", written over a horizontal line.

Kevin K. Kea  
Licensed Professional Land Surveyor  
Certificate Number 10928

EXHIBIT "C"

EXHIBIT "A-1"

LOT II-A

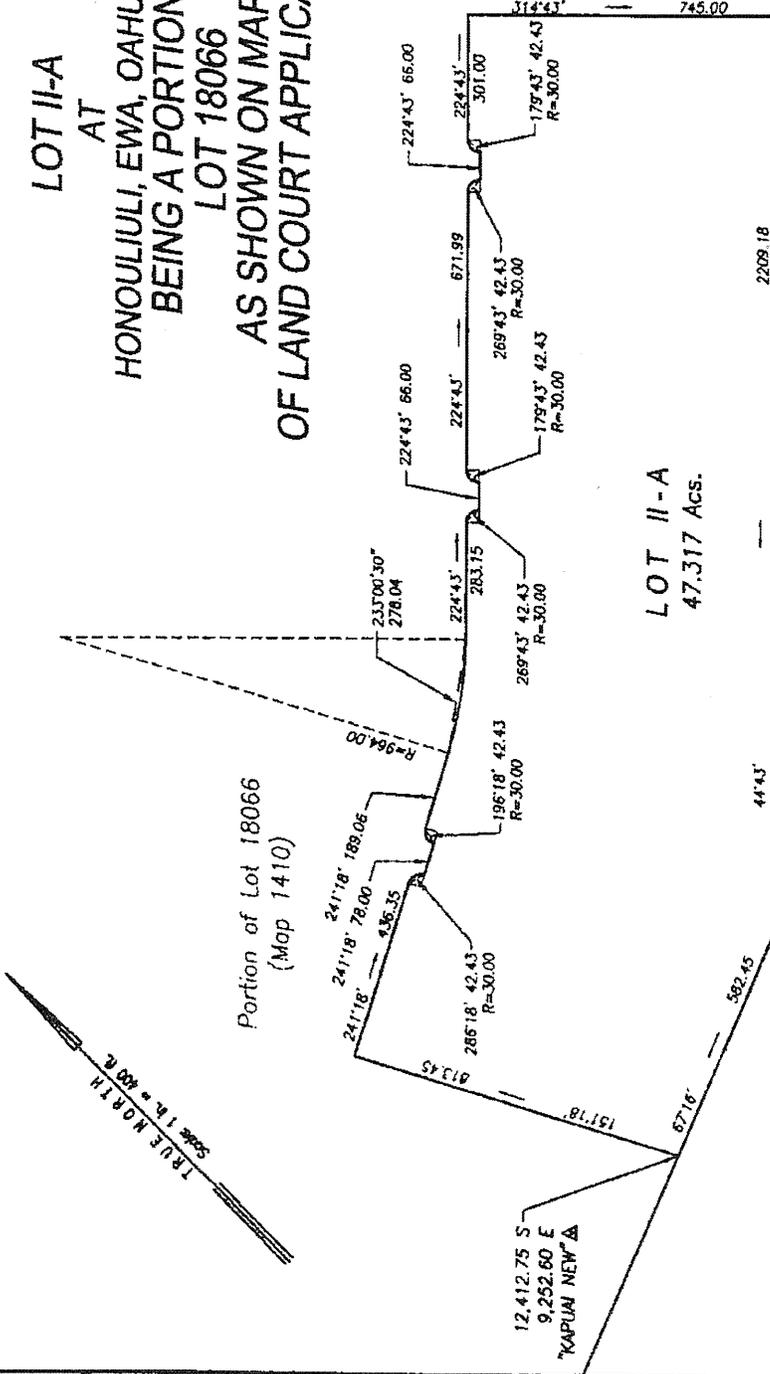
AT

HONOULIULI, EWA, OAHU, HAWAII

BEING A PORTION OF

LOT 18066

AS SHOWN ON MAP 1410  
OF LAND COURT APPLICATION 1069

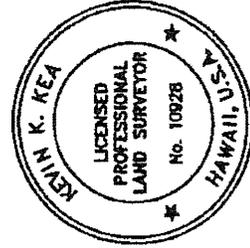


LOT II - A  
47.317 ACS.

Lot 11286  
(Map 838)

OWNER: DEPARTMENT OF HAWAIIAN HOME LANDS  
TAX MAP KEY: 9-1-17: PORS. 71 & 88

December 5, 2008



ACE LAND SURVEYING LLC

Kevin K. Kea  
Licensed Professional Land Surveyor  
Certificate No. 10928  
Land Court Surveyor No. 286

TAK: 9-1-17: Pors 71 and 88

ACE LAND SURVEYING LLC  
735 Bishop St., Suite 330  
Honolulu, Hawaii 96813

8.5" x 11" = 0.65 Sq. Ft.

EXHIBIT "C"

EXHIBIT "B"

LOT II-B

at Honouliuli, Ewa, Oahu, Hawaii

Being a portion of Lot 18066 as shown  
on Map 1410 of Land Court Application 1069.

Beginning at the South corner of this parcel, with a direct tie from the  
South corner of Lot 18066 of  $141^{\circ}48'24''$  at 1022.25 feet,  
the coordinates of said point of beginning referred to Government Survey  
Triangulation Station "Kapuai New" being 11,384.25 feet South  
and 9,157.73 feet East and running by azimuths measured  
clockwise from true South:

- |     |                        |              |   |
|-----|------------------------|--------------|---|
| 1.  | $151^{\circ} 18'$      | 661.70 feet  | along a portion of Lot 18066;   |
| 2.  | $241^{\circ} 18'$      | 78.00 feet;  |   |
|     |                        |              | thence on a curve to the right with a radius of<br>30.00 feet, the chord azimuth and distance being:    |
| 3.  | $196^{\circ} 18'$      | 42.43 feet;  |   |
| 4.  | $241^{\circ} 18'$      | 109.79 feet; |   |
|     |                        |              | thence on a curve to the left with a radius of<br>435.00 feet, the chord azimuth and distance<br>being: |
| 5.  | $233^{\circ} 00' 30''$ | 125.46 feet; |   |
| 6.  | $224^{\circ} 43'$      | 282.38 feet; |   |
|     |                        |              | thence on a curve to the right with a radius of<br>30.00 feet, the chord azimuth and distance<br>being: |
| 7.  | $269^{\circ} 43'$      | 42.43 feet;  |   |
| 8.  | $224^{\circ} 43'$      | 50.00 feet;  |   |
|     |                        |              | thence on a curve to the right with a radius of<br>30.00 feet, the chord azimuth and distance being:    |
| 9.  | $179^{\circ} 43'$      | 42.43 feet;  |   |
| 10. | $224^{\circ} 43'$      | 680.00 feet; |   |
|     |                        |              | thence on a curve to the right with a radius of<br>30.00 feet, the chord azimuth and distance being:    |
| 11. | $269^{\circ} 43'$      | 42.43 feet;  |   |
| 12. | $224^{\circ} 43'$      | 66.00 feet;  |   |
| 13. | $314^{\circ} 43'$      | 671.97 feet; |   |
| 14. | $44^{\circ} 43'$       | 66.00 feet;  |   |

thence on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

- 15. 359° 43' 42.43 feet;
- 16. 44° 43' 671.99 feet;

thence on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

- 17. 89° 43' 42.43 feet;
- 18. 44° 43' 66.00 feet;

thence on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

- 19. 359° 43' 42.43 feet;
- 20. 44° 43' 283.15 feet;

thence on a curve to the right with a radius of 860.00 feet, the chord azimuth and distance being:

- 21. 53° 00' 30" 248.05 feet;
- 22. 61° 18' 189.00 feet;

thence on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

- 23. 106° 18' 42.43 feet;
- 24. 61° 18' 78.00 feet

to the point of beginning and containing an area of 26.794 Acres.

735 Bishop Street, Suite 330  
Honolulu, Hawaii 96813  
(808) 521-3990

December 5, 2008



ACE LAND SURVEYING LLC

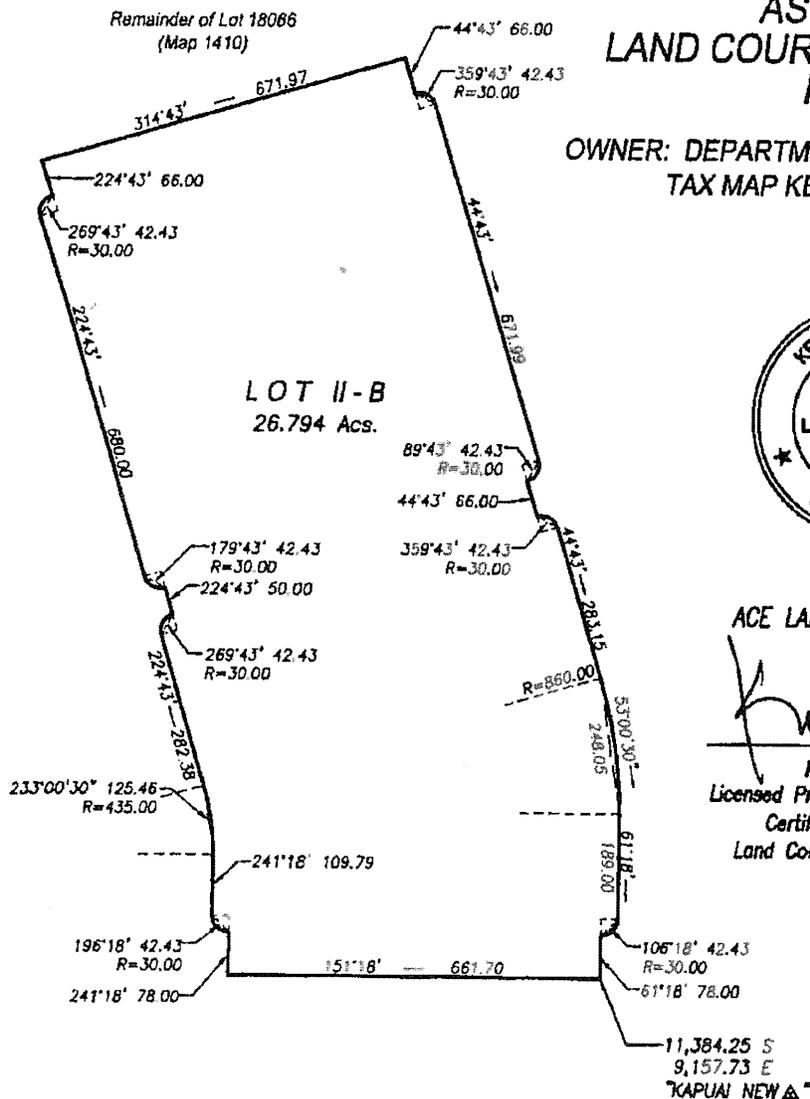
A handwritten signature in black ink, appearing to read "Kevin K. Kea", written over a horizontal line.

Kevin K. Kea  
Licensed Professional Land Surveyor  
Certificate Number 10928

EXHIBIT "B-1"

LOT II-B  
AT  
HONOULIULI, EWA, OAHU, HAWAII  
BEING A PORTION OF  
LOT 18066  
AS SHOWN ON  
LAND COURT APPLICATION 1069  
MAP 1410

OWNER: DEPARTMENT OF HAWAIIAN HOME LANDS  
TAX MAP KEY: 9-1-17: PORS. 71 & 88



ACE LAND SURVEYING LLC

Kevin K. Kea  
Licensed Professional Land Surveyor  
Certificate No. 10928  
Land Court Surveyor No. 286

December 5, 2008

ACE LAND SURVEYING LLC  
735 Bishop St., Suite 330  
Honolulu, Hawaii 96813

8.5" x 11" = 0.65 Sq. ft.

EXHIBIT "C"

EXHIBIT "C"

REMAINDER PARCEL A

at Honouliuli, Ewa, Oahu, Hawaii

Being a portion of Lot 18066 as shown  
on Map 1410 of Land Court Application 1069.

Beginning at the East corner of this parcel,  
being the Southwesterly side of Lot 10078 as shown on Map 785,  
the coordinates of said point of beginning referred to Government Survey  
Triangulation Station "Kapuai New" being 8,635.29 feet South  
and 11,052.11 feet East and running by azimuths measured  
clockwise from true South:

- |     |         |              |  |
|-----|---------|--------------|--|
| 1.  | 46° 41' | 68.97 feet   | along a portion of Lot 18066;  |
|     |         |              | thence on a curve to the right with a radius of<br>30.00 feet, the chord azimuth and distance being: |
| 2.  | 91° 41' | 42.43 feet;  |  |
| 3.  | 46° 41' | 48.00 feet;  |  |
|     |         |              | thence on a curve to the right with a radius of<br>30.00 feet, the chord azimuth and distance being: |
| 4.  | 01° 41' | 42.43 feet;  |  |
| 5.  | 46° 41' | 136.00 feet; |  |
|     |         |              | thence on a curve to the right with a radius of<br>30.00 feet, the chord azimuth and distance being: |
| 6.  | 91° 41' | 42.43 feet;  |  |
| 7.  | 46° 41' | 48.00 feet;  |  |
|     |         |              | thence on a curve to the right with a radius of<br>30.00 feet, the chord azimuth and distance being: |
| 8.  | 01° 41' | 42.43 feet;  |  |
| 9.  | 46° 41' | 135.00 feet; |  |
|     |         |              | thence on a curve to the right with a radius of<br>30.00 feet, the chord azimuth and distance being: |
| 10. | 91° 41' | 42.43 feet;  |  |
| 11. | 46° 41' | 48.00 feet;  |  |
|     |         |              | thence on a curve to the right with a radius of<br>30.00 feet, the chord azimuth and distance being: |
| 12. | 01° 41' | 42.43 feet;  |  |
| 13. | 46° 41' | 40.00 feet,  |  |

- thence on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
14. 91° 41' 42.43 feet;
- thence on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
15. 46° 41' 66.00 feet;
- thence on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
16. 01° 41' 42.43 feet;
17. 46° 41' 40.00 feet;
- thence on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
18. 91° 41' 42.43 feet;
19. 46° 41' 48.00 feet;
- thence on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
20. 01° 41' 42.43 feet;
21. 46° 41' 134.00 feet;
- thence on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
22. 91° 41' 42.43 feet;
23. 46° 41' 48.00 feet;
- thence on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
24. 01° 41' 42.43 feet;
25. 46° 41' 138.14 feet;
- thence on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
26. 91° 41' 42.43 feet;
27. 136° 41' 2.00 feet;
28. 44° 43' 48.00 feet;
- thence on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
29. 359° 43' 42.43 feet;
30. 44° 43' 40.00 feet;
- thence on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

31. 89° 43' 42.43 feet;

32. 44° 43' 66.00 feet;

thence on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

33. 359° 43' 42.43 feet;

34. 44° 43' 680.00 feet;

thence on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

35. 89° 43' 42.43 feet;

36. 44° 43' 50.00 feet;

thence on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

37. 359° 43' 42.43 feet;

38. 44° 43' 137.83 feet;

thence on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

39. 89° 43' 42.43 feet;

40. 44° 43' 48.00 feet;

thence on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

41. 359° 43' 42.43 feet;

42. 44° 43' 36.56 feet;

thence on a curve to the right with a radius of 365.00 feet, the chord azimuth and distance being:

43. 53° 00' 30" 105.27 feet;

44. 61° 18' 109.78 feet;

thence on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

45. 106° 18' 42.43 feet;

46. 61° 18' 78.00 feet;

thence on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

47. 16° 18' 42.43 feet;

48. 61° 18' 266.76 feet;

49. 151° 18' 361.22 feet;

50. 84° 53' 286.69 feet;

- 51. 175° 02' 130.00 feet;
- 52. 84° 53' 191.10 feet;
- 53. 194° 00' 211.12 feet
- 54. 264° 53' 264.38 feet
- 55. 256° 25' 30" 335.18 feet;

along Lot 17852 as shown on Map 1375;

thence on a curve to the right with a radius of 839.00 feet, the chord azimuth and distance being:

- 56. 173° 52' 19" 237.73 feet;
- 57. 182° 01' 1881.76 feet;

thence on a curve to the left with a radius of 411.00 feet, the chord azimuth and distance being:

- 58. 165° 47' 03' 229.78 feet;

thence on a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:

- 59. 103° 16' 33" 43.36 feet;
- 60. 237° 00' 1283.28 feet;
- 61. 316° 41' 2148.84 feet

along Lot 10078 to the point of beginning and containing an area of 126.698 Acres.

SUBJECT, HOWEVER to a portion of Easement 15 (5-ft wide) as shown on Map 3

735 Bishop Street, Suite 330  
 Honolulu, Hawaii 96813  
 (808) 521-3990

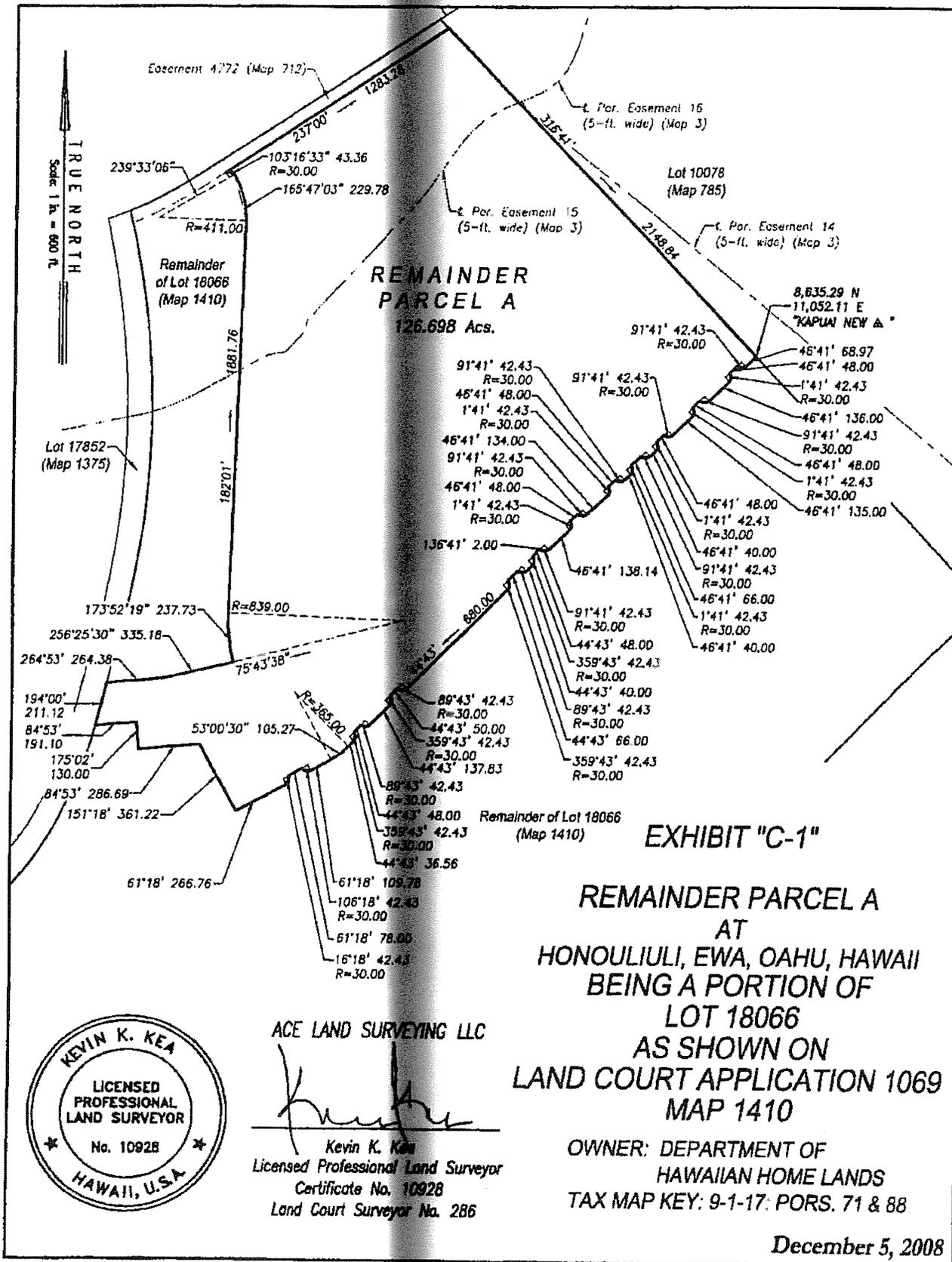
December 5, 2008



ACE LAND SURVEYING LLC

*Kevin K. Kea*

Kevin K. Kea  
 Licensed Professional Land Surveyor  
 Certificate Number 10928



**REMAINDER  
PARCEL A**  
126.698 Acs.

**EXHIBIT "C-1"**

**REMAINDER PARCEL A  
AT  
HONOULIULI, EWA, OAHU, HAWAII  
BEING A PORTION OF  
LOT 18066  
AS SHOWN ON  
LAND COURT APPLICATION 1069  
MAP 1410**

**OWNER: DEPARTMENT OF  
HAWAIIAN HOME LANDS  
TAX MAP KEY: 9-1-17: PORS. 71 & 88**

**December 5, 2008**



**ACE LAND SURVEYING LLC**  
*Kevin K. Kea*  
Kevin K. Kea  
Licensed Professional Land Surveyor  
Certificate No. 10928  
Land Court Surveyor No. 286

**ACE LAND SURVEYING LLC**  
735 Bishop St., Suite 330  
Honolulu, HI 96813

8.5" x 11" = 0.65 Sq. ft.

**EXHIBIT "C"**

EXHIBIT "D"

LOT II-D-1

at Honouliuli, Ewa, Oahu, Hawaii

Being a portion of Lot 18066 as shown  
on Map 1410 of Land Court Application 1069.

Beginning at the East corner of this parcel,  
being the Southwesterly side of Lot 10078 as shown on Map 785,  
the coordinates of said point of beginning referred to Government Survey  
Triangulation Station "Kapuai New" being 9,201.91 feet South  
and 11,586.38 feet East and running by azimuths measured  
clockwise from true South:

1. 46° 41' 703.97 feet along a portion of Lot 18066;  
thence on a curve to the right with a radius of  
30.00 feet, the chord azimuth and distance being:
2. 91° 41' 42.43 feet;
3. 46° 41' 66.00 feet;
4. 136° 41' 648.79 feet;
5. 226° 41' 66.00 feet;  
thence on a curve to the right with a radius of  
30.00 feet, the chord azimuth and distance being:
6. 181° 41' 42.43 feet;
7. 226° 41' 527.00 feet;  
thence on a curve to the right with a radius of  
30.00 feet, the chord azimuth and distance being:
8. 271° 41' 42.43 feet;
9. 226° 41' 48.00 feet;  
thence on a curve to the right with a radius of  
30.00 feet, the chord azimuth and distance being:
10. 181° 41' 42.43 feet;
11. 226° 41' 68.97 feet;

12. 316° 41'

708.79 feet;

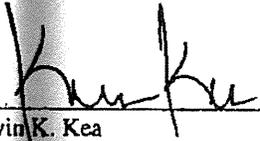
along Lot 10078 to the point of beginning and containing an area of 12.875 Acres.

735 Bishop Street, Suite 330  
Honolulu, Hawaii 96813  
(808) 521-3990

December 5, 2008



ACE LAND SURVEYING LLC

  
\_\_\_\_\_  
Kevin K. Kea

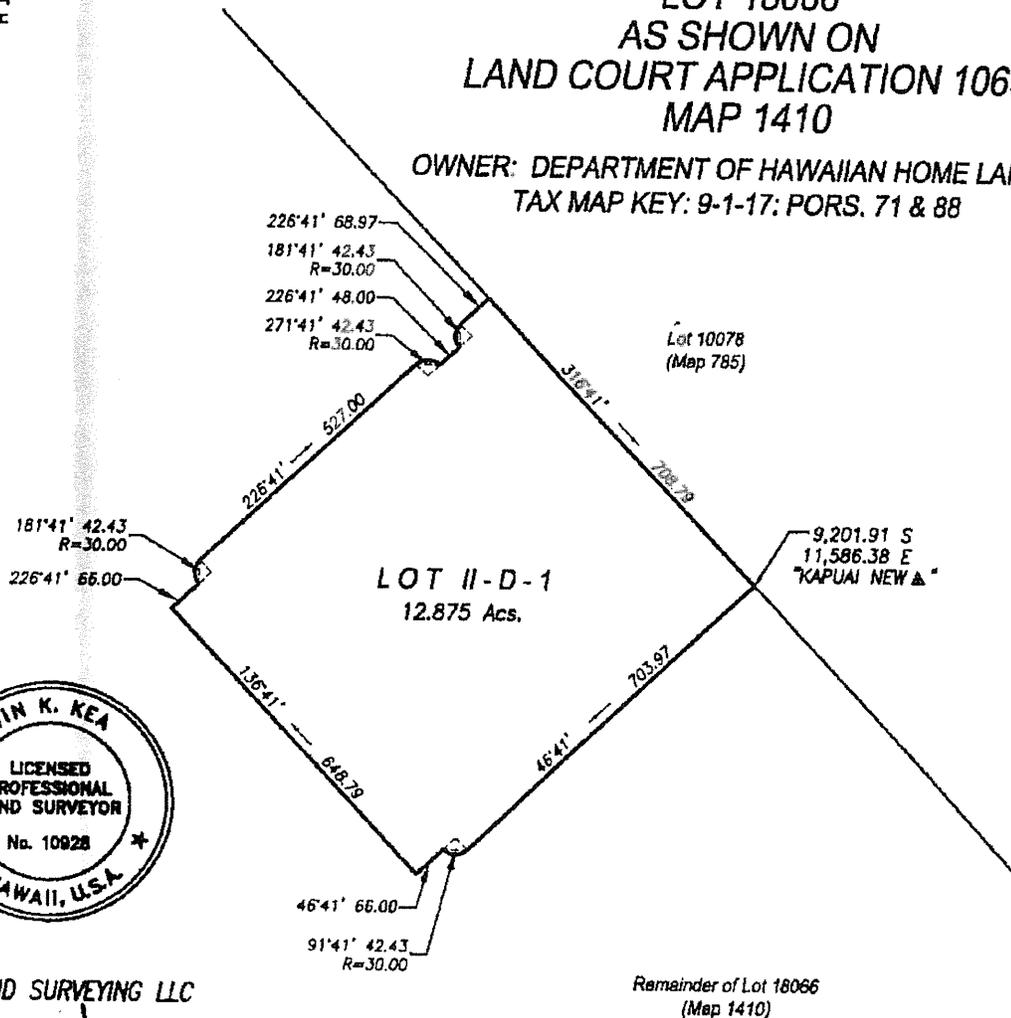
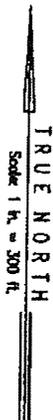
Licensed Professional Land Surveyor  
Certificate Number 10928

EXHIBIT "C"

EXHIBIT "D-1"

LOT II-D-1  
AT  
HONOULIULI, EWA, OAHU, HAWAII  
BEING A PORTION OF  
LOT 18066  
AS SHOWN ON  
LAND COURT APPLICATION 1069  
MAP 1410

OWNER: DEPARTMENT OF HAWAIIAN HOME LANDS  
TAX MAP KEY: 9-1-17: PORS. 71 & 88



ACE LAND SURVEYING LLC

Kevin K. Kea  
Licensed Professional Land Surveyor  
Certificate No. 10928  
Land Court Surveyor No. 286

December 5, 2008

ACE LAND SURVEYING LLC  
735 Bishop St., Suite 330  
Honolulu, Hawaii 96813

8.5" x 11" = 0.65 Sq. ft.

EXHIBIT "C"

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

LICENSE NO. 757

(Benefit/Exclusive Right)

THIS LICENSE No. 757 ("License") made and issued this ~~7th~~ day of June, 2011 by the State of Hawaii, DEPARTMENT OF HAWAIIAN HOME LANDS, whose principal place of business is 91-5420 Kapolei Parkway, Kapolei, Hawaii 96707 and whose mailing address is P. O. Box 1879, Honolulu, Hawaii 96805, hereinafter called "LICENSOR", and NA KUPAA O KUHIO, a Hawaii non-profit corporation, whose principal place of business and mailing address is 171A Lani Alii Place, Kapaa, Kauai, Hawaii 96746, hereinafter called "LICENSEE".

WITNESSETH THAT:

WHEREAS, LICENSOR, pursuant to the authority granted to it by Section 207(c)(1) of the Hawaiian Homes Commission Act, 1920, as amended (HHCA), is authorized to grant licenses as easements for railroads, telephone lines, electric power and light lines, gas mains and the like.

WHEREAS, LICENSEE is seeking funds from the U.S. Department of Agriculture Rural Development (USDA) to improve and expand the existing City and County of Honolulu Board of Water Supply (BWS) systems and sanitary sewer system to serve the Hawaiian homestead community.

WHEREAS, LICENSEE is requesting a benefit license from LICENSOR to provide access to the public water supply and public wastewater systems for the proposed 160 single family dwellings in the East Kapolei Phase IIB subdivision in East Kapolei, island of Oahu, as shown on Exhibit "A".

WHEREAS, LICENSOR has determined that license established herein is essential in order to provide water and wastewater services to LICENSOR'S beneficiaries.

NOW THEREFORE, LICENSOR, in consideration of the terms, covenants and conditions herein contained on the part of LICENSEE to be kept, observed and performed, hereby grants and conveys unto LICENSEE, and its successors and assigns, a right and privilege to excavate for, install, repair, maintain, alter, operate and use the waterlines/water mains and sewer mains/manholes/lateral in, into, upon, over, across, under and through the License Area identified and incorporated herein

as shown in Exhibit "A," including physical access and entry upon the License Area and adjoining land of LICENSOR for the construction, maintenance, operation and replacement of waterlines and appurtenances over, across and under the License Area.

TO HAVE AND TO HOLD the same unto LICENSEE, its successors and assigns, a term of forty (40) years, commencing on June 22, 2011, and terminating on June 21, 2051, unless sooner terminated as hereinafter provided, LICENSOR agreeing and LICENSEE understanding that the nominal license fee of ONE AND NO/100 DOLLAR (\$1.00) is waived for the entire TERM, in return for the benefits to be realized from the intended use and work to be performed by LICENSEE.

AND LICENSEE hereby covenants with LICENSOR, that:

1. DUE CARE AND DILIGENCE. LICENSEE shall use due care and diligence in the construction, operation, repair, renewal, maintenance or removal, if necessary, of the improvements and shall keep the appliances, equipment and improvements in good and safe condition and repair; should said appliances, equipment or improvements cause any damage or nuisance or waste or spoil the License Area, LICENSEE shall repair and restore the License Area within a reasonable time thereafter.
2. INDEMNITY. LICENSEE shall indemnify and hold harmless LICENSOR from any and all claims and demands against LICENSOR for any loss, damage, injury or death to persons or property that shall or may arise by reason of the construction, maintenance, operation, renewal or removal of the appliances, equipment and improvements not caused by the negligence of LICENSOR, its agents, servants or employees acting within the scope of their employment, and from and against all damages costs, reasonable counsel fees, expenses or liabilities incurred or resulting from any such claim or demand or any action or proceeding brought thereon. Notwithstanding anything to the contrary in this License, (a) the indemnities provided by LICENSEE hereunder will not extend or apply to any claims caused by or resulting from the negligence or willful misconduct of LICENSOR, its employees, agents or contractors, and (b) in no event will either party be liable to the other party for, or indemnify the other party against, punitive, indirect, incidental, special or consequential damages, including, without limitation, loss of profits, income or business opportunities.
3. INSURANCE. LICENSEE shall, at its own expense, effect, maintain and keep in force throughout the life of this License, a comprehensive public liability insurance policy, with limits of not less than \$1,000,000.00 for each occurrence, including property damage, personal injury and advertising injury; \$100,000.00 for fire damages to the Premises for any one fire; \$10,000.00 in medical expenses for any one person, and an aggregate limit of \$2,000,000.00

per policy year. The specification of these limits as contained herein shall not be construed in any way to be a limitation on the amount of liability of LICENSEE for fees, interest or other charges under this License.

LICENSEE at its own expense shall maintain and keep in force Workers Compensation Insurance to include Employer's Liability. Such coverage shall apply to all of its employees.

LICENSEE at its own expense shall maintain and keep in force Automobile Insurance, covering all owned, non-owned and hired automobiles in the following amounts: Bodily Injury: \$1,000,000.00 per person and \$1,000,000.00 per occurrence; Property Damage: \$1,000,000.00 per accident; or a combined single limit of \$1,000,000.00

LICENSEE shall agree to provide certificate(s) of insurance necessary to evidence compliance with the insurance provisions required under this License. LICENSEE shall keep such insurance in effect and the certificate(s) on deposit with LICENSOR during the entire term of this License. In addition:

a. Failure of LICENSEE to provide and keep in force such insurance shall be regarded as material default under this License. LICENSOR shall be entitled to exercise any or all of the remedies provided in this License for default of LICENSEE.

b. The procuring of such required insurance policies shall not be construed to limit LICENSEE'S indemnification under this License.

c. LICENSOR, DEPARTMENT OF HAWAIIAN HOME LANDS, is a self insured State agency. LICENSEE's insurance shall be primary. Any insurance maintained by LICENSOR and/or the State of Hawaii shall apply in excess of, and shall not contribute with, insurance provided by LICENSEE.

Such insurance policy shall (a) be issued by an insurance company or surety company authorized to do business in the State of Hawaii or approved in writing by the Chairman, Hawaiian Homes Commission; (b) name the State of Hawaii, DEPARTMENT OF HAWAIIAN HOME LANDS, as an insured; (c) provide that the DEPARTMENT OF HAWAIIAN HOME LANDS shall be notified at least thirty (30) days prior to any termination, cancellation or material change in the insurance coverage; and (d) cover all injuries, losses or damages arising from, growing out of or caused by any acts or omissions of LICENSEE, its officers, agents, employees, invitees or licensees in connection with LICENSEE'S use or occupancy of the Premises.

LICENSEE shall insure during the term of this License the entire Premises, including all buildings now existing and hereafter built or located on the Premises, improvements and grounds, and all roadways and sidewalks on or adjacent to the Premises in the control or use of the LICENSEE. The insurance shall cover loss or damage by fire and other hazards, casualties and contingencies, including vandalism and malicious mischief. The insurance shall be for the full insurable value of such improvements.

LICENSEE shall furnish to LICENSOR upon the execution of this License, certificates showing such insurance policy or policies to be in favor of LICENSOR and to be in force, and shall furnish like certificates upon each renewal thereof. In the event of loss, damage or destruction, LICENSOR shall retain from the proceeds of the policies such amounts deemed by it to be necessary to cover the loss, damage or destruction of or to the improvements and the balance of such proceeds, if any, shall be delivered to LICENSEE.

The procuring of this policy shall not release or relieve LICENSEE of its responsibility under this License as set forth herein or limit the amount of its liability under this License.

4. CONDEMNATION. If at any time the License Area across which the License extends, or any part thereof, shall be condemned or taken for any public project by any governmental authority, LICENSEE shall have the right to claim and recover from the condemning authority, but not from LICENSOR, such compensation as is payable for the License and for LICENSEE'S appliances and equipment, if any, used in connection with this License, which shall be payable to LICENSEE as its interest appears.

5. RELOCATION. If LICENSOR shall determine that the continued exercise of the license rights granted constitutes an undue interference with a subdivision or development of the land which includes the License Area, LICENSOR shall have the right to terminate this LICENSE to the extent necessary to eliminate such interference, provided that it may grant to LICENSEE a substitute license within the reasonable vicinity to permit LICENSEE to effect relocation of any facility or portion thereof, which substitute license shall be subject to the same terms and conditions as contained in this License. The cost of any such relocation shall be borne by LICENSOR.

6. BREACH. If LICENSEE shall fail to observe or perform any of the covenants, terms, and conditions herein contained, and on its part to be observed and performed, LICENSOR shall deliver written notice of the breach or default by registered or certified mail to LICENSEE at its last known address, making demand upon LICENSEE to cure or remedy the breach or default within sixty (60) days from the date of the receipt of the notice. Upon failure of LICENSEE to cure or remedy the breach or default within the time period provided herein

or within such additional period as LICENSOR may allow for good cause, LICENSOR may terminate this License without prejudice to any other remedy or right of action.

7. RIGHT TO ENTER. LICENSOR and the agents, employees or representatives thereof, shall have the right to enter and cross any portion of the easement area for the purpose of performing any public or official duties, provided, that in the exercise of such rights, LICENSOR shall not interfere unreasonably with LICENSEE'S use and enjoyment of the License Area.

8. EXTENSION OF TIME. Notwithstanding any provision contained herein to the contrary, wherever applicable, LICENSOR may for good cause shown, allow additional time beyond the time or times specified herein to LICENSEE, in which to comply, observe and perform any of the terms, conditions and covenants contained herein.

9. SEVERABILITY. Whenever possible, each provision of this License shall be interpreted in such manner as to be effective and valid under applicable law, but if any provision of this License should be prohibited, or invalid under applicable law, such provision shall be ineffective to the extent of such prohibition or invalidity without invalidating the remaining provisions of this License.

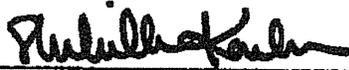
10. SINGULAR/PLURAL. The singular or plural depends on its appropriate use.

11. AGREEMENT. This agreement shall be binding upon and inure to the benefit of the parties hereto and their respective legal successors and assigns.

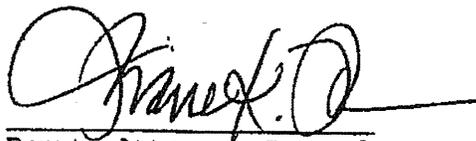
IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly executed the day and year first above written.

Approved by the Hawaiian  
Homes Commission on  
May 26, 2011

State of Hawaii  
DEPARTMENT OF HAWAIIAN HOME LANDS

By   
for Albert "Alapaki" Nahale-a  
Chairman  
Hawaiian Homes Commission

APPROVED AS TO FORM:

  
Deputy Attorney General  
State of Hawaii

LICENSOR

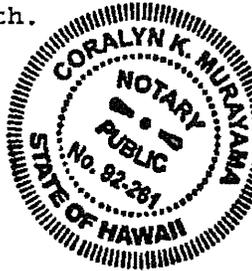
NA KUPAA O KUHIO

By   
Thomas Contrades  
President

LICENSEE

STATE OF HAWAII )  
 ) SS:  
COUNTY OF KAUAI )

On this 22nd day of June, 2011, before me personally appeared Thomas Contreras, to me known, who, being by me duly sworn, did say that he is the President of NA KUPAA O KUHIO, and that said instrument was signed on behalf of said NA KUPAA O KUHIO by authority of its Board of Directors, and acknowledged to me that he executed the same freely and voluntarily for the use and purposes therein set forth.



Coralyn K. Murayama  
Notary Public, State of Hawaii  
Printed Name: Coralyn K. Murayama  
My commission expires: April 29, 2012

NOTARY CERTIFICATION STATEMENT

Document Identification or Description:

License No. 757 Benefit/Exclusive Right  
Between State of Hawaii DHTL and Na Kupaa O Kuhio

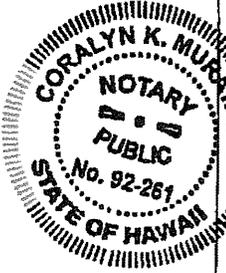
Doc. Date: \_\_\_\_\_ or  Undated  
at time of notarization.

No. of Pages: 8 Jurisdiction: Fifth Circuit  
(in which notarial act is performed)

Coralyn K. Murayama  
Signature of Notary

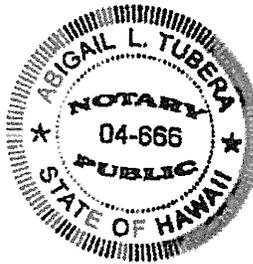
6/22/11  
Date of Notarization and  
Certification Statement

Coralyn K. Murayama  
Printed Name of Notary



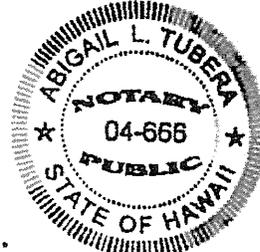
STATE OF HAWAII )  
 ) SS.  
CITY & COUNTY OF HONOLULU )

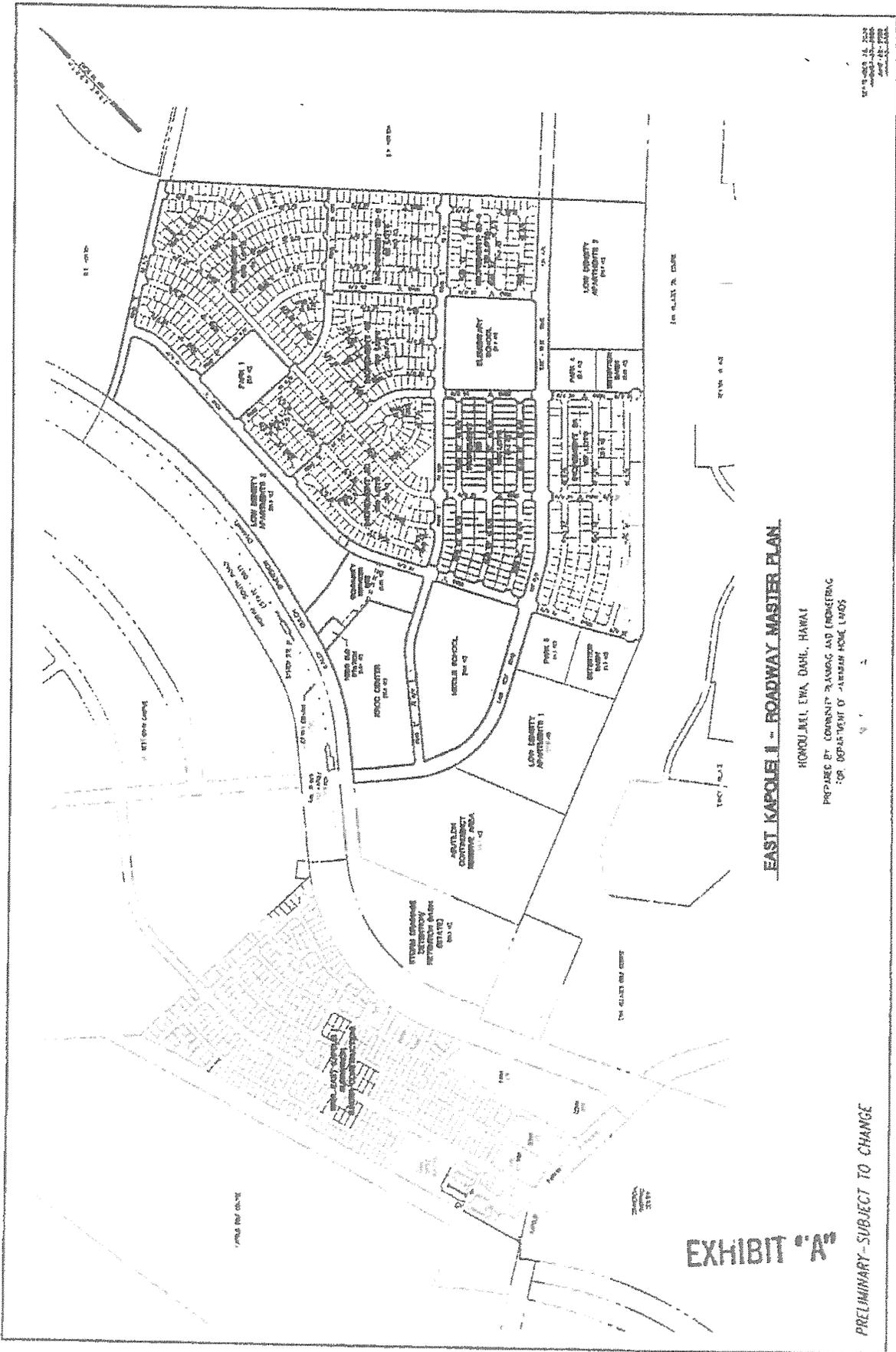
On this 11<sup>th</sup> day of July, 2011, before me appeared MICHELLE KAUHANE, to me personally known, who, being by me duly sworn, did say that she is the deputy to the chairman of the Hawaiian Homes Commission and the person who executed the foregoing instrument and acknowledged to me that she executed the same freely and voluntarily for the use and purposes therein set forth.



*Abigail L. Tubera*  
\_\_\_\_\_  
Notary Public, State of Hawaii  
Print Name: Abigail L. Tubera  
My commission expires: November 21, 2012

<b>NOTARY CERTIFICATION STATEMENT</b>	
Document Identification or Description: <u>lec. 757 between UMHC + Na Kyra o Kukio</u>	
Doc. Date: _____ or <input checked="" type="checkbox"/> Undated at time of notarization.	
No. of Pages: <u>9</u>	Jurisdiction: First Circuit (in which notarial act is performed) <u>Hawaii</u>
Signature of Notary <i>Abigail L. Tubera</i>	Date of Notarization and Certification Statement
Abigail L. Tubera Print Name of Notary	





**EAST KAPOLEI I - ROADWAY MASTER PLAN**

HOKOUJULI, EWA DAME, HAWAII  
 PREPARED BY: COMMUNITY PLANNING AND ENGINEERING  
 FOR: DEPARTMENT OF LAND AND NATURAL RESOURCES

**EXHIBIT "A"**

PRELIMINARY - SUBJECT TO CHANGE

DATE: 10/15/88  
 DRAWN BY: [illegible]  
 CHECKED BY: [illegible]

EXHIBIT "C"

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS  
INTERIM FINANCING AGREEMENT  
Number 01

THIS INTERIM FINANCING AGREEMENT is made this \_\_\_\_\_ day of ~~OCT 01 2014~~ 2014, under the authority of and subject to the provisions of the HAWAIIAN HOMES COMMISSION ACT, 1920, as amended, hereinafter called "Act", between the DEPARTMENT OF HAWAIIAN HOME LANDS (DHHL) whose principal place of business is 91-5420 Kapolei Parkway, Kapolei, Hawaii, 96707 and whose mailing address is P. O. Box 1879, Honolulu, Hawaii 96805, hereinafter called "Department", and NA KUPA'A O KUHIO, a Hawaii non-profit corporation, whose place of business and mailing address is P. O. Box 700248, Kapolei, Hawaii, 96709-0248, hereinafter called "Borrower".

WHEREAS, the Department and Borrower have entered into that certain Project Agreement dated June 24, 2014, for Borrower to obtain United States Department of Agriculture loan/grant funds ("USDA Loan") to fund the development of a domestic water supply and distribution system and a wastewater collection system to service DHHL's East Kapolei IIB Subdivision; and

WHEREAS, the USDA Loan cannot be closed until title to the East Kapolei IIB Subdivision, which is the subject of that certain Unrecorded Deed from the Department of Land and Natural Resources, State of Hawaii ("DLNR"), dated February 5, 2009, is formally transferred to the Department under Hawaii's Land Court registration statute, chapter 501, Hawaii Revised Statutes; and

WHEREAS, the Department wishes to enter into this Interim Financing Agreement to advance construction funds to the Borrower pending completion of title transfers in the Land Court of the State of Hawaii from DLNR to the Department for the land underlying East Kapolei IIB; and

WHEREAS, the Department's Hawaiian Homes Commission approved the funding for Interim Construction Financing in the amount of \$3.701 million for Fiscal Year 14-15 at its meeting on July 22, 2014; and

WHEREAS, the Department's Hawaiian Homes Commission further approved an Interim Construction Loan to Borrower in the amount of \$3.701 million at its meeting on August 19, 2014;

WHEREAS, section 213(h) of the Hawaiian Homes Commission Act, 1920 ("HHCA") authorizes moneys deposited into the Hawaiian home trust fund, among others, to be available for

EXHIBIT "C"

any public purpose deemed by the Hawaiian Homes Commission to further the purposes of the HHCA;

NOW THEREFORE, IT IS AGREED:

THAT Borrower, the holder of that certain Benefit/ Exclusive Right License No. 757, dated June 22, 2011, hereinafter called "License", in consideration of the agreement which is made by the Department to loan Borrower the sum of THREE MILLION SEVEN HUNDRED AND ONE THOUSAND DOLLARS AND NO/100 DOLLARS (\$3,701,000) does covenant and agree with Department, and its successors, as follows:

(1) THAT for valuable consideration received from the Department, the Borrower, Borrower's heirs, executors, administrators, successors and assigns shall repay the principal amount of THREE MILLION SEVEN HUNDRED AND ONE THOUSAND DOLLARS AND NO/100 DOLLARS (\$3,701,000) with 0% interest. The entire unpaid principal balance of the loan shall be due and payable on either of two maturity dates, whichever date occurs first: one (1) year from the date of this Interim Financing Agreement OR on the date the Borrower closes and records its loan and grant award with the United States Department of Agriculture - Rural Development (USDA-RD) for the construction and construction management of the East Kapolei IIB water and wastewater systems as described in its Project Agreement with the Department dated June 24, 2014. The Borrower further agrees that if payment in full cannot be made at the maturity date as outlined above due to delays incurred by the Department in registering the land described in License No. 757 with Land Court, State of Hawaii, or if delays are incurred by USDA-RD to close the loan and grant award, then the Department and Borrower agree to renegotiate an extension of time to the maturity date of this Interim Construction Contract of Loan.

(2) THAT under this Interim Financing Agreement, payments in any sum may be made at any time before the aforesaid maturity dates.

Payment shall be paid by mail addressed to the Department of Hawaiian Home Lands, P. O. Box 1721, Honolulu, Hawaii 96806, or paid in person at any office of the Department of Hawaiian Home Lands.

(3) THAT moneys loaned under this Interim Financing Agreement shall be devoted exclusively for the purpose of the construction and construction management of the East Kapolei IIB water and wastewater systems as described in its Project Agreement with the Department dated June 24, 2014. The Department will disburse loan funds to Borrower upon written

request and submission of documentation satisfactory to Lender of work performed. Borrower shall pay its contractors, builders, material men, vendors and others in connection with the aforesaid purpose and in accordance with all USDA-RD underwriting terms and conditions for the permanent loan and grant award.

(4) THAT non-compliance with the terms of this Interim Financing Agreement shall be considered a material breach of License No. 757 between the Department and Borrower, and may result in cancellation of the License No. 757.

(5) THAT notwithstanding anything to the contrary in this Interim Financing Agreement or in any other instrument securing the Interim Financing Agreement (collectively, the "Financing Documents"), the liability of the Borrower hereunder and under the Financing Documents, is limited to its interest in the East Kapolei IIB water and wastewater systems described herein and its interest in the Project Agreement with the Department. The Borrower shall have no personal liability under this Interim Financing Agreement or under any of said Financing Documents no recourse shall be made against the assets of the Borrower for the repayment of the loan other than the Borrower's interest in the East Kapolei IIB water and wastewater systems and in the Project Agreement for payment of any sums owed under this Interim Financing Agreement or under the Financing Documents. In addition, no affiliate, officer, director, shareholder, principal, trustee or advisor of the Borrower shall have any personal liability under the Interim Financing Agreement or under the Financing Documents.

This Interim Financing Agreement shall be equally binding upon and enforceable against the heirs, executors, legal representatives, administrators, successors and assigns of the Borrower.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

This Agreement is executed on the date first above written.

NA KUPA'A O KUHIO

Musey J. D.  
APPROVED AS TO FORM:

By Thomas Contrades  
Thomas Contrades, President

Borrower

STATE OF HAWAII  
Department of Hawaiian Home Lands

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

Department

APPROVED AS TO FORM:

[Signature]  
Deputy Attorney General  
State of Hawaii

Ratified by the Hawaiian Homes  
Commission on

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

January 18-19, 2022

To: Chairman and Members, Hawaiian Homes Commission  
Thru: Andrew H. Choy, Acting Planning Program Manager  
From: Nancy M. McPherson, Planner *Nancy McPherson*  
Subject: For Information Only - DHHL South Molokai  
Shoreline Erosion Management Plan (SM-SEMP)

RECOMMENDED ACTION

None; for information only.

BACKGROUND

*Context*

The Planning Office (PO) last updated the Hawaiian Homes Commission (HHC) on the South Molokai Shoreline Erosion Management Plan (SM-SEMP) project nine months ago at its April 2021 meeting. For more detailed background information on the status of the project at that point in time, please refer to Exhibit A, "Item No. G-3, For Information Only - Status Update on South Molokai Shoreline Erosion Management Plan, Kalama'ula, Kapa'akea and Kamiloloa-One Ali'i, Kona, Molokai."

The purpose of the SM-SEMP project remains to prepare a shoreline erosion management plan for the project area that will:

- Enable DHHL to proactively plan for and manage shoreline erosion;
- Investigate underlying causes of shoreline erosion, and likely future progression;
- Identify effective and sustainable shoreline erosion management strategies that maintain natural processes and consider community needs; and
- Educate the community as to the causes of shoreline erosion and appropriate management responses.

## *Changes to the project since the April 2021 update*

The Community Engagement Program for the SM-SEMP has been significantly impacted by the ongoing pandemic and fluctuations in COVID-19 restrictions. In-person interviews, multiple field visits, and an evening public meeting were held in 2019. However, the approach had been modified in light of COVID-19 protocols to include two virtual focus group meetings, the first of which was held on February 10, 2021.

A second focus group was planned for early summer 2021 with the intention of holding it in person on Molokai but this had to be tentatively rescheduled multiple times. A larger Community Meeting to review the Draft Plan had been tentatively scheduled for late summer 2021 as an in-person and virtual hybrid meeting, but this has also proven to be impossible to execute given the ever-changing nature of COVID and the limited internet connectivity and lack of available facilities on Molokai.

Given the unusual circumstances, the consultant contract for the SM-SEMP was extended to February 28, 2022. It was thought at the time that in person meetings would be resuming by the fall of 2021, but this event had to be adjusted for the changing circumstances with the spread of the Delta and Omicron variants. The goal at this juncture is to hold one more virtual focus group meeting in January or February to review the Draft SM-SEMP and get feedback from beneficiaries, then present the final draft to the Hawaiian Homes Commission at its regular meeting in February.

Despite the afore-mentioned limitations and constrained number of active participants, a significant amount of information from the community was obtained that influenced the nature and extent of the recommendations within the SM-SEMP. There were several clear preferences by homestead beneficiaries regarding erosion response and an increased awareness of the shortcomings of some armoring options.

## DISCUSSION

### *Need for the Project*

Impacts from shoreline erosion continue to affect Molokai's kona (leeward/southern) shoreline, due to multiple factors such as sea level rise, episodic extreme high tides, also known as "King Tides," and other climate change-related

phenomena. Lessees living in close proximity to the shoreline are assisting DHHL by documenting seawater inundation and erosion of their lots during high tide and/or high wave action events.

Other climate change-related problems such as groundwater upwelling, cesspool failures, and flooding due to excessive stormwater runoff during heavy rain events are being evaluated and will need to be addressed with additional projects, for which multiple funding sources are being pursued. For example, DHHL has received approval for a National Coastal Resilience Fund (NCRF) grant from the National Fish and Wildlife Federation (NFWF) to prepare a Community Resilience Plan for Molokai coastal homesteads, which will be discussed further below, under Implementation.

#### *Climate Change and Sea Level Rise (SLR) Projections*

DHHL continues to build capacity of staff and beneficiaries to explore better ways to implement climate change adaptation strategies to mitigate the effects of sea level rise on all of the islands. For more information on current projections and what kinds and degrees of changes can be expected in Hawai'i over the next several decades, please see Item G-5, "In-Depth Update on Climate Change and Resilience Planning Affecting Hawaiian Home Lands, Statewide," a workshop presentation scheduled for the January 19, 2022 HHC meeting.

In addition, due to the dynamic nature of climate change science and official projections, the Planning Office anticipates bringing in subject matter experts and providing updates to the HHC on climate change and sea level rise topics on a quarterly basis.

#### *Adjustments to Project Methodology*

As stated above, the project's Community Engagement methodology had to be revised due to the challenges associated with meeting virtually with beneficiaries during a pandemic. The subject matter required review of detailed graphics and extended discussion with and feedback from beneficiaries. There were significant technical challenges experienced by beneficiaries during the first focus group, mainly due to limited bandwidth, small screens, extraneous background noise, etc. The second focus group, which was to be held in person, has been postponed multiple times out of respect for protecting beneficiary health.

In spite of these challenges, or perhaps because of them, quality of beneficiary feedback became more important than quantity, and more consultant time was expended on researching and refining potential shoreline erosion management techniques and recommendations than would have been possible otherwise. Additional work was also done to integrate Traditional Ecological Knowledge (TEK), mo'olelo and 'olelo no'eau into the Draft SEMP. For example, a section on traditional wall construction has been added in response to beneficiary input. This has enriched the quality and quantity of information that has been gathered for the Draft SEMP.

It is also hoped that a follow-up workshop with staff and beneficiaries can be held on Molokai as soon as it is safe to do so, possibly by April 2022, so that a greater number of homesteaders living in the coastal communities of Kalama'ula, Kapa'akea and Kamiloloa-One Ali'i can learn more about the SEMP, its recommended mitigation and adaptation measures, and the roles that DHHL, other state, federal and county agencies, and the lessees will need to play in successful implementation of the SM-SEMP recommendations.

#### *Adjusted timeline*

The time for completion of the SM-SEMP was extended by five months from the original completion date of September 30, 2021 to February 28, 2022, in order to allow more time to conduct additional beneficiary engagement on the Draft SM-SEMP.

#### *Outline of Draft SM-SEMP*

The Draft SM-SEMP is organized into seven chapters, with an Executive Summary, References and two Appendices. What follows is a brief synopsis of the content of the Draft SM-SEMP. Revisions will be made after the second focus group has been conducted. For an aerial map of the Project Area, see Figure 1, below.

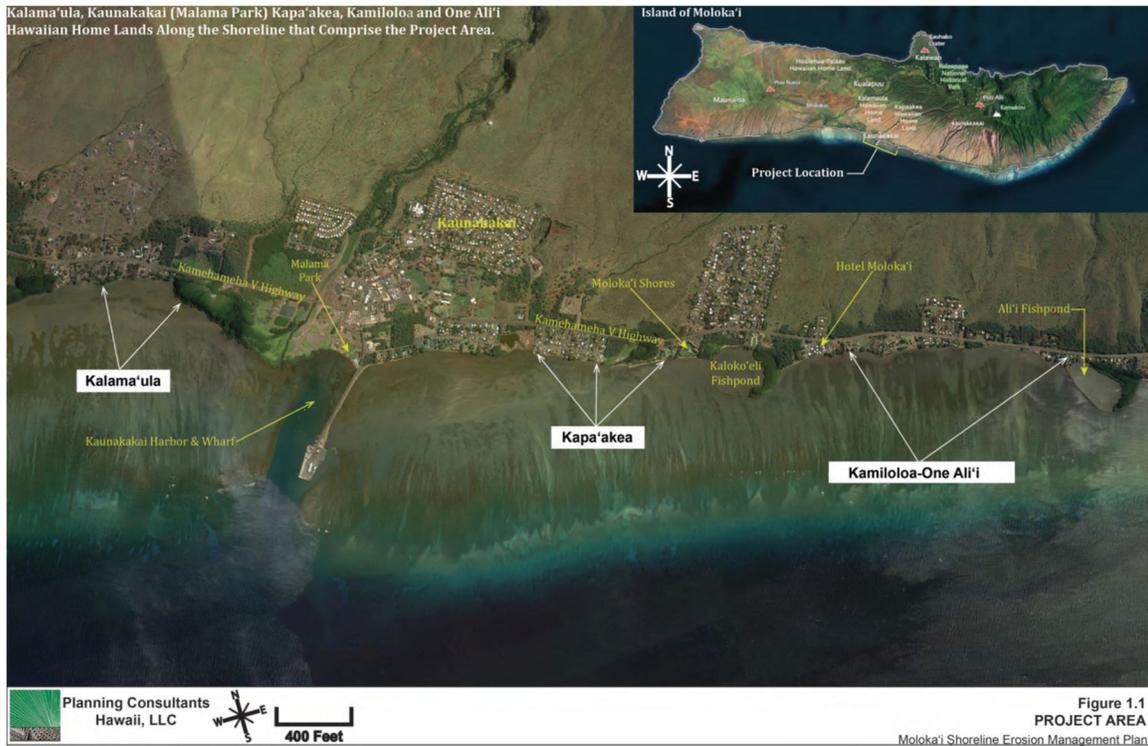


Figure 1, SM-SEMP Project Area

### *Plan Organization*

**Chapter 1** (Introduction) provides an overview of the project area's relationship to the island as a whole and, more specifically, to the coastline of south central Moloka'i. Chapter 1 then identifies the SM-SEMP's purpose and objectives, discusses the severity of the erosion problem, and identifies the cultural and ecological benefits of a healthy shoreline.

**Chapter 2** (SM-SEMP Planning Process) documents the process the planning team is using to prepare the SM-SEMP. Preparing the SM-SEMP consists of five phases as follows:

#### Phase 1 (Desktop Research)

Document the project area's mo'olelo, history, terrestrial environment, physical coastal processes, and erosion hotspots within the context of the project area's ahupua'a.

#### Phase 2 (Field Surveys)

Conduct field observations of shoreline conditions to gather valuable background data and photographs of past flooding, shore conditions, shore reference features, and shoreline change.

Phase 3 (Stakeholder Outreach)

Work with Hawaiian Homestead beneficiaries, lineal descendants, government, and community stakeholders to identify shoreline erosion threats and appropriate management responses.

Phase 4 (Stakeholder Vetting of Draft Recommendations)

Prepare conceptual draft recommendations for vetting by a diverse group of Hawaiian Homesteaders and other stakeholders.

Phase 5 (Prepare the Draft and Final SM-SEMP)

Prepare the Draft and Final SM-SEMP using information generated through the first four phases.

**Chapter 3** (Place and Context) analyzes the project area within the context of the Moku and the five ahupua'a that have a direct influence on the DHHL properties within the SM-SEMP study area including Kalama'ula, Kaunakakai, Kapa'akea, Kamiloloa, and Makakupa'ia. Chapter 3 uses historical maps and photographs to describe how the project area has evolved over time in response to human activity. A special emphasis is given to how human-induced change has affected coastal resources and shoreline processes. Using a mauka-a-makai orientation, the project area is systematically described from the upper watershed to the coastline and to the outer reef. Chapter 3 also briefly describes the socio-economic environment, and the planning and regulatory conditions that may influence appropriate responses to shoreline change.

**Chapter 4** (Coastal Hydrodynamics) identifies and describes the factors that influence wave energy and the physical form of the coastline within the SM-SEMP study area, including wave conditions, currents, tidal changes, storm surge, bathymetry, sediment characteristics, and sources of sediment. Chapter 4 then identifies four littoral cells fronting the DHHL communities. A littoral cell is a coastal compartment that contains a complete cycle of sedimentation including sources, transport paths, and sinks<sup>1</sup>. The planning team used the littoral cell boundaries to define the geographic area in which to analyze the forces affecting shoreline erosion, and to prepare mitigation measures. See Figure 2, Littoral Cells, below.

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<sup>1</sup> Inman D.L., 2005. Littoral Cells. In: Schwartz M.L. (eds) Encyclopedia of Coastal Science. Encyclopedia of Earth Science Series. Springer, Dordrecht.

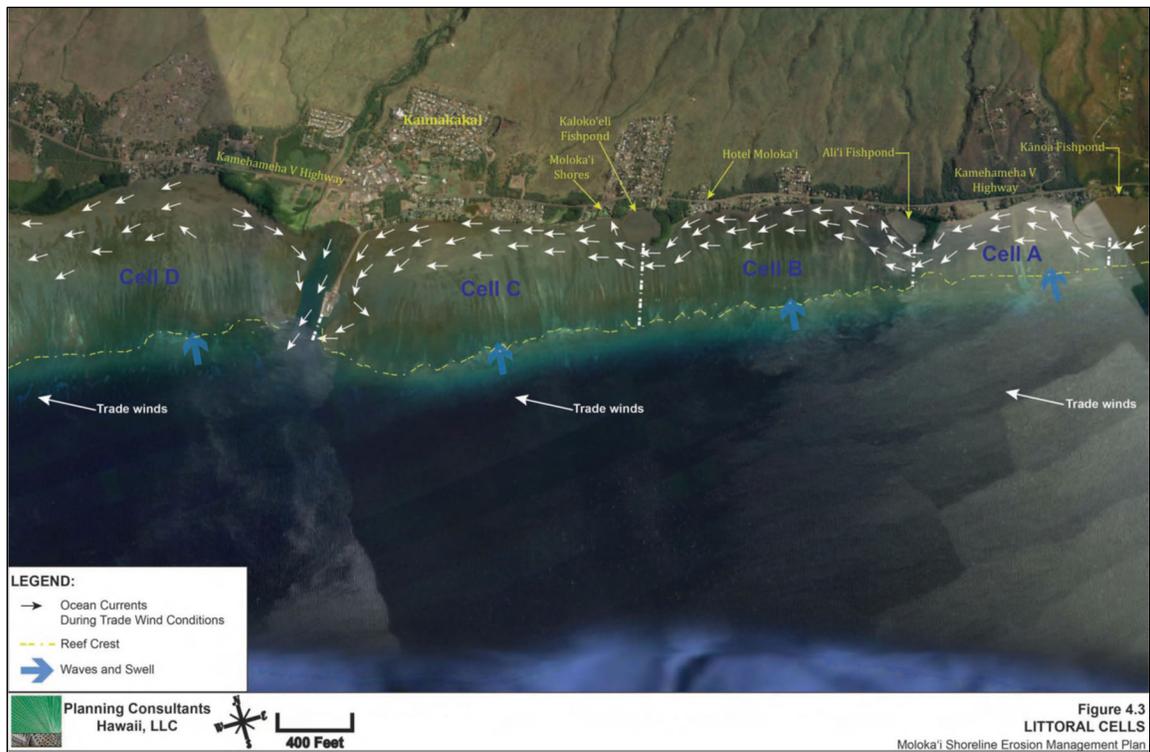


Figure 2, Littoral Cells

**Chapter 5** (Shoreline Erosion Management Options) explores erosion management strategies and describes mitigation approaches ranging from soft, nature-based remedies to hard, man-made structures. See Figure 3, Green-to-Gray Continuum, below. Chapter 5 also explores the concept of adapting to shoreline change by realigning structures to reduce their exposure to coastal hazards.

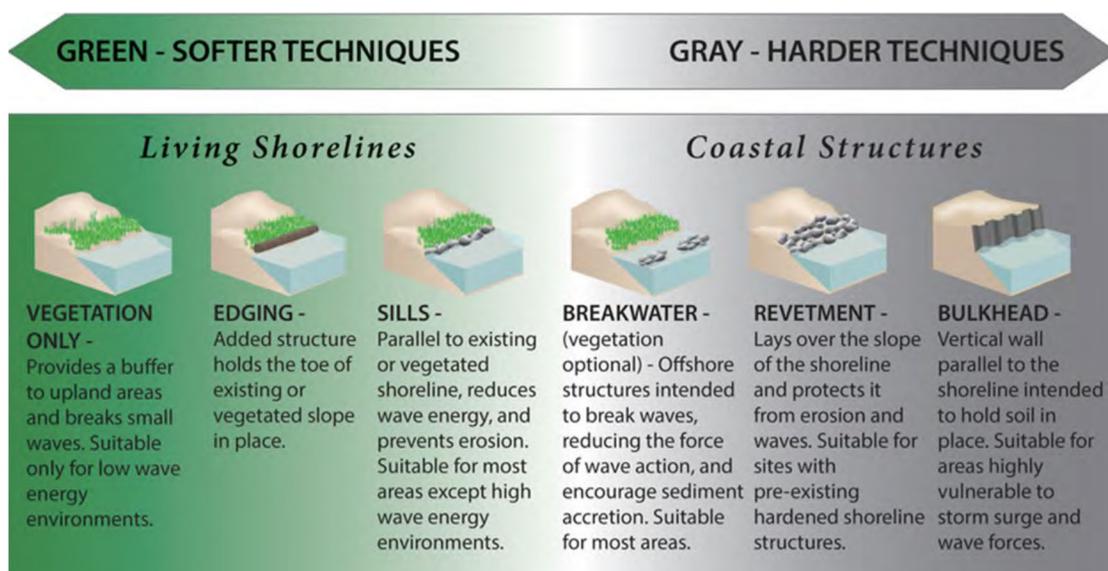


Figure 3, Green-to-Gray Continuum

**Chapter 6** (Implementation Strategy) identifies appropriate responses to shoreline change, and specific remedies for areas threatened by erosion within littoral cells A through D. The second focus group will ask beneficiaries to review this chapter and provide feedback.

**Chapter 7** (Policy Recommendations) provides policy and regulatory options intended to reduce, avoid, minimize, and/or mitigate adverse impacts from coastal hazards on the built environment and enhance the protection of life, limb, and public safety. The overall intent is to suggest policies that will discourage building in harm's way and encourage long-term sustainability. Feedback from beneficiaries will also be solicited on this chapter.

**Appendices.** The Draft SM-SEMP includes two appendices. Appendix A assesses the extent of shoreline erosion in the study area by analyzing the County's historic plat maps which provide reference features which can be compared with existing conditions to estimate change along the shoreline. Appendix B is a study that summarizes the cultural and historic characteristics of the five ahupua'a that influence the DHHL properties within the SM-SEMP study area, and discusses the importance of Traditional Ecological Knowledge (TEK) as an important element informing the analysis and recommendations for implementation.

#### Implementation Phase

As a follow-on project to the SM-SEMP, DHHL has been awarded a National Coastal Resilience Fund (NCRF) grant from the National Fish and Wildlife Federation (NFWF) for a project titled "Developing Community Resilience for Molokai Coastal Homesteads" to prepare a Community Resilience Plan for the project area in collaboration with the beneficiaries and in coordination with the County of Maui and other state and county agencies, the Nature Conservancy, and the Soil and Water Conservation District.

This planning project will expand on the "mauka a makai" concept discussed in the SM-SEMP, and will emphasize a comprehensive, community-based approach which focuses on implementation measures that are culturally appropriate and feasible. The approach will also prioritize nature-based solutions in order to address impacts to Molokai's coastal homesteads from sea level rise, coastal erosion, stormwater flooding, groundwater inundation, and other climate change-related impacts.

## Summary and Next Steps

- The planning team has processed the data from the first virtual focus group meeting, is finalizing the Draft SM-SEMP, and is preparing for a second focus group meeting in late January.
- PO staff will provide a newsletter update to the South Molokai beneficiary community in early February 2022.
- The Final Draft of the SM-SEMP will be brought to the HHC at its regular meeting in February 2022.
- When safe to do so, DHHL PO staff will hold an in-person workshop for the coastal homesteaders on Molokai to review the findings and recommendations of the SM-SEMP and explore opportunities for beneficiary participation in the implementation phase.
- DHHL PO staff is currently preparing to initiate the procurement for a consultant to assist with the planning process for the "Developing Community Resilience for Molokai Coastal Homesteads" project, to take place over the next two years.

## RECOMMENDATION

None; for information only.

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

April 19-20, 2021

To: Chairman and Members, Hawaiian Homes Commission  
Thru: Andrew H. Choy, Acting Planning Program Manager  
From: Nancy M. McPherson, Planner *Nancy McPherson*  
Subject: For Information Only - Status Update on South  
Molokai Shoreline Erosion Management Plan,  
Kalama`ula, Kapa`akea and Kamiloloa-One Ali`i,  
Kona, Molokai

RECOMMENDED ACTION

None; for information only.

BACKGROUND

*Context*

The Planning Office (PO) last updated the Hawaiian Homes Commission (HHC) on the South Molokai Shoreline Erosion Management Plan (SM-SEMP) project two years ago at its April 2019 meeting, as part of the Molokai Planning Projects Update. For more detailed background information on the project, please refer to Exhibit A, "Item G-3, Molokai Planning Projects Status," pages 5-87.

*Changes to the project since the last update*

Based on the level of project funding available, the original project area only encompassed the coastal homestead communities of Kapa`akea and Kamiloloa-One Ali`i. Due to strong interest from Kalama`ula beneficiaries in addressing coastal erosion and sea level rise (SLR) impacts affecting that pioneering Molokai homestead community, the project's scope, budget and timeframe were amended to include affected lots within the historic homestead originally named "Kalaniana`ole Colony," which was so successful that by 1925 the "Molokai Miracle" had ensured the enactment of the Hawaiian Homes Commission Act (HHCA) homesteading program.

See Figure 1, "Project Area Map," below.

Figure 1 Project Area Map

Kalama'ula, Kapa'akea, Kamiloloa, and One Ali'i - residential homestead lots along the shoreline that comprise the project area.



In order to deepen the cultural context and properly situate the understanding of Traditional Ecological Knowledge (TEK), additional research by a Molokai cultural practitioner on ahupua'a and place names, wahi pana, pre-contact history, mo'olelo, mele, nā makani, nā ua, nā wai etc. was performed, which resulted in cultural documentation that is enriching the plan's analysis and which will be added to the SEMP as an appendix.

Over the past two years, impacts from shoreline erosion have continued to affect Molokai's kona (leeward/southern) shoreline, due to multiple factors such as sea level rise, episodic extreme high tides, also known as "King Tides," and other climate change-related phenomena. Lessees living in close proximity to the shoreline have continued to experience seawater inundation and erosion of their lots during high tide and/or high wave action events, as well as other climate change-related problems such as groundwater upwelling, cesspool failures, and flooding due to excessive stormwater runoff during heavy rain events.



Extreme high tides in Kapa'akea July 1, 2019  
Photos courtesy of Bridget Mowat



Stormwater flooding in Kapa'akea  
January 18, 2021 Photos courtesy of Doreen  
"Pinky" Gaspar

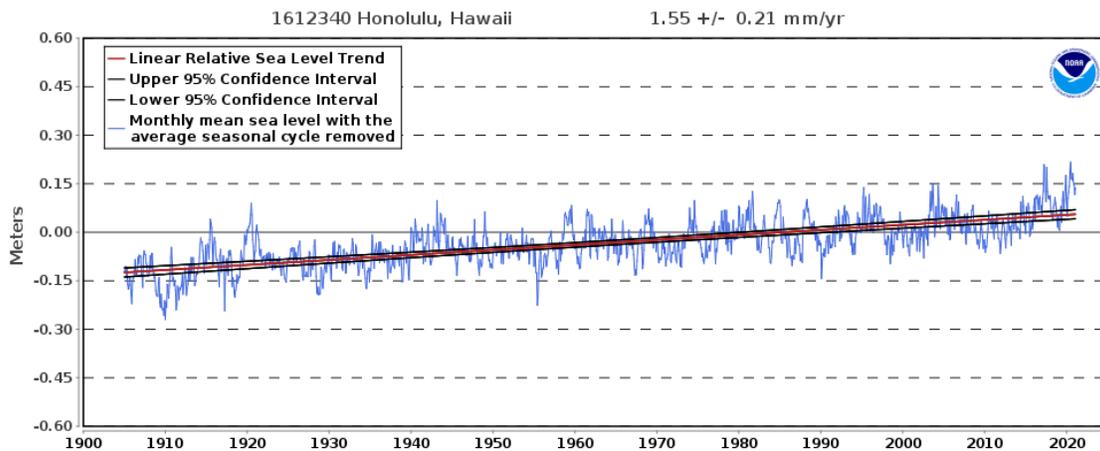
*Official Climate Change and Sea Level Rise (SLR) Projections*

DHHL continues to build capacity of staff, explore ways to implement mitigation and adaptation strategies, and participate in State- and County-level discussions on climate change and SLR adaptation as a fiduciary duty to the beneficiaries and the Hawaiian Home Lands Trust, and as mandated by Act 32 (<https://climateadaptation.hawaii.gov/wp-content/uploads/2015/07/Act-32.pdf>) and recent amendments to

HRS CH. 343. The State Climate Commission's focus is on two main areas: greenhouse gas emissions reduction, and climate change adaptation. For more information, please go to the State's Climate Change Portal: <https://climate.hawaii.gov/>

While the situation is dynamic, there are geographic variations between islands, and there will always be some uncertainty, it is clear that sea levels are rising and that the rate of change may be accelerating. The sea level around Hilo Bay has risen by 10 inches since 1950, and is now rising faster at about 1 inch every 4 years. This increases the frequency and reach of coastal floods, which affect our communities.

Based on past rates of change, the following figure illustrates the trend line for sea level rise in Honolulu:



Even with dramatic reductions in carbon dioxide and other greenhouse gases as intended by goals in the Paris Accord, there's a high probability that a minimum SLR of between three (3) and six (6) feet by the end of the century, possibly earlier, is inevitable. The State of Hawai'i and City and County of Honolulu continue to plan for a minimum of six (6) feet of SLR for critical infrastructure with project lifetimes of 75-100 years, and three (3) feet of SLR for all other development. It is recommended that local decision-makers implement sea level rise adaptation programs, and an appropriate planning target would include a sea level benchmark of 1 foot by mid-century and into the lower end (about 3 feet) of 2.5 to 6.2 ft by the end of the century. For more information on sea level rise, go to: <https://climate.hawaii.gov/hi-facts/sea-level-rise/>

## DISCUSSION

### *Need for the Project*

The homestead area of Kapa'akea was created in the late 1940's using what was then known simply as "reclamation," or the filling in of wetlands. According to a 1900 map drawn for the American Sugar Company, half of the subdivision was saltwater marsh. During interviews, lessees reported that there were several springs in the area that were filled in when the subdivision was created. Since the homestead's inception, lessees on lots in certain areas have experienced seepage of fresh and brackish water, and historically, the Molokai District Office had assisted lessees in Kapa'akea who were experiencing groundwater inundation with clean fill by providing red cinder excavated from the Pu'u Maninikolo cinder pit mauka of the Kapa'akea Cemetery. Shoreline lessees have also experienced gradual loss of the seaward areas of their lots, with many makai TMK boundaries now lying underwater, even at low tide. See Exhibit 'B', 1900 American Sugar Co. Map.

The Kamiloloa homestead area consists mainly of deep lots that lie between the coastal Kamehameha V Highway and the ocean. While the lots are fairly large, a number of the homes were built very close to the shoreline, and these lots will eventually start to experience significant impacts from the effects of sea level rise.

While the One Ali'i lots that lie mauka of the Ali'i fishpond benefit from some protection from wave action, as sea levels rise, the deflection of energy by fishpond walls as well as from the fringing reef offshore will gradually diminish, and shoreline erosion could accelerate.

### *Adjustments to Project Scope, Purpose and Methodology*

The purpose of the SM-SEMP project has not changed - it is to prepare a shoreline erosion management plan for the project area that will:

- Enable DHHL to proactively plan for and manage shoreline erosion;
- Investigate underlying causes of shoreline erosion, and likely future progression;

- Identify effective and sustainable shoreline erosion management strategies that maintain natural processes and consider community needs; and
- Educate the community as to the causes of shoreline erosion and appropriate management responses.

The scope was amended to include the Kalama`ula coastal homestead area as requested by beneficiaries as well as the Malama Park area in Kaunakakai, since it is an important cultural, natural and recreational resource for homesteaders and the island as a whole. Additional site visits and interviews with Kalama`ula lessees were conducted in November of 2019.

### *Project Methodology*

The project's methodology has been revised slightly to augment the scoping phase with additional research on cultural context and place-based traditional knowledge. Specific outcomes of the scoping phase now will include:

1. Identification of key factors affecting physical coastal processes and existing responses;
2. Evaluation of shoreline erosion management options and prudent mitigation strategies; and
3. Documentation of cultural and historic knowledge that will provide a cultural context to inform evaluation of options and strategies in terms of protection and enhancement of cultural and natural resources in the Project Area.

The Plan Preparation phase has not changed, however it has been affected the modifications to project scope and by a slowing down of the Community Engagement Program due to COVID-19 restrictions. It was hoped that an in-person Open House-format Community Meeting could be held, but it eventually became clear that this wouldn't be possible. In response to those restrictions, the approach was modified to include two virtual focus group meetings, one of which was held on April 10, 2021. A second focus group is being planned for early summer 2021. The focus group has been reviewing the data on shoreline hydrodynamics and potential erosion management options and mitigation strategies and providing feedback. A larger Community Meeting to review the Draft Plan will be held in late summer 2021 and could potentially be an in-person and virtual hybrid meeting. For more information on project methodology, refer to Exhibit A.

### *Adjusted budget and timeline*

The original amount allocated to the project was \$100,000, but in order to accommodate the inclusion of the Kalama'ula homestead and Malama Park in the project area, which meant revising project materials and conducting additional interviews and site visits, the project budget was augmented by \$75,000 and the time for completion was increased by one year, to September 2021.

### Summary and Next Steps

- The planning team is currently processing the data from the first focus group meeting, and will provide a newsletter update to the community in April 2021
- A second focus group meeting will be held in early summer 2021
- The final SM-SEMP Community Meeting, which will be an Open House format designed to present a Draft Plan and get feedback from beneficiaries, will be held in late summer 2021.

### RECOMMENDATION

None; for information only.

**HAWAIIAN HOMES COMMISSION  
JANUARY 18 & 19, 2022  
INTERACTIVE CONFERENCE  
TECHNOLOGY**

**J – ITEMS  
REQUESTS TO ADDRESS THE  
COMMISSION**

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS  
HAWAIIAN HOMES COMMISSION MEETING/WORKSHOP  
Wednesday, January 19, 2022

**J AGENDA INDEX**

- J-1 Kauai Almeida – Pana‘ewa Hawaiian Home Lands  
Community Association
- J-2 Allen Cardines – Nānākuli Neighborhood Security  
Watch
- J-3 Maxine Kahaulelio – Pu‘ukapu Concern
- J-4 Blossom Feiteira – Various Concerns
- J-5 Kekoa Enomoto – Kēōkea/Waiohuli Cultural  
Management Plan
- J-6 Jojo Tanimoto – Kawaihae Lease Boundary Issue
- J-7 Ainaaloha Ioane – Kings Landing Village
- J-8 Squeaky Peahi – Waimānalo Homestead Association
- J-9 Al Hee – Sandwich Isles Communication

**From:** dhl.icro1@hawaii.gov  
**Sent:** Wednesday, December 29, 2021 6:34 PM  
**To:** Burrows-Nuuanu, Leatrice W  
**Subject:** New submission from Submit J-Agenda Testimony

**Name**

Kauilani Almeida

**Email**

[kumukauilani@gmail.com](mailto:kumukauilani@gmail.com)

**Message**

I would like to be on Commission meeting Agenda item J for January 19, 2022 to speak about our Panaewa Residential Homestead building bridges with our surrounding neighbors (commercial businesses) resurrecting the Kamoleao Health and Wellness Center our homestead's top priority 2022-2024.

# The Homestead Ho'olelele

The Homestead Broadcast

Januali 1, 2022

## Hau'oli Makahiki Hou!

Aloha neighbors!

Welcome to a New Year. 2022 is here and is full of positive energy just waiting for us to tap into it. But the secret to our future is not waiting to see what happens, it's having a dream, a vision if you will to pursue what can make our community not just sustainable, but thriving. Now this can only be possible with the mana'o and participation of all in our community. With the wisdom and guidance of our Kupuna and their cultural knowledge along with the talents and energy of each individual, this dream can become a reality. We have recently had an election of a new Community Association President and Board of Directors that are excited to meet everyone and hear how we can become an amazing neighborhood. Again I want to wish everyone a safe and Happy New Year and pray that we may all be worthy of God's rich blessings for all, and that his spirit continue to be a comfort to all of us at this time.

Aloha,

Beau Mills, Vice President

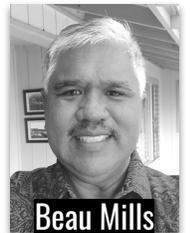
## Board of Directors

The confirmed Board Officers and Members of the PPHLCA Board of Directors 2022-24 are as follows:

**President Kauilani Almeida**  
**Vice President Beau Mills**  
**Secretary Marva Chew**  
**Treasurer Alberta Mehau-Matsu**  
**Sgt-at-Arms Rodney Haili**



**Member Camille Mehau**  
**Member Kamomi Carvalho**  
**Member Beatrice Masoe-Kekauoha**  
**Member Robert Yockman**  
**Member Roxane Poaha**  
**Member Maka Kaili**  
**Member Candy Kalili**



Not pictured: Camille Mehau, Beatrice Masoe-Kekauoha, Robert Yockman, Roxane Poaha

## Board Election Results

The purpose of this PPHLCA election year 2021 was to **unify** our entire homestead in the election process of voting for their leadership representatives; **remind** each and every lessee that by right they are the legal responsible party for all activities on their lease with DHHL; to be **fair** by designating one (1) ballot per lessee household; and being **transparent** by hand delivering it to each and every lessee household.



Uncle Howard Pe'a officiated the opening of sealed ballot boxes, opening of ballot envelopes and tallying of confirmation votes with Aunt Maryjane Kamoku (left) and Karen Kalani (right).

The final count included 219 envelopes opened- this included 150 marked ballots (supporting confirmation) and 69 unmarked (for reasons such as: home did not want to participate, didn't know anyone on ballot, not home or was in the house but did not answer door, or vicious dogs prevented access to hale).

Starting January 2022, the number one priority for the Board of Directors is to fulfill the legacy of Aunt Leimomi Kalauli, Uncle Robert Naihe, Uncle John Kamoku, Aunt Eleanor and Uncle Alapaki Ahuna, Aunt Maile Akimseu who passed, their spouses who still living Uncle Danny Kalauli, Aunt Daisy Naihe, Aunt Mary Jane Kamoku and their family members who saw this dream, **KAMOLEAO**, come to life on a conceptual drawing by Kimura International in 1995. We will imua: build Phase One of Kamoleao and construct a 10,000 ft<sup>2</sup> community center. With DHHL, we will progress one step at a time in the spirit of lōkahi. It's a kākou thing.

# Financial Help Options

Our community engagement priority is to open up communication through our email: [panaewahlca@gmail.com](mailto:panaewahlca@gmail.com). We are taking a proactive approach in sending you information as soon as we receive it, like the flyer information listed below. We ask that every lessee that have access to a computer communicate through email. It is cost efficient and our the response your needs are quicker. We continue to explore open communications directly to our homestead lessees, including social media. If you have any ideas, please feel free to share! We appreciate all contributions.

OHA together with Hawaii Community lending has information of “ Ka Wailele Emergency Financial Assistance Program. It will provide grants up to \$1500 for past due rent, mortgage, utilities and rent deposits to an estimated 520 households that can prove Native Hawaiian ancestry. Had copy flyers for this Program are available. Email: [panaewahlca@gmail.com](mailto:panaewahlca@gmail.com).

Hawaii Financial Opportunity Center in working with Hawaii Community Lending is working on the islands of Hawaii and Kauai. If you live in your home on Hawaii Island and Kaua’i and are experiencing financial Hardship you may be eligible for up to \$30,000 in grant funds to pay your past due mortgage or reduce your monthly mortgage payment. Please contact: [panaewahlca@gmail.com](mailto:panaewahlca@gmail.com) for a flyer with more application information. Some other types of loans and grants they offer are:

- Business Lending
  - Business Plan or Farming/Ranching Plan Training
  - Farm/Ranch Capital Training on USDA Sources
  - Food Sovereignty Loans for Farms/Ranches - purchase tools, equipment, fencing, livestock, cash flow, etc
  - Business Purpose Loans
- Consumer Lending
  - General Purpose Loans -
  - Food Sovereignty Loans - purchase tools, equipment, fencing, livestock and materials for food security
  - Transportation Loans - clear traffic tickets or purchase/repair vehicles Small Home Reno/Addition Loans - repair/add bathrooms, kitchens, bedrooms, roofs for quality of life

## Community Announcements & Important Dates

❖ **We have lots of information to share! There are many programs and opportunities that we want to share widely. PLEASE EMAIL US TO JOIN OUR CONTACT LIST!**

**[panaewahlca@gmail.com](mailto:panaewahlca@gmail.com)**

- **Jan 12-** PHHCLA Board Meeting
  - 6 p.m. Haili Tent
- **Jan 17-** Onipa’ā Commemoration
- **Jan 19-** General Membership Meeting
  - 5:30 p.m. Haili Tent

- Comfort Shed Loans- build easy storage or self-quarantine units on any homestead
- Go Green Loans- upgrade septic systems, install solar, purchase energy efficiency appliances
- Savings Match Grant Programs
  - Food Sovereignty Grants - to Support Households or Farmers or Ranchers to Grow Food!
  - 2:1 Match – Savings Match grant of \$2 to Every \$1 Saved by Client!
- Financial Education Services
- Mortgage Loan Services

We have flyers about each type of loan and grant available to the community. Email [panaewahlca@gmail.com](mailto:panaewahlca@gmail.com) for more information and support! This will also place your email address on our quick responder list regarding future programs for Native Hawaiians.

## ‘Olelo No’eau o ka mahina

### Ua ola loko i ke aloha

Love gives life within

*Aloha is imperative to one’s physical and mental welfare*

**Please email articles of interest, newborns, community person who hala, birthdays, or whatever announcements you think we should include in our monthly newsletter!**

**Email to: [panaewahlca@gmail.com](mailto:panaewahlca@gmail.com)**

**From:** acardinesjr@gmail.com  
**Sent:** Tuesday, December 21, 2021 12:43 PM  
**To:** Burrows-Nuuanu, Leatrice W  
**Subject:** [EXTERNAL] January 19, 2022 HHC Regular Meeting

Aloha Leah,

Thanks for your help today!

How do I request to be on the J Agenda for the Wednesday, January 19, 2022 HHC Regular Meeting – 9:30 a.m? I don't see a link on the website.

Mahalo,  
Allen

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**From:** dhlh.icro1@hawaii.gov  
**Sent:** Tuesday, January 04, 2022 11:09 AM  
**To:** Burrows-Nuuanu, Leatrice W  
**Subject:** New submission from Submit J-Agenda Testimony

**Name**

Kanehili NSW

**Email**

[kanehilinsw@gmail.com](mailto:kanehilinsw@gmail.com)

**Message**

We stand in agreement with our Keaulana Families in being tired of being terrorized by any Drug or Crime activities in Homestead Community's. All our Homesteads is under siege and we all need your guidance and leadership. Together we can make a difference and bring back a healthier and safe community. We're not about anyone loosing their homes, but seeking help for them. Kanehili was able to work with a few Homeowners to turn their lives around in cleaning up their drug activities. Lets all work together and support the Keaulana Families in Nanakuli.

Mahalo!

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**From:** kimo.chai <kimo.chai@yahoo.com>  
**Sent:** Friday, January 07, 2022 8:53 AM  
**To:** Burrows-Nuuanu, Leatrice W  
**Subject:** [EXTERNAL] Keaulana Avenue ohana

Aloha,

My name is Kimo Chai the son of Ruby Chai leasee of 89-426 Keaulana Avenue. I'm writing this testimony on behalf for my mom Ruby C. I reside on the big island Kona at this time. I frequently visit and lodge at her resident alot through out the year. There have been multiple times in the past 17 years that I notice of illegal activity going on at Heidi Lewis resident. My mom would always tell me of the noise, traffic, and altercation that goes unto Keaulana Ave in front of my mom resident that is happening from Mrs. Lewis resident. I also witnessed the activities happening through out the evenings and into the early mornings. There were multiple times that police was dispatched to Mrs. Lewis resident. I have witnessed a flatbed truck with slot machine games been off loaded into her resident. The people that was not resident of Mrs.Lewis would be loitering on Keaulana Avenue entering and exiting her property and being very disrespectful to the residents of Keaulana Ave. In 2019 they have installed black cloth construction fencing around the property. All the police reports that have been submitted is good but that is just a small part of what my mom dealt with everyday for the past 17 years. As a concern son I'm begging to look into this matter and remove Heidi Lewis and all that reside at that property out. Nanakuli Keaulana Avenue will always be my home where I was born and raised. I'm a proud Hawaiian homesteader from where my roots come from. It was always a privilege and blessed to have been raised on Keaulana Avenue. Please take action on this matter and know that Nanakuli is a beautiful place and giving me a peace of mind that my mom is safe.

Much much Mahalo and God Blessed,  
Kimo Chai

Sent from my Galaxy

## **Timeline - Maxine Kahalelio vs DHHL**

I recognize my first attempt was to use an RP, however, after all the struggles I experienced I realized that I deserve to be awarded Lot #45. I have been on the Ag list for a long time and in my desperation to relocate my horse I learned that Lot #45 gave me an opportunity to safely care for my horse. I humbly ask for Lot #45 to be awarded to me so that my two horses and two donkeys may continue to thrive there.

**June 2012 DHHL Hearing Kūhio Hale, Waimea** - I appeared with George Hall, descendant of 'Ohana Kealanahale, who spoke to the Commissioners in support of me re-homing my horse Kolohe to Lot #45. At the end of our discussion a Commissioner from Maui appeared to understand my struggle and suggested Kolohe and Kaneula stay on Lot #45 and that I would have a response by Oct. 2012. I never received a response from the Commissioners.

**April 23, 2013 DHHL Hearing Kapolei** - I gave testimony to the Commissioners regarding the process to acquire Lot #45 with permission given by Irene Tori and her son George Hall. I urgently needed to re-home my horse Kolohe from Lot #9 due to harmful air pollution and negligence caused by Isemoto Construction Co. Isemoto Co. caused severe air pollution as they worked to construct water wells and this activity adversely impacted many beneficiaries and animals in Pu'ukapu. Sadly, Kolohe died shortly after and is buried under a koa tree on Lot #45.

**May 22, 2017 DHHL Hearing Kūhio Hale, Waimea** - Once again I gave testimony speaking about Lot #45 and I have been patiently waiting for a response. It was at this time I realized, that as a long time beneficiary, I and my animals deserved to be awarded Lot #45.

**May 20, 2019 DHHL Hearing Kūhio Hale, Waimea** - Once again I appeared before the Commissioners to express my valid concerns regarding Lot #45. I have maintained a clean, safe, and securely fenced area for my two horses, Kaneula and Nanea, as well as, my two donkeys Lulu and Laila. Nui ke aloha wau i kēia 'āina, and being awarded Lot #45 to me as a lessee would bring long awaited peace. I would like to see my name on Lot #45 as it is reflected on my residential lease, ku'u home 'o Pu'ukapu.

Maluhiluhi loa wau! E 'olu'olu, lohe pono i'au.

Pono kākou e mālama kekahi i kekahi me ka lokahi.

State of Hawaii  
DEPARTMENT OF HAWAIIAN HOME LANDS  
530 Halekauwila Street  
Honolulu, Hawaii 96813

June 28, 1971

Mrs. Mary Kahaulilio  
P. O. Box 168  
Kaaawa, Oahu

Dear Mrs. Kahaulilio:

RE: Application for Hawaiian Home Lands Lease  
Priority II, File Number 351, Waimanalo, Oahu

We are now in the process of considering applications for homestead lots in our Waimanalo Subdivision, Series V, second increment. Please arrange for a personal interview as soon as possible to determine your Hawaiian blood, social, economic and financial qualifications.

You may arrange IMMEDIATELY for an appointment with Mr. Roy K. Ah Nee of our staff at 548-3177 or 548-3178 between the hours of 7:45 a.m. and 4:30 p.m. on regular working days.

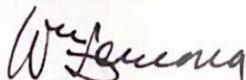
For the interview, we request that you submit legal and/or notarized documents substantiating the Hawaiian blood qualification of you and your spouse, as well as written verification and confirmation of employment, salary, and financial assets and liabilities.

The screening process is only a part of the requirements, as final action and decision for selection are vested in the Hawaiian Homes Commission.

If you do not respond to this notice within five (5) working days, we will interpret this as an indication that you are no longer interested in a homestead, and your application will be placed in the Deferred File.

Should you have any questions or wish to discuss this matter further, please don't hesitate to contact us by calling 548-3177 or 548-3178.

Aloha and sincerely,



William G. Among  
Director

F8  
8

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS  
P. O. BOX 1879  
HONOLULU, HAWAII 96805

September 13, 1966

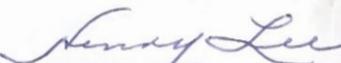
Mrs. Mary M. Kahaulilio  
P.O. Box 168  
Kaawa, Hawaii

Dear Mrs. Kahaulilio

Your application dated December 27, 1960  
for a houselot at Waimanalo has been placed on  
the pending eligible list with the Department of  
Hawaiian Home Lands. If you are still interested in  
obtaining a homestead, please call at our office for  
an interview immediately, so that your application may  
be reviewed and brought up-to-date.

Failure to respond within 10 days to this notice  
will indicate that you are no longer interested in a  
homestead and your application will be placed in the  
inactive file.

Yours very truly,

  
HENRY LEE

Please call 50511 local 207 for an appointment.

**From:** Blossom Feiteira <blossom96708@yahoo.com>  
**Sent:** Tuesday, January 04, 2022 6:08 AM  
**To:** Burrows-Nuuanu, Leatrice W  
**Subject:** [EXTERNAL] J agenda

Happy New Year Lea!!

Request to be placed on the J agenda for Commission meeting for the month of January.

Mahalo,

Blossom

Sent from my iPhone

**From:** Kekoa Enomoto <kenomoto1@hawaii.rr.com>  
**Sent:** Tuesday, January 04, 2022 4:24 AM  
**To:** Burrows-Nuuanu, Leatrice W  
**Subject:** [EXTERNAL] J Agenda

Aloha mai e commission secretary Leah Burrows-Nu'uau, I would like to RSVP to advocate on the J Agenda during the Hawaiian Homes Commission meeting 1/18 and/or 1/19/22. I w/give a Pa'upena Community Development Corporation update and w/discuss Maui/Lana'i Mokupuni Council issues/concerns. I understand I w/speak likely 9:45 Wednesday morning 1/19/21 via Zoom.

Mahalo a me Hau'oli Makahiki Hou!

-ʻAnake Kekoa

Sent from Kekoa Enomoto

Chairwoman of the board

Pa'upena Community Development Corporation

([https://urldefense.com/v3/\\_\\_http://www.paupena.org\\_\\_;!!LIYSdFfckKA!nFsmS\\_pl\\_qr0fGcMI2a1XP9GZOKtQVrHXZnd3ELtBnUMsrT8TxxCs8c3ZNbLaZmtRU6nz7T73CY7q-xp\\$](https://urldefense.com/v3/__http://www.paupena.org__;!!LIYSdFfckKA!nFsmS_pl_qr0fGcMI2a1XP9GZOKtQVrHXZnd3ELtBnUMsrT8TxxCs8c3ZNbLaZmtRU6nz7T73CY7q-xp$))

(808) 276-2713

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**From:** Aila Jr, William J  
**Sent:** Wednesday, December 29, 2021 4:20 PM  
**To:** Jojo Tanimoto  
**Cc:** Tanimoto Dawn; David Kaapu; Burrows-Nuuanu, Leatrice W  
**Subject:** RE: [EXTERNAL] Request to restore lease boundary

Happy Holidays!

My name is Jojo Tanimoto from Kawaihae. I have been working on this issue for 35 years and I hope you can help me. I was awarded lot 76 in Kawaihae and built a structure on my accelerated award, with the Commission's approval. Then the infrastructure began.

The department determined a small stream ran thru the boundary and they asked for that sliver and amended my lease. After the construction, the stream existed, but because of engineering flaw. More dry wells were required. Also, my neighbor raised his lot. No stream.

I asked for that portion back.

It should be noted the repair required repaving all the roads in Kailapa because the rain overflowed all the existing dry wells (\$12M-twice).

Mr. Garcia and Mona Kapaku determined that I agreed to amend, so they won't do anything. This past week, Mr Garcia informed me that this sliver is for an electrical easement, I was not informed about. Why can't the department just amend this lease and there is no reason for the department to retain this area.

Now, a) I turned this lease over to my daughter-at my age.

b) I believe the Dept took that piece under a false representation,

c) I think this piece is too narrow for an electrical easement; therefore, is a danger to us and the neighbor.

d) since the department won't help me and my daughter; I am asking to be included on the next Commission Agenda and I want to ask the Commissioners's help-for the betterment of conditions of native Hawaiians.

Please reply. Mahalo

Jojo Tanimoto

Sent from my iPhone

**From:** Ainaaloha loane <ainaalohaioane@gmail.com>  
**Sent:** Thursday, December 30, 2021 9:04 AM  
**To:** Burrows-Nuuanu, Leatrice W  
**Subject:** [EXTERNAL] January 18-19 meeting

Aloha Leah,

my name is Ainaaloha loane and I am an associate MAHA member and Board support for the Kingslanding community. I would like to schedule a public testimony on the J-agenda for January's meeting and if we make it onto the agenda, then I would like to set up testimony for the agenda item as well.

In addition, I would like to set up for other Kingslanding Village members to testify if we make it onto the agenda. I envision that the community will use my computer, and the community email address, which is [mahainc2020@gmail.com](mailto:mahainc2020@gmail.com)

Mahalo nui

**From:** Squeaky Peahi Jr. <speahi@htbyb.com>  
**Sent:** Monday, January 03, 2022 12:47 PM  
**To:** Burrows-Nuuanu, Leatrice W  
**Subject:** [EXTERNAL] Re: Commission might request

Aloha Leah can you assist me with a meeting with the commission please for the January meeting

Sent from my T-Mobile 4G LTE Device  
Get [Outlook for Android](#)

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**From:** dhhl.icro1@hawaii.gov  
**Sent:** Thursday, December 23, 2021 9:33 AM  
**To:** Burrows-Nuuanu, Leatrice W  
**Subject:** HCC Contact:

**First Name**

Apela

**Last Name**

Peahi

**Email**

[speahi@htbyb.com](mailto:speahi@htbyb.com)

**Subject**

**Message**

Aloha my name is Apela Peahi and I live in Waimanalo Homestead and a member of the Homestead association, I need your expertise as I am learning our by laws, Mr. Favella sat in our last meeting and was observing the meeting, we would ask the commission if it would be possible to investigate the WHHA Board, members brought up concerns about non residents being on the board, we have a board member holding a sec/treasure position but lives in Nanakuli, she says because she is a lifetime member she can run, the concerned members are saying you need to be a resident, they decided at the last meeting that they are going to re do the elections again and nominate new candidates and vote in March, but have not given thirty days notice to everyone, we would ask for some advice and clarity please Mahalo

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**From:** dhhl.icro1@hawaii.gov  
**Sent:** Monday, January 03, 2022 9:31 PM  
**To:** Burrows-Nuuanu, Leatrice W  
**Subject:** HCC Contact:

**First Name**

Sierra

**Last Name**

Kealoha

**Email**

[init2winit1979.gk@gmail.com](mailto:init2winit1979.gk@gmail.com)

**Subject**

To a Hawaiian Homes Commissioner

**Message**

Happy new years! Unfortunately, our Waimanalo Homestead Association and President Kila Wilson failed to comply with President Ige Proclamation effective Jan 1, 2022 suspending all in-person meetings according to the Sunshine Law especially for State agencies. Although many other agencies enforced the proclamation, WHA turned a blind eye. They conducted an election for a New Board tonight at the Waimanalo Halau. Many homesteaders, like myself and others who are employed with other State agencies was aware of this emergency proclamation therefore many of us didnt want to take the risk for a "pandemic spread" causing us to not show up and submit our votes. We were suprised that they continued with the election, putting the public at HIGH risk for COVID. We believe that this election should be NULL AND VOID. A proper and safe election should be reconvene should the proclamation end on February 28, 2022. We look forward to a timely response from the HHC. Mahalo!

**From:** Aila Jr, William J  
**Sent:** Wednesday, January 05, 2022 9:42 AM  
**To:** Burrows-Nuuanu, Leatrice W  
**Subject:** FW: January HHC meetings

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**From:** alhee@waimana.com <alhee@waimana.com>  
**Sent:** Wednesday, January 5, 2022 9:40 AM  
**To:** Aila Jr, William J <william.j.ailajr@hawaii.gov>  
**Cc:** leah.burrows-nuuanu@hawaii.gov  
**Subject:** [EXTERNAL] January HHC meetings

Aloha Chairman Aila,

Hope you had a restful Hauoli Makahiki Hou. I request to address the Commission during the two meetings scheduled for January 2022. In light of the recent actions of Hawaiian Telcom in delaying our ability to timely serve the beneficiaries thru their new security protocols, I want to make sure the Commissioners have all of the facts. In the past, it appeared the Commission was given selected facts during the executive sessions.

Mahalo,  
al

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