

STATE OF HAWAII
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, February 22, 2022, at 9:30 a.m. to be continued, if necessary, on
Wednesday, February 23, 2022, at 9:30 a.m.
Livestream available at www.dhhl.hawaii.gov/live

Note: Commission Meeting Packets will be available at dhhl.hawaii.gov by Thursday, February 17, 2022.

I. ORDER OF BUSINESS

- A. Roll Call
- B. Approval of Agenda
- C. Approval of Minutes for January 18 & 19, 2022
- 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 Approval of Streamline Refinance of Loans (see *exhibit)
- D-4 Ratification of Loan Approvals (see *exhibit)
- D-5 Approval of Homestead Application Transfers / Cancellations (see *exhibit)
- D-6 Commission Designation of Successors to Application Rights – Public Notice 2013 & 2015 (see *exhibit)
- D-7 Approval to Certify Applications of Qualified Applicants for the Month of January 2022 (see *exhibit)
- D-9 Approval of Designation of Successors to Leasehold Interest and Designation of Persons to Receive the Net Proceeds (see *exhibit)
- D-10 Approval of Assignment of Leasehold Interest (see exhibit)
- D-11 Approval of Amendment of Leasehold Interest (see exhibit)
- D-12 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees (see exhibit)
- D-13 Cancellation of Lease – **WALTER Y. LEE**, Residential Lease No. 12743, Lot No. 13745, Maluohai, O‘ahu
- D-14 Amendment to Lease – **SIERRA K. AVILLA**, Residential Lease No. 4397, Lot No. 75, Nanakuli, O‘ahu
- D-15 Commission Designation of Successor – **HAZEL W. PU**, Residential Lease No. 5518, Lot No. 117, Lualualei, O‘ahu
- D-16 Commission Designation of Successor – **SYBIL K. HUIHUI**, Residential Lease No. 775, Lot No. 23, Papakōlea, O‘ahu
- D-17 Request to Surrender Agricultural Lease No. 7445, Lot No. 1, Keōkea, Maui – **JEAN K. LUKA**
- D-18 Commission Designation of Successor – **ROLAND K. POAIPUNI**, Residential Lease No. 10295, Lot No. 219, Waiohuli, Maui
- D-19 Commission Designation of Successor – **DARRYL K. AIWOHI**, Residential Lease No. 4151, Lot No. 21, Paukūkalo, Maui
- D-20 Commission Designation of Successor – **SALLY KUULEI HAINA**, Residential Lease No. 09051, Lot No. 1 Pu‘ukapu, Hawai‘i

B. REGULAR AGENDA

Office of the Chairman

- C-1 Adoption of the recommendations of the Investigative Committee on King's Landing

Homestead Service Division

- D-8 Approval to Cancel Applications of Non-Qualified Applicants (see *exhibit)

Land Development Division

- E-1 Approval to Authorize the Chairman to enter into a new 5-Year Agreement with Hawaii Community College for its DHHL Model Home Project

Land Management Division

- F-1 Approval to Issuance of Non-Exclusive License for Access (Ingress & Egress) from a portion of Hawaiian home lands identified by TMK No: (3) 6-4-008:024 (more commonly known as Kahili Road) to Jason K. & Melita A. Deluz (Fee owners by Entirety of TMK No. (3) 6-4-001:004), Pu'ukapu, Island of Hawaii

- F-2 Approval to Issue a Right of Entry to Frank V. Coluccio Construction Company, Inc., Pūowaina, Honolulu, Oahu, TMK: (1) 2-2-005:035 (por.)

- F-3 Approval to Issue Right of Entry Permit to Aina Alliance, Anahola, Island of Kauai, TMK Nos. (4) 4-8-003:018,:019,:021,:026; 4-8-014:003; and 4-7-004:003,:004,:007

- F-4 Approval to Issue Right of Entry Permit to Hosea Lovell Foundation, Ko'olau Limu Project, Anahola, Island of Kauai, TMK Nos. (4) 4-8-012:001,:010; 4-8-013:009,:012 and 4-8-018:028,:029

Planning Office

- G-1 Approval to Support Groundwater Management Area Designation of Wai'anae, O'ahu Aquifers

- G-2 Approval of Recommendations for Regional Plan Priority Project and Capacity Building Grant Awards

- G-3 Approval to Authorize the Chairman to Submit to U.S. Department of Agriculture Rural Development an Application for Federal Funds for the Construction of the Ka'uluokaha'i Water and Wastewater Project, Kapolei, O'ahu

III. ITEMS FOR INFORMATION/DISCUSSION

A. REGULAR ITEMS

Office of the Chairman

- C-2 Report and Recommendation from the Investigative Committee to Review Selection Criteria, Potential Candidates, and Other Issues Related to the Retention of Private Counsel for Matters Related to Act 14 (1995)

- C-3 For Information Only - Presentation on Activities Submitted for the National Telecommunications & Information Administration Tribal Broadband Connectivity Program

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 USDA-RD Mortgage Loans

B. WORKSHOPS

Planning Office

G-4 For Information Only - Options for Wastewater Management Alternatives

G-5 For Information Only - Status Update on Plan Implementation in the Kapolei Region

STATE OF HAWAI‘I
DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION MEETING/WORKSHOP AGENDA

91-5420 Kapolei Parkway, Kapolei, O‘ahu, Hawai‘i, ICT - Zoom
Wednesday, February 23, 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 Kekoa Enomoto – Mokupuni Council and Pa‘upena CDC
- J-2 Blossom Feiteira – Various Concerns
- J-3 Bianca-Lyn Ramento – Wai‘anae Lease Concern
- J-4 Noe Asuega-Stark – Pu‘unani Homestead Association
- J-5 Al Hee – Sandwich Isles Communications
- J-6 Donna Sterling – Kahikinui
- J-7 Homelani Schaedel – Maluohai

Office of the Chairman

- C-4 Ratification of Expanded Scope of Work for the Memorandum of Agreement with Amerind Critical Infrastructure Related to Tribal Broadband Connectivity Program and 2.5 GHz Licenses and Approval of Additional Expenditures Related to the Expanded Scope of Work

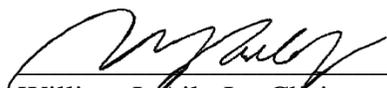
III. EXECUTIVE SESSION

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 HHC Meeting – March 21 &22, 2022, Tuesday & Wednesday, (ICT) Zoom
- B. Adjournment



William J. 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 March 25, 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 February 18, 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 D-2 EXHIBIT

APPROVAL OF CONSENT TO MORTGAGE

LESSEE	LEASE NO.	AREA
AIWOHI, Helaman K.	9935	Waiehu 3, Maui
AKANA, Rogerlene K.	8415	Princess Kahanu Estates, Oahu
AKAU, Lacey L.	6224	Panaewa, Hawaii
ALANA, Joseph K., Jr.	5315	Waianae, Oahu
ANDERS, Robert M.	4973	Waimea, Hawaii
APANA, Carolyn L.	719	Waimanalo, Oahu
ARUDA, Jennie K.	7613	Waiohuli, Maui
AVILLA MATSUO, Dean L.	2952	Nanakuli, Oahu
CHUN, Lionelbarry K.	11909	Kaupea, Oahu
CROWELL, Harold K., III	3697	Waimanalo, Oahu
FOSTER, Saafiga W., Jr.	7506	Waiohuli, Maui
FUTRELL, Pokiimakamai V. M.	11556	Kanehili, Oahu
GOTO, Melva	4075	Kewalo, Oahu
HOOKANO, Kaimana M.	12188	Waiehu 4, Maui
JOVERO, Sarina	12078	Kaupea, Oahu
KAIHEWALU-ENRIQUEZ, Nicole A.	9407	Kaniohale, Hawaii
KAMALANI, Benjamin	8112	Waiakea, Hawaii
KAMEALOHA, Glori-Jean	4860	Nanakuli, Oahu
KAUHAAHAA, Chandee D. K.	10030	Waiehu 3, Maui
KEA-ANDUHA, Jamaine K.	11896	Lualualei, Oahu
LEVASA, Leihua K.	5136	Nanakuli, Oahu
LEWI, Roy K.	10232	Kawaihae, Hawaii
LOUIS, Alberta K.	4544	Nanakuli, Oahu
LUULOA, Henry H.	12974	Kalamaula, Molokai
MAKANANI-PILILAAU, Terralyn P.	11332	Kekaha, Kauai
MCCORRISTON, Daniel K., Jr.	6469	Anahola, Kauai
PAINTER, Ronnette L. R.	7414	Keokea, Maui
PARK, William J.	10166	Waiehu 3, Maui
PASCUAL, Sherry K.	9808	Maluohai, Oahu
PUNG, Sammie J.	7226	Kawaihae, Hawaii
RAPOZA, Carnation P.	3600	Waimanalo, Oahu
ROMAN, Chance D.	11856	Kanehili, Oahu
ROSS, Leslie Ann	8401	Princess Kahanu Estates, Oahu
TAYLOR, Terry-Lee L.	10333	Waiohuli, Maui
WILLIAMS, Davidene D.	5180	Nanakuli, Oahu
WONG, Wendell K.	12652	Kanehili, Oahu
YAGODICH, Darrell C.	9955	Waiehu 3, Maui
YAMAMOTO, Amy M. M.	9881	Maluohai, Oahu

ITEM D-3 EXHIBIT

APPROVAL OF STREAMLINE REFINANCE OF LOANS

KAMEALOHA, Dorene O.	3433	Nanakuli, Oahu
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ITEM D-4 EXHIBIT

RATIFICATION OF LOAN APPROVALS

ALAPA, Mitchell K.	12975	Anahola, Kauai
VICTOR, Nikki K.I.	4247	Keaukaha, Hawaii

ITEM D-5 EXHIBIT

HOMESTEAD APPLICATION TRANSFERS / CANCELLATIONS

APPLICANT	AREA
AIKALA, Joseph K.	Oahu IW Res
HANOHANO, Quincy K.	Oahu IW Res to Hawaii IW Res
HELU, Jonnie K.M.	Maui IW Res to Oahu IW Res
IOANE, Nathan L.	Oahu IW Res
ISAACS-RAMINO, Leivonchon K.B.	Oahu IW Res
JEREMIAH, Bryan E.	Oahu IW Agr to Hawaii IW Agr
JEREMIAH, Bryan E.	Oahu IW Res to Hawaii IW Res
KALAWAIA, Bennett K.	Maui IW Res
KALEIOPU, Robin M.	Oahu IW Res to Hawaii IW Res
KAMAHOAHOA-HO, Raenale L.L.	Maui IW Agr to Hawaii IW Agr
KAMAHOAHOA-HO, Raenale L.L.	Oahu IW Res to Hawaii IW Res
KAMAI, Mathew I.	Maui IW Agr to Hawaii IW Agr
KAMAKEA, Doreen M.	Hawaii IW Res to Oahu IW Res
KEKAHUNA, Beatrice K.	Hawaii IW Res
KEKAULA-VAN GIESON, Lilinoe L.A.	Oahu IW Res
LUM KING, Mona A.	Oahu IW Res
NAKIHEI, Diana K.	Oahu IW Res
NAWAHINE, Debrah-Mae H.	Nanakuli Area / Oahu IW Res
NOA, Karl W.	Oahu IW Res
PACANA, Annie Rose K.	Molokai IW Res to Hawaii IW Res
SWINSON, Tracyly P.	Oahu IW Res

* IW = Islandwide

ITEM D-6 EXHIBIT

COMMISSION DESIGNATION OF SUCCESSORS – PUBLIC NOTICE 2013 & 2015

APPLICANT	AREA
CRABBE, Benjamin K., Jr.	Oahu IW Agr
CRABBE, Benjamin K., Jr.	Oahu IW Res
JACKSON, Benjamin K.	Oahu IW Res
JACKSON, Benjamin K.	Hawaii IW Agr

* IW = Islandwide

ITEM D-7 EXHIBIT

QUALIFIED HOMESTEAD APPLICANTS FOR APPROVAL

APPLICANT	AREA
AINA-AKAU, Natalie K.	Oahu IW Agr
AINA-AKAU, Natalie K.	Oahu IW Res
AKAU, Devlyn K.	Hawaii IW Res
AKUNA, Terry P.	Maui IW Agr
AKUNA, Terry P.	Maui IW Res
AMADEO, Justice H.	Oahu IW Res
ANGAY, Kalokookamaile K.H.	Hawaii IW Agr
ANGAY, Kalokookamaile K.H.	Oahu IW Res
ANGAY, Makanaaloha P.H.	Hawaii IW Agr
ANGAY, Makanaaloha P.H.	Oahu IW Res
ANI, Gregory	Maui IW Pas
ANI, Gregory	Maui IW Res
CALLEJO, Joen L.	Oahu IW Res
ELI-KIA, Jontue A.L.M.S.	Hawaii IW Agr
ELI-KIA, Jontue A.L.M.S.	Oahu IW Res
HAO, Melanie P.	Oahu IW Res
HAO, Sean L.N.	Oahu IW Res
HEZEKIA, Kanoe K.D.	Oahu IW Agr
HEZEKIA, Kanoe K.D.	Oahu IW Res
HEZEKIA, Kauilani M.K.	Oahu IW Res
HEZEKIA, Kaumualii M.H.	Oahu IW Agr
HEZEKIA, Kaumualii M.H.	Oahu IW Res
KAAIHUE, Ionae I.	Oahu IW Res
KAAIHUE, Ionae I.	Kauai IW Pas
KAKALIA, Cierra L.M.	Oahu IW Res
KEALAKAI, Joseph L., III	Oahu IW Res
KEKAUOHA, Mahealani K.	Oahu IW Res
KEKAUOHA, Mahealani K.	Kauai IW Agr
KEOHOHOU, Courtney M.	Oahu IW Res
KOGA, Lanette L.	Oahu IW Res
LANNING, Meilyn H.A.	Hawaii IW Res
LARONAL, David K.	Oahu IW Res
LEE LOY, Rachel K.K.M.	Hawaii IW Res
LEE LOY, Rachel K.K.M.	Molokai IW Agr
MAHI, Noa S., Jr.	Waimanalo Area / Oahu IW Res
MAHUKA, Brandon K.	Oahu IW Agr
MAHUKA, Brandon K.	Oahu IW Res
MENA, Benedict A., Jr.	Oahu IW Agr
MENA, Benedict A., Jr.	Oahu IW Res
MIKAELE, Rick K.	Hawaii IW Res
MONAHAN, Lucille M.N.	Oahu IW Res

MURRAY-THORNTON, Jowen-James H.	Oahu IW Res
PENEKU, Keone H., Jr.	Oahu IW Res
PENEKU, Keone H., Jr.	Kauai IW Agr
RICHARDSON, Alexander G.	Oahu IW Agr
RICHARDSON, Alexander G.	Oahu IW Res
RICHARDSON, Jay A.K.	Oahu IW Agr
RICHARDSON, Jay A.K.	Oahu IW Res
TRIPP, Brenda L.	Oahu IW Res
ZUKERAN, Summer U.K.	Oahu IW Agr
ZUKERAN, Summer U.K.	Oahu IW Res

* IW = Islandwide

ITEM D-8 EXHIBIT

APPROVAL TO CANCEL APPLICATIONS OF NON-QUALIFIED APPLICANTS

APPLICANT	AREA
AIWOHI, Lillian S.K.	Oahu IW Agr
AIWOHI, Lillian S.K.	Oahu IW Res
BALLESTEROS, Manuel J., Sr.	Maui IW Res
BRANDT, September D.K.	Oahu IW Res
BRANDT, September D.K.	Hawaii IW Pas
CHING, Melva N.	Maui IW Agr
CHING, Melva N.	Maui IW Res
DELA CRUZ, Antonette S.	Maui IW Agr
DELA CRUZ, Antonette S.	Maui IW Res
FRIAS, Barbara A.L.	Hawaii IW Agr
FRIAS, Barbara A.L.	Hawaii IW Res
KAUWE, Nycki M.L.	Hawaii IW Agr
KAUWE, Nycki M.L.	Hawaii IW Res
NARVAEZ, Raldean	Oahu IW Agr
NARVAEZ, Raldean	Oahu IW Res
STITH, Anita L.	Oahu IW Res
STITH, Anita L.	Hawaii IW Agr
TUTURU, Kekaikaheelani N.K.	Kauai IW Agr
TUTURU, Kekaikaheelani N.K.	Kauai IW Res
WILSON, Alvin G.	Papakolea/Kewalo Area / Oahu IW Res
WILSON, Armon P.	Waianae Area / Oahu IW Res

* IW = Islandwide

ITEM D-9 EXHIBIT

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

LESSEE	LEASE NO.	AREA
ALAMEDA, George	2105	Keaukaha, Hawaii
BLAISDELL, Farrington K.	5047	Hoolehua, Molokai
BORDEN, Lucy S.	1672	Hoolehua, Molokai
COSTA, Geraldine L.	9085	Keaukaha, Hawaii
DAWSON, Elizabeth P. P.	3269-A	Hoolehua, Molokai
DAWSON, Elizabeth P. P.	2077-A	Hoolehua, Molokai
FOSTER, Velma U.	8943	Waiakea, Hawaii
GARCIA-BALLARD, Liberta E.	9603	Kalawahine, Oahu
HALUAPO, Russell C. K.	6488	Anahola, Kauai
KAIKUAANA, Moses M.	4053	Keaukaha, Hawaii
KALILI, Wade Alan K.	6325	Keaukaha, Hawaii
KAMEKONA, Charlene U.	4251	Keaukaha, Hawaii
LUKA, Joyce N.	6671	Waimanalo, Oahu
PALEKA, James I., Sr.	4708	Kalamaula, Molokai
PELEKAI, Clyde K.	5118-Z	Panaewa, Hawaii
RIVERA, Welfrida K.	3995	Waimanalo, Oahu
TAMORIA, Mary Ann E.	10621	Kalamaula, Molokai

ITEM D-10 EXHIBIT

APPROVAL OF ASSIGNMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
AIONA, Amber U.	12164	Kaumana, Hawaii
ARNOLD, Dawnaree N.	3910	Panaewa, Hawaii
BIRD, Allen W.	9626	Kalawahine, Oahu
CHAI, Roman K.	428	Nanakuli, Oahu
HART TAYLOR, Jennie K.	7613	Waiohuli, Maui
HETHCOTE, Palmyra K.	12047	Kaupea, Oahu
HUIHUI, Henry A. S., Jr.	2635	Waimanalo, Oahu
KAOHU, William A. P. K., Sr.	9375	Kaniohale, Hawaii
LEVI, Henry, Jr.	5788	Hoolehua, Molokai
LUM, Diane L.	857	Kewalo, Oahu
NISHIYAMA, Ellen	660	Papakolea, Oahu
PACHECO, Kaimi Kaleonahe M.	10273	Keaukaha, Hawaii
KUALII, John O.	10273	Keaukaha, Hawaii
TOLER, Tiffany R. P.	1828	Keaukaha, Hawaii
WASHINGTON, Charmaine P.	10288	Waiohuli, Maui
PREJEAN, Brett N. B.	11049	Anahola, Kauai
PREJEAN, Pomaikai	8985	Kalawahine, Oahu
KAAWA RICHARDSON, Kelly H. K.	7848	Hoolehua, Molokai
KAPUNI-DENISON, June	7797	Hoolehua, Molokai
KEKOA, Lanre L. K.	6077	Kalamaula, Molokai
MIRANDA, Henry A. K.	6279	Keaukaha, Hawaii

ITEM D-11 EXHIBIT

APPROVAL OF AMENDMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
ALAMEDA, George	2105	Keaukaha, Hawaii
BLAISDELL, Farrington K.	5047	Hoolehua, Molokai
BORDEN, Lucy S.	1672	Hoolehua, Molokai
DAWSON, Elizabeth P. P.	3269-A	Hoolehua, Molokai
HUIHUI, Henry A. S., Jr.	2635	Waimanalo, Oahu
WAIWAIOLE, Arthur K.	2635	Waimanalo, Oahu
HUSSEY, Shadrach Piety	3719	Waimanalo, Oahu
IOKUA, Leinaala K. K.	4519	Nanakuli, Oahu
IOKUA, Franklin K., III	4519	Nanakuli, Oahu
JEREMIAH, Herman H. K., Sr.	3301	Nanakuli, Oahu
JEREMIAH, Herman H. K., Jr.	3301	Nanakuli, Oahu
KAEO, Arnold R. K.	1889	Keaukaha, Hawaii
KAIKUAANA, Moses M.	4053	Keaukaha, Hawaii
KALAIWAA, Suzie K.	4087	Waimanalo, Oahu
KILAKALUA, Hannah L.	386	Nanakuli, Oahu
KILAKALUA, Samuel K. K.	386	Nanakuli, Oahu
LUM, Diane L.	857	Kewalo, Oahu
MAII, Samuel J.	6663	Lualualei, Oahu
NISHIYAMA, Ellen	660	Papakolea, Oahu
RIVERA, Welfrida K.	3995	Waimanalo, Oahu

ITEM D-12 EXHIBIT

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

LESSEE	LEASE NO.	AREA
DE COITO, Charlotte M. K.	1415	Keaukaha, Hawaii
KAIAMAKINI, Robert K., Jr.	6370	Kawaihae, Hawaii
KEAHI, Michael K.	5946	Waiehu Kou, Maui
KONG, Cheryl M. M.	10288	Waiohuli, Maui

**HAWAIIAN HOMES COMMISSION
FEBRUARY 22 & 23, 2022
INTERACTIVE CONFERENCE
TECHNOLOGY**

C – ITEMS

OFFICE OF THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

February 22 & 23, 2022

TO: Chairman and Members, Hawaiian Homes Commission
FROM: Jobie Masagatani, Special Assistant to the Chairman
SUBJECT: C-1 Adoption of the recommendations of the Investigative Committee on King's
Landing

This submittal will be sent under separate cover.

ITEM NO. C-1

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

February 22-23, 2022

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Hokulei Lindsey, Administrative Rules Officer *Hokulei Lindsey*
Lehua Kinilau-Cano, Legislative Analyst
Staff to the HHC Investigative Committee to Review the Selection Criteria,
Potential Candidates, and Other Issues Related to the Retention of Private
Counsel for Matters Related to Act 14 (1995)

SUBJECT: Interim Report and Recommendation from the Investigative Committee to
Review Selection Criteria, Potential Candidates, and Other Issues Related to the
Retention of Private Counsel for Matters Related to Act 14 (1995)

RECOMMENDED MOTION/ACTION

None. For information only.

DISCUSSION:

At the October 2019 regular meeting of the Hawaiian Homes Commission, the Chairman appointed an investigative committee, pursuant to Hawai'i Revised Statutes (HRS) section 92-2.5 and Hawaii Administrative Rules section 10-2-16(b)(1), to review the selection criteria, potential candidates, and other issues related to the retention of private counsel for matters related to Act 14 (1995). The committee members were commissioners David Kaapu, Pauline Namuo, Dennis Neves, and the Chairman (See Exhibit "1").

The committee met six times regarding the selection criteria and procurement of private counsel for Act 14. The committee found that the potential workload could be better managed by creating two categories: (1) negotiation and settlement matters, and (2) litigation matters. The law firm of Ashford & Wriston, LLP was selected and retained pursuant to section 103D-304, HRS, for the category of negotiation and settlement matters related to Act 14 (1995). Although candidates were qualified and ranked for the litigation matters category, a separate request for independent counsel is pending with the Attorney General. As a result, the committee's original work is not yet complete.

The completion of outstanding items from Act 14 is a priority. The committee recommends its scope of authority be expanded to also investigate, discuss, review, vet, and recommend courses of action to address or resolve the outstanding items. The committee believes this would hasten resolution of Act 14. Exhibit "1" also includes a summary of outstanding items from Act 14.

RECOMMENDATION:

That the committee's recommendation that its scope of authority be expanded to also investigate, discuss, review, vet, and recommend courses of action to address or resolve the outstanding items from Act 14 be considered for action at the next regular meeting of the HHC.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

October 21-22, 2019

To: Members, Hawaiian Homes Commission

From: William J. Aila, Jr., Chairman

Subject: Appointment of investigative committee pursuant to HRS section 92-2.5 and HAR section 10-2-16(b)(1), to review the selection criteria, potential candidates, and other issues related to the retention of private counsel for matters related to Act 14 (1995).

RECOMMENDED ACTION:

For information Only. No action required.

DISCUSSION

An investigative committee of the Hawaiian Homes Commission is appointed effective October 23, 2019. The purpose of this committee is to review the selection criteria, potential candidates and other issues related to the request for HRS section 28-8.3 waiver to retain private counsel by contract to advise the Hawaiian Homes Commission (HHC) on the valuation of compensation through funds and land owed to the Department of Hawaiian Home Lands as outstanding claims of Act 14 (1995) or other items related to Act 14 (1995) to solely represent the interests of beneficiaries or native Hawaiians defined under section 201 of the Hawaiian Homes Commission Act. Attached as Exhibit A is the formal request submitted to Governor Ige through Attorney General Clare Connors.

The members of the Committee include David Kaapu, Pauline Namuo, Dennis Neves, and the Chair. The Committee's work is expected to be completed within 3 months. Any findings and recommendations will be placed on the agenda for the HHC meeting as the items are completed.

DAVID Y. IGE
GOVERNOR
STATE OF HAWAII



WILLIAM J. AILA, JR.
CHAIRMAN
HAWAIIAN HOMES COMMISSION

JOSH GREEN
LT. GOVERNOR
STATE OF HAWAII

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P. O. BOX 1879
HONOLULU, HAWAII 96805

September 6, 2019

To: The Honorable David Y. Ige, Governor
State of Hawaii

Through: Clare E. Connors
Attorney General

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

Subject: Request for Haw. Rev. Stat. §28-8.3 Waiver to Retain Private Counsel by Contract to Advise the Hawaiian Homes Commission (HHC) on the Valuation of Compensation through Funds and Land Owed to the Department of Hawaiian Home Lands (DHHL) as Outstanding Claims of Act 14 (1995) or Other Items Related to Act 14 (1995) to Solely Represent the Interests of Beneficiaries or Native Hawaiians Defined under Section 201 of the Hawaiian Homes Commission Act (HHCA)

This memorandum is to secure the Attorney General's concurrence and the Governor's waiver pursuant to Haw. Rev. Stat. §28-8.3, for DHHL to hire private counsel by contract to advise the HHC on the valuation of compensation through funds and land owed to DHHL as outstanding claims of Act 14 (1995) or other items related to Act 14 (1995) to solely represent the interests of beneficiaries or native Hawaiians defined under section 201 of the HHCA.

The HHC was briefed by staff in January 2019 on the background of Act 14 (1995) and the status of outstanding claims. A copy of the submittal to the HHC is attached. Outstanding claims totaling over 1,328 acres remain. Resolving these outstanding claims are in the best interest of beneficiaries and independent counsel to solely represent the interest of beneficiaries would be valuable to the HHC.

EXHIBIT "1"

The Honorable Clare E. Connors
September 6, 2019
Page 2

Since the outstanding claims have recently received greater attention given the use of Hawaiian Home Lands for state highways, time is of the essence. We respectfully request your expeditious review and approval of this waiver.

Attachment

CONCURRENCE:

Clare E. Connors
Attorney General

Date: _____

APPROVAL OF WAIVER:

David Y. Ige
Governor

Date: _____

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

January 28-29, 2019

To: Chairman and Members, Hawaiian Homes Commission
Thru: M. Kaleo Manuel, Acting Planning Program Manager
From: Andrew H. Choy, Planner *AC*
Subject: Act 14 Land Claim Settlement Update

Recommended Action

For information only.

Discussion

Purpose

During an address at a CNHA Conference, Governor Ige committed to seeking resolution to all outstanding claims related to Act 14. This submittal provides a brief background of Act 14 and highlights the status of outstanding claims.

Background

In 1991, the Task Force on the Department of Hawaiian Home Lands' Land Title and Related Claims ("Task Force") was convened by Governor John Waihe'e, as one of the first action steps in the Governor's Action Plan to Address Controversies under the Hawaiian Home Lands Trust and the Public Land Trust. The Task Force comprised of the heads of the Office of State Planning ("OSP"), the Department of Hawaiian Home Lands ("DHHL"), the Department of Land and Natural Resources ("DLNR"), and the Department of the Attorney General ("AG"). The Task Force's objective was to investigate and resolve DHHL's land use claims against the State. In the years following, the Task Force issued a slew of recommendations for settlement of DHHL's claims, which resulted in settlement packages enacted by the

Legislature in 1992 and 1993¹. Additionally, by a separate administrative initiative, the State initiated the transfer of 16,518 acres of useable lands to DHHL.

On December 1, 1994, the Task Force produced a Memorandum of Understanding ("MOU"), executed by all parties, setting forth its final recommendations to repair the Hawaiian home lands trust and resolve DHHL's claims against the State that arose between August 21, 1959 and July 1, 1988. The MOU, however, did not bind the State to its terms. Consequently, on June 29, 1995, the Legislature passed Act 14, SpSLH 1995 ("Act 14"), to fully effectuate the settlement of DHHL's aforementioned claims against the State.

Act 14's Settlement Items

Section 6 of Act 14 sets forth the State's agreed upon terms to resolve and satisfy the controversies and claims encompassed by the Act. Act 14's settlement items can be grouped into two forms of compensation: funds and land.

Funds

The funding component of the Act 14 settlement provided a total \$606,277,558 in monetary compensation to DHHL. Specifically Act 14 provides for the following:

- Establishment of the Hawaiian home lands trust fund;
- Required the State make twenty annual deposits of \$30,000,000 or their discounted value equivalent if the State opted to make prepayments into the trust fund;
- Payment of \$2,348,558 as an advance toward all rent due to DHHL for the continued use of trust lands under Nanaikapono elementary school between April 4, 1996 and October 27, 2002;
- Payment of \$2,390,000 for the State's uncompensated use of Hawaiian home lands between 1959 and 1995; and
- Payment of \$1,539,000 for moneys owed to DHHL as its thirty percent entitlement for the use of Hanapepe, Kauai, public lands formerly under lease for sugarcane

¹ Act 316, Sess. Laws of Hawaii 1992 and Act 352, Sess. Laws of Hawaii 1993.

cultivation, pursuant to section 1 of article XII of the Hawai'i State Constitution.

By the end of fiscal year ending June 30, 2015, the State satisfied the funding component of Act 14. The land component of Act 14, however, remains unresolved; the status of each outstanding item is provided below.

Land

The land component of the Act 14 settlement is found in Section 6, subsection 2 of the act, and provides as follows:

- Transfer of lands and resolution of claims for the uncompensated use of Hawaiian home lands in Waimanalo, Oahu.
- Transfer of lands and resolution of claims in the Anahola, Kamalomalo'o, and Moloa'a areas of Kauai.
- The initiation of a land exchange to remedy uncompensated use of Hawaiian home lands for state roads claims and highways; and
- First selection of up to 200 acres of land by DHHL upon the return to the State of any ceded lands comprising of all or a portion of Bellows Air Force Station ("Bellows") on Oahu.

Section 17 of Act 14 specifically allows "actions to enforce the provisions of th[e] Act."

Outstanding Act 14 Settlement Items

State Initiated Transfer of 16,518 acres

In October 2010, the Board of Land and Natural Resources (BLNR) staff submittal item D-12 sought to convey 817.072 acres of Government Lands Statewide to DHHL to complete the total transfer of 16,518 acres. The BLNR made amendments to the recommendation motion before unanimously approving the item.

Status: Partially complete. Some parcels in the table in Exhibit A of Item D-12 have been conveyed to DHHL while others are at various stages of transfer. Approximately 696.898 acres are yet to be transferred.

Waimanalo Regional Settlement

This claim involves Hawaiian home lands taken by the Territory of Hawai'i and later sold to private parties, areas of Waimanalo set aside as "beach park" land, and trust lands alienated by the right-of-way for Kalaniana'ole Highway.

Act 14 contemplates a transfer of land to satisfy this claim. A portion of the remedy under this regional settlement includes the first selection of up to 200 acres of land by DHHL upon the return of all or a portion of Bellows to the State. At present, the US military does not intend to return Bellows.

Status: The transfer of land contemplated under this settlement item has not occurred. Approximately 200 acres are outstanding.

Anahola Regional Settlement

DHHL's claims remaining regarding Anahola, Kamalomalo'o, and Moloa'a areas of Kauai involves Hawaiian home lands taken by the Territory of Hawai'i and later sold to private parties, totaling 85.644 acres.

Act 14 contemplates a transfer of land to DHHL from the State to satisfy this claim.

Status: The transfer of land contemplated under this settlement item has not occurred. Approximately 85.644 acres are outstanding.

Roads and Highways Settlement

Use of Hawaiian Home Lands as State Highways

This claim involves the uncompensated use of Hawaiian home lands as state highways on various islands. Act 14 calls for the initiation of a land exchange to remedy this claim.

Status: To date, no lands have been conveyed to DHHL to satisfy the State's commitment to compensate the trust for its use of Hawaiian home lands as state highways on various islands totaling a claimed amount of 346.203 acres.

Conclusion

The table below summarizes the total amount of acreage that is owed to DHHL, should DHHL and Governor Ige move towards settling all outstanding claims related to Act 14.

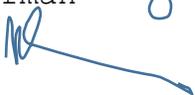
Outstanding Claim	Approximate Acreage
State Initiated Transfer of 16,518 acres	696.898
Waimanalo Regional Settlement	200.000
Anahola Regional Settlement	85.644
Roads and Highways Settlement	346.203
Total	1,328.745

Recommended Action

None. For information only.

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS
February 22, 2022

To: Chairman and Members, Hawaiian Homes Commission

From: Tyler I. Gomes, Deputy to the Chairman 
Niniau Kawaihae, Special Assistant 
Office of the Chairman

Subject: Presentation on Activities Submitted for the National
Telecommunications & Information Administration Tribal
Broadband Connectivity Program

RECOMMENDED MOTION:

None; for information only.

DISCUSSION:

The Consolidated Appropriations Act ("CAA") was passed by the U.S. Congress and signed by former President Donald J. Trump at the end of December 2020. The CAA authorizes the creation of the Tribal Connectivity Program ("TCP") under the National Telecommunications and Information Administration ("NTIA") of the U.S. Department of Commerce.

Section 905(a)(8)(III) sets aside no less than \$30 million to the Department of Hawaiian Home Lands ("DHHL") on behalf of the Native Hawaiian Community, including Native Hawaiian Education Programs. On June 3, 2021, the NTIA released its Notice of Funding Opportunity ("NOFO") for the TCP and since February 2021 DHHL staff and its consultants have met with various broadband/telehealth/distance education stakeholders as well as state agencies. This broadband survey of every county and across professional disciplines was used to identify digital gaps; assess existing broadband infrastructure and broadband adoption programs; and analyze strengths in current community networking project areas that address affordable access. DHHL submitted its TCP application on August 31, 2021.

In November 2021, the Investment, Infrastructure & Jobs Act ("IIJA") became law and Section 602.11 amended the TCP to include an additional no less than \$60 million set aside to the DHHL. According to the IIJA, the NTIA must develop regulations around this additional broadband funding and DHHL anticipates such to be completed before the end of the calendar year.

The following is a brief summary of the TCP application and eligible activities DHHL submitted on August 31, 2021.

Broadband Infrastructure Deployment

The Department of Hawaiian Home Lands requested **\$49,614,000** for a one-year project to support a bilateral intervention composed of both infrastructure implementation and network management capacity-building, and a digital equity initiative to directly ameliorate the digital divide across the entirety of DHHL's land trust.

The infrastructure deployment consists of 4 inter-related architectures: inter-island fiber transit, complete with local Internet exchange point; intra-island transit where localized fiber assets exist; inter-Home Land point-to-point wireless, when needed to interconnect remote locations where fiber is infeasible; and intra-Home Land point-to-multipoint wireless where fiber-to-the-home is infeasible. This infrastructure will provide connectivity to local residents, businesses, community anchor institutions, and the surrounding coverage areas. Together, this infrastructure enables both localized services and applications, as well as direct regional data streams. By enabling demand aggregation, this network will enable bulk bandwidth and transit purchasing that will dramatically lower the cost of connectivity.

DHHL will utilize both traditional unlicensed frequencies such as the 2.4GHz and 5GHz Wi-Fi band and recently acquired spectrum assets including the five 2.5GHz licenses secured as a part of the Federal Communications Commission's 2020 "Tribal Priority Window." Likewise, 3.5GHz (CBRS) and 12GHz point-to-point and point-to-multipoint equipment will be deployed for some of the mid-range links. Together, the combination of licensed, lite-licensed, and unlicensed frequencies provides an array of wireless connectivity options for navigating Hawaii's complex RF and topological environment and will help ensure a resilient network that can operate reliably within the unique biomes where Hawaiian home lands are situated.

While extensive due diligence was conducted in the lead-up to this proposal, Phase One of the proposed implementation will necessitate a more in-depth vertical asset inventory (including towers, buildings, and topographical high points) to determine the optimal wireless citing and specifics of the band management plan for this infrastructure.

The wireline infrastructure for this initiative is composed mainly of regional (inter-island and intra-island) transit lines. In

addition to bolstering these assets (for example, via "infilling" current gaps in regional fiber buildouts), ensuring that large capacity fiber is locally available to Hawaiian Home Land residents is essential to achieve in-home 1Gb+ connectivity. DHHL anticipates joint partnerships with both the Hawai'i Department of Transportation and the Department of Education to best leverage already-existing infrastructure (both wireline fiber and vertical assets). DHHL also sees these agencies as "anchor tenants" who will bolster the ongoing sustainability of the project (for example, DHHL infrastructure will provide the only option for 1Gb+ connectivity to many remote Home Land educational buildings).

Initial inventory mapping of pre-existing fiber assets document substantial areas where this initiative will prove transformative -- both in providing fiber where none exists, but also enabling the interconnection of pre-existing fiber assets that currently operate as a network topographical archipelago. Furthermore, this initiative will provide much-needed resilience of mission-critical connectivity provided via the Pacific Island Research and Educational Network (PIREN) to remote astronomy research stations and University of Hawai'i assets and will likewise provide additional transit options for hospitals and community clinics who currently have few-to-no fiber providers.

DHHL takes a holistic approach to solving the digital divide and believes that the sustainability of an initiative serving Hawaiian home lands necessitates developing a Native Hawaiian workforce with the expertise to build, maintain, and extend these network offerings. Thus, in addition to outsourcing implementation and operations work, whenever needed, DHHL will support a robust workforce development effort that will both speed network implementation as well as bolster community buy-in and the economic health of the communities these networks will serve. In essence, this initiative will train Native Hawaiians on fiber and wireline implementation to create an in-house workforce that will be able to administer the physical assets of the network. These training programs will utilize the Digital Stewards pedagogies that have been successfully utilized for over 15 years in places like New York, Detroit, Philadelphia, and via the Tribal Digital Village -- and most recently with the Tribal Wireless Bootcamp held in Summer 2021. Likewise, NOC and system administration training may be added if local home lands determine that this is necessary. Given the boom in broadband infrastructure and 5G deployment taking place over the next several years, these in-house assets are likely to provide ongoing revenue and will support a variety of potential Native Hawaiian telecom implementation start-up enterprises.

Finally, DHHL proposed a series of digital equity initiatives to

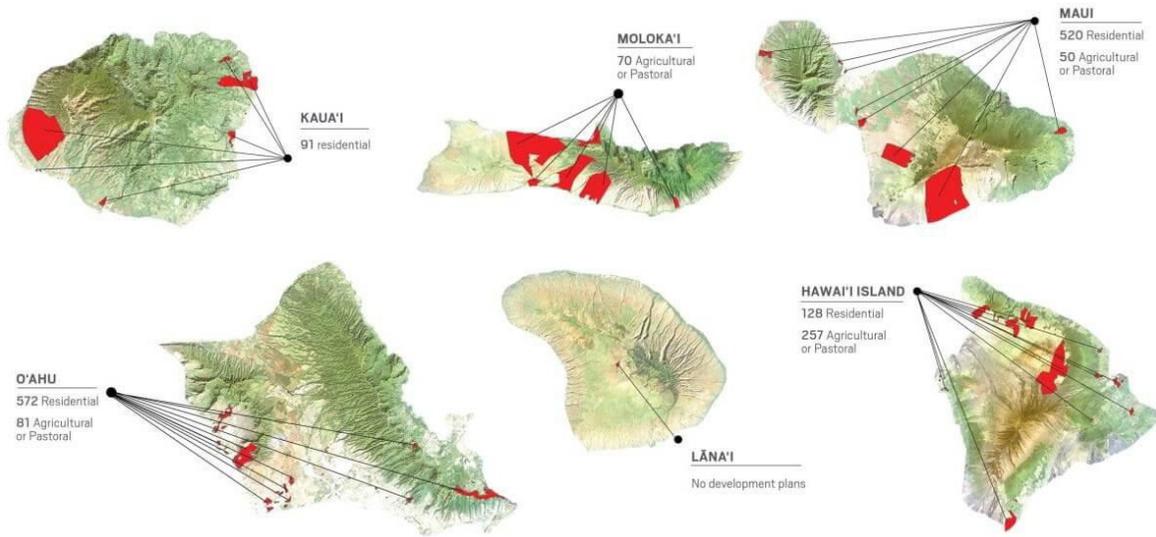
supplement existing initiatives (e.g., the Emergency Broadband Benefit; local equipment loans by community anchor institutions) and ensure that no Hawaiian Home Land households are without broadband access. These initiatives include subsidized and free baseline connectivity, low-cost equipment disbursement and free equipment loans, and digital literacy training.

Together, DHHL's broadband initiatives will provide connectivity and the skills to maintain and extend existing infrastructure, equipment, connectivity, and training tailored by and for local Hawaiian Home Lands. This initiative represents a holistic intervention that will serve the entire Hawaiian Home Land footprint and provide the foundation for permanently addressing and eliminating the digital divide within its coverage area.

The NTIA's Map of Broadband Need identifies the number of households in trust land areas with fixed broadband speeds below 25/3 as well as the percentages of households without 1) internet access and 2) internet connectivity devices, by county.

Area Name	Households	Percent without Internet	Percent without Device
County of Hawaii			
Keaukaha	474	18.5%	12.5%
Panaewa	273	18.5%	12.5%
Makuu	121	23.6%	13.7%
Kamaoa-Puueo	30	32.3%	22.3%
County of Maui			
Kahikinui	75	28.1%	20.1%
Lanai	44	40.8%	29.6%
Hoolehua	519	27.6%	23.1%
Kalamaula	239	38.3%	24.1%
Kapaakea	50	38.3%	24.1%
City and County of Honolulu			
Waimanalo	723	16.6%	9.8%
County of Kauai			
Anahola	578	19.0%	18.1%
Kekaha	117	20.7%	15.3%

Hanapepe	47	19.8%	16.4%
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BUDGET :

Cost Classification	Subtotals	Project
1. Administrative and legal expenses	\$ 2,386,950.00	
2. Land, structures, rights-of-way, appraisals, etc.	\$ 4,173,900.00	
3. Relocation expenses and payments	\$ -	
4. Architectural and engineering fees	\$ 7,454,325.00	
5. Other architectural and engineering fees	\$ 1,493,475.00	
6. Project inspection fees	\$ 2,386,950.00	
7. Site work	\$ 8,347,800.00	
8. Demolition and removal	\$ -	
9. Construction	\$ 16,695,600.00	
10. Equipment	\$ 6,675,000.00	
11. Miscellaneous	\$ -	
12. SUBTOTAL (sum of lines 1-11)	\$ 49,614,000.00	
13. Contingencies	\$ -	
14. SUBTOTAL w/ Contingencies	\$ 49,614,000.00	
15. Project (program) income	\$ -	
16. TOTAL PROJECT COSTS	\$ 49,614,000.00	
Administrative Expenses	\$ -	
TOTAL PROJECT COSTS w/ Administrative Expenses	\$ 49,614,000.00	

Broadband Use & Adoption

The Department of Hawaiian Home Lands' oversight of the land trust serves three classes of beneficiaries: 1) those Native Hawaiians of 50% blood quantum or greater who have already received a lease from the Commission and currently resides on Hawaiian home lands, numbering approximately 10,000 households; 2) those Native Hawaiians of 50% blood quantum or greater who have not yet received a lease, are on the Department's waiting list, and live both on and off Hawaiian home lands, numbering approximately 28,000 individuals; and 3) those Native Hawaiians of 50% blood quantum or greater who have not applied for a homestead with the Department.

The department also has a fourth, expanded, definition of its beneficiary class for the specific purposes of Title VIII of NAHASDA (25 U.S.C. 4221) and the Consolidated Appropriations Act of 2021, Division N, Title IX, Section 905(c) which authorizes the Tribal Broadband Connectivity Program under the NTIA. The aforementioned definition allows any Native Hawaiian able to trace their genealogy back to pre-1778, without regard for current blood quantum, to be eligible for assistance under both Acts.

The proposed broadband use and adoption project will target all four beneficiary classes.

The Department of Hawaiian Home Lands requested **\$18,163,021** for a one-year project to fund multiple areas of need as it relates to digital equity, digital inclusion, and telehealth. The COVID-19 pandemic of the past 18 months brought to the forefront the lack of access to sufficient internet bandwidth for telehealth, distance learning and teleworking for Native Hawaiian households. The activities identified in the following pages document the Department of Hawaiian Home Lands' (DHHL) response to the need it saw in its Native Hawaiian communities statewide over the past year and a half of the global pandemic. Isolated in the middle of the Pacific Ocean, transpacific undersea cables provide critical access to broadband infrastructure. The geographic isolation also means Hawai'i must import all of its goods - from household supplies to food to building materials, leading our families to experience one of the highest costs of living in the United States. In an attempt to provide sufficient internet access, defined here at 1 GBPS, the application considers a provision to provide one year of prepaid internet for Native Hawaiian families across the island chain. Also addressed are the improvements to Native Hawaiian charter schools who are not included in the State of Hawaii's Department of Education (DOE) eRate program by upgrading existing networks and equipment to accelerate Native student learning to gain parity with those students in the DOE system.

Telehealth devices and equipment for Native Hawaiian-serving medical facilities and hospitals that saw an increased need for such over the course of the pandemic, will assist Native Hawaiian families navigating a devastating illness and isolation while providing critical care in the safety and comfort of home. Lastly, digital mapping of rural areas with high concentrations of Native Hawaiians will provide concrete data for subsequent assessments of need as well as provide quantitative data for evaluation purposes on the effectiveness of DHHL's efforts to promote digital equity, inclusion, and access for Native Hawaiians.

BUDGET :

Cost Classification	Expenses	Subtotals
a. Personnel		\$ 100,000.00
Community Networks & Broadband Mapping	\$ 30,000.00	
Telehealth Library	\$ 70,000.00	
b. Fringe Benefits		\$ -
N/A	\$ -	
c. Travel		\$ 85,000.00
Community Networks & Broadband Mapping	\$ 15,000.00	
Telehealth Library	\$ 70,000.00	
d. Equipment		\$ 7,295,000.00
Hawaiian Charter Schools	\$ 1,030,000.00	
Community Networks & Broadband Mapping	\$ 1,045,000.00	
Telehealth Library	\$ 420,000.00	
Statewide Telehealth	\$ 4,800,000.00	
e. Supplies		\$ 660,000.00
Community Networks & Broadband Mapping	\$ 60,000.00	
Statewide Telehealth	\$ 600,000.00	
f. Contractual		\$ 9,283,021.00
One Year of Prepaid Consumer Internet	\$ 9,000,000.00	
Non-Project Costs	\$ 283,021.00	
g. Construction		\$ -
N/A	\$ -	
h. Other		\$ 740,000.00
Telehealth Library	\$ 140,000.00	
Statewide Telehealth	\$ 600,000.00	
12. SUBTOTAL (sum of lines 1-11)		\$ 18,163,021.00
Administrative Expenses (2%)	\$ -	
TOTAL PROJECT COSTS w/ Administrative Expenses		\$ 18,163,021.00

**HAWAIIAN HOMES COMMISSION
FEBRUARY 22 & 23, 2022
INTERACTIVE CONFERENCE
TECHNOLOGY**

D – ITEMS

HOMESTEAD SERVICES DIVISION

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

February 22, 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 USDA-RD Mortgage Loans

February 22, 2022

SUBJECT: Homestead Lease and Application Totals and Monthly Activity Reports

LEASE ACTIVITY REPORT

Month through January 31, 2022

	As of 12/31/21	Add	Cancel	As of 1/31/22
Residential	8,481	5	6	8,480
Agricultural	1,093	0	1	1,092
Pastoral	413	0	0	413
Total	9,987	5	7	9,985

The cumulative number of Converted Undivided Interest Lessees represents an increase of 538 families moving into homes. Their Undivided Interest lease was converted to a regular homestead lease.

	As of 12/31/21	Converted	Rescinded/ Surrendered/ Cancelled	As of 1/31/22
Undivided	778	1	1	776

Balance as of 1/31/2022

Awarded	1,434
Relocated to UNDV	7
Rescinded	117
Surrendered	6
Cancelled	4
Converted	<u>538</u>
Balance to Convert	776

Lease Report For the Month Ending January 31, 2022

	RESIDENCE			AGRICULTURE			PASTURE			TOTAL LEASES		
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
OAHU												
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	178	0	1	177	0	0	0	0	0	0	1	177
Kauluokaha	137	4	0	141	0	0	0	0	0	0	0	141
Kaupea	326	0	1	325	0	0	0	0	0	0	1	325
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
Kumuhau	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
Waianae	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
TOTAL	4,372	4	2	4,374	61	0	0	61	0	0	0	4,435
MAUI												
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
Leliali	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
Waiohuli	593	0	0	593	0	0	0	0	0	0	0	593
TOTAL	1,264	0	0	1,264	65	0	0	65	75	0	0	1,404
EAST HAWAII												
Discovery Harbour	2	0	0	2	0	0	0	0	0	0	0	2
Kamaoa	0	0	0	0	0	0	0	0	25	0	0	25
Kaunama	42	0	0	42	0	0	0	0	0	0	0	42
Keaukaha	473	0	1	472	0	0	0	0	0	0	1	472
Kuristown	3	0	0	3	0	0	0	0	0	0	0	3
Makuu	0	0	0	0	121	0	1	120	0	0	0	120
Panaewa	13	0	0	13	260	0	0	260	0	0	0	273
Pihonua	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
TOTAL	840	0	1	839	393	0	1	392	25	0	0	1,258
WEST HAWAII												
Honokaia	0	0	0	0	0	0	0	0	24	0	0	24
Humuula	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
Kanihale	224	0	1	223	0	0	0	0	0	0	1	223
Kawalihae	192	0	0	192	0	0	0	0	1	0	0	193
Laiopua	277	0	0	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	117	1	1	117	110	0	0	110	218	0	0	445
Puupulehu	33	0	0	33	0	0	0	0	0	0	0	33
TOTAL	873	1	2	872	110	0	0	110	285	0	0	1,268
KAUAI												
Anahola	531	0	1	530	46	0	0	46	0	0	0	576
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
TOTAL	695	0	1	694	46	0	0	46	1	0	0	741
MOLOKAI												
Hooilehua	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 Alii	27	0	0	27	0	0	0	0	0	0	0	27
TOTAL	393	0	0	393	418	0	0	418	27	0	0	838
LANAI												
Lanai	44	0	0	44	0	0	0	0	0	0	0	44
TOTAL	44	0	0	44	0	0	0	0	0	0	0	44
STATEWIDE TOTAL	8,481	5	6	8,480	1,093	0	1	1,092	413	0	0	9,985

**HOMESTEAD AREA AND ISLANDWIDE APPLICATIONS WAITING LIST MONTHLY REPORT FOR THE MONTH ENDING
January 31, 2022**

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	3	0	0	0	0	0	0	933
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
TOTAL	1,186	0	3	52	0	0	79	0	0	1,314

ISLANDWIDE WAITING LIST

ISLAND	RESIDENCE			AGRICULTURE			PASTURE			TOTAL
	Last Month	Add	Cancel	Last Month	Add	Cancel	Last Month	Add	Cancel	
Oahu	10,072	16	29	3,884	7	0	0	0	0	13,950
Maui	3,847	6	10	4,691	3	5	621	1	1	9,153
Hawaii	5,845	9	11	7,285	5	16	1,906	1	1	15,023
Kauai	1,646	3	8	2,249	3	4	302	1	1	4,191
Molokai	820	1	0	1,085	0	0	206	0	0	2,112
Lanai	74	0	0	0	0	0	0	0	0	74
TOTAL	22,304	35	58	19,194	18	25	3,035	3	3	44,503

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	TOTAL	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	10,982	0	0	3,891	0	0	14,883	0	0	0	0	0	53	0	0	0	0	53	37	3	2	0	0	0	0	0	0	0	3
MAUI	3,893	6	10	4,693	3	5	9,212	3	3	0	0	0	3	0	0	0	0	3	3	0	0	0	0	0	0	0	0	0	0
HAWAII	5,972	9	11	7,302	5	16	15,226	1,952	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
KAUAI	1,692	3	8	2,251	3	4	4,272	329	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MOLOKAI	841	1	0	1,102	0	0	2,150	207	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
LANAI	74	0	0	0	0	0	74	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	23,464	35	58	19,239	18	25	45,817	3,114	3	3	3	3	56	56	56	56	56	56	89	89	89	89	89	89	89	89	89	89	89

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

January 31, 2022

	RESIDENCE			AGRICULTURE			PASTURE			TOTAL
	Last Month	Add	Cancel	Last Month	Add	Cancel	Last Month	Add	Cancel	
OAHU DISTRICT										
Nanakuli	161	0	0	0	0	0	0	0	0	161
Waianae	141	0	0	0	0	0	0	0	0	141
Luualalei	0	0	0	0	0	0	0	0	0	0
Papakolea/Kewalo	67	0	0	0	0	0	0	0	0	67
Waimanalo	557	0	3	0	0	0	0	0	0	554
Subtotal Area	936	0	3	0	0	0	0	0	0	933
Islandwide	10,072	16	29	3,884	7	0	0	0	0	13,950
TOTAL OAHU APPS	11,008	16	32	3,884	7	0	0	0	0	14,883
MAUI DISTRICT										
Paukukalo	50	0	0	0	0	0	0	0	0	50
Kula	0	0	0	4	0	0	4	0	0	4
Subtotal Area	50	0	0	4	0	0	4	0	0	54
Islandwide	3,847	6	10	4,691	3	5	4,689	1	1	9,153
TOTAL MAUI APPS	3,897	6	10	4,695	3	5	4,693	1	1	9,212
HAWAII DISTRICT										
Keaukaha/Waiakea	69	0	0	0	0	0	0	0	0	69
Panaewa	0	0	0	16	0	0	16	0	0	16
Humuula	0	0	0	0	0	0	0	0	0	0
Kawaihae	16	0	0	0	0	0	0	0	0	16
Waimaea	44	0	0	12	0	0	12	0	0	102
Subtotal Area	129	0	0	28	0	0	28	0	0	203
Islandwide	5,845	9	11	7,285	5	16	7,274	1	1	15,023
TOTAL HAWAII APPS	5,974	9	11	7,313	5	16	7,302	1	1	15,226
KAUAI DISTRICT										
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	1,646	3	8	2,249	3	4	2,248	1	1	4,191
TOTAL KAUAI APPS	1,697	3	8	2,252	3	4	2,251	1	1	4,272
MOLOKAI DISTRICT										
Kalamaula	4	0	0	0	0	0	0	0	0	4
Hoolehua	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	0	1,085	0	0	1,085	0	0	2,112
TOTAL MOLOKAI APPS	840	1	0	1,102	0	0	1,102	0	0	2,150
LANAI DISTRICT										
Islandwide	74	0	0	0	0	0	0	0	0	74
TOTAL LANAI APPS	74	0	0	0	0	0	0	0	0	74
TOTAL AREA ONLY	1,186	0	3	52	0	0	52	0	0	1,314
TOTAL ISLANDWIDE	22,304	35	58	19,194	18	25	19,187	3	3	44,503
TOTAL STATEWIDE	23,490	35	61	19,246	18	25	19,239	3	3	45,817

DELINQUENCY REPORT - STATEWIDE

February 22, 2022

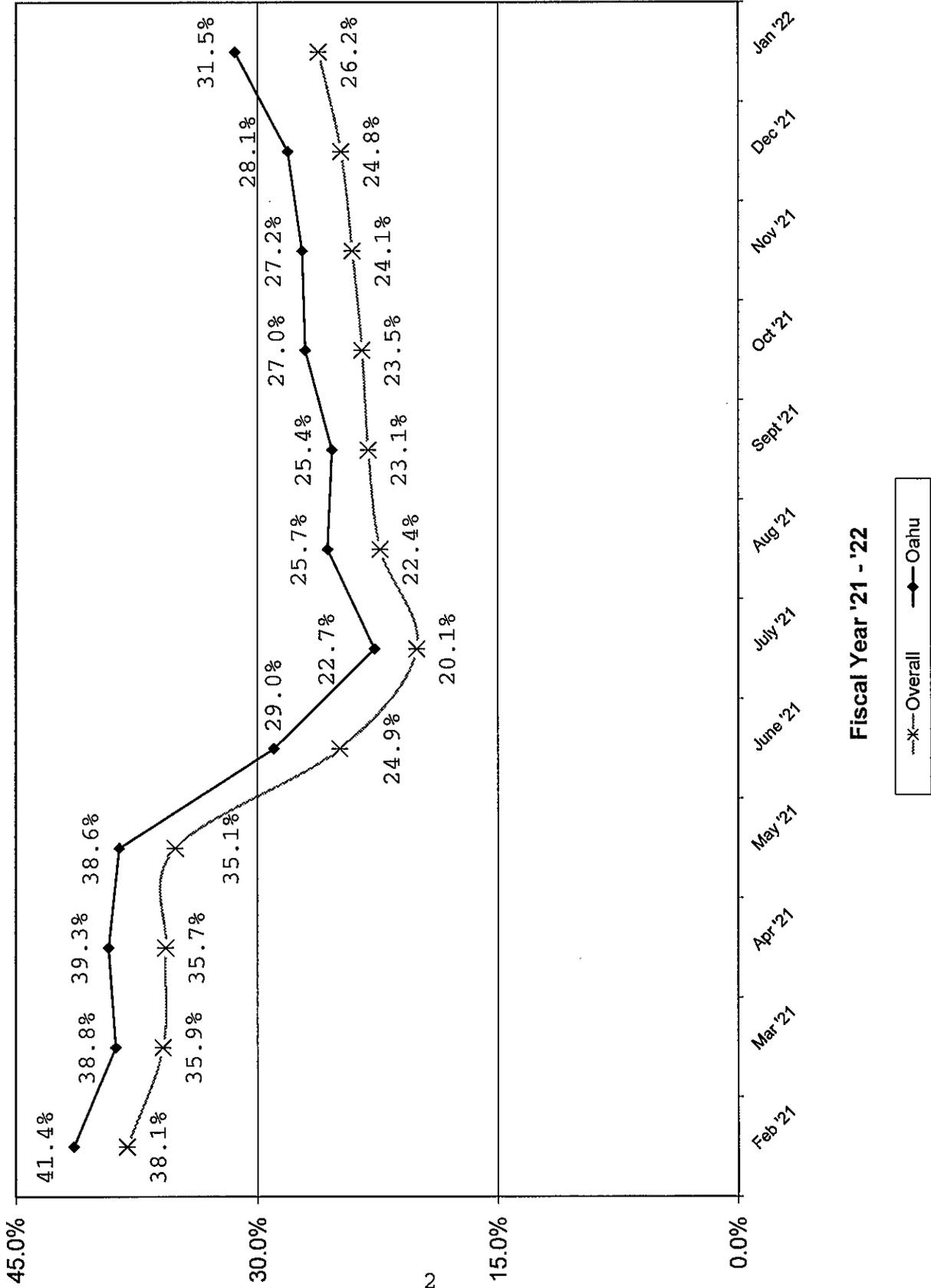
(\$Thousands)

DIRECT LOANS	Total Outstanding		Total Delinquency		30 Days (low)		60 Days (Medium)		90 Days (High)		180 Days (Severe)		% of Totals	
	No.	Amt. (000s)	No.	Amt. (000s)	No.	Amt. (000s)	No.	Amt. (000s)	No.	Amt. (000s)	No.	Amt. (000s)	No.	\$
OAHU	389	38,176	129	12,007	21	2,308	9	720	24	2,145	75	6,833	33.2%	31.5%
EAST HAWAII	202	12,043	60	4,030	12	428	1	47	8	632	39	2,924	29.7%	33.5%
WEST HAWAII	83	8,452	8	817	4	453	0	0	0	0	4	364	9.6%	9.7%
MOLOKAI	83	7,320	18	702	6	208	1	10	3	156	8	329	21.7%	9.6%
KAUAI	90	7,093	19	1,085	5	432	5	165	2	34	7	454	21.1%	15.3%
MAUI	99	13,349	30	4,034	8	1,128	3	519	4	636	15	1,751	30.3%	30.2%
TOTAL DIRECT	946	86,433	264	22,674	56	4,956	19	1,460	41	3,603	148	12,654	27.9%	26.2%
	100.0%	100.0%	27.9%	26.2%	5.9%	5.7%	2.0%	1.7%	4.3%	4.2%	15.6%	14.6%		
Advances (including RPT)	260	6,387	260	6,387	0	0	0	0	260	6,387	100%	100%	100%	100%
DHHL LOANS & Advances	1,206	92,820	524	29,062	56	4,956	19	1,460	301	9,991	148	12,654	43.4%	31.3%
LOAN GUARANTEES as of June 30, 2021														
SBA	2	77	0	0	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	0	0	17.6%	19.7%
Habitat for Humanity	47	1,536	24	733	0	0	0	0	24	733	0	0	51.1%	47.7%
Maui County	5	74	0	0	0	0	0	0	0	0	0	0	0.0%	0.0%
Nanakuli NHS	1	7	1	7	0	0	0	0	1	7	0	0	100.0%	100.0%
City & County	12	264	11	260	0	0	0	0	11	260	0	0	91.7%	98.5%
FHA Interim	6	961	0	0	0	0	0	0	0	0	0	0	0.0%	0.0%
OHA	2	9	2	9	0	0	0	0	2	9	0	0	100.0%	100.0%
TOTAL GUARANTEE	354	35,051	87	7,344	0	0	0	0	87	7,344	100%	24.6%	21.0%	21.0%
PMI Loans	134	19,011	2	513	1	215	0	0	1	298	0	0	1.5%	2.7%
HUD REASSIGNED for Recovery	137	16,146	116	14,819	2	145	1	58	5	477	108	14,139	84.7%	91.8%
FHA Insured Loans	2,916	515,341	219	32,689	0	0	0	0	219	32,689	0	0	7.5%	6.3%
TOTAL INS. LOANS	3,187	550,498	337	48,021	3	360	1	58	225	33,464	108	14,139	10.6%	8.7%
OVERALL TOTALS(EXC Adv/RP)	4,487	671,982	688	78,039	59	5,316	20	1,518	353	44,412	256	26,792	15.3%	11.6%
ADJUSTED TOTALS	4,747	678,369	948	84,427	59	5,316	20	1,518	613	50,799	256	26,792	12.4%	12.4%

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 510 loans comes out to \$2,390,270.49 as of 1/31/2022.

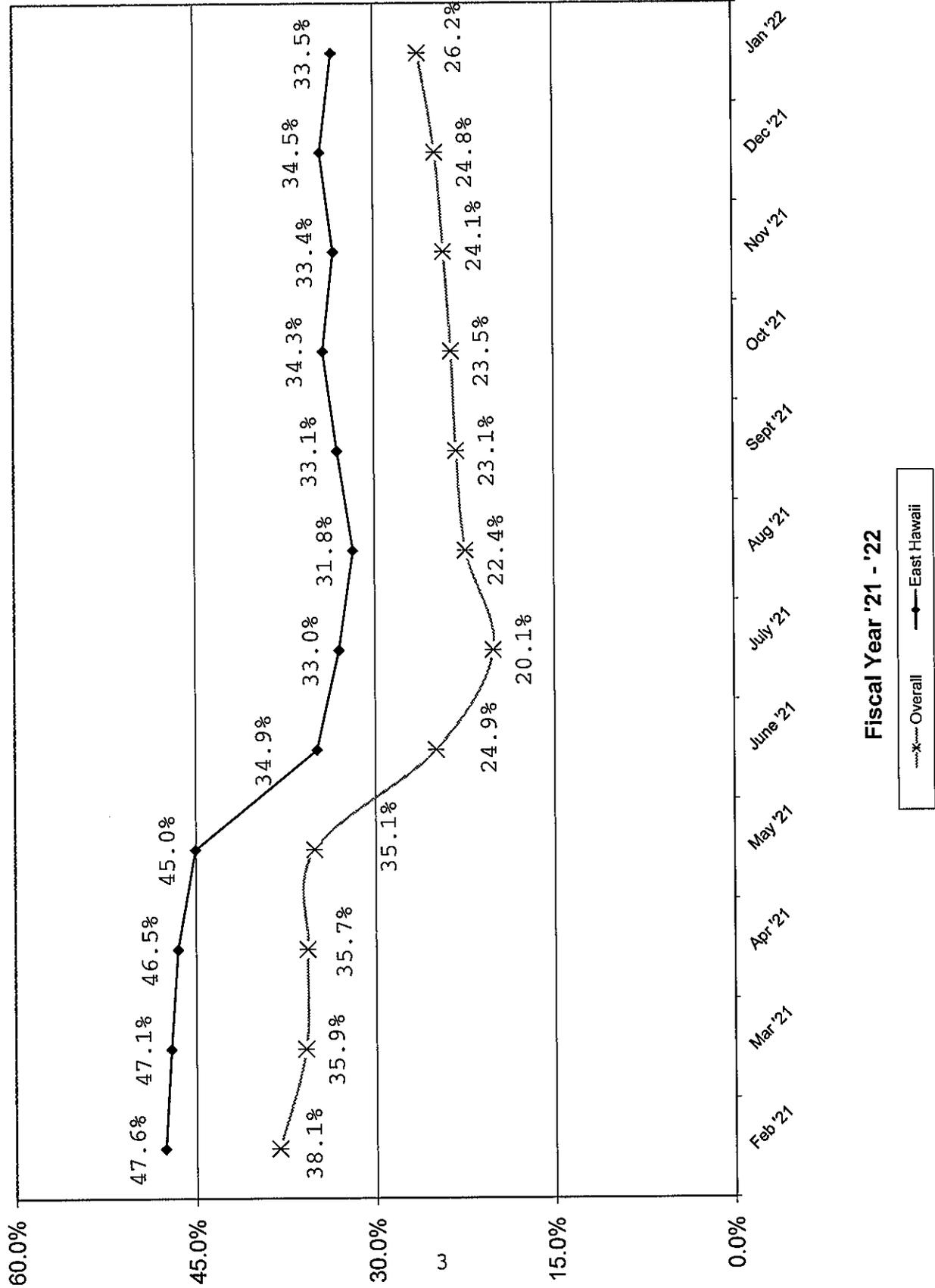
**OAHU
Direct Loans
Delinquency Ratio Report**



Fiscal Year '21 - '22

* Overall ◆ Oahu

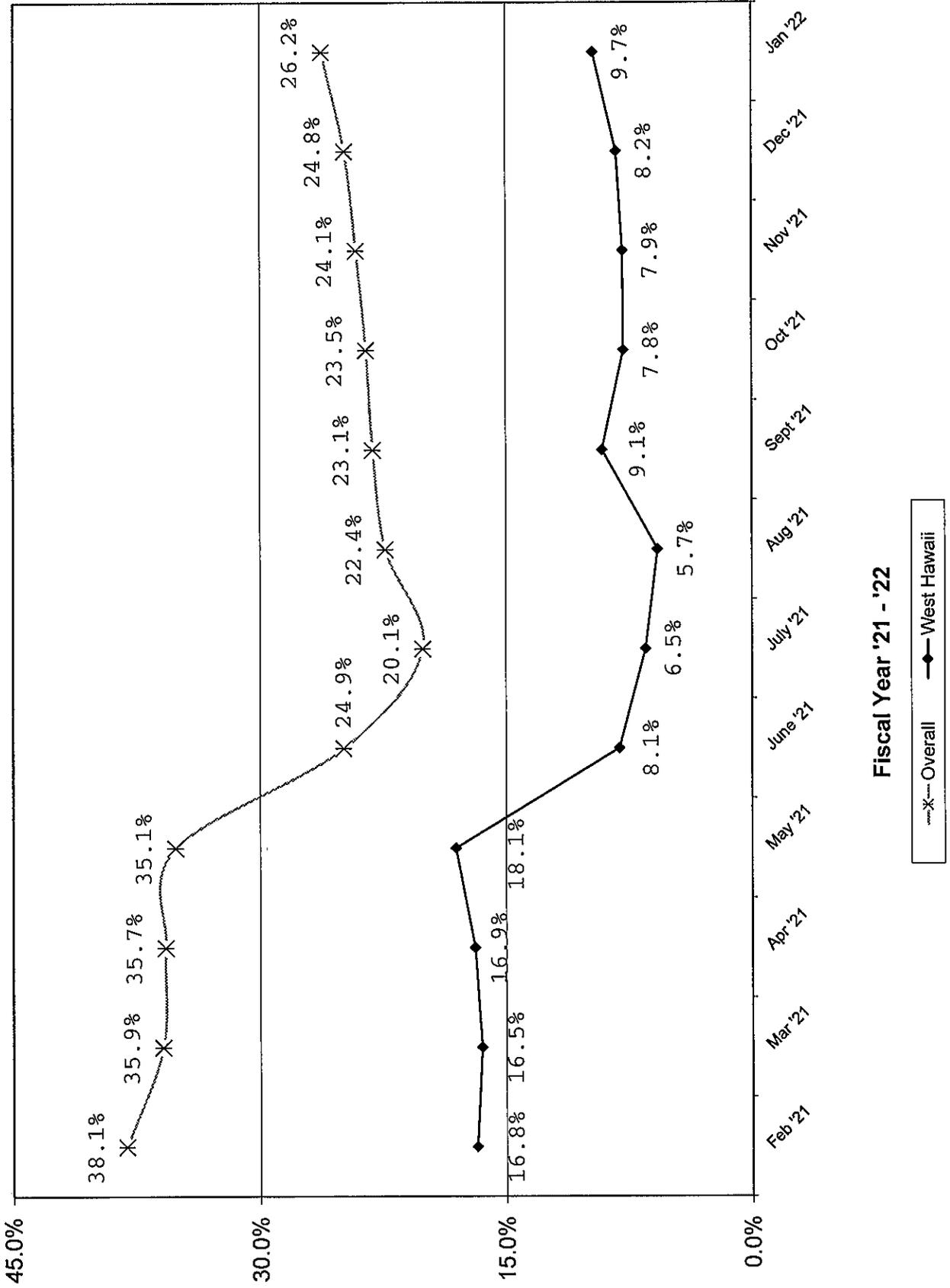
**EAST HAWAII
Direct Loans
Delinquency Ratio Report**



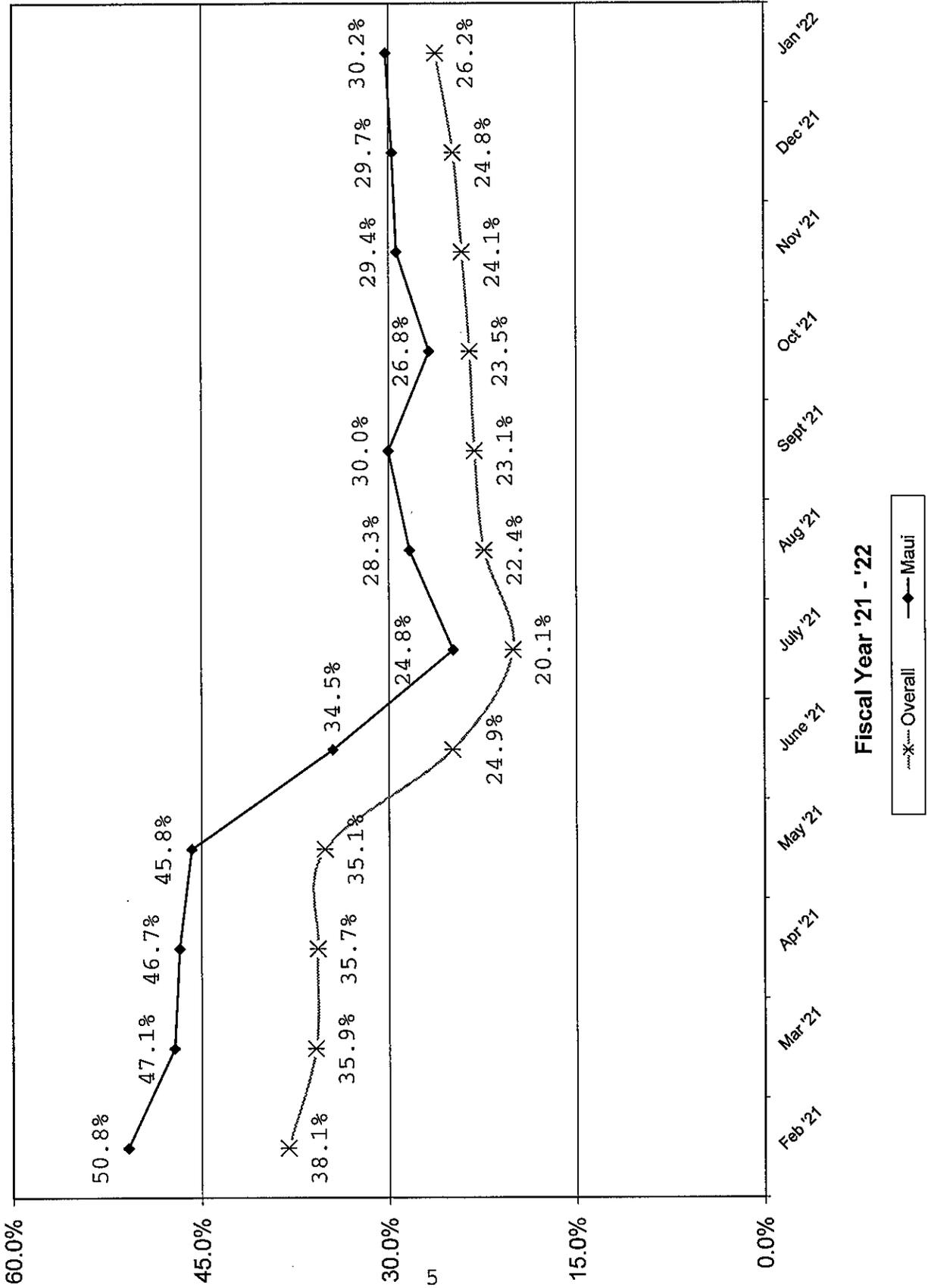
Fiscal Year '21 - '22

x Overall ♦ East Hawaii

**WEST HAWAII
Direct Loans
Delinquency Ratio Report**



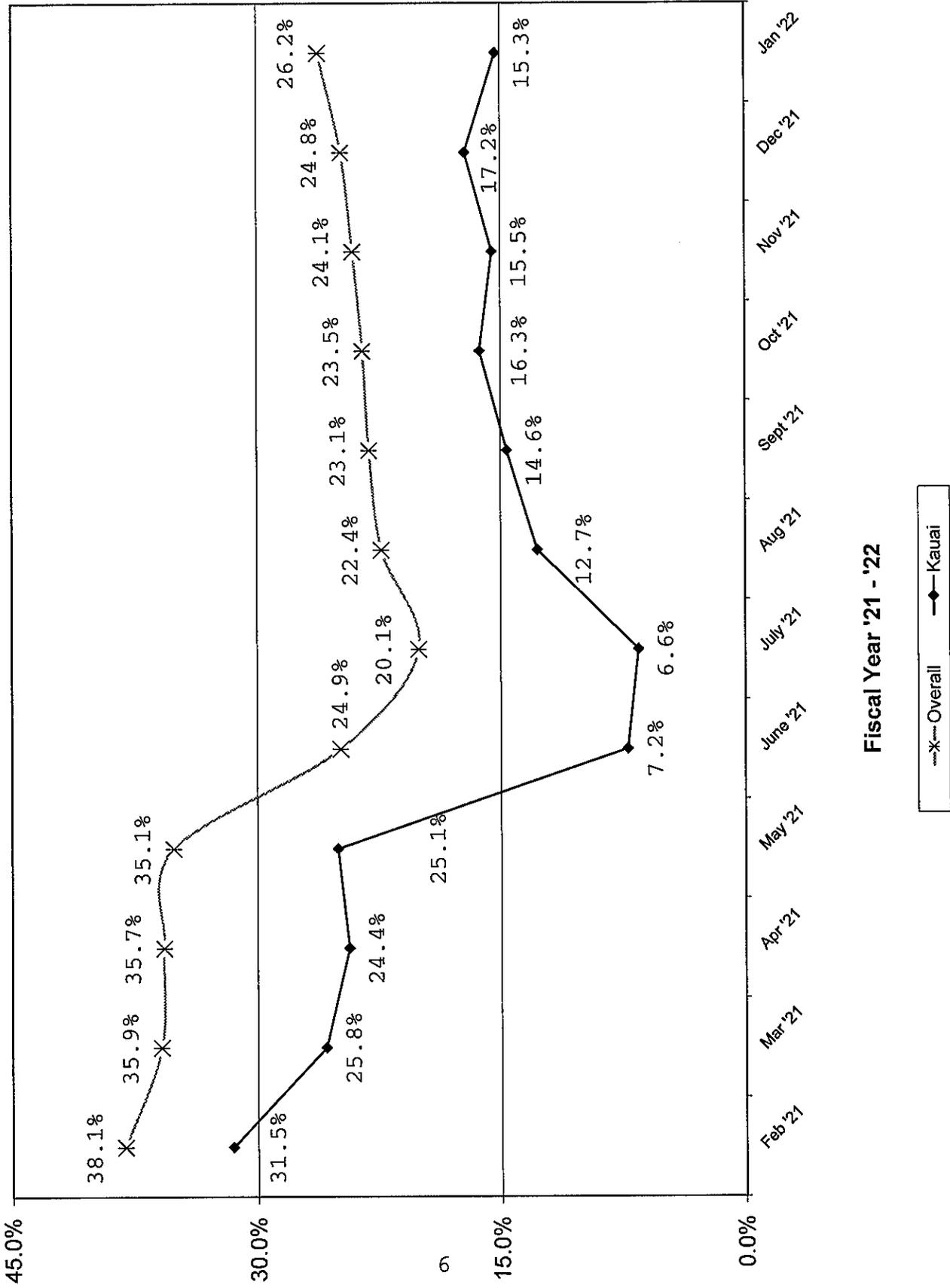
MAUI
Direct Loans
Delinquency Ratio Report



Fiscal Year '21 - '22

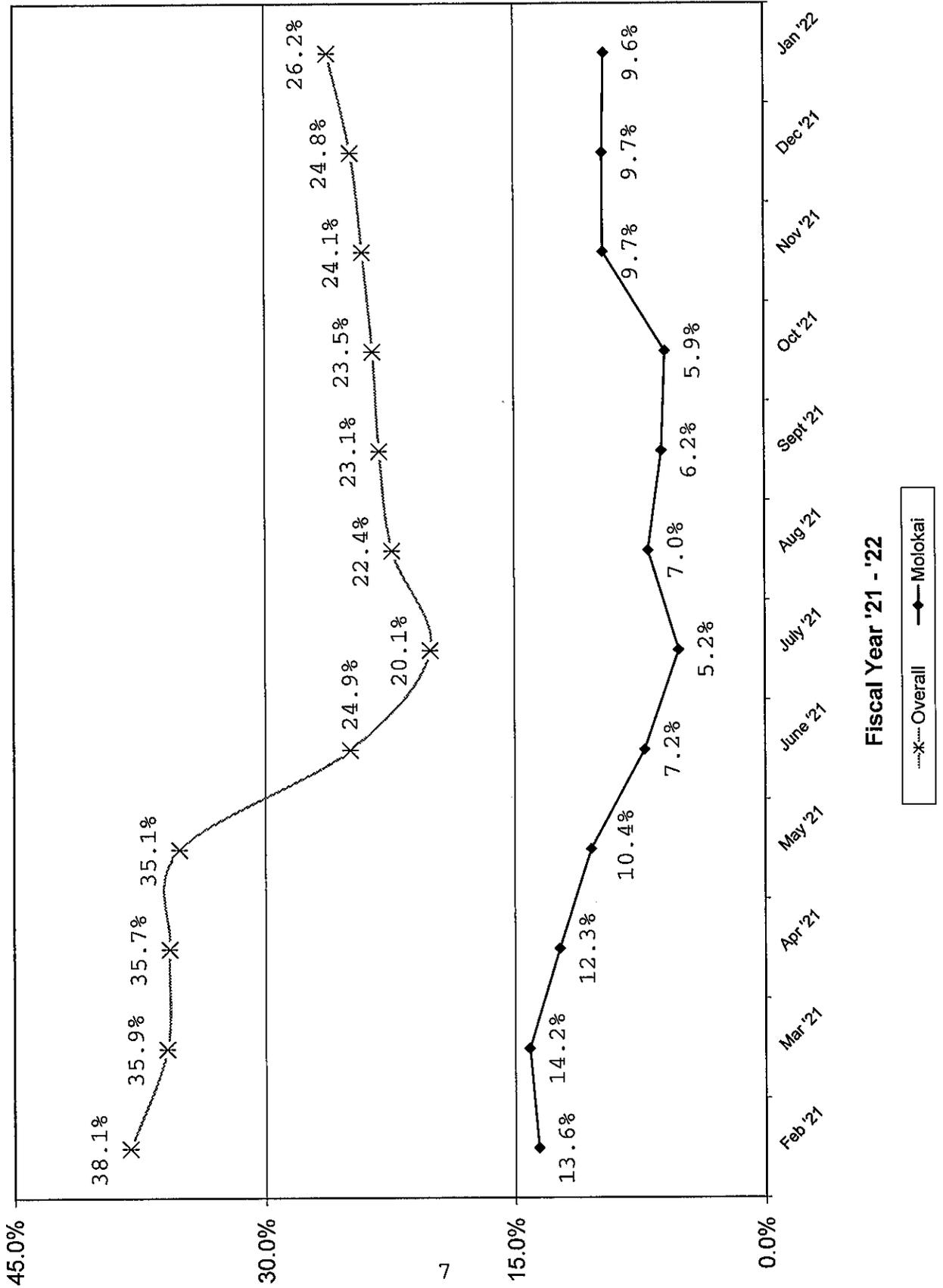
---*--- Overall —◆— Maui

KAUAI
Direct Loans
Delinquency Ratio Report



Fiscal Year '21 - '22

MOLOKAI
Direct Loans
Delinquency Ratio Report



Fiscal Year '21 - '22

---*--- Overall —◆— Molokai

February 22, 2022

SUBJECT: **DHHL Guarantees for USDA-Rural Development Mortgage Loans**

DISCUSSION: The Department issued guarantees for the following
USDA Rural Development loans:

<u>LOT NO.</u>	<u>AREA</u>	<u>LESSEE</u>	<u>Loan Amount</u>	<u>Date Approved</u>
4	Kalamaula	Puaa, Rowan K.K.L.	\$279,571	1/7/22
18644	Kanehili	Dudoit, Kathy A.E.	\$61,500	1/7/22

	<u>No.</u>	<u>Balance</u>
FY Ending 6/30/21	2	\$ 549,333
Previous Months	0	\$ -0-
This Month	<u>2</u>	<u>341,071</u>
FY '21-'22 to date	2	\$ 341,071

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

February 22, 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>			
Waianae Lease No. 5315 TMK: 1-8-5-033:026	ALANA, Joseph K., Jr. (Cash Out Refi) FHA	HomeStreet Bank	\$ 415,200
Princess Kahanu Estates Lease No. 8415 TMK: 1-8-7-043:058	AKANA, Rogerlene K. (Cash Out Refi) FHA	Mann Mortgage LLC	\$ 177,000
Kaupea Lease No. 12078 TMK: 1-9-1-140:070	JOVERO, Sarina (Cash Out Refi) FHA	Celebrity Home Loans	\$ 482,670

OAHU

Nanakuli Lease No. 5180 TMK: 1-8-9-013:042	WILLIAMS, Davidene D. (Cash Out Refi) FHA	Mann Mortgage LLC	\$ 53,000
Nanakuli Lease No. 4544 TMK: 1-8-9-010:077	LOUIS, Alberta K. (Cash Out Refi) FHA	Bank of Hawaii	\$ 175,000
Kanehili Lease No. 12652 TMK: 1-9-1-151-017	WONG, Wendell K. (Cash Out Refi) FHA	Guild Mortgage	\$ 368,550
Kanehili Lease No. 11556 TMK: 1-9-1-153-089	FUTRELL, Pokiimakamai V. M. (Purchase)FHA	Guild Mortgage	\$ 650,000
Waimanalo Lease No. 3600 TMK: 1-4-1-029:025	RAPOZA, Carnation P. (Cash Out Refi) FHA	Guild Mortgage	\$ 460,800
Kanehili Lease No. 11856 TMK: 1-9-1-152:028	ROMAN, Chance D. (Cash Out Refi)FHA	V.I.P. Mortgage Inc.	\$ 417,000
Nanakuli Lease No. 4860 TMK: 1-8-9-011:037	KAMEALOHA, Glori-Jean (Cash Out Refi) FHA	HighTechLen- ding Inc.	\$ 311,400
Nanakuli Lease No. 2952 TMK: 1-8-9-004:076	AVILLA MATSUO, Dean L. (Cash Out Refi) FHA	Mann Mortgage LLC	\$ 352,000
Kaupea Lease No. 11909 TMK: 1-9-1-139:154	CHUN, Lionelbarry K. (Cash Out Refi) FHA	Mann Mortgage LLC	\$ 246,000

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OAHU

Kewalo Lease No. 4075 TMK: 1-2-5-022:018	GOTO, Melva (Cash Out Refi) FHA	Mann Mortgage LLC	\$ 360,000
Lualualei Lease No. 11896 TMK: 1-8-9-023:069	KEA-ANDUHA, Jamaine K. (Rate Term Refi) FHA	HomeStreet Bank	\$ 394,024
Waimanalo Lease No. 3697 TMK: 1-4-1-029:075	CROWELL, Harold K., III (Cash Out Refi) FHA	Mid America Mortgage Inc.	\$ 188,000
Maluohai Lease No. 9808 TMK: 1-9-1-120:023	PASCUAL, Sherry K. (Cash Out Refi) FHA	Bank of Hawaii	\$ 353,000
Princess Kahanu Estates Lease No. 8401 TMK: 1-8-7-043:044	ROSS, Leslie Ann (Cash Out Refi) FHA	HomeStreet Bank	\$ 122,880
Waimanalo Lease No. 719 TMK: 1-4-1-016:002	APANA, Carolyn L. (Cash Out Refi) FHA	HighTechLen- ding Inc.	\$ 504,225
Maluohai Lease No. 9881 TMK: 1-9-1-120:039	YAMAMOTO, Amy M. M. (Cash Out Refi) HUD 184A	Bank of Hawaii	\$ 157,000
Nanakuli Lease No. 5136 TMK: 1-8-9-013:039	LEVASA, Leihua K. (Cash Out Refi) FHA	Mann Mortgage LLC	\$ 282,000

MOLOKAI

Kalamaula Lease No. 12974 TMK: 2-5-2-008:043	LUULOA, Henry H. (Purchase) FHA	HomeStreet Bank	\$ 280,884
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MAUI

Keokea Lease No. 7414 TMK: 2-2-2-032:003	PAINTER, Ronnette L. R. (Cash Out Refi) FHA	Mid America Mortgage Inc.	\$ 437,000
Waiehu 3 Lease No. 9955 TMK: 2-3-2-024:117	YAGODICH, Darrell C. (Rate Term Refi) HUD 184A	HomeStreet Bank	\$ 220,000
Waiehu 3 Lease No. 10166 TMK: 2-3-2-024:056	PARK, William J. (Cash Out Refi) HUD 184A	Bank of Hawaii	\$ 389,000
Waiehu 3 Lease No. 9935 TMK: 2-3-2-024:070	AIWOHI, Helaman K. (Cash Out Refi) FHA	Mid America Mortgage Inc.	\$ 489,000
Waiohuli Lease No. 7506 TMK: 2-2-2-028:036	FOSTER, Saafiga W., Jr. (Cash Out Refi)FHA	Mid America Mortgage Inc.	\$ 162,000
Waiohuli Lease No. 7613 TMK: 2-2-2-027:073	ARUDA, Jennie K. (Purchase)HUD 184A	Bank of Hawaii	\$ 146,000
Waiehu 3 Lease No. 10030 TMK: 2-3-2-024:001	KAUHAAHAA, Chandee D. K. (Cash Out Refi) FHA	Guild Mortgage	\$ 350,000
Waiohuli Lease No. 10333 TMK: 2-2-2-034:010	TAYLOR, Terry-Lee L. (Purchase)FHA	Bank of Hawaii	\$ 250,000

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MAUI

Waiehu 4 Lease No. 12188 TMK: 2-3-2-025:043	HOOKANO, Kaimana M. (Rate Term Refi) FHA	HomeBridge Financial Services, Inc.	\$ 383,022
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KAUAI

Kekaha Lease No. 11332 TMK: 4-1-2-017:044	MAKANANI-PILILAAU, Terralyn P. (Cash Out Refi) HUD 184A	HomeStreet Bank	\$ 150,000
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Anahola Lease No. 6469 TMK: 4-4-8-020:020	MCCORRISTON, Daniel K., Jr. (Cash Out Refi) FHA	SecurityNat- ional Mortg- age Company	\$ 387,000
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HAWAII

Waiakea Lease No. 8112 TMK: 3-2-2-063:045	KAMALANI, Benjamin (Cash Out Refi) FHA	HomeBridge Financial Services, Inc.	\$ 200,000
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Kawaihae Lease No. 10232 TMK: 3-6-1-009:039	LEWI, Roy K. (Cash Out Refi) FHA	V.I.P. Mortgage Inc.	\$ 303,000
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Waimea Lease No. 4973 TMK: 3-6-4-008:029	ANDERS, Robert M. (Cash Out Refi) FHA	V.I.P. Mortgage Inc.	\$ 375,000
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Panaewa Lease No. 6224 TMK: 3-2-1-025:077	AKAU, Lacey L. (Cash Out Refi) FHA	HomeStreet Bank	\$ 415,200
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Kaniohale Lease No. 9407 TMK: 3-7-4-023:094	KAIHEWALU-ENRIQUEZ, Nicole A. (Rate Term Refi) FHA	Mid America Mortgage Inc.	\$ 159,000
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HAWAII

Kawaihae
Lease No. 7226
TMK: 3-6-1-009:026

PUNG,
Sammie J. (Cash Out
Refi) FHA

Mann \$ 197,000
Mortgage LLC

<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	276	\$	90,956,295	7	\$ 3,500,687
This Month	33		10,700,855	0	0
Total FY '21-'22	<u>309</u>	\$	<u>101,657,150</u>	<u>7</u>	\$ <u>3,500,687</u>
			<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	39	\$	11,652,233	5	\$ 1,134,606
This Month	5		1,062,000	0	0
Total FY '21-'22	<u>44</u>	\$	<u>12,714,233</u>	<u>5</u>	\$ <u>1,134,606</u>

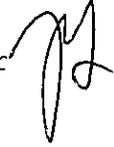
ITEM NO. D-2

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

February 22, 2022

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 
Homestead Services Division

FROM: Dean Oshiro, Loan Services Branch Manager 

SUBJECT: **Approval of Streamline Refinance of Loans**

RECOMMENDED MOTION/ACTION

To approve the refinancing of loans from the Hawaiian Home General Loan Fund.

DISCUSSION

The following lessees have met the "Streamline/Interest rate reduction loan" criteria, which was approved by the Hawaiian Homes Commission at its August 19, 2013 meeting. This criteria includes twelve (12) consecutive monthly payments, borrower's current interest rate is higher than the current DHHL interest rate, current with their Homeowners Insurance, Real Property Tax, Lease Rent, county sewer/refuse fees, and does not have any advances made by DHHL on the borrowers behalf.

HSD's recommendation for approval is based on actual payment history, over the past twelve (12) months and the review of the above-mentioned criteria. Streamline/Interest Rate Loan refinancing will provide lessees a chance to simply reduce their interest rate and payments without DHHL having to credit and/or income qualify the borrower.

The following lessee(s) has met the aforementioned criteria and is recommended for Streamline/Interest rate reduction loan refinance program:

LESSEE

LEASE NO. & AREA

REFINANCING LOAN TERMS

Kamealoha, Dorene O.	3433, Nanakuli	NTE \$71,000 @4% interest per annum, NTE \$340 monthly, repayable over 30 years.
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Loan Purpose: Refinance Contract of Loan No. 18481.
Original loan amount of \$78,547 at 9%
per annum, \$774 monthly, repayable
over 30 years. A Contested Case
Hearing was not held for this account.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

February 22, 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. & AREA</u>	<u>LOAN TERMS</u>
Alapa, Mitchell K.	12975, Anahola	NTE \$171,050 @ 4% interest per annum, NTE \$817 monthly, repayable over 30 years

Loan Purpose: Purchase existing improvements in conjunction with lease award.

<u>LESSEE</u>	<u>LEASE NO. & AREA</u>	<u>LOAN TERMS</u>
Victor, Nikki K.I.	4247, Keaukaha	NTE \$175,000 @ 4% interest per annum, NTE \$836 monthly, repayable over 30 years

Loan Purpose: Refinance Advance No. 19793 which originated from a defaulted guaranteed loan to Hawaii First Credit Union. Original advance amount for \$184,000 @9.5% per annum. A Contested Case Hearing for this account was not held.

<u>REFINANCE</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/21	7	\$ 823,100
Prior Months	3	517,000
This Month	<u>1</u>	<u>175,000</u>
Total FY '21-'22	4	\$ 692,000
<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	1	250,000
This Month	<u>0</u>	<u>-0-</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>1</u>	<u>171,050</u>
Total FY '21-'22	1	\$ 171,050
<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

February 22, 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 AGRICULTURAL LEASE LIST

JEREMIAH, Bryan E.	10/26/2005	HAWAII	AGR	11/03/2021
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OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

HANOHANO, Quincy K.	04/23/2003	HAWAII	RES	10/29/2021
JEREMIAH, Bryan E.	10/26/2005	HAWAII	RES	11/03/2021
KALEIOPU, Robin M.	08/07/2018	HAWAII	RES	09/28/2021
KAMAHOAHOA-HO, Raenale L.L.	02/28/1992	HAWAII	RES	10/11/2021

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

KAMAHOAHOA-HO, Raenale L.L.	02/28/1992	HAWAII	AGR	10/11/2021
KAMAI, Mathew I.	06/02/1997	HAWAII	AGR	10/26/2021

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

HELU, Jonnie K.M. 08/03/2005 OAHU RES 11/04/2021

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

KAMAKEA, Doreen M. 10/07/2004 OAHU RES 10/11/2021

MOLOKAI ISLANDWIDE RESIDENTIAL LEASE LIST

PACANA, Annie Rose K. 07/08/1980 HAWAII RES 08/31/2021

2. Deceased Applicants

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

KEKAHUNA, Beatrice K. PN 11/2017 06/09/1986

3. Awards of Leases

NANAKULI AREA / OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

NAWAHINE, Debrah-Mae H. Assigned Residential Lease
#12948, Lot 52 in Ka'uluokaha'i,
Oahu dated 12/30/2021. Remove
application dated 09/23/1976.

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

AIKALA, Joseph K. Assigned Residential Lease
#9979, Lot 174 in Princess
Kahanu Estates, Oahu dated
12/09/2021. Remove application
dated 06/13/2007.

IOANE, Nathan L. Assigned Residential Lease
#12949, Lot 104 in
Ka'uluokaha'i, Oahu dated
01/13/2022. Remove application
dated 09/19/1986.

ISAACS-RAMIRO, Leivonchon K.B.	Assigned Residential Lease #12576, Lot 18332 in Kanehili, Oahu dated 12/09/2020. Remove application dated 06/03/2009.
KEKAULA-VAN GIESON, Lilinoe L.A.	Assigned Residential Lease #4738, Lot 25 in Nanakuli, Oahu dated 06/03/2021. Remove application dated 07/21/2020.
LUM KING, Mona A.	Assigned Residential Lease #12958, Lot 8 in Ka'uluokaha'i, Oahu dated 01/24/2022. Remove application dated 05/09/1979.
NOA, Karl W.	Assigned Residential Lease #12971, Lot 6 in Ka'uluokaha'i, Oahu dated 01/24/2022. Remove application dated 07/30/1987.
SWINSON, Tracyly P.	Assigned Residential Lease #7337, Lot 107 in Nanakuli, Oahu dated 12/30/2020. Remove application dated 12/28/2011.

4. Native Hawaiian Qualification

NONE FOR SUBMITTAL

5. Voluntary Cancellation

NONE FOR SUBMITTAL

6. Successorship

OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

NAKIHEI, Diana K.	Succeeded to Maui Islandwide Residential application of Spouse, Robert Nakihei, dated
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01/14/2008. Remove application dated 08/13/2020.

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

KALAWAIA, Bennett K.

Succeeded to Maui Islandwide Residential application of Parent, Irene Kalawaia, dated 02/23/2006. Remove application dated 04/06/2006.

7. Additional Acreage

NONE FOR SUBMITTAL

8. HHC Adjustments

NONE FOR SUBMITTAL

Last Month's Transaction Total	71
Last Month's Cumulative FY 2021-2022 Transaction Total	253
Transfers from Island to Island	10
Deceased	1
Cancellations:	
Awards of Leases	8
NHQ	0
Voluntary Cancellations	0
Successorship	2
Additional Acreage	0
HHC Adjustments	0
This Month's Transaction Total	21
This Month's Cumulative FY 2021-2022 Transaction Total	274

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

February 22, 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: **Commission Designation of Successors to Application Rights - Public Notice 2013 & 2015**

RECOMMENDED MOTION/ACTION

1. To designate the following individuals as successors to the application rights of deceased applicants who did not name a qualified successor.

2. To approve the certification of applications to successorship rights of qualified successors. The Department has verified the native Hawaiian blood quantum requirement of each prospective successor according to section 10-3-2 of the Hawaii Administrative Rules.

DISCUSSION

The following qualified applicants passed away on or after October 26, 1998, without naming qualified successors. Pursuant to 10-3-8(c) of the *Hawaii Administrative Rules*, a public notice listing the names of deceased applicants and calling for possible successors to their application rights was published in the Honolulu Star-Advertiser, The Maui News, Hawaii Tribune Herald, West Hawaii Today, and The Garden Island on the last two consecutive Sundays of November for the year the Department received notification. Requests to succeed to the decedents' application rights were submitted within the required 180 days following the last date of publication. Prospective successors were the sole respondents and are deemed by the Department to have met the requirements of successorship according to section 10-3-8(b) of the *Hawaii Administrative Rules*. HSD recommends approval of the following designees:

1a. Deceased Applicant: Benjamin K. Crabbe
Date of death: March 1, 2015
Successor to app rights: Benjamin K. Crabbe Jr.
Relationship to decedent: Child
Island: Oahu
Type: Islandwide Agricultural
Date of Application: February 1, 2001
Date of Public Notice: November, 2015

1b. Island: Oahu
Type: Islandwide Residential
Date of Application: February 1, 2001

2a. Deceased Applicant: Margie K. Jackson
Date of death: June 4, 2013
Successor to app rights: Benjamin K. Jackson
Relationship to decedent: Child
Island: Oahu
Type: Islandwide Residential
Date of Application: April 19, 1990
Date of Public Notice: November, 2013

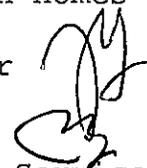
2b. Island: Hawaii
Type: Islandwide Agricultural
Date of Application: April 19, 1990

Previous Cumulative Total for Current FY	62
Current Month's Total	4
Fiscal Year Total: July 2021-June 2022	66

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

February 22, 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 Certify Applications of Qualified Applicants for the month of January 2022**

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.

WAIMANALO AREA / OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

MAHI, Noa S., Jr. 3/20/1962

OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

RICHARDSON, Alexander G. 11/17/2021

RICHARDSON, Jay A.K. 11/17/2021

HEZEKIA, Kaumualii M.H.	11/18/2021
HEZEKIA, Kanoë K.D.	11/18/2021
AINA-AKAU, Natalie K.	12/6/2021
MENA, Benedict A., Jr.	12/9/2021
ZUKERAN, Summer U.K.	12/9/2021
MAHUKA, Brandon K.	12/10/2021

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

AMADEO, Justice H.	11/15/2021
CALLEJO, Joen L.	11/16/2021
KAKALIA, Cierra L.M.	11/16/2021
RICHARDSON, Alexander G.	11/17/2021
RICHARDSON, Jay A.K.	11/17/2021
MONAHAN, Lucille M.N.	11/17/2021
HEZEKIA, Kaumualii M.H.	11/18/2021
HEZEKIA, Kanoë K.D.	11/18/2021
HEZEKIA, Kauilani M.K.	11/18/2021
PENEKU, Keone H., Jr.	11/22/2021
HAO, Sean L.N.	11/29/2021
HAO, Melanie P.	11/29/2021
ANGAY, Kalokookamaile K.H.	11/29/2021
ANGAY, Makanaaloha P.H.	11/29/2021
TRIPP, Brenda L.	11/29/2021
ELI-KIA, Jontue A.L.M.S.	11/30/2021
KEOHOU, Courtney M.	12/6/2021

AINA-AKAU, Natalie K.	12/6/2021
KAAIHUE, Ioane I.	12/7/2021
KEKAUOHA, Mahealani K.	12/8/2021
KEALAKAI, Joseph L., III	12/8/2021
MENA, Benedict A., Jr.	12/9/2021
ZUKERAN, Summer U.K.	12/9/2021
MAHUKA, Brandon K.	12/10/2021
MURRAY-THORNTON, Jowen-James H.	12/10/2021
KOGA, Lanette L.	12/14/2021
LARONAL, David K.	1/4/2022

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

AKUNA, Terry P.	11/19/2021
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MAUI ISLANDWIDE PASTORAL LEASE LIST

ANI, Gregory	11/19/2021
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MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

AKUNA, Terry P.	11/19/2021
ANI, Gregory	11/19/2021

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

ANGAY, Kalokookamaile K.H.	11/29/2021
ANGAY, Makanaaloha P.H.	11/29/2021
ELI-KIA, Jontue A.L.M.S.	11/30/2021

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

LANNING, Meilyn H.A.	11/18/2021
LEE LOY, Rachel K.K.M.	11/19/2021
MIKAELE, Rick K.	12/7/2021
AKAU, Devlyn K.	1/6/2022

KAUAI ISLANDWIDE AGRICULTURAL LEASE LIST

KEKAUOHA, Mahealani K.	12/8/2021
PENEKU, Keone H., Jr.	12/9/2021

KAUAI ISLANDWIDE PASTORAL LEASE LIST

KAAIHUE, Ioane I.	12/7/2021
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MOLOKAI ISLANDWIDE AGRICULTURAL LEASE LIST

LEE LOY, Rachel K.K.M.	11/19/2021
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Previous Cumulative Total for Current FY	45,123
Current Month's Total	51
Fiscal Year Total: July 2021-June 2022	45,174

NARVAEZ, Raldean M.

Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 6/25/2002.

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

AIWOHI, Lillian S.K.

Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 6/22/1978.

BRANDT, September D.K.

Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 1/23/1995.

NARVAEZ, Raldean M.

Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 6/25/2002.

STITH, Anita L.

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

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

CHING, Melva N.

Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 8/29/1986.

DELA CRUZ, Antonette S.

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

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

BALLESTEROS, Manuel J., Sr.

Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 5/15/1986.

CHING, Melva N.

Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 8/29/1986.

DELA CRUZ, Antonette S.

Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 6/30/1986.

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

FRIAS, Barbara A.L. Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 8/24/1981.

KAUWE, Nycki M.L. Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 8/11/1986.

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

HAWAII ISLANDWIDE PASTORAL LEASE LIST

BRANDT, September D.K. Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 1/23/1995.

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

FRIAS, Barbara A.L. Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 8/24/1981.

KAUWE, Nycki M.L. Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 8/11/1986.

KAUAI ISLANDWIDE AGRICULTURAL LEASE LIST

TUTURU, Kekaikaheelani N.K. Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 1/18/1990.

KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

TUTURU, Kekaikaheelani N.K. Applicant unable to substantiate native Hawaiian ancestry, cancel application dated 1/18/1990.

Previous Cumulative Total for Current FY	74
Current Month's Total	21
Fiscal Year Total: July 2021-June 2022	95

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

February 22, 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 February 2022	17
Previous FY 2021 - 2022	<u>45</u>
FY 2021 - 2022 Total to Date	62

Ratified for FY '20 - '21	92
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Net Proceeds

Ratified for February 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 FEBRUARY 2022**

<u>Deceased Lessee</u>	<u>Designated Successor</u>
1. George Alameda Lot No.: 291 Area: Keaukaha, Hawaii Res. Lease No. 2105	<u>PRIMARY:</u> Chad Alameda, Grandson <u>ALTERNATE:</u> N/A <u>DESIGNEE TO RECEIVE NET PROCEEDS:</u> N/A
2. Farrington K. Blaisdell Lot No.: 74-B-1 Area: Hoolehua, Molokai Agr. Lease No. 5047	<u>PRIMARY: Joint Tenants</u> Clyde W. Blaisdell, Son Leina Blaisdell, Daughter <u>ALTERNATE:</u> N/A <u>DESIGNEE TO RECEIVE NET PROCEEDS:</u> N/A
3. Lucy S. Borden Lot No.: 180, 35B-1 & 35B-2 Area: Hoolehua, Molokai Agr. Lease No. 1672	<u>PRIMARY:</u> Iris Germaine Lucas, Daughter <u>ALTERNATE:</u> N/A <u>DESIGNEE TO RECEIVE NET PROCEEDS:</u> N/A

4. Geraldine L. Costa
 Lot No.: 259
 Area: Keaukaha, Hawaii
 Res. Lease No. 9085
- PRIMARY:
 Herman Costa, Jr., Son
- ALTERNATE:
 N/A
- DESIGNEE TO RECEIVE NET
 PROCEEDS:
 N/A
5. Elizabeth P. P. Dawson
 Lot No.: 2
 Area: Hoolehua, Molokai
 Res. Lease No. 3269-A
- PRIMARY: Tenants in Common
 Dayton Dawson, Son
 David Dawson, Son
- ALTERNATE:
 N/A
- DESIGNEE TO RECEIVE NET
 PROCEEDS:
 N/A
6. Elizabeth P. P. Dawson
 Lot No.: 121
 Area: Hoolehua, Molokai
 Agr. Lease No. 2077-A
- PRIMARY: Tenants in Common
 Dayton Dawson, Son
 David Dawson, Son
- ALTERNATE:
 N/A
- DESIGNEE TO RECEIVE NET
 PROCEEDS:
 N/A
7. Velma U. Foster
 Lot No.: 37
 Area: Waiakea, Hawaii
 Res. Lease No. 8943
- PRIMARY: Joint Tenants
 Keith K Kipapa, Son
 Micheal S. Foster, II, Son
- ALTERNATE:
 N/A
- DESIGNEE TO RECEIVE NET
 PROCEEDS:
 N/A

8. Liberta E. Garcia-Ballard
Lot No.: 50
Area: Kalawahine, Oahu
Res. Lease No. 9603

PRIMARY:
Lenae Lehuanani Guarna,
Daughter

ALTERNATE:
Valerie Leialoha Alston,
Daughter

DESIGNEE TO RECEIVE NET
PROCEEDS:
Steven E. Ballard, Husband

9. Russell C. K. Haluapo
Lot No.: 59
Area: Anahola, Kauai
Res. Lease No. 6488

PRIMARY:
Bernadine U. Haluapo, Sister

ALTERNATE:
N/A

DESIGNEE TO RECEIVE NET
PROCEEDS:
N/A

10. Moses M. Kaikuaana
Lot No.: 61
Area: Keaukaha, Hawaii
Res. Lease No. 4053

PRIMARY: Joint Tenants
Ethel M. Kaikuaana, Wife
Ethel M. Kaikuaana, Daughter
Jaylyn K. Kaikuaana, Daughter

ALTERNATE:
N/A

DESIGNEE TO RECEIVE NET
PROCEEDS:
N/A

11. Wade Alan K. Kalili
 Lot No.: 778
 Area: Keaukaha, Hawaii
 Res. Lease No. 6325
- PRIMARY: Joint Tenants
 Wade Allan Kalili, Jr., Son
 Chrysandra Kalili, Daughter
 Kau Kalili, Daughter
- ALTERNATE:
 Leona Kalili, Sister
- DESIGNEE TO RECEIVE NET PROCEEDS:
 N/A
12. Charlene U. Kamekona
 Lot No.: 312
 Area: Keaukaha, Hawaii
 Res. Lease No. 4251
- PRIMARY:
 Leanne A. Kamekona, Daughter
- ALTERNATE: Tenants in Common
 Harold Kamekona, Son
 Garrick Kamekona, Son
 Harold Kamekona, Son
- DESIGNEE TO RECEIVE NET PROCEEDS:
 N/A
13. Joyce N. Luka
 Lot No.: 3-B
 Area: Waimanalo, Oahu
 Agr. Lease No. 6671
- PRIMARY:
 Jean K. Luka, Sister
- ALTERNATE:
 N/A
- DESIGNEE TO RECEIVE NET PROCEEDS:
 N/A
14. James I. Paleka, Sr.
 Lot No.: 7-A
 Area: Kalamaula, Molokai
 Res. Lease No. 4708
- PRIMARY:
 Kaohu Paleka, Son
- ALTERNATE:
 Duke Paleka, Son
- DESIGNEE TO RECEIVE NET PROCEEDS:
 N/A

15. Clyde K. Pelekai
Lot No.: 64-A
Area: Panaewa, Hawaii
Agr. Lease No. 5118
- PRIMARY: Joint Tenants
Kil Ishii, Daughter
Clyde Pelekai, Jr., Son
- ALTERNATE:
N/A
- DESIGNEE TO RECEIVE NET PROCEEDS:
N/A
16. Welfrida K. Rivera
Lot No.: 73
Area: Waimanalo, Oahu
Res. Lease No. 3995
- PRIMARY:
Randy E. Rivera, Son
- ALTERNATE:
N/A
- DESIGNEE TO RECEIVE NET PROCEEDS:
George Rivera, Husband
17. Mary Ann E. Tamoria
Lot No.: 90
Area: Kalamaula, Molokai
Res. Lease No. 10621
- PRIMARY:
Talia Cardines, Daughter
- ALTERNATE:
Kris Tamoria, Son
- DESIGNEE TO RECEIVE NET PROCEEDS:
N/A

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

February 22, 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 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 the 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

Twenty-one (21) assignments of lease.

1. Lessee Name: Amber U. Aiona
Res. Lease No. 12164, Lot No. 13
Lease Date: 5/30/2008
Area: Kaumana, Hawaii
Property Sold & Amount: Yes, \$279,000.00
Improvements: 2 bedroom, 1-1/2 bath dwelling

Transferee Name: Rita K. P. Aiona
Relationship: Cousin
Loan Assumption: No
Applicant: Yes, Hawaii IW Res., 5/8/2009

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

2. Lessee Name: Dawnaree N. Arnold
Agr. Lease No. 3910, Lot No. 108
Lease Date: 7/31/1972
Area: Panaewa, Hawaii
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Sheila Higa
Relationship: Daughter
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

3. Lessee Name: Allen W. Bird
Res. Lease No. 9626, Lot No. 23
Lease Date: 12/15/2000
Area: Kalawahine, Oahu
Property Sold & Amount: Yes, \$500,000.00
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Jessica L. Braff
Relationship: Daughter
Loan Assumption: No
Applicant: No

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

4. Lessee Name: Roman K. Chai
Res. Lease No. 428, Lot No. 201
Lease Date: 11/25/1930
Area: Nanakuli, Oahu
Property Sold & Amount: Yes, \$55,000.00
Improvements: 4 bedroom, 2 bath dwelling

Transferee Name: Kalai K. K. Kai
Relationship: Step-Grandson
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 3/23/2005

Reason for Transfer: "Turn it over now while we are alive."
Special Condition: Transferee to obtain funds to pay
purchase price.

5. Lessee Name: Jennie K. Hart Taylor
Res. Lease No. 7613, Lot No. 159
Lease Date: 2/7/2002
Area: Waiohuli, Maui
Property Sold & Amount: Yes, \$135,000.00
Improvements: 2 bedroom, 1 bath dwelling

Transferee Name: Jennie K. Aruda
Relationship: Daughter
Loan Assumption: No
Applicant: No

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

6. Lessee Name: Palmyra K. Hethcote
Res. Lease No. 12047, Lot No. 16950
Lease Date: 7/18/2007
Area: Kaupea, Oahu
Property Sold & Amount: Yes, \$350,000.00
Improvements: 4 bedroom, 2-1/2 bath dwelling

Transferee Name: Pamela Ann C. P. Chong
Relationship: Daughter
Loan Assumption: No
Applicant: No

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

7. Lessee Name: Henry A. S. Huihui, Jr.
Res. Lease No. 2635, Lot No. 100
Lease Date: 6/23/1952
Area: Waimanalo, Oahu
Property Sold & Amount: No, N/A
Improvements: 5 bedroom, 2-1/2 bath dwelling.

Transferee Name: Hensly K. Huihui
Relationship: Son
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

8. Lessee Name: William A. P. K. Kaohu, Sr.
Res. Lease No. 9375, Lot No. 62
Lease Date: 5/1/1999
Area: Kaniohale, Hawaii
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Kuuanelalani H. P. Kaohu
Relationship: Daughter
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

9. Lessee Name: Henry Levi, Jr.
Agr. Lease No. 5788, Lot No. 42-B-1-B
Lease Date: 10/1/1985
Area: Hoolehua, Molokai
Property Sold & Amount: No, N/A
Improvements: 2 Residences - (Building 1) 3 bedroom, 1 bath dwelling (Building 2) 3 bedroom, 2 bath dwelling

Transferee Name: Larrynette R. Ushijima
Relationship: None
Loan Assumption: No
Applicant: Yes, Molokai IW Agr., 6/4/1999

Reason for Transfer: "Giving lease to hanai daughter."

10. Lessee Name: Diane L. Lum
Res. Lease No. 857, Lot No. 83
Lease Date: 5/5/1941
Area: Kewalo, Oahu
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Diane L. Lum & Lilinoe H. K. Lum
Relationship: Lessee & Daughter
Loan Assumption: No
Applicant: No

Reason for Transfer: "Adding relative to lease."

11. Lessee Name: Ellen Nishiyama
Res. Lease No. 660, Lot No. 63
Lease Date: 9/24/1937
Area: Papakolea, Oahu
Property Sold & Amount: No, N/A
Improvements: 6 bedroom, 2-1/2 bath dwelling

Transferee Name: Ellen K. Nishiyama & Eliane K. F.
Keliipuleole
Relationship: Lessee & Daughter
Loan Assumption: No
Applicant: No

Reason for Transfer: "Adding relative to lease."

12. Lessee Name: Kaimi Kaleonahe M. Pacheco
Res. Lease No. 10273, Lot No. 1-A
Lease Date: 6/1/2005
Area: Keaukaha, Hawaii
Property Sold & Amount: Yes, \$250,000.00
Improvements: 2 bedroom, 1 bath dwelling

Transferee Name: John O. Kualii
Relationship: None
Loan Assumption: No
Applicant: Yes, Hawaii IW Res., 9/26/1986

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

13. Lessee Name: John O. Kualii
Res. Lease No. 10273, Lot No. 1-A
Lease Date: 6/1/2005
Area: Keaukaha, Hawaii
Property Sold & Amount: Yes, \$250,000.00
Improvements: 2 bedroom, 1 bath dwelling

Transferee Name: Ikaika H. Kualii
Relationship: Son
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving to Son." Special condition:
Transferee to obtain funds to pay purchase price.

14. Lessee Name: Tiffany R. P. Toler
Res. Lease No. 1828, Lot No. 168-A
Lease Date: 9/24/1946
Area: Keaukaha, Hawaii
Property Sold & Amount: Yes, \$11,000.00
Improvements: 4 bedroom, 2 bath dwelling

Transferee Name: Shamus K. K. Toler
Relationship: Brother
Loan Assumption: No
Applicant: No

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

15. Lessee Name: Charmaine P. Washington
Res. Lease No. 10288, Lot No. 77
Lease Date: 9/15/2005
Area: Waiohuli, Maui
Property Sold & Amount: Yes, \$430,000.00
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Cheryl M. M. Kong
Relationship: None
Loan Assumption: No
Applicant: No

Reason for Transfer: "Too far to drive to and from work.
Downsizing." Special Condition: Transferee to obtain funds
to pay purchase price.

16. Lessee Name: Brett N. B. Prejean
Res. Lease No. 11049, Lot No. UNDV048
Lease Date: 5/13/2006
Area: Anahola, Kauai
Property Sold & Amount: No, N/A
Improvements: None

Transferee Name: Pomaikai L. Prejean
Relationship: Brother
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative." See
simultaneous transfer below.

17. Lessee Name: Pomaikai Prejean
Res. Lease No. 8985, Lot No. A & B
Lease Date: 5/23/2000
Area: Kalawahine, Oahu
Property Sold & Amount: No, N/A
Improvements: None

Transferee Name: Brett N. B. Prejean
Relationship: Brother
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

18. Lessee Name: Kelly H. K. Kaawa Richardson
Res. Lease No. 7848, Lot No. 22
Lease Date: 2/28/1996
Area: Hoolehua, Molokai
Property Sold & Amount: No, N/A
Improvements: None

Transferee Name: Joydeen S. K. Manalo
Relationship: Cousin
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 5/16/2019

Reason for Transfer: "Giving lease to relative."

19. Lessee Name: June Kapuni-Denison
Agr. Lease No. 7797, Lot No. 22
Lease Date: 2/1/1987
Area: Hoolehua, Molokai
Property Sold & Amount: No, N/A
Improvements: None

Transferee Name: Deldrine K. K. Manera
Relationship: Cousin
Loan Assumption: No
Applicant: Yes, Molokai IW, Agr., 3/12/1987

Reason for Transfer: "Giving lease to relative."

20. Lessee Name: Lanre L. K. Kekoa
Res. Lease No. 6077, Lot No. 93
Lease Date: 4/10/2001
Area: Kalamaula, Molokai
Property Sold & Amount: No, N/A
Improvements: None

Transferee Name: Brian K. Poaha
Relationship: Uncle
Loan Assumption: No
Applicant: Yes, Molokai IW Res., 9/6/2000

Reason for Transfer: "Giving lease to relative."

21. Lessee Name: Henry A. K. Miranda
Res. Lease No. 6279, Lot No. 8-B
Lease Date: 7/23/1997
Area: Keaukaha, Hawaii
Property Sold & Amount: No, N/A
Improvements: None

Transferee Name: Albert Leedy
Relationship: Son-in-law
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

Assignments for the Month of February `22	21
Previous FY '21 - '22 balance	<u>134</u>
FY '21 - '22 total to date	155
Assignments for FY '20 - '21	201

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

February 22, 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

Sixteen (16) amendments of lease.

1. Lessee: George Alameda
Res. Lease No.: 2105
Lot No., Area, Island: 291, Keaukaha, Hawaii
Amendment: To amend the lease title and lessor's name, to update the property description, to incorporate the currently used terms, conditions, and covenants to the lease, and to extend the lease term to an aggregate term of 199 years.

2. Lessee: Farrington K. Blaisdell
Agr. Lease No.: 5047
Lot No., Area, Island: 74-B-1, Hoolehua, Molokai
Amendment: To amend the lease title and lessor's name, and to incorporate the currently used terms, conditions, and covenants to the lease.

ITEM NO. D-11

3. Lessee: Lucy S. Borden
Agr. Lease No.: 1672
Lot No., Area, Island: 180, 35-B-1 & 35-B-2, Hoolehua,
Molokai
Amendment: To amend the lease title and
lessor's name, to update the
property description, to
incorporate the currently used
terms, conditions, and covenants to
the lease and to extend the lease
term to an aggregate term of 199
years.
4. Lessee: Elizabeth P. P. Dawson
Res. Lease No.: 3269-A
Lot No., Area, Island: 2, Hoolehua, Molokai
Amendment: To amend the lease to incorporate
the currently used terms,
conditions, and covenants to the
lease and to extend the lease term
to an aggregate term of 199 years.
5. Lessee: Henry A. S. Huihui, Jr. & Arthur K.
Waiwaiole
Res. Lease No.: 2635
Lot No., Area, Island: 100, Waimanalo, Oahu
Amendment: To amend the lease title and
lessor's name, to incorporate the
currently used terms, conditions,
and covenants to the lease, and to
extend the lease term to an
aggregate term of 199 years.
6. Lessee: Shadrach Piety Hussey
Res. Lease No.: 3719
Lot No., Area, Island: 3, Waimanalo, Oahu
Amendment: To amend the lease title and
lessor's name, and to incorporate
the currently used terms,
conditions, and covenants to the
lease.

7. Lessee: Leinaala K. K. Iokua & Franklin K. Iokua, III
Res. Lease No.: 4519
Lot No., Area, Island: 103, Nanakuli, Oahu
Amendment: To amend the lease tenancy to reflect tenant in severalty due to the death of a joint tenant.
8. Lessee: Herman H. K. Jeremiah, Sr. & Herman H. K. Jeremiah, Jr.
Res. Lease No.: 3301
Lot No., Area, Island: 233-B, Nanakuli, Oahu
Amendment: To amend the lease tenancy to reflect tenant in severalty due to the death of a joint tenant and to extend the lease term to an aggregate term of 199 years.
9. Lessee: Arnold R. K. Kaeo
Res. Lease No.: 1889
Lot No., Area, Island: 397, Keaukaha, Hawaii
Amendment: To amend the lease title and lessor's name, to incorporate the currently used terms, conditions, and covenants to the lease, and to extend the lease term to an aggregate term of 199 years.
10. Lessee: Moses M. Kaikuaana
Res. Lease No.: 4053
Lot No., Area, Island: 61-B, Keaukaha, Hawaii
Amendment: To amend the lease title and lessor's name, and to incorporate the currently used terms, conditions, and covenants to the lease.

11. Lessee: Suzie K. Kalaiwaa
Res. Lease No.: 4087
Lot No., Area, Island: 43, Waimanalo, Oahu
Amendment: To amend the lease title and lessor's name, to update the property description, and to incorporate the currently used terms, conditions, and covenants to the lease.
12. Lessee: Hannah L. Kilakalua & Samuel K. K. Kilakalua
Res. Lease No.: 386
Lot No., Area, Island: 110, Nanakuli, Oahu
Amendment: To amend the lease tenancy to reflect tenant in severalty due to the death of a joint tenant.
13. Lessee: Diane L. Lum
Res. Lease No.: 857
Lot No., Area, Island: 83, Kewalo, Oahu
Amendment: To amend the property description to incorporate a new 10 ft. wide sewer easement.
14. Lessee: Samuel J. Maii
Agr. Lease No.: 6663
Lot No., Area, Island: 53, Lualualei, Oahu
Amendment: To amend the lot number and property description due to relocation and selection of Agricultural lot in Waiahole.

15. Lessee: Ellen Nishiyama
 Res. Lease No.: 660
 Lot No., Area, Island: 63, Papakolea, Oahu
 Amendment: To amend the lease title and lessor's name, to update the property description, 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.

16. Lessee: Welfrida K. Rivera
 Res. Lease No.: 3995
 Lot No., Area, Island: 73, Waimanalo, Oahu
 Amendment: To amend the lease to incorporate the currently used terms, conditions, and covenants to the lease.

Amendments for the Month of February '22	16
Previous FY '21 - '22 balance	<u>82</u>
FY '21 - '22 total to date	98
Amendments for FY '20 - '21	112

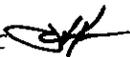
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

February 22, 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: Charlotte M. K. De Coito
Res. Lease No.: 1415
Lot No., Area, Island: 193, Keaukaha, Hawaii
Permittee: Sunrun Installation Services, Inc.

2. Lessee: Robert K. Kaiamakini, Jr.
Res. Lease No.: 6370
Lot No., Area, Island: 16, Kawaihae, Hawaii
Permittee: Sunrun Installation Services, Inc.

- 3. Lessee: Michael K. Keahi
 Res. Lease No.: 5946
 Lot No., Area, Island: 21, Waiehu Kou, Maui
 Permittee: Sunrun Installation Services, Inc.

- 4. Lessee: Cheryl M. M. Kong
 Res. Lease No.: 10288
 Lot No., Area, Island: 77, Waiohuli, Maui
 Permittee: Neighborhood Power Corporation

Non-Exclusive License for the Month of February '22	4
Previous FY '21 - '22 balance	<u>33</u>
FY '21 - '22 total to date	37
Non-Exclusive License for FY '20 - '21	64

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

February 22, 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: **Cancellation of Lease - WALTER Y. LEE**
Residential Lease No. 12743, Lot No. 13745, Maluohai,
Oahu

RECOMMENDED MOTION/ACTION

To approve the cancellation of Residential Lease No. 12743, Lot No. 13745, pursuant to the Hawaiian Homes Commission Act of 1920, as amended, as there were no claimants to the Lease interest.

DISCUSSION

Walter Y. Lee (Decedent) was awarded Residential Lot Lease No. 12743, Lot No. 13745, located in Malu'ohai at the Villages of Kapolei, situated at Honolulu, Ewa, commencing on June 30, 2017.

On August 25, 2020, the Decedent passed away without naming a successor to his Lease.

On October 27, 2020, the Department received the Decedent's death certificate.

In compliance with the Hawaii Administrative Rules Section 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, to notify all interested, eligible and qualified heirs of the Decedent, to submit their lease successorship claims.

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.

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 Home Commission Act of 1920, as amended, where there are no qualified relatives to succeed to the Lease, "the land subject to the lease shall resume its status as unleased Hawaiian home lands and the department is authorized to lease the land to another qualified native Hawaiian as provided in [the] Act."

Improvements to the homestead lot consist of a 4-bedroom and 3-bath single family dwelling consisting of 1,541 square feet with an enclosed garage. Improvements also include a leased photovoltaic system.

There is an outstanding Department of Hawaiian Home Lands mortgage, Contract of Loan No. 19382, in the amount of \$109,454. The real property taxes and the lease rent are current.

The Department requests approval of its recommendation.

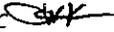
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

February 22, 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: **Amendment to Lease - SIERRA K. AVILLA**
Department of Hawaiian Home Lands Residential Lease
No. 4397, Lot No. 75, Nanakuli, Oahu

RECOMMENDED MOTION/ACTION

To amend Lease No. 4397, Lot No. 75, Nanakuli, Oahu to include the life interest of Wayne F. K. Machado.

DISCUSSION

Lowell Machado (Lowell) was awarded Residential Lease No. 4397, Lot No. 75, situated in Nanakuli, Oahu, commencing on March 22, 1978.

Lowell transferred the Lease to his son, Wayne F. K. Machado (Wayne), by way of Assignment of Lease and Consent dated October 3, 2007.

Wayne requested to transfer the Lease back to Lowell by way of an Assignment of Lease and Consent also dated October 3, 2007, however, Wayne specifically chose to retain a life interest in the Lease.

At Lowell's passing on September 16, 2015, by Transfer through Successorship, the Lease passed to his wife, Gurdy Akanekikapoomaikalani Silva Machado (Gurdy), whom he designated as his successor on March 22, 1978.

At Gurdy's passing on January 2, 2020, by Transfer through Successorship, the Lease passed to her granddaughter, Sierra Kuuleikailialohapiilani Avilla, the current lessee of record whom she designated as her successor on July 18, 2017.

The Department inadvertently omitted Wayne's life interest in subsequent conveyances following his October 3, 2007, transfer to his father, Lowell.

To address this oversight, the Department requests approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

February 22, 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 - HAZEL W. PU,
Residential Lease No. 5518, Lot No. 117,
Lualualei, Oahu**

RECOMMENDED MOTION/ACTION

1. To set aside the Commission's earlier approval of HSD's Item D-13, Commission Designation of Successor - HAZEL W. PU, Residential Lease No. 5518, Lot No. 117, Lualualei, Oahu at its November 15, 2021, regular meeting (EXHIBIT A) to be replaced by this current submittal, Item D-15 of the same title;

2. To approve the selection of Christopher G. Farias (Christopher), and Cathleen C. Rodrigues (Cathleen) to succeed to the interest of Hazel W. Pu, as Tenants in Common Interest in Residential Lease No. 5518, Lot No. 117, Lualualei, Oahu (Lease) for the remaining term of the Lease;

3. To approve and accept that Christopher and Cathleen 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;

4. To stipulate that Christopher's and Cathleen's rights and interest in the Lease do not vest until Christopher and Cathleen have signed that: (i) Transfer Through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if Christopher and Cathleen do not sign all such documents on or before **April 30, 2022** (the Deadline), that the Commission's selection of Christopher and Cathleen as Tenants in Common Interest successors is automatically revoked;

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

6. To declare that if Christopher's and Cathleen's selection as Tenants in Common Interest successors is revoked; then under Section 209 (a) of the Hawaiian Homes Commission Act, as amended, "...the land subject to 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

Hazel W. Pu (Decedent) was awarded the Lease commencing on June 3, 1985.

On February 15, 2018, the Decedent passed away without naming a successor to her lease.

On March 21, 2018, the Department received the Decedent's death certificate.

In compliance with Administrative Rule 10-3-63, the Department published legal notices in the Honolulu Star-Advertiser, the Hawaii Tribune Herald, the West Hawaii Today, The Maui News, and The Garden Island newspapers on December 1, 8, 15, 22, and 29, 2019, to notify all interested, eligible and qualified heirs of the Decedent to submit their successorship claims to the Lease.

The Department received successorship claims from the Decedent's son, Christopher and from the Decedent's daughter, Cathleen, both of whom have been determined to be of at least 25% Hawaiian ancestry and eligible for successorship to the Lease.

The Department recently received an October 25, 2021, phone call from Carol Farias, a sibling to Christopher and Cathleen, apprising the Department that Christopher recently passed away on October 19, 2021. It is anticipated that Christopher's government-issued death certificate will not be available for another six (6) to eight (8) weeks, hence the Department does not yet have formal confirmation of his passing and there has likewise been no published death notice as of the writing of this submittal. In light of these circumstances however, as proof of Christopher's passing, the family has provided a copy of an October 22, 2021, paid statement of

services provided by the mortuary for "Farias, Christopher" whose date of death appears on the form as "10/19/2021."

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.

Improvements to the homestead lot consist of a 3 bedroom and 2 bath, single family dwelling, which was constructed in 1990.

There is an outstanding mortgage attached to the Lease in the amount of \$8,283.12. The prospective successors are aware of this balance and have acknowledged their obligation to pay off this debt should the Commission approve their successorship to the Lease. The Department acknowledges its earlier November 15, 2021, version of this Designation of Successor submittal (EXHIBIT A) erroneously stated there was no outstanding mortgage balance attached to the Lease.

The lease rent account reports an outstanding balance of \$16.00 and the real property tax is current.

The Department requests approval of its recommendation.

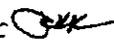
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 15, 2021

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 - HAZEL W. PU,
Residential Lease No. 5518, Lot No. 117,
Lualualei, Oahu

RECOMMENDED MOTION/ACTION

1. To approve the selection of Christopher G. Farias (Christopher), and Cathleen C. Rodrigues (Cathleen) to succeed to the interest of Hazel W. Pu, as Tenants in Common Interest in Residential Lease No. 5518, Lot No. 117, Lualualei, Oahu (Lease) for the remaining term of the Lease;

2. To approve and accept that Christopher and Cathleen 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 Christopher's and Cathleen's rights and interest in the Lease do not vest until Christopher and Cathleen have signed that: (i) Transfer Through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if Christopher and Cathleen do not sign all such documents on or before **January 31, 2022** (the Deadline), that the Commission's selection of Christopher and Cathleen as Tenants in Common Interest successors is automatically revoked;

4. To authorize the Department to extend the Deadline up to 30 days for good cause; and

5. To declare that if Christopher's and Cathleen's selection as Tenants in Common Interest successors is revoked; then under Section 209 (a) of the Hawaiian Homes Commission Act, as amended, "...the land subject to the lease shall resume its status as unleased Hawaiian home lands and the department

ITEM NO. D-15

EXHIBIT A

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

DISCUSSION

Hazel W. Pu (Decedent) was awarded the Lease commencing on June 3, 1985.

On February 15, 2018, the Decedent passed away without naming a successor to her lease.

On March 21, 2018, the Department received the Decedent's death certificate.

In compliance with Administrative Rule 10-3-63, the Department published legal notices in the Honolulu Star-Advertiser, the Hawaii Tribune Herald, the West Hawaii Today, The Maui News, and The Garden Island newspapers on December 1, 8, 15, 22, and 29, 2019, to notify all interested, eligible and qualified heirs of the Decedent to submit their successorship claims to the Lease.

The Department received successorship claims from the Decedent's son, Christopher and from the Decedent's daughter, Cathleen, both of whom have been determined to be of at least 25% Hawaiian ancestry and eligible for successorship to the Lease.

The Department recently received an October 25, 2021, phone call from Carol Farias, a sibling to Christopher and Cathleen, apprising the Department that Christopher recently passed away on October 19, 2021. It is anticipated that Christopher's government-issued death certificate will not be available for another six (6) to eight (8) weeks, hence the Department does not yet have formal confirmation of his passing and there has likewise been no published death notice as of the writing of this submittal. In light of these circumstances however, as proof of Christopher's passing, the family has provided a copy of an October 22, 2021, paid statement of services provided by the mortuary for "Farias, Christopher" whose date of death appears on the form as "10/19/2021."

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.

Improvements to the homestead lot consist of a 3 bedroom and 2 bath, single family dwelling, which was constructed in 1990.

There is no outstanding mortgage to the lease.

The lease rent account reports an outstanding balance of \$16.00 and the real property tax is current.

The Department requests approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

February 22, 2022

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Juan Garcia, Administrator 
Homestead Services Division

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

SUBJECT: **Commission Designation of Successor - SYBIL K. HUIHUI,
Residential Lease No. 775, Lot No. 23, Papakolea, Oahu**

RECOMMENDED MOTION/ACTION

1. To approve the selection of Mona Ann Huihui (Mona) to succeed to the interest of Sybil K. Huihui (Decedent) in Residential Lease No. 775, Lot No. 23, Papakolea, Oahu (Lease) for the remaining term of the Lease;

2. To stipulate that Mona's right and interest in the Lease does not vest until Mona has signed that: (i) Transfer Through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if Mona does not sign all such documents on or before **April 30, 2022** (the Deadline) that the Commission's selection of Mona as a successor 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 Mona'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 and the department is authorized to lease the land to a native Hawaiian as provided by the Act;" and

5. To amend the lease title and lessor's name, to update the property description, to incorporate the currently used terms, conditions, and covenants to the lease; and to extend the lease term to an aggregate term of 199 years.

DISCUSSION

By way of an Assignment of Lease dated April 29, 1977, the Decedent received Department of Hawaiian Home Lands Residential Lease No. 775 for Lot No. 23, situate in Papakolea, Oahu (Lease).

On December 8, 2018, the Decedent passed away and the Department subsequently determined that her named successor, niece Mona Hiiaka Huihui, did not meet the 50% percent quantum requirement to succeed to the Lease.

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

The Department received a successorship claim from the Decedent's sister, Mona Ann Huihui, who has been determined to be at least 25% Hawaiian ancestry and is therefore 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, 2 bath single family dwelling.

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

The Department requests approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

February 22, 2022

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator
Homestead Services Division 

FROM: Toni Eaton, Maui District Supervisor
Homestead Services Division

SUBJECT: **Request to Surrender Agricultural Lease No. 7445, Lot No. 1, Keokea, Maui - JEAN K. LUKA**

RECOMMENDED MOTION/ACTION

To approve the surrender of Department of Hawaiian Home Lands (DHHL) Agricultural Lease No. 7445 (Lease), Lot No. 1, situate at Keokea, Maui, subject to payment of \$2 outstanding lease rent.

DISCUSSION

On January 1, 1998, Agricultural Lease 7445, Lot No. 1 located in Keokea, Kula, Makawao, Maui (Lease) was awarded to Jean K. Luka (Jean).

On October 10, 2012, after final subdivision approval, the Lease was amended to reflect its new commencement date of March 16, 2010.

As of February 2022, the lot has not been developed and remains vacant.

On February 4, 2022, the Department received a Notice of Surrender for Agricultural Lease No. 7445 from Jean, dated January 29, 2022. In her notice she states her intent to succeed to her late sister's Waimanalo, Oahu agricultural lease, hence she needs to surrender her Keokea, Maui lease.

The Lease shows a current lease rent balance of \$1 and a delinquent lease rent balance of \$1.

The Department requests approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

February 22, 2022

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator 
Homestead Services Division

FROM: Toni Eaton, Maui District Supervisor 
Homestead Services Division

SUBJECT: **Commission Designation of Successor
ROLAND K. POAIPUNI, Residential
Lease No. 10295, Lot No. 219, Waiohuli, Maui**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Russell Kuumealoha Poaipuni (Russell) as successor to Residential Lease No. 10295, Lot No. 219, Waiohuli, Maui (Lease) for the remaining term of the Lease;

2. To approve and accept that Russell 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 Russell's right and interest in the Lease does not vest until Russell has signed that: (i) Transfer Through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if Russell does not sign all such documents on or before **April 30, 2022** (the Deadline) that the Commission's selection of Russell 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 Russell'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

Roland K. Poaipuni (Decedent) was awarded the Lease commencing on December 15, 2006.

On August 28, 2020, the Decedent passed away without naming a successor to his Lease.

On November 16, 2020, the Department received the Decedent's death certificate.

In compliance with the Administrative Rule 10-3-63, the Department published legal ads in the Honolulu Star Advertiser, the Hawaii Tribune Herald, the 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 successorship claim to the Lease.

The Department received a successorship claim from the Decedent's wife, Terry Lee Poaipuni (Terry), who has been determined to be 100% Hawaiian ancestry and eligible for successorship to the Lease.

The Department also received a successorship claim from the Decedent's son, Russell, who has been determined to be at least 75% Hawaiian ancestry and eligible for successorship to the Lease.

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.

Based on the Act, Terry has priority to succeed to the leasehold interest; however, on December 9, 2021, Terry rescinded her claim leaving Russell as the sole claimant to succeed.

Improvements to the homestead lot consist of a 3-bedroom and 2-bath single family dwelling, which was constructed in 2006.

There is an outstanding DHHL Contract of Loan No. 17699 (Loan) in the amount of approximately \$105,508.00. Russell has been apprised of the outstanding Loan.

The real property tax is delinquent in the amount of approximately \$756.00 and the lease rent reports a credit balance of \$82.00.

The Department requests approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

February 22, 2022

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator 
Homestead Services Division

FROM: Toni Eaton, Maui District Supervisor 
Homestead Services Division

SUBJECT: **Commission Designation of Successor
DARRYL K. AIWOHI, Residential
Lease No. 4151, Lot No. 21, Paukukalo, Maui**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Victoria Kekona Aiwohi (Victoria) as successor to Residential Lease No. 4151, Lot No. 21, Paukukalo, Maui (Lease) for the remaining term of the Lease;

2. To approve and accept that Victoria 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 Victoria's right and interest in the Lease does not vest until Victoria has signed that: (i) Transfer Through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if Victoria does not sign all such documents on or before **April 30, 2022** (the Deadline) that the Commission's selection of Victoria 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 Victoria'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

Darryl Randolph Kalani Aiwohi (Decedent) received the Lease by way of an Assignment of Lease and Consent and Amendment to Lease dated June 26, 2012.

On September 17, 2020, the Decedent passed away without naming a successor to his Lease.

On January 4, 2021, the Department received the Decedent's death certificate.

In compliance with the Administrative Rule 10-3-63, the Department published legal ads in the Honolulu Star Advertiser, the Hawaii Tribune Herald, the 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 successorship claim to the Lease.

The Department received a successorship claim from the Decedent's wife, Victoria, who has been determined to be at least 50% Hawaiian ancestry and eligible for successorship to the Lease.

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.

Improvements to the homestead lot consist of a 3-bedroom and 2-bath single family dwelling, which was constructed in 1974.

There are no outstanding loans. The real property tax is current, and the next assessment will be due February 22, 2022. The Lease rent account is in arrears of \$11.00.

The Department requests approval of its recommendation.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

February 22, 2022

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Juan Garcia, Administrator 
Homestead Services Division

THRU:  James W. DuPont, WHDO District Supervisor
Homestead Services Division

SUBJECT: **Commission Designation of Successor -
Sally Ku'ulei Haina, Pastoral Lease No. 9051,
Lot No. 1, Pu'ukapu, Hawaii**

RECOMMENDED MOTION/ACTION

1. To approve the selection of Theresa Lynn Kainoa Ha'alilio, to succeed to the interest of Sally K. Haina to Pastoral Lease No. 9051, Lot No. 1, Pu'ukapu, Hawaii (Lease) for the remaining term of the Lease;

2. To approve and accept that Theresa 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 Theresa's right and interest in the Lease does not vest until Theresa has signed that: (i) Transfer Through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if Theresa does not sign all such documents on or before **April 30, 2022** (the Deadline) that the Commission's selection of Theresa 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 Theresa'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

Nancy Uina (Mrs. Uina) was awarded Pastoral Lot Lease No. 9051 commencing on February 1, 1991. Mrs. Uina designated her four children (Alfred K Uina, Jr., John L. Uina, Nancy L. Yamamoto and Sally K. Haina) as tenants-in-common and successors on January 12, 1991. Mrs. Uina passed away on March 16, 2007.

Through a Transfer through Successorship, the five successors assumed title to Lease No. 9051 on December 20, 2010

On July 18, 2015, Sally K. Haina (Decedent) passed away without naming a successor.

In compliance with Administrative Rule 10-3-63, the Department published legal ads in the Honolulu Star Advertiser, Hawaii Tribune Herald, West Hawaii Today, Maui News, and The Garden Island newspapers on June 6, 14, 21, 28, 2021 to notify all interested, eligible and qualified heirs of the Decedent, to submit their successorship claim to the Lease.

The Department received a successorship claim from the Decedent's daughter, Theresa, who has been determined to be at least 50% Hawaiian ancestry and 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 children, widows or widowers of the brothers and sisters, or nieces and nephews.

There is a perimeter fence on this lot and lease rent is paid current.

The Department requests approval of its recommendation.

**HAWAIIAN HOMES COMMISSION
FEBRUARY 22 & 23, 2022
INTERACTIVE CONFERENCE
TECHNOLOGY**

E – ITEMS

LAND DEVELOPMENT DIVISION

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

February 22, 2022

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Stewart Matsunaga, Acting Administrator 
Land Development Division

SUBJECT: Approval to Authorize the Chairman to enter into a new 5-Year Agreement with Hawaii Community College for its DHHL Model Home Project

RECOMMENDED MOTION/ACTION

The Hawaiian Homes Commission authorizes the Chairman to enter into a new 5-year Agreement with the University of Hawaii ("UH") to construct houses on Hawaiian Home Lands using the Hawaii Community College ("HCC") Model Home Program, subject to the availability of improved vacant lots.

DISCUSSION

On October 27, 1998, the Hawaiian Homes Commission authorized DHHL to enter into an agreement with the UH, for its HCC, to annually provide a vacant lot in the Hilo area for HCC's Model Home program. The first Agreement was signed on November 30, 1998 between DHHL & the UH. Since that initial Agreement, four additional 5-year Agreements have been entered into and twenty-four (24) homes have been built under the Agreements. A copy of the current 5-year Agreement is attached (Exhibit A).

Under HCC's Model Home program, HCC architecture students design and HCC construction students build a house during the school year. The house plan was designed by HCC architecture students in the previous school year and approved by DHHL for construction during the current school year. Each year the homes have consistently exhibited workmanship that exceeds standard construction industry standards. Since students are receiving hands-on training, they are required to redo any work which is below the expectations of the instructors.

The HCC Model Home Program partnership between DHHL and UH was first formed back in 1971 and it consisted of DHHL providing one fully improved lot per year to HCC in a DHHL Hilo subdivision. The vocational students of HCC then construct one house per year to be sold to a DHHL beneficiary. The partnership continued until 1981, it then took a 16-year hiatus and was started up again in 1998. To date, 24 houses have been constructed under these agreements. The current house under construction on Lot 63-A-2, located on Nahale-a Avenue, is being offered at cost for \$280,734.82. Appraisals average \$50,000.00 above

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constructed cost. Since the program's inception, over 4,104 UH-HCC drafting, carpentry, agriculture and welding students have participated in the program gaining on-the-job experience.

Per HHC submittal, dated October 27, 1998, discussions between the Department of Accounting and General Services ("DAGS") and the UH indicate that DHHL can enter into an agreement with UH to construct houses and procurement laws do not apply between state agencies; therefore, DHHL can pay UH to construct these homes.

The agreement will establish the responsibilities of the UH/HCC and DHHL. The following would take place:

1. DHHL would issue a notice to proceed letter to authorize HCC to apply for applicable permits and to enter the designated lot on Hawaiian home lands.
2. DHHL would review the plans and specifications of the proposed dwelling and negotiate cost to construct.
3. DHHL would budget funds for construction of house and upon submittal of an acceptable proposal by the UH/HCC, DHHL would fund the project.
4. The UH/HCC would oversee the construction of the dwelling by students and arrange subcontractors for services not available through the vocational education program of the UH.
5. The UH/HCC would ensure that construction of the dwelling complies with the state and county building code requirements.
6. Upon completion of the dwelling, DHHL would offer and award the lease to the lot to an applicant on the Hawaii Islandwide Waiting List who is able to qualify for a loan to purchase the house. The lessee's loan would reimburse the Hawaiian Home Lands Trust Fund for the interim construction funding.

If the HHC authorizes DHHL to enter into a new 5-year agreement with the UH, DHHL would seek budget approval from the HHC on an annual basis prior to the new fiscal year. At that time, DHHL will determine if a vacant, improved lot is available to the HCC for the upcoming Model Home Program for that year.

RECOMMENDATION

Land Development Division recommends approval of the motion as stated.

AGREEMENT

This agreement shall take effect on July 1, 2017, and terminate on June 30, 2022, between the DEPARTMENT OF HAWAIIAN HOME LANDS (DHHL), a public body of the State of Hawaii, and the University of Hawaii for its HAWAII COMMUNITY COLLEGE (HawCC), hereinafter referred to as the "University."

WITNESSETH:

WHEREAS, the University conducts agriculture, drafting, carpentry, electrical, diesel, and welding training through the development and construction of actual dwelling units; and

WHEREAS, the University has the requisite skill, experience and labor force to construct dwelling units; and

WHEREAS, the University has been involved in development of demonstration homes on the island of Hawaii, constructed through efforts of students in building trades as well as its contracted building contractor; and

WHEREAS, such demonstration homes support public purposes of providing affordable housing and creating a well-trained construction work force on the island of Hawaii; and

WHEREAS, the DHHL has determined the need for such dwelling units and has agreed to provide construction financing (to be budgeted annually based on cost determined through negotiations between DHHL and the University) and a buildable, vacant lot by way of a notice to proceed letter to the University for one dwelling unit annually using the available experience and product of the University; and

WHEREAS, the notice to proceed will authorize the University to obtain the necessary permits and authorize the University to enter on to the designated lot for the duration of the construction process;

NOW THEREFORE, in consideration of the premises, the parties hereto mutually agree as follows:

1. University covenants and agrees to execute all contracts for the construction of the dwelling unit. University agrees to furnish all tools, equipment, labor, assist with the permit process and complete the one dwelling unit according to the plans, specifications and drawings provided by the University and approved by DHHL.

2. That any defect in materials or workmanship which may appear during the period of construction, or within one year of the date of completion, shall be replaced or repaired by the labor and materials provided by the University at no cost to DHHL.
3. University shall comply with all federal and state laws, as well as all local laws, ordinances, rules and regulations applicable to the construction of the dwelling unit, including the uniform building code, and shall obtain all necessary permits, licenses and certificates, and give all notices required thereby.
4. Prior to final acceptance of the completed dwelling unit by the DHHL, the construction site, as improved, shall be cleaned up of excess materials, rubbish, temporary structures, and equipment by the University. All portions of the dwelling unit shall be left in a neat and presentable condition.
5. University shall itemize the cost of work put in place, materials delivered to and properly stored on site and preparatory work. The total cost to DHHL for the dwelling unit to be constructed shall be negotiated annually, a sample Cost Proposal is attached hereto Exhibit "A" and incorporated herein by reference. The DHHL shall make ONE (1) 75% up-front payment to the University upon acceptance of plans and specifications, and ONE (1) 25% payment upon DHHL's acceptance of the completed dwelling.
6. The dwelling unit shall be considered complete under this Agreement after final inspection of the dwelling unit is accepted by the DHHL as being ready for occupancy.
7. In the event of any inconsistency in the terms of this Agreement and the accepted plans, specifications and drawings, this Agreement shall be controlling. However, this Agreement shall be subject to the General Conditions negotiated annually by the parties.
8. The University shall be responsible for damages or injury caused by the University's agents, officers and employees in the course of their employment to the extent that the University's liability for such damage or injury has been determined by a court or otherwise agreed to by the University, and that the University shall pay for such damages and injury to the extent permitted by law and approved by the Hawaii Legislature.
9. This Agreement shall become effective July 1, 2017 and terminate June 30, 2022 OR upon the notice of the University or DHHL if either party fails to perform its obligations hereunder. In the event the University or DHHL exercises this right to terminate this agreement, notice of this intention to terminate shall be given in writing by registered or certified mail stating the effective date of termination, which date shall not be sooner than thirty (30) days from the date of delivery of such notice.

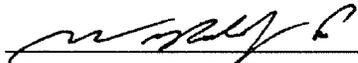
IN WITNESS WHEREOF, the parties hereto have affixed their respective signatures, and executed this Agreement effective as of the date first written above.

APPROVED AS TO FORM



DEPUTY ATTORNEY GENERAL

STATE OF HAWAII
Department of Hawaiian Home Lands

By 

JOBIE M. K. MASAGATANI, Chairman
Hawaiian Homes Commission

UNIVERSITY OF HAWAII
Hawaii Community College

By 

DUFF ZWALD, Director
Office of Procurement and Real Property
Management

HAWAII COMMUNITY COLLEGE MODEL HOME ESTIMATE for:

Department of Hawaiian Home Lands

Location: 123 Pakele Lane

Tax Map Key: 2-1-020: 108-B-2

Year: 2015-2016

MODEL HOME No. 49

Date November 23, 2015

MATERIAL SUPPLY CO.	ESTIMATED COST		
Lumber and miscellaneous	69,214	19	HPM Building Supply
Gravel (3/4" Base Course)	1,614	58	Puna Rock
#4 Sand	347	91	Puna Rock
Concrete	6,270	79	Jas W. Glover
Cmu/Mortar Sand/Grout Mix	302	08	Jas W. Glover
Glass and Glazing	5,335		Alumside
Appliances (range, washer, refrig.)		00	ears
Photovoltaic	11,196	69	Waco
Sub-Total	7,682	12	
SUBCONTRACTORS			
Painting	15,000	00	Harada Painting
Drywall (tape & texture only)	5,729	13	Mauna Kea Acoustic & Drywall
Plumbing	10,000	00	Keith Shigehara Plumbing
Termite Treatment	1,000	65	Hilo Termite & Pest Control
Carpet & Sheet Vinyl	2,820	00	Carpetisle Flooring America
Electrical	13,093	79	Inouye Electric
Structural Engineer Stamp	800	00	Ray Keuning
Sub-Total	60,304	57	
HAWAII COMMUNITY COLLEGE SHOP CHARGES			
Carpentry	4,000	00	
Drafting	1,800	00	
Agriculture	1,200	00	
Diesel	1,000	00	
Electrical	300	00	
Sub-Total	8,300	00	
SUPPLIES			
Carpentry	6,600	00	
Drafting	2,000	00	
Diesel	900	00	
Agriculture	1,100	00	
Electrical	500	00	
Sub-Total	11,100	00	

EXHIBIT "A"

ITEM NO. E-1
EXHIBIT A

PERMITS					
Building					
Electrical					
Driveway					
TEMPORARY SERVICES					
Electric		350	00		Hawaii Electric Light Co
Water (usage)		150	00		Dept of Water Supply
Water (meter)		75	00		Dept of Water Supply
Sanitol		920	00		Hawaii Johns
Wastewater		200	00		COH Wastewater
Sub-Total		1,695	00		
OTHERS					
Notice of completion		100	00		Hawaii Tribune Herald
Administrative fees		13,051	99		Administrative Fees
Sub-Total		13,151			
TOTAL (Contract Price)		19,235	68		

Joni Y. Oinahi

 HawCC Vice Chancellor for Academic Affairs

12-1-15

 Date

[Signature]

 Department of Hawaiian Home Lands

12/16/15

 Date

SAMPLE

11/23/2015 10:00 a.m.

ITEM NO. E-1
 EXHIBIT A

**HAWAIIAN HOMES COMMISSION
FEBRUARY 22 & 23, 2022
INTERACTIVE CONFERENCE
TECHNOLOGY**

F – ITEMS

LAND MANAGEMENT DIVISION

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

February 22-23, 2022

To: Chairman and Members, Hawaiian Homes Commission

From: Peter "Kahana" Albinio, Jr., Acting Administrator
Land Management Division 

Subject: Approval to Issuance of Non-Exclusive License for Access (Ingress & Egress) from a portion of Hawaiian home lands identified by TMK No: (3) 6-4-008:024 (more commonly known as Kahili Road) to Jason K. & Melita A. Deluz (Fee owners by Entirety of TMK No. (3) 6-4-001:004), Puukapu, Island of Hawaii

APPLICANT:

JASON K. & MELITA A. DELUZ "DELUZ"

RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission (HHC) approve the issuance of a non-exclusive license for access (Ingress & Egress) from a portion of Hawaiian home lands identified by TMK No: (3) 6-4-008:024 (more commonly known as Kahili Road) to Jason K. & Melita A. Deluz (Fee owners by Entirety of TMK No. (3) 6-4-001:004), situated in Puukapu, Island of Hawaii. The license shall be for vehicular and pedestrian access purposes only and for no other purpose whatsoever. Approval and issuance of this license as requested shall be subject to the following conditions:

1. The term of the access area shall commence upon full execution of the license document and terminate immediately upon licensee's sale, assignment, and/or foreclosure of the fee-simple property that the access services;
2. The access area will comprise a land area containing a total of approximately 30 linear feet or two separate 15 linear foot sections, more or less, of Hawaiian home lands as delineated in the subdivision map see Exhibit "A" attached hereto, as submitted by DELUZ;
3. The Licensee shall remit a non-refundable processing and documentation fee in the amount of \$275.00;
4. Use of the access area shall be used STRICTLY for vehicular/pedestrian ingress and egress as proposed and for no other purposes whatsoever;
5. The Licensee shall remit a one-time consideration fee as determined by a fair market summary appraisal report, conducted by a disinterested third party as procured by the Licensor. The Licensee shall reimburse the Licensor for its appraisal services as rendered.

The fair market summary appraisal report shall be based solely on said access area being a non-benefit, non-exclusive license for ingress and egress purposes only.

Additionally, the one (1)-time consideration fee as determined by the fair market summary appraisal report shall become due and payable in full within thirty (30) days from the report as dated;

6. Licensee's intended ingress and egress plans shall conform to federal, state and county (government agencies) standards. Licensee shall obtain applicable permits and approvals from government agencies prior to the commencement of any work on the property that requires such permits and approvals;
7. Licensee shall act as a good neighbor to the adjoining DHHL subdivision and community at large who shares and traverses over Kahilu Road area and be responsible for general maintenance of the license access area;
8. Any construction or alteration of the access area shall require DHHL written consent and approval;
9. The Chairman of the Hawaiian Homes Commission and/or the Hawaiian Homes Commission is authorized to impose such other conditions deemed prudent and necessary to serve the best interests of the trust and its beneficiaries; and
10. The license document will contain the standard terms and conditions of similar licenses issued by DHHL and shall be subject to review and approval by the Department of the Attorney General.

LOCATION:

Portion of Kahilu Road, Puukapu, Island of Hawaii, identified as Tax Map Key: (3) 6-4-008:024 (por.) See Exhibit "B-1 & B-2"

AREA:

Approximately thirty (30) linear feet or two (2) separate fifteen (15) linear foot sections

DISCUSSION:

William Byrns, Esq., from the law offices of Rush Moore LLP, submitted a request for a grant of easement to provide vehicular and pedestrian access for its client "DELUZ." The access as requested would come directly from a portion along the existing Kahilu road which is a paved road owned and maintained by DHHL and abuts the DELUZ fee simple property along its southern boundary. The access will cover two separate points totaling approximately 15 linear feet each.

Appraisal Review

Since Kahilu Road is identified as a private road but actively used as a public road LMD does not have any information for comparable land values for easement access purposes to reference and justify a fair consideration fee. Therefore, LMD will seek to procure a disinterested third-party appraisal firm to determine a fair consideration fee value for the purpose as proposed.

PLANNING AREA:

Puukapu, Hawaii Island

LAND USE DESIGNATION:

Supplemental Agriculture

CURRENT STATUS:

Although identified as a private road it is actively used as a public road (Kahilu Road)

CHARACTER OF USE:

Road Utility Use Purposes

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Triggers:

Use of State Lands

Exemption Class No. & Description:

In accordance with the "Comprehensive Exemption List for the State of Hawaii, Department of Hawaiian Home Lands, as Reviewed and Concurred Upon by the Environmental Council on June 30, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption List Type 1 Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing: Item #3 Patching, resurfacing, striping and cleaning of pavement surfaces including, but not limited to, streets, roads, highways, pedestrian ways and walkways, bike paths, driveways, parking lots and appurtenances.

The direct, cumulative, and potential impacts of the action described have been considered pursuant to Chapter 343, Hawaii Revised Statutes and Chapter 11-200, Hawaii Administrative Rules. Since the action as proposed is determined to have minimal or no significant impact on the environment it would therefore be exempt from the preparation of an environmental assessment. The Planning Office processed the documentation that reflects the action as being eligible for

exemption from the preparation of an Environmental Assessment under the Exemption Class as referenced above. The documentation is attached as Exhibit “C”.

AUTHORITY / LEGAL REFERENCE:

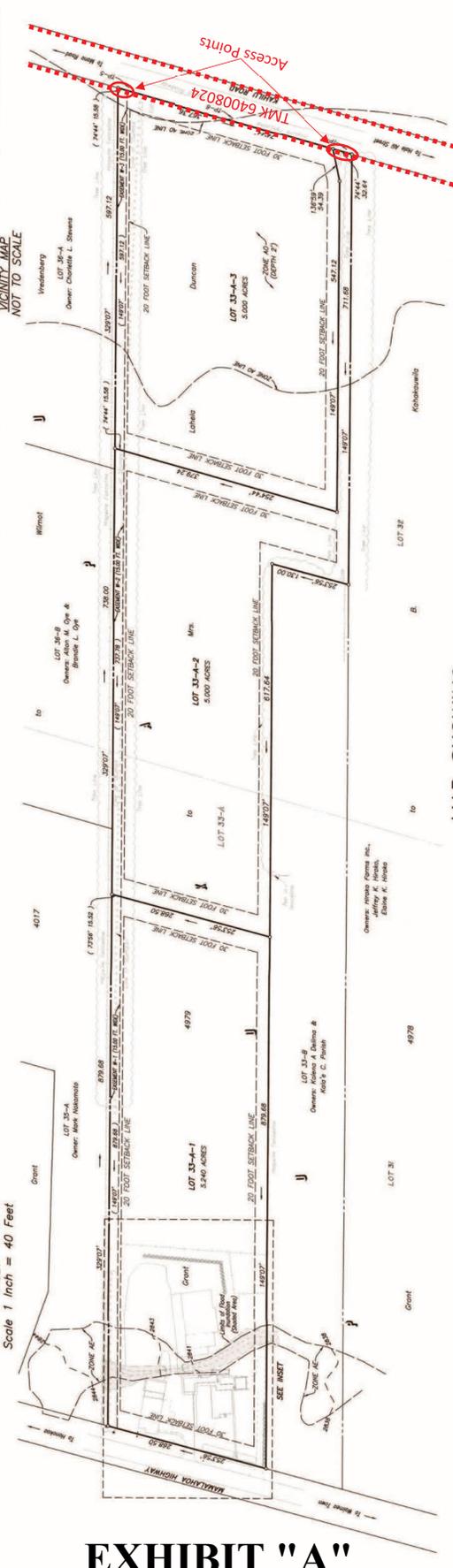
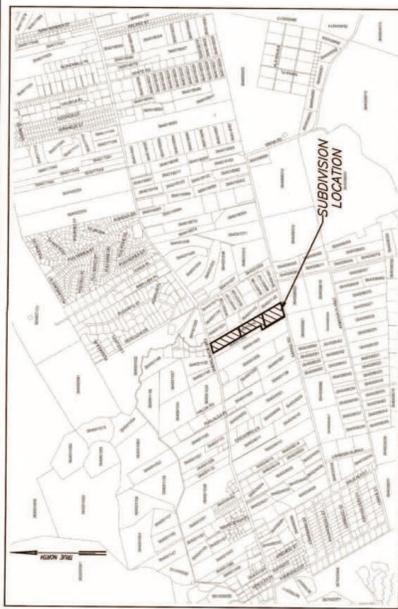
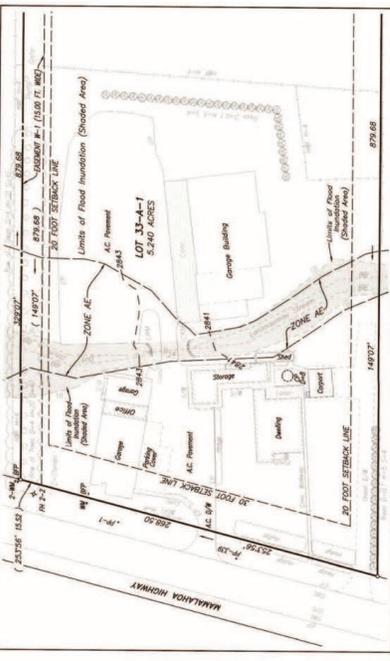
§ 207(c)(1)(A) of the Hawaiian Homes Commission Act, 1920, as amended, authorizes the department to grant licenses for the use of Hawaiian Home Lands for public purposes.

§ 10-4-21 of the DHHL Administrative Rules requires the applicant to pay for all costs incurred by the department for the processing of a license application, including a non-refundable processing fee of \$200.00. It also allows for a rental to be charged should the use benefit other than the department or native Hawaiians.

§ 10-4-22 of the DHHL Administrative Rules authorizes the issuance of licenses for public purposes, as easements in perpetuity or shorter term, subject to the easement being reverted to the department upon termination or abandonment.

RECOMMENDATION:

Land Management Division respectfully requests approval of the motion as stated



Map Information:
 Prepared for:
 Jason K. Deluz and Melitta A. Deluz
 Tenants by the Entirety (Owners)

Site Address:
 64-791 Māmalaha Highway

Professional Information:
 DAWN R. ELDRIDGE
 LICENSED PROFESSIONAL LAND SURVEYOR
 Certificate No. 14262/Expires 1/20/22
 Mrs. Hawaii Code
 July 8, 2021

Map Information:
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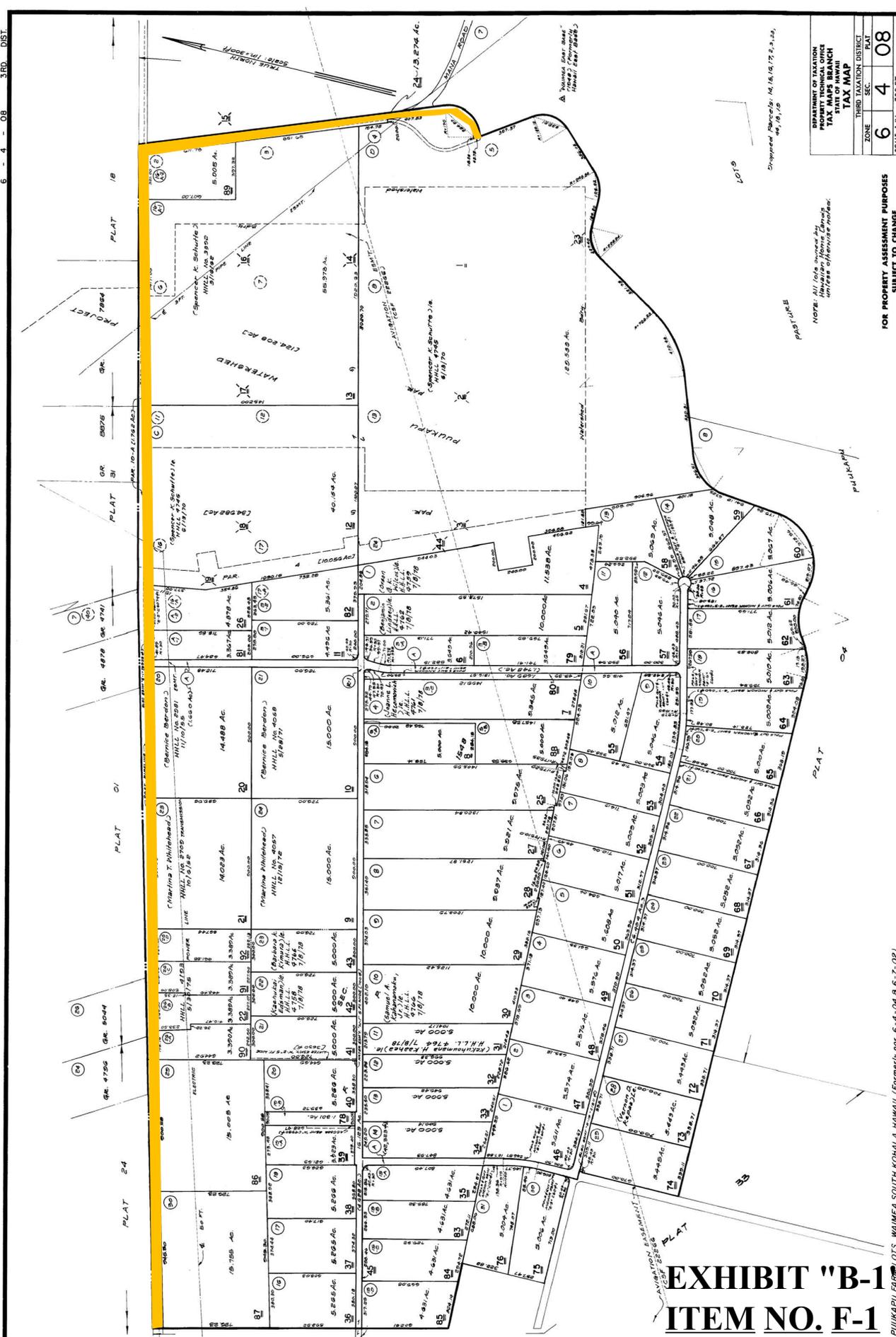
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EXHIBIT "A"
ITEM NO. F-1



DEPARTMENT OF TAXATION PROPERTY TAX MAPS BRANCH STATE OF HAWAII TAX MAP			
ZONE	THIRD TAXATION DISTRICT	PLAT	6 4 08
SCALE: 1 IN. = 300 FT.			

NOTE: All lots shown by
this map are subject to
assessment purposes
unless otherwise noted.

FOR PROPERTY ASSESSMENT PURPOSES
SUBJECT TO CHANGE

EXHIBIT "B-1" ITEM NO. F-1

PUIKAPU PARCEL LOTS, WAIIMEA, SOUTH KOHALA, HAWAII (Formerly par. 6-4-04 B 6-T-02)



Parcel Information

Parcel Number 640080240000
 Location Address
 Project Name
 Property Class AGRICULTURAL For zoning information, refer to [Zone Maps](#)
 Neighborhood Code 1100
 Legal Information
 Land Area (acres) 13.2740
 Land Area (approximate sq ft) 578,215

[View Map](#)
[Plat \(TMK\) Maps](#)

Owner Information

Owner Names HAWAIIAN HOME LANDS Fee Owner Mailing Address [HAWAIIAN HOME LANDS](#)

Assessment Information

Show Historical Assessments

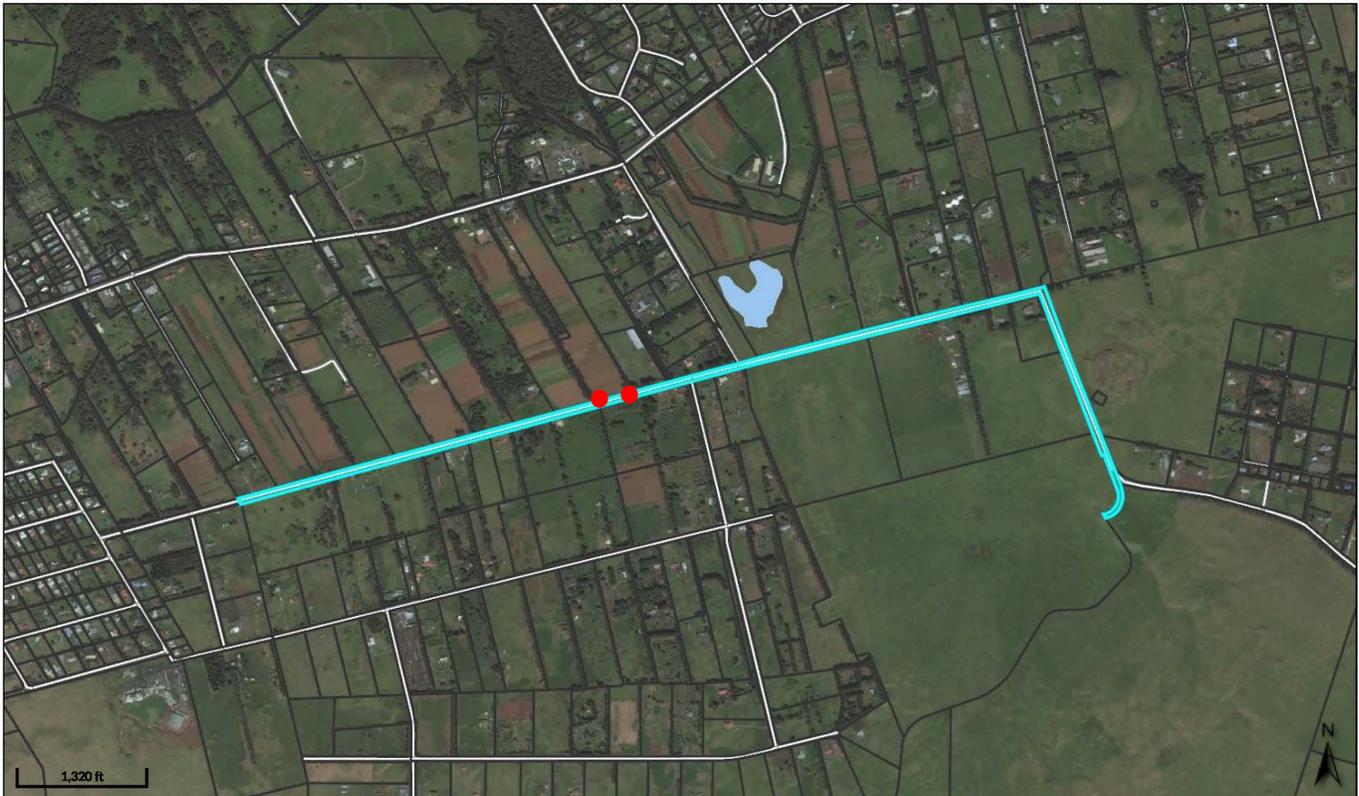
Year	Property Class	Market Land Value	Assessed Land Value	Assessed Building Value	Total Taxable Value
2021	AGRICULTURAL	\$100	\$100	\$0	\$0

Land Information

Property Class	Square Footage	Acreage	Agricultural Use Indicator
AGRICULTURAL	578,215	13.274	

No data available for the following modules: Condominium/Apartment Unit Information, Agricultural Assessment Information, Residential Improvement Information, Commercial Improvement Information, Sketches, Other Building and Yard Improvements, Permit Information, Sales Information, Current Tax Bill Information, Historical Tax Information.

[User Privacy Policy](#)
[GDPR Privacy Notice](#)
 Last Data Upload: 2/14/2022, 2:14:53 AM



Parcel ID 640080240000
 Acreage 13.274
 Class AGRICULTURAL

Situs/Physical Address
 Mailing Address HAWAIIAN HOME LANDS

Market Land Value \$100
 Dedicated Use Value \$0
 Land Exemption \$100
 Net Taxable Land Value \$0
 Assessed Building Value \$0
 Building Exemption \$0
 Net Taxable Building Value \$0
 Total Taxable Value \$100

Last 2 Sales
 Date Price Reason Qual
 n/a 0 n/a n/a
 n/a 0 n/a n/a

EXHIBIT "B-2"
ITEM NO. F-1

Brief Tax Description n/a

DEPARTMENT OF HAWAIIAN HOME LANDS
Planning Office
February 14, 2022

TO: William J. Ailā, Jr., Chairman
Hawaiian Homes Commission PO-22-046

FROM: Andrew H. Choy, Acting Planning Program Manager

SUBJECT: LMD Grant of Non-Exclusive License for Access (Ingress & Egress) to Jason K. & Melita A. Deluz on TMK (3) 6-4-008:024 & (3)-6-4-001:004 for Vehicle and Pedestrian Access Exemption from HRS Chapter 343 Environmental Assessment Preparation for De Minimis Action

Recommended Action

That the Chairman exempt LMD Grant of License Easement to Jason K. & Melita A. Deluz on TMK (3) 6-4-008:024 for Vehicle and Pedestrian Access, a de minimis action from preparation of an environmental assessment per HRS Chapter 343.

Discussion

To ensure that all activities on DHHL lands are in compliance with Federal, State and County regulations, Planning Office offers the following recommendation to the Chairman on whether or not to exempt the proposed projects on DHHL lands from HRS Chapter 343. Per the statute, certain projects are exemptible from the environmental review process if the projects meet certain requirements as stated in Hawaii Administrative Rules (HAR) Section 11--200.1-8 subchapter 8 "Exempt Actions, List and Notice Requirements." HAR Section 11-200.1 also states that State and County agencies can prepare their own Chapter 343 exemption list. Activities on agency exemption lists must be consistent with Section 11-200.1 HAR exemption requirements and be approved by the state Environmental Council. In addition, Pursuant to HAR §11-200.1-16, DHHL considers activities listed in Part I of the approved exemption list to be de minimis, that by their nature do not have the potential to individually or cumulatively adversely affect the environment more than negligibly.

The proposed action meets the criteria for the following de minimis activity:

Type 1 Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing

Item #3 Patching, resurfacing, striping and cleaning of pavement surfaces including, but not limited to, streets, roads, highways, pedestrian ways and walkways, bike paths, driveways, parking lots and appurtenances

Based upon HAR Section 11-200.1 exemption criteria and DHHL's approved exemption list, the Planning Office concluded that the LMD Grant of Non-Exclusive License for Access (Ingress & Egress) to Jason K. & Melita A. Deluz on TMK (3) 6-4-008:024 & (3)-6-4-001:004 for Vehicle and Pedestrian Access is a de minimis action eligible for exemption from the environmental assessment process and an exemption declaration is not required.

Concur

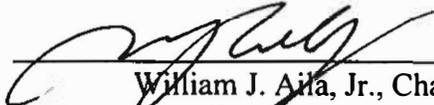

William J. Ailā, Jr., Chairman
Hawaiian Homes Commission

EXHIBIT "C"
ITEM NO. F-1

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

February 22-23, 2022

To: Chairman and Members, Hawaiian Homes Commission

Through: Peter "Kahana" Albinio, Jr., Acting Administrator
Land Management Division *UK*

Kalei Young, Supervising Land Agent
Land Management Division

From: Shelly Carreira, Land Agent *SC*
Land Management Division

Subject: Approval to Issue a Right of Entry to Frank V. Coluccio Construction Company, Inc.,
Puowaina, Honolulu, Oahu, TMK: (1) 2-2-005:035 (por.)

APPLICANT:

Frank V. Coluccio Construction Company, Inc. "PERMITTEE"

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) grant its approval to issue a Right of Entry (ROE), to Frank V. Coluccio Construction Company, Inc. covering the subject area as identified and described below for the purpose of staging and storing construction equipment and materials related to the City and County of Honolulu, Board of Water Supply infrastructure improvements and Kalawahine water tank project.

Approval of this license is subject to the following conditions:

1. The Premises shall strictly be used by PERMITTEE for purposes of baseyard and storage facilities only. No sub-rental or other uses shall be permitted without the prior written consent of PERMITTOR;
2. Monthly fee for the Premises shall be established at TWO THOUSAND ONE HUNDRED THIRTY-THREE AND NO/100 DOLLARS (\$2,133.00) and based on \$0.64 per square foot.
3. PERMITTEE shall be required to pay a non-refundable processing and documentation fee of \$175.00 and place a security deposit equal to two months rent. The security deposit shall be \$4,266.00;
4. PERMITTEE shall provide proof of a commercial general liability insurance policy of no less than \$1,000,000.00 for each occurrence, naming the DHHL as additional insured;
5. PERMITTEE shall comply with all applicable governmental laws, rules, regulations, and procedures relating to the operation and activities under this permit. Upon termination of this

Permit, PERMITTEE shall be responsible for environmental testing and subsequent clean-up of any contamination or hazardous materials found on the site that may have been caused by PERMITTEE'S use;

6. PERMITTEE agrees to rent the Premises in "as is" condition and shall maintain the Premises in a neat and clean condition, including trimming overgrown vegetation and disposing of trash on a regular basis. No new construction shall be allowed without prior approval of PERMITTOR. No major alteration or addition of any kind shall be made to the Premises unless plans are first submitted and approved by PERMITTOR;
7. All hazardous and/or toxic materials, including trucks and equipment containing hazardous and/toxic materials, that could cause contamination of the soil or ground water must be stored on impermeable surface, such as concrete or asphalt pavement. Such surface must be maintained in good repair and approved by PERMITTOR prior to PERMITTEE occupying the Premises. Major equipment repair or servicing shall not be allowed;
8. PERMITTEE may be required to remove and dispose of all surface material, including asphalt paving and concrete slab that becomes contaminated beyond the allowable Department of Health limits due to PERMITTEE'S use;
9. PERMITTEE shall take reasonable measures in preventing any hazardous materials from leaching on the Premises. Proper storage of any oil or gasoline is required;
10. PERMITTEE agrees to pay for all the costs of establishing utility services to the property and pay for all consumption of utilities on the Premises, should PERMITTEE'S use require such utility services;
11. PERMITTEE shall be solely responsible for the security of all items stored on the Premises. PERMITTEE shall be allowed to install a security fencing, however, if PERMITTEE intends to install other types of security systems, PERMITTEE must first request and obtain PERMITTOR'S written approval;
12. No residential use shall be permitted, including temporary overnight camping. However, PERMITTEE shall be allowed to provide a shelter for security personnel, if such persons are hired for security purposes;
13. PERMITTEE shall be allowed to fence the Premises and place temporary structures on the property provided said structures are used as an office, storage space or a work area. PERMITTOR reserves the right to limit the number of structures or require removal if the structures that are not maintained in good condition. No new construction shall be allowed without prior approval from PERMITTOR. No major alteration or addition of any kind shall be made to the Premises unless plans are first submitted and approved by PERMITTOR;
14. Prior to vacating the Premises, PERMITTEE shall remove, at PERMITTEE'S expense, all of the PERMITTEE'S equipment, constructed improvements, trash, goods and materials and restore the area to a condition as good as or better than that which existed prior to PERMITTEE'S use. PERMITTEE shall also notify PERMITTOR to do a site inspection when PERMITTEE has completed removal;
15. Other standard terms and conditions of similar permits issued by PERMITTOR, such as liability insurance, site maintenance and real property tax payments;

16. The ROE agreement shall be subject to the review and approval of the Department of the Attorney General; and
17. Such other terms and conditions as may be prescribed by the Hawaiian Homes Commission to best serve the interest of the Hawaiian Home Lands Trust.

LOCATION:

Portion of Hawaiian home lands situated in Puowaina, Papakolea, Island of Oahu, as further identified as TMK: (1) 2-2-005:035 (por.) (See Exhibit “A”)

AREA:

0.918 acres or 40,000/square feet

BACKGROUND/DISCUSSION:

Pursuant to the attached letter dated February 2, 2022 (Exhibit “B”), Frank V. Coluccio Construction Company (FVCCC) is requesting use of a portion of the subject Hawaiian home lands parcel for the purpose of storing material and equipment related to the Board of Water Supply’s Kalawahine 180’ 2.0 Reservoir Connecting Pipeline project. The project involves installing a new 24-inch water main on Pensacola Street between Kinau Street and Nehoa Street and on Auwaiolimu Street between Nehoa Street and Anianiku Street.

The area is frequented by trespassers dumping trash, debris, and taking up occupancy on the parcel. The State expended \$36,000 to remove homeless encampments during three separate clean ups occurring from February 2020 – September 2021. FVCCC’S presence on the property will help deter trespassing and dumping on the subject parcel.

Based on City and County of Honolulu Real Property Assessment Division and Land Management Division in-house rent calculation, the proposed fee would be established at \$0.64, see Figure No. 1.

Figure No. 1

TMK: 220050350000 – City and County of Honolulu Real Property Assessment			
Assessment Information			
Year	Property Class	Assessed Land Value	Land Area
2022	Residential	\$5,086,600.00	653,400 sq.ft.
Fee Calculation		\$5,086,600.00 / 653,400 =	
Market Rent Per Sq. Ft. Value at 8%		\$0.64	
Amount of land requested		40,000 sq.ft.	
Market Return Rate at 8%		\$2,133.00 per month	

The proposed monthly fee is based on 40,000 sq.ft. X \$0.64/12 months.

PLANNING AREA:

Honolulu Ahupua'a - Papakolea

LAND USE DESIGNATION:

Special District

CHARACTER OF USE:

Special District

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

The recommended disposition is consistent with the following General Plan goals and objectives:

DHHL General Plan (2002) goals and objectives:

Land and Resource Management

Goals:

- Be responsible, long-term stewards of the Trust's lands and the natural, historic and community resources located on these lands.

Objectives:

- Manage interim land dispositions in a manner that is environmentally sound and does not jeopardize their future uses.

AUTHORITY

Hawaii Revised Statutes, Section 171-55 Permits.

RECOMMENDATION

Land Management Division recommends approval of the requested motion/action as stated.



ITEM NO. F-2
EXHIBIT "A"

February 2, 2022

Mr. William J. Aila, Jr.
Chairman
Hawaiian Homes Commission
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

SUBJECT: Request to Rent TMK 22005035 for BWS Kalawahine Pipeline Project

Dear Mr. Aila, Jr,

FV Coluccio Construction Company, Inc. (FVCCC) has been awarded the Kalawahine 180' 2.0 Reservoir Connecting Pipelines project by the Board of Water Supply. The project involves installing a new 24-inch Water Main on Pensacola Street between Kinau Street & Nehoa Street and on Auwaiolimu Street between Nehoa Street and Anianiku Street. The project is expected to begin June 2022 and end December 2023.

FVCCC requests to rent a portion of the Hawaiian Home Lands Property TMK 22005035 and use it as a material & equipment storage area. If the Hawaiian Homes Commission is interested, FVCC is willing to perform services on the property in lieu of rent.

Please see the attached marked up map showing the potential area to be used.

Also, please see the attached Property Information TMK map.

Please call or email me if you have any questions regarding this request.

Sincerely,



Jordan Bleasdale
FV Coluccio Construction Company, Inc.
(808) 864-6225
jordan@fvcoluccio.com

ITEM NO. F-2
EXHIBIT "B"

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

February 22-23, 2022

To: Chairman and Members, Hawaiian Homes Commission

From: Peter "Kahana" Albinio, Jr., Acting Administrator
Land Management Division 

From: Kaipo Duncan, Land Agent
Land Management Division 

Subject: Issuance of a Right of Entry Permit, Aina Alliance, Anahola, Island of Kaua'i, TMK Nos.: (4)4-8-003:018,019,021,026, (4)4-8-014:003, & (4)4-7-004:003,004,007

APPLICANT:

AINA ALLIANCE (See Exhibit A)

RECOMMENDED MOTION/ACTION: That the Hawaiian Homes Commission (HHC) authorize the issuance of a Right of Entry Permit to Aina Alliance covering the subject area as identified and described below to use as a Stewardship and Management area:

Approval and issuance of this Right of Entry (ROE) shall be subject to the following conditions:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment (EA).
2. Authorize the issuance of a ROE Permit to Aina Alliance, covering the subject area for use as a Stewardship, Management and Maintenance area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current ROE Permit form, as may be amended from time to time;
 - 1) Permittee shall use the Premises for Stewardship, Management, and Maintenance purposes. No other use shall be allowed without DHHL's prior written approval.
 - 2) Aina Alliance shall Steward approximately 432 acres of DHHL land to be used under this ROE permit.
 - 3) Monthly fee shall be gratis.
 - 4) Permittee shall pay non-refundable processing and documentation fees totaling \$175.00.

3. This ROE shall conform to Federal, State, and County (government agencies) standards. Permittee shall obtain applicable permits and approvals from government agencies prior to the commencement of any work on the property that requires such permits and approvals;
4. Any construction or alteration of the permit area shall require DHHL approval;
5. All utilities shall be paid by Aina Alliance. Approval by the DHHL Main Kapolei Office and the County of Kauai is needed to access potable water and address sewer requirements. Electricity needs the approval of Kauai Island Utility Cooperative (KIUC).
6. All trash and debris accumulated shall be removed immediately from the site the same day or at the latest the next day. This is to deter the presence of flies and bad odors from being a nuisance to area neighbors. Furthermore, any bad odors from animals or any other entity shall be addressed immediately.
7. No Residential living on the site unless given prior approval by the Hawaiian Homes Commission(HHC).
8. No new construction shall be allowed without the prior approval of DHHL. Should construction be allowed by DHHL all Federal, State and County of Kauai approvals and building permits shall be obtained.
9. DHHL reserves the right to have Aina Alliance do an Environmental Assessment(EA) if Staff feels an EA is warranted.
10. There shall be no favoritism extended toward any individuals or groups with regard to access to Anahola Coastline. All people and organizations shall be treated the same. This ROE may be cancelled if DHHL finds that favoritism exists.
11. The ROE document shall be subject to other standard terms and conditions of similar ROE's issued by DHHL;
12. Review and approval by the State of Hawaii, Department of the Attorney General; and
13. Such other terms and conditions deemed prudent and reasonable by the Chairman of the Hawaiian Homes Commission (HHC) and/or the HHC to serve the best interests of the trust and its beneficiaries.

LOCATION:

Hawaiian Home Lands in Anahola, Island of Kaua'i, along Anahola Coastline and below Kuhio Highway, identified as tax map key no.: (4)4-8-003:018, 021,026, (4)4-8-014:003, & (4)4-7-004:003,004,007

AREA:

Approximately 432 acres.

DISCUSSION:

Mr. Jeremie Makepa, President of Aina Alliance, an Anahola Non-Profit entity, submitted a Non-Profit Organization Application for Long Term Use of DHHL lands in an email dated October 25, 2021, for the Stewardship and Management of Anahola Coastline and DHHL lands located Makai of Kuhio Highway at TMK Nos: (4) 4-8-003:018,021,026, (4) 4-8-014:003, & (4) 4-7-004:003,004,007 in Anahola, Kauai.

These vacant lands have been plagued with hundreds of fires over the last few years, illegal trespassing/camping, and illegal dumping of cars, trash, tires, appliances, and green waste that has been dangerous to the Anahola Community. People are afraid to go and bring their young children to Anahola Coastline for fear of being harassed or harmed by drug addicted illegal campers who carry weapons. Aina Alliance's Management of these lands would deter all illegal activity and provide a safe and productive environment for current and future Beneficiaries.

Mr. Makepa, a Kauai Fire Department(KFD) Captain with close to 20 years of service with KFD, was instrumental in obtaining help from the State Department of Land and Natural Resources, Department of Forestry and Wildlife (DOFAW) and the County of Kauai, Public Works to cut over 5 miles of firebreaks in this area to prevent brushfires from spreading and getting close to residential homes in Anahola.

Over the last year Mr. Makepa has helped to organize and plan large scale Anahola Community clean ups along Anahola coastline. With the help of 100's of volunteer's tons of trash, debris, tires, junk cars, appliances, and green waste were removed from the coastline.

The long-term goal of Aina Alliance is to develop a modern day Ahupua'a to help DHHL house people currently on the Kaua'i DHHL waitlist by creating tiny villages. The community will be self-sustaining with minimal cost to DHHL. These villages will be surrounded by agricultural, recreational, and cultural assets to feed their body and soul.

Security and Maintenance of Anahola Coastline will be provided by Aina Alliance. This will include controlled access to the coastline such as daylight hours only, similar to other beach communities on Kaua'i. Regular security patrols along with controlled access points will help to deter the illegal activity that now occurs all hours of the day.

DHHL staff has developed procedures, processing criteria, and the required documentation necessary to conduct a thorough due diligence review based on the Hawaiian Home Commission's (HHC) discussions and approvals of the Waimea Homestead Association's Waimea Nui Project.

Process/Procedure Work Flow

1. Applicant submits the Non-Profit Organization Application for Long Term Use of DHHL lands
2. DHHL sends Acknowledgement letter, notification that additional documents will be required pending HHC submittal, and that other applicants may also be requesting use which will trigger a community meeting to ensure a fair opportunity to use the land and so that the best project is selected for the property based on homestead community needs.
3. DHHL submits HHC submittal (February 22-23, 2022) which starts due diligence review sends checklist to applicant to collect all the documentation required for the disposition.
4. Applicant submits supporting documents to allow DHHL Divisions to conduct review and report to LMD.
5. LMD packages disposition for HHC approval.

6. LMD letter to applicant commencement of the disposition.

Proposed due Diligence Review Checklist:

1. Non-Profit Organization Application for Long Term Use of DHHL lands
2. Land Use Request Assessment Worksheet(consistency)
3. Governing Documents, Mission Statement, DCCA
4. Number of members who are homesteaders from the affected homestead community (controlling interest)
5. Business/Project Plan review (feasibility)
6. Financial Plan Review (sustainability)
7. Project development schedule and timeline
8. Verification experience, track record and homestead acceptance explain relationship to homestead community (consultation, letters of support, partnerships)
9. Environmental Review and Community Benefits if applicable.

DHHL staff has held discussions with Aina Alliance during 2021-2022 and they have provided the necessary documentation as follows:

1. Non-Profit Organization Application for Long Term Use of DHHL lands. Aina Alliance requests the use of approximately 432-acre property for the Management and Stewardship of Anahola coastline and area below Kuhio Highway(October 25, 2021)
2. Land Use Request Assessment Worksheet was completed by DHHL staff. The use will not change and should not require an environmental assessment. (October 2021)
3. Governing Documents, Mission Statement, DCCA and IRS documents will be produced in the near future.
4. Business/Project Plan to be developed with the help of the Anahola Community.
5. Financial Plan and Pro-forma pending.
6. Project development schedule and timeline will be further detailed during right of entry period and presented prior to consultation for a possible long-term lease or license.
7. Verification experience, track record and homestead acceptance explain and relationship to the Anahola DHHL Homestead community will be developed during right of entry period prior to consultation and disposition approval.
8. Environmental Review and Community Benefits, environmental not applicable, Stewardship will serve DHHL Beneficiaries.

PLANNING AREA:

Anahola Coastline, Makai of Kuhio Highway, Anahola, Kauai (See Exhibit “B”)

LAND USE DESIGNATION:

Residential(R), Special District(SD), and Commercial(C), Kaua'i Island Plan (2004), Figure 8.2 – Anahola/Kamalomalo'o Land Use Plan, pg. 8-4

CURRENT STATUS:

The site is vacant with trees, grass, and shrubbery. In the last five (5) years 100's of fires have burned in this vicinity causing panic to the area residents. Also, the site is prone to heavy illegal dumping and illegal trespassing/activity/camping.

CHARACTERER OF USE:

Management, Stewardship, and Maintenance

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Triggers:

Use of State Lands

Exemption Class No. & Description:

In accordance with the "Comprehensive Exemption List for the State of Hawaii, Department of Hawaiian Home Lands, as Reviewed and Concurred Upon by the Environmental Council on June 30, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption List Class No. 5, "Resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. Any grubbing will be required to have erosion control measures in place."

Exemption Item Description from Agency Exemption List:

The direct, cumulative, and potential impacts of the action described have been considered pursuant to Chapter 343, Hawaii Revised Statutes and Chapter 11-200, Hawaii Administrative Rules. Since the action as proposed is determined to have minimal or no significant impact on the environment it would therefore be exempt from the preparation of an environmental assessment. The DHHL Planning Office (PO) has documented the action as being eligible for exemption from the preparation of an Environmental Assessment under the Exemption Class as referenced above.

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

DHHL General Plan (2002)

The recommended disposition is consistent with the following General Plan goals and objectives:

Land Use Planning

Goals:

- Utilize Hawaiian Home Lands for uses most appropriate to meet the needs and desires of the beneficiary population.
- Develop livable, sustainable communities that provide space for or access to the amenities that serve the daily needs of its residents.

Objectives:

- Provide space for and designate a mixture of appropriate land uses, economic opportunities, and community services in a native Hawaiian-friendly environment.

Kauai Island Plan (2004)

The recommended disposition is consistent with the following elements of the Kauai Island Plan:

The site is designated for Residential(R), Special District(SD), and Commercial(C) consistent with the Kauai Island Plan. Table 2.1 DHHL Land Use Designations page 2-7 and Figure 8.2 Anahola/Kamalomalo'o Land Use Plan page 8-4.

RECOMMENDATION:

Land Management Division (LMD) respectfully requests approval of the motion as stated.

Name of Organization: Aina Alliance

Date of Incorporation: 9/09/2021

IRS Tax-Exempt #: 87-2570566

1. Please identify one individual who will be the point of contact for this application:

Contact Name: Jeremie Makepa

Title: President

Email Address: aina.alliance.808@gmail.com

Phone: 808-482-0257

2. What is the mission/vision of your organization?

Mission: Convert Land liabilities into Community Assets

3. Please describe the history of your organization.

Aina Alliance is a nonprofit organization that was formed to become the bridge that links organizations and individuals for the common goal of rehabilitating and revitalizing land areas and converting them into usable community assets. This growing network of partners was united to resolve the environmental and life safety hazards that plagued the unused areas of Anahola's DHHL Coastline.

Originally started as a fire mitigation project by Fire Captain, Jeremie Makepa, he found that the problems went much deeper. Tons of trash, tires and appliances piled up over years of illegal dumping. Hundreds of abandoned vehicles stripped and burned littered the coast. Several groups of illegal camps were set up throughout the area with no infrastructure, leaving unpermitted dwellings, hazardous human waste and trash behind. The area was in a state of emergency that needed systematic planning and execution to resolve. Captain Makepa used his training in Emergency Management to methodically find the resources and partners to tactically resolve these issues.

This project continues today with partners from State, County, and private sectors. Hundreds of individuals have joined the efforts to help clean this area up. This network operated with no name, just a common goal, for the last 8 months. Now we come forward, to formally request further access to assist this area by creating a nonprofit and naming our team, the Aina Alliance.

4. How has your organization previously served beneficiaries of the Hawaiian Homes Commission Act?

Aina Alliance was formed by beneficiaries Jeremie Makepa and Frank Cummings to formalize the work they have done to provide safety and security to the residents and beneficiaries of the Anahola area. We have saved the DHHL hundreds of thousands of dollars by organizing the massive hazard mitigation project going on in Anahola Makai. We have reduced crime and criminal property damage by securing unauthorized areas. We have removed tons of trash and abandoned vehicles from the beaches so that beneficiaries may once again use them safely. We plan to continue this service under the nonprofit Aina Alliance.

5. Describe past experiences, projects, or programs in the last five years that illustrate consistency with your organization's mission/vision statement.

EXHIBIT "A"

ITEM NO. F-3

The Anahola Hazard Mitigation project has been an enormous undertaking that spans over 400 acres of land. We have organized the creation of several miles of fire break roads that now allow easier access to beaches. We have initiated volunteer clean up events that have removed over 70 abandoned vehicles from the beaches. We have taken out tons of trash, metal, glass and marine debris from the coast line. These cleared areas now serve as safe places for schools to conduct place-based labs and help with native plant restoration. We have removed illegal camps, vehicles, and trash from sacred sites where iwi kupuna are located. This site is now clear and has allowed for Native Hawaiian ceremonies to be held in this location.

6. Please provide references (name and contact information) and/or Letters of Support for this application for non-homestead use of Hawaiian Home Lands.

Aina Alliance is newly formed so many of our partners will be unfamiliar with the name. But all listed below will know its President, Fire Captain Jeremie Makepa and the efforts made toward the Anahola Clean up projects.

DHHL: Commissioner Dennis Neves, Kaipo Duncan, Erna Kamibayashi

County Officials: Mayor Derek Kawakami, County Council Members Kipukai Kualii, Bernard Carvalho, Billy DeCosta

Kauai Fire Department: Fire Chief Steven Goble

State DLNR, Division of Forestry and Wildlife: Mapuana OSullivan, Kawika Smith

Kauai Police Department: Danny Oliviera, Jason Scalzo

Pi'ilani Mai Ke Kai: Kahanu Keawe

Kanuikapono: Principal Kanoe Ahuna

Hoakeolapono Trades Academy: Lawaia Naihe

Kukulu Kumuhana o Anahola: Rae Nam

Malama Anahola: Steven Kau

And many more if needed

7. If you are developing your project in partnership with another organization(s), please describe the roles and responsibilities of each organization during project development, implementation, and long-term management.

Aina Alliance is a network of partnerships with organizations all under the leadership and management of Fire Captain Jeremie Makepa. Currently we are in the clean up phase with hazard removal. Hundreds of volunteers are registered by KKOAA and follow the incident action plan developed by Cpt. Makepa. Business groups bring in heavy machinery to haul vehicles and large items to a transfer station. Community groups detail the area by hand for small items. Garden Island Disposal provides roll-off trash bins for hauling to waste facilities.

Next phase is controlled burning implemented by the Kauai Fire Department. As areas are cleared of trash and cars, hundreds of acres will be burned to quickly reduce the flammable vegetation to manageable levels. Private companies like A-town Trucking will bring in Dozers and excavators to assist in preserving desirable trees and landscaping. Volunteers will come in and help with further landscaping and native plant restoration.

To maintain control of such a large area, security and fencing will be upgraded. Kauai Police Department has increased patrols with quick reporting of incidents by our team members.

Security offices will be strategically located to deter current problems of unauthorized entry, illegal dumping, abandoned cars, and fire incidents. Hoakeolapono Trades Academy will use their students and interns to build small offices that can be moved by forklift to temporary locations as needed. Hoakeolapono will also build and install the perimeter security fencing and pastoral fencing.

Coastline restoration will be completed by educational and other nonprofit groups. Kanuikapono will continue Ahupua'a place-based labs and native plant restoration. Surfrider foundation will continue shoreline marine debris removal. Citizen Forester will add larger trees to the landscape. Other partners have identified interest in limu restoration, fishpond restoration, and coral restoration. We will continue beach park type development at the area known as Papaloa. We plan to create a Native Hawaiian cultural preserve and educational area at the sacred site with 'iwi kupuna known as Anapalau.

To keep the flammable vegetation from growing to high, pastoral areas will be installed. Graze to Grain Community ranching will partner to design the facility and donate the cattle. Hoakeolapono has an Agricultural Trades Program in development to teach students about farming. These students and staff will manage the farming aspects of this new Ahupua'a.

In the long-term we hope to build our network of partners strong enough to support a fully sustainable modern Ahupua'a.

8. Describe the project. What are your project goals and objectives? What kinds of activities, programs, and/or services will you provide? Describe the need for your project and how it will benefit the DHHL trust, homestead lessees, and/or waitlist applicants.

Our long term goal is to develop a modern Ahupua'a that lives in harmony with nature with renewable energy and self-sustaining agricultural output. We will have tiny villages with minimal infrastructure that would allow more beneficiaries housing opportunities with minimal cost to the DHHL. These villages will be surrounded by agricultural, recreational, and cultural assets to feed their body and soul. The beautifully maintained coastline will now allow for multiple opportunities for eco-tourism entrepreneurship by the beneficiaries to feature Native Hawaiian lifestyles, and cultural practices.

9. Please share your current thinking about the following project elements:

a. The planning process and your efforts to include beneficiaries.

Planning is done by beneficiaries for beneficiaries. We live and work in this area and want the best for our families and the community.

b. Beneficiary involvement throughout the duration of the project.

As this project grows more beneficiaries have come forward to help and share ideas. We hope to continue to expand our network of beneficiaries so that more can benefit from our progress.

c. Design and construction costs for major improvements (if any).

Our strategic partner, Hoakeolapono Trades Academy, has a team of Architects, contractors, construction supplies, and a student workforce. They will use the proposed land area and projects to train the students in real world application of trade skills needed for

workforce development. A-town trucking will handle any improvements that need hauling or heavy equipment. We have also networked with other construction oriented businesses to assist us when they are in the Anahola area.

d. Long-term management and operation of project facilities and the requested land area.

As funding becomes available and the needs grow for regular management we will hire a facilities management team. Until then, the strategic partnership with Hoakeolapono Trades Academy and its students will provide a symbiotic relationship where our needs for building and maintenance provide their need for building projects to learn construction and other trades skills.

e. Long-term maintenance and repairs.

This project is low cost, low maintenance. The partners within the overall project will assist with the maintenance and repairs. Grants, donations, and commercial opportunities of eco-tourism will provide multiple sources of income.

10. Is the proposed project a Regional Plan Priority Project? YES

Anahola 2010- Support Kanuikapono 21st Century Ahupua'a place based labs

11. How do you intend to secure funding and other needed resources for the project?

Funding has not been a focus for our team. The amazing amount of work that we have achieved so far has not required monetary support from any agencies. The goal and results have drawn many volunteers and free services. The scope of benefits that this project can provide would qualify for assistance from many sources through grants and donations. Any monetary assistance will boost our output significantly and help us reach our goals faster.

12. Identify the parcel(s) of land your organization is requesting.

Tax Map Key Number(s):

Aina Alliance requests approximately 120 acres of these TMKs that extend from the southern end of these parcels up north to a dirt access road, also spanning from Kuhio Highway east to the shoreline. This will be our Modern Ahupua'a Project that includes a shoreline Native Hawaiian Cultural Preservation and Educational Center.

47004003000 Acres: 77.00

47004007000 Acres: 227.44

47004004000 Acres: 4.03

We are also willing to assist DHHL with security and maintenance of the unused lands for the remaining acres of the TMKS listed above and add any adjacent problematic unused parcels like those below:

48003018000 Acres: 38.71

48003026000 Acres: 17.72

48003019000 Acres: 50.08

48003021000 Acres: 37.20

48014005000 Acres: 2.80

48010005000 Acres: 3.72

48014003000 Acres: 5.53

Homestead Area: Anahola

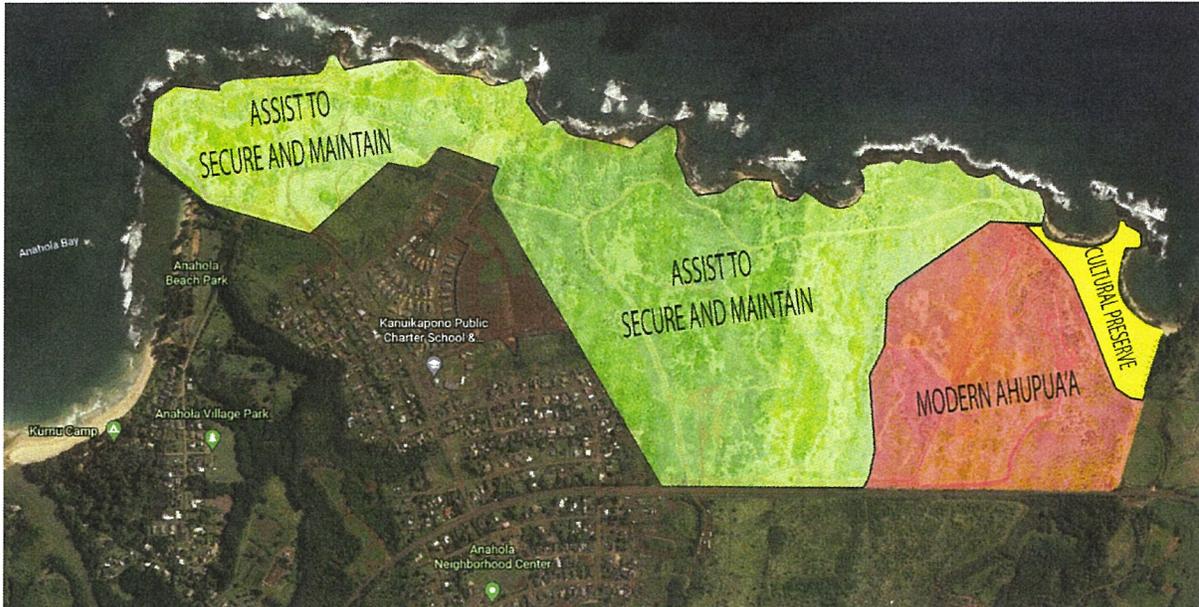
Regional Plan Area: Anahola

Island Plan Land Use Designation: check all that apply below

X Community Use X General Agriculture X Conservation X Special District X Other

The TMKs listed above have all these designations. Our plans respect and amplify the efficiency of these uses as planned.

13. Please attach a map that marks the boundaries of the area of land you are requesting. Please also identify on a separate map the conceptual layout and siting of proposed uses.



14. What are the existing uses in the surrounding area? Please describe how your proposed use is consistent with the existing surrounding uses.

The Modern Ahupua'a and Cultural Preserve is currently isolated from Residential areas. These parcels are not used for any of the land use designations at this time. It has seen unauthorized uses of dumping, illegal camping, unauthorized entry, and criminal activities that we would like to eliminate by using this area for a noble effort toward sustainable living communities.

15. Why do you want to implement your project at this site? Describe the characteristics of the site and surrounding area that make it an ideal location for your project.

The isolation of this area makes costs to develop and install infrastructure very expensive for DHHL. It is unlikely that DHHL will have the budget to parcel this property out to beneficiaries for several decades. However, a Kuleana style of sustainable living using modern technology could be possible. The location is close to Kuhio Highway making it very easy to access for our partners to use as an experimental template to incubate ideas for a self-sustainable community.

16. What is the general timeframe for implementing the project (estimated years)? Please identify major benchmarks and phases.

This project will require continuous refinement to create a template for sustainability and cultural activity that can be replicated throughout the State. These are the estimated phases for the growth and expansion of this project.

Year 1: Clean and clear the area of illegal camps, dump sites, trash, and abandoned cars. Partner with Kanuikapono for place-based learning at sites along the Anahola shoreline. Support Kanuikapono 21st Century Ahupua'a place based labs in accordance with Regional planning. Secure perimeters with stronger barriers. Start controlled burns with KFD to initiate clearance of Modern Ahupua'a, and Cultural Preservation sites.

Year 2: Work with KFD to conduct prescribed burns to clear flammable vegetation in maintenance zones. Refine landscaping, plant trees, conduct Native plant restoration. Install security fencing and position strategic security offices. Build fencing for controlled grazing of flammable vegetation. Expand partnerships and revenue sources to support more coverage. Invite more educational and cultural groups to participate in Ahupua'a place-based learning.

Year 3: Establish partnerships to plan and execute Modern Ahupua'a style community for sustainable living in off-grid, zero waste systems with agricultural and farming capacity included in the concept. Establish educational partnerships to plan and expand authentic Native Hawaiian cultural village and canoe house at Cultural Preservation site. Expand revenue sources to support the growth of these two project sites.

Years 4-10: Execute, expand, and replicate the processes used to build successful Ahupua'a style living communities in Anahola and other areas that need this style of Kuleana lot lifestyles. Grow educational place-based learning along the coastline with Marine science and engineering aspects to enhance food production from our Ocean areas. Re-establish surface water flow from the Mauka areas to our Modern Ahupua'a to enhance agricultural and farming output. Incorporate a commercial aspect to the Ahupua'a with Farm-to-Table dining places, vendor spaces for Native Hawaiian crafters or entrepreneurs, and facilitate regenerative eco-tourism to support financial needs of the residents in the Ahupua'a and surrounding community.

Duncan, Kaipo

From: Jeremie Makepa <jmakepa@kauai.gov>
Sent: Monday, October 25, 2021 12:04 PM
To: Duncan, Kaipo
Subject: [EXTERNAL] RE: Use of DHHL Lands-Long Term
Attachments: AA DHHL Pre-Application Answers.pdf

Aloha Kaipo,
Attached is the Pre-Application portion for the lands that Aina Alliance would like to be considered for Right of Entry, and Long Term Use. Please review and advise if acceptable for submittal in this format.
Mahalo,

Jeremie Makepa
KFD Prevention Captain

From: Duncan, Kaipo <kaipo.duncan@hawaii.gov>
Sent: Thursday, September 9, 2021 2:59 PM
To: Jeremie Makepa <jmakepa@kauai.gov>
Subject: Use of DHHL Lands-Long Term

Aloha Jeremie,

Fyi.....Please see attached document. This is the pre-application we use for those interested in using DHHL lands long term. We ask people to fill it out the best they can. I've been meaning to send this to you.

Malama,
Kaipo



EXHIBIT "B"

ITEM NO. F-3

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

February 22-23, 2022

To: Chairman and Members, Hawaiian Homes Commission

From: Peter "Kahana" Albinio, Jr., Acting Administrator
Land Management Division

From: Kaipo Duncan, Land Agent
Land Management Division 

Subject: Issuance of a Right of Entry Permit, Hosea Lovell Foundation, Ko'olau Limu Project, Anahola, Island of Kaua'i, TMK Nos.: (4)4-8-012:001,010, (4)4-8-013:009,012 and (4)4-8-018:028,029

APPLICANT:

Hosea Lovell Foundation (See Exhibit A)

RECOMMENDED MOTION/ACTION: That the Hawaiian Homes Commission (HHC) authorize the issuance of a Right of Entry Permit to the Hosea Lovell Foundation covering the subject area as identified and described below to use as a Limu learning site:

Approval and issuance of this Right of Entry (ROE) shall be subject to the following conditions:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment (EA).
2. Authorize the issuance of a ROE Permit to the Hosea Lovell Foundation for the Ko'olau Limu Project, covering the subject area for use as a Limu learning site under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current ROE Permit form, as may be amended from time to time;
 - 1) Permittee shall use the Premises for teaching and cultivating Limu. No other use shall be allowed without DHHL's prior written approval.
 - 2) The Hosea Lovell Foundation, Ko'olau Limu Project shall Steward approximately four (4) acres of DHHL land to be used under this ROE permit.
 - 3) Monthly fee shall be gratis.
 - 4) Permittee shall pay non-refundable processing and documentation fees totaling \$175.00.

3. This ROE shall conform to Federal, State, and County (government agencies) standards. Permittee shall obtain applicable permits and approvals from government agencies prior to the commencement of any work on the property that requires such permits and approvals.
4. Any construction or alteration of the permit area shall require DHHL approval.
5. All utilities shall be paid by the Hosea Lovell Foundation, Ko'olau Limu Project. Approval by the DHHL Main Kapolei Office and the County of Kauai is needed to access potable water and address sewer requirements. Electricity needs the approval of Kauai Island Utility Cooperative (KIUC).
6. All trash and debris accumulated shall be removed immediately from the site the same day or at the latest the next day. This is to deter the presence of flies and bad odors from being a nuisance to area neighbors. Furthermore, any bad odors from animals or any other entity shall be addressed immediately.
7. No Residential living on the site unless given prior approval by the Hawaiian Homes Commission(HHC).
8. The Hosea Lovell Foundation, Ko'olau Limu Project shall obtain the proper permits and approvals from the Federal and State entities responsible for Anahola River. This is to ensure the growing of Limu in the Anahola River is permissible under State and Federal laws.
9. No new construction shall be allowed without the prior approval of DHHL. Should construction be allowed by DHHL all Federal, State and County of Kauai approvals and building permits shall be obtained.
10. DHHL reserves the right to have the Hosea Lovell Foundation, Ko'olau Limu Project do an Environmental Assessment(EA) if Staff feels an EA is warranted.
11. There shall be no favoritism extended toward any individuals or groups with regard to access to the Anahola Bay Coastline and Anahola River. All people and organizations shall be treated the same. This ROE may be cancelled if DHHL finds that favoritism exists.
12. The ROE document shall be subject to other standard terms and conditions of similar ROE's issued by DHHL;
13. Review and approval by the State of Hawaii, Department of the Attorney General; and
14. Such other terms and conditions deemed prudent and reasonable by the Chairman of the Hawaiian Homes Commission (HHC) and/or the HHC to serve the best interests of the trust and its beneficiaries.

LOCATION:

Hawaiian Home Lands in Anahola, Island of Kaua'i, along Anahola Bay Coastline and Anahola River, identified as TMK Nos.: (4)4-8-012:001,010, (4)4-8-013:009,012 and (4)4-8-018:028,029

AREA:

Approximately four(4) acres.

DISCUSSION:

Ms. Nalani Lovell Kaneakua, President of the Hosea Lovell Foundation, an Anahola Non-Profit entity, submitted a Non-Profit Organization Application for Long Term Use of DHHL lands in an email dated August 30, 2021, for the growing and cultivation of Limu at Anahola River and Anahola Bay Coastline at TMK Nos: (4)4-8-012:001,010, (4)4-8-013:009,012 and (4)4-8-018:028,029 in Anahola, Kauai.

Ms. Kaneakua is the Program Director of the Ko'olau Limu Project. Her passion for Limu started in her childhood when her father Hosea Lovell Jr. taught her how to cultivate and grow Limu. Five (5) years ago this passion was renewed, and she began to teach Hawaiian school children ages pre-K to grade 12 and their ohana's how to grow Limu.

Her Educational outcomes encompass learning about Limu identification and propagation, its various uses in medicine, social protocol, and consumption to include preparing meals with Limu based recipes right from the ocean straight to the table. Cultural outcomes for students include learning traditional Hawaiian place names, Hawaiian history pertinent to the growing site, and mele(song), hula(dance), and oli(chant) that are relevant to Aliomanu, Anahola. In addition, working together as a group improves each child's interpersonal skills and problem-solving, leadership, and teamwork capabilities. Physically, each child must adhere to land and water protocols that promote their learning, safety, and fitness. Furthermore, the open-air classroom facility allows for engagement and continued conversation about Limu within the community and beyond the Hawaiian Homestead neighborhood.

DHHL staff has developed procedures, processing criteria, and the required documentation necessary to conduct a thorough due diligence review based on the Hawaiian Home Commission's (HHC) discussions and approvals of the Waimea Homestead Association's Waimea Nui Project.

Process/Procedure Work Flow

1. Applicant submits the Non-Profit Organization Application for Long Term Use of DHHL lands
2. DHHL sends Acknowledgement letter, notification that additional documents will be required pending HHC submittal, and that other applicants may also be requesting use which will trigger a community meeting to ensure a fair opportunity to use the land and so that the best project is selected for the property based on homestead community needs.
3. DHHL submits HHC submittal (February 22-23, 2022) which starts due diligence review sends checklist to applicant to collect all the documentation required for the disposition.
4. Applicant submits supporting documents to allow DHHL Divisions to conduct review and report to LMD.
5. LMD packages disposition for HHC approval.
6. LMD letter to applicant commencement of the disposition.

Proposed due Diligence Review Checklist:

1. Non-Profit Organization Application for Long Term Use of DHHL lands
2. Land Use Request Assessment Worksheet(consistency)
3. Governing Documents, Mission Statement, DCCA
4. Number of members who are homesteaders from the affected homestead community (controlling interest)
5. Business/Project Plan review (feasibility)
6. Financial Plan Review (sustainability)
7. Project development schedule and timeline

8. Verification experience, track record and homestead acceptance explain relationship to homestead community (consultation, letters of support, partnerships)
9. Environmental Review and Community Benefits if applicable.

DHHL staff has held discussions with the Hosea Lovell Foundation, Ko'olau Limu Project, during 2021-2022 and they have provided the necessary documentation as follows:

1. Non-Profit Organization Application for Long Term Use of DHHL lands. Hosea Lovell Foundation, Ko'olau Limu Project requests the use of approximately four (4)-acres for the growing and cultivation of Limu at Anahola River and Anahola Bay Coastline (August 30, 2021)
2. Land Use Request Assessment Worksheet was completed by DHHL staff. The use will not change and should not require an environmental assessment. (August 2021)
3. Governing Documents, Mission Statement, DCCA and IRS documents will be produced in the near future.
4. Business/Project Plan to be developed with the help of the Anahola Community.
5. Financial Plan and Pro-forma pending.
6. Project development schedule and timeline will be further detailed during right of entry period and presented prior to consultation for a possible long-term lease or license.
7. Verification experience, track record and homestead acceptance explain and relationship to the Anahola DHHL Homestead community will be developed during right of entry period prior to consultation and disposition approval.
8. Environmental Review and Community Benefits, environmental not applicable, Stewardship will serve DHHL Beneficiaries.

PLANNING AREA:

Anahola River and Anahola Bay Coastline, Anahola, Kauai (See Exhibit "B")

LAND USE DESIGNATION:

Residential(R) and Special District(SD), Kaua'i Island Plan (2004), Figure 8.2 – Anahola/Kamalomalo'o Land Use Plan, pg. 8-4

CURRENT STATUS:

The site is vacant with trees, grass, and shrubbery.

CHARACTER OF USE:

The growing and cultivation of Limu.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Triggers:

Use of State Lands

Exemption Class No. & Description:

In accordance with the "Comprehensive Exemption List for the State of Hawaii, Department of Hawaiian Home Lands, as Reviewed and Concurred Upon by the Environmental Council on June 30, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption List Class No. 5, "Resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. Any grubbing will be required to have erosion control measures in place."

Exemption Item Description from Agency Exemption List:

The direct, cumulative, and potential impacts of the action described have been considered pursuant to Chapter 343, Hawaii Revised Statutes and Chapter 11-200, Hawaii Administrative Rules. Since the action as proposed is determined to have minimal or no significant impact on the environment it would therefore be exempt from the preparation of an environmental assessment. The DHHL Planning Office (PO) has documented the action as being eligible for exemption from the preparation of an Environmental Assessment under the Exemption Class as referenced above.

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

DHHL General Plan (2002)

The recommended disposition is consistent with the following General Plan goals and objectives:

Land Use Planning

Goals:

- Utilize Hawaiian Home Lands for uses most appropriate to meet the needs and desires of the beneficiary population.
- Develop livable, sustainable communities that provide space for or access to the amenities that serve the daily needs of its residents.

Objectives:

- Provide space for and designate a mixture of appropriate land uses, economic opportunities, and community services in a native Hawaiian-friendly environment.

Kauai Island Plan (2004)

The recommended disposition is consistent with the following elements of the Kauai Island Plan:

The site is designated for Residential(R) and Special District(SD) consistent with the Kauai Island Plan. Table 2.1 DHHL Land Use Designations page 2-7 and Figure 8.2 Anahola/Kamalomalo'o Land Use Plan page 8-4.

February 22-23, 2022

RECOMMENDATION:

Land Management Division (LMD) respectfully requests approval of the motion as stated.

Pre-Application Form: 8/30/2021

Applicant Information: Lorrie Ann "Nalani" Kaneakua

Name of Organization: *Hosea Lovell Foundation*

Date of Incorporation: 5/11/2021

IRS Tax-Exempt #: 86-1395579

1. Please identify one individual who will be the point of contact for this application:

Contact Name: Nalani Kaneakua

Title: Program Director

Email Address: hokulei808@live.com

Phone: (808) 635-0890

2. What is the mission/vision of your organization?

My organization's mission is to keep "limu" abundant and healthy in the moku of Ko'olau from the top of the watersheds to the kai—so that there will be many generations of practitioners and limu lovers to come.

3. Please describe the history of your organization?

The history of this organization has its roots in the "Aliomanu Limu Restoration Project," that was started in 1999 by a collaboration between my father, Anahola resident Hosea Lovell Jr. who was a retired farm manager for the University of Hawai'i, and commercial fisherman; and two, University of Hawaii marine biology students—that which included his granddaughter Randi Arinaga. Lovell postulated that a seawall built

EXHIBIT "A"

ITEM NO. F-4

in Aliomanu in 1980 had affected the marine environment where limu once grew abundantly in the area, which was a significant food source for many residents during earlier times. Thus, the project's ultimate goal was to cultivate and grow limu—and it culminated in research data compiled into a graduation thesis by Lovell's granddaughter and other students. In 2005, Educator Althea Arinaga (mother of Randi Arinaga and daughter of Hosea Lovell Jr.) utilized this data and created a fourth-grade curriculum at Kapa'a Elementary School to preserve limu knowledge. About five years ago, my renewed interest in limu began when I volunteered with Kawaikini educator Lei Wann. She was doing field education with students at Aliomanu that involved limu and coral identification, reef health, and fish count(s). Wann's project sparked my desire to continue my father and my family's legacy of limu perpetuation. I continued to work with Wann as a student education partner and practitioner of limu. Shortly afterward and currently, I began my "Ko'olau Limu Restoration Project (KLP)."

4. How has your organization previously served beneficiaries of the Hawaiian Homes Commission Act?

My organization recruits children of native Hawaiian ancestry through different sources. Primarily, via Malia Chun, Kaua'i Site Coordinator for Na Pua No'eau at Kauai Community College—a cultural enrichment program for native Hawaiian children from grades Pre-K to 12 and their 'ohana. The children served live mainly in the Ko'olau district of Kaua'i and come from different schools, such as the Hawaiian Language Charter School Kawaikini, the community-centered Charter School Kanuikapono, Kapa'a School, and Island School. Participation in the "Ko'olau Limu Restoration Project" at Aliomanu has a multitude of learning outcomes. Educational outcomes

encompass learning about limu identification and propagation, its various uses in medicine, social protocol, and consumption—and include preparing meals with limu-based recipes right from the ocean straight to the table. We emphasize "health and wellness" in regards to limu that is used in recipes and la'au. Cultural outcomes for students include learning traditional Hawaiian place names, Hawaiian history pertinent to the growing site, and mele (song), hula (dance), and oli (chant) that are relevant to Aliomanu. In addition, working together as a group improves each child's interpersonal skills and problem-solving, leadership, and teamwork capabilities. Physically, each child must adhere to land and water protocols that promote their learning, safety, and fitness. Furthermore, the open-air classroom facility of my program allows for engagement and continued conversation about limu—within the community and beyond the Hawaiian homestead neighborhood.

5. Describe past experiences, projects, or programs in the last five years that illustrate consistency with your organization's mission/vision statement.

We have recruited children biannually during the Spring and Fall for the "Ko'olau Limu Restoration Program" (summers off) in the last five years. We meet once a month for an all-day program where we manage and maintain limu cages at the planting sites. Importantly, to manage the growth of limu effectively, students have to make critical observations to collect essential data. These observations might include underwater cage activity, water clarity, tides, fish counts, and currents. Outside of the water, students are encouraged to document cloud percentages, precipitation, wind direction, birds, rainbows, and other natural phenomena, including artificial things such as boats, anchors, and buoys, or any other type of marine debris. These observations are

recorded in student journals which they will later share on our more extended weekend camps (twice a year).

Furthermore, our program directors are active in "Zoom" and physical presentations when possible (Covid restrictions). During these presentations, we PowerPoint our "Ko'olau Limu Project" and highlight the many types of limu that can be used in food recipes (as I am a trained Chef by trade). Recently in 2021, some of these platforms included Hawaiian Culture-Based Education (HCBE) facilitated by the Kamehameha Schools, "Seaweed Cultivation at the Crossroads," presented by "Slow Fish," which had an international platform of seaweed scientists, growers, fishermen, environmentalist, and cultural practitioners (such as myself). Also, "The First Annual Summer Okinawan Hawai'i lecture," about impacts of development on ecosystem and limu—presented by "Ewa Limu Project/Kua Limu Hui."

6. Please provide references (name and contact information) and or letters of support for this application for non-homestead use of Hawaiian Home Lands.

***Please view "letters of support" sent as attachments.

7. If you are developing your project in partnership with another organization(s), please describe the roles and responsibilities of each organization during project management, implementation, and long-term management.

***Currently, I am not developing my project in "partnership" with other organizations. I have merely received and continue to receive "support" from various organizations/resources as a collaborative effort. Thus, no other organization has specific roles or responsibilities to the "Ko'olau Limu Restoration Project."

8. Describe the project:

The "Ko'olau Limu Restoration Project" is a program for children and their 'ohana. They learn how to grow limu using various methods and teach them how to prepare and utilize the limu at home for consumption. The participants will meet once a month to engage in the limu growing process to achieve this objective. Longer camps will include two weekends each Spring and Fall. Snacks and refreshments will be available for the day-long, monthly programs. For the weekend programs, we will provide all refreshments and full snacks/meals. Camping equipment, including tents, tabi's, goggles, snorkels, rash guards, mesh bags, gloves, and sunscreen, will also be provided. Participants will be doing beach cleanups on each program date. They will also be responsible for maintaining and beautifying the property. Ocean experts, scientists, educators, and Hawaiian cultural practitioners will present as guest speakers and perform activities related to their presentations (art, crafts, fishing, throw net, etc.). The need for this kind of project is crucial. There is a tremendous success with "Hawaiian Culture-Based Education (HCBE)" learning platforms, as is currently facilitated by The Kamehameha Schools— in private schools and in varying capacities of the public school system. The crux of HCBE is to instill "confidence and resiliency in Native Hawaiian learners to improve the well-being of the lāhui—in a system that engages Native Hawaiian learners to reach positive socio-emotional and academic outcomes—where they can thrive and reach their full potential." I strongly believe that the "Ko'olau Limu Restoration Project" contributes to this vision for our lāhui and thus benefits the "DHHL Trust," and in effect, its homestead lessees. And ultimately, this

application for the said land parcel in Aliomanu will serve as the base location to fulfill this project.

9. Please share your current thinking about the following project elements:

- The planning process and your efforts to include beneficiaries: The recruitment process is supported by (and not limited to) Na Pua No'eau Program, Kawaikini Charter School, Kanuikapono Charter School, Kapa'a School, and Island School. Within this list of schools are a multitude of beneficiaries and their 'ohana.
- Beneficiary involvement throughout the project: Beneficiary involvement throughout the project will be sustained by each participant's engagement in the program rubric.
- Design and construction costs for significant improvements: Seeking a base location to fulfill this project. Currently no plans other than maintenance and beautification of the property. Design and construction costs for substantial enhancements will be considered in the future.
- Long-term management and operation of project facilities and the requested land area: The "long-term management and operation of project facilities and the requested land area" will be the responsibility of board members of the "Ko'olau Limu Restoration Project."
- Long-term maintenance and repairs: The requested land area will be used primarily as a campsite for participants and their 'ohana as a safe base location. Long-term maintenance and repairs will be the

responsibility of the board members of the "Ko'olau Limu Restoration Project," various volunteers, community members, and or participants and their 'ohana.

10. Is the proposed project a Regional Plan Priority Project?

I do not know if my proposed project is a "Regional Plan Priority Project (DHHL)."

11. How do you intend to secure funding and other needed resources for the project?

Grants, fundraising, and donations. *Note that the immediate/initial resources needed are very low-maintenance/minimal."

12. Identify the parcel(s) of land your organization is requesting.

- Tax Map Key #: [480120010000](#)
- Acres: 1.3206
- Homestead Area: Yes
- Regional Plan Area: No

❖ Island Plan Land Use Destination: Check all that apply.

- Community Use: No
- General Agriculture: No
- Conservation: No
- Special District: No
- Other: No

13. View attachments of map(s).

14. What are the existing uses in the surrounding area? Please describe how your proposal is consistent with the current surrounding uses.

The adjacent parcel is being utilized by "Hokualele Canoe Club." Hokualele Canoe Club runs an "all ages" program and actively participates in the Garden Island Canoe Racing Association (GICRA) regatta season and long-distance races. The "Ko'olau

Limu Restoration Project" will be an excellent program option for these homestead Keiki and their 'ohana. Furthermore, beach reserve land is available for outdoor activities and parking.

15. Why do you want to implement your project at this site? Describe the characteristics of the site and surrounding area that make it an ideal location for your project.

I want to implement this project at this specific site because of its perfect location to our planting habitats/outdoor classroom at Kuaehu Point. Again, the characteristics of this Aliomanu parcel and surrounding area that make it an ideal location for the project are foremost the proximity to the planting site, its safety as a proposed base camp location, and the ample parking available.

16. What is the general timeframe for implementing the project (estimated years)? Please identify major benchmarks and phases.

The "Ko'olau Limu Restoration Project" is currently active and has operated for the last five years. Our primary goal is to be granted the right of entry to the Aliomanu parcel as soon as possible and begin cleaning the property for the Fall program of 2021.

Layer List Legend

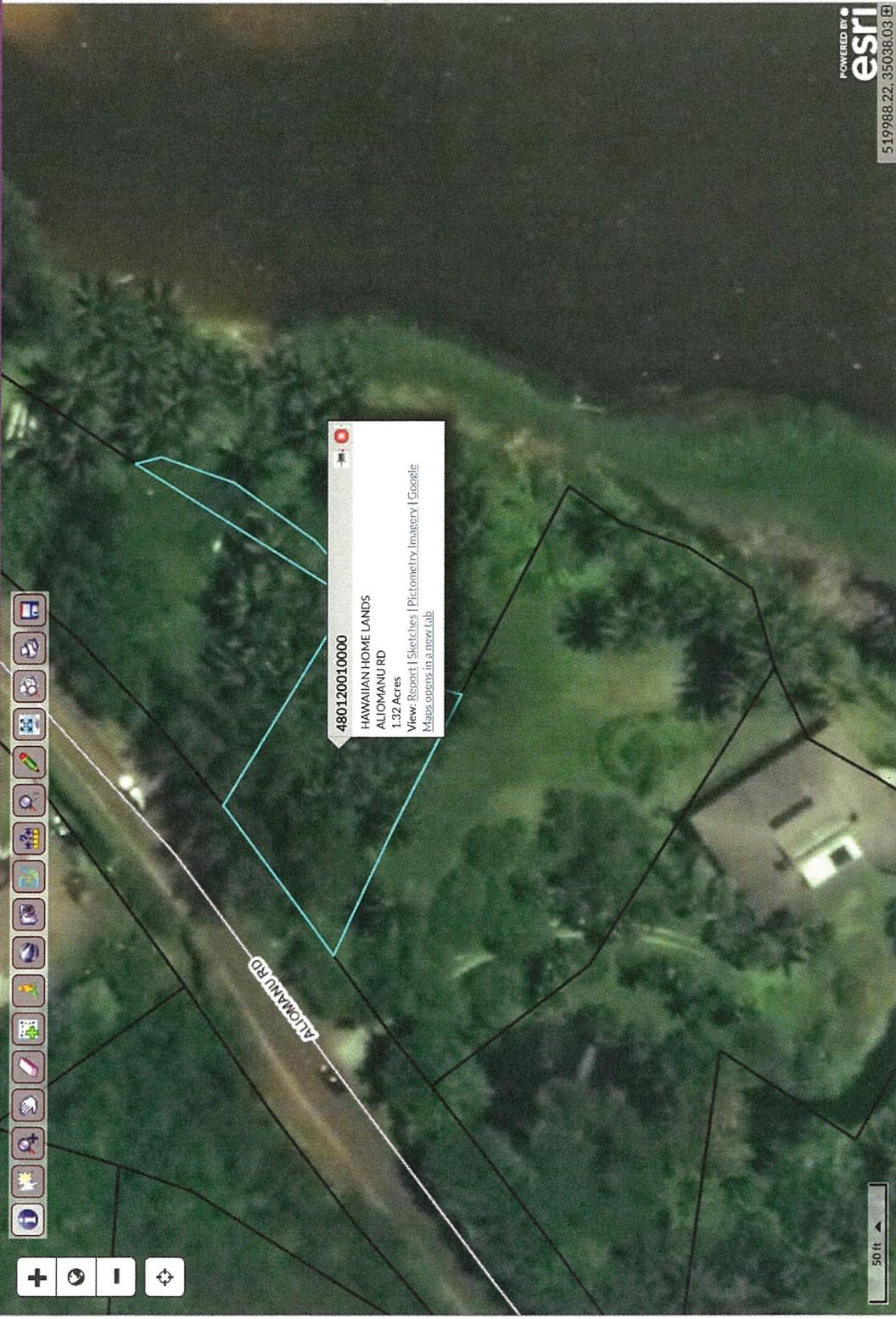
Quick Links:

- Property Search
- View Map

Layers:

- Parcels
- CPR Units
- Parcel Numbers
- Address Numbers
- CPR Numbers
- Roads
- Yearly Sales
- Aerials (2014-2016)

Restore Layer Defaults



Results:

Parcel ID - 480120010000
 Address - ALIOMANU RD
 Owner - HAWAIIAN HOME LANDS
 Acres - 1.3206
[View Report](#) | [Sketches](#) | [Pictometry Imagery](#) | [Google Maps opens in a new tab](#)

480120010000
 HAWAIIAN HOME LANDS
 ALIOMANU RD
 1.32 Acres
[View Report](#) | [Sketches](#) | [Pictometry Imagery](#) | [Google Maps opens in a new tab](#)

Parcel ID 480120010000
 Acreage 1.3206
 Class RESIDENTIAL
 Brief Tax Description n/a

Situs/Physical Address ALIOMANU RD
 Mailing Address HAWAIIAN HOME LANDS

Total Market Value \$3,207,400
 Total Assessed Value \$3,207,400
 Total Exemptions \$3,207,400
 Total Net Taxable Value \$0

Last 2 Sales
 Date Price Reason
 n/a 0 n/a
 n/a 0 n/a

519988.22, 35088.03



DAVID Y. IGE
GOVERNOR
STATE OF HAWAII



JOBIE M. K. MASAGATANI
CHAIRMAN
HAWAIIAN HOMES COMMISSION

SHAN S. TSUTSUI
LT. GOVERNOR
STATE OF HAWAII

WILLIAM J. AILA, JR.
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P. O. BOX 1879
HONOLULU, HAWAII 96805

REQUEST FORM FOR NON-HOMESTEADING LAND USE PURPOSES

PART I: APPLICANT INFORMATION

Name: Lorrie Ann Nālani Kaneakua

Address: 4330 Malama'aina Pl. Anahola

Phone No.: _____ Cell: (808) 635-0890 email: _____

If Corporation/Organization/Company/LLC/Non-Profit:

Name: _____

Address: _____

Phone No.: _____ Cell: _____ email: hokulei808@live.com

Requesting Organization is a Non-Profit

- Type of Non-Profit:
- Private Nonprofit – governed by self appointed board
 - Member Nonprofit – governed by voting members
 - Homestead Organization – governed by HHCA beneficiary members

Requesting Organization is For Profit - Individual or Business

- Individual Sole Proprietorship Partnership
- Corporation Limited Liability Corporation Other

Is an Individual HHCA Beneficiary or is Owned by an HHCA Beneficiary Yes No

Requesting Organization is a Government Agency

- Federal State County

Officers and/or Principal Representatives: _____

Mission of Organization: _____

Date Incorporated: ____ State of Incorporation: _____

Federal Tax ID#: _____ State Tax ID#: _____

PART 2: NON-HOMESTEADING LAND USE REQUEST

Describe proposed non-homesteading land use envisioned under this request as submitted _____
To beautify and maintain, create a safe and clean environment for programs/projects, same day/ weekend Limu workshops
(Kuaehu pt. project location less than a mile), to indulge in a open classroom and program campsite.

**Please attach additional information if necessary*

Land Request Form No. _____

Land Area requested: Acreage/Sq.Ft. 57,525 Term: Open

Island: _____ Tax Map Key No.: 480120010000

Indicate Character of Use:

- Agricultural Commercial Church Other
- Pastoral Industrial Community Facility

Does applicant have any existing land disposition issued by Hawaiian home lands for non-homesteading use purposes? Yes No

If yes, under what type of use and disposition: _____

Describe how proposed land use request will have direct or significant indirect benefit to the Trust and/or its Beneficiaries (Applicants & Lessees): As a 20 year lessee, educator and Hawaiian practitioner of reef and reef health specific to Ko'olau. Establishing permanent land base for program usage benefit and align w the Trust. Preservation of values, traditions and culture of native Hawaiians are the foundation for developing great stewards of the land and sea in an "outdoor classroom" and is definitely career driven.

The following authorized representative submits this request for use of Hawaiian home lands under non-homesteading purposes and acknowledges that:

1. This is an application process that will be subject to further review, evaluation and consideration by DHHL and may require additional information to be submitted;
2. This request does not constitute any form of DHHL approval to this non-homesteading land use request as submitted;
3. In the best interest of the trust, DHHL reserves the right to exercise its prudent authority pursuant to and in accordance with the Hawaiian Homes Commission Act (Section III, Section 204(a)(2), Section 220.5, Section 207(c), Hawaii Revised Statutes, Chapter 171, as amended and the Hawaii Administrative Rules, Title 10;
4. Once the application is deemed complete, the non-homesteading land use request will be posted for a 30 day review period on the DHHL website for beneficiary and public comment;
5. Additional Island or Regional Specific Beneficiary Consultation will be required per the DHHL Beneficiary Consultation Policy;
6. All input/comments received will be provided to the Hawaiian Homes Commission if/when approval for disposition is considered by the HHC;
7. Associated non-refundable processing and documentation fees shall be assessed for each respective disposition request as follows:

Revocable Permit - \$100.00	License - \$200.00	General Lease – Cost	Documentation (all)...\$75.00
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Lorrie Ann Nālani Kaneakua

February 1st, 2020

Print Individual or Organization Name

Date

Authorized Representative Name & Title

Signature

Duncan, Kaipo

From: Dutchess Kapua Kaneakua <Kapuamelia@hotmail.com>
Sent: Thursday, September 02, 2021 1:55 PM
To: Duncan, Kaipo
Cc: william.j.aila.jr@hawaii.gov
Subject: [EXTERNAL] Ko'olau Limu Project/Hosea Lovell Foundation
Attachments: Pre-application form_ Hosea Lovell Foundation 2.pdf; TMK:Map.jpg; LOS-Felicia Cowden.pdf; LOS-Kahanu Keawe.pdf; LOS-Kelvin Ho.pdf; LOS-Malia Chun.docx; LOS-Randi Aulii Keiper.pdf; LOS-Sabra Kauka.pdf; LOS-Sean Chun.docx; LOS-Wally Ito.pdf

Aloha, please view the various required attachments pertaining to my application for right of access to the Aliomanu parcel/TMK#480120010000 for the Ko'olau Limu Project. Attachments include the full Q & A pre-application, a map of the parcel (County of Kauai TMK) and eight letters of support for the project. Also, please view the link in this email to watch the "Ko'olu Limu Restoration Project" in action.

Mahalo, Nalani Kaneakua

Watch "Ko'olau Limu Project: Restoring Limu, Restoring Practice" on Vimeo: <https://na01.safelinks.protection.outlook.com/?url=https%3A%2Fvimeo.com%2F590163311%3Fref%3Dem-share&data=04%7C01%7C%7C3e65f679f0f64c8d14dd08d96c1e5079%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C637659699713962528%7CUnknown%7CTWFpbGZsb3d8eyJWlloiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCI6Mn0%3D%7C1000&reserved=0>



State of Hawaii
Department of Hawaiian Home Lands

August 15, 2021

Wally Ito
Limu Hui Coordinator, Kua'aina Ulu 'Auamo
47-200 Waihe'e Road
Kane'ohe, HI 96744

SUBJECT: Letter of Support for Ko'olau Limu Restoration Project's Lease of DHHL Lands

Aloha Kakou:

My name is Wally Ito. I am the Limu Hui Coordinator for a non-profit organization, Kua'aina Ulu 'Auamo (KUA). KUA works to empower communities in their efforts to restore and manage their natural resources so future generations can hunt, fish and gather to feed their family and community. We employ a community-driven approach that currently supports a network of more than 36 mālama 'āina (care for that which feeds) community groups collectively referred to as E Alu Pū (moving forward together), a network of over 40 fishpond restoration projects and practitioners called the Hui Mālama Loko l'a and the Limu (seaweed) Hui made up of limu loea (experts) all from across the state

The purpose of our Limu Hui is to identify limu loea and to help pass on their knowledge to future generations. Limu is the base of the nearshore food chain so the loss of limu plays a major role in the decline of the nearshore fishery. Understanding this problem, some of our Hui members have engaged in limu restoration projects. Ko'olau Limu Restoration Project and their principals, Lei Wann and Nalani Kaneakua are leading our limu planting and restoration effort.

Mahalo for your consideration to lease DHHL lands to be the base of their project. Lei, Nalani and their project have my highest confidence that they will plant the seeds that will grow into future marine scientists, chefs, and mālama 'āina warriors.

Please feel free to contact me if you have any questions.

Mahalo Nui,

Email: wally@kuahawaii.org;
cell phone: 808 222-2550

47-200 WAIHE'E ROAD C/O KEY PROJECT KĀNE'OHE, HI 96744 | 808.672.2545

EXHIBIT "A"
ITEM NO. F-4

kuahawaii.org

Aloha DHHL Commissioners,

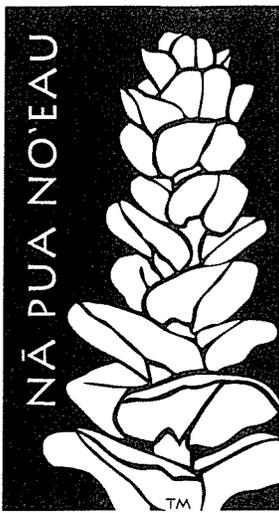
We 100% support Aunty Nalani's Ko'olau Limu Project request for non-homestead use of this parcel in Anahola by the kahawai.

This is how land should be used to support cultural activities by Hawaiians for the community.

Please help to make this permitting process effortless and quick.

Kahanu Keawe
Anahola Homesteader
808-392-6119
Kahanukeawe@gmail.com

Mahalo,
Kahanu



Center for Gifted & Talented
Native Hawaiian Children

HAWAI'I

Head Office
University of Hawai'i at Hilo
200 West Kāwili Street
Hilo, Hawai'i 96720-4091
Phone (808) 974-7678
Fax (808) 974-7681

West HAWAI'I

University of Hawai'i Center,
West Hawai'i
81-964 Haleki'i Street
Kealahou, Hawai'i 96750
Phone (808) 322-4867
Fax (808) 322-4855

MAUI

University of Hawai'i,
Maui College
310 Ka'ahumanu Avenue
Kahului, Hawai'i 96732-1617
Phone (808) 984-3364
Fax (808) 242-6153

Lāna'i

Lāna'i High & Elem. School
P.O. Box 630630
Lāna'i City, Hawai'i 96763
Phone (808) 565-9100
Fax (808) 565-9300

MOLOKA'I

Moloka'i Education Center
P.O. Box 488
Kaunakakai, Hawai'i 96748-0488
Phone (808) 553-9993
Fax (808) 553-8108

O'AHU

Hawai'i at Mānoa
Kalanani'ōhale Center
Services #406
Honolulu, Hawai'i 96822-2205
Phone (808) 956-9410
Fax (808) 956-9240

Aloha mai e Kaipo Duncan and the DHHL Board,

My name is Malia Chun and I am the Program Coordinator for Nā Pua No'ēau at Kaua'i Community College. Nā Pua No'ēau is a cultural enrichment program for Native Hawaiian children, grades PreK-12th, and their 'ohana. We touch on every educational subject within a cultural context, exposing our haumāna to various career and college pathways and inspiring them to become better stewards of our 'āina and kaiāulu.

I am writing this letter of kōko'o on behalf of Nālani Kāneakua and the Lovell 'Ohana, who are respected, long-time stewards of the 'āpapa (reef system), knowledgeable lawai'a and cultural practitioners in the community of Anahola and 'Aliomanu. About 20 years ago, I had the privilege and honor to facilitate my very first community program with the late, Uncle Hosea Lovell (Nālani's father). At that program we taught over 75 Hawaiian homesteaders and keiki of Anahola some traditional fishing techniques, how to care for the 'āpapa, how to identify specific marine life and limu. Of the 200+ programs I have facilitated over the years, this was one of my most successful.

NPN now has the opportunity to carry on Uncle Hosea's lawai'a legacy and work on a stewardship project with Nālani. At this year-long Kupulau program, high school students from the moku of Ko'olau, will have the opportunity to learn wahi pana and history of the area, oli, mele, protocol, traditional fishing, gathering and conservation techniques, how to identify and replenish marine life and be exposed to career and college pathways in the natural sciences. In order to successfully accomplish this goal and to provide continued cultural enrichment opportunities for our 'ōpio in the Anahola community, a home base and campsite is necessary. Therefore, we are humbly requesting that you allow Nālani Kaneakua and our program the use of parcel #480120010000 in 'Aliomanu for the purpose of cultural enrichment and education. This is a positive and worthwhile opportunity for DHHL to invest in our keiki on Hawaiian homestead lands. Should you have any questions or concerns, please don't hesitate to email me. Mahalo nui for your consideration.

Ke aloha mau,

Mālia Chun

Kaua'i Site Coordinator

COUNTY COUNCIL

Arryl Kaneshiro, Chair
Mason K. Chock, Vice Chair
Bernard P. Carvalho, Jr.
Felicia Cowden
Bill DeCosta
Luke A. Evslin
KipuKai Kualii



OFFICE OF THE COUNTY CLERK

Jade K. Fountain-Tanigawa, County Clerk
Scott K. Sato, Deputy County Clerk

Telephone: (808) 241-4188
Facsimile: (808) 241-6349
E-mail: cokcouncil@kauai.gov

Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

August 23, 2021

William J. Aila, Jr., Chair
State of Hawai'i, Department of Hawaiian Home Lands
P.O. Box 1879
Honolulu, Hawai'i 96707

Dear Chair Aila:

**RE: SUPPORT FOR A POSSIBLE LONG-TERM LEASE FOR THE
KO'OLAU LIMU RESTORATION PROJECT AT NORTH
'ALIOMANU TAX MAP KEY (TMK) NO.: (4) 4-8-012-001-0000**

My letter of support is submitted in my individual capacity as a member of the Kaua'i County Council and Committee Chair for Public Safety and Human Services.

I enthusiastically support the possible lease assignment of TMK No.: (4) 4-8-012-001-0000 on North 'Aliomanu Road to the nonprofit Ko'olau Limu Restoration Project, which is under the direction of Nalani Kaneakua.

I have personally worked with and have known Ms. Kaneakua for about 15 years beginning through a relationship at the Waipa Foundation where she provided food and support to *kūpuna*, *keiki*, and the community. From that experience, she worked with middle school-aged students and myself in her capacity as a cultural educator. Ms. Kaneakua's cultural knowledge for her *moku* and *'ike* on the fishing and shoreline properties are sought and valued. She is a generationally-taught, lifelong *limu* farmer from the 'Aliomanu area. I recently attended the *hō'ike* of her summer 2021 Ko'olau Limu Youth Program in which her students were clearly inspired by her and her program partner, Lei Wann. I have deep respect and confidence in Ms. Kaneakua's ability to steward this area of Department of Hawaiian Home Lands (DHHL) land in a way that will benefit those whom she mentors, the *limu*, and the community at-large in a manner that perpetuates the Hawaiian culture. The Ko'olau Limu Restoration Project honors the past and is a blessing to the present and future.

Mahalo for considering a permanent location for this valuable nonprofit. Should you have any questions, please feel free to contact me at the Office of the County Clerk, Council Services Division, at (808) 241-4188.

Sincerely,

FELICIA COWDEN
Councilmember, Kaua'i County Council

AAO:mn

AN EQUAL OPPORTUNITY EMPLOYER

Aloha DHHL Commisioners

My name is Kelvin Ho and I live in the ahupua'a of Lawai, moku of Kona on Kaua'i. I am very grateful to have the chance to write a letter of steadfast support for the Ko'olau Limu Project's proposal for a home base close to Kuaehu point.

I have known Nalani Kaneakua for some years now and have worked and served most closely together through her involvement with our stewardship group- Nā Pali Coast 'Ohana. We have spent many days and nights in different wahi pana of Nā Pali with diverse groups of volunteers and youth groups from across the state. I have seen the brilliance that arises in all of what she passionately explores, practices and masters when she commits herself wholeheartedly to learning and sharing. On our work and cultural accesses she has touched the lives of everyone involved.

This limu restoration project is a profoundly appropriate vessel in the time that we live in, culturally, sprititually and enviromentally. That it is very focused on sparking a reawakening in our opio of the importance of limu. This leads to understanding the stewardship of the sea it grows in and as well as the connection to what is affecting these places on the land. This creates a vehicle for the best type of place based learning that our youth can be offered.

The feedback I have heard from so many families in the community has been filled with heartfelt praise. That it awakens in our youth the understanding of the depth of knowledge our kupuna utilized to live life in a balanced, pono, sustainable way based on a foundation of acute observation of this natural world we dwell in and a part of. It has provided role models in Nalani & Lei Wann of strength and commitment to aloha 'āina, it is providing an open path to understand that science and culture work hand in hand in conservation and restoration of our sacred lands and waters. Having worked with youth at risk for 20 years, the value of a culturally grounded path that connects youth with our ancestors while providing the steps to careers in conservation and restoration is simply priceless.

You are in positions of leadership and decision making for lahui. With this comes the kuleana of perpetuating culture while finding ways to best implement this in our contemporary lives. I humbly suggest that it is very clear that this project's growth fulfills this kuleana on all levels and has the full support of the community. I also wish to point out that the source of this vessel are in Nalani and Lei's 'ohana's wisdom and practices, that you have their legacies in your hands and decision making process.

I close with the observation that this is a very positive and proactive project that strengthens and unifies everyone involved with it. There are times today where we need to stand firm to oppose that which devalues and continues to colonize a land and her people. Ther is also the time where from the healing of our wounds comes forth a path to work alongside one another to raise our awareness collectively in service. In service our direct connection to every facet of 'āina, beginning with it's most humblest forms is experienced. Our kupuna guaged the health of

the world we dwell in by the health of these body forms of the divine. Your aid in cultivating this project with support can only serve to brighten this world for our opio.
Mahalo for the chance to give voice and full support to this most noble project.

Kelvin Ho
PO Box 769
Lawai, Hi 96765

Randi Aulii Keipper
111 Hauoli Street
Kailua, HI 96734
August 22, 2021

State of Hawaii
Department of Hawaiian Home Lands
P.O. Box 1879
Honolulu, HI 96805

To Whom It May Concern,

I am writing this letter in support of the Ko'olau Limu Project and their continued effort to restore both limu and limu practice within the Ko'olau community. For the past five years, Nalani Kaneakua, Director of the Ko'olau Limu Project, has been spearheading this amazing non-profit and during this time, she has educated countless community members and school groups through hands on cultural workshops along the Ko'olau coastline. It is my hope that the Ko'olau Limu Project will be allowed to utilize the parcel in Aliomanu as a base yard to continue their limu work and perpetuate limu for many generations to come.

Sincerely,

A handwritten signature in black ink, appearing to read "Randi Aulii Keipper". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Randi Aulii Keipper

Sean Chun

Pihana ka `Ikena

6512 Ahele Dr.

Kapaa, HI. 96746

(808)635-5255

seanchun@hawaii.edu

<https://www.facebook.com/Pihanakaikena-o-Kauai-103610369703850>

Nalani Kaneakua

4330 Malamaaina Pl.

POB 171

Anahola, HI. 96703

Re: Ko`olau Limu Restoration Project, Aliomanu Parcel, TMK #480120010000

August 14, 2021

Aloha e Nalani,

We at Hale Pihana ka `Ikena o Kaua`i are in full support of your Anahola Limu Project. As cultural practitioners and community advocates, we know how important it is to perpetuate the culture. We are grateful that you are able to share your knowledge with future generations, and to benefit the health of our lahui and our reefs. A project such as this can have a great impact to our families and culture. Limu plays an important role as part of our food and medicine, but more importantly, programs such this will give young students an opportunity to learn about land stewardship. They will also be able to learn about their oceans and the importance of a healthy thriving reef. These opportunities are much needed today to keep our keiki occupied with positive activities, and bring community together.

We are happy to provide you with the support you need as well as any resources we have. Please call upon us and keep us informed on your progress. We as a community are excited to see positive changes coming to Anahola.

Me ka ha`aha`a,

Sean A. Puahi Chun

Pouhana, Pihana ka `Ikena

Community Advocate

Ho`ola Lahui Hawai`i

Native Hawaiian Health Care System

Aloha Kakou,

This letter is written in support of the Ko`olau Limu Restoration Project led by Kumu Nalani Kaneakua and Kumu Lei Wann. Both of these Kumu have generational ties to Limu and Kaua`i.

Chapter One, line 58 of the Kumulipo speaks of seaweed living in the sea guarded by plants living on the land. Born was the Ko`ele seaweed living in the sea - guarded by the long-jointed sugar cane, the ko`ele`ele, living on the land. The chant continues to describe other seaweed living in the sea, guarded by plants on the land. It is a natural relationship.

It is a logical request by these members of the Hosea Lovell Foundation to have a land base adjacent to the sea. It is their mission to guard the limu in the sea and to nurture it in order to assure its perpetuation. No one on Kaua`i can do it better.

Ke `olu`olu, I urge your support and approval of their application for the use of Homestead land for the purpose of education, conservation and perpetuation of Hawaiian cultural and environmental practices.

Malama Mau,
Sabra Kauka
Kaua`i Hawaiian Studies Coordinator
3060 Eiwa St., Rm. 301
Lihu`e HI 96766
(808) 274-3505 work
(808) 652-1978 mobile





EXHIBIT "B"

ITEM NO. F-4

**HAWAIIAN HOMES COMMISSION
FEBRUARY 22 & 23, 2022
INTERACTIVE CONFERENCE
TECHNOLOGY**

**G – ITEMS
PLANNING OFFICE**

STATE OF HAWAI'I

DEPARTMENT OF HAWAIIAN HOME LANDS

February 22 - 23, 2022

To: Chairperson and Members, Hawaiian Homes Commission
From: Andrew Choy, Acting Planning Program Manager
Subject: Support Groundwater Management Area Designation
of Waianae Aquifers

I. RECOMMENDED MOTION/ ACTION

That the Hawaiian Homes Commission (HHC):

1. Acknowledge the legal benefits and protections that accrue to Department of Hawaiian Home Lands (DHHL) and its beneficiaries' water reservations and uses in designated Water Management Areas; and
2. Formally support the proposed designation of the Wai`anae Aquifer Sector Area as a Ground Water Management Area, as being proposed by the Honolulu Board of Water Supply; and
3. Authorize the Chairman to take actions as necessary to effectuate this.

II. DISCUSSION

Most of this submittal to the Hawaiian Homes Commission contains the same information contained in Item G-3 from December 2021, which was an information only review of these issues. We first provide an overview of water needs of DHHL in the Wai`anae Moku, which includes tracts in Wai`anae, Lualualei, and Nānākuli ahupua`a on the island of O`ahu. It then examines the implications of a recently announced initiative by the Honolulu Board of Water Supply (BWS) to petition the Commission on Water Resource Management (CWRM) to designate the Wai`anae Aquifer Sector Area as a Ground Water Management Area (GWMA) under the state Water Code, HRS Chapter 174C.

Additional information consists of some slight updates on projects and a review of potential actions the Chairman could take to effectuate the proposed action.

A. Overview of Wai`anae Moku Tracts and Ground Water Resources

DHHL holds in trust approximately 4,783 acres of Wai`anae Moku lands. These holdings are summarized in Table 1, below.

Table 1. Wai`anae Moku Regions, Homesteads, and Acreage¹

DHHL Planning Region	Homestead Communities in Region	Other Areas	Acreage
Wai`anae	Kaupuni Wai`anae Wai`anae Kai Lualualei	Mā`ili	2,472
Nānākuli	Nānākuli Princess Kahanu Estates		2,311

Sixty percent of DHHL lands on O`ahu lie in the Wai`anae district, generally the driest area of O`ahu. Among their duties, the CWRM is required, for planning purposes, to divide each county into sections corresponding to distinct hydrologic units, and also assign to each of these units a "Sustainable Yield" (SY) (HRS §174C-31(h)).

As implemented by the CWRM, the SY for each represents the practical outer limit of the amount of ground water that could be pumped indefinitely into the future under ideal conditions. For planning purposes, the CWRM has divided each of the islands into larger "Aquifer Sector Areas" consisting of one or more "Aquifer System Areas". While the total SY for O`ahu is currently set at 393.5 million gallons per day (mgd), the SY for the entire Wai`anae Sector Area is only 13 mgd. See Figure 1, below; the peach-colored area is the Wai`anae Sector Area. The DHHL Wai`anae Moku tracts lie entirely within the Wai`anae Sector Area. See Figure 2, below.

¹ Adapted from the DHHL O`ahu Island Plan, 2014, Table 1-1

Fig. 1. O`ahu Hydrologic Units and Sustainable Yields.²

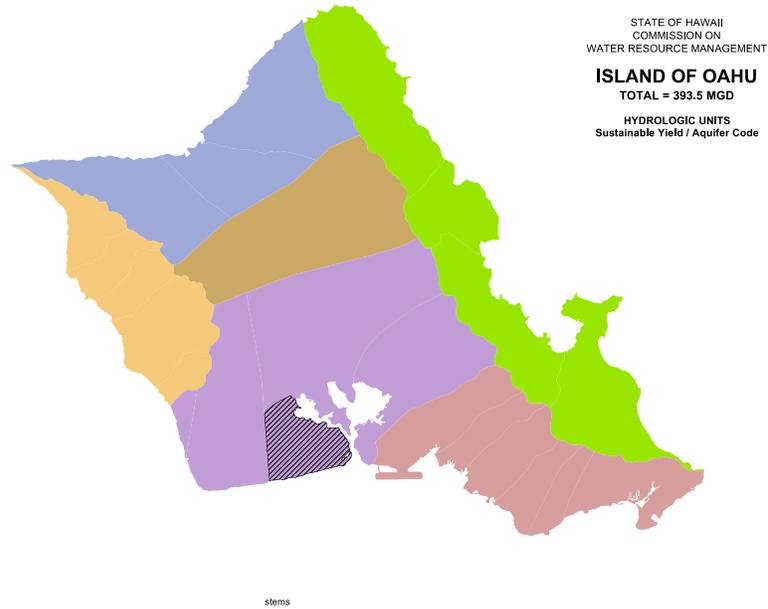
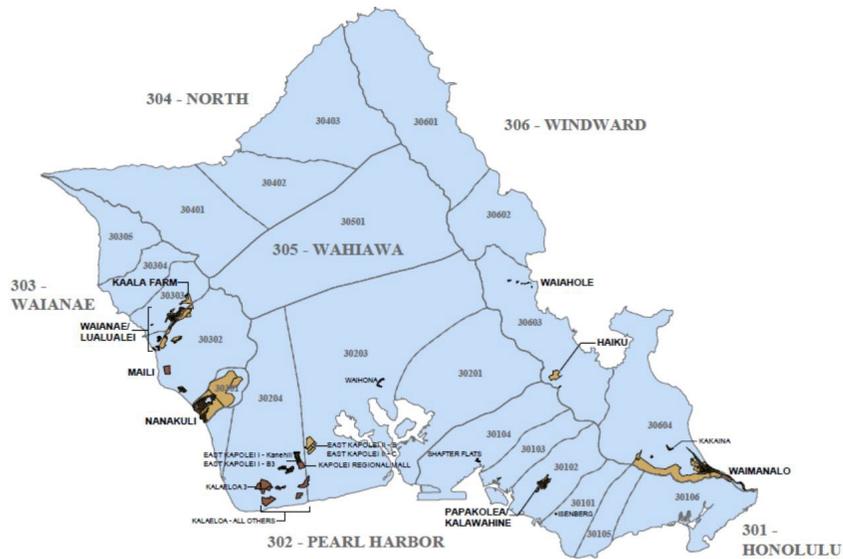


Fig. 2. DHHL lands on O`ahu by aquifer system area.³



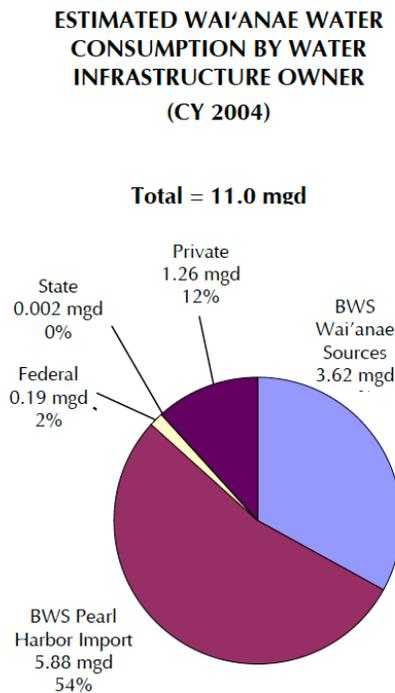
² https://files.hawaii.gov/dlnr/cwrw/maps/gwhu_oahu.pdf

³ State Water Projects Plan Update-DHHL (Fig. 3.3) (Final report 2017) ("SWPP").

B. Wai`anae Moku Tracts and Ground Water Needs

Overall, for all uses (DHHL and others), the projected water demands for the Wai`anae Moku by the year 2030 range from an increase of 2.3 mgd up to 6.0 mgd of additional water.⁴ The Wai`anae Aquifer Sector is already a net importer of water; over half of the water used in the area is imported from the Pearl Harbor aquifer sector, as shown in Figure 3 below.

Fig. 3. Estimated Wai`anae Consumption by Water Infrastructure Owner.⁵



Additional BWS sources in `Ewa and Central O`ahu districts will likely be the primary source for service of

⁴ Board Water Supply, City & County of Honolulu, Wai`anae Watershed Management Plan, at OV-21 (Aug. 2009) available at: <http://www.boardofwatersupply.com/bws/media/files/waianae-wmp-final-report-full-2009-08.pdf> ("BWS Wai`anae Watershed Plan").

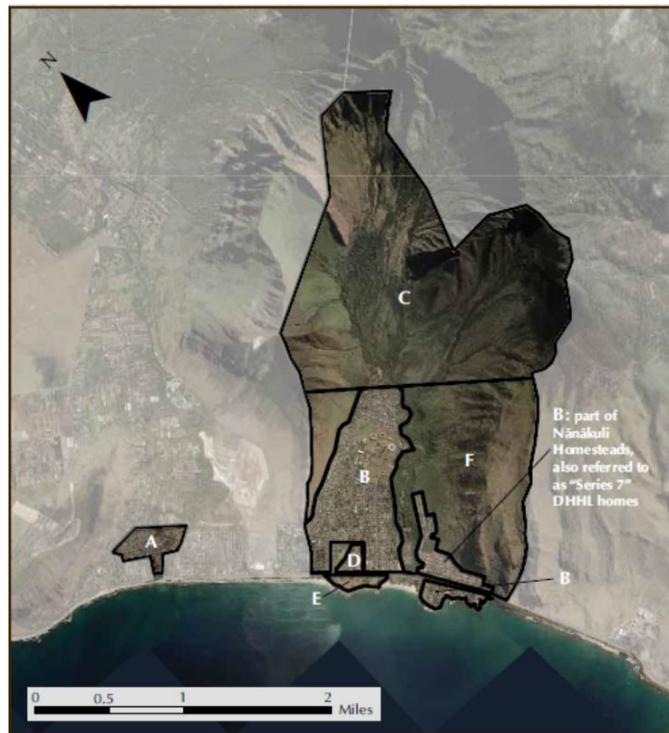
⁵ BWS Wai`anae Watershed Plan Fig. 3-1.

serve these additional amounts, as well as nonpotable wells in Nānākuli and Lualualei, and water conservation programs.⁶

Nānākuli Lands and Water Needs

DHHL owns approximately 1,916 acres in Nānākuli. As depicted in Figure 4 below, Parcel "A" is the Princess Kahanu Estates, which consists in 270 single-family residences on 53 acres. Parcel "B" contains Nānākuli Hawaiian Homesteads, which consists in 1,040 single family residences on 260 acres. Parcel "C" is Nānākuli's Upper Valley, which is 1,126 acres. Parcel "D" is the 13.65 acre site of the planned Nānākuli Village Center. Parcel "E" is the 17-acre former Nānāikapono School site. Parcel "F" is known as the Nānākuli Ranch. These uses are also summarized in Table 1, below.

Fig. 4. Nānākuli parcels.⁷



⁶ BWS Wai'anae Watershed Plan at ES-12.

⁷ DHHL, *Nānākuli Regional Plan*, at 16 (Dec. 2009).

Table 1. Nānākuli Existing land uses⁸

Planning Area	Acreage
Princess Kahanu Estates	53
Nānākuli Hawaiian Homesteads	260
Nānākuli Upper Valley	1,126
Future site of Nānākuli Village Center	13.65
Former Nānāikapono School Site	17
Nānākuli Ranch	448

For these existing land uses, the State Water Projects Plan Update ("SWPP") estimated a current demand of 0.0544 mgd of potable water. Future demands are calculated based on the land use designations adopted by the HHC in the Island and Regional Plans for the area. The current land use designations for Nānākuli, rounded to five-acre units, are summarized in Table 2, below.

Table 1. Nānākuli Land Use Designations⁹

Uses	Acreage
1,835 residential homesteads (proposed)	320
Residential (existing)	390
Community use	50
Conservation	825
Commercial	10
General agriculture	710

The SWPP estimates a 20 year build out potable water demand for the area of 1.3069 mgd, an increase of 1.25 mgd. In addition, use of the general agricultural lands of 710 acres at a water duty of 2,500 gallons per acre per day (gad) would result in a non-potable water demand of an additional 1.775 mgd. The same 2017 SWPP calculates a high demand scenario for non-potable water at 2.46 mgd.¹⁰

⁸ Nānākuli Regional Plan 2018, Table 2.

⁹ Nānākuli Regional Plan 2018, Table 2.

¹⁰ SWPP, Appendix D.

Mā`ili Lands and Water Needs

DHHL owns a tract located between Nānākuli and Lualualei ahupua`a at Mā`ili. DHHL's planned Mā`ili development includes the existing Kamehameha Schools (KS) Community Learning Center at Mā`ili, and approximately 260 residential units to be constructed in two phases by DHHL, which will require potable water only. DHHL transferred a portion of its water credits with BWS to KS to service the school immediately and KS will be responsible for installing the water system improvements required to service the ultimate buildout demand.¹¹ Long term potable demand for Mā`ili will increase to 0.1160 mgd in the year 2012 and then 0.1960 mgd in the year 2026. SWPP at 4-16. Of this amount DHHL's water credits will provide 0.066 mgd (SWPP at 4-16), with an unmet need of 0.13 mgd.

Wai`anae and Lualualei tracts and water needs

Lualualei and Wai`anae tracts are non-contiguous land areas. Land use designations for the Wai`anae and Lualualei tracts are as follows in Table 3.

Table 3. Wai`anae and Lualualei land Use Designations ¹²

Uses	Acreage
Residential (existing and proposed)	255
140 subsistence ag lots (proposed)	190
Community use	85
Special district	105
Conservation	265
Industrial	3
General agriculture	95

The SWPP estimates a 20-year build out potable water additional demand for the Wai`anae and Lualualei areas of 0.338 mgd. Some of these demands are for non-potable uses but the only available sources are potable. These are detailed in Table 4, below.

¹¹ SWPP at 4-16.

¹² Wai`anae and Lualualei Regional Plan 2018 at i-ii.

The Ka'ala Farm area is a portion of the Wai'anae tract currently used for and also anticipated for cultivation of lo'i kalo. Medium long term non-potable demands for Ka'ala Farm are 7.275 mgd. This may exceed the amount of water physically available there.

Table No. 4: Average daily Potable demand for Wai'anae and Lualualei Tracts, 20-year plan(mgd)¹³

	2016	2021	2026
Lualualei (potable)	0	0	0.1290
Lualualei (nonpotable, using potable)	0	0	0.0714
Wai'anae (potable)	0	0.0040	0.1240
Wai'anae (nonpotable, using potable)	0	0.0136	0.0136
Total potable demand	0	0.0176	0.3380

Existing reservations and future needs

DHHL holds a water reservation for 1.724 mgd with CWRM for future water allocations amongst Wai'anae district developments. This is one of three areas in the state where DHHL holds water reservations by administrative rule (HAR §13-171-61) under Part III of the state Water Code, which allows for reservations to all entities for future water uses in designated Water Management Areas. In non-designated areas, DHHL holds significant ground and surface water reservations adopted by CWRM action, a process being implemented in accordance with the Department's Water Policy Plan (2014).

Table No. 5: Unmet Water Needs by Tract (mgd)

Tract	Unmet Potable Needs	Unmet Non-Potable Needs
Nānākuli	1.31	2.46
Mā'ili	0.20	0.00
Wai'anae / Lualualei	0.39	7.28
Total	1.9	9.74

Based on Table 5, the existing water reservation for this area for potable ground water is insufficient by

¹³ SWPP, Section 4.5.2.1, at 4-17.

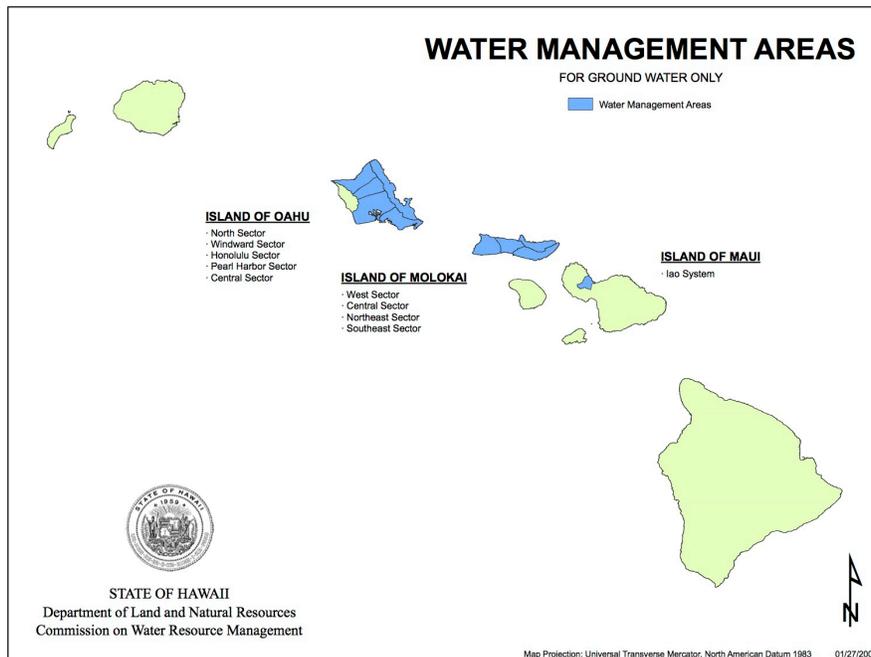
approximately 0.18 mgd. In addition, in order to make DHHL lands usable and accessible in accordance with the Water Policy Plan, nearly 10 mgd of non-potable water resources will be needed with existing land use designations.

Additional DHHL reservations could be pursued in the Waipahu Waiawa WMA or the proposed Waianae WMA in the form of additional water transfers at some future point.

C. Implications of a Proposed Petition to designate Wai`anae as a Ground Water Management Area

Unlike every other aquifer system area on O`ahu, Wai`anae was not a designated Ground Water Management Area (GWMA) under the State Water Code. See figure 5, below.

Fig. 5. Ground Water Management Areas in Hawai`i¹⁴



Four of the major groundwater systems of O`ahu became GWMA's at the passage of the Water Code in 1987 (the Pearl Harbor, Honolulu, Central (which was part of Pearl Harbor) and North), as they were already subject to ground water regulation under a previous law. Soon after passage of the

¹⁴ <https://files.hawaii.gov/dlnr/cwrn/maps/gwmainfo.pdf>

Code, in the early 1990s, windward farmers and other community interests successfully petitioned for the designation of windward O`ahu as GWMA. While it has been discussed by various members of the community in Wai`anae, to date no one has petitioned to have Wai`anae designated, despite the high demand and low availability of water in the area.

There are existing and emerging conflicts over water in the district. In the Wai`anae and Mākaha areas, there is a desire by community members, including Hawaiians, some of whom are also DHHL beneficiaries, to have stream restoration for reestablishment of farming and fishing practices. This could require reducing both private and BWS' pumping of wells. Because the area is not designated as a GWMA, BWS pumping has no higher legal protection over private pumping, which could affect their actual ability to deliver water to customers (including on DHHL lands).

In response to these issues, and additional concern with significant future impacts resulting from global warming, the Honolulu BWS has begun the process of developing and submitting a petition for designation of a GWMA for Wai`anae. They have retained Kahālāwai Consulting to assist in petition preparation and community engagement.¹⁵ On October 25, 2021, the Board of Water Supply staff and consultants presented this proposal to their Board in an informational briefing.¹⁶

The rights of DHHL and its beneficiaries to water are enhanced in GWMA's in numerous ways, which is why WMA designation was pursued (successfully) on Moloka`i by homesteaders in the early 1990s. Some of the ways in which DHHL and beneficiary water rights are enhanced are as follows.

- **The ability to secure enforceable water reservations by administrative rule.** As

¹⁵ Kahālāwai Consulting is the firm of Dr. Jonathan Likeke Scheuer who also consults to DHHL on the implementation of the HHC's Water Policy plan.

¹⁶ Presentation and discussion viewable (beginning at 29:45): <https://www.boardofwatersupply.com/about-us/board-meetings/2021#oct25>

discussed briefly above, DHHL is able to secure water reservations in all areas of the state. However, the enforceability of those reservations has only been tested in areas with GWMA's ((*Waiola o Molokai*, 103 Hawai'i 401, 83 P.3d 664 (2004) and *Kukui Molokai*, 116 Hawai'i 481, 174 P.3d 320 (2007))

- **The ability to comment on, object to, and request contested cases on the proposed water uses of other parties.** In non GWMA's, new wells are permitted via Well Construction and Pump Installation permits, which are noticed in a "Water Resources Bulletin" published by CWRM. Past administrative practice of CWRM has been to treat these permits as ministerial, meaning comments from agencies or beneficiaries need not be responded to, even if the proposed use may harm DHHL or beneficiary rights. Thus, DHHL and beneficiaries lack legal tools to defend their water rights in non-GWMA's that exist in GWMA's.
- **Water Use Permits are conditioned on DHHL uses.** In GWMA's, the water code requires the issuance of publicly noticed Water Use Permit Applications (WUPA) and for any permit subsequently issued, "All permits issued by the commission shall be subject to the rights of the department of Hawaiian home lands as provided in section 221 of the Hawaiian Homes Commission Act, whether or not the condition is explicitly stated in the permit." (HRS §174C-49(7)(e)). While not tested, this means that in areas where all water resources are allocated, DHHL could theoretically secure water made available by reducing the uses of private commercial uses of water.

It is important to note that on O`ahu, the Honolulu BWS has continually been cooperative in the provision of water to DHHL, which is one of the reasons the Department has been able to consistently deliver homesteads on this island. However, BWS's ability to control and use their sources in Wai`anae, which deliver significant water to DHHL homesteads, will be enhanced with designation.

III. CONCLUSION

DHHL lands located in the Wai`anae district face unique water issues, primarily due to water resource constraints and the absence of a State Water Management Area designation. Ensuring sufficient water for DHHL's existing and planned developments in the Wai`anae district will require coordination with Honolulu BWS to implement existing water reservations and with CWRM to finalize increased water reservation amounts. Emerging demands for non-homestead, traditional and customary uses of water will require a balancing of public trust needs for water. Water availability to DHHL and beneficiaries would be enhanced by designation of a GWMA as being pursued by the Honolulu BWS.

This submittal proposes the HHC and DHHL formally support designation of the Wai`anae Aquifer Sector as a GWMA, and authorizes the Chairman to take actions to effectuate the same. These actions are not limited to the following but could include:

- Cooperating with the BWS in facilitating beneficiary briefings on this issue
- Submitting testimony in favor of the designation to CWRM and other bodies
- Engaging with other Wai`anae area stakeholders to explain DHHL and its beneficiaries' interests and rights in these matters.

IV. RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission:

1. Acknowledge the legal benefits and protections that accrue to DHHL and its beneficiaries' water reservations and uses in designated Water Management Areas; and
2. Formally support the proposed designation of the Wai`anae Aquifer Sector Area as a Ground Water Management Area, as being proposed by the Honolulu Board of Water Supply; and
3. Authorize the Chairman to take actions as necessary to effectuate this.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

February 22 - 23, 2022

TO: Chairman and Members, Hawaiian Homes Commission
Through: Andrew H. Choy, Acting Planning Program Manager
FROM: Gigi O. Cairel, Grants Specialist
SUBJECT: Approval of Recommendations for Regional Plan Priority Project and Capacity Building Grant Awards

RECOMMENDED MOTION/ACTION

- (1) That the Hawaiian Homes Commission (HHC) approves a \$859,375 allocation from the Native Hawaiian Rehabilitation Fund (NHRF) to fund the following organizations for Regional Plan Priority Project grants and Capacity Building grants:

Regional Plan Priority Projects

\$100,000 to **Five Mountains Hawai'i, Inc.** for the Waimea Nui Regional Plan Priority Project: *Waimea Hawaiian Homestead Community Complex - Planning*. Funds will be used for engineer and architect planning and design services for the rural health center. The center will be located within the Waimea Hawaiian Homestead Community Complex, on Hawaiian Home Lands. This is a joint project with the Waimea Nui Community Development Corporation and Waimea Hawaiian Homesteaders' Association Inc. (WHHAI). Five Mountains represents the native health division of WHHAI.

\$100,000 to **Ho'opili Farmers Association** for the Moloka'i Regional Plan Priority Project: *Shared Farm Equipment*. Funds will be used to build on Napualei o Hina's (NOH) earlier work by using NOH's data to expand the shared equipment project and provide equipment to assist farmers to expand their farms without substantial capital

investment. This is a joint project with NOH and the Ahupua`a o Moloka`i, both of whom are championing this project.

\$100,000 to **Kalamaula Homesteaders Association (KHA)** for the Moloka`i Regional Plan Priority Project: *Roads Improvements*. Funds will be used to inventory, assess conditions, and prioritize the needs for road improvements in and around Kalamaula and Ho`olehua homesteads.

\$100,000 to **La`i `Ōpua 2020** for the Kealakehe-La`i `Ōpua 2020 Regional Plan Priority Project: *North Kona Water Source Development and Storage*. Funds will be used for stakeholder and community outreach regarding the water source development project. The project is expected to support DHHL Homestead development projects and the supporting community facilities.

\$100,000 to **Princess Kahanu Estates Association** for the Nānākuli Regional Plan Priority Project: *Identify and Pursue Opportunity for "Pono Economic Development" and Community Action*. Funds will be used to expand the existing community center including enclosing the patio area to use as a multi-purpose room, adding a certified kitchen, and plans for a larger, new pavilion.

\$100,000 to **Waimea Hawaiian Homesteaders' Association, Inc.** for the Waimea Nui Regional Plan Priority Project: *Support and Assist Agricultural and Pastoral Lessees in Waimea Nui*. Funds will be used to assist 250 homestead ranchers to access federal technical assistance and funding resources, develop ranch plans, and replace or build fencing. This project is a response to the devastation caused by the summer 2021 wildfire.

\$100,000 to **Waimea Nui Community Development Corporation (WNCDC)** for the Waimea Nui Regional Plan Priority Project: *Waimea Hawaiian Homestead Community Complex - Planning*. Funds will be used to complete the necessary funding for WNCDC to begin construction of a County water line and road to the property.

\$ 85,000 to **Keaukaha Pana`ewa Farmers Association, using Fiscal Sponsor Keaukaha Panaewa Community Alliance** for the Pana`ewa Regional Plan Priority Project: *Agriculture Marketing and Training Center*. Funds will be used for completing the required Hawai`i Revised Statutes Chapter 343 Environmental Assessment.

\$ 49,375 to **Kailapa Community Association** for the Kawaihae Regional Plan Priority Project: *Kawaihae Water and Energy Research and Development*. Funds will be used for the research and feasibility to use a DHHL well and desalinization treatment facility as the water source for the DHHL-owned Kawaihae Unit #1 water system (PWS No. 164), which serves the Kailapa homestead.

Capacity Building

\$5,000 to **La`i `Ōpua 2020** for its WorkForce Development program to increase communications and to renew and increase partnerships, by using a variety of methods, including the following: beneficiary consultation, in coordination with Villages of La`i `Ōpua Association, conducting puwalu, sending newsletters, and website design.

\$5,000 to **Moloka`i Homestead Farmers Alliance** to conduct community workshops on business planning and the US Internal Revenue Service Section 501(c)(3) federal tax-exemption application process for charitable organizations.

\$5,000 to **Pa`upena Community Development, Inc.** to establish and hire a part-time executive director position and mentor next generation leaders.

\$5,000 to **Princess Kahanu Estates Association** to establish a permanent imu as a place for gathering, sharing of cultural practices and community engagement.

\$5,000 to **Wakiu Community Development Corporation** to build organizational capacity by engaging in a strategic planning process, community engagement, program development and evaluation, including fund development. Wakiu CDC is a new organization representing East Maui beneficiaries.

- (2) That the HHC approves carrying over to the 2022-2023 fiscal year, any of the approved allocated funds that cannot be encumbered by contract by June 30, 2022.

BACKGROUND

As part of the Native Hawaiian Development Program Plan (NHDPP), Hawaiian Home Land Trust Grants are made available to nonprofit organizations provided the purpose of the assistance is to benefit native Hawaiians. Over the years, grants have been offered in several program areas – including Capacity Building, Project Implementation, Regional Plan Priority Projects, Community Economic Development, and Agriculture Peer-to-Peer – as a means of implementing the community development component of the NHDPP. Grant offerings reflect DHHL priorities and community interests.

The focus of this round of grants is on Regional Plan Priority Projects and Capacity Building. The Regional Plan Priority Project grant is intended to help beneficiary organizations to lead, plan and implement a priority project that is identified in the most recent HHC-approved Regional Plan. Such projects have undergone thorough vetting within the homesteads and rigorous beneficiary consultations, thus reflecting the priorities and interests of the community. The Capacity Building grant is intended to help beneficiary organizations to deliver on their mission and community vision by enhancing and strengthening their organizational capacity – including, but not limited to leadership, community outreach, nonprofit management, administrative and financial systems.

In June 2021, the HHC approved a total of \$1,000,000 from the Native Hawaiian Rehabilitation Fund (NHRF) for the current fiscal year. This has been administratively allocated as \$900,000 for the Regional Plan Priority Projects and \$100,000 for Capacity Building.

DISCUSSION

Solicitation Notices for both types of grants follow State Procurement rules using the Competitive Sealed process or “Request for Proposal.” Notices were posted on October 8, 2021, with a

December 15, 2021 deadline. Notices were posted on the State Procurement Website; email notifications sent to beneficiary organizations; and grant information meetings (virtual) were held on October 27, November 1, and November 3, 2021. Meetings were recorded and available on the DHHL website. Grant eligibility was open to nonprofits designated by the US Internal Revenue Service as federally tax-exempt 501(c)(3) organizations or community organizations using a 501(c)(3) fiscal sponsor. Per Hawaii Administrative Rules (HAR) 10-6.1-5(a), beneficiaries of the [proposed] assistance must be native Hawaiians.

Table 1 below shows the timeline and process as published in both grant application packets.

Table 1
Deadline, Processing Time, and Project Timeframes
Subject to Change

SCHEDULED DATE	ACTIVITY
October 27, 2021 - 6:00-7:00 PM November 1, 2021 - 6:00-7:00 PM November 3, 2021 11:00 AM - 12:00 Noon	OPTIONAL: Grant Informational Meeting (virtual). The same presentation will be conducted at each meeting. Go to the DHHL website for how to join the virtual meeting or by phone-in option. A recording will be available. www.dhhl.hawaii.gov
Wednesday, December 15, 2021 by 4:00pm HST	DEADLINE for Grant Application Original must be received at DHHL Kapolei before or by 12/15/2021. No email or fax accepted.
December 2021	DHHL review of grant applications
January 2022	DHHL Recommendations submitted to the Hawaiian Homes Commission regularly scheduled meeting
February - March 2022	Notifications to all applicants. Begin contracting process with awardees. Scope, budget, timeline negotiations and adjustments, if necessary
May - June 2022	Estimated Grant start date

Dates subject to change

A total of fourteen (14) grant applications were received by the December 15, 2021 deadline. See Table 2 below. No applications were received after the deadline.

Table 2
Number of applications received by island

Applications received	Organizations submitting	Island
2	1	O`ahu
0	0	Kaua`i
2	2	Maui
3	3	Moloka`i
0	0	Lana`i
7	6	Hawai`i
14	12	TOTAL

Notes:

- O`ahu - Princess Kahanu Estates Association submitted two (2) grant applications.
- Hawai`i - La`i `Ōpua 2020 submitted two (2) grant applications.

Nine (9) applications for Regional Plan Priority Project Grants were received by the December 15, 2021 deadline. The total amount requested was \$834,375. This amount is well within the budget allocation of \$900,000 for Regional Plan Priority Project Grants. All applications were complete and all applicants were in compliance with Hawaii Compliance Express. Thus, all applications were forwarded to the Grants Review Committee for further review.

Five (5) applications for Capacity Building grants were received by the December 15, 2021 deadline. The total amount requested was \$35,000. This amount is well within the budget allocation of \$100,000 for Capacity Building grants. All applications were complete and forwarded to the Grant Review Committee for further review. One application requested to be funded at \$15,000, which is above the maximum amount of \$5,000. The applicant was notified in writing.

The grant review process involves two steps. The first is a screening for eligibility, completeness, and compliance with the grant application requirements. The second is a review by a Grants Review Committee. The committee reviews the proposed project goals, work plan scope, budget and timeline, and potential benefit to beneficiaries of the Hawaiian Homes Commission Act of 1920, as amended (HHCA). The grant application packets include a description of the review process, a detailed explanation of all the review factors, and states that "applications with any missing items will be returned without being reviewed." A checklist was

provided in the application packet to help applicants organize their proposal. All required forms were also included in the application packet. There were no grant applications with missing items.

Department staff, serving as the Grant Review Committee, reviewed both the nine (9) applications for the Regional Plan Priority Project grant and five (5) applications for Capacity Building. The grant review committee members were:

- Gigi Cairel, DHHL Grants Specialist. Experience with beneficiary organizations, nonprofits and government and private foundation grant programs.
- Cedric Duarte, Information and Community Relations Officer. Experience with beneficiary organizations.
- Shelly Carreira, Land Agent. Experience with beneficiary organizations, nonprofits, and land dispositions for community use.

The funding recommendations were made based on the following evaluation criteria. The criteria below were stated in the grant application packet and presented by DHHL staff at the grant informational meetings. Meetings were held virtually on October 27, November 1, and November 3, 2021.

Regional Plan Priority Projects Evaluation Criteria:

- (1) Organizational Capacity: evaluates the applicant's capacity (ie, people resources, administrative systems, technical capacity) to carry out the planned activities and responsibly handle grant funds.
- (2) Project Description: evaluates the applicant's understanding and familiarity with the Regional Plan Priority Project they wish to implement.
- (3) Beneficiary Involvement and Partnerships: evaluates the extent to which beneficiaries and partners will be involved in the project, their role and level of involvement.
- (4) Soundness of Approach: evaluates the quality and feasibility of your project design and proposed work plan.
- (5) Sustainability: evaluates your preparedness to maintain your project after the grant is completed. It also looks at how you will adjust your plans if you do not receive the amount you requested.

Capacity Building Evaluation Criteria:

- (1) Building capacity: demonstrate how it will increase its own capacity, capability, knowledge and/or skills through a program of training and technical assistance.
- (2) Target population: How many beneficiaries will be assisted? Describe your organization's current projects to serve beneficiaries.
- (3) Soundness of approach: Is the plan for implementation viable? Does the proposal have SMART objectives? Do the results, benefits, and outcomes relate to a clearly defined need?
- (5) Sustainability: How will the project be continued after DHHL funding? Is there a contingency plan if partial funding is awarded?

Matching funds and in-kind donations were optional; however, additional points were provided for match.

A summary list of funding recommendations and details of the reviewed Regional Plan Priority Project grant applications, including applicant name, funds requested, project description, and rationale for funding from the committee is attached as Exhibit A. A similar summary for the Capacity Building grant applications is attached as Exhibit B.

AUTHORIZATION

The Regional Plan Priority Project and Capacity Building grants are one form of assistance to implement the Community Development component in the NHDPP. The current 2020 - 2022 NHDPP was approved by the HHC in June 2020. The NHDPP is authorized under HAR Chapter 6.1 of Title 10.

In consultation with the State Department of Accounting and General Services, State Procurement Office, DHHL's Community Development Grant Program is modeled after the State of Hawaii's procurement process known as Competitive Sealed Proposals or "Request for Proposals." The law and rules governing this form of procurement are covered under Hawai'i Revised Statutes Section 103D-303 and HAR Subchapter 6.

RECOMMENDED MOTION/ACTION

DHHL staff respectfully requests approval of the recommended motion as stated above.

EXHIBIT A

Regional Plan Priority Projects
Grant Applications
Funding Recommendations

Applicant	DHHL Funds Requested	Other Funds	In-Kind	Total Project Cost	Recommended Amount
Five Mountains Hawai'i, Inc.	\$100,000.00	\$0.00	\$20,000.00	\$120,000.00	\$100,000.00
Ho'opili Farmers Association	\$100,000.00	\$0.00	\$50,000.00	\$150,000.00	\$100,000.00
Kailapa Community Association	\$49,375.00	\$0.00	\$20,000.00	\$69,375.00	\$49,375.00
Kalamaula Homesteaders Association	\$100,000.00	\$0.00	\$50,000.00	\$150,000.00	\$100,000.00
Keaukaha Panaewa Farmers Association Fiscal Sponsor: Keaukaha Panaewa Community Alliance	\$85,000.00	\$15,990.00	\$5,260.00	\$106,250.00	\$85,000.00
La'i 'Ōpua 2020	\$100,000.00	\$0.00	\$26,316.00	\$126,316.00	\$100,000.00
Princess Kahanu Estates Association	\$100,000.00	\$96,000.00	\$5,000.00	\$201,000.00	\$100,000.00
Waimea Hawaiian Homesteaders' Association, Inc.	\$100,000.00	\$300,000.00	\$100,000.00	\$500,000.00	\$100,000.00
Waimea Nui Community Development Corporation	\$100,000.00	\$745,000.00	\$127,059.00	\$972,059.00	\$100,000.00
TOTAL	\$834,375.00	\$1,156,990.00	\$403,635.00	\$2,395,000.00	\$834,375.00

Five Mountains Hawaii, Inc.

Funds Requested	\$100,000
Funds Recommended	\$100,000

Project Description:

Five Mountains Hawaii, Inc. was born out of an identified need for a health clinic by Waimea beneficiaries. In 2011, the Waimea Hawaiian Homesteaders' Association, Inc. (WHHAI) conducted a community needs survey, where beneficiaries identified the need for a health clinic that was culturally competent and truly dedicated to addressing Native Hawaiian health issues. In early 2014, Five Mountains obtained their federal 501(c)(3) tax-exempt status. In 2017, Five Mountains became Hawaii's only independent Native Hawaiian Rural Health Clinic, as accredited by the Centers for Medicare and Medicaid Services. Five Mountains provides direct services to North Hawaii residents, including the following: primary care, psychiatric and psychological care, and indigenous healing care (eg. lomilomi massage, acupuncture, lā'au lapa'au herbals). Approximately 50% of Five Mountains patients are of Native Hawaiian ancestry - by far the highest percentage of Native Hawaiian patients than any health facility on Hawai'i island.

The proposed project is for planning and design for a health facility as part of the master plan for the Waimea Hawaiian Homestead Community Complex, a regional plan priority project. Specifically, Five Mountains plans to conduct the following:

- Analyze facility requirements
- Develop blueprint designs for the new facility
- Develop preliminary cost analysis and realistic timetable for construction
- Identify necessary permits
- Identify appropriate construction contractors and obtain work estimates
- Design facility interior and develop cost analysis
- Plan, design and permit necessary utilities

This proposed project is in collaboration with the Waimea homestead community. Five Mountains represents WHHAI's native health division. WHHAI submitted a support letter for this grant proposal.

Rationale for Recommendation:

The proposed project is part of a larger project that is beneficiary-driven - Waimea Hawaiian Homestead Community Complex.

The proposed rural health clinic is one of the planned facilities at the Complex.

The scope and workplan are clear, thus demonstrating Five Mountains' understanding of the planning phase to plan and construct a community facility, which will help to ensure a smooth workflow process for the construction phase. Five Mountains' strength is in the programmatic aspect of the project. Five Mountains has assembled a team of professionals to plan and design the facility.

The Committee notes that the state-required Environmental Assessment (EA) was completed in 2015 for the entire property (65 acres) for the larger Community Complex. A natural step after the Five Mountains phase is completed is to prepare a Supplemental EA. Much of the information gathered in Five Mountains' proposed project, specific to a rural health facility, will help to inform the Supplemental EA.

Lastly, this is clearly a collaborative project with beneficiaries and the Waimea homestead community. Five Mountains is contributing their expertise and experience to site a much-needed health clinic within the homestead.

In regards to the proposed budget, DHHL funds will be used for consultant expenses. Five Mountains is donating its staff time, valued at \$20,000.

This would be the first DHHL grant to Five Mountains.

The Committee recommends full funding.

Ho'opili Farmers Association

Funds Requested	\$100,000
Funds Recommended	\$100,000

Project Description:

Ho'opili Farmers Association (HFA) was established in 2021 by farmers and ranchers who felt that they needed more knowledge of different ways to farm that could keep costs down and minimize the need for bringing in inputs from other islands and for ranchers to minimize the cost of livestock feed, especially during times of drought. Although this association is fairly new, members come from diverse backgrounds in business, agriculture, construction, farming and ranching. HFA's mission is to assist and promote small

farmers, ranchers and livestock producers, with knowledge of cultural and organic farming techniques, production of livestock using natural farming procedures, sound business and marketing processes, and methods to ensure their success and sustainability throughout the generations.

Working in partnership with the identified community champion, Ahupua`a o Moloka`i (AOM), and in partnership with Napualei o Hina (NOH), HFA proposes to build upon their earlier work, which was funded under a previous DHHL Grant. Specifically, NOH implemented Phase 1 of the project - data gathering of existing shared equipment programs; assessment of homestead community interest and needs for specific tools and equipment; establishing a fee structure to implement the program; and developing a scheduling system for equipment use and maintenance.

HFA proposes to pick up where NOH left off. Specifically, HFA proposes to continue the implementation of the Shared Farm Equipment by purchasing equipment needs and evaluating the program to strengthen the program for future generations.

Rationale for Recommendation:

Though the grant applicant is new, it has the support of homestead-based associations that have worked successfully together in the past. HFA's board and key volunteers have strong backgrounds in farming, livestock, business and construction. Two of the three board members are beneficiaries and actively use their homestead lot for farming and raising livestock. HFA's executive director is a fourth generation homesteader and brings over 20 years of business experience. Her and her husband own and manage a small taro farm. Lastly, HFA has a youth specialist volunteer of high school age. She is participating in an internship program to learn natural farming techniques. Her role in this project is to coordinate other youth as a learning experience for leadership skills and how to operate a shared farm equipment program. The goal is to teach and support the next generation.

HFA is working collaboratively with both AOM and NOH, both of whom initiated this project and obtained a previous DHHL grant for Phase 1.

In regards to the proposed budget, a majority of the funds will be used to obtain or repair equipment. HFA and its partners are providing in-kind match, valued at \$50,000. This is a tremendous commitment by an all-volunteer, grassroots, homestead-based organization. The Committee commends this effort.

This would be the first DHHL grant directly awarded to HFA. In 2020, HFA received a DHHL Capacity Building grant with NOH as the Fiscal Sponsor.

The Committee recommends full funding.

Kailapa Community Association

Funds Requested	\$49,375
Funds Recommended	\$49,375

Project Description:

Incorporated in 2004, Kailapa Community Association (KCA) is committed to developing community programs and services that promote healthy living, environmental preservation, and Hawaiian cultural practices. KCA has successfully completed several community facility projects and delivered programs to serve the homestead. KCA has a solid track record for bringing vast resources - funding, technical assistance, volunteers, materials, and supplies - to support projects and assist beneficiaries. And, KCA has an extensive network of contacts and resources to call upon.

KCA proposes to address the Kawaihae Water and Energy Research and Development project in the Kawaihae Regional Plan. In its grant proposal, KCA expresses the following concerns regarding DHHL's existing Kawaihae Unit #1 Public Water System (PWS No. 164).

- The DHHL water system is dependent on one water source - Kohala Ranch Water Co. (KRWC), a privately-owned water system. For safe drinking water systems, it is best practice to have redundancies in system components.
- Per the 1996 agreement between DHHL and KRWC, "the water commitment being made by KRWC to DHHL is temporary in nature only and is subject to termination by KRWC or DHHL upon two (2) years written notice to the other."
- Homesteaders have expressed concern that their water bills from DHHL are too high. The Ranch's cost to supply water to DHHL's system is one of the highest on Hawai'i island. A portion of these operational costs are passed on to DHHL water customers in the Kailapa homestead.

As stated in KCA's proposal, KCA's goals are to seek reduced water rates from the HHC and reduced dependency on the Ranch water source. To achieve these goals, KCA proposes to research the feasibility for an alternative water source from an existing DHHL exploratory well to supply DHHL's Kawaihae Water System. Specifically, KCA proposes to conduct the following tasks:

- Feasibility analysis to utilize a DHHL well as the primary water source.
- Preliminary design and planning of a de-salinization treatment facility to treat the water source from the DHHL well. The facility will include photovoltaic technology aimed at lowering operational costs.
- Project management and community outreach.

Lastly, KCA identified a possible funding source to pay for the design and construction of the proposed improvements to the DHHL Kawaihae system – US Department of Agriculture (USDA) Rural Development, Water and Environmental Program (WEP). KCA has had preliminary discussions with USDA on KCA's proposed improvements project. KCA is requesting DHHL grant funds to also pay for a household income survey to qualify the project area for the USDA WEP funds.

Rationale for Recommendation:

KCA proposes an interesting idea to explore – to assess an existing DHHL well and utilize it, with the proper treatment (using de-salinization technology), to complement or replace the current Kohala Ranch water source. The Committee has not previously reviewed a similar type of project proposal.

The Committee appreciates KCA's initiative to propose a possible alternative source for the DHHL Kawaihae Water system. The proposed scope and workplan are clear and focused on the capital improvement (an alternative water source), but the overall project plan is limited. While KCA's overall goal is to reduce DHHL water rates, the proposal falls short on addressing the financial analysis to plan and construct and to operate and maintain the proposed de-salinization treatment system alternative and proposed photo-voltaic component in the long term. The Committee recommends that initial cost estimates (or rough order of magnitude) be explored as part of KCA's grant scope.

While KCA's overall goal is to reduce DHHL water rates, the Committee cautions that simply replacing one water source for another does not directly correlate to reducing customer water rates. There are many items that go into a Cost Analysis and Rate Study for water service – water source pumping and treatment is only one item. Further, the DHHL water system is a simple, basic "consecutive water distribution system", which is at the lowest regulatory level by Department of Health (DOH). KCA's proposed concept for a de-salinization treatment facility will increase DOH regulatory compliance and push the DHHL system

into the "treatment category". Long term operations and maintenance costs will increase based on this change from a consecutive distribution system to a treatment system with a desalinization facility.

KCA also has identified USDA WEP funding for the design and construction of the capital improvements. USDA funding conditions include federal loan re-payment terms and debt service reserves. These costs also need to be accounted for as part of the water system cost analysis. On the other side of the ledger is identifying the revenue sources to pay for water system operational costs, regulatory compliance and funder requirements and federal debt service.

Unlike County water systems, DHHL water systems have very limited options for revenue sources to recover ongoing water system operations and maintenance costs, federal loan re-payment and reserves for debt service and short-lived assets. To keep customer water rates affordable, DHHL Trust funds continue to subsidize all DHHL water systems. These are Trust funds that are needed for new homestead lot development to address the DHHL Applicant List of native Hawaiian families awaiting a homestead lot award.

Should the planning phase for KCA's proposed project be completed and an alternative(s) identified to improve the DHHL Kawaihae system, the Committee recommends that a Financial Analysis be conducted, and a comparison be conducted among the status quo and alternative(s). Such Analysis should include a Cost Study of the alternative(s) and a subsequent Rate Analysis. Major capital improvements to a drinking water system takes a tremendous amount of time, effort, and investment. By understanding the construction costs, long term operational and maintenance costs, regulatory and funder requirements, any "hidden costs", and long-term impact on Trust Funds, the HHC and DHHL can make a better-informed decision on which alternative(s) to pursue, if any.

In regards to KCA's concern about possible termination of the Ranch's water source, while the agreement between the Ranch and DHHL does state termination may occur with two years written notice, the agreement goes on to state that "the Ranch agrees that it will not issue a notice of termination until such time as the Ranch's consumption reaches 1.5 million gallons per day." This limit was based on the Ranch's future development plans. Given the slow economy and 25 years has passed since the initial agreement, the Ranch has not come close to reaching that limit.

Thus, the risk for termination seems minimal. The Committee does recognize that it does take more than two years to develop a new water source and complete any major improvements to the DHHL water system. It would be prudent to explore options at any time.

The Committee recommends full funding because this project can provide important information for the community, DHHL and HHC on considering any future improvements to the DHHL-owned Kawaihae water system.

Kalama`ula Homesteaders Association

Funds Requested	\$100,000
Funds Recommended	\$100,000

Project Description:

The Kalama`ula Homesteaders Association (KHA) was founded in 1961 and incorporated as a nonprofit in 2010. It serves the oldest Hawaiian homestead in the state. KHA serves beneficiaries through its mission, purpose and goals in the following ways:

- Challenge and inspire youth who live on homestead and achieve their full potential by providing support and opportunities.
- Promote better health for our Kalama`ula community and homesteaders outside of Kalama`ula through education,
- Preserve and protect Hawaii's natural environment through land stewardship.

KHA's proposed project is to improve roadway capacity and safety, and to improve vehicular mobility into and throughout the homestead areas. KHA proposes to first focus on the Kalama`ula homestead, then on to Ho'olehua. Per KHA, based on beneficiary consultation, road improvements are needed to improve safety and accessibility; roads are narrow and do not provide enough space for children that walk and ride bicycles to school; over time, heavy farm equipment and trucks have contributed to the poor road conditions; and, lastly, the unpaved roads have led to excessive wear and tear on lessee vehicles.

KHA's proposed approach for this project is to start with conducting an inventory of the roads and assessing the conditions. Specific roads would then be prioritized based on the following factors.

- Level of service or use of the road

- Current conditions and proposed improvements

KHA also plans to coordinate with any current State and County CIP efforts to take advantage of economies of scale, equipment and labor on island. This includes coordination with DHHL's current improvements project to the DHHL Ho'olehua public water system (PWS No. 230). Lastly, KHA has included a task to identify and confirm ownership of the roads to assist with clarity on responsibility to maintain the roads.

Rationale for Recommendation:

The Committee appreciates KHA's initiative to start this roads improvement project. KHA proposes a careful and thoughtful approach, which clearly involves beneficiaries in getting hands-on experience in project planning and implementation.

The Committee recommends full funding.

Keaukaha Panaewa Farmers Association

Fiscal Sponsor: Keaukaha Panaewa Community Alliance

Funds Requested	\$100,000
Funds Recommended	\$100,000

Project Description:

The Keaukaha Panaewa Farmers Association (KPFA) represents DHHL Lessees that reside on 285 agricultural lots in Panaewa, Hilo. KPFA's mission is to support, motivate, preserve Hawaiian culture ; achieve self-sufficiency; and strengthen pono management and respect for the 'aina.

KPFA proposes to conduct the State-required Environmental Assessment (EA) for the Agriculture Marketing and Training Center. The final outcome is to file the EA and Finding of No Significant Impact with the State Environmental Review Program (formerly known as the Office of Environmental Quality Control). This will enable KPFA to continue to move forward with the development of the Center.

Rationale for Recommendation:

This proposal – to complete the State-required Environmental Assessment – builds off of KPFA's previous DHHL Grant, where they are completing a Site Master Plan for the Agricultural Marketing and Training Center. KPFA has been thoughtful in their overall project approach. The Committee appreciates the carefully laid out plan and context described in KPFA's grant

proposal for the overall project, while pursuing incremental funding. This gave the Committee more confidence in KPFA's capacity to project manage.

The only concern the Committee has is about the proposed timeframe of seven (7) months for full completion of the Final EA and filing with the Environmental Review Program. This is an aggressive timeframe, given the State Historic Preservation Division procedures and lengthy processing time (via SHPD's new HICRIS online system), various agency and community consultations needed, and approvals by the Hawaiian Homes Commission. Many of these procedures are outside of KPFA's control.

The Committee recommends full funding.

La`i `Ōpua 2020

Funds Requested	\$100,000
Funds Recommended	\$100,000

Project Description:

The homesteaders of the Kaniohale Community Association, a native Hawaiian homeowners association in the Villages of La`i `Ōpua, founded La`i `Ōpua 2020 (L2020) in 2006. The mission of L2020 is to identify community needs, foster the creation of community facilities, and coordinate programs for native Hawaiian homesteaders and those residing in the greater Kona Coast community.

L2020 accomplishments include the construction of two phases out of four phases of the Community Center complex - Workforce Development and Business Incubation Center and Certified Commercial kitchen with an Open Pavilion.

Of note, with its recently completed Certified Kitchen, L2020 was able to quickly respond to community needs resulting from the outbreak of COVID-19. From March to November 2020, L2020 assisted over 14,000 families and provided 60,000 meals, 3,000 produce bundles, 3,650 meal/recipe bags and 350 food certificates/bags.

Continued progress on L2020's future Complex phases has slowed down due to the lack of water.

L2020's proposed project is to conduct stakeholder and community outreach to bring awareness to the need for water source

development for Hawaiian Home Lands in Kona for future homesteading and community facilities. Specifically, DHHL grant funds would be used to hire a consultant to implement two phases. (1) Design the stakeholder outreach strategy, which is intended to be a soft touch to assess support for the water source development project and L2020's Complex Master Plan; build trust and relationships. (2) Implement the outreach strategy and compile a list of issues and concerns

Rationale for Recommendation:

The North Kona Water Source Development project is an important project for both DHHL and the community. DHHL has future homestead development plans in the area and new water source development is critical to developing new homestead lots for families on the Wait List. As new homestead communities are established, support will be needed from community facilities, services and programs.

L2020's proposed project to engage with stakeholders and the community is a good component to complement DHHL homestead development efforts. Stakeholder and community outreach is a key component to any land development project, especially those at a large-scale. Information gathered from L2020's efforts will be helpful as DHHL continues its planning and due diligence for water source development in Kona.

The Committee recommends full funding.

Princess Kahanu Estates Association

Funds Requested	\$100,000
Funds Recommended	\$100,000

Project Description:

Incorporated in 1995 and achieved federal 501(c)(3) tax-exempt status in 2016, Princess Kahanu Estates Association (PKEA) is a homeowners association serving 271 lessees. With various community partners and beneficiary involvement, PKEA has a long history of implementing community projects, including managing homestead common areas, rental and maintenance of the boatyard, neighborhood watch, Kanikapila night, and annual Turkey Imu. Building on these earlier programmatic and project experiences, PKEA is currently engaged in a large-scale project to expand the existing community center. Specifically, the expansion includes the following.

- Enclose the existing patio area to create a multi-purpose room and increase occupancy size.

- Convert a portion of the existing boatyard into a commercial kitchen.
- Construct a new pavilion to rent out for events.

Rationale for Recommendation:

In 2020, PKEA was awarded a DHHL grant for the planning phase of this project. This second request for funds is to finish the building plans, secure approvals and permits, and begin the construction of the improvements. Project progress has been slow and costs have gone up, partly due to the impact of the pandemic.

As noted in the 2020 grant recommendation, the Committee continues to have concern on the overall work plan specifics for PKEA to show it has a clear understanding of the overall planning, design and construction of such a large-scale construction project. A more detailed work plan will be a requirement in the grant contract scope.

The potential for local economic development and to increase revenue in efforts to achieve fiscal sustainability are compelling reasons for funding.

The Committee recommends full funding.

Waimea Hawaiian Homesteaders' Association, Inc.

Funds Requested	\$100,000
Funds Recommended	\$100,000

Project Description:

Established in 1952 and incorporated as a nonprofit in 2013, Waimea Hawaiian Homesteaders' Association, Inc. (WHHAI) is a well-established association serving over 500 families and has a territory of over 85,000 acres out of the DHHL total of 200,000 acres.

It is WHHAI's strategy to take care of the homestead ranchers that were affected by the wildfire on July 30, 2021.

- 45 properties sustained partial loss to their exterior fencing of their ranchlands.
- 23 ranchers had total loss of all fencing.

WHHAI proposes a project to help heal the wounds of the devastation suffered by beneficiaries and then accelerate them to a higher level that has never been imagined before. Specifically, WHHAI proposes the following to assist a total 250 homestead ranchers.

- Connect homestead ranchers with resources, including registering with US Department of Agriculture (USDA), Farm Services Agency (FSA).
- Assist homesteaders with individual ranch fencing plans and filings with USDA FSA, USDA Natural Resources and Conservation Services (NRCS) and DHHL.
- Identify and assist with purchasing and installation of the fencing equipment.

Rationale for Recommendation:

WHHAI is well-organized to plan and implement the proposed project, including drawing upon the expertise of WHHAI's Ranching Division. WHHAI has the knowledge, experience and network of resources, both within the homestead and with external resources. Additionally, WHHAI is leveraging the DHHL funds by 4:1. Total level of effort for this project is \$500,000, of which WHHAI is requesting \$100,000 from DHHL.

This project comes at the right time to address an immediate need for the livelihood of homestead families.

The Committee recommends full funding.

Waimea Nui Community Development Corporation

Funds Requested	\$100,000
Funds Recommended	\$100,000

Project Description:

In 2011, Waimea Hawaiian Homesteaders' Association, Inc. (WHHAI) decided to take action steps towards developing the Waimea community lands for the betterment of the beneficiaries. Waimea Nui Community Development Corporation (WNCDC) was born and received its federal 501(c)(3) tax-exempt status in 2014. WNCDC's purpose is to develop and facilitate the development of homestead projects and programs that promote economic development and build homestead association capacity to own or operate community facilities or projects on Hawaiian Home Lands or elsewhere.

WNCDC's Master Plan describes the phased development of a series of 29 WHHAI community and economic development projects, specifically designed to promote the self-sufficiency of native Hawaiians.

Rationale for Recommendation:

The proposed project is part of a much larger project that WNCDC has been implementing for many years. WNCDC has been successful in laying the groundwork and securing funding, including working closely with County of Hawai'i on the infrastructure plans and securing a \$800,000 State Grant-In-Aid from the State Department of Agriculture. The Committee applauds WNCDC for their ability to establish strong partnerships, a broad network of resources and securing diverse resources for a large-scale and complex project.

WNCDC is well-organized and experienced to plan and implement the proposed project. WHHA has the knowledge, experience, and network of resources, both within the homestead and with external resources. Additionally, WNCDC is leveraging the DHHL funds by 8:1. Total level of effort for this project is over \$900,000, of which WNCDC is requesting \$100,000 from DHHL.

The Committee recommends full funding.

EXHIBIT B

Capacity Building Projects
Grant Applications
Funding Recommendations

Applicant	DHHL Funds Requested	Other Funds	In-Kind	Total Project Cost	Recommended Amount
La'i'Opua 2020	\$15,000.00	\$15,480.00	\$30,480.00	\$60,960.00	\$5,000.00
Molokai'i Homestead Farmers Alliance	\$5,000.00	\$1,350.00	\$6,850.00	\$13,200.00	\$5,000.00
Pa'upena Community Development, Inc.	\$5,000.00	\$4,955.17	\$0.00	\$9,955.17	\$5,000.00
Princess Kahanu Estates Association	\$5,000.00	\$0.00	\$0.00	\$5,000.00	\$5,000.00
Wakiu Community Development Corporation	\$5,000.00	\$0.00	\$4,500.00	\$9,500.00	\$5,000.00
TOTAL	\$35,000.00	\$21,785.17	\$41,830.00	\$98,615.17	\$25,000.00

La`i `Ōpua 2020

Funds Requested	\$15,000
Funds Recommended	\$ 5,000

Project Description:

The homesteaders of the Kaniohale Community Association, a native Hawaiian homeowners association in the Villages of La`i `Ōpua, founded La`i `Ōpua 2020 (L2020) in 2006. The mission of L2020 is to identify community needs, foster the creation of community facilities, and coordinate programs for native Hawaiian homesteaders and those residing in the greater Kona Coast community.

L2020 accomplishments include the construction of two phases out of four phases of the Community Center complex - Workforce Development and Business Incubation Center and Certified Commercial kitchen with an Open Pavilion.

L2020's proposed project is to build capacity within L2020 and with its existing partners; secondly, to engage new partners and re-engage the community for L2020's Workforce Development program. Specifically, funds will be used to hire a professional facilitator and website professional. A variety of outreach tools will be re-visited, including the following:

- Puwalu
- Monthly Newsletter
- Social media
- Written agreements with partners, such as Memorandums of Understanding

Rationale for Recommendation:

L2020's request for DHHL grant funds is for a total of \$15,000. The maximum grant award amount, to any one organization, is \$5,000. L2020 was notified in writing.

The Committee commends L2020's thoughtful approach to building its organizational capacity and for recognizing that its own ability to grow is dependent on its ability to communicate with stakeholders, specifically beneficiaries.

The Committee recommends full funding.

Moloka'i Homestead Farmers Alliance

Funds Requested	\$5,000
Funds Recommended	\$5,000

Project Description:

In 2005, a group of homestead farmers created the Moloka'i Homestead Farmers Alliance (MHFA). Its mission is to advocate for the protection of water rights for all homestead farmers, evolving to all farmers in commercial operations, food/safety and subsistence farming.

MHFA proposes to plan and conduct workshops for beneficiaries on business planning and the application process for the US Internal Revenue Service Section 501(c)(3) tax-exemption for charitable organizations. As a well-established organization, MHFA often receives inquiries on its best practices in running a nonprofit. MHFA wishes to give-back to the community and provide training for homestead farmers on how to run a business, particularly a 501(c)(3) nonprofit. The intended audience for the workshop is for those new to nonprofits as well as a re-fresher for those managing an existing nonprofit.

MHFA understands and acknowledges the need for its own capacity building and its responsibility to create next generation leaders, not only for MHFA but for all other beneficiary organizations.

Rationale for Recommendation:

MHFA is a strong organization and has delivered on many projects, programs and services for the beneficiaries. For example, with State Grant-In-Aid funds administered by DHHL, MHFA completed major renovations to the Lanikeha Center in Ho'olehua, which is a widely used community facility. With a DHHL Grant, MHFA expanded and sustained its COVID-19 Relief services for beneficiaries by providing meals, produce, household supplies and health supplies. This accomplishment has attracted many donors, public and private resources, donated labor, and a vast network of contacts.

The proposed project is a good example of a grassroots, beneficiary organization willing to share their experiences and lessons learned in starting up a 501(c)(3) nonprofit organization and sustaining an organization with a sound business plan, mission and goals.

The Committee commends MHFA's thoughtful approach to building its organizational capacity and for recognizing the responsibility to grow next generation leaders.

The Committee recommends full funding.

Pa`upena Community Development, Inc.

Funds Requested	\$5,000
Funds Recommended	\$5,000

Project Description:

Incorporated in 2016, Pa`upena Community Development, Inc. purpose is to fulfill Prince Kūhiō's vision for native Hawaiians to re-connect with Waiohuli ahupua`a in thriving agricultural and pastoral communities; and to share this paradigm throughout the pae`aina. Pa`upena's goals are to achieve (1) Ea - or sovereignty, the life breath that undergirds all efforts; (2) `Eleu - being energetic and proactive; (3) E Huli`au Kākou - changing the system, transforming the community; and (4) Education - training others to be financially sustainable.

For a relatively new organization, Pa`upena has secured a wealth of resources, including funding from a variety of sources; and has delivered on several projects, including the installation of individual water catchment systems for upcountry homestead farmers.

Given its aggressive growth with multiple funding sources and future plans to manage 127 acres of Hawaiian Home Lands, Pa`upena proposes to use DHHL grant funds to establish and hire a paid, part time executive director position. Goals of this project are the following.

- Strengthen organizational communication internally and with community and other stakeholders.
- Expand the website.
- Enhance fiscal management, including refining and implementing a process for spending accountability.
- Prepare a fund development plan.

Rationale for Recommendation:

Best practice in the nonprofit industry is having consistent, professional level staff (whether paid or not), which helps to sustain an organization as volunteer board members and consultants come and go. It is a good training ground for the next generation leaders.

The Committee recommends full funding.

Princess Kahanu Estates Association

Funds Requested	\$5,000
Funds Recommended	\$5,000

Project Description:

Incorporated in 1995 and achieved federal 501(c)(3) tax-exempt status in 2016, Princess Kahanu Estates Association (PKEA) is a homeowners association serving 271 lessees. With various community partners and beneficiary involvement, PKEA has a long history of implementing community projects, including managing homestead common areas, rental and maintenance of the boatyard, neighborhood watch, Kanikapila night, and annual Turkey Imu.

PKEA proposes as its capacity building project to establish a permanent Imu. Since 2012, PKEA has conducted an annual Thanksgiving Imu, which served as a place of gathering and sharing of cultural practices across generations.

Rationale for Recommendation:

With the ongoing pandemic, this project comes at a good time. The project will provide a benefit for the Thanksgiving holiday for PKEA lessees and also a permanent Imu for individual use for other occasions and for use by individual families. The Imu would be located within the homestead, offering easy access to all lessees and their families.

The Committee recommends full funding.

Wakiu Community Development Corporation

Funds Requested	\$5,000
Funds Recommended	\$5,000

Project Description:

Like many communities seeking to organize and have a collective voice, a small community group formed and began to meet and engage with the Hana community to identify beneficiaries, and to seek out their opinions and suggestions on community needs. While informal, the information shared was concise: affordable housing and economic development opportunities. The community also identified

Wakiu Hawaiian Home Lands as an opportunity to address these concerns.

As a result of this early community engagement process, Wakiu formally organized. Incorporated in 2020, Wakiu Community Development Corporation (WCDC) was founded by community members who are beneficiaries in East Maui. Isolated from the outside world, Hana is a small, close-knit community whose intergenerational families continue to live the lifestyle that was imbedded in them through generations. The world as they know it today has played an ever-increasing concern that Hana and all of East Maui have to change the way they live, work and play. WCDC has been working in the past year to identify community solutions that fit their community.

As a relatively new organization, WCDC proposes to build its organizational capacity in the following areas.

- Strategic Planning.
- Community Engagement, including website design.
- Program Development to address the community identified needs in affordable housing and economic development.
- Evaluation.

Rationale for Recommendation:

The Committee commends WCDC's careful and thoughtful approach to building its organizational capacity and showing its willingness to learn as an organization at this early stage of nonprofit formation. WCDC took the initiative to organize, form and engage assistance from beneficiaries, including participating in nonprofit board training. Following up from its board training, WCDC seeks to engage in a strategic planning process, which is a natural step in the life cycle of any nonprofit. Through its earlier efforts, WCDC has learned that one-on-one conversations and virtual meetings has been more successful than other activities. And, for program development, WCDC already has in mind to outreach to experts in the fields of affordable housing and economic development to build WCDC's strength and increase WCDC's knowledge so they can be better at addressing community needs. Lastly, WCDC recognizes the value of evaluation.

This would be the first DHHL grant to Wakiu Community Development Corporation.

The Committee recommends full funding.

State of Hawaii

Department of Hawaiian Home Lands

February 22 - 23, 2022

TO: Chair and Members, Hawaiian Homes Commission

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

FROM: Gigi O. Cairel, Grants Specialist *G. Cairel*

SUBJECT: Approval to authorize the Chairman to submit to US Department of Agriculture Rural Development an application for federal funds for the construction of the Ka'uluokaha'i water and wastewater project, Kapolei, O'ahu

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) approves the following.

- Authorize the Chairman to submit to the US Department of Agriculture Rural Development (USDA RD), Water and Environmental Program (WEP), a funding application in the amount of \$3,701,000 for the construction of the Ka'uluokaha'i water and wastewater project, Kapolei, O'ahu;
- Authorize the Chairman to negotiate the final terms and conditions of the USDA RD WEP funds.

BACKGROUND

In 2006, DHHL and Nā Kupa'a o Kūhiō established a partnership to access Congressional set-aside funds for DHHL drinking water and wastewater infrastructure projects. The federal funds were made available within the US Department of Agriculture Rural Development (USDA RD), Water and Environmental Program (WEP). USDA WEP only awards funds as a combination Loan and Grant. Nā Kupa'a o Kūhiō is a private, nonprofit, federally tax-exempt 501(c)(3) organization.

From 2006 to 2011, 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 served as the applicant to access the USDA RD 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.

Nā Kupa'a o Kūhiō successfully accessed over \$18 million in USDA Loan and Grant funds for seven (7) DHHL water and wastewater projects. Four (4) projects were not "shovel-ready" on the department side, so USDA de-obligated \$11 million.

DISCUSSION

The water and wastewater system for the Ka'uluokaha'i homestead was the last project from the DHHL/ Nā Kupa'a o Kūhiō partnership. In 2011, USDA obligated \$3.701 million to Nā Kupa'a o Kūhiō in a combination of WEP Loan and WEP Grant funds -- \$2,188,00 Loan and \$1,513,00 Grant. 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. Since project completion in 2015, Ka'uluokaha'i residential lessees became direct customers of BWS.

Because this was a new homestead development, this project was included in DHHL's construction of the other subdivision infrastructure – roads, drainage, street lights, etc. The subdivision construction plans were designed and approved as a comprehensive package; the water and wastewater components had to be constructed at the same time as the rest of the improvements, even though the federal funds were not yet readily available by Nā Kupa'a o Kūhiō. To keep the project going, DHHL then entered into an Interim Financing Agreement in 2014 (Contract No. 63423) with Nā Kupa'a o Kūhiō to bridge the total project funding gap. (See Exhibit A) The project was completed

on time and within budget in 2015. Note that the State Procurement Process (Hawai'i Revised Statutes Chapter 103D) was used, where DHHL served as the lead agency to conduct one procurement process for construction of all infrastructure components for the entire subdivision - water, wastewater, roads, drainage, street lights, etc. This ensured there was an open and transparent bidding process for the construction contracts as required by both State and Federal laws. It also ensured that one contractor would do all of the work and avoid conflicts during construction.

USDA transfer of the federal funds from Nā Kupa'a o Kūhiō to DHHL

By the time project construction was completed, the USDA RD WEP funds had still not been released from USDA to Nā Kupa'a o Kūhiō. USDA RD appealed to DHHL for assistance. In 2021, all parties came to an agreement on the path to move forward: USDA RD committed to transfer the \$3.701 million funding obligation from Nā Kupa'a o Kūhiō to DHHL. (See Exhibit B)

The transfer of the USDA RD funding obligation from Nā Kupa'a o Kūhiō to DHHL involves 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. *This is completed.*
- Per USDA request, DHHL is to submit a funding application in the amount of \$3.701 million to USDA RD. *This is currently in process. Expected completion is end of February 2022.*
- DHHL and USDA RD to negotiate the terms and conditions of the funding obligation.

DHHL Interim Financing Agreement with Na Kupaa

Given that USDA committed to transfer the \$3.701M funding obligation from Nā Kupa'a o Kūhiō to DHHL, DHHL re-visited its Interim Financing Agreement with Nā Kupa'a o Kūhiō. The following is what transpired in regards to this Agreement.

- 2014 - HHC authorized the issuance of the Interim Financing Agreement to Nā Kupa'a o Kūhiō in the amount of \$3,701,000. And, DHHL executed the Interim Financing Agreement as a certified Contract (Contract No. 63423).

- 2014 - 2015 - DHHL disbursed \$2,873,877.40 to Nā Kupa`a o Kūhiō, based on invoices and proper documentation submitted by Nā Kupa`a. Funds were used to pay for construction of the water and sewer infrastructure. (See Exhibit C)
- 2018 - Re-payment of the loan in full was due. In May 2018, DHHL sent a demand notice to Nā Kupa`a o Kūhiō. No response was received. DHHL then proceeded to administratively close Contract No. 63423.

To resolve this situation, DHHL exercised provision #4 in the Interim Financing Agreement, by cancelling License No. 757

"(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."

DHHL issued the License Cancellation notice to Nā Kupa`a o Kūhiō on February 7, 2022. (See Exhibit D)

RECOMMENDED MOTION/ACTION

DHHL staff respectfully requests approval of the recommended motions as stated above.

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, 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 A

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

DAVID Y. ICE
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 Waianuenue Avenue Room 311
Hilo, Hawaii 96720

Subject: *East Kapolei JIB 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.ailajr@hawaii.gov.

Mahalo,



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



Wendell Lee, Board Member
Na Kupa'a o Kuhio

EXHIBIT B

East Kapolei II, Increment IIB
Interim Construction Loan to Na Kupa'a o Kuhio
Contract 63423

Draw Number	Invoice date	Royal Contracting	Bowers + Kubota	Community Planning and Engineering	TOTAL
#1	1/6/15	1,140,533.18	20,487.50		1,161,020.68
#2	2/26/15	1,244,294.95	22,872.00	2,990.60	1,270,157.55
#3	5/14/15	155,439.95	100,028.00	6,056.25	261,524.20
#4	6/25/15	98,508.92	22,346.00	10,479.65	131,334.57
#5	8/17/15	32,159.40	9,761.00	7,920.00	49,840.40
	Total	\$ 2,670,936.40	\$ 175,494.50	\$ 27,446.50	<u>\$ 2,873,877.40</u>

EXHIBIT C

NĀ KŪPA'A O KŪHIŌ

RECEIVED
LAND DEVELOPMENT
DIVISION

2015 JAN -7 AM 8:20

Board of Directors

January 6, 2015

Officers

Thomas Contrades
President

Dr. Michael Chun
Vice President

Riley Smith
Secretary/Treasurer

Director

Todd Apo
Director

Land Development Division
Department of Hawaiian Home Lands
P.O. Box 1879
Honolulu, HI 96805

Attn: Darrell Ing

Subject: East Kapolei IIB Subdivision
Interim Financing Agreement, Contract 63423

Na Kupa'a o Kuhio hereby requests an interim loan draw-down in the amount of \$1,161,020.68 for the following invoices:

Royal Contracting, Request #1: 632,086.16 and) \$1,140,533.18
Royal Contracting, Request #2: 508,447.02)
Bowers + Kubota Consulting, Progress Payment #1: \$20,487.50
TOTAL: \$1,161,020.68

I hereby certify that the foregoing is correct and that loan funds for this statement have not been received.

Patricia K. Brandt
Executive Director

Encl.

For Information, Contact
Patricia K. Brandt

Mailing Address
P.O. Box 700248
Kapolei, HI 96709

Phone
808-386-0435
808-354-8145

Fax
808-848-1004

E-Mail
na.kupaa@gmail.com

<input checked="" type="checkbox"/> Contract No	63423
<input checked="" type="checkbox"/> Partial / Complete	
Invoice Received	1/7/15
Date	
I certify that goods/services were satisfactorily received on	
	1/8/15
Date	
recommended payment.	
	N. S. [Signature]

CNT

EXHIBIT C

NĀ KŪPA'A O KŪHIŌ

Board of Directors

February 26, 2015

Officers

Thomas Contrades
President

Land Development Division
Department of Hawaiian Home Lands
P.O. Box 1879
Honolulu, HI 96805

Dr. Michael Chun
Vice-President

Attn: Darrell Ing

Todd Apo
Secretary

Subject: East Kapolei IIB Subdivision
Interim Financing Agreement, Contract 63423

Wendell Lee
Treasurer

Na Kupa'a o Kuhio hereby requests an interim loan draw-down in the amount of \$1,270,157.55 for the following invoices:

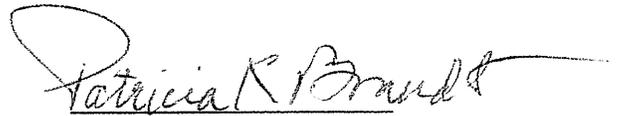
Directors

Riley Smith
Director

\$772,716.37 Royal Contracting, Request #3
\$471,578.58 Royal Contracting, Request #4
\$ 22,872.00 Bowers + Kubota Consulting, Progress Payment #2
\$ 2,990.60 Community Planning & Engineering, Inc.: Payment #1

Micah Kane
Director

I hereby certify that the foregoing is correct and that loan funds for this statement have not been previously received.


Patricia K. Brandt
Executive Director

Encl.

For information, contact
Patricia K. Brandt

Mailing Address
P. O. Box 700248
Kapolei, HI 96709

Phone
(808) 386-0435

Fax
(808) 848-1004

E-mail
na.kupaa@gmail.com

Contract No.	63423
<input checked="" type="checkbox"/> Partial <input type="checkbox"/> Complete	
Invoice Received	2/26/15
	Date
I certify that goods/services were satisfactorily received on	
	2/27/15 and
	Date
recommended payment.	
<i>N. Sacramento</i>	2/27/15
Signature	Date

OK

RECEIVED
LAND DEVELOPMENT
DIVISION
2015 FEB 26 PM 2:56

EXHIBIT C

NĀ KŪPA‘A O KŪHIŌ

Board of Directors

Officers

Thomas Contrades
President

Dr. Michael Chun
Vice-President

Todd Apo
Secretary

Wendell Lee
Treasurer

Directors

Riley Smith
Director

Micah Kane
Director

May 14, 2015
Land Development Division
Department of Hawaiian Home Lands
Honolulu, HI 96805
Attn: Darrell Ing

Subject: East Kapolei IIB Subdivision
Interim Financing Agreement, Contract 63423
Request #3

Na Kupā'a o Kuhio hereby requests an interim loan draw-down in the amount of \$261,524.20 for the following invoices:

\$ 78,439.60 Royal Contracting, Request #5
\$ 77,000.35 Royal Contracting, Request #6
\$ 37,896.00 Bowers + Kubota Consulting, Progress Payment #3
\$ 38,411.00 Bowers + Kubota Consulting, Progress Payment #4
\$ 23,721.00 Bowers + Kubota Consulting, Progress Payment #5
\$ 3,871.25 Community Planning & Engineering, Inc.: Payment #2
\$ 2,185.00 Community Planning & Engineering, Inc. Payment #3
\$ 261,524.20

I hereby certify that the foregoing is correct and that loan funds for this statement have not been previously received.

Patricia K. Brandt
Executive Director

For information, contact
Patricia K. Brandt

Encl.

Mailing Address
P. O. Box 700248
Kapolei, HI 96709

Phone
(808) 386-0435

Fax
(808) 848-1004

E-mail
na.kupaa@gmail.com

Contract No. <u>63423</u>	
<input checked="" type="checkbox"/> Partial	<input type="checkbox"/> Complete
Invoice Received	<u>5/14/15</u>
	Date
I certify that goods/services were satisfactorily received on <u>5/15/15</u> and	
	Date
recommend payment.	
<u>W Salom</u>	<u>5/15/15</u>
Signature	Date

RECEIVED
LAND DEVELOPMENT
DIVISION
2015 MAY 14 PM 1:26

EXHIBIT C

NĀ KŪPA‘A O KŪHIŌ

RECEIVED
LAND DEVELOPMENT
DIVISION
2015 JUN 25 PM 1:49

Board of Directors

Officers

Thomas Contrades
President

Dr. Michael Chun
Vice-President

Todd Apo
Secretary

Wendell Lee
Treasurer

Directors

Riley Smith
Director

Micah Kane
Director

June 25, 2015

Land Development Division
Department of Hawaiian Home Lands

Honolulu, HI 96805

Attn: Darrell Ing

Subject: East Kapolei IIB Subdivision
Interim Financing Agreement, Contract 63423
Request #34 ~~4~~

Na Kupa'a o Kuhio hereby requests an interim loan draw-down in the amount of \$131,334.57 for the following invoices:

- \$ 41,220.50 Royal Contracting, Request #7
- \$ 57,288.42 Royal Contracting, Request #8
- \$ 11,457.00 Bowers + Kubota Consulting, Progress Payment #6
- \$ 10,889.00 Bowers + Kubota Consulting, Progress Payment #7
- \$ 6,027.75 Community Planning & Engineering, Inc.: Payment #4
- \$ 4451.90 Community Planning & Engineering, Inc. Payment #5

I hereby certify that the foregoing is correct and that loan funds for this statement have not been previously received.

Patricia K. Brandt
Executive Director

Encl.

For information, contact
Patricia K. Brandt

Mailing Address
P.O. Box 700248
Kapolei, HI 96709

Phone
(808) 386-0435

Fax
(808) 848-1004

E-mail
na.kupaa@gmail.com

Contract No.	63423
<input checked="" type="checkbox"/> Partial <input type="checkbox"/> Complete	
Invoice Received	6/25/15
	Date
I certify that goods/services were satisfactorily received on	
	6/25/15 and
	Date
received payment.	
<i>N. Salama</i>	6/25/15
Signature	Date

EXHIBIT C

NĀ KŪPA'Ā O KŪHIŌ

Board of Directors

Officers

Thomas Contrades
President

Dr. Michael Chun
Vice-President

Todd Apo
Secretary

Wendell Lee
Treasurer

Directors

Riley Smith
Director

Micah Kane
Director

August 17, 2015

Land Development Division
Department of Hawaiian Home Lands

Honolulu, HI 96805

Attn: Darrell Ing

Subject: East Kapolei IIB Subdivision
Interim Financing Agreement, Contract 63423
Request #5

Na Kupa'a o Kuhio hereby requests an interim loan draw-down in the amount of \$49,840.40 for the following invoices:

- \$ 10,379.70 Royal Contracting, Request #9
- \$ 21,779.70 Royal Contracting, Request #10
- \$ 6,491.00 Bowers + Kubota Consulting, Progress Payment #8
- \$ 3,270.00 Bowers + Kubota Consulting, Progress Payment #9
- \$ 4,900.00 Community Planning & Engineering, Inc.: Payment #6
- \$ 3,020.00 Community Planning & Engineering, Inc. Payment #7

I hereby certify that the foregoing is correct and that loan funds for this statement have not been previously received.

Patricia K. Brandt
Executive Director

Encl.

For information, contact
Patricia K. Brandt

Mailing Address
P. O. Box 700248
Kapolei, HI 96709

Phone
(808) 386-0435

Fax
(808) 848-1004

E-mail
na.kupaa@gmail.com

P.O. Contract No.	63423
<input checked="" type="checkbox"/> Partial <input type="checkbox"/> Complete	
Invoice Received	8/26/15
	Date
I certify that goods/services were satisfactorily received on	
	8/28/15 and
	Date
recommend payment.	
	28 Aug 15
Signature	Date

2015 AUG 26 AM 8:04

RECEIVED
LAND DEVELOPMENT
DIVISION

EXHIBIT C

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

February 7, 2022

VIA ELECTRONIC MAIL: wendell@legacyworkshawaii.com

Na Kupa'a 'O Kuhio
c/o Mr. Wendell Lee, Treasurer
P.O. Box 4322
Honolulu, Hawaii 96812-4322

Dear Mr. Lee:

Subject: Cancellation of License Easement No. 757, Kapolei, Island of O'ahu

In light of recent information that have surfaced regarding the subject license, the Department of Hawaiian Home Lands "DHHL" has confirmed that the \$3.701 Million USDA Loan & Grant funds obligated to Na Kupa'a 'O Kuhio for DHHL's water and wastewater infrastructure improvements of its Kauluokaha'i homestead subdivision project were never released.

Based on this information, and pursuant to the terms and conditions of the Interim Financing Agreement Number 01, dated October 1, 2014, specifically condition no. 4, on pg. 3, DHHL is hereby cancelling the subject license effective as of the date of this letter. It is further understood that via communication with DHHL's Planning Office staff that Na Kupa'a 'O Kuhio is amenable to the license cancellation.

If you have any questions or need further clarification, you can contact Peter "Kahana" Albinio, Jr, Acting Administrator, Land Management Division at 808.620.9451 or email peter.k.albinio.jr@hawaii.gov.

Aloha,

William J. Aila, Jr, Chairman
Hawaiian Homes Commission

c: DHHL-PLO (via-email)
DHHL-LDD (via-email)

EXHIBIT D

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

February 22 & 23, 2022

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Andrew Choy, Planning Office Manager

SUBJECT: G-4 For Information Only - Options for Wastewater Management Alternatives

This will be an oral presentation only,

ITEM NO. G-4

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

February 22, 2022

To: Chairman and Members, Hawaiian Homes Commission
Thru: Andrew Choy, Acting Planning Program Manager
From: Pearlyn Fukuba, Planner *plf*
Subject: For Information Only - Status Update on Plan
Implementation in the Kapolei Region

Recommended Action

None; for information only.

Background

By request of the Chairman, the Planning Office provides the HHC with a status report on prior policies and/or plans that affect lands and homestead communities where the HHC conducts its monthly community meeting. For February 2022, the Planning Office will be providing an update on the DHHL plans related to the region of Kapolei.

Discussion

EXISTING PLANS & IMPLEMENTATION STATUS

O'ahu Island Plan Policies Related to Kapolei

The purpose of each DHHL Island Plan is to:

- (1) Provide a comprehensive resource for planning and land management purposes;
- (2) Establish Land Use Designations for all land holdings to promote orderly land use development and efficient development of infrastructure systems; and
- (3) Identify island-wide needs, opportunities, and priorities.

The O’ahu Island Plan was adopted by the HHC in 2014. The Island Plan delineated four planning regions or moku for the island of O’ahu: Wai’anae, ‘Ewa, Kona, and Ko’olaupoko.

The 2014 O’ahu Island Plan identifies the following land use designations and acreage amounts for Kapolei, East Kapolei & Kalaeloa.

Land Use Designation (LUD)	Kapolei, East Kapolei & Kalaeloa (acres)	Percent of LUD In Kapolei Region	Percent of LUD on O’ahu
Special District	0	0	-
Conservation	0	0	-
General Agriculture	0	0	-
Residential	345	34%	21%
Pastoral	0	0	-
Subsistence Agriculture	0	0	-
Supplemental Agriculture	0	0	-
Industrial	550	54%	81%
Community Use	35	4%	11%
Commercial	80	8%	84%
TOTALS	1,010	100%	15%

O’ahu Island Plan Implementation Status

Since its adoption in July 2014, no suggested land use amendments or updates to the Kapolei region are being at considered in the O’ahu Island Plan. The plan acknowledges that Kapolei has been DHHL’s focus for the development of new homesteads on O’ahu.

Malu’ōhai is the first homestead to be built in the Kapolei Region and consists of 226 lots developed on approximately 37 acres of land. Of the 226 homesteads in Malu’ōhai, 70 were built as a part of the Kapolei Ho’olimalima rent-to-own project and as of January 2018, all the homes in Ho’olimalima have been converted to homeownership. The remaining 156 homestead lots in Malu’ōhai are a mix of 111 turnkey and 45 self-help homes.

Kaupe’a is the second homestead in the Kapolei Region and includes 326 turnkey homes that were constructed in three phases on 52 acres.

Kānehili is the third homestead developed in Kapolei and is located on 92 acres and includes 404 homestead residential lots, the DHHL offices, fire station and commercial parcels. A total of 375 turnkey houses and 24 self-help or owner-builder houses have been completed and are occupied, with five owner-builder lots in progress.

Ka'uluokaha'i is the fourth homestead to be developed in the Kapolei Region and the name of the East Kapolei master planned community. Increment IIB is the first phase and includes 139 turn-key homes that will be complete and occupied by early 2022 and 21 vacant lots selected by owner-builders which are in various stages of progress. A planned elementary school will be built to the east of Increment IIB. The first phase of the middle school, located to the west of the increment, has been completed and is currently open for classes. Additional homestead development is planned for the surrounding DHHL lands. It is expected that approximately 1,000 single-family residential lots and 500 multi-family rental units for DHHL beneficiaries will be completed at full build-out.

A considerable portion of land in Kapolei is designated as commercial because of its location within areas where residential density is restricted by an easement from Kalaeloa Airport. Approximately 65 acres of land has been leased to DeBartolo for Ka Makana Ali'i, a regional shopping center that opened in October 2016. In addition to land designated for commercial use, a significant portion of land within Kalaeloa has been identified as industrial based on proximity to the active airfield.

2010 Kapolei Regional Plan

The current Kapolei Regional Plan was approved by the HHC in November 2010. Outreach, planning activities and discussions with beneficiaries in the region during the planning process identified the following priority projects:

- (1) Support Heritage Center & Community Commercial Development
- (2) Support New School Development
- (3) Engage Beneficiaries in a Planning Charette Process
- (4) Develop Pedestrian/Bike Path Network to Community Resources

(5) Preserve & Develop Parks to Service the Homestead Community

It should be noted that DHHL is currently updating the Kapolei Regional Plan and the Beneficiary Consultation process began in October 2020. Due to the COVID-19 pandemic, the planning process has been mostly conducted through virtual means to ensure compliance with health and safety rules and guidelines. Using the virtual platform Zoom, DHHL held meetings with homestead association leaders, other organizations, stakeholders and agencies. Beneficiary Consultations were conducted in December 2020, May 2021 and December 2021. The draft plan was presented as an information item to the Hawaiian Homes Commission on November 15, 2021 (Exhibit A) and the final plan is expected to be presented for adoption in Spring 2022.

2010 Kapolei Regional Plan Implementation Status

The following table describes each Priority Project and reports on the current status of the project.

2010 Kapolei Regional Plan Priority Projects	Project Champion	Status
Support Heritage Center and Community Commercial Development	Kapolei Community Development Corporation	<p>This item remains a priority. Phase I of the Kapolei Heritage Center was completed in 2016 and is open for community use. This space includes two classrooms, restrooms and a certified kitchen. Phase II and III of the Heritage Center are yet to be completed.</p> <p>Planning and design for the Community Commercial Development, called Ho’omaka Marketplace, is complete. The project is in the permitting phase and is expected to break ground in 2022. Ho’omaka Marketplace includes commitments from the following vendors: Longs Drugs, Hele Gas Station, 7-Eleven, and Chick-Fil-A. The construction phase is anticipated to take approximately 12 months.</p>

		The completion of the Kapolei Heritage Center, including full build-out of Phase II and III, are contingent on revenue generation from Ho’omaka Marketplace. This commercial development is meant to provide an on-going funding source to the community for community-based development and the operation and maintenance of community spaces.
Support New School Development	Department of Education	This item remains a priority. Plans for a new elementary located near Ka’uluokaha’i will help to accommodate the growing population in Kapolei. Phase I of a new middle school has been completed and is operational.
Engage Beneficiaries in a Planning Charette Process	DHHL	This project was completed in 2012. A design charette with the homestead community discussed development in E. Kapolei.
Develop Pedestrian/Bike Path Network to Community Resources	City & County of Honolulu	The O’ahu Bike Plan update was completed in December 2019. This plan is meant to guide future planning to better integrate bicycling into the islands transportation system.
Preserve and Develop Parks to Service the Homestead Community	DHHL/Community organizations	This item remains a priority. A 4.59 acre parcel located near Kānehili homestead is licensed to Kānehili Community Association for use as a park. Phase I of this park was completed in 2019. Future phases are in the planning process. A total of 13 acres is designated for open space/parks within the Ka’uluokaha’i master planned community.

Additional Updates:

(1) Hawaiian Homes Lands Recovery Act/Property Conveyance:

In 2020, DHHL received a Notice of Availability from the General Services Administration for a land parcel in Ewa Beach, O'ahu. The approximately 80-acre property was the former location of the Pacific Tsunami Warning Center and the surplus lands were made available to the department through the Hawaiian Home Lands Recovery Act. Staff conducted due diligence on the property and in August 2020, the Commission authorized its Chairman to select the property. DHHL's Planning Office is currently working to secure a contract to plan and design the 'Ewa Beach Homestead Community Master Plan and complete environmental compliance requirements.

Recommendation

None; for information only.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

November 15, 2021

To: Chairman and Members, Hawaiian Homes Commission
Thru: Andrew Choy, Acting Planning Program Manager
From: Pearlyn Fukuba, Planner V *plf*
Subject: For Information Only – Draft Kapolei Regional Plan Update

RECOMMENDED ACTION

None. For information only.

Discussion

PURPOSE

The purpose of this informational briefing is to update the Hawaiian Homes Commission (HHC) on the status of the Department of Hawaiian Home Lands (DHHL) update of the Kapolei Regional Plan on the island of O‘ahu.

BACKGROUND

Regional plans build a sense of community and capacity, stimulate partnerships for development and improvements, facilitate beneficiary participation in issues and areas of concern, and identify priority projects within existing and planned homestead areas. The plan may focus on a particular homestead community or several homestead communities in the region. At a minimum, the regional plans document current conditions and trends and identify a prioritized list of projects important to the community and the DHHL.

The DHHL Kapolei Regional Plan was adopted by the HHC in 2010. The outlook of a regional plan is typically 3-5 years. Because it has been more than five years since the adoption of the plan and because several priority projects have been implemented or are in-progress, there is a need to re-evaluate and update the regional plan for the Kapolei region in West O‘ahu.

Due to the COVID-19 pandemic, the planning process has been mostly conducted through virtual means to ensure compliance with health and safety rules and

guidelines. The process began in October 14, 2020. Subsequent beneficiary consultation meetings were conducted. A draft plan is expected to be completed by Spring 2022. (See Exhibit A)

OUTREACH, PROCESS & METHODOLOGY

The planning process began in October of 2020. Using the virtual platform Zoom, DHHL staff met with representatives from all of the Kapolei homestead associations and organization leaders to introduce the regional plan update projects and to ask for their insight and guidance on the planning process with respect to the pandemic health and safety rules. Subsequent to that meeting, a site visit and two beneficiary consultation meetings have been conducted.

Table 1 highlights the following plan activities that have been completed to date:

Date	Activity	Intended Outcome
October 2020	Met with leadership from: <ul style="list-style-type: none"> • Kānehili Homestead Association • Ka‘uluokaha‘i Homestead Association • Kaupe‘a Homestead Association • Malu‘ōhai Homestead Association • Kapolei Community Development Corporation 	Introduce project. Obtain insight, guidance and support for the planning process.
October 2020	Site visit	Visit DHHL land holdings in the region. Obtain information from people who are knowledgeable about the sites to enhance better understanding about community issues.
December 2020	Beneficiary Consultation #1	Explain purpose and identify the planning schedule with Kapolei beneficiaries. Obtain input for a long-term vision and community values, issues and opportunities.
May 2021	Beneficiary Consultation #2	Review/edit a draft vision statement. Identify potential project ideas to address community vision.
May 2021	On-line Survey	Allow beneficiaries to vote for their top five priorities from 14 potential project ideas.

Results of Beneficiary Consultation to Date

Through the beneficiary consultation planning process, participants identified the following values and guiding principles:

Guiding Principles

The vision statement was based on the following values and guiding principles:

- Natural, Cultural and Agricultural Resources
- Wahi Pana
- Kūpuna
- Keiki
- Self-sufficiency

Natural, Cultural and Agricultural Resources

Preserve Kapolei’s rich natural, cultural, and agricultural history within new land uses and programs. Kapolei is a town that has grown in what was once country. That country-feel should be incorporated wherever appropriate.

Wahi Pana

Traditional place names and wahi pana are of great value. Mo‘olelo and histories are shared with homesteaders and the extended community of Kapolei to ensure that these celebrated places are respected, protected, and remembered into the future. Wahi pana, of old and new, throughout the region should be used by the community to gather and practice the native culture.

Kūpuna

Traditionally, kūpuna held an important role and place in native Hawaiian society. Facilities and resources in Kapolei should be used to create full and healthy lives for kūpuna as they age in place.

Keiki

Resources for ‘ōpio and keiki in Kapolei are a priority. There should be safe places for youth to spend their time and programs for them to learn and play near their homes.

Self-Sufficiency

Kapolei is a place where people can live, work and play. All the things that homesteaders need to have a healthy, thriving community should be found within the region. Kapolei should offer an affordable lifestyle where people have time to enjoy their homes and their ‘ohana.

PRIORITY PROJECT RECOMMENDATIONS

Based on the above characteristics, subsequent discussions with beneficiaries and an on-line poll, priority projects were identified based on the community’s vision and guiding principles. Several projects received the same number of votes and are therefore labelled as #1/#2 and #4/#5.

Table 2 contains the priority project results:

Priority Project	Action Steps	Required Resources
#1/#2: Create More Open Spaces, Park Spaces, and Recreation Spaces to support the Homestead Community	<ul style="list-style-type: none"> • Community partnership with DHHL for open space/park development • Request for Right of Entry permit for due diligence studies • Master/Special Area Plan & HRS Chapter 343 Compliance • Issuance of Finding of No Significant Impact (FONSI) • Long-term disposition • Planning & Permitting • Design & Construction • Operation & Maintenance 	<ul style="list-style-type: none"> • Technical Assistance • Funding (Planning, Design & Construction) • HHC Approval
#1/#2: Create a Kūpuna Living Community	<ul style="list-style-type: none"> • Identify potential locations • Due diligence studies • Master/Special Area Plan & HRS Chapter 343 Compliance • Issuance of Finding of No Significant Impact (FONSI) • Planning & Permitting • Design & Construction • Operation & Maintenance 	<ul style="list-style-type: none"> • Technical Assistance • Funding (Planning, Design & Construction) • HHC Approval
#3 : Support the Heritage Center and Community Commercial Development	<ul style="list-style-type: none"> • Completion of Ho‘omaka Marketplace to generate revenue • Permitting • Design & Construction • Monitoring & Reporting 	<ul style="list-style-type: none"> • Technical Assistance • Funding (Planning, Design & Construction)
#4/#5 : Support the Development of a Hawaiian-Focus School/Hawaiian Immersion School	<ul style="list-style-type: none"> • Partner with DHHL, City & State agencies, other organizations • Identify potential locations • Secure site control • Planning & Permitting • Design & Construction • Program implementation • Operation & Maintenance • Monitoring & Reporting 	<ul style="list-style-type: none"> • Technical Assistance • Funding (Planning, Design & Construction)

#4/#5: Provide More Options for Telecommunications Service to Homesteads	<ul style="list-style-type: none"> • Beneficiaries can start to document service issues/requests/outcomes that can be provided to regulatory authorities 	<ul style="list-style-type: none"> • Assistance and Coordination as needed • HHC Approval
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A more thorough description of these priority projects will be found in the forthcoming draft plan that will be available on the DHHL website:

<https://dhhl.hawaii.gov/po/oahu/kapolei-regional-plan-update-2020-2021/>

NEXT STEPS FOR KAPOLEI REGIONAL PLAN UPDATE COMPLETION:

- Finalize a draft regional plan for review;
- Conduct Beneficiary Consultation #3 to get beneficiary input and comments on the draft regional plan. Kapolei leadership has requested an in-person meeting if possible, therefore the date is pending at this time;
- Revise draft plan per comments received at the Beneficiary Consultation #3 and finalize the plan;
- Seek HHC approval of the plan during Spring 2022.

RECOMMENDED ACTION

None, for information only

**HAWAIIAN HOMES COMMISSION
FEBRUARY 22 & 23, 2022
INTERACTIVE CONFERENCE
TECHNOLOGY**

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