

HAWAIIAN HOMES COMMISSION

Minutes of October 17, 2022

Grand Naniloa Resort – Crown Room, 93 Banyan Drive, Hilo, HI 96720
and Interactive Conferencing Technology (ICT)

Pursuant to proper call, the meeting of the Hawaiian Homes Commission was held both in person and via Interactive conferencing technology, beginning at 9:30 a.m.

PRESENT William J. Ailā Jr., Chairman
Randy K. Awo, Maui Commissioner
Zachary Z. Helm, Moloka‘i Commissioner
Michael L. Kaleikini, East Hawai‘i Commissioner
Russell K. Ka‘upu, O‘ahu Commissioner
Pauline N. Namu‘o, O‘ahu Commissioner (via ICT)
Dennis L. Neves, Kauai Commissioner
Patricia A. Teruya, O‘ahu Commissioner (via ICT)
Vacant Seat, West Hawai‘i Commissioner

COUNSEL Ryan Kanaka`ole, Deputy Attorney General (via ICT)

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

ORDER OF BUSINESS

CALL TO ORDER

Chair Ailā called the meeting to order at 9:30 a.m. seven (7) members were present at the roll call establishing a quorum. Four (4) in person and three (3) via Zoom.

Chair Aila stated public testimony on any item relevant to this agenda may be given at this time, or a testifier may wait to testify when the agenda item is called for discussion. Public testifiers are limited to 3-minutes per person. Pursuant to section 92-3, Hawai‘i Revised Statutes, and section 10-2-11(c), Hawai‘i Administrative Rules, the Chair of the Commission has the authority to impose reasonable conditions to ensure an orderly and efficient meeting.

Pursuant to Act 220, Commissioners Awo, Ka`upu, and Neves are present. Commissioners Kaleikini, Namu`o, and Teruya are virtual. Commissioners attending virtually shall be visible and audible to members and the public. No other participants are required to be visible during the meeting. All votes shall be unanimous unless the Commission goes to roll call.

Chair Aila stated Item D-5 is for information only. The Workshop slide presentation was sent over the weekend. The Commission will recess around noon for 30-minutes for lunch and go into executive session for an additional 30-minutes.

APPROVAL OF AGENDA

MOTION/ACTION

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

APPROVAL OF MINUTES SEPTEMBER 19 & 20, 2022, REGULAR MEETING, AND OCTOBER 4, 2022, SPECIAL MEETING

MOTION/ACTION

Moved by Commissioner Teruya, seconded by Commissioner Neves, to approve the September 19 & 20, 2022 Minutes. Motion carried unanimously.

MOTION/ACTION

Moved by Commissioner Teruya, seconded by Commissioner Neves, to approve the October 4, 2022, Special Meeting Minutes. Motion carried unanimously.

PUBLIC TESTIMONY ON AGENDIZED ITEMS

PT-1 Bo Kahui – Items F-1 and F-2

B. Kahui testified he is a resident of La`i `Opua. Regarding F-1 for the annual renewals of Right-of-Entry Permits for Hawai`i Island, Lease 473, 2250-acres, and Lease 610, 5,000 acres which are both pastoral lots. He has been on the pastoral wait list for 38 years and still waiting. For the record, he has reservations about extending the leases on Item F-1. Regarding Item F-2, the Nexamp Solar LLC proposal, he stated La`i `Opua applied and came in second. La`i `Opua is concerned that the energy and benefits program, via the subscription program, may fall short on the lease program for the Department and for the beneficiaries.

PT-2 Nakoolani Warrington – General Lease No. 202

N. Warrington testified in strong opposition to the extension for Prince Kuhio Plaza, LLC, General Lease No. 202. She spoke on behalf of their hui, Kupuna, for the Moopuna. She stated she sent their written testimony which was submitted last week. She read the testimony into the record.

“Aloha, we, the Kupuna for the Mo`opuna, a hui for the Hawaiian Homes Commission Act beneficiary farmers from Panaewa, Hawai`i, submit this testimony in strong opposition to the request to extend 38.9-acres, General Lease No. 202, to Prince Kuhio Plaza, LLC, c/o Brookfield Properties, under Act 236. Act 236 became law without the Governor’s signature on July 6, 2021, authorizing leases that violate the State’s fiduciary obligations under the public trust and public land trust leading to the alienation of public and ceded lands.”

The following is from an October 13, 2022, letter from the United States Department of the Interior solicitor Robert T. Anderson to the State of Hawai`i Attorney General Holly T. Shikada, “I am writing to give notice that the United States has significant concerns that any action by the Hawaiian Homes Commission to grant extensions of commercial leases of Hawaiian Home Lands

pursuant to Hawai'i Act 236, violates federal law and constitute a breach of trust by the State. The United States understands that in mid-October, the Commission intends to consider an application for a 40-year lease extension under Act 236 by a commercial lessee of Hawaiian Home Lands. The United States believes it would be imprudent for the Commission to entertain granting any lease extension under Act 236 relating to the Hawaiian Home Lands until after the requirements detailed in 43CFR, part 48, including summaries of all consultations conducted with the beneficiaries are complete as required by the Admission Act, the HHCA and the Recovery Act. I respectfully request your prompt attention to this matter to avoid unnecessary conflict between the United States and the State, which for more than 60 years have worked cooperatively and collaboratively to ensure our respective responsibilities under the HHCA are faithfully executed.”

She asked the Commission to deny the lease extension under Act 236 and uphold the HHCA trust.

Commissioner Awo asked about the information regarding the session.

Commissioner Teruya asked about the written testimony. Chair Aila stated it would be handed out in executive session.

PT-3 Iokepa – HB499

Iokepa asked who and how many of the Commissioners conspired to pass the extension. DHHL always falls short. HB499 is the true essence of how the Commission is leading the people in the community straight down the hole. He stated they got to talk with Kai Kahele, who told them everything was out of control, but then he ran away. Chair Aila stated there was zero (0) testimony from the Commission.

PT-4 Daniel Kea – General Lease 202

D. Kea represented Prince Kuhio Plaza, who is applying for a lease extension. He stated the Prince Kuhio Plaza is a gathering place that holds lots of events for the community. He stated the Plaza is an economic driver for the community. He appreciated the Commission taking the time to consider the application.

Commissioner Teruya asked if there is a community benefits package that the Prince Kuhio Plaza provides for the homesteads. D. Kea stated they do not.

PT-5 Kauai Almeida – General Lease 202

K. Almeida testified as the President of the Panaewa Hawaiian Home Lands Community Association, PHHLCA opposed executive session Item No. 1, General Lease 202. She stated there has been no beneficiary input on this matter and recommended that the item be tabled pending consultation with the beneficiaries. They thanked Commissioner Teruya for asking the question because they have never received benefits for the community impacted by the Prince Kuhio Plaza. She disputes that since 1995 Prince Kuhio Plaza has never talked with the community regarding its impact on the community. There is no accountability for those who take over the lease on the initial lease and what is required of them. She stated that the initial lease states that it has to be a native Hawaiian, 50% owner of the corporation. Brookfield, the owner of the lease, is not a native Hawaiian. She asked that the Commission look that the lands are, at least and foremost, for native Hawaiians and not made for everybody else.

PT-6 Patrick Kahawaiola`a – General Lease 202

P. Kahawaiola`a testified they will celebrate their centennial on December 16, 2024, and invited all the Commissioners to attend. He stated the actions of this Commission if allowed to stand, will do tremendous harm to the Act and will eventually end up in the courts relating to the extension of General Lease 202, Prince Kuhio Plaza LLC. Also, HAR Section 10-3-2.1, regarding the application and the original documents, is another bone of contention. He understands the Attorney General representing the Department believes that it does not need the consent of the United States. The DOI suggested, and he strongly urged the Department to look at this because an increase in encumbrance is not administration. It is an increase in the land. He suggested the Commission defer what they were going to do.

PT-7 David Copper – General Lease 202

D. Copper is the Litigation Director with the Native Hawaiian Legal Corporation (NHLC). He asked if his written testimony submitted early Saturday was received because it stated to submit more than 24 hours prior and it would be distributed. It is on the Prince Kuhio Plaza agenda item, just put up on the NHLC website.

He urged the Commission to deny the request to extend the lease. He stated there are issues as; the extension would violate the law as the DOI sent two letters to the State about this extension. He stated the letters are clear that the federal government and their attorneys determined that that Act cannot apply to DHHL leases at this time. He stated back in 1992, the Plaza's lease was extended to the year 2042, and as a condition of that extension, the Commission mandated that no more additional extension could be considered, and the Plaza could not apply for another one. On the public record, it seems that the provision is still in effect, so they cannot apply for another extension, but they can apply for a new lease at the end of their term, but not another extension.

He watched the September meeting stating that the Deputy AG present said that the DOI never took action and they never sent anything in writing. He stated that is not true because the DOI did in May, she may not have known, but that statement made by the Deputy AG was not accurate. He stated yes, DHHL took no position on Act 236, but that is a bad thing because the beneficiaries should know the Department's position so they can weigh in.

He stated the extension was not in the best interest of the beneficiaries. The lease was made in 1973 and is old and antiquated. It is not a good idea to lock something in for 105 years and be stuck with the terms.

Commissioner Teruya asked if they got to get the testimony. Chair Aila stated it would be presented at the executive session. She stated whether it is in an executive or regular session, it is important that she has the time to read the document and understand the testimony from the community. Chair Aila was just informed that the document was put in the cloud folder and all the Commissioners have access to the documents via the cloud folder.

Chair Aila responded to D. Copper stating that the May Department of Interior's letter clearly stated that this was not an official Secretarial review, so his statement at the September meeting was correct, given that sentence in the May letter. He wanted to set the record straight. D. Copper thanked the Chairman and stated he was responding to the AG's statement that nothing was submitted in writing.

PT-8 Ainaaloha Ioane – Item G-3

A. Ioane testified that they met with Group 70. Still, she is concerned about when the Group brings the people into King’s Landing to begin the assessment. King’s Landing will need the presence of the Department because they still have non-MAHA members who are not covered under their “real soon to be” authorized Right-of-Entry. They want Group 70 to be able to do their assessment smoothly and be able to complete their work without any resistance. She also asked about MAHA’s status regarding the January report of the provisional investigative committee that was sent to MAHA and then voted on in February, recommendation No. 4; the focus is to investigate, discuss, vet, and recommend the best course of action to address the issues associated with the transition. She asked where it is at in the 2nd phase of the investigative committee and the discussion of undivided interest. Chair Aila apologized for the update and said the PIG would meet again. He also stated that they are working on the interim land disposition.

PT-9 Jojo Tanimoto –

J. Tanimoto stated she sent in her testimony but did not see her name listed and talked about two items she sent testimony on. One is to get communication with the Department regarding the emergency exit at the Kailapa Subdivision. She cannot get the Department to respond. Public Works suggested an alignment that goes through the ranch land. She asked for an alignment through that area to look for the exit road; however, no one from the Department responded. She asked that the Department allow them to go through an alignment so they could figure out how to connect to the emergency road, the mauka makai road in the Kohala Ranch next door. Secondly, she stated last year Commissioner Ka`apu asked what the methodology for the fee rate was for the Punana Leo Kanu o Waimea School, which has half an acre and pays almost \$1,000, in comparison to the Kanu o ka Aina that has so many acres and pay nothing. Kamehameha School next door pays nothing, too. She would like to start a discussion on that. She also stated she looked at the General Plan’s list of participants and did not see her name and wants to make that correction. She went to the Waimea/Kuhio Village meeting in August and did not know why her name was not on the list.

ITEMS FOR DECISION MAKING

CONSENT AGENDA

HOMESTEAD SERVICES DIVISION

- ITEM D-2 Approval of Consent to Mortgage (see exhibit)**
- ITEM D-3 Ratification of Loan Approvals (see exhibit)**
- ITEM D-6 Approval of Homestead Application Transfers/Cancellations (see exhibit)**
- ITEM D-7 Commission Designation of Successors to Application Rights – Public Notice 2014, 2017, 2020 & 2021 (see exhibit)**
- ITEM D-8 Approval to Certify Applications of Qualified Applicants for the Month of September 2022 (see exhibit)**
- ITEM D-10 Approval of Assignment of Leasehold Interest (see exhibit)**
- ITEM D-11 Approval of Amendment of Leasehold Interest (see exhibit)**
- ITEM D-12 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees (see exhibit)**
- ITEM D-13 Commission Designation of Successor – JOHN S.K. KAUWE, JR., Agricultural Lease No. 7801, Lot No. 26, Ho`olehua, Moloka`i**

ITEM D-14 Commission Designation of Successor – CARL DANA O, Agricultural Lease No. 6930, Lot No. 2, Maku`u, Hawai`i

RECOMMENDED MOTION/ACTION

Homestead Services Division Administrator Juan Garcia presented the following:
Motion to approve the Consent Agenda items listed for the Commission’s consideration.

MOTION

Moved by Commissioner Neves, seconded by Commissioner Helm, to approve the Consent Agenda. Motion unanimously passed.

DISCUSSION

Commissioner Teruya asked if the items in D-6 were all applications for transfers and no cancellations. J. Garcia stated it is for the Commission’s approval to transfer from one island to another and to also cancel leases for applications because the beneficiary received a lease award by way of assignment. She asked if there were any cancellations. He stated there are, and they are listed on page 2 and page 3, and he explained what they were. She stated she was having a hard time trying to define transfer from cancellation. She also asked about D-8 if these are approving to be on the waitlist. He stated that was correct.

Commissioner Kaleikini asked if the beneficiaries of D-13 and D-14 were aware of being successors. J. Garcia stated they are aware.

Commissioner Helm asked about D-13 if John S.K. Kauwe, Jr. is now presiding on the lot in Ho`olehua or if it is vacant. J. Garcia stated the lot is in Naiwa, and there is someone on the lot.

ACTION

Moved by Commissioner Neves, seconded by Commissioner Helm, to approve the Consent Agenda as stated in the submittal.						
Commissioner	1	2	`AE (YES)	A`OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Helm		X	X			
Commissioner Kaleikini			X			
Commissioner Ka`upu			X			
Commissioner Namu`o			X			
Commissioner Neves	X		X			
Commissioner Teruya			X			
Chairman Aila			X			
TOTAL VOTE COUNT			8			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Eight (8) Yes votes.						

REGULAR AGENDA

LAND MANAGEMENT DIVISION

ITEM F-1 Approval to Annual Renewal of Right-of-Entry Permits, East, Central, and South Hawai`i Island

RECOMMENDED MOTION/ACTION

Acting Land Management Division Administrator Kahana Albinio presented the following: Motion that the Hawaiian Homes Commission approve the Annual Renewal of Right-of-Entry Permits for East, Central, and South Hawai'i Island

MOTION

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

K. Albinio stated that one of the Right-of-Entry Permits was canceled due to the tenant's passing, and there was no other tenant's name on the lease. Right-of-Entry Permits are non-transferable.

DISCUSSION

Public testimony by Bo Kahui. He testified that he had reservations about these renewals because he had waited over 38 years for his lot. He was unsure if the Department would ever consider breaking up the large parcels for the benefit of other beneficiaries to get into ranching. His hope is to get started and pass that legacy on to his family.

Commissioner Ka'upu asked K. Albinio to identify the two leases. K. Albinio stated they are ROEs 481 and 692. Commissioner Ka'upu asked if those were the ones B. Kahui was testifying against. K. Albinio stated those were the pastoral ones. Commissioner Ka'upu asked which one he wanted to break up. K. Albinio stated ROE 473, 2,250 acres and ROE 610, 5,000 acres, and both are in South Point.

Commissioner Kaleikini asked what is preventing these Right-of-Entries from gaining a General Lease. K. Albinio stated majority of the lessees in Ka'u have 25 acres, and because the acreage is big and the area is dry, the lessees took it upon themselves to take care of the land adjacent to them till such time there is water available to the properties. It has always been Right-of-Entries or Revocable Permits.

Chair Aila gave the other answer and stated it had been a priority to focus on residential lots. If the Commission, in the future, wants to change that, it is possible. However, the Commission/Department has been criticized the longest and the hardest by the Legislature and the Congressional Delegation for not getting people off the wait list for residential lots.

Commissioner Kaleikini asked about the process for the ROE in which the tenant passed away. Chair Aila stated it would come back to the Department, and in alignment with the ROE and the policies that talk about short-term leases, it will become part of that list that will go out again. Commissioner Kaleikini stated there was a lot of livestock, and the ROE was helping with the firebreaks, and if they had to leave, the Department lost the help on the firebreaks. Chair Aila stated Darrell had his own access to water, and it depended on the children coming back from the mainland and deciding if they wanted to keep ranching or liquidate the assets. Commissioner Kaleikini asked if there was a process, since there was no one else on the lease, for the family to ask for some reconsideration, or is that not in the process? K. Albinio stated he would have to check with the Attorney General.

Commissioner Neves asked if this parcel could be used for the Revocable Permit program. K. Albinio stated at this point, that is not possible. Commissioner Neves asked about the large parcels that once the Revocable permit program gets solidified, will the Department consider breaking it up? K. Albinio stated it could be considered. Commissioner Neves stated it is like kuleana, "give me the land and let me worry about the water." He is hoping the Department is

moving in that direction. K. Albinio stated on General Lease with 5,000 acres, Native Hawaiian General Services, he manages a program that helps native Hawaiians cut up parcels.

Commissioner Ka`upu asked to clarify B. Kahui's request that he is waiting for a pastoral lease, not an ROE. K. Albinio stated no, not an ROE. Commissioner Ka`upu asked if the property that may be coming back to the Department is not suitable to be carved out for pastoral leases. Chair Aila stated it is suitable, but there is no infrastructure. There is no water; if you cut it up, you will need roads for each parcel. Commissioner Ka`upu asked B. Kahui, what he thought was on a lot that has no infrastructure. Chair Aila stated to also think about the availability of staff to do this.

B. Kahui responded to Commissioner Ka`upu's question. He stated he would take up the offer. He inclined to look at the parcel that would come up as part of the process for issuing an ROE or General Lease related to pastoral. He has done projects that he believes would complement a pastoral lot, such as water development. He would do the same as he does on any project and assess what his investment would be. Commissioner Ka`upu asked B. Kahui if his testimony today was an ask on a pastoral lease and not what is being presented right now. B. Kahui stated it was for a pastoral lease, but he would consider a Right-of-Entry Permit if given the opportunity and to at least weigh-in on that process to see if it would be in his and his family's best interest.

Commissioner Ka`upu asked Chair Aila about his comment on the Legislature being focused on getting people off the wait list for residential. Chair Aila stated the Legislature is focused on getting people off the residential wait list. Commissioner Ka`upu suggested B. Kahui talk to the Legislature to get the pastoral and agricultural people on equal footing with the residential wait listers.

Commissioner Teruya asked how often does the Department open ROEs for agricultural and pastoral lots. Chair Aila stated they are moving forward on Kauai with the kuleana, so there will be some ag lots awarded. In Kahikinui at the beginning of the year, the Department will be awarding about 30-vacant pastoral lots in Kahikinui. Because of the priority and the way the funds have been, outside of the \$600 million, the focus has been towards residential.

ACTION

Moved by Commissioner Neves, seconded by Commissioner Helm, to approve the motion as stated in the submittal.						
Commissioner	1	2	`AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Helm		X	X			
Commissioner Kaleikini			X			
Commissioner Ka`upu			X			
Commissioner Namu`o			X			
Commissioner Neves	X		X			
Commissioner Teruya			X			
Chairman Aila			X			
TOTAL VOTE COUNT			8			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Eight (8) Yes votes.						

ITEM F-2 Approval to Issue a Right-of-Entry Permit for due diligence purposes and Conditional Approval for a General Lease (25 years with the option to

extend) to Nexamp Solar, LLC, a Delaware limited liability company to develop a solar plus battery storage project on 27.6 acres of Hawaiian Home Lands, Tax Map Key (TMK) No. (3) 7-3-010:007 (por.), Kalaoa, Hawai'i Island

RECOMMENDED MOTION/ACTION

Acting Land Management Division Administrator Kahana Albinio presented the following: Motion that the Hawaiian Homes Commission approve to Issue of a Right-of-Entry Permit for due diligence purposes and Conditional Approval for a General Lease (25 years with the option to extend) to Nexamp Solar, LLC, a Delaware limited liability company to develop a solar plus battery storage project on 27.6 acres of Hawaiian Home Lands, Tax Map Key (TMK) No. (3) 7-3-010:007 (por.), Kalaoa, Hawai'i Island

K. Albinio introduced Michael Bellet of Nexamp Solar. He stated the project is for low to moderate-income subscribers. They are offering first rights of refusal. Chair Aila asked for clarification, the first offer is going to Hawaiian Homes Commission's beneficiaries, and then if there are not enough subscribers, it will go out to the general public. M. Bellet stated yes. It needs to be on the island of Hawai'i.

M. Bellet stated Nexamp was a priority listed on two projects, Kalaoa A and Kalaoa B. He heard it mentioned as 26 acres which he believed to be more like 40 acres. He stated the 26 acres was when they were looking at one project, but the utility allowed Nexamp to have co-located projects because of the sub-station that the Department has in the front of the property. It would be two projects at around 40 acres that Nexamp is looking for Right-of-Entry. Nexamp submitted a best and final offer on August 2 and is waiting on the (indiscernible) on November 8, which is coming soon. We will find out if Nexamp is awarded either one or both projects.

Chair Aila asked if this project is for a right-of-entry with a conditional general lease based on the information of the negotiations. M. Bellet stated yes, sir.

MOTION

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

DISCUSSION

Commissioner Helm asked about the consultation meetings, whether the beneficiaries favored the project, or if there was any opposition.

Planning Manager Andrew Choy stated when they had beneficiary consultation for the Kalaoa project, the participants were supportive of the project and the concept of renewable energy but would like to see a little more benefit to the community. Commissioner Helm asked how many beneficiaries were at the meeting. A. Choy stated the meeting was held virtually, probably less than 10.

Commissioner Teruya asked when the ROE is converted into a general lease, will it come to the Commission, so it knows how many years the general lease will move forward. K. Albinio stated the general lease is for 25 years. She stated the next cap offer is going to La'i `Opua in 2020 and the Kaniohale Homestead Association for the benefits package. K. Albinio states that Nexamp will provide La'i `Opua with the amount of \$20,000 and Kaniohale with the amount of \$20,000.

Commissioner Kaleikini asked what the plan is to let the beneficiaries know how to participate in this program. M. Bellet stated that part of the RFP requirements is that Nexamp has a community outreach plan and to set up communication. A website will communicate all the information about the projects, community meetings, and updates. On the award, negotiations start at the end of November, and Nexamp has 30-days to notify the public of the public meeting. The first meeting is planned for January, with one each quarter. There will be a link to the utility website because all the subscriptions will be handled through the HELCO website. They will save about 10% on their energy charge. Commissioner Kaleikini stated he thinks this is a fair and reasonable project.

Commissioner Awo asked K. Albinio to explain what conditional approval means for a general lease. K. Albinio apologized and stated that the general lease should have been preliminary approval. Commissioner Awo asked that the language be changed to be consistent and clear before the Commission approves this.

Commissioner Ka`upu asked if it is 40 acres and not 27 acres. M. Bellet stated that it needs to be adjusted because it got lost in translation. It was one project, but it got priority listed for two projects. It depends on November 8; if Nexamp is awarded for one project, it would be around the 26-acres. Commissioner Ka`upu asked what the Commission is asked to approve today. K. Albinio's stated his understanding is the 27.6-acres.

Chair Aila stated Nexamp could come back once HECO makes the decision because Nexamp is waiting for the PPA, correct? M. Bellet stated yes, sir.

Commissioner Neves asked whether it is 26 acres or 40 acres. Does it change the percentage? M. Bellet stated the lease rate is per acre.

Chair Aila asked K. Albinio to read the corrected motion for the recommendation.

K. Albinio stated the corrected motion reads: approval to issue a Right-of-Entry Permit for due diligence purposes and Preliminary Approval for a General Lease (25 years with an option to extend) to Nexamp Solar, LLC, a Delaware limited liability company to develop a solar plus battery storage project on 27.6-acres up to 42-acres of Hawaiian Home Lands, Tax Map Key (TMK) No. (3) 7-3-010:007 (por.), Kalaoa, Hawai`i Island

Commissioner Neves stated he thinks the language should be clearer to apply to the actual acreage because initially, it is 27.6 up to whatever acreage. M. Bellet stated it is about 42 acres. Chair Aila asked to give it 42 acres. Commissioner Neves responded yes, give it 42. K. Albinio added up to 42 acres.

Commissioner Ka`upu asked if this is all lava land, so is the technology high enough? M. Bellet stated the technology is high enough, and Nexamp uses single-access trackers to track the sun's direction. Commissioner Ka`upu asked if the Department found some use that would be suitable with your facilities, would the Department reserve the right to come back. M. Bellet stated yes, Nexamp would be interested in integrating any mix-use agriculture.

Public testimony by Bo Kahui asked for clarity if the commercial operation fee of \$25,000 was an annual or a one-time fee. Chair Aila stated he believed it was a one-time fee separate from the land use. B. Kahui also stated that he would like the motion to restate that at least La`i `Opua CDC can receive a donation like La`i `Opua 2020 and the Villages of Kaniohale because La`i `Opua CDC does the hard lifting. He stated to make it clear, La`i `Opua CDC brought the water

project to the Department. He wants La`i `Opua CDC to have the same benefits. Chair Aila stated the Department is in negotiation and is not in a position to add that on.

Commissioner Awo asked B. Kahui, the distribution of funds to La`i `Opua 2020 he is objecting because he wants a portion to go to La`i `Opua CDC. And how are the two organizations different since he is the founder of the first organization, La`i `Opua 2020? B. Kahui is not asking that La`i `Opua 2020 not have money; he is asking for consideration for the work that La`i `Opua CDC does. He asked for consideration that the Department amend the proposal.

Commissioner Ka`upu asked, so the total is still \$40,000 to split three ways. Chair Aila stated yes. Commissioner Teruya asked if the developer is offering that or if it is the Commission who says to whom the community benefit goes. K. Albinio stated the developer is offering to go to the two named entities. She asked if it is up to the Commission to say who the community package goes to. K. Albinio stated that was the agreement. Chair Aila stated it is based upon the discussion with the community, not the Department, because the Department stays out of Community benefits. She asked if it is the Commission's role to tell the developer where the funds go. Chair Aila specifically stated the Department does not tell the developer where the money should go. The Department directs the developer to talk with the community, and the developer comes up with the community benefits package. The Department stays out of it. She asked that La`i `Opua CDC wants to be added as a third entity to receive the benefits package, correct? Chair Aila stated that was the request that was made at the table. (Chair Aila's microphone....audio difficulty) Chair Aila stated his recommendation is not to get involved, and if the developer decides to do something later, that is up to them.

Commissioner Awo stated he agreed with the Chair in terms of how the funding is proposed to be divided between La`i `Opua 2020 and Kaniohale. It is not the Commission's decision. (audio difficulties)

Chair Aila stated Commissioner Awo has a legal question and requested to defer this item to executive session. Once the question is answered in executive session the Commission can take this up again.

Item deferred.

PLANNING OFFICE

ITEM G-1 Declare a Finding of No Significant Impact for the Kukulu Kumuhana O Anahola (KKOA) Ulupono Anahola Final Environmental Assessment, Anahola, Kawaihau, Kaua`i, TMK (4) 4-8-003:019 (por.)

RECOMMENDED MOTION/ACTION

Planning Manager Andrew Choy presented the following:

Motion that the Hawaiian Homes Commission issue a Finding of No Significant Impact for the Kukulu Kumuhana O Anahola (KKOA) Ulupono Anahola Final Environmental Assessment, Anahola, Kawaihau, Kaua`i, TMK (4) 4-8-003:019 (por.)

MOTION

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

Planner for Hawai'i Island, Nancy McPherson stated the public comment period ended, the comments and responses were incorporated into the Final EA, and the Department is asking the Commission to accept the Final EA as an adequate analysis and issue a FONSI. She introduced Kawika McKeage of Group 70, who presented the PowerPoint at an earlier meeting.

The Next Step is to (1) Revise DEA into FONSI (Oct. 2022). (2) Present to Hawaiian Homes Commission (Oct. 2022). (3) File FEA-FONSI (Nov. 2022).

DISCUSSION

Commissioner Neves stated he supports the proposal. He asked how this approval affects Item G-2; are these tied together? A. Choy stated the two motions are not tied together.

Commissioner Helm stated he supports the proposal.

ACTION

Moved by Commissioner Neves, seconded by Commissioner Awo, to approve the motion as stated in the submittal.						
Commissioner	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo		X	X			
Commissioner Helm			X			
Commissioner Kaleikini			X			
Commissioner Ka`upu			X			
Commissioner Namu`o			X			
Commissioner Neves	X		X			
Commissioner Teruya			X			
Chairman Aila			X			
TOTAL VOTE COUNT			8			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Eight (8) Yes votes.						

ITEM G-2 Amend the Kaua'i Island Plan to Relocate a Portion of the Community Land Use Designation to a 10-acre land area, Anahola, Kawaihau, Kaua'i TMK (4) 4-8-003:019

RECOMMENDED MOTION/ACTION

Planning Manager Andrew Choy presented the following:
Motion that the Hawaiian Homes Commission approve to Amend the Kaua'i Island Plan to Relocate a Portion of the Community Land Use Designation to a 10-acre land area, Anahola, Kawaihau, Kaua'i TMK (4) 4-8-003:019

MOTION

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

N. McPherson stated there was a discrepancy in the mapping and were unsure where the community use was located and how much there was in the Kaua'i Island Plan. They asked Kawika to continue working on this, and it was identified that there were 24 acres of community use in the Anahola residential homestead, now known as Pi'ilani Mai Ke Kai. 10.5-acres were approved for the Kanu I Ka Pono Charter School, so there are 13.5-acres available. She stated

they have to relocate 10 acres of community use to align with the location where KKOA wants to do their project.

DISCUSSION

Commissioner Neves stated he had a problem with this redesignation. The residents adjacent to this project were told (indiscernible). The beneficiaries were given the wrong information, and they made the decision. He thinks the Department should go back and correct this.

Chair Aila stated his understanding is in this area, beneficiary consultation occurred, and community use was going to be approved. There is a challenge with the Regional Plan's location, which seeks to make it clear in the General Plan that this area is designated for community use.

A. Choy stated yes, it would make the Kaua`i Island Plan consistent with the requested use to utilize the 10-acres portion for the Kukulū Kumuhana (KKOA) project. He stated Commissioner Neves' input to make it explicitly clear to those closest to the project that they fully understand what this action will entail.

Chair Aila stated in the past; the area had been used for dumping and fires, which is probably why there was support for it. Commissioner Neves stated he is concerned that it was presented as community use. He stated he asked the question several times before being given an ROE permit and discovered that it was not. The beneficiaries living adjacent to that property should know that it was not community use, and if they accept it, the Department moves forward.

Chair Aila stated that a particular parcel was not defined as community use by the Island Plan; that was the challenge, correct? A. Choy stated the area, in the existing Kaua`i Island Plan land use designation, is designated for community use. Previous staff utilized the area designated for community use for residential purposes. This motion is asking to redesignate the area makai of this parcel to be community use since the Department developed residential homesteading in the community use area designated in the Island Plan. It would be consistent with what is happening on the ground.

Chair Aila stated hearing what Commissioner Neves said if the Commission were to defer this for a month, would staff be able to survey the streets that Commissioner Neves pointed out. A. Choy asked Commissioner Neves for clarification of his direction, that he wants consultation. Commissioner Neves stated that the residents of Pilipouli Street, Ehukai, and Kukui Hale. A. Choy asked for consultation in the form of a mailout survey or for the Department to conduct a meeting. Commissioner Neves stated for the Department to conduct a meeting. A. Choy stated he would work with Nancy to expedite the meeting.

Chair Aila stated the item is being deferred until further notice. There will be no public testimony on this item.

Chair Aila asked for a motion to go into executive session.

Councilmember representing Keaukaha and Panaewa, Sue Lee Loy stepped up to the table. Chair Aila asked if she wanted to speak in executive session. She stated pursuant to 92-3, she would take testimony.

She stated the issue is not Brookfield and the Plaza; the issue is with the lease. Brookfield and the Plaza have been excellent community partners. It is the lease and the extension of the lease. She stated the community is hungry for information and wants to provide good comments and good

context, but it is consistent with the homestead beneficiaries not getting all the information to provide the Commission to make good decisions.

She stated as the Commission steps into executive session. She asks that they focus on the duties and responsibilities more than the immunities that the executive session will reveal.

MOTION

Moved by Commissioner Neves, seconded by Commissioner Helm, to convene in an executive session 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. Motion carried unanimously.

EXECUTIVE SESSION IN 12:11 PM

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. Motion carried unanimously.

1. Discussion on request to extend general Lease No. 202 to Prince Kuhio Plaza, LLC situated at Waiakea, Hawai`i Island, TMK Nos. (2) 2-2047:006, :066, & :073
2. Discussion on Hawai`i Administrative Rules section 10-3-2.1 regarding applicant documentation.

EXECUTIVE SESSION OUT 3:30 PM

Chair Aila asked K. Albinio to read the motion for Agenda Item F-2.

RECOMMENDED MOTION/ACTION

Motion that the Hawaiian Homes Commission approve to issue of a Right-of-Entry Permit for due diligence purposes and Preliminary Approval for a General Lease (25 years with the option to extend) to Nexamp Solar, LLC, a Delaware limited liability company to develop a solar plus battery storage project on 27.6-acres of Hawaiian Home Lands, Tax Map Key (TMK) No. (3) 7-3-010:007 (por.), Kalaoa, Hawai`i Island

MOTION

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

ACTION

Moved by Commissioner Neves, seconded by Commissioner Awo, to approve the motion as stated in the submittal.						
Commissioner	1	2	`AE (YES)	A’OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Helm	X		X			
Commissioner Kaleikini			X			
Commissioner Ka`upu			X			
Commissioner Namu`o			X			
Commissioner Neves		X	X			

Commissioner Teruya			X			
Chairman Aila			X			
TOTAL VOTE COUNT			8			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed unanimously. Eight (8) Yes votes.						

ITEMS FOR INFORMATION/DISCUSSION

WORKSHOPS

HOMESTEAD SERVICES DIVISION

ITEM D-9 For Information Only – Application Process Workshop

RECOMMENDED MOTION/ACTION

None. For Information Only. Applications Branch Supervisor Nicole Bell presented the following:

Applications Branch Workshop on the Hawai`i Administrative Rules and History of the Waiting List and how it has evolved over time.

Hawai`i Administrative Rules

- Chapter 3 – Native Hawaiian Rehabilitation Program
- Subchapter 1 – Applications for Homestead Leases
 - The rules that apply are 10-3-1 to 10-3-10, except for 10-3-7 and 10-3-10, which apply to the Awards section of the Department
 - 10-3-1 Application Forms
 - 10-3-2 Qualification of applicants
 - 10-3-2.1 Documentation – determining blood quantum eligibility
 - 10-3-2.2 Genetic tests – Amendment added March 2017
 - Establish biological parentage; the parent is not listed on a birth record, and the parent on the birth record is not the biological parent.
 - Types of relationship testing; parent-child testing, maternal or paternal lineage evaluation, and avuncular testing
 - Applicants find a lab for genetic testing themselves
 - 10-3-3.1 Application processing
 - 10-3-4 Residential lot application
 - 10-3-5 Agricultural or pastoral lot application
 - Islands with agricultural designated lands: Hawai`i, Maui, Moloka`i, O`ahu, and Kaua`i
 - Island with pastoral designated lands: Hawai`i, Maui, Moloka`i, and Kaua`i
 - A lessee of a residence lot may apply for an agricultural or pastoral lot lease only on the island on which the lessee resides. On O`ahu, you can apply for a residential and agricultural, but you can only be awarded one or the other. Whereas on the neighbor islands, you could hold two different types of leases; residential/agricultural or a residential/pastoral

Chair Aila stated in this case, you cannot have two residential.

- The rule does not limit agricultural/pastoral lessees to applying for a residential lease on the island their lease is on. You can have an Ag lease on O`ahu and apply for a residential on Hawai`i island

Commissioner Neves stated he did not understand the logic. It is not an award yet, but should an award be offered for a residential lease, and you have an agricultural lease, you would have to transfer or surrender the agricultural lease to acquire the residential lease.

- 10-3-6 Island-wide waiting lists
- 10-3-7 Priority and preference for award of leases
- 10-3-8 Transfer of application rights
 - Successorship Eligibility; 18 years of age, native Hawaiian/50% Hawaiian ancestry, and of the following relationships to the decedent: spouse, child, grandchild, parent, widow/widower of a child, sibling, widow/widower of a sibling, niece/nephew
 - Named Successor versus Public Notice
- If an applicant names a successor and is eligible to succeed, they take the applicant's spot on the waitlist.
- When an applicant does not name a successor, upon the receipt of the death certificate of the deceased applicant, the Department will prepare the person's name to be included in the upcoming public notice. Public notice happens once a year in November, the last two Sundays in November. Respondents have a 6-month window which ends in May of the following year. The those that had no claims to the application, it is presented to the Commission, and the application gets canceled. For those that make claims, the Department checks their eligibility, and if eligible, it is brought to the Commission to approve the designation of a successor. When there are multiple claims when a spouse and child come forward, the spouse is the priority. If found eligible, they take the spot; if not found eligible, the next person in the priority level is checked for eligibility. When relatives at the same level make a claim (siblings), the Department gives the siblings the responsibility of choosing who will succeed in the application. Sometimes one will succeed in the residential and the other in the agricultural or pastoral.

N. Bell stated perhaps the Department might want to amend the rules to include a timeline in situations like this. If they cannot meet the timeline, it gets canceled. One situation took a year to decide who would succeed in the application. Without the successorship being completed, the application sits on the waitlist.

- 10-3-9 Posting lease awards
- 10-3-10 Requirement for current information; placement on deferred status for the waiting list
- 10-3-11 to 10-3-20 (Reserved) for future rules.
- 10-3-24(f) – Agricultural and Pastoral Leases.
 - In recognition of the shortage of available lands on the island of O`ahu in relation to available land in the State, an award for an agricultural lot on O`ahu shall be made to applicants who are residing on the island of O`ahu at the time of application; provided further that a lessee of an agriculture lot on O`ahu shall not be allowed to hold any other homestead lease.

Commissioner Ka`upu asked if you are awarded and accept an agricultural lot on O`ahu, you come off the residential. N. Bell stated no, you just came off the agricultural, and your residential application still stays active. Should an award come up for a residential, you have the ability to transfer or surrender that lease. He asked why people have the ability to seek two homesteads. The HHC Act allows them to hold two leases, and it is only on O`ahu

that you can have only one lease. Chair Aila stated he thinks the rationale is the beneficiary is entitled to apply. It is only when you hold the opportunity to two leases that you have to give up one. Commissioner Ka`upu asked if it was by the Act or by the Rule. Chair Aila stated it does not mean that the rule cannot be changed.

Commissioner Helm asked how many agricultural applicants are on the O`ahu waitlist. Chair Aila stated the staff could get that answer for him. He asked how far back that ruling was. J. Garcia stated as N. Bell said the staff would have to check on that. N. Bell stated she would email the information about the O`ahu Ag waitlist applicants.

Commissioner Teruya asked why there is no pastoral land on O`ahu. J. Garcia stated he cannot answer that question except the Department does not have any pastoral lots available on O`ahu.

Chair Aila stated that he could only surmise on the limitation on the acreage that the Department has.

- Applicants for residential, agricultural, or pastoral lot leases shall provide the Department with documented proof that the applicant is: (1) at least 18 years of age; and (2) a native Hawaiian (50 percent Hawaiian ancestry)
 - Rule amendment: The age requirement changed from 21 years old to 18 years old on January 1, 1986. Applicants who applied on 12/31/1985 or earlier needed to be at least 21 years of age.

Commissioner Kaleikini asked if the Department needed the Department of Interiors' consent on the age change. N. Bell stated she would look into that.

- History of the Waiting List, 1922–1962 lease award procedures
- HHC authorized to award leases
- Criteria used by HHC to award leases
 - Ability to succeed in the lease, ability to pay, need, size of family, ability to serve as an example, and percentage of Hawaiian blood quantum

Since 1947 – Priority Level / Category

- Priority Level 1: Those applicants who are 100% Hawaiian and whose heirs are 100% Hawai`i
- Priority Level 2: Those applicants whose heirs are at least 50% Hawaiian
- Priority Level 3: Those applicants whose heirs are less than 50% Hawaiian

People in Priority Level 3 were not given awards until those in priority Level 1 and Level 2 were awarded. To establish an applicant's priority category, an applicant signed a declaration of Hawaiian blood, however, documentation was not required at this time. The exact percentage was not provided or fixed at the time of assignment for the category, the applicant could change from one category to another upon the receipt of proof. These practices made ranking the applicants on the waiting list impossible, caused confusion and mistrust amongst the applicants on the waiting list. Questions came up when an applicant in Priority 1, who applied in 1970 received an award before an applicant in Priority 2, who applied in 1950. In August 1972, a new policy was established, and new applicants were accepted and placed on the waiting list in chronological order. The priority systems was not considered, however the priority assignments were maintained for those applicants already on file. New awards were not made from the

chronological list until the those from the priority list was depleted. Prior to 1961, the list was maintained only for residential leases. In 1961, an application list was established for agricultural and pastoral leases on the islands of Hawai'i and Kaua'i. Prior to this time, the lottery system was employed for leases for agricultural and pastoral lots, and applicants that did not receive an award by a certain date were required to reapply. Following the lottery, applications were discarded.

In the 1952 case of the Waimea Area Pastoral Lease waiting list, it was determined that the applicants who did not receive an award during the lottery were not properly notified that their applications were no longer on file. Their applications were reinstated to the Waimea area pastoral lease waiting list in 1984. Applicants who applied for agricultural lots in 1952 and pastoral lots in 1958 in the Waimea area were also reinstated to the waiting lease list for the same reason.

Applications accepted for publicized areas only created the area waiting list. As new places opened up for homesteading, applications were accepted for that area. An applicant could apply only for one area. If an applicant wanted to transfer from one area to another, the application start date would depend on the date the Department received the request. They would go to the bottom of the new area waitlist.

Ranking issues. In 1950, an applicant from Papakolea remained on the waiting list because there was no land to develop in Papakolea. However, an applicant for Waianae who applied in 1967 was awarded a lease in Waianae.

On November 28, 1977, the island-wide waiting list was established for all leases on each island.

By law, the Hawaiian Homes Commission is obligated to maintain the existing priority and area list; however, all existing applicants were also placed on the island-wide waiting list in chronological order. Since then, all new applicants have been placed on the island-wide waiting list chronologically by application date.

Note: Slide presentation attached.

DISCUSSION

Commissioner Awo asked if the Commission could get a copy of the narrative because of its historical content and importance. Chair Aila stated it would also explain why some folks were dropped from the list.

Commissioner Helm asked about the homesteaders on Moloka'i and Keaukaha who were the first settlers between 1920 and 1922; has the Department made sure that they reapplied because of their 100 years? J. Garcia stated if it is about the extension of the 99 years, that is an ongoing project. The Commission authorized the Department to extend the 100 years for lessees whose commencement date was from 1923 to 1929, starting with Kalamaula and Ho'olehua. The Department has extended all the leases that commenced in 1922 and 1923. The Department is currently working on the leases from 1924 to 1929. The request to extend comes from the lessee.

Commissioner Teruya commented on how Nicole and her staff on the presentation and the work they have done.

Public testimony by a Panaewa lessee. She stated her understanding is that when one applies, they have to provide a certified birth certificate. Chair Aila stated a copy. In the executive

session, he stated that the Attorney General notified the Commission, and the Department is now accepting copies of the certified documents. She was glad to hear that.

J. Garcia stated that the staff was instructed not to accept copies of documentation three weeks back. It was announced by Chairman Aila that, effective today, the Department's staff could commence accepting applications as it was three weeks back. She talked about the cost of getting certified copies to apply.

Note: Slide presentation attached.

ITEM D-4 For Information Only – Update on Amended Agreement Between the Department of Hawaiian Home Lands State of Hawai'i and the United States Department of Agriculture Rural Housing and Community Development Service

RECOMMENDED MOTION/ACTION

None. For Information Only. Loan Services Branch Manager Dean Oshiro presented the following:

D. Oshiro presented a PowerPoint for the DHHL – USDA Rural Development (RD) Guaranteed Loans.

He stated all DHHL is considered rural except for Papakolea/Kewalo and East Hawai'i (Hilo). There are two Loan Guaranty programs: (1) DHHL guaranty of RD Direct Loans, and (2) 502 Lender Guaranteed Loans, loans by private lenders guaranteed by RD and not DHHL. The principal purpose of the 502 Loan is housing acquisition. In default cases, the lender is responsible for the collection efforts. If the lender requests a guaranty be initiated, a Demand Letter is sent to DHHL. The letter includes all the necessary information regarding the loan, and then the lender will perform an appraisal.

With the DHHL – USDA (RD) Lender Guaranteed Loans, DHHL issues a check to the lender for the lesser of the appraised value or loan balance in case of default. The lender will assign the Mortgage and Note to DHHL for loan servicing, and DHHL then services the defaulted loan.

He stated that RD requested to amend the current Agreement. The Technical name change is from United States Department of Agriculture Rural Housing and Community Development Service (RHCDS) to the United States Department of Agriculture Rural Development Rural, Housing Service (RD).

He stated a gentleman used to provide DHHL with reports as requested. Since the new person took over, DHHL has not received reports. There was nothing in the Agreement that RD had to give DHHL monthly or annual reports. The last report received from USDA (RD) was June 30, 2019, with 100 loans totaling \$16.6 million with 11 delinquent loans totaling \$2 million. RD advised DHHL that they are working on the report and anticipate a December or January completion date. D. Oshiro stated this is the kind of information DHHL wants at least semi-annually or annually.

DISCUSSIONS

Commissioner Ka'upu asked if the Department anticipates stepping into those 11 delinquent loans. D. Oshiro stated it is possible, yes. The lender will do the appraisal and send a copy of the appraisal to the Department, plus what is owed to them; the Department sends the check to the lender for the lesser of the two appraisals.

Commissioner Kaleikini asked that the amendments that were shared with the Commission are up for decision-making tomorrow, and if the Commission approves it, what are the next steps? The submittal for tomorrow is for the Commission to approve it if it is satisfactory, then allow and delegate the Chairman with authority to say ok, and he can sign off and proceed. D. Oshiro stated that it is part of the action, and if the Commission is okay with it, it has to go to legal counsel for review.

Commissioner Neves stated that the Chairman's approval is subject to the form. D. Oshiro stated if the Commission is okay with the content of it, but if there are changes, then that is different.

Commissioner Ka'upu asked you to track when the Department gets paid off. D. Oshiro stated that is why the reports will help because, for this program, there were no reports. Commissioner Ka'upu asked if the Department would owe RD the deficiencies already on the books. D. Oshiro stated this document would replace and supersede anything else. Commissioner Ka'upu stated that is quite an accomplishment.

Note: Slide presentation attached.

Chair Aila stated the Commission would do Item G-5, then the Commission would need to get ready for the Community meeting. He apologized for not being able to get to the other items.

PLANNING OFFICE

ITEM G-5 For Information Only – Anticipated Finding of No Significant Impact for the Waimea Nui Regional Community Development Initiative Kupua o ke Ola Clinic Relocation Draft Environmental Assessment, TMK (3) 6-4-038:011 (por.) Pu'ukapu, Waimea, Hawai'i Island.

RECOMMENDED MOTION/ACTION

None. For Information Only. Planning Manager Andrew Choy presented the following:

A. Choy briefed the Commission on the project location, background, scope, details, Draft Environmental Assessment findings, and next steps. The FONSI is based on 13-Criteria of Significance. They do not believe there is going to be a significant impact. More details are in the submittal.

A. Choy introduced Mike Hudson, President of the Waimea Hawaiian Homesteaders' Association, and **Clarin Beau**de from Kipuka o ke Ola Division.

The next steps:

- DEA will be published in the Environmental Notice Bulletin on October 23, 2022.
- 30-day comment period Oct. 23 to November 22, 2022.
- KOKO and DHHL will review the comments received and revise the DEA as needed based on public comments.
- The final EA is tentatively anticipated to be presented to HHC in December 2022.

DISCUSSIONS

Commissioner Helm asked when will construction start. M Hudson stated what they got with the original grant determines the buildout and how much it will cost so that they can start their fundraising campaign.

Commissioner Teruya asked if they were looking at a future emergency room or a clinic for a certain time. C. Beade stated that they are looking to stay at a clinic. They would like to discuss the possibility of kupuna housing next to the clinic. Commissioner Teruya asked if they had behavioral health. C. Beade stated yes they have two psychologists and one psychiatrist. They are looking to hire one more psychologist but having difficulty recruiting. Commissioner Teruya stated she supports these kinds of projects.

Commissioner Ka`upu asked what the disposition is between the Department and KOKO. A. Choy stated in 2015, the Commission authorized the Department to negotiate a general lease with Waimea Homesteaders' Association.

Commissioner Awo asked to develop the plans if they have any idea about how much as a starting point. C. Beade stated they are looking at about \$7 million. Commissioner Awo asked the \$7 million would get them the plan, design, and building. She answered yes.

Chair Aila asked what the archaeological site was. M. Hudson stated the archaeological site is in the middle of where they will put the ag park. He stated it is unfounded because they could not make the determination, based on the State Historic Preservation Department (SHPD) rules, that it could be considered it might be one, so they did not get into deep digging it out. It was called a Christmas paddock; it housed all the cows. They could not find anything archaeologically.

Chair Aila announced that the Commission will take the last agenda item for today as the staff has to set up for the community meeting. The other items will be taken up tomorrow.

Note: Slide presentation attached.

REGULAR AGENDA

OFFICE OF THE CHAIRMAN

ITEM C-3 For Information Only – DHHL Rental Subsidy Program Policy

RECOMMENDED MOTION/ACTION

None. For Information Only. NAHASDA Manager Lehua Kinilau-Cano stated Item C-3 is for the DHHL Kupuna Rental Subsidy Program Policy. She stated they are presenting this policy to the Commission and want to seek approval next month.

The Commission approved the NAHADA Annual Housing Plan in April 2022. HUD has found that the Housing Plan complies.

The program is to assist native Hawaiian kupuna

- 62 years and older
- On the DHHL waiting list
- Undivided interest lessees who are renting in the State of Hawai`i whose household income does not exceed 80% of area median income as defined by HUD for the NAHASDA program rental subsidy

The maximum rental subsidy an eligible kupuna household can receive is the lesser of the actual rent, which must be reasonable for a modest unit, minus no more than 30% of the household's

adjusted income. Ex: if a kupuna's rent is \$1000, they would pay \$300 and be subsidized the rest. It is only for rental subsidy and not utilities. Utilities will be covered if the landlord agreement includes utilities. If it does not, the kupuna will pay for the utilities.

The policy is attached to the submittal. This subsidy is not tied to any emergency relief, so unit inspections must be completed and conducted annually for all rental units. All participants will be required to be recertified at least annually to determine continued eligibility. All households will be required to participate in housing counseling, and non-participation will result in the termination of the subsidy.

DISCUSSIONS

Commissioner Teruya asked who the consultant was. L. Kinilau-Cano stated her name is Cealo Gibson, who was provided by HUD. She assists some tribes across the nation with HUD requirements. She is part of HUD's training and technical assistance. Commissioner Teruya asked if NAHASDA has its own inspectors who inspect the habitat homes. L. Kinilau-Cano stated they have their own inspections and a vendor under contract. Commissioner Teruya asked if the HUD inspection superseded the City inspection. L. Kinilau-Cano stated the City focuses on safety, and the inspections for NAHASDA ensure that all the NAHASDA requirements are met, and if not met, the funds are jeopardized. It is important to ensure the requirements are met so the Department can continue receiving these funds for families in the future.

Commissioner Teruya asked if NAHASDA provides kupuna aid for building ramps for those kupuna who need that help. L. Kinilau-Cano stated they do home repair and rehabilitation, including ADA type of requirements. The preference for the program is for the oldest homesteads first. The application is not online; they need to contact the DHHL office.

Chair Aila stated there are six carry-over items for tomorrow.

ANNOUNCEMENTS AND RECESS

DHHL Community Meeting Monday, October 17, 2022, 6:30 p.m. Keaukaha Elementary School Cafeteria.

RECESS

5:10 PM

HAWAIIAN HOMES COMMISSION

Minutes of October 18, 2022

Grand Naniloa Resort – Crown Room, 93 Banyan Drive, Hilo, HI 96720
and Interactive Conferencing Technology (ICT)

PRESENT

William J. Ailā Jr., Chairman
Randy K. Awo, Maui Commissioner
Zachary Z. Helm, Moloka'i Commissioner (via ICT)
Michael L. Kaleikini, East Hawai'i Commissioner
Russell K. Ka'upu, O'ahu Commissioner
Pauline N. Namu'o, O'ahu Commissioner (via ICT)
Dennis L. Neves, Kauai Commissioner
Patricia A. Teruya, O'ahu Commissioner (via ICT)
Vacant Seat, West Hawai'i Commissioner

COUNSEL

Ryan Kanaka'ole, Deputy Attorney General (via ICT)

STAFF

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

ORDER OF BUSINESS

CALL TO ORDER

Chair Ailā called the meeting to order at 9:46 a.m. There were six (6) members were present at the roll call. Four (4) in person and two (2) via ICT.

Chair Aila stated there were carry-over items from yesterday. Items C-1, C-2, F-3, Items G-3, and G-4 were presented at the community meeting last night, the Consultant for Item G-6 is not available today, so it is postponed to a later meeting. Around noon the Commission will recess for lunch for 30-minutes and convene into executive session for another 30-minutes.

PUBLIC TESTIMONY ON AGENDIZED ITEMS

Pursuant to section 92-3, Hawai'i Revised Statutes, and section 10-2-11(c), Hawai'i Administrative Rules, Public testimony on any item relevant to this agenda may be taken at this time, or a testifier may wait to testify when the agenda item is called for discussion. Public testimony is 3-minutes.

PT-1 Iokepa Kaeo– Item F-1

I. Kaeo testified on behalf of the wait listers of moku Keawe, six districts, who believe they are being unfairly treated. Listening to Item F-1 yesterday, I thought the last time the Department did a pastoral award was in the 1970s or 1980s. Regarding the leases, he stated that if they are not beneficiaries and are not 50%, they should not get a lease. He stated that the Native Hawaiian General Services has 5,000 acres; how did they skim around the Hawaiian Homes Commission Act? They support the Hawaiians who are seeking their renewal, but they do not support the 5,000 acres. He stated that the renewals cancel everything that is non-Hawaiian and non-beneficiary.

ITEMS FOR DECISION MAKING

REGULAR AGENDA

HOMESTEAD SERVICES DIVISION

ITEM D-5 Approval of Amended Agreement Between the Department of Hawaiian Home Lands State of Hawai'i and the United States Department of Agriculture Rural Housing and Community Development Service

RECOMMENDED MOTION/ACTION

Homestead Loans Services Manager Dean Oshiro presented the following:
Motion that the Hawaiian Homes Commission approve the Amended Agreement between the Department of Hawaiian Home Lands and the United States Department of Agriculture Rural Housing and Community Development Service; and to allow and delegate the Chairman with authority to sign the document on behalf of the Department.

DISCUSSION

Commissioner Teruya asked why Papakolea, Kewalo, and East Hilo were excluded from the USDA proposal. D. Oshiro stated it is based on population with the RD regulation of what is considered rural. Chair Aila asked if it was tied to the Census. D. Oshiro stated Census, and his understanding is that RD is trying to get all DHHL’s areas considered rural, but that is a federal government issue.

MOTION/ ACTION

Moved by Commissioner Neves, seconded by Commissioner Awo, to approve the motion as stated in the submittal.						
Commissioner	1	2	`AE (YES)	A’OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo		X	X			
Commissioner Helm			X			
Commissioner Kaleikini			X			
Commissioner Ka`upu			X			
Commissioner Namu`o			X			
Commissioner Neves	X		X			
Commissioner Teruya			X			
Chairman Aila			X			
TOTAL VOTE COUNT			8			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Eight (8) Yes votes.						

ITEMS FOR INFORMATION/DISCUSSION

REGULAR AGENDA

OFFICE OF THE CHAIRMAN

ITEM C-1 For Information Only – Update on Activities Submitted for the National Telecommunications & Information Administration Tribal Broadband Connectivity Program

RECOMMENDED MOTION/ACTION

None. For Information Only. Special Assistant Niniau Kawaihae presented the following:

N. Kawaihae offered an update of the Department’s application for the National Telecommunications & Information Administration Tribal (NTIA) Broadband Connectivity Program.

The Department was listed under two Federal Acts, the Consolidated Appropriations Act of December 2020 and the Investment and Infrastructure Jobs Act, which was signed into law in November 2021. Both Acts set aside 3% of the amount awarded to NTIA for tribal and native Hawaiian lands.

Originally the Department asked for \$49.6 million to do broadband infrastructure development. Based on discussions with NTIA staff, the ask was revised, and the total application ask was \$17.1 million for broadband use and adoption and feasibility study.

DISCUSSION

Deputy Gomes added that the Department is entitled to \$90 million, and by reducing the amount it submitted, it did not forfeit any of the money received. NTIA has guaranteed the Department but just wants the Department to do more groundwork before asking for the bulk of the funds. An official opinion from NTIA says the Department can go back in to ask for the remainder.

Chair Aila added that when the initial application went in, it was based on information presented at the time. When NTIA started implementing the grant program, they presented different information. That is why the Department and NTIA had the meeting so the Department could understand what they were asking for and that the new application would be in place and the Department would be able to achieve the full allotment.

N. Kawaihae stated the Department should know by the end of the week whether there are any questions from NOAA regarding the cure. If everything goes well, the projected start date would be December 1. The Department would be awarded in late November.

Chair Aila stated that in 3-5 years, on the ground, this means backbone fiber to every homestead except the remote one or two. The internet will be superior to what is presently offered on the homesteads.

Commissioner Teruya asked if broadband will also be provided to native Hawaiians, who are 50% and wait for lists. N. Kawaihae stated yes.

ITEM C-2 For Information Only – Moloka`i Wireless Implementation

RECOMMENDED MOTION/ACTION

None. For Information Only. Special Assistant Niniau Kawaihae presented the following:

N. Kawaihae presented a map of Moloka`i showing the triangulation of the towers. The total CAPEX is \$104,659 for the 2.4/2.5 GHz, which is \$8.70 per household. Deputy Gomes stated this pilot is done in response to the 2.5 GHz license the Department received from the FCC. This meets the minimum requirements for Moloka`i. Hard fiber costs millions of dollars for every mile of fiber, so tapping into the University's backbone and other partnerships is essential to keep the per capita costs low.

N. Kawaihae stated rain fade is signal strength that travels through the air that cannot be seen. However, you can see it when it rains hard enough; the rain fade interrupts the traveling of the wireless spectrum.

Assuming the project start date is December 1, Moloka`i will be June 2023. There may need to be an update due to supply chain issues.

DISCUSSION

Commissioner Neves said he attended the Tribal broadband workshop and that the project provides job opportunities. The people learn to install, manage and build the system for their people at a minimal cost.

WORKSHOPS

LAND MANAGEMENT DIVISION

ITEM F-3 For Information Only – Aina Mauna Legacy Program Updates

RECOMMENDED MOTION/ACTION

None. For Information Only. Acting Land Management Division Administrator Kahana Albinio and Land Management Agent for Hawai`i Island Kualii Camara presented the following:

- Over 56,000 acres of land on Mauna Kea, over a quarter of the Trust lands, are located on Mauna Kea
- Legacy Program adopted and approved by Commission in 2009
- Mixed-use, restoration, and conservation of sensitive resources
- Areas for homesteading, pasture use, and commercial forestry
- Priorities include gorse eradication and sustainability koa forestry
- Projects: gorse management, koa forestry, restoration efforts, ungulate management, and enforcement issues

DISCUSSION

Commissioner Awo asked how the 56,000 acres became a part of the Department's land base. The koa forest is the highest priority, but gorse takes most of the budget and requires the most labor and effort. He asked if there are enough resources to do both. K. Camara stated they stretch the dollar as much as they can. There are feral cattle everywhere that spread the gorse and suppress everything else. He believes returning to the natural system the more resilient the lands will be. He appreciates the budget they get every year and will continue working with what they have.

Chair Aila stated one option is to allow for a harvesting project on the mountain, which could fund additional resources for Kualii. It was done in the past, but there was a protest. He stated he thinks the time is right now to do an RFP, go out for some koa harvesting, and utilize that money for additional staff and resources. That will be left to the next Chair and Commission, but he believes the time is right. He stated cattle are good for gorse but bad for ohia. The cows scald the bark of the trees and increase the koa fungus disease. It is sad to see a group of sticks that should be an ohia forest. The Department needs to include that in terms of the risk versus the benefits.

Chair Aila stated these lands are original and part of the inventory that Congress designated. They were leased to the Parker Ranch. They did not come back into the Department's inventory until the mid to late 1990s. Technically, Parker Ranch was responsible for returning the land to the Department as they found it, but that did not. K. Albinio stated he understands there was some litigation to that, and he is not sure in what condition the lands were returned. Chair Aila stated

that the `Aina Mauna Legacy was set up so that the revenue generated from the mountain goes back to the management of the mountain.

Commissioner Awo asked if there was any ranching continuing. K. Camara stated there are five homestead ranches, around 100 acres, on Saddle Road. Commissioner Awo stated the Department needs to incorporate sustainable forestry practices to generate revenue to expand the koa forest.

Commissioner Ka`upu stated at the lower elevation, the Department has lands suitable for pastoral, which is the highest and best use for those properties. K. Camara stated they are dryer areas with different soils, and pastoral use would help to control the fire risks in those areas.

Commissioner Ka`upu asked if there are folks seeking leases for those suitable pastoral lands and why the Department has not moved forward with that. K. Camara stated it is designated as pastoral use, but whether it will be homestead use or community pasture, or other types of use, he looks at the direction of the Commission and administration. For the koa reforestation, K. Camara stated Kamehameha Schools is probably the most progressive and has the most resources for koa planting.

Commissioner Ka`upu stated these sacred lands need to be preserved, reforested, and returned to their natural state, but that is not the Department's primary mission. The Department might be better served to find someone who does that well, and the Department works out something. Has this ever been discussed? Chair Aila stated it had been discussed in the past, and the Department of Land and Natural Resources is the natural candidate, and they have more than enough forest that they can manage right now.

K. Camara stated the Mauna Kea Watershed Alliance is part of the Hawai`i Association of Watershed Partnerships, which helps the Department to manage the Department's lands. The Department has strong partners, and he is not sure if it solves the land swap or trading issues, but the Department relies on them to manage the lands. Chair Aila stated all the agencies responsible for forests work very well together. The Department has had a lot of help from them because they know the value of all forest, whether it belongs to DHHL or DLNR.

Commissioner Ka`upu asked what the projections are; as the Department is still operating on a net loss, the Department does not make money in that operation. K. Camara stated he does not have the numbers now, but three or four koa harvests were done around 2003 to 2010, generating around \$3 million. Commissioner Ka`upu asked Kualii what his budget for the maintenance was. K. Camara stated it is around \$500,000 a year.

K. Camara stated in 2021, they found the first ua`u on Mauna Kea since the 1950s, on DHHL lands. It was thought they were all gone. He stated they are putting together a 93-acres cat-proof fence for protective bird habitat. He stated he is working with DLNR and with the hunters. It is another emergency situation and will also help protect the Mauna Kea silver swords. He stated that high-elevation refuge forests are important for the Oiwi birds. With climate change, the mosquitos go higher, and the birds from the refuge have to fly makai to forage in the ohia and risk dying. One bite from a malaria-carrying mosquito can be fatal to the oiwi bird.

He stated the ungulate impact is higher than the level of sheep and pigs. The ungulate management is to remove live cattle, and the alternative is to eradicate them. There are two licenses for Piihonua and Humuula. They have meat distributions to the homesteads and associations.

Mauna Kea Watershed Alliance (MKWA) Coordinator Cheyenne Hiapo Perry stated they work off grants. His field team consists of himself, Russell Rosario, Marco Castro, Kau`i Aguiar, and Dylan Moniz. Their main goal is protecting and restoring native forests for perpetuity, recharge, conservation, and ecosystem services.

Commissioner Awo asked if the cause of Rapid Ohia Death (ROD) is known or still a mystery. C. Perry stated the Scientists at the Institute of Pacific Islands Forestry identified a fungus, ceratocystic, which also infects potatoes, but this is a new species as there are two different species. ROD blew up during Hurricane Iselle in Puna, and the thought was that storms and wind or animals moved it. Commissioner Awo asked if the current mitigation is to keep planting ohia. C. Perry stated they are trying to contain ROD to just Hawai`i Island, but it has been found on other islands. K. Camara stated that studies still show the link between ungulates and ROD. They want to focus on preventing the wounding of the trees from ROD.

Public testimony Kauai Almeida – She asked about the different levels of wao – if the Mauna was wao akua or wao kanaka.

Public testimony by Pat Kahawaiolaa. He stated the Commission has the power to make the changes.

Note: Slide presentation attached.

MOTION

Moved by Commissioner Neves, seconded by Commissioner Helm, to convene in an executive session 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. Motion carried unanimously.

EXECUTIVE SESSION IN

12:45 PM

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. Motion carried unanimously.

1. Update on Waimana Enterprises et al. v. Department of Hawaiian Home Lands, et al., Civ. No. `CCV-22-0000617 (DEO)
2. Discussion on Down payment Assistance for Residential Purchase Off Hawaiian Home Lands Pilot Program

EXECUTIVE SESSION OUT

2:45 PM

ITEM G-7 For Information Only – Report of the Investigative Committee on the DHHL General Plan Update and Presentation of the Final Draft DHHL General Plan Update

RECOMMENDED MOTION/ACTION

None. For Information Only. Planning Manager Andrew Choy presented the following:

- A recap of the planning process to date and a briefing on the status of the DHHL General Plan Update process

- The results of the statewide beneficiary consultation completed for the Draft General Plan Update between August and September 2022
- Per HRS 92-22.5(b)(1)(B), report of the findings and recommendations of the DHHL General Plan Investigative Committee.

DISCUSSION

Commissioner Teruya asked when doing the General Plan are there any zone changes on DHHL lands. A. Choy stated there are no zone changes in the General Plan stage but in the Island Plan. She asked about both plans. Does the City look at the plans as they look at its sustainability plan? He stated the Department provides them with the information.

Note: Slide presentation attached.

GENERAL AGENDA

REQUEST TO ADDRESS THE COMMISSION

ITEM J-1 Cindy Freitas – Lease Concern

C. Freitas stated she is concerned about Lease No. 2210, located in the Papakolea. Her brother is in the process of transferring the lease to his daughter. She was told that the taxes must be paid before the lease could be transferred. Her brother claimed that he never got an amended lease of transfer. He cannot pay the lease, so he transfers it to his daughter. Her daughter is willing to pay the property tax but wants the lease, and all the paperwork completed and in her name. Chair Aila normally stated the process is to collect the monies before the transfer is done. He would check with staff and the Attorney General. He will get back to her before the end of the week.

ITEM J-3 Bo Kahui – Laiopua Community Development Corporation (LCDC)

B. Kahui submitted his written testimony. Regarding the North Kona Water Development, La`i `Opua Community Development Corporation is seeking approval from the Commission to purchase the Genalis property. There is an appraisal by the Department for a 129-acre acquisition. They only need 3-5 acres to develop the water source and the Department could increase its agricultural program and develop it, or sell the remaining 122 acres at market value. LCDC got involved because their water bill averaged \$700 to \$1500 per month, far exceeding their rent.

Chair Aila asked B. Kahui asked what his source of funding was for the projects he talked about. B. Kahui stated he would ask the Legislature for two of the three projects. He stated they responded to the RFP for the Department's grant program.

ITEM J-4 Skippy Ioane for Ainaaloha Ioane – Malama ka Aina, Hana ka Aina (MAHA)

S. Ioane stated that rapid ohia death is a reflection of the people. When the ohia is sick, the people are sick. He thanked the Commissioner for sitting and listening to all the sickness. He talked of the Prince Kuhio Plaza. He asked that the Commission tell the brother at Kuhio Plaza to step off. He stated the Commission should tell the Governor, TMT, and Kuhio Plaza no.

ITEM J-5 Nawai Leimana – MAHA

N. Leimana testified she is a part of the people of King's Landing. They used to feel safe, but now there are new people in King's Landing. Some are squatters, some Hawaiian, and some are not. She stated they have been trying to work with them, but most resist. King's Landing used to be a gated community, but in the 1990s, there was an issue of people entering on their own. Some were respectful to the community, and some were not. Most were respectable and became part of the MAHA community. Two years ago, the gate had to remain unlocked, and since then, people have come in with little or no respect for the `aina, the community, and community members. With the gate unlocked, there is no way of feeling safe. There have been car fires, gunshots, loitering, drugs, hiding from the law, and theft. Her home in King's Landing was broken into, and all she has is a police report and feel that there is nothing she can do about it.

Chair Aila noted the challenge is there is no disposition. There is an issue with the County Park that has to be resolved, and the issue once the land disposition is given, giving notice to all the non-permitted folks that are there and working on enforcement. The meeting should be with the County Mayor and the park people in the next week or two.

ITEM J-7 Heidi Whitney – Keaukaha Lease Successorship

H. Whitney stated her issue is with their grandmother's Panaewa property at 16 Mikiioi Street in Hilo. She was the successor and wanted to have the property transferred to a family member. The property has been in the Ohana for 45 years. She has been in contact with Olinda Fisher at the Keaukaha District office to find out the next step and if her family member would be able to take over the property.

Chair Aila asked H. Whitney if you were a successor, and said you were no longer a successor. What happened? H. Whitney stated that based on Olinda Fisher's information, she did not meet the quantum. Chair Aila asked if she was the only successor. She stated yes. She has been trying to fight for the house since 2002. Chair Aila stated he would ask to be briefed and get back to H. Whitney.

ITEM J-2 Elizabeth Lee Loy Masaoka and Lucienne Pukahi – Panaewa Resiliency and Agricultural Innovation Hub Master Plan (deferred to next month)

ITEM J-6 Kekoa Enomoto – Maui/Lanai Mokupuni Council and Pa`upena Community Development Inc. (deferred to next month)

ANNOUNCEMENTS AND ADJOURNMENT

NEXT MEETING

The next HHC meeting – November 21 & 22, 2022, Courtyard by Marriott Kahului Airport Haleakala Ballroom, Kahului, Maui, Hawai'i

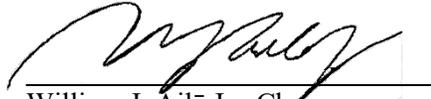
MOTION/ACTION

Moved by Commissioner Helm, seconded by Commissioner Kaleikini, to adjourn the meeting. Motion carried unanimously.

ADJOURNMENT

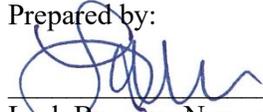
3:45 PM

Respectfully submitted:



William J. Ailā Jr., Chairman
Hawaiian Homes Commission

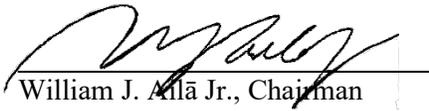
Prepared by:



Leah Burrows-Nuuanu, Commission Secretary
Hawaiian Homes Commission

APPROVED BY:

The Hawaiian Homes Commission
At Its Regular Monthly Meeting On
November 21, 2022



William J. Ailā Jr., Chairman
Hawaiian Homes Commission