

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION MEETING/WORKSHOP AGENDA
Hilton Garden Inn Kauai Wailua Bay, Kuhio Ballroom, 3-5920 Kūhiō Highway, Kapa‘a, Kaua‘i
and Zoom Meeting ID: 609 754 2925

Monday, August 19, 2024, at 9:30 a.m. to be continued, if necessary,
on Tuesday, August 20, 2024, at 9:30 a.m.

Livestream available at www.dhhl.hawaii.gov/live

Note: Commission Meeting Packets will be available at dhhl.hawaii.gov by Wednesday, August 14, 2024.

I. ORDER OF BUSINESS

- A. Roll Call
- B. Approval of Agenda
- C. Approval of Minutes:
 - a. July 15 & 16, 2024 Regular Meeting
- D. Public Testimony on Agendized Items – see information below

Public testimony on any item **relevant to this agenda** may be taken at this time, or a testifier may wait to testify when the agenda item is called for discussion. Pursuant to section 92-3, Hawaii Revised Statutes, and section 10-2-11(c), Hawaii Administrative Rules, the Chair of the Commission has the authority to impose reasonable conditions to ensure an orderly and efficient meeting.

II. ITEMS FOR DECISION MAKING

A. CONSENT AGENDA

Homestead Services Division

- D-2 Approval of Consent to Mortgage (see exhibit)
- D-3 Approval of Streamline Refinance of Loans (see exhibit)
- D-6 Approval of Homestead Application Transfers / Cancellations (see exhibit)
- D-7 Approval to Certify Applications of Qualified Applicants for the month of July 2024 (see exhibit)
- D-8 Commission Designation of Successors to Application Rights – Public Notice 2023 (see exhibit)
- D-9 Approval of Assignment of Leasehold Interest (see exhibit)
- D-10 Approval of Amendment of Leasehold Interest (see exhibit)
- D-11 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees (see exhibit)
- D-12 Commission Designation of Successor – **NOLAN I. MAHUKA**, Residential Lease No. 8308, Lot No. 17, PKE, Oahu
- D-13 Commission Designation of Successor – **DOREEN N. KANAHELE**, Residential Lease No. 8881, Lot No. 40, Hanapepe, Kauai

B. REGULAR AGENDA

Land Management Division

- F-1 Approval to Issue a License Agreement to Ko‘olau Limu Project, Anahola, Kauai Island, TMK No.: (4)4-8-012:001&010
- F-2 Approval to Issue a Right of Entry Permit to Ho‘akeolapono Trades Academy and Institute, Anahola, Kauai Island, TMK No.: (4)4-8-003:011(por.)
- F-3 Approval to Annual Renewal of Right of Entry Permits and Conversion to Revocable Permits, Kauai Island (see exhibit)

III. EXECUTIVE SESSION

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 on the following matters:

- 1. Discussion Regarding Telecommunications on Hawaiian Home Lands

IV. ITEMS FOR INFORMATION/DISCUSSION

A. REGULAR ITEMS

Office of the Chairman

- C-1 For Information Only – Appointment of Permitted Interaction Group –Act 279 Strategic Plan Budget Revisions
- C-2 For Information Only – Appointment of Permitted Interaction Group – to Evaluate and Make Recommendations as to Mitigation of Hilo Airport’s Impact on Surrounding DHHL lands
- C-3 For Information Only – DHHL NAHASDA Down Payment Assistance Program Policy
- C-4 For Information Only – Draft 2024 Annual Performance Report (APR) - Native Hawaiian Housing Block Grant
- C-5 For Information Only – Summary of Responses to Proposed Legislative Action Request & Draft Legislative Proposals
- C-6 For Information Only – Status Report of DHHL Enforcement Unit Efforts and Statistics (July 8, 2024 – August 11, 2024)

Homestead Services Division

- D-1 HSD Status Reports
 - A.-Homestead Lease and Application Totals and Monthly Activity Reports
 - B.-Delinquency Reports
- D-5 For Information Only – Memorandum of Agreement Between the State of Hawaii Department of Hawaiian Home Lands and Hawaii Lending & Investments

Land Development Division

- E-1 For Information Only – Kaua‘i Project Updates

Land Management Division

- F-4 For Information Only – Request from Hawaii Land and Power, LLC on Renewal Energy Project in Waiakea, Island of Hawaii, TMK No.: (3) 2-1-025:086

Planning Office

- G-1 For Information Only - Status Update on Plan Implementation on the Island of Kauai
- G-2 For Information Only - Kauai Water Issues and Projects

V. ANNOUNCEMENTS AND RECESS

- 1. DHHL Community Meeting, Monday, August 19, 2024. 6:30 p.m. King Kaumualii Elementary School Cafeteria, 4380 Hanamaulu Road, Lihue, Hawaii, 96766.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION MEETING/WORKSHOP AGENDA
Hilton Garden Inn Kauai Wailua Bay, Kuhio Ballroom, 3-5920 Kūhiō Highway, Kapa‘a, Kaua‘i
and Zoom Meeting ID: 609 754 2925
Tuesday, August 20, 2024, at 9:30 a.m.
Livestream available at www.dhhl.hawaii.gov/live

I. ORDER OF BUSINESS

- A. Roll Call
- B. Public Testimony on Agendized Items - see information below

Public testimony on any item **relevant to this agenda** may be taken at this time, or a testifier may wait to testify at the time the agenda item is called for discussion. Pursuant to section 92-3, Hawaii Revised Statutes, and section 10-2-11(c), Hawaii Administrative Rules, the Chair of the Commission has the authority to impose reasonable conditions to ensure an orderly and efficient meeting.

II. ITEMS FOR INFORMATION/DISCUSSION

A. REGULAR AGENDA

Homestead Services Division

- D-4 Approval of Memorandum of Agreement Between the State of Hawaii
Department of Hawaiian Home Lands and Hawaii Lending & Investments

B. GENERAL AGENDA

Requests to Address the Commission

- J-1 Kipukai Kualii – Anahola
- J-2 Jeremie Makepa – Aina Alliance Update
- J-3 Claire Niheu-Yong – Beneficiary Concern
- J-4 Starlynn Kaupu - Beneficiary Concern
- J-5 Harold Vidinha – Kaua‘i Lessee
- J-6 Rosemary Vaivao – Kaua‘i Lessee
- J-7 Lucky Kanahale – Kaua‘i Beneficiary Concern
- J-8 Makana Kia - Kaua‘i Beneficiary Concern
- J-9 Thomas Nizo – Kau‘i Lease concerns
- J-10 Janelle Kaohu-Kauahi – Nānākuli Residential Lease
- J-11 Billi Smith – Beneficiary Concern
- J-12 Chanel Josiah – Hawai‘i Community Lending
- J-13 Noe Asuega Stark – Pu‘uhona Hawaiian Homes Association
- J-14 Kapolei Kiili – Beneficiary Concerns Maui
- J-15 Blossom Feiteira – Kaua‘i Housing Concerns
- J-16 Kainoa MacDonald – Maui Moku-puni
- J-17 Craig Bo Kahui – La‘i‘Ōpua
- J-18 Bill Brown -Pana‘ewa Hawaiian Home Lands Community Association
- J-19 Kelly Lincoln – Pana‘ewa Community Alliance
- J-20 Charlene Manu – Pana‘ewa Hawaiian Home Lands Community Association

III. ANNOUNCEMENTS AND ADJOURNMENT

- A. Next Regular HHC Meeting – September 16 & 17, 2024, Hale Pono‘i, 91-5420 Kapolei Parkway, Kapolei, O‘ahu, 96707,
- B. Adjournment



Kali Watson, Chairman
Hawaiian Homes Commission

COMMISSION MEMBERS

Dennis L. Neves, Kaua‘i
Michael L. Kaleikini, East Hawai‘i
Sanoe Marfil, O‘ahu
Archie Kalepa, Maui

Pauline N. Namu‘o, O‘ahu
Makai Freitas, West Hawai‘i
Walter Kaneakua, O‘ahu
Lawrence Lasua, Moloka‘i

If you need an auxiliary aid/service or other accommodation due to a disability, contact Michael Lowe at 620-9512 or michael.l.lowe@hawaii.gov as soon as possible, preferably by August 15, 2024. If a response is received after that, we will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled. Upon request, this notice is available in alternate formats.

Public Testimony on Agendized Items can be provided either as (1) in person at the meeting location by filling out a form at the reception table, (2) written testimony mailed to *Commission Testimony, P.O. Box 1879, Honolulu, HI, 96815*, or emailed to *DHHL.icro@hawaii.gov* by August 14, 2024, or (3) live, oral testimony online by joining the Zoom meeting and relabeling your profile to include the agenda item you wish to testify on. Please keep your computer muted and your camera off until you are called. You will need a computer with internet access, a video camera, and a microphone to participate.

Disruption of Interactive Technology – If all participating Commissioners cannot maintain audiovisual communication and a quorum is lost, the meeting will automatically be recessed for 30 minutes. During that time, an attempt to restore audiovisual communication will be made. If such an attempt to restore is unsuccessful within 30 minutes, all Commissioners, public members, staff, and other interested individuals shall log on again to the Zoom link on this Notice, whereby audio communication will be established for all participants, and the meeting will continue. If reconvening the meeting is impossible because audio and visual communication cannot be re-established, the meeting will be terminated.

ITEM D-2 EXHIBIT		
APPROVAL OF CONSENT TO MORTGAGE		
LESSEE	LEASE NO.	AREA
AH MOOK SANG, Kainalu J.M.	2119Z	Kewalo, Oahu
DEBLAKE, Bradley K.	12970	Kauluokahai, Oahu
HEMA, Alika K.	7342	Nanakuli, Oahu
KAHANAOI, Edward	8595	Nanakuli, Oahu
KALEI, Chris H.	644	Papakolea, Oahu
KALEO, Tanya I.	10009	Keaukaha, Hawaii
LOA-CALLIA, Ginger P.A.	8360	PKE, Oahu
LOWE, Rene L.L.	3691	Waimanalo, Oahu
MAIKOWSKI, Francis M.P.	12459	Kauluokahai, Oahu
MCCANDLESS, Pomaikai	5650	Keaukaha, Hawaii
OSATO, Stephanie K.	5291	Waianae, Oahu
PUAHI-KAPOLOLU, Kaiakamaile N.	12826	Kauluokahai, Oahu

ITEM D-3 EXHIBIT		
APPROVAL OF STREAMLINE REFINANCE OF LOANS		
LESSEE	LEASE NO.	AREA
GALINDO, Richard F.T.	10004	Waianae, Oahu
NAMAHOE, Dwayne K.	8406	Waianae, Oahu

ITEM D-6 EXHIBIT	
APPROVAL OF HOMESTEAD APPLICATION TRANSFER / CANCELLATIONS	
APPLICANT	AREA
ADRIC, Randall B.	Oahu IW Agr to Molokai IW Agr
ADRIC, Randall B.	Oahu IW Res to Molokai IW Res
AINA, Sanoe	Oahu IW Res
AKI, Kalina S.	Maui IW Agr
AKU, Adam I.	Oahu IW Res to Hawaii IW Res
ALAVAZO, Denise N.	Maui IW Agr
CALLES, Elgin K.	Oahu IW Res
CORPUZ, Lennie L.	Molokai IW Agr
DELOS REYES, Eddie A.	Oahu IW Res
FELICIANO, Frances D.P.	Oahu IW Res
FU, Marleen K.	Kauai IW Agr
FU, Marleen K.	Kauai IW Res
HANAWAHINE, Jake K.	Oahu IW Res
HAO, Nalani M.	Oahu IW Res to Molokai IW Res
HAO, Nalani M.	Hawaii IW Agr to Molokai IW Pas
HATCHIE, Jerome K.	Maui IW Agr to Oahu IW Agr

ITEM D-6 EXHIBIT (continued)	
APPROVAL OF HOMESTEAD APPLICATION TRANSFER / CANCELLATIONS	
APPLICANT	AREA
JOHNASEN, Adele M.K.	Maui IW Agr to Oahu IW Agr
JOHNASEN, Adele M.K.	Maui IW Res to Oahu IW Res
KAIWI, Gayleen K.	Oahu IW Res
KAUAHIKAUA, Dwight P.	Molokai IW Agr to Oahu IW Agr
KEA, Leialohalani D.	Maui IW Res
KIKILA, Rubyann K.	Oahu IW Agr
MAC NEAL, Janet L.	Maui IW Res
MATTHEWS, Tinamarie L.	Molokai IW Agr
PINON-KAAWALOA, Ranielle P.	Oahu IW Res
PINON-KAAWALOA, Ranielle P	Hawaii IW Agr
PUOU, Lesley K.	Hawaii IW Agr
SAFFERY, Regina L.	Maui IW Agr
SAFFERY, Regina L.	Maui IW Res
SILVA, Sterling N.	Hawaii IW Pas
VASQUEZ, Mariann K.	Maui IW Res
WILLIAMS, Lois M.	Oahu IW Res
WONG, Jacob C.	Hawaii IW Agr
WOODLYN, Bronco K.K.	Oahu IW Agr to Hawaii IW Agr
WOODLYN, Bronco K.K.	Oahu IW Res to Hawaii IW Res
WRIGHT, Taylor-Nikole	Molokai IW Res to Hawaii IW Res
	* IW = Islandwide

ITEM D-7 EXHIBIT

APPROVAL TO CERTIFY APPLICATIONS OF QUALIFIED APPLICANTS

APPLICANT	AREA
AKUNA, Stephanie K.	Hawaii IW Res
ALAPAI, Alohalina K.	Hawaii IW Agr
ALAPAI, Alohalina K.	Hawaii IW Res
ELI, Chayden K.M.	Oahu IW Res
ELI, Chayden K.M.	Kauai IW Agr
ELI, Coty K.M.	Oahu IW Agr
ELI, Coty K.M.	Oahu IW Res
FERREIRA, Hiram A.	Hawaii IW Agr
FERREIRA, Hiram A.	Hawaii IW Res
FOSTER, Raymond L.	Maui IW Agr
FOSTER, Raymond L.	Maui IW Res
GILES-KALAULI, Frances Mae P.P.	Hawaii IW Pas
GILES-KALAULI, Frances Mae P.P.	Hawaii IW Res
HAWELU, Micah Alan N.	Oahu IW Agr
HAWELU, Micah Alan N.	Oahu IW Res
HO, Kenneth K.L., Jr.	Oahu IW Agr

ITEM D-7 EXHIBIT (continued)

APPROVAL TO CERTIFY APPLICATIONS OF QUALIFIED APPLICANTS

APPLICANT	AREA
JAVIER STANLEY, Anela N.	Oahu IW Agr
JAVIER STANLEY, Anela N.	Oahu IW Res
KAAHANUI, Kent V.K.	Oahu IW Agr
KAAHANUI, Kent V.K.	Oahu IW Res
KAEO, Aaron K.P.	Maui IW Res
KAEO, Aaron K.P.	Hawaii IW Agr
KAHELE, Arnolette K.	Maui IW Res
KALAMA, Kealii	Oahu IW Res
KALAMAU, Kaimana L.	Oahu IW Agr
KALAMAU, Kaimana L.	Oahu IW Res
KALAU LI, Rochele Marie K.	Hawaii IW Pas
KALAU LI, Rochele Marie K.	Hawaii IW Res
KALELEIKI, Davin S.	Maui IW Res
KAMAI, Jocelyn U.	Oahu IW Res
KAMAI, Kamealoha A.	Oahu IW Agr
KAMAI, Kamealoha A.	Oahu IW Res
KANA, Jacob H., Jr.	Maui IW Pas
KANA, Jacob H., Jr.	Maui IW Res
KANEHOLANI, Pualehua J.	Kauai IW Agr
KANEHOLANI, Pualehua J.	Kauai IW Res
KEANAAINA, Vornell K.	Hawaii IW Res
KEOHULO A, Pua-Lilia H.	Hawaii IW Res
KEPA-HEANU, Isaac J.P.	Oahu IW Agr
KEPA-HEANU, Isaac J.P.	Oahu IW Res
KIKILA, Coreen K.A.	Oahu IW Res
KIKILA, Coreen K.A.	Hawaii IW Agr
LAURETA, Elizabeth K.L.	Kauai IW Pas
LAURETA, Elizabeth K.L.	Kauai IW Res
LOVELL, Joerdan M.	Oahu IW Agr
LOVELL, Joerdan M.	Oahu IW Res
MAHI-KALAU KOA, Geraldine Z.	Hawaii IW Agr
MARDONADA, Anthony S.K.	Kauai IW Agr
MARDONADA, Anthony S.K.	Kauai IW Res
NAHALE, Sheynen-Wyatt K.	Hawaii IW Pas
NAHALE, Sheynen-Wyatt K.	Hawaii IW Res
NAHALE, Shyann M.M.M.N.A.M.	Hawaii IW Agr
NAHALE, Shyann M.M.M.N.A.M.	Hawaii IW Res
PAULO, Louis Jr.	Hawaii IW Agr
PAULO, Louis Jr.	Hawaii IW Res
PUOU, Adonnis P.	Oahu IW Agr
PUOU, Adonnis P.	Oahu IW Res
RAMOS, Phyllis N.	Oahu IW Res

<u>ITEM D-7 EXHIBIT (continued)</u>	
APPROVAL TO CERTIFY APPLICATIONS OF QUALIFIED APPLICANTS	
APPLICANT	AREA
SAHUT, Ronson K.A.	Kauai IW Agr
SAHUT, Ronson K.A.	Kauai IW Res
VETERE, Charmayne P.	Oahu IW Agr
VETERE, Charmayne P.	Oahu IW Res
VICKERS, Vernon A., Jr.	Oahu IW Agr
VIEAU, Yvonne W.	Kauai IW Agr
	* IW = Islandwide

ITEM D-8 EXHIBIT
 COMMISSION DESIGNATION OF SUCCESSORS – PUBLIC NOTICE 2023

AINA, Sanoe	Oahu IW Res
AKI, Kalina S.	Maui IW Agr
ALAVAZO, Denise N.	Maui IW Agr
BAKER, Lorrie K.	Hawaii IW Agr
CORPUZ, Lennie L.	Molokai IW Agr
FELICIANO, Frances D.P.	Oahu IW Res
FU, Marleen K.	Kauai IW Pas
FU, Marleen K.	Kauai IW Res
KAHALEWAI, Yolanda K.	Oahu IW Res
KAHOONEY, Marlene R.	Hawaii IW Agr
KAIWI, Gayleen K.	Oahu IW Res
KAIWI, Gayleen K.	Hawaii IW Agr
MAC NEAL, Janet L.	Maui IW Res
MAKAHANALOA, Arline N.	Maui IW Agr
MAKAHANALOA, Arline N.	Maui IW Res
MALDONADO, Zandra M.	Maui IW Pas
MATTHEWS, Tinamarie L.	Molokai IW Agr
PINON-KAAWALOA, Ranielle P.	Hawaii IW Agr
PINON-KAAWALOA, Ranielle P.	Hawaii IW Res
PUOU, Lesley K.	Hawaii IW Pas
PUOU, Lesley K.	Hawaii IW Res
SILVA, Sterling N.	Oahu IW Agr
VASQUEZ, Mariann K.	Nanakuli Area / Oahu IW Res
WILLIAMS, Lois M.	Oahu IW Res
WONG, Jacob C.	Hawaii IW Agr
YOSHIZUMI, Johnette K.	Hawaii IW Agr
	* IW = Islandwide

ITEM D-9 EXHIBIT
APPROVAL OF ASSIGNMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
HAO, Lydia L.	7342	Nanakuli, Oahu
KHIM, Rosalind W.	8141	Waianae, Oahu
KINI, Debbie P.	5213	Nanakuli, Oahu
NAEOLE, Joseph K., Jr.	7323	Nanakuli, Oahu
PILIALOHA, Danielle A.	258	Nanakuli, Oahu
RODRIGUES, Cathleen C.	5518	Lualualei, Oahu
KAMAKA, Philip L.	5518	Lualualei, Oahu
SPOON, Nadine N.	8362	PKE, Oahu
KAAHANUI, Anthony S.	11069	Anahola, Kauai
PAHINUI, Robinson K.	12491	Kapolei, Oahu
KAHALEWAI, Sharleen I.	13041	Panaewa, Hawaii

ITEM D-10 EXHIBIT
APPROVAL OF AMENDMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
AINA, William K.	1327	Keaukaha, Hawaii
AIPELENA-THOREN, Keola F.	1637	Kewalo, Oahu
EVANGELISTA, Eleanor	7004	Makuu, Hawaii
HIAPO, Gwendolyn	1009	Keaukaha, Hawaii
NAIHE, Daisy L.	4032	Waiakea, Hawaii
WALKER, Vincent Gordon	3793	Kewalo, Oahu

ITEM D-11 EXHIBIT
APPROVAL TO ISSUE A NON-EXCLUSIVE LICENSE FOR ROOFTOP PHOTOVOLTAIC SYSTEMS
FOR CERTAIN LESSEES

LESSEE	LEASE NO.	AREA
BUSTILLOS, Joseph H.	12270	Waiehu 4, Maui
ELLIS, Bryan G. K.	9378	Kaniohale, Hawaii
GARCIA, William E.	8186	Paukukalo, Maui
GIER, Burton E. L.	11494	Leialii, Maui
GLOVER, Robert W.	8621	Nanakuli, Oahu
HOSEA, Jay K.	12550	Kanehili, Oahu
KAMANA, Glenn K.	392	Nanakuli, Oahu
KIHUNE, Mychelle K. C. L.	12216	Waiehu 4, Maui
KU, Phillip G.	4389	Nanakuli, Oahu
LAPILIO, Kirk A.	12742	Maluohai, Oahu
MANINI-EBOS, Donna Mae	12583	Kanehili, Oahu
MEYERS, Jason K. Q.	12135	Kaupea, Oahu
PERALTA, Marlene M.	12281	Waiehu 4, Maui

ITEM D-11 EXHIBIT (continued)

APPROVAL TO ISSUE A NON-EXCLUSIVE LICENSE FOR ROOFTOP PHOTOVOLTAIC SYSTEMS
FOR CERTAIN LESSEES

LESSEE	LEASE NO.	AREA
PONCE, Gerald L.	10439	Waiohuli, Maui
SAM FONG, Willard K.	2203	Kewalo, Oahu
SOUZA, Leona L.	11284	Kumuhau, Oahu
TECHUR, Rena L.	7358	Nanakuli, Oahu

ITEM NO. E-1 EXHIBIT

APPROVAL OF LEASE AWARD PU'UHONA SUBDIVISION RESIDENTIAL OFFERING –
PHASE 1, WAIKAPU, MAUI

NAME	APPL DATE	LOT NO.	TAX MAP KEY	LEASE NO.
KASEY L AMURO	08/06/1974	52	(2) 3-5-044-052	13085
ESTHER D HONOKAUPU	08/14/1984	50	(2) 3-5-044-050	13086
ORLANDO K SPENCER	08/23/1985	54	(2) 3-5-044-054	13087
ALICE P.K. FRANCO	01/02/1986	73	(2) 3-5-044-073	13088
KAWELO N.K. WONG	07/16/1986	47	(2) 3-5-044-047	13089
HELEN F. BISSEN	01/06/1987	31	(2) 3-5-044-031	13090
ELLABELLE C KAIAMA	03/27/1987	44	(2) 3-5-044-044	13091
EDWARD C CASHMAN	04/07/1987	65	(2) 3-5-044-065	13092
SHIRLEY A KEKONA	08/31/1987	66	(2) 3-5-044-066	13093
ULULANI J KAUPE	01/19/1988	69	(2) 3-5-044-069	13094
DENISE S.M. TANAKA	01/28/1988	75	(2) 3-5-044-075	13095
STERLING G PEDRO	02/09/1989	72	(2) 3-5-044-072	13096
MARY ANN L.K. KAHANA	06/30/1989	67	(2) 3-5-044-067	13097
IVY NUUHIWA	08/10/1990	40	(2) 3-5-044-040	13098
WILLIAM K KAMA	07/30/1992	22	(2) 3-5-044-022	13099
DORALEE P FLORES	09/21/1992	27	(2) 3-5-044-027	13100
MATTHEW N PAIO	02/21/2001	32	(2) 3-5-044-032	13101
MARK L.K. NAAUAO	10/04/2002	77	(2) 3-5-044-077	13102
ASHLEY N ASUEGA-STARK	03/13/2003	42	(2) 3-5-044-042	13103
NOELANI K KANEKOA	06/09/2003	36	(2) 3-5-044-036	13104
WILLIAM E ANANA JR	08/13/2003	43	(2) 3-5-044-043	13105
MARCIAL P BASBAS	11/25/2003	70	(2) 3-5-044-070	13106
ISAAC K KAHALEWAI	08/02/2004	49	(2) 3-5-044-049	13107
SAREE P KALANI	08/28/2004	30	(2) 3-5-044-030	13108
KAMAKA R.B. ROSARIO	03/22/2005	76	(2) 3-5-044-076	13109
SANDRA E DELA CRUZ	04/26/2005	41	(2) 3-5-044-041	13110
CURTIS J.T. WONG	05/23/2005	145	(2) 3-5-044-145	13111
RUBEN J NAVARRO JR	06/06/2005	28	(2) 3-5-044-028	13112
LUCINDA H ESTRELLA	08/08/2005	71	(2) 3-5-044-071	13113
ELMER K KAAI	12/14/2005	37	(2) 3-5-044-037	13114

ITEM NO. E-1 EXHIBIT (continued)				
APPROVAL OF LEASE AWARD PU'UHONA SUBDIVISION RESIDENTIAL OFFERING – PHASE 1, WAIKAPU, MAUI				
NAME	APPL DATE	LOT NO.	TAX MAP KEY	LEASE NO.
SAMUEL K KAEO	01/13/2006	38	(2) 3-5-044-038	13115
JERROLD AKAHI	02/15/2006	74	(2) 3-5-044-074	13116
ALFRED K GANER	02/22/2006	35	(2) 3-5-044-035	13117
COLLEEN M WICKES	03/08/2006	23	(2) 3-5-044-023	13118
JAMES R HAIA	05/09/2006	68	(2) 3-5-044-068	13119
AYSIA A KAHOOHANOHANO	05/23/2006	39	(2) 3-5-044-039	13120
AMOS K LONOKAILUA- HEWETT	06/07/2006	25	(2) 3-5-044-025	13121

ITEM NO. F-3
ANNUAL RENEWAL OF RIGHT OF ENTRY PERMITS, KAUAI ISLAND

NO.	ACRE	PERMITTEE	LOCATION	TMK	Date Started
533	11.00	* Don Mahi Jr.	Anahola	(4) 4-8-018:031	10/1/1990
550	0.344	* Kuini Contrades and Carla Contrades-Barrett	Anahola	(4) 4-8-008:001 (p)	5/1/2003
554	8.00	* Linda Kaauwai-Iwamoto	Anahola	(4) 4-8-005:042 (p)	11/1/2000
558	1.07	*Frank S. Rivera, Sr. and Amber Rivera	Anahola	(4) 4-8-003:020 (p)	5/1/2005
543	20.0000	Charley Raco, Palakiko Farms	Kekaha	(4) 1-2-002:023 (p)	7/28/2009
575	18.00	*Gary Cummings, Jr.	Anahola	(4) 4-8-008:049 (p)	7/23/2013
565	12.00	*Angelina Koli and Kalei Kanahele	Anahola	(4) 4-8-005:038 & :044	7/1/2005
569	0.164	* Puanani Cummings	Anahola	(4) 4-8-003:020 (p)	9/1/2022
553	0.092	* Sunny L. Honda	Anahola	(4) 4-8-009:010 (p)	6/1/1992
560	3.6	Valerie Woods	Anahola	(4) 4-8-006:046 (p)	3/8/2002
536	0.009	*Patricia Contrades and Carla Contrades-Barrett	Anahola	(4) 4-8-011:045 (p)	7/23/2013
564	0.023	*Woodrow K. Contrades and Carla Contrades-Barrett	Anahola	(4) 4-8-011:045 (p)	4/1/1994
572	0.34	*Hokualele Canoe Club	Anahola	(4) 4-8-012:010 (p)	9/1/2022
703	0.917	*Kukulu Kumuhana O Anahola	Anahola	(4) 4-8-005:026 (p)	4/12/2023
709	432.00	*Aina Alliance	Anahola	(4) 4-8-03:018, 019(p), 021 & 036; (4) 4-8-014:003; (4) 4-7- 004:003,004 & 007	4/12/2023
722	103.07	*Kahu O Ka Paka Kahakai O Anahola	Anahola	(4) 4-9-003:011 & 017; (4) 4- 8-010:003, 005, 006 & 010; (4) 4-8-014:005	3/3/2023
710	3.44	*Keakai Kauai, Inc.	Anahola	(4) 4-8-008:016 & 080	5/9/2022
712	109.80	*Kaivin Educational Farm Program	Kekaha	(4) 1-2-002:023 (p)	5/2/2022
475	16.072	Mona Lisa and Randy Boyer	Kapaa	(4) 4-5-015:003 (p) & 034	
538	0.46	Kauai Habitat for Humanity	Hanapepe	(4) 1-8-008:035 (p)	7/1/1996
542	0.58	Wallace Rita	Hanapepe	(4) 1-8-008:081 (p)	4/1/2007
574	0.059	Jesse Lam	Kapaa	(4) 4-5-015:048	2/1/1986

537	0.23	*Roger Palama	Hanapepe	(4) 1-8-008:035 (p)	10/1/1995
541	0.344	Wallace Rita	Hanapepe	(4) 1-8-008:035 (p)	7/1/2005
544	0.367	Akita Enterprises, Ltd.	Hanapepe	(4) 1-8-008:035 (p)	7/1/1999
546	0.55	Akita Enterprises, Ltd.	Kapaa	(4) 4-5-005:006 (p)	7/22/2013
566	0.918	Jack L. and Margaret C. Phillips	Kapaa	(4) 4-5-005:006 (p)	3/1/2001
531	3.264	* Solomon Lovell	Anahola	(4) 4-8-006:004	12/1/1981
532	14.903	*Kalei Medeiros	Anahola	(4) 8-011:005, 006, 011, 013 & 049	2/1/1984
535	13.00	*Gordon Rosa	Anahola	(4) 4-8-005:038 (p)	4/1/1994
545	2.866	*Clay, Patrick, and Bruce Kelekoma	Anahola	(4) 4-8-015:024 to 026	4/15/1982
547	50.00	* Patrick, Clay, and Bruce Kelekoma	Anahola	(4) 4-7-004:022 (p)	7/5/2005
552	2.849	* Lynn K.M. Fu	Anahola-Kamalomaloo	(4) 4-8-003:020 (p)	9/1/2005
556	0.55	*Richard and Kuulei Ornellas	Anahola/Kamalomaloo	(4) 4-8-011:063 (p)	8/1/2003
557	173.00	Tarey and Darryl Low	Anahola/Kamalomaloo	(4) 4-7-002:004 (p)	4/1/2004
559	315.97	*Stuart Keahiahi Hanchett	Moloa'a	(4) 4-9-010:002 & 005	10/1/2019
562	21.03	Joseph Borden	Anahola/Kamalomaloo	(4) 4-8-003:004 (p)	7/23/2013
567	45.023	William Sanchez	Wailua	(4) 3-9-002:003	9/1/2022
568	5.00	* Henry Aviguetero	Hanapepe	(4) 1-8-007:003	9/1/2022
571	11.60	* Norman Cummings	Anahola	(4) 4-8-003:020 (p)	9/1/2022
573	320.00	*Ralph Kauai and Rhonda Refamonte	Wailua	(4) 3-9-002:012 & 025	9/1/2022
578	10.00	*Henry Kupihea	Anahola	(4) 4-8-003:006 (p)	9/1/2020
583	80.00	*Edward K Taniguchi	Anahola/Kamalomaloo	(4) 4-7-002:004 (p)	5/23/2016

**HAWAIIAN HOMES COMMISSION
AUGUST 19 & 20, 2024**

C – ITEMS

OFFICE OF THE CHAIRMAN

STATE OF HAWAI‘I
DEPARTMENT OF HAWAIIAN HOME LANDS
August 19-20, 2024

TO: Members, Hawaiian Homes Commission (“HHC”)
FROM: Kali Watson, Chairperson
Subject: Act 279 Permitted Interaction Group pursuant to Hawaii Revised Statutes section 92-2.5 and Hawaii Administrative Rules section 10-2-16 (b) (1)

RECOMMENDED MOTION/ACTION

None. For information only.

DISCUSSION:

An investigative committee of the Hawaiian Homes Commission is appointed effective August 19, 2024. The purpose of the committee is to determine the viability of current projects on the Act 279 strategic plan lapse-fix list, review potential new opportunities that may more efficiently address the DHHL Waitlist and recommend changes, if any, to the Act 279 strategic plan and budget.

I am establishing this Committee at this time so that staff can move expeditiously with the assistance of the Committee to evaluate the evolving landscape of previously identified projects against new opportunities that were not previously known. This is necessary given the truncated time frames to encumber the remaining lapse-fix funds.

The members of the Committee include Commissioners Walter Kaneakua, Lawrence Lasua and Archie Kalepa. Commissioner Kaneakua will serve as Chair of the Committee. The Committee’s report to the Hawaiian Homes Commission of the Committee’s findings and recommendations, including a revised draft of the Act 279 strategic plan and budget, if appropriate, will be presented at the next regular meeting scheduled in September 2024, with deliberation and decision-making at a subsequently noticed meeting as required by law.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

August 19 & 20, 2024

TO: Members of the Hawaiian Homes Commission
FROM: Chairman Kali Watson
SUBJECT: For Information Only - Appointment of Permitted Interaction Group Pursuant to HRS Section 92-2.5 and HAR section 10-2-16(b)(1), to Evaluate and Make Recommendations to Mitigate Hilo Airport Impact on Surrounding DHHL lands

RECOMMENDED MOTION/ACTION

None. For information only.

DISCUSSION:

A permitted interaction group of the Hawaiian Homes Commission is appointed effective August 19, 2024. The purpose of this group is to evaluate and make recommendations to mitigate Hilo Airport impact on surrounding DHHL lands including Keaukaha Tract I and Keaukaha Tract II (Kings Landing). During the HRS 343 EA process conducted for the DHHL King's Landing Kuleana Homestead Settlement Plan, DHHL received comments from DOT-Airport that identified concerns with DHHL's settlement plan and the effect it would have on Airport operations. DHHL responded to DOT that the Hilo Airport should not impede DHHL's ability to provide homesteading opportunities on Hawaiian Home Lands, but would try to work with DOT-Airport to find solutions that would be acceptable for both agencies.

Subsequent public testimony on the King's Landing Homestead Settlement Plan Draft Environmental Assessment Presentation at the May 2024 Hawaiian Homes Commission meeting was provided by a Keaukaha lessee. In his testimony, the lessee urged DHHL to also work with the Hilo Airport to mitigate impact to the existing Keaukaha homestead community in addition to the King's Landing tract.

The members of this committee include Commissioners Dennis Neves, Walter Kaneakua and Michael Kaleikini to serve as chair of the committee. The committee's work is expected to be completed when a draft agreement with DOT-Airport and/or other mitigation proposals are ready to be presented to the full Commission for its consideration and approval.

RECOMMENDATION:

None. For information only.

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

August 19-20, 2024

To: Chairman and Members, Hawaiian Homes Commission
From: Lehua Kinilau-Cano, NAHASDA Government Relations
Program Manager
Subject: For Information Only - DHHL NAHASDA Down Payment
Assistance Program Policy

RECOMMENDED MOTION/ACTION:

None. For information only.

BACKGROUND

The Housing Needs of Native Hawaiians: A Report from the Assessment of American Indian, Alaska Native, and Native Hawaiian Housing Needs prepared for HUD and dated May 2017 essentially detailed the following conclusion:

Overall, the Native Hawaiian population faces greater levels of disadvantage than the residents of Hawaii population, and HHCA beneficiary households on the waiting list for homestead leases on the Hawaiian home lands face even larger challenges. By contrast, Native Hawaiians currently living on the Hawaiian home lands have higher incomes and face housing affordability issues less often. Evidence suggests the need for increased homeownership supports among low-income HHCA beneficiary households on the waiting list. Many renters (63 percent) on the HHCA beneficiary waiting list who would prefer to own a home are unable to do so because they cannot afford a downpayment or save enough for a house. Although the survey sample was drawn from all HHCA beneficiary applicants on the waiting list and was not limited to NAHASDA-eligible HHCA beneficiaries (those at less than 80 percent of the Area Median Income), their income data suggest that about one-half of its population would qualify for NAHASDA assistance. This finding suggests the need for NAHASDA funds to support downpayment assistance, credit counseling, and homebuyer education and also the development of larger homes suited to the group's larger typical household size.

A complementary approach might be to support affordable rental options as a stepping stone to homeownership.

The DHHL Beneficiaries Study Applicant Report, 2020 similarly notes that approximately one in four (25%) of applicants could not afford the down payment due to the lack of savings.

The regulations for the Native Hawaiian Housing Block Grant Program in 24 CFR Part 1006 allow DHHL to use up to 10 percent of the amount planned in its Housing Plan for its fiscal year for families whose income is 81 to 100 percent of the median income without HUD approval. HUD approval is required if DHHL plans to use more than 10 percent of the amount planned for its fiscal year for such assistance or to provide housing for families with income over 100 percent of median income. The amount planned to be expended in the Native Hawaiian Housing Plan for the program year ending June 30, 2025 is \$50,370,000 so DHHL may use \$5,037,000 to provide housing for families whose income is 81 to 100 percent of the median income without HUD approval.

DISCUSSION

NAHASDA financing is currently provided to households whose income does not exceed 80% of the area median income. The DHHL NAHASDA Down Payment Assistance Program Policy proposes to provide financial assistance to first time homebuyers to promote homeownership by supporting households with a down payment and/or assisting with closing costs or interest rate buy down to households whose income is between 81% to a maximum 100% of the Area Median income subject to the availability of funds. Eligible fees include but are not limited to the following: appraisal, credit report, flood determination, settlement agent fee, recording fees, homeowner's 1st year insurance premium, prepaid interest, property taxes, and any/all initial escrow payments at closing. Interest rate buydown is to be limited to no greater than 2% of loan amount or greater, on a case-by-base basis. The maximum amount of assistance is \$45,000.00. The first \$25,000.000 will be awarded with no required contribution. For any amount over \$25,000.000, a 4 to 1 contribution will be required from the borrower(s) own funds. Down Payment assistance is a one-time assistance and subject to a lease addendum restriction requiring a portion of the grant be returned if the lessee fails to occupy the dwelling or sells or transfers the lease within 5-10 years or on a case-by-case basis.

**DHHL NAHASDA DOWN PAYMENT
ASSISTANCE PROGRAM POLICY**

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ATTACHMENTS

1. Lender Application
2. Sample Lease Addendum
3. Consent to Mortgage

I. PURPOSE

DHHL recognizes the need to establish a Down Payment Assistance Program (DPA) providing financial assistance to support housing stability for moderate income Native Hawaiians who are in need of down payment assistance to become successful homeowners.

II. POLICY STATEMENT

The Down Payment Assistance Program (DPA) Policy establishes guidelines for administration and delivery of financial assistance designed to promote homeownership by supporting households with a downpayment and/or assisting with closing costs or interest rate buydown. This policy provides direction for DHHL NAHASDA staff or a service provider to administer and manage the DPA. Homes are to be purchased and must be located within the State of Hawaii on Hawaiian Home Lands.

III. APPLICABILITY

A. Law

Policies regarding the administration of this program are to be compliant with Title VIII of the Native American Housing Assistance and Self-Determination Act (NAHASDA), the Native Hawaiian Housing Block Grant Regulations at 24 CFR Part 1006 and/or any other applicable program requirements.

B. Housing Area

Assistance will be provided in the housing area defined as an area of Hawaiian Home Lands with respect to which DHHL is authorized to provide assistance for affordable housing or otherwise authorized under federal law.

C. Funding

Assistance is subject to the availability of funds with the maximum amount being \$45,000.00 as determined by a DHHL NAHASDA program staff or an approved service provider.

First \$25,000.00 will be awarded with no required contribution. For any amount over \$25,000.00, a 4 to 1 contribution will be required from the borrower(s) own funds. Gift funds, loans and/or additional grant funds are not acceptable as sources of contribution.

EXAMPLE:

Financial Assistance	Contribution from Borrower(s)
\$25,000.00	NONE
\$20,000.00	\$5,000.00 <i>4 to 1 match</i>
Total Financial Assistance	Total Contribution(s)
\$45,000.00 (maximum)	\$5,000.00
TOTAL FUNDS FOR DOWN PAYMENT/CLOSING COST	
	\$50,000.00

D. Policies

The eligibility, admission, and occupancy criteria for assistance utilizing this program shall be the same as those described in the Department of Hawaiian Home Lands (DHHL) adopted NAHASDA Admission & Occupancy Policy, Housing Counseling Policy, and Rental Assistance Program Policy as they apply to the type of assistance provided.

IV. ELIGIBLE FAMILIES

Eligible families are Native Hawaiian as defined in the Admissions and Occupancy Policy who are determined to be meet NAHASDA's household income eligibility of 81% to a maximum 100% of the Area Median Income and subject to annual adjustments. Limited to first time homebuyers only.

V. ELIGIBLE CIRCUMSTANCES

- a need to qualify for the purchase of a DHHL turnkey residential offering on Hawaiian Home Lands
- a need for additional funds to be used as a down payment, applied to eligible closing costs/prepays, and/or an interest rate buydown

Eligible fees include but not limited to the following:

appraisal, credit report, flood determination, settlement agent fee, recording fees, homeowner's 1st year insurance premium, prepaid interest, property taxes, and any/all initial escrow payments at closing

Interest rate buydown to be limited to no greater than 2% of loan amount or greater, on a case-by-case basis

- home must be an owner occupant/primary residence for the duration of the mortgage term
- borrower(s) mandatory participation in housing counseling
- borrower(s) 1st mortgage lender must submit a full, complete credit file for DHHL NAHASDA staff or service provider's review
- DHHL reserves the right to determine how funds are applied

VI. ELIGIBLE USES OF FUNDS

A. Allowable Costs

Allowable costs include, but are not limited to, the following:

- Down payment towards the purchase of a DHHL turnkey residential offering on Hawaiian Home Lands
- Assistance with eligible closing costs/prepays for purchases
 - Eligible fees include but not limited to the following: appraisal, credit report, flood determination, settlement agent fee, recording fees, homeowner's 1st year insurance premium, prepaid interest, property taxes, and any/all initial escrow payments at closing
- Interest rate buydown not to exceed 2 points (2%) of the loan amount or greater, on a case-by-case basis
- Mortgage assistance - will follow the applicable loan program and its guidelines

B. Impermissible Use of Funds

- Assistance may not be used to pay off any consumer debt
- Assistance may not be used on purchase transactions for any upgrades that is not ADA eligible or to reduce monthly utility costs
- Assistance may not be provided outside the housing area defined as an area of Hawaiian Home Lands with respect to which DHHL is authorized to provide assistance for affordable housing or otherwise authorized under federal law
- Cash back to borrower(s) is prohibited

C. Authorization of Cost

DHHL NAHASDA program staff will determine allowability of costs on a case-by-case basis.

D. Payment of Assistance

At no time will assistance be given directly to the family. A non-interest-bearing account will be opened in the buyer's name with a Hawaii based escrow company. DHHL NAHASDA program staff will develop procedures regarding the process for disbursing the downpayment assistance funds. The following cites typical examples of payment disbursement:

- Directly to a vendor
- Directly to a financial institution
- Directly to a service provider under an agreement with the DHHL
- Other as determined by DHHL NAHASDA program staff

VII. ASSISTANCE AMOUNT

A. Factors

The factors used to determine the amount of assistance to be awarded on behalf of the participant are:

- Annual income of all household members
- Appraised value of home
- Type of assistance required
- First time homebuyer(s) or no ownership interest in a home in the last 3 years
- Subject to 1st mortgage lender's policies for DPA limits that they may have or may apply

B. Term of Assistance

Down Payment assistance is a one-time assistance and subject to a lease addendum restriction requiring you to return a portion of the grant if you fail to occupy the dwelling or sell or transfer your lease interest within 5-10 years or on a case-by-case basis.

EXAMPLE: transfer/sell after 7 years

Grant Subsidy Period # of months		120
# of months loan/grant retained		84
Remaining # of months of Grant Subsidy		36
Remaining # of months of Grant Subsidy ÷ Grant Subsidy Period (months)		0.3
Loan, grant or subsidy amount	\$	45,000.00
Pro-Rated portion due to DHHL from Lessee	\$	13,500.00

C. Affordability Period

The affordability period commences with the recordation of the Lease Addendum as identified in the DHHL Native Hawaiian Housing Plan.

VIII. APPLICATION PROCESS

A. Overview

To apply, Borrower(s) 1st mortgage lender must submit a full, complete credit file for DHHL NAHASDA staff or service provider's review. Lender must be FHA and/or HUD 184a approved to participate or have an agreement with DHHL. See attached Loan Application, information required subject to change.

- DHHL NAHASDA staff or service provider to determine income eligibility of 81% not exceeding 100.00% of the Area Median Income and subject to change based on HUD's published income limits at <https://www.huduser.gov/portal/datasets/il.html>
- Communicate any discrepancies and recommendations to 1st mortgage lender

B. Approval

DHHL NAHASDA staff to submit for Chairman approval and inform the Lender of the final decision.

- If denied, a letter will be sent to the Borrower(s) with reasons for the declination
- Once approved, the Consent to Mortgage to be prepared for Chair approval and notifies appropriate DHHL staff. (see exhibit for sample of Consent to Mortgage)
- DHHL NAHASDA staff to draft Lease Addendum (see exhibit for sample of a Lease Addendum) for AG's review and approval.
- Upon receipt of approved Consent to Mortgage and Lease Addendum, copies are sent to appropriate DHHL staff for distribution accordingly for signing and recording.

Detailed explanation of the Lease Addendum terms to be discussed with Lessee and acknowledgement of understanding to be provided.

- Loan documents are to be signed by the Lessee(s) and other involved parties, if necessary. The documents are returned to appropriate DHHL staff to be recorded in DHHL's recordation system. Original documents are placed in the lessee's file and a copy to be provided to the Lessee.

IX. Maintenance and Repair

Homeowner(s) are responsible for preventative, routine, and non-routine maintenance.

X. Insurance

A. Expense, Coverage

The Lessee(s) is required to, at their own expense, always maintain adequate homeowner's insurance during the term of the Lease for all buildings erected on the demised land to insure against loss or damage. Coverage should be provided through a responsible insurance company authorized to do business in the State of Hawaii and in an amount equal to or greater than the replacement cost of the dwelling in the joint names of DHHL (Lessor), Lessee and mortgagee (if any) as their interest may appear.

B. Insurance Binder

The Lessee must provide an insurance binder to DHHL as part of the loan application packet documenting adequate homeowner's and hurricane insurance (and if applicable, flood insurance) for the replacement cost of the home. This documentation is required prior to loan closing. For Lessees that will not have an outstanding loan balance at time of conveyance, this insurance documentation is still required.

XI. Housing Counseling

Pre- and post-purchase counseling is required in accordance with the DHHL Kukulū Housing Counseling Policy.

ATTACHMENTS

- A Lender Application
- B Consent to Mortgage
- C Sample Lease Addendum with NHHBG Loan Funds

JOSH GREEN, M.D.
GOVERNOR
STATE OF HAWAII
*Ke Kia'ikina o ka Moku'ikina o
Hawaii*

SYLVIA J. LUKE
LT. GOVERNOR
STATE OF HAWAII
*Ka Hope Kia'ikina o ka Moku'ikina
o Hawaii*



KALI WATSON
CHAIRPERSON, HHC
Ka Laha Ho'ohole

KATIE L. DUCATT
DEPUTY TO THE CHAIR
Ka Hope Laha Ho'ohole

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
Ka 'Oihana 'Aina Ho'opulapula Hawai'i
P. O. BOX 1879
HONOLULU, HAWAII 96805

**NATIVE HAWAIIAN HOUSING BLOCK GRANT HOME ASSISTANCE
DOWN PAYMENT PROGRAM APPLICATION (NHHBG)**

The Native American Housing Assistance and Self Determination Act of 1996 (NAHASDA) provides housing assistance through a block grant program from the United States Department of Housing and Urban Development (HUD).

Native Hawaiians were added to NAHASDA in 2000. DHHL is the designated recipient of the Native Hawaiian Housing Block Grant (NHHBG).

DHHL/NAHASDA is assisting moderate income Native Hawaiians who are in need of a down payment to become successful homeowners.

Eligibility to apply for a DHHL/NAHASDA Down Payment Assistance Grant, is as follows:

1. Applicant must be an eligible family as defined in the Admissions and Occupancy Policy who are determined to meet NAHASDA's **household** income eligibility of 80.01% to 100% of the Area Median Income upon submission of this application by applicant's 1st mortgage lender.
2. Applicant must be in contract to purchase a home located in the State of Hawaii on Department of Hawaiian Home Lands property.
3. Applicant must be a first-time homebuyer or has not owned a home in the last 3 years. Proper documentation must be provided.
4. Applicant to complete attached and provide all financial documentation for **ALL** household members. Regardless if they are on the 1st mortgage loan or not.

Name: _____ Date: _____

Contact Number: _____ Email: _____

Mailing Address: _____

Gender: Male Female Age: _____

Current housing: Own/Rent Other Number of years: _____ Housing Payment: _____

of household members: _____ Total 18 years+: _____ 18 years and under: _____

Purchasing a home on: _____ (island) Project: _____

Lender Information:

Name of Mortgage Lender: _____ Phone number: _____

Address of Lender: _____

Loan Officer: _____ Contact info: _____

Lender certifies all information provided is true and correct:

Josh Green, M.D.
GOVERNOR
STATE OF HAWAII
*Ke Kia'āina o ka Moku'āina 'o
Hawai'i*



KALI WATSON
CHAIRPERSON, HHC
Ka Luna Ho'okele

Sylvia J. Luke
LT. GOVERNOR
STATE OF HAWAII
*Ka Hope Kia'āina o ka Moku'āina
'o Hawai'i*

KATIE L. DUCATT
DEPUTY TO THE CHAIR
Ka H ope Luna Ho'okele

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
Ka 'Oihana 'Āina Ho'opulapula Hawai'i

P. O. BOX 1879
HONOLULU, HAWAII 96805

NATIVE HAWAIIAN HOUSING BLOCK GRANT HOME ASSISTANCE
PROGRAM APPLICATION (NHHBG)

Application must be filled out COMPLETELY. Please use BLACK or BLUE Ink to complete application. If any question does NOT apply, please acknowledge by writing NONE or NOT APPLICABLE. Do not leave any section unanswered. Be reminded that all questions asked apply to ALL Household members. Please print or type.

PART 1: GENERAL INFORMATION:

Lease #: _____ / Lot #: _____

APPLICANT

(Lessee): _____
Legal Last Name First Name Middle Initial

Home Phone: _____ Cell Phone: _____ Work Phone: _____

Home Address: _____ Apt./ Unit #: _____

City: _____ State: _____ Zip: _____ Years at Residence: _____ email address: _____

Marital Status (check applicable choice): _____ Married _____ Single _____ Divorced _____ Widowed _____ Other

Mailing Address: _____ Apt./ Unit #: _____

City: _____ State: _____ Zip: _____

PART 2: HOUSEHOLD MEMBERS:

Total Household Size: _____

Starting on first line for the Head of Household, please supply the information for all adults and children that will live in the housing unit to be assisted. List the adults first, then children.

Enter one of the following codes in the "Relation Code" box to identify the household relationship of each adult and child listed.

L = Head of Household K = Co-Head (Not Married) Y = Youth Under 18 LIA = Live In Aide
S = Spouse (Married) F = Foster Child/ Adult E = Full Time Student Over 18 A = Other Adult

Last Name & Sr, Jr, etc.	First Name	MI	Date of Birth/ Age	Sex	Relation Code
1					L (Lessee)
Social Security Number					
Last Name & Sr, Jr, etc.	First Name	MI	Date of Birth/ Age	Sex	Relation Code
2					
Name & Sr, Jr, etc.	First Name	MI	Date of Birth/ Age	Sex	Relation Code
3					
Last Name & Sr, Jr, etc.	First Name	MI	Date of Birth/ Age	Sex	Relation Code
4					
Last Name & Sr, Jr, etc.	First Name	MI	Date of Birth/ Age	Sex	Relation Code
5					
Last Name & Sr, Jr, etc.	First Name	MI	Date of Birth/ Age	Sex	Relation Code
6					
Last Name & Sr, Jr, etc.	First Name	MI	Date of Birth/ Age	Sex	Relation Code
7					
Last Name & Sr, Jr, etc.	First Name	MI	Date of Birth/ Age	Sex	Relation Code
8					

Authorization for the Release of Information/ Privacy Act Notice

to the U.S. Department of Housing and Urban Development (HUD)
and the Housing Agency/Authority (HA)

U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing
OMB Control Number 2577-0295
Expiration Date 1/31/2025

PHA requesting release of information: **(Cross out space if none)**
(Full address, name of contact person, and date)

IHA requesting release of information: **(Cross out space if none)**
(Full address, name of contact person, and date)

Authority: Section 904 of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988, as amended by Section 903 of the Housing and Community Development Act of 1992 and Section 3003 of the Omnibus Budget Reconciliation Act of 1993. This law is found at 42 U.S.C. 3544.

This law requires that you sign a consent form authorizing: (1) HUD and the Housing Agency/Authority (HA) to request verification of salary and wages from current or previous employers; (2) HUD and the HA to request wage and unemployment compensation claim information from the state agency responsible for keeping that information; (3) HUD to request certain tax return information from the U.S. Social Security Administration and the U.S. Internal Revenue Service. The law also requires independent verification of income information. Therefore, HUD or the HA may request information from financial institutions to verify your eligibility and level of benefits.

Purpose: In signing this consent form, you are authorizing HUD and the above-named HA to request income information from the sources listed on the form. HUD and the HA need this information to verify your household's income, in order to ensure that you are eligible for assisted housing benefits and that these benefits are set at the correct level. HUD and the HA may participate in computer matching programs with these sources in order to verify your eligibility and level of benefits.

Uses of Information to be Obtained: HUD is required to protect the income information it obtains in accordance with the Privacy Act of 1974, 5 U.S.C. 552a. HUD may disclose information (other than tax return information) for certain routine uses, such as to other government agencies for law enforcement purposes, to Federal agencies for employment suitability purposes and to HAs for the purpose of determining housing assistance. The HA is also required to protect the income information it obtains in accordance with any applicable State privacy law. HUD and HA employees may be subject to penalties for unauthorized disclosures or improper uses of the income information that is obtained based on the consent form. **Private owners may not request or receive information authorized by this form.**

Who Must Sign the Consent Form: Each member of your household who is 18 years of age or older must sign the consent form. Additional signatures must be obtained from new adult members joining the household or whenever members of the household become 18 years of age.

Persons who apply for or receive assistance under the following programs are required to sign this consent form:

- PHA-owned rental public housing
- Turnkey III Homeownership Opportunities
- Mutual Help Homeownership Opportunity
- Section 23 and 19(c) leased housing
- Section 23 Housing Assistance Payments
- HA-owned rental Indian housing
- Section 8 Rental Certificate
- Section 8 Rental Voucher
- Section 8 Moderate Rehabilitation

Failure to Sign Consent Form: Your failure to sign the consent form may result in the denial of eligibility or termination of assisted housing benefits, or both. Denial of eligibility or termination of benefits is subject to the HA's grievance procedures and Section 8 informal hearing procedures.

Sources of Information To Be Obtained

State Wage Information Collection Agencies. (This consent is limited to wages and unemployment compensation I have received during period(s) within the last 5 years when I have received assisted housing benefits.)

U.S. Social Security Administration (HUD only) (This consent is limited to the wage and self employment information and payments of retirement income as referenced at Section 6103(l)(7)(A) of the Internal Revenue Code.)

U.S. Internal Revenue Service (HUD only) (This consent is limited to unearned income [i.e., interest and dividends].)

Information may also be obtained directly from: (a) current and former employers concerning salary and wages and (b) financial institutions concerning unearned income (i.e., interest and dividends). I understand that income information obtained from these sources will be used to verify information that I provide in determining eligibility for assisted housing programs and the level of benefits. Therefore, this consent form only authorizes release directly from employers and financial institutions of information regarding any period(s) within the last 5 years when I have received assisted housing benefits.

Consent: I consent to allow HUD or the HA to request and obtain income information from the sources listed on this form for the purpose of verifying my eligibility and level of benefits under HUD's assisted housing programs. I understand that HAs that receive income information under this consent form cannot use it to deny, reduce or terminate assistance without first independently verifying what the amount was, whether I actually had access to the funds and when the funds were received. In addition, I must be given an opportunity to contest those determinations.

This consent form expires 15 months after signed.

Signatures:

_____	_____		
Head of Household	Date		
_____		_____	_____
Social Security Number (if any) of Head of Household		Other Family Member over age 18	Date
_____	_____	_____	_____
Spouse	Date	Other Family Member over age 18	Date
_____	_____	_____	_____
Other Family Member over age 18	Date	Other Family Member over age 18	Date
_____	_____	_____	_____
Other Family Member over age 18	Date	Other Family Member over age 18	Date

Privacy Act Notice. Authority: The Department of Housing and Urban Development (HUD) is authorized to collect this information by the U.S. Housing Act of 1937 (42 U.S.C. 1437 et. seq.), Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), and by the Fair Housing Act (42 U.S.C. 3601-19). The Housing and Community Development Act of 1987 (42 U.S.C. 3543) requires applicants and participants to submit the Social Security Number of each household member who is six years old or older. Purpose: Your income and other information are being collected by HUD to determine your eligibility, the appropriate bedroom size, and the amount your family will pay toward rent and utilities. Other Uses: HUD uses your family income and other information to assist in managing and monitoring HUD-assisted housing programs, to protect the Government's financial interest, and to verify the accuracy of the information you provide. This information may be released to appropriate Federal, State, and local agencies, when relevant, and to civil, criminal, or regulatory investigators and prosecutors. However, the information will not be otherwise disclosed or released outside of HUD, except as permitted or required by law. Penalty: You must provide all of the information requested by the HA, including all Social Security Numbers you, and all other household members age six years and older, have and use. Giving the Social Security Numbers of all household members six years of age and older is mandatory, and not providing the Social Security Numbers will affect your eligibility. Failure to provide any of the requested information may result in a delay or rejection of your eligibility approval.

Penalties for Misusing this Consent:

HUD, the HA and any owner (or any employee of HUD, the HA or the owner) may be subject to penalties for unauthorized disclosures or improper uses of information collected based on the consent form.

Use of the information collected based on the form HUD 9886 is restricted to the purposes cited on the form HUD 9886. Any person who knowingly or willfully requests, obtains or discloses any information under false pretenses concerning an applicant or participant may be subject to a misdemeanor and fined not more than \$5,000.

Any applicant or participant affected by negligent disclosure of information may bring civil action for damages, and seek other relief, as may be appropriate, against the officer or employee of HUD, the HA or the owner responsible for the unauthorized disclosure or improper use.

LEASE ADDENDUM WITH NHHBG FUNDS

The terms of this Lease Addendum are hereby incorporated into the Department of Hawaiian Home Lands Residential Lot Lease No. _____ dated _____ by and between the State of Hawaii, by its Department of Hawaiian Home Lands (the "Department"), as Lessor, and Lessee Name _____, as Lessee (the "Lease"), to which this Lease Addendum is attached. The provisions of this Lease Addendum are effective as of the date of this Lease Addendum.

This Lease is subject to the following conditions:

1. **Native Hawaiian Housing Block Grant.** Lessee acknowledges and agrees as follows:
 - a. The Department using funds from Native Hawaiian Housing Block Grant Number _____, as authorized by Title VIII of the Native American Housing Assistance and Self-Determination Act, hereinafter "NHHBG", provided Lessee a subsidy of \$_____ towards home purchase, which subsidy must be repaid if the Lessee fails to own and occupy the dwelling unit for a period of at least ____ years (the "Retention Period"). The Department is required by the terms of its NHHBG to impose income eligibility and affordability restrictions on property benefiting from the subsidy to ensure that such property remains affordable to low-income families for a specified period of time and has chosen to do so through this Lease Addendum.
 - b. During the Retention Period, Lessee may not transfer an interest in the Lease without the Department's approval and to any person who has not been found by the Department to be an eligible low-income Native Hawaiian purchaser or transferee (with a household income that does not exceed 80% of the area median income established by the Department of Housing and Urban Development).
 - c. If, during the Retention Period, Lessee fails to occupy the dwelling unit as his/her principal residence or Lessee fails to convey, sell or transfer any interest in the Lease to an eligible low-income Native Hawaiian purchaser or transferee, Lessee shall repay the subsidy according to the following formula.

The Retention Period shall be for a full ____ months from the date this Lease Addendum is recorded.

The number of months the Lessee holds title to the Lease after the date this Lease Addendum is recorded up to the month of transfer, surrender, sale or refinancing, shall be subtracted from ____ months. The remaining months is then divided by ____ months. The resultant quotient is then multiplied by the NHHBG subsidy amount to determine the pro rata share amount due. For example:

$$\frac{\text{months} - \text{months elapsed since Recordation of the Lease Addendum}}{\text{months}} \times \text{subsidy} = \text{pro rata share}$$

The income eligibility and affordability restrictions placed on this Lot shall automatically terminate upon repayment of the subsidy in accordance with paragraph 1c.

- d. Lessee's obligation to sell or convey the property only to an eligible low-income Native Hawaiian person, and to repay the subsidy to the Department shall automatically terminate upon any foreclosure, deed-in-lieu of foreclosure, or assignment of Lessee's mortgage to HUD. The income eligibility and affordability restrictions applicable to the Lot shall terminate upon a foreclosure sale or cancellation of this Lease by the Department.
- e. Notwithstanding paragraph 1d above, Lessee's obligation to sell or convey the property only to an eligible low-income Native Hawaiian person and to repay the subsidy to the Department shall be revived in the event surrender of the Lease to the Department or assignment of the Lessee's mortgage by HUD to the Department does not result in cancellation of the Lease by the Department.
- f. In the case of refinancing prior to the end of the Retention Period, an amount equal to a pro rata share of the NHHBG subsidy reduced for the period the Lessee owned and occupied the dwelling unit, as determined by using the formula in paragraph 1c, shall be repaid by the Lessee to the Department from any net gain realized upon the refinancing, unless the net gain is used for capital improvements to the mortgaged property.
- g. Unless the Department terminates the income eligibility and affordability restrictions, the income eligibility and affordability restrictions applicable to the Lot shall survive the death of the Lessee. If the Department does not terminate the income eligibility and affordability restrictions and the Lease is transferred to a successor under section 209 of the Hawaiian Homes Commission Act whose household income exceeds 80% of the area median income, the successor shall be required to fully repay the pro rata share, as determined by the formula in paragraph 1c. If there is no successor to the decedent and the Lease resumes its status as unleased Hawaiian home lands, the Department must continue to enforce the income eligibility and affordability restrictions placed on this Lot.

IN WITNESS WHEREOF, the parties have executed this Lease Addendum to acknowledge the attachment hereof to the Lease on this __ day of _____, 20____.

APPROVED AS TO FORM:

State of Hawaii
Department of Hawaiian Home Lands

Deputy Attorney General
State of Hawaii

by: _____
Chairman
Hawaiian Homes Commission

Lessee

Lot Number

Lease Number

CONSENT TO MORTGAGE

The DEPARTMENT OF HAWAIIAN HOME LANDS, STATE OF HAWAII ("Department"), the Lessor named in that certain indenture of lease, Lease No. _____, between the Department and <<LESSEE>>, as Lessee(s), does hereby consent to the attached Mortgage by <<LESSEE>>, as Mortgagor, in favor of <<<MORTGAGOR INFO, NAME, ADDRESS, ETC>>>>, as Mortgagee, upon the following conditions: (1) This consent shall not authorize, nor be deemed to authorize, any further or other assignment of said lease except, however, as authorized by section 208(6), Hawaiian Homes Commission Act of 1920, as amended, which states as follows:

Notwithstanding the provisions of paragraph (5), the lessee, with the consent and approval of the commission, may mortgage or pledge the lessee's interest in the tract or improvements thereon to a recognized lending institution authorized to do business as a lending institution in either the State or elsewhere in the United States; provided the loan secured by a mortgage on the lessee's leasehold interest is insured or guaranteed by the Federal Housing Administration, Department of Veterans Affairs, or any other federal agency and their respective successors and assigns, which are authorized to insure or guarantee such loans, or any acceptable private mortgage insurance as approved by the commission. The mortgagee's interest in any such mortgage shall be freely assignable. Such mortgages, to be effective, must be consented to and approved by the commission and recorded with the department.;

and, (2) this consent shall not be deemed nor construed to be a waiver of any term, covenant, condition, or provision of said lease; all rights of the Lessor under said lease being hereby reserved; and (3) any conflict between the lease and mortgage, the provisions in the former shall control; and (4) all other conditions upon which the approval of this consent was made are subject to ratification by the Hawaiian Homes Commission; provided, however, such condition would not affect the validity of said mortgage.

IN WITNESS WHEREOF, the STATE OF HAWAII, by its DEPARTMENT OF HAWAIIAN HOME LANDS, has executed these presents this _____ day of _____,

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

By _____
Chairman
Hawaiian Homes Commission
Approved by the Hawaiian Homes
Commission on February 20, 2024

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

August 19-20, 2024

To: Chairman and Members, Hawaiian Homes Commission

From: Lehua Kinilau-Cano, NAHASDA Government Relations Program Manager

Subject: For Information Only – Draft 2024 Annual Performance Report (APR) – Native Hawaiian Housing Block Grant

RECOMMENDATION MOTION/ACTION:

None; For information only.

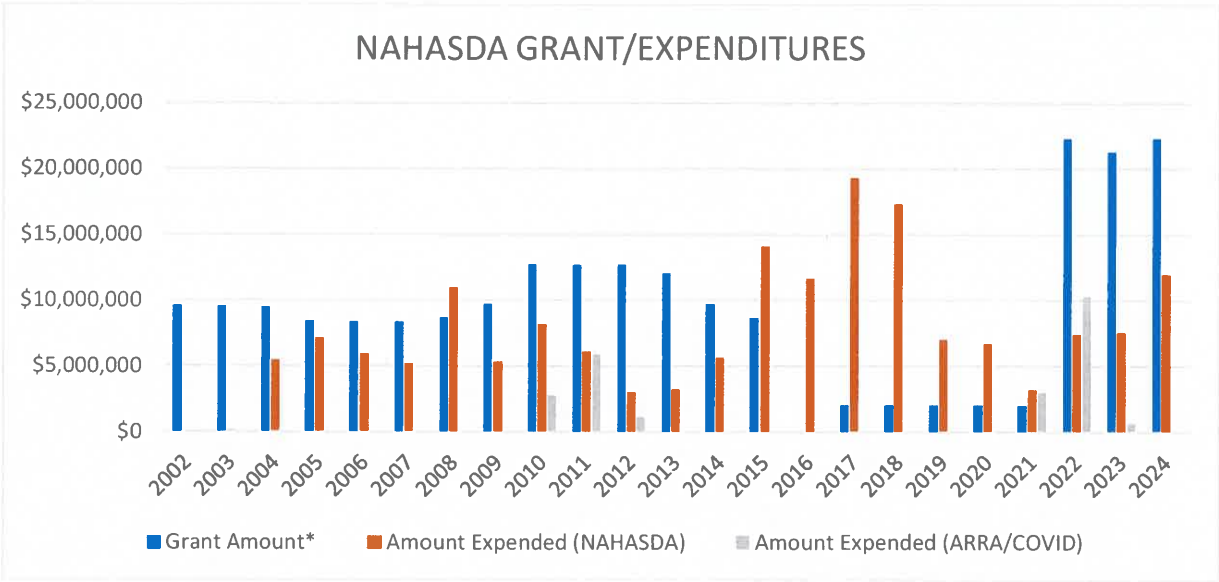
DISCUSSION

Title VIII of the Native American Housing Assistance and Self Determination Act requires the Department of Hawaiian Home Lands, as the sole recipient of Native Hawaiian Housing Block Grant funds, to report annually on activities performed in the past year. The report, disseminated for thirty days of public comment on August 19, 2024 will be finalized and submitted to the U.S. Office of Housing and Urban Development by September 27, 2024.

The shaded sections of the APR report on activities as approved in the Annual Housing Plan.

Fiscal Year 2022 – 2023 Expenditures by AHP Activity:

AHP 1.	2023 Capital Improvement Projects	\$3,212,475
AHP 2.	Developer Financing	\$ 0
AHP 3.	Homeowner Financing	\$1,929,855
AHP 4.	Home Assistance Program	\$ 0
AHP 5.	Waimanalo Kupuna Housing Rental Assistance	\$ 830,000
AHP 6-A.	Rental Vouchers	\$ 0
AHP 6-B.	Emergency Rental and Utilities Assistance Program	\$ 875,000
AHP 6-C.	DHHL Kupuna Rental Subsidy Program	\$ 985,000
AHP 6-D.	Rental Vouchers for DHHL Units	\$ 0
AHP 7.	Housing Counseling	\$ 25,500
AHP 8.	Homeowner Assistance	\$1,150,000
AHP 9.	Existing Potable Water Infrastructure Improvements	\$ 562,776
AHP 10.	Housing Conversion	\$ 872,374
AHP 11.	Property Acquisition	\$ 10,900
AHP 12.	SDU Financing	\$ 0
	Planning and Administration	<u>\$1,513,215</u>
	TOTAL	\$11,967,095



Current NAHASDA Balance: \$66,631,453

Encumbered by Contract: \$34,395,137

Available NAHASDA Balance: \$32,236,316

RECOMMENDED MOTION/ACTION

None; For information only.

For DHHL's Use: July 1, 2023 thru June 30, 2024 Annual Housing Plan

ANNUAL PERFORMANCE REPORT
(NAHASDA §§ 803(b)(1), 803(c)(1) and 820(a)(2))

This form meets the requirements for a Native Hawaiian Housing Plan (NHHP) and Annual Performance Report (APR) required by the United States Department of Housing and Urban Development. The information requested does not lend itself to confidentiality.

Regulatory and statutory citations are provided throughout this form as applicable. The Department of Hawaiian Home Lands (DHHL) is encouraged to review these citations when completing the NHHP and APR sections of the form.

Under Title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4101 et seq.), HUD will provide grants under the Native Hawaiian Housing Block Grant (NHHBG) program to DHHL to carry out affordable housing activities for Native Hawaiian families who are eligible to reside on the Hawaiian Home Lands. To be eligible for the grants, DHHL must submit a NHHP that meets the requirements of the Act. To align the NHHBG program with recent improvements made to the Indian Housing Block Grant program, HUD is requiring DHHL to submit the NHHP to HUD at least 75 days prior to the start of its 12-month fiscal year. The APR is due no later than 60 days after the end of DHHL's fiscal year (24 CFR § 1006.410).

The NHHP and the APR (previously two separate forms) are now combined into one form. The sections pertaining to the NHHP are submitted **before** the beginning of the 12-month fiscal year, leaving the APR (shaded) sections blank. If the NHHP has been updated or amended, use the most recent version when preparing the APR. After the 12-month fiscal year, enter the results from the 12-month fiscal year in the shaded sections of the form to complete the APR. More details on how to complete the NHHP and APR sections of the form can be found in the body of this form. In addition, DHHL may find it helpful to refer to the IHP/APR form guidance available at http://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/nahasda/guidance until a guidance specific to the NHHP/APR form is made available.

FORM COMPLETION OPTIONS: The NHHP/APR form may be completed either in hard copy or electronically. Hard copy versions may be completed either by hand or typewriter. Alternatively, the form may be completed electronically as it is a Word document. It is recommended that the form be completed electronically because it is more efficient to complete, submit, and review the form. Furthermore, electronic versions of the form may be submitted to HUD as an email attachment. To document official signatures on the electronic version, you should sign a hard copy of the pages and either fax (808-457-4694) that signed page or email (claudine.c.allen@hud.gov) it as an attachment to the Office of Native American Programs – Attention: Claudine Allen in the HUD Honolulu Field Office. The sections of the NHHP that require an official signature are the Cover Page and Sections 13 and 14, if applicable. For the APR, the Cover Page requires an official signature.

The NHHP data is used to verify that planned activities are eligible, expenditures are reasonable, and DHHL certifies compliance with related requirements. The APR data is used to audit the program accurately and monitor DHHL's progress in completing approved activities, including reported expenditures, outputs, and outcomes. This form is exempt from OMB Approval pursuant to 5 CFR 1320.3(4)(c).

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Note: The page numbers in the Table of Contents can update automatically as the NHHP or APR is completed. To update the page numbers, right-click anywhere in the table, select "Update Field" and select "update page numbers only."

Native Hawaiian Housing Block Grant (NHHBG)

Exempt from OMB Approval. 5 CFR 1320.3 (c) (4)

U.S. Department of Housing and Urban Development

NHHP/APR

Office of Public and Indian Housing

Office of Native American Programs

COVER PAGE

(1) Grant Number: 15HBGHI0001; 17HBGHI0001; 18HBGHI0001; 19HBGHI0001; 20HBGHI0001; 21HBGHI0001; 22HBGHI0001; 23HBGHI0001

(2) Recipient Fiscal Year: 2024

(3) Federal Fiscal Year: 2023

(4) Initial Plan (Complete this Cover Page then proceed to Section 1)

(5) Amended Plan (Complete this Cover Page and Section 14)

(6) Annual Performance Report (Complete items 24-27 and proceed to Section 3)

(7) Name of Recipient: Department of Hawaiian Home Lands		
(8) Contact Person: Lehua Kinilau-Cano, NAHASDA Government Relations Program Manager		
(9) Telephone Number with Area Code: 808-620-9486		
(10) Mailing Address: PO Box 1879		
(11) City: Honolulu	(12) State: HI	(13) Zip Code: 96805
(14) Fax Number with Area Code (if available): 808-620-9529		
(15) Email Address (if available): Nicole.L.Kinilau-Cano@hawaii.gov		

(16) Tax Identification Number: 99-0266483
(17) DUNS Number: 809935661
(18) CCR/SAM Expiration Date: 05/17/2023
(19) NHHBG Annual Grant Amount: \$21,300,000
(20) Name of Authorized NHHP Submitter: Kali Watson
(21) Title of Authorized NHHP Submitter: Chairman, Hawaiian Homes Commission
(22) Signature of Authorized NHHP Submitter:
(23) NHHP Submission Date: 04/17/2023
(24) Name of Authorized APR Submitter: Kali Watson
(25) Title of Authorized APR Submitter: Chairman, Hawaiian Homes Commission
(26) Signature of Authorized APR Submitter:
(27) APR Submission Date: 09/27/2024

Certification: The information contained in this document is accurate and reflects the activities actually planned or accomplished during the program year. Activities planned and accomplished are eligible under applicable statutes and regulations.

Warning: If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under 18 U.S.C 1001. In addition, any person who knowingly and materially violates any required disclosure of information, including intentional disclosure, is subject to a civil money penalty not to exceed \$10,000 for each violation.

SECTION 1: FIVE YEAR PLAN

The Five Year Plan is intended to cover the Department of Hawaiian Home Lands' (DHHL) long range plans for affordable housing. Each housing plan must contain, for the five-year period beginning with the fiscal year for which the plan is first submitted, the following information.

Five Year Period: 2023 through 2027

MISSION STATEMENT (NAHASDA § 803(b)(2)(A))

A Mission Statement describes the mission of the DHHL to serve the needs of Native Hawaiian low-income families.

Enter the DHHL's Mission Statement here:

To manage the Hawaiian Home Lands Trust effectively and to develop and deliver land to native Hawaiians. We will partner with others toward developing self-sufficient and healthy communities.

GOALS, OBJECTIVES AND PROGRAMS/ACTIVITIES (NAHASDA § 803(b)(2)(B) and (C))

DHHL must provide a statement of the goals, objectives, and programs/activities planned for the beneficiaries over the five year period. The goals are the intended result of the NHHBG activity and are based on the types of outcomes that the DHHL will report in the APR. The objectives are the means or approach that the DHHL will use to reach the goal. The programs/activities are the specific programs/activities that will be funded in order to achieve the goal and the objective.

Goals May Include:

- | | |
|--|--|
| (1) Reduce over-crowding | (6) Assist affordable housing for college students |
| (2) Assist renters to become homeowners | (7) Provide accessibility for disabled/elderly persons |
| (3) Improve quality of substandard units | (8) Improve energy efficiency |
| (4) Address homelessness | (9) Reduction in crime reports |
| (5) Create new affordable rental units | (10) Other |

Objectives May Include:

- | | |
|--|---|
| (1) [RESERVED – DO NOT USE THIS NUMBER] | (14) Lending subsidies for homebuyers |
| (2) [RESERVED – DO NOT USE THIS NUMBER] | (15) Other homebuyer assistance activities |
| (3) Acquisition of rental housing | (16) Rehabilitation assistance to existing homeowners |
| (4) Construction of rental housing | (17) Tenant based rental assistance |
| (5) Rehabilitation of rental housing | (18) Other Housing Service |
| (6) Acquisition of land for rental housing development | (19) Housing Management Services |
| (7) Development of emergency shelters | (20) Operation and maintenance of NHHBG units |
| (8) Conversion of other structures to affordable housing | (21) Crime Prevention and Safety |
| (9) Other rental housing development | (22) Model Activities |
| (10) Acquisition of land for homebuyer unit development | (23) [RESERVED – DO NOT USE THIS NUMBER] |
| (11) New construction of homebuyer units | (24) Infrastructure to support housing |
| (12) Acquisition of homebuyer units | (25) [RESERVED – DO NOT USE THIS NUMBER] |
| (13) Downpayment/Closing cost assistance | |

Use the sections below to describe the DHHL's goals, objectives, and programs/activities during the five year period.

Goal(s) Number: I.	(2) Assist renters to become homeowners
-------------------------------	---

Select from the goals listed above.

Objective(s) Number: Ia.	(24) Infrastructure to support housing
-------------------------------------	--

Select from the objectives listed above.

Program/Activity Description: Infrastructure Development (Statewide)	To develop lots statewide.
---	----------------------------

Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

Goal(s) Number: II.	(5) Create new affordable rental units
--------------------------------	--

Select from the goals listed above.

Objective(s) Number: IIa.	(4) Construction of rental housing
--------------------------------------	------------------------------------

Select from the objectives listed above.

Program/Activity Description: Developer Financing	This activity provides NAHASDA funding as part of a capital stack to conduct vertical construction of rental units.
---	---

Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

Goal(s) Number: III.	(2) Assist renters to become homeowners
---------------------------------	---

Select from the goals listed above.

Objective(s) Number: IIIa.	(14) Lending subsidies for homebuyers
---------------------------------------	---------------------------------------

Select from the objectives listed above.

Program/Activity Description: Homeowner Financing (Statewide)	To provide NHHBG-funded home loans to lessee families for new construction or home purchase.
--	--

Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

Goal(s) Number: IV.	(3) Improve quality of substandard units
--------------------------------	--

Select from the goals listed above.

Objective(s) Number: IVa.	(16) Rehabilitation assistance to existing homeowners
--------------------------------------	---

Select from the objectives listed above.

Program/Activity Description: Home Assistance Program (Statewide)	This activity provides three types of assistance: (1) a deferred, no payment loan up to \$100,000; (2) a small repayment loan (up to \$100,000) for costs exceeding the original \$100,000 amount; or (3) a demolition/new build loan for properties where cost to repair exceed the appraised or tax assessed value.
--	---

Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

Goal(s) Number: V.	(4) Address homelessness
-------------------------------	--------------------------

Select from the goals listed above.

Objective(s) Number: Va.	(17) Tenant based rental assistance
-------------------------------------	-------------------------------------

Select from the objectives listed above.

Program/Activity Description: Waimanalo Kupuna Housing Rental Assistance	The use of NHHBG funds in the project is primarily to supplement tenants rent at the Waimanalo Kupuna Housing so their maximum contribution does not exceed 30% of their gross monthly income. Built in 2002 utilizing Low Income Housing Tax Credits, this subsidy will assist in stabilizing rental increases over the remainder of the project's LIHTC existence.
--	--

Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

Goal(s) Number: VI.	(4) Address homelessness
--------------------------------	--------------------------

Select from the goals listed above.

Objective(s) Number: VIa.	(17) Tenant based rental assistance
--------------------------------------	-------------------------------------

Select from the objectives listed above.

Program/Activity Description: Rental Vouchers	This activity establishes the use of rental housing vouchers for eligible beneficiaries. Provides financial assistance to families facing eviction, experiencing homelessness or at risk of homelessness.
---	---

Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

Goal(s) Number: VII.	(10) Other
---------------------------------	------------

Select from the goals listed above.

Objective(s) Number: VIIa.	(18) Other Housing Service
---------------------------------------	----------------------------

Select from the objectives listed above.

Program/Activity Description: Housing Counseling	At minimum, every family that receives NHHBG assistance will be offered financial literacy education; case management assistance; and servicing by housing counseling vendor.
--	---

Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

Goal(s) Number: VIII.	(10) Other
----------------------------------	------------

Select from the goals listed above.

Objective(s) Number: VIIIa.	(18) Other Housing Service
--	----------------------------

Select from the objectives listed above.

Program/Activity Description: Homeowner Assistance	This activity is aimed at mitigating financial hardships by providing financial assistance to promote housing stability.
--	--

Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

Goal(s) Number: IX.	(3) Improve quality of substandard units
--------------------------------	--

Select from the goals listed above.

Objective(s) Number: IXa.	(24) Infrastructure to support housing
--------------------------------------	--

Select from the objectives listed above.

Program/Activity Description: Potable Water Development (Statewide)	This activity will support the development and delivery of potable water to new and existing homesteads.
--	--

Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

Goal(s) Number: X.	(4) Address homelessness
-------------------------------	--------------------------

Select from the goals listed above.

Objective(s) Number: Xa.	(8) Conversion of other structures to affordable housing
-------------------------------------	--

Select from the objectives listed above.

Program/Activity Description: Housing Conversion	This activity supports the conversion of existing land and structures to affordable housing.
--	--

Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

Goal(s) Number: XI.	(5) Create new affordable rental units
--------------------------------	--

Select from the goals listed above.

Objective(s) Number: XIa.	(6) Acquisition of land for rental housing development
--------------------------------------	--

Select from the objectives listed above.

Program/Activity Description: Property Acquisition (Oahu – Priority)	This activity will support the purchase of land or existing structure(s) for rental housing.
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Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

Goal(s) Number: XII.	(5) Create new affordable rental units
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Select from the goals listed above.

Objective(s) Number: XIIa.	(4) Construction of rental housing
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Select from the objectives listed above.

Program/Activity Description: Supplemental Dwelling Unit Financing	This activity will provide NHHBG funding to residential lessees on Hawaiian Home Lands to finance construction of a supplemental dwelling unit that will be used as an affordable rental.
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Describe the planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives.

ONE YEAR PLAN & ANNUAL PERFORMANCE REPORT

SECTION 2: HOUSING NEEDS

(NAHASDA § 803(c)(2)(B))

(1) Type of Need: Check the appropriate box(es) below to describe the estimated types of housing needs and the need for other assistance for low-income Native Hawaiian families (columns B and C) and non-low-income Native Hawaiian families, including non-Native Hawaiian essential families [809(a)(2)(B) and (C)] (column D) eligible to be served by DHHL.

(A) Type of Need	Check All That Apply		
	(B) Low-Income Native Hawaiian Families on Hawaiian Home Lands	(C) Low-Income Native Hawaiian Families on Wait List	(D) Non-Low- Income Native Hawaiian Families
(1) Overcrowded Households	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(2) Renters Who Wish to Become Owners	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
(3) Substandard Units Needing Rehabilitation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
(4) Homeless Households	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(5) Households Needing Affordable Rental Units	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
(6) College Student Housing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
(7) Disabled Households Needing Accessibility	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
(8) Units Needing Energy Efficiency Upgrades	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
(9) Infrastructure to Support Housing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(10) Other (specify below)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(2) Other Needs. *(Describe the "Other" needs below. Note: this text is optional for all needs except "Other.")*:

The Hawaiian Homes Commission Act of 1920, as amended, established the Hawaiian Home Lands Trust and defined the population eligible to reside on Hawaiian home lands as those native Hawaiians with no less than 50% Hawaiian blood and their successors or assignees of less than 50% Hawaiian blood. With approximately 9,205 leases on homesteads stretching from Hawaii Island to Kauai, the Department of Hawaiian Home Lands was created at statehood to assist the commission in meeting its fiduciary obligations.

DHHL, through SMS Research, completed its 2020 Beneficiary Survey detailed in the *DHHL Beneficiaries Study Lessee Report, 2020* and the *DHHL Beneficiaries Study Applicant Report, 2020*.

The native Hawaiian subset for the purpose of this plan is determined as follows:

9,205	Lessees residing on the DHHL lands — as of December 31, 2022 ¹
23,725	Unduplicated waitlist as of December 31, 2022 ²
<u>21,399</u>	<u>Estimated Potential Applicants based on SMS 2019 respondents³</u>
54,329	Total native Hawaiian individuals/households

The *DHHL Beneficiaries Study Lessee Report, 2020* detailed the following about HUD Median Income: “While the median household income has consistently increased, the percentage of Lessee households classified as earning 80 percent or less of the Department of Housing and Urban Development (HUD) Area Median Income (AMI) has risen. In 2008, 46 percent of Lessee households were considered low income according to the HUD guidelines. By 2014, this had increased to 55 percent. The percentage of Lessee households considered low income stayed about the same at 56 percent in 2020.”

The *DHHL Beneficiaries Study Applicant Report, 2020* noted the following about HUD Income Categories: “In 2020, the percent of applicant households below 80 percent of HUD AMI level is back up to 51 percent.”

5,155	Lessees residing on the DHHL Lands – 9,205 x 56%
12,100	Applicants – 23,725 x 51%
<u>12,197</u>	<u>Potential Applicants – 21,399 x 57% (SMS 2019 Study)</u>
29,452	Total native Hawaiian households eligible for NAHASDA

If we extrapolate and say that the average DHHL turnkey home is \$350,000, then the sufficient funding amount for NAHASDA would look like this:

12,100	Applicants – 23,725 x 51%
<u>12,197</u>	<u>Potential Applicants – 21,399 x 57% (SMS 2019 Study)</u>
24,297	x \$350,000 = \$8,503,950,000.00 sufficient funding for NAHASDA

Additional Research - 2017 HUD Report

Some of the key findings of *the Housing Needs of Native Hawaiians: A Report From the Assessment of American Indian, Alaska Native, and Native Hawaiian Housing Needs* prepared for HUD and dated May 2017 include the following:

- Native Hawaiian households tend to be larger. In 2010, the average size of a Native Hawaiian’s household was 4.1 people compared with 2.7 people for residents of Hawaii households.

1 Homestead Services Division, 1/17/23 Commission submittal. Includes lessees residing on residential, agricultural and pastoral lots, one lessee per lease, one house per lease/lot, as applicable. 773 Undivided Interest lessees omitted.

2 *Ibid.*

3 The SMS Hawaii Housing Policy Study, 2019 included a category for native Hawaiians with at least 50% blood quantum and not DHHL lessees or applicants.

- Although improvements were made during the 2000-to-2010 decade, Native Hawaiians living in Hawaii continue to be more economically disadvantaged: they have lower incomes, higher rates of assistance receipt, and higher poverty rates than do other residents of Hawaii.
- Native Hawaiian households also experience higher rates of overcrowding (15 percent) compared with residents of Hawaii households (8 percent).
- Homelessness among Native Hawaiians is prevalent. Although not typically chronically homeless, they are overrepresented in Hawaii's homeless population. Homeless Native Hawaiians often have jobs but cannot afford housing, so they double up (hidden homeless) or live in tents, shelters, cars, or garages.
- HHCA beneficiary households on the waiting list are more economically disadvantaged than are Native Hawaiian households overall, residents of Hawaii households, and Native Hawaiian households living on the home lands.
 - HHCA beneficiary households on the waiting list have the lowest median income of all four groups by a substantial margin: \$48,000 compared with more than \$60,000 for all other groups.
 - HHCA beneficiaries on the waiting list also receive public cash assistance at more than twice the rate of the other groups: about 20 percent of households on the waiting list received public cash assistance compared with about 7 percent of Native Hawaiians and those living on the home lands and 3 percent for residents of Hawaii.
- HHCA beneficiary households on the waiting list face more significant housing challenges across all dimensions than do the other groups.
 - Nearly 40 percent of HHCA beneficiary households on the waiting list were overcrowded compared with only 19 percent of households on sampled Hawaiian home lands, 15 percent of the state's Native Hawaiian households, and 8 percent of residents of Hawaii households.
 - About 10 percent of HHCA beneficiary households on the waiting list lack complete plumbing compared with 1 percent for all other groups.
 - Nearly one-half (46 percent) of HHCA beneficiary households on the waiting list experience cost burden compared with 40 percent of Native Hawaiian households, 42 percent of residents of Hawaii households, and only 21 percent of households on the sampled Hawaiian home lands. The much lower rate of cost burden among home lands households is due, at least in part, to the financial benefits of home lands leases, which reduce monthly housing costs, including minimal lease payments for the land and a 7-year exemption from real estate property tax.

Native Hawaiian Rehabilitation

The statistics shared in preceding paragraphs are not new to the native Hawaiians. Over 100 years ago, moved by the poor living conditions and low incomes of his people, Prince Jonah Kuhio Kalaniana'ole created the Ahahui Puuhonua o Na Hawaii, an organization comprised of royal men of lesser rank than himself who collectively served as the catalyst toward the chronicling of the despair and destitution of the makaainana (commoner) in 1911.

The work of the Ahahui Puuhonua o Na Hawaii and its members provided Prince Kuhio the much-needed data to create support, both in Hawaii and abroad in Washington, D.C. to pass the HHCA.

Through the Prince's leadership and participation in each of these community endeavors, the legacy of the Prince lives on for us today. This housing plan, a descendant of Kuhio's legacy thru the HHCA, is but a small piece of a much broader articulation of need in the State of Hawaii today. By focusing on housing, this most basic of needs acknowledged in the Western world, the department attempts to participate in the rehabilitation of the Hawaiian people. Should every Hawaiian have a safe, affordable, decent home, with fresh water for bathing and eating and cooking and food grown or gathered nearby, we could claim success. But with over \$8 billion in need and as the average 59-year-old applicant dies on the waiting list, it does not seem likely we will be able to make such a claim without immediate and swift monetary assistance in the next few years.

(3) Planned Program Benefits. *(Describe below how your planned programs and activities will address the needs of low income families identified above. Also describe how your planned programs will address the various types of housing assistance needs. NAHASDA § 803(c)(2)(B)):*

The planned programs and activities are aimed at assisting as many native Hawaiian households that earn 80% or less of HUD AMI to realize homeownership as part of the ongoing lot awards and production. The 2017 HUD Report noted that "many renters (63 percent) on the HHCA beneficiary waiting list who would prefer to own a home are unable to do so because they cannot afford a downpayment or save enough for a house." Thus, focus will be on homeowner financing and leveraged loans with USDA Rural Housing to provide new awardees with the opportunity for safe, affordable and decent housing.

While the 2017 HUD Report noted that HHCA beneficiary households on the waiting list face more significant housing challenges, lessees, especially in our older homestead communities face aging substandard housing. The 2020 Beneficiary Study Lessee Report identified 2,538 lessees that earn 80% or less of HUD AMI with a house needing either minor or major repairs. The planned home assistance program is geared to addressing this need.

DHHL recognizes the need for increased housing stability, especially as families have experienced financial hardships associated with the Coronavirus pandemic and took swift action first by approving the postponement of mortgage loan payments for all DHHL direct loans and loans assigned to DHHL. DHHL also initially utilized NAHASDA funds to provide emergency rental and homeowner assistance and has since received other federal funds for this purpose. The planned rental voucher program will build upon the initial temporary relocation and emergency assistance by expanding to kupuna (elders) who have been on the waiting list the longest in an effort to provide financial assistance for those at risk of homelessness or facing financial hardship.

The 2017 HUD Report identified homelessness among Native Hawaiians as a significant problem, but also acknowledged that data is not available for only Native Hawaiians. In an effort to fill this gap, DHHL entered into a Memorandum of Understanding with Partners in Care – Oahu Continuum of Care to understand how pervasive the situation of homelessness might be among its beneficiaries and especially those on its homestead applicant waiting list. The conversion of an existing structure to a transitional housing facility is intended to begin addressing this need.

DHHL's Oahu Island Plan noted that approximately 1,390 acres of land suitable for residential development is necessary to meet the homestead needs of all applicants on the residential list that are not otherwise accommodated assuming full implementation of the Oahu Island Plan. One of the program activities would be to develop site selection criteria to screen land and existing structure(s) to identify possible lands and existing structure(s) for residential units.

Infrastructure to support housing on land currently under DHHL's jurisdiction or future land or units acquired is a separate program activity. In addition to existing developments, these areas will likely be expanded to cover lands recently transferred to DHHL in Ewa, Oahu. Water is just as critical to homestead development as land. DHHL secured approved water reservations for DHHL's foreseeable groundwater needs statewide and the potable water infrastructure improvements would allow for improved and increased potable water service delivery. NAHASDA funding for developer financing will supplement the cost to construct affordable housing.

All NAHASDA assisted activities will be supported by housing counseling for both homeowners and renters.

(4) Geographic Distribution. *(Describe below how the assistance will be distributed throughout the geographic area and how this geographic distribution is consistent with the needs of low income families, including the needs for various categories of housing assistance. NAHASDA § 803(c)(2)(B)(i)):*

The 2020 Beneficiary Study Applicant Report provided HUD Income Categories by Island as follows:

80% or > AMI	Oahu		Maui		Hawaii		Kauai		Molokai		Lanai		Total	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
	6824	61%	1282	12%	2048	18%	600	5%	368	3%	36	.3%	11,158	99.3%

This distribution is similar to the % of DHHL Applicants by Island:

	Oahu	Maui	Hawaii	Kauai	Molokai	Lanai	Total
% App	57%	12%	21%	6%	3%	.3%	99.3%

NAHASDA-Assisted units by island to date align closely to this distribution and is expected to continue, but notes that assistance to neighbor islands is above the percent of households classified as earning 80 percent or less of the HUD AMI:

	Oahu	Maui	Hawaii	Kauai	Molokai	Lanai	Total
% Assisted	49%	15%	19%	8%	7%	2%	100%

SECTION 3: PROGRAM DESCRIPTIONS

(NAHASDA § [803(c)(2)(A)], [802(c)], [820(b)], 24 CFR §1006.410(b)(2) and (3))

Planning and Reporting on Program Year Activities

For the NHHP, the purpose of this section is to describe each program that will be operating during the 12-month fiscal year. Each program must include the eligible activity, its planned outputs, intended outcome, who will be assisted, and types and levels of assistance. Each of the eligible activities has a specific, measurable output. The first column in the table below lists all eligible activities, the second column identifies the output measure for each eligible activity, and the third column identifies when to consider an output as completed for each eligible activity. Copy and paste text boxes 1.1 through 1.10 as often as needed so that all of your planned programs are included.

For the APR, the purpose of this section is to describe your accomplishments, actual outputs, actual outcomes, and any reasons for delays.

Eligible Activities May Include (citations below reference sections in NAHASDA)

Eligible Activity	Output Measure	Output Completion
(1) RESERVED – DO NOT USE THIS NUMBER		
(2) RESERVED – DO NOT USE THIS NUMBER		
(3) Acquisition of Rental Housing [810(b)(1)]	Units	When recipient takes title to the unit
(4) Construction of Rental Housing [810(b)(1)]	Units	All work completed and unit passed final inspection
(5) Rehabilitation of Rental Housing [810(b)(1)]	Units	All work completed and unit passed final inspection
(6) Acquisition of Land for Rental Housing Development [810(b)(1)]	Acres	When recipient takes title to the land
(7) Development of Emergency Shelters [810(b)(1)]	Households	Number of households served at any one time, based on capacity of the shelter
(8) Conversion of Other Structures to Affordable Housing [810(b)(1)]	Units	All work completed and unit passed final inspection
(9) Other Rental Housing Development [810(b)(1)]	Units	All work completed and unit passed final inspection
(10) Acquisition of Land for Homebuyer Unit Development [810(b)(1)]	Acres	When recipient takes title to the land
(11) New Construction of Homebuyer Units [810(b)(1)]	Units	All work completed and unit passed final inspection
(12) Acquisition of Homebuyer Units [810(b)(1)]	Units	When recipient takes title to the unit
(13) Down Payment/Closing Cost Assistance [810(b)(1)]	Units	When binding commitment signed
(14) Lending Subsidies for Homebuyers (Loan) [810(b)(1)]	Units	When binding commitment signed
(15) Other Homebuyer Assistance Activities [810(b)(1)]	Units	When binding commitment signed
(16) Rehabilitation Assistance to Existing Homeowners [810(b)(1)]	Units	All work completed and unit passed final inspection
(17) Tenant Based Rental Assistance [810(b)(2)]	Households	Count each household once per year
(18) Other Housing Service [810(b)(2)]	Households	Count each household once per year

(19) Housing Management Services [810(b)(3)]	Households	Count each household once per year
(20) Operation and Maintenance of NHHBG-Assisted Units [810(b)(3)]	Units	Number of units in inventory at Fiscal Year End
(21) Crime Prevention and Safety [810(b)(4)]	Dollars	Dollars spent (report in Uses of Funding Table only)
(22) Model Activities [810(b)(5)]	Dollars	Dollars spent (report in Uses of Funding Table only)
(23) RESERVED – DO NOT USE THIS NUMBER		
(24) Infrastructure to Support Housing [810(b)(1)]	Improved Lots	All work completed and lot passed final inspection
(25) RESERVED – DO NOT USE THIS NUMBER		

Outcome May Include:

(1) Reduce over-crowding	(7) Create new affordable rental units
(2) Assist renters to become homeowners	(8) Assist affordable housing for college students
(3) Improve quality of substandard units	(9) Provide accessibility for disabled/elderly persons
(4) Improve quality of existing infrastructure	(10) Improve energy efficiency
(5) Address homelessness	(11) Reduction in crime reports
(6) Assist affordable housing for low income households	(12) Other – must provide description in boxes 1.4 (NHHP) and 1.5 (APR)

NHHP: PLANNED FISCAL YEAR ACTIVITIES (NAHASDA § 803(c)(2)(A))

For each planned activity, complete all the non-shaded sections below. It is recommended that for each program name you assign a unique identifier to help distinguish individual programs. This unique number can be any number of your choosing, but it should be simple and clear so that you and HUD can track tasks and results under the program and collect appropriate file documentation tied to this program.

- One way to number your programs is chronologically. For example, you could number your programs 2014-1, 2014-2, 2014-3, etc.
- Or, you may wish to number the programs based on type. For example rental 1, rental 2, homebuyer 1, homebuyer 2, etc. This type of numbering system might be appropriate if you have many programs that last over several years.
- Finally, you may wish to use an outline style of numbering. For example, all programs under your first eligible activity would start with the number 1 and then be consecutively numbered as 1.1, 1.2, 1.3, etc. The programs under the second eligible activity would be numbered as 2.1, 2.2., 2.3, etc.

APR: REPORTING ON PROGRAM YEAR PROGRESS (NAHASDA § 820(b))

Complete the shaded section of text below to describe your completed program tasks and actual results. Only report on activities completed during the 12-month fiscal year. Financial data should be presented using the same basis of accounting as the Schedule of Expenditures of Federal Awards (SEFA) in the annual OMB Circular A-133* audit. For unit accomplishments, only count units when the unit was completed and occupied during the year. For households, only count the household if it received the assistance during the previous 12-month fiscal year.

*DHHL should note that new Federal government regulations on Administrative Requirements, Cost Principles, and Audit Requirements were promulgated on December 26, 2013 at 2 C.F.R. Part 200. HUD intends to update its regulations by December 26, 2014 to implement these new requirements in its programs. In the meantime, applicable OMB Circulars and the regulations at 2 C.F.R. Part 225 will continue to apply to existing grants. After HUD implements the new requirements in 2 C.F.R. Part 200 (after December 26, 2014), all grants will be subject to 2 C.F.R. Part 200, as implemented by HUD.

<p>1.1 Program Name and Unique Identifier: 2023 Capital Improvement Projects (AHP I)</p>
<p>1.2 Program Description <i>(This should be the description of the planned program.):</i></p> <p>This activity develops lots for residential use on Trust Lands statewide.</p>
<p>1.3 Eligible Activity Number <i>(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):</i></p> <p>(24) Infrastructure to Support Housing [810(b)(1)]</p>
<p>1.4 Intended Outcome Number <i>(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):</i></p> <p>(2) Assist renters to become homeowners</p>
<p>Describe Other Intended Outcome <i>(Only if you selected "Other" above.):</i></p>
<p>1.5 Actual Outcome Number <i>(In the APR identify the actual outcome from the Outcome list.):</i></p> <p>(2) Assist renters to become homeowners</p>
<p>Describe Other Actual Outcome <i>(Only if you selected "Other" above.):</i></p>
<p>1.6 Who Will Be Assisted <i>(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):</i></p> <p>Undivided interest lessees and applicants meeting the 80% AMI income guidelines will receive vacant or improved lots for new home construction.</p>
<p>1.7 Types and Level of Assistance <i>(Describe the types and the level of assistance that will be provided to each household, as applicable.):</i></p> <p>This activity covers the cost of the infrastructure for projects, including planning, design, engineering, construction, and construction management services. The level of NAHASDA funding for this activity is expected to slightly increase because in addition to the existing contract for engineering services in East Kapolei IIC, Oahu, planning is expected to begin for the lands transferred to DHHL in Ewa, Oahu. Other proposed developments may also require infrastructure funding.</p>
<p>1.8 APR: <i>(Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):</i></p> <p>DHHL broke ground on construction of on-site infrastructure for East Kapolei IIC, Oahu in July 2023 which is expected to result in 127 single-family residential lots in January 2025 with families moving in later that year. In addition, a mail-out and online survey of Oahu residential waiting list applicants was conducted earlier this year in order to gather beneficiary input on the preliminary Master Plan alternatives, including the desired types of housing and community uses and facilities for the 80 acres of land in Ewa Beach, Oahu. The next round of meetings is scheduled for later this year with the final master plan and environmental assessment expected at the end of the year.</p>

1.9: Planned and Actual Outputs for 12-Month Fiscal Year

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: Units; Households; Improved Lots; Acres	Planned Number of Outputs to be completed in Fiscal Year Under this Program	APR: Actual Number of Outputs Completed in Fiscal Year
Improved Lots	0	0

1.10: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

N/A

1.11: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

None

NOTE: Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.

<p>1.1 Program Name and Unique Identifier: Developer Financing (AHP II)</p>
<p>1.2 Program Description <i>(This should be the description of the planned program.):</i></p> <p>This activity will provide funding as part of a capital stack for vertical construction of rental housing on Trust Lands statewide.</p>
<p>1.3 Eligible Activity Number <i>(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):</i></p> <p>(4) Construction of Rental Housing [810(b)(1)]</p>
<p>1.4 Intended Outcome Number <i>(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):</i></p> <p>(7) Create new affordable rental units</p>
<p>Describe Other Intended Outcome <i>(Only if you selected "Other" above.):</i></p>
<p>1.5 Actual Outcome Number <i>(In the APR identify the actual outcome from the Outcome list.):</i></p> <p>(7) Create new affordable rental units</p>
<p>Describe Other Actual Outcome <i>(Only if you selected "Other" above.):</i></p>
<p>1.6 Who Will Be Assisted <i>(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):</i></p> <p>Undivided interest lessees and applicants meeting the 80% AMI income guidelines will have the opportunity to rent or rent with an option to purchase their unit. NAHASDA guidelines for rental projects keep the unit rents at or below 30% of the family's monthly adjusted income.</p>
<p>1.7 Types and Level of Assistance <i>(Describe the types and the level of assistance that will be provided to each household, as applicable.):</i></p> <p>The assistance being provided will go directly to the developer as part of the capital stack for vertical construction financing of approximately 30 rent with option to purchase units in the Villages of Lai Opuu. If the unit purchase price at the end of the rental period is reduced in direct proportion to the amount of NHHBG developer financing provided, then the assistance will be in the form of a grant, otherwise the financing will be in the form of a loan that needs to be repaid.</p>
<p>1.8 APR: <i>(Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):</i></p> <p>A letter of commitment was provided for construction of 32 single family homes for Villages of Laiopua III that was approved for an award of Federal and State Low-Income Housing Tax Credits (LIHTC) in June 2023. A letter of commitment was also provided for construction of 30 single family homes for Hanapepe Residence Lots - IIA that was approved for an award of LIHTC in June 2024.</p>

1.9: Planned and Actual Outputs for 12-Month Fiscal Year

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: Units; Households; Improved Lots; Acres	Planned Number of Outputs to be completed in Fiscal Year Under this Program	APR: Actual Number of Outputs Completed in Fiscal Year
Units	0	0

1.10: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

N/A

1.11: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

None

NOTE: Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.

1.1 Program Name and Unique Identifier: Homeowner Financing (AHP III)

1.2 Program Description *(This should be the description of the planned program.):*

This activity utilizes the Department's Direct Loan program, providing homeowner financing to eligible NAHASDA families for new construction or home purchase. DHHL is working to identify families in upcoming project areas for direct loans.

1.3 Eligible Activity Number *(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):*

(14) Lending Subsidies for Homebuyers (Loan) [810(b)(1)]

1.4 Intended Outcome Number *(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):*

(2) Assist renters to become homeowners

Describe Other Intended Outcome *(Only if you selected "Other" above.):*

1.5 Actual Outcome Number *(In the APR identify the actual outcome from the Outcome list.):*

(2) Assist renters to become homeowners

Describe Other Actual Outcome *(Only if you selected "Other" above.):*

1.6 Who Will Be Assisted *(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):*

Molokai: 2 families

Maui: 1 family

Hawaii: 5 families

Oahu: 6 families

Kauai: 8 families

Lanai: 2 families

1.7 Types and Level of Assistance *(Describe the types and the level of assistance that will be provided to each household, as applicable.):* Financing for home loans statewide utilizing NHHBG funds up to the appraised value for projects in areas listed in 1.6.

1.8 APR: *(Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):*

Four homes – 1 in Waiohuli, Maui, 1 in Nanakuli, Oahu, 1 in Kakaina, Oahu, and 1 in Kauluokahai, Oahu were occupied this fiscal year. Two were built in partnership with Habitat. The funding for two homes were from prior fiscal years and an increase in price for one of the homes funded in the prior fiscal year and the other two homes were funded in this fiscal year. One additional home in Kakaina, Oahu that was projected to be completed in this fiscal year is being dedicated in August 2024 and will be included in next year's report. Homeowner financing in this fiscal year for 3 homes – 1 in Kakaina, Oahu and 2 in PMKK, Kauai and cost increases required additional funding for 2 lessees in Kawaihae, Hawaii. Construction is underway for 9 lessees – 4 in Waiohuli, Maui, 3 in Kawaihae, Hawaii, and 2 in PMKK, Kauai.

1.9: Planned and Actual Outputs for 12-Month Fiscal Year

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: Units; Households; Improved Lots; Acres	Planned Number of Outputs to be completed in Fiscal Year Under this Program	APR: Actual Number of Outputs Completed in Fiscal Year
Units	5	4

1.10: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

The construction process is lengthy and although an estimate of one year is projected, delays in securing permits, contractors willing to complete the necessary certified payroll to comply with labor requirements, and additional individual wastewater system requirements can extend the construction timeline and increase costs.

1.11: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

None

NOTE: Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.

<p>1.1 Program Name and Unique Identifier: Home Assistance Program (HAP) (AHP IV)</p>
<p>1.2 Program Description <i>(This should be the description of the planned program.):</i></p> <p>This program covers the department’s attempt to address substandard and/or aging housing on the homelands by providing assistance to low income households to repair their existing homes, including home replacement (demolition & construction), energy retrofit, building code compliance, and home repair.</p>
<p>1.3 Eligible Activity Number <i>(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):</i></p> <p>(16) Rehabilitation Assistance to Existing Homeowners [810(b)(1)]</p>
<p>1.4 Intended Outcome Number <i>(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):</i></p> <p>(3) Improve quality of substandard units</p>
<p>Describe Other Intended Outcome <i>(Only if you selected "Other" above.):</i></p>
<p>1.5 Actual Outcome Number <i>(In the APR identify the actual outcome from the Outcome list.):</i></p> <p>(3) Improve quality of substandard units</p>
<p>Describe Other Actual Outcome <i>(Only if you selected "Other" above.):</i></p>
<p>1.6 Who Will Be Assisted <i>(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):</i></p> <p>Lessee families at or below the 80% AMI income guidelines identified over the past few years are being assisted.</p>
<p>1.7 Types and Level of Assistance <i>(Describe the types and the level of assistance that will be provided to each household, as applicable.):</i></p> <p>Deferred, no-payment loans, subject to conditional recapture, as defined by HAP will be provided. NAHASDA eligible families will receive \$100,000 to repair their home according to Housing Quality Standards that would prioritize repairs for the home. Those families whose homes have been identified as needing more than \$100,000 to fix repairs are offered 1% loans on the amount that exceeds the first \$100,000, up to an additional \$100,000. A demolition/new build loan is the third option offered for properties where cost to repair exceed the appraised or tax assessed value.</p>
<p>1.8 APR: <i>(Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):</i></p> <p>The Environmental Review Record (ERR) for seven homes – 3 in Nanakuli, 2 in Panaewa, and 2 in Waimanalo was completed in this fiscal year. The lessees of these homes are either in pre-construction with Habitat for Humanity or a general contractor.</p>

1.9: Planned and Actual Outputs for 12-Month Fiscal Year

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: Units; Households; Improved Lots; Acres	Planned Number of Outputs to be completed in Fiscal Year Under this Program	APR: Actual Number of Outputs Completed in Fiscal Year
Units	2	0

1.10: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

As similarly reported under homeowner financing, the construction process for home repair is also lengthy and although an estimate of one year is projected, delays in securing permits and contractors willing to complete the necessary certified payroll to comply with labor requirements can extend the construction timeline.

1.11: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

None

NOTE: Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.

<p>1.1 Program Name and Unique Identifier: Waimanalo Kupuna Housing Rental Assistance (AHP V)</p>
<p>1.2 Program Description <i>(This should be the description of the planned program.):</i></p> <p>This activity provides funds primarily to supplement tenants rent at the Waimanalo Kupuna Housing so their maximum contribution does not exceed 30% of their monthly adjusted income.</p>
<p>1.3 Eligible Activity Number <i>(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):</i></p> <p>(17) Tenant Based Rental Assistance [810(b)(2)]</p>
<p>1.4 Intended Outcome Number <i>(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):</i></p> <p>(6) Assist affordable housing for low income households</p>
<p>Describe Other Intended Outcome <i>(Only if you selected "Other" above.):</i></p>
<p>1.5 Actual Outcome Number <i>(In the APR identify the actual outcome from the Outcome list.):</i></p> <p>(6) Assist affordable housing for low income households</p>
<p>Describe Other Actual Outcome <i>(Only if you selected "Other" above.):</i></p>
<p>1.6 Who Will Be Assisted <i>(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):</i></p> <p>NAHASDA eligible elders whose income is at or below 80% AMI and who are tenants of this rental housing project, with up to 85 units, on Trust Lands in Waimanalo.</p>
<p>1.7 Types and Level of Assistance <i>(Describe the types and the level of assistance that will be provided to each household, as applicable.):</i></p> <p>This elderly housing project was first occupied in 2002 and constructed with funds from the state's Low Income Housing Trust Fund and Rental Housing Trust Fund along with funds from DHHL and the Office of Hawaiian Affairs. Many of the elderly are living on fixed income and cannot afford current rental rates under Hawaii Housing and Finance Development Corporation (HHFDC) which oversees the project and approves the rates from the developer. The monthly rental amount continues to remain affordable. Nevertheless, the subsidy has recently increased annually to adequately cover the difference between the NAHASDA required 30% cap on tenant's monthly adjusted income and the approved LITHC rent.</p>
<p>1.8 APR: <i>(Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):</i></p> <p>A subsidy agreement for the Waimanalo Kupuna Housing Project provides an annual subsidy of \$830,000 per year, which amounted to over \$59,000/month ranging from \$39 to \$1153/month for 81 Kupuna and the remaining funds covered water and sewer costs in order to maintain the affordability of rents for Kupuna residing within the Project.</p>

1.9: Planned and Actual Outputs for 12-Month Fiscal Year

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: Units; Households; Improved Lots; Acres	Planned Number of Outputs to be completed in Fiscal Year Under this Program	APR: Actual Number of Outputs Completed in Fiscal Year
Households	70	81

1.10: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

N/A

1.11: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

None

NOTE: Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.

<p>1.1 Program Name and Unique Identifier: Rental Vouchers for Temporary Relocation (AHP VI-A)</p>
<p>1.2 Program Description <i>(This should be the description of the planned program.):</i></p> <p>This activity provides funds for rental housing vouchers (first month rent/deposit/emergency rent) for temporary relocation assistance.</p>
<p>1.3 Eligible Activity Number <i>(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):</i></p> <p>(17) Tenant Based Rental Assistance [810(b)(2)]</p>
<p>1.4 Intended Outcome Number <i>(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):</i></p> <p>(6) Assist Affordable Housing for Low-Income Households</p>
<p>Describe Other Intended Outcome <i>(Only if you selected "Other" above.):</i></p>
<p>1.5 Actual Outcome Number <i>(In the APR identify the actual outcome from the Outcome list.):</i></p> <p>(6) Assist Affordable Housing for Low-Income Households</p>
<p>Describe Other Actual Outcome <i>(Only if you selected "Other" above.):</i></p>
<p>1.6 Who Will Be Assisted <i>(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):</i></p> <p>Native Hawaiian families eligible to reside on Hawaiian Home Lands whose income is at or below 80% AMI.</p>
<p>1.7 Types and Level of Assistance <i>(Describe the types and the level of assistance that will be provided to each household, as applicable.):</i></p> <p>This activity will provide for temporary relocation assistance for duration of time to construct or repair primary residence.</p>
<p>1.8 APR: <i>(Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):</i></p> <p>The lessees seeking assistance for construction or repair of their primary residence are either in pre-construction with Habitat for Humanity or a general contractor, so no families were relocated during the fiscal year.</p>

1.9: Planned and Actual Outputs for 12-Month Fiscal Year

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: Units; Households; Improved Lots; Acres	Planned Number of Outputs to be completed in Fiscal Year Under this Program	APR: Actual Number of Outputs Completed in Fiscal Year
Households	2	0

1.10: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

As reported under home assistance program, the construction process for home repair is lengthy and although the estimate of one year is projected, delays in securing permits and contractors willing to complete the necessary certified payroll to comply with labor requirements can extend the construction timeline delaying or even extending temporary relocation assistance.

1.11: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

None

NOTE: Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.

1.1 Program Name and Unique Identifier: Emergency Rental and Utilities Assistance Program (AHP VI-B)

1.2 Program Description *(This should be the description of the planned program.):*

This activity provides funds for rental housing vouchers (rent/security deposit) for emergency assistance (rent, rental arrears, utilities, or utility arrears) to mitigate financial hardships associated with the Coronavirus pandemic to ensure housing stability.

1.3 Eligible Activity Number *(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):*

(17) Tenant Based Rental Assistance [810(b)(2)]

1.4 Intended Outcome Number *(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):*

(5) Address homelessness

Describe Other Intended Outcome *(Only if you selected "Other" above.):*

1.5 Actual Outcome Number *(In the APR identify the actual outcome from the Outcome list.):*

(5) Address homelessness

Describe Other Actual Outcome *(Only if you selected "Other" above.):*

1.6 Who Will Be Assisted *(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):*

Native Hawaiian families eligible to reside on Hawaiian Home Lands whose income is at or below 80% AMI.

1.7 Types and Level of Assistance *(Describe the types and the level of assistance that will be provided to each household, as applicable.):*

DHHL will contract with a service provider to provide emergency rental assistance (rent, rental arrears, utilities, or utility arrears) for a period not to exceed 12 months except that assistance may be provided for an additional 6 months only if necessary to ensure housing stability for a household subject to availability of funds. The maximum monthly assistance for an eligible household to receive will be the greater of either the maximum monthly amount set by each County for similar emergency rental and utilities assistance programs or the Fair Market Rent within the island or zip code area.

1.8 APR: *(Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):*

DHHL continued its contract with CNHA that concluded on December 29, 2023. CNHA reported assisting 140 families in this fiscal year – 29 in Hawaii County, 97 in the City and County of Honolulu, 3 in Kauai County, and 11 in Maui County. Since 6 of the families in the Villages of Lai Opua were reported under Rental Vouchers for Units Developed for DHHL (AHP VI-D), the remaining 134 families is reported under this program.

1.9: Planned and Actual Outputs for 12-Month Fiscal Year

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: Units; Households; Improved Lots; Acres	Planned Number of Outputs to be completed in Fiscal Year Under this Program	APR: Actual Number of Outputs Completed in Fiscal Year
Households	10	134

1.10: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

N/A

1.11: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

None

NOTE: Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.

<p>1.1 Program Name and Unique Identifier: DHHL Kupuna Rental Subsidy Program (AHP VI-C)</p>
<p>1.2 Program Description <i>(This should be the description of the planned program.):</i></p> <p>This activity provides funds for rental housing vouchers (rent/security deposit) for kupuna (elders) who are sixty-two years of age or older and head of household starting with those who have been on DHHL's waiting list the longest to ensure housing stability.</p>
<p>1.3 Eligible Activity Number <i>(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):</i></p> <p>(17) Tenant Based Rental Assistance [810(b)(2)]</p>
<p>1.4 Intended Outcome Number <i>(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):</i></p> <p>(5) Address homelessness</p>
<p>Describe Other Intended Outcome <i>(Only if you selected "Other" above.):</i></p>
<p>1.5 Actual Outcome Number <i>(In the APR identify the actual outcome from the Outcome list.):</i></p> <p>(5) Address homelessness</p>
<p>Describe Other Actual Outcome <i>(Only if you selected "Other" above.):</i></p>
<p>1.6 Who Will Be Assisted <i>(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):</i></p> <p>Native Hawaiian kupuna (elders) who are sixty-two years of age or older and head of household starting with those who have been on DHHL's waiting list the longest that are eligible to reside on the Hawaiian Home Lands whose income is at or below 80% AMI.</p>
<p>1.7 Types and Level of Assistance <i>(Describe the types and the level of assistance that will be provided to each household, as applicable.):</i></p> <p>DHHL will contract with a service provider to provide rental subsidies that will be reviewed on an annual basis subject to availability of funds. The monthly rental subsidy will be the difference between no more than 30% of the household's monthly adjusted income which will be paid by the kupuna (elder) of an eligible household and the Fair Market Rent within the zip code area.</p>
<p>1.8 APR: <i>(Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):</i></p> <p>DHHL entered into a contract with CNHA that can be extended until December 30, 2027. CNHA reported assisting 83 Kupuna in this fiscal year.</p>

1.9: Planned and Actual Outputs for 12-Month Fiscal Year

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: Units; Households; Improved Lots; Acres	Planned Number of Outputs to be completed in Fiscal Year Under this Program	APR: Actual Number of Outputs Completed in Fiscal Year
Households	100	83

1.10: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

N/A

1.11: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

None

NOTE: Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.

<p>1.1 Program Name and Unique Identifier: Rental Vouchers for Units Developed for DHHL (AHP VI-D)</p>
<p>1.2 Program Description <i>(This should be the description of the planned program.):</i></p> <p>This activity provides funds for rental housing vouchers (rent/security deposit) for rental units developed for DHHL currently consisting of rent with option to purchase units in the Villages of Lai Opuu upon entering into an agreement with the property management company.</p>
<p>1.3 Eligible Activity Number <i>(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):</i></p> <p>(17) Tenant Based Rental Assistance [810(b)(2)]</p>
<p>1.4 Intended Outcome Number <i>(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):</i></p> <p>(6) Assist Affordable Housing for Low-Income Households</p>
<p>Describe Other Intended Outcome <i>(Only if you selected "Other" above.):</i></p>
<p>1.5 Actual Outcome Number <i>(In the APR identify the actual outcome from the Outcome list.):</i></p> <p>(6) Assist Affordable Housing for Low-Income Households</p>
<p>Describe Other Actual Outcome <i>(Only if you selected "Other" above.):</i></p>
<p>1.6 Who Will Be Assisted <i>(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):</i></p> <p>Native Hawaiian families eligible to reside on Hawaiian Home Lands whose income is at or below 80% AMI and reside in a rental unit developed for DHHL.</p>
<p>1.7 Types and Level of Assistance <i>(Describe the types and the level of assistance that will be provided to each household, as applicable.):</i></p> <p>This activity will provide for rental assistance that will be reviewed on an annual basis subject to availability of funds. The monthly rental assistance will be the difference between no more than 30% of the household's monthly adjusted income which will be paid by the eligible household and the Fair Market Rent within the zip code area.</p>
<p>1.8 APR: <i>(Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):</i></p> <p>Of the 140 families CNHA reported assisting to mitigate financial hardships associated with the Coronavirus pandemic to ensure housing stability in this fiscal year, 6 families were assisted with rent in the Villages of Lai Opuu.</p>

1.9: Planned and Actual Outputs for 12-Month Fiscal Year

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: Units; Households; Improved Lots; Acres	Planned Number of Outputs to be completed in Fiscal Year Under this Program	APR: Actual Number of Outputs Completed in Fiscal Year
Households	5	6

1.10: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

N/A

1.11: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

None

NOTE: Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.

<p>1.1 Program Name and Unique Identifier: Housing Counseling (AHP VII)</p>
<p>1.2 Program Description <i>(This should be the description of the planned program.):</i></p> <p>Independent, expert advice customized to the need of the Native Hawaiian lessee, applicant or household to address housing barriers in order to achieve housing goals through homeownership counseling or rental housing counseling and include the following processes: intake, financial and housing affordability analysis, an action plan, and a reasonable effort to have follow-up communication when possible.</p>
<p>1.3 Eligible Activity Number <i>(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):</i></p> <p>(18) Other Housing Service [810(b)(2)]</p>
<p>1.4 Intended Outcome Number <i>(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):</i></p> <p>(6) Assist Affordable Housing for Low-Income Households</p>
<p>Describe Other Intended Outcome <i>(Only if you selected "Other" above.):</i></p>
<p>1.5 Actual Outcome Number <i>(In the APR identify the actual outcome from the Outcome list.):</i></p> <p>(6) Assist Affordable Housing for Low-Income Households</p>
<p>Describe Other Actual Outcome <i>(Only if you selected "Other" above.):</i></p>
<p>1.6 Who Will Be Assisted <i>(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):</i></p> <p>Native Hawaiian lessee, applicants or households who received or are eligible to receive NAHASDA assistance including but not limited to homeowner financing, home repair assistance, rental and homeowner assistance.</p>
<p>1.7 Types and Level of Assistance <i>(Describe the types and the level of assistance that will be provided to each household, as applicable.):</i></p> <p>Families who received NAHASDA assistance will receive either homeownership or rental housing counseling from a HUD-certified Housing Counselor. Homeownership counseling is housing counseling related to homeownership and residential mortgage loans that covers the decision to purchase a home, issues arising during or affecting the period of ownership of a home (including financing, refinancing, default, and foreclosure/lease cancellation, and other financial dispositions), and the sale/transfer or other disposition of a home. Rental housing counseling is counseling related to the rental of residential property, which may include counseling regarding future homeownership opportunities and may also include the decision to rent, responsibilities of tenancy, affordability of renting and eviction prevention. At a minimum, initial contact will be made with lessee, applicants or households who received NAHASDA assistance informing them of the availability of housing counseling services.</p>

1.8 APR: (Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):

CNHA provided housing counseling to 78 Kupuna who received a Kupuna Rental Subsidy in this fiscal year. In addition, DHHL continued its contract with Hawaiian Community Assets (HCA) that concluded on December 29, 2023. HCA provided housing counseling to 49 clients, followed up with 14 clients, and provided education for pre-purchase only to 6 clients in this fiscal year. HCA also completed the intake for 10 clients referred by DHHL who are receiving NAHASDA assistance.

1.9: Planned and Actual Outputs for 12-Month Fiscal Year

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: Units; Households; Improved Lots; Acres	Planned Number of Outputs to be completed in Fiscal Year Under this Program	APR: Actual Number of Outputs Completed in Fiscal Year
Households	150	157

1.10: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

N/A

1.11: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

None

NOTE: Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.

<p>1.1 Program Name and Unique Identifier: Homeowner Assistance (AHP VIII)</p>
<p>1.2 Program Description <i>(This should be the description of the planned program.):</i></p> <p>This activity provides funds for homeowner assistance (mortgage, utilities, insurance, or association fees) to mitigate financial hardships to promote housing stability and/or to prevent lease cancellation.</p>
<p>1.3 Eligible Activity Number <i>(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):</i></p> <p>(18) Other Housing Service [810(b)(2)]</p>
<p>1.4 Intended Outcome Number <i>(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):</i></p> <p>(6) Assist Affordable Housing for Low-Income Households</p>
<p>Describe Other Intended Outcome <i>(Only if you selected "Other" above.):</i></p>
<p>1.5 Actual Outcome Number <i>(In the APR identify the actual outcome from the Outcome list.):</i></p> <p>(6) Assist Affordable Housing for Low-Income Households</p>
<p>Describe Other Actual Outcome <i>(Only if you selected "Other" above.):</i></p>
<p>1.6 Who Will Be Assisted <i>(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):</i></p> <p>Native Hawaiian families eligible to reside on Hawaiian Home Lands whose income is at or below 80% AMI.</p>
<p>1.7 Types and Level of Assistance <i>(Describe the types and the level of assistance that will be provided to each household, as applicable.):</i></p> <p>DHHL will contract with a service provider to provide homeowner assistance (mortgage, utilities, insurance or association fees) for a period not to exceed 12 months except that assistance may be provided for an additional 6 months only if necessary to ensure housing stability and/or to prevent lease cancellation on a home subject to availability of funds. The maximum monthly assistance for an eligible household to receive will be the maximum amount set by each County for similar homeowner assistance programs.</p>
<p>1.8 APR: <i>(Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):</i></p> <p>DHHL continued its contract with CNHA to provide homeowner assistance (mortgage, property tax, utilities, insurance and/or association fees) to mitigate financial hardships associated with the Coronavirus pandemic to income eligible lessees who reside on Hawaiian Home Lands that concluded on December 29, 2023. 114 lessees were assisted with NHHBG funds during this fiscal year – 12 from Hawaii County, 80 from the City and County of Honolulu, 2 from Kauai County, and 20 from Molokai.</p>

1.9: Planned and Actual Outputs for 12-Month Fiscal Year

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: Units; Households; Improved Lots; Acres	Planned Number of Outputs to be completed in Fiscal Year Under this Program	APR: Actual Number of Outputs Completed in Fiscal Year
Households	10	114

1.10: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

N/A

1.11: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

None

NOTE: Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.

1.1 Program Name and Unique Identifier: Existing Potable Water Infrastructure Improvements (AHP IX)

1.2 Program Description *(This should be the description of the planned program.):*

This activity will utilize NHHBG funding for engineering, construction, and construction management services for the Molokai Water System Improvements. These funds will be leveraged with funding from USDA to improve potable water infrastructure for Hoolehua, Molokai.

1.3 Eligible Activity Number *(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):*

(24) Infrastructure to Support Housing [810(b)(1)]

1.4 Intended Outcome Number *(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):*

(4) Improve quality of existing infrastructure

Describe Other Intended Outcome *(Only if you selected "Other" above.):*

1.5 Actual Outcome Number *(In the APR identify the actual outcome from the Outcome list.):*

(4) Improve quality of existing infrastructure

Describe Other Actual Outcome *(Only if you selected "Other" above.):*

1.6 Who Will Be Assisted *(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):*

New and existing lessees in homestead areas with approved USDA DHHL applications would be assisted with potable water infrastructure improvements.

1.7 Types and Level of Assistance *(Describe the types and the level of assistance that will be provided to each household, as applicable.):*

Improved potable water service delivery and/or new potable water service delivery for lessees in homestead areas with an approved DHHL USDA water application.

1.8 APR: *(Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):*

Improvements to the Hoolehua Water System that are still underway are aimed at improving reliability and functionality of water delivery, addressing water pressure issues, and fire protection deficiencies, and improving water system safety and security while reducing energy costs.

1.9: Planned and Actual Outputs for 12-Month Fiscal Year

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: Units; Households; Improved Lots; Acres	Planned Number of Outputs to be completed in Fiscal Year Under this Program	APR: Actual Number of Outputs Completed in Fiscal Year
Improved Lots	0	0

1.10: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))
N/A

1.11: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.
None

NOTE: Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.

<p>1.1 Program Name and Unique Identifier: Housing Conversion (AHP X)</p>
<p>1.2 Program Description <i>(This should be the description of the planned program.):</i></p> <p>This activity involves the conversion of existing structures to transitional or affordable housing.</p>
<p>1.3 Eligible Activity Number <i>(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):</i></p> <p>(8) Conversion of Other Structures to Affordable Housing [810(b)(1)]</p>
<p>1.4 Intended Outcome Number <i>(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):</i></p> <p>(5) Address homelessness</p>
<p>Describe Other Intended Outcome <i>(Only if you selected "Other" above.):</i></p>
<p>1.5 Actual Outcome Number <i>(In the APR identify the actual outcome from the Outcome list.):</i></p> <p>(5) Address homelessness</p>
<p>Describe Other Actual Outcome <i>(Only if you selected "Other" above.):</i></p>
<p>1.6 Who Will Be Assisted <i>(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):</i></p> <p>Native Hawaiian families eligible to reside on Hawaiian Home Lands whose income is at or below 80% AMI would be assisted through transitional or affordable rental housing.</p>
<p>1.7 Types and Level of Assistance <i>(Describe the types and the level of assistance that will be provided to each household, as applicable.):</i></p> <p>The assistance will provide funding to rehabilitate an existing building for transitional or affordable rental housing.</p>
<p>1.8 APR: <i>(Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):</i></p> <p>A contractor was engaged on June 20, 2023 to initiate the renovation of the existing approximately 11,000 square-foot multi-family residential building and associated infrastructure in Kalaeloa, Oahu to serve homeless native Hawaiian beneficiaries currently on DHHL's Wait List. Hazard abatement was completed, and demolition of old bathroom pipelines and flooring began and is underway. All accessories, type of flooring/shower tiles, grab bars, etc. have been determined. The project is currently on track for completion by June 30, 2025.</p>

1.9: Planned and Actual Outputs for 12-Month Fiscal Year

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: Units; Households; Improved Lots; Acres	Planned Number of Outputs to be completed in Fiscal Year Under this Program	APR: Actual Number of Outputs Completed in Fiscal Year
Units	0	0

1.10: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))
N/A

1.11: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.
None

NOTE: Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.

1.1 Program Name and Unique Identifier: Property Acquisition (AHP XI)

1.2 Program Description *(This should be the description of the planned program.):*

This activity provides funds for the development of site selection criteria to screen land and existing structure(s) while meeting HUD environmental thresholds. Through GIS analysis, and other real estate assessment tools, this site selection criteria will be used to research and identify possible available lands and existing structure(s) for residential units. Land or existing structure(s) for rental housing will then be acquired upon completion of the environmental review process.

1.3 Eligible Activity Number *(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):*

(6) Acquisition of Land for Rental Housing Development [810(b)(1)]

1.4 Intended Outcome Number *(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):*

(7) Create new affordable rental units

Describe Other Intended Outcome *(Only if you selected "Other" above.):*

1.5 Actual Outcome Number *(In the APR identify the actual outcome from the Outcome list.):*

(7) Create new affordable rental units

Describe Other Actual Outcome *(Only if you selected "Other" above.):*

1.6 Who Will Be Assisted *(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):*

Native Hawaiian families eligible to reside on Hawaiian Home Lands at or below the 80% AMI income guidelines will be assisted when land or existing structure(s) is acquired and rental units are made available.

1.7 Types and Level of Assistance *(Describe the types and the level of assistance that will be provided to each household, as applicable.):*

Land or existing structure(s) will be purchased to provide rental units to increase affordable housing inventory.

1.8 APR: *(Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):*

A report summarizing locations reviewed and analyzed for both potential land purchase and development opportunities on Oahu, Hawaii, Kauai, and Maui islands was finalized. A majority of the analyzed locations were on the island of Oahu and the locations that were shortlisted are located in the Ewa District.

1.9: Planned and Actual Outputs for 12-Month Fiscal Year

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: Units; Households; Improved Lots; Acres	Planned Number of Outputs to be completed in Fiscal Year Under this Program	APR: Actual Number of Outputs Completed in Fiscal Year
Acres	2	0

1.10: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

N/A

1.11: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.

Based on the Hawaiian Homes Commission action in January 2024 regarding the Courtyards at Waipouli, DHHL is pursuing acquisition of units instead of land. Therefore, the Type of Output in the current housing plan is now Units instead of Acres.

NOTE: Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.

1.1 Program Name and Unique Identifier: Supplemental Dwelling Unit Financing (AHP XII)

1.2 Program Description *(This should be the description of the planned program.):*

This activity provides funds to residential lessees on Hawaiian Home Lands to finance construction of a supplemental dwelling unit that will be used as an affordable rental by an eligible Native Hawaiian family.

1.3 Eligible Activity Number *(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):*

(4) Construction of Rental Housing [810(b)(1)]

1.4 Intended Outcome Number *(Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):*

(7) Create new affordable rental units

Describe Other Intended Outcome *(Only if you selected "Other" above.):*

1.5 Actual Outcome Number *(In the APR identify the actual outcome from the Outcome list.):*

(7) Create new affordable rental units

Describe Other Actual Outcome *(Only if you selected "Other" above.):*

1.6 Who Will Be Assisted *(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median should be included as a separate program within this section.):*

Native Hawaiian families eligible to reside on Hawaiian Home Lands whose income is at or below 80% AMI income would be assisted with affordable rental units.

1.7 Types and Level of Assistance *(Describe the types and the level of assistance that will be provided to each household, as applicable.):*

Financing for supplemental dwelling units statewide utilizing NHHBG funds.

1.8 APR: *(Describe the accomplishments for the APR in the 12-month fiscal year in accordance with 24 CFR § 1006.410(b)(2) and (3)):*

Guidance from HUD received in July 2023 summarized program requirements for this activity would include the following: 1) the lessee who requests NAHASDA financing to construct a SDU on their homestead must be NAHASDA eligible at the time the loan contract is executed; 2) useful life/affordability restriction is applicable to both the primary residence and the SDU and must be enforced with a binding commitment/covenant that runs with the land; and 3) the proposed tenant of the SDU must be NAHASDA eligible at the time of initial occupancy of the unit. In addition, a contractual agreement with the lessee was recommended to include but not be limited to the following: 1) a provision that if the SDU is not made available to a low-income tenant for the duration of the affordability period, the lessee is responsible for paying back a prorated portion of the NAHASDA assistance; 2) an inspection of the SDU will be conducted at set intervals of time for compliance and to verify occupancy; 3) verification of the tenant's NAHASDA income eligibility prior to occupancy of the unit; and 4) documentation demonstrating calculation of tenant's income and determination of income-eligibility. DHHL is considering the use of other funds, not NAHASDA funds, for SDU financing at this time.

1.9: Planned and Actual Outputs for 12-Month Fiscal Year

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: Units; Households; Improved Lots; Acres	Planned Number of Outputs to be completed in Fiscal Year Under this Program	APR: Actual Number of Outputs Completed in Fiscal Year
Units	0	0

1.10: APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))
N/A

1.11: APR: Describe the manner in which DHHL would change its housing plan as a result of its experiences. (24 CFR § 1006.410(b)(4)). NOTE: It is sufficient to provide one response to this item rather than an individual response for each NHHBG-funded program.
DHHL removed this program activity from its Housing Plan in light of the guidance received from HUD and is considering the use of other funds, not NAHASDA funds, for SDU financing.

NOTE: Remember to complete all the text boxes in Section 3 for each NHHBG-funded program. If you are completing an electronic version of this form, you may copy and paste text boxes 1.1 through 1.11 as needed to describe each of your programs. If you are completing this form in hard copy, you may photocopy Section 3 as needed to describe each of your programs.

SECTION 4: AFFORDABLE HOUSING RESOURCES

This section of the NHHP is designed to provide the public with basic background information on the characteristics shaping DHHL's affordable housing programs. Each portion of the text below has several required components that must be discussed. DHHL is encouraged to carefully review the instructions for each section and provide text covering all required elements.

Housing Market (NAHASDA § 803(c)(2)(D)(i) and (ii)) *(Describe the key characteristics of the housing market in the State of Hawaii, currently, and in the period of time covered by the plan. Include a description of the availability of housing from other public sources and private market housing, and how this supply of housing affected the DHHL's program/activity choices.)*:

The Hawaii Housing Planning Study, 2019 pointed out that the most distinctive characteristic of Hawaii's housing market is high prices. Hawaii also continues to have the highest average rents in the nation, followed by the District of Columbia and New York. For the past decade, Hawaii's median gross rent has consistently been 50 to 55 percent higher than the national median gross rent.

In addition, the Study noted the slowing of residential housing construction. Total housing units grew by about 5,600 units per year (2.2%) between 2009 and 2011. Between 2011 and 2014, growth slowed to 2,800 units per year – half what it was in the previous five years. Between 2014 and 2017, growth slowed further to about 2,675 units per year. In recent years, Hawaii has been building more units that aren't being used for Hawaii families.

The Study also reported that Hawaii has typically been in the top 15 percent of states losing housing units to vacancies. Hawaii ranked 12th for percent of total housing units held for seasonal, recreational, and occasional use in 2017. Only two states ranked higher than the counties of Hawaii, Kauai, and Maui with respect to the percent of total units held off the market for seasonal use. Across the State, there were differences in the percent of total housing units counted as housing stock. In Honolulu, 6.8 percent of all units were unavailable. In the other counties, that figure was significantly higher as in 19 percent for Kauai County, 16 percent in the County of Hawaii, and 13 percent for Maui County.

The Study further indicated that one in ten households statewide devotes 30 to 40 percent of their income to shelter costs. For nearly one-quarter of households statewide (23.1%), shelter payments take up more than 40 percent of their income each month. Most disturbing is the evidence that Hawaii's shelter to income ratios are higher than most of the nation. In 2019, the percentage of mortgage holders whose monthly housing cost was greater than 30 percent of monthly income was 40.3 percent, the highest in the nation. The percentage of renters paying more than 30 percent was 55.6 percent, ranking Hawaii third in the nation after Florida (59.0%) and California (57.2%). When you factor Hawaii's Housing Wage (\$36.13) with the average wage of a renter in the state (\$16.16), it is understandable that there are many households with high shelter-to-income. In 2018, Hawaii had the largest shortfall (-\$19.98) between the average renter wage (amount renters earn) and the two-bedroom housing wage (amount required to afford an average two-bedroom rental unit).

Hawaii's crowding rate has long been among the highest in the nation. In 2017, Hawaii was ranked first in crowding for owner-occupied units (6.3%) and second for renter-occupied conditions (12.8%).

The department's NHHBG funded mortgage loans provide single family housing for the same or lower price than a studio in a multi-family high rise built by another housing agency in the urban core.

Without NHHBG funding, the department would be unable to build or finance housing for the 80% AMI or below target population.

Cooperation (NAHASDA § 803(c)(2)(D)(iii) *(Describe the structure, coordination, and means of cooperation between DHHL and other relevant partners and organizations [including private nonprofit organizations experienced in the planning and development of affordable housing] in the development, submission, or implementation of its housing plan. In addition, DHHL must indicate if it plans to use loan guarantees under Section 184A of the Housing and Community Development Act of 1992 and any other housing assistance provided by the Federal Government.)*):

The department currently partners with a number of housing agencies and organizations either thru subject matter meetings or formal MOUs or agreements.

The Section 184A Loan Guarantee Program, which is similar to the Section 184 Loan Guarantee Program giving Native Americans access to private mortgage financing by providing loan guarantees to lenders, was implemented in 2007. Currently, 1st Tribal Lending, American Savings Bank, Bank of Hawai'i, CMG Financial, Cardinal Financial Company, Guardian Lending, DBA of Guardian One, Homebridge Financial Services, Inc., HomeStreet Bank, and MLD Mortgage Inc. dba The Money Store are approved lenders for the Section 184A loan program.

DHHL has been utilizing the FHA 247 loan program since 1987. Over \$533 million in mortgage loans are outstanding through the FHA 247 loan program to lessees on Hawaiian home lands. The Veterans Affairs direct loan, Rural Development (U.S. Department of Agriculture) loan programs, and low-income housing tax credits are other financing options and tools utilized on Hawaiian home lands.

Demolition and Disposition (NAHASDA § 803(c)(2)(D)(viii), 24 CFR 1006.101(b)(4)(viii)) *(Describe any planned demolition or sale of NHHBG-assisted housing units, or any other demolition or disposition that will be carried out with NHHBG funds. Be certain to include a financial analysis of the proposed demolition, the timetable for any planned demolition or disposition and any other information that is required by HUD with respect to the demolition or disposition.)*:

There are no 1937 Act housing on Hawaiian home lands. The DHHL does not anticipate demolishing any units funded by the NHHBG.

Coordination (NAHASDA § 803(c)(2)(D)(ix) *(Describe how DHHL will coordinate with partners to promote employment and self-sufficiency opportunities for residents of affordable housing.)*):

The State of Hawai'i Department of Human Services (DHS) administers individual and family financial assistance programs that provide cash payments to help individuals and families meet their basic needs. The programs include Temporary Assistance to Needy Families (TANF), Temporary Assistance to Other Needy Families (TAONF), General Assistance (GA), Aid to the Aged, Blind and Disabled (AABD) and the Food Stamps program. Medical assistance is provided through the Hawai'i QUEST and Medicaid fee-for-services programs. Vocational rehabilitation services are provided to persons with disabilities. Whenever the DHHL staff is made aware of a lessee in need, the families are referred to DHS or to an appropriate non-profit service provider.

Safety (NAHASDA § 803(c)(2)(D)(x)) *(Describe how DHHL will promote crime prevention and resident involvement in affordable housing.)*:

The DHHL continues to coordinate efforts with the Police Narcotics Division, the Sherriff's Office and the Attorney General's Office—Investigative Division to do surveillance and to evict the offending occupants whenever there is evidence of drug problems or other crimes in the homestead areas. If investigation results in a conviction, the lessee is taken to a contested case hearing for lease cancellation.

Capacity (NAHASDA § 803(c)(2)(D)(xi)) *(Describe the structure, capacity, and key personnel of the entities that will carry out the program/activities of the housing plan.):*

The DHHL was created by the State Legislature in 1964 to administer the Hawaiian home lands program and manage the Hawaiian home lands trust. The DHHL is one of eighteen principal agencies of the Executive Branch of the State of Hawai'i.

The DHHL serves native Hawaiians or individuals of no less than 50% Hawaiian blood, as defined by the Hawaiian Homes Commission Act of 1920, as amended, and their successors and assigns. These native Hawaiians are the beneficiaries of the Hawaiian home lands trust consisting of a land trust of over 200,000 acres, settlement monies from the State for the mismanagement of trust lands, funds received from the State general fund for operating costs, and revenues and earnings from the land leasing program.

The DHHL is governed by a nine-member board of commissioners headed by the Chairman, who also serves as the executive officer of the DHHL. The Governor of the State of Hawai'i appoints each commissioner and Chairman to a four-year term. The terms of the commissioners are staggered.

Currently, there are 123 full time employees in DHHL with six offices statewide. DHHL's main administrative office is located in Kapolei, Oahu and the five (5) district offices are located on neighbor islands. There are two (2) district offices on the Big Island, one in Hilo (East Hawaii) and one in Waimea (West Hawai'i), Hawai'i; one (1) district office in Lihue, Kauai; one (1) district office in Wailuku, Maui; and one (1) district office in Kalamaula, Molokai. DHHL is organized into five offices and three divisions under the Hawaiian Homes Commission and Office of the Chairman. The various offices and divisions are described as follows:

Office of the Chairman (OCH) — 22 staff members

The Office of the Chairman consists of the Chairman of the Hawaiian Homes Commission, who is also the Director of Department of Hawaiian Home Lands; the Deputy to the Chairman, the Executive Assistant; the NAHASDA Government Relations Program Manager, NAHASDA Program Specialist, NAHASDA Compliance Specialist, NAHASDA Construction Specialist, NAHASDA Mortgage Loan Assistant, NAHASDA Government Relations Program Specialist; and executive staff.

Administrative Services Office (ASO) – 9 staff members

The Administrative Services Office provides DHHL staff support in the areas of personnel, budgeting, program evaluation, information and communication systems, risk management, facilities management, clerical services and other administrative services.

Fiscal Office (FO) – 12 staff members

The Fiscal Office provides accounting support for DHHL.

Planning Office (PO) – 9 staff members

The Planning Office conducts research and planning studies required in the development of policies, programs, and projects to benefit native Hawaiians. The PO coordinates and develops the Regional Plans, administers the Native Hawaiian Development Program, provides capacity building training for homestead organizations, and provides community based grants for the implementation of Regional priority projects, community based economic development, and membership development.

Information and Community Relations Office (ICRO) – 2 staff members

The Information and Community Relations Office disseminates information to the public on Department issues, oversees community relations with the various homestead communities and coordinates DHHL's ceremonies. They also publish DHHL's annual reports to the State Legislature.

Homestead Services Division (HSD) – 42 staff members

HSD is composed of three branches: 1) Homestead Applications, 2) District Operations, and 3) Loan Services. HSD is the largest division in DHHL, has staff on all islands, and services more than 25,000 applicants and 9,000 lessees on five islands.

Land Management Division (LMD) – 7 staff members

LMD is responsible for managing Hawaiian home lands that are not used for homestead purposes. Unencumbered lands are managed and disposed of for long and short term uses in order to generate revenues and keep the lands productive while minimizing the occurrence of vegetative overgrowth, squatting or illegal dumping. LMD is responsible for properly managing the lands in DHHL's inventory.

Land Development Division (LDD) – 12 staff members

LDD is charged with the responsibility of developing trust lands for homesteading and income-producing purposes. This is accomplished through the development of properties for residential, agricultural, pastoral, and economic development uses. LDD has three operating branches: 1) Design and Construction – concentrating on the design and construction of off-site and on-site improvements for the various subdivisions; 2) Master-Planned Community – expediting the construction of housing options through partnerships with private sector and exploring other housing opportunities; and, 3) Housing Project—providing turn-key homes and assisting lessees of vacant lots in arranging financing and in contracting with a builder, including self-help and Habitat programs.

The following is a listing of the key personnel responsible for the implementation of DHHL and NAHASDA assisted programs:

Hawaiian Homes Commission (HHC)

Kali Watson, Chairman
Makai Freitas, West Hawaii Commissioner
Michael Kaleikini, East Hawaii Commissioner
Randy Awo, Maui Commissioner
Zachary Helm, Molokai Commissioner
Pauline Namuo, Oahu Commissioner
Patricia (Patty) Kahanamoku-Teruya, Oahu Commissioner
Russell Kaupu, Oahu Commissioner
Dennis Neves, Kauai Commissioner

Department of Hawaiian Home Lands

Kali Watson, Chairman
Katie Ducatt, Deputy to the Chairman
Richard Hoke, Executive Assistant
Brian Furuto, Acting Administrative Services Officer
Pearl Teruya, Fiscal Management Officer
Andrew Choy, Planning Program Manager
Lehua Kinilau-Cano, NAHASDA Government Relations Program Manager

Cynthia Rezendes, NAHASDA Program Specialist
Malia Cox, NAHASDA Compliance Specialist
Aloha Kaikaina, NAHASDA Construction Specialist
Kapuaala "Meleana" Kamai, NAHASDA Mortgage Loan Asst
Oriana Leao, NAHASDA Government Relations Program Manager
Michelle Hitzeman, HALE Manager
Juan Garcia, HSD Administrator
Nina Fisher, East Hawaii Homestead District Supervisor
James Du Pont, West Hawaii Homestead District Supervisor
Erna Kamibayashi, Kauai Homestead District Supervisor
Antonette Eaton, Maui Homestead District Supervisor
Dean Oshiro, Housing Services Loan Manager
Kip Akana, Enforcement Officer
Stewart Matsunaga, Acting Land Development Division Administrator
Kehaulani Quartero, Labor Compliance Specialist
Stephanie DeCoite, HHL Clerk Typist

Native Hawaiian Housing Block Grant (NHHBG)

Exempt from OMB Approval. 5 CFR 1320.3 (c) (4)

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

NHHP/APR

Office of Native American Programs

SECTION 5: BUDGETS

(1) Sources of Funding (NAHASDA § 803(c)(2)(C)(i) and 820(b)(1)) (Complete the non-shaded portions of the chart below to describe your estimated or anticipated sources of funding for the 12-month fiscal year. **APR Actual Sources of Funding -- Please complete the shaded portions of the chart below to describe your actual funds received. Only report on funds actually received and under a grant agreement or other binding commitment during the 12-month fiscal year.**)

SOURCE	NHHP						APR				
	(A) Estimated amount on hand at beginning of fiscal year	(B) Estimated amount to be received during 12-month fiscal year	(C) Estimated total sources of funds (A + B)	(D) Estimated funds to be expended during 12-month fiscal year	(E) Estimated unexpended funds remaining at end of fiscal year (C minus D)	(F) Actual amount on hand at beginning of fiscal year	(G) Actual amount received during 12-month fiscal year	(H) Actual total sources of funding (F + G)	(I) Actual funds expended during 12-month fiscal year	(J) Actual unexpended funds remaining at end of 12-month fiscal year (H minus I)	(K) Actual unexpended funds obligated but not expended at end of 12-month fiscal year
1. NHHBG Funds	20,000,000	21,300,000	41,300,000	19,840,000	21,460,000	33,495,514	43,600,000	77,095,514	10,464,061	66,631,453	34,395,137
2. NHHBG Program Income	0	140,000	140,000	140,000	0		715,267	715,267	715,267		
LEVERAGED FUNDS											
3. Other Federal Funds	0	25,000	25,000	25,000	0		787,767	787,767	787,767		
4. LIHTC											
5. Non-Federal Funds											
TOTAL	20,000,000	21,465,000	41,465,000	20,005,000	21,460,000	33,495,514	45,103,034	78,598,548	11,967,095	66,631,453	34,395,137

Notes:

- a. For the NHHP, fill in columns A, B, C, D, and E (non-shaded columns). For the APR, fill in columns F, G, H, I, J, and K (shaded columns).
- b. Total of Column D should match the total of Column N from the Uses Table on the following page.
- c. Total of Column I should match the Total of Column Q from the Uses Table on the following page.
- d. For the NHHP, describe any estimated leverage in Line 3 below. For the APR, describe actual leverage in Line 4 below (APR).

Native Hawaiian Housing Block Grant (NHHBG)

Exempt from OMB Approval. 5 CFR 1320.3 (c) (4)

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

NHHP/APR

Office of Native American Programs

(2) Uses of Funding (NAHASDA § 803(c)(2)(C)(ii)) (Note that the budget should not exceed the total funds on hand (Column C) and insert as many rows as needed to include all the programs identified in Section 3. Actual expenditures in the APR section are for the 12-month fiscal year.)

PROGRAM NAME (tie to program names in Section 3 above)	Unique Identifier	NHHP				APR			
		(L) Prior and current year NHHBG (only) funds to be expended in 12-month fiscal year	(M) Total all other funds expended in 12-month fiscal year	(N) Total funds to be expended in 12-month fiscal year (L + M)	(O) Total NHHBG (only) funds expended in 12-month fiscal year	(P) Total all other funds expended in 12-month fiscal year	(Q) Total funds expended in 12-month fiscal year (O+P)		
2023 CIP	AHP I	250,000		250,000	2,974,905	237,570	3,212,475		
Developer Financing	AHP II	5,000,000		5,000,000					
Homeowner Financing	AHP III	1,335,000	165,000	1,500,000	1,315,793	614,062	1,929,855		
HAP	AHP IV	600,000		600,000					
Waimanalo Kupuna Housing Rental Asst	AHP V	830,000		830,000	790,404	39,596	830,000		
Rental Vouchers	AHP VI-A	50,000		50,000					
Emergency Rental	AHP VI-B	300,000		300,000	800,304	74,696	875,000		
Kupuna Rental	AHP VI-C	2,500,000		2,500,000	974,847	10,153	985,000		
Rental Vouchers for DHHL Units	AHP VI-D	125,000		125,000					
Housing Counseling	AHP VII	750,000		750,000		25,500	25,500		
Homeowner Assistance	AHP VIII	300,000		300,000	1,133,123	16,877	1,150,000		
Water Infrastructure Improvements	AHP IX	250,000		250,000	193,822	368,954	562,776		
Housing Conversion	AHP X	2,000,000		2,000,000	774,946	97,428	872,374		
Property Acquisition	AHP XI	5,000,000		5,000,000		10,900	10,900		
SDU Financing	AHP XII	150,000		150,000					
Planning and Administration		400,000		400,000	1,505,917	7,298	1,513,215		
Loan Repayment – describe in 3 and 4 below.									
TOTAL		19,840,000	165,000	20,005,000	10,464,061	1,503,034	11,967,095		

Notes:

- a. Total of Column L cannot exceed the NHHBG funds from Column C, Row 1 from the Sources Table on the previous page.
- b. Total of Column M cannot exceed the total from Column C, Rows 2-10 from the Sources Table on the previous page.
- c. Total of Column O cannot exceed total NHHBG funds received in Column H, Row 1 from the Sources Table on the previous page.
- d. Total of Column P cannot exceed total of Column H, Rows 2-10 of the Sources Table on the previous page.
- e. Total of Column Q should equal total of Column I of the Sources Table on the previous page.

(3) Estimated Sources or Uses of Funding (NAHASDA § 803(c)(2)(C)). *(Provide any additional information about the estimated sources or uses of funding, including leverage (if any). You must provide the relevant information for any planned loan repayment. The text must describe which specific loan is planned to be repaid and the NAHASDA-eligible activity and program associated with this loan):*

The department anticipates \$140,000 in program income. The estimated \$25,000 in other federal funds is the repayment of the NHHBG subsidy when the lessee transfers their interest in the lease to a non-income eligible Native Hawaiian purchaser.

(4) APR (NAHASDA § 820(b)(1)) *(Enter any additional information about the actual sources or uses of funding, including leverage (if any)).*

Slightly over \$715,000 in program income was realized this fiscal year and just over \$787,000 in other refunds were processed.

SECTION 6: OTHER SUBMISSION ITEMS

(1) Useful Life/Affordability Period(s) (NAHASDA § 813, 24 CFR § 1006.305) *(Describe your plan or system for determining the useful life/affordability period of the housing assisted with NHHBG funds. A record of the current, specific useful life/affordability period for housing units assisted with NHHBG funds must be maintained in DHHL's files and available for review for the useful life/affordability period.):*

DHHL has established the following affordability periods to describe the term during which DHHL will keep the unit affordable:

<u>NHHBG Funds Invested</u>	<u>Affordability Period</u>
Up to \$24,999	5 years
\$25,000 to \$100,000	10 years
\$100,001 to \$200,000	20 years
\$200,001 and above	30 years

The affordability period is based on the total amount of NHHBG funds invested in the development and/or rehabilitation of a housing unit. Resale and recapture provisions will be included as a condition of the Hawaiian homestead lease to enforce the affordability restriction for each assisted housing unit.

(2) Model Housing and Over-Income Activities (NAHASDA § 810(b)(5) and 809(a)(2)(B), 24 CFR § 1006.225 and 1006.301(b)) *(If you wish to undertake a model housing activity or wish to serve non-low-income households during the 12-month fiscal year, those activities may be described here. Each approved model activity must be included as a separate program in Section 3 (Program Descriptions) and the APR portions of Section 3 must be completed in the APR submission for any approved model activity.):*

None.

(3) Anticipated Planning and Administration Expenses (NAHASDA § 802(d), 24 CFR § 1006.230)

Do you intend to exceed your allowable spending cap for Planning and Administration? Yes No

If yes, describe why the additional funds are needed for Planning and Administration.

Native Hawaiian Housing Block Grant (NHHBG)

Exempt from OMB Approval. 5 CFR 1320.3 (c) (4)

U.S. Department of Housing and Urban Development

NHHP/APR

Office of Public and Indian Housing
Office of Native American Programs

(4) Actual Planning and Administration Expenses (NAHASDA § 802(d), 24 CFR § 1006.230)

Did you exceed your spending cap for Planning and Administration? Yes No

If yes, did you receive HUD approval to exceed your spending cap on Planning and Administration? Yes No

If you did not receive approval for exceeding your spending cap on Planning and Administration costs, describe the reason(s) for exceeding the cap.

SECTION 7: NATIVE HAWAIIAN HOUSING PLAN CERTIFICATION OF COMPLIANCE
(NAHASDA § 803(c)(2)(E))

By signing the NHHP, you certify that you have all required policies and procedures in place in order to operate any planned NHHBG programs.

(1) In accordance with applicable statutes, the recipient certifies that it will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) or with the Fair Housing Act (42 U.S.C. 3601 et seq.) in carrying out the NHHBG program, to the extent that such Acts are applicable, and other applicable federal statutes.

Yes No

The following certifications will only apply where applicable based on program activities.

(2) The recipient will require adequate insurance coverage for housing units that are owned and operated or assisted with grant amounts provided under NAHASDA, in compliance with such requirements as may be established by HUD.

Yes No Not Applicable

(3) Policies are in effect and are available for review by HUD and the public governing the eligibility, admission, and occupancy of families for housing assisted with grant amounts provided under NAHASDA.

Yes No Not Applicable

(4) Policies are in effect and are available for review by HUD and the public governing rents charged, including the methods by which such rents or homebuyer payments are determined, for housing assisted with grant amounts provided under NAHASDA.

Yes No Not Applicable and

(5) Policies are in effect and are available for review by HUD and the public governing the management and maintenance of housing assisted with grant amounts provided under NAHASDA.

Yes No Not Applicable

SECTION 8: SELF-MONITORING

(NAHASDA § 819(b), 24 CFR § 1006.401)

(1) Do you have a procedure and/or policy for self-monitoring?

Yes No

(2) Did you conduct self-monitoring, including monitoring sub-recipients?

Yes No

(3) Self-Monitoring Results. *(Describe the results of the monitoring activities, including inspections for this program year.):*

Self-monitoring was conducted and is still underway.

SECTION 9: INSPECTIONS

(NAHASDA § 819(b))

(1) Inspection of Units (Use the table below to record the results of inspections of assisted housing.)

(A)		(B)	Results of Inspections	
Activity		Total number of units inspected	(C)	
			Total number of units (Inventory)	
NAHASDA-Assisted Units:				
Running inventory as of Fiscal Year Beginning (July 1) a 12-month total.				
a.	New Construction Completed	4	603	
b.	Rehab/Repair Completed	0	107	
c.	Rental Assistance (if applicable)	142		
d.	Other			
Total		146	710	

(2) Did you comply with your inspection policy: Yes No:

(3) If no, why not:

SECTION 10: AUDITS

(24 CFR § 1006.375(d))

This section is used to indicate whether an Office of Management and Budget Circular A-133* audit is required, based on a review of your financial records.

Did you expend \$500,000* or more in total Federal awards during the APR reporting period?

Yes No

If Yes, an audit is required to be submitted to the Federal Audit Clearinghouse and the Office of Native American Programs.

If No, an audit is not required.

*DHHL should note that new Federal government regulations on Administrative Requirements, Cost Principles, and Audit Requirements were promulgated on December 26, 2013 at 2 C.F.R. Part 200. HUD intends to update its regulations by December 26, 2014 to implement these new requirements in its programs. Audits covering recipients' fiscal years that begin in January 2015 will be subject to the revised audit requirements. In the meantime, applicable OMB Circulars and the regulations at 2 C.F.R. Part 225 will continue to apply to grants until implementation of the new requirements.

SECTION 11: PUBLIC AVAILABILITY

(NAHASDA § 820(d), 24 CFR § 1006.410(c))

(1) Did you make this APR available to the beneficiaries of the Hawaiian Homes Commission Act before it was submitted to HUD?

Check one: Yes No

(2) If you answered "No" to question #1, provide an explanation as to why not and indicate when you will do so.

(3) Summarize any comments received from the beneficiaries (NAHASDA § 820(d)(2)).

Public comments will be received from August 19, 2024.

Native Hawaiian Housing Block Grant (NHHBG)

Exempt from OMB Approval. 5 CFR 1320.3 (c) (4)

U.S. Department of Housing and Urban Development

NHHP/APR

Office of Public and Indian Housing
Office of Native American Programs

SECTION 12: JOBS SUPPORTED BY NAHASDA
(NAHASDA § 820)

Use the table below to record the number of jobs supported with NHHBG funds each year (including DHHL staff, Subrecipient staff, Contractors, etc.).

Native Hawaiian Housing Block Grant Assistance (NHHBG)	
(1) Number of Permanent Jobs Supported	40
(2) Number of Temporary Jobs Supported	30

(3) Narrative *(optional)*:

SECTION 13: NHHP WAIVER REQUESTS

(NAHASDA § 802(b)(2), 24 CFR 1006.20(b))

THIS SECTION IS ONLY REQUIRED IF DHHL IS REQUESTING A WAIVER OF A NHHP SECTION OR A WAIVER OF THE NHHP SUBMISSION DUE DATE. Fill out the form below if you are requesting a waiver of one or more sections of the NHHP. **NOTE:** This is NOT a waiver of the NHHBG program requirements but rather a request to waive some of the NHHP submission items because DHHL cannot comply due to circumstances beyond its control.

(1) List below the sections of the NHHP where you are requesting a waiver and/or a waiver of the NHHP due date. *(List the requested waiver sections by name and section number):*

(2) Describe the reasons that you are requesting this waiver *(Describe completely why you are unable to complete a particular section of the NHHP or could not submit the NHHP by the required due date.):*

(3) Describe the actions you will take in order to ensure that you are able to submit a complete NHHP in the future and/or submit the NHHP by the required due date. *(This section should completely describe the procedural, staffing or technical corrections that you will make in order to submit a complete NHHP in the future and/or submit the NHHP by the required due date.):*

(4) Recipient:	
(5) Authorized Official's Name and Title:	
(6) Authorized Official's Signature:	
(7) Date (MM/DD/YYYY):	

SECTION 14: NHHP AMENDMENTS

(24 CFR § 1006.101(d))

Use this section for NHHP amendments only.

Fill out the text below to summarize your NHHP amendment. Copy and paste Section 14 for each amendment. This amendment is only required to be submitted to the HUD Office of Native American Programs when the recipient is adding a new activity that was not described in the current One-Year Plan that has been determined to be in compliance by HUD. All other amendments will be reflected in the APR and do not need to be submitted to HUD.

NOTE: A Cover Page is strongly recommended but not required with a NHHP Amendment submission.

APR: REPORTING ON PROGRAM YEAR PROGRESS (NAHASDA § 820(b))

Complete the shaded section of text below to describe your completed program tasks and actual results. Only report on activities completed during the 12-month fiscal year. Financial data should be presented using the same basis of accounting as the Schedule of Expenditures of Federal Awards (SEFA) in the annual OMB Circular A-133* audit. For unit accomplishments, only count units when the unit was completed and occupied during the year. For households, only count the household if it received the assistance during the previous 12-month fiscal year.

*DHHL should note that new Federal government regulations on Administrative Requirements, Cost Principles, and Audit Requirements were promulgated on December 26, 2013 at 2 C.F.R. Part 200. HUD intends to update its regulations by December 26, 2014 to implement these new requirements in its programs. In the meantime, applicable OMB Circulars and the regulations at 2 C.F.R. Part 225 will continue to apply to existing grants. After HUD implements the new requirements in 2 C.F.R. Part 200 (after December 26, 2014), all grants will be subject to 2 C.F.R. Part 200, as implemented by HUD.

(1) Program Name and Unique Identifier:
(2) Program Description (<i>This should be the description of the planned program.</i>):
(3) Eligible Activity Number (<i>Select one activity from the Eligible Activities list in Section 3. Do not combine homeownership and rental housing in one activity, so that when units are reported in the APR they are correctly identified as homeownership or rental.</i>):

Native Hawaiian Housing Block Grant (NHHBG)

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U.S. Department of Housing and Urban Development

NHHP/APR

Office of Public and Indian Housing
Office of Native American Programs

<p>(4) Intended Outcome Number (<i>Select one Outcome from the Outcome list in Section 3.</i>):</p>
<p>Describe Other Intended Outcome (<i>Only if you selected "Other" above.</i>):</p>
<p>(5) Actual Outcome Number (<i>Select one Outcome from the Outcome list in Section 3.</i>):</p>
<p>Describe Other Actual Outcome (<i>Only if you selected "Other" above.</i>):</p>
<p>(6) Who Will Be Assisted (<i>Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes exceed 80 percent of the median income should be included as a <u>separate</u> program within this Section.</i>):</p>
<p>(7). Types and Level of Assistance (<i>Describe the types and the level of assistance that will be provided to each household, as applicable.</i>):</p>
<p>(8). APR: (<i>Describe the accomplishments for the APR in the 12-month fiscal year. In accordance with 24 CFR § 1006.410(b)(2) and (3), provide an analysis and explanation of cost overruns or high unit costs.</i>):</p>

Native Hawaiian Housing Block Grant (NHHBG)

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U.S. Department of Housing and Urban Development

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(9). Planned and Actual Outputs for 12-Month Fiscal Year

Planned Number of Units to be Completed in Year Under this Program	Planned Number of Households To Be Served in Year Under this Program	Planned Number of Acres To Be Purchased in Year Under this Program	APR: Actual Number of Units Completed in Fiscal Year	APR: Actual Number of Households Served in Fiscal Year	APR: Actual Number of Acres Purchased in Fiscal Year

(10). APR: If the program is behind schedule, explain why. (24 CFR § 1006.410(b)(2))

Native Hawaiian Housing Block Grant (NHHBG)

Exempt from OMB Approval. 5 CFR 1320.3 (c) (4)

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

NHHP/APR

Office of Native American Programs

(11) Amended Sources of Funding (NAHASDA § 803(c)(2)(C)(i)) (Complete the non-shaded portions of the chart below to describe your estimated or anticipated sources of funding for the 12-month fiscal year. **APR Actual Sources of Funding -- Please complete the shaded portions of the chart below to describe your actual funds received. Only report on funds actually received and under a grant agreement or other binding commitment during the 12-month fiscal year.**)

SOURCE	NHHP					APR					
	(A) Estimated amount on hand at beginning of fiscal year	(B) Estimated amount to be received during 12-month fiscal year	(C) Estimated total sources of funds (A + B)	(D) Estimated funds to be expended during 12-month fiscal year	(E) Estimated unexpended funds remaining at end of fiscal year (C minus D)	(F) Actual amount on hand at beginning of fiscal year	(G) Actual amount received during 12-month fiscal year	(H) Actual total sources of funding (F + G)	(I) Actual funds expended during 12-month fiscal year	(J) Actual unexpended funds remaining at end of 12-month fiscal year (H minus I)	(K) Actual unexpended funds obligated but not expended at end of 12-month fiscal year
6. NHHBG Funds											
7. NHHBG Program Income											
LEVERAGED FUNDS											
8. Other Federal Funds											
9. LIHTC											
10. Non-Federal Funds											
TOTAL											

Notes:

- a. For the NHHP, fill in columns A, B, C, D, and E (non-shaded columns). For the APR, fill in columns F, G, H, I, J, and K (shaded columns).
- b. Total of Column D should match the total of Column N from the Uses Table on the following page.
- c. Total of Column I should match the Total of Column Q from the Uses Table on the following page.

Native Hawaiian Housing Block Grant (NHHBG)

Exempt from OMB Approval. 5 CFR 1320.3 (c) (4)

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

NHHP/APR

Office of Native American Programs

(12) Amended Uses of Funding (NAHASDA § 803(c)(2)(C)(ii)) (Note that the budget should not exceed the total funds on hand and insert as many rows as needed to include all the programs identified in Section 3. **Actual expenditures in the APR section are for the 12-month fiscal year.**)

PROGRAM NAME (tie to program names in Section 3 above)	Unique Identifier	NHHP			APR		
		(L) Prior and current year NHHBG (only) funds to be expended in 12-month fiscal year	(M) Total all other funds expended in 12-month fiscal year	(N) Total funds to be expended in 12-month fiscal year (L + M)	(O) Total NHHBG (only) funds expended in 12-month fiscal year	(P) Total all other funds expended in 12-month fiscal year	(Q) Total funds expended in 12-month fiscal year (O+P)
Planning and Administration							
Loan repayment							
TOTAL							

Notes:

- a. Total of Column L cannot exceed the NHHBG funds from Column C, Row 1 from the Sources Table on the previous page.
- b. Total of Column M cannot exceed the total from Column C, Rows 2-10 from the Sources Table on the previous page.
- c. Total of Column O cannot exceed total NHHBG funds received in Column H, Row 1 from the Sources Table on the previous page.
- d. Total of Column P cannot exceed total of Column H, Rows 2-10 of the Sources Table on the previous page.
- e. Total of Column Q should equal total of Column I of the Sources Table on the previous page.

(13) Estimated Sources or Uses of Funding (NAHASDA § 803(c)(2)(C)). *(Provide any additional information about the estimated sources or uses of funding, including leverage (if any). You must provide the relevant information for any planned loan repayment listed in the Uses Table on the previous page. The text must describe which specific loan is planned to be repaid and the NAHASDA-eligible activity and program associated with this loan):*

(14) APR (NAHASDA § 820(b)(1)) *(Enter any additional information about the actual sources or uses of funding, including leverage (if any). You must provide the relevant information for any actual loan repayment listed in the Uses Table on the previous page. The text must describe which loan was repaid and the NAHASDA-eligible activity and program associated with this loan.):*

Native Hawaiian Housing Block Grant (NHHBG)

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NHHP/APR

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing
Office of Native American Programs

(15) Recipient:	
(16) Authorized Official's Name and Title:	
(17) Authorized Official's Signature:	I certify that all other sections of the NHHP approved on _____ are accurate and reflect the activities planned.
(18) Date (MM/DD/YYYY):	

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

August 19-20, 2024

To: Chairman and Members, Hawaiian Homes Commission

From: Oriana Leao, NAHASDA Government Relations Program Specialist

Subject: Item C-5 For Information Only – Summary of Responses to Proposed Legislative Action Request for 2025 & Draft Legislative Proposals

RECOMMENDED ACTION/MOTION:

None; For information only.

DISCUSSION

Outreach commenced since the June 2024 Hawaiian Homes Commission meeting requesting input on the Department of Hawaiian Home Lands’s (DHHL) Legislative Package for the 2025 legislative session. An email was sent to 146 DHHL staff, 196 testifiers on DHHL related measures from the 2016-2024 legislative sessions, 36 legislative talk story attendees, and 129 homestead associations and other stakeholders. The outreach list is attached as Exhibit ‘A’. The information was posted on DHHL’s website and NAHASDA participated in virtual and in-person community meetings to solicit legislative proposals for DHHL’s 2025 Legislative Package.

23 proposals were received. Here’s a summary of the proposals:

Issue	Submitted by	Result
HHCA BLOOD QUANTUM REQUIREMENT		
Petition Congress to amend the HHCA blood quantum requirement for successors to lessees and successors to applicants to a 1/32 blood quantum requirement	Lessee	More review
Petition Congress to amend the HHCA blood quantum requirement for successors to lessees from ¼ to a lesser amount	Lessee	More review
Petition Congress to amend the HHCA blood quantum requirement for successors to lessees from ¼ to a lesser amount	Lessee	More review

Petition Congress to amend the HHCA blood quantum requirement for application to the DHHL waiting list, from 50% (current quantum requirement) to 25% (proposed quantum requirement) and/or individuals that can trace their Hawaiian ancestry to 1777 or earlier	Public	More review
Requested by DHHL Chairperson and Previously Approved by the Hawaiian Homes Commission		
Independent Legal Counsel Allow the Hawaiian Homes Commission to retain independent legal counsel to be paid by the State and also use the services of the Attorney General as needed	Chair	Included
Representation on CWRM Add the Chairperson of the Hawaiian Homes Commission or the Chairperson's designee to the Commission on Water Resource Management as a voting member	Chair	Included
GET Exemption Exempt any development of homestead lots or housing for the Department of Hawaiian Home Lands from general excise and use taxes	Chair	Included
SHPD Allow the Department of Hawaiian Home Lands to assume review of the effect of any proposed project for lands under its jurisdiction except for projects affecting properties listed or nominated for inclusion in the Hawaii register of historic places or the national register of historic places	Chair	Included
School Impact Fees Exempt housing developed by the Department of Hawaiian Home Lands from school impact fees	Chair	Included
Representation on HHFDC Add the Chairperson of the Hawaiian Homes Commission or the Chairperson's designee to the Hawaii Housing Finance and Development Corporation's board of directors as a voting member	Chair	Included

Representation on HCDA Add the Chairperson of the Hawaiian Homes Commission or the Chairperson's designee to the Hawaii Community Development Authority as a voting member	Chair	Included
Geothermal Request follow-up funds for the next steps in the investigation, exploration, and identification of geothermal resources on Hawaiian Home Lands	Chair	Included
STATE BUILDING CODES AND COUNTY CLEARANCE		
Amend section 46-1.5 (5) (e) and (23)(d), Hawaii Revised Statutes Exempt DHHL from county user fees while ensuring county services to the Department of Hawaiian Home Lands for Hawaiian Home Lands	Staff	Included
Amend section 46-20.1 (b)(1)(C), Hawaii Revised Statutes Ensure that county sewer transmission lines on Hawaiian Home Lands that are in compliance, are transferred to the respective county within 60 days after the receipt by the appropriate county agency of a completed application for maintenance request	Staff	Included
Amend section 107-26(1) and 107-31, Hawaii Revised Statutes Ensure that state building code compliance is equivalent to county building code compliance	Staff	Included
Amend section 281-56, Hawaii Revised Statutes, by adding a new subsection (9) Ensure that clearance from a state agency in responsible charge of a property is acceptable and equivalent to a county clearance for building and zoning code compliance	Staff	Included
Amend sections 445-94 and 445-95, Hawaii Revised Statutes	Staff	Included

To allow a state agency to provide a building and zoning code clearance for buildings on land under the state agency's jurisdiction		
OTHER		
Amend Act 130, SLH 2024 Amends section 4 of Act 130, Session Laws of Hawaii 2024, to confirm that the Act shall take effect on the date of the Secretary of the Interior's notification letter to the Congressional Chairpersons that this Act meets none of the criteria in 43 CFR section 48.20	Staff	Included
Allow the Department of Hawaiian Home Lands to utilize the dwelling unit revolving fund as collateral when acting as an eligible borrower of a Section 184A Loan Guarantee for Native Hawaiian Housing	Staff	Included
Request appropriations to add administrative staff to manage broadband related activities at DHHL	Staff	Does not require legislation Sufficient Sums Request
Request state appropriations for DHHL to purchase and acquire lands to develop – particularly ranch land on Hawai'i island	Lessee	Does not require legislation Sufficient Sums Request
Pass legislation that provides preference and priority to beneficiary associations before private vendors	Lessee	More review
Request state appropriations for Kailapa Subdivision request for infrastructure over the Honokoa Gulch including: -Funding for water transmission infrastructure -Funding for emergency route to 6 mile mountain road. Build road bypassing the flooding bridges that may break under pressure -Funding for Kupuna Housing Complex and Preschool Program	Lessee	Does not require legislation Sufficient Sums Request

After considering the responses received and measures previously approved by the Hawaiian Homes Commission, fifteen (15) draft legislative proposals are summarized below and the actual draft of the bills and/or justification sheets are enclosed in Exhibit 'B'.

PROPOSAL SUMMARIES

Proposal HHL-01(25)

RELATING TO INDEPENDENT LEGAL COUNSEL

This proposal allows the Hawaiian Homes Commission to retain independent legal counsel to be paid by the State and use the services of the attorney general as needed when the interests of the State and the department are aligned.

The Hawaiian Homes Commission has a trust duty to its beneficiaries and in the fulfillment of its trust obligations, the Hawaiian Homes Commission may at times be at odds with the interests of the State. It is at these times that the department must be assured that its counsel provides legal guidance strictly in the interest of its client. Independent counsel that is hired and retained by the Hawaiian Homes Commission eliminates any cloud of uncertainty that there is a conflict of interest that the Hawaiian Homes Commission is represented by the Attorney General's office that also represents the State.

This measure has not been part of the Administration's legislative package but has been introduced by several legislators over the past few years and has not passed.

Proposal HHL-02(25)

RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT

This proposal adds the Chairperson of the Hawaiian Homes Commission or the Chairperson's designee to the Commission on Water Resource Management.

The Water Code requires that planning decisions of the Commission on Water Resource Management ensure that sufficient water remain available for current and foreseeable development and use of Hawaiian Home Lands. In order to further the interest of beneficiaries, the Chairman of the Hawaiian Homes Commission or the Chairperson's designee should serve as an ex officio voting member of the Commission on Water Resource Management.

This measure has not been part of the Administration's legislative package but has been introduced and has not passed.

Proposal HHL-03(25)

RELATING TO HOUSING

This proposal exempts any development of homestead lots or housing for the Department of Hawaiian Home Lands from general excise taxes.

The Department provides homesteads for native Hawaiians at affordable rates when compared to similar development available in Hawaii. In order to further the interest of beneficiaries, any development of homestead lots or housing for the Department should be exempt from general excise taxes.

This measure was not included in the Administration's legislative package and has not passed.

Proposal HHL-04(25)
RELATING TO HISTORIC PRESERVATION REVIEWS

This proposal allows the Department of Hawaiian Home Lands to assume review of the effect of any proposed project on historic properties or burial sites for lands under its jurisdiction.

Instead of requiring the Department of Hawaiian Home Lands to consult with the Department of Land and Natural Resources regarding the effect of a project upon historic properties or burial sites, this proposal would streamline the process by allowing the Department of Hawaiian Home Lands to assume this review .

This measure was included in the Administration's legislative package but has not passed.

Proposal HHL-05(25)
RELATING TO SCHOOL IMPACT FEES

This proposal amends section 302A-1603, Hawaii Revised Statutes to exclude housing developed by the Department of Hawaiian Home Lands from school impact fees.

The Department of Hawaiian Home Lands currently leases educational facilities for public schools, public charter schools, early learning facilities, and other similar facilities at minimal to no cost. By making the exemption of DHHL from school impact fees, the savings can be allocated toward developing more housing.

Proposal HHL-06(25)
RELATING TO THE HAWAII HOUSING AND FINANCE DEVELOPMENT CORPORATION

This proposal adds the Chairperson of the Hawaiian Homes Commission or the Chairperson's designee to the Hawaii Housing Finance and Development Corporation.

The Hawaii Housing Finance and Development Corporation is administratively attached to the Department of Business, Economic Development and Tourism. It is governed by a nine-

member Board of Directors which establishes policies and executive direction for the Corporation. This proposal would allow DHHL to have representation on the Board of Directors of the Hawaii Housing Finance and Development Corporation.

This measure was included in the Administration's legislative package but has not passed.

Proposal HHL-07(25)

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY

This proposal adds the Chairperson of the Hawaiian Homes Commission or the Chairperson's designee to the Hawaii Community Development Corporation.

The Hawaii Community Development Corporation is a State agency that was established to supplement traditional community renewal methods by promoting and coordinating public and private sector community development. The 1976 State Legislature created the Hawaii Community Development Authority to plan development of underutilized urban areas of Hawaii. This proposal would allow DHHL to have representation on the Hawaii Community Development Corporation.

This measure was included in the Administration's legislative package but has not passed.

Proposal HHL-08(25)

RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED

Act 130, Session Laws of Hawaii 2024, increased the Federal Housing Administration loan limit for DHHL Direct Loans to be seventy-five percent of the maximum single residence loan amount, instead of fifty percent. This proposal amends section 4 of Act 130, Session Laws of Hawaii 2024, to confirm that the Act shall take effect on the date of the Secretary of the Interior's notification letter to the Congressional Committee Chairpersons that this Act meets none of the criteria in 43 CFR section 48.20.

Proposal HHL-09(25)

RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS (Geothermal)

This proposal requests an appropriation of \$6,000,000 dollars for the next steps in the investigation, exploration, and identification of geothermal resources on Hawaiian Home Lands.

To build upon the initial funding provided in Act 205, Session Laws of Hawaii 2022, this proposal will allow DHHL to further investigate, explore, and identify geothermal resources on Hawaiian Home Lands as these resources may be used for the generation, transmission, or

production of electricity and renewable energy resources, including but not limited to hydrogen generation.

Proposal HHL-10(25)
RELATING TO COUNTY USER FEES

This legislative proposal exempts the Department of Hawaiian Home Lands from county user fees, \$100,000 in the aggregate per year, while ensuring county services to the Department of Hawaiian Home Lands for Hawaiian Home Lands. Funds saved by the Department of Hawaiian Home Lands due to exemption from county user fees, \$100,000 in the aggregate per year, could be used for infrastructure and housing needs for Hawaiian Home Lands managed by the Department of Hawaiian Home Lands.

This is a new legislative proposal by the Department of Hawaiian Home Lands that has not been previously included in the Administration's legislative package.

Proposal HHL-11(25)
RELATING TO COUNTY SEWER TRANSMISSION LINES

This legislative proposal is to ensure that county sewer transmission lines on Hawaiian Home Lands that are in compliance or brought into compliance by the Department of Hawaiian Home Lands, are transferred to the respective county within 60 days after the receipt by the appropriate county agency of a completed application for maintenance request.

This is a new legislative proposal by the Department of Hawaiian Home Lands that has not been previously included in the Administration's legislative package.

Proposal HHL-12(25)
RELATING TO STATE BUILDING CODES

This legislative proposal is to ensure that state building code compliance is equivalent to county building code compliance by allowing state agencies to administer the state building code.

This is a new legislative proposal by the Department of Hawaiian Home Lands that has not been previously included in the Administration's legislative package.

Proposal HHL-13(25)
RELATING TO STATE BUILDING CODE CLEARANCE

This legislative proposal is to ensure that clearance from a state agency in responsible charge of a property is acceptable and equivalent to a county clearance for building and zoning code compliance.

This is a new legislative proposal by the Department of Hawaiian Home Lands that has not been previously included in the Administration's legislative package.

Proposal HHL-14(25)
RELATING TO COUNTY LICENSES

This legislative proposal is to allow a state agency to provide a building and zoning code clearance for buildings on land under the state agency's jurisdiction.

This is a new legislative proposal by the Department of Hawaiian Home Lands that has not been previously included in the Administration's legislative package.

Proposal HHL-15(25)
RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS

This proposal allows the Department of Hawaiian Home Lands to utilize the dwelling unit revolving fund as collateral when acting as an eligible borrower of a Section 184A Loan Guarantee for Native Hawaiian Housing.

This is a new legislative proposal by the Department of Hawaiian Home Lands that has not been previously included in the Administration's legislative package.

CONCLUSION

These draft legislative proposals will be finalized and submitted for approval by the Commission next month and submitted for review by the Governor, Department of the Attorney General, and the Department of Budget & Finance. The proposals are pending final approval and no proposal is considered part of the package until final approval is granted by the Governor. In this phase of the review process, the department may amend or withdraw any measure.

RECOMMENDED ACTION/MOTION:

None; For information only.

EXHIBIT A

HHC Item C-5: For Information Only – Summary of Responses to Proposed Legislative Action Request for 2025 & Draft Legislative Proposals

Name	Organization
TESTIFIERS ON DHHL RELATED MEASURES FROM 2016 - 2024	
Paula Ailā	
Kainea Aiwohi	
Micah Alameda	
Aldene Albinio	
Kahana Albinio	
Annelle Amaral	Association of Hawaiian Civic Clubs
Amber	
Kamakana Aquino	Waimānalo Hawaiian Homes Association
Don Aweau	
Natasha Boteilho	
Michelle Tancayo	
Bill Brown	Pana'ewa Hawaiian Home Lands Community Association
Doreen N. Canto	
Shelly Carreira	
Kathleen Pua Chin	
Demont Conner	Ho`omana Pono, LLC
Leimana DaMate	'Aha Moku Advisory Council
Robin Danner	Sovereign Council of Hawaiian Homestead Associations
	Association of Hawaiians for Homestead Lands
Rosie F. Davis	
Vince Kana'i Dodge	
Doreen Gaspar	Kapa'akea Hawaiian Homestead Association
Makanalani Gomes	
Kama Hopkins	
Sharronlee Joseph	
Wilma Noelani Joy	
Ka'ala	
Patrick Kahawaiola'a	Keaukaha Community Association
Kate Kahoano	
Rachel L. Ka'ilianu	Ho`omana Pono, LLC
Carol Lee Kamekona	
Diane Kāneali'i	Kailapa Community Association
Roger Kāneali'i	
Lilia Kapuni'ai	
Marion Kapuni'ai	
Michelle Kauhane	
Puni Kekauoha	

Kapua Keli'ikoa-Kamai	
Leimomi Khan	Kalihi Palama Hawaiian Civic Club
Derek Kimura	
Lemonie Kolowena	
Kipukai Kualii	Kaua'i Councilmember
Stephanie Lauifi	
Joe Kūhiō Lewis	Council for Native Hawaiian Advancement
Sybil Lopez	Kalama'ula Mauka Homestead Association
Malcolm Mackey	
Makaha	
Kealii Makekau	
Leif Mokuahi Jr.	
Kaimo Muhlestein	
Viola Mundrick	
Brent Keli'ioakamalu Nakihei	
Madeline Neely	
Dean Oshiro	
Karen Poepoe	
Kilia Purdy-Avelino	
Charlie Ka'ahanui	
Alice Cabael Ka'ahanui	
Claudia Quintanilla	
Loretta Ritte	
Gene Ross Davis	
Homelani Schaedel	
Jame K. Schaedel	
Kehaulani Shintani	
Cappy Solatorio	Kewalo Hawaiian Homes Community Association
Healani Sonoda-Pale	Ka Lāhui Hawai'i Political Action Committee
Stacelynn Eli	
Wendy Waipa	Keaukaha Community Association
Faye Liko Wallace	
Charlie White	
Allen Yanos	
Lawrence Lasua	Kalama'ula Homesteaders Association
Alexander Akana	
Melody Alcon	
Jim Cisler	
Asti Merino	
Teri Heede	
Lorry A Merino	

Pi'ilani Akana	
Melissa Rietfors	
Suzanne Marciel	
Kalola Kaulili	
Faataatia Lauifi Jr.	
Tanya Lauifi	
Shane Nelsen	
Mapu Kekahuna	
Dawn Tanimoto	
Noelani	
Reis Haituka	
Kalani Johnston	
Robert Ka'aihue	
Jerry Wayne Flowers Jr.	
Solomon P Kaho'ohalahala	
Crystal Kia Paul	
Jimmy Gomes	
Tyson Kubo	
Verna Uyetake	
Kealakai Knoche	
Sherry Sasada	
Frances Dinnan	
Kahili Norman	
Debbie Kini	
Kimberlee Woodward	
Maxine Anderson	
	League of Women Voters
Melodie Aduja	OCC Legislative Priorities Committee
Kuheia Asiu	
Rhiannon Chandler-lao	
Randy Ching	
Robert Chong	
Kris Coffield	Imua Alliance
Henry Curtis	Life of the Land
Kaipō Gomes	
Jean Lilley	Hawaii Habitat for Humanity
Tina Andrade	Catholic Charities Hawaii
Peter Apo	
Rochelle Kawelo	Wai'anae Hawaiian Civic Club
Maile Lu'uwai	Keaukaha Pana'ewa Farmers Association
Jodi Akau	Kānehili NSW Patrol Coordinator

Josiah Jury	
Linda Jury	
Harold Johnston Jr.	
Raytan Vares	
Bobby Hall	
Mahealani Cypher	Ko'olaupoko Hawaiian Civic Club
	Kupuna for the Mo'opuna
Lacey Akau	
Kekailoa Perry	
Cheryl Burghardt	
Antoinette Almeida	
Paul Shinkawa	
Jonathan Likeke Scheuer	
Maydeen Lu	
Kapua Medeiros	
Herring Kalua Jr.	
Ku Ching	
Keli'i Ioane Jr.	
Lance Nobriga	
Daniel Arias	
Leah Pereira	
Melvin Ioane Hanohano Sr.	
Sharon Freitas	
Mele Spencer	
Allyson Dunan	
Kahealani Hanohano-Nunez	
Iwalani Kadowaki	
Puanani Woo	
Rolina Faagai	
Donna Simpson	
Garrett Ikaika Danner	
Charmaine Bugado	
Kim Balauro	
Larry Kamai	
C. Ku'ulei Laumauna	
Allen K. Hoe	
Mele Hanohano	
Melody Kapilialoha MacKenzie	
Kirstin Kahaloa	
Patricia Waipa	
Lorilynn Pua	

Peter Pua	
Bob Douglas	
Howard Pea	
Glenn Teves	
Kili Namau'u	
Rosanne Goo	
Kamuela Werner	
Malia Nobrega-Olivera	
Kaile C.	
Kawai Lopez	
Lu Ann Lankford-Faborito	
Luwella Leonardi	
Madonna Leilani Ka'ilimoku Kaleiohi	
Manuel Aila	
Mary Jane Kahalewai	
Melanie Kala-Hunt	
Purdyka Wahilani	
Renolds Fruean	
Tanya Alana	
Thompson Faboreito	
	Beneficiary Trust Council
Anthony Makana Paris	Prince Kūhiō Hawaiian Civic Club
	Partners In Care
Johnnie-Mae L. Perry	
Kenneth R. Conklin, PhD	Center for Hawaiian Sovereignty Studies
Kipukai Kualī'i and Rolina Faagai	SCHHA Policy Committee
Pamela Tumpap, President	Maui Chamber of Commerce
Mark Cave	William S. Richardson SOL - J.D. Candidate, Class of 2024
Mel Rapozo, Chair Kipukai Kualī'i, Council Vice Chair	County of Kaua'i - Council Services Division
Susan L.K. Lee Loy	Hawaii County Council - District 3
Kiersten Faulkner, Exec. Dir.	Historic Hawaii Foundation
Elmer Ka'ai, President	Hui Kāko'o 'Āina Ho'opulapula
Nancy Jones	Hydroponics Alternatives LLC
Jason Okuhama, President	Hawaii Alliance for Community Based Economic Development (HACBED)

Mara Mulrooney, Ph.D. President, Society of Hawaiian Archaeology	Society for Hawaiian Archaeology
Noel Morin, Chair, Board of Directors	Sustainable Energy Hawaii
LEGISLATIVE TALK STORY SESSIONS	
April Kealoha	
Lori Buchanan	
Jewellyn Kirkland	
Germaine Toguchi	
Senator Maile Shimabukuro	
Helen N. Wai	
Germaine Meyers	
Noe Lopes	
Diane Marshall	
David Keola	
Cheryl Moore	
Nani Kaina	
Kekoa Enomoto	Pa'upena Community Development Inc.
Kai Pelayo	
Kawehilani Enriques	
Kehau Filimoeatu	
Kuulei Nishiyama	
Kaiulani Lambert	
Joanna Howard	
Chanell Omerod	
Carol Catian	
Donna Pōmaika'i	
Arthur M. Nae'ole Jr.	
Ron Wise	
Mansha Catian	
Lono Koholua	
Kanani Sang	
Leo Bright	
Kahaunani Mahoe Thoene	
Robert Akau	
Cora Schnackenberg	
Zhan Lindo	
Juanita Reyher-Colon	
Keani Rawlins	
Ardis Farris	
Hala Pakala	

HOMESTEAD ASSOCIATIONS	
Jeffrey Kekoa	Ka'ū Hawaiian Home Lands Association
Charlie Keene	Kaūmana Hawaiian Homes Community Association
Maydean Bowman	Kawaihae Puaka'ilima Community Association
Nālani Reich	Lālānilo Residence Lots Association
Dora Aio	Villages of La'ī'ōpua Association
Mike Hodson	Waimea Hawaiian Homesteaders Association, Inc.
Kawai Warren	Kekaha Hawaiian Homestead Association
Karen Kahanu Keawe	Pi'ilani Mai Ke Kai Community Association
Harry Rodrigues	Waiohuli Undivided Interest
Harry Newman	Ka 'Ohana O Kahikinui
	Kahikinui Hawaiian Homestead Association
Kaulana Mossman	Kēōkea Homestead Farm Lots Association
Rod Pa'ahana	Villages of Leialī'i Phase 1A Association
Alapaki Heanu	Waiehu Kou Community Homestead Association
Mark Adams	Waiehu Kou Residence Lots Phase II Association
Perry Artates	Waiohuli Hawaiian Homesteaders Association
Ochie Bush	Ho'olehua Homestead Association
Gayla Haliniak-Lloyd	Kalama'ula Homesteaders Association
Faith Tuipulotu	MHFA, Inc.
Ronald Davis	Moloka'i Homestead Livestock Association
Tamar DeFries	Hui Maka'āinana a Kalawahine
Randy Akau	Kānehili Community Association
U'ilani Keli'ikoa	Kaupuni Village Community Association
Nathan Kaipo Punahale	Kumuhau and Kakaina
Kamaki Kanahele	Nānākuli Hawaiian Homestead Community Association
Avery Choy	Princess Kahanu Estates Association
Lokana Keli'ikoa-Pua	Wai'anae Valley Homestead Community Association
OTHER STAKEHOLDERS	
Ke'eaumoku Kapu	'Aha Moku o Maui Inc.
Kammy Purdy	Ahupua`a o Moloka`i
Black Ho'ohuli	Ahupua`a o Nānākuli
Dre Kalili	Association of Hawaiian Civic Clubs
Blossom Feiteira	Association of Hawaiians for Homestead Lands
Samson Brown	Aupuni O Hawai'i
Jeff Gilbreath	Hawaiian Community Assets, Inc.
Keali'i Lopez	Imua Hawai'i
Melissa Pavlicek	Kamehameha Schools
Vivian Ainoa	Kamiloloa One Ali'i Homestead Association

Roth Puahala	Ke One O Kākuhihewa
Paula Kekahuna	Maku`u Farmers Association
U'ilani Kapu	Nā Aikāne O Maui
Mililani Trask	Nā Koa Ikaika Ka Lāhui Hawaii
Roxanne Hanawahine	Nā 'Ohana o Pua'oi a me Hanawahine
Paige Kapi'olani Barber	Nānākuli Housing Corporation
	Native Hawaiian Education Council
Elena Farden	Native Hawaiian Education Council
Pohai Ryan	Native Hawaiian Hospitality Association
David Kopper	Native Hawaiian Legal Corporation
	Native Hawaiian Legal Corporation
Kaliko Chun	Nelson case
Deja Ostrowski	
Ke'ōpū Relitz	Office of Hawaiian Affairs
Apela Pe'ahi	Pe'ahi 'Ohana
Ronald Kodani	Pi'ihonua Hawaiian Homestead Community Association
Roy Oliveira	Waiehu Kou Phase 3 Association
Cynthia Rezendes	
Keoni Agard	
Keoni Bunag	
Sharlette Poe	
Carrie Ann Shirota	
Pauahi Ho'okano	
Nina Fisher	
Kahunawai Wright	
Patti Barbee	
Karen Awana	
Jolyn Ballenti	
Esther Kia'āina	
Geanine Gomes	
Georgie Navarro	
Kauka'ohu Wahilani	
Scott Abrigo	Kapolei Community Development Corporation
	Queens Medical Center
	Papa Ola Lōkahi
	Lili'uokalani Trust
Namaka Rawlins	'Aha Pūnana Leo

Sheri Daniels	Papa Ola Lōkahi
Mervina Cash-Kaeo	Alu Like
Ka'ano'i Walk	Kamehameha Schools
Melissa Umemori Hampe	Kamehameha Schools
Sam Kippen	Kamehameha Schools
Hailama Farden	Association of Hawaiian Civic Clubs
Makana Paris	Association of Hawaiian Civic Clubs
Ka'iwi Yoon	Bishop Museum
Mehana Hind	Council for Native Hawaiian Advancement
Kau'i Sang	Department of Education
Kevin Chang	Kua'āina Ulu 'Auamo
Taffi Wise	Kanu o ka 'Āina Learning 'Ohana
David Forman	William S. Richardson School of Law
Kapua Sproat	William S. Richardson School of Law
Kukui Maunakea-Forth	MA'O Organic Farms
Tyler Gomes	
William Ailā Jr.	
Annie Aki	
Alex Connelly	Kua'āina Ulu 'Auamo - E Alu Pū
Brenda Asuncion	Kua'āina Ulu 'Auamo - Hui Mālama Loko I'a
Malia Heimuli	Kua'āina Ulu 'Auamo - Limu Hui
Ginger	Kua'āina Ulu 'Auamo - Community Engagement & Development
Fukumitsu	Kua'āina Ulu 'Auamo - Lohe Pono
Niegel	Kua'āina Ulu 'Auamo
Kanani Higbee	
Salvatore Marino	
Walter Ritte	
Linda Chock	
Jojo Tanimoto	
Daryl Johnson	
Kathleen Miller	
Melissa Rietfors	
Jim Cisler	

Kau'i Almeida	
Legislative Hui including:	
Keapo Bissen	
Rufino Magliba	Council for Native Hawaiian Advancement
Chansen Fukushima	Kamehameha Schools
Palakiko Chandler	Kamehameha Schools
Olan Leimomi Fisher	Kua'āina Ulu 'Auamo

EXHIBIT B

HHC Item C-5: For Information Only – Summary of Responses to Proposed Legislative Action Request for 2025 & Draft Legislative Proposals

A BILL FOR AN ACT

RELATING TO INDEPENDENT LEGAL COUNSEL.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that Congress through the
2 Hawaiian Homes Commission Act, 1920, as amended (HHCA), set
3 aside lands to be used for the benefit of native Hawaiians. As
4 required by the Admission Act and as a compact with the United
5 States, the State of Hawaii and the people of Hawaii adopted the
6 HHCA as a provision of the Hawaii State Constitution and agreed
7 to faithfully carry out the spirit of the HHCA for the
8 rehabilitation of the Hawaiian race. These trust
9 responsibilities remain to this day.

10 Given this unique and significant history, the Hawaiian
11 homes commission should be allowed to retain independent legal
12 counsel. At the same time, the option of utilizing the services
13 of the attorney general as needed remains available.

14 The purpose of this Act is to allow the Hawaiian homes
15 commission to retain independent legal counsel.

16 SECTION 2. Section 28-8.3, Hawaii Revised Statutes, is
17 amended as follows:

18 (1) By amending subsection (a) to read as follows:

.B. NO.

1 "(a) No department of the State other than the attorney
2 general may employ or retain any attorney, by contract or
3 otherwise, for the purpose of representing the State or the
4 department in any litigation, rendering legal counsel to the
5 department, or drafting legal documents for the department;
6 provided that the foregoing provision shall not apply to the
7 employment or retention of attorneys:

8 (1) By the public utilities commission, the labor and
9 industrial relations appeals board, and the Hawaii
10 labor relations board;

11 (2) By any court or judicial or legislative office of the
12 State; provided that if the attorney general is
13 requested to provide representation to a court or
14 judicial office by the chief justice or the chief
15 justice's designee, or to a legislative office by the
16 speaker of the house of representatives and the
17 president of the senate jointly, and the attorney
18 general declines to provide such representation on the
19 grounds of conflict of interest, the attorney general
20 shall retain an attorney for the court, judicial, or
21 legislative office, subject to approval by the court,
22 judicial, or legislative office;

____.B. NO.____

- 1 (3) By the legislative reference bureau;
- 2 (4) By any compilation commission that may be constituted
- 3 from time to time;
- 4 (5) By the real estate commission for any action involving
- 5 the real estate recovery fund;
- 6 (6) By the contractors license board for any action
- 7 involving the contractors recovery fund;
- 8 (7) By the office of Hawaiian affairs;
- 9 (8) By the department of commerce and consumer affairs for
- 10 the enforcement of violations of chapters 480 and
- 11 485A;
- 12 (9) As grand jury counsel;
- 13 (10) By the Hawaii health systems corporation, or its
- 14 regional system boards, or any of their facilities;
- 15 (11) By the auditor;
- 16 (12) By the office of ombudsman;
- 17 (13) By the insurance division;
- 18 (14) By the University of Hawaii;
- 19 (15) By the Kahoolawe island reserve commission;
- 20 (16) By the division of consumer advocacy;
- 21 (17) By the office of elections;
- 22 (18) By the campaign spending commission;

.B. NO.

- 1 (19) By the Hawaii tourism authority, as provided in
2 section 201B-2.5;
- 3 (20) By the division of financial institutions;
- 4 (21) By the office of information practices;
- 5 (22) By the school facilities authority;
- 6 (23) By the Mauna Kea stewardship and oversight authority;
- 7 [~~or~~]
- 8 (24) By the Hawaiian homes commission; provided that:
- 9 (A) The Hawaiian homes commission may use the
10 services of the attorney general as needed; and
- 11 (B) Legal fees owed to independent counsel shall be
12 paid by the State; or
- 13 [~~(24)~~] (25) By a department, if the attorney general, for
14 reasons deemed by the attorney general to be good and
15 sufficient, declines to employ or retain an attorney
16 for a department; provided that the governor waives
17 the provision of this section."
- 18 (2) By amending subsection (c) to read as follows:
- 19 "(c) Every attorney employed by any department on a full-
20 time basis, except an attorney employed by the public utilities
21 commission, the labor and industrial relations appeals board,
22 the Hawaii labor relations board, the office of Hawaiian

.B. NO.

1 affairs, the Hawaii health systems corporation or its regional
2 system boards, the department of commerce and consumer affairs
3 in prosecution of consumer complaints, insurance division, the
4 division of consumer advocacy, the University of Hawaii, the
5 Hawaii tourism authority as provided in section 201B-2.5, the
6 Mauna Kea stewardship and oversight authority, the office of
7 information practices, the Hawaiian homes commission, or as
8 grand jury counsel, shall be a deputy attorney general."

9 SECTION 3. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 4. This Act shall take effect upon its approval.

12

13

INTRODUCED BY: _____

14

BY REQUEST

____.B. NO._____

Report Title:

Hawaiian Homes Commission; Independent Legal Counsel

Description:

Allows the Hawaiian Homes Commission to retain independent legal counsel. Authorizes the Hawaiian Homes Commission to use the services of the Attorney General as needed. Provides that funds owed to independent legal counsel shall be paid by the State.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO INDEPENDENT LEGAL COUNSEL.

PURPOSE: To allow the Hawaiian Homes Commission to retain independent legal counsel to be paid by the State and also use the services of the Attorney General as needed.

MEANS: Amend section 28-8.3(a) and (c), Hawaii Revised Statutes.

JUSTIFICATION: The Hawaiian Homes Commission has a trust duty to its beneficiaries and in the fulfillment of its trust obligations, the Hawaiian Homes Commission may at times be at odds with the interests of the State. It is at these times that the Hawaiian Homes Commission must be assured that its counsel provides legal guidance strictly in the interest of its client. Independent counsel that is hired and retained by the Hawaiian Homes Commission eliminates any cloud of uncertainty that there is a conflict of interest that the Hawaiian Homes Commission is represented by the Department of the Attorney General that also represents the State of Hawaii.

Impact on the public: This bill will further protect the interest of beneficiaries of the Hawaiian Homes Commission Act, 1920, as amended, by allowing the Hawaiian Homes Commission to retain independent legal counsel.

Impact on the department and other agencies: This bill could reduce the legal services provided by the Department of the Attorney General.

GENERAL FUND: \$500,000.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: HHL 625.

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE DATE: Upon approval.

A BILL FOR AN ACT

RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that section 174C-101(a),
2 Hawaii Revised Statutes, requires decisions of the commission on
3 water resource management to incorporate and protect adequate
4 reserves of water for current and foreseeable development and
5 use of Hawaiian home lands. The purpose of this Act is to add
6 the chairperson of the Hawaiian homes commission, or the
7 chairperson's designee, to the commission on water resource
8 management in a similar ex officio membership as the director of
9 health or the director's designee.

10 SECTION 2. Section 174C-7, Hawaii Revised Statutes, is
11 amended by amending subsections (a) and (b) to read as follows:

12 "(a) There is established within the department a
13 commission on water resource management consisting of [~~seven~~
14 eight members which shall have exclusive jurisdiction and final
15 authority in all matters relating to implementation and
16 administration of the state water code, except as otherwise
17 specifically provided in this chapter.

____.B. NO._____

Report Title:

Commission on Water Resource Management; Membership

Description:

Adds the Chairperson of the Hawaiian Homes Commission or the Chairperson's designee to the Commission on Water Resource Management. Increases number of commission members from seven to eight, with only five of eight required to have substantial experience in water resource management.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT.

PURPOSE: To add the Chairperson of the Hawaiian Homes Commission or the Chairperson's designee to the Commission on Water Resource Management.

MEANS: Amend section 174C-7(a) and (b), Hawaii Revised Statutes (HRS).

JUSTIFICATION: The State Water Code requires that decisions of the Commission on Water Resource Management incorporate and protect adequate reserves of water for current and foreseeable development and use of Hawaiian Home Lands. Allowing the Chairperson of the Hawaiian Homes Commission or the Chairperson's designee to serve on the Commission on Water Resource Management, would provide an opportunity for the Chairperson or the Chairperson's designee to participate in setting policies, defining uses, and establishing priorities and procedures over land-based surface water and ground water resources, which are key components of the development and use of Hawaiian Home Lands.

Clarifies in section 174C-7(b), HRS, that only five water commission members selected by the Governor must have substantial experience in the area of water resource management.

Impact on the public: This bill protects the interests of beneficiaries of the Hawaiian Homes Commission Act, 1920, as amended, by allowing the Chairperson of the Hawaiian Homes Commission or the Chairperson's designee to serve as an ex officio voting member of the Commission on Water Resource Management.

Impact on the department and other agencies:

An additional member would serve on the Commission on Water Resource Management.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: HHL 625.

OTHER AFFECTED
AGENCIES: Commission on Water Resource Management.

EFFECTIVE DATE: Upon approval.

A BILL FOR AN ACT

RELATING TO HOUSING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that homestead lots or
2 housing developed for the department of Hawaiian home lands
3 awarded to native Hawaiians are offered at affordable rates when
4 compared to similar housing opportunities available in Hawaii.
5 The purpose of this Act is to exempt any development of
6 homestead lots or housing for the department of Hawaiian home
7 lands from general excise and use taxes.

8 SECTION 2. Chapter 237, Hawaii Revised Statutes, is
9 amended by adding a new section to be appropriately designated
10 and to read as follows:

11 "§237- Exemptions for any development of homestead lots
12 or housing for the department of Hawaiian home lands. (a) Any
13 amounts related to planning, design, financing, or construction
14 activities conducted by a qualified person or firm for a new
15 construction, moderate rehabilitation, or substantial
16 rehabilitation project for homestead lots or housing for the
17 department of Hawaiian home lands shall be exempted from the tax
18 imposed by this chapter. The project may also be developed:

.B. NO.

1 (1) Under a government assistance program approved by the
2 department of Hawaiian home lands;

3 (2) Under the sponsorship of a nonprofit organization
4 providing home rehabilitation or new homes on Hawaiian
5 home lands for qualified families in need of decent,
6 low-cost housing; or

7 (3) To provide affordable rental housing where at least
8 fifty per cent of the available units are for
9 households with incomes at or below eighty per cent of
10 the area median family income as determined by the
11 United States Department of Housing and Urban
12 Development.

13 (b) All claims for exemption under this section shall be
14 filed with and certified by the department of Hawaiian home
15 lands and forwarded to the department of taxation by the
16 claimant. Any claim for exemption that is filed and approved
17 shall not be considered a subsidy.

18 (c) The department of Hawaiian home lands may establish,
19 revise, charge, and collect a reasonable service fee in
20 connection with its approvals and certifications of the
21 exemption under this section. The fees shall be deposited into

.B. NO.

1 the Hawaiian home operating fund pursuant to section 213(e) of
2 the Hawaiian Homes Commission Act, 1920, as amended.

3 (d) For purposes of this section:

4 "Homestead lot" means a lot of residential, agricultural,
5 or pastoral use to be awarded pursuant to the Hawaiian Homes
6 Commission Act, 1920, as amended, including but not limited to
7 on- and off-site infrastructure requirements, appurtenances, and
8 dwelling units.

9 "Moderate rehabilitation" shall have the same meaning as
10 defined in section 201H-36.

11 "Qualified person or firm" means any individual,
12 partnership, joint venture, corporation, association, limited
13 liability partnership, limited liability company, business,
14 trust, or any organized group of persons or legal entities, or
15 any combination thereof, that possesses all professional or
16 vocational licenses necessary to do business in the State.

17 "Substantial rehabilitation" shall have the same meaning as
18 defined in section 201H-36."

19 SECTION 3. Section 238-3, Hawaii Revised Statutes, is
20 amended by amending subsection (j) to read as follows:

.B.NO.

1 "(j) The tax imposed by this chapter shall not apply to
2 any use of property, services, or contracting exempted by
3 section 237-26 [~~or~~], section 237-29[~~-~~], or section 237- ."

4 SECTION 4. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 5. This Act, upon its approval, shall take effect
7 on January 1, 2026.

8

9

INTRODUCED BY: _____

BY REQUEST

10

____.B. NO._____

Report Title:

DHHL; General Excise Tax Exemption; Use Tax Exemption

Description:

Exempts any development of homestead lots or housing for the Department of Hawaiian Home Lands from general excise and use taxes.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO HOUSING.

PURPOSE: To exempt any development of homestead lots or housing for the Department of Hawaiian Home Lands from general excise and use taxes.

MEANS: Add a new section to chapter 237 and amend section 238-3(j), Hawaii Revised Statutes.

JUSTIFICATION: The savings resulting from the exemption from general excise and use taxes that the Department of Hawaiian Home Lands can potentially accrue from this bill would be applied to the development of additional housing and associated infrastructure. This additional saving would allow the Department to more fully commit the funding received toward its mission, development of more homestead lots or housing units for beneficiaries of the Hawaiian Homes Commission Act, 1920, as amended.

Impact on the public: This bill further protects the interest of beneficiaries of the Hawaiian Homes Commission Act, 1920, as amended, by exempting any development of homestead lots or housing for the Department of Hawaiian Home Lands from general excise and use taxes.

Impact on the department and other agencies: More funding could be allocated toward the development of homestead lots or housing.

GENERAL FUND: \$1,000,000 is the estimated amount of lost tax revenue.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HHL 625.

OTHER AFFECTED
AGENCIES:

Department of Taxation and Department of
Budget and Finance.

EFFECTIVE DATE:

January 1, 2026.

A BILL FOR AN ACT

RELATING TO HISTORIC PRESERVATION REVIEWS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that section 6E-8, Hawaii
2 Revised Statutes, plays an important role in the protection and
3 management of the State's historic properties and burial sites.
4 Section 6E-8(b) requires the department of Hawaiian home lands,
5 prior to any proposed project relating to lands under its
6 jurisdiction, to consult with the department of land and natural
7 resources regarding the effect of the project upon historic
8 property or a burial site. The purpose of this Act is to allow
9 the department of Hawaiian home lands to assume review of the
10 effect of any proposed project on historic properties or burial
11 sites for lands under its jurisdiction.

12 SECTION 2. Section 6E-8, Hawaii Revised Statutes, is
13 amended by amending subsection (b) to read as follows:

14 "(b) [The] Notwithstanding subsection (a), the department
15 of Hawaiian home lands [, prior to] may assume review of any
16 proposed project relating to lands under its jurisdiction [,]
17 ~~shall consult with the department regarding the effect of the~~
18 ~~project upon historic property or a burial site.]~~ pursuant to

.B.NO.

1 this section and pursuant to any administrative rule adopted
2 thereunder; provided that the department of Hawaiian home lands
3 shall:

4 (1) Designate the review to a Hawaiian home lands
5 preservation officer who has professional competence
6 and experience in the field of historic preservation;
7 and

8 (2) Ensure that copies of all reports, maps, and
9 documents, including those reflecting the Hawaiian
10 home lands preservation official's comments,
11 recommendations, and decisions, are provided to the
12 department to be incorporated into the historic
13 preservation digital document management system and
14 library.

15 The department shall retain authority for review under this
16 section for projects affecting properties listed or nominated
17 for inclusion in the Hawaii register of historic places or the
18 national register of historic places."

19 SECTION 3. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

21

____.B. NO.____

1 SECTION 4. This Act shall take effect upon its approval.

2

3

INTRODUCED BY: _____

4

BY REQUEST

____.B. NO._____

Report Title:

Historic Preservation; DHHL; Project Reviews of Proposed State Projects

Description:

Allows the Department of Hawaiian Home Lands to assume historic preservation review of the effect of any proposed project for lands under its jurisdiction except for projects affecting properties listed or nominated for inclusion in the Hawaii register of historic places or the national register of historic places.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION REVIEWS.

PURPOSE: To allow the Department of Hawaiian Home Lands to assume review of the effect of any proposed project for lands under its jurisdiction except for projects affecting properties listed or nominated for inclusion in the Hawaii register of historic places or the national register of historic places.

MEANS: Amend section 6E-8(b), Hawaii Revised Statutes.

JUSTIFICATION: Instead of requiring the Department of Hawaiian Home Lands to consult with the Department of Land and Natural Resources regarding the effect of a project upon historic properties or burial sites, this bill would streamline the process by allowing the Department of Hawaiian Home Lands to assume this review, which would allow for the ability to expedite the construction of proposed projects.

Impact on the public: This bill advances the interest of beneficiaries of the Hawaiian Homes Commission Act 1920, as amended, by streamlining the review process for any proposed project on Hawaiian Home Lands.

Impact on the department and other agencies: The Department of Hawaiian Home Lands would assume this function for lands under its jurisdiction freeing up those resources for the Department of Land and Natural Resources to service other agencies.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION:

HHL 625.

OTHER AFFECTED
AGENCIES:

Department of Land and Natural Resources.

EFFECTIVE DATE:

Upon approval.

A BILL FOR AN ACT

RELATING TO SCHOOL IMPACT FEES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 302A-1603, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) The following shall be exempt from this section:

4 (1) Any form of housing permanently excluding school-aged
5 children, with necessary covenants or declarations of
6 restrictions recorded on the property;

7 (2) Any form of housing that is or will be paying the
8 transient accommodations tax under chapter 237D;

9 (3) All nonresidential development;

10 (4) Any development with an executed education
11 contribution agreement or other like document with the
12 authority or the department for the contribution of
13 school sites or payment of fees for school land or
14 school construction;

15 (5) Any form of housing developed by the department of
16 Hawaiian home lands for use by beneficiaries of the
17 Hawaiian Homes Commission Act, 1920, as amended; and

____.B. NO._____

Report Title:

School Impact Fees; Education; Housing; DHHL

Description:

Excludes housing developed by the Department of Hawaiian Home Lands from school impact fees.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO SCHOOL IMPACT FEES.

PURPOSE: Exempts any housing development for the Department of Hawaiian Home Lands from school impact fees.

MEANS: Amend section 302A-1603(b), Hawaii Revised Statutes.

JUSTIFICATION: Lands set aside for use as Hawaiian Home Lands were withdrawn for other purposes, including public schools, since the enactment of the Hawaiian Homes Commission Act, 1920, as amended. Additionally, the Department of Hawaiian Home Lands provides affordable housing that often account for the educational facilities that may be needed to support the community. In order to further the interest of beneficiaries of the Hawaiian Homes Commission Act, any housing development for the Department of Hawaiian Home Lands should be exempt from school impact fees.

Impact on the public: This proposal further protects the interest of beneficiaries of the Hawaiian Homes Commission Act by exempting any housing development for the Department of Hawaiian Home Lands from school impact fees.

Impact on the department and other agencies: More funding could be allocated toward the development of housing instead of fees.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HHL 625.

OTHER AFFECTED

AGENCIES:

Department of Education - School Facilities
Authority.

EFFECTIVE DATE:

Upon approval.

A BILL FOR AN ACT

RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the Hawaii housing
2 finance and development corporation is tasked with developing
3 and financing low- and moderate- income housing projects and
4 administering homeownership programs. The purpose of this Act
5 is to add the chairperson of the Hawaiian homes commission, or
6 the chairperson's designee, to the board of directors of the
7 Hawaii housing finance and development corporation.

8 SECTION 2. Section 201H-3, Hawaii Revised Statutes, is
9 amended by amending subsections (a), (b), and (c) to read as
10 follows:

11 " (a) There is created a board of directors of the Hawaii
12 housing finance and development corporation consisting of [~~nine~~]
13 ten members, of whom six shall be public members appointed by
14 the governor as provided in section 26-34. At least four of the
15 public members shall have knowledge and expertise in public or
16 private financing and development of affordable housing. Public
17 members shall be appointed from each of the counties of

.B. NO.

1 Honolulu, Hawaii, Maui, and Kauai. At least one public member
2 shall represent community advocates for low-income housing,
3 affiliated with private nonprofit organizations that serve the
4 residents of low-income housing. The public members of the
5 board shall serve four-year staggered terms; provided that the
6 initial appointments shall be as follows:

- 7 (1) Two members to be appointed for four years;
- 8 (2) Two members to be appointed for three years; and
- 9 (3) Two members to be appointed for two years.

10 The director of business, economic development, and tourism,
11 [~~and~~] the director of finance, and the chairperson of the
12 Hawaiian homes commission, or their designated representatives,
13 and a representative of the governor's office, shall be ex
14 officio[+], [+]
15 voting members. The corporation shall be headed
16 by the board.

16 (b) The board of directors shall select a chairperson and
17 vice chairperson from among its members; provided that the
18 chairperson shall be a public member. The director of business,
19 economic development, and tourism, director of finance,
20 chairperson of the Hawaiian homes commission, and the governor's
21 representative shall be ineligible to serve as chairperson of
22 the board.

____.B. NO.____

Report Title:

HHFDC Board of Directors; Membership

Description:

Adds the Chairperson of the Hawaiian Homes Commission or the Chairperson's designee to the Board of Directors of the Hawaii Housing Finance and Development Corporation.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION.

PURPOSE: To add the Chairperson of the Hawaiian Homes Commission or the Chairperson's designee to the Hawaii Housing Finance and Development Corporation's board of directors.

MEANS: Amend section 201H-3(a), (b), and (c), Hawaii Revised Statutes.

JUSTIFICATION: Allowing the Chairperson of the Hawaiian Homes Commission or the Chairperson's designee to serve on the board of directors of the Hawaii Housing Finance and Development Corporation would provide an opportunity for the Chairperson or the Chairperson's designee to participate in setting policies, defining uses, and establishing priorities and procedures for the development, subdivision, and construction of dwelling units in housing projects in which the State, through the Corporation, shall participate.

Impact on the public: This bill protects the interests of beneficiaries of the Hawaiian Homes Commission Act, 1920, as amended, by allowing the Chairperson of the Hawaiian Homes Commission or the Chairperson's designee to serve on the board of directors of the Hawaii Housing Finance and Development Corporation.

Impact on the department and other agencies: An additional member would serve on the board of directors of the Hawaii Housing Finance and Development Corporation.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM

DESIGNATION: HHL 625.

OTHER AFFECTED

AGENCIES: Hawaii Housing Finance and Development
Corporation.

EFFECTIVE DATE: Upon approval.

A BILL FOR AN ACT

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the Hawaii community
2 development authority is tasked with promoting and coordinating
3 public and private sector community development and to plan for
4 the development of underutilized areas of Hawaii. The purpose
5 of this Act is to add the chairperson of the Hawaiian homes
6 commission or the chairperson's designee to the Hawaii community
7 development authority.

8 SECTION 2. Section 206E-3, Hawaii Revised Statutes, is
9 amended by amending subsection (b) to read as follows:

10 "(b) The authority shall consist of the director of
11 finance or the director's designee; the director of
12 transportation or the director's designee; the director of
13 business, economic development, and tourism or the director's
14 designee; the chairperson of the board of land and natural
15 resources; the chairperson of the Hawaiian homes commission or
16 the chairperson's designee; the director of planning or planning
17 and permitting of each county in which a community development
18 district is located or the director's designee; a cultural

.B.NO.

1 specialist; an at-large member nominated by the president of the
2 senate; an at-large member nominated by the speaker of the house
3 of representatives; two representatives of the Heeia community
4 development district, comprising one resident of that district
5 or the Koolaupoko district, which consists of sections 1 through
6 9 of zone 4 of the first tax map key division, and one owner of
7 a small business or one officer or director of a nonprofit
8 organization in the Heeia community development district or
9 Koolaupoko district; two representatives of the Kalaeloa
10 community development district, comprising one resident of the
11 Ewa zone (zone 9, sections 1 through 2) or the Waianae zone
12 (zone 8, sections 1 through 9) of the first tax map key
13 division, and one owner of a small business or one officer or
14 director of a nonprofit organization in the Ewa or Waianae zone;
15 two representatives of the Kakaako community development
16 district, comprising one resident of the district and one owner
17 of a small business or one officer or director of a nonprofit
18 organization in the district; and two representatives of the
19 Pulehunui community development district, consisting of one
20 resident of the island of Maui, and one owner of a small
21 business or one officer or director of a nonprofit organization
22 on the island of Maui.

.B.NO.

1 All members except the director of finance, director of
2 transportation, county directors of planning or planning and
3 permitting, director of business, economic development, and
4 tourism, chairperson of the board of land and natural resources,
5 chairperson of the Hawaiian homes commission, or their
6 respective designees shall be appointed by the governor pursuant
7 to section 26-34. The two at-large members nominated by the
8 president of the senate and speaker of the house of
9 representatives shall each be invited to serve and appointed by
10 the governor from a list of three nominees submitted for each
11 position by the nominating authority specified in this
12 subsection.

13 The president of the senate and the speaker of the house of
14 representatives shall each submit a list of six nominees for
15 each district to the governor to fill the two district
16 representative positions for each community development
17 district. For each community development district, the governor
18 shall appoint one member from a list of nominees submitted by
19 the president of the senate and one member from a list of
20 nominees submitted by the speaker of the house of
21 representatives, and of the two appointees, one shall meet the
22 district residency requirement and one shall meet the district

.B. NO.

1 small business owner or nonprofit organization officer or
2 director requirement.

3 The authority shall be organized and shall exercise
4 jurisdiction as follows:

5 (1) For matters affecting the Heeia community development
6 district, the following members shall be considered in
7 determining quorum and majority and shall be eligible
8 to vote:

9 (A) The director of finance or the director's
10 designee;

11 (B) The director of transportation or the director's
12 designee;

13 (C) The director of business, economic development,
14 and tourism or the director's designee;

15 (D) The director of planning and permitting for the
16 county in which the Heeia community development
17 district is located or the director's designee;

18 (E) The cultural specialist;

19 (F) The two at-large members; and

20 (G) The two representatives of the Heeia
21 community development district;

22 (2) For matters affecting the Kalaeloa community

.B. NO.

1 development district, the following members shall be
2 considered in determining quorum and majority and
3 shall be eligible to vote:

4 (A) The director of finance or the director's
5 designee;

6 (B) The director of transportation or the director's
7 designee;

8 (C) The director of business, economic development,
9 and tourism or the director's designee;

10 (D) The director of planning and permitting for the
11 county in which the Kalaeloa community
12 development district is located or the director's
13 designee;

14 (E) The chairperson of the Hawaiian homes commission
15 or the chairperson's designee;

16 ~~(E)~~ (F) The cultural specialist;

17 ~~(F)~~ (G) The two at-large members; and

18 ~~(G)~~ (H) The two representatives of the Kalaeloa
19 community development district;

20 (3) For matters affecting the Kakaako community

.B. NO.

1 development district, the following members shall be
2 considered in determining quorum and majority and
3 shall be eligible to vote:

4 (A) The director of finance or the director's
5 designee;

6 (B) The director of transportation or the director's
7 designee;

8 (C) The director of business, economic development,
9 and tourism or the director's designee;

10 (D) The director of planning and permitting for the
11 county in which the Kakaako community development
12 district is located or the director's designee;

13 (E) The cultural specialist;

14 (F) The two at-large members; and

15 (G) The two representatives of the Kakaako
16 community development district; and

17 (4) For matters affecting the Pulehunui community
18 development district, the following members shall be
19 considered in determining quorum and majority and
20 shall be eligible to vote:

21 (A) The director of finance or the director's
22 designee;

.B. NO.

1 (B) The director of transportation or the director's
2 designee;

3 (C) The director of business, economic development,
4 and tourism or the director's designee;

5 (D) The director of planning for the county in which
6 the Pulehunui community development district is
7 located or the director's designee;

8 (E) The chairperson of the board of land and natural
9 resources or the chairperson's designee;

10 (F) The cultural specialist;

11 (G) The two at-large members; and

12 (H) The two representatives of the Pulehunui
13 community development district.

14 In the event of a vacancy, a member shall be appointed to
15 fill the vacancy in the same manner as the original appointment
16 within thirty days of the vacancy or within ten days of the
17 senate's rejection of a previous appointment, as applicable.

18 The terms of the director of finance; director of
19 transportation; county directors of planning or planning and
20 permitting; director of business, economic development, and
21 tourism; [~~and~~] chairperson of the board of land and natural
22 resources; and chairperson of the Hawaiian homes commission; or

.B. NO.

1 their respective designees shall run concurrently with each
2 official's term of office. The terms of the appointed voting
3 members shall be for four years, commencing on July 1 and
4 expiring on June 30. The governor shall provide for staggered
5 terms of the initially appointed voting members so that the
6 initial terms of four members selected by lot shall be for two
7 years, the initial terms of four members selected by lot shall
8 be for three years, and the initial terms of the remaining three
9 members shall be for four years.

10 The governor may remove or suspend for cause any member
11 after due notice and public hearing.

12 Notwithstanding section 92-15, a majority of all eligible
13 voting members as specified in this subsection shall constitute
14 a quorum to do business, and the concurrence of a majority of
15 all eligible voting members as specified in this subsection
16 shall be necessary to make any action of the authority valid.

17 All members shall continue in office until their respective
18 successors have been appointed and qualified. Except as herein
19 provided, no member appointed under this subsection shall be an
20 officer or employee of the State or its political subdivisions.

____.B. NO.____

Report Title:

HCDA; Membership

Description:

Adds the Chairperson of the Hawaiian Homes Commission or the Chairperson's designee to the Hawaii Community Development Authority.

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JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

PURPOSE: To add the Chairperson of the Hawaiian Homes Commission or the Chairperson's designee to the Hawaii Community Development Authority.

MEANS: Amend section 206E-3(b), Hawaii Revised Statutes.

JUSTIFICATION: Allowing the Chairperson of the Hawaiian Homes Commission or the Chairperson's designee to serve on the Hawaii Community Development Authority would provide an opportunity for the Chairperson or the Chairperson's designee to participate in promoting and coordinating public and private sector community development and to plan for the development of underutilized areas of Hawaii.

Impact on the public: This bill protects the interests of beneficiaries of the Hawaiian Homes Commission Act, 1920, as amended, by allowing the Chairperson of the Hawaiian Homes Commission or the Chairperson's designee to serve on the Hawaii Community Development Authority.

Impact on the department and other agencies: An additional member would serve on the Hawaii Community Development Authority.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HHL 625.

OTHER AFFECTED AGENCIES: Hawaii Community Development Authority.

EFFECTIVE DATE: Upon approval.

____.B. NO.____

A BILL FOR AN ACT

RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that Act 130, Session
2 Laws of Hawaii 2024, increases the loan limit for direct loans
3 provided by the department of Hawaiian home lands to seventy-
4 five per cent of the maximum single residence loan amount
5 allowed in Hawaii by the United States Department of Housing and
6 Urban Development's Federal Housing Administration, instead of
7 fifty per cent, as currently outlined in section 215 of the
8 Hawaiian Homes Commission Act, 1920, as amended.

9 The purpose of this Act is to confirm that Act 130, Session
10 Laws of Hawaii 2024, shall take effect on the date of the
11 Secretary of the Interior's notification letter to the
12 Congressional Committee Chairpersons that this Act meets none of
13 the criteria in 43 CFR section 48.20.

14 SECTION 2. Act 130, Session Laws of Hawaii 2024, is
15 amended by amending section 4 to read as follows:

16 "~~SECTION 4. This Act shall take effect [upon its approval~~
17 ~~with the consent of the United States Congress; provided that~~
18 ~~the amendments made to section 215, Hawaiian Homes Commission~~

.B. NO.

Report Title:

DHHL; Hawaiian Homes Commission Act

Description:

Amends section 4 of Act 130, Session Laws of Hawaii 2024, to confirm that the Act shall take effect on the date of the Secretary of the Interior's notification letter to the Congressional Committee Chairpersons that this Act meets none of the criteria in 43 CFR section 48.20.

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JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.

PURPOSE: To amend section 4 of Act 130, Session Laws of Hawaii 2024, to confirm that the Act shall take effect on the date of the Secretary of the Interior's notification letter to the Congressional Chairpersons that this Act meets none of the criteria in 43 CFR section 48.20.

MEANS: Amend section 4 of Act 130, Session Laws of Hawaii 2024.

JUSTIFICATION: This bill will correct and confirm that the Act shall take effect on the date of the Secretary of the Interior's notification letter to the Congressional Chairpersons that this Act meets none of the criteria in 43 CFR section 48.20.

Impact on the public: This bill protects the interest of beneficiaries of the Hawaiian Homes Commission Act, 1920, as amended, by ensuring proper enactment of the noted amendment to Section 215 of the Hawaiian Homes Commission Act, 1920, as amended.

Impact on the department and other agencies:
None.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HHL 625.

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: This State legislative amendment to Act 130,
SLH 2024 shall take effect upon approval.

A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to provide follow-up
2 funding for the next steps in the investigation, exploration,
3 and identification of geothermal resources on Hawaiian home
4 lands, as these resources may be used for the generation,
5 transmission, or production of electricity and renewable energy
6 resources, including but not limited to, hydrogen generation.
7 Geothermal resources can provide stable power, community
8 benefits, and an alternative to biofuels. The appropriation of
9 follow-up funding will allow the department of Hawaiian home
10 lands to confirm data for previously speculated hot-spots of
11 geothermal activity on Hawaiian home lands and gather more
12 information for projected uses.

13 SECTION 2. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$6,000,000 or so much
15 thereof as may be necessary for fiscal year 2025-2026 to fund
16 water well development for geophysical investigation,

_____.B. NO._____

Report Title:

DHHL; Hawaiian Home Lands; Geothermal Resources; Appropriation

Description:

Appropriates funds to the Department of Hawaiian Home Lands for the investigation, exploration, and identification of geothermal resources on Hawaiian Home Lands.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS.

PURPOSE: To provide follow-up funds for the next steps in the investigation, exploration, and identification of geothermal resources on Hawaiian Home Lands.

MEANS: Appropriate funds.

JUSTIFICATION: There is appropriated out of the general revenues of the State of Hawaii the sum of \$6,000,000 or so much there of as may be necessary for fiscal year 2025-2026 to fund water well development for geophysical investigation, exploration, and identification of geothermal resources on Hawaiian Home Lands. The appropriated funds would be used to complete Magnetotelluric surveys and for the drilling of slim holes at the respective sites. This appropriation request is in the form of a bill rather than a budget request as follow-up to the initial legislation of Act 205, Session Laws of Hawaii 2022.

Impact on the public: This bill further protects the interest of beneficiaries of the Hawaiian Homes Commission Act, 1920, as amended, by providing funds for the investigation, exploration, and identification of geothermal resources on Hawaiian Home Lands, as these resources may be used for the generation, transmission, or production of electricity and renewable energy resources.

Impact on the department and other agencies: This bill could allow for the Department of Hawaiian Home Lands to generate, transmit, or produce electricity and renewable energy resources on Hawaiian Home Lands.

Page 2

GENERAL FUND: \$6,000,000.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: HHL 625.

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE DATE: July 1, 2025.

A BILL FOR AN ACT

RELATING TO COUNTY USER FEES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 46-1.5, Hawaii Revised Statutes, is
2 amended by amending subsection (5) (E) to read as follows:

3 "(5) Each county shall have the power to:

4 (E) Establish and charge user fees to create and
5 maintain any stormwater management system or infrastructure;
6 provided that no county shall charge against or collect user
7 fees from the department of transportation in excess of
8 \$1,500,000 in the aggregate per year; provided further that no
9 services shall be denied to the department of transportation by
10 reason of nonpayment of the fees; no county shall charge or
11 collect user fees from the department of Hawaiian home lands in
12 excess of \$100,000 in the aggregate per year; provided further
13 that no services shall be denied to the department of Hawaiian
14 home lands."

15 SECTION 2. Section 46-1.5, Hawaii Revised Statutes, is
16 amended by amending subsection (23) (D) to read as follows:

17 "(23) Each county shall have the power to:
18

____.B. NO._____

Report Title:

Counties; User Fees; County Powers; DHHL

Description:

Amends Chapter 46, Hawaii Revised Statutes, sections (5) (E) and (23) (D), to ensure exemption of the Department of Hawaiian Home Lands from county user fees, \$100,000 in the aggregate per year; and to ensure county services to the Department of Hawaiian Home Lands for Hawaiian Home Lands.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO COUNTY USER FEES.

PURPOSE: To exempt the Department of Hawaiian Home Lands from county user fees, \$100,000 in the aggregate per year, while ensuring county services to the Department of Hawaiian Home Lands for Hawaiian Home Lands.

MEANS: Amend section 46-1.5 (5) (e) and (23) (d), Hawaii Revised Statutes.

JUSTIFICATION: Funds saved by the Department of Hawaiian Home Lands due to exemption from county user fees, \$100,000 in the aggregate per year, could be used for infrastructure and housing needs for Hawaiian Home Lands managed by the Department of Hawaiian Home Lands.

Impact on the public: This bill advances the interest of beneficiaries of the Hawaiian Homes Commission Act 1920, as amended, by ensuring that the Department of Hawaiian Home Lands will not be charged county user fees and by ensuring county services to the Department of Hawaiian Home Lands for Hawaiian Home Lands.

Impact on the department and other agencies: Hawaii Counties would not receive revenue in the form of county user fees charged to the Department of Hawaiian Home Lands.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HHL 625.

OTHER AFFECTED AGENCIES: Hawaii Counties.

EFFECTIVE DATE: Upon approval.

A BILL FOR AN ACT

RELATING TO SEWER TRANSMISSION LINES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 46-20.1, Hawaii Revised Statutes, is
2 amended by amending subsection (b) (1) (C) to read as follows:

3 "(b) Upon demand by the department of Hawaiian home lands,
4 each county shall accept the license or dedication and ownership
5 of any and all sewer transmission lines and other sewerage
6 facilities servicing Hawaiian home lands and that are not
7 subject to subsection (a), as may be identified by the
8 department of Hawaiian home lands; provided that:

9 (1) Any sewer lines or other sewerage facilities:

10 (A) Not subject to subsection (a);

11 (B) Existing before [July 7, 2014]; and

12 (C) That the appropriate county determines are
13 not in substantial compliance with environmental laws, rules,
14 and regulations pertaining to the dedication or license of the
15 sewers to the counties at the time of their construction, shall
16 be brought into compliance with those laws, rules, and
17 regulations by the department of Hawaiian home lands prior to
18 acceptance by the county provided that all sewer transmission

____.B. NO.____

1 lines and other sewerage facilities servicing Hawaiian home
2 lands brought into compliance shall be accepted by a county
3 within 60 days after the receipt by the appropriate county
4 agency of a completed application for maintenance request; and"

5 SECTION 3. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 4. This Act shall take effect upon its approval.

8

9

INTRODUCED BY: _____

10

BY REQUEST

____.B. NO._____

Report Title:

Counties; Hawaiian Home Lands; Sewer Transmission Lines

Description:

Amends Section 46-20.1, Hawaii Revised Statutes, subsection (b) (1) (C), to ensure all county sewer transmission lines on Hawaiian Home Lands in compliance, are transferred to the respective county within 60 days after the receipt by the appropriate county agency of a completed application for maintenance request.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO SEWER TRANSMISSION LINES.

PURPOSE: To ensure that sewer transmission lines on Hawaiian Home Lands that are in compliance, are transferred to the respective county within 60 days after the receipt by the appropriate county agency of a completed application for maintenance request.

MEANS: Amend section 46-20.1 (b) (1) (C), Hawaii Revised Statutes.

JUSTIFICATION: Sewer transmission lines on Hawaiian Home Lands that are in compliance have not been transferred to the respective county. This bill will ensure that sewer transmission lines on Hawaiian Home Lands that are in compliance or brought into compliance by the Department of Hawaiian Home Lands, are transferred to the respective county within 60 days after the receipt by the appropriate county agency of a completed application for maintenance request. The timeframe for acceptance is based upon other State statutes which has a deadline for county acceptance ref. HRS §46-15.25 and §46-20.2.

Impact on the public: This bill advances the interest of beneficiaries of the Hawaiian Homes Commission Act 1920, as amended, by ensuring that sewer transmission lines on Hawaiian Home Lands in compliance are transferred to the respective county.

Impact on the department and other agencies: The respective county of the various sewer transmission lines would assume responsibility of the management of the sewer transmission lines that are on Hawaiian Home Lands and in compliance or

brought into compliance by the Department of
Hawaiian Home Lands.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: HHL 625.

OTHER AFFECTED
AGENCIES: Hawaii Counties.

EFFECTIVE DATE: Upon approval.

A BILL FOR AN ACT

RELATING TO STATE BUILDING CODES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 107-26, Hawaii Revised Statutes, is
2 amended by amending subsection (1) to read as follows:

3 "**§107-26 Hawaii state building codes; prohibitions.** In
4 adopting the Hawaii state building codes, the council shall not
5 adopt provisions that:

6 (1) [~~Relate to administrative, permitting, or~~
7 ~~enforcement and inspection procedures of each county; or] Delete
8 the administrative, permitting, or enforcement and inspection
9 requirements of the State building codes. The administrative,
10 permitting, or enforcement and inspection procedures of the
11 State building codes do not apply to the counties unless
12 specifically adopted by the county."~~

13 SECTION 2. Section 107-31, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "**§107-31 State building code; compliance.** The design of
16 all state building construction shall be in compliance with the
17 state building code within one year of its effective date.

____.B. NO.____

1 Compliance to the state building codes shall be equivalent to
2 meeting county building codes."

3 SECTION 3. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 4. This Act shall take effect upon its approval.

6

7

INTRODUCED BY: _____

8

BY REQUEST

____.B. NO._____

Report Title:

State Building Codes; County Building Codes; DHHL

Description:

Amends Section 107-26(1) and 107-31, Hawaii Revised Statutes, to ensure that state building code compliance is equivalent to county building code compliance.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO STATE BUILDING CODES.

PURPOSE: To ensure that state building code compliance is equivalent to county building code compliance.

MEANS: Amend section 107-26(1) and 107-31, Hawaii Revised Statutes.

JUSTIFICATION: To enable state agencies to administer the State building code. Current adoption of the State building codes has deleted the administrative provisions of the State building codes. As currently only the counties administer the building codes. If a state agency assumes the administrative authority of the building codes there will be the need to adopt administrative provisions, this bill will specify that any administrative provisions only apply to the counties when specifically adopted. This amendment is intended to address when the State elects to apply for a county building permit for building construction which complies with the State building code.

Impact on the public: This bill advances the interest of beneficiaries of the Hawaiian Homes Commission Act 1920, as amended, by ensuring that state building code compliance is equivalent to county building code compliance.

Impact on the department and other agencies: The Department of Hawaiian Home Lands would be able to ensure and confirm compliance pursuant to state building codes, as an equivalent to county building code compliance.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: HHL 625.

OTHER AFFECTED
AGENCIES: Hawaii Counties.

EFFECTIVE DATE: Upon approval.

A BILL FOR AN ACT

RELATING TO STATE BUILDING CODE CLEARANCE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 281-56, Hawaii Revised Statutes, is
2 amended by adding a new subsection (9) to read as follows:

3 "**§281-56 Report by investigator.** (a) On every
4 application referred to the investigator under section 281-55,
5 the investigator shall report in writing to the liquor
6 commission and, if the application is for a license of any class
7 other than class 8, class 9, or class 10, the report shall
8 include:

9 (9) If a county building and zoning code clearance is a
10 condition for a license, a clearance from the appropriate county
11 or state agency responsible for ensuring compliance with county
12 or the state building codes and zoning codes setting forth that
13 an agent of the agency has examined the portion of the building,
14 or the building, or buildings, proposed to be used for such
15 purposes, with a description sufficient to identify and locate
16 the same; and that the same are in compliance with the agency's
17 building and zoning codes."

____.B. NO.____

1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect upon its approval.

4

5 INTRODUCED BY: _____

6

BY REQUEST

____.B. NO._____

Report Title:

Building Codes; Zoning Codes; Clearance; DHHL

Description:

Amends section 281-56, Hawaii Revised Statutes, to ensure that clearance from a state agency in responsible charge of a property is acceptable and equivalent to a county clearance for building and zoning code compliance.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO STATE BUILDING CODE CLEARANCE.

PURPOSE: To ensure that clearance from a state agency in responsible charge of a property is acceptable and equivalent to a county clearance for building and zoning code compliance.

MEANS: Adds subsection (9) to section 281-56, Hawaii Revised Statutes.

JUSTIFICATION: If a county liquor commission uses a county clearance for building and zoning code compliance as one of the conditions for the granting of a license, this amendment clarifies that a clearance from a state agency in responsible charge of the property will also be acceptable.

Impact on the public: This bill advances the interest of beneficiaries of the Hawaiian Homes Commission Act 1920, as amended, by ensuring that clearance from a state agency in responsible charge of a property is acceptable and equivalent to a county clearance for building and zoning code compliance.

Impact on the department and other agencies: The Department of Hawaiian Home Lands would be able to ensure state building code clearance for properties on Hawaiian Home Lands.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HHL 625.

OTHER AFFECTED

Page 2

AGENCIES: Hawaii Counties.

EFFECTIVE DATE: Upon approval.

A BILL FOR AN ACT

RELATING TO COUNTY LICENSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 445-94, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§445-94 [Clearance required.]** No person shall operate a
4 short-term rental [~~lodging~~] or tenement house, group home, group
5 residence, group living arrangement, hotel, or boardinghouse,
6 until the person secures a clearance from the appropriate county
7 or state agency responsible for ensuring compliance with county
8 or the state building codes and zoning codes setting forth that
9 an agent of the agency has examined the building or buildings,
10 proposed to be used for such purposes, with a description
11 sufficient to identify and locate the same; and that the same
12 are in compliance with the agency's building and zoning codes."

13 SECTION 2. Section 445-95, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "**§445-95 Conditions for conditional operation.** The owner
16 or operator of a short-term rental [~~lodging~~] or tenement house,
17 group home, group residence, group living arrangement, hotel, or
18 boardinghouse shall:

____.B. NO.____

1 (1) Not permit noisy or disorderly conduct in the
2 building or buildings;

3 (2) Not allow any person engaging in acts of
4 prostitution to reside therein or resort thereto;

5 (3) Not allow intoxicating liquor or other
6 intoxicating substance to be furnished or sold therein, except
7 as authorized by law;

8 (4) Keep the building or buildings and premises in
9 good sanitary condition, in accordance with law and with the
10 orders of the agent of the department of health;

11 (5) At all times allow the police and agents of the
12 state department of health and agents of the appropriate county
13 and other state agencies responsible for compliance with the
14 county's or state's building and zoning codes access for
15 purposes of inspection to enforce or administer this chapter and
16 other applicable laws or rules;

17 (6) Not allow any gaming;

18 (7) If a lodging or tenement house, group home, group
19 residence, group living arrangement, or boardinghouse, keep
20 records identifying its tenants, lodgers, or boarders; and

21 (8) Not deliver or purport to deliver health care
22 services or treatment unless it is licensed, certified, or

____.B. NO.____

1 contracted for by the State or other governmental agencies to do
2 so."

3 SECTION 3. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 4. This Act shall take effect upon its approval.

6

7

INTRODUCED BY: _____

8

BY REQUEST

____.B. NO. _____

Report Title:

State Agency; Building Codes; Zoning Codes

Description:

Amends Sections 94 and 95, Hawaii Revised Statutes, to permit a state agency to provide a building and zoning code clearance for buildings on land under the state agency's jurisdiction.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO COUNTY LICENSES.

PURPOSE: To allow a state agency to provide a building and zoning code clearance for buildings on land under the state agency's jurisdiction.

MEANS: Amend sections 445-94 and 445-95, Hawaii Revised Statutes.

JUSTIFICATION: As there are State agencies which can exercise its authority over matters pertaining to building and zoning code compliance on building or buildings on land under their jurisdiction, this amendment is intended to permit a state agency to provide a "building and zoning code clearance" for these building or buildings. It does not assume nor change the designated agency responsible for enforcement or the granting of the operation of a short-term rental, or tenement house, group home, group residence, group living arrangement, hotel, or boarding house. Currently only the State Department of Health requests a building or zoning clearance for an operation of a group living, or group home for its licensing requirements from each of the counties. This amendment should not require the SDOH to be the agency responsible for compliance with the building or zoning code.

Impact on the public: This bill advances the interest of beneficiaries of the Hawaiian Homes Commission Act 1920, as amended, by allowing a state agency to provide a building and zoning code clearance for buildings on land under the state agency's jurisdiction.

Impact on the department and other agencies:

The Department of Hawaiian Home Lands would assume this function for lands under its jurisdiction freeing up those resources for the Department of Land and Natural Resources to service other agencies.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: HHL 625.

OTHER AFFECTED
AGENCIES: State Agencies.

EFFECTIVE DATE: Upon approval.

A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The Department of Hawaiian Home Lands is an
2 eligible borrower of Section 184A Loan Guarantees for Native
3 Hawaiian Housing. However, section 214(b)(8) of the Hawaiian
4 Homes Commission Act of 1920, as amended authorizes the
5 department to only pledge receivables of loan accounts
6 outstanding as collateral to secure loans made by government
7 agencies or private lending institutions to the department, the
8 proceeds of which shall be used by the department to make new
9 loans to lessees or to finance the development of available
10 lands for purposes permitted by the Act. In addition, the Act
11 stipulates that any loan agreement entered into by the
12 department shall include a provision that the money borrowed by
13 the department is not secured directly or indirectly by the full
14 faith and credit or the general credit of the State or by any
15 revenues or taxes of the State other than the receivables
16 specifically pledged to repay the loan.

____.B. NO._____

Report Title:

Dwelling Unit Revolving Fund; Housing; DHHL

Description:

Allows the Department of Hawaiian Home Lands to utilize the dwelling unit revolving fund as collateral when acting as an eligible borrower of a Section 184A Loan Guarantee for Native Hawaiian Housing.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2024 – August 20, 2024

To: Chairman and Members, Hawaiian Homes Commission
From: David Hoke, Administrator, Enforcement Unit
Subject: For Information Only – Monthly Enforcement Unit Efforts and Statistics (July 8, 2024 – August 11, 2024)

RECOMMENDED ACTIONS:

None. For information only.

DISCUSSION:

Requests for Investigations:

- Oahu: 10
- Maui: 0
- Kauai: 0
- East Hawaii: 1
- West Hawaii: 0
- Molokai: 0
- Lanai: 0
- Office of the Chair: 1
- LMD: 2

Reports generated during window (to include follow-ups): 56

Total reports generated in calendar year: 133

Operation: Commissioner Kaneakua ride along in East Hawaii, DHHL/HIEMA/FEMA meeting regarding Kauai flood event, DHHL/HIEMA contact regarding fire in Hanapepe, Kauai, DHHL/HIEMA/Dowling Company contact regarding fire in Waiehu Kou, Maui.

Beneficiary Engagement:

- Ekklesia Neighborhood Security Watch (NSW)
- Kanehili Association and NSW
- Kaupea Association and NSW
- Maku'u Farmers Association
- Keaukaha - Panaewa Farmers Association NSW
- Community Leader/Former HHC Commissioner, Patty Teruya

Interagency Collaboration:

- Mitch Roth, Hawaii Island Mayor
- State of Hawaii Attorney General Investigations
- State of Hawaii Department of Law Enforcement
- State of Hawaii Department of Health
- State of Hawaii Emergency Management Agency
- Hawaii County Department of Planning and Permitting
- County Police (HPD – D8 Narco/Vice, Community Police, HCPD – Deputy Chief, CPT, CIU, KPD - CPT)
- US Homeland Security Investigations
- Federal Emergency Management Agency
- Maui Family Life Center

Pilot program update:

- 0 new report of organized criminal activity in the various homesteads that fall into the area of the pilot program.
- 9 reports have been submitted to HPD since the pilot program began on January 1, 2024, with 5 being unsubstantiated, 1 confirmed, and 3 pending a disposition from HPD.
- Per crimemapping.com as recommended by HPD, the following crimes were reported in the homesteads that fall into our pilot program but none of them appear to be organized criminal activity.
 - Kanehili – Theft
 - Kaupea – None
 - Kauluokahai – None
 - Lualualei – None
 - Maluohai – Theft
 - Nanakuli – Sex Assault, Indecent Exposure, Property Damage x 2, Theft x 2
 - Princess Kahanu Estates – Vandalism
 - Series Seven – None
 - Waianae Kai – Vandalism
 - Waianae Valley – Vandalism, Theft x 3, Fraud x 2


**HAWAIIAN HOMES COMMISSION
AUGUST 19 & 20, 2024**

D – ITEMS

HOMESTEAD SERVICES DIVISION

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2024

TO: Chairman and Members, Hawaiian Homes Commission
FROM: Juan Garcia, HSD Administrator 
Homestead Services Division
SUBJECT: **Homestead Services Division Status Reports**

RECOMMENDED MOTION/ACTION

NONE

DISCUSSION

The following reports are for information only:

Exhibit A: Homestead Lease & Application Totals and Monthly Activity Reports

Exhibit B: Delinquency Report

August 19, 2024

SUBJECT: Homestead Lease and Application Totals and Monthly Activity Reports

LEASE ACTIVITY REPORT

Month through July 31, 2024

	As of 6/30/24	Add	Cancel	As of 7/31/24
Residential	8,508	4	2	8,510
Agricultural	1,106	0	0	1,106
Pastoral	438	0	0	438
Total	10,052	4	2	10,054

The cumulative number of Converted Undivided Interest Lessees represents an increase of 573 families moving into homes. Their Undivided Interest lease was converted to a regular homestead lease.

	As of 6/30/24	Converted	Rescinded/ Surrendered/ Cancelled/	As of 7/31/24
Undivided	737	1	0	736

Balance as of 7/31/2024:

Awarded	1,434
Relocated to UNDV	7
Reinstated to UNDV	1
Rescinded	123
Surrendered	6
Cancelled	4
Converted	573
Balance to Convert	736

Lease Report For the Month Ending July 31, 2024

	----- RESIDENCE -----			----- AGRICULTURE -----			----- PASTURE -----			----- TOTAL LEASES -----		
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
OAHU												
Kakaina	42	0	0	42	0	0	0	0	0	0	0	42
Kalawahine	90	0	0	90	0	0	0	0	0	0	0	90
Kanehili	399	0	0	399	0	0	0	0	0	0	0	399
Kapolei	173	0	0	173	0	0	0	0	0	0	0	173
Kauloakahai	154	0	0	154	0	0	0	0	0	0	0	154
Kaupea	323	0	0	323	0	0	0	0	0	0	0	323
Kaupuni	19	0	0	19	0	0	0	0	0	0	0	19
Kewalo	248	0	0	248	0	0	0	0	0	0	0	248
Kumuhau	50	1	0	51	0	0	0	0	0	0	0	51
Lualualei	149	0	0	149	30	0	0	30	0	0	0	179
Malu'ohai	225	0	0	225	0	0	0	0	0	0	0	225
Nanakuli	1,045	0	0	1,045	0	0	0	0	0	0	0	1,045
Papakolea	64	0	0	64	0	0	0	0	0	0	0	64
Princess Kahanu Estates	268	0	0	268	0	0	0	0	0	0	0	268
Waiahole	0	0	0	0	16	0	0	16	0	0	0	16
Waianae	421	0	0	421	12	0	0	12	0	0	0	433
Waimanalo	712	0	1	711	2	0	0	2	0	0	0	714
TOTAL	4,382	1	1	4,382	60	0	0	60	0	0	0	4,442
MAUI												
Hikina	31	0	0	31	0	0	0	0	0	0	0	31
Kahikinui	0	0	0	0	0	0	0	0	100	0	0	100
Keokea	0	0	0	0	64	0	0	64	0	0	0	64
Leialii	103	0	0	103	0	0	0	0	0	0	0	103
Paukukalo	178	0	0	178	0	0	0	0	0	0	0	178
Waiehu 1	39	0	0	39	0	0	0	0	0	0	0	39
Waiehu 2	109	0	0	109	0	0	0	0	0	0	0	109
Waiehu 3	113	0	0	113	0	0	0	0	0	0	0	113
Waiehu 4	98	0	0	98	0	0	0	0	0	0	0	98
Waiohuli	590	0	0	590	0	0	0	0	0	0	0	590
TOTAL	1,261	0	0	1,261	64	0	0	64	100	0	0	1,425
EAST HAWAII												
Discovery Harbour	3	0	0	3	0	0	0	0	0	0	0	3
Kamaoa	0	0	0	0	0	0	0	0	25	0	0	25
Kaumana	47	0	0	47	0	0	0	0	0	0	0	47
Keaukaha	472	0	0	472	0	0	0	0	0	0	0	472
Kuristown	3	0	0	3	0	0	0	0	0	0	0	3
Makuu	0	0	0	0	120	0	0	120	0	0	0	120
Panaewa	13	0	0	13	276	0	0	276	0	0	0	289
Piihonua	17	0	0	17	0	0	0	0	0	0	0	17
Puueo	0	0	0	0	11	0	0	11	0	0	0	11
University Heights	4	0	0	4	0	0	0	0	0	0	0	4
Waiakea	283	0	0	283	0	0	0	0	0	0	0	283
TOTAL	842	0	0	842	407	0	0	407	25	0	0	1,274
WEST HAWAII												
Honokaia	0	0	0	0	0	0	0	0	24	0	0	24
Humuula	0	0	0	0	0	0	0	0	5	0	0	5
Kamoku	0	0	0	0	0	0	0	0	16	0	0	16
Kanihale	223	0	0	223	0	0	0	0	0	0	0	223
Kawaihae	192	0	0	192	0	0	0	0	1	0	0	193
Laiopua	274	0	0	274	0	0	0	0	0	0	0	274
Lalamilo	30	0	0	30	0	0	0	0	0	0	0	30
Nienie	0	0	0	0	0	0	0	0	21	0	0	21
Puukapu/Waimea/Kuhio Vil	118	0	0	118	111	0	0	111	218	0	0	447
Puupulehu	33	0	0	33	0	0	0	0	0	0	0	33
TOTAL	870	0	0	870	111	0	0	111	285	0	0	1,266
KAUAI												
Anahola	550	3	0	553	46	0	0	46	0	0	0	599
Hanapepe	47	0	0	47	0	0	0	0	0	0	0	47
Kekaha	117	0	0	117	0	0	0	0	0	0	0	117
Puu Opae	0	0	0	0	0	0	0	0	1	0	0	1
TOTAL	714	3	0	717	46	0	0	46	1	0	0	764
MOLOKAI												
Hoolehua	153	0	1	152	346	0	0	346	21	0	0	519
Kalamaula	167	0	0	167	69	0	0	69	3	0	0	239
Kapaakea	47	0	0	47	0	0	0	0	3	0	0	50
Moomomi	0	0	0	0	3	0	0	3	0	0	0	3
One Allii	27	0	0	27	0	0	0	0	0	0	0	27
TOTAL	394	0	1	393	418	0	0	418	27	0	0	838
LANAI												
Lanai	45	0	0	45	0	0	0	0	0	0	0	45
TOTAL	45	0	0	45	0	0	0	0	0	0	0	45
STATEWIDE TOTAL	8,508	4	2	8,510	1,106	0	0	1,106	438	0	0	10,054

**Statewide Lease Application and Applicant Totals
as of August 1, 2024**

ISLAND	AC	AREA / TYPE	7/1/2024	ADDS	DELETES	8/1/2024						
			TOTALS			TOTALS		Agr	Pas	Res		
O'ahu	113	Nānākuli Res	153	0	1	152	0.98%					
	123	Papakōlea / Kewalo Res	64	0	0	64	0.41%					
	133	Waimānalo Res	516	0	0	516	3.29%					
	143	Wai'anae Res	134	0	2	132	0.85%					
	191	O'ahu Islandwide Agr	4,179	11	6	4,184	26.66%					
	193	O'ahu Islandwide Res	10,630	16	22	10,624	67.81%					
		Total O'ahu Apps	15,676	27	31	15,672	100.00%					
								O'AHU APP TYPE TOTALS				
								Agr	Pas	Res		
								4,179	0	11,497	=	15,676
								26.66%	0.00%	73.34%		100.00%
Maui	213	Paukūkalo Res	50	0	0	50	0.53%					
	221	Kula Agr	4	0	0	4	0.04%					
	222	Kula Pas	3	0	0	3	0.03%					
	291	Maui Islandwide Agr	4,837	0	6	4,831	51.21%					
	292	Maui Islandwide Pas	622	0	3	619	6.56%					
	293	Maui Islandwide Res	3,937	2	12	3,927	41.63%					
		Total Maui Apps	9,453	2	21	9,434	100.00%					
								MAUI APP TYPE TOTALS				
								Agr	Pas	Res		
								4,841	625	3,987	=	9,453
								51.21%	6.61%	42.18%		100.00%
Hawaii'i	313	Keaukaha / Waiākea Res	65	0	0	65	0.42%					
	321	Pana'ewa Agr	13	0	0	13	0.08%					
	333	Kawaihae Res	16	0	1	15	0.10%					
	341	Waimea Agr	10	0	1	9	0.06%					
	342	Waimea Pas	46	0	1	45	0.29%					
	343	Waimea Res	44	0	0	44	0.28%					
	391	Hawaii'i Islandwide Agr	7,402	8	20	7,390	47.65%					
	392	Hawaii'i Islandwide Pas	1,986	2	2	1,986	12.81%					
	393	Hawaii'i Islandwide Res	5,955	9	22	5,942	38.31%					
		Total Hawaii'i Apps	15,537	19	47	15,509	100.00%					
								HAWAII'I APP TYPE TOTALS				
								Agr	Pas	Res		
								7,425	2,032	6,080	=	15,537
								47.79%	13.08%	39.13%		100.00%
Kaua'i	511	Anahola Agr	3	0	0	3	0.07%					
	512	Anahola Pas	20	0	1	19	0.43%					
	513	Anahola Res	40	0	1	39	0.89%					
	523	Kekaha Res	8	0	0	8	0.18%					
	532	Pu'u 'Ōpae Pas	7	0	0	7	0.16%					
	591	Kaua'i Islandwide Agr	2,321	1	5	2,317	52.70%					
	592	Kaua'i Islandwide Pas	313	0	0	313	7.12%					
	593	Kaua'i Islandwide Res	1,694	2	5	1,691	38.46%					
		Total Kaua'i Apps	4,406	3	12	4,397	100.00%					
								KAUA'I APP TYPE TOTALS				
								Agr	Pas	Res		
								2,324	340	1,742	=	4,406
								52.75%	7.72%	39.54%		100.00%
Moloka'i	613	Kalama'ula Res	3	0	0	3	0.14%					
	621	Ho'olehua Agr	17	0	0	17	0.79%					
	622	Ho'olehua Pas	1	0	0	1	0.05%					
	623	Ho'olehua Res	7	0	0	7	0.32%					
	633	Kapa'akea Res	6	0	0	6	0.28%					
	643	One Ali'i Res	1	0	0	1	0.05%					
	691	Moloka'i Islandwide Agr	1,129	0	4	1,125	52.01%					
	692	Moloka'i Islandwide Pas	202	0	2	200	9.25%					
	693	Moloka'i Islandwide Res	805	0	2	803	37.12%					
		Total Moloka'i Apps	2,171	0	8	2,163	100.00%					
								MOLOKA'I APP TYPE TOTALS				
								Agr	Pas	Res		
								1,146	203	822	=	2,171
								52.79%	9.35%	37.86%		100.00%
Lāna'i	713	Lāna'i Res	70	0	0	70	100.00%					
		Total Lāna'i Apps	70	0	0	70	100.00%					
								LĀNA'I APP TYPE TOTALS				
								Agr	Pas	Res		
								0	0	70	=	70
								0.00%	0.00%	100.00%		100.00%

STATEWIDE TOTALS				STATEWIDE APP TYPE TOTALS		
7/1/2024	Adds	Deletes	8/1/2024	Agr	Pas	Res
47,313	51	119	47,245	19,915	3,200	24,198

DHHL Applicant Summary as of August 1, 2024

Individuals with only RESIDENTIAL applications:	6,246	21.29%
Individuals with only AGRICULTURAL applications:	4,610	15.72%
Individuals with only PASTORAL applications:	744	2.54%
Individuals with RESIDENTIAL and AGRICULTURAL applications:	15,283	52.10%
Individuals with RESIDENTIAL and PASTORAL applications:	2,449	8.35%
*Total Number of DHHL APPLICANTS:	29,332	100.00%

* The number of applicants in each category is determined by a "unique identifier" (i.e., SSN) which ensures that each applicant is counted only once even if the individual holds the maximum two lease applications and appears twice on the DHHL waitlist.

DELINQUENCY REPORT - STATEWIDE

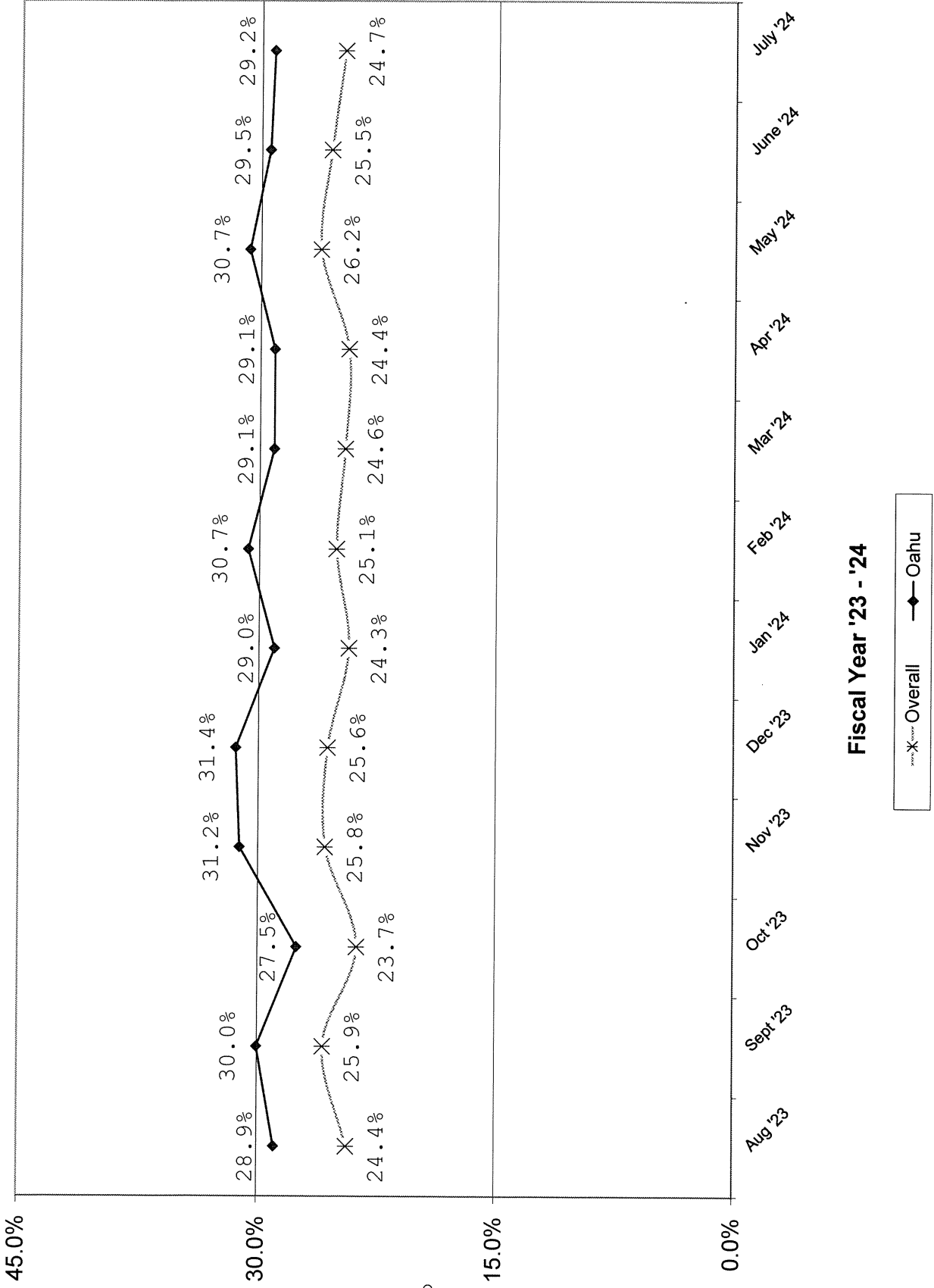
(\$Thousands)

DIRECT LOANS	Total Outstanding		Total Delinquency		30 Days (low)		60 Days (Medium)		90 Days (High)		180 Days (Severe)		% of Totals 7/31/2024			
	(000s)		(000s)		(000s)		(000s)		(000s)		(000s)					
	No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.	No.	\$
OAHU	363	36,314	102	10,596	14	1,076	9	749	11	1,083	68	7,687	28.1%	29.2%		
EAST HAWAII	187	10,853	51	3,543	3	108	3	295	7	476	38	2,664	27.3%	32.6%		
WEST HAWAII	76	7,868	9	934	7	690	0	0	0	0	2	244	11.8%	11.9%		
MOLOKAI	79	6,504	12	519	1	96	1	10	2	110	8	303	15.2%	8.0%		
KAUAI	92	8,050	14	911	6	507	0	0	1	8	7	396	15.2%	11.3%		
MAUI	112	15,308	33	4,451	3	191	1	90	7	606	22	3,564	29.5%	29.1%		
TOTAL DIRECT	909	84,897	221	20,953	34	2,668	14	1,144	28	2,282	145	14,858	24.3%	24.7%		
	100.0%	100.0%	24.3%	24.7%	3.7%	3.1%	1.5%	1.3%	3.1%	2.7%	16.0%	17.5%				
Advances (including RPT)	252	5,881	252	5,881	0	0	0	0	252	5,881	0	0	100%	100%		
DHHL LOANS & Advances	1,161	90,778	473	26,834	34	2,668	14	1,144	280	8,163	145	14,858	40.7%	29.6%		
LOAN GUARANTEES as of June 30, 2023																
SBA	2	67	0	0	0	0	0	0	0	0	0	0	0.0%	0.0%		
USDA-RD	274	35,831	43	6,613	0	0	0	0	43	6,613	0	0	15.7%	18.5%		
Habitat for Humanity	32	893	16	429	0	0	0	0	16	429	0	0	50.0%	48.0%		
Maui County	5	74	0	0	0	0	0	0	0	0	0	0	0.0%	0.0%		
Nanakuli NHS	1	7	1	7	0	0	0	0	1	7	0	0	100.0%	100.0%		
City & County	10	204	10	204	0	0	0	0	10	204	0	0	100.0%	100.0%		
FHA Interim	6	1,366	0	0	0	0	0	0	0	0	0	0	0.0%	0.0%		
OHA	1	6	1	6	0	0	0	0	1	6	0	0	100.0%	100.0%		
TOTAL GUARANTEE	331	38,448	71	7,259	0	0	0	0	71	7,259	0	0	21.5%	18.9%		
PMI Loans	116	15,138	5	703	2	185	1	121	1	397	89	10,409	4.3%	4.6%		
HUD REASSIGNED for Recovery	114	12,108	95	10,736	1	120	2	61	3	146	0	0	83.3%	88.7%		
FHA Insured Loans	2,917	531,693	190	30,267	0	0	0	0	190	30,267	89	10,409	6.5%	5.7%		
TOTAL INS. LOANS	3,147	558,939	290	41,706	3	305	3	182	194	30,810	89	10,409	9.2%	7.5%		
OVERALL TOTALS(EXC Adv/RPT's)	4,387	682,284	582	69,918	37	2,973	17	1,326	293	40,352	234	25,267	13.3%	10.2%		
ADJUSTED TOTALS	4,639	688,165	834	75,799	37	2,973	17	1,326	545	46,233	234	25,267	13.3%	11.0%		

Note: HUD 184A loan program has 517 loans with a total outstanding principal balance of \$110,117,159 as of June 30, 2024. 10 loans, totaling \$2,402,107 are delinquent.

The deferred interest for 439 loans comes out to \$1,951,790.81 as of 7/31/2024.

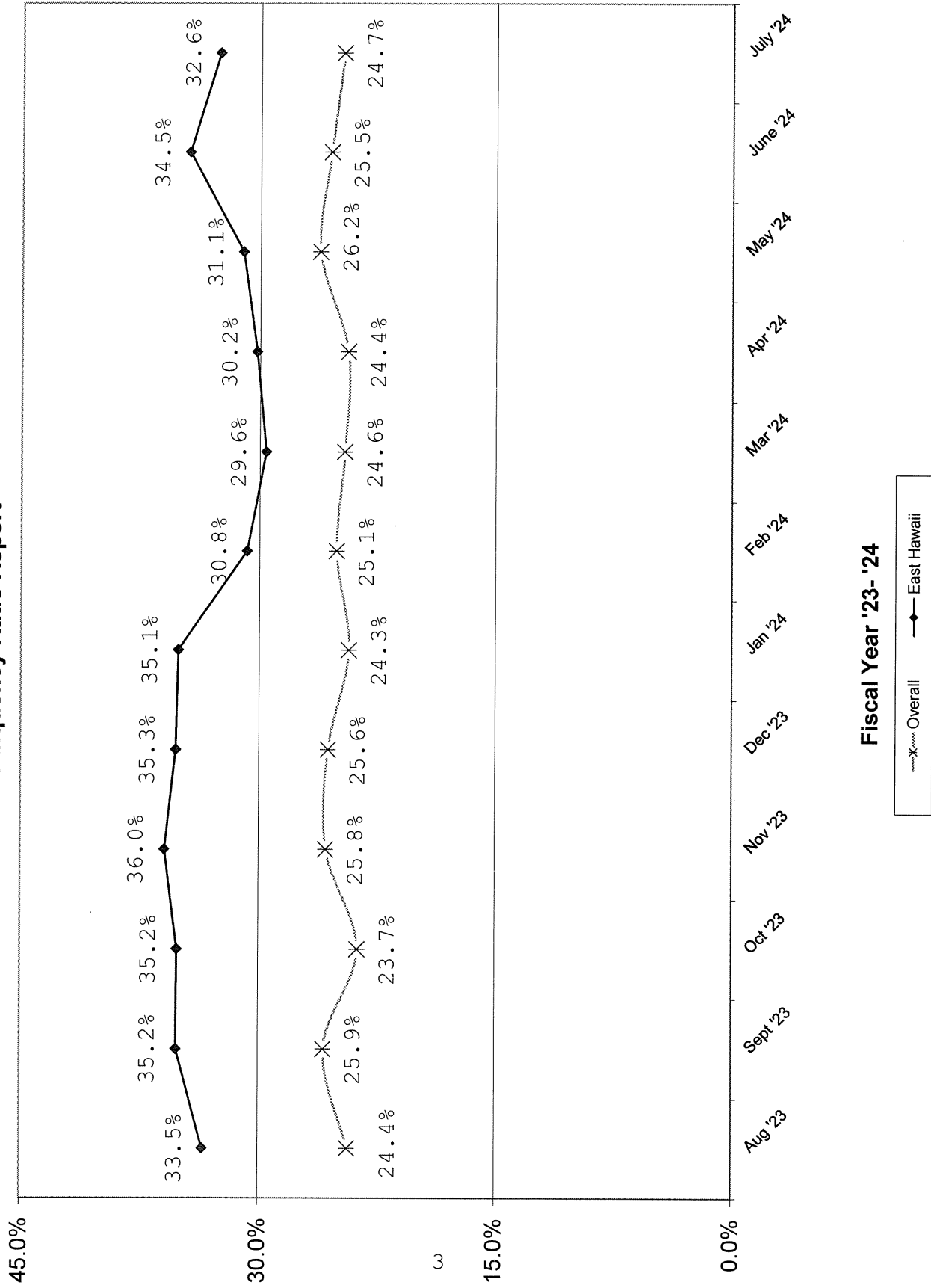
OAHU
Direct Loans
Delinquency Ratio Report



Fiscal Year '23 - '24

Overall Oahu

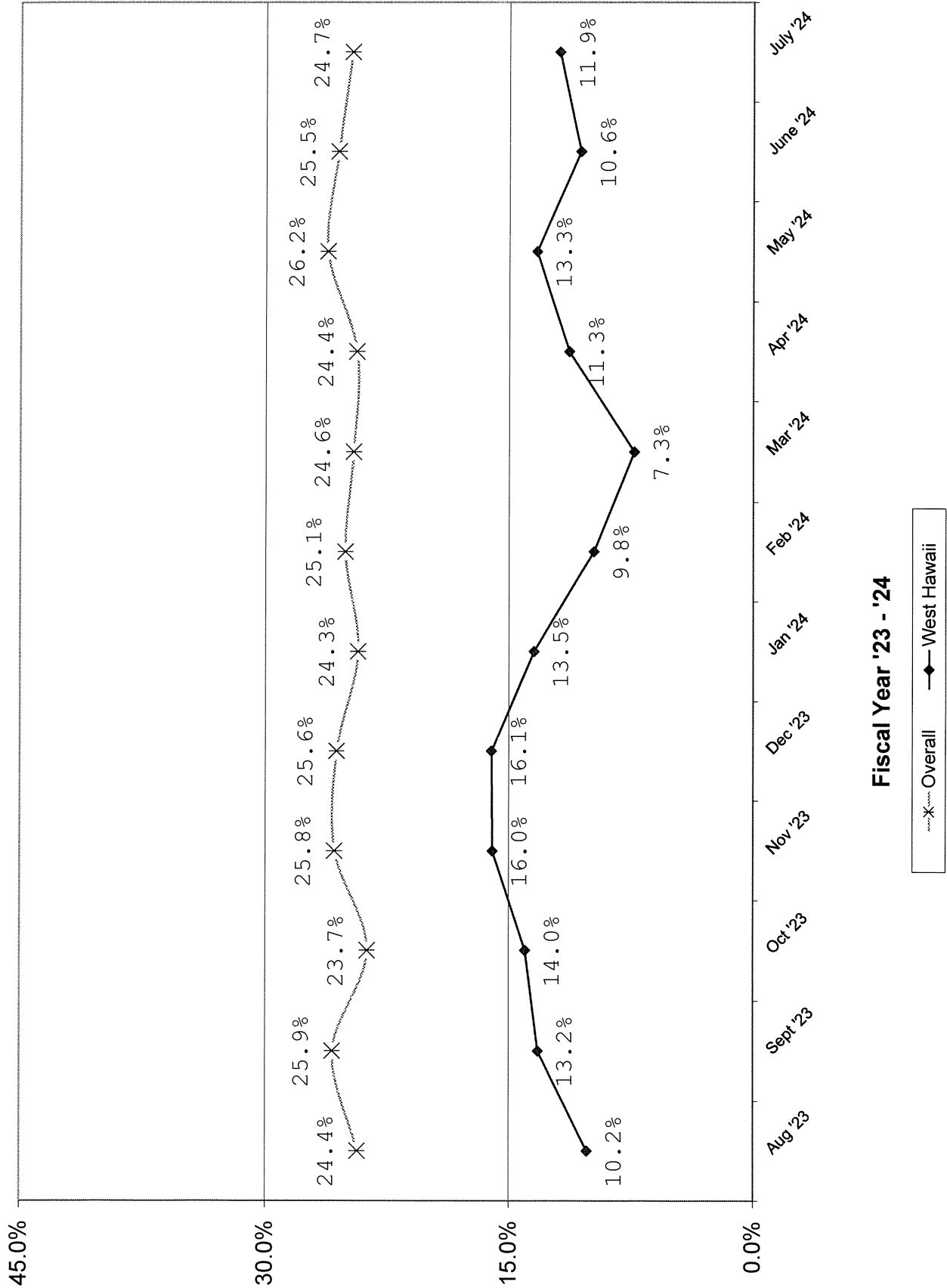
**EAST HAWAII
Direct Loans
Delinquency Ratio Report**



Fiscal Year '23- '24

Overall East Hawaii

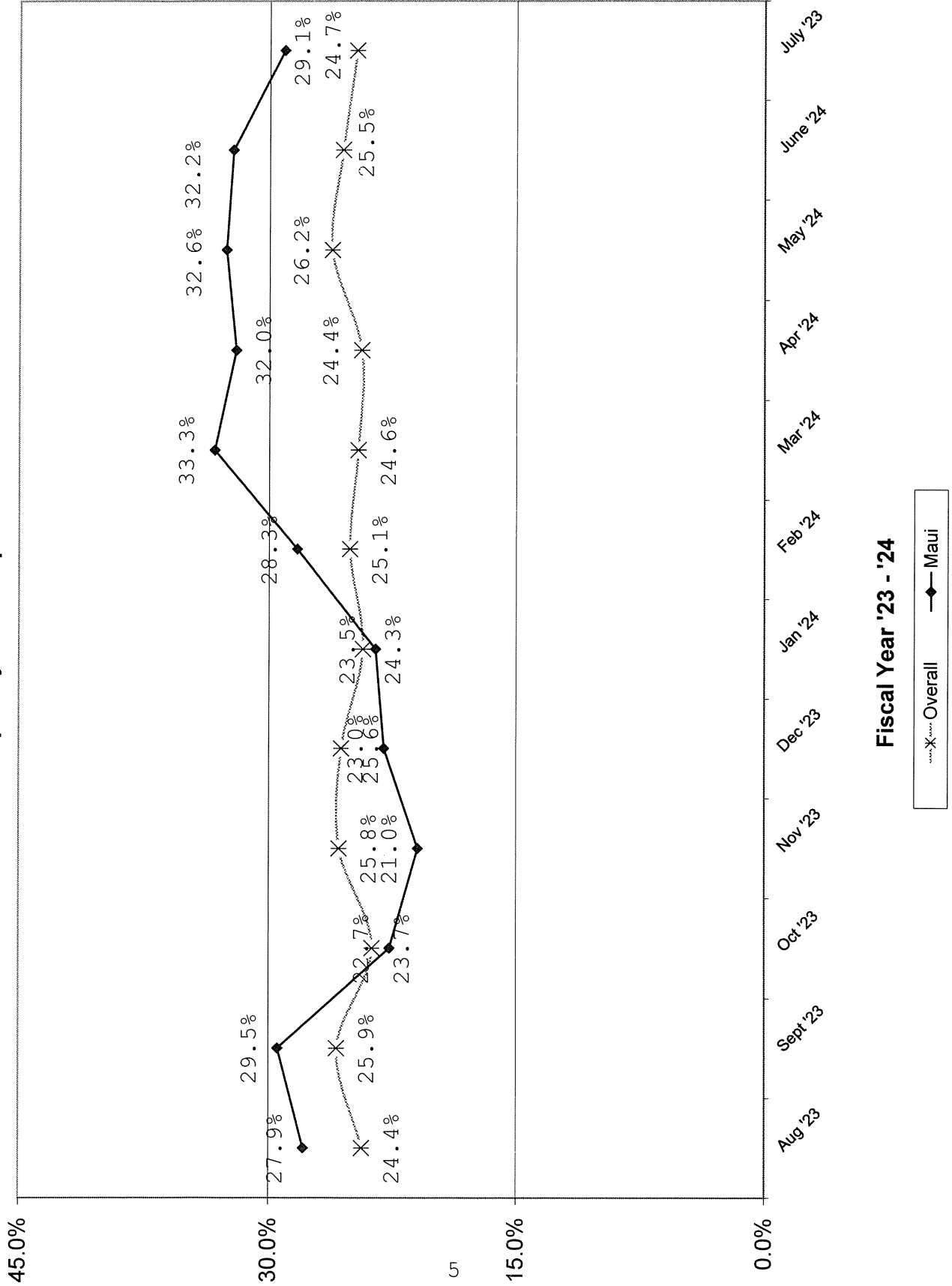
**WEST HAWAII
Direct Loans
Delinquency Ratio Report**



Fiscal Year '23 - '24

---x--- Overall —◆— West Hawaii

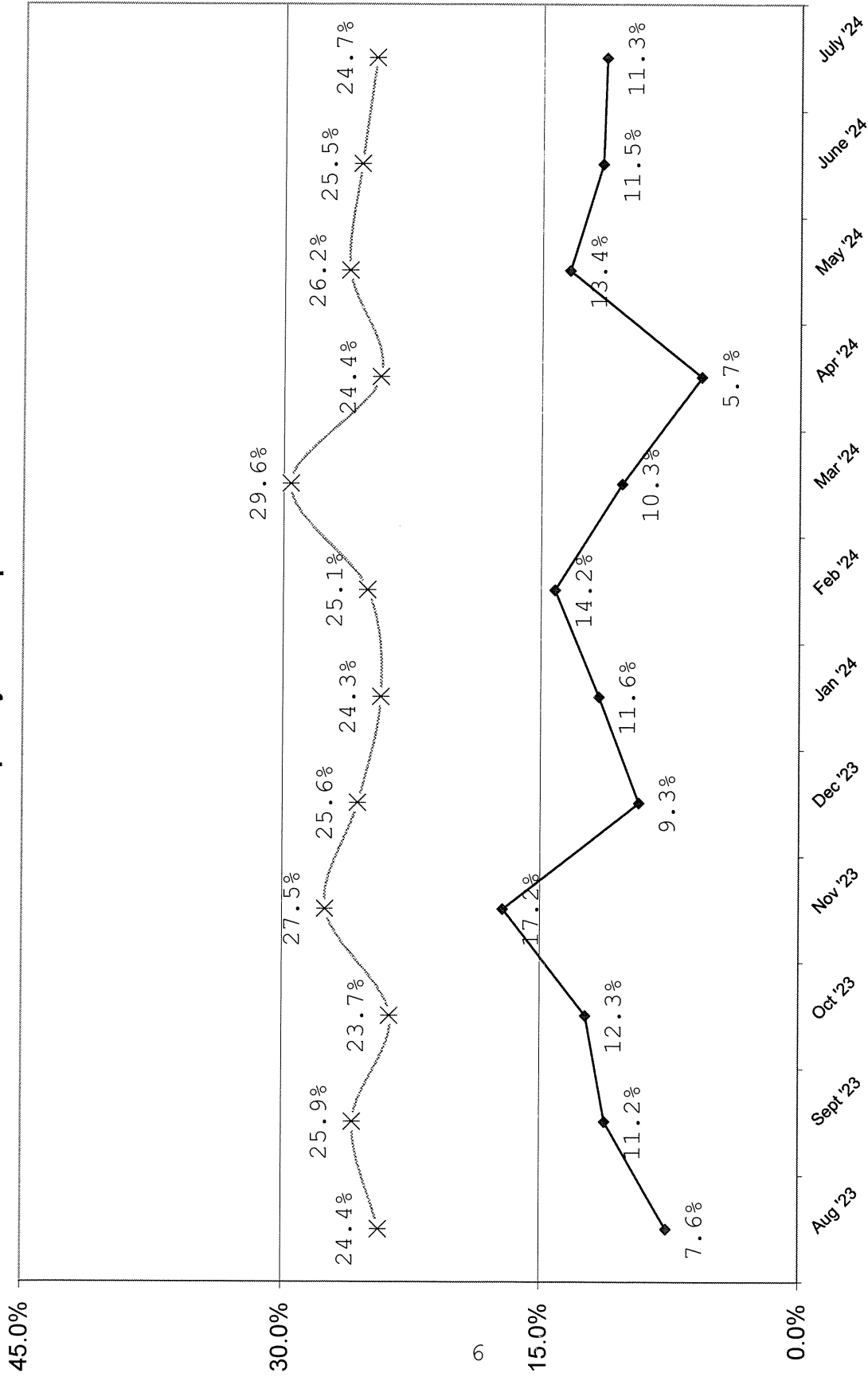
**MAUI
Direct Loans
Delinquency Ratio Report**



Fiscal Year '23 - '24

.....*..... Overall —◆— Maui

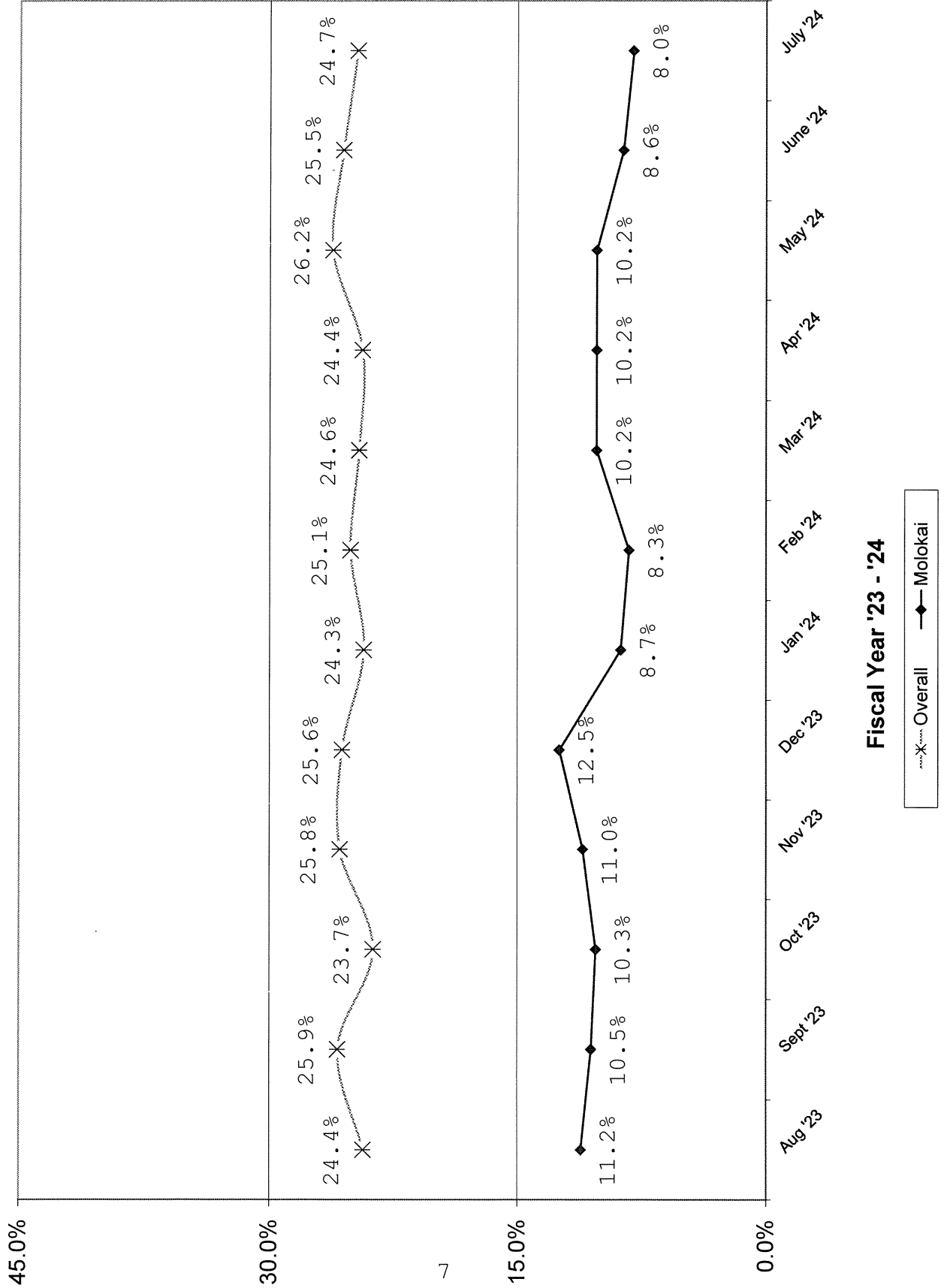
KAUAI
Direct Loans
Delinquency Ratio Report



Fiscal Year '23 - '24



**MOLOKAI
Direct Loans
Delinquency Ratio Report**



STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS


August 19, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator
Homestead Services Division

FROM: Dean Oshiro, Loan Services Manager

SUBJECT: **Approval of Consent to Mortgage**



RECOMMENDED MOTION/ACTION

To approve the following consents to mortgages for Federal Housing Administration (FHA) insured loans, Department of Veterans Affairs (VA) loans, United States Department of Agriculture, Rural Development (USDA, RD) guaranteed loans, United States Housing and Urban Development (HUD 184A) guaranteed loans and Conventional (CON) loans insured by private mortgage insurers.

DISCUSSION

<u>PROPERTY</u>	<u>LESSEE</u>	<u>LENDER</u>	<u>LOAN AMOUNT</u>
<u>OAHU</u>			
Princess Kahanu Estates Lease No. 8360 TMK: 1-8-7-043:003	LOA-CALLIA, Ginger P. A. (Cash- out Refinance) FHA	Mutual of Omaha Mortg- age, Inc.	\$ 238,740
Kauluokahai Lease No. 12970 TMK: 1-9-1-017:110	DEBLAKE, Bradley K. (Rate/Term Refinance) FHA	SecurityNat- ional Mortg- age Co.	\$ 575,000
Kauluokahai Lease No. 12826 TMK: 1-9-1-017:110	PUAHI-KAPOLOLU, Kaiaokamalie N. (Cash-out Refinance) FHA	HomeStreet Bank	\$ 385,925

OAHU

Waianae Lease No. 5291 TMK: 1-8-5-033:002	OSATO, Stephanie M. (Cash- out Refinance) FHA	Hightechlen- ding Inc.	\$ 363,300
Kauluokahai Lease No. 12459 TMK: 1-9-1-017:088	MAIKOWSKI, Francis M. P. (Cash-out Refinance) FHA	Guild Mortgage	\$ 450,000
Nanakuli Lease No. 8595 TMK: 1-8-9-012:043	KAHANAIOI, Edward (Cash-out Refinance) FHA	Bank of Hawaii	\$ 240,000
Waimanalo Lease No. 3691 TMK: 1-4-1-029:068	LOWE, Rene L. L. (Cash- out Refinance) FHA	SecurityNat- ional Mortg- age Co.	\$ 450,000
Nanakuli Lease No. 7342 TMK: 1-8-9-016:054	HEMA, Alika K. (Purchase) VA	Department of Veterans Affairs	\$ 520,000
Kewalo Lease No. 2119Z TMK: 1-2-5-021:020	AH MOOK SANG, Kainalu J. M. (Purchase) HUD 184A	Bank of Hawaii	\$ 484,000
Papakolea Lease No. 644 TMK: 1-2-2-015:046	KALEI, Chris H. (Cash-out Refinance) FHA	SecurityNat- ional Mortg- age Co.	\$ 500,000

HAWAII

Keaukaha Lease No. 10009 TMK: 3-2-1-024:016	KALEO, Tanya I. (Purchase) FHA	HomeStreet Bank	\$ 356,125
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ITEM NO. D-2

HAWAII

Lalamilo
Lease No. 12544
TMK: 3-6-6-004:130

MCCANDLESS,
Pomaikai (Purchase)
FHA

V.I.P.
Mortgage
Inc.

\$ 410,684

ITEM NO. D-2

<u>RECAP</u>	<u>NO.</u>		<u>FHA</u> <u>AMOUNT</u>		<u>NO.</u>	<u>VA</u> <u>AMOUNT</u>
FY Ending 6/30/24	88	\$	32,647,026		23	\$ 6,684,116
Prior Months	6	\$	2,888,356		1	\$ 190,000
This Month	<u>10</u>		<u>3,969,774</u>		<u>1</u>	<u>520,000</u>
Total FY '24-25	16	\$	6,858,130		2	\$ 710,000

			<u>HUD 184A</u> <u>AMOUNT</u>		<u>USDA-RD</u> <u>AMOUNT</u>
FY ENDING 6/30/24	18	\$	7,258,802	3	\$ 1,380,787
Prior Months	3	\$	1,170,800	0	\$ 0
This Month	<u>1</u>		<u>484,000</u>	<u>0</u>	<u>0</u>
Total FY '24-25	4	\$	1,654,800	0	\$ 0


ITEM NO. D-2


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 
Homestead Services Division

FROM: Dean Oshiro, Loan Services Branch Manager 

SUBJECT: **Approval of Streamline Refinance of Loans**

RECOMMENDED MOTION/ACTION

To approve the refinancing of loans from the Hawaiian Home General Loan Fund.

DISCUSSION

The following lessees have met the "Streamline/Interest rate reduction loan" criteria, which was approved by the Hawaiian Homes Commission at its August 19, 2013 meeting. This criteria includes twelve (12) consecutive monthly payments, borrower's current interest rate is higher than the current DHHL interest rate, current with their Homeowners Insurance, Real Property Tax, Lease Rent, county sewer/refuse fees, and does not have any advances made by DHHL on the borrowers behalf.

HSD's recommendation for approval is based on actual payment history, over the past twelve (12) months and the review of the above-mentioned criteria. Streamline/Interest Rate Loan refinancing will provide lessees a chance to simply reduce their interest rate and payments without DHHL having to credit and/or income qualify the borrower.

The following lessee(s) has met the aforementioned criteria and is recommended for Streamline/Interest rate reduction loan refinance program:

<u>LESSEE</u>	<u>LEASE NO. & AREA</u>	<u>REFINANCING LOAN TERMS</u>
Galindo, Richard F.T.	10004, Waianae	NTE \$26,300 @4% interest per annum, NTE \$127 monthly, repayable over 30 years.

Loan Purpose: Refinance Contract of Loan No. 19130.
Original loan amount of \$39,512 at 6%
per annum, \$284 monthly, repayable
over 30 years. A Contested Case
Hearing was not held for this account.

Namahoe, Dwayne K.	8406, Waianae	NTE \$81,305 @4% interest per annum, NTE \$389 monthly, repayable over 30 years.
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Loan Purpose: Refinance Contract of Loan No. 17882.
Original loan amount of \$123,194 at
6.25% per annum, \$813 monthly,
repayable over 30 years. A Contested
Case Hearing was held on 6/27/14 for
this account.


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 20, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 
Homestead Services Division

FROM: Dean Oshiro, Loan Services Branch Manager 

SUBJECT: Approval of the Memorandum of Agreement ("MOA") Between
the Department of Hawaiian Home Lands ("DHHL") State Of
Hawaii and Hawaii Lending & Investments ("HLI")

RECOMMENDED MOTION/ACTION

- 1) To approve a new MOA between DHHL and HLI for the purposes of guaranteeing HLI interim construction, permanent take out mortgage loans, and loans for home retention and/or prevention of foreclosure to lessees. (Copy to be provided to Commissioners for their perusal at information workshop)
- 2) Delegate to the Chairman, authority to execute the MOA upon the completion of the revisions (if necessary).

DISCUSSION

HLI has expressed an interest in originating/underwriting various loan products for DHHL lessees.

The Hawaiian Homes Commission Act §214 Purposes of loans; authorized actions states that: "(a) The department may make loans from revolving funds to any lessee or native Hawaiian to whom, any Cooperative association to which, a lease has been issued under section 207(c)(1)(B) of the Act. Such loan may be made for the following purposes: (b)(2) Loan or guarantee the repayment of or otherwise underwrite any authorized loan or portion thereof to lessees in accordance with section 215."

Furthermore, Hawaii Administrative Rules §10-3-43 Authorized actions, states: "For purposes under the act, the department may: (4) Guarantee the repayment of loans made to homestead lessees of Hawaiian home lands by other governmental agencies or private lending institutions as provided by the act."



As there are only a limited number of lenders who are willing to finance mortgage loans on DHHL homestead lots, the addition of HLI will provide lessees another option for financing the mortgage of their new home.

DHHL staff is of the belief that the more options that lessees have with financing their homes, this will only give them a better opportunity to compare loan products, loan costs, and benefits to them by each lender. Approval of this submittal as presented is recommended.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2024

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Juan Garcia, HSD Administrator 
FROM: Nicole F. Bell, Application Branch Supervisor 
Homestead Services Division
SUBJECT: **Approval of Homestead Application Transfers/Cancellations**

RECOMMENDED MOTION/ACTION

To approve the transfers and cancellations of applications from the Application Waiting Lists for reasons described below:

DISCUSSION

1. Requests of Applicants to Transfer

OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

ADRIC, Randall B.	04/29/2011	MOLOKAI	AGR	01/05/2024
WOODLYN, Bronco K.K.	04/28/2023	HAWAII	AGR	05/30/2024

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

ADRIC, Randall B.	04/29/2011	MOLOKAI	RES	01/05/2024
AKU, Adam I.	03/23/2023	HAWAII	RES	05/08/2024
HAO, Nalani M.	06/21/2010	MOLOKAI	RES	01/08/2024
WOODLYN, Bronco K.K.	04/28/2023	HAWAII	RES	05/30/2024

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

HATCHIE, Jerome K.	02/08/2008	OAHU	AGR	01/04/2024
JOHNASSEN, Adele M.K.	02/26/1986	OAHU	AGR	05/08/2024

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

JOHNASEN, Adel M.K. 02/26/1986 OAHU RES 05/08/2024

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

HAO, Nalani M. 11/06/2008 MOLOKAI PAS 01/08/2024

MOLOKAI ISLANDWIDE AGRICULTURAL LEASE LIST

KAUAHIKAUA, Dwight P. 03/04/2016 OAHU AGR 01/04/2024

MOLOKAI ISLANDWIDE RESIDENTIAL LEASE LIST

WRIGHT, Taylor-Nikole 05/16/2017 HAWAII RES 04/29/2024

2. Deceased Applicants

OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

KIKILA, Rubyann K. PN 2023 07/13/2006

3. Awards of Leases

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

CALLES, Elgin K. Assigned Residential Lease #951,
Lot 133 in Keaukaha, Hawaii dated
02/17/2022. Remove application
dated 05/03/2001.

DELOS REYES, Eddie A. Assigned Residential Lease #8722,
Lot 22 in Waianae, Oahu dated
01/11/2023. Remove application
dated 06/08/2021.

4. Native Hawaiian Qualification

NONE FOR SUBMITTAL

5. Voluntary Cancellation

NONE FOR SUBMITTAL

6. Successorship

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

AINA, Sanoe	Succeeded to Oahu Islandwide Residential application of Grandfather, Donald S.Y. Chang dated 07/25/1997. Remove application dated 07/10/2012.
FELICIANO, France D.P.	Succeeded to Oahu Islandwide Residential application of Parent, Leona L.K.K. Feliciano dated 05/14/2001. Remove application dated 05/14/2001.
HANAWAHINE, Jake K.	Succeeded to Waimanalo Area /Oahu Islandwide Residential application of Uncle, David M. Hanawahine dated 07/24/1963. Remove application dated 02/10/2017.
KAIWI, Gayleen K.	Succeeded to Oahu Islandwide Residential application of Grandparent, Jane L. Kamanu dated 04/22/1998. Remove application dated 09/18/2015.
PINON-KAAWALOA, Ranielle P.	Succeeded to Hawaii Islandwide Residential application of Sibling, Ryan K. Kaawaloa dated

01/28/1992. Remove application
dated 06/28/2010.

WILLIAMS, Lois M.

Succeeded to Oahu Islandwide
Residential application of
Spouse, Charles K. Hanohano Jr.
dated 01/09/1998. Remove
application dated 04/25/2006.

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

AKI, Kalina S.

Succeeded to Maui Islandwide
Agricultural application of
Parent, Milton N. Aki dated
09/18/1991. Remove application
dated 12/16/2022.

ALAVAZO, Denise N.

Succeeded to Maui Islandwide
Agricultural application of
Parent, Clare K. Deleon dated
08/13/1986. Remove application
dated 04/10/2006.

SAFFERY, Regina L.

Succeeded to Maui Islandwide
Agricultural application of
Sibling, Clarissa K. Sau dated
09/05/2002. Remove application
dated 10/22/2003.

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

KEA, Leialohalani D.

Succeeded to Maui Islandwide
Residential application of
Parent, Charity N. Williams
dated 08/08/1989. Remove
application dated 03/05/2015.

MAC NEAL, Janet L.

Succeeded to Maui Islandwide
Residential application of
Child, Sherman T. Kong dated

05/21/1986. Remove application
dated 06/23/2023.

SAFFERY, Regina L.

Succeeded to Maui Islandwide
Residential application of
Sibling, Clarissa K. Sau dated
09/05/2002. Remove application
dated 10/22/2003.

VASQUEZ, Mariann K.

Succeeded to Nanakuli Area /
Oahu Islandwide Residential
application of Parent, Dolly K.
Kahler dated 04/22/1963. Remove
application dated 09/04/1991.

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

PINON-KAAWALOA, Ranielle P.

Succeeded to Hawaii Islandwide
Agricultural application of
Sibling, Ryan K. Kaawaloa dated
01/28/1992. Remove application
dated 06/28/2010.

PUOU, Lesley K.

Succeeded to Hawaii Islandwide
Pastoral application of Parent,
Eunice P. Puou dated 12/10/1987.
Remove application dated
05/11/2006.

WONG, Jacob C.

Succeeded to Hawaii Islandwide
Agricultural application of
Sibling, Johnathan H. Wong dated
09/28/1992. Remove application
dated 11/06/1997.

HAWAII ISLANDWIDE PASTORAL LEASE LIST

SILVA, Sterling N.

Succeeded to Oahu Islandwide
Agricultural application of
Sibling, Louis K. Silva dated

07/17/1986. Remove application
dated 04/24/1987.

KAUAI ISLANDWIDE AGRICULTURAL LEASE LIST

FU, Marleen K. Succeeded to Kauai Islandwide
Pastoral application of Sibling,
Claradeen M.S. Fu dated
09/14/1989. Remove application
dated 09/29/2023.

KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

FU, Marleen K. Succeeded to Kauai Islandwide
Residential application of
Sibling, Claradeen M.S. Fu dated
09/14/1989. Remove application
dated 09/29/2023.

MOLOKAI ISLANDWIDE AGRICULTURAL LEASE LIST

CORPUZ, Lennie L. Succeeded to Molokai Islandwide
Agricultural application of
Aunt, Alice Leimomi Smith dated
01/09/2006. Remove application
dated 12/15/2008.

MATTHEWS, Tinamarie L. Succeeded to Molokai Islandwide
Agricultural application of
Parent, Colleen L. Yarbrough-
Bordeaux dated 01/17/1986.
Remove application dated
06/29/2012.

7. Additional Acreage

NONE FOR SUBMITTAL

8. HHC Adjustments

NONE FOR SUBMITTAL

Last Month's Transaction Total	10
Last Month's Cumulative FY 2023-2024 Transaction Total	395
Transfers from Island to Island	10
Deceased	1
Cancellations:	
Awards of Leases	2
NHQ	0
Voluntary Cancellations	0
Successorship	20
Additional Acreage	0
HHC Adjustments	0
This Month's Transaction Total	33
This Month's Cumulative FY 2024-2025 Transaction Total	428

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 

FROM: Nicole F. Bell, Application Branch Supervisor 
Homestead Services Division

SUBJECT: **Approval to Certify Applications of Qualified Applicants for the month of July 2024**

RECOMMENDED MOTION/ACTION

To approve the certification of applications of qualified applicants for the month of July 2024. The Department has verified the native Hawaiian blood quantum requirement of each applicant according to section 10-3-2 of the Hawaii Administrative Rules.

DISCUSSION

At its October 2020 regular meeting, the Hawaii Homes Commission adopted the recommendation of the HHC Investigative Committee on the Native Hawaiian Qualification Process to recall to the HHC, pursuant to Hawaii Administrative Rules § 10-2-16(a), the authority to accept the Native Hawaiian Quantum (NHQ) determination for an individuals as a function requiring the exercise of judgement or discretion. The recommendation included a process to implement the Commission's review and acceptance of NHQ determinations. These applicants have been deemed by the Department to have met the native Hawaiian blood quantum requirement through the kumu 'ohana process.

OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

KAMAI, Kamealoha A.	01/05/2024
PUOU, Adonnis P.	01/05/2024
VETERE, Charmayne P.	01/05/2024

ELI, Coty K.M.	01/09/2024
HO, Kenneth K.L., Jr.	01/11/2024
LOVELL, Joerdan M.	05/03/2024
JAVIER STANLEY, Anela N.	05/07/2024
KALAMAU, Kaimana L.	05/07/2024
VICKERS, Vernon A., Jr.	05/17/2024
KEPA-HEANU, Isaac J.P.	05/17/2024
HAWELU, Micah Alan N.	05/21/2024
KAAHANUI, Kent V.K.	05/21/2024

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

ELI, Chayden K.M.	01/03/2024
KAMAI, Kamealoha A.	01/05/2024
PUOU, Adonnis P.	01/05/2024
VETERE, Charmayne P.	01/05/2024
ELI, Coty K.M.	01/09/2024
KALAMA, Kealii	01/09/2024
LOVELL, Joerdan M.	05/03/2024
JAVIER STANLEY, Anela N.	05/07/2024
KALAMAU, Kaimana L.	05/07/2024
KAMAI, Jocelyn U.	05/17/2024
KEPA-HEANU, Isaac J.P.	05/17/2024
HAWELU, Micah Alan N.	05/21/2024
KAAHANUI, Kent V.K.	05/21/2024
KIKILA, Coreen K.A.	05/22/2024

RAMOS, Phyllis N.	05/22/2024
<hr/> MAUI ISLANDWIDE AGRICULTURAL LEASE LIST <hr/>	
FOSTER, Raymond L.	04/09/2024
<hr/> MAUI ISLANDWIDE PASTORAL LEASE LIST <hr/>	
KANA, Jacob H., Jr.	04/09/2024
<hr/> MAUI ISLANDWIDE RESIDENTIAL LEASE LIST <hr/>	
KAHELE, Arnolette K.	12/29/2023
FOSTER, Raymond L.	04/09/2024
KANA, Jacob H., Jr.	04/09/2024
KALELEIKI, Davin S.	04/11/2024
KAE0, Aaron K.P.	05/03/2024
<hr/> HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST <hr/>	
MAHI-KALAUKOA, Geraldine Z.	01/04/2024
FERREIRA, Hiram A.	04/04/2024
NAHALE, Shyann M.M.M.N.A.M.	05/02/2024
KAE0, Aaron K.P.	05/03/2024
PAULO, Louis Jr.	05/14/2024
ALAPAI, Alohalina K.	05/16/2024
KIKILA, Coreen K.A.	05/22/2024
<hr/> HAWAII ISLANDWIDE PASTORAL LEASE LIST <hr/>	
NAHALE, Sheynen-Wyatt K.	04/29/2024
GILES-KALAU LI, Frances Mae P.P.	05/20/2024
KALAU LI, Rochele Marie K.	05/23/2024

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

FERREIRA, Hiram A.	04/04/2024
AKUNA, Stephaine K.	04/19/2024
KEOHULO, Pua-Lilia H.	04/29/2024
NAHALE, Sheynen-Wyatt K.	04/29/2024
NAHALE, Shyann M.M.M.N.A.M.	05/02/2024
PAULO, Louis Jr.	05/14/2024
ALAPAI, Alohalina K.	05/16/2024
GILES-KALAU, Frances Mae P.P.	05/20/2024
KALAU, Rochele Marie K.	05/23/2024
KEANAAINA, Vornell K.	06/03/2024

KAUAI ISLANDWIDE AGRICULTURAL LEASE LIST

ELI, Chayden K.M.	01/03/2024
MARDONADA, Anthony S.K.	03/13/2024
SAHUT, Ronson K.A.	03/21/2024
KANEHOLANI, Pualehua J.	04/04/2024
VIEAU, Yvonne W.	04/22/2024

KAUAI ISLANDWIDE PASTORAL LEASE LIST

LAURETA, Elizabeth K.L.	04/25/2024
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KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

MARDONADA, Anthony S.K.	03/13/2024
SAHUT, Ronson K.A.	03/21/2024
KANEHOLANI, Pualehua J.	04/04/2024



Previous Cumulative Total for Current FY	45
Current Month's Total	64
Fiscal Year Total: July 2024-June 2025	109

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STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2024

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Juan Garcia, HSD Administrator 
FROM: Nicole F. Bell, Application Branch Supervisor 
Homestead Services Division
SUBJECT: **Commission Designation of Successors to Application Rights - Public Notice November 2023**

RECOMMENDED MOTION/ACTION

1. To designate the following individuals as successors to the application rights of deceased applicants who did not name a qualified successor.

2. To approve the certification of applications to successorship rights of qualified successors. The Department has verified the native Hawaiian blood quantum requirement of each prospective successor according to section 10-3-2 of the Hawaii Administrative Rules.

DISCUSSION

The following qualified applicants passed away on or after October 26, 1998, without naming qualified successors. Pursuant to 10-3-8(c) of the *Hawaii Administrative Rules*, a public notice listing the names of deceased applicants and calling for possible successors to their application rights was published in the Honolulu Star-Advertiser, The Maui News, Hawaii Tribune Herald, West Hawaii Today, and The Garden Island on the last two consecutive Sundays of November for the year the Department received notification. Requests to succeed to the decedents' application rights were submitted within the required 180 days following the last date of publication. Prospective successors were the sole respondents and are deemed by the Department to have met the requirements of successorship according to section 10-3-8(b) of the *Hawaii Administrative Rules*. HSD recommends approval of the following designees:

1. Deceased Applicant: Dolly K. Kahler
Date of death: December 30, 2015
Successor to app rights: Mariann K. Vasquez
Relationship to decedent: Child
Island: Nanakuli Area / Oahu
Type: Islandwide Residential
Date of Application: April 22, 1963
Date of Public Notice: November 2023

2. Deceased Applicant: Donald S.Y. Chang
Date of death: September 13, 2022
Successor to app rights: Sanoë Aina
Relationship to decedent: Grandchild
Island: Oahu
Type: Islandwide Residential
Date of Application: July 25, 1997
Date of Public Notice: November 2023

3. Deceased Applicant: Leona L.K.K. Feliciano
Date of death: March 24, 2010
Successor to app rights: France D.P. Feliciano
Relationship to decedent: Child
Island: Oahu
Type: Islandwide Residential
Date of Application: May 14, 2001
Date of Public Notice: November 2023

4. Deceased Applicant: Mercedes L. Green
Date of death: August 24, 2006
Successor to app rights: Yolanda K. Kahalewai
Relationship to decedent: Sibling
Island: Oahu
Type: Islandwide Residential
Date of Application: April 04, 1986
Date of Public Notice: November 2023

5. Deceased Applicant: Charles K. Hanohano Jr.
Date of death: September 25, 2014
Successor to app rights: Lois M. Williams
Relationship to decedent: Spouse
Island: Oahu
Type: Islandwide Residential
Date of Application: January 09, 1998
Date of Public Notice: November 2023

6. Deceased Applicant: Jane L. Kamanu
Date of death: October 12, 2014
Successor to app rights: Gayleen K. Kaiwi
Relationship to decedent: Grandchild
Island: Oahu
Type: Islandwide Residential
Date of Application: April 22, 1998
Date of Public Notice: November 2023
7. Deceased Applicant: Louis K. Silva
Date of death: July 30, 2019
Successor to app rights: Sterling N. Silva
Relationship to decedent: Sibling
Island: Oahu
Type: Islandwide Agricultural
Date of Application: July 17, 1986
Date of Public Notice: November 2023
8. Deceased Applicant: Milton N. Aki
Date of death: October 22, 2022
Successor to app rights: Kalina S. Aki
Relationship to decedent: Child
Island: Maui
Type: Islandwide Agricultural
Date of Application: September 18, 1991
Date of Public Notice: November 2023
9. Deceased Applicant: Clare K. Deleon
Date of death: January 31, 2023
Successor to app rights: Denise N. Alavazo
Relationship to decedent: Child
Island: Maui
Type: Islandwide Agricultural
Date of Application: August 13, 1986
Date of Public Notice: November 2023
10. Deceased Applicant: Sherman T. Kong
Date of death: September 06, 2021
Successor to app rights: Janet L. Mac Neal
Relationship to decedent: Parent
Island: Maui
Type: Islandwide Residential
Date of Application: May 21, 1986
Date of Public Notice: November 2023

11. Deceased Applicant:	Harriet A. Lindsey
Date of death:	December 07, 2022
Successor to app rights:	Zandra M. Maldonado
Relationship to decedent:	Child
Island:	Maui
Type:	Islandwide Pastoral
Date of Application:	June 16, 2005
Date of Public Notice:	November 2023
12a. Deceased Applicant:	Stanley L. Makahanaloa
Date of death:	February 03, 2023
Successor to app rights:	Arline N. Makahanaloa
Relationship to decedent:	Sibling
Island:	Maui
Type:	Islandwide Agricultural
Date of Application:	April 06, 2006
Date of Public Notice:	November 2023
12b. Island:	Maui
Type:	Islandwide Residential
Date of Application:	April 06, 2006
13. Deceased Applicant:	Lucy Ann L.K. Fernandez
Date of death:	August 21, 2021
Successor to app rights:	Marlene R. Kahoonei
Relationship to decedent:	Widow of a Sibling
Island:	Hawaii
Type:	Islandwide Agricultural
Date of Application:	October 21, 1997
Date of Public Notice:	November 2023
14a. Deceased Applicant:	Ryan K. Kaawaloa
Date of death:	December 30, 2022
Successor to app rights:	Rainelle P. Pinon-Kaawaloa
Relationship to decedent:	Sibling
Island:	Hawaii
Type:	Islandwide Agricultural
Date of Application:	January 28, 1992
Date of Public Notice:	November 2023
14b. Island:	Hawaii
Type:	Islandwide Residential
Date of Application:	January 28, 1992

15. Deceased Applicant:	Henry A. Kahili
Date of death:	February 19, 2023
Successor to app rights:	Johnette K. Yoshizumi
Relationship to decedent:	Niece
Island:	Hawaii
Type:	Islandwide Agricultural
Date of Application:	January 31, 1995
Date of Public Notice:	November 2023
16. Deceased Applicant:	Julia Kaluau
Date of death:	March 03, 2004
Successor to app rights:	Lorrie K. Baker
Relationship to decedent:	Child
Island:	Hawaii
Type:	Islandwide Agricultural
Date of Application:	December 05, 1979
Date of Public Notice:	November 2023
17. Deceased Applicant:	Jane L. Kamanu
Date of death:	October 12, 2014
Successor to app rights:	Gayleen K. Kaiwi
Relationship to decedent:	Grandchild
Island:	Hawaii
Type:	Islandwide Agricultural
Date of Application:	June 25, 1985
Date of Public Notice:	November 2023
18a. Deceased Applicant:	Eunice P. Puou
Date of death:	February 09, 2017
Successor to app rights:	Lesley K. Puou
Relationship to decedent:	Child
Island:	Hawaii
Type:	Islandwide Agricultural
Date of Application:	December 10, 1987
Date of Public Notice:	November 2023
18b. Island:	Hawaii
Type:	Islandwide Residential
Date of Application:	December 10, 1987

19. Deceased Applicant: Johnathan H. Wong
 Date of death: August 09, 2023
 Successor to app rights: Jacob C. Wong
 Relationship to decedent: Sibling
 Island: Hawaii
 Type: Islandwide Agricultural
 Date of Application: September 28, 1992
 Date of Public Notice: November 2023

20a. Deceased Applicant: Claradeen M.S. Fu
 Date of death: June 08, 2017
 Successor to app rights: Marleen K. Fu
 Relationship to decedent: Sibling
 Island: Kauai
 Type: Islandwide Pastoral
 Date of Application: September 14, 1989
 Date of Public Notice: November 2023

20b. Island: Kauai
 Type: Islandwide Residential
 Date of Application: September 14, 1989

21. Deceased Applicant: Alice Leimomi Smith
 Date of death: February 14, 2018
 Successor to app rights: Lennie L. Corpuz
 Relationship to decedent: Niece
 Island: Molokai
 Type: Islandwide Agricultural
 Date of Application: January 09, 2006
 Date of Public Notice: November 2023

22. Deceased Applicant: Colleen L. Yarbrough-Bordeaux
 Date of death: January 01, 2022
 Successor to app rights: Tinamarie L. Matthews
 Relationship to decedent: Child
 Island: Molokai
 Type: Islandwide Agricultural
 Date of Application: January 17, 1986
 Date of Public Notice: November 2023

Previous Cumulative Total for Current FY	0
Current Month's Total	26
Fiscal Year Total: July 2024-June 2025	26

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator
Homestead Services Division



FROM: Ross K. Kapeliela, Acting ODO Supervisor
Homestead Services Division



SUBJECT: **Approval of Assignment of Leasehold Interest**

RECOMMENDED MOTION/ACTION

1. To approve the assignment of the leasehold interest, pursuant to Section 208, Hawaiian Homes Commission Act, 1920, as amended, and subject to any applicable terms and conditions of the assignment, including but not limited to the approval of a loan.

2. To approve and accept that the transferees are of no less than the required 25% or 50% Hawaiian ancestry as appropriate pursuant to Section 208, Hawaiian Homes Commission Act, 1920, as amended.

DISCUSSION

Eleven (11) assignments of lease.

1. Lessee Name: Lydia L. Hao
Res. Lease No. 7342, Lot No. 111
Lease Date: 10/6/1994
Area: Nanakuli, Oahu
Property Sold & Amount: Yes, \$520,000.00
Improvements: 3 bedroom, 1-1/2 bath dwelling

Transferee Name: Alika K. Hema
Relationship: None
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 7/16/2001

Reason for Transfer: "Moving off island." Special
Condition: Transferee to obtain funds to pay purchase price.

2. Lessee Name: Rosalind W. Khim
Res. Lease No. 8141, Lot No. 25
Lease Date: 3/14/1995
Area: Waianae, Oahu
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Nathan A. K. Goodhue
Relationship: Nephew
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

3. Lessee Name: Debbie P. Kini
Res. Lease No. 5213, Lot No. 82
Lease Date: 8/2/1982
Area: Nanakuli, Oahu
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Nalani K. Kini
Relationship: Daughter
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 2/13/2012

Reason for Transfer: "Giving lease to relative."

4. Lessee Name: Joseph K. Naeole Jr.
Res. Lease No. 7323, Lot No. 36
Lease Date: 10/6/1994
Area: Nanakuli, Oahu,
Property Sold & Amount: No, N/A
Improvements: 4 bedroom, 2 bath dwelling

Transferee Name: Keolani M. Naeole
Relationship: Daughter
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

5. Lessee Name: Danielle A. Pilialoha
Res. Lease No. 258, Lot No. 19-A
Lease Date: 5/12/1930
Area: Nanakuli, Oahu
Property Sold & Amount: No, N/A
Improvements: 4 bedroom, 2 bath dwelling

Transferee Name: Kanoa A. Kauwelo-Pilialoha
Relationship: Grandson
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 9/9/2008

Reason for Transfer: "Giving lease to relative"

6. Lessee Name: Cathleen C. Rodrigues
Res. Lease No. 5518, Lot No. 117
Lease Date: 6/3/1985
Area: Lualualei, Oahu
Property Sold & Amount: Yes, \$475,000.00
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Philip L. Kamaka
Relationship: None
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 1/27/2006

Reason for Transfer: "Sale of house." Special Condition:
Transferee to obtain funds to pay purchase price. See
simultaneous transfer below.

7. Lessee Name: Philip L. Kamaka
Res. Lease No. 5518, Lot No. 117
Lease Date: 6/3/1985
Area: Lualualei, Oahu
Property Sold & Amount: Yes, \$475,000.00
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Sherri-Anne M. Q. Kamaka
Relationship: Daughter
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative." Special
Condition: Transferee to obtain funds to pay purchase
price.

8. Lessee Name: Nadine N. Spoon
Res. Lease No. 8362, Lot No. 71
Lease Date: 11/1/1995
Area: PKE, Oahu
Property Sold & Amount: Yes, \$530,000.00
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Travis A. Ellis
Relationship: None
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 6/07/2023

Reason for Transfer: "Moving off island." Special
Condition: Transferee to obtain funds to pay purchase
price.

9. Lessee Name: Anthony S. Kaahanui
Res.. Lease No. 11069, Lot No. UNDV068
Lease Date: 5/13/2006
Area: Anahola, Kauai
Property Sold & Amount: No, N/A
Improvements: None

Transferee Name: Jade K. Kaahanui
Relationship: Daughter
Loan Assumption: No
Applicant: no

Reason for Transfer: "Giving lease to relative"

10. Lessee Name: Robinson K. Pahinui
Res. Lease No. 12491, Lot No. UNDV172
Lease Date: 12/6/2008
Area: Kapolei, Oahu
Property Sold & Amount: No, N/A
Improvements: None

Transferee Name: Ka'alani R. Pahinui
Relationship: Daughter
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

11. Lessee Name: Sharleen I. Kahalewai
Agr. Lease No. 13041, Lot No. 185-N
Lease Date: 9/7/2023
Area: Panaewa, Hawaii
Property Sold & Amount: No, N/A
Improvements: None

Transferee Name: Darrell K. K. K. Kahalewai, Jr.
Relationship: Son
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

Assignments for the Month of August `24	11
Previous FY '24 - '25 balance	<u>30</u>
FY '24 - '25 total to date	41
Assignments for FY '23 - '24	107

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator
Homestead Services Division

FROM: Ross K. Kapeliela, Acting ODO Supervisor
Homestead Services Division

SUBJECT: **Approval of Amendment of Leasehold Interest**

RECOMMENDED MOTION/ACTION

To approve the amendment of the leasehold interest listed below.

DISCUSSION

Six (6) amendments of lease.

1. Lessee: William K. Aina
Res. Lease No.: 1327
Lot No., Area, Island: 106-A, Keaukaha, Hawaii
Amendment: To amend the lease title and lessor's name, and to incorporate the currently used terms, conditions, and covenants to the lease. (Successorship)
2. Lessee: Keola F. Aipelena-Thoren
Res. Lease No.: 1637
Lot No., Area, Island: 122, Kewalo, Oahu
Amendment: To amend the lease to update the property description, to extend the lease term to an aggregate term of 199 years, and to incorporate the currently used terms, conditions, and covenants to the lease. (Successorship)

3. Lessee: Eleanor Evangelista
Agr. Lease No.: 7004
Lot No., Area, Island: 60, Makuu, Hawaii
Amendment: To amend the lease to update the property description and commencement date. (Successorship)
4. Lessee: Gwendolyn Hiapo
Res. Lease No.: 1009
Lot No., Area, Island: 82-A, Keaukaha, Hawaii
Amendment: To amend the lease title and lessor's name, to incorporate the currently used terms, conditions, and covenants to the lease, and to extend the lease term to an aggregate term of 199 years. (Successorship)
5. Lessee: Daisy L. Naihe
Res. Lease No.: 4032
Lot No., Area, Island: 107, Waiakea, Hawaii
Amendment: To amend the lease title and lessor's name and to incorporate the currently used terms, conditions, and covenants to the lease. (Successorship)
6. Lessee: Vincent Gordon Walker
Res. Lease No.: 3793
Lot No., Area, Island: 175, Kewalo, Oahu
Amendment: To amend the lease to incorporate the currently used terms, conditions, and covenants to the lease. (Successorship)


Amendments for the Month of August '24	6
Previous FY '24 - '25 balance	<u>33</u>
FY '24 - '25 total to date	39
Amendments for FY '23 - '24	66


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator 
Homestead Services Division

FROM: Ross K. Kapeliela, Acting ODO Supervisor 
Homestead Services Division

SUBJECT: **Approval to Issue a Non-Exclusive License for Rooftop Photovoltaic Systems for Certain Lessees**

RECOMMENDED MOTION/ACTION

To approve the issuance of a non-exclusive license to allow the Permittee to provide adequate services related to the installation, maintenance, and operation of a photovoltaic system on the premises leased by the respective Lessees.

The non-exclusive license is necessary as the Lessee can not issue his/her own licenses.

DISCUSSION

Eighteen (18) non-exclusive licenses.

1. Lessee: Joseph H. Bustillos
Res. Lease No.: 12270
Lot No., Area, Island: 42, Waiehu 4, Maui
Permittee: Sunrun Installation Services, Inc.

2. Lessee: Bryan G. K. Ellis
Res. Lease No.: 9378
Lot No., Area, Island: 65, Kaniohale, Hawaii
Permittee: Sunrun Installation Services, Inc.

3. Lessee: William E. Garcia
Res. Lease No.: 8186
Lot No., Area, Island: 4, Paukukalo, Maui
Permittee: Sunrun Installation Services, Inc.

4. Lessee: Burton E. L. Gier
Res. Lease No.: 11494
Lot No., Area, Island: 69, Leialii, Maui
Permittee: Sunrun Installation Services, Inc.

5. Lessee: Robert W. Glover
Res. Lease No.: 8621
Lot No., Area, Island: 100, Nanakuli, Oahu
Permittee: Holu Hou Energy

6. Lessee: Jay K. Hosea
Res. Lease No.: 12550
Lot No., Area, Island: 18602, Kanehili, Oahu
Permittee: Sunrun Installation Services, Inc.

7. Lessee: Glenn K. Kamana
Res. Lease No.: 392
Lot No., Area, Island: 138, Nanakuli, Oahu
Permittee: Sunrun Installation Services, Inc.

8. Lessee: Mychelle K. C. L. Kihune
Res. Lease No.: 12216
Lot No., Area, Island: 36, Waiehu 4, Maui
Permittee: Sunrun Installation services, Inc.

9. Lessee: Phillip G. Ku
Res. Lease No.: 4389
Lot No., Area, Island: 91, Nanakuli, Oahu
Permittee: Holu Hou Energy

10. Lessee: Kirk A. Lapilio
Res. Lease No.: 12742
Lot No., Area, Island: 13750, Maluohai, Oahu
Permittee: Sunrun Installation Services, Inc.

11. Lessee: Donna Mae Manini-Ebos
 Res. Lease No.: 12583
 Lot No., Area, Island: 18410, Kanehili, Oahu
 Permittee: Sunrun Installation Services, Inc.
12. Lessee: Jason K. Q. Meyers
 Res. Lease No.: 12135
 Lot No., Area, Island: 16995, Kaupea, Oahu
 Permittee: Sunrun Installation Services, Inc.
13. Lessee: Marlene M. Peralta
 Res. Lease No.: 12281
 Lot No., Area, Island: 26, Waiehu 4, Maui,
 Permittee: Sunrun Installation Services, Inc.
14. Lessee: Oliver K. Pohina, III
 Res. Lease No.: 12897
 Lot No., Area, Island: 18485, Kanehili, Oahu
 Permittee: Sunrun Installation Services, Inc.
15. Lessee: Gerald L. Ponce
 Res. Lease No.: 10439
 Lot No., Area, Island: 140-A, Waiohuli, Maui
 Permittee: Sunrun Installation Services, Inc.
16. Lessee: Willard K. Sam Fong
 Res. Lease No.: 2203
 Lot No., Area, Island: 140, Kewalo, Oahu
 Permittee: Sunrun Installation Services, Inc.
17. Lessee: Leona L. Souza
 Res. Lease No.: 11284
 Lot No., Area, Island: 13, Kumuhau, Oahu
 Permittee: Sunnova Energy
18. Lessee: Rena L. Techur
 Res. Lease No.: 7358
 Lot No., Area, Island: 127, Nanakuli, Oahu
 Permittee: Sunrun Installation Services, Inc.


Non-Exclusive License for the Month of August '24	18
Previous FY '24 - '25 balance	<u>22</u>
FY '24 - '25 total to date	40
 Non-Exclusive License for FY '23 - '24	 279


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator 
Homestead Services Division

FROM: Ross K. Kapeliela, Acting ODO Supervisor 
Homestead Services Division

SUBJECT: **Commission Designation of Successor -
NOLAN I. MAHUKA, Residential Lease No. 8308,
Lot No. 17, PKE, Oahu**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Kaylen Napualani Mahuka-Kaawa (Kaylen) as successor to Residential Lease No. 8308, Lot No. 17, PKE, Oahu (Lease), for the remaining term of the Lease;

2. To approve and accept that Kaylen is of no less than the required 25% Hawaiian ancestry and is therefore a qualified successor pursuant to Section 209 of the Hawaiian Homes Commission Act, 1920, as amended;

3. To stipulate that Kaylen's successorship right and interest in the Lease do not vest until Kaylen has signed that: (i) Transfer Through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if Kaylen does not sign all such documents on or before **October 31, 2024** (the Deadline), that the Commission's selection of Kaylen as a successor is automatically revoked;

4. To authorize the Department to extend the Deadline up to 60 days for good cause; and

5. To declare that if Kaylen's selection as a successor is revoked; then under Section 209(a) of the Hawaiian Homes Commission Act, 1920, as amended, "...the land subject to the lease shall resume its status as unleased Hawaiian home lands and the department is authorized to lease the land to a native Hawaiian as provided by the Act."

DISCUSSION

Nolan I. Mahuka (Decedent) received the Lease by way of an Assignment of Lease and Consent on June 18, 2012.

On October 28, 2021, the Decedent passed away without naming a successor to his lease.

On June 27, 2022, the Department received the decedent's death certificate.

In compliance with Administrative Rule 10-3-63, the Department published legal notices in the Honolulu Star-Advertiser, the Hawaii Tribune Herald, the West Hawaii Today, The Maui News, and The Garden Island newspapers on June 7, 14, 21, and 28, 2023, to notify all interested, eligible and qualified heirs of the Decedent to submit their successorship claims to the Lease.

The Department received a successorship claim from the Decedent's daughter, Kaylen Napualani Mahuka-Kaawa (Kaylen), who has been determined to be of at least 25% Hawaiian ancestry and eligible for successorship to the Lease.

The Department also received a successorship claim from the Decedent's brother, Cranston Haaheo Mahuka, who has been determined to be of at least 50% Hawaiian ancestry and eligible for successorship to the Lease.

Pursuant to Section 209 of the Hawaiian Homes Commission Act of 1920, as amended (Act), when a lessee fails to designate a successor, the commission is authorized to terminate this lease or to continue the lease by designating a successor. Section 209 states in part that the department may select from only the following qualified relatives of the decedent:

1. Husband or wife; or
2. If there is no husband or wife, then the children; or
3. If there is no husband, wife, or child, then the grandchildren; or
4. If there is no husband, wife, child, or grandchild, then the brothers or sisters; or

5. If there is no husband, wife, child, grandchild, brother, or sister, then from the following relatives of the lessee who are native Hawaiian: father and mother, widows or widowers of the children, widows or widowers of the brothers and sisters, or nieces and nephews.

Pursuant to Section 209, Kaylen has priority to succeed to the leasehold interest.

Improvements to the homestead lot consist of a 3-bedroom and 2-bath, single-family dwelling, which was constructed in 1996. Kaylen is presently living in the house.

There is an outstanding mortgage with PennyMac Loan Services dated June 7, 2012, with an original amount of \$299,982. Kaylen is aware of the outstanding loan and has agreed to accept the obligation should she be designated as successor.

The lease rent account reports a credit balance of \$70.00. The real property tax and association dues are paid current.


The Department requests approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator
Homestead Services Division 

FROM: Erna Kamibayashi, Kauai District Office Supervisor
Homestead Services Division

SUBJECT: **Commission Designation of Successor
Doreen Naleieha Kanahale, Residential Lease No. 8881
Lot No. 40, Hanapepe, Kauai**

RECOMMENDED MOTION/ACTION

To approve the designation of Simon Peter Kaleipoinaole Kanahale, as successor to Residential Lease No. 8881, Lot No. 40, Hanapepe, Kauai for the remaining term of the lease.

DISCUSSION

On April 21, 2006, Doreen Naleieha Kanahale (Decedent) received through an Assignment, Residential Lease No. 8881 located in Hanapepe, Kauai.

On January 1, 2023, Doreen (Decedent) passed away without naming a successor to her lease.

In compliance with the Administrative Rules 10-3-63, the Department published legal ads in the Honolulu Star Advertiser, The Hawaii Tribune Herald, West Hawaii Today, The Maui News, and The Garden Island newspapers on December 6, 13, 20 and 27, 2023, to notify all interested, eligible and qualified heirs of the Decedent, to submit their lease successorship claims.

On January 5, 2024, The Department received a successorship claim from Simon Peter Kaleipoinaole Kanahale (Simon), legal son to Doreen.

Pursuant to Section 209 of the Hawaiian Home Commission Act of 1920 (Act), as amended, when a lessee fails to designate a successor, the commission is authorized to terminate the lease or to continue the lease by designating a successor. Section 209 states in part that the department may select from only the following qualified relatives in priority order:

1. Husband or wife; or
2. If there is no husband or wife, then the children; or
3. If there is no husband, wife, or child, then the grandchildren; or
4. If there is no husband, wife, child, or grandchild, then brothers or sisters; or
5. If there is no husband, wife, child, grandchild, brother, or sister, then from the following relatives of the lessee who are native Hawaiian: father and mother, widows or widowers of the children, widows or widowers of the brothers and sisters, or nieces and nephews.

Existing Improvements consist of a three-bedroom, two full bath single family dwelling built in 1998 with a covered two car carport. Simon currently lives on the homestead lot.

Kauai County is exempt from real property taxes, however, assesses a fee for Trash pick-up. Total amount due through July 30, 2024, \$1,801.70 includes tax, penalty and interest due; County of Kauai Sewer Fees through July 2024, \$8,303.74 includes fees, penalty and interest; DHHL Loan for advance delinquent sewer fee due through August 19, 2024, \$401.17; and American Savings Bank Mortgage originated in 2006 with an initial loan amount of \$117,818. As of July 30, 2024, unpaid principal balance is \$75,812.43 with loan payment of \$919.73 past due.

The Department requests approval of its recommendation.

**HAWAIIAN HOMES COMMISSION
AUGUST 19 & 20, 2024**

E – ITEMS

LAND DEVELOPMENT DIVISION



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

KAUA'I ISLAND Project Updates

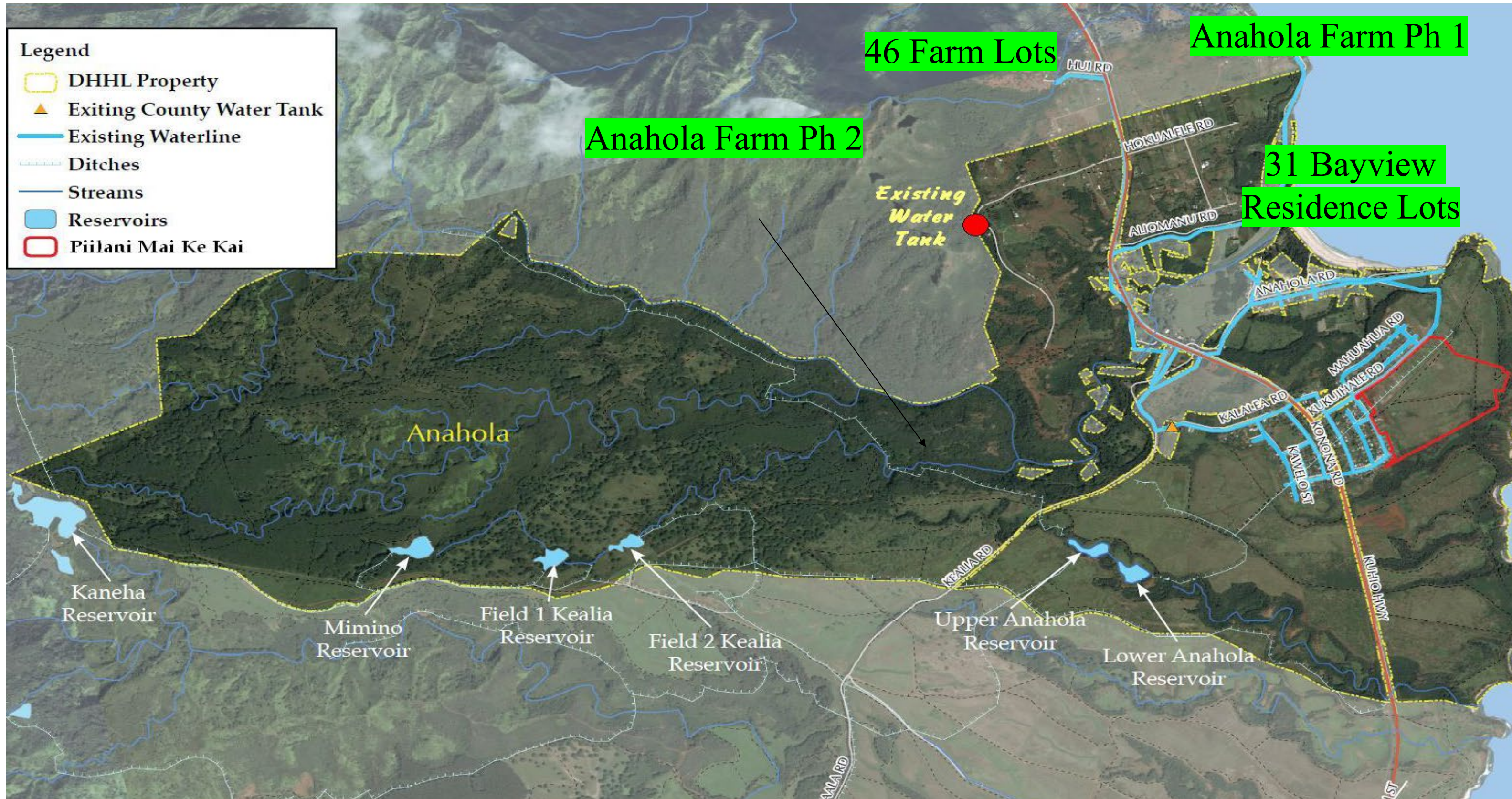
LAND DEVELOPMENT DIVISION

Item E-1 For Information Only
August 19-20, 2024



DHHL – USDA RD

Anahola Farm Lots Water System Improvements





DHHL Contribution and Funds Awarded by USDA RD

Accepted by HHC, Nov. 2018

USDA RD 2016 FUNDING PACKAGE:

DHHL CONTRIBUTION	\$3,770,723
USDA RD GRANT	<u>\$3,055,137</u>
SUBTOTAL	\$6,825,860

USDA RD 2018 FUNDING PACKAGE:

USDA RD LOAN	\$4,100,000
USDA RD GRANT	<u>\$1,999,946</u>
SUBTOTAL	\$6,099,946

GRAND TOTAL DHHL/USDA \$12,955,806

Grant Reimbursement to date: \$3,776,358



Anahola Farm Lots Water System Improvements

Phase 1:

Kaiwa Construction: \$3,377,709

- Replacement of transmission and distribution lines
- Improvement of pressure in mauka and makai lots
- Install smart meters, new backflow preventers
- Upgrades to fire protection; new hydrants

Construction commencement: Feb. 2020

Substantial Completion: July 2021

Expenditure to Date: \$3,182,164



Anahola Farm Lots Water System Improvements

Phase 2:

Kiewit Infrastructure West Co.: \$ 7,145,786

- Construct 100,000 gallon temporary steel bolted water tank
- Demolish 500,000 gallon steel water tank
- Install new 440,000 gallon concrete water tank
- Construct pump station upgrades and install new submersible pump
- Construct new upper level distribution line and booster pump to increase pressure near tank

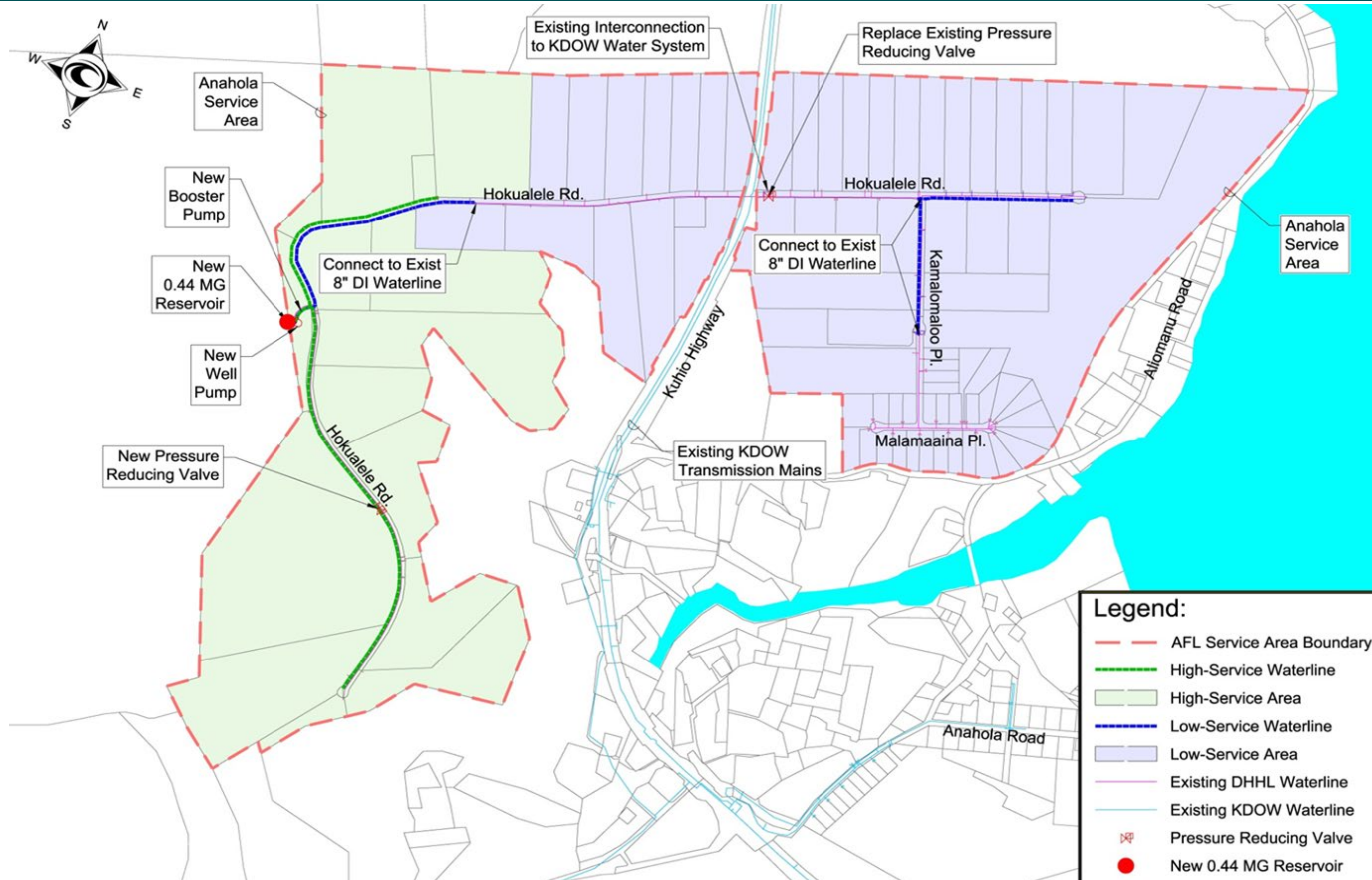
Construction commencement: December 2020

General Completion Phase 2: August 2024

Expenditure to date: \$ 7,390,825



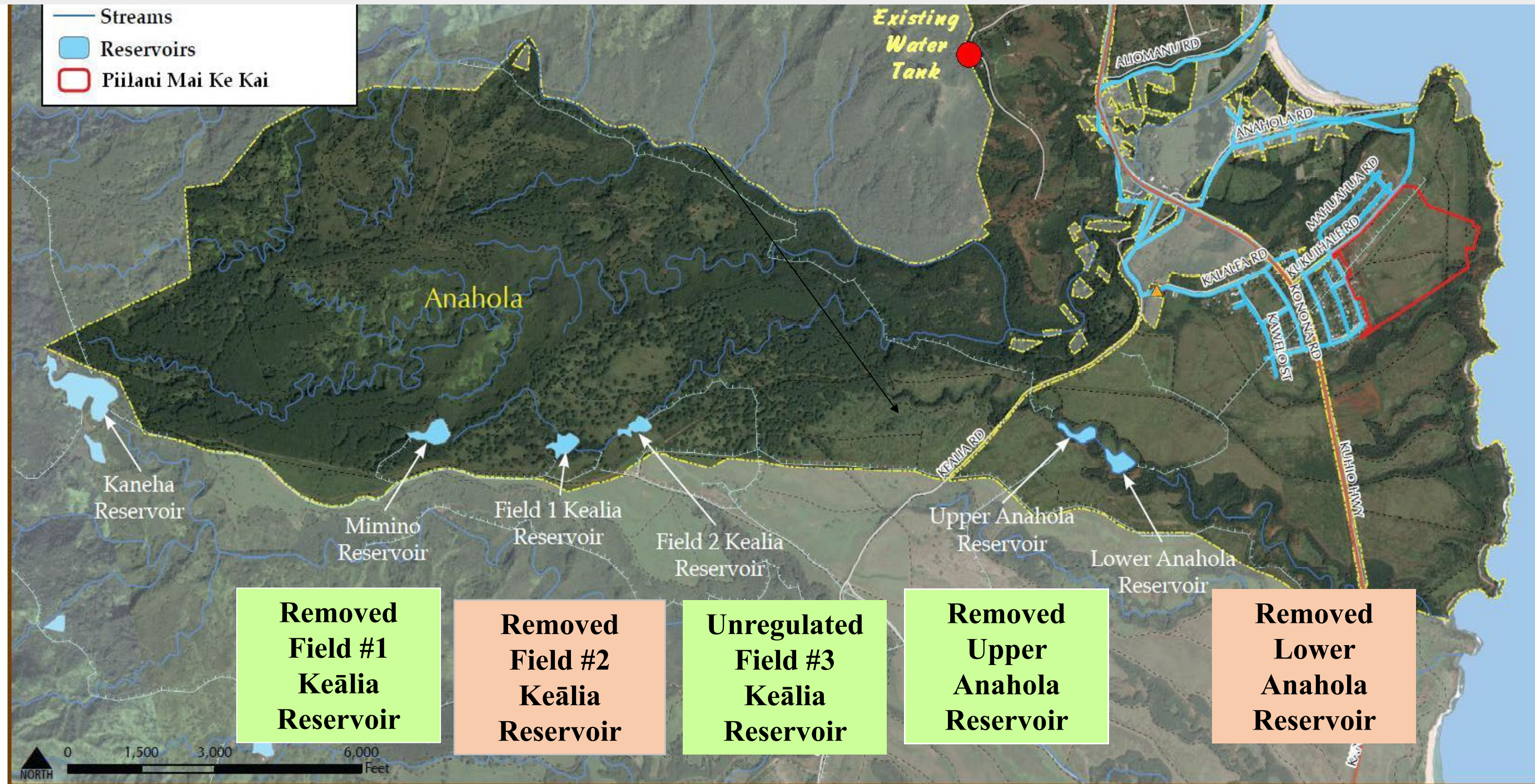
Anahola Farm Lots Water System





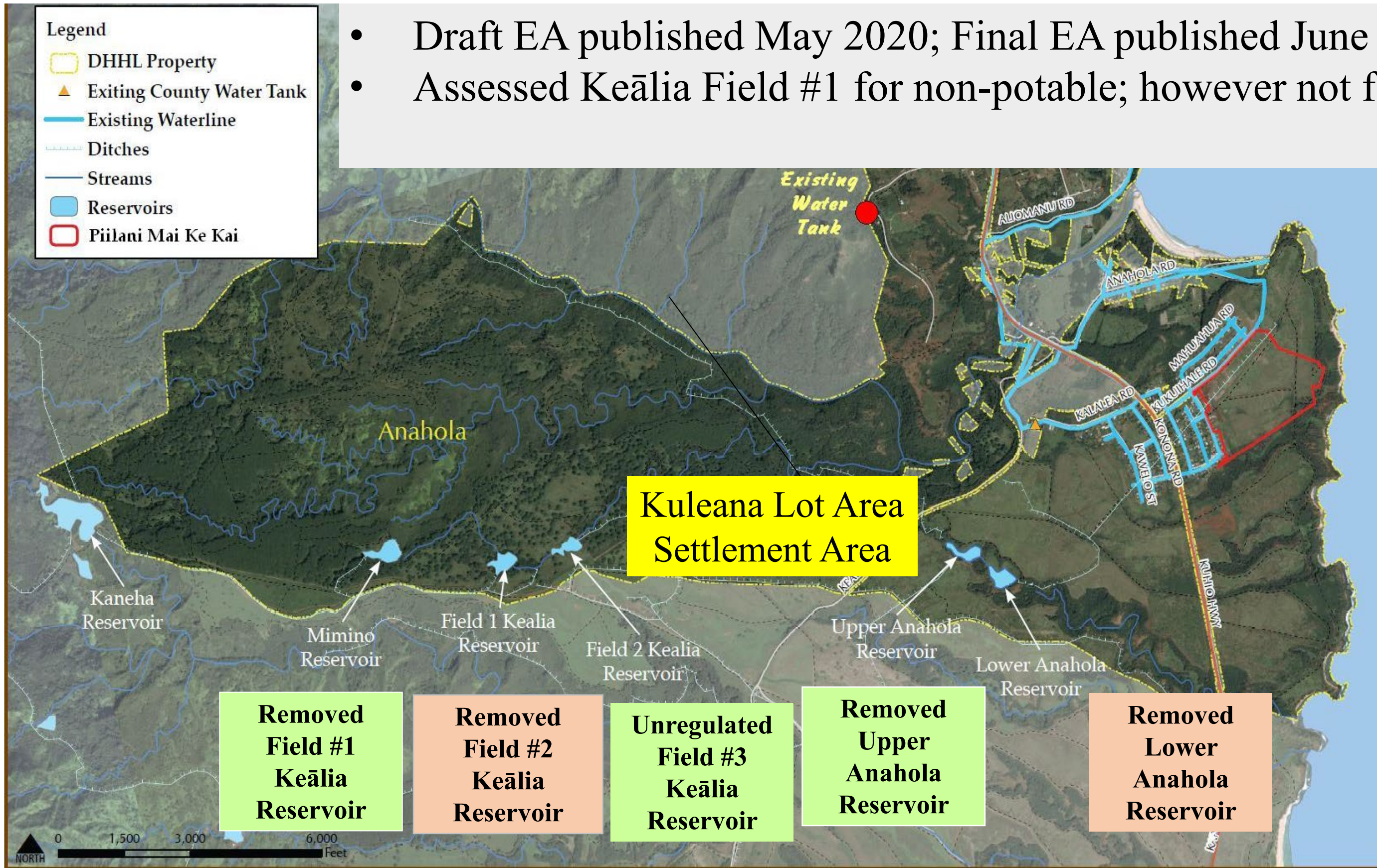
Anahola Dam & Reservoir Improvements

- Act 122, SLH 2014 \$3.0 Million Appropriation for Dam and Reservoir Improvements
- New design engineer procured in early 2019
- Removal of Keālia Field #2 and Lower Anahola completed Nov. 2020



Assessment of Dams for Anahola Kuleana Lot Settlement Plan

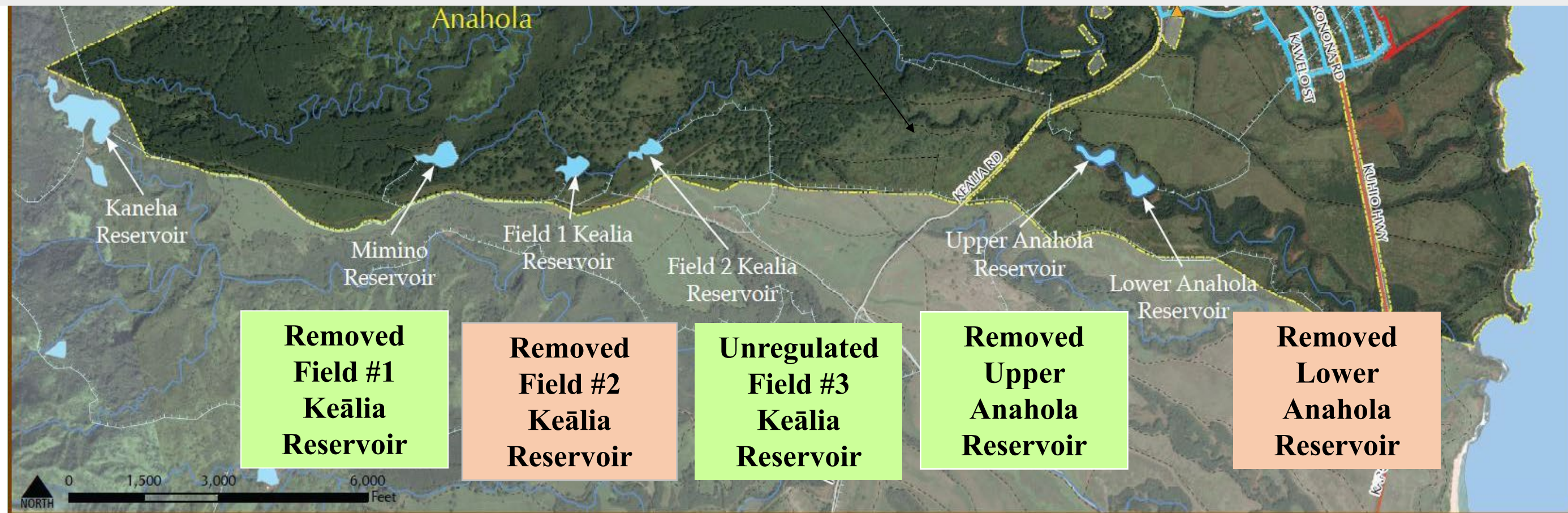
- Draft EA published May 2020; Final EA published June 2021
- Assessed Keālia Field #1 for non-potable; however not feasible





Anahola Dam & Reservoir Improvements

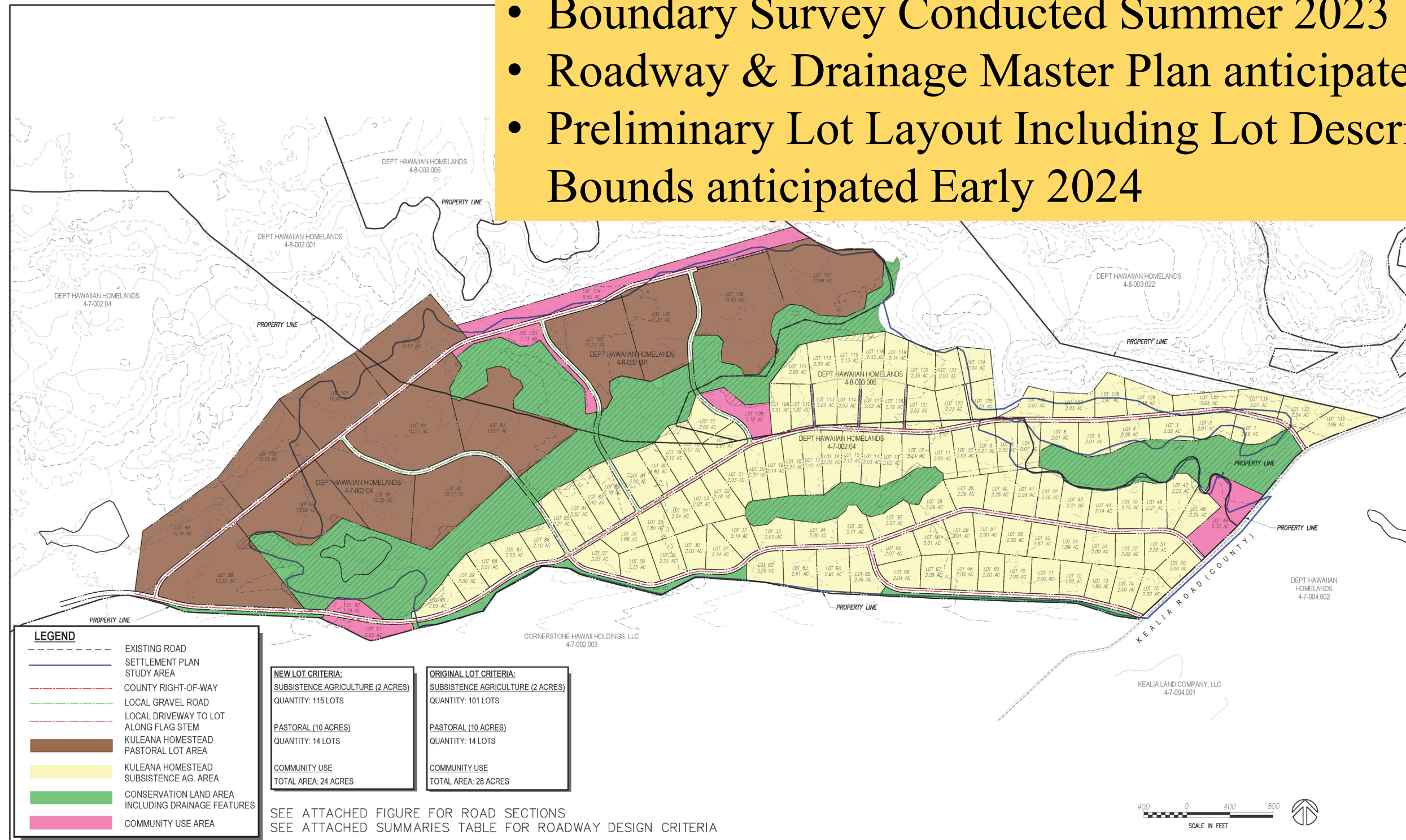
- Based on recent dam assessment a redesign for removal of Keālia Field #1 and Upper Anahola dams undertaken due to high cost of improvement, no current water source to fill reservoirs, and significant potential liability to maintain a regulated dam.
- Currently, demolition design review by DLNR in process.
- Additional construction funding required to demolish Field #1 and Upper Anahola dams.
- Hawaiian Homes Commission approved Trust Funds in FY24 budget for additional construction funding, subject to negotiation.
- Construction scheduled by early 2024, with a six-month construction duration.





Anahola Kuleana Lot Settlement

- Boundary Survey Conducted Summer 2023
- Roadway & Drainage Master Plan anticipated Late 2023
- Preliminary Lot Layout Including Lot Descriptions and Metes & Bounds anticipated Early 2024



DHHL ANAHOLA KULEANA HOMESTEAD SUBDIVISION
CONCEPT LOT MAP

9/19/2023



Pi'ilani Mai Ke Kai



Pi'ilani Mai Ke Kai
Subdivision
Total 171 Lots

Phase 1: 80 Lots

Phase 2: 51 Lots

Phase 3: 40 Lots

Kukuiahale Road

Kuhio Highway

Kaniikapono Charter School

Anahola, Kauai

Lot Assessment, Preparation for Award & Offerings in Progress

Pi'ilani Mai Ke Kai

Total 171 Undivided Interest Leases

Phase 2

(51 Lots)

- HUD ERR completed.
- No wetlands permitting required from U.S. Army Corp of Engineers for Phase 2.
- 51 vacant lots offered in 2022.
- To date, 29 residential lots awarded.

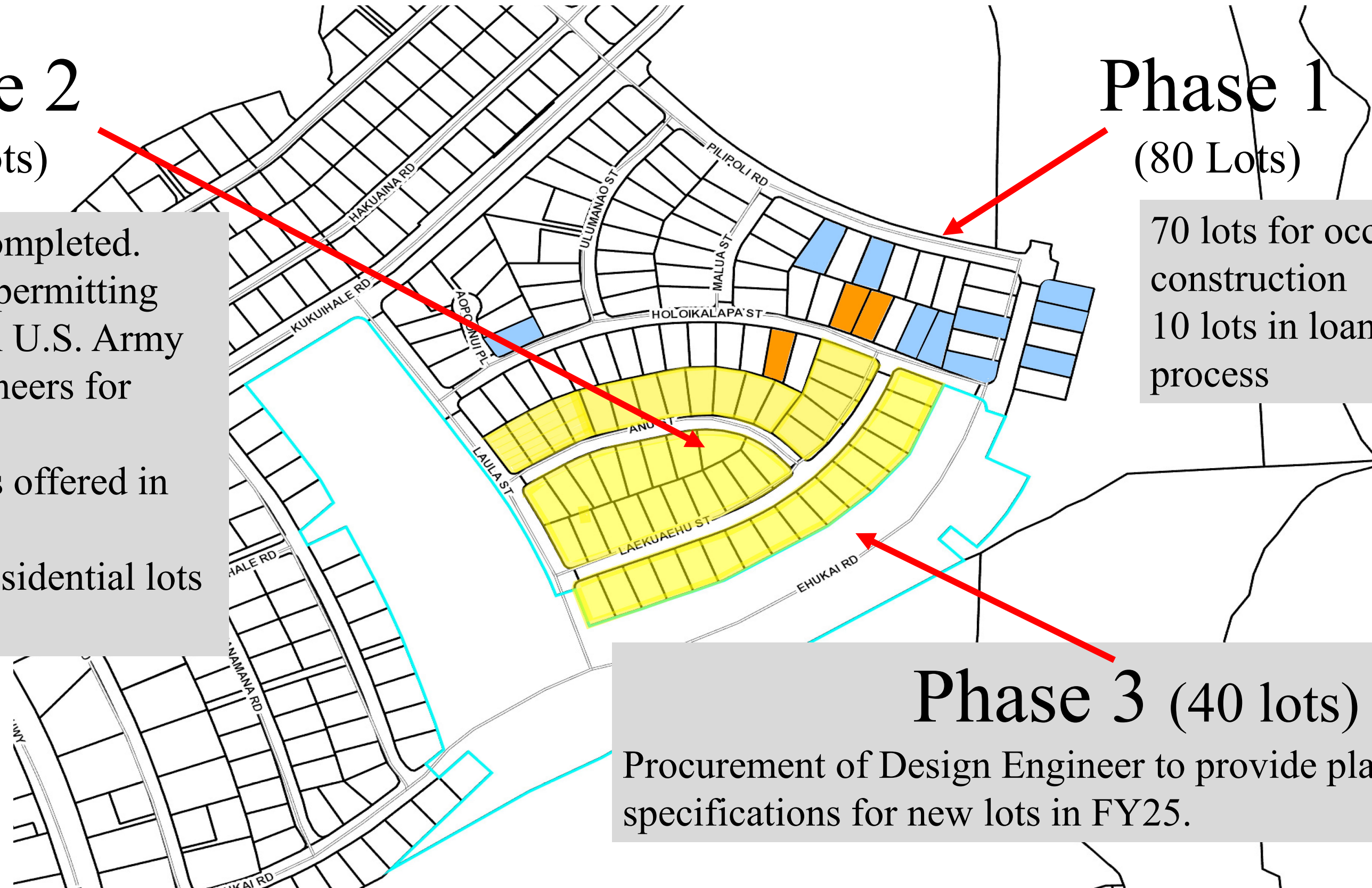
Phase 1

(80 Lots)

70 lots for occupied/under construction
10 lots in loan/construction process

Phase 3 (40 lots)

Procurement of Design Engineer to provide plans and specifications for new lots in FY25.





Kaua'i Cesspool Assessment

Act 132, SLH 2018 requires upgrade, conversion, or sewer connection of all cesspools by 2050, unless exempted. DHHL is implementing ground truthing cesspool inventory data statewide.

Project Description

Identification and survey of DHHL lots with cesspools and their subsequent conversion on the island of Kaua'i.

Project Objectives

1. Build an accurate database of existing cesspools.
2. Create baseline engineering drawings for cesspool evaluation.
3. Assess existing conditions for conversion of cesspools to comply with Act 125 (SLH 2017) by 2050.
4. Evaluate existing infrastructure and make recommendations for possible cesspool conversions.

Summary

- Current records indicate 257 cesspools on DHHL Lands the island of Kaua'i.
- Ground and aerial survey commenced in November 2022 and was completed February 2023.
- Final Report due by end of 2024.

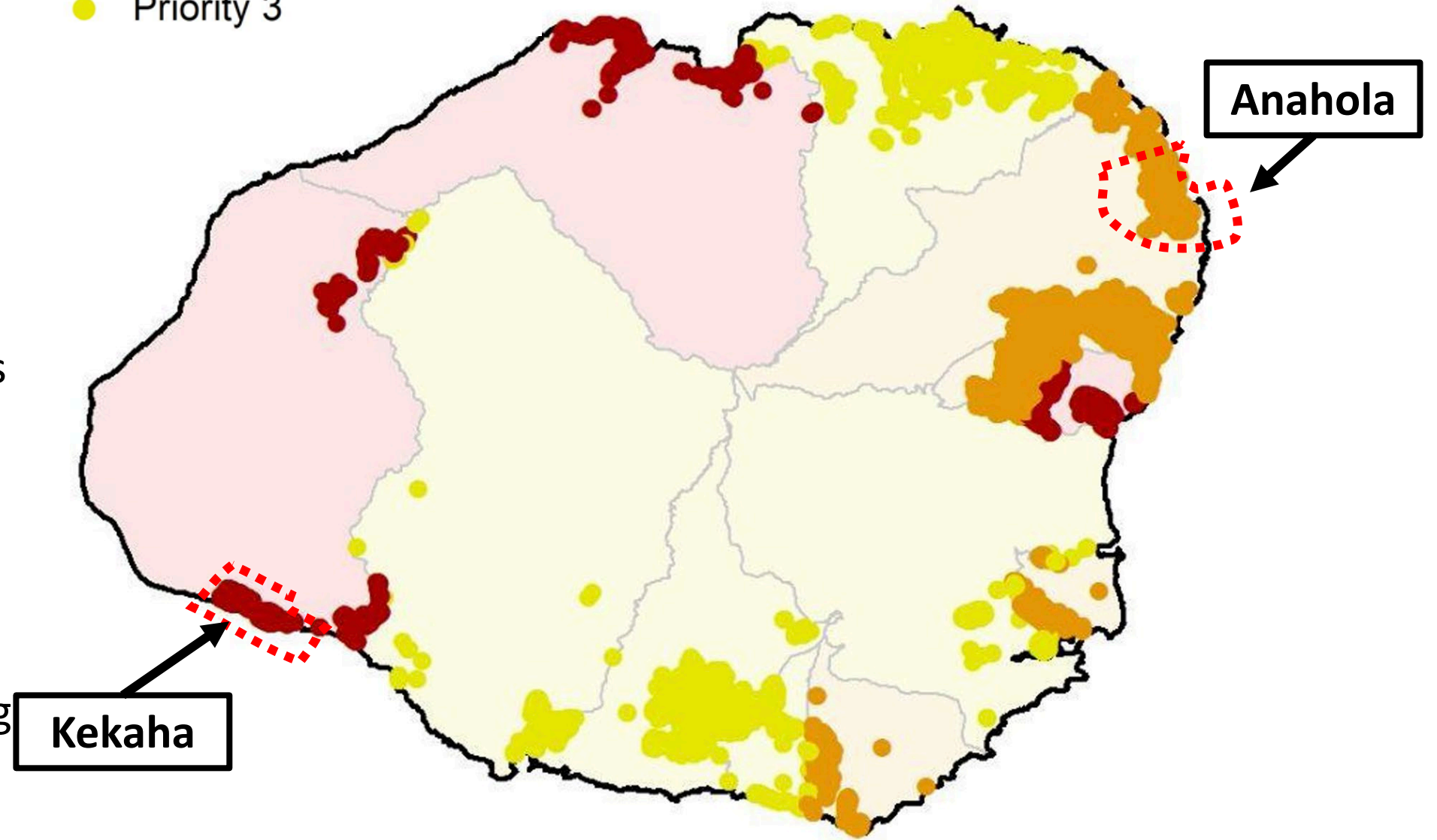


Prioritization Areas

Though not codified into law, the Cesspool Conversion Working Group (CCWG) recommended that Priority 1 cesspool conversions be completed by 2030. HEG concurs that the conversion process should be accelerated in order to:

- Replace poor performing and compromised systems as quickly as possible to eliminate ongoing impacts to human health and the environment;
- Replace systems that pose an increased threat due to factors such as age, propensity for flooding, and sea level rise;
- Avoid the bottleneck of resources and qualified contractors that is expected as the statutory deadline approaches;
- Be prepared in the event that an accelerated timeline is ultimately implemented; and
- Allow for DHHL to manage its financial burden by spreading costs over a longer period.
- House Bill 181, which would have accelerated the Act 125 timeline, did not pass during the 2022 legislative session.

● Priority 1 ● Priority 2
● Priority 3





Anahola & Kekaha IWS Quantities

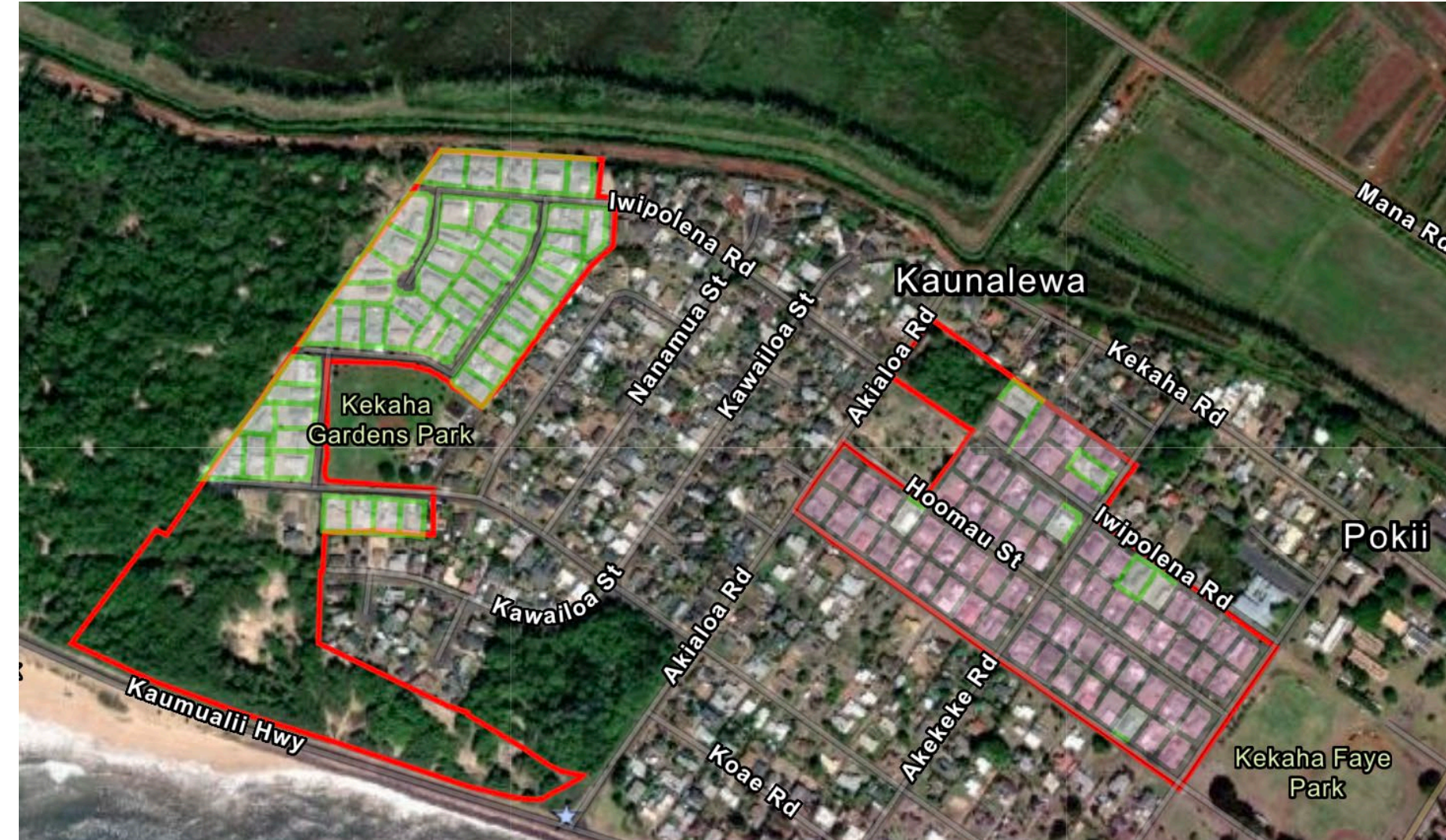
Homestead	Pre-Survey DHHL Data	Current Survey Results
Kekaha		
Septic System	--	58
Cesspool	57	45
Not Accessed	--	16
No IWS or Structure	--	0
Anahola AG		
Septic System	--	16
Cesspool	35	45
Not Accessed	--	14
No IWS or Structure	--	5
Anahola Res		
Septic System	--	139
Cesspool	280	167
Not Accessed	--	58
No IWS or Structure	--	8
TOTALS		
Septic System	--	213
Cesspool	372	257
Not Accessed	--	88
No IWS or Structure	--	13

-- Data not available. DHHL data collected prior to the current assessment targeted only the quantity of cesspools, so septic system quantities were not included.

*IWS – Individual Wastewater System



Kekaha Cesspool Lots



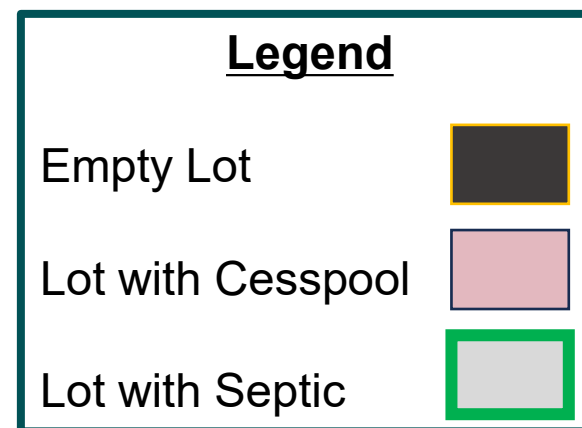
Existing DOH/DHHL Data



57 Cesspools

*Cesspools on map not indicative of existing cesspool count data

Field Verified Data



Feature	#
Septic	58
Cesspool	61

*Lots not accessed are assumed as cesspool



Anahola Cesspool Lots

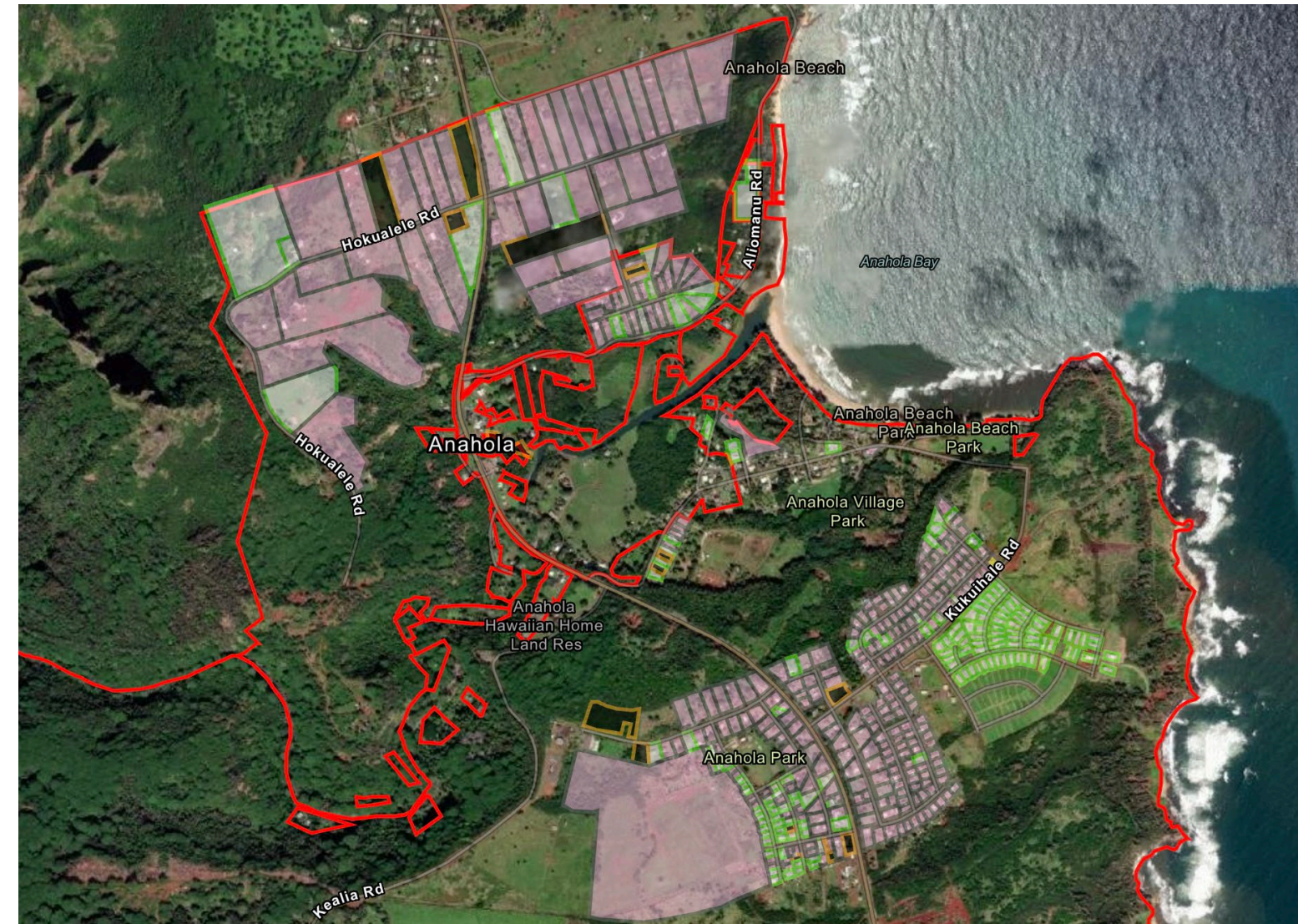


Existing DHHL Data

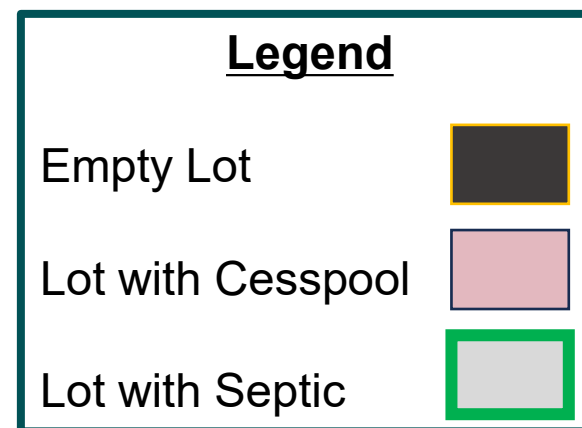


215 Cesspools

*Anahola Res lots existing cesspools not shown on map
 *Cesspools on map not indicative of existing cesspool count data



Field Verified Data

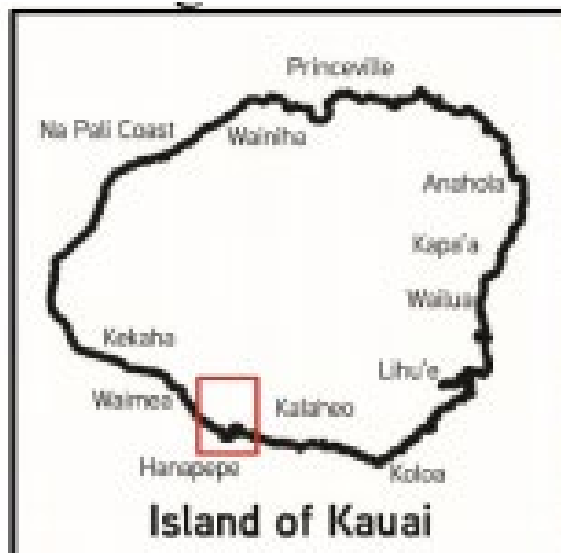


Feature	#
Septic	155
Cesspool	284

*Lots not accessed are assumed as cesspool



Hanapēpē Masterplan & Environmental Assessment



Phase 1: Expansion of the existing 47 homestead lots from 5,000 to 7,500 square feet

Phase 2: 82 new residential lots

Construction cost:

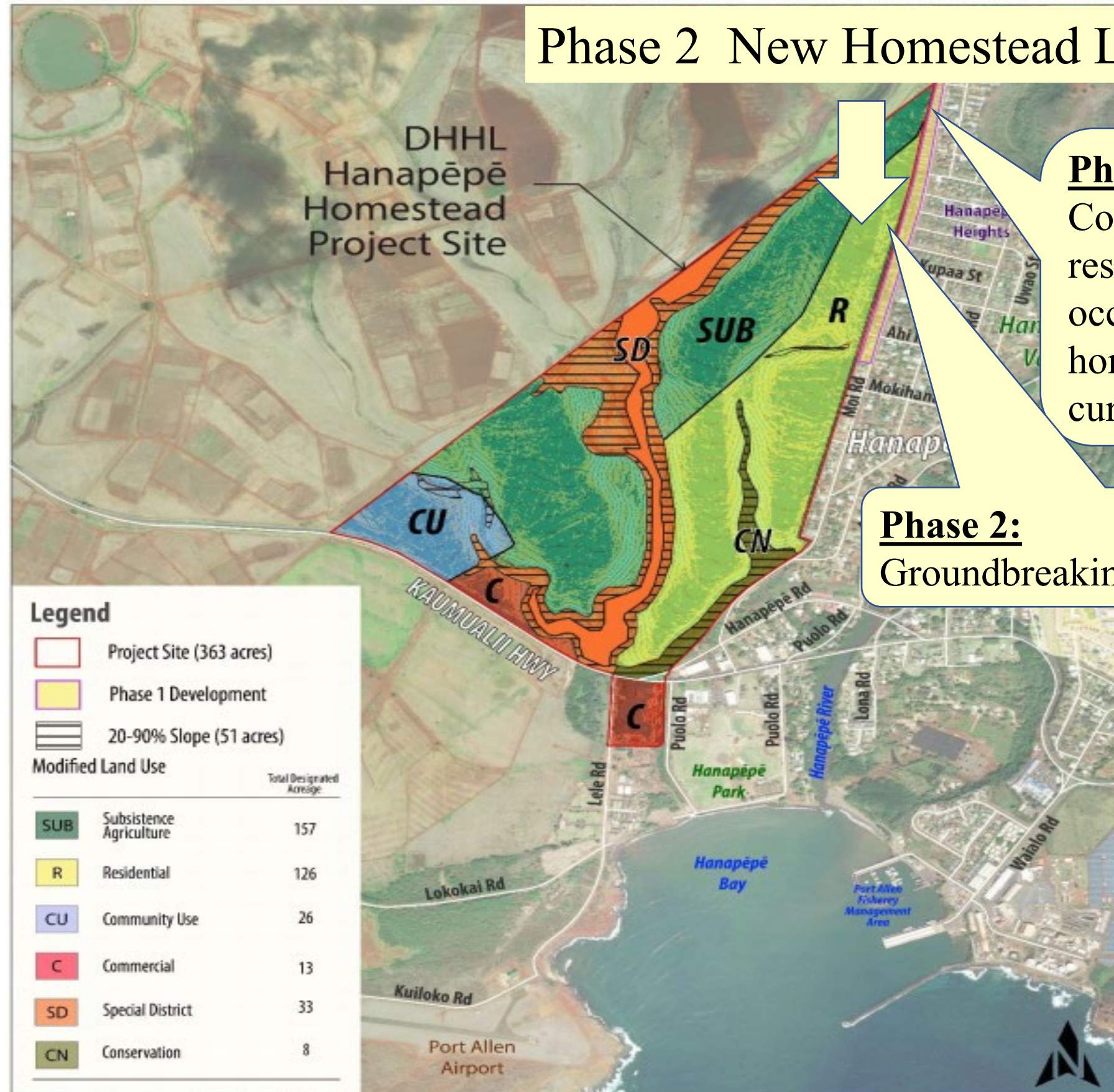
\$17,800,126

Legislative Appropriation (SLH 2022, Act 279)

Construction schedule:

September 2023 – December 2024

Phase 2 New Homestead Lots



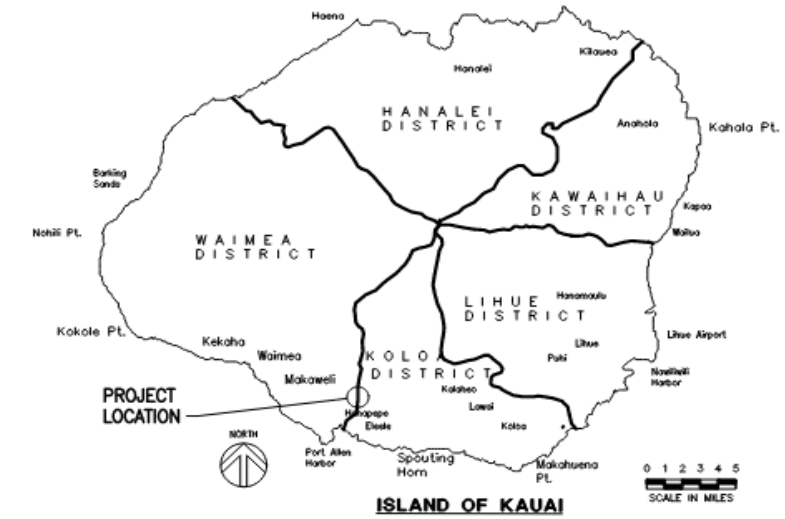


Hanapēpē Residential Phase 2

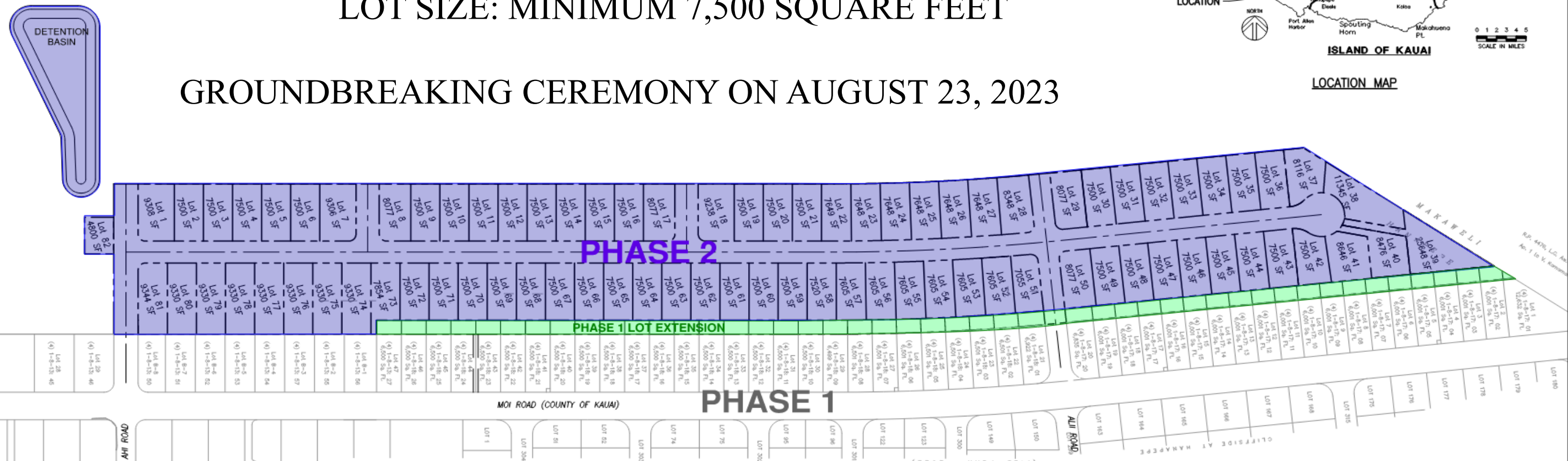
PHASE 1: CONSOLIDATION AND RESUBDIVISION TO ADD APPROXIMATELY 1,500 SQUARE FEET TO EXISTING LOTS

PHASE 2: SUBDIVISION OF 82 NEW RESIDENTIAL LOTS
LOT SIZE: MINIMUM 7,500 SQUARE FEET

GROUNDBREAKING CEREMONY ON AUGUST 23, 2023

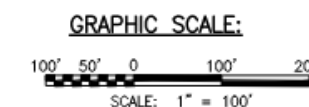
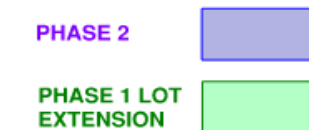


LOCATION MAP



PRELIMINARY SITE PLAN – HANAPEPE RESIDENTIAL SUBDIVISION PHASE 2
SCALE: 1" = 100'

INFRASTRUCTURE IMPROVEMENTS: COUNTY STD. ROADWAY, POTABLE WATER, SEWER, STORMWATER DRAINAGE, UNDERGROUND ELECTRICAL/TELECOMMUNICATIONS





Līhu'e (Grove Farm Isenberg Parcel)



- \$20,684,160 acquisition of ~295 acres in Līhu'e, Kaua'i. Located near Isenberg Park, it is about ½ a mile from Wilcox Medical Center, one mile to the county seat of government, downtown Līhu'e and Wilcox Elementary School, and two miles to Līhu'e Airport.
- Future funding will allow development of up to 1,000 single family homesteads and about 200 subsistence agriculture lots.



Waipouli



- **Tenant Meeting:** Held the initial meeting on August 7, 2024, to outline the relocation process and address concerns.
- **Consultations:** Completed one-on-one meetings with over 50% of tenants by August 14, 2024, for personalized needs assessment.
- **Information Packets:** Distributed detailed packets to all tenants covering rights, relocation assistance, and timelines.
- **Communication Channels:** Established a dedicated email and hotline for tenant inquiries.
- **Relocation Assessment:** Began evaluating individual tenant needs, including housing preferences and special requirements.



Mahalo



DEPARTMENT OF HAWAIIAN HOME LANDS

www.dhhl.hawaii.gov

**HAWAIIAN HOMES COMMISSION
AUGUST 19 & 20, 2024**

F – ITEMS


LAND MANAGEMENT DIVISION


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19-20, 2024

To: Chairman and Members, Hawaiian Homes Commission

From: Linda Chinn, Acting Administrator
Land Management Division 

From: Kaipō Duncan, Land Agent
Land Management Division 

Subject: Issuance of a License Agreement, Hosea Lovell Foundation, Ko'olau Limu Project,
Anahola, Island of Kaua'i, TMK Nos.: (4) 4-8-012:001,010 and (4) 4-8-018:028

APPLICANT:

Hosea Lovell Foundation (See Exhibit A)

RECOMMENDED MOTION/ACTION: That the Hawaiian Homes Commission (HHC) authorize the issuance of a 30 year License Agreement to the Hosea Lovell Foundation covering the subject area as identified and described below to use as a Limu learning site:

Approval and issuance of this License Agreement shall be subject to the following conditions:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment (EA).
2. Authorize the issuance of a 30 year License Agreement to the Hosea Lovell Foundation for the Ko'olau Limu Project, covering the subject area for use as a Limu learning site under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current License Agreement form, as may be amended from time to time;
 - 1) Licensee shall use the Premises for teaching and cultivating Limu. No other use shall be allowed without DHHL's prior written approval.
 - 2) The Hosea Lovell Foundation, Ko'olau Limu Project shall Steward approximately 1.56 acres of DHHL land to be used under this License.
 - 3) Monthly fee shall be gratis.
 - 4) Licensee shall pay non-refundable processing and documentation fees totaling \$275.00.

3. This License shall conform to Federal, State, and County (government agencies) standards. Licensee shall obtain applicable permits and approvals from government agencies prior to the commencement of any work on the property that requires such permits and approvals.
4. Any construction or alteration of the License area shall require DHHL approval.
5. All utilities shall be paid by the Hosea Lovell Foundation, Ko'olau Limu Project. Approval by the County of Kauai is needed to access potable water and address sewer requirements. Electricity needs the approval of Kauai Island Utility Cooperative (KIUC).
6. All trash and debris accumulated shall be removed immediately from the site the same day or at the latest the next day. This is to deter the presence of flies and bad odors from being a nuisance to area neighbors. Furthermore, any bad odors from animals or any other entity shall be addressed immediately.
7. No Residential living on the site unless given prior approval by the Hawaiian Homes Commission(HHC).
8. The Hosea Lovell Foundation, Ko'olau Limu Project shall obtain the proper permits and approvals from the Federal and State entities responsible for Anahola River. This is to ensure the growing of Limu in the Anahola River is permissible under State and Federal laws.
9. No new construction shall be allowed without the prior approval of DHHL. Should construction be allowed by DHHL all Federal, State and County of Kauai approvals and building permits shall be obtained.
10. DHHL reserves the right to have the Hosea Lovell Foundation, Ko'olau Limu Project do an Environmental Assessment(EA) if Staff feels an EA is warranted.
11. The License document shall be subject to other standard terms and conditions of similar License's issued by DHHL;
12. Review and approval by the State of Hawaii, Department of the Attorney General; and
13. Such other terms and conditions deemed prudent and reasonable by the Chairman of the Hawaiian Homes Commission (HHC) and/or the HHC to serve the best interests of the trust and its beneficiaries.

LOCATION:

Hawaiian Home Lands in Anahola, Island of Kaua'i, along Anahola Bay Coastline and Anahola River, identified as TMK Nos.: (4)4-8-012:001,010 and (4)4-8-018:028

AREA:

Approximately 1.56 acres

DISCUSSION:

Ms. Nalani Lovell Kaneakua, President of the Hosea Lovell Foundation (HLF), a Anahola Non-Profit entity, submitted a Non-Profit Organization Application for Long Term Use of DHHL lands in an

email dated August 30, 2021, for the growing and cultivation of Limu at Anahola River and Anahola Bay Coastline at TMK Nos: (4)4-8-012:001,010 and (4)4-8-018:028 in Anahola, Kauai.

Ms. Kaneakua is the Program Director of the Ko'olau Limu Project. Her passion for Limu started in her childhood when her father Hosea Lovell Jr. taught her how to cultivate and grow Limu. Ten (10) years ago this passion was renewed, and she began to teach Hawaiian school children ages pre-K to grade 12 and their ohana's how to grow Limu.

Her Educational outcomes encompass learning about Limu identification and propagation, its various uses in medicine, social protocol, and consumption to include preparing meals with Limu based recipes right from the ocean straight to the table. Cultural outcomes for students include learning traditional Hawaiian place names, Hawaiian history pertinent to the growing site, and mele(song), hula(dance), and oli(chant) that are relevant to Aliomanu, Anahola. In addition, working together as a group improves each child's interpersonal skills and problem-solving, leadership, and teamwork capabilities. Physically, each child must adhere to land and water protocols that promote their learning, safety, and fitness. Furthermore, the open-air classroom facility allows for engagement and continued conversation about Limu within the community and beyond the Hawaiian Homestead neighborhood.

In February 2022 the Hawaiian Homes Commission (HHC) granted a Right of Entry (ROE) permit to the Hosea Lovell Foundation (ROE No. 707). After over two (2) years HLF is requesting to convert the ROE to a 20 year License although the Land Management Division (LMD) is requesting a 30 year License. HLF is also requesting the gratis use of one (1)-5/8 inch DHHL water meter credit valued at approximately \$15,500.00 (See Exhibit A).

LMD has determined there are more than enough DHHL water credits to utilize for future Anahola residential development and fulfill the request off HLF for one (1) credit. Furthermore, Ms. Kaneakua was heavily involved in the 2022 Anahola Regional Plan update process thus a Beneficiary Consultation (BC) for this License request is not required.

DHHL staff has developed procedures, processing criteria, and the required documentation necessary to conduct a thorough due diligence review based on the Hawaiian Home Commission's (HHC) discussions and approvals of the Waimea Homestead Association's Waimea Nui Project.

Process/Procedure Work Flow:

1. Applicant submits the Non-Profit Organization Application for Long Term Use of DHHL lands
2. DHHL sends Acknowledgement letter, notification that additional documents will be required pending HHC submittal, and that other applicants may also be requesting use which will trigger a community meeting to ensure a fair opportunity to use the land and so that the best project is selected for the property based on homestead community needs.
3. DHHL submits HHC submittal (February 22-23, 2022) which starts due diligence review sends checklist to applicant to collect all the documentation required for the disposition.
4. Applicant submits supporting documents to allow DHHL Divisions to conduct review and report to LMD.
5. LMD packages disposition for HHC approval.
6. LMD letter to applicant commencement of the disposition.

Proposed Due Diligence Review Checklist:

1. Non-Profit Organization Application for Long Term Use of DHHL lands
2. Land Use Request Assessment Worksheet(consistency)
3. Governing Documents, Mission Statement, DCCA

4. Number of members who are homesteaders from the affected homestead community (controlling interest)
5. Business/Project Plan review (feasibility)
6. Financial Plan Review (sustainability)
7. Project development schedule and timeline
8. Verification experience, track record and homestead acceptance explain relationship to homestead community (consultation, letters of support, partnerships)
9. Environmental Review and Community Benefits if applicable.

DHHL staff has held discussions with the Hosea Lovell Foundation, Ko'olau Limu Project, during 2021-2022 and they have provided the necessary documentation as follows:

1. Non-Profit Organization Application for Long Term Use of DHHL lands. Hosea Lovell Foundation, Ko'olau Limu Project requests the use of approximately 1.56-acres for the growing and cultivation of Limu at Anahola River and Anahola Bay Coastline (August 30, 2021)
2. Land Use Request Assessment Worksheet was completed by DHHL staff. The use will not change and should not require an environmental assessment. (August 2021)
3. Governing Documents, Mission Statement, DCCA and IRS documents will be produced in the near future.
4. Business/Project Plan to be developed with the help of the Anahola Community.
5. Financial Plan and Pro-forma pending.
6. Project development schedule and timeline will be further detailed during right of entry period and presented prior to consultation for a possible long-term lease or license.
7. Verification experience, track record and homestead acceptance explain and relationship to the Anahola DHHL Homestead community will be developed during right of entry period prior to consultation and disposition approval.
8. Environmental Review and Community Benefits, environmental not applicable, Stewardship will serve DHHL Beneficiaries.

PLANNING AREA:

Anahola River and Anahola Bay Coastline, Anahola, Kauai (See Exhibit "B")

LAND USE DESIGNATION:

Special District(SD), Kaua'i Island Plan (2004), Figure 8.2 – Anahola/Kamalomalo'o Land Use Plan, pg. 8-4

CURRENT STATUS:

The site is vacant with trees, grass, and shrubbery.

CHARACTER OF USE:

The growing and cultivation of Limu.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Triggers:

Use of State Lands

Exemption Class No. & Description:

In accordance with the "Comprehensive Exemption List for the State of Hawaii, Department of Hawaiian Home Lands, as Reviewed and Concurred Upon by the Environmental Council on June 30, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption List Class No. 5, "Resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. Any grubbing will be required to have erosion control measures in place."

Exemption Item Description from Agency Exemption List:

The direct, cumulative, and potential impacts of the action described have been considered pursuant to Chapter 343, Hawaii Revised Statutes and Chapter 11-200, Hawaii Administrative Rules. Since the action as proposed is determined to have minimal or no significant impact on the environment it would therefore be exempt from the preparation of an environmental assessment. The DHHL Planning Office (PO) has documented the action as being eligible for exemption from the preparation of an Environmental Assessment under the Exemption Class as referenced above.

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

DHHL General Plan (2002)

The recommended disposition is consistent with the following General Plan goals and objectives:

Land Use Planning

Goals:

- Utilize Hawaiian Home Lands for uses most appropriate to meet the needs and desires of the beneficiary population.
- Develop livable, sustainable communities that provide space for or access to the amenities that serve the daily needs of its residents.

Objectives:

- Provide space for and designate a mixture of appropriate land uses, economic opportunities, and community services in a native Hawaiian-friendly environment.

Kauai Island Plan (2004)

The recommended disposition is consistent with the following elements of the Kauai Island Plan:

The site is designated for Special District(SD) consistent with the Kauai Island Plan. Table 2.1 DHHL Land Use Designations page 2-7 and Figure 8.2 Anahola/Kamalomalo'o Land Use Plan page 8-4.

RECOMMENDATION:

LMD respectfully requests approval of the motion as stated.

Hosea Lovell Foundation

PO Box 171
Anahola, Hawaii 96703
Tel. (808) 635-0890
Email: hokulei808@live.com

Kali Watson, Chair
Department of Hawaiian Homelands
91-5420 Kapolei Parkway
Kapolei, HI 96707

June 10, 2024

RE: Hosea Lovell Foundation request for long term lease and credit for a 5/8" water meter.

Via email (hard copy by regular mail)

Dear Chair Watson,

The Hosea Lovell Foundation ("HLF") HLF is a Hawaii non-profit that for the past decade, has focused on the restoration and conservation of limu in the Ko'olau Region of Kauai. On April 15, 2022, the Department of Hawaiian Homelands ("DHHL") granted HLF a Right of Entry for the parcel located at Anahola, Kauai, Hawaii and identified as Tax Map Key No. (4) 4-8-012:001 and 010 (por) (the "Property").

HLF has since used the Property to host students, educators, and researchers and raise awareness about the importance of limu and its conservation. Limu plays a vital role in the marine ecosystem, providing food and habitat for various marine organisms. Through education and outreach programs, HLF hopes to inspire stewardship and sustainable practices among community members. HLF's initiative, the Ko'olau Limu Project, aims to address the decline of limu populations due to factors such as pollution, over-harvesting, and habitat degradation. It involves community engagement, scientific research, and restoration efforts to promote the recovery of limu populations.

The Property is adjacent to the Anahola Stream and near the ocean. The Property is a great location for HLF to stage its programs. However, when HLF took possession under the Right of Entry, it was completely overgrown and in need of maintenance. With the help of community members, it took HLF a month to clear the Property of the overgrowth and remove the green

EXHIBIT 2



Overview



Legend

-  Parcels
-  CPR Units
-  Roads

Parcel ID 480180280000
 Acreage 0.07
 Class IMPROVED RES

Situs/Physical Address ALIOMANU RD
 Mailing Address STATE OF HAWAII

Total Market Value \$1,074,100
 Total Assessed Value \$1,074,100
 Total Exemptions \$1,074,100
 Total Net Taxable Value \$0

Last 2 Sales
 Date Price Rea:
 n/a 0 n/a
 n/a 0 n/a

Brief Tax Description n/a

(Note: Not to be used on legal documents)

The Geographic Information Systems (GIS) maps and data are made available solely for informational purposes. The GIS data is not the official representation of any of the information included, and do not replace a site survey or legal document descriptions. The County of Kauai (County) makes or extends no claims, representations or warranties of any kind, either express or implied, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose, as to the quality, content, accuracy, currency, or completeness of the information, text, maps, graphics, links and other items contained in any of the GIS data. In no event shall the County become liable for any omissions in the GIS, and will not under any circumstances be liable for any direct, indirect, special, incidental, consequential, or other loss, injury or damage caused by its use otherwise arising in connection with its use, even if specifically advised of the possibility of such loss, injury or damage. The data and or functionality on this site may change periodically and without notice. In using the GIS data, users agree to indemnify, defend, and hold harmless the County for any and all liability of any nature arising out of or from the lack of accuracy or correctness of the data, or the use of the data.

Date created: 2/13/2024
 Last Data Uploaded: 2/13/2024 5:08:56 AM

Developed by  Schneider
 GEOSPATIAL

EXHIBIT "B"

EXHIBIT "B"
(Premises)

TMK No. (4) 4-8-012:001 and 010 (Por.)





STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19-20, 2024

To: Chairman and Members, Hawaiian Homes Commission

From: Linda Chinn, Acting Administrator
Land Management Division 

From: Kaipo Duncan, Land Agent
Land Management Division 

Subject: Issuance of a Right of Entry Permit, Ho'akeolapono Trades Academy and Institute, Anahola, Island of Kaua'i, TMK No.: (4)4-8-003:011(por.)

APPLICANT:

Ho'akeolapono Trades Academy and Institute (See Exhibit A)

RECOMMENDED MOTION/ACTION: That the Hawaiian Homes Commission (HHC) authorize the issuance of a Right of Entry Permit to the Ho'akeolapono Trades Academy and Institute (HTAI) covering the subject area as identified and described below to use as a Construction trades learning site.

Approval and issuance of this Right of Entry (ROE) shall be subject to the following conditions:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment (EA).
2. Authorize the issuance of a ROE Permit to the Ho'akeolapono Trades Academy and Institute, covering the subject area for use as a Construction trades learning site under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current ROE Permit form, as may be amended from time to time;
 - 1) Permittee shall use the Premises for teaching and training Construction trades. No other use shall be allowed without DHHL's prior written approval.
 - 2) The Ho'akeolapono Trades Academy and Institute shall steward approximately ten (10) acres of DHHL land to be used under this ROE permit.
 - 3) Monthly fee shall be gratis.
 - 4) Permittee shall pay non-refundable processing and documentation fees totaling \$175.00.

3. This ROE shall conform to Federal, State, and County (government agencies) standards. Permittee shall obtain applicable permits and approvals from government agencies prior to the commencement of any work on the property that requires such permits and approvals.
4. Any construction or alteration of the permit area shall require DHHL approval.
5. All utilities shall be paid by the Ho'akeolapono Trades Academy and Institute. Approval by the County of Kauai is needed to access potable water and address sewer requirements. Electricity needs the approval of Kauai Island Utility Cooperative (KIUC).
6. All trash and debris accumulated shall be removed immediately from the site the same day or at the latest the next day. This is to deter the presence of flies and bad odors from being a nuisance to area neighbors. Furthermore, any bad odors from animals or any other entity shall be addressed immediately.
7. No overnight camping on the site unless given prior approval by the Hawaiian Homes Commission (HHC).
8. No new construction shall be allowed without the prior approval of DHHL. Should construction be allowed by DHHL all Federal, State and County of Kauai approvals and building permits shall be required.
9. DHHL reserves the right to have the Ho'akeolapono Trades Academy and Institute do an Environmental Assessment (EA) if Staff feels an EA is warranted.
10. The ROE document shall be subject to other standard terms and conditions of similar ROE's issued by DHHL;
11. Review and approval by the State of Hawaii, Department of the Attorney General; and
12. Such other terms and conditions deemed prudent and reasonable by the Chairman of the Hawaiian Homes Commission (HHC) and/or the HHC to serve the best interests of the trust and its beneficiaries.

LOCATION:

Hawaiian Home Lands in Anahola, Island of Kaua'i, above the County water tank and South of Kealia Road, identified as TMK No.: (4) 4-8-003:011(por.)

AREA:

Approximately ten (10) acres.

DISCUSSION:

Mr. Lawaia Naihe, Executive Director of the Ho'akeolapono Trades Academy and Institute, an Anahola Non-Profit entity, submitted a Non-Profit Organization Application for Long Term Use of DHHL lands in an email dated November 1, 2023, for a Construction trades learning site at TMK No.: (4) 4-8-003:011 (por.) in Anahola, Kauai.

Ho'akeolapono Trades Academy and Institute (501c3, EIN: 87-3512523) is a Workforce readiness and development program to service the native Hawaiian and local communities on Kaua'i Island. Lawaia

Naihe's educational administration career and trades experience allowed him to develop a program cultivating Hawai'i's workforce.

HTAI is designed to provide low-cost building opportunities for native Hawaiians and Nonprofit organizations. HTAI uses multiple training programs to accomplish these builds at a fraction of the cost of a traditional building project.

HTAI runs four (4) 12-week programs quarterly to train, equip, and prepare work-ready individuals before transitioning them into a building and construction industry career. Multiple partners utilize our training services, such as Unlimited Construction Inc, Williams Construction Inc, Shioi Construction, Pacific Concrete, Cutting, & Coring, Inc. (PCCC), Kaua'i Fire Protection Inc, and other private and union companies.

In their three (3) years of existence, they have served the Kauai Community through multiple community projects, and training workforce-ready individuals. They boast a 100% employment rate of 25 Native Hawaiian individuals through their program.

HTAI has completed multiple Kupuna projects for aunties and uncles Noe Ornellas, Valerie Medina, Debora Flores, Henry Kupihea, Rae Nam, Elroy Enos, and others. They have funded 100% of these projects. They recently remodeled a bathroom for a Kupuna who recently suffered a stroke for \$5,657, at no cost to her or her family. Additionally, they completed five (5) classroom spaces for Kanuikapono Public Charter School, and they did free projects for Aina Alliance and Kukulu Kumuhana O Anahola (KKOA) all Anahola Nonprofit entities.

Program Accomplishments:

- Established 501c3 November 2021.
- Generated over \$1 million in funding.
- 3 successful programs: 9-12 High School Program; 12-week Internship Program; Na wahine Program.
- 100% Career Transition Rate
- HTAI won First Place in the 2022 Chaminade University: Hogan Entrepreneurial-Nonprofit Business Plan Competition
- Serviced over 200 Native Hawaiian individuals, families, and organizations.

DHHL staff has developed procedures, processing criteria, and the required documentation necessary to conduct a thorough due diligence review based on the Hawaiian Home Commission's (HHC) discussions and approvals of the Waimea Homestead Association's Waimea Nui Project.

Process/Procedure Work Flow

1. Applicant submits the Non-Profit Organization Application for Long Term Use of DHHL lands
2. DHHL sends Acknowledgement letter, notification that additional documents will be required pending HHC submittal, and that other applicants may also be requesting use which will trigger a community meeting to ensure a fair opportunity to use the land and so that the best project is selected for the property based on homestead community needs.
3. DHHL submits HHC submittal (August 19-20, 2024) which starts due diligence review sends checklist to applicant to collect all the documentation required for the disposition.
4. Applicant submits supporting documents to allow DHHL Divisions to conduct review and report to LMD.
5. LMD packages disposition for HHC approval.
6. LMD letter to applicant commencement of the disposition.

Proposed due Diligence Review Checklist:

1. Non-Profit Organization Application for Long Term Use of DHHL lands
2. Land Use Request Assessment Worksheet(consistency)
3. Governing Documents, Mission Statement, DCCA
4. Number of members who are homesteaders from the affected homestead community (controlling interest)
5. Business/Project Plan review (feasibility)
6. Financial Plan Review (sustainability)
7. Project development schedule and timeline
8. Verification experience, track record and homestead acceptance explain relationship to homestead community (consultation, letters of support, partnerships)
9. Environmental Review and Community Benefits if applicable.

DHHL staff has held discussions with HTAI, during 2022-2023 and they have provided the necessary documentation as follows:

1. Non-Profit Organization Application for Long Term Use of DHHL lands. HTAI requests the use of approximately ten (10)-acres for the Construction trades learning site (November 1, 2023).
2. Land Use Request Assessment Worksheet was completed by DHHL staff. The use will not change and should not require an environmental assessment. (June 2024)
3. Governing Documents, Mission Statement, DCCA and IRS documents will be produced in the near future.
4. Business/Project Plan to be developed with the help of the Anahola Community.
5. Financial Plan and Pro-forma pending.
6. Project development schedule and timeline will be further detailed during right of entry period and presented prior to consultation for a possible long-term lease or license.
7. Verification experience, track record and homestead acceptance explain and relationship to the Anahola DHHL Homestead community will be developed during right of entry period prior to consultation and disposition approval.
8. Environmental Review and Community Benefits, environmental not applicable, Stewardship will serve DHHL Beneficiaries.

PLANNING AREA:

South of Kealia Road above the County Water Tank, Anahola, Kauai (See Exhibit "B")

LAND USE DESIGNATION:

The site is designated Non DHHL lands (The incorrect land designation) but is more likely to be General Agriculture or Special District consistent with the Kauai Island Plan and DHHL lands near this site. Table 2.1 DHHL Land Use Designations page 2-7 and Figure 8.2 Anahola/Kamalomalo'o Land Use Plan page 8-4.

CURRENT STATUS:

The site is vacant but completely fenced by the previous user Glover-Honsador, LLC

CHARACTER OF USE:

Construction trades learning and training center.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Triggers:

Use of State Lands

Exemption Class No. & Description:

In accordance with the "Comprehensive Exemption List for the State of Hawaii, Department of Hawaiian Home Lands, as Reviewed and Concurred Upon by the Environmental Council on June 30, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption List Class No. 5, "Resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. Any grubbing will be required to have erosion control measures in place."

Exemption Item Description from Agency Exemption List:

The direct, cumulative, and potential impacts of the action described have been considered pursuant to Chapter 343, Hawaii Revised Statutes and Chapter 11-200, Hawaii Administrative Rules. Since the action as proposed is determined to have minimal or no significant impact on the environment it would therefore be exempt from the preparation of an environmental assessment. The DHHL Planning Office (PO) has documented the action as being eligible for exemption from the preparation of an Environmental Assessment under the Exemption Class as referenced above.

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

DHHL General Plan (2002)

The recommended disposition is consistent with the following General Plan goals and objectives:

Land Use Planning

Goals:

- Utilize Hawaiian Home Lands for uses most appropriate to meet the needs and desires of the beneficiary population.
- Develop livable, sustainable communities that provide space for or access to the amenities that serve the daily needs of its residents.

Objectives:

- Provide space for and designate a mixture of appropriate land uses, economic opportunities, and community services in a native Hawaiian-friendly environment.

August 19-20, 2024

Kauai Island Plan (2004)

The recommended disposition is consistent with the following elements of the Kauai Island Plan:

The site is designated Non DHHL lands (The incorrect land designation) but is more likely to be General Agriculture or Special District consistent with the Kauai Island Plan and DHHL lands near this site. Table 2.1 DHHL Land Use Designations page 2-7 and Figure 8.2 Anahola/Kamalomalo'o Land Use Plan page 8-4.

RECOMMENDATION:

Land Management Division (LMD) respectfully requests approval of the motion as stated.



STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
P. O. BOX 1079
HONOLULU, HAWAII 96809

Department of Hawaiian Home Lands
**NON-PROFIT ORGANIZATION APPLICATION FOR
LONG-TERM USE OF DHHL LANDS**

PRE-APPLICATION FORM

This form should be used by non-profit organizations who are interested in securing a long-term license agreement for the use of DHHL lands to better serve native Hawaiian beneficiaries, their families, and the homestead community. Please review the Pre-Application Guidelines and Instructions document before you fill out this form because it provides detailed instructions and it explains all the steps involved in securing a long-term license agreement.

APPLICANT INFORMATION

Name of Organization: Hokulelopono Trades Academy and Institute
Date of Incorporation: 11/3/22 IRS Tax-Exempt #: 181-3512523

1. Please identify one individual who will be the point of contact for this application:
 Contact Name: Lawai'a Naihe Title: Executive Director
 Email Address: lawaiainaihe@hokulelopono.org Phone: (808) 632 4208
2. What is the mission/vision of your organization?
[Please provide your typed responses on a separate page]
3. Please describe the history of your organization.
[Please provide your typed responses on a separate page]
4. How has your organization previously served beneficiaries of the Hawaiian Homes Commission Act?
[Please provide your typed responses on a separate page]
5. Describe past experiences, projects, or programs in the last five years that illustrate consistency with your organization's mission/vision statement.
[Please provide your typed responses on a separate page]
6. Please provide references (name and contact information) and/or Letters of Support for this application for non-homestead use of Hawaiian Home Lands.
[Please provide your typed responses on a separate page]
7. If you are developing your project in partnership with another organization(s), please describe the roles and responsibilities of each organization during project development, implementation, and long-term management.
[Please provide your typed responses on a separate page]

EXHIBIT "A"

Applicant Information

1. ON APP

2. Mission/ Vision of Organization

Mission Statement Building through Innovation.

Vision Statement Cultivating Hawaii's workforce.

3. History of Organization

Year 1

Ho'akeolapono Trades Academy and Institute have progressed quickly in their short existence. Securing two schools on Kauai and Hawaii Island allowed the program to double its size annually. During the first six months, we have designed and implemented three different building and construction programs, including our Na Wahine HVAC Training and Certification, High School program, and Internship Programs.

Financially, the addition of The Mochary Foundation has cut the growth time of our program in half. The Mochary Foundation funds multiple interns and has purchased over \$150,000 in building tools, materials, and equipment for our program. We have secured additional funding through an OED CoK grant and TMT and Ho'akeolapono LLC donations. Also, the recent partnership with Aina Alliance and Kauai Fire Department Captain Jeremie Makepa has allowed Ho'akeolapono to get into the community to assist with clean-up efforts and kupuna renovations in the Ahupua'a of Anahola. Ho'akeolapono has been an active member of the renovation efforts in Anahola since our creation.

Ho'akeolapono Trades Academy and Institute's year one projects include multiple classroom build, maintenance work, campus renovations, ADA-accessible decks, ramps, and staircases for Kanuikapono PCS. We have cleared over 10 acres of land and built fencing, nurseries, raised beds, and sheds for Connections PCS in Hilo. We have also assisted Aina Alliance in clearing over 400 acres of DHHL lands. To date, we have served more than 60 persons throughout Hawaii. In June 2022, Ho'akeolapono was voted a priority project in the updated Anahola Regional Plan.

In April 2022, Ho'akeolapono Trades Academy and Institute won 1st place in the Chaminade: Hogan Entrepreneurial Program and American Savings Bank Nonprofit Business Plan Competition. We received an award of \$12,000.

Year 2

Closing our second year of operation, our program has secured operational funding by completing multiple building projects throughout Kauai. We have been awarded an OHA grant of \$400,000 for scholarships to train and educate individuals in the building and construction fields. We have also successfully ran four 12-week cohorts, servicing 13 Native Hawaiian individuals

Ho'akeolapono Trades Academy and Institute have short- and long-term solutions for Hawaii's workforce problems. Hoakeolapono integrates on-the-job training utilizing innovative strategies to foster 21st-century skill development. We aim to establish a standalone high school, offering an alternative to traditional education in Hawaii.

Our Building and Construction program is designed for college tech prep and career-technical education students in Grades 9-12. This pathway's course of study reflects secondary education students' academic and technical competencies. The focus is on new and renovation construction, from project design to owner occupancy. Students transitioning to post-secondary education will receive reinforcement and additional training in these areas through apprenticeship and post-secondary degree programs. The construction industry drives our curriculum.

In our short existence, we have recruited, equipped, trained, and transitioned 25 Native Hawaiian Individuals to full-time careers in construction. Additionally, we have taught at Connections Public Charter and Kanuikapono Public Charter schools and serviced over 60 students. We are training the next generation of construction professionals in Hawaii and are utilizing DHHL beneficiary projects to achieve this.

6. Support Letters

Please see the accompanying letters.

7. N/A

8. Describe the Project.

Ho'akeolapono Trades Academy and Institute is a construction-focused training and educational program. We provide three separate programs: High School, Internship Program, and NaWahine Programs.

With the land provided by DHHL, we will build a campus for our construction-focused High School. Our goal and objective is to offer construction training to individuals by building beneficiary homes. Our program can provide labor, materials, and equipment for these builds at a fraction of the cost compared to a construction company. We are working with PAL, Hawaii Community Assets, Hawaii Community Lenders, and local contractors to offer low-cost buildings for Native Hawaiians and DHHL Beneficiaries.

9. Share thinking regarding project elements-

A. Planning effort to include beneficiaries:

- a. Our project has been voted on as a Regional Plan Priority Project for Anahola. We will be present at all regional meetings to present and answer questions.*

additional training and workforce opportunities. On the opposite side of the KIUC hub is the Anahola Market Place. The noise of a construction campus will not hinder either entity.

15. Why do you want to implement your project at this site? Describe the characteristics of the site and surrounding area that make it an ideal location for your project.

This site benefits our project because it offers close access to municipalities and is close to the highway for our campus. The KIUC hub also provides a wider portion of the road on Kuhio HWY for large machines and trucks to access our campus in the safest place possible. The potential partnership with KIUC for our training programs is a bonus with this location. This land is also zoned as a commercial area.

Because this area of land is unused, there has been a rise in homelessness and abuse of the area. With our program, we not only bring presence to the site, but we can also provide the needed manpower to maintain and monitor the surrounding areas.

16. What is the general timeframe for implementing the project? Identify major benchmarks and phases.

3-Year Project Outline

Phase 1: Land Clearing and Infrastructure

Goals and Objectives

- Create Site Plans
- Present to DHHL
- Expose Acreage
- Create Roadways
- Tap Into Municipalities with permitting
- Set Pasture Fencing for Livestock
- Septic System

November '23: Presenting to DHHL, planning, and permitting for our project. A survey of the property, including the creation of site plans and engineering plans. We will acquire water and electric permits through KIUC and the Department of Water.

January - August '24: Most of the infrastructure funding will go to installing municipalities and a self-treatment plant for The Ho'akeolapono Trades Academy and Institute campus. We will carve out the roads and county easement and set the building pads for the Ho'akeolapono Training campus.

Partnering with WAI: Wastewater Alternatives and Innovations, a self-contained treatment plant will be designed that turns excess waste into compost for our Mahi'ai program.

Milestones:

- A. **June - August:** Foundations, rock/CMU retaining walls, footings, and shipping container placement.
- B. **August - October:** Rough framing, rough-in plumbing, and rough-in electrical.
- C. **October - December:** Rafters, roofing, waterproofing, siding, windows and doors, and exterior painting.
- D. **January - March:** Interior framing, insulation, electrical, plumbing, finish trim, and interior painting.
- E. **March - May:** Build first Kau Hale, including common areas and gathering spaces.
- F. **June - July:** Construct the second Kau Hale.

Phase 3: Mahi'ai HUB, Lumber Mill, and Materials Yard

Goals and Objectives:

- **Build Mahi'ai HUB**
- **Lumber Mill**
- **Materials Yard**
- **Materials Depot Co-op**

August '24 - July '25: Phase 3 offers Ho'akeolapono Trades Academy and Institute a unique opportunity to maximize its Nonprofit revenue-generating potential. However, we are estimating the yearly budget of HTAI at \$915,000. Because HTAI is a financial burden, how do we mitigate the costs of the nonprofit organization?

The Ho'akeolapono Mahi'ai Program will cover a portion of the cost of our program. Utilizing high-level investment strategies, Ho'akeolapono can be an autonomous entity similar to Bobby Benson and other successful, self-funded Nonprofit organizations.

Ho'akeolapono Na Wahine and Ho'akeolapono Mahi'ai are new entities that will assist in training these youth. While this annual budget is hefty, our potential to create revenue is significant. With multiple HTAI sub-entities, there is a high potential for returns on our labor investments. Additionally, a materials depot brings revenue to our school while offering building materials to the community at a discounted cost to Native Hawaiians.

Our Mahi'ai program is working on multiple revenue-generating ventures, and we are experimenting with crops such as turmeric, ginger, and hemp. Turmeric and ginger do well on Kaua'i; however, Anahola has soil issues that must be addressed. Our partnership with WAI allows us to start building our soil through innovative wastewater management techniques.

Partnering with Hemp Solutions Kaua'i, we can have our first full soil rotation in 1 year by utilizing crop rotations, herd rotations, and intentional planting. In addition, hemp offers additional cost reduction as HSK engineers identify viable alternate building materials through a series of prototype homes.

April 27, 2022

Mr. Lawai'a Naihe
Director
Ho'ākeolapono Trades Academy and Institute
PO Box 475
Anahola, HI 96703

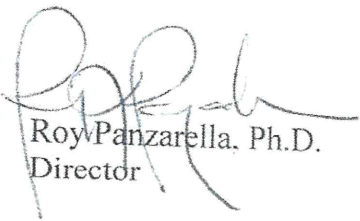
Dear Mr. Naihe,

Aloha!

On behalf of the leadership of Chaminade University, the Hogan Entrepreneurial Leadership Program and the American Savings Bank, please accept my heartfelt congratulations on your selection as the 1st place winner in our biennial non-profit business plan competition.

We deeply appreciate the time and effort you and your team dedicated to not only the proposal submission, but also to your professional presentation.

Your entrepreneurial journey is important to us, so please keep us informed of any significant developments along the way.


Roy Panzarella, Ph.D.
Director

Congratulations!

cc: Lynn Babington, PhD, RN, President, Chaminade University
Gary Cordova, Vice President of Advancement, Chaminade University
Ann Teranishi, President & CEO, American Savings Bank

JEREMIE MAKEPA
PRESIDENT,
‘ĀINA ALLIANCE

GARY CUMMINGS, JR
VICE PRESIDENT
‘ĀINA ALLIANCE



DEVIN MEDEIROS
SECRETARY,
‘ĀINA ALLIANCE

SANDRA CUMMINGS
TREASURER,
‘ĀINA ALLIANCE

P. O. BOX 30858
ANAHOLA, HAWAII 96703

Re: The Department of Hawaiian Home Lands Commission: DHHL-RFP-HHL-002

Aloha,

I/We would like to express our strongest support for Lawai’a Naihe and the Ho’akeolapono Trades Academy and Institute, 501c3, for the DHHL-RFP-HHL-002 grant funding. Ho’akeolapono is an excellent candidate for this funding because they're helping to rebuild Anahola by training interns and preparing them for a career in the building trades. They work with multiple schools and non-profit organizations such as ourselves.

Aina Alliance has site control of over 400 acres of DHHL coast land in Anahola. To date, Ho’akeolapono Trades Academy and Institute has constructed two security hale, with one proposed to be used by the Kauai Police Department as a substation. Ho’akeolapono Trades Academy and Institute has been pivotal in our efforts to remove, clean, build, and secure our coastal areas. Their team is always ready to take on any task to help the community. We also work with KKOA to identify Kupuna that needs Ho’akeolapono construction services and has assisted multiple Kupuna renovations in their short existence.

Ho’akeolapono trains interns who are respectful, energetic, efficient, and always well prepared for the projects. In their short existence, they have made a significant impact on Anahola. Their work will continually service DHHL communities and beneficiaries alike.

Ho’akeolapono deserves your consideration for this funding because they offer workforce development training for native Hawaiians, and their projects are helping our community. Their work is imperative to building a healthy and thriving community. If you have any questions regarding Ho’akeolapono Trades Academy and Institute, please contact me at 808-482-0257.

Mahalo,

Jeremie Makepa
‘ĀINA ALLIANCE, President

The Mochary Foundation
26 Park St. MONTCLAIR, NJ 07042

Mathew Mochary
KEALIA, HI 96751

Re: The Department of Hawaiian Home Lands Commission: DHHL-RFP-HHL-002

Aloha,

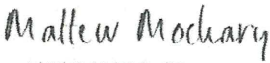
We would like to express our strongest support for Lawai'a Naihe and the Ho'akeolapono Trades Academy and Institute, 501c3, for the DHHL-RFP-HHL-002 grant funding. Ho'akeolapono is an excellent candidate for this funding because they're helping to rebuild Anahola by training interns and preparing them for a career in the building trades. They work with multiple schools and non-profit organizations such as ourselves.

The Mochary Foundation has worked with Ho'akeolapono since 8/21. In that time, we have supported them financially in the cleanup and restoration of Anahola. To date, we have pledged over \$500,000 in tools, equipment, organizational start-up, instructors, building materials, Aina Alliance, and intern scholarships to Ho'akeolapono and the DHHL community of Anahola. Lawai'a's team is always ready to take on any task to help the community. We witnessed multiple community members that have benefitted from Ho'akeolapono, especially among the Kupuna.

The interns that Ho'akeolapono trains are respectful, energetic, efficient, and always well prepared for the projects at hand. In their short existence, they have made a major impact in Anahola. Their work will continually service DHHL communities and beneficiaries alike. We have built a long-term relationship with Ho'akeolapono and look forward to continued service to the native Hawaiian community.

Ho'akeolapono deserves your consideration for this funding because they offer workforce development training for native Hawaiians and their projects are helping our community. Their work is imperative to building a healthy and thriving community. If you have any questions regarding Ho'akeolapono Trades Academy and Institute, please contact me at matt@mochary.com


Mahalo,

DocuSigned by

6102081819943-100

They have displayed such an honorable and respectful example to those they serve and it is not only to their kūpuna, but even to those younger than themselves. They are eager, hardworking, responsible, problem-solvers (not problem makers) and display excellence in their work ~ all admirable characteristics we want to see in our youth. KKOA believes that the interns that are trained by HTAI, because of their work ethic and excellence in training, will bring hope to our kūpuna that not all is lost. They will also inspire the younger generation to pursue their dreams. HTAI's internship program will definitely make an impact in our community far beyond the funding needed for 12 weeks.

We hope you will consider funding their internship program. It is an intricate part of seeing a healthy and thriving native Hawaiian community. Please feel free to contact me at (808) 224-4245 or at rae.nam@kkoa.org if you have any questions regarding Ho'akeolapono Trades Academy and Institute.

Mahalo,



Rachelle Nam, Executive Director
Kūkulu Kumuhana O Anahola

E welina mai kākou!

I am sending this letter of appreciation to the team of Ho'ākeolapono for the generous support and assistance in helping to disassemble, relocate, and reconstruct my storage unit to my new temporary residence on April 1st, 2022.

I am a kupuna who was currently residing with 'ohana in Anahola while waitlisted for Hawaiian Homestead lands. My living situation, like most, changed due to the global COVID-19 pandemic causing me to pursue other living arrangements. Lawai'a and his team graciously assisted me in having my storage unit moved and relocated to my new living space. I am greatly appreciative of them voluntarily giving their time and efforts. I live on a fixed income and physically struggle with heavy lifting and carrying. The team of Ho'ākeolapono made everything easy and seamless in my living transition.

Mahalo a nui loa again to Lawai'a Nāihe and his team of Ho'ākeolapono for your kōkua and kāko'o!

Me ke aloha pumehana,

A handwritten signature in black ink that reads "Debra Flores". The signature is written in a cursive, flowing style with a long, sweeping tail on the last name.

Debra Flores

Kupuna - Kaua'i Island

Audrey Kuhaulua-Navor
Box 594, Anahola HI 96703
4610 Kalalea Rd, Anahola HI 96703
audreyjaimc072012@gmail.com
10/4/2022

Re: The Department of Hawaiian Home Lands Commission: DHHL-RFP-HHL-002

Aloha,


I would like to express my strongest support for Lawai'a Naihe and the Ho'akeolapono Trades Academy and Institute, 501c3, for the DHHL-RFP-HHL-002 grant funding. Ho'akeolapono is an excellent candidate for this funding because they're helping to rebuild Anahola by training interns and preparing them for a career in the building trades. I am a beneficiary of Anahola, and I am Hawaiian.

My son receives a scholarship to MVP Academy because of Lawai'a and Ho'akeolapono. They are committed to helping Hawaiians succeed. Also, I work at and am a parent of Kanuikapono. I have witnessed multiple community members benefiting from Ho'akeolapono, especially among the Kupuna and Keiki of Anahola.

Ho'akeolapono trains interns who are respectful, energetic, efficient, and always well prepared for the projects. In their short existence, they have made a significant impact on Anahola. Their work will continually service DHHL communities and beneficiaries alike.

Ho'akeolapono deserves your consideration for this funding because they offer workforce development training for native Hawaiians, and their projects are helping our community. Their work is imperative to building a healthy and thriving community. If you have questions about Ho'akeolapono Trades Academy and Institute, please contact me at audreyjaimc072012@gmail.com.

Mahalo,



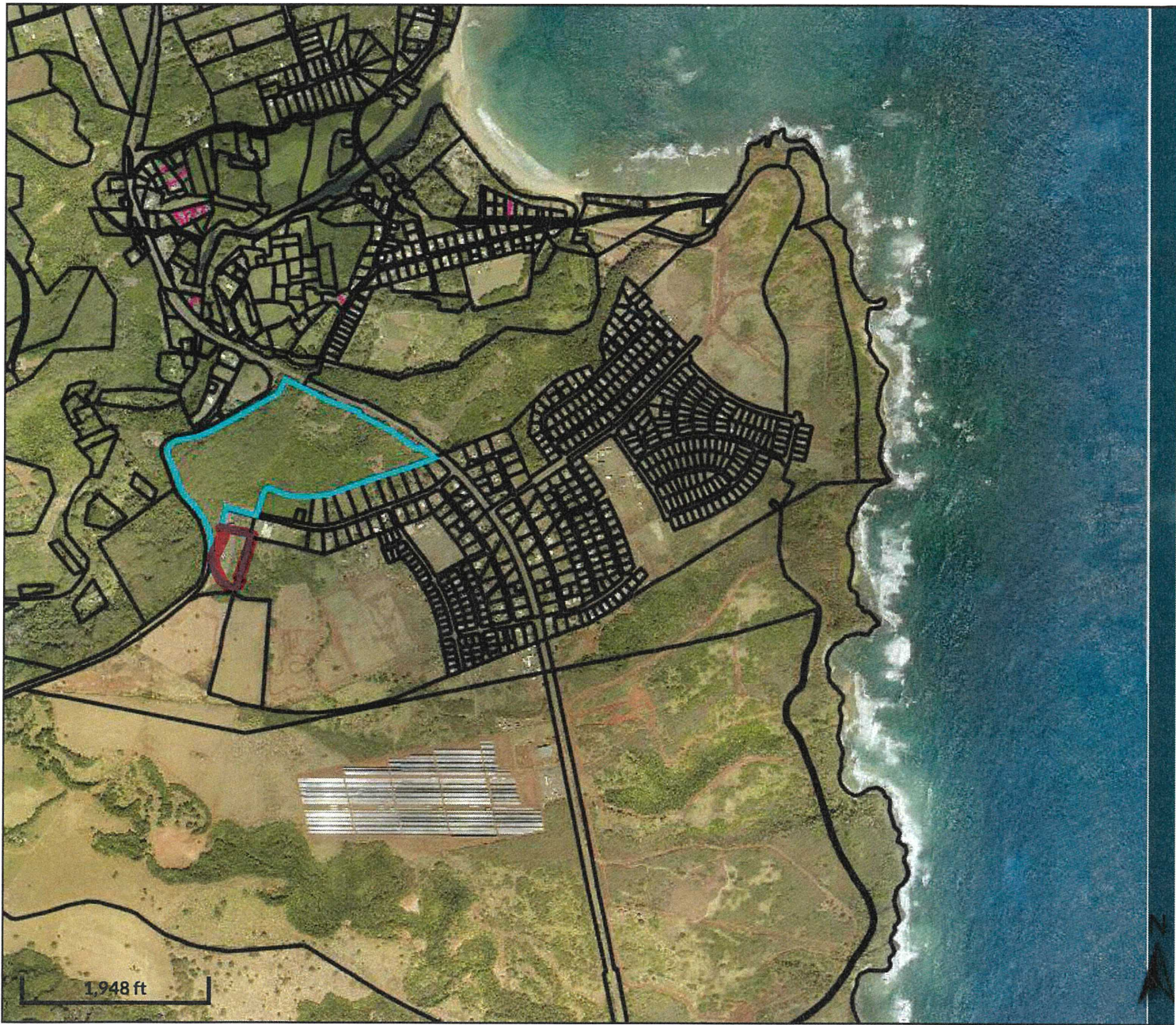


Parcel ID	480030110000	Situs/Physical Address		Total Market Value	\$1,807,200
Acreage	42.287	Mailing Address	HAWAIIAN HOME LANDS	Total Assessed Value	\$1,807,200
Class	AG			Total Exemptions	\$0
				Total Net Taxable Value	\$1,807,200

Brief Tax Description n/a
(Note: Not to be used on legal documents)

EXHIBIT "B"

The Geographic Information Systems (GIS) maps and data are made available solely for informational purposes. The GIS data is not the official record information included, and do not replace a site survey or legal document descriptions. The County of Kauai (County) makes or extends no claims, any kind, either express or implied, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose, as to the accuracy, currency, or completeness of the information, text, maps, graphics, links and other items contained in any of the GIS data. In no event shall the County be liable for any omissions in the GIS, and will not under any circumstances be liable for any direct, indirect, special, incidental, consequential, or other loss, injury



Parcel ID 480030110000
Acreage 42.287
Class AG

Situs/Physical Address
Mailing Address HAWAIIAN HOME LANDS

Total Market Value \$1,807,200
Total Assessed Value \$1,807,200
Total Exemptions \$0
Total Net Taxable Value \$1,807,200

Brief Tax Description n/a

(Note: Not to be used on legal documents)

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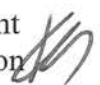
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19-20, 2024

To: Chairman and Members, Hawaiian Homes Commission

Thru: Linda Chinn, Acting Administrator
Land Management Division 

From: Kaipō Duncan, Land Agent
Land Management Division 

Subject: Approval to Annual Renewal of Right of Entry Permits, and Conversion to Revocable Permits, Kauai Island

RECOMMENDED MOTION/ACTION: That the Hawaiian Homes Commission (HHC) approve the following actions:

- A) Renew all Kauai Island Right of Entry Permit(s) as listed on Exhibit “A” and identified by approximate location on the Kauai Island Map Exhibit “A-1” that are compliant as of August 12, 2024.
- B) Pursuant to the Hawaiian Homes Commission approval of LMD agenda item no. F-1 at its regularly scheduled monthly meeting held on April 21, 2024, all renewed Right of Entry Permits that have met compliance in accordance with its respective agreement shall be converted to Revocable Permits. Inspection report is referenced under Exhibit “B” attached hereto.
- C) The revocable permit annual renewal period shall be on a month-to-month basis, for up to twelve (12) months, but no longer than August 31, 2025.
- D) Authorize the Chairman to negotiate and set forth other terms and conditions that may be deemed to be appropriate and necessary.

DISCUSSION

This submittal represents annual renewals for all Kauai Island ROE permit(s) only, which shall effectively expire on August 31, 2024. As a means of maintaining a process by which Permittees can be assured that their permits have been renewed, notification letters will be transmitted accordingly.

For information purposes Exhibit “A” references all Right of Entry Permits on Kauai Island organized by acreage, land use, and commencement date. These permits will be converted to Revocable Permits. While these permits generate additional revenue for the Trust there primary

purpose is to allow DHHL to efficiently manage its lands through short-term dispositions. These are typically used for land not needed for longer-term disposition, such as homesteading or general leases, over a 20-year period or as dictated by DHHL’s respective island plans. DHHL’s total land inventory on Kaua’i Island covers approximately 20,565 acres or roughly 10% of DHHL’s over 200,000 acre statewide inventory. The short-term dispositions within the Kaua’i Island inventory cover approximately 698.0 acres or 3% of its inventory.

The table below reflects the revenue generated from ROE permit(s) on Kaua’i Island, which is approximately 3.6% (\$108,398) of the ROE total revenues (\$2,947,966) that DHHL receives statewide. Kaua’i Island holds 32 of the 145 ROE permits Statewide. The permits fall under a variety of land use purposes.

FY 2024		Total
Agriculture	\$4,740	7
Caretaker/Landscape	\$1,056	3
Commercial	\$994	2
Community	\$480	4
Industrial	\$78,476	9
Education	\$480	2
Pastoral	\$22,172	16
Preservation	\$0	-
Recreation	\$0	-
Research	\$0	-
Stabling	\$0	
	\$108,398	43

Rental fees for agricultural and pastoral use permits vary and are typically established at less than fair market rates (discounted) but not less than \$240/annum due to various site issues such as, insufficient/no infrastructure, no legal access, substandard lot size or irregular shape, etc.

Revocable Permits assist in maintaining a presence on DHHL lands, thereby reducing costs associated with land management activities such as signage, landscaping, fencing, trash removal, and preventing trespassing on unencumbered lands. Permittees are required to assume responsibility for the land, post insurance, indemnify the department, and manage and maintain the land.

In 2013, during the interim process approved by the HHC all RP’s that complied with the terms and conditions of their permits, were converted to Right-of-Entry (ROE) permits until the new RP Program was approved and adopted. ROE permits are intended for short-term dispositions prior to there longer-term arrangements and should be used on an as-needed basis for specific projects. They are not suitable for the month-to-month use of Hawaiian home lands.

With the approval of the new Revocable Permit Program, the Land Management Division (LMD) recommended that all ROE permits carried over from the old program, as well as those issued or renewed under the Interim Process, be converted to Revocable Permits. This is the appropriate documentation for the short-term dispositions authorized under Section 171-55, HRS, as amended.

Staff have conducted site visits to all ROE Permit parcels on Kauai Island, confirmed full compliance, and recommend converting these permits to Revocable Permits.

LMD respectfully recommends increasing rental rates that meet the methodology as described under the new revocable permit program. Increases do fluctuate to meet the methodology of calculation.

AUTHORITY / LEGAL REFERENCE:

Section 204(a), Hawaiian Homes Commission Act, 1920, as amended.

§171-6, -13, and -55, Hawaii Revised Statutes, as amended, governs the revocable permit process.

RECOMMENDATION:

Land Management Division respectfully requests approval of the motion as stated.

RIGHT OF ENTRY PERMITS TO REVOCABLE PERMITS - KAUAI ISLAND

* Denotes Beneficiary

All Rent Payments are Current as of AUGUST 2024

NO.	ACRE	USE	PERMITTEE	LOCATION	TMK	Date Started	Current Annual Rent	Proposed Annual Rent	Comments: rent amount and reasons (site issues - insufficient/no infrastructure, no legal access, substandard lot size or irregular shape, etc.) why no long-term portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape. NOT BEING CONVERTED TO A REVOCABLE PERMIT DUE TO ILLEGAL DWELLINGS
533	11.00	Agriculture	* Don Mahi Jr.	Anahola	(4) 4-8-018:031	10/1/1990	\$1,488.00	\$ 1,488.00	Insufficient infrastructure, irregular shape.
550	0.344	Agriculture	* Kuini Contrades and Carla Contrades-Barrett	Anahola	(4) 4-8-008:001 (p)	5/1/2003	\$264.00	\$ 264.00	Insufficient infrastructure, irregular shape.
554	8.00	Agriculture	* Linda Kaauwai-Iwamoto	Anahola	(4) 4-8-005:042 (p)	11/1/2000	\$576.00	\$ 576.00	Insufficient infrastructure, irregular shape.
558	1.07	Agriculture	* Frank S. Rivera, Sr. and Amber Rivera	Anahola	(4) 4-8-003:020 (p)	5/1/2005	\$264.00	\$ 264.00	Insufficient infrastructure, irregular shape.
543	20.0000	Agriculture	Charley Raco, Palakiko Farms	Kekaha	(4) 1-2-002:023 (p)	7/28/2009	\$1,200.00	\$ 1,200.00	Insufficient infrastructure, irregular shape. Mango tree farmer
575	18.00	Agriculture	* Gary Cummings, Jr.	Anahola	(4) 4-8-008:049 (p)	7/23/2013	\$240.00	\$ 240.00	Insufficient infrastructure, irregular shape. Agriculture
565	12.00	Agriculture	* Angelina Koli and Kalei Kanahele	Anahola	(4) 4-8-005:038 & :044	7/1/2005	\$708.00	\$ 708.00	Insufficient infrastructure, irregular shape. Agriculture
569	0.164	Caretaker	* Puanani Cummings	Anahola	(4) 4-8-003:020 (p)	9/1/2022	\$264.00	\$ 264.00	Insufficient infrastructure, irregular shape.
553	0.092	Caretaker	* Sunny L. Honda	Anahola	(4) 4-8-009:010 (p)	6/1/1992	\$264.00	\$ 264.00	Insufficient infrastructure, irregular shape.
560	3.6	Caretaker	Valerie Woods	Anahola	(4) 4-8-006:046 (p)	3/8/2002	\$528.00	\$ 528.00	Insufficient infrastructure, irregular shape.
536	0.009	Commercial	* Patricia Contrades and Carla Contrades-Barrett	Anahola	(4) 4-8-011:045 (p)	7/23/2013	\$408.00	\$ 408.00	Insufficient infrastructure, irregular shape.
564	0.023	Commercial	* Woodrow K. Contrades and Carla Contrades-Barrett	Anahola	(4) 4-8-011:045 (p)	4/1/1994	\$586.00	\$ 3,075.00	Insufficient infrastructure, irregular shape. Raise rent to 6% of tax assessed value plus a 50% discount
572	0.34	Community	* Hokuaiele Canoe Club	Anahola	(4) 4-8-012:010 (p)	9/1/2022	\$240.00	\$ 240.00	Updating Status. Canoe club
703	0.917	Community	* Kukulu Kumuhana O Anahola	Anahola	(4) 4-8-005:026 (p)	4/12/2023	\$ 0.00	\$ -	Cultivate dry land taro and other Ag products
709	432.00	Community	* Aina Alliance	Anahola	(4) 4-8-03:018, 019(p), 021 & 036; (4) 4-8-014:003; (4) 4-7-004:003,004 & 007	4/12/2023	\$ 0.00	\$ -	Stewardship, maintenance & management
722	103.07	Community	* Kahu O Ka Paka Kahakai O Anahola	Anahola	(4) 4-9-003:011 & 017; (4) 4-8-010:003, 005, 006 & 010; (4) 4-8-014:005	3/3/2023	\$240.00	\$ 240.00	Insufficient infrastructure, irregular shape.
710	3.44	Education	* Keakai Kauai, Inc.	Anahola	(4) 4-8-008:016 & 080	5/9/2022	\$240.00	\$ 240.00	Rent is current. Caretaker and horses
712	109.80	Education	* Kaivin Educational Farm Program	Kekaha	(4) 1-2-002:023 (p)	5/2/2022	\$240.00	\$ 240.00	Rent is current; Teach & train crossfit exercise to adults& youth
475	16.072	Industrial	Mona Lisa and Randy Boyer	Kapaa	(4) 4-5-015:003 (p) & 034		\$ 37,401.00	\$ 38,523.00	Rent is current; portion of a larger parcel that is designated for industrial use. Roofing Company and container storage facility

538	0.46	Industrial	Kauai Habitat for Humanity	Hanapepe	(4) 1-8-008:035 (p)	7/1/1996	\$585.00	\$	585.00	Rent is current; portion of a larger parcel that is designated for industrial use. Thrift store, work office, and dirt road parking
542	0.58	Industrial	Wallace Rita	Hanapepe	(4) 1-8-008:081 (p)	4/1/2007	\$11,122.00	\$	11,455.00	Rent is current. Parking for large commercial trucks
574	0.059	Industrial	Jesse Lam	Kapaa	(4) 4-5-015:048	2/1/1986	\$530.00	\$	545.00	Rent is current; portion of a larger parcel that is designated for Commercial use. Insufficient infrastructure, irregular shape. Parking for a Doctor's office
537	0.23	Industrial	*Roger Palama	Hanapepe	(4) 1-8-008:035 (p)	10/1/1995	\$1,456.50	\$	1,500.00	Rent is current; portion of a larger parcel that is designated for industrial use. Parking for large commercial trucks
541	0.344	Industrial	Wallace Rita	Hanapepe	(4) 1-8-008:035 (p)	7/1/2005	\$7,375.00	\$	7,596.00	Rent is current. Parking for large commercial trucks
544	0.367	Industrial	Akita Enterprises, Ltd.	Hanapepe	(4) 1-8-008:035 (p)	7/1/1999	\$5,971.00	\$	6,150.00	Rent is current; portion of a larger parcel that is designated for industrial use. Bus parking
546	0.55	Industrial	Akita Enterprises, Ltd.	Kapaa	(4) 4-5-005:006 (p)	7/22/2013	\$5,733.00	\$	5,905.00	Rent is current; portion of a larger parcel that is designated for industrial use. Bus parking
566	0.918	Industrial	Jack L. and Margaret C. Phillips	Kapaa	(4) 4-5-005:006 (p)	3/1/2001	\$8,303.00	\$	8,552.00	Rent is current; portion of a larger parcel that is designated for industrial use. Grass parking lot for their fee simple property
531	3.264	Pastoral	*Solomon Lovell	Anahola	(4) 4-8-006:004	12/1/1981	\$528.00	\$	528.00	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.
532	14.903	Pastoral	*Kalei Medeiros	Anahola	(4) 8-011:005, 006, 011, 013 & 049	2/1/1984	\$1,704.00	\$	1,704.00	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.
535	13.00	Pastoral	*Gordon Rosa	Anahola	(4) 4-8-005:038 (p)	4/1/1994	\$636.00	\$	636.00	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.
545	2.866	Pastoral	*Clay, Patrick, and Bruce Kelekoma	Anahola	(4) 4-8-015:024 to 026	4/15/1982	\$336.00	\$	336.00	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.
547	50.00	Pastoral	*Patrick, Clay, and Bruce Kelekoma	Anahola	(4) 4-7-004:022 (p)	7/5/2005	\$1,392.00	\$	1,392.00	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.
552	2.849	Pastoral	*Lynn K.M. Fu	Anahola-Kamalomalalo	(4) 4-8-003:020 (p)	9/1/2005	\$264.00	\$	264.00	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.
556	0.55	Pastoral	*Richard and Kuulei Omellas	Anahola/Kamalomalalo	(4) 4-8-011:063 (p)	8/1/2003	\$2,184.00	\$	2,184.00	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape. LMD allowed residential house from the 1990's
557	173.00	Pastoral	Tarey and Darryl Low	Anahola/Kamalomalalo	(4) 4-7-002:004 (p)	4/1/2004	\$2,400.00	\$	2,400.00	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape. Structure with no residential living
559	315.97	Pastoral	*Stuart Keahiahi Hanchett	Moloo'a	(4) 4-9-010:002 & 005	10/1/2019	\$6,960.00	\$	6,960.00	Rent is current. Okay with vacating Mauka side of Kuhio Highway
562	21.03	Pastoral	Joseph Borden	Anahola/Kamalomalalo	(4) 4-8-003:004 (p)	7/23/2013	\$960.00	\$	960.00	Rent is current
567	45.023	Pastoral	William Sanchez	Wailua	(4) 3-9-002:003	9/1/2022	\$2,136.00	\$	2,136.00	Rent is current
568	5.00	Pastoral	*Henry Aviguetero	Hanapepe	(4) 1-8-007:003	9/1/2022	\$240.00	\$	240.00	Rent is current
571	11.60	Pastoral	*Norman Cummings	Anahola	(4) 4-8-003:020 (p)	9/1/2022	\$672.00	\$	672.00	Illegal Structure. Allegations of illegal gambling. Possible DOH Unpermitted septic tank
573	320.00	Pastoral	*Ralph Kauai and Rhonda Refamonte	Wailua	(4) 3-9-002:012 & 025	9/1/2022	\$1,280.00	\$	1,280.00	Structure. No residential living
578	10.00	Pastoral	*Henry Kupihea	Anahola	(4) 4-8-003:006 (p)	9/1/2020	\$240.00	\$	240.00	Rent is current

583	80.00	Pastoral	*Edward K Taniguchi	Anahola/ Kamalomalo O	(4) 4-7-002:004 (p)	5/23/2016	\$240.00	\$	240.00	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.
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Kaua'i Island Plan
DEPARTMENT OF HAWAIIAN HOME LANDS

• Executive Summary •

The Kaua'i Island Plan (KIP) provides recommendations for the future use of the Department of Hawaiian Home Lands (DHHL) 20,565 acres on Kaua'i (Figure ES.1). The plan is intended to guide overall land use patterns and development on Kaua'i for the next 20 years.

GENERAL PLAN GOALS

The KIP is consistent with the DHHL General Plan goals. In particular,

- The proposed land uses exceed the General Plan's goal of delivering 840 Residential homesteads in the next 20 years or an average of 42 per year; and
- Income generating uses constitute less than 1% of the Department's total land holdings on Kaua'i.



Anahola Bay

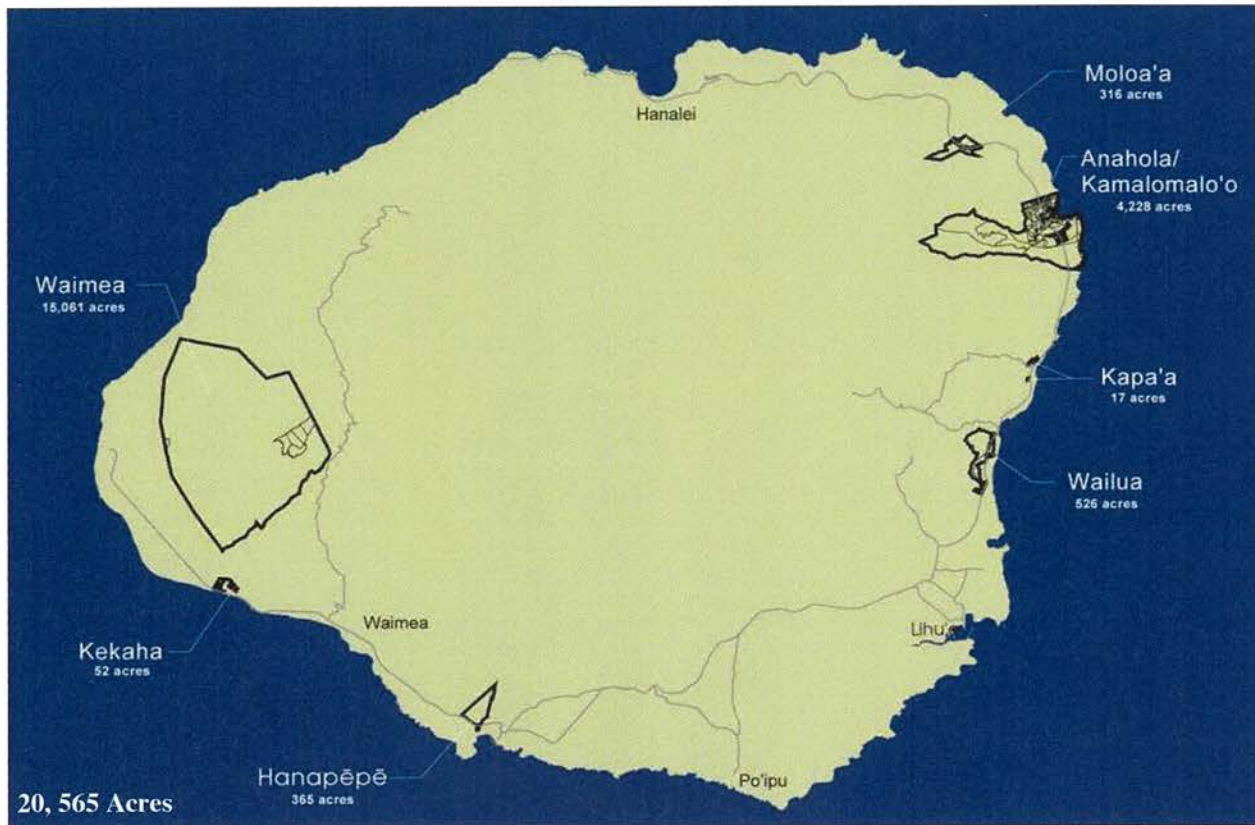


Figure ES.1

DHHL's Kaua'i Lands

EXHIBIT "A-1 "

ITEM NO. F-3



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 533	ADDRESS:	BY: K. Duncan
NAME: Don Mahi Jr.	TMK/ZONING: (4)-8-018:031	PERMITTED USE: Agricultural
LOCATION: Anahola, Kauai	AREA: 11 acres	COI/BOND: Not Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	N/A			
2. Fence or wall	N/A			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	Yes	Illegal house structure and shed	Sent letter in June 2024	Request ending the ROE
GENERAL				
1. Landscaping	OK			
2. Housekeeping	OK			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 550	ADDRESS:	BY: K. Duncan
NAME: Patricia Kuini Contrades and Carla Contrades-Barrett	TMK/ZONING: (4)4-8-008:001	PERMITTED USE: Agricultural
LOCATION: Anahola, Kauai	AREA: 1.85 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

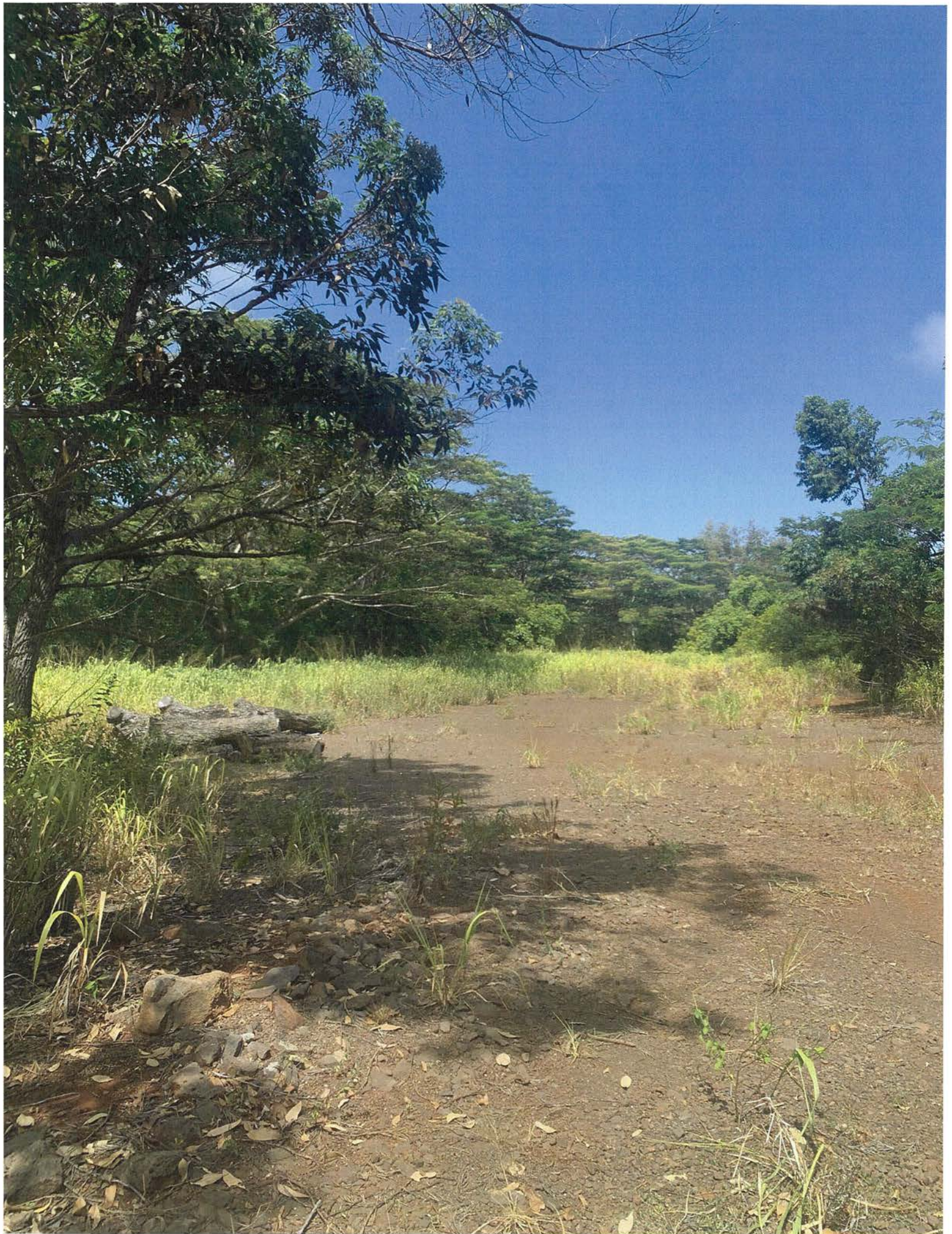
ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 554	ADDRESS:	BY: K. Duncan
NAME: Linda Kaaui-Iwanoto	TMK/ZONING: (4)4-9-005:042	PERMITTED USE: Agricultural
LOCATION: Anahola, Kauai	AREA: 8 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 558	ADDRESS:	BY: K. Duncan
NAME: Frank and Amber Rivera Sr.	TMK/ZONING: (4)A-9-003:020	PERMITTED USE: Agricultural
LOCATION: Anahola, Kauai	AREA: 1.070 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	NA			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 543	ADDRESS:	BY: K. Duncan
NAME: Charley Raco, Palakiko Farms	TMK/ZONING: (4)1-2-002:023	PERMITTED USE: Agriculture
LOCATION: Kekaha, Kauai	AREA: 20 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 575	ADDRESS:	BY: K. Duncan
NAME: Gary Frank Cummings Jr.	TMK/ZONING: (4)A-9-003:049	PERMITTED USE: Agricultural
LOCATION: Anahola, Kauai	AREA: 18 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	OK			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	Storage Shack	Under Permitted Requirement	None	
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 565	ADDRESS:	BY: K. Duncan
NAME: Angelina Koli and Kalei Kanahale	TMK/ZONING: (4)4-8-005:038&044	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 12 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	OK			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	NA			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 569	ADDRESS:	BY: K. Duncan
NAME: Puanani Cummings	TMK/ZONING: (4)4-8-003:020	PERMITTED USE: Caretaker
LOCATION: Anahola, Kauai	AREA: .164 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	NA			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 553	ADDRESS:	BY: K. Duncan
NAME: Sunny Honda	TMK/ZONING: (4)4-8-009:010	PERMITTED USE: Caretaker
LOCATION: Anahola, Kauai	AREA: .092 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

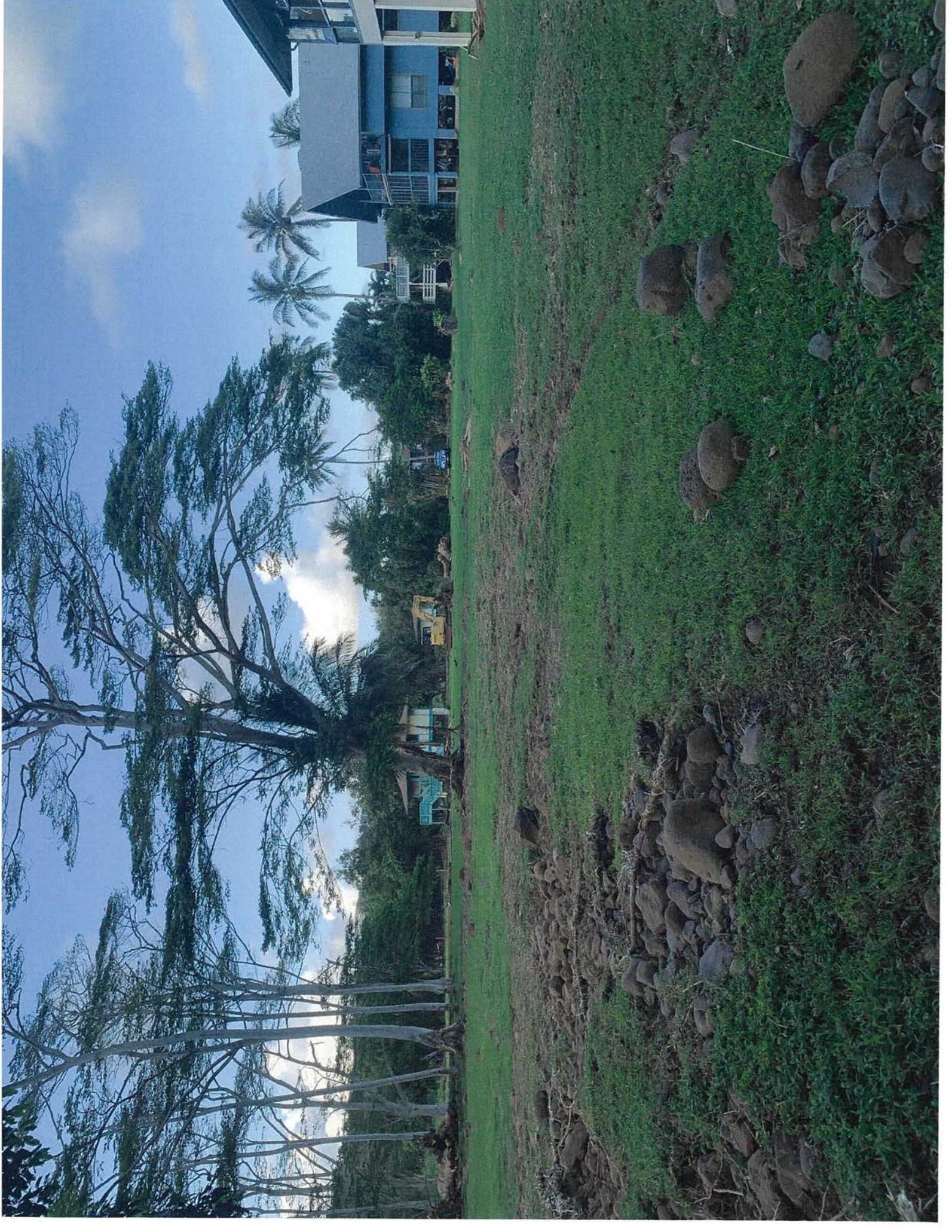
ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	NA			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 560	ADDRESS:	BY: K. Duncan
NAME: Valerie Woods	TMK/ZONING: (4)A-8-006:046	PERMITTED USE: Caretaker
LOCATION: Anahola, Kauai	AREA: 3.6 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

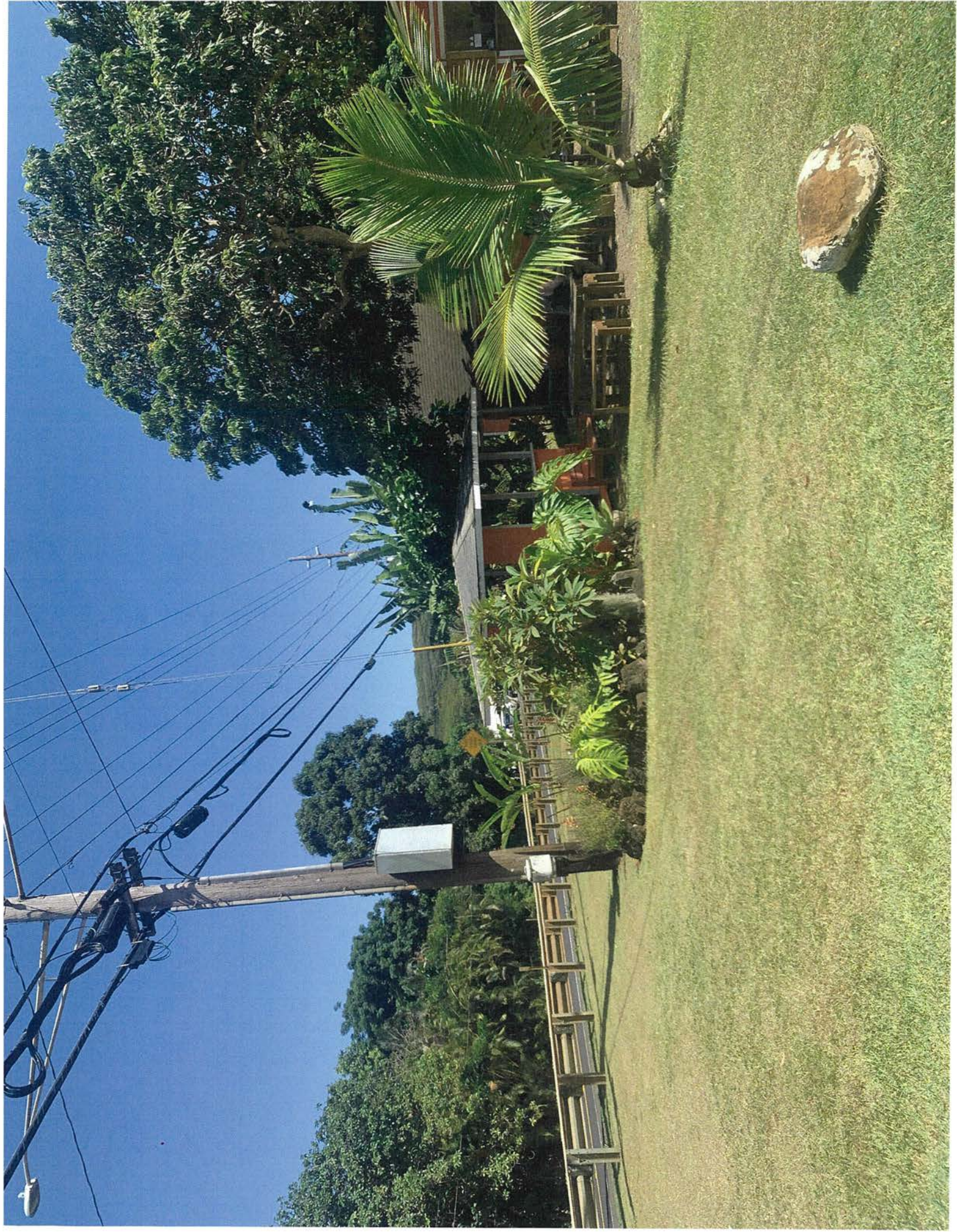
ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	NA			
3. Site work	NA			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	NA			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/L/ROE/RP NO.: 536	ADDRESS:	BY: K. Duncan
NAME: Patricia and Carla Contrades	TMK/ZONING: (4)-8-011-031	PERMITTED USE: Commercial
LOCATION: Anahola, Kauai	AREA: .115 Acres	COI/BOND: Not Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	N/A			
2. Fence or wall	N/A			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	OK			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 564	ADDRESS:	BY: K. Duncan
NAME: Woodrow Conrades and Carla Conrades-Barrett	TMK/ZONING: (4)4-8-011:045	PERMITTED USE: Commercial
LOCATION: Anahola, Kauai	AREA: .023 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	OK			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	OK			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	OK			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 572	ADDRESS:	BY: K. Duncan
NAME: Hokualele Canoe Club	TMK/ZONING: (4)4-8-012,010	PERMITTED USE: Community
LOCATION: Anahola, Kauai	AREA: .340 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	OK			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	OK			
5. Other Info/Illegal Structure(s)	Storage shack	Size under permitted requirement	Sent Letter July 2024	Yes
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 703	ADDRESS:	BY: K. Duncan
NAME: Kukulu Kumuahana O Anahola (KOA)	TMK/ZONING: (4)4-8-005:026	PERMITTED USE: Community
LOCATION: Anahola, Kauai	AREA: 917 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

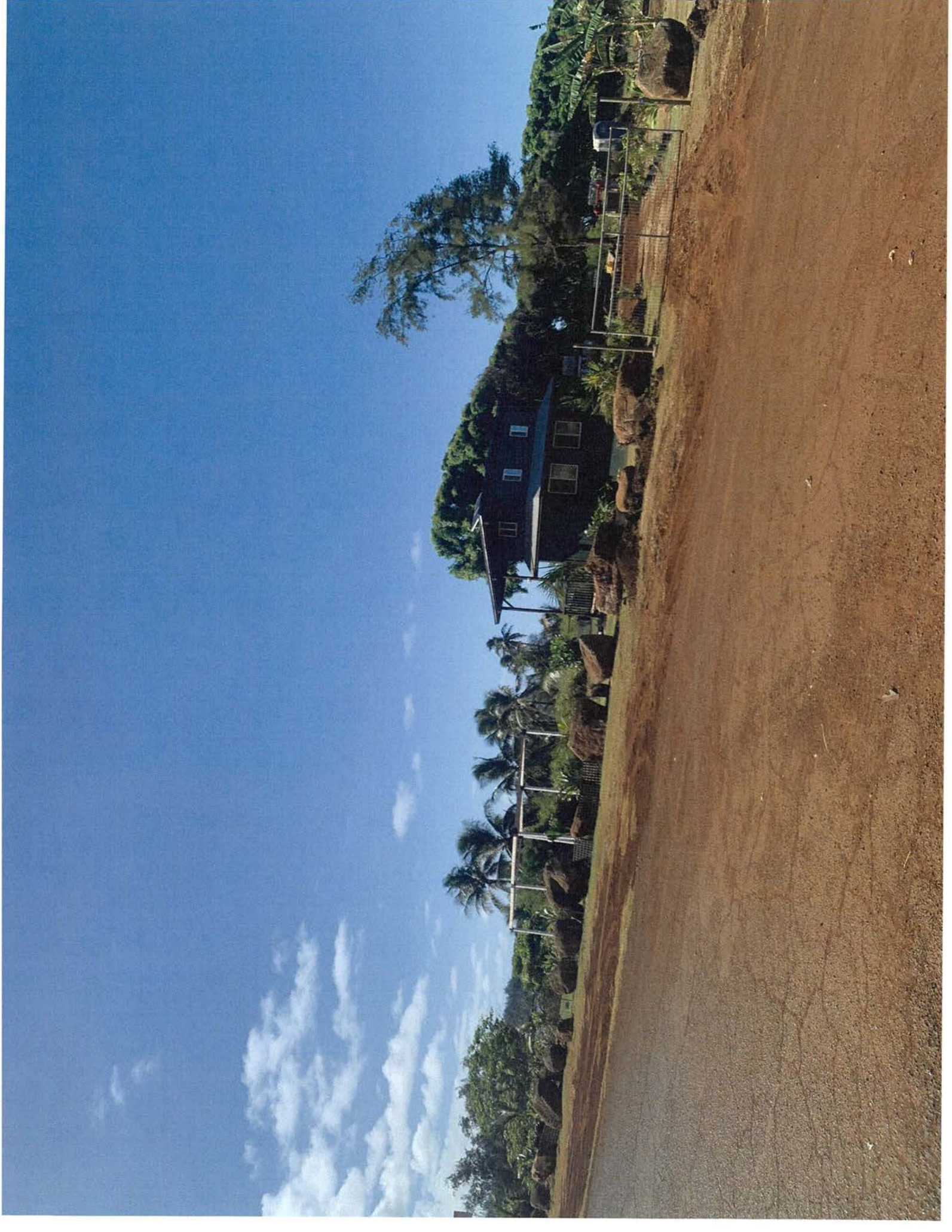
ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	OK			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	Storage Shack	Under Permitted Requirement		
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 709	ADDRESS:	BY: K. Duncan
NAME: Aina Alliance	TMK/ZONING: (4)4-8-003:018,019,021,036; (4)4-8-014:003	PERMITTED USE: Community
LOCATION: Anahola, Kauai	AREA: 432 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

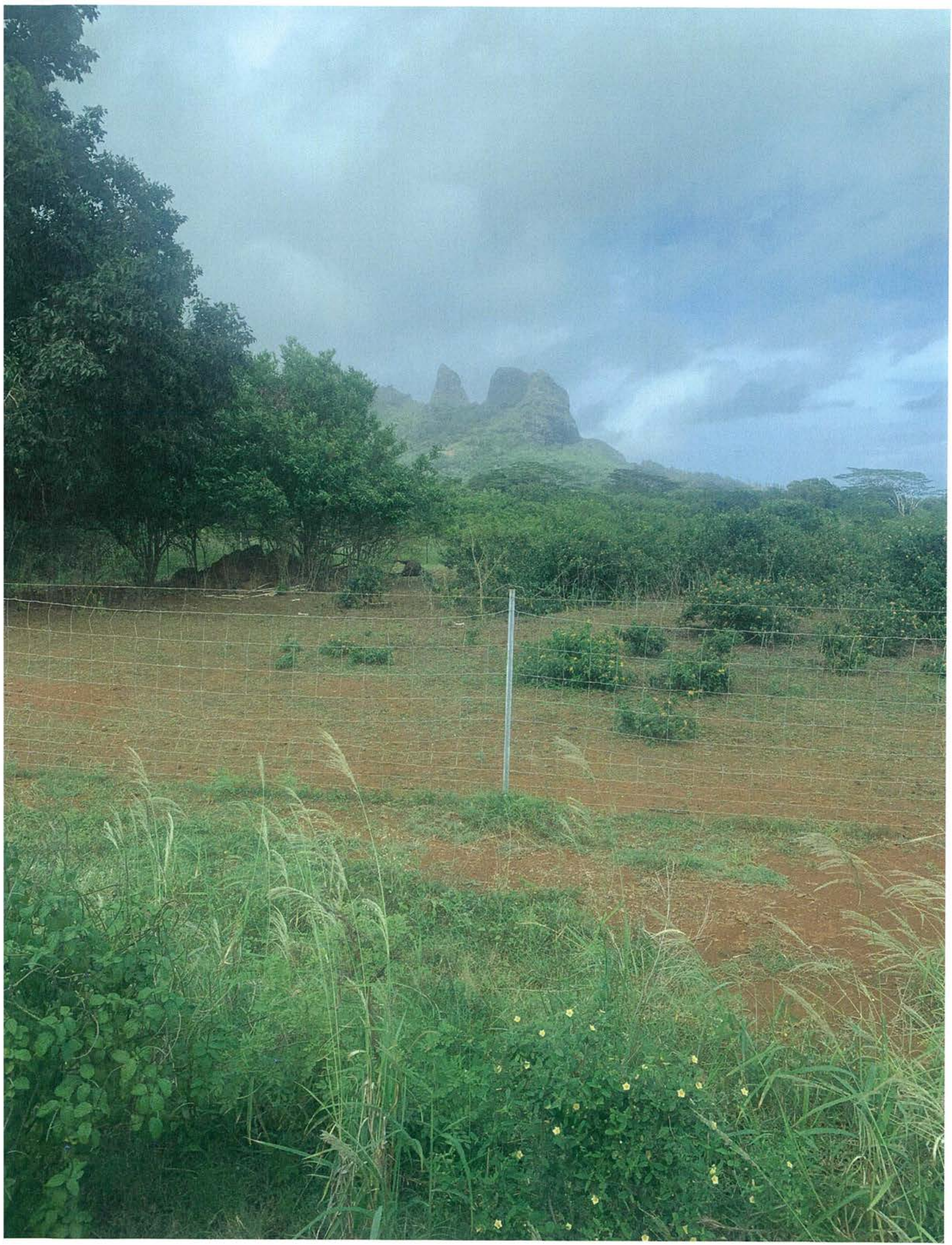
ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	OK			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	Security Shacks-2	Under permitted requirement	Letter Sent July 2024	Yes
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous	Structures	Non-Residential Living	Letter Sent July 2024	Yes
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 722	ADDRESS:	BY: K. Duncan
NAME: Kahu O Ka Paka Kahakai O Anahola	TMK/ZONING: (4)4-9-003:011&017:(4)4-8-014:005	PERMITTED USE: Community
LOCATION: Anahola, Kauai	AREA: 103.07 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	None			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	NA			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GLL/ROE/RP NO.: 710	ADDRESS:	BY: K. Duncan
NAME: Keakai Kauai Inc.	TMK/ZONING: (4)4-8-008:016&080	PERMITTED USE: Education
LOCATION: Anahola, Kauai	AREA: 3.440 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

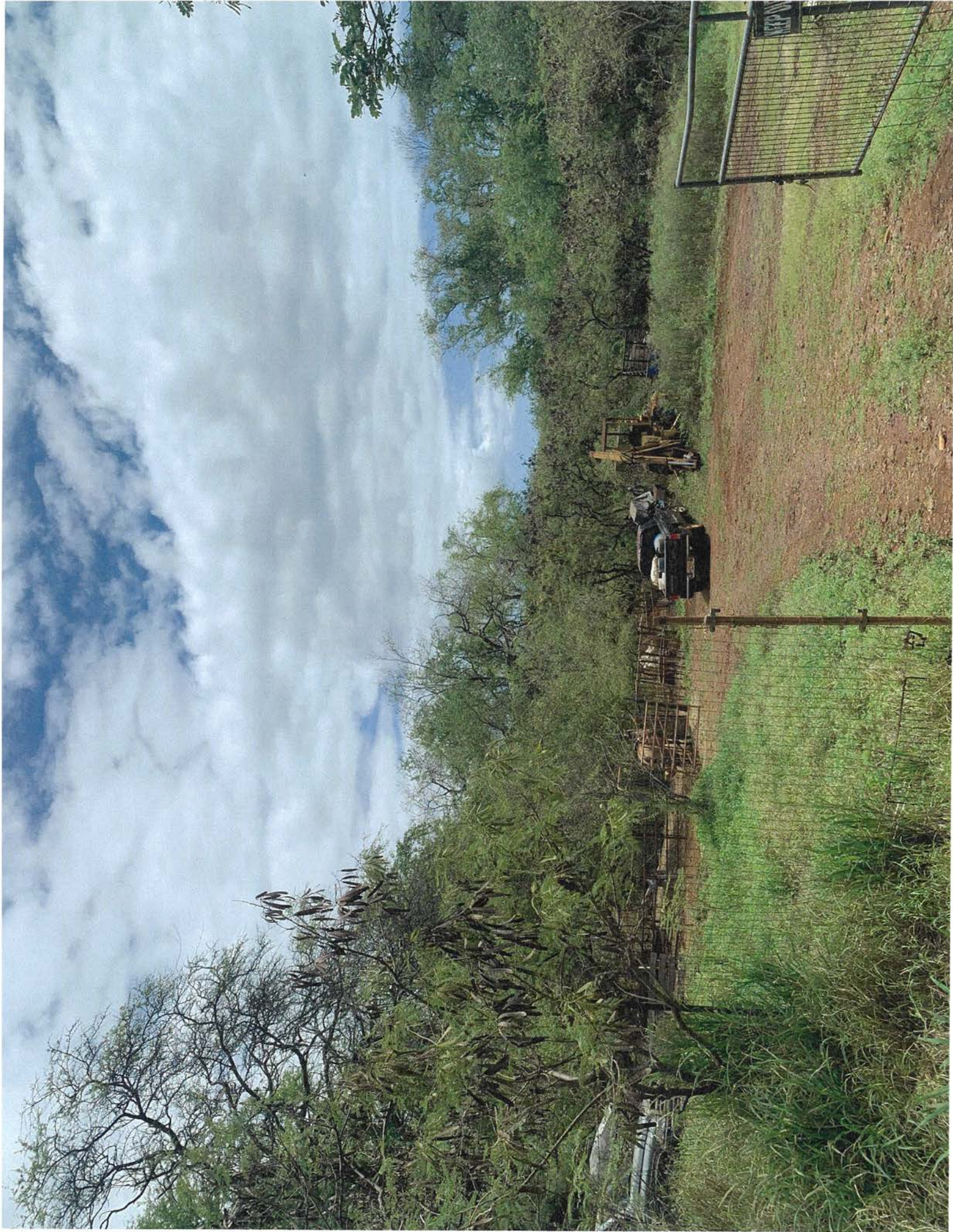
ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	OK			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)				
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous	Structure	Non-Residential Living	Letter Sent July 2024	Yes
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 712	ADDRESS:	BY: K. Duncan
NAME: Kaivin Educational Farm Program	TMK/ZONING: (4)1-2-002:023	PERMITTED USE: Education
LOCATION: Kekaha, Kauai	AREA: 109.80 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	None			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	NA			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 475	ADDRESS:	BY: K. Duncan
NAME: Mona Lisa and Randy Boyer	TMK/ZONING: (4)4-5-015:0038&034	PERMITTED USE: Industrial
LOCATION: Kapaa, Kauai	AREA: 16.072	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: Yes	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	N/A			
2. Fence or wall	N/A			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	OK			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 538	ADDRESS:	BY: K. Duncan
NAME: Kauai Habitat for Humanity	TMK/ZONING: (4)1-8-008:035	PERMITTED USE: Industrial
LOCATION: Hanapepe, Kauai	AREA: .460 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: Yes	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	OK			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	OK			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	OK			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				

Habitat for Humanity
ReStore
Shop • Donate • Volunteer



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 542	ADDRESS:	BY: K. Duncan
NAME: Wallace Rita	TMK/ZONING: (4)1-8-008:081	PERMITTED USE: Industrial
LOCATION: Hanapepe, Kauai	AREA: 2296 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: No	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 574	ADDRESS:	BY: K. Duncan
NAME: Jesse Lam	TMK/ZONING: (4)4-5-015.048	PERMITTED USE: Industrial
LOCATION: Kapaa, Kauai	AREA: .059 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	OK			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	None			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 537	ADDRESS:	BY: K. Duncan
NAME: Roger Palama	TMK/ZONING: (4)1-8-008:035	PERMITTED USE: Industrial
LOCATION: Hanapepe, Kauai	AREA: 230 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: Yes	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	N/A			
2. Fence or wall	N/A			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	OK			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 541	ADDRESS:	BY: K. Duncan
NAME: Wallace Rita	TMK/ZONING: (4)1-8-008:087	PERMITTED USE: Industrial
LOCATION: Hanapepe, Kauai	AREA: 2296 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: No	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 544	ADDRESS:	BY: K. Duncan
NAME: Akita Enterprises Limited	TMK/ZONING: (4)1-8-008:035	PERMITTED USE: Industrial
LOCATION: Hanapepe, Kauai	AREA: .367 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: Yes	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 546	ADDRESS:	BY: K. Duncan
NAME: Akita Enterprises Limited	TMK/ZONING: (4)4-5-005:006	PERMITTED USE: Industrial
LOCATION: Kapaa, Kauai	AREA: .550 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: Yes	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 566	ADDRESS:	BY: K. Duncan
NAME: Jack and Margaret Phillips	TMK/ZONING: (4)4-5-005:006	PERMITTED USE: Industrial
LOCATION: Kapaa, Kauai	AREA: .918 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

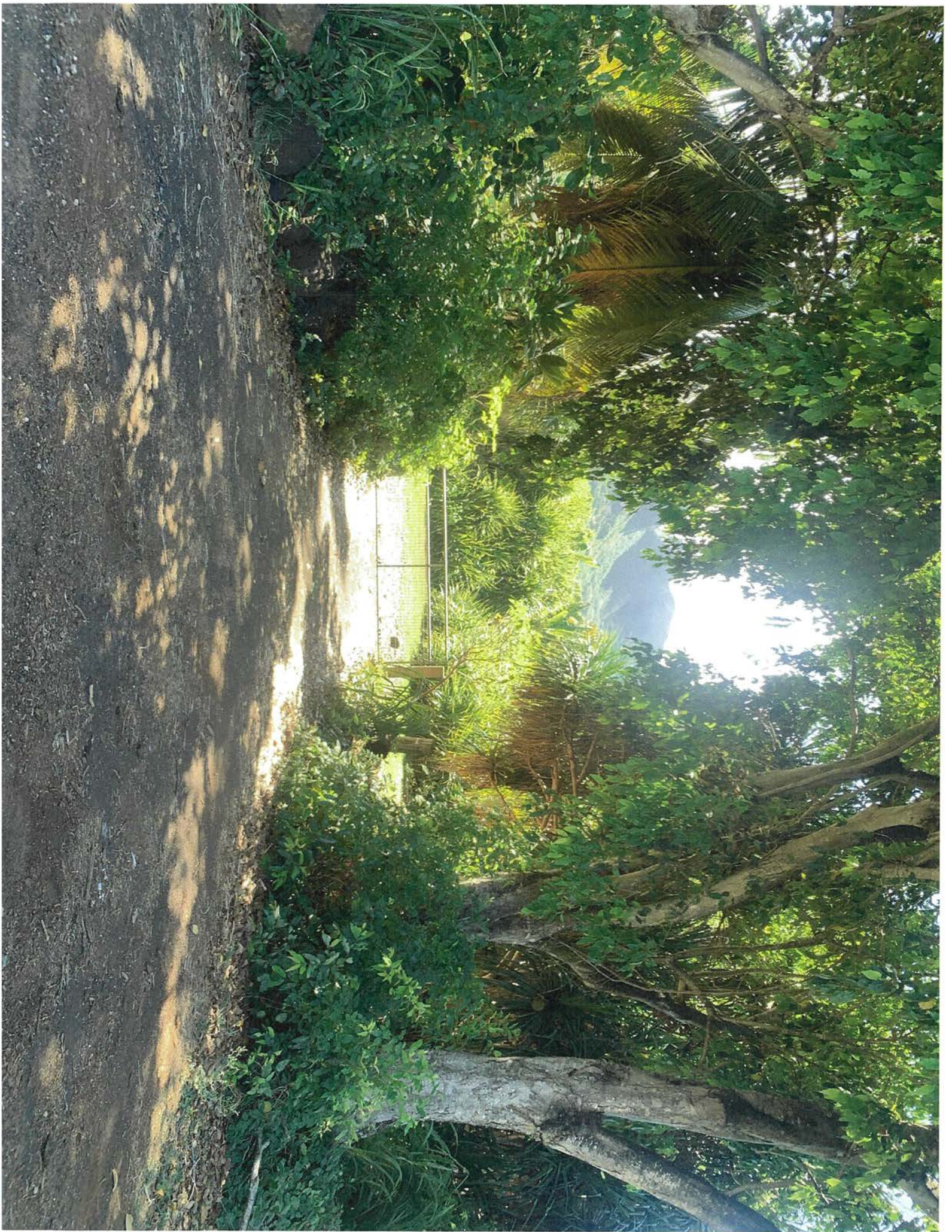
ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 531	ADDRESS:	BY: K. Duncan
NAME: Solomon Lovell	TMK/ZONING: (4)4-8-006:004	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 3.264	COI/BOND: Not Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	N/A			
2. Fence or wall	N/A			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	OK			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 532	ADDRESS:	BY: K. Duncan
NAME: Kalei Medeiros	TMK/ZONING: (4)4-8-011:005,006,011,013,&049	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 14.903	COI/BOND: Not Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	N/A			
2. Fence or wall	N/A			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	OK			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 535	ADDRESS:	BY: K. Duncan
NAME: Gordon and Kimi Rosa	TMK/ZONING: (4)4-8-005:046	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 13 acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

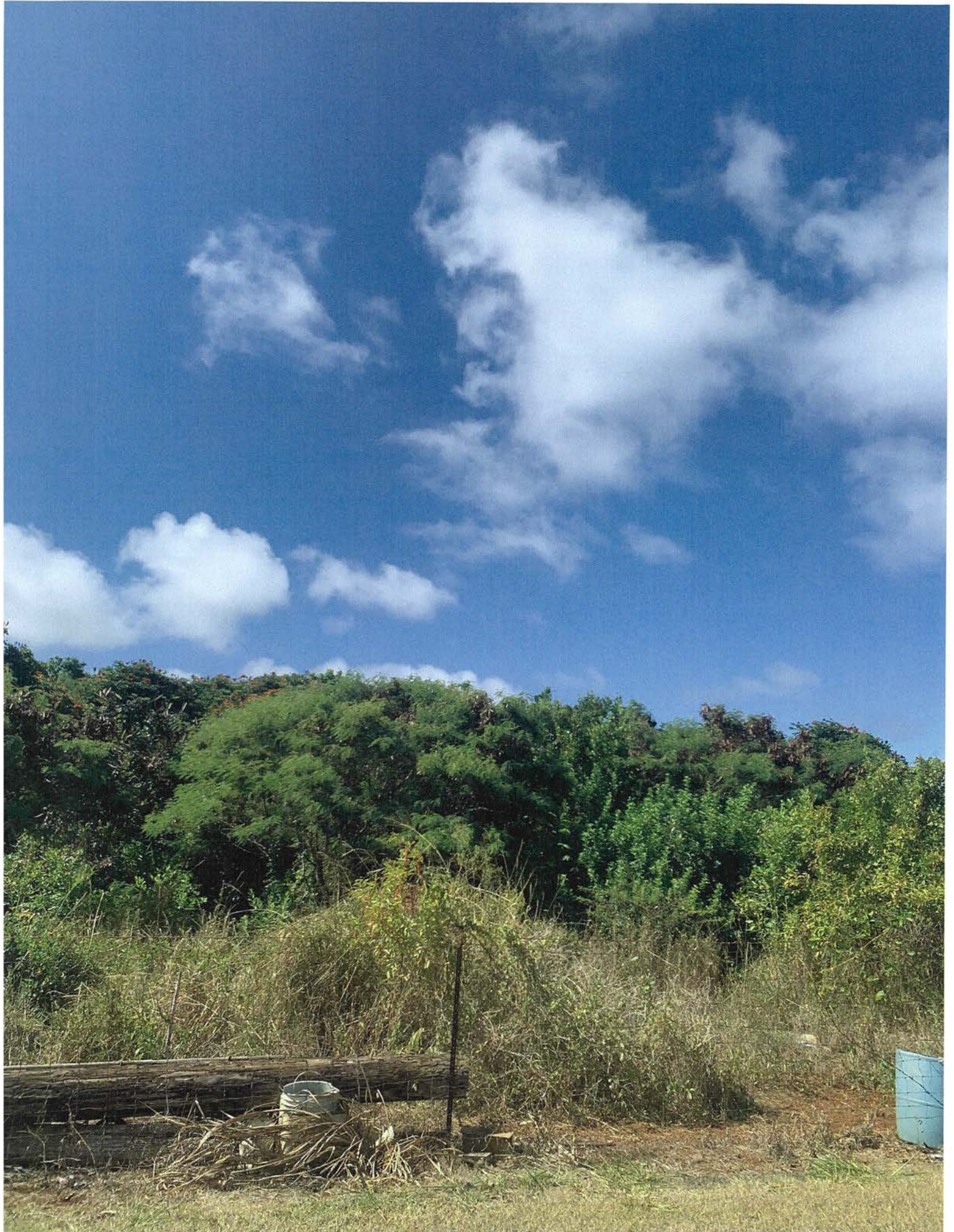
ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	N/A			
2. Fence or wall	N/A			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	NO			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	OK			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 545	ADDRESS:	BY: K. Duncan
NAME: Clay and Bruce Kelekoma	TMK/ZONING: (4)4-8-015:024,025&026	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 2.866 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s) GENERAL	OK			
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	NA			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/L/ROE/RP NO.: 547	ADDRESS:	BY: K. Duncan
NAME: Patrick, Bruce, and Clay Kelekoma	TMK/ZONING: (4)4-7-004:022	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 50 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 552	ADDRESS:	BY: K. Duncan
NAME: Lynn Fu	TMK/ZONING: (4)4-8-003:020	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 2.849 Acres	COI/BOND: Not Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

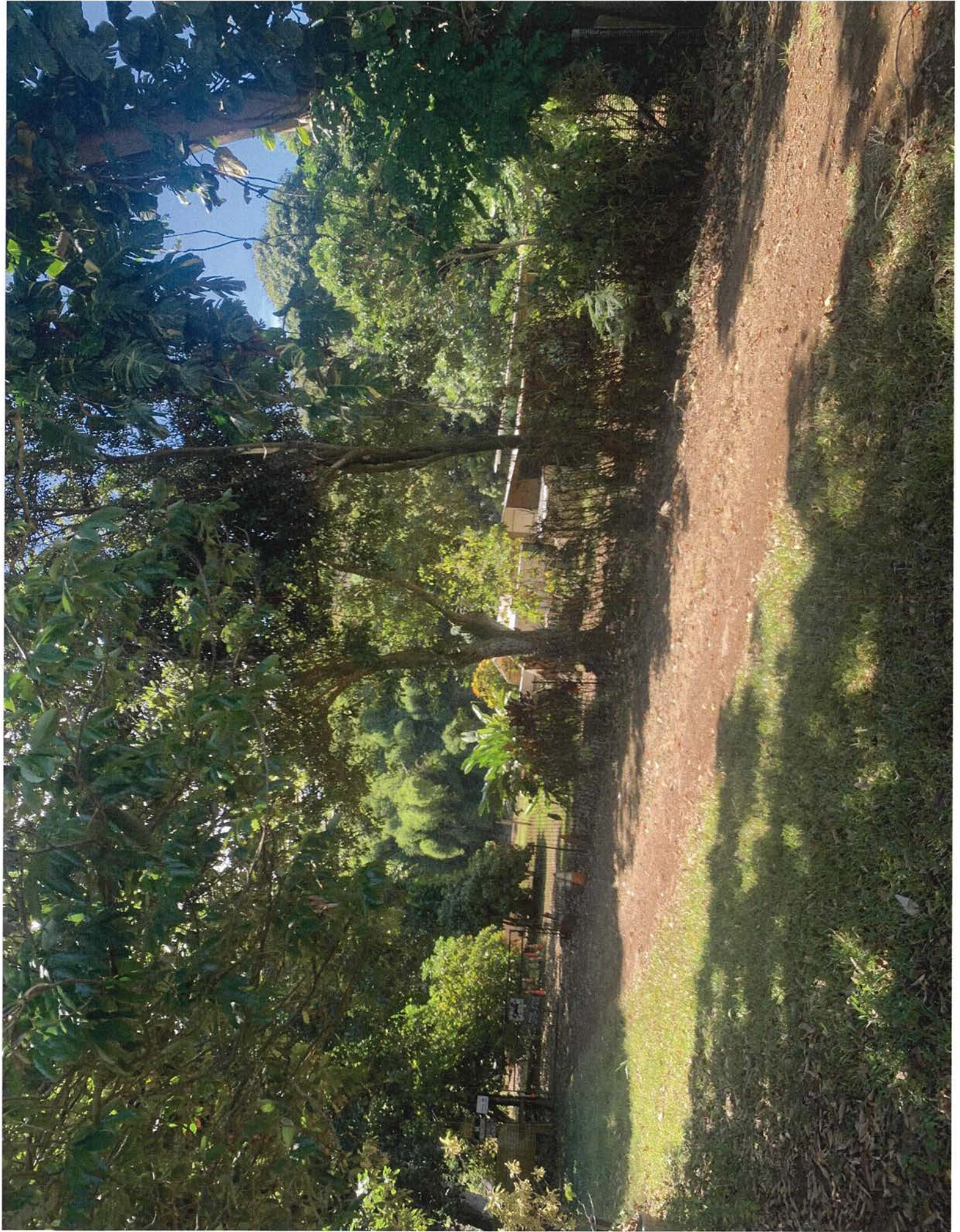
ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	NA			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 556	ADDRESS:	BY: K. Duncan
NAME: Richard and Kullei Ornellas	TMK/ZONING: (4)4-8-011-063	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 550 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	OK			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	OK			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous	House Dwelling	Permitted Residential Living	Yes 1990's	Yes
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/L/ROE/RP NO.: 557	ADDRESS:	BY: K. Duncan
NAME: Tarey and Darryl Low	TMK/ZONING: (4)4-7-002:004	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 173 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	OK			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous	Structure	No residential living		
SUBLESSE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 559	ADDRESS:	BY: K. Duncan
NAME: Stuart Hanchett	TMK/ZONING: (4)4-9-010-002&005	PERMITTED USE: Pastoral
LOCATION: Molokaa, Kauai	AREA: 315.97 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

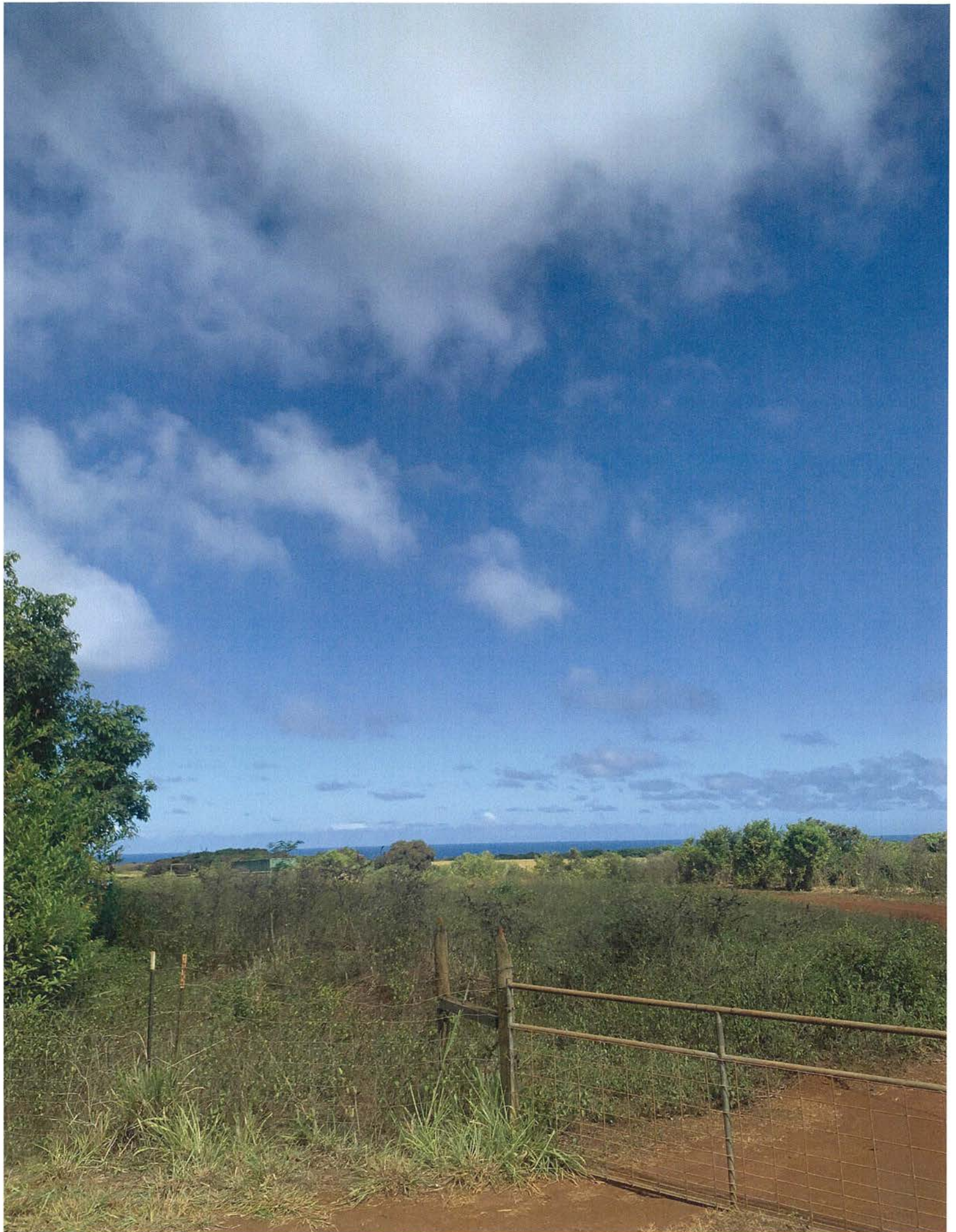
ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	OK			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous	Open to giving up	Mauka side of Kuhio Highway	When a new DHHL tenant found	
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 562	ADDRESS:	BY: K. Duncan
NAME: Joseph Borden	TMK/ZONING: (4)4-8-003,004	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 21.03 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	NA			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 567	ADDRESS:	BY: K. Durcan
NAME: William Sanchez	TMK/ZONING: (4)3-9-002:003	PERMITTED USE: Pastoral
LOCATION: Wailua, Kauai	AREA: 45.023 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	NA			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 568	ADDRESS:	BY: K. Duncan
NAME: Henry Avigueltero	TMK/ZONING: (4)1-8-007-003	PERMITTED USE: Pastoral
LOCATION: Hanapepe, Kauai	AREA: 5 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

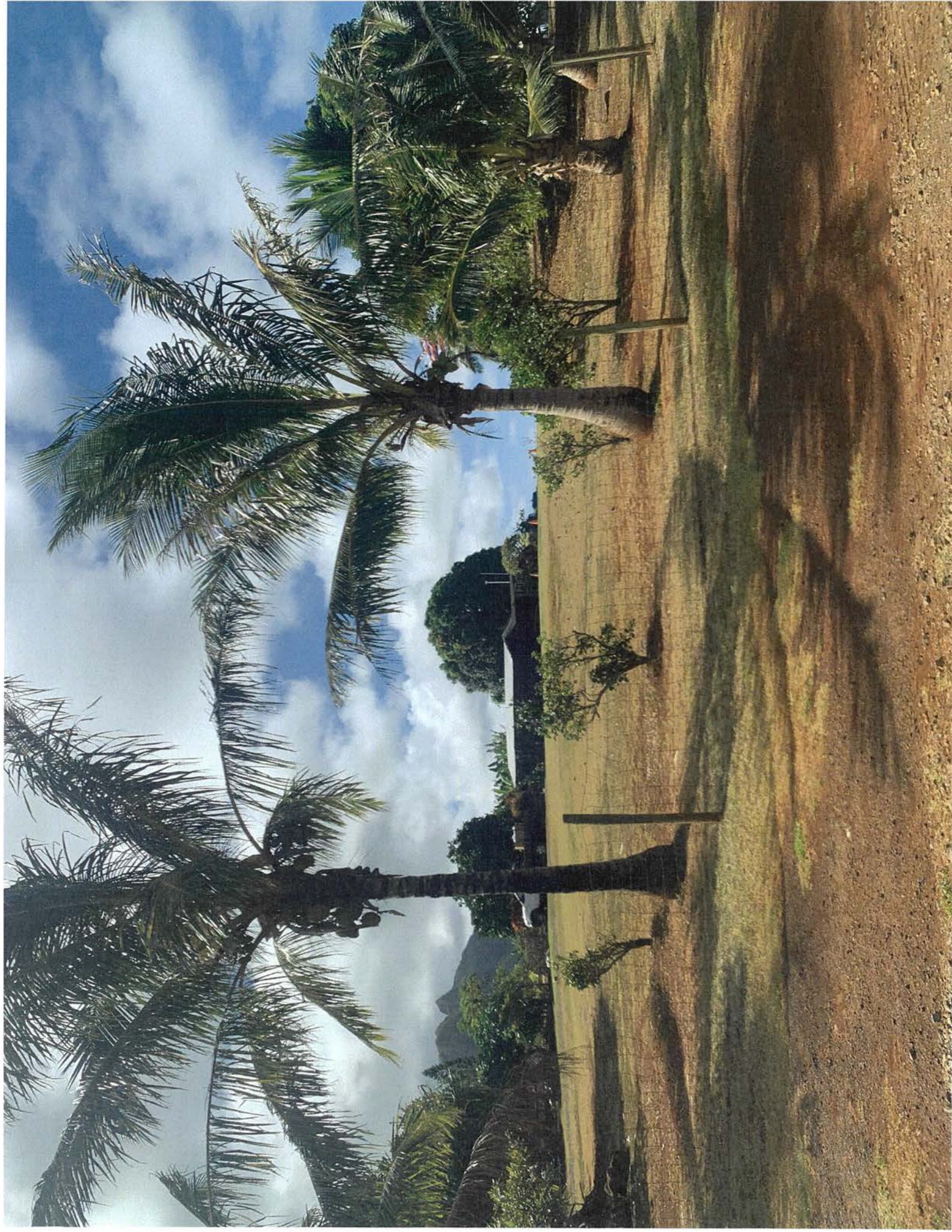
ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	OK			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	NA			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GLL/ROE/RP NO.: 571	ADDRESS:	BY: K. Duncan
NAME: Norman Cummings	TMK/ZONING: (4)4-8-003:020	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 11.60 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	House Dwelling	Non-residential living	Sent Letter in July 2024	No
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	NA			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	Follow up	DOH permit for toilet	In the near future	No
6. Miscellaneous	Follow up	Gambling Allegations	Sent Letter in July 2024	No
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 573	ADDRESS:	BY: K. Duncan
NAME: Ralph Kau and Rhonda Refamonte	TMK/ZONING: (4)3-9-002.012&025	PERMITTED USE: Pastoral
LOCATION: Wailua, Kauai	AREA: 320 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	OK			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	Structure	Non-residential	Sent Letter July 2024	Yes
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	NA			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 578	ADDRESS:	BY: K. Duncan
NAME: Henry Kupihea	TMK/ZONING: (4)4-8-003:006	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 10 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	None			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	NA			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 583	ADDRESS:	BY: K. Duncan
NAME: Edward Taniguchi	TMK/ZONING: (4)4-7-002:004	PERMITTED USE: Pastoral
LOCATION: Anahola, Kauai	AREA: 80 Acres	COI/BOND: Current
RENTAL CURRENT: Yes	DCCA COMPLIANT: NA	DATE: 07/05/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	NA			
2. Fence or wall	OK			
3. Site work	OK			
4. Tenant sign(s)	NA			
5. Other Info/Illegal Structure(s)	None			
GENERAL				
1. Landscaping	OK			
2. Housekeeping	NA			
3. Parking/Driveway	NA			
4. Land Use Compliance	OK			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				





STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

August 19-20, 2024

TO: Chairman and members of the Hawaiian Homes Commission

THRU: Linda Chinn, Acting Administrator
Land Management Division 

FROM: Peter "Kahana" Albinio, Jr., Income Properties Manager
Land Management Division 

SUBJECT: For Information Only – Request from Hawaii Land and Power, LLC on Renewal Energy Project, Waiakea, Island of Hawaii, TMK No.: (3) 2-1-025:086

APPLICANT

HAWAII LAND & POWER, LLC (HL&P), a Hawaii limited liability corporation

RECOMMENDED MOTION/ACTION

None. For Information Only

DISCUSSION

The Department is in receipt of a request to lease a parcel of Hawaiian home lands in Waiakea, South Hilo, Island of Hawaii for the development of an utility-scale renewable energy project.

LOCATION

12.75 acres located in Waiakea, South Hilo, Island of Hawaii
Tax Map Key No. (3) 2-1-025-086 (See Exhibit "A")
County of Hawaii Zoning: General Industrial (MG-1a)

HL&P PROPOSAL

Mr. David T. Berryhill, Principal of Hawaii Land & Power LLC, submitted a request for a right-of-entry permit and a long-term general lease for a proposed development of a renewable energy project on a parcel of Hawaiian home lands in Hilo, Island of Hawaii in response to HECO's draft IGP-RFP to be published on August 16, 2024. Response to this RFP is due January 15, 2025, with selection of final award group on July 25, 2025. Site control of the proposed development site will be a requirement on the response.

Section 171-95.3, HRS, as amended, requires submission of pertinent information as part of the proposal;

A timeline for completion of the project and Project Team (see Exhibit "B")

3 years right-of-entry permit for due diligence and permit (2025-2028)

1 year construction period (2029)

25 years of commercial operation (2029-2054)

A description of a financial plan for project financing

HL&P and its financial partner, Lotus Infrastructure Global Operations, LLC (Lotus) would jointly develop, construct, own and operate the project. Lotus is a private equity investment firm based in Greenwich, Connecticut that specialized in energy infrastructure investments.

A description of the conceptual design of the project

The HL&P project would consist of the following on-site components, integrated into renewable energy power generation facility, and interconnected to the HECO electric grid on the island of Hawaii:

1. Firm, dispatchable thermal generation from either one (1) 30MW generation operating on biofuel or two (2) 30 MW generators for a total 60 MW operating on liquid fuel.
2. On site liquid biofuel storage facilities capable of providing up to 14-day supply of fuel to generators.
3. Battery Energy Storage System (BESS) co-located on the premises with the generators.
4. High-Voltage Electrical Interconnection Facilities.
5. Maintenance and Office Facilities.

The entire 12.75-acre parcel is expected to be utilized to accommodate generations biofuel storage, BESS, and on-site interconnection facilities. The project would be secured by fencing and appropriate lighting and would incorporate landscaping features along the project site fronting Railroad Avenue.

All equipment would be designed with safety, redundancy, and resiliency as top priority. HELCO has major electrical facility directly across from the proposed project site and it likely the interconnection will be with existing HELCO facility at this location.

A description of the business concept for the project

HECO announced that it intends to issue the Integrated Grid Plan-Requests For Proposal (IGP-RFP) on August 16, 2024 and for the island of Hawaii it intends to acquire 134 GWh of energy storage and 60 MW of Firm Capacity. If selected, HL&P would negotiate two separate power purchase agreements. These would provide the revenue mechanism during the commercial operation period and a source of compensation to DHHL. The term of the operational period is expected to range from 20-30 years.

A description of landscape and acreage requirements including public and private lands

The proposed site identified is a 12.75-acre parcel of Hawaiian home land located in Waiakea, South Hilo, Island of Hawaii. The property fronts Railroad Avenue and is located directly across from HELCO facilities. The land is currently vacant and not improved. State Land Use Classification is Urban, County of Hawaii Zoning is General Industrial District (MG-1a), and power generation, storage and electrical substation are permitted uses.

This parcel of land is designated as Industrial use on DHHL Hawaii Island Plan as well as in the Panaewa/Waiakea Regional Plan.

Proposed timeline for Beneficiary Consultation and Public Hearings

August 2024	HHC Informational Meeting
September 2024	Beneficiary Consultation to be held in Hilo
October 2024	Report to HHC on Beneficiary Consultation
November 2024	Two Public Hearings in Hilo with the HHC and Approval for ROE & GL
January 2024	Issuance of ROE Permit

Within the 3-year Right-of-Entry permit period HL&P would develop and finalized the design of the project (including environmental and archeological studies}, secure project financing, negotiate a Power Purchase Agreement (PPA} with HECO, secure environmental permits, and seek approval of the PPA by the Hawaii Public Utilities Commission (PUC}.

Once PUC approves the PPA, the HL&P would enter into a up to 30-year general lease term and commence final engineering, permitting and construction activities. It is anticipated construction would be completed within 2 years of PUC approval with commercial operation to commence thereafter.

Proposed Compensation to DHHL

HL&P would compensate DHHL is two ways: (1) Lease rent during the periods of Right- of-Entry Permit and General Lease term equivalent to that DHHL is receiving from other renewables energy projects on Hawaii Island and (2) Community benefit payments, including contribution to existing DHHL programs, job training and internships, scholarships, and/or improvements to community infrastructures. Both will be subject to further discussion and negotiations.

AUTHORIZATION

Hawaiian Homes Commission Act, 1920, as amended §204 (a)(2), states in part, “In the management of any retained available lands not required for leasing under section 207(a), the department may dispose of those lands or any improvements thereon to the public, including native Hawaiians, on the same terms, conditions, restrictions, and uses applicable to the disposition of public lands in chapter 171, Hawaii Revised Statutes; provided that the department may not sell or dispose of such lands in fee simple...”

Hawaii Revised Statutes, as amended, §171-95 (a)(2), states in part, “Lease to the governments, agencies, public utilities, and renewable energy producers public lands for terms up to, but not in excess of, sixty-five years at such rental and on such other terms and conditions as the board may determine;”

(c) For the purposes of this section, "renewable energy producer" means:

(1) Any producer or developer of electrical or thermal energy produced by wind, solar energy, hydropower, geothermal resources, landfill gas, waste-to-energy, ocean thermal energy conversion, cold seawater, wave energy, biomass, including municipal solid waste, biofuels or fuels derived from organic sources, hydrogen fuels derived primarily from renewable energy, or fuel cells where the fuel is derived primarily from renewable sources that sell all of the net power produced from the demised premises to an electric utility company regulated under chapter 269 or

that sells all of the thermal energy it produces to customers of district cooling systems; provided that up to twenty-five per cent of the power produced by a renewable energy producer and sold to the utility or to district cooling system customers may be derived from fossil fuels.

HRS [§171-95.3] Renewable energy producers; lease of public lands without public auction, as amended, states in part: **(a)** The board may lease or renew a lease of public lands to renewable energy producers, as defined in section 171-95, without public auction only pursuant to a public process that includes public notice under section 1-28.5 providing other interested renewable energy producers opportunity to participate in the process; provided that nothing in this section shall be construed to prevent the board from conducting direct negotiations; provided further that the renewable energy producer shall be required to submit as part of the proposal for the board's evaluation, as assisted by the department of business, economic development, and tourism, the following:

- (1) A timeline for completion of the project;
- (2) A description of a financial plan for project financing;
- (3) A description of the conceptual design of the project;
- (4) A description of the business concept for the project; and
- (5) A description of landscape and acreage requirements including public and private lands.

Upon completion of the board's evaluation and determination to award or not award a lease to a renewable energy producer, the board shall prepare a report outlining the reasons for the decision.

(c) To inform the public prior to the lease of public land or the renewal of a lease of public land for a proposed renewable energy project under this section, the department of land and natural resources shall conduct not less than two public hearings on the island where the public land to be leased for the proposed renewable energy project is located; provided that the notice of the hearing shall be published as provided in section 1-28.5. The board shall prepare and distribute an outline of the proposals for the renewable energy project and receive testimony from interested parties and the general public at each public hearing.

(d) Any action taken by the board upon a proposal subject to this section shall take place on the island where the public land to be leased for the proposed renewable energy project is located.

DHHL Ho'omaluo Energy Policy (See Exhibit "C")

Objective 2 Ko'o: Facilitate the use of diverse renewable energy resources requires the department to identify properties in DHHL's land inventory that have potential for renewable projects and pursue the leasing of lands that are identified as suitable for renewable energy project.

EXHIBIT "A"



Figure 1. County of Hawai'i Real Property Tax Office Map

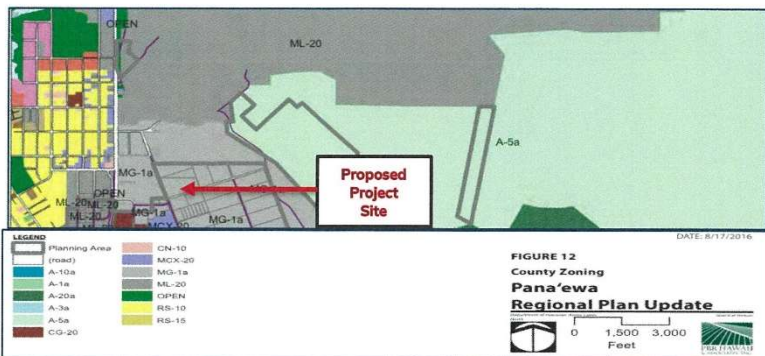


Figure 2. Hawai'i County Zoning Map

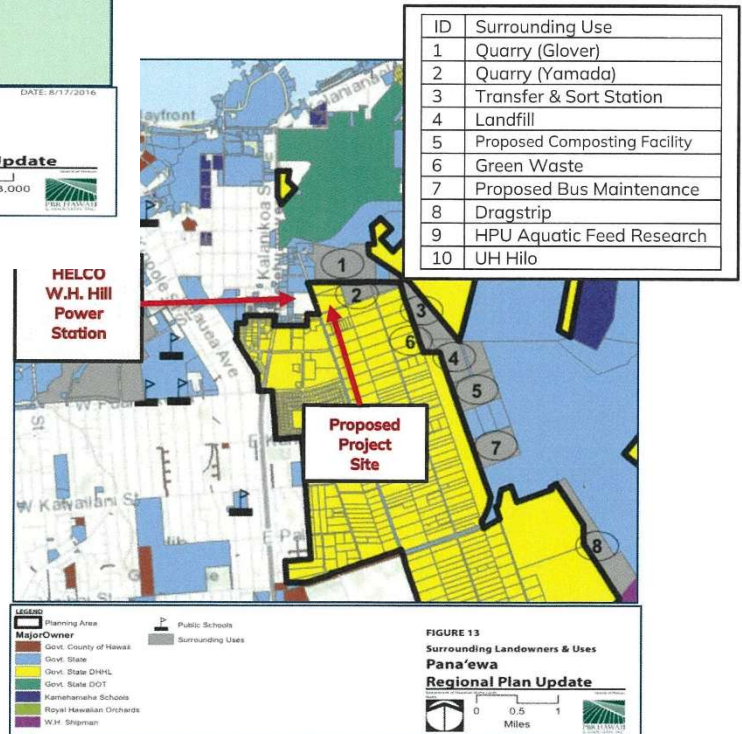


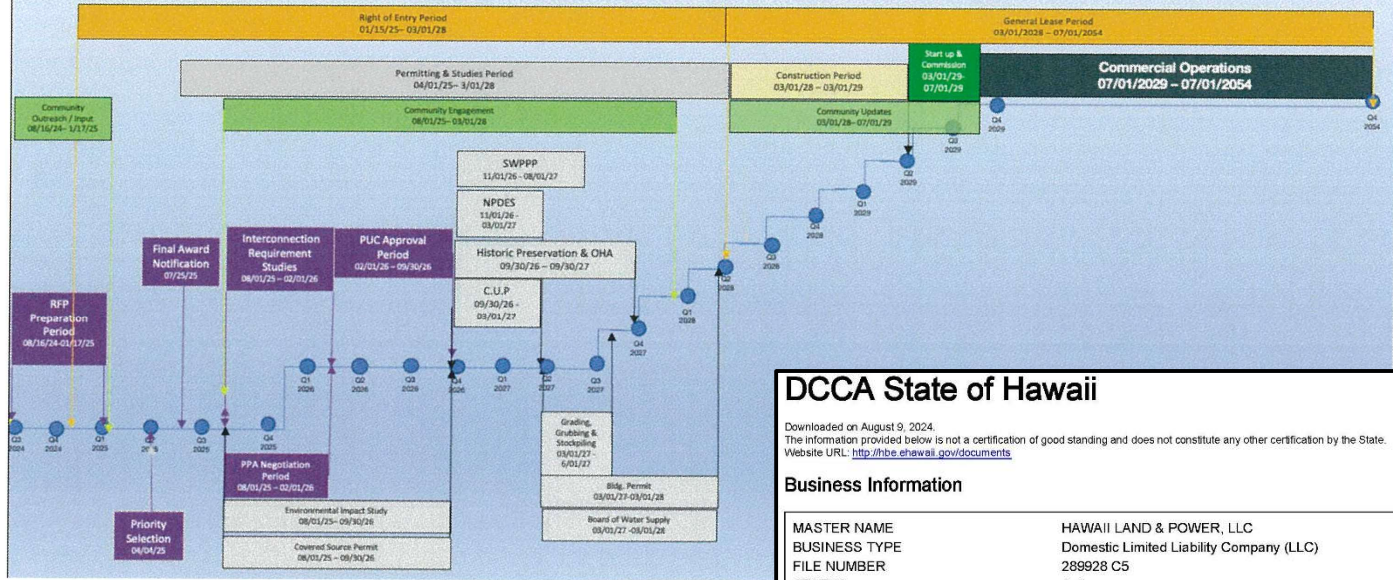
Figure 3. Surrounding Uses Map

EXHIBIT "B"

Appendix A

HAWAII LAND & POWER, LLC

IGP-RFP WAIAKEA FIRM RENEWABLE GENERATION & ENERGY STORAGE RFP & PROJECT SCHEDULE



DCCA State of Hawaii

Downloaded on August 9, 2024.
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Website URL: <http://hbe.ehawaii.gov/documents>

Business Information

MASTER NAME	HAWAII LAND & POWER, LLC
BUSINESS TYPE	Domestic Limited Liability Company (LLC)
FILE NUMBER	289928 C5
STATUS	Active
ORGANIZED IN	Hawaii UNITED STATES
REGISTRATION DATE	Dec 30, 2022
MAILING ADDRESS	1050 BISHOP STREET UNIT 178 HONOLULU, Hawaii 96813 UNITED STATES
CROSS REFERENCE NAME	HAWAII LAND AND POWER, LLC
TERM	AT-WILL
MANAGED BY	MANAGER(S)
AGENT NAME	HAWAII REGISTERED AGENT LLC
AGENT ADDRESS	1001 BISHOP ST STE 2685A HONOLULU, Hawaii 96813 UNITED STATES

HAWAII LAND & POWER HILO PROJECT TEAM

Entity	Lead individuals	Scope
Hawaii Land & Power, LLC	David Berryhill	Principal, Owner, Developer
Lotus Infrastructure Group	Himanshu Saxena	CEO, Financial Partner
DVGiovanni	Dan Giovanni	Owner's Advisor
Mitsubishi Power / Prevalon	John Robins	Generation & Storage Provider
Haskell Corporation	Evan Haskell, Justin Sheryf	Procurement and Construction
POWER Engineers	Gerry Murray, Jack Shriver	Generation Interconnection Electrical Studies & Engineering
Qualus Corporation	Ron Reed	Energy Storage Interconnection
Chicago Bridge & Iron	Al Acosta	EPC, On-Site Fuel storage
Bluewater Energy	Mike Arrigo, Kris Larouche	Commissioning and Startup
Yamamoto, Caliboso & Hetherington	Dean Yamamoto, Carl Caliboso	Contracts Attorney
K&L Gates	Jeff Cohen	Corporate Counsel
Emerald Capital Partners	Julien Samson	Financial Analysis
Foulweather Consulting	Gary Rubenstein	Covered Source (Air) Permit
Cultural Studies Hawaii	Hallat H. Hammatt	Ka Pa'akai Analysis
G70	Jeff Overton, Paul Matsuda	Permitting, Civil Engineering, Environmental Studies
G70	Kawika McKeague, Barbara Natale	Community Outreach, Cultural & Historical Considerations
Consolidated Asset Managers	Kevin Monahan	O&M and Asset Management
Pacific Biodiesel	Robert King	Biodiesel Supply

Annual Filings

FILING YEAR	DATE RECEIVED	STATUS
2023	May 22, 2024	Processed

Officers

NAME	OFFICE	DATE
BERRYHILL, DAVID TODD	OFFICE MGR	Dec 30, 2022

**HAWAIIAN HOMES COMMISSION
AUGUST 19 & 20, 2024**

**G – ITEMS
PLANNING OFFICE**

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

August 19-20, 2024

To: Chairman and Members, Hawaiian Homes Commission
Thru: Andrew H. Choy, Planning Program Manager
From: Nancy M. McPherson, Planner *Nancy M. McPherson*
Subject: For Information Only - Status Update on Plan
Implementation, Island of Kaua'i

Recommended Action

For information only. No action required.

Background

By request of the Chairman, the Planning Office provides the Hawaiian Homes Commission (HHC) with a status report on previously approved policies and/or plans that affect lands and homestead communities located where the HHC conducts its monthly community meetings. For August 2024, the Planning Office is providing an update on implementation of various plans and programs for the island of Kaua'i. The last Kaua'i Island update was provided to the HHC in August of 2023 (Item G-1).

Discussion

EXISTING PLANS & IMPLEMENTATION STATUS

Kaua'i Island Plan (2004)

The purpose of each DHHL Island Plan is to:

- (1) Provide a comprehensive resource for planning and land management purposes, including identification of land use goals and objectives of the General Plan specific to each island,
- (2) Identify island-wide needs, opportunities, and priorities, and
- (3) Assign land use designations (LUD's) for all land holdings to promote orderly land use and efficient development of infrastructure systems.

The Kaua'i Island Plan (KIP) was adopted by the HHC in 2004. The KIP defined seven planning areas - Waimea, Kekaha, Hanapēpē, Wailua, Kapa'a, Anahola/Kamalomalo'o, and Moloa'a. See Fig. 1 and Table 1, below, for locations and land areas by use types.

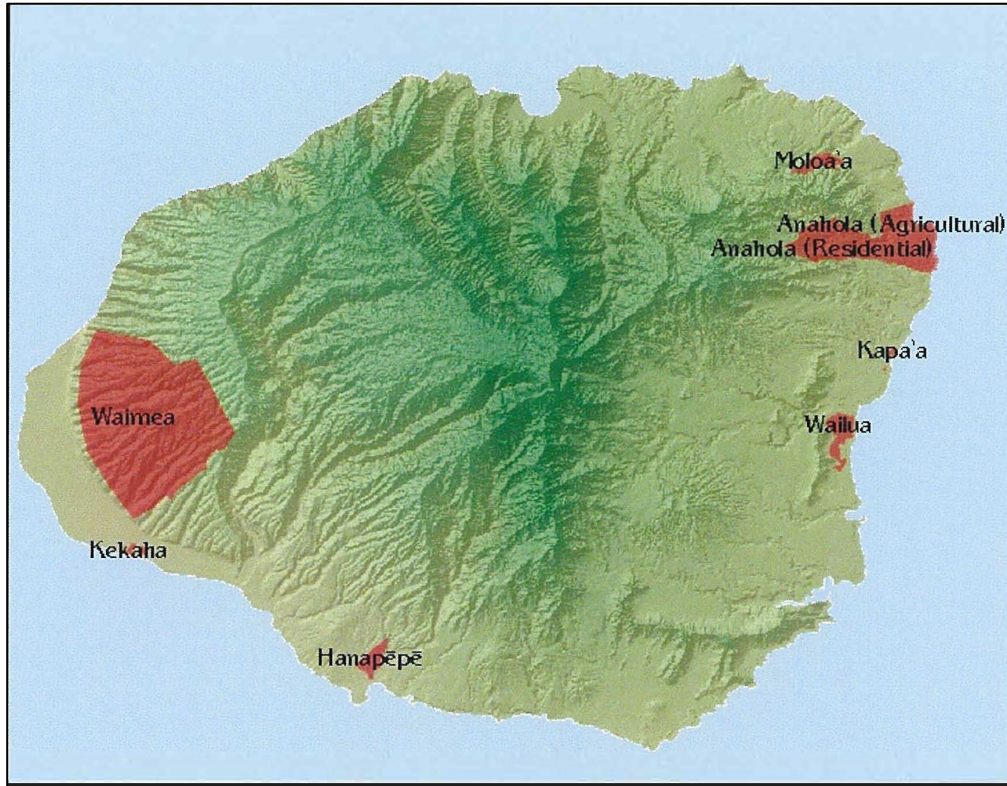


Fig. 1 Hawaiian Home Lands on Kaua'i

Land Use Designation	WAIMEA (Acres)	KEKAHA (Acres)	HANAPĒPĒ (Acres)	WAILUA (Acres)	KAPA'A (Acres)	ANAHOLA (Acres)	MOLOA'A (Acres)	TOTAL (Acres)	%
Residential	202	39	168	216	0	565	0	1,190	5.79%
Subsistence Agriculture	214	0	158	99	0	533	200	1,204	5.85%
Supplemental Agriculture	0	0	0	0	0	0	0	0	0.00%
Pastoral	475	0	0	0	0	148	0	623	3.03%
General Agriculture	12,527	0	0	52	1	1,018	86	13,684	66.54%
Special District	1,258	13	0	92	0	1,419	30	2,812	13.67%
Community Use	42	0	22	20	0	127	0	211	1.03%
Conservation	343	0	0	0	0	350	0	693	3.37%
Commercial	0	0	17	47	0	68	0	132	0.64%
Industrial	0	0	0	0	16	0	0	16	0.08%
TOTALS	15,061	52	365	526	17	4,228	316	20,565	100.00%

Table 1 Kaua'i Island Acreage by Land Use Designation¹

¹ Per Kaua'i Island Plan 2004 - does not reflect subsequent LUD amendments

*Kaua'i Island Plan Residential Development Priorities and Implementation Status
(for more detailed information, refer to Land Development Division's Item E-1, "Kaua'i Island Project Updates" and the Planning Office's Item G-2, "Kaua'i Water Projects Update")*

1. Residential Lots in Wailua (231 lots - to be revised during Master Plan and Environmental Assessment process)

- *Off-site water wells and storage facilities and on-site roads and water and sewer transmission lines are required. Status: DHHL's Wailua Well #1 is now capped and cased and can be put into production as DHHL moves forward with homestead planning and development. This well will be the primary source of potable water for subsistence agricultural and residential homestead lots on DHHL's 526 acres of land in Wailua.*
- *Wailua Master Plan and Environmental Assessment has been funded for Fiscal Year 2024. Status: The Master Planning and environmental review process has been initiated. G70 is under contract to perform the following:*
 - *Conduct technical studies to identify the constraints and opportunities to provide housing and homesteading opportunities on DHHL's approximate 526 acres in Wailua, Kaua'i*
 - *Provide ample opportunity for DHHL beneficiary input during the master planning process to inform plan recommendations*
 - *Develop homestead lot layout configurations for beneficiary consideration and feedback and determine an approximate number of new homestead lots that will be provided to beneficiaries on DHHL's waiting list*
 - *Coordinate with Kaua'i County on infrastructure that will service the new homestead community*
 - *Prepare an Environmental Assessment document in accordance with HRS Chapter 343*
 - *Prepare initial archaeological studies to comply with HRS Chapter 6E*

Infrastructure needs, issues and opportunities will be discussed with other State agencies and County of Kaua'i during the planning process. In addition to water storage and transmission, coordination topics are likely to include relocation and expansion of the Wailua wastewater treatment plant, Kūhiō Highway intersection improvements, transit-oriented development (TOD) opportunities, a potential

bypass road, and surface water and topographic changes needed to mitigate drainage and flooding issues.

2. Hanapēpē (Phase 1: 47 lots, Phase 2: 82 lots, Phase 3: approx. 477 lots)

- Phase 1 (47 Residential lots) was completed in 1995 without major off-site infrastructure costs. Existing Phase 1 lots have recently been consolidated and re-subdivided to add an average of 1,500 square feet of land area to the backs of the lots, as requested by the Phase 1 lessees during the Phase 2 master planning process.
- Phase 2 (82 Residential lots): Phasing of development was revised during the Hanapēpē Homestead Master Plan and Environmental Assessment process. Phase 2 will have access to existing County infrastructure capacity (water and wastewater) and will connect to Moi Road through existing access points.
Status: Phase 2 final subdivision approval from County of Kaua'i is in progress. Subdivision improvements are anticipated to begin in the first half of 2025. See Item E-1, "Kaua'i Island Project Updates" for more information.
- Phase 3 (to be broken up into smaller phases) will consist of up to 477 homestead lots: 366 Residential lots (max. 7500 sq. ft.) and 111 Subsistence Agriculture lots (max. three acres). Non-homesteading uses include 13 acres for Commercial Use, 26 acres for Community Use, and 33 acres in Special District. Development of Phase 3 will require additional water and sewer capacity and off-site improvements such as drainage and traffic mitigation measures on Kaumuali'i Highway. Investigation of surface water resources for subsistence agriculture will also be explored.

3. Residential Lots in Anahola/Kamalomalo'o (rev. to 171 lots)

- This area is prioritized because there are larger tracts of undeveloped land that can be served by existing wells, but a sewage treatment plant may be needed.
Status: Pi'ilani Mai Ke Kai homestead subdivision is master planned for three phases and development is underway. See Item E-1, "Kaua'i Island Project Updates" for more detailed information.

Kaua'i Island Plan - Amendments and Updates

Since the Kaua'i Island Plan (KIP) was adopted in May 2004, the Hawaiian Homes Commission has approved four Land Use Amendments and two Kuleana Homestead Settlement Plans:

- October 2020: Amended the Hanapēpē Land Use Plan (Fig. 5.2 in KIP) to reflect the land use designations approved for the Hanapēpē Homestead Community Master Plan.
- July 2020: Amended the Waimea Land Use Plan (Fig. 3.2 in KIP) to reflect the land use designations approved for the Pu'u 'Ōpae Kuleana Homestead Settlement Plan.
- May 2021: Amended the Anahola Land Use Plan (Fig. 8.2 in KIP) to reflect the land use designations approved for the Anahola Kuleana Homestead Settlement Plan.
- March 2023: Amended the Anahola Land Use Plan (Fig. 8.2 in KIP) to adjust the location of 10 acres of the Community Use area further makai in the Pi'ilani Mai Ke Kai residential homestead subdivision.

The KIP Land Use Amendments resulted in various increases and decreases in acreages for the Land Use Plans, which is common when refining land use analysis during the Master Plan or Development Plan phase. See Table 2, KIP Land Use Amendments Summary, below.

LUD	Hanapēpē Phase 2/3	Waimea (Pu'u 'Ōpae KHSP)	Anahola (KHSP)	Anahola (KKOA)
Subsistence Agriculture	-1	+387	-4	--
Residential Homestead	-42	-709	--	N/C
Pastoral Homestead	--	+110	-8	--
Supp. Agriculture	--	+63	--	--
Community Use	+4	+152	+28	N/C
General Agriculture	--	-184	--	--
Commercial	-4	--	--	--
Special District	+33	+181	-16	--
Conservation	+8	--	--	--

Table 2, KIP Land Use Amendments Summary -- Acreage Changes

Kaua'i Regional Plans - Implementation Status

Kaua'i has three Regional Plans, for Wailua (2009), Anahola (Kamalomalo'o, Anahola, Moloa'a, 2022), and West Kaua'i (2011). The Anahola Regional Plan was updated in 2021-2022 and the Final Plan was approved by the HHC in December 2022. Table 3, "Kaua'i Regional Plans Implementation Status" below, lists Priority Projects for all Kaua'i Regional Plans and reports on the current status of each project.

Regional Plan	Priority Project	Description	Current Status
Wailua (2009)	Cultural Resources Inventory - Malae Heiau Restoration Project, Wailua River State Park	State-owned land to south & west of Malae Heiau conveyed to DHHL in 1994. ACTION: Establish procedures, forms, electronic forms & databases necessary to inventory, document, map & catalog cultural resources located on DHHL's Wailua lands.	No change - project lacks a champion. DLNR and a nonprofit have recently cleared the heiau of overgrowth, but ongoing maintenance is needed. KIP identifies cultural buffer on DHHL lands along Wailua River via Special District, but Wailua Regional Plan shows a different land use configuration. Further discussions on protection & management of cultural sites will occur during Wailua Master Plan & EA process.
Wailua (2009)	Potable Water Sources <i>(Refer to Item G-2, Kaua'i Water Projects Update, for more info)</i>	Water Master Plan for proposed DHHL Wailua subdivision completed in January 2009. Source, storage and transmission lines needed to support development. ACTION: Secure funding for design, drilling, casing, outfitting & testing of two new potable well sources. Second well is needed as backup source.	DHHL's Wailua Well #1 is now capped & cased, to be put into production when DHHL completes Master Plan and moves ahead with development. DHHL/DLNR/State may need to secure land in Kālepa Forest Reserve for proposed 330' elev. 0.5 MG tank site. Further discussions will occur during the Wailua Master Plan & EA process.
Wailua (2009)	Kalepa Ridge Surface Water System Maintenance	DHHL identifying opportunities to utilize surface water resource for agricultural uses for proposed Wailua homestead development. Community has expressed interest in creating agricultural lots to feed their families.	Staff will coordinate with Agribusiness Development Corporation (ADC) & Commission on Water Resource Management (CWRM) on potential allocation & use of surface water in the region during the Wailua Master Plan & EA process.
Wailua (2009)	Kapa'a Relief Route	State Department of Transportation's (SDOT) #1 priority on Kaua'i was Kapa'a Relief Route; considered four alternative alignments through or abutting DHHL's Wailua lands.	Staff will coordinate with County of Kaua'i & State DOT's on transportation, road alignment and highway safety alternatives for the area during the Wailua Master Plan & EA process.

Regional Plan	Priority Project	Description	Current Status
Wailua (2009)	Wailua Wastewater Treatment Plant (WWTP) Facility	Wailua WWTP requires expansion & relocation due to projected sea level rise and as a function of long-term wastewater treatment capacity needs for Wailua-Kapa'a area.	Staff will coordinate and hold discussions with County of Kaua'i re: potential relocation & expansion of WWTP during the Wailua Master Plan & EA process.
Anahola (2022)	Surface Water Resources Management (non-potable) <i>(Refer to Item G-2, Kaua'i Water Projects Update and Item E-1, Kaua'i Island Project Updates, for more info)</i>	Investigate water resources mauka & explore watershed development & stream flow restoration projects to secure homestead water rights. This project seeks funding for an "Anahola Surface Water Resources Management Plan" to be approved by the HHC & implemented by DHHL.	Surface water resources were re-evaluated & a study & recommendations prepared as an outcome of the Anahola Kuleana Homestead Settlement Plan process. Additional funding & partners will be needed to develop Management Plan & implement recommendations. Additional research & engineering will be needed to restore surface water flow & dam and ditch systems.
Anahola (2022)	Hō'ākeolapono Trades Academy and Institute: Home Building Resources Center	Develop a home building cooperative & resource center in conjunction with Ho'ākeolapono Trades Academy & Institute that brings together education, building materials, equipment, & skilled labor resources to provide affordable home building, repair & maintenance to the Anahola community while offering trade & vocational skills to area high school students & young adults.	Resources are being identified to initiate implementation action steps. DHHL & project champion have identified a new location that is more suitable for the proposed uses. Campus & resource center will be located within a parcel that was omitted from land use designation, so a KIP LUA will be needed. Project proponents will also need to prepare a Master Plan & Environmental Assessment.
Anahola (2022)	Makai Management Plan	Develop a plan to manage shoreline resources & access to DHHL's coastal lands in Anahola; provide guidance on activities & actions led by beneficiary organizations, community partners & DHHL to manage & maintain shoreline resources, facilitate safe use of & access to these makai lands, remove trash & abandoned vehicles, & clear out other illegal activities.	Funded in FY24. A consultant has been procured by 'Āina Alliance, which holds a ROE to provide security & cleanup activities south of Anahola Bay; Kahu O Ka Pāka Kahakai O Anahola holds a ROE to provide stewardship, native plant restoration & cleanup activities in Anahola Beach Park areas not under license to County of Kaua'i.

Regional Plan	Priority Project	Description	Current Status
Anahola (2022)	Anahola Place-Based Education Network	Create a network or community of practice made up of groups & organizations supporting 'āina- & place-based education in Anahola in order to provide a space for collaboration & sharing of knowledge, resources, & information & to build the capacity & outreach of all partners involved.	Partnership between Kukulu Kumuhana O Anahola (KKOA) and Kanu I Ka Pono Public Charter School offers learning spaces for Hawaiian cultural, place-based learning & program is growing. Additional staff & resources are being secured & more partners offering other community-based programs serving Anahola youth, such as the Ko'olau Limu Project, are being engaged. DHHL's Land Management Division is supporting issuance of a long-term license for the Limu Project - see Item F-1.
Anahola (2022)	Mauka Farm Lot Plan (DHHL-led project) <i>(Refer to Item E-1, Kaua'i Island Project Updates, for more info)</i>	Create Kuleana Homestead lots & issue subsistence agriculture & pastoral awards. Community will work with DHHL to ensure housing & infrastructure alternatives are available to lessees.	Engineering consultant delineating metes & bounds for kuleana lots & designing roadway & drainage network. Beneficiaries are pursuing opportunities to provide support services to DHHL & beneficiaries to ensure successful Settlement Plan implementation.
W. Kaua'i (2011)	Develop Agricultural & Water Plan (Pu'u 'Ōpae) <i>(Refer to Item G-2, Kaua'i Water Issues and Item E-1, Kaua'i Island Project Updates, for more info)</i>	Three-part project to integrate ag uses and water availability via: 1) land exchange of mauka hunting lands for DLNR lands at a lower elevation that are better suited for homesteading; 2) restoration of Pu'u 'Ōpae Reservoir & irrigation system; agricultural lease master plan; evaluation of increased water diversion from Pu'u Moe Divide; diversified ag projects; 3) maintenance / improvement & continued use of existing West Kaua'i Water System.	HHC issued Kekaha Hawaiian Homestead Association (KHHA) a 20-year license for 231 acres of land at Pu'u 'Ōpae to implement Phase I of KHHA's Farm & Irrigation Plan (FIP). Kuleana Homestead Lot Settlement Plan & FEA/FONSI completed in August 2020 for 1,192 acres of Waimea lands; coordinates planning, design, & implementation of land uses & homestead lot development around & adjacent to Pu'u 'Ōpae. Coordination w/KIUC on WKEP & infrastructure improvements is ongoing.

Regional Plan	Priority Project	Description	Current Status
W. Kaua'i (2011)	Develop a Multi-Purpose Evacuation & Education Center/ Shelter	This multi-purpose facility would serve as a culture & education center when not in use as a disaster shelter. The need for a hurricane shelter as well as tsunami evacuation site was identified. Envisioned to be consistent with Mauka Village homesteading concept.	Need for Community Resilience Plan for West Kaua'i identified. Location identified in KIP & RP is in "Mauka Village" community use area off Koke'e Rd. The Planning Office is working with multiple interested beneficiary organizations to coordinate on a project proposal & location that is consistent with the Island & Regional Plans.
W. Kaua'i (2011)	Support Development of the Kekaha Enterprise Center	Kauai Community College & Council for Native Hawaiian Advancement developed a 2,000 square foot single story facility on 2.629 acres used to provide social & community services to beneficiaries living in Kekaha.	COMPLETED. Facility managed by the West Kaua'i Hawaiian Homestead Association (WKHHA).
W. Kaua'i (2011)	Develop Renewable Energy Projects Compatible with Agriculture	Community indicated a willingness to support renewable energy projects that meet the goal of compatibility with agriculture.	DHHL is reevaluating options for renewable energy projects in West Kaua'i due to the hiatus of the West Kaua'i Energy Project (WKEP) hydroelectric project.
W. Kaua'i (2011)	Develop Agricultural Uses for Hanapēpē Farm Lots/Lease Areas	Existing residential lots in Hanapēpē are too narrow & feel crowded. Residents have expressed a desire to use area behind their lots for agricultural, recreational or open space uses.	Hanapēpē Homestead Community Master Plan & EA approved for 349 acres of lands adjacent to existing Hanapepe Residential Homesteads ("Phase 1"). Final subdivision approval for Phase 2 (82 residential lots), including relocating drainage & enlarging Phase 1 lots, is underway. Phase 3 will provide areas for agricultural, cultural & recreational uses.

Table 3 Kaua'i Regional Plans Implementation Status

Kuleana Homestead Settlement Plan Projects on Kaua'i

Pu'u 'Ōpae Special Area Plan & Kuleana Homestead Settlement Plan

There are over 14,500 acres of Hawaiian Home Lands in the Waimea area (see Fig. 1), one of the original tracts identified in section 203 of the Hawaiian Homes Commission Act of 1920, as amended. Homestead development in this area was not a priority in the Kaua'i Island Plan (2004) but the area around Pu'u 'Ōpae reservoir was designated as Special District, indicating that additional planning would be needed. The need to do planning for integrated agricultural development and water management was identified as a Priority Project in the West Kaua'i Regional Plan in 2011.

A Farm and Irrigation Plan (FIP) was completed by the Kekaha Hawaiian Homestead Association (KHHA), and a 20-year license to implement the FIP was issued in 2017. In addition, a historic water settlement in the Waimea area facilitated a 65-year lease with the Kaua'i Island Utility Cooperative (KIUC) to develop the West Kaua'i Energy Project (WKEP) partially on Hawaiian Home Lands, which would have included road improvements, provision of potable water and electricity. These improvements would have significantly facilitate agricultural, community and homesteading uses in the Pu'u 'Ōpae area. Due to unresolved issues, the WKEP is currently on hiatus and DHHL is reevaluating its options for Pu'u 'Ōpae.

Implementation of the Settlement Plan will now have to wait until an alternative to the WKEP to obtain funding for the proposed road and other infrastructure improvements can be found. The Kuleana Settlement Plan process, which included Chapter 343 Environmental Review and amendment of the Kaua'i Island Plan, was completed and received HHC approval in July of 2020. See Figure 2, Proposed Land Uses, below. See Item G-2, Kaua'i Water Projects Update, for more information.

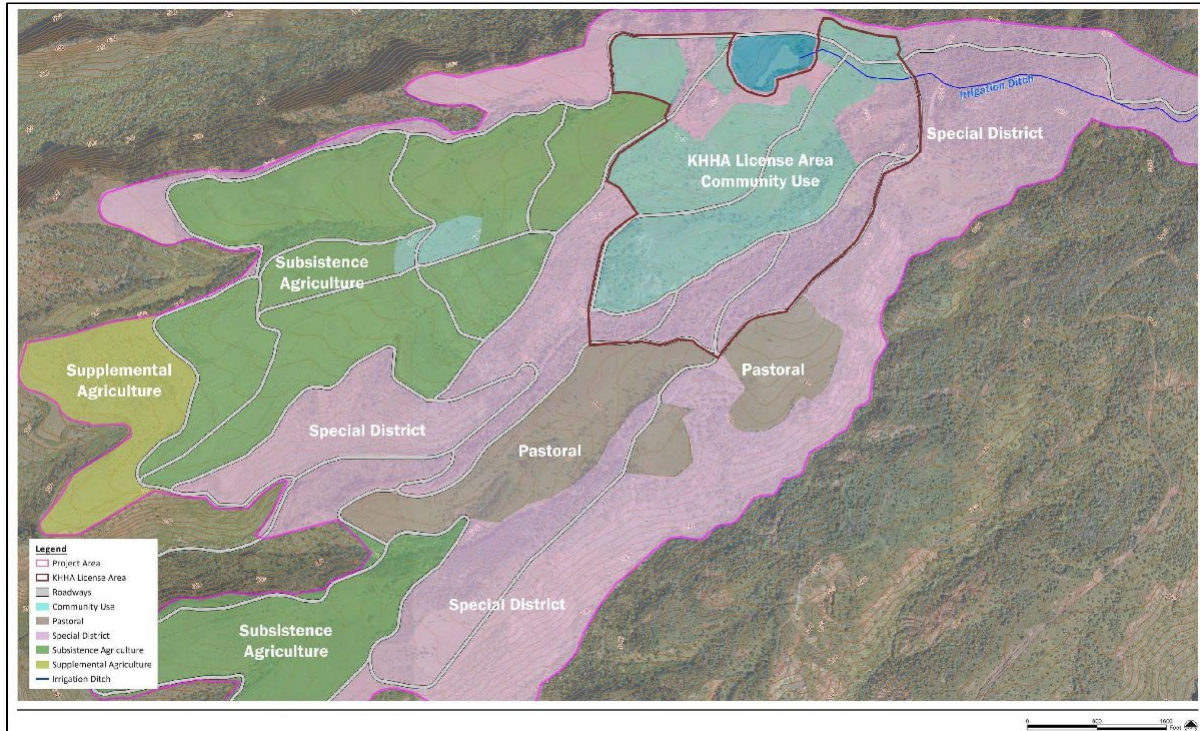


Figure 2 Proposed DHHL Land Uses in Pu'u 'Ōpae, Waimea, Kaua'i Anahola Kuleana Homestead Settlement Plan

DHHL also intends to provide the following kuleana agriculture and kuleana pastoral opportunities on 275 acres of land in Anahola. See Table 4, Anahola Kuleana Settlement Plan Lot Strategy, below.

Land Use	1987 Anahola Development Plan	2004 Kaua'i Island Plan	2020 Anahola Settlement Plan
Subsistence Agriculture Lots	(89) 3-acre lots	(103) 2-acre lots	(101) 2-acre lots
Pastoral Lots	(30) 5-acre lots	(14) 10-acre lots	(14) 10-acre lots
Community Use	0	0	28 acres

Table 4 Anahola Kuleana Settlement Plan Lot Strategy

The Anahola Kuleana Homestead Settlement planning process, including Chapter 343 Environmental Review and amendment of the Kaua'i Island Plan, was completed in May 2021. Albizia clearing and road improvements were completed by Green Energy Team, which facilitates implementation of the Kuleana Settlement Plan. See Figure 3, Proposed Kuleana Settlement Plan, below.

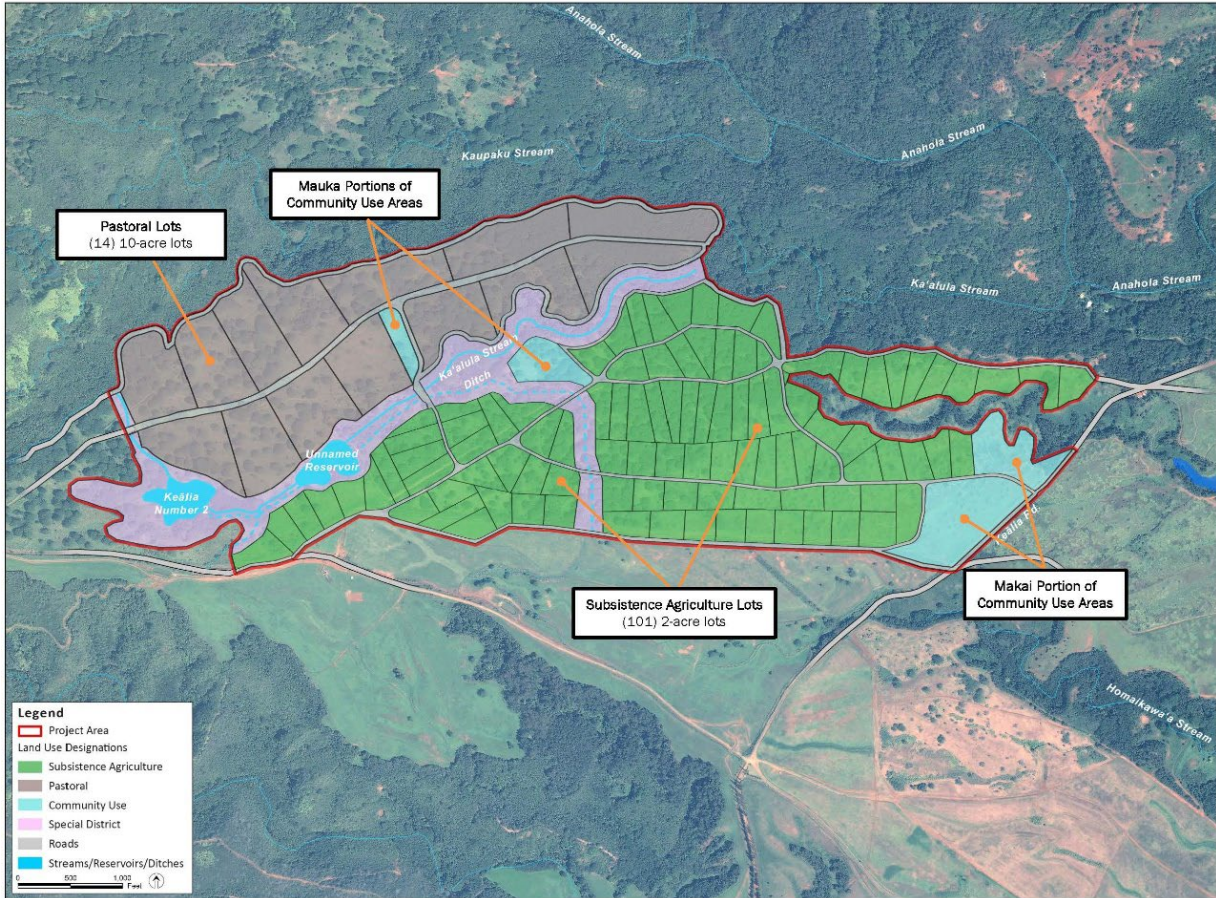


Figure 3 Proposed Kuleana Settlement Plan in Anahola, Kaua'i

Currently, DHHL is still pursuing HRS Chapter 6E clearance through the State Historic Preservation Division (SHPD) and anticipates completion of construction plans for roads and drainage by early 2025. See Item E-1, "Kaua'i Island Project Updates," for more detailed information.

Recommendation

For information only. No action required.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

August 19 - 20, 2024

To: Chairman and Members, Hawaiian Homes Commission (HHC)
Through: Andrew H. Choy, Planning Program Manager
From: Cherie-Noelle Ka'anana, Water Program Specialist
Subject: Kaua'i Water Projects Update

RECOMMENDED MOTION/ACTION

None; for information only.

DISCUSSION

This submittal to the Hawaiian Homes Commission (HHC) provides an update of water issues and projects of significance to beneficiaries and the Department of Hawaiian Home Lands (DHHL) on Kaua'i. It is submitted in furtherance of the HHC Water Policy Plan (WPP) Goal 1, to "Affirmatively communicate with beneficiaries regarding water decisions, performance, and water rights on a regional and annual basis."

This submittal is also prepared in the context of our overall efforts to fulfill the responsibilities of the HHC and DHHL as they relate to water. An overview of this context is included as Attachment A: BACKGROUND AND OVERVIEW OF HHC AND DHHL WATER KULEANA.

A general overview of DHHL tracts and implementation of DHHL plans is provided in the Status Update on Plan Implementation on Kaua'i (Item G-1). This submittal focuses on the following:

- I. DHHL Water Demands and Reservations
- II. West Kaua'i Energy Project Update
- III. Anahola Surface Water Management Plan
- IV. Kaua'i County Department of Water's Water Use and Development Plan Update

- V. Other Projects with Future Water Implications
- VI. Related Work with Beneficiaries and Capacity Building to Secure Water Resources and Address Water Issues

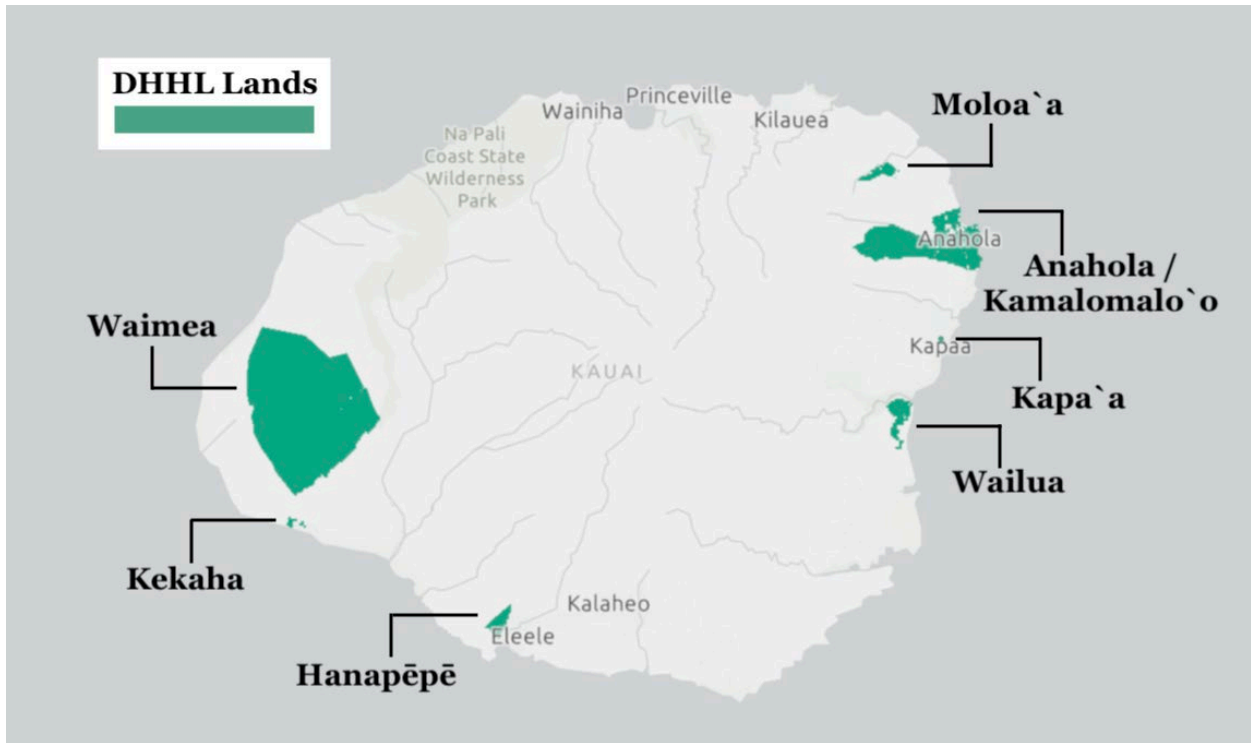


Figure 1. Map of DHHL Lands on Kaua'i shown in green.

I. DHHL Water Demands and Reservations

As described in more detail in Attachment A, water reservations are a means for the Commission on Water Resource Management (CWRM) to protect or set aside water for DHHL future needs in various areas. While converting these reservations into “wet water” flowing into homesteads requires planning, financing, environmental review, and design, securing reservations for our future use remains a critical step in securing water for future homesteads and related DHHL needs.

A. DHHL Calculation of Future Water Needs

The DHHL Planning Office, in cooperation with other parts of DHHL and other agencies, calculates future water needs for all of our tracts by first reviewing the land use designations made by the HHC through the General Plan¹, in the DHHL Island

¹ <https://dhhl.hawaii.gov/wp-content/uploads/2022/12/221123-DHHL-General-Plan-Final-Draft Adopted.pdf>

Plans², and Regional Plans³, as well as any detailed development plans that are created as tracts move into homestead and other development. We also examine any other information about land characteristics in each tract that could impact future water demands.

Each particular land use designation for a tract (e.g. residential, commercial, pastoral) and any supporting information in the respective plans (e.g. acreage or unit counts) are then used, along with applicable water demand standards, to calculate water demands. Applicable water demand standards include:

- County water system standards⁴ for the respective county in which the tract is located;
- For general agricultural land use designations, standards in the current approved state Agricultural Water Use and Development Plan⁵, unless more specific information is available from other CWRM determinations for the particular area
- Lo'i kalo water demands as determined by the Office of Hawaiian Affairs and the US Geological Survey in the 2007 study⁶ of water use in wetland kalo cultivation.

A comprehensive examination of plans and land use designations across all tracts, along with associated water demands, was undertaken by DHHL and staff and consultants with the Department of Land and Natural Resources - Engineering Division for the 2017 State Water Projects Plan (SWPP), adopted by CWRM in May 2017. A subsequent update to the SWPP adopted by CWRM in 2020⁷ also included all of the previous calculated demands for DHHL.

The notable difference between the calculations in the SWPP and ultimate DHHL needs is that by statute the SWPP looks at a 20-year time demand, but DHHL needs go beyond that time horizon. This is particularly relevant in light of the fiduciary duties of the DHHL and the provision in the state Water Code

² <https://dhhl.hawaii.gov/wp-content/uploads/2012/05/Island Plan Kauai 2004.pdf>

³ <https://dhhl.hawaii.gov/po/regional-plans/kauai-regional-plans/>

⁴ <https://boardofwatersupply.com/customer-service/applications-and-permits/water-system-standards>

⁵ <https://files.hawaii.gov/dlnr/cwr/planning/awudp2004.pdf>

⁶ <https://pubs.usgs.gov/of/2007/1157/>

⁷ <https://files.hawaii.gov/dlnr/cwr/planning/swpp2020.pdf>

that requires water reservations for DHHL be for "foreseeable needs" (HRS 174C-101(a)).

B. DHHL Water Needs for Kaua'i Tracts

Based on the data in the 2020 SWPP and other regional plans, the potable and non-potable 20-year projections of medium range water needs for DHHL's Kaua'i tracts are as follows (in millions of gallons per day [MGD]).

Table 1. DHHL Water Needs for Kaua'i

Tract	Potable (MGD)	Non-potable (MGD)	Total
Waimea	0.2635	25.806	26.0695
Hanapēpē	0.6493	0.2924	0.9417
Wailua	0.7075	0.3366	1.0441
Anahola	1.3795	5.1557	6.5352
Moloa'a	0.0235	2.9300	2.9535
Other Tracts	0.1399		0.1399
Totals	3.1632	34.5207	37.6839

The estimated water demand for Moloa'a is currently undergoing reevaluation. The above values were taken from the 2020 SWPP. There are 316 acres of undeveloped land at Moloa'a. There is a State well nearby that is currently held by a private party via a Revocable Permit (RP) and is in the process of being converted to a General License. As required by Hawai'i Revised Statute (HRS) 171-58(g), water reservations for DHHL lands must be made related to the proposed waters prior to the issuance of Water Licenses. The current RP holder has reached out to DHHL has been in the process of updating Moloa'a's water needs.

Utilizing the aforementioned calculation method, DHHL staff calculated an updated water need for Moloa'a at 152,000 gpd of potable water and 4,592,160 gpd of non-potable water. Alternatively, staff at the CWRM have the ability to use their Irrigation Water Requirement Estimation Decision Support System (IWREDSS) to calculate water estimates for agriculture. Through that method, the water needs for Moloa'a are approximately 5,379,000 gpd of non-potable water. DHHL will conduct beneficiary consultation to determine the appropriate amount of water reservation to request as a next step.

C. Existing Kaua'i DHHL Water Reservations by CWRM

CWRM can act to reserve water for DHHL on its own action, when petitioned for action by DHHL, or when required in response to a request for another party to lease or license state waters under HRS 171-58. In designated water management areas, CWRM has adopted reservations of water through a rule making process under HRS 174C-49(d). For non-designated areas, CWRM has reserved water during regular meetings under HRS 174C-101. Based on a request by DHHL and by CWRM action, the following reservations have been secured. Water was reserved from the water resources related to each tract -- either a Surface Water Hydrologic Unit (SWHU) or a Ground Water Hydrologic Unit (GWHU).

Table 2. DHHL Reservations Granted by CWRM

Aquifer System Area	Date of Reservation	MGD Reserved
Waimea SWHU	6/20/17	6.903
Wailua SWHU	10/16/18	0.513
Wailua GWHU	9/18/18	0.708
Anahola GWHU	9/18/18	1.47
Kekaha GWHU	9/18/18	0.336
Makaweli GWHU	9/18/18	0.405

D. Limitations of Reservations of Water

Reserving adequate water for the future needs of DHHL is mandated by the state Water Code (HRS Ch 174C), and progress on establishing reservations adds important legal protections to beneficiaries' future water needs. However, there are limits to what reservations are (and are not), and the kinds of issues that they can address. While water reservations set aside some water for allocation by the Commission on Water Resource Management (CWRM) to any other party, there are limits:

- Reservations do not instantly result in "wet water" being available to DHHL and beneficiaries. Water development requires:
 - Funding for water exploration and development
 - Environmental review
 - Development of source, storage, and transmission
 - Development of operations plans or agreements
- In Water Management Areas (WMAs) of the state there is an enforcement mechanism for protecting DHHL uses and reservations because all required Water Use Permits are "subject to the rights of DHHL". There are, however, no

WMAs in Kaua'i.

II. West Kaua'i Energy Project Update

DHHL was an essential party to the historic May 2017 settlement agreement on a number of water issues related to the Waimea River, Kaua'i. The Waimea Watershed Agreement was entered into by the Department, Po'ai Wai Ola/West Kaua'i Watershed Alliance (PWO) (represented by the law firm Earthjustice), the State Agribusiness Development Corporation (ADC), their tenants the Kekaha Agriculture Association (KAA), and the Kaua'i Island Utility Cooperative (KIUC). It arose from the efforts by the Commission on Water Resource Management (CWRM) to resolve issues related to PWO's Petition to Amend the Interim Instream Flow Standard for the Waimea River and Complaint and Petition for a Declaratory Order Against Waste, as well as a Petition for a "Reservation" of water by DHHL for its Waimea lands.

One of the results of that settlement was a subsequent reservation of water for DHHL by the CWRM for use on DHHL lands in and around Pu'u 'Ōpae, from waters delivered from those sources by the Koke'e Ditch Irrigation System (see Figure 2, below). Specifically, in June 20, 2017, the State of Hawaii Commission on Water Resources Management granted DHHL's Modified Petition for Reservation of surface water of 6.903 Million Gallons Per Day originating from the watershed of, and tributary to, the Waimea River and diverted by the Koke'e and Kekaha Ditch Systems (including water originating in Waikoali, Kawaikoi, Kawaikinana, and Koke'e Streams and other tributaries of the Waimea River) for use in the Waimea, Kaua'i Hawaiian Home Lands. This was the first surface water reservation ever issued to DHHL or any other entity.

A major component of the agreement was the potential development of pumped storage and flow-through hydropower by KIUC. On December 13, 2023⁸, KIUC released a statement that KIUC and its partner AES will discontinue active development of the flow-through hydroelectric portion of the West Kaua'i Energy Project (WKEP) due to delays caused by litigation, project uncertainty, and increase in costs. The development of the flow-through hydroelectric portion would have rehabilitated the reservoirs at Pu'u Lua and Pu'u 'Ōpae, and provided critical infrastructure (roads, waterlines, and power) on DHHL lands to enable the Pu'u 'Ōpae Settlement Plan. The timing of

⁸ <https://www.kiuc.coop/project-delays-jeopardize-west-kauai-energy-project>

implementing these homesteading plans is now significantly uncertain.

Under the Agreement, KIUC is still required, however, to complete what were referred to as "Phase 1 modifications" of the stream intakes which were designed to implement the new Interim Instream Flow Standards stipulated in the 2017 Waimea Mediation Agreement for Waiakōali, Kawaiakōī, Kaua'ikinanā, and Kōke'e intakes.

On January 30, 2024, CWRM considered KIUC's Stream Channel Alteration Permit Application (SCAP) and Stream Diversion Works Permit Application (SDWP) for approval so they could proceed with meeting these Phase I modifications. At that meeting, KAA and ADC objected to the immediate approval and expressed concerns regarding the proposed design. They specifically asserted that the proposed diversions would be difficult to maintain, would have adverse environmental impacts, and would impact water delivery from the Kōke'e Ditch to DHHL and their tenants. DHHL consultants were notified of these concerns the day before; at the CWRM meeting DHHL provided testimony expressing concerns with the delivery of water to beneficiaries currently utilizing the water. CWRM approved the SCAP and deferred the SDWP so that all relevant parties could meet.

Since then, KAA, ADC, KIUC, DHHL, and Earthjustice have met regularly to discuss the Phase I modifications and related issues. KAA has proposed alternative Phase 1 modifications to the group, seeking funding from KIUC in lieu of their original Phase 1 design.

Table 3: Waimea Watershed Settlement Timeline

Date	Event
July 24, 2013	PWO filed a combined petition to amend the IIFS for Waimea River, and a complaint and petition for Declaratory Order against waste in the Waimea Watershed
May 27, 2014	An inventory of the stream system, water uses, and water users of Waimea River was conducted
2015	CWRM gather information on water uses from the agricultural interests and DHHL
November 17, 2015	DHHL filed a petition with CWRM for a reservation of surface water of 33.145 MGD

2015	CWRM staff approached various parties having an interest in this area and its waters to consider participating in a mediation of the issues involved
December 2015	A mediator was approved by CWRM to reach agreement between parties regarding the Waimea watershed
February 16, 2016	CWRM approved the terms of reference for the mediations
April 18, 2017	PWO, ADC, KAA, DHHL, and KIUC entered into the Waimea Mediation Agreement
June 20, 2017	CWRM approved a reservation for DHHL of surface water for 6.903 MGD
August 10, 2020	DHHL published its Final Environmental Assessment (EA) with a Finding Of No Significant Impact (FONSI) for the Pu'u 'Ōpae Homestead Settlement
January 8, 2023	KIUC and its consultants and project partner (AES) published a Final EA and FONSI for what is now referred to as the WKEP, the pumped storage and flow through hydropower project. Whether that document is sufficient under HRS 343 has been challenged by PWO in court and was the subject of potential additional mediation
August 2, 2023	PWO sent a letter to the CWRM and other parties to the agreement alleging ongoing violations of the agreement and officially complaining against ongoing waste
January 30, 2024	CWRM brought forward KIUC's request for a SCAP and SDWP for the Kōke'e Ditch. KAA and ADC testified against with concern regarding the design and water delivery. CWRM deferred the submittal.
April 19, 2024	KIUC withdrew its Draft EA, Final EA, and FONSI for the WKEP

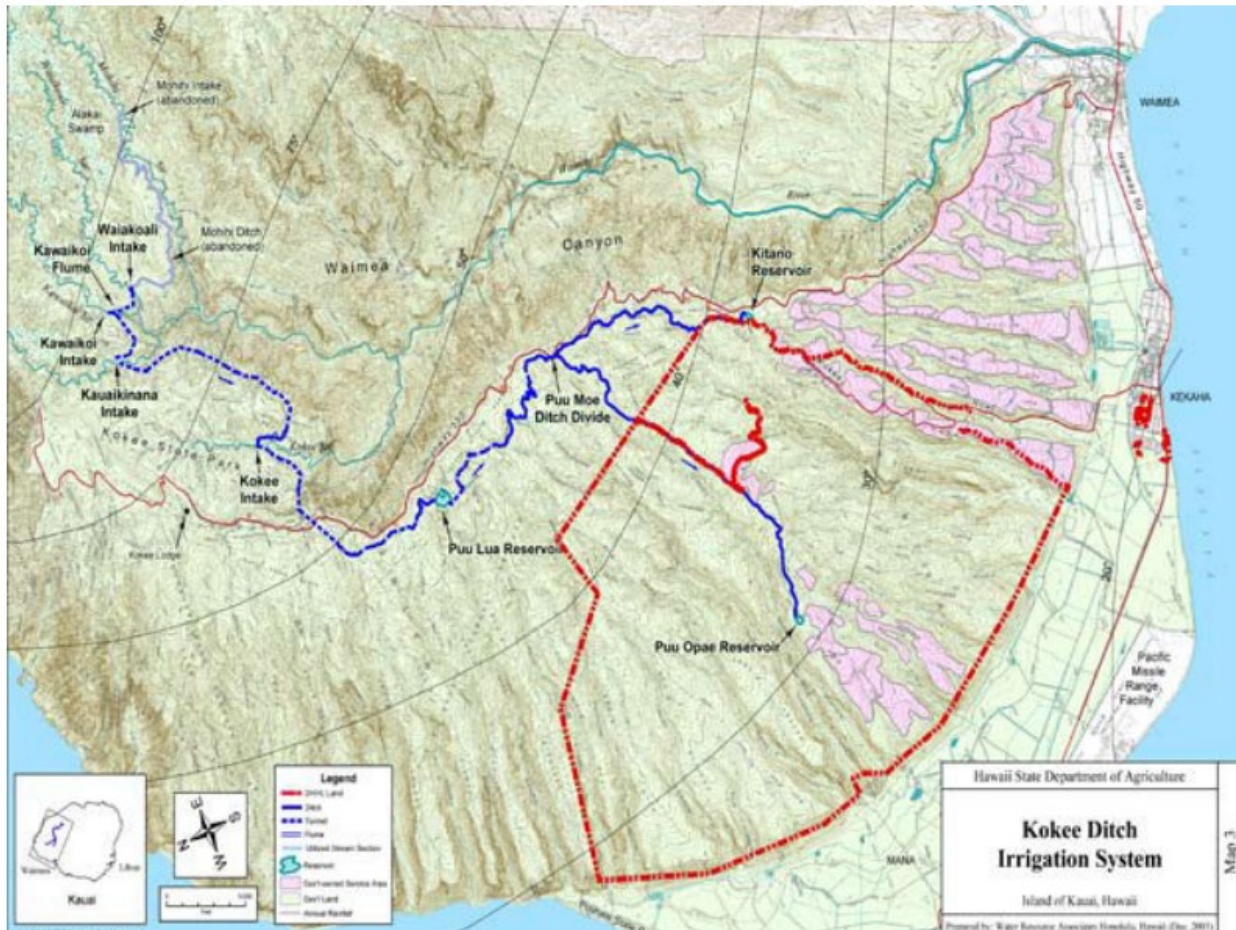


Figure 2. DHHL 's Waimea lands currently use some irrigation water from the Koke'e Ditch and could be further irrigated by that system. From DHHL, West Kaua'i Regional Plan, at 16 (Mar. 2011).

III. Anahola Surface Water Management Plan

DHHL's Regional Plans help to identify opportunities for partnerships among stakeholders, including the Trust, its beneficiaries, and other interest groups in the region. The participatory planning process also documents issues and opportunities in the homestead community and identifies priority projects through consensus building in the near term (two-to-four-year period). The Anahola Regional Plan⁹ was last updated in 2022. This submittal covers one of the priority projects identified for non-potable water uses.

Surface water resources from the Kealia watershed through Anahola are an asset that the community would like to better

⁹ <https://dhhl.hawaii.gov/wp-content/uploads/2022/12/Anahola-RPU-Draft-Final-adopted-2022.pdf>

understand for safety and potential future uses. This includes water that runs from the Upper Anahola Ditch to the Kaneha Ditch, and to the Kaneha Reservoirs 1, 2, and 3.

In the 2010 and 2022 Anahola Regional Plan's priority project description, a Master Plan for Surface Water Resources was identified as a pathway forward to secure and manage surface water resources. The plan would map and inventory the mauka surface water resources, measuring capacity and infrastructure integrity as well as identifying proposed watershed management and stream restoration projects. The priority project also called for a strategic plan for the use and closure of reservoirs. The plan would be based on data collection from flow meters installed to measure the intake of Anahola Stream.

Some work investigating and addressing the availability of surface water resources and safety of existing reservoirs has been completed by DHHL, as follows:

- **2010:** **United States Geological Survey (USGS)** Anahola Stream study completed
- **2012:** Kaua'i Dam Assessment completed; recommended remediation, removal, and deregulation of reservoirs
- **2013:** \$3.0 million legislative appropriation for dam improvements
- **2020:** Demolition of Field #2 Kealia Reservoir and Lower Anahola Reservoir completed
- **2021:** Final Anahola Kuleana Settlement Plan and EA FONSI adopted by Hawaiian Homes Commission, which included assessment of Kealia Field #1 for non-potable water storage; deemed not feasible
- **Underway:** EA and redesign demolition of Field #1 Kealia Reservoir and Upper Anahola Reservoir due to high cost of improvements, no water source, and liability of maintaining a regulated dam

The work on the existing reservoirs does not involve removing and filling the entire reservoir but does remove the lower portion of the dams to allow water to flow unimpeded and reduce risk of flooding due to dam failure. The dam improvements completed to date allow for the possibility of the reservoirs being restored in the future if funding becomes available and there is still a desire to restore flow into the reservoirs from Anahola Stream.

The first implementation action step is seeking funding for the plan. Additional funding is needed to complete a more detailed and thorough study of historic and current surface water resources in Anahola to accomplish the objective of better managing surface water resources and to restore the flow of surface water to DHHL's Anahola lands.

IV. Kaua'i Department of Water's Water Use Development Plan Update

The Hawai'i Water Plan is a master planning document for water resources in the state mandated by the state Water Code (HRS 174C). It is composed of five parts. The Water Resource Protection Plan and Water Quality Plan contain protection policies, establishing Sustainable Yields and other controls on water use. The State Water Projects Plan (SWPP) and Agricultural Water Use and Development Plan (AWUDP) address State needs. Lastly, the County Water Use and Development Plans are administered at a County level that includes County-wide demands and land use consistency. In compliance with the Hawai'i Water Plan, the preparation and updating of the WUDP are the responsibility of the specific entities charged with water planning within that County. DHHL actively participates whenever any segment of the Hawai'i Water Plan is updated to ensure beneficiary needs are incorporated.

On December 19, 2023, Kaua'i's Department of Water (DOW) briefed the CWRM on their WUDP update - their only update being their initial draft in February 1990. At this meeting, DHHL testified and suggested the DOW conduct additional meetings with DHHL beneficiaries to ensure an opportunity for engagement is provided. The DOW reached out to DHHL staff to plan two meetings on Kaua'i for DHHL beneficiaries.

On March 21 and 28, 2024, beneficiary meetings were held in Anahola and Kekaha, respectively. Through this, DHHL lessees and applicants were able to come forward with their insight and partake in the consultation process.

On May 21, 2024, the DOW held a public hearing for the updated Kaua'i WUDP. Their updated report was published on their website in June 2024¹⁰.

¹⁰ [http://kauaiwater.org/Final%20KWUDP%20\(June%202024\).pdf](http://kauaiwater.org/Final%20KWUDP%20(June%202024).pdf)

V. Other Projects with Future Water Implications

Other DHHL projects going forward will require water for further development. Some updates will be given in the planning update and other presentations. A short breakdown of a few of the projects is shown below from east to west.

A. Moloa'a Water Reservation

As referenced above in the discussion on water reservations, DHHL holds 316 acres of undeveloped land in Moloa'a. The proposed land use for this area is subsistence and general agricultural lots, in addition to a special district along the stream. The land is currently used for grazing. DLNR has been pursuing the conversion of a Revocable Permit into a water license for Well No. 2-1020-002 under HRS 171-58. As a part of that process, DHHL has been working with DLNR and the existing revocable permit holder to secure a water reservation for DHHL's current and foreseeable needs.

Potential connection of this well to DOW's system instead of renewal of the RP or conversion into a license is an alternate method which could allow water transmission to DHHL's lands from this well. If the County takes over the well, it could assist with facilitating the development of lots in Moloa'a and the future DHHL users would become County customers.

B. Anahola Kuleana Lots

The HHC approved the Anahola Kuleana Settlement Plan and Final Environmental Assessment - Findings of No Significant Impact in 2021. The Settlement Plan includes 101 2-acres subsistence agriculture lots, 14 10-acres pastoral lots, and 28 acres for community use. The Kuleana Settlement Program provides a homesteading alternative with quicker access to raw land (without utilities) and an opportunity to create a new self-sufficient community. The anticipated water demands are shown on the table on the next page.

Table 4: Water Use demands

Land Use	Gallons/Acre/Day	Acres	MGD
Pastoral	3,800	140	0.532
Subsistence Agriculture	2,000	202	0.404
Community	2,000	28	0.056
Special District	--	92	--
Total		462	0.992

C. Grove Farm Isenberg Property Acquisition

DHHL plans to potentially acquire a 295- acre property from Grove Farm as a part of the Act 279 planned amendments. DHHL will need to secure a source of water for this property when it is acquired. The associated lot count and associated water demand are being determined. The County water system that services Lihue is proximate to the project area and could potentially service this parcel.

D. Wailua Master Planning Process

The master planning process for Wailua will occur in the fall. There are no specific needs identified yet because an anticipated lot count is still in progress.

E. Hanapēpē Future Phases

The Construction of Phase 2 (82 units) in Hanapēpē is ongoing. For subsequent additional phases, DHHL will meet with the County to discuss the County's capacity to accommodate DHHL's future phases. If the County system cannot accommodate additional DHHL demand, the Department will partner with the County to develop an additional source.

VI. Related Work with Beneficiaries and Capacity Building to Secure Water Resources and Address Water Issues

In June of 2022, the Hawai'i County Council considered a proposed charter amendment, that, among other matters, would have required that a member of the Hawai'i County Board of Water Supply also be a DHHL beneficiary. While the proposal to include this as a charter amendment on the ballot did not survive second reading, it brought about significant engaged testimony from beneficiaries on Hawai'i Island and a high-level

county discussion of the relationship between the county and DHHL on water development. In response to the consideration of the proposed charter amendment, beneficiary leadership suggested specific training for beneficiaries across the Pae `Āina on how to prepare for, apply for, and serve on water related boards and commissions, to help ensure DHHL perspectives and beneficiary voices are represented.

Working with the William S. Richardson School of Law's Ka Huli Ao Center for Excellence in Native Hawaiian Law, pilot training program was designed and scheduled and opened to an inaugural cohort from across the islands in the autumn of 2023 (via Zoom). Initially, the training took place in four parts: Part 1: Foundations for Building Effective Kahuwai Pono; Part 2: A Guide to Serving on Agencies with Kuleana to Mālama Wai; Part 3: A Legal Toolkit for a Kahuwai Pono; and Part 4: Kahuwai Pono and their Departments. After beneficiary feedback, it has been adjusted to allow for more in-depth training on tools and resources: Part 1: Foundations for Building Effective Kahuwai Pono; Part 2: A Legal Toolkit for Kahuwai Pono - Wai and the Public Trust; Part 3: A Legal Toolkit for a Kahuwai Pono - Traditional and Customary Native Hawaiian Practices; and Part 4: Kahuwai Pono and their Departments.

Beneficiary interest for the training sessions has been strong, resulting in three cohorts completing the training sessions since then, with one cohort currently undergoing training. Notable graduates of the water law training include:

- Donna Sterling, current Chair of the Maui Board of Water Supply
- Lori Buchanan, a Nominee to the CWRM

A current fourth cohort is beginning this month. Homestead organization leaders will be notified when applications for the subsequent cohorts are open.

RECOMMENDATION

None; for information only.

BACKGROUND AND OVERVIEW OF HHC AND DHHL WATER KULEANA

The purpose of this document is to review the water rights and responsibilities (kuleana) of the Hawaiian Homes Commission (HHC) and Department of Hawaiian Home Lands (DHHL). It is meant to be a stand-alone review document for those interested in these matters as well as a standing attachment to submittals on water issues presented to the HHC, updated from time to time.

The HHC and DHHL have four primary water responsibilities:

1. To plan for fulfilling existing and future water needs;
2. To advocate for water rights;
3. To develop water sources; and
4. To manage water systems

To help fulfill these responsibilities, DHHL has distinct water rights based on the Hawaiian Homes Commission Act (HHCA), the Hawai'i State Constitution (HSC), Hawai'i Revised Statutes (HRS), Attorney General's opinions and court cases. These water rights are tools that the Hawaiian Homes Commission (HHC) can use as needed. Evaluating which tool/right is best to use depends on the opportunities at hand and the costs (financial and otherwise) of asserting that tool/right.

The Department has developed three educational handouts which help explain separate aspects of these issues posted on the Department's website:

- The "Lehua Handout" has a summary of these HHC and DHHL water kuleana;
- The "Koa Handout" summarizes the HHC Water Policy Plan (WPP); and
- The "Kalo Handout" summarizes the record on appeal of the decisions of the Commission on Water Resource Management (CWRM), and as they are the trustees of water in Hawai'i, their decision making has significant impacts on the rights of the Department and our ability to fulfill the WPP.

The next sections go into some additional detail, prior to describing how DHHL interacts with CWRM and implements the HHC WPP. It is organized around the four responsibilities reviewed above, pairing the first two (planning and advocacy) due to their significant overlap in activity.

Planning for Water Needs and Advocating for Water Rights

The Department's Water Planning and Advocacy Kuleana include the need to continuously determine the future water needs for all of the `āina ho`opulapula and then seek water reservations from CWRM to set aside sufficient water to meet those needs.

What are water reservations?

Water can be "reserved" - set aside and not allocated to other users - by the CWRM, implementing its powers under the state Water Code, HRS 174C. These powers were conveyed by the Legislature in 1990, in part out of acknowledgement that it can take years between the HHC determining a proposed use of land and the land being developed for that use, due primarily to the lack of capital funds needed for development. Absent water reservations, other competing public and private sector developers can (and in many cases have) developed most or all of the easily available water in an area, either precluding DHHL development or significantly increasing the costs of water development. Reservations are one tool to address that problem.

There are two distinct methods by which CWRM can reserve water. In Water Management Areas (WMAs) - parts of the state which are subjected to a higher level of permitting scrutiny for surface or ground water allocation - water reservations are adopted through rule making. Currently all of O`ahu except for the Wai`anae Aquifer Sector Area, all ground water on the island of Molokai, the `Īao Aquifer of Maui, and groundwater in West Maui are designated as Ground WMAs. The surface waters of Nā Wai `Ehā and the surface waters related to the Lahaina Aquifer Sector Area, both on Maui, are designated as Surface WMAs.

Because of this rule making requirement as well as the permitting requirements in WMAs - which require that all water use permits are subject to the rights of DHHL - the protection of DHHL water rights are more robust in WMAs.

In non-WMAs, the CWRM can simply take action to vote, by a majority of its seven members, to reserve water for DHHL. Reservations by rule and by simple CWRM action are supposed to be included in all elements of the Hawai`i Water Plan, including the Water Resources Protection Plan (WRPP), the State Water Projects Plan (SWPP), and the County Water Use and Development Plans (WUDPs).

The actions that trigger CWRM consideration of DHHL water reservation needs vary. The state water code (HRS 174C) in section 101(a) requires that: "Decisions of the commission on water resource management relating to the planning for, regulation, management, and conservation of water resources in the State shall, to the extent applicable and consistent with other legal requirements and authority, incorporate and protect adequate reserves of water for current and foreseeable development and use of Hawaiian home lands as set forth in section 221 of the Hawaiian Homes Commission Act."

Some of the most common triggers for adopting DHHL reservations have been related to adoptions of parts of the Hawai'i Water Plan. Most of the groundwater reservations currently held were adopted following the acceptance by CWRM of the 2017 SWPP update.

Another key trigger has been when CWRM has adopted new Interim Instream Flow Standards (IIFSs), which are science and fact based determinations of the minimum amount of water that should remain in a stream before any off-stream uses of water are allowed. The original IIFSs adopted by CWRM around Hawai'i in 1988 were "status quo" standards, only protecting the amount of water in the stream at that time. Since most streams across Hawai'i in 1988 were diverted, and these historic diversions usually took 100% of the flow on non-rainy days, this has meant that there have been few or no legal protections for public trust uses of surface water. For decades after this action, communities around Hawai'i have petitioned CWRM to adopt IIFSs that protect public trust uses of water, including DHHL needs; this has led to well-known litigation such as the Waiāhole and Nā Wai `Ehā cases. In recent years the CWRM has begun to proactively propose IIFS on its own, and has worked with DHHL to propose associated reservations at the same time.

Actions by the Board of Land and Natural Resources (BLNR) can also trigger the adoption of reservations for DHHL. HRS 171-58, which governs the issuance of water leases by the state, specifies in part (g) that "Any lease of water rights or renewal shall be subject to the rights of the department of Hawaiian home lands as provided by section 221 of the Hawaiian Homes Commission Act." In the case of the EMI system requests, DHHL's reservation consideration is triggered by the current owners of EMI seeking a long-term lease of water.

Limits to reservations

While water reservations are an important policy tool available to DHHL, CWRM, and the HHC, they have limitations. Some of these include:

- Previously, reservation requests by DHHL have been delayed or denied by CWRM staff for unclear reasons
- Reservations do not provide immediate access to "wet water"
- Developing water will still require:
 - Capital Improvement Plan (CIP) funds
 - Detailed design and environmental review
 - Developing source, storage, transmission
 - Agreement with County or others for operation
- In geographically large aquifer systems, locations to develop water can still be remote from DHHL tracts
- The enforceability of reservations, particularly in non-WMAs, has not been legally tested
- DHHL along with CWRM will need to monitor other developments potential impact on DHHL reservations

Water License Receipts

As mentioned above, the issuing of water licenses by the state can be a trigger for the DHHL to seek a water reservation from a particular source proposed for license. Receipts are to be deposited into the Native Hawaiian Rehabilitation Fund, which is the source of revenue for grants to homestead organizations. This arrangement originated in the HHCA as it was passed in 1921, and are codified including in [HSC Art. XII, § 1.](#)

Historically revenue from the licensing of water was significant; however, with the decline of large plantations, along with choices made by the Land Division of the Department of Land and Natural Resources, water license revenue has declined significantly. There are instances around Hawai'i where water originates from state land and currently there is no proposal to issue a water license.

Public Trust Status

As the key Trustee and lead agency in managing water, CWRM is critical in helping DHHL preserve and implement its rights to water. However, since the passage of the Water Code in 1987, a number of significant court decisions have made on appeals of decisions by the CWRM. That record will be discussed in more

detail below. Of significance here is that the courts have identified over a series of cases four "public trust uses" of water, which are to have priority, over private, commercial uses of water. While they are not specifically listed as such under the Water Code, the courts identified these based on interpreting the Code, the specific circumstances of the cases they were ruling on, as well as the long legal history of water law dating back to the Kingdom. Along with Appurtenant Rights - four Public Trust Purposes are:

- Maintaining water in its natural state;
- Water used in the exercise of the traditional and customary practices of native Hawaiians;
- Water reserved for or used by DHHL; and
- The domestic needs of the general public.

Appurtenant water rights refer to the water necessary for the use of kuleana parcels at the time kuleana awards were made - and they enjoy the same high level of priority as the four purposes above.

Private, municipal, and commercial uses of water are not prohibited. However, when CWRM or other agencies make decisions, they need to follow particular processes to ensure that public trust purposes of water are provided for.

As one of the protected public trust uses of water, the DHHL has a particular responsibility to protect that status, as well as to not bring harm to the other public trust uses of water. One way in which DHHL does this is to consider and pursue alternate sources of water when its uses may impact another public trust use of water. Another is to help defend all public trust uses against private commercial uses that could harm its own and other public trust uses.

Water Source Development

Even after the Department has secured water reservations as discussed above, efforts must be made to develop water sources to enable homesteading. In addition to the general powers that state departments have to expend funds and manage programs, DHHL has particular powers related to water source development.

The most commonly used of these is the power to issue leases or licenses to trust lands. Very frequently, DHHL will develop some combination of water source, storage, and transmission, and then lease, license, or otherwise dedicate

those to the Board or Department of Water Supply of the county these lands lie in. In exchange, DHHL, receives a certain number of water credits, which can be used and exchanged for water meters at a future time. Water credits have also been obtained in the past by other parts of the state government developing wells and assigning credits to the DHHL, as well as through litigation.

While it has never used the power, the HHC also has the power to bring eminent domain proceedings against private parties to obtain sites with water sources. It can also "demand" access to state controlled water systems, but like condemnation has not exercised this power.

As discussed above in the review of water reservations, in Designated Water Management Areas (WMAs), all users of water must obtain a "water use permit" from CWRM. By law those permits are conditioned on the rights of the DHHL. Generally, however, DHHS lands do not coincide with existing WMAs. See Figure 1, below, showing WMAs and DHHL lands on Hawai`i Island.

Water System Management

The last major water kuleana that DHHL has is the ability to develop and manage water systems directly. DHHL currently manages four systems on Molokai, Kaua`i and Hawai`i Islands.

The Commission on Water Resource Management (CWRM) Record on Appeal

While the HHC, DHHL and its beneficiaries have particular and significant water rights as described above, we are largely dependent on CWRM and protecting those rights. Unfortunately, since passage of the code in 1987, it has been a very mixed history. DHHL and beneficiaries have frequently had to go to court to challenge decisions of CWRM. Refer to the handouts on the DHHL website regarding water policy. The most successful instances have been when the DHHL and beneficiaries have worked closely together on those efforts. It is notable that beneficiaries on the island of Molokai have led the way, and the resulting cases have helped the courts describe the significance of DHHL water rights.

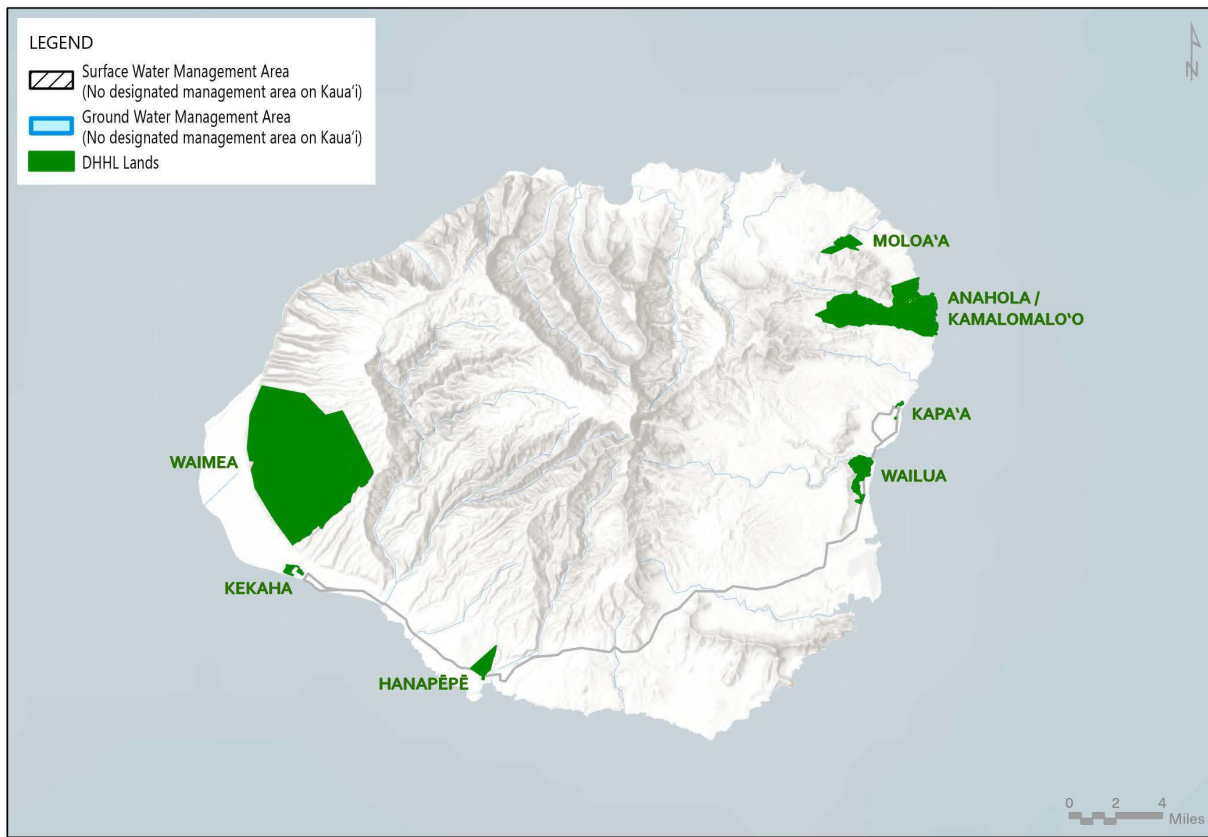


Figure 1. DHHL Lands and Water Management Areas on Kaua`i island. There are currently no designated water management areas on the island of Kaua`i.

HHC Water Policy Plan (WPP)

In order to consistently make water decisions and protect the trust's water interests, in 2014 the HHC passed a Water Policy Plan (WPP) under the General Plan. This was adopted after two years of research, and two rounds of beneficiary consultation across the archipelago. It is to our knowledge, the first policy regarding water decisions passed by the HHC since passage of the HHCA in 1921. The WPP is also posted on the Department's website.

The WPP is comprised of a number of distinct sections. The first section, a vision statement, comes directly from Section 101 of the HHCA. The Mission statement derives from the different water kuleana described above. The next section is on Values and describes four Hawaiian values key to the proper management of water. This is followed by twelve policies to

guide water decisions. The core of the WPP are nineteen goals identified by beneficiaries, staff, and the HHC to be the focus of DHHL water activities, with four identified as priority goals. These are:

1. Affirmatively communicate with beneficiaries regarding water decisions, performance, and water rights on a regional and annual basis.
2. Aggressively, proactively, consistently and comprehensively advocate for the kuleana of the beneficiaries, the DHHL, and the HHC to water before all relevant agencies and entities.
3. Develop and manage a Water Assets Inventory (WAI).
4. Support watershed protection and restoration on DHHL lands and source areas for DHHL water.

The final substantive portions of the WPP includes a statement on the delegation of authorities, which includes a requirement for the submission to the HHC by the DHHL an annual report on accomplishments as well as a plan for the coming fiscal year. Legal authorities, related plans, and legal references are also included.

In conclusion, DHHL has significant water kuleana - responsibilities and rights - that it can bring to bear in order to bring water to lands across the `āina ho`opulapula and to fulfill the goals of the HHCA. The primary areas of this work are for water planning, advocacy, source development, and system management. The CWRM and the Counties are critical partners to help achieve our goals. The HHC has adopted the WPP as the key policy guidance for this work. The WPP requires a number of actions from DHHL, including annual plans of work, reports on achievements, and annual regional updates on water issues and projects.

**HAWAIIAN HOMES COMMISSION
AUGUST 19 & 20, 2024**

**J – ITEMS
REQUESTS TO ADDRESS THE
COMMISSION**

Hawaiian Homes Commission Meeting
August 19 & 20, 2024
J Agenda

Requests to Address the Commission

- J-1 Kipukai Kualii – Anahola
- J-2 Jeremie Makepa – Anahola
- J-3 Claire Niheu-Yong – Beneficiary Concern
- J-4 Starlynn Kaupu - Beneficiary Concern
- J-5 Harold Vidinha – Kaua‘i Lessee
- J-6 Rosemary Vaivao – Kaua‘i Lessee
- J-7 Lucky Kanahale – Kaua‘i Beneficiary Concern
- J-8 Makana Kia - Kaua‘i Beneficiary Concern
- J-9 Thomas Nizo – Kau‘i Lease concerns
- J-10 Janelle Kaohu-Kauahi – Nānākuli Residential Lease
- J-11 Billi Smith – Beneficiary Concern
- J-12 Chanel Josiah – Hawai‘i Community Lending
- J-13 Noe Asuega Stark – Pu‘uhona Hawaiian Homes Association
- J-14 Kapolei Kiili – Beneficiary Concerns Maui
- J-15 Blossom Feiteira – Kaua‘i Housing Concerns
- J-16 Kainoa MacDonald – Maui Mokupuni
- J-17 Craig Bo Kahui – La‘i‘Ōpua
- J-18 Bill Brown -Pana‘ewa Hawaiian Home Lands Community Association
- J-19 Kelly Lincoln – Pana‘ewa Community Alliance
- J-20 Charlene Manu – Pana‘ewa Hawaiian Home Lands Community Association

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit J-Agenda Testimony
Date: Saturday, August 03, 2024 6:40:31 PM

Name

KipuKai Kualii

Email

kipukai@hawaiianhomesteads.org

Message

J Agenda

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit J-Agenda Testimony
Date: Friday, August 02, 2024 4:51:52 PM

Name

Jeremie Makepa

Email

aina.alliance.808@gmail.com

Message

Aina Alliance reporting on DHHL grant project in accordance with grant requirement to present during Kaua'i commission meeting 8/20. Updating progress on Anahola hazard mitigation and future plans.

From: [Claire Niheu-Yong](#)
To: [Burrows-Nuuanu, Leatrice W; cniheuyong@gmail.com](#)
Subject: [EXTERNAL] Testifying J agenda
Date: Sunday, August 04, 2024 7:31:49 AM

My name is Claire Niheu, I am a beneficiary applicant and I would like to request to speak on the J agenda.

From: [Starlynn Kaupu](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] J-agenda
Date: Sunday, August 04, 2024 5:06:45 PM

Aloha Leatrice,
I'm a beneficiary on Kauai.
I'm requesting time on the J agenda
Mahalo,
Starlynn Kaupu
Sent from my iPhone

From: [Yahoo Mail](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] J agenda
Date: Monday, August 05, 2024 2:58:05 PM

Aloha Leatrice,

I am a beneficiary from Kauai and requesting a spot on the J-Agenda for August 19th.
Harold Vidinha
808-639-1218

Mahalo for your time

From: [Burrows-Nuuanu, Leatrice W](#)
To: [Rosemary Vaivao](#)
Subject: RE: [EXTERNAL] J Agenda
Date: Monday, August 05, 2024 12:30:00 PM
Attachments: [image002.png](#)

From: Rosemary Vaivao <rosievaivao06@gmail.com>
Sent: Sunday, August 04, 2024 5:43 PM
To: Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov>
Subject: [EXTERNAL] J Agenda

Aloha Leatrice:

I'm a lessee on kauai. I'm requesting time on the J Agenda.

Mahalo

From: [Burrows-Nuuanu, Leatrice W](#)
To: [Lucky Kanahele](#)
Subject: RE: [EXTERNAL] J-agenda
Date: Monday, August 05, 2024 12:32:00 PM
Attachments: [image002.png](#)

Aloha e Kathrine,

Mahalo, for your request to address the Hawaiian Homes Commission. Your aunty (can I get her name?) is scheduled on the J Agenda for Tuesday, August 20, 2024, with an approximate start time of 9:45 AM, subject to any carry-over items from the previous day. You will have 10 minutes to present to the Commission.

If your presentation includes any written documents that you would like to be included in the Commission's meeting packet, please forward them to me by Monday, August 12, no later than 9:30 AM. This will ensure that your materials are properly included in the packet.

Please watch your email on Tuesday, August 13. I will forward the filed agenda along with the Zoom link for virtual testifiers.

For further details, please visit our landing page for Public and J Agenda Testimonies:
<https://dhhl.hawaii.gov/hhc/testimony>

From: Lucky Kanahele <kanahahele9@gmail.com>
Sent: Monday, August 05, 2024 6:11 AM
To: Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov>
Subject: [EXTERNAL] J-agenda

"Aloha Leatrice, my aunty does not have email but wishes to speak.
I am a beneficiary on Kauai.
I am requesting time on the J-Agenda
Mahalo,
Kathrine Kanahele

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit J-Agenda Testimony
Date: Monday, August 05, 2024 9:51:44 AM

Name

Makana Kia

Email

ellapoipu@gmail.com

Message

Would like to give testimony on August 20 on Kauai

From: [Thomas Nizo](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] Speak on Agenda J Aug 19 & 20
Date: Wednesday, July 10, 2024 6:11:13 PM

Aloha Leatrice,

I am a beneficiary and leasee I am requesting time to speak on agenda J on August 19 & 20

Mahalo,

Thomas Nizo

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit J-Agenda Testimony
Date: Monday, August 05, 2024 6:47:55 PM

Name

Janelle Kaohu-Kauahi

Email

jkaohu7586@gmail.com

Message

Aloha
I would like to be on your J-Agenda for August 20, 2024 Meeting
Various Concerns Regarding My Ohana Property that belonged to
GEORGE STEVEN K. MIKAELE,
Residential Lease No. 1650, Lot No. 100, Nanakuli, Oahu

From: [Chanel Josiah](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] J Agenda - Request
Date: Thursday, August 06 2024 2:10:51 PM
Attachments: [image001.png](#)
[image002.png](#)

Aloha e Leah,

I hope this email finds you well!

HCL is requesting to be on the J Agenda at this month's commission meeting. I will be meeting with Jeff next week Monday to go over our priorities. We are hoping to present to the commission 3 main priorities regarding housing infrastructure and what we're seeing, hearing and experiencing with homestead beneficiaries through our work. I can provide more details next week but wanted to prioritize getting on the agenda first, if possible.

Please let me know if I need to provide you with any other details.

Mahalo nui, Leah!

Chanel Josiah (*she/her*) ([what's this?](#))

Community Development Director

Hawaii Community Lending

Direct: 808-634-3675

www.HawaiiCommunityLending.com



Hawaii Community Lending is a 501c3 nonprofit Native community development financial institution that increases access to credit and capital for the economic self-sufficiency of underserved Hawaii residents with a particular focus on Native Hawaiians.

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From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit J-Agenda Testimony
Date: Sunday, August 04, 2024 4:59:09 PM

Name

Noe Asuega-Stark

Email

anasuegastark@yahoo.com

Message

Aloha,

I would like to be added to the J-Agenda for 8/20/2024 to present information on Pu'uhona Hawaiian Homestead Association.

Mahalo,
Noe

From: [Blossom Feiteira](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] J agenda testimony
Date: Friday, August 06, 2024 4:23:52 PM

Aloha Lea,

Would like to speak on the j agenda for august 20, 2024 Hawaiian Homes Commission meeting.

Mahalo!

Blossom
Sent from my iPhone

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit J-Agenda Testimony
Date: Monday, August 05, 2024 5:19:59 PM

Name

Kainoa Lei MacDonald

Email

808divergentgroup@gmail.com

Message

Please confirm adding me to provide advocacy from the Association of Hawaiians for Homestead Lands (AHHL) on Waitlist Homestead Beneficiary Association (HBA) priorities.

From: [Craig Bo Kahui](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Cc: [Choy, Andrew H](#); [Makaila, Lilliane K](#); [Sam Walker](#); [Sharleen Kahumoku](#); [Dora Aio](#); [Melissa Kahui](#)
Subject: [EXTERNAL] Re: Request to be on the J Agenda Tues. Aug 20th
Date: Thursday, August 08, 2024 7:35:21 AM

Aloha Lea
Just checking in on our request to be on the J agenda.
Please advise.
Bo Kahui

On Wed, Jul 31, 2024, 9:14 AM Craig Bo Kahui <bokahui65@gmail.com> wrote:

Aloha Lea,
On behalf of Laiopua CDC, I would like to request to be on the J agenda.
Please advise
Mahalo
Bo Kahui

From: [PHHLCA](#)
To: [Burrows-Nuuanu, Leatrice W](#); [LINCOLN ASHIDA](#)
Subject: [EXTERNAL] Re: J Agenda Testimony - Hawaiian Homes Commission Meeting - Tuesday, July 16, 2024
Date: Sunday, July 14, 2024 11:02:04 PM
Attachments: [image001.png](#)

Aloha Leah,

Unfortunately i will not be testifying this Tuesday, we'll see "the agency" next month on Kauai

Bill

|

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit J-Agenda Testimony
Date: Tuesday, August 06, 2024 3:09:20 PM

Name

Kelly Lincoln

Email

kelzp21@aol.com

Message

Follow up to President K. Kahapea - Panaewa Community Alliance (PCA) prior statement/testimony via zoom.

From: dhl.icr01@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Tuesday, August 06, 2024 7:46:35 AM

Name
Charlene Manu
Email
pohlca@aol.com
Please Identify Agenda Item(s):
Community Association
Pick One:
Both - Submit Testimony Below
Message
Ongoing policies to homestead association to the community-at-large