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## Meeting Notes

‘Ualapu‘e Kuleana Homestead Project  
Community Meeting #3 (in-person; no virtual)  
October 20, 2022 – 6:00 PM – 7:30 PM

For more information, please contact:  
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Website: <https://dhhl.hawaii.gov/po/molokai/ualapue-kuleana-homestead-project/>



## CONFERENCE REPORT

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<b>TO:</b>	Department of Hawaiian Home Lands (DHHL)		
<b>FROM:</b>	G70		
<b>DATE:</b>	October 20, 2022	<b>LOCATION:</b>	Kilohana Recreation Center
<b>PROJECT:</b>	'Ualapu'e Kuleana Homestead Settlement Plan	<b>PROJECT NO:</b>	221047-01
<b>SUBJECT:</b>	Community Meeting #3	<b>NO. OF PAGES:</b>	8
<b>THOSE PRESENT:</b>	DHHL: Andrew Choy G70: Kawika McKeague, Barbara Natale, Pi'ilani Smith, Ryan Ringuette Honua Consultants: Trisha Kehaulani Watson, Matt Sproat	Community participants: 75	

### SUMMARY:

The third community meeting for the 'Ualapu'e Kuleana Homestead Project was held at Kilohana Recreation Center, 'Ualapu'e, Moloka'i. Maps of different technical studies and analyses, as well as historical maps, were placed on the walls and on top of tables. The meeting began at 6:00pm and ended at approximately 8:15pm. The sign-in sheets near the entrance of the Recreation Center recorded 75 participants. The meeting began with a presentation by DHHL, Honua consulting, and G70; followed by verbal testimony from meeting participants. Refreshments were provided.

Kawika McKeague opened the meeting, introduced those presenting to the community, and the purpose for the community meeting. The purpose of the third community meeting was to provide a project update, primarily concerning the archaeology in the project area. Kawika then introduced Andrew Choy from DHHL.

Andrew started the presentation by thanking Prince Kūhiō, and providing a brief history of Prince Kūhiō's role in forming the DHHL. He then described the history of the Kuleana homestead settlement plan, beginning with the Kahikinui project in the 1990s. A group of beneficiaries from Kahikinui, Maui advocated DHHL to find a way to put them on the land. The efforts of the Kahikinui beneficiaries caused DHHL to adopt administrative rules that provide lessees with immediate access to land and entrusts them with a lot of kuleana. He then described parts of the Kuleana Homestead Settlement plan. He mentioned that they don't have the size and number of lots yet, but they do have a lot of technical information for reaching that point that will be explained at this meeting. He then passed the meeting back to Kawika.

Kawika re-emphasized the importance of planning for the preservation of historical, archaeological, and biological sites. He welcomed feedback on the findings shared at the meeting. He described the technical studies that have been done to date and referenced the maps on the walls. He then turned the meeting over to Kehau Watson.

Kehau described the maps in the room. Honua is still doing research in the area, and there is not a proposed action yet. She described the prior work Honua had done to date (e.g. talked with the community, and looked at past studies). She further described the findings of past studies. After talking with the community in March, Honua realized they would need to come multiple times to do pedestrian surveys as there were many sites. She then described the pedestrian surveys and the results of the surveys. There were 96 sites, with some sites having multiple features. They found one historic artifact, a 1942 bottle. Many sites have been impacted by road construction, erosion, and clearing and fencing for cattle. She described one site in further detail. She reiterated that their surveys were preliminary, and any potential project would require a much closer look through an Archaeological Inventory Survey, among other steps.

Kehau then described the interviews that Honua conducted, and other resources that describe the area. To fully conduct a Cultural Impact Assessment, Honua would need to know what the actual project is. Their findings on the ground are consistent with those other resources and interviews.

Kawika commented that G70 is committed to starting from an archaeological foundation and a cultural understanding of the place to guide the planning process. He described how the aerial survey revealed how erosion affects the fishpond. If there was a project action, G70 wouldn't want to only think about the site, but also how it will affect the fishpond and other areas.

Using publicly available information and the information collected, G70 conducted a land resource evaluation analysis. 16 different pieces of information were "coded," based on sensitivity. High impact or sensitive areas received a "1"; low impact or least sensitive areas received a "10". He further described the coding for archaeological sites: 30 foot (ft) buffers receive a 1, 50 ft buffers receive a 3, and 100 ft or more receive a 5. These codes are based on G70s experience working with archaeologists and SHPD. He welcomed community feedback on the coding. He then described the coding for the other pieces of information:

- **Biology** - there were pockets of native plants, especially those in the streams should be cared for and protected. Maybe clippings can be taken and grown in a greenhouse to re-plant the area, as those plants have figured out how to survive there. There were 56 types of plants identified, 75% introduced species, 25% native.
- **Slope** - anything that is 0-10% is primarily flat. A lot of the site is 25%, so actions will be needed to reduce erosion.
- **Wildfire Risk** – G70 worked with Hawai'i Wildfire Management Organization (HWMO), located in Kona. Factors considered in their fire risk assessment: human induced, like flicking a cigarette out the window; wind; gulches and slopes; lack of water; lack of fire response time; invasive grasses. High wildfire risk is everything colored in orange. Most of the property has medium wildfire risk. Example actions to reduce wildfire risk were given.
- **Rainfall** – this was considered in terms of use for homestead, agriculture, or native reforestation. The data used is just an average and G70 is aware there is a drought.
- **Well Protection** - DOH has specific rules for protecting the freshwater there. The blue area is the well with a 1,000 ft buffer, a sensitive area. Community feedback is welcome on the buffer area. Kawika further described considerations for protecting the well.

- **Streams and Gulches** - anything inside of 100 ft is considered a high sensitive zone.
- **Flood Zones** - are established by the Federal Emergency Management Agency (FEMA). Flood zones cover a little of the bottom area of the project. Not much can be done in these areas because there are restrictions to any type of construction in a flood zone.
- **Sea Level Rise (SLR)** - considered SLR of 3.2 ft. SLR is happening more rapidly than originally thought. At this point, SLR does not affect DHHL property, but it does affect makai areas which should be kept in mind.
- **Roads, Trails, Other Transportation Networks** - a 50 ft buffer was set around trails to protect the roads and ensure right of access, as many people access the land to hunt and gather.
- **Soils** - there are about 11 types of soil in the area. The soil study was done in the 1970s to describe erosion rate, suitability for agriculture, etc. Coding to soils was applied based on aptitude for settlement and agriculture.
- **Agricultural Lands of Importance to the State of Hawaii (ALISH)** - “Prime” is best for agriculture, “Unclassified” land is better than “Other” land.
- **Land Study Bureau** - scale of most productive lands, from A-E with A being the most productive land for agriculture. The project area is mainly D&E rated lands. D would be most conducive for agriculture.
- **Land Use** - there are state and county land use designations that the project will need to abide by. DHHL also had their own land use designations (e.g. conservation, community use) for the site that will need to follow. DHHL’s land use designations may change, as they are updating their General Plan.

All this information is then weighted (archaeology received 33%, slope received 11%, and everything received 4% each) and put together. This revealed high sensitive areas and low sensitive areas—places we’re interested in. Resources need to be considered first before we can think about what can be supported. This is where we are at tonight. Our next step will be to take the feedback from tonight and come back with a resource and lot plan at the next beneficiary meeting; hopefully, before the end of the year. Kawika then outlined the steps until project conclusion. Andrew recognized Zachary Helm, DHHL commissioner for Moloka’i.

Kehau began and moderated the testimony portion of the meeting. Those testifying were given two minutes to speak at the microphone in the center of the floor. Names were called based on when they signed in and whether they indicated they wanted to testify. After all those that stated they wanted to testify on the sign-up sheets were called, it was opened up to anyone else that wanted to comment. The following is a summary of comments presented:

Dickenson Stone:

- Moloka’i first
- Slope, erosion, cattle are of concern
- People can be put up there
- Is there an alternative site or Plan B if this site doesn’t work out?
- Some of those archaeological structures are from cattle
- Some prime lands are in the flood zone.
  - There are already people living in the flood zone.

Gussie Dudoit:

- Living off raw land is difficult
- Molokaians take care of each other
- The DHHL process is lengthy. She's been on the waitlist since she was 18 years old. Some people cannot wait that long.
- Her husband and grandparents are from 'Ualapu'e, and was getting excited because of the project's location. However, she doesn't think this will work for her and her family because she is older, and will wait for another DHHL lot to open up.

Phil Stephens:

- Neighboring ahupua'a's are private. 'Ualapu'e is the "ice box" for the area.
- If done correctly, roads can be built to mitigate erosion.
- There is a way to restore water correctly to the wells.
- It's hard to live off grid, especially for kupuna
- Lots of sites are cattle-related

La'a Poepoe:

- What do you need to do to stop this project?

Zaida Place:

- Do we want homesites that high up the mountain? Do we want to set that precedent?
- Water is their main concern

*Andrew: We're thinking of agricultural lots, not residential. Also, not looking at the top of the site.*

Linda Place:

- This place should be preserved because so much has already been lost; this area has a high amount of cultural sites.
- Look into properties we can buy, that we can move into.
- The plan should be given up and the property instead used for education
- If they want to farm, give them farm lots.

Mahina Poepoe:

- People were misled about the project from the beginning
- Recommends re-opening the prioritization process
- DHHL is not required to provide water for the project
- Wellhead protection is very important:
  - Ualapu'e is a skimming well
  - Other water contamination is happening in places around the state (e.g. Red Hill)
- The community that moves in shouldn't stomp on the existing community
- What are the impacts beyond the ahupua'a. Are the new residents going to affect resources, economic issues.
- How can you keep going when there's that many sites? Access to sites should be provided
- DHHL can spend their money better
- This project may bring blight to the community
- This area is not Kahikinui

Walter Naki:

- Friends and family on both sides of the aisle
- Fire study is good because the mountain has burned before
- Watershed is a concern
- What is the impact to the existing community?
- All for the project being for Hawaiians
- Traffic impacts, fire control, and water is of concern

Dartagnan Bicoy:

- Uses the area to hunt
- Don't overthink the project
- These lots are not for us, but for future generations
- If you help one Hawaiian family it's worth it
- Hawaiians for Hawaiians
- The project could follow the natural contours, and be set up for minimal impact.
  - Impact largely depends on the people who move there
- The lifestyle is going to limit who moves up there
  - Sounds like legally camping on your own land
  - His grandsons would jump at the opportunity to camp on their own land
- If project gets killed, must have something else in place for those on East End

*Andrew: 'Ualapu'e is the only DHHL land on the East End.*

Yolanda Tanielu:

- Has homestead in Ho'olehua. Had to leave East End to live there because that's where homesteads were.
- Believes that she should be able to get her own house on her own land, and shouldn't have to pay for someone else's
- Many had to leave their homes
- This area raised hunters, fishermen, and future generations to get educated, make something themselves, and then come back and take care of those back home
- Stop talking about the project and JUST DO IT
- She's waiting for agricultural land
- If she gets a lease she will feel blessed. If she doesn't, it's ok, give it to someone who does.
- If the project is killed, find other land in Moloka'i's East End for East End families

Lt Col Kahiwalani:

- From Occupied Forces Hawai'i.
- The goal of the Occupied forces is to repatriate kanaka back to the jurisdiction of the independent nation, the sovereign state, of Hawai'i
- DHHL is state, and not working in the best interest of Kanaka Maoli
- Said that Andrew said these lands were less than suitable, she doesn't believe Hawaiian beneficiaries deserve those kinds of lands.
- Gave Andrew a declaration of a state of war
- Commander Lilikoi met with a Lieutenant with the US Navy special warfare's unit, and signed a declaration state of war stating Hawai'i is an independent nation in a state of occupation by the United States of America.

- LCA awards, Kuleana lands, are all available as they exercise their jurisdiction over this country
- Empowerment should be going to your own homelands and stewarding and protecting your own 'aina
- Concerned by East water being taken to supply the entire island
- To truly steward means to truly take up your space as Kanaka Maoli
- Wants DHHL to know there is a self-proclaimed army

Zhantell Dudoit Linda:

- "Do not let this project divide us"
- Concerned who will be providing fire mitigation and emergency services
- Concerned that the map shows possible areas for residential areas. Since the map is public, concerned that private properties can look at putting residential properties where it wouldn't be suitable at the top of the map
- Need to spend more time educating people about the Kuleana project. Some people testifying that are upset are unclear about what the Kuleana project is and it is causing friction in community. Part of DHHL's responsibility is to not cause conflict in the community.
- If mitigation efforts require infrastructure, how does this fit within the Kuleana designated project?
- Is there a mechanism for Kuleana projects to turn into residential lease projects or will it remain in Kuleana in perpetuity?
- If unforeseen adverse effects are caused by the project, does DHHL have mitigation plans in place to help fund the mitigation efforts or relocate the people on the project?
- What will access look like to the lower sensitive areas?
- Does the 2023 Plan acknowledge that this may not be a suitable site and can a strategic analysis be done on other lands?
- Can DHHL engage in land swaps with other government agencies?

Cora Schnackenberg:

- Too many people on the waitlist, which is the reason why she got started on the project
- 'Ualapu'e has plenty of water. 2/3 of the water that comes from the mountain belongs to Hawaiian's first before Maui County
- This project will help keep their schools open, and give people from Moloka'i get a place to come to
- Community meetings for the project began in 2019 and have continued until now
- Full transparency is key!
- This project is not for residential, but for Kuleana homestead—off-the-grid living

Leimana Naki:

- There were 6 associations on Moloka'i trying to get kanakas on the land. The 6 associations didn't want 'Ualapu'e to be used for the beneficiary waiting list.
- 1993-94 executive order was used to obtain the project's land in 'Ualapu'e
- All the lands here are LCA
- In the East End Policy, need consensus from 200 families in this community to do this project.

Keomailani Hirata:

- Only one DHHL representative present, which is disrespectful.
- Land is no small legacy, it's generational



- Not enough resources for development. Resources need to be restored before bringing in more people.
- Cannot allow division of community
- Does not agree with the project.

Hina Hirata:

- Kupuna will have difficulty living off-grid
- What about those people who have moved away, but come back for the award?

Joshua Kalua:

- The project team needs to talk to the people of that area

Deldrine Manera:

- 'Ualapu'e is a special place
- Only have people from Moloka'i live there
- Where are we going to bury kupuna?
  - What is the future of 'Ualapu'e cemetery?
- No more limu ele'ele, pipipi; the 'aina has changed, but not the love for 'Ualapu'e.

John Pfifer:

- Go back to the drawing board
  - Doesn't think project is for the community. Having outside people and houses is not a good solution for the community.
  - He is for the area to be used for restoration or education—must do something about the land.

Walter Ritte:

- Likes the concept of living off-grid, BUT
  - DHHL's kuleana is to make the entire ahupua'a self-sufficient.
  - Bringing outsiders in is concerning, it should be Moloka'i people.
- Ualapu'e provides water for Mana'e. Erosion is a concern, and the reef and loko l'a are filled with mud. Erosion can be addressed by slowing the water (e.g. socks, dams, gulches).
- The top of 'Ualapu'e is full of invasives. The Hawaiian forest is needed back to capture the water

Janet Blakeslea:

- How large will the lots be?
- How deep are the existing wells?
- Is the existing water table stable for wells?

Judy Caparida:

- Moloka'i: You live the life
- Can find a way to survive

Kahaku Poepoe:

- Not for this project until Moloka'i residents come FIRST
  - Others don't know how to live on Moloka'i
  - People from Moloka'i know how to live there



- Homesteading comes with lots of precautions
- Not enough water to support all the people
- Erosion from roads during rain

Meeting ended at approximately 8:15pm.

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Emailed project questions and answers. Questions are **bolded**, answers are *italicized*.

Emailed questions received by G70 from Eric Korpi on October 21, 2022 (maps provided by Mr. Korpi are included as **Appendix A**):

- **There was extensive discussion from your panel favoring development on/around the area identified as "lower impact" for development (red circle in Map 1 & Map 2 of attached Ualapue Maps). This concept was supported by, among other factors, the data you displayed showing minimal cultural/archeological sites in the "lower impact" area (Map 3). HOWEVER, per your own data showing where your archeologists physically surveyed, they never even walked in the "lower impacted" area (map with blue lines on all three slides for comparison).**

*We've attached our raw gps data (Figure 1) from the survey for reference. Due to the project location, satellite positioning, weather conditions, etc., the data can be skewed in accuracy or positioning. In this case, we have a number of straight vectors that tells us our gps units were receiving interrupted connections to the satellites and overlapping lines which tells us in the field accuracy was greater than 5 meters. For reporting, we remove these unit's information for clarity. Due to these limitations, GPS tracking is used primarily as a proof of effort rather than exact surveying locations.*

- **If this area was not physically surveyed, how are you able to ensure that this area truly is of "lower impact" for settlement?**

*The purpose of the survey was to get a comprehensive understanding of the cultural resources that may be present in the project area. By no means was the intention of this survey to find every site. Honua did no subsurface excavations or major vegetation clearing. What we did find was a significant amount of sites and by comparison, within the project area itself, the team determined lower impact areas. The area being discuss followed the access road which showed signs of erosion, cattle grazing, and constructed paddocks. This factors contributed to minimal to no surface archaeology. An Archaeological Inventory Survey, which does look in-depth at each site with vegetation clearing and subsurface testing, will be conducted. This would definitively determine what type of impacts to cultural resources the project would have.*

- **Map 4 depicts areas of fire risk. Does this depict the risk those areas pose with current conditions (undeveloped)?**

*Yes.*

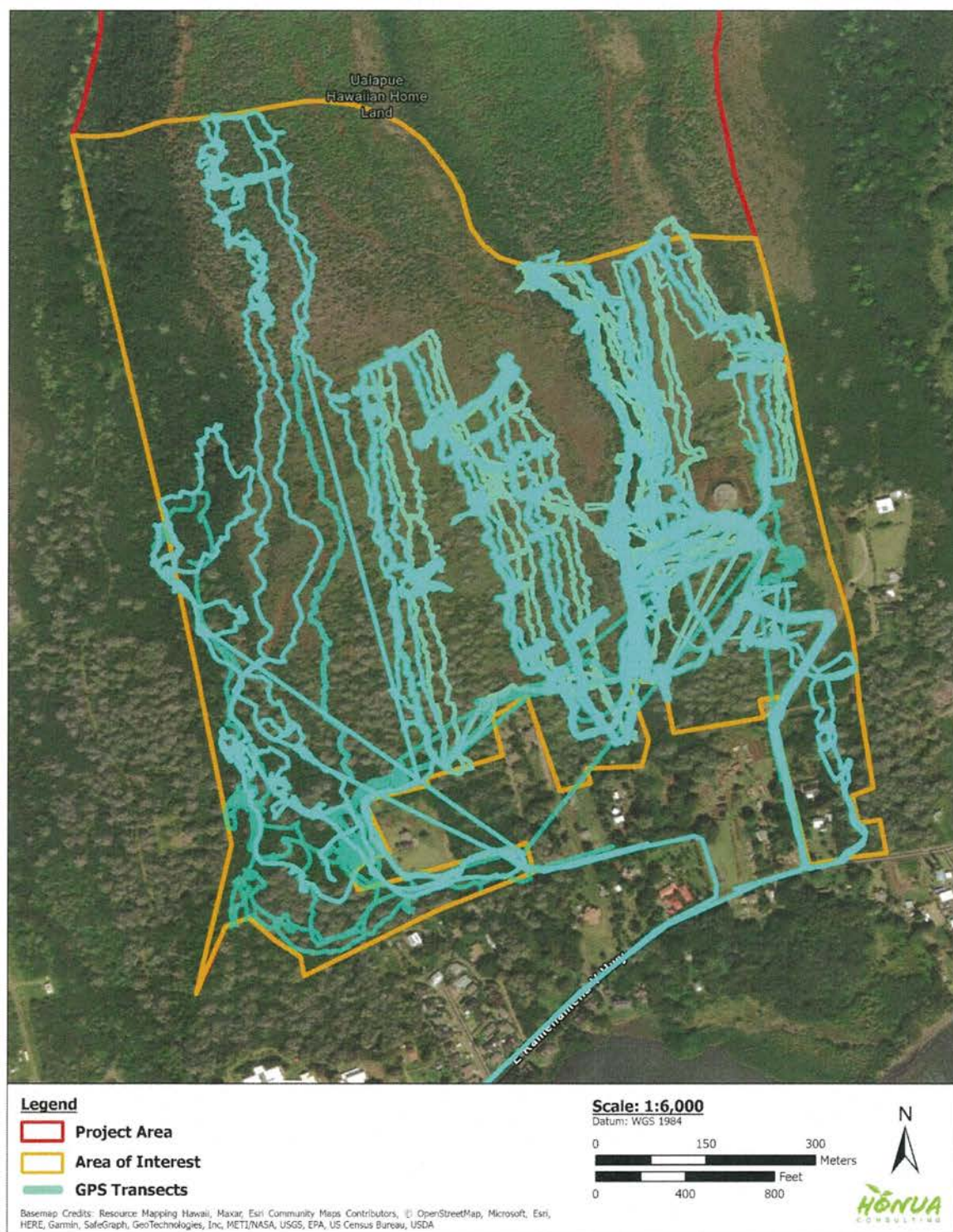


Figure 1. 'Ualapu'e Raw GPS Data Points (Includes Interrupted Satellite Connection)

- **If so, will this map be updated when the settlement plan is released to show fire risk associated with any changes associated with that settlement plan?**

*No, however recommendations will be made for how the community can reduce fire risk.*

Additional questions received by G70 from Eric Korpi on October 21, 2022 via email attachment (see **Appendix B**):

- **Are all cultural sites on/near Ualapue DHHL land identified? Mapped? By who?**

*All cultural sites are not yet mapped. Per our presentation, an additional Archaeological Inventory Survey (AIS) will be conducted by DHHL for the areas identified for potential native Hawaiian settlement. The AIS may find additional cultural sites.*

- **Will all Cultural sites in Ualapue be preserved? Who will decide which may be demolished?**

*Cultural sites will be evaluated on a case-by-case basis. The State Historic Preservation Division will make a determination regarding the appropriate treatment of cultural sites per HRS 6E and its administrative rules.*

- **Is there a Burial Settlement Plan for this area if/when Iwi Kupuna are uncovered?**

*All Iwi Kūpuna found will be governed by Hawaii Administrative Rules 13-300 – Rules of Practice and Procedure relating to Burial Sites and Human Remains. In addition, because of the unique status of Hawaiian Home Lands, DHHL is also subject to complying with the federal Native American Graves Protection Act (NAGPRA).*

- **What fire mitigation/prevention plans does DHHL propose for this project?**

*One of the first things that will have to happen is to clear the roads and create firebreaks. There will need to be community-based and roadside fuels management, as well as prevention education to reduce accidental ignitions. These are the best prescriptions of all, after some basics are met (adequate escape routes, water availability, etc).*

- **Will DHHL be liable for any damage to existing private property, injuries, deaths due to fire originating on or in connection with the Ualapue Kuleana Homestead Settlement?**

*Lessees will be responsible for their actions.*

- **Will this project move ahead despite the lack of an efficient and reliable water system?**

*DHHL is not required to provide water for Kuleana Homesteads.*

- **Will DHHL be liable for any contamination to the Ualapue Well (only source of potable water on east Molokai) originating from or in connection with the Ualapue Kuleana Homestead Project?**
  - **Agricultural runoff such as Fertilizer, Pesticide, Herbicide, Animal Waste, fire damage, etc...**

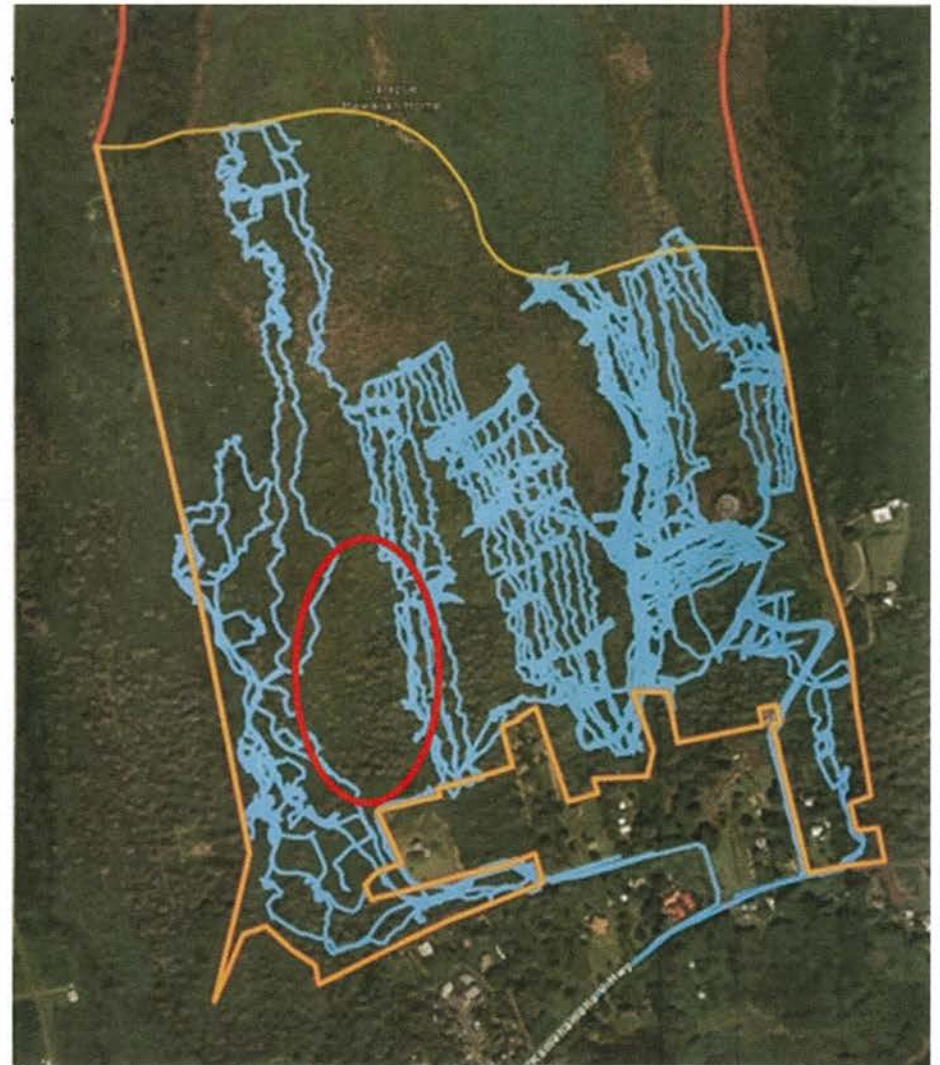
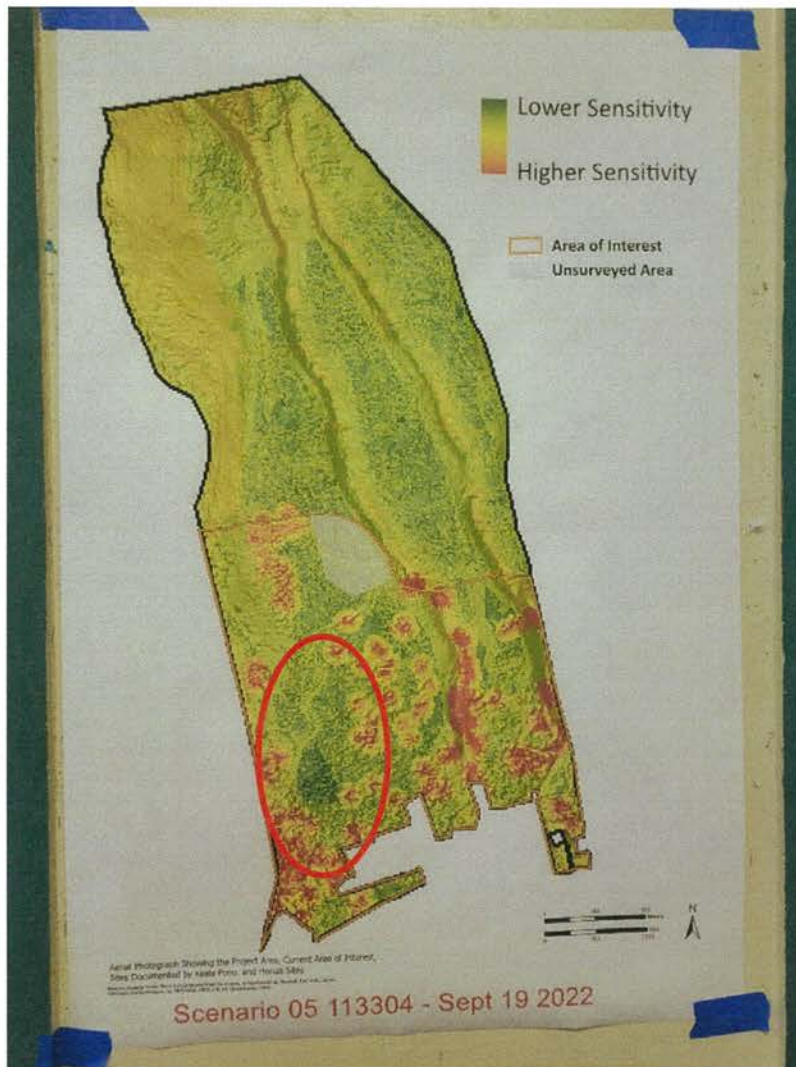
*DHHL will provide the lessees with regulatory information for what kinds of activities are allowable within the Wellhead Protection Zone. Lessees will be responsible for their actions.*

# Appendix A

The following pages submitted by Mr. Eric Korpi via email on 10/21/2022



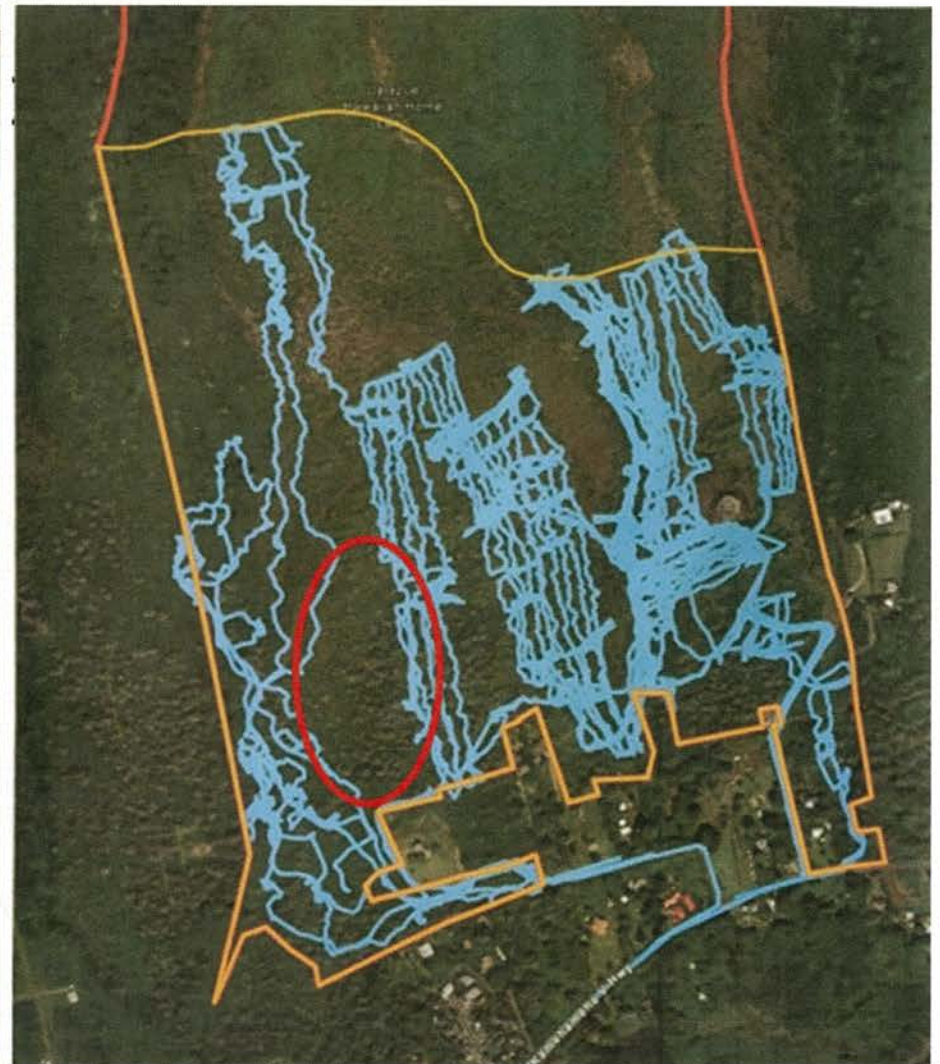
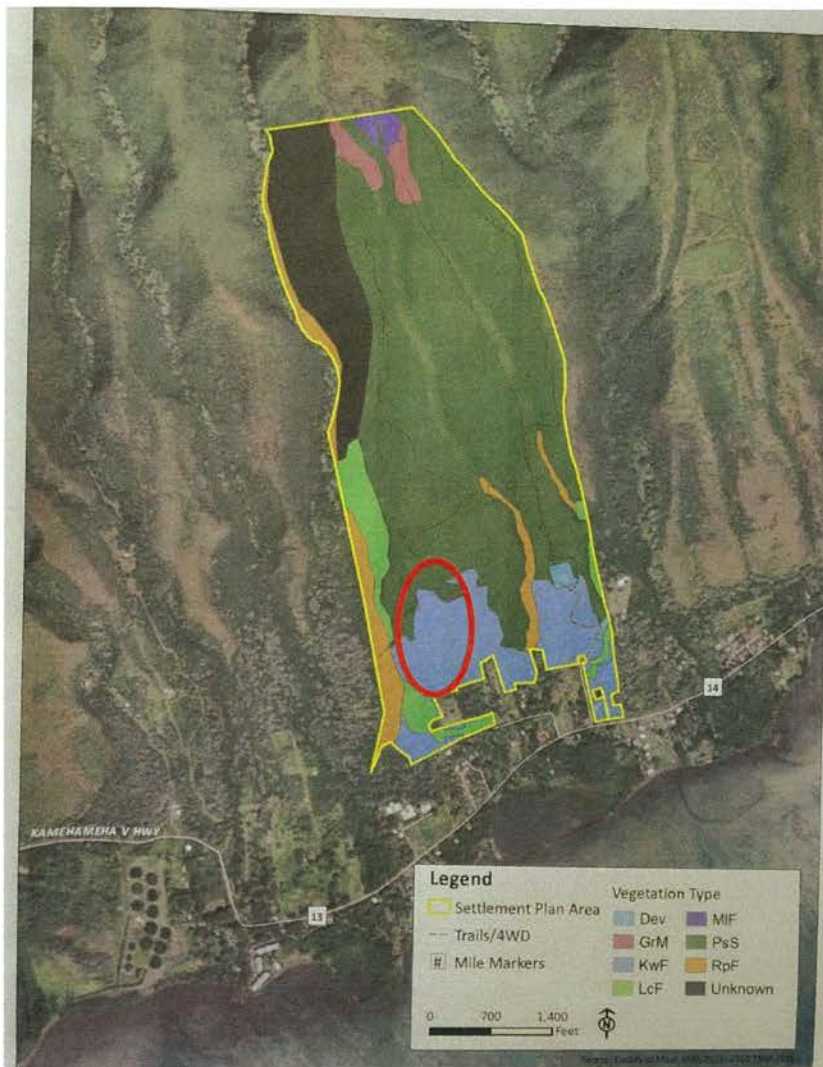
# MAP 1



Submitted by Mr. Eric Korpi via email on 10/21/2022



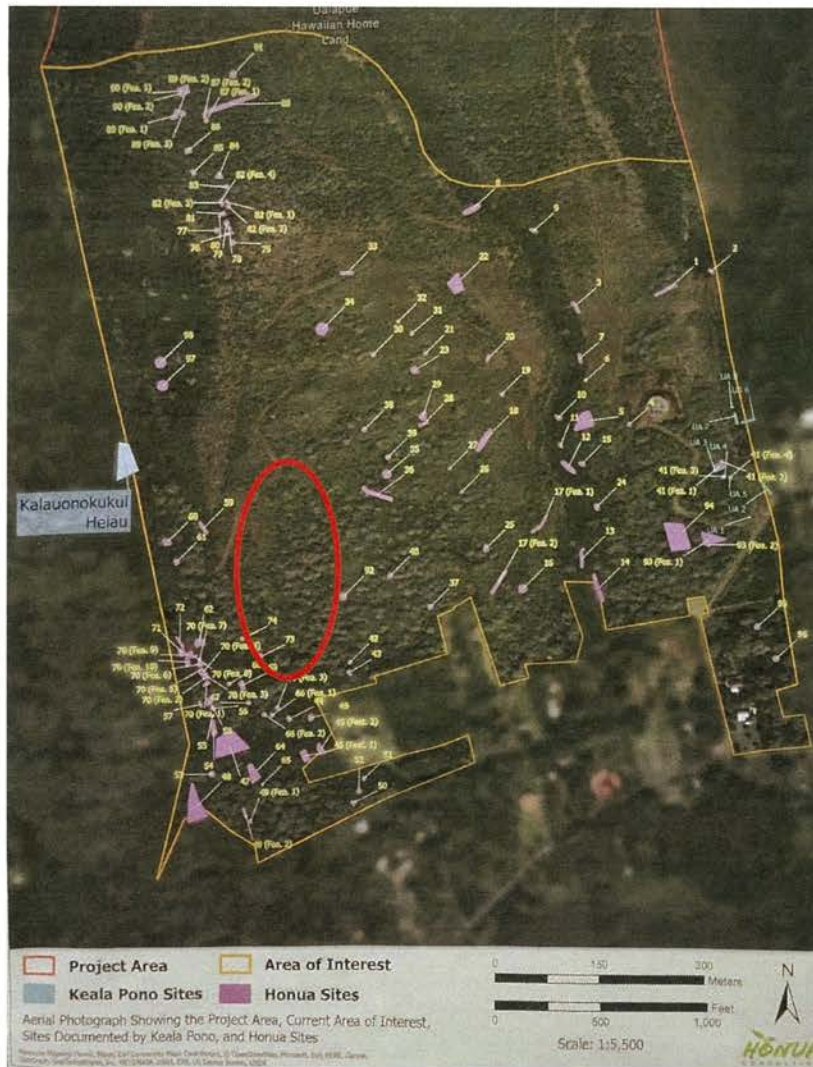
# MAP 2



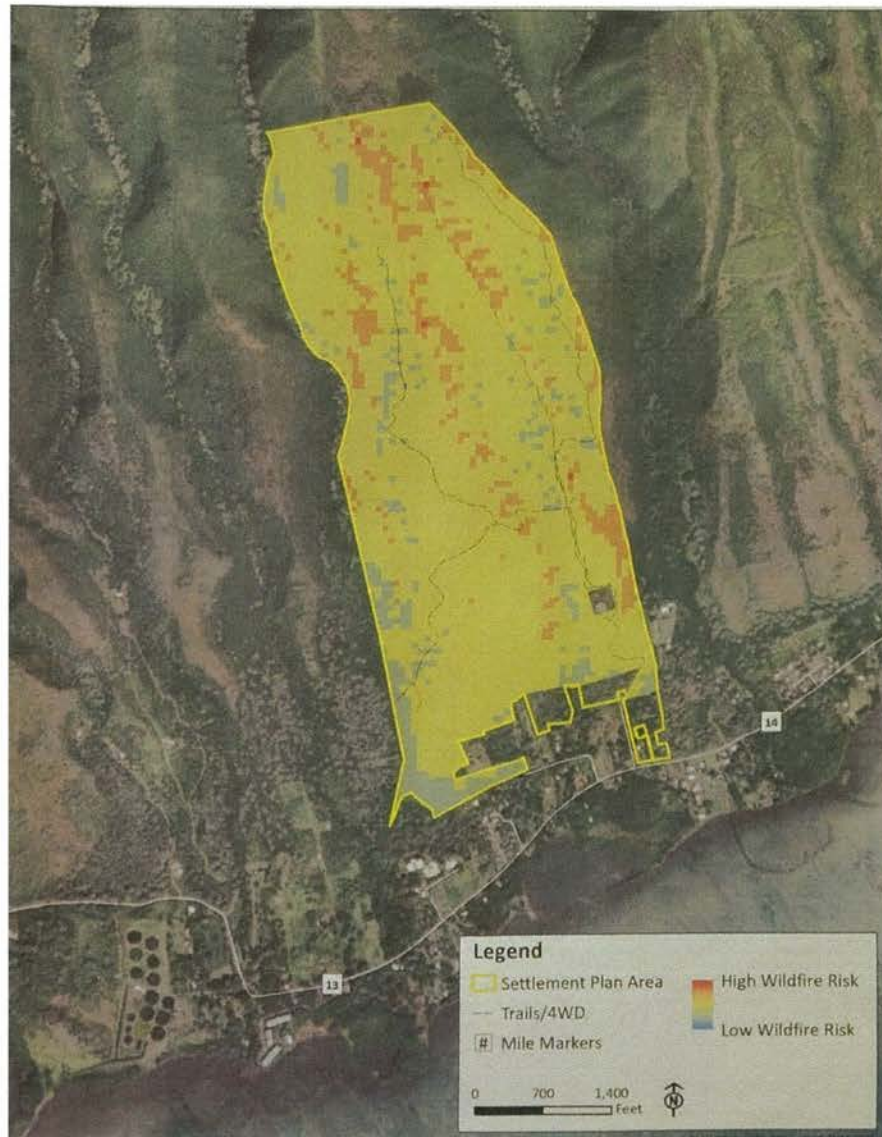
Submitted by Mr. Eric Korpi via email on 10/21/2022



# MAP 3



# MAP 4



Submitted by Mr. Eric Korpi via email on 10/21/2022

# Appendix B

The following pages submitted by Mr. Eric Korpi via email on 10/21/2022



## Cultural Sites

1. Are all cultural sites on/near Ualapue DHHL land identified? Mapped? By who?
2. Will all Cultural sites in Ualapue be preserved? Who will decide which may be demolished?
3. Is there a Burial Settlement Plan for this area if/when Iwi Kupuna are uncovered?

DHHL HAWAII ADMINISTRATIVE RULES §10-3-30 Kuleana homestead leases

(4) Plan for the identification, protection and preservation of all significant historical, archaeological, and biological sites.

<https://dhhl.hawaii.gov/wp-content/uploads/2021/09/HAR-10-3-30-Kuleana-homestead.pdf>

Submitted by Mr. Eric Korpi via email on 10/21/2022

## Cultural Sites

Kalauonakukui Heiau is part of the Hokuano-Ualapue Complex which is listed as a “significant Historical Site”

- “The District of Kona (*on Molokai*) contains more *heiau* and fishponds than any other comparable area in the Hawaiian Islands, and the engineering advancements, religious and political power structures, and economic control that developed on Molokai are well represented at this site.”

<https://www.nps.gov/places/hokuano-ualapue-complex.htm>

- “Even given the social, economic, political, and environmental conditions of Hawai'i today, and particularly on Molokai, one cannot ignore the relative integrity of the East End's cultural resources. **There are numerous archeological sites, many yet to be surveyed...**”

<https://www.mauicounty.gov/DocumentCenter/View/8220/Molokai-Community-Plan-2018?bidId=>

Submitted by Mr. Eric Korpi via email on 10/21/2022

## Cultural Sites

- “Some Moloka'i residents feel there is a lack of awareness and respect for the importance of Molokai's cultural and archeological sites by locals and visitors alike, which often leads to intentional or unintentional damage. **There is also concern that some sites not formally identified are being damaged or destroyed by** unregulated ground altering activities, **land development**, and all-terrain vehicle use.”

<https://www.mauicounty.gov/DocumentCenter/View/8220/Molokai-Community-Plan-2018?bidId=>

- Support the conservation and preservation of archaeological sites, both large and small.

<https://dlnr.hawaii.gov/shpd/>

Submitted by Mr. Eric Korpi via email on 10/21/2022

# FIRE

1. What fire mitigation/prevention plans does DHHL propose for this project?
2. Will DHHL be liable for any damage to existing private property, injuries, deaths due to fire originating on or in connection with the Ualapue Kuleana Homestead Settlement?

## **8.5.2 Detached One- and Two-Family Dwellings.**

Fire hydrants shall be provided for detached one- and two-family dwellings in accordance with both of the following:

- (1) The maximum distance to a fire hydrant from the closest point on the building shall not exceed 600 ft
- (2) The maximum distance between fire hydrants shall not exceed 800 ft

[www.NFPA.org](http://www.NFPA.org)

<https://safe.menlosecurity.com/doc/docview/viewer/docNE9E7F5391080f08b939f9834980d9b6ab0582df4a1f6009e32c5ebee86126b9e9a0716bae3fc>

Submitted by Mr. Eric Korpi via email on 10/21/2022



# FIRE

## 1. HAR-10-3-30

(g) A lessee of a kuleana homestead lot shall be subject to all applicable state codes, county ordinances, and departmental rules and policies governing land use, building, health, and safety unless and until the kuleana homestead association's building, health, and safety codes and permitting process become effective for that particular tract. The kuleana homestead association for that particular tract, in consultation with a licensed architect, registered in the State, may develop, adopt, and enforce its own zoning, building, and permitting process on the condition that standards contained in state health codes and health and safety sections and provisions contained in the Uniform Building Code are met and that a licensed architect, registered in the State, is willing to certify all building plans as part of the community developed permitting process. No kuleana homestead association developed zoning, building, health and safety codes and permitting processes shall be effective unless and until they are approved by the commission.

<https://dhhl.hawaii.gov/wp-content/uploads/2021/09/HAR-10-3-30-Kuleana-homestead.pdf>

Submitted by Mr. Eric Korpi via email on 10/21/2022

# FIRE



Emergency service access/evacuation route post windstorm.

Submitted by Mr. Eric Korpi via email on 10/21/2022



Persistently strong Tradewind blows from Ualapue Kuleana Homestead site directly towards Kilohana elementary school, Ualapue well/watertank, Kilohana cemetery, Kilohana Kai neighborhood, Ualapue cemetery, Kalauonakukui Heiau, Kukui Heiau, multiple private homes.

Fire is most likely to blow directly at those sites.



# FIRE



Does this single lane path appear able to handle fire trucks and other emergency vehicles?

Can this entrance/egress handle vehicles for regular traffic?  
During emergencies?

Is there a traffic management plan for this area?

Submitted by Mr. Eric Korpi via email on 10/21/2022

# Water for the Manae Community

1. Will this project move ahead despite the lack of an efficient and reliable water system?
2. Will DHHL be liable for any contamination to the Ualapue Well (only source of potable water on east Molokai) originating from or in connection with the Ualapue Kuleana Homestead Project?
  - Agricultural runoff such as Fertilizer, Pesticide, Herbicide, Animal Waste, fire damage, etc...

State:

Pursuant to the Hawaii Constitution, Article XI, sections 1 and 7,

“water is a public trust resource, held in trust by the State for the benefit of the people, for both present and future generations.”

<https://lrb.hawaii.gov/constitution#articlexi>

Submitted by Mr. Eric Korpi via email on 10/21/2022

# Water For DHHL

DHHL:

“Water Flow Invigorates Waiwai- Water is essential to life, and for us to thrive on our 'aina. Water enables us to grow food, provide sustenance for our families, and ensure self-sufficiency. Access to an efficient and reliable water system is critical to preserving our lifestyle.”

[https://dhhl.hawaii.gov/wp-content/uploads/2020/02/Molokai-Regional-Plan-Update-Final\\_02-18-20\\_HHC.pdf](https://dhhl.hawaii.gov/wp-content/uploads/2020/02/Molokai-Regional-Plan-Update-Final_02-18-20_HHC.pdf)

Submitted by Mr. Eric Korpi via email on 10/21/2022

## Water Usage

1. What water source shall beneficiaries rely on to live on this land?

- 250 gallons average daily home usage (domestic) per Maui BOW.

<https://www.mauicounty.gov/faq.aspx?qid=119>

- Domestic 250 gpd x 365 days = 91,250 gallons per year (gpy)
- 91,250 x 450 Manae Residents = 41,062,500 gpy

- Per 2019 Maui Water Use Development Plan, DHHL domestic use requires at least 300 gallons per day (gpd)

- DHHL AG is **3,000** gpd per acre.

<https://www.mauicounty.gov/DocumentCenter/View/116105/WUDP-FINAL-DRAFT-ENTIRE-PLAN-March-2019?bidId=>

Submitted by Mr. Eric Korpi via email on 10/21/2022



## Water Usage

- Manae = 41,062,500 gpy
- DHHL domestic  $300 \times 365 = 109,500$  gpy per home
  - $109,500 \times 20$  DHHL lots = 2,190,000 gpy 5.3% increase
    - $109,500 \times 74$  lots = 8,103,000 gpy 20% increase
    - $109,500 \times 175$  lots = 19,162,500 gpy 47% increase
- DHHL AG  $3,000 \times 365 = 1,095,000$  gpy per acre
  - $1,095,000 \times 20$  DHHL Ag lots = 21,900,000 gpy per acre >50%
    - $1,095,000 \times 74 = 81,030,000$  gpy per acre >200%
    - $1,095,000 \times 175 = 191,625,000$  gpy per acre >466% !!

Submitted by Mr. Eric Korpi via email on 10/21/2022



# Rain Catchment

Manae = 35-80" of rainfall yearly average (2011-2021)

<https://dhh1.hawaii.gov/po/molokai/ualapue-kuleana-homestead-project/>

[Climate Molokai - Hawaii and Weather averages Molokai \(usclimatedata.com\)](#)

Oct-Apr 2021=16.25"

[https://www.weather.gov/images/hfo/hydrosum/molan\\_2021\\_hooilo.gif](https://www.weather.gov/images/hfo/hydrosum/molan_2021_hooilo.gif)

Submitted by Mr. Eric Korpi via email on 10/21/2022

## Rain Catchment

- 1,000 sq' roof x 80" annual rainfall (max avg in last 10 years)= 49,840 gpy

[Rainwater Harvesting 101 | Your How-To Collect Rainwater Guide \(watercache.com\)](#)

- Domestic 250 gpd x 365 days = minimum 91,250 gallons gpy NO CAN
- DHHL domestic 300 gpd x 365 = minimum 109,500 gpy NO CAN
- DHHL AG 3,000 x 365 = minimum 1,095,000 gpy per acre  
DEFINITELY NO CAN

Submitted by Mr. Eric Korpi via email on 10/21/2022

# Questions Recap

1. Are all cultural sites on/near Ualapue DHHL land identified? Mapped? By who?
2. Will all Cultural sites in Ualapue be preserved? Who will decide which may be demolished?
3. Is there a Burial Settlement Plan for this area if/when Iwi Kupuna are uncovered?
4. What fire mitigation/prevention plans does DHHL propose for this project?
5. Will DHHL be liable for any damage to existing private property, injuries, deaths due to fire originating on or in connection with the Ualapue Kuleana Homestead Settlement?
6. Will this project move ahead despite the lack of an efficient and reliable water system?
7. Will DHHL be liable for any contamination to the Ualapue Well (only source of potable water on east Molokai) originating from or in connection with the Ualapue Kuleana Homestead Project?
  - Agricultural runoff such as Fertilizer, Pesticide, Herbicide, Animal Waste, fire damage, etc...

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## Costs

DHHL HAWAII ADMINISTRATIVE RULES §10-3-30 Kuleana homestead leases

- In determining whether a tract should be set aside for award as kuleana homestead lots, the commission shall consider the following:

(2) Excessive cost to develop the tract for any reason including: the physical characteristics of the land, the distance of the land from existing electrical, water, waste water disposal, communications, and other utility systems;...

[https://dhhl.hawaii.gov/wp-content/uploads/2020/02/Molokai-Regional-Plan-Update-Final\\_02-18-20\\_HHC.pdf](https://dhhl.hawaii.gov/wp-content/uploads/2020/02/Molokai-Regional-Plan-Update-Final_02-18-20_HHC.pdf)

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# History of Ualapue Homestead Project

1. 2018 - Ualapue was placed as top priority DHHL project due to it's residential zoning.

[https://dttl.hawaii.gov/wp-content/uploads/2020/02/Molokai-Regional-Plan-Update-Final\\_02-18-20\\_HHC.pdf](https://dttl.hawaii.gov/wp-content/uploads/2020/02/Molokai-Regional-Plan-Update-Final_02-18-20_HHC.pdf)

2. April 2021 - "we heard the beneficiaries loud and clear that they want Residential housing on Molokai. They want houses."

G70 hired in 2020 to complete EA and settlement plan

19 April 2021 DHHL Molokai Homestead Associatons meeting

3. Oct 2021 - "First priority is for Residential Areas. (Ualapue) Unable to move forward due to water and infrastructure costs."

<https://dttl.hawaii.gov/po/molokai/ualapue-kuleana-homestead-project/>

Oct 14 2021 Meeting: Minute 12

4. 2021 - Ahonui requests to have DHHL island plan amended, re-designating Ualapue property from Residential to Kuleana Homesteads.

5. After this re-designation, is this project still DHHL's top project on Molokai despite it being extremely different than the wishes of Molokai's DHHL waitlisters?

- Per DHHL HAWAII ADMINISTRATIVE RULES §10-3-30 Kuleana homestead leases In determining whether a tract should be set aside for award as kuleana homestead lots, the commission shall consider the following:
  - (4) Applicant interest or proposals identifying tracts of land;

Submitted by Mr. Eric Korpi via email on 10/21/2022



## DHHL Liability

Hawaiian Homes Commission Act Amendment 10-7-37 Civil action.

- Any violation is grounds for the association, any lessee, or lawful interest holder to commence a civil action for damages, injunctive relief, or both, and an award of court costs and reasonable attorney's fees in both types of action. The department shall not be party to any civil suit related to the violation of or noncompliance with the bylaws, any rules lawfully adopted by the association, or any covenant, condition, and restriction set forth in any recorded document. [Eff and comp ] (Auth: HHC Act §222) (Imp: HHC Act §207.5)

<https://dhhl.hawaii.gov/wp-content/uploads/2018/04/Proposed-Rules-DCCRs-Multi-Family-Rentals-Kupuna-Housing-Full-Text.pdf>

Submitted by Mr. Eric Korpi via email on 10/21/2022

## DHHL Liability

### §26-35.5

- (b) Notwithstanding any law to the contrary, no member shall be liable in any civil action founded upon a statute or the case law of this State, for damage, injury, or loss caused by or resulting from the member's performing or failing to perform any duty which is required or authorized to be performed by a person holding the position to which the member was appointed, unless the member acted with a malicious or improper purpose...
  - (3) Is caused by or is the result of the member's failure to perform an act required or authorized to be performed by a person holding the position to which the member was appointed so as to effect a malicious or improper purpose.

[http://www.capitol.hawaii.gov/hrscurrent/Vol01\\_Ch0001-0042F/HRS0026/HRS\\_0026-0035\\_0005.htm](http://www.capitol.hawaii.gov/hrscurrent/Vol01_Ch0001-0042F/HRS0026/HRS_0026-0035_0005.htm)