

HAWAIIAN HOMES COMMISSION

Minutes of March 20 & 21, 2023

Hale Pono'i, 91-5420 Kapolei Parkway, Kapolei, O'ahu, Hawai'i, and Interactive Conferencing
Technology (ICT) Zoom

PRESENT

Ikaika Anderson, Interim Chairman
Randy K. Awo, Maui Commissioner (ICT)
Makai Freitas, West Hawai'i 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 (ICT)
Dennis L. Neves, Kauai Commissioner
Patricia A. Teruya, O'ahu Commissioner

COUNSEL

Craig Iha, Deputy Attorney General

STAFF

Katie L. Ducatt, Deputy Designate to the Interim 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
Stewart Matsunaga, Acting Land Development Division Administrator
Paula Ailā, Acting Contact and Awards Division Administrator
Niniau Kawaihae, Special Assistant
Lehua Kinilau-Cano, NAHASDA Manager
Michael Lowe, Information Specialist

ORDER OF BUSINESS

CALL TO ORDER

Chair Anderson called the meeting to order at 9:40 a.m. Seven (7) members were at the meeting location, and two (2) via Zoom, establishing a quorum.

Chair Anderson announced that the Commission would recess for lunch around noon and to convene in executive session, which should last approximately 30 minutes. Tonight's Community meeting in Waimanalo will start at 6:30 p.m.

APPROVAL OF MINUTES

FEBRUARY 21 & 22, 2023, REGULAR MEETING

Chair Anderson asked if there were any edits to the February 21 & 22, 2023 Minutes. There were none.

MOTION/ACTION

Moved by Commissioner Helm, seconded by Commissioner Teruya, to approve the February 21 & 22, 2023 Minutes. Motion carried unanimously.

APPROVAL OF AGENDA

Commissioner Neves stated that Items C-2 and C-3 were not published on the website, so there has been no public review. Commissioner Teruya asked when the submittals were posted to the website. She received the submittals Friday evening, but the beneficiaries stated the items were not on the website. She asked when the submittals get posted.

Chair Anderson called for a short recess to discuss the matter with the staff.

RECESS

9:47 AM

RECONVENED

9:50 AM

Chair Anderson confirmed with staff that the information was placed on the Department's website this morning. Commissioner Teruya stated because the items were not on the site for the beneficiaries to review, the items should be deferred.

DAG Iha stated the only requirement is that the item be agendized properly. The board packet not being posted does not prevent the item from being heard. Chair Anderson asked the DAG if the meeting could go forward. DAG Iha stated if the Commission wants, it can go forward.

Commissioner Kaleikini asked if it was like the item coming under a separate cover.

DAG Iha stated that when the Commissioners got the submittals, the public should also have gotten them. It is not one of the Sunshine Law requirements that results in having to cancel the meeting.

Commissioner Awo stated that last-minute submittals do not afford Commissioners and beneficiaries enough time to respond in substantive ways. Commissioner Teruya stated when the materials are not available to the public ahead of time, they don't have the ability to testify on the item.

DAG Iha asked Chair Anderson for a short executive session. Chair Anderson entertained a motion.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Kaupu, 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

9:55 AM

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.

EXECUTIVE SESSION OUT

10:20 AM

Chair Anderson stated after consulting with Counsel; the Commission was advised to cancel Items C-2 and C-3 from the agenda for this month. He asked for a motion to approve the agenda with the cancellation of Items C-2 and C-3.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Helm, to approve the agenda with the cancellation of Items C-2 and C-3. Motion carried unanimously.

PUBLIC TESTIMONY ON AGENDIZED ITEMS

PT-1 Germaine Meyers – Items C-5 and C-6

G. Meyers testified that the Land Management Division would normally bring actions of this type to the Commission. This particular item was brought to the Commission by the Chairman, and her concern is that due diligence was not completed. WKHA is delinquent in filing its annual report for 2021-2023, and according to State law, after not filing for 2-years, the entity is involuntarily dissolved.

Regarding Item C-6, the right of entry to the Anahola Homestead Association (AHA) to conduct due diligence for a potential Anahola Sports Complex. AHA is delinquent for three years, 2020-2022. For 2023 they do not have a legitimate license to operate as a non-profit. Also, the terms of the Board of Directors for AHA are expired.

Regarding Item C-5 for a potential Tsunami Evacuation project, there are two schools in the tsunami zones in Nanakuli, so what about 100 acres for them going mauka? Nanakuli High has never been enough to handle everyone in the red zone.

For Item C-3, the President/Director Bruce Marks gets paid \$275,000 and another compensation package of \$23,000.

She asked if it is legal for the Department to have an interim and designated Chairman simultaneously.

PT-2 Homelani Schadael – Items C-2 and C-3

H. Schadael testified about Items C-2 and C-3, but she understands that the items were canceled but stated the usual term used is deferred. She is happy to have time to review the submittals next month. It is time the Bank of America issue is addressed.

PT-3 Bo Kahui – Items C-7, C-8 and D-2

B. Kahui stated he appreciates adequate notice on any agendized item to make a proper inquiry. Receiving the information sooner than several days before the meeting gives time to download the information and speak to items relevant to the agenda.

Regarding Item C-7, flipping a house, he requested that the Department continues its study and look at solutions. For Item C-8 regarding geothermal, he asked that the Commission continue opportunities for this to become energy independent but cautions the Department to use the housing funds. He opposes the use of the Act 279 funds for this purpose. For the \$10.5 million proposed funding allocation for the North Kona Water Storage, he recommends the purchase of

127 acres for water source development and increasing the Department's land base to provide new opportunities for homesteaders on the agricultural list or homestead list. La'i 'Opua Development is prepared to assist the Department.

PT-4 Kapua Keliikoa – Various concerns

K. Keliikoa stated she opposed Interim Chairman Anderson still sitting in the position as he stepped down one month ago, and his presence is unsettling and asked that he step down. She stated that more time is needed to ensure the agenda items are submitted on time and properly.

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-4** Approval of Homestead Application Transfers/Cancellations (see exhibit)
- ITEM D-5** Approval to Certify Applications of Qualified Applicants for February 2023 (see exhibit)
- ITEM D-6** Approval of Assignment of Leasehold Interest (see exhibit)
- ITEM D-7** Approval of Amendment of Leasehold Interest (see exhibit)
- ITEM D-8** Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems or Certain Lessees (see exhibit)
- ITEM D-9** Approval to Consolidate and Re-Subdivide, Amend Lease No. 5105, Lot No. 156-A, and Lease No. 5105-A, Lot No. 156-B, Pana'ewa, Hawai'i – **CARDINAL K. THOMAS, III & MARCEL K. EVANS**
- ITEM D-10** Request for Relocation – **KATHLEEN M. RAPOZA**, Lease No. 8082, Lot No. 108, Pu'ukapu, Hawaii
- ITEM D-11** Amendment to Lease – Withdrawal of a Portion of the Following Lots:
 - 1. **TERI MONTGOMERY**, Residential Lease No. 9813, Lot No. 13821, Maluohai, O'ahu, TMK: (1) 9-1-120:041
 - 2. **VIOLET LUUWAI**, Residential Lease No. 9800, Lot No. 13822, Maluohai, O'ahu TMK: (1) 9-1-120:015
 - 3. **DAMIEN and LYDIA BARR**, Residential Lease No. 9824, Lot No. 13692, Maluohai, O'ahu, TMK: (1) 9-1-119:044

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.

Public testimony – Homelani Schadael. She stated that the projects for the lots in Item D-11 move forward. J. Garcia stated he is hopeful the Commission will approve the amendment to the three leases to redescribe the lots due to the withdrawal. She asked when the licensing agreement would be looked at. He must work with Land Development Division's Administrator, Stewart Matsunaga. They will work diligently to make sure the work gets done.

Commissioner Teruya asked if any homes in the Kaupea Master Plan were supposed to be built but were not built; and if VOKA is charging the Department for the homes that were not built. J. Garcia stated the original plan called for more homes that were not built. The Department decided to create subdivisions with larger lots, in which lots were lost and also lost revenues to VOKA from the elimination of the homes. The Department is paying the monthly fees for those lost lots. H. Schadael stated the VOKA fees are \$45 per month. The Department had an agreement with VOKA and paid the money upfront for the unbuilt units. However, the Department pays \$30,000 annually for the unbuilt units for Maluohai.

Commissioner Teruya stated the units to be built in Kaupea on the 9 acres and that the Commission reconsider the 60 units becoming part of Kaupea for the Department to be reimbursed.

MOTION/ACTION

Moved by Commissioner Teruya, seconded by Commissioner Neves, to approve the Consent Agenda as stated in the submittal.						
Commissioner	1	2		A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Freitas			X			
Commissioner Helm			X			
Commissioner Kaleikini			X			
Commissioner Ka'upu			X			
Commissioner Namu'o			X			
Commissioner Neves	X		X			
Commissioner Teruya		X	X			
Chairman Anderson			X			
TOTAL VOTE COUNT			9			
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED Motion passed unanimously. Nine (9) Yes votes.						

REGULAR AGENDA

OFFICE OF THE CHAIRMAN

ITEM C-1 Approval of Lease Awards Pi'ilani Mai Ke Kai Subdivision Phase II – Residential Vacant Lots – Anahola, Kaua'i; Kakaina Residential Subdivision – Vacant Lot – Waimanalo, O'ahu (see exhibit)

RECOMMENDED MOTION/ACTION

Acting Contact and Awards Division Administrator Paula Aila presented the following: Motion that the Hawaiian Homes Commission approve the 99- year Lease Awards for Pi'ilani Mai Ke Kai Subdivision Phase II – Residential Vacant Lots – Anahola, Kaua'i; Kakaina Residential Subdivision – Vacant Lot – Waimanalo, O'ahu (see exhibit)

MOTION/ACTION

Moved by Commissioner Teruya, seconded by Commissioner Neves, to approve the motion as stated in the submittal.						
Commissioner	1	2	`AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Freitas			X			
Commissioner Helm			X			
Commissioner Kaleikini			X			
Commissioner Ka`upu			X			
Commissioner Namu`o			X			
Commissioner Neves		X	X			
Commissioner Teruya	X		X			
Chairman Anderson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Nine (9) Yes votes.						

ITEM C-4 Acceptance of 2023-2024 Native Hawaiian Housing Block Grant Annual Housing Plan

RECOMMENDED MOTION/ACTION

NAHASDA Government Relations Program Manager Lehua Kinilau-Cano presented the following: Motion that the Hawaiian Homes Commission accept the 2023-2024 Native Hawaiian Housing Block Grant Annual Housing Plan

MOTION

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

DISCUSSION

L. Kinilau-Cano stated there were changes to the draft. Items 1-11 remain the same. The new item is Supplemental Dwelling Unit Financing, triggered by the request of the Delegation staff to look at more units and not just rental assistance.

Commissioner Teruya asked if the Kalaeloa Rehabilitation project will be revisited next year. L. Kinilau-Cano stated the facility will not be available until the fiscal year 2024-2025, so it is not needed in this current housing plan but will be put in the future.

Commissioner Teruya inquired about the Kupuna Rental Assistance program. L. Kinilau-Cano stated it is expected to launch next month in April. CNHA will get \$400,000 in administrative costs at \$20.5 million annually.

Thanks to Senator Schatz, NAHASDA got \$22.3 million in the current budget. As of December, he included another \$22.3 million; the following fiscal year, \$22.3 million was proposed for DHHL. The goal is to shoot for a \$2 million expenditure per month.

Commissioner Ka'upu asked if NAHASDA is keeping up with that expenditure goal. L. Kinilau-Cano stated it is a little under because NAHASDA got \$2.4 million from the Consolidated Appropriations Act from the Treasury, \$5 million from the American Rescue Plan Act, and used \$5 million of the State's dollars. Once the NAHASDA funds are exhausted, there will be less than a million dollars, and the contract is set to end this year, 2023.

ACTION

Moved by Commissioner Teruya, seconded by Commissioner Neves, to approve the motion as stated in the submittal.						
Commissioner	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Freitas			X			
Commissioner Helm			X			
Commissioner Kaleikini			X			
Commissioner Ka'upu			X			
Commissioner Namu'o			X			
Commissioner Neves		X	X			
Commissioner Teruya	X		X			
Chairman Anderson			X			
TOTAL VOTE COUNT			9			
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED Motion passed unanimously. Nine (9) Yes votes.						

HOMESTEAD SERVICES DIVISION

ITEM D-8 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees

Public testimony – Kapua Keliikoa. Testified as part of the Hawai'i Energy Solar Rising 808 Rooftop Solar program rolling out in April. They will have finance lenders to assist beneficiaries and O'ahu rate payers starting in the Wai'anae and Koolauloa communities. Her request is for expedited rooftop solar processing for the Wai'anae moku.

Commissioner Ka'upu asked if it is her understanding that the current approval process is not happening promptly. K. Keliikoa stated she has not worked with the Department on this yet.

OFFICE OF THE CHAIRMAN

ITEM C-5 To authorize a Right of Entry to the West Kaua'i Homestead Association to conduct due diligence activities for a potential Tsunami Evacuation Camp Ground Project (Kumu Camp) at TMK Nos. (4) 4-8-003:018, 019, 021, 026; (4) 4-8-013:003, & (4) 4-7-004:003, 004, 007, Anahola, Kauai

RECOMMENDED MOTION/ACTION

Interim Chair Anderson introduced Kipukai Kualii to present the following:
Motion that the Hawaiian Homes Commission authorize a Right of Entry to the West Kaua'i Homestead Association to conduct due diligence activities for a potential Tsunami Evacuation

Camp Ground Project (Kumu Camp) at TMK Nos. (4) 4-8-003:018, 019, 021, 026; (4) 4-8-013:003, & (4) 4-7-004:003, 004, 007, Anahola, Kauai

DISCUSSION

Commissioner Neves stated the submittal is coming from the Office of the Chairman and asked why it is not going through Land Management Division as is the normal process.

Chair Anderson stated the beneficiaries reached out to him for the item to be placed on the agenda for a public discussion. Commissioner Neves asked if this had been fully vetted.

Chair Anderson stated he understands concerns with the item and some background. Nonetheless, the beneficiary asked to discuss this item before the Commission. He told the beneficiary he could make a presentation, but it is at the Commission's discretion whether this moves forward or not.

Commissioner Neves stated his additional concern is who put together the document. Chair Anderson stated the beneficiary put together Item C-5, and there is additional information that he believed the staff had.

Commissioner Neves asked to call up the Administrator for the Land Management Division. He asked K. Albinio if there were any compliance issues with the non-profit Homestead Community Development Corporation (HCDC) on the Kumu Camp and the Anahola Market Place. His concern is that these projects have to be properly vetted by the department that is responsible for land management. K. Albinio stated to his knowledge, there are outstanding compliance issues.

Commissioner Neves read Item C-5 and stated that the location was incorrect. K. Albinio stated the TMKs are incorrect and should be switched for Items C-5 and C-6.

Commissioner Neves asked if LMD had vetted the action item. K. Albinio stated LMD had not vetted fully and that he understands, through staff and Planning Office, that they did meet with individuals from HCDC, which took place back in September, on some of the questions they had regarding their requests.

Commissioner Neves stated he thinks presenting this to the Commission for any action is inappropriate. It should not be heard until they clear up their violations. The Commission is not in the business of continuing to give additional Right of Entries when someone is not in compliance. They need to clean up their issues first. Commissioner Neves asked that Item C-5 be removed and returned to the Department for proper vetting.

Commissioner Teruya stated items like C-5 are usually brought as informational items so the Commission has time to review, ask questions, and offer concerns. Then the following month, the Commission takes proper action. K. Albinio stated the submittal has a timeline and process.

Commissioner Teruya asked if LMD had the chance to look at the DCCA filings. K. Albinio stated that they have not even done that yet. Commissioner Teruya stated she had concerns about the two documents and why the Department was not fully involved.

Commissioner Awo reaffirmed that taking action for a right of entry that is not coming from staff is highly unusual. He has concerns as it has not been fully vetted. He agreed that asking the Commission to approve a right of entry is inappropriate.

Commissioner Neves asked if K. Albinio would approve these Items. K. Albinio stated not until compliance issues are cleared. Commissioner Neves cautioned the Department is responsible for vetting these items. It needs to go back to the Department, fix the problems, and then they can come back and resubmit.

Commissioner Teruya asked if the DAG reviewed the agenda to ensure the language and items were okay. DAG Iha stated the Deputy AG reviews for legal sufficiency, but whether something is proper or a good idea is not within their purview.

Commissioner Teruya asked if Items C-5 and C-6 would be a liability to the Commission if it should move forward. DAG Iha stated as it is agendized, it is okay under the Sunshine Law. As far as the substantive aspects of it, he does not have enough information.

K. Albinio stated that this application was submitted in July last year. In September, staff met with HCDC representatives and presented information and concerns. He does not know what happened after that. Chair Anderson asked if there was communication between the two after that meeting. Land Manager Kaipo Duncan stated there had been no communication since.

Commissioner Neves motioned to remove this from the agenda, direct the Department to meet with HCDC and fix the issues. If they are not compliant, the Commission cannot issue any right of entry.

MOTION

Moved by Commissioner Neves, seconded by Commissioner Helm, to cancel Items C-5 and C-6 from the agenda and direct the Department to meet with HCDC on the non-compliant items. The items need to be corrected before the Department moves forward on any additional right of entry or permits.

Commissioner Neves asked for a roll call vote.

ACTION

Moved by Commissioner Neves, seconded by Commissioner Helm, to cancel Items C-5 and C-6 from the agenda and ask the Chair to direct the Department to meet with HCDC on the non-compliant items. The items need to be corrected before the Department moves forward on any additional right of entry or permits.						
Commissioner	1	2	`AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Freitas			X			
Commissioner Helm		X	X			
Commissioner Kaleikini			X			
Commissioner Ka'upu			X			
Commissioner Namu'o			X			
Commissioner Neves	X		X			
Commissioner Teruya			X			
Chairman Anderson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						

Motion passed unanimously. Nine (9) Yes votes.
--

Chair Anderson stated his office would communicate with the respective parties.

LAND MANAGEMENT DIVISION

Acting Land Management Division Administrator Kahana Albinio stated Item F-2 should be two parcels, No. 45 and No. 19. Still, he noticed that only one parcel is listed, No. 45. No. 19 parcel should be listed too.

Commissioner Teruya stated that when the Commission approves the agenda, that is time to make any corrections.

ITEM F-1 Authorization to General Lease, Shafter Flats, Mapunapuna, O`ahu Island, TMK No. (1) 1-1-064:02221, & :033

RECOMMENDED MOTION/ACTION

Acting Land Management Division Administrator Kahana Albinio presented the following: Motion that the Hawaiian Homes Commission Authorize a General Lease, Shafter Flats, Mapunapuna, O`ahu Island, TMK No. (1) 1-1-064:02221, & :033

ITEM F-2 Authorization to General Lease, Waiakea S. Hilo, Hawai`i Island, TMK No. (3) 2-2-060:045

RECOMMENDED MOTION/ACTION

Acting Land Management Division Administrator Kahana Albinio presented the following: Motion that the Hawaiian Homes Commission Authorize a General Lease, Shafter Flats, Mapunapuna, O`ahu Island, TMK No. (1) 1-1-064:02221, & :033

DISCUSSION

DAG Iha stated parcel No. 19 for Item F-2 was not agendized, so it would not provide sufficient notice for the public. The Commission can approve parcel No. 45 only.

Commissioner Awo wanted to discuss the realities, limitations, and property damage. K. Albinio stated LMD does its best to secure the properties as far as fencing. The Department has no enforcement capacity to manage, maintain and surveil these properties in real-time, and he does not see this going away any time soon.

Commissioner Teruya asked if the Department has worked with the homeless task force to help with assessment services. According to Senator Shimabukuro, they should also help with Hawaiian Homes.

K. Albinio stated the Native Hawaiian preference policy was rescinded in 2004. DAG Iha stated that is something for future discussion.

Commissioner Kaleikini stated he supports giving preference to Hawaiians.

MOTION

Moved by Commissioner Kaleikini, seconded by Commissioner Neves, to approve Items F-1 and F-2, except parcel No. 19.

Public testimony – Item F-2, Lehua Akau. L. Akau asked about the Waiakea Flats commercial properties. She asked about the Native Hawaiian preference being rescinded. She understands that the lease goes to the best and highest bidder. Her lease is up in the commercial entity in Hilo, and she is currently looking for a new location for their clinic.

Chair Anderson asked L. Akau to submit any question she had for the Department in writing to him, and his office will work to get her a response. He asked that she provide her contact information.

ACTION

Moved by Commissioner Kaleikini, seconded by Commissioner Neves, to approve Items F-1 and F-2, except for parcel No. 19.						
Commissioner	1	2	`AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Freitas			X			
Commissioner Helm			X			
Commissioner Kaleikini	X		X			
Commissioner Ka'upu			X			
Commissioner Namu'o			X			
Commissioner Neves		X	X			
Commissioner Teruya			X			
Chairman Anderson			X			
TOTAL VOTE COUNT			9			
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED Motion passed unanimously. Nine (9) Yes votes.						

HOMESTEAD SERVICES DIVISION

ITEM D-12 Recommendation to Cancel Residential Lease No. 1780, Lot No. 89, Nanakuli, O'ahu, Hawai'i Lease to MAXINE OLAGUERA (Deceased) for Failure to Designate a Qualified Successor to Her Lease

RECOMMENDED MOTION/ACTION

Homestead Services Division Administrator Juan Gracia presented the following:
Motion that the Hawaiian Homes Commission Cancel Residential Lease No. 1780, Lot No. 89, Nanakuli, O'ahu, Hawai'i Lease to **MAXINE OLAGUERA** (Deceased) for Failure to Designate a Qualified Successor to Her Lease

MOTION

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

DISCUSSION

Commissioner Teruya stated the property has been vacant for quite a while. Some squatters have threatened people living in the area. She wants the Department to move forward to get someone on the property. She is in support of the recommendation.

Commissioner Helm asked how long it would take for the next beneficiary to be awarded and whether the Department would fix it as is. J. Garcia stated the lot is large and has abandoned cars and junk. There needs to be a discussion with LDD to see whether or not the lot can be subdivided into two lots to be available for two beneficiaries and not only one. This is if the lease is canceled.

Commissioner Neves stated he is concerned about as-is conditions regarding structural conditions, plumbing, electrical, etc. If there are any proceeds, he would like to see the proceeds move towards fixing the things before putting someone in the building because of the liability.

ACTION

Moved by Commissioner Teruya, 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 Freitas			X			
Commissioner Helm		X	X			
Commissioner Kaleikini			X			
Commissioner Ka`upu			X			
Commissioner Namu`o			X			
Commissioner Neves			X			
Commissioner Teruya	X		X			
Chairman Anderson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed unanimously. Nine (9) Yes votes.						

PLANNING OFFICE

ITEM G-1 Amend the Kaua`i Island Plan to Reconfigure Land Use Designations in the Anahola Makai Area, Anahola, Kawaihau, Kaua`i TMK (4) 4-8-003:019 (por.)

RECOMMENDED MOTION/ACTION

Planning Manager Andrew and Planner Nancy McPherson presented the following:

Motion that the Hawaiian Homes Commission Amend the Kaua`i Island Plan to Reconfigure land Use Designations in the Anahola Makai Area, Anahola, Kawaihau, Kaua`i TMK (4) 4-8-003:019 (por.)

N. McPherson stated this is a reconfiguration of the land use designation without the loss of residential homestead land area. Beneficiary Consultation is necessary for land use amendment.

Note: Slide presentation attached.

DISCUSSION

Commissioner Neves stated he is in total support of the project.

Public testimony – Rae Nam. Thanked the Commissioners and the staff for their help and hoped for the approval of the recommendation.

Public testimony – Kuulei Punua. Thanked the Commissioners and the Planning for their assistance. It was a learning experience for their non-profit organization. The community is grateful. Group 70 was very helpful.

Public testimony – Kipukai Kuali`i. Testifying on Items C-5 and C-6. He is the CEO of HCDC and the President of AHHA. SCHHA founded HCDC to serve Hawaiians. The testimony by Germaine Meyers was erroneous in stating that their non-profit organization is non-compliant. AHHA and the WKHHA work hand-in-hand with their 501c3, a part of those organizations. HCDC has been active with the DCCA since 2022 and will renew next month. The Department said they are not compliant and must fix the issues before moving on. He asked the Department to send in writing any specific violations, and they will be happy to clear up any misinformation that the Department may have. They are troubled that the Commission acted based on misinformation from unreliable sources. Shame on the Commission for removing the item from the agenda. He is a beneficiary and the CEO of the largest, most important homestead association that exists. He asked that the Department send information on the ROE process or any land use application process and the specific actions the Department recommends. He stated the Department has been totally non-responsive.

Commissioner Helm asked when the environmental assessment started for this project and how long it took. A. Choy stated the Commission approved the EA in October 2022 but will have to ask KKOA when they started the EA process. N. McPherson stated it took about a year.

Commissioner Awo asked to return to Kipukai and tie the comment to the Department's staff. Regarding the submittal, it was not properly vetted. To Kipukai's question, he thinks it is fair for the Department to come back to the Commission to identify, confirm and verify those parts of the request that are not in compliance. He hopes to see that so the Commission can use that to determine the right decision in the future. If the Department has not gotten back to this organization or any organization, he would like to see the Department get back to the Commission if they are coming forward with yet another request for approval and that all the information is provided for the Commissioners to look at and decide on whether or not the Commission is going to move forward with the request.

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 Freitas			X			
Commissioner Helm		X	X			
Commissioner Kaleikini			X			
Commissioner Ka'upu			X			
Commissioner Namu'o			X			
Commissioner Neves	X		X			
Commissioner Teruya			X			
Chairman Anderson			X			

TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed unanimously. Nine (9) Yes votes.						

ADMINISTRATIVE SERVICES OFFICE

ITEM H-1 Transfer of Hawaiian Home Receipts Fund at the End of the Third Quarter, FY 2023

RECOMMENDED MOTION/ACTION

Acting Administrative Services Officer Brian Furuto presented the following:

Motion that the Hawaiian Homes Commission approve the transfer of the entire receipts deposited in the Hawaiian Home Receipts Fund at the End of the Third Quarter, FY 2023, to the Hawaiian Home General Loan Fund.

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 Freitas			X			
Commissioner Helm		X	X			
Commissioner Kaleikini			X			
Commissioner Ka'upu			X			
Commissioner Namu'o			X			
Commissioner Neves	X		X			
Commissioner Teruya			X			
Chairman Anderson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed unanimously. Nine (9) Yes votes.						

MOTION

Moved by Commissioner Teruya, 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

12:38 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.

1. Discussion on Right of Entry Permit 604, Kalaeloa, O'ahu Island, TMK No. (1) 9-1-013:027

EXECUTIVE SESSION OUT

2:00 PM

ITEMS FOR INFORMATION/DISCUSSION

REGULAR AGENDA

OFFICE OF THE CHAIRMAN

ITEM C-7 For Information Only – Appointment of Permitted Interaction Group Pursuant to HRS Section 92-2.5 and HAR section 10-2-16(b)(1), to Study and Recommend Strategies Related to Fairness in Lease Transfers

RECOMMENDED MOTION/ACTION

None. For Information Only. Administrative Rules Officer Hokulei Lindsey presented the following:

H. Lindsey stated this is a follow-up from last month's meeting as the Commission requested to form a Permitted Interaction Group for fairness in lease transfers. The committee was formed on March 22, 2023, and the appointed members of the committee are Commissioners Patty Teruya, Zachary Helm, and Commissioner Dennis Neves, who will serve as the committee's Chairman. The completed work of the committee is expected by May 15, 2023, to report to the Commission and report its findings and recommendations.

DISCUSSION

Commissioner Teruya stated she had a discussion with Commissioners Helm and Neves, who asked to defer this item to next month as they are not in a rush to get into the subject matter in the FIG.

NAHASDA Government Relations Program Manager Lehua Kinilau-Cano stated they testified at the Legislature that the Commission would have on the agenda to form a Permitted Interaction Group, and the bill was deferred. Commissioner Teruya asked if the item would come back to the Commission.

H. Lindsey stated that the Chairman appoints the committee, it is presented for information, and the appointment is made.

Commissioner Teruya asked whether Senator Lynn DeCoite had a bill for this item. L. Kinilau-Cano stated there is a Lease Transfer study on her website with some information. H. Lindsey stated there had been reports about this topic over the years to different Commissions. The last action taken was when the Rules were amended to prohibit the sale of the undivided interest or vacant lot transfers, so those cannot be sold. Within that conversation, there were different branches of the topic, including the repeat sale and transfer to family members who are less than 50%; the amount of profit sometimes made in the sale of a homestead lease, and then the discussion about flipping or purchasing a homestead lease, making quick improvements and selling it for a profit.

Commissioner Ka'upu stated he would ask to consider moving the May 15, 2023, date to June 30, 2023. H. Lindsey stated for the Commission to be aware, if the date is changed to June 30, 2023,

and the Commission is expecting a recommendation to come June 30th, the soonest an action can be taken will be the following month.

Chair Anderson stated that for Item C-7, Commissioner Neves would serve as Chair, and Commissioners Helm and Teruya would serve as members. The date for the committee to report to the Commission was moved to June 30, 2023.

**ITEM C-8 For Information Only – Appointment of Permitted Interaction Group
Pursuant to HRS Section 92-2.5 and HAR section 10-2-16(b)(1), to Study,
Evaluate, and Recommend Geothermal Strategies**

RECOMMENDED MOTION/ACTION

None. For Information Only. Administrative Rules Officer Hokulei Lindsey presented the following:

She stated the item was a follow-up from last month's meeting. The Commissioners appointed to the committee are Commissioners Kaleikini and Freitas, and Commissioner Ka'upu will chair the committee.

DISCUSSION

Commissioner Freitas asked that the date be pushed back to June 30, 2023. Commissioners Kaleikini and Ka'upu agreed to participate in the PIG. They asked if non-Commissioners folks are allowed to be on the PIG.

H. Lindsey stated in her experience that outside of the Commission and the Department have come in to consult, but they have never been on the committee. DAG Iha stated the PIG is supposed to only consist of Commissioners. The purpose of the PIG is so the Commissioners can meet outside of the Commission meeting. Commissioner Ka'upu asked if there is any budget for the PIG to pay for a consultant.

Commissioner Kaleikini stated there had been presentations by organizations to the Commission. There is staff who participated in those discussions. He asked if the PIG could contact staff about past discussions. The Legislature appropriated some monies in the last session, so that might be something we might be interested in. If the committee does get a budget, there are a lot of geothermal facilities we might want to visit. Commissioner Ka'upu stated maybe we could have staff figure that out.

Commissioner Teruya asked if there was any conflict with Commissioner Kaleikini being on the PIG as his employer is geothermal. Commissioner Kaleikini is involved in geothermal, which can be a plus due to his understanding and experience. When it comes down to making decisions, if there is personal gain for him or the company he works for, he would have to recuse himself.

Chair Anderson stated that for Item C-8, he appoints Commissioners Kaleikini and Freitas, with Commissioner Ka'upu serving as the committee's Chairman. The committee will aim to report to the Commission by June 30, 2023.

ITEM C-9 For Information Only – 2023 Legislative Session Update

RECOMMENDED MOTION/ACTION

None. For Information Only. NAHASDA Government Relations Program Manager Lehua Kinilau-Cano presented the following:

Five of the 10 Legislative proposals the Commission approved are still alive, and four are in the omnibus bill referred to as HB567. Regarding the CIP lapse fix, certain members indicated they want to see how far DHHL gets in encumbering and expending the funds from the \$600 million.

Commissioner Ka'upu asked whether CWRM and Enforcement were even considered or had traction. She stated CWRM did not even get scheduled for a hearing. The Compliant and Enforcement bill did cross, but it was in a different form when it crossed. When it crossed out of the Senate, it would have given the funds to the Department of Law Enforcement to enforce on Hawaiian Home Lands since the State created a Department of Law Enforcement last year. When the House heard the bill, it felt like the Department could work with the Counties and have law enforcement or the Police Department do their job. She appreciated that Deputy Ducatt met with many Legislators as possible and explained the packages to get those concerns addressed upfront.

HOMESTEAD SERVICES DIVISION

ITEM D-1 HSD Status Reports

- A. Homestead Lease and Application Totals and Monthly Activity Reports
- B. Delinquency Reports
- C. DHHL Guarantees for USDA – Rural Development Mortgage Loans

DISCUSSIONS

There were no questions.

LAND DEVELOPMENT DIVISION

ITEM E-1 For Information Only – Waimanalo Projects Update

RECOMMENDED MOTION/ACTION

None. For Information Only. Real Estate Development Specialist Darrell Ing, Sarah Okuda, and Kehaulani Quartero presented the following:

Note: Slide presentation attached.

DISCUSSION

Commissioner Helm asked what happens to the residential and subsistence ag lots after it expires on November 30, 2029. D. Ing stated it goes to the DHHL inventory and can be developed as additional ag or residential lots.

Commissioner Teruya asked if there were any disruptions with the beneficiaries when they did the flood control project. D. Ing stated there was a misunderstanding about where the property line was. Because it was in the drainage area, silt built up over time.

ITEM E-2 For Information Only – Act 279 Implementation Update

RECOMMENDED MOTION/ACTION

None. For Information Only. Real Estate Development Specialist Darrell Ing presented the following:

The construction contract for Puunani has been certified, and the funds are encumbered at \$17 million. They are still negotiating the North Kona Water Development working out details between Kamehameha Schools and the County. They are looking at bidding for the offsite water tank in the summer this year.

DISCUSSION

Commissioner Neves asked what the department encumbered and if things were on track. D. Ing stated LDD had encumbered \$51.7 million to date and another \$8.2 million in process.

Commissioner Ka'upu stated the unreasonable projection makes the Department concerned that the particular developer may not be suitable for developing this parcel. D. Ing stated that was the committee's assessment and that the Department could probably find a better developer. The recommendation to accept or not goes to the Chair. Chair Anderson stated the letters went out. D. Ing stated once the letters go out, they have a process to follow. Commissioner Ka'upu asked the Department to push forward with Kaumana.

Commissioner Kaleikini stated the Commission would be looking forward to an update.

PLANNING OFFICE

ITEM G-2 For Information Only – Anticipated Finding of No Significant Impact for the Keaukaha-Pana'ewa Farmer's Alliance Resiliency and Agricultural Innovation Hub Draft Environmental Assessment, TMK (3) 2-1-025:091, Pana'ewa, Waiakea, Hilo, Hawai'i Island

RECOMMENDED MOTION/ACTION

None. For Information Only. Planning Manager Andrew Choy and Planner Lilli Makaila presented the following:

Note: Slide presentation attached.

DISCUSSION

Commissioner Teruya commented that she liked the design and asked if the commercial kitchen would be rented. Maile Luuwai stated they would rent it out and look at homesteaders vs. non-homesteaders for a rent differential.

ITEM G-3 For Information Only – Fiscal Year 2023 DHHL Grants Status Solicitation Update

RECOMMENDED MOTION/ACTION

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

AChoy stated that because some of the grants are funded via the General Funds, there are additional steps for getting approval from Budget & Finance and the Governor's office. The

current update is that Budget & Finance and the Governor's office have approved the grant allotment. The funding should be released within the next month.

DISCUSSION

Commissioner Teruya asked how soon beneficiaries would have checks in hand. A. Choy stated he is unsure if they will have checks in hand, but the Department will know if the money has been transferred and is ready to distribute. He stated they want to get executed contracts before June 30.

ITEM G-4 For Information Only – Status Update on Plan Implementation in the Waimanalo and Ko'olaupoko, O'ahu Region Implementation Update

RECOMMENDED MOTION/ACTION

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

Note: This item will be presented at the Community report this evening.

WORKSHOPS

PLANNING OFFICE

ITEM G-5 For Information Only – Climate Change Briefing

RECOMMENDED MOTION/ACTION

None. For Information Only. Planning Manager Andrew Choy and Planner Nancy McPherson presented the following:

Professor Rosie Alegado, a member of the UH Biocultural Initiative of the Pacific and; Assistant Professor of Oceanography at UH Manoa, assisted with the presentation.

Note: Slide presentation attached.

DISCUSSION

Commissioner Awo appreciated the merging of science with Hawaiian cultural and historical knowledge. He asked if there was anything in her research to indicate that the cattle and other ungulates are contributing to deforestation and possibly the climate situation. Prof. Alegado stated they see a lot of overlap when cattle come in, the environment changing, the forest line going higher and higher, and rain patterns changing. There is a lot of correlation, and there is probably a strong link between the ungulates and the forest's degradation of being unable to hold the rain clouds in Haleakala.

ANNOUNCEMENTS AND RECESS

1. DHHL Community Meeting – Monday, March 20, 2023, 6:30 p.m., 41 'Ilaupole St., Waimanalo, HI 96795

Commissioner Neves asked if Items C-2 and C-3 could return as a workshop with more information.

RECESS

4:45 PM

HAWAIIAN HOMES COMMISSION

Minutes of March 21, 2023

Hale Pono`i, 91-5420 Kapolei Parkway, Kapolei, O`ahu, Hawai`i, and Interactive Conferencing
Technology (ICT) Zoom

PRESENT

Ikaika Anderson, Interim Chairman
Randy K. Awo, Maui Commissioner (ICT)
Makai Freitas, West Hawai`i Commissioner
Zachary Z. Helm, Moloka`i Commissioner (10:45 a.m. departed) (11:45 a.m. via ICT)
Michael L. Kaleikini, East Hawai`i Commission
Russell K. Ka`upu, O`ahu Commissioner
Pauline N. Namu`o, O`ahu Commissioner (ICT)
Dennis L. Neves, Kauai Commissioner
Patricia A. Teruya, O`ahu Commissioner

COUNSEL

Alyssa Kau., Deputy Attorney General

STAFF

Katie L. Ducatt, Deputy Designate to the Interim 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
Stewart Matsunaga, Acting Land Development Division Administrator
Niniau Kawaihae, Special Assistant to the Chairman
Paula Ailā, Acting Contact and Awards Division Administrator
Michael Lowe, Information Specialist

ORDER OF BUSINESS

CALL TO ORDER

Chair Anderson called the meeting to order at 9:37 AM. Seven (7) members were present at the meeting location, and two (2) via ICT, establishing a quorum.

The Commission will recess at approximately noon today for lunch. At 2:30 p.m., the Commission will recess for contested case hearings for approximately 90 minutes. Then the remaining agenda items will resume after the contested case hearings.

PUBLIC TESTIMONY ON AGENDIZED ITEMS

PT-1 DeMont Manaole

D. Manaole testified as the founder of the Kanaka `Aina Reclamation of the Hawaiian Home Lands Movement. His testimony is to let the Commission know what they are doing officially. They are reclaiming their lands because they would rather die on the land than on the list. He provided a folder of documents he called the Aila Files. There are 90-plus acres in Lualualei that

Aila and his family have already reclaimed. He has Google Maps demonstrating that they have already farmed on the 45 acres behind Melva's property. There is no lease there, but it is being farmed by a company called Aila's Enterprises and Aila's Organic Goods. The company is in default now and no longer in good standing with the State. The Department should start with Aila and his family if the Department investigates a criminal.

Chair Anderson asked the date of the letter he had just held up. D. Manaole stated it is dated March 20, 2023.

Commissioner Teruya asked if the documents as accusations are being presented against the former Chair, and she would like to review the documents. D. Manaole stated he would do that now, and copies of that have been forwarded to the federal prosecutor's office. She asked if he holds any permits on the lands that he claims. He stated no.

PT-2 Lorelei Ho`opai

L. Ho`opai testified Prince Kuhio wanted his people to be on the land, but now the people are moving out of State. Her children are part of that because they cannot afford to stay. She has been on the list for 47 years. She also testified on SB 741 regarding the waitlist, which is now island-wide, before it was statewide. Most of the wait listers are kupuna and too old to homestead. If people are not going to homestead, put it back in the inventory to give to the next person on the list.

PT-3 Julie Louie

J. Louie is the Office Manager for Aiwohi Brothers Trucking Company in Barber's Point. She was at the meeting last month and hoped to get an update on the payment disputes. K. Albinio called, saying it was being worked on and needed the authorization to share what he had learned. She was told someone would be assigned to look into it. She did receive confirmation from NAVFAC, the Naval Facilities Engineering Systems Command, who used to read their electric meter. They have not read the meter for about a year or longer. NAVFAC no longer does the billing for the electricity, so she is unsure how their electricity is calculated.

PT-4 Danielle Alefosio

D. Alefosio stated she is also on the J-Agenda. She is trying to help her dad, Michael Akana, get on the waitlist. Some information was needed, and she found the person the Department asked her to look for. Her dad is 50% Hawaiian, and her dad's father died on the waitlist. There was a letter given to her grandfather then, but the family did not get to see the letter till years later when grandma gave her dad the letter. She is here today, on the J-Agenda, to show proof that her dad is 50% Hawaiian and would like to move forward with the application process.

PT-5 Raelene Like

R. Like wanted to introduce herself formally. She wanted to come and attend a meeting and start forming a relationship between the Department and their group. She was recently awarded a lease in Kauluokahai and wanted to thank the Commission. She heard that the homesteaders would be 900 strong and people on the wait list would move in as neighbors. They are now officially the newest homestead and have formed a hui called Aha Hui Ka`uluokaha`i.

PT-6 Gregory Tapaoan, Jr.

G. Hawthorne stated he was asked to join the Kupuna Council in Waiʻanae. He is seeking help to find out how to get his family home back. He observed and listened to the concerns. He met with a man who told a story to him and sent him some pictures, and took an interest in a parcel that happened to be his address.

Commissioner Teruya asked if he is trying to find out who has the lease on that particular 86-330 Halona Road. He stated it is that address that his cousin occupies. He learned from his aunty that his cousin put the home under her son's name.

ITEMS FOR INFORMATION/DISCUSSION

REGULAR AGENDA

REQUEST TO ADDRESS THE COMMISSION

ITEM J-1 Bo Kahui – Laʻi ʻOpua Community Development Corp

B. Kahui is the Executive Director for the Laʻi ʻOpua Community Development Corporation, established in 2008 during the Kulia Ika Nuu program for economic development. He has been reappointed to Hawaiʻi Island's Habitat for Humanity program.

Laʻi ʻOpua CDC applied for two grants recently. One for \$133,000 for preschool development and the other for \$68,000 for the development of their community park. In 1999, they were promised a park, but there was no park. So, Laʻi ʻOpua CDC decided they would make it happen to build the park. He stated they have been campaigning at the Legislature for the funds and will continue to.

The main priority project is to get water. The water is there and is adjacent to the County water. They believe that the Commission can act on the well project. It is allocated in Act 279 for \$10.2 million. The other project is the retrofit for the rent with the option to purchase.

Commissioner Kaʻupu asked about the purchase of the property for water. B. Kahui stated it is not happening fast enough. He has been 7-years into this plan, and now the owner wants to sell.

Commissioner Freitas asked about the park's development. B. Kahui stated there is a 5-acre parcel designated open space and park, so Laʻi ʻOpua CDC applied for a right of entry to develop a park.

Chair Anderson stated last month that an MOU was executed with Kamehameha Schools and the County for water development of \$4 million from Act 279 monies appropriated from the Legislature. He also reiterated Senator Lorraine Inouye's commitment to seeing Laʻi ʻOpua being developed as she represents East Hawaiʻi.

ITEM J-3 Allen Cardines – Nanakuli Community Neighborhood Watch

Allen Cardines is from Nanakuli Homestead, with the Nanakuli Community Neighborhood Watch, and the Pastor of the Nanaikapono Church. The NCNW is working on bringing back

unity to the neighborhood, working with the Police Department, government, and agencies to prevent and deter terroristic threats, drugs, and crime. The Policing Team is focused on Naniahiah Place, Pua Avenue, and Keaulana Avenue in Nanakuli; and Kahalepouli St., Kanehili Homestead in Kapolei.

Note: Commissioner Helm excused himself at 10:45 a.m. He will rejoin the meeting from the airport.

ITEM J-4 Na Koa Development – Home Lands Housing

Brighton Galdeira and Kahanu presented their slide presentation for Na Koa Development.

- Collaborate with DHHL & HBA to pilot a project to create more inventory to reduce the HHL wait list
- Consider NKD as an official vacant lot offer vendor/partner
- Consideration for developments as a beneficiary-owned RE development company
- Challenges/Solutions
 - For the vacant lot issues, NK created a One Stop Shop/Do it for you service
 - Guide the beneficiaries through the entire process
 - Have vacant lot offer course
 - Create more inventory by rehabilitation of existing HHL properties
 - NK works with about 12% of the beneficiaries navigating them through the process of building their home
- Who we are
 - Kahanu Noa is a beneficiary raised in the Nanakuli homestead and Brighton Galdeira from Wahiawa, O`ahu.
 - Their mission is to build legacies through real estate
 - Create homeownership opportunities

Stick together and try to agree to the best of your ability to meet the most important problem: the rehabilitation of our race.

- Projects / DFY Service
 - Get a lease award, building permit, construction contract, and performance bond, and help through pre-construction, financing & construction phases
 - See the beneficiary in their hale
 - Educate/teach, one on one consultations, bi-weekly community calls, and online courses
 - Affordable housing projects
 - They are currently on Kaua`i, Maui, O`ahu, and Hawai`i Island
 - Preparing for future DHHL Vacant Lot awardees across the state
 - Section-8 Housing Development Homeownership Programs

Na Koa Development / info@nakoadevelopment.com / 808-556-3200 / Instagram / FB / Twitter

Commissioner Ka`upu stated he is unsure if the Department can do partnership but can get the word out about their services and knowledge. Commissioner Awo stated he is interested in continuing dialogue with Na Koa Development.

Commissioner Teruya stated about 11 abandoned homes in Nanakuli can be rebuilt.

ITEM J-5 Danielle Alefesio – Lease Application Concern

Danielle Alefesio is asking for help regarding a process to get her father Michael Akana, to be on the waitlist. They spoke to Hi'ilei Sniffen in the Applications Department, who asked them to find evidence of her Dad and Uncle Tommy's great-grandmother. They found evidence of Hawaiian being consistent and hoped to move forward for her Dad to apply and get on the waitlist.

Commissioner Teruya asked to refer them to talk with staff. Applications Supervisor, Nicole Bell, stated the next step for Danielle and her Dad is to request a contested case hearing. There is some discrepancy with the Department's documentation for this particular relative. Before going into details, Nicole asked if this needed to be taken up in an executive session.

DAG Alyssa Kau stated yes, this is talking about personal information. Commissioner Teruya asked to add the discussion to the executive session at noon.

ITEM J-9 Maxine Kahaulelio – Pu'ukapu Farm Lot

M. Kahaulelio stated she occupies a 5-acre lot, No. 45, in Puukapu, which belongs to DHHL. In 2011 the Department put in a waterline using a contractor named Isemoto. The work caused dust to go towards the pasture where there were horses, sheep, and other animals; her horse was among those animals. The heavy dust, mud, and soot accumulated on the pasture made the animals sick. Her horse died.

Lot 45 belonged to Sam Kealanahale. However, he and his wife died, and George Hause was on the property. She asked George if she could put her horse in, and he said yes, no one owned the property, and he guessed it would be given back to Hawaiian Homes. On April 23, 2013, she flew to Kapolei and testified at the meeting before the Commission and stated Hawaiian Homes was negligent in what they were doing to the animals in Pu'ukapu. Jim Dupont told her to get off the property, and she asked where she would go. She is asking the Department to let her stay there and to give her the lease. It has been ten years, and she stays on the property until the Department gives her the lease. She applied for Hawaiian Homes in 1960. She and her ohana cleaned the property, and she calls it her property.

Commissioner Freitas stated he would visit her and work with staff to find a remedy for the situation. Commissioner Kaleikini asked to go along with Commissioner Freitas to visit.

ITEM J-11 Sharmaine and Robert Taua – Nanakuli Lease Concern

S. Taua were following up with their initial complaint to the Department filed on January 3, 2023, for their neighbors vandalizing their home and trespassing on their property. The previous lessee constructed the wall and fence 25 years ago due to the same neighbors trespassing on the property. The Taua's installed cameras and poles to re-enforce the fence. They are reminding the Department of its responsibility to keep the lessees safe so they can prosper. This was presented to the Department in 2021. They would appreciate any help with this situation.

Commissioner Teruya is hopeful that someone can assist them today. Commissioner Awo acknowledged their situation and the Department's inability to respond appropriately and properly to address the issues and challenges beneficiaries face. He would like the Department to look at this issue despite what it does not have. Doing nothing is not acceptable.

Commissioner Neves supported what Commissioner Awo said. The Department needs a proper enforcement team that can handle lease violation issues and police enforcement that can enforce all rules when they step on the property.

Commissioner Awo stated this might warrant another Permitted Interaction Group (PIG) to collaborate on a path forward available to the Department. There has not been a discussion with Commission to staff and what is required to have an effective partnership. Commissioner Neves suggested looking at the lease agreements to see where some of the responsibilities lie as part of the PIG.

Chair Anderson asked who would be interested in serving on that PIG committee. Commissioners Neves and Teruya stated they would be interested. Commissioner Teruya stated she would like Commissioner Awo to be the committee chairman because of his background in DLNR Enforcement. Commissioner Awo stated his understanding is the Department has an Enforcement Team of one (1). Commissioner Freitas stated that if there is a fourth slot open, he would like to participate in that PIG.

Chair Anderson asked that it be placed on the agenda next month to establish a Permitted Interaction Group (PIG) Chaired by Commissioner Awo with Commissioners Neves, Teruya, and Freitas as members.

MOTION

Moved by Commissioner Ka'upu, seconded by Commissioner Neves, 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; and

Pursuant to Section 92-J-1, HRS, related to government records maintained by the Department of Hawaiian Home Lands that are not required to be publicly disclosed.
Motion carried unanimously.

EXECUTIVE SESSION IN

12:20 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; and

Pursuant to Section 92-J-1, HRS, related to government records maintained by the Department of Hawaiian Home Lands that are not required to be publicly disclosed.
Motion carried unanimously.

EXECUTIVE SESSION OUT

2:15 PM

ITEMS FOR INFORMATION/DISCUSSION

REGULAR AGENDA

REQUEST TO ADDRESS THE COMMISSION (continued)

ITEM J-15 Cindy Freitas – Kalaoa Solar Project Concerns

Cindy Freitas lives in Kailua Kona. She is opposed to Nexamp. She did not have an opportunity to voice her concerns on Item F-2 because it was taken off the October 2022 agenda. She has waited for 40 years for an ag lease. The Department awarded her a lease in 2005 with no house and no land attached to it. She found out that Nexamp has a Right of Entry. She stated the zoning for the land is residential for 200 lots, and the Department should be putting homes.

- ITEM J-2 Malia Greaney – Ho`olehua Water System Improvements** (unavailable)
ITEM J-6 Gil Campbell – Lease Concern (unavailable)
ITEM J-7 Kelly Keawe – Lease Application Concern (unavailable)
ITEM J-8 Kaulani Almeida – Pana`ewa Hawaiian Home Lands Community Association (unavailable)
ITEM J-10 Donna Sterling – Kahikinui Hawaiian Homestead Association (unavailable)
ITEM J-12 Kekoa Enomoto – Mokupuni Council, Pa`upena Community Development Corp. (unavailable)
ITEM J-13 Faith Chase – Temporary Transitional Housing for Beneficiaries (unavailable)
ITEM J-14 Harold Vidinha – Land Use Application (unavailable)

ANNOUNCEMENTS AND ADJOURNMENT

NEXT MEETING

The next HHC meeting – April 17 & 18, 2023, Kulana Oihi Halau, 600 Maunaloa Highway, Kalama`ula, Moloka`i, 96748

Next DHHL Community Meeting – 6:30 p.m. April 17, 2023, Kulana Oihi Halau.

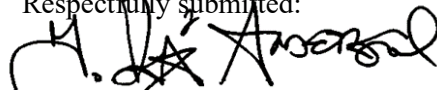
MOTION/ACTION

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

ADJOURNMENT

2:25 PM

Respectfully submitted:



Ikaika Anderson, Interim Chairman
Hawaiian Homes Commission

Prepared by:



Leah Burrows-Nuuanu, Commission Secretary
Hawaiian Homes Commission

Attachments:

- 1) Public Testimony

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: HCC Contact:
Date: Thursday, March 16, 2023 7:18:11 PM

Public Testimony

First Name

Kapua

Last Name

Keliikoa-Kamai

Email

Dkapua@gmail.com

Subject

To Commission Secretary

Message

Aloha Leah,

A time sensitive matter causes me to request an exception to address the Commissioner's in April 2023. This is in regards to Hawai'i's Clean Energy Initiative of achieving 100 percent clean energy by 2045. A goal that DHHL supports and contributes to.

The State, through Solarize808, is actively moving forward in two Oahu communities now. One community being the Wai'anae Moku but open to all Oahu ratepayers.

I am concerned that our beneficiaries, not limited to Wai'anae, will suffer from not reaping the benefits of Solarize808. Our Wai'anae beneficiaries have suffered for decades carrying much of Oahu's burdens (the only two landfills on Oahu, utility sized solar farms plus several smaller solar farms, HECO power plant, large homeless/houseless encampments-some transported in, etc.). It's time for our beneficiaries to receive the same benefits that are available to all Oahu ratepayers.

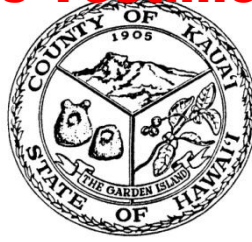
We'll be there and hope time allows for a quick sharing and statement of concern with DHHL. Mahalo for your consideration and time.

Me ka haahaa,,
Kapua Keliikoa-Kamai
808.690.1787
Wai'anae Valley Homestead Lessee
Hawaiian Equity Advocate

COUNTY COUNCIL

Mel Rapozo, Chair
KipuKai Kualii, Vice Chair
Addison Bulosan
Bernard P. Carvalho, Jr.
Felicia Cowden
Bill DeCosta
Ross Kagawa

Public Testimony



OFFICE OF THE COUNTY CLERK

Jade K. Fountain-Tanigawa, County Clerk
Lyndon M. Yoshioka, Deputy County Clerk

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

Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kauai, Hawaii 96766

March 16, 2023

Hawaiian Homes Commission
Commission Meeting Testimony
P.O. Box 1879
Honolulu, Hawaii 96815

Email: dhhl.icro@hawaii.gov

Dear Hawaiian Homes Commission:

**RE: TESTIMONY RELATING TO THE MARCH 20, 2023 MEETING
AGENDA – ITEM C-5**

This letter of support is being written in my individual capacity as a Councilmember and as the Public Works & Veteran Services Committee Chair of the Kauai County Council, in full support of the request to authorize the Right of Entry to the West Kauai Homestead Association, to conduct due diligence activities for a potential Tsunami Evacuation / Camp Ground Project (Kumu Camp) at TMK Nos.: (4)4-8-003:018,019,021,026, (4)4-8-014:003, & (4)4-7-004:003,004,007 Anahola, Kauai.

This project is of significant importance as a portion of the Kumu Camp will allow for cattle ranching and animal husbandry. This cattle ranching component will provide the west Kauai community with an area to raise beef, an opportunity for youth to learn ranching and animal husbandry, and will assist in providing food security. I have been a life-long rancher and I know first-hand how that knowledge and experience has enriched my life. I strongly believe that others in our community would similarly benefit from this opportunity as well.

Thank you for your consideration in supporting the request to authorize the Right of Entry to the West Kauai Homestead Association, Agenda Item C-5. Should you have any questions, feel free to contact me at the Office of the County Clerk, Council Services Division at (808) 241-4188, or via email to cokcouncil@kauai.gov.

Hawaiian Homes Commission

Letter of Support – Right of Entry to the West Kaua‘i Homestead Association

March 16, 2023

Page 2

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Decosta", with a long horizontal flourish extending to the right.

BILL DECOSTA

Councilmember, Kaua‘i County Council

CNT:ss



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

E-1
For Information Only
WAIMĀNALO
Project Updates

March 20, 2023

DEPARTMENT OF HAWAIIAN HOME LANDS - LAND DEVELOPMENT DIVISION



Residential and Subsistence Agriculture Lots

104.547 acres conveyed by DLNR to DHHL in 2018

Transferred DLNR GL expires November 30, 2029

Draft Environmental Assessment: Summer 2023

Final Environmental Assessment: Fall 2023

Designs and Engineering: 2024 – 2025

Construction: 2025 – 2026



Residential and Subsistence Agriculture Lots



Potential Residential
Approximately 227 Lots
Minimum 5,000 sq ft



Residential and Subsistence Agriculture Lots



Potential Subsistence Agriculture
Approximately 49 Lots
Minimum ½ acre



Residential and Subsistence Agriculture Lots



Potential Mix:
Approximately 119 Lots
71 Residential
48 Subsistence Agricultural

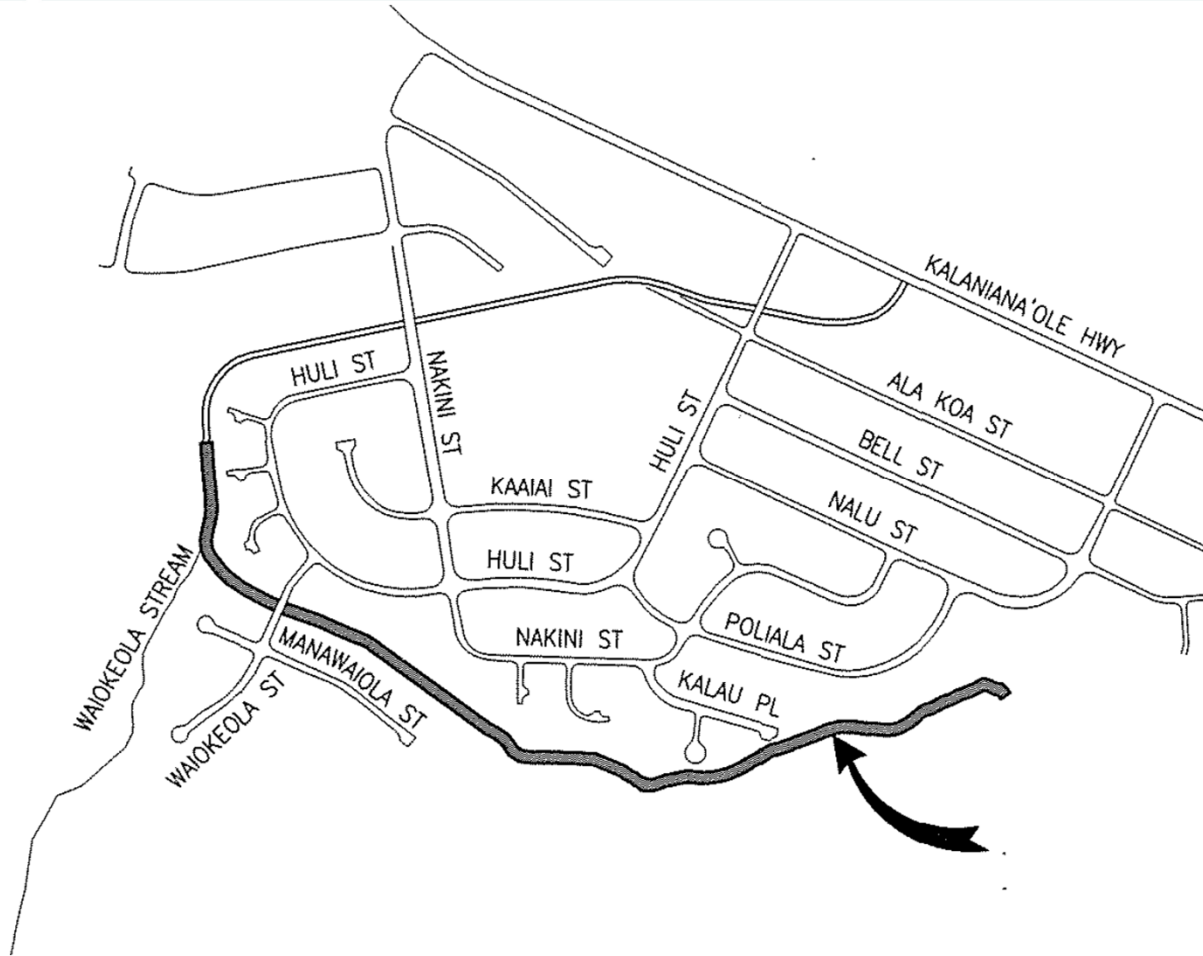


Nakini and Huli Streets Traffic Calming



DEPARTMENT OF HAWAIIAN HOME LANDS - LAND DEVELOPMENT DIVISION

Waiokeola Stream & Drainage Channel Improvements



- Improvements to dirt drainage channel to mitigate flooding complaints from homesteaders
- Install rip rap in various areas
- Install Fencing
- Construction started: September 2021
- Construction completed: February 2023
- Cost: \$2.5 million
- Fencing will be installed along maintenance road adjacent to homestead properties during the summer.



Waimānalo Flood Control Channel Improvements

Before



After





Waimānalo Flood Control Channel Improvements

Before



After





Waimānalo Flood Control Channel Improvements

Before



After





Waimānalo Flood Control Channel Improvements

Before



After





Waimānalo Flood Control Channel Improvements

Before




After






Waimānalo Flood Control Channel Improvements

- 
- Concrete lined channel (approximately 2,000 linear feet)
 - Runs from Kamauna Place down to Kalanianaʻole Highway
 - Improvements include:
 - Spall work
 - Crack Repair
 - Fence Repair
 - Tree Removal
 - Lining
 - Cost Est. \$ 4.5 Million (Leg CIP Purpose 4)
 - Construction Started: August 2022
 - Estimated completion: September 2023



Bell Street Drainage Improvements

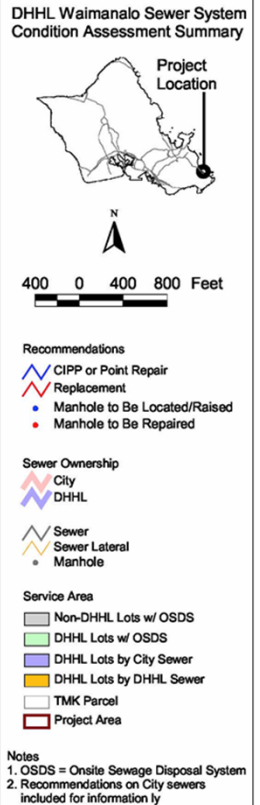
- 
- An aerial photograph of a residential neighborhood in Hawaii. A yellow line is drawn across the map, indicating the proposed drainage improvement project along Bell Street. The line starts near the bottom left, runs east along Bell Street, and then turns south near the right edge of the map. The area is densely populated with houses, many of which have solar panels on their roofs. There are green lawns and trees scattered throughout. In the top right corner, a beach and the ocean are visible. Street names like 'Ala Koa St' and 'Bell St' are visible on the map.
- Hydraulic Study completed for conversion to pipe drainage and new outlet (approximately 1,000 linear feet)
 - Budget request for \$500,000 proposed for engineering design
 - Estimated construction funding required: \$5 million (Leg CIP Purpose 4)



1. Repair sewer deficiencies identified through various field inspections
2. Upgrade existing DHHL sewers to the current City standards for ownership transfer to the City
3. Convert cesspools as required by Act 125 (SLH 2017) by 2050.

650 lots connected to City sewer system
80 individual onsite sewage disposal systems (OSDS).

- Repair/replace existing DHHL sewers (\$18 million)
- Conversion of OSDs with pump station and new collector (\$12+ million)
- Construct sewer lift station and other sewer improvements at Bell Street (\$10M)



**Figure 3 -
CIP Recommendations Map**



Waimānalo Cesspool Assessment

Background

Act 125, Session Laws of Hawaii 2017, mandates upgrade, conversion, or sewer connection of all cesspools by 2050.

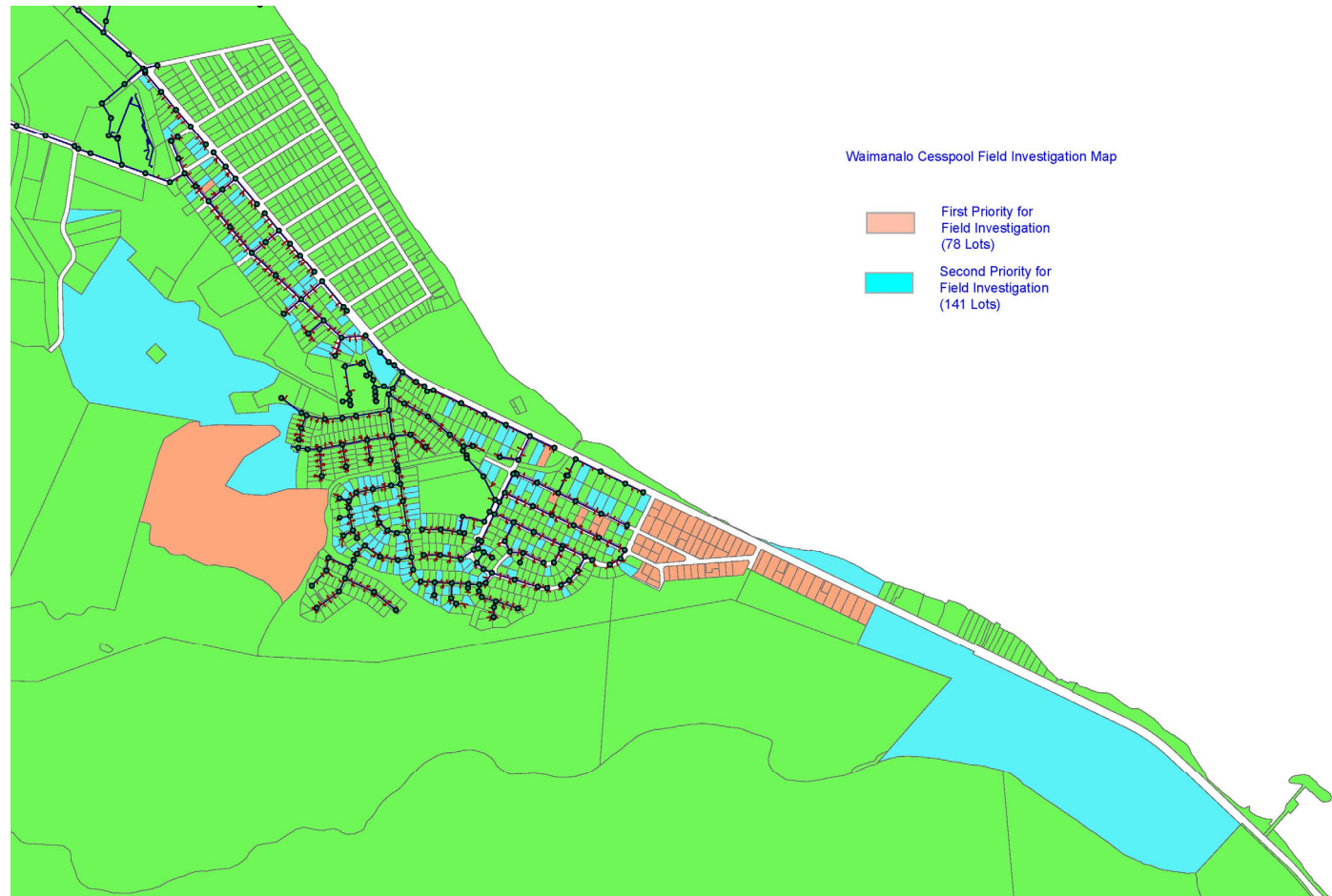
Project Objectives

1. Identify existing DHHL lots with cesspools.
2. Assess options for connections to the public sewer system.

Assessment Survey

Hawaii Engineering Group (HEG)

- field survey and aerial (drone) survey for data collection of cesspools and land topography, flying 200 feet above HHL lots.
- Door to door to gather related information
 - April – May 2023
 - 7:30 am – 5:00 pm
- Lessees may complete online survey at:
<https://form.jotform.com/230125252010131>





Mahalo



DEPARTMENT OF HAWAIIAN HOME LANDS

www.dhhl.hawaii.gov

DEPARTMENT OF HAWAIIAN HOME LANDS - LAND DEVELOPMENT DIVISION



HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION • DEPARTMENT OF HAWAIIAN HOME LANDS

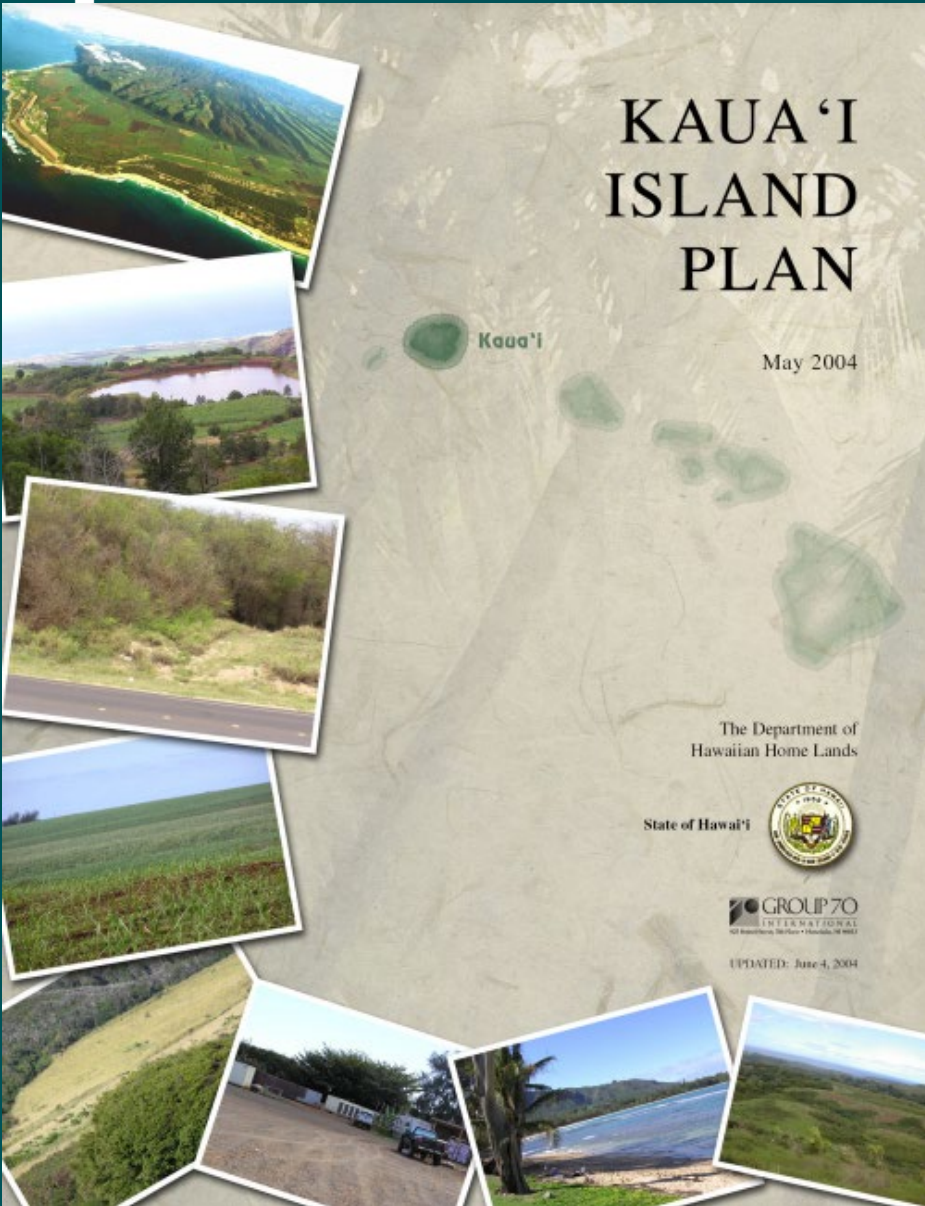
G-1

**Land Use Amendment
to the Kaua‘i Island Plan for the
Kukulu Kumuhana o Anahola (KKOA)
Ulupono Anahola Project**

March 20-21, 2023



DHHL Kaua'i Island Plan



Subject Region



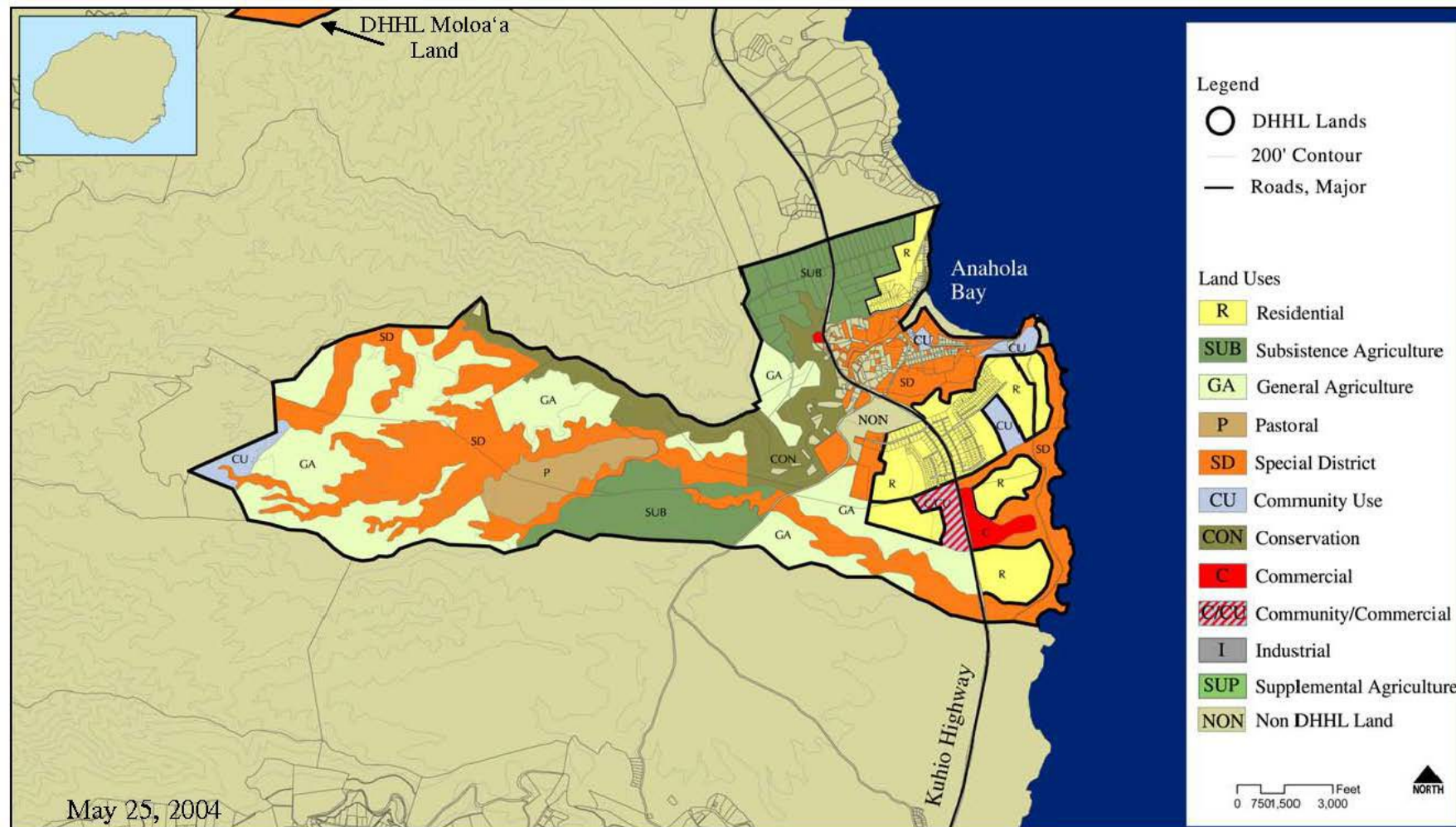


Past HHC Actions on the Project

- February 2023: Item G-2, Accept the BC Report for a LUA to the Kaua'i Island Plan, KKOA, Ulupono Project. (HHC action - Approved)
- October 2022: Item G-1, Declare a FONSI for the KKOA Ulupono Anahola Final EA (HHC action - Approved)
- November 2021: Item F-1, Approval to Issue License Agreement, KKOA, Ulupono Project. (HHC action - Approved, w/annual report requirement)
- September 2021: Item F-7, Approval to Issue a License Agreement, KKOA, Ulupono Project. (HHC action - Conditionally Approved, with item to return to HHC in 60 days with milestones)
- September 2020: Item F-8, amend ROE to add 1-acre Farmer's Market site, KKOA (HHC action - Approved)
- September 2019, Item G-2, Request for Acceptance of Beneficiary Consultation Report, Ulupono Anahola (HHC action - Approved) **and** Item F-8, Issuance of Right-of-Entry for Due Diligence, Ulupono Anahola Agricultural Garden and Training Center (HHC action - Approved)



Anahola Land Use Designations (KIP 2004)



R = 565 acres; 359 existing lots & 1,218 planned @ 10,000 sf
SUB = 533 acres; 47 existing lots & 103 planned @ 2 acres
GA = 1,018 acres;
P = 148 acres; 14 lots @ 10 acres

CU = 127 acres; 44 acres mauka & 83 acres makai
SD = 1,419 acres
CON = 350 acres
C = 68 acres total

R - Residential Homestead	565 ac.
SUB - Subsistence Ag	533 ac.
GA - General Ag	1,018 ac.
P - Pastoral	148 ac.
CU - Community Use	127 ac.
SD – Special District	1,419 ac.
CON - Conservation	350 ac.
C - Commercial	68 ac.

Anahola Land Use Designations (KIP 2004)

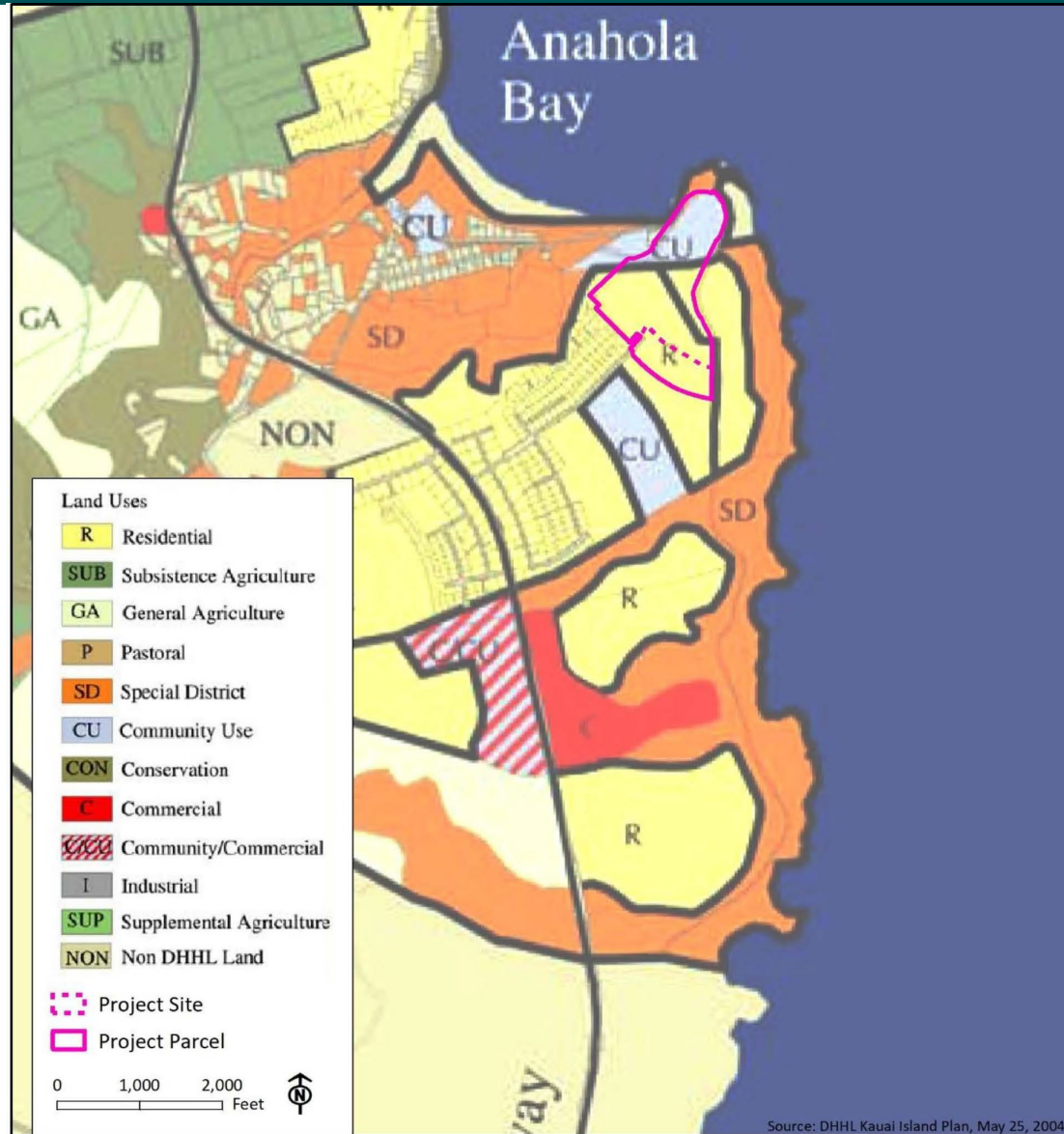
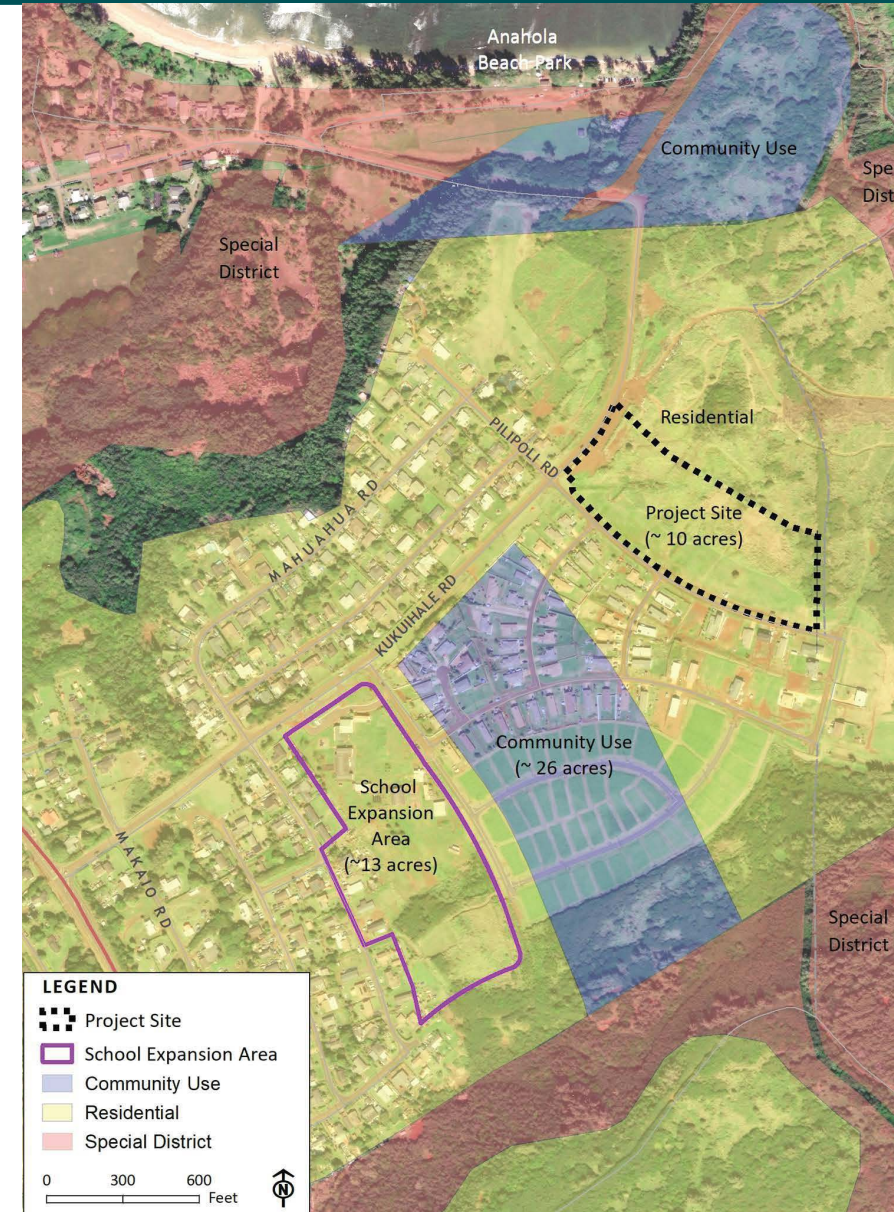
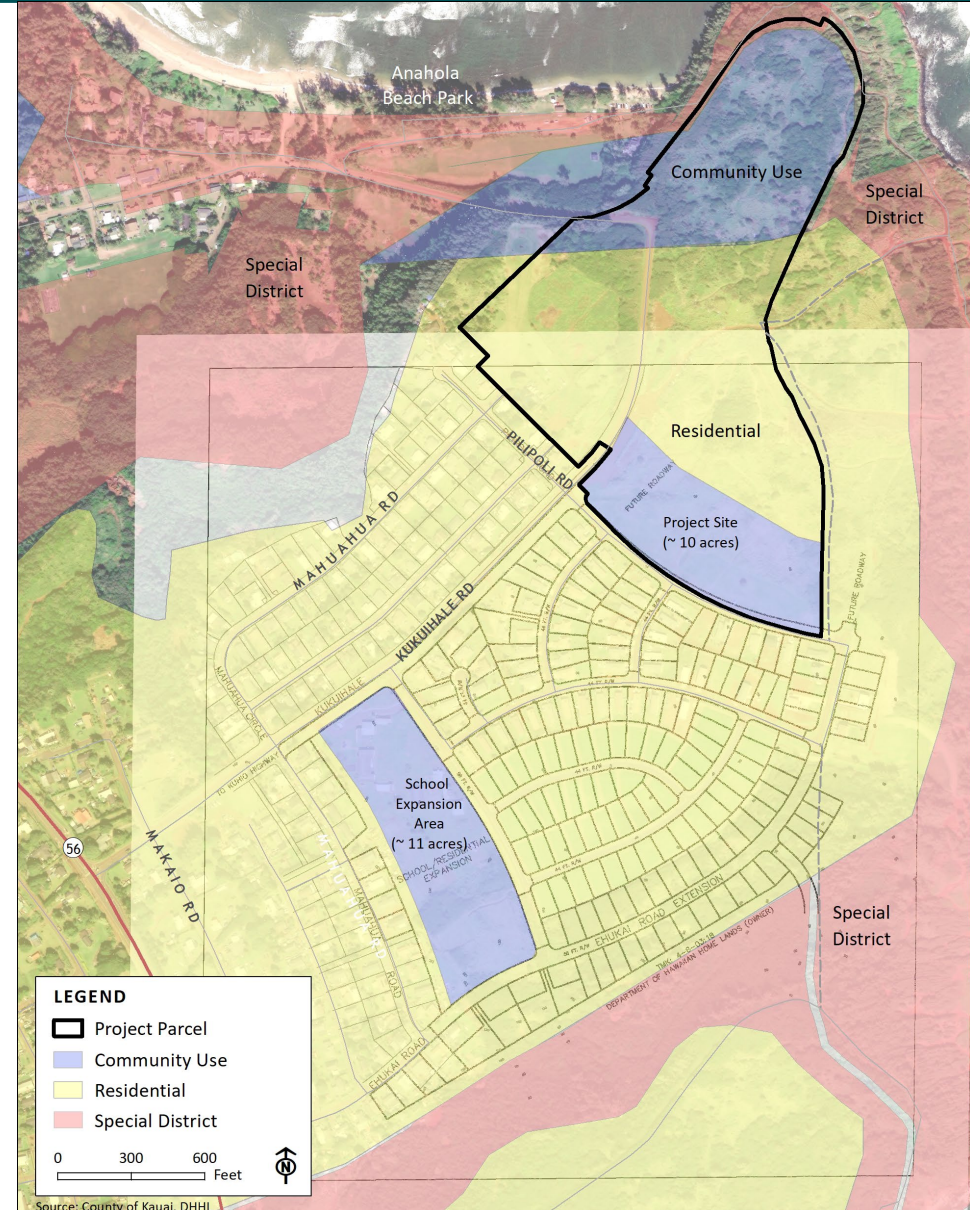
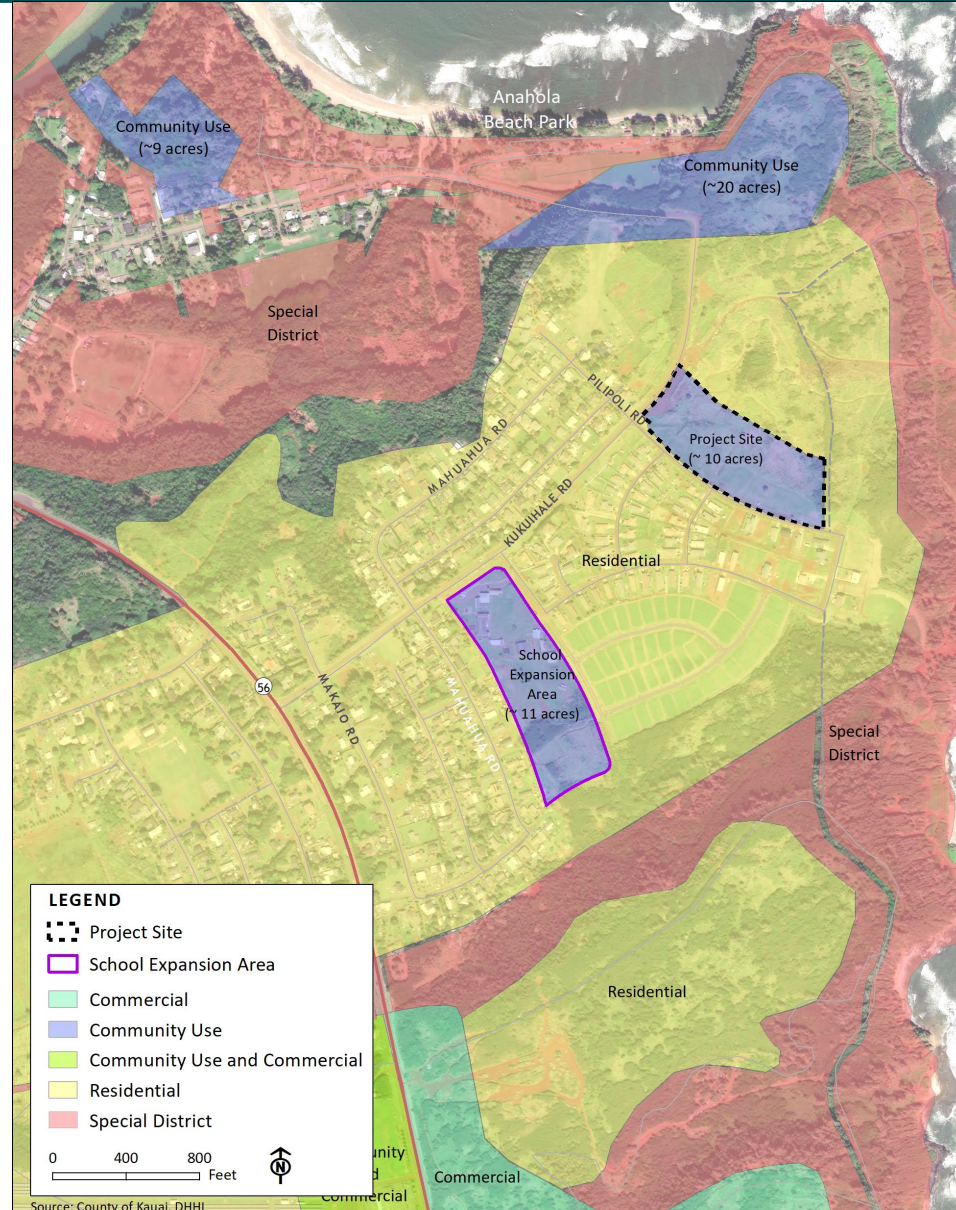


Figure 1 Anahola Land Use Designations





Proposed Island Plan Land Use Amendment





General Plan

- The Kauaʻi Island Plan was prepared in 2004, so was consistent with the 2002 General Plan goal of providing 840 Residential homesteads on Kauaʻi by 2022.
- To date, 50 lots at Kekaha Unit 4 and 140 lots in Anahola residence Lots Unit 6 (Piʻilani Mai Ke Kai in Anahola) have been constructed and offered.
- Applicable goals from the GP include “Utilize Hawaiian Home Lands for uses most appropriate to meet the needs and desires of the beneficiary population” and “Establish self-sufficient and healthy communities on Trust lands.”



Kauaʻi Island Plan (2004)

Key planning concepts:

- Focus on development of large, master planned communities;
- Create full-service communities;
- Use the ahupuaʻa concept where feasible;
- Identify income generating opportunities;
- Designate General Agriculture areas for hui and individual entrepreneurs to lease and develop;
- Designate Special Districts for special areas to create a Hawaiian sense of place; and
- Preserve and enhance the use and management of water rights and resources.



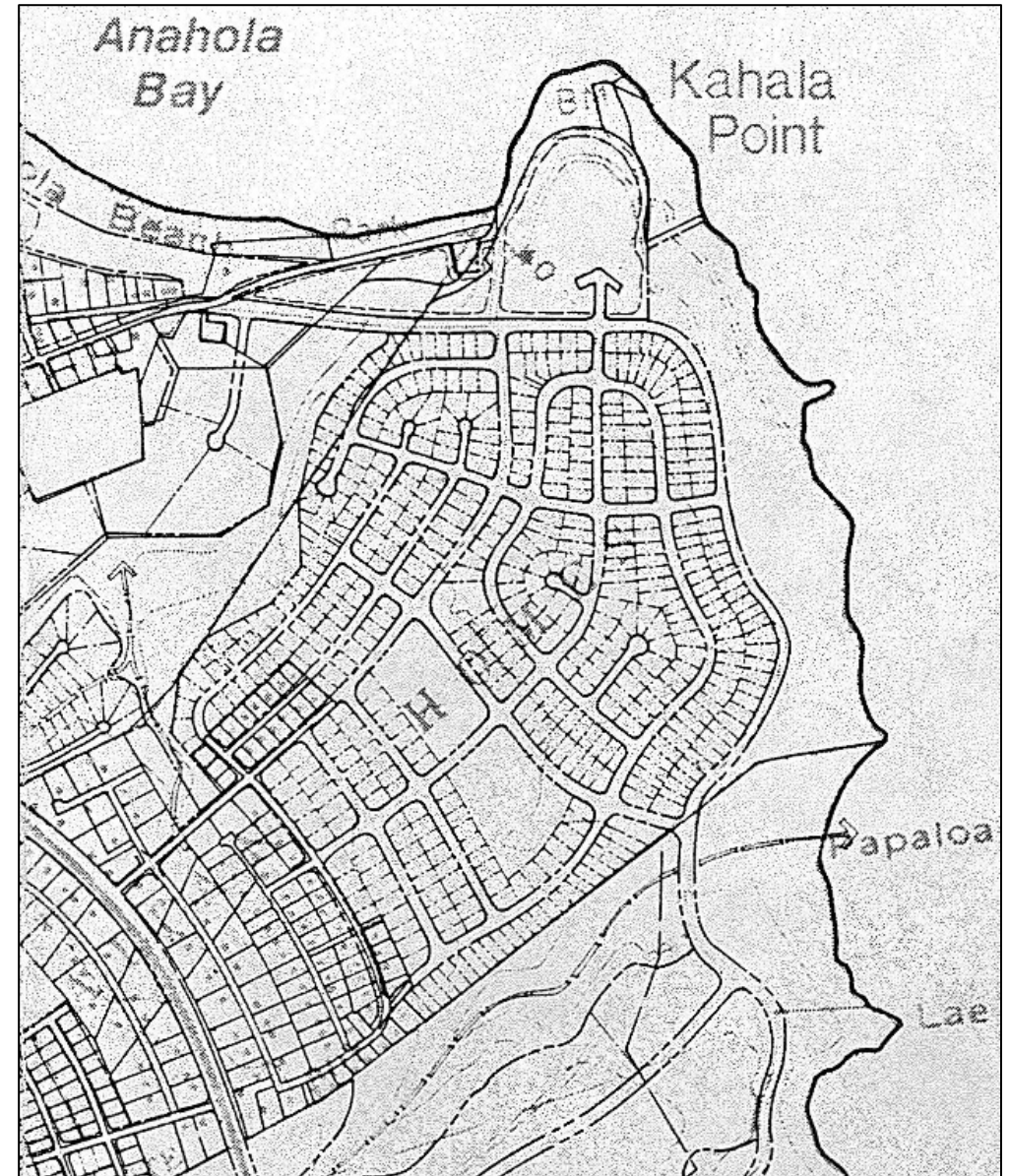
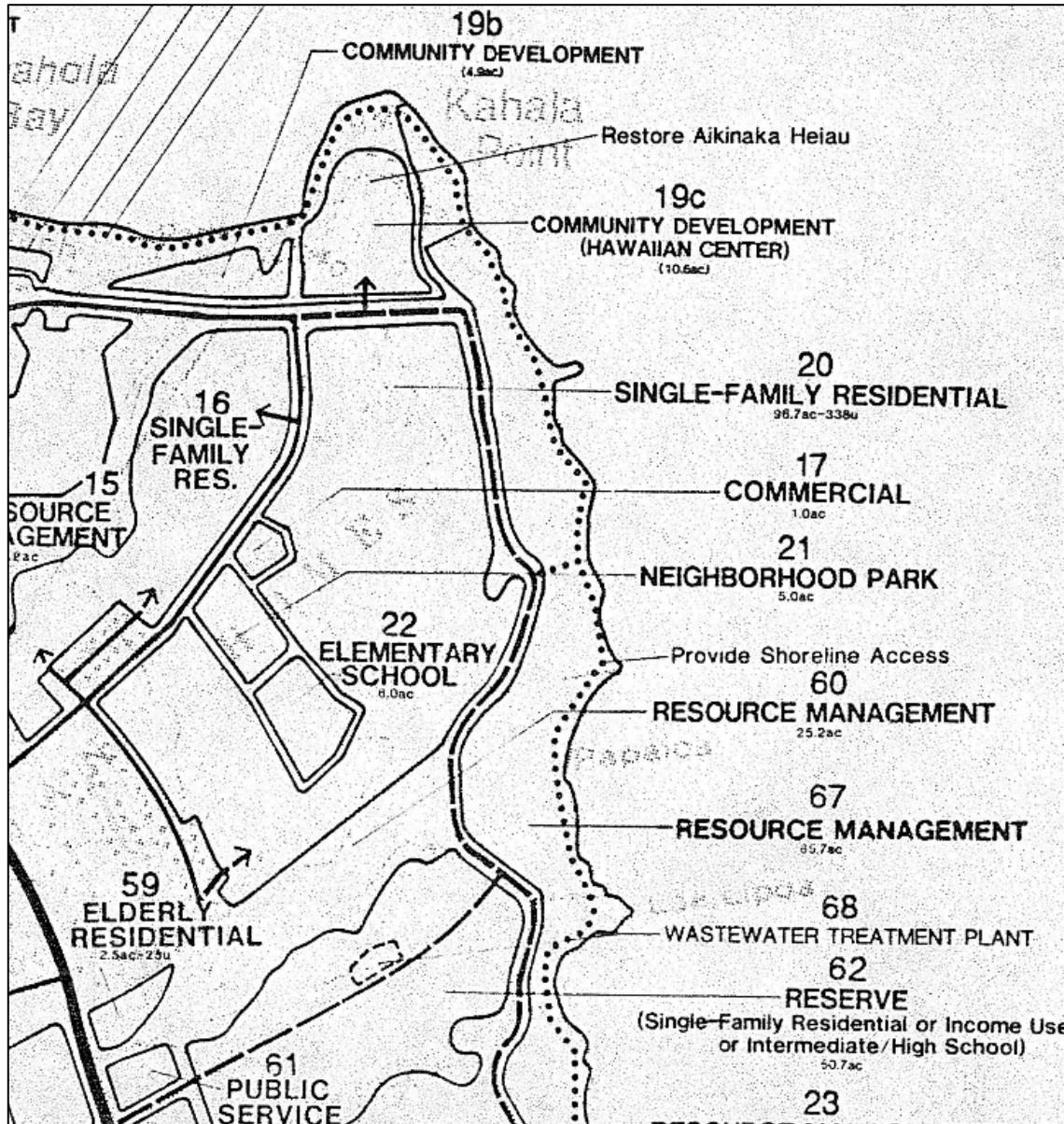
Kaua'i Island Plan (2004)

Recommendations for inclusion in future planning studies:

- Native Hawaiian beneficiaries want opportunities to collectively care for DHHL land. A group focus is more effective for large projects and responsibilities;
- Design guidelines and implementation tools need to be developed for the proposed developments. This will ensure that the envisioned healthy communities are created. Without these design guidelines, the goals and vision of the KIP may not be realized;
- Beneficiaries are eager for entrepreneurial opportunities. Adequate space in future development plans should be provided for entrepreneurial activities; &
- *Community services and amenities are important for maintaining good community life. The community use areas designated in the plan are critical to the health of the proposed residential areas.*



Earlier Development Plans – 1980's



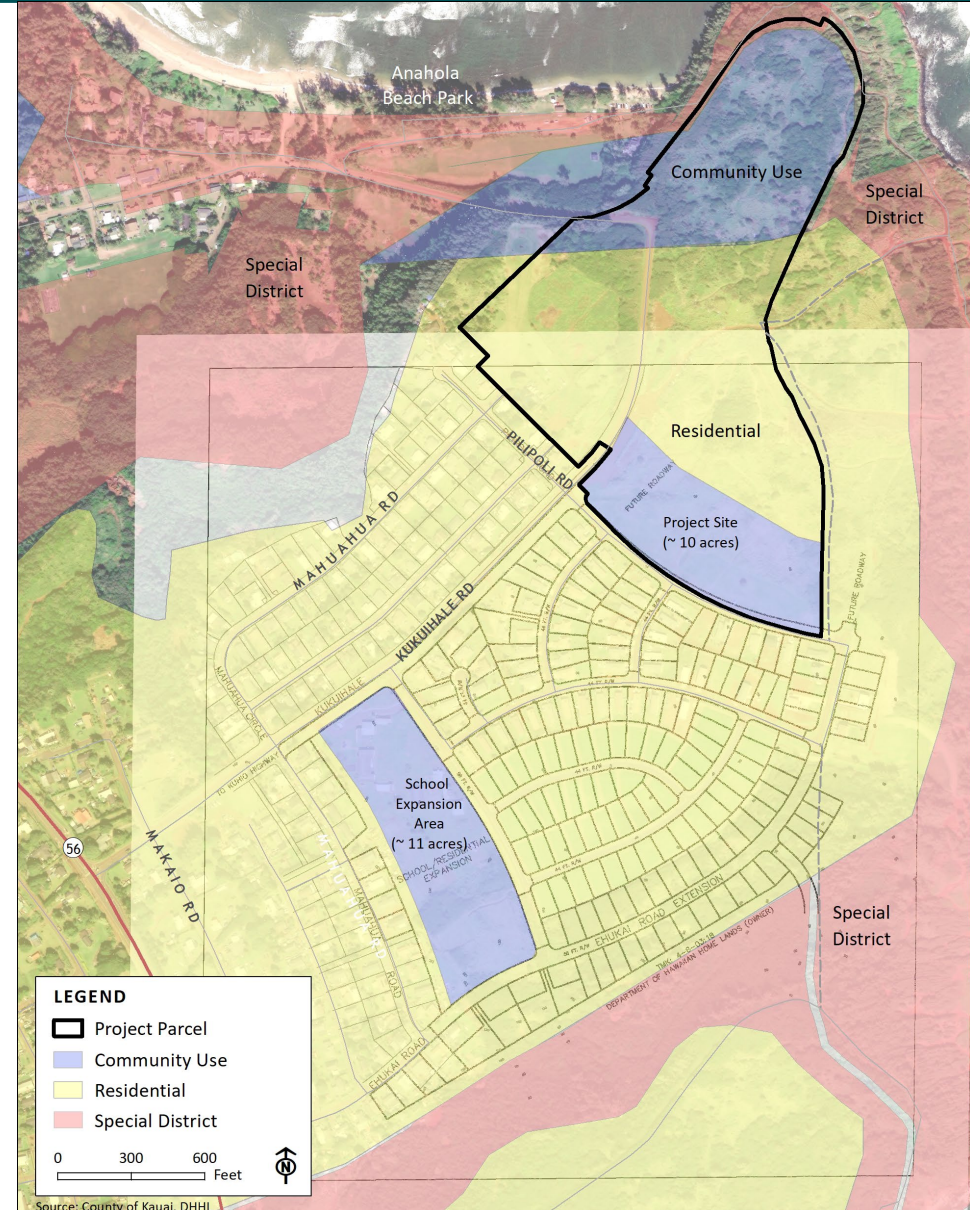
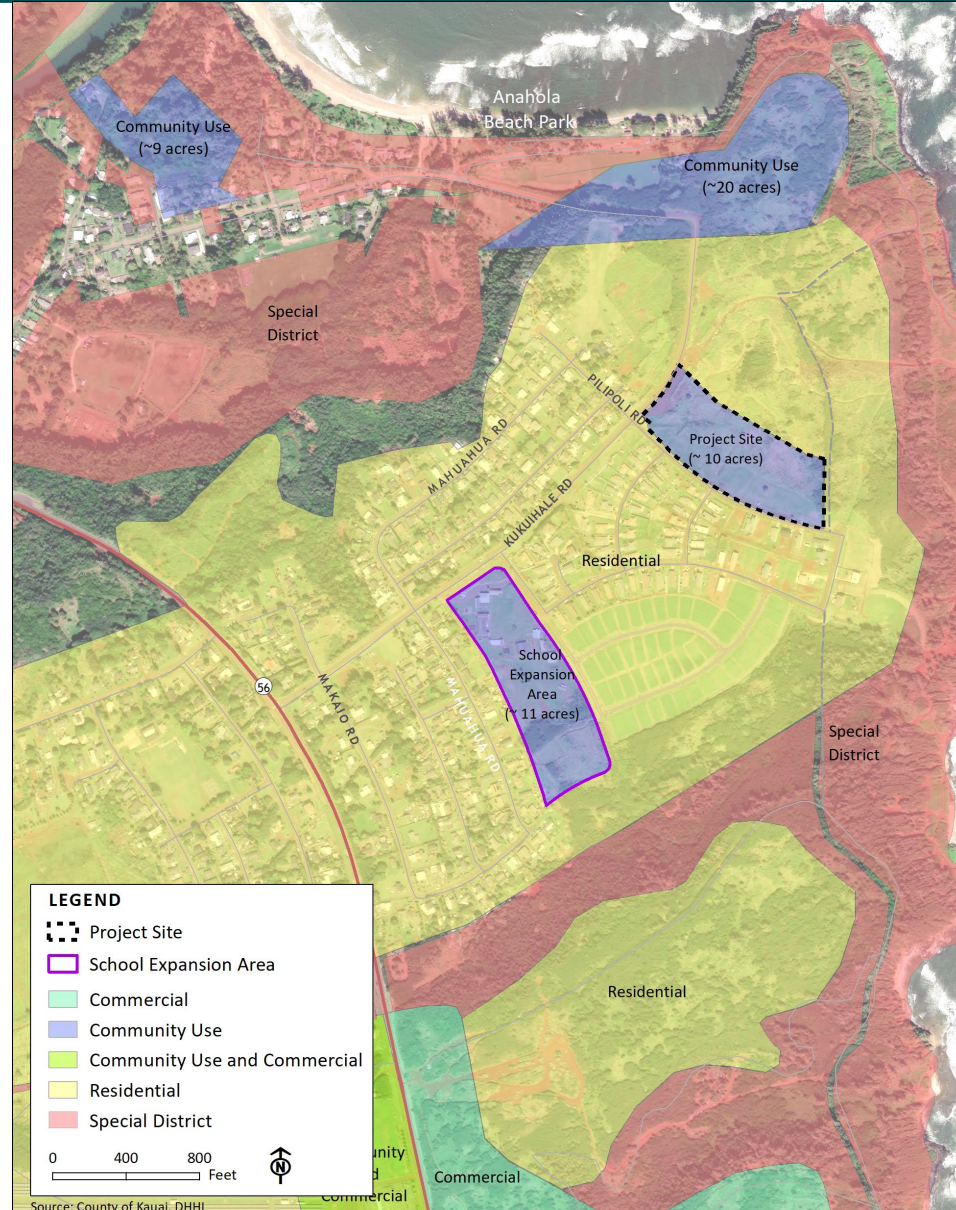


Beneficiary Consultation Process

- Beneficiary Consultation (BC) for the Ulupono Anahola Project Land Use Request was held in August 2019
- The BC Report needed for the project to start its due diligence was accepted by the HHC in September 2019.
- Thirteen (13) community organizations were consulted as part of the Environmental Assessment preparation process from 2021 to 2022
- In compliance with HAR § 10-4-60, place-based Beneficiary Consultation was triggered by KKOA's Island Plan Amendment request in Oct. 2022
- A virtual Beneficiary Consultation Meeting was held in December 2022
- The BC Report for a LUA to the Kaua'i Island Plan, KKOA, Ulupono Project was accepted by HHC in February 2023



Proposed Island Plan Land Use Amendment





Ho‘o Nānau



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION • DEPARTMENT OF HAWAIIAN HOME LANDS

G-2

**Anticipated Finding of No Significant Impact for the
Keaukaha-Pana'ewa Farmers Alliance
Resiliency and Agricultural Innovation Hub
Draft Environmental Assessment**

March 20-21, 2023



BACKGROUND & CONTEXT

- **1921** – The Keaukaha Homestead was developed, the first residential homestead on Hawai‘i island.
- **1976** – The Keaukaha-Pana‘ewa Homestead was established, first agricultural awards were to fifty (50) Keaukaha beneficiaries who were forced to relinquish their residential homes and relocate to Pana‘ewa to make way for the Hilo International Airport.
- The Keaukaha-Pana‘ewa Farmers Alliance (KPFA) was established to serve the DHHL homestead lessees on agricultural lots in Pana‘ewa.
- **2012** – KPFA incorporated the Keaukaha Pana‘ewa Community Alliance (KPCA) to serve as KPFA’s non-profit 501 (c) (3) partner and fiscal sponsor.
- **2013** – July, HHC approved the Right of Entry (ROE) Permit No. 482 to KPCA (Permittee) to utilize a one-acre portion of the subject premises for a farmer’s market and agricultural use purposes located at 363 Railroad Ave.



BACKGROUND & CONTEXT

- **2017** – DHHL Pana‘ewa Regional Plan Update, beneficiaries identified an Agricultural Capacity Building as a Priority Project in the region.
- **2022** – December, KPCA submitted a Non-Profit Organization Application for Long-Term use of DHHL lands, and requested an amendment for an additional land area of 9.633 acres at 363 Railroad Ave., a total land area of 10.633 acres to expand their ability to use the full lot, instead of just the one-acre portion utilized for the farmers market.
- **2023** – January, HHC approved the amendment of ROE No. 482 for the purpose of conducting due diligence studies.
- KPFA proposes the construction of the Resiliency and Agricultural Innovation Hub (RAIH). KPFA and their consultants have been conducting due diligence studies on the site, and have prepared a preliminary Draft of the Environmental Assessment (EA) for the Commission to review and provide comments on.
- KPFA and their consultants are here to provide more information about the project and the preliminary Draft EA.

Keaukaha Pana'ewa Farmers Association Resiliency & Agricultural Innovation Hub

ITEM G-2

Hawaiian Homes Commission

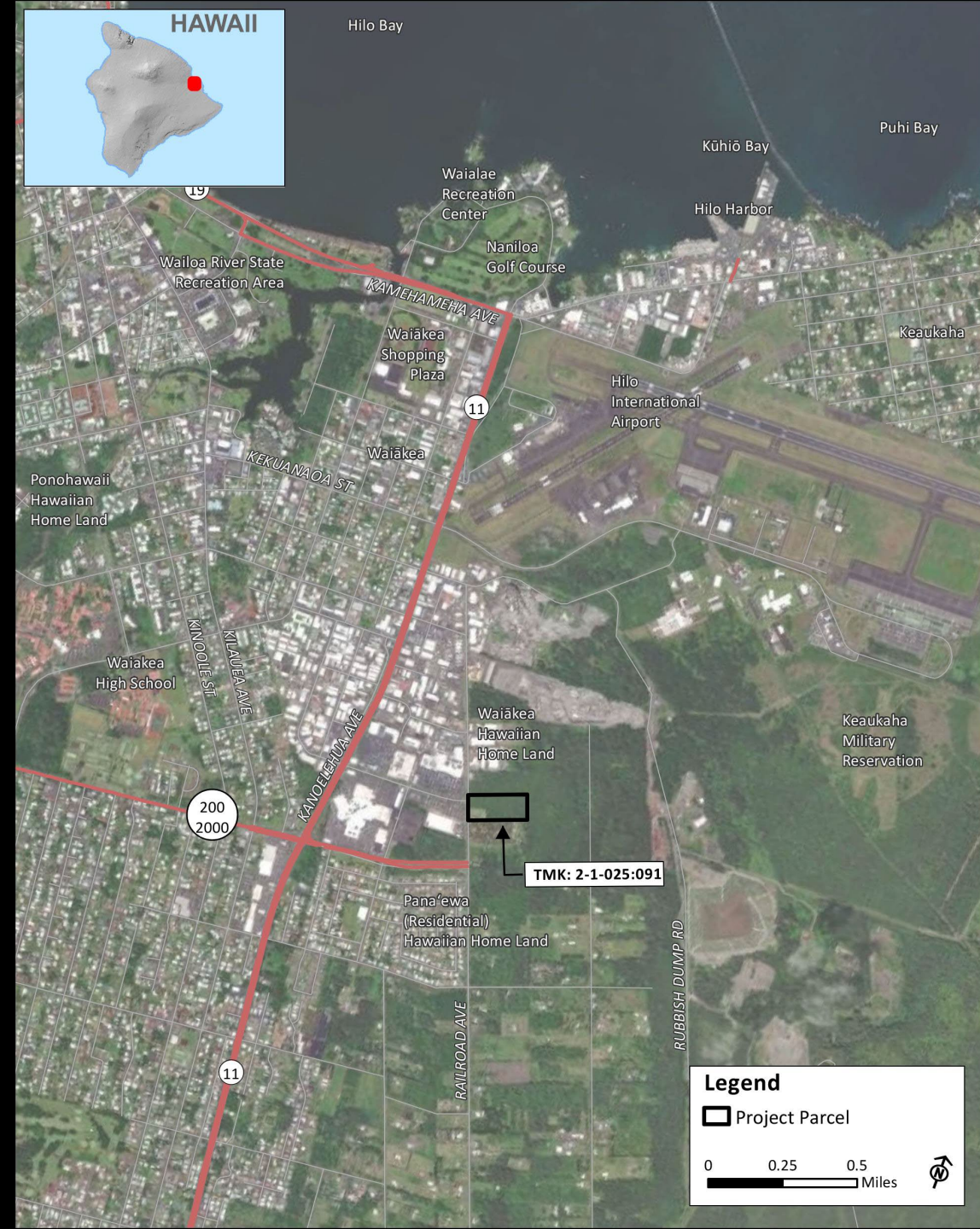
March 20, 2023



Presented by: KPFA & G70

Project Location

- Waiākea Ahupuaʻa, Hilo District, Hawaiʻi Mokupuni
- TMK (3) 2-1-025:091
- 10-acre parcel
- 1-acre currently used for KPFA Farmer's Market



Vision

KPFA Narrative

Our **Keaukaha Pana'ewa Farmers community** honors the
first Pana'ewa Nui homesteaders by carrying on
the vision of a **sovereign and thriving people**
committed to the **guardianship** of our resources in this
pu'uhonua of well being, gratitude and growth.

About the Site

Challenges & Opportunities

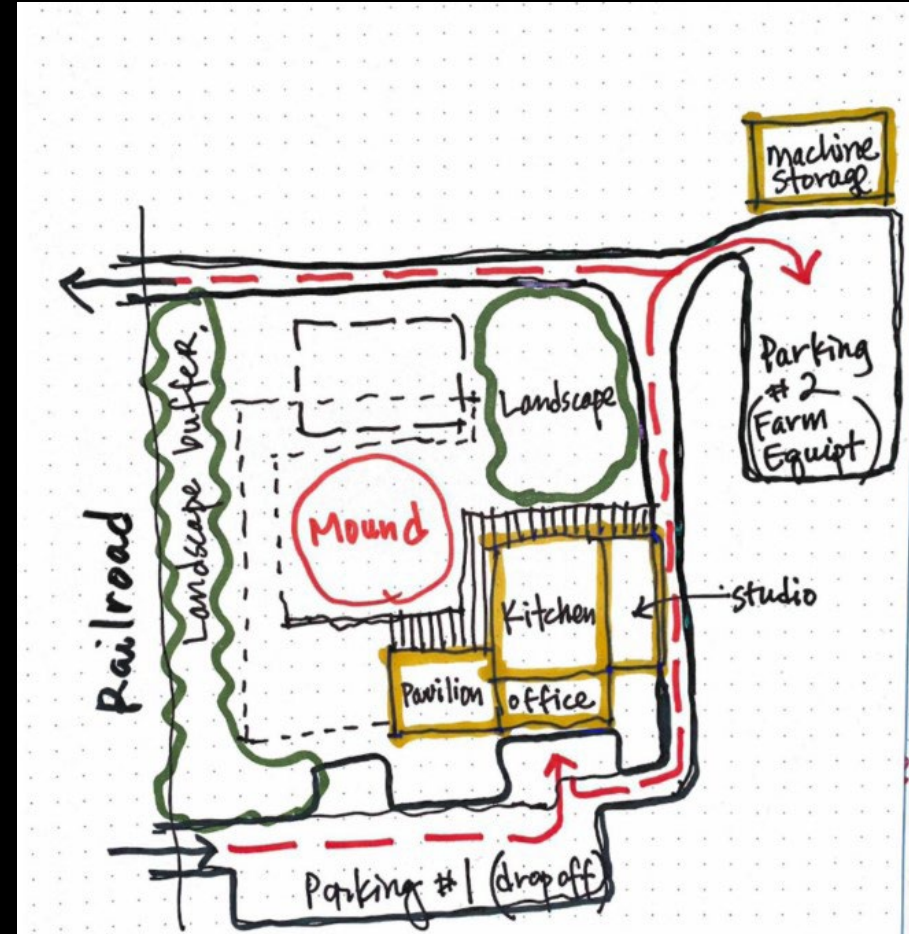
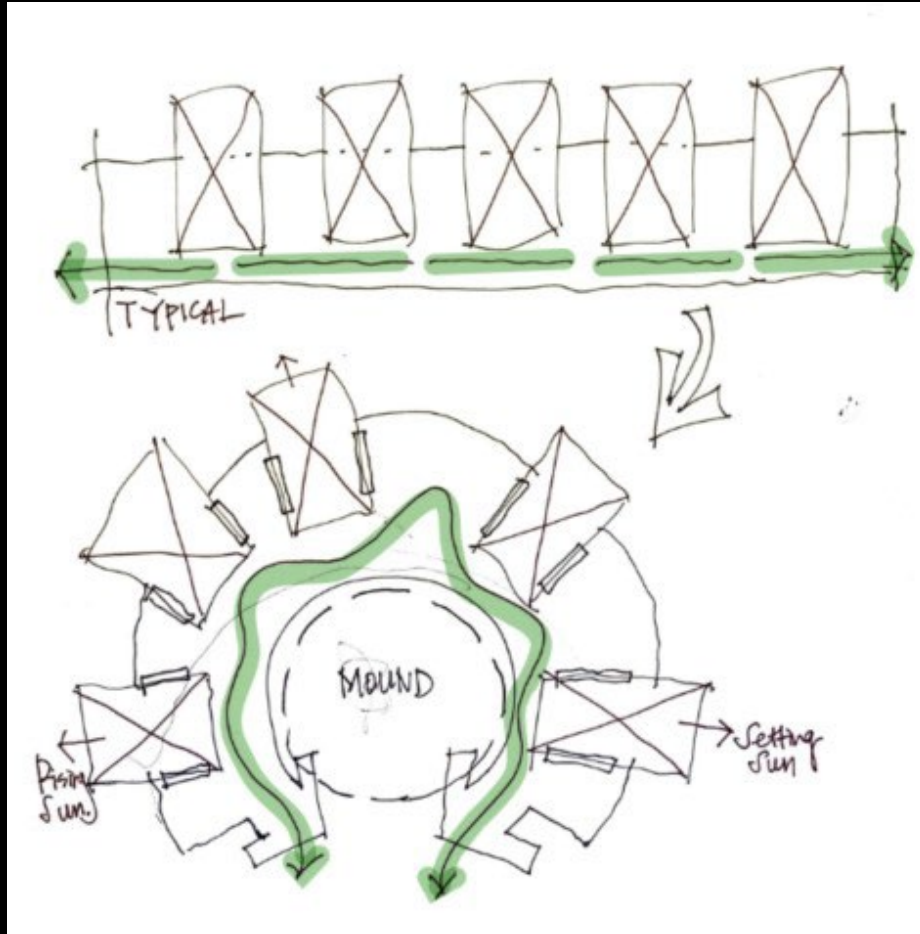


“ This is a Hawaiian Community, being hosted on Trust land. You are welcome to feel the essence of our community, where we have a vision that makes a positive impact.

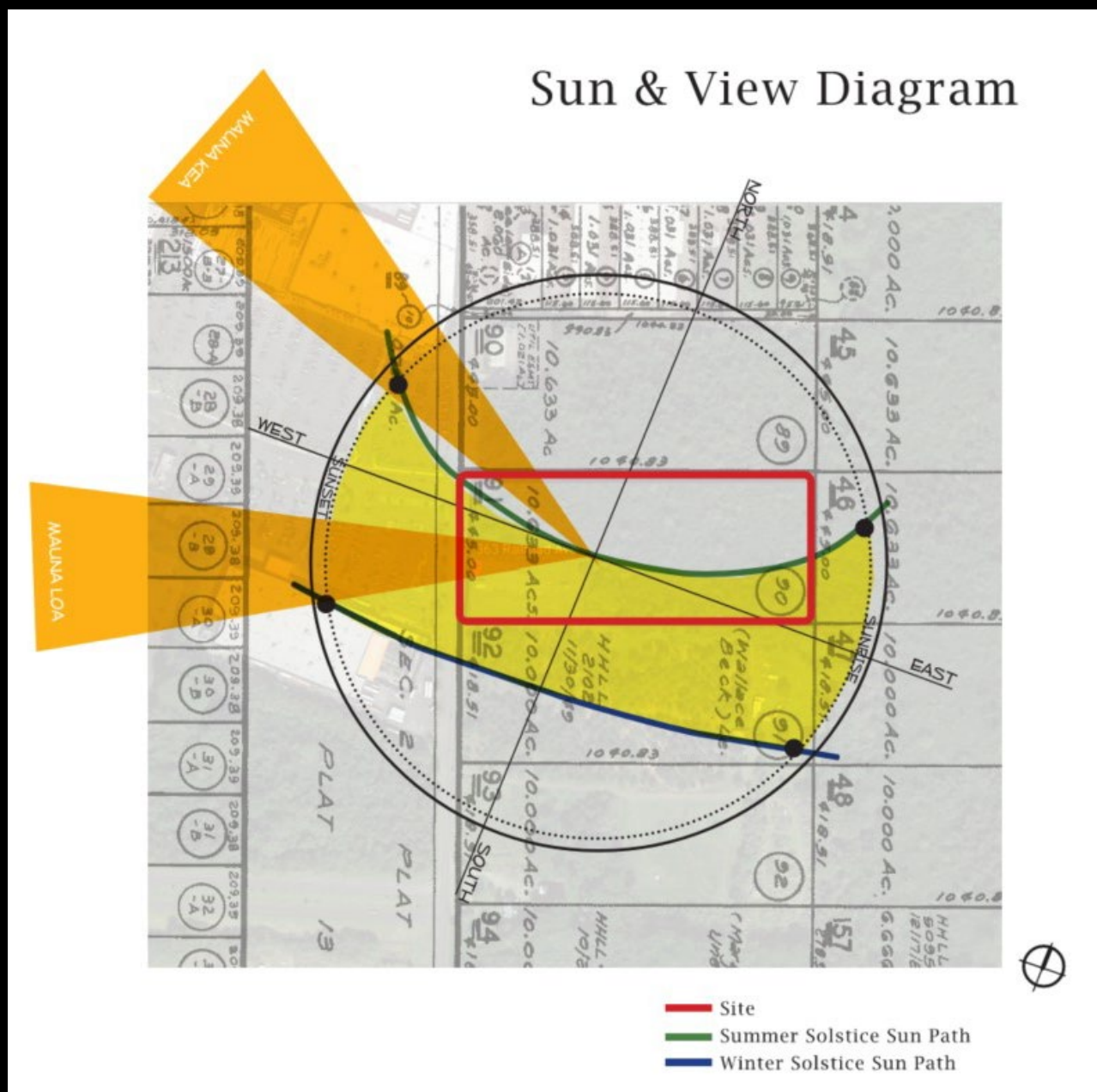
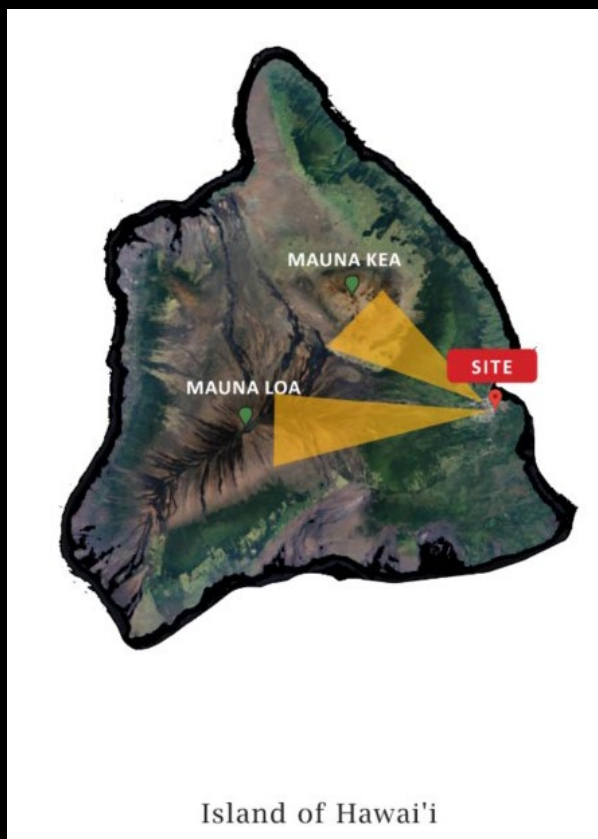
We are proud to be here, and you are our guest.

- It's a peaceful place in the middle of the most busy commercial area in Hilo
- Threats - land value rising in this location
- Street front noise (Home Depot)
- Wind/Rain varies
- Strong wind protected by property trees at back
- 10-15 mph trade winds (Northeast)
- 30 mph gusty high winds
- Range from light snowy rain to heavy
- Views - *Mauna Kea & Mauna Loa*, Sunrise (East)
- Botanical Landscape *Pana'ewa - 'Ōhi'a, Maile, Hō'awa, Lama*
- Nighttime *Kilo* observing
- Nighttime street lighting (safety)
- Access - Preliminary paved driveway

Design DNA

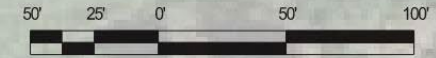
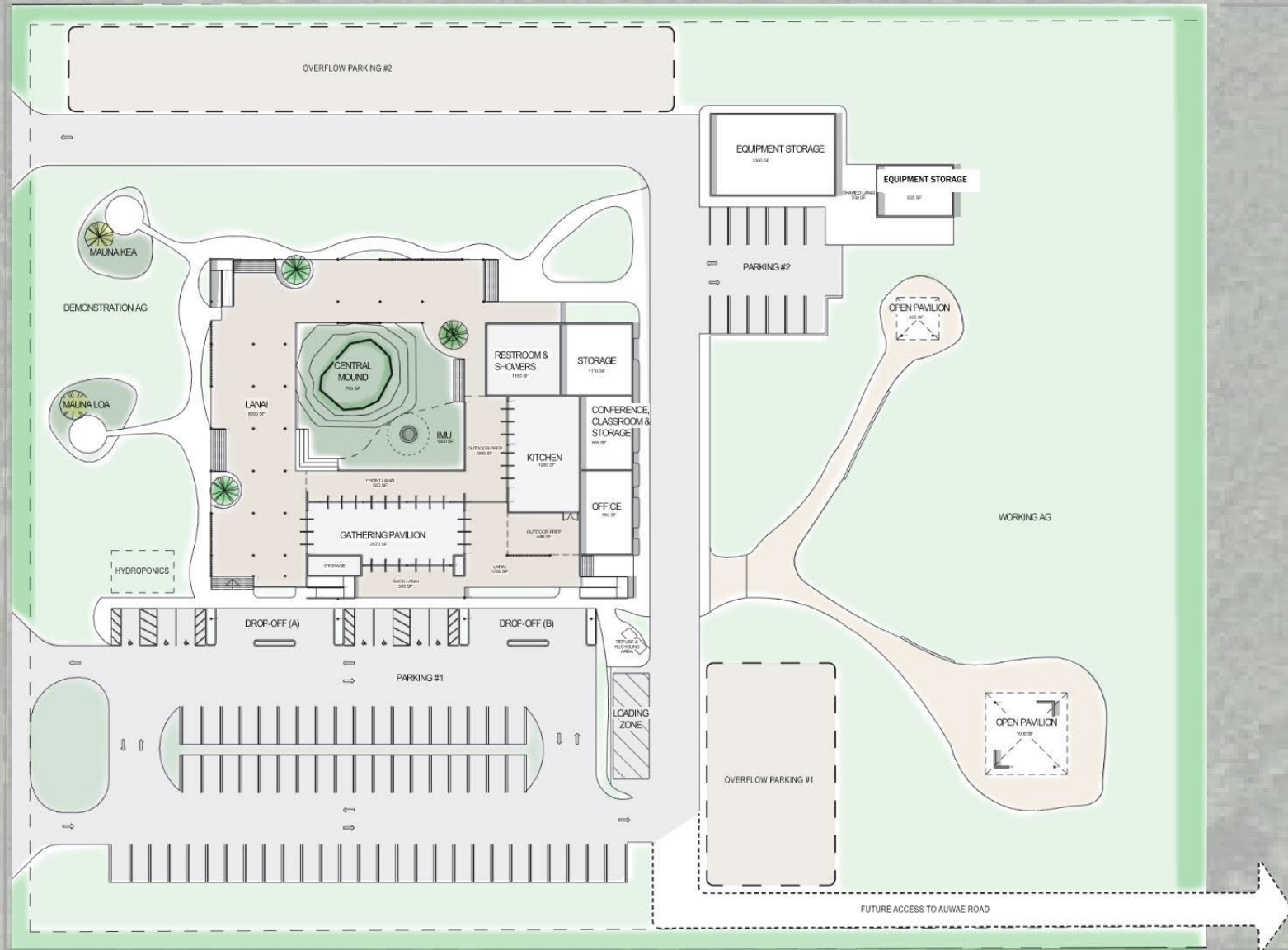


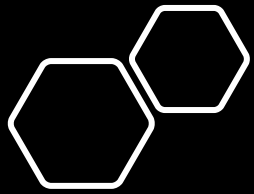
Design DNA



MAKA'ALA ST

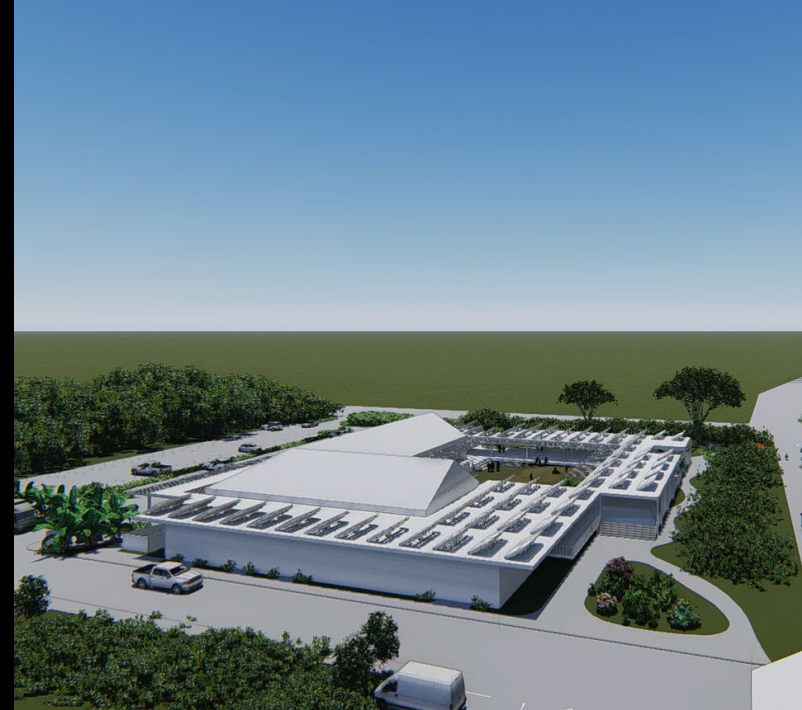
RAILROAD AVENUE





Project Components

- Agriculture
- Gathering Pavilion
- Commercial Certified Kitchen
- Imu Facility
- Restrooms
- Office
- Conference Room
- Storage (Energy and Water Storage)
- Equipment Storage
- Kipuka Pavilion



Gathering Pavilion

Accessible Ramp



Front Lanai Access

Opportunity to add
tracks for Sliding
Partitions

Open View to
Courtyard

Operable or Sliding
Screen Doors

Kitchen Access

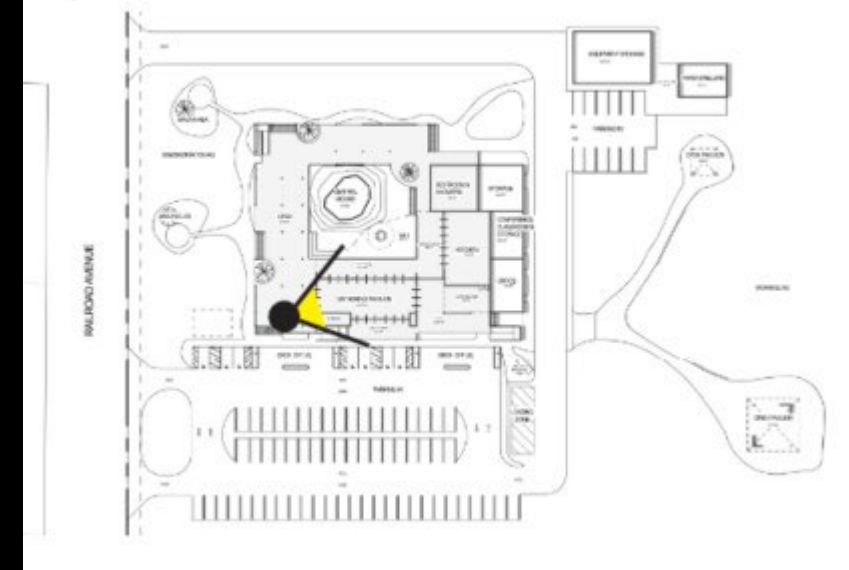
Storage Room

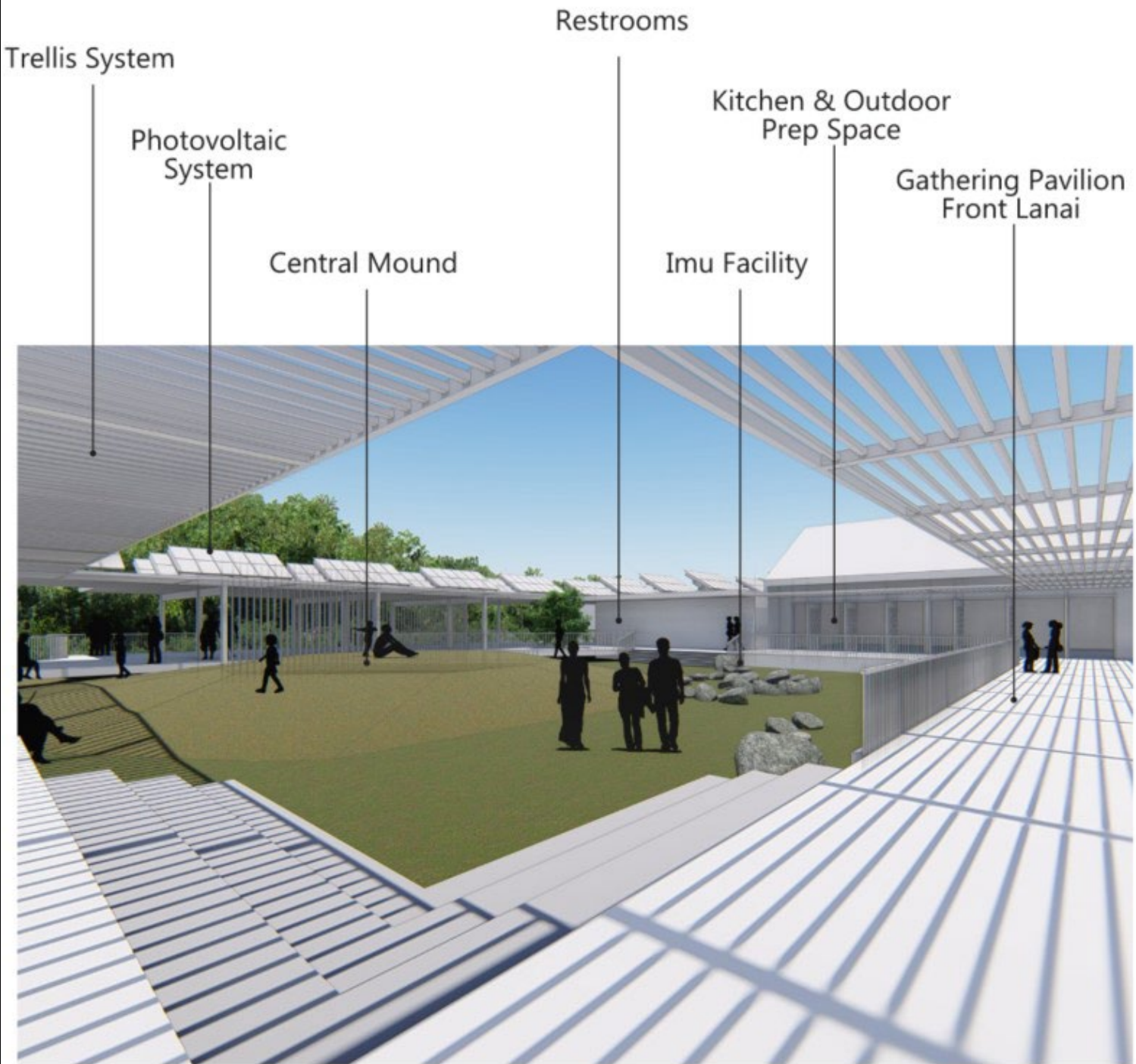
Back Lanai Access



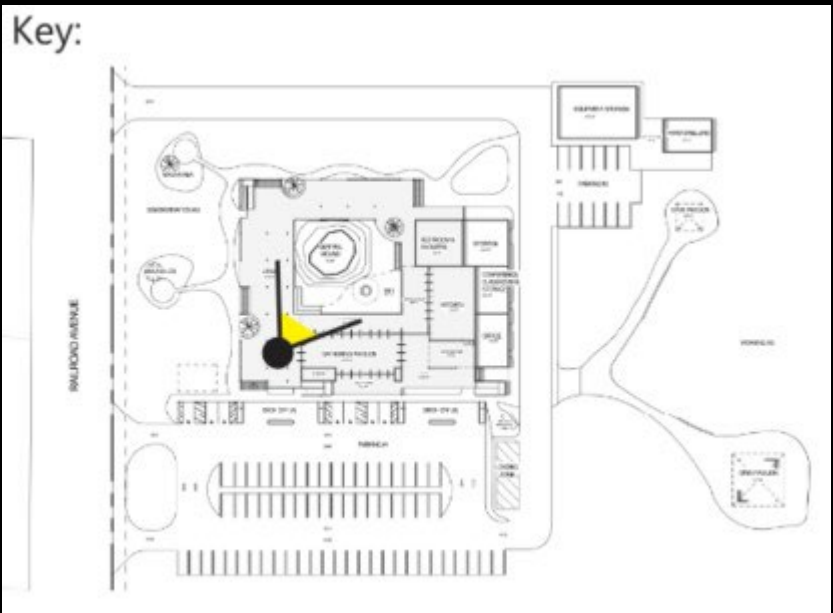
Gathering Pavilion

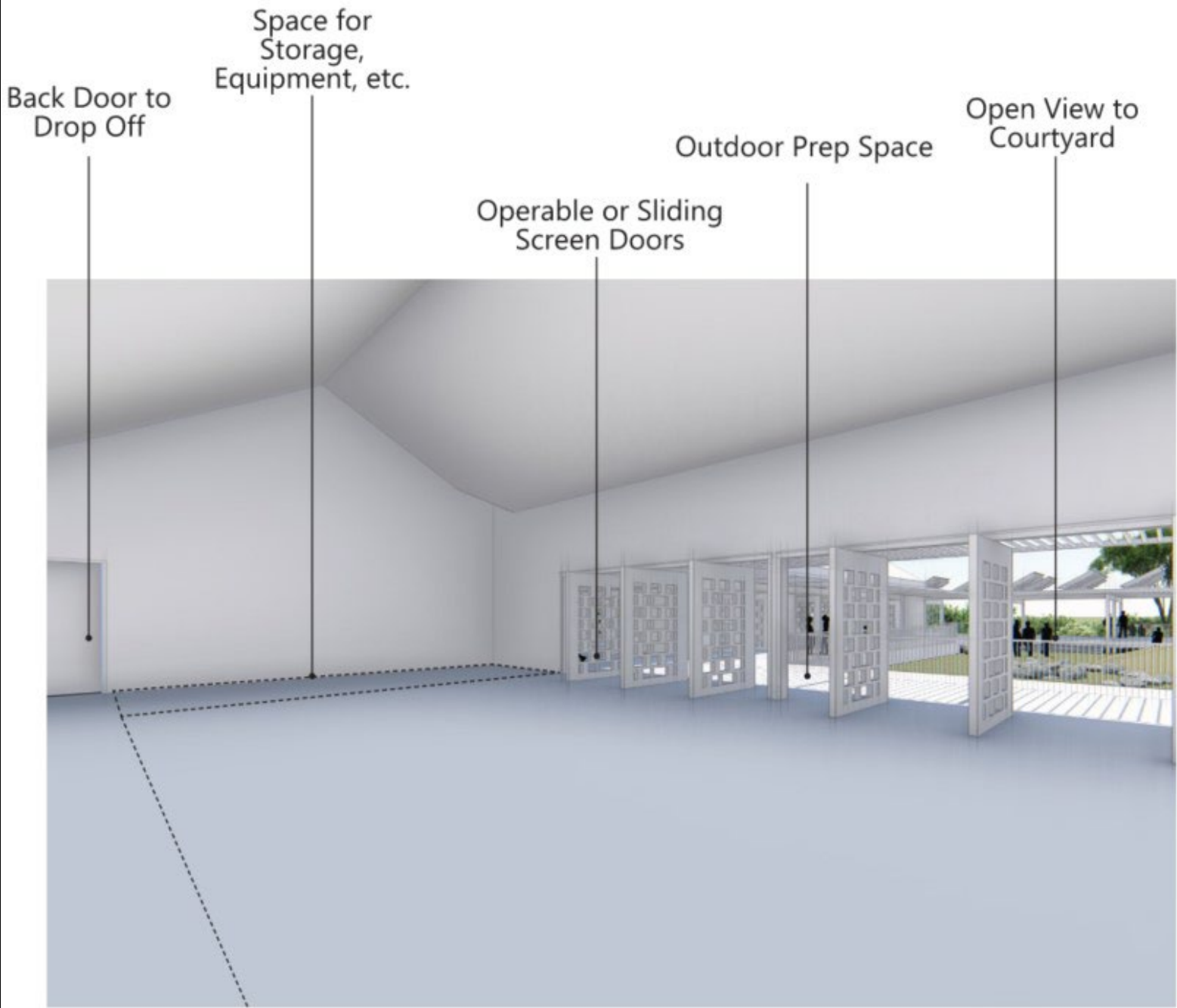
Key:



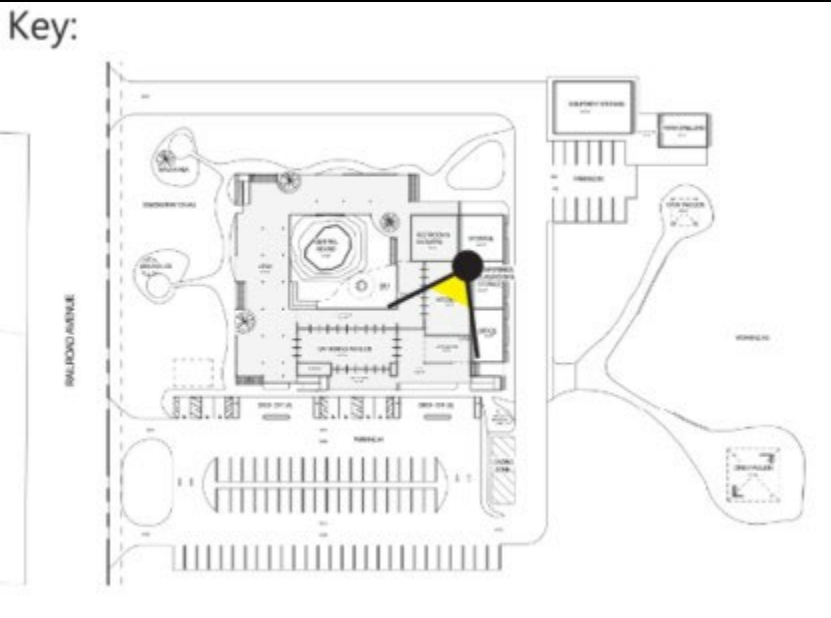


Courtyard





Commercial Kitchen

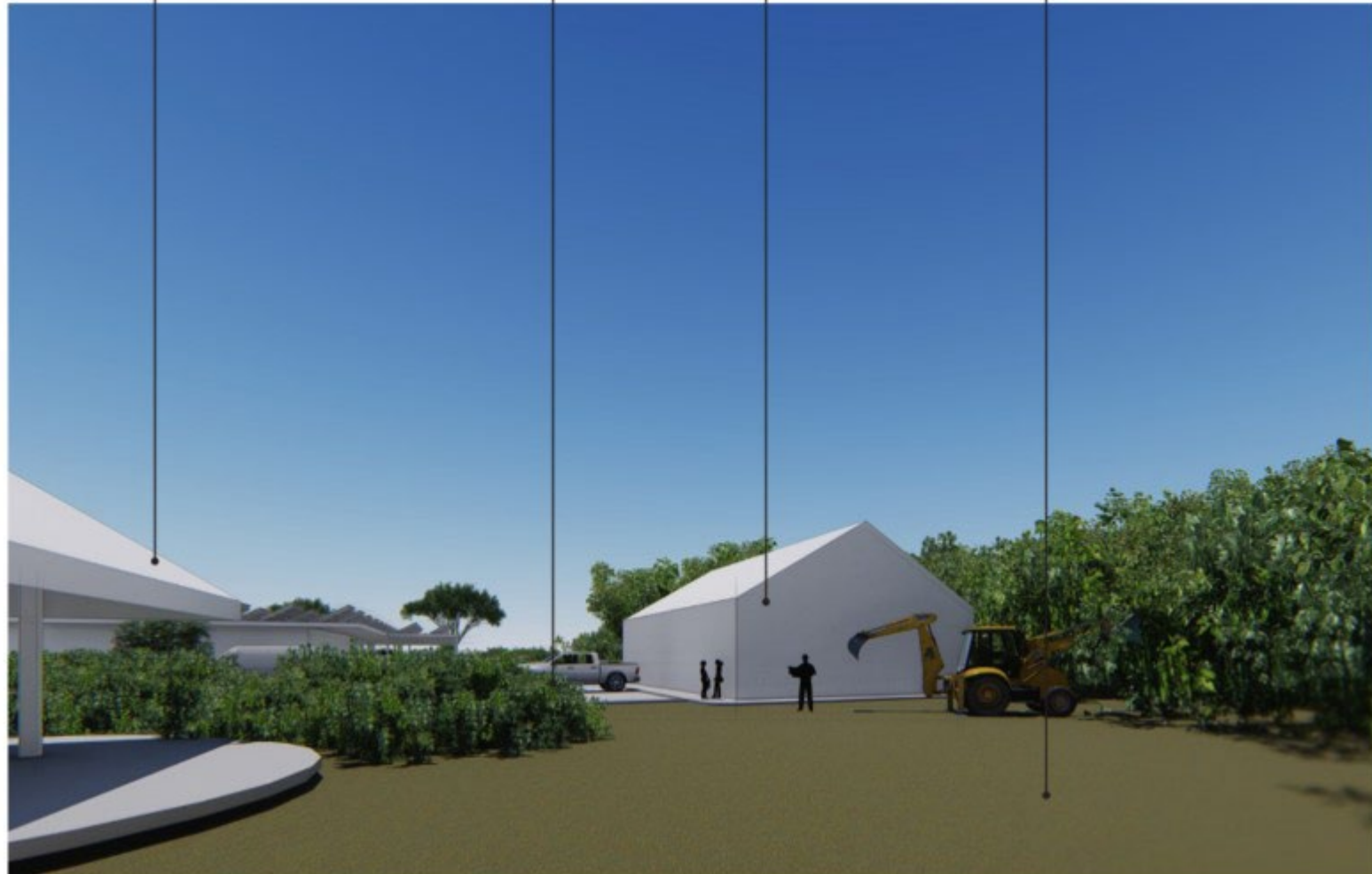


Open (Kipuka)
Pavilion

Double-height
Structure

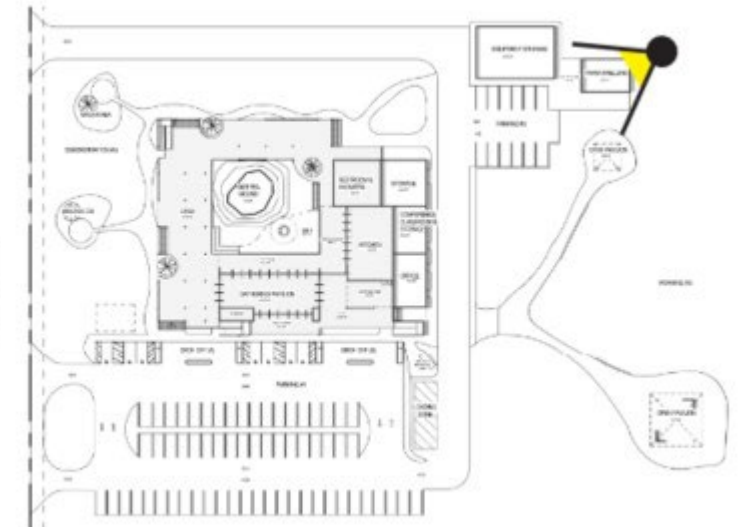
Parking #2

Space for Equipment
Use & Training



Equipment Storage

Key:



Open Pavilion

Elevated Pathway

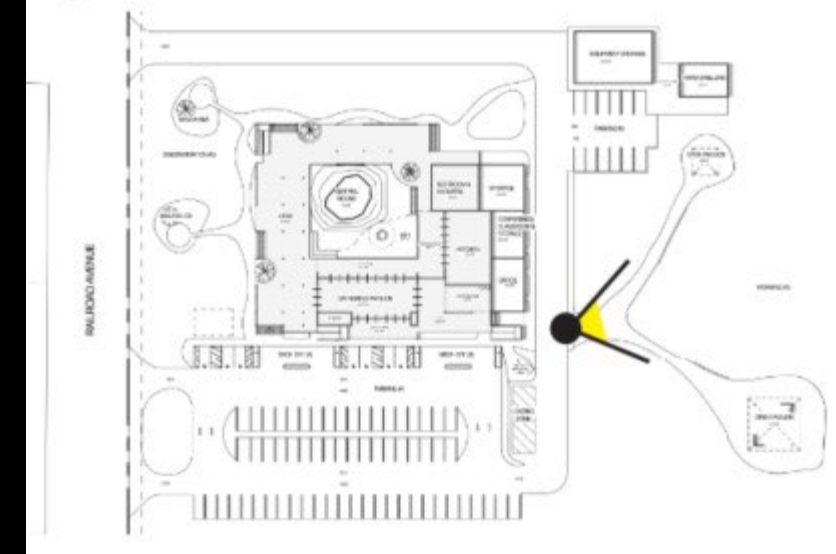
Demonstration &
Working Ag

Open Pavilion



Open Pavilions

Key:



Community Benefits



A gathering place for community programs, including kūpuna care.



An educational / agricultural training site for beneficiaries, and community.



A safe place with opportunities to practice resilience in our communities



A wahi ho'okela to build self-identity through programs that perpetuate cultural values.

Summary of Early Consultation Comments:

- Ensure compliance with State and County codes (Various)
- Obtain necessary building permits (DPW)
- Develop a Solid Waste Management Plan (DEM-SWD)
- Recommends energy efficient and conservation measures (Hawaiian Electric)
- Best Management Practices (BMPs) recommended to avoid impacts to 'ōpe'ape'a and Hawaiian seabirds during construction and operation (DLNR-DOFAW)

Studies for DEA

- Archaeological Reconnaissance Survey
- Flora/Fauna Assessment
- Traffic Assessment
- Civil Engineering Assessment



Archaeological Reconnaissance Survey

- Pedestrian survey conducted on July 12-13th, 2021
- One (1) acre of unsurveyable land due to vegetation
- No materials taken; all artifacts left in place



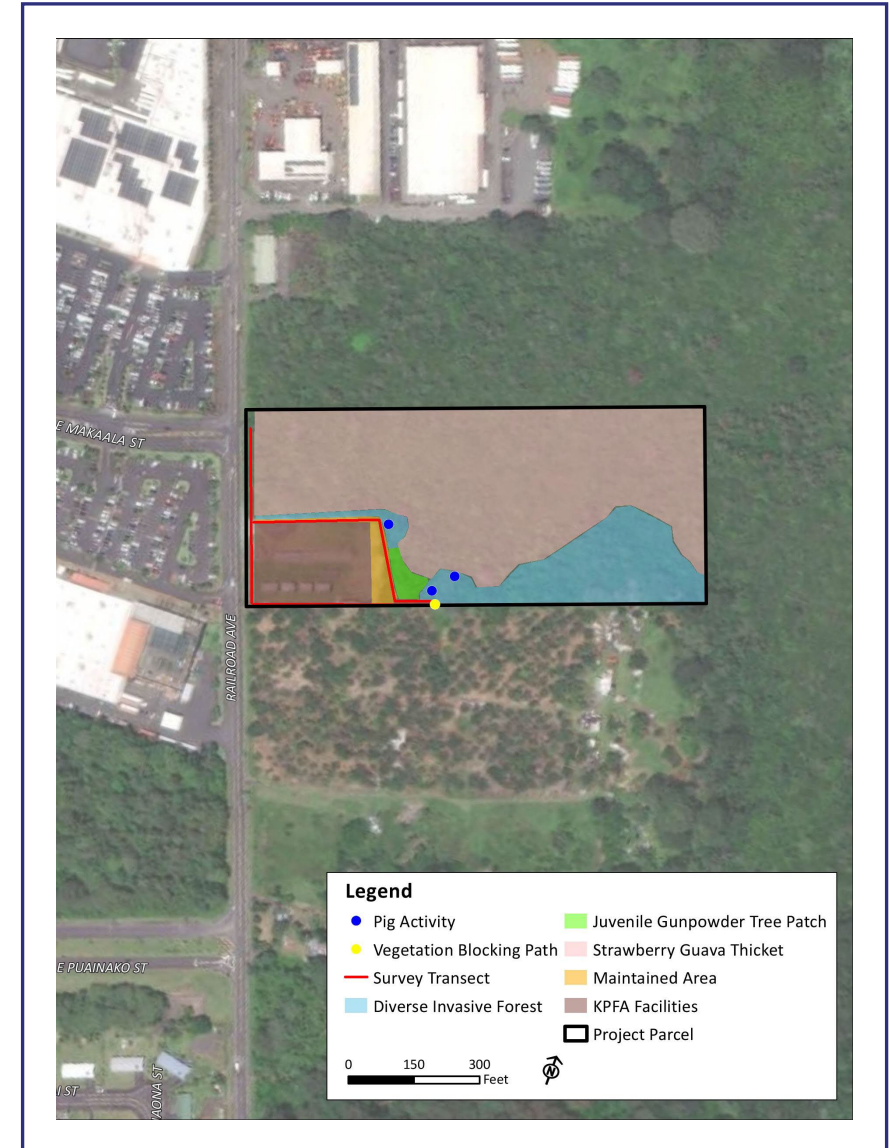
Archaeological Reconnaissance Survey

- Site 1, five features:
 - Feature 1: Abandoned Car
 - Feature 2: Abandoned Car
 - Feature 3: Abandoned Car
 - Feature 4: Abandoned Structure
 - Feature 5: Historic Artifacts



Flora/Fauna Assessment

- No proposed or listed endangered species observed
- Indigenous:
 - Pocket of 'Ōhi'a Lehua
 - Pepeiao, Hawaiian Wood Ear Fungi
 - Pōpolo
 - Fimbristylis dichotomo, forked fimbry
 - Moa, whisk fern
- Invasive species and/or plants of concern:
 - Little Fire Ants
 - Strawberry Guava
 - Miconia
 - Gunpowder tree
 - Fiddlewood
 - Jamaican Lilikoi
 - Koster's curse
 - Maile pilau
 - Octopus Tree
 - Trumpet Tree



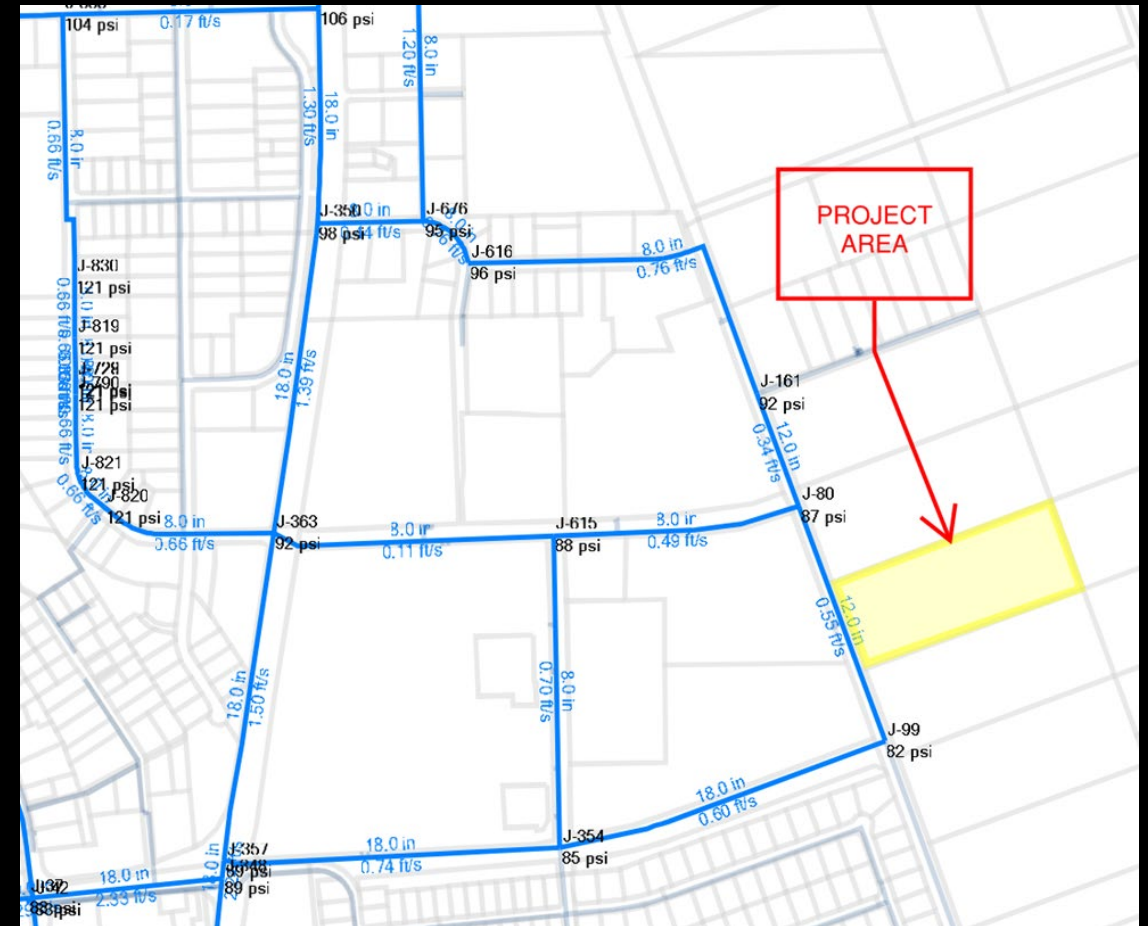
Traffic Assessment

- Traffic count surveys completed August 5-12th, during AM, PM, and weekends
- Intersections observed:
 - Pu'āinakō St. & Railroad Ave.
 - Home Depot Driveway & Railroad Ave.
 - Maka'ala St. & Railroad Ave
- Level of Service (LOS)
 - Maka'ala & Railroad = LOS "D"
 - Pu'āinakō and Home Depot = LOS "C"



Civil Engineering Assessment

- Property currently served by County of Hawaii Department of Water Supply (DWS)
- Proposed swales, culverts, rain gardens, and drainage sumps for drainage
- No current wastewater infrastructure, wastewater treatment plant (WWTP) is anticipated



Significance Criteria

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

The project is not anticipated to result in the loss or destruction of any natural resource.

2. Curtail the range of beneficial uses of the environment.

The project will not curtail the range of beneficial uses of the environment. This Project will enhance KPFA's current programming, which is consistent with State and County land use designations

Significance Criteria

3. Conflict with the State's environmental policies or long-term environmental goals established by law.

The project does not conflict with the State's long-term environmental policies or goals and guidelines. The Draft EA was prepared to ensure the Project will not have a significant adverse impact on the environment.

4. Have a substantial adverse effect on the economic welfare, social welfare, or cultural practices of the community and State.

The project will result in short-term economic benefits during construction and operation. The new facility will enable the County to better serve the wider island population through education before, during, and after cases of emergency.

Significance Criteria

5. Have a substantial adverse effect on public health.

The project is consistent with existing land uses and is not expected to affect public health. The proposed project is expected to continue to provide a space for the community and continue to improve the health and safety through agriculture and disaster preparedness.

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

There are no adverse secondary impacts such as population changes as a result of this project. Bus operations and traffic should not be interrupted, any interruption that may arise during Project construction would be minimized.

Significance Criteria

7. Involve a substantial degradation of environmental quality.

The project will not involve a substantial degradation of environmental quality on-site or in the surrounding area. Construction related impacts related to noise and air quality are temporary and will be minimized by following State and County regulations and using construction BMPs.

8. Is individually limited but cumulatively have substantial adverse effect upon the environment or involved a commitment for larger actions.

The development and implementation of the project will have a very limited and negligible impact on the natural and cultural environment. There are no anticipated cumulative effects on ecosystem resources or human communities.

Significance Criteria

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

The project site does not contain known identified rare, threatened, or endangered species or critical habitat. BMPs will be implemented during construction to reduce impacts to 'ōpe'ape'a and Hawaiian seabirds.

10. Have a substantial adverse effect on air or water quality or ambient noise levels.

Short-term effects on air, water quality, and ambient noise levels during construction will be mitigated through adherence with State and City regulations and mitigation measures. No detrimental long-term impacts to air, water, or acoustic quality are anticipated with the project.

Significance Criteria

11. Have a substantial adverse effect on or be likely to suffer damage by being located in an environmentally sensitive area such as a flood plain, tsunami zone, sea level rise exposure area, beach, erosion-prone area, geologically hazardous land, estuary, freshwater, or coastal waters.

The Project site lies within Flood Zone "X", an area determined to be outside the 0.2% annual chance floodplain and outside of the 500-year floodplain. The elevation of the Project area is outside of the tsunami zone, sea level rise exposure area, and other coastal areas.

12. Have a substantial adverse effect on scenic vistas and viewplanes, during day or night, identified in county or state plans or studies.

The Project is not anticipated to have a substantial adverse effect on scenic vistas and view planes, during day or night, as identified in State or County plans. Short-term impacts to visual resources are related to construction. Final design treatments to minimize the impact of the structure on the surrounding neighborhood may include screening such as landscaping.

Significance Criteria

13. Require substantial energy consumption or emit substantial greenhouse gases.

Construction of the project will not require substantial energy consumption relative to other similar sized projects and other commercial activities in the area. The new building may increase existing electrical demand at this location. However, the Project would not result nor constitute a source of impact to the climate and does not propose activities that will lead to an increase in the generation of GHGs .

Next Steps for KPFA Draft Environmental Assessment

- Informational Presentation with Hawaiian Homes Commission
 - Anticipated Finding of No Significant Impact (FONSI)
- File DEA with Environmental Review Program (ERP) on March 31, 2023
- Publish in ERP's *The Environmental Notice* (TEN) on April 8, 2023
- Begin 30-day public comment period
- The Final Environmental Assessment is tentatively anticipated to be presented to the HHC at its May/June meeting for approval .



Mahalo



DEPARTMENT OF HAWAIIAN HOME LANDS

www.dhhl.hawaii.gov



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION • DEPARTMENT OF HAWAIIAN HOME LANDS

G-5

Update on Climate Change Impacts Affecting Hawaiian Home Lands, Statewide

March 20-21, 2023



March 2023 Climate Change Update

- Presentation by Rosie 'Anolani Alegado, Ph.D.: "Loko Ia Needs Assessment"
 - ❖ Dr. Alegado is a member of UH Biocultural Initiative of the Pacific; Assistant Professor of Oceanography at UH Mānoa where she is Director for the Center of Excellence in Integrated Knowledge Systems and a member of the Center for Microbial Oceanography: Research and Education.
 - ❖ Together with the non-profit Kua'āina Ulu 'Auamo and Hawai'i Sea Grant, she is involved in developing kūlana noi'i, a process wherein researchers build and sustain equitable partnerships with community.
 - ❖ <http://alegadolab.org/>



April 2023 Climate Change Update

- Update by DHHL staff on current DHHL climate change-related initiatives and projects
- Presentation by Amy Wirts, Coastal Lands Program Coordinator at University of Hawaii Sea Grant College Program
 - ❖ Climate Change Update, anticipated impacts to Hawai'i and mitigation and adaptation measures



Mahalo!



DEPARTMENT OF HAWAIIAN HOME LANDS

www.dhhl.hawaii.gov