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

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Meeting Notes

**‘Ualapu‘e Kuleana Homestead Project
Community Meeting #2 (virtual)
April 13, 2022 – 6:00 PM – 7:30 PM**

For more information, please contact:
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CONFERENCE REPORT

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| TO: | Department of Hawaiian Home Lands (DHHL) | | |
| FROM: | G70 | | |
| DATE: | April 13 th , 2021 2022 | LOCATION: | Virtual |
| PROJECT: | 'Ualapu'e Kuleana Homestead Settlement Plan | PROJECT NO: | 221047-01 |
| SUBJECT: | Community Meeting #2 | NO. OF PAGES: | 9 |
| THOSE PRESENT: | <div>DHHL: Gigi Cairel, Cedric Duarte, Andrew Choy, William Aila Jr., Paula Aila, Shelly Carreira</div> <div>G70: Kawika McKeague, Barbara Natale, Ryan Char, Kai Akiona-Ferriman, Kiralee Ramos</div> <div>SHPD: Andrew McCallister</div> <div>CWRM: Neal Fujii</div> <div>Community Participants: 106 This number includes DHHL and G70 staff</div> | | |

SUMMARY:

The second community meeting for the 'Ualapu'e Kuleana Homestead Project was held virtually via Zoom on April 13th, 2022. The zoom was opened at 5:45pm and the meeting began at approximately 6:02pm. Although participation varied throughout the course of the meeting, at its highest, there were approximately 106 participants.

Cedric Duarte opened the meeting and Andrew Choy started with a pule. Cedric then introduced Chair Aila.

Cedric shared a short agenda for the meeting and emphasized that the Department is here to talk about the 'Ualapu'e Kuleana Homestead Settlement project. The presentation will be similar to the presentation provided at the first community meeting held on December 1st, 2021. This meeting is primarily to receive feedback from the community. The Department re-emphasized that the project is in the early phase of its planning efforts and the Department will be reviewing the planning process for the potential homestead project at 'Ualapu'e. Throughout the planning process, the Department alongside G70 will be assessing the feasibility for a subsistence agricultural homestead in 'Ualapu'e and what potential environmental, social, and economic benefits and impacts such a homestead could bring to the community.

Notably, Cedric mentioned this meeting was originally intended to be a beneficiary meeting, however, the meeting was extended to the greater community. Meeting notices were provided to those who are on the DHHL waitlist for a subsistence agricultural homestead, an existing DHHL lessee, or a Moloka'i resident, as well as residents of the Mana'e community.

Cedric and Andrew both spoke upon the planning processes that the Department undertakes to fulfill the Department's constitutional mission. Cedric elaborated about the plans DHHL has crafted and enacted to guide the Department's work on the Island of Moloka'i which includes the Moloka'i Island Plan (MIP) (2005) and the Moloka'i Regional Plan which was last updated in 2019. Meeting attendees were informed that the MIP identifies land usages for Department owned lands on the island of Moloka'i, helping

guide Departmental work on each island. Regional Plans such as the Moloka'i Regional Plan are crafted with input from beneficiaries. Gigi Cairel shared that a series of six in-person meetings were held on the island of Moloka'i in preparation of the updated 2019 Moloka'i Regional Plan. The updated 2019 Moloka'i Regional Plan identified the 'Ualapu'e Kuleana Settlement Plan as a top priority project.

Cedric elaborated and explained the differences between Kuleana Homestead Leases versus Conventional leases with the 'Ualapu'e Kuleana Homestead Settlement Plan identified as a top priority project. Cedric highlighted lessees accepting of a Kuleana Lease must be willing to live on the land and take care of their community with other lease holders. The Department will provide an access road and metes and bounds of each lot, but it is up to lessees to maintain their lots and homestead community.

For the Department to award Kuleana Homestead leases, the Department must prepare a Settlement Plan, an Environmental Assessment, and any land use amendments to the MIP. The Hawaiian Homes Commission will then need to review and approve the Settlement Plan, the Environmental Assessment, and amendments to the MIP to determine whether the plan will be approved and implemented. Cedric further elaborated that the 'Ualapu'e Kuleana Homestead Settlement Plan is in the early phases of the planning process where information for the Environmental Assessment and Settlement Plan is being collected.

The Department and G70 are in the consultation process with the community to understand the area of 'Ualapu'e and the potential benefits and impacts a homestead community would have in the area. Several surveys of the settlement area are currently in production to evaluate the environmental, cultural and historical conditions of the potential settlement area and what could potentially happen if a homestead were to be developed in 'Ualapu'e. The Department recognizes that 'Ualapu'e has environmental characteristics that may serve as potential barriers for the development of a homestead. Moreover, 'Ualapu'e has a history with resources that connect the people of Moloka'i to those that came before them and the area of 'Ualapu'e is special. The Department looks to work with the community to include them in the planning process for the 'Ualapu'e area.

Cedric asked Kawika to speak upon the Environmental Assessment. Kawika further explained that the Environmental Assessment would be assessing the environmental, social, economic, cultural and historical, and archaeological benefits and impacts a subsistence agricultural homestead in 'Ualapu'e would have. As of April 2022, about half the area has been surveyed and the remaining settlement area will be surveyed in May 2022. Once the surveys are completed, the Environmental Assessment will be compiled, and the Department will be able to understand and evaluate the feasibility of a subsistence agricultural homestead in 'Ualapu'e.

Wrapping up the presentation, a poll was shared asking attendees to identify whether they were either:

- a) On the Wait List (35%)
- b) A DHHL Lessee (19%)
- c) General Public (45%)

Meeting attendees asked if the poll may be further broken down to decipher between Moloka'i residents, residents of Hawai'i, and potential Kuleana homesteaders.

Several comments and questions were left in the chat during the presentation. Cedric began to address the comments and questions left in the chat. The following section includes a summary of the comments and questions addressed.

Comments and Questions in the Chat

Malia Akutagawa: I would just like to mention as I did at the last meeting, I am concerned that limited to no outreach has been done for the actual families of 'Ualapu'e. Even just the neighboring ahupua'a from 'Ohia, Manawai, Kahananui, and Kalua'aha. I don't see the Kalipis, Kapunis, Ka'auwais, Bicoys, laea family, Place 'ohana. I feel like I might be the only one from 'Ualapu'e. Why is this?

Cedric: There were roughly 4,000 people who were contacted with information of this community meeting. If there were people that should have been contacted, but did not receive notification of the community meeting, Cedric asked Malia if she could share contact information. Malia shared her email address.

Lori Buchanan and La'a Poepoe both asked questions relevant to the process of amending the Moloka'i Island Plan and any other amendments that would be included as part of the planning process for the 'Ualapu'e Kuleana Homestead Settlement Plan.

Cedric and Andrew both elaborated on the process of amending the Moloka'i Island Plan, explaining Hawai'i Administrative Rules Chapter 10-4-54. There are three types of amendments: Comprehensive, Interim, and Repository. Andrew explained for the proposed 'Ualapu'e Settlement Plan, it is anticipated an 'Interim' amendment will be made as this amendment process includes beneficiary consultation. Ultimately, the Hawaiian Homes Commission will approve of the proposed amendments.

Cedric further shared that the Moloka'i Island Plan is intended to guide the Department in meeting its mission and identifies land uses and policies for the benefit of beneficiaries on the Island of Moloka'i. However, the Department is going through the planning process of assessing the feasibility of a Kuleana Homestead at 'Ualapu'e. The Department is looking at the tract of land and the characteristics of the plot of land and what beneficiaries would like to see. Based on the assessment, the amendments are forthcoming.

Lori Buchanan: Wondering how DHHL plans to provide oversight and enforcement of this self-governing subdivision/settlement plan...mahalo, commenting for the record

Cedric: The intent and purpose of the Kuleana Homestead program is to empower and allow beneficiaries to manage the lots they are awarded and manage their homestead community. Lessees will be responsible for managing their homestead association. Although the Department cannot enforce rules upon the association, DHHL may provide support for the association. For example, Cedric explained that for the Kahikinui Homestead on the island of Maui, the Department provided administrative support to keep trespassers and cattle away from the homestead. Ultimately, management of the homestead will be up to lessees.

Alaska laeas: Everything is gonna erode right down into our property at the bottom

Cedric: The Department is aware that the plot of land designated for the planned Kuleana Homestead contains slopes and is not easily accessible. However, as part of the planning process, the potential for erosion that may impact areas makai of the planned Kuleana Homestead will be analyzed.

Sarah Waialae Chun: Seems you giving us oplala land which I have been on this list for 37 years! Wow DHHL sure did push Kamala ali'i wikiwiki! I still waiting

Cedric: The Department is aware that the lands under their jurisdiction are rural in nature. The plot of land proposed for the 'Ualapu'e Kuleana Homestead is designated as Class C lands. Additionally, many of the plots of land awarded to the Department are not serviced by water or wastewater services, and to this day many Department-owned tracts are still not equipped with nor provide water or wastewater services.

M. Healani Sonoda-Pale: Please change the name of the project its confusing for Kuleana land owners.

Cedric: This is the name of the program under the Administrative Rules, an amendment to the Administrative rules would need to be undertaken if the program were to be renamed.

La'a Poepoe: So far this is only the second open community meeting, the rest have been beneficiary meetings.

Cedric: This is the second community meeting for the planned 'Ualapu'e Kuleana Homestead Settlement Plan. Prior to these two community meetings, a total of six (6) community meetings were held during 2018 through 2019 in support of the Moloka'i Regional Plan. Normally, for Kuleana Homestead projects, meetings are held with the Department and beneficiaries. However, for this meeting, the Department extended the meeting to the community at-large.

Emma Ulalia and many of the attendees inquired about the status and findings of the assessments and who is conducting the assessments in support of the EA.

Cedric, Gigi, and Kawika elaborated on comments relating to the technical studies. Kawika shared that G70 will be putting together the Environmental Assessment with many subconsultants who are experts in their respective fields. Subconsultants for this Environmental Assessments include: Resource Mapping Hawai'i, AECOS, Honua Consulting, Hawaii Wildfire Management Organization, and Sustain Hawai'i. The technical studies have not been finalized yet, but once the surveys and studies are completed, findings will be shared with the community. Cedric further explained that this is not the last meeting, there are many more meetings and information will be forthcoming.

laeas: You guys should really talk to the families that actually live in the area, this is not gonna sit well with my Ohana that have lived there for many generations

Cedric: The Department continues to mailout notifications of meetings to get as many participants as possible. This includes Kuleana landowners and LCAs.

Ui Mokiao: Ualapu'e fishpond... water quality issues?

Cedric: Yes, the Department is aware of the fishpond in 'Ualapu'e and as part of the planning process, the fishpond will be further analyzed and taken into consideration when planning for the 'Ualapu'e Kuleana Homestead. As previously discussed, the Environmental Assessment measures the potential benefits and impacts of the planned Kuleana Homestead to the Moloka'i community and the surrounding environment.

Lori Buchanan : Has there been any discussion within the department on potential land exchanges more appropriate for this type of settlement?

Cedric: The Department is always open to private landowners who want to add land to the homeland trust.

Malia Akutagawa: You should add hoa'āina/ahupua'a tenants. We have priority rights

Cedric: The Department operates under the Hawaiian Homes Commission Act in the State of Hawai'i with a mission to get Native Hawaiians back on the land.

Tammy: I live in Kalua'aha, Tammy Dunnam. I never received a letter

Cedric provided his email address and asked if Tammy can email him to be included on the mailing list. Cedric also announced, if anyone else would like to be added to the mailing list to be notified of future meetings, to please email him.

La'a Poepoe: did you mail meeting notices to general public or to DHHL beneficiary list? I had to print and post your flyer at the Mana'e store for you.

Cedric thanked La'a for posting the flyer at the Mana'e store. Cedric restated that this meeting was intended to be a beneficiary meeting, however, was extended to the greater Moloka'i community. Prior to the next community meeting, the Department will try to get flyers posted around the community, as the Department wants residents of Moloka'i to take part in the planning process. Cedric invited Kawika to speak further on the outreach process for this meeting. Kawika explained that G70 tried to identify everyone from Kahananui to Kopikoloa from property tax records. In total, there were approximately 2,500 letters mailed out.

Emma Ulalia: Who made the decisions on the plans for this land use policy for Molokai? DHHL team?

Cedric and Gigi both answered this question. Gigi explained that the Moloka'i Regional Plan was crafted by beneficiaries. From 2018 to 2019, a total of six (6) meetings were held to update the Moloka'i Regional Plan. Each meeting was well attended. Cedric further explained that Regional and Island plans must be approved by the Hawaiian Homes Commission for enactment.

M. Healani Sonoda-Pale: Approximately 70 Kuleana lots in this Ahupua'a

Cedric shared that: The Department is still in the process of assessing the feasibility of a Kuleana Homestead in 'Ualapu'e. The number of lots in this homestead has not been finalized yet.

Pulama H and M. Healani Sonoda-Pale both questioned and commented on the chosen location of the Kuleana Homestead at 'Ualapu'e and why another location on Moloka'i is not being assessed.

Cedric again explained: The 'Ualapu'e Kuleana Homestead was identified as the top priority project in the Updated Moloka'i Regional Plan.

Keani Rawlins-Fernandez : @Gigi - I attended those regional plan meetings and beneficiaries who attended told you the update process was flawed. You only allowed those who attended the last meeting to choose the priority projects. Cora rallied people to attend to make this 'Ualapu'e project the number one priority project. This is the result of a flawed regional plan update process.

Cedric and Gigi both addressed this comment: Cedric first addressed that the Department is driving this planning process and as much as possible is trying to make this an open planning process for all those who wish to be involved. This isn't a perfect process, but the Department is trying their best. Cedric noted that this is one of the many Department projects for the island of Moloka'i and the planned 'Ualapu'e Kuleana Homestead project will not address the entire homestead waitlist; there will be future opportunities for the community and the Department to work together.

Gigi further shared that as part of the planning process for the updated Regional Plan, a formal 30-day public comment period was provided before the Regional Plan was submitted to the Hawaiian Homes Commission.

laeas: if dhhl knows all the bad that can potentially go wrong if this project happens then why is it still moving forward? all these specialist never lived a day in the life in this area

Cedric responded saying: We're still early in the planning process. The Department is analyzing the total impact and feasibility of a Kuleana Homestead in 'Ualapu'e. The Department will thoroughly address the impact of the Kuleana Homestead and share the findings with the community. This plot of land is under the jurisdiction of the Department, and therefore the Department is mandated to go through the planning process.

Kawika shared that not all of us (attendees and project team) hold 'ike everywhere. For many of the project team members, including the subconsultants, many of us bring our expertise to the area and our abilities to listen to the people and the environment. However, bringing in expertise does not entail that the project team and specialists are coming in with answers to squander onto the community. The project team looks to facilitate and work with the community to bring their 'ike to life.

M. Healani Sonoda-Pale: We all agree that Hawaiians should get homestead but with the 600 million you getting this year buy land on the west side for Homestead

Cedric explained: The Department submitted shovel ready projects to the legislature. The planned 'Ualapu'e Kuleana Homestead project was not part of the funding packaged to the legislature, nor were land acquisitions tied to the funding.

Emma Ualia: REQUEST: Please add to the agenda a thorough transparent proposed plan on water management connected to this proposed plan

Cedric responded saying: Yes, as part of the Environmental Assessment and planning process, a water management plan will be crafted.

Kamalu: Ualapue is part of an extensive historic heiau complex. It is a significant cultural site. Every study, assessment, field and literature review done has recognized and recommended identification of cultural elements within the wahi pana and this needs to be done BEFORE disruption to the 'aina.

Cedric shared: I believe everyone in attendance will agree that 'Ualapu'e withholds cultural and historic resources and such resources will be and should be identified before any construction begins.

M. Healani Sonoda-Pale: Contact all heirs of all Kuleana lands.

Cedric responded saying: The Department is conducting as much outreach to as many people as possible.

John Russel Phifer: will the lease holders be Molokai people?

Cedric answered this question explaining: The planned 'Ualapu'e Kuleana Homestead will not tackle the entire waitlist. Leases will be offered to beneficiaries approved by the Hawaiian Homes Commission, those who identify 50% or more as Native Hawaiian and identified Moloka'i as their desired place of residence.

Malia Akutagawa: I am concerned that this planning process is more about informing and checking a check box. It seems a foregone conclusion that the plan for 'ualapu'e will go through.

Cedric addressed this comment explaining: The Department is conducting their best efforts to consult with all those who are interested and want to be involved in the planning process and is not jumping towards decisions without working with the community.

Keani Rawlins-Fernandez provided a few comments and questions pertaining to the Moloka'i Regional Plan stating:

The regional plan update process needs to be more inclusive in allowing people to vote to recommend priorities.

Many of those who attended most of the meeting informed staff that we could not attend the last meeting to vote and asked that staff allow for other method of voting, to be more inclusive. Staff refused.

When will DHHL start the next update of the Molokai regional plan process?

Cedric, Andrew and Gigi spoke to these comments and questions. Gigi shared she appreciates the feedback for the regional planning process. Andrew shared that regional plans are updated solely based on the amount of funding the Department receives. Currently, there are 22 other regional plans that have been identified for an update. An update to the Moloka'i Regional Plan cannot be accurately projected at this time.

'Opu'ulani Albino: The area is a considerate focus of historic and cultural importance. As a cultural consultant I am extremely concerned for the area and would have you consider the area KAPU! What is the engineering consultation report of this area?

Cedric responded informing that: As part of the planning process, an engineering report will be included, and results will be shared with the community once the report is finalized.

Raymond Naki : I just emailed the East End Policy Statement that is recognized by Maui County and government agencies. Basically, nothing can be passed without the East End community approval. When are you going to meet with the East End community? In person so all Kupuna can attend

Cedric responded: The Department will continue to consult and meet with the community as part of the planning process.

At 7:30PM, Cedric opened the floor to discussion from attendees. A total of four attendees voiced their comments. The section below includes a summary of the comments that were shared.

Keomailani Hirata:

A descendant from east Moloka'i, she shared that she was at the last Commission of Resource Water Meeting held on March 15. At the meeting, she shared that on the agenda was the Commission discussing the request from the Department to reserve water from the only well serving east Moloka'i for the planned 'Ualapu'e Kuleana Homestead. She noted that the amount of water requested from the Department is more water than the amount of water currently serving the east end of Moloka'i. She further explained that the Department is requesting water for an agricultural homestead, however, she was confused to why the Department is requesting a reserve for water as water provision is not included in the Kuleana Homestead process. As a resident from east Moloka'i, she explained east Moloka'i contains pristine farm land, but current residents do not farm at large scales, residents farm for themselves and this is because water is so scarce in east Moloka'i, and large scale farming is not sustainable.

If Keomailani did not attend the Commission on Water Resource Management Meeting, she would not have known of the Department's request. She explained that the Department should have consulted with the community first and understand how scarce and how important of an issue water is in east Moloka'i. To current and existing residents, it is not right for the Department to go before the Commission without speaking to the residents. She recognized the Department as a developer, comparing ways in which the Department will disrupt the existing balance of the land and the people.

Cedric responded saying:

The Department is continuing to look to travel to east Moloka'i speak and understand the constraints current residents face. The Department is here to work with the community and work through these tough discussions

La'a/Mahina Poepoe:

Mahina shared her concerns with a "fast tracked" process as it may lead to piecemeal development. Mahina also requested the results from the technical studies that are being conducted in support of the Environmental Assessment. She recognized that the 'Ualapu'e area contains many cultural and archaeological significant features and questioned how an Archaeological Inventory Survey will not be warranted. She noted an Archaeological Inventory Survey costs millions of dollars, and asked when the Department will realize this is fiscally irresponsible? She also voiced concern over the process lands are delivered under the Department saying the process is segregated, some may be Hawaiian, but not Hawaiian enough.

Cedric, Andrew, and Kawika responded:

Cedric first stated that the Department is going through the planning process to understand the constraints of this potential project. More information will be forthcoming.

Kawika then explained that about half the site was surveyed for archaeological sites. Approximately 48 sites were documented, however this is only half the site. Identifying what is at the surface is the first step. Identification will lead to further archaeological work to understand the importance of the identified features.

Andrew then spoke to the process and explained that the Department is not fast tracking any of the planning procedures or practices for the Kuleana Homestead project in 'Ualapu'e. He ensured meeting attendees that the Department is fulfilling their due diligence to assess the feasibility of a Kuleana Homestead.

Cora Schnackenberg:

Cora clarified that it's a common practice that water reservations be completed for trust lands.

Andrew responded saying that it is common to go through water reservations and try to provide water where possible. However, the Department looks to work with the Commission of Water Resource Management to protect water resources and ensure sustainable requests follow guidelines from the Commission.

Eric Korpi:

Shared and prepared a presentation voicing questions and comments with the planned 'Ualapu'e Kuleana Homestead. He shared concerns over the cultural and historic sites, wildfire risk, and water serving the project site.

Cedric thanked him for sharing and preparing the information and that such information will be provided in the Environmental Assessment.

Cedric closed the meeting at 8:00PM thanking everyone for attending and re-stated the Department works to withhold the mission of the Hawaiian Homes Commission and serve the people of Moloka'i.