

HAWAIIAN HOMES COMMISSION

Minutes of October 16, 2023

Courtyard by Marriott Kahului Airport – Haleakala Room,
532 Keolani Place, Maui, Hawai‘i 96732, and
Interactive Conferencing Technology (ICT) Zoom

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

PRESENT Kali Watson, Chairman
Randy K. Awo, Vice-Chairman, Maui Commissioner
Makai Freitas, West Hawai‘i Commissioner (arrived 9:45 am)
Zachary Z. Helm, Moloka‘i Commissioner
Michael L. Kaleikini, East Hawai‘i Commissioner
Walter Kaneakua, O‘ahu Commissioner
Pauline N. Namu‘o, O‘ahu Commissioner
Dennis L. Neves, Kauai Commissioner

EXCUSED Sanoe Marfil, O‘ahu Commissioner

COUNSEL Alyssa Marie Kau, Deputy Attorney General

STAFF Katie L. Ducatt, Deputy to the Chairman
Leah Burrows-Nuuanu, Commission Secretary
Richard Hoke, Executive Assistant to the Chairman
Andrew Choy, Planning Manager
Kahana Albinio, Land Agent
Juan Garcia, Homestead Services Division Administrator
Neil Nugent, Land Development Division Engineer
Paula Ailā, Acting Contact, and Awards Division Administrator
Diamond Badajos, Information and Community Relations Officer
Kalani Fronda, Homestead Housing Specialist
Richard Kuitunen, Acting Land Management Division Administrator
Julie Cachola, Planner
Michael Lowe, Information Specialist
Stacelynn Eli, Information Specialist

ORDER OF BUSINESS

CALL TO ORDER

Chair Watson called the meeting to order at 9:37 a.m. Seven (7) members were present at the meeting location, establishing a quorum.

Chair Watson deferred Item C-2 and announced that there would be a workshop for Commissioners at a future meeting. Item G-1 will go before Item F-4. The Commission will go into executive session at noon for 30 minutes.

APPROVAL OF AGENDA

MOTION/ACTION

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

APPROVAL OF MINUTES

- a) **SEPTEMBER 17, 2023 SPECIAL MEETING – KA`U, HAWAII**
- b) **SEPTEMBER 18 & 19, 2023 REGULAR MEETING**

Chair Watson corrected his statement on page 23 for the September 18 & 19 Minutes.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Awo, to approve the September 17, 2023, Special Meeting Minutes and the September 18 & 19, 2023 Minutes, as amended. Motion carried unanimously.

PUBLIC TESTIMONY ON AGENDIZED ITEMS

PT-1 Irene Plunkett-Mina – Item D-13

I. Plunkett-Mina asked that the Commission disregard her request to rescind her residential Lease 10315 for Waiohuli, Maui. She was unaware that her request would place her at the bottom of the island-wide waitlist, which was not the outcome she sought. She wants to retain her status as a Maui Undivided Interest lessee. She is asking to rescind the amendment to Lease 10315, which granted her an improved lot in Waiohuli.

PT-2 Patricia Teruya – Item C-2

P. Teruya expressed thanks to Chair Watson for deferring item C-2. The public did not have the submittal, so deferring the item would give the public time to review and comment. The items for O`ahu could be deferred to the November meeting on O`ahu to show respect for the people of Lahaina and Maui.

PT-3 DeMont Manaole – Item C-2

D. Manaole agreed that the items related to O`ahu should be deferred to O`ahu to allow the people of Maui the space and time to discuss their issues.

PT-4 Sherry Cummings – Various Items

S. Cummings supported Item F-9. Item F-7 regarding the Wainui lands could be taken up later. She has concerns about the possibility of the uses of the land as she is under the impression that there are findings of special places adjacent to the heiau.

PT-5 Patrick Kahawailoa`a – Item F-8

P. Kahawailoa`a asked that the Commission take care of Maui's issues first. He will take up his concern about item F-8 when it comes up.

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 Streamline Refinance of Loans (see exhibit)
ITEM D-5 Approval of Homestead Application Transfers/Cancellations (see exhibit)
ITEM D-6 Approval to Certify Applications of Qualified Applicants for the Month of September 2023 (see exhibit)
ITEM D-7 Approval of Assignment of Leasehold Interest (see exhibit)
ITEM D-8 Approval of Amendment of Leasehold Interest (see exhibit)
ITEM D-9 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems or Certain Lessees (see exhibit)
ITEM D-10 Request for Additional Time Extension in the Matter of Commission Designation of Successor – CARL DANA O, Agricultural Lease No. 6930, Lot No. 2, Maku`u, Hawai`i
ITEM D-11 Commission Designation of Successor – MERLE M. UU, Agricultural Lease No. 3729, Lot No. 74, Ho`olehua, Moloka`i
ITEM D-12 Commission Designation of Successor – MARY PUAMAIA TOLEFSON, Residential Lease No. 3207, Lot No. 20G, Kalama`ula, Moloka`i
ITEM D-14 approval of Supplemental Dwelling Unit (SDU) for Certain Leases (see exhibit)

RECOMMENDED MOTION/ACTION

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

MOTION/ACTION

Moved by Commissioner Helm, seconded by Commissioner Kaleikini, 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		X			
Commissioner Kaleikini		X	X			
Commissioner Kaneakua			X			
Commissioner Marfil						X
Commissioner Namu`o			X			
Commissioner Neves			X			
Chairman Watson			X			
TOTAL VOTE COUNT			8			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Eight (8) Yes votes.						

REGULAR AGENDA

HOMESTEAD SERVICES DIVISION

ITEM D-13 Approval of the Rescission of Residential Lease No. 10315, Lot No. 96-B, Keokea-Waiohuli, Maui; and Approval of the Reinstatement of IRENE L. MINA to the Maui Island Wide Wait List with the Application Date of January 17, 1986

RECOMMENDED MOTION/ACTION

Homestead Services Division Administrator Juan Garcia presented the following:
Motion to approve the Rescission of Residential Lease No. 10315, Lot No. 96-B, Keokea-Waiohuli, Maui; and Approval of the Reinstatement of IRENE L. MINA to the Maui Island Wide Wait List with the Application Date of January 17, 1986

DISCUSSION

Commissioner Awo stated he supports her retaining her position as a UI lessee. He would like to amend the current submittal to read, “to rescind the amendment to the document 10315 which granted her a lease in Waiohuli.” This will allow her to retain her UI status as she requested.

Chair Watson stated the action item is to rescind it, and there is a back end to it of where she goes: to the bottom of the waiting list or back to the date of her original application of January 17, 1986.

Commissioner Awo stated it was confusing. The language in D-13 talks about rescinding a lease and moving to the bottom of the island-wide waitlist. It gets confusing when using the language to rescind instead of the lease amendment. This is a transactional situation. By rescinding what she agreed to and what the Commission granted her, the paperwork transaction is removed, and in so doing, she becomes a UI lessee as she had hoped. She wants to be retained as a UI. He called for the beneficiary to come up and restate her position.

Irene Mina stated she would like to retain her position as a UI on the Maui waitlist. Commissioner Awo asked what solution you seek from the Commission due to what you are asking. She started to keep her UI status on the Maui wait list and not at the bottom of the list.

Chair Watson asked her UI if it was for a specific area, Waiohuli. It is in the amendment which identifies a specific parcel for Waiohuli. She stated she is unsure how that works, but the UI is only for Waiohuli-Keokea, Maui. Chair Watson told her that is what she received. She stated right, so in giving back that parcel. Chair Watson stated you go back to the UI. She stated in the same rank that she appeared in 1986.

J. Garcia provided a timeline. She was awarded a UI lease in 1986. In May 2023, she amended the lease, converting her UI lease status into a lease status that covers Lot 96-B in Waiohuli, which is improved. At the Kaua`i meeting, she requested that her lease be canceled in its entirety with the thought that she could select a Puanani Lot, but she did not know that requesting to cancel her lease would put her back at the bottom of the list. He stated the Commission prioritized UI lessees on Maui to select new developments ahead of applicants on the Maui island-wide list. With her request to be back on the waitlist, she would be behind 270 UI lessees, and there are 160 lots in Pu`unani.

Chair Watson stated that even using the date on her application, she would still be 182 people behind. The department will have a Wailuku residential development, which involves 270 lots. In addition, the department will be doing Phase V of Waiehu Kou, which will involve close to 500 lots.

Commissioner Awo requested an executive session.

MOTION

Moved by Commissioner Awo, seconded by 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. Motion carried unanimously.

EXECUTIVE SESSION IN

10:05 AM

Item D-13 Approval of the Rescission of Residential Lease No. 10315, Lot No. 96-B, Keokea-Waiohuli, Maui; and Approval of the Reinstatement of IRENE L. MINA to the Maui Island Wide Wait List with the Application Date of January 17, 1986

EXECUTIVE SESSION OUT

10:45 AM

Chair Watson stated the Commission discussed the potential rescission of the amendment of Lease 10315 and reinstatement of the Waiohuli-Keokea UI list.

MOTION/ACTION #1

Moved by Commissioner Neves, seconded by Commissioner Helm, to approve the language as submitted in Item D-13.						
Commissioner	1	2		A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Freitas			X			
Commissioner Helm		X	X			
Commissioner Kaleikini			X			
Commissioner Kaneakua			X			
Commissioner Marfil						X
Commissioner Namu'o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			8			
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED Motion passed unanimously. Eight (8) Yes votes.						

MOTION/ACTION #2

Moved by Commissioner Neves, seconded by Commissioner Helm, to approve an amendment of submitted motion approval of the rescission of lease amendment to Lease No. 10315, Lot No. 96-B, Keokea-Waiohuli Maui, an approval of the reinstatement of Irene Mina to the Waiohuli-Keokea Undivided Interest list, with the application date of January 17, 1986.						
Commissioner	1	2		A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Freitas			X			
Commissioner Helm		X	X			
Commissioner Kaleikini			X			
Commissioner Kaneakua			X			
Commissioner Marfil						X
Commissioner Namu'o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			8			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Eight (8) Yes votes.						

Chair Watson stated that the Commission would put Ms. Mina back on the UI list.

Public testimony – Patrick Kahawailoa`a. He stated that Chair Watson represented that on Maui, the UI (audio difficulties)

OFFICE OF THE CHAIRMAN

**ITEM C-1 Approval of Lease Awards: Nanakuli Residential Lot, Waianae, O`ahu;
Kakaina Residential Subdivision Vacant Lot, Waimanalo, O`ahu; Kaumana
Residential Subdivision Vacant Lot, Hilo, Hawai`i**

RECOMMENDED MOTION/ACTION

Acting Contact and Awards Division Administrator Paula Aila presented the following:
Motion that the Hawaiian Homes Commission approve 99-year Lease Awards for Nanakuli Residential Lot, Waianae, O`ahu; Kakaina Residential Subdivision Vacant Lot, Waimanalo, O`ahu; Kaumana Residential Subdivision Vacant Lot, Hilo, Hawai`i

MOTION/ACTION

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

Public testimony – Jackson Gay. Item C-2 should be deferred back to O`ahu. What should be added is that every lease has to have a native Hawaiian beneficiary as an anchor party. He does not understand the legal justification that a corporation can get a 60-year or a 40-year lease, and a native Hawaiian beneficiary can only get a one-year lease.

ITEM C-2 DEFERRED - Reinstatement of General Leasing Policy Under Hawaiian Homes Commission Act § 204(2)

LAND DEVELOPMENT DIVISION

ITEM E-2 Authorize the Chairman to Negotiate and Execute the Transfer of Approximately 403 acres, including various improvements within the Villages of Leiali'i from Hawai'i Housing Finance and Development Corporation to the Department of Hawaiian Home Lands, various Tax Map Key parcels, Wahikuli, Lahaina, Maui, Hawai'i

RECOMMENDED MOTION/ACTION

Land Development Division Engineer Neil Nugent presented the following:

Motion that the Hawaiian Homes Commission Authorize the Chairman to Negotiate and Execute the Transfer of Approximately 403 acres, including various improvements within the Villages of Leiali'i from Hawai'i Housing Finance and Development Corporation (HHFCD) to the Department of Hawaiian Home Lands, various Tax Map Key parcels, Wahikuli, Lahaina, Maui, Hawai'i

N. Nugent stated that LDD supports the authorization for the Chairman to negotiate. The Land Use Commission's finding and order that requires school site improvements and a wastewater treatment plant are concerns. LDD has an appointment with the Attorney General to discuss these issues.

MOTION

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

DISCUSSION

Commissioner Awo stated the submittal generated beneficiary concerns about delegating the authority to the Chair and bypassing the Commission.

Chair Watson stated it is a transactional situation and has been allowed this in the past to expedite getting the land over to DHHL. Once done, DHHL can solicit the Attorney General to remove some HHFDC conditions that do not align with what DHHL wants to do for its beneficiaries.

MOTION/ACTION

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

LAND MANAGEMENT DIVISION

K. Albinio introduced LMD's new Administrator, Richard Kuitunen.

R Kutnen stated he was the Assets Manager for HCDA for six years and was with the Prince Kuhio Plaza, where he got into real estate and spent lots of time in Hilo. He was also with a company that did value-added development, which can turn a single-tenant building into a multi-tenant building, changing the usage and rehabbing and repurposing existing structures.

ITEM F-1 Approval of Annual Renewal of Right of Entry Permits, Maui and Lanai Islands (see exhibit)

RECOMMENDED MOTION/ACTION

Acting Land Management Division Administrator Kahana Albinio and Land Agent Shelly Carreira presented the following:

Motion that the Hawaiian Homes Commission Approve the Annual Renewal of Right of Entry Permits, Maui and Lanai Islands

MOTION/ACTION

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

**ITEM F-2 Approval to Second Amendment to Right of Entry Permit No. 690,
Pa`upena Community Development Inc., Waiohuli-Keokea, Maui, TMK (2)
2-2-034:026 (portion) & :028 (portion)**

RECOMMENDED MOTION/ACTION

Acting Land Management Division Administrator Kahana Albinio presented the following:
Motion that the Hawaiian Homes Commission approve the Second Amendment to Right of Entry Permit No. 690, Pa`upena Community Development Inc., Waiohuli-Keokea, Maui, TMK (2) 2-2-034:026 (portion) & :028 (portion)

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Namu`o, to approve the motion 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 Kaneakua			X			
Commissioner Marfil						X
Commissioner Namu`o		X	X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			8			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Eight (8) Yes votes.						

ITEM F-3 Approval to Issue a License Agreement to Ka `Ohana O Kahikinui, Inc., Kahikinui, Island of Maui, TMK (2) 1-9-001:003(por.)

RECOMMENDED MOTION/ACTION

Acting Land Management Division Administrator Kahana Albinio presented the following: Motion that the Hawaiian Homes Commission Approve to Issue a License Agreement to Ka `Ohana O Kahikinui, Inc., Kahikinui, Island of Maui, TMK (2) 1-9-001:003(por.)

MOTION/ACTION

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

ITEMS FOR INFORMATION/DISCUSSION

WORKSHOPS

PLANNING OFFICE

ITEM G-1 For Information Only – Lessons Learned from Kulia I Ka Nu`u Program and Other Homestead Community Development Pilot Programs

RECOMMENDED MOTION/ACTION

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

DHHL created the program with the Hawaiian Homes Commission's approval of the Native Hawaiian Development Program Plan. The Kulia I Ka Nu`u Program's Purpose and Goals were:

- Build a foundation for sustainability and economic self-sufficiency for Homestead Associations
- Enhance and strengthen homestead leadership capacity and
- Increase networking and mentoring among homesteads and beneficiary organizations

The department supported the program with training, technical assistance, conferences, grant funding, and leased or licensed land parcels to community associations. The program ended in January 2012. In 2015, the department started a Pilot Project with the Waimea Hawaiian Homestead Association. Procedures and Guidelines were created for the actions of the

associations and the actions of the department. In 2019, the department created a new land use request application for non-profit organizations that want to provide services to the beneficiaries.

DISCUSSION

Commissioner Awo stated this feels like a paradigm shift. Item F-4 is looking to grant a long-term land use disposition pending the completion of the EA. If the EA is not completed within the specified timeline, it automatically gets canceled. The applicant for Item F-4 is in their 4th year as a Right of Entry, and there were promises that they would deliver the EA. He wants to be fair to others who have worked on their EA as part of their due diligence to move towards a long-term disposition.

K. Albinio stated he does not want to say yes, and he does not want to say no. It may create a precedence. A. Choy stated he thinks Item F-4 is suggesting that the department provide a solution for this Association, which has a track record of success, to go out and get the financing that they need. Still, it requires them to comply with Chapter 343 prior to any construction. He thinks this is a reasonable compromise.

Commissioner Awo stated in the presentation that it was acknowledged that the department falls short because of inadequate resources to accommodate the associations in the standards the department imposes on them.

Public testimony – Homelani Schaedel. KCDC was founded in 2008, and through Kulia I Ka Nu`u, they went through capacity training offered by the department. KCDC was the first recipient of the SED Grant, which was funded by the Office of Hawaiian Affairs (OHA). The Kulia I Ka Nu`u program was a jumping-off point for projects and for people who are dedicated. She supports Item F-4.

Chair Watson announced that he was leaving to catch his flight and that Commissioner Awo would conduct the meeting.

Public testimony – Jojo Tanimoto. Their Association was not invited to join the Kulia I Ka Nu`u program. It has been a challenge to get a response from the department to know what it plans for them. They are trying to save the Davis Crypt but are not getting any communication.

Commissioner Neves suggested consultants to help with Planning during busy times.

Public testimony – Kapua Keliikoa. I supported the Kulia I Ka Nu`u Program, and it was a useful connection between the associations and the department.

ITEMS FOR DECISION MAKING

REGULAR AGENDA

LAND MANAGEMENT DIVISION

ITEM F-4 Approval to Issuance of a General Lease to Waiohuli Hawaiian Homesteaders Association, Inc., a 501(c)(3) non-profit, Waiohuli-Keokea, Island of Maui, TMK Nos. (2) 2-2-028:181 (portion), (2) 2-2-002:014 (portion)

RECOMMENDED MOTION/ACTION

Acting Land Management Division Administrator Kahana Albinio presented the following: Motion that the Hawaiian Homes Commission approval to Issuance of a General Lease to Waiohuli Hawaiian Homesteaders Association, Inc., a 501(c)(3) non-profit, Waiohuli-Keokea, Island of Maui, TMK Nos. (2) 2-2-028:181 (portion), (2) 2-2-002:014 (portion)

Public testimony – Joetti Brown is the Secretary of the Waiohuli Homestead Association. They have been following the Kulia I Ka Nu'u program since its inception and have participated in the grants program. The general lease will open up financing, and WHA is short \$200,000 needed to complete the EA.

Vice-Chair Awo acknowledged the work of Waiohuli, but when the Commission pivots from what is different from past practices, the Commission has to take time to address that change.

MOTION/ACTION

Moved by Commissioner Helm, seconded by Commissioner Neves, to approve the motion as stated in the submittal.						
Commissioner	1	2		A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Freitas			X			
Commissioner Helm	X		X			
Commissioner Kaleikini			X			
Commissioner Kaneakua			X			
Commissioner Marfil						X
Commissioner Namu'o			X			
Commissioner Neves		X	X			
Chairman Watson			X			
TOTAL VOTE COUNT			8			
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED Motion passed unanimously. Eight (8) Yes votes.						

ITEM F-5 Approval to Right of Entry Permits to Lease Properties, LLC Shafter Flats Industrial Subdivision, Moanalua Kai, Island of O'ahu, TMK (1) 1-1-064:019 & :020

RECOMMENDED MOTION/ACTION

Acting Land Management Division Administrator Kahana Albinio presented the following: Motion that the Hawaiian Homes Commission approval to Right of Entry Permits to Lease Properties, LLC Shafter Flats Industrial Subdivision, Moanalua Kai, Island of O'ahu, TMK (1) 1-1-064:019 & :020

Public testimony – Patricia Teruya. She asked if the two parcels were Watumull's parcels and if they had had the lease for many years. K. Albinio stated last month that the Commission approved and authorized, as a general lease, all the properties identified. The department wants to retain and keep them there to prevent trespassing.

DISCUSSION

Vice-Chair Awo stated that several of the F-items should be deferred back to O'ahu as some of the testimonies requested.

NOTE: Items F-5, F-6, F-7, and F-8 were DEFERRED back to O'ahu.

ITEM F-9 Approval to Issuance of License Extension, License No. 851, Kukulu Kumuhana O Anahola (KKOA), Ulupono Anahola (Thrive Anahola) Community Center, an Agricultural and Youth Training Center, Anahola, Island of Kaua'i, TMK (4) 4-8-003:019(por.)

RECOMMENDED MOTION/ACTION

Acting Land Management Division Administrator Kahana Albinio presented the following: Motion that the Hawaiian Homes Commission approve the Issuance of License Extension, License No. 851, Kukulu Kumuhana O Anahola (KKOA), Ulupono Anahola (Thrive Anahola) Community Center, an Agricultural and Youth Training Center, Anahola, Island of Kaua'i, TMK (4) 4-8-003:019(por.)

DISCUSSION

Commissioner Neves asked if this request was for a 30-year license beyond the current 5-year license. Why is the department asking for it now when there are 3-years left on the license. Land Agent Kaipo Duncan stated the request is so they can obtain grant funding for their project.

Rae Nam, Executive Director for KKOA, stated they have lots of programs that are back to back and only have a few years left on the 5-years. We have lots of funders who are asking how long KKOA has the lease for. Commissioner Neves told the department that he hopes the additional 30 acres for Phases 2 & 3 have been identified.

Public testimony – Jeremie Makepa. They are trying to prevent fires from happening in Anahola. He supports KKOA's extension of their lease.

Public testimony – Sherry Cummings. She supports KKOA and supports it if the department can start her 30 years from where she is now for funding.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Helm, to approve the motion as stated in the submittal.						
Commissioner	1	2		A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Freitas			X			
Commissioner Helm		X	X			
Commissioner Kaleikini			X			
Commissioner Kaneakua			X			
Commissioner Marfil						X
Commissioner Namu'o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			8			
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED Motion passed unanimously. Eight (8) Yes votes.						

LAND DEVELOPMENT DIVISION

ITEM E-1 Approval of a Finding of No Significant Impact (FONSI) determination based on the Final Environmental Assessment (EA) for the Villages of Leiali'i, Village 1-B Subdivision Project; Wahikuli, District of Lahaina, Maui Island; TMK Nos. (2) 4-5-021:007 (por.), 010(por.), 014(por.), 020, 021(por.), (2) 4-5-036:109, 110, 112(por.), and Honoapi'ilani Highway Right-of-Way(por.)

RECOMMENDED MOTION/ACTION

Land Development Division Engineer Neil Nugent presented the following:

Motion that the Hawaiian Homes Commission approve a Finding of No Significant Impact (FONSI) determination based on the Final Environmental Assessment (EA) for the Villages of Leiali'i, Village 1-B Subdivision Project; Wahikuli, District of Lahaina, Maui Island; TMK Nos. (2) 4-5-021:007 (por.), 010(por.), 014(por.), 020, 021(por.), (2) 4-5-036:109, 110, 112(por.), and Honoapi'ilani Highway Right-of-Way(por.)

Leiali'i Phase 1-A has 104 lots, and two houses were destroyed in the Lahaina fire. The improvements for Leiali'i Village 1-B will be \$68 million. There will be two increments: Increment 1 will have 86 single-family lots, and Increment 2 will have 96 single-family lots and require the construction of a high-level water tank because of its elevation. The project is funded by Act 279. Estimated timeline: 2023 EA Complete, Fall 2024 procurement of contractor and developer, 2025 begin home construction, and in the summer of 2026 the first home occupancy.

DISCUSSION

Vice-Chair Awo stated he is happy that the multi-family units have been removed, the beneficiaries have been heard, and that they want single-family units. He is pleased that the lot sizes have increased. He asked if it is possible to guess a timeline for the water construction tank for increment 2 to have an idea of when the second increment might be developed. N. Nugent stated he would have to check and report back.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Namu'o, to approve the motion 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 Kaneakua			X			
Commissioner Marfil						X
Commissioner Namu'o		X	X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			8			
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED Motion passed unanimously. Eight (8) Yes votes.						

ADMINISTRATIVE SERVICES OFFICE

ITEM H-1 Ratification of Emergency Purchases for Leiali'i Homestead

RECOMMENDED MOTION/ACTION

Acting Administrative Services Officer Brian Furuto presented the following:

Motion that the Hawaiian Homes Commission approve the Ratification of Emergency Purchases for Lealii Homestead

These were post-approval actions for the Lahaina wildfires, specifically for the Villages of Leiali'i. He corrected the error of \$960,000, which should be \$1.190 million. When the fires hit, Commissioner Awo and LDD's Stewart Matsunaga took action to secure things like generators, a trailer, and necessary quality-of-life items. He asked that they keep in mind that some of the costs have not been invoiced yet.

DISCUSSION

Vice-Chair Awo thanked the staff for identifying the need and responding quickly to Leiali'i's needs. Leiali'i still has many needs, and the trailer has been turned into a service center. Anyone who needs services is welcome to come in. Maui will continue to seek kokua from the department, and others as needs continue to emerge.

Commissioners Helm, Namu'o, and Neves expressed their deepest thanks to Commissioner Awo for the work he has been doing and continues to do for Maui.

Public testimony – Kapua Keliikoa. She agreed with the Commissioners and thanked Commissioner Awo.

Public testimony – Patricia Teruya. She expressed her appreciation for Commissioner Awo's boldness in making himself available daily to help the people of Maui.

MOTION/ACTION

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

Vice-Chair Awo announced that the Commission would recess for 45 minutes to deliberate on contested case hearing requests and will reconvene at 1:00 p.m.

RECESS
RECONVENED

12:15 PM
1:10 PM

ITEMS FOR INFORMATION/DISCUSSION

REGULAR AGENDA

HOMESTEAD SERVICES DIVISION

ITEM D-1 HSD Status Reports

- A. Homestead Lease and Application Totals and Monthly Activity Reports
- B. Delinquency Reports for Information Only – DHHL’s Draft Legislative Package
- C. DHHL Guarantees for FHA Construction Loans

Homestead Services Division Administrator Juan Garcia reported that the department has surpassed 10,000 leases.

LAND DEVELOPMENT DIVISION

ITEM E-3 For Information Only – Maui Projects Update

RECOMMENDED MOTION/ACTION

None. For Information Only. Engineer Neil Nugent presented the following:

The projects update were for the Pu’unani Homestead Residential lots and the offsite Water Tank; Pulehunui Regional Infrastructure Master Plan for central Maui; Kula, Waiohuli-Keokea Development; Keokea-Waiohuli Development Phase 2 is pending a revised archaeological inventory to SHPD. The Kahikinui Road Improvements for Phase 2 bids in 2024, and discussions are held with lessees as they work on the realignment of the road. Paukukalo Community Center was awarded to Cajudoy Construction LLC on May 31, 2023, and the notice to proceed is pending permit approval.

Vice-Chair Awo stated he is glad to see there are still 137 turn-key homes on Pu’unani and 24 vacant lots, as requested by beneficiaries. He is concerned that forms of LIHTC would depart from what the beneficiaries are asking for. Vice-Chair Awo wanted this on record and will take it up with Chair Watson.

Homestead Housing Specialist Kalani Fronda updated the Commission on the scattered parcels on Maui. He is working with the district office with regard to 12 vacant parcels, which the department is doing its first review of.

Vice-Chair Awo stated someone mentioned that the department is going to have a hotel in Pukalani. He asked Neil if he heard about that. N. Nugent stated that he did not.

Commissioner Helm asked when they anticipate the work in Paukukalo will start. N. Nugent stated he would have to get back with that.

- 6/14/22 CWRM Designated Lahaina Surface Water Management Area (SWMA) and Ground Water Management Area (GWMA), and the Official date of the designation was 8/6/22
- Have been increasingly active – 8/6/23, 1-year deadline for filing existing uses permits; and 8/8/23, the Lahaina wildfires.

The 3rd Emergency Proclamation from the Governor on the wildfires suspended the water code, and the 7th Emergency Proclamation unsuspended the code.

- DHHL Water Projects
 - By an agreement with HHFDC, the Department is allowed to use a small irrigation well and is responsible for irrigating the Leiali'i Parkway.
 - Wahikuli Irrigation Well WUPA
 - Lahaina WWTP recycled water
 - Honokowai Well
 - Honokowai alternate sources
 - Water testing availability

Maui Hikina Current Reservations

- Recent Water Issues
 - Writ of Mandamus – August 9, 24, 2023
 - Status of EMI Proposed Lease – 10/13/23
 - Ease Maui Regional Community Board – Appointment process beneficiary consultation
 - Pa'upena CDC Meter Request
 - Kēōkea-Waiohuli Alternatives
 - DHHL EMI Reservation Request Status

Before issuing any lease to another party, the Land Board is supposed to reserve sufficient water for DHHL. It is hoped that before the end of the year, the Water Commission will bring up the Department's Water Reservation Request.

DISCUSSION

Commissioner Helm asked about the Honokowai Project regarding sewer recycled water and if it is for agriculture. J. Scheuer stated there is a lot of water treated from the Lahaina Wastewater Plant, and the County was injecting it into the ground. They are now trying to find productive uses for that. It is a good use for irrigation water for the Department and others on West Maui. A. Choy stated it has been discussed with them to reserve 500,000 gallons per day for the department. There is no timeline for the department to use it. The draft MOA stipulates that the department's current 500,000 gallons per day does not prevent the department from asking for more water if needed in the future.

Vice-Chair Awo asked about the future effects of climate change. J. Scheuer stated even though the physical and political issues in the last two months do not put Hawai'i in the finest light, for the state water code, we are leaps beyond many other jurisdictions. Places like Arizona and Nevada state sustainable yield at 100% of historical rainfall for recharge. Hawai'i only sets a percentage of recharge. As a kingdom trust, the department can make decisions now that consider future shortages and future dryer conditions. As one of the four recognized public trusts, DHHL is in a very strong position in terms of priorities. Chair Awo stated the department should also be engaging in watershed expansion, such as is being done in Kahikinui. He hopes that CWRM will control its water codes.

Public testimony – Sherry Cummings. Dr. Scheuer played a big part in advocating for water for the beneficiaries. The five purposes of CWRM are important. She reminded A. Choy about Act 135 funding for land owners to have monies from the Legislature for infrastructure support.

Note: Slide presentation attached

ITEM G-2 For Information Only – Status Update on Plan Implementation in the Maui Region

Andrew Choy asked that Item G-2 be **DEFERRED** to the community meeting tonight.

ANNOUNCEMENTS AND RECESS

1. Video of the Hawaiian Homes Commission Limited Meeting of Sunday, October 15, 2023, will be posted on the Department of Hawaiian Home Lands' website no later than October 16, 2023.
2. DHHL Community Meeting October 16, 2023 – Maui Waena Intermediate School Cafeteria, 795 Onehee Avenue, Kahului, Hawai'i 96732

RECESS

2:20 PM

HAWAIIAN HOMES COMMISSION

Minutes October 17, 2023

Courtyard by Marriott Kahului Airport – Haleakala Room,
532 Keolani Place, Maui, Hawai'i 96732, and
Interactive Conferencing Technology (ICT) Zoom

PRESENT Randy K. Awo, Vice-Chairman, Maui Commissioner
Makai Freitas, West Hawai'i Commissioner
Zachary Z. Helm, Moloka'i Commissioner
Michael L. Kaleikini, East Hawai'i Commissioner
Walter Kaneakua, O'ahu Commissioner
Pauline N. Namu'o, O'ahu Commissioner
Dennis L. Neves, Kauai Commissioner

EXCUSED Kali Watson, Chairman
Sanoe Marfil, 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
Kahana Albinio, Acting Land Management Division Administrator
Juan Garcia, Homestead Services Division Administrator
Neil Nugent, Land Development Division Engineer
Paula Ailā, Acting Contact and Awards Division Administrator

ORDER OF BUSINESS

CALL TO ORDER

Vice-Chair Randy Awo called the meeting to order at 9:38 a.m. Seven (7) members were present at the meeting location, establishing a quorum.

PUBLIC TESTIMONY ON AGENDIZED ITEMS

None.

ITEMS FOR INFORMATION/DISCUSSION

REGULAR AGENDA

REQUESTS TO ADDRESS THE COMMISSION

ITEM J-1 Kahaunani Mahoe-Theone – Foreclosure and Lease Cancellation Prevention

K. Mahoe-Theone is the Operations Director with Hawai'i Community Lending, is also a Mitigation Specialist with Hawaiian Community Assets, and is a fourth-generation lessee in the Waimanalo. She is requesting a Foreclosure and Lease Cancellation Prevention Plan for Maui. The plan is asking the Commission to consider the following:

- To put in place a 12-month lease cancellation moratorium for Maui lessees
- For all lessees to have the opportunity to work with professional service developers to alleviate unnecessary stress while beneficiaries navigate uncertain pathways to recovery

She heard that the Commission approved Item D-11 at last month's meeting in support of postponing monthly payments for all direct loan mortgages for those affected by the wildfires.

They set up a pledge campaign for Maui and asked that DHHL join the pledge with the other banks for mortgage forbearance. They are also asking that the department consider contracting foreclosure and lease cancellation prevention services to assist lessees, such as appeals to lessees with mortgages that are not direct mortgages with the department but with outside lenders.

Vice-Chair Awo stated he would have to follow up with staff to determine what could be done.

ITEM J-2 Lexy Gorgonia, Chelsea, Enos, Troy Hanohano – Kanaka Anti Displacement Fund

K. Mahoe-Theone stated that Lexy was going to speak about the Kanaka Anti-Displacement Fund. The goal of the Fund is to prevent the displacement of indigenous Kanaka Maoli from Maui who were impacted by the disaster.

Vice-Chair Awo that Lexy assists beneficiaries in the DHHL trailer in Leialii. Troy Hanohano, the public insurance adjuster, has been added as part of the service to the Leialii beneficiaries. He thanked Hawai'i Community Lending for contracting their services, which helped to alleviate the financial charges to the beneficiaries.

Commissioner Helm asked how many people are impacted. Vice-Chair Awo stated all 104 families were impacted in different ways. Many have lost jobs and suffered roof damage and smoke damage. A neighborhood next to a toxic burn site requires attention. For the public adjuster, HCL has enough money to serve 42 lessees and is in the process of raising more money.

ITEM J-4 Kekoa Enomoto – Pa'upena Community Development Corporation

Norman Abihai is the President of Pa'upena CDC. They are working on a project to help feed the people impacted by the wildfire. Puamana Farms is a non-profit helping to feed the beneficiaries. They currently supply five hubs in Lahaina with meat. He is concerned about Waiohuli and fire prevention, and whether the department is going to put in a fire break road. He wants to know if DHHL bought the 47.3-acre property, how much it costs, and if the department is buying any more properties. They are working on a project in Waikapu.

Andrew Choy stated his understanding is that it was acquired through affordable housing tax credits. In exchange for the land, the department gave the developer, Dowling Company, affordable housing tax credits. The developer agreed to help with the infrastructure and vertical construction. Item E-3 explained the various acquisitions that will be funded by the \$600 million that the Legislature approved. He does not know the exact amounts and locations of the properties.

K. Enomoto stated she was able to form a chapter of the Association of Hawaiians for Homestead Lands, the nationwide waitlist organization. Las Vegas formed a chapter, and Malia Hoe is the She mentioned how Pa'upena CDC sought the right of entry to the 5,000 acres below the Waiohuli subdivision to manage fire mitigation. Pa'upena CDC has a right of entry for 127 acres and is going through the due diligence process and wrapping up the archaeological review. With

regards to Dowling, Pa‘upena would like to see beneficiary consultations in that process. The Mokupuni Council was against giving the DHHL Director the ability to negotiate the transfer of 403 acres for Leiali‘i 1-B without beneficiary consultation. The beneficiaries do not want covenants on their land.

Vice-Chair Awo stated it is a land transfer and is asking the Chair to expedite the land transfer back to DHHL. Concerns get addressed once the land is transferred over to the Commission. Then, a conversation was had with the Attorney General to dismantle the conditions. Regarding Pu‘unani, no other dirt is being moved except for the proposed phases. For Phase 1, there were at least three beneficiary consultations.

ITEM J-6 Noelani Paresa – Pa‘upena Updates

N. Paresa has served the community via Pa‘upena CDC since January 2020. She showed slides of the 127 acres that Pa‘upena has a right of entry for. They have an ungulate problem and are trying to establish an agricultural area for sustainability. They replaced the fence line that was removed by Sakugawa Ranch and were able to get financial assistance from Maui Economic Development. They are working on water catchment systems. The slide has a list of projects that will be funded through the service of the non-profits and hopefully with the help of the federal, State, and county.

Vice-Chair Awo asked for an example of the new water technology she talked about in the slide. She stated there is a machine called the Tsunami, which catches water from the air and condenses it into potable water.

Note: Slide presentation attached.

ITEM J-7 Mahealani Wendt – Ke‘anae and Wailuanui

M. Wendt is a former Executive Director of the Native Hawaiian Legal Corporation, a non-profit public interest law firm whose attorneys assist with land and natural resources claims, customary and traditional practices, and enforcement of public land trusts. During her tenure, one-third of NHLC’s annual caseload consisted of Hawaiian Home Lands’ applicants and beneficiaries. NHLC played a key role in securing a historic settlement on behalf of Hawaiian Home Lands’ (HHL) beneficiaries that included (1) a prospective right for beneficiaries to sue the State of Hawai‘i for breaches of HHL Trust; (2) create of the HHL Trust individual claims review panel to resolve past individual claims; (3) transfer of 16,518 acres of land to compensate for past transfers out of the Trust through former Governors’ illegal Executive Orders; and (4) \$600 million, of which \$30 million to be paid out by the State of Hawai‘i throughout 20-years to DHHL. When Governor Cayetano dissolved the individual claims review panel, NHLC recruited attorneys from the private sector experienced with class action lawsuits to bring the Kalima case class action lawsuit, which is moving towards resolution.

She supports the testimony of Jerome Kekiwi, Jr., President of Na Moku Aupuni O Ko‘olau Hui, who testified at the Hana meeting. He advocated for a pre-qualification lineal descendant standard to apply when considering awards in Ke‘anae, Wailuanui. Ke‘anae, Wailuanui is an old settlement with ancient roots that still farms, hunts, and gathers as their ancestors did. It is accessible only by boat or trail. There is concern among the current residents that settling awardees who have no clue, understanding, or genuine appreciation and respect will cause great disruption and division within the community. Community surveys going back several decades strengthen this concern. The people there want to protect and preserve the unique character and

essence of Ke‘anae, Wailuanui, for future generations. She asked the Commission to take seriously and consider a lineal descendency pre-qualification criteria for Ke‘anae, Wailuanui awards. In the past, there was also a discussion of creating an aqua-culture waiting list for those who could demonstrate technical and hands-on knowledge in these practices.

Vice-Chair Awo stated the Commission has heard from Wailuanui, Ke‘anae, and Hana regarding their request to have lineal descendency preference. He does not have the answer for her and just calls it a work in progress, as the system does not allow for that.

ITEM J-8 Bo Kahui – Lai Opuā

B. Kahui stated for the record that there is no reference to La‘i ‘Opuā 2020 and its engagement in the Kulia I Ka Nu‘u program. The Board was a participant in the program and certified to do economic development under the program and received funding for \$250,000 to promote the La‘i ‘Opuā 2020 initiative and its Master plan. Since then, they have completed the community center, dental center, medical center, and commercial kitchen under his leadership.

They applied for a right of entry and would like to know the status. They can execute the 5-acre community park designated in Villages 3 & 4. The application was submitted last year and has not received a response. There are currently no credits to the pre-school, but the site is still on the master plan. The Village Association Board wants to put up an imu but has been denied because of fire risk. They have not met with the community or engaged with the community. La‘i ‘Opuā CDC does not think the Village Association is qualified to do this work. He stated La‘i ‘Opuā would submit grant proposals to the department, the State, and possibly the federal government. Water development is a priority, and the department is seeking to complete an EAS study. He hoped that the acquisition could be completed sooner than later. La‘i ‘Opuā CDC is engaged in broadband development, but unfortunately, they were not selected and failed. Nexamp succeeds La‘i ‘Opuā CDC in the development of PV.

ITEM J-9 Terri Napeahi – Keaukaha Action Network – Geothermal

T. Napeahi introduced Palikapu Dedman and played a video at the County Planning meeting.

Commissioner Kaleikini asked what the department asked. P. Dedman stated that they do not do geothermal anywhere. He came because he heard the department had a presentation for geothermal on Hawaiian Home Lands. If the Commission is going to make decisions, they need to be responsible and accountable for decisions that do not work. The Commission is transient; every Governor comes by, and there are different people. Commissioner Kaleikini stated they have a committee to look at geothermal on DHHL lands, and he is part of that committee. The committee did an initial report that notes that they will go out and do beneficiary consultation. P. Dedman stated the Hawaiians do not owe the State anything. P. Dedman stated that as a Hawaiian, his life was not to bail out Westerner economic problems with energy.

Vice-Chair Awo stated it is noted that P. Dedman opposes geothermal, and it is part of the record.

T. Napeahi explained that the County of Hawai‘i approved a study on the social psychoanalysis of the impact on native Hawaiians. A preliminary report has been done and will eventually be finalized by Mike Edelstein. Exploratory drilling is a desecrating act upon some native Hawaiian religion.

Vice-Chair Awo stated no decisions have been made and it is a consultation process.

ITEM J-10 Jessie Wallace – Relocations

J. Wallace is from Kapa`akea, Moloka`i. They were told that the lessees of Kapa`akea were going to be relocated because they were in a flood zone. She asked to be relocated now and to pick the place where she wants to be relocated. She is thinking of her health, her age, and her successor.

Vice-Chair Awo stated he thinks she is referring to a study that was done regarding climate change and ocean rise. He knows there was mention of future relocation, but that is not yet going to happen.

J. Wallace knows there are open lots in Kalama`ula Mauka, and she wants to be relocated there. She explained how the ocean water goes into one of the streams and overflows over the road and halfway into the yard of a neighbor. She does not want to wait to be relocated but wants to start moving now.

Vice-Chair Awo stated that J. Wallace's request was noted. Commissioner Helm asked staff if the concerns she is bringing up regarding the king tides and flooding are consistent and if it would take preference for them to be relocated with the existing DHHL inventory, like Kalama`ula Mauka. Can it be done as a safety issue?

Homestead Services Division Administrator Juan Garcia states LDD is doing a hydrology study. Lessees throughout the state can currently request relocation, and the Commission has granted that on some occasions. The justification for relocation is tied to health and safety. The testifier could submit a written statement, and the department can review the request and take it to the Commission for consideration. She stated that she submitted a letter to Juan when he was on Moloka`i for kupuna. He remembered that and apologized.

RECESS

11:20 AM

RECONVENED

11:30 AM

ITEM J-14 Robin Kealiinohomoku – Various Concerns

R. Kealiinohomoku is the owner of Maui Vegan Foods LLC and the co-founder of Nakio Io Maui, who has been helping with disaster relief since the night of the fires on August 8. When she went to the Mayor's office to present the PowerPoint for Pa`upena, it was to ask for \$50,000 in funding from the OED. After the presentation, Luana Mahi approached her and said they would like to give them \$100,000. Pa`upena will be a line item in the Mayor's budget next year. Nakio Io Maui has been helping with the disaster relief and has served 18 hubs and 32 hives and now has six hubs and many hives in and around the Lahaina area. There were hubs in the Waiohuli area.

She is asking for the department's help to complete the land transfer of Leiali`i- B from HHFDC. She turned her time over to Adam Lee of O`ahu, who wants to provide a product to DHHL.

A. Lee stated his goal is to share and make the department aware of solutions and things out there that are readily available that can translate into immediate housing on DHHL lands for people on the list and kanaka. He looks at the highest and best use when thinking of land development. He believes there is a pono way of looking at land development, and that is land management community-based decisions. He would first address water, and each home would have its water meter, but because of the waitlist, there are other solutions, such as wells that supply water

sources to water tanks. Leiali'i believes there is water available from the city and potential for a well. He shared his ideas for electricity, propane, and wastewater.

ITEM J-13 Ainaaloha Ioane – Malama Ka `Aina, Hana Ka `Aina

Ainaaloha Ioane provided an update for MAHA and the Settlement Plan. She asked for an update from the PIG on King's Landing that was tasked with the Settlement Plan, also looking into the options of undivided interest and the security concerns in King's Landing. The need for security in King's Landing has increased, and she asked that DHHL Land Management please reach out to MAHA to provide an update on the security for King's Landing.

Vice-Chair Awo stated the Commission will ask that the department follow up on the security.

ITEM J-5 J. Alohalani Smith – Wakiu Community Development Corporation

J. Alohalani Smith stated she believes their voices were heard in Hana for the preference of lineal descendency. Everybody was on key, and no one was grumbling. She thinks their work with the Planning Department and G-70 has been good and expressed their mahalo.

The following deferred their testimony:

ITEM J-3 Blossom Feiteira – Various Maui Concerns

ITEM J-11 Charlita Mahoe – Ahupua`a O Nanakuli

ITEM J-12 Allen Cardines Jr. – Neighborhood Security Watch

ITEM J-15 Kapua Keliikoa-Kamai – Beneficiary Consultation Process and Act 279

ITEM J-16 Sherilyn Wahinekapu – Lease Concerns

ANNOUNCEMENTS AND ADJOURNMENT

A. Next HHC meeting – November 20 & 21, 2023, Kapolei, O`ahu

B. Next DHHL Community Meeting – November 19, 2023, Lanai High School Cafeteria

MOTION/ACTION

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

ADJOURNMENT

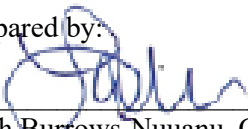
12:00 PM

Respectfully submitted:



Kali Watson, Chairman
Hawaiian Homes Commission

Prepared by:



Leah Burrows-Nuuanu, Commission Secretary
Hawaiian Homes Commission

Attachments

October 16, 2023

Subject: Support for Extension of 5-Year Lease to 30-Year Lease for Kukulu Kumuhana o Anahola

Aloha Chairman Kali Watson,

We hope this letter finds you in good health and high spirits. We are writing to express our strong support for the extension of the current 5-year lease for Kukulu Kumuhana o Anahola, with the sincere hope that it will be granted for a duration of 30 years. This extension is crucial to ensure the continued success and growth of this valuable community initiative, which focuses on educational and cultural purposes, as well as community food production.

Having closely observed the incredible work carried out by Kukulu Kumuhana o Anahola over the past few years, we are convinced of its immense positive impact on the community. The organization has consistently demonstrated its commitment to preserving and revitalizing the cultural heritage of Anahola, while simultaneously addressing critical needs such as food security and education.

One of the key reasons we strongly advocate for this lease extension is the organization's exceptional track record in promoting educational opportunities. Through their various programs, workshops, and events, Kukulu Kumuhana o Anahola has successfully engaged community members of all ages, fostering a deep appreciation for our rich cultural heritage. By extending the lease, we enable them to continue this important work, ensuring that future generations have the opportunity to learn, grow, and connect with their roots.

Furthermore, Kukulu Kumuhana o Anahola has made significant strides in promoting community food production. With the continuation of their lease, they will be able to further expand their efforts in sustainable agriculture, providing fresh, nutritious produce to local residents. This not only contributes to improved food security but also encourages healthier lifestyles and strengthens community bonds through shared agricultural activities.

The positive impact of Kukulu Kumuhana o Anahola reaches far beyond the immediate community. Its dedication to cultural preservation and community development aligns perfectly with the broader goals and visions of our society. By granting the requested lease extension, we will be investing in an organization that not only empowers individuals but also contributes to the overall well-being and prosperity of our region.

In conclusion, we wholeheartedly support the extension of the current 5-year lease to a 30-year lease for Kukulu Kumuhana o Anahola. The organization's commitment to educational and cultural purposes, as well as community food production, is invaluable to our community. Their work has already made a significant positive impact, and a lease extension will enable them to continue their vital efforts for years to come.

Thank you for considering our support for this lease extension. I trust that you will carefully evaluate the immense benefits it would bring to our community and make a decision that aligns with the collective well-being of all involved.

With warm regards,

J. Kapule Torio Jr.

Lorilani Keohokālole (Anahola - Waitlisted)

P.O. BOX 675

Anahola, Hawai'i 96703

From: [Kahanu Keawe](#)
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: [EXTERNAL] Email of support on Item No. F-9 or Extension of License to Kukulu Kumuhana O Anahola
Date: Sunday, October 15, 2023 3:46:54 PM

Aloha Chairman Kali Watson and the Hawaiian Home Commission,

I am writing this email in support of the extension of License to Kukulu Kumuhana O Anahola Ulupono project to 30 years. I live in the PMKK subdivision and have worked with KKOA for many years now. I see their dedication to serving out Anahola community. When the last fire happened a few weeks ago, it was comforting to know that it would not be close to our homes like the first fire years ago. With what recently happend in Lahina, the fear and concern of wildfire for our kupuna and ohana is real. Knowing that a fire break would give firefighters time to get the fire under control and from impacting homes is a high priority. I doubt these lands would be maintained if KKOA was not there. It has been at least 17 years since PMKK was announced and 14 years since the first homes were built. It appears that it will take years for our people to be financially ready to build a home they can afford in the current system. There are still vacant lots in phase one and recently, a few have started to be built in phase 2.

KKOA is committed to serving our community of Anahola and this reciprocal commitment from the department to support them would have lasting positive impact.

--

**Mahalo,
Kahanu**