

HAWAIIAN HOMES COMMISSION

Minutes of March 18th, 2024

Lahaina Civic Center Gymnasium, 1840 HI-30, Lahaina, Maui, 96761, and
Interactive Conferencing Technology (ICT) Zoom

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

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

EXCUSED Walter Kaneakua, O'ahu Commissioner

COUNSEL Alyssa Marie Kau, Deputy Attorney General

STAFF Katie L. Ducatt, Deputy to the Chairman
Leah Burrows-Nuuanu, Secretary to the Commission
Richard Hoke, Executive Assistant to the Chairman
Andrew Choy, Planning Manager
Juan Garcia, Homestead Services Division Administrator
Lehua Kinilau-Cano, NAHASDA Manager
Brian Furuto, Administrative Services Officer
Kahana Albinio, General Professional, Land Management Division
Kalani Fronda,
Paula Ailā, Acting Contact, and Awards Division Administrator
Julie Cachola, Planner

ORDER OF BUSINESS

CALL TO ORDER

Chair Watson called the meeting to order at 9:45 a.m. Eight (8) members were present at the meeting, establishing a quorum.

APPROVAL OF AGENDA

Chair Watson announced that the Commission will recess at noon for lunch and executive session. The Commission will reconvene at 1:30 pm and start with Item C-7.

MOTION/ACTION

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

APPROVAL OF MINUTES

a) **February 20 & 21, 2024 Regular Meeting**

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Helm, to approve the February 20 & 21, 2024, Regular Meeting Minutes. Motion carried unanimously.

PUBLIC TESTIMONY ON AGENDIZED ITEMS

PT-1 Bo Kahui – Item G-1

B. Kahui stated that he looks forward to a discussion with the staff on Item G-1 for the preschool.

PT-2 Germaine Meyers – Items E-1, C-3 and C-8

G. Meyers stated that she specifically addresses the mental aspects of the items. The month-to-month rental housing projects on Hawaiian Home Lands are an egregious violation of the Hawaiian Homes Commission Act. The judgment of the Kalima Case proves the current waitlist beneficiaries now have grounds for a new lawsuit against the State and the Hawaiian Home Commission. HHCA Section 207, Leases to Hawaiians. The AG's opinion on Section 207. Item C-8 submittal related to the Low-Income Housing Tax Credit (LIHTC) Program, to qualify for a 99-year homestead lease, the Department has added new homestead requirements. The HHCA is a homesteading program and not a housing program.

PT-3 Jojo Tanimoto – Items D-1, C-4

J. Tanimoto requested an investigation of the industrial lots in Kawaihae as No. 192 reflects the Kailapa subdivision, which does not include the Makai lot subdivision and the Harbor homes. She requested an update. For Item C-4, the beneficiary consultation was left out, and the ROEs are paying less than the mortgage rates. She asked that the matrix in today's reading be reviewed and that the beneficiary consultation be included.

PT-4 DeMont Manaole – Item C-4

D. Manaole testified in strong support of Item C-4 but took exception in Exhibit E, Nos. 1 & 2, which notes discretionary, dealing with property and general lease and improvement to space and general lease. Also, the DOI states that it needs approval, but the AG disagrees. His concern is that the native Hawaiians are not left behind. If the lands are going to be leased out, there are native Hawaiians who could lease the land and sublease it out to non-native Hawaiians.

PT-5 Patrick Kahawaiola`a – Item C-4

P. Kahawaiola`a supported the testimonies of Germaine Meyers and Jojo Tanimoto in what they wanted. He asked for clarification on definitions for Item C-4, which determines lands not needed for homesteading. Is it the Commissioners? For Item C-2, he is confused about the limited meeting and asked for a definition. He will testify as the items move forward.

PT-6 Patricia Teruya – Items F-3, C-4

P. Teruya addressed the O`ahu Commissioners to defer Item F-3 and bring it back to O`ahu. Item F-3 was fast-tracked, and rushed the beneficiary consultation. She has concerns that All Island Trucking is not a trucking company but a tow company established 24 years ago and was subleasing with Kuni's and DHHL's Bowl-a-Drome property. There were complaints of the overflow of cars. The property in Kalaeloa for which they are requesting an ROE is not large. She

is concerned about an EA that should be done. The company also had numerous complaints with the Better Business Bureau (BBB). She is surprised that the staff is not looking for companies that will be good neighbors to pay their rent, and she stated the company just filed a DCCA in January 2024. She asked the Commission to take a look at who is going to be put on the property.

PT-7 Kapua Kamai – Items C-1, C-2

K. Kamai testified that approval of the two limited meetings is meant to exclude beneficiaries. Item E-1 for the ground lease for the rentals that the build to meet the needs and not build to excess. She demanded that the Department ensure that the contract verbiage states that only beneficiaries reside in the rental homes regardless of their income or lack thereof.

PT-8 Carlene Maria – Item F-3

C. Maria testified on Item F-3, All Island Trucking. She wonders if people are mixing up between trucking and towing as there is an All Island Trucking and an All Island Towing. She heard the end of what P. Teruya was saying and wanted to let it be known that it is All Island Trucking and not towing.

ITEMS FOR DECISION MAKING

CONSENT AGENDA

HOMESTEAD SERVICES DIVISION

- ITEM D-2 Approval of Consent to Mortgage (see exhibit)**
- ITEM D-3 Approval of Homestead Application Transfers/Cancellations (see exhibit)**
- ITEM D-4 Approval to Certify Applications of Qualified Applicants for the Month of February 2024 (see exhibit)**
- ITEM D-5 Approval of Assignment of Leasehold Interest (see exhibit)**
- ITEM D-6 Approval of Amendment of Leasehold Interest (see exhibit)**
- ITEM D-7 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems or Certain Lessees (see exhibit)**
- ITEM D-8 Approval of Supplemental Dwelling Unit for Certain Lessees (see exhibit)**
- ITEM D-9 Commission Designation of Successor – CLORINDA AUDREY BROOKS, Agricultural Lease No. 7821, Lot No. 109, Ho`olehua, Moloka`i**
- ITEM D-10 Conditional Approval of Subdivision, Transfer of a Portion of Lease and Amendment to Lease No. 5377-A, Lot No. 10-B, Pana`ewa, Hawai`i - GINA NK. GOMES**

RECOMMENDED MOTION/ACTION

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

MOTION/ACTION

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

REGULAR AGENDA

OFFICE OF THE CHAIRMAN

ITEM C-1 Approval of Request to hold a Limited Meeting of the Hawaiian Homes Commission on April 24th, 2024, to DHHL Parcels in Kalaupapa, Moloka`i

RECOMMENDED MOTION/ACTION

Manager Planning Office Andrew Choy presented the following:

Motion that the Hawaiian Homes Commission approve the Request to hold a Limited Meeting of the Hawaiian Homes Commission on April 24th, 2024, to DHHL Parcels in Kalaupapa, Moloka`i

He stated that, per Sunshine Rules, this submittal lets the public know that the Commission will potentially visit Kalaupapa in April.

DISCUSSION

Commissioner Neves asked what a limited meeting is. A. Choy deferred DAG Kau for that definition.

DAG Kau stated a limited meeting is usually not opening the meeting to the public. For Kalaupapa, there is limited access. To let the public know what happened at the limited meeting, the Department will provide a recording of the meeting for the public to review. For previous limited meetings, the Department recorded the meeting and posted it on the website, and a report was provided at the following meeting to inform the public what occurred.

Commissioner Kaleikini asked what the considerations are for the Commission to go down to Kalaupapa. A. Choy stated the Department has to receive permission from the Department of Health (DOH) and then arrange the air travel.

MOTION/ACTION

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

ITEM C-2 Approval of Request to hold a Limited Meeting of the Hawaiian Homes Commission on May 19th, 2024, to DHHL Parcels in Kings Landing, Pu`ukapu, and Honokaa, Hawai`i Island

RECOMMENDED MOTION/ACTION

Manager Planning Office Andrew Choy presented the following:

Motion that the Hawaiian Homes Commission approve the Request to hold a Limited Meeting of the Hawaiian Homes Commission on May 19th, 2024, to DHHL Parcels in Kings Landing, Pu`ukapu, and Honokaa, Hawai`i Island

A request was received from MAHA of King’s Landing for the Commission to visit. Also, there were requests from Commissioners to look at the roads at Pu`ukapu. Lastly, the Department is proceeding with acquiring a parcel in Honokaa based upon the Commission’s approval last month of the modification to Act 279 Strategic Plan.

DISCUSSION

Commissioner Kaleikini asked if the decisions are considered for the limited meetings. A. Choy stated no, it was purely for information only.

Public Testimony – Kapua Kamai. She appreciates the value of the onsite visit.

Public Testimony – Jojo Tanimoto. She stated it does not look like the watershed she remembers and asked that Kawaihae be included in the visitation routes.

MOTION/ACTION

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

LAND DEVELOPMENT DIVISION

ITEM E-1 Approval to Issue a Ground Lease to Hale Mo`ili`ili LP for the 820 Isenberg Rental Housing Development Project, Mo`ili`ili, O`ahu, TMK Nos. (1) 2-7-08:18 and 20; and Approval of Ratification of February 23rd, 2024 letter from Chair Watson to the Department of Housing and Urban Development Regarding the Application of Section 171-22, Hawai`i Revised Statutes to the 820 Isenberg Rental Housing Development Project

RECOMMENDED MOTION/ACTION

Special Projects Office of the Chairman Kalani Fronda presented the following:

Motion that the Hawaiian Homes Commission

1. Approve to Issue a Ground Lease to Hale Mo`ili`ili LP for the 820 Isenberg Rental Housing Development Project, Mo`ili`ili, O`ahu, TMK Nos. (1) 2-7-08:18 and 20; and
2. Approve the Ratification of the February 23rd, 2024, letter from Chair Watson to the Department of Housing and Urban Development Regarding the Application of Section 171-22, Hawai`i Revised Statutes to the 820 Isenberg Rental Housing Development Project.

Stanford Carr Development Project Manager Kaloa Robinson and Deputy Attorney General Alana Bryant joined as presenters.

A development agreement was executed several years ago, setting the stage for progress. The Department is seeking the Commission’s approval to issue a Ground Lease Agreement, a step that will empower the developers to advance with their plans.

DISCUSSION

Commissioner Neves asked for an explanation for the ground lease in terms of all the partners involved. K. Fronda stated the Department has not codified the developer with the opportunity to move forward. The ground lease agreement is a tangible agreement that allows the developer to move forward.

DAG Bryant stated the project is under Section 204 of the HHC Act, which is generally called a general lease. It is a rental project, and each unit is a rental. It is not a rent-to-own. The ground lease is to take control of the property and break ground.

Commissioner Kaleikini asked what does the Department get out of this. K. Fronda stated they are trying to position this for opportunities for the wait listers as they are looking at multi-family homes.

K. Robinson is in charge of the redevelopment of the Bowl-O-Drome. The Department has parcels in its portfolio that are not conducive to homesteading and may be conducive to multi-family housing. With this RFP award, the Department has delegated a certain amount of risks to Stanford Carr as a private developer, such as several million dollars of redevelopment funds, engineering, and orchestrating this \$150 million project at no cost to the Department.

Chair Watson commented that it has been a very long, costly journey for Stanford Carr. He asked when they anticipated starting the work. K. Robinson stated at the end of April, and mobilized the large equipment days or weeks after. Chair Watson stated there have been complaints about homelessness in the area.

Commissioner Neves asked about the tenant profile, accommodating low to medium-income tenants, primarily native Hawaiian, and what that means. DAG Bryant stated her understanding is that there is a development agreement that requires all the residential units to be leased to beneficiaries. At this point, that is the only document the Department has with the developer. Once the ground lease is signed, the terms of that ground lease will take over. The parties could, in theory, decide that if there is not enough demand from beneficiaries, they are going to look to people who have less blood quantum and offer rentals to them. If there is not enough demand from that category, are they going to look at the general public. That is what is being presented before the Commission today. Is the project going to be solely for beneficiaries, or in the event there is not enough demand, will it be opened up?

Commissioner Awo stated it raises concerns because it opens the door for non-beneficiaries. Secondly, the Commission has been asked to approve the ground lease, but the conditions have not been provided. He asked for clarification.

Chair Watson stated they ran into this problem with the kupuna project in Waimanalo and ended up opening it to part-Hawaiians. The units were filled. It slowly was converted to beneficiaries. The challenge is the rent is restricted, and there is not much revenue, so the units have to be filled in order to make the project viable. He asked that the Commissioners open up the waitlist and not limit it to just O`ahu. The Department might be able to fill the 278 units. There may be people not on the wait list but are 50%. This is a very aggressive marketing approach. He also stated the Department is looking at a conversion where the units can become a homestead condo, something like Waipouli.

Commissioner Neves stated these discussions have to be among the Commission to decide whether they want to open it up to other folks. He is not in favor of going outside of the waitlist. These were strictly rentals, and now the talk is possibly a rent-to-own, which is not in the document. Under the HUD provision, which he read, it opens the door to everyone. He thinks there should be more discussion on how the Department wants to address the waitlist.

K. Robinson thanked the Commissioners and stated they were reading into it without the details, and their comments were astute. On the item of opening it to people other than beneficiaries, he is

asking the Commission to consider the following: (1) Getting this type of development off the ground requires complicated finances and different lending institutions, and all have different priorities. The provision being asked of the Commission comes from HUD because HUD is providing mortgage insurance of \$53 million via its financing tool, HUD 221D-4. It is a critical component of making affordable rentals possible. There is no such thing as affordable construction, and construction in Hawai'i is extremely expensive, as are the financial interest rates. HUD provides competitive rates, is insured by the federal government, and is stable for 40 years, which means the developer/property owner can bank on the cost of debt not increasing over the term of the asset, which means not having to raise rent aggressively.

The reason for this provision is that HUD requires compliance with two acts. The Fair Housing Act and the Cranston-Gonzalez Act or the National Affordable Housing Act, Section 962,b(2). Ten tenants are the difference between default and not default. Regarding the foreclosure concern, there is specific language on how HUD provides mortgage insurance on lands that DHHL owns, on which there is a multi-family product. The section envisions homesteading in the form of a multi-family unit or a condo. If one of the family defaults on their HUD insurance loan, DHHL steps in, purchases the note, and awards it or sells it to another beneficiary. The ask is that the Commission comply with any other general lease where there is a mortgage on it, they default on it, and the lender then foreclose itself (indiscernible).

Commissioner Neves stated his concern is, in his mind, in 50 years, if there are still native Hawaiians in rentals, the Commission has not done its job. This is still conceptual stuff being talked about, possibly rent-to-own. K. Robinson stated this is speculative. What Stanford Carr is proposing is the same as what the RFP requested. The rental component strictly addresses what DHHL has.

DAG Bryant stated two documents in the submittal should be included for the Commission to consider: (1) the term sheet for the lease and (2) the copy of the letter from the Chair to HUD. She suggested that it would be feasible for copies of those documents to be printed out and to revisit this once everyone has those documents. Chair Watson agreed to defer until the documents are circulated.

LAND MANAGEMENT DIVISION

ITEM F-1 Approval of Issue License Agreement, Pa`upena Community Development, Inc. Waiohuli, Maui, TMK (2) 2-2-034:026 (por.) & 028 (por.)

RECOMMENDED MOTION/ACTION

Land Management Division General Professional Kahana Albinio presented the following: Motion that the Hawaiian Homes Commission approve to Issue License Agreement, Pa`upena Community Development, Inc. Waiohuli, Maui, TMK (2) 2-2-034:026 (por.) & 028 (por.)

Agent Shelley Carreira stated they are working with Pa`upena and `Aina Archaeology and completing HRS Chapter 6-E. Pa`upena will be required to submit any development to the Department for further review. The ask is that the Commission approve the issuance of the license for ten years with the option for an additional 10-year period.

Kekoa Enomoto briefed the Commission on the 127-acre parcel vision.

DISCUSSION

Commissioner Awo congratulated Pa`upena on coming this far and all the work that was put into it. Commissioner Neves also expressed his appreciation of their work. Commissioner Helm also expressed his appreciation. Commissioner Namu`o expressed her congratulations and looked forward to getting the report.

MOTION/ACTION

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

ITEM F-2 Approval to Issue Right-of-Entry Permit, E-Opala Corporation, Moanalua, O`ahu, TMK (1) 1-1-064:003 (por.)

RECOMMENDED MOTION/ACTION

Land Management Division General Professional Kahana Albinio presented the following: Motion that the Hawaiian Homes Commission approve to Issue Right-of-Entry Permit, E-Opala Corporation, Moanalua, O`ahu, TMK (1) 1-1-064:003 (por.)

MOTION/ACTION

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

ITEM F-3 Approval to Issue Right-of-Entry Permit, All Island Trucking Inc., Kalaeloa, O`ahu, TMK (1) 9-1-003:048 (por.)

RECOMMENDED MOTION/ACTION

Land Management Division General Professional Kahana Albinio presented the following: Motion that the Hawaiian Homes Commission approve to Issue Right-of-Entry Permit, All Island Trucking Inc., Kalaeloa, O`ahu, TMK (1) 9-1-003:048 (por.)

MOTION

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

DISCUSSION

Commissioner Awo stated that this is the concern raised by Patty Teruya and that the PIG was to look at commercial/industrial leases. This is premature because the Commission has not heard the PIG's debriefing. He is inclined to agree with the deferral on this matter. He preferred a limited right of entry until it could come before the Commission. He also asked if Item F-2 was a part of the PIG. K. Albinio stated yes. Commissioner Neves asked that Items F-2 and F-3 be put on the limited right of entries until the PIG reports are out and evaluated and put on next month's agenda for the long term. Chair Watson stated this is a right of entry.

Commissioner Namu`o asked whether the problem was going to be alleviated by the action being presented. The Commission has to wait one month before the PIG report?

Commissioner Neves stated that the issue is if it has to be renewed, then renew it. If it is not renewed in 30 days, it goes to a revocable permit. K. Albinio stated, correct.

Commissioner Awo stated the Department has not been able to enforce the right of entry properly, nor has it been able to manage the revocable permit program properly.

Chair Watson stated we treat it as a limited right of entry for temporary use of the property. He asked for a motion to amend.

Public Testimony – DeMont Manaole. He strongly supports All Island Trucking. This part of the business is a trucking company and not a towing company.

Public Testimony – Kanoelani Perry. She is the owner of All Island Trucking and All Island Towing with her husband. All Island Towing did not lease the Bowl-O-Drome property, but a subcontractor leased it. All Island Trucking has been in business since 2014.

Public Testimony – Patty Teruya. There are lots of properties still open, but they have to be filled with companies that comply, not ones that are not paying their rent. She corrected her statement and said that the company is a trucking and towing. Her concern is whether both companies are going to be on that one parcel. LMD has the list of people who want ROEs. The beneficiary consultation is scheduled for the 20th, but beneficiaries are not allowed to speak on this item. It should be deferred 30 days to listen to the PIG and have the beneficiary consultation to dialogue input.

Public Testimony – Kapua Kamai. She supports Patty Teruya's testimony. The lands were set aside for beneficiaries first.

MOTION TO AMEND

Moved by Commissioner Neves, seconded by Commissioner Helm, to approve to amend Item F-3 to a Limited Right of Entry.						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Freitas			X			
Commissioner Helm		X	X			
Commissioner Kaleikini			X			
Commissioner Kaneakua						X
Commissioner Marfil			X			
Commissioner Namu`o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			8			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Eight (8) Yes votes.						

AMENDED MOTION/ACTION

Moved by Commissioner Helm, seconded by Commissioner Neves, to approve the amended motion of Item F-3 to a Limited Right of Entry.						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Freitas			X			
Commissioner Helm	X		X			
Commissioner Kaleikini			X			
Commissioner Kaneakua						X
Commissioner Marfil			X			
Commissioner Namu`o			X			
Commissioner Neves		X	X			
Chairman Watson			X			
TOTAL VOTE COUNT			8			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Eight (8) Yes votes.						

ADMINISTRATIVE SERVICES OFFICE

ITEM H-1 Approval to Transfer Hawaiian Home Receipts Fund Balance – End of 3rd Quarter, FY24

RECOMMENDED MOTION/ACTION

Acting Administrative Services Officer Brian Furuto presented the following:
Motion that the Hawaiian Homes Commission approve to Transfer Hawaiian Home Receipts Fund Balance – End of 3rd Quarter, FY24, to the Hawaiian Home Administration Account

This is the quarterly receipts transfer for approximately \$877,000 into the Administration Account.

MOTION

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

DISCUSSION

Commissioner Neves asked if it is a Rule to move it to the Administrative fund. B. Furuto stated there are about three or four options. Commissioner Neves stated he would like to look at the option of moving it into the General Loan Funds because it covers loans for farmers, ranchers, pastoral, and non-profit organizations that have lease agreements under section 207. The farm and pastoral programs have been underfunded, so he would like to see the Department move funding to those areas. Is moving it to the Administrative fund monies already spent, or is the department counting on it for the Administrative fund? B. Furuto stated the funding for the Administrative account is for taking care of the Department's operations. As long as the Legislature does not fulfill the Department's Sufficient Sums, the Department still needs to count on its non-general funds to assist, and that is the reason it has been transferred into the Administration Account. Commissioner Neves asked how the fund stands at this point. B. Furuto stated he does not have a balance, but he can get back to the Commission.

Chair Watson deferred the item till later for B. Furuto to get the information.

PLANNING OFFICE

ITEM G-1 Approval of the Beneficiary Consultation Report for the La'i `Opua Community Development Corporation Request to Utilize DHHL Land for a Preschool TMK (3) 7-4-021:003 (por.) North Kona, Island of Hawai'i

RECOMMENDED MOTION/ACTION

Manager Planning Office Andrew Choy presented the following:

Motion that the Hawaiian Homes Commission approve the Beneficiary Consultation Report for the La'i `Opua Community Development Corporation Request to Utilize DHHL Land for a Preschool TMK (3) 7-4-021:003 (por.) North Kona, Island of Hawai'i

Andrew Choy stated that the substance of the presentation was that they did a Beneficiary Consultation for this land use request. The ask is for the Commission to accept the comments that are documented in the report as the official record on the matter.

He introduced Planner Liliane Makaila, who prepared the record of beneficiary comments and presented the slides.

DISCUSSION

Public Testimony – Bo Kahui. He does not think they will require 31 water credit units, which were assigned to the project, and will do the necessary due diligence for the project. They would like to see a memorandum from the Commission or the Chair in support of this initiative to the Lieutenant Governor with hopes of getting a direct commitment to the Department for the \$8 million verbal commitment she made related to public charter school.

MOTION

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

Note: Slide presentation attached.

MOTION/ACTION

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

ADMINISTRATIVE SERVICES OFFICE (Continued)

ITEM H-1 Approval to Transfer Hawaiian Home Receipts Fund Balance – End of 3rd Quarter, FY24

RECOMMENDED MOTION/ACTION

Acting Administrative Services Officer Brian Furuto presented the following:
Motion that the Hawaiian Homes Commission approve to Transfer Hawaiian Home Receipts Fund Balance – End of 3rd Quarter, FY24, to the Hawaiian Home Administration Account

This is the quarterly receipts transfer for approximately \$877,000 into the Administration Account.

DISCUSSION CONTINUED

The General Loan Home Fund has a balance of \$45 million, and the Hawaiian Home Administration Account has a balance of \$27 million. The difference is in the expenditures and the encumbrances. The General Home Loan Fund has no contract encumbrances and no claims, and it has about \$2 million in expenditures. The Hawaiian Home Administration Account has about \$4 million in claims and a little over \$2 million in expenditures.

Commissioner Neves stated he would not entertain moving it to the General Loan Fund but questioned how the General Loan Funds are being used. If there is that much in there, why is the Department not providing more support for farming, pastoral, and non-profit leases to build out their entity? He also stated he would like the funds to be proportionately set up. He hopes that B. Furuto can come up with some program for the Commission to look at. B. Furuto stated he would work with the Homestead Services Division.

Chair Watson asked if the motion is still to move the funds to the Administration Account. B. Furuto stated that is the proposal.

Public Testimony – Kapua Kamai. She believes that excess funding should go back to the beneficiaries’ uses to access the lands.

MOTION/ACTION

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

RECESS (lunch and executive session) 11:55 AM

MOTION

Moved by Commissioner Neves, seconded by Commissioner Helm to convene in an executive session pursuant to Section 92-5(a)(4), HRS, to consult with its attorney on questions and issues pertaining to the Commission’s powers, duties, privileges, immunities, and liabilities. Motion carried unanimously.

EXECUTIVE SESSION IN 12:25 PM

The Commission anticipates convening an executive meeting pursuant to Section 92-5(a)(4), HRS, to consult with its attorney on questions and issues pertaining to the Commission’s powers, duties, privileges, immunities, and liabilities on the following matter:

1. Discussion Regarding the Issuance of a Ground Lease to Hale Mo`ili`ili LP for the 820 Isenberg Rental Housing Development Project, Mo`ili`ili, O`ahu, TMK Nos. (1) 2-7-08:18 and 20
2. Application of Section 92-2.5(b), Hawai`i Revised Statutes, to the Hawaiian Homes Commission

EXECUTIVE SESSION OUT 1:30 PM

RECONVENED 1:35 PM

ITEMS FOR INFORMATION/DISCUSSION

REGULAR AGENDA

OFFICE OF THE CHAIRMAN

ITEM C-7 For Information Only – Update on State and Federal Emergency Transitional Housing Initiatives for Lahaina Wildfire Victims Near DHHL Villages of Leiali`i Homestead

RECOMMENDED MOTION/ACTION

None. For Information Only. Planning Office Manager Andrew Choy and Joseph Compos, Deputy Director of the Department of Human Services (DHS), presented the following:

The purpose: to provide accurate information on the DHS Emergency Transitional Housing Project at Leiali`i and its relationship to DHHL and DHHL Beneficiaries

- DHHL’s relationship to the HHFDC lands mauka of Leiali`i 1A (existing homestead community)
 - HHFDC conveyed Villages 1A and 1B to DHHL
 - HHFDC submitted a draft agreement to DHHL for consideration to acquire the 403 acres of undeveloped land mauka of Lealii 1A
 - October 2023, HHC authorized the Chairman to negotiate and execute a land transfer agreement with HHFDC for the 403-acres
 - The land transfer agreement is still being negotiated and has **NOT** been executed yet, so DHHL is not the current landowner
- DHHL’s Relationship to the DHL Emergency Transitional Housing Project
 - Providing transitional, modular housing lasting for 5-years
 - DHS will need to make infrastructure improvements to the land to service the temporary housing
 - DHHL will receive those improvements and will not have to pay for those improvements as it develops future homesteading on the 403 acres
- To provide DHS an opportunity to explain their plans to develop emergency transitional housing at Leiali`i Mauka. Kala`iola Project
 - The current water tank can only supply homes below the 130’ elevation
 - DHS will effectuate DHHL’s vision of putting a 500,000-gallon water tank for Leiali`i Phase 1B
 - 270-Unit Mix Breakdown – Home Provider, Unit type, Quantity, Unit SF, Total SF, Lanai SF, and it is studios and 1-3 bedrooms (four different manufacturers)

J. Campos briefed the Commissioners on the slides showing the mix of homes from the different home providers.

DISCUSSION

Commissioner Awo asked if the winds were considered when selecting the modules because the winds get very strong. J. Campos stated he believes they are graded at category three hurricane winds. Each unit will have air conditioning because of the Lahaina sun and heat. All of the parcels being put into the Leiali`i lands will be permanent and will stay there for DHHL to make its own homes.

Commissioner Helm asked about the sewage system. J. Campos stated it will be an existing system that the County has.

Commissioner Awo stated he is concerned about using the existing system 8-inch line that currently serves Leiali`i. J. Campos stated that it was out of his realm and deferred those types of questions to the County to answer specific questions.

Commissioner Awo stated that four hundred fifty homes being built above Leialii have beneficiaries raising questions about traffic, drainage, and sewage/wastewater. He also learned that FEMA is adding 169 homes to the right. The beneficiaries do not want to seem insensitive.

J. Campos stated that the decision was sudden. The community did not agree with the previous site because it was a private water source. Community members recommended the Leiali`i site due to its proximity to the community center and amenities. They will be improving Leiali`i Parkway relative to the traffic, so there are two lanes up and two lanes down. They are looking for an alternative road.

Commissioner Awo stated he does not think they are reaching out but just letting them know they are coming. Also, who are the community members that recommended Leiali`i, and are they Leiali`i residents? J. Campos was under the impression that they did represent the views of the beneficiaries of Leiali`i. DHS is considering the beneficiaries' concerns.

Commissioner Awo recommended he form a committee of Leiali`i residents who can be that voice. He is willing to help that team. J. Campos stated that 55 beneficiaries have been displaced, and they will have priority. Hopefully, they will have the criteria finalized in 2-weeks and reach out to DHHL to identify the 55 beneficiaries.

Commissioner Awo asked for his thoughts on traffic mitigation. J. Campos stated the Old Cane Road would probably be paved with the ability to access Flemming Road, Keawe Street, and the Bypass to get people out. He is working with Director Ed Sniffin of the Department of Transportation to ensure there is adequate egress should there be another situation like this.

Chair Watson asked how long the transitional housing would last. J. Campos stated they anticipate between 3-5 years, no longer than 5-years. The Governor's main goal is to get people into permanent housing. He has made clear that this is a 5-year project. Projects will be going up for permanent housing. Chair Watson wants to make sure that there is an end to this transition and stated there should be a written agreement that by the end of this date, the land is transferred, including the improvements and some of the units DHHL could use at no cost. It is a large area and will have a major impact on the waitlist. He is grateful for DHS' willingness to work with the Department and looks forward to further discussion for more input and constructive suggestions.

Commissioner Namu`o expressed her support for the project.

Commissioner Awo commented that the land should come back to DHHL clean, with no one on the land at the time of transfer.

Public Testimony – Blossom Feiteira. The information presentation was very general and not enough. It did not respond to any concerns about infrastructure sewage, water source, transmission, and utility lines information. The people of Leiali`i have opposed making improvements to Leiali`i Parkway as a thoroughfare, as well as Waihokuli Road. Respect the families living there who are going to be impacted by traffic.

Public Testimony – Shannon Wai. She lost her home in the fire and is a waitlister. She would like to make sure that as a beneficiary, she is put on the land. She feels that people in Lahaina have to wait.

Public Testimony – Myrna Ah Hee. She and her husband live in Leiali'i. She stated the Leiali'i Parkway was already scary and wanted to know how they did not know all those houses were going to be built. They have 104 people where they live, and there are going to be 400 homes being built. She does not know who needs to communicate with the people of Leiali'i to let them know.

Public Testimony – Patrick Kahawaiola`a. He asked if DHHL did not know about FEMA and the community did not know about DHS that they were coming and had no other alternative. If these are trust lands, he wants to know how did they get to use them. He also asked if the 55 beneficiaries would get a spot guarantee and if the other 395 spots would be guaranteed. Why not do Leiali'i Phase 2 using FEMA's money? He stated we need people on the land and not in rentals or multi-family units.

J. Campos responded to the woman, who said she had not been informed. He stated there is a website that was up about a week ago: <https://www.kalaiola.org>. People can reach out and share their questions with them via the website.

Public Testimony - ? he got no notice, no nothing.

Public Testimony – Kapua Kamai. She reiterated the sentiment of a testifier of waiting, waiting, waiting, and the last to know. Thank you for the website information, but where or what should you look for when not knowing there is a website?

Commissioner Awo checked the website and stated there was not enough information, such as names, email addresses, and questions. Who knows about the website? Because if people do not know, they do not know. There is not enough collaboration, and I think it is a good time to go into the community.

Wendy Taomoto, Deputy Director for the County of Maui Department of Public Works, stated that the flow from the State Kalailoa and the 1B project would all come to one point at the makai end of Aipuni, and that was something that needed to be addressed. The concerns were raised, and there are a couple of options that they are going to present to the State that will improve the ability of the existing 8-inch line to move the flow of the sewage so there is no potential for overflow or spill. These are the State's Engineer Consultants who were hired.

Commissioner Awo stated that if left to its current schematics, there would be a problem with sewage backup in Leiali'i. W. Taomoto, if nothing is done, there will be a potential impact on Phase 1A.

Commissioner Awo asked about the grading of the land above Leiali'i to capture water or transmit water and if it would impact the community. W. Taomoto stated the grading plan was prepared by the consultant and submitted to the County. It will go through a regular review to ensure that the increase in runoff generated by the temporary build is managed. In all the projects she has looked at for this wildfire, there have been insignificant deviations or relief provided by the County's review. If the impact is real, they need to catch increased runoff. A basin is proposed

to capture some of the flows mauka of the State's build, so some of the existing concerns are also captured in this temporary build.

Commissioner Awo asked why they pivoted away from Launiapoko. W. Taomoto stated there are concerns that the existing water system, which is privately operated, does not have the capacity. Significant improvements would have had to be made by the State to ensure that the water system could provide for existing customers as well as the State's building. The water purveyor had a condition that the State Water Commission had to approve the temporary use of the water to the State build, and it was not something they had in hand.

Commissioner Awo asked about traffic mitigation. W. Taomoto stated a temporary traffic light went up at Kupuohi. There were concerns expressed by the existing residents at Waihihikuli when Leiali'i was planned, and they have to be addressed, some of which will be addressed in the outreach that the State and FEMA are doing. Honopiilani Hwy is not a County road, so it is being deferred to the State and their mana'o to make sure that the traffic coming onto Honopiilani Hwy is managed. Regarding the parkway, the section that they are opening has not been dedicated to the County. How the State approves the temporary build is up to the State and its traffic experts.

Commissioner Neves stated the project is temporary but will eventually be turned over to be permanent for Hawaiian Homes and hopes that there will be no more cost after five years. She stated she would be discussing that with Chair Watson.

FEMA presentation:

Deputy Federal Coordinating Officer Curtis Brown and Technical Expert Forrest Lanning presented a slide presentation update on where FEMA is regarding housing the displaced and currently in the hotels.

- 487 households from the wildfires were placed in interim housing available by the Direct Lease Program
 - Three property managers
 - Over 1300 remaining, approximately 800 households
- Need to transition them out of the hotels into stable housing
- Those impacted are also taking advantage of the FEMA Rental Assistance Program, which has more than \$19.2 million in rent assistance, and 287 are using this rental assistance.
 - People given the money to find their own rental that is beneficial to them
- The Kilohana Site
 - South of Kaanapali, with 169 units on 20-acres
 - Hope to have it active by September

Commissioner Awo asked if there is a map on the Environmental Assessment that was published for the Commission to look at. C. Brown stated it is on the map that was submitted for today's presentation. He submitted a title map and the layout of the site's location.

Commissioner Awo asked if it was for FEMA-eligible residents who also need to pass a background check. C. Brown stated that for the Direct Lease Program, the three property managers conduct background checks. If a family fails the background check, then FEMA has a responsibility to place them. FEMA does not itself conduct background checks.

Commissioner Awo asked why the FEMA infrastructures are temporary. F. Lanning stated there was a temporary surplus in capacity for water, so they were under the guidance that their site needed to be temporary so as not to jeopardize that capacity down the road when people start to rebuild and take up that capacity. To make sure there is no future risk, the FEMA site is temporary.

W. Taomoto stated that that would not be the case because the state is putting in permanent infrastructure. It has to do with the fact that FEMA proceeded with the design; the State was not able to provide a conceptual layout of the roads to FEMA, and that would have been a reason why. The State was not able to provide that within the required dates, so FEMA proceeded with a temporary design. It did not have anything to do with the County to provide water permanently or not. Infrastructure pipe and water in the pipe are two separate matters. Commission Awo was concerned because the Commission was not getting accurate information.

Chair Watson asked how big the units would be on each lot of the Kilohana site. F. Lanning stated they range from 1 to 3 bedrooms and 600 sq. ft. up to 1200 sq. ft.

Chair Watson stated that it is larger than the other units they are putting up on the other site. He asked about the quality and stated the life of the unit was five years. F. Lanning stated these are not designed for five years but designed to be permanent houses. To be permanent, they would have to get a building permit for it. Their site is only going to be active for 18 months up to a maximum of 3 years, and at the end of 3 years, they remove everything. The housing unit can be used for 40-50 years of a house span, as they are designed, but they have to be moved to a new location at the end of the group site.

Chair Watson stated the Department would be interested in taking those houses. The other side will be given to the Department for free, so the Department would be grateful if the Kilohana houses were given to the Department for free or at a major discount. He asked that FEMA allow DHHL to be in the process and assist in the selection and use, as the Department is looking at the back end. The units FEMA has are good-sized.

Commissioner Awo stated the purpose is permanent infrastructure, and he would like to revisit it if the reason was not related to water, as mentioned previously.

C. Brown stated the permanent infrastructure at this point is going to delay the group site. He is not sure how long it will last, but it can be looked at. F. Lanning stated that the option was explored at the request of the State and that doing permanent infrastructure would require redesign and different types of excavation requiring deeper trenching and at least a month in delay. Chair Watson asked when they were through with the use of the area and if FEMA would be removing a lot of the stuff. F. Lanning stated they are now in negotiations with the State and will be removing all of the above. Below-ground infrastructure, filling in any trenching and putting the site back as much as possible to what it was. Chair Watson asked that they talk about the story and work together to save money for both sides and make use of the units.

Note: Slide presentation attached.

LAND DEVELOPMENT DIVISION

ITEM E-2 For Information Only – Anticipated Finding of No Significant Impact Determination and Draft Environmental Assessment for the Honokowai Water System Improvements Project; Honokowai, District of Lahaina, Maui Island, Hawai'i; TMK Nos. (2) 4-4-002:008 (por.), 009 (por.), 010 (por.), 012 (por.), 016 (por.), 018 (por.), (2) 4-4-003:013 (por.), and (2) 4-4-004:002 (por.)

RECOMMENDED MOTION/ACTION

None. For Information Only. Special Projects Office of the Chairman Kalani Fronda and Engineer Neil Nugent presented the following:

K. Fronda stated he will be covering just the West Maui updates as they will be covering all the projects, including those in the acquisition, at tonight's community meeting.

N. Nugent briefed the Commission on the West Maui updates via the slide presentation covering:

- New well and well site improvements
- Transmission across the Honokowai Gulch
- Connection to County Mixing Tank
- Anticipated FONSI
- Draft EA to be published April 8th, 2024

Estimated Timeline (Subject to funding)

- Spring 2024 – Continue Engineering Design
- Summer 2024 – Negotiate Development Agreement
- Winter 2024 – Begin Subdivision Sitework Construction
- Fall 2025 – Begin Home Construction
- Spring 2026 – First Home Occupancy

DISCUSSION

Commissioner Neves asked about the height and length of the 12" water transmission line going across the gulch. N. Nugent stated that the line is going to be buried except for the portion that goes across the gulch. He would have to get back to the Commission with the width of the line across the gulch. Commissioner Neves asked who would be maintaining the system. N. Nugent stated most projects are to be turned over to the County of Maui.

Commissioner Awo asked how many homes one million gallons of water serves. N. Nugent stated that it can supply approximately 1500 single-family homes.

PLANNING OFFICE

ITEM G-2 For Information Only – West Maui Water Issues Update

RECOMMENDED MOTION/ACTION

None. For Information Only. Manager, Planning Office, Andrew Choy, and Dr. Jonathan Scheuer presented the following:

West Maui Water Issues Update

- Brief historical overview of Water in West Maui

- Water held in Trust; Kingdom Laws affirmed Trust; Plantation Era eroded Trust; Water Code Reaffirmed Trust
- DHHL Water Demands and Reservations
 - The total sustainable yield on Maui - 357 mgd
 - Historic average ditch flows – 240 mgd (EMI 160 mgd; WSC 30 mgd, PM 50 mgd)
 - w/out AG 144 mgd / with AG 1007 mgd
 - what is available does not match what the demand is
- Recent Water Issues
 - Interim Instream Flow Standards
 - Designation
 - Post-fire water related issues (who is going to get a pass)
- DHHL Water Projects in West Maui
 - Tunnel sources; Pulelehua partnership; Increased LWWTP use

Public testimony – Patrick Kahawaiola`a. Water is a Trust, and the Land is a Trust.

Public testimony – Pricesslehuanai Kumuwakainakaleomomona. She is trying to see how she can get on her land as she has waited 30 years.

OFFICE OF THE CHAIRMAN

ITEM C-3 For Information Only – Draft Native Hawaiian Housing Block Grant Annual Housing Plan 2024-2025

RECOMMENDED MOTION/ACTION

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

Program Areas

- 2024 CIP Projects
 - East Kapolei 2C area for engineering, planning in the Ewa Homestead area for the lands received through the HHL Recovery Act.
- Developer Financing
 - Support the LIHTC Applications
 - Support 30 units in La`i `Opua and 30 units in Hanapepe, Kaua`i
- Homeowner Financing for families 80% and below
 - NAHASDA can provide financing for the construction of homes on vacant lots or the purchase of turn key units
- Home Assistance Program
 - Home rehab or demolition/rebuild in the oldest homestead communities are the priorities.
- Waimanalo Kupuna Housing Rental Assistance Program
 - NAHASDA subsidizes the rents for the kupuna in Waimanalo so that they pay no more than 30% of their income toward rent, and the difference is subsidized by NAHASDA
- Rental Vouchers for temporary relocation
 - When the house is being repaired or demolition/rebuild and unlivable at that time
 - Rent can be subsidized so lessees can reside somewhere while the repair or renovation is being done.
- Emergency rental and utility assistance
 - It was for COVID, but that program with CNHA has ended as of December 31st

- All of those resources are going toward wildfire assistance or rental assistance
- DHHL Kupuna Rentals subsidy program
 - Allows for applicants on the DHHL waitlist who are kupuna to pay no more than 30% of their income towards rent, and NAHASDA can subsidize the difference
- Rental Vouchers Developed for Hawaiian Home Lands
 - The only rent with the option to purchase is with La`i `Opua pay no more than 30% of their income towards rent.
- Homeowner assistance – the new vendor is Hawai`i Community Lending
 - Currently in contract negotiations
- Potable Water infrastructure improvements
 - Ho`olehua water improvements
 - Housing Conversion
 - Renovations in Kalaeloa – 18 units
 - Ulu Ke Kukui renovation
- Property Acquisition
- Operations and Maintenance

DISCUSSION

Commissioner Helm asked about Moloka`i funding for home replacement. L. Kinilau-Cano stated \$1.2 million. She added that it is difficult to get contractors who meet the Davis Bacon requirements. Kalani Fronda and his team are trying to bring in other contractors. Some of the lessees on Moloka`i want to use a contractor on the island.

Commissioner Awo asked about Developer Financing and how it benefits the Department. She stated it reduces the cost to the beneficiary.

Commissioner Neves stated if it is just rentals and there is no commercial entity, the Department could be subsidizing this as well. She stated that potentially, but if these line items are continuous and we have a need, it helps Senator Schatz ask Congress for an amount because we have this number of rental units supporting so many families. It could justify continued federal funding.

NAHASDA was not doing a lot of rental assistance, but it came as a result of COVID-19. When DHHL was one of the few who launched COVID assistance, others did it as an afterthought. It helped stabilize families through the pandemic. It is a strategy to help families get into housing for now. Applicants on the waitlist are more housing-burdened than anyone else. At least for this time, it is temporary so that they can position themselves for homeownership. The vast majority of those receiving COVID assistance were 30% and below, and the likelihood of those families achieving homeownership is a long shot, so what can be done to assist these families in the meantime if homeownership is something they may never realize given their situation?

Chair Watson asked what percentage of those individuals are on the waitlist. She did not have that information with her, but it is in the 2020 study, and that information is broken down. Chair Watson stated that for those individuals, homeownership is very unlikely unless they receive counseling, a job, a safe place to stabilize their situation and training. He knows there is hesitancy in doing the rentals, but in reality, there are a lot of people out there who really need that help. Rental is not the priority, but he does not think that the Department should ignore those who are in that situation. The Hawaiian Homes Commission Act is all about the rehabilitation of native Hawaiians. Would love to give homesteads to everybody, but not everybody is ready in most cases. We have rental subsidies and transitional houses, and we work with all the different organizations and we can help prep these people for homeownership. She stated that the 2020

survey shows that nearly 3495, or 14.1%, are 30% and below, and the percentage is higher on the neighboring islands. The goal is to address those families at that low.

Commissioner Awo read the submittal and stated he struggled because people on HHL are doing better than the average Hawai'i citizen, so why is the department not aggressively pursuing putting more people on Hawaiian Home Lands? NAHASDA funds can be used towards a down payment. She stated they could, but they were guided by HUD, which triggers Davis Bacon, and that increases the cost of the house.

Public Testimony – Germaine Meyers. She added all the projected budget expenditures for FY 2024-2025 totaled \$50 million, and \$44 million will be used for rentals. The Waimanalo Kupuna rental project will be subsidized up to 2040, which is why she is against Kupuna rentals.

Public Testimony- Blossom Feiteira. There is a mindset that poor people cannot buy a house; from her experience, that is not true. She has helped kupuna on fixed income buy a house and helped people on welfare buy a house. She asked that NAHASDA funds be used for the downpayment, closing cost, and subsidizing of the mortgage upon purchase.

Public Testimony – Patrick Kahawaiola`a. He commented on Lehua's report regarding the EA, which is easier when all the EAs are done. All the EAs are done in Keaukaha, and he referred to the noise that prevented Keaukaha lots from qualifying for NAHASDA funding. If the Department is going to spend \$44 million on rentals, then the Department is in the wrong business. He believes that the Chairman is leading DHHL to a place where it might as well dissolve the Act because everything being done is in controversy to what the Act is, as written.

Public Testimony – Princesslehuani Kumuewakainakaleomomona. She has been on the HUD rental list for 40 years and on the DHHL list for 30 years. Under the HUD, she pays \$300 monthly for a three-bedroom, two-bathroom home, utilities included, and they have been paying her rent for the past 40 years while she waits for her Hawaiian homeland. Allowing rentals for HUD housing helps other Hawaiians.

Commissioner Awo asked about a new home, and NAHASDA applies \$100k to the mortgage if that triggers Davis Bacon. She stated it does, and it has been done before. It can be done with the turnkey as long as the developers are completely certified payroll and meet all the requirements. If we have to build it, it will increase the cost and trigger Davis Bacon. What NAHASDA was doing was financing, and it is not called a downpayment but assistance to subsidize the loan.

ANNOUNCEMENTS AND RECESS

1. DHHL Community Meeting is on Monday, March 18th, 2024, at 6:30 p.m. Lahaina Civic Center Gymnasium, 1840 HI-30, Lahaina, Maui, 96761

RECESS

5:30 PM

HAWAIIAN HOMES COMMISSION

Minutes of March 19, 2024

Lahaina Civic Center Gymnasium, 1840 HI-30, Lahaina, Maui, 96761, and
Interactive Conferencing Technology (ICT) Zoom

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

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

COUNSEL Alyssa Marie Kau, Deputy Attorney General

STAFF Katie L. Ducatt, Deputy to the Chairman
Leah Burrows-Nuuanu, Secretary to the Commission
Richard Hoke, Executive Assistant to the Chairman
Andrew Choy, Planning Manager
Juan Garcia, Homestead Services Division Administrator
Lehua Kinilau-Cano, NAHASDA Manager
Brian Furuto, Administrative Services Officer
Kahana Albinio, General Professional, Land Management Division
Kalani Fronda, Homestead Housing Specialist
Paula Ailā, Acting Contact, and Awards Division Administrator
Julie Cachola, Planner

ORDER OF BUSINESS

CALL TO ORDER

Chair Watson called the meeting to order at 9:36 a.m. Nine (9) members were present at the meeting location, establishing a quorum.

Chair Watson announced the order of the day, starting with a continuation of Item C-7, Curtis Brown with FEMA, and Item C-8, an information-only workshop for the Low-Income Housing Tax Credit Program. The carryover items from yesterday's meeting are items C-4, C-5, C-6, G-1, and E-1, and then the J-Agenda items.

PUBLIC TESTIMONY ON AGENDIZED ITEMS

PT-1 Germaine Meyers Item C-4

G. Meyers noted that it was the development of industrial and commercial properties, and her concern is that the PIG's report noted that it included general RPs as well as community RPs, which is a violation of Sunshine Law. When the PIG was formed, the community had to be

notified of what the PIG was put together for. The verbiage does not include the two RPs. She wanted clarification on whether the Commission is giving the Chairman the right to issue and amend. She stated the HHCA states that the Commission has the authority to approve, disapprove, terminate, etc. She also asked if the Commission was only approving annual renewals. For the evaluation team, she suggested having the Commissioner for that island and two staff members. She invited the Commission to watch Broken Promises, presented by Rob Perez.

ITEMS FOR INFORMATION/DISCUSSION

WORKSHOP

OFFICE OF THE CHAIRMAN

ITEM C-7 For Information Only – Update on State and Federal Emergency Transitional Housing Initiative for Lahaina Wildfire Victims near DHHL Villages of Leiali‘i Homestead

Deputy Federal Coordinating Officer Curtis Brown stated he hoped the presentation made yesterday was clear regarding the Kilohana Project. The site is temporary due to the company not having the group design, and to expedite Kilohana’s 160 units, and it decided to make the site temporary. To undo the forward movement, one would have to rewrite the Lease to the State, push back dates for vendor selection, and potentially delay the groundbreaking on the site. They hope to have the displaced households in the group site sometime in September.

There was a comment made about using the existing infrastructure there that is temporary, but in the Lease, they are in, they have to backfill and put the land close to how it was prior to FEMA being there. The Maui Chamber of Commerce brought in six local modular homebuilders, and FEMA was impressed. It gave the local vendors the opportunity to learn the FEMA process and become a federal vendor to participate in the RFP process for the group site.

The sewage plan for their group site would go directly to a line, with the first option being on Flemming Road. It does not impact any existing homes within that area, as the line is a direct line to the street.

There is potential for DHHL to get those homes at the end of the transition project, as the homes have the life of a typical home built. There is a process through the General Services Administration. Once FEMA declares the excess, there is a process to donate those modular homes or receive a reduced cost on those homes. FEMA would be happy to work with DHHL once it gets closer to what that process looks like. He will give the Chair a two-page document on what the process looks like, which was taken from the GSA website.

Commissioner Awo stated that the EA was a 140-page document with a 6-day turnaround, but nobody commented. The cultural practitioners listed, Hokulani Holt, Dane Maxwell, and Makalapua Kanuha, did not know of FEMA’s EA and were not able to comment. Is the federal government willing to extend the comment period by one week to give them an opportunity to weigh in? C. Brown stated he does not know if they are able to open up the comment period, but he will get back to that.

Commissioner Awo stated that is a request. He noticed the Leiali'i community is not listed as a contact and requested they be included.

Chair Watson stated using local modular homebuilders would be great. Hopefully, the decision-makers in Washington will seriously consider choosing some local homebuilders.

Public Testimony – Princesslehuanaani Kumaewakainakaleomomona. She thanked Mr. Brown and liked what he mentioned about the sewer.

ITEM C-8 Workshop Presentation by the Hawai'i Housing Finance and Development Corporation (HHFDC) related to the Low-Income Housing Tax Credit (LIHTC) Program

RECOMMENDED MOTION/ACTION

None. For Information Only. David Oi, Finance Manager, Hawai'i Housing Finance and Development Corporation, presented the following:

The Low-Income Housing Tax Credit Program

- Established as part of the Tax Reform Act of 1986
- It is not a direct funding source but a federal subsidy used to finance low-income housing
- The largest source of affordable housing financing in the United States, it has subsidized over 47,000 projects since its inception and created over three million units in the United States.
- Program administered by the IRS in conjunction with state housing finance agencies
- Dollar-for-dollar credit claimed pro-rata over ten years is not a deduction.
- Newly constructed and renovated residential affordable rental buildings

How does LIHTC work in financing

- Credits allocated by the IRS to all the states based on their population and awarded to developers through state housing finance agencies
- Developers who apply are awarded an allocation of tax credits
- Financial closing, completion of the project, project leases up, certify development costs
- Rent project units to low-income tenants

Equity Capital for Development Costs

- HUD (Department of Housing and Urban Development) develops affordability standards: requirements, Average Median Income (AMI), safe housing
- IRS allocates the tax credits to the states; based on Hawai'i's population, IRS sees Hawai'i as a small state
 - Hawai'i is a small state, but it has limited land, a lot of people, and per capita, probably the greatest need among all demographics for affordable housing
 - Hawai'i is unique in the nation
- In the application round, developers apply for the tax credits
 - Developers have a project to build and want to use so much tax credit
 - Tax credits generate equity, and tax credits represent equity from the developer
 - The developer sells credits to investors go to a buyer group or syndicator; if a buyer buys in, he becomes an equity owner for a percentage. The investor gets tax credit deductions for ten years
- Compliance Periods and Requirements
 - Governed by Land Use Restrictive Agreement (LURA)

- The initial compliance period is 15 years after the project is placed in service
- Extended use period – a minimum of an additional 15 years (federal requirement). LIHTC has a minimum of 30 years of restricted affordability
- Compliance monitoring – annual certification
- Hawaii has a 45-year compliance period minimum, 30 years beyond the first 15 years

Commissioner Awo asked if starting at 60% and as they advance in income constitute a violation. D. Oi stated that once you are qualified and certified as a LIHTC tenant and in the unit, you cannot be removed even though your income has increased. The AMIs are tied to units, not the tenants. Once the tenant exceeds that 60% AMI unit, the project is required to, when there is an opening, rent that unit to a 60% tenant regardless of his (indiscernible). This is called the next available unit rule. A tenant cannot be displaced in the LIHTC project because they increased their income. Once the 30- or 45-year affordable period expires, rents can be raised to whatever the market will bear. He does not see any projects losing affordability sooner than 45 years.

Commissioner Kaleikini asked why only for 45 years, and what the benefit is. D. Oi stated the mission of HHFDC is not only to generate affordable housing but also to maintain affordable housing inventory as much as possible. Forty-five years is the minimum, and on average, they expand it to 60 years to maintain the inventory and to keep the projects affordable.

Commissioner Freitas asked if the government holds the developer responsible for the quality of the structures they build under LIHTC. D. Oi stated that whatever owner owns the project is held accountable.

Key Requirements for Monitoring and Certifications

- Rent restrictions (AMI set-asides)
- Tenant income qualifications
- Unit occupancy
- Physical condition

For 2024, Hawai'i is allocated \$3,360,000 annually for ten years. Each State is allocated 9% of the LIHTC competitive cap based on population.

Commissioner Awo stated the Department is not guaranteed to qualify for the projects. D. Oi stated it is based on the allocation amount. If HHFDC had more LIHTC, it would award more projects. They look for projects that are economically feasible and ready to go because they do not want to hold up funds for years.

The 4% LIHTC (non-competitive / non-volume cap) is allocated based on the use of private activity tax-exempt bonds. The State does have a cap of \$378 million. The 4% LIHTC projects must utilize private activity tax-exempt bonds equal to 50% of the project's eligible basis. Most acquisitions and rehabilitation projects utilize 4% LIHTC with private activity bonds. The State would have \$180 million in any year to award for projects. The application amount for the funding round in 2024 for the activity bonds is over \$1 billion. 4% of projects tend to be bigger and more expensive.

The 9% is about 70% of the project's costs that is funded by credits. The 4% is about 30-35% of the project's costs funded by credits. Once you get the award, you must put your project in service for 2-years. There is legislation on the federal level to bring the 50% down to 30%.

Commissioner Awo stated that for Waipouli, the Department is at 9% rather than 4%. What would be the advantage of 9% versus 4%. D. Oi stated there was a 9% application and a 4% application. The advantage of the 9% is less debt, and the 4% is less competitive.

LIHTC is awarded in accordance with the State of Hawai'i's Qualified Allocation Plan (QAP). Each state housing financing agency (HFA) is responsible for creating and implementing its own QAP, which outlines the criteria and procedures for allocating LIHTC to affordable housing projects within the State. The QAP's purposes are the Allocation criteria, scoring system, public input, compliance monitoring, and policy objectives.

Commissioner Neves asked how public input is done. D. Oi stated that the QAP has to be approved by the HHFDC Board of Directors, and IRS Section 42 requires a formal public hearing before any changes are adopted and published.

Developers apply for LIHTC through HHFDC's Consolidated Application, which allows applicants to apply for various financing programs with one application. The applications are reviewed and improved annually.

Lease to Own Development and LIHTC

- Referred to as Ownership Conversion
- After the 15-year compliance period, tenants can purchase the leasehold interest of their unit
- Right of First Refusal (ROFR) detailed in the Land Use Restrictive Covenants

Sale Price

- The minimum purchase price is an amount equal to the sum of:
 - The principal amount of outstanding indebtedness secured by the building (DEBT) and
 - All federal, State, and local taxes attributable to the sale

Commissioner Kaleikini asked what the cost would be for the tenant after 15 years. D. Oi stated it would be a price of 30% of their income based on the time after the 15 years. The sales price will be based on what the tenant can afford and compared to the requirements of an FHA loan.

Commissioner Awo asked if the Department would lose control of the trust asset. D. Oi stated that because this is strictly a leasehold interest, once the tenant purchases the property, it becomes subject to a standard DHHL lease.

Commissioner Awo stated the rent with option experience that tenants are dealing with now has been nightmarish, especially when a management company does not know the LIHTC rules. D. Oi stated the criteria is how many LIHTCs they manage.

Commissioner Freitas asked if the Department could use HHFDC as a vetting agent for the managing company. D. Oi stated that they can look back on their records to see how many complaints and violations they have and let the Department know.

Commissioner Awo stated the tenant's fear of being evicted was the result of how the project was being managed. D. Oi stated that for many of the tenants, it is their first home, and they fear speaking up because they do not want to be evicted. Commissioner Helm stated that the managers are located on the mainland, and it is unfair to the beneficiaries that decisions are made on the mainland. The managers are not here physically, and that needs to be pointed out. D. Oi stated

that this is a good point, especially for LIHTC because it is a nationwide specialized group. It is something HHFDC has to look into.

Commissioner Freitas stated the problem is with both the onsite and the mainland management. It is a game of dodgeball. D. Oi, the LIHTC requirements have to be clearly stated to the tenants, and the expectations of the tenants have to be clear. LIHTC is an excellent way to subsidize the needs of applicants 30% and below. The Department can leverage federal resources to bridge that gap.

Public Testimony – Germaine Meyers. Will be submitting a UIPA request for the 4% and 9% applications. She asked for clarity about the landlord-tenant code versus a low-income housing tax credit rental. Only low-income registered renters can sleep in the unit. The second is the Fair Housing Act, which says one cannot be discriminated against according to one's race.

D. Oi stated there are occupancy requirements in the tenant selection plan, such as who is on the Lease and who is going to occupy the unit. As for the restrictions on people staying at the unit, he will have to look into it and whether it is a HUD rule or project basis. The occupancy for how many bedrooms is the same formula they use for fair market rents.

Commissioner Awo asked if it is AMI-based and if it is according to the number of bodies in bedrooms. D. Oi stated he believes both restrict it.

Public Testimony – Patrick Kahawaiola`a. The Chair suggested that the native Hawaiians should be educated for the reasons of LIHTC. The Act says what you can and cannot do. It is to improve the condition of the native Hawaiians. Rentals will not get them on the land. This program is not great.

Commissioner Freitas stated he feels there is a place for this.

Public Testimony – Princesslehuani Kumuewakainakaleomomona. Has been on the waitlist for 30 years, under the HUD rental for 40 years, and still on HUD.

Public Testimony – Kapua Kamai. She agreed that rentals have room, as Commissioner Freitas stated. We need an option to meet the needs of Hawaiian Homes beneficiaries.

Public Testimony – Blossom Feiteira. This type of work has been done for years, and the HUD guideline increased the number of occupants: a 2-in-1-bedroom can accommodate up to three, and a 4-bedroom can accommodate up to nine. She participated in the LIHTC process, and what she saw is that the Hawaiians do not read what they are signing. When they are called on a violation, they say they never knew, which is true because they did not read. She supports rent with the option to purchase but not permanent rentals. She heard it said the Hawaiian Homes Commission Act says to make the land available. She reminded everyone that the Act is 100 years old and that 100 years ago, the profile of the native Hawaiian beneficiaries was much different than they are today. They came to believe they had the right to benefit from the fruits of their labor. Four generations later, people still suffer from that emotional trauma, so how does the Department deal with that? Projects like this give the beneficiaries a hand up.

ITEM C-4 For Information Only – Report and Recommendations of the Development of Industrial and Commercial Properties Permitted Interaction Group Appointed Pursuant to Section 92-2.5, HRS and Section 10-2-16(b)(1), HAR, to Investigate, Consider, and Recommend Priorities and Methods of Disposition for Hawaiian Home Lands not designated for residential uses

RECOMMENDED MOTION/ACTION

None. For Information Only. Property Development Agent Russell Ka`upu and Land Management Division General Professional Kahana Albinio presented the following:

R. Ka`upu briefed the Commission on the report by the PIG, which was formed in December 2023 to reduce the number of non-productive commercial properties and maximize the income and public benefit realized for the Trust and its beneficiaries. DHHL's Land Management Division aims to be more effective and efficient in the commercial and industrial properties that were intended to generate income for the Trust. Commissioners Awo and Neves were members of the PIG, and Commissioner Kaleikini served as the Chairman. Staff members were Kahana Albinio, Linda Chinn, and himself.

LMD will come before the Commission in April, requesting the Commission's action and approval. There is a need to rescind the prior policy that was enacted at the May 31, 1985, HHC meeting, which allowed the Chairman to issue, amend, renew, and terminate revocable permits. The PIG found it was important that power come to the Commission to grant authority, and that is written in the write-up.

Secondly, we will adopt and approve Exhibit A, which is the process and procedures used to provide LMD guidance.

Thirdly, the application and qualification form, general guidelines, and criteria for the revocable permits must be approved. The Commission will want to read through the materials leading up to the April meeting.

Fourth, to continue the practice of submitting revocable permits to the Commission annually and notifying the permittees that they need to comply to renew. The renewals will happen on the island where the revocable permit is when the Commission has its annual meeting on that island.

Fifth is to approve the conversion of right-of-entry permits that have been issued in lieu of revocable permits, and full compliance is required.

Sixth is to authorize DHHL through LMD to commence administering and using the new RP program.

The PIG, having made this report, is done and ceases to exist as of today. Public testimony can be taken, but the PIG is not allowed to respond to public comments or questions until the April HHC meeting.

Public Testimony – Jojo Tanimoto. She has a lot of objections to what LMD is proposing because there is no beneficiary consultation. The ROEs have impacted the community, the watershed, and the erosion of the ocean. LMD is trying to cut out Kawaihae.

ITEMS FOR DECISION MAKING

REGULAR AGENDA

LAND DEVELOPMENT DIVISION

ITEM E-1 Approval to Issue a Ground Lease to Hale Mo`ili`ili LP for the 820 Isenberg Rental Housing Development Project, Mo`ili`ili, O`ahu, TMK Nos. (1) 2-7-08:18 and 20; and Approval of Ratification of February 23, 2024 letter from Chair Watson to the Department of Housing and Urban Development Regarding the Application of Section 171-22, Hawai`i Revised Statutes to the 820 Isenberg Rental Housing Development Project

Special Projects Head K. Fronda, DAG Alana Bryant, and Kaloa Robinson of Stanford Carr Development continued the presentation/discussion of Item E-1 from the day before.

DAG Bryant went over the terms of the Lease Agreement, which can be found in the submittal. The Lease notes the number of acres, terms, financing, and HUD's requirements for backing the loan. HUD requires certain statements from the department. Since this development is the first of its kind for DHHL, HUD is asking for an additional statement regarding the Cranston Gonzales National Affordable Housing Act (CGNAHA).

The AG's reading of the Act does not apply to this project at all, but it applies to homestead leases under Section 207. Nevertheless, HUD still wants the department to state that it waives any rights that it may have under the Act. From the office of the Attorney General's point of view, they do not see a legal risk in making that statement to appease HUD.

DISCUSSION

Commissioner Awo stated he is concerned about the term "to appease HUD" because that does not align with the Trust's responsibilities and is not inclined to support the statement. HUD needs to align with the Trust's responsibilities.

Commissioner Neves stated the letter talks about selling the leasehold interest to the leasehold owner, regardless of whether the owner is a native Hawaiian entity. He asked what that meant. Chair Watson stated it is the entity that is developing and is unable to finish it off. It is like the Department's General Leases. If there is a foreclosure, the Department can sell it to a non-Hawaiian, not necessarily a native Hawaiian, to continue with the Lease and finish up. The department will focus on the people on the waitlist.

K. Fronda noted that the RFP asked for the following:

- The selected developer's responsibility shall include the demolition of the existing structure
- Design, construction, financial managing operations, and
- Maintenance of a multi-family residential rental facility
- The target market is beneficiary families of the moderate and low-income categories below the 100% AMI
- A portion of the residential units may be proposed for beneficiaries who are in special situations, such as kupuna over 65 years of age, students, faculty of the University of Hawai`i Manoa, or the homeless.

- Offers may propose secondary revenue-generating uses to offset common area maintenance costs, rent subsidies, and offers of proposed in-house facilities.

Commissioner Freitas stated he feels the Commission needs to stay in line with the Trust. K. Robinson confirmed that the target is the beneficiaries. Commissioner Freitas stated he likes the concept, but the property's location is not conducive to conventional homesteading. He wants to make sure this can be marketed the right way and that this is a potential option for beneficiaries. Three hundred beneficiary consultation notices went out, and only ten beneficiaries showed up.

K. Robinson addressed the CGNAHA language with respect to waiving the Department's right to purchase the note and to make sure the note is transferable to an entity that is not native Hawaiian. Stanford Carr Development (SCD) is not a native Hawaiian organization. The request is to comply with the foreclosure requirements of any other commercial ground lease that the Department may have. If SCD defaults on the HUD 221D4 loan, the note can be sold to another developer or asset owner, including the Department, to step in and fulfill the terms of the Lease. The CGNAHA specifically references HUD insurance on DHHL-owned properties that have multi-family properties. The only reason the language is requested is because HUD believes that it applies to this project. The Department is not giving anything up but agreeing to what was envisioned by staff, which is that the note can be freely sold on foreclosure.

The flexibility of the native Hawaiian beneficiary tenancy is a risk mitigation factor. SCD is steadfast in renting the project out to small "n" native Hawaiian beneficiaries. The concern HUD has in issuing an FHA senior loan is that they do not understand that tens of thousands of native Hawaiians struggle to find basic housing. SCD will reach out to everybody who potentially qualifies.

Commissioner Marfil read out a sentence regarding the ground lease: lessee may rent available units to income qualified Hawai'i residents, giving preference to less than one-half of Native Hawaiian residents, to the extent permitted by law. K. Robinson stated it is a risk mitigation request from HUD requirements as they are concerned about what is done when the Department has gone through the entire waitlist and is unable to find income-qualified and blood-qualified individuals. SCD's point is that if HUD is making SCD go out to a broader market, it ought to be Hawaiian and live at home. She asked if it could be considered to take out Hawai'i residents and give preference to native Hawaiians who live elsewhere.

DAG Bryant stated she assumed that the language would not be written as it is in this term sheet. She does not know what HUD requested in terms of Hawai'i residents, as she only knows the native Hawaiian requirement.

K. Robinson stated it had taken SCD a year to convince HUD to provide this type of mortgage insurance for this project. What the Commission does not have to contribute to is the financial capacity. Building a \$152 million project requires subsidies and very specialized financing. The one out of six loans being discussed, the 221D4, has cost a year of effort to get to this point. If this amendment does not get through, it jeopardizes its loan commitment from HUD, it jeopardizes the \$41.5 million in rental housing revolving fund at the State Legislature appropriated for this project, it jeopardizes the \$80 million in private activity bonds that HHFDC awarded to this project at the end of 2022, and it jeopardizes the tax credit investment made by two separate companies on the mainland. If this were not the best possible deal that SCD, Council Bill Yuen, along with Alana Bryant, Darrell Ing, Stewart Matsunaga, and Kalani Fronza, brings

to the Commission, they would not have brought it. This is fair language and paves the way for the Department to replicate this project, and this type of financing again is much easier and faster than SCD had to do.

Commissioner Awo stated the Commission has to bridge a gap to consider wisely and is still in that process.

Commissioner Neves stated that when the project first came out, it was open to O`ahu beneficiaries, so has it been expanded? Chair Watson stated not at this point. Commissioner Neves stated it might give more options and be opened up to a new contractor.

Commissioner Helm stated his concern is about the 29,000 wait listers and 271 units, and the Department has no idea how many beneficiaries would want to participate in this program. This could expand out to the neighboring islands to allow other beneficiaries to participate. It would be a better chance to have the amount of beneficiaries for this project. Chair Watson stated he thinks it is a good idea. K. Robinson stated that the discretion of which waitlist the Department pulls from belongs to the Chair, so a ground lease amendment is not needed. This can be discussed.

Commissioner Kaleikini asked for background regarding when the department acquired the asset for its portfolio. K. Fronda stated in 1994, from DLNR. Commissioner Kaleikini asked what the department has been doing with it from 1994 to 2024. K. Albinio stated prior to this project, there was a Revocable Permit for a former towing company that had used it for eight years. The RP was canceled because we were going to use it for this project.

Commissioner Kaleikini stated the Department had the asset for 30 years but only used it for an RP for about eight years. He asked for an estimated appraisal value of the property. K. Albinio stated he does not know but would look at the county's tax-assessed value and see what the actual tax-assessed value on the land is.

Commissioner Kaleikini asked what was occurring at the property. Was there trespassing or vandalism? K. Albinio stated the bowling alley closed in 2006, and that is when we issued the RP from 2006 till 2016. There was vandalism, trespassers, and fixing up gates and fence lines.

Commissioner Kaleikini stated he hears the discussion points about surveys and how the beneficiaries prefer to be in a house, on the land, or back to the soil, and he would like to share his perspective. The Department has an asset that has been neglected for over two decades. We have a developer who is willing to pay for development to put this asset to some form of good use. The project will cost \$150 million, which is no cost to the department. There is concern about rentals; we talk about that all the time in different contexts. If we do not do anything, what is going to happen? We are going to have an asset that is just deteriorating. We have a developer who is willing to put up the cost to fix this place. The additional benefits would go to native Hawaiians with low to medium income, and then, in the end, the Department would have an asset. (indiscernible). That is his perspective. He understands everyone's concern with rentals, etc., but this is an asset that has been neglected for far too long. It is an opportunity to take care of it. Mahalo.

Commissioner Kaneakua is in favor of rentals that give preference to beneficiaries and native Hawaiians. It is an extraordinary opportunity for native Hawaiians to rent in the downtown area as the cost to Hawaiian Homes is limited. He thanked the people for their efforts on the project.

Public Testimony – Patrick Kahawaiola`a. He stated that maybe the Department should get HUD to finance the houses instead of doing the high-rise.

Public Testimony – Kapua Kamai. She stated there may be a lot of families where this would fit their needs, but the Department needs to continue not to push rentals.

MOTION/ACTION

Moved by Commissioner Freitas, seconded by Commissioner Kaneakua, to approve the motion as stated in the submittal.						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo				X		
Commissioner Freitas	X		X			
Commissioner Helm				X		
Commissioner Kaleikini			X			
Commissioner Kaneakua		X	X			
Commissioner Marfil			X			
Commissioner Namu`o			X			
Commissioner Neves				X		
Chairman Watson			X			
TOTAL VOTE COUNT			6	3		
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED Motion PASSED. Six (6) Yes votes. Three (3) No votes.						

ITEMS FOR INFORMATION/DISCUSSION

REGULAR AGENDA

OFFICE OF THE CHAIRMAN

ITEM C-5 For Information Only – Formation of Permitted Interaction Group Pursuant to Section 92-2.5, HRS, and Section 10-2-16(b)(1), HAR, to Study, Evaluate, and Recommend Strategies for Geothermal Energy Development

RECOMMENDED MOTION/ACTION

None. For Information Only. Property Development Agent Russell Ka`upu presented the following:

R. Ka`upu stated that there is still a lot of work that needs to be done to investigate geothermal resources in Hawaiian homelands. The Chairman is establishing a new PIG with the same purpose. The PIG will be effective March 20, 2024. The members are Commissioner Freitas, who will Chair the PIG, Commissioner Kaleikini, and staff member Kahana Albinio and himself.

ITEM C-6 For Information Only – Status Report of DHHL Enforcement Unit Efforts and Statistics (February 13, 2024 – March 8, 2024)

RECOMMENDED MOTION/ACTION

None. For Information Only. Enforcement Unit Administrator David Hoke presented the following.

D. Hoke stated they are working on the integrity and accountability of the unit, as well as the transparency of what they do. To date, they have 23 requests for investigations. This month, they targeted three areas: Pana‘ewa, Prospect Street, and Waiehu Kou.

A new employee in the Enforcement Unit, Nick Boulan, was introduced. He came from the Section 8 division of the State and served in the military doing interrogations.

HOMESTEAD SERVICES DIVISION

ITEM D-1 HSD Status Reports

- A. Homestead Lease and Application Totals and Monthly Activity Reports
- B. Delinquency Reports
- C. DHHL Guarantees for FHA Construction Loans

Homestead Services Division Administrator Juan Garcia stated there was a question regarding the accuracy of the 192 leases reported in Kawaihae. The lessee data system generates the report. They will check on this. Currently, there are 25 vacant lots in Kawaihae, and there are no improvements. Twenty-five lots are to be issued for new lease awards that were never awarded in the Kawaihae area.

REGULAR AGENDA

REQUEST TO ADDRESS THE COMMISSION

ITEM J-1 Maria Linz and Corrine Nobriga – Kako‘o Leiali‘i

Corrine Nobriga stated their team is called the Kako‘o Leiali‘i Recovery Center. She is a lessee, and she and her neighbor have started helping in the community. She stated Commissioner Awo helped to guide them along. They shared a video of what they were doing. Hawai‘i Community Lending (HCL) is assisting them.

Commissioner Awo acknowledged Belinda’s work and thanked the team for all the good work they were doing.

Shanelle Josiah is with Hawai‘i Community Lending and stated the accomplishments of the Kako‘o Leiali‘i Recovery Center. HCL does mortgage brokering, and the direction from their board was to do kokua and kako‘o as needed. The goal was to create a fund so folks would not be displaced from their land and to help rebuild. They need \$1.2 million per homeowner and need DHHL’s continued support to advocate for the State and County to include homeowner subsidies and infrastructure replacement costs in the CDBG Disaster Recovery Action Plan. If they can get the funds committed, HCL can move forward with local banks and HCA to get the family’s mortgages qualified and processed for construction financing through the Maui Homeowner Recovery Program. HCL is asking the Commission to champion this advocacy effort with them to help the families in Leiali‘i.

ITEM J-2 Blossom Feiteira – Leiali‘i

B. Feiteira expressed her gratitude to Commissioner Awo for all he has done for Maui. She is unsure whether he will continue as a carryover Commissioner. Still, she will take every opportunity to thank him for the sacrifice of being a Commissioner for the past six years. He is a homesteader and a hands-on participant in his community. When the wildfires hit, he was in Leiali‘i the very next day, and the months followed with supplies and leadership. Mahalo, mahalo, mahalo!

ITEM J-4 Kainoa MacDonald – SCHHA Disaster Relief Team – Maui Wildfires Recovery Efforts Update

K. MacDonald is the newly voted SCHHA Maui/Lanai Director. They advocated to Governor Green that they would like to see Commissioner Awo continue through May 2025

ITEM J-5 Kekoa Enomoto – Pa‘upena Community Development Corporation

K. Enomoto stated she heard Andrew Choy say the Department needs money to underwrite all the projects. She also heard that Gigi Cairel is going to be seeking \$800 million from the federal government for the projects, and she needs support letters from the beneficiary organizations. She stated there are 800 acres in Pulehunui, and the Master Plan for those acreages has been on the books for four years, which is on their radar. There are five lots on 127 acres in Makena, and those lands used to be used for grazing. Ranchers could use that land.

Robin Kealiinohomoku is the President of Na Kia‘ai O Maui, a 501 c3 non-profit disaster relief organization whose mission is to help those affected by the wildfire. They are working on a development in Napili, which is 10 acres in size, and the initiative is to build 144 3–4-bedroom affordable homes for the West Maui fire-displaced families. They are asking to put 1200 homes on 300 acres of Hawaiian Homelands. A slide presentation was offered.

Note: Chair Watson left for a meeting, and Vice Chair Commissioner Awo presided over the meeting

ITEM J-7 Donna Sterling – Kahikinui Concerns

D. Sterling talked about the fire-wise plans for communities and Kahikinui. They submitted a grazing plan to Julie, Mr. Cope, the Chair, and the fire-wise people on the Big Island.

ITEM J-8 Princesslehanani Kumaewakainakaleomomona – Waitlist and Kahikinui

Princesslehanani stated that when she signed up, she signed up for pastoral and not for kuleana. She has been waiting for 30 years to get on Kahikinui. She stated that 5 of the 25 awards for Kahikinui were from O‘ahu.

Public Testimony – Jojo Tanimoto.

J. Tanimoto asked that the Commission find staff to mitigate the issues that families have with flooding from the Palikoki Stream. Regarding the water tank road at the top of the Kailapa subdivision, they put up a fence, but they did not put a lock, and the people ride skateboards and ATVs on the road. (no audio)

Public Testimony – Kapua Kamai. (no audio)

ANNOUNCEMENTS AND ADJOURNMENT

A. Next Regular HHC meeting – April 22 & 23, 2024, 9:30 a.m., Kulana Oihi Halau, 600 Maunaloa Highway, Kalama`ula, Moloka`i, Hawai`i

ADJOURNMENT

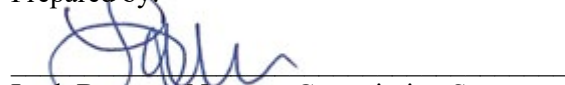
2:10 PM

Respectfully submitted:



Kali Watson, Chairman
Hawaiian Homes Commission

Prepared by:



Leah Burrows-Nuuanu, Commission Secretary
Hawaiian Homes Commission

Attachments:

1. Public Testimony – Kekoa Enomoto – Written Testimony and SCHHA Hawaiian Home Lands Leadership Convention Packet
2. Public Testimony – Kainoa MacDonald – HLI-HCDC Information
3. Public Testimony – Jojo Tanimoto

1. Introduce self as a SCHHA Council Member elected in December for a 4 year term representing Maui/Lanai, as part of the 5-member SCHHA Statewide Council.
SCHHA Council Chair Kipukai Kualii and Vice Chair Maile Lu'uwai send their Aloha
2. I'd like to share with the Commission that SCHHA successfully executed its 36th Annual Hawaiian Home Lands Leadership Conference, which is organized annually to bring Homestead Association leaders together. It was held over 3 days in mid January on Maui, to support our local economy. The theme of our convening was "Renewed Leadership – Renewed Hope" I have provided a copy for you to review during my presentation.

Want to Mahalo DHHL and its staff in the Planning division, for its partnership on the Conference, everyone definitely was heartened by Commissioner Awo, DHHL Director Kali Watson and the DHHL staff that attended and addressed the participants. It was a terrific show of unity between DHHL and our HBAs. The panel of DHHL enforcement and Homestead Neighborhood watch leaders was especially great to see growing partnerships in that area.

We had 47 different homestead regions and associations represented, out of a total of 62 located on all 6 islands, which is a very high representation rate at 76%. We loved having the island of Lanai represented too. In addition, over 170 individuals attended, which is far and above the typical year of 75 leaders we usually host.

During our 3 days, we focused on consultation topics, including rental housing policy on our trust lands, Act 80, county property taxation, and other priorities. We will be presenting a report in the months ahead.

3. Would like to report on our SCHHA efforts along with our Nonprofit Organizations, HCDC and HLI.
 1. This month SCHHA, HCDC and HLI together, are opening a permanent Maui office located on Wells street. We will be adding nonprofit staff at this office, and will have a dedicated meeting space available for Maui homestead associations.

2. This office will also provide direct assistance in the various HCDC and HLI programming. For example, the very successful HLI Vehicle Replacement Program that provides up to \$5,000 in grant funds with a low cost vehicle loan to help those that did not have full insurance coverage for destroyed vehicles in the fire. Rolina Faagai, our HLI Executive Director created this program, as a result of the October 2023 Homestead Roundtable.
3. On the issue of the HCDC Mobile Units purchased and shipped to Maui, applications from homestead associations, churches and other organizations will be processed at our new Maui office.
4. On the issue of the HCDC initiative to support affordable housing on Maui, in the last 60 days, HCDC has acquired properties that are now being directed to families impacted by the fire, but also affordable housing for low to moderate income ohana. Ms. Kara Chow at HCDC with the technical support of the SCHHA's TiLeaf Group nonprofit, Ms. Robin Danner may be available to report on this initiative if there is interest by the commission.
5. Finally, just want to report on our HCDC Residential Employment Living Improvement program, also known as RELI. Over the next 2 years, funded in part by OHA, HCDC will be providing short term employment opportunities on all islands.



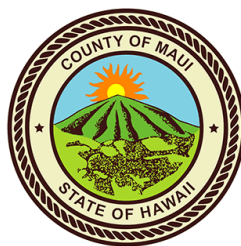
Hawaiian Home Lands Leadership Convention

**January 12 ~ 14, 2024
Maui Beach Hotel**

“Renewed Leadership ~ Renewed Hope”

Founded in 1987, SCHHA is a Statewide Homestead Beneficiary Association & National Coalition Dedicated to the Fulfillment of the Hawaiian Homes Commission Act

Mahalo to Our Key Convening Partners



SCHHA Chair Message

Aloha Homestead Beneficiary Association Leaders!

Welcome to the first “in-person” convening since 2019 before COVID. We have convened annually over virtual platforms these last few years and are grateful to be restarting the long tradition of SCHHA in hosting an *Annual Hawaiian Home Lands Leadership Convention* for HBA leaders!



As an election year, for our statewide *SCHHA Governing Council*, congratulations to each of the HBA leaders elected by their respective *Regional Mokupuni* to serve the next 4 years. Below, is a reminder of all the HBA leaders that have served the SCHHA in leadership roles, in just the last 28 of our 37 years!

Special mahalo to the HBAs in the *SCHHA Maui Regional Mokupuni* for your hospitality on your island, and the SCHHA Disaster Recovery Team doing such splendid work in service to all of Maui!

Welcome everyone! Looking forward to the powerful conversations and setting our priorities together!

KipuKai Kualii

2023 SCHHA Chair

AHHL Waitlist HBA Chair Message

Godspeed to all our HHCA Beneficiaries,



On behalf of our HBA representing the interests of HHCA Beneficiaries on the Waitlist, the Association of Hawaiians for Homestead Lands (AHHL) welcomes you to this important convening of all HBA leaders. Mahalo for making time away from the duties to our ohana that we all hold dear.

As one of the humble leaders that joined in the formation of the SCHHA in 1987, with so many from every moku in the state, I welcome each of you in attendance today, in 2024. Back then, we knew we needed each other, and I think 37 years later, that remains true, it will always be true.

The HHCA is but a promise to our people, first by the federal government in 1920 and then by state government in 1959 with the enactment of the Hawaii Admissions Act. It can only become a promise fulfilled with our full participation in our democracy, our full commitment to our right to self-determination and the exercise of our sovereignty on our trust lands through the action of our individual HBAs. Welcome, and mahalo nui to each of the Waitlist leaders that serve on the AHHL HBA Board.

Mike Kahikina

AHHL Chair



Historical View of SCHHA Governing Council Leadership – Last 28 Years

SCHHA was founded in 1987 by HBA leaders from every island, recognizing the value of a coalition to bring unified action of HBAs serving the entire HHCA lahui.

SCHHA Governing Council 1995 to 1999 – During Cayetano Administration		
SCHHA Council Chair	Kamaki Kanahele	Oahu Mokupuni Region
SCHHA Council Vice Chair	Tasha Kama	Maui/Lanai Mokupuni Region
SCHHA Council Member	Judy Stewart	Kauai Mokupuni Region
SCHHA Council Member	Kammy Purdy	Molokai Mokupuni Region
SCHHA Council Member	Kanani Kapuniai	Hawaii Island Region
SCHHA Governing Council 1999 to 2003 – During Cayetano/Lingle Administration		
SCHHA Council Chair	Kamaki Kanahele	Oahu Mokupuni Region
SCHHA Council Vice Chair	Tasha Kama	Maui/Lanai Mokupuni Region
SCHHA Council Member	Judy Stewart	Kauai Mokupuni Region
SCHHA Council Member	Kammy Purdy	Molokai Mokupuni Region
SCHHA Council Member	Kanani Kapuniai	Hawaii Island Region
SCHHA Governing Council 2003 to 2007 – During Lingle Administration		
SCHHA Council Chair	Tony Sang	Oahu Mokupuni Region
SCHHA Council Vice Chair	Tasha Kama	Maui/Lanai Mokupuni Region
SCHHA Council Member	Amanda Kaleiohi	Kauai Mokupuni Region
SCHHA Council Member	Kammy Purdy	Molokai Mokupuni Region
SCHHA Council Member	Kanani Kapuniai	Hawaii Island Region
SCHHA Governing Council 2007 to 2011 – During Lingle/Abercrombie Administration		
SCHHA Council Chair	Tony Sang	Oahu Mokupuni Region
SCHHA Council Vice Chair	Puanani Danner	Kauai Mokupuni Region
SCHHA Council Member	Tasha Kama	Maui/Lanai Mokupuni Region
SCHHA Council Member	Kammy Purdy	Molokai Mokupuni Region
SCHHA Council Member	Kanani Kapuniai	Hawaii Island Region
SCHHA Governing Council 2011 to 2015 – During Abercrombie/Ige Administration		
SCHHA Council Chair	Kamaki Kanahele	Oahu Mokupuni Region
SCHHA Council Vice Chair	Puanani Danner	Kauai Mokupuni Region
SCHHA Council Member	Tasha Kama	Maui/Lanai Mokupuni Region
SCHHA Council Member	Kammy Purdy	Molokai Mokupuni Region
SCHHA Council Member	Kanani Kapuniai	Hawaii Island Region
SCHHA Governing Council 2015 to 2019 – During Ige Administration		
SCHHA Council Chair	Puanani Danner	Kauai Mokupuni Region
SCHHA Council Vice Chair	Kammy Purdy	Molokai Mokupuni Region
SCHHA Council Member	Blossom Feiteira	Maui/Lanai Mokupuni Region
SCHHA Council Member	Michelle Kauhane	Oahu Mokupuni Region
SCHHA Council Member	Mike Hodson	Hawaii Island Region
SCHHA Governing Council 2019 to 2023 – During Ige/Green Administration		
SCHHA Council Chair	Puanani Danner/KipuKai Kualii	Kauai Mokupuni Region
SCHHA Council Vice Chair	Sybil Lopez	Molokai Mokupuni Region
SCHHA Council Member	Kekoa Enomoto	Maui/Lanai Mokupuni Region
SCHHA Council Member	Richard Soo	Oahu Mokupuni Region
SCHHA Council Member	Ron Kodani	Hawaii Island Region
Incoming SCHHA Governing Council 2023 to 2027 – During Green Administration		
SCHHA Council Member	KipuKai Kualii	Kauai Region
SCHHA Council Member	Sybil Lopez	Molokai Region
SCHHA Council Member	Kainoa MacDonald	Maui/Lanai Region
SCHHA Council Member	Iwalani McBrayer	Oahu Region
SCHHA Council Member	Maile Lu'uwai	Hawaii Island Region



2024 Homestead Community Development Corporation Board

In 2009, during the SCHHA administration of Tony Sang, SCHHA Chair and Puanani Danner, SCHHA Vice Chair, a significant step forward in HBA sovereignty and self-determination was taken, through the formation of the SCHHA 501c3 nonprofit arm, the Homestead Community Development Corporation (HCDC). We mahalo the founding HCDC board - Mike Hodson from Hawaii Island, Iwalani McBrayer from Oahu, Liberta Albao from Kauai, Kekoa Enomoto from Maui and Kammy Purdy from Molokai.

HCDC Board of Commissioners – KipuKai Kualii, Acting CEO		
HCDC Board Chair	Iwalani McBrayer	Oahu Mokupuni Region
HCDC Board Vice Chair	Kammy Purdy	Molokai Mokupuni Region
HCDC Board Treasurer	Liberta Albao	Kauai Mokupuni Region
HCDC Board Member	Daniel Ornellas	Maui/Lanai Mokupuni Region
HCDC Board Member	Maile Lu`uwai	Hawaii Island Region
HCDC Board Member	Puanani Danner	National



2024 Hawaiian Lending & Investments Board

In 2020, during the SCHHA administration of Puanani Danner, SCHHA Chair and Sybil Lopez, SCHHA Vice Chair, initiated a second SCHHA 501c3 nonprofit arm, Hawaiian Lending & Investments (HLI), to facilitate access to capital to HHCA beneficiaries directly through grants and loans.

HLI Board of Directors – Rolina Faagai, Executive Director		
HLI Board Chair	KipuKai Kualii	Kauai Mokupuni Region
HLI Board Vice Chair	Kara Chow	HCDC Executive Member
HLI Board of Director	Reyn Kaupiko	Oahu Mokupuni Region
HLI Board of Director	Cora Schnakenberg	Molokai Mokupuni Region
HLI Board of Director	Donna Sterling	Maui/Lanai Mokupuni Region
HLI Board of Director	Lauae Kekahuna	Hawaii Island Region



Initial & 2024 TiLeaf Group Board

In 2021, a third and final 501c3 nonprofit was initiated to serve the interests of the SCHHA and all HBAs in policy and technical support. TiLeaf Group brings volunteers, thought leaders and consultants with expertise in public policy, fund development, nonprofit and HBA organizational best practices, convening and consultation work to the SCHHA. TLG will add board members to its initial founders by 2025.

TLG Board of Directors – Puanani Danner, CEO		
TLG Board Chair & CEO	Puanani Danner	Statewide & National
TLG Board Vice Chair	Lilia Kapuniai	Statewide & National
TLG Board Secretary	Rolina Faagai	Statewide & National

Hawaiian Home Lands Leadership Convention

Agenda – Subject to Change

Thursday, January 11, 2024 – Arrivals at Maui Beach Hotel

5:00 pm to 8:00 pm HBA Leadership Arrivals and Convention Registration Open

7:00 pm to 9:00 pm Open Joint SCHHA, HCDC, HLI, TLG Board Meeting – Maui Beach

Friday, January 12, 2024 - Maui Beach Hotel

9:00 am – 10:00 am ~ Morning Plenary – Homestead Partners

Kekoa Enomoto, former SCHHA Councilmember, Maui/Lanai Mokupuni - Opening Pule

Kanani Kapuniai, Waimea Nui Homesteader & SCHHA Elder - Opening Mele

KipuKai Kualii, SCHHA Councilmember, Kauai Mokupuni – Orientation of SCHHA Coalition

Robin Puanani Danner, former SCHHA Chair (2015 – 2022), TiLeaf Group Nonprofit CEO

Mahalo to **Maui County Office of Economic Development** on Convening (*by Kainoa*)

Randy Awo, State of Hawaii, Hawaiian Homes Commission, Maui Seat (*by Kainoa*)

Stanton Enomoto, DoI, Office of Native Hawaiian Relations (*by KipuKai*)

10:00 am – 12:00 pm ~ Morning Plenary – HBA Panels from Mokupuni Regions

Panel of **Homestead Association Leaders**: Mokupuni Regions of **Hawaii Island, Oahu** and **Kauai**
Led by Maile Lu`uwai, Lilia Kapuniai, Iwalani McBrayer and Myrna Bucasas

Panel of **Homestead Association Leaders**: Mokupuni Regions of **Maui/Lanai** and **Molokai**
Led by Kekoa Enomoto, Daniel Ornellas, Donna Sterling, Sybil Lopez, and Kilia Purdy-Avelino

12:00 pm - 1:00 pm ~ Lunch Break

Lunch Hosted by HBA partners -Tour of SCHHA Mobile Units in Parking Lot (*Daniel/Kainoa/Iwa*)

1:00 pm – 2:00 pm ~ Afternoon Plenary – Homestead Partners

Gabe Johnson, County of Maui, Council Member (*by Kekoa*)

Carl Varady & Tom Grande, Attorneys for Kalima Case Waitlist Plaintiffs (*invited by Rolina*)
A Conversation on Lessons Learned

2:00 pm – 4:00 pm ~ Afternoon Plenary – SCHHA Reports to HBAs

SCHHA Maui Disaster Relief Report by **Iwalani McBrayer & Kainoa MacDonald**

SCHHA nonprofit: Homestead Community Development Corporation Financial Report

SCHHA nonprofit: Hawaiian Lending & Investments Financial Report

Representative **Diamond Garcia**, State of Hawaii, House of Representatives

SCHHA nonprofit: TiLeaf Group on *Trust Accounts & Registration to DOI Under 43CFR Part 48.6*

4:00 pm ~ Pule & Adjourn for the Day

6:30 pm – 8:30 pm ~ Optional Fellowship Evening

Meeting room space reserved for optional follow up, networking, conversations and connections.

Saturday, January 13, 2024 - Maui Beach Hotel

6:00 am – 7:00 am ~ Optional Beach Walk & Maui Mo`olelo with Anake Kekoa Enomoto

Meet in the Hotel Lobby at 5:45 am!

9:00 am – 9:30 am ~ Morning Plenary – Homestead Partners

Tasha Kama, County of Maui, Councilmember *(by Puanani)*

SCHHA Report: **Permanently Affordable Rental Unit Strategy** (Kauai & Maui Acquisitions)

Jill Tokuda, Congresswoman, United States House of Representatives

Mahalo to **Department of Hawaiian Home Lands** on Leadership Convening Support

9:30 am – 12:30 pm ~ Morning Plenary on Topics Selected by DHHL

Kali Watson, Director, State of Hawaii, Department of Hawaiian Home Lands *(by KipuKai)*

Andrew Choy, DHHL Planning Team, Moderating DHHL Topics of:

DHHL Progress on Act 279 \$600M Spending

DHHL Legislative Proposals for 2024 State Legislative Session

DHHL Community Project Successes and Kupuna Projects

Jonathan Scheuer, on Public Doctrine on Water and HHCA Statute on Water *(by KipuKai)*

Kip Akana, DHHL Enforcement Team, Moderating on DHHL/HBA Partnerships

12:30 pm - 1:30 pm ~ Lunch Break

Lunch Hosted by HBA partners -Tour of SCHHA Mobile Units in Parking Lot *(Daniel/Kainoa/Iwa)*

1:30 pm – 4:00 pm ~ Afternoon Plenary on SCHHA Consultation Topics

Tamara Paltin, County of Maui, Councilmember *(by Kekoa)*

The SCHHA Coalition of HBAs frequently hosts consultation sessions for HBA leaders statewide throughout every year. HBA requested topics of discussion/consultation among HBAs as follows:

#1 SCHHA HBA Consultation: Act 80 Successor Blood Quantum

Requested Topic on What is left to be done, How can HBAs help DHHL/DoI accomplish it? Share Your Manao!

#2 SCHHA HBA Consultation: Building Permitting Office at DHHL

Requested Topic on What should a Building Permitting Office look like at DHHL? Share Your Manao!

#3 SCHHA HBA Consultation: Use of Trust Lands for Rental Housing

Requested Topic on the Issuance of Trust Lands for Rental Housing vs HBA/Waitlist. Share Your Manao!

#4 SCHHA HBA Consultation: County Property Taxation

Requested Topic on Differing County Taxation Policies, and HBA Priorities to Address. Share Your Manao!

4:00 pm ~ Pule & Adjourn for the Day

6:30 pm – 8:30 pm ~ Optional Fellowship Evening

Talk Story, sharing, music and fellowship hosted by Maui HBAs *(by Kekoa)*

Sunday, January 14, 2024 - Maui Beach Hotel

6:00 am – 7:00 am ~ Optional Beach Walk & Maui Mo`olelo with Anake Kekoa Enomoto

Meet in the Hotel Lobby at 5:45 am!

9:00 am – 11:30 am ~ Plenary on SCHHA Consultation Topics

The SCHHA Coalition of HBAs frequently hosts consultation sessions for HBA leaders statewide throughout every year. HBA requested topics of discussion/consultation among HBAs as follows:

#5 SCHHA HBA Consultation: Improvement to SoH DHHL by Green/Watson Administration

Requested Discussion to Inventory HBA Priorities for new DHHL Administration. Share Your Manao!

#6 SCHHA HBA Consultation: Waitlist Challenges, Preferences, UIP System

Requested Discussion on challenges of Waitlist Beneficiaries, on the DHHL UIP System, and the contemplation of Waitlist Preferences or Other Strategies to Move 28,500 off the DHHL List. Share Your Manao!

#7 SCHHA HBA Consultation: Self Determination of HBAs

Requested Discussion on What Happenings on Act 302, Enacted at the Hawaii Legislature addressing the Self-Determination of HBAs with DHHL. Share Your Manao!

8 SCHHA HBA Consultation: Open Floor to Inventory Other Priorities

Other Priorities of HBAs to Consider Policy Efforts in 2024/2025. Share Your Manao!

11:30 am – 12:30 pm ~ Plenary on SCHHA Leadership Convention Business Meeting

Business Item #1. *Introduction of Incoming SCHHA Council Members*

Business Item #2. *Election of SCHHA Chair & Vice Chair for Next 4 Years ~ by Ballot*

- a. Open Nominations for a Team/Slate for Chair & Vice Chair – if any, Motion & 2nd
- b. Nominations for Any Individual Nominations for Chair or Vice Chair – if any, Motion & 2nd
- c. Close Nominations - Motion & 2nd
- d. Vote by Ballot or by Voice or Raised Hand Vote

Business Item #3. *SCHHA Council Meeting Schedule for 2024*

Business Item #4. *Other Business*

12:30 pm ~ Pule & Adjourn

Turn in Travel Receipts ` Off-Island Leaders Depart for Airport

1:00 pm ~ Optional Huakai Hosted by Maui & Molokai HBA Leaders

A Site Visit to Pulehunui Trust Lands Hosted by Maui HBAs and HBA leader, Kekoa Enomoto

It's a site to behold - 800 Acres of our Hawaiian Home Lands ~ Box Lunch Included ~ Sign Up for Huakai at Reg Table or find Aunty Kekoa! Limited capacity!

Mahalo Nui! Safe Travels Home!

Leadership Convention Logistics, Collateral, Scholarships, Registration, Fund Development:

Kara Chow, Rolina Faagai, Jordyn Danner, Char-Lee Kaleiohi, Robin Danner, Lilia Kapuniaia, Kainoa MacDonald, Iwalani McBrayer, KipuKai Kualii, Kekoa Enomoto, Maile Lu`uwai, Ron Kodani.



SCHHA Coalition Serving HBAs
1481 South King Street, Suite 448
Honolulu, Hawaii 96814
policy@hawaiianhomesteads.org
www.hawaiianhomesteads.org

Residential Employment Living Improvement (RELI) Program

The *Homestead Community Development Corporation (HCDC)* nonprofit, founded by the *Sovereign Council of Hawaiian Homestead Associations (SCHHA)* in 2009, is dedicated to affordable housing, economic opportunities and community capacity building statewide.

HCDC operates a workforce development program to provide short term training and experience to underemployed Native Hawaiian residents, through the HCDC Residential Employment Living Improvement (RELI) Program. Funded in part by the *Office of Hawaiian Affairs*, RELI provides experiential stipends to participants for up to 4 months.

Scope of Workforce Experiential Opportunity

HCDC accepts RELI applications year-round! Eligible participants are assigned to RELI participating employers, nonprofit or business entities, in a variety of functions from labor and stewardship to office administration and retail functions. Experiential opportunities are flexible and will range from 10 to 40 hours a week, for up to 120 work days or 4 months. Stipends range from \$15 to \$22 per hour.

RELI Applicant Information

Name: _____ Date: _____

Cell: _____ Email: _____

Physical Address: _____

check if this residence is located on Hawaiian Home Lands

Mailing Address: _____

Date Available: _____ Are you available Monday – Friday? (Y/N) _____

Date of Birth: _____ SSN: _____

Are you a minor? (Y/N) _____ If yes, do you currently possess a valid work permit? (Y/N) _____

Required Documents: IRS W-9 Valid Photo ID Work Permit (minors only)

Demographic Data

Gender: Male Female Choose not to respond Check if you are Native Hawaiian

Own Rent Live w/relatives No. of years: _____ Housing Payment: _____

Main House - # of Bedrooms: _____ # of Bathrooms: _____ # of Occupants: _____

Marital Status: Married Separated Unmarried: Single Divorced Widowed

Registered to vote? YES NO Education Level: High School Some College Degree

Applicant's Signature _____

Date _____

Upon completion, submit this application to info@hawaiianhomesteads.org for consideration in RELI Cohort training and experiential opportunities in all Counties in the State of Hawaii.

REPLACEMENT VEHICLE PROGRAM

FOR MAUI RECOVERY



What is the Replacement Vehicle Program (RVP)?

The Replacement Vehicle Program (RVP) is dedicated to Native Hawaiian families that experienced transportation loss due to the Maui Wildfires of August 2023.

This program provides vehicle financing with deferred payments for 12 months and a one time grant of up to **\$5,000** to replace a vehicle lost in the Maui Wildfires.

60 month Vehicle Loan Estimate

Vehicle purchase Price: \$30,000

HLI RVP Grant -\$5,000

Vehicle Financed \$25,000

First 12 Months

**Monthly
Payment
\$62.50**

How do I apply for the Replacement Vehicle Program?

Complete Consumer Assistance Kit:

- Pick up Consumer Assistance Kit at the Maui Mall. Visit the SCHHA Desk at:

Maui Relief & Aid Services Center
70 E Ka'ahumanu Avenue
Kahului, HI 96732

- Email rolina@hawaiianhomesteads.org to request a Kit!

What do I need to apply for the Replacement Vehicle Program (RVP)?

1. Provide Employment / Income Data
If currently unemployed, HLI will consider pre-wildfire employment & income data
2. Provide a copy of your DMV vehicle title verifying ownership of lost vehicle.
3. Provide an estimate of replacement vehicle price you are interested in purchasing.
4. Verification of Native Hawaiian ancestry & state of Hawaii residency



H · L · I

HAWAIIAN LENDING
& INVESTMENTS

Hawaiian Lending & Investments (HLI) is a Community Development Financial Institution (CDFI) 501c3 non-profit, sponsored by the Sovereign Council of Hawaiian Homestead Associations (SCHHA).

HLI delivers financial services to support the capital needs of consumers, businesses, and homestead associations on or near Hawaiian Home Lands.

HLI has office locations on Maui, Molokai, Oahu, and Kauai. HLI provides services to community members throughout the state of Hawaii.

CONTACT HLI:



ROLINA FAAGAI

Executive Director

rolina@hawaiianhomesteads.org
(808)-208-6466

Mahalo Nui to Our Funding Partners!



**WELLS
FARGO**

Ms JoJo Tanimoto
P.O. Box 44337
Kawaihae, Hawaii 96743
Email: guavaland622@gmail.com

March 18, 2024

Hawaiian Homes Commission

Re: Hawaiian Homes Commission Meeting Testimony

Aloha Commissioners

I would first like to take this opportunity to thank you for helping our Kawaihae community. It has taken time, imagination and your votes to help us get to where we are today, but we are still in need of your assistance. Today, I would like to request your assistance in finding clarification and any updates on the following issues:

#1-In the November 2021 Commission Minutes, Commissioner Ka'apu requested research be done on updating the fee charges to the ROE permits in the West Hawaii communities. There was supposed to be a Commission committee to research this issue but I have not seen any follow up.

#2-My interest is the ROE's for Kawaihae is due about May or June. This ROE has 7,600 acres that include lands the community can use for an Emergency Evacuation Route from Kailapa Subdivision to the Kohala Mountain Road, for emergency use, especially wildfires. Perhaps this ROE can use for access to the rest of the 7,000 acres. This piece of property includes priority issues in our community Regional Plan Nos. 1, 2, and 5.

#3-The Kailapa community is also seeking access to a brackish water source in that ROE permit. I would like to ask this Commission's assistance to acquire a ROE for the Kailapa Association Board and Water Committee members to site visit these areas.

#4-In 2021, I requested a fence be erected at the mauka Water Tank Reservoir to prevent trespassing. To date, that gated area has no padlock.

I would appreciate your assistance in acquiring a padlock because now people are using that paved road for exercise, the ROE still uses this-steep incline-to access their ranch. For me, if the vehicle loses its brakes, they will end up in my kitchen and could cause injury to my family. This is another reason to help the ROE get access infrastructure, elsewhere.

#5-I would appreciate your assistance in getting the Department to mitigate a long-standing problem at the Palihae Stream which affects the Kawaihae community and the two residential beneficiaries along that stream. The Department has jurisdiction last time I checked with CWRM.

I previously reported that the beneficiary's neighbor had the stream bulldozed, and the boulders in the stream and along her side of the stream were taken and placed as flood barriers for the neighbor. When it rains, it floods her yard. When the stream is not cleaned, it overflows into the highway roadway and Civil Defense closes the highway. That is a two-way roadway that runs to Kohala and towards Queen Ka'ahumanu Highway, the route towards Waikoloa, where the hotels are located and where many in the subdivision work. All the traffic from the harbor and the two small boat harbors share that portion of the highway.

I would appreciate your assistance to get the Department to replace the flood barrier and her boundary lines. The State Highways Department has since maintained the harbor side of the highway.

Mahalo for this opportunity to address this Commission.
Aloha