

HAWAIIAN HOMES COMMISSION MEETING/WORKSHOP

Minutes of October 15, 2023

Hana Elementary and High School, 4111 Hana Highway, Hana, Maui, Hawai'i,

Pursuant to proper call, the meeting of the Hawaiian Homes Commission was held both in person and via Interactive conferencing technology, beginning at 2:00 p.m.

PRESENT Kali Watson, Chairman
Randy K. Awo, Vice-Chairman, Maui Commissioner
Zachary Z. Helm, Moloka'i Commissioner
Walter Kaneakua, O'ahu Commissioner
Dennis L. Neves, Kauai Commissioner

EXCUSED Makai Freitas, West Hawai'i Commissioner
Michael L. Kaleikini, East Hawai'i Commissioner
Sanoe Marfil, O'ahu Commissioner
Pauline N. Namu'o, O'ahu Commissioner

COUNSEL Alyssa Marie Kau, Deputy Attorney General

STAFF Katie L. Ducatt, Deputy to the Chairman
Leah Burrows-Nuuanu, Secretary to the Commission
Richard Hoke, Executive Assistant to the Chairman
Andrew Choy, Planning Manager
Julie Cachola, HHL Planner and Maui Project Manager
Juan Garcia, Homestead Services Division Administrator

ORDER OF BUSINESS

CALL TO ORDER

Chair Watson called the meeting to order at 2:05 p.m. Five (5) members were present at the meeting location to establish a quorum.

APPROVAL OF AGENDA

MOTION/ACTION

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

ITEMS FOR INFORMATION/DISCUSSION

PLANNING OFFICE

ITEM G-1 For Information Only – East Maui Homestead Planning Update

RECOMMENDED MOTION/ACTION

None. For Information Only. Planning Program Manager Andrew Choy and Maui Project Manager Julie Cachola presented the following:

Presentation Outline

- East Maui DHHL Lands
 - The Department has no lands in East Maui with the original Act
 - The DHHL lands in East Maui are part of the settlement in 1995 to settle controversies
 - The State and territories were selling Hawaiian homelands without due compensation
 - The Act stated that DHHL gets 203,500 acres of land, but in 1995, DHHL only had 186,000 acres
 - To make the Trust whole, they had to give DHHL 16,815 acres of state lands from the Trust – how the Maui East lands came
- East Maui Beneficiary Communities
 - Ke‘anae – 150.47 acres, three parcels
 - Wailuanui – 91 acres, 16 parcels. The biggest parcel along the shoreline is 60 acres.
 - Wakiu – 656.3 acres, four parcels
 - The people have a deep genealogical connection to the ‘āina
 - Resources are place-based – you know your area and how to get the resources, and the people know how to manage their resources
 - Beneficiary organizations
 - Na Moku Aupuni O Ko‘olau Hui
 - Wakiu Community Development Corporation
- Master Planning Process – work completed, next steps, and timeframe for completion
 - G70 was hired to help develop a Master Plan, which will be a land use map
- Environmental Assessment (EA) Process – benchmarks and timeframe, and final HHC approval

J. Cachola stated that as a planner, how do you lay the cultural layer first? They asked the Edith Kanaka‘ole Foundation to help form a methodology to lay the cultural foundation. It is called the Honuaiakea Process, which does research in indigenous knowledge collections to identify chants, mele, stories, natural resources, and ancestral ecological knowledge and pull out all relevant information, past and present.

A workshop was done in Ke‘anae-Wailuanui, and a second workshop will be coming up to identify the land uses and map them out. There will be a break for the holidays, and then resume in January to present the draft master plan. Then, a beneficiary consultation report will be taken back to the Commission in February, along with the EA process, draft mode, final mode, and public review, and it should be completed by April 2025.

PUBLIC TESTIMONY ON AGENDIZED ITEMS

PT-1 Shane Sinenci – Council Member East Maui

S. Sinenci stated they are nearing three generations of kanaka not being housed, a condition which was part of the Statehood Act in 1958. Three generational losses of a home, building home equity, and no established generational wealth, so many have three generations living in one household. Kupuna has left them with generational knowledge of how to thrive where they live and left traditional knowledge on how to protect their natural resources for future generations. Many Hana families have been displaced as there are no DHHL housing projects in East Maui, so some have moved out to find affordable housing. He asked that the Commission please consider

residential preferences for the people who live here. The State's social programs barely reach their rural community.

PT-2 Janet Redo

J. Redo has been a resident of Ke'anae for the past 65 years. She has been an applicant of DHHL since 1986 and was awarded a 99-year lease in 2005 for the Kula undivided lots. It has been 19 years, and she has still not received her lot in Kula. Her sister also has not received her lot. She does not know why it is taking so long for DHHL to get them on their undivided land. She is part of the Kalima case and believes they will be awarded soon. She is requesting a non-homestead lot located on the Ke'anae peninsula for 50 years. She distributed her application with a map and for the parcel, which she understands is about 1 acre. They have a 501(3)(c), which her daughter runs, and if they should be awarded, they want to help the community. The application indicates what they plan to do. Her request is to find favor and be given the lot.

PT-3 Kanoe Lecker

K. Lecker's bloodline traces from Ke'anae to Wailua, and she now resides in Kipahulu. There are three generations living in her household. She mimics what Shane Sinenci and Janet Redo spoke about.

PT-4 Mary Ann Kahana

M. Kahana stated her main point is to push for the Hana residence preference and lineal descendancy. The generations before her were born and raised in Hana but left because there were no jobs. She is hopeful the Commission will consider lineal descendancy because there have been a lot of people from Hana who have been displaced due to jobs and finances. First preference should go to people from Hana. She believes people would come back for sustainable agricultural lands. The half-million dollar homes cost too much for kanaka.

PT-5 Alohalani Smith

A. Smith acknowledged her ohana names: Aikau, Hewahewa, and Makahilahila. She is the founder and interim secretary of the Wakiu Community Development Corporation (WCDC). She thanked Julie Cachola and Andrew Choy for hiring G70 to assist with the Wakiu and Ke'anae master plans. They are thankful that DHHL is looking at the East Maui lands to award homesteads eventually. The collaborative idea is to push the preference of three generations to generate equity and family for generations for a rule change for an amendment for lineal descendants who live and work in Hana and Ke'anae for preference of awards first. The preference is for a certain period, just like Lanai did. The concern is future problems bringing people from the outside when jobs are already scarce. The competition may be devastating for the Hana people. Existing homes have four to five generations in one house. Hana has lost 115 kupuna and the privilege of passing them on to the next generation.

PT-6 Sam Kalalau

S. Kalalau was born and raised in Hana. One of the top priorities is the preference of lineal descendants. They know that rules have to be made and hope the Commission will support their request. The impact is that highways and bridges are already overwhelmed with tourists. The

school classrooms are small and overcrowded. Hana has a major job problem, and if people from the outside come in, they would have to leave and go work on the other side like the Hana people. He stated there are many outsiders here who are buying up all the land and living in the bushes and trees. For the natural resources, everybody here knows where there is opihi and fish, and if there are no jobs, the people gather from the ocean and the mountain to make a living. The concern is if there is no preference, the resources will be gone.

PT-7 Loretta Ohara

L. Ohara was born and raised in Hana and is a board member of the WDCD. She agreed with the previous speakers to keep everything in Hana and stay in Hana. Hana needs homes. The people from Hana should have priority and get awarded first.

PT-8 Jerome Kekiwi, Jr.

J. Kekiwi, Jr. is the President of Na Moku Aupuni O Ko'olau Hui, a 501(c)(3) non-profit whose members are the lineal descendants of the adjacent ahupua'a of Ke'anae and Wailuanui. He thanked the Planning staff, G70 sensitivity, and the Commissioners for reaching out and working with their community. They appreciated the efforts of G70 and the practitioners under the leadership of Huihui Kanahale Mossman and Julie Cachola. It is understood that there are 91 acres and 150 acres of DHHL lands in Wailuanui and Ke'anae, and their families trace their lineage to these lands many generations back. When the lands at Ke'anae and Wailuanui were transferred to DHHL, the people had already settled as a community for generations long before the great mahele. The people still engage in customary subsistence practices of gathering, hunting, and fishing. He and his immediate family have the blood quantum to receive an award. Na Moku Aupuni O Ko'olau Hui presented formal testimony in 2003 to the Commission under Chair Micah Kane as part of DHHL's planning process and again on November 19, 2017, before Chair Jobie Masagatani. On January 26, 2020, before Chair William Aila, they submitted results and community surveys to the Commission as part of Na Moku Aupuni O Koolau Hui's testimony. Throughout those years, the testimony has been consistent in expressing concern that the unique traditional character of a community might be irreconcilably damaged. The community wants priority consideration for those who can trace their ancestry to these areas, and the Commission should consider the prequalification criteria of lineal descendency for the limited number of residential parcels in Ke'anae and Wailuanui.

PT-9 S. `Aina

(Inaudible -did not speak into the microphone, so I could not hear his question) KEEP HANA HANA.

PT-10 Sam Akoi, Sr.

S. Akoi, Sr. testified he was the Manager for Maui Registration and worked on the Hawaiian homestead. He knew the properties were for the Hawaiians, but they were leasing Hawaiian homes to farmers and wondered how they lease the Hawaiian homes when they did not own the Hawaiian homes. He stated that the State was doing this. From what he sees now, the Hawaiians are going to get their land.

PT-11 Sam Akoi, Jr.

S. Akoi Jr. stated that Pūnana Leo should have their school up here; Kupuna has to drive out to have hospice, and there should be one right here. Hawaiian Homes could have all of that here. His grandma has 'āina in Lower Ke'ānae, and he wants to work with the Department to get that leaseback. The lease was not for 99 years but for 999 years. He asked how he and the Department could collaborate to get the leases back to the rightful lessees.

PT-12 Lucinda Estrella

L. Estrella spoke of Prince Kuhio's intentions and how he wanted to put his people back on the land, to work together, and make sure my people are taken care of." She testified we need each other.

PT-13 Nalani Ka'auamo

N. Ka'auamo is the sister of Janet Redo and a descendant of Ke'ānae. Their father wanted them to have an education, so he sent them to Kamehameha Schools. She and her husband, Francis, live independently as her husband's parents afforded them property in Wailua. She was afforded Hawaiian homes back in 2005, 18 years ago. She does not want to see the young ones not have the opportunity to have a home. She was elated the day her sons' numbers were called out in 2005. She stated she still holds a lease, but what good is it? There are too many multi-family living in Ke'ānae and Hana. Hawaiian Homes needs to do something for the young ones and provide kupuna housing. She asked a kupuna what the secret of living long, and the answer was do not have family live with you. These kupuna need to be relieved of that stress.

PT-14 Oliveira

She mentioned the names of her family and went through the names on the wait list who applied for Hana, but passed away: Margie Akoi, Thelma Akoi, Thomas Epsley, Eric Kanaka'ole, Joseph Ikaina, Moola Cashman, Eleanor Kanai, Bill Kanai, Linda-Mae Sinenci, David Phillips, Robert Malaekini, Beaut Malaekini, B. Ventura-Revella, Peter Pikelo Cosma, Owen Helekahi, Juan Diego, John Kaia, Cynthia Allen-Caster, Robert Keliihoomalu Sr., Zachariah Meisner, Amy Oliveira, Lawrence Pua, Ralph Piilauna, Gladys Sinenci, Herbert Olivera, Raymond Pahukoa, Milinetta Henchett-Ching, Genevieve Chang, Craig Kaokini, and Anthony Badio. She is sure there is more, but maybe they were taken off the list. She asked that the Commission make an amendment to give Hana descendants preference. She thinks Moloka'i and Lanai did it, and hopefully, there is a way for Hana. Get people on the land quicker. Pretty soon, Hana will not be the majority Hawaiian because people have to move away.

PT-15 Lehua Park

L. Park testified both of her parents' dads were born and raised in Hana but moved away because there were no homes in Hana. She married a man born and raised in Hana. She stated they met some weeks ago and strategized what Wakiu could look like, and 98% of those who were at the meeting were present. They all agreed to ask for an amendment so that the people of East Maui would have the choice of living in Hana. She suggested that everyone understand that East Maui has reached its capacity. She has seen that in the homes, the kupuna have the smallest room in the house. She prayed for what the people needed.

Chair Watson stated he had heard the testimonies and the major issue was giving preference to people from that area. When the Hawaiian Homes Commission Act was passed, they did have specific areas where a person could register on the waitlist for that specific area. It has since been turned into an island-wide waitlist. The Commission and Department need to revisit that, like what it did on Lanai, in giving preference. There will be community meetings again for Ke‘anae, Wailuanui, and Wakiu, and through the communities’ participation, DHHL can get some guidance as to what the communities want.

The Hawaiian Commission Act has been challenged since it was created. One of the big problems was the lands received were isolated and very hard-to-develop areas with little infrastructure. As a result, only 100 parcels per year were developed. Fortunately, in 2023, the Legislature provided \$600 million with a specific mandate to reduce the waitlist, which is presently at 29,000 people, with an additional 4,000 people on the Maui wait list for residential.

The Hawaiian Homes Commission came up with a Strategic Plan that was required under Act 279. Twenty projects were listed, and on Maui, seven projects were identified from Honokowai to Kahikinui.

The Commission wants to avoid the past practice of bypassing people on the waitlist. The people who could afford and qualify for the large mortgages are the ones who got a lease. That approach must be revised, and the Department needs to create different models. The developers are required to create other categories, such as the rent with the option to purchase using tax credits and bonds, the revolving fund, and use part of the Act 279 funds to help the people who are at 60% and below AMI on the waitlist. These homes are based on income rather than their ability to pay. The people get the benefit of paying a low rent for that house for 15 years and converting it into homeownership with a 99-year lease.

There is also Habitat for Humanity, and for those who want to build their own houses, the Department provides a finished lot with infrastructure. These different approaches give hope that nobody on the waitlist will be bypassed in the future. That is the goal that nobody gets bypassed.

Chair Watson briefed the people on the projects that are being planned and worked on in Maui. There are a lot of things going on. The Department is working with Kamehameha Schools and OHA. Hopefully, what Hana needs will be provided.

Commissioner Awo asked Julie about being midway with G70. What does that mean in terms of time? J. Cachola stated that they are doing the Master Plan’s cultural layer process and the first visioning session. They will be doing the design charrette, then take a holiday break and come back in January to continue. After that is done, they will go into the EA process. He asked Ke‘anae and Wailuanui to be merged in the talk story process and wondered if that is the best step forward because of the unique distinctions that they speak to. J. Cachola stated they did consider that and agreed.

Commissioner Helm asked what project would be done first when the reality came. A. Choy stated the reality is subject to funding availability.

Commissioner Awo asked if there was any idea of how much of the land in Wakiu is usable. A. Choy stated they have been doing studies on topography, archaeology, and such to figure out which areas are suitable for homestead development. Acreage not known yet. By January, there should be more information. Commissioner Awo asked about the mauka lands in Ke‘anae as he heard water and possible flooding. What are your thoughts on the path forward? J. Cachola stated

they graze cattle up there, and they are worried about the waste getting into the water, so that has to be managed. She would look for additional lands in Ke‘anae. A. Choy stated the scope is on the existing lands in the inventory. He thinks Julie is on the right path.

Commissioner Kaneakua thanked the people for coming.

ANNOUNCEMENTS AND ADJOURNMENT

- A. Next Regular Meeting – October 16 & 17, 2023, Courtyard by Marriott at Kahului Airport, 532 Keolani Place, Kahului, HI 96732
- B. The DHHL Community Meeting on October 16, 2023, will be held at the Maui Waena Intermediate School, 795 Onehee Avenue, Kahului, Maui, Hawai‘i 96732

ADJOURNMENT


4:00 PM

Respectfully submitted:



Kali Watson, Chairman
Hawaiian Homes Commission

Prepared by:



Leah Burrows-Nuuanu, Commission Secretary
Hawaiian Homes Commission