

STATE OF HAWAI‘I
DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION MEETING/WORKSHOP AGENDA

Hale Pono‘i, 91-5420 Kapolei Parkway, Kapolei, O‘ahu, 96707, and Zoom Meeting ID: 609 754 2925

Monday, July 15, 2024, at 9:30 a.m. to be continued, if necessary,
on Tuesday, July 16, 2024, at 9:30 a.m.

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

Note: Commission Meeting Packets will be available at dhhl.hawaii.gov by Thursday, July 10, 2024.

I. ORDER OF BUSINESS

- A. Roll Call
- B. Approval of Agenda
- C. Approval of Minutes:
 - a. June 13, 2024 Budget Workshop
 - b. June 17 & 18, 2024 Regular Meeting
- D. Public Testimony on Agendized Items – see information below

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

II. ITEMS FOR DECISION MAKING

A. CONSENT AGENDA

Homestead Services Division

- D-2 Approval of Consent to Mortgage (see exhibit)
- D-3 Ratification of Loan Approvals (see exhibit)
- D-4 Approval of Homestead Application Transfers / Cancellations (see exhibit)
- D-5 Approval to Certify Applications of Qualified Applicants for the month of June 2024 (see exhibit)
- D-6 Reinstatement of Deferred Application (see exhibit)
- D-7 Approval of Assignment of Leasehold Interest (see exhibit)
- D-8 Approval of Amendment of Leasehold Interest (see exhibit)
- D-9 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees (see exhibit)

B. REGULAR AGENDA

Office of the Chairman

- C-1 Approval of Petition for Declaratory Ruling to Determine the Enforceability of the Settlement and Mutual Release and Indemnity Agreement Between DHHL, Bruce K. Parker (dec.), as the Personal Representative of the Estate of Pearl K. Parker, and Lessee Thalia White-Ching (dec.), and the Stipulated Order Regarding Irrevocable Designation of Bruce K. Parker as Successor to Lease No. 2877.

Homestead Services Division

- D-10 Denial of the Assignment of Lease Transfer Request – **MATTHEW L. A. MIKA**,
Agricultural Lease No. 6265, Lot No. 160-B, Pana‘ewa, Hawai‘i

Land Development Division

- E-1 Approval of Lease Awards for Pu‘uhona Subdivision Residential Offering – Phase 1
(see exhibit)
E-2 Approval of Findings of No Significant Impact (FONSI) for Honokōwai Water System
Improvement Project Final Environmental Assessment

Land Management Division

- F-1 Approval to Annual Renewal of Revocable Permit Pilot Program - Revocable Permits,
Oahu [Island](#) (see exhibit)
F-2 Approval to Amend Right of Entry Permit No. 708, Frank V. Coluccio Construction
Company, Inc., Honolulu, Oahu Island, TMK No. (1) 2-2-005:035
F-3 Approval to Amend Right of Entry Permit No. 706, State of Hawaii Department of
Agriculture (“HDOA”), Waimanalo, Oahu Island, TMK No. (1) 4-1-011:001
F-4 Authorization to Amend General Lease No. 288, Kapolei Community Development
Corporation (“KCDC”), East Kapolei, Island of Oahu, TMK No. (1) 9-1-016:018(p)
F-5 Approval to Issue a Right-of-Entry Permit to Charter Communications Operating, LLC,
Ho‘olehua, Molokai Island, TMK No. (2) 5-2-023:001

Planning Office

- G-1 Approve the 2024 Kawaihae Regional Plan Update, Kohala, Hawai‘i Island

III. EXECUTIVE SESSION

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

1. Discussion Regarding Telecommunications on Hawaiian Home Lands
2. Discussion Regarding Item C-1 - Approval of Petition for Declaratory Ruling to Determine the Enforceability of the Settlement and Mutual Release and Indemnity Agreement Between DHHL, Bruce K. Parker (dec.), as the Personal Representative of the Estate of Pearl K. Parker, and Lessee Thalia White-Ching (dec.), and the Stipulated Order Regarding Irrevocable Designation of Bruce K. Parker as Successor to Lease No. 2877
3. Discussion Regarding Section 92-2.5(e), HRS

IV. ITEMS FOR INFORMATION/DISCUSSION

A. REGULAR ITEMS

Office of the Chairman

- C-2 For Information Only – Appointment of Permitted Interaction Group –Use of Caretakers by Lessees During Their Extended Absence
C-3 For Information Only – Status Report of DHHL Enforcement Unit Efforts and Statistics (June 16, 2024 – July 15, 2024)

Homestead Services Division

D-1 HSD Status Reports

A.-Homestead Lease and Application Totals and Monthly Activity Reports

B.-Delinquency Reports

C.-DHHL Guarantees for Hawaii Community Lending Permanent Loans

D.-DHHL Guarantees for Hawaii Community Lending Construction Loans

E.-DHHL Guarantees for USDA-RD Mortgage Loans

Land Development Division

E-3 For Information Only – Project Updates (Papakōlea – Isenburg)

Planning Office

G-2 For Information Only - Status Update on Plan Implementation in the Papakōlea Region

V. ANNOUNCEMENTS AND RECESS

1. DHHL Community Meeting, Monday, July 15, 2024. 6:30 p.m. Stevenson Middle School Cafeteria, 1202 Prospect Street, Honolulu, Hawaii, 96822

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION MEETING/WORKSHOP AGENDA

Hale Pono'i, 91-5420 Kapolei Parkway, Kapolei, Oahu, 96707,
and Zoom Meeting ID: 609 754 2925

Tuesday, July 16, 2024, at 9:30 a.m.

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

I. ORDER OF BUSINESS

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

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II. ITEMS FOR INFORMATION/DISCUSSION

A. REGULAR AGENDA

Planning Office

G-3 For Information Only Draft 2024 Waimānalo Regional Plan Update

G-4 For Information Only East Maui Master Planning Update and Presentation of Draft Wakiu Homestead Development Plan, Hana, Maui


B. GENERAL AGENDA

Requests to Address the Commission

- J-1 Jade Smith – Wakiu Homestead Development Plan
- J-2 Reyn Kealii Kahaapea– Pana‘ewa Community Alliance- Project Kamoelao
- J-3 Bill Brown -Pana‘ewa Hawaiian Home Lands Community Association
- J-4 Azure Kaawa – Proposed Kauhale Project in Nanakuli Homestead
- J-5 Janel Kekumu – Waimanalo Successorship Issue
- J-6 Summer Yadao, Connye Busa, Chasetyn Hasegawa
- J-7 Kenna Stormogipson, Samuel Wampler, Christopher Jungers
- J-8 Kekoa Enomoto – Act 236 Lease Renewals
- J-9 Patty Teruya Kahanamoku – Various Concerns
- J-10 Germaine Meyers – Various Concerns
- J-11 Blossom Feiteira – Lease Concerns
- J-12 De Mont Manaole – Various Concerns
- J-13 Kapua Keliikoa Kamai

III. ANNOUNCEMENTS AND ADJOURNMENT

- A. Next Regular HHC Meeting –August 19 & 20, 2024, Hilton Garden Inn Kauai Wailua Bay, Kuhio Ballroom, 3-5920 Kūhiō Highway, Kapa‘a, Kua‘i
- B. Adjournment



Kali Watson, Chairman
Hawaiian Homes Commission

COMMISSION MEMBERS

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

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

If you need an auxiliary aid/service or other accommodation due to a disability, contact Michael Lowe at 620-9512 or michael.l.lowe@hawaii.gov as soon as possible, preferably by July 10, 2024. If a response is received after that, we will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled. Upon request, this notice is available in alternate formats.

Public Testimony on Agendized Items can be provided either as (1) in person at the meeting location by filling out a form at the reception table, (2) written testimony mailed to *Commission Testimony, P.O. Box 1879, Honolulu, HI, 96815*, or emailed to *DHHL.icro@hawaii.gov* by July 12, 2024, or (3) live, oral testimony online by joining the Zoom meeting and relabeling your profile to include the agenda item you wish to testify on. Please keep your computer muted and your camera off until you are called. You will need a computer with internet access, a video camera, and a microphone to participate.

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

ITEM D-2 EXHIBIT		
APPROVAL OF CONSENT TO MORTGAGE		
LESSEE	LEASE NO.	AREA
MCARTHUR, Kazuaki H. R.	5284	Waianae, Oahu
NAPEAHI-AKUI, Neon N.	11989	Kaupea, Oahu
PALAKIKO, Leslie	681	Nanakuli, Oahu
JOHNSON, Edith L.	13007	Kakaina, Maui
KAIAOKAMALIE, Anuhea		

ITEM D-4 EXHIBIT	
APPROVAL OF HOMESTEAD APPLICATION TRANSFER / CANCELLATIONS	
APPLICANT	AREA
AH MOOK SANG, Myrtle K.	Oahu IW Res
AKANA, Channing K.	Hawaii IW Agr to Oahu IW Agr
AKANA, Channing K.	Hawaii IW Res to Oahu IW Res
AUWAE, Henry K.	Hawaii IW Res
BERNARD, Lily N.	Oahu IW Agr
BERNARD, Lily N.	Oahu IW Res
BROOKS, Clorinda A.	Molokai IW Res
BUNTING, Diane	Hawaii IW Res
CHRISTIAN, Douglas	Kauai IW Agr
CHRISTIAN, Douglas	Kauai IW Res
CHUN, Richard	Oahu IW Agr
CHUN, Richard	Oahu IW Res
CORDERO, Anna K.	Hawaii IW Res
COSMA, Manuel Jr.	Oahu IW Res to Maui IW Res
DAOG, Harriet	Hawaii IW Agr
DEFREITAS, Wendell R.	Molokai IW Agr
DEMELLO, Alfred A., Jr.	Molokai IW Pas
DETILLION, Leimomi A.	Maui IW Agr
ELI, Stephenson M.	Nanakuli Area / Oahu IW Res
GIURATO, Ermelinda L.	Oahu IW Res
GIURATO, Ermelinda L.	Hawaii IW Agr
GOMES, Emily N.	Oahu IW Res
GREEN, Mercedes L.	Hawaii IW Agr
HAILI, John K., Jr.	Oahu IW Res
HAILI, John K., Jr.	Hawaii IW Agr
HALUALANI-HEE, Germaine K.	Oahu IW Res to Hawaii IW Res
HANOHANO, Charles K., Jr.	Kauai IW Agr
HEGENT, Evelyn I.	Hawaii IW Res

HOLT, Rosemarie S.	Oahu IW Agr
HOLT, Rosemarie S.	Oahu IW Res
HOOMANAWANUI, Melvin K., Sr.	Hawaii IW Res
IOKIA, Jerry A.	Hawaii IW Res
KAAI, Dean P.	Maui IW Res to Kauai IW Res
KAUAMO, Ernestine K.	Oahu IW Agr
KALEOPAA, Timothy A.S.	Maui IW Agr
KALEOPAA, Timothy A.S.	Maui IW Res
KALUA, Solomon	Molokai IW Agr
KAMAI, Andrew K., Jr.	Waianae Area / Oahu IW Res
KAMIBAYASHI, Napua L.K.	Kauai IW Res
KANAKAOLE, Eric H.	Maui IW Pas
KANAKAOLE, Eric H.	Maui IW Res
KANALULU, Joseph K.	Maui IW Pas
KANALULU, Joseph K.	Maui IW Res
KAPIO, Matthew K., Jr.	Kauai IW Agr
KAWAAKOA, Samuel K., Jr.	Maui IW Res
KEAHI, Lorraine K.	Maui IW Agr
KEKA, Gerald K.	Hawaii IW Agr
KEKA, Gerald K.	Hawaii IW Res
KEKUA, Katie R.	Waianae Area / Oahu IW Res
KEOULI, Faye K.	Oahu IW Agr
KOANUI NEFALAR, Stacie Lee K.	Lanai IW Res
KOHLTFARBER, Julia A.H.	Hawaii IW Res
KUHEANA, Charleneller C.	Hawaii IW Agr
KUHEANA, Charleneller C.	Hawaii IW Res
KUIA, Daniel K.	Maui IW Res
KUKAHIKO, William C.K.	Hawaii IW Res
KUNEWA, Blossom K.	Maui IW Res
LAU, Valerie	Waimea Area / Hawaii IW Pas
LEE, Donald R.K.	Hawaii IW Res
LEWIS, Charlotte L.	Maui IW Res
LOWERY, Shirley P.	Waianae Area / Oahu IW Res
MAA, James K.	Hawaii IW Agr
MACHADO, Colette Y.	Molokai IW Agr
MACLOVES, Harvey N.	Kauai IW Agr
MAHI, Henry Jr.	Hawaii IW Res
MAHI, Keola K.	Hawaii IW Res
MAKEKAU, Allen R.	Molokai IW Res
MANNER, Jimmy F.	Oahu IW Res
MARROTTE, Larry K.	Oahu IW Res
MARROTTE, Larry K.	Hawaii IW Agr
MCCORD, Louella M.	Hawaii IW Agr
MEDEIROS, Clarence K., Jr.	Hawaii IW Res
MEDEIROS, Minnie U.	Hawaii IW Agr
MIKAELE, George Steven K.	Kauai IW Agr
MILLARE, Elizabeth Y.	Hawaii IW Agr

MILLARE, Elizabeth Y.	Hawaii IW Res
MOSSMAN, Emmaline K.	Hawaii IW Agr
NAEHU, Alvin K.	Molokai IW Agr
NAKI, Alexander P., Jr.	Maui IW Res
NAKI, Alexander P., Jr.	Molokai IW Pas
NAKI, James H., Jr.	Oahu IW Res
NAKI, James H., Jr.	Maui IW Agr
NAONE, Lyons K., Jr.	Maui IW Res
NAUKA, Norman V.	Hawaii IW Agr
NOA, Armond M.	Oahu IW Agr
NOA, Armond M.	Oahu IW Res
NOAH, Robert L., Sr.	Hawaii IW Agr
NOAH, Robert L., Sr.	Hawaii IW Res
OKADA, Honey	Oahu IW Res
ORNELLAS, Flora	Anahola Area / Kauai IW Pas
PAISHON, Harriet H.	Hawaii IW Pas
PARKER, Eric S.	Hawaii IW Agr
PASTOR, Roy M.K.	Maui IW Agr
PASTOR, Roy M.K.	Maui IW Res
PEREZ, Allison U.	Oahu IW Res
REINHARDT, William E.	Oahu IW Res
REYES, Stanley Samson	Hawaii IW Agr
RICKARD, Amoy A.	Hawaii IW Res
SALINAS, Letty K.	Oahu IW Res
SALINAS, Letty K.	Maui IW Agr
SHEA, William L., Jr.	Maui IW Pas
SHEPARD, Rozlyn K.	Hawaii IW Agr
SHEPARD, Rozlyn K.	Hawaii IW Res
SOLOMON, Marie J.	Kawaihae Area / Hawaii IW Res
THOMSON, Carrie K.	Oahu IW Res
WAHINEKAPU, Lorraine P.	Hawaii IW Agr
WAHINEKAPU, Lorraine P.	Hawaii IW Res
WONG, James	Hawaii IW Pas
WONG, James	Hawaii IW Res
YIM, Patrick Jr.	Hawaii IW Agr
	* IW = Islandwide

ITEM D-5 EXHIBIT
APPROVAL TO CERTIFY APPLICATIONS OF QUALIFIED APPLICANTS

APPLICANT	AREA
ADAMS, Duke N., Jr,	Oahu IW Agr
ADAMS, Duke N., Jr.	Oahu IW Res
AMINA KANEAKUA, John K.V.	Oahu IW Agr
AMINA KANEAKUA, John K.V.	Oahu IW Res
BARRUS, Penny L.I.	Oahu IW Res
CHUNG, Noelani J.	Hawaii IW Pas

CHUNG, Noelani J.	Kauai IW Res
COX, Cheryl A.	Oahu IW Res
COX, Cheryl A.	Kauai IW Agr
DIMAYA, Jacqueline A.	Oahu IW Res
GOGLANIAN, Kali L.	Hawaii IW Agr
GOGLANIAN, Kali L.	Hawaii IW Res
HANOHANO, Joelyn C.K.	Oahu IW Agr
HANOHANO, Joelyn C.K.	Oahu IW Res
HARBOTTLE, Amanda R.N.	Oahu IW Res
HARBOTTLE, Amanda R.N.	Hawaii IW Agr
KAAPUNI, John Henry K.L.	Hawaii IW Agr
KAAPUNI, John Henry K.L.	Hawaii IW Res
KALIMA-PAGLINAWAN, Kaikepapaohalemanu K.	Hawaii IW Agr
KALIMA-PAGLINAWAN, Kaikepapaohalemanu K.	Hawaii IW Res
KANAHELE, Kawehi M.	Oahu IW Res
KEAMO, Lawrence V.A.K.	Oahu IW Res
KEAWE, Thomas K.	Oahu IW Agr
KEAWE, Thomas K.	Hawaii IW Res
KEKAUOHA, Chrisslynn M.	Oahu IW Agr
KEKOA-OSHIRO, Michelle M.P.	Oahu IW Agr
KEKOA-OSHIRO, Michelle M.P.	Oahu IW Res
KELIIKULI, Randolph K.	Hawaii IW Agr
KELIIKULI, Randolph K.	Hawaii IW Res
KELIIKUPAKAKO, Mark N.	Maui IW Res
KELIIKUPAKAKO, Mark N.	Hawaii IW Pas
KELIIKUPAKAKO, Megan V.K.	Oahu IW Res
KELIIKUPAKAKO, Megan V.K.	Hawaii IW Agr
LORD, Roseann L.	Hawaii IW Agr
LORD, Roseann L.	Hawaii IW Res
MOKIAO, Joann	Hawaii IW Agr
MOKIAO, Joann	Hawaii IW Res
NUUHIWA, Jonah	Oahu IW Agr
RAQUEL, Libbie-Marie K.	Oahu IW Agr
RAQUEL, Libbie-Marie K.	Oahu IW Res
ROWLAND, Herbert S.	Oahu IW Agr
ROWLAND, Herbert S.	Oahu IW Res
SIMEONA, Kawaikoa L.	Oahu IW Res
WOODY, Jaclyn M.	Oahu IW Agr
WOODY, Jaclyn M.	Oahu IW Res
	* IW = Islandwide

ITEM D-6 EXHIBIT
REINSTATEMENT OF DEFERRED APPLICATION

RENTZ, Gloryer	Waianae Area / Oahu IW Res
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	* IW = Islandwide

ITEM D-7 EXHIBIT
APPROVAL OF ASSIGNMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
AKINA, Adrienne H.	4904	Kuhio Village, Hawaii
AKUTAGAWA, Myron R.	9556	Hoolehua, Molokai
KAHOLOAA, Jeremiah K.	9556	Hoolehua, Molokai
CASTRO, Shirleen K.	11379	Kaupea, Oahu
CASTRO, Randall J.	11379	Kaupea, Oahu
CHARTRAND, Michelle S. L.	4042	Waiakea, Hawaii
CUBIT, Symphonie K.	482	Nanakuli, Oahu
CAMINOS, Charmaine M.	482	Nanakuli, Oahu
NEE, Jamison	2485	Waimanalo, Oahu
CASTILLIO, Angela L., Jr.	2485	Waimanalo, Oahu
NEE, Aaron G.	2485	Waimanalo, Oahu
DAMO, Susan N. R.	10009	Keaukaha, Hawaii
EMMSLEY, Kanoe L. K.	11374	Kaupea, Oahu
EMMSLEY, Kekamamaikalani J.	11374	Kaupea, Oahu
GARCIA, Stacy Kimo, Jr.	1934	Nanakuli, Oahu
KAMAI, Gregory K., Jr.	2954	Nanakuli, Oahu
KAHANAOL, Jeanne M.	8261	Lualualei, Oahu
KAPIO, Le Vaughn O.	3151	Waimanalo, Oahu
MCCANDLESS, Shannon K. K.	12544	Lalamilo, Hawaii
NIHAU, Sheye K.	9413	Kaniohale, Hawaii
PI, Leroy D. K.	9413	Kaniohale, Hawaii
SMITH, Carah C. K.	499	Hoolehua, Molokai
SYLVA, Mildred P.	5343	Waianae, Oahu
TAVARES, Kenneth E.	7543	Waiohuli, Maui
WILLING, Shawn	3900	One Alii, Molokai
ZSUPNIK, Maile-Anne E.	2666	Kuhio Village, Hawaii
ROSA, Henry K.	11015	Anahola, Kauai
HOOMANAWANUI, Jonathan K.	11017	Anahola, Kauai
CARIS, Ashley K.	10359	Waiohuli, Maui
HOOPER, Holeilehua K.	10359	Waiohuli, Maui
KUHEANA, Kawika K.	6343	Keaukaha, Hawaii
PUAOI DAWSON, Dayton K.	2077-A	Hoolehua, Molokai
PUAOI DAWSON, David K.	2077-A	Hoolehua, Molokai
LEE LOY, Blase B.	4070	Panaewa, Hawaii
PALAMA, Francine M. P.	5666	Keaukaha, Hawaii
SEALS, Hattie K.	6418	Makuu, Hawaii

ITEM D-8 EXHIBIT
APPROVAL OF AMENDMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
AHUNA, Randolph K., Jr.	953	Panaewa, Hawaii
ALEXANDER, Daisy K. H. A.	10602	Waiohuli, Maui
CUBIT, Symphonie K.	482	Nanakuli, Oahu
CAMINOS, Charmaine M.	482	Nanakuli, Oahu
CARRILLO, William, Jr.	3200	Anahola, Kauai
CHARTRAND, Michelle S. L.	4042	Waiakea, Hawaii
CONTRADES, Waldemar J.	3282	Anahola, Kauai
GARCES, Evan K.	10594	Waiohuli, Maui
HOOMANAWANUI, Charlotte L.	11017	Anahola, Kauai
HOOMANAWANUI, Jonathan K.	11017	Anahola, Kauai
IOKIA, Zelii K.	10476	Waiohuli, Maui
KALUA, Solomon	7847	Hoolehua, Molokai
KAMAI, Gregory K., Jr.	2954	Nanakuli, Oahu
KAMAI, Gregory K., III	2954	Nanakuli, Oahu
KANE, Claude H.	3115	Waimanalo, Oahu
KAPIO, Le Vaughn O.	3151	Waimanalo, Oahu
KAUVAKA, Jaylene M., Jr.	3676	Anahola, Kauai
KAWAIHALAU, James M. L. S.	10426	Waiohuli, Maui
KEALOHA-UU, Paia P. K.	10404	Waiohuli, Maui
LEE LOY, Blase B.	4070	Panaewa, Hawaii
LUAT-HUEU, Tammy G. M.	10535	Waiohuli, Maui
MINA, Irene L.	10315	Waiohuli, Maui
NUUHIWA, Hiram K.	2486	Waimanalo, Oahu
ORNELLAS, Flora E. L.	3901	Anahola, Kauai
PALI, Abbiegal L.	10303	Waiohuli, Maui
PANUI, James, Jr.	3625	Anahola, Kauai
PEA, George L. I.	4139	Panaewa, Hawaii
PUAILHAU, Laurence Kimohae	101	Hoolehua, Molokai
RILEY, Jade M.	10599	Waiohuli, Maui
SMITH, Carah C. K.	499	Hoolehua, Molokai
TORO, Annette A.	10597	Waiohuli, Maui
WAIAU, Kaleo J.	10465	Waiohuli, Maui
WAILEHUA, Walter K., Jr.	3824	Nanakuli, Oahu
WILLING, Shawn	3900	One Alii, Molokai
ZSUPNIK, Maile-Anne E.	2666	Kuhio Village, Hawaii

ITEM D-9 EXHIBIT
**APPROVAL TO ISSUE A NON-EXCLUSIVE LICENSE FOR ROOFTOP PHOTOVOLTAIC SYSTEMS
FOR CERTAIN LESSEES**

LESSEE	LEASE NO.	AREA
ABARRA, Ryan K.	12208	Waiehu Kou IV, Maui
ADRIC, Alikea R.	12588	Kanehili, Oahu
CARDINES, Allen R. A.	4363	Nanakuli, Oahu
CARRICK, Leona P.	8377	PKE, Oahu
COX, Clarence W., III	2896-A	Panaewa, Hawaii
ELIA, Charles K.	10247	Waianae, Oahu
FREITAS, Elaine S. I.	5548	Lualualei, Oahu
IOKUA-HARDWOOD, Chazarae K.	7386	Nanakuli, Oahu
KAAIOHELO, Gabriel P., Jr.	5693	Nanakuli, Oahu
KAMAI, Hollie W.	8596	Nanakuli, Oahu
KAMEALOHA, Morris K.	3431	Nanakuli, Oahu
KAMEALOHA, Morris K., Jr.	3431	Nanakuli, Oahu
KAPIO, Le Vaughn O.	3151	Waimanalo, Oahu
KAHAIALII, Elzadia L. K.	3151	Waimanalo, Oahu
KUHIA, Frederick	7538	Waiohuli, Maui
LUNASCO, Michiko K.	9863	Maluohai, Oahu
MAGILL, Ricky L., Jr.	11265	Kumuhau, Oahu
MOSES, Peter K., Jr.	3614	Waimanalo, Oahu
NIKORA, Angela	12111	Kaupea, Oahu
PIRES-KOHATSU, Rolinda K.	4015	Waimanalo, Oahu
POEPOE, Tracy	7430	Keokea, Maui
RIVERA, Luwika E.	6845	Waiakea, Hawaii
SILVA, Antone A.	624	Papakolea, Oahu
SOLOMON, Matthew M. K.	8284	Waimanalo, Oahu

ITEM NO. E-1 EXHIBIT
**APPROVAL OF LEASE AWARD PU'UHONA SUBDIVISION RESIDENTIAL OFFERING –
PHASE 1, WAIKAPU, MAUI**

NAME	APPL DATE	LOT NO.	TAX MAP KEY	LEASE NO.
KASEY L AMURO	08/06/1974	52	(2) 3-5-044-052	13085
ESTHER D HONOKAUPU	08/14/1984	50	(2) 3-5-044-050	13086
ORLANDO K SPENCER	08/23/1985	54	(2) 3-5-044-054	13087
ALICE P.K. FRANCO	01/02/1986	73	(2) 3-5-044-073	13088
KAWELO N.K. WONG	07/16/1986	47	(2) 3-5-044-047	13089
HELEN F. BISSEN	01/06/1987	31	(2) 3-5-044-031	13090

ELLABELLE C KAIAMA	03/27/1987	44	(2) 3-5-044-044	13091
EDWARD C CASHMAN	04/07/1987	65	(2) 3-5-044-065	13092
SHIRLEY A KEKONA	08/31/1987	66	(2) 3-5-044-066	13093
ULULANI J KAUPÉ	01/19/1988	69	(2) 3-5-044-069	13094
DENISE S.M. TANAKA	01/28/1988	75	(2) 3-5-044-075	13095
STERLING G PEDRO	02/09/1989	72	(2) 3-5-044-072	13096
MARY ANN L.K. KAHANA	06/30/1989	67	(2) 3-5-044-067	13097
IVY NUUHIWA	08/10/1990	40	(2) 3-5-044-040	13098
WILLIAM K KAMA	07/30/1992	22	(2) 3-5-044-022	13099
DORALEE P FLORES	09/21/1992	27	(2) 3-5-044-027	13100
MATTHEW N PAIO	02/21/2001	32	(2) 3-5-044-032	13101
MARK L.K. NAAUAO	10/04/2002	77	(2) 3-5-044-077	13102
ASHLEY N ASUEGA-STARK	03/13/2003	42	(2) 3-5-044-042	13103
NOELANI K KANEKOA	06/09/2003	36	(2) 3-5-044-036	13104
WILLIAM E ANANA JR	08/13/2003	43	(2) 3-5-044-043	13105
MARCIAL P BASBAS	11/25/2003	70	(2) 3-5-044-070	13106
ISAAC K KAHALEWAI	08/02/2004	49	(2) 3-5-044-049	13107
SAREE P KALANI	08/28/2004	30	(2) 3-5-044-030	13108
KAMAKA R.B. ROSARIO	03/22/2005	76	(2) 3-5-044-076	13109
SANDRA E DELA CRUZ	04/26/2005	41	(2) 3-5-044-041	13110
CURTIS J.T. WONG	05/23/2005	145	(2) 3-5-044-145	13111
RUBEN J NAVARRO JR	06/06/2005	28	(2) 3-5-044-028	13112
LUCINDA H ESTRELLA	08/08/2005	71	(2) 3-5-044-071	13113
ELMER K KAAI	12/14/2005	37	(2) 3-5-044-037	13114
SAMUEL K KAEO	01/13/2006	38	(2) 3-5-044-038	13115
JERROLD AKAHI	02/15/2006	74	(2) 3-5-044-074	13116
ALFRED K GANER	02/22/2006	35	(2) 3-5-044-035	13117
COLLEEN M WICKES	03/08/2006	23	(2) 3-5-044-023	13118
JAMES R HAIA	05/09/2006	68	(2) 3-5-044-068	13119
AYSIA A KAHOOHANOHANO	05/23/2006	39	(2) 3-5-044-039	13120
AMOS K LONOKAILUA- HEWETT	06/07/2006	25	(2) 3-5-044-025	13121

ITEM NO. F-1

ANNUAL RENEWAL OF REVOCABLE PERMIT PILOT PROGRAM – REVOCABLE PERMIT(S), -
OAHU ISLAND

NO.	ACRE	PERMITTEE/ADDRESS	TMK	Date Started
488	1.0	Kani, Inc.	(1) 9-1-013:024(p)	10/5/2023
489	1.7	Ke Kula Nui O Waimanalo	(1) 4-1-019:032	10/3/2023

**HAWAIIAN HOMES COMMISSION
JULY 15 & 16, 2024**

C – ITEMS

OFFICE OF THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

July 15 – 16, 2024

To: Chairman and Members, Hawaiian Homes Commission
From: Lisa Parker, Petitioner
Via: Richard Hoke
Executive Assistant

Subject: Petition for Declaratory Ruling to Determine the Enforceability of the Settlement and Mutual Release and Indemnity Agreement Between DHHL and Bruce K. Parker, as the Personal Representative of the Estate of Pearl K. Parker (Settlement Agreement) and the Stipulated Order Regarding Irrevocable Designation of Bruce K. Parker as Successor to Lease No. 2877(Stipulated Order)

RECOMMENDED MOTION/ACTION:

Petitioner moves the Commission to:

- (1) Consider her Petition for Declaratory Ruling;
- (2) Determine the enforceability of the Settlement Agreement; and
- (3) Authorize Lisa Parker (“Lisa”), as the Personal Representative of the Estate of Bruce Parker (“Bruce”), to name the successor to Residential Lease No. 2877 (“Lease”).

STATUTES AND RULES

Sec. 10-5-51, HAR, states:

“On petition of an interested person, the commission may issue a declaratory order as to the applicability of any statutory authority involved and include a complete statement of the facts and the reasons or grounds prompting the petition, together with full disclosure of petitioner’s interest.”

Pursuant to Hawaii Revised Statute §603-21.5 (a)(3), the First Circuit Court of the State of Hawaii exerted original jurisdiction over Civ. No. 05-1-1585-09, filed on September 6, 2005, and pursuant to §603-21.9(1) and (6), the First Circuit Court had the power to make and issue orders necessary or appropriate in aid of its original jurisdiction over the matter pending before it.

STATEMENT OF FACTS

1. On September 6, 2005, Bruce as the Personal Representative of the Estate of Pearl K. Parker (“Pearl”), filed a lawsuit against Thalia White-Ching (“Thalia”) and the Department of Hawaiian Home Lands (“DHHL”), et.al.; in Civ. No. 05-1-1585-09. **Exhibit 1.**
2. The lawsuit sought to set aside Pearl’s transfer of the Lease to Thalia on the grounds that Pearl lacked legal capacity to convey her lease to Thalia, who allegedly exerted undue influence on Pearl to effect a fraudulent conveyance.
3. On November 13, 2007, the parties settled the lawsuit. **Exhibit 2.**
4. The material terms of the settlement agreement were that:
 - (1) Thalia would have a life estate in the lease, to wit: “Thalia White-Ching only shall remain as lessee on Lease No. 2877 for the remainder of her life”; and
 - (2) Bruce would be the designated successor or any person that “his estate names in the event Bruce K. Parker is unable to be designated as successor to the lease for any reason.”
5. On November 20, 2007, the Court ordered Thalia to irrevocably designate Bruce as Thalia’s successor. **Exhibit 3.**
6. Thalia designated Bruce the successor to the Lease on December 11, 2007. **Exhibit 4.**
7. Bruce died on December 20, 2011. At the time of Bruce’s death, he was the designated successor to the Lease. **Exhibit 5.**
8. Bruce was 53% native-Hawaiian. **Exhibit 6.**

9. Lisa, Bruce's wife, is 68% native-Hawaiian. **Exhibit 7.**

10. Kamuela, Lisa 's and Bruce's son, is 61% native-Hawaiian. **Exhibit 6.**

11. Bruce appointed Lisa the Personal Representative for his estate in his Last Will and Testament, dated April 12, 1990. **Exhibit 8.**

SUMMARY

Bruce was the designated successor to Lease No. 2877 from December 11, 2007 until the date of his death on December 20, 2011. Pursuant to the settlement agreement, all parties agreed that Bruce's estate would name the successor to the Lease if Bruce was unable to be the designated successor. Lisa, as the Personal Representative of Bruce's estate, is the person who names the successor to the Lease.

As a signatory to the settlement agreement, DHHL is bound by its terms.

Lisa moves that the Commission:

- (1) Grant her Petition for Declaratory Ruling;
- (2) Determine that the Settlement Agreement is enforceable and binding upon DHHL;
- (3) Authorize Lisa, as the Personal Representative of the Estate of Bruce Parker ("Bruce"), to name Kamuela, Bruce's and Lisa's son, the successor to Residential Lease No. 2877 ("Lease").

EXHIBITS

Exhibit 1: Complaint: Bruce K. Parker as the Personal Representative of the Estate of Pearl K. Parker v. Thalia White-Ching, the Department of Hawaiian Home Lands (“DHHL”), et.al.; in Civ. No. 05-1-1585-09, filed 9/6/2005.

Exhibit 2: Settlement and Mutual Release and Indemnity Agreement.

Exhibit 3: Stipulated Order Regarding Irrevocable Designation of Bruce K. Parker as Successor to Lease No. 2877, filed 11/13/2007.

Exhibit 4: Designation of Bruce K. Parker dated 12/11/2007.

Exhibit 5: Certificate of Death filed 12/29/2011.

Exhibit 6: DHHL Kumu Ohana, Kamuela and Bruce Parker

Exhibit 7: DHHL Kumu Ohana Lisa Parker

Exhibit 8: Last Will and Testament of Bruce Kerr Poniaulani Parker, 4/12/90

EXHIBIT 1

ITEM NO. C-1

1st CIRCUIT COURT
STATE OF HAWAII
FILED

2006 SEP -6 PM 3:55

Of Counsel:

PARK & TAGA
A Limited Liability Law Company

Glenn N. Taga 4607-0
Pioneer Plaza, Suite 910
900 Fort Street Mall
Honolulu, Hawaii 96813
Telephone: (808) 521-2600

J. KUBO
CLERK

Attorney for Plaintiff
BRUCE K. PARKER,
Personal Representative of the Estate
of Pearl K. Parker

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

BRUCE K. PARKER,
as Personal Representative of the
Estate of Pearl K. Parker,

Plaintiff,

vs.

THALIA WHITE-CHING;
DEPARTMENT OF HAWAIIAN
HOME LANDS, STATE OF HAWAII;
JOHN DOES 1-5; JANE DOES 1-5; DOE
CORPORATIONS 1-5; DOE
PARTNERSHIPS 1-5; ROE
NON-PROFIT ORGANIZATIONS 1-5;
DOE GOVERNMENTAL ENTITIES 1-5,

Defendants.

CIVIL NO. 05-1-1585-09 G WB C
(Other Non-Vehicle Tort)

COMPLAINT; EXHIBITS "1" - "4";
SUMMONS

Complaint-Parker

COMPLAINT

Plaintiff, BRUCE K. PARKER, in his capacity as Personal Representative of the Estate of Pearl K. Parker, by and through his attorneys, Park & Taga, A Limited Liability Law Company, and for Complaint against Defendants THALIA WHITE-CHING, DEPARTMENT

OF HAWAIIAN HOME LANDS, STATE OF HAWAII; JOHN DOES 1-5; JANE DOES 1-5; DOE CORPORATIONS 1-5; DOE PARTNERSHIPS 1-5; ROE NON-PROFIT ORGANIZATIONS 1-5; and DOE GOVERNMENT ENTITIES 1-5 (collectively, "Defendants"), alleges and avers as follows:

1. Plaintiff BRUCE K. PARKER (hereinafter referred to as "Plaintiff") is and was at all relevant times a resident of the City & County of Honolulu, State of Hawaii.

2. Plaintiff is the Personal Representative of the Estate of Pearl K. Parker, having been duly appointed by the Circuit Court of the First Circuit, State of Hawaii, in the probate case entitled

3. Defendant THALIA WHITE-CHING (hereinafter referred to as "Defendant White-Ching"), is and was at all relevant times a resident of the City & County of Honolulu, State of Hawaii.

4. Defendant DEPARTMENT OF HAWAIIAN HOME LANDS, STATE OF HAWAII, is and was at all relevant times a duly formed, qualified, and authorized administrative agency of the State of Hawaii.

5. Defendants JOHN DOES 1-5, JANE DOES 1-5, DOE CORPORATIONS 1-5, DOE PARTNERSHIPS 1-5, ROE NON-PROFIT ORGANIZATIONS 1-5 and DOE GOVERNMENT ENTITIES 1-5 (hereinafter, collectively "Doe Defendants") are sued herein under fictitious names pursuant to Rule 17 of the Hawaii Rules of Civil Procedure for the reason that, despite diligent and good faith efforts to obtain information, their true names and identities are presently unknown to Plaintiff, except that they were connected in some manner with the named defendant(s) and are employees, employers, agents, representatives, co-ventures, associates, vendors, suppliers, manufacturers, subcontractors or contractors of the named defendants; and/or were in some manner presently known to be engaged in the activities alleged herein; and/or were in some manner responsible for the injuries or damages to Plaintiff; and/or

BRUCE K. PARKER, as Personal Representative of the Estate of Pearl K. Parker v. THALIA WHITE-CHING, ET AL., CIVIL NO. _____, CIRCUIT COURT OF THE FIRST CIRCUIT, STATE OF HAWAII;
COMPLAINT

conducted some activity in a negligent or dangerous manner, which negligence or dangerous conduct was a proximate cause of injuries or damages to Plaintiff; and/or were in some manner related to the named defendant; and that their true names, identities, capacities, activities and/or responsibilities are presently unknown to Plaintiff and his attorney. Plaintiff prays for leave to identify the Doe Defendants if and when their identities are ascertained.

6. By Hawaiian Homes Commission Residence Lot, Lease No. 2877, dated April 8, 1969, but commencing April 8, 1954, the Hawaiian Homes Commission, as lessor, demised and leased to John Parker, as lessee, Residence Lot No. 126, situate at Kewalo, Oahu, Hawaii and located at 2218 Tantalus Drive, Honolulu, Hawaii 96813.

7. On or about March 20, 1985, John Parker, as Assignor, and Pearl K. Parker, as Assignee, and the Department of Hawaiian Home Lands, State of Hawaii, executed an Assignment of Lease and Consent, Recission and Amendment to Lease No. 2877 which, inter alia, transferred John Parker's interest in Lease No. 2877 and Lot No. 126 to Pearl K. Parker.

8. On or about July 5, 2000, the Department of Human Services, State of Hawaii filed an Amended Petition for Appointment of Co-Guardians of the Person of an Alleged Incapacitated Person in the guardianship proceeding, In the Matter of the Guardianship of Pearl White Parker, FC-G No. 00-1-0204, Family Court of the First Circuit, State of Hawaii.

9. The person identified in the aforementioned Amended Petition for Appointment of Co-Guardians of the Person of an Alleged Incapacitated Person is Pearl K. Parker, a.k.a. Pearl Kaleianunue Parker.

10. Said Amended Petition for Appointment of Co-Guardians of the Person of an Alleged Incapacitated Person asserting, inter alia, that Pearl K. Parker was an incapacitated person under Chapter 560, Article V, Hawaii Revised Statutes.

11. Said Amended Petition for Appointment of Co-Guardians of the Person of

BRUCE K. PARKER, as Personal Representative of the Estate of Pearl K. Parker v. THALIA WHITE-CHING, ET AL., CIVIL NO. _____, CIRCUIT COURT OF THE FIRST CIRCUIT, STATE OF HAWAII;
COMPLAINT

an Alleged Incapacitated Person sought appointment of a guardian of the person for Pearl K. Parker on grounds that she was suffering from, among other things, polymyalgia rheumatism, cerebral vascular accident with hemiparesis of the right side and aphasia, and dementia.

12. In the above-mentioned guardianship action involving Pearl K. Parker, an Order Appointing Co-Guardians of the Person; Exhibit "A" (hereinafter referred to as "Order Appointing Co-Guardians") was filed on November 24, 2000.

13. A copy of the Order Appointing Co-Guardians of the Person; Exhibit "A" is attached hereto as Exhibit "1."

14. Said Order Appointing Co-Guardians, among other things, held that Pearl White Parker [a.k.a. Pearl K. Parker] was an incapacitated person, as defined in Section 560:5-101, Hawaii Revised Statutes, and appointed Defendant White-Ching, Ellen Kalahahele and Eric Parker co-guardians of the person of Pearl White Parker [a.k.a. Pearl K. Parker].

15. On or about December 27, 2000, Defendant White-Ching, through fraud, duress, undue influence, or other wrongful means induced Pearl K. Parker to or otherwise had her sign a Homestead Lease Transfer Request, filed with the Department of Hawaiian Home Lands on December 28, 2000, for the purported transfer of Lease No. 2877 to Pearl K. Parker and Defendant White-Ching as joint tenants and which document was filed with the Department of Hawaiian Home Lands on or about December 28, 2000. A copy of the Homestead Lease Transfer Request, dated December 27, 2000, is attached hereto as Exhibit "2."

16. On or about December 27, 2000, Defendant White-Ching through fraud, duress, undue influence, or other wrongful means induced Pearl K. Parker to or otherwise had her, sign a Designation of Successor to Hawaiian Home Lands Homestead Lease, No. 2877, which purported to designate Defendant White-Ching as the successor to Pearl K. Parkers's interest in Lease No. 2877 and which document was approved by the Department of Hawaiian Home Lands on or about December 29, 2000. A copy of the Designation of Successor to

BRUCE K. PARKER, as Personal Representative of the Estate of Pearl K. Parker v. THALIA WHITE-CHING, ET AL., CIVIL NO. _____, CIRCUIT COURT OF THE FIRST CIRCUIT, STATE OF HAWAII; COMPLAINT

Hawaiian Home Lands Homestead Lease, No. 2877, dated December 27, 2000, is attached hereto as Exhibit "3."

17. On or about March 5, 2001, Defendant White-Ching through fraud, duress, undue influence, or other wrongful means induced Pearl K. Parker to, or otherwise had, her sign a Homestead Lease Transfer Request for the purported transfer of Lease No. 2877 from Pearl K. Parker and Defendant White-Ching as co-lessees to Defendant White-Ching as sole lessee. A copy of the Homestead Lease Transfer Request, dated March 5, 2001, is attached hereto as Exhibit "4."

18. Pearl K. Parker died on or about August 5, 2004.

COUNT I

19. Plaintiff realleges and incorporates herein by reference the allegations in the previous paragraphs as though fully set forth herein.

20. At the time of the execution of the Homestead Lease Transfer Request, dated December 27, 2000, the Designation of Successor to Hawaiian Home Lands Homestead Lease, dated December 27, 2000, and the Homestead Lease Transfer Request, dated March 5, 2001, Pearl K. Parker lacked the mental capacity to convey her interest in Lease No. 2877.

21. Due to Pearl K. Parker's lack of capacity, the Homestead Lease Transfer Request, dated December 27, 2000, the Designation of Successor to Hawaiian Home Lands Homestead Lease, dated December 27, 2000, and the Homestead Lease Transfer Request, dated March 5, 2001, and any subsequent conveyances predicated thereon, are void, voidable, and/or are subject to rescission.

COUNT II

22. Plaintiff realleges and incorporates herein by reference the allegations in the previous paragraphs as though fully set forth herein.

23. By reason of her appointment as a co-guardian of the person of Pearl K.

BRUCE K. PARKER, as Personal Representative of the Estate of Pearl K. Parker v. THALIA WHITE-CHING, ET AL., CIVIL NO. _____, CIRCUIT COURT OF THE FIRST CIRCUIT, STATE OF HAWAII; COMPLAINT

Parker, Defendant White-Ching was in a fiduciary relationship with Pearl K. Parker.

24. The above-mentioned acts and omissions of Defendant White-Ching, including but not limited to her having and/or inducing Pearl K. Parker to sign the Homestead Lease Transfer Request, dated December 27, 2000, the Designation of Successor to Hawaiian Home Lands Homestead Lease, dated December 27, 2000, and the Homestead Lease Transfer Request, dated March 5, 2001, constitute a breach of fiduciary duty.

25. As a direct and proximate result of the breaches of fiduciary duties by Defendant White-Ching, Plaintiff has suffered damages in an amount to be proven at trial.

26. As a result of the breaches of fiduciary duties by Defendant White-Ching and her wrongful acts and malfeasance, Plaintiff is entitled to assessment of a surcharge against Defendant White-Ching.

27. Having been obtained as a result of a breach of fiduciary duty, the Homestead Lease Transfer Request, dated December 27, 2000, the Designation of Successor to Hawaiian Home Lands Homestead Lease, dated December 27, 2000, and the Homestead Lease Transfer Request, dated March 5, 2001, and any subsequent conveyances predicated thereon, are void, voidable, and/or are subject to rescission.

COUNT III

28. Plaintiff realleges and incorporates herein by reference the allegations in the previous paragraphs as though fully set forth herein.

29. The above-mentioned acts of Defendant White-Ching, including but not limited to her having and/or inducing Pearl K. Parker to sign the Homestead Lease Transfer Request, dated December 27, 2000, the Designation of Successor to Hawaiian Home Lands Homestead Lease dated December 27, 2000, and the Homestead Lease Transfer Request, dated March 5, 2001, violate the provisions of Chapter 560, Title V, Hawaii Revised Statutes, and the purported transfer of Lease No. 2877 to Defendant White-Ching exceeded her authority as

BRUCE K. PARKER, as Personal Representative of the Estate of Pearl K. Parker v. THALIA WHITE-CHING, ET AL., CIVIL NO. _____, CIRCUIT COURT OF THE FIRST CIRCUIT, STATE OF HAWAII; COMPLAINT

guardian of the person of Pearl K. Parker.

30. Based on the above-mentioned violation of statute and Defendant White-Ching's actions exceeding her authority, the Homestead Lease Transfer Request dated December 27, 2000, the Designation of Successor to Hawaiian Home Lands Homestead Lease, dated December 27, 2000, and the Homestead Lease Transfer Request dated March 5, 2001, and any subsequent conveyances predicated thereon are void, voidable, and/or are subject to rescission.

31. As a direct and proximate result of the violation of statute and acts in excess of authority by Defendant White-Ching, Plaintiff has suffered damages in an amount to be proven at trial.

COUNT IV

32. Plaintiff realleges and incorporates herein by reference the allegations in the previous paragraphs as though fully set forth herein.

33. Because the Homestead Lease Transfer Request, dated December 27, 2000, the Designation of Successor to Hawaiian Home Lands Homestead Lease dated December 27, 2000, and the Homestead Lease Transfer Request dated March 5, 2001, were obtained by fraud, duress, undue influence, or other wrongful acts on the part of Defendant White-Ching, said conveyances are void and/or voidable and/or subject to rescission.

COUNT V

34. Plaintiff realleges and incorporates herein by reference the allegations in the previous paragraphs as though fully set forth herein.

35. If Defendant White-Ching is allowed to maintain her purported interest as lessee of Lease No. 2877, it would constitute unjust enrichment.

36. In order to avoid said unjust enrichment, Defendant White-Ching must be compelled to re-convey the leasehold interest in Lease No. 2877 to Plaintiff.

BRUCE K. PARKER, as Personal Representative of the Estate of Pearl K. Parker v. THALIA WHITE-CHING, ET AL., CIVIL NO. _____, CIRCUIT COURT OF THE FIRST CIRCUIT, STATE OF HAWAII; COMPLAINT

COUNT VI

37. Plaintiff realleges and incorporates herein by reference the allegations in the previous paragraphs as though fully set forth herein.

38. Since the aforementioned acts and omissions of Defendant White-Ching were intentional, wilful, malicious, and in conscious disregard of the rights and interests of Pearl K. Parker and exceeded Defendant White-Ching's duties as guardian of the person of Pearl K. Parker, Petitioner is entitled to the assessment of punitive and/or exemplary damages against Defendant White-Ching.

WHEREFORE, Plaintiff BRUCE K. PARKER, as Personal Representative of the Estate of Pearl K. Parker, prays for relief as follows:

A. That judgment be entered in favor of Plaintiff and against Defendant White-Ching for general, special and punitive/exemplary damages in an amount to be proven at trial;

B. That Defendant White-Ching be ordered to re-convey Lease No. 2877 to the Estate of Pearl K. Parker;

C. That a surcharge be assessed against Defendant White-Ching for her wrongful actions with respect to the guardianship of Pearl K. Parker in an amount to be proven at trial, including but not limited to costs and reasonable attorneys' fees;

D. That the Court declare the Homestead Lease Transfer Request, dated December 27, 2000, the Designation of Successor to Hawaiian Home Lands Homestead Lease, dated December 27, 2000, and the Homestead Lease Transfer Request, dated March 5, 2001, and any subsequent conveyances predicated thereon to be void, voidable, and/or subject to rescission;

E. That Defendant Department of Hawaiian Home Lands, State of Hawaii, be ordered to set aside, void, invalidate, and/or expunge the Homestead Lease Transfer Request, dated December 27, 2000, the Designation of Successor to Hawaiian Home Lands Homestead

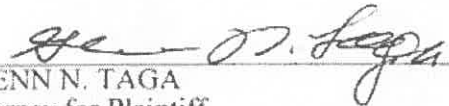
BRUCE K. PARKER, as Personal Representative of the Estate of Pearl K. Parker v. THALIA WHITE-CHING, ET AL., CIVIL NO. _____, CIRCUIT COURT OF THE FIRST CIRCUIT, STATE OF HAWAII;
COMPLAINT

Lease, dated December 27, 2000, and the Homestead Lease Transfer Request, dated March 5, 2001, and any subsequent conveyances predicated thereon;

F. That Plaintiff be awarded costs, including reasonable attorneys' fees; and

G. That Plaintiff be awarded such other and further relief as the Court deems just and proper under the circumstances.

DATED: Honolulu, Hawaii, September 2, 2005



GLENN N. TAGA
Attorney for Plaintiff
BRUCE K. PARKER, Personal Representative
of the Estate of Pearl K. Parker

BRUCE K. PARKER, as Personal Representative of the Estate of Pearl K. Parker v. THALIA WHITE-CHING,
ET AL., CIVIL NO. _____, CIRCUIT COURT OF THE FIRST CIRCUIT, STATE OF HAWAII;
COMPLAINT

EXHIBIT 2

ITEM NO. C-1

SETTLEMENT AND MUTUAL RELEASE
AND INDEMNITY AGREEMENT

The undersigned parties to this document agree as follows:

1. This document is a Settlement and Mutual Release and Indemnity Agreement ("Agreement").

2. Named Party, Releasor. The person or persons named herein below, and as defined in Paragraph 5 below, shall be hereinafter referred to as "Releasor" (as hereinafter defined):

BRUCE K. PARKER, as the Personal Representative
of the Estate of Pearl K. Parker
c/o DENNIS E.W. O'CONNOR JR., ESQ.
REINWALD O'CONNOR & PLAYDON LLP
Pacific Guardian Center, Makai Tower
733 Bishop Street, 24th Floor
Honolulu, Hawaii 96813

DEPARTMENT OF HAWAIIAN HOME LANDS,
STATE OF HAWAII
CLAYTON L. CROWELL, ESQ.
Dept. of the Attorney General
465 S. King Street, Room B-2
Honolulu, HI 96813

3. Named Party, Releasee. The person or persons named herein below, and as defined in Paragraph 5 below, shall be hereinafter referred to as "Releasee" (as hereinafter defined):

THALIA WHITE-CHING
c/o ROBERT G. KLEIN, ESQ.
Five Waterfront Plaza, 4th Floor
500 Ala Moana Boulevard
Honolulu, Hawaii 96803

4. Definition of Terms.

(a) Releasor. Unless otherwise expressly stated in this Agreement, the term "Releasor" shall mean and be deemed to include all of the following: Bruce K. Parker, individually and as the personal representative of the Estate of Pearl K. Parker, and Bruce K. Parker's heirs, executors, attorneys, administrators, personal representatives, successors, trustees in bankruptcy, guardians, legal representatives, agents, representatives, insurers, and all persons, entities or parties claiming by, through or under him and the DEPARTMENT OF HAWAIIAN HOME LANDS, STATE OF HAWAII.

(b) Releasee. Unless otherwise expressly stated in this Agreement, the term "Releasee" shall mean and be deemed to include all of the following: Thalia White-Ching, her respective heirs, relatives, executors, attorneys, administrators, personal representatives, successors, trustees in bankruptcy, guardians, legal representatives, agents, representatives, insurers and all persons, entities or parties claiming by, through or under her.

"Releasor" and "Releasee" are collectively referred to as "Parties" in this Agreement.

(c) Incident. The term "Incident" as used in this Agreement refers to those events and actions that relate to, arise, have arisen, or could arise, out of Releasee's guardianship of Pearl Kaleianuenue Parker aka Pearl K. Parker aka Pearl White Parker (collectively "Pearl Parker") and/or the designation of Releasee as Pearl K. Parker's primary successor to the Department of Hawaiian Home Lands Lease No. 2877 ("Lease No. 2877"), which is for a parcel of land and residence located at 2218 Tantalus Drive, Honolulu, Hawai'i 96813, and/or the transfer of Lease No. 2877 to Releasee with a life estate for Pearl Parker in Lease No. 2877, including but not limited to those events and actions that are or were the subject of and set forth in the proceedings initiated by Bruce K. Parker and others regarding Lease No. 2877 in the Department of Hawaiian Home Lands (including but not limited to the correspondence by

counsel prior to the contested case hearing and the contested case hearing itself) and in the complaints filed in In the Matter of the Guardianship of Pearl White Parker, FC-G No. 00-1-0204, or in Parker v. White-Ching et al., Civil No. 05-1-1585 (GWBC), First Circuit Court of the State of Hawaii ("Lawsuits").

(d) Claims. The term "Claims" as used in this Agreement refers to all demands, damages, expenses, attorney's fees, costs, complaints, lawsuits, claims, actions, or causes of action that arise out of, are based upon, or connected with, or that relate in any way to or could have been brought concerning the Incident and/or the Lawsuits.

(e) Number. In this Agreement, the singular shall include the plural, and the plural shall include the singular, as the case may be.

(f) Gender. In this Agreement, the use of any one gender shall include all genders.

(g) Captions or Headings. In this Agreement, the captions or headings of paragraphs and subparagraphs are inserted for convenience, reference, and identification purposes only, and shall neither control, define, limit nor affect any provision of this Agreement.

5. Consideration. In consideration of the mutual release set forth herein and other good and valuable consideration set forth in this Agreement, all of which is hereby acknowledged and accepted, it is agreed that:

(a) Releasee agrees to immediately designate Bruce K. Parker as the successor to Lease No. 2877, or any other person that Bruce K. Parker or his estate names in the event Bruce K. Parker is unable to be designated as successor to the lease for any reason;

(b) Releasee agrees to not designate any other successors other than as noted in 5(a) above, and will relinquish all ability to name a successor to Lease No. 2877 once Bruce K. Parker or his designee is named and accepted by the Department of Hawaiian Home Lands;

(c) Releasee's daughters and/or anyone else she has named to date, other than as noted in paragraph 5(a) above, will be removed as successors on Lease No. 2877;

(d) Thalia White-Ching only shall remain as lessee on Lease No. 2877 for the remainder of her life;

(e) Thalia White-Ching will not sell or transfer her interest in Lease No. 2877 nor use it to borrow money and will not allow any liens be placed on the lease or house;

(f) Releasee will use the house as her primary residence and agrees to maintain the house and property of Lease No. 2877;

(g) Releasee will not rent the house or property of Lease No. 2877 to anyone;

(h) Releasee will return the Koa bowls, Koa dining room set and showcase with personal pictures and treasures belonging to Pearl K. Parker that was in the home at the time of her death, effective immediately.

6. Release and Indemnity.

(a) Mutual Release. Each of the Parties, on behalf of himself, herself or itself and their respective parent companies, subsidiaries, affiliates, divisions, related companies, partners, joint venturers, owners, officers, directors, stockholders, employees, agents, representatives, sureties, insurers, indemnitors, guarantors, trustees in bankruptcy, receivers, predecessors, successors and assigns, heirs, executors, administrators, personal representatives, and legal representatives, hereby fully and finally releases and discharges each of the other Parties and their respective parent companies, subsidiaries, affiliates, divisions, related

companies, partners, joint venturers, owners, officers, directors, stockholders, employees, agents, representatives, sureties, insurers, indemnitors, guarantors, trustees in bankruptcy, receivers, predecessors, successors and assigns, heirs, executors, administrators, personal representatives, and legal representatives, from any and all Claims.

(b) Warranty. The parties hereby warrant and represent that they are the owner of all Claims released herein and that they have not assigned or transferred or purported to assign or transfer, voluntarily or involuntarily, or by operation of law, any Claims herein released, or any portion thereof.

(c) Claims Brought Through Other Parties. The parties further agree that they will not permit any other person, agency, or private or governmental entity to make or pursue any claim related to the Claims and that if said persons, agencies or entities persist in pursuing any such claim, they will not participate or assist in said claim unless required to do so by law or court order.

1. (D). Releasee agrees to hold harmless, indemnify, defend and pay attorney fees and costs of Releasor for any claims, liens or judgments against Releasee and/or any liens against Releasee or the property, home and/or Lease No. 2877 incurred during the lifetime of Releasee. Releasor also agrees to defend, hold harmless and indemnify Releasees from any and all claims by any person or organization against Lease No. 2877 arising from Releasee being the lessee of the same.

7. No Joint Tortfeasors or Co-Obligors. For the consideration set forth above, the parties further warrant and agree that there are no other persons or entities that have been or may be adjudicated to be joint tortfeasors and/or co-obligors with the parties, and they will not raise or pursue any future claims against alleged joint tortfeasors and/or co-obligors, and that it is not

necessary to obtain Court approval as to the good faith of this settlement as provided in Chapter 663, Hawaii Revised Statutes, as amended. In the event that the parties assert future claims against joint tortfeasors or co-obligors, this Agreement shall at a minimum reduce such claim or claims in the amount of the above-mentioned consideration or to the extent of the pro-rata share of any liability.

8. Dismissal with Prejudice. Concurrently with the execution and delivery of this Agreement, Releasor and Releasee shall execute and file in the Lawsuit a Stipulation for Dismissal With Prejudice of All Claims and Causes of Action with each party to bear their own fees and costs. The settlement is not final and dismissal documents will not be filed until the Department of Hawaiian Home Lands approves and records all of the transfers of Lease No. 2877 noted in paragraph 5 above.

9. Denial of Liability. It is further understood and agreed that this Agreement and the consideration paid therefore are in no way to be construed as an admission of liability, but are to be construed strictly as a compromise of contested claims in order to avoid the time, expense, and costs inherent in litigation. The Parties acknowledge that they each deny and continue to deny liability and wrongdoing with respect to any Claims. This Agreement is subject to the provisions of Rule 408 of the Hawaii and Federal Rules of Evidence.

10. Additional Understandings and Agreements. Releasor and Releasee acknowledge, agree and understand that:

(a) Governing Law, Choice of Forum. This Agreement shall be applied, interpreted and construed in accordance with the substantive laws of the State of Hawaii, without regard to any choice of law principles. The Parties agree that the forum for the resolution of any disputes concerning any aspect of this Agreement, including but not limited to the validity of this

Agreement, the interpretation or construction of any of its terms, or any alleged breach of its provisions, shall be exclusively in the State of Hawaii.

(b) Entire Agreement. This Agreement contains the entire agreement of the Parties and supersedes any and all prior or contemporaneous discussions, agreements, representations, and warranties. The terms of this Agreement are contractual and not mere recital. The terms of this Agreement have been negotiated and for purposes of construction or interpretation of this Agreement, no party shall be deemed to have been its author or drafter.

(c) Survival of Provisions. If any provision hereof or the application thereof to any person or circumstance shall to any extent be invalid or unenforceable, the remaining provisions hereof, or the application of such provision to persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected thereby.

(d) Acknowledgments. Releasor acknowledges that the terms of this Agreement have been read, that its provisions are fully understood and are binding upon Releasor's successors and assigns, that it has been approved by Releasor's counsel, and that it has been duly signed by Releasor as an act of free will and deed.

(e) No Inducement or Representations. None of the Parties nor anyone acting on their behalf has made any representations, statements, or opinions to induce the execution of this Agreement other than as expressly set forth in this Agreement. Releasor and Releasee are not relying upon any statements, representations, opinions or promises made by any person or party released or their respective agents, representatives, or attorneys, concerning the nature, extent or duration of the losses, damages, exemplary damages, punitive damages, or the legal liability therefore, or concerning any other thing or matter, and the above-mentioned consideration is all the consideration that shall be provided and is received as a compromise

settlement in full satisfaction of all aforesaid Claims. This Agreement is executed by the Releasor and Releasee freely and upon the advice of counsel. The Parties acknowledge that the terms of this Agreement have been negotiated at arm's length among themselves with the advice and assistance of experienced and competent legal counsel.

(f) Warranty of Authority. Each person signing this Agreement on behalf of a Party warrants and represents that he has the authority to sign on behalf of the entity or person he represents, and that this Agreement has been validly authorized and constitutes the legally binding and enforceable obligation of such entity or person.

(g) Releasor's Knowledge. Inasmuch as all of the injuries, damages and losses may not be fully known and hence may be more numerous or more serious than is now understood or expected, Releasor agrees that this Agreement applies to all injuries, damages and losses resulting from those matters covered in Paragraph 7 above, even though now unanticipated, unexpected and unknown, as well as to all injuries, damages and losses that have already developed and which are now known and anticipated. Releasor makes this compromise with full knowledge of the facts and possibilities of any lawsuit, commenced or that could be commenced, is represented by counsel, and executes and delivers this Agreement being fully informed as to its terms, content and effect.

(h) Complete Bar. Acceptance of the consideration set forth in Paragraph 6 and execution of this Agreement is a complete and final bar to any and all Claims; and this Agreement forever and finally compromises, settles and terminates any and all Claims.

(i) Cooperation. The Parties and their respective counsel each also agree to prepare, execute and file any and all stipulations, agreements, releases, satisfactions or other

documents that may be necessary or helpful to effectuate the intent and purpose of this Agreement, all without further cost to the other Party.

(j) Attorneys' Fees and Costs. Each party to this Agreement shall bear his or her own attorneys' fees and costs incurred in the pursuit and defense of the Claims, and the negotiation and execution of this Agreement. In the event that any party brings an action to enforce this Agreement, the prevailing party shall be entitled to an award of reasonable attorneys' fees and costs.

(k) Amendments. This Agreement shall not be altered, amended or modified or otherwise changed in any respect, or particular whatsoever, except by a writing duly executed by all Parties to this Agreement. The Parties acknowledge and agree that they will make no claim that this Agreement has been orally altered or modified in any respect whatsoever.

(l) Counterparts. The Parties to this Agreement agree that this Agreement may be executed in any number of counterparts, and said counterparts may be transmitted by facsimiles, each of which taken together will constitute one and the same document.

IN WITNESS WHEREOF, each of the parties hereto has executed this Agreement on the date indicated below.

BRUCE K. PARKER, as the Personal
Representative of the Estate of Pearl K. Parker

Dated: _____

APPROVED AS TO FORM AND CONTENT:

DENNIS E.W. O'CONNOR JR.
Attorney for BRUCE K. PARKER

Dated: _____

[SIGNATURES CONTINUE ON NEXT PAGE]

THALIA WHITE-CHING

Dated: _____

APPROVED AS TO FORM AND CONTENT:

ROBERT G. KLEIN
Attorney for THALIA WHITE-CHING

Dated: _____

DEPARTMENT OF HAWAIIAN HOME LANDS,
STATE OF HAWAII

By _____

Dated: _____

APPROVED AS TO FORM AND CONTENT:

CLAYTON L. CROWELL, ESQ.
Attorney for DEPARTMENT OF HAWAIIAN
HOME LANDS, STATE OF HAWAII

Dated: _____

EXHIBIT 3

ITEM NO. C-1

REINWALD O'CONNOR & PLAYDON LLP
A Limited Liability Law Partnership

DENNIS E. W. O'CONNOR JR. 4084
Pacific Guardian Center, Makai Tower
733 Bishop Street, 24th Floor
Honolulu, Hawaii 96813
Phone: 524-8350

Attorneys for Plaintiff
BRUCE K. PARKER, Personal Representative
of the Estate of Pearl K. Parker

ST. CIRCUIT COURT
STATE OF HAWAII
FILED

VYU

2007 NOV 20 PM 3:34

[Handwritten Signature]
J. KUBO
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT
STATE OF HAWAII

BRUCE K. PARKER, as Personal
Representative of the Estate of Pearl K.
Parker,

Plaintiff,

vs.

THALIA WHITE-CHING;
DEPARTMENT OF HAWAIIAN
HOME LANDS, STATE OF HAWAII;
JOHN DOES 1-5; JANE DOES 1-5;
DOE CORPORATIONS 1-5; DOE
PARTNERSHIPS 1-5; ROE NON-
PROFIT ORGANIZATIONS 1-5; DOE
GOVERNMENTAL ENTITIES 1-5,

Defendants.

Civil No. 05-1-1585-09 GWBC
(Other Non-vehicle Tort)

STIPULATED ORDER REGARDING
IRREVOCABLE DESIGNATION OF
BRUCE K. PARKER AS
SUCCESSOR TO LEASE NO. 2877

2007 NOV 13 PM 4:08

FILED
ST. CIRCUIT COURT
STATE OF HAWAII
HONOLULU

STIPULATED ORDER REGARDING IRREVOCABLE DESIGNATION
OF BRUCE K. PARKER AS SUCCESSOR TO LEASE NO. 2877

Plaintiff BRUCE K. PARKER ("Parker"), Personal Representative of the Estate of Pearl K. Parker, and Defendant THALIA WHITE-CHING ("White-Ching"), hereby stipulate that the Court in this matter, as part of a settlement agreement allowing only Parker or his counsel to name the Designation Successor of Hawaiian Homelands Lease No. 2877, order White-Ching to designate Parker as the Designation Successor of Lease No. 2877. The Court further orders that said designation by White-Ching is irrevocable and that during her lifetime White-Ching cannot and will not designate any other designation successors to Lease No. 2877. Further, White-Ching has agreed to authorize Parker or his designee access to information filed with the Department of Hawaiian Homelands concerning Lease No. 2877 in conformity with Department of Hawaiian Homelands' rules and regulations.

DATED: Honolulu, Hawaii, NOV 1 1997



DENNIS E. W. O'CONNOR JR.
Attorneys for Plaintiff
BRUCE K. PARKER, Personal Representative
of the Estate of Pearl K. Parker

Parker v. White-Ching, Civil No. 05-1-1585-09 GWBC; STIPULATED ORDER
REGARDING IRREVOCABLE DESIGNATION OF BRUCE K. PARKER AS
SUCCESSOR TO LEASE NO. 2877

R. Child

ROBERT G. KLEIN, ESQ.
LISA W. CATALDO, ESQ.
LISA M. EZRA, ESQ.
Attorneys for Defendant
THALIA WHITE-CHING

APPROVED AND SO ORDERED:

Gary WB Rang

NOV 20 2007

JUDGE OF THE ABOVE-ENTITLED COURT

APPROVED AS TO FORM AND CONTENT:

CL

CLAYTON L. CROWELL, ESQ.
Attorney for Defendant
DEPARTMENT OF HAWAIIAN HOME LANDS,
STATE OF HAWAII

Parker v. White-Ching, Civil No. 05-1-1585-09 GWBC; STIPULATED ORDER
REGARDING IRREVOCABLE DESIGNATION OF BRUCE K. PARKER AS
SUCCESSOR TO LEASE NO. 2877

EXHIBIT 4

ITEM NO. C-1

DESIGNATION OF SUCCESSOR TO HILITE HOMESTEAD LEASEHOLD INTEREST

Part A. IDENTIFICATION OF LESSEE AND LEASEHOLD INTEREST

Lessee Name: Thalia White-Cring		SSN: 576-28-7602
Mailing Address: 2218 Tantalus Drive, Honolulu, Hawaii 96813		
Bus. Tel #:	Res. Tel #: (808) 585-2929	Cell #:
Lease No.: 2877	Lease Type: <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Agricultural <input type="checkbox"/> Pastoral	
Lot No.: 126	Area: Kewalo	Island: Oahu
TMK: 2-5-021-017	Property Address: 2218 Tantalus Drive, Hon, HI 96813	

Part B1. DESIGNATION OF PRIMARY SUCCESSOR(S)

I name the following person(s) to succeed to my leasehold interest upon my death:

Name: Bruce K. Parker		
SSN:	Birthdate: 12/23/1950	Relationship: Nephew
Mailing Address: 1233 15th Avenue, Honolulu, Hawaii 96816		
Name:		
SSN:	Birthdate:	Relationship:
Mailing Address:		
Name:		
SSN:	Birthdate:	Relationship:
Mailing Address:		
Name:	DEPARTMENT OF LAND AND NATURAL RESOURCES	
SSN:	Birthdate:	Relationship:
Mailing Address:		

B2. TENANCY

If I have designated more than one person in Part B1 above, the tenancy shall be:

<input type="checkbox"/> JOINT TENANCY - Successors are entitled to equal undivided interests in the leasehold interest, with the right of survivorship.
<input type="checkbox"/> TENANCY BY THE ENTIRETY - Successors are husband and wife and are entitled to equal undivided interests in the leasehold interest, with the right of survivorship.
<input type="checkbox"/> TENANCY IN COMMON - Successors are entitled to separate and distinct interests which may or may not be of equal proportions, but with unity of possession. Each Successor will have the right to name the successor(s) to her/his interest.

Part C1. DESIGNATION OF ALTERNATE SUCCESSOR(S)

In the event none of the person(s) named in Part B chooses to succeed to my leasehold interest or, for any reason, is not able to qualify to succeed, I name the alternate person(s) below to succeed to my leasehold interest upon my death:

Name:		
SSN:	Birthdate:	Relationship:
Mailing Address:		
Name:		
SSN:	Birthdate:	Relationship:
Mailing Address:		
Name:		
SSN:	Birthdate:	Relationship:
Mailing Address:		
Name:		
SSN:	Birthdate:	Relationship:
Mailing Address:		

C2. TENANCY

If I have designated more than one person in Part C1 above, the tenancy shall be:

<input type="checkbox"/> JOINT TENANCY - Successors are entitled to equal undivided interests in the leasehold interest, with the right of survivorship.
<input type="checkbox"/> TENANCY BY THE ENTIRETY - Successors are husband and wife and are entitled to equal undivided interests in the leasehold interest, with the right of survivorship.
<input type="checkbox"/> TENANCY IN COMMON - Successors are entitled to separate and distinct interests which may or may not be of equal proportions, but with unity of possession. Each Successor will have the right to name the successor(s) to her/his interest.

Part D. DESIGNATION OF PERSON(S) TO RECEIVE NET PROCEEDS

Only a spouse and children who have less than 25% Hawaiian blood quantum may be named in Part D. This section will be applicable only if the person(s) named in Parts B1 and C1 choose(s) not to succeed or do not qualify to succeed.

Name:	% of Net Proceeds:
SSN:	Birthdate:
Relationship:	
Mailing Address:	
Name:	% of Net Proceeds:
SSN:	Birthdate:
Relationship:	
Mailing Address:	
Name:	% of Net Proceeds:
SSN:	Birthdate:
Relationship:	
Mailing Address:	
Name:	% of Net Proceeds:
SSN:	Birthdate:
Relationship:	
Mailing Address:	

ITEM NO. C-1

EXHIBIT 4

By my signature, I hereby revoke previous designations filed with and approved by DHHL and designate my successor(s) as noted above. Also, I understand that all designations are subject to verification of Hawaiian blood quantum.

Lhalia White Ching 12/11/07
Signature Date

LISA M. EZRA
Print Name of Witness

[Signature] 12/11/07
Signature of Witness Date

ROBERT G. KLEIN
Print Name of Witness

[Signature] 12/11/07
Signature of Witness Date

FOR OFFICIAL USE ONLY

Lessee Name (print)	Lease No.
Timestamp in this space.	
<div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 5px; transform: rotate(-90deg); transform-origin: left top;"> RECEIVED 2008 JAN 15 PM 1:55 </div> <div style="border: 1px solid black; padding: 5px;"> <p style="text-align: center;">DEPARTMENT OF HAWAIIAN HOME LANDS</p> <p style="text-align: center;">As custodian of records, I certify this to be a true and complete copy.</p> <p style="text-align: center;"><u>[Signature]</u> 2/25/08</p> <p style="text-align: center;">SIGNATURE DATE</p> </div> </div>	
Acknowledgement of completed D/S form and all necessary NHQ and marriage documents. DHHL Staff Signature:	Date
DHHL Chairman's or Designee's Signature:	1/27/08
Date Hawaiian Homes Commission Ratified:	2/26/08

Section 209 of the Hawaiian Homes Commission Act, 1920, as amended (Act), sets forth the requirements for designation of successors as well as the requirements for the designation of net proceeds. The Act requires the designation to be filed with and approved by the Department of Hawaiian Home Lands (DHHL) prior to the lessee's death. Therefore, it is very important that a lessee file with DHHL a designation of whom they want to succeed to the homestead leasehold interest or succeed to the net proceeds.

PERSONS THAT MAY BE NAMED AS SUCCESSORS IN PART B AND PART C

The Act provides that the lessee may name as his or her successor(s) the following relatives of the lessee who are

- 1) at least one-quarter Hawaiian – husband, wife, children, grandchildren, brothers, and sisters; and
- 2) native Hawaiian or at least one-half Hawaiian – father, mother, widows and widowers of the children, widows and widowers of the brothers and sisters, nieces and nephews.

TENANCY

Tenants-in-Common is presumed if no selection of tenancy is made.

PERSONS THAT MAY BE NAMED TO RECEIVE THE NET PROCEEDS IN PART D

The Act provides the lessee to name ONLY SPOUSE AND CHILDREN that are LESS THAN 25% Hawaiian to receive the net proceeds. DHHL shall appraise the value of all the improvements and growing crops, or improvements and aquacultural stock, as the case may be, and pay the nonqualified spouse or the nonqualified children the appraised value less any indebtedness - whether to DHHL, for taxes, or for any other indebtedness which has been assured by DHHL - owed by the deceased lessee or the previous lessee. Each person named in Part D will receive an equal portion of the net proceeds, unless otherwise specified in the designation.

If a lessee dies without designating either a successor to the leasehold interest or a successor to the net proceeds, the leasehold interest shall succeed to only the qualified relatives of the decedent as follows:

- (1) to the husband or wife who is at least 25% Hawaiian; or
- (2) If there is no husband or wife, then to the children who are at least 25% Hawaiian; or
- (3) If there is no husband, wife or child, then to the grandchildren who are at least 25% Hawaiian; or
- (4) If there is no husband, wife, child or grandchild, then to the brothers or sisters who are at least 25% Hawaiian; or
- (5) If there is no husband, wife, child, grandchild, brother, or sister; then from the following relatives of the lessee who are at least 50% Hawaiian: father and mother, widows or widowers of the children, widows or widowers of brothers and sisters, or nieces and nephews.

EXHIBIT 5

ITEM NO.C-1

CERTIFICATE OF DEATH

STATE OF HAWAII
DEPARTMENT OF HEALTH



CERTIFICATE NO. **151 2011 - 009639**

Name of Decedent

BRUCE KERR PONIAULANI PARKER

City, Town or Location of Death

HONOLULU

County of Death

HONOLULU

Island of Death

OAHU

Actual or Presumed Date of Death

December 20, 2011

Actual or Presumed Time of Death

1:12 AM

Date of Birth

December 23, 1950

Age at Death

60 YEAR(s)

Sex

MALE

Race

Hawaiian/ Caucasian

Citizenship

USA

Ever in Armed Forces?

NO

Social Security Number

575-58-8448

Marital Status

MARRIED

Surviving Spouse (If Wife, Name Prior to First Marriage)

Lisa Lou Puakeonaona Roberts

Father's Name

John Parker

Mother's Name (Prior to First Marriage)

Pearl Kaleianuenu White

Disposition

CREMATION

Cemetery/Crematory: HAWAII CREMATORIES

Date January 16, 2012

Location: HONOLULU, HAWAII 96817

Permit # 63173

Funeral Home: BORTHWICK MORTUARY

Certifier: T. Scott Gallacher PRIVATE PHYSICIAN

Date Certified: December 27, 2011

Original Date Certified: December 27, 2011

Date Pronounced Dead: December 20, 2011

Time Pronounced Dead: 1:12 AM

Cause of Death

- a. CARDIAC ARREST (PULSELESS ELECTRICAL ACTIVITY) Interval:Minutes
- b. SEVERE REFRACTORY HYPOXEMIC RESPIRATORY FAILURE Interval:Hours
- c. PULMONARY HYPERTENSION WITH RIGHT HEART FAILURE Interval:Weeks-Months

Part II: UPPER EXTREMITIES DEEP VENOUS THROMBOSES, ACUTE KIDNEY DYSFUNCTION, SEPTIC SHOCK AS A RESULT OF LOWER EXTREMITY CELLULITIS, RHEUMATOID ARTHRITIS, AND GOUT

Manner of Death: NATURAL CAUSES

ITEM NO. C-1
EXHIBIT 5

Date Filed by State Registrar: December 29, 2011

OHSM 1 2 (Rev 10/08)

This copy serves as prima facie evidence of the fact of death in any court proceeding. [HRS 338-13(b), 338-19]

1173894

ANY ALTERATIONS INVALIDATE THIS CERTIFICATE

EXHIBIT 6

ITEM NO. C-1

DEPARTMENT OF HAWAIIAN HOME LANDS
 KULU OHANA (HPL Form 835 Rev. 04/2007)

Prepared By: Lisa Parker
 Date: March 20, 2012
 File Name: Kamuela Parker

Applicant: Kamuela Parker
 Applicant's Assessor/Qualifier: von Oelhoffen Parker
 S/N: 09/13/1989
 A.O: Honolulu
 B.P: Honolulu
 B.C: 151-1951-006711
 M.C: 1551-36655

Member: Lisa Lou Puakeonana Parker (Roberts)
 S/N: 08/30/51
 A.O: Honolulu
 B.P: 151-1951-006711
 B.C: 1551-36655
 M.C: 1551-36655
 D.C: 1551-36655

- 1. John Parker, aka John Manuel
 Father (of no. 2) S/N: 508
 DOB: 5/19/22 B.P: Hon., HI
 DOB: 9/16/05
 M.C: 216-4848
 D.C: 151-4020
- 2. Bruce Kerr Ponlaiani
 Father (of no. 2) S/N: 538
 DOB: 12/23/50
 B.P: Honolulu
 B.C: 151-1950-013409
 M.C: 1551-36655
- 3. Lisa Lou Puakeonana Parker (Roberts)
 Member S/N: 08/30/51
 A.O: Honolulu
 B.P: 151-1951-006711
 B.C: 1551-36655
 M.C: 1551-36655
 D.C: 1551-36655
- 4. John Parker, aka John Manuel
 Father (of no. 2) S/N: 508
 DOB: 5/19/22 B.P: Hon., HI
 DOB: 9/16/05
 M.C: 216-4848
 D.C: 151-4020
- 5. Pearl Kalaianuenuue White
 Mother (of no. 2) S/N: 56-258
 DOB: 04/27/22 B.P: Hon., HI
 DOB: 08/05/08
 B.C: 95-49548
 M.C: 151-05564
- 6. Robert Kaopuiki Roberts, aka Robert Kaopuiki von Oelhoffen
 Father (of no. 3) S/N: 67-58
 DOB: 7/13/1938 B.P: Lahaina, Maui
 DOB: 10/13/1989
 B.C: 688
 M.C: 151-05564
- 7. Lucy Kamal Kelli
 Mother (of no. 3) S/N: 758
 DOB: 8/24/1912 B.P: Hon., HI
 DOB: 11/22/2008
 B.C: 3838
 M.C: 151-05564
- 8. John Manuel Manuel, Jr.
 Father (of no. 4) S/N: 508
 DOB: 5/14/1904 B.P: Wainane, HI
 DOB: 9/04/1952
 M.C: 1883
 D.C: 1876
- 9. Alice Parker, aka Rose Keaka
 Mother (of no. 4) S/N: 508
 DOB: 7/28/1893 B.P: Hon., HI
 DOB: 3/14/1963
 M.C: 1883
 D.C: 1876
- 10. Samuel Leialoha White
 Father (of no. 5) S/N: 52-58
 DOB: 6/23/1886 B.P: Hilo, HI
 DOB: 5/11/1982
 M.C: 1883
 D.C: 1876
- 11. Emma Kellikauwila Kerr
 Mother (of no. 5) S/N: 508
 DOB: 3/27/1890 B.P: Waiuku, Maui
 DOB: 5/18/1950
 M.C: 1883
 D.C: 1876
- 12. James Roberts, aka James Robert von Oelhoffen
 Father (of no. 6) S/N: 258
 DOB: 1874 B.P: Kohala, HI
 DOB: 1915
 M.C: 1883
 D.C: 1876
- 13. Elisabeth Kamakahuilani Kaopuiki
 Mother (of no. 6) S/N: 1008
 DOB: 12/18/1881 B.P: Kanehe, Lanai, HI
 DOB: 01/05/1934
 M.C: 1883
 D.C: 1876
- 14. Thomas Mahtinallina Kelli
 Father (of no. 7) S/N: 1008
 DOB: 06/03/1881 B.P: Honokaa, Kohala, HI
 DOB: 10/18/1947
 M.C: 1883
 D.C: 1876
- 15. Kapulehua Ah-Lo
 Mother (of no. 7) S/N: 508
 DOB: 1/11/1891 B.P: Hon., HI
 DOB: 5/28/1938
 M.C: 1883
 D.C: 1876
- 16. John Manuel
 Mother (of no. 8) S/N: 508
 DOB: 1883 B.P: Hon., HI
 DOB: 1882
 M.C: 1883
 D.C: 1876
- 17. John Manuel
 Mother (of no. 8) S/N: 508
 DOB: 1883 B.P: Hon., HI
 DOB: 1882
 M.C: 1883
 D.C: 1876
- 18. William Parker
 Father (of no. 8) S/N: 1008
 DOB: 1882 B.P: Hon., HI
 DOB: 1883
 M.C: 1883
 D.C: 1876
- 19. Rose Liloa
 Mother (of no. 8) S/N: 1008
 DOB: 1883 B.P: Hon., HI
 DOB: 1882
 M.C: 1883
 D.C: 1876
- 20. William Kahue Punohu White
 Father (of no. 9) S/N: 758
 DOB: 8/06/1849 B.P: Lahaina, HI
 DOB: 12/02/1925
 M.C: 1883
 D.C: 1876
- 21. Esther Apuna Akins Maui
 Mother (of no. 9) S/N: 508
 DOB: 10/24/1859 B.P: Hon., HI
 DOB: 8/01/1943
 M.C: 1883
 D.C: 1876
- 22. John Vail Kerr
 Father (of no. 10) S/N: 1008
 DOB: 6/22/1835 B.P: Marysville, OH
 DOB: 12/20/1926
 M.C: 1883
 D.C: 1876
- 23. Sarah Ohialau
 Mother (of no. 10) S/N: 700
 DOB: 10/13/1868 B.P: Waiuku, HI
 DOB: 6/27/1935
 M.C: 1883
 D.C: 1876
- 24. Baron Robert von Oelhoffen
 Father (of no. 10) S/N: 1008
 DOB: 1883 B.P: Hon., HI
 DOB: 1882
 M.C: 1883
 D.C: 1876
- 25. Daniel Kaopuiki Kaluaopuie
 Father (of no. 11) S/N: 1008
 DOB: 1883 B.P: Hon., HI
 DOB: 1882
 M.C: 1883
 D.C: 1876
- 26. Peter Kelli Waiwalele
 Father (of no. 11) S/N: 1008
 DOB: 1883 B.P: Hon., HI
 DOB: 1882
 M.C: 1883
 D.C: 1876
- 27. Nabirikaulua
 Mother (of no. 11) S/N: 1008
 DOB: 1883 B.P: Hon., HI
 DOB: 1882
 M.C: 1883
 D.C: 1876
- 28. Daniel Kaopuiki Kaluaopuie
 Father (of no. 11) S/N: 1008
 DOB: 1883 B.P: Hon., HI
 DOB: 1882
 M.C: 1883
 D.C: 1876
- 29. Nawathine Kamaka Maui
 Mother (of no. 12) S/N: 1908
 DOB: 1883 B.P: Hon., HI
 DOB: 1882
 M.C: 1883
 D.C: 1876
- 30. Ah-Lo
 Father (of no. 12) S/N: 1008
 DOB: 1883 B.P: Hon., HI
 DOB: 1882
 M.C: 1883
 D.C: 1876
- 31. Kamal Ah-Lo
 Mother (of no. 12) S/N: 1008
 DOB: 1883 B.P: Hon., HI
 DOB: 1882
 M.C: 1883
 D.C: 1876

EXHIBIT 7

ITEM NO. C-1

DEPARTMENT OF HAWAIIAN HOME LANDS

KUMU OHANA

SOURCE OF INFORMATION

Birth Certificates

1 Lisa Lou P. Roberts

Applicant 68%
 %Hawn. 32%
 Birthdate 6-30-51
 Birthplace Honolulu
 Occupation Legal Secretary

2

Robert Kaopuiki Roberts

Father 63%
 %Hawn. 37%
 Birthdate 2/13/13
 Birthplace Lahaina, Maui
 Died
 Occupation Retired
 Source of Info

5

Elizabeth Kamakahukilani

Father's Mother Kaopuiki
 %Hawn. 100%
 Birthdate
 Birthplace
 Died
 Occupation
 Source of Info

4

James Roberts aka James

Father's Father von Oelhoffin
 %Hawn. 25%
 %Others 75%
 Birthdate
 Birthplace Hawaii
 Died
 Occupation
 Source of Info

9

Great Grandfather
 %Hawn.
 %Others
 Source of Info

1

Great Grandmother
 %Hawn.
 %Others
 Source of Info

2

Great Grandfather
 %Hawn.
 %Others
 Source of Info

2

Great Grandmother
 %Hawn.
 %Others
 Source of Info

2

Great Grandfather
 %Hawn.
 %Others
 Source of Info

2

Great Grandmother
 %Hawn.
 %Others
 Source of Info

2

6

Thomas Kelli

Mother's Father 100%
 %Hawn.
 %Others
 Birthdate
 Birthplace Hawaii
 Died
 Occupation
 Source of Info

13

Great Grandfather
 %Hawn.
 %Others
 Source of Info

2

Great Grandmother
 %Hawn.
 %Others
 Source of Info

2

7

Kapualehua Ahlo

Mother's Mother 50%
 %Hawn. 50%
 %Others
 Birthdate
 Birthplace Honolulu
 Died

15

Great Grandfather
 %Hawn.
 %Others
 Source of Info

31

3

Mother Lucy Kamai Kelli

%Hawn. 75%
 %Others 25%
 Birthdate 8/24/12
 Birthplace
 Died
 Occupation Housewife
 Source of Info

7

Mother's Mother 50%
 %Hawn. 50%
 %Others
 Birthdate
 Birthplace Honolulu
 Died

15

Great Grandfather
 %Hawn.
 %Others
 Source of Info

31

EXHIBIT 8

ITEM NO. C-1

LAST WILL AND TESTAMENT
OF
BRUCE KERR PONIAULANI PARKER

KNOW ALL MEN BY THESE PRESENTS:

That I, BRUCE KERR PONIAULANI PARKER, of Honolulu, City and County of Honolulu, State of Hawaii, where I am domiciled, being of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all former wills and codicils by me heretofore made:

FIRST: I direct my Personal Representative to pay all my legal obligations, funeral and testamentary expenses. In the event any of my debts are secured by mortgage, deed of trust, contract of conditional sale or similar encumbrance on property owned or possessed by me at the time of my death, I direct that the total amount of such debt not be paid by my Personal Representative but that such property pass to the beneficiaries designated hereunder, subject to such encumbrance. My Personal Representative is authorized, however, to make any installment payments on any such debt as they become due during the period of administration.

SECOND: I direct my Personal Representative to pay out of my estate all legacy, transfer, inheritance, estate or succession taxes, State or Federal, which may be payable in


BRUCE KERR PONIAULANI PARKER

ITEM NO. C-1
EXHIBIT 8

respect to my estate, including such taxes on all insurance policies payable to beneficiaries other than my estate and property jointly owned by me and any other person, or which may be payable in respect to all legacies and devises made in this Will and any Codicil hereto, and my estate is hereby charged with the payment thereof, and I hereby waive on behalf of my estate any right to recover from any person, including any beneficiaries of insurance on my life, any part of such taxes so paid.

THIRD: I am married to LISA LOU PUAKEONAONA PARKER, who is the person referred to herein as "my spouse". I have two children: KAPUALEHUA MAHINAKAULOA KERR PARKER and KAMUELA PONIAULANI von OELHOFFEN PARKER.

FOURTH: I give, devise and appoint all of the rest, residue and remainder of my estate, real, personal or mixed, wheresoever situate and of every kind or nature, and any property over which I may possess any power of appointment by Will or otherwise, hereinafter called my "residuary estate", to my spouse, LISA LOU PUAKEONAONA PARKER, absolutely, if she shall survive me. If my said spouse shall predecease me, then I give, devise and appoint my residuary estate, in equal shares, to my children, KAPUALEHUA MAHINAKAULOA KERR PARKER and KAMUELA PONIAULANI von OELHOFFEN PARKER, or to the surviving lawful issue of any


BRUCE KERR PONIAULANI PARKER

ITEM NO. C-1
EXHIBIT 8

of them who shall have predeceased me, said issue to take per stirpes and not per capita.

FIFTH: If any legatee, devisee, appointee or beneficiary under this Last Will and Testament shall die within thirty (30) days after my death, he or she shall be deemed to have predeceased me.

SIXTH: I authorize and empower my Personal Representative to mortgage, sell and convert into cash all real property belonging to my estate, and I direct that such sale and conversion may be made at public or private sale without the approval, consent or authority of any court or courts, and I authorize my Personal Representative to deliver such deeds, bills of sale and other instruments of conveyance as may be necessary to carry any sale into effect, and no purchaser shall be required to see to the application of the purchase money, and my Personal Representative may give good and valid receipts, releases and discharges therefor, and my Personal Representative shall have full discretion as to the time or times, terms and manner of any such sale or sales.

SEVENTH: In the event that either of my said children KAPUALEHUA MAHINAKAULOA KERR PARKER and KAMUELA PONIAULANI von OELHOFFEN PARKER shall be a minor at the time of my death, and my said spouse shall not survive me, then I


BRUCE KERR PONIAULANI PARKER

name and appoint LEE KAPUA ROBERTS as Guardian of the person and of the estate of my said children, to serve as such Guardian, without bond, until my said children attain majority. In the event said LEE KAPUA ROBERTS is unable or unwilling, for any reason, to serve as Guardian of the person and of the estate of my said children, then I name and appoint REDGE KAOPUIKI ROBERTS and LINDA LOUISE ROBERTS as Co-Guardians of the person and of the estate of my said children, to serve as such Co-Guardians, without bond, until my said children attain majority.

EIGHTH: I nominate and appoint LISA LOU PUAKEONAONA PARKER, to serve as my Personal Representative, and I direct that she shall serve as such Personal Representative without bond. In the event said LISA LOU PUAKEONAONA PARKER is unable or unwilling, for any reason, to serve as Personal Representative hereunder, I hereby nominate and appoint REDGE KAOPUIKI ROBERTS to serve as my Personal Representative without bond.

IN WITNESS WHEREOF, I have hereunto and to the three (3) preceding pages hereof set my hand at Honolulu, Hawaii, this 12 day of April, 1990.


BRUCE KERR PONIAULANI PARKER

Signed, published and declared by the said BRUCE KERR PONIAULANI PARKER, as and for his Last Will and Testament, in the presence of us, all being present at the same time, who at his request, in his presence, and in the presence of each other have hereunto signed our names as witnesses this 12th day of April, 1990, and we certify that the said BRUCE KERR PONIAULANI PARKER is, in our opinion and belief, of sound and disposing mind and memory.

Ellen L. Sham

WITNESS

[Signature]
WITNESS

3324 Keolopua Dr Honolulu HI 96817

ADDRESS

84-410 Makaha Hwy Rd. Wahiawa HI 96791

ADDRESS

CITY AND COUNTY OF HONOLULU)
: SS.
STATE OF HAWAII)

We, BRUCE KERR PONIAULANI PARKER,
Ellen L. Sham and Fred Y. Abe, the
testator and the witnesses, respectively, whose names are
signed to the attached or foregoing instrument, being first
duly sworn, do hereby declare to the undersigned authority
that the testator signed and executed the instrument as his
last will, and that he signed willingly or directed another
to sign for him, and that he executed it as his free and
voluntary act for the purposes herein expressed; and that
each of the witnesses, in the presence and hearing of the
testator, signed the will as witness; and that to the best of
their knowledge the testator was at that time eighteen or
more years of age, of sound mind and under no constraint or
undue influence.

Bruce Kerr Poniaulani Parker
BRUCE KERR PONIAULANI PARKER

Ellen L. Sham
Witness

[Signature]
Witness

Subscribed, sworn to and acknowledged before me by
BRUCE KERR PONIAULANI PARKER, the testator, and subscribed
and sworn to before me by Ellen L. Sham and
Fred Y. Abe, witnesses, this 12th day of
April, 1990.

Cynthia Shumizu
Notary Public, State of Hawaii

My commission expires: 8-18-90

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

July 15-16, 2024

TO: Members of the Hawaiian Homes Commission
FROM: Chairman Kali Watson
SUBJECT: For Information Only - Appointment of Permitted Interaction Group Pursuant to HRS Section 92-2.5 and HAR section 10-2-16(b)(1), to Study, Evaluate, and Recommend Policies, Guidelines and Strategies Related to the Use of Caretakers by Lessees During Their Extended Absence

RECOMMENDED MOTION/ACTION

None. For information only.

DISCUSSION:

A permitted interaction group of the Hawaiian Homes Commission is appointed effective July 15, 2024. The purpose of this group is to study, evaluate, and recommend policies, guidelines and strategies related to the use of caretakers by lessees who care for their land during their extended absence.

The members of this committee include Commissioners Michael Kaleikini, Dennis Neves and Sanoe Marfil to serve as chair of the committee. The committee's work is expected to be completed within 90 days or as soon thereafter as the committee needs to complete and submit its report, findings and recommendations to the Hawaiian Homes Commission.

RECOMMENDATION:

None. For information only.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

July 15, 2024 – July 16, 2024

To: Chairman and Members, Hawaiian Homes Commission
From: David Hoke, Administrator, Enforcement Unit
Subject: For Information Only – Monthly Enforcement Unit Efforts and Statistics (June 10, 2024 – July 7, 2024)

RECOMMENDED ACTIONS:

None. For information only.

DISCUSSION:

Requests for Investigations: 10

- Oahu: 6
- Maui: 0
- Kauai: 0
- East Hawaii: 0
- West Hawaii: 0
- Molokai: 0
- Lanai: 0
- Office of the Chair: 2
- LMD: 2

Reports generated during window (to include follow-ups): 15

Total requests in calendar year: 78

Operation: LMD trespassing and cleanup in Camp Faith on Kauai.

Beneficiary Engagement:

- Ekklesia Neighborhood Security Watch (NSW)
- Kanehili Association and NSW
- Kaupea Association and NSW
- Maku'u Farmers Association
- Keaukaha - Panaewa Farmers Association NSW
- Keaukaha Association
- Community Leader/Former HHC Commissioner, Patty Teruya

Interagency Collaboration:

- Mitch Roth, Hawaii Island Mayor
- DOT – Homeless Coordinator
- State of Hawaii Department of Law Enforcement
- County Police (HPD – D8 Narco/Vice, Community Police, HCPD – Deputy Chief, Community Police, KPD)
- DLNR - Deputy Director
- State of Hawaii Judiciary, DLRO

Papakolea Vacant Parcels:

- Focus: Identify parcels that appear to be vacant, dilapidated, or unused.
- 31 parcels identified.
- 2 parcels occupied by the lessee of record
- 7 parcels with LDD to prepare to be re-awarded
- 6 parcels with HSD to transfer the lease
 - o 5 transfers through successorship
 - o 1 transfer
- 1 parcel under HHC D&O
- 15 parcels appear unoccupied or occupancy still unconfirmed

Pilot program update:

- DHHL and HPD completed an operation on 6/22/24 with 6 home inspections completed.
- 1 new report of organized criminal activity in the various homesteads that fall into the area of the pilot program.
- 9 reports have been submitted to HPD since the pilot program began on January 1, 2024, and 3 are pending a disposition from HPD.
- Per crimemapping.com as recommended by HPD, the following crimes were reported in the homesteads that fall into our pilot program but none of them appear to be organized criminal activity.
 - Nanakuli – Property Damage x 2, Weapons Incident
 - Waianae Valley – Theft
 - Maluohai – None
 - Kaupea – None
 - Series Seven – Fraud
 - Kauluokahai – None
 - Kanehili – Fraud, Simple Assault
 - Princess Kahanu Estates – Theft
 - Lualualei – None
 - Waianae Kai – None



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

ENFORCEMENT UNIT

MONTHLY UPDATE

June 10, 2024 – July 7, 2024

Item C-3



LMD OPERATION - CAMP FAITH

6/24/24 – 6/26/24





PAPAKOLEA VACANT PARCELS

- Focus: Identify parcels that appear to be vacant, dilapidated, or unused.
- 31 parcels identified
 - 2 parcels occupied by the lessee of record
 - 7 parcels with LDD to prepare to be re-awarded
 - 6 parcels with HSD for transfer of the lease
 - 5 transfers through successorship
 - 1 transfer
 - 1 parcel under HHC D&O
 - 15 parcels appear unoccupied or occupancy still unconfirmed



PILOT PROGRAM STATISTICS

- 1 new report of organized criminal activity in the various homesteads that fall into the area of this pilot program.
- 9 complaints since the pilot program began on 01/01/2024
- Per crimemapping.com
 - Nanakuli – Criminal Property Damage x 2, Weapons Incident
 - Waianae Valley – Theft
 - Series Seven – Fraud
 - Princess Kahanu Estates - Theft
 - Kanehili – Fraud, Simple Assault
 - Maluohai, Kaupea, Kauluokahai, Lualualei, Waianae Kai - None

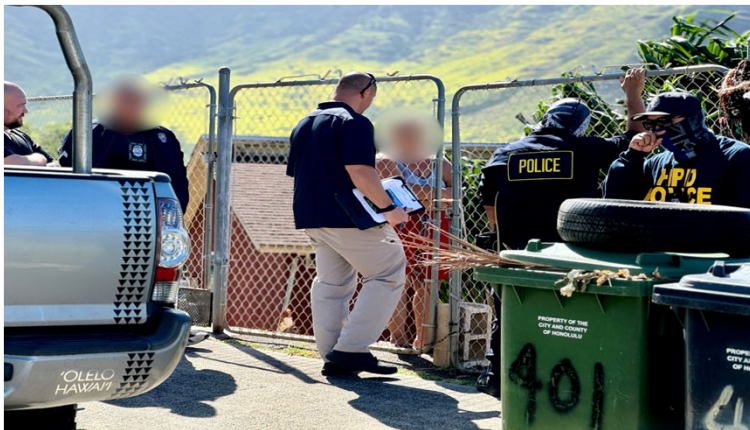


PILOT PROGRAM OPERATION

- 06/22/2024 Operation with HPD Narco Vice Operation
- Completed property inspections of 6 homes (Kanehili, Series 7, Nanakuli, and Waianae Valley).
- Results:
 - 1 home in DHHL inventory
 - 3 unsubstantiated: Took to the furthest extent as allowed by the law and lease conditions. Letters sent to lessee reminding of lease condition regarding criminal activity.
 - 1 confirmed via admission: Lease violation letter with window to remediate. EU to follow up in 30 days. Violation stays as part of lessee's file in case of further activity.
 - 1 substantiated: Lessee "chased out" by relatives, reclaimed after relative was arrested. Lessee reminded of responsibility of all occupants on property.



PILOT PROGRAM OPERATION



DEPARTMENT OF HAWAIIAN HOME LANDS – OFFICE OF THE CHAIR



MAHALO

Honolulu Police Department
Major Mike Lambert and Narco Vice Unit
&
Participating Homestead Associations and NSWs


**HAWAIIAN HOMES COMMISSION
JULY 15 & 16, 2024**

D – ITEMS

HOMESTEAD SERVICES DIVISION

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

July 15, 2024

TO: Chairman and Members, Hawaiian Homes Commission
FROM: Juan Garcia, HSD Administrator 
Homestead Services Division
SUBJECT: **Homestead Services Division Status Reports**

RECOMMENDED MOTION/ACTION

NONE

DISCUSSION

The following reports are for information only:

- Exhibit A: Homestead Lease & Application Totals and Monthly Activity Reports
- Exhibit B: Delinquency Report
- Exhibit C: DHHL Guarantees for Hawaii Community Lending Permanent Loans
- Exhibit D: DHHL Guarantees for Hawaii Community Lending Construction Loans
- Exhibit E: DHHL Guarantees for USDA-RD Mortgage Loans

July 15, 2024

SUBJECT: Homestead Lease and Application Totals and Monthly Activity Reports

LEASE ACTIVITY REPORT

Month through June 30, 2024

	As of 5/31/24	Add	Cancel	As of 6/30/24
Residential	8,507	2	1	8,508
Agricultural	1,105	1	0	1,106
Pastoral	438	0	0	438
Total	10,050	3	1	10,052

The cumulative number of Converted Undivided Interest Lessees represents an increase of 572 families moving into homes. Their Undivided Interest lease was converted to a regular homestead lease.

	As of 5/31/24	Converted	Rescinded/ Surrendered/ Cancelled/	As of 6/30/24
Undivided	737	0	0	737

Balance as of 6/30/2024:

Awarded	1,434
Relocated to UNDV	7
Reinstated to UNDV	1
Rescinded	123
Surrendered	6
Cancelled	4
Converted	<u>572</u>
Balance to Convert	737

Lease Report For the Month Ending June 30, 2024

	----- RESIDENCE -----				----- AGRICULTURE -----				----- PASTURE -----				----- TOTAL LEASES -----			
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
OAHU																
Kakaina	42	0	0	42	0	0	0	0	0	0	0	0	42	0	0	42
Kalawahine	90	0	0	90	0	0	0	0	0	0	0	0	90	0	0	90
Kanehili	399	0	0	399	0	0	0	0	0	0	0	0	399	0	0	399
Kapolei	173	0	0	173	0	0	0	0	0	0	0	0	173	0	0	173
Kauluokahai	154	0	0	154	0	0	0	0	0	0	0	0	154	0	0	154
Kaupea	323	0	0	323	0	0	0	0	0	0	0	0	323	0	0	323
Kaupuni	19	0	0	19	0	0	0	0	0	0	0	0	19	0	0	19
Kewalo	248	0	0	248	0	0	0	0	0	0	0	0	248	0	0	248
Kumuhau	50	0	0	50	0	0	0	0	0	0	0	0	50	0	0	50
Luualaei	149	0	0	149	30	0	0	30	0	0	0	0	179	0	0	179
Malu'ohai	225	0	0	225	0	0	0	0	0	0	0	0	225	0	0	225
Nanakuli	1,045	0	0	1,045	0	0	0	0	0	0	0	0	1,045	0	0	1,045
Papakolea	64	0	0	64	0	0	0	0	0	0	0	0	64	0	0	64
Princess Kahanu Estates	268	0	0	268	0	0	0	0	0	0	0	0	268	0	0	268
Waiahole	0	0	0	0	16	0	0	16	0	0	0	0	16	0	0	16
Waianae	421	0	0	421	12	0	0	12	0	0	0	0	433	0	0	433
Waimanalo	712	0	0	712	2	0	0	2	0	0	0	0	714	0	0	714
TOTAL	4,382	0	0	4,382	60	0	0	60	0	0	0	0	4,442	0	0	4,442
MAUI																
Hikina	31	0	0	31	0	0	0	0	0	0	0	0	31	0	0	31
Kahikinui	0	0	0	0	0	0	0	0	100	0	0	100	100	0	0	100
Keokea	0	0	0	0	64	0	0	64	0	0	0	0	64	0	0	64
Leialii	103	0	0	103	0	0	0	0	0	0	0	0	103	0	0	103
Paukukalo	178	0	0	178	0	0	0	0	0	0	0	0	178	0	0	178
Waiehu 1	39	0	0	39	0	0	0	0	0	0	0	0	39	0	0	39
Waiehu 2	109	0	0	109	0	0	0	0	0	0	0	0	109	0	0	109
Waiehu 3	113	0	0	113	0	0	0	0	0	0	0	0	113	0	0	113
Waiehu 4	98	0	0	98	0	0	0	0	0	0	0	0	98	0	0	98
Waiohuli	590	0	0	590	0	0	0	0	0	0	0	0	590	0	0	590
TOTAL	1,261	0	0	1,261	64	0	0	64	100	0	0	100	1,425	0	0	1,425
EAST HAWAII																
Discovery Harbour	3	0	0	3	0	0	0	0	0	0	0	0	3	0	0	3
Kamaoa	0	0	0	0	0	0	0	0	25	0	0	25	25	0	0	25
Kaumana	47	0	0	47	0	0	0	0	0	0	0	0	47	0	0	47
Keaukaha	472	0	0	472	0	0	0	0	0	0	0	0	472	0	0	472
Kurtistown	3	0	0	3	0	0	0	0	0	0	0	0	3	0	0	3
Makuu	0	0	0	0	120	0	0	120	0	0	0	0	120	0	0	120
Panaewa	13	0	0	13	276	0	0	276	0	0	0	0	289	0	0	289
Piihonua	17	0	0	17	0	0	0	0	0	0	0	0	17	0	0	17
Puueo	0	0	0	0	11	0	0	11	0	0	0	0	11	0	0	11
University Heights	4	0	0	4	0	0	0	0	0	0	0	0	4	0	0	4
Waiakea	283	0	0	283	0	0	0	0	0	0	0	0	283	0	0	283
TOTAL	842	0	0	842	407	0	0	407	25	0	0	25	1,274	0	0	1,274
WEST HAWAII																
Honokaia	0	0	0	0	0	0	0	0	24	0	0	24	24	0	0	24
Humuula	0	0	0	0	0	0	0	0	5	0	0	5	5	0	0	5
Kamoku	0	0	0	0	0	0	0	0	16	0	0	16	16	0	0	16
Kanirohale	224	0	1	223	0	0	0	0	0	0	0	0	224	0	1	223
Kawaihae	192	0	0	192	0	0	0	0	1	0	0	1	193	0	0	193
Laiopua	274	0	0	274	0	0	0	0	0	0	0	0	274	0	0	274
Lalamilo	30	0	0	30	0	0	0	0	0	0	0	0	30	0	0	30
Nienie	0	0	0	0	0	0	0	0	21	0	0	21	21	0	0	21
Puukapu/Waimea/Kuhio VII	118	0	0	118	111	0	0	111	218	0	0	218	447	0	0	447
Puupulehu	33	0	0	33	0	0	0	0	0	0	0	0	33	0	0	33
TOTAL	871	0	1	870	111	0	0	111	285	0	0	285	1,267	0	1	1,266
KAUAI																
Anahola	550	0	0	550	46	0	0	46	0	0	0	0	596	0	0	596
Hanapepe	47	0	0	47	0	0	0	0	0	0	0	0	47	0	0	47
Kekaha	117	0	0	117	0	0	0	0	0	0	0	0	117	0	0	117
Puu Opae	0	0	0	0	0	0	0	0	1	0	0	1	1	0	0	1
TOTAL	714	0	0	714	46	0	0	46	1	0	0	1	761	0	0	761
MOLOKAI																
Hooilehua	152	1	0	153	345	1	0	346	21	0	0	21	518	2	0	520
Kalamaula	167	0	0	167	69	0	0	69	3	0	0	3	239	0	0	239
Kapaakea	47	0	0	47	0	0	0	0	3	0	0	3	50	0	0	50
Moomomi	0	0	0	0	3	0	0	3	0	0	0	0	3	0	0	3
One Aii	27	0	0	27	0	0	0	0	0	0	0	0	27	0	0	27
TOTAL	393	1	0	394	417	1	0	418	27	0	0	27	837	2	0	839
LANAI																
Lanai	44	1	0	45	0	0	0	0	0	0	0	0	44	1	0	45
TOTAL	44	1	0	45	0	0	0	0	0	0	0	0	44	1	0	45
STATEWIDE TOTAL	8,507	2	1	8,508	1,105	1	0	1,106	438	0	0	438	10,050	3	1	10,052

**Statewide Lease Application and Applicant Totals
as of July 1, 2024**

ISLAND	AC	AREA / TYPE	6/1/2024		7/1/2024						
			TOTALS	ADDS	DELETES	TOTALS					
O'ahu	113	Nānākuli Res	153	1	1	153	0.98%	O'AHU APP TYPE TOTALS <u>Agr</u> + <u>Pas</u> + <u>Res</u> = 15,638 4,168 + 0 + 11,470 = 15,638 26.65% 0.00% 73.35% 100.00%			
	123	Papakōlea / Kewalo Res	64	0	0	64	0.41%				
	133	Waimānalo Res	515	1	0	516	3.29%				
	143	Wai'anae Res	134	0	0	134	0.86%				
	191	O'ahu Islandwide Agr	4,168	12	1	4,179	26.65%				
	193	O'ahu Islandwide Res	10,604	28	2	10,630	67.81%				
		Total O'ahu Apps	15,638	42	4	15,676	100.00%				
Maui	213	Paukūkalo Res	50	0	0	50	0.53%	MAUI APP TYPE TOTALS <u>Agr</u> + <u>Pas</u> + <u>Res</u> = 9,454 4,840 + 625 + 3,989 = 9,454 51.20% 6.61% 42.19% 100.00%			
	221	Kula Agr	4	0	0	4	0.04%				
	222	Kula Pas	3	0	0	3	0.03%				
	291	Maui Islandwide Agr	4,836	5	4	4,837	51.17%				
	292	Maui Islandwide Pas	622	0	0	622	6.58%				
	293	Maui Islandwide Res	3,939	1	3	3,937	41.65%				
		Total Maui Apps	9,454	6	7	9,453	100.00%				
Hawai'i	313	Keaukaha / Waiākea Res	65	0	0	65	0.42%	HAWAII APP TYPE TOTALS <u>Agr</u> + <u>Pas</u> + <u>Res</u> = 15,526 7,419 + 2,032 + 6,075 = 15,526 47.78% 13.09% 39.13% 100.00%			
	321	Pana'ewa Agr	13	0	0	13	0.08%				
	333	Kawaihae Res	16	0	0	16	0.10%				
	341	Waimea Agr	10	0	0	10	0.06%				
	342	Waimea Pas	46	0	0	46	0.30%				
	343	Waimea Res	44	0	0	44	0.28%				
	391	Hawai'i Islandwide Agr	7,396	8	2	7,402	47.64%				
	392	Hawai'i Islandwide Pas	1,986	0	0	1,986	12.78%				
	393	Hawai'i Islandwide Res	5,950	9	4	5,955	38.33%				
		Total Hawai'i Apps	15,526	17	6	15,537	100.00%				
Kaua'i	511	Anahola Agr	3	0	0	3	0.07%	KAUAI APP TYPE TOTALS <u>Agr</u> + <u>Pas</u> + <u>Res</u> = 4,406 2,324 + 340 + 1,742 = 4,406 52.75% 7.72% 39.54% 100.00%			
	512	Anahola Pas	20	0	0	20	0.45%				
	513	Anahola Res	40	0	0	40	0.91%				
	523	Kekaha Res	8	0	0	8	0.18%				
	532	Pu'u 'Ōpae Pas	7	0	0	7	0.16%				
	591	Kaua'i Islandwide Agr	2,321	2	2	2,321	52.68%				
	592	Kaua'i Islandwide Pas	313	0	0	313	7.10%				
	593	Kaua'i Islandwide Res	1,694	2	2	1,694	38.45%				
		Total Kaua'i Apps	4,406	4	4	4,406	100.00%				
Moloka'i	613	Kalama'ula Res	3	0	0	3	0.14%	MOLOKA'I APP TYPE TOTALS <u>Agr</u> + <u>Pas</u> + <u>Res</u> = 2,170 1,145 + 203 + 822 = 2,170 52.76% 9.35% 37.88% 100.00%			
	621	Ho'olehua Agr	17	0	0	17	0.78%				
	622	Ho'olehua Pas	1	0	0	1	0.05%				
	623	Ho'olehua Res	7	0	0	7	0.32%				
	633	Kapa'akea Res	6	0	0	6	0.28%				
	643	One Ali'i Res	1	0	0	1	0.05%				
	691	Moloka'i Islandwide Agr	1,128	1	0	1,129	52.00%				
	692	Moloka'i Islandwide Pas	202	0	0	202	9.30%				
693	Moloka'i Islandwide Res	805	0	0	805	37.08%					
		Total Moloka'i Apps	2,170	1	0	2,171	100.00%				
Lāna'i	713	Lāna'i Res	71	0	1	70	100.00%	LĀNA'I APP TYPE TOTALS <u>Agr</u> + <u>Pas</u> + <u>Res</u> = 71 0 + 0 + 71 = 71 0.00% 0.00% 100.00% 100.00%			
		Total Lāna'i Apps	71	0	1	70	100.00%				

6/1/2024	STATEWIDE TOTALS			7/1/2024	STATEWIDE APP TYPE TOTALS		
	Adds	Deletes	TOTALS		Agr	Pas	Res
47,265	70	22	47,313	19,896	3,200	24,169	

DHHL Applicant Summary as of July 1, 2024

Individuals with only RESIDENTIAL applications:	6,444	21.80%
Individuals with only AGRICULTURAL applications:	4,613	15.61%
Individuals with only PASTORAL applications:	749	2.53%
Individuals with RESIDENTIAL and AGRICULTURAL applications:	15,302	51.77%
Individuals with RESIDENTIAL and PASTORAL applications:	2,451	8.29%
	29,559	100.00%
*Total Number of DHHL APPLICANTS:	29,559	100.00%

* The number of applicants in each category is determined by a "unique identifier" (i.e., SSN) which ensures that each applicant is counted only once even if the individual holds the maximum two lease applications and appears twice on the DHHL waitlist.

DELINQUENCY REPORT - STATEWIDE

July 15, 2024

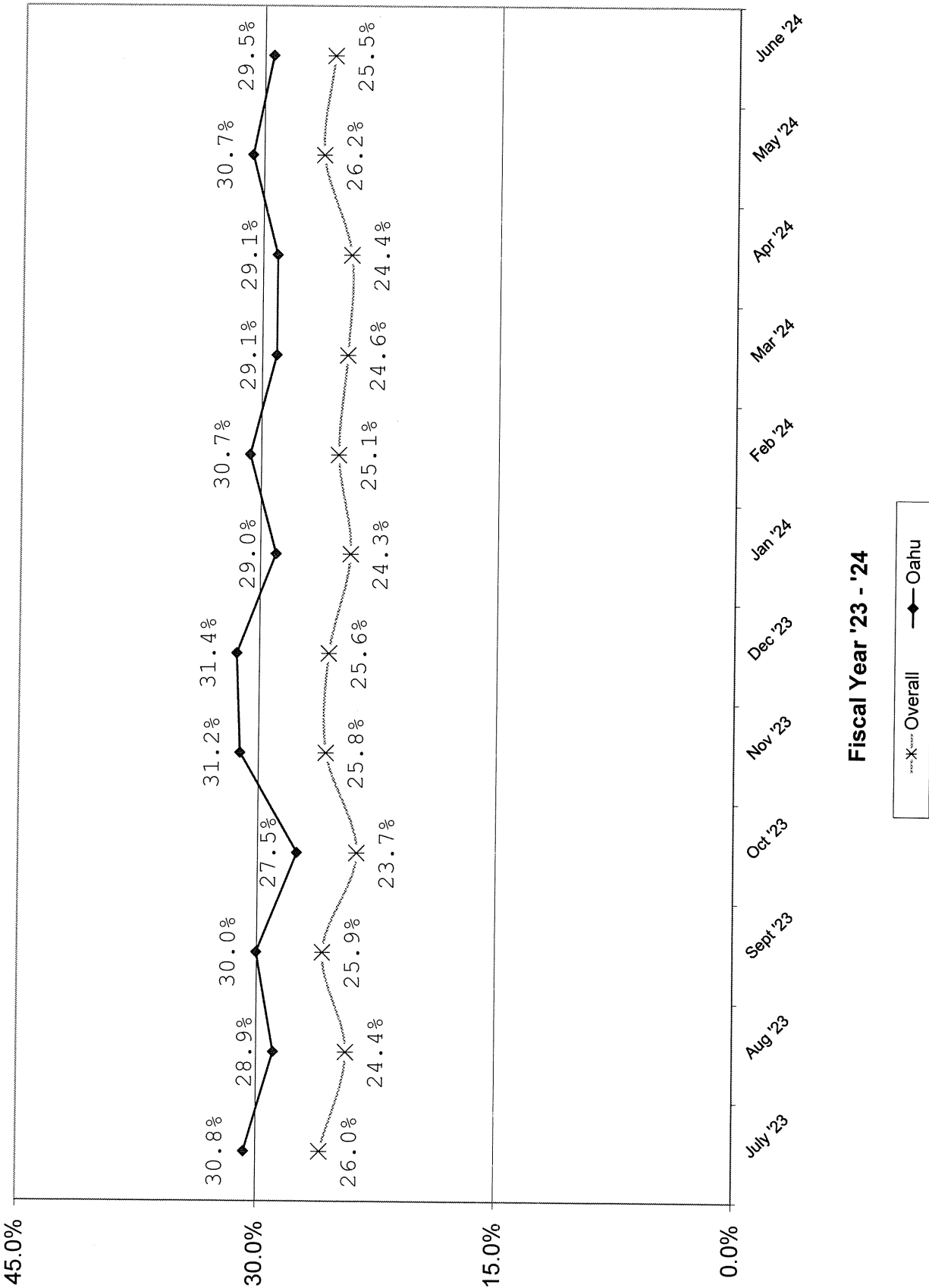
(\$Thousands)

	Total Outstanding		Total Delinquency		30 Days (low)		60 Days (Medium)		90 Days (High)		180 Days (Severe)		% of Totals 6/30/2024	
	No.	Amt. (000s)	No.	Amt. (000s)	No.	Amt. (000s)	No.	Amt. (000s)	No.	Amt. (000s)	No.	Amt. (000s)	No.	Amt. (000s)
DIRECT LOANS														
OAHU	365	35,905	103	10,579	14	832	11	1,148	12	1,261	66	7,338	28.2%	\$ 29.5%
EAST HAWAII	190	10,857	54	3,741	6	538	4	265	7	400	37	2,539	28.4%	34.5%
WEST HAWAII	77	7,900	8	834	6	681	0	0	1	4	1	149	10.4%	10.6%
MOLOKAI	79	6,643	16	573	4	38	1	24	3	207	8	304	20.3%	8.6%
KAUAI	93	8,012	14	920	5	468	2	56	2	52	5	344	15.1%	11.5%
MAUI	113	15,361	39	4,949	7	703	4	278	10	926	18	3,042	34.5%	32.2%
TOTAL DIRECT	917	84,678	234	21,597	42	3,260	22	1,771	35	2,851	135	13,716	25.5%	25.5%
	100.0%	100.0%	25.5%	25.5%	4.6%	3.8%	2.4%	2.1%	3.8%	3.4%	14.7%	16.2%		
Advances (including RPT)	253	5,889	253	5,889	0	0	0	0	253	5,889	100%	100%	100%	100%
DHHL LOANS & Advances	1,170	90,567	487	27,486	42	3,260	22	1,771	288	8,740	135	13,716	41.6%	30.3%
LOAN GUARANTEES as of June 30, 2023														
SBA	2	67	0	0	0	0	0	0	0	0	0	0	0.0%	0.0%
USDA-RD	274	35,831	43	6,613	0	0	0	0	43	6,613	15.7%	18.5%	15.7%	18.5%
Habitat for Humanity	32	893	16	429	0	0	0	0	16	429	50.0%	48.0%	50.0%	48.0%
Mauai County	5	74	0	0	0	0	0	0	0	0	0.0%	0.0%	0.0%	0.0%
Nanakuli NHS	1	7	1	7	0	0	0	0	1	7	100.0%	100.0%	100.0%	100.0%
City & County	10	204	10	204	0	0	0	0	10	204	100.0%	100.0%	100.0%	100.0%
FHA Interim	6	1,366	0	0	0	0	0	0	0	0	0.0%	0.0%	0.0%	0.0%
OHA	1	6	1	6	0	0	0	0	1	6	100.0%	100.0%	100.0%	100.0%
TOTAL GUARANTEE	331	38,448	71	7,259	0	0	0	0	71	7,259	21.5%	18.9%	21.5%	18.9%
PMI Loans	116	15,362	16	2,649	10	1,196	4	748	2	705	13.8%	17.2%	13.8%	17.2%
HUD REASSIGNED for Recovery	120	12,079	95	10,702	3	181	0	0	3	147	89	10,374	79.2%	88.6%
FHA Insured Loans	2,917	531,693	190	30,267	0	0	0	0	190	30,267	6.5%	5.7%	6.5%	5.7%
TOTAL INS. LOANS	3,153	559,134	301	43,618	13	1,377	4	748	195	31,119	89	10,374	9.5%	7.8%
OVERALL TOTALS(EXC Adv/RPT's)	4,401	682,260	606	72,474	55	4,637	26	2,519	301	41,228	224	24,090	13.8%	10.6%
ADJUSTED TOTALS	4,654	688,149	859	78,364	55	4,637	26	2,519	554	47,118	224	24,090	13.8%	11.4%

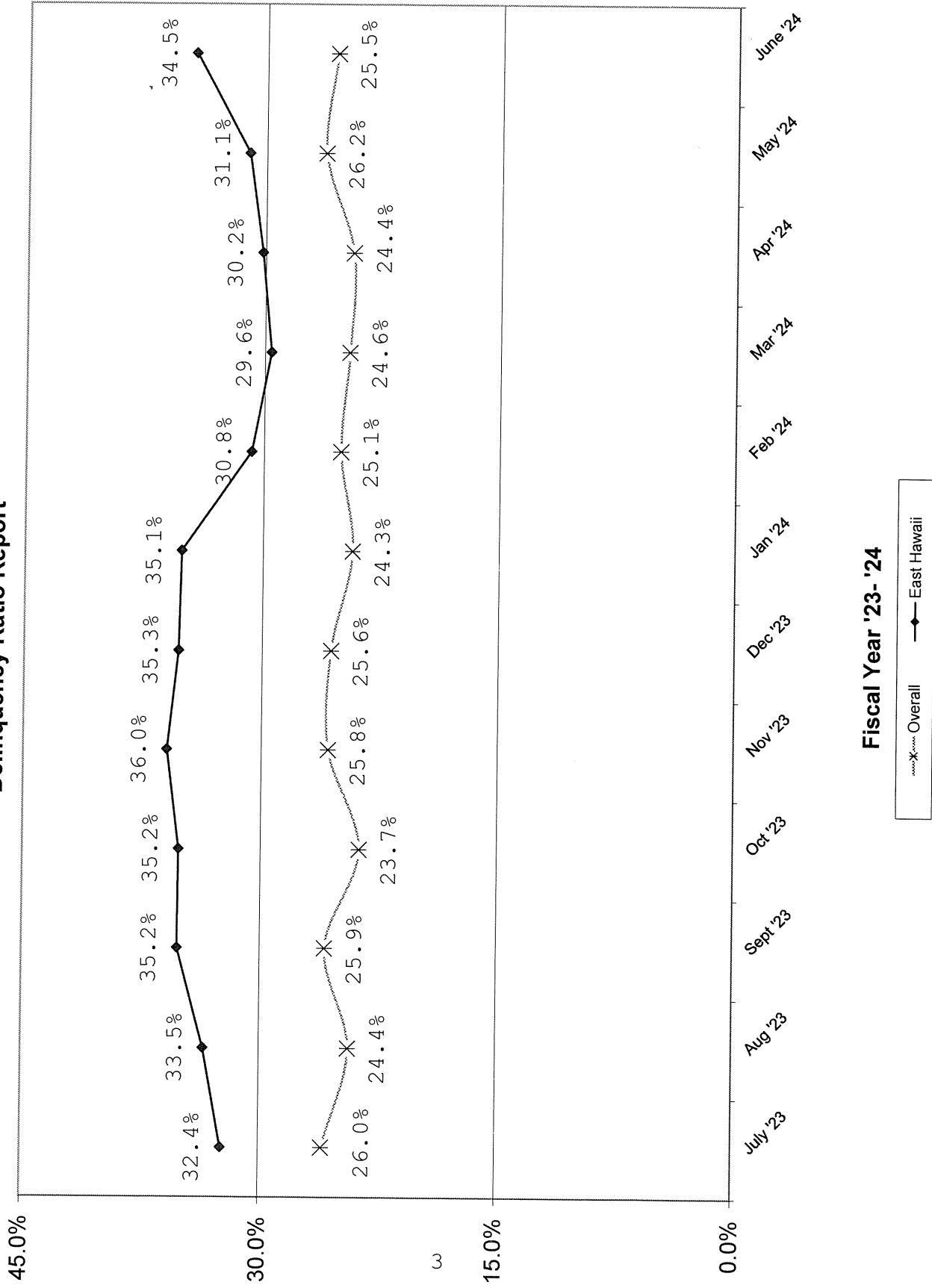
Note: HUD 184A loan program has 666 loans, with a total outstanding principal balance of \$128,639,724 as of June 30, 2023. 53 Loans, totaling \$5,837,337 are delinquent.

The deferred interest for 440 loans comes out to \$1,963,848.22 as of 6/30/2024.

OAHU
Direct Loans
Delinquency Ratio Report



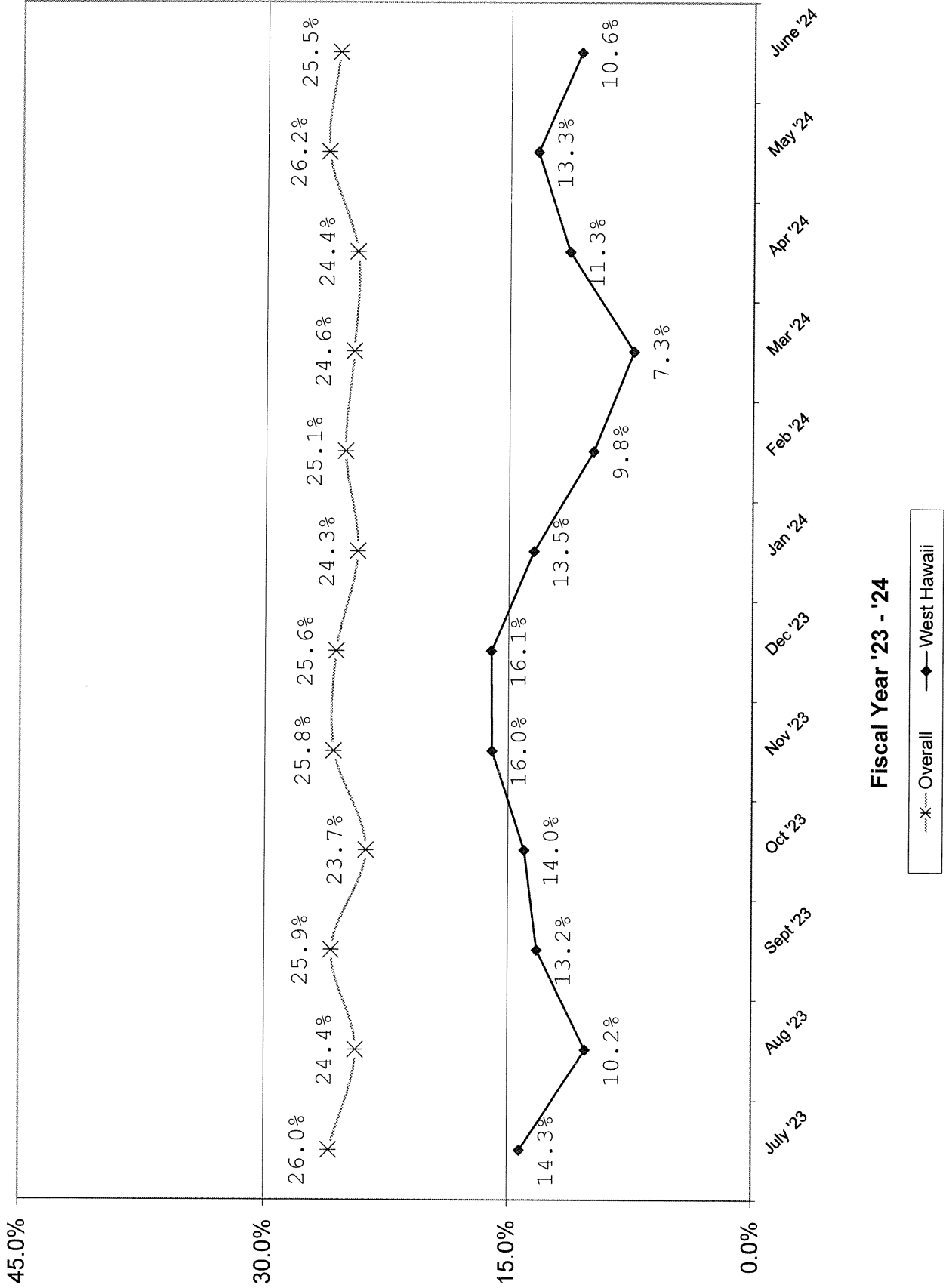
**EAST HAWAII
Direct Loans
Delinquency Ratio Report**



Fiscal Year '23- '24

x Overall ◆ East Hawaii

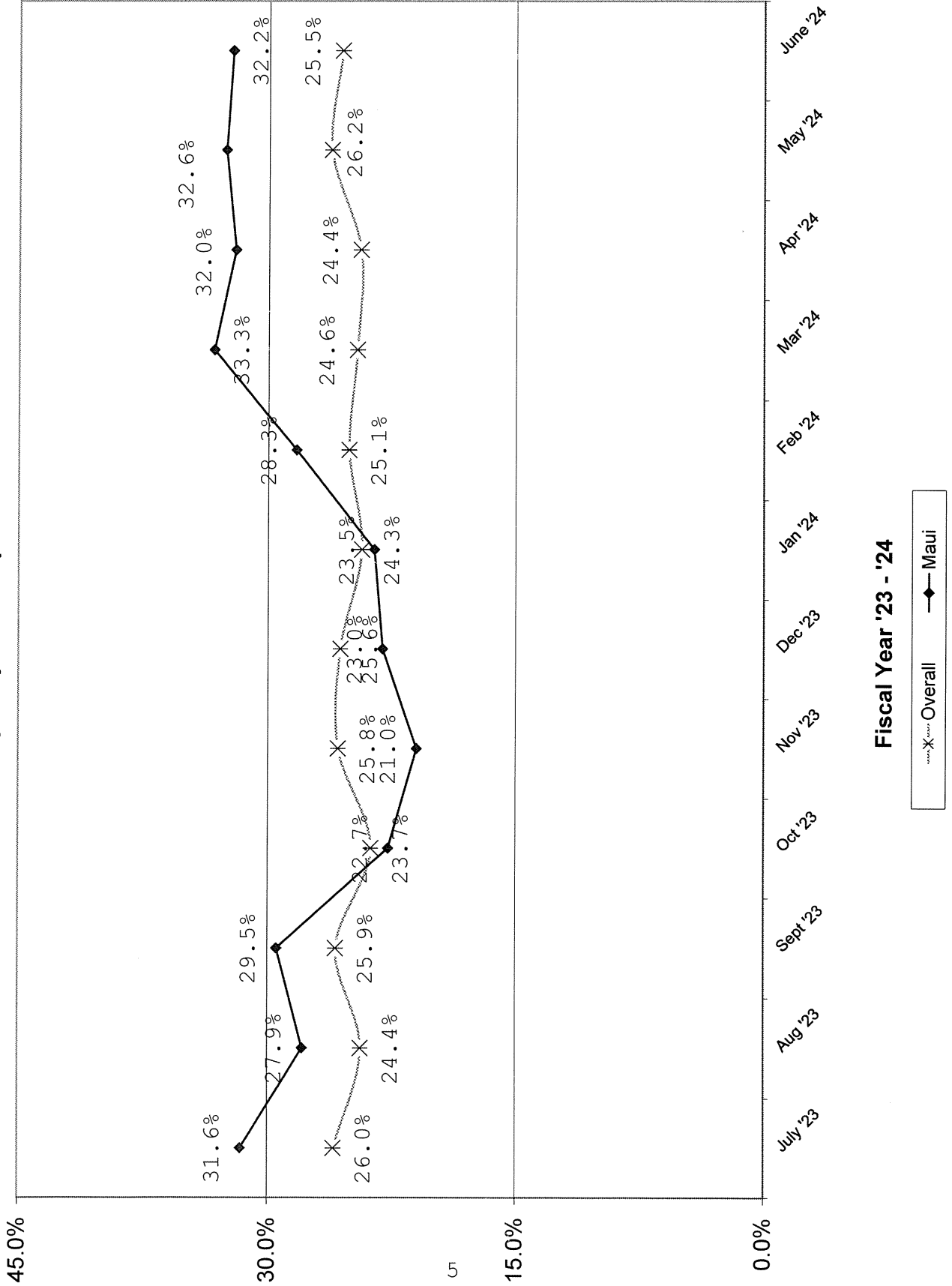
**WEST HAWAII
Direct Loans
Delinquency Ratio Report**



Fiscal Year '23 - '24

.....x..... Overall —◆— West Hawaii

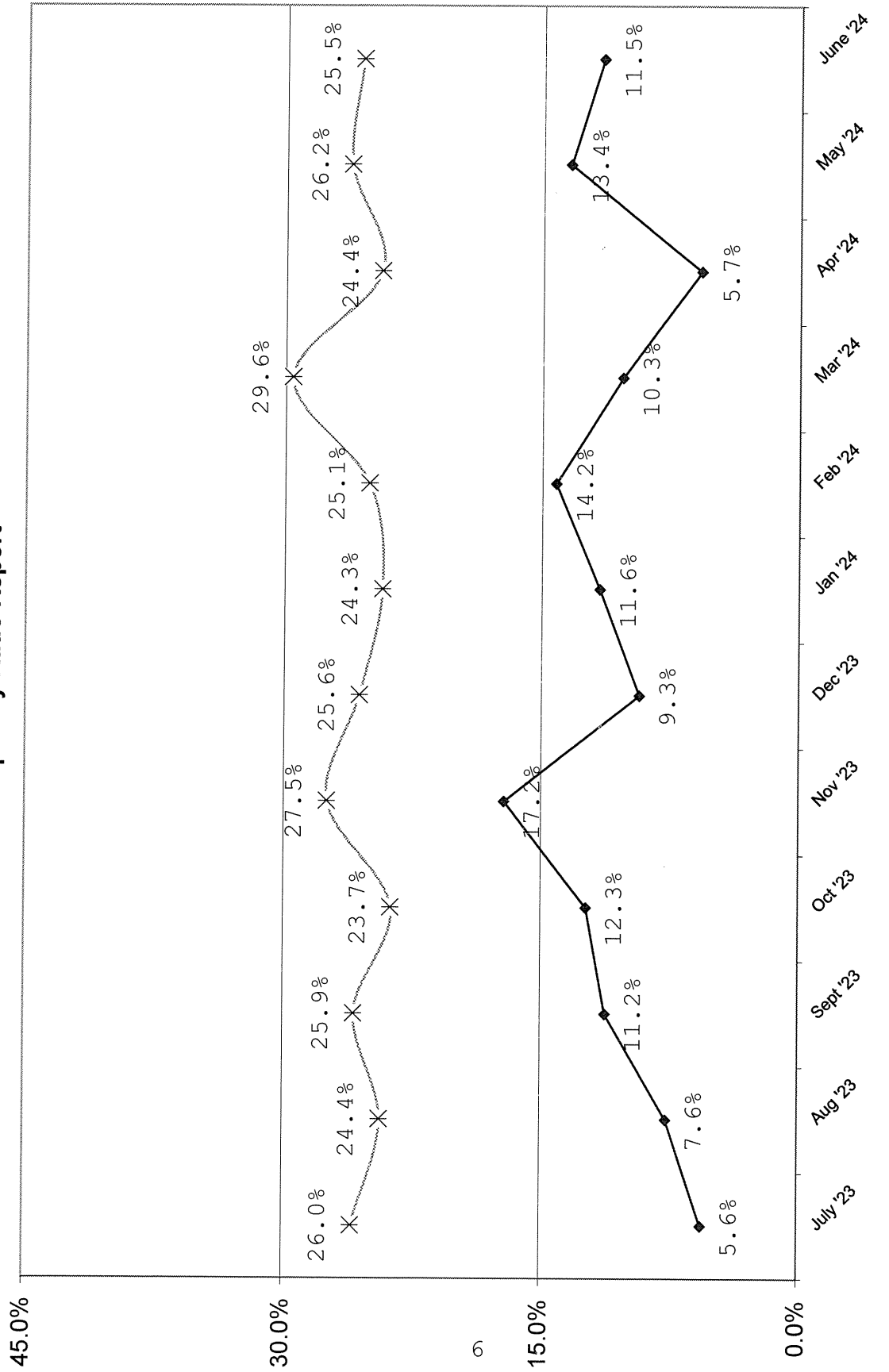
MAUI
Direct Loans
Delinquency Ratio Report



Fiscal Year '23 - '24

.....X..... Overall —◆— Maui

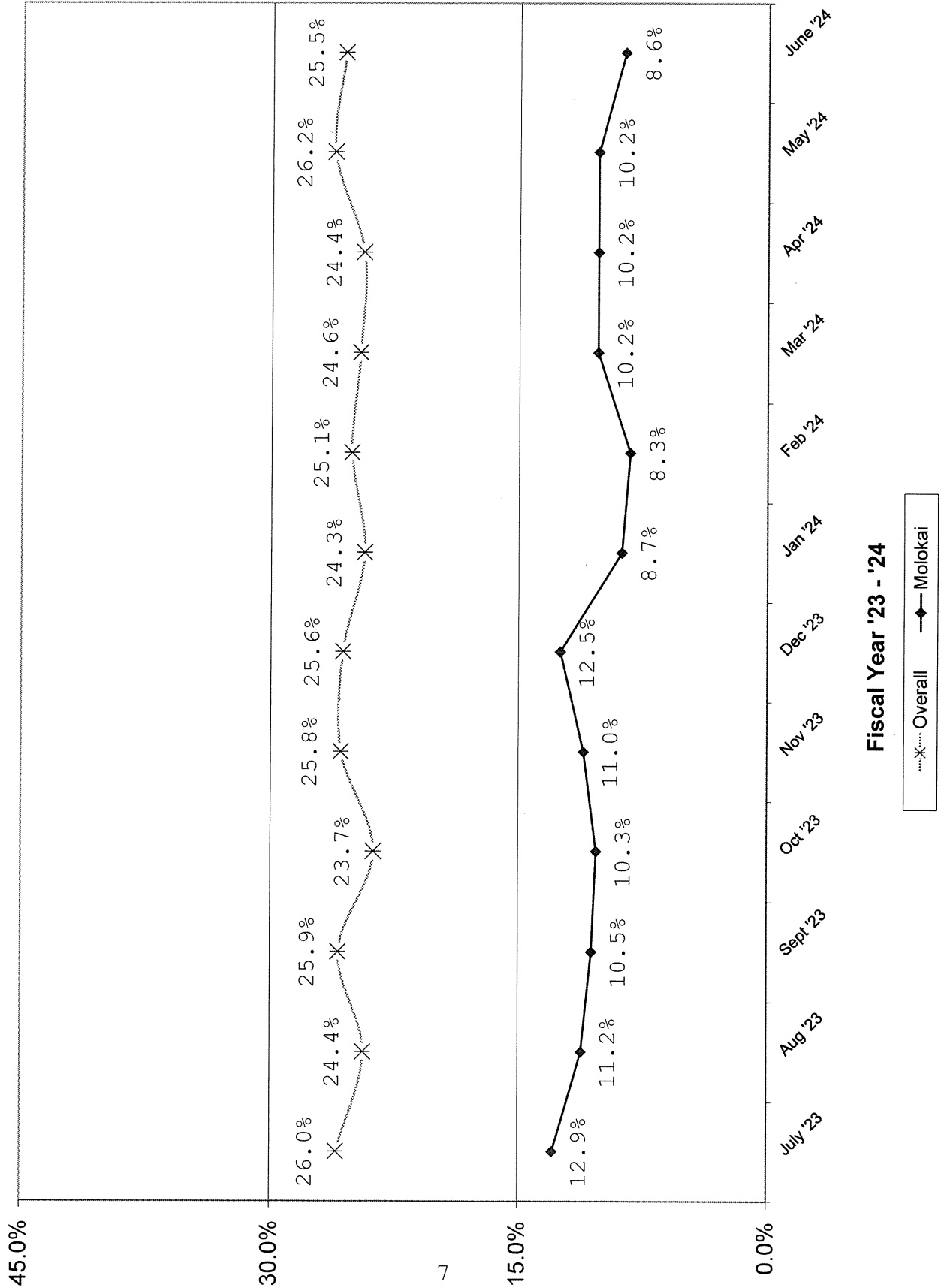
KAUAI
Direct Loans
Delinquency Ratio Report



Fiscal Year '23 - '24

x Overall ◆ Kauai

**MOLOKAI
Direct Loans
Delinquency Ratio Report**



July 15, 2024

SUBJECT: **DHHL Guarantees for Hawaii Community Lending
(HCL) Permanent Loans**

DISCUSSION: The Department issued guarantees for the following
HCL permanent loans pursuant to a Memorandum of
Agreement (MOA) approved on November 21, 2023:

<u>LEASE NO.</u>	<u>AREA</u>	<u>LESSEE</u>	<u>Loan Amount</u>	<u>Date Approved</u>
12999	Anahola	Boyd, Kevin M. K.	\$249,500	6/18/24
11151	Anahola	Medina, Talia G.A.	\$284,850	6/27/24

	<u>No.</u>	<u>Balance</u>
FY Ending 6/30/24	0	\$ -0-
Previous Months	0	\$ -0-
This Month	<u>2</u>	<u>534,350</u>
FY '24-'25 to date	2	\$ 534,350

July 15, 2024

SUBJECT: **DHHL Guarantees for Hawaii Community Lending
(HCL) Construction Loans**

DISCUSSION: The Department issued guarantees for the following
HCL loans pursuant to a Memorandum of Agreement
(MOA) approved on June 27, 2023:

<u>LEASE NO.</u>	<u>AREA</u>	<u>LESSEE</u>	<u>Loan Amount</u>	<u>Date Approved</u>
12985	Lualualei	Marcellino, Stacey K.K.	\$389,850	6/27/24
11151	Anahola	Medina, Talia G.A.	\$284,850	6/27/24

	<u>No.</u>	<u>Balance</u>
FY Ending 6/30/24	1	\$ 249,570
Previous Months	0	\$ -0-
This Month	<u>2</u>	<u>674,700</u>
FY '24-'25 to date	2	\$ 674,700

July 15, 2024

SUBJECT: **DHHL Guarantees for USDA-Rural Development Mortgage Loans**

DISCUSSION: The Department issued guarantees for the following USDA Rural Development loans:

<u>LEASE NO.</u>	<u>AREA</u>	<u>LESSEE</u>	<u>Loan Amount</u>	<u>Date Approved</u>
16923	Kaupea	Hernandez, Lynn H.S.	\$162,000	6/3/24


	<u>No.</u>	<u>Balance</u>
FY Ending 6/30/24	0	\$ -0-
Previous Months	0	\$ -0-
This Month	<u>1</u>	<u>162,000</u>
FY '24-'25 to date	1	\$ 162,000

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

July 15, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator
Homestead Services Division 

FROM: Dean Oshiro, Loan Services Manager

SUBJECT: **Approval of Consent to Mortgage**

RECOMMENDED MOTION/ACTION

To approve the following consents to mortgages for Federal Housing Administration (FHA) insured loans, Department of Veterans Affairs (VA) loans, United States Department of Agriculture, Rural Development (USDA, RD) guaranteed loans, United States Housing and Urban Development (HUD 184A) guaranteed loans and Conventional (CON) loans insured by private mortgage insurers.

DISCUSSION

<u>PROPERTY</u>	<u>LESSEE</u>	<u>LENDER</u>	<u>LOAN AMOUNT</u>
<u>OAHU</u>			
Waianae Lease No. 5284 TMK: 1-8-5-032:033	MCARTHUR, Kazuaki H. R. (Cash- out Refinance) FHA	Bank of Hawaii	\$ 230,000
Kaupea Lease No. 11989 TMK: 1-9-1-139:006	NAPEAHI-AKUI, Neon N. (Rate/Term Refinance) VA	Department of Veterans Affairs	\$ 190,000
Nanakuli Lease No. 681 TMK: 1-8-9-004:109	PALAKIKO, Leslie Ann (Rate/Term Refinance) FHA	SecurityNat- ional Mortg- age Co.	\$ 550,000

OAHU

Kakaina
Lease No. 13007
TMK: 1-4-1-041:036

JOHNSON,
Edith L. (Rate/Term
Refinance) FHA

SecurityNational Mortgage Co. \$ 575,000

MAUI

Waiohuli
Lease No. 7650
TMK: 2-2-2-027:139

KAIKAMALIE,
Anuhea
L. (Purchase) HUD
184A

Bank of Hawaii \$ 563,000

Waiehu Kou 4
Lease No. 12250
TMK: 2-3-2-026:013

MERCADO,
James L. Jr. (Cash-
out Refinance) HUD
184A

American Savings Bank \$ 325,000

Waiohuli
Lease No. 7458
TMK: 2-2-2-027:005

POOUAHI,
Doni-Jay
K. (Purchase) FHA

loanDepot.com, LLC \$ 735,000

Paukukalo
Lease No. 3499
TMK: 2-3-3-005:052

MCDERMOTT,
Cheryl M. (Cash-out
Refinance) FHA

V.I.P. Mortgage \$ 593,356

HAWAII

Keaukaha
Lease No. 5650
TMK: 3-2-1-023:165

YOUNG,
Patricia
K. (Purchase) FHA

Bank of Hawaii \$ 205,000

Panaewa
Lease No. 11179
TMK: 3-2-2-064:005

RAMOS,
Maui J. (Cash-out
Refinance) HUD 184A

American Savings Bank \$ 282,800

<u>RECAP</u>	<u>NO.</u>		<u>FHA</u> <u>AMOUNT</u>		<u>NO.</u>	<u>VA</u> <u>AMOUNT</u>
FY Ending 6/30/24	88	\$	32,647,026		23	\$ 6,684,116
Prior Months	0	\$	0		0	\$
This Month	<u>6</u>		<u>2,888,356</u>		<u>1</u>	<u>190,000</u>
Total FY '24-25	6	\$	<u>2,888,356</u>		1	\$ <u>190,000</u>


			<u>HUD 184A</u> <u>AMOUNT</u>		<u>USDA-RD</u> <u>AMOUNT</u>
FY ENDING 6/30/24	18	\$	7,258,802	3	\$ 1,380,787
Prior Months	0	\$	0	0	\$ 0
This Month	<u>3</u>		<u>1,170,800</u>	<u>0</u>	<u>0</u>
Total FY '24-'25	3		<u>1,170,800</u>	0	<u>0</u>

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

July 15, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator
Homestead Services Division 

FROM: Dean Oshiro, Loan Services Branch Manager

SUBJECT: **Ratification of Loan Approvals**

RECOMMENDED MOTION/ACTION

To ratify the approval of the following loan previously approved by the Chairman, pursuant to section 10-2-17, Ratification of Chairman's action, of the Department of Hawaiian Home Lands Administrative Rules.

<u>LESSEE</u>	<u>LEASE NO. & AREA</u>	<u>LOAN TERMS</u>
Kahumoku, Jason	3965, Waimanalo	NTE \$125,050 @4% interest per annum, NTE \$598 monthly, repayable over 30 years.

Loan Purpose: Refinance Contract of Loan No. 17334 due to financial hardship and removal of co-lessee. Original loan amount of \$168,763 @8% per annum, \$61,283 monthly, repayable over 30 years. A Contested Case Hearing was not held for this account.

Akao, Bishop	13029, Keaukaha	NTE \$121,050 @4% interest per annum, NTE \$578 monthly, repayable over 30 years.
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Loan Purpose: Purchase existing improvements in conjunction with a new lease award.

<u>REFINANCE</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/24	10	\$ 723,400
Prior Months	0	-0-
This Month	<u>1</u>	<u>125,050</u>
Total FY '24-'25	1	\$ 125,050

<u>REPAIR</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/24	0	\$ -0-
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '24-'25	0	\$ -0-

<u>HOME CONSTRUCTION</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/24	3	\$ 1,345,825
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '24-'25	0	\$ -0-

<u>FARM</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/24	0	\$ -0-
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '24-'25	0	\$ -0-

<u>TRANSFER WITH LOAN</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/24	0	\$ -0-
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '24-'25	0	\$ -0-

<u>AWARD</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/24	3	\$ 729,000
Prior Months	0	-0-
This Month	<u>1</u>	<u>121,000</u>
Total FY '24-'25	1	\$ 121,000

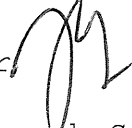
<u>OTHER</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/24	1	\$ 10,000
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '24-'25	0	\$ -0-

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

July 15, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 

FROM: Nicole F. Bell, Application Branch Supervisor 
Homestead Services Division

SUBJECT: **Approval of Homestead Application Transfers/Cancellations**

RECOMMENDED MOTION/ACTION

To approve the transfers and cancellations of applications from the Application Waiting Lists for reasons described below:

DISCUSSION

1. Requests of Applicants to Transfer

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

COSMA, Manuel Jr.	04/14/2010	MAUI	RES	05/01/2024
HALUALANI-HEE, Germaine K.	10/30/2017	HAWAII	RES	04/26/2024

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

KAAI, Dean P.	11/04/2015	KAUAI	RES	03/25/2024
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HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

AKANA, Channing K.	10/26/2017	OAHU	AGR	04/04/2024
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HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

AKANA, Channing K.	10/26/2017	OAHU	RES	04/04/2024
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2. Deceased Applicants

NANAKULI AREA /OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

ELI, Stephenson M. PN 2023 07/16/1971

WAIANA E AREA /OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

KAMAI, Andrew K., Jr. PN 2023 11/06/1974

LOWERY, Shirley P. PN 2023 07/08/1975

OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

BERNARD, Lily N. PN 2023 07/24/1995

CHUN, Richard PN 2023 09/11/2009

HOLT, Rosemarie S. PN 2023 10/10/2005

KAAUAMO, Ernestine K. PN 2023 10/05/1987

KEOULI, Faye K. PN 2023 03/16/2001

NOA, Armond M. PN 2023 02/04/2019

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

AH MOOK SANG, Myrtle K. PN 2023 01/26/1994

BERNARD, Lily N. PN 2023 07/24/1995

CHUN, Richard PN 2023 09/11/2009

GIURATO, Ermelinda L. PN 2023 01/20/1987

GOMES, Emily N. PN 2023 10/03/2007

HAILI, John K., Jr. PN 2023 01/22/1992

HOLT, Rosemarie S. PN 2023 10/10/2005

MANNER, Jimmy F.	PN 2023	05/11/1987
MARROTTE, Larry K.	PN 2023	05/05/2008
NAKI, James H., Jr.	PN 2023	10/07/1997
NOA, Armond M.	PN 2023	02/04/2019
OKADA, Honey	PN 2023	09/04/2008
PEREZ, Allison U.	PN 2023	12/29/2010
REINHARDT, William E.	PN 2023	01/20/1984
SALINAS, Letty K.	PN 2023	09/24/1991
THOMSON, Carrie K.	PN 2023	01/18/1985

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

DETILLION, Leimomi A.	PN 2023	10/06/1999
KALEOPAA, Timothy A.S.	PN 2023	02/24/1994
KEAHI, Lorraine K.	PN 2023	07/23/2002
NAKI, James H., Jr.	PN 2023	10/07/1997
PASTOR, Roy M.K.	PN 2023	10/22/2007
SALINAS, Letty K.	PN 2023	09/24/1991

MAUI ISLANDWIDE PASTORAL LEASE LIST

KANAKAOLE, Eric H.	PN 2023	08/20/2015
KANALULU, Joseph K.	PN 2023	10/19/1994
SHEA, William L, Jr.	PN 2023	01/26/2001

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

KALEOPAA, Timothy A.S.	PN 2023	12/08/2016
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KANAKAOLE, Eric H.	PN 2023	08/20/2015
KANALULU, Joseph K.	PN 2023	03/28/2003
KAWAAKOA, Samuel K., Jr.	PN 2023	09/06/1978
KUNEWA, Blossom K.	PN 2023	11/12/1996
LEWIS, Charlotte L.	PN 2023	02/19/1991
NAKI, Alexander P., Jr.	PN 2023	11/29/1991
NAONE, Lyons K., Jr.	PN 2023	05/08/1990
PASTOR, Roy M.K.	PN 2023	10/22/2007

KAWAIHEA AREA / HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

SOLOMON, Marie J.	PN 2023	03/15/1967
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WAIMEA AREA / HAWAII ISLANDWIDE PASTORAL LEASE LIST

LAU, Valerie	PN 2023	08/08/1977
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HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

DAOG, Harriet	PN 2023	09/11/1991
GIURATO, Ermelinda L.	PN 2023	12/04/1989
GREEN, Mercedes L.	PN 2023	04/04/1986
HAILI, John K., Jr.	PN 2023	01/22/1992
KEKA, Gerald K.	PN 2023	10/24/1997
KUHEANA, Charleneller C.	PN 2023	04/21/1989
MAA, James K.	PN 2023	11/19/1992
MARROTTE, Larry K.	PN 2023	08/26/1988
MCCORD, Louella M.	PN 2023	06/02/1980

MEDEIROS, Minnie U.	PN 2023	07/07/1987
MILLARE, Elizabeth Y.	PN 2023	12/02/2004
MOSSMAN, Emmaline K.	PN 2023	09/22/2004
NAUKA, Norman V.	PN 2023	07/13/1987
NOAH, Robert L., Sr.	PN 2023	01/25/1985
PARKER, Eric S.	PN 2023	06/27/2003
REYES, Stanley Samson	PN 2023	02/24/1997
SHEPARD, Rozlyn K.	PN 2023	11/16/1995
WAHINEKAPU, Lorraine P.	PN 2023	09/18/2007
YIM, Patrick Jr.	PN 2023	05/09/1985

HAWAII ISLANDWIDE PASTORAL LEASE LIST

PAISHON, Harriet H.	PN 2023	01/17/2006
WONG, James	PN 2023	07/16/1999

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

AUWAE, Henry K.	PN 2023	05/15/1986
BUNTING, Diane	PN 2023	10/13/1987
CORDERO, Anna K.	PN 2023	04/23/1987
HEGENT, Evelyn I.	PN 2023	09/12/1986
HOOMANAWANUI, Melvin K., Sr.	PN 2023	06/30/1999
IOKIA, Jerry A.	PN 2023	08/13/2015
KEKA, Gerald K.	PN 2023	10/24/1997
KOHLTFARBER, Julia A.H.	PN 2023	12/16/1985

KUHEANA, Charleneller C.	PN 2023	04/21/1989
KUKAHIKO, William C.K.	PN 2023	05/09/1985
MAHI, Henry Jr.	PN 2023	04/24/2000
MEDEIROS, Clarence K., Jr.	PN 2023	11/09/1990
MILLARE, Elizabeth Y.	PN 2023	12/02/2004
NOAH, Robert L., Jr.	PN 2023	01/25/1985
RICKARD, Amoy A.	PN 2023	08/13/1987
SHEPARD, Rozlyn K.	PN 2023	11/16/1995
WAHINEKAPU, Lorraine P.	PN 2023	09/18/2007
WONG, James	PN 2023	07/16/1999

ANAHOLA AREA / KAUAI ISLANDWIDE PASTORAL LEASE LIST

ORNELLAS, Flora	PN 2023	07/16/1974
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KAUAI ISLANDWIDE AGRICULTURAL LEASE LIST

CHRISTIAN, Douglas	PN 2023	04/16/1990
HANOHANO, Charles K., Jr.	PN 2023	01/09/1998
KAPIO, Matthew K., Jr.	PN 2023	06/04/1993
MACLOVES, Harvey N.	PN 2023	07/07/1993
MIKAELE, George Steven K.	PN 2023	09/25/1986

KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

CHRISTIAN, Douglas	PN 2023	04/16/1990
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MOLOKAI ISLANDWIDE AGRICULTURAL LEASE LIST

DEFREITAS, Wendell R.	PN 2023	02/26/1992
KALUA, Solomon	PN 2023	03/30/2007
MACHADO, Colette Y.	PN 2023	11/18/1982
NAEHU, Alvin K.	PN 2023	05/11/1999

MOLOKAI ISLANDWIDE PASTORAL LEASE LIST

DEMELLO, Alfred A., Jr.	PN 2023	10/29/1990
NAKI, Alexander P., Jr.	PN 2023	11/29/1991

MOLOKAI ISLANDWIDE RESIDENTIAL LEASE LIST

BROOKS, Clorinda A.	PN 2023	09/26/1978
MAKEKAU, Allen R.	PN 2023	11/24/1987

3. Awards of Leases

WAIANAE AREA / OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

KEKUA, Katie R.	Assigned Residential Lease #13081, Lot 5 in Waianae, Oahu dated 05/01/2024. Remove application dated 04/18/1977.
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MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

KUIA, Daniel K.	Assigned Residential Lease #10400, UNDV 103 in Waiohuli, Maui dated 01/26/2017. Remove application dated 09/27/2002.
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HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

LEE, Donald R.K. Assigned Residential Lease #3913,
Lot 5 in Waimanalo, Oahu dated
11/28/2023. Remove application
dated 02/21/2007.

MAHI, Keola K. Assigned Residential Lease #1135,
Lot 141-A in Keaukaha, Hawaii dated
09/29/2006. Remove application
dated 08/17/2005.

KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

KAMIBAYASHI, Napua L.K. Assigned Residential Lease #8671,
Lot 19 in Anahola, Kauai dated
03/01/2024. Remove application
dated 10/19/2011.

LANAI ISLANDWIDE RESIDENTIAL LEASE LIST

KOANUI NEFALAR, Stacie Lee K. Assigned Residential Lease #13018,
Lot 1175 in Lanai City, Lanai dated
05/29/2024. Remove application
dated 04/27/2000.

4. Native Hawaiian Qualification

NONE FOR SUBMITTAL

5. Voluntary Cancellation

NONE FOR SUBMITTAL

6. Successorship

NONE FOR SUBMITTAL

7. Additional Acreage

NONE FOR SUBMITTAL

8. HHC Adjustments



NONE FOR SUBMITTAL

Last Month's Cumulative FY 2023-2024 Transaction Total	395
Transfers from Island to Island	5
Deceased	99
Cancellations:	
Awards of Leases	6
NHQ	0
Voluntary Cancellations	0
Successorship	0
Additional Acreage	0
HHC Adjustments	0
This Month's Transaction Total	110
This Month's Cumulative FY 2024-2025 Transaction Total	110

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

July 15, 2024

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Juan Garcia, HSD Administrator 
FROM: Nicole F. Bell, Application Branch Supervisor 
Homestead Services Division
SUBJECT: **Approval to Certify Applications of Qualified Applicants for the month of June 2024**

RECOMMENDED MOTION/ACTION

To approve the certification of applications of qualified applicants for the month of June 2024. The Department has verified the native Hawaiian blood quantum requirement of each applicant according to section 10-3-2 of the Hawaii Administrative Rules.

DISCUSSION

At its October 2020 regular meeting, the Hawaii Homes Commission adopted the recommendation of the HHC Investigative Committee on the Native Hawaiian Qualification Process to recall to the HHC, pursuant to Hawaii Administrative Rules § 10-2-16(a), the authority to accept the Native Hawaiian Quantum (NHQ) determination for an individuals as a function requiring the exercise of judgement or discretion. The recommendation included a process to implement the Commission's review and acceptance of NHQ determinations. These applicants have been deemed by the Department to have met the native Hawaiian blood quantum requirement through the kumu 'ohana process.

OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

ROWLAND, Herbert S.	04/01/2024
ADAMS, Duke N., Jr.	04/04/2024
HANOHANO, Joelyn C.K.	04/04/2024

KEAWE, Thomas K.	04/08/2024
WOODY, Jaclyn M.	04/09/2024
AMINA KANEAKUA, John K.V.	04/11/2024
KEKOA-OSHIRO, Michelle M.P.	04/11/2024
KEKAUOHA, Chrisslynn M.	05/24/2024
NUUHIWA, Jonah	6/12/2024
RAQUEL, Libbie-Marie K.	6/12/2024

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

KELIIKUPAKAKO, Megan V.K.	04/01/2024
ROWLAND, Herbert S.	04/01/2024
HARBOTTLE, Amanda R.N.	04/03/2024
ADAMS, Duke N., Jr.	04/04/2024
HANOHANO, Joelyn C.K.	04/04/2024
COX, Cheryl A.	04/05/2024
KEAMO, Lawrence V.A.K.	04/05/2024
DIMAYA, Jacqueline A.	04/08/2024
KANAHELE, Kawehi M.	04/08/2024
SIMEONA, Kawaikoa L.	04/08/2024
WOODY, Jaclyn M.	04/09/2024
AMINA KANEAKUA, John K.V.	04/11/2024
KEKOA-OSHIRO, Michelle M.P.	04/11/2024
RAQUEL, Libbie-Marie K.	06/12/2024

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

KELIIKUPAKAKO, Mark N.	04/01/2024
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HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

KAAPUNI, John Henry K.L.	03/19/2024
KALIMA-PAGLINAWAN, Kaikepapaohalemanu K.	03/19/2024
KELIIKUPAKAKO, Megan V.K.	04/01/2024
HARBOTTLE, Amanda R.N.	04/03/2024
GOGLANIAN, Kali L.	04/04/2024
KELIIKULI, Randolph K.	04/29/2024
LORD, Roseann L.	05/16/2024
MOKIAO, Joann	05/21/2024

HAWAII ISLANDWIDE PASTORAL LEASE LIST

KELIIKUPAKAKO, Mark N.	04/01/2024
CHUNG, Noelani J.	04/26/2024

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

KAAPUNI, John Henry K.L.	03/19/2024
KALIMA-PAGLINAWAN, Kaikepapaohalemanu K.	03/19/2024
GOGLANIAN, Kali L.	04/04/2024
KEAWE, Thomas K.	04/08/2024
BARRUS, Penny L.I.	04/09/2024
KELIIKULI, Randolph K.	04/29/2024
LORD, Roseann L.	05/16/2024
MOKIAO, Joann	05/21/2024

KAUAI ISLANDWIDE AGRICULTURAL LEASE LIST

COX, Cheryl A.	04/05/2024
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KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

CHUNG, Noelani J.

04/26/2024


Previous Cumulative Total for Current FY	0
Current Month's Total	45
Fiscal Year Total: July 2024-June 2025	45


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

July 15, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 

FROM: Nicole F. Bell, Application Branch Supervisor 
 Application Branch, Homestead Services Division

SUBJECT: **Reinstatement of Deferred Application -**

RECOMMENDED MOTION/ACTION

To reinstate an application that was deferred due to the applicant not responding to two successive contacts as required by the department's administrative rules.

DISCUSSION

Section 10-3-10(b) of the *Hawaii Administrative Rules* states in part that "Whenever an applicant does not respond to any two successive requests from the department for updated information, the department shall place such applicant on a deferred status until such time as updated information is received."

The following applicants were deferred and has since contacted the department with updated information:

WAIANAE AREA AND OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

<u>APPLICANT</u>	<u>APPLICATION DATE</u>	<u>HHC ACTION TO DEFER</u>	<u>CONTACT DATE WITH DEPARTMENT</u>
RENTZ, Gloryer	08/14/1975	01/25/1994	05/10/2006

Previous Cumulative Total for Current FY	0
Current Month's Total	1
Fiscal Year Total: July 2024-June 2025	1

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

July 15, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator
Homestead Services Division

FROM: Ross K. Kapeliela, Acting ODO Supervisor
Homestead Services Division

SUBJECT: **Approval of Assignment of Leasehold Interest**

RECOMMENDED MOTION/ACTION

1. To approve the assignment of the leasehold interest, pursuant to Section 208, Hawaiian Homes Commission Act, 1920, as amended, and subject to any applicable terms and conditions of the assignment, including but not limited to the approval of a loan.

2. To approve and accept that the transferees are of no less than the required 25% or 50% Hawaiian ancestry as appropriate pursuant to Section 208, Hawaiian Homes Commission Act, 1920, as amended.

DISCUSSION

Thirty (30) assignments of lease.

1. Lessee Name: Adrienne H. Akina
Res. Lease No. 4904, Lot No. 27-B-1
Lease Date: 10/20/1978
Area: Kuhio Village, Hawaii
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Adrienne H. Akina & Charles Akina, III
Relationship: Lessee & Brother
Loan Assumption: No
Applicant: Yes, Hawaii IW Res., 10/27/1986

Reason for Transfer: "Adding relative to lease."

2. Lessee Name: Myron R. Akutagawa
Res. Lease No. 9556, Lot No. 37
Lease Date: 2/1/2001
Area: Hoolehua, Molokai
Property Sold & Amount: No, N/A
Improvements: 4 bedroom, 2 bath dwelling

Transferee Name: Jeremiah K. Kaholoaa
Relationship: Nephew
Loan Assumption: No
Applicant: Yes, Molokai IW Res., 2/03/2020

Reason for Transfer: "Giving lease to relative." See simultaneous transfer below.

3. Lessee Name: Jeremiah K. Kaholoaa
Res Lease No. 9556, Lot No. 37
Lease Date: 2/1/2001
Area: Hoolehua, Molokai
Property Sold & Amount: No, N/A
Improvements: 4 bedroom, 2 bath dwelling

Transferee Name: Jeremiah K. Kaholoaa & Amber L. Kaholoaa
Relationship: Lessee & Wife
Loan Assumption: No
Applicant: No

Reason for Transfer: "Adding relative to lease."

4. Lessee Name: Shirleen K. Castro & Randall J. Castro
Res. Lease No. 11379, Lot No. 17180
Lease Date: 2/28/2007
Area: Kaupea, Oahu,
Property Sold & Amount: Yes, \$750,000.00
Improvements: 4 bedroom, 3 bath dwelling

Transferee Name: Candice U. Pauole
Relationship: None
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 3/11/2019

Reason for Transfer: "Giving lease to relative."

5. Lessee Name: Michelle S. L. Chartrand
Res. Lease No. 4042, Lot No. 43
Lease Date: 9/28/1973
Area: Waiakea, Hawaii
Property Sold & Amount: No, N/A
Improvements: 4 bedroom, 2 bath dwelling

Transferee Name: Christine K. Van Meter
Relationship: Sister
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

6. Lessee Name: Symphonie K. Cubit & Charmaine M. Caminos
Res. Lease No. 482, Lot No. 289
Lease Date: 11/24/1930
Area: Nanakuli, Oahu
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 1 bath dwelling

Transferee Name: Henryfrancis K. Kaai
Relationship: Brother & Son
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

7. Lessee Name: Jamison Nee & Angela L. Castillo, Jr.
Res. Lease No. 2485, Lot No. 40
Lease Date: 11/13/1950
Area: Waimanalo, Oahu
Property Sold & Amount: No, N/A
Improvements: 4 bedroom, 2 bath dwelling

Transferee Name: Aaron G. Nee
Relationship: Cousin
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 11/23/2022

Reason for Transfer: "Giving lease to relative." See simultaneous transfer below.

8. Lessee Name: Aaron G. Nee
Res. Lease No. 2485, Lot No. 40
Lease Date: 11/13/1950
Area: Waimanalo, Oahu
Property Sold & Amount: No, N/A
Improvements: 4 bedroom, 2 bath dwelling

Transferee Name: Karissa K. Epstein
Relationship: Daugher
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

9. Lessee Name: Susan N. R. Damo
Res. Lease No. 10009, Lot No. 411-A
Lease Date: 4/1/2004
Area: Keaukaha, Hawaii
Property Sold & Amount: Yes, \$325,000.00
Improvements: 3 bedroom, 3 bath dwelling

Transferee Name: Tanya I. Kaleo
Relationship: None
Loan Assumption: No
Applicant: No

Reason for Transfer: "Moving." Special Condition:
Transferee to obtain funds to pay purchase price.

10. Lessee Name: Kanoë L. K. Emmsley & Kekamamaikalani J.
Emmsley
Res. Lease No. 11374, Lot No. 17158
Lease Date: 2/15/2007
Area: Kaupea, Oahu
Property Sold & Amount: Yes, \$750,000.00
Improvements: 4 bedroom, 2-1/2 bath dwelling

Transferee Name: Ian M. A. Kukahiko
Relationship: None
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 10/20/2022

Reason for Transfer: "Financial reasons." Special
Condition: Transferee to obtain funds to pay purchase
price.

11. Lessee Name: Stacy Kimo Garcia Jr.
Res. Lease No. 1934, Lot No. 314
Lease Date: 6/13/1947
Area: Nanakuli, Oahu
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 1 bath

Transferee Name: Shaina R. C. E. Gifford
Relationship: Sister
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

12. Lessee Name: Gregory K. Kamai, Jr.
Res. Lease No. 2954, Lot No. 150-A
Lease Date: 5/20/1955
Area: Nanakuli, Oahu
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 1-1/2 bath dwelling

Transferee Name: Gregory K. Kamai, III
Relationship: Son
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 1/26/2015

Reason for Transfer: "Giving lease to relative."

13. Lessee Name: Jeanne M. Kahanaoi
Res. Lease No. 8261, Lot No. 43
Lease Date: 8/30/1993
Area: Lualualei, Oahu
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Debra Jean Kahanaoi & Walter K. Kahanaoi
Relationship: Daughter & Grandson
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 4/22/2009 (Walter)

Reason for Transfer: "Giving lease to relatives."

14. Lessee Name: Le Vaughn O. Kaopio
Res. Lease No. 3151, Lot No. 93
Lease Date: 2/7/1957
Area: Waimanalo, Oahu
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 2 bath dwelling
- Transferee Name: Le Vaughn O. Kaopio & Elzadia K. Kahaialii
Relationship: Lessee & Sister
Loan Assumption: No
Applicant: Yes, Kauai IW Res., 6/18/1990
- Reason for Transfer: "Adding relative to lease."
15. Lessee Name: Shannon K. K. McCandless
Res. Lease No. 12544, Lot No. 27
Lease Date: 5/6/2010
Area: Lalamilo, Hawaii
Property Sold & Amount: Yes, \$410,000.00
Improvements: 4 bedroom, 2 bath dwelling
- Transferee Name: Pomaikai N. McCandless
Relationship: Sister
Loan Assumption: No
Applicant: Yes, Hawaii IW Res., 5/2/2012
- Reason for Transfer: "Giving lease to relative." Special Condition: Transferee to obtain funds to pay purchase price.
16. Lessee Name: Sheye K. Nihau
Res. Lease No. 9413, Lot No. 100
Lease Date: 3/1/2000
Area: Kaniohale, Hawaii
Property Sold & Amount: Yes, \$350,000.00
Improvements: 3 bedroom, 2 bath dwelling
- Transferee Name: Leroy D. K. Pi
Relationship: None
Loan Assumption: No
Applicant: Yes, Hawaii IW Res., 5/12/1994
- Reason for Transfer: "Financial reasons." Special Condition: Transferee to obtain funds to pay purchase price. See simultaneous transfer below.

17. Lessee Name: Leroy D. K. Pi
Res. Lease No. 9413, Lot No. 100
Lease Date: 3/1/2000
Area: Kaniohale, Hawaii
Property Sold & Amount: Yes, \$350,000.00
Improvements: 3 bedroom, 2 bath dwelling
- Transferee Name: Matthew K. M. Pi
Relationship: Son
Loan Assumption: No
Applicant: No
- Reason for Transfer: "Giving lease to relative." Special
Condition: Transferee to obtain funds to pay purchase
price.
18. Lessee Name: Carah C. K. Smith
Agr. Lease No. 499, Lot No. 33-F-1 & 33-F-2
Lease Date: 10/30/1930
Area: Hoolehua, Molokai
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 1 bath dwelling
- Transferee Name: Correna K. Pawn-White
Relationship: Aunty
Loan Assumption: No
Applicant: Yes, Molokai IW Ag, 09/16/2009
- Reason for Transfer: "Giving lease to relative."
19. Lessee Name: Mildred P. Sylva
Res. Lease No. 5343, Lot No. 92
Lease Date: 8/2/1982
Area: Waianae, Hawaii
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 3 bath dwelling
- Transferee Name: Robert J. H. Sylva
Relationship: Son
Loan Assumption: No
Applicant: No
- Reason for Transfer: "Giving lease to relative."

20. Lessee Name: Kenneth E. Tavares
Res. Lease No. 7543, Lot No. 125
Lease Date: 2/7/2002
Area: Waiohuli, Maui
Property Sold & Amount: Yes, \$640,000.00
Improvements: 2 bedroom, 2 bath dwelling
- Transferee Name: Noah I. Hoopai
Relationship: None
Loan Assumption: No
Applicant: Yes, Maui IW Res., 6/21/2007
- Reason for Transfer: "Mom passed away; selling." Special
Condition: Transferee to obtain funds to pay purchase
price.
21. Lessee Name: Shawn Willing
Res. Lease No. 3900, Lot No. 20-A
Lease Date: 4/23/1971
Area: One Alii, Molokai
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 2 bath dwelling
- Transferee Name: Pamela W. Wakuta
Relationship: Sister
Loan Assumption: No
Applicant: Yes, Molokai IW Res., 8/18/2016
- Reason for Transfer: "Giving lease to relative."
22. Lessee Name: Maile-Anne E. Zsupnik
Res. Lease No. 2666, Lot No. 85
Lease Date: 10/1/1952
Area: Kuhio Village, Hawaii
Property Sold & Amount: No, N/A
Improvements: 6 bedroom, 3 bath dwelling
- Transferee Name: Kehaulani D. Marshall
Relationship: Daughter
Loan Assumption: No
Applicant: No
- Reason for Transfer: "Giving lease to relative."

23. Lessee Name: Henry K. Rosa
Res. Lease No. 11015, Lot No. UNDV014
Lease Date: 5/13/2006
Area: Anahola, Kauai
Property Sold & Amount: No, N/A
Improvements: None
- Transferee Name: Gordon K. K. Rosa
Relationship: Brother
Loan Assumption: No
Applicant: Yes, Kauai IW Res., 6/18/1990
- Reason for Transfer: "Giving lease to relative"
24. Lessee Name: Jonathan K. Hoomanawanui
Res. Lease No. 11017, Lot No. UNDV016
Lease Date: 5/13/2006
Area: Anahola, Kauai
Property Sold & Amount: No, N/A
Improvements: None
- Transferee Name: Ivan K. Hoomanawanui
Relationship: Son
Loan Assumption: No
Applicant: No
- Reason for Transfer: "Transfer to son."
25. Lessee Name: Ashley K. Caris & Holeilehua K. Hooper
Res. Lease No. 10359, Lot No. 98
Lease Date: 9/3/2019
Area: Waiohuli, Maui
Property Sold & Amount: No, N/A
Improvements: None
- Transferee Name: Ashley K. Caris
Relationship: Sister
Loan Assumption: No
Applicant: No
- Reason for Transfer: "Giving lease to relative."

26. Lessee Name: Kawika K. Kuheana
Res. Lease No. 6343, Lot No. 173-A
Lease Date: 12/01/1985
Area: Keaukaha, Hawaii
Property Sold & Amount: No, N/A
Improvements: None
- Transferee Name: David K. Kuheana
Relationship: Uncle
Loan Assumption: No
Applicant: Yes, Hawaii IW Res., 10/26/2021
- Reason for Transfer: "Giving lease to relative."
27. Lessee Name: Dayton K. Puaoi Dawson & David K. Puaoi Dawson
Agr. Lease No. 2077-A, Lot No. 121
Lease Date: 12/22/1948
Area: Hoolehua, Molokai
Property Sold & Amount: No, N/A
Improvements: None
- Transferee Name: Wayne M. B. Kaauwai
Relationship: Cousin
Loan Assumption: No
Applicant: No
- Reason for Transfer: "Giving lease to relative"
28. Lessee Name: Blase B. Lee Loy
Agr. Lease No. 4070, Lot No. 50
Lease Date: 1/16/1974
Area: Panaewa, Hawaii
Property Sold & Amount: No, N/A
Improvements: None
- Transferee Name: Elizabethanne Y. K. Masaoka
Relationship: Sister
Loan Assumption: No
Applicant: Yes, Hawaii IW Agr., 11/21/1986
- Reason for Transfer: "Giving lease to relative."

29. Lessee Name: Francine M. P. Palama
Res. Lease No. 5666, Lot No. 412
Lease Date: 12/01/1985
Area: Keaukaha, Hawaii
Property Sold & Amount: No, N/A
Improvements: None

Transferee Name: Lawrence K. Hao
Relationship: None
Loan Assumption: No
Applicant: No

Reason for Transfer: "Returning back to Uncle Larry."

30. Lessee Name: Hattie K. Seals
Agr. Lease No. 6418, Lot No. U1-17
Lease Date: 9/1/1986
Area: Makuu, Hawaii
Property Sold & Amount: No, N/A
Improvements: None

Transferee Name: James N. Kaulukukui
Relationship: Cousin
Loan Assumption: No
Applicant: Yes, Hawaii IW Agr., 10/11/1994

Reason for Transfer: "Moving off island."


Assignments for the Month of July `24	30
Previous FY '24 - '25 balance	<u>0</u>
FY '24 - '25 total to date	30
Assignments for FY '23 - '24	107


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

July 15, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator 
Homestead Services Division

FROM: Ross K. Kapeliela, Acting ODO Supervisor 
Homestead Services Division

SUBJECT: **Approval of Amendment of Leasehold Interest**

RECOMMENDED MOTION/ACTION

To approve the amendment of the leasehold interest listed below.

DISCUSSION

Thirty-three (33) amendments of lease.

1. Lessee: Randolph K. Ahuna, Jr.
Agr. Lease No.: 953
Lot No., Area, Island: 149, Panaewa, Hawaii
Amendment: To amend the lease number to 953-A, the lease title and lessor's name, to incorporate the currently used terms, conditions, and covenants to the lease, and to extend the lease term to an aggregate term of 199 years. (Successorship)

2. Lessee: Daisy K. H. A. Alexander
Res. Lease No.: 10602
Lot No., Area, Island: UNDV305, Waiohuli, Maui
Amendment: To amend the commencement date, lot number, and property description due to final subdivision approval. (UI Conversion)

3. Lessee: Symphonie K. Cubit & Charmaine M. Caminos
 Res. Lease No.: 482
 Lot No., Area, Island: 289, Nanakuli, Oahu
 Amendment: To amend the lease title and lessor's name, to extend the lease term to an aggregate term of 199 years, and to incorporate the currently used terms, conditions, and covenants to the lease.
 (Transfer)
4. Lessee: William Carrillo, Jr.
 Res. Lease No.: 3200
 Lot No., Area, Island: 42, Anahola, Kauai
 Amendment: To amend the lease title and lessor's name, update the property description, to extend the lease term to an aggregate term of 199 years, and to incorporate the currently used terms, conditions, and covenants to the lease.
 (Successorship)
5. Lessee: Michelle S. L. Chartrand
 Res. Lease No.: 4042
 Lot No., Area, Island: 43, Waiakea, Hawaii
 Amendment: To amend the lease to incorporate the currently used terms, conditions, and covenants to the lease. (Transfer)
6. Lessee: Waldemar J. Contrades
 Res. Lease No.: 3282
 Lot No., Area, Island: 35, Anahola, Kauai
 Amendment: To amend the lease title and lessor's name, update the property description, to extend the lease term to an aggregate term of 199 years, and to incorporate the currently used terms, conditions, and covenants to the lease.
 (Successorship)

7. Lessee: Evan K. Garces
Res. Lease No.: 10594
Lot No., Area, Island: UNDV297, Waiohuli, Maui
Amendment: To amend the commencement date, lot number, and property description due to final subdivision approval. (UI Conversion)
8. Lessee: Charlotte L. Hoomanawanui & Jonathan K. Hoomanawanui
Res. Lease No.: 11017
Lot No., Area, Island: UNDV016, Anahola, Kauai
Amendment: To amend the lease tenancy from joint tenants to tenant in severalty due to the death of a joint tenant. (Transfer)
9. Lessee: Zelii K. Iokia
Res. Lease No.: 10476
Lot No., Area, Island: UNDV179, Waiohuli, Maui
Amendment: To amend the commencement date, lot number, and property description due to final subdivision approval. (UI Conversion)
10. Lessee: Solomon Kalua
Res. Lease No.: 7847
Lot No., Area, Island: 20, Hoolehua, Molokai
Amendment: To amend the lease to incorporate the currently used terms, conditions, and covenants to the lease. (Successorship)
11. Lessee: Gregory K. Kamai, Jr. & Gregory K. Kamai, III
Res. Lease No.: 2954
Lot No., Area, Island: 150-A, Nanakuli, Oahu
Amendment: To amend the lease title and lessor's name, to extend the lease term to an aggregate term of 199 years, and to incorporate the currently used terms, conditions, and covenants to the lease. (Transfer)

12. Lessee: Claude H. Kane
 Res. Lease No.: 3115
 Lot No., Area, Island: 61, Waimanalo, Oahu
 Amendment: To amend the lease to extend the lease term to an aggregate term of 199 years. (Successorship)
13. Lessee: Le Vaughn O. Kaopio
 Res. Lease No.: 3151
 Lot No., Area, Island: 93, Waimanalo, Oahu
 Amendment: To amend the lease title and lessor's name, to incorporate the currently used terms, conditions, and covenants to the lease, and to extend the lease term to an aggregate term of 199 years. (Transfer)
14. Lessee: Jaylene M. Kouvaka, Jr.
 Res. Lease No.: 3676
 Lot No., Area, Island: 34, Anahola, Kauai
 Amendment: To incorporate the currently used terms, conditions, and covenants to the lease, to extend the lease term to an aggregate term of 199 years, and update the property description. (Transfer)
15. Lessee: James M. L. S. Kawaihalau
 Res. Lease No.: 10426
 Lot No., Area, Island: UNDV129, Waiohuli, Maui
 Amendment: To amend the commencement date, lot number, and property description due to final subdivision approval. (UI Conversion)
16. Lessee: Paia P. K. Kealoha-Uu
 Res. Lease No.: 10404
 Lot No., Area, Island: UNDV107, Waiohuli, Maui
 Amendment: To amend the commencement date, lot number, and property description due to final subdivision approval. (UI Conversion)

17. Lessee: Blasé B. Lee Loy
Agr. Lease No.: 4070
Lot No., Area, Island: 50, Panaewa, Hawaii
Amendment: To amend the lease to update the property description and to incorporate the currently used terms, conditions, and covenants to the lease. (Transfer)
18. Lessee: Tammy G. M. Luat-Hueu
Res. Lease No.: 10535
Lot No., Area, Island: UNDV238, Waiohuli, Maui
Amendment: To amend the commencement date, lot number, and property description due to final subdivision approval. (UI Conversion)
19. Lessee: Irene L. Mina
Res. Lease No.: 10315
Lot No., Area, Island: UNDV018, Waiohuli, Maui
Amendment: To amend the commencement date, lot number, and property description due to final subdivision approval. (UI Conversion)
20. Lessee: Hiram K. Nuuhiwa
Res. Lease No.: 2486
Lot No., Area, Island: 26-A, Waimanalo, Oahu
Amendment: To amend the lease title and lessor's name, to incorporate the currently used terms, conditions, and covenants to the lease, to extend the lease term to an aggregate term of 199 years and amend the tenancy from joint tenants to tenant in severalty due to the death of a joint tenant. (Successorship)

21. Lessee: Flora E. L. Ornellas
Res. Lease No.: 3901
Lot No., Area, Island: 48, Anahola, Kauai
Amendment: To amend the lease title and lessor's name, update the property description, and to incorporate the currently used terms, conditions, and covenants to the lease.
(Successorship)
22. Lessee: Abbiegal L. Pali
Res. Lease No.: 10303
Lot No., Area, Island: UNDV006, Waiohuli, Maui
Amendment: To amend the commencement date, lot number, and property description due to final subdivision approval.
(UI Conversion)
23. Lessee: James Panui, Jr.
Res. Lease No.: 3625
Lot No., Area, Island: 53, Anahola, Kauai
Amendment: To amend the lease title and lessor's name, update the property description, to extend the lease term to an aggregate term of 199 years, and to incorporate the currently used terms, conditions, and covenants to the lease.
(Successorship)
24. Lessee: George L. I. Pea
Agr. Lease No.: 4139
Lot No., Area, Island: 100, Panaewa, Hawaii
Amendment: To amend the lease to update the property description and to incorporate the currently used terms, conditions, and covenants to the lease. (Successorship)

25. Lessee: Laurence Kimohae Puailihau
 Res. Lease No.: 101
 Lot No., Area, Island: 33-G-1 & 33-G-2, Hoolehua, Molokai
 Amendment: To amend the lease to incorporate the currently used terms, conditions, and covenants to the lease. (Successorship)
26. Lessee: Laurence Kimohae Puailihau
 Agr. Lease No.: 101
 Lot No., Area, Island: 7-E, Hoolehua, Molokai
 Amendment: To amend the lease to incorporate the currently used terms, conditions, and covenants to the lease. (Successorship)
27. Lessee: Jade M. Riley
 Res. Lease No.: 10599
 Lot No., Area, Island: UNDV302, Waiohuli, Maui
 Amendment: To amend the commencement date, lot number, and property description due to final subdivision approval. (UI Conversion)
28. Lessee: Carah C. K. Smith
 Agr. Lease No.: 499
 Lot No., Area, Island: 33-F-1 & 33-F-2, Hoolehua, Molokai
 Amendment: To amend the lease to extend the lease term to an aggregate term of 199 years. (Transfer)
29. Lessee: Annette A. Toro
 Res. Lease No.: 10597
 Lot No., Area, Island: UNDV300, Waiohuli, Maui
 Amendment: To amend the commencement date, lot number, and property description due to final subdivision approval. (UI Conversion)

30. Lessee: Kaleo J. Waiiau
 Res. Lease No.: 10465
 Lot No., Area, Island: UNDV168, Waiohuli, Maui
 Amendment: To amend the commencement date, lot number, and property description due to final subdivision approval. (UI Conversion)
31. Lessee: Walter K. Wailehua, Jr.
 Res. Lease No.: 3824
 Lot No., Area, Island: 397, Nanakuli, Oahu
 Amendment: To amend the lease title and lessor's name, update the property description, and to incorporate the currently used terms, conditions, and covenants to the lease. (Successorship)
32. Lessee: Shawn Willing
 Res. Lease No.: 3900
 Lot No., Area, Island: 20-A, One Alii, Molokai
 Amendment: To amend the lease to incorporate the currently used terms, conditions, and covenants to the lease. (Transfer)
33. Lessee: Maile-Anne E. Zsupnik
 Res. Lease No.: 2666
 Lot No., Area, Island: 85, Kuhio Village, Hawaii
 Amendment: To amend the lease to extend the lease term to an aggregate term of 199 years. (Transfer)


Amendments for the Month of July '24	33
Previous FY '24 - '25 balance	<u>0</u>
FY '24 - '25 total to date	33
Amendments for FY '23 - '24	66


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

July 15, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator 
Homestead Services Division

FROM: Ross K. Kapeliela, Acting ODO Supervisor 
Homestead Services Division

SUBJECT: **Approval to Issue a Non-Exclusive License for Rooftop Photovoltaic Systems for Certain Lessees**

RECOMMENDED MOTION/ACTION

To approve the issuance of a non-exclusive license to allow the Permittee to provide adequate services related to the installation, maintenance, and operation of a photovoltaic system on the premises leased by the respective Lessees.

The non-exclusive license is necessary as the Lessee can not issue his/her own licenses.

DISCUSSION

Twenty-two (22) non-exclusive licenses.

1. Lessee: Ryan K. Abarra
Res. Lease No.: 12208
Lot No., Area, Island: 69, Waiehu Kou IV, Maui
Permittee: Holu Hou Energy, LLC

2. Lessee: Alika R. Adric
Res. Lease No.: 12588
Lot No., Area, Island: 18349, Kanehili, Oahu
Permittee: Sunrun, Inc.

3. Lessee: Allen R. A. Cardines
Res. Lease No.: 4363
Lot No., Area, Island: 23, Nanakuli, Oahu
Permittee: Sunrun, Inc.
4. Lessee: Leona P. Carrick
Res. Lease No.: 8377
Lot No., Area, Island: 86, PKE, Oahu
Permittee: Sunrun, Inc.
5. Lessee: Clarence W. Cox, III
Ag. Lease No.: 2896-A
Lot No., Area, Island: 165, Panaewa, Hawaii
Permittee: Sunrun, Inc.
6. Lessee: Charles K. Elia
Res. Lease No.: 10247
Lot No., Area, Island: 20, Waianae, Oahu
Permittee: Sunrun, Inc.
7. Lessee: Elaine S. I. Freitas
Res. Lease No.: 5548
Lot No., Area, Island: 114, Lualualei, Oahu
Permittee: Sunrun, Inc.
8. Lessee: Chazarae K. Iokua-Hardwood
Res. Lease No.: 7386
Lot No., Area, Island: 167, Nanakuli, Oahu
Permittee: Sunrun, Inc.
9. Lessee: Gabriel P. Kaaiohelo, Jr.
Res. Lease No.: 5693
Lot No., Area, Island: 93, Nanakuli, Oahu
Permittee: Holu Hou, Energy, LLC
10. Lessee: Hollie W. Kamai
Res. Lease No.: 8596
Lot No., Area, Island: 13, Nanakuli, Oahu
Permittee: Sunrun, Inc.

11. Lessee: Morris K. Kamealoha & Morris K. Kamealoha, Jr.
 Res. Lease No.: 3431
 Lot No., Area, Island: 45, Nanakuli, Oahu
 Permittee: Holu Hou Energy, LLC
12. Lessee: Le Vaughn O. Kaopio & Elzadia L. K. Kahaialii
 Res. Lease No.: 3151
 Lot No., Area, Island: 93, Waimanalo, Oahu
 Permittee: Tesla Energy Operations, Inc.
13. Lessee: Frederick Kuhia
 Res. Lease No.: 7538
 Lot No., Area, Island: 129, Waiohuli, Maui,
 Permittee: Sunrun, Inc.
14. Lessee: Michiko K. Lunasco
 Res. Lease No.: 9863
 Lot No., Area, Island: 13845, Maluohai, Oahu
 Permittee: Sunrun, Inc.
15. Lessee: Ricky L. Magill, Jr.
 Res. Lease No.: 11265
 Lot No., Area, Island: 10, Kumuhau, Oahu
 Permittee: Sunnova
16. Lessee: Peter K. Moses, Jr.
 Res. Lease No.: 3614
 Lot No., Area, Island: 48, Waimanalo, Oahu
 Permittee: Sunrun, Inc.
17. Lessee: Angela Nikora
 Res. Lease No.: 12111
 Lot No., Area, Island: 16958, Kaupea, Oahu
 Permittee: Sunrun, Inc.

- 18. Lessee: Rolinda K. Pires-Kohatsu
 Res. Lease No.: 4015
 Lot No., Area, Island: 109, Waimanalo, Oahu
 Permittee: Sunrun, Inc.

- 19. Lessee: Tracy Poepoe
 Res. Lease No.: 7430
 Lot No., Area, Island: 47, Keokea, Maui
 Permittee: Sunrun, Inc.

- 20. Lessee: Luwika E. Rivera
 Res. Lease No.: 6845
 Lot No., Area, Island: 33, Waiakea, Hawaii
 Permittee: Sunrun, Inc.

- 21. Lessee: Antone A. Silva
 Res. Lease No.: 624
 Lot No., Area, Island: 26, Papakolea, Oahu
 Permittee: Sunrun, Inc.

- 22. Lessee: Matthew M. K. Solomon
 Res. Lease No.: 8284
 Lot No., Area, Island: 16, Waimanalo, Oahu
 Permittee: Sunrun, Inc.

Non-Exclusive License for the Month of July '24	22
Previous FY '24 - '25 balance	<u>0</u>
FY '24 - '25 total to date	22
 Non-Exclusive License for FY '23- '24	 279

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS


July 15, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator
Homestead Services Division



James Du Pont, Homestead District Supervisor II
Homestead Services Division

FROM: 
Kristina Tolentino, EHDO Homestead Assistant
Homestead Services Division

SUBJECT: Denial of the Assignment of Lease Transfer Request – **MATTHEW L. A. MIKA**, Agricultural Lease No. 6265, Lot No. 160-B, Panaewa, Hawai'i

RECOMMENDED MOTION/ACTION

To deny the transfer request of Matthew K. Mika (Matthew) to William T. Aiona (William) for Agricultural Lease No. 6265, Lot No. 160-B, Panaewa, Hawaii (Lease) for the remaining term of the Lease.

DISCUSSION

By way of the Department of Hawaiian Home Lands Assignment of Lease and Consent to Lease No. 6265, dated June 19, 2015, Matthew L.A. Mika (Matthew) and Ronald S.W.K. Lee (Ronald) received the Lease as joint tenants.

On August 19, 2022, Co-Lessee Ronald S.W.K. Lee passed away, therefore, Matthew now holds the Lease as tenant in severalty.

On April 12, 2024, Matthew submitted a Lease Transfer Request indicating the lease is being sold at the purchase price of \$175,000 to William. He currently holds Agricultural Lease No. 4980, Lot No. 20, Puukapu, Hawaii.

There are no improvements to Lot No. 160-B and there is no evidence of agricultural use.

In compliance with Administrative Rule 10-3-36 Transfer of Leases, (a) A lessee, with the written approval of the commission, may transfer the leasehold to any individual who is

ITEM NO. D-10

at least eighteen years old and qualified under the act provided that leases for vacant or undeveloped lots and undivided interests, or any interest therein, shall not be sold but may be transferred for no consideration or by succession.

There are no outstanding loans, and the lease rent is current. Real property taxes are delinquent in the amount of \$363.

The Department requests approval of its recommendation.

**HAWAIIAN HOMES COMMISSION
JULY 15 & 16, 2024**


E – ITEMS

LAND DEVELOPMENT DIVISION

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

July 15, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: R. Kalani Fronda, Acting Administrator 
Land Development Division

FROM: Michelle Hitzeman, Acting Housing Project Branch Manager
Land Development Division, Housing Project Branch

SUBJECT: Approval of Lease Award

RECOMMENDED MOTION/ACTION

Approve the awards of Department of Hawaiian Home Lands Lot Leases to the applicants listed below for ninety-nine (99) years, subject to the purchase of the existing improvements on the lot by way of a loan or cash.

DISCUSSION

Pu'uhona Subdivision Residential Offering – Phase 1, Waikapū, Maui

<u>NAME</u>	<u>APPL DATE</u>	<u>LOT NO</u>	<u>TAX MAP KEY</u>	<u>LEASE NO</u>
KASEY L AMURO	08/06/1974	52	(2) 3-5-044-052	13085
ESTHER D HONOKAUPU	08/14/1984	50	(2) 3-5-044-050	13086
ORLANDO K SPENCER	08/23/1985	54	(2) 3-5-044-054	13087
ALICE P.K. FRANCO	01/02/1986	73	(2) 3-5-044-073	13088
KAWELO N.K. WONG	07/16/1986	47	(2) 3-5-044-047	13089
HELEN F. BISSEN	01/06/1987	31	(2) 3-5-044-031	13090
ELLABELLE C KAIAMA	03/27/1987	44	(2) 3-5-044-044	13091
EDWARD C CASHMAN	04/07/1987	65	(2) 3-5-044-065	13092
SHIRLEY A KEKONA	08/31/1987	66	(2) 3-5-044-066	13093
ULULANI J KAUPE	01/19/1988	69	(2) 3-5-044-069	13094
DENISE S.M. TANAKA	01/28/1988	75	(2) 3-5-044-075	13095
STERLING G PEDRO	02/09/1989	72	(2) 3-5-044-072	13096
MARY ANN L.K. KAHANA	06/30/1989	67	(2) 3-5-044-067	13097
IVY NUUHIWA	08/10/1990	40	(2) 3-5-044-040	13098

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WILLIAM K KAMA	07/30/1992	22	(2) 3-5-044-022	13099
DORALEE P FLORES	09/21/1992	27	(2) 3-5-044-027	13100
MATTHEW N PAIO	02/21/2001	32	(2) 3-5-044-032	13101
MARK L.K. NAAUAO	10/04/2002	77	(2) 3-5-044-077	13102
ASHLEY N ASUEGA-STARK	03/13/2003	42	(2) 3-5-044-042	13103
NOELANI K KANEKOA	06/09/2003	36	(2) 3-5-044-036	13104
WILLIAM E ANANA JR	08/13/2003	43	(2) 3-5-044-043	13105
MARCIAL P BASBAS	11/25/2003	70	(2) 3-5-044-070	13106
ISAAC K KAHALEWAI	08/02/2004	49	(2) 3-5-044-049	13107
SAREE P KALANI	08/28/2004	30	(2) 3-5-044-030	13108
KAMAKA R.B. ROSARIO	03/22/2005	76	(2) 3-5-044-076	13109
SANDRA E DELA CRUZ	04/26/2005	41	(2) 3-5-044-041	13110
CURTIS J.T. WONG	05/23/2005	145	(2) 3-5-044-145	13111
RUBEN J NAVARRO JR	06/06/2005	28	(2) 3-5-044-028	13112
LUCINDA H ESTRELLA	08/08/2005	71	(2) 3-5-044-071	13113
ELMER K KAAI	12/14/2005	37	(2) 3-5-044-037	13114
SAMUEL K KAE0	01/13/2006	38	(2) 3-5-044-038	13115
JERROLD AKAHI	02/15/2006	74	(2) 3-5-044-074	13116
ALFRED K GANER	02/22/2006	35	(2) 3-5-044-035	13117
COLLEEN M WICKES	03/08/2006	23	(2) 3-5-044-023	13118
JAMES R HAIA	05/09/2006	68	(2) 3-5-044-068	13119
AYSIA A KAHOOHANOHANO	05/23/2006	39	(2) 3-5-044-039	13120
AMOS K LONOKAILUA-HEWETT	06/07/2006	25	(2) 3-5-044-025	13121


Signature: 
Roderick Fronda (Jun 24, 2024 12:31 HST)

Email: roderick.k.fronda@hawaii.gov

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

July 15, 2024

To: Chairperson and Members, Hawaiian Homes Commission

From: R. Kalani Fronda, Acting Land Development Division Administrator 

Subject: Honokōwai Water System Improvements Project Final Environmental Assessment; Honokōwai, 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

That the Hawaiian Homes Commission (HHC) issue a Finding of No Significant Impact (FONSI) determination based on the Final Environmental Assessment (EA) for the Honokōwai Water System Improvements Project.

DISCUSSION

Pursuant to Act 62, Session Laws of Hawai‘i 2009, the Hawai‘i State Legislature appropriated funding for the construction of an exploratory well that would support Department of Hawaiian Home Lands (DHHL) and other State affordable housing projects in West Maui. The location of the potable well was changed from a Honokōwai site on Hawaiian Home Lands to State-owned lands south of Honokōwai Gulch due to potential pesticide intrusion from former pineapple cultivation into the groundwater aquifer.

In 2010, DHHL planned, designed, drilled and cased an exploratory well (State Well No. 5639-04) on a portion of TMK (2)4-4-004:002 owned by the State of Hawai‘i in the Honokōwai area. DHHL funded the design and hydrogeological work for the well with Hawaiian Home Lands Trust funds in the amount of approximately \$200,000.00. The State Legislature funded the construction of the 900+ foot deep well in the amount of approximately \$750,000.00.

The exploratory well, once made operational, will have an estimated yield of 1.0 million gallons per day (MGD). As part of DHHL’s proposed water system improvements project, DHHL proposes to install a pump within the well, construct a single-story control building to house electrical components and a sodium hypochlorite disinfection system, 50,000-gallon control tank, fencing, a Maui Electric Company transformer and a standby generator at the well site. Additionally, a water transmission line to convey the well water to a new mixing tank is also planned. The mixing tank will be constructed as part of DWS’s Kahana Well project and will be located just below DWS’ existing Māhinahina Surface Water Treatment Facility (M-WTF). The Mixing Tank would receive water from the M-WTF, a new ground water well being developed by DWS (Kahana Well) and from the Honokōwai Well. The water produced from DHHL’s well is proposed to supplement DWS’s Māhinahina Water System in order to provide water for DHHL’s

future planned developments at the Villages of Leiali‘i, Village 1-B and Honokōwai. See **Exhibit A** and **Exhibit B** for a location map and conceptual plan of the proposed water system improvements.

To provide potable water to the upper areas of DHHL’s Villages of Leiali‘i 1-B homestead development, a new reservoir and transmission lines are also required to be constructed in the Wahikuli area. However, it is noted that these improvements were included as part of a Final Environmental Impact Statement (EIS) published in 2012 by the Hawai‘i Housing Finance and Development Corporation (HHFDC) for their master planned development at the Villages of Leiali‘i. In 2021, the Governor determined that the scope of the improvements in the Wahikuli area is substantially similar to the actions described in the 2012 HHFDC Final EIS, the proposed improvements are anticipated to have cumulative effects similar to those analyzed in the 2012 Final EIS, and the environmental setting and probable environmental impacts as described in the 2012 Final EIS have not substantially changed or intensified. As such, a record of determination was published in the March 8, 2021 edition of the Environmental Notice stating that no supplemental EIS is warranted. See **Exhibit C**. In this regard, the improvements planned for the Wahikuli area may proceed.

It is worth noting that pursuant to an unprecedented intergovernmental agreement executed in 2019, DHHL negotiated a water allocation of 200,000 GPD from DWS in exchange for land use licenses for approximately 22.6 acres of the DHHL’s Honokōwai tract for the existing M-WTF, existing water system infrastructure, and future planned improvements, as well as for access, utility, and grading easements. A 200,000 GPD water allocation is equivalent to 333 single-family homes. The proposed DHHL Honokōwai Water System Improvements project will supplement this allocation, subject to negotiations with DWS.

FINAL EA SUMMARY

STATUS OF WATER SYSTEM IMPROVEMENTS DESIGN/TECHNICAL STUDIES

A Final EA has been prepared to assess the technical characteristics of the proposed project, any potential environmental and/or socio-economic impacts that may result from the proposed project, as well as any proposed measures to mitigate potential impacts. The Final EA will include a number of technical studies which will largely inform the analysis. A list of the studies, their current status, and their preparers are provided in the table below.

STUDY	PREPARER	STATUS
Engineering Survey/Topographic Work	Austin, Tsutsumi, & Associates, Inc. (ATA)	Complete
Preliminary Engineering and Drainage Report (PEDR)	ATA	Complete

STUDY	PREPARER	STATUS
Archaeological Documentation and Hawai'i Revised Statutes (HRS), Chapter 6E Consultation	Atlas Archaeology; Mason Architects	Pending SHPD acceptance of a revised AIS. A revised AIS was prepared and sent to SHPD for their review on March 25, 2024. The project will comply with all recommendations from the SHPD.
Cultural Impact Assessments	Munekiyo Hiraga; Cultural Surveys Hawai'i	Complete
Flora/Fauna Survey	Robert Hobdy	Complete
Ordinary High Water Mark (OHWM) Delineation of Honokōwai Gulch	AECOS	Complete

In terms of water system design, ATA has worked closely with the DWS to explore alternative tank sites and sizes as well as various pump alternatives for DHHL's well. As previously mentioned, water from the Honokōwai Well will be conveyed to DWS's mixing tank, where it will combine with water from the M-WTF and with water from the DWS Kahana Well which is in construction, but has not yet been put into production.

In addition to the improvements for the Honokōwai well, there are improvements at the existing Wahikuli booster pump station (BPS) that will also serve the Honokōwai well. These improvements are being undertaken as part of efforts to service the Ka La'i Ola temporary housing for Lahaina wildfire victims and include a new force main transmission line from the Wahikuli booster pump station to the existing Wahikuli tank.

In addition to coordination with the County, DHHL has coordinated with Kaanapali Land Management Corp. (KLMC) to extend the right-of-entry (ROE) agreement through the planning phase and will continue coordination for a ROE agreement during the construction phase.

IMPACTS AND MITIGATION

An assessment of potential direct and indirect impacts of the project was carried out as part of the environmental assessment process. Based on the analysis in the Final EA, the summarized mitigation measures below have been put forth to address anticipated adverse impacts to the physical and socio-economic environment which may result from implementation of the proposed project. In the long-term, significant adverse impacts upon the surrounding physical and socio-economic, environs are not anticipated.

ANTICIPATED IMPACT	PROPOSED MITIGATION MEASURE
Topography and Soils	To prevent soil erosion and minimize soil loss during site work, Best Management Practices (BMPs), which will include, but not be limited to, silt fences, slope protection, stabilized construction entrances, and truck wash-down areas will be implemented. Periodic water spraying of loose soils will also be employed to minimize air-borne dirt particles. In addition, graded areas will be hydroseeded and/or stabilized following construction. The BMPs will be developed in compliance with the “Construction Best Management Practices for the County of Maui” (issued by the Department of Public Works and Waste Management in May 2001).
Agricultural Lands	The lands underlying the project corridor, although designated for agricultural use, were taken out of agricultural production with the closure of pineapple and sugar cane operations. The development of the proposed project will not result in significant adverse impacts to agricultural endeavors in this region.
Flood, Tsunami, and Sea Level Rise Hazards	The project area is not located within a Special Flood Hazard Area, sea level rise exposure area, nor is it located within a tsunami evacuation area.
Aquifer, Streams, and Wetlands	In June 2022, the State Commission on Water Resource Management (CWRM) designated the Lahaina Aquifer Sector Area (ASA) as a Surface and Ground Water Management Area, which includes the Honokōwai aquifer system. DHHL will coordinate with the CWRM to ensure the draw from the Honokōwai aquifer does not cause the aquifer to exceed its sustainable yield (SY). On September 18, 2018, the Commission approved DHHL’s reservation of 0.770 mgd of groundwater to meet their foreseeable groundwater needs in the Honokōwai Aquifer. DHHL’s planned water uses from the Honokōwai Aquifer are included as Authorized planned uses and would not increase the amount of water allocated for the DHHL Honokōwai Well nor could it allow pumping to exceed SY. As CWRM now has administrative control over pumping in Honokōwai, CWRM will be required to limit withdrawals to below SY, and it is obligated to provide for the reservations allocated to DHHL. Therefore, pumping of the DHHL Honokōwai well will not cause the aquifer to be over pumped, which would lead to adverse environmental impacts. This limitation on DHHL and overall pumping will be enforced in part when CWRM issues a Ground Water Use Permit to DHHL for this well. DHHL will prepare and submit a Ground Water Use Permit Application for submission, review, and approval by the CWRM.

ANTICIPATED IMPACT	PROPOSED MITIGATION MEASURE
	<p>The proposed transmission line will traverse through Honokōwai Gulch and a smaller unnamed gulch in Honokōwai. The utility bridge supporting the transmission line as it crosses over Honokōwai Stream has been designed to be above the stream's Ordinary High Water Mark (OHWM). The OHWM is 519 feet while the bottom of the utility bridge is at 530 feet. As such, no work will occur within the waters of Honokōwai Stream or below the OHWM.</p>
<p>Flora and Fauna</p>	<p>The Biological Resources Survey Report summarized that the vegetation within the area of the project is dominated by non-native plants that have taken over the abandoned agricultural fields. Two (2) endemic wiliwili trees were found in the Honokōwai Valley, although not located near the proposed alignment.</p> <p>Furthermore, the habitat in the Honokōwai area has been altered by over a century of agricultural activity and that the area is now overwhelmingly dominated by non-native organisms. Only a few highly adaptable native fauna species presently occur in the area, including two (2) species of birds and two (2) species of insects. In addition, native seabirds were noted to occasionally pass over the area in the evenings. As a result, the report recommended that any significant outdoor lighting on structures at the facilities be hooded to direct light downward to minimize distractions and dangers to these birds.</p>
<p>Air Quality and Noise</p>	<p>In the short term, construction related activities will be the primary source of airborne pollutants and ambient noise. Site work involving clearing, grubbing and grading operations will generate fugitive dust. Emissions and noise from construction equipment and other vehicles involved in construction activities may temporarily affect the ambient air quality and noise within the immediate vicinity. These effects, however, can be mitigated by proper maintenance of construction equipment and vehicles.</p> <p>In addition, dust generated during construction, especially from earthmoving operations, such as excavating, trenching, and filling, may also result in a temporary decrease in ambient air quality. BMPs will be implemented during construction to mitigate dust-related impacts, including, but not limited to utilizing dust barriers, water wagons and/or sprinklers to control dust, and watering graded areas upon the completion of daily construction activities.</p>

<p>Archaeological and Cultural Resources</p>	<p>Munekiyo Hiraga conducted two (2) interviews with cultural informants in 2014. Both interviewees noted the cultural significance of the project area and shared that the project area, as well as the surrounding areas, have been used for cultural practices including the gathering of plants for medicinal purposes, lei making, food, as well as cautioned of the potential for burials, most notably within the gulch.</p> <p>One interviewee emphasized their recommendation that there be adequate data recovery regarding archaeological areas of significance and cultural practices and traditions. They expressed concern about adverse potential impacts of construction activities on surrounding properties (e.g. taro patches), as well as the permanent implementation of the project as a portion of the water transmission line will be crossing Honokōwai Valley.</p> <p>A supplemental CIA with the inclusion of a Ka Pa‘akai analysis was prepared by Cultural Surveys Hawai‘i in 2024. The analysis concluded that restricted access could prohibit potential traditional and customary practices. As recommended by the CIA, DHHL will strive to minimize interference with future, current, or ongoing cultural rights and practices and, when feasible, allow access to certain remote areas that may be otherwise closed off.</p> <p>Archaeological investigations were undertaken through consultation with SHPD to determine the appropriate level of mitigation for implementation of the project. Three (3) historic plantation-era features were discovered during the field survey and were assigned State Historic Inventory of Historic Places (SIHP) numbers.</p> <p>SIHP No. 2023RE00709 consists of a stone and concrete sluice. The sluice appears to have occasionally been used to divert water through a sluice gate to some unknown location as the piping is no longer present. SIHP No. 2023RE00710 is a 20th century agricultural water diversion, which contains a stone and concrete sluice, junction box, and high-density polyethylene (HDPE) pipe with trestle. SIHP No. 2023RE00711 is a stone and soil terrace, which is located under the proposed elevated pipe along the Honokōwai Gulch.</p> <p>A revised AIS was prepared and sent to SHPD for their review on March 25, 2024. The project will comply with all SHPD recommendations.</p>
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ANTICIPATED IMPACT	PROPOSED MITIGATION MEASURE
Chemicals and Hazardous Materials	<p>The proposed project will include a control building which houses a sodium hypochlorite system that will disinfect the water drawn from the well should there be any contaminants.</p> <p>After project completion, regular water quality monitoring of the proposed well improvements will be conducted by DWS to ensure the protection of public health and safety. Applicable Federal and State water quality requirements will be followed.</p> <p>Water quality sampling will be completed by DWS staff or a sub-contractor with experience in water sampling for lab analysis and the data results will be submitted to the Department of Health (DOH), as may be required. Water samples will be drawn from the production well and then sent for data analysis.</p>
Roadways	<p>Significant traffic impacts during construction of the project are not anticipated as the project construction area is located away from public roadways, as well as developed and urbanized areas in West Maui. DHHL will coordinate its construction activities with its selected contractor so as to mitigate any potential adverse impacts to the existing community during construction.</p>
Drainage	<p>Grassed diversion ditches and retention basins will be installed around the well site to manage stormwater runoff. Runoff from the Honokōwai Well site will be collected via two (2) proposed retention basins located just west of the proposed well pad. Runoff will sheet flow off the proposed asphalt concrete to a 6-inch wide by 12-inch deep gravel shelf and into the basins. Offsite runoff east of the site will be intercepted via proposed drainage ditches along the pad's mauka edge and diverted around the site. The diversion ditch runoff will be slowly released via proposed sediment forebays and level spreaders located at the downstream end of the ditches. Excess runoff from the basins will also overflow into the proposed sediment forebays and exit via the level spreaders to the surrounding field and gulches. A small portion of onsite runoff, as well as the access road runoff, will be too low to be captured in the proposed basins and will instead flow down the road to an existing offsite vegetated swale.</p>

CONSISTENCY WITH DHHL PLANNING PROGRAM

The Final EA addresses the project's consistency with existing land use plans and applicable policies. Specifically, the Final EA addresses the project's consistency with the following provisions of the DHHL General Plan, Maui Island Plan, Villages of Leiali'i-Honokōwai Regional Plan, and Water Policy Plan.

1. General Plan

The DHHL General Plan was adopted by the HHC in November 2022. The General Plan sets the vision and establishes goals and policies to guide the discussions and decision-making of the HHC. The General Plan guides DHHL plans, programs, and policies through year 2040. The Vision was developed through extensive consultation with beneficiaries, DHHL staff, the HHC Investigative Committee, and administration to identify the words and ideas that capture shared aspirations and ideals for the future of the Hawaiian Home Lands Trust. The resulting Vision for 2040 is below.

By 2040, the Hawaiian Home Lands Trust and its beneficiaries will be thriving, self-sufficient, and connected to one another and the ‘āina.

WATER RESOURCES

Goal:

- Implement water planning and management strategies that meet current needs and protect water resources for the future.

Policy:

- Implement the goals and policies from the DHHL Water Policy Plan.

INFRASTRUCTURE

Goal:

- Provide and maintain infrastructure for homestead communities within resource limitations.

Policy:

- Design infrastructure to County standards and license systems to the Counties whenever possible for development within Residential, Commercial, and Industrial Areas.

2. Maui Island Plan

The proposed project is in consonance with the Maui Island Plan’s policies related to provision of homestead opportunities in West Maui, as well as for development of a potable water source in West Maui to support said homesteads.

3. Villages of Leiali‘i-Honokōwai Regional Plan

ISSUES

- Infrastructure needs

OPPORTUNITIES

- Potable water source for Honokōwai

STATUS

- A potable water source for Villages of Leiali‘i 1-B is a priority over a potable water source for Honokōwai.

ISSUES

- Utilization of Honokōwai lands

OPPORTUNITIES

- Agricultural lots, commercial properties, additional residential, senior housing component, parks, school, community facilities, etc.
- Community-Based Economic Development in the commercial and light industrial section of Honokōwai.

STATUS

- There is currently no water source for development of the Honokōwai lands.

4. Water Policy Plan

The proposed project is in consonance with the mission, vision, and policies of the DHHL Water Policy Plan to provide adequate water for the development of homestead areas.

The “Significance Criteria”, Hawai‘i Administrative Rules (HAR), Title 11, Chapter 200.1-13, Environmental Impact Statement Rules, were reviewed and analyzed to determine whether the proposed project will have significant impacts to the environment. An assessment of the Significance Criteria is below.

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

The project area has been altered in the past and no significant adverse impacts on natural resources are anticipated. DHHL is in continued coordination with SHPD to address archaeological matters related to the project area. Additionally, a supplemental cultural impact assessment and Ka Pa‘akai analysis was prepared for the project and provided proposed mitigation. Should any artifacts or human remains be encountered during construction, work will stop in the immediate vicinity of the find and the SHPD will be immediately notified to establish an

appropriate mitigation strategy. In addition, DHHL will strive to minimize interference with future, current, or ongoing cultural rights and practices and, when feasible, allow access to certain remote areas that may be otherwise closed off. As such, the proposed improvements are not expected to result in any significant adverse impacts to natural or cultural resources.

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

There are no adverse impacts to climate, topography, or soils anticipated as a result of the proposed project. The vegetation in the project corridor consists mostly of non-native grasses, shrubs and herbaceous species. The project area and immediate surrounding habitat in Honokōwai have been altered by over a century of agricultural activities and are now overwhelmingly inhabited by non-native organisms. With implementation of the recommendations in the flora and fauna survey report, the proposed project is not expected to result in adverse impacts to the botanical resources in the region.

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

The project area is located east of Honoapi'ilani Highway and away from the coastal shoreline. BMPs will be implemented during construction, and drainage systems included as part of the project have been designed to protect downstream properties and coastal resources from stormwater runoff. The proposed action is not contrary to the policies and guidelines set forth in Chapter 343, HRS.

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

In the short term, the proposed project will directly benefit the local economy by providing construction related employment. Over the long term, the proposed project will provide a long-term source of potable water. This will have a positive effect on the economic and social welfare of the community and State.

5. **Have a substantial adverse effect on public health.**

No adverse impact to public health or welfare is anticipated as a result of the proposed project. Appropriate mitigation measures will be implemented to address anticipated temporary noise and air quality impacts in the area, resulting from construction. The project provides a reliable potable water source and benefits public health.

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

The proposed action is intended to provide new potable water source and service DHHL beneficiaries in the region. The secondary impacts resulting from an

additional water source to serve the beneficiary population is within the planning policies and land uses set forth in the County of Maui's Maui Island Plan and West Maui Community Plan, as well as DHHL's General Plan, Maui Island Plan, and Regional Plan.

7. **Involve a substantial degradation of environmental quality.**

During the construction phase, there will be short-term air quality and noise quality impacts as a result of the project. In the long term, there will be no significant adverse impacts on air quality and ambient noise levels. The proposed action will not significantly affect the open space and scenic character of the region.

Aside from the short-term impacts related to dust and during the construction phase, there will not be substantial degradation of environmental quality. Potential dust, noise, and erosion impacts associated with construction will be mitigated through implementation of appropriate BMPs.

8. **Be individually limited but cumulatively have substantial effect upon the environment or involves a commitment for larger actions.**

Well pumpage will be in accordance with the Commission on Water Resource Management (CWRM) permit and established sustainable yield for the Honokōwai Aquifer. Additionally, monitoring will be regularly conducted to meet DOH water quality requirements. Chloride, temperature and pH will be measured monthly and reported to the DOH, Safe Water Drinking Branch, as may be required. Appropriate mitigation measures and/or regulatory oversight processes have been identified to ensure potential cumulative impacts are managed, such that adverse conditions affecting the natural and man-made environments are minimized.

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

With implementation of the recommendations in the flora and fauna survey report, the proposed project is not expected to result in adverse impacts to the botanical or fauna resources in the region.

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

Construction activities will result in short-term noise, air and water quality impacts. Appropriate noise, air and water quality control measures, such as, maintenance of construction equipment, dust control measures (regular watering and sprinkling, and installation of dust fences) and erosion control measures, will be implemented during grading and construction activities. State and County regulations, such as the DOH, HAR, Title 11, Chapter 46, "Community Noise Control" will be complied with. Appropriate permits, if required, such as a noise permit and National Pollutant Discharge Elimination System (NPDES) Permit will be obtained prior to the initiation of any construction activity. In the long term, with appropriate

mitigative measures in place, the proposed action is not anticipated to have a significant impact on air and water quality or ambient noise levels.

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

The proposed project is not located within any environmentally sensitive areas, such as wetlands, coastal areas including beaches and coastal water, fresh water, estuaries, or erosion-prone areas. The project is located outside of the tsunami evacuation zone and projected sea level rise exposure area. The proposed project is located away from the shoreline and is located in Flood Zone X, an area of minimal flooding. During construction, BMPs will be implemented for erosion and sedimentation control to mitigate potential impacts from construction and nearby waterbodies.

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

The project’s structures will be constructed within the established agricultural district height limits. The project structures will be located upland and away from Honoapi‘ilani Highway, the major roadway in West Maui and, as such, will not be readily visible from residences or roadways.

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

The proposed action will involve the short-term commitment of fuel for equipment, vehicles and machinery during construction. Power for the pump will be provided by a Maui Electric Company transformer. This use is not expected to result in substantial consumption of energy resources.

Based on the foregoing analysis, it is anticipated that the proposed action qualifies for Finding of No Significant Impact (FONSI) determination.

EA SCHEDULE

EVENT	DATE
Informational Briefing on Preliminary Draft EA to HHC	September 19, 2022 April 17, 2023 March 18, 2024
Publication of Draft EA	April 8, 2024
Presentation and Recommendation of the Preliminary Final EA to HHC	July 15, 2024

CONSTRUCTION OF WATER SYSTEM IMPROVEMENTS

On March 31, 2017, DHHL entered into a Memorandum of Understanding, Dwelling Unit Revolving Fund Funding for Honokōwai Well, Villages of Leiali‘i with HHFDC. See **Exhibit D**. This agreement provides the first \$10 million towards the construction of improvements to be articulated in the EA. In return for the construction funding, DHHL and HHFDC shall split 50-50 the available capacity of the well, after negotiating the DWS portion for well maintenance and reserves. Most recent estimates of costs to fully construct the proposed improvements presented in the EA is approximately \$17 to 18 million.

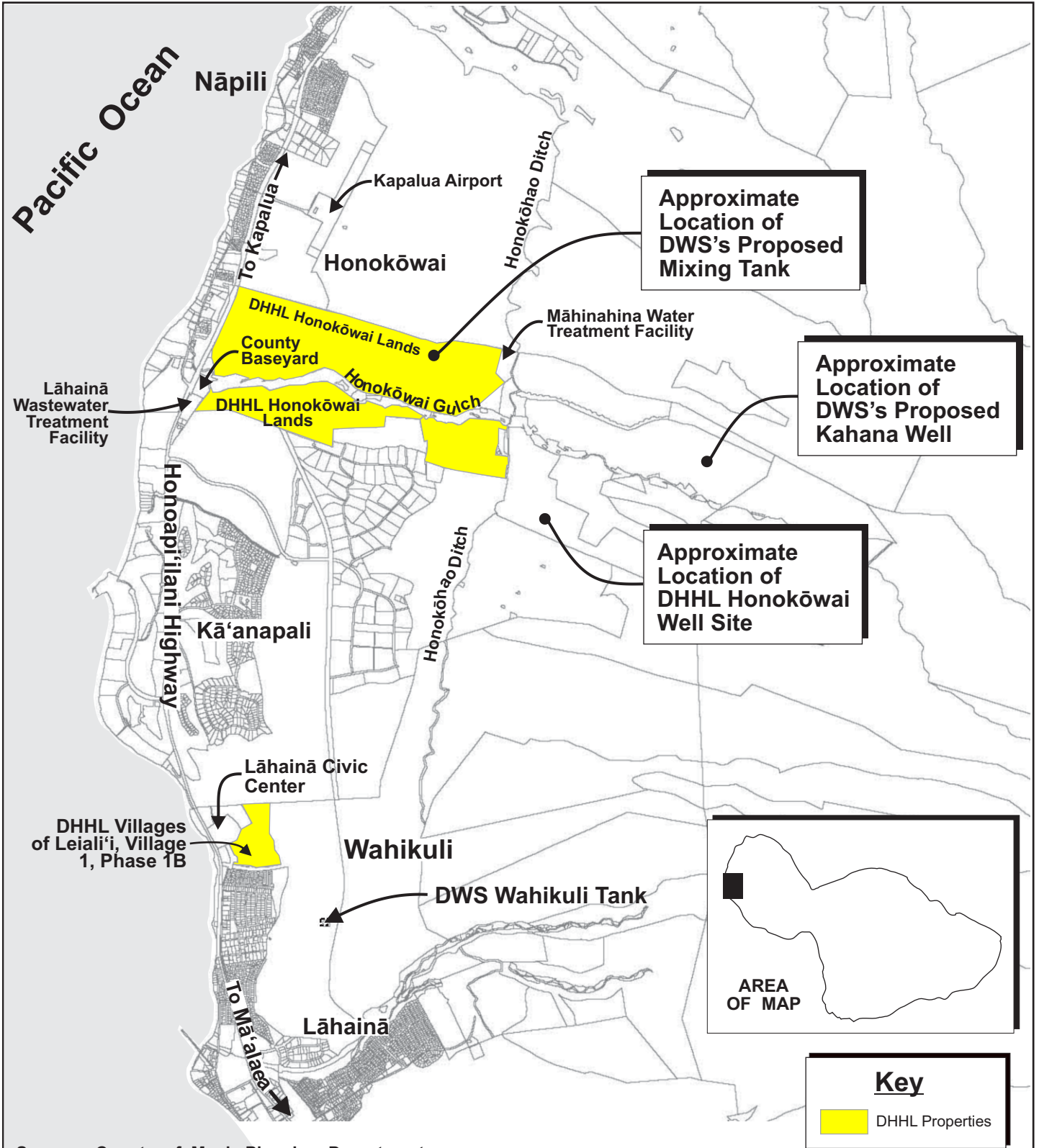
RECOMMENDED ACTION

That the Hawaiian Homes Commission (HHC) issue a Finding of No Significant Impact (FONSI) determination based on the Final Environmental Assessment (EA) for the Honokōwai Water System Improvements Project.

LIST OF EXHIBITS

- Exhibit A. Project Location Map
- Exhibit B. Conceptual Site Plans – Honokōwai Well to Māhinahina Water Treatment Facility
- Exhibit C. March 8, 2021 Record of Determination
- Exhibit D. Memorandum of Understanding, Dwelling Unit Revolving Fund Funding for Honokōwai Well, Villages of Leiali‘i with Hawai‘i Housing Finance and Development Corporation

EXHIBIT A.
Project Location Map



Source: County of Maui, Planning Department

Figure 1

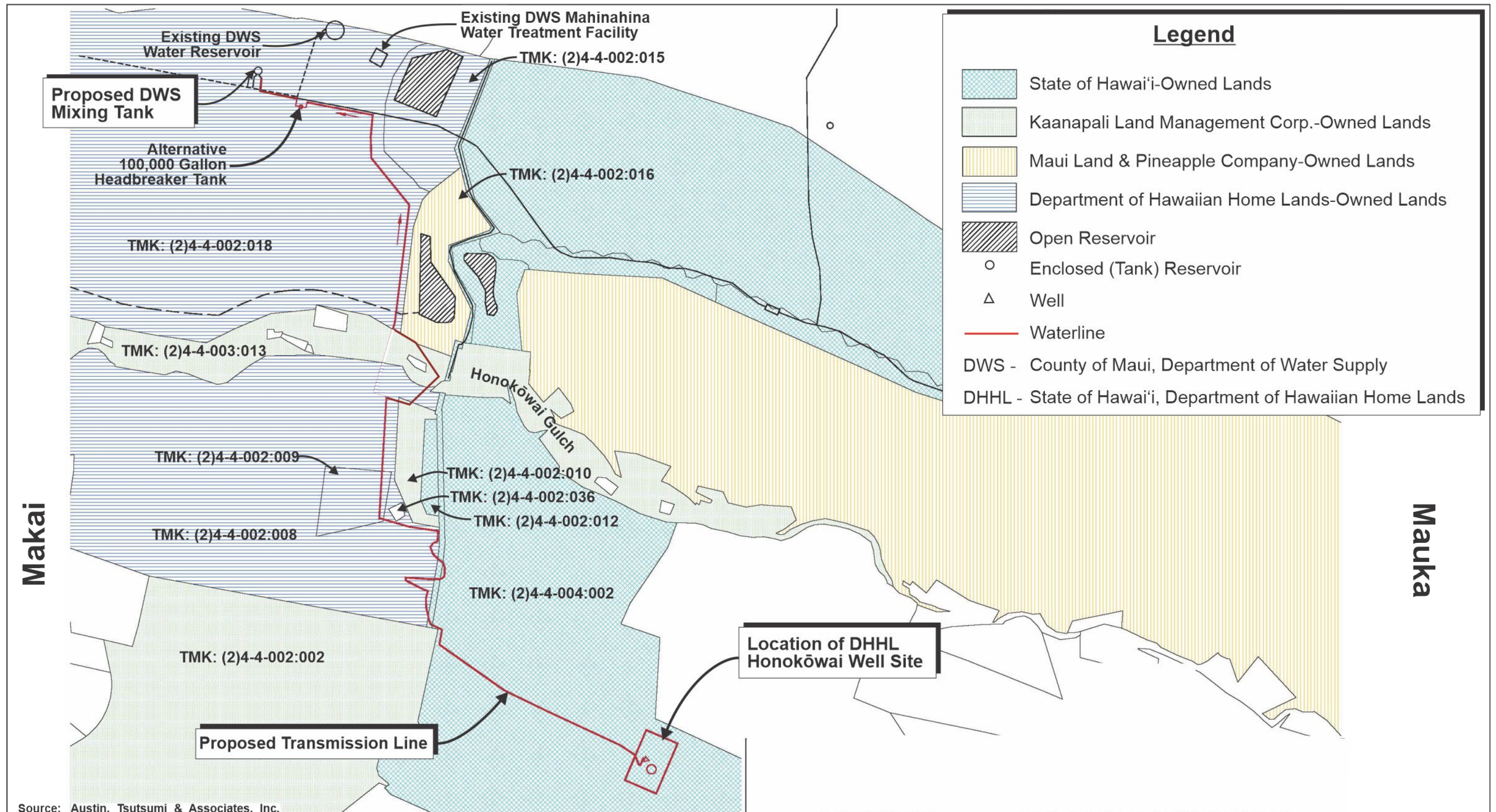
DHHL Honokōwai Water System Improvements Regional Location Map

NOT TO SCALE



Prepared for: State of Hawai'i, Department of Hawaiian Home Lands

Exhibit B.
Conceptual Site Plans – Honokōwai Well to
Māhinahina Water Treatment Facility



Source: Austin, Tsutsumi & Associates, Inc.

Figure 2

DHHL Honokōwai Water System Improvements
Site Plan

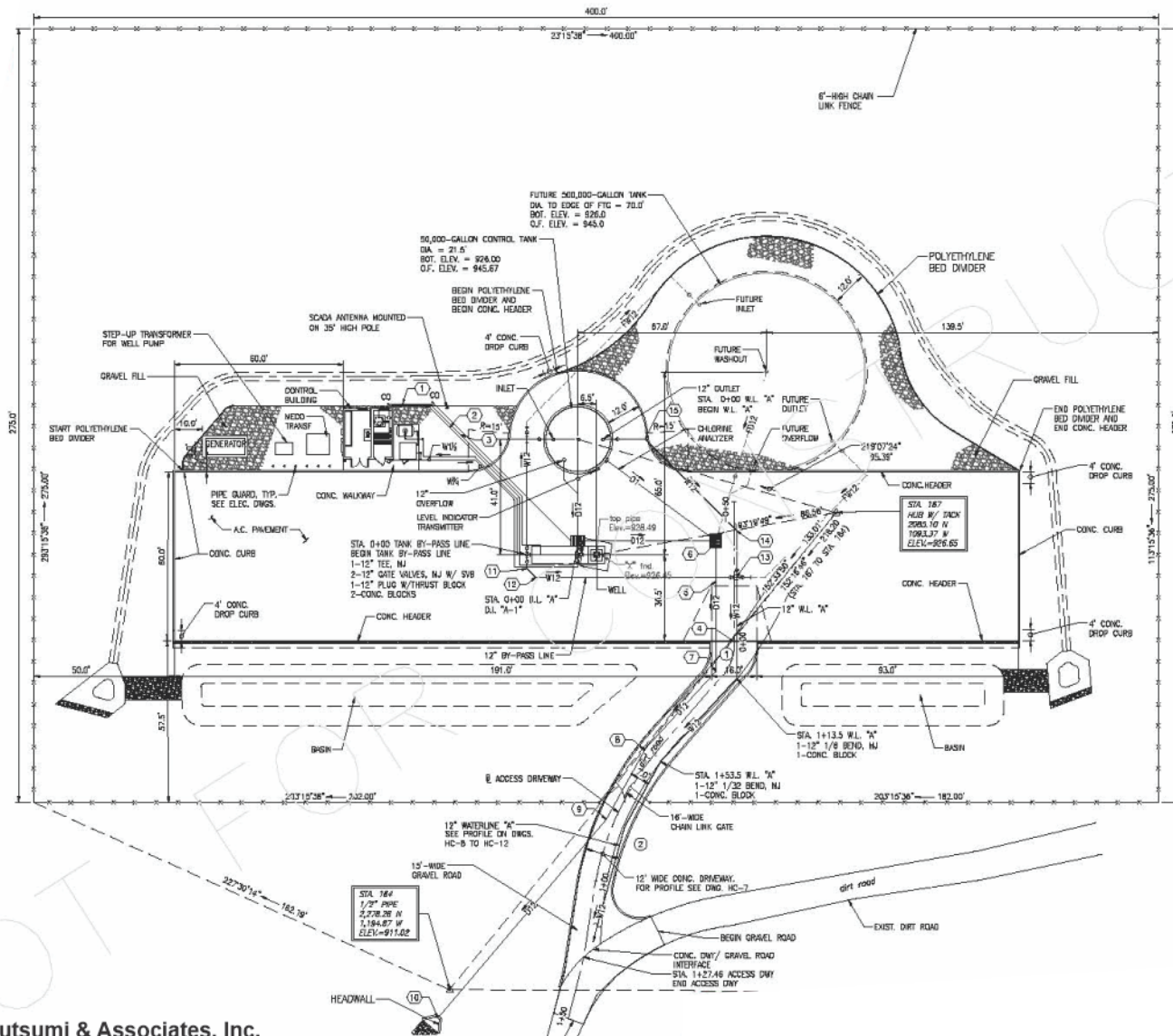
NOT TO SCALE



Prepared for: State of Hawai'i, Department of Hawaiian Home Lands



ATA\DHHL HonokowaiWell\Applications\Draft EA\Figures\Honokowai Area Site Plan



Source: Austin, Tsutsumi & Associates, Inc.

Figure 3

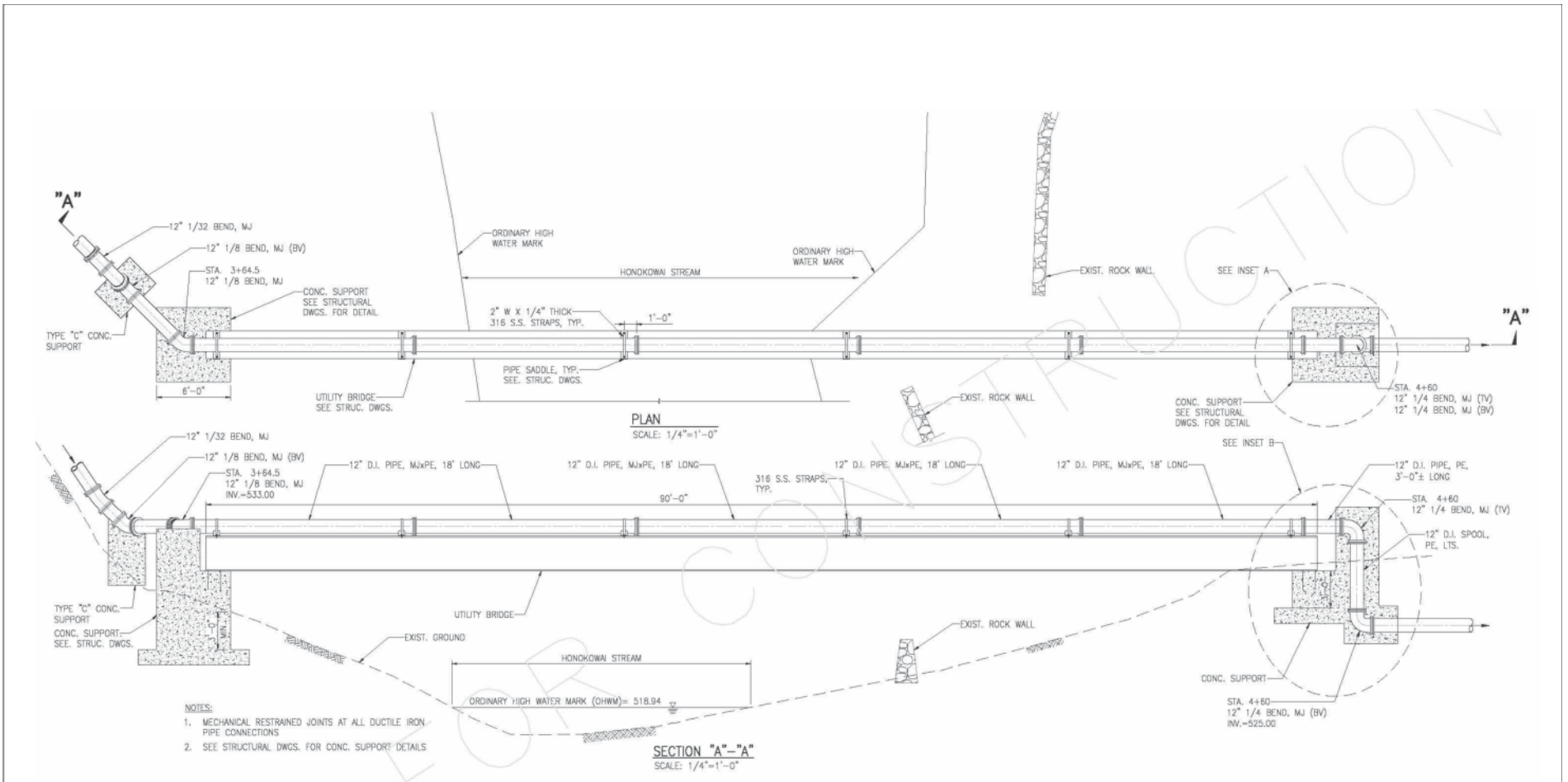
DHHL Honokōwai Water System Improvements

Honokōwai Well Site Plan

NOT TO SCALE



Prepared for: State of Hawai'i, Department of Hawaiian Home Lands



Source: Austin, Tsutsumi & Associates, Inc.

Figure 4 DHHL Honokōwai Water System Improvements

Honokōwai Gulch Crossing Plan

NOT TO SCALE



Prepared for: State of Hawai'i, Department of Hawaiian Home Lands

Exhibit C.
March 8, 2021 Record of Determination



FILE COPY

MAR - 8 2021

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

February 22, 2021

VIA ELECTRONIC MAIL

Keith Kawaoka, Acting Director
State of Hawai'i
Office of Environmental Quality Control
235 South Beretania Street, Suite 702
Honolulu, Hawai'i 96813

Re: Chapter 343, Hawai'i Revised Statutes, Record of Determination for the Proposed Department of Hawaiian Home Lands Water System Improvements, Wahikuli, TMK: (2) 4-5-021: Lot 020

Dear Mr. Kawaoka:

With this letter, the Office of the Governor, in coordination with the Department of Hawaiian Home Lands (DHHL), has determined that a Supplemental Environmental Impact Statement (EIS) is not required for proposed water system improvements in Wahikuli, Maui, Hawai'i that are proposed to be developed as part of the overall DHHL Honokōwai Water System Improvements project. See **Figures 1 & 2** (site plan).

DHHL is proposing the Honokōwai Water System Improvements project in order to utilize an existing drilled and cased test well located in Honokōwai, Maui as a potable water source. The existing well, Honokōwai Well (State Well No. 5639-04), was developed as an exploratory well by DHHL on State-owned lands of approximately 2.5 acres and identified as Tax Map Key (TMK) No. (2) 4-4-004:002(por.). DHHL proposes source, storage, and transmission improvements to support the well and its operation as a potable water source.

The improvements will utilize lands in the Honokōwai and Wahikuli areas. DHHL's primary objective in developing the well is to enable the County of Maui, Department of Water Supply (DWS) to provide water service to DHHL's proposed 253 single-family residential units of the future planned Villages of Leiali'i, Village 1, Phase 1B subdivision development. In addition, the water source will serve a portion of the future Villages of Leiali'i master-planned project to be developed by the Hawai'i Housing Finance and

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Development Corporation (HHFDC). As capacity permits, water from the Honokōwai Well will also be used to service DHHL's Honokōwai lands for future planned agricultural, residential, and commercial purposes. An Environmental Assessment (EA) is currently being prepared for this proposed action.

HHFDC previously completed an Environmental Impact Statement (EIS) process for its proposed Villages of Leiali'i project, which is envisioned to be a mixed-use community with affordable and market-priced housing with open, commercial, and light industrial spaces and public facilities. The Final EIS (FEIS) was accepted by the Governor and published in the Office of Environmental Quality Control's (OEQC) The Environmental Notice (TEN) bulletin on October 23, 2012. The FEIS covers the development of the HHFDC's proposed Villages of Leiali'i master planned community, as well as all required infrastructure improvements.

Regarding water, the FEIS discussed a proposed water system which would include the development of new wells, water lines, and reservoir tanks to support the proposed development. It is noted that a portion of the lands under HHFDC control and included in its Villages of Leiali'i master plan area, were eventually transferred to DHHL. These lands are now planned for the development of 253 single-family residential units by DHHL, as discussed above.

In order to utilize Honokōwai Well as a potable water source for the Villages of Leiali'i, and potentially DHHL's Honokōwai lands, DHHL proposes improvements on lands located in the Honokōwai and Wahikuli areas. As it is currently planned, water from the Honokōwai Well will be conveyed north, via a new 12-inch transmission main, and connect with DWS's existing water system near the Māhinahina Water Treatment Facility in Honokōwai.

In the Wahikuli area, improvements to the existing water distribution system are proposed to service the DHHL and HHFDC's Villages of Leiali'i projects. Areas of Leiali'i 1B that are located below elevation 130 feet mean sea level (msl) can be serviced by the DWS's existing Wahikuli Reservoir. However, a new higher elevation reservoir will need to be constructed on HHFDC property to service the areas of Leiali'i 1B that are located above elevation 130 feet msl.

The primary purpose of the new reservoir is to have sufficient storage capacity to meet water demands concurrent with water for fire protection, and to be at an elevation that can provide adequate pressure. This proposed reservoir will have a storage capacity of

500,000 gallons, which will provide adequate storage for the areas of Leiali'i 1B that are located above elevation 130 feet msl. The reservoir will also provide extra storage for possible future developments above this elevation.

The proposed reservoir will be located on HHFDC land north of DWS's existing Wahikuli Reservoir, at an approximate elevation of 370 feet. A new booster pump station (BPS) will be constructed within an expansion of the Wahikuli Reservoir site to pump water from the Wahikuli Reservoir to the new reservoir on HHFDC property.

Approximately 4,600 feet of a new 12-inch transmission waterline will be installed to convey water from the BPS to the new reservoir. A new 12-inch transmission waterline, approximately 3,700 feet in length, will convey the water by gravity from the proposed reservoir on HHFDC property to Leiali'i 1B. Gravel roads will be constructed over the transmission waterlines.

The proposed 500,000-gallon reservoir and transmission waterlines for Wahikuli are functionally similar to those water system improvements discussed in the 2012 FEIS for the Villages of Leiali'i development by HHFDC. Although there may be some variation in terms of locations of the specific system components, the proposed new reservoir and waterlines are substantially similar to those discussed in the accepted FEIS. Section 11-200.1-11, Hawai'i Administrative Rules provides the following as it relates to use of an accepted EIS to satisfy Chapter 343, Hawaii Revised Statutes ("HRS").

"When an agency is considering whether a prior exemption, FONSI, or an accepted EIS satisfies Chapter 343, HRS, for a proposed action, the agency may determine that additional environmental review is not required because:

- (1) The proposed action was a component of, or is substantially similar to, an action that received an exemption, FONSI, or an accepted EIS;*
- (2) The proposed action is anticipated to have direct, indirect, and cumulative effects similar to those analyzed in a prior exemption, final EA, or accepted EIS; and*
- (3) In the case of a final EA or an accepted EIS, the proposed action was analyzed within the range of alternatives."*

Keith Kawaoka
February 22, 2021
Page Four of Four

Based on the foregoing, DHHL has determined:

- a. The scope of the Honokōwai Water System Improvements project in the Wahikuli area is substantially similar to the actions described in the 2012 HHFDC Villages of Leiali'i FEIS;
- b. The components of the Honokōwai Water System Improvements project in the Wahikuli area as discussed above are anticipated to have cumulative effects similar to those analyzed in the 2012 HHFDC Villages of Leiali'i FEIS; and
- c. The environmental setting and probable environmental impacts as described in the 2012 HHFDC Villages of Leiali'i FEIS have not substantially changed or intensified.

As such, the DHHL is requesting that this Record of Determination be published in the next edition of The Environmental Notice. The Publication Form is enclosed.

Should you have any questions, please contact Sara Lin, Office of the Governor, at 586-0805 or Stewart Matsunaga, Acting Administrator, DHHL Land Development Division, at 620-9283.

With warmest regards,



David Y. Ige
Governor, State of Hawai'i

Enclosures

- c: William Aila, Jr., Chairman, Department of Hawaiian Home Lands
Denise Iseri-Matsubara, Executive Director, HHFDC

AGENCY PUBLICATION FORM

Project Name:	Honokowai Water System Improvements
Project Short Name:	Honokowai Water System Improvements
HRS §343-5 Trigger(s):	Proposed use of State land and State funds
Island(s):	Maui
Judicial District(s):	Lahaina
TMK(s):	(2) 4-5-021: Lot 020
Permit(s)/ Approval(s):	Building/Grading and Grubbing permits
Proposing Agency:	Department of Hawaiian Home Lands
Contact Name, Email, Telephone, Address	Stewart Matsunaga, Acting Administrator Land Development Division Land Development Division Department of Hawaiian Home Lands 91-5420 Kapolei Parkway Kapolei, HI 96707 Direct: 808.620-9283 Fax: 808.620-9299 Email: Stewart.t.matsunaga@hawaii.gov
Accepting Authority:	Governor, State of Hawaii
Contact Name, Email, Telephone, Address	Sara Lin sara.n.lin@hawaii.gov 808-586-0805 415 S. Beretania St., Honolulu, Hawaii 96813
Consultant:	Munekiyo Hiraga
Contact Name, Email, Telephone, Address	Bryan Esmeralda, AICP, Senior Associate planning@munekiyohiraga.com (808) 983-1233 305 High Street, Suite 104 Wailuku, HI 96793

Status (select one)

- DEA-AFNSI
- FEA-FONSI
- FEA-EISPN
- Act 172-12 EISPN ("Direct to EIS")
- DEIS
- FEIS
- FEIS Acceptance Determination
- FEIS Statutory Acceptance

Submittal Requirements

Submit 1) the proposing agency notice of determination/transmittal letter on agency letterhead, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the DEA, and 4) a searchable PDF of the DEA; a 30-day comment period follows from the date of publication in the Notice.

Submit 1) the proposing agency notice of determination/transmittal letter on agency letterhead, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the FEA, and 4) a searchable PDF of the FEA; no comment period follows from publication in the Notice.

Submit 1) the proposing agency notice of determination/transmittal letter on agency letterhead, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the FEA, and 4) a searchable PDF of the FEA; a 30-day comment period follows from the date of publication in the Notice.

Submit 1) the proposing agency notice of determination letter on agency letterhead and 2) this completed OEQC publication form as a Word file; no EA is required and a 30-day comment period follows from the date of publication in the Notice.

Submit 1) a transmittal letter to the OEQC and to the accepting authority, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the DEIS, 4) a searchable PDF of the DEIS, and 5) a searchable PDF of the distribution list; a 45-day comment period follows from the date of publication in the Notice.

Submit 1) a transmittal letter to the OEQC and to the accepting authority, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the FEIS, 4) a searchable PDF of the FEIS, and 5) a searchable PDF of the distribution list; no comment period follows from publication in the Notice.

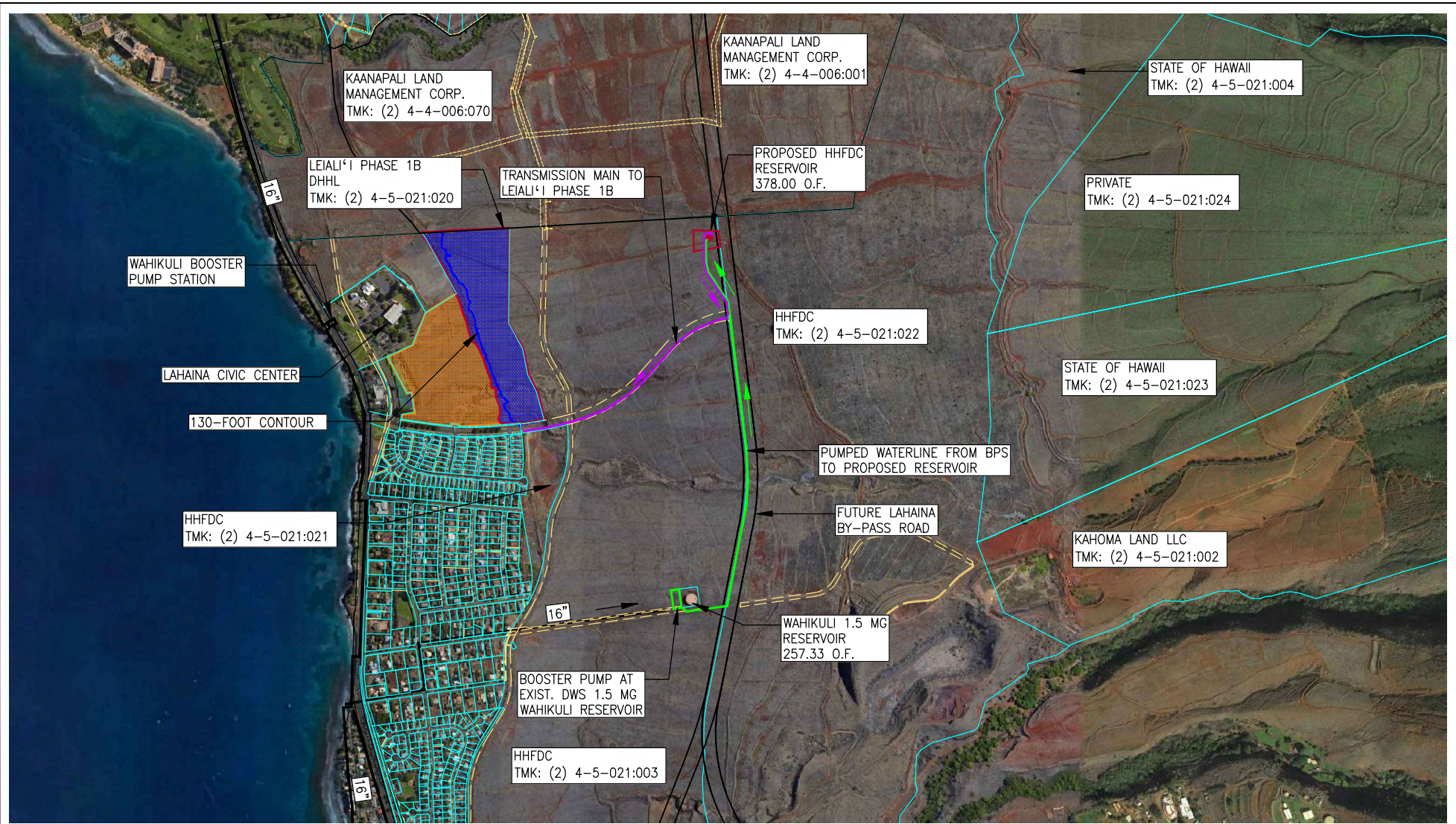
The accepting authority simultaneously transmits to both the OEQC and the proposing agency a letter of its determination of acceptance or nonacceptance (pursuant to Section 11-200-23, HAR) of the FEIS; no comment period ensues upon publication in the Notice.

Timely statutory acceptance of the FEIS under Section 343-5(c), HRS, is not applicable to agency actions.

- Supplemental EIS Determination The accepting authority simultaneously transmits its notice to both the proposing agency and the OEQC that it has reviewed (pursuant to Section 11-200-27, HAR) the previously accepted FEIS and determines that a supplemental EIS is or is not required; no EA is required and no comment period ensues upon publication in the Notice.
- Withdrawal Identify the specific document(s) to withdraw and explain in the project summary section.
- Other Contact the OEQC if your action is not one of the above items

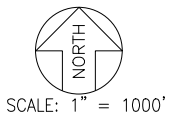
Project Summary

The State of Hawai'i, Department of Hawaiian Home Lands (DHHL) proposes water system improvements on lands located in Wahikuli, Maui, Hawai'i. The goal of the project is to utilize an existing drilled and cased test well located in Honokōwai, Maui as a potable water source to service DHHL's proposed 253 single-family residential units of the future planned Villages of Leialii, Village 1, Phase 1B subdivision, a portion of the future Villages of Leialii master-planned project to be developed by the Hawai'i Housing Finance and Development Corporation (HHFDC), and, as capacity permits, DHHL's Honokōwai lands for future planned agricultural, residential, and commercial purposes. The DHHL proposed to construct water system improvements in both Honokōwai and Wahikuli. Part of the Wahikuli area improvements involves a new reservoir and related distribution lines. These components were contemplated as part of HHFDC's 2012 Final Environmental Impact Statement (FEIS) for its proposed Villages of Leialii development. As these project components are similar in nature and are not anticipated to result in additional impacts beyond those discussed in the FEIS, the DHHL has determined that a Supplemental FEIS is not required.



LEGEND

- LEIALI'I PHASE 1B - AREA BELOW ELEVATION 130
- LEIALI'I PHASE 1B - AREA ABOVE ELEVATION 130



DEPARTMENT OF HAWAIIAN HOMELANDS
HONOKOWAI WATER SYSTEM
IMPROVEMENTS
LAHAINA, MAUI, HAWAII

AUSTIN, TSUTSUMI & ASSOCIATES, INC.
HONOLULU • WAILUKU • HILO, HAWAII

**HHFDC PROPOSED RESERVOIR
AND TRANSMISSION MAINS**

FIGURE
1

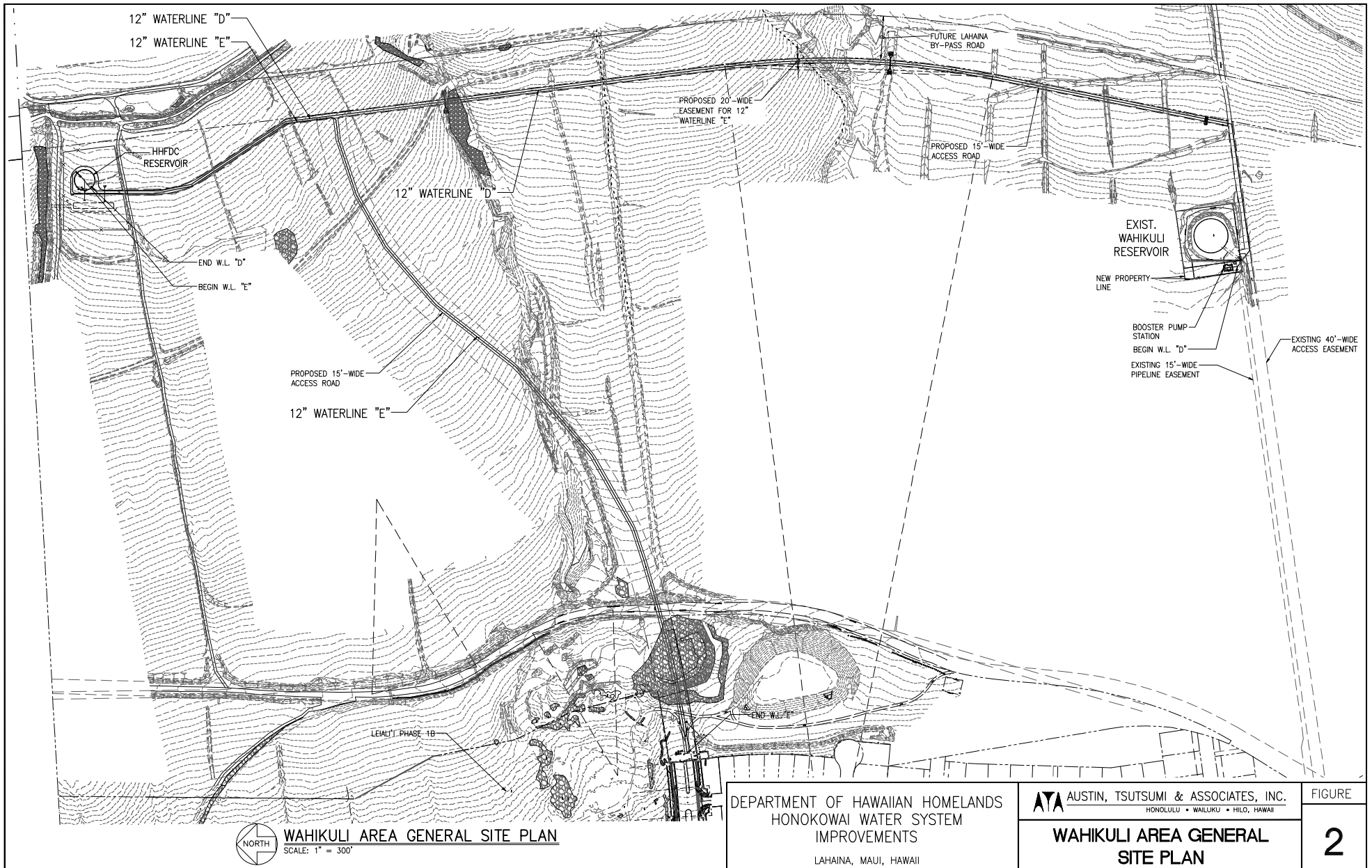


Exhibit D.

Memorandum of Understanding, Dwelling Unit
Revolving Fund Funding for Honokōwai Well, Villages
of Leiali‘i with Hawai‘i Housing Finance and
Development Corporation

MEMORANDUM OF UNDERSTANDING
DWELLING UNIT REVOLVING FUND FUNDING FOR HONOKOWAI WELL
VILLAGES OF LEIALI'I

THIS MEMORANDUM OF UNDERSTANDING, dated as of
MARCH 31, 2017 ("MOU"), made by and between the HAWAII
HOUSING FINANCE AND DEVELOPMENT CORPORATION, a public body and a body
corporate and politic of the State of Hawaii ("HHFDC"), doing business at 677 Queen
Street, Suite 300, Honolulu, Hawaii, 96813, and the DEPARTMENT OF HAWAIIAN
HOME LANDS, State of Hawaii ("DHHL"), whose principal place of business is 91-5420
Kapolei Parkway, Kapolei, Hawaii 96707 and post office address is P. O. Box 1879,
Honolulu, Hawaii 96805.

WITNESSETH:

WHEREAS, HHFDC is the master developer of the Villages of Leialii project in
Lahaina, Maui, Hawaii, Tax Map Key Nos. (2) 4-5-021: 003, 004 (portion of), 005
(portion of), 013, 018, 019, 020, 021, 022 (portion of), 023 (portion of); (2) 4-5-028: 070
and 081; (2) 4-5-036: 001 to 112 ("Leialii").

WHEREAS, Villages 1A and 1B at Leialii were sold to DHHL by the Transfer
Agreement dated December 30, 2004, as amended.

WHEREAS, DHHL completed the construction of 104 homes at Village 1A and
DHHL is working on the development of 250 homes at Village 1B.

WHEREAS, DHHL has drilled and tested an exploratory potable water well on
State land in Honokowai, Maui, Hawaii, Honokowai Well (State Well No. 5639-04) at
Tax Map Key No. (2) 4-4-004: 002 (por.) ("Honokowai Well") at a design and
construction cost of approximately \$1,000,000.

WHEREAS, test results indicate that Honokowai Well has a capacity of 1 MGD,
which is preliminarily estimated will serve approximately 560 units whether the well is
dedicated to the County of Maui Department of Water Supply ("DWS") or a private water
company.

WHEREAS, DHHL is currently working on an environmental assessment
pursuant to Chapter 343, Hawaii Revised Statutes ("HRS"), for the Honokowai Well
Improvements ("EA") and the designs for source, storage and transmission
improvements ("Honokowai Well Improvements"), at a cost of approximately
\$1,000,000 to utilize the well as a potable water source for its Village 1B project at
Leialii.

WHEREAS, DHHL reviewed several alternative transmission waterline
alignments and additives as described in its Draft Water Master Plan for DHHL

Honokowai Water System, by Austin, Tsutsumi & Associates, Inc., dated March 15 and April 10, 2013, ranging in cost from \$4.8 million to \$14.2 million ("Honokowai Water Master Plan").

WHEREAS, new well sources, in addition to the Honokowai Well, storage and transmission improvements are needed for development at Leiali'i and HHFDC would like to develop affordable rentals at Leiali'i.

WHEREAS, the HHFDC Board of Directors approved entry into a MOU with DHHL for potable water infrastructure at Leiali'i on December 8, 2016.

WHEREAS, the Hawaiian Homes Commission authorized the Chairman to enter into a MOU with HHFDC to provide funding for potable water infrastructure at Leiali'i on December 20, 2016.

NOW, THEREFORE, the Parties hereby agree as follows:

- I. Honokowai Well Improvements. Of the alternatives and additives described in the Honokowai Water Master Plan, Alternative 2, Additive 2, appears to be the alternative that HHFDC and DHHL will focus on with an estimated cost of \$8.5 million. This option includes outfitting the well, a control building and a 50,000-gallon control reservoir at the well site, and a 12-inch ductile iron transmission line extending approximately 8,000 lineal feet from the well site, north across Honokowai Gulch over State land as well as privately owned properties of Maui Land and Pineapple Company and Kaanapali Land Management Corp., to a connection at a storage tank near the County of Maui's existing Mahinahina Water Treatment Facility. This option also includes reactivation of the Waiohuli Booster Pump Station near the entrance to Leiali'i Parkway, and a 12-inch transmission line 5,400 feet up to a new 250,000-gallon reservoir at elevation 320' at Leiali'i above the Wahikuli Reservoir. The estimated cost of this option from the Honokowai Water Master Plan is attached hereto as **Exhibit A**. This option is subject to change, as may be mutually agreed upon by DHHL and HHFDC.
- II. Use of DURF Funds. HHFDC agrees to finance the first \$10 million of the Honokowai Well Improvements from its Dwelling Unit Revolving Fund ("DURF Funds") for which HHFDC shall be entitled to half of the available capacity of the Honokowai Well. DHHL shall be entitled to the remaining half of the available capacity of the Honokowai Well.
- III. DWS or Private Operator. At this time, HHFDC and DHHL contemplate a dedication of the Honokowai Well and Honokowai Well Improvements to DWS, unless otherwise mutually agreed to by HHFDC and DHHL.
- IV. Division of Labor. Either Party may undertake components of the Honokowai Well Improvements as both Parties mutually agree. Each Party shall be

responsible for procurement and administration of any contract it enters into to accomplish the component of work such Party undertakes.

- V. Budget. An initial DURF budget of the Honokowai Well Improvements is attached hereto as Exhibit B ("DURF Budget").
- VI. Administration of DURF Fund. The DURF funds shall be administered by HHFDC as follows, unless otherwise approved by HHFDC:
 - A. The DURF Fund may be used for any project related expense, as approved by HHFDC;
 - B. Except for payment for the EA, there shall be no expenditure from the DURF Fund prior to the completion of the EA;
 - C. All contracts, commitments or change orders to be paid from the DURF Fund shall be approved by HHFDC and DHHL prior to execution;
 - D. Withdrawals from the DURF Fund shall be made by submittal of a written request to HHFDC (no more than once a month), accompanied by the worksheets and information supporting the withdrawal, in the forms attached hereto as Exhibit C;
 - E. Withdrawals by DHHL may be requested for the entire contract amount by submittal to HHFDC of a copy of the executed contract procured in compliance with HRS Chapter 103D;
 - F. Checks for withdrawals by DHHL shall be made payable to DHHL, for payment to its vendors;
 - G. Copies of withdrawals from the DURF Fund by HHFDC for project related expenses shall be provided to DHHL at the time of such withdrawal;
 - H. All contracts shall name DHHL, HHFDC and the State of Hawaii as additional indemnitees and additional insured parties;
 - I. All construction contracts shall be accompanied with a 100% payment and performance bond and labor and materials bond naming DHHL, HHFDC and the State of Hawaii as additional obligees under the surety bond;
- VII. Compliance with All Laws. Each Party shall comply with all Federal, State, and County laws, ordinances, codes, rules, and regulations as the same may be amended from time to time, that in any way affect such Party's performance under this MOU.
- VIII. Amendments, Waiver. This MOU can only be changed by an instrument in writing signed by HHFDC and DHHL. The terms of this MOU may not be waived, modified, or in any way changed by implication, through conduct, correspondence, or otherwise, unless such waiver, modification, or change shall be specifically agreed to in writing by HHFDC and DHHL. Any waiver in whole or in part to any of the terms and conditions hereunder, shall be specific and not general. Each waiver shall only apply to specific conditions and circumstances.

- IX. **Binding Effect of Agreement.** This MOU shall be binding upon and inure to the benefit of HHFDC and DHHL, and their respective successors and assigns.
- X. **Gender and Number.** The use of any pronoun in reference to HHFDC and DHHL shall be construed to mean the singular or plural, the masculine, feminine or neuter, as the instrument and context may require.
- XI. **No Party Deemed Drafter.** The parties agree that neither HHFDC nor DHHL shall be deemed to be the drafter of this MOU and in the event this MOU is ever construed by a court of law, such court shall not construe this MOU or any provision hereof against any party as the drafter of this MOU.
- XII. **Counterparts.** This MOU may be executed in any number of counterparts. Each such counterpart hereof shall be deemed to be an original instrument but all such counterparts together shall constitute but one MOU.
- XIII. **Invalidity of Provision.** If any provision of this MOU as applied to any party or to any circumstances shall be adjudged by a court of competent jurisdiction to be void or unenforceable for any reason, the same shall in no way effect any other provision under circumstances different from those adjudicated by the court, or the validity or enforceability of this MOU as a whole.
- XIV. **Approvals Required.**
- A. HHFDC's proposed use of DURF Funds shall be subject to approval by the HHFDC Board of Directors, availability of DURF Funds, and approval of release of funds by the Governor.
 - B. Funding of the DURF Funds shall be subject to completion of the Final Environmental Assessment for the Honokowai Well Improvements and compliance with HRS Chapter 343.
 - C. DHHL shall obtain written consent of this MOU from the Office of Hawaiian Affairs (OHA), if required.
 - D. If Governor's approval of this MOU is required, DHHL shall be responsible for obtaining the written approval of the Governor.
- XV. **Clause or Provision Contrary to Hawaiian Homes Commission Act.** In the event any clause or provision in this MOU is found to be contrary to the Hawaiian Homes Commission Act, 1920, as amended and or any clause or provision is such where it may put the Hawaiian Homes Commission in such a position where it would violate its Fiduciary responsibility to its native Hawaiian beneficiaries, such clause or provision shall be removed from the MOU without canceling or altering the intent of the MOU.

[The remainder of this page is blank. The next page is a signature page.]

IN WITNESS WHEREOF, the undersigned have executed these presents as of the day and year first written above.

Approved as to Form:


Hawaii Housing Finance and Development Corporation

Deputy Attorney General
Representing HHFDC

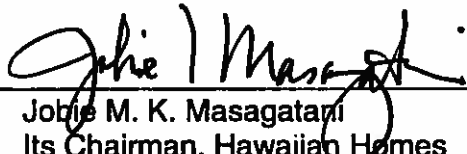
By _____
Craig K. Hirai
Its Executive Director

Approved as to Form:

Department of Hawaiian Home Lands



Deputy Attorney General
Representing DHHL

By 

Jobie M. K. Masagatani
Its Chairman, Hawaiian Homes
Commission

x:\c:\vel\2016\dhhl durf mou.final.3-21-17

STATE OF HAWAII)
)
CITY AND COUNTY OF HONOLULU) SS

On this ____ day of _____, 20____, before me appeared CRAIG K. HIRAI, personally known to me, who, being by me duly sworn, did say that he is the EXECUTIVE DIRECTOR of the HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION, a public body and a body corporate and politic of the State of Hawaii, that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that this ____-page MEMORANDUM OF UNDERSTANDING, DWELLING UNIT REVOLVING FUND FUNDING FOR HONOKOWAI WELL, VILLAGES OF LEIALI'I dated _____, was signed and sealed on behalf of the corporation by authority of its Board of Directors, and the said officer acknowledged the instrument to be the free act and deed of the corporation.

Name:
Notary Public, State of Hawaii
____ Judicial Circuit

My commission expires: _____

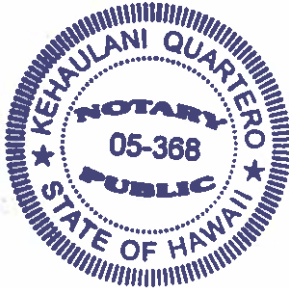
STATE OF HAWAII)
)
CITY AND COUNTY OF HONOLULU) SS

On this 31st day of March, 2017, before me appeared JOBIE M. K. MASAGATANI, to me personally known, who, being by me duly sworn, did say that she is the CHAIRMAN of the HAWAIIAN HOMES COMMISSION, DEPARTMENT OF HAWAIIAN HOME LANDS, STATE OF HAWAII, and the person described in and who executed this 5-page MEMORANDUM OF UNDERSTANDING, DWELLING UNIT REVOLVING FUND FUNDING FOR HONOKOWAI WELL, VILLAGES OF LEIALI'I dated _____, and acknowledged to me that she executed the same freely and voluntarily for the use and purposes therein set forth.

Kehaulani Quartero

Name: Kehaulani Quartero
Notary Public, State of Hawaii
First Judicial Circuit

My commission expires: 6/12/2017



Doc. Date: Updated at time of notarization

Pages: 14 13

Notary Name: Kehaulani Quartero

First Circuit

Doc. Description: Mou Dwelling unit revolving fund funding for Honokowai Well

Kehaulani Quartero 3/31/17
Notary Signature Date



Exhibit A
(Estimated Cost)

Exhibit B
(DURF Budget)

Exhibit C
(Forms for Draw Request)

**HONOKOWAI WELL
ESTIMATED COST - ALTERNATE 2, ADDITIVE 2**

3/7/2017

Well Site	1,500,000
50,000-Gallon Control Tank, 940' Elev.	300,000
Transmission Waterline - Alt. 2, North to Mahinahina	2,600,000
250,000-Gallon Reservoir, 320' Elev.	1,700,000
Reactivate Waiohuli BPS	20,000
12" Waterline from BPS to New Reservoir	1,600,000
	7,720,000
Contingency, 10%	772,000
Sub-Total	8,492,000
Say,	8,500,000
From Draft Water Master Plan for DHHL Honokowai Water System,	
Austin, Tsutsumi & Associates, Inc. (April 10, 2013).	

HONOKOWAI WELL
DURF BUDGET

3/7/2017

Land			100,000.00
Planning			200,000.00
Engineering			500,000.00
Construction			8,500,000.00
Contingency			700,000.00
Total			10,000,000.00

EXHIBIT B

x:\c:\lei\2017\exh b - budget.2-17-17

DRAFT 2/17/17

DEPARTMENT OF HAWAIIAN HOME LANDS
P. O. Box 1879
Honolulu, Oahu, Hawaii 96805

Date: _____

DRAW REQUEST AND CERTIFICATION

Hawaii Housing Finance and Development Corporation
677 Queen Street, Suite 300
Honolulu, Hawaii 96813
ATTN: Stan S. Fujimoto, Project Manager

Subject: Draw Request No. _____
DURF Funds
Honokowai Well for Villages of Leialii
Lahaina, Maui, Hawaii

We request payment for the attached contract and/or invoices in the following total amount for the above subject Honokowai Well for DHHL and HHFDC projects at the Villages of Leialii in Lahaina, Maui, Hawaii, TMK Nos. (2) 4-5-021: 003, 004 (por.), 005 (por.), 013, 018, 019, 020, 021, 022 (por.), 023 (por.); (2) 4-5-028: 070 and 081; (2) 4-5-036: 001 to 112:

\$ _____ From DURF Funds

We hereby certify that all of the requested items have been paid or are due and payable in connection with the project pursuant to the project documents including the following:

- Hawaii Housing Finance and Development Corporation (HHFDC) For Action dated December 8, 2016 approving the Memorandum of Understanding for Honokowai Well (MOU), and For Action dated _____ approving the DURF Funds for the project;
- Governor's approval of release of DURF Funds for the project dated _____; and
- MOU between DHHL and HHFDC for Honokowai Well dated _____;

After disbursement of the amount requested, the total amount disbursed, and the balance of proceeds remaining after this disbursement will be as stated in the attached worksheets for the DURF Funds for the project.

Sincerely,

DEPARTMENT OF HAWAIIAN HOME LANDS

Jobie K. Masagatani
Chairperson

**DHHL MOU - HONOKOWAI WELL
SUMMARY OF INVOICES
DRAW REQUEST NO. _____**

Budget Item	Vendor	Invoice Date	DURF Funds
Total			0

HONOKOWAI WELL
DURF FUNDS
Draw Request No. ___

3/7/2017
5:58 AM

DURF Funds	INITIAL	CURRENT	%	COST TO	COST TO		THIS
SCOPE OF WORK	APPROVED	APPROVED	COMP	DATE	DATE	BALANCE	DRAW
	BUDGET	BUDGET		PREVIOUS	NEW		REQUEST
							#
LAND							
Land	\$100,000.00	\$100,000.00		0.00	0.00	100,000.00	0.00
FOR SITE WORK							
Sitework Costs	\$0.00	\$0.00		0.00	0.00	0.00	0.00
NEW CONSTRUCTION							
Well and Facilities	\$8,500,000.00	\$8,500,000.00		\$0.00	\$0.00	8,500,000.00	0.00
CONTINGENCY							
Construction Contingency	\$700,000.00	\$700,000.00		\$0.00	\$0.00	700,000.00	0.00
Soft Cost Contingency	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
ARCHITECTURAL & ENGINEERING FEES							
Architect Fee - Design	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
Architect Fee - Supervision	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
Engineering Fees	\$500,000.00	\$500,000.00		\$0.00	\$0.00	500,000.00	0.00
Landscape Architect	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
LEED Certification	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
Reimbursables	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
INTERIM COSTS							
Construction Insurance	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
Construction Interest	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
Construction Loan Origination Fee	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
Construction Credit Enhancement	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
Payment and Performance Bond	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
Real Property Tax & Other Taxes	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
PERMITS AND FEES							
Building Permits	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
BWS Fees	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
DOE Fee	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
Special Inspections	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
SOFT COSTS							
Planning	\$200,000.00	\$200,000.00		\$0.00	\$0.00	200,000.00	0.00
Property Appraisal	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
Market Study	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
Environmental Report	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
HHFDC LIHTC Fee/(Good Faith Deposit)	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
Advertising/Marketing	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
Furnishings	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
Survey	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
Accounting/Cost Certification	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
Working Capital	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
SYNDICATION COSTS							
Organizational (Partnership)	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
FINANCING FEES & EXPENSES							
Permanent Loan Origination Fee	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
Title and Recording	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
Counsel's Fee	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
Lender's Counsel	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
Lender's Out of Pocket	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
DEVELOPER'S FEES							
Developer's Overhead	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
Developer's Fee	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
TOTAL COST BEFORE RESERVE	\$10,000,000.00	\$10,000,000.00		\$0.00	\$0.00	\$10,000,000.00	\$0.00
PROJECT RESERVES							
Operating Reserves	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
Escrows	\$0.00	\$0.00		\$0.00	\$0.00	0.00	0.00
TOTAL PROJECT COST	\$10,000,000.00	\$10,000,000.00		\$0.00	\$0.00	\$10,000,000.00	\$0.00



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

Papākolea

Project Updates

Item E-3

For Information Only

July 15-16, 2024



Papākolea, Kewalo and Kalawahine

Papākolea

Kewalo

Kalawahine

Papākolea Sewer Improvements Purpose

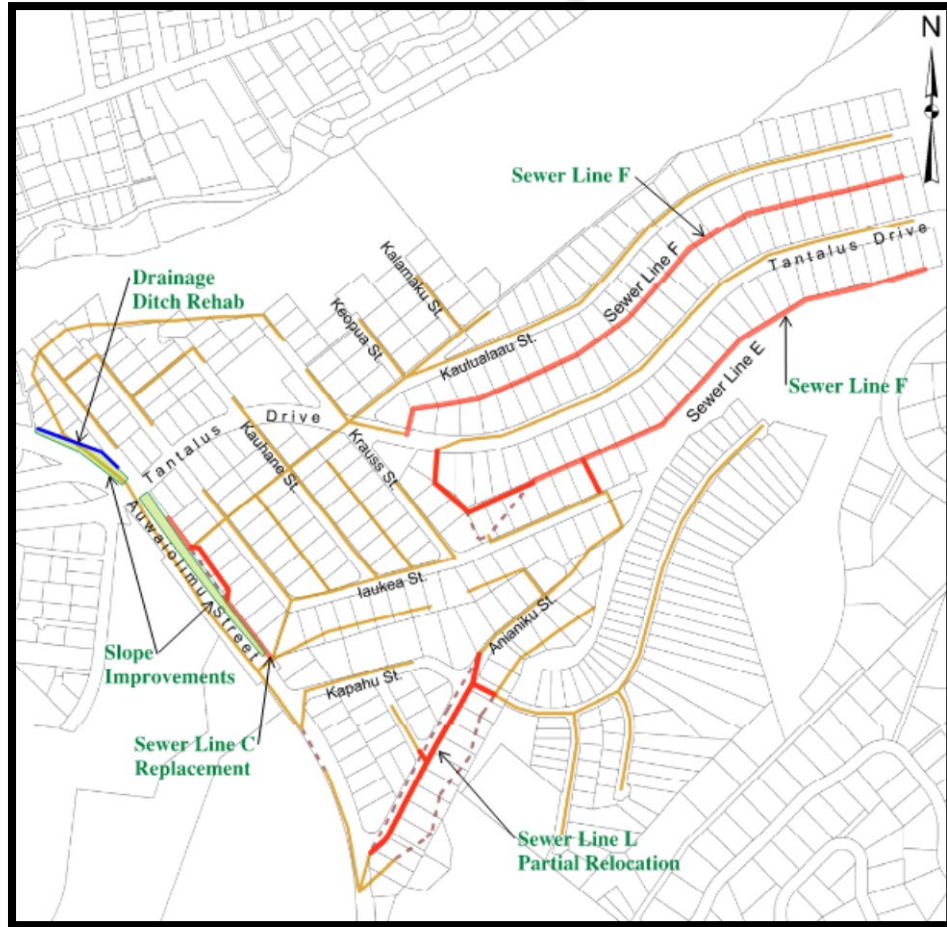
- **Repair and/or replace damaged and undersized pipes**
- **To upgrade sewer improvements and access which comply with City and County Standards**





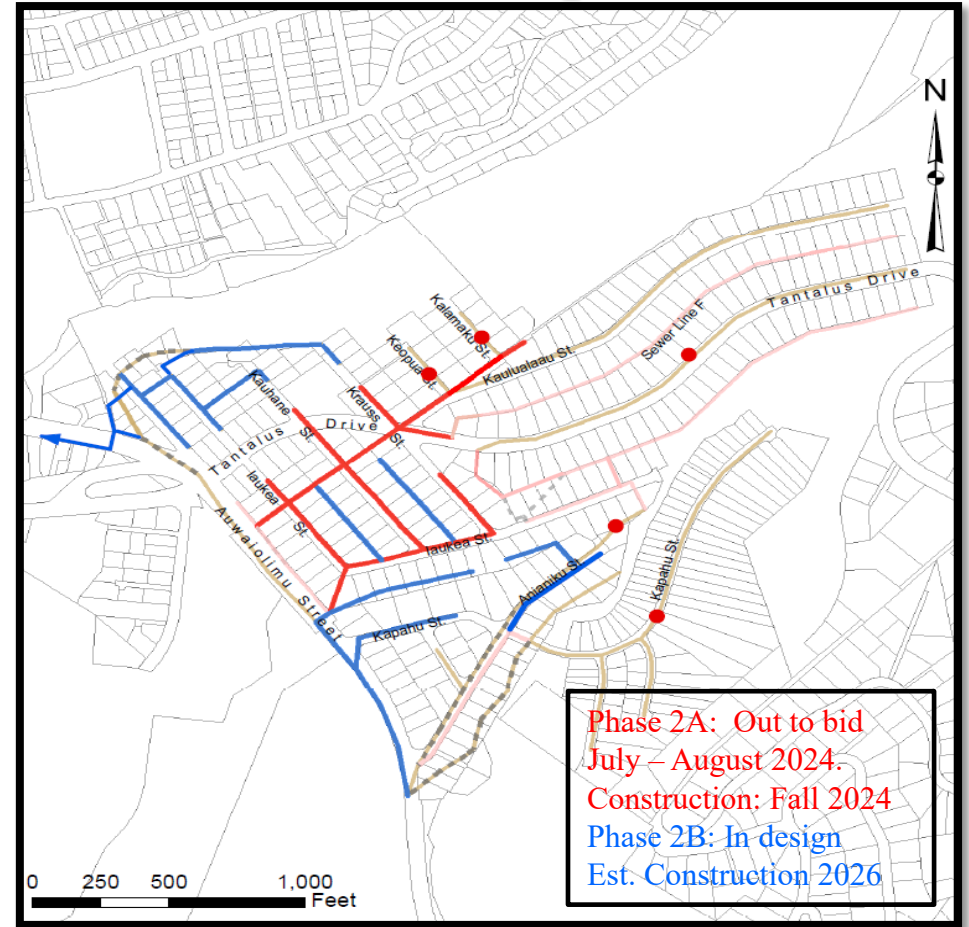
Papākolea Sewer Improvements

Phase 1 Completed



Total cost: \$13 Million

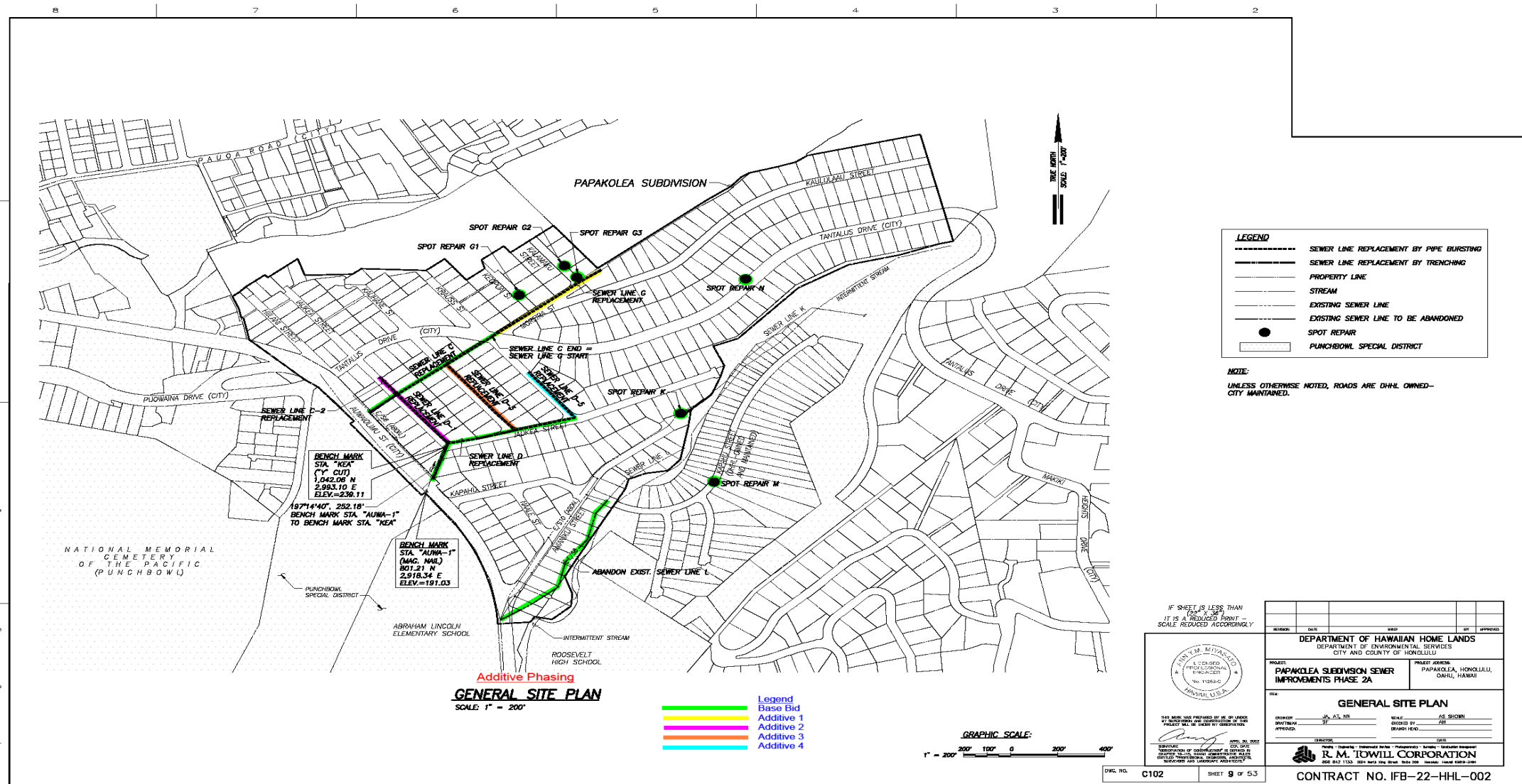
Phase 2 Proposed



Total est. cost: \$55 Million



Papākolea Sewer Improvements Phase 2A – Estimate \$6M



90% SUBMITTAL 2021/03/28

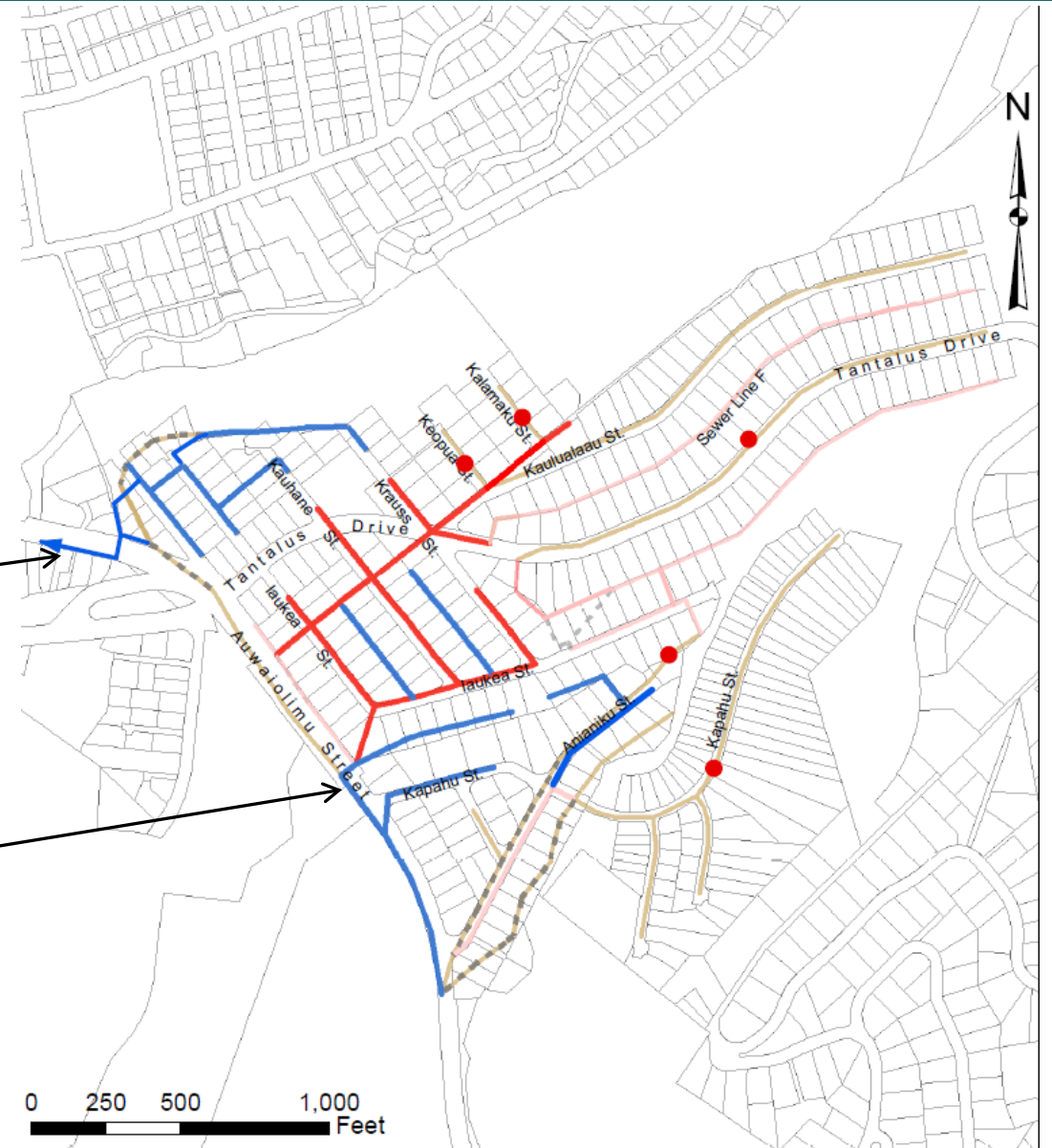
B

A



Papākolea Sewer Improvements Phase 2B

- **Phase 2B**
- **Initiate engineering designs in 2023**
- **Est. Start of Construction 2026, subject to funding and coordination with City projects**
- **6,500+ Linear feet, 8-in pipe sewer manholes & laterals**
- **Reroute flows from homes west of Tanatalus Dr. Requires new sewer line along Auwaiolimu, and downstream upgrades in City's System**
- **Upsize ex sewer line along Auwaiolimu from 8" to 12". Requires coordination with City's downstream improvements.**
- **Cost: Approx. \$50 million**





Papākolea Sewer Improvements Sewer Easement Conditions

- **Lessees shall allow contractors access to repair or replace sewerlines.**
- **Lessees shall not block, build nor plant trees over sewerline and other improvements.**
- **Any improvements over the sewerline will NOT be replaced by the City or DHHL, should repair work be required.**
- **Sewer lateral maintenance, including blockage remediation is the responsibility of the Lessee.**
- **Hawaiian Homes Commission approval required to amend approximately 46 leases with new sewer easements.**



Vacant Parcels in Papākolea Area

LOT NUMBER	TAX MAP KEY	ADDRESS
95	1 2 4 040 008 0000	2255 TANTALUS DR
5	1 2 4 043 005 0000	2212 KAPAHU ST
15	1 2 4 043 015 0000	2252 KAPAHU ST
171	1 2 5 022 009 0000	2364 TANTALUS DR
41A	1 2 2 015 053 0000	424 IAUKEA ST
86	1 2 4 040 022 0000	720 IAUKEA ST
23	1 2 4 040 034 0000	739 IAUKEA ST





820 Isenberg Re-development

Background

DHHL acquired the property from DLNR in 1995.

Lot Area: 82,493 SF (1.893 acres)

Current use: None

August 2019: DHHL issued an RFP to demolish the former Stadium Bowl-o-drome bowling alley and redevelop the property as a multi-family residential affordable-rent facility for native Hawaiian beneficiaries.





820 Isenberg Re-development

Developer: Stanford Carr Development

Proposed Development:

- 210', 23-story, 271-unit high rise on the site's western edge
- 4-story, 278-stall parking structure lined with 7 townhouse units along the broad side adjacent to the park
- 4,680 SF of retail space along Isenberg Street, plus 18 on-grade parking stalls

Schedule:

- December 2021: Draft Environmental Assessment
- April 2022: Finding of No Significant Impact approved by HHC
- May 2022: Act 248, SLH 2022 included \$41.5 million to HHFDC to provide financing for the project
- November 2022: HHFDC awards other financing
- Late Q1 2025: Construction begins
- Late Q1 2026: Construction complete
- 3 – 6 months prior to end of construction: Offer of rental units to beneficiaries





MAHALO



DEPARTMENT OF HAWAIIAN HOME LANDS

www.dhhl.hawaii.gov

**HAWAIIAN HOMES COMMISSION
JULY 15 & 16, 2024**

F – ITEMS

LAND MANAGEMENT DIVISION

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

July 15-16, 2024

To: Chairman and Members, Hawaiian Homes Commission

Thru: Linda Chinn, Acting Administrator
Land Management Division

From: Ward “Kalei” Young, Supervising Land Agent
Land Management Division

Subject: Approval to Annual Renewal of Revocable Permit Pilot Program - Revocable Permits, Oahu Island

RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission (HHC) approve the following actions:

- A) Renew all Oahu Island – Revocable Permit Pilot Program – Revocable Permits only as listed on Exhibit “A” and identified by approximate location on the Oahu Island Map Exhibit “A-1” that are in compliance and issued temporary approvals, as of August 1, 2024.
- B) Inspection report is referenced under Exhibit “B” attached hereto.
- C) The revocable permit annual renewal period shall be on a month-to-month basis, for up to twelve (12) months, but no longer than June 30, 2025.
- D) Authorize the Chairman to negotiate and set forth other terms and conditions that may be deemed to be appropriate and necessary.

DISCUSSION

This submittal represents annual renewals for all O’ahu Island – Revocable Permit Pilot Program – Revocable Permit(s), which shall effectively expire on June 30, 2024. As a means of maintaining a process by which Permittees can be assured that their permits have been renewed, notification letters will be transmitted accordingly.

For informational purposes, Exhibit "A" lists all O’ahu Island – Revocable Permit Pilot Program – Revocable Permit(s), organized by acreage, land use, and commencement date. While these permits generate additional revenue for the Trust, their primary purpose is to allow DHHL to efficiently manage its lands through short-term dispositions. These are typically used for land not needed for longer-term dispositions, such as homesteading or general leases, over a 20-year period or as dictated by DHHL's respective island plans. DHHL's total land inventory on O'ahu Island

covers approximately 8,154 acres, or 4% of DHHL's statewide inventory. The short-term dispositions within the O'ahu Island - Kalaeloa inventory cover approximately 61 acres, or almost 1% of the island's inventory.

Revocable Permits assist in maintaining a presence on DHHL lands, thereby reducing costs associated with land management activities such as signage, landscaping, fencing, trash removal, and preventing trespassing on unencumbered lands. Permittees are required to assume responsibility for the land, post insurance, indemnify the department, and manage and maintain the land.

Staff have conducted site visits to all O'ahu Island – Revocable Permit Pilot Program – Revocable Permit parcels on Oahu Island – Kalaeloa, confirmed full compliance, and recommends renewal as noted on the Exhibit “A”.

The table below shows the revenue generated from all O'ahu Island – Revocable Permit Pilot Program – Revocable Permit(s) for FY 2024.

FY 2024		Total
Agriculture	\$0	-
Caretaker/Landscape	\$0	-
Commercial	\$0	-
Community	\$240	1
Industrial	\$70,596	1
Office	\$0	-
Pastoral	\$0	-
Preservation	\$0	-
Recreation	\$0	-
Research	\$0	-
Stabling	\$0	-
	\$70,596	2

If applicable, LMD respectfully recommends increasing rental rates to meet the methodology as described under the new revocable permit program. Increases do fluctuate to meet the methodology of calculation.

AUTHORITY / LEGAL REFERENCE:

Section 204(a), Hawaiian Homes Commission Act, 1920, as amended.

§171-6, -13, and -55, Hawaii Revised Statutes, as amended, governs the revocable permit process.

RECOMMENDATION:

Land Management Division respectfully requests approval of the motion as stated.

REVOCABLE PERMIT PILOT PROGRAM - REVOCABLE PERMITS - O'AHU ISLAND as of JULY 21							Denotes Beneficiary	Revocation	Denotes Delinquent - Notices Issued	Rental Rate
NO.	ACRE	USE	PERMITTEE/ADDRESS	TMK	Date Started	Current Annual Rent	Proposed Annual Rent	Comments: rent amount and reasons (site issues - insufficient/no infrastructure, no legal access, substandard lot size or irregular shape, etc.)/why no long-term disposition	Rent/\$/mo Rent/ac/mo	
488	1.0	Industrial	Kanfi, Inc.	(1) 9-1-013-024(P)	10/5/2023	\$70,596	-	Account is delinquent - \$47,064 (rent)	\$0.11	
489	1.7	Community	Ke Kula Nui O Waimanalo	(1) 4-1-019-032	10/3/2023	\$240	\$240	Rent is current; portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, irregular shape.	Nominal	

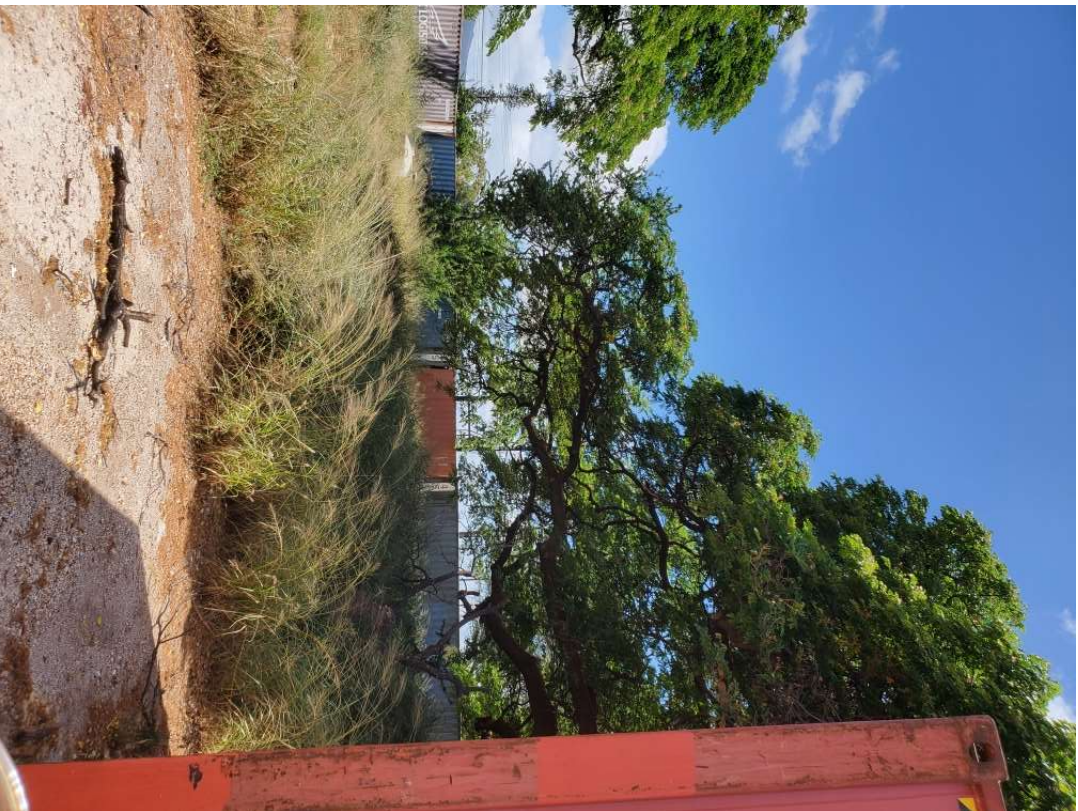
Exhibit "A"
Item No. F-1

Exhibit "B"
Item No. F-1

PROPERTY INSPECTION REPORT

GL/L/ROE/RPNO: 488	ADDRESS:	BY: Kahana Albinio
NAME: Kani Inc.	TMK/ZONING: 9-1-013:024(por.)	PERMITTED USE: Industrial
LOCATION: Kalaeloa	AREA: 1.0 Acre	COI/BOND: Non-Compliant
RENTAL CURRENT: Delinquent	DCCA COMPLIANT: Business not in good standing	DATE: 7/9/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	N/A			
2. Fence or wall	N/A			
3. Site work	N/A			
4. Tenant sign(s)	N/A			
5. Other Information				
GENERAL				
1. Landscaping	N/A			
2. Housekeeping	N/A			
3. Parking/Driveway	N/A			
4. Land Use Compliance	N/A			
5. Environmental Compliance Concerns	N/A			
6. Other Information Permittee has failed to notify/communicate with DHHL on taking possession to use parcel as intended.				
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/L/ROE/RPNO: 489	ADDRESS:	BY: Kahana Albinio
NAME: Ke Kula Nui O Waimanalo	TMK/ZONING: 4-1-019:032	PERMITTED USE: Community
LOCATION: Kalaeloa	AREA: 1.7 Acre	COI/BOND: Compliant
RENTAL CURRENT: Current	DCCA COMPLIANT: Business in good standing	DATE: 7/9/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	N/A			
2. Fence or wall	Yes	Repaired damage fencing		
3. Site work	Yes			
4. Tenant sign(s)	YES	Visible Signage		
5. Other Information				
GENERAL				
1. Landscaping	N/A	Yes monthly maintenance		
2. Housekeeping	N/A			
3. Parking/Driveway	N/A	Good Condition		
4. Land Use Compliance	N/A	Compliant		
5. Environmental Compliance Concerns	N/A			
6. Other Information				
SUBLESSEE(S) OF RECORD				



STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

July 15-16, 2024

To: Chairperson and Members, Hawaiian Homes Commission

Through: Linda Chinn, Acting Administrator
Land Management Division *LC*

Kalei Young, Supervising Land Agent
Land Management Division

From: Shelly Carreira, Land Agent *SC*
Land Management Division

Subject: Approval to Second Amendment of Right of Entry No. 708, Frank V. Coluccio Construction Company, Inc., Puowaina, Honolulu, Oahu, TMK: (1) 2-2-005:035 (por.)

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) grant its approval to the Second Amendment to Right of Entry No. 708 (ROE 708) issued to Frank V. Coluccio Construction Company, Inc. for the purpose of extending the term for an additional twelve (12) month period.

Approval of this first amendment is subject to the following conditions:

1. The term shall be extended for an additional twelve (12) month period, retroactively commencing on April 21, 2024;
2. PERMITTEE shall be required to pay a non-refundable processing and documentation fee of \$150.00; and
3. With the exception of the current requested action, all of the terms, conditions, covenants, and provisions of Right of Entry No. 708 shall continue and remain in full force and effect.

BACKGROUND/DISCUSSION:

At its meeting of February 23, 2022, the Hawaiian Homes Commission (HHC) approved issuance of a right of entry to Frank V. Coluccio Construction Company, Inc. (Permittee) for a twelve (12) month period. The approved ROE 708 commenced on April 21, 2022 and allows access to approximately 40,000 square feet of Hawaiian home lands Puowaina parcel located in Honolulu, Oahu for purpose of staging and storing construction equipment and materials related to the City and County of Honolulu, Board of Water Supply infrastructure improvement project (see Exhibit "A").

On December 19, 2022, the HHC approved the Second Amendment which extended the term for an additional twelve (12) month period and reduced the permitted land area to 33,050 sq. ft. (see Exhibit "B").

The Permittee is requesting a term extension for an additional twelve (12) month period due to project delays caused by significant design changes to the scope of work under Permittee's contract with the Board of Water Supply. The term extension will allow Permittee continued use for base yard purposes for its Board of Water Supply Infrastructure project (see Exhibit "C").

DHHL has informed the Permittee of Kula no na Po'e Hawaii's (Kula) application for long-term use of the subject parcel. Since Kula is not ready to secure site control of the subject parcel, the Permittee is supportive of allowing Kula and its consultants access necessary for accomplishing their planning goals. The Department of Hawaiian Home Lands, Land Management Division will coordinate with Permittee and Kula and execute proper access documents with Kula, as needed.

AUTHORITY

Hawaii Revised Statutes, Section 171-55 Permits.

RECOMMENDATION

Land Management Division respectfully recommends approval of the requested motion/action as stated.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

RIGHT-OF-ENTRY NO. 708

This RIGHT-OF-ENTRY NO. 708 (**ROE**), dated April 21, 2022, (**Effective Date**) is made by and between the State of Hawaii, **DEPARTMENT OF HAWAIIAN HOME LANDS**, whose place of business is 91-5420 Kapolei Parkway, Kapolei, Hawaii, 96707 (**PERMITTOR**) and **FRANK V. COLUCCIO CONSTRUCTION COMPANY, INC.**, a Hawaii profit corporation, whose address is 91-061 Kaomi Loop, Kapolei, Hawaii 96707, (**PERMITTEE**).

1. **GRANT.** PERMITTOR grants to PERMITTEE, its employees, invitees, agents, and representatives (collectively, **Permittee's Representatives**), a non-exclusive, revocable right to enter that certain parcel of Hawaiian home lands located at Pūowaina, Papakōlea, Island of O'ahu, identified as Tax Map Key No. (1) 2-2-005:035 (por.), and being approximately 40,000 square feet of land and any improvements thereon, depicted in the map attached hereto as **Exhibit "A,"** together with those improvements existing thereon as of the Effective Date and any improvements or alterations permitted thereon (**Premises**).

2. **TERM.** This ROE commences on the Effective Date and will continue thereafter on a month-to-month basis until terminated as provided in this instrument; provided, however, that the total term of this ROE shall not to exceed one (1) year. PERMITTOR may in its sole discretion, for any reason or no reason whatsoever, terminate this ROE on thirty 30 days written notice to PERMITTEE.

3. **PERMITTED USE.** PERMITTEE may use the Premises only for the following purpose(s): base yard and storage facilities for the purpose of staging and storing construction equipment and materials related to the City and County of Honolulu, Board of Water Supply infrastructure improvements and Kalawahine water tank project only; and for no other, except with PERMITTOR'S prior written consent.

4. **FEES.** Beginning on the Effective Date, PERMITTEE shall pay to PERMITTOR, in advance on the first day of each calendar month of the term of this ROE, TWO THOUSAND ONE HUNDRED THIRTY-THREE and NO/100 DOLLARS (\$2,133.00), without notice or demand, and delivered to the Fiscal Office of the DEPARTMENT OF HAWAIIAN HOME LANDS at P. O. Box 1721, Honolulu, Hawaii 96806-1721. On or before the Effective Date, PERMITTEE shall pay to PERMITTOR a non-refundable processing and documentation fee of \$175.00 and a security deposit of \$4,266.00. PERMITTEE shall be responsible for all utilities or services desirable or necessary for PERMITTEE'S permitted use(s) of the Premises. PERMITTEE shall pay as and when the same become due, all utilities fees, expenses, costs, and real property taxes and assessments.

EXHIBIT "A"
ITEM NO F-2



5. **MAINTENANCE; SECURITY.** PERMITTEE shall keep the Premises in a strictly clean and sanitary and orderly condition, and shall not cause, make, permit, or suffer any waste, spoil, nuisance, nor any unlawful, improper, illegal, or offensive use of or on the Premises. PERMITTEE shall be solely responsible for the security of the Premises and all of PERMITTEE'S property kept in or on the Premises.

6. **CONSTRUCTION AND IMPROVEMENTS.** PERMITTEE may not construct, alter, amend, place, or install any improvements or fixtures on the Premises or any improvements thereon except with PERMITTOR'S prior written approval.

7. **COMPLIANCE WITH LAWS.** PERMITTEE shall comply with all rules, regulations, ordinances and/or laws of the State of Hawaii and any other municipal and/or Federal Government authority applicable to the Premises and improvements thereon.

8. **RIGHT TO ENTER.** PERMITTOR, its agents, and representatives may at all reasonable times freely access and enter the Premises for the purpose of, but not limited to, examining the same or for the performance of any public or official duties; provided that PERMITTOR shall not interfere unreasonably with PERMITTEE'S permitted use(s) of the Premises.

9. **NO ASSIGNMENT OR SUBLEASE.** PERMITTEE may not in any manner transfer, assign, mortgage, pledge, sublease, or sublet any rights in or to the Premises, in whole or part, or otherwise hold or agree so to do for the benefit of any other person or persons or organization of any kind.

10. **NO LIENS OR ENCUMBRANCES.** PERMITTEE shall not by any act or omission, directly or indirectly, create, incur, assume, cause, or suffer to exist any liens or encumbrances on or with respect to its interests and rights of use in the Premises. PERMITTEE shall promptly notify PERMITTOR of any such liens and encumbrances and, at its own expense, take such action as may be necessary to immediately and fully discharge or release any such lien or encumbrance.

11. **SURRENDER.** Upon termination of this ROE, PERMITTEE shall peaceably and quietly surrender and deliver to PERMITTOR possession of the Premises and within thirty (30) days thereof, restore, at its own cost and risk, the Premises to a condition similar to that which existed prior to the Effective Date (or at PERMITTOR'S election, prior to PERMITTEE'S first occupancy of the Premises), reasonable and ordinary wear and tear and damage by acts of God excepted,. PERMITTEE shall remove all fixtures and personal property belonging to PERMITTEE; provided that in any such fixture can be safely removed without damage to the Premises or any improvements thereon. If PERMITTEE fails to effectuate such restoration of the Premises, PERMITTOR reserves the right to accomplish the same on PERMITTEE'S behalf and shall assess PERMITTEE the total costs thereof. Any

improvements, fixtures, or personal property remaining on or in the Premises shall revert to and be deemed PERMITTOR's property, with which PERMITTOR may dispose in its sole discretion.

12. **INSURANCE.** PERMITTEE shall provide proof of a comprehensive public liability insurance policy of no less than \$1,000,000.00 for each occurrence, naming the State of Hawai'i and its Department of Hawaiian Home Lands (DHHL) as an additional insured prior to commencement of work and throughout the term of this ROE. The specification of these limits as contained herein shall not be construed in any way to be a limitation on the amount of liability of PERMITTEE for fees, interest or other charges under this ROE.

PERMITTEE shall provide certificate(s) of insurance necessary to evidence compliance with the insurance provisions of this ROE. PERMITTEE shall keep such insurance in effect and the certificate(s) on deposit with PERMITTOR during the entire term of this ROE.

In addition:

- a. Failure of PERMITTEE to provide and keep in force such insurance shall be regarded as material default under this ROE. PERMITTOR shall be entitled to exercise any or all of the remedies provided in this ROE for default of PERMITTEE.
- b. The procuring of such required insurance policies shall not be construed to limit PERMITTEE'S indemnification obligations under this ROE.
- c. PERMITTOR is a self-insured State agency. PERMITTEE'S insurance shall be primary. Any insurance maintained by PERMITTOR and/or the State of Hawaii shall apply in excess of, and shall not contribute with, insurance provided by PERMITTEE.

Such insurance policy shall (a) be issued by an insurance company or surety company authorized to do business in the State of Hawai'i or approved in writing by the Chairman, Hawaiian Homes Commission; (b) name the State of Hawai'i and its DEPARTMENT OF HAWAIIAN HOME LANDS as an insured; (c) provide that the DEPARTMENT OF HAWAIIAN HOME LANDS shall be notified at least thirty (30) days prior to any termination, cancellation or material change in the insurance coverage; and (d) cover all injuries, losses or damages arising from, growing out of or caused by any acts or omissions of PERMITTEE, its officers, agents, employees, invitees or licensees in connection with PERMITTEE'S use or occupancy of the Premises.



PERMITTEE shall insure during the term of this ROE the entire Premises, including all buildings now existing and hereafter built or located on the Premises, improvements and grounds, and all roadways and sidewalks on or adjacent to the Premises in the control or use of the PERMITTEE. The insurance shall cover loss or damage by fire and other hazards, casualties and contingencies, including vandalism and malicious mischief. The insurance shall be for the full insurable value of such improvements.

PERMITTEE shall furnish to PERMITTOR upon the execution of this ROE, certificates showing such insurance policy or policies to be in favor of PERMITTOR and to be in force and shall furnish like certificates upon each renewal thereof. In the event of loss, damage or destruction, PERMITTOR shall retain from the proceeds of the policies such amounts deemed by it to be necessary to cover the loss, damage or destruction of or to the improvements and the balance of such proceeds, if any, shall be delivered to PERMITTEE.

The procuring of this policy shall not release or relieve PERMITTEE of its responsibility under this ROE as set forth herein or limit the amount of its liability under this ROE.

PERMITTEE shall provide proof of liability insurance satisfactory to PERMITTOR within a reasonable time before the Effective Date.

13. **DEFENSE AND INDEMNITY.** PERMITTEE shall release, defend, indemnify, and hold harmless PERMITTOR, its officers, employees, and agents from and against all liability, loss, damage, cost, and expense, including all attorneys' fees, and all claims, suits, and demands therefore, arising out of or resulting from the acts or omissions of PERMITTEE and/or PERMITTEE'S officers, employees, agents, or contractors occurring during or in connection with the exercise of this ROE. The provisions of this paragraph shall remain in full force and effect notwithstanding the expiration or early termination of this ROE.

14. **HAZARDOUS MATERIAL.** PERMITTEE shall not cause or permit the escape, disposal, or release of any hazardous materials. PERMITTEE shall not allow the storage or use of such materials in any manner not sanctioned by law or by the highest standards prevailing in the industry for the storage and use of such materials, nor allow to be brought onto the premises any such materials except to use in the ordinary course of PERMITTEE'S business, and then only after written notice is given to the PERMITTOR of the identity of such materials and upon PERMITTOR'S consent, which consent may be withheld at the PERMITTOR'S sole and absolute discretion. If any lender or governmental agency shall ever require testing to ascertain whether or not there has been any release of hazardous materials by PERMITTEE, then PERMITTEE shall be responsible for the costs thereof. In addition, PERMITTEE shall execute affidavits, representations and the like from time to time at PERMITTOR'S request



concerning PERMITTEE'S best knowledge and belief regarding the presence of hazardous materials on the Premises placed or released by PERMITTEE.

PERMITTEE agrees to indemnify, defend, and hold harmless PERMITTOR, its officers, employees, and agents from and against all liability, loss, damage, cost, and expense, including all attorney's fees, and all claims, suits, and demands therefore, arising out of or resulting from any use or release of hazardous materials on the premises occurring while PERMITTEE is in possession, or elsewhere if caused by PERMITTEE or persons acting under PERMITTEE. These covenants shall survive the expiration or earlier termination of the ROE.

For the purpose of this ROE, the term "hazardous material" as used herein shall include: any substance, waste or material designated as hazardous or toxic or radioactive or other similar term by any present or future federal, state or local statutes, regulation or ordinance, such as the Resource Conservation and Recovery Act, as amended, the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, and the Federal Clean Water Act, as amended from time to time, and also including but not limited to: petroleum, petroleum based substances, asbestos, polychlorinated-biphenyls ("PCB"), formaldehyde, and any substance designated by federal, state or local regulations, now or in the future, as presenting a risk to human health or the environment.

Prior to the termination of the ROE, PERMITTEE may be required to conduct a Level One (1) Hazardous Waste Evaluation and conduct a complete abatement and disposal, if necessary, satisfactory to the standards required by the Federal Environmental Protection Agency, the Department of Health and PERMITTOR.

15. **ENTIRE AGREEMENT.** This ROE contains all of the terms and agreements between the parties relating to the subject matter hereof and supersedes and cancels any and all other conflicting prior agreements, promises, and negotiations between them. Nothing contained herein shall limit any claims by PERMITTOR against PERMITTEE arising under prior agreements, nor limit PERMITTEE'S continuing obligations under prior agreements, including insurance, indemnity, and hazardous waste obligations.

16. **PERMITTEE REPRESENTATIONS.** PERMITTEE currently uses and occupies the Premises and is familiar with the quality and condition of the Premises, has had an opportunity to inspect the Premises, and to evaluate and determine for itself the suitability of the Premises for its intended purposes; and PERMITTEE accepts the Premises as-is, where-is, with all faults, defects, and conditions, whether known or unknown.

17. **SEVERABILITY.** If any provision of this ROE is deemed or rendered void or illegal, all other provisions shall remain in effect.



18. **SPECIAL CONDITIONS.**

- A. **Security of stored items.** PERMITTEE shall be solely responsible for the security of all items stored on the Premises. PERMITTEE shall be allowed to install security fencing, however if PERMITTEE intends to install other types of security systems, PERMITTEE must first request and obtain PERMITTOR'S written approval. PERMITTOR makes no representations or warranties as to the safety or security of the Premises or any equipment or materials PERMITTEE may keep on the Premises.
- B. **Removal of Surface Material.** PERMITTEE may be required to remove and dispose of all surface material, including asphalt paving and concrete slab that becomes contaminated beyond the allowable Department of Health limits due to PERMITTEE'S use.
- C. **No residential use.** No residential use shall be permitted, including temporary overnight camping. However, PERMITTEE shall be allowed to provide a shelter for security personnel if such persons are hired for security purposes.
- D. **Temporary fences/structures.** PERMITTEE shall be allowed to fence the Premises and place temporary structures on the property provided said structures are used as an office, storage space, or a work area. PERMITTOR reserves the right to limit the number of structures or require removal if the structures that are not maintained in good condition.
- E. **Removal of equipment constructed improvements.** Prior to vacating the Premises, PERMITTEE shall remove, at PERMITTEE'S expense, all of PERMITTEE'S equipment constructed improvements, trash, goods, and materials and restore the area to a condition as good as or better than that which existed prior to PERMITTEE'S use. PERMITTEE shall also notify PERMITTOR to do a site inspection when PERMITTEE has completed removal.
- F. This ROE is subject to other terms and conditions that may be deemed prudent by the Hawaiian Homes Commission.

[REMAINDER OF PAGE BLANK -- SIGNATURE PAGE FOLLOWS]



IN WITNESS WHEREOF, PERMITTOR and PERMITTEE have caused this ROE to be executed by the duly authorized officers/individuals as of the day and year first above written.

APPROVED BY THE HHC
AT ITS MEETING HELD ON
February 23, 2022

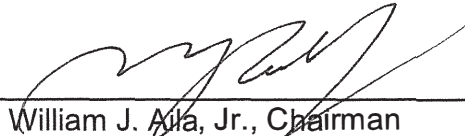
State of Hawaii
DEPARTMENT OF HAWAIIAN HOME LANDS

APPROVED AS-TO FORM:

Alyssa Marie Yukiko Kaw

Deputy Attorney General
State of Hawaii

By



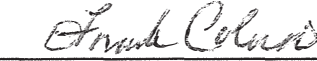
William J. Ala, Jr., Chairman
Hawaiian Homes Commission

PERMITTOR

**FRANK V. COLUCCIO CONSTRUCTION
COMPANY, INC.**

a Hawaii profit corporation

By:



Frank V. Coluccio

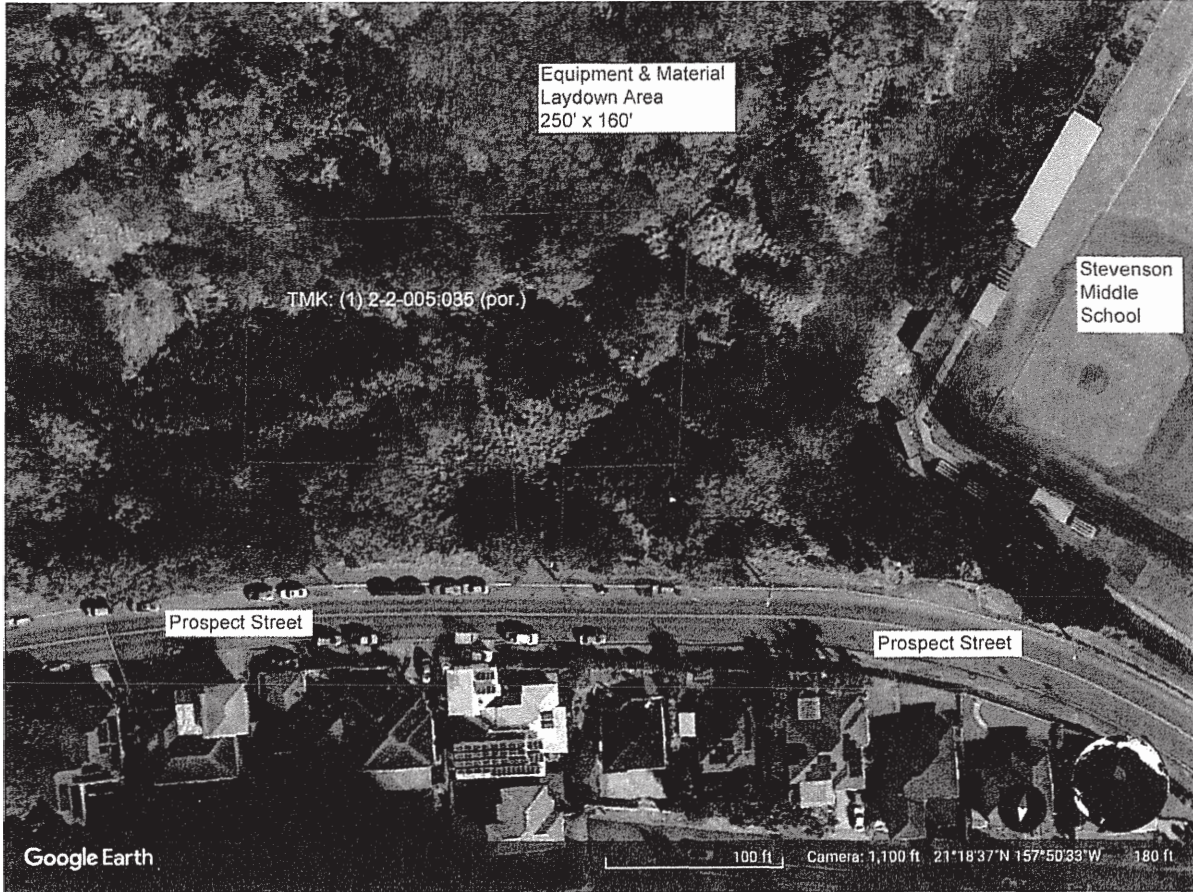
Its: President

PERMITTEE



EXHIBIT "A" (Premises)

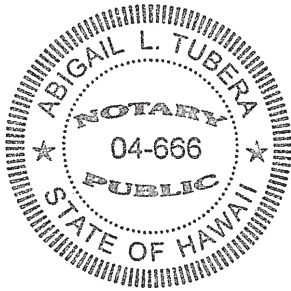
TMK No. (1) 2-2-005:035



STATE OF HAWAII)
) ss:
CITY & COUNTY OF HONOLULU)

On April 21, 2022, in the First Circuit, State of Hawaii, before me appeared WILLIAM J. AILA, JR., to me personally known, who, being by me duly sworn or affirmed, did say that such person is the CHAIRMAN of the HAWAIIAN HOMES COMMISSION, and the person executed the foregoing instrument identified or described as RIGHT-OF-ENTRY NO. 708, as the free act and deed of such person, and if applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.

The foregoing instrument is undated and contained ten (10) pages at the time of this acknowledgment/certification.



Abigail L. Tubera

Print Name: Abigail L. Tubera

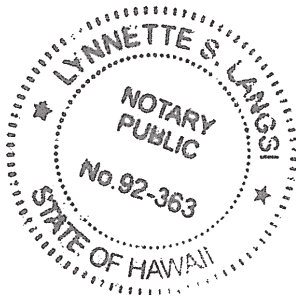
Notary Public, State of Hawaii

My commission expires: November 21, 2024



STATE OF HAWAII)
) SS.
CITY and COUNTY OF HONOLULU)

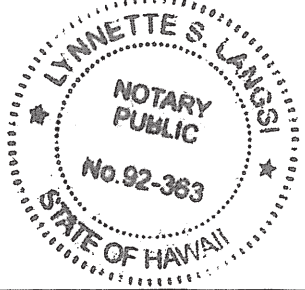
On this 18th day of April, 2022, before me appeared Frank Coluccio, to me personally known, who, being by me duly sworn, did say that he/she is the person who executed the foregoing instrument and acknowledged to me that he/she executed the same freely and voluntarily for the use and purposes therein set forth.



Lynnette S. Langsi
Notary Public, State of Hawaii

Printed Name: LYNNETTE S. LANGSI
My commission expires: June 01, 2024

Document Date:	<u>Undated</u>	# of Pages:	<u>10</u>
Notary Name:	<u>Lynnette S. Langsi</u>	<u>1st</u>	Circuit
Doc. Description:	<u>Right of Entry No. 708</u>		
<u>Lynnette S. Langsi</u> Notary Signature			
NOTARY CERTIFICATION			



STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

FIRST AMENDMENT TO RIGHT OF ENTRY NO. 708

This FIRST AMENDMENT TO RIGHT OF ENTRY NO. 708 (this Amendment), dated December 23, 2022, is made by and between the State of Hawaii, by its DEPARTMENT OF HAWAIIAN HOME LANDS, whose address is 91-5420 Kapolei Parkway, Kapolei, Hawaii 96707 (Permitter), and FRANK V. COLUCCIO CONSTRUCTION COMPANY, INC., a Hawaii profit corporation, whose address is 91-061 Kaomi Loop, Kapolei, Hawaii 96707 (Permittee).

On February 23, 2022, the Hawaiian Homes Commission approved Right of Entry No. 707 (ROE708). On December 19, 2022, the Hawaiian Homes Commission approved an extension of ROE 708 for an additional one (1) year and amending the land area.

Permitter and Permittee desire to extend the term of ROE 708 to continue permitted uses and amend the land area to consist of approximately 33,050 square feet.

NOW, THEREFORE, the parties agree as follows:

1. **Term.** The extended one-year term of ROE 708 commences on April 21, 2023 and will continue thereafter on a month-to-month basis unless earlier terminated as provided in ROE 708.
2. **Grant.** The land area shall be amended to approximately 33,050 square feet, further shown in Exhibit "A".
3. **No Other Amendments.** Except as expressly amended by this Amendment, all other terms and conditions of ROE 708 remain in full force and effect.
4. **Counterparts.** This Amendment may be signed in counterparts and by facsimile, PDF, or other electronic means. Each counterpart when signed shall be deemed an original, and all of which, when taken together, shall be deemed to be and constitute one and the same instrument.

[Remainder of page intentionally left blank. Signatures on following page(s).]

EXHIBIT "B"
ITEM NO. F-2




IN WITNESS WHEREOF, the parties have signed this Amendment as of the date written above.

Approved by the Hawaiian
Homes Commission on
December 19, 2022

APPROVED AS TO FORM:

STATE OF HAWAII
Department of Hawaiian Home Lands




Deputy Attorney General
State of Hawaii

By 

WILLIAM J. AILĀ, JR., Chairman
HAWAIIAN HOMES COMMISSION

PERMITTOR

FRANK V. COLUCCIO CONSTRUCTION
COMPANY, INC.
a Hawaii profit corporation

By 

Frank V. Coluccio
Its: President

PERMITTEE



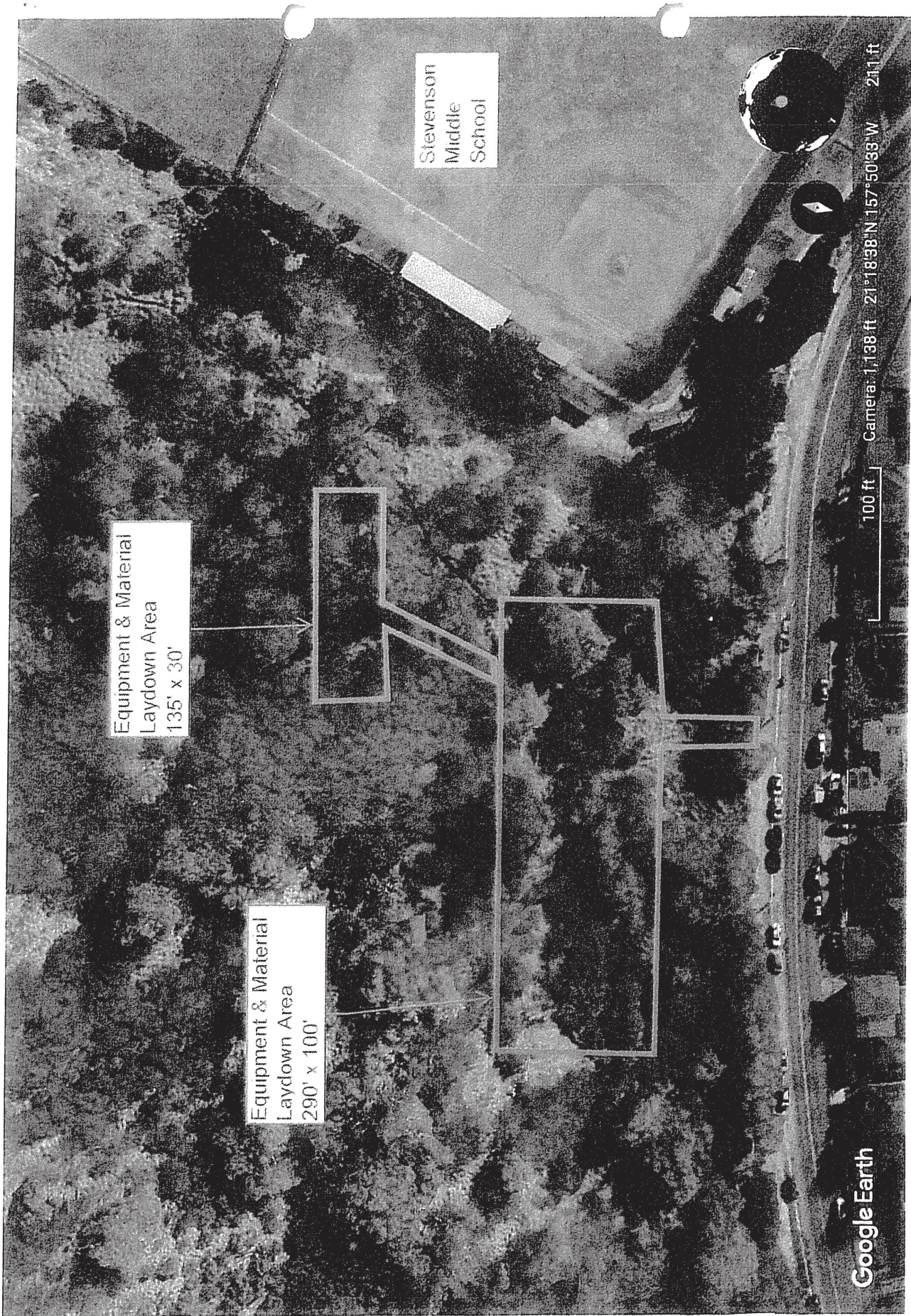


EXHIBIT "A"









1st Amendment to Right of Entry No. 708

Final Audit Report

2022-12-24

Created:	2022-12-22
By:	Shelly Carreira (shelly.p.carreira@hawaii.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAP5bucdmWOtPL-twYVhfdgftsCMCFve

"1st Amendment to Right of Entry No. 708" History

-  Document created by Shelly Carreira (shelly.p.carreira@hawaii.gov)
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-  Document emailed to franco@fvcoluccio.com for signature
2022-12-22 - 7:25:34 PM GMT
-  Email viewed by franco@fvcoluccio.com
2022-12-23 - 3:21:57 AM GMT
-  Signer franco@fvcoluccio.com entered name at signing as Franco Coluccio
2022-12-23 - 6:16:58 PM GMT
-  Document e-signed by Franco Coluccio (franco@fvcoluccio.com)
Signature Date: 2022-12-23 - 6:17:00 PM GMT - Time Source: server
-  Document emailed to William Aila (william.j.ailajr@hawaii.gov) for signature
2022-12-23 - 6:17:02 PM GMT
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Signature Date: 2022-12-24 - 1:45:44 AM GMT - Time Source: server
-  Agreement completed.
2022-12-24 - 1:45:44 AM GMT

Frank V. Coluccio Construction Company, Inc.
91-051 Kaomi Loop
Kapolei, HI 96707

July 2, 2024

Ms. Kali Watson
Chairperson
Hawaiian Homes Commission
91-5420 Kapolei Parkway
Kapolei, HI 96707

Subject: Right of Entry No. 708 Extension Request

Dear Ms. Kali Watson, Chairperson

In reference to the right of entry above, Frank V. Coluccio Construction Company, Inc. respectfully requests an extension of one (1) year.

Our contract with the Board of Water Supply to install waterlines in the vicinity of has had significant design changes causing a delay in completion.

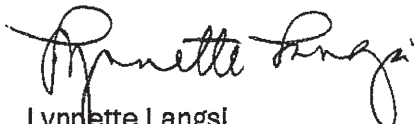
We understand that the area as referenced in ROE #708, is also of interest to Kula no na Po'e who is in the planning stages of future long-term development of the area.

While we do request continued use for one (1) additional year, we do understand that Kula no na Po'e may need access for planning purposes, etc. We are in support of Kula no na Po'e, DHHL Management and their consultant(s) having access as necessary to the referenced property to achieve their goals for the property.

Thank you for your patience as we try and expedite completion of this project. We are available for a meeting on-site to review any further concerns or ideas.

Sincerely,

FRANK V. COLUCCIO CONSTRUCTION COMPANY



Lynnette Langsi
Office Manager

EXHIBIT "C"
ITEM NO. F-2

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

July 15-16, 2024

To: Chairman and Members, Hawaiian Homes Commission

Thru: Linda Chinn, Acting Administrator *WC*
Land Management Division

From: Peter "Kahana" Albinio, Jr., Income Properties Manager
Land Management Division *KA*

Subject: Approval to Amend of Right of Entry Permit No. 706, State of Hawaii
Department of Agriculture, Waimanalo, Island of O'ahu, TMK No.: (1) 4-1-011:001 (por.)

APPLICANT:

STATE OF HAWAII DEPARTMENT OF AGRICULTURE "HDOA"

RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission (HHC) grant its approval to amend Right of Entry Permit No. 706 (ROE 706), covering the subject area identified by Tax Map Key No. (1) 4-1-011:001 (See Exhibit "A") containing approximately 1,306 acres, for the purposes as described and intended under said ROE 706, subject to the following conditions:

1. That an extended term of one (1) year that would effectively commence on July 27, 2024 and expire on July 26, 2025, upon the current expiration date of July 26, 2024;
2. PERMITTEE shall be required to pay a non-refundable processing and documentation fee of \$175.00;
3. Except for the current requested action, all the terms, conditions, covenants, and provisions of Right of Entry No. 706 shall continue and remain in full force and effect.

LOCATION:

Hawaiian Home Lands situated at Waimanalo, Island of O'ahu, identified as TMK No.: (1) 4-1-011:001

AREA:

Containing approximately 1,306 acres.

DISCUSSION:

HDOA's Plant Quarantine Branch (PQB) has indicated its desire to continue its control and eradication efforts of this coqui population in Waimanalo. If this population is not subjected to control or eradication efforts, farmers' ability to export and move their products locally will be significantly impacted. Furthermore, this population, if left unchecked, could be the seed for widespread establishment of coqui throughout the eastern side of O'ahu.

Therefore, the request is intended for HDOA to have continued access to the subject parcel to maintain general coqui control plan in phases. Attached as Exhibit "B" is power point presentation for information on HDOA's efforts over the years.

PLANNING AREA:

Waimanalo, Island of Hawaii

LAND USE DESIGNATION:

Conservation, Oahu Island Plan (2014), Figure 7.3 – Waimanalo Ahupua'a –Land Use Designations

CURRENT STATUS:

Conservation

CHARACTER OF USE:

Conservation - These lands primarily consist of the steep pali along the Ko'olau as well as two stream/drainage channels

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Triggers:

Use of State Lands

None since there is no plans for new construction

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

DHHL General Plan (2002)

The recommended disposition is consistent with the following General Plan goals and objectives:

Land and Resource Management

Goals:

- Be responsible, long-term stewards of the Trust's lands and the natural, historic and community resources located on these lands.

Objectives:

- Manage interim land dispositions in a manner that is environmentally sound and does not jeopardize their future uses.

July 2024

Waimanalo Regional Plan (2011)

The site is designated for Conservation with the Waimanalo Regional Plan (2011)

AUTHORIZATION:

HRS §171.55 Permits., as amended

RECOMMENDATION:

Land Management Division respectfully requests approval of the motion as stated.

Exhibit "A"
Item No. F-3

**STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS**

RIGHT-OF-ENTRY NO. 706

This RIGHT-OF-ENTRY NO. 706 (**ROE**), dated July 27, 2023, (**Effective Date**) is made by and between the **STATE OF HAWAII, DEPARTMENT OF HAWAIIAN HOME LANDS**, whose place of business is 91-5420 Kapolei Parkway, Kapolei, Hawaii, 96707 (**PERMITTOR**) and **STATE OF HAWAII, DEPARTMENT OF AGRICULTURE, (“HDOA”)** whose business and mailing address is 1428 South King Street, Honolulu, Hawaii, 96814, (**PERMITTEE**).

1. **GRANT.** PERMITTOR grants to PERMITTEE, its employees, invitees, agents, and representatives (collectively, **Permittee’s Representatives**), a non-exclusive, revocable right to enter that certain parcel of Hawaiian home lands located in Waimanalo, Island of Oahu, identified as Tax Map Key No. (1) 4-1-011:001, and being approximately 1,306 acres of land and any improvements thereon, depicted in the highlighted area of the map attached hereto as **Exhibit “A,”** together with those improvements existing thereon as of the Effective Date and any improvements or alterations permitted thereon (**Premises**).

2. **TERM.** This ROE commences on the Effective Date and will continue thereafter on a month-to-month basis until terminated as provided in this instrument; provided, however, that the total term of this ROE shall not to exceed one (1) year. PERMITTOR may in its sole discretion, for any reason or no reason whatsoever, terminate this ROE on thirty 30 days written notice to PERMITTEE.

3. **PERMITTED USE.** PERMITTEE shall use the Premises only for the following purpose(s): conducting coqui frog (*Eleutherodactylus coqui*) search, control, and eradication efforts. Access to Premises shall fall between the hours of 8:00 AM and 12:00 AM and provide permitted access for up to a total of ten (10) HDOA employees, agents, contractors, and/or collaborators; and for no other use, except with PERMITTOR’S prior written consent.

4. **FEES.** PERMITTEE is not required to pay any monthly fees for the term of this ROE. A non-refundable processing and documentation fee of \$175.00 is hereby waived.

5. **MAINTENANCE.** During the term of this ROE, PERMITTEE shall keep the Premises in a strictly clean and sanitary and orderly condition, and shall not cause, make, permit, or suffer any waste, spoil, nuisance, nor any unlawful, improper, illegal, or offensive use of or on the Premises. During the permitted hours of 8:00 AM through 12:00 AM, PERMITTEE shall be solely responsible for the security of the Premises.

PERMITTEE is solely responsible for all of PERMITTEE'S property kept in or on the Premises.

6. **CONSTRUCTION AND IMPROVEMENTS.** PERMITTEE may not construct, alter, amend, place, or install any improvements or fixtures on the Premises or any improvements thereon except with PERMITTOR'S prior written approval.

7. **COMPLIANCE WITH LAWS.** PERMITTEE shall comply with all rules, regulations, ordinances and/or laws of the State of Hawaii and any other municipal and/or Federal Government authority applicable to the Premises and improvements thereon.

8. **RIGHT TO ENTER.** PERMITTOR, its agents, and representatives may at all reasonable times freely access and enter the Premises for the purpose of, but not limited to, examining the same or for the performance of any public or official duties; provided that PERMITTOR shall not interfere unreasonably with PERMITTEE'S permitted use(s) of the Premises.

9. **NO ASSIGNMENT OR SUBLEASE.** PERMITTEE may not in any manner transfer, assign, mortgage, pledge, sublease, or sublet any rights in or to the Premises, in whole or part, or otherwise hold or agree so to do for the benefit of any other person or persons or organization of any kind.

10. **NO LIENS OR ENCUMBRANCES.** PERMITTEE shall not by any act or omission, directly or indirectly, create, incur, assume, cause, or suffer to exist any liens or encumbrances on or with respect to its interests and rights of use in the Premises. PERMITTEE shall promptly notify PERMITTOR of any such liens and encumbrances and, at its own expense, take such action as may be necessary to immediately and fully discharge or release any such lien or encumbrance.

11. **SURRENDER.** Upon termination of this ROE, PERMITTEE shall peaceably and quietly surrender and deliver to PERMITTOR possession of the Premises and within thirty (30) days thereof, restore, at its own cost and risk, the Premises to a condition similar to that which existed prior to the Effective Date (or at PERMITTOR'S election, prior to PERMITTEE'S first occupancy of the Premises), reasonable and ordinary wear and tear and damage by acts of God excepted. PERMITTEE shall remove all fixtures and personal property belonging to PERMITTEE; provided that in any such fixture can be safely removed without damage to the Premises or any improvements thereon. If PERMITTEE fails to effectuate such restoration of the Premises, PERMITTOR reserves the right to accomplish the same on PERMITTEE'S behalf and shall assess PERMITTEE the total costs thereof. Any improvements, fixtures, or personal property remaining on or in the Premises shall revert to and be deemed PERMITTOR's property, with which PERMITTOR may dispose in its sole discretion.

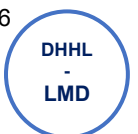
12. **HAZARDOUS MATERIAL.** PERMITTEE shall not cause or permit the escape, disposal, or release of any hazardous materials. PERMITTEE shall not allow the storage or use of such materials in any manner not sanctioned by law or by the highest standards prevailing in the industry for the storage and use of such materials, nor allow to be brought onto the premises any such materials except to use in the ordinary course of PERMITTEE'S business, and then only after written notice is given to the PERMITTOR of the identity of such materials and upon PERMITTOR'S consent, which consent may be withheld at the PERMITTOR'S sole and absolute discretion. If any lender or governmental agency shall ever require testing to ascertain whether or not there has been any release of hazardous materials by PERMITTEE, then PERMITTEE shall be responsible for the costs thereof. In addition, PERMITTEE shall execute affidavits, representations and the like from time to time at PERMITTOR'S request concerning PERMITTEE'S best knowledge and belief regarding the presence of hazardous materials on the Premises placed or released by PERMITTEE.

For the purpose of this ROE, the term "hazardous material" as used herein shall include any substance, waste or material designated as hazardous or toxic or radioactive or other similar term by any present or future federal, state or local statutes, regulation or ordinance, such as the Resource Conservation and Recovery Act, as amended, the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, and the Federal Clean Water Act, as amended from time to time, and also including but not limited to petroleum, petroleum based substances, asbestos, polychlorinated-biphenyls ("PCB"), formaldehyde, and also including any substance designated by federal, state or local regulations, now or in the future, as presenting a risk to human health or the environment.

Prior to the termination of the ROE, PERMITTEE may be required to conduct a Level One (1) Hazardous Waste Evaluation and conduct a complete abatement and disposal, if necessary, satisfactory to the standards required by the Federal Environmental Protection Agency, the Department of Health and PERMITTOR.

13. **SELF-INSURANCE.** The State, as a sovereignty, is self-insured and therefore insurance, including but not limited to, public liability, property damage, and fire, is not required.

14. **PERMITTEE'S RESPONSIBILITIES.** The PERMITTEE shall be responsible for injury caused by the PERMITTEE'S officers and employees in the course and scope of their employment to the extent that the PERMITTEE'S liability for such damage or injury has been determined by a court or otherwise agreed to by the PERMITTEE. The PERMITTEE shall pay for such damage and injury to the extent permitted by law provided that an appropriation is enacted and funds have been encumbered and released for the purpose.



15. **PERMITTOR'S RESPONSIBILITIES.** The PERMITTOR shall be responsible for injury caused by the PERMITTOR'S officers and employees in the course and scope of their employment to the extent that the PERMITTOR'S liability for such damage or injury has been determined by a court or otherwise agreed to by PERMITTOR. The PERMITTOR shall pay for such damage and injury to the extent permitted by law provided that an appropriation is enacted and funds have been encumbered and released for the purpose.

16. **ENTIRE AGREEMENT.** This ROE contains all of the terms and agreements between the parties relating to the subject matter hereof and supersedes and cancels any and all other conflicting prior agreements, promises, and negotiations between them. Nothing contained herein shall limit any claims by PERMITTOR against PERMITTEE arising under prior agreements, nor limit PERMITTEE'S continuing obligations under prior agreements, including insurance, indemnity, and hazardous waste obligations.

17. **PERMITTEE REPRESENTATIONS.** PERMITTEE is familiar with the quality and condition of the Premises, has had an opportunity to inspect the Premises, and to evaluate and determine for itself the suitability of the Premises for its intended purposes; and PERMITTEE accepts the Premises as-is, where-is, with all faults, defects, and conditions, whether known or unknown.


WHEREOF, PERMITTOR and PERMITTEE have caused this ROE to be executed by the duly authorized officers/individuals as of the day and year first above written.

APPROVED BY THE HHC
AT ITS MEETING HELD ON
September 21, 2021

APPROVED AS TO FORM:

Deputy Attorney General
State of Hawaii


State of Hawaii
DEPARTMENT OF HAWAIIAN HOME LANDS

By 
~~William J. Aila, Jr., Chairman~~ Kali Watson, Chairman
Hawaiian Homes Commission
PERMITTOR

APPROVED AS TO FORM:

Deputy Attorney General
State of Hawaii

STATE OF HAWAII, DEPARTMENT OF
AGRICULTURE

By: 
~~Phyllis Shimabukuro-Geiser~~ Sharon K. Hurd
Its: Chairperson
PERMITTEE












ROE 724 - WVHCAI


Final Audit Report

2023-07-28


Created:	2023-07-13 (Hawaii-Aleutian Standard Time)
By:	Peter Albinio (peter.k.albinio.jr@hawaii.gov)
Status:	Signed
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Number of Documents:	1
Document page count:	21
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"ROE 724 - WVHCAI" History


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-  Document emailed to josiahjury@gmail.com for signature
2023-07-13 - 3:36:11 PM HST
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-  Email viewed by josiahjury@gmail.com
2023-07-27 - 4:46:08 PM HST
-  Signer josiahjury@gmail.com entered name at signing as Josiah T.K. Jury
2023-07-27 - 4:47:54 PM HST

 Document e-signed by Josiah T.K. Jury (josiahjury@gmail.com)


Signature Date: 2023-07-27 - 4:47:56 PM HST - Time Source: server

 Document emailed to Kali Watson (kali.watson@hawaii.gov) for signature


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2023-07-28 - 11:18:33 AM HST

 Document e-signed by Kali Watson (kali.watson@hawaii.gov)

Signature Date: 2023-07-28 - 11:18:38 AM HST - Time Source: server

 Agreement completed.

2023-07-28 - 11:18:38 AM HST

ROE 706 - DOA

Final Audit Report

2023-07-27

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"ROE 706 - DOA" History







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2023-07-27 - 8:44:38 AM HST
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Signature Date: 2023-07-27 - 9:16:02 AM HST - Time Source: server
-  Agreement completed.
2023-07-27 - 9:16:02 AM HST

EXHIBIT "A"
(Premises)
TMK No. (1) 4-1-011:001



Background Information

shortened from 7:30am to 3:30 pm and the tuition is \$2500, and financial aid is somewhere in the mid 80%. A. Choy stated in the Kamehameha Schools' presentation, it was reported that 20-30% of the keiki enrolled are from Keaukaha.

Chair Aila stated he will make the same caveat to approve it as is and come back with a recommendation of what should be a more consistent application throughout different uses by eleemosynary groups, non-profits, educational purposes, cultural purposes, and the Commission can adjust the rent across the board for all.

ACTION

Moved by Commissioner Kaleikini, seconded by Commissioner Ka'apu to approve the motion as stated in the submittal.						
Commissioner	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Helm			X			
Commissioner Ka'apu		X	X			
Commissioner Kaleikini	X		X			
Commissioner Ka'upu			X			
Commissioner Namu'o			X			
Commissioner Neves			X			
Commissioner Teruya					X	
Chairman Aila			X			
TOTAL VOTE COUNT			8			
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED Motion passed unanimously- eight (8) Yes votes. One (1) Abstain						

ITEM F-3 Approval to Issuance of Right of Entry Permit, State of Hawaii Department of Agriculture, Waimanalo, Island of O'ahu, TMK No.: (1) 4-1-011:001 (por.)

RECOMMENDED MOTION/ACTION

Acting Land Management Division Administrator Kahana Albinio presented the following: Motion that the Hawaiian Homes Commission approve the Issuance of Right of Entry Permit, State of Hawaii Department of Agriculture, Waimanalo, Island of O'ahu, TMK No.: (1) 4-1-011:001 (por.)

MOTION

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

DISCUSSION

Inspector and Compliance Sector Chief for the Plant Quarantine Branch Jonathan Ho stated coqui was not a pest until they got to Hawai'i Island. The State Department of Agriculture's has been responding to coqui reports on O'ahu for decades. He stated chemical treatment is the best option which is a 16% citric acid solution. The area is sprayed until there are no frogs. The challenge for DOA is the grade and the distance from the road.

MOTION/ACTION

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

ITEM F-4 Approval to Issue a License to Ka Hale Pōmaika'i, 'Ualapu'e, Molokai, TMK: (2) 5-6-002:001 (por.)

RECOMMENDED MOTION/ACTION

Acting Land Management Division Administrator Kahana Albinio presented the following:
Motion that the Hawaiian Homes Commission approve to Issue a License to Ka Hale Pōmaika'i, 'Ualapu'e, Molokai, TMK: (2) 5-6-002:001 (por.)

Chair Aila stated there was also discussion about issuing a 2-year license and coming back and not giving the Chairman any extension rights. Chair Aila stated this is just for the 2-years.

MOTION/ACTION

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

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

September 20-21, 2021

To: Chairman and Members, Hawaiian Homes Commission

From: Peter "Kahana" Albinio, Jr., Acting Administrator
Land Management Division *PK*

Subject: Approval to Issuance of Right of Entry Permit, State of Hawaii Department of Agriculture, Waimanalo, Island of O'ahu, TMK No.: (1) 4-1-011:001 (por.)

APPLICANT:

STATE OF HAWAII DEPARTMENT OF AGRICULTURE "HDOA"

RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission (HHC) authorize the issuance of a Right of Entry Permit, covering the subject area identified by Tax Map Key No. (1) 4-1-011:001 (See Exhibit "A") containing approximately 1,306 acres, for the purpose of conducting coqui frog (coqui) search, control, and eradication efforts ONLY. The request for access to the subject area would fall between the hours of 8:00 AM and 12:00 AM and include access permission for up to a total of ten (10) HDOA employees and/or collaborators.

Approval and issuance of this Right of Entry Permit (ROE) shall be subject to the following conditions:

1. Authorize the issuance of a Right-of-Entry permit to HDOA covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time;
 - B. The premises shall be utilized strictly for conducting coqui frog (coqui) search, control, and eradication purposes ONLY and for no other purposes whatsoever; and
 - C. Such other terms and conditions as may be prescribed by the Hawaiian Homes Commission to best serve the interests of the Hawaiian Home Lands Trust;
2. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR this project will probably have minimal or no significant effect on the environment.

LOCATION:

Hawaiian Home Lands situated at Waimanalo, Island of O’ahu, identified as TMK No.: (1) 4-1-011:001 (See Exhibit “A”)

AREA:

Containing approximately 1,306 acres.

DISCUSSION:

In March 2021, HDOA’s Plant Quarantine Branch (PQB) received report of Coqui frogs calling on or around the subject parcel. HDOA contacted LMD and requested access to conduct a search of the area. The search detected a sizeable coqui population. To date approximately 11 surveys and control responses have resulted in the capture of approximately 130 coqui frogs on or around the subject parcel.

The control and eradication of this coqui population is of critical importance to HDOA’s stakeholders in Waimanalo. If this population is not subjected to control or eradication efforts, or farmers’ ability to export and move their products locally will be significantly impacted. Furthermore, this population, if left unchecked, could be the seed for widespread establishment of coqui throughout the eastern side of O’ahu.

Therefore, the request is intended for HDOA to access the subject parcel and initiate a general coqui control plan consisting of 5 phases as identified and described in Attachment I of HDOA’s September 9, 2021, letter attached hereto as Exhibit “B”. This is a general plan that is subject to adjustment in response to the unique circumstances that are encountered during each response. Phase 3 has been postponed due to the Hawaiian Hoary Bat pupping season. This response is currently in the preliminary stages of Phase 4.

PLANNING AREA:

Waimanalo, Island of Hawaii

LAND USE DESIGNATION:

Conservation, Oahu Island Plan (2014), Figure 7.3 – Waimanalo Ahupua’a –Land Use Designations

CURRENT STATUS:

Conservation

CHARACTER OF USE:

Conservation - These lands primarily consist of the steep pali along the Ko’olau as well as two stream/drainage channels

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

September 2021

Triggers:

Use of State Lands

None since there is no plans for new construction

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

DHHL General Plan (2002)

The recommended disposition is consistent with the following General Plan goals and objectives:

Land and Resource Management

Goals:

- Be responsible, long-term stewards of the Trust's lands and the natural, historic and community resources located on these lands.

Objectives:

- Manage interim land dispositions in a manner that is environmentally sound and does not jeopardize their future uses.

Waimanalo Regional Plan (2011)

The site is designated for Conservation with the Waimanalo Regional Plan (2011)

AUTHORIZATION:

HRS §171.55 Permits., as amended

RECOMMENDATION:

Land Management Division respectfully requests approval of the motion as stated.



Parcel ID 410110010000
 Acreage 1305.583
 Class PRESERVATION

Situs/Physical Address WAIKUPANAHA ST

Assessed Land Value \$1,697,300
 Assessed Building Value \$0
 Total Property Assessed Value \$1,697,300
 Total Property Exemptions \$1,697,300
 Total Net Taxable Value \$0

Last Sales
 Date Price Reason Qual
 n/a 0 n/a n/a
 n/a 0 n/a n/a

Brief Tax Description

n/a

(Note: Not to be used on legal documents)

Exhibit "A"

Item No. F-3

Exhibit "B"

Item No. F-3

DAVID Y. IGE
Governor
JOSH GREEN
Lt. Governor



State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512
Phone: (808) 973-5600 FAX: (808) 973-9613

PHYLLIS SHIMABUKURO-GEISER
Chairperson, Board of Agriculture
MORRIS M. ATTA
Deputy to the Chairperson

Chairperson William J. Alia, Jr.
Department of Hawaiian Homelands
P.O. Box 1879
Honolulu, Hawaii 96805

Subject: Limited Right of Entry Permit Request for property
TMK 4-1-011-001

Aloha Chairman Alia,

The Hawaii Department of Agriculture (HDOA) is requesting a one-year Limited Right of Entry (LROE) Permit to access Department of Hawaiian Homelands (DHHL) property TMK 4-1-011-001, for the purpose of conducting coqui frog (coqui) search, control and eradication efforts. HDOA's request for access to the area would fall between the hours of 8:00 AM and 12:00 AM and include access permission for up to a total of 10 HDOA employees and/or collaborators for the purposes stated below.

In March of this year, the HDOA's Plant Quarantine Branch (PQB) received a report of coqui frogs calling on or around the aforementioned DHHL property. On March 5, 2021, a team of PQB inspectors conducted a search of the area and detected a sizeable coqui population. PQB staff have conducted approximately 11 surveys and control responses since the initial detection, capturing approximately 130 coqui frogs on or around property TMK 4-1-011-001.

Due to the remoteness of the site, size of the coqui population, and the discovery of coqui in various live stages, we believe that this population has been established in this area for an extended period of time. Established coqui detection and capture techniques utilize teams of trained individuals to triangulate the calls of adult male coqui between dusk and dawn. These frogs are either hand-captured or subjected to spot treatments of a citric acid solution. Unfortunately, coqui juveniles and eggs are not audible and cannot be detected utilizing this technique. To control coqui eggs and juvenile life stages, area-wide citric acid sprays are typically used in conjunction with hand-capture techniques. The majority of the terrain throughout DHHL property TMK 4-1-011-001 is not suitable for access by our tank sprayers that are on a truck and trailer.

Chairperson William J. Alia, Jr.
DHHL LROE Request Property TMK 4-1-011-001
September 9, 2021

In addition to requesting access to property TMK 4-1-011-001, a general coqui control plan consisting of 5 phases is included with this request as Attachment 1. This is a general plan that is subject to adjustment in response to the unique circumstances that are encountered during each response. Phase 3 has been postponed due to the Hawaiian Hoary Bat pupping season. This response is currently in the preliminary stages of Phase 4.

The control and eradication of this coqui population is of critical importance to HDOA's stakeholders in Waimanalo. If this population is not subjected to control or eradication efforts, our farmers' ability to export and move their products locally will be significantly impacted. Furthermore, this population, if left unchecked, could be the seed for widespread establishment of coqui throughout the eastern side of Oahu.

Thank you, in advance, for your consideration of this LROE. In addition, any other support DHHL can provide to bolster HDOA's efforts in tackling this situation will be greatly appreciated.

Sincerely,

Phyllis Shimabukuro-Geiser
Phyllis Shimabukuro-Geiser
Chairperson, Hawaii Board of Agriculture



Coqui Control Phasing

Phase 1: Detection and Delineating

This phase is dedicated to the detection of coqui and delineation to determine the extent of the coqui infestation. A search for various stages of coqui is conducted to determine if an infestation exists, and if so, then what life stages are present. If an infestation exists, the next step is to determine the extent of the infestation, mark (flag/GPS) and map the boundaries of the infestation.

Phase 2: Planning (ICS), Site Scouting and Preparation

Phase 2 involves the preparation of a plan of action to identify needs and goals, the establishment of objective timelines, as well as site scouting and preparation. For large infestations where multiple agencies/organizations are involved, the utilization of the Incident Command System (ICS) is ideal for clarifying responsibilities and coordination operations. Additionally, scouting, assessment, and preparation will occur for the following:

- 1) Safety hazards and risks
- 2) Environmental conditions
- 3) Access points and pathways
- 4) Habitat modification
- 5) Staging areas for equipment
- 6) Basecamp area

Phase 3: Habitat Modification Planning and Execution

Habitat modification in a control/eradication project refers to the altering of a habitat to either render a habitat inhospitable for a target pest, or to make conditions at an infestation site conducive to control and/or eradication. In this case, habitat modification will be used to facilitate the capture of coqui, to reduce inaccessible breeding/harborage sites, and to create a physical buffer to reduce the likelihood of coqui dispersing beyond the boundaries of the infested area.

- The Department of Land and Natural Resources (DLNR) and Oahu Invasive Species Committee may conduct habitat modification by felling trees within the infested area.
- DLNR will provide guidance for regulations pertaining to conservation laws/rules (e.g. felling of trees on conservation lands and Hawaii Hoary Bat (*Lasiorus semotus*) protection).

Phase 4: Treatment, Assessment and Capture

**Note: Phase 4 may be implemented before, during, or after Phase 3, depending on the circumstances. The effectiveness of citric acid for the control of all coqui life stages is well-documented, and additional information can be provided, if requested.*

During Phase 4, setup for treatment of the infested area will commence. Spray equipment and materials will be transported to treatment staging area(s) and prepared for use. Treatments with food-grade citric acid will be applied systematically, with a focus on sufficient spray volume, and thorough coverage of all potential coqui breeding and harborage sites. Treatments for large areas are applied by zones to manage fatigue, man-hours, and supplies. After a treatment is completed, a survey is conducted to assess efficacy and to determine if there are areas that may require re-treatment.


Phase 5: Efficacy and Eradication Surveys

When coqui frogs are no longer detected in the infested area, control measures are ceased. After control measures have been ceased, routine periodic surveys of the infested area will be conducted to determine the effectiveness of the control measures. Surveys will occur for a minimum of 9 months. Research shows that coqui eggs hatch in 14-17 days, and newly hatched frogs require approximately 8 months to mature and become audible. Therefore, negative detections for 9 months will ensure that no life stages of coqui remain in the area. Once this threshold has been reached, a declaration of eradication can be made. If a detection is made during the eradication survey period, the situation will be assessed to determine the appropriate control measures that are required, and the negative detection clock (9 months) is restarted.

Exhibit "B"
Item No. F-3

Request for Renewal of Right-of-Entry Permit for TMK No. (1) 4-1-011:001


Hawai'i Department of Agriculture
Plant Quarantine Branch



1

Request Proposal

- The Hawaii Department of Agriculture (HDOA) Plant Quarantine Branch (PQB) is requesting that the current Right-of-Entry (ROE) with DHHL be maintained to enable the continuation of survey, capture, and treatment activities for the coqui population in TMK No. (1) 4-1-011:001.
 - These activities are essential to prevent further encroachment into neighboring properties, defining population boundaries, and implementation of control and eradication methods.
 - We have previously requested, and been granted, ROE permits. Our current permit is set to expire on July 30, 2024.



2

Historical Background

- **April 2021**
 - HDOA PQB requested consent to search this TMK due to concerns about a potential coqui population. Our office was granted a Limited Right-of-Entry to access the property for survey and capture purposes. Bi-weekly responses in the area began.
- **May 2022**
 - Due to the remote location of the population, a multi-agency operation was conducted utilizing aerial application of citric acid to assist in controlling the coqui population. (News Advisory: <https://hdoa.hawaii.gov/blog/main/na-waimanalo-coqui-treatment/>). HDOA PQB maintained response efforts in the area.
- **June 2023**
 - A proposal for the installation of a citric acid pipeline to manage the coqui population was developed in partnership with HDOA PQB, the Department of Land and Natural Resources (DLNR), and the Oahu Invasive Species Committee (OISC). This joint initiative aims to streamline and enhance the efficiency of citric acid applications for controlling the coqui population.



3

Current HDOA Activity

- On November 3, 2023, HDOA PQB staff partnered with OISC to install a pilot citric acid pipeline through the coqui infested zones.



4

Current HDOA Activity



- Efforts are focused on controlling the coqui population near residential and commercial properties.
- PQB inspectors conduct response activities twice a month, contingent on weather conditions and staff availability.



5

Current HDOA Activity Summary

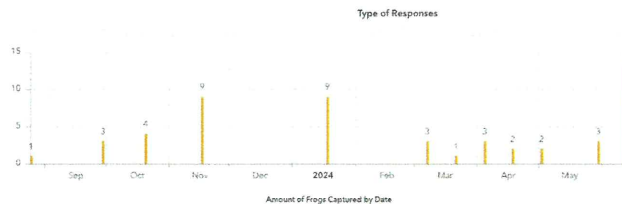
HDOA Coqui Report August 1, 2023-Present

Amount of Responses	Amount of Frogs Captured	Total Number of Responders	Total Man Hours Used
12	53	37	87



Total Amount of Citric Acid Used (lbs):

2.6



6

Future Activities

- **Collaboration**

- Continue working with DLNR and OISC for management. The difficult terrain presents unique challenges for implementation. The partnership enables leveraging of each organization's expertise and limited resources for more effective control measures.

- **"Hold-the-Line"**

- Define and maintain the boundaries where the population spread could potentially impact neighboring residential and commercial properties. The utilization of GPS mapping enables accurate tracking and recording of all activities while simultaneously facilitating efficient coordination and documentation of control efforts.

- **Outreach and Education**

- Provide the community with comprehensive resources for identifying and reporting coqui frogs. This also includes disseminating best management practices for preventing the spread of coqui frogs. In the event of an infestation, potential impacts can be significantly minimized.



7

Contact

Hawai'i Department of Agriculture

Plant Quarantine Branch

Jessica Ann Miura, Acting Land Vertebrate Specialist

1849 Auiki Street, Honolulu, HI 96819

Phone: (808)832-0566 Fax: (808)832-0584

Email: hdoa.pqlvs@hawaii.gov



8

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

July 15-16, 2024

TO: Chairman and members of the Hawaiian Homes Commission

THRU: Linda Chinn, Acting Administrator *LC*
Land Management Division

FROM: Peter "Kahana" Albinio, Jr., General Professional
Land Management Division *PA*

SUBJECT: Authorization to Amend General Lease No. 288 to Kapolei Community
Development Corp. (KCDC), East Kapolei, Island of Oahu
TMK No.: (1) 9-1-016:018 (p)

APPLICANT:

Kapolei Community Development Corporation, a 501c3 Non-Profit corporation

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) grant its authorization to amend General Lease No. 288, issued to Kapolei Community Development Corporation, for the use of Pad 3 and the remaining portion of the land area set aside for community uses, subject to the following conditions:

1. The additional land area to be incorporated will be Pad 3 (11,500 sq.ft.) and the remaining portion of the yet to be developed parking area, approximately 2 acres, as shown in Exhibit "A".
2. Except for the land area, all other terms and conditions of General Lease No. 288 shall continue to be in full force and effect.

DISCUSSION

On April 22, 2024, KCDC submitted a letter request to incorporate Pad 3 and the remaining parking area at the Kipuka into General Lease No. 288 for the further development of the Kapolei Heritage Center to services the beneficiaries in the Kapolei Region (See Exhibit "B").

Pertinent information on General Lease No. 288 as follows:

Lessee: Kapolei Community Development Corporation (KCDC), a Hawaii
501(c)(3) non-profit organization

July 2024

Location: East Kapolei, Island of Oahu

Tax Map Key No.: (1) 9-1-016:018(p)

Land Area: Approximately 1 acre (Pads 4 & 5 and portion of the parking area)

Term: 65 years; 1/18/2012 – 1/7/2077

Annual Rental: \$1 – Yrs 1-20
Annual base rent for Years 21-65 shall be reopened as provided in Section 2, provided that, at Lessor’s discretion, Lessor may establish a nominal lease rent for the reopened periods, provided that Lessee continues to use the Premises to benefit Lessor or its native Hawaiian beneficiaries

Permitted Use: Development and operation of the Kapolei Heritage Center

Background Information

Kipuka Complex

With the development of the Department of Hawaiian Home Lands headquarter, Hale Kalanianaʻole, in East Kapolei, an area of approximately 4 acres was set aside in the back of the office building for the development of community projects to service the beneficiaries in the East Kapolei area (See Exhibit “B”). Project Kipuka is envisioned to be a community complex providing essential social, economic and health services to our beneficiaries on the West side.

Pads 1 & 2 were awarded to Hawaii Moali and Chaminade University to develop a multi-purpose facility with classroom and meeting space, and serve as an educational and cultural resource center. License No. 642 was issued for thirty (30) years, from 5/25/2006 – 5/4/2036.

Pad 3 was awarded to Ke Ola Mamo, Inc. for a twenty (20) year license, from 5/25/2006-5/24/2036, to be used for the development of a facility that is focused on health conditions/concerns of native Hawaiians and others. This license was cancelled in 2023 for its failure to follow through with the proposed development.

Pads 4 & 5 were awarded to KCDC, initially under a license, but subsequently, the Hawaiian Homes Commission approved the issuance of a 65-year general lease to allow the community to leverage the leasehold interest for federal funding and other funding sources. The 65-year lease term commences on 1/18/2012.

Kapolei Heritage Center

KCDC was incorporated as a IRS 501c3 tax exempt organization in 2018. KCDC is owned and majority managed by beneficiaries from the East Kapolei homestead subdivisions. KCDC is the Kapolei regional CDC that was certified through DHHL’s Kulia I Ka Nu’u program. KCDC,

through its capital campaign from 2013, was proud to complete Phase 1 of the Kapolei Heritage Center (KHC). Phase 1 included a certified commercial kitchen, restrooms, interim office space and multi-use classrooms.

KCDC manages the Homestead Community Benefit Funds from the Ka Makana Alii regional center as well as the revenue generated from Ho'omaka Marketplace. KCDC also was awarded a \$200,000 grant from DHH for the development planning. KCDC is ready to start planning and design for its Phases 2 and 3 of the KHC. In 2023, KCDC finally hired an Executive Director to manage the day-to-day operations.

KCDC's Request

KCDC is seeking to amend General Lease No. 288 to include pad 3 and the remainder of the Kipuka site to do a comprehensive master plan for Phase 2 & 3 of the KHC. KCDC plans to expand the KHC facility to accommodate larger gatherings and events while also offering versatile spaces to expand programs to better serve the beneficiaries. The next 2 phases will include a 350-person halau, parking lot, KCDC's administrative office, office space for the homesteads in the region, and space dedicated to share the life and legacy of Prince Jonah Kuhio Kalaniana'ole.

HRS CHAPTER 343 – ENVIRONMENTAL ASSESSMENT

An environmental assessment was completed and FONSI determined.¹

2022 KAPOLEI REGIONAL PLAN PRIORITY PROJECT 4. Support Heritage Center and Community Commercial Development (Previous Priority Project).

PROJECT DESCRIPTION The Kapolei Heritage Center is operated and managed by the KCDC. This project was developed to fulfill the community's need for space for programming, gathering, cultural practices and more. Support for the Heritage Center and community commercial development was selected by Kapolei beneficiaries as a priority project in the 2010 Kapolei Regional Plan and remains a priority in the region today. A funding campaign began in 2013 to secure funds for the development of the first phase of the Kapolei Heritage Center. Phase I of the Heritage Center includes two classrooms, restrooms, a small parking area, and a commercial kitchen space. Phase I was completed in 2016 and the Heritage Center opened for community use in July of that same year. Phase II and Phase III of the Heritage Center are planned to include a hālau, or large covered gathering space, and an administrative building which will provide more classrooms and a gallery dedicated to celebrating Prince Jonah Kūhiō Kalaniana'ole. Funding for Phases II and III are planned to come from revenue generated from a community commercial development, Ho'omaka Marketplace.

It is important to understand that these two spaces go hand in hand; revenue generated from the community commercial development is critical for the on-going development of the Kapolei Heritage Center. The projected cost for design and construction of Phase II and Phase III of the

¹ https://files.hawaii.gov/dbedt/erp/EA_EIS_Library/2005-05-08-OA-FEA-East-Kapolei-Development-Parcel-B.pdf

Kapolei Heritage Center will be \$3-\$5 million for each phase. The projected timeline for the build out of these phases is linked to the completion and successful operation of Ho‘omaka Marketplace. The Ho‘omaka Marketplace was completed in 2023 with 7-Eleven and other businesses opened for business in November 2023. The Kapolei beneficiaries would like the Heritage Center to continue its ongoing and planned programming and would also like to see additional programming such as: youth and young adult education programs, cultural and historical education programs, a program to make the built environment more reflective of Kapolei’s unique native roots (ex: murals, art, native landscaping, etc.), support for cultural celebrations in common spaces, and programs to support economic development for homesteaders.

AUTHORIZATION

§204(a)(2) of the Hawaiian Homes Commission Act, 1921, as amended

§171-43.1 of the Hawaiian Revised Statutes, as amended

RECOMMENDATION

Land Management Division respectfully requests approval of the motion as stated.

Exhibit "A"
Item No. F-4

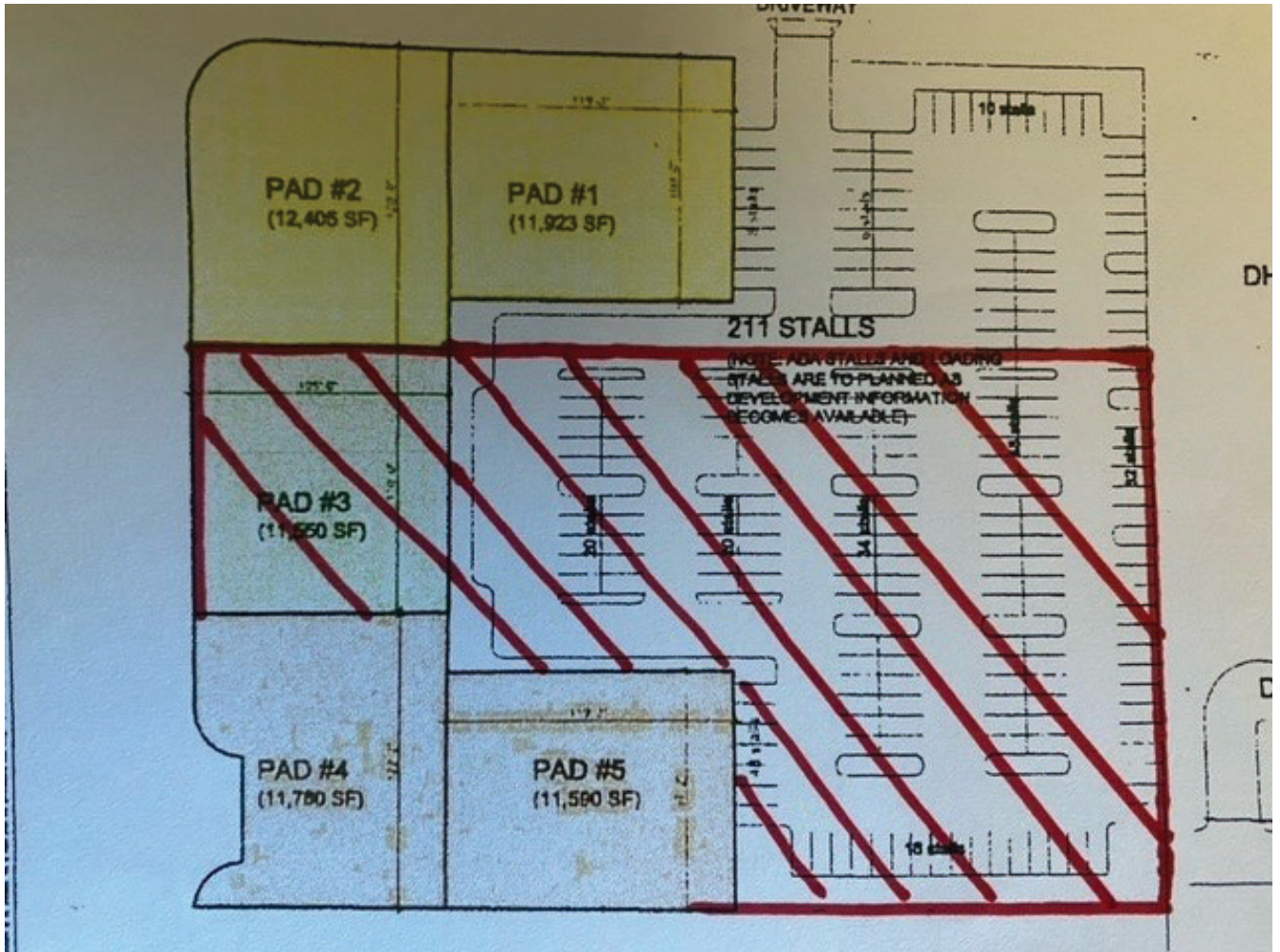


Exhibit "B"
Item No. F-4



**KAPOLEI
COMMUNITY
DEVELOPMENT
CORPORATION**

91-1270 KINOIKI STREET, STE. 102, KAPOLEI, HI 96707

April 22, 2024

Kali Watson
Chairman – Hawaiian Homes Commission
P.O. Box 1879
Honolulu, Hawai‘i 96805

RE: Kapolei Community Development Corporation (KCDC) - General Lease #288

Aloha Chair Watson,

KCDC is a 501(c)3 non-profit organization governed and controlled by beneficiaries of the Hawaiian Homes Commission Act (HHCA). KCDC is a regional entity serving the homesteads of Malu‘ōhai, Kaupe‘a, Kanehili, and Ka‘uluokaha‘i, in the ahupua‘a of Honouliuli.

In 2016, KCDC completed phase one of its Kapolei Heritage Center (KHC) which features a certified community kitchen and two classrooms. Today, the KHC serves as a family learning center and community hub. We currently offer classes for ‘ukulele, ‘olelo Hawaii, hula, martial arts, and more. We partner with our homesteaders and Native Hawaiian organizations like Keiki O Ka ‘Āina and Alu Like, to serve everyone from keiki to kupuna in our communities.

We are currently in the planning and development stage for phases two and three of the Kapolei Heritage Center. We were notified by DHHL that we are being awarded a \$200,000 grant to leverage our Ho‘omaka revenues to advance our development plans. Phase two will include a hālau for larger gatherings and phase three will provide for homestead offices and additional program space.

We met with Kahana Albinio and Russel Ka‘upu about the possibility of DHHL amending our current lease to add the unplanned pad (listed as Pad #3) and designated parking area. Our goal is to develop a plan to address the community need for additional gathering and program space while providing ample parking. Adding the balance of the unplanned area to the KCDC lease would allow us to master plan the kīpuka to better serve the homestead communities.

Attached is a map of the 4 acre kīpuka. KCDC currently has GL #288 for pads 4 & 5. The redlined area is what we are requesting to add through a lease amendment. Our hope is that we can present the lease amendment request with DHHL at the Hawaiian Homes Commission meeting held on O‘ahu in June.

Mahalo for your consideration. We look forward to hearing back from you.

Mālama Pono,

Chantal Keliioomaluu
Executive Director, KCDC

Albinio Jr, Peter K

From: Chantal Keliihoomalu <executivedirector@kapoleiheritage.org>
Sent: Tuesday, April 23, 2024 10:25 PM
To: Watson, Kali
Cc: Albinio Jr, Peter K; Kaupu, Russell K; Michelle Kauhane
Subject: [EXTERNAL] KCDC GL-288 amendment request
Attachments: KAPOLEI.docx (1) (1).pdf; IMG_3362.jpg; Kipuka.jpg

Aloha Chair Watson,

I am sending an attached letter to request an amendment for KCDC lease GL-288 to add pad #3 and the maps showing the approximate space.

In a related matter, you had mentioned to me at the Ka'uluokaha'i groundbreaking ceremony last year that KCDC has a GIA line item with the Dept. To my knowledge it is \$2.5M and those funds were initiated from the 2018 Puwalu held on Maui and was intended for the parking needed for Kipuku phase 2&3. However, when we have inquired with the Dept on these funds, so far no one is sure what/where they are. Perhaps you can help point us in the right direction to find those funds as well.

Your assistance is greatly appreciated and I look forward to hearing from you

Mahalo nui loa


Chantal Keliihoomalu
Executive Director
Kapolei Community Development Corporation (KCDC)
808-358-4215

STATE OF HAWAII


DEPARTMENT OF HAWAIIAN HOME LANDS

July 15-16, 2024

To: Chairperson and Members, Hawaiian Homes Commission

Through: Linda Chinn, Acting Administrator
Land Management Division 

Kalei Young, Supervising Land Agent
Land Management Division

From: Shelly Carreira, Land Agent 
Land Management Division

Subject: Approval to Issue a Right of Entry Permit to Charter Communications Operating, LLC,
Hoolehua, Island of Molokai, TMK No.: (2) 5-2-023:001

APPLICANT:

Charter Communications Operating, LLC "PERMITTEE"

RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission (HHC) approve the issuance of a non-exclusive Right of Entry (ROE) permit to Charter Communication Operating, LLC for the purpose of accessing Hawaiian home lands parcel situated in Hoolehua, Island of Molokai, identified more specifically by TMK No.: (2) 5-2-023:001 (p) as delineated on Exhibit "A" for the purpose of installing telecommunication coax cable, equipment, and appurtenances.

This authorization of issuance of a non-exclusive right of entry permit to Charter Communication Operating, LLC (Permittee) covering the subject area is subject to the following:

1. The standard terms and conditions of the most current right of entry permit form, as may be amended from time to time, and subject to the review and approval by the Department of the Attorney General;
2. The term of the right of entry permit shall be month to month, up to twelve (12) months, commencing upon full execution of the right of entry document;
3. The fee shall for the term of this interim ROE shall be gratis;
4. Permittee shall at its sole expense, install the equipment in accordance with industry standards, applicable laws and regulations;
5. Permittee shall maintain at its sole cost and expense, commercial general liability insurance limits set forth in the ROE document;
6. Permittee shall pay the non-refundable processing and documentation fee, \$175.00;
7. The Right of Entry document shall be subject to the review and approval of the Department of the Attorney General; and

8. Such other terms and conditions as may be prescribed by the Hawaiian Homes Commission to best serve the interest of the Hawaiian Home Lands Trusts.

LOCATION:

Portions of Hawaiian home lands situated in Hoolehua, Island of Molokai, identified as Tax Map Key: (2) 5-2-023:001 (See Exhibit "A")

BACKGROUND/DISCUSSION

Due to the recent outages of Sandwich Isle Communications services on the island of Molokai, the University of Hawaii (UH), College of Tropical Agriculture and Human Resources (CTAHR) contacted Charter Communication/Spectrum to establish new broadband and telephone services to their office located on Hawaiian home lands in Hoolehua.

Charter Communication/Spectrum conducted an onsite assessment and determined the service connection requires the Department of Hawaiian Home Lands (DHHL) consent for Spectrum to install a cables, equipment, and appurtenance at the UH CTAHR Hoolehua office.

Land Management Division recommends issuance of the interim ROE as an immediate solution for allowing Charter Communications the access necessary for restoring telecommunication services to UH CTAHR. Further dialogue between Charter Communication and DHHL is required for establishing long term easement access under a license agreement. According to Charter Communication, their sales department does not pay ROE and/or easement fees. Therefore, the fee under this interim ROE is determined as gratis. The fee established for easement access under a license agreement will require further discussion between DHHL and Charter Communication.

The HHC approval on the requested motion will provide easement access necessary for Charter Communication/Spectrum to establish new broadband and telephone services to UH CTAHR.

AUTHORITY

Hawaii Revised Statues §171-55 Permits.

RECOMMENDATION

Land Management Division respectfully recommends approval of the requested motion/action as stated.



EXHIBIT "A"
ITEM NO.F-5

**HAWAIIAN HOMES COMMISSION
JULY 15 & 16, 2024**

**G – ITEMS
PLANNING OFFICE**

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

July 15-16, 2024

To: Chairman and Members, Hawaiian Homes Commission
Thru: Andrew Choy, Planning Program Manager
From: Lillie Makaila, Planner lkjm
Subject: Approval of the 2024 Kawaihae Regional Plan Update,
Kohala, Hawai'i

RECOMMENDED ACTION

That the Hawaiian Homes Commission:

- 1) Approve the Kawaihae Regional Plan Update (2024)
(Exhibit A); and
- 2) Authorize dissemination of the Kawaihae Regional Plan
Update (2024).

Discussion

Regional plans build a sense of community and capacity, stimulate partnerships for development and improvements, facilitate beneficiary participation in issues and areas of concern, and identify priority projects within existing and planned homestead areas. The plan may focus on a particular homestead community or several homestead communities in the region. At a minimum, the regional plans document current conditions and trends and identify a prioritized list of projects important to the community and the DHHL.

The DHHL Kawaihae Regional Plan was adopted by the HHC in 2010. The outlook of a regional plan is typically 3-5 years. Because it has been more than five years since the adoption of the plan and because several priority projects have been implemented or are in-progress, there is a need to re-evaluate and update the regional plan for the Kawaihae region in Kohala, Hawai'i.

OUTREACH, PROCESS & METHODOLOGY

The Kawaihae Regional Plan Update began with a meeting with the Kailapa Community Association (KCA) board for insight and guidance on a planning process that would best fit the Kawaihae beneficiary community. They provided input on the times and days for each beneficiary consultation and allowed use of the Kailapa Pavilion for all three beneficiary consultations. The Kailapa Pavilion was a preferred location due to its ease of access and convenient location.

Broad publicity of the beneficiary consultations was accomplished through mail-outs of meeting notices via postal mail, distribution of digital meeting invitations and reminders via email and flyers distributed with assistance from the KCA board.

The approach for the beneficiary consultations included both small group and large group discussions. Detailed notes were captured at all meetings and were posted online on the project website, hosted by DHHL. A meeting recap for each beneficiary consultation can be found in the appendices of the Draft plan included here in Exhibit A.

The timeline for the Regional Plan update was as follows:

August 23, 2023: Leadership Meeting.

The purpose of this meeting was to introduce the Regional Plan Update project to the board of the Kailapa Community Association and to ask for their insight and guidance on the planning process. The meeting took place virtually via Zoom. The board members were asked to assist with guiding the planning process for the regional plan update. They selected tentative dates for the beneficiary consultations, reserved the venue space for each of the proposed meeting dates and offered to provide support in the distribution and publicity of meeting announcements and invitations throughout the planning process.

September 27, 2023: Beneficiary Consultation #1.

The objective of this meeting was to explain the purpose and objective of regional plans in the DHHL planning system and the reason for the update to the Kawaihae Regional Plan and to discuss the planning process and schedule with Kawaihae beneficiaries. Additionally, this meeting was meant to gather input from beneficiaries regarding their long-term vision for

Kawaihae, a list of community values, and information about issues and opportunities in the region.

A total of 189 postcards were mailed to beneficiaries in the Kailapa and Kawaihae Makai Homesteads. The postcards provided information on the location, date, and purpose of both Beneficiary Consultation #1 and #2. Additionally, a meeting flyer and a project fact sheet was sent to the KCA board to distribute to their networks within the community.

The beneficiary consultation was conducted in-person at the Kailapa Pavilion; there were a total of 35 attendees. After some introductory presentations, beneficiaries were split up into two groups for discussion. DHHL presented a list of values and a community vision that was developed for the Kawaihae community in 2012 as part of the planning process for the Ho'okumukapiko Plan. Beneficiaries were asked to come up with a vision and list of community values that fit Kawaihae.

The major ideas and themes that came out of this meeting were used to revise this list of community values and provide a draft a description for each one. Beneficiaries who attended the meeting decided to adopt the community vision from the 2012 Ho'okumukapiko Plan: "Ehuehu I Ka Pono," to "Thrive in Balance" for the regional plan. See Exhibit A, Appendix A for more information about this meeting.

October 18, 2023: Beneficiary Consultation #2.

There were 15 attendees at this meeting. The purpose of this meeting was to present the draft vision statement and values to the community for feedback. This meeting also reviewed the issues and opportunities in the region and identified potential project ideas that might address those issues. A vision statement and list of community values were finalized with guidance from homesteaders in attendance. Meeting participants helped refine the project ideas list by combining projects that complemented each other and removing projects that were not a priority to the community at this time. Through the course of the meeting, participants produced a final list of seven potential projects for the project ideas list. This list of refined projects was used in a poll to select the top five priority projects to include in the plan. The poll was open to the entire homestead community in Kawaihae to participate in. See Exhibit A, Appendix B for a more detailed record of the meeting.

October 25, 2023 to November 15, 2023: Priority Project Polling.

Selection of the priority projects was conducted through a polling process where homesteaders could participate via postal mail, an online form, e-mail, or over the phone. Information & voting instructions were shared with attendees of beneficiary consultations #1 & #2 via email, posted on the project webpage, and shared with the KCA Board for distribution to homesteaders through their networks. Additionally, KCA board members dedicated a weekend to go door-to-door, informing residents about the project voting and assisting with distribution of hardcopies of the polling form and links to the online form.

In the poll, Kawaihae homesteaders were asked to select the top five priority projects for the region from the list of seven project ideas that were developed in Beneficiary Consultation #2. Participants had a total of five votes, and they were instructed that they could vote for an individual project more than once. This poll was open for participation from Wednesday, October 25, 2023 to Wednesday, November 15, 2023. A total of 105 participants participated in the poll, including 69 beneficiaries and 36 other members of the homestead. The top five priority projects were identified directly from the results of this polling process. The top five projects selected and the number of votes each one received is displayed below.

Priority Projects	Number of Beneficiary Votes	Number of Votes from Other Members of the Homestead	Total Votes
1. Water - Wai Ola	150	90	240
2. Emergency Escape Route & Traffic Safety Measures	55	26	81
3. Kailapa Resource Center	33	24	57
4. Safe Energy Upgrades	35	18	53
5. Improve the Coastal & Marine Resources in Kawaihae through Erosion Mitigation	36	16	52

February 20 & 21, 2024: HHC Meeting.

An informational submittal on the Draft Regional Plan Update is being presented to the Hawaiian Homes Commission (HHC) for feedback at their regular meeting. Input from the Commission will be incorporated into the final Regional Plan Update.

February 28, 2024: Beneficiary Consultation #3. A draft of the Regional Plan Update will be presented to beneficiaries for feedback. Input from participants will be incorporated into the final draft.

May 20 & 21, 2024: HHC Meeting.

A Final Draft of the Kawaihae Regional Plan Update will be brought before the Hawaiian Homes Commission and Commissioners will vote on adoption of the Final Kawaihae Regional Plan Update.

Results of Beneficiary Consultation to Date

Through the beneficiary consultation planning process, participants identified the following:

Values & Guiding Principles:

- Ke Ola Pono: Life and Wellbeing
- Noho Kupa 'Āina: Self-Sustaining
- Mālama 'Āina: Resource Management
- Laulima: "Many Hands" Working Together
- Ka 'Imi Na'auao: Seeking Enlightenment
- Ka 'Ike Hawai'i: Ancestral Knowledge as the Foundation

Vision Statement

"*Ehuehu I Ka Pono,*" to "Thrive in Balance."

PRIORITY PROJECT RECOMMENDATIONS

Based on the vision statement as shaped by the values and guiding principles and in continued discussion with beneficiaries, priority projects were identified for the region as follows:

1. Water – Wai Ola

DESIRED OUTCOMES:

- Provide affordable potable water to Kawaihae homesteads.
- Find a new water source for the water system currently supplying potable water to Kailapa.
- Provide options for non-potable water to be used for agricultural or irrigation purposes.

ACTION STEPS:

- Provide a temporary subsidy to Kailapa homesteaders until the water rate schedule can be updated.
- Re-assess the water rate schedule approved by the HHC in 2018.
- Develop a new potable water source.
- Develop a new non-potable water source

2. Emergency Escape Route & Traffic Safety Measures

DESIRED OUTCOMES:

- Develop an emergency escape route for Kailapa.
- Implement traffic calming measures on the existing homestead roads in Kailapa.

ACTION STEPS:

- Emergency Escape Route:
 - Beneficiary consultations.
 - Conduct due diligence.
 - Operate & maintain.
- Install speed humps:
 - Determine road eligibility.
 - Application to the County.
 - Submit petition for installation.

3. Kailapa Resource Center

DESIRED OUTCOMES:

- Develop the Kailapa Resource Center to include: Preschool, School bus drop-off/pick-up, Computer and internet access, Health and wellness programs, Community garden, Sports field, Office space, Dumpster, Future kūpuna housing, Cemetery.

ACTION STEPS:

- Update community plan for the 14-acre parcel.
- Supplemental Environmental Assessment (if needed).

- DHHL sign off on improvements.
- Design, permitting, and construction.
- Operate and maintain.

4. Safe Energy Upgrades

DESIRED OUTCOMES:

- Underground existing utility infrastructure
- Pursue renewable energy initiatives suitable for Kawaihae

ACTION STEPS:

- Upgrade to underground conduits.
- Explore renewable energy.

5. Improve the Coastal & Marine Resources in Kawaihae through Erosion Mitigation

DESIRED OUTCOMES:

- Control feral goat population.
- Reforest mauka lands with native trees of the region.
- Revegetate Honokoa gulch.
- Establish a firebreak

ACTION STEPS:

- Fund and support ongoing projects.
- Select and design preferred projects through beneficiary consultations.
- Implement preferred projects.

RECOMMENDED ACTION

Staff respectfully requests That the Hawaiian Homes Commission:

- 1) Approve the Kawaihae Regional Plan Update (2024) (Exhibit A); and
- 2) Authorize dissemination of the Kawaihae Regional Plan Update (2024).

EXHIBIT A



2024

KAWAIIHAE

REGIONAL PLAN



HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

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Executive Summary

Regional Plans build a sense of community and capacity, stimulate partnerships for development and improvements, and give beneficiaries within the region an opportunity to have a voice in planning for their future. The existing 23 Regional Plans empower beneficiaries by providing a recurring opportunity to convene as a community and a platform for them to talk to each other about their common issues and concerns in order to identify and solve their own problems.

Working with the Department of Hawaiian Home Lands (DHHL) Planning Office staff and consultants, the community identifies priority projects to respond to issues and areas of concern within existing and planned homestead areas. At a minimum, the Regional Plan documents current conditions and trends and identifies a prioritized list of projects important to the community and the department. In this way, Regional Plans ensure that beneficiaries are an integral part of the solutions to the issues that they have identified. The Hawaiian Homes Commission approves each regional plan for various homestead communities across the state, ensuring that they all have this same opportunity.

Vision. The vision for Kawaihae was developed through a previous planning effort by the Kawaihae community in 2012. During the Regional Plan Update process, beneficiaries confirmed that this vision was still a relevant vision for the community. The purpose of a vision statement is to provide a unified direction for homestead, Departmental and Commission actions in Kawaihae. The vision statement is as follows:

“Ehuehu I Ka Pono,” to “Thrive in Balance.”

Planning Area. All the lands in the Kawaihae region are located within the ahupua’a of Kawaihae in the moku of Kohala on the northwest side of the moku of Hawai’i. There are two existing DHHL homesteads in the region, the Kailapa Homestead and the Kawaihae Makai Homestead. The DHHL Hawai’i Island Plan (2002) land use designations include:

2002 Land Use Designation ¹	Total Available Acreage ¹	2022 Land Entitlements ²	Acreage of 2022 Land Entitlements ²
Residential	2,224.9 acres	192 leases	145.1 acres
General Agriculture	7,434.2 acres ³	2 Rights-Of-Entries (ROEs)	9,320.0 acres ⁴
Pastoral		1 lease	300.0 acres
Community Use	81.5 acres	1 license; 1 ROE	86.8 acres ⁵
Commercial	90.5 acres	3 ROEs	1.8 acres
Industrial	265 .5 acres	8 leases	35.3 acres
Total	10,098.6 acres	208 leases/ROEs/parcels	9,889.0 acres

¹Source: 2002 Department of Hawaiian Home Lands Hawai’i Island Plan.
²Source: 2022 Department of Hawaiian Home Lands Annual Report (most current available data).
³Includes 300 acres of pastoral land not included in 2002 Island Plan.
⁴Exceeds available acreage; a portion of the pastoral land is located within residential-designated land.
⁵Exceeds available acreage; 14.3-acre Resource Center lot is located within residential-designated land.

Planning Process. This plan updates the 2010 Kawaihae Regional Plan. The process began with a virtual meeting with the Kailapa Community Association Board of Directors. This meeting introduced the Regional Plan Update project and gathered guidance from the leadership on how the process could be tailored to best fit the Kawaihae community. Leadership was able to advise on the format and schedule for beneficiary consultations and offered assistance with publicity for the meetings. Beneficiary Consultation #1 was held on September 27, 2023 at the Kailapa Pavilion. This meeting introduced the Regional Plan Update project to the

community, identified community values for future land uses, and discussed potential language for a vision statement for Kawaihae.

Beneficiary Consultation #2 was held on October 18, 2023 at the Kailapa Pavilion. In this meeting, participants reviewed and revised the draft community values and a draft vision statement developed from Beneficiary Consultation #1. Participants also reviewed and revised a draft list of project ideas into a final project ideas list with a total of seven project ideas. The top five priority projects for the Kawaihae region were selected from this final list.

Selection of the priority projects was conducted through a polling process where homesteaders could participate via postage mail, an online form, e-mail, or over the phone. Notification of the voting process was e-mailed to the Kailapa Community Association (KCA) for distribution within their networks. Information about voting details were also sent to beneficiary consultation attendees and posted on the project page hosted on DHHL’s website. Additionally, KCA board members dedicated a weekend to go door-to-door, informing residents about the project voting. Kawaihae beneficiaries and homesteaders were asked to participate in the poll to select the top five priority projects to be included in the update to the Kapolei Regional Plan. The poll was open for participation from October 25, 2023 to November 15, 2023. A total of 105 responses were collected: 69 from beneficiaries and 36 from other members of the homestead.

An informational submittal and draft of the update to the Kawaihae Regional Plan was presented to the Hawaiian Homes Commission (HHC) for feedback on February 20 and 21, 2024. Beneficiary Consultation #3 was held on February 28, 2023 to gather feedback from the community on the draft of the plan as well. Feedback was incorporated into the final document, and a final draft of the Regional Plan Update is scheduled to be presented to the HHC in July 2024 for acceptance and adoption.

Priority Projects. The priority projects summarized in the table below reflect the projects that the community identified as priorities for the Kawaihae region. The issues, desired outcomes, and action steps for these projects are listed below.

Priority Project	Desired Outcomes	Action Steps
Water – Wai Ola	<ul style="list-style-type: none"> • Provide affordable potable water to Kawaihae homesteads. • Find a new water source for the water system currently supplying potable water to Kailapa. • Provide options for non-potable water to be used for agricultural or irrigation purposes. 	<ul style="list-style-type: none"> • Provide a temporary subsidy to Kailapa homesteaders until the water rate schedule can be updated. • Re-assess the water rate schedule approved by the HHC in 2018. • Develop a new potable water source. • Develop a new non-potable water source
Emergency Escape Route & Traffic Safety Measures	<ul style="list-style-type: none"> • Develop an emergency escape route for Kailapa. • Implement traffic calming measures on the existing homestead roads in Kailapa. 	<ul style="list-style-type: none"> • Emergency Escape Route: <ul style="list-style-type: none"> ○ Beneficiary consultations. ○ Conduct due diligence. ○ Operate & maintain. • Install speed humps: <ul style="list-style-type: none"> ○ Determine road eligibility. ○ Application to the County. ○ Submit petition for installation.

<p>Kailapa Resource Center</p>	<p>Develop the Kailapa Resource Center to include:</p> <ul style="list-style-type: none"> • Preschool, • School bus drop-off/pick-up, • Computer and internet access, • Health and wellness programs, • Community garden, • Sports field, • Office space, • Dumpster, • Future kūpuna housing, • Cemetery. 	<ul style="list-style-type: none"> • Update community plan for the 14-acre parcel. • Supplemental Environmental Assessment (if needed). • DHHL sign off on improvements. • Design, permitting, and construction. • Operate and maintain.
<p>Safe Energy Upgrades</p>	<ul style="list-style-type: none"> • Underground existing utility infrastructure • Pursue renewable energy initiatives suitable for Kawaihae. 	<ul style="list-style-type: none"> • Upgrade to underground conduits. • Explore renewable energy.
<p>Improve the Coastal & Marine Resources in Kawaihae through Erosion Mitigation</p>	<ul style="list-style-type: none"> • Control feral goat population. • Reforest mauka lands with native trees of the region. • Revegetate Honokoa gulch. • Establish a firebreak. 	<ul style="list-style-type: none"> • Fund and support ongoing projects. • Select and design preferred projects through beneficiary consultations. • Implement preferred projects.

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Appendices

Appendix A	Beneficiary Consultation #1 – Meeting Notes
Appendix B	Beneficiary Consultation #2 – Meeting Notes
Appendix C	Beneficiary Consultation #3 – Meeting Notes
Appendix D	Comment Matrix
Appendix E	Community Needs

Glossary of Hawaiian Language Terms

ahupua‘a	traditional Hawaiian land section that typically ran from the mountains to the sea and included coastal and nearshore resources
‘ike	knowledge, referring to knowledge and traditions of the indigenous people of Hawai‘i
keiki	child
kahuna	priest
kūpuna	grandparents, ancestors or elders of the grandparent generation
mākua	plural of makua, parent
moku	district, island
mokupuni	island
‘ohana	family
‘ōlelo no‘eau	proverb, poetic saying
ola	life
‘ōpio	youth or young person

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EXHIBIT A

Introduction

Purpose of a Regional Plan

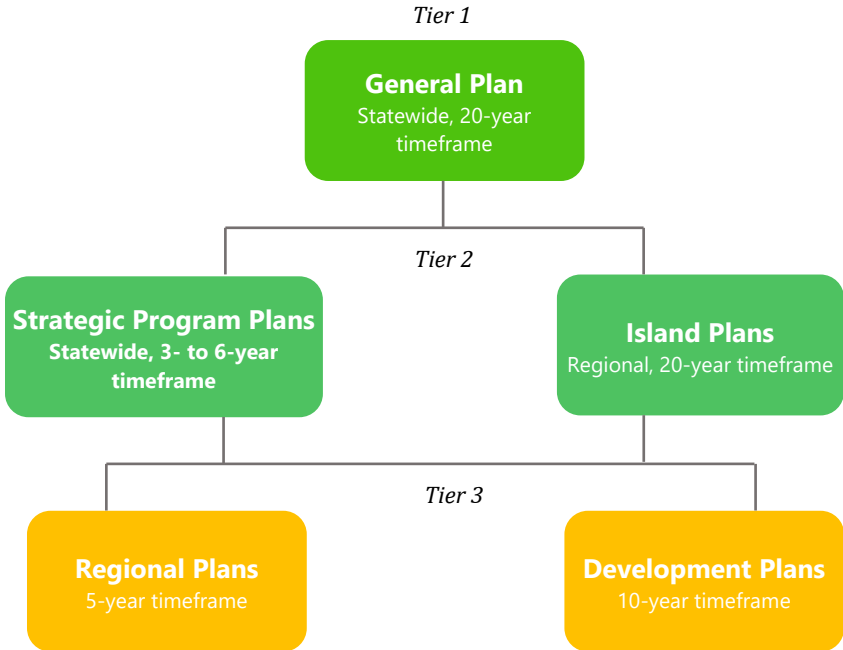
The mission of the Department of Hawaiian Home Lands (DHHL) is to build vibrant homestead communities. Regional Plans provide an opportunity for DHHL to work closely with existing lessees and native Hawaiian beneficiaries to clarify a vision for their community and to build partnerships with government agencies, private landowners, non-profit organizations, homestead associations, and other community groups to achieve that vision.

This Regional Plan is one of 23 Regional Plans that DHHL has helped Hawaiian homesteads to formulate statewide. These Regional Plans assess land use development factors, document issues and opportunities, and identify the region’s top priority projects slated for implementation over a five year planning horizon.

Planning System

Regional Plans are part of DHHL’s three-tiered Planning System (see Figure 1). At Tier 1 is the General Plan which articulates long-range goals and objectives for the Department. At the second tier, there are Program Plans that are statewide in focus, covering specific topic areas such as the Native Hawaiian Housing Plan and a Native Hawaiian Development Program Plan. Also, at this second tier are the Island Plans that identify the Department’s land use designations for each island and which have a function similar to the counties’ land use designations. The Regional Plans are located at the third tier in the Department’s Planning System which focuses on communities and regions. Development plans carry out second-tier planning recommendations and contain the information necessary to implement area-wide development, such as off-site infrastructure systems and improvements, utilities, estimated costs, and phased implementation.

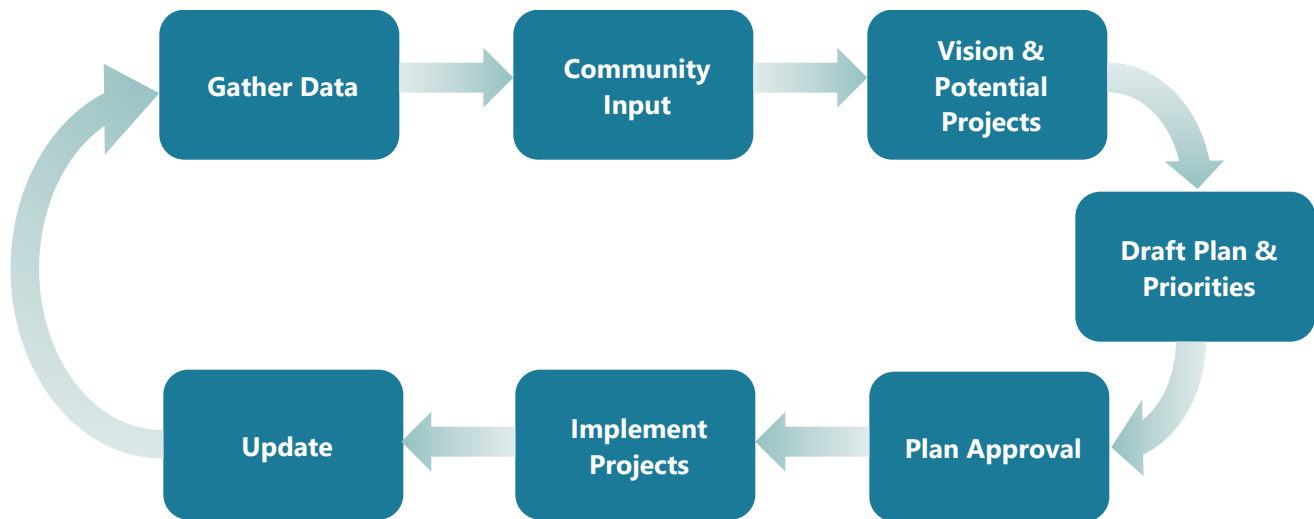
FIGURE 1: DHHL'S PLANNING SYSTEM



The roles of the Regional Plans within the Planning System are to:

- Apply the goals, policies, and land use designations of the General Plan, Program Plans, and applicable Island Plan to specific geographic regions;
- Directly involve the community in planning for their region;
- Compile comprehensive information about the region to provide a factual basis on which to identify needs and opportunities;
- Evaluate changes needed, if any, to the Island Plan as it applies to the region;
- Identify potential resources (e.g., partners, funding sources) to facilitate implementation; and
- Identify priority projects that are important to the community and implementation steps to move these projects forward.

FIGURE 2: THE REGIONAL PLAN DEVELOPMENT AND UPDATE PROCESS



Regional Planning Process

The development of Regional Plans involves seven steps (see Figure 2, The Regional Plan Development and Update Process):

1. **Gather Data.** Pertinent data describe existing conditions and trends, including history of the homestead, land use, infrastructure, natural features, historic/cultural features, surrounding uses, and development trends.
2. **Gather Community Input to Identify Issues and Opportunities.** Existing homesteaders, native Hawaiian beneficiaries, and other stakeholders are invited to a facilitated meeting to discuss issues and opportunities for the region.
3. **Create a Long-Term Vision and Identify Potential Projects.** The input from the community on issues and opportunities provides the basis to craft a draft vision statement that is reviewed and modified, as necessary, to the satisfaction of the community. Potential projects consistent with this vision are identified and prioritized by community consensus.
4. **Review a Draft Plan and Priorities.** Project details, budget estimates, and other pertinent project planning information are written up as part of a draft plan for review by the community.

5. **Approve the Plan.** Draft Regional Plans are then subject to the approval of the Hawaiian Homes Commission, which means that the Commission and Department officially support the priorities identified in the regional plan.
6. **Implement Priority Projects.** Upon approval, the homestead community, the Department, and other development partners can seek necessary funding and pursue the implementation of Priority Projects.
7. **Update.** Finally, since DHHL knows that regional development is a dynamic process with constantly changing opportunities and emerging issues, regular Regional Plan updates are built into the planning process.

Stakeholders and Partners

DHHL is working in partnership with other government agencies, the private sector, and community organizations to develop its lands and improve community life. DHHL believes that partnerships are an effective way to leverage resources and capital investments, mitigate undesirable impacts of development, coordinate area growth, reduce risks associated with large scale community projects, and create broad community benefits.

These partnerships allow for better prioritization and coordination of infrastructure improvements and the development of regional and public residential facilities. This coordination helps individual organizations achieve their goals while bringing long-term benefits to the community and region.

DHHL Master Planning Process and Community Development Goals

Homestead associations are frequently interested in developing capital improvement projects within their communities in order to provide needed social services and enrichment opportunities. The need for these desired projects is often captured in DHHL Regional Plans. While the characteristics of projects proposed are as diverse and unique as the DHHL communities in each region across the state, the overall planning and development process for these projects is the same in most instances.

Successfully implementing any type of land development project requires several basic foundational elements prior to project initiation. A strong organization that has a membership that works well together and has high levels of participation in regular association business ensures that (1) projects are selected based upon agreed upon criteria rather than individual preferences, (2) project plans are created, and (3) large amounts of social capital are built within and outside of the community. Figure 3, Community Organization & Development, briefly describes these elements of organizational capacity and project planning in more detail. The top level represents the steps that the homestead association (project proponent) should complete.

Most organizations go through five main stages of an organization's developmental lifecycle:

1. **Stage One: Imagine and Inspire.** The organization is not yet formalized, but individuals are inspired and united by a common vision or idea.
2. **Stage Two: Found and Frame.** The organization becomes formalized. Governing documents have been drafted and adopted by its members. The organization receives its non-profit status.
3. **Stage Three: Ground and Grow.** Organizations in this stage focus on establishing systems of accountability to its members as well as growing its internal capacity to provide more services or a higher quality of service to its members.
4. **Stage Four: Produce and Sustain.** This is the stage in which the organization is at its peak and is primarily concerned with how it can sustain its level of service over time.

5. **Stage Five: Review and Renew.** The organization re-invents itself in order to adapt to evolving conditions. The primary question the organization is concerned with at this stage is: "How can we do it better?" The organization revisits its mission, vision, services, and management structure.

Social capital can be defined as the networks of relationships among people who live and work in a particular society, enabling that society to function effectively. From time to time, a homestead association should assess its social capital both internally among its members as well as among external stakeholders and potential partners in order to determine the level of potential support for and/or opposition to a proposed land development project. Figure 3 Community Organization and Development illustrates the various social circles that should be engaged to support a land development project. Often, a development idea starts with a core group of individuals on an association board. Gradually that idea is shared with, and incorporates the ideas of, others in larger social circles in order to grow social capital and build support for a development project.

Lastly, Figure 3 illustrates that the association's assessment of its life cycle and existing social capital should be incorporated into a program plan. A program plan clearly articulates a community vision or need, identifies criteria for selecting programs or projects to fulfill that vision or need, and selects appropriate projects and programs based on those criteria. Programs/projects should be selected based on strong community support for the initiatives and the association's organizational capacity.

Once an association has done outreach with its community to identify its vision and goals, established criteria for selecting projects that help them accomplish their vision and goals, and selected project(s) that have strong community support, then the association can begin with the actual physical master planning and development of the project(s). Figure 4, Master Planning and Land Development Process on Hawaiian Home Lands, illustrates the process of master planning and land development on Hawaiian Home Lands.

Project Proponent Tasks:

- The project proponent should focus their time and attention to ensure that the community's vision and needs are integrated into the project.
- The project proponent should conduct a site and infrastructure assessment of the location in which they would like to implement the project in order to ensure that the location is appropriate for what they would like to do.
- A master plan should integrate and synthesize the community's vision and needs with the site and infrastructure assessment. A master plan should also include a financial plan that forecasts initial development costs, long-term operational costs, and how those costs will be financed over time.
- An Environmental Assessment (EA) or Environmental Impact Statement (EIS) needs to be prepared for the Master Plan in accordance with Hawai'i Revised Statutes (HRS) Chapter 343. If federal funds are used for the project, then a federal EA or EIS may need to be completed in accordance with the rules and standards of the federal funding agency.
- Once Chapter 343 and federal environmental regulations are complied with, then the project proponent can proceed with obtaining the necessary permits and approvals and proceed with construction.

The next steps after the Project Proponent Tasks in Figure 4 include various DHHL staff reviews and HHC approvals that the Project Proponent will need to obtain.

Requests by Non-Profit Organizations for Long-Term Use of DHHL Lands

DHHL has begun implementing a process for Internal Revenue Code (IRC) § 501(c)(1) or IRC § (501)(c)(3) non-profit organizations that are interested in long-term utilization of DHHL land for the purposes of providing programs and services to DHHL beneficiaries to further their rehabilitation and well-being. This process implements the Hawaiian Homes Commission Act (HHCA), Sections 204(2) and 207(c), which

authorize DHHL to lease or license lands for non-homesteading purposes on the same terms, conditions, restrictions, and uses applicable to the disposition of public lands as provided in HRS Chapter 171. HRS 171-43.1 authorizes DHHL to dispose of lands to eleemosynary organizations by direct negotiation without requiring a competitive solicitation process. The application process is designed to provide an opportunity for non-profit organizations to conduct due diligence on the project site and vet their conceptual plans in consultation with DHHL prior to requesting HHC approval of a long-term disposition. See “Implementation Action Steps” under “Priority Projects” for a more detailed list of steps and requirements for these types of land use requests.

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FIGURE 3: COMMUNITY ORGANIZATION & DEVELOPMENT

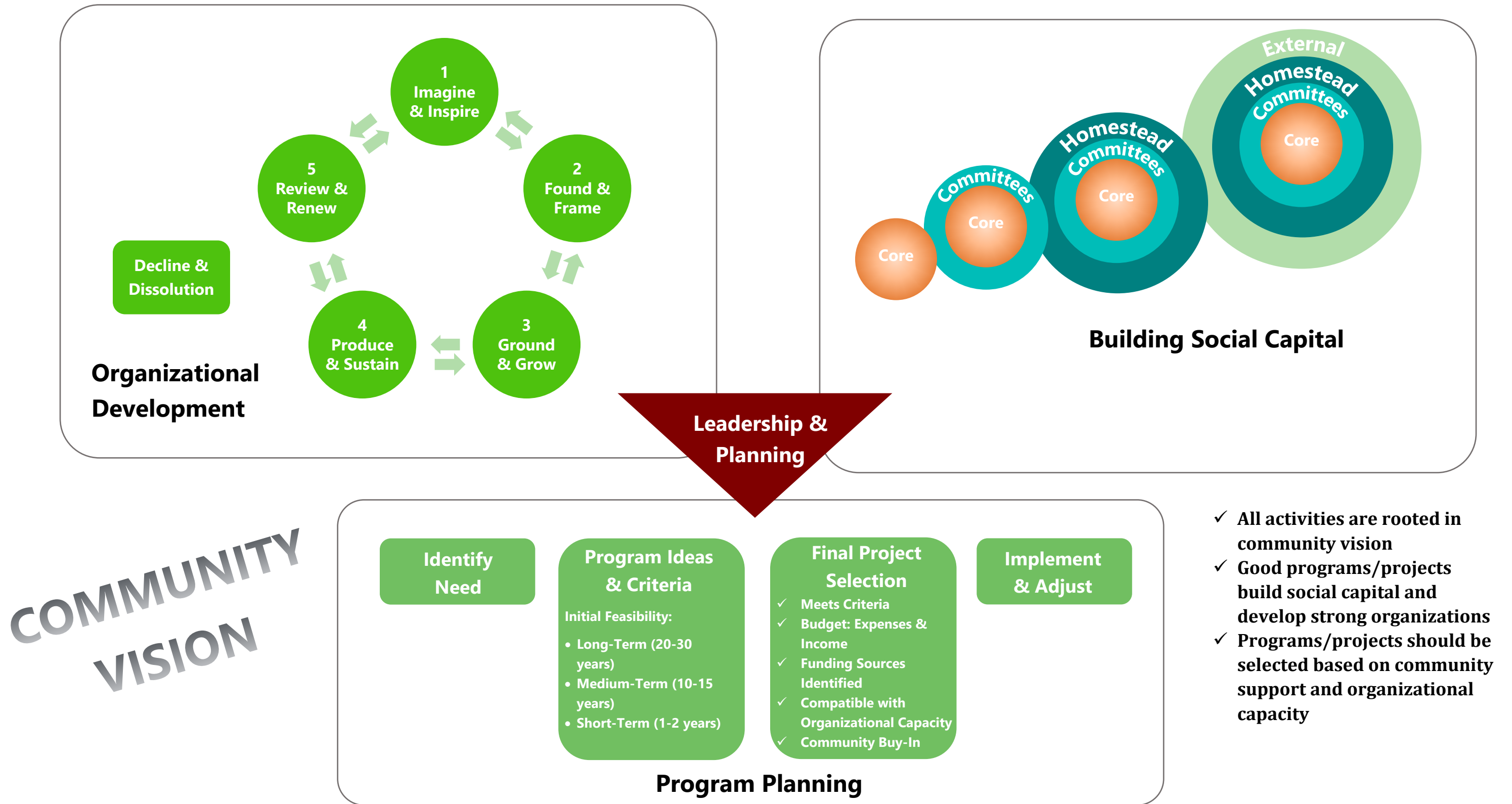
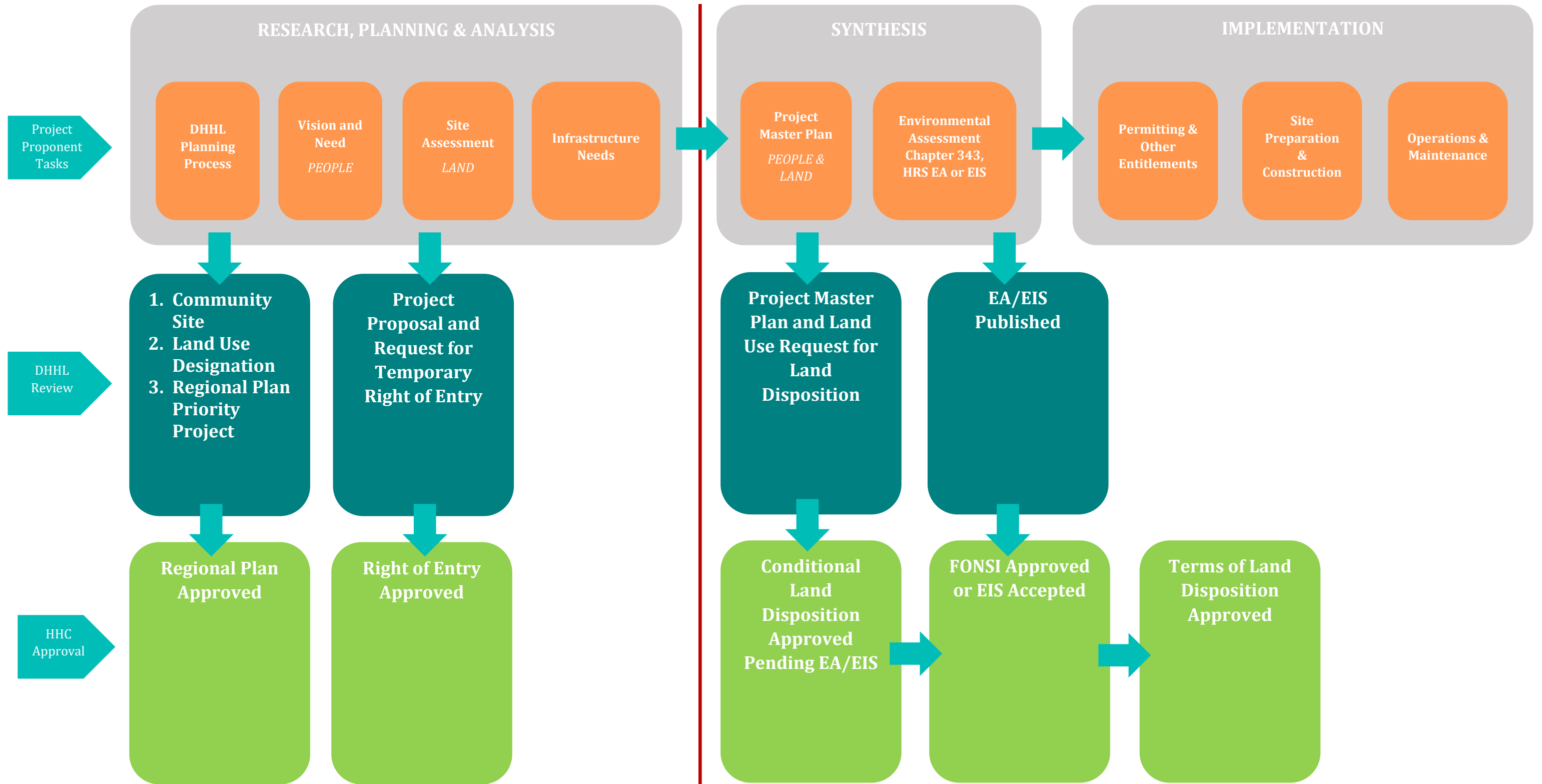


FIGURE 4: MASTER PLANNING AND LAND DEVELOPMENT PROCESS ON HAWAIIAN HOME LANDS



Methods and Approach

The Kawaihae Regional Plan Update began with a meeting with the Kailapa Community Association (KCA) board for insight and guidance on a planning process that would best fit the Kawaihae beneficiary community. They provided input on the times and days for each beneficiary consultation and allowed use of the Kailapa Pavilion for all three beneficiary consultations. The Kailapa Pavilion was a preferred location due to its ease of access and convenient location.

Broad publicity of the beneficiary consultations was accomplished through mail-outs of meeting notices via postal mail and distribution of digital meeting invitations and reminders with assistance from the KCA board.

The approach for the beneficiary consultations included both small group and large group discussions. Detailed notes were captured at all meetings and were posted online on the project website which is hosted by DHHL. A meeting recap for each beneficiary consultation can be found in the appendices of this document.

The timeline for the Regional Plan update was as follows:

August 23, 2023: Leadership Meeting. The purpose of this meeting was to introduce the Regional Plan Update project to the board of the Kailapa Community Association and to ask for their insight and guidance on the planning process. The meeting took place virtually via Zoom.

The board members were asked to assist with guiding the planning process for the regional plan update. They selected tentative dates for the beneficiary consultations and provided support in the distribution and publicity of meeting announcements and invitations throughout the planning process.

September 27, 2023: Beneficiary Consultation #1. The objective of this meeting was to explain the purpose and objective of regional plans in the DHHL planning system and the reason for the update to the Kawaihae Regional Plan and to discuss the planning process and schedule with Kawaihae beneficiaries. Additionally, this meeting was meant to gather input from beneficiaries regarding their long-term vision for Kawaihae, a list of important community values, and information about issues and opportunities in the region.

A total of 189 postcards were mailed to beneficiaries in the Kailapa and Kawaihae Makai Homesteads. The postcards provided information on the location, date, and purpose of both Beneficiary Consultation #1 and #2. Additionally, a meeting flyer and a project fact sheet was sent to the KCA board to distribute to their networks within the community.

The beneficiary consultation was conducted in-person at the Kailapa Pavilion; there were a total of 35 attendees. After some introductory presentations, beneficiaries were split up into two groups for discussion. DHHL presented a list of values and a community vision that was developed for the Kawaihae community in 2012 as part of the planning process for the Ho'okumukapiko Plan. Beneficiaries were asked to define each value for Kawaihae.

Community Values from the 2012 Ho'okumukapiko Plan:

- Ke Ola Pono: Health & Safety
- Noho Kū'oko'a: Self-Sufficiency
- Mālama 'Āina: Resource Management
- Laulima: Community Cohesiveness
- Ka 'Imi Na'auao: Technology & Education

- Ka 'Ike Hawai'i: Native Hawaiian Culture, Knowledge & Traditional Practices
- Piko: Gathering Place

The major ideas and themes that came out of this meeting were used to revise this list of community values and draft a definition for each one. Beneficiaries who attended the meeting decided to keep the community vision from the 2012 Ho'okumukapiko Plan: "Ehuehu I Ka Pono," to "Thrive in Balance." See Appendix A for more information about this meeting.

October 18, 2023: Beneficiary Consultation #2. There were 15 attendees at this meeting. The purpose of this meeting was to present the draft vision statement and values to the community for feedback. This meeting also reviewed the issues and opportunities in the region and identified seven potential project ideas that might address those issues. Meeting participants helped refine the project descriptions and combine projects that complemented each other as well as removed projects that were not of immediate importance to the community. A final list of seven proposed projects was used in a poll for prioritization. See Appendix B for a more detailed record of the meeting.

October 25, 2023 to November 15, 2023: Priority Project Polling. Selection of the priority projects was conducted through a polling process where homesteaders could participate via postage mail, an online form, e-mail, or over the phone. Notification of the voting process was e-mailed to the Kailapa Community Association (KCA) for distribution within their networks. Information about voting details were also sent to beneficiary consultation attendees and posted on the project page hosted on DHHL's website. Additionally, KCA board members dedicated a weekend to go door-to-door, informing residents about the project voting. Kawaihae homesteaders were asked to select the top five priority projects for the region from the list of seven project ideas that were developed in Beneficiary Consultation #2. Participants had a total of five votes, and they were instructed that they could vote for an individual project more than once. This poll was open for participation from Wednesday, October 25, 2023 to Wednesday, November 15, 2023. A total of 105 responses were collected, and the top five priority projects were chosen from the responses in this polling process. The top five projects and the number of votes each one received is displayed below.

Priority Projects	Number of Beneficiary Votes	Number of Votes from Other Members of the Homestead	Total Votes
1. Water - Wai Ola	150	90	240
2. Emergency Escape Route & Traffic Safety Measures	55	26	81
3. Kailapa Resource Center	33	24	57
4. Safe Energy Upgrades	35	18	53
5. Improve the Coastal & Marine Resources in Kawaihae through Erosion Mitigation	36	16	52

February 20 & 21, 2024: HHC Meeting. An informational submittal on the Draft Regional Plan Update will be presented to the Hawaiian Homes Commission (HHC) for feedback at their regular meeting. Input from the Commission will be incorporated into the final Regional Plan Update.

February 28, 2024: Beneficiary Consultation #3. A draft of the Regional Plan Update was presented to beneficiaries for feedback. Input from participants was incorporated into the final draft. See Appendix C for a more detailed record of the meeting. Following the meeting, there was a 30-day public comment period on the draft Regional Plan Update. An email containing a link to the draft plan and instructions on how to submit comments was sent to beneficiary consultation attendees, as well as to the KCA board for dissemination

within their networks. The public had the option to submit comments via postal mail, an online form, email, or phone. A total of 16 comments were received. A summary of these comments, including those from BC #3, along with responses from the planning team, is provided in Appendix D of this document. Comments addressing issues not directly related to the priority projects were included in a Community Needs section, detailed in Appendix E.

May 21, 2024: HHC Meeting. An updated draft of the Regional Plan Update was presented to the HHC for consideration in light of extensive revisions to the Water – Wai Ola priority project. Detailed discussion of this priority project, community input, background and context as well as the proposed implementation actions steps were presented to the HHC for information. Several Kawaihae beneficiaries provided testimony before the Commission, requesting support for the adoption of the update Regional Plan and specifically for the Water – Wai Ola project as written. Staff notified the HHC of its intent to bring the Final Regional Plan to the HHC for adoption at the July meeting of the HHC.

July 15 & 16, 2024: HHC Meeting. Commissioners will vote to adopt the Final Kawaihae Regional Plan Update.

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Vision and Values

"Ehuehu I Ka Pono," to "Thrive in Balance."

This vision statement was developed for the Kawaihae community in 2012 as part of the planning process for the Ho'okumukapiko Plan. It was presented to the Kawaihae homesteaders that attended Beneficiary Consultations #1 and/or #2 where it was confirmed that this is still an accurate reflection of their current vision for Kawaihae. At Beneficiary Consultation #2, drafts of community values were also shared with attendees. Participants refined each of the community values to ensure that they best reflect beneficiaries of the Kawaihae region.

Guiding Principles

The vision statement was based on the following values and guiding principles:

- Ke Ola Pono: Life and Wellbeing
- Noho Kupa 'Āina: Self-Sustaining
- Mālama 'Āina: Resource Management
- Laulima: "Many Hands" Working Together
- Ka 'Imi Na'auao: Seeking Enlightenment
- Ka 'Ike Hawai'i: Ancestral Knowledge as the Foundation

Ke Ola Pono: Life and Wellbeing

A healthy and thriving Kawaihae is one where ola (life) is paramount, and all aspects of wellbeing are pono. The physical, mental, emotional, and spiritual wellness of the homestead community in the region are cared for and balanced for keiki, 'ōpio, mākuā and kūpuna.

Noho Kupa 'Āina: Self-Sustaining

Kawaihae homesteaders live mauka to makai and are able to access all the necessary resources to be self-sustaining and have their 'ohana's needs met. The entire ahupua'a of Kawaihae, extending out into the nearshore fisheries, is restored and stewarded using indigenous practices by the homestead for future generations. Restoration of Kawaihae means self-sufficiency, connectivity to place, equitable access to affordable water, and stewardship of land and ocean resources.

Mālama 'Āina: Resource Management

Resource management goes beyond just caring for the natural environment of Kawaihae, it encompasses the abundance of cultural and historic resources that help to create a thriving ahupua'a. All resources will be cared for in the way of our kūpuna, and in doing so ancestral knowledge will be transferred from one generation to the next.

Laulima: “Many Hands” Working Together

Kawaihae homesteaders will come together as a community alongside one another to achieve their vision for the future. Communication will be clear between one another. Accomplishing goals will be the focus. With the hard work and commitment of the many hands of the Kawaihae region, all dreams are possible.

Ka ‘Imi Na’auao: Seeking Enlightenment

A commitment to continually seek knowledge is vital to the long-term success of Kawaihae. Education and learning opportunities for all, from keiki to kūpuna must be accessible. Educational and support resources will be available to all who need them.

Ka ‘Ike Hawai‘i: Ancestral Knowledge as the Foundation

Traditional Hawaiian knowledge (‘ike Hawai‘i) and ancestral knowledge (‘ike kūpuna) are the foundation of Kawaihae upon which all things can be built. Through the perpetuation of this ‘ike, Kawaihae and its people are grounded in culture, history, traditions & place and are able to better reach their goals for the future.

Planning Area

Location

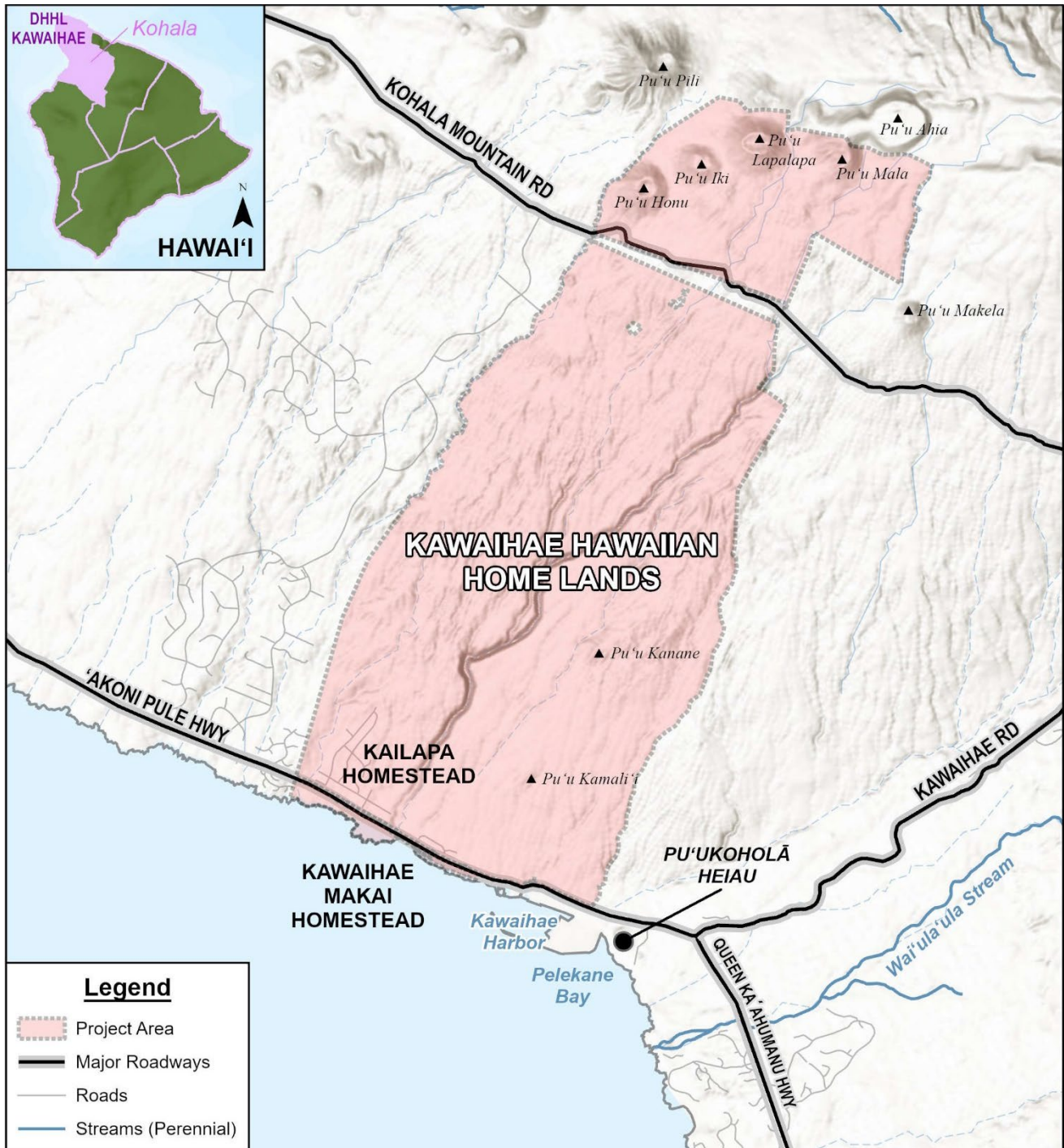
The Kawaihae Region is located in the ahupua‘a of Kawaihae, in the moku of Kohala, on the mokupuni of Hawai‘i. The ahupua‘a encompasses approximately 13,008 acres, with the majority of the ahupua‘a, 10,153 acres, owned by DHHL. There are currently 192 active residential homestead leases in Kawaihae and one pastoral homestead lease. The residential lots are primarily located within the Kailapa Homestead, with a smaller development in the Kawaihae Makai Homestead.

The DHHL Hawai‘i Island Plan (2002) designated the following land uses within this Planning Area, which are described in the section titled “Existing Land Uses”:

- Residential,
- Community Use,
- Commercial,
- Industrial, and
- General Agriculture.

The 2022 update to the DHHL General Plan proposed to remove the “General Agriculture” land use designation and introduced three additional designations: 1) the “Stewardship” designation will open land up to beneficiaries or DHHL for uses that provide immediate benefits to the surrounding community and the Trust, 2) “Community Agriculture” will identify lands for shared community agriculture or gardens, and 3) the “Renewable Energy” designation will identify lands best suited for renewable energy generation. With the removal of General Agriculture, the lands in Kawaihae that are currently designated as General Agriculture will be re-designated during the Island Planning process. The last Island Plan for Hawai‘i Island was published in 2002 and has a 20-year timeframe; it is currently undergoing the update process.

FIGURE 5: PROJECT AREA MAP



Kawaihae Regional Plan Update
PROJECT AREA

March 2024

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Regional History

Mokupuni

The main Hawaiian Islands are made up of eight distinct mokupuni. From oldest to youngest, their names are Ni‘ihau, Kaua‘i, O‘ahu, Moloka‘i, Lāna‘i, Maui, Kaho‘olawe, and Hawai‘i. Known translations for some of these names include: Ni‘ihau, bound with hau bark; Kaua‘i, the action of placing something; Moloka‘i, twisting current; Lāna‘i, day conquest; Maui, the name of a well-known demigod throughout Polynesia; and Kaho‘olawe, the taking away (as by currents). Hawai‘i, where Kawaihae is situated, has no known translation. However, it is often referred to as “ka moku o Keawe,” the island of Keawe, in honor of an ancient chief who ruled over the island in the 17th century.

Moku

A total of six moku, or districts, encompass the island of Hawai‘i. Going clockwise from the north, these moku (and their translations) are Kohala (to pull or drag hala), Hāmākua (back of the island), Hilo (to twist, the first night of a new moon, a famous Polynesia navigator), Puna (spring of water), Ka‘ū (the breast), and Kona (leeward sides of the Hawaiian islands).

Kawaihae is located in the moku of Kohala. Kohala is most well known as the birthplace of Kamehameha Pai‘ea; he was born in Kokoiki and taken to ‘Āwini, where he grew up in hiding so that he could one day unite the Hawaiian Islands. After conquering Maui, Lāna‘i, and Moloka‘i in 1790, Kamehameha was advised by Kāpoūkahi, a kahuna from Kaua‘i, to construct a heiau dedicated to his family war god, Kūkā‘ilimoku, atop Pu‘ukoholā. Stones were carried over 20 miles from Pololū to Kawaihae until Pu‘ukoholā Heiau was completed in 1791. Following its completion, Kamehameha invited his cousin, Keōua Kūahu‘ula, to the dedication ceremonies. Keōua was slain and offered as a sacrifice, resulting in Kamehameha’s control over the island of Hawai‘i. A resident of Kawaihae recounted that this battle occurred near Pu‘ukoholā at Waiakape‘a (Queen’s Bath). Through a series of battles and peaceful negotiations, Kamehameha ultimately united the islands in 1810, establishing the Hawaiian Kingdom. Pu‘ukoholā Heiau still stands today in what is now known as the Kawaihae 2 ahupua‘a. It is registered as a national historic site and is managed by the U.S. Department of the Interior National Park Service.

FIGURE 6: PU‘UKOHOĻĀ HEIAU



Kohala has always had a commendable reputation, with numerous ‘ōlelo no‘eau that express the excellence of both the place and its people. A few ‘ōlelo no‘eau from Pukui (1983) are listed below:

- “Lele o Kohala me he lupe la.” *Kohala soars as a kite.* An expression of admiration for Kohala, a district that has often been a leader in doing good work.

- “‘A’ohe u’i hele wale o Kohala.” *No youth of Kohala goes empty-handed.* Said in praise of people who do not go anywhere without a gift or helping hand.
- “‘I ‘ike ‘ia no o Kohala i ka pae kō, a o ka pae kō ia kole ai ka waha.” *One can recognize Kohala by her rows of sugar cane which can make the mouth raw when chewed.* When one wanted to fight a Kohala warrior, he would have to be a very good warrior to succeed. Kohala men were vigorous, brave, and strong.
- “He pā‘ā kō kea no Kohala, e kole ai ka waha ke ‘ai.” *A resistant white sugar cane of Kohala that injures the mouth when eaten.* A person that one does not tamper with. This was the retort of Pupukeya, a Hawai‘i chief, when the Maui chief Makakūikalani made fun of his small stature. Later used in praise of the warriors of Kohala, who were known for valor.

FIGURE 7: VIEW FROM KAILAPA HOMESTEAD IN KAWAIHAE

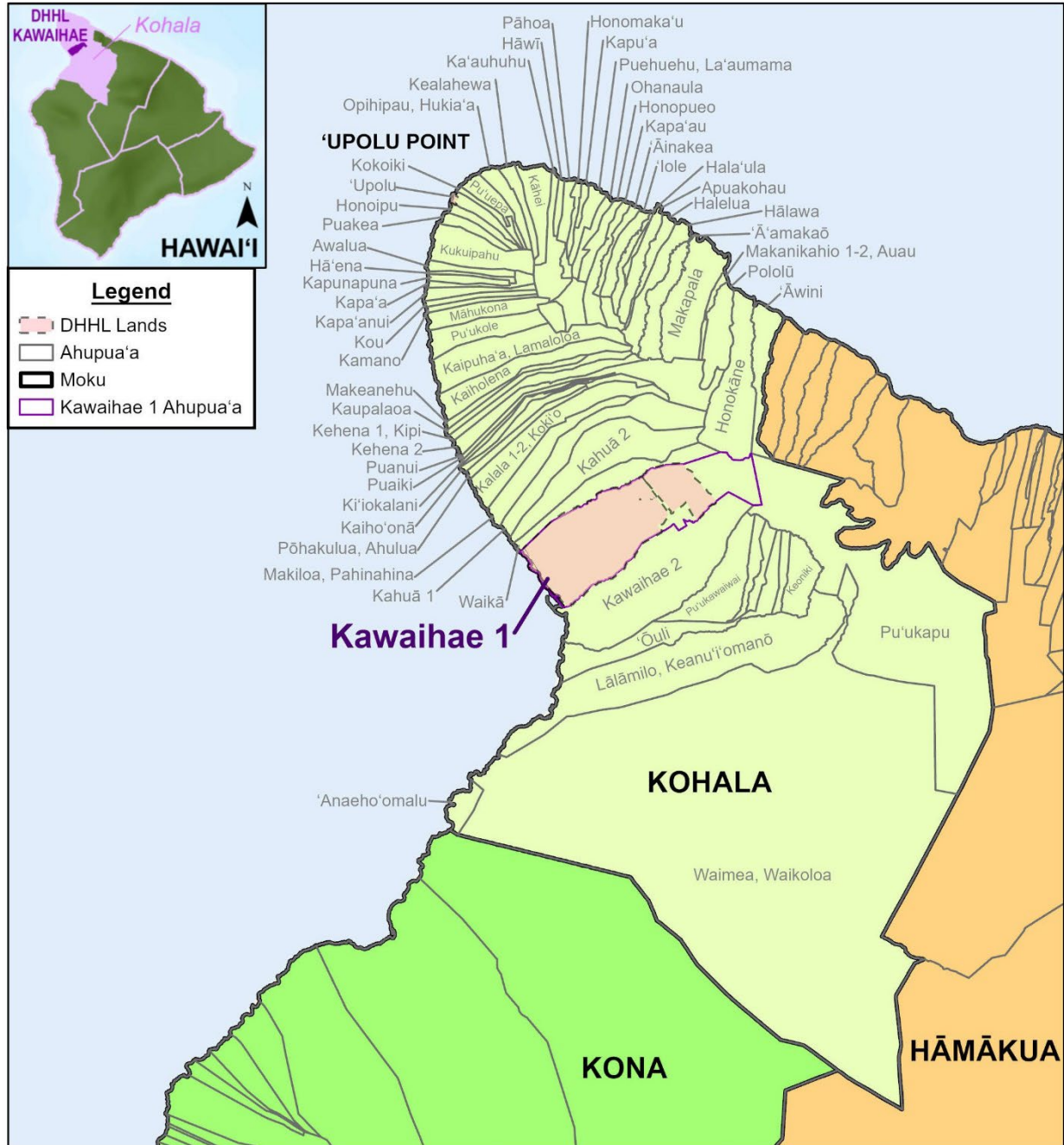


Ahupua'a

Kohala is made up of 72 ahupua'a. The Kawaihae Homestead is contained within the Kawaihae 1 ahupua'a, adjacent to Waikā and Kawaihae 2. In the mauka section, the Kawaihae 1 ahupua'a shares a border with the ahupua'a of Pu'ukapu and Honokāne. DHHL also owns a 37-acre parcel further north in the ahupua'a of 'Upolu. The following is a list of all the ahupua'a of Kohala, which is also displayed in Figure 8. Where available, English translations are provided for the names.

- Waimea, Waikoloa (reddish water, duck water)
- 'Anaeho'omalū (protected mullet)
- Lālāmilo, Keanu'i'omanō (milo branch, coldness of shark flesh)
- 'Ōuli (omen)
- Pu'ukawaiwai, Pa'ūolu'ukia (the prosperity hill, ornamental canoe float)
- Pauahi (destroyed by fire)
- Momoualua
- Lanikepu
- Keoniki, Kauniho, Wa
- Pu'ukapu (sacred hill)
- Kawaihae (water of wrath)
- Waikā (cleared water)
- Kahuā (the jealousy)
- Makiloa, Pahinahina (press down, grayish enclosure)
- Kalala 1-2, Koki'o (the branch, hibiscus)
- Pōhakulua, Ahulua (hollowed stone, two piles of stones)
- Kaiho'onā
- Ki'iokalani
- Puaiki (little flower)
- Puanui (great flower)
- Kehena (the nakedness)
- Kipi (rebel)
- Kaupalaoa (landing season of whale ivory)
- Makeanehu (a desire for nehu)
- Kaiholena (the yellow core)
- Kaipuha'a, Lamaloloa (the low calabash, long torch)
- Pu'ukole, Koea, Lapakahi (bare hill, to be dry and hard, single ridge)
- Māhukona, Hihui (leeward steam, wild)
- Pu'uokumau
- Nunulunui
- Kamanō (the shark)
- Kou (kou tree)
- Kapa'anui
- Kapa'a (firm)
- Kapunapuna (the mealy substance)
- Hā'ena (red hot)
- Awalua (two harbors)
- Kukuipahu (pierced candlenut)
- Puakea (white flower)
- Honoipu (gourd bay)
- 'Upolu (an island in Sāmoa)
- Kokoiki (little blood)
- Pu'uepa (name of a star)
- 'Opihipau, Hukia'a
- Kealahewa
- Kāhei, Hualua (girdle, two fruits)
- Ka'auhuhu (the fish poison plant)
- Hāwī (time of famine)
- Pāhoa (dagger)
- Honomaka'u (harbor of fear)
- Kapu'a (the whistle)
- Puehuehu, La'aumama (scattered)
- Ohanaula
- Honopueo (owl bay)
- Kapa'au (place where offerings were laid)
- Nunuluiki
- 'Āinakea (white land)
- 'Iole (rat)
- Hala'ula (red *pandanus*)
- Apuakohau, Kukuiwaluhia
- Halelua (tomb)
- Hālawa, Napapa'a (curve)
- 'Ā'amakāō (crowds of black crabs)
- Makapala, Niuli'i (sore beginning to heal, small coconut tree)
- Mekanikahio, Auau (the expurgated wind, to bathe)
- Pololū (long spear)
- Honokāne (Kāne's bay)
- 'Āwini (pointed)

FIGURE 8. AHUPUA'A MAP



Kawaihae Regional Plan Update
AHUPUA'A

February 2024

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Kaulana 'o Kawaihae i ke kai hāwanawana. Famous is Kawaihae for its whispering sea. This is the first line of the song *Kaulana Kawaihae*, composed by Ka'ilihune Alama Na'ai. This song talks about a few famous features of Kawaihae, including the view of Mauna Kea and the small islet off the coast, Puaka'ilima. Prior to the tsunami of 1946, when the islet fell into the reef, Puaka'ilima housed a garden of native 'ilima, which were used to collect the 'ilima flower, a small golden flower specifically to make lei for the ali'i. Puaka'ilima was also the name of the reef section surrounding the small islet. However, this reef was dredged and destroyed for the construction of Kawaihae Harbor in 1957.

Despite the dredging of Puaka'ilima, there remains a large stretch of reef that creates numerous surf breaks just off the coast. Kawaihae has long been known for its exceptional surfing, a legacy stretching back from ancient times to even today. Its long, peeling waves were perfect for traditional wooden longboards. Even Ka'ahumanu, the favorite wife of King Kamehameha I, was known to surf here while she resided with her husband in Kawaihae.

FIGURE 9: SURFERS ENJOYING THE WAVES OFF THE COAST OF KAWAIIHAE



Kawaihae literally translates to “water of wrath.” It was given this name from a previous battle over one of the springs in the area. Water has always been a valuable resource in Kawaihae; residents along the coast only see about 10 inches of rain per year (Giambelluca et al., 2013) and springs and perennial streams are uncommon. Much of the water is found in the uplands of the ahupua'a, Kawaihae Uka. The highest point in the ahupua'a is 5,400 feet above sea level and here annual rainfall reaches approximately 140 inches per year, though much of this rain flows down the opposite side of the Kohala mountain into Honokāne Nui. The major streams that flow mauka to makai in Kawaihae and empty into the nearshore below are: Keanahalululu, Kaiopae, Honokoa, and Kawaihae, all which flow intermittently.

The rain of Kawaihae was referred to as “ka ua nāulu o Kawaihae,” or the cloudless rain of Kawaihae (Pukui, 1983). It was said that this rain would often surprise visitors because it seemed to come out of a cloudless sky. However, those native to Kawaihae would know what to expect through simply observing the winds and other signs of nature. The winds of Kawaihae are known through an old saying “nā makani paio lua o Kawaihae,” the two conflicting winds of Kawaihae (Pukui, 1983). This refers to the Mumuku wind from the uplands and the Nāulu wind which brings the rains to Kawaihae.

Traditionally, people living in Kawaihae planted sweet potato and grew dryland kalo along the lower elevation areas of the ahupua'a. Wetland kalo was also planted along stream beds. Hawaiians living in Kawaihae relied heavily on ocean resources for sustenance. A great supply of food was obtained from deep sea fishing, along coral reefs, and in brackish water ponds. Salt was also produced and consumed by inhabitants of Kawaihae.

The natural harbor at Kawaihae, a gap in the extensive reef flats, was one of the only suitable landing areas for vessels along the Kohala coast. Kawaihae was initially settled as a small fishing village centered around this landing area near modern day Pelekane Bay. European sailors in the late 1700s noted a grove of coconut trees, salt pans, a small number of traditional houses, and shade structures for building and repairing canoes near the shore. The salt pans were important for preserving fish and meat for trade with an increasing number of European sailors that used the harbor as a provisioning stop. Natural springs and rivers flowed regularly, allowing visiting sailors a chance to resupply their fresh water reserves (Greene, 1993).

As Kamehameha sought to consolidate power and unite the Hawaiian islands, Kawaihae became a place of great strategic and spiritual importance. John Young, a trusted European advisor of Kamehameha, built a house at Kawaihae and oversaw commercial activity there. Accompanying Young was Isaac Davis, another trusted advisor of Kamehameha. Davis played a pivotal role; following several unsuccessful invasion attempts by Kamehameha's forces, he brokered a peace agreement between Kamehameha and Kaumuali'i of Kaua'i, ultimately unifying the Hawaiian Islands. Davis passed away shortly afterward, and Young took in his children (U.S. DOI, 2022). Presently, some residents of Kawaihae trace their lineage back to Isaac Davis.

In 1793, British explorer George Vancouver gifted cattle to Kamehameha, introducing the species to Hawai'i. The cattle industry flourished in nearby Waimea with the development of Parker Ranch, and Kawaihae became the center of landing and shipping cattle and beef in Hawai'i (U.S. DOI, 2023).

Kawaihae thrived as a trading port in the early 1800s. Like cattle, the sandalwood, or 'iliahi, trade became an important feature of the Kawaihae economy as the Kohala Mountain was abundant with 'iliahi forests. Logs were cut and hauled down to the landing at Kawaihae. Whaling ships stopped to trade goods, repair their ships with the wood, and resupply their freshwater reserves from the springs and streams. After peaking in the 1820s, 'iliahi trade collapsed as the forests were nearly depleted. Deforestation from the 'iliahi industry along with intensive grazing from cattle prevented forests from regenerating, leaving Kawaihae as a dry and barren landscape (Greene, 1993).

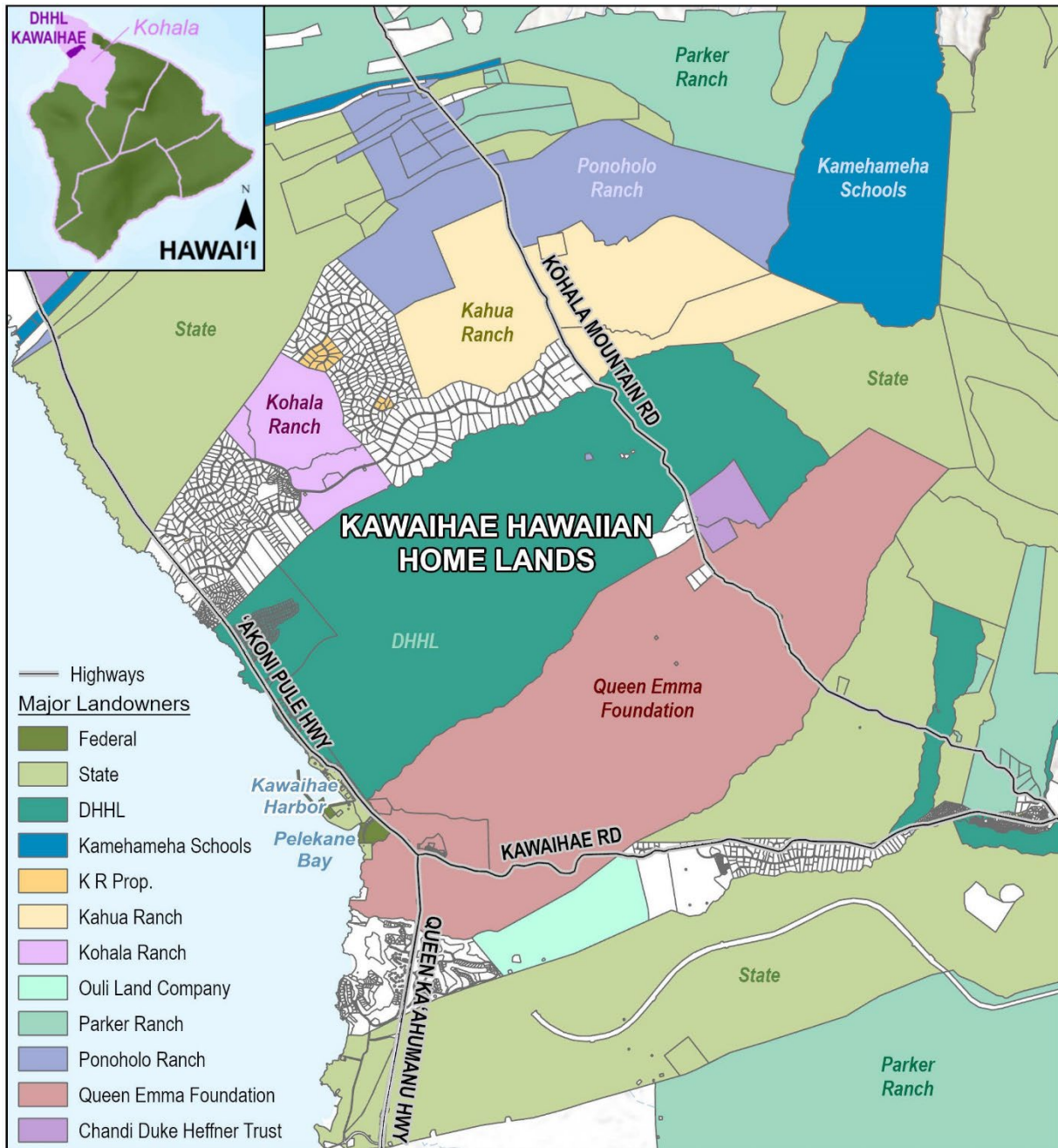
Kawaihae experienced a period of decline after the sandalwood and whaling industries collapsed, but maintained its existence as a landing site for cattle and as a fishing village. In 1949, Kawaihae was identified as a suitable location for a deep-draft harbor. The Army Corps of Engineers constructed this harbor from 1957 to 1959, making Kawaihae the second port on Hawai'i Island that could accommodate container ships (DOT Harbors, 2011).

The development of the harbor meant the displacement of residents in Kawaihae. The remaining coastal inhabitants were forced to move mauka as the harbor overtook residential areas near the coast. In 1972, the Kawaihae Harbor was expanded with Project Tugboat. Nuclear explosives were used to excavate an area for a new small boat harbor and channel entrance, further damaging the nearshore reef ecosystem (Day, 1972). Today, Kawaihae still functions as an important harbor.

Surrounding Land Ownership and Uses

There are a mix of public and private large landowners in the Kawaihae Region, with the State of Hawai'i as the largest landholder in the surrounding area. Makai of DHHL's landholdings, the federal government owns the Kawaihae Harbor as well as the adjacent Pu'ukoholā Heiau National Historic Site. Queen Emma Foundation and Kamehameha Schools are two other large landowners within the vicinity of Kawaihae. Queen Emma Foundation owns the parcels along the southeastern boundary of Kawaihae. Kamehameha Schools owns the upper reaches of Kawaihae and into the eastern valley of Honokāne Nui. There are also numerous ranch lands belonging to Parker Ranch, Kohala Ranch, Kahua Ranch, and Ponooho Ranch. K R Prop, Ouli Land Company, and the Chandi Duke Heffner Trust are the other remaining large landowners surrounding Kawaihae. Please refer to Figure 10, Large Landowners Map.

FIGURE 10: LARGE LANDOWNERS MAP



Kawaihae Regional Plan Update
LARGE LANDOWNERS

March 2024

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Pelekane Bay

Pelekane Bay is located in front of Pu'ukoholā Heiau and adjacent to Kawaihae Harbor. Since the construction of Kawaihae Harbor in 1959, the water quality in the bay has been consistently degraded. Pelekane Bay was listed as an impaired body of water in the 2022 State of Hawaii Water Quality Monitoring and Assessment Report. A study conducted by Storlazzi et al. (2012) assessed the circulation of water and sediment in Pelekane Bay; they concluded that heavy rainfall events, flooding, and large waves resulted in siltation and deteriorated water quality from runoff. The major source of sediment into Pelekane Bay is erosion due to wildfires and over-grazing by feral goats.

In 2021, DHHL conducted a Kawaihae Goat and Watershed Beneficiary Consultation to inform beneficiaries about the impacts of feral goats and to gather feedback on how to best manage the goat population in Kawaihae. Meeting participants determined that the next step would be for DHHL to develop an action plan based on the feedback received from the beneficiary consultation. A plan must be in place prior to any action to ensure that the feral goat population is removed in an appropriate manner. At this time, the action plan has not yet been completed.

Pelekane Bay is within the Mauna Kea Soil and Water Conservation District, which supported the development of the Pelekane Bay Watershed Management Plan, published in 2005. The Management Plan recommended implementation of the following actions: 1) increase groundcover density and quality, 2) minimize fires within and adjacent to the watershed, 3) restore groundcover in the watershed, 4) reduce sedimentation in Pelekane Bay, and 5) measure the success and effectiveness of watershed restoration and protection activities. For each recommended action, the plan outlines the responsible parties and relative cost and establishes a level of priority. Additionally, the Kohala Watershed Partnership is working to restore native forests in the watershed above Pelekane Bay. They identified soil and watershed management strategies for Kawaihae in their South Kohala Coastal Action Plan for 2030. Strategies included controlling feral goats and identifying highly erosive areas.

FIGURE 11: PELEKANE BAY, KAWAIIHAE



Natural Hazards

Wildfire

Between 2003 and 2022, there have been 10 recorded wildfires in the general vicinity of the Kawaihae homesteads (see Figure 13). Most recently, Kailapa residents were evacuated from their homes in August 2023 due to the threat of an adjacent wildfire. A subsequent wildfire occurred nearby in December 2023; fortunately, it did not pose a threat to any structural properties. Following the December wildfire, DHHL, in collaboration with the State of Hawai'i Department of Transportation, constructed an emergency firebreak around the Kailapa Homestead. Figure 12, below, illustrates the extent of the firebreak.

FIGURE 12: COMPLETED FIREBREAK FOR KAILAPA HOMESTEAD (JANUARY 2024)

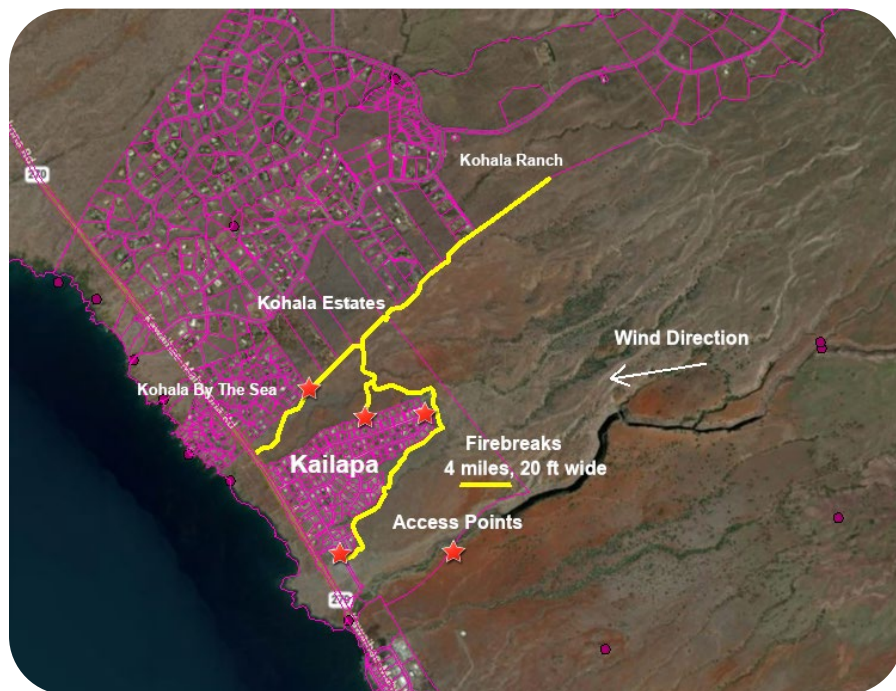
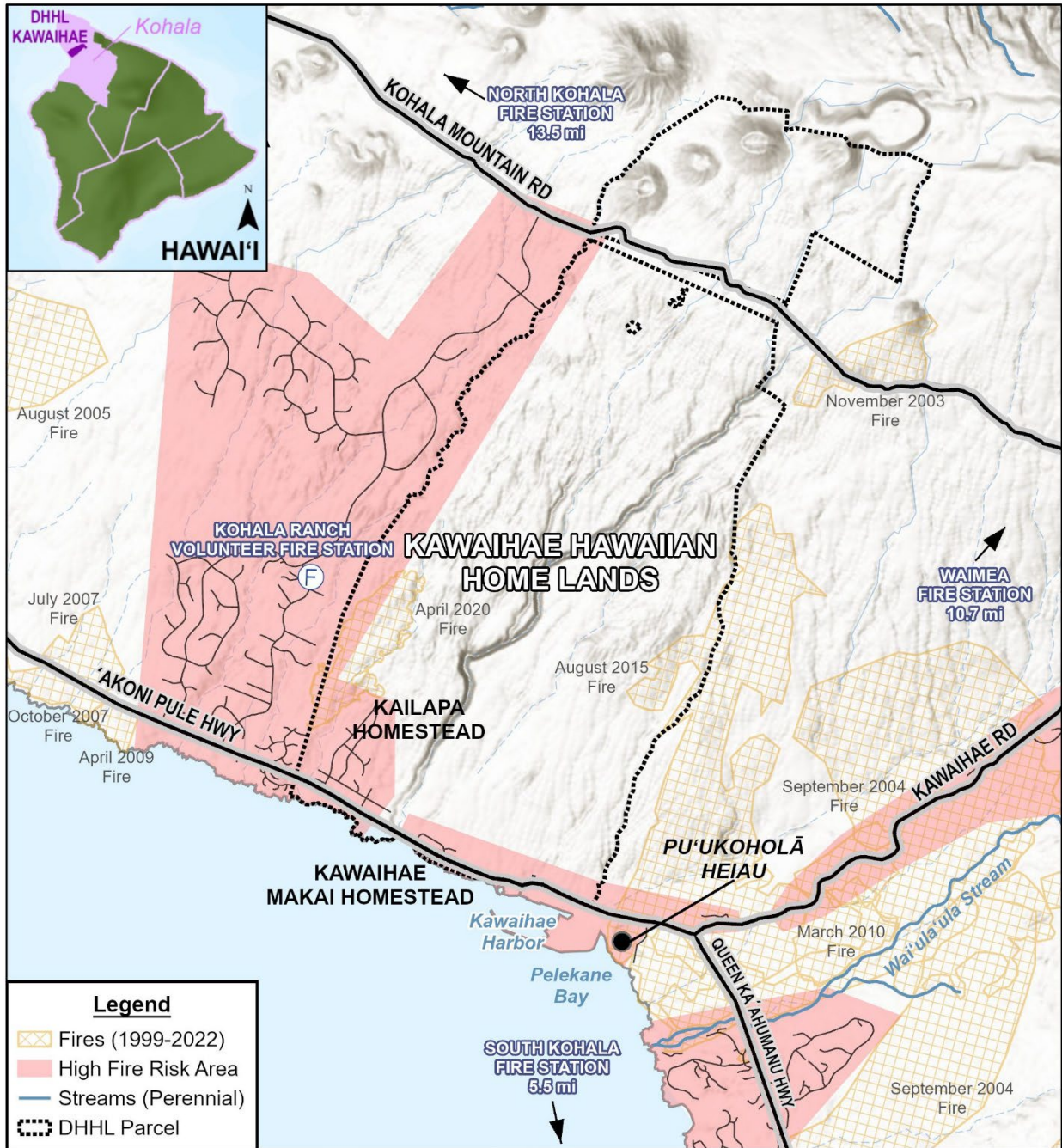


FIGURE 13: WILDFIRE RISK MAP



**Kawaihae Regional Plan Update
WILDFIRE RISK**

February 2024

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The Hawai'i Wildfire Management Organization is in the process of developing a draft of a wildfire strategy for the greater Kawaihae area, which includes DHHL's Kawaihae lands. Their objectives and goals for the Kawaihae region include:

- OBJECTIVE 1: Create Fire Adapted Communities
 - GOAL: People who live and work in the area are aware and as prepared as possible to deal with wildland fire.
 - GOAL: From residents to businesses to community leaders, and across diverse professions, activities, and neighborhoods, everyone knows they play a role in wildfire prevention, readiness, and safety, and does their part.
 - GOAL: The built environment resists, withstands, and recovers well from wildfire.
- OBJECTIVE 2: Make Landscapes Resilient to Wildfire
 - GOAL: Risk of fire to landscapes are diminished.
 - GOAL: Pre-fire hazards are managed (for example, overgrown dry vegetation is reduced and managed).
 - GOAL: Sensitive resources are not damaged by firefighting.
 - GOAL: Post-fire impacts are addressed (post-fire erosion, flood control, and restoration).
- OBJECTIVE 3: Optimize for Safe & Effective Emergency Response
 - GOAL: Injuries and loss of life for public and firefighters is diminished.
 - GOAL: Adequate infrastructure and capacity: water, access, equipment, training.
 - GOAL: Pre-fire multi-jurisdictional, multi partner planning and coordination occurs.

Drought

Another major threat to the Kawaihae region includes increased drought conditions due to climate change. The U.S. Drought Monitor (2020), a map that displays the intensity of drought across the country, indicated that severe drought affected coastal areas around Kawaihae while there were no drought conditions recorded for the remainder of the leeward side of the island and only moderate drought conditions for the windward side.

As reported in the County of Hawai'i Multi-Hazard Mitigation Plan (2020), the rain gauges in West Hawai'i indicated that the rainfall in April 2010 was only 50 percent of the normal levels or even less. Similarly, the total rainfall from January to April 2010 was also recorded at 50 percent of normal conditions or lower for the majority of rain gauges across the island. The wet-season rainfall from October 2009 to April 2010 marked the driest period in the 30-year recorded history. Since then, ranchers in Kawaihae have reported a number of livestock deaths due to these drought conditions.

Flooding

Flooding is a concern around the area abutting the Kawaihae Road as well as along the Queen Ka'ahumanu Highway from Kawaihae to Puakō. The semi-arid Keawanui, Honokoa, and Kawaihae watersheds that encompass DHHL's land holdings in Kawaihae lack well-defined stream channels and experience infrequent stream flows (see Figure 14). Even with light rainfall, these poorly drained coastal lands can experience flooding.

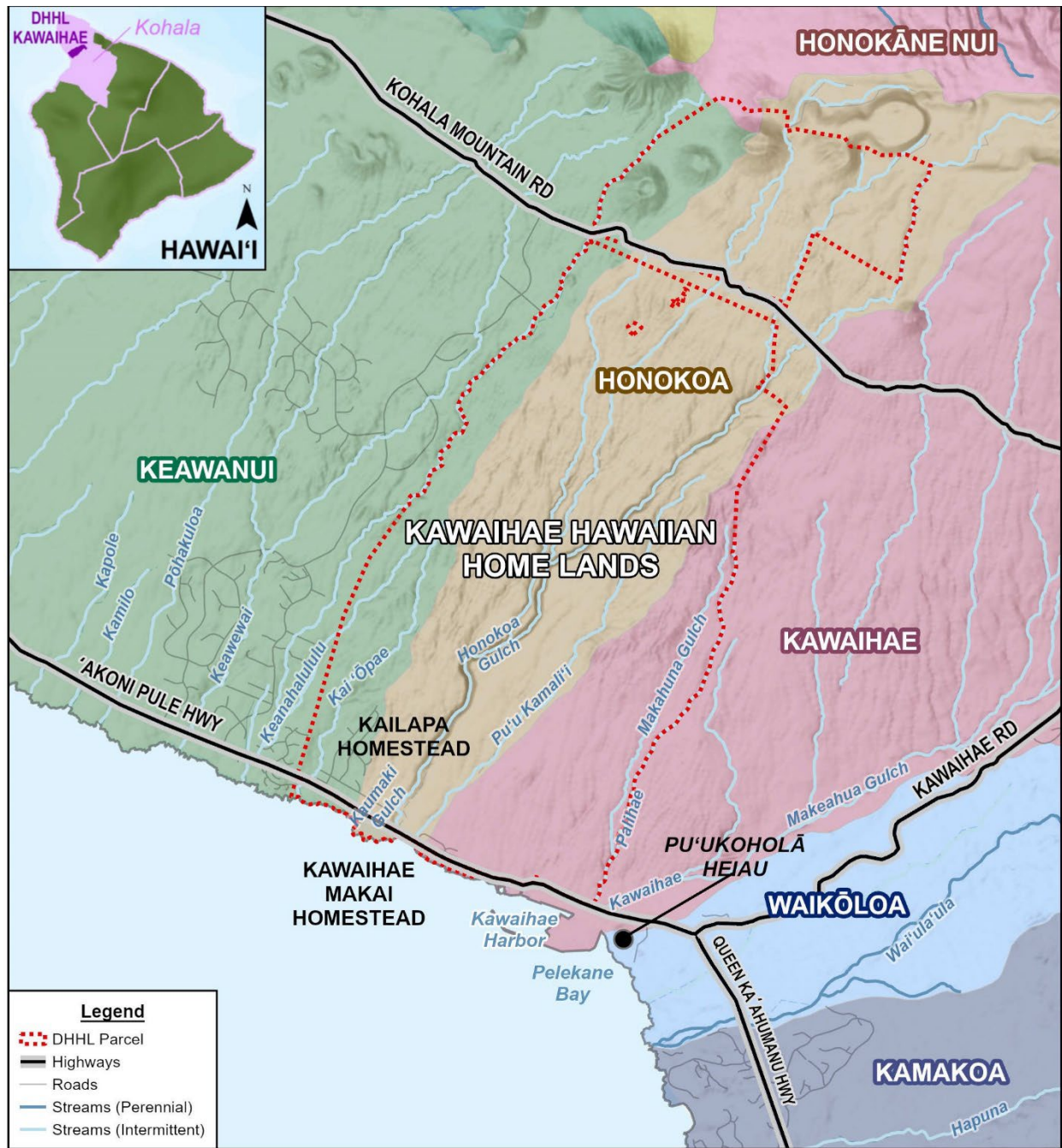
Sea Level Rise

The Hawai'i Highways Climate Adaptation Action Plan and Hazard Tool (2021) identifies risks that may affect highway infrastructure within the project area. Sections of 'Akoni Pule Highway near Kawaihae Harbor will become inundated during multiple natural hazard scenarios such as a 1% Coastal Flood with 3.2 ft Sea Level Rise, Storm Surge, and Hypothetical Tsunami.

Coastal flooding occurs when low-lying land is flooded by seawater during a tropical storm, hurricane, or tsunami. High-risk areas have at least a 1% annual chance of flooding, also known as a 100-year flood. A model that combines a 1% Coastal Flood scenario with a potential 3.2 feet of sea level rise can be used to estimate future coastal flood zones (see Figure 15). These high-risk areas can be further divided into zones by the model's predicted wave heights, indicating areas at risk of damage from storm surge. Zone V indicates wave heights greater than 3 feet in a 1% Coastal Flood scenario. Zone CA indicates wave heights between 1.5 and 3 feet, and Zone A shows areas with waves less than 1.5 feet.

Using this model shows that flood hazards may increase in the future as sea level rises, threatening public infrastructure and access to communities. For Kawaihae, a significant portion of the harbor and multiple points along 'Akoni Pule Highway would be inundated in a 1% Coastal Flood with 3.2 feet Sea Level Rise scenario. The flooded areas shown in Figure 15 point to a need for emergency escape routes for both the Kawaihae Makai Homestead and the Kailapa Homestead, as the 'Akoni Pule Highway is the only route that provides access to these residential areas. While sea level rise will not directly impact homesteads themselves, the impact to road infrastructure may inhibit homesteaders' ability to travel south. The impacts are outside of DHHL's purview so DHHL will have to work with the Department of Transportation and the County on how to address sea level rise impacts on the highway.

FIGURE 14. WATERSHED MAP



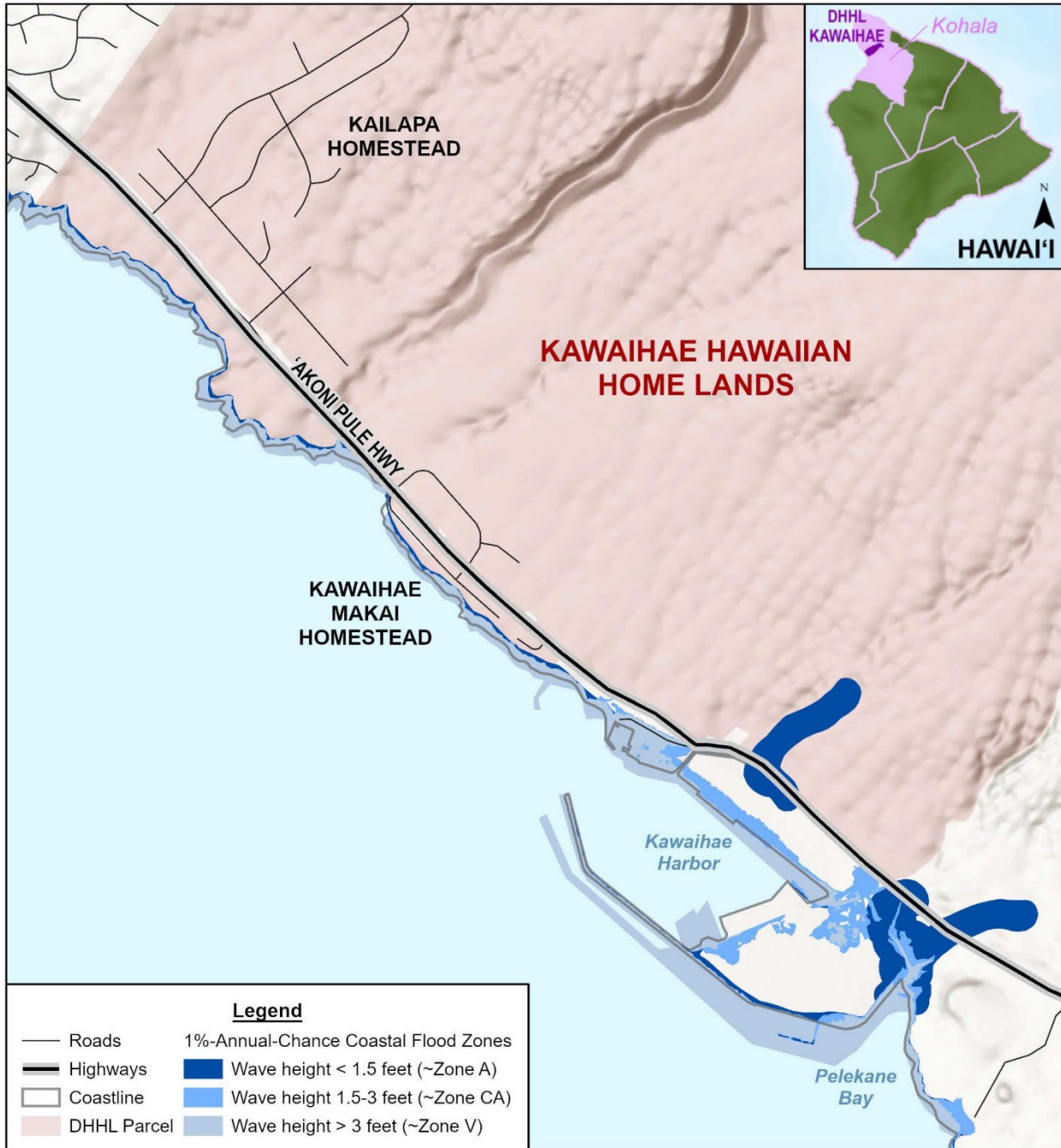
Kawaihāe Regional Plan Update
WATERSHEDS

March 2024

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FIGURE 15. SEA LEVEL RISE MAP



Kawaihae Regional Plan Update
SEA LEVEL RISE
 March 2024



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Existing Land Uses

DHHL land use designations are established for all of their lands in the Island Plans. The following are descriptions of the land use designations that are found within the Kawaihae region according to the DHHL Hawai'i Island Plan (2002).

- **Residential:**
 - Residential subdivisions built to County standards in areas close to existing infrastructure.
 - Lots awarded to applicants on the residential waiting list.
- **General Agriculture:**
 - Prime agricultural area. Commercial level agriculture.
- **Pastoral:**
 - Large lot agriculture specifically for pastoral uses. Marginal lands. Some commercial level pastoral activity.
 - Lots awarded to applicants on the pastoral waiting list.
- **Community Use:**
 - Common areas for community use. Includes space for parks and recreation, cultural activities, community based economic development, and other public amenities.
 - No lot size restrictions at present. Infrastructure must meet County standards.
- **Commercial:**
 - Lands suitable for retail, business, and commercial activities.
 - No lot size restrictions at present. Infrastructure must meet County standards.
- **Industrial:**
 - Lands suitable for processing, construction, manufacturing, transportation, wholesale, and warehousing.
 - No lot size restrictions at present. Infrastructure must meet County standards.

Total Lots and Acreage

2002 Land Use Designation ¹	Total Available Acreage ¹	2022 Land Entitlements ²	Acreage of 2022 Land Entitlements ²
Residential	2,224.9 acres	192 leases	145.1 acres
General Agriculture	7,434.2 acres ³	2 Rights-Of-Entries (ROEs)	9,320.0 acres ⁴
Pastoral		1 lease	300.0 acres
Community Use	81.5 acres	1 license; 1 ROE	86.8 acres ⁵
Commercial	90.5 acres	3 ROEs	1.8 acres
Industrial	265 .5 acres	8 leases	35.3 acres
Total	10,098.6 acres	208 leases/ROEs/parcels	9,889.0 acres

¹Source: 2002 Department of Hawaiian Home Lands Hawai'i Island Plan.

²Source: 2022 Department of Hawaiian Home Lands Annual Report (most current available data).

³Includes 300 acres of pastoral land not included in 2002 Island Plan.

⁴Exceeds available acreage; a portion of the pastoral land is located within residential-designated land.

⁵Exceeds available acreage; 14.3-acre Resource Center lot is located within residential-designated land.

Homestead Uses

The Kailapa Homestead is Kawaihae’s largest residential subdivision, located mauka of ‘Akoni Pule Highway. The 195 subdivided lots encompass a total of 136.4 acres. Average lot size is approximately 32,000 square feet. A second, smaller subdivision is located makai of ‘Akoni Pule Highway and consists of 22 house lots. Average lot size is approximately 15,000 square feet. This subdivision covers an area of 8.7 acres.

The remaining 2,079.8 acres designated for residential usage is awaiting further infrastructure improvements. Most of these designated lands, however, are currently in use by cattle ranchers and a small portion is utilized by the Kailapa Community Association.

There is one existing pastoral homestead lessee who has a pastoral lot mauka of Kohala Mountain Road. This lot is approximately 300 acres and is a part of the 1720-acre parcel of HHL located in Kawaihae mauka of the Kohala Mountain Road. The parcel is adjacent to the 1420-acre parcel currently under month-to-month land disposition to Kahua Ranch/ Makani Ua Ranch.

Community Uses

A 72.5-acre parcel along the coast was designated for community use. The Kailapa Community Association had a Right-Of-Entry (No. 684) for this parcel which was issued in 2022 and set to expire after a 12-month period. The community’s long-term plan for this parcel is to establish a cultural wellness park with walking and jogging paths, native plant revegetation, a community-managed fishing area, and a few campsites. However, members of the community raised some concerns about people picking up rocks and moving them during surveys for iwi as well as people taking rocks to build rock walls. There is an additional 9.0 acres on the ocean side of the makai homestead that is designated for community use; no plans for these parcels exist at this time.

Although not designated for community use, there is an additional 14.3-acre parcel on the mauka side of the highway, adjacent to the Kailapa subdivision, that serves the community. The vision for this parcel is to create the Kailapa Resource Center, which would provide a location for a preschool, a drop-off and pick-up area for school buses, health & wellness programs, a community garden, and various other community services. Phase I of the Resource Center, which included a pavilion, a cluster mailbox facility, a playground, and a parking lot, was completed in 2017.

General Agriculture

The General Agriculture lands in Kawaihae consist of several large parcels that stretch from mauka to makai and are divided into a northern and southern portion by the Honokoa Gulch. Access to these lands is limited to areas adjacent to ‘Akoni Pule Highway and Kohala Mountain Road. Currently, Kahua Ranch and Palekoki Ranch have Rights-of-Entry to pastoral lands in the General Agriculture designated area with additional acreage situated within the Residential designation. Rights-Of-Entries are approved annually by the HHC. More information is provided in the table below.

Type/No.	Use	Permittee	Term	Acre	Annual Rent
Right-Of-Entry (ROE) No. 484	Pastoral	Kahua Ranch, Ltd.	Month-to-month	1,720	\$7,200

ROE No. 485	Pastoral	Palekoki Ranch, Inc.	Month-to-month	7,600	\$31,620
Total Revenue Generated					\$38,820

Grazing and ranching are the primary activities carried out on Kawaihae’s agricultural land, but lack of rainfall in the makai sections may be a limiting factor for ranching capacity in these areas. Generally, areas with rainfall less than 30 inches would be considered “poor” for grazing and economically unfeasible, as a single head of cattle would require 15 acres of land. There is significantly more rainfall in the mauka section of the General Agriculture lands, and the study found that where rainfall exceeded 45 inches per year each head of cattle would require 3 acres of grazing land.

Additionally, throughout the General Agriculture parcel are numerous archeological and historical sites, with many located between the 50 and 250-foot elevation range. Future agricultural activities in those areas may need to be limited to minimize negative impacts on those archeological sites.

Industrial & Commercial

Lands designated for industrial and commercial use are located mauka of ‘Akoni Pule Highway, adjacent to Kawaihae Harbor. DHHL has approved a variety of commercial and industrial tenants. Current tenants include a macadamia nut company, a concrete company, a gravel company, an industrial development corporation, an activated carbon company, and several commercial operations. See the table below for more information.

Type/No.	Use	Lessee	Term	Acre	Annual Lease Rent
General Lease (GL) No. 136	Industrial	Hamakua Macadamia Nut Co.	65 years (expires 2033)	5.80	\$90,343.00
GL No. 177	Industrial	Oasis Enterprises, LLC	55 years (expires 2026)	1.00	\$26,100.00
GL No. 178	Industrial	Hokuloa, Inc.	65 years (expires 2037)	6.13	\$55,829.76
GL No. 204	Industrial	Pacific Waste, Inc.	55 years (expires 2033)	2.00	\$42,000.00
GL No. 205A	Industrial	Edwin DeLuz Gravel & Trucking, c/o Kohala Coast Concrete & Precast, LLC	18 years (expires 2033)	2.00	\$47,015.88
GL No. 206	Industrial	Kohala Coast Concrete & Precast, LLC	55 years (expires 2033)	2.588	\$58,400.00
GL No. 217	Industrial	Kawaihae Industrial Dev Corp, c/o Harborside Investors	55 years (expires 2039)	2.858	\$45,000.00
GL No. 275	Industrial	Millennium Carbon, LLC	55 years (expires 2064)	12.961	\$168,000.00

Right-of-Entry (ROE) No. 461	Commercial	Edward J. and Maomi Laau	Month-to-month	0.540	\$13,497.00
ROE No. 462	Commercial	Kawaihae Spirits, Inc.	Month-to-month	0.670	\$12,916.00
ROE No. 483	Commercial	Guy Startzman	Month-to-month	0.560	\$6,600.00
Total Revenue Generated					\$565,701.64

The Kawaihae Harbor Master Plan was updated in 2011 and recommends the construction of a new cargo terminal, including a pier for two barges, and a cargo handling and storage yard at the Coral Flats. Increased harbor activity may create a demand for more industrial and commercial activity adjacent to the harbor. However, archeological surveys indicate a large number of burial sites behind the existing industrial and commercial parcels.

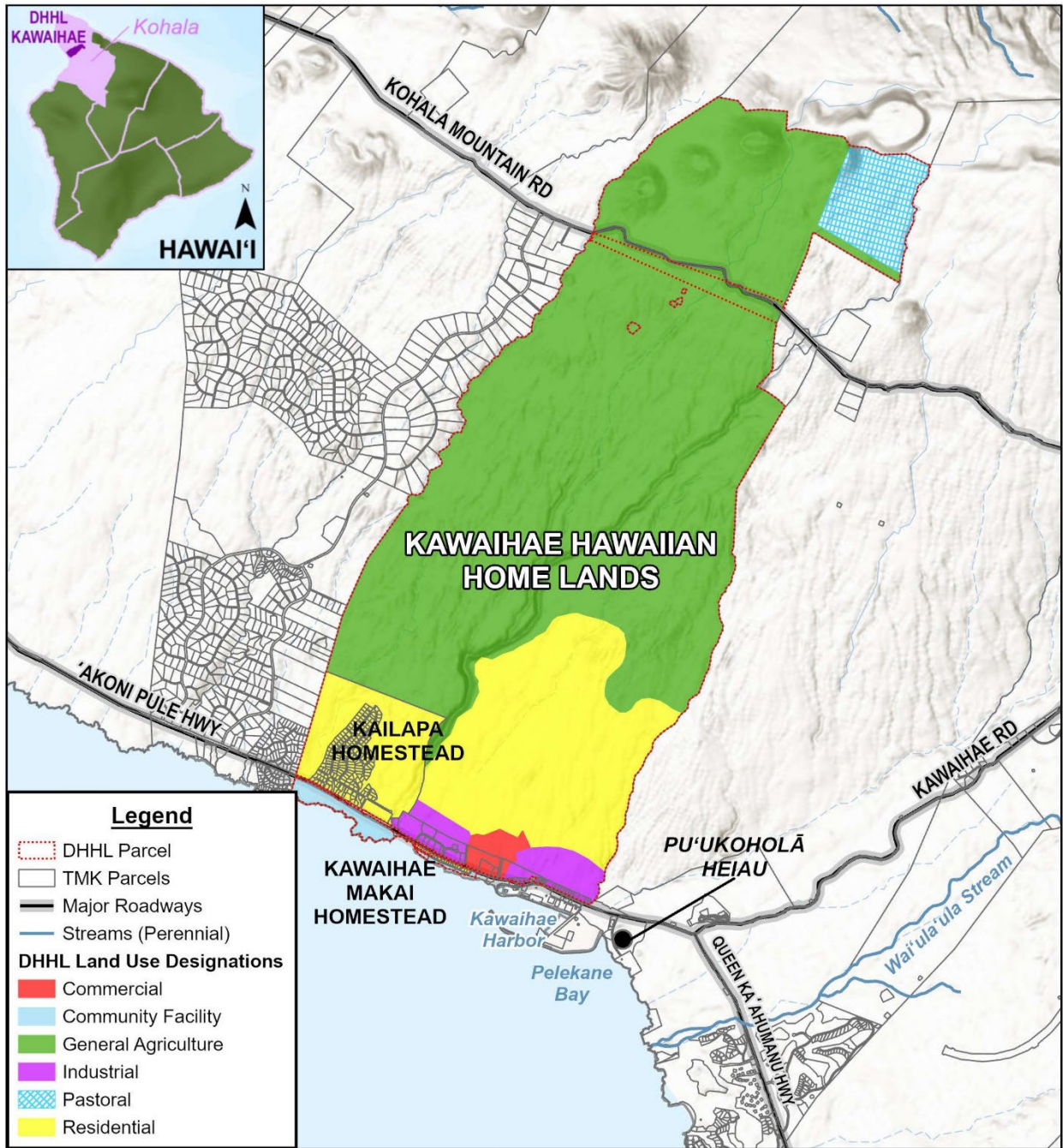
Regional Revenue Generation

There are a variety of land uses that generate revenue through annual lease rent payments to the Department. The following table lists the types of land uses and annual lease rents included in the 2022 DHHL Annual Report. This table excludes revenue and acreage from homestead residential uses, as well non-revenue generating acreage for lands used for community use, easements, and public service. This table only includes lands that generated revenue for the Department according to the DHHL Annual Report for 2022. The DHHL land inventory in the Kawaihae region generated a total of \$604,521.64 in 2022. The total land inventory for General Leases, Rights-Of-Entry, and Licenses on Hawai'i Island is 41,984 acres, with Kawaihae's 9,357 acres making up approximately 22.3% of the lands generating revenue on the island. Total revenue from all DHHL General Leases, Rights-Of-Entry, and Licenses Statewide is \$17,950,775, with Kawaihae generating approximately 3.4% of this revenue.

Kawaihae Regional Revenue in 2022

Land Use	Annual Lease Rent
Commercial	\$ 33,013.00
Industrial	\$ 532,688.64
Pastoral	\$ 38,820.00
TOTAL	\$ 604,521.64

FIGURE 16: DHHL LAND USE DESIGNATION MAP



Kawaihae Regional Plan Update
DHHL LAND USE DESIGNATION

March 2024

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FIGURE 17: DHHL LAND USE DESIGNATION MAP – CLOSE UP



Kawaihae Regional Plan Update
DHHL LAND USE DESIGNATION
March 2024

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0 0.5 Miles



State and County Land Use Designations

In general, the DHHL Island Plan land use designations are consistent with State Land Use Districts and County Zoning. Where they may be inconsistent, DHHL may exempt itself from the State Land Use Law and County land use regulations pursuant to the HHCA, Section 204.

State Land Use Districts

The State Land Use Agricultural District includes lands for crop cultivation; aquaculture; raising livestock; wind energy facilities; timber cultivation; agriculture-support activities, such as mills, employee quarters, etc.; and land with significant potential for agricultural uses. The lands in Kawaihae are mostly zoned as agriculture (~9,900 acres) with a small portion along the coast, roughly 240 acres, zoned as urban.

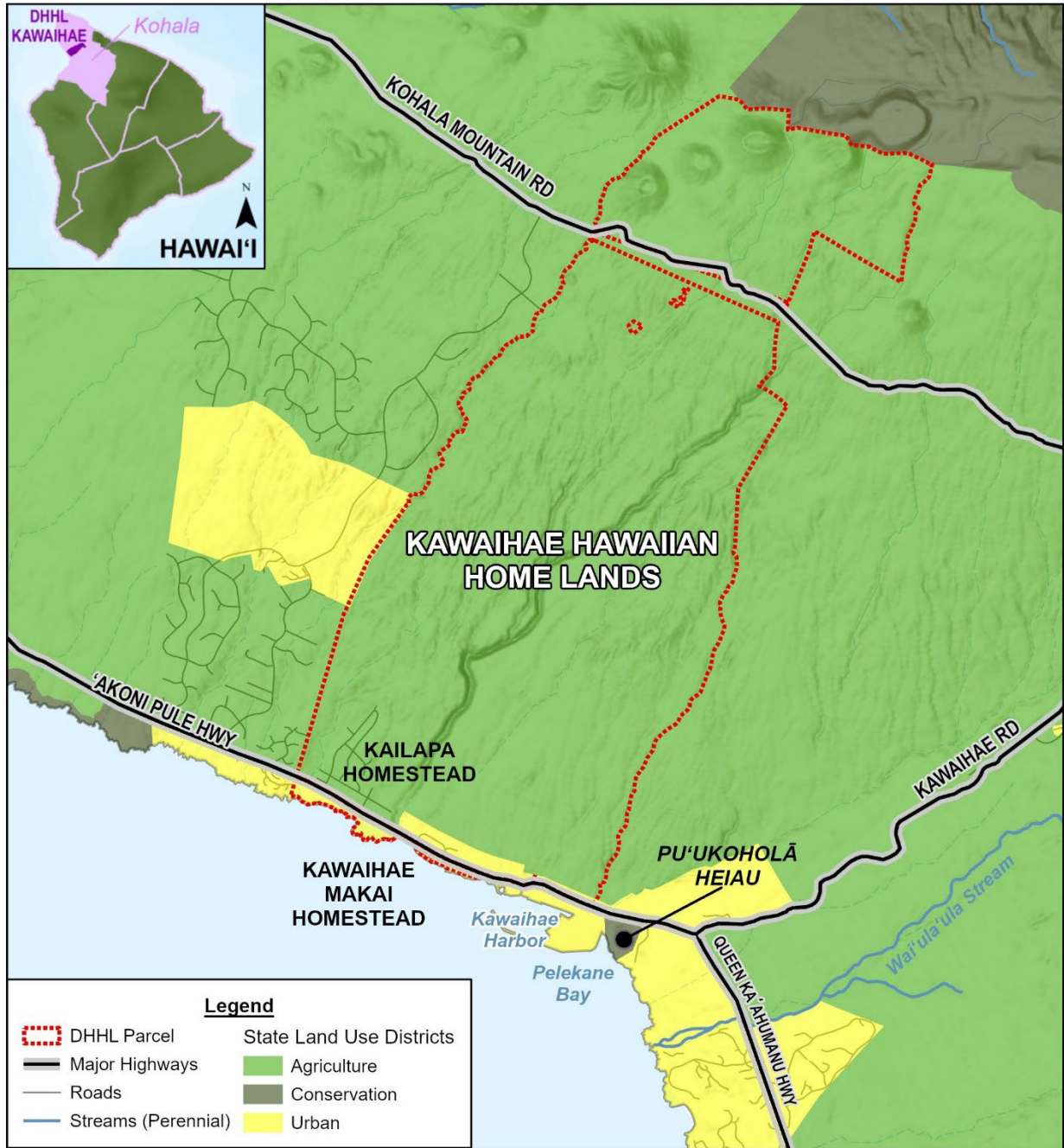
The State Land Use Urban District is generally for lands characterized by “city-like” concentrations of people, structures, or services and includes vacant lands for future development. Please refer to Figure 18, State Land Use Districts Map, on the following page.

Land Use Pattern Allocation Guide

The Hawai'i County Land Use Pattern Allocation Guide (LUPAG) visually displays land uses identified in the County of Hawai'i General Plan (2005). It is not a zoning map and does not regulate the use of land. Rather it depicts potential future land uses and acreage amounts.

- Extensive Agriculture: ~7,830 acres
 - Lands not classified as Important Agricultural Land.
 - Includes lands that are not capable of producing sustained, high agricultural yields without intensive application of modern farming methods and technologies due to certain physical constraints such as soil composition, slope, machine tillability and climate.
 - Other less intensive agricultural uses such as grazing and pasture may be included in this category.
- Important Agricultural Land: ~1,000 acres
 - Lands with better potential for sustained high agricultural yields because of soil type, climate, topography, or other factors.
- Low Density Urban: ~270 acres
 - Residential, with ancillary community and public uses, and neighborhood and convenience-type commercial uses.
 - Overall residential density may be up to six units per acre.
- Medium Density Urban: ~40 acres
 - Village and neighborhood commercial and single family and multiple family residential and related functions.
 - Multiple family residential density may be up to 35 units per acre.
- Urban Expansion: ~460 acres
 - Allows for a mix of high density, medium density, low density, industrial, industrial-commercial and/or open designations in areas where new settlements may be desirable, but where specific settlement pattern and mix of uses have not yet been determined.
- Industrial: ~530 acres
 - Includes uses such as manufacturing and processing, wholesaling, large storage and transportation facilities, light industrial and industrial-commercial uses.
- Open Area: ~35 acres
 - Parks and other recreational areas, historic sites, and open shoreline areas.

FIGURE 18: STATE LAND USE DISTRICTS MAP



Kawaihae Regional Plan Update
STATE LAND USE DISTRICTS

February 2024

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County Zoning

The entire upland portion of the Kawaihae region in addition to one of the coastal parcels is zoned A-40a Agricultural use. Lot sizes in A-40a are restricted to a minimum of 40 acres. The Kailapa Homestead is zoned R-22 Single Family Residential use with a minimum lot size of 22,000 square feet. The Kawaihae Makai Homestead is zoned RS-15 Single Family Residential use with a minimum lot size of 15,000 square feet. The coastal parcel separating the makai homestead from the ocean is zoned Open. Open lands are areas that contribute to the general welfare, the full enjoyment, or economic well-being of open land type use which has been established or is proposed. The opposite side of the highway is zoned MG-1a General Industrial use with a minimum requirement of 1 acre for each building site. General Industrial is for uses that are generally considered to be offensive or have some element of danger. South of the industrial area is zoned CV-10 Village Commercial use which requires a minimum lot size of 10,000 square feet for each building site. This area is designated for a variety of commercial and light industrial uses in rural areas.

Water Quality Standards

Inland and Marine waters are regulated by the State of Hawai'i Department of Health Clean Water Branch. The Clean Water Branch uses categories defined in the Hawai'i Administrative Rules (HAR) Section 11-54 to classify waters and apply water quality standards. The following Water Quality Standards Classes apply in the Kawaihae region:

INLAND WATERS

Class 1 – The objective of Class 1 is for waters to remain in their natural state. The wilderness character of these waters is to be protected to the extent possible. Waste discharge and any activity that increases contamination is prohibited.

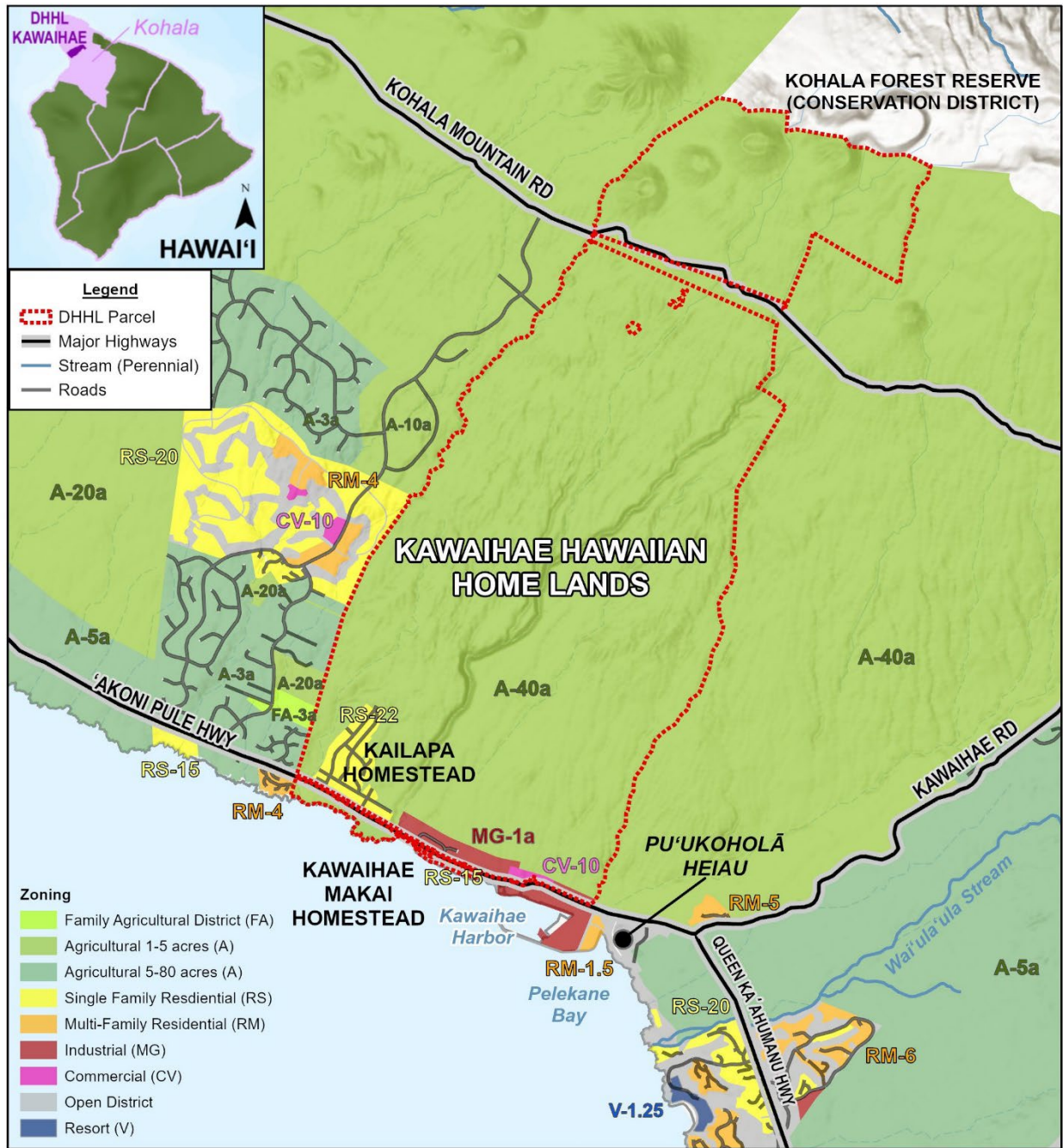
Class 2 – The objective of Class 2 is to protect uses for recreation, support the propagation of aquatic life, agricultural and industrial water supplies, shipping, and navigation. No new sewage or industrial discharges are permitted within estuaries with several exceptions defined in the Hawai'i Administrative Rules.

MARINE WATERS

Class AA – The objective of Class AA is to keep waters in their natural pristine state as nearly as possible. Within Class AA areas there is to be minimum pollution or alteration of water quality from any human-caused source or actions. Protected uses are oceanographic research, propagation of shellfish and other marine life, conservation of coral reefs and wilderness areas, compatible recreation, and aesthetic enjoyment.

Class A – The objective of Class A is to protect recreational purposes and aesthetic enjoyment. Other uses can be permitted if they are compatible with protection and propagation of wildlife, and recreation. No new sewage or industrial discharges are to be permitted within embayments with several exceptions listed in the Hawai'i Administrative Rules.

FIGURE 19: COUNTY ZONING MAP

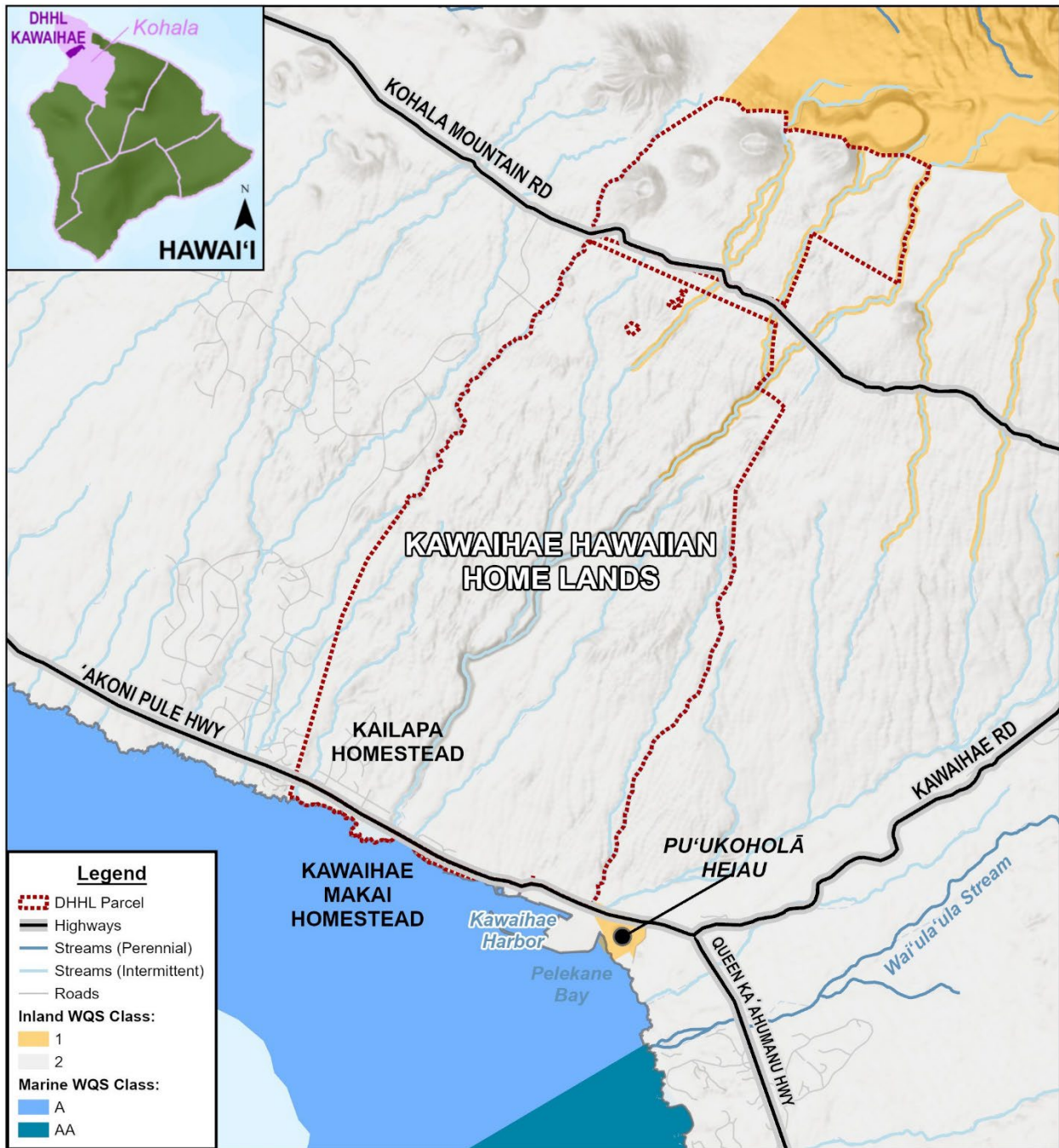


Kawaihae Regional Plan Update
COUNTY ZONING
February 2024

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FIGURE 20: WATER QUALITY



**Kawaihae Regional Plan Update
WATER QUALITY STANDARDS**

February 2024

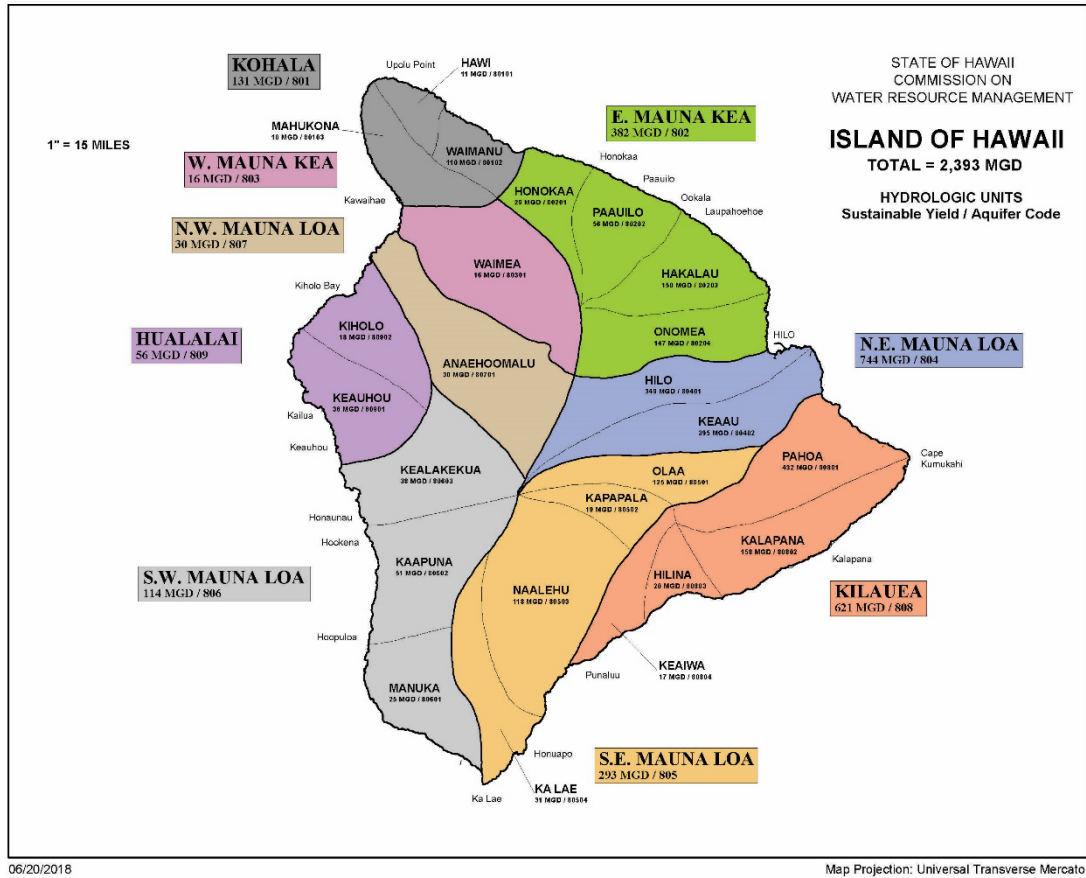
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Infrastructure

FIGURE 21: HAWAI‘I ISLAND AQUIFER MAP



Water Source and System

Kawaihae is located within the Kohala Aquifer Sector Area (ASA), which includes the Hāwī, Waimanu, and Māhukona Aquifer System Areas (ASYA). The southern boundary of the Kohala sector stretches from Kawaihae on the leeward coast to Waipi‘o Bay on the windward coast. The total sustainable yield for the Kohala ASA is 131 million gallons per day (MGD). The Māhukona ASYA, which encompasses the drier leeward side of Kohala, only accounts for 8% of the sustainable yield at 10 MGD.

Potable Water

Potable water needs for the Kawaihae makai homesteads are supplied by the County of Hawai‘i Department of Water Supply (DWS) through their Lālāmilo Water System (see Figure 24). The Lālāmilo Water System has approximately 718 connections throughout the coastal areas of South Kohala from the Mauna Lani Resort to the commercial/industrial areas of Kawaihae. Water is supplied to the system by six wells, located within the Waimea ASA, through two booster pump stations, nine storage tanks, and a series of transmission lines. In December 2023, DWS broke ground on a new 10-million-gallon reservoir for the Lālāmilo Water System. This reservoir will provide added storage for adequate reserve water, energy efficient critical redundancy, and additional water for fire protection.

Potable water for DHHL's Kailapa homestead is provided by the Kawaihae Unit #1 Water System. The Kawaihae Water System is owned by DHHL and currently operated by Pural Water Specialty Company, contracted by DHHL for daily operations, repair and maintenance. The water source for the Kawaihae Water System is a groundwater well owned and operated by the Kohala Ranch Water System (KRWS), located on privately owned lands adjacent to DHHL lands in Kawaihae to the north. Water from the KRWS is piped from the source well to the adjacent DHHL lands, where it is transmitted via an interconnection point into the Kawaihae Unit #1 Water System owned by DHHL. From this transmission point, water carried to homesteaders in Kailapa is transported via the DHHL water system. The Kawaihae Water System serves a small customer base of approximately 164 connections in the Kailapa subdivision, including the Kailapa Community Association pavilion. DHHL is required to purchase the water sourced from KRWS via a master meter located at the interconnection point between the two water systems. The water is then distributed to the homestead lots in Kailapa, at the expense of the Department for the operation, maintenance and repair. Water use is calculated via individual water meters located at each homestead connection. Water billing is calculated based on bimonthly water usage over a sixty (60) day period, and water billing is handled by DHHL staff. Homesteaders in Kawaihae are billed based on the water rates approved by the Hawaiian Homes Commission in 2017. These water rates increase on a graduated step system, increasing each year on July 1st from 2019 through 2029. The water rates in Kawaihae are some of the most expensive water rates for consumers in the entire State of Hawai'i. The rates are well above what water users served by the County water system pay, and these exorbitant rates have caused undue hardship on the homesteaders of Kailapa.

Non-Potable Water

Non-potable water is currently not available in Kawaihae. Homesteaders have requested the availability of agricultural or irrigation water to 1) Allow homesteaders to lessen their use of potable water for non-potable needs such as irrigation and other outdoor water uses and 2) To provide agricultural water at a more reasonable rate than the current cost of potable water.

Wastewater Systems

Kawaihae is currently not serviced by the County's sewer system. Homes and local businesses rely on on-site sewage disposal systems (OSDS) for their wastewater needs. There are approximately 88,000 cesspools across the State of Hawai'i; 50,000 of them are on the island of Hawai'i. Cesspools, which discharge untreated waste, have a negative impact on nearby streams, oceans, and groundwater sources. Pathogens from untreated sewage can contaminate drinking water or nearshore swimming/surfing areas. Additionally, a high density of on-site sewage disposal systems, even with treatment, can release excess nutrients (i.e., nitrates) into the surrounding area, damaging the land or aquatic resources such as coral reefs. In 2017, legislation was passed requiring all cesspools of any size to be upgraded, converted, or closed by January 1, 2050.

Within the Kawaihae region there are a total of 165 on-site sewage disposal systems. Cesspools are the primary OSDS with a total of 126 across the Kailapa and Kawaihae Makai residential areas as well as the industrial areas. Additionally, there is a cesspool located adjacent to Honokoa Gulch at approximately the 1,600-foot elevation. There are also 35 soil treatment systems, which includes disposal types listed as bed, trench, and infiltration/chambers, located along the coast in the residential and industrial areas. The last four OSDS are septic systems which are located in both Kailapa and Kawaihae Makai.

Electrical Infrastructure

The Hawai'i Electric Light Company, Inc. (HELCO), supplies electricity for the entire County. HELCO purchases a total of 112 megawatts of power from three privately-owned companies; Hilo Coast Power Company (22 megawatts), Hāmākua Energy Partners (60 megawatts), and Puna Geothermal Venture (30 megawatts).

HELCO uses 34.5kV as a sub-transmission voltage. Distribution voltages are 2.4kV, 4.16kV, 7.2kV, and 13.8kV. Distribution substations, which transform power from transmission systems to distribution systems, are located island-wide in proximity to communities and other developments.

The Kawaihae homestead's electricity is carried along a 69kV transmission line that follows Kawaihae Road. Between Mile Marker 63 and 64, the transmission line splits into two directions: Kona and Kawaihae. The Kawaihae portion of the electric transmission line runs parallel to Kawaihae Road and along the 'Akoni Pule Highway. The transmission line then continues northward and terminates at the Kohala Estates Subdivision Power Sub-Station.

Telecommunications

Internet and phone service is provided to Kawaihae by Hawaiian Telcom. Fioptics internet, Hawaiian Telcom's fastest internet service with speeds up to 1G, is available to both Kailapa and the Kawaihae Makai Homesteads.

Road System

Existing

Kawaihae is accessible through a small network of major roadways. The primary link between Kawaihae and Kona is Queen Ka'ahumanu Highway that runs along the Kona Coast. It terminates just mauka of Spencer Beach Park, where it intersects with Kawaihae Road. Kawaihae Road runs east and west from Waimea to Kawaihae. At Kawaihae Harbor, it turns into 'Akoni Pule Highway. 'Akoni Pule Highway follows the coast of North Kohala, through the small towns of Hāwī and Kapa'au, until it ends at Pololū.

The Kohala Mountain Road crosses the mauka portion of the Kawaihae homestead. With an elevation of above 3,000 feet, the Kohala Mountain Road provides a panoramic view of the Kohala and Kona coasts. The road extends further to Hāwī in North Kohala. Homestead land adjacent to the Kohala Mountain Road is currently used for cattle grazing.

Planned

The State of Hawai'i Department of Transportation Harbors (HDOT Harbors) received federal funding to make improvements to Kawaihae Harbor. The harbor is experiencing an increase in shipping container volume, which requires more trucks to use the road infrastructure in Kawaihae. Traffic often stacks up in front of Kawaihae Harbor, which negatively affects residents who need to commute to work or school. The improvement project, scheduled to be completed by 2026, are expected to ease highway congestion in Kawaihae while accommodating a higher volume of cargo at the port. A description of the improvement project is provided below:

- Design and construct an 875-foot left-turn and storage lane at the harbor main gate;
- Relocate five utility poles in the highway right of way toward the harbor facility;

- Relocate 900 feet of security perimeter fencing inward to the harbor;
- Install a box culvert in the existing open drainage channel;
- Maintain a six-foot right of way between the harbor perimeter fence and the highway shoulder for the Ala Kahakai National Historic Trail; and
- Re-design the main gate accessway to accommodate a wider truck turn radius.

Kawaihae Harbor

Kawaihae became a significant port for Hawai'i Island during the 1800s; large amounts of sandalwood and cattle were exported. The Kawaihae Deep Draft Harbor and breakwater were constructed in 1959 for the purpose of allowing larger ships to service the west side of the island. The Kawaihae Small Boat Harbor was constructed in 1998 and is located adjacent to the Kawaihae Deep Draft Harbor.

The Hawai'i Island Harbors 2035 Master Plan contains plans for Hawai'i Island's two commercial harbors, Hilo and Kawaihae. The Kawaihae Harbor 2035 Master Plan recommends the construction of a new Pier 3 cargo terminal, including a pier for two barges, and a cargo handling and storage yard at the Coral Flats. The area between National Park Service (NPS) Pu'ukoholā Heiau and the Coral Flats is leased to NPS as a buffer zone to minimize harbor impacts.

FIGURE 22: KAWAIHAE HARBOR



Overall, the Kawaihae Harbor 2035 Master Plan aims to increase the shipping capacity of Kawaihae Harbor. As one of the major landowners near the harbor, the Master Plan states that DHHL intends to develop industrial lots for harbor compatible users. It recommends that additional liquid fuel storage be located off harbors' property, to be reviewed on a case-by-case basis.

Additionally, two roadway improvements are included as "Committed Improvement Projects for Kawaihae Harbor." The first is new turning lanes for the connection of Kawaihae Road to Queen Ka'ahumanu Highway. The second is connections between Kawaihae Road and the Kawaihae Bypass Road, which was being planned by the Highways Division in 2011 when the Master Plan was published. The status of this bypass road is unknown at this time.

Project List

Projects identified by the community are meant to address the issues and concerns that were expressed by the participants in Beneficiary Consultation #1. Priority projects identified in the 2010 Kawaihae Regional Plan were discussed by participants in Beneficiary Consultation #2 in order to determine the relevance of those priority projects to the community today. In addition to the previously identified priority projects, the community discussed issues that were not addressed by the existing list of projects and suggested additional projects that might address those issues. All project ideas considered by the community are described in the following two sections.

Previous Priority Projects

The first Regional Plan for Kawaihae was completed in 2010. The five priority projects identified in that plan and their status updates are described below.

Kawaihae Regional Plan Priority Project	Project Champion	Status
Kailapa Resource Center	Kailapa Community Association (KCA)	In-Progress. The HHC approved a Finding Of No Significant Impact (FONSI) for KCA's Final Environmental Assessment in February 2016 for KCA's plans on the 14-acre parcel. KCA has completed the construction of its pavilion and playground area.
Kawaihae Water and Energy Research and Development	DHHL	In-Progress. DHHL completed a Kawaihae Water Assessment Study in June 2015. The assessment identified potential options for water development in the Kawaihae region. In Fiscal Year 2022, DHHL awarded KCA a grant to explore the potential for the desalination of water from an existing well. Studies being conducted under the grant are still in progress.
Kawaihae Bypass Highway	Department of Transportation (DOT)	Awaiting funding. DOT reports that it has postponed its planning and feasibility study of the project due to the lack of construction funding in the foreseeable future.
Improve the Marine Water Quality at Pelekane Bay	DHHL/Kailapa Community Association/Kohala Mountain Watershed Partnership	In-Progress. The Kohala Mountain Watershed Partnership received Rights-Of-Entry to install ungulate fences on DHHL property. Fence installation is completed. The Kailapa Community Association has also completed its Resilient Hawaiian Community Plan that looks at improved stewardship of the mauka portion of the ahupua'a. DHHL Land Management Division and Planning Staff conducted two consultation meetings on ungulate management in 2021.
Management and Maintenance of Kawaihae Reinternment Site		Not started.

Final Project Ideas List

The following project ideas list came from the discussions in Beneficiary Consultation #1 and #2. These project ideas are meant to address the needs and concerns of the community. A draft project list was refined by participants at Beneficiary Consultation #2. This project list was shared in an online survey on the project website, and beneficiaries were asked to select their top five priority projects for the Kapolei Regional Plan Update from this list of seven projects.

1. Water – Wai Ola

Provide affordable potable water to Kawaihae homesteads, create affordable agricultural/irrigation water options for Kawaihae homesteaders, provide water for fire hazard mitigation for the safety of the Kawaihae homesteads, and continue to identify and develop new & alternative water sources in the region.

2. Kailapa Resource Center

The Resource Center will be located on the 14-acre parcel adjacent to the existing Kailapa Pavilion. It would provide a location for a preschool, a drop-off and pick-up area for school buses, health & wellness programs, a community garden, access to computers & printers, a sports/outdoor activities area, an outpatient clinic, a dumpster, and office space for staff from different government agencies to be able to visit and answer questions from the community. The 14-acre parcel could also include space for a future 50upuna housing project and a cemetery for the region.

3. Emergency Escape Route & Traffic Safety Measures

Increase safety in the homestead by providing a vehicular escape route for homesteaders from the Kailapa Homestead up mauka to Kohala Mountain Road in the event of an emergency that cuts off access to 'Akoni Pule Highway. Address safety hazards by implementing traffic calming measures such as speed bumps to mitigate speeding in the homestead.

4. Improve the Coastal & Marine Resources in Kawaihae through Erosion Mitigation

Restore the ahupua'a system concept of land and resource management in Kawaihae which uses indigenous knowledge for stewardship, conservation and restoration from a mauka to makai perspective. Restore the coastal & marine resources in Kawaihae from Pelekane to Kai'ōpae. Control wild ungulates in the mauka areas of Kawaihae to mitigate erosion & sedimentation. Support restoration efforts such as reforestation in Kawaihae Uka & fishpond restoration along the shoreline.

5. Management and Maintenance of the Kawaihae Reinternment Site

The reinternment site is a 5-acre permanent burial site that was established by DHHL in 1994 for any 'iwi that may be inadvertently discovered within the ahupua'a. Provide maintenance of the reinternment site to keep vegetation under control. Plant native trees at the site as a pilot project for reforestation of the ahupua'a.

6. Safe Energy Upgrades

Promote safety and self-sufficiency through upgrades to the energy infrastructure in Kawaihae such as moving overhead powerlines underground to mitigate the risk of wildfire and decrease power outages from high-winds. Provide clean energy initiatives for homesteaders in Kawaihae that are aligned with their vision & values.

7. Bypass Route

Create a bypass roadway on DHHL land, mauka of 'Akoni Pule Highway, that begins just north of Kawaihae Harbor (across from the lighthouse) and connects to Queen Ka'ahumanu Highway.

PRIORITY PROJECTS

1. Water – Wai Ola

PROJECT DESCRIPTION

Beneficiaries who attended the beneficiary consultations in Kawaihae for the update to the Regional Plan expressed that their highest priority is addressing the critical need for affordable water in Kawaihae. This project is comprised of three primary components:

- Provide affordable potable water to Kawaihae homesteads.
- Provide options for non-potable water to be used for agricultural or irrigation purposes.
- Find a new water source for the water system currently supplying potable water to Kailapa.

The Kailapa Homestead, where the majority of Kawaihae beneficiaries live, is currently served by the Kawaihae Unit #1 Water System which is a potable water system and provides water to each homestead lot in Kailapa and the community space located at 61-4016 Kai'ōpae Place. Kailapa relies on this potable water system as it is the only water system available to the homestead. The Kawaihae makai homesteads are serviced by the County of Hawai'i Department of Water Supply (DWS), and do not have an option for non-potable water either.

The potable water for the DHHL Kawaihae Unit #1 water system is supplied by Kohala Ranch Water Company (KRWC) from their groundwater well sources located on Kohala Ranch lands. The KRWC also provides potable water to Kohala subdivisions, like the Kohala Estates subdivision and Kohala by the Sea, located to the north of DHHL's Kawaihae lands. Water that is used by Kailapa homesteaders is pumped from the KRWC groundwater wells and piped south to DHHL's Kawaihae lands. The water passes through an interconnection point with DHHL's water system, and then travels from there in DHHL-owned water transmission lines to the Kailapa homestead. DHHL purchases potable water from KRWC at the metered interconnection point at a rate of \$7.03366 per 1,000 gallons of water. In addition to the water usage rate, DHHL is also charged a Power Cost Adjustment rate of \$2.2074 per 1,000 gallons of water. A flat rate maintenance fee of \$300 is also included in KRWC's monthly billings to DHHL. DHHL maintains a temporary water commitment with KRWC, which can be terminated by either party with two years notice.

At present, there are a total of 164 users of the DHHL water system including homestead lots and the community parcel. The operation and maintenance of the DHHL Kawaihae Unit #1 water system is contracted to Pural Water Specialty Company (PWSC), who handles the day-to-day operation as well as any repair and maintenance needed for the system. In addition to maintenance and repair, PWSC also provides meter readings to the DHHL West Hawai'i District Office (WHDO) for individual bimonthly billings for each water user on the system. DHHL's WHDO staff is tasked with handling the individual billing invoices for each user of the Kawaihae Unit #1 water system.

The Hawaiian Homes Commission approved new service rates in 2018, increasing water service fees for residential lessees each year over the next decade, from 2019 to 2029. These water rates were set in an effort for the Department to break even, as for years the Department had been spending millions of Trust funds on providing subsidies to water users all three of its water systems, including the Kawaihae Unit #1 water system. Water users in Kailapa are charged as follows:

1. A residential lessee meter service (base) fee, a flat rate billed bimonthly (for a 60-day period), and
2. A residential lessee service delivery (usage) fee, a fee calculated based on total gallons used per month, charged per 1,000 gallons, and calculated using the residential lessee service delivery (usage) tiers below. Currently, water users on DHHL's Kawaihae water system are being charged based on the FY24 rates in the tables below.

At the time that this water rate policy was adopted, the position of DHHL was that the end goal for the water rates was to “break even”, where the billing collections for water users should equal the expenses for operation and maintenance of the system. Though Kawaihae water rates are the highest, this water policy addresses all three of the water system’s owned by DHHL and any amendments to the water rate schedule should be inclusive of the other systems, its water users, and the potential expense to the Home Lands Trust. A water rate schedule should be equitably applied to all three water systems and its users, to the extent possible. Unlike other water purveyors, DHHL does have other funding sources besides bill collection, like commercial and industrial lease rents, that could be utilized to offset the cost of the water system and operation.

It has been more than five years since the rate increases began taking effect, enough time to assess the impact the 2018 rate increases have had on Kailapa residential lessees. Below is a comparison of DHHL Kawaihae water system delinquency rates compared to other municipal systems in Hawai‘i.

KAWAIIHAE WATER SYSTEM SERVICE RATES
APPROVED ON MAY 15, 2018

Residential Lessee Service Rates:

Residential lessee meter service (base) fees:

Meter size (inches) Bi-Monthly	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27	FY 28
5/8"	\$49.07	\$63.37	\$77.70	\$92.06	\$106.46	\$120.90	\$135.37	\$149.88	\$164.42	\$179.01

Residential lessee service delivery (usage) tiers:

	Gallons Bi-Monthly
Tier 1	0 - 10,000
Tier 2	10,001 - 30,000
Tier 3	30,001 - 80,000
Tier 4	Over 80,000

Residential lessee service delivery (usage) fees:

Per 1,000 gallons	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27	FY 28
Tier 1	\$3.67	\$4.73	\$5.81	\$6.88	\$7.95	\$9.03	\$10.11	\$11.20	\$12.28	\$13.37
Tier 2	\$4.92	\$6.35	\$7.79	\$9.23	\$10.68	\$12.12	\$13.58	\$15.03	\$16.49	\$17.95
Tier 3	\$6.89	\$8.90	\$10.92	\$12.94	\$14.96	\$16.99	\$19.02	\$21.06	\$23.10	\$25.15
Tier 4	\$8.30	\$10.73	\$13.15	\$15.58	\$18.02	\$20.46	\$22.91	\$25.37	\$27.83	\$30.30

Water usage data for households is not readily available for Hawai'i Island users, though it is available for O'ahu Island households. According to the Honolulu Board of Water Supply, on O'ahu the Average Water User uses 9,000 gallons per month, the Median Water User uses 6,000 gallons per month, and the High Water User uses 35,000 gallons per month. Despite Kailapa residents reporting higher water consumption during beneficiary consultations, paying approximately \$600 monthly, a statewide average will serve as the benchmark for comparing costs between Kailapa and County of Hawai'i rates. Based on this average usage, a Kailapa homesteader with a similar water usage on the DHHL system can expect to be billed in FY24:

- \$120.90 per bill for the base fee for meter service for 60-days of service.
- \$187.26 per bill for 18,000 gallons of water used over 60-days of service.

A total of \$308.16 per bill for 60-days of service based on the Average Water User of 9,000 gallons per month or 18,000 gallons for 60-days of service.

In comparison, a monthly water bill for customers on the County of Hawai'i DWS water system who use 9,000 gallons monthly is \$69.88 per month or \$139.76 for a 60-day billing period. Homesteaders in Kailapa are paying more than double what County water users are charged for a comparable service, and the DHHL water rates are scheduled to increase year after year. Based on the water system service rates approved by the HHC for Kawaihae, in four years a homesteader in Kailapa with the same water usage will be billed \$456.31 a 48% increase of what homesteaders are currently paying. At these rates, some homesteaders may not be able to afford water for their homes.

The County of Hawai'i DWS as of January 2024 has a delinquency rate of 12% for customers on their system who are delinquent over 90 days. For Honolulu's Board of Water Supply (BWS) in 2021, the delinquency rate for their system was 11%. For Maui County Department of Water Supply, the average for Fiscal Year 2023 was 8.13%, and the average for the first six months of 2024 is 8.8%. In 2023, a first notice of delinquency was sent out to 57 of the 164 users of the Kawaihae Unit #1 water system, a delinquency rate of 34.75%. One month later, a second notice of delinquency was sent out to 27 of the 164 users of the system, which is 16.46% of the system users. Shut off notices went out nearly two months after the second notices were sent to 17 users who had yet to remit payment or make arrangements for a payment plan with DHHL, which is 10% of the system users. The initial delinquency rate, prior to DHHL issuing delinquency notices is extremely high in comparison to these other major water purveyors in the State. A cause of the higher delinquency rate on the DHHL Kawaihae system compared to other municipal water purveyors can be partly attributed to the high water rates charged to homestead users.

Kawaihae homesteaders have asked for water rates that align with the rates paid by residential water users in the rest of the County. They would also like to see any options for affordable agricultural/irrigation water. If there were an option for agricultural/irrigation water available to homesteaders in Kailapa, they could reduce their use of potable water for non-potable uses, which would conserve precious potable water and decrease their water bill for potable water. As KRWC's water rates for DHHL are some of the highest water rates in the State, another way to decrease the cost of water for Kailapa homesteaders is to find another water source to supply the potable water system. A water source that costs less than \$7.03366 per 1,000 gallons would allow for lowered water usage rates to be passed along to Kailapa homesteaders.

New Water Source Development

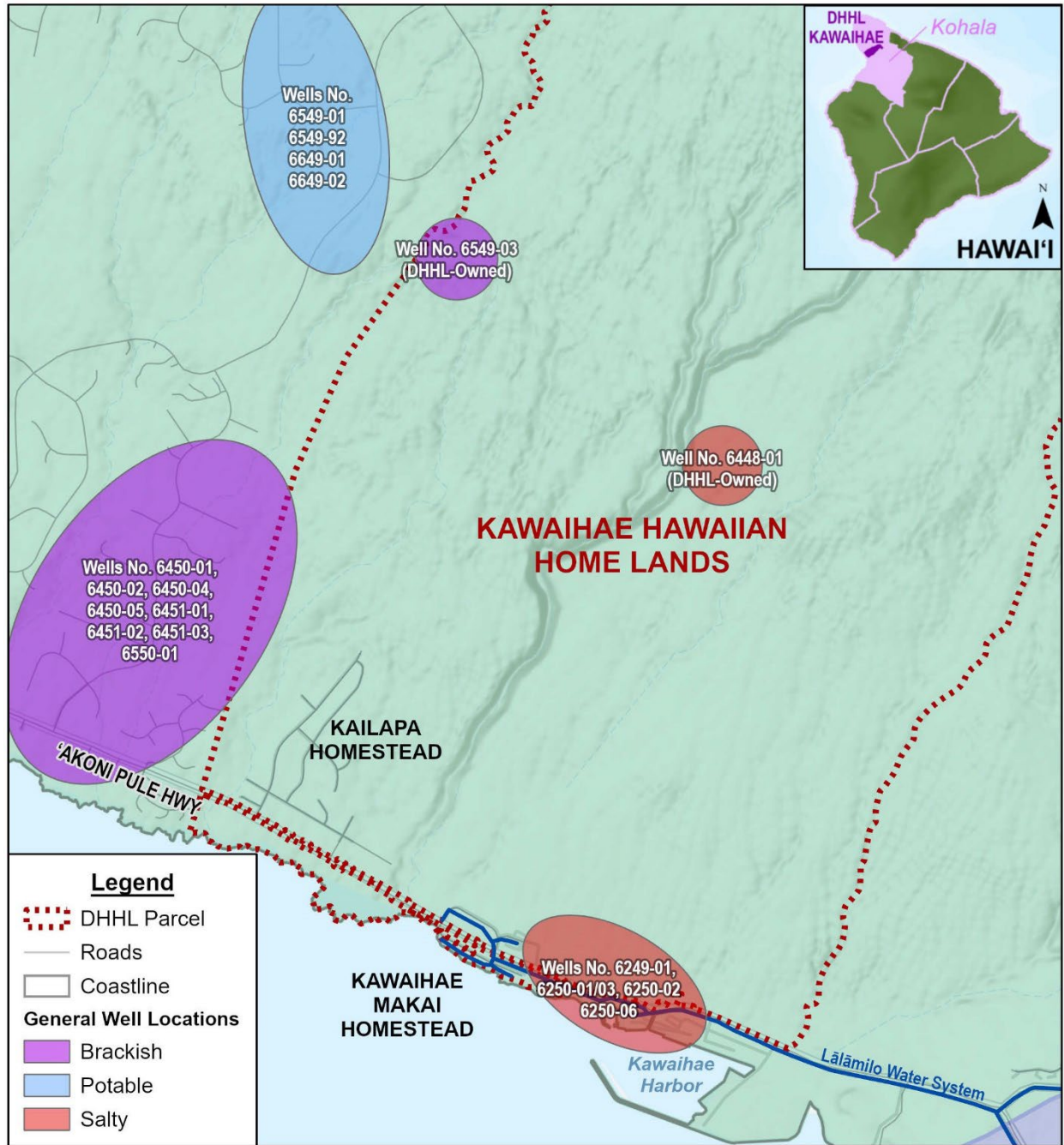
In 2015, DHHL commissioned a water source development feasibility study, conducted by R.M. Towill Corp. The purposed of the study was to identify potential potable water source development options for the Kawaihae lands.

Option	Description	Cost (2013 dollars)
Develop existing exploratory well on DHHL land	An existing exploratory well is located at higher elevation on DHHL lands. But, water produced from the well is near the upper limit of salinity levels and desalinization would be required	\$14.9M
Develop existing exploratory well on DHHL land and connect to Kohala Ranch Water System	Similar to the above option, but involves connecting to the Ranch system and expanding the Ranch’s service area. However, water rates would still be controlled by the Ranch and desalinization may still be required to connect to the Ranch system. The Ranch has not indicated any interest in this option.	\$6.6M
Capture Surface Water from Kehena Ditch	Kehena Ditch is located mauka of the DHHL Kawaihae tract and traverses through DLNR and private property. The source is not constant. Improvements needed include transmission lines, 60 MG open reservoir, treatment facility, and 0.50 MG tank. DHHL would need approvals from CWRM and also enter into agreements with Kahua Ranch.	\$27M
Extend DWS System Along Akoni Pule Hwy.	DWS system ends near the DHHL industrial lots south of the Kailapa Homestead Subdivision. Extension of the County system would have to go through Honokoa Gulch and additionally County has indicated a new well would need to be developed. Easements through private property may also be needed to extend the County line to DHHL property.	\$18.5M to \$28.1M not including land acquisition
Development of Kawamata Well and transmission lines	The well is located 8 miles from the Kailapa subdivision on private property. The well is drilled and cased but has not been pump tested. DHHL would need to purchase the well and develop transmission lines to DHHL property.	\$24M not including land acquisition costs

Source: Water Development Options 2015 R.M. Towill Study

In addition to sustaining residential and community needs, securing adequate water resources is essential for fire hazard mitigation to ensure the safety of the Kawaihae homesteads. Between 2003 and 2022, there have been 10 recorded wildfires in the general vicinity. Most recently, Kailapa residents were evacuated from their homes in August 2023 due to the threat of an adjacent wildfire. A subsequent wildfire occurred nearby in December 2023; fortunately, it did not pose a threat to any structural properties.

FIGURE 23. AQUIFERS, WELLS, AND DWS WATER SYSTEM MAP



Kawaihæ Regional Plan Update
AQUIFERS, WELLS &
DWS WATER SYSTEM

March 2024

This graphic has been prepared for general planning purposes only and should not be used for boundary interpretation or other spatial analysis.



PAST ACTIONS

- 1990 – An exploratory well (Well No. 6448-01) was drilled at the 1,400 ft elevation on the south side of Honokoa Gulch.
 - It was determined that this well could never produce potable quality water.
 - At most, this well could potentially produce brackish water suitable to irrigate salt tolerant plants and grasses.
- 1992 – A second exploratory well (Well No. 6549-03) was drilled at the 1,650 ft elevation near DHHL’s north property boundary.
 - Chloride levels were found to be at the upper limit of acceptability for drinking water in Hawai’i.
- 2013 – Tom Nance Water Resource Engineering completed an assessment of water supply alternatives for DHHL’s Kawaihae property.
 - Recommendation: develop a water system using existing Well No. 6549-03.
- 2015 – A Kawaihae Water Assessment Study by R.M. Towill Corporation outlined water resource development options for DHHL.
 - Recommendation: develop Well No. 6549-03 and an accompanying storage and distribution system. Total cost was projected to be approximately \$14.9 million.
 - Disadvantage: additional desalination treatment of Well No. 6549-03 is recommended.
- 2022 – DHHL awarded the Kailapa Community Association a grant to explore the potential for desalination of water from an existing DHHL groundwater well. The studies being conducted under the grant are still in progress.

COMMUNITY INPUT

Attendees of beneficiary consultations #1, #2, and #3 unequivocally expressed that affordable access to water was their number one priority; every discussion consistently circled back to the pressing need for water. One beneficiary highlighted that water has always been an issue in Kawaihae, noting that even the name Kawaihae, meaning “water of wrath,” originated from a dispute over water. Kawaihae homesteaders have been challenged by the lack of accessible/affordable water throughout their entire time living in Kawaihae and are ready for improvements.

To further underscore the community’s sentiment regarding water, the “Water – Wai Ola” project received nearly three times as many votes as the next closest project during the priority project voting. Furthermore, among the 40 written comments received during the voting process, 31 of them emphasized the immediate need for affordable water. A few of the comments are listed below:

- “We want to pay county rate for water like the rest of the homesteaders!”
- “Water rates have soared and currently we have no alternate water source besides Kohala Ranch Wells. Our water source could be discontinued at any time.”
- “Although water is available at Kailapa, the rates we pay are ridiculous. Bring the water down from mauka...so we don’t have to be dependent on Kohala Ranch and so that it supplies the ag/ranch land above Kailapa. We currently cannot even provide our own sustainment or take care of landscaping needs.”

Additional comments were provided in beneficiary consultation #3; a selection of them is listed below:

- How much does our water/water system cost DHHL? We want to see some transparency.
- DHHL is responsible for providing water. Why give the land to us? We didn’t agree to the highest water rate in the State when we accepted our awards.

- No residents voted in support for the DHHL increase in water rates, and nobody knew about it before it happened.
- "I'm being punished for using water."
- "I've been here for 2 years; you can hear the pain in their voices for those who have been here for years. As I'm looking at past actions, we're just going in circles like a washing machine."
- "I cannot even grow a mango tree; it's too expensive."
- "Please help Kailapa get reliable, affordable water so native Hawaiians can grow native Hawaiian plants on native Hawaiian lands."
- "Our service charges are increasing and the concerns for the future are the compromise between food on the table and/or running water in our homes. Our families and majority of our community's economic means will not be able to keep up with these rising costs."
- "I pay \$200 [per month] for water, and I don't even live on property."
- Why should residents pay so much for water? "We don't even drink the water."
- Kailapa water meters and pipes are breaking down and leaking, DHHL should look into smart meters which can also test the quality of the water.
- The water fee is split into two parts: a service fee and a usage fee. DHHL should pay the service fees as a short-term solution.
- "With so much revenue being generated from Kailapa, the industrial/commercial and agricultural, please consider allocating a portion to subsidizing water costs until a permanent solution for affordable water can be found."
- The Land Management Division should review the commercial/industrial lease rates since they are 30 years old.
- Desalination technology has become more advanced and cost effective. Kailapa could use desalination on the water from the brackish wells.
- "The most viable, long-term option for affordable water for Kailapa is county water."

OBJECTIVE

This project aligns with all the community values of Kawaihae. Water, being essential for life, is indispensable for the community's survival and prosperity. It is a vital resource for cultivating food and without it, Kawaihae cannot achieve self-sufficiency in its agricultural endeavors. Traditional land stewardship, or mālama 'āina, requires water to restore the natural environment of Kawaihae. The proposed community garden at the Kailapa Resource Center, intended to foster community connections, would be impracticable without access to water. Similarly, the construction of the Resource Center, which would provide educational opportunities for keiki to kūpuna, would be impossible without water access. Finally, water is essential for Kawaihae beneficiaries to transmit ancestral knowledge through daily activities such as food cultivation.

IMPLEMENTATION ACTION STEPS

The following are the proposed solutions to addressing the issues identified in this priority project:

- Provide a temporary subsidy for Kailapa homesteaders until the water rate schedule can be updated.
- Re-assess DHHL water billing rates to provide more affordable potable water to Kailapa homesteads on the DHHL Kawaihae water system.
- Find a new water source for the water system currently supplying potable water to Kailapa.
- Provide options for non-potable water to be used for agricultural or irrigation purposes.

As this priority project has various components, the implementation action steps articulated here will address each proposed solution separately. These proposed solutions are ordered as short-term, mid-term and long-term solutions.

SHORT-TERM: Provide a temporary subsidy for Kailapa homesteaders until the water rate schedule can be updated.

As the timeframe for updates to the water rate schedule will likely take approximately two (2) years to complete, a temporary subsidy should be implemented for Kailapa homesteaders to provide immediate relief for the high water rates they are facing and make water more in the interim.

1. Go to HHC for approval of a subsidy for users of the Kawaihae Water System in Kailapa.
 - The subsidy for users should cover the base rate for meter service, currently at \$120.90 and scheduled to increase to \$139.37 as of July 1, 2024. This amount is approximately \$138,000 for 164 users for FY24 and \$148,000 for 164 users for FY25.
 - The source of the subsidy could come from a variety of sources including:
 - A portion of the revenue generated from commercial/industrial and pastoral land dispositions in the Kawaihae Region.
 - DHHL land dispositions in Kawaihae generated \$604,521.64 in revenue in 2022.
 - Less than 25% of the annual revenue generated in Kawaihae could subsidize the basic meter fee for Kailapa homesteaders.
 - Currently, DHHL homesteads in Kawaihae have no community benefit agreements and receive 0% of revenue generated from land dispositions in the region.
 - HHL Trust Funds.
 - Other.
2. Continue working on long-term solutions to ensure the subsidy is only necessary as a short-term solution.
3. Upon revision of the water rate schedule, terminate the temporary subsidy and effectuate the water rate schedule as revised.

MID-TERM: Provide affordable potable water to Kawaihae homesteads.

- Re-assess the water rate schedule approved by the HHC in 2018.
 1. Go to HHC to seek budget approval to do update cost of service and water rate studies for the Kawaihae water system. Study should also identify potential solutions to lower the rates for water users in Kailapa homestead and should determine potential annual cost to DHHL trust to subsidize rates to match County rates.
 2. Conduct the analysis.
 3. Present results to HHC.
 4. Based on results, create Draft Rules Version #1, prepared by DHHL staff based on the analysis.
 5. Go to HHC with draft rules for approval to proceed.
 6. Conduct a beneficiary consultation for input on draft rules.
 7. Revise draft rules based on beneficiary input & create Draft Rules Version #2.
 8. Send Draft Rules Version #2 for external review:
 - Legislative Reference Bureau
 - Attorney General
 - Small Business Regulatory Review Board
 9. Go to HHC for approval of Draft Rules Version #2.

10. Seek Governor approval of a Public Hearing Request.
11. Conduct Public Notice & Hearing.
12. Prepare Final Rules based on input from Public Hearing.
13. Go to HHC for adoption of Final Rules.
14. Seek external approvals:
 - Attorney General
 - Small Business Regulatory Review Board
 - Governor
15. Filing and publication of Final Rules.

*As a note, the average timeframe for updates to Administrative Rules is approximately two (2) years and this potential timeframe should be taken into account when reviewing the above implementation action steps.

LONG-TERM: Find a new water source for the water system currently supplying potable water to Kailapa.

- Develop a new potable water source.
 1. Revisit 2015 feasibility study options for providing potable water to Kawaihae.
 2. Schedule consultations with the community to select a preferred option for DHHL to pursue.
 - Meeting 1 – review the options discussed, share information & updates on water sources, water development, and review water matrix.
 - Meeting 2 – discuss & prioritize the options for water source development.
 - Meeting 3 – select a preferred option for water source development for DHHL to pursue.
 3. Water Source development steps
 - Secure funding
 - Due diligence
 - Water credit agreement (if needed)
 - Design & construction
 - Agreement for long-term operation

LONG-TERM: Provide options for non-potable water to be used for agricultural or irrigation purposes.

- Develop a new non-potable water source.
 1. Feasibility study on potential water supply options
 - Desalination
 - Water catchment
 - Kehena Ditch
 2. Schedule meetings with the community to select a preferred option for DHHL to pursue.
 - Meeting 1 – review the options discussed, share information & updates on water sources, water development, and review water matrix.
 - Meeting 2 – discuss & prioritize the options for water source development.
 - Meeting 3 – select a preferred option for water source development for DHHL to pursue.
 3. Water Source development steps
 - Secure funding
 - Due diligence
 - Design & construction
 - Agreement for long-term operation

2. Emergency Escape Route & Traffic Safety Measures

PROJECT DESCRIPTION

Kawaihae homesteaders have identified traffic safety related issues as a priority for the homesteads. This includes both the need for an emergency escape route to create an alternate vehicular access for homesteaders, and the need to implement traffic calming measures on the existing homestead roads in Kailapa.

Homesteaders who live in both Kailapa and the Kawaihae Makai Homestead are in need of an emergency escape route to be able to safely evacuate in the event of an emergency. Like many coastal communities in Hawai'i, the Kawaihae homelands are connected to the broader transportation network by a single coastal highway: 'Akoni Pule Highway. While the Kohala Mountain Road runs through the mauka section of DHHH owned lands, there is no vehicular connection between this road and the residential homesteads in Kawaihae. An emergency access road is needed in the event that escape via 'Akoni Pule Highway is not possible. A potential route could connect the Kailapa subdivision to Kohala Mountain Road directly or via the existing road network in the Kohala Ranch Estates subdivision to the north.

Kawaihae is at risk of several emergency events that would warrant an evacuation. 'Akoni Pule Highway is located within the tsunami evacuation zone along with the nearby port infrastructure and a tsunami event could isolate the community by severing its only access routes. The area is also at risk of other natural disasters such as hurricanes and wildfires, which could obstruct roads and ocean access, potentially cutting off the community from essential aid efforts.

Traffic calming measures are needed in the Kailapa homestead in order to mitigate risk from speeding which takes place on the homestead roads. Many children and youth in the homesteads walk along the roadways and sometimes play along the roadways, which is also an issue that should be addressed. Some vehicles in the homestead travel well above safe speeds, and beneficiaries are concerned with preventing all accidents in the homestead. Installing traffic safety measures in Kawaihae would help to mitigate this concern. One potential traffic calming measure to address these issues is the installation of speed tables or speed bumps in high risk areas.

PAST ACTIONS

- n/a

COMMUNITY INPUT

The emergency escape route and traffic safety measures were originally listed as two separate projects, but during Beneficiary Consultation #2, participants agreed to combine these two traffic-related issues since their solutions would both require modification of the roadway network in Kawaihae and contribute to the overall safety of the community. Community members in BC #2 also highlighted the immediate need for a second evacuation route as the community was recently evacuated in August 2023 due to a wildfire. One beneficiary, through a written comment in the polling process, expressed their concern that speed bumps could delay the arrival of emergency vehicles. This is something that should be taken into consideration during the planning and design phase of this project.

OBJECTIVE

The objective of this priority project is to increase safety within the community by providing a vehicular escape route and traffic calming measures within the neighborhood. For the community to realize its vision to “thrive in balance” it must be a safe place for all residents. This project contributes to the overall vision of the community by increasing access, resilience, and safety. The project fulfills the value of Laulima because in an emergency, all community members must work together to protect each other. With an additional escape route, the community can better plan for the different emergencies that may impact them, such as wildfire, hurricane, or tsunami.

This project also fulfills the value of Noho Kupa ‘Āina, as a mauka access road would create a more resilient and connected ahupua‘a. The emergency escape route would also serve as a regular road that would allow Kawaihae residents to practice Mālama ‘Āina by giving homesteaders greater access to restore the ahupua‘a’s mauka areas.

IMPLEMENTATION ACTION STEPS

Establish an emergency Escape Route for Kailapa homestead.

1. Establish an agreement with neighboring landowners for access to the existing road network in the Kohala Ranch Estate subdivision.
2. Schedule meetings with the community to select a preferred option for DHHL to pursue.
 - a. Option 1: Create route using existing firebreaks
 - b. Option 2: Extend firebreak along ahupua‘a boundary to connect to Kohala Mountain Road
 - c. Option 3: Create a new route to connect from Kailapa to Kohala Mountain Road via DHHL lands
3. Due diligence for preferred option
 - a. Planning, design and permitting
4. Operate & Maintain

Implement Traffic calming measures in the Kailapa homestead.

1. For speed tables/bumps, follow the County of Hawaii process
 - a. Eligibility for Speed Humps. All roads in the homestead should meet the following criteria established by the County to approve speed humps (<http://traffic.hawaiicounty.gov/speed-hump-installation/>):
 - i. Residential local road;
 - ii. Posted speed limit not exceeding 25 mph;
 - iii. Overall street grade not exceeding 13%;
 - iv. Average daily traffic (ADT) between 200 and 3,000 vehicles per day;
 - v. 85th percentile speed over the posted speed limit;
 - vi. Minimum 67% support of the adjacent property owners and 100% support of the property owners with a speed hump in front of their property;
 - vii. Support of the installation by the HPD and HFD; and
 - viii. Traffic study and design performed by the Department of Public Works.

- b. Application to the County to Install Speed Humps. The residents along the subject road should designate a contact person. The contact person would fill out the application form provided in the Speed Humps Application Package and submit to the County Department of Public Works Traffic Division. The Traffic Division would review the application to confirm eligibility, check with HPD and HFD, prepare the traffic study, and notify the applicant whether to proceed with the petition.
- c. Petition By Affected Property Owners/Lesseees. Every property owner/lessee along the subject street must submit the petition form included in the Application Package. On the petition, the property owner/lessee would indicate whether the owner/lessee approves or does not approve the installation of speed humps, and whether the owner/lessee approves or does not approve the installation of speed humps fronting their property. Hence, a property owner/lessee could approve speed humps but not fronting their property. The sinusoidal design of the speed humps allows engineering flexibility to space the speed humps to accommodate the areas where owners/lessees disapprove a speed hump fronting their property. At least 67% of the owner/lessees must approve the installation of speed humps.

3. Kailapa Resource Center

FIGURE 24: KAILAPA PAVILION



PROJECT DESCRIPTION

The Kailapa Resource Center was selected by Kawaihae beneficiaries as a priority project in the 2010 Kawaihae Regional Plan, and it remains a priority to the community today. The Resource Center will be located on a 14-acre parcel at the southernmost end of Kailapa Street. Phase I of the Resource Center, a pavilion, cluster mailbox facility, playground, and parking lot, was completed in 2017.

Phase II of the Kailapa Resource Center will include a new preschool on the premises so that families in Kawaihae do not have to commute to Waikoloa or Kamuela to take their children to school, as they currently do. In conjunction with the preschool, plans include the establishment of a dedicated drop-off and pick-up area for school buses catering to students in grades K-12. This initiative will provide an alternative transportation option, alleviating the need for parents to undertake a lengthy drive to take their children to school. Moreover, the Resource Center will serve as a hub for educational support, offering tutoring and homework assistance to students. It will also provide essential amenities such as internet access, computers, a fax machine, and a printer for use by the entire homestead community.

The community's vision for the Resource Center extends to encompass a full range of health and wellness programs, with an emphasis on the needs of kūpuna in the community. This involves creating a space for classroom learning, offering programs such as nutrition classes. Additionally, the community would like to establish an outpatient clinic to enhance healthcare accessibility. This clinic would provide a venue for doctors and nurses to treat patients and conduct educational workshops for the community. Other health initiatives include a new community garden, ensuring residents have access to fresh foods, and an outdoor field area for sports, games, and other physical activities to promote overall physical health.

Kawaihae homesteaders recognize their challenges in navigating government processes, uncertain about required permits and procedures and unsure about whom to approach with their concerns. To address this, Phase II of the Resource Center would also include an office space for staff members from various

government agencies to visit regularly to respond to questions from the community. The suggested monthly visits from each agency would not only offer in-person assistance but also help to foster stronger connections between government and community, alleviating the frustration that homesteaders feel because they lack an understanding of government processes.

The final component of Phase II for the Kailapa Resource Center involves the installation of a dumpster on-site. This addition aims to provide convenience for kūpuna, who must currently drive to either Puakō or Waimea to dump their rubbish.

Phase III of the Kailapa Resource Center includes long-term ideas for the 14-acre lot. These ideas will need to be revisited in the next regional plan update, scheduled to start in roughly five years. Initial ideas for Phase III include a future kūpuna housing project and a potential cemetery for the region, allowing beneficiaries to stay in Kawaihae as they age and even after they pass.

PAST ACTIONS

- 2012 – A conceptual plan was completed for the Kailapa Resource Center by the Kailapa Community Association and the University of Hawai‘i at Mānoa Department of Urban & Regional Planning.
- 2015 – An Archaeological Inventory Survey was completed for the Kailapa Resource Center by Keala Pono Archaeological Consulting, LLC.
 - Two archaeological sites were found in the southern portion of the property. The first site was the Kawaihae-Pu‘uhue Trail, and the second site was a complex of seven features. Avoidance and archaeological monitoring for this site was recommended.
- 2015 – The Kailapa Community Resource Center Master Plan was completed by R.M. Towill and Kalaoa, Inc.
- 2016 – A Final Environmental Assessment was accepted for the Kailapa Resource Center, declaring a Finding Of No Significant Impact (FONSI) on the surrounding environment.
- 2017 – Construction of the Kailapa pavilion, cluster mailboxes, a playground, and a parking lot were completed.

COMMUNITY INPUT

In the 2010 Kawaihae Regional Plan, the Kailapa Resource Center was proposed to include an emergency shelter. Beneficiary consultation participants indicated that this is no longer a priority of the community. In past emergencies, such as the recent wildfires, homesteaders instinctually wanted to leave Kawaihae rather than stay put. Another aspect of the Resource Center that was removed from the 2010 Regional Plan was shoreline access through the drainage culverts underneath ‘Akoni Pule Highway. Kawaihae homesteaders indicated that the existing shoreline access is sufficient for their needs.

A key theme throughout the discussions in beneficiary consultations #1 and #2, was that in order to proceed with any of the proposed development for Phases II and III of the Kailapa Resource Center, water would need to come first! The community wanted to highlight that despite choosing the Kailapa Resource Center as a priority project, water is their main priority.

OBJECTIVE

Development of the Kailapa Resource Center will fulfill the values of Ke Ola Pono, Noho Kupa ‘Āina, Laulima, and Ka ‘Imi Na‘auao. The Resource Center will promote health and wellbeing through a variety of wellness programs for keiki to kūpuna. The new community garden will increase Kawaihae’s self-sufficiency by

allowing residents to grow and consume their own food. Working collectively in the garden or participating in wellness programs will help to strengthen homesteaders' relationships with one another and to foster a sense of community. Additionally, the Resource Center will serve as an educational hub, supporting the community's desire to continually seek knowledge.

IMPLEMENTATION ACTIONS STEPS

1. Obtain funding to update the community plan for the 14 acres.
2. Depending on the revised plan, additional chapter 343 compliance may be necessary. If the new plan proposes more uses than what was covered in the previous EA, then a supplemental EA will be needed.
 - a. Obtain funding for a supplemental EA.
 - b. Obtain Commission approval of the Final EA.
 - c. Obtain SHPD concurrence prior to construction or any ground disturbing activities.
3. DHHL to sign off on improvements.
 - a. DHHL will have to approve building plans prior to submission to the County for building permits.
 - b. DHHL will also have to consent to any financial encumbrances using the leasehold interest as collateral.
4. Design, permitting and construction.
5. Operate & maintain.

4. Safe Energy Upgrades

PROJECT DESCRIPTION

Kawaihae homesteaders are advocating for a safe energy system that meets their needs. High winds cause frequent power outages and the downed power lines cause fires as they send sparks into the nearby dry shrubland. A downed power line is suspected of causing the destructive Lahaina fire in August 2023, emphasizing the urgent need for a safer energy delivery system to prevent similar disasters in Kawaihae.

Residents of Kawaihae would also like to explore renewable energy alternatives to contribute to climate change mitigation, aligning with state and global clean energy initiatives. The 2010 Regional Plan listed energy research and development as a priority project, focusing on the potential for energy production at both the residential subdivision and individual home levels. These initiatives remain an ongoing priority for the community as they seek a more sustainable and resilient energy future.

Upgrades to the energy system would involve the installation of underground power lines with the goal of reducing power outages and wildfire risk. Additional upgrades, including renewable energy alternatives, will still need to be explored. Given the substantial solar irradiance received at the lower elevations of Kawaihae, the area presents itself as a potentially ideal location for the development of a solar farm. Although this option was previously considered by DHHL, the Commission deferred its decision until the Department could complete its due diligence.

PAST ACTIONS

- 2020 – DHHL identified a 21-acre parcel in Kawaihae for renewable energy development located on the mauka side of ‘Akoni Pule Highway.

COMMUNITY INPUT

Homesteaders who participated in the beneficiary consultation process expressed concerns that a large-scale solar project on beneficiary land might not bring them the anticipated benefits. They also felt that the land could be used for better purposes. While recognizing that there is opportunity for solar power generation in Kawaihae, some members of the community opposed the idea of a large solar farm and instead wished for installation of solar panels on their individual homes. The overarching desire among homesteaders is for the energy system to contribute to a more self-sufficient ahupua‘a, ensuring that the community’s needs are met sustainably.

OBJECTIVE

Safe and renewable energy upgrades fulfil the community values of Noho Kupa ‘Āina, Ke Ola Pono, and Mālama ‘Āina. By proving a clean energy source that is produced within Kawaihae, residents would no longer rely on outside energy resources for their daily needs. This transition brings them closer to achieving self-sufficiency and accessing all essential resources locally, fostering an environment where they can thrive. Reducing the risk of wildfires will help to improve the overall health of the community as well as allow them to feel safer at home. Additionally, a reduction in wildfires would improve the natural environment of Kawaihae.

IMPLEMENTATION ACTIONS STEPS

Upgrade the existing utility infrastructure from overhead to underground conduits.

1. Research burying the utility infrastructure, including:
 - a. Process & approval for altering existing overhead utility lines.
 - b. Cost estimates.
 - c. Funding options.

Explore renewable energy initiatives that may be suitable for Kawaihae.

1. Schedule meetings with the community to select a preferred option for DHHL to pursue.
2. Research preferred option and potential implementation in Kawaihae.

5. Improve the Coastal & Marine Resources in Kawaihae through Erosion Mitigation

PROJECT DESCRIPTION

Kawaihae is home to an extensive nearshore coral reef system. The health of this reef system and its surrounding waters serve as an indicator of the health of the land above. Unfortunately, the nearshore water quality in Kawaihae has been consistently impaired from erosional runoff due to over-grazing by feral goats, proliferation of invasive plants, and wildfire.

This erosional runoff has detrimental consequences for the reef, adversely affecting the habitats of many coral and fish species. The uncontrolled grazing by feral goats has played a significant role in this issue by reducing vegetative ground cover, resulting in heightened sediment deposits into the ocean during heavy rainfall. Furthermore, this unregulated grazing has not only decreased native vegetation in the ahupua'a but has also facilitated the spread of invasive plants. Unlike their native counterparts, these invasive plants are notably less effective at trapping and retaining sediment. Wildfires also leave large swaths of land uncovered, exacerbating erosion during rainfall events and resulting in large sediment deposits into the nearshore waters.

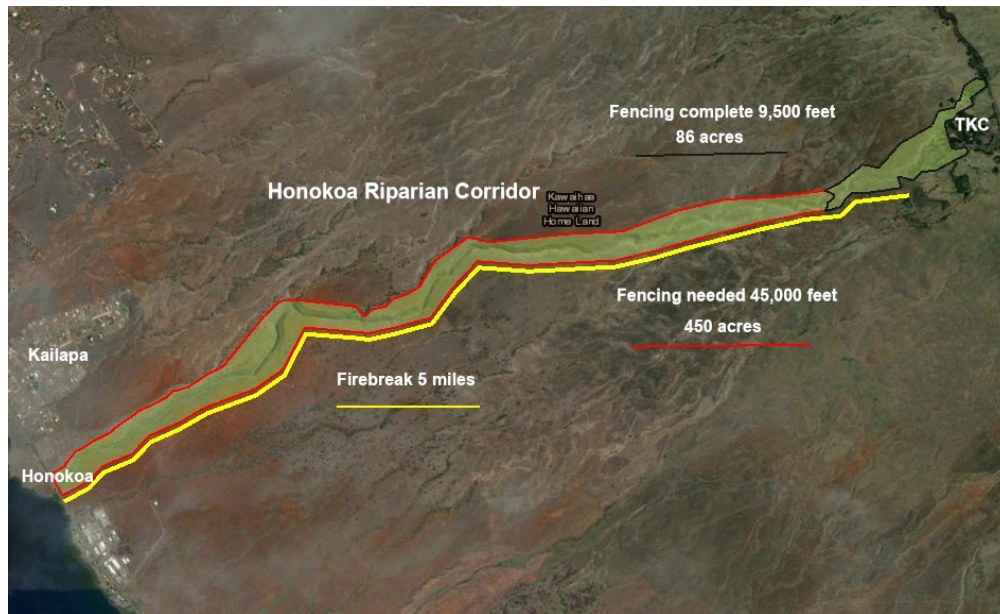
This project would support ongoing efforts for reforestation in Kawaihae. The Kohala Center, a community based non-profit organization, is engaged in a five-year project to protect and improve the nearshore marine ecosystem of Kawaihae by removing feral goats, installing fencing, reforesting riparian corridors, and conducting community education. The Kohala Center has received grants from The Office of Hawaiian Affairs (OHA) and the National Oceanic and Atmospheric Administration (NOAA) to conduct their reforestation and land management programs in partnership with beneficiaries in Kawaihae.

New efforts to improve the coastal and marine resources in Kawaihae will still need to be explored. Homesteaders would like restoration efforts to be led by members of the community. It will be important to include the voices of cultural practitioners from Kawaihae as well as other cultural experts who can advise on how to properly restore the ahupua'a. Initial ideas from the community include limu out-planting in the nearshore reefs as well as monitoring of various marine species. However, for these initiatives to occur, the community must establish partnerships with schools, researchers, and non-profit organizations, in addition to securing the necessary funding.

In 2024, DHHL staff in collaboration with the University of Hawai'i's Sea Grant Program is pursuing a funding opportunity for a project to improve marine quality makai of Kohala moku. The project is the DHHL Kohala Moku Marine Sediment Reduction project, and the primary purpose of the project is to restore healthy reef and near shore marine ecosystems from Pelekane Bay to Upolu Point. Marine Sediment Reduction will be accomplished by:

- Completing all Federal and State compliance requirements needed to undertake proposed physical actions for sediment reduction listed below.
- Excluding feral goats from Honokoa Gulch and riparian areas through 45,000 feet of ungulate fencing.
- Establishing a 5-mile firebreak protecting Kawaihae communities as well as the Honokoa Watershed from fire, which contributes greatly to erosion by eliminating vegetation.
- Providing 11,000 feet of fencing infrastructure to support vegetation management and wildfire mitigation through grazing of 310 acres surrounding the Kailapa community.

FIGURE 25: HONOKOA GULCH FIREBREAK AND PROPOSED RIPARIAN CORRIDOR MAP

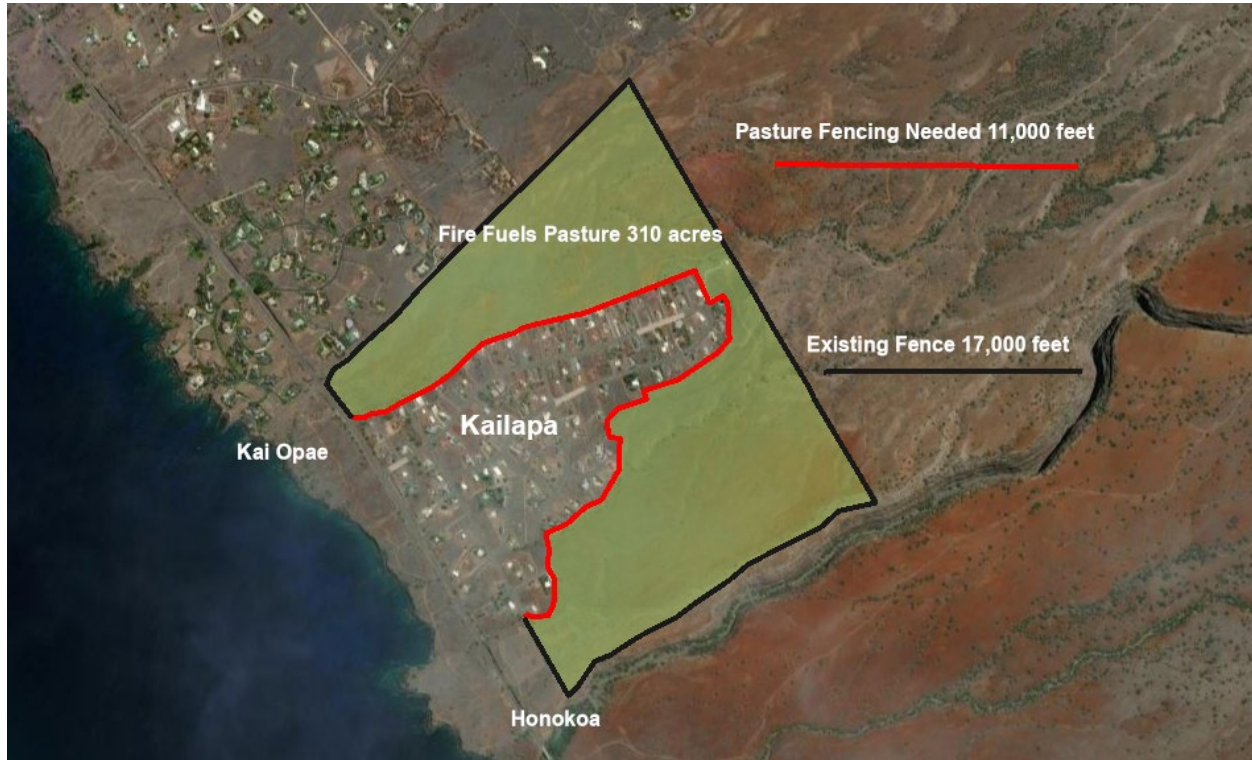


Honokoa gulch and the surrounding DHHL lands in Kawaihae have a very large population of feral goats which denude the landscape causing erosion. Due to many factors, Honokoa gulch specifically has been identified as a major source of sediment erosion and transport to the Kohala coastal waters. Removing and excluding goats from Honokoa Gulch and revegetating of a 450 acre corridor along the gulch will significantly reduce sedimentation of the marine environment, while minimizing the amount of land that will be taken out of active ranching and other potential future land uses. Fencing Honokoa will require fencing across 5 significant streams, which may be compromised in storm events. Specially designed stream crossings will be needed to reduce the likelihood of fence being compromised. Removing goats would allow the landscape to revegetate passively, active reforestation is not currently planned through this funding opportunity, but could and should be considered in future restoration efforts.

4 foot woven (hog) wire fencing would be installed on both sides of Honokoa gulch approximately 300 feet from the gulch edge. On the south side of Honokoa a 20 foot wide firebreak would be installed with heavy machinery prior to fencing along fence alignment to protect Kawaihae communities from fire and as an access way for Honokoa Corridor construction and long term management.

The Kawaihae Community has been identified as extremely high risk due to dry and windy conditions and its location on the wildland/urban interface. Kawaihae has experienced many fires that have threatened homes and property. Currently the vegetation surrounding the DHHL Kailapa community is unmanaged. Besides threatening homes and property, fire burned landscapes have been shown to greatly increase erosion, sediment surrounding Kailapa flow into Kai Opae and Honokoa streams. By putting in the fencing infrastructure and working with the community to find a partner to manage grazing, fire fuels can be managed long term while producing food and empowering the community to manage the lands surrounding their homes.

FIGURE 26: EXISTING AND NEEDED FENCING SURROUNDING KAILAPA



4 foot woven (hog) wire fence would be installed along Homestead lease boundaries creating a 310 acre pasture. Community members or partner would obtain and manage livestock at their own expense including identifying a water source for livestock. Heavy duty, wide entrance gates will be needed to secure area from trespass, contain livestock, and provide suitable access for emergency vehicles and machinery.

PAST ACTIONS

- 2010 - The Kailapa Community Association completed its Resilient Hawaiian Community Plan that looks at improved stewardship of the mauka portion of the ahupua'a.
- 2010 - The Kohala Mountain Watershed Partnership received Rights-Of-Entry and installed ungulate fences on DHHL property.
- 2021 - Kawaihae Goat and Watershed Beneficiary Consultation informed beneficiaries on the impacts of goats and sought feedback on how to best manage the goat population in Kawaihae.
- 2022 - The Kohala Center received a grant from OHA for their "Ho'olauna Kawaihae: Building Pilina Through Respectful Engagement" project which focused on dryland forest restoration.
- 2023 - The Kohala Center partnered with DHHL community members and NOAA to build fencing, remove feral goats, restore riparian corridors, and conduct community outreach.
- 2024 - DHHL is pursuing a grant opportunity in collaboration with the University of Hawai'i Sea Grant College Program to fund the DHHL Kohala Moku Marine Sediment Reduction project.

COMMUNITY INPUT

In the 2010 Regional Plan, improving marine water quality at Pelekane Bay was a priority of the community at the time. For this update to the plan, participants in the beneficiary consultation process felt that these efforts should be extended across the entire coast of Kawaihae. Community members shared that they depend on a thriving ocean ecosystem to sustain their way of life; they rely on the ocean for subsistence fishing, gathering, and the continuation of traditional Hawaiian activities like surfing and paddling. Kawaihae homesteaders also expressed a desire to incorporate indigenous knowledge into future land stewardship/protection of Kawaihae, which would provide the space and opportunity to pass down generational knowledge to the youth. Their primary emphasis, however, was on the crucial point that water must come first to allow for any protection/restoration activities to occur.

OBJECTIVE

This project will fulfil the community values of Mālama ‘Āina, Ka ‘Ike Hawai‘i, and Noho Kupa ‘Āina. Improving the coastal and marine resources of Kawaihae will enhance the natural environment and increase the abundance over the ‘āina. Restoration and protection of the ahupua‘a will be based on traditional Hawaiian practices of land stewardship, allowing for ancestral knowledge to be transferred from one generation to the next. Additionally, reforestation would provide additional cultural and subsistence resources for homesteaders, allowing them to truly live mauka to makai and be able to access all the necessary resources to thrive.

IMPLEMENTATION ACTIONS STEPS

Improve the Coastal & Marine Resources in Kawaihae through Erosion Mitigation

1. Continue to pursue funding opportunities to support on-going projects.
2. Schedule meetings with the community to select other preferred potential projects to pursue.
3. Research preferred potential projects and implementation in Kawaihae.

References

- County of Hawai'i. (2005). *County of Hawai'i General Plan*. State of Hawai'i.
<https://www.planning.hawaiicounty.gov/home/showpublisheddocument/301643/637204664141830000>
- Day, W. C. (1972). *Project Tugboat: Explosive excavation of a harbor in coral* (No. EERL-TR-E-72-23). Army Engineer Waterways Experiment Station, Livermore, Calif. Explosive Excavation Research Lab.
- Division of Aquatic Resources. (2019). *Findings and Recommendations of Effectiveness of the West Hawai'i Regional Fishery Management Area (WHRFMA)*. State of Hawai'i Department of Land and Natural Resources. https://dlnr.hawaii.gov/dar/files/2020/05/ar_hrs188_2020.pdf
- Department of Transportation, Harbors Division. (2011). *Hawai'i Island Commercial Harbors 2035 Master Plan Update*. Retrieved from <https://hidot.hawaii.gov/harbors/files/2013/01/HI-COM-HAR-2035-MP-Final.pdf>
- Giambelluca, T.W., Chen, Q., Frazier, A.G., Price, J.P., Chen, Y.L., Chu, P.S., Eischeid, J.K., & Delparte, D.M. (2013). Online Rainfall Atlas of Hawai'i. *Bull. Amer. Meteor. Soc.* 94, 313-316, doi: 10.1175/BAMS-D-11-00228.1.
- Greene, L. W., & Rhodes, D. L. (1993). *A cultural history of three traditional Hawaiian sites on the West Coast of hawai'i island*. U.S. Dept. of the Interior, National Park Service, Denver Service Center.
- Hawai'i State Department of Health Clean Water Branch. (2022). *2022 State of Hawai'i Water Quality Monitoring and Assessment Report*. U.S. Environmental Protection Agency.
<https://attains.epa.gov/attains-public/api/documents/cycles/11424/206016>
- National Drought Mitigation Center; U.S. Department of Agriculture; National Ocean and Atmospheric Administration. (2020). U.S. Drought Monitor [Map]. University of Nebraska-Lincoln.
- PBR Hawai'i. (2002). *Hawai'i Island Plan*. State of Hawai'i Department of Hawaiian Home Lands.
https://dhhl.hawaii.gov/wp-content/uploads/2012/05/Island_Plan_Hawaii_2002.pdf
- Pukui, M. K. (1983). *Ōlelo No'eau: Hawaiian proverbs & poetical sayings*. Bishop Museum Press.
- Stewart, M. C. (2005). *Pelekane Bay Watershed Management Plan South Kohala, Hawai'i*. Marine and Coastal Solutions International, Inc.
https://health.hawaii.gov/cwb/files/2013/05/PRC_Maps_PelekaneBayWatershedPlan.pdf
- Storlazzi, C. D., Field, M. E., Presto, M. K., Swarzenski, P. W., Logan, J. B., Reiss, T. E., Elfers, T. C., Cochran, S. A., Torresan, M. E., & Chezar, H. (2012). Coastal circulation and sediment dynamics in Pelekane and Kawaihae Bays, Hawaii--measurements of waves, currents, temperature, salinity, turbidity, and geochronology: November 2010--March 2011. In Open-File Report (pp. i-104). US Geological Survey.
<https://doi.org/10.3133/ofr20121264>
- Tetra Tech. (2020). *County of Hawai'i Multi-Hazard Mitigation Plan*. State of Hawai'i.
- U.S. Department of the Interior. (2022). *Isaac Davis*. National Parks Service.
<https://www.nps.gov/puhe/learn/historyculture/isaacdavis.htm>
- U.S. Department of the Interior. (2023). *John Young*. National Parks Service.
<https://www.nps.gov/puhe/learn/historyculture/john-young.htm>
- U.S. Department of the Interior. (2023). *Kamehameha the great*. National Parks Service.
<https://www.nps.gov/puhe/learn/historyculture/kamehameha.htm>

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

July 15-16, 2024

To: Chairman and Members, Hawaiian Homes Commission
Thru: Andrew H. Choy, Planning Program Manager
From: Lillie Makaila, Planner *lfjm*
Subject: For Information Only - Status Update on Plan
Implementation in the Kona Moku, Island of O'ahu

Recommended Action

For information only. No action required.

Background

By request of the Chairman, the Planning Office provides the Hawaiian Homes Commission (HHC) with a status report on prior policies and/or plans that affect lands and homestead communities where the HHC conducts its monthly community meeting. For July 2024, the Planning Office is providing an update on implementation of various plans and programs for the Kona Moku planning region, O'ahu.

Discussion

EXISTING PLANS & IMPLEMENTATION STATUS

O'ahu Island Plan Policies Related to the Kona Moku

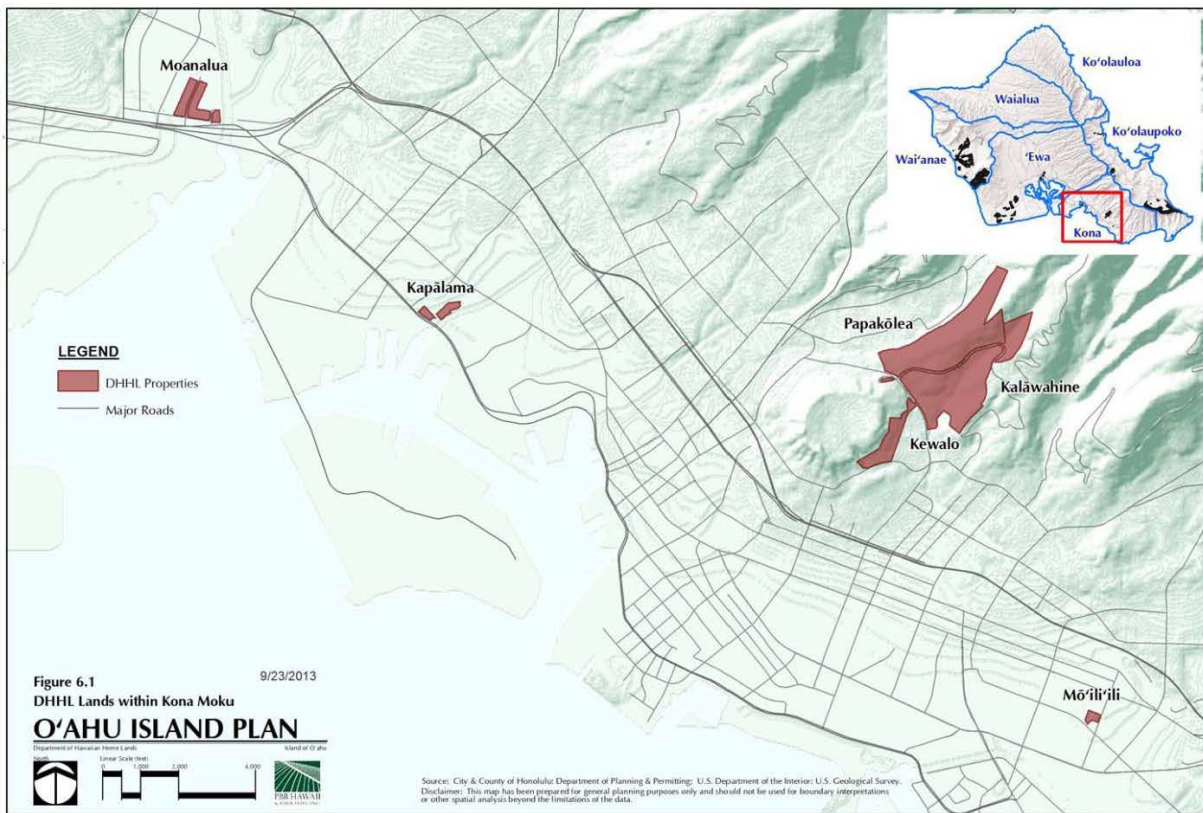
The purpose of each DHHL Island Plan is to:

- (1) Provide a comprehensive resource for planning and land management purposes;
- (2) Establish land use designations (LUD) for all land holdings to promote orderly land use development and efficient development of infrastructure systems; and
- (3) Identify island-wide needs, opportunities, and priorities.

The O'ahu Island Plan (OIP) was adopted by the HHC in 2014. The Island Plan delineated four planning districts, or moku, for the island of O'ahu: Wai'anae, 'Ewa, Kona, and Ko'olaupoko.

DHHL land holdings in the Kona Moku are in Moanalua, Kapālama, Papakōlea, Kewalo, Kalāwahine Streamside, and Mō'ili'ili:

Map 1: DHHL Land Holdings in the Kona Moku:



The OIP identifies varied LUD for these parcels, which are summarized in the below table:

Table 1: Kona Moku LUD Summary of Land Acres:

Land Use Designation (LUD)	Moanalua	Kapālama	Papakōlea, Kewalo & Kalāwahine	Mō'ili'ili	Percent of LUD on O'ahu
Special District	--	--	15	--	6%
Conservation	--	--	70	--	3%
General Ag	--	--		--	
Residential	--	--	90	--	5%
Pastoral	--	--	--	--	
Subsistence Ag	--	--	--	--	
Supplemental Ag	--	--	--	--	
Industrial	15	2			3%
Community Use	--	--	2	--	1%
Commercial	--	3		2	5%
TOTALS	15 acres	5 acres	177 acres	2 acres	23% 199 acres

O'ahu Island Plan Implementation Status

Since the OIP was adopted in July 2014, no land use amendments or updates to the Papakōlea region have been proposed or are being considered. The plan acknowledges that from the standpoint of proximity to employment, this is an ideal location for homestead residents employed within the Primary Urban Core of Honolulu. However, the following are constraints to additional residential homestead development of these lands, including infill strategies such as secondary dwelling units:

- steep slopes -- potential for rock falls and instability
- aging water and sewer lines
- drainage and flooding issues
- lack of off-street parking

DHHL has 15 acres within the Moanalua ahupua'a and five (5) acres within the Kapālama ahupua'a which are used strictly for revenue generation at this time. Both areas were previously examined for potential transit-oriented redevelopment opportunities.

The Moanalua and Kapālama properties had existing low rise light industrial and commercial uses when they were added to the inventory and are designated as such in the OIP. Both areas now fall within Honolulu City and County Transit-Oriented Development (TOD) planning areas for transit stations along the HART rail transit line and DHHL worked with consultants to examine opportunitiess and identify conceptual plans for the Moanalua Kai (Shafter Flats) and Kapālama properties. Geotechnical studies determined the capacity of the lands to accommodate proposed redevelopment, which then had to be revised to reflect potential impacts from sea level rise.

The final report recommentions include:

- lower density redevelopment
- an "as is" scenario for parts of the area
- thorough consideration of early termination or restructuring of the existing uncovered leases
- consideration of the environmental and site condition data that were uncovered

The 2-acre Mō'ili'ili site, the former Bowl-O-Drome building and parking lot, is currently in redevelopment as the Department's first high-rise affordable rental project and will provide beneficiaries an opportunity to live within Honolulu's

urban core. Upon completion, the 210-foot, 23-story high rise is expected to have 270 living units, management offices, laundry and mailroom, community facilities, retail space and a parking structure.

Papakōlea Regional Plan and Priority Projects

The Papakōlea Regional Plan was prepared in 2009 as part of DHHL’s Regional Plan update process for the lands within the Honolulu Ahupua’a. In June 2019, DHHL initiated the process to update the regional plan and the updated plan was adopted by the HHC in July 2020.

The planning process engaged the Papakōlea, Kewalo, and Kalāwahine Streamside lessees and their ‘ohana in the update to the Regional Plan. This process included identification of a vision for the region, community values, issues and needs, selection of five (5) priority projects, and the preparation of a draft and final Regional Plan Update. The beneficiaries identified the following Priority Projects:

- Native Hawaiian Education and Culture Community Center/Hawaiian Homestead Kūpuna Supportive Living Center (combines two Priority Projects as they both are sited for the same parcel)
- Build a New Community Center
- Care Home for Kūpuna
- Traffic Safety Program

Papakōlea Regional Plan Implementation Status

Table 2, below, describes each Priority Project and the current status:

Table 2 Papakōlea Regional Plan Implementation Status

Priority Project	Description	Current Status
1/2. Native Hawaiian Education and Culture Community Center/ Hawaiian Homestead Kūpuna Supportive Living Center (combines two Priority Projects)	This project will provide a place for social, educational and cultural enrichment for ‘ohana, serving beneficiaries from infant to kūpuna. Partnerships with other Native Hawaiian organizations and community programs will help to provide quality services, including Hawaiian language classes, classrooms and offices for Native Hawaiian practitioners and businesses, playground and open space, full kitchen,	In 2021, the Papakōlea Community Development Corporation (PCDC) contracted G70 to facilitate the design and planning to build the Learning Center. During 2021 and 2022, community meetings and charettes were held to review past work, form a vision for the property and collect

Priority Project	Description	Current Status
	<p>garden and aquaculture area, farm space for native plants/medicinal plants/fruit trees, cultural walking path and parking.</p>	<p>feedback on draft renderings. The final community visioning meeting was held in August 2023. The final vision and charettes were voted on by the community and an overview of the environmental compliance process was shared with participants.</p> <p>PCDC engaged with Keala Pono – Archaeological Consultant for technical studies related to environmental compliance.</p> <p>Recently, G70 on behalf of PCDC began the early consultation process in the preparation of an Environmental Assessment. Fundraising continues to complete additional phases of the project.</p> <p>In June 2024, DHHL provided a letter of support to Kula No Na Poe Hawaii (KULA) in their pursuit of grant funding to support the completion of due diligence studies for the Kūpuna Supportive Living Center. If awarded, KULA is seeking to engage with G70 to assist with the completion of the required due diligence for this project as well.</p>
<p>3. Build a New Community Center</p>	<p>The community has outgrown the current facilities located at 2150 Tantalus Drive. Major renovations are needed to address the lack of parking, lack of use for outdoor courts/play</p>	<p>While working to build a new community center and basketball complex, PCDC secured funds to replace the playground, install turf on the</p>

Priority Project	Description	Current Status
	<p>areas, lack of access for kūpuna and disabled persons, the need for air conditioning and old or outdated structures that need replacement. Instead of continued repair and renovation, the community would like to invest in the demolition of the existing structures and the construction of a new facility that is better able to meet the current and future needs of this homestead.</p>	<p>lawn area and make improvements to the basketball courts. PCDC is fundraising for replacement of the Basketball Court Complex (\$10 million). \$250,000 was raised to replace the playground and resurface the courts. The playground replacement and court re-surfacing was completed in November 2022.</p>
<p>4. Care Home for Kūpuna</p>	<p>The community envisions a care home for kūpuna to provide care services to families that need assistance. The project would provide services such as adult day-care, respite care services and specialized care for adults with dementia. Families who are balancing the needs of their day-to-day lices and the added are needs of their kūpuna would have a safety and qualified place within their community.</p>	<p>Not implemented. A champion for this project will need to be identified.</p>
<p>5. Traffic Safety Program</p>	<p>The Papakōlea region is located along the steep hillsides of Pūowaina and the base of the Ko’olau mountains. The streets are winding roadways that switch back-and-forth throughout the homesteads. The majority of the two-land roads do not have sidewalks and have limited crosswalks. The lack of off-street parking results in crowded roadways with parked vehicles, including abandoned vehicles.</p>	<p>In FY22, DHHL implemented traffic calming measures with the construction of two (2) speed humps on Kapahu Street in the Kalāwahine Homestead. Construction of a third speed hump is also anticipated for Kapahu Street.</p>

Recommendation

None; for information only.

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

July 15-16, 2024

To: Chairman and Members, Hawaiian Homes Commission
Thru: Andrew Choy, Planning Program Manager
From: Lillie Makaila, Planner *lljm*
Subject: For Information Only - Draft Waimānalo Regional
Plan Update (2024)

Recommended Action

None; for information only.

Discussion

Regional plans build a sense of community and capacity, stimulate partnerships for development and improvements, facilitate beneficiary participation in issues and areas of concern, and identify priority projects within existing and planned homestead areas. The plan may focus on a particular homestead community or several homestead communities in the region. At a minimum, the regional plans document current conditions and trends and identify a prioritized list of projects important to the community and the DHHL.

The DHHL Waimānalo Regional Plan was adopted by the HHC in 2011. The planning horizon for a regional plan is typically 5 years. Because it has been more than five years since the adoption of the plan and because several priority projects have been implemented or are in-progress, there is a need to re-evaluate and update the regional plan for the Waimānalo region in Ko'olaupoko, O'ahu.

This submittal includes select components of the Draft Plan which were presented to Waimānalo beneficiaries at beneficiary consultation #4, see Exhibit A.

Exhibit A includes:

- Draft Vision Statement
- Draft Community Values
- Draft Priority Project Profiles

A full Draft will be available beginning August 1, 2024 on the project website at:

<https://dhhl.hawaii.gov/po/waimanalo-regional-plan-update-2024/>

OUTREACH, PROCESS & METHODOLOGY

The Waimānalo Regional Plan Update began with a meeting with the Waimānalo Hawaiian Homestead Association (WHHA) Board for insight and guidance on a planning process that would best fit the Waimānalo beneficiary community. The Board provided input on the best days/times for beneficiary consultations, scheduled use of the hālau at no cost to the Department for all four (4) beneficiary consultations, and assisted in notifying homesteaders of the beneficiary consultations throughout the planning process. The WHHA Hālau was the preferred location due to its ease of access and convenient, central location in the region. All meetings were scheduled as in-person meetings on Monday evenings from 6pm to 8pm, with 'aina ahiahi provided to attendees.

The approach for the beneficiary consultations included both small group and large group discussions. Detailed notes were captured at all meetings and are posted online on the project website, hosted by DHHL. Meeting summaries for each beneficiary consultation are included in the appendices of the Draft plan.

Outreach & Publicity:

Broad publicity of the beneficiary consultations was accomplished through mail-outs of meeting notices via postal mail, distribution of digital meeting invitations & reminders via email, creation of the project website and a display of a vinyl sign posted in a high traffic area in the homestead with the dates of the beneficiary consultation series.

A total of 1,307 postcards were mailed in each mailing to invite beneficiaries in the region to attend the scheduled beneficiary consultation meetings. Mailings included 685 Waimānalo residential lessees and 622 applicants on the waitlist with mailing addresses in the Waimānalo region (96795 zipcode). Postcards provided meeting information such as the location, date, and purpose for all four (4) beneficiary consultations. A total of five (5) postcard mailings took place over the course of the planning process. Additionally, a project fact sheet and initial meeting invitation was shared with the WHHA board to distribute to their membership and follow up reminders were shared via email to the WHHA and all participants who shared email contact information.

The timeline for the Regional Plan update was as follows:

January 29, 2024: Leadership Meeting.

The purpose of this meeting was to introduce the Regional Plan Update project to the Board of the WHHA and to ask for their insight and guidance on the planning process. The meeting took place in-person at the WHHA Hālau. Board members were asked to assist with guiding the planning process for the regional plan update. They assisted in selecting dates for the beneficiary consultations, reserved the venue space for each of the proposed meeting dates and offered to provide support in the publicity of meeting announcements and invitations throughout the planning process.

March 11, 2024: Beneficiary Consultation #1.

This beneficiary consultation had a total of 53 attendees. The objective of this meeting was to explain the purpose and objective of regional plans in the DHHL planning system and the reason for the update to the Waimānalo Regional Plan and to discuss the planning process and schedule with Waimānalo beneficiaries. Additionally, this meeting was meant to gather input from beneficiaries to craft a vision statement for the Waimānalo region and a list of community values.

The meeting began at 6pm with dinner. After some introductory presentations, beneficiaries were split up into small groups for breakout discussion. Beneficiaries were asked to come up with a list of community values. Following the creation of a draft list of community values, the meeting adjourned at 8:35pm.

April 1, 2024: Beneficiary Consultation #2.

There were 46 attendees at this meeting. The purpose of this meeting was to continue to work on refining the list of community values and to craft a vision statement for the region. The meeting began at 6pm with dinner. A final list of community values was developed by the meetings scheduled-end at 8:00pm. As a draft vision statement was not crafted during the course of the regular meeting time, a group of participants volunteered to stay beyond the planned meeting time and work on the vision statement. A draft vision statement was crafted by this dedicated group of participants, and the meeting was adjourned at 9:08pm.

April 15, 2024: Beneficiary Consultation #3.

There were 45 attendees at this meeting. The purpose of this meeting was to present the draft community values and vision statement to beneficiaries for feedback. This meeting also reviewed the issues and opportunities in the region and identified potential project ideas that might address those issues. The meeting began at 6pm with dinner.

Meeting participants broke out into small groups organized by community values to create potential project ideas to help bring each value to life. All potential project ideas were combined into one long list, and participants worked to refine the project ideas list by combining projects that complemented each other and removing projects that were not a priority to the community at this time. Through the course of the meeting, participants worked to produce a final list of eleven (11) potential projects to be included in the project ideas list. This list of projects was then used in a poll to select the top five priority projects to include in the regional plan update. The meeting adjourned at 9:35pm following the refinement of the final list.

April 22, 2024 to May 24, 2024: Priority Project Polling.

Selection of the priority projects was conducted through a polling process where homesteaders could participate via postal mail, an online form, e-mail, or over the phone. Information & voting instructions were shared with attendees of beneficiary consultations #1-#3 via email, posted on the project webpage, and included in a postal mailing notice. Additionally, WHHA board members assisted with the distribution of hardcopy mailers of the polling form with links to the online form & voting instructions.

In the poll, Waimānalo beneficiaries were asked to select the top five priority projects for the region from the list of eleven (11) project ideas that were developed in Beneficiary Consultation #3. Participants had a total of five votes they could cast, and they were instructed that they could vote for an individual project more than once should they choose. This poll was open for participation from April 22, 2024 to May 24, 2023. A total of 100 participants participated in the poll, including 86 beneficiaries and 14 other members of the homestead. Ninety-four (94) participants did so using the online form, and six (6) submitted hardcopy mailers via WHHA. The top five priority projects were identified directly from the results of this polling process. The top five projects selected and the number of votes each one received is displayed below.

Priority Projects	# Beneficiary Votes	# Votes from Other Members of the Homestead	Total Votes
1. Create more DHHL Agricultural Homesteads in Waimānalo	74	13	87
2. Kauhale Waimānalo	60	11	71
3. Provide grants from DHHL Trust Funds to current Waimānalo Lessees in need...	61	8	69
4. Waimānalo Business Park	44	3	47
5. Allow extensions in perpetuity for homestead lots	38	8	46

July 8, 2024: Beneficiary Consultation #4.

A total of 28 participants attended this meeting. Major components of the Draft Waimānalo Regional Plan Update were presented to beneficiaries for review and comment. The meeting began at 6pm with dinner. A presentation was shared with participants which reviewed the following components:

- Draft Vision Statement
- Draft Community Values
- Process Overview & Participation
- Draft Priority Project Profiles

Attendees included a mix of first-time participants, as well as participants who had attended previous meetings. A majority of the participants had attended all of the previous beneficiary consultations and participated in priority project selection. Following the presentation, large group

discussion was held. Attendees had the opportunity to ask questions, provide comments and ask for clarification on the information shared. Some discussion was had amongst participants about the draft priority project profiles. Some suggestions were shared for inclusion in the draft write-up.

Participants were notified of next steps, including:

- **Comment Period for the Draft.** The comment period will be open until August 15, 2024. A full Draft will be available online (and via hardcopy by request) for review and comment beginning on August 1, 2024. Comments may be submitted via hardcopy comment card, online via Google Form (link and QR code provided), via email or via telephone.
- **Presentation to HHC for information only.** Participants were notified that the vision statement, community values, overview of the planning process & participation and the draft priority project profiles would be shared at the July meeting of the HHC for information only.
- **HHC submittal for adoption.** Participants were notified that staff intends to incorporate all comments into a Final Plan and will bring that plan to the HHC at the September meeting of the HHC for adoption.

July 15-16, 2024: HHC Meeting.

An informational submittal on the Draft Regional Plan Update is being presented to the Hawaiian Homes Commission (HHC) for feedback at their regular meeting. Input from the Commission will be incorporated into the Final Regional Plan Update.

September 16-17, 2024: HHC Meeting.

A Final Draft of the Waimānalo Regional Plan Update will be brought before the Hawaiian Homes Commission and Commissioners will vote on adoption of the Final Plan.

PRIORITY PROJECTS

1. Create more DHHL Agricultural Homesteads in Waimānalo

DHHL beneficiaries would like to see more agricultural homesteading opportunities made available in the region. There are currently only residential homesteads in the region, with a mix of other non-homesteading uses. There are a total of 685 homestead lessees in the Waimānalo region, all awarded residential lots.

This project urges DHHL to prioritize the development of agricultural homestead lots in Waimānalo; Include this preference in the design and planning for the development of the "Wong's Farm" parcel; and Acquire additional lands in the region that are suitable for agricultural homesteading.

2. Kauhale Waimānalo

The current hālau space is heavily utilized by Waimānalo beneficiaries and there is a need for additional gathering space. There is also a need for space for an emergency shelter, disaster preparedness and emergency assistance in the region. Beneficiaries discussed a preference for the proposed kauhale to include overnight accommodations for large groups, similar to marae in Aotearoa.

This project prioritized the development of additional gathering space for use as a cultural retreat center and a community resiliency hub in Waimānalo. Kauhale Waimānalo would provide overnight accommodations for large groups and an emergency shelter and programming related to disaster preparedness, response and recovery.

3. Provide grants from DHHL Trust Funds to current Waimānalo Lessees in need to build, make improvements, do renovations, and have assessments of their lots within 3 years

This project was born of discussion of the Act 279 funds and how they may and may not be utilized. Specifically, participants were concerned that these funds and potential future allocations from the legislature may focus only on addressing the waitlist and will not assist our existing homesteads and their important needs. Current lessees in the region need access to funds to build homes, make improvements, renovations, and pay for needed inspections of their lots. Not all lessees are able to access NAHASDA funds or get financing through traditional lenders.

This priority project is to provide grants from HHL Trust Funds to current Waimānalo lessees in need to build/improve upon their lots. This grants program can be modeled after the existing grant program that accesses HHL Trust funds and provides grants to non-profit organizations for capacity building, project implementation, etc. Homesteaders also discussed previous grant opportunities that were made available in 2012 for necessary improvements to existing homesteads. Grantees of this program received \$50,000 grants for necessary improvements and were required to occupy the home for a 20-year timeframe following the completion of the improvements. Beneficiaries have concerns about DHHL's historically slow implementation of regional plan

priorities, and as such have specified that this program and these grants should be made available to lessees within 3 years of the adoption of this regional plan.

4. Waimānalo Business Park

More opportunities are needed for DHHL beneficiaries to have affordable access to commercial/industrial spaces in the Waimānalo region. Preference for DHHL lands designated for commercial/industrial use should be given to beneficiaries and Native Hawaiians. Programs to help build capacity for beneficiaries and Native Hawaiians should also be provided.

This project prioritized the development of a business park suitable for commercial & light industrial uses to provide affordable space for beneficiary and Native Hawaiian businesses in Waimānalo. Additional spaces should include: boat parking, parking for commercial vehicles & heavy equipment, a marketplace, and programming to support Native Hawaiian small business owners.

5. Allow extensions in perpetuity for homestead lots

Current homestead leases have a 99-year term with an option to extend for an additional 100 years. Following a potential 199-year term, there is currently no pathway for DHHL lessees to maintain these lands, even if they have eligible successors. Options for extending leases that contemplate extensions "in perpetuity" should be explored by DHHL staff & the HHC.

This project urges DHHL to research and identify potential pathways for homestead leases that extend in perpetuity. These potential options should be brought out for statewide beneficiary consultation. A preferred pathway should be selected and implemented by DHHL and the HHC.

A note that as the term limits live in the Hawaiian Homes Commission Act of 1920 (HHCA), implementation of lease term extensions beyond the 199-year term limit would require a congressional amendment to the HHCA. This type of action should not be taken lightly.

Participants discussed the potential unintended consequences of attempting a congressional amendment to the HHCA, including the potential for the repeal of the HHCA, a potentiality that Waimānalo beneficiaries are NOT asking this Commission to risk. This project aims to prioritize

discussion of a very real eventuality, reaching the end of the allowed lease term, and how this may impact the mo`o (future generations) of our homesteaders, our future beneficiaries.

With this project, our Waimānalo beneficiaries ask that this Commission and the Department direct resources (staff and funding) to exploring potential pathways for addressing this issue. Additionally, our Waimānalo beneficiaries understand that this issue extends beyond the bounds of the Waimānalo region, and should be a broader conversation amongst all regions and all beneficiaries. Therefore, this project also requests statewide beneficiary consultation on this topic to gather mana`o from our beneficiaries on a preferred pathway. The preferred pathway may find that the risk of an amendment to the HHCA is too great, and that is acceptable. But fear of potential unintended consequences should not prohibit at a minimum the necessary research and consultation on a critical issue that weighs heavy on the minds of our beneficiaries.

Recommendation

None; for information only.

Vision and Values

"To honor the Native Hawaiian people, their culture, history, and their deep connection to the land, Waimānalo is committed to safeguarding, nurturing, and preserving our ahupua'a for future generations. Embracing our rural identity and traditional ways of life, which has been passed down through the generations, we are dedicated to 'auamo the responsibility entrusted to us by our ancestors. As we navigate towards sustainable progress, our unwavering commitment is to ensure that Waimānalo remains true to its essence, always staying rooted in its unique identity."

This vision statement was developed for the Waimānalo community by the Waimānalo homesteaders that attended Beneficiary Consultations #1 and/or #2 where it was confirmed that this is an accurate reflection of their current vision for Waimānalo. At Beneficiary Consultation #2, drafts of community values were also shared with attendees. Participants refined each of the community values to ensure that they best reflect beneficiaries of the Waimānalo region.

Guiding Principles

The vision statement was based on the following community values and guiding principles:

- Keep Waimānalo Waimānalo
- Keep Lands in Beneficiary Hands
- Sust'Āinability
- Resiliency
- Culture and History
- 'Auamo Kuleana
- Grow Community Assets
- Mālama Kūpuna

The components and more specific values that inform each category are summarized below:

Keep Waimānalo Waimānalo

- *Country living*
- *God's country*
- *Rural character and paniolo lifestyle*
- *Creating homesteads for Waimānalo beneficiaries*

Keep Lands in Beneficiary Hands

- *Beneficiaries have access to HHL in the region*
- *Beneficiaries are involved in the stewardship of HHL*
- *Create affordable and consistently priced opportunities for beneficiaries to access lands identified for non-homesteading uses*

Sust'Āinability

- *Promote sustainable living*
- *'Āina focused*
- *Access to agricultural lands*
- *Community gardens and agricultural spaces*
- *Site residential and agricultural lands together*

Resiliency

- *Disaster preparedness and emergency response capacity*
- *Emergency shelter for beneficiaries*
- *Adaptation measures for climate change*
- *Resilient development and design for future homesteads and infrastructure*

Culture and History

- *Teaching community from keiki to kūpuna*
- *Perpetuate and preserve Native Hawaiian rights*
- *Share the history of Hawaiian Home Lands*
- *Perpetuate 'ike for future generations*

'Auamo Kuleana

- *DHHL will have better communication and more transparency*
- *Kūkulu pilina – to build relationships within the community and to create relationships outside of the community in order to bring more needed services to Waimānalo*

Grow Community Assets

- *Support the creation and growth of beneficiary businesses*
- *Create more opportunities for commercial/business uses for beneficiaries on HHL in Waimānalo*
- *Help to grow the capacity of Waimānalo beneficiaries and beneficiary and native-serving organizations*

Mālama Kūpuna

- *Prioritize our Waimānalo kūpuna on the DHHL waitlist*
- *Increase resources and services for kūpuna*
- *Keep them in Waimānalo/Age in place (kūpuna housing, etc.)*

Priority Projects

The priority project selection process began at Beneficiary Consultation (BC) #3 where attendees discussed potential project ideas. This discussion began with the previous priority projects selected in the previous Waimānalo Regional Plan (2011). Attendees added additional project ideas, and worked on refining the list down to a total of 11 project ideas. This list of project ideas was included in the selection process, and beneficiaries voted to select the top five priority projects for the region to be included in this update to the Regional Plan.

Beneficiaries were notified of the priority project selection via postcard mailing. This mailing was sent to all DHHL beneficiaries (both lessees and applicants on the waitlist) totaling approximately 1,300 postcards. The postcard provided instructions on how to participate in priority project selection. Previous participants at beneficiary consultations #1-#3 who provided an email contact were also notified via email. Instructions and links to participate were made available on the project website.

The “Kou Mana’o” questionnaire was created for the priority project selection, and asked beneficiaries to choose the five projects that they felt should be the top priorities for the region out of the 11 project ideas chosen by attendees at BC#3. Beneficiaries were able to participate via hardcopy survey, online survey, email or telephone. The voting period was open for beneficiary participation from April 22, 2024 through May 24, 2024. All participants were required to share their full name, a form of contact, and indicate if they were an applicant, lessee, both or other member of the homestead. A total of 100 responses were collected. A total of eighty-six (86) participants self-identified as DHHL beneficiaries, and fourteen (14) self-identified as Other members of the homestead. Ninety-four (94) votes were submitted via online survey and six (6) were submitted via hardcopy surveys. See table below for the voting results:

Priority Projects	# Beneficiary Votes	# Votes from Other Members of the Homestead	Total Votes
Create more DHHL Agricultural Homesteads in Waimānalo	74	13	87
Kauhale Waimānalo	60	11	71
Provide grants from DHHL Trust Funds to current Waimānalo Lessees in need...	61	8	69
Waimānalo Business Park	44	3	47
Allow extensions in perpetuity for homestead lots	38	8	46

EXHIBIT A

1. Create more DHHL Agricultural Homesteads in Waimānalo

PROJECT DESCRIPTION

DHHL shall prioritize the development of agricultural homestead lots in Waimānalo. Currently there are only residential homesteads and some non-homesteading land dispositions available in the Waimānalo region. A total of 685 lessees currently have a residential homestead lease in the region. The previous regional plan identified a desire to provide agricultural homesteading opportunities to beneficiaries in the region, and specifically identified lands that were held by the State Department of Land and Natural Resources (DLNR) at the time as potentially suitable lands for agricultural homesteading use.

PAST ACTIONS

- **2011** - Participants in the Waimānalo Regional Plan process expressed a desire to have agricultural homesteading opportunities in the region and identified suitable lands to be acquired and added to the DHHL land inventory.
- **2018** - Approximately 52 acres of agricultural farm land was conveyed from the DLNR to DHHL, known as the former “Wong’s Farm” parcel.
- **2023** - In Winter 2023, DHHL and its consultants began the planning and design phase for the development of the acquired lands. This planning process includes beneficiary consultation to review and provide comments on proposed “scenarios” for development. Scenarios shared at a previous consultation for input from beneficiaries offered various combinations of residential and agricultural homesteading lot designs. This planning and design process is still underway and a final design has not been completed.

COMMUNITY INPUT

At BC #3, there was discussion regarding a need for more agricultural opportunities in the region. This included ideas for both homesteading and non-homesteading uses. Participants also discussed the rules for homesteading and non-homesteading uses on DHHL lands, and staff clarified that residences are allowed on agricultural, pastoral and residential lots. Beneficiaries discussed a preference for agricultural homestead lots, as these lots would provide space for important agricultural uses and would also allow for a residence for the lessee. (Note: Though residences are allowed on agricultural, pastoral and residential homestead lots, a lessee may only have one residence. For example, if a lessee has a residential award with a home, they may not build another residence on an agricultural lot should they be awarded that lot.)

OBJECTIVE

Create opportunities for agriculture homesteading in the Waimānalo Region. This project aids in fulfilling the Vision which mentions “embracing our rural identity and traditional way of life” as well as “staying rooted” in Waimānalo’s unique identity. This project is aligned with the following community values: Keep Waimānalo Waimānalo, Keep Lands in Beneficiary Hands, Sustainability, and Resiliency.

IMPLEMENTATION ACTION STEPS

- 1) **Site Plan & Environmental Assessment.** Planning and design for the development of the “Wong’s Farm” parcel is underway. This site offers potential for agricultural homestead development and planning has included beneficiary consultation for input on potential design scenarios. Due diligence studies for the project site should be completed. A site plan and environmental assessment should be completed in compliance with HRS Chapters 343 and 6E, as well as Ka Pa’akai Framework Analysis for compliance with Article XII, Section VII of the State Constitution.
- 2) **HHC Acceptance of the EA.** The Hawaiian Homes Commission will review the final EA, issue a Finding of No Significant Impact, and approve the license or lease.
- 3) **Permitting and Entitlements.** Secure all necessary permits and approvals as determined by DHHL in consultation with the appropriate agencies.
- 4) **Site Preparation, Design and Construction.** Develop the site per the site plan. Clear brush and implement Best Management Practices (BMP’s) and mitigation measures as outlined in the Final EA during site preparation and construction. Construction phases include:
 - a) Site preparation and grading
 - b) Develop infrastructure and roadways
 - c) Build
- 5) **Award lots.** Awards for residential lots would award based on the Waimānalo Area Waitlist, currently 518 applicants, and the O’ahu Island Wide Waitlist (residential), currently 10,537 applicants. Awards for agricultural lots would award based on the O’ahu Island Wide Waitlist (agricultural) currently 4,126.

EXHIBIT A

2. Kauhale Waimānalo

PROJECT DESCRIPTION

Develop additional gathering space for use as a cultural retreat center and a community resiliency hub in Waimānalo. The current hālau space is heavily utilized by Waimānalo beneficiaries, and there is a need for additional space for gatherings and events. The cultural retreat center would include gathering and event space and would also provide overnight accommodations for large groups. This is modeled after marae in Aotearoa, and their ability to host overnight groups. The community resiliency hub would include space for an emergency shelter and would also provide space for programming related to disaster preparedness, response and recovery. Further discussion included the idea that more open/community space could be incorporated into this project to provide space for food gardens and edible landscaping.

PAST ACTIONS

- None

COMMUNITY INPUT

At BC#3, participants discussed the need for additional gathering and event space as the existing hālau space is in high demand and has reached its capacity. Participants also mentioned the idea of modeling this proposed space after the marae in Aotearoa that have space for overnight accommodations to host large groups. This would be a useful addition to potential gathering and event space.

Discussion at BC#3 also included talks of the need for an emergency shelter to serve the homestead and surrounding area, as well as programming related to disaster preparedness, response and recovery. There is a need to increase resiliency amongst the community from potential natural disasters. A facility that could host resiliency programming would be preferred. Suitable space for food gardens and edible landscaping would align with disaster preparedness and increasing the homesteads resiliency.

Participants at BC#4 discussed the potential of siting the Kauhale Waimānalo on the same parcel as the Waimānalo Business Park, and the WHHA may pursue this option if it is feasible.

OBJECTIVE

Develop additional gathering space for use as a cultural retreat center and a community resiliency hub in Waimānalo. This project helps to fulfill the Vision by building on its commitment to safeguarding, nurturing and preserving the ahupa'a for future generations, as well as navigating towards sustainable progress. This project is aligned with the following community values: Keep Lands in Beneficiary Hands, Sust'Āinability, Resiliency, 'Auamo Kuleana, Grow Community Assets and Mālama Kūpuna.

IMPLEMENTATION ACTION STEPS

- 1) **Site Selection.** Identify potential sites including existing HHLs or other lands to be acquired.

- 2) If preferred site is not a part of the HHL, **Acquire lands or Secure site control.** Acquisition requires due diligence including environmental assessment and other technical studies and approval of purchase from the HHC.
- 3) **Right of Entry.** A right of entry for additional due diligence to the project champion requires approval from the HHC if on DHHL lands, or by the landowner and potentially other approving authorities if not on DHHL lands.
- 4) **Site Plan & Compliance with Chapter 343, 6E and Article XII, Section VII of the State Constitution.** Prepare due diligence studies and get necessary approvals for the project including a site plan. If on DHHL lands, HHC acceptance of a final environmental assessment prepared in compliance with HRS Chapters 343 and 6E as well as completion of a Ka Pa 'akai Framework Analysis in compliance with Article XII, Section VII of the State Constitution is required. If not on DHHL lands, another agency would act as the accepting agency.
- 5) **Secure a Long-term Land Disposition.** The approval of a long-term disposition in the form of a license. If on DHHL lands, then HHC approval is required.
- 6) **Permitting and Entitlements.** Secure all necessary permits and approvals as determined in consultation with the appropriate government agencies.
- 7) **Site Preparation, Design and Construction.** Develop the site plan. Clear brush and implement Best Management Practices (BMPs) and mitigation measures as outlined in the Final EA during site preparation and construction.
- 8) **Operation & Maintenance.** Upon completion of construction, the site should be opened for operations and a budget should be created and maintained for on-going operation and maintenance of the site.
- 9) **Monitoring & Reporting.** As required by the terms of the land disposition.

EXHIBIT A

3. Provide grants from DHHL Trust Funds to current Waimānalo lessees in need, to build, make improvements, do renovations, and have assessments of their lots within 3 years.

PROJECT DESCRIPTION

Current lessees in the Waimānalo region need access to funds in order to build their homes, make improvements, renovations, and pay for any necessary inspections of their property. Not all lessees are able to qualify for traditional financing from lenders and may not meet the eligibility requirements to access NAHASDA funding. This project proposed the creating of a grant program to be administered by DHHL staff that would meet this need by providing grants from the Hawaiian Home Lands (HHL) Trust.

As part of the Native Hawaiian Development Program Plan, DHHL makes available annual grant funding to nonprofit organizations that demonstrate a purpose to benefit native Hawaiians. The Department has offered grants in several program areas over the years as a means of implementing the community development component of the rehabilitation fund. Grant offerings reflect DHHL priorities and community interests. This project is suggesting a grants program that allows grant offerings specifically to Waimānalo lessees.

As a component of this project, the beneficiaries of Waimānalo request that this program be created and grants be made available no later than three years from the adoption of this regional plan.

PAST ACTIONS

- None.

COMMUNITY INPUT

Participants at BC#3 identified a need for a funding source to support critical development of existing homesteads in the region. Not all of the existing lessees are able to qualify for grants or loans that are currently available. Many of the homes in the homestead are 50+ years old and require necessary improvements and renovations. Additionally, some homesteaders need to make their homes ADA accessible as kūpuna age in place. The ACT 279 funds are earmarked specifically for use to address the waitlist, and does not include funding that may be used to support the existing homestead. This project is proposed to meet that need.

In 2012, a grant program was made available to select homestead applicants statewide for a \$50,000 grant to support necessary improvements to their residences. A grantee of this program described the huge impact that this made for their homestead and 'ohana. Grantees were required to occupy their homestead for a 20-year period as a part of the terms of the grant to ensure that grantees did not use the funds to build equity for resale of the homestead lot. Overall, participation in this grant program was very positive and this could be a model for future grant programs for individual applicants.

OBJECTIVE

Allow beneficiaries to access funds to build homes, make improvements, do renovations, and have assessments of their lot within three (3) years.

IMPLEMENTATION ACTION STEPS

- 1) Create Grants Program.** HHC approval for creation of a new grant program and allocation of funds using HHL Trust funds for this purpose.
- 2) Implement & Manage Grant Program.** DHHL staff to implement this project and manage the grant program similarly to existing grants programs.
- 3) HHC Approval of Grantees.** As is with the existing grant program, HHC approval of the grant awards is required.
- 4) Annual Approval.** As is with the existing grant program, annual approval of the grant program and allocation of funds by the HHC is required during the fiscal year budget approval period.

EXHIBIT A

4. Waimānalo Business Park

PROJECT DESCRIPTION

A priority project in the 2011 Regional Plan, this project would develop a business park suitable for commercial or light industrial uses to provide affordable space for beneficiary and Native Hawaiian businesses in Waimānalo on a portion of TMK: (1) 4-1-008:002. Additional components include: space for boat parking, space for parking of commercial vehicles & heavy equipment, space for a marketplace, and programs to support Native Hawaiian small business owners.

PAST ACTIONS

- **2011** - A business park was proposed in the 2011 Waimānalo Regional Plan designed to include the development of the Community, Technology, Education and Employment Center (CTEEC) along with space for the business park with larger spaces (such as warehouses) and a parking area to accommodate space needed to support industrial/construction type businesses for homesteader's and residents' with commercial vehicles and heavy equipment.
- **2015** - WHHA completed construction of the CTEEC in 2015. The CTEEC is Phase IV of the WHHA's Ka Ho'olina Na Kūhiō Community Center.
- **2024**. WHHA is seeking funding for the planning, design and construction of future phases of their planned community development, including the Waimānalo Business Park.

COMMUNITY INPUT

In BC #3, it was discussed among attendees that the Waimānalo Business Park (Industrial/Technology) project included several components. The business park was planned to occupy a 30-acre space in addition to the CTEEC. The CTEEC project was completed, but the Business Park is still underway. This priority project is revisiting the Business Park with some additional components. The Business Park project idea was suggested in several breakout groups during BC#3. Here are the various project ideas proposed:

- 1) Create the Waimānalo Business Park with affordable options for Waimānalo beneficiaries.
- 2) Business Park for beneficiaries with individual economic opportunities.
- 3) Waimānalo Business Park to support beneficiary/native businesses by providing low-cost space (more affordable than other Waimānalo commercial).
- 4) Create a program for craft, small business vendors

Other discussions included a preference for DHHL lands designated for commercial or industrial uses be given to beneficiaries and Native Hawaiians. This would allow more access to these spaces to build capacity amongst DHHL beneficiaries and Native Hawaiians for entrepreneurship and growth of their businesses. This would also allow for more affordable access, as these lands should be made available at discounted rates for beneficiaries and Native Hawaiians.

As a part of refining the project idea list, these ideas were combined into the project as written, to encompass the previous priority project as well as the ideas expressed above. At BC#4, participants discussed the potential of siting the Kauhale Waimānalo and Waimānalo Business Park on the same parcel. This may be an option that is pursued by the project champion.

OBJECTIVE

The objective of this priority project is to plan, design and construct a business park suitable for commercial or light industrial uses to provide affordable space for beneficiary and native Hawaiian businesses in Waimānalo on a portion of TMK: (1) 4-1-008:002. Additional components to this priority project include: space for boat parking, space for a marketplace, and programs to support Native Hawaiian small business owners. This space should provide affordable lease rents that are well below market rates to beneficiaries and Native Hawaiian-owned businesses.

IMPLEMENTATION ACTION STEPS

- 1) **Right of Entry.** A right of entry for due diligence to the WHHA requires approval from the HHC.
- 2) **Funding.** WHHA secure funding for planning, design, permitting and construction of the Business Park.
- 3) **Site Plan & Compliance with Chapter 343, 6E and Article XII, Section VII of the State Constitution.** Prepare due diligence studies and get necessary approvals for the project including a site plan. HHC acceptance of a final environmental assessment prepared in compliance with HRS Chapters 343 and 6E as well as completion of a Ka Pa 'akai Framework Analysis in compliance with Article XII, Section VII of the State Constitution is required.
- 4) **Secure a Long-term Land Disposition.** HHC approval is required for a long-term land such as a license.
- 5) **Permitting and Entitlements.** Secure all necessary permits and approvals as determined in consultation with the appropriate government agencies.
- 6) **Site Preparation, Design and Construction.** Develop the site plan. Clear brush and implement Best Management Practices (BMPs) and mitigation measures as outlined in the Final EA during site preparation and construction.
- 7) **Operation & Maintenance.** Upon completion of construction, the site should be opened for operations and a budget should be created and maintained for on-going operation and maintenance of the site.

EXHIBIT A

5. Allow extensions in perpetuity for homestead lots.

PROJECT DESCRIPTION

According to the Hawaiian Homes Commission Act (HHCA) of 1920, homestead leases have a 99-year term with an option to extend for an additional 100-years, a maximum lease term of 199-years. Following the completion of this 199-year term, there is currently no pathway articulated for DHHL lessees to maintain these homestead awards beyond this term period. This priority project urges DHHL and the HHC to explore potential pathways to allow the extension of homestead leases to lessees and their descendants via succession in perpetuity.

PAST ACTIONS

- N/A

COMMUNITY INPUT

At BC #3, attendees discussed the limits on homestead leases discussed that as these lands are leasehold, they would potentially be taken back by the Department and awarded to other applicants, even if the lessee or successors are eligible to maintain the award through succession. There was discussion of DHHL lands being changed to fee simple, and attendees agreed that this should never take place and that the lands should be maintained as leasehold lands. In order to make changes to the lease term, and amendment to the HHCA is required, and this must be approved by the US Congress. Discussion amongst participants also cautioned on the risk of proposing amendments to the HHCA. Potential amendments, once taken to Washington DC could be rewritten and influenced by those not sympathetic to the HHCA and could result in unintended consequences, including the repeal of the HHCA and dismantling of the HHC, DHHL and all of its land inventory. This project should begin with thorough research and clear understanding of all potential options and pathways, including risks to the existing homesteading program.

OBJECTIVE

Urge DHHL and the HHC to seek extension of homestead leases in perpetuity.

IMPLEMENTATION ACTION STEPS

- 1) Identify Potential Pathways to extend homestead leases.** DHHL staff should conduct initial research on potential options for extending homestead leases beyond the 199-year term limit.
- 2) Conduct Statewide beneficiary consultations.** DHHL staff should conduct beneficiary consultations statewide to gather input from beneficiaries on a preferred pathway.
- 3) HHC Approval.** Based on beneficiary input, HHC approval for pursuing an amendment to the HHCA is required.

Congressional Amendment to the HHCA. The Amendment would need to be brought to the US Congress in Washington DC during session and a majority of congress is required to approve the amendment to the HHCA.

DRAFT

**HAWAIIAN HOMES COMMISSION
JULY 15 & 16, 2024**

**J – ITEMS
REQUESTS TO ADDRESS THE
COMMISSION**

Hawaiian Homes Commission Meeting
Requests to Address the Commission
July 16, 2024

- J-1 Jade Smith – Wakiu Homestead Development Plan
- J-2 Reyn Kealii Kahaapea– Panaewa Community Alliance- Project Kamoelao
- J-3 Bill Brown -Panaewa Hawaiian Home Lands Community Association
- J-4 Azure Kaawa – Proposed Kauhale Project in Nanakuli Homestead
- J-5 Janel Kekumu – Waimanalo Successorship Issue
- J-6 Summer Yadao, Connye Busa, Chasetyn Hasegawa
- J-7 Kenna Stormogipson, Samuel Wampler, Christopher Jungers
- J-8 Kekoa Enomoto – Act 236 Lease Renewals
- J-9 Patty Teruya Kahanamoku – Various Concerns
- J-10 Germaine Meyers – Various Concerns
- J-11 Blossom Feiteira – Lease Concerns
- J-12 De Mont Manaole – Various Concerns
- J-13 Kapua Keliikoa Kamai - Various

From: [Jade Smith](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: Re: [EXTERNAL] J Agenda
Date: Wednesday, June 12, 2024 8:14:12 AM

Morning Leah,

I believe you didn't include me on the June J-Agenda so please put me down for July's J-Agenda. In the meantime, I will build more to my various concerns.

Thank you

J. Alohalani Smith

PEmail: kaukaulani@gmail.com

iPhone: 808-870-2820

Aloha mai kākou,

Last week Thursday on June 27th 2024, I submitted a request as President of Pana'ewa Community Alliance (PCA) to be on the J Agenda for the July 16th, 2024 DHHL Commission Mtg via the DHHL website. To date, I have not yet received a confirmation that you received my request and today is the deadline to submit. Could I please get a confirmation that you received it?

Mahalo nui,
Keali'i

Reyn "Keali'i" Kahaapea
President
Pana'ewa Community Alliance 501c(3)

After Recordation Return By: Mail () Pickup () To:

Affects Tax Map Key: Third Division, 2-2-047:075, Lot 3-B-2

LICENSE NO. 788

between

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
as Licensor

and

PANAWEA HAWAIIAN HOME LANDS COMMUNITY ASSOCIATION, a Hawaii
domestic non-profit corporation, and PANAWEA COMMUNITY ALLIANCE
a Hawaii 501(c)(3) Non-Profit corporation
as CO-LICENSEES

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

LICENSE NO. 788

18th THIS LICENSE No. 788 ("License") made and issued this July day of July, 2016, by and between the State of Hawaii by its DEPARTMENT OF HAWAIIAN HOME LANDS, whose place of business is 91-5420 Kapolei Parkway, Kapolei, Hawaii 96707, and whose mailing address is P. O. Box 1879, Honolulu, Hawaii 96805, hereinafter called "LICENSOR", and PANAWEA HAWAIIAN HOME LANDS COMMUNITY ASSOCIATION (PHHLCA) a Hawaii domestic non-profit corporation (EIN: xx-xxx7676), and PANAWEA COMMUNITY ALLIANCE (PCA) a Hawaii 501(c)(3) non-profit corporation (EIN: 46-4183949), respectively whose place of business is P.O. Box 4326, Hilo, Hawaii 96720 and mailing address 21 Paipai Street, Hilo, Hawaii 96720 (Phone: Cel. (808) 315-2141 - William Brown, President), hereinafter called "CO-LICENSEES".

WITNESSETH:

WHEREAS, under Section 207(c)(1)(A) of the Hawaiian Homes Commission Act, 1920, as amended, and Section 10-4-22 of the Administrative Rules of the Department of Hawaiian Home Lands, as amended, LICENSOR is authorized to grant licenses for the use of Hawaiian home lands for public purposes;

WHEREAS, respective CO-LICENSEES has requested a license to use Hawaiian home lands for purposes of developing, managing, using, maintaining and protecting such premises as a community center, incorporating development of the Kamoleao Laulima Community Resource Center with other community related services; and

WHEREAS, CO-LICENSEES provides beneficial services to the Hawaiian community and LICENSOR'S beneficiaries.

NOW THEREOFRE, in consideration of the terms and conditions herein contained to be observed and performed by the CO-LICENSEES, LICENSOR hereby grants to CO-LICENSEES this License to use that certain Hawaiian home lands parcel identified as Tax Map Key No. (3) 2.2.047:075, further identified as Lot 3-B-2, containing a land area of 12.744 acres, more specifically delineated in Exhibit "A" and described in Exhibit "B" attached hereto and made as a part hereof, hereinafter referred to as "Premises".

THE TERMS AND CONDITIONS upon which LICENSOR grants the aforesaid right and privilege are as follows:

1. Term. The term of this License is for THIRTY (30) years, effectively commencing as of the date that this license document is fully executed by the CO-LICENSEES and LICENSOR and expiring on the last day of the thirty year term or until such time as CO-LICENSEES'S ceases to operate the permitted use, whichever occurs sooner, unless this License is sooner terminated as hereinafter provided.

2. License Fee. The license fee for the term of this License shall be established at a nominal monthly rate of TWENTY (\$20.00) AND NO/DOLLARS for the initial five (5) years of the license term.

Fees for the remaining term shall be subject to LICENSOR'S review of CO-LICENSEES site development progress which shall be reviewed at five-year intervals from the date that the license is fully executed. However, for the trust, LICENSOR reserves the right to make appropriate adjustments to the fee that is deemed necessary.

3. Use. CO-LICENSEES may not use the premises for any purpose other than for purposes of developing, managing, using, maintaining and protecting such premises as a community center, incorporating development of the Kamoleao Laulima Community Resource Center with other community related services as stated above.

4. Taxes, Assessments and Utilities. CO-LICENSEES shall, pay, when due, all taxes, rates, assessments, charges, and other outgoings of every nature and kind whatsoever, including all charges for utility services, which shall during the term of this License be lawfully charged, assessed, imposed, or become due and payable upon or on account of the premises and the improvements now on or hereafter erected thereon.

5. Maintenance and Repair. During the term of this License, CO-LICENSEES shall at its expense repair and maintain the premises including water, gas, plumbing, piping, electrical wiring, glass and all other fixtures in or on the premises with all necessary reparations and amendments whatsoever; shall keep the Premises and all improvements thereon in a strictly clean and sanitary condition and shall comply with all laws, ordinances, rules and regulations of the Federal, State, County or municipal governments that are applicable to the premises and improvements; and shall allow LICENSOR or its agents or employees at all reasonable times, free

access to the Premises for the purpose of examining the same or determining whether the conditions herein are being fully observed and performed, and shall make good, or commence to make good, at its own cost and expense all defects within sixty (60) days after LICENSOR mails written notice by registered mail to the last known address of CO-LICENSEES.

6. Approval of Construction. All plans and specifications for any improvements, modifications, alterations, or additions to the premises, must be submitted to and approved by the Chairman of the Hawaiian Homes Commission prior to commencement of actual construction. Such review shall not be unreasonably withheld and/or delayed.

7. Construction Standards. CO-LICENSEES shall undertake no construction until LICENSOR has reviewed and approved the plans. Any new construction must utilize only new materials and be in full compliance with all laws, ordinances, rules and regulations of the Federal, State and County governments including Chapter 343, Hawaii Revised Statutes, and be approved and licensed by all applicable government agencies; except that CO-LICENSEES shall not be required to comply with such State land use law and county zoning code and subdivision requirement from which LICENSOR may be exempt.

8. Ownership/Right to Remove Improvements. All buildings or structures or other major improvements of whatever kind that the CO-LICENSEES constructs or erects on the premises shall remain the property of the CO-LICENSEES during the term of this License. CO-LICENSEES shall have the right, prior to the termination of this License, or within such additional period as LICENSOR in its reasonable discretion may allow, to remove its property from the premises; provided that after thirty (30) days written notice to remove, LICENSOR may at its option retain the property or remove the same and charge the cost of removal and storage, if any, to the CO-LICENSEES. All insurance and condemnation proceeds pertaining to improvements on the premises shall be the sole property of CO-LICENSEES.

If LICENSOR becomes aware that a transfer of the premises will occur, LICENSOR will promptly notify CO-LICENSEES and will take diligent action to insure that the transferee will not interfere with CO-LICENSEES'S use of the premises as set out in this License. LICENSOR will not voluntarily transfer its rights to such transferee without written assurance from such transferee that such transferee will not interfere with CO-LICENSEES'S rights under this License.

9. Waste: Unlawful Use. CO-LICENSEES shall not do or commit or suffer to be done, any willful or voluntary waste or destruction in and upon the premises, any nuisance, or any unlawful or improper use of the premises.

10. Non-Discrimination. CO-LICENSEES shall not use the premises, nor allow the premises to be used in support of any policy that unlawfully discriminates against anyone based upon creed, color, national origin, sex or a physical handicap. CO-LICENSEES shall not practice any unlawful discrimination based upon creed, color, national origin, sex or a physical handicap.

11. Default of CO-LICENSEES. It is expressly agreed that this License is contingent upon the continuing condition that if CO-LICENSEES after a thirty (30) day demand, fails to observe or perform substantially the provisions contained herein, and if CO-LICENSEES does not commence to cure, and diligently continue to attempt to cure, such default within sixty (60) days after delivery by LICENSOR of a written notice of such failure by personal service or by certified mail to CO-LICENSEES; or if the CO-LICENSEES becomes bankrupt, insolvent or files any debtor proceedings of takes or has taken against it for good cause any proceedings of any kind or character whatsoever under any provision of the Federal Bankruptcy Act seeking readjustment, rearrangement, postponement, composition or reduction of CO-LICENSEES'S debts, liabilities or obligations; then in any such event LICENSOR may at its option cancel this License and thereupon take immediate possession of the premises, after a reasonable time or right of action which LICENSOR may have.

12. Assignment. Except as expressly provided in this License, this License is non transferable. At no time during the term of the License, shall CO-LICENSEES assign, mortgage or pledge its interest in this License or its interest in the improvements now or hereafter erected on the premises without the prior written consent of LICENSOR, which consent will not be withheld unreasonably.

13. Insurance. CO-LICENSEES shall, at its own expense, effect, maintain and keep in force throughout the life of this License, a comprehensive public general liability insurance policy, with limits of not less than \$2,000,000.00 for each occurrence, including property damage, personal injury and advertising injury; \$100,000.00 for fire damages to the Premises for any one fire; \$10,000.00 in medical expenses for any one person, and an aggregate limit of \$2,000,000.00 per policy year. The specification of these

limits as contained herein shall not be construed in any way to be a limitation on the amount of liability of CO-LICENSEES for fees, interest or other charges under this License.

CO-LICENSEES shall agree to provide certificate(s) of insurance necessary to evidence compliance with the insurance provisions required under this License. CO-LICENSEES shall keep such insurance in effect and the certificate(s) on deposit with LICENSOR during the entire term of this License. In addition:

a. Failure of CO-LICENSEES to provide and keep in force such insurance shall be regarded as material default under this License. LICENSOR shall be entitled to exercise any or all of the remedies provided in this License for default of CO-LICENSEES.

b. The procuring of such required insurance policies shall not be construed to limit CO-LICENSEES'S indemnification under this License.

c. LICENSOR, DEPARTMENT OF HAWAIIAN HOME LANDS, is a self insured State agency. CO-LICENSEES's insurance shall be primary. Any insurance maintained by LICENSOR and/or the State of Hawaii shall apply in excess of, and shall not contribute with, insurance provided by CO-LICENSEES.

Such insurance policy shall (a) be issued by an insurance company or surety company authorized to do business in the State of Hawaii or approved in writing by LICENSOR; (b) name the LICENSOR, as an insured; (c) provide that LICENSOR shall be notified at least thirty (30) days prior to any termination, cancellation or material change in the insurance coverage; and (d) cover all injuries, losses or damages arising from, growing out of or caused by any acts or omissions of CO-LICENSEES, its officers, agents, employees, invitees or CO-LICENSEESs in connection with CO-LICENSEES'S use or occupancy of the Premises.

CO-LICENSEES shall insure during the term of this License the entire Premises, including all buildings now existing and hereafter built or located on the Premises, improvements and grounds, and all roadways and sidewalks on or adjacent to the Premises in the control or use of the CO-LICENSEES. The insurance shall cover loss or damage by fire and other hazards, casualties and contingencies, including vandalism and malicious mischief. The insurance shall be for the full insurable value of such improvements.

CO-LICENSEES shall furnish to LICENSOR upon the execution of this License, certificates showing such insurance policy or policies to be in favor of LICENSOR and to be in force, and shall furnish like certificates upon each renewal thereof. In the event of loss, damage or destruction, LICENSOR shall retain from the proceeds of the policies such amounts deemed by it to be necessary to cover the loss, damage or destruction of or to the improvements and the balance of such proceeds, if any, shall be delivered to CO-LICENSEES.

The procuring of any insurance policy or policies shall not release or relieve CO-LICENSEES of its responsibility under this License as set forth herein or limit the amount of its liability under this License.

14. Surrender. Upon the expiration of this License, or its sooner termination as herein provided, CO-LICENSEES shall peaceably and quietly leave, surrender and deliver to LICENSOR possession of the premises. Without limiting CO-LICENSEES'S rights to insurance and condemnation proceeds, CO-LICENSEES shall have the option to surrender this License where the portion damaged or taken renders the remainder unsuitable for the use or uses for which the premises were licensed.

15. Indemnification. CO-LICENSEES shall indemnify, defend, and hold harmless LICENSOR, its officers, employees, and agents from and against all liability, loss, damage, cost, and expenses, thereof, arising out of or resulting from CO-LICENSEES'S (including its officers, employees, or agents) use and possession of the premises. This provision shall survive the expiration or earlier termination of this License.

16. Costs of Litigation. In case either party shall, without any fault on its part, be made a party to any litigation commenced by or against the other (other than condemnation proceedings), the party at fault shall pay all costs, including reasonable attorney's fees and expenses incurred by or imposed on the other. The prevailing party in any dispute between the parties shall be entitled to recover its attorney's fees.

17. Hazardous Materials. CO-LICENSEES shall not cause or License the escape, disposal, or release of any hazardous materials. CO-LICENSEES shall not allow the storage or use of such materials in any manner not sanctioned by law or by the highest standards prevailing in the industry for the storage and use of such materials, nor allow to be brought onto the Premises any such materials except to use in the ordinary course of CO-LICENSEES'S



business, and then only after written notice is given to the LICENSOR of the identity of such materials and upon LICENSOR'S consent, which consent may be withheld at the LICENSOR'S sole and absolute discretion. If any lender or governmental agency shall ever require testing to ascertain whether or not there has been any release of hazardous materials by CO-LICENSEES, then CO-LICENSEES shall be responsible for the costs thereof. In addition, CO-LICENSEES shall execute affidavits, representations and the like from time to time at LICENSOR'S request concerning CO-LICENSEES'S best knowledge and belief regarding the presence of hazardous materials on the Premises placed or released by CO-LICENSEES.

CO-LICENSEES shall agree to indemnify, defend, and hold harmless LICENSOR, its officers, employees, and agents from and against all liability, loss, damage, cost, and expense, including all attorney's fees, and all claims, suits, and demands therefor, arising out of or resulting from any use or release of hazardous materials on the Premises occurring while CO-LICENSEES is in possession, or elsewhere, if caused by CO-LICENSEES or persons acting under CO-LICENSEES. These covenants shall survive the expiration or earlier termination of this License.

For the purpose of this License, the term "hazardous material" as used herein shall include any substance, waste or material designated as hazardous or toxic or radioactive or other similar term by any present or future Federal, State or local statutes, regulation or ordinance, such as the Resource Conservation and Recovery Act, as amended, the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, and the Federal Clean Water Act, as amended from time to time, and also including but not limited to petroleum, petroleum based substances, asbestos, polychlorinated-biphenyls ("PCB"), formaldehyde, and also including any substance designated by Federal, State or local regulations, now or in the future, as presenting a risk to human health or the environment.

Prior to the termination of this License, CO-LICENSEES may be required to conduct a Level One (1) Hazardous Waste Evaluation and conduct a complete abatement and disposal, if necessary, satisfactory to the standards required by the Federal Environmental Protection Agency, the Department of Health and LICENSOR.

18. Abandonment. In the event the easement area, hereby granted, shall be abandoned or shall remain unused for the purpose granted for a continuous period of one year, all rights granted hereunder



shall terminate, and the CO-LICENSEES will remove its appliances, equipment, and improvements and restore the land as nearly as is reasonably possible to the condition existing immediately prior to the time of installation or construction of its improvements, if any, the LICENSOR hereby consenting and agreeing to such removal. Failure of CO-LICENSEES to remove its appliances, equipment and improvements and/or to restore the land within ninety (90) days after notification to do same from LICENSOR by certified mail at CO-LICENSEES'S last known address, will constitute a breach and LICENSOR may remove CO-LICENSEES'S appliances, equipment and improvements and/or restore the land to a condition similar to that existing immediately prior to the time of installation and CO-LICENSEES will reimburse LICENSOR for all reasonable costs in connection with the removal and/or restoration.

19. Definition of Premises. The word "premises" when it appears in this License includes and shall be deemed to include the lands described above and all buildings and improvements whenever and wherever erected or placed thereon.

20. Miscellaneous.

a. Consents. Whenever under the terms of this License the consent or approval of either party shall be required, such consent or approval shall not be unreasonably or arbitrarily withheld. If the party receiving any request or consent or approval shall fail to act upon such request within sixty-five (65) days after receipt of written request therefor, such consent or approval shall be presumed to have been given.

b. Bind and Inure. This License shall be binding upon and inure to the benefit of LICENSOR and CO-LICENSEES and their respective officers, directors, representatives, personal representatives, successors, successors-in-trust and assigns.

c. Applicable Law; Severability. This License shall be governed by and interpreted in accordance with the laws of the State of Hawaii. If any provision of this License is held to be invalid or unenforceable, the validity or enforceability of the other provisions shall remain unaffected.

d. Paragraph Headings. The headings of paragraphs in this License are inserted only for convenience and shall in no way define, describe or limit the scope or intent or any provision of this License.

e. Incorporation of Agreements. This License incorporates all agreements between the parties relating to the subject matter hereof, and supersedes all other prior oral or written letters, agreements or understandings relating to the subject matter hereof. This License may not be modified or amended, nor any of the provisions hereof waived, except by an instrument in writing signed by the parties hereto.

f. Counterparts. The parties hereto agree that this License may be executed in counterparts, each of which shall be deemed an original, and said counterparts shall together constitute one and the same agreement, binding all of the parties hereto, notwithstanding all of the parties are not signatory to the original or the same counterparts. In making proof of this License, it shall not be necessary to produce or account for more than one such counterpart. For all purposes, including, without limitation, recordation and delivery of this License, duplicate unexecuted and unacknowledged pages of the counterparts may be discarded and the remaining pages assembled as one document.

21. Special Conditions:

- a. CO-LICENSEES shall at its own expense, as part of the development, comply with Chapter 343 of the Hawaii Revised Statutes, as amended, which requires assessing the impacts CO-LICENSEES'S development may have on the surrounding community prior to any construction activities.
- b. CO-LICENSEES accepts parcel "as is". CO-LICENSEES shall pay for all infrastructure costs associated with the planned development, including utilities connections and services. CO-LICENSEES shall be responsible for mitigating any impacts, such as dusts, noise, etc. that this project may have on anyone in the neighboring communities.



- c. CO-LICENSEES may apply for available DHHL grants but issuance of this License confers no preference in such funding. The lack of DHHL financial support shall not be used as a reason for not completing the project.
- d. CO-LICENSEES shall obtain all applicable governmental permits and all construction shall comply with Federal, State, or County laws, regulations, codes and ordinances.
- e. No residential uses shall be permitted, including temporary, overnight occupancy on the premises.
- f. CO-LICENSEES shall exercise due care and diligence to prevent injury to persons and damages to or destruction of property belonging to LICENSOR.
- g. CO-LICENSEES shall comply with all applicable governmental law, rules, regulations, and procedures relating to the operation and activities under this License.
- h. LICENSOR reserves the right to set additional conditions such as but not limited to the following: a) Changes in Articles and Bylaws; b) Change in Board Composition; C) Change in corporate status; d) Submit DCCA & HCE compliance certificate; and e) Change in relationship between PHLCA and PCA, as part of any consideration to grant its consent for the LICENSEE to use the property for any other purpose.
- i. The processing and documentation fees shall be waived.
- j. All other terms and conditions deemed prudent by the Chairman of the Hawaiian Homes Commission.




IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly executed the day and year first above written.

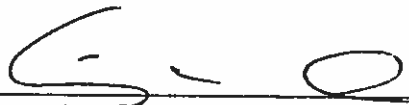
Approved by the HHC
at its meeting held on
September 21-22, 2015

State of Hawaii
DEPARTMENT OF HAWAIIAN HOME LANDS

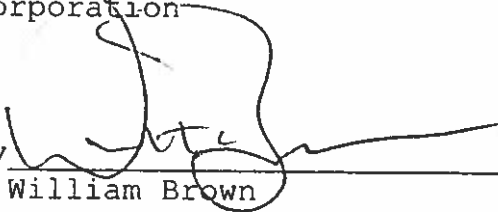
APPROVED AS TO FORM:

By 
Jobie M. K. Masagatani, Chairman
Hawaiian Homes Commission

LICENSOR

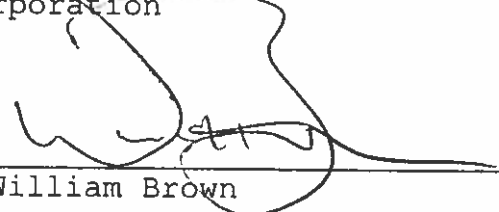

Deputy Attorney General
State of Hawaii

PANAWEA HAWAIIAN HOME LANDS
COMMUNITY ASSOCIATION
a Hawaii domestic non-profit
corporation

By 
William Brown
Its President

CO-LICENSEE

PANAWEA COMMUNITY ALLIANCE
a Hawaii 501(C)(3) non-profit
corporation

By 
William Brown
Its President

CO-LICENSEE

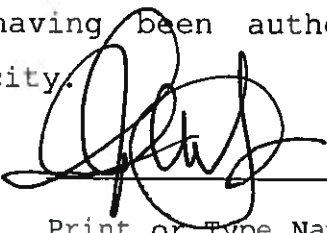


STATE OF HAWAII)

) SS.

COUNTY OF HAWAII)

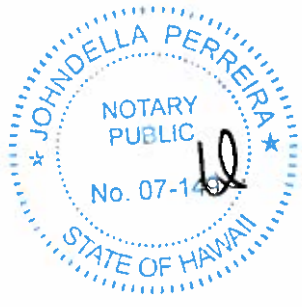
On this 18 day of July, 2016, before me appeared William Brown, to me personally known, who, being by me duly sworn or affirmed did say that he/she is the President for Panama Hawaiian Homelands Community Association, a Domestic nonprofit corporation and such person executed the foregoing instrument on behalf of said corporation as the free act and deed of such person and in the capacities shown having been authorized to execute such instrument in such capacity.



Print or Type Name JOHNDELLA PERREIRA

Notary Public, State of Hawaii

My Commission expires: APR 08 2019

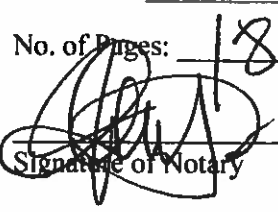


NOTARY CERTIFICATION STATEMENT

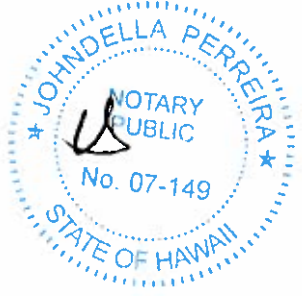
Document Identification or Description: License in 788 between State of HI Dept of Hawaiian Homelands as license

Doc. Date: _____ or Undated at time of notarization.

No. of Pages: 18 Jurisdiction: Kiuh Circuit (in which notarial act is performed)

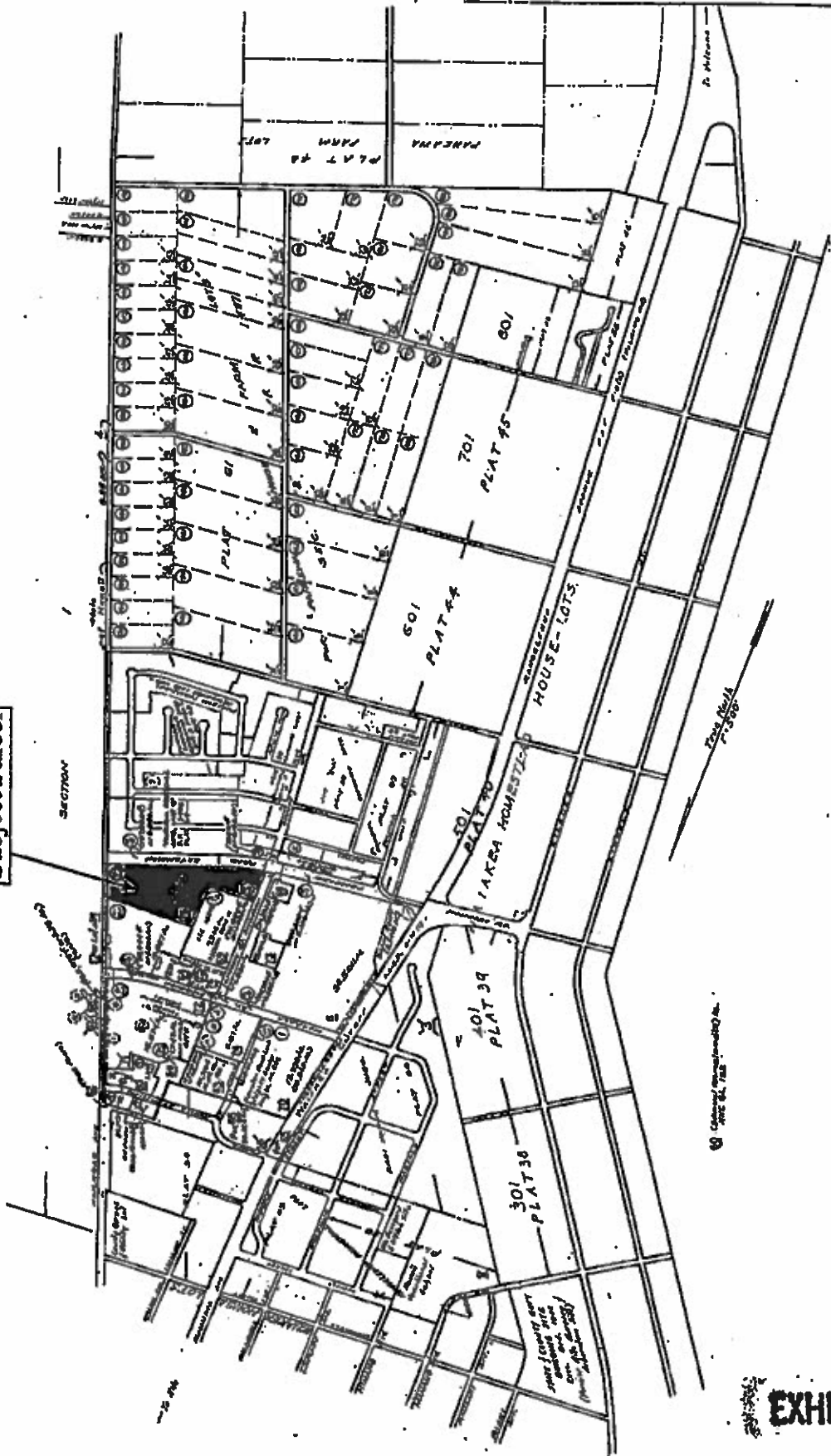
Signature of Notary:  Date of Notarization and Certification Statement: JUL 18 2016

Printed Name of Notary: JOHNDELLA PERREIRA



22. The State of Hawaii
 Department of Land and Natural Resources
 Office of the Director of Land and Natural Resources
 Honolulu, Hawaii

Subject Parcel



22. The State of Hawaii
 Department of Land and Natural Resources
 Office of the Director of Land and Natural Resources
 Honolulu, Hawaii

PLAT NO.	2247
SECTION	1
ZONE	RESIDENTIAL
COMPASS	1
DATE	12/15/1988

ADVANCE SHEET
 SUBJECT TO CHANGE

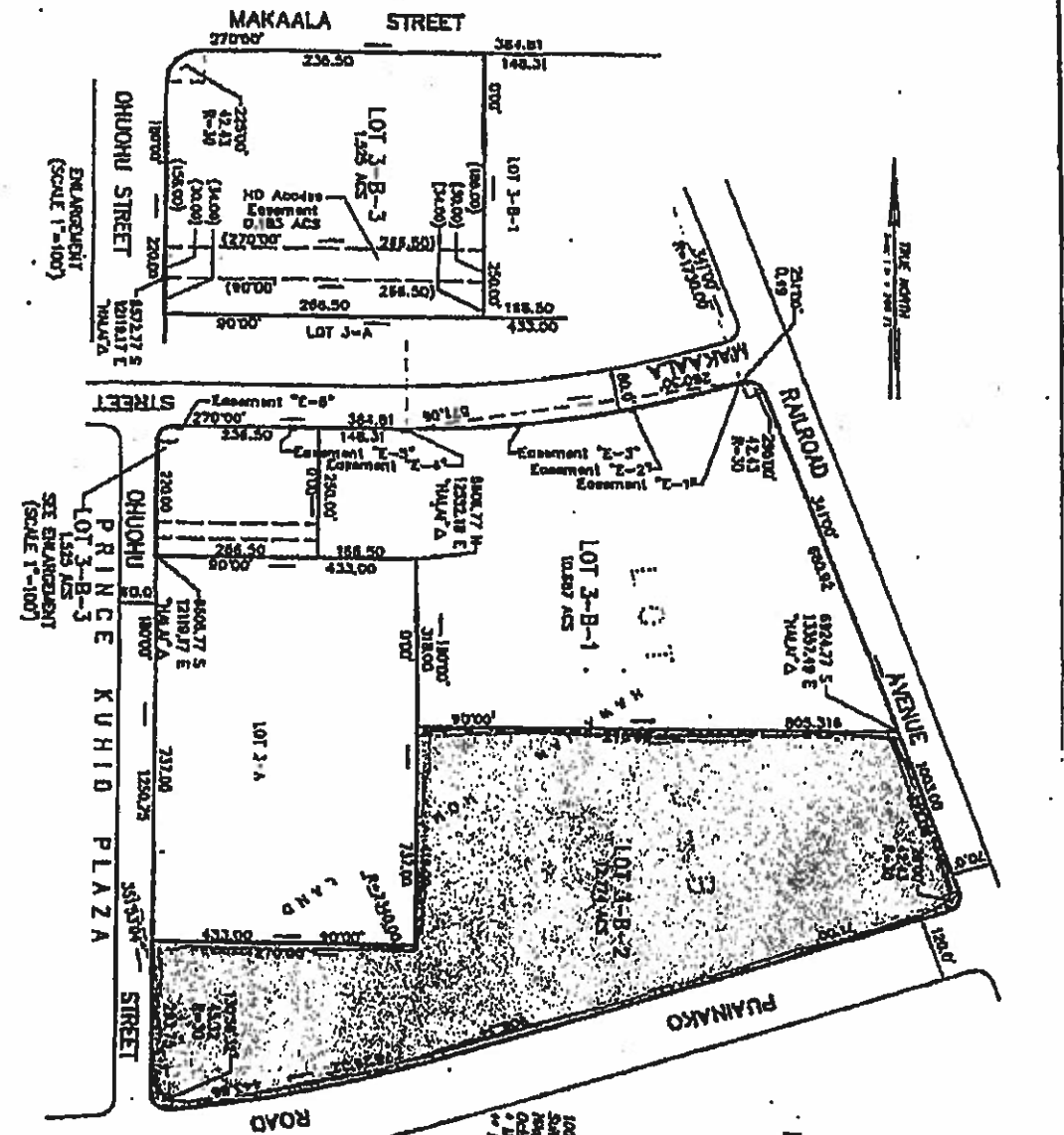
Notes: All lots shown in
 this plat are subject to
 the provisions of the
 applicable zoning ordinance.

EXHIBIT "A"

Job Number: 037054181001.00000
 File Name: S11

MAE PROFFE, INC.
 Design & Survey

100 Feet Scale
 S11a 200
 1/8", Equal W17A



PLAN SHOWING
PROPOSED SUBDIVISION OF
PORTION OF HAWAIIAN HOME LAND
OF PAALEA LOT 3-B INTO
LOTS 3-B-1, 3-B-2 AND 3-B-3

WAIKAE, SOUTH HILLO, ISLAND OF HAWAII, HAWAII
 TAX MAP KEY: (SRD DIV.) 2-2-47: 64
 OWNER: HAWAIIAN HOME LANDS
 ADDRESS: P.O. BOX 1879
 HONOLULU, HI.



MAE PROFFE, INC.
George S. Vogelsberger
 Registered Professional Land Surveyor
 License No. 2007



NOTES:
 1. That portion area designated Zone X (from Flood Hazard Risk Map)
 Complies E-1 to E-4 for HCLCO
 Another Extension Request
 2. Proposed "NO BUILD" Easement R-1 (15' wide) within lot 3-B-3 dated 1/1/04
 3. "NO EGRESS" Easement (50' wide) within lot 3-B-3 location shown 1/9/04

- | | | |
|-------------|-------------|--|
| 6. 180° 00' | 293.75 feet | along the East side of Ohuohu Street; |
| 7. 270° 00' | 433.00 feet | along the remainder of Hawaiian Home Land, along Lot 3-A; |
| 8. 180° 00' | 419.00 feet | along the remainder of Hawaiian Home Land, along Lot 3-A; |
| 9. 270° 00' | 805.32 feet | along the remainder of Lot 3-B to the point of beginning and containing an area of 12.774 Acres. |

841 Bishop St., Suite 1900
Honolulu, Hawaii 96813
September 10, 2004

M&E Pacific, Inc.

David B. Hatchell

David B. Hatchell
Licensed Professional Land Surveyor
Certificate Number 9355



The background of the entire page is a close-up photograph of vibrant green taro leaves. The leaves are layered, with some in sharp focus and others blurred in the foreground and background, creating a sense of depth and texture. The lighting is natural, highlighting the veins and edges of the leaves.

PROJECT KAMOLEAO

KAMOLEAO REFERS TO THE YOUNG SHOOTS OF THE TARO PLANT (MOLE) NURTURED BY THE BRIGHT SUN (AO), SYMBOLIZING "GROWING FROM THE FOUNDATION OF THE ANCESTORS"

KAMOLEAO WAS NAMED BY THE KŪPUNA OF PANA'EWA AND KEAUKAHA HAWAIIAN HOME LANDS AND DR. PUALANI KANAKA'OLE KANAHELE

THE PROJECT

Project Kamoleao is a manifestation of the Pana'ewa Homestead community's vision for its future. Its goals are:

- To support the economic, social, health and cultural well-being of native Hawaiians in the Pana'ewa Homestead community and neighboring communities, by offering:
 - A gathering center and place of pride and identity,
 - A place of access to native Hawaiian-related agencies and opportunities,
 - Traditional cultural vibrancy and modern learning opportunities, and
 - A pu'uhonua and place of traditional healing.
- To address these goals in an environmentally and financially sustainable manner.
- To extend these values, and future choices, to seven generations.

Our Conceptual Master Plan sets forth mission-serving (core) and income-producing (commercial) facilities to serve these goals.

MISSION - SERVING - Key amenities that can carry some of their own operating costs:

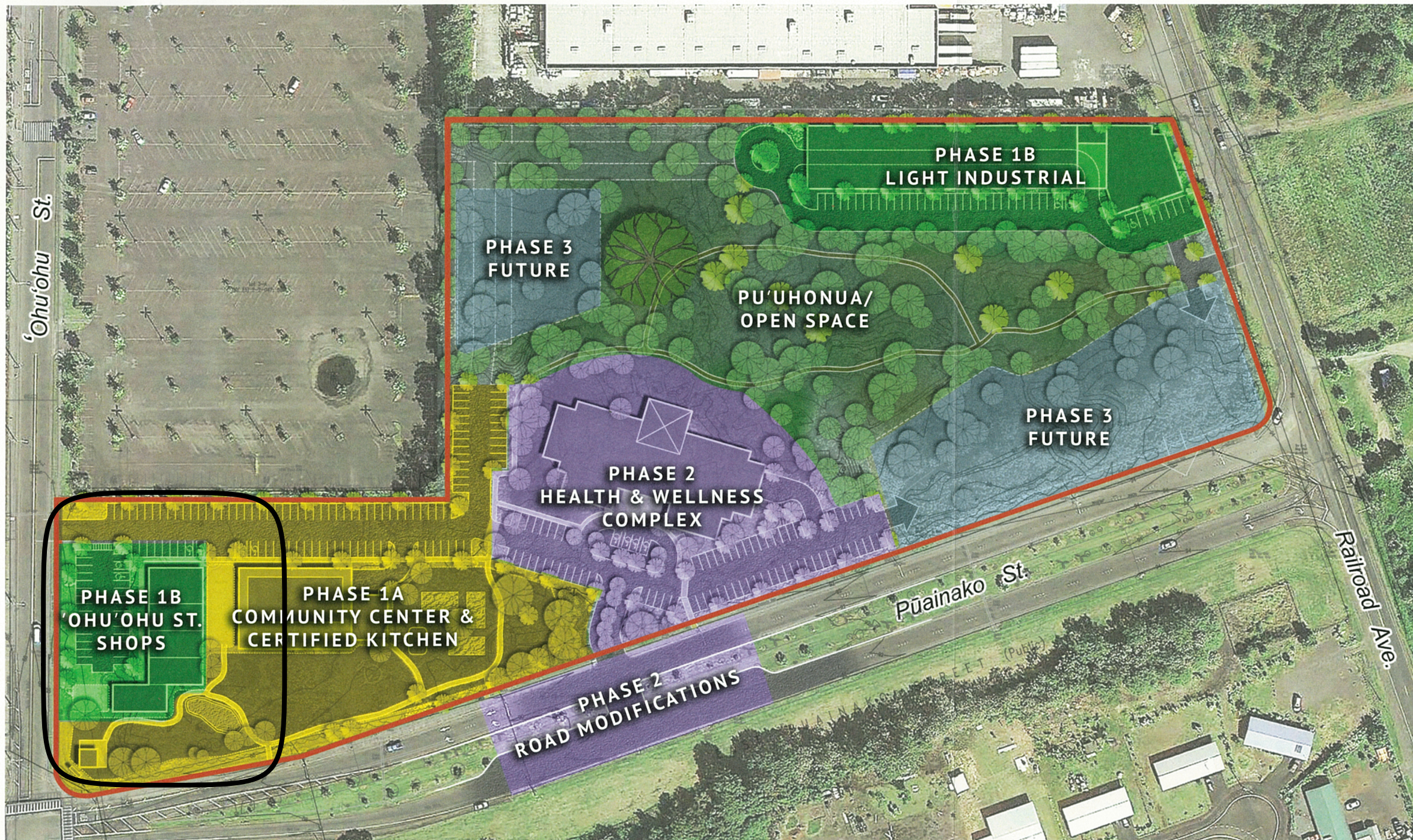
- Community Center
- Certified Kitchen
- Health & Wellness Complex
- Pu'uhonua/Open Space

INCOME - PRODUCING - Complementary facilities that can support community goals through ground lease revenue and synergistic operations:

- 'Ohu'ohu Shops
- Light Industrial

PROPERTY INFORMATION

Site area: 12.77-acre
 Site control: PHHLCA/PCA
 Tax Map Key: (3) 2-2-047:075
 Hilo, Island of Hawai'i



COMMUNITY CENTER

Indoor/outdoor place for community gathering and celebrations with a great hall/hālau and spaces for classes, special events and offices; possible initial venue for health and wellness programs. Approximately 11,000 square feet.



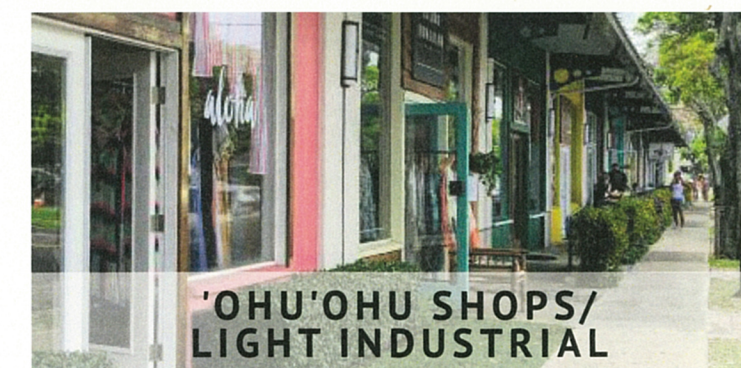
CERTIFIED KITCHEN

An approximately 2,200 square foot certified kitchen to support the Community Center, including spaces for up to six additional "incubator" kitchen facilities for rent. Complementary outdoor uses such as a certified imu and garden beds.



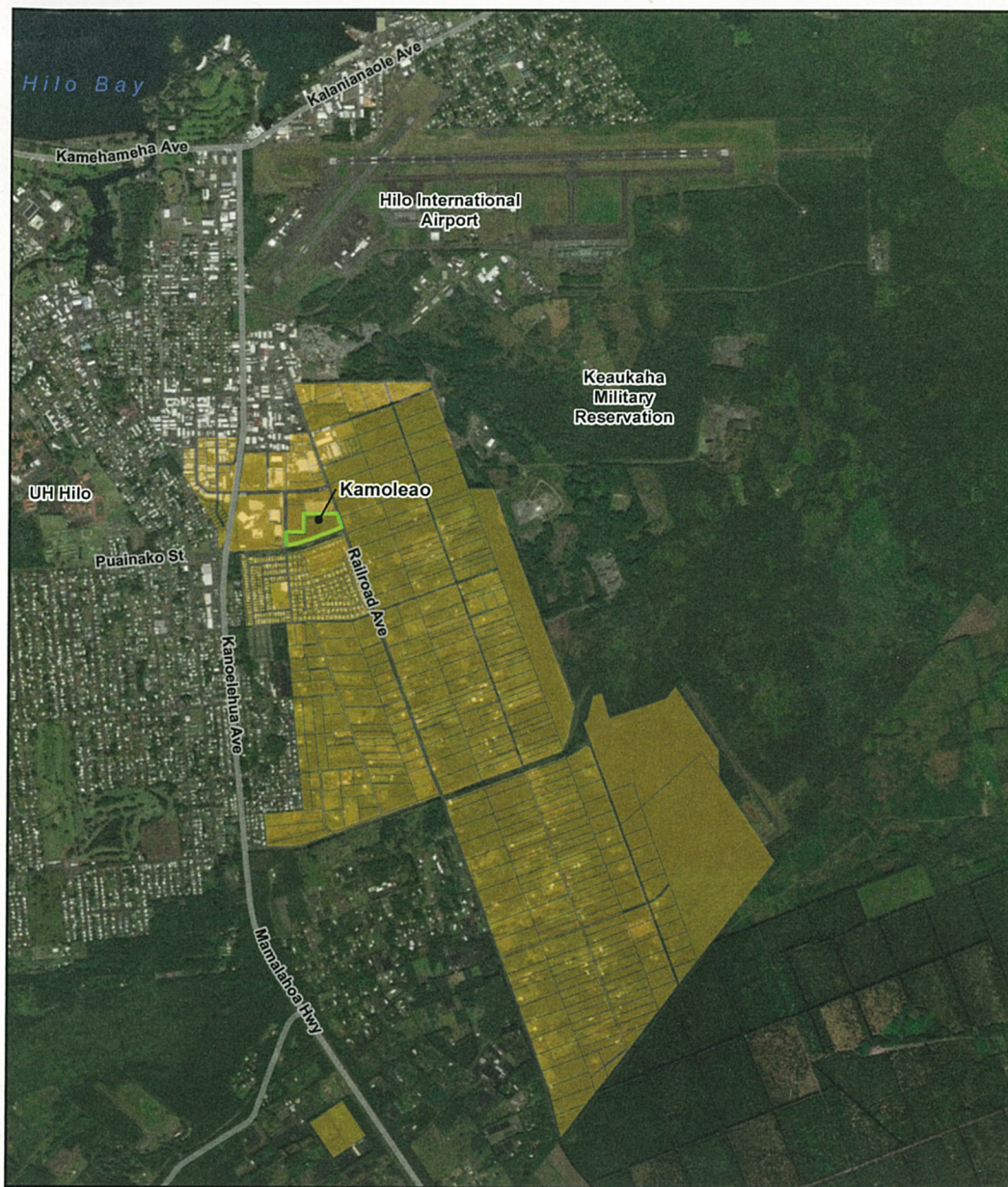
HEALTH & WELLNESS COMPLEX

Iconic 22,650 square foot office complex with focus on native Hawaiian as well as western medical, healing and wellness providers along with social services and select public agency office headquarters.



**'OHU'OHU SHOPS/
LIGHT INDUSTRIAL**

Approximately 2.1 acres are set aside for income generating uses in Phase 1 are envisioned as 9,600 square feet of retail and 28,000 square feet of light industrial. The shops face 'Ohu'ohu Street and provide visual identity for Project Kamoleao along that border, while the industrial site is visually shielded from the rest of the project, with its own access from Railroad Avenue.



 KAMOLEAO

 PANA'EWA HOMESTEAD COMMUNITY

Pana'ewa Hawaiian Home Lands Community Association (PHHLCA) is a community of volunteers who work to improve the Pana'ewa and Hawaiian community. They advocate on behalf of native Hawaiians to establish and maintain pro-social and educational activities to uplift children, adults, and elders. PHHLCA works toward making the community and Hawai'i a better place for future generations.

Pana'ewa Community Alliance (PCA), is a nonprofit organization formed by PHHLCA's board members to continue the past vision on 12.77 acres blessed to the Pana'ewa Community. The purpose of the Pana'ewa Community Association is to create and maintain unity, and work cooperatively through fellowship for the betterment of the Pana'ewa Homestead Community.

Please contact us for more information.

**PANA'EWA COMMUNITY ALLIANCE &
PANA'EWA HAWAIIAN HOME LANDS
COMMUNITY ASSOCIATION**

PO BOX 4788
HILO, HI 96720
pca_5202013@aol.com
phhlca@aol.com

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Wednesday, July 03, 2024 9:00:08 AM

Name
Bill Brown
Email
pohlca@aol.com
Please Identify Agenda Item(s):
conflict of interest
Pick One:
Oral/Live Virtual Only - Enter N/A Below
Message
n/a

From: [Azure Kaawa](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] J Agenda July 16
Date: Tuesday, July 02, 2024 4:30:28 PM

Aloha Leah,

I wasn't sure how this works, but I was wondering how I could get on the J Agenda to speak for my street Pua Ave about the proposed Kauhale Project in Nanakuli Homestead. Thank you.

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Sunday, June 23, 2024 11:27:43 AM

Name

Janel Pumehana Kekumu

Email

JanelKek808@gmail.com

Please Identify Agenda Item(s):

HHCA - Succesorship Issue Lease # 5967

Pick One:

Both - Submit Testimony Below

Message

Aloha e HHL Commissioner,

I Janel Pumehana Kekumu would like to share with you my challenges that I've been facing on my lease property for the past four years.

I've been a defident on a probate court case against my mother and brother regarding my father Matthew Makaio Kekumu Jr's estate. Circuit Court of the First Circuit appointed a realtor to list my property at 41-340 Waiokeola Street Waimanalo, Hi 96795 Lease #5967

I would like to share with the commissioners that I wish not to transfer my lease with the sale of my home to ahear to the court appoint realtor.

I would like to recieve a document or letter from the Hawaiian Homeland Commissioners or DHHL that I can take with me to court on August 8, 2024. I have to show cause for cancelling appointed open house scheduled by the courted appointed realtor.

I will provide to my attorney my lease document, successorship document and HHCA rules and regulations. I Janel Kekumu wish to share my story with the commissioner and ask for your help.

Mahalo!

File

- [Kekumu-DHHL-email-to-lessee-3-of-3.pdf](#)
- [Kekumu-DHHL-email-to-lessee-2-of-3.pdf](#)
- [Kekumu-Designation-paperwork1.pdf](#)
- [Kekumu-Designation-paperwork3.pdf](#)

J-6 & J-7

From:
To:
Subject:
Date:

-----Original Message-----

From: dhhl.icr01@hawaii.gov <dhhl.icr01@hawaii.gov>
Sent: Monday, July 01, 2024 8:17 AM
To: Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov>
Subject: New submission from Submit Agendized Testimony

Name

Samuel Wampler Summer Yadao, Connye Busa, Chasetyn Hasegawa

Email

summer@kpkoa.org <<mailto:summer@kpkoa.org>>

Please Identify Agenda Item(s):

J

Pick One: _____

Oral/Live Virtual Only - Enter N/A Below

Message

N/A

July 16, 2024

Aloha mai e Na Hawaiian Homes Commissioners,

Mahalo nui for this opportunity to advocate on behalf of the Maui beneficiary nonprofit, Pa‘upena Community Development Inc.

I would like to speak on:

- . undivided-interest-lessee status
- . a proposed Honokowai 10-acre commercial homelands venture, including an egg farm
- . an update on the 127-acre Keokea-Waiohuli homelands tract, for which Pa‘upena holds a long-term license
- . a beneficiary-proposed agrotourism complex on the 184-acre Pulehunui North homelands tract

First, I plan to draft legislation supporting undivided-interest-lessee status for all 29,000 Hawaiian Homes waitlisters statewide and on the U.S. continent.

Second, Pa‘upena is partnering with the disaster-relief organization, Na Kia‘i O Maui, to develop 10 Honokowai homelands acres for a 6,000-square-foot steel warehouse to host Na Kia‘i’s Lahaina Resource & Recovery Center, plus an egg farm to provide fresh protein for wildfires survivors.

Third, Pa‘upena will construct a 30,000-gallon water-catchment system on its 127-acre Upcountry parcel in September, under a \$199,200 County of Maui Department of Agriculture grant. Also, on the “127” parcel, Pa‘upena will start implementing a cultural-preserve plan for 102 of the 127 acres, under a \$50,000 county Environmental Protection & Sustainability Division grant.

And fourth, beneficiary leaders are set to meet 8/10/24 with a Group 70 planner/architect team to advance plans/designs for the 184-acre Pulehunui North agrotourism proposal for Central Maui. Pa‘upena has signed an MOA partnering with Hawai‘i Taro Farm LLC and the nonprofit Hui ‘Ulu Ola O Maui to undertake the beneficiary-driven project.

Maui beneficiaries are excited and inspired by HaCommission and County of Maui policy and financial support of beneficiary-driven efforts on Valley Isle homelands.

Mahalo nui wale no,

-‘Anake Kekoa Enomoto
Co-founding director,
Pa‘upena Community Development Inc.
Vice president/director,

From: [Patty](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] July J Agenda Tuesday, July 16, 2024
Date: Monday, June 24, 2024 7:43:40 PM

Aloha Leah,

Can you please have me on the July J agenda Commission meeting on Tuesday, July 16th, for various DHHL concerns.

Mahalo,
Patty Kahanamoku Teruya

From: [G M](#)
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: Re: [EXTERNAL] J-Agenda Request from Germaine Meyers, Hawaiiian Homes Commission Meetings June 2024 and July 2024
Date: Thursday, June 27, 2024 10:42:00 AM
Attachments: [image002.png](#)

Aloha Leah,

Just want to reiterate my interest in addressing the Commissioners at July's HHC Meeting.

In addition to having PowerPoint presentation, I plan to give a folder to each Commissioner with copies of the information I'm sharing and support docs.

My concern is Chair interfering with my time. I notice at June's meeting he willingly allowed DeMont to speak for over 30 minutes, followed by allowing Mark Development staff to jump on the table to continue the point they were trying to make about Rentals. Chair discretion at its finest for specific individuals lol

Since Chair never asks Commissioners if they have questions for me, and nobody except Commissioner Awo asked questions, may I kindly prepare to have the max Admin Rules 15 minutes to address the Commission, instead of Kali's 10 minutes preference?

Thank you always for your malama.

Ke Akua pu,
Germaine

From: [De Mont Kalai Manaole](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] Request for J Agenda
Date: Tuesday, July 02, 2024 12:25:50 PM

Aloha Leah!

Could you please place me on the J Agenda for the July HHC meeting.

"Various Concerns".

Mahalo,

De MONT Kalai Manaole, Co-Manager
Ho'omana Pono LLC

From: [Kapua Keliikoa-Kamai](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] June HHC J-Agenda Testimony Request
Date: Thursday, June 06, 2024 8:47:58 AM

Aloha kakahiaka e Leah,
I'd like to address the HHC at this month's meeting please. I've various concerns, mahalo.

a hui hou,
kapua
808.690.1787

'A'ohe hana nui ke alu 'ia.

No task is too big when done together by all.

'Ōlelo No'eau #142

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