

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

Lahaina Civic Center Gymnasium, 1840 HI-30, Lahaina, Maui, 96761,
and Zoom Meeting ID: 609 754 2925

Monday, March 18, 2024, at 9:30 a.m. to be continued, if necessary,
on Tuesday, March 19, 2024, at 9:30 a.m.

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



Scan for livestream

Note: Commission Meeting Packets will be available at dhhl.hawaii.gov by Wednesday, March 13, 2024.

I. ORDER OF BUSINESS

- A. Roll Call
- B. Approval of Agenda
- C. Approval of Minutes:
 - a. February 20 & 21, 2024 Regular Meeting
- D. Public Testimony on Agendized Items – see information below

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

II. ITEMS FOR DECISION MAKING

A. CONSENT AGENDA

Homestead Services Division

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

B. REGULAR AGENDA

Office of the Chairman

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

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

Land Development Division

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

Land Management Division

- F-1 Approval to Issue License Agreement, Pa‘upena Community Development, Inc., Waiohuli, Maui, TMK (2) 2-2-034:026 (por.) & 028 (por.)
- F-2 Approval to Issue Right-of-Entry Permit, E-Opala Corporation, Moanalua, O‘ahu, TMK (1) 1-1-064:003 (por.)
- F-3 Approval to Issue Right-of-Entry Permit, All Island Trucking Inc., Kalaeloa, O‘ahu, TMK (1) 9-1-003:048 (por.)

Planning Office

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

Administrative Services Office

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

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

IV. ITEMS FOR INFORMATION/DISCUSSION

A. REGULAR ITEMS

Office of the Chairman

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

- C-4 For Information Only – Report and Recommendations of the Development of Industrial and Commercial Properties Permitted Interaction Group Appointed Pursuant to Section 92-2.5, HRS and Section 10-2-16(b)(1), HAR, to Investigate, Consider, and Recommend Priorities and Methods of Disposition for Hawaiian Home Lands Not Designated for Residential Uses
- C-5 For Information Only – Formation of Permitted Interaction Group Pursuant to Section 92-2.5, HRS, and Section 10-2-16(b)(1), HAR, to Study, Evaluate, and Recommend Strategies for Geothermal Energy Development
- C-6 For Information Only – Status Report of DHHL Enforcement Unit Efforts and Statistics (February 13, 2024-March 8, 2024)
- C-7 For Information Only – Update on State and Federal Emergency Transitional Housing Initiatives for Lahaina Wildfire Victims Near DHHL Villages of Leiali‘i Homestead

Homestead Services Division

- D-1 HSD Status Reports
 - A.-Homestead Lease and Application Totals and Monthly Activity Reports
 - B.-Delinquency Report
 - C.-DHHL Guarantees for FHA Construction Loans

Land Development Division

- E-2 For Information Only – Anticipated Finding of No Significant Impact Determination and Draft Environmental Assessment for the Honokōwai Water System Improvements Project; 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.)
- E-3 For Information Only – Maui Projects Update

Planning Office

- G-2 For Information Only – West Maui Water Issues Update
- G-3 For Information Only – Status Update on Plan Implementation in West Maui

V. ANNOUNCEMENTS AND RECESS

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

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

Lahaina Civic Center Gymnasium, 1840 HI-30, Lahaina, Maui, 96761,
and Zoom Meeting ID: 609 754 2925

Tuesday, March 19, 2024, at 9:30 a.m.

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



Scan for livestream

I. ORDER OF BUSINESS

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

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

II. ITEMS FOR INFORMATION/DISCUSSION

A. WORKSHOPS

Office of the Chairman

- C-8 Workshop Presentation by the Hawaii Housing Finance and Development Corporation related to the Low-Income Housing Tax Credit Program

B. GENERAL AGENDA

Requests to Address the Commission

- J-1 Maria Linz and Corrine Nobriga – Kako‘o LeiAlii
- J-2 Blossom Feiteira - LeiAlii
- J-3 Jeff Gilbreath and Lexy Gorginio – Hawaii Community Lending
- J-4 Kainoa MacDonald -SCHHA Disaster Relief Team - Maui Wildfires Recovery Efforts Update
- J-5 Kekoa Enomoto – Pa‘upena Community Development Corporation
- J-6 Robin Kealiinohomoku – Housing for Maui Beneficiaries
- J-7 Donna Sterling – Kahikinui Concerns
- J-8 Princeslehuanani Kumaewakainakaleomomona – Waitlist and Kahikinui
- J-9 Orrin Kupau – Experience as a Waitlister
- J-10 Iwalani McBrayer – Homestead Projects
- J-11 Maxine Kahalelio – Lease Concerns

III. ANNOUNCEMENTS AND ADJOURNMENT

- A. Next Regular HHC Meeting –April 22 & 23, 2024, 9:30 a.m., Kulana Oiwi Halau, 600 Maunaloa Highway, Kalama‘ula, Moloka‘i, Hawai‘i
- B. Adjournment



Kali Watson, Chairman
Hawaiian Homes Commission

COMMISSION MEMBERS

Randy K. Awo, Maui
Pauline N. Namu‘o, O‘ahu
Michael L. Kaleikini, East Hawai‘i
Sanoe Marfil, O‘ahu

Zachary Z. Helm, Moloka‘i
Dennis L. Neves, Kaua‘i
Makai Freitas, West Hawai‘i
Walter Kaneakua, O‘ahu

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 March 14, 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 March 14, 2024, or (3) live, oral testimony online by joining the Zoom meeting and relabeling your profile to include the agenda item you wish to testify on. Please keep your computer muted and your camera off until you are called. You will need a computer with internet access, a video camera, and a microphone to participate.

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

ITEM D-2 EXHIBIT		
APPROVAL OF CONSENT TO MORTGAGE		
LESSEE	LEASE NO.	AREA
ALMEIDA, Chariss M. K.	7658	Waiohuli, Maui
CORNELISON, Daryllin N.	8362	Princess Kahanu Estates , Oahu
DUNCAN, Allyson A.	5481	Anahola, Kauai
GOO, Daniel K.	8463	Princess Kahanu Estates , Oahu
HULATON, Jeserie M.M.	8642	Nanakuli, Oahu
KAIawe, Jeffrey S.	9716	Maluohai, Oahu
KALEOPAA, Emily R.	9683	Lualualei, Oahu
MURAOKA, Lyle H.	11325	Kekaha, Kauai
NIHOA, Keala K.K.	573	Nanakuli, Oahu
PELEKAI, Henry W.	3591	Nanakuli, Oahu
PELEKAI, Lurline K.	3591	Nanakuli, Oahu
SANBORN, Rhonda	2677	Nienie, Hawaii
SOTELHO, Barnabus T.S., Jr.	6677	Waianae, Oahu
TAUA, Francis S.	11842	Kanehili, Oahu
UNUTOA, Ranee K.	4348	Anahola, Kauai
WILSON, Kevin K.	1704	Waimanalo, Oahu

ITEM D-3 EXHIBIT	
APPROVAL OF HOMESTEAD APPLICATION TRANSFER / CANCELLATIONS	
APPLICANT	AREA
AIAIKEKAPAHALALUPAUOLE, Princearchikins B.C.	Hawaii IW Agr to Maui IW Pas
AKAMU, Hayden L.K.	Oahu IW Res to Hawaii IW Res
ALAMEIDA, Jewels A.	Hawaii IW Res to Lanai IW Res
GLUSHENKO, Andrew M.	Waimanalo Area / Oahu IW Res
HAINA, Akamu K.	Oahu IW Agr to Maui IW Agr
HAINA, Akamu K.	Oahu IW Res to Maui IW Res
JOHNS, Darlene T.	Hawaii IW Res to Oahu IW Res
KALEOPAA-TEHOTU, Kehaulani	Maui IW Pas
KUEHU, Holly	Oahu IW Res to Hawaii IW Res
TOLEDO, Margaret P.	Oahu IW Res to Hawaii IW Res
ROSA, Lin George	Maui IW Agr to Oahu IW Agr
SMITH, Harriet M.	Kauai IW Res
	* IW = Islandwide

ITEM D-4 EXHIBIT

APPROVAL TO CERTIFY APPLICATIONS OF QUALIFIED APPLICANTS

APPLICANT	AREA
APANA, Ka'ula K.	Kauai IW Agr
APANA, Ka'ula K.	Kauai IW Res
AKEO, Haweokahualanikeali'iopuna	Kauai IW Agr
AKEO, Haweokahualanikeali'iopuna	Kauai IW Res
BALLARD, Melanie K.	Hawaii IW Agr
BRYCE, Abraham	Hawaii IW Res
BRYCE, Abraham	Molokai IW Agr
DEFRANCIA, Jovena L.	Molokai IW Agr
DEFRANCIA, Jovena L.	Molokai IW Res
FU, Marleen K.	Kauai IW Agr
FU, Marleen K.	Kauai IW Res
HANAWAHINE, Macyn-Shayne M.O.K.M.H.	Oahu IW Agr
HANAWAHINE, Macyn-Shayne M.O.K.M.H.	Oahu IW Res
HOOPAI-ACANG, Tre H.	Maui IW Agr
HOOPAI-ACANG, Tre H.	Maui IW Res
HURLEY, James T.	Hawaii IW Agr
JOHNSON, Keahinuinakeakua K.K.	Maui IW Agr
JOHNSON, Keahinuinakeakua K.K.	Maui IW Res
JOHNSON, Kulea E.L.	Maui IW Agr
JOHNSON, Kulea E.L.	Maui IW Res
KAUAMO, Shanelle K.K.W.	Maui IW Agr
KAUAMO, Shanelle K.K.W.	Maui IW Res
KAEO-KOANUI, Makamae K.A.	Hawaii IW Res
KAHELE, Nichell H.	Maui IW Agr
KAHELE, Nichell H.	Maui IW Res
KAHEPU'U, Nohili M.	Kauai IW Pas
KAHEPU'U, Nohili M.	Kauai IW Res
KEAHI, Kamalani K.	Maui IW Agr
KEAHI, Kamalani K.	Maui IW Res
KEALOHA, Kale A.	Oahu IW Res
KEALOHA, Kale A.	Hawaii IW Agr
KEOPUHIWA, Randyjake H., Jr.	Oahu IW Res
KEOPUHIWA, Randyjake H., Jr.	Hawaii IW Agr
LOEBL, Primrose	Maui IW Agr
LOEBL, Primrose	Maui IW Res
LUULOA-KEALAIKI, Samuel A.	Maui IW Res
NAHALE, Wyattlane K.	Hawaii IW Pas
NAHALE CARVALHO, Shayla L.	Hawaii IW Pas
NAHALE CARVALHO, Shayla L.	Hawaii IW Res
NAKI, Brandi P.K.	Oahu IW Agr
NAKI, Brandi P.K.	Oahu IW Res
NOBRIGA, Nyla L.P.	Maui IW Agr

NOBRIGA, Nyla L.P.	Maui IW Res
POKIPALA, Lynette E.	Maui IW Res
PUU, Kamalani J.K.	Maui IW Agr
PUU, Kamalani J.K.	Maui IW Res
RODRIGUES, Titus L.	Maui IW Pas
RODRIGUES, Titus L.	Maui IW Res
SHIM, Wilfred K.	Maui IW Agr
SHIM, Wilfred K.	Maui IW Res
SHINTANI, Shantel K.	Maui IW Agr
SHINTANI, Shantel K.	Maui IW Res
SMITH, Jesse K.	Maui IW Agr
SMITH, Jesse K.	Maui IW Res
SPENCER, Zebadiah P.	Oahu IW Res
SPENCER, Zebadiah P.	Hawaii IW Agr
SPINNEY, Lorna P.	Hawaii IW Res
TUKULA MANU TONGA, Myrtle L.F.	Hawaii IW Pas
TUKULA MANU TONGA, Myrtle L.F.	Hawaii IW Res
VEA, Vailenn P.	Kauai IW Agr
VEA, Vailenn P.	Kauai IW Res

ITEM D-5 EXHIBIT

APPROVAL OF ASSIGNMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
AIO, Gabriel A. L.	8463	PKE, Oahu
KOANUI NEFALAR, Stacie Lee K.	13018	Lanai, Hawaii
SPOON, Nadine N.	8362	PKE, Oahu
CORNELISON, Robertha K. P.	8362	PKE, Oahu
WOODD, Patricia K.	8034	Puukapu, Hawaii
KAAE, Dudley K.	8034	Puukapu, Hawaii

ITEM D-6 EXHIBIT

APPROVAL OF AMENDMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
ALULI, Hayden	159	Hoolehua, Molokai

ITEM D-7 EXHIBIT

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

LESSEE	LEASE NO.	AREA
COCKETT, Sheldon P.	5942	Waiehu, Maui
COLBURN-AWEAU, Billie L.	7372	Nanakuli, Oahu
GOO, Daniel K.	8463	PKE, Oahu
GABRIEL, Chassie M.	1568	Keaukaha, Hawaii
HOLU, Larry N.	7363	Nanakuli, Oahu

HUSSEY, Nathan M., III	11488	Lealii, Maui
KAAHANUI, Keith A. K.	12627	Kanehili, Oahu
KAHIAPO, David K.	4804	Waimanalo, Oahu
KALAWA, Laurie-Ann	6773	Waianae, Oahu
KALAWA, Cassie-Lyn	6773	Waianae, Oahu
KEAUNUI, Gay K.	11818	Kanehili, Oahu
LEIALOHA, Thomas N., Jr.	5651	Keaukaha, Hawaii
KUPIHEA, George K.	8909	Nanakuli, Oahu
MAKASOBE, Henry E.	9983	Nanakuli, Oahu
MANDAC, Adeline W. L.	11883	Kanehili, Oahu
MCFEELEY, Lillian K.	2926	Anahola, Kauai
RANUA, Makamae H.	9964	Waianae, Oahu
ROWE, Raymond K., Jr.	8987	Keaukaha, Hawaii
TANIMOTO, Dawn H. P.	7093	Kawaihae, Hawaii
YAMAMOTO, Gavin K.	7186	Kawaihae, Hawaii
YOSHIOKA, Henrietta L.	4284	Keaukaha, Hawaii
YOUNG, Bruce A. W. H.	3732	Nanakuli, Oahu

ITEM D-8 EXHIBIT

APPROVAL OF SUPPLEMENTAL DWELLING UNIT FOR CERTAIN LESSEES

LESSEE	LEASE NO.	AREA
STARKEY, Robert	5751	Hoolehua, Molokai

**HAWAIIAN HOMES COMMISSION
MARCH 18 & 19, 2024**

C – ITEMS

OFFICE OF THE CHAIRMAN

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

March 18, 2024

To: Chairman and Members, Hawaiian Homes Commission
From: Andrew Choy, Planning Program Manager
Subject: Request to hold a Limited Meeting of the Hawaiian Homes Commission on April 24, 2024 to DHHL Parcels in Kalaupapa, Molokai.

RECOMMENDED MOTION/ACTION:

Approval to hold a Limited Meeting of the Hawaiian Homes Commission on April 24, 2024 to DHHL Parcels in Kalaupapa, Molokai.

DISCUSSION:

Pursuant to Hawaii Revised Statutes §92-3.1, a board may hold a "limited meeting" that is not open to the public when it determines it is necessary to do so and specifies that the meeting location is dangerous to health or safety or that the on-site inspection is necessary and public attendance is impracticable, and the OIP Director concurs in that determination. Prior to the limited meeting, the board must publicly deliberate in a regular meeting on the need for the limited meeting, and two-thirds of all members to which the board is entitled must adopt the determination specified above.

HRS §92-3.1 Limited meetings.

- (1) The board determines, after sufficient public deliberation, that it is necessary to hold the limited meeting and specifies the reasons for its determination that the location is dangerous to health or safety or that the on-site inspection is necessary and public attendance is impracticable;
- (2) Two-thirds of all members to which the board is entitled vote to adopt the determinations required by paragraph (1); and
- (3) Notice of the limited meeting is provided in accordance with section 92-7.

BACKGROUND:

The Department of Hawaiian Home Lands has approximately 1,474 acres in the Kalaupapa-Pālā'au area. Approximately 621 acres are designated as a Special District in the Kalaupapa Peninsula, which encompasses the existing historical settlement area. 609 acres are cliffs and designated for conservation, 7 acres near the airport and fronting Awahua Bay for Community Use. Approximately 1,247 acres of land in Kalaupapa are under license to the National Park Service until 2041.

The site visit is pending State of Hawai'i Department of Health approval. Without consent from the Department of Health, access to Kalaupapa is prohibited. Air and ground transportation will be guided. Access to water, toilets, or emergency services is limited.

NEXT STEPS:

If approved and Pursuant to HRS 92-3.1, the Department will submit a *Request for the Office of Information Practices' Concurrence for a Limited Meeting*, along with the draft minutes showing the Commission's deliberation and vote to adopt the determination.

OIP concurrence is confirmed, a Notice of the limited meeting will be provided in accordance with HRS section 92-7.

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

March 18, 2024

To: Chairman and Members, Hawaiian Homes Commission
From: Andrew Choy, Planning Program Manager
Subject: Request to hold a Limited Meeting of the Hawaiian Homes Commission on May 19, 2024 to DHHL Parcels in King's Landing, Honoka'a, and Pu'ukapu, Hawaii Island.

RECOMMENDED MOTION/ACTION:

Approval to hold a Limited Meeting of the Hawaiian Homes Commission on May 19, 2024 to DHHL Parcels in King's Landing, Honoka'a, and Pu'ukapu, Hawaii Island.

DISCUSSION:

Pursuant to Hawaii Revised Statutes §92-3.1, a board may hold a "limited meeting" that is not open to the public when it determines it is necessary to do so and specifies that the meeting location is dangerous to health or safety or that the on-site inspection is necessary and public attendance is impracticable, and the OIP Director concurs in that determination. Prior to the limited meeting, the board must publicly deliberate in a regular meeting on the need for the limited meeting, and two-thirds of all members to which the board is entitled must adopt the determination specified above.

HRS §92-3.1 Limited meetings.

- (1) The board determines, after sufficient public deliberation, that it is necessary to hold the limited meeting and specifies the reasons for its determination that the location is dangerous to health or safety or that the on-site inspection is necessary and public attendance is impracticable;
- (2) Two-thirds of all members to which the board is entitled vote to adopt the determinations required by paragraph (1); and
- (3) Notice of the limited meeting is provided in accordance with section 92-7.

BACKGROUND:

The Department of Hawaiian Home Lands has approximately 1,670 acres in the Keaukaha area. Keaukaha Tract 2, commonly known as Kings Landing, is designated as a special district. It is currently undergoing a due diligence process to determine whether it should be set aside for award as kuleana homestead lots or another settlement plan.

On February 21, 2024, the HHC approved updates to the Act 279 Strategic Plan including the acquisition of the acquisition of parcels in Honoka'a (mauka of Hawai'i Belt Road) and adjacent Lehua Villages (makai of Hawai'i Belt Road).

Pu'ukapu 3 is a 378 acre tract of rolling hills on the upper slopes of Kamuela adjacent to DHHL's Keoniki parcel. The terrain is relatively steep in areas, between 10 to 15 percent incline.

There is no access to water, toilets, or emergency services in the site inspection area. Shade is limited and the Commission will be traveling on uneven, unpaved gravel roads.

NEXT STEPS:

If approved and Pursuant to HRS 92-3.1, the Department will submit a *Request for the Office of Information Practices' Concurrence for a Limited Meeting*, along with the draft minutes showing the Commission's deliberation and vote to adopt the determination.

OIP concurrence is confirmed, a Notice of the limited meeting will be provided in accordance with HRS section 92-7.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 18-19, 2024

To: Chairman and Members, Hawaiian Homes Commission

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

Subject: For Information Only - Draft Native Hawaiian Housing
Block Grant Annual Housing Plan 2024-2025

RECOMMENDED MOTION/ACTION:

None. For information only.

DISCUSSION

Each year, as part of its compliance with 24 CFR Part 1006, Title VIII of the Native American Housing Assistance and Self-Determination Act (NAHASDA), the Department of Hawaiian Home Lands (DHHL) must file an approved annual housing plan (AHP) with the U.S. Department of Housing and Urban Development (HUD). As part of that process, the department releases the draft housing plan.

Fiscal Year 2024-2025 Projected Expenditures by AHP Activity:

Program #	Program Name	Budget
AHP I	2024 Capital Improvement Projects	250,000
AHP II	Developer Financing	8,500,000
AHP III	Homeowner Financing	2,000,000
AHP IV	Home Assistance Program	1,200,000
AHP V	Waimanalo Kupuna Housing Rental Asst.	830,000
AHP VI-A	Rental Vouchers for Temporary Relocation	75,000
AHP VI-B	Emergency Rental and Utilities Assistance	300,000
AHP VI-C	DHHL Kupuna Rental Subsidy Program	2,500,000
AHP VI-D	Rental Vouchers for Units Dev. for DHHL	125,000
AHP VII	Housing Counseling	750,000
AHP VIII	Homeowner Assistance	300,000
AHP IX	Existing Potable Water Infrastructure Improvements	250,000
AHP X	Housing Conversion	7,000,000
AHP XI	Property Acquisition	25,000,000
AHP XII	Operation & Maintenance	150,000
	Planning and Administration	1,000,000

For DHHL's Use: July 1, 2024 thru June 30, 2025 Annual Housing Plan

NATIVE HAWAIIAN HOUSING PLAN
(NAHASDA §§ 803(b)(1), 803(c)(1) and 820(a)(2))

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

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

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

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

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

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

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Native Hawaiian Housing Block Grant (NHHBG)

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

U.S. Department of Housing and Urban Development

NHHP/APR

Office of Public and Indian Housing

Office of Native American Programs

COVER PAGE

(1) Grant Number: 18HBGHI0001; 19HBGHI0001; 20HBGHI0001; 21HBGHI0001; 22HBGHI0001; 23HBGHI0001; 24HBGHI0001

(2) Recipient Fiscal Year: 2025

(3) Federal Fiscal Year: 2024

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

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

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

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

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

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

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

SECTION 1: FIVE YEAR PLAN

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

Five Year Period: 2023 through 2027

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

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

Enter the DHHL's Mission Statement here:

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

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

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

Goals May Include:

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

Objectives May Include:

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

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

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

Select from the goals listed above.

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

Select from the objectives listed above.

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

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

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

Select from the goals listed above.

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

Select from the objectives listed above.

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

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

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

Select from the goals listed above.

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

Select from the objectives listed above.

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

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

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

Select from the goals listed above.

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

Select from the objectives listed above.

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

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

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

Select from the goals listed above.

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

Select from the objectives listed above.

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

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

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

Select from the goals listed above.

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

Select from the objectives listed above.

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

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

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

Select from the goals listed above.

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

Select from the objectives listed above.

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

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

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

Select from the goals listed above.

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

Select from the objectives listed above.

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

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

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

Select from the goals listed above.

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

Select from the objectives listed above.

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

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

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

Select from the goals listed above.

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

Select from the objectives listed above.

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

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

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

Select from the goals listed above.

Objective(s) Number: XIa.	(3) Acquisition of rental housing
--------------------------------------	-----------------------------------

Select from the objectives listed above.

Program/Activity Description: Property Acquisition (Oahu – Priority)	This activity will support the purchase of existing structure(s) for rental housing.
---	--

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

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

Select from the goals listed above.

Objective(s) Number: XIIa.	(20) Operation and maintenance of NHHBG units
---------------------------------------	---

Select from the objectives listed above.

Program/Activity Description: Supplemental Dwelling Unit Financing	This activity will support the operation and maintenance of NHHBG units.
---	--

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

ONE YEAR PLAN & ANNUAL PERFORMANCE REPORT

SECTION 2: HOUSING NEEDS

(NAHASDA § 803(c)(2)(B))

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

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

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

The Hawaiian Homes Commission Act of 1920, as amended, established the Hawaiian Home Lands Trust and defined the population eligible to reside on Hawaiian home lands as those native Hawaiians with no less than 50% Hawaiian blood and their successors or assignees of less than 50% Hawaiian blood. With approximately 9,276 leases on homesteads stretching from Hawaii Island to Kauai, the Department of Hawaiian Home Lands was created at statehood to assist the commission in meeting its fiduciary obligations.

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

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

9,276	Lessees residing on the DHHL lands — as of December 31, 2023 ¹
24,062	Unduplicated waitlist as of December 31, 2023 ²
<u>21,399</u>	<u>Estimated Potential Applicants based on SMS 2019 respondents³</u>
54,737	Total native Hawaiian individuals/households

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

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

5,195	Lessees residing on the DHHL Lands – 9,276 x 56%
12,272	Applicants – 24,062 x 51%
<u>12,197</u>	<u>Potential Applicants – 21,399 x 57% (SMS 2019 Study)</u>
29,664	Total native Hawaiian households eligible for NAHASDA

If we extrapolate and say that the average DHHL turnkey home is \$400,000, then the sufficient funding amount for NAHASDA would look like this:

12,272	Applicants – 24,062 x 51%
<u>12,197</u>	<u>Potential Applicants – 21,399 x 57% (SMS 2019 Study)</u>
24,469	x \$400,000 = \$9,787,600,000.00 sufficient funding for NAHASDA

Additional Research - 2017 HUD Report

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

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

1 Homestead Services Division, 1/17/24 Commission submittal. Includes lessees residing on residential, agricultural and pastoral lots, one lessee per lease, one house per lease/lot, as applicable. 745 Undivided Interest lessees omitted.

2 *Ibid.*

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

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

Native Hawaiian Rehabilitation

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

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

Through the Prince's leadership and participation in each of these community endeavors, the legacy of the Prince lives on for us today. This housing plan, a descendant of Kuhio's legacy thru the HHCA, is but a small piece of a much broader articulation of need in the State of Hawaii today. By focusing on housing, this most basic of needs acknowledged in the Western world, the department attempts to participate in the rehabilitation of the Hawaiian people. Should every Hawaiian have a safe, affordable, decent home, with fresh water for bathing and eating and cooking and food grown or gathered nearby, we could claim success. But with nearly \$10 billion in need and as the average 59-year-old applicant dies on the waiting list, it does not seem likely we will be able to make such a claim without immediate and swift monetary assistance in the next few years.

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

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

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

DHHL recognizes the need for increased housing stability for families experiencing financial hardships. The planned rental voucher program is built upon the initial temporary relocation assistance and emergency rental assistance was expanded to assist native Hawaiian families affected by the devastating wildfires and for kupuna (elders) who have been on the waiting list the longest in an effort to provide financial assistance for those at risk of homelessness.

The 2017 HUD Report identified homelessness among Native Hawaiians as a significant problem, but also acknowledged that data is not available for only Native Hawaiians. In an effort to fill this gap, DHHL entered into a Memorandum of Understanding with Partners in Care – Oahu Continuum of Care to understand how pervasive the situation of homelessness might be among its beneficiaries and especially those on its homestead applicant waiting list. The conversion of an existing structure to a transitional housing facility is intended to begin addressing this need, which is expected to be in operation in 2025.

Infrastructure to support housing on land currently under DHHL's jurisdiction is a separate program activity. In addition to existing developments, these areas will likely be expanded to cover lands recently transferred to DHHL in Ewa, Oahu. Water is just as critical to homestead development as land. DHHL secured approved water reservations for DHHL's foreseeable groundwater needs

statewide and the potable water infrastructure improvements would allow for improved and increased potable water service delivery. NAHASDA funding for developer financing will supplement the cost to construct affordable housing.

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

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

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

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

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

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

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

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

SECTION 3: PROGRAM DESCRIPTIONS

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

Planning and Reporting on Program Year Activities

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

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

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

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

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

Outcome May Include:

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

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

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

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

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

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

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

1.1 Program Name and Unique Identifier: 2024 Capital Improvement Projects (AHP I)

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

This activity develops lots for residential use on Trust Lands statewide.

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

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

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

(2) Assist renters to become homeowners

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

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

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

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

Undivided interest lessees and applicants meeting the 80% AMI income guidelines will receive vacant or improved lots for new home construction.

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

This activity covers the cost of the infrastructure for projects, including planning, design, engineering, construction, and construction management services. The level of NAHASDA funding for this activity is expected to slightly increase because in addition to the existing contract for engineering services in East Kapolei IIC, Oahu, planning is continuing for the lands transferred to DHHL in Ewa, Oahu. Other proposed developments may also require infrastructure funding.

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

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

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

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

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

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

1.1 Program Name and Unique Identifier: Developer Financing (AHP II)

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

This activity will provide funding as part of a capital stack for vertical construction of rental housing on Trust Lands statewide.

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

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

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

(7) Create new affordable rental units

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

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

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

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

Undivided interest lessees and applicants meeting the 80% AMI income guidelines will have the opportunity to rent or rent with an option to purchase their unit. NAHASDA guidelines for rental projects keep the unit rents at or below 30% of the family's monthly adjusted income.

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

The assistance being provided will go directly to the developer as part of the capital stack for vertical construction financing of approximately 60 rent with option to purchase units, 30 in the Villages of Lai Opuu, Hawaii Island and 30 in Hanapepe, Kauai. If the unit purchase price at the end of the rental period is reduced in direct proportion to the amount of NHHBG developer financing provided, then the assistance will be in the form of a grant, otherwise the financing will be in the form of a loan that needs to be repaid. Other proposed developments may also require developer financing.

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

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

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

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

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

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

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

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

This activity provides homeowner financing to eligible NAHASDA families for new construction or home purchase. DHHL is working to identify families in upcoming project areas for direct loans.

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

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

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

(2) Assist renters to become homeowners

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

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

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

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

Molokai: 2 families

Maui: 2 families

Hawaii: 5 families

Oahu: 2 families

Kauai: 11 families

Lanai: 2 families

1.7 Types and Level of Assistance *(Describe the types and the level of assistance that will be provided to each household, as applicable.):* Financing for home loans statewide utilizing NHHBG funds up to the appraised value for projects in areas listed in 1.6. Other upcoming project areas may also require direct loans to be available to eligible NAHASDA families.

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

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

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

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

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

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

1.1 Program Name and Unique Identifier: Home Assistance Program (HAP) (AHP IV)

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

This program covers the department's attempt to address substandard and/or aging housing on the homelands by providing assistance to low income households to repair their existing homes, including home replacement (demolition & construction), energy retrofit, building code compliance, and home repair.

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

(16) Rehabilitation Assistance to Existing Homeowners [810(b)(1)]

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

(3) Improve quality of substandard units

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

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

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

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

Lessee families at or below the 80% AMI income guidelines identified over the past few years are being assisted.

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

Deferred, no-payment loans, subject to conditional recapture, as defined by HAP will be provided. NAHASDA eligible families will receive \$100,000 to repair their home according to Housing Quality Standards that would prioritize repairs for the home. Those families whose homes have been identified as needing more than \$100,000 to fix repairs are offered 1% loans on the amount that exceeds the first \$100,000, up to an additional \$100,000. A demolition/new build loan is the third option offered for properties where cost to repair exceed the appraised or tax assessed value.

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

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

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: Units; Households; Improved Lots; Acres	Planned Number of Outputs to be completed in Fiscal Year Under this Program	APR: Actual Number of Outputs Completed in Fiscal Year
Units	3	

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

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

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

1.1 Program Name and Unique Identifier: Waimanalo Kupuna Housing Rental Assistance (AHP V)

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

This activity provides funds primarily to supplement tenants rent at the Waimanalo Kupuna Housing so their maximum contribution does not exceed 30% of their monthly adjusted income.

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

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

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

(6) Assist affordable housing for low income households

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

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

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

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

NAHASDA eligible elders whose income is at or below 80% AMI and who are tenants of this rental housing project, with up to 85 units, on Trust Lands in Waimanalo.

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

This elderly housing project was first occupied in 2002 and constructed with funds from the state's Low Income Housing Trust Fund and Rental Housing Trust Fund along with funds from DHHL and the Office of Hawaiian Affairs. Many of the elderly are living on fixed income and cannot afford current rental rates under Hawaii Housing and Finance Development Corporation (HHFDC) which oversees the project and approves the rates from the developer. The monthly rental amount continues to remain affordable. Nevertheless, the subsidy has recently increased annually to adequately cover the difference between the NAHASDA required 30% cap on tenant's monthly adjusted income and the approved LITHC rent.

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

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

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

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

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

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

1.1 Program Name and Unique Identifier: Rental Vouchers for Temporary Relocation (AHP VI-A)

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

This activity provides funds for rental housing vouchers (first month rent/deposit/emergency rent) for temporary relocation assistance.

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

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

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

(6) Assist Affordable Housing for Low-Income Households

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

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

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

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

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

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

This activity will provide for temporary relocation assistance for duration of time to construct or repair primary residence.

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

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

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: Units; Households; Improved Lots; Acres	Planned Number of Outputs to be completed in Fiscal Year Under this Program	APR: Actual Number of Outputs Completed in Fiscal Year
Households	3	

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

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

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

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

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

This activity provides funds for rental housing vouchers (rent/security deposit) for emergency assistance (rent, rental arrears, utilities, or utility arrears) to native Hawaiian families affected by the devastating wildfires to ensure housing stability.

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

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

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

(5) Address homelessness

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

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

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

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

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

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

DHHL has a contract with a service provider to provide emergency rental assistance (rent, rental arrears, utilities, or utility arrears) for a period not to exceed 6 months except that assistance may be provided for an additional period if necessary to ensure housing stability for a household subject to availability of funds.

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

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

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

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

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

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

1.1 Program Name and Unique Identifier: DHHL Kupuna Rental Subsidy Program (AHP VI-C)

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

This activity provides funds for rental housing vouchers (rent/security deposit) for kupuna (elders) who are sixty-two years of age or older and head of household starting with those who have been on DHHL's waiting list the longest to ensure housing stability.

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

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

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

(5) Address homelessness

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

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

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

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

Native Hawaiian kupuna (elders) who are sixty-two years of age or older and head of household starting with those who have been on DHHL's waiting list the longest that are eligible to reside on the Hawaiian Home Lands whose income is at or below 80% AMI.

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

DHHL has a contract with a service provider to provide rental subsidies that will be reviewed on an annual basis subject to availability of funds. The monthly rental subsidy will be the difference between no more than 30% of the household's monthly adjusted income which will be paid by the kupuna (elder) of an eligible household and the Fair Market Rent within the zip code area.

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

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

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

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

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

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

1.1 Program Name and Unique Identifier: Rental Vouchers for Units Developed for DHHL (AHP VI-D)

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

This activity provides funds for rental housing vouchers (rent/security deposit) for rental units developed for DHHL currently consisting of rent with option to purchase units in the Villages of Lai Opua upon entering into an agreement with the property management company.

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

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

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

(6) Assist Affordable Housing for Low-Income Households

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

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

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

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

Native Hawaiian families eligible to reside on Hawaiian Home Lands whose income is at or below 80% AMI and reside in a rental unit developed for DHHL.

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

This activity will provide for rental assistance that will be reviewed on an annual basis subject to availability of funds. The monthly rental assistance will be the difference between no more than 30% of the household's monthly adjusted income which will be paid by the eligible household and the Fair Market Rent within the zip code area.

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

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

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

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

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

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

1.1 Program Name and Unique Identifier: Housing Counseling (AHP VII)

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

Independent, expert advice customized to the need of the Native Hawaiian lessee, applicant or household to address housing barriers in order to achieve housing goals through homeownership counseling or rental housing counseling and include the following processes: intake, financial and housing affordability analysis, an action plan, and a reasonable effort to have follow-up communication when possible.

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

(18) Other Housing Service [810(b)(2)]

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

(6) Assist Affordable Housing for Low-Income Households

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

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

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

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

Native Hawaiian lessee, applicants or households who received or are eligible to receive NAHASDA assistance including but not limited to homeowner financing, home repair assistance, rental and homeowner assistance.

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

Families who received NAHASDA assistance will receive either homeownership or rental housing counseling from a HUD-certified Housing Counselor. Homeownership counseling is housing counseling related to homeownership and residential mortgage loans that covers the decision to purchase a home, issues arising during or affecting the period of ownership of a home (including financing, refinancing, default, and foreclosure/lease cancellation, and other financial dispositions), and the sale/transfer or other disposition of a home. Rental housing counseling is counseling related to the rental of residential property, which may include counseling regarding future homeownership opportunities and may also include the decision to rent, responsibilities of tenancy, affordability of renting and eviction prevention. At a minimum, initial contact will be made with lessee, applicants or households who received NAHASDA assistance informing them of the availability of housing counseling services.

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

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

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

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

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

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

1.1 Program Name and Unique Identifier: Homeowner Assistance (AHP VIII)

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

This activity provides funds for homeowner assistance (mortgage; utilities; property taxes; homeowner, hurricane, and/or flood insurance; or association fees) to mitigate financial hardships to promote housing stability and/or to prevent lease cancellation.

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

(18) Other Housing Service [810(b)(2)]

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

(6) Assist Affordable Housing for Low-Income Households

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

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

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

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

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

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

DHHL will contract with a service provider to provide homeowner assistance (mortgage; utilities; property taxes; homeowner, hurricane, and/or flood insurance; or association fees) to mitigate financial hardships to promote housing stability and/or to prevent lease cancellation subject to availability of funds. Different options will be considered including but not limited to payment of arrears or principal reduction up to approximately \$30,000, as well as interest rate reduction, refinancing the loan, or a combination of these or other options.

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

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

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

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

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

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

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

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

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

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

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

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

(4) Improve quality of existing infrastructure

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

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

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

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

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

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

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

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

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

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

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

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

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

1.1 Program Name and Unique Identifier: Housing Conversion (AHP X)

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

This activity involves the conversion of existing structures to transitional or affordable housing.

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

(8) Conversion of Other Structures to Affordable Housing [810(b)(1)]

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

(5) Address homelessness

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

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

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

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

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

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

The assistance will provide funding to rehabilitate an existing building for transitional or affordable rental housing including an existing former military personnel quarters building in Kalaeloa, Oahu that has 20 units, 18 of which will be used as temporary transitional housing for homeless native Hawaiian beneficiaries that are on DHHL's applicant wait lists and the renovation of the Ulu Ke Kukui multi-family residential housing facility in Maili, Oahu, which will also be made available to applicants on DHHL's wait list.

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

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

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

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

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

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

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

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

This activity provides funds for acquisition of land or existing structure(s) for rental housing subject to satisfaction of all applicable requirements.

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

(3) Acquisition of Rental Housing [810(b)(1)]

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

(7) Create new affordable rental units

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

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

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

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

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

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

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

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

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

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: Units; Households; Improved Lots; Acres	Planned Number of Outputs to be completed in Fiscal Year Under this Program	APR: Actual Number of Outputs Completed in Fiscal Year
Units	82	

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

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

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

1.1 Program Name and Unique Identifier: Operation & Maintenance of NHHBG-Assisted Units (AHP XII)

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

This activity provides funds for the operation and maintenance of NHHBG-Assisted Units.

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

(20) Operation and Maintenance of NHHBG-Assisted Units [810(b)(3)]

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

(5) Address homelessness

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

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

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

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

Native Hawaiians eligible to reside on Hawaiian Home Lands whose income is at or below 80% AMI would be assisted through transitional or affordable rental housing.

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

DHHL will contract with a service provider to operate and maintain NHHBG-Assisted Units in Kalaeloa, Oahu for homeless native Hawaiian beneficiaries that are on DHHL's applicant wait lists whose income is at or below 80% AMI.

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

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

Type of Output to be Completed in Fiscal Year Under this Program. Enter <u>one</u> of following choices in accordance with the Eligible Activity: Units; Households; Improved Lots; Acres	Planned Number of Outputs to be completed in Fiscal Year Under this Program	APR: Actual Number of Outputs Completed in Fiscal Year
Units	18	

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

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

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

SECTION 4: AFFORDABLE HOUSING RESOURCES

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

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

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

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

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

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

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

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

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

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

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

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

DHHL has been utilizing the FHA 247 loan program since 1987. Over \$537 million in mortgage loans are outstanding through the FHA 247 loan program to lessees on Hawaiian home lands. The Veterans Affairs direct loan, Rural Development (U.S. Department of Agriculture) loan programs, and low-income housing tax credits are other financing options and tools utilized on Hawaiian home lands.

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

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

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

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

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

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

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

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

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

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

Currently, there are 136 full time employees in DHHL with six offices statewide. DHHL's main administrative office is located in Kapolei, Oahu and the five (5) district offices are located on neighbor islands. There are two (2) district offices on the Big Island, one in Hilo (East Hawaii) and one in Waimea (West Hawai'i), Hawai'i; one (1) district office in Lihue, Kauai; one (1) district office in Wailuku, Maui; and one (1) district office in Kalamaula, Molokai. DHHL is organized into five offices and three divisions under the Hawaiian Homes Commission and Office of the Chairman. The various offices and divisions are described as follows:

Office of the Chairman (OCH) — 32 staff members

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

Administrative Services Office (ASO) – 8 staff members

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

Fiscal Office (FO) – 12 staff members

The Fiscal Office provides accounting support for DHHL.

Planning Office (PO) – 8 staff members

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

Information and Community Relations Office (ICRO) – 4 staff members

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

Homestead Services Division (HSD) – 45 staff members

HSD is composed of three branches: 1) Homestead Applications, 2) District Operations, and 3) Loan Services. HSD is the largest division in DHHL, has staff on all islands, and services more than 25,000 applicants and 10,000 lessees on five islands.

Land Management Division (LMD) – 8 staff members

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

Land Development Division (LDD) – 11 staff members

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

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

Hawaiian Homes Commission (HHC)

Kali Watson, Chairman
Makai Freitas, West Hawaii Commissioner
Michael Kaleikini, East Hawaii Commissioner
Randy Awo, Maui Commissioner
Zachary Helm, Molokai Commissioner
Pauline Namuo, Oahu Commissioner
Sanoe Marfil, Oahu Commissioner
Walt Kaneakua, Oahu Commissioner
Dennis Neves, Kauai Commissioner

Department of Hawaiian Home Lands

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

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

Native Hawaiian Housing Block Grant (NHHBG)

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

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

NHHP/APR

Office of Native American Programs

SECTION 5: BUDGETS

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

SOURCE	NHHP					APR					
	(A) Estimated amount on hand at beginning of fiscal year	(B) Estimated amount to be received during 12-month fiscal year	(C) Estimated total sources of funds (A + B)	(D) Estimated funds to be expended during 12-month fiscal year	(E) Estimated unexpended funds remaining at end of fiscal year (C minus D)	(F) Actual amount on hand at beginning of fiscal year	(G) Actual amount received during 12-month fiscal year	(H) Actual total sources of funding (F + G)	(I) Actual funds expended during 12-month fiscal year	(J) Actual unexpended funds remaining at end of 12-month fiscal year (H minus I)	(K) Actual unexpended funds obligated but not expended at end of 12-month fiscal year
1. NHHBG Funds	49,000,000	21,300,000	70,300,000	50,065,000	20,235,000						
2. NHHBG Program Income	0	140,000	140,000	140,000	0						
LEVERAGED FUNDS											
3. Other Federal Funds	0	25,000	25,000	25,000	0						
4. LIHTC											
5. Non-Federal Funds											
TOTAL	49,000,000	21,465,000	70,465,000	50,230,000	20,235,000						

Notes:

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

Native Hawaiian Housing Block Grant (NHHBG)

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U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

NHHP/APR

Office of Native American Programs

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

PROGRAM NAME (tie to program names in Section 3 above)	Unique Identifier	NHHP				APR		
		(L) Prior and current year NHHBG (only) funds to be expended in 12-month fiscal year	(M) Total all other funds to be expended in 12-month fiscal year	(N) Total funds to be expended in 12-month fiscal year (L + M)	(O) Total NHHBG (only) funds expended in 12-month fiscal year	(P) Total all other funds expended in 12-month fiscal year	(Q) Total funds expended in 12-month fiscal year (O+P)	
2024 CIP	AHP I	250,000		250,000				
Developer Financing	AHP II	8,500,000		8,500,000				
Homeowner Financing	AHP III	1,835,000	165,000	2,000,000				
HAP	AHP IV	1,200,000		1,200,000				
Waimanalo Kupuna Housing Rental Asst	AHP V	830,000		830,000				
Rental Vouchers	AHP VI-A	75,000		75,000				
Emergency Rental	AHP VI-B	300,000		300,000				
Kupuna Rental	AHP VI-C	2,500,000		2,500,000				
Rental Vouchers for DHHL Units	AHP VI-D	125,000		125,000				
Housing Counseling	AHP VII	750,000		750,000				
Homeowner Assistance	AHP VIII	300,000		300,000				
Water Infrastructure Improvements	AHP IX	250,000		250,000				
Housing Conversion	AHP X	7,000,000		7,000,000				
Property Acquisition	AHP XI	25,000,000		25,000,000				
Operation & Maintenance	AHP XII	150,000		150,000				
Planning and Administration		1,000,000		1,000,000				
Loan Repayment - describe in 3 and 4 below.								
TOTAL		50,065,000	165,000	50,230,000				

Notes:

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

Native Hawaiian Housing Block Grant (NHHBG)

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U.S. Department of Housing and Urban Development

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Office of Public and Indian Housing

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

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

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

SECTION 6: OTHER SUBMISSION ITEMS

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

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

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

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

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

None.

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

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

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

Native Hawaiian Housing Block Grant (NHHBG)

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NHHP/APR

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

Office of Native American Programs

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

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

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

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

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

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

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

Yes No

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

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

Yes No Not Applicable

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

Yes No Not Applicable

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

Yes No Not Applicable and

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

Yes No Not Applicable

SECTION 8: SELF-MONITORING

(NAHASDA § 819(b), 24 CFR § 1006.401)

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

Yes No

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

Yes No

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

SECTION 9: INSPECTIONS

(NAHASDA § 819(b))

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

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

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

(3) If no, why not:

SECTION 10: AUDITS

(24 CFR § 1006.375(d))

This section is used to indicate whether an Office of Management and Budget Circular A-133¹ audit is required, based on a review of your financial records.

Did you expend \$500,000² or more in total Federal awards during the APR reporting period?

Yes No

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

If No, an audit is not required.

¹DHHL should note that new Federal government regulations on Administrative Requirements, Cost Principles, and Audit Requirements were promulgated on December 26, 2013 at 2 C.F.R. Part 200. HUD intends to update its regulations by December 26, 2014 to implement these new requirements in its programs. Audits covering recipients' fiscal years that begin in January 2015 will be subject to the revised audit requirements. In the meantime, applicable OMB Circulars and the regulations at 2 C.F.R. Part 225 will continue to apply to grants until implementation of the new requirements.

SECTION 11: PUBLIC AVAILABILITY

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

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

Check one: Yes No

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

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

Native Hawaiian Housing Block Grant (NHHBG)

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NHHP/APR

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

Office of Native American Programs

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

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

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

(3) Narrative (optional):

SECTION 13: NHHP WAIVER REQUESTS

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

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

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

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

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

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

SECTION 14: NHHP AMENDMENTS

(24 CFR § 1006.101(d))

Use this section for NHHP amendments only.

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

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

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

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

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

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

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U.S. Department of Housing and Urban Development

NHHP/APR

Office of Public and Indian Housing
Office of Native American Programs

(4) Intended Outcome Number (*Select one Outcome from the Outcome list in Section 3.*):

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

(5) Actual Outcome Number (*Select one Outcome from the Outcome list in Section 3.*):

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

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

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

(8). APR: (*Describe the accomplishments for the APR in the 12-month fiscal year. In accordance with 24 CFR § 1006.410(b)(2) and (3), provide an analysis and explanation of cost overruns or high unit costs.*):

Native Hawaiian Housing Block Grant (NHHBG)

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U.S. Department of Housing and Urban Development

NHHP/APR

Office of Public and Indian Housing
Office of Native American Programs

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

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

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

Native Hawaiian Housing Block Grant (NHHBG)

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

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

NHHP/APR

Office of Native American Programs

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

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

Notes:

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

Native Hawaiian Housing Block Grant (NHHBG)

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

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

NHHP/APR

Office of Native American Programs

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

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

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

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

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

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NHHP/APR

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

Office of Native American Programs

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


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 18, 2024

TO: Chairman and Members, Hawaiian Homes Commission (HHC)

FROM: Russell K. Kaupu, Property Development Agent,
Office of the Chairman (OCH),
Department of Hawaiian Home Lands (DHHL)



SUBJECT: Report and Recommendations from the Industrial and
Commercial Properties Permitted Interaction Group

REPORT:

At the December 2023 HHC meetings, Chairman Kali Watson established a Permitted Interaction Group pursuant to HRS Section 92-2.5 and HAR Section 10-2-16(b)(1) “to investigate, consider and recommend priorities and methods of disposition for non-homestead Trust Lands, giving analysis to prioritize specific parcels and alternate methods of disposition as the Department moves forward to reduce the number of non-productive commercial properties and maximize the income and public benefits realized for the Trust and its beneficiaries” (informally referred to as the “Industrial and Commercial Properties PIG” or the “PIG”). The appointed members of the PIG are Hawaii Commissioners Michael Kaleikini (as Chair), Kauai Commissioner Dennis Neves, Maui Commissioner Randy Awo and Chairman Kali Watson. DHHL staff to the PIG are Russell Kaupu, Kahana Albinio and Linda Chinn.

The PIG met a total of four times – on 01/10/2024, 01/18/2024, 03/06/2024 and 03/11/2024. At meeting #1, staff presented the chart attached hereto as **Exhibit “E”**, explaining the different types of dispositions available to DHHL and its Land Management Division (LMD). At meeting #2, staff presented its write-up of the proposed new Revocable Permit Program, as formulated with input from HHC in 2020 and 2021 and piloted by LMD in 2022 and 2023. Comments and suggestions for revisions to this program were solicited and received and, at meetings #3 and #4 (and in the following days via email), agreed upon by the PIG. The resulting revised write-up of the proposed new Revocable Permit Program is attached hereto as **Exhibit “A”** (Purpose, Policy, Process and Procedures), **Exhibit “B”** (Application and Qualification Form and Checklist), **Exhibit “C-1”** (General Guidelines and Scoring Criteria – GENERAL RP), **Exhibit “C-2”** (General Guidelines and Scoring Criteria – BUSINESS RP), **Exhibit “C-3”** (General Guidelines and Scoring Criteria – COMMUNITY RP), and **Exhibit “D”** (Form of Revocable Permit). At meeting #3, staff also presented information on the nine industrial and commercial properties/projects identified in the presentation slides attached hereto as **Exhibit “F”** that LMD would like to move forward on.

RECOMMENDATIONS:

The Industrial and Commercial Properties PIG recommends that HHC, at its April 2024

meetings, at the request of LMD, do the following:

A. Regarding Revocable Permits

1. Rescind the action taken by HHC on May 31, 1985, authorizing the Chairman of HHC to issue, amend, renew and terminate revocable permits;
2. Approve and adopt the Purpose, Policy, Process and Procedures of the new Revocable Permit Program as set forth in **Exhibit "A"** hereto to provide LMD with guidance in the disposition of available lands for short-term use through the issuance of revocable permits for various purposes;
3. Approve the Application and Qualification Form and Checklist for the new Revocable Permit Program attached hereto as **Exhibit "B"**, the General Guidelines and Scoring Criteria for each of the GENERAL RP, BUSINESS RP and COMMUNITY RP attached hereto as **Exhibit "C-1"**, **Exhibit "C-2"** and **Exhibit "C-3"**, respectively, and the Form of Revocable Permit attached hereto as **Exhibit "D"**;
4. Approve continuing the current practice of submitting annual renewals of the Revocable Permits that are in full compliance to HHC for approval on an on-island/district meeting basis, with recommendations on permit fees;
5. Approve the conversion of existing Right-of-Entry permits that are in full compliance to Revocable Permits on an on-island/district meetings basis over the one-year period following HHC approval and adoption of the new Revocable Permit Program; and
6. Authorize DHHL, through its LMD, to commence administrating and using the new Revocable Permit Program and employing that means of disposition of non-homestead Trust lands, when and where appropriate, to reduce the number of non-productive commercial properties and maximize the income and public benefits realized for the Trust and its beneficiaries.

B. Regarding Select Industrial and Commercial Properties/Projects

Authorize DHHL, through its LMD, to engage consultants and otherwise incur expenses to do such pre-disposition studies and investigations as legally required (e.g., appraisals to set minimum rents for General Leases) or deemed prudent (e.g., "master planning" activities to set guidelines and expectations for Project Developer Agreements) to get the properties identified in **Exhibit "F"** hereto prepared and positioned for their respective dispositions, with each actual disposition still needing HHC approval.

PAU KA HANA - MAHALO:

With the presentation of this report and any follow-up to take place at the April HHC meetings, the work of the PIG will be completed. Mahalo to the PIG Chair, Commissioner Kaleikini, for leading the hui through this process, and to all who participated.

DEPARTMENT OF HAWAIIAN HOME LANDS

SUBJECT: NEW REVOCABLE PERMITS PROGRAM

PURPOSE:

To provide the Department of Hawaiian Home Lands' Land Management Division with process and procedures in the disposition of available lands for short-term duration through the issuance of revocable permits for various purposes, such as GENERAL (agriculture, grazing of cattle, or other uses), COMMUNITY (public, community or homestead related) or BUSINESS (commercial and industrial) activities with the following premise:

1. All available Hawaiian home lands that are not immediately required for native Hawaiian homesteading, general leasing and/or other purposes for long-term duration shall be available to the general public for month-to-month tenancy through the issuance of revocable permits.
2. Maximize DHHL's annual revenue from available lands through good management practices conducted on lands utilized by way of revocable permits.
3. Reduce the acreage of available lands utilized under revocable permits, while increasing DHHL's revenue that are derived from such land dispositions.

POLICY:

On April 22-23, 2024, the Hawaiian Homes Commission adopted the following on the issuance of Revocable Permit:

- 1) Rescind the action taken by the Hawaiian Homes Commission on May 31, 1985, authorizing the Chairman of the HHC to issue, amend, renew and terminate revocable permits.
- 2) Approve and adopt the new Policy and Procedure for Issuance of Revocable Permits to provide Land Management Division with guidance in the disposition of available lands for short-term use through the issuance of revocable permits for various purposes, such as **general** (agriculture, grazing of cattle etc.), **community** (public, private or non-profit), or **business** (commercial or industrial activities).
- 3) Approve the Application and Qualification Form (attached) and the General Guidelines and scoring criteria (attached) for each type of Revocable Permits.
- 4) Approve the continuance of submitting annual renewals of the Revocable Permits that are in full compliance to the HHC for approval on an on-island/district meeting basis with recommendations on permit fees.

Exhibit "A"

- 5) Approve the conversion of all existing Right-of-Entry Permits that are in full compliance to Revocable Permits on an on-island/district meetings basis over the one-year period following the HHC approval and adoption of the new Revocable Permit Program.

PROCESS AND PROCEDURES

Revocable permits offering and issuance shall be initiated by Land Management Division (LMD). Any prospective Applicant can initiate by submitting a written request to LMD to use a particular parcel of land.

1. LMD shall research and review DHHL's General Plans, Island Plans and Regional Plans, as well as State land use designation and respective county land use and zoning code to identify potential parcels of lands (including easement and other encumbrances on record) and possible uses.

Interested parties could also initiate action by submitting a Land Request Form on parcels that are of interest to them.

- A. Phase 1: Parcel Identification and Methodology to determine Permit Fee is intended to include establishing criteria to evaluate and identify parcels that could be considered for a longer term land disposition, such as general leases, and the remaining parcels that can be utilized on a short term basis. This Phase 1 will also include a review of methodology to determine upset Permit Fee for a parcel under RP uses.
 - B. Phase 2: Outreach and Application is intended to focus on reaching out to beneficiaries, beneficiary organizations, and beneficiary businesses to inform these entities of the change in program and invite application.
2. LMD shall draft Memorandum to Planning Office (PO) and Land Development Division (LDD) for comments on potential land parcels for short term disposition.
 3. If PO and LDD determine use is permissible, then LMD shall establish the monthly proposed permit fee for each of the selected parcel.
 - a) Community RP - Minimum \$20 per month
 - b) General RP - depending on the type and intensity of the use to determine. Monthly fair market permit fee may be determined by taking an 8% capitalization rate on the most recent County Real Property Tax Assessed Value(s) divided by the twelve months

(Prior HHC approval shall guide permit fee determination)

- c) Business RP – Minimum base permit fee shall be determined by comparable rates, with a 50% discount for short-term use divided by the twelve months
4. Once determination is made, LMD will post notice on DHHL’s website, at the respective district offices, DHHL newsletter Ka Nuhou as well as OHA’s newspaper, and other publications of the availability of such land parcels for short term Revocable Permit use.
 5. Interested individual/corporation/community must submit application on the application form, which can be downloaded from DHHL official website, together with the required document within the deadline set in the notification.
 6. LMD will convene an evaluation committee comprising of three (3) members of DHHL staff to review all applications submitted within the deadline. Each member of the evaluation committee shall score the applications based on the guidelines/matrix for each type of RP categories approved by the Hawaiian Homes Commission, and such may be amended from time to time.
 7. LMD will present the review result and prepare a recommendation for the issuance of new RPs to the Hawaiian Homes Commission. The applications with the highest score will be recommended for the month-to-month disposition for the temporary use of Hawaiian home lands.
 8. If HHC approves the issuance, LMD shall draft the revocable permit, which is reviewed by LMD Administrator, and assigned the appropriate account number.
 9. The draft document shall be forwarded to DHHL’s deputy attorney general for review and approval as to form.
 10. The original and one (1) copy of the permit document shall then be routed to prospective permittees for proper signature and notarization, with the instruction to return all documents to DHHL for final execution, together with the appropriate processing fee, security deposit, first month’s permit fee and certificate(s) of insurance, naming DHHL as additional insured.
 11. LMD shall prepare Fiscal instrument and route same to Fiscal Office to create new account. Payments shall be deposited and credited to the new account.
 12. LMD shall prepare draft of cover letter to Permittee, transmitting a fully executed copy of the revocable permit for permittee’s file.
 13. LMD shall prepare Form P-66A (Real Property data) and distribute as follows:
 - (1) City & County of Honolulu - 2 copies of WHITE form;

- (2) County of Maui - 2 copies of BLUE form;
 - (3) County of Hawaii - 2 copies of YELLOW form;
 - (4) County of Kauai - 2 copies of PINK form
 - (5) DHHL LMD subject file - 1 copy
14. LMD shall open a new RP file and all pertinent correspondence, approval and a copy of the permit shall be filed. DHHL respective district office shall be provide a copy for their information and file.

Department of Hawaiian Home Lands

APPLICATION AND QUALIFICATION FORM
For Revocable Permit Use of Hawaiian Home Lands

Mahalo for your interest in the Revocable Permit Program! Please review the information provided within this Application as well as the Property Descriptions and Criteria on the DHHL Program Page.

Application must be received no later than:

4pm HST on _____, _____, 2024

Via Email: DHHL.LMDRP@hawaii.gov

In Person at:

DHHL Land Management Division
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

Via mail: P. O. Box 1879, Honolulu, Hawaii 96805

It is the applicant's responsibility to ensure that the application is received by the date and time indicated through one of the methods above. If by U.S. Postal Service, postmark by _____ will be considered received on-time. It is recommended to submit the application early to ensure receipt on-time. Email submittals are strongly recommended. Applications must be complete. Incomplete applications will not be considered. It is up to the discretion of the reviewer to determine whether minor or technical clarifications or additions can be accepted after submission.

Purpose of Revocable Permit Program

The Revocable Permit (RP) is utilized by the Department of Hawaiian Home Lands (DHHL) to grant permission to an individual or an entity to occupy and utilize Hawaiian home lands on a short-term basis. RPs are utilized as a land management tool to provide for presence on DHHL lands thereby reducing the costs for land management related activities including but not limited to preventing trespassing, dumping, illegal activity, fires, etc; fencing; posting and maintaining adequate signage; landscaping; etc. RPs have also added to DHHL's revenue stream, although revenue generation is usually a secondary benefit of this primarily land management tool.

Authority

The Hawaiian Homes Commission Act (HHCA) Section 204(2) and 207(c) authorize DHHL to dispose of lands for non-homestead purposes on the same terms, conditions, restrictions and uses

Exhibit "B"

Item C-4

applicable to the disposition of public lands as provided in Hawaii Revised Statutes (HRS) Chapter 171, as amended. HRS 171-55, titled Permit, states that “Notwithstanding any other law to the contrary, the board of land and natural resources [commission] may issue permits for the temporary occupancy of state lands or an interest therein on a month-to-month basis by direct negotiation without public auction, under conditions and rent which will serve the best interests of the State, subject, however, to those restrictions as may from time to time be expressly imposed by the board. A permit on a month-to-month basis may continue for a period not to exceed one year from the date of its issuance; provided that the board [commission] may allow the permit to continue on a month-to-month basis for additional one year periods.”

Application Process

The application is intended to minimize risk of investing significant time and resources for the Applicant and give DHHL a better idea about the proposed use and applicant potential capacity to implement. Applicants should closely review this application to understand the scope and expectations for RP holders. With questions about this application, please call (808) 620-9450 or by email to DHHL.LMDRP@hawaii.gov.

There are three types of Revocable Permits:

1. **General RP** - a passive use to provide presence on the land, thus reducing the cost to DHHL for land management related activities.
2. **Business RP** - for industrial or other business-related use, the use is expected to benefit the trust primarily through the generation of revenue.
3. **Community RP** - for projects that primarily benefit a particular geographic community/area or that is intended to provide services that directly benefit a community of beneficiaries.

Department of Hawaiian Home Lands

Application

Attach a separate page if more space if needed

Name of Applicant

Person to Contact/Title

Applicant's Address

Contact Person's Address

City, State, Zip Code

City, State, Zip Code

Applicant's Telephone No.

Contact Person's Telephone No.

Applicant's Email Address

Contact Person's Email Address

Federal/State Identification No.

List of Corporate Officers and Directors or Individual Partners, Joint Venture or Owners

Name: _____

Name: _____

Title: _____

Title: _____

Telephone No: _____

Telephone No. _____

Address: _____

Address: _____

Please indicate your DHHL beneficiary status:

- ___ All owners/board members/individual(s) are 50%+ native Hawaiian
- ___ Majority ownership/board members are 50%+ native Hawaiian
- ___ At least one, but less than majority ownership/board are 50%+ native Hawaiian
- ___ None

Applicant intends to apply for the following parcel:

Property Location/Island: _____

Tax Map Key No.: _____

Acres: _____

Type of RP: (circle one). General Business Community

Proposed Rent per month: _____

Describe intended Use:

Describe alignment with the island and/or Regional Plans:

Describe any intended benefit to native Hawaiian HHCA beneficiaries:

Provide any additional information you determine relevant:

Department of Hawaiian Home Lands

There are separate requirements for each type of available RPs. Applicants shall submit the required information together with this Application. Applicants interested in applying an RP must meet the following minimum qualification before the application is accepted and scored:

1. In compliance with State of Hawaii Vendor requirements (e.g. Hawaii Compliance Express). If the Applicant is an individual requesting a General RP for a remnant parcel and intends to simply maintain the property, two recent years of State and Federal tax returns may be substituted for compliance with Hawaii Compliance Express.
2. Insurance. Applicants must provide proof of its ability to procure and maintain, at its own cost and expenses in full force and effect throughout the term of the permit, a general comprehensive liability insurance with a company authorized to do business in the State of Hawaii in the amount required by the type of RP naming the State of Hawaii, Department of Hawaiian Home Lands (DHHL) as additional insured.
3. No EA. The use of land proposed by the Applicant can NOT trigger an environmental assessment as determined by DHHL's Planning Office. DHHL's list of exempt uses as approved by the Environmental council is available on the DHHL website or here: https://files.hawaii.gov/dbedt/erp/Agency_Exemption_Lists/State-Department-of-Hawaiian-Home-Lands-Exemption-List-2021-04-06.pdf.
4. Benefits to DHHL/DHHL Beneficiaries. Applicant must demonstrate that it is proactively making its best effort to reach out to beneficiaries for job training, internship, or employment opportunities. Applicant can also provide information on targeted contribution (monetary or in-kind) to organizations that provide social services to beneficiaries or self-help housing organizations.
5. Financial Information Required. Financial information submitted shall be kept confidential and shall not be considered as a public record as defined in Chapter 92, Hawaii Revised Statutes, as amended.

In addition to the financial information required for each type of RP use, Applicant shall be required to submit the following:

1. If Applicable a certified copy of the Article of Incorporation
2. If Applicable a certified copy of the By-Laws
3. A current Certificate of Good Standing from the Department of Commerce and Consumer Affairs*
4. A current Tax Clearance from the Department of Taxation and Internal Revenue Service*

*3 and 4 may be met through a Certificate of Vendor Compliance through Hawaii Compliance Express: <https://vendors.ehawaii.gov/hce/>.

Department of Hawaiian Home Lands

The UNDERSIGNED APPLICANT understands that DHHL is relying on the information provided herein to qualify and represents and warrants that the information provided is true and complete. The UNDERSIGNED APPLICANT agrees to provide other information that DHHL deems necessary to determine the qualification of the Applicant.

By submitting this application, the Applicant acknowledges and understands that DHHL has a fiduciary responsibility to its beneficiaries and the Applicant's proposed use of DHHL property shall not in anyway harm DHHL's ability to fulfil its mission under the Hawaiian Homes Commission Act, 1920, as amended

Name of Company/Individual

Signature

Title, if applicable

Date

Department of Hawaiian Home Lands

REVOCABLE PERMIT APPLICATION CHECKLIST

- Application and Qualification Form (attach additional pages if needed)
- Certificate of Vendor Compliance (individuals may submit, in lieu, 2 years State and Federal tax returns)
- Proof and/or statement of ability to secure insurance
- Statement that the proposed use is in alignment with the Island and Regional Plans
- Statement that the proposed use does not trigger an Environmental Assessment
- Proof of holding all permits and licenses needed for proposed use, if applicable
- Explanation of benefits to DHHL beneficiaries and outreach for job training, internship, or employment opportunities
- Statement of proposed rent and confirmation that it meets or exceeds minimum requirement
- For **corporation** applicant - certified copy of Articles of Incorporation and Bylaws; For **limited liability company** applicant – certified copy of Articles of Organization and Operating Agreement; For **partnership** applicant – Certified copy of partnership agreement
- Proof of 501(c)(3) or other tax-exempt status, if applicable
- Business plan with 3-year pro-forma (*for Business RP or Community RP only*)
- Financial statements for past two years and current year-to-date (*for Business RP or Community RP only*)
- Proof of funds for rent, improvements, and programs, as applicable
- Proof of all professional certificates held, where applicable
- Proof of history as a commercial tenant, where applicable
- Letter from applicant's banker attesting to creditworthiness (*for Business RP only*)
- Resumes and 2 years State and Federal tax returns of principals and key team members (*for Business RP or Community RP only*)
- Copy of current credit report, if applicable (individuals)
- At least 2, but no more than 5, professional/commercial references
- \$75 check for processing fee, or request for processing fee waiver (*for Community RP only*)
- Description of outreach and consultation conducted with the target community (*for Community RP only*)

Applications must be **received** no later than:

4pm HST on _____

Via Email: DHHL.LMDRP@hawaii.gov

In-person at:

DHHL Land Management Division
91-5420 Kapolei Parkway
Kapolei, Hawai'i 96707

Via mail: P.O. Box 1879, Honolulu, Hawai'i 96805

DEPARTMENT OF HAWAIIAN HOME LANDS

Land Management Division

General Guidelines For Application for **GENERAL** Revocable Permits
Revised April 2024

Revocable Permits allow only for the temporary occupancy of Hawaiian home lands or interest therein on a month-to-month basis for up to 12 months and under such conditions which will serve the best interest of the Department, subject to such restrictions as may be expressly provided by law. The permit can be cancelled by the Department or the Permit Holder upon 30 days' advance notice in writing.

Revocable Permits are authorized under Hawaii Revised Statutes (HRS) Section 171-55, titled Permit, as amended.

At its regular monthly meeting of April 22-23, 2024 the Hawaiian Homes Commission authorized the new Revocable Permit (RP) Program for short-term uses under three categories: General RP, Business RP, and Community RP.

General RP

General RPs are used to provide a presence on DHHL land, thereby reducing the cost to DHHL for land management related activities. Further, RPs that do not fall into the other 2 categories would fall into this General RP category.

Prospective Applicants must complete the Application and Qualification Form provided on the DHHL Official Website. The application must include the following documentation:

1. Statement of intended use and proposed improvements, if any.
2. The proposed use of the land cannot trigger an environmental assessment as determined by DHHL's Planning Office. DHHL's Comprehensive Exemption List updated March 3, 2021 and concurred upon by the Environmental Council on April 6, 2021 is available on DHHL's official website.
3. Proof of immediately available funds through the most current bank statements for a security deposit of two times (2x) the proposed monthly fee.
4. Proof of funds for improvements, if applicable, through the most current bank statements, credit line availability, loan pre-approval, or other sources of financing.
5. Resume of principals and key team members demonstrating knowledge and experience in the specific field/area of the proposed use, including all professional certificates held.
6. Proof of history as an excellent tenant with no termination or enforcement actions within the past 2 years minimum.
7. Proof of excellent history with DHHL (if currently or a prior lessee or license holder).

Exhibit "C-1"

Item C-4

8. Federal and state tax returns and financial statements for the prior two calendar years and YTD current year. If applicant is an individual and business financial statements are not available, then a copy of an up-to-date credit report may be submitted in lieu thereof.
9. At least 2 and no more than 5 references.

Prospective Applicant must remit a check in the amount \$75.00 for a non-refundable processing fee with the application made payable to the Department of Hawaiian Home Lands. If awarded, an additional \$100.00 for documentation fee will be due.

Scoring Criteria for General RP

QUALIFICATIONS	SELECTION CRITERIA	POINTS
Proposed Use - “Good Idea/Plan”	Applicant provides well thought out plan and demonstrated ability to exercise, proposed use can NOT trigger an environmental assessment	0-10
Ability to Deliver - “Financial”	Proof of funds for security deposits, monthly permit fee and improvements, if any, or demonstration of ability to secure necessary funds for land and programmatic needs	0- 5
	Resume of principals and team members demonstrating any knowledge and experience in the specific field/area of the proposed use	0- 5
	Federal and State tax returns and financial statements for the prior two calendar years. If applicant is an individual copy of up-to-date credit report	0- 5
Good Tenant	<p>Applicant has a history as an excellent tenant with no termination or enforcement actions within the last two (2) years.</p> <p>For individuals, a copy of your credit report may be submitted for consideration (www.annualcreditreport.com provides access to personal credit reports). Credit and legal history may be verified by DHHL.</p> <p>Where relevant, excellent tenant history with DHHL will be considered (depending upon circumstances, history may become a basis for disqualification)</p> <p>Good history = 4 points Great history = 7 points Excellent history = 10 points</p>	0-15
	Applicant to provide at least 2 and no more than 3 professionals, trade, and commercial references. If professional references are not available, then personal references or other measures that assist in demonstrating the strength of the applicant may be submitted for consideration	0-10
Proposed Benefit, directly and indirectly to DHHL and its beneficiaries	<p>Applicant must meet minimum monthly fee</p> <ul style="list-style-type: none"> • Meeting minimum fee = 10 points • 50% above minimum fee = 15 points • 50%+ above minimum fee = 16-20 points 	0-20

QUALIFICATIONS	SELECTION CRITERIA	POINTS
	<p>Applicants can propose additional permit fee options including higher base fee, base plus percentage, etc. to strengthen application.</p> <p>Benefits to beneficiaries:</p> <ul style="list-style-type: none"> • Minimum benefit = 0 – 10 points • Moderate benefit = 10 – 20 points • Maximum benefits = 20 - 30 points <p>Applicant shall demonstrate active outreach to beneficiaries for job training, internship, or employment opportunities.</p> <p>Examples of direct and indirect benefit:</p> <ul style="list-style-type: none"> • Members of Native Hawaiian Chamber of Commerce and/or other business organizations • Targeted contributions (monetary or in-kind volunteer services) to organizations that provide direct services to beneficiaries and/or social service organizations that provide direct services to homestead areas or areas with a high beneficiary population • Targeted contributions (monetary or in-kind volunteer services) to self-help housing organization with demonstrated history of building homes on Hawaiian home lands • Applicant is a beneficiary • Other proposed services 	<p>0-30</p>

DEPARTMENT OF HAWAIIAN HOME LANDS

Land Management Division

General Guidelines For Application for **BUSINESS** Revocable Permits Revised April 2024

Revocable Permits allow only for the temporary occupancy of Hawaiian home lands or interest therein on a month-to-month basis for up to 12 months and under such conditions which will serve the best interest of the Department, subject to such restrictions as may be expressly provided by law. The permit can be cancelled by the Department or the Permit Holder upon 30 days' advance notice in writing.

Revocable Permits are authorized under Hawaii Revised Statutes (HRS) Section 171-55, titled Permit, as amended.

At its regular monthly meeting of April 22-23, 2024 the Hawaiian Homes Commission authorized the new Revocable Permit (RP) Program for short-term uses under three categories: General RP, Business RP, and Community RP:

Business RP

Business RPs are intended for DHHL Properties that show the greatest potential to earn income for the Applicant and DHHL. It is intended for more mature businesses with a longer track record.

Prospective Applicants must complete the Application and Qualification Form provided on the DHHL Official Website. The application must include the following documentation:

1. Statement of intended use and proposed improvements, if any. The proposed use of the land must align with the applicable DHHL Regional Plan (See: <https://dhhl.hawaii.gov/po/regional-plans>).
2. The proposed use of the land cannot trigger an environmental assessment as determined by DHHL's Planning Office. DHHL's Comprehensive Exemption List updated March 3, 2021 and concurred upon by the Environmental Council on April 6, 2021 is available on DHHL's official website.
3. Proof of immediately available funds through the most current bank statements for a security deposit of two times (2x) the proposed monthly fee.
4. Proof of funds for improvements, if applicable, through the most current bank statements, credit line availability, loan pre-approval, or other sources of financing.
5. Resume of principals and key team members demonstrating knowledge and experience in the specific field/area of the proposed use, including all professional certificates held.
6. Proof of history as an excellent commercial tenant with no termination or enforcement actions within the past 2 years minimum.
7. Proof of excellent history with DHHL (if currently or a prior lessee or license holder).

Exhibit "C-2"

Item C-4

8. Federal and state tax returns and financial statements for the prior two calendar years and YTD current year. If applicant is an individual and business financial statements are not available, then a copy of an up-to-date credit report may be submitted in lieu thereof.
9. At least 2 and no more than 5 professional/commercial references including a letter of recommendation from the Applicant's banker, which attests to the Applicant's creditworthiness.
10. If Applicant is a corporation -- certified copies of the Articles of Incorporation and Bylaws and any amendments; If Applicant is a limited liability company -- certified copies of the Articles of Organization and Operating Agreement and any amendments; If Applicant is a partnership, a certified copy of the Partnership Agreement and any amendments; If Applicant is a tax-exempt organization, proper IRS 501(c)(1) or IRS 501(c)(3) documentation is required.
11. Business plan with 3-year pro-forma.
12. Proof of holding all permits and licenses required for the proposed business use for the last 3 years.

Prospective Applicant must remit a check in the amount \$75.00 for a non-refundable processing fee with the application made payable to the Department of Hawaiian Home Lands. If awarded, an additional \$100.00 documentation fee will be due.

Scoring Criteria for Business RP

QUALIFICATIONS	SELECTION CRITERIA	POINTS
Proposed Use - “Good Idea/Plan”	Applicant provides well thought out plan and a Business Plan with 3-year pro forma	0- 5
	Resume of principals and team members demonstrating any knowledge and experience in the specific field/area of the proposed use	0- 5
Ability to Deliver - “Financial”	Proof of funds for any proposed improvements, security deposits, and monthly rent through the most recent bank statement, credit line availability, loan pre-approval, or other source of financing	0- 5
	Federal and State tax returns and financial statement for the prior two calendar years. If applicant is an individual copy of up-to-date credit report	0- 5
Good Tenant	<p>Applicant has a history as an excellent commercial tenant with no termination or enforcement actions within the last (2) years</p> <p>For individuals, a copy of your credit report may be submitted for consideration (www.annualcreditreport.com provides access to personal credit reports). Credit and legal history may be verified by DHHL</p> <p>Where relevant, excellent tenant history with DHHL will be considered (depending upon circumstances, history become a basis for disqualification</p> <p>Good history = 4 points Great history = 7 points Excellent history = 10 points</p>	0- 10
	Proof of holding all permits and licenses required for the proposed business use for the last 3 years minimum	0- 5
	Applicant to provide at least 2 and no more than 5 professional/commercial references, including bank and banker	0- 5

QUALIFICATIONS	SELECTION CRITERIA	POINTS
	<p>Proof of written understanding and acknowledgment that proposed use is exempt from preparing an Environmental Assessment under HRS Chapter 343, per DHHL's March 3, 2021 exemption list as approved by the Environmental Council, which demonstrate knowledge and/or personal experience in dealing with Federal, state, and county regulations and agencies governing such use</p>	0- 5
<p>Proposed Benefit, directly and indirectly to DHHL and its beneficiaries</p>	<p>Proposed monthly Permit Fee</p> <ul style="list-style-type: none"> • Meeting minimum fee = 10 points • 50% above minimum fee = 15 points • 50%+ above minimum fee = 16-20 points <p>Applicant can propose additional fee options including higher base fee, base plus percentage, etc. to strengthen application</p>	0-20
	<p>Benefit to beneficiaries:</p> <ul style="list-style-type: none"> • Minimum benefit – 0-10 points • Moderate benefit – 10-20 points • Maximum benefit – 20-35 points <p>Applicant shall demonstrate active outreach to beneficiaries for job training, internship, or employment opportunities</p> <p>Examples of direct and indirect benefit:</p> <ul style="list-style-type: none"> • Member of Native Hawaiian Chamber of Commerce and/or other business organizations • Targeted contributions (monetary or in-kind volunteer services) to organizations that provide direct services to beneficiaries and/or social service organizations that provide direct services to homestead areas or areas with a high beneficiary population • Targeted contributions (monetary and/or in-kind volunteer services) to self-help housing organizations with demonstrated history of building homes on Hawaiian home lands • Applicant is a beneficiary • Other proposed service 	0- 35

DEPARTMENT OF HAWAIIAN HOME LANDS

Land Management Division

General Guidelines For Application for **COMMUNITY** Revocable Permits Revised April 2024

Revocable Permits allow only for the temporary occupancy of Hawaiian home lands or interest therein on a month-to-month basis for up to 12 months and under such conditions which will serve the best interest of the Department, subject to such restrictions as may be expressly provided by law. The permit can be cancelled by the Department or the Permit Holder upon 30 days' advance notice in writing.

Revocable Permits are authorized under Hawaii Revised Statutes (HRS) Section 171-55, titled Permit, as amended.

At its regular monthly meeting of April 22-23, 2024 the Hawaiian Homes Commission authorized the new Revocable Permit (RP) Program for short-term uses under three categories: General RP, Business RP, and Community RP.

Community RP

Community RPs are intended for DHHL Properties that can be utilized by homestead community organizations or other native Hawaiian organizations for activities that benefit the neighboring homestead communities. A Community RP is appropriate for a use that is intended to be short term (or on a trial basis) with minimum improvements to the land. Examples include farmers' markets, tented areas for community movie nights, community gardens, etc.

Prospective Applicants must complete the Application and Qualification Form provided on the DHHL Official Website. The application must include the following documentation:

1. Statement of intended use and proposed improvements, if any. The proposed use of the land must align with the applicable DHHL Regional Plan (See: <https://dhhl.hawaii.gov/po/regional-plans>).
2. The proposed use of the land cannot trigger an environmental assessment as determined by DHHL's Planning Office. DHHL's Comprehensive Exemption List updated March 3, 2021 and concurred upon by the Environmental Council on April 6, 2021 is available on DHHL's official website.
3. Proof of immediately available funds through the most current bank statements for a security deposit of two times (2x) the proposed monthly fee.
4. Proof of funds for improvements, if applicable, through the most current bank statements, credit line availability, loan pre-approval, or other sources of financing.
5. Resume of principals and key team members demonstrating knowledge and experience in the specific field/area of the proposed use, including all professional certificates held.
6. Proof of history as an excellent commercial tenant with no termination or enforcement actions within the past 2 years minimum.
7. Proof of excellent history with DHHL (if currently or a prior lessee or license holder).

8. Federal and state tax returns and financial statements for the prior two calendar years and YTD current year. If applicant is an individual and business financial statements are not available, then a copy of an up-to-date credit report may be submitted in lieu thereof.
9. At least 2 and no more than 5 professional/commercial references.
10. If Applicant is a corporation -- certified copies of the Articles of Incorporation and Bylaws and any amendments; If Applicant is a limited liability company -- certified copies of the Articles of Organization and Operating Agreement and any amendments; If Applicant is a partnership, a certified copy of the Partnership Agreement and any amendments; If Applicant is a tax-exempt organization, proper IRS 501(c)(1) or IRS 501(c)(3) documentation is required.
11. Business plan with 3-year pro-forma.
12. Proof of holding all permits and licenses required for the proposed business use for the last 3 years.
13. Proof that Applicant has conducted adequate outreach and consultation with the targeted community and such proposed use is supported by the community.

Prospective Applicant must remit a check in the amount \$75.00 for a non-refundable processing fee with the application made payable to the Department of Hawaiian Home Lands. If awarded, an additional \$100.00 documentation fee will be due.

Scoring Criteria for Community RP

QUALIFICATIONS	SELECTION CRITERIA	POINTS
Proposed Use - “Good Idea/Plan”	Applicant provides well thought out plan and demonstrated ability to exercise, proposed use can NOT trigger an environmental assessment	0-10
Ability to Deliver - “Financial”	Proof of funds for security deposits, monthly permit fee and improvements, if any, or demonstration of ability to secure necessary funds for land and programmatic needs	0- 5
	Resume of principals and team members demonstrating any knowledge and experience in the specific field/area of the proposed use	0- 5
	Federal and State tax returns and financial statements for the prior two calendar years. If applicant is an individual a copy of up-to-date credit report	0- 5
Good Tenant	<p>Applicant has a history as an excellent tenant with no termination or enforcement actions within the last two (2) years.</p> <p>For individuals, a copy of your credit report may be submitted for consideration (www.annualcreditreport.com provides access to personal credit reports). Credit and legal history may be verified by DHHL.</p> <p>Where relevant, excellent tenant history with DHHL will be considered (depending upon circumstances, history may become a basis for disqualification)</p> <p>Good history = 4 points Great history = 7 points Excellent history = 10 points</p>	0-10
	Applicant to provide at least 2 and no more than 3 professionals, trade, and commercial references	0- 5
Proposed Benefit, directly and indirectly to DHHL and its beneficiaries	<p>Applicant must meet minimum monthly fee</p> <p>Applicants can propose additional rent options including higher base fee, base plus percentage, etc. to strengthen application.</p>	0-10
	<p>Benefits to beneficiaries:</p> <ul style="list-style-type: none"> • Minimum benefit = 0 – 10 points 	0-50

QUALIFICATIONS	SELECTION CRITERIA	POINTS
	<ul style="list-style-type: none"> • Moderate benefit = 10 – 30 points • Maximum benefits = 30 - 50 points <p>Applicant shall demonstrate active outreach to beneficiaries for job training, internship, or employment opportunities.</p> <p>Examples of direct and indirect benefit:</p> <ul style="list-style-type: none"> • Members of Native Hawaiian Chamber of Commerce and/or other business organizations • Targeted contributions (monetary or in-kind volunteer services) to organizations that provide direct services to beneficiaries and/or social service organizations that provide direct services to homestead areas or areas with a high beneficiary population • Targeted contributions (monetary or in-kind volunteer services) to self-help housing organization with demonstrated history of building homes on Hawaiian home lands • Applicant is a beneficiary • Other proposed services 	

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

REVOCABLE PERMIT NO. ***

This Agreement (hereinafter referred to as the "Permit") is executed this _____ day of _____, 20____, (Effective Date) by and between the State of Hawaii, **DEPARTMENT OF HAWAIIAN HOME LANDS**, whose principal place of business is at 91-5420 Kapolei Parkway, Kapolei, Hawaii 96707 ("PERMITTOR") and *****, a *** limited liability company, whose mailing address is ***, HI *** ("PERMITTEE").

THIS PERMIT IS GRANTED UNDER THE FOLLOWING CONDITIONS:

1. **GRANT.** PERMITTOR grants to PERMITTEE, its employees, invitees, agents, and representatives, the right to enter and occupy, that certain parcel of Hawaiian home lands located at ***, Island of **, identified as Tax Map Key No. ***, and being approximately *** acres 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.** PERMITTEE is permitted to enter and occupy, on a month-to-month basis only, pursuant to section 171-55, Hawaii Revised Statutes as of the Effective Date of this Permit. This Permit shall automatically terminate one year from the Effective Date, unless earlier revoked. Both parties may terminate this Permit, for any or no reason, upon a thirty (30) day advanced written notice given to either party.

3. **PERMITTED USE.** PERMITTEE shall use the Premises solely for ***** in conjunction with PERMITTEE's business. PERMITTEE shall receive PERMITTOR's prior written consent for all other intended uses. Residential use is strictly prohibited.

4. **FEES.** PERMITTEE shall pay the sum of ***** and NO/100 DOLLARS (\$***.00) on the 1st day of each and every month thereafter for the duration of this Permit or until it is terminated or revoked as provided herein. PERMITTEE shall be required to pay a non-refundable processing and documentation fee of \$175.00.

Payment can be made in person or by mail at the following:

In Person

Department of Hawaiian Home Lands
Fiscal Office
91-5420 Kapolei Parkway,
Kapolei, Hawaii 96707

Mailing Address

Department of Hawaiian Home Lands
P. O. Box 1721
Honolulu, Hawaii 96806-1721



Exhibit "D"

- a. If monthly rent is not received at the above address on or before the first day of the month for which it is due, then a service charge of FIFTY AND NO/100 DOLLARS (\$50.00) for any fee payment received after the 10th day of the month in which it is due and interest at twelve percent (12%) per annum shall accrue on any amounts more than thirty (30) days past due. The service charge is in addition to interest on unpaid or delinquent rentals. Payment of such service charge shall not excuse or cure any default by PERMITTEE under this Permit.
- b. PERMITTOR reserves the right to increase or decrease the monthly fee at any time upon thirty (30) days' advance written notice to PERMITTEE.

5. **DEPOSIT**. Upon execution of this Permit, PERMITTEE shall deposit with the DEPARTMENT OF HAWAIIAN HOME LANDS a sum which is equal to two (2) months' fees, in cash, certified check or cashier's check, that sum initially being ***** and NO/100 DOLLARS (\$***.00) as security for the faithful performance on its part of all the terms and conditions, inclusive of the special terms and any conditions under this Permit, which it hereby agrees, or in such other form of security therefor as may be satisfactory to PERMITTOR.

- a. The deposit will be returned without interest to PERMITTEE within a reasonable time after the termination of this Permit only if PERMITTEE has faithfully performed all terms and conditions to the satisfaction of PERMITTOR.
- b. In the event, however, that PERMITTEE does not perform, PERMITTOR, at its option, may declare the deposit forfeited to PERMITTOR or apply it as an offset to any amounts owed under this Permit or to any damages or loss to PERMITTOR caused by PERMITTEE'S breach of such terms and conditions.
- c. The exercise of this option is without prejudice to the right of PERMITTOR to institute action for debt or damages against PERMITTEE or to resort to any recourse against PERMITTEE provided by law for the enforcement of PERMITTOR'S rights under this Permit.

6. **ACCEPTANCE OF RENT NOT A WAIVER**. The acceptance of rent by the PERMITTOR shall not be deemed a waiver of any breach by the PERMITTEE of any term, covenant, or condition of this Permit nor of the PERMITTOR's right of re-entry for breach of covenant, nor of the PERMITTOR's right to declare and enforce a

forefeiture for any breach, and the failure of the PERMITTOR to insist upon strict performance of any term, covenant, or condition, or to exercise any option conferred, in any one or more instances, shall not be construed as a waiver or relinquishment of any term, covenant, condition, or option.

7. **UTILITIES.** PERMITTEE shall be responsible for obtaining any utilities services desirable or necessary for PERMITTEE'S permitted use(s) of the Premises. PERMITTEE shall pay all charges, duties, rates, fees, expenses, costs, and real property taxes and assessments.

8. **NON-WARRANTY.** PERMITTOR does not warrant the conditions of the Premises or any improvements thereon. The Premises is provided in an "as is, where is" condition with all faults and defects, whether latent or patent.

9. **MAINTENANCE.** PERMITTEE shall keep the Premises in a strictly clean, sanitary, and orderly condition. PERMITTEE 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 not allow trash to spread to surrounding areas.

10. **SECURITY.** PERMITTEE will be responsible for the security of the Premises and all of PERMITTEE's improvements and personal property on the Premises. PERMITTEE is responsible for the safety of all personnel and invitees at the Premises. PERMITTEE will also be responsible for monitoring, reporting, and taking reasonable steps to prevent the unauthorized use or vandalization of the entirety of the Premises by squatters, trespassers, or other third parties.

11. **CONSTRUCTION AND IMPROVEMENTS.** No new construction will be allowed without the prior written approval of PERMITTOR. No alteration, addition, or installation of any kind will be made to the Premises unless plans are first submitted and approved in writing by PERMITTOR. No permanent improvements or fixtures may be erected or placed on the land without the PERMITTOR's written approval.

12. **COMPLIANCE WITH LAWS.** PERMITTEE shall comply with all requirements of all municipal, state, and federal authorities and observe all municipal, state, and federal laws applicable to the Premises and the improvements thereon, now in force or which may be in force.

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

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

15. **NO LIENS OR ENCUMBRANCES.** PERMITTEE shall not by any act or omission, directly or indirectly, create, commit, incur, assume, cause, or suffer to exist any liens, attachments, charges, or encumbrances on or with respect to its interests and rights of use in the Premises or the improvements. 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. PERMITTEE shall release, indemnify, defend, and hold the Lessor harmless from and against all attachments, liens, charges, and encumbrances and all resulting expenses.

16. **SURRENDER.** At the end of the lease term or other sooner termination of this Permit, 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 clean and orderly condition, reasonable and ordinary wear and tear and damage 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.

Upon the expiration, termination, or revocation of this Permit, should the PERMITTEE fail to remove any and all of PERMITTEE'S personal property from the Premises, after notice thereof, the PERMITTOR may remove any and all personal property from the Premises and either deem the property abandoned and dispose of the property or place the property in storage at the cost and expense of PERMITTEE, and the PERMITTEE does agree to pay all costs and expenses for disposal, removal, or storage of the personal property. This provision shall survive the termination of the Permit.

17. **INSURANCE.** PERMITTEE shall procure and maintain, at its own cost and expense, in full force and effect throughout the term of this Permit, general liability insurance, or its equivalent, with an insurance company or companies licensed or authorized to do business in the State of Hawai'i with an AM Best rating of not less than "A- VIII" or other comparable and equivalent industry rating, in an amount of at least \$1,000,000.00 for each occurrence and \$2,000,000.00 aggregate, and with coverage terms acceptable to the Chairperson of the Commission, 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 Permit. 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 Permit.

If PERMITTEE operates any motor vehicle on the Premises, PERMITTEE shall procure and maintain Hawaii no-fault automobile liability insurance, covering any auto (all owned, hired, and non-owned autos), with a combined single limit not less than \$2,000,000.00 each accident (bodily injury and property damage combined); or a bodily injury limit of not less than \$1,000,000.00 per person and \$2,000,000.00 per accident, and property damage limits of not less than \$1,000,000.00 per accident.

Prior to entry and use of the Premises or within fifteen (15) days after the commencement date of this Permit, whichever is sooner, furnish the State with a policy(s) or other documentation required by the State showing the policy(s) to be initially in force, keep the policy(s) or other documentation required by the State on deposit during the entire Permit term, and furnish a like policy(s) or other documentation required by the State upon each renewal of the policy(s). This insurance shall not be cancelled, limited in scope of coverage, or nonrenewed until after thirty (30) days written notice has been given to the State. The state may at any time require the PERMITTEE to provide the State with copies of the insurance policy(s) that are or were in effect during this Permit period.

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

In addition:

- a. Failure of PERMITTEE to provide and keep in force such insurance shall be regarded as material default under this Permit. PERMITTOR shall be entitled to exercise any or all of the remedies provided in this Permit for default of PERMITTEE.
- b. The procuring of such required insurance policies shall not be construed to limit PERMITTEE'S indemnification obligations under this Permit.
- 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 Permit 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 Permit, 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.

PERMITTOR shall retain the right at any time to review the coverage, form, and amount of the insurance required by this Permit. If, in the opinion of the PERMITTOR, the insurance provisions in this lease do not provide adequate protection for the PERMITTOR, the PERMITTOR may require PERMITTEE to obtain insurance sufficient in coverage, form, and amount to provide adequate protection. The PERMITTOR's requirements shall be reasonable but shall be designed to assure protection for and against the kind and extent of the risks which exist at the time a change in insurance is required. The PERMITTOR shall notify PERMITTEE in writing of changes in the insurance requirements and PERMITTEE shall deposit copies of acceptable insurance policy(s) or other documentation required by the PERMITTOR thereof, with the PERMITTOR incorporating the changes within thirty (30) days of receipt of the notice.

The procuring of the required policy(s) of insurance shall not be construed to limit PERMITTEE'S liability under this lease nor to release or relieve the Lessee of the indemnification provisions and requirements of this lease. Notwithstanding the policy(s) of insurance, PERMITTEE shall be obligated for the full and total amount of any damage, injury, or loss caused by Lessee's or the PERMITTEE'S employees, agents, officers, or invitees' negligence or neglect connected with this lease.

It is agreed that any insurance maintained by the PERMITTOR will apply in excess of, and not contribute with, insurance provided by PERMITTEE'S policy.

18. **DEFENSE AND INDEMNITY.** PERMITTEE shall release, defend, indemnify and hold harmless PERMITTOR, its officers, employees, contractors, representatives, and agents from and against all liability, loss, damage, costs, and expenses, including all attorneys' fees, and all claims, suits, and demands therefor, arising out of or resulting from the acts or omissions of PERMITTEE and/or PERMITTEE'S officers, employees, agents, representatives, or contractors occurring during or in connection with the exercise of this Permit. The provisions of this paragraph shall remain in full force and effect notwithstanding the expiration or early termination of this Permit. The purchase of liability insurance shall not relieve PERMITTEE of the obligations described herein.

19. **ATTORNEY'S FEES, COSTS, and EXPENSES.** In case the State shall, without any fault on its part, be made a party to any litigation commenced by or against the PERMITTEE (other than condemnation proceedings), the PERMITTEE shall pay all costs, including reasonable attorney's fees, and expenses incurred by or imposed by the State. The PERMITTEE shall pay all costs, including reasonable attorney's fees and expenses which may be incurred by or paid by the State in enforcing the covenants and agreements in this Permit in recovering possession of the Premises, or in the collection of delinquent rental fees, taxes, and any and all other charges.

20. **HAZARDOUS MATERIALS.** PERMITTEE shall not cause or permit the escape, disposal, or release of any hazardous materials, except as permitted by law. 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 the 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 is responsible for any environmental cleanup of any hazardous materials brought onto the Premises or caused by the PERMITTEE's activities on the Premises.

PERMITTEE agrees to indemnify, defend, and hold harmless PERMITTOR, its officers, employees, and agents from and against all liability, loss, damages, costs, and expenses, 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 this Permit.

For the purpose of this Permit, the term “hazardous material” 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 Permit, 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.

21. **ENTIRE AGREEMENT.** This Permit contains all 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.

22. **USE OF GENDER.** Unless the text indicates otherwise, the use of any gender shall include all genders and, if the PERMITTEE includes more than one person, the singular shall signify the plural and this Permit shall bind the persons, and each of them jointly and severally.

23. **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” with all faults, defects, and conditions, whether known or unknown.

24. **REVIEW AND APPROVAL.** The Permit shall be subject to other standard terms and conditions of similar documents issued by DHHL and will be subject to the review and approval by the Department of the Attorney General, State of Hawai‘i. This Permit is subject to other terms and conditions that may be deemed prudent by the Chairman of the Hawaiian Homes Commission.

25. **SPECIAL CONDITIONS.**

A. *****.**

[REMAINDER OF PAGE BLANK -- SIGNATURE PAGE FOLLOWS]

DRAFT



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

APPROVED BY THE CHAIRMAN,
HAWAIIAN HOMES COMMISSION
on [REDACTED]

State of Hawaii
DEPARTMENT OF HAWAIIAN HOME LANDS

APPROVED AS TO FORM:

Deputy Attorney General
State of Hawaii

By _____
KALI WATSON
Chairman
Hawaiian Homes Commission

PERMITTOR

[REDACTED]
a [REDACTED] company

By: _____

[REDACTED]

Its: [REDACTED]

PERMITTEE



DHHL DISPOSITIONS

1/10/2024

Disposition (when typically used)	HHCA Authorization	Typical Term	How Disposed (HRS Auth.)	Who Approves	Native Hawaiian Consideration	Beneficiary Consultation	Community Benefits Package
1. Property General Lease (Business - income producing)	HHCA §204(a)(2)	LONG - 20+ years	Generally public auction with minimum rent set by appraisal (HRS §171-14, 16 and 32), but a lease may be disposed of by negotiation upon a finding by the Commission that trust interest demands it (HRS §171-59(a))	Commission	HHCA §204(a)(2) - Authorization to negotiate with native Hawaiian before general public (discretionary)	HHCA §228(b) - "Prior to disposition of available land through a request for proposals for an intial lease , the department shall consult with the beneficiaries of the trust in the master planning of the available lands" By policy, with adoption of regulations, BC requirement extended beyond master planning prior to an initial lease (on a regional basis) to be required prior to an initial disposition (on a parcel by parcel basis)	HHCA SILENT, but Department practice is to reccomend CBP on "big" projects (e.g., Prince Kuhio Shopping Center, Ka Makana Alii, solar farm GLs)
2. Improvements/Space General Lease (Business - income producing)	HHCA §204(a)(2) ... "or any improvements thereon"	SHORT/MEDIUM - 5 yrs. Max	Act 173 (2014) would permit "lease by direct negotiation and at fair market rents, and for a term not to exceed 5 years" -- DOI says need Congressional approval, but AG disagrees	Commission	HHCA §204(a)(2) - Authorization to negotiate with native Hawaiian before general public (discretionary)	HHCA §228(b) - "Prior to disposition of available land through a request for proposals for an intial lease , the department shall consult with the beneficiaries of the trust in the master planning of the available lands" By policy, with adoption of regulations, BC requirement extended beyond master planning prior to an initial lease (on a regional basis) to be required prior to an initial disposition (on a parcel by parcel basis)	HHCA SILENT
3. Eleemosynary General Lease (Community Exempt Organizations, including qualifying CDCs and Homestead Associations)	HHCA §204(a)(2)	LONG - 20+ years	Department "may lease, at nominal consideration, by direct negotiation and without recourse to public auction, public lands to an eleemosynary organization which has been certified to be tax exempt under seciton 501(c)(1) or 501(c)(3) of the Internal Revenue Code of 1986, as amended" (HRS §171-43.1)	Commission	None	HHCA §228(b) - "Prior to disposition of available land through a request for proposals for an intial lease , the department shall consult with the beneficiaries of the trust in the master planning of the available lands" By policy, with adoption of regulations, BC requirement extended beyond master planning prior to an initial lease (on a regional basis) to be required prior to an initial disposition (on a parcel by parcel basis)	HHCA SILENT

Disposition (when typically used)	HHCA Authorization	Typical Term	How Disposed (HRS Auth.)	Who Approves	Native Hawaiian Consideration	Beneficiary Consultation	Community Benefits Package
4. License as Easement (Infrastructure)	HHCA §207(c)(1)	AS-NEEDED, including perpetual, with reverter (HAR §10-4-22)	Direct Negotiation (HAR §10-4-21(b)), but by policy, minimum rent set by appraisal for "NB" type licenses - benefit other than native Hawaiians	Commission for "NB" type licenses - benefit other than native Hawaiians (HAR §10-4-21(b)), but by policy, "B" type licenses - exclusively serving homestead lessees - approved by the Chairman	None	Not required	N/A
5. Public Purpose (e.g., "churches, hospitals, public schools, post offices") License	HHCA §207(c)(1)(A) -- only used for lots within a homestead district	MEDIUM - 10+ years	Direct Negotiation (HAR §10-4-21(b))	Commission (HAR §10-4-21(b))	None	Not required	N/A
6. Mercantile (e.g. " theaters, garages, service stations, markets, stores") License (for lots within a homestead district)	HHCA §207(c)(1)(B) -- only used for lots within a homestead district	MEDIUM - 10+ years	Direct Negotiation (HAR §10-4-21(b))	Commission (HAR §10-4-21(b))	HHCA §207(c)(1)(b) - Shall be held by native Hawaiian (mandatory)	Not required	N/A
7. License to the United States	HHCA §207(c)(2)	SHORT/MEDIUM - 5 yrs. max (HAR §10-4-25(a))	Direct Negotiation (HAR §10-4-21(b))	Department and Governor (HAR §10-4-25(a), with minimum rent set by appraisal (HAR §10-4-25(b))	N/A	Not required	N/A
8. Revocable Permit (Either: (i) "Business" - income producing, but parcel not legally subdivided or condo., so can't GL; (ii) "Community" - some rent but more for community service, or (iii) "General" - occupant to provide presence and insurance for nominal rent)	HHCA §204(a)(2)	SHORT (MTM) with discretionary annual renewal (HRS §171-55(a))	Direct Negotiation (HRS §171-55(a))	Department, but by practice, Commission approves renewals	Proposed RP program considers Native Hawaiian status on a scoring system	Not required	HHCA SILENT
9. Right of Entry (Due Diligence prior to other disposition)	HHCA §204(a)(2)	SHORT (MTM) with discretionary annual renewal (HRS §171-55(a)) when used as replacement for RP Should be as-needed	Direct Negotiation (HRS §171-55(a)) Proposed RP program has an authorization process that was approved by the Commission for the Pilot Program in Aug. 2022	Commission (both issuance and renewals), but by practice, if term is less than 30 days (a "Limited Right of Entry"), then Department may approve issuance	None	Not required	N/A
10. Project Developer Agreement (Business - income producing; can be vehicle for Private-Public-Partnership (PPP))	HHCA §220.5 -- DOI says need Congressional approval, but AG disagrees	LONG - not to exceed 65 years (HRS §220.5(d)(1))	Properly Noticed Sealed Bids under HRS §171-60(a)(3), "provided that the department shall not be subject to the requirements of competitive bidding if no state funds are to be used in the development of the project" HHCA §220.5(a)	Commission	None	Per HHCA §228(a), the provisions of HHCA §228(b) "apply to commercial and multipurpose projects under section 204 or 220.5"	HHCA 220.5(4) -- "The Department then may negotiate the details of the disposition with the developer, including providing benefits to promote native Hawaiian socio-economic advancement"



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

Potential Commercial/Industrial Revenue Generation Opportunities

DRAFT

February 2, 2024 – Permitted Interaction Group Presentation

DEPARTMENT OF HAWAIIAN HOME LANDS – LAND MANAGEMENT DIVISION

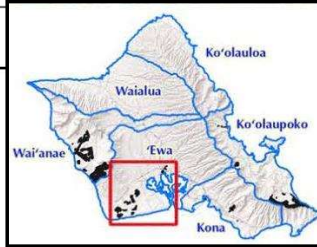
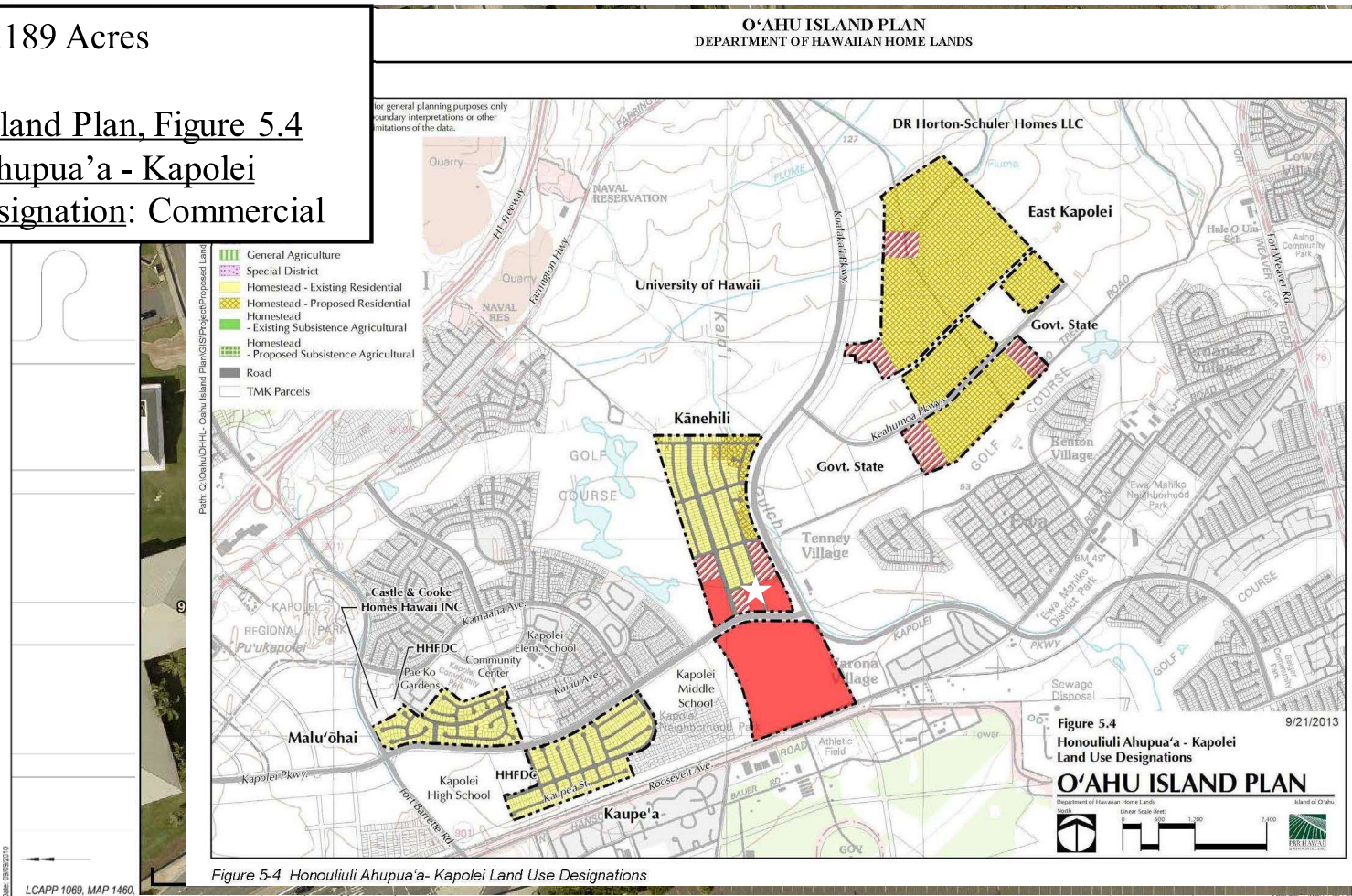
Exhibit "F"
Item C-4



East Kapolei/Oahu – TMK 9-1-151:058

Land Area: 2.189 Acres

2014 Oahu Island Plan, Figure 5.4
Honouliuli Ahupua'a - Kapolei
Land Use Designation: Commercial





West Kalaeloa/Oahu – TMK 9-1-013:001

Land Area: 43.021 Acres

2014 Oahu Island Plan, Figure 5.5
Honouliuli Ahupua'a - Kalaeloa
Land Use Designation: Industrial



LCAPP 1069, US NAVAL RESERVATION, BARBERS POINT AIRPORT, HONOLULU, EWA, HAWAII

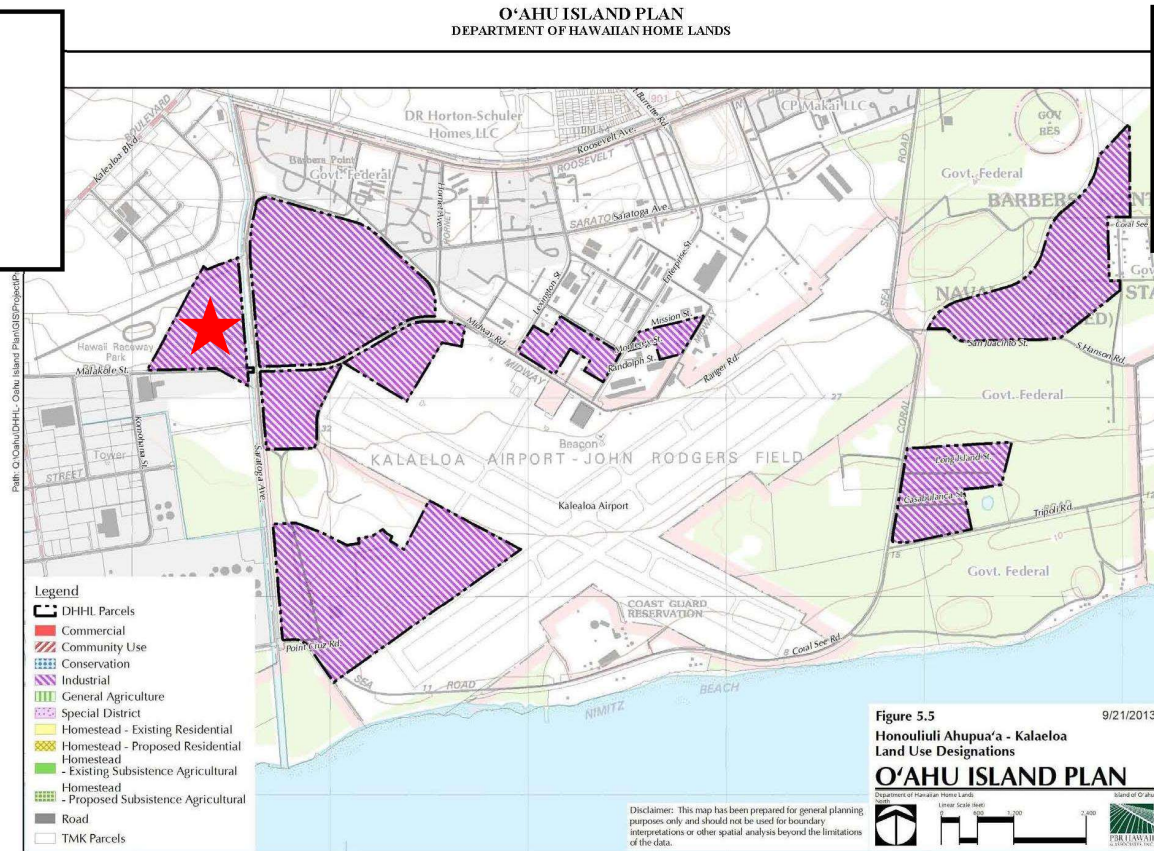
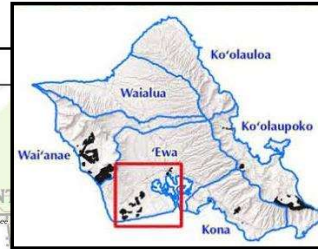


Figure 5-5 Honouliuli Ahupua'a- Kalaeloa Land Use Designations





Wailua/Kauai – TMK 3-9-006:009

Land Area: 41.152 Acres

2004 Kauai Island Plan, Figure 6.2
Wailua Land Use Plan: Commercial

REVISED BY: J.P. [illegible]
DATE: 12/15/04
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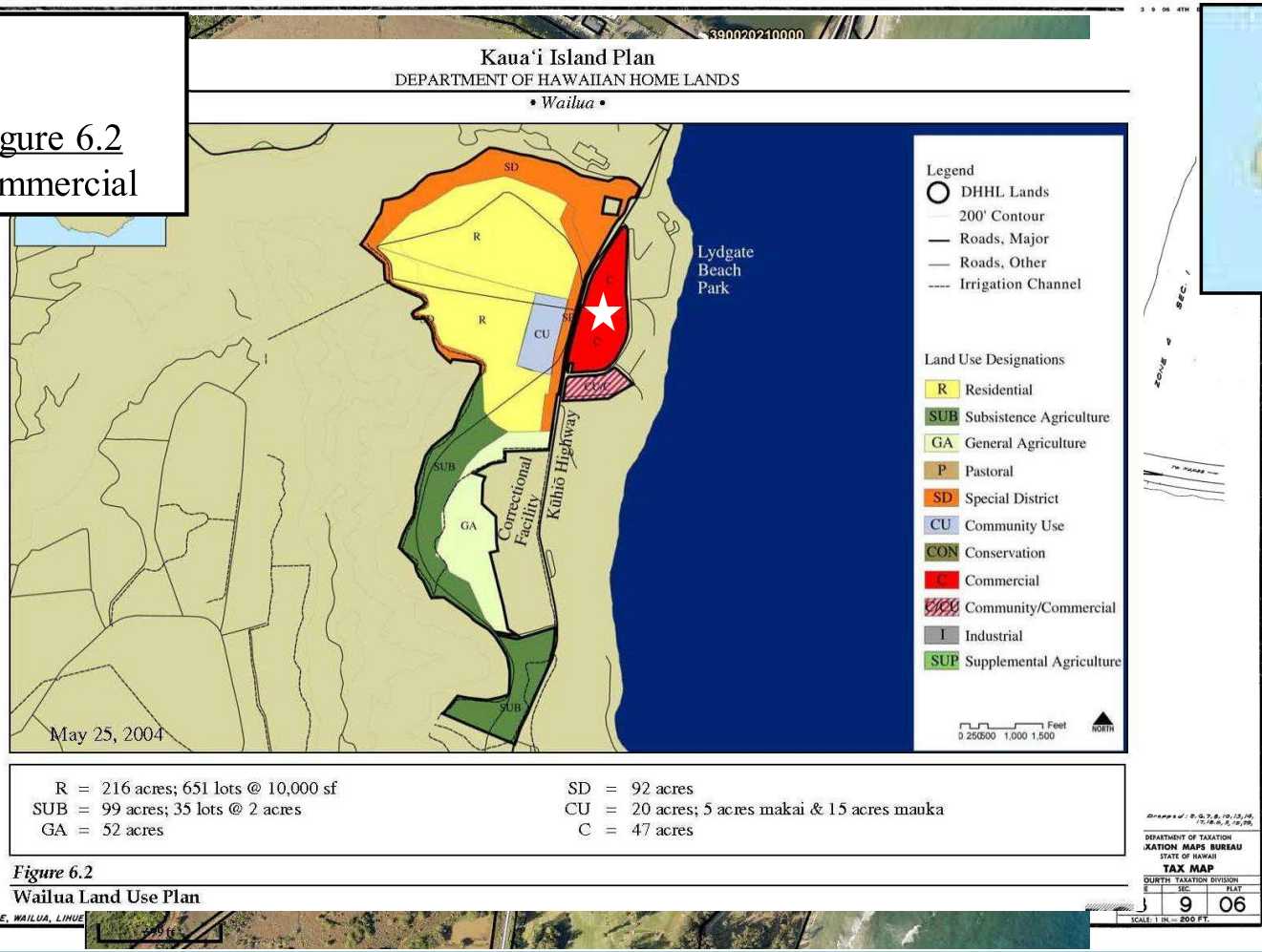


Figure 6.2
Wailua Land Use Plan

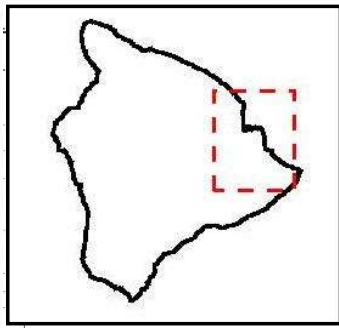
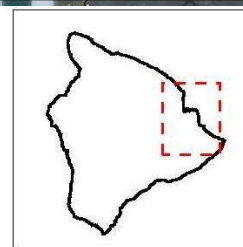
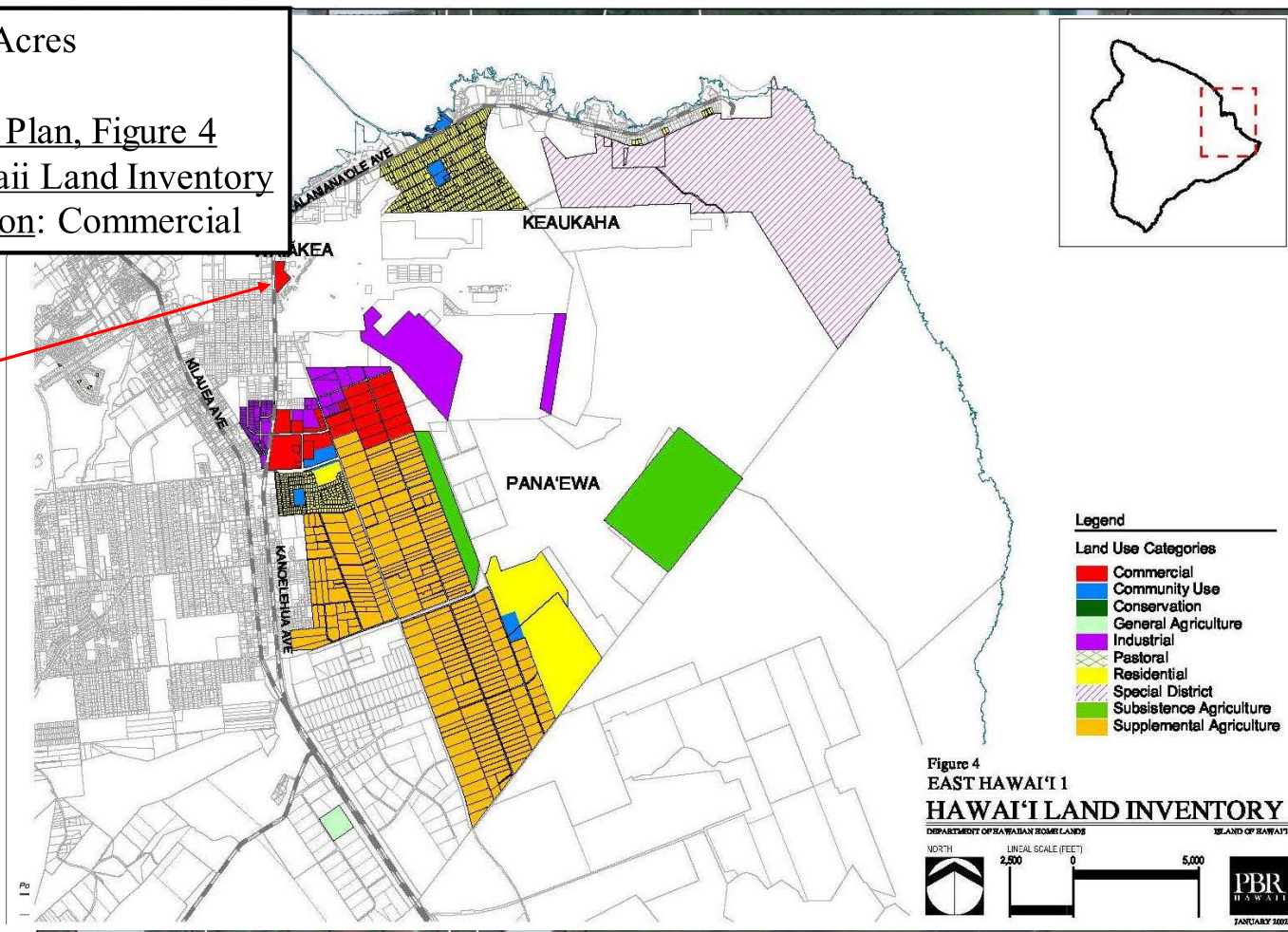


Waiakea/Hawaii – TMK 2-1-012:070

Land Area: 11.685 Acres

2002 Hawaii Island Plan, Figure 4
East Hawaii – Hawaii Land Inventory
Land Use Designation: Commercial

Subject Site



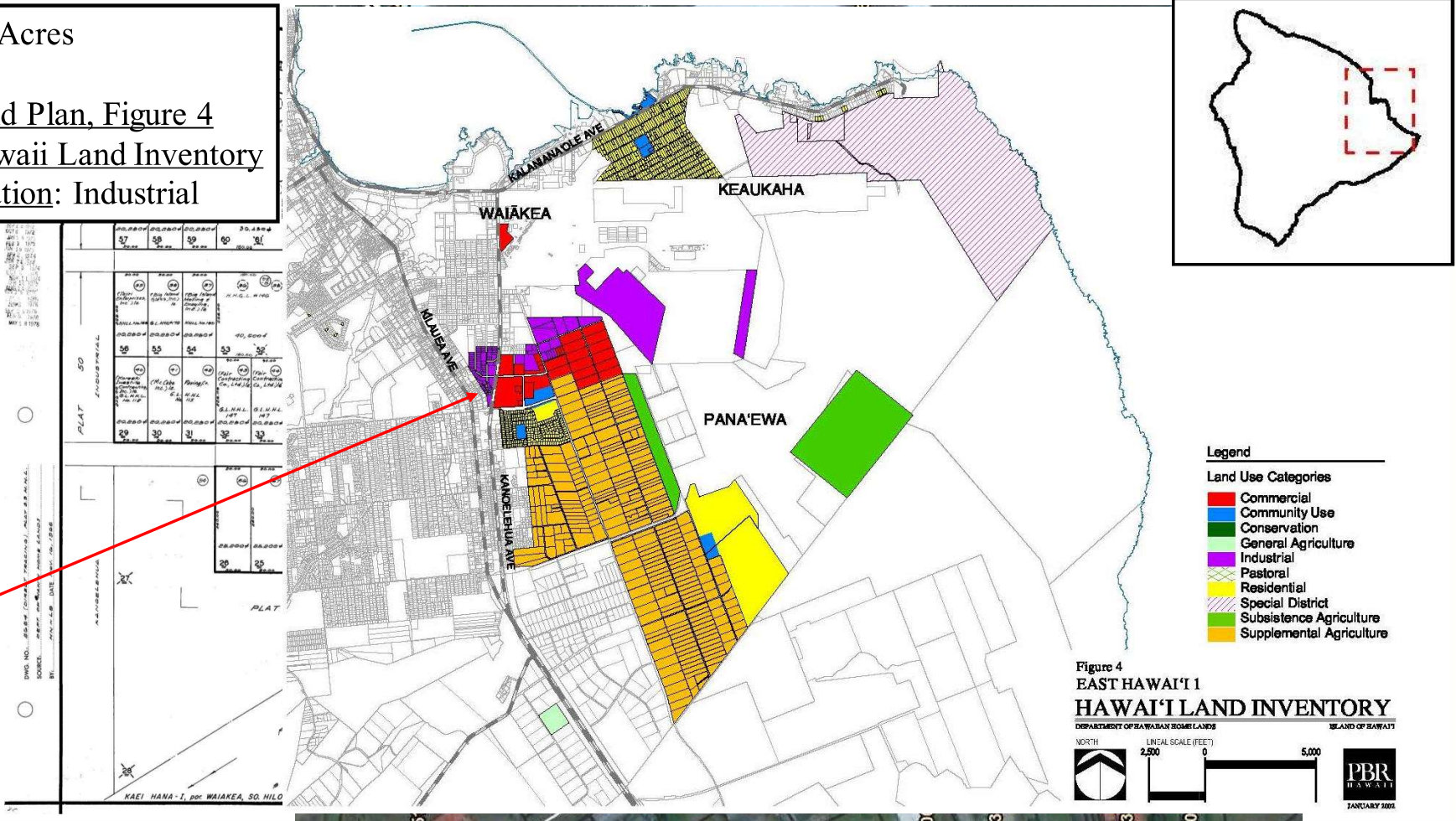
DEPARTMENT OF HAWAIIAN HOME LANDS – LAND MANAGEMENT DIVISION

Waiakea/Hawaii – TMK 2-2-060:1-10, 85-89

Land Area: 8.300 Acres

2002 Hawaii Island Plan, Figure 4
 East Hawaii – Hawaii Land Inventory
 Land Use Designation: Industrial

Subject Site

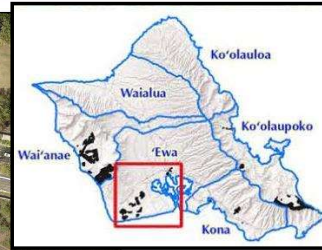
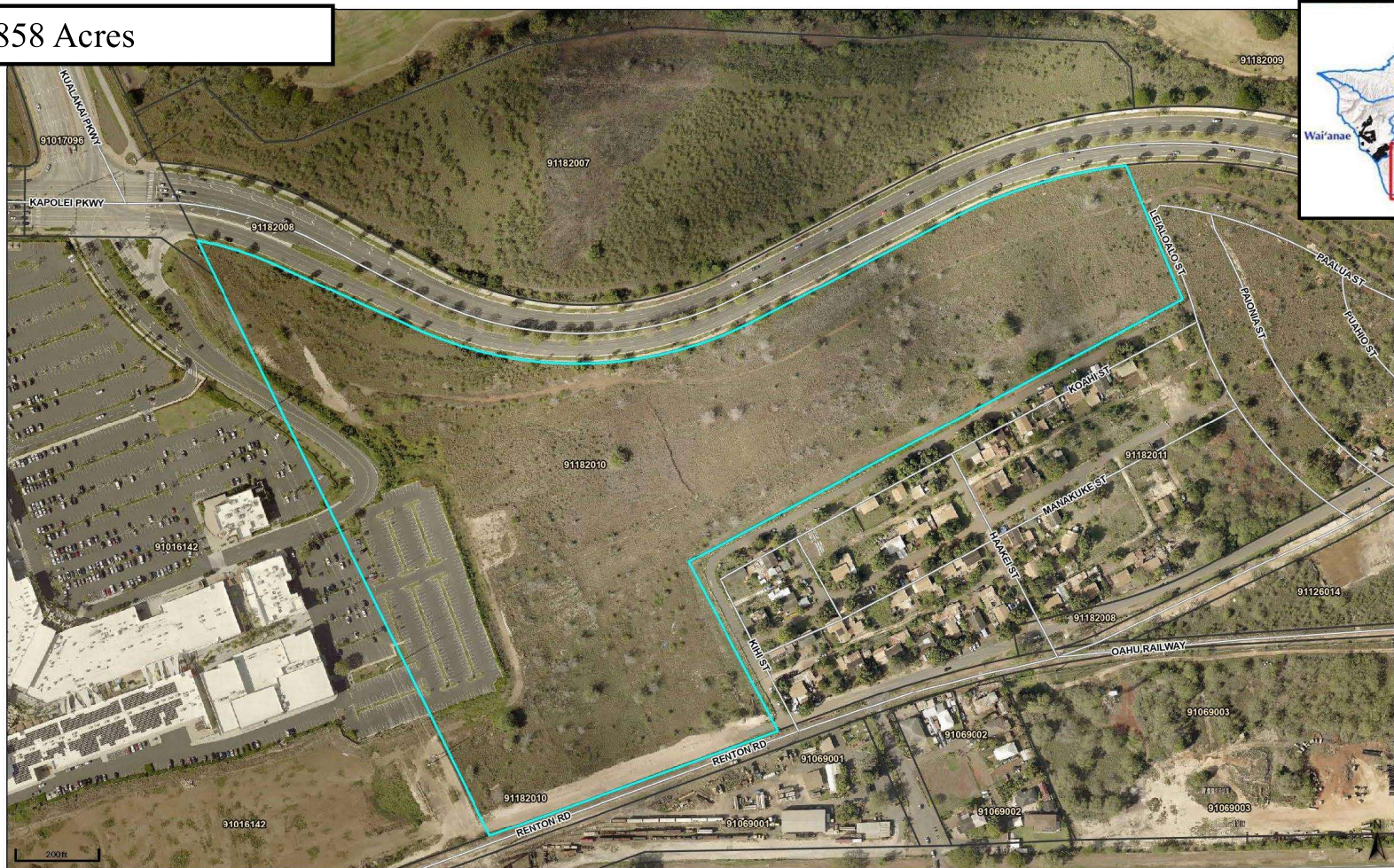


DEPARTMENT OF HAWAIIAN HOME LANDS – LAND MANAGEMENT DIVISION



E Kapolei/Oahu Varona 1 – TMK 9-1-182:010

Land Area: 31.858 Acres



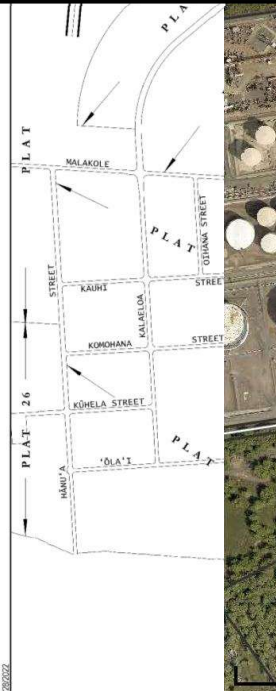
DEPARTMENT OF HAWAIIAN HOME LANDS – LAND MANAGEMENT DIVISION



Kalaeloa/Oahu – TMK 9-1-013:061

Land Area: 139.3 Acres

2014 Oahu Island Plan, Figure 5.5
Honouliuli Ahupua'a - Kalaeloa
Land Use Designation: Industrial



LCAPP 1069, US NAVAL RESERVATION, BARBERS POINT AIRPORT, HONOLIULI, EWA, HAWAII

O'AHU ISLAND PLAN
DEPARTMENT OF HAWAIIAN HOME LANDS

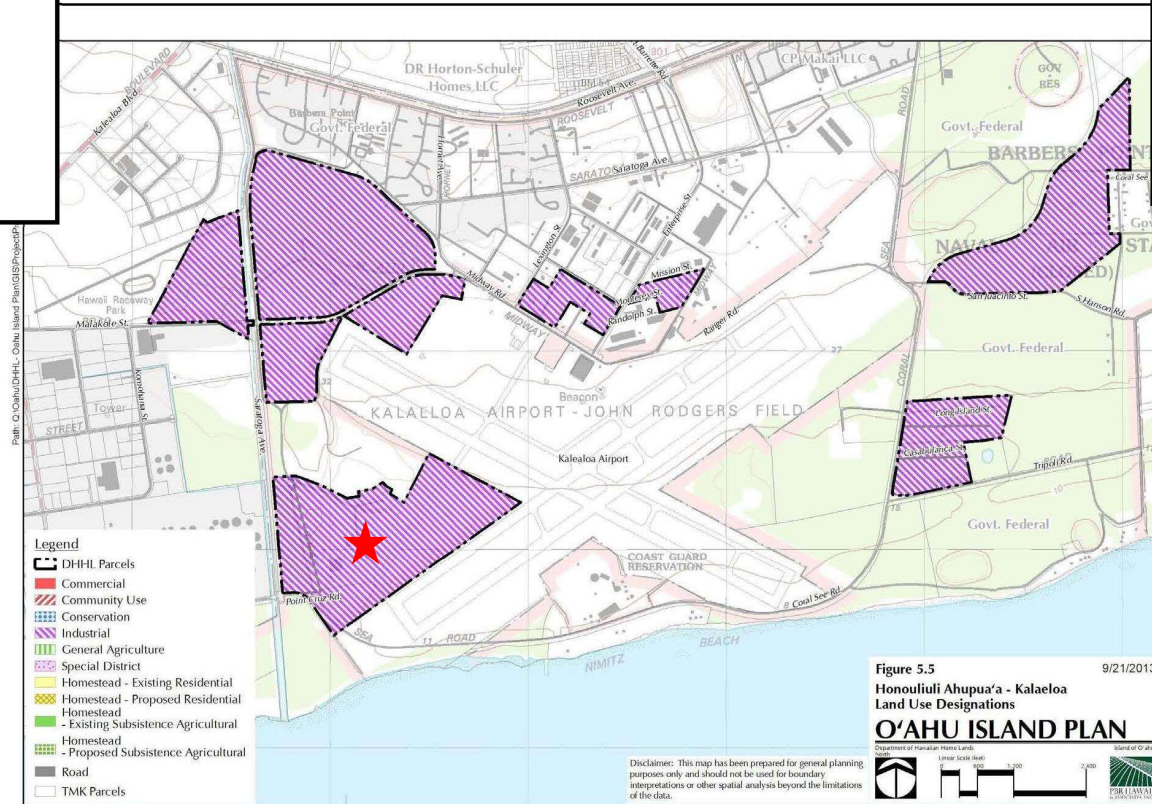
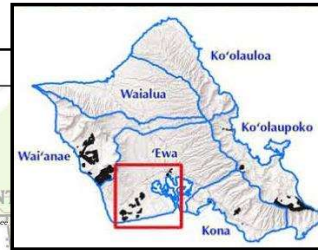


Figure 5-5 Honouliuli Ahupua'a- Kalaeloa Land Use Designations

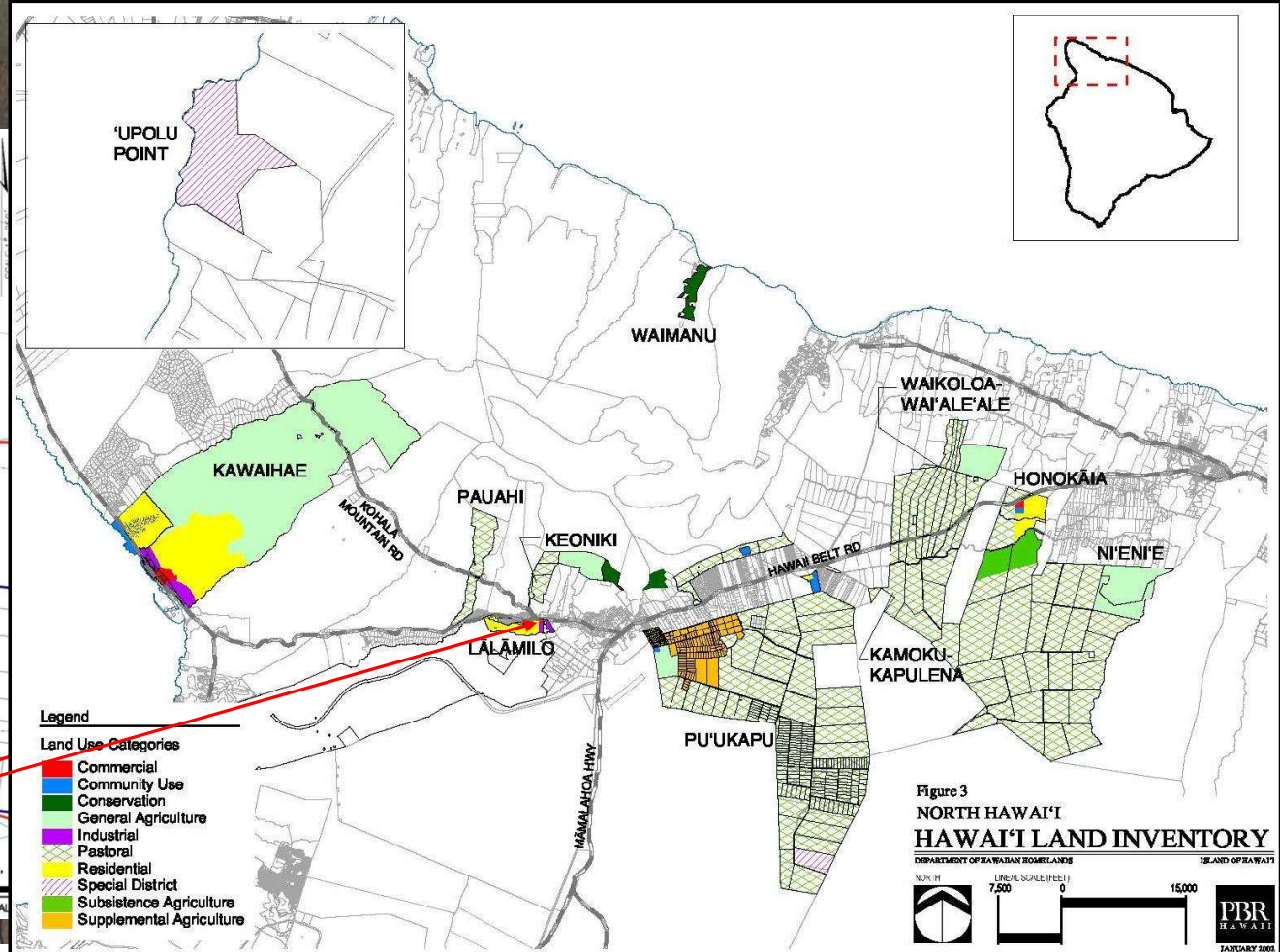




Waimea, Lalamilo/Hawaii – TMK 6-6-001:077

Land Area: 12.0 Acres

2002 Hawaii Island Plan, Figure 10
Lalamilo Tract – Hawaii Land
Inventory Land Use Designation:
Commercial Industrial



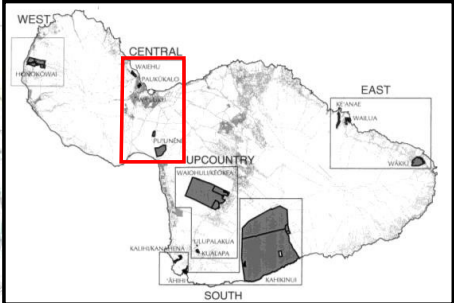
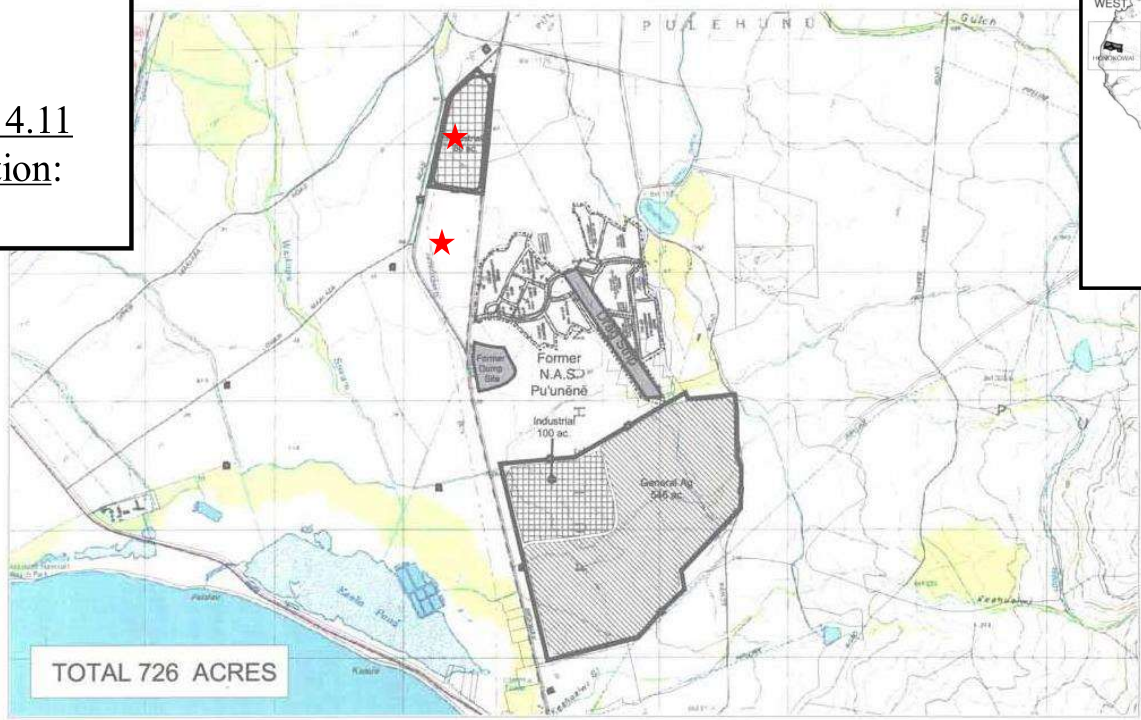
Subject Site

DEPARTMENT OF HAWAIIAN HOME LANDS – LAND MANAGEMENT DIVISION

Pu'unene, Maui – TMK 3-8-008:08, :35, :36

Land Area: 184.359 Acres

2004 Maui Island Plan, Figure 4.11
Pu'unene – Land Use Designation:
Industrial

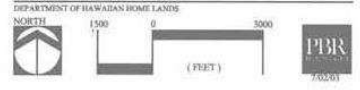


Map No. 100
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 Author: [illegible]
 Date: 10/1/04

Legend
 DHHL Land Boundary

Land Use Summary	Approx. Acres
General Agriculture	546
Industrial	180
Total	726

Figure 4-11
 PU'UNENE
 Land Use Alternative 2
MAUI LAND INVENTORY



Source: United States Geologic Survey and Department of Hawaiian Home Lands



Mahalo



DEPARTMENT OF HAWAIIAN HOME LANDS

www.dhhl.hawaii.gov

DEPARTMENT OF HAWAIIAN HOME LANDS – LAND MANAGEMENT DIVISION

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 18 - 19, 2024

TO: Members, Hawaiian Homes Commission
FROM: Chairman
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 Implement Recommendations Regarding Geothermal Development on Hawaiian Home Lands.

RECOMMENDED MOTION/ACTION:

None. For information only.

DISCUSSION:

There is a need and demand for alternative energy sources that could help create energy independence in Hawaii. Geothermal is an alternative energy source that presents opportunities for new revenue streams for the trust and potential energy sovereignty for the home lands because sources of geothermal energy are located on Hawaiian Home Lands. A permitted interaction group (PIG) of the Hawaiian Homes Commission was previously appointed effective March 22, 2023. The purpose of this group was to study, evaluate, and recommend strategies related to geothermal exploration, feasibility, extraction, and/or use on Hawaiian Home Lands. This prior Geothermal PIG did its work and already has reported back its findings and recommendations to the Hawaiian Homes Commission.

Effective March 20, 2024, a new Geothermal PIG is appointed. The purpose of this new PIG is to implement the recommendations of the prior PIG received by the Hawaiian Homes Commission. The members of this PIG include Commissioners Michael Kaleikini and Makai Freitas, with Commissioner Freitas to serve as its chair. Russell Kaupu (OCH) and Kahana Albinio (LMD) will be staff members on the PIG, but other DHHL staff will be called upon, from time to time, as needed, for assistance.

RECOMMENDATION:

None. For information only.

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

March 18 - 19, 2024

To: Chairman and Members, Hawaiian Homes Commission
From: David Hoke, Administrator, Enforcement Unit
Subject: For Information Only – Monthly Enforcement Unit Efforts and Statistics (February 13, 2024 – March 8, 2024)

RECOMMENDED ACTIONS:

None. For information only.

DISCUSSION:

Requests for Investigations: 10

- Oahu: 4
- Maui: 3
- Kauai: 0
- East Hawaii: 2
- West Hawaii: 1

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

Total requests in calendar year: 23

Operations:

- Homeless Trespassing and Removal - Prospect St, Panewa x 3, Waiehu Kou 3
- Keokea, Maui - Removed “range” build in a drainage basin.
- Eisenberg/Coolidge St – Secured property from November 10, 2023 – March 3, 2024 after fire was caused by homeless trespassers and to allow LMD time to secure a tenant.

Beneficiary Engagement:

- SCHAA
- Ekklesia Neighborhood Security Watch (NSW) – March 4, 2024 (Zoom) and March 6, 2024
- Kanehili NSW
- Kaupea NSW
- Keaukaha Panaewa Farmer’s Association
- Keaukaha Association

- Maku'u Farmers Association
- MAHA

Interagency Collaboration:

- DOT – Homeless Coordinator
- DOH – Solid Waste Section
- AG Investigator
- State of Hawaii Sheriffs
- County Police (HPD – Assistant Chief Mark Thompson, D8 Narco Vice, D8 Community Police, D1 CRU, MPD – Community Police)

Pilot program update:

- No new reports of criminal activity in the various homesteads that fall into the areas of the pilot program.
- Two reports have been reported to HPD since pilot program began on January 1, 2024 and still 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 – Drugs/Alcohol Violations, Vandalism, Simple Assault x2, Fraud, Motor Vehicle Theft
 - Waianae Kai – Theft x 5
 - Lualualei – Theft x2, Larceny
 - Ka'uluokaha'i – Criminal Property Damage, Motor Vehicle Theft
 - Series Seven, Princess Kahanu Estate, Waianae Valley, Malu'ōhai, Kanehili, Kaupe'a – None

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

March 18, 2024

To: Chairman and Members, Hawaiian Homes Commission

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

This is an oral presentation. Information relevant to this item
will be presented at the table.



Hawaii Housing Finance and Development Corporation

THE LOW INCOME HOUSING TAX CREDIT PROGRAM





Background/Purposes

LIHTC = indirect federal subsidy used to finance low-income housing

- Established as part of the Tax Reform Act of 1986.
- Federal program created as incentive for private developers and investors to provide more affordable rental housing.
- The program is administered by the Internal Revenue Service (IRS) in conjunction with state housing finance agencies.
- Developers receive tax credits for investing in affordable housing projects.
- Dollar for dollar credit (not deduction) claimed pro-rata over 10 years
- Both newly constructed and renovated residential affordable rental buildings



How does the LIHTC work?

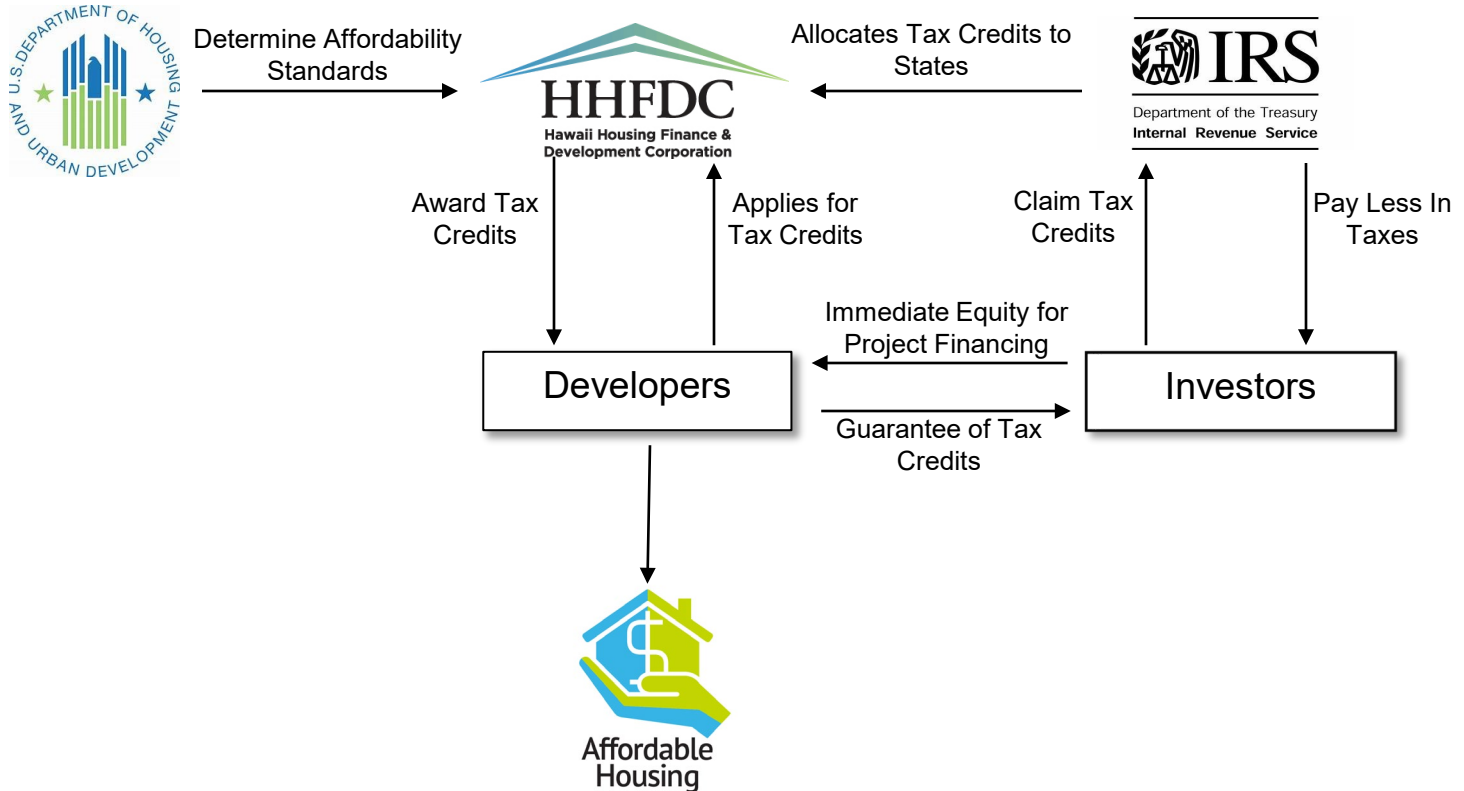


LIHTC Role in the Development Process

- Credits are allocated from the IRS to states based on population and awarded to developers through state housing finance agencies.
 - HHFDC is the designated agency for Hawaii.
- Developers apply for and are awarded an allocation of tax credits.
- Financial closing and ground-breaking
- Completion of the project
- Project leases up
- Certify development costs
- Rents project units to low-income tenants



Equity Capital for Development Costs





Compliance Periods and Requirements

- Governed by a recorded Land Use Restrictive Agreement (LURA)
- Initial Compliance Period – First 15 years after project placed in service
 - Investor collects credits in years 1 through 10
 - Risk of credit recapture through year 15
- Extended Use Period – Minimum of an Additional 15 years (Federal Requirement)
 - Set-aside restrictions remain in place
- Compliance monitoring – Annual Certifications
 - Compliance Vendor works with Managing Agents
 - Critical to utilize experienced Managing Agent



Key Requirements for Monitoring & Certifications

- Rent Restrictions (AMI set-asides)
- Tenant Income Qualifications
- Unit Occupancy
- Physical Condition

These requirements are detailed in the LURA and remain in effect throughout the extended use period.



How much in LIHTC does Hawaii receive?



9% LIHTC (competitive/volume cap) are allocated to each state based on population.

For 2024, Hawaii is allocated the following:

\$3,360,000*

**Source: IRS Rev Proc 2023-34, Section 3.09*



Hawaii 9% LIHTC Annual Production

- 2-3 Projects Awarded
- Approximately 125-130 Total Units

Award Year	9% Applicants	Avg Units	Avg TDC
2023	7 of 31	43	\$27.5 mm
2022	8 of 28	57	\$31.6 mm
2021	8 of 28	56	\$29.5 mm



4% LIHTC (non-competitive/non-volume cap) are allocated based on the use of private activity tax-exempt bonds. The State does have a bond cap of approximately \$378 million*.

4% LIHTC projects must utilize private activity tax-exempt bonds equal to 50% of the project's eligible basis.

Most Acquisition & Rehabilitation Projects utilize 4% LIHTC with Private Activity Bonds

**Source: IRS Rev Proc 2023-34, Section 3.20*



Hawaii 4% LIHTC Annual Production

- 5-6 Projects Awarded
- Approximately 125-130 Total Units

Award Year	9% Applicants	Avg Units	Avg TDC
2023	24 of 31	148	\$76.4 mm
2022	20 of 28	129	\$69.5 mm
2021	20 of 28	116	\$51.7 mm



9% Credits

Subject to federal “volume cap” based on state population

State of Hawaii 2024 allocation ≈ \$3.360 million

The 2023 allocation was awarded to four housing projects for the construction of 155 new units

Approximately **70%** of a project’s costs



4% Credits

Less valuable, but there is no volume cap

Projects must meet the “50% test,” with a project’s eligible cost basis financed with at least 50% with tax-exempt bonds

In 2023, approximately \$28.7 million in credits were allocated to seven housing projects for the construction of 1,485 new units (approx. \$172.2 mm equity)

Approximately 30-35% of a project’s costs

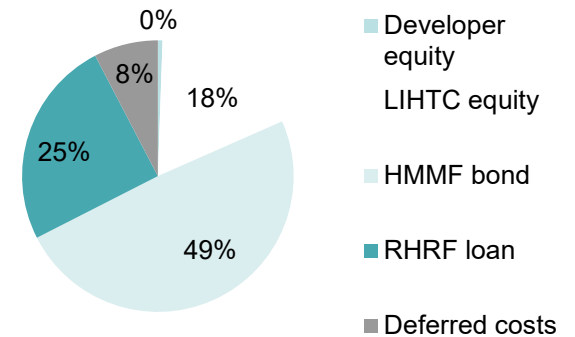


Representative 4% LIHTC Project Capital Stack

- Construction/Interim Financing

Developer equity	\$	250,000
LIHTC equity		8,115,000
HMMF bond		22,331,000
RHRF loan		11,305,000
Deferred costs		<u>3,474,000</u>
Total development cost	\$	<u>45,475,000</u>

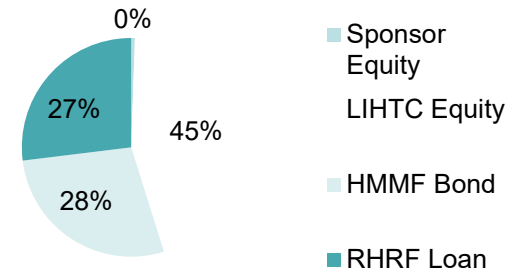
Construction/Interim Financing Capital Stack



- Permanent Financing

Sponsor Equity	\$	250,000
LIHTC Equity		20,287,000
HMMF Bond		12,688,000
RHRF Loan		<u>12,250,000</u>
Total development cost	\$	<u>45,475,000</u>

Permanent Financing Capital Stack





How are LIHTC awarded?



The LIHTC are awarded in accordance with the State of Hawaii’s “Qualified Allocation Plan” or QAP.

Each state housing finance agency (HFA) is responsible for creating and implementing its own QAP, which outlines the criteria and procedures for allocating LIHTC to affordable housing projects within the state.



Purposes of the QAP

- 1. Allocation Criteria:** It defines the criteria that developers must meet to qualify for LIHTC allocations.
- 2. Scoring System:** To evaluate and rank applications for LIHTC allocations.
- 3. Public Input:** The QAP process involves opportunities for public input, allowing stakeholders such as developers, advocates, local government officials, and residents to provide feedback on the priorities and strategies outlined in the plan.
- 4. Compliance Monitoring:** The QAP establishes requirements for monitoring and compliance with LIHTC regulations.
- 5. Policy Objectives:** Reflects the State's broader policy objectives related to affordable housing. May adjust as needed as priorities or economic environment shifts.



Developers apply for LIHTC through HHFDC's Consolidated Application. The Consolidated Application allows applicants to apply for various other financing programs with one application.

- Application is improved annually based on stakeholder feedback.
- QAP changes are also incorporated into the application.



**Applications are reviewed and scored by
HHFDC's Finance and Development staff
utilizing the QAP.**

**Recommendations for awarding LIHTC and
other financing resources are presented to the
HHFDC Board for approval.**

Awards announced June through August



Lease to Own Development and LIHTC

- Preferably referred to as “Ownership Conversion”
- After the 15-year Compliance Period, tenants can purchase the leasehold interest of their unit.
 - Right of First Refusal (ROFR) detailed in the Land Use Restrictive Covenants



“Sale” Price

- Under **IRC § 42(i) (7) (A)**, **tenants** (in cooperative form or otherwise), a resident management corporation of a building, a qualified nonprofit organization as defined in IRC § 42(h) (5) (C), or government agency may hold a right to purchase the building after the close of the building's 15- year compliance period for a price which is not less than the minimum purchase price.

Minimum Purchase Price

- Under **IRC § 42(i) (7) (B)**, the minimum purchase price is an amount equal to the sum of:
 - The principal amount of outstanding indebtedness secured by the building (other than indebtedness incurred within the 5-year period ending on the date of the sale to the tenants), (DEBT) and
 - All federal, state, and local taxes attributable to the sale (TAXES).



Villages of Laiopua (Kona) – 9% LIHTC

- 60 single-family homes with a first right of refusal purchase option at the end of the 15-year Compliance Period.
- 2, 3 and 4-BR SFH, wood frame construction
 - 30%, 40% and 60% AMI

Source	Interim	Permanent
Sponsor Equity	\$ 0	\$ 0
LIHTC Equity	3,505,123	23,396,745
Senior Loan	19,879,000	1,550,000
RHRF Loan	7,520,000	7,620,000
DHHL	5,000,000	5,000,000
Deferred Developer Fee	1,470,877	383,255
Other Deferred Costs	575,000	
Total	\$ 37,950,000	\$ 37,950,000



Villages of Laiopua (Kona) – 9% LIHTC, cont.

Budget/Cost Item	Amount	Per Square Foot	%
Land Acquisition	\$ 1	\$ 0.00	0.00%
Construction – Sitework	0	0.00	0.00%
Construction – Vertical	23,376,623	240.47	61.60%
Construction – Contractor Profit	3,265,715	33.59	8.61%
Interim & Soft Costs	4,403,826	45.30	11.60%
Financing & Syndication Costs	1,946,000	20.02	5.13%
Developer’s Fee	1,470,877	15.13	3.88%
Developer’s Overhead	250,000	2.57	0.66%
Project Reserves	575,000	5.92	1.51%
Contingency	2,661,958	27.38	7.01%
Total	\$ 37,950,000	\$ 390.38	100.00

\$632k per unit → \$745k per unit in 2024 assuming a modest 5.5% annual construction cost increase



Villages of Laiopua (Kona) – 9% LIHTC, cont.

- **Calculation of Unit Price**
 - Price = Price qualified for based on the Qualifying Loan Amount as determined by Monthly P&I payment, Interest Rate and set amortization period;

Criteria	Basis	Notes
Income Level	HUD MTSP Published	1 st day after end of Compliance Period
Household Size	HUD Standard: # of BR x 1.5	
Interest Rate	Bank of Hawaii 30- year FHA fixed	Updated monthly
Amortization	30 years	



Villages of Laiopua (Kona) – 9% LIHTC, cont.

- **Unsold Units**
 - Continue as LIHTC Rental Units subject to the terms of the LURA
- **Until the earlier of:**
 - End of the committed affordability period defined in the LURA.
 - Tenant execution of First Right of Refusal purchase option.
 - Voluntary Tenant Lease Termination or Non-renewal
 - Subsequent sale of corresponding unit
 - Involuntary Tenant Lease Termination or Non-renewal
 - Subsequent sale of corresponding unit



Ownership Conversion Considerations

- **Promotes Homeownership**
 - Percentage of households that own their homes is steadily declining
- **Accelerates Repayment of Construction Debt**
 - Rental Housing Revolving Fund repaid
- **Tenants More Likely to Take Active Role in Care of their Unit**
 - Even possibly invest funds in maintenance and upgrades
- **Decreased vacancy losses and expenses**
- **Works well in low-cost land scenarios**



Ownership Conversion Considerations

- **Decreased Supply of Affordable Rentals**
 - Rental units are taken out of circulation from the affordable housing pool
- **Historically successful only with single-family homes**
 - HOA's and common area issues are difficult to navigate in condominium tower projects
 - Inherently higher construction costs (avg 30%); mainly water & sewer
- **Can debt service be supported if units do not sell?**
- **Sensitive to mortgage rate environment, economy and inflation**
- **Managing Agents for LIHTC need to have experience with subdivision structure, not just HOA's.**



Ownership Conversion Considerations

- **Requires More Detailed Tenant Selection Plan**
 - Plan for homeownership must be clearly defined and criteria to select tenants must support this.
- **Need to consider additional tenant education, support services and homeownership preparedness resources**
 - Detailed plan for outreach as early as years 11 or 12
 - Main obstacle is credit
- **Need to consider specific requirements of succession for beneficiaries**



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**HAWAIIAN HOMES COMMISSION
MARCH 18 & 19, 2024**

D – ITEMS

HOMESTEAD SERVICES DIVISION

HOMESTEAD SERVICES DIVISION
AGENDA

March 18, 2024

DIV.	ITEM NO.	SUBJECT
	D-1	HSD Status Reports Exhibits: A - Homestead Lease & Application Totals and Monthly Activity Reports B - Delinquency Report C - DHHL Guarantees for FHA Construction Loans
ODO/APPL. LOANS		
LOANS APPL	D-2	Approval of Consent to Mortgage (see exhibit)
	D-3	Approval of Homestead Application Transfers / Cancellations (see exhibit)
	D-4	Approval to Certify Applications of Qualified Applicants for the month of February 2024 (see exhibit)
DO	D-5	Approval of Assignment of Leasehold Interest (see exhibit)
	D-6	Approval of Amendment of Leasehold Interest (see exhibit)
	D-7	Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees (see exhibit)
MODO	D-8	Approval of Supplemental Dwelling Unit (SDU) for Certain Lessees (see exhibit)
	D-9	Commission Designation of Successor – CLORINDA AUDREY BROOKS , Agricultural Lease No. 7821, Lot No. 109, Hoolehua, Molokai
EHDO	D-10	Conditional Approval of Subdivision, Transfer of a Portion of Lease and Amendment to Lease No. 5377-A, Lot No. 10-B, Panaewa, Hawaii – GINA N.K. GOMES

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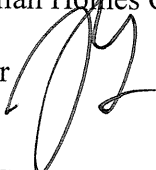
ITEM NO. D-1

(With Exhibit)

ITEM NO. D-1
EXHIBIT A

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 18, 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 FHA Construction Loans

March 18, 2024

SUBJECT: Homestead Lease and Application Totals and Monthly Activity Reports

LEASE ACTIVITY REPORT

Month through February 29, 2024

	As of 1/31/24	Add	Cancel	As of 2/29/24
Residential	8,503	2	0	8,505
Agricultural	1,105	0	0	1,105
Pastoral	437	1	0	438
Total	10,045	3	0	10,048

The cumulative number of Converted Undivided Interest Lessees represents an increase of 564 families moving into homes. Their Undivided Interest lease was converted to a regular homestead lease.

	As of 1/31/24	Converted	Rescinded/ Surrendered/ Cancelled	As of 2/29/24
Undivided	744	0	0	744

Balance as of 2/29/2024

Awarded	1,434
Relocated to UNDV	7
Rescinded	123
Surrendered	6
Cancelled	4
Converted	<u>564</u>
Balance to Convert	744

Lease Report For the Month Ending February 29, 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																
Kaikaina	39	1	0	40	0	0	0	0	0	0	0	0	39	1	0	40
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
Kauloakahai	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
Kumuohau	50	0	0	50	0	0	0	0	0	0	0	0	50	0	0	50
Lualualei	149	0	0	149	30	0	0	30	149	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	17	0	0	17	0	0	0	0	17	0	0	17
Waianae	420	0	0	420	12	0	0	12	0	0	0	0	432	0	0	432
Waimanalo	713	0	0	713	2	0	0	2	0	0	0	0	715	0	0	715
TOTAL	4,379	1	0	4,380	61	0	0	61	0	0	0	0	4,440	1	0	4,441
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	99	1	0	100	99	1	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	99	1	0	100	1,424	1	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	275	0	0	275	0	0	0	0	288	0	0	288
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	406	0	0	406	25	0	0	25	1,273	0	0	1,273
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
Kaniohale	224	0	0	224	0	0	0	0	0	0	0	0	224	0	0	224
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	0	871	111	0	0	111	285	0	0	285	1,267	0	0	1,267
KAUAI																
Anahola	549	1	0	550	46	0	0	46	0	0	0	0	595	1	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	713	1	0	714	46	0	0	46	1	0	0	1	760	1	0	761
MOLOKAI																
Hooilehua	152	0	0	152	345	0	0	345	21	0	0	21	518	0	0	518
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	0	0	393	417	0	0	417	27	0	0	27	837	0	0	837
LANAI																
Lanai	44	0	0	44	0	0	0	0	0	0	0	0	44	0	0	44
TOTAL	44	0	0	44	0	0	0	0	0	0	0	0	44	0	0	44
STATEWIDE TOTAL	8,503	2	0	8,505	1,105	0	0	1,105	437	1	0	438	10,045	3	0	10,048

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

ISLAND	AC	AREA / TYPE	2/1/2024			3/1/2024						
			TOTALS	ADDS	DELETES	TOTALS						
O'ahu	113	Nānākuli Res	153	0	0	153	0.98%	O'AHU APP TYPE TOTALS				
	123	Papakōlea / Kewalo Res	64	0	0	64	0.41%					
	133	Waimānalo Res	518	0	1	517	3.32%	<u>Agr</u>	<u>Pas</u>	<u>Res</u>	=	
	143	Wai'anae Res	135	0	0	135	0.87%	4,145	0	11,441		15,586
	191	O'ahu Islandwide Agr	4,145	2	0	4,147	26.59%	26.59%	0.00%	73.41%	100.00%	
	193	O'ahu Islandwide Res	10,571	7	7	10,571	67.82%					
	Total O'ahu Apps	15,586	9	8	15,587	100.00%						
Maui	213	Paukūkalo Res	50	0	0	50	0.53%	MAUI APP TYPE TOTALS				
	221	Kula Agr	4	0	0	4	0.04%					
	222	Kula Pas	3	0	0	3	0.03%	<u>Agr</u>	<u>Pas</u>	<u>Res</u>	=	
	291	Maui Islandwide Agr	4,815	1	1	4,815	51.20%	4,819	623	3,963		9,405
	292	Maui Islandwide Pas	620	0	1	619	6.58%	51.24%	6.62%	42.14%	100.00%	
	293	Maui Islandwide Res	3,913	3	3	3,913	41.61%					
	Total Maui Apps	9,405	4	5	9,404	100.00%						
Hawaii'i	313	Keaukaha / Waiākea Res	65	0	0	65	0.42%	HAWAII'I APP TYPE TOTALS				
	321	Pana'ewa Agr	13	0	0	13	0.08%					
	333	Kawaihae Res	16	0	0	16	0.10%	<u>Agr</u>	<u>Pas</u>	<u>Res</u>	=	
	341	Waimea Agr	10	0	0	10	0.06%	7,405	2,022	6,049		15,476
	342	Waimea Pas	46	0	0	46	0.30%	47.85%	13.07%	39.09%	100.00%	
	343	Waimea Res	44	0	0	44	0.28%					
	391	Hawaii'i Islandwide Agr	7,382	3	1	7,384	47.69%					
	392	Hawaii'i Islandwide Pas	1,976	1	0	1,977	12.77%					
	393	Hawaii'i Islandwide Res	5,924	6	3	5,927	38.28%					
		Total Hawaii'i Apps	15,476	10	4	15,482	100.00%					
Kaua'i	511	Anahola Agr	3	0	0	3	0.07%	KAUA'I APP TYPE TOTALS				
	512	Anahola Pas	20	0	0	20	0.46%					
	513	Anahola Res	40	0	0	40	0.91%	<u>Agr</u>	<u>Pas</u>	<u>Res</u>	=	
	523	Kekaha Res	8	0	0	8	0.18%	2,315	342	1,736		4,393
	532	Pu'u 'Ōpae Pas	7	0	0	7	0.16%	52.70%	7.79%	39.52%	100.00%	
	591	Kaua'i Islandwide Agr	2,312	1	2	2,311	52.63%					
	592	Kaua'i Islandwide Pas	315	0	0	315	7.17%					
	593	Kaua'i Islandwide Res	1,688	0	1	1,687	38.42%					
	Total Kaua'i Apps	4,393	1	3	4,391	100.00%						
Moloka'i	613	Kalama'ula Res	3	0	0	3	0.14%	MOLOKA'I APP TYPE TOTALS				
	621	Ho'olehua Agr	17	0	0	17	0.79%					
	622	Ho'olehua Pas	1	0	0	1	0.05%	<u>Agr</u>	<u>Pas</u>	<u>Res</u>	=	
	623	Ho'olehua Res	7	0	0	7	0.32%	1,137	202	818		2,157
	633	Kapa'akea Res	6	0	0	6	0.28%	52.71%	9.36%	37.92%	100.00%	
	643	One Ali'i Res	1	0	0	1	0.05%					
	691	Moloka'i Islandwide Agr	1,120	3	1	1,122	51.92%					
	692	Moloka'i Islandwide Pas	201	0	0	201	9.30%					
693	Moloka'i Islandwide Res	801	2	0	803	37.16%						
	Total Moloka'i Apps	2,157	5	1	2,161	100.00%						
Lāna'i	713	Lāna'i Res	69	0	0	69	100.00%	LĀNA'I APP TYPE TOTALS				
		Total Lāna'i Apps	69	0	0	69	100.00%					
							<u>Agr</u>	<u>Pas</u>	<u>Res</u>	=		
							0	0	69		69	
							0.00%	0.00%	100.00%	100.00%		

STATEWIDE TOTALS				STATEWIDE APP TYPE TOTALS		
2/1/2024	Adds	Deletes	3/1/2024	Agr	Pas	Res
47,086	29	21	47,094	19,821	3,189	24,076

DHHL Applicant Summary as of March 1, 2024

Individuals with only RESIDENTIAL applications:	6,440	21.86%
Individuals with only AGRICULTURAL applications:	4,629	15.72%
Individuals with only PASTORAL applications:	747	2.54%
Individuals with RESIDENTIAL and AGRICULTURAL applications:	15,196	51.59%
Individuals with RESIDENTIAL and PASTORAL applications:	2,442	8.29%
	<hr/>	<hr/>
*Total Number of DHHL APPLICANTS:	29,454	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

March 18, 2024

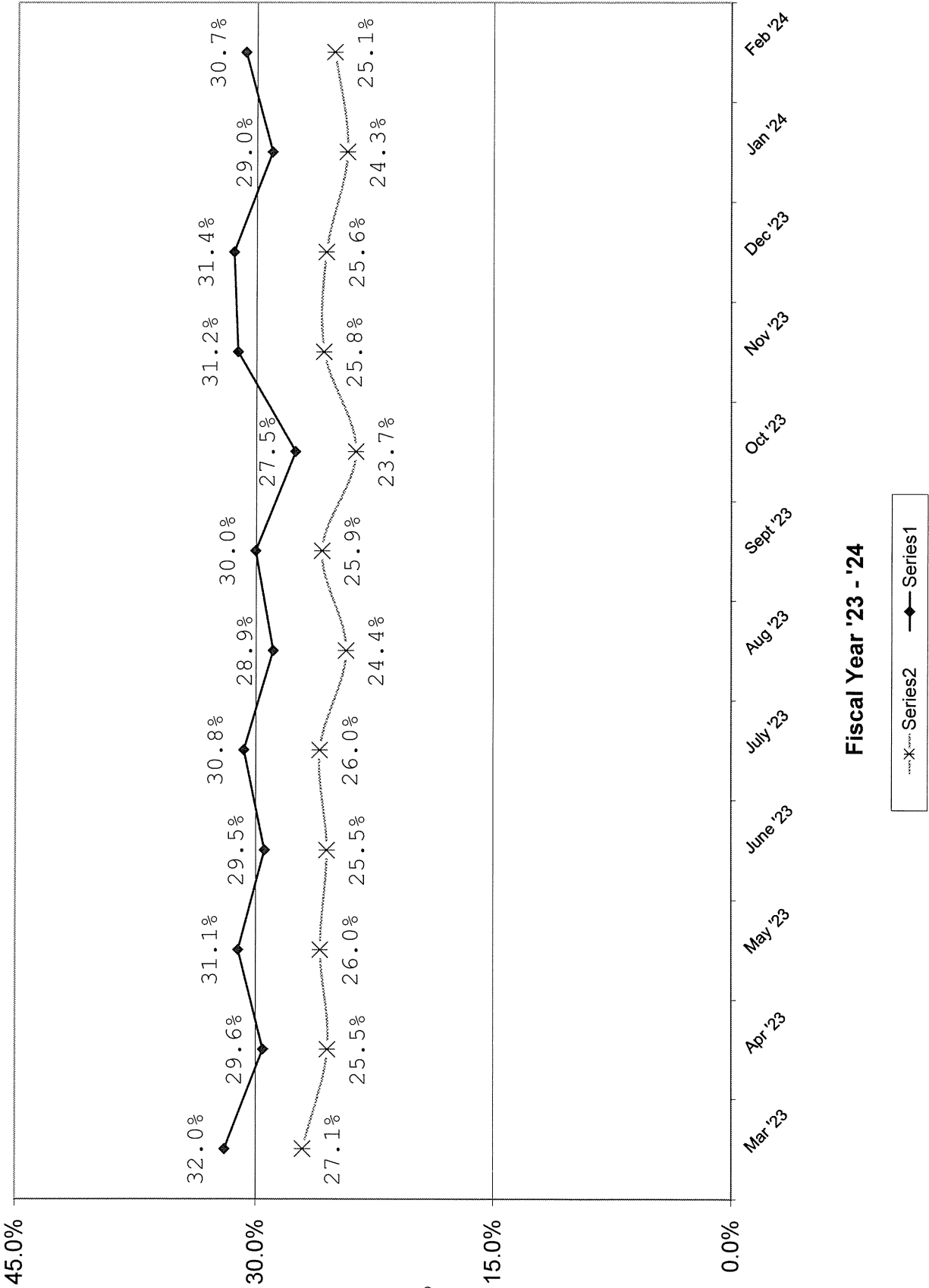
(\$Thousands)

DIRECT LOANS	R I S K												% of Totals 2/29/2024	
	Total Outstanding		Total Delinquency		30 Days (low)		60 Days (Medium)		90 Days (High)		180 Days (Severe)			
	No.	Amt. (000s)	No.	Amt. (000s)	No.	Amt. (000s)	No.	Amt. (000s)	No.	Amt. (000s)	No.	Amt. (000s)		
OAHU	366	36,039	108	11,058	20	2,393	8	339	21	2,020	59	6,307	29.5%	30.7%
EAST HAWAII	190	11,013	52	3,393	7	489	4	156	3	157	38	2,591	27.4%	30.8%
WEST HAWAII	76	7,881	8	770	4	369	1	122	0	0	3	279	10.5%	9.8%
MOLOKAI	79	6,695	13	553	0	0	2	57	4	208	7	287	16.5%	8.3%
KAUAI	92	7,252	12	1,028	7	684	0	0	0	0	5	344	13.0%	14.2%
MAUI	111	15,139	35	4,292	5	360	5	333	9	1,266	16	2,333	31.5%	28.3%
TOTAL DIRECT	914	84,020	228	21,093	43	4,294	20	1,007	37	3,651	128	12,140	24.9%	25.1%
	100.0%	100.0%	24.9%	25.1%	4.7%	5.1%	2.2%	1.2%	4.0%	4.3%	14.0%	14.4%		
Advances (including RPT)	251	5,819	251	5,819	0	0	0	0	251	5,819			100%	100%
DHHL LOANS & Advances	1,165	89,839	479	26,913	43	4,294	20	1,007	288	9,470	128	12,140	41.1%	30.0%
LOAN GUARANTEES as of June 30, 2023														
SBA	2	67	0	0	0	0	0	0	0	0	0	0	0.0%	0.0%
USDA-RD	274	35,831	43	6,613	0	0	0	0	43	6,613	0	0	15.7%	18.5%
Habitat for Humanity	32	893	16	429	0	0	0	0	16	429	0	0	50.0%	48.0%
Maui County	5	74	0	0	0	0	0	0	0	0	0	0	0.0%	0.0%
Nanakuli NHS	1	7	1	7	0	0	0	0	1	7	0	0	100.0%	100.0%
City & County	10	204	10	204	0	0	0	0	10	204	0	0	100.0%	100.0%
FHA Interim	6	1,366	0	0	0	0	0	0	0	0	0	0	0.0%	0.0%
OHA	1	6	1	6	0	0	0	0	1	6	0	0	100.0%	100.0%
TOTAL GUARANTEE	331	38,448	71	7,259	0	0	0	0	71	7,259			21.5%	18.9%
PMI Loans	117	15,700	9	1,096	5	440	2	277	2	379	0	0	7.7%	7.0%
HUD REASSIGNED for Recovery	120	12,188	95	10,677	1	2	2	72	4	385	88	10,219	79.2%	87.6%
FHA Insured Loans	2,937	537,684	204	33,310	0	0	0	0	204	33,310	0	0	6.9%	6.2%
TOTAL INS. LOANS	3,174	565,572	308	45,083	6	442	4	349	210	34,074	88	10,219	9.7%	8.0%
OVERALL TOTALS(EXC Adv/RPT's)	4,419	688,041	607	73,436	49	4,736	24	1,356	318	44,984	216	22,359	13.7%	10.7%
ADJUSTED TOTALS	4,670	693,860	858	79,255	49	4,736	24	1,356	569	50,804	216	22,359	11.4%	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 449 loans comes out to \$1,961,333.87 as of 2/29/2024.

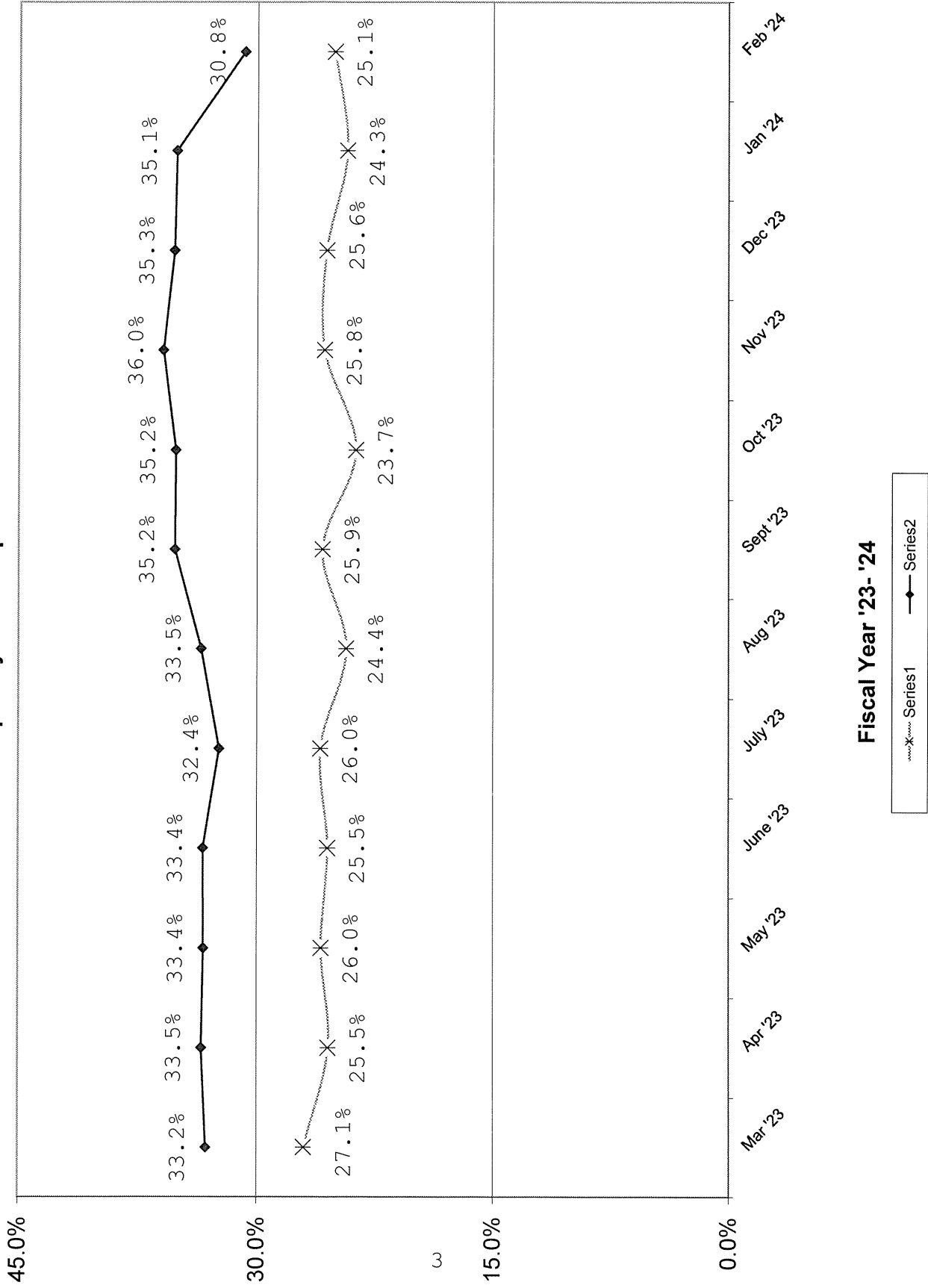
OAHU
Direct Loans
Delinquency Ratio Report



Fiscal Year '23 - '24

Series 2 Series 1

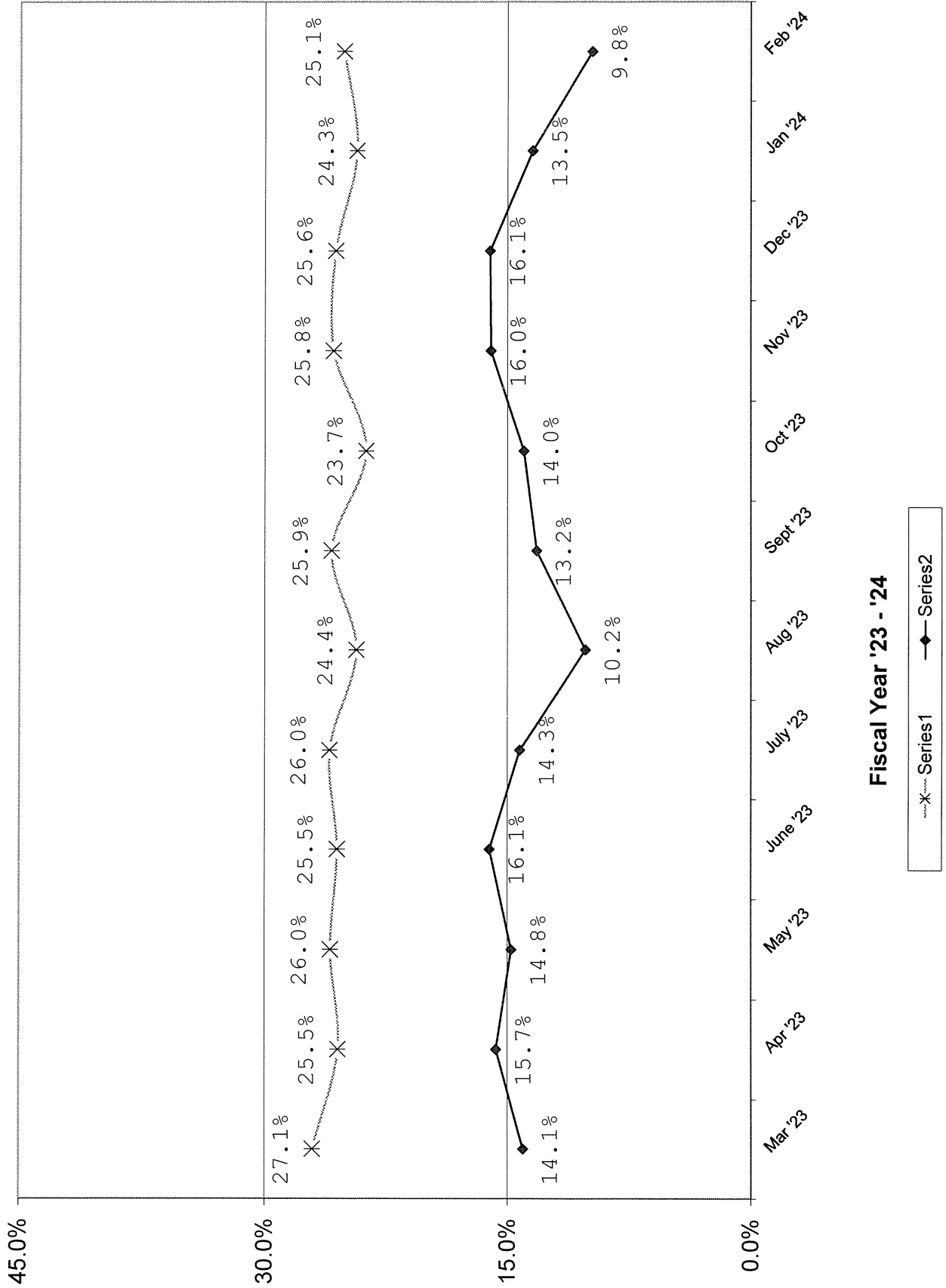
**EAST HAWAII
Direct Loans
Delinquency Ratio Report**



Fiscal Year '23- '24

Series 1 Series 2

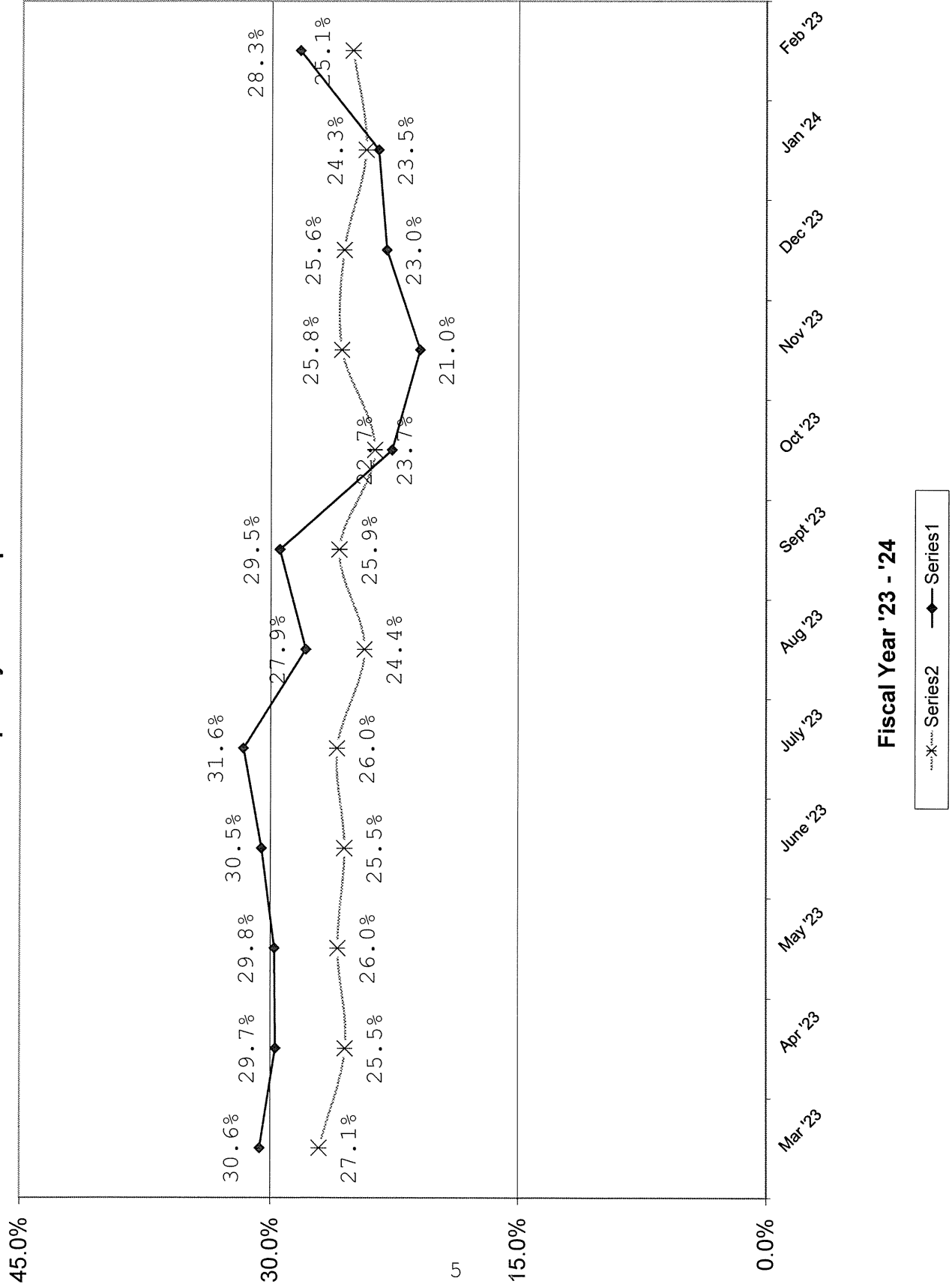
**WEST HAWAII
Direct Loans
Delinquency Ratio Report**



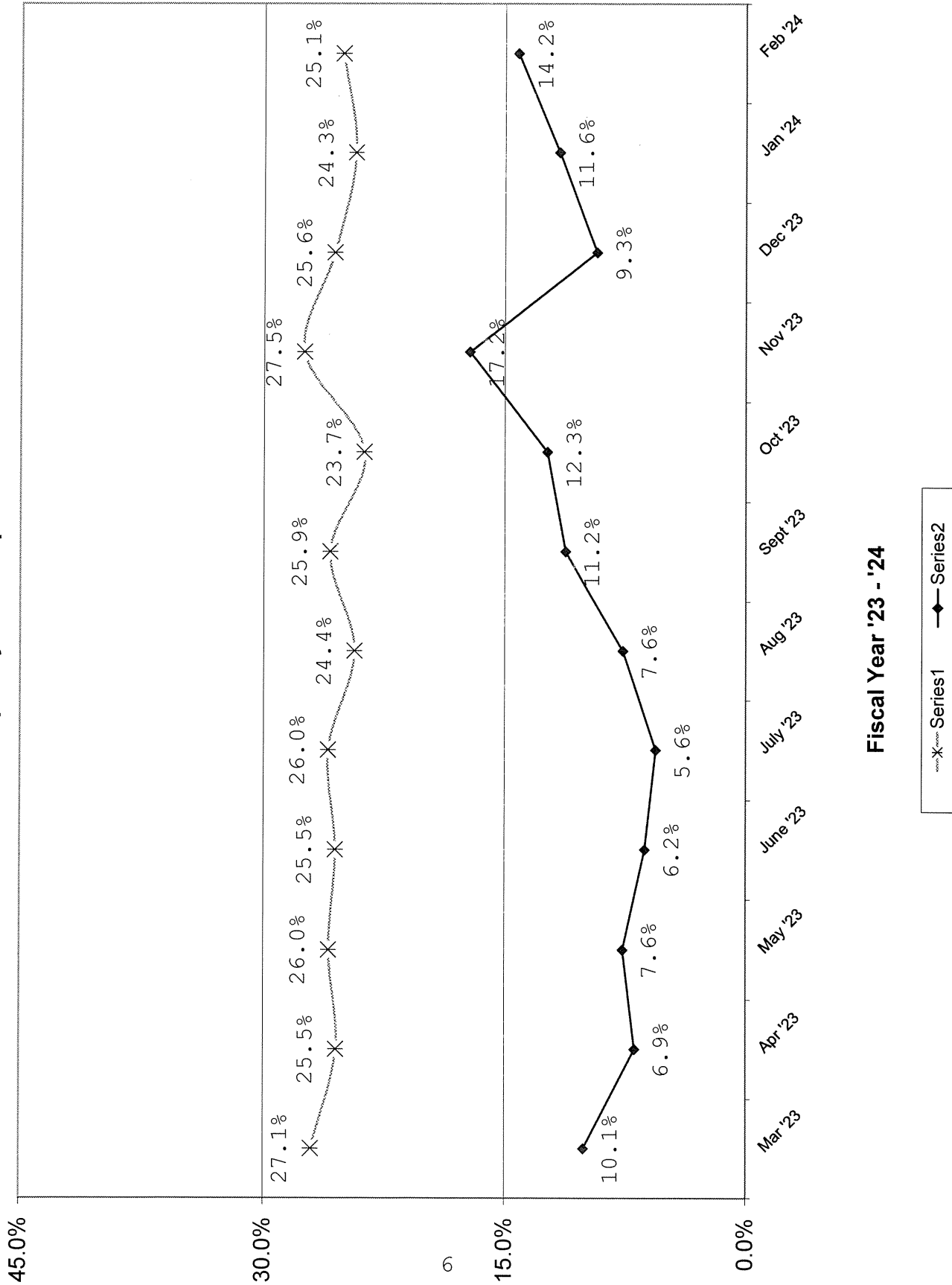
Fiscal Year '23 - '24

Series 1 Series 2

**MAUI
Direct Loans
Delinquency Ratio Report**



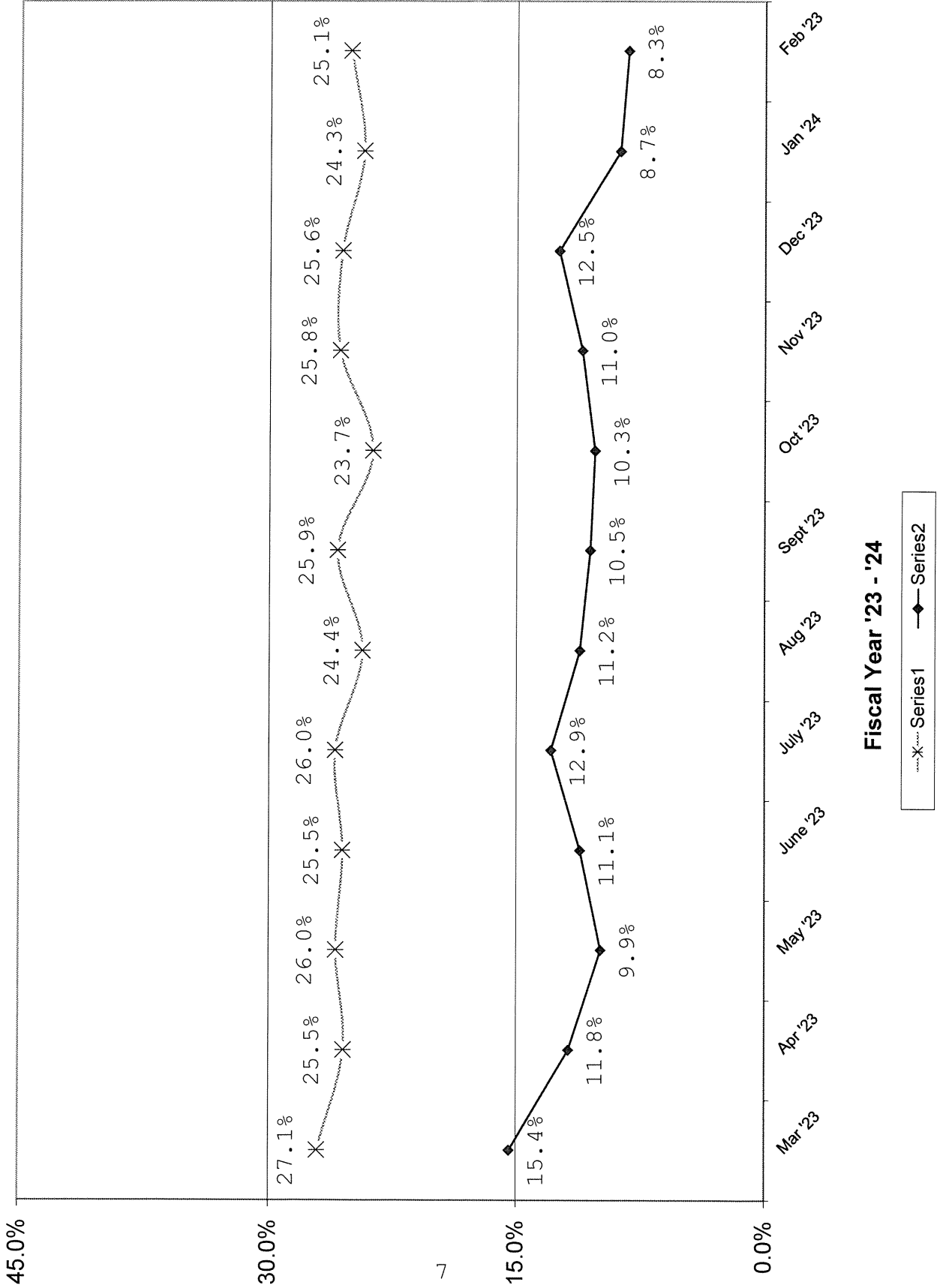
**KAUAI
Direct Loans
Delinquency Ratio Report**



Fiscal Year '23 - '24

Series 1 Series 2

**MOLOKAI
Direct Loans
Delinquency Ratio Report**



March 18, 2024

SUBJECT: **DHHL Guarantees for FHA Construction Loans**

DISCUSSION: The Department issues guarantees to FHA lenders during the construction period of a home, as FHA does not insure the loan until the home is completed. The loan term for these loans do not exceed fifteen (15) months from the date of loan signing. The following FHA Interim Construction loans were issued guarantees:

*Note: FHA loans are insured by the U.S. Department of Housing and Urban Development (HUD) and do not impact the State's guaranty ceiling.

<u>LEASE NO.</u>	<u>AREA</u>	<u>LESSEE</u>	<u>Loan Amount</u>	<u>Date Approved</u>
12970	Kauluokahai	Deblake, Bradley	\$530,000	2/9/24
13000	Kakaina	Johnson, Edith	\$389,850	2/9/24

	<u>No.</u>	<u>Balance</u>
FY Ending 6/30/23	5	\$ 1,681,571
Previous Months	5	\$ 1,733,973
This Month	<u>2</u>	919,850
FY '23-'24 to date	7	<u>\$ 2,653,823</u>

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 18, 2024

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Juan Garcia, HSD Administrator
Homestead Services Division
FROM: Dean Oshiro, Loan Services Manager
SUBJECT: **Approval of Consent to Mortgage**

RECOMMENDED MOTION/ACTION

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

DISCUSSION

<u>PROPERTY</u>	<u>LESSEE</u>	<u>LENDER</u>	<u>LOAN AMOUNT</u>
<u>OAHU</u>			
Princess Kahanu Estates Lease No. 8463 TMK: 1-8-7-042:090	GOO, Daniel K. (Purchase)VA	Department of Veterans Affairs	\$ 480,938
Nanakuli Lease No. 3591 TMK: 1-8-9-004:015	PELEKAI, Henry W. & PELEKAI, Lurline K. (Construction)VA	Department of Veterans Affairs	\$ 975,000
Kanehili Lease No. 11842 TMK: 1-9-1-152:109	TAUA, Francis S. (Rate/Term Refi) VA	Department of Veterans Affairs	\$ 143,364

OAHU

Waimanalo Lease No. 1704 TMK: 1-4-1-016:037	WILSON, Kevin K. (Cash Out Refi) FHA	V.I.P. Mortgage Inc.	\$ 426,500
Waianae Lease No. 6677 TMK: 1-8-5-004:130	SOTELHO, Barnabus T. S., Jr. (Purchase) FHA	V.I.P. Mortgage Inc.	\$ 311,400
Lualualei Lease No. 9683 TMK: 1-8-6-023:138	KALEOPAA, Emily R. (Cash Out Refi) FHA	Bank of Hawaii	\$ 300,000
Princess Kahanu Estates Lease No. 8362 TMK: 1-8-7-043:005	CORNELISON, Daryllin N. (Purchase) FHA	CMG Mortgage, Inc.	\$ 570,951
Nanakuli Lease No. 573 TMK: 1-8-9-005:055	NIHOA, Keala K. K. (Cash Out Refi) FHA	Guild Mortgage	\$ 550,000
Maluohai Lease No. 9716 TMK: 1-9-1-119:004	KAIawe, Jeffrey S. (Rate/Term Refi) VA	Department of Veterans Affairs	\$ 465,000
Nanakuli Lease No. 8642 TMK: 1-8-9-017:005	HULATON, Jeserie M. M. (Cash Out Refi) FHA	V.I.P. Mortgage Inc.	\$ 425,200

MAUI

Waiohuli Lease No. 7658 TMK: 2-2-2-027:133	ALMEIDA, Chariss M. K. (Cash Out Refi) FHA	CMG Mortgage, Inc.	\$ 579,975
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ITEM NO. D-2

KAUAI

Anahola Lease No. 5481 TMK: 4-4-8-018:004	DUNCAN, Allyson A. (Cash Out Refi) FHA	V.I.P. Mortgage Inc.	\$ 285,000
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Anahola Lease No. 4348 TMK: 4-4-8-016:090	UNUTOA, Ranee K. (Cash Out Refi) FHA	Security National Mortgage	\$ 375,000
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Kekaha Lease No. 11325 TMK: 4-1-2-017:016	MURAOKA, Lyle H. (Cash Out Refi) FHA	Security National Mortgage	\$ 375,000
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HAWAII

Nienie Lease No. 2677 TMK: 3-4-6-012:001	SANBORN, Rhonda (Cash Out Refi) FHA	V.I.P. Mortgage Inc.	\$ 311,400
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<u>RECAP</u>	<u>NO.</u>	<u>FHA</u> <u>AMOUNT</u>	<u>NO.</u>	<u>VA</u> <u>AMOUNT</u>
FY Ending 6/30/23	167	\$ 58,188,156	9	\$ 2,325,526
Prior Months	59	\$ 19,859,713	13	\$ 2,797,130
This Month	11	4,510,426	4	2,064,302
Total FY '23-'24	<u>70</u>	<u>\$ 24,370,139</u>	<u>17</u>	<u>\$ 4,861,432</u>



		<u>HUD 184A</u> <u>AMOUNT</u>		<u>USDA-RD</u> <u>AMOUNT</u>
FY Ending 6/30/23	23	\$ 8,018,714	3	\$ 1,081,858
Prior Months	11	\$ 4,314,790	1	\$ 202,000
This Month	0	0	0	0
Total FY '23-'24	<u>11</u>	<u>\$ 4,314,790</u>	<u>1</u>	<u>\$ 202,000</u>

ITEM NO. D-2

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 18, 2024

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Juan Garcia, HSD Administrator 
FROM: Nicole F. Bell, Application Branch Supervisor 
Homestead Services Division
SUBJECT: **Approval of Homestead Application Transfers/Cancellations**

RECOMMENDED MOTION/ACTION

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

DISCUSSION

1. Requests of Applicants to Transfer

OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

HAINA, Akamu K.	07/15/2020	MAUI	AGR	10/27/2023
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OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

AKAMU, Hayden L.K.	11/25/2005	HAWAII	RES	01/05/2024
HAINA, Akamu K.	07/15/2020	MAUI	RES	10/27/2023
KUEHU, Holly N.	02/08/1988	HAWAII	RES	08/03/2023
TOLEDO, Margaret P	09/30/1998	HAWAII	RES	08/22/2023

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

ROSA, Lin George	05/24/1993	OAHU	AGR	11/17/2023
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HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

AIAIKEKAPAHALALUPAUOLE, 10/25/2016 MAUI PAS 11/22/2023
Princearchikins B.C.

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

ALAMEIDA, Jewels A. 08/16/2004 LANAI RES 11/30/2023
JOHNS, Darlene T. 06/22/2012 OAHU RES 01/24/2024

2. Deceased Applicants

NONE FOR SUBMITTAL

3. Awards of Leases

WAIMANALO AREA / OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

GLUSHENKO, Andrew M. Assigned Residential Lease #13077,
Lot 33 in Kakaina, Oahu dated
02/16/2024. Remove application
dated 11/01/1972.

MAUI ISLANDWIDE PASTORAL LEASE LIST

KALEOPAA-TEHOTU, Kehaulani Assigned Pastoral Lease #13071, Lot
68 in Kahikinui, Maui dated
02/01/2024. Remove application
dated 08/25/1994.

KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

SMITH, Harriet M. Assigned Residential Lease #13009,
Lot 33 in Anahola, Kauai dated
02/21/2024. Remove application
dated 01/13/1987.

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 Transaction Total	43
Last Month's Cumulative FY 2023-2024 Transaction Total	326
Transfers from Island to Island	9
Deceased	0
Cancellations:	
Awards of Leases	3
NHQ	0
Voluntary Cancellations	0
Successorship	0
Additional Acreage	0
HHC Adjustments	0
This Month's Transaction Total	12
This Month's Cumulative FY 2023-2024 Transaction Total	338

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 18, 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 February 2024**

RECOMMENDED MOTION/ACTION

To approve the certification of applications of qualified applicants for the month of February 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

NAKI, Brandi P.K.	10/23/2023
HANAWAHINE, Macyn-Shayne M.O.K.M.H.	12/12/2023

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

NAKI, Brandi P.K.	10/23/2023
KEALOHA, Kale A.	10/25/2023
SPENCER, Zebadiah P.	11/29/2023
KEOPUHIWA, Randyjake H., Jr.	11/30/2023
HANAWAHINE, Macyn-Shayne M.O.K.M.H.	12/12/2023

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

NOBRIGA, Nyla L.P.	09/22/2023
SMITH, Jesse K.	09/26/2023
PUU, Kamalani J.K.	09/27/2023
KAHELE, Nichell H.	10/18/2023
JOHNSON, Keahinuinakeakua K.K.	10/19/2023
JOHNSON, Kulea E.L.	10/23/2023
KAAUAMO, Shanelle K.K.W.	10/30/2023
SHINTANI, Shantel K.	11/13/2023
KEAHI, Kamalani K.	11/24/2023
LOEBL, Primrose	11/27/2023
HOOPAI-ACANG, Tre H.	11/28/2023
SHIM, Wilfred K.	11/30/2023

MAUI ISLANDWIDE PASTORAL LEASE LIST

RODRIGUES, Titus L.	10/20/2023
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MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

LUULOLOA-KEALAIKI, Samuel A.	09/14/2023
NOBRIGA, Nyla L.P.	09/22/2023

SMITH, Jesse K.	09/26/2023
PUU, Kamalani J.K.	09/27/2023
KAHELE, Nichell H.	10/18/2023
JOHNSON, Keahinuinakeakua K.K.	10/19/2023
RODRIGUES, Titus L.	10/20/2023
JOHNSON, Kulea E.L.	10/23/2023
POKIPALA, Lynette E.	10/24/2023
KAAUAMO, Shanelle K.K.W.	10/30/2023
SHINTANI, Shantel K.	11/13/2023
KEAHI, Kamalani K.	11/24/2023
LOEBL, Primrose	11/27/2023
HOOPAI-ACANG, Tre H.	11/28/2023
SHIM, Wilfred K.	11/30/2023

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

BALLARD, Melanie K.	10/17/2023
HURLEY, James T.	10/24/2023
KEALOHA, Kale A.	10/25/2023
SPENCER, Zebadiah P.	11/29/2023
KEOPUHIWA, Randyjake H., Jr.	11/30/2023

HAWAII ISLANDWIDE PASTORAL LEASE LIST

NAHALE, Wyattlane K.	10/17/2023
TUKULA MANU TONGA, Myrtle L.F.	10/26/2023
NAHALE CARVALHO, Shayla L.	10/26/2023

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

SPINNEY, Lorna P.	10/20/2023
TUKULA MANU TONGA, Myrtle L.F.	10/26/2023
NAHALE CARVALHO, Shayla L.	10/26/2023
KAEO-KOANUI, Makamae K.A.	11/08/2023
BRYCE, Abraham	11/27/2023

KAUAI ISLANDWIDE AGRICULTURAL LEASE LIST

FU, Marleen K.	09/29/2023
VEA, Vailenn P.	10/02/2023
AKEO, Haweokahualanikeali'iopuna	10/04/2023
APANA, Ka'ula K.	11/03/2023

KAUAI ISLANDWIDE PASTORAL LEASE LIST

KAHEPU'U, Nohili M.	10/20/2023
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KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

FU, Marleen K.	09/29/2023
VEA, Vailenn P.	10/02/2023
AKEO, Haweokahualanikeali'opuna	10/04/2023
KAHEPU'U, Nohili M.	10/20/2023
APANA, Ka'ula K.	11/03/2023

MOLOKAI ISLANDWIDE AGRICULTURAL LEASE LIST

DEFRANCIA, Jovena L.	11/09/2023
BRYCE, Abraham	11/27/2023

MOLOKAI ISLANDWIDE RESIDENTIAL LEASE LIST

DEFRANCIA, Jovena L.

11/09/2023


Previous Cumulative Total for Current FY	303
Current Month's Total	61
Fiscal Year Total: July 2023-June 2024	364


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 18, 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

Six (6) assignments of lease.

1. Lessee Name: Gabriel A. L. Aio
Res. Lease No. 8463, Lot No. 172
Lease Date: 8/1/1995
Area: PKE, Oahu
Property Sold & Amount: Yes, \$475,000.00
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Daniel K. Goo
Relationship: None
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 11/26/2013

Reason for Transfer: "Medical reasons." Special Conditions:
Transferee to obtain funds to pay purchase price.

2. Lessee Name: Stacie Lee K. Koanui Nefalar
Res. Lease No. 13018, Lot No. 1175
Lease Date: To be determined
Area: Lanai, Hawaii
Property Sold & Amount: Yes, \$227,000.00
Improvements: 3 bedroom, 2 bath dwelling
- Transferee Name: John Justen K. Koanui Nefalar
Relationship: Son
Loan Assumption: No
Applicant: No
- Reason for Transfer: "Giving lease to relative." Special
Conditions: Transferee to obtain funds to pay purchase
price.
3. Lessee Name: Nadine N. Spoon
Res. Lease No. 8362, Lot No. 71
Lease Date: 11/1/1995
Area: PKE, Oahu
Property Sold & Amount: Yes, \$570,000.00
Improvements: 3 bedroom, 2 bath dwelling
- Transferee Name: Robertha K. P. Cornelison
Relationship: None
Loan Assumption: No
Applicant: Yes, Waimea Area Res., 12/27/1976
- Reason for Transfer: "Moving off island." Special
Conditions: Transferee to obtain funds to pay purchase
price. See simultaneous transfer below.
4. Lessee Name: Robertha K. P. Cornelison
Res. Lease No. 8362, Lot No. 71
Lease Date: 11/1/1995
Area: PKE, Oahu
Property Sold & Amount: Yes, \$570,000.00
Improvements: 3 bedroom, 2 bath dwelling
- Transferee Name: Daryllin N. Cornelison
Relationship: Daughter
Loan Assumption: No
Applicant: No
- Reason for Transfer: "Giving lease to relative." Special
Conditions: Transferee to obtain funds to pay purchase
price. See simultaneous transfer below.

5. Lessee Name: Patricia K. Woodd
Pas. Lease No. 8034, Lot No. 59
Lease Date: 2/01/1991
Area: Puukapu, Hawaii
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Dudley K. Kaae
Relationship: None
Loan Assumption: No
Applicant: No

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

6. Lessee Name: Dudley K. Kaae
Pas. Lease No. 8034, Lot No. 59
Lease Date: 2/01/1991
Area: Puukapu, Hawaii
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Penny K. Kaae
Relationship: Daughter
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."


Assignments for the Month of March `24	6
Previous FY '23 - '24 balance	<u>53</u>
FY '23 - '24 total to date	59
Assignments for FY '22 - '23	179


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 18, 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

One (1) amendment of lease.

1. Lessee: Hayden Aluli
Agr. Lease No.: 159
Lot No., Area, Island: 46, Hoolehua, Molokai
Amendment: To amend the lease title and lessor's name, update the property description, 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.
(Amendment to extend the terms)


Amendments for the Month of March '24	1
Previous FY '23 - '24 balance	<u>40</u>
FY '23 - '24 total to date	41
Amendments for FY '22 - '23	88


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 18, 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-one (21) non-exclusive licenses.

1. Lessee: Sheldon P. Cockett
Res. Lease No.: 5942
Lot No., Area, Island: 40, Waiehu, Maui
Permittee: Sunrun Installation Services, Inc.

2. Lessee: Billie L. Colburn-Aweau
Res. Lease No.: 7372
Lot No., Area, Island: 148, Nanakuli, Oahu
Permittee: Sunrun Installation Services, Inc.

3. Lessee: Daniel K. Goo
Res. Lease No.: 8463
Lot No., Area, Island: 172, PKE, Oahu
Permittee: STW Holdings, LLC

4. Lessee: Chassie M. Gabriel
Res. Lease No.: 1568
Lot No., Area, Island: 218, Keaukaha, Hawaii
Permittee: Sunrun Installation Services, Inc.

5. Lessee: Larry N. Holu
Res. Lease No.: 7363
Lot No., Area, Island: 137, Nanakuli, Oahu
Permittee: Sunrun Installation Services, Inc.

6. Lessee: Nathan M. Hussey, III
Res. Lease No.: 11488
Lot No., Area, Island: 13, Lealii, Maui
Permittee: Sunrun Installation Services, Inc.

7. Lessee: Keith A. K. Kaahanui
Res. Lease No.: 12627
Lot No., Area, Island: 18314, Kanehili, Oahu
Permittee: Sunrun Installation Services, Inc.

8. Lessee: David K. Kahiapo
Res. Lease No.: 4804
Lot No., Area, Island: 19, Waimanalo, Oahu
Permittee: Sunrun Installation Services, Inc.

9. Lessee: Laurie-Ann Kalawa & Cassie-Lyn
Kalawa
Res. Lease No.: 6773
Lot No., Area, Island: 111, Waianae, Oahu
Permittee: Sunrun Installation Services, Inc.

10. Lessee: Gay K. Keaunui
 Res. Lease No.: 11818
 Lot No., Area, Island: 18618, Kanehili, Oahu
 Permittee: Sunrun Installation Services, Inc.
11. Lessee: Thomas N. Leialoha, Jr,
 Res. Lease No.: 5651
 Lot No., Area, Island: 231-B, Keaukaha, Hawaii
 Permittee: Sunrun Installation Services, Inc.
12. Lessee: George K. Kupihea
 Res. Lease No.: 8909
 Lot No., Area, Island: 146, Nanakuli, Oahu
 Permittee: Sunrun Installation Services, Inc.
13. Lessee: Henry E. Makasobe
 Res. Lease No.: 9983
 Lot No., Area, Island: 4, Nanakuli, Oahu
 Permittee: Sunrun Installation Services, Inc.
14. Lessee: Adeline W. L. Mandac
 Res. Lease No.: 11883
 Lot No., Area, Island: 18657, Kanehili, Oahu
 Permittee: Sunnova Energy Corp.
15. Lessee: Lillian K. McFeeley
 Res. Lease No.: 2926
 Lot No., Area, Island: 384, Anahola, Kauai
 Permittee: Sunrun Installation Services, Inc.
16. Lessee: Makamae H. Ranua
 Res. Lease No.: 9964
 Lot No., Area, Island: 3, Waianae, Oahu
 Permittee: Sunrun Installation Services, Inc.
17. Lessee: Raymond K. Rowe, Jr.
 Res. Lease No.: 8987
 Lot No., Area, Island: 56-B, Keaukaha, Hawaii
 Permittee: Sunrun Installation Services, Inc.

18. Lessee: Dawn H. P. Tanimoto
 Res. Lease No.: 7093
 Lot No., Area, Island: 37, Kawaihae, Hawaii
 Permittee: Sunnova Energy Corp.
19. Lessee: Gavin K. Yamamoto
 Res. Lease No.: 7186
 Lot No., Area, Island: 170, Kawaihae, Hawaii
 Permittee: Sunrun Installation Services, Inc.
20. Lessee: Henrietta L. Yoshioka
 Res. Lease No.: 4284
 Lot No., Area, Island: 215-B, Keaukaha, Hawaii
 Permittee: Sunrun Installation Services, Inc.
21. Lessee: Bruce A. W. H. Young
 Res. Lease No.: 3732
 Lot No., Area, Island: 167, Nanakuli, Oahu
 Permittee: Sunrun Installation Services, Inc.

Non-Exclusive License for the Month of March'24	21
Previous FY '23 - '24 balance	<u>173</u>
FY '23 - '24 total to date	194
Non-Exclusive License for FY '22 - '23	102

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 18, 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 Supplemental Dwelling Unit (SDU) for
Certain Lessee**

RECOMMENDED MOTION/ACTION

To approve the Supplemental Dwelling Unit of the leasehold interest listed below.

DISCUSSION

One (1) supplemental dwelling unit lease.

1. Lessee: Robert Starkey
Res. Lease No.: 5751
Lot No., Area, Island: 33, Hoolehua, Molokai
Intended use: Ohana


Supplemental dwelling unit for the Month of March '24	1
Previous FY '23 - '24 balance	4
FY '23 - '24 total to date	<u>5</u>
Supplemental dwelling unit for FY '22 - '23	1

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 18, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 
Homestead Services Division

FROM: David Bush, Acting District Supervisor
Molokai District Office
Homestead Services Division

SUBJECT: **Commission Designation of Successor -
CLORINDA AUDREY BROOKS, Agricultural Lease No. 7821,
Lot 109, Hoolehua, Molokai**

RECOMMENDED MOTION / ACTION

1. To approve the designation of Kapualokeli'ili'iokalani M. K. Renaud (Kapualoke) as successor to Agricultural Lease No. 7821, Lot 109, Hoolehua, Molokai (Lease) for the remaining term of the Lease;

2. To approve and accept that Kapualoke is of no less than the required 25% Hawaiian ancestry and is therefore a qualified successor pursuant to Section 209 of the Hawaiian Homes Commission Act, 1920, as amended;

3. To stipulate that Kapualoke's successorship right and interest in the Lease do not vest until Kapualoke has signed that: (i) Transfer Through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if Kapualoke does not sign all such documents on or before **May 31, 2024** (the Deadline), that the Commission's selection of Kapualoke as the successor is automatically revoked;

4. To authorize the Department to extend the Deadline up to 60 days for good cause;

5. To declare that if Kapualoke's selection as the successor is revoked, the Commission will consider other successorship claims to the leasehold interest received prior to the public notice closing date of April 7, 2022; and if there are

no eligible successors from these respondents, then under Section 209(a) of the Hawaiian Homes Commission Act, 1920, as amended, "...the land subject to the lease shall resume its status as unleased Hawaiian home lands and the department is authorized to lease the land to a native Hawaiian as provided by the Act;" and

6. To amend the lease title and Lessors' name, to update the property description to incorporate the currently used terms, covenants, and conditions to the lease.

DISCUSSION

Clorinda A. Brooks (Decedent) received the Lease commencing on February 1, 1987.

On February 21, 1987, the Decedent designated her spouse, George K. Brooks, as her primary successor and her daughter, Georgean M. Brooks, as her alternate successor. Unfortunately, both named successors predeceased the Decedent as George K. Brooks passed away on July 12, 2008, and Georgean M. Brooks passed away on November 17, 2010.

On August 23, 2022, the Department received the Decedent's death certificate.

In compliance with Administrative Rule 10-3-63, the department published legal notices in the Honolulu Star Advertiser, the Hawaii Tribune Herald, the West Hawaii Today, The Maui News, and the Garden Island newspapers on December 7, 14, 21, and 28, 2022, to notify all interested, eligible and qualified heirs of the Decedent to submit their successorship claims to the Lease.

On January 10, 2023, the Department received a successorship claim from the Decedent's granddaughter, Kapualoke, who has been determined to be of at least 25% Hawaiian ancestry and is thus eligible for successorship to the lease.

On February 8, 2023, the Department received a successorship claim from the Decedent's son, Adrian Brooks, (Adrian), who has been determined to be of at least 25% Hawaiian ancestry and is thus eligible for successorship to the Lease. On October 16, 2023, however, the Department received Adrian's written notice that he no longer wished to pursue successorship to the Lease.

On January 30, 2023, the Department also received a successorship claim from the Decedent's niece, Karen Lukela, who has been determined to be of at least 50% Hawaiian ancestry and is thus eligible for successorship to the Lease.

Pursuant to Section 209 of the Hawaiian Homes Commission Act of 1920, as amended (Act), when a lessee fails to designate a successor, the commission is authorized to terminate this lease or to continue the lease by designating a successor. Section 209 states in part that the Department may select only from the following relatives of the decedent:

1. Husband or wife; or
2. If there is no husband or wife, then the children; or
3. If there is no husband, wife, or child, then the grandchildren; or
4. If there is no husband, wife, child, or grandchild, then the brothers or sisters; or
5. If there is no husband, wife, child, grandchild, brother, or sister, then from the following relatives of the lessee who are native Hawaiian: father and mother, widows or widowers of the children, widows or widowers of the brothers and sisters, or nieces and nephews.

After the Decedent's son Adrian relinquished his right to succeed, pursuant to Section 209 of the Act, as the grandchild of the Decedent, Kapualoke, has the highest priority to succeed to the leasehold interest. Should Kapualoke not succeed to the leasehold interest, Karen's successorship claim shall subsequently be considered.

There are no improvements to the leasehold interest.

There are no outstanding loans. The real property tax is current and the lease rent has a credit balance of \$61.00.


The Department requests approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 18, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 

FROM: Olinda L. Fisher, East Hawaii District Assistant Supervisor, Homestead Services Division

SUBJECT: **Conditional Approval of Subdivision, Transfer of a Portion of Lease and Amendment to Lease No. 5377-A, Lot No. 10-B, Panaewa, Hawaii - GINA N.K. GOMES**

RECOMMENDED MOTION/ACTION

1. To approve the request of Gina N.K. Gomes (Gina) to subdivide Lot No. 10-B, Panaewa, Hawaii, consisting of 6.666 acres, further identified as TMK: (3)2-1-025:143, covered under Department of Hawaiian Home Lands Agricultural Lease No. 5377-A, provided that the lessee shall be responsible for all costs incurred in the processing and completion of the subdivision, including but not limited to surveying fees, fees imposed by the County of Hawaii, fees for utilities (e.g., electric, water, etc.) and other fees associated with the subdivision of Lot No. 10-B.

2. To approve the amendment of Lease No. 5377-A to incorporate the currently used terms, covenants, and conditions in the lease and to affirm the subdivision of Lot No. 10-B into two (2) lots, proposed Lot Nos. 10-B and 10-C, each 3.33 acres in size; and update the property description of original Lot No. 10-B (See Exhibits A & B).

3. To approve the designation of Agricultural Lease No. 5377-A, proposed Lot 10-B.

4. To approve the designation of Agricultural Lease No. 5377-B, proposed Lot 10-C.

5. To approve the transfer of Agricultural Lease No. 5377-B to Karlton K. Gomes (Karlton).

6. All of the above are subject to the completion of the survey work done by a licensed surveyor, including but not

limited to the surveying and staking of boundary corners of the lots, submitting the required number of final subdivision maps to the County, preparing and submitting the legal description of the lots to the Department of Hawaiian Home Lands, applying to the County for subdivision approval, obtaining the tax map keys for the lots, obtaining final subdivision approval by the County of Hawaii and recordation of the subdivision with the State of Hawaii Bureau of Conveyances.

DISCUSSION

Gina N.K. Gomes acquired Lease No. 5377-A, Lot 10-B via an Assignment of a Portion of Lease dated May 13, 1997.

On January 21, 2021, the Department received a request from the lessee to subdivide Panaewa Agricultural Lot 10-B into two (2) lots.

Karlton is the son of Gina and not less than 25% Hawaiian.

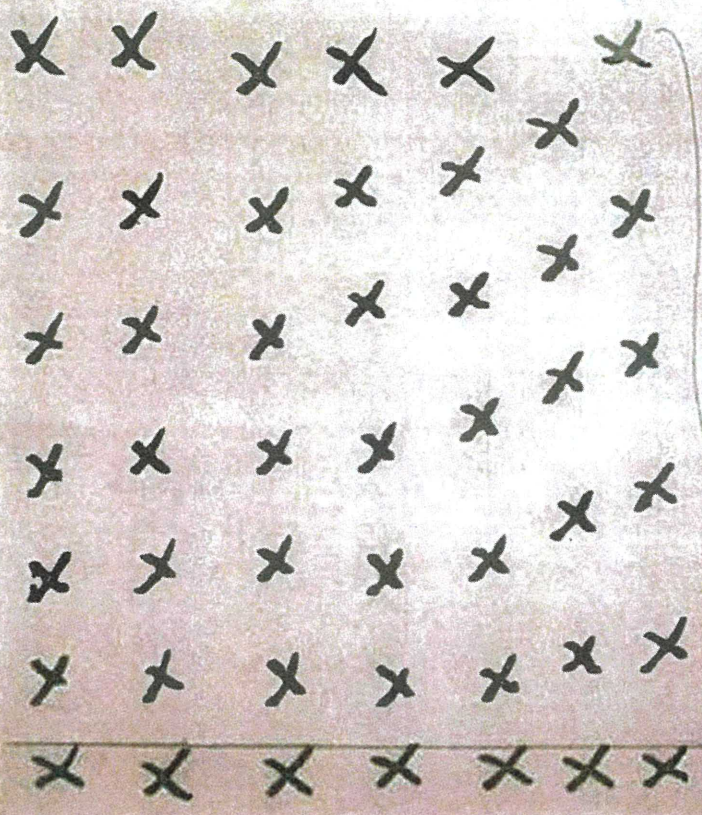
Gina & Karlton agree that proposed Lot 10-C will be transferred to Karlton and that Gina will retain Lot 10-B.

When the DHHL verifies that the lessee has complied with the requisite conditions cited above, the Department will resubmit the requested action to the Hawaiian Homes Commission for the Commission's final approval.

Improvements include a 3-bedroom, 2-½ bath residence constructed in 1994.

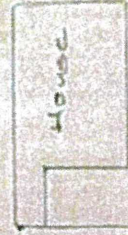
There is an outstanding PennyMac loan attached to the lease. The lender will agree to the lease amendment following the completion of the subdivision. Lease rent to the Department and real property taxes are paid current.

The Department requests approval of its recommendation.



**Subdivided Lot -
Karlton Gomes**

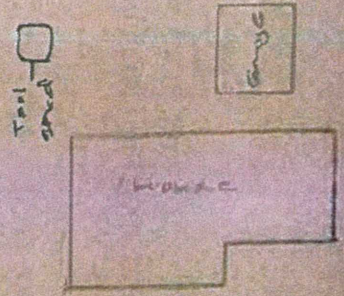
Proposed Lot 10-C
3.33 Acres
Lease No. 5377-B



3.3 acres

**Current Lot -
Gina Gomes**

Proposed Lot 10-B
3.33 Acres
Lease No. 5377-A



3.3 acres

Driveway

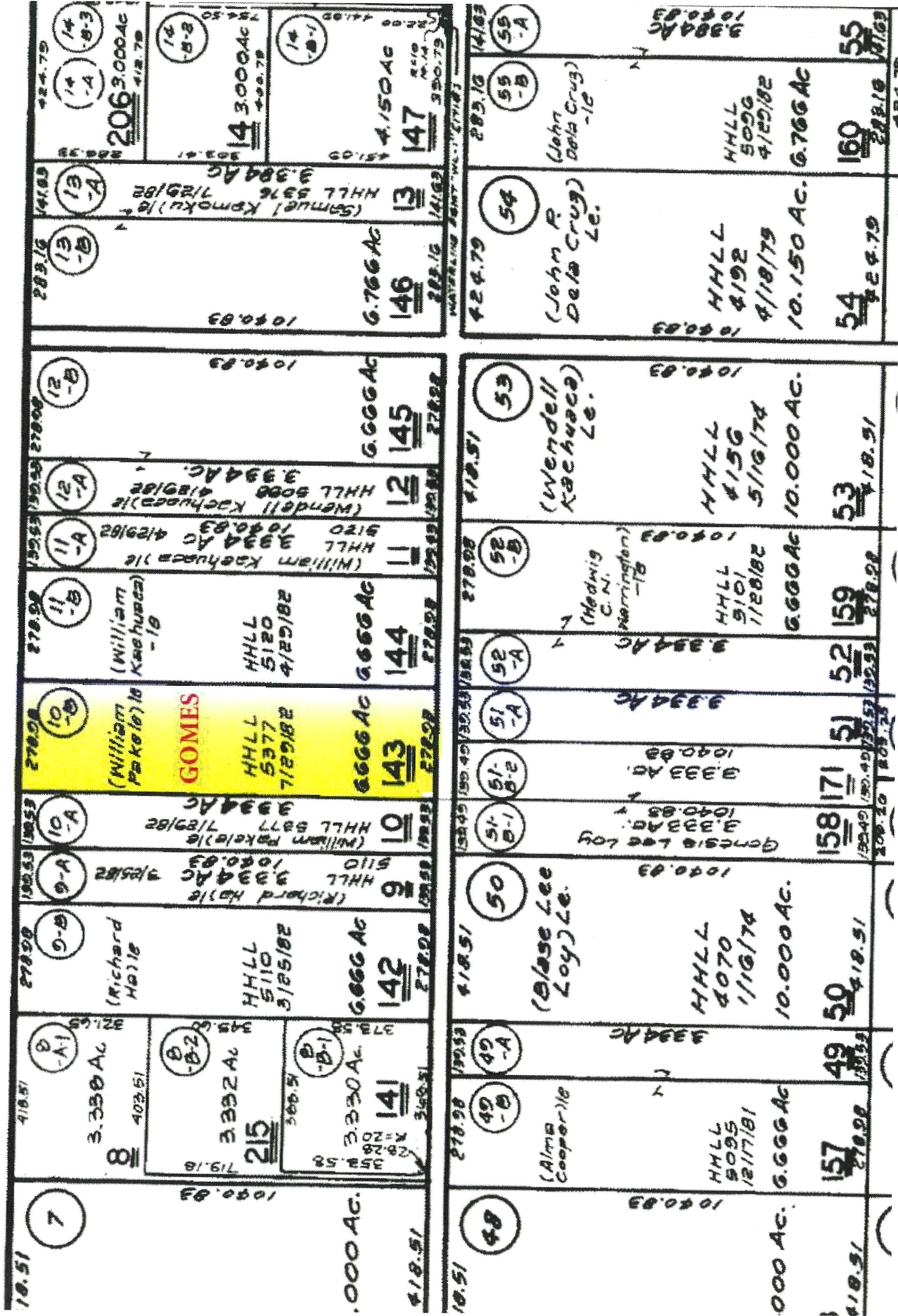
Driveway

Auwae Rd

XX

XX XX

PLAT 13



**HAWAIIAN HOMES COMMISSION
MARCH 18 & 19, 2024**

E – ITEMS

LAND DEVELOPMENT DIVISION

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 18, 2024

TO: Chairman and Members, Hawaiian Homes Commission

FROM: R. Kalani Fronda,
Office of the Chairman

SUBJECT: Approval to Issue a Ground Lease to Hale Moiliili LP for the 820 Isenberg Rental Housing Development Project, Mō‘ili‘ili, O‘ahu, TMK Nos. (1) 2-7-08:18 and 20 and approval of the ratification of February 23, 2024 from Chair Watson to the Department of Housing and Urban Development.

RECOMMENDED MOTION/ACTION:

1. Approval of this motion to Issue a Ground Lease to Hale Moiliili LP for the 820 Isenberg Rental Housing Development Project, Mō‘ili‘ili, O‘ahu, TMK Nos. (1) 2-7-08:18 and 20, and
2. Approval of Ratification of February 23, 2024, letter from Chair Watson to the Department of Housing and Urban Development Regarding the 820 Isenberg Rental Housing Development Project and Section 171-22, H.R.S.

DISCUSSION:

The Department of Hawaiian Home Lands (DHHL) has entered into a ground lease agreement with Hale Moiliili LP, a Hawai‘i limited partnership led by Stanford Carr Development, LLC, as the general partner. The lease pertains to a property spanning 1.8 acres located at 820 Isenberg Street, Honolulu, which was previously occupied by the Stadium Bowl-O-Drome.

Lease Terms:

- **Lessee:** Hale Moiliili LP
- **Property:** 1.8 acres at 820 Isenberg Street, Honolulu
- **Term:** 65 years with a 10-year option to extend
- **Lease Rent:** \$1.00 per year; Lessee responsible for all taxes and costs

Project Details:

- **Improvements:** The project includes a 271-unit high-rise tower with various apartment types, a low-rise building with 7 attached 3-bedroom townhome units, a 280-stall parking structure, 24 surface parking stalls, and 4,680 sq. ft. of retail space.

- **Tenant Profile:** The project aims to accommodate low to median income tenants, primarily Native Hawaiian beneficiaries, with income thresholds ranging from below 30% to 100% of the HUD annual median income.

Reversion and Insurance:

- **Reversion:** Ownership of the building and improvements reverts to DHHL at the end of the lease term.
- **Insurance:** Lessee is responsible for insuring the premises, with DHHL named as an additional insured party.

Financing and HUD Provisions:

- **Financing:** The project’s financing structure includes an FHA-HUD insured loan secured by a first mortgage, an HHFDC loan secured by a second mortgage, tax-exempt bonds, and low-income housing tax credits.
- **HUD Provisions:** HUD imposes certain provisions, including a standard form rider to the lease and an agreement that, in the event of foreclosure on the leasehold mortgage securing an FHA-insured loan, DHHL waives its rights under specific legislation, allowing the leasehold interest to be sold to a new lessee regardless of their Native Hawaiian status.

Overall, this ground lease agreement outlines the terms and conditions for the development of the Hale Moiliili Rental Housing Project, emphasizing affordability, Native Hawaiian beneficiary preferences, and compliance with HUD regulations and financing requirements.

BACKGROUND:

The Department of Hawaiian Homes Lands has chosen a collaborative effort between Stanford Carr Development and Hawaiian Dredging Construction Company to spearhead the revitalization project for its 820 Isenberg Street property in Mō‘ili‘ili, O‘ahu. This initiative marks a significant step towards the rejuvenation of the area, particularly as the site holds historical significance as the former location of the Stadium Bowl-O-Drome bowling alley, which operated from 1955 until its closure in 2004. Originally acquired from the Department of Land and Natural Resources in 1995, the property has remained dormant and unoccupied for a considerable period. The selection of Stanford Carr Development and Hawaiian Dredging Construction Company underscores a commitment to thoughtful and sustainable development, with an emphasis on honoring the cultural and historical context of the site. Through this partnership, the Department of Hawaiian Homes Lands aims to unlock the full potential of the property, fostering economic growth and community benefit in the process.

RECOMMENDATION:

DHHL staff respectfully requests approval of the motion as stated.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 18, 2024

To: Chairman and Members, Hawaiian Homes Commission

From: Neil Nugent, Engineer, Land Development Division

Subject: Honokōwai Water System Improvements Project Draft 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

None; for information only.

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 Hawaiian 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 to be constructed by the County of Maui, Department of Water Supply (DWS) is also planned. The mixing tank 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, and will be used

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. It should be noted that DWS drilled a second well, the Māhinahina Well, east of the M-WTF. However, based on pump test results of the Māhinahina Well, it appears that the well may not be able to produce the expected amount of water on a sustained basis. Therefore, it appears that DWS is not planning on developing the Māhinahina Well at this time.

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.

DRAFT EA SUMMARY

STATUS OF WATER SYSTEM IMPROVEMENTS DESIGN/TECHNICAL STUDIES

A Draft 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 Draft 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
Archaeological Documentation and Hawai'i Revised Statutes (HRS), Chapter 6E Consultation	Atlas Archaeology; Mason Architects	In Progress- SHPD determined an Archaeological Inventory Survey (AIS) would be required. An AIS Testing Strategy was submitted to SHPD for review and approval. The AIS Testing Strategy was approved by SHPD on August 29, 2022. An AIS was prepared based on the approved testing strategy, and submitted to SHPD on February 20, 2023. Following review of the AIS, SHPD made the recommendation to conduct an architectural Reconnaissance Level Survey report, which was prepared and submitted to the SHPD Architecture branch on August 29, 2023. SHPD issued SIHP numbers for the recorded features.
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 has not yet been put into production.

In addition to the improvements in the Honokōwai area, the project will also include improvements at DWS's existing Wahikuli booster pump station. The improvements include installing a 16-inch new plug valve with an electric actuator that will open or close based on the water level in the existing Wahikuli Reservoir. The improvements also include installing two new 16-inch gate valves and a short length of piping. There is an existing 12-inch control valve that will remain in place, but the existing 12-inch gate valve prior to the control valve will be closed to prevent water from flowing through the existing control valve.

DWS has agreed to install the improvements at the existing Wahikuli booster pump station (BPS). Once the improvements have been made, DWS will test the Lahaina water system to confirm that there will be adequate flow to the Wahikuli Reservoir to service the upper areas of DHHL's Villages of Leialī'i, 1-B. DHHL will continue communications with County agencies on the installation and testing of these improvements. It is also noted that the devastating August 2023 Maui wildfires compromised portions of the infrastructure, which has resulted in delays in testing of the improvements due to recovery efforts and response to damaged DWS infrastructure.

In addition to coordination with the County, DHHL has coordinated with Kaanapali Land Management Corp. (KLMC) to extend the right-of-entry agreement and gain approval for work conducted on KLMC lands or documents prepared involving KLMC lands.

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 preliminary analysis in the Draft 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

ANTICIPATED IMPACT	PROPOSED MITIGATION MEASURE
	<p>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.</p> <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>
Flora and Fauna	<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>
Air Quality and Noise	<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>

ANTICIPATED IMPACT	PROPOSED MITIGATION MEASURE
	<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 and documentation, including an HRS, Chapter 6E consultation package has been submitted to the State Historic Preservation Division (SHPD) to determine the appropriate level of mitigation for implementation of the project. Upon review of the 6E consultation materials, SHPD has determined that an Archaeological Inventory Survey (AIS) would be required. An AIS was uploaded to SHPD on 2/20/23. Three (3) historic plantation-era features were discovered during the field survey</p>

ANTICIPATED IMPACT	PROPOSED MITIGATION MEASURE
	<p>and were assigned temporary site numbers. Upon request by the SHPD Architecture Branch, a Reconnaissance Level Survey (RLS) report was prepared and submitted to SHPD for the three (3) features on 8/29/23. The SHPD 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>
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 pad to a 6-inch wide by 12-inch deep gravel shelf and into the basins.</p>

ANTICIPATED IMPACT	PROPOSED MITIGATION MEASURE
	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, 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 for water quality treatment.

CONSISTENCY WITH DHHL PLANNING PROGRAM

The Draft EA addresses the project’s consistency with existing land use plans and applicable policies. Specifically, the Draft 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. A preliminary assessment of the Significance Criteria is below. It is noted that the project is pending archaeological and cultural studies. Preliminary responses may be revised upon receipt of said studies.

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 Hawaiian 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 an Anticipated Finding of No Significant Impact (AFNSI) determination.

DRAFT 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

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.

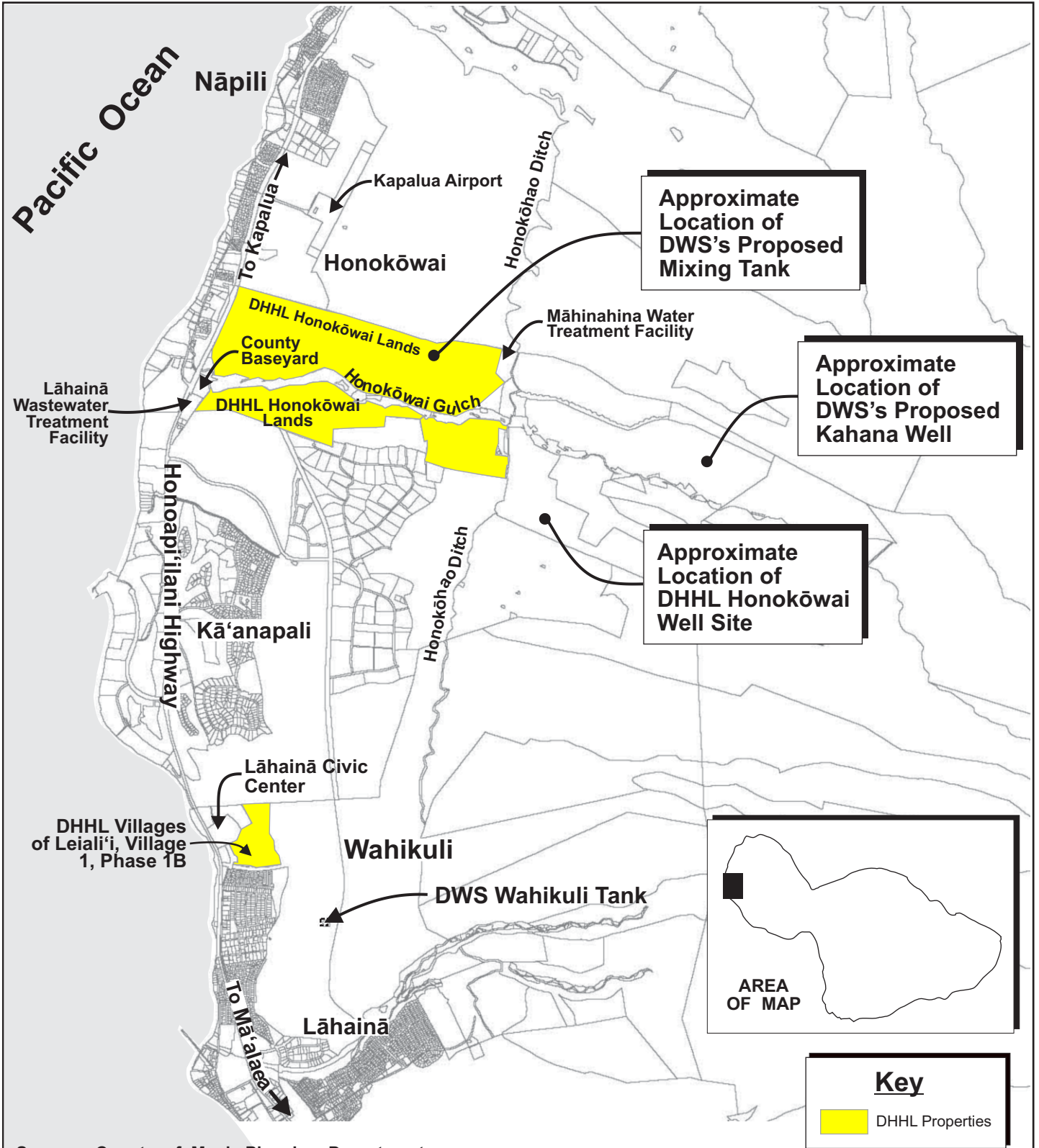
RECOMMENDED ACTION

None; for information only.

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

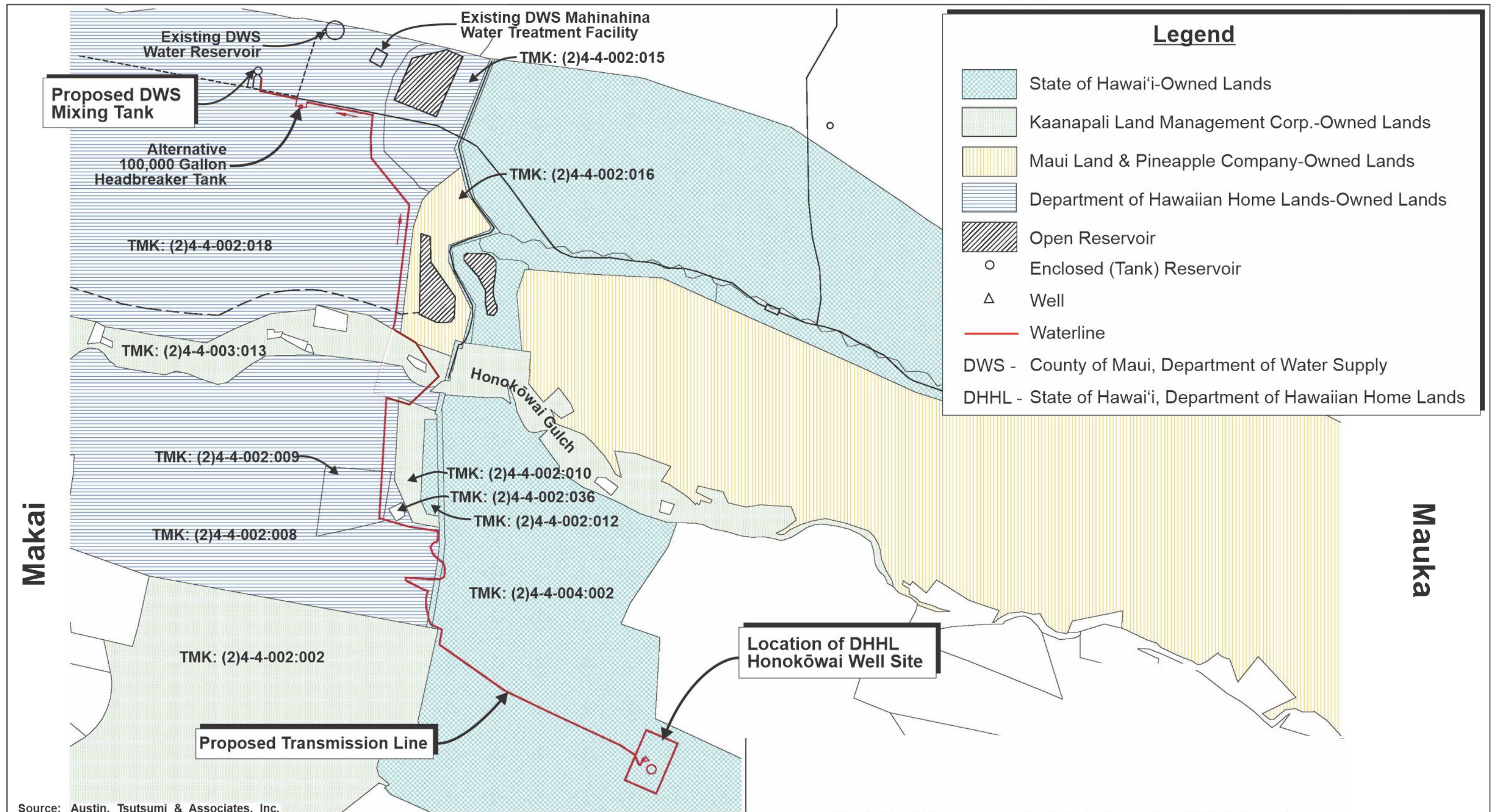
DHHL Honokōwai Water System Improvements Regional Location Map

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

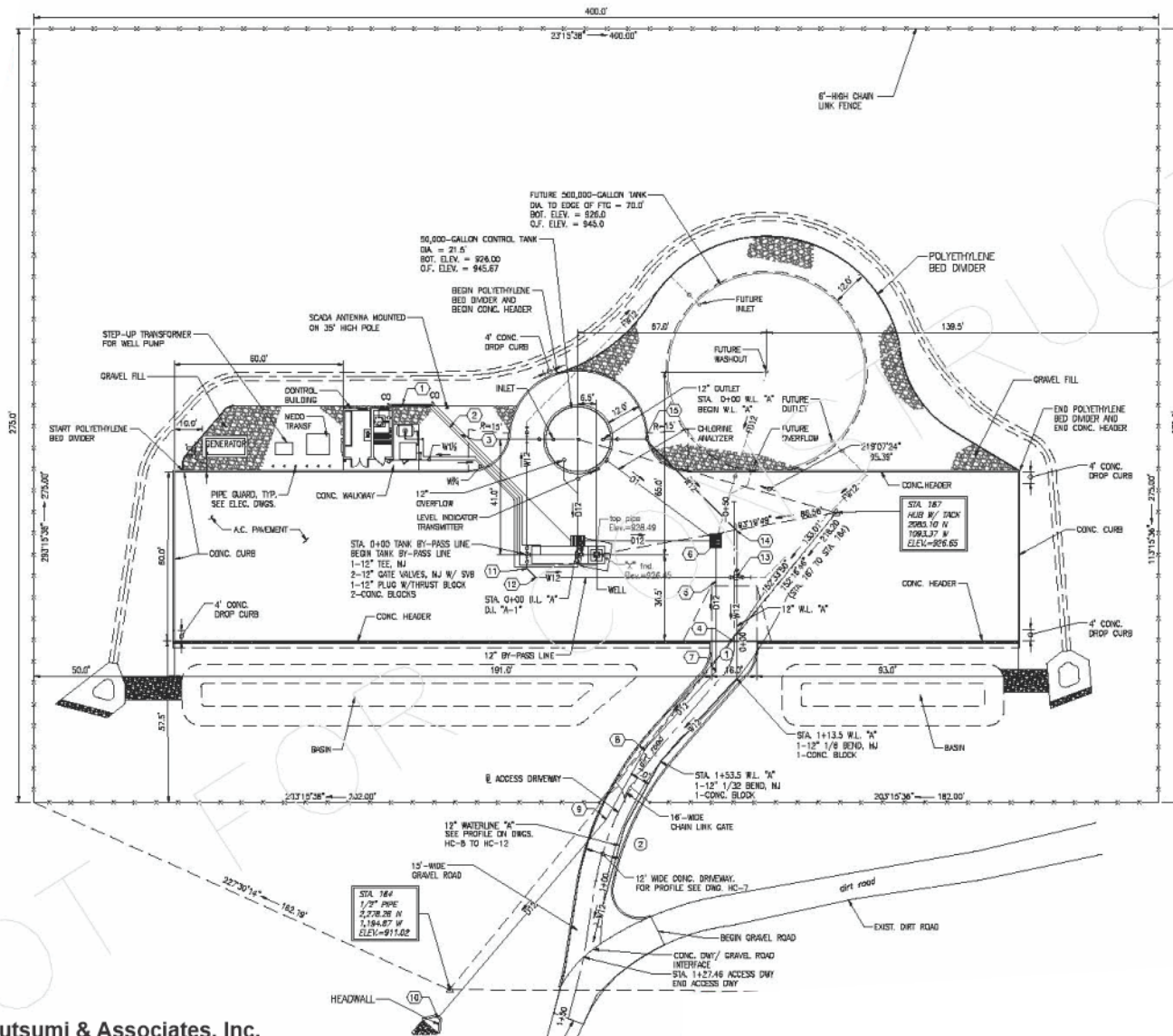
NOT TO SCALE



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



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



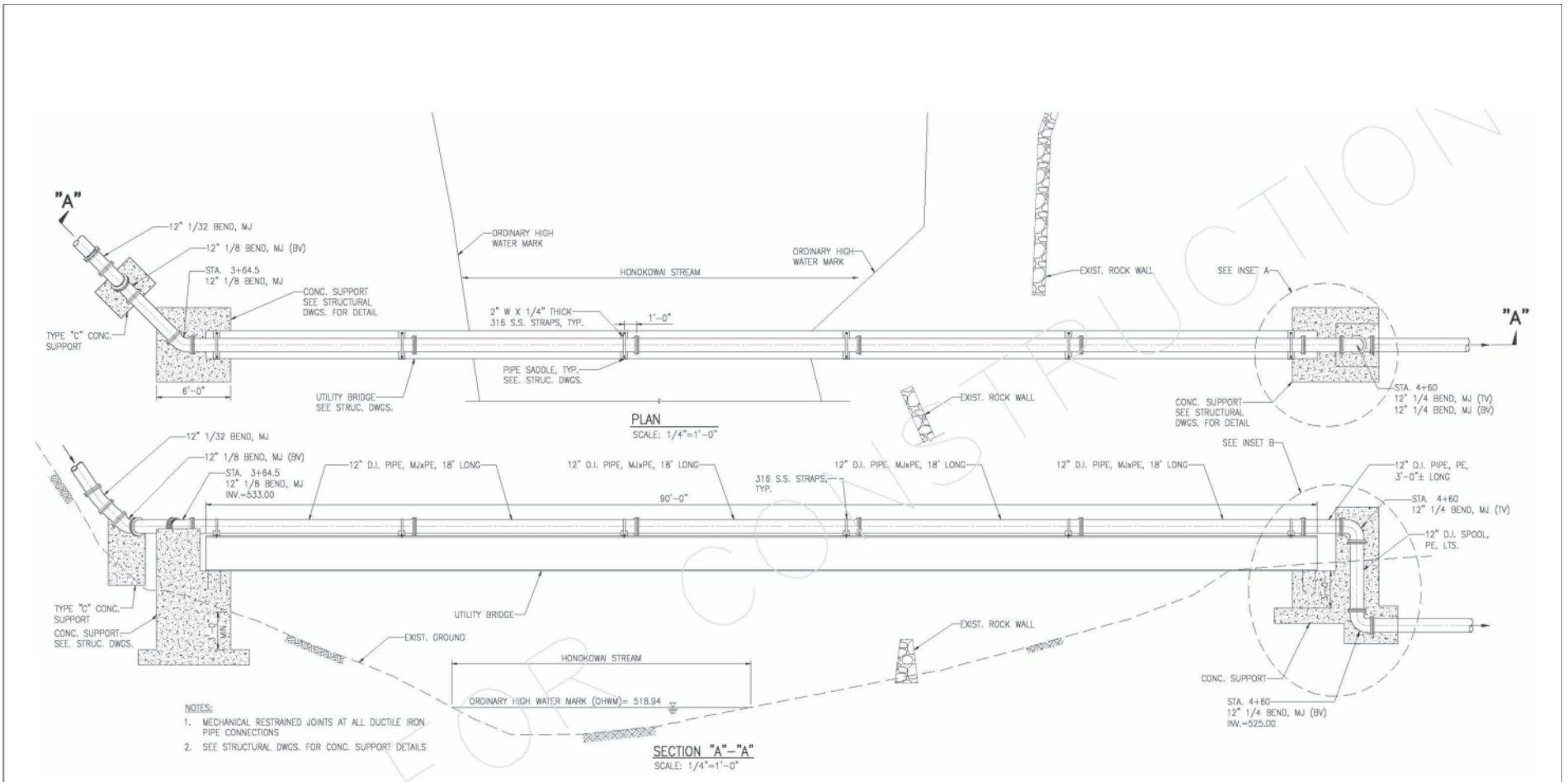
Source: Austin, Tsutsumi & Associates, Inc.

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

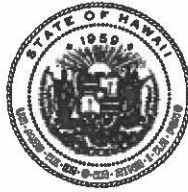
Honokōwai Gulch Crossing Plan

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

21 - 128

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.

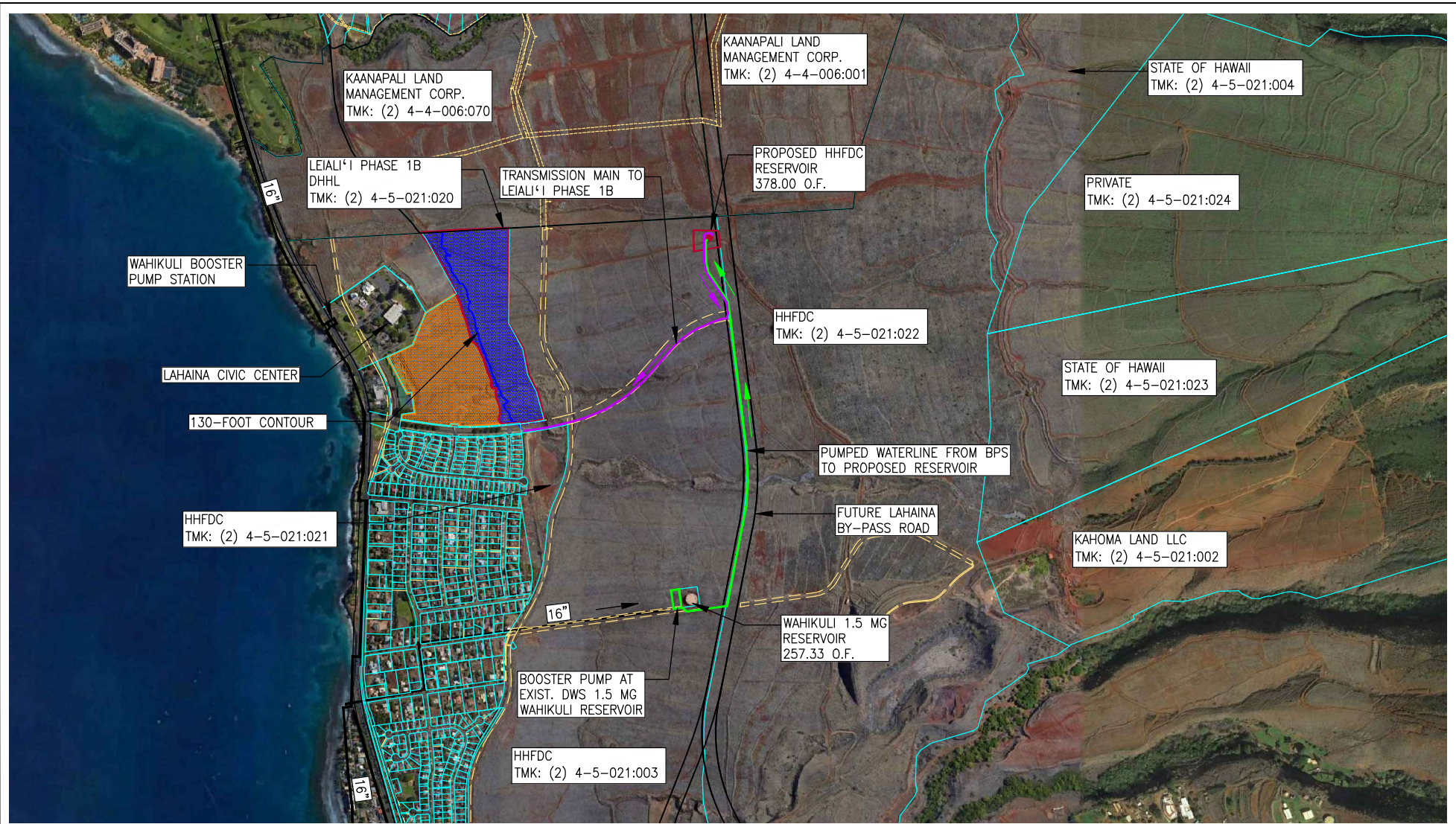
The accepting authority simultaneously transmits to both the OEQC and the proposing agency a letter of its determination of acceptance or nonacceptance (pursuant to Section 11-200-23, HAR) of the FEIS; no comment period ensues upon publication in the Notice.

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

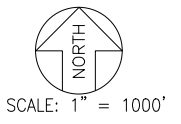
Project Summary

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



REFERENCE: GOOGLE EARTH

1 INCHES AT FULL SIZE
(If NOT 1-inches : Scale Accordingly)

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

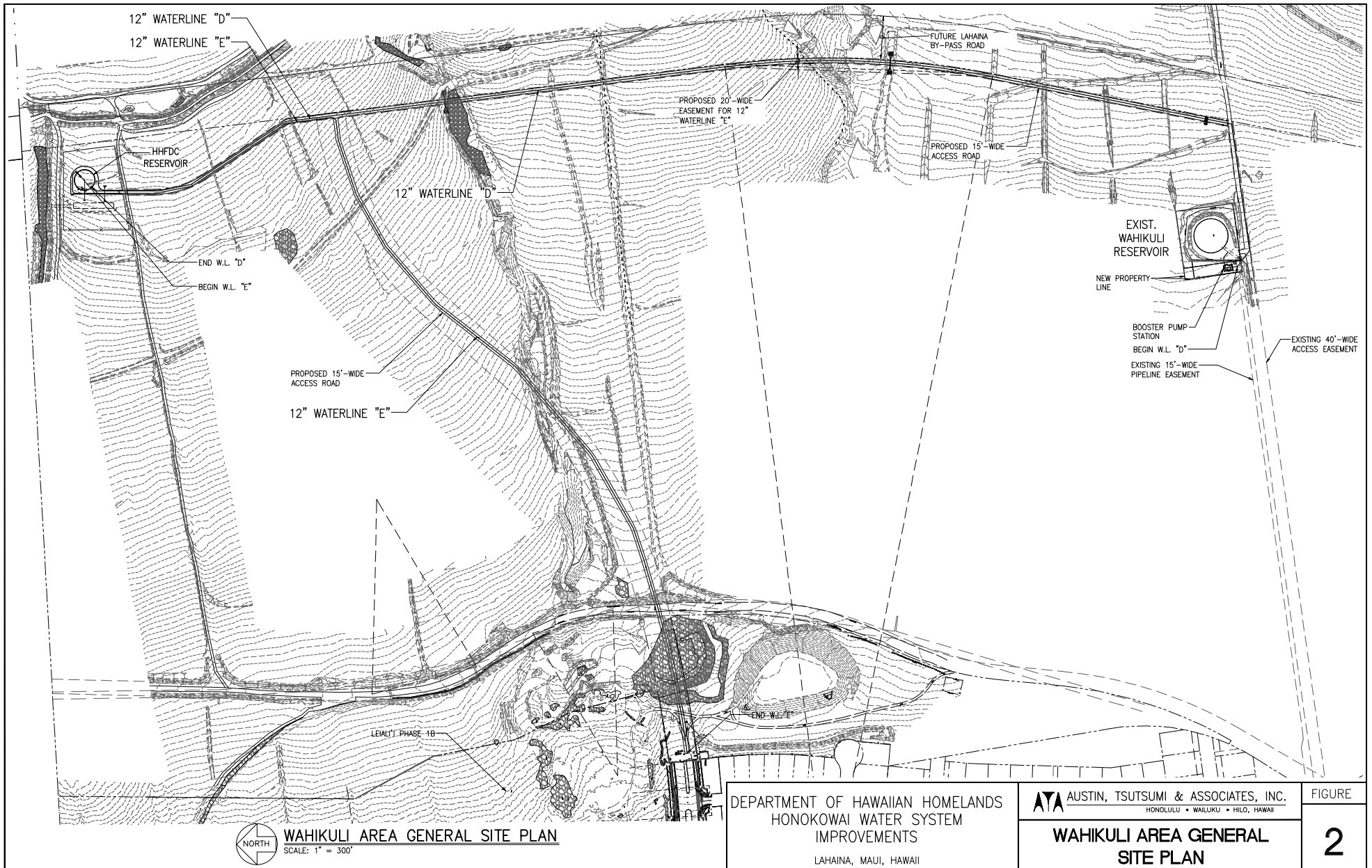


Exhibit D.

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

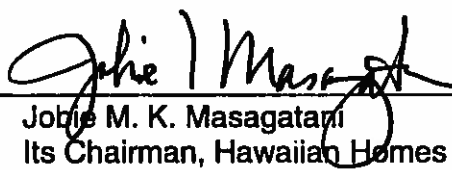
By _____
Craig K. Hirai
Its Executive Director

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 ____th 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: _____

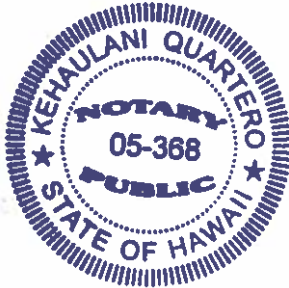
STATE OF HAWAII)
)
CITY AND COUNTY OF HONOLULU) SS

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

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

E-3

West Maui Project Updates

March 18, 2024



WEST MAUI





HONOKOWAI WATER SYSTEM

New DHHL well

12" Water Transmission Line from Well Site to Mixing Tank

Proposed 0.5 MG Mixing Tank

Honokowai Agricultural Lots

- New well and well site improvements
- Transmission across Honokowai Gulch
- Connection to County Mixing Tank
- Anticipated Finding of No Significant Impact
- Draft Environmental Assessment to be published April 8, 2024

Proposed Lahaina By-pass

Proposed 0.5 MG Reservoir

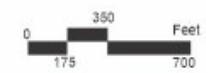
Villages of Leiali'i



VILLAGES OF LEIALII 1-B



DHHL Villages of Leialii Village 1-B
Property Location Map



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



Total Infrastructure Budget Estimate:

Offsite improvements:
Act 279 FY23 :\$15M

Onsite improvements:
Act 279 FY24: \$68M

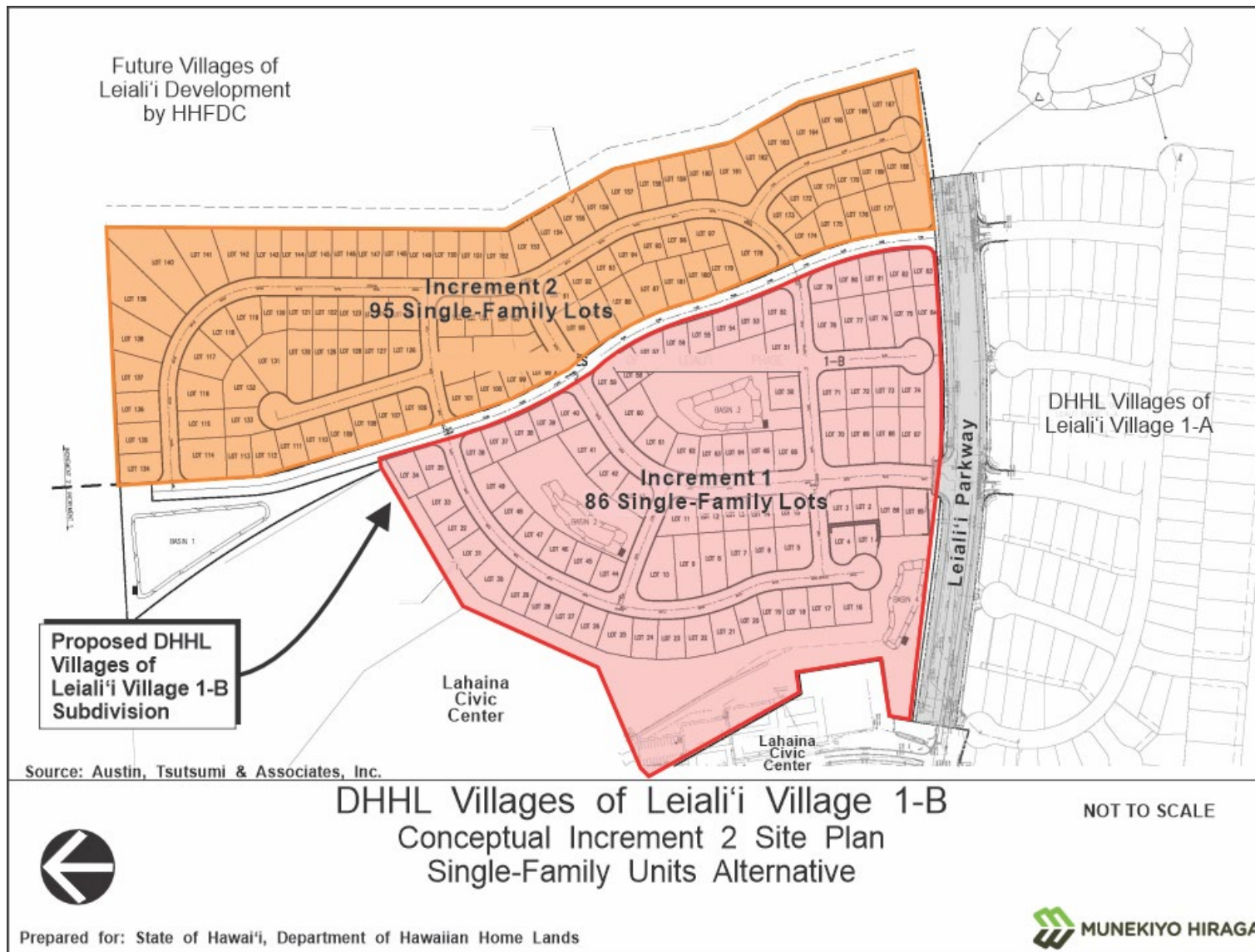
Highway and Parkway
Improvements: Leg
CIP: \$9M



VILLAGES OF LEIALII 1-B: 181 LOTS TOTAL

Increment 1:

- 86 Single Family Lots



Increment 2:

- 95 Single Family Lots
- Requires new high level water tank



PROJECT DESCRIPTION

Offsite improvements

For Increment 1:

- Two (2) new offsite retention basins mauka of Village 1-B, on lands owned by Hawai'i Housing Finance and Development Corporation (HHFDC)
- Enlargement of the existing retention basin mauka of Village 1-A
- Roadway improvements to Leiali'i Parkway and Honoapi'ilani Highway

For Increment 2:

- New high level water tank
- Improvements to Lahaina Civic Center Booster Pump facility



ENVIRONMENTAL ASSESSMENT (EA)

- Draft EA was published December 23, 2022
- Hawaiian Homes Commission issued a Finding of No Significant Impact (FONSI) determination at its October 2023 meeting
- Final EA was published November 8, 2023
- Project will implement necessary mitigation measures (Ex. Best Management Practices, archaeological monitoring)
- Project supports providing homestead opportunities for beneficiaries and water use are consistent with the goals of the DHHL General Plan, Maui Island Plan, and Water Policy Plan



NEXT STEPS FOR THE PROJECT

- Secure funds to fund construction of Increment 1
- Continue design of Increment 1
- Procure a developer for infrastructure and home construction
 - Request for Qualifications (RFQ-24-HHL-004) was issued December 8, 2023



ESTIMATED TIMELINE (SUBJECT TO FUNDING)

- SPRING 2024** Continue Engineering Design
- SUMMER 2024** Negotiate Development Agreement
- WINTER 2024** Begin Subdivision Sitework Construction
- FALL 2025** Begin Home Construction
- SPRING 2026** First Home Occupancy

TIMELINE SUBJECT TO CHANGE; SUBJECT TO BUDGET APPROPRIATION



MAHALO



DEPARTMENT OF HAWAIIAN HOME LANDS

www.dhhl.hawaii.gov

**HAWAIIAN HOMES COMMISSION
MARCH 18 & 19, 2024**

F – ITEMS

LAND MANAGEMENT DIVISION

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 18-19, 2024

To: Chairman and Members, Hawaiian Homes Commission

Through: Kali Watson, Chairman
Hawaiian Homes Commission

Kalei Young, Supervising Land Agent *(KAY)*
Land Management Division

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

Subject: Approval to Issuance of License Agreement, Pa'upena Community Development Inc.,
Waiohuli, Maui, TMK (2) 2-2-034:026 (p) & 028 (p)

APPLICANT:

Pa'upena Community Development Inc. "LICENSEE"

RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission (HHC) grant its approval to issue a license agreement to Pa'upena Community Development Inc., for approximately 127.0 acres (more or less) of Hawaiian home lands TMK: (2) 2-2-034:026 (portion) & 028 (portion) for purposes of agriculture, pastoral, educational and training opportunities, and the stewardship and preservation of archaeological sites.

1. Authorize the issuance of a license agreement to LICENSEE covering the subject area is subject to the following:
 - A. The standard terms and conditions of the most current license agreement form, as may be amended from time to time;
 - B. The term of the license agreement shall be ten (10) years, commencing upon execution of the license document. The license may be extended by the Hawaiian Homes Commission for an additional ten (10) year period provided that LICENSEE has satisfactorily fulfilled the purpose for which the license was issued. LICENSEE must apply for a license extension six (6) months prior to the expiration of the term;
 - C. The fee for the term of this license agreement shall be gratis;
 - D. LICENSEE shall consult with and work closely with LICENSOR on completing HRS Chapter 6E compliance documentations and studies. HRS Chapter 6E compliance is subject to the approval/concurrence of the Department of Land Natural Resources State Historic Preservation Division;
 - E. LICENSEE shall be responsible to pay all taxes, assessments, utility services;

- F. LICENSEE shall submit for approval all plans and specifications for any improvements, modifications, alterations, or additions constructed on the land; to include clearing, grading, grubbing, fencing, building construction now or hereafter erected on the Premises to the Chairman of the Hawaiian Homes Commission prior to commencement;
- G. LICENSEE shall be responsible for managing and maintaining the premises and any and all equipment and personal property of LICENSEE upon the premises in a strictly clean, neat, orderly and sanitary condition, free of waste, rubbish and debris and shall provide for the safe and sanitary handling of disposal of all trash, garbage and all other refuse resulting from its activities on the premises;
- H. As part of the LICENSOR’S regular review of LICENSEE activities, and in exchange for gratis base rent, LICENSEE shall submit an Annual Progress Report to the LICENSOR each year on the anniversary date of license commencement. The Annual Progress Report shall document the LICENSEE’S activities of the previous year and shall include, but not be limited to the following:
 - i. LICENSEE shall work with LICENSOR to identify specific reporting requirements and applicable metrics to monitor progress towards achieving the LICENSEE’S charitable purposes. Minimum reporting requirements shall include the number of beneficiaries served and a description of how LICENSEE has been serving beneficiaries of the Hawaiian Homes Commission Act of 1921, as amended.
 - ii. A financial report that includes standard annual financial statements and the LICENSEE’S IRS 990 Form for the preceding fiscal year, as well as a budget for the following year, shall be included in the Annual Progress Report.
 - iii. Letters from the boards of homestead community associations, other community nonprofits, and any other community-based community organization within the respective service area. Letters shall include information on whether the LICENSEE has satisfactorily provided programs and services to beneficiaries in the respective year of the Annual Progress Report.
- I. The documentation and processing fee shall be waived; and
- J. 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 Waiohuli, Island of Maui, identified as TMK: (2) 2-2-034:026 & 028 (See Exhibit “A”)

AREA:

127.0 Acres (more or less)

BACKGROUND/DISCUSSION

At its meeting held on August 18, 2019, the Hawaiian Homes Commission (HHC) approved the issuance of Right of Entry No. 690 (ROE 690) to Pa’upena Community Development Inc. (Pa’upena CD) for the purpose of conducting due diligence studies including but not limited to project master plan, business plan, and related HRS Chapter 343 and Chapter 6E compliance requirements (see Exhibit “B”).

Under the terms of ROE 690, Pa'upena CD has completed its master, business, and conservation plans (see Exhibit "C "). These plans outline Pa'upena CD's proposed projects for agricultural and pastoral uses, including training programs and resources to beneficiaries. The proposed project includes infrastructural enhancements to roads, fencing, and paddocks.

Pa'upena CD plans to segregate the 127-acre parcel into two separate project areas consisting of 25-acres and 102-acres. The proposed use at the 25-acre section is farming/livestock grazing, greenhouse, outdoor classroom, and a produce processing facility. Since the remaining 102-acres has been delineated as a cultural preserve area by 'Aina Archaeology, Pa'upena CD plans to implement programs and projects aimed at restoring and protecting the historic and cultural sites.

At the October 17, 2023 HHC meeting, Pa'upena CD board member Noelani Peresa provided an update through a power point presentation titled "He Pa'upena o ka 'ike kupuna" under general agenda, J-6. For reference purposes, the presentation is attached as Exhibit "D".

The Department of Hawaiian Home Lands (DHHL) procured 'Aina Archaeology as a consultant on the HRS 6E compliance requirement for Pa'upena CD's planned uses. DHHL, Pa'upena CD, and 'Aina Archeology are working diligently towards completing the HRS Chapter 6E compliance requirement.

In accordance with the Department of Hawaiian Home Lands Comprehensive Exemption List as Reviewed and Concurred Upon by the Environmental Council on June 30, 2015 and Hawaii Administrative Rules (HAR) Section 11-2001 exemption criteria, DHHL Planning Office concluded that Pa'upena CD's cattle and farming education and demonstration project is eligible for exemption from the environmental assessment process. The proposed actions are consistent with actions listed on DHHL's exemption list and HAR Section-200.1, see Exhibit "E".

Pa'upena CD requested DHHL assistance with obtaining water to support programs and uses planned for the subject parcel. On December 18, 2023, DHHL Planning Office presented item G-1 to the HHC for consideration on allocating three DHHL water credits for Pa'upena CD to obtain three 5/8-inch water meters for their use on portions of TMKS: (2) 2-2-034:026 (p) and :028 (p). The HHC approved item G-1 and DHHL notified Maui County Department of Water Supply (see Exhibit "F").

The DHHL is in receipt the attached support letters from various State, County of Maui, businesses and organizations showing their support for Pa'upena CD's proposed use of Hawaiian home lands and the issuance of a long-term license (see Exhibit "G").

Approval of the requested motion will allow Pa'upena CD to implement programs that will benefit DHHL beneficiaries.

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

The recommended disposition is consistent with the following plans, policies, and programs:

1) DHHL General Plan Update (Final Draft, November 2022) goals:

Goal FP-5: Promote a diversity of food production on Hawaiian home lands.

Goal RM-1C: Allow Native Hawaiian use of natural resources on Hawaiian home lands for traditional subsistence, cultural, and religious purposes in undeveloped areas.

Goal RM-1D: Pursue partnerships that support resource protection and conservation on Trust lands.

Goal ED-1: Provide economic opportunities for beneficiaries on Hawaiian home lands.

- 2) Maui Island Plan, September 2004
 - Land Use Designation: Residential, General Agriculture, September 2004, Figure B, Keokea/Waiohuli Land Use Plan
- 3) Regional Plan: The proposed use of Hawaiian Home Lands was not identified in the Keokea-Waiohuli Regional Plan dated June 2010. A beneficiary consultation meeting was conducted on May 30, 2019 to get beneficiary feedback on the proposed use of Hawaiian Home Lands. Pa'upena CD's original land request encompassed 5,000+ acres of Hawaiian home lands. Due to HHC concerns about the size and types of uses stated in the request, DHHL was asked to work with Pa'upena CD to secure a more manageable sized parcel. Pa'upena CD would like future consideration for the 4,800+ acre parcel after they implement programs and successfully demonstrate capacity on the subject 127 acre parcel.

AUTHORITY

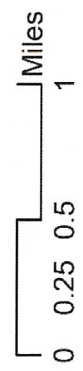
§207(c)(1)(A) of the Hawaiian Homes Commission Act, 1920, as amended, authorizes the department to grant licenses for the use of Hawaiian Home Lands for public purposes.

RECOMMENDATION

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

Item No. F-1

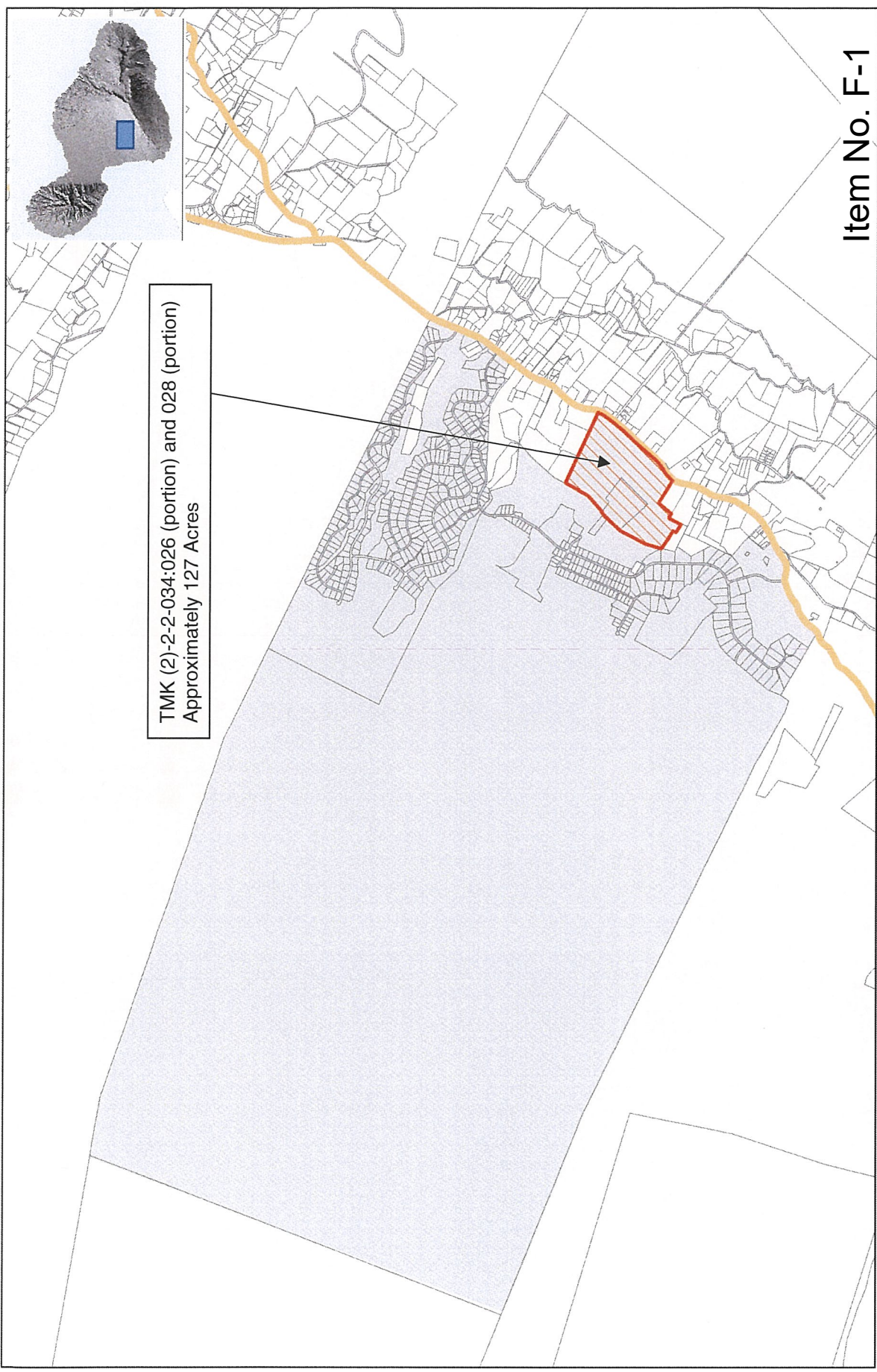
EXHIBIT A



TMK (2)-2-2-034:026 (portion) and 028 (portion)
Approximately 127 Acres

Legend

-  Paupena ROE Boundary
-  DHHL Land
-  State Highway



STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

RIGHT-OF-ENTRY NO. 690

This Right-of-Entry ("ROE") No. 690 is dated this 10th day of October, 2019, by and between the State of Hawaii, 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 as "PERMITTOR," and Pa'upena Community Development, Inc., whose address is 96 Ahulua Street, Kula, Hawaii 96790, hereinafter the "PERMITTEE."

PERMITTOR hereby grants to PERMITTEE a Right-of-Entry upon that certain parcel of Hawaiian home lands in Waiohuli, Makawao, Island of Maui, for the non-exclusive, use of approximately 127.0 acres of Hawaiian home lands, identified as Tax Map Key No. (2) 2-2-034:026 (por.) & 028 (por.) and further shown in the attached Exhibit "A", subject to the following conditions:

1. TERM. The term of the ROE shall be month-to-month up to thirty-six (36) months, commencing upon execution, with the option for two (2) additional twelve (12) month extensions at the sole discretion of PERMITTOR. This ROE may be cancelled by PERMITTOR, at PERMITTOR'S sole discretion and for any reason whatsoever, at any time during the term of the ROE, upon 30 days advance notice in writing to PERMITTEE;
2. PERMITTED USE. The Premises shall be used for the purpose of conducting due diligence studies including but not limited to project master plan, business plan, and related Chapter 343, HRS compliance requirements and Chapter 6E, HRS compliance requirements;
3. FEE. The fee for the term of this ROE shall be gratis;
4. CONSTRUCTION AND MAINTENANCE. During the period of the ROE, PERMITTEE shall keep the Premises and all improvements thereon in a strictly clean and sanitary and orderly condition, and shall not make, permit nor suffer any waste, spoil, nuisance, nor any unlawful, improper or offensive use of the Premises. 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;

5. RIGHT TO ENTER. PERMITTEE shall allow PERMITTOR, and the agents and representatives thereof, at all reasonable times, free access to the Premises for the purpose of examining the same and/or determining whether the covenants herein are being fully observed and performed, or for the performance of any public or official duties. In the exercise of such rights, PERMITTOR and government officials shall not interfere unreasonably with PERMITTEE and PERMITTEE'S use and enjoyment of the Premises;
6. NO TRANSFER, MORTGAGE, AND SUBLEASE. This ROE shall be non-transferable, and PERMITTEE may not in any manner transfer to, mortgage, pledge, sublease, sublet, or otherwise hold or agree so to do, for the benefit of any other person or persons or organization of any kind, its interest in this ROE, the premises and the improvements now or hereafter erected thereon;
7. EXPIRATION. Upon the expiration of the ROE, or its sooner termination as herein provided, PERMITTEE shall peaceably and quietly leave and surrender and deliver up to PERMITTOR possession of the premises. This includes the clean-up and removal of all property belonging to PERMITTEE;
8. TERMINATION/ABANDONMENT. Upon termination or abandonment of the specified purposes for which this ROE is granted, all interests granted by this ROE and any approved improvement constructed by PERMITTEE on the Premises shall revert to, and become the property of PERMITTOR;
9. PREMISES. The term "Premises", when it appears herein, includes and shall be deemed to include the lands described above and all improvements whenever and wherever erected or placed thereon;
10. INSURANCE. PERMITTEE shall, at its own expense, effect, maintain and keep in force throughout the life of this ROE, a comprehensive public liability insurance policy, with limits of not less than \$1,000,000.00 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 PERMITTEE for fees, interest or other charges under this ROE.

PERMITTEE at its own expense shall maintain and keep in force Workers Compensation Insurance to include Employer's Liability. Such coverage shall apply to all of its employees.

PERMITTEE at its own expense shall maintain and keep in force Automobile Insurance, covering all owned, non-owned and hired automobiles in the following amounts: Bodily Injury: \$1,000,000.00 per person and \$1,000,000.00 per occurrence; Property Damage: \$1,000,000.00 per accident; or a combined single limit of \$1,000,000.00

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 Hawaii or approved in writing by the Chairman, Hawaiian Homes Commission; (b) name the State of Hawaii 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 for such activities prior to the effective date of this ROE, or this ROE shall be null and void.

11. 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.

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-byphenyls ("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. SPECIAL CONDITIONS.

A. PERMITTEE shall submit a Master Plan. Master plan shall include but not be limited to:

- i. Narrative description that clearly articulates permittee's project goals for the project area and detailed description of each proposed programmatic element and land use by the permittee.
- ii. Narratively and graphically describe characteristics of the project area including topography, portions of the project area susceptible to natural disaster events, location of known sensitive or unique natural and cultural resources, water resources, access points for vehicle and pedestrian ingress and egress, identification of level of infrastructure improvements required and location of improvements;
- iii. Site plan drawing at scale of the project area depicting conceptual size and location of proposed improvements and programmatic use of the project area.

B. PERMITTEE shall submit a Project Business Plan. The Project Business Plan shall include a description of expense and income budget (start-up/initial costs, operating budget, reserve fund, fundraising campaign). Business plan shall identify rough order of magnitude (ROM) cost for all capital improvements proposed by PERMITTEE to the premises including off-site infrastructure. Business plan shall include ROM cost for operation and maintenance expenses. Business plan shall include ROM for programmatic expenses including but not limited to staff salary and compensation. Business plan shall identify potential revenue sources and reasonably justified estimated revenue projections from each of these sources.

C. PERMITTEE shall consult with and work closely with PERMITTOR on completing HRS Chapter 343 and HRS Chapter 6E compliance documentations and studies. If HRS Chapter 343 Environmental Assessment study or Environmental Impact Study is required, approval of these studies is subject to the approval of the Hawaiian Homes Commission. Chapter 6E compliance is subject to the



approval/concurrence of the Department of Land Natural Resources State Historic Preservation Division.

D. As part of the PERMITTOR's regular review of PERMITTEE activities, and in exchange for gratis base rent, PERMITTEE shall submit a bi-annual progress report to the PERMITTOR and to the Hawaiian Homes Commission every six months starting from the ROE commencement date. The bi-annual progress reports shall document the PERMITTEE's activities of the previous period and shall include but not be limited to the following:

- i. Timeline and schedule to complete due diligence studies as described in Sections A thru D of this agreement. Timeline and schedule should identify major milestones in the completion of due diligence studies.
- ii. Description of major activities related to the project timeline and schedule that were conducted and/or completed in the six-month period.
- iii. Progress report shall also include description of circumstances that may affect the permittee's timeline and schedule for completion of due diligence studies.
- iv. Progress report shall identify any professional service provider or third-party assisting the permittee in the completion of due diligence studies.

E. The documentation and processing fee shall be waived;

F. This ROE is subject to other terms and conditions that may be deemed prudent by the Chairman of the Hawaiian Homes Commission.

[REMAINDER OF PAGE BLANK -- SIGNATURE PAGE FOLLOWS]

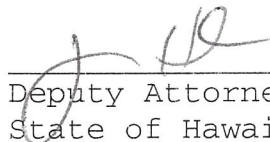


IN WITNESS WHEREOF, PERMITTOR and PERMITTEE have caused this ROE to be executed by the duly authorized officers/individuals as of the day and year first above written.

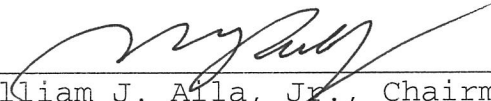
APPROVED BY THE HHC
AT ITS MEETING HELD ON
August 18, 2019

State of Hawaii
DEPARTMENT OF HAWAIIAN HOME LANDS

APPROVED AS TO FORM:



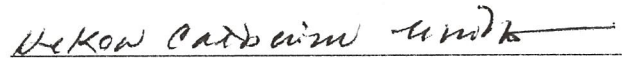
Deputy Attorney General
State of Hawaii

By 

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

PERMITTOR

PA'UPENA COMMUNITY DEVELOPMENT, INC.

By 

Print Name: Kekoa Catherine Enomoto

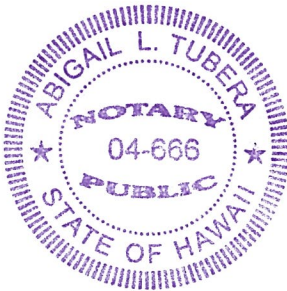
PERMITTEE



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

On October 10, 2019, 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. 690, 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 eleven (11) pages at the time of this acknowledgment/certification.



Abigail L. Tubera

Print Name: Abigail L. Tubera

Notary Public, State of Hawaii

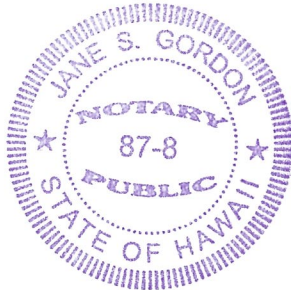
My commission expires: November 21, 2020

STATE OF HAWAII)
) SS.
COUNTY OF MAUI)

On this 1st day of October, 2019, before me appeared Kekoa Catherine Enamoto, and _____, to me personally known, who, being by me duly sworn, did say that ~~they are~~ ^{she is} the person who executed the foregoing instrument and acknowledged to me that ~~they~~ ^{she} executed the same freely and voluntarily for the use and purposes therein set forth.

JG/np

JG/np



Jane S. Gordon
Notary Public, State of Hawaii
Printed Name: JANE S. GORDON
My commission expires: 1-13-2023

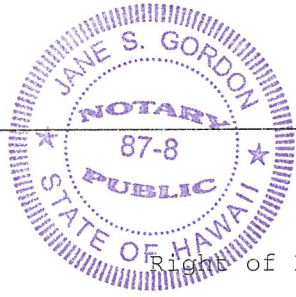
NOTARY CERTIFICATION STATEMENT

Document Identification or Description:
Right-of-Entry No. 690

Doc. Date: _____ or Undated at time of notarization
No. of Pages: 11 Jurisdiction: 2nd Circuit
(in which notarial act is performed)

Jane S. Gordon 10-1-2019
Signature of Notary Date of Notarization and Certification Statement

JANE S. GORDON
Printed Name of Notary





TMK (2)-2-2-034:026 (portion) and 028 (portion)
Approximately 127 Acres

Legend




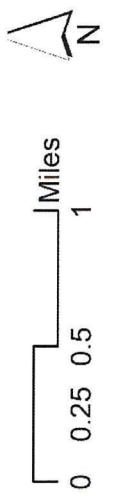
-  Paupena ROE Boundary
-  DHHL Land
-  State Highway

EXHIBIT A



Pa`upena Community
Development Inc. (CDC)



Master Plan

Subject: Right of Entry No.690

TMK: (2) 2-2-034. 026 (por.) & 028 (por.)

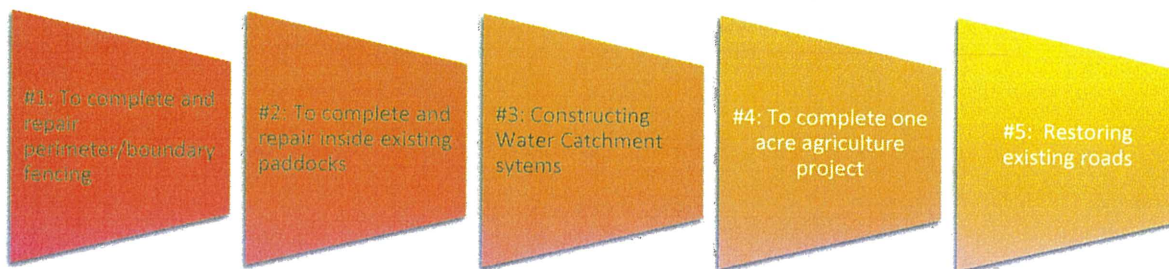
ITEM NO. F-1
EXHIBIT "C"



Mission

Pa`upena CDC is a beneficiary-owned group, whose vision is to fulfill Prince Kuhio's century-old dream for native Hawaiians to reconnect with Waiohuli ahupua`a in thriving farming and ranching communities, and to share this paradigm throughout the pae`aina (archipelago). The mission of Pa`upena CDC is to provide resources and training for fellow Hawaiian Homes trust beneficiaries to build homes and self-sufficient communities.

Project Goals for ROE #690



Description of Goals

All of our goals embedded in the above vision and mission are in line with our mission to reconnect with the Waiohuli ahupua`a in thriving farming and ranching communities. We want to show that by improving the area that had been leased by a non-Hawaiian beneficiary we are able to demonstrate that we are self-sufficient and are fulfilling our Prince's vision and dream.

The non-homesteading land use envisioned under this request is for Pa`upena CDC to run cattle in the project area. In addition, Pa`upena CDC principals will dedicate one acre for an agricultural demonstration site to educate and train beneficiaries in farming concepts and techniques. We seek to undertake agricultural and pastoral activities—including infrastructural enhancements to roads, fencing and paddocks, on Hawaiian homeland, as prescribed by the 1920 Hawaiian Homes Commission Act of federal trust.

We will provide ag-and pastoral training and resources to beneficiaries, especially to some of more than 9,000 waitlisters.

We will demonstrate the capability of Pa`upena's board, staff, and volunteers to manage 127 Waiohuli/Keokea homelands acres, in order to qualify for a two-year-due diligence Right of Entry and eventually long-term license to approximately 4,750 adjacent acres of trust lands.

The proposed land use will benefit the federal 1921 Hawaiian Homes Commission Act trust in five direct and indirect ways: by fulfilling the act, Prince Kuhio's vision and the commission's kuleana; by preparing trust applicants for their awards, and by producing license rental fees.

First, the proposed land use of a beneficiary organization running cattle in the paniolo tradition and providing agricultural training fulfills purposes of the Hawaiian Homes Commission Act. The latter document proclaims: "The policy of this Act is to enable native Hawaiians to return to their lands in order to fully support self-sufficiency for native Hawaiians and the self-determination of native Hawaiians in the administration of this Act, and the preservation of the values, traditions, and culture of native Hawaiians."



Second, the land-use proposal realizes Prince Jonah Kuhio Kalaniana`ole's desire to give his people land to farm, ranch and be enriched. As the federal document declares: "The principal purposes of this Act include but are not limited to:

- (1) Establishing a permanent land base for the benefit and use of native Hawaiians, upon which they may live, farm, ranch, and otherwise engage in commercial or industrial or any other activities as authorized in this Act;
- (2) Placing native Hawaiians on the lands set aside under this Act in a prompt and efficient manner and assuring long-term tenancy to beneficiaries of this Act and their successors; . . .
- (4) Providing adequate amounts of water and supporting infrastructure, so that homestead lands will always be usable and accessible; and
- (5) Providing financial support and technical assistance to native Hawaiian beneficiaries of this Act so that by pursuing strategies to enhance economic self-sufficiency and promote community-based development, the traditions, culture and quality of life of native Hawaiians shall be forever self-sustaining."

Third, the HHCA trust benefits because the land-use proposal enables the Hawaiian Homes Commission director and members to exercise their fiduciary duty "to act exclusively in the interest of beneficiaries under the act (and to) adhere to the terms of the trust as set forth in the act," per Title 10 Administrative Rules Section 10-2-19.

Fourth, beneficiaries running cattle and cultivating crops will prepare applicants to accept agriculture and pastoral awards, and the associated kuleana.

Lastly, income generation via Right Of Entry rental fees directly will benefit the trust.

Description of Project Area

According to the Maui Island Plan from DHHL the topography of the area, Keokea and Waiohuli, is characterized by rolling hills that grow increasingly steep toward the mauka areas. According to the USGS topographic map, elevations range from approximately 640 feet above sea level in the western (makai) portion of the tract to approximately 3,000 feet above sea level in the eastern portion (mauka).

In regards to natural disaster events in the area, per FEMA the area is in a flood zone that is outside of the 500-year flood plain, which designates areas determined to be outside of the 500-year flood plain. Also, the rainfall is an average 15 inches in the lower elevations and 30 inches in the higher elevations. (2004 DHHL Maui Island Plan, Page 91)

Concerning the infrastructure of the project area, there is only one-way in and out from Kula Highway, as noted on the maps provided. There are dirt roads within the project area that go around the perimeter. Vehicles and pedestrians are able to access the project area safely.

Improvements will be made to the project area by completing our goals above. Please refer to the maps provided with due-diligence documentation to locate existing paddocks, roads, and boundary fencing.

There are no known unique natural and cultural elements in the project area, ie. Hei`au, so it is safe to implement our mission in line with ranching and farming the area.

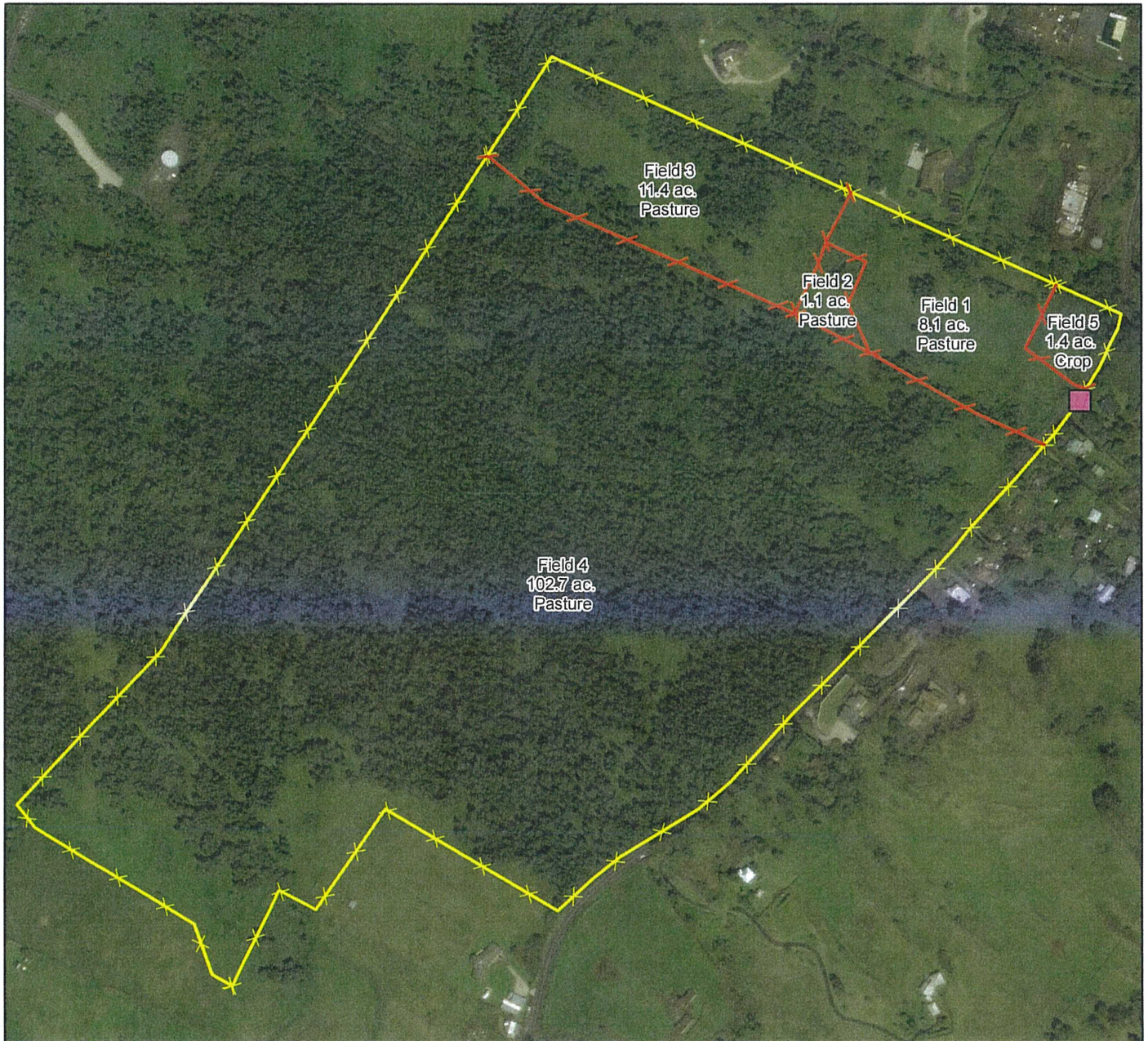
Pa'upena Community Development has worked with Jason Hew, Maui Soil & Water Conservation Districts Conservation Specialist, to develop a Conservation plan. The conservation plan was reviewed and accepted by the USDA Natural Resource Conservation Service and the Central Maui Soil & Water Conservation District board. The conservation plan developed for Pa'upena Community Development is included as a part of the master plan that addresses due diligence required in the right of entry. The signed conservation plan assesses many different environmental aspects as well as evaluates the capability of ranching activities. Included in the conservation plan are various maps, a schedule of practice implementation (Conservation Plan), implementation requirements for each scheduled conservation practice, a comprehensive Environmental Evaluation, cultural resource documentation, threatened and endangered species evaluation, field inventory documentation, and correspondence between the cooperator and the planner. Information included in the conservation plan addresses items required in the master plan such as a narrative description of the project goals, narratives and graphical descriptions of the project area including topography, areas susceptible to natural disaster events, locations of known sensitive or unique cultural resources, the identification of level of infrastructure improvements and location of improvements, and a site plan drawing to scale of the project area depicting programmatic use of the area. Jason Hew can be contacted at (808) 214-1746 or by email at jason.hew@usda.gov for any questions or concerns.

Master Plan Map

Date: 3/11/2020




Customer(s): PA'UPENA COMMUNITY DEVELOPMENT
District: CENTRAL MAUI SOIL & WATER CONSERVATION DISTRICT
Approximate Acres: 124.6
Legal Description: TMK (2) 2-2-034:026, 028

Field Office: KAHULUI SERVICE CENTER
Agency: Maui Soil & Water Conservation Districts
Assisted By: Jason Hew
State and County: HI, Maui County, Hawaii
Land Units: Farm# 1956 Tract # 1818



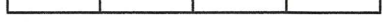
Prepared with assistance from USDA-Natural Resources Conservation Service

Legend

-  Proposed Cross Fences
-  Perimeter Fence (Improvements Required)
-  Gate



0 250 500 750 1,000 Feet



Pa`upena Community
Development Inc. (CDC)



Business Plan

Subject: Right of Entry (ROE) #690

TMK: (2) 2-2-034:026 (por.) & 028 (por.)

36 Ahulua Street
Honolulu, HI 96814
Phone: (808) 294-7444
Fax: (808) 294-7444
E-Mail: kalin@paupena.org
Web: www.paupena.org

Pa`upena Community Development Inc. (CDC)



1

Executive Summary

Pa`upena CDC is a Maui-based IRS 501(c)(3) nonprofit beneficiary organization under the auspices of the 1921 Hawaiian Homes Commission Act federal trust since November 29, 2016.

Our structure for leadership is as follows:

Officers: President, Vice President, Secretary, and Treasurer

Board of Directors no more than eight, with a Chairperson

Overall goals for Pa`upena CDC are to repatriate trust lands to native Hawaiian homelands beneficiaries; to educate, motivate and mobilize beneficiaries about how to access Maui trust lands, and to create quality housing and self-sufficient communities through farming and ranching.

In the context of 127 Waiohuli/Keokea mauka homeland acres along Kula Highway, Pa`upena proposes a Business Plan featuring five projects over the next 30 years with an estimated \$176,500 budget. These projects seek to manifest the vision of Prince Jonah Kuhio Kalaniana`ole, and to help native Hawaiian beneficiaries with education, financial programs and networking to provide the resources and tools to live a sustainable life through farming and ranching.

As a 501(c)(3) nonprofit, Pa`upena's financial strategy is to procure funding mainly via grants, donations and loans, since the CDC is constrained from for-profit strategies.

Pa`upena's marketing strategy is to network with its communities, businesses and other Hawaiian entities to obtain the needed resources to empower native Hawaiian beneficiaries to be self-sufficient. We will use digital platforms and social media to connect with beneficiaries, and will hold educational sessions both in person and via a digital platform.



Mission and Vision

Pa`upena CDC is a beneficiary-owned group, whose vision is to fulfill Prince Kuhio's century-old dream for native Hawaiians to reconnect with Waiohuli ahupua`a in thriving farming and ranching communities, and to share this paradigm throughout the pae`aina (archipelago). The mission of Pau`pena CDC is to provide resources and training for fellow Hawaiian Homes trust beneficiaries to build homes and self-sufficient communities.

Values:

- Ea: sovereignty, the life breath that undergirds all efforts.
- `Eleu: Energetic and proactive.
- E Huli`au Kakou: Change the system, transform the community.
- Education: Train others to be financially sustainable.

ROE #690 Projects

TMK: (2) 2-2-034: 026 (por.) & 028 (por.)

Project 1: Perimeter and Boundary Fencing

Project 2: Paddocks

Project 3: Water-catchment Systems

Project 4: Agriculture

Project 5: Roads

Project Descriptions

Project 1:

Repair and complete the existing perimeter and boundary fencing. Boundary fence line is 9,823 feet. In order to repair and complete fencing, we will be expanding use of all existing fencing materials such as, but not limited to, wire fencing, fence nails, fence posts and fence staples/pins.

Maintenance for the perimeter and boundary will be included in the budget.

Budget for Projects 1 and 2 is explained at the end of Project 2.

Project 2:

Repair and fix the four existing paddocks on subject property. Fencing for these four paddocks is in addition to the boundary fence line.

- Paddock A estimated fence line is 1,260 feet.

Pa`upena Community Development Inc. (CDC)



- Paddock B estimated fence line is 583 feet.
- Paddock C estimated fence line is 1,024 feet.
- Paddock D estimated fence line is 6,956 feet.

Current status of the paddocks is overgrown with greenery and weeds, and rundown due to weather conditions and neglect by the past lessee to maintain the enclosures.

Budget for Project 1 and 2 is estimated to be \$150,000. The materials that are on subject property will be recycled and reused.

Materials that need to be replaced are listed and detailed, based on 12,690 feet of fence line (including a 15% cushion for inflation):

8'x6" post	\$20.00	405 pieces	\$8,100
10' brace (H)	\$26.00	180 pieces	\$4,680
7' T-post galvanized	\$12.00	2,000 pieces	\$24,000
330' field fence 12.5x6	\$300.00	45 pieces	\$13,500
Smooth wire 10#, 12.5 gal	\$23.00	35 pieces	\$805
Fencing nails	\$100.00	2 buckets	\$200
Clips	\$50.00	14 cases	\$700
12' corral panels	\$200.00	22 panels	\$4,400
Subtotal	\$56,385	+15%, \$8457.75	Total: \$64,842.75

A Pau`upena goal is to rent-to-own a 305 excavator quick coupler with thumb and accessories; this equipment will assist the CDC to manage and maintain the fencing, and help with all current and future projects. This coupler can range in price; see notes in Project 5 for rental cost. We also would consider purchasing excavator accessories, including a rock auger at \$7,500, buster and driver at \$6,000, and an all-in-one fence-wire-roller attachment and strainer at \$7,000.

To keep the fence line clear of weeds, Pa`upena will purchase a Steamwand SW900 model at \$18,500 plus trailer at \$7,000, equals \$25,500. This equipment will enable Pa`upena to kill weeds in a natural and economical way. The Steamwand SW900 runs on 10 liters of water per minute with the ability to run two applicator heads simultaneously. This machine is very popular among farmers. Thus, \$7,500 + \$6,000 + \$7,000 + \$25,500 + \$3,825 (15 percent cushion) + \$64,842.75 = \$114,667.75; so approximate cost involving "305 excavator quick coupler with thumb" is \$35,332.25.

Project 3:

Pa`upena will install water-catchment systems throughout the subject property for self-sustainability. There are on-premise now two water-catchment systems that will be restored. Pa`upena will run a pilot program with Tsunami Water Products' Atmospheric

Pa`upena Community Development Inc. (CDC)



Water Generators (AWG). This AWG system is able to produce some 200 gallons of water daily for both ranching and farming aspects of the subject property. Tsunami has donated a \$26,000 machine plus trailer to Pa`upena, which must build a small structure with donated solar panels for electricity to run the machine.

Construction/operating costs are about \$5,000.

Project 4:

We will designate 1 acre of the subject property to have native agriculture, i.e., to grow dryland kalo. We will fence off the area to prevent access by cattle. Pa`upena aims to install in the ag area, the Tsunami Atmospheric Water Generator along with a water-delivery system that will utilize available resources yet not harm the `aina.

Quote from Pacific Pipe, 82 Pu`u Ehu Place, Suite 101, Kahului, HI 96732, as of 3/31/20, for materials needed to set up a water-delivery system:

Quote #31884-00

Techline .9GPH@18" 500' Netafim Inline tubing	1	Roll	\$157.20 /roll	\$157.20
401-12.50x360' Fabri Non-woven 401 series	1	Each	\$461.50/each	\$461.50
Stake-50 6"x1"x6" stake 50/bag 20 bags per case	20	Each	\$8.68/each	\$173.60
XBS500 .50"x500' solid hose w/green stripe ID =.615	1	Roll	\$48.58/roll	\$48.58
Subtotal	23	\$840.88	Taxes: \$35.03	\$875.91

Labor/operating costs are \$5,000.

Pa`upena Community Development Inc. (CDC)



Project 5:

Pa`upena will improve the existing dirt road within the subject property. We will use a 305 excavator with thumb (please refer to Project 2 for accessories list). We will rent-to-own the machinery from a company, such as CAT, Service Rentals, Sunbelt or Bacon Universal.

Estimated timeline to complete is two weeks, or 10 working days.

Rental price is \$4,000.

Hauling price is \$800.

Diesel gas at \$4 per gallon, 20 gallons daily, totals \$800.

Labor/operating costs are \$10,000. Thus, \$4,000 + \$800 + \$800 + \$10,000 equals \$15,600.

In conclusion budgetwise, the estimated expenses and perceived total are, as follows:

Projects 1 and 2	— \$150,000
Project 3	— \$5,000
Project 4	— \$5,875.91
Project 5	— \$15,600
TOTAL	— \$176,475.91

Financial History

- 2017-18: Implemented \$100,000 USDA Socially Disadvantaged and Veteran Farmers and Ranchers grant project.
- 2018: \$1,325 Council for Native Hawaiian Advancement grant project to register voters.
- 2018: \$400,000 donation from Paul C. Phillips Revocable Trust.
- 2019-20: \$47,000 Department of Hawaiian Home Lands priority-projects grant to build water-catchment systems on six Upcountry Maui homestead farms for the purpose of collecting water-intake data.
- 2020-21: \$179,000 Enterprise Community Partners/HUD community-needs-assessment grant project.

Marketing Strategy

Pa`upena's target population to be served is 9,047 beneficiaries with 50 percent native Hawaiian blood quantum who are on the waitlists for Hawaiian homestead awards on Maui. They include 3,785 residential, 4,654 agricultural, and 608 pastoral beneficiaries. The purpose and need are to mitigate the state's food-sovereignty crisis by empowering native Hawaiian beneficiaries with farming-and-ranching knowledge and techniques and, thereby, make them sustainable and self-sufficient foodwise.

Pa`upena creates partnerships to benefit Hawaiian beneficiaries, by networking within the native Hawaiian community and throughout America. Partnerships include, but are not limited to:

- Big Water Consulting of Seattle, Managing Director Kevin Klingbeil.
- Council for Native Hawaiian Advancement, or CNHA.

Pa`upena Community Development Inc. (CDC)



6

- Credit Edge Solutions LLC, co-owner Kainoa Lei MacDonald.
- EA Ecovercity, founder Dr. Ku Kahakalau.
- Hawaiian Community Assets.
- Local farmers and ranchers.
- Maui Hawaiian homestead associations, such as at Keokea homestead, Paukukalo homestead, Waiehu Kou 3.
- Sovereign Council of Hawaiian Homestead Associations, or SCHHA.
- World Indigenous Nations University Hawaii Pasifika, founder Dr. Peter Hanohano.

Conservation Plan

PA'UPENA COMMUNITY DEVELOPMENT
 PO BOX 403
 KULA, HI 96790

OBJECTIVE(S)

Due diligence to receive a long term right of entry to a Department of Hawaiian Home Lands parcel. This conservation plan will be included as part of a master plan to DHHL. To implement a prescribed grazing management plan. To manage the harvest of vegetation with grazing and/or browsing animals. To improve or maintain desired species composition, structure, and vigor of plant communities. To improve or maintain quantity and quality of forage for grazing and/or browsing animals' health and productivity.

Prescribed Grazing(528)

Prescribed Grazing (Lifespan 1 year) is the proper management and harvest of forages with grazing and/or browsing animals. The technical specifications for this prescribed grazing system will be followed as described on the customized Implementation Requirements (IR) designed for these fields.

Tract	Field	Planned Amount	Month	Year	Applied Amount	Date
1818	1	8.1 Ac	3	2021		
1818	2	1.1 Ac	3	2021		
1818	3	11.4 Ac	3	2021		
1818	4	102.7 Ac	3	2021		
Total:		123.3 Ac				

1. The cooperator is responsible to ensure all planned and installed practices are within legal property boundaries and appropriate setbacks.
2. The NRCS makes no representation on the existence or non-existence of any utilities and will not be liable for damage to utilities and damage resulting from disruption of service caused by construction activities.
3. The cooperator is responsible for obtaining all necessary permits (special management area, special use, conservation district use, in-stream activities, building, easements, right-of-ways, water rights, etc.) as applicable before starting work.
4. Cultural resources are protected by law. It is illegal to intentionally destroy or disturb historic and cultural sites (NHPA, 1966). Any inadvertent findings of cultural resources or artifacts of significance during land development activities should be reported to the State Historic Preservation Office (SHPO) before additional work is undertaken.
5. For agricultural operations, the Maui County Development Services Administration may waive the permit requirements of the county Grubbing & Grading Ordinance when implementing the conservation practices contained in this plan, provided this plan is approved by the appropriate Soil & Water Conservation District (SWCD) Board and the practices are installed according to NRCS standards and specifications. Modifications to this plan that effect grading and grubbing activities must be approved by the appropriate SWCD Board, and is the responsibility of the cooperator.
6. Plan approval does not authorize or qualify practices for cost-sharing.

CERTIFICATION OF PARTICIPANTS

Norman Alidia 4-3-20
PA'UPENA COMMUNITY DEVELO DATE

MAUI SOIL & WATER CONSERVATION
DISTRICTS
JASON HEW Digitally signed by JASON
(Affiliate) HEW (Affiliate)
Date: 2020.04.03 15:12:17
-10'00'

CERTIFICATION OF:

DISTRICT CONSERVATIONIST
STEPHANIE Digitally signed by
FICKE-BEATON STEPHANIE FICKE-BEATON
Date: 2020.04.06 11:01:56
-10'00'

CONSERVATION DISTRICT
M Silva April 6, 2020
CENTRAL MAUI SOIL & WATER DATE

PUBLIC BURDEN STATEMENT

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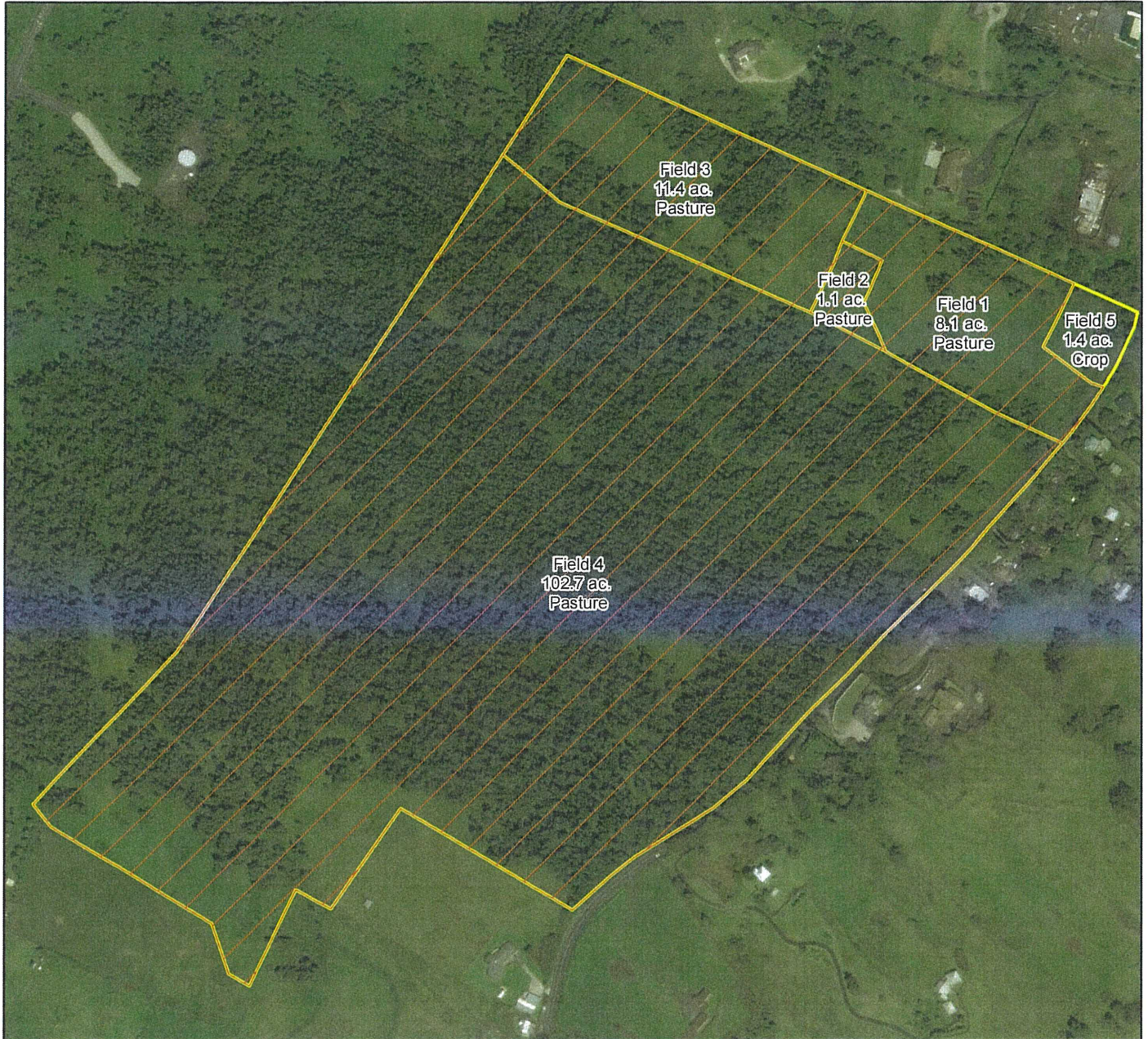
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Conservation Plan Map

Date: 3/11/2020

Customer(s): PA'UPENA COMMUNITY DEVELOPMENT
District: CENTRAL MAUI SOIL & WATER CONSERVATION DISTRICT
Approximate Acres: 124.6
Legal Description: TMK (2) 2-2-034:026, 028

Field Office: KAHULUI SERVICE CENTER
Agency: Maui Soil & Water Conservation Districts
Assisted By: Jason Hew
State and County: HI, Maui County, Hawaii
Land Units: Farm# 1956 Tract # 1818



Prepared with assistance from USDA-Natural Resources Conservation Service

Legend

 KA_PaupenaCommunityDevelopment

Practice name

 Prescribed Grazing



Livestock Inventory and Demand Summary for:
 Paupena Community Development
 127
 3/17/2020

Notes:

Grazable acres were estimated by aerial imagery and ground truthing. 2 breeds of cattle will be used, Herd 1 is angus hereford mix, Herd 2 is a miniature dexter miniature angus mix.

Livestock Class	Planned Number	Avg. Weight	Intake Rate (%)	Lbs/Day	Lbs/Year	Management Details	Time Frame for Alt Pasture or Dry Lot
Cow/Calf Pairs Herd 1	4	1,200	2.6	124.8	45,552	Grazing System Year Round	
Cow/Calf Pairs Herd 2	5	700	2.6	91.0	33,567	Grazing System Year Round	
Totals	9			216	79,119		

Livestock Class	Forage Demand by Month (Lbs/month)											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Cow/Calf Pairs Herd 1	3,390	3,800	4,434	4,491	4,415	4,331	4,096	3,823	3,595	3,003	3,060	3,117
Cow/Calf Pairs Herd 2	3,233	3,625	3,115	3,263	2,987	2,787	2,621	2,189	2,231	2,272	2,472	2,771
Total Forage Demand	6,623	7,425	7,549	7,754	7,401	7,119	6,717	6,012	5,826	5,275	5,531	5,887
Grazing System Total Demand	6,623	7,425	7,549	7,754	7,401	7,119	6,717	6,012	5,826	5,275	5,531	5,887
Alternative Pasture Total Demand	0	0	0	0	0	0	0	0	0	0	0	0
Dry Lot Total Demand	0	0	0	0	0	0	0	0	0	0	0	0

Annual Totals	Lbs/Year
Grazing System	79,119
Alternative Pasture	0
Dry Lot	0
Total Forage Demand	79,119

Pasture Forage Production Summary for:
 Paupena Community Developn
 127
 3/17/2020

Grazing System Pasture Forage Production								
Field/ Paddock Number	Kind of Forage	Acres (Usable)	TFP * lbs/ac	Total Production Pounds	Pasture Grazing Eff. (%)	Usable Pounds	Hay Then Graze?	If Yes, Month Hay Cut
1	Kikuyugrass (upper)	8.1	7,200	58,320	38	22,162	No	
2	Kikuyugrass (upper)	1.1	7,200	7,920	69	5,465	No	
3	Kikuyugrass (upper)	11.4	7,200	82,080	32	26,266	No	
4	Kikuyugrass (upper)	16.1	7,200	115,920	28	32,458	No	
Totals		37		264,240		86,350		
Averages		9	7,200	66,060	42	21,587		

* TFP = Total Forage Production - Total forage production is the total amount of forage produced (factors in both the amount of forage that is available to grazing or haying plus the remaining growth that is left behind after grazing or haying)

Field/ Paddock Number	Grazing System Pasture Forage Available by Month (Lbs/month)											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	1,693	1,652	1,731	1,879	1,968	2,027	2,039	2,028	1,916	1,820	1,734	1,674
2	417	407	427	463	485	500	503	500	472	449	428	413
3	2,006	1,958	2,052	2,227	2,333	2,402	2,416	2,404	2,271	2,157	2,055	1,984
4	2,479	2,420	2,536	2,752	2,882	2,969	2,986	2,970	2,806	2,666	2,539	2,452
Totals	6,596	6,439	6,746	7,320	7,668	7,898	7,943	7,902	7,465	7,092	6,755	6,523

Summary of Livestock Needs and Pasture Forage Production

Paupena Community Development

127

3/17/2020

	Totals	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
Grazing System													
Total Forage Available (Lbs)	86,350	6,596	6,439	6,746	7,320	7,668	7,898	7,943	7,902	7,465	7,092	6,755	6,523
Total Forage Needs (Lbs)	79,119	6,623	7,425	7,549	7,754	7,401	7,119	6,717	6,012	5,826	5,275	5,531	5,887
Total Difference (Lbs)	7,230	-26	-987	-803	-434	267	779	1,226	1,890	1,640	1,817	1,224	636
Accumulated Balance (Lbs) by Month		610	-377	-1,180	-1,613	-1,346	-567	659	2,550	4,189	6,006	7,230	7,867
Alternative Pasture													
Total Forage Available (Lbs)	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Forage Needs (Lbs)	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Difference (Lbs)	0	0	0	0	0	0	0	0	0	0	0	0	0
Accumulated Balance (Lbs) by Month		0	0	0	0	0	0	0	0	0	0	0	0
Dry Lot													
Total Forage Available (Lbs)	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Forage Needs (Lbs)	0	0	0	0	0	0	0	0	0	0	0	0	0

Feed and Forage Balance Summary

The estimated annual total livestock forage needs are: 79,119 Lbs
 The estimated total pounds of forage provided through grazing are: 86,350 Lbs
 (This includes the grazing system and any alternative pasture)
 For a difference of: 7,230 Lbs

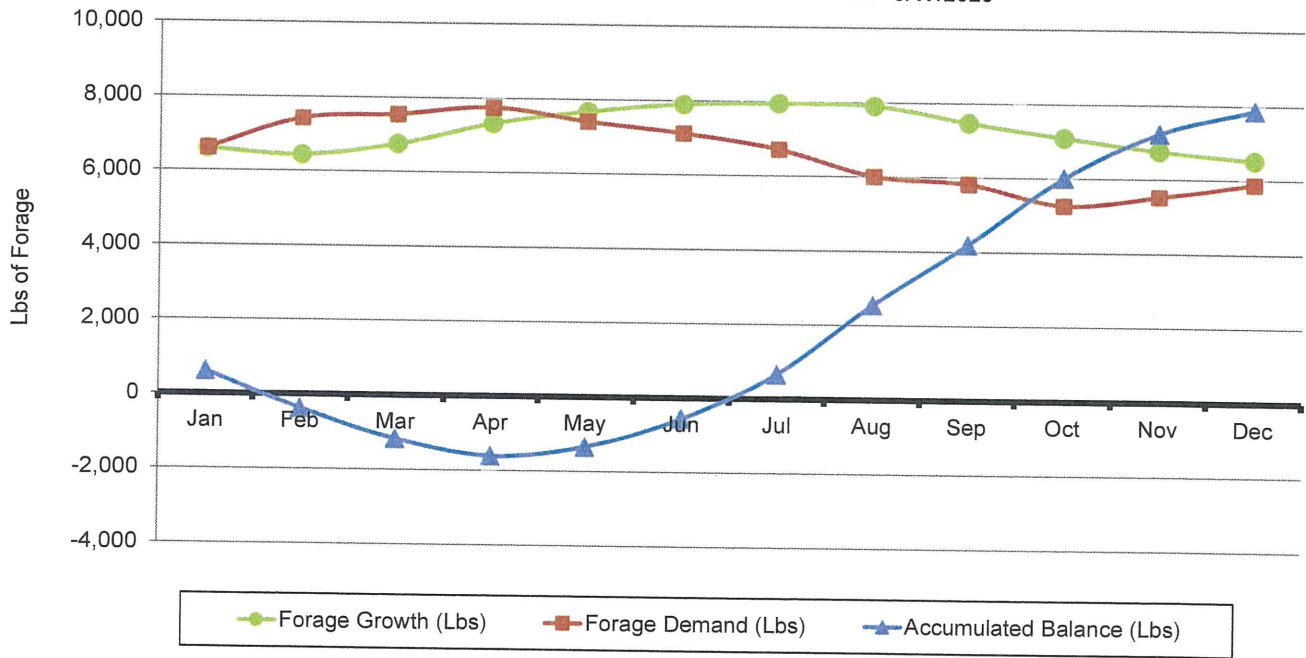
The balance between ALL sources of feed and the needs of the livestock is (+/-): 7,230 Lbs

Grazing System Pasture Forage Growth vs. Demand and Accumulated Balance for:

Name: Paupena Community Development

System ID: 127

Date: 3/17/2020



TIME CONTROL GRAZING WORKSHEET

Only enter the additional information needed as indicated by the yellow cells. The remaining cells and information will populate automatically based on the information entered into the Livestock Forage Balance Worksheet.

Name: **Paupena Community Development**
System ID: 127

County: **Kahului**
Date: 3/17/2020

Minimum Rest Period =	25	days	Avg Animal Weight =	922	pounds
Maximum Rest Period =	40	days	Animal Numbers =	9	head
Grazing Efficiency =	33	percent	Number of Herds =	1	
			Intake Rate =	2.60	percent

Field Name or Number	Kind of Forages	Field Acres	Usable Forage Production (Lbs/Acre)	Usable Forage Production (Lbs/Field or Paddock)	Paddock Factor	Minimum Grazing Period (no. of days)	Maximum Grazing Period (no. of days)	Animal Density (Lbs of animal per acre)	Minimum Stubble Height (inches)
1	Kikuyugrass (upper)	8.1	2736	22161.6	1.0	8.6	13.7	1,025	4
2	Kikuyugrass (upper)	1.1	4968	5464.8	0.3	2.1	3.4	7,545	4
3	Kikuyugrass (upper)	11.4	2304	26265.6	1.2	10.1	16.2	728	4
4	Kikuyugrass (upper)	16.1	2016	32457.6	1.5	12.5	20.0	516	4

AVERAGES:		9	3006.00	21587.4	1	8.3	13.3	4.1
TOTALS:	4	37	12,024	86,350				Avg. Acres/Animal
		(fields)						

TOTAL AVAILABLE PASTURE FORAGE (Lbs.): 86,350

DEFINITIONS

Paddock Factor= A factor related to the relative size and production of each field

Animal Density= The pounds of animals per acre concentrated on a field at one time

Minimum Grazing Period= The approximate grazing time in each field during fast forage growth. Based on minimum rest periods

Maximum Grazing Period= The approximate grazing time in each field during slow forage growth. Based on maximum rest periods

Minimum and Maximum Rest Periods= The number of days forage should be given rest be grazing again

Minimum Stubble Height= Forage should not be grazed below these heights

Intake rate= The daily consumption as a percentage of the animals body weight; Guide- 2.0% for maintenance, 3.0% for average production, 4.0% for high production, for beef cows (year round) use 2.6%.

Grazing Efficiency= The percent of total forage utilized by the animal; Guide- 1-3 fields- ≤30; 4-8 fields- 30-40%; 8-12 fields- 40-50%; 12-16 fields- 50-60%; 16-24 fields- 60-65%; >24 fields- 65-70%; haying operation- 70% (harvest efficiency).

By signing the below, I acknowledge that I

- have reviewed this Job Sheet and have an understanding of its contents and requirements;

- will not make changes to this Job Sheet, without prior concurrence of NRCS;

- will install, operate, and maintain this practice in accordance with this Job Sheet; and

- will obtain all necessary permits and/or rights, comply with all ordinances and laws, and notify all utilities pertaining to this job Sheet.

Client Signature/Date

Approving NRCS Signature/Date

DETAILED SUMMARY



Name: Paupena Community Development
System ID: 127
County: Kahului
Date: 3/17/2020
By: Jason Hew

United States Department of Agriculture
 Natural Resources Conservation Service

LIVESTOCK

The class(es) of livestock used to make these calculations is:

Cows

The total number of livestock used for these calculations is:	9	Head
The average weight of all livestock used for these calculations is:	922	Pounds
The estimated average daily intake rate used is:	2.60	% of animal weight
The estimated annual total livestock forage needs are:	79,119	Lbs/Year

FORAGE

The total usable grazing acres are:	36.7	Acres
The estimated total pounds of forage available through grazing are:	86,350	Lbs
The estimated average grazing efficiency used is:	33	percent
The estimated total pounds of forage are:	86,350	Lbs/Year

(* Incorporates storage/feeding loss)

DIFFERENCES

The estimated difference between the total forage and animal needs is:	7,230	Lbs dry matter
(A minus sign equals estimated additional amount needs per year for the number of animals shown above.)	OR	intake/Year
The figures consider all hay sources and may be excessive. No minus sign means a surplus is estimated)	3.6	Tons/Year

CARRYING CAPACITY ESTIMATES

Pasture only

For this operation, using the type and size of your livestock, it is estimated that the

Forage produced from the pasture (grazing only during growing season) during a period of 365 days*

There is enough to supply the forage needs of 9.9 head**

*Normally 250-270 days; **For stocker operations with less than a 240 day duration on the system, the above calculations may be incorrect.

For the next 3 calculations, forages from the grazed pasture **only** was considered. Hay is not included.

If the grazing efficiency on grazed acres was 40% , enough pasture forage is estimated to feed:	13	head*
If the grazing efficiency on grazed acres was 50% , enough pasture forage is estimated to feed:	17	head*
If the grazing efficiency on grazed acres was 60% , enough pasture forage is estimated to feed:	21	head*

When grazing efficiency is increased, total production will likely increase as well. Some increases in the production was assumed (5%,10%,15%) to come up with the carrying capacity estimates if the grazing efficiency for this operation was increased.

DEFINITIONS

Total Forage Production= The total above ground biomass in pounds of dry matter per acre (this is not the harvested yield).

Paddock Factor= A factor related to the relative size and production of each field

Animal Density= The pounds of animals per acre concentrated on a field at one time

Minimum Grazing Period= The approximate grazing time in each field during fast forage growth. Based on minimum rest periods

Maximum Grazing Periods= The approximate grazing time in each field during slow forage growth. Based on maximum rest periods

Minimum and Maximum Rest Periods= The number of days forage should be given rest be grazing again

Minimum Grazing Height= Forage should not be grazed below these heights

Intake rate= The daily consumption as a percentage of the animals body weight; Guide- 2.0% for maintenance, 3.0% for average production, 4.0% for high production, for beef cows (year round) use 2.6%.

Grazing Efficiency= The percent of total forage utilized by the animal; Guide- 1-3 fields- ≤ 30; 4-8 fields- 30-40%; 8-12 fields- 40-50%; 12-16 fields- 50-60%; 16-24 fields- 60-65%; >24 fields- 65-70%; haying operation- 70% (harvest efficiency).

Carrying Capacity= The number of animals, based on weight of animals, a given farm may be able to provide forage for a given period.

Drought Contingency Plan

This prescribed grazing plan is based on average forage production for your ranch. However, averages are based on a mixture of good grazing years and poor grazing years. Therefore, on some years you will have a surplus of forage and others you will have a forage deficit. When forage production is poor for a extend period of time due to drought or other cause, you should have a contingency plan for how manage through a drought. Below is a contingency plan for you to adapt for you ranch.

- 1) At the onset of drought conditions the forage grazing demand should be reduced by culling all unproductive breeding stock (i.e. cows which did not breed back)
- 2) At the onset of drought conditions the forage grazing demand should be reduced by weaning and selling nursing animals earlier. This will reduce the forage demand by as much as 30% for lactating animals.
- 3) Supplemental feeding will reduce the extend the available forages.
- 4) Relocate livestock to areas where drought conditions are less severe.
- 5) Consider confining and feeding livestock on one "sacrifice" paddock to prevent all paddocks from becoming degraded.
- 6)
- 7)
- 8)
- 9)
- 10)

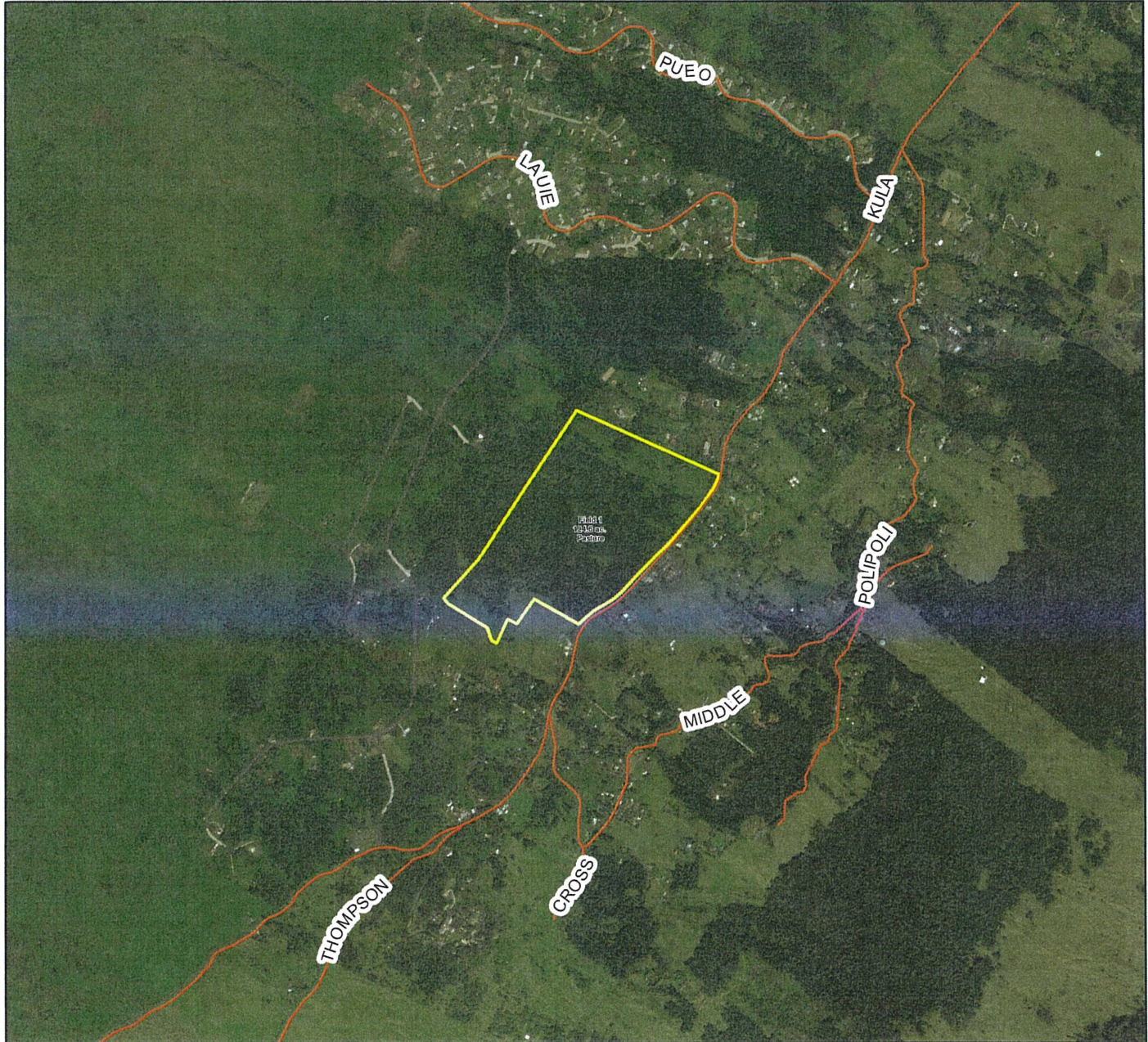
Location Map

Date: 12/17/2019

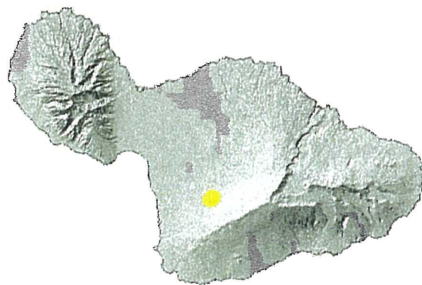
Customer(s): PA'UPENA COMMUNITY DEVELOPMENT
District: CENTRAL MAUI SOIL & WATER CONSERVATION DISTRICT
Approximate Acres: 124.6
Legal Description: TMK (2) 2-2-034:026, 028



Field Office: KAHULUI SERVICE CENTER
Agency: Maui Soil & Water Conservation Districts
Assisted By: Jason Hew
State and County: HI, Maui County, Hawaii
Land Units: Farm# 1956 Tract # 1818



Prepared with assistance from USDA-Natural Resources Conservation Service



Legend

- Maui Roads
- KA_PaupenaCommunityDevelopment



Soils Map

Date: 12/17/2019

Customer(s): PA'UPENA COMMUNITY DEVELOPMENT
District: CENTRAL MAUI SOIL & WATER CONSERVATION DISTRICT
Approximate Acres: 124.6
Legal Description: TMK (2) 2-2-034:026, 028

Field Office: KAHULUI SERVICE CENTER
Agency: Maui Soil & Water Conservation Districts
Assisted By: Jason Hew
State and County: HI, Maui County, Hawaii
Land Units: Farm# 1956 Tract # 1818









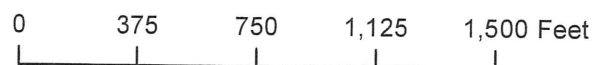
Legend

Prepared with assistance from USDA-Natural Resources Conservation Service

 KA_PaupenaCommunityDevelopment

Soils Map

-  KGKC- Kamaole very stony silt loam, 3-15% slopes
-  KGLC- Kamaole extremely stony silt loam, 3-15% slopes
-  KxC- Kula loam, 4-12% slopes
-  KxD- Kula loam, 12-20% slopes
-  KxaD- Kula cobbly medial loam, 12-20% slopes
-  KxbE- Kula-Rock outcrop complex, 12-40% slopes

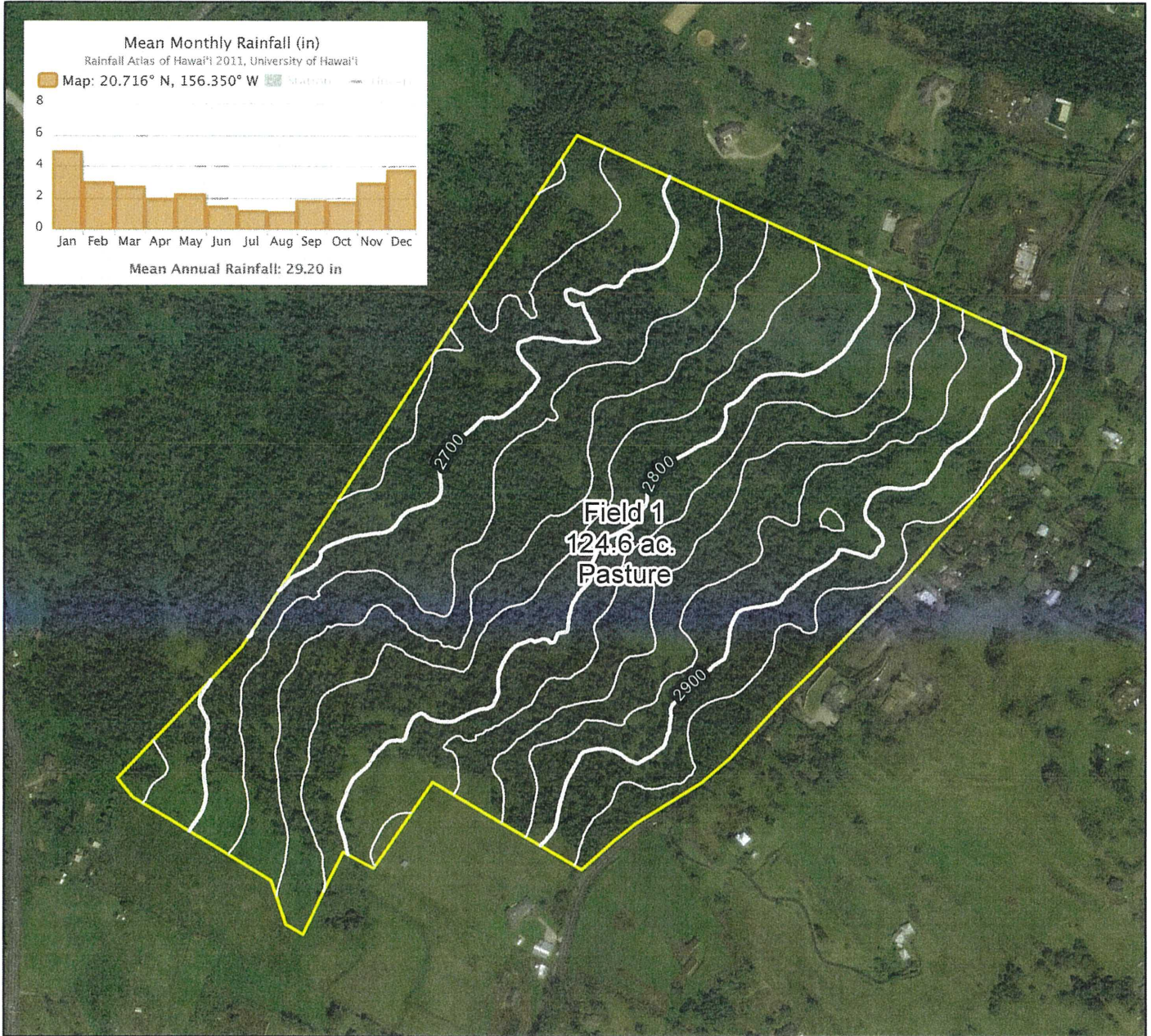
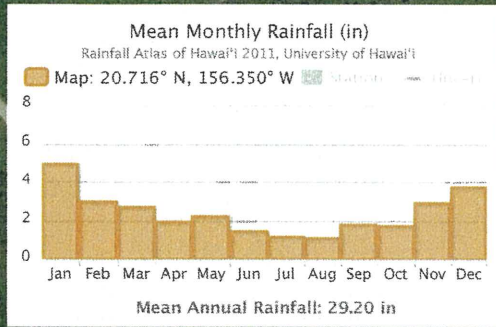


Elevation and Rainfall Map

Date: 12/17/2019

Customer(s): PA'UPENA COMMUNITY DEVELOPMENT
District: CENTRAL MAUI SOIL & WATER CONSERVATION DISTRICT
Approximate Acres: 124.6
Legal Description: TMK (2) 2-2-034:026, 028

Field Office: KAHULUI SERVICE CENTER
Agency: Maui Soil & Water Conservation Districts
Assisted By: Jason Hew
State and County: HI, Maui County, Hawaii
Land Units: Farm# 1956 Tract # 1818




Prepared with assistance from USDA-Natural Resources Conservation Service



Legend

25 Ft. Contour

 KA_PaupenaCommunityDevelopment



T & E Species Data Table

Client Name: Paupena Community Development
Project Location (TMK): (2) 2-2-034:026,028
Date: 3/11/2020

Sightings within project location

FWS (Point)

There are no federally-listed threatened or endangered species within project location.

HBMP (Point)

There are no federally-listed threatened or endangered species within project location.

FWS (Area)

There are no federally-listed threatened or endangered species within project location.

HBMP (Area)

There are no federally-listed threatened or endangered species within project location.

Critical Habitat

There are no critical habitat units within project location.

Critical Habitat (Proposed)

There are no critical habitat units within project location.

Sightings within 0.33 miles of the project location

FWS (Point)

There are no federally-listed threatened or endangered species within 0.33-mile buffer of project location.

HBMP (Point)

There are no federally-listed threatened or endangered species within 0.33-mile buffer of project location.

FWS (Area)

There are no federally-listed threatened or endangered species within 0.33-mile buffer of project location.

HBMP (Area)

There are no federally-listed threatened or endangered species within 0.33-mile buffer of project location.

Critical Habitat

There are no critical habitat units within 0.33-mile buffer of project location.

Critical Habitat (Proposed)

There are no critical habitat units within 0.33-mile buffer of project location.

Other sightings in the vicinity of the project location (1:24,000 map scale)

FWS (Point)

There are no federally-listed threatened or endangered species in the vicinity of project location.

HBMP (Point)

EOCODE	SNAME	SCOMNAME	ACCURACY	LASTOBS	USESA	OBS_TYPE
AMACC05031.013	Lasiurus cinereus semotus	Hawaiian Hoary Bat, Ope`ape`a	S	1983	LE	H
AMACC05031.261	Lasiurus cinereus semotus	Hawaiian Hoary Bat, Ope`ape`a	S	1990	LE	H

FWS (Area)

There are no federally-listed threatened or endangered species in the vicinity of project location.

HBMP (Area)

There are no federally-listed threatened or endangered species in the vicinity of project location.

Critical Habitat

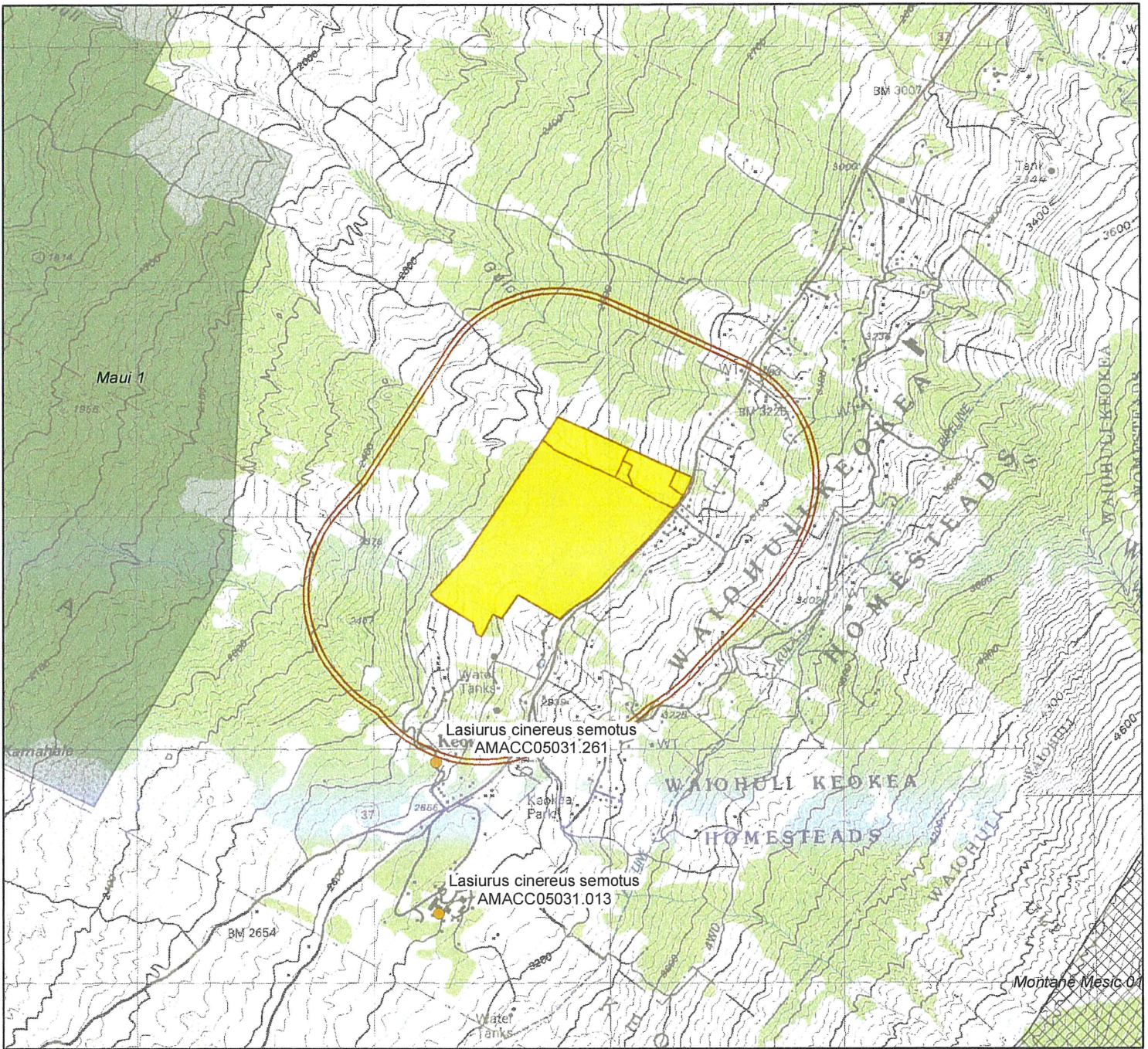
UNIT

Maui 1

Critical Habitat (Proposed)

Unit

Montane Mesic 01



C, T & E Species Map for: Paupena Community Development TMKs: (2) 2-2-034:026,028 Date: 3/11/2020

FWS occurrences (accurate to 0.3 mile)

- ▲ Current point occurrence
- Historic point occurrence
- ▨ Current polygon occurrence
- ▤ Historic polygon occurrence

HBMP occurrences (accurate to 0.3 mile)

- ▲ Current point occurrence
- Historic point occurrence
- ▨ Current polygon occurrence
- ▤ Historic polygon occurrence

Critical Habitat

- ▨ Final Critical Habitat
- ▤ Proposed Critical Habitat

Project Location

- ▨ APE
- ▨ 0.33-mile APE buffer

1:24,000



Island of Maui

Current occurrences observed from 1994 to present

U.S. Department of Agriculture Natural Resources Conservation Service		NRCS-CPA-52 11/2019		A. Client Name: Paupena Community Development Inc.			
ENVIRONMENTAL EVALUATION WORKSHEET				B. Conservation Plan ID # (as applicable): N/A Program Authority (optional): CTA			
D. Client's Objective(s) (purpose): Due diligence to receive a long term right of entry to a Department of Hawaiian Home Lands parcel. To implement a prescribed grazing management plan. Manage the proper amount of livestock based on forage availability.				C. Identification # (farm, tract, field #, etc. as required): Farm# 1956 Tract# 1818 TMKs (2) 2-2-034:026,028			
E. Need for Action: Need to maintain or improve desired species composition, structure, and vigor of plant communities. Need to maintain or improve quality and quantity of forage available for grazing animal's health and productivity.		H. Alternatives					
		No Action ✓ if RMS <input type="checkbox"/>		Alternative 1 ✓ if RMS <input type="checkbox"/>			
		Client will continue existing operation without change.		Progressive Conservation System Alternative with the implementation of the following Practices: Prescribed Grazing (528)			
				Alternative 2 ✓ if RMS <input type="checkbox"/>			
Resource Concerns							
In Section "F" below, analyze, record, and address concerns identified through the Resources Inventory process. (See FOTG Section III - Resource Planning Criteria for guidance).							
F. Resource Concerns and Existing/ Benchmark Conditions (Analyze and record the existing/benchmark conditions for each identified concern)		I. Effects of Alternatives					
		No Action		Alternative 1		Alternative 2	
		Amount, Status, Description <i>(Document both short and long term impacts)</i>	✓ if does NOT meet PC	Amount, Status, Description <i>(Document both short and long term impacts)</i>	✓ if does NOT meet PC	Amount, Status, Description <i>(Document both short and long term impacts)</i>	✓ if does NOT meet PC
SOIL							
No resource concern identified		No effect	<input type="checkbox"/>	No effect	<input type="checkbox"/>		<input type="checkbox"/>
			NOT meet PC		NOT meet PC		NOT meet PC
WATER							
No resource concern identified		No effect	<input type="checkbox"/>	No effect	<input type="checkbox"/>		<input type="checkbox"/>
			NOT meet PC		NOT meet PC		NOT meet PC

F. Resource Concerns and Existing/ Benchmark Conditions (Analyze and record the existing/benchmark conditions for each identified concern)	I. (continued)					
	No Action		Alternative 1		Alternative 2	
	Amount, Status, Description <i>(Document both short and long term impacts)</i>	✓ if does NOT meet PC	Amount, Status, Description <i>(Document both short and long term impacts)</i>	✓ if does NOT meet PC	Amount, Status, Description <i>(Document both short and long term impacts)</i>	✓ if does NOT meet PC
AIR						
No resource concern identified	No effect	<input type="checkbox"/>	No effect	<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
PLANTS						
Plant productivity and health	Continued concerns with Plant-production and health without NRCS assistance.	<input checked="" type="checkbox"/>	Plant-related production and health concerns will improve due to proper livestock management	<input type="checkbox"/>		<input type="checkbox"/>
GLCS - Plant Residue element score is 2 AND GLCS - Site Adaptation element score is 2 AND GLCS - Uniformity of Use element score is 2.		NOT meet PC		NOT meet PC		NOT meet PC
Plant structure and composition	Continued concerns with plant communities' diversity, composition and structure concerns without NRCS assistance.	<input checked="" type="checkbox"/>	Plant communities' diversity, composition and structure will improve due to proper livestock management.	<input type="checkbox"/>		<input type="checkbox"/>
GLCS - Desirable Forage Plants element score is 3 AND GLCS - Live Plant Cover element score is 2.		NOT meet PC		NOT meet PC		NOT meet PC
ANIMALS						
No resource concern identified	No effect	<input type="checkbox"/>	No effect	<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
ENERGY						
No resource concern identified	No action, no effect	<input type="checkbox"/>	No Effect	<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
Human Economic and Social Considerations						
Management Level Currently no management occurring on land unit.	No change		Management level will increase due to rotation of livestock and monitoring of forage quantities.			
Profitability Currently no profitability of operation	No change		In the sort term profitability will decrease to due infrastrucuter requirements. Long term profitability will increase with livestock production.			

Special Environmental Concerns: Environmental Laws, Executive Orders, policies, etc.						
In Section "G" complete and attach Environmental Procedures Guide Sheets for documentation as applicable. Items with a "•" may require a federal permit or consultation/coordination between the lead agency and another government agency. In these cases, effects may need to be determined in consultation with another agency. Planning and practice implementation may proceed for practices not involved in consultation						
G. Special Environmental Concerns (Document existing/ benchmark conditions)	J. Impacts to Special Environmental Concerns					
	No Action		Alternative 1		Alternative 2	
	Document all impacts (Attach Guide Sheets as applicable)	√ if needs further action	Document all impacts (Attach Guide Sheets as applicable)	√ if needs further action	Document all impacts (Attach Guide Sheets as applicable)	√ if needs further action
•Clean Air Act <i>Guide Sheet</i> No non-attainment areas located within the PLU (source: FOTG Class I area (Haleakala National Park) located over 5.8 miles away from PLU)	No Effect	<input type="checkbox"/>	No Effect	<input type="checkbox"/>		<input type="checkbox"/>
•Clean Water Act / Waters of the U.S. <i>Guide Sheet</i> No wetlands, lakes, streams, channels, or other water conveyances (potential Waters of the US) are present in the planning area. Source: strmaqresmau_hi009.shp ArcGIS layer, Planner observation No "impaired" waters listed under Section 303(d) of the CWA are located in proximity to the planning area. Source: Final 2004 List of Impaired Waters in Hawaii No point-source discharges occur in planning area based on planner observation of field	No Effect	<input type="checkbox"/>	No Effect	<input type="checkbox"/>		<input type="checkbox"/>
•Coastal Zone Management <i>Guide Sheet</i> No Coastal Zone Management Areas are in or near the planning area. Source: Hawaii CZM maps	No Effect	<input type="checkbox"/>	No Effect	<input type="checkbox"/>		<input type="checkbox"/>
Coral Reefs <i>Guide Sheet</i> No coral reefs or associated water bodies (e.g. embayment areas) are present in or near the planning area. Source: benthichabmau_a_hi009 layer ArcGIS	No Effect	<input type="checkbox"/>	No Effect	<input type="checkbox"/>		<input type="checkbox"/>
•Cultural Resources / Historic Properties <i>Guide Sheet</i> Cultural resources	No Effect No action, no effect	<input type="checkbox"/>	No Effect	<input type="checkbox"/>		<input type="checkbox"/>

<p>●Endangered and Threatened Species <i>Guide Sheet</i> There are 2 occurrences of the Hawaiian hoary bat within the vicinity (greater than 0.33 miles away) of the project location. (see CTE maps and data tables).</p>	No Effect	<input type="checkbox"/>	No Effect No Effect to at-risk species or their habitats will occur. It is recommended to follow the NRCS USFWS Programmatic Informal Consultation: "No woody plants over 15 feet (ft) (4.6 meters (m)) tall will be removed, cut, or trimmed during the sensitive bat pup birthing and rearing season (June 1 to September 15). If a project has woody plants over 15 ft tall that must be removed, cut, or trimmed from June 1 to September 15, this programmatic consultation will not be applicable and our office should be contacted for further guidance. If a bat is present at the project site, the area will be avoided. If a bat arrives in the construction area after work begins, work will cease until the animal leaves on its own accord."	<input type="checkbox"/>	<input type="checkbox"/>
<p>Environmental Justice <i>Guide Sheet</i> No low-income or minority populations or Indian Tribes live in proximity to the planning area. Source: Census Data, Planner observation</p>	No Effect	<input type="checkbox"/>	No Effect	<input type="checkbox"/>	<input type="checkbox"/>
<p>●Essential Fish Habitat <i>Guide Sheet</i> No EFH is present in or downstream of the planning area. Source : USGS maps</p>	No Effect	<input type="checkbox"/>	No Effect	<input type="checkbox"/>	<input type="checkbox"/>
<p>Floodplain Management <i>Guide Sheet</i> No 100-year floodplain present in or near the planning area. Source: fldp1n100yr_a_hi009 layer</p>	No Effect	<input type="checkbox"/>	No Effect	<input type="checkbox"/>	<input type="checkbox"/>
<p>Invasive Species <i>Guide Sheet</i> Invasive species ARE present in or near the planning area. Predominant species include spinney amaranth, balloon plant, apple of Sodom, fireweed, Christmas berry, Mysore raspberry, hairy horseweed and minimal other herbaceous weeds. Source: Planner observation</p>	No Effect Without NRCS assistance, invasive species will persist, and/or spread due to lack of management	<input type="checkbox"/>	No Effect Practices will provide for the control and/or prevent the introduction and/or spread of invasive species.	<input type="checkbox"/>	<input type="checkbox"/>
<p>●Migratory Birds/Bald and Golden Eagle Protection Act <i>Guide Sheet</i> Habitat for migratory birds including egret, mynah, cardinal, Japanese white eye and doves present. No habitat for bald or golden eagles is present in or near the planning area. No proposed action to result in a "take" to any migratory bird, nest or egg. (Planner observation)</p>	No Effect No action, no effect	<input type="checkbox"/>	No Effect No take of any migratory bird, nest, or egg is expected to occur [and/or] planned practices will not take or disturb eagles.	<input type="checkbox"/>	<input type="checkbox"/>
<p>Natural Areas <i>Guide Sheet</i> Site is surrounded by fallow pasture land (DHHL), actively grazed pastures, and residential parcels. Planner observation</p>	No Effect No action, no effect	<input type="checkbox"/>	No Effect No effect on the natural areas is expected from practice implementation.	<input type="checkbox"/>	<input type="checkbox"/>

Prime and Unique Farmlands <i>Guide Sheet</i> No prime or unique farmlands or farmlands of statewide or local importance are present in the planning area. Source: NRCS Web Soil Survey	No Effect	<input type="checkbox"/>	No Effect	<input type="checkbox"/>	<input type="checkbox"/>
Riparian Area <i>Guide Sheet</i> No riparian areas are present in or near the planning area. Source: Planner observation	No Effect	<input type="checkbox"/>	No Effect	<input type="checkbox"/>	<input type="checkbox"/>
Scenic Beauty <i>Guide Sheet</i> Site is surrounded by fallow land, pastures and residential lots but does have a view of Haleakala. Planner observation	No Effect No action, no effect	<input type="checkbox"/>	No Effect Scenic beauty will not be effected by implementation of the conservation practice. Mountain view will not be diminished.	<input type="checkbox"/>	<input type="checkbox"/>
•Wetlands <i>Guide Sheet</i> No wetlands are present in or near the planning area. Source: nwimau_a_hi009 layer ArcGIS	No Effect	<input type="checkbox"/>	No Effect	<input type="checkbox"/>	<input type="checkbox"/>
•Wild and Scenic Rivers <i>Guide Sheet</i> No Federal or State designated Wild, Scenic, or Recreational river segments or rivers listed in the Nationwide Rivers Inventory (NRI) are present in or near the planning area. Source: http://www.rivers.gov/hawaii.php	No Effect	<input type="checkbox"/>	No Effect	<input type="checkbox"/>	<input type="checkbox"/>
K. Other Agencies and Broad Public Concerns	No Action		Alternative 1		Alternative 2
Easements, Permissions, Public Review, or Permits Required and Agencies Consulted.	No easements, permissions, public review, or permits required if no action will be completed		Maui Soil & Water Conservation Districts, Natural Resources Conservation Service. Any required permits are the responsibility of the client to obtain.		
Cumulative Effects Narrative (Describe the cumulative impacts considered, including past, present and known future actions regardless of who performed the actions)	Invasive/undesireable species will continue to spread throughout the site		Proper management of livestock will increase forage productivity and help manage weed growth.		
L. Mitigation (Record actions to avoid, minimize, and compensate)	No action, no mitigation required		Actions to avoid, minimize, and compensate are included in the Implementation Requirements for each conservation practice.		
M. Preferred Alternative	v preferred alternative	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	Supporting reason		This alternative will help address the operator's resource concerns and accomplish their objectives.		
N. Context (Record context of alternatives analysis) local <input type="checkbox"/> regional <input type="checkbox"/>					
The significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality.					
O. To the best of my knowledge, the data shown on this form is accurate and complete: In the case where a non-NRCS person (e.g. a TSP) assists with planning they are to sign the first signature block and then NRCS is to sign the second block to verify the information's accuracy.					
<u>Jason Hew</u> Signature (TSP if applicable)		Conservation Specialist Title		4/3/2020 Date	
_____ Signature (NRCS)		_____ District Conservationist Title		_____ Date	

If preferred alternative is not a federal action where NRCS has control or responsibility and this NRCS-CPA-52 is shared with someone other than the client then indicate to whom this is being provided.

The following sections are to be completed by the Responsible Federal Official (RFO)

NRCS is the RFO if the action is subject to NRCS control and responsibility (e.g., actions financed, funded, assisted, conducted, regulated, or approved by NRCS). These actions do not include situations in which NRCS is only providing technical assistance because NRCS cannot control what the client ultimately does with that assistance and situations where NRCS is making a technical determination (such as Farm Bill HEL or wetland determinations) not associated with the planning process.

P. Determination of Significance or Extraordinary Circumstances

To answer the questions below, consider the severity (intensity) of impacts in the contexts identified above. Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

If you answer ANY of the below questions "yes" then contact the State Environmental Liaison as there may be extraordinary circumstances and significance issues to consider and a site specific NEPA analysis may be required.

Yes	No	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Is the preferred alternative expected to cause significant effects on public health or safety?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Is the preferred alternative expected to significantly affect unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Are the effects of the preferred alternative on the quality of the human environment likely to be highly controversial?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Does the preferred alternative have highly uncertain effects or involve unique or unknown risks on the human environment?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Does the preferred alternative establish a precedent for future actions with significant impacts or represent a decision in principle about a future consideration?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Is the preferred alternative known or reasonably expected to have potentially significant environment impacts to the quality of the human environment either individually or cumulatively over time?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Will the preferred alternative likely have a significant adverse effect on ANY of the special environmental concerns? Use the Evaluation Procedure Guide Sheets to assist in this determination. This includes, but is not limited to, concerns such as cultural or historical resources, endangered and threatened species, environmental justice, wetlands, floodplains, coastal zones, coral reefs, essential fish habitat, wild and scenic rivers, clean air, riparian areas, natural areas, and invasive species.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Will the preferred alternative threaten a violation of Federal, State, or local law or requirements for the protection of the environment?

Q. NEPA Compliance Finding (check one)		Action required
The preferred alternative:		
<input checked="" type="checkbox"/>	1) is not a federal action where the agency has control or responsibility.	Document in "R.1" below. No additional analysis is required
<input type="checkbox"/>	2) is a federal action ALL of which is categorically excluded from further environmental analysis AND there are no extraordinary circumstances as identified in Section "O" .	Document in "R.2" below. No additional analysis is required
<input type="checkbox"/>	3) is a federal action that has been sufficiently analyzed in an existing Agency state, regional, or national NEPA document and there are no predicted <u>significant adverse environmental effects or extraordinary circumstances</u> .	Document in "R.1" below. No additional analysis is required.
<input type="checkbox"/>	4) is a federal action that has been sufficiently analyzed in another Federal agency's NEPA document (EA or EIS) that addresses the proposed NRCS action and its' effects and has been formally adopted by NRCS . NRCS is required to prepare and publish its own Finding of No Significant Impact for an EA or Record of Decision for an EIS when adopting another agency's EA or EIS document. (Note: This box is not applicable to FSA)	Contact the State Environmental Liaison for list of NEPA documents formally adopted and available for tiering. Document in "R.1" below. No additional analysis is required
<input type="checkbox"/>	5) is a federal action that has NOT been sufficiently analyzed or may involve predicted significant adverse environmental effects or extraordinary circumstances and may require an EA or EIS.	Contact the State Environmental Liaison. Further NEPA analysis required.

R. Rationale Supporting the Finding	
R.1 Findings Documentation	Not a federal action, Technical assistance only
R.2 Applicable Categorical Exclusion(s) (more than one may apply) 7 CFR Part 650 Compliance With NEPA, subpart 650.6 Categorical Exclusions states prior to determining that a proposed action is categorically excluded under paragraph (d) of this section, the proposed action must meet six sideboard criteria. See NECH 610.116.	

I have considered the effects of the alternatives on the Resource Concerns, Economic and Social Considerations, Special Environmental Concerns, and Extraordinary Circumstances as defined by Agency regulation and policy and based on that made the finding indicated above.

S. Signature of Responsible Federal Official:

Signature Title Date

Additional notes

TECHNICAL NOTE

USDA NATURAL RESOURCES CONSERVATION SERVICE PACIFIC ISLANDS AREA

Cultural Resources Technical Note 1

CULTURAL RESOURCES INVESTIGATION WORKSHEET for Phase I of Conservation Planning

Worksheet Completed for:

Client and Business Name: Paupena Community Development Inc.

Planning Unit Name or Identifier: TMK (2) 2-2-034:026,028

Worksheet Completed by:

Planner Name: Jason Hew

Date Completed: 3/17/2020

Documentation of Investigation Conducted		Yes	No
1	Are there any historic properties listed on the National/State Register of Historic Places within the project area? If yes, describe below:		X
2	Are there any cultural resources shown on the USGS topo map in the project area? If yes, describe below:		X
3	Does the client know of any cultural resources in the project area? If yes, describe below: Refer to the 8/21/2019 SHPD letter and August 2015 Preservation Plan prepared by Michael Dega of Scientific Consultant Services Inc. in the case file	X	
4	Were any cultural resources identified via a field inspection of the project area? If yes, describe below: Sites described in the documents above Field inspection conducted by: Jason Hew Date field inspection conducted: 3/3/2020	X	
5	For all cultural resources identified in steps 1, 2, 3, and 4 above: Describe condition of cultural resources: Describe vegetation in area where cultural resources located: Describe land use activities in area where cultural resources located: (e.g. cropping, grazing, forest, natural area, etc.) Insert GPS location of the cultural resources identified onto the Conservation Plan Map. Print out map and attach to this worksheet.		

Take photos and attach to this worksheet. May use Photo Documentation Technical Note.
--

Purpose of Worksheet:

This worksheet shall be used in the Pacific Islands Area for conservation planning purposes to conduct and document an investigation to identify cultural resources that are, or may be, in the conservation planning project area.

The investigation includes a review of existing information (steps 1 and 2) which is completed in the office before step 3 the client interview and step 4, the field inspection, is conducted.

No specialized training is required to complete steps 1 and 2. Step 3, the client interview should be conducted in conjunction with step 4, the field inspection, so the client is available to point out any previously known cultural resources.

A field inspection is conducted to examine previously known cultural resources identified in steps 1, 2, and 3 and to also survey the project area to locate new cultural resources. The field inspection should be conducted by a staff person(s) with NRCS PIA cultural resources training (Cultural Resources Modules 1-8).

When should this Worksheet be Completed:

This worksheet shall be completed by the NRCS planner during Phase I of the NRCS conservation planning process (Collection and Analysis - Understanding the Problems and

What this Information is Used for:

The worksheet shall be used by the NRCS planner to complete the cultural resources evaluation for the Resource Problem Worksheet (Conservation Planning Technical Note No. 1).

The information collected shall also be used to inform the client of the presence/absence of cultural resources within the conservation plan project area.

Pursuant to NRCS' General Manual 450, Part 405.1.D(2)(i), it is NRCS' responsibility to advise the client that should they choose to implement any conservation practices recommended in the NRCS Conservation Plan, the client must adhere to all state and local historic preservation law. This Cultural Resources Technical Note #1 serves as NRCS' notification to the client of the necessity of adhering to state and local historic preservation law relative to the presence/absence of cultural resources within the conservation plan area. The NRCS advises the client to consult with the SHPO (State Historic Preservation Office) prior to the implementation of conservation practices contained within the conservation plan. In securing permits, should they be required by state and local law, the client may wish to furnish the data collected on this form to the state or local permitting office as part of a permit application.

Client Signature & Date (required for CTA-only plans):

--

I certify that NRCS has advised me of my responsibility to adhere to state and local historic preservation law and conduct any consultations with the SHPO, as applicable.

Filing:

This worksheet should be printed out and filed in the client's conservation plan file folder.

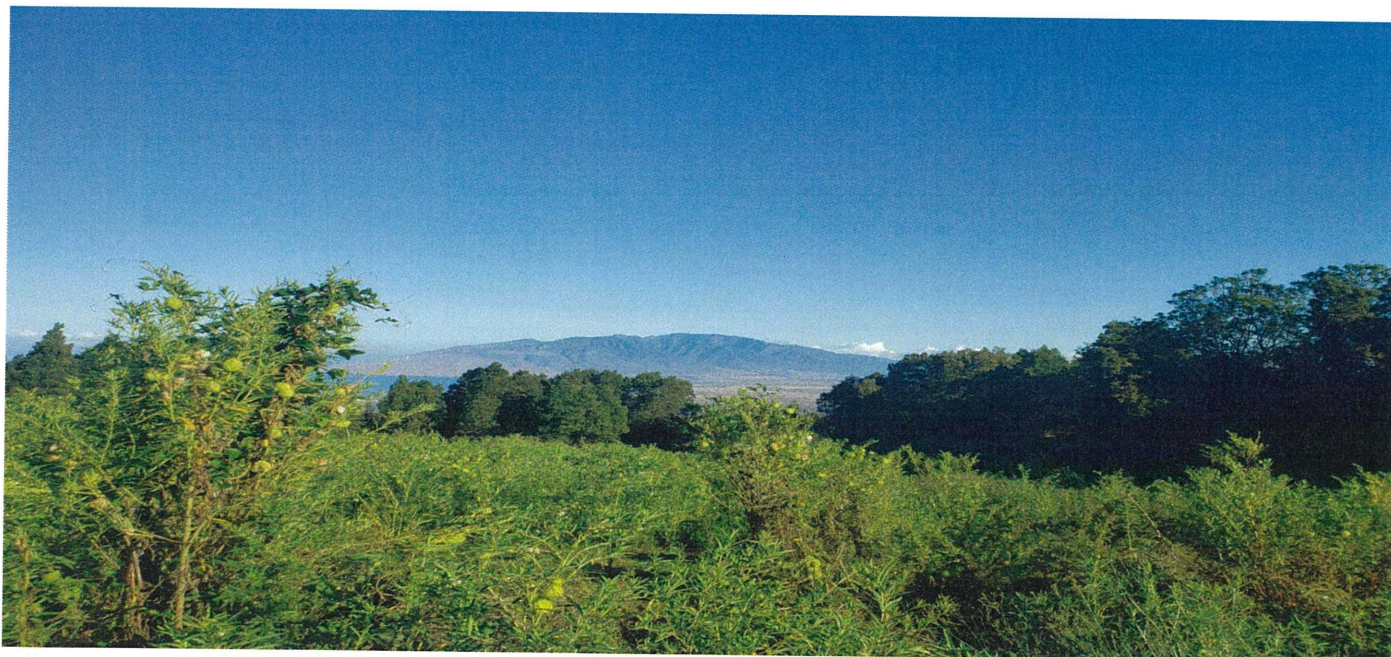
Definitions:

Cultural Resources, in NRCS, are considered equivalent to "historic properties". They include any prehistoric or historic district, site, building, structure or object listed in or eligible for listing in the National Register of Historic Places (maintained by the Secretary of the Interior). They also include all records, artifacts and physical remains associated with the historic properties. They may consist of the traces of all of the past activities and accomplishments of people.

This same term may also refer to: (1) resources that have little or no historic values but do have contemporary cultural value; (2) resources included in or determined eligible for inclusion in the National Register of Historic Places or an equivalent register maintained at the state or local level; (3) unevaluated resources that may be eligible for inclusion in the National Register or an equivalent; (4) properties that may qualify for the protections afforded by the Archeological Resources Protection Act or the Native American Graves Protection and Repatriation Act.

He Pa'upena o ka `ike kupuna

Preservation for future generations of kanaka
maoli beneficiaries by Noelani Paresa



ITEM NO. F-1
EXHIBIT "D"



Hana i ka wa: Work to date

- Working with the County of Maui Office of Economic Development, we secured funding for “100 year” fencing featuring galvanized steel pins to ensure longevity and have completed fencing installation after Sakugawa Ranch removed pins on their departure.
- Reconnecting with the ancestral ties to this ‘aina- AIS performed by ‘Aina Archeology proves abundance of mahi’ai pono and ceremonial pohaku construction where our kupuna have practiced traditional aloha ‘aina.
- Performing due diligence in pursuit of long-term lease of the acreage formerly known as the brown pasture.
- Creating a space that allows our beneficiaries to learn vital life skills, ‘ike kupuna, as well as modern day sustainable agriculture, permaculture, and other ways to improve the lives of our people.



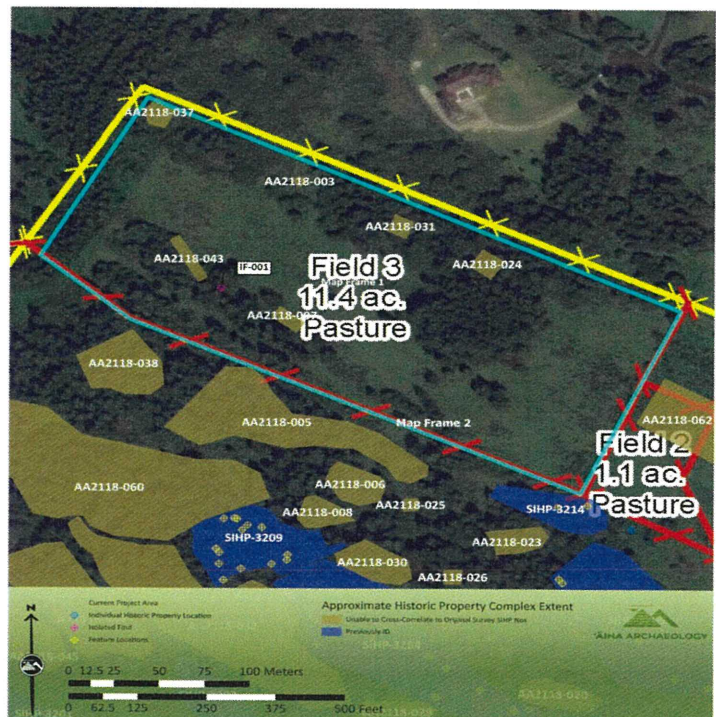
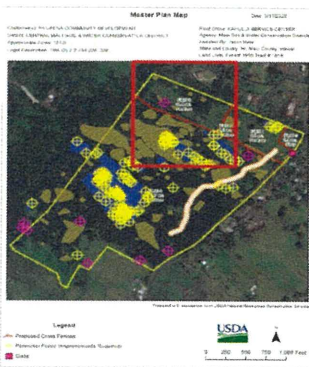
Hana i ka wai: Caring for the water

- This place was once vibrant with food plants, la’au lapa’au, and endemic flora that kept the soil healthy, allowed aquifer recharge and assisted with flood water dispersion from ma uka to ma kai.
- After decades of overgrazing, development, and damage from invasive ungulates, the ahapua’a o Kula has become dry and the soil lacks the necessary nutrients and root systems to survive the next 100 years.
- By re-establishing water access, by way of permit or meter, we can move on to the next phases of our plans to regenerate the soil, improve root systems, and assist with flood prevention for Kula.
- Improving food security, soil regeneration, root system health;
- Strengthening the community while also empowering our beneficiaries with skills and knowledge to protect and to perpetuate the ‘aina and the ‘ohana.

Hana i ka waiwai: Moving forward

- AIS performed by 'Aina Archeology has created awareness of the magnitude of sensitive archeological sites that are located in this section of the DHHL lands in Kula.
- Previous documentation by SHPD did not include many of the structures that were identified recently.
- Our hui has confirmed that we have both kuleana and kulana to this place as two of the board members have established lineal descendency via mo'okuauhau and three of our board members live in the ahapua'a of Kula.
- Protection and conservation of this 'aina is required. By creating a new BTP for SHPD and establishing buffer zones for the most sensitive of these structures, we can integrate the past with the present.
- Working with state and federal agencies, we are able to effect change for our lahui and guarantee success and sustainability for future generations.

Historic Property Location in Relation to Proposed Paupena Field Division 3



Isolated Find No.	Object Description	Context
IF-001	Flake found 50m downslope of adze found in site 002	Surface find, in an ungulate trail crossing a ridgeline. Heavy tree fall disturbance around

Field No. / Site Number	Site Type	Site Function	Approximate Age	Condition	Proposed Treatment
AA2118-003	Modified Outcrop/Terrace	Generic Habitation	Precontact	Remnant	Additional Documentation
AA2118-007	Blushped Outcrop/Terrace	Indeterminate	Indeterminate	Remnant	Additional Documentation
AA2118-024	Terrace	Permanent Habitation	Late Precontact - Early Historic/Precontact	Poor	Additional Documentation
AA2118-031	Enclosure/Wall	Generic Habitation	Historic/Precontact	Poor	Additional Documentation
AA2118-037	Terrace	Agriculture	Late Precontact - Early Historic/Precontact	Remnant	Additional Documentation
AA2118-043	Modified Outcrop/Platform/Terrace	Agriculture/Generic Habitation	Precontact - Early Historic	Poor/Remnant	Additional Documentation



Hana i ka wao Akua: Malama na kupuna

- Tradition and ceremony is vital to create balance and to improve the status of beneficiaries worldwide.
- Global food shortages, pollution, and climate change have a drastic effect on indigenous people.
- Creating new protocol to impact future legislation by taking responsibility for this 'aina kupukupu and her archeological sites allows us to evolve the status quo of desecration.
- Holding ourselves accountable by protecting the sites while also hosting educational programs that encompass malama kupuna, 'ike kupuna, and modern sustainable agriculture.
- Moving forward with the lahui, empowering each other with the knowledge and confidence necessary to farm, to ranch, and to malama 'aina; we can remove dependency on shipping and other variables standing in the way.



Hana e hiki mai ana: Careful planning

- Protection and preservation.
- Little to no impact on sensitive archeological sites.
- Food system security.
- Flood prevention.
- Drought resistance.
- Sustainable technology.
- Educational programs.
- Healing through 'ike kupuna.
- Strengthening our lahui.
- Rehabilitation of soil.
- Revitalization of native flora and fauna.



“A’ohe hana nui ka alu ‘ia”- MKP

- Archaeological protection..
- Malama Kupuna.
- Beekeeping.
- Aquaponics.
- Animal Husbandry.
- ‘Ike kupuna.
- ‘Ohana Ikaika.
- ‘Aloha ‘aina.
- Regenerative agriculture.
- Root system health.
- Rehabilitation of native forest.
- Flood prevention.
- Fire prevention.
- Food security.




Mahalo!

- DHHL
- OHA
- USDA
- Maui County O.E.D.
- ‘Aina Archeology
- Maui County Dept. of Agriculture
- Hawai‘i Farmers’ Union
- Malama Aquaponics
- UHMC SLIM Aquaponics
- UHMC Ag Dept.
- DLNR/SHPD

DEPARTMENT OF HAWAIIAN HOME LANDS
Planning Office
February 5, 2021

TO: William J. Ailā, Jr., Chairman
Hawaiian Homes Commission

THROUGH: Andrew H. Choy, Acting Planning Program Manager 

FROM: Malia M. Cox, Planner

SUBJECT: Pa'upena Community Development Corporation (PCDC), Cattle and Farming Education and Demonstration Project [TMK: (2) 2-2-034:026, 028] Exemption from HRS Chapter 343 Environmental Assessment Preparation, (Log# PO-20-304)

Recommended Action

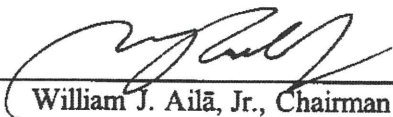
That the Chairman exempt PCDC, Cattle and Farming Education and Demonstration Project [TMK: (2) 2-2-034:026, 028] from preparation of an environmental assessment per HRS Chapter 343.

Discussion

In compliance with Federal, State and County regulations, Planning Office offers the following recommendations to the Chairman on whether or not to exempt future proposed projects on DHHL lands from HRS Chapter 343. Per the statute, certain projects are exemptible from the environmental review process if the projects meet certain requirements as stated in Hawaii Administrative Rules (HAR) Section 11-200.1-8 subchapter 8 "Exempt Actions, List and Notice Requirements." HAR Section 11-200.1 also states that State and County agencies can prepare their own Chapter 343 exemption list. Activities on agency exemption lists must be consistent with Section 11-200.1 HAR exemption requirements and be approved by the state Environmental Council.

Based upon HAR Section 11-200.1 exemption criteria and DHHL's approved exemption list, the Planning Office concluded that PCDC, Cattle and Farming Education and Demonstration Project [TMK: (2) 2-2-034:026, 028] is eligible for exemption from the environmental assessment process because the proposed actions are consistent with the listed actions on DHHL's exemption list as well as HAR Section 11-200.1. The attached exemption declaration letter provides more detail about the proposed project and the Planning Office's review and analysis of the project.

Concur


William J. Ailā, Jr., Chairman
Hawaiian Homes Commission
Attachments

ITEM NO. F-1
EXHIBIT "E"

DAVID Y. IGE
GOVERNOR
STATE OF HAWAII

JOSH GREEN
LT. GOVERNOR
STATE OF HAWAII



WILLIAM J. AILA, JR.
CHAIRMAN

TYLER I. GOMES
DEPUTY TO THE CHAIRMAN

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

P. O. BOX 1879
HONOLULU, HAWAII 96805

TO: 1. Land Management Division, Department of Hawaiian Home Lands Public Files for Chapter 343 HRS Exemption Determinations
2. Office of Environmental Quality Control
3. Pa'upena Community Development Corporation

FROM: Chairman of the Hawaiian Homes Commission

SUBJECT: Exemption Notice for Proposed Pa'upena Community Development, Cattle and Farming Education and Demonstration Project (reference-file # PO-20-304)

DATE: February 5, 2021

AGENCY OR APPLICANT ACTION

Check applicable box

- This exempted action is an agency action as defined by Section 343-5(b), Hawai'i Revised Statutes (HRS), and Section 11-200.1-8, Hawai'i Administrative Rules (HAR),
- This exempted action is an applicant action as defined by Section 343-5(e), HRS, and Section 11-200.1-9, HAR

EXEMPTION TYPE:

The Exemption Notice for the action described below is based on the general types enumerated in Section 11-200.1-15(c), Hawai'i Administrative Rules (HAR), Exemption Type 1, 2, 3, 4, & 6

As applicable, the exemption for the action described below is also supported by the Exemption List for the Department of Hawaiian Home Lands, reviewed, and concurred to by the Environmental Council on June 30, 2015.

- **Exemption List Class #1¹** Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing.
 - Item #2 Operation, maintenance, overhauling, repairing, repainting, reroofing, cleaning, polishing, greasing, oiling, and servicing of the following facilities, structures, and equipment:
(d) Fencing, curbing, gates, walls, and retaining walls

¹ DHHL is re-organizing the 2015 exemption list approved by the environmental council. DHHL's exemption Class #1 corresponds with HAR §200.1-15 Exemption Type 1

- (n) Exterior lighting, including, but not limited to, street lights, parking lot lights, security lighting, ball field and play court lighting, bollards, and wall sconces
 - o Item #15 Chemical control of vector
- **Exemption List Class #2²** Replacement or reconstruction of existing structures and facilities where the new structure will be located generally on the same site and will have substantially the same purpose, capacity, density, height, and dimensions as the structure replaced.
 - o Item #1 Replacement, reconstruction, alteration, modification (no change in use), or installation of any building, structure, facility, equipment, or utility, including, but not limited to:
 - (k) Fencing, curbing, gates, walls, and retaining walls
 - (l) Landscaping, clearing, grading, and grubbing
 - (n) Utility support systems for exempt landscaping projects, including, but not limited to sprinkler systems installation
- **Exemption Class #3³**: Construction and location of single, new, small facilities or structures and the alteration and modification of the same, including, but not limited to: (d) Water, sewage, electrical, gas, telephone, and other essential public utility services extensions to serve such structures or facilities; accessory or appurtenant structures including garages, carports, patios, swimming pools, and fences; and acquisition of utility easements.
 - o Item #1 Construction of new structures on DHHL lands (to include leased lands) of any of the following:
 - (d) Water, sewage, electrical, gas, telephone, and other essential public utility services extensions to serve such types of structures or facilities, including domestic water source development for homesteading purposes, with required permits
 - (e) Accessory or appurtenant structures including domestic water source development for homesteading purposes, collection, distribution, and storage systems; small structures needed to house utilities, garages, carports, patios, swimming pools, driveways, swales, and individual and cluster unit mailboxes
 - o Item # 4 Installation of new, small ground water, surface water or atmospheric monitoring and data collection equipment and structures that house or protect them
 - o Item #7 Construction, alterations or modification of small facilities which support department activities, to include lifeguard stations and similar public safety structures, comfort stations, and waterless or composting toilet facilities
- **Exemption List Class #4⁴** Minor alteration in the conditions of land, water, or vegetation.
 - o Item #1 Removal and/or cutting of trees that are burned, destroyed or diseased, or otherwise endanger life or property

² Class #2 of DHHL's 2015 exemption list corresponds with HAR §200.1-15 Exemption Type 2

³ Class #3 of DHHL's 2015 exemption list corresponds with HAR §200.1-15 Exemption Type 3

⁴ Class #4 of DHHL's 2015 exemption list corresponds with HAR §200.1-15 Exemption Type 4

- Item #2 Removal of gravel, rocks, trees (non-endangered species) and/or other materials necessary to make agricultural lands more productive and useful for grazing, farming and other related agricultural purposes
- Item #3 Landscaping alongside roadways, around buildings, and within existing parks and community use areas, including, but not limited to, planting of groundcover, grass, shrubs, and trees, sodding of bare areas for dust and erosion control, and installation of community gardens, involving minimal or no grading.
- Item #4 Minor vegetation clearing and management, including mowing, pruning, and trimming. Work under this exemption shall be performed by the Department or its contractor. Work shall involve cutting and removal of brush, grass, and small trees or bushes. Vegetation shall be hauled by truck to an approved sanitary landfill site, or allowed to remain onsite where feasible for use as compost or mulch
- Item #10 Pest control. Work under this exemption shall be performed by the Department or its contractor. Work shall involve placement of approved toxic baits, kill traps, live traps, snares, repellent and using EPA-regulated, commercially-available pesticides. Label instructions shall be strictly adhered to. No pesticides shall be allowed to enter State waters
- **Exemption List Class #5⁵** Basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource.
 - Item #1 Surveys, research, and investigations into all aspects of water use, quantity, and quality
 - Item #11 Air quality surveys
 - Item #12 Water quality surveys
 - Item #14 Ecological and botanical surveys for which no permit is required
 - Item #26 Collection of atmospheric data and conducting of climatological monitoring in accordance with the methods and practices of, or acceptable to, the National Weather Service and collection of data
 - Item #27 Installation of new, small ground water, surface water or atmospheric monitoring and data collection equipment and structures that house or protect them
 - Item #28 Installation of electrical and telemetry systems to serve data collection equipment and structures that house or protect them
- **Exemption List Class #6⁶** Construction or placement of minor structures accessory to existing facilities.
 - Item #1 Installation of fencing for agricultural and cultural and natural resources management purposes
 - Item #5 Installation of utilities (telecommunications, electrical, drainage, waterlines and faucets, sewers) for use within a site/property
 - Item #11 Construction of utility storage sheds, maintenance sheds, electrical sheds, pump houses, trash enclosures, and portable modular buildings measuring less than 500 square feet in total area

⁵ Class #5 of DHHL's 2015 exemption list corresponds with HAR §200.1-15 Exemption Type 6

⁶ Class #6 of DHHL's 2015 exemption list corresponds with HAR §200.1-15 Exemption Type 3

- **Exemption List Class #8⁷** Demolition of structures, except those structures located on any historic site as designated in the national register or Hawaii register as provided for in the Historic Preservation Act of 1966, Public Law 89-665, 16 U.S.C. §470, as amended, or chapter 6E, HRS.
 - Item #5 Demolition and removal of roadway paving, drainage structures, and security fencing

DESCRIPTION OF ACTION

Proposing Agency or Applicant: Pa'upena Community Development Corporation

Project Name & Address/Location: Pa'upena Community Development, Cattle and Farming Education and Demonstration Project, Waiohuli Ahupua'a, Kula Moku

Anticipated Start Date: 1/1/2021

Anticipated End Date: indefinite

Island and District: O'ahu Makawao

Tax Map Key(s) and other geolocation means: (2) 2-2-034:026, 028

All Necessary Permits and Approvals:

United States Department of Agriculture (USDA)

State Historic Preservation Division

Planning Department- Construction Permits and Applications

NARRATIVE

Describe the action and why it qualifies for the exemption:

The project is intended to reconnect and provide agriculture and pastoral training resources to Hawaiian Home Land's native Hawaiian beneficiaries on Maui awaiting land awards. The project area will be broken into five fields. Fields one through four are proposed various animal husbandry activities including pastures and animal paddocks. The four fields utilized for animal husbandry will range in size from 1.1 to 102.7 acres. The fifth field, a 1.4-acre area, is proposed for an educational agriculture demonstration site. The area is enclosed by fencing. See attached figure entitled, "Master Plan Map." Actions necessary to support the project include (1) Restore the existing perimeter and boundary fencing by repairing existing fence and installing new fencing where missing, (2) Restore existing paddock fencing by repairing existing fence and installing new fencing where missing, (3) install water-catchment system and associated structure and photo-voltaic system, (4) install an irrigation transmission system for the agriculture demonstration area, and (5) repair and improve of existing dirt roads.

RECEIVING ENVIRONMENT

Describe the site, including any impacts on the receiving environment:

⁷ Class #8 of DHHL's 2015 exemption list corresponds with HAR §200.1-15 Exemption Type 6

The project area is about 124.6 acres broken into five fields within TMK’s (2) 2-2-034:026, 028. It is characterized by rolling hills that grow increasingly steep in the mauka areas with elevations ranging from 640 feet above mean sea level (msl) to approximately 3,000 ft above msl. The project site is accessible to vehicular traffic via Kula Highway.

ENVIRONMENTAL ANALYSIS

I have considered the potential effects of the proposed project and all related activities against the criteria checked below:

	Not Applicable
<input checked="" type="checkbox"/> Land Use and Zoning Conformance	<input type="checkbox"/>
<input checked="" type="checkbox"/> Traffic (Vehicles, Bicycles, Pedestrian)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Infrastructure (Roads, Buildings, Utilities)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Air Quality Pollutant Emissions	<input type="checkbox"/>
<input checked="" type="checkbox"/> Noise Emissions	<input type="checkbox"/>
<input checked="" type="checkbox"/> Solid, Hazardous, and Liquid Waste Management	<input type="checkbox"/>
<input checked="" type="checkbox"/> Social	<input type="checkbox"/>
<input checked="" type="checkbox"/> Economic	<input type="checkbox"/>
<input checked="" type="checkbox"/> Health and Safety	<input type="checkbox"/>
<input checked="" type="checkbox"/> Recreation	<input type="checkbox"/>
<input type="checkbox"/> Public Beach Access	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Cultural Resources and Practices	<input type="checkbox"/>
<input checked="" type="checkbox"/> Visual/Aesthetic	<input type="checkbox"/>
<input checked="" type="checkbox"/> Environmental Justice	<input type="checkbox"/>
<input checked="" type="checkbox"/> Rare, Threatened, and/or Endangered Species	<input type="checkbox"/>
<input checked="" type="checkbox"/> Surface and Ground Water Resources	<input type="checkbox"/>
<input checked="" type="checkbox"/> Wetlands	<input type="checkbox"/>
<input checked="" type="checkbox"/> Floodplains	<input type="checkbox"/>
<input checked="" type="checkbox"/> Riparian/Coastal Resources	<input type="checkbox"/>
<input type="checkbox"/> Other	<input type="checkbox"/>

Comments/summary of impact analysis:

The project’s primary purpose is to provide educational and training opportunities to beneficiaries in farming and ranching concepts and techniques. While the educational component is new use for the project site, the project will not change the existing land uses. The project site has been leased for agricultural activities (ranching) intermittently since 1968. The project will continue to be utilized for agricultural purposes. The site is located outside of any floodplains, 3.2-foot sea-level-rise exposure area, and special management area as well as habitat for threatened, rare and/or endangered species. The project site does not include any riparian resources or other wetland features. The project site is designated as Agriculture by the State Land Use, General

Agriculture by DHHL and zoned Agriculture by the County of Maui. The project actions are consistent with activities allowed on lands with these designations.

MITIGATION

Describe all mitigation measures and best management practices planned to address impacts during the project activities and after project completion:

DHHL, the lessee, and their respective contractors shall comply with all County, State, and Federal permit, and approval requirements.

The project will generate short-term construction related fugitive dust and noise impacts during construction. Best management practices need to be employed to reduce dust emissions. DHHL, the lessee and their respective contractors shall comply with HAR §11-46 relating to community noise control.

All activities should include erosion control and other best management practices to reduce/eliminate pollution generating activities from impacting the project site and the surrounding areas. The project proponent will follow the conservation management plan accepted by the USDA NRCS, and Central Maui Soil & Water Conservation District board.

The Hawaiian hoary bat (*Lasiurus cinereus semotus*) roosts in woody vegetation across all islands and will leave their young unattended in trees and shrubs when they forage. If trees or shrubs 15 feet or taller are cleared during the pupping season, June 1 through September 15, there is a risk that young bats could inadvertently be harmed or killed, since they are too young to fly or move away from disturbance. Hawaiian hoary bats forage for insects from as low as 3 feet to higher than 500 feet above the ground and can become entangled in barbed wire used for fencing.

To avoid and minimize impacts to the endangered Hawaiian hoary bat the following mitigation measures will be taken:

- Woody plants greater than 15 feet tall will not be disturbed, removed, or trimmed during the bat birthing and pup rearing season (June 1 through September 15).
- Barbed wire will not be used for fencing.

If any human remains or funerary material are discovered during ground disturbing activities, all activity in the immediate area must stop. The State Historic Preservation Division (SHPD) and County Police shall be called. Work in the area may resume only after SHPD and County Police authorize activity in the area.

Comply with recommendations by SHPD.

CONSULTATION

The following parties have been consulted about this project and its environmental/cultural impacts

State Historic Preservation Division: January 21, 2021
USDA, National Resources Conservation Service: March 11, 2021
Central Maui Soil & Water Conservation District board, March 11, 2021

Information from the following agencies was collected from their digital reference materials between February 1 thru 4, 2021.

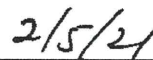
County- Department of Planning and Permitting
State- Department of Agriculture
Department of Land and Natural Resources
Department of Health, Clean Water Branch
Federal- U.S. Census Bureau
USDA, National Resources Conservation Service
Federal Emergency Management Agency
U.S. Fish and Wildlife Service

EXEMPT DECLARATION

The direct, cumulative, and potential impacts of the action described above have been considered pursuant to Chapter 343, Hawai'i Revised Statutes and Chapter 11-200.1, Hawai'i Administrative Rules. I declare that the action described above will have minimal or no significant impact on the environment and is therefore exempt from the requirement to prepare an environmental assessment.



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



Date

- This document is on file in our office and is available for public review.
- This document has been submitted to the Office of Environmental Quality Control for publication in *The Environmental Notice*.

Attachments-

- Figure- Pa'upena CDC Project Area
- Figure-Master Plan Map
- Figure- Tax Map Key Pa'upena CDC Project Area
- Figure- DHHL's Land Use Designations- Maui Island Plan
- Figure- State Land Use Districts
- Figure- County Zoning
- Figure- Conservation Plan Map

**CHAPTER 343-EXEMPTION DECLARATION for Proposed Pa'upena Community Development, Cattle and Farming
Education and Demonstration Project (reference-file # PO-20-304)ON TMKs (2) 2-2-034:026, 028**

FEBRUARY 5, 2021

PAGE 8 OF 22

Figure- Soils Map

Figure- Rainfall Map

Figure- Land Study Bureau Detailed Land Classification

Figure- Agriculture Lands of Importance to the State of Hawai'i

Figure- Critical Habitats, Threatened and Endangered Species

Figure- Critical Habitats

Figure- Wetlands

Figure- Special Management Area and Sea Level Rise Vulnerability

Figure- Flood Hazards

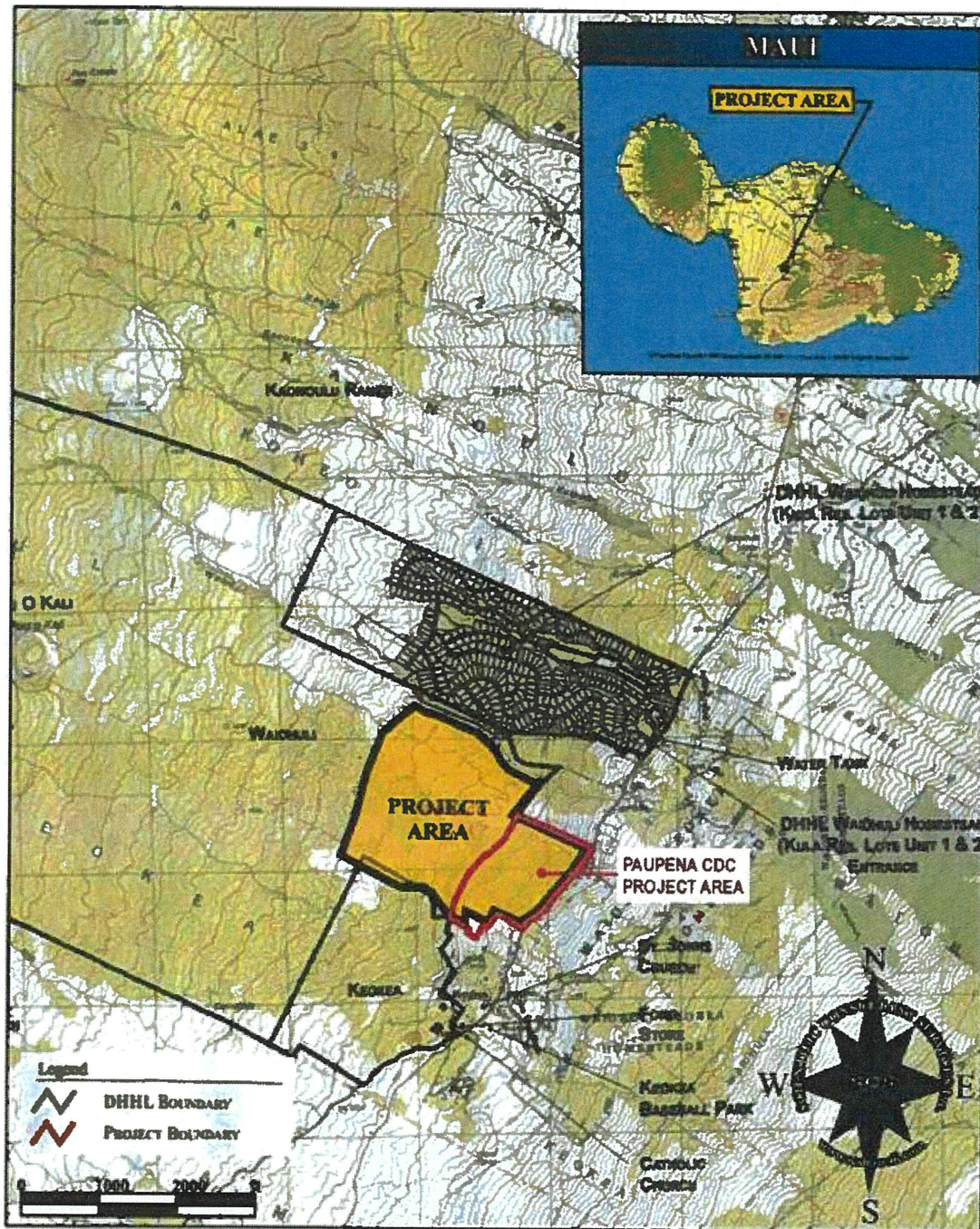


Figure- Pa'upena CDC Project Area



Figure-Master Plan Map

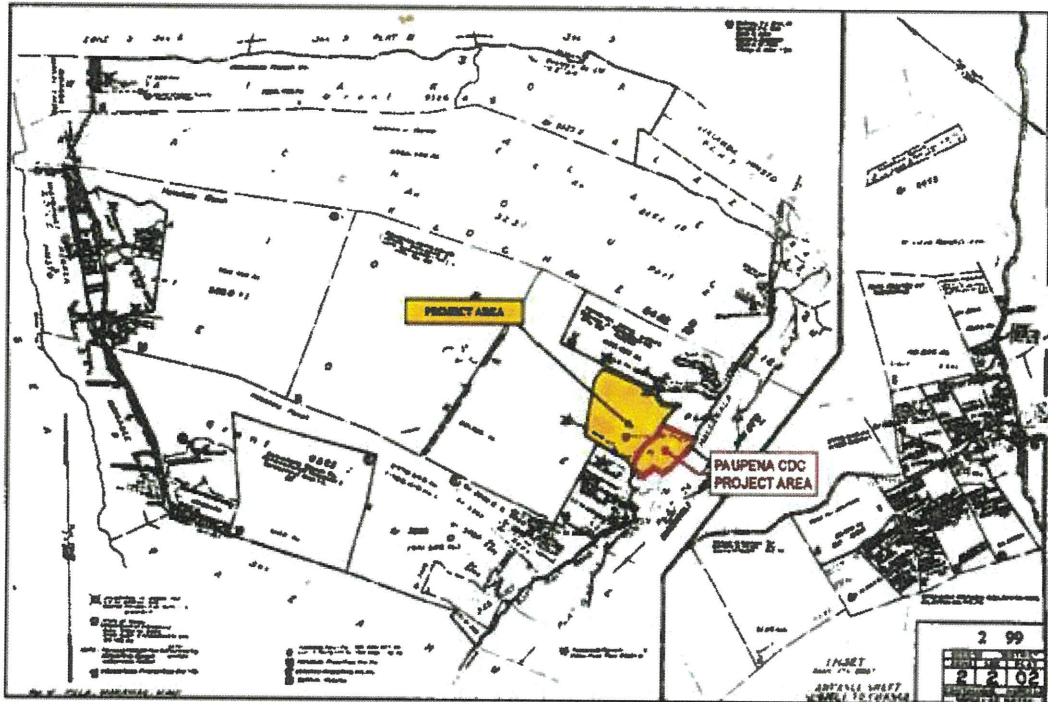


Figure- Tax Map Key Pa'upena CDC Project Area

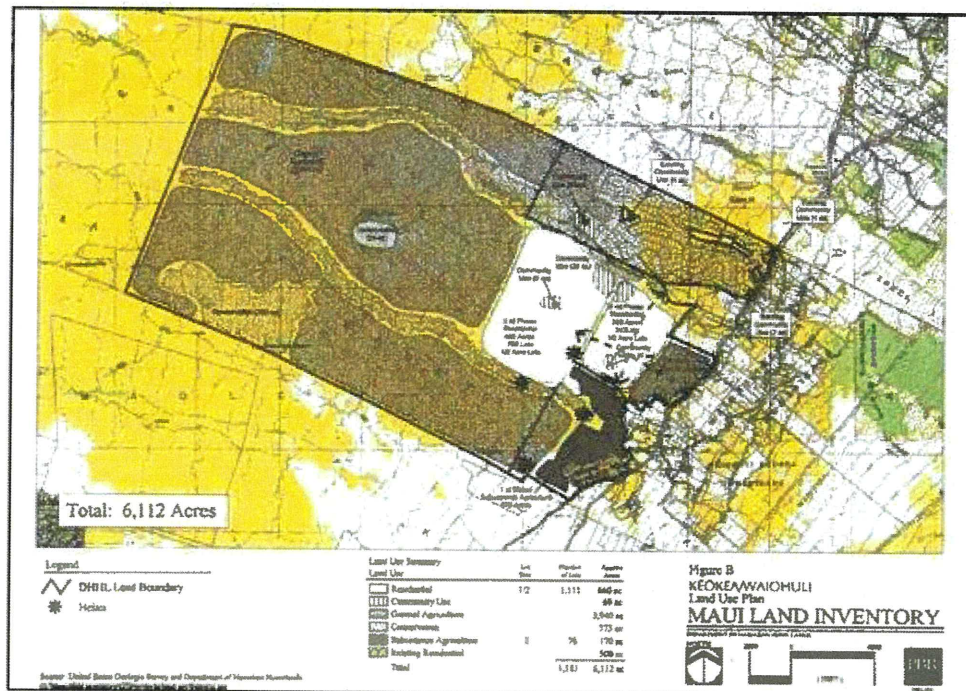


Figure- DHHL's Land Use Designations- Maui Island Plan

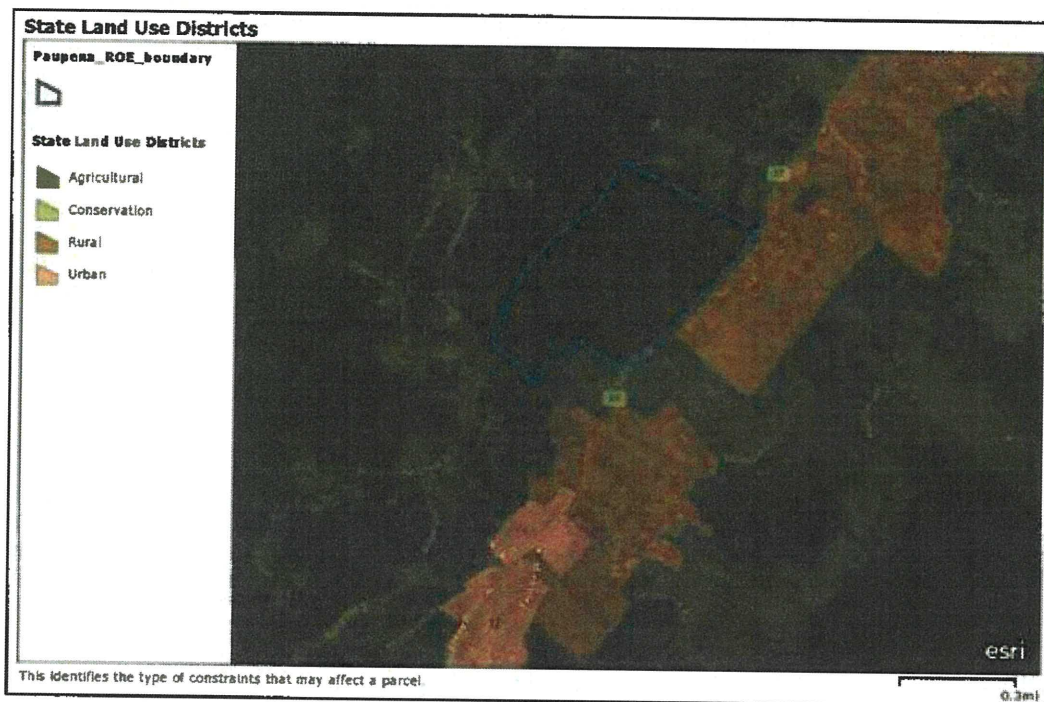


Figure- State Land Use Districts

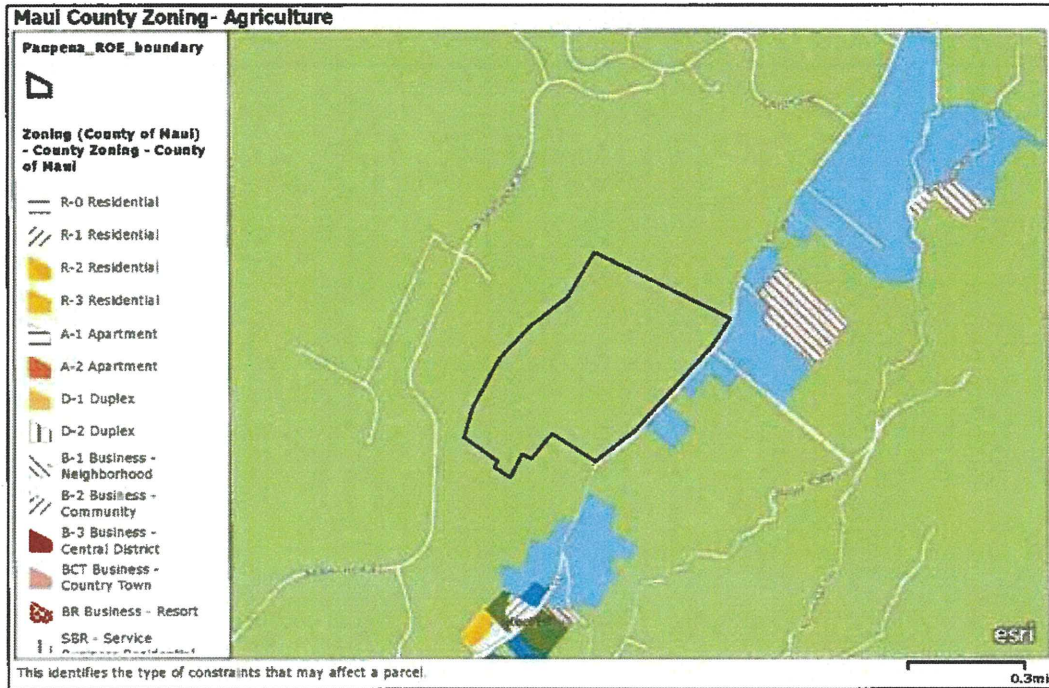


Figure- County Zoning



Figure- Conservation Plan

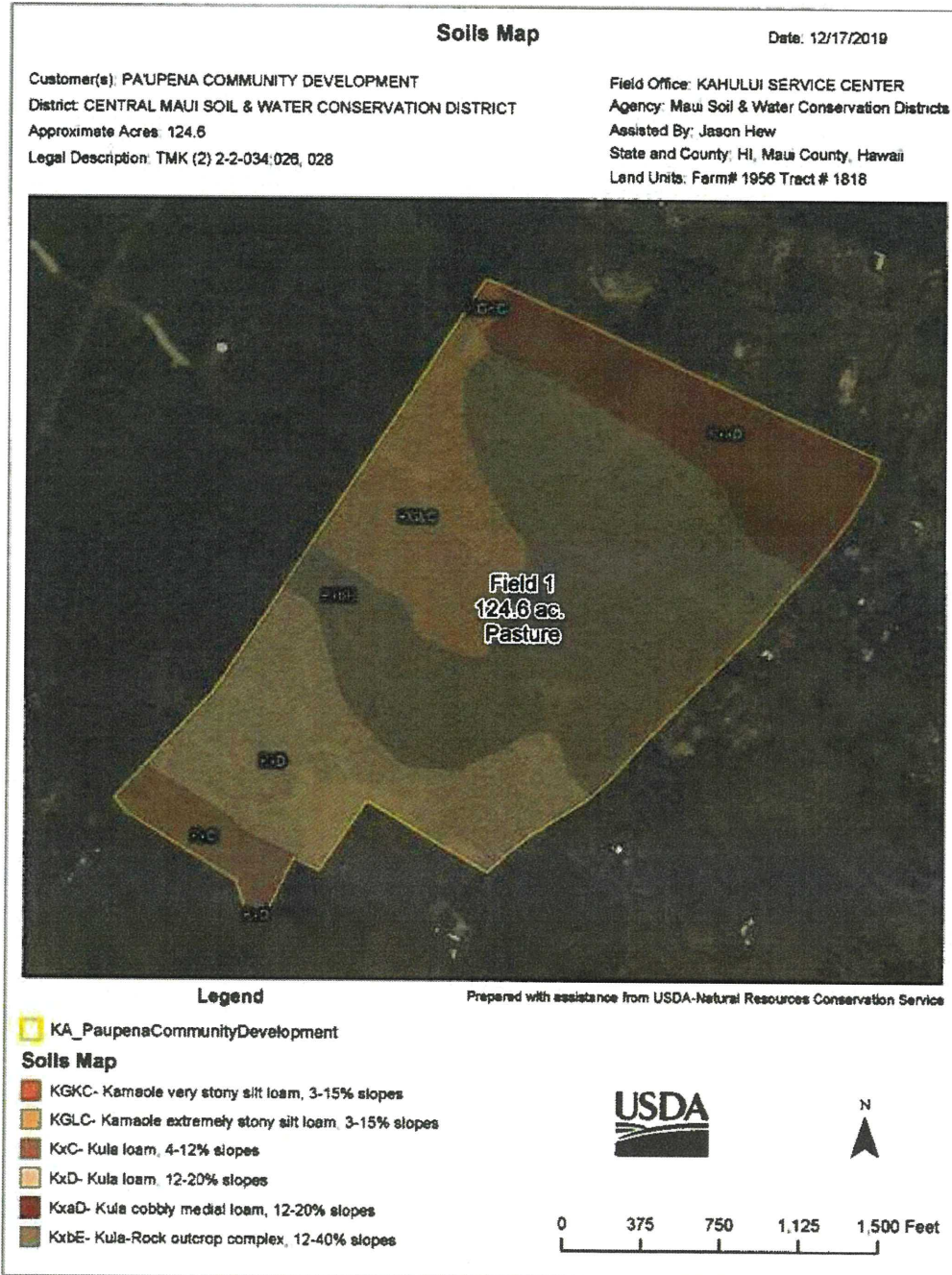


Figure- Soils Map

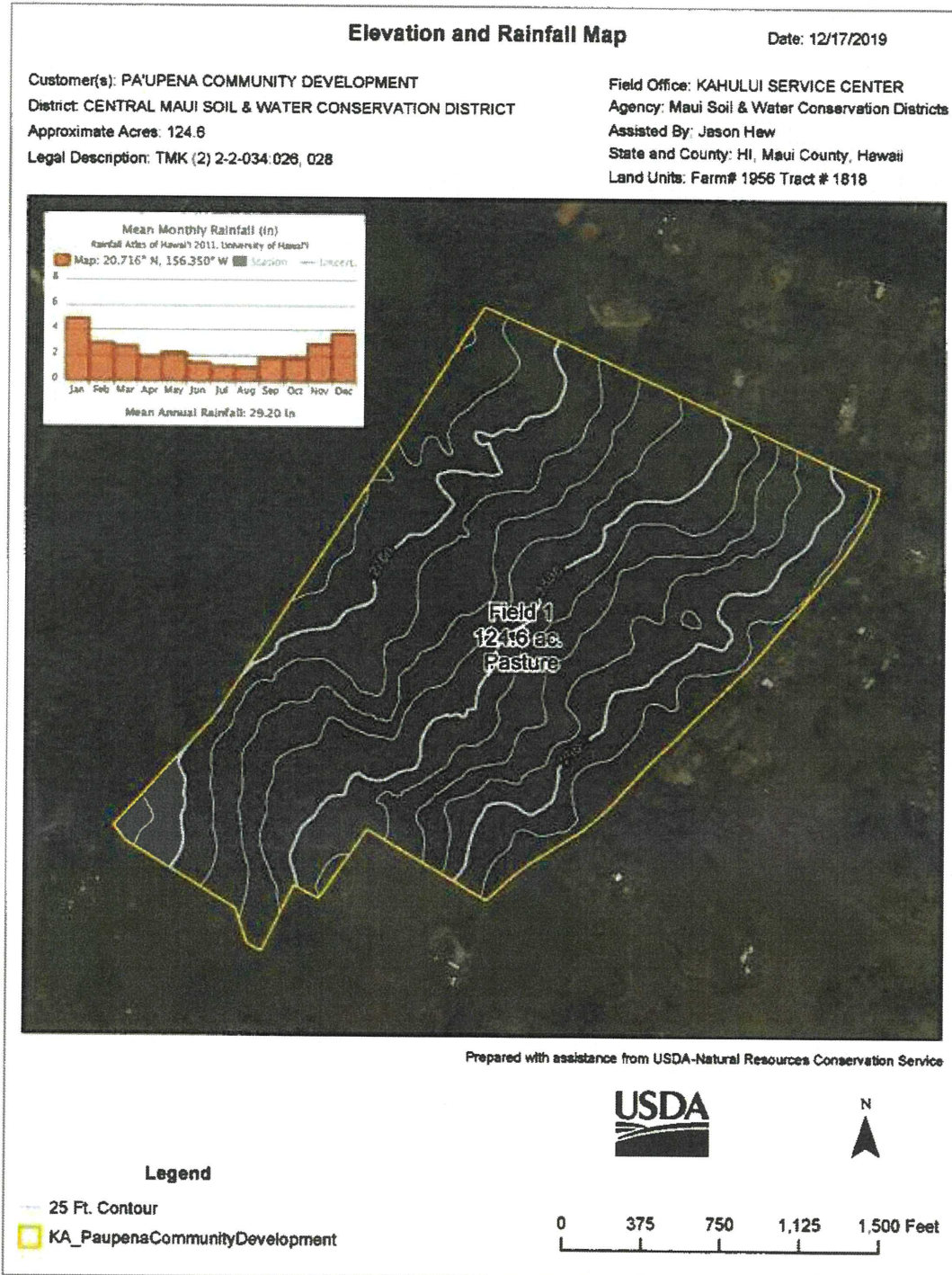


Figure- Rainfall Map

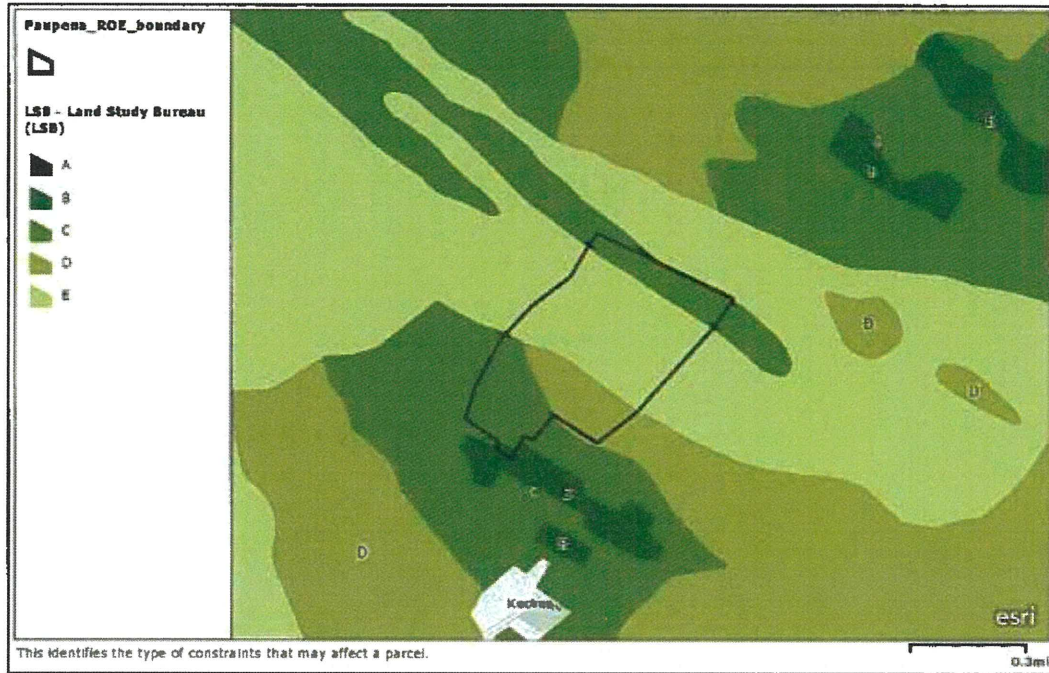


Figure- Land Study Bureau Detailed Land Classification

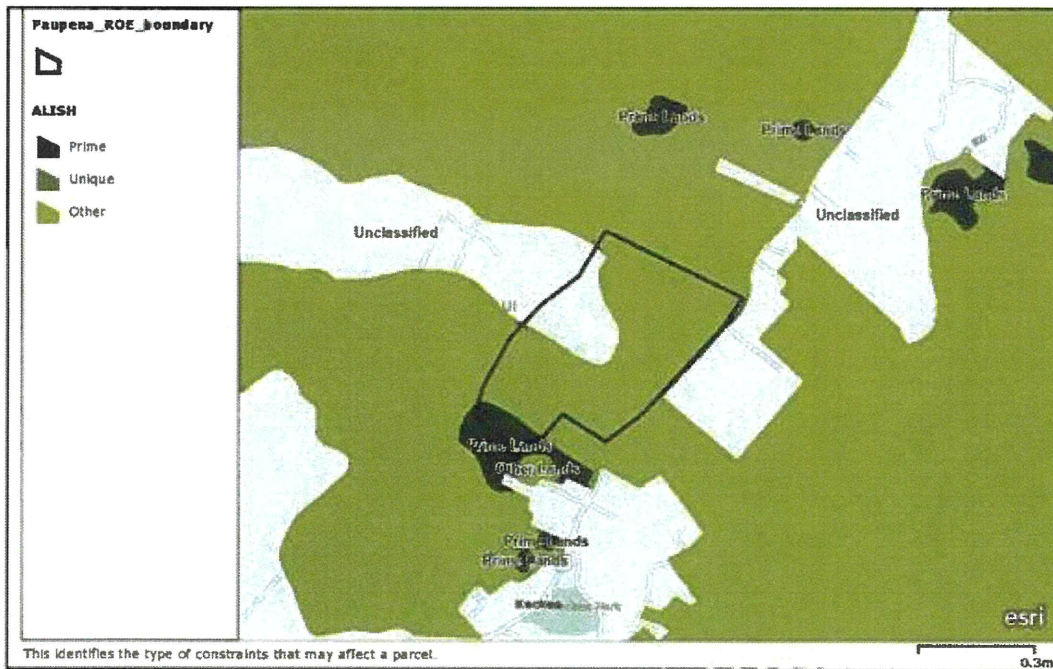
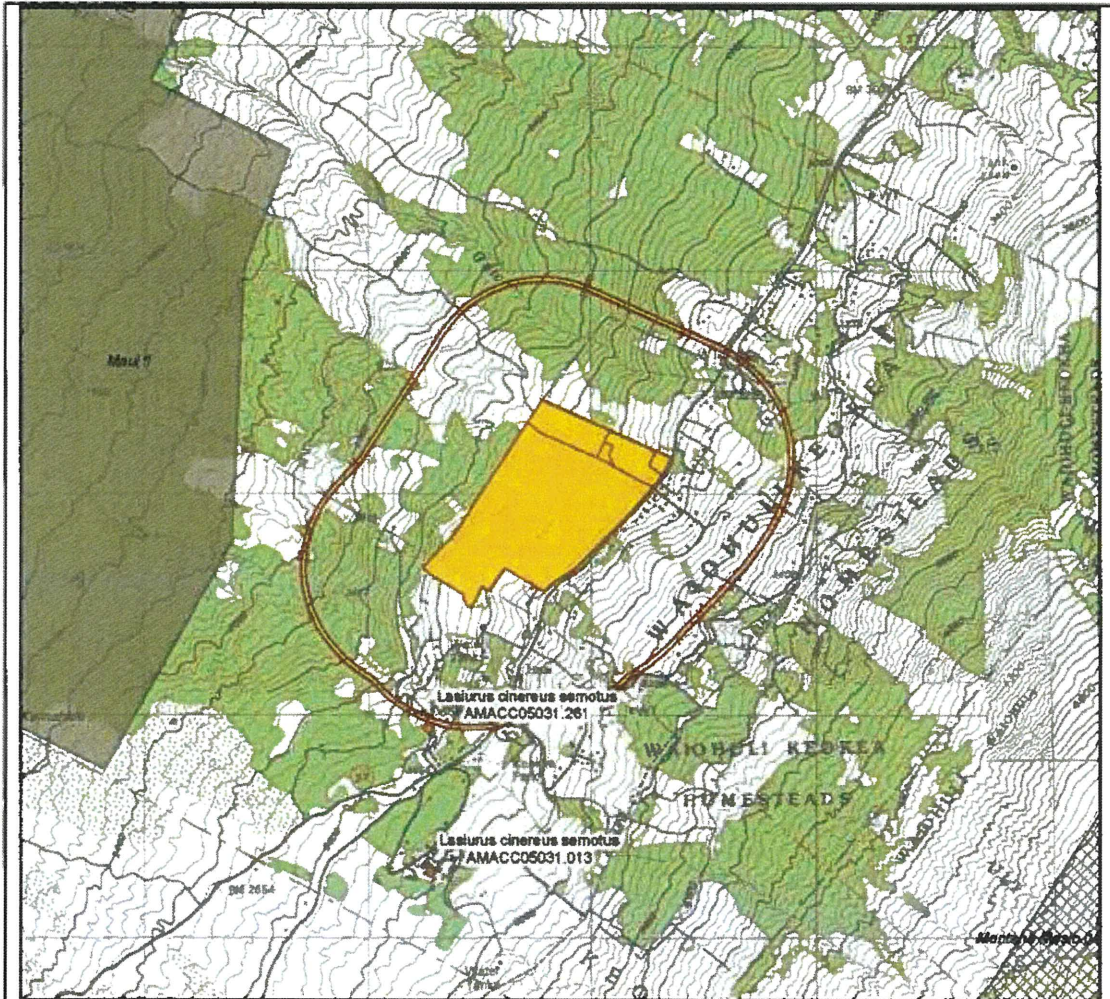


Figure-Agriculture Lands of Importance to the State of Hawai'i

CHAPTER 343-EXEMPTION DECLARATION for Proposed Pa'upena Community Development, Cattle and Farming
Education and Demonstration Project (reference-file # PO-20-304)ON TMKs (2) 2-2-034:026, 028
FEBRUARY 5, 2021
PAGE 18 OF 22



C, T & E Species Map for: Paupena Community Development TMKs: (2) 2-2-034:026,028 Date: 3/11/2020

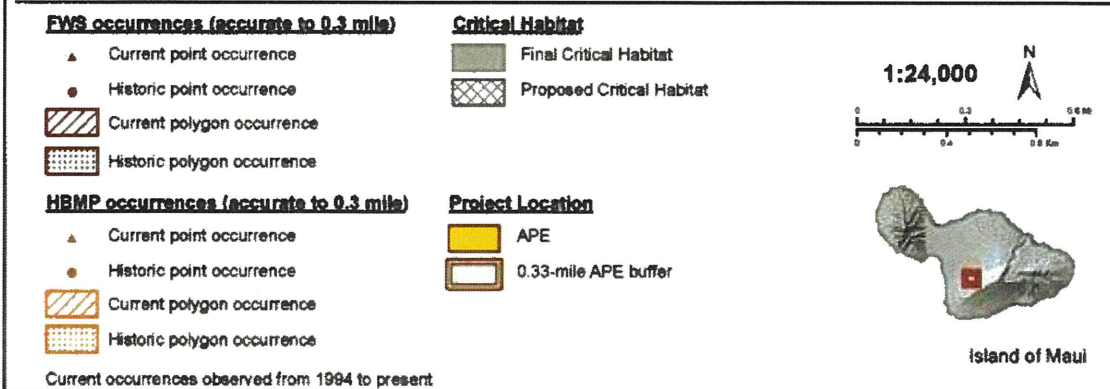


Figure- Critical Habitats, Threatened and Endangered Species

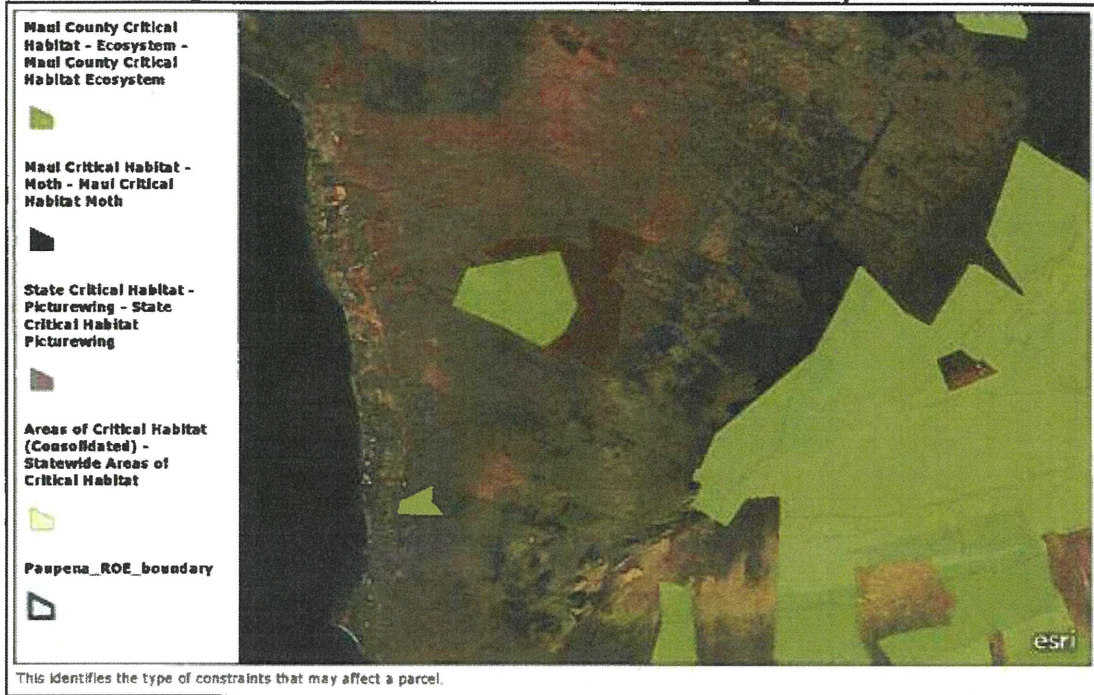


Figure-Critical Habitats

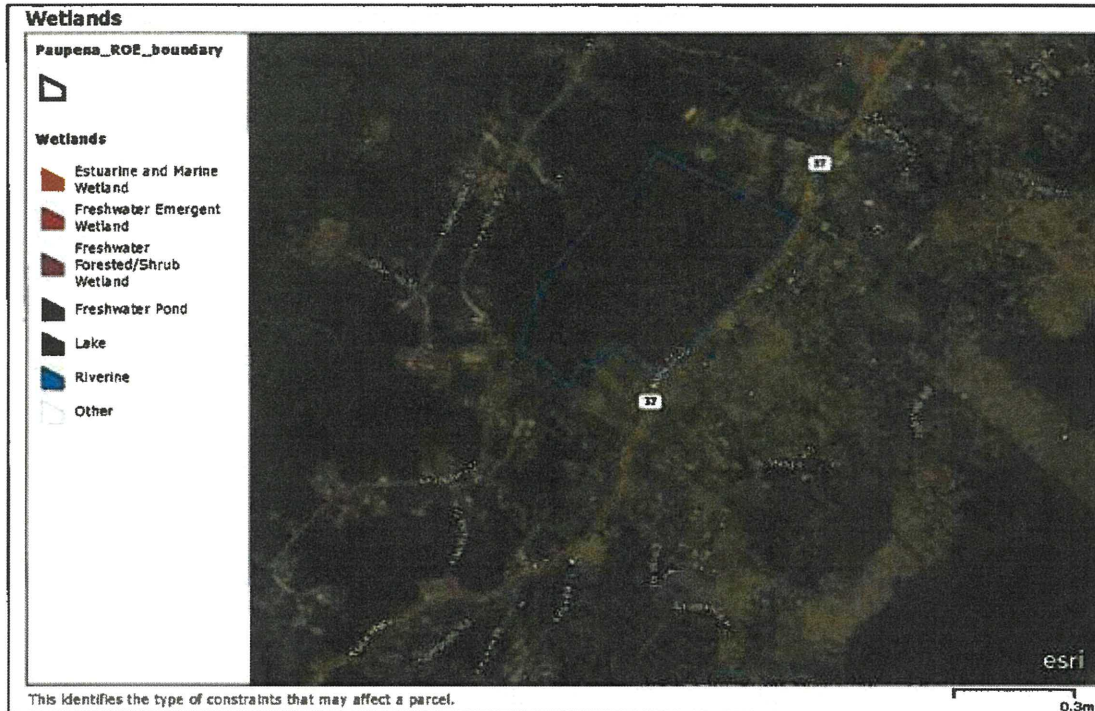


Figure- Wetlands

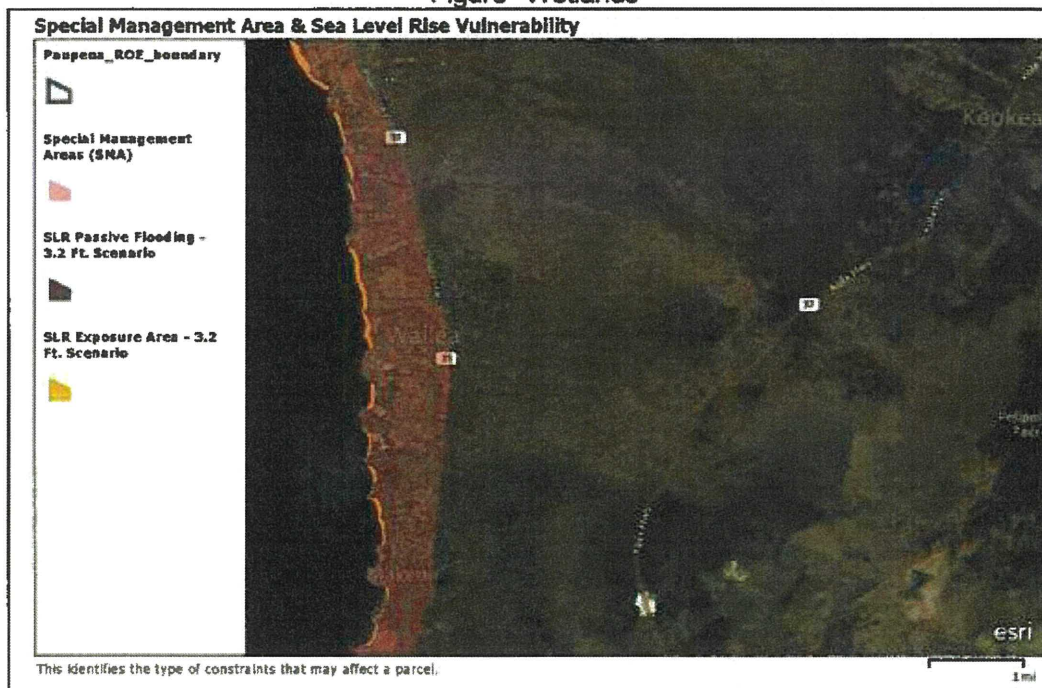


Figure- Special Management Area and Sea Level Rise Vulnerability



Figure- Flood Hazards

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

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



KALI WATSON
CHAIRMAN, HHC
Ka Luna Ho'okele

KATIE L. DUCATT
DEPUTY TO THE CHAIRMAN
Ka Hope Luna Ho'okele

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

P. O. BOX 1879
HONOLULU, HAWAII 96805

February 16, 2024

Ref: PO-24-025

TO: John Stufflebean, Director
Maui County Department of Water Supply

FROM: Kali Watson, Chairman
Department of Hawaiian Home Lands

RE: Pa`ūpena Community Development Corporation's Request for Water Meters,
TMK (2) 2-2-034:026 (por.) and :028 (por.)

Dear Director Stufflebean,

The Pa`ūpena Community Development Corporation (CDC) contacted the Department of Hawaiian Home Lands (DHHL) on January 31, 2023, requesting a water meter for the DHHL owned parcel listed above, which they are in the process of obtaining a long term disposition. Their primary purpose is to establish a mixed-use space that will offer economic opportunities and community services in a welcoming environment for native Hawaiians. Additionally, agricultural training will be conducted for beneficiaries.

On December 18, 2023, the Hawaiian Homes Commission approved the recommendation to allocate three water credits from our remaining balance with the Maui Department of Water Supply (MDWS) to Pa`ūpena CDC for their use. Further information regarding this can be found in the December 18-19, 2023, Hawaiian Homes Commission submittal for item G-1.

The DHHL is contacting MDWS to inform you that Pa`ūpena CDC is eligible for three of the DHHL's water credits, the equivalent of three 5/8-inch water meters, for their use on TMK (2) 2-2-034:026 (por.) and :028 (por.). These credits are to be taken from DHHL's inventory for the Kula Water Credits Agreement between DHHL and the MDWS signed on December 8, 1997.

The DHHL would greatly appreciate the MDWS's assistance on moving forward with this allocation. We look forward to hearing from you.

Attachment

ITEM NO. F-1
EXHIBIT "F"

Paupena Community Development Corporation Project Location



ERLINGAYLE FARMS
96 AHULUA ST
KULA, HI 96790
kulamelani@yahoo.com

MARCH 04, 2024

Mr. Kali Watson
Chairman
Hawaiian Homes Commission
91-5420 Kapolei Parkway
Kapolei, Hawai'i 96707
Telephone (808) 620-9500
Email: DHHL.callcenter@hawaii.gov

Aloha mai kaula e Chairman Watson,

On behalf of Erlingayle Farms, I am writing this letter of support for Pa'upena Community Development Inc. in its quest for a long-term license to Kula homelands acreage.

Pa'upena Community Development corporation, or CDC, is an IRS 501(c)(3) nonprofit incorporated Nov. 29, 2016, in Upcountry Maui. Its mission is to provide resources, training and advocacy to empower fellow Hawaiian Homes Commission Act federal-trust beneficiaries to build homes and self-sufficient communities.

At the March 18 Hawaiian Homes Commission meeting at the Lahaina Civic Center, Pa'upena CDC will seek approval for a 20-year license to a 127-acre Kēōkea-Waiohuli homelands parcel. On the acreage, the nonprofit aims to train Hawaiian Homes beneficiaries, especially 'opio, via community-based programs in farm fencing, agroforestry, crop cultivation, livestock grazing, and adaptive reuse of documented archaeological treasures, such as agricultural terraces and animal pens.

Erlingayle Farms is a small family owned endeavor, whose main goal is to provide food security to our 'ohana (3 families). Any excess grown is sold to a local market. To date we are able to produce hundreds of pounds of fresh fruits (papaya, mango, avocado, dragon fruit, banana, variety of citrus, ulu, lilikoi, fig, etc.) as well as kalo and sweet potato annually. This farm aligns with Pa'upena in its commitment to provide food self-sufficient communities.

In conclusion, I welcome this opportunity to present a support letter for Pa'upena CDC to manage a 127-acre Upcountry homelands parcel. The CDC's proposed training programs will capacitate Hawaiian Homes beneficiaries, enhance community sustainability and strengthen the lahui.

Me ke aloha,

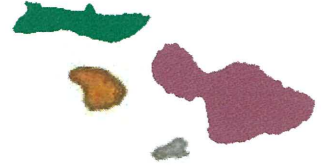
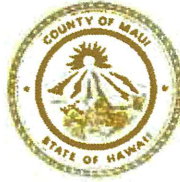


Melani G Abihai
Owner, Erlingayle Farms

RICHARD T. BISSEN, JR.
Mayor

JOSIAH NISHITA
Managing Director

LUANA I. MAHI
Director



OFFICE OF ECONOMIC DEVELOPMENT
COUNTY OF MAUI
200 SOUTH HIGH STREET
ONE MAIN PLAZA, SUITE 305
WAILUKU, HAWAII 96793
www.mauicounty.gov

March 4, 2024

Kali Watson, Chairman
Hawaiian Homes Commission
P.O. Box 1879
Honolulu, HI 96805
kali.watson@hawaii.gov

Aloha mai kua e Kali,

On behalf of my entity, I am writing this letter of support for Pa‘upena Community Development Inc. in its quest for a long-term license to Kula homelands acreage. Pa‘upena Community Development corporation, or CDC, is an IRS 501(c)(3) nonprofit incorporated Nov. 29, 2016, in Upcountry Maui. Its mission is to provide resources, training and advocacy to empower fellow Hawaiian Homes Commission Act federal-trust beneficiaries to build homes and self-sufficient communities.

At the March 18 Hawaiian Homes Commission meeting at the Lahaina Civic Center, Pa‘upena CDC will seek approval for a 20-year license to a 127-acre Kēōkea-Waiohuli homelands parcel. On the acreage, the nonprofit aims to train Hawaiian Homes beneficiaries, especially ‘opio, via community-based programs in farm fencing, agroforestry, crop cultivation and livestock grazing.

In conclusion, I welcome this opportunity to present a support letter for Pa‘upena CDC to manage a 127-acre Upcountry homelands parcel. The CDC’s proposed training programs will capacitate Hawaiian Homes beneficiaries, enhance community sustainability and strengthen the Lahui.

Me ke aloha,

A handwritten signature in blue ink that reads "Luana Mahi".

Luana Mahi
Director of the Office of Economic Development
2200 Main Street, Suite 300
C: (808) 298-2154 / O: (808) 270-7224
Email: luana.i.mahi@mauicounty.gov



A Program of the University of Hawai'i at Hilo. Funded in part through a Cooperative Agreement with the U.S. Small Business Administration

Lead Office
Hilo, Hawai'i

East Hawai'i Center
Hilo, Hawai'i

West Hawai'i Center
Kailua Kona, Hawai'i

Maui Center
Kihei, Hawai'i

Oahu Center
Honolulu, Hawai'i

Kaua'i Center
Lihue, Hawai'i

Hawai'i Business Research Library
Kihei, Hawai'i

March 1, 2024

Ms. Shelly Carreira
Maui Land Agent
Land Management Division
Department of Hawaiian Home Lands
91-5420 Kapolei Parkway
Kapolei, Hawai'i 96707
Email: shelly.p.carreira@hawaii.gov

Aloha Ms Shelly Carreira,

On behalf of the Maui Center of the Hawai'i Small Business Development Centers (HiSBDC), I am writing this letter of support for Pa'upena Community Development Inc. (CDC) in its quest for a long-term license to Kula homelands acreage and it's mission is to provide resources, training and advocacy to empower fellow Hawaiian Homes Commission Act federal-trust beneficiaries to build homes and self-sufficient communities.

Hawai'i Small Business Development Center (HiSBDC), established in 1990, provides professional business advice, research and training to business owners and new entrepreneurs in order to promote growth, innovation, productivity and economic development for the State of Hawai'i. To accomplish these objectives, we link federal, state and local resources, the educational community and the private sector to meet the needs of Hawai'i's businesses.

At the March 18 Hawaiian Homes Commission meeting at the Lahaina Civic Center, Pa'upena CDC will seek approval for a 20-year license to a 127-acre Kēōkea-Waiohuli homelands parcel. On the acreage, the nonprofit aims to train Hawaiian Homes beneficiaries, especially 'opio, via community-based programs in farm fencing, agroforestry, crop cultivation and livestock grazing.

The HiSBDC offers this support letter for Pa'upena CDC to manage a 127-acre Upcountry homelands parcel. The CDC's proposed training programs will empower Hawaiian Homes beneficiaries, enhance community sustainability and strengthen na Lāhui.

Sincerely,

A handwritten signature in blue ink that reads "Wayne Wong".

Wayne Wong
Hawai'i SBDC, Maui Center Director
wayne.wong@hisbdc.org

MAUI CENTER

590 Lipoa Pkwy, Suite 264 Kihei, HI 96753-6913
TEL: (808) 875-5990 · FAX: (808) 875-5989 · www.hisbdc.org
An Equal Opportunity Employer

Paukūkalo Hawaiian Homes Community Association, Inc.

March 1, 2024

Ms. Shelly Carreira
Maui Land Agent
Land Management Division
Department of Hawaiian Home Lands
91-5420 Kapolei Parkway
Kapolei, Hawai'i 96707
Email: shelly.p.carreira@hawaii.gov

Aloha mai kua e Shelly,

On behalf of my entity, I am writing this letter of support for Pa'upena Community Development Inc. in its quest for a long-term license to Kula homelands acreage.

Pa'upena Community Development corporation, or CDC, is an IRS 501(c)(3) nonprofit incorporated on November 29, 2016, in Upcountry Maui. Its mission is to provide resources, training and advocacy to empower fellow Hawaiian Homes Commission Act federal-trust beneficiaries to build homes and self-sufficient communities.

At the March 18 Hawaiian Homes Commission meeting at the Lahaina Civic Center, Pa'upena CDC will seek approval for a 20-year license to a 127-acre Kēōkea-Waiohuli homelands parcel. On the acreage, the nonprofit aims to train Hawaiian Homes beneficiaries, especially 'opio, via community-based programs in farm fencing, agroforestry, crop cultivation, and livestock grazing.

My entity is Paukūkalo Hawaiian Homes Community Association, Inc., the oldest Hawaiian Homestead on Maui, incorporated as a nonprofit in 1971.

In conclusion, I welcome this opportunity to present a support letter for Pa'upena CDC to manage a 127-acre Upcountry homelands parcel. The CDC's proposed training programs will capacitate Hawaiian Homes beneficiaries, enhance community sustainability, and strengthen the lahui.

Sincerely,



Janice Herrick
Treasurer
Paukūkalo Hawaiian Homes Community Association, Inc.



March 6, 2024

Hawaiian Homes Commission
Chairman Kali Watson
Department of Hawaiian Home Lands
91-5420 Kapolei Parkway
Kapolei, Hawai'i 96707
Telephone (808) 620-9459
Email: DHHL.callcenter@hawaii.gov

Aloha mai kaula e Chairman Watson,

On behalf of the Hawaii Agritourism Association, I am writing this letter of support for Pa'upena Community Development Inc. in its quest for a long-term license to Kula homelands acreage.

Pa'upena Community Development corporation, or CDC, is an IRS 501(c)(3) nonprofit incorporated Nov. 29, 2016, in Upcountry Maui. Its mission is to provide resources, training and advocacy to empower fellow Hawaiian Homes Commission Act federal-trust beneficiaries to build homes and self-sufficient communities.

At the March 18 Hawaiian Homes Commission meeting at the Lahaina Civic Center, Pa'upena CDC will seek approval for a 20-year license to a 127-acre Kēōkea-Waiohuli homelands parcel. On the acreage, the nonprofit aims to train Hawaiian Homes beneficiaries, especially 'opio, via community-based programs in farm fencing, agroforestry, crop cultivation and livestock grazing.

Hawaii Agritourism Association's mission to create opportunities that build economic and community development through agricultural tourism and place-based values, align with this project.

In conclusion, I welcome this opportunity to present a support letter for Pa'upena CDC to manage a 127-acre Upcountry homelands parcel. The CDC's proposed training programs will capacitate Hawaiian Homes beneficiaries, enhance community sustainability and strengthen the lahui.

Me ke aloha,

Kapiolani Weigert
Director
Hawaii Agritourism Association
lani@hiagtourism.org



The Senate
Ka 'Aha Kenekoa

STATE CAPITOL
HONOLULU, HAWAII 96813

March 8, 2024

Mr. Kali Watson
Chairman
Hawaiian Homes Commission 91-5420 Kapolei Parkway
Kapolei, Hawai'i 96707
Telephone (808) 620-9500
Email: DHHL.callcenter@hawaii.gov

Subject: Support for Pa'upena Community Development Inc. in its quest for a long-term license to Kula homelands acreage.

Dear Chairman Watson,

As the Senator for Senate District 7 (Hana, East & UpCountry Maui, Moloka'i, Lana'i, Kaho'olawe and Molokini) I am writing this letter of support for Pa'upena Community Development Inc. in its quest for a long-term license to Kula homelands acreage.

Pa'upena Community Development corporation, or CDC, is an IRS 501(c)(3) nonprofit incorporated Nov. 29, 2016, in Upcountry Maui. Its mission is to provide resources, training and advocacy to empower Hawaiian Homes Commission Act federal-trust beneficiaries to build homes and self-sufficient communities.

At the March 18 Hawaiian Homes Commission meeting at the Lahaina Civic Center, Pa'upena CDC will seek approval for a 20-year license to a 127-acre Kēōkea-Waiohuli homelands parcel. On the acreage, the nonprofit aims to train Hawaiian Homes beneficiaries, especially 'opio, via community-based programs in farm fencing, agroforestry, crop cultivation, livestock grazing, and adaptive reuse of documented archaeological treasures, such as agricultural terraces and animal pens.

I believe Pa'upena CDC's plan to manage a 127-acre Upcountry homelands parcel with proposed training programs will provide greater opportunities to our Hawaiian Homes beneficiaries, enhance community sustainability and strengthen the lahui.

March 8, 2024
Page 2 of 2

If you would like to speak with me about my support for their request, please feel free to contact my office at (808)587-7225.

Respectfully with Aloha,



Lynn DeCoite
Hawaii State Senate
7th District

Senator Lynn DeCoite
Assistant Majority Floor Leader

District 7: Makawao (Sprecklesville, Pukalani, Makawao, Olinda, Pulehu, Kula, Waiohuli, Keokea, Ulupalakua, portion of Keoneoio, Paia, Lower Paia, Haiku, Pauwela, Ulumalu, Huelo, Kailua), Wailuku (portion of Kahului), Hana (Keanae, Wailua, Nahiku, Hana, Hokuula, Hamoa, Puuki, Haou, Muolea, Kipahulu, Kaupo); Islands of Kaho'olawe, Molokini, Lana'i, Moloka'i

State Capitol, Room 230, Honolulu, HI 96813

Phone: (808) 587-7225 Fax: (808) 587-7230

Email Address: sendecoite@capitol.hawaii.gov

Kahikinui Hawaiian Homestead Association
Post Office Box 700
Makawao, Hawai'i 96768
Cellphone/text (808) 446-4171
Email: dhelekunihi@yahoo.com
March 8, 2024

Mr. Kali Watson
Chairman
Hawaiian Homes Commission
91-5420 Kapolei Parkway
Kapolei, Hawai'i 96707
Telephone (808) 620-9500
Email: DHHL.callcenter@hawaii.gov

Aloha mai kua e Chairman Watson,

On behalf of the Kahikinui Hawaiian Homestead Association, I am writing this letter of support for Pa'upena Community Development Inc. in its effort to secure a long-term license to Kula homelands acreage.

Pa'upena Community Development corporation, or CDC, is an IRS 501(c)(3) nonprofit incorporated Nov. 29, 2016, in Upcountry Maui. Its mission is to provide resources, training and advocacy to empower fellow Hawaiian Homes Commission Act federal-trust beneficiaries to build homes and self-sufficient communities.

At the March 18 Hawaiian Homes Commission meeting at the Lahaina Civic Center, Pa'upena CDC will seek approval for a 20-year license to a 127-acre Kēōkea-Waiohuli homelands parcel. On the acreage, the nonprofit aims to train Hawaiian Homes beneficiaries, especially 'opio, via community-based programs. These initiatives will encompass farm fencing, agroforestry, crop cultivation, livestock grazing, and adaptive reuse of documented archaeological treasures, such as agricultural terraces and animal pens.

The Kahikinui Hawaiian Homestead Association was incorporated in February 2020, and represents all 99 Kahikinui resident/nonresident lessees and 623 Maui pastoral waitlisters. The organization is a U.S. Department of the Interior-registered Homestead Beneficiary Association.

I am pleased to present this support letter for Pa'upena CDC to manage a 127-acre Upcountry Maui homelands parcel. The CDC's proposed training programs will capacitate Hawaiian Homes beneficiaries, enhance community sustainability and strengthen the lahui.

Me ka 'onipa'a kakou,



Donna Kealaponi Brandl Sterling
Founding President
Kahikinui Hawaiian Homestead Association

Hui 'Ulu Ola O Maui
525 South Kamehameha Avenue
Kahului, Hawai'i 96742
Cellphone/text (808) 446-5637
Email: leihuanani@gmail.com
March 8, 2024

Mr. Kali Watson
Chairman
Hawaiian Homes Commission
91-5420 Kapolei Parkway
Kapolei, Hawai'i 96707
Telephone (808) 620-9500
Email: DHHL.callcenter@hawaii.gov

Aloha mai kua e Chairman Watson,

On behalf of the nonprofit Hui 'Ulu Ola O Maui, I am writing this letter of support for Pa'upena Community Development Inc. in its quest for a long-term license to Kula homelands acreage.

Pa'upena Community Development corporation, or CDC, is an IRS 501(c)(3) nonprofit incorporated Nov. 29, 2016, in Upcountry Maui. Its mission is to provide resources, training and advocacy to empower fellow Hawaiian Homes Commission Act federal-trust beneficiaries to build homes and self-sufficient communities.

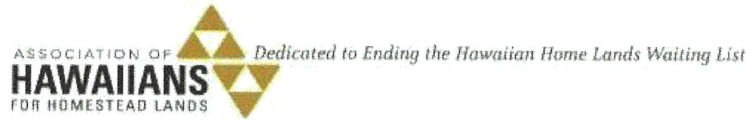
At the March 18 Hawaiian Homes Commission meeting at the Lahaina Civic Center, Pa'upena CDC will seek approval for a 20-year license to a 127-acre Kēōkea-Waiohuli homelands parcel. On the acreage, the nonprofit aims to train Hawaiian Homes beneficiaries, especially 'opio, via community-based programs in farm fencing, agroforestry, crop cultivation, livestock grazing, and adaptive reuse of documented archaeological treasures, such as agricultural terraces and animal pens.

Hui 'Ulu Ola O Maui is an IRS 501(c)(3) nonprofit dedicated to teaching everyone, particularly 'opio, how to cultivate and prepare nutritious breadfruit in 'ono soups, salads and entrees. Our motto is, "Grow an 'ulu tree, and you will never starve."

In conclusion, I welcome this opportunity to present a support letter for Pa'upena CDC to manage a 127-acre Upcountry homelands parcel. The CDC's proposed training programs will capacitate Hawaiian Homes beneficiaries, enhance community sustainability and strengthen the lahui.

Me ka 'onipa'a kakou,


Leihuanani Keali'inohomoku
President & CEO, Hui 'Ulu O Maui



1481 South King Street, Suite 448
Honolulu, Hawai'i 96814
Cellphone/text +1 (808) 419-8646
Email: ahhlwaitlist@gmail.com
March 8, 2024

Mr. Kali Watson
Chairman
Hawaiian Homes Commission
91-5420 Kapolei Parkway
Kapolei, Hawai'i 96707
Telephone (808) 620-9500
Email: DHHL.callcenter@hawaii.gov

Aloha mai kua e Chairman Watson,

On behalf of the Association of Hawaiians for Homestead Lands, or AHHL, I am writing this letter of support for Pa'upena Community Development Inc. in its quest for a long-term license to Kula homelands acreage.

Pa'upena Community Development corporation, or CDC, is an IRS 501(c)(3) nonprofit incorporated Nov. 29, 2016, in Upcountry Maui. Its mission is to provide resources, training and advocacy to empower fellow Hawaiian Homes Commission Act federal-trust beneficiaries to build homes and self-sufficient communities.

At the March 18 Hawaiian Homes Commission meeting at the Lahaina Civic Center, Pa'upena CDC will seek approval for a 20-year license to a 127-acre Kēōkea-Waiohuli homelands parcel. On the acreage, the nonprofit aims to train Hawaiian Homes beneficiaries, especially 'opio, via community-based programs in farm fencing, agroforestry, crop cultivation, livestock grazing, and adaptive reuse of documented archaeological treasures, such as agricultural In conclusion, I welcome this opportunity to present a support letter for Pa'upena CDC to manage a 127-acre Upcountry homelands parcel. The CDC's proposed training programs will capacitate Hawaiian Homes beneficiaries, enhance community sustainability and strengthen the lahui.


Me ka 'onipa'a kakou,

Kainoa Lei MacDonald
Maui Director / Secretary
Association of Hawaiians for Homestead Lands

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 18-19, 2024

To: Chairman and Members, Hawaiian Homes Commission
From: Kali Watson, Chairman
From: Kalei Young, Supervising Land Agent 
Land Management Division
Subject: Approval to Issue Right of Entry Permit, E-Opala Corporation, Moanalua, Oahu
TMK No. (1) 1-1-064:031(p)

APPLICANT:
E-Opala Corporation

LOCATION:
Hawaiian Home Lands in Moanalua, Island of Oahu. TMK No. (1) 1-1-064:031
Address: 2627 Kilihau St, Honolulu, Hawaii (see exhibit "A" attached)

AREA:
Approximately 12,116 *sf* of warehouse & mezzanine space.

RECOMMENDED MOTION/ACTION: That the Hawaiian Homes Commission (HHC) authorize the issuance of a Right of Entry Permit to E-Opala Corporation (E-Opala) covering the subject area as identified and described to store & operate a computer recycling business on DHHL property in Moanalua, Oahu.

The approval to the issuance of this Right of Entry (ROE) shall be subject to the following conditions:

1. The Premises shall be used for industrial warehouse as permitted under the current City & County of Honolulu Zoning Code I-2, Intensive Industrial District. Permittee shall use the Premises to store used computer equipment, salvage parts and other related activities related to operating a computer recycling business. No other use shall be allowed without DHHL's prior written approval.
2. The monthly rental fee shall be \$2,116.00 per month, or \$25,392 annually. Permitter reserves the right to increase the permit fee upon renewal.
3. Permittee shall pay non-refundable processing and documentation fees totaling \$175.00.

4. Permittee is required to place a security deposit equal to two months permit fee of \$4,232.00. Permittee shall not earn any interest on the security deposit. If upon vacating the Premises and if permittee is in full compliance with the terms and conditions of the permit to be issued the security deposit shall be refund, less any amount deducted for non-compliance issue, if any.
5. This ROE shall conform to Federal, State, and County (government agencies) standards. Permittee shall obtain applicable permits and approvals from government agencies prior to the commencement of any work on the property that requires such permits and approvals. Any construction or alteration of the permit area shall require DHHL approval.
6. All utilities and waste removal services shall be paid for by E-Opala. Any repairs and maintenance of utility services shall be paid for by Permittee.
7. No residential use shall be permitted, including temporary overnight camping. However, if security services are required, Permittee is allowed to provide a shelter.
8. DHHL reserves the right to have E-Opala do an Environmental Assessment(EA) if Staff feels an EA is warranted.
9. The ROE document shall be subject to other standard terms and conditions of similar ROE's issued by DHHL.
10. Review and approval by the State of Hawaii, Department of the Attorney General; and
11. Such other terms and conditions deemed prudent and reasonable by the Chairman of the Hawaiian Homes Commission (HHC) and/or the HHC to serve the best interests of the trust and its Beneficiaries.

DISCUSSION:

Portions of the warehouse at 2627 Kilihau Place were voluntarily being vacated by the previous tenant under a month-to-month permit. To prevent homeless trespassers from vandalizing the building which may result in devaluation of the property, DHHL urgently sought a replacement tenant. This search was prioritized, because DHHL experienced a huge loss in property value at several of its vacant warehouses in the area. Those vacant warehouses were overrun by homeless/trespassers who stripped the buildings of the electrical wiring, plumbing, fixtures, and most of the building hardware (see exhibits "B" attached). The cost to correct the damage will be substantial. To prevent that from happening at 2627 Kilihau, DHHL contacted our consultant CBI Realty, who assisted us by finding a financially viable tenant to occupy the building immediately.

The goal is to prevent trespassing/vandalism and simultaneously bring in some revenue.

1. A review of E-Opala's financial records show that this business has a history of success, and is financially sound.

2. Allowing this tenant to occupy the property prevents trespassers from damaging/devaluing our property as well as generate a fair market income.

PLANNING AREA:

TMK No. (1) 1-1-064:031 (p), Moanalua, Oahu (See Exhibit “A”)

LAND USE DESIGNATION:

Industrial– see Oahu Island Plan (2014) handout_page. 1 (See Exhibit “A”)

CHARACTER OF USE:

City & County Zoning Code I-2 Intensive Industrial District

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Triggers:

Use of State Lands

Exemption Class No. & Description:

Exemption Class No. 1, “Operations, repairs or maintenance of existing structures, facilities, equipment... no expansion or change of use beyond that previously existed.”

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

DHHL General Plan (2002)

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

Land Use Planning

Goals:

- Utilize Hawaiian Home Lands for uses most appropriate to meet the needs and desires of the Beneficiary population.
- Develop livable, sustainable communities that provide space for or access to the amenities that serve the daily needs of its residents.

Objectives:

- Provide space for and designate a mixture of appropriate land uses, economic opportunities, and community services in a native Hawaiian-friendly environment.

Oahu Island Plan (2014)

The recommended disposition is consistent with the following elements of the Oahu Island Plan:

RECOMMENDATION:

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

O'AHU ISLAND PLAN
DEPARTMENT OF HAWAIIAN HOME LANDS

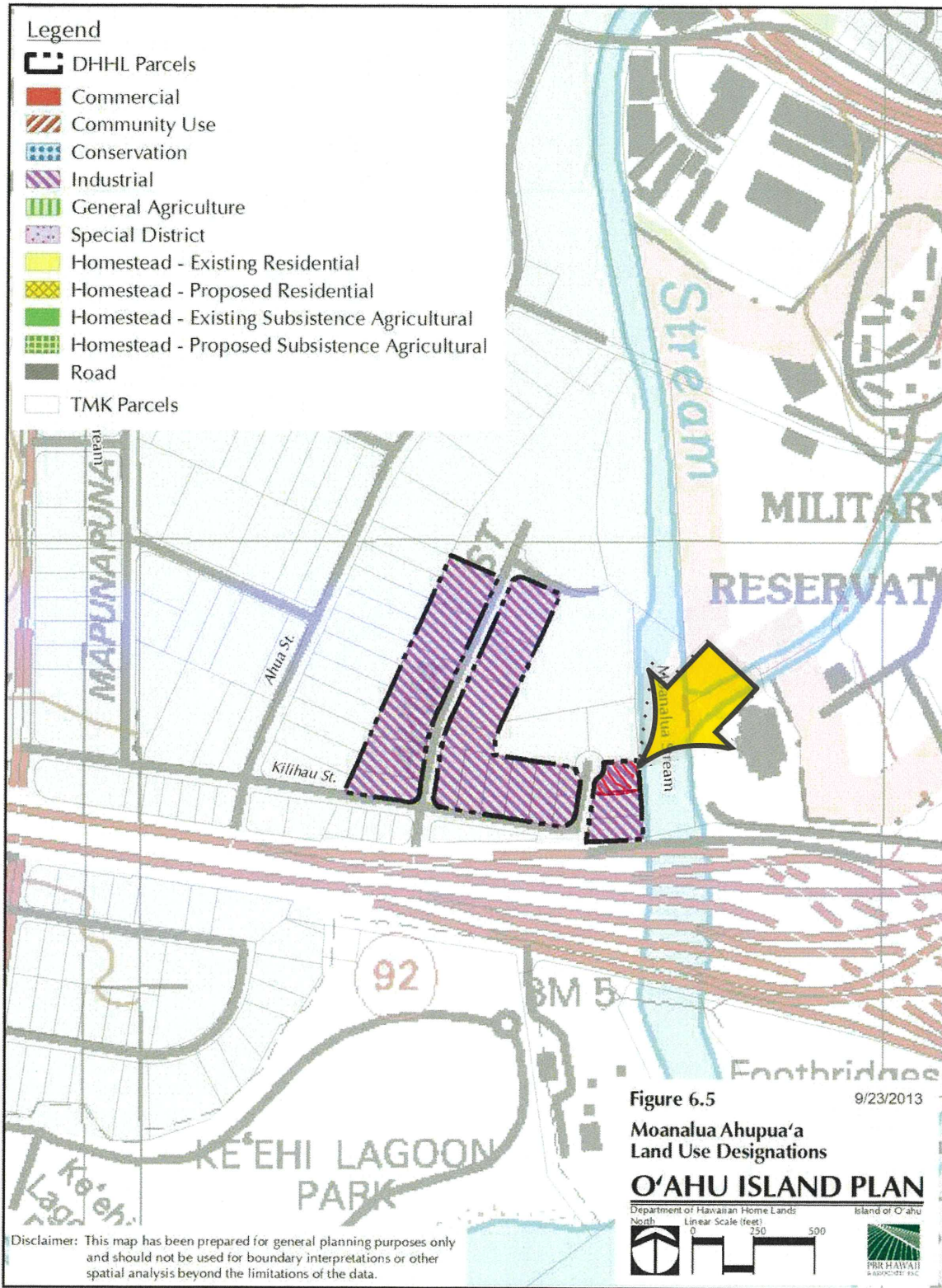


Figure 6-5 Moanalua Ahupua'a Land Use Designations



ITEM NO. F-2

EXHIBIT "B"




ITEM NO. F-2

EXHIBIT "B"

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

March 18-19, 2024

To: Chairman and Members, Hawaiian Homes Commission
From: Kali Watson, Chairman
From: Kalei Young, Supervising Land Agent 
Land Management Division
Subject: Approval to Issue Right of Entry Permit, All Island Trucking Inc., Kalaeloa, Oahu
TMK No. (1) 9-1-013:048(p)

APPLICANT:
All Island Trucking Inc.

LOCATION:
Hawaiian Home Lands in Kalaeloa, Island of Oahu. TMK No. (1) 9-1-013:048 (por)
(see exhibit "A" attached)

AREA:
Approximately 25,590 *sf* of asphalt yard space
Approximately 2,334 *sf* of open/lockable garage space
Approximately 2,188 *sf* of office space

RECOMMENDED MOTION/ACTION: That the Hawaiian Homes Commission (HHC) authorize the issuance of a Right-of-Entry Permit to All Island Trucking Inc. covering the subject area as identified and described to operate a trucking & hauling business on DHHL property in Kalaeloa, Oahu.

The approval to the issuance of this Right of Entry (ROE) shall be subject to the following conditions:

1. The Premises shall be used for industrial warehouse as permitted under the current City & County of Honolulu Zoning Code I-2, Intensive Industrial District. Permittee shall use the Premises operate a trucking and hauling business. No other use shall be allowed without DHHL's prior written approval.
2. The monthly rental fee shall be \$7,138.30 per month, or \$85,659.60 annually. Permitter reserves the right to increase the permit fee upon renewal.
3. Permittee shall pay non-refundable processing and documentation fees totaling \$175.00.

4. Permittee is required to place a security deposit equal to two months permit fee of \$14,276.00. Permittee shall not earn any interest on the security deposit. If upon vacating the Premises and if permittee is in full compliance with the terms and conditions of the permit to be issued the security deposit shall be refund, less any amount deducted for non-compliance issue, if any.
5. This ROE shall conform to Federal, State, and County (government agencies) standards. Permittee shall obtain applicable permits and approvals from government agencies prior to the commencement of any work on the property that requires such permits and approvals. Any construction or alteration of the permit area shall require DHHL approval.
6. All utilities and waste removal services shall be paid for by All Island Trucking. Any repairs and maintenance of utility services shall be paid for by Permittee.
7. Permittee shall, within 30 days of the start of this ROE, at its sole cost, modify the current fence at the corner of Monterey & Enterprise Streets (see exhibit "A" attached). to allow proper vision for divers making turns from Monterey onto Enterprise Street.
8. Permittee shall, within 60 days of the start of this ROE, at its sole cost, install meters for water & electricity. Permittee must contact Kalaeloa Water Company and Navy Facilities management in order to properly calibrate meter and arrange for direct billing.
9. No residential use shall be permitted, including temporary overnight camping. However, if security services are required, Permittee is allowed to provide a shelter.
10. DHHL reserves the right to have All Island Trucking Inc. do an Environmental Assessment (EA) if Staff feels an EA is warranted.
11. The ROE document shall be subject to other standard terms and conditions of similar ROE's issued by DHHL.
12. Review and approval by the State of Hawaii, Department of the Attorney General; and
13. Such other terms and conditions deemed prudent and reasonable by the Chairman of the Hawaiian Homes Commission (HHC) and/or the HHC to serve the best interests of the trust and its Beneficiaries.

DISCUSSION:

To prevent homeless trespassers from vandalizing this building in Kalaeloa, which may result in devaluation of the property, DHHL urgently sought a replacement tenant after the existing user vacated the premises. DHHL experienced a huge loss in property value at several of its vacant warehouses in Mapunapuna. Those vacant warehouses were overrun by homeless/trespassers who stripped the buildings of the electrical wiring, plumbing, fixtures, and most of the building hardware. The cost to correct the damage will be substantial.

All Island Trucking submitted a Land Request Form and submitted all the required information on the company. A terms and conditions letter was sent to All Island Trucking with the permit fee and standard terms of a month-to-month use of the subject premises. All Island acknowledges the letter and accepted the terms as listed.

1. A review of All Island Trucking's financial records show that this business has a history of success, and is financially sound.
2. Allowing this tenant to occupy the property prevents trespassers from damaging/devaluing our property as well as generate a fair market income.

PLANNING AREA:

TMK No. (1) 9-1-013:048 (p), Kalaeloa, Oahu (See Exhibit "A")

CHARACTER OF USE:

Industrial– see Oahu Island Plan (2014) (See Exhibit "B")

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Triggers: Use of State Lands

Exemption Class No. & Description:

Exemption Class No. 1, "Operations, repairs or maintenance of existing structures, facilities, equipment... no expansion or change of use beyond that previously existed."

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

DHHL General Plan (2002)

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

Land Use Planning

Goals:

- Utilize Hawaiian Home Lands for uses most appropriate to meet the needs and desires of the Beneficiary population.
- Develop livable, sustainable communities that provide space for or access to the amenities that serve the daily needs of its residents.

March 18-19, 2024

Objectives:

- Provide space for and designate a mixture of appropriate land uses, economic opportunities, and community services in a native Hawaiian-friendly environment.

Oahu Island Plan (2014)

The recommended disposition is consistent with the Oahu Island Plan.

RECOMMENDATION:

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

TMK 1-9-1-13-48
91-1077 ENTERPRISE AVE
9.72 ACRES

Land: 30,012 Sq Ft
Building 1: 2,234 Sq Ft
Building 2: 2,188 Sq Ft

Permittee will remove
THIS PORTION OF THE
FENCE AND REBUILD
IT TO ALLOW BETTER
VISION FOR DRIVERS
MOVING FROM MONTEREY ST
ONTO ENTERPRISE ST.

ITEM NO. F-3

EXHIBIT "A"

O'AHU ISLAND PLAN
DEPARTMENT OF HAWAIIAN HOME LANDS

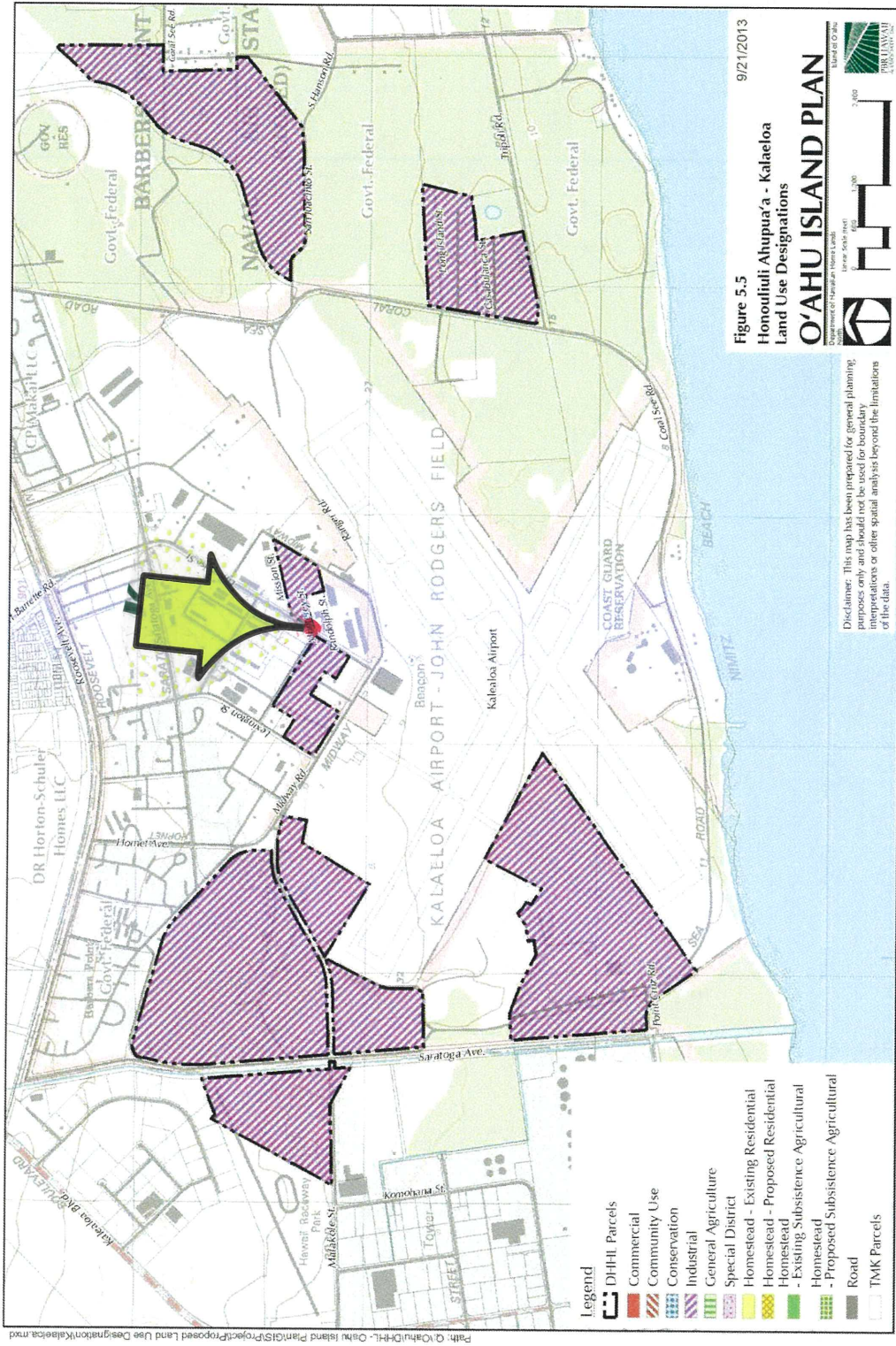



Figure 5-5 Honouliuli Ahupua'a - Kalaeloa Land Use Designations

**HAWAIIAN HOMES COMMISSION
MARCH 18 & 19, 2024**

**G – ITEMS
PLANNING OFFICE**

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 18-19, 2024

To: Chairman and Members, Hawaiian Homes Commission
Thru: Andrew Choy, Planning Program Manager
From: Julie-Ann Cachola, Planner, Maui Liaison 
Subject: Item G-4 For Information Only - Status Update on Plan
Implementation in West Maui

RECOMMENDED ACTION

None; For information only.

BACKGROUND/DISCUSSION

EXISTING LANDS, PLANS, AND IMPLEMENTATION STATUS

The Planning Office provides the HHC with a status report on prior plans for lands and homestead communities where the HHC conducts its monthly meeting. For this March 2024 update, I will provide a quick report on the plans that are moving forward. However, the bulk of this update will focus on a huge initiative that is just beginning that will affect all of our Maui lands and beneficiaries. It's a window of opportunity that only opens once every 20-years, and that is the opportunity to update our Maui Island Plan.

West Maui Development Update

We have completed our master planning work for our lands in West Maui. The DHHL Honokōwai Master Plan and Final Environmental Assessment was completed in 2022. The Final Environmental Assessment for DHHL's Villages of Leiali'i, Village 1-B Subdivision and Related Improvements, was completed in 2023. I will provide a quick summary of what we came up with to let the Commissioners and West Maui beneficiaries know what to expect.

Figure 1: DHHL Honokōwai Lands



- 777-acres
- Very close to the Kaʻanapali Airport
- A big gulch cuts divides the land into 2 parts.
- We have a lot of county infrastructure on and around our land, including the Mahinahina Water Treatment Plant, the Honokōwai Reservoir, and the Lahaina Wastewater Reclamation Facility.
- The last use of the land was monocrop, plantation agriculture, growing pineapple.

Table 1 presents the proposed land uses by acres and lots. Figure 1 on the following page presents the layout or arrangement of the proposed land uses.

Table 1: Honokōwai Proposed Land Uses

PROPOSED USES HONOKŌWAI		Number of Homes per Acre	Acres	Lots
HOMESTEAD	Subsistence Ag Lots @ 1-2 acres	1	342	252
	Single-Family Residential @ 7,500 sf	6	75	356
	Multi-Family Residential	15	37	573
	Supplemental Ag		14	0
COMMUNITY	Community Use: Ag		16	0
	Community Use: Park		28	0
	Community Use: Commercial		27	0
OTHER	Conservation: Gulches, Buffers		146	0
	Industrial		16	0
	Roads		58	0
	County Facilities		18	0
TOTAL ACRES AND LOTS			777	1,181
PROPOSED USES LEIALI'Ī 1B				
	Increment 1: Single-family homes @ 1,088 sf – 1,674 sf			86
	Increment 2: Single-family homes @ 1,088 sf – 1,674 sf			95
TOTAL ACRES AND LOTS			51	181
WEST MAUI GRAND TOTAL:			828	1,362

Leiali'i 1B is located west of Leiali'i 1A, above the Civic Center (see Figure 2). DHHL plans is to development 181 single-family homes on the 51-acre parcel. The project will be constructed in two increments. Increment 1 will consist of 86 single-family homes and Increment 2 will consist of 95 single-family homes, with home sizes ranging from 1,088 square feet to 1,674 square feet (see Figure 3).

In order to develop the proposed subdivision, the following offsite improvements are required:

- Development of two (2) new offsite retention basins mauka of Village 1-B, on lands owned by HHFDC
- Adjustment of the outlet drainage pipes in the existing retention basin mauka of Village 1-A, on lands owned by HHFDC, and enlargement of the basin
- Grading and development of drainage interceptor ditches mauka of Village 1-B, on lands owned by HHFDC

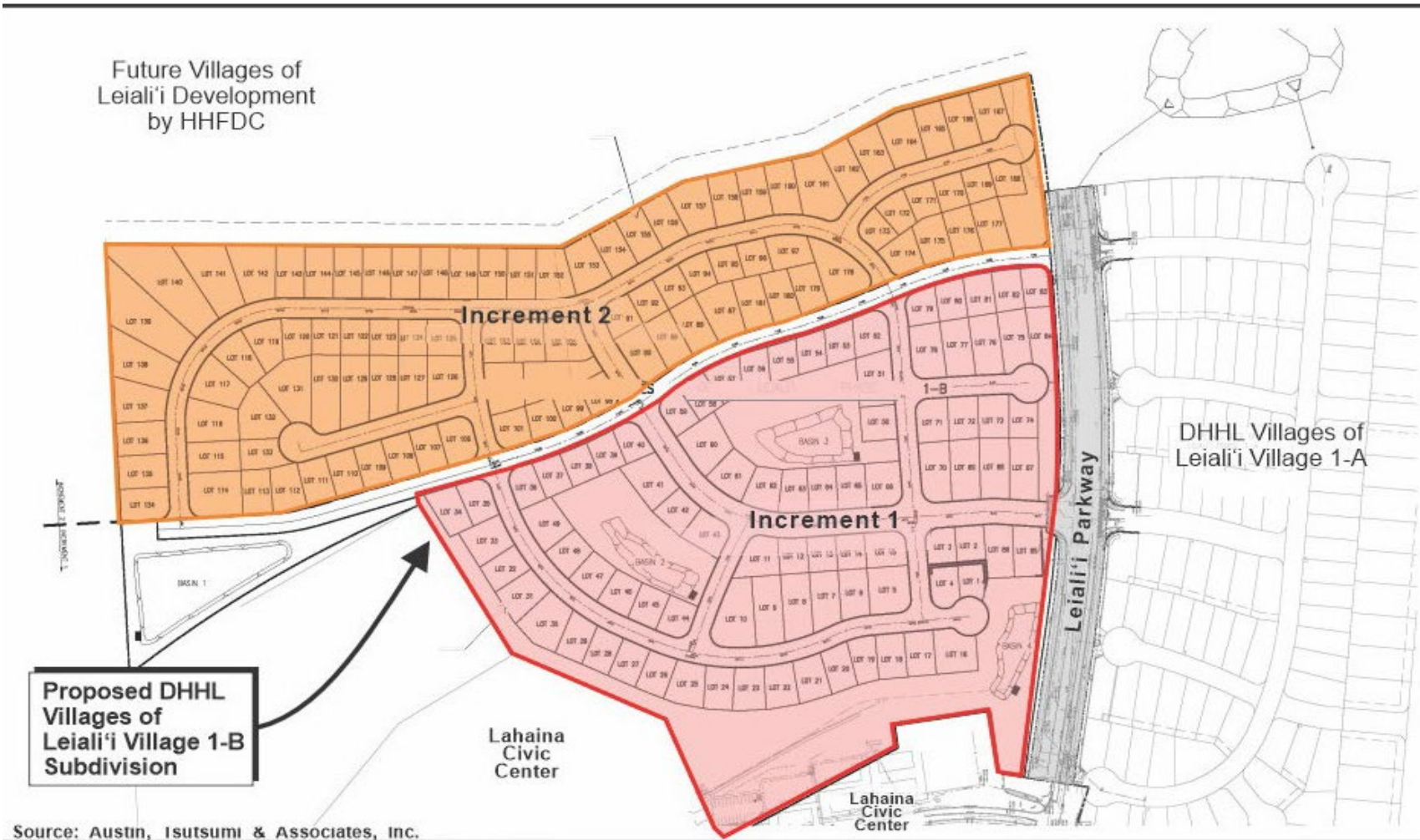
FIGURE 1: HONOKŌWAI MASTER PLAN



FIGURE 2: LEIALI'I 1B



FIGURE 3: LEIALI'I 1B SUBDIVISION PLAN BY INCREMENT



- Roadway improvements to Leiali'i Parkway and Honoapi'ilani Highway
- Roadway repairs to existing portions of Leiali'i Parkway

When development plans are completed, they go to the Land Development Division—and they are the ones that put things on the ground. They plan and design the “backbone” infrastructure—the roads, they manage drainage of water, they secure a water source which will always require a plan for transmission of the water, and then distribution to the lots. They develop utility corridors where electric, cable/phone, gas lines, water meters, where all of these ‘life lines’ are put in for you. There is a lot of time and money that goes into preparing each lot, which on Maui, can range from \$200,000 per lot to \$375,000 per lot! That does not include any vertical construction; it doesn't include the house. And beneficiaries should know that the Department never recoups that money. That is the kind of investment that is required for every lot and that is why we are always looking to secure funds or develop partnerships which can lessen the costs to prepare each lot.

The Planning Office usually provides updates on our regional plans, however, the Leiali'i-Honokōwai Regional Plan was developed in 2009, 15 years ago and like our Maui Island, is due for an update.

Of course, our attention since August 2023 has been focused on efforts to provide housing for those who lost their homes in the fire. At this point in time, FEMA is developing housing and the State Department of Human Services is providing transitional housing units for those that are ineligible for FEMA assistance. DHHL had been in discussions with HHFDC to secure additional lands mauka of Leiali'i 1A, however, those plans have been postponed in order to allow DHS to develop transitional housing units that will house fire victims when hotel support ends, up until the time that a permanent housing solution is constructed, which is estimated to be between 3 to 5 years.

As you know, there were only 2 lessees who had their homes destroyed in the wildfire, however, when we compared our beneficiary addresses against the County's list of addresses that were destroyed in the fire, we found that there were 52 applicants who were living in homes that were destroyed by the fire. In addition to the 2 lessees whose homes were destroyed, we also found that there were 3 lessees whose mailing address was to a home destroyed by the fire.

DHHL's Planning System

In order to "rehabilitate" native Hawaiians, the HHCA provided the Department with a land base and it gave the Hawaiian Homes Commission exclusive authority over that land base. To ensure that the Commission's decisions on the use of trust lands are coordinated and further our mission of rehabilitating native Hawaiian beneficiaries, in 2018, the Department's Administrative Rules were amended to codify DHHL's Planning System. The Administrative Rules defines a hierarchy of plans starting from DHHL's General Plan that provides a long-range vision and goals, all the way down to DHHL's Regional Plans, which identify specific initiatives and projects in each of our homestead communities.

A critical part of the Planning System is our land use framework, because it explains how we categorize our lands—how we look at developing the trust lands. In DHHL's Planning System, the General Plan establishes the Land Use Designations; it identifies how we categorize our lands. But the assigning of the Land Use Designations to specific parcels of land is done in the Island Plans. The DHHL/HHC is the only landowner in the State of Hawai'i that has the power and authority to 'zone' its own lands and to define the land use 'zones.'

Island plans are important because it is the document that takes the long-term Vision, our Guiding Principles (our key values), and the broad goals and policies articulated in the General Plan and makes the connection to the land. Island Plans look at each parcel of land on the island and determines how that parcel should be used in order to achieve our goals. While Land Use Designations may be amended by the HHC when development plans are created, the Island Plans have a 20-year timeframe, which means that our Land Use Designations continue to guide land use decisions over the 20-year planning horizon.

The Maui Island Plan Update

The purpose of each DHHL Island Plan is to:

- (1) Provide a comprehensive resource for planning and land management purposes;
- (2) Assign Land Use Designations 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 Maui Island Plan was adopted in 2004. It has provided land use guidance over the past 20 years, and it is time to update the Island Plan. The Planning Office is in the process of contracting a planning firm to assist in updating the Maui Island Plan. The update process will involve extensive outreach and involvement of beneficiaries residing on Maui. The update will have to incorporate many changes that occurred since the 2004 Maui Island Plan was published. The major changes that need to be addressed are discussed below.

New Land Use Designations

Now that the Administrative Rules require a uniform system of land use designations to be used for all DHHL lands and plans, the Island Plan update will have to consider several new Land Use Designations. Table 2 identifies the Homestead Land Use Designations and Non-Homestead Land Use Designations that were used in the 2004 Maui Island Plan, including the amount of land that was assigned to each designation. The new Land Use Designations have been added to the Table and are highlighted. In addition, "General Agriculture" is no longer a Land Use Designation, so it has been crossed out.

Table 2: 2004 Island Plan Land Use Designations

LAND USE DESIGNATIONS	ACRES	PERCENT
<i>Homestead Land Use Designations:</i>		
Residential	5,384	16.8%
Subsistence Ag	1,582	4.9%
Supplemental Ag	675	2.1%
Pastoral	233	0.7%
DHHL Kuleana		
<i>Non-Homestead Land Use Designations</i>		
Special District	15,485	48.4%
Conservation	7,513	23.5%
Community Use	190	0.6%
Commercial	195	0.6%
Industrial	115	0.4%
General Ag	599	1.9%
Stewardship		
Community Agriculture		
Renewable Energy		
MAUI ISLAND TOTAL:	31,971	100%

Highlighted = New Land Use Designation

As we look ahead to updating the Maui Island Plan, it is important for us to understand what kind of new land uses have been added to our Land Use Designation 'toolbox.' Table 3 identifies, for each new Land Use Designation, an explanation of the setting, intent and purpose of the particular Designation.

Table 3: Descriptions of New Land Use Designations

HOMESTEAD LAND USE DESIGNATIONS	
DHHL KULEANA	Raw land 'as is' (without infrastructure) for off-grid subsistence lifestyles. Must participate in homestead association and maintenance of the right-of-way to the Kuleana Homestead tract.
NON-HOMESTEAD LAND USE DESIGNATIONS	
STEWARDSHIP	Land not currently used for homesteading. Allow uses that maintain or enhance the value and condition of the land to the benefit of beneficiaries and the Trust. May serve as an interim use until opportunities for higher and better uses become available.
COMMUNITY AGRICULTURE	Common areas used for the cultivation of fruits, vegetables, plants, flowers, or herbs by multiple users. The land must be served by a water supply sufficient to support the cultivation practices used on the site.
RENEWABLE ENERGY	Lands suitable for siting projects for generation and transmission of renewable energy.

New Land Acquisitions

Since 2004, the Department has acquired new lands that have already expanded homestead opportunities in new areas. New acquisitions of land are closer to existing infrastructure and existing employment centers. These new land acquisitions need to be assessed during the Island Plan update process. Table 4 identifies the new land acquisitions since 2004.

Table 4: New Acquisition of Lands

NAME/AREA	ACRES	POTENTIAL LOTS
Pūlehunui North	104	None (commercial/ind)
Pu`uhona Waikapū	48	161
Wai`ehu Mauka	238	311
*Wailuku-Waikapū	148	207
*Kamalani-Kīhei	82	400
TOTALS	620	1,079

* Acquisition in progress.

New Topics/New Perspectives

There has been a lot of changes in our world since 2004 and I’m looking forward to taking a systematic view of our lands, and to plan our lands with a different lens. It’s clear that the next 20-years will be different from the last 20-years. We will make new assumptions, analyze different elements, and even when we are looking at the same land uses, perhaps we will prioritize them differently. I’m looking forward to rolling up my sleeves with our beneficiaries, to take this opportunity to plan for the future. Some of the topics that come from the General Plan Guiding Principles already set a different tone, as you can see in Table 5 below.

Table 5: General Plan Guiding Principles and New Points of Analysis

GUIDING PRINCIPLES (KEY VALUES)	ISSUE AND OPPORTUNITIES TO ADDRESS IN UPDATING MAUI’S ISLAND PLAN
Climate Change and Hazards	<ul style="list-style-type: none"> • Sea level rise • Climate change • Related hazards: flooding and sea level rise, increasing temperatures, heat waves, drought, rainfall, wildfires
Water Resources	<ul style="list-style-type: none"> • The right to priority use of water • The right to demand use of water from governmental lands • The right to use surplus water from private lands
Returning native Hawaiians to their lands for self-sufficiency	<ul style="list-style-type: none"> • In what ways can we restore our relationship with Trust lands and resources? • How do we ‘plant’ deeper connections to the

GUIDING PRINCIPLES (KEY VALUES)	ISSUE AND OPPORTUNITIES TO ADDRESS IN UPDATING MAUI'S ISLAND PLAN
and self-determination	land. Lineal descendants?
Legacy and Succession	<ul style="list-style-type: none"> • How can we share and pass down ancestral wisdom, cultural traditions and practices? • How do we ensure succession in perpetuity?
Homestead Choice and Diversity	<ul style="list-style-type: none"> • How do we meet diverse beneficiary needs and desires? • What are creative models, innovative ideas to get Hawaiians on the land. • How do we improve our health/prosperity? • How do we develop strong, interdependent communities?
Mālama 'Āina	<ul style="list-style-type: none"> • How can we cultivate resource managers, konohiki who understand how to ensure sustainable resources? • How can we promote traditional practices of resource management • How can beneficiaries help DHHL manage our lands so it can sustain future generations? • How do we promote stewardship? • Should we acquire lands to create more effective resource management 'units'? • How can we leverage our lands and our successful management of resources to extend to more lands and resources?
Economic Opportunity	<ul style="list-style-type: none"> • How can the Department support CBED; how can we reinvest in our beneficiaries and communities. • What are new concepts of economic development, new economies that are more consistent with our cultural values, that create win-win-win scenarios? • What kind of new economies can we create that generates revenue that sustains resource management?
Cultural Grounding and Education	<ul style="list-style-type: none"> • Embedded in our cultural knowledge and traditions are solutions that can restore our health, restore our environment, and re-establish expertise and shared kuleana to teach sustainable management. • Culture brings spirit to practice—how do we

GUIDING PRINCIPLES (KEY VALUES)	ISSUE AND OPPORTUNITIES TO ADDRESS IN UPDATING MAUI'S ISLAND PLAN
	facilitate—i.e., make it easier for beneficiaries to practice resource management?
Social and Physical Well-Being	<ul style="list-style-type: none"> • How do we move our beneficiaries out of survival mode into a thriving world where abundance overflows? • How do we maximize the use of our lands and resources to promote stability, physical well-being, communities of care, communities that thrive together, and provide the learning ground and forum to create future leaders, innovators, and 'expertise' in mea Hawai'i?

Recommendation

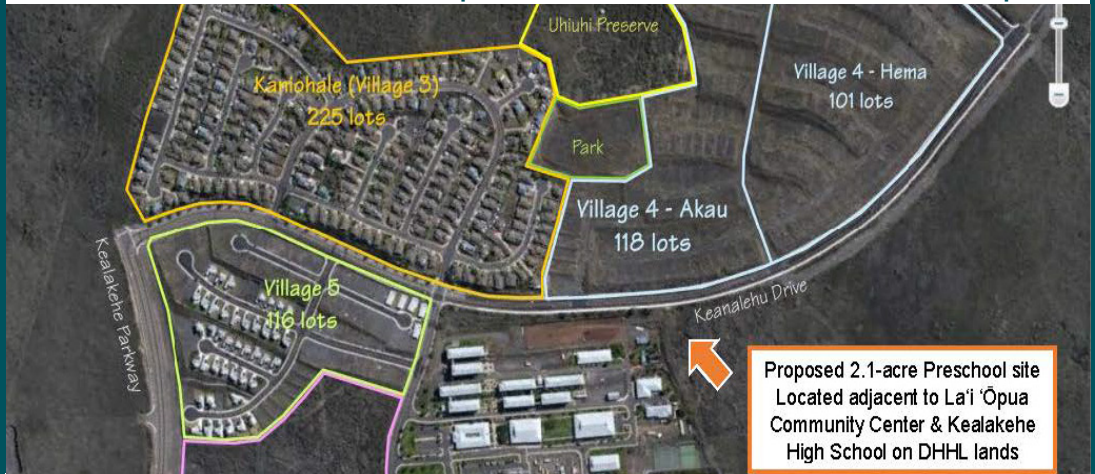
None; For Information Only

Commissioners are welcome to participate in our planning meetings to update the Maui Island Plan. Mahalo!



BENEFICIARY CONSULTATION VIRTUAL MEETING

La'i 'Ōpua CDC Preschool Land Use Request



This is Not an Awards Notice

dhl.hawaii.gov/po/hawaii-island

Beneficiary Consultation Virtual Meeting

La'i 'Ōpua CDC Preschool Land Use Request

Wednesday, January 31, 2024
6:00 p.m. to 7:30 p.m.

Meeting Purpose:

To gather beneficiary mana'ō regarding the organization's land use request to the Department in Kealakehe, Hawai'i.

Join the Virtual Meeting:

dohl.hawaii.gov/po/hawaii-island/

Questions? dohl.planning@hawaii.gov



DEPARTMENT OF HAWAIIAN HOME LANDS
P.O. BOX 1879 HON, HI 96805

PRESORTED
STANDARD
US POSTAGE PAID
HONOLULU, HI
PERMIT NO. 574



LA'I'ŌPUA PRESCHOOL
JANUARY 31 2024 PRESENTATION



CORPORATE PURPOSE

LCDC is organized for charitable purposes which promote the betterment of the community in the La'i'ōpua Community Development Corporation homestead region by establishing, implementing and managing charitable, religious, educational, and scientific programs which promote education, economic development, renewable energy, energy self sufficiency, health and human services, and housing.

MISSION STATEMENT

To advance and provide a refuge and a place of safety, a "Pu'uhonua" to include housing, health, social, educational and cultural programs and services for the health and betterment of Villages of La'i'ōpua Community Development Corporation Homestead Village Community and surrounding neighborhoods"

OUR COMMITMENT TO COMMUNITY

We celebrate the legacy and impact that quality educational experiences present for communities. When keiki grow and succeed, communities thrive.

Our dedicated team understands your commitment to developing inquisitive, creative, confident, and compassionate individuals. We recognize that La'i ōpua community comprises dynamic backgrounds and compelling life stories.

The proposed La'i ōpua CDC preschool development is a "phased project" programmed to accommodate a total of 108 students and approximately 14 staff members. There will be 3 three-year-old classes each with 16 children and 3 staff members and 3 four-year-old classes each with 20 children and 3 staff members. The administration offices would accommodate two staff members. La'i ōpua CDC submitted its DHHL Right of Entry (ROE) application to initiate the La'i ōpua Community Preschool Development.

PROCESS AND APPROACH

Hawai'i is a melting pot of people and cultures. We reflect that diversity in our designers and designs, and we view the integration of culture as an essential part of the design process. Our collaborative approach engages experience, research, and integrated educational processes to tell the story of La'i ōpua's mission.

We believe that appreciating sense-of-place in Hawai'i begins with respect for your neighborhood, your traditions, and a deep understanding of your unique needs and goals.

Through public outreach and engagement effort, our team will work diligently to keep a positive focus on the project and ensure sure all voices are heard.

EXPERTS IN EDUCATIONAL SPACES

By working together to craft places and spaces for diverse, engaging, and resilient school environments, we shape experiences that encourage student growth and build a stronger community.



TEAM ORGANIZATIONAL CHART

VISIONARIES

**Executive Director,
La'i'opua CDC**
Bo Kahui

**President,
La'i'opua CDC**
Samuel Walker, Sr.

AHL TEAM

Principal-in-Charge
Terry McFarland, AIA, LEED AP

Principal
Dan Sullivan, AIA

Project Manager/Architect
Arthur "Arttie" Watrous, AIA, LEED AP

Project Designer
Ina Wong, AIA, NCARB, LEED AP

Senior Interior Designer
Sara Belczak, IIDA, NCIDQ

CONSULTANT TEAM

Design-Assist Contractor
HHB, Inc. + E.M. Rivera & Sons

Civil Engineering
RM Towill Corporation

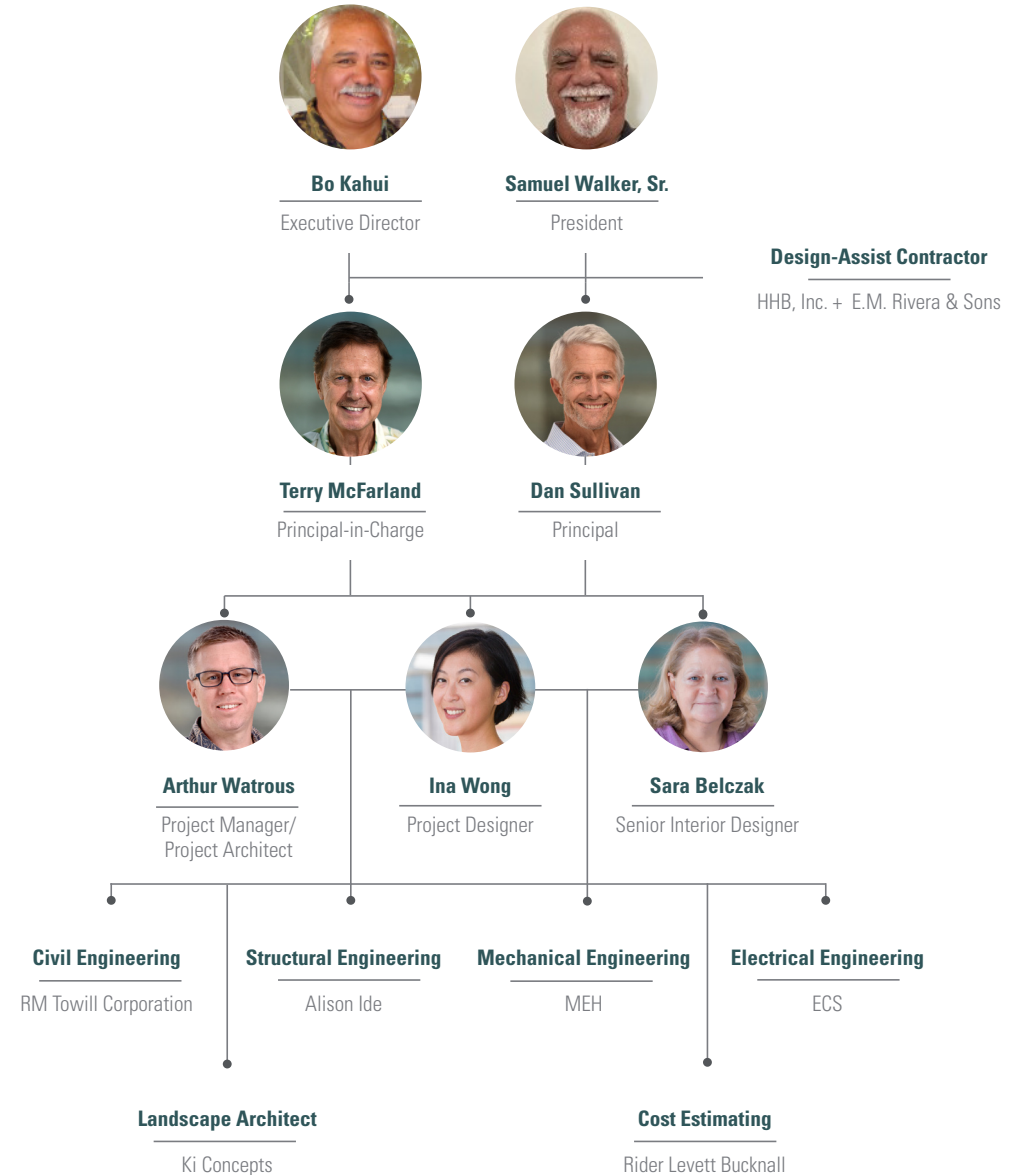
Structural Engineering
Alison Ide

Mechanical Engineering
MEH

Electrical Engineering
ECS

Landscape Architect
Ki Concepts

Cost Estimating
Rider Levett Bucknall



SELECTED HAWAI'I ISLAND EXPERIENCE

Our project teams are accustomed to inter-island travel as we see personal meetings and physical site visits as crucial components of our design practice. Though we are located in Honolulu, we understand the necessity of in-person oversight during all project phases to ensure timely service that meets your project schedule and goals. Listed below are examples of our project experience on Hawai'i Island.

Kamehameha Schools Keku'iapoiwa Learning Center

Kea'au, HI

West Hawai'i Prosecuting Attorney's Office

Kailua-Kona, HI

USGS Hawai'i Volcano Observatory

Hawai'i Volcanoes National Park, HI

USGS Pacific Island Ecosystem Research Center

Hilo, HI

Nanihoa Surf Hotel

Hilo, HI

Yukio Okutsu Veteran's Home

Hilo, HI

Hilo Medical Center, Various Projects and Renovations

Hilo, HI

Safeway Hilo

Hilo, HI

Hawaii County Building Renovation

Hilo, HI

Volcano Golf & Country Club

Volcano, HI

Mauna Kea Beach Hotel Renovation

Waimea, HI

Niumalu Marketplace

Kailua-Kona, HI

North Hawai'i Community Hospital Emergency Department Renovation

Kamuela, HI

Keahuolu Courthouse

Kailua-Kona, HI

Waikoloa Luxury Cinemas

Waikoloa Village, HI

The Shops at Mauna Lani

Waimea, HI

CVS Longs, Various Projects

Hilo / Kea'au / Kona, HI

Safeway Kailua-Kona

Ka'anapali, Maui, HI

Kona Surf Resort

Kona, HI

Waikoloa Beach Marriott & Outrigger Resort

Waikoloa, HI

Kona Community Hospital

Kona, HI

Straub Kona Family Health Center

Kona, HI



West Hawai'i Prosecuting Attorney's Office



USGS Hawai'i Volcano Observatory



Kamehameha Schools Keku'iapoiva Learning Center Renovation
Big Island Campus, Kea'au, HI, Big Island, Hawai'i

- *Ho'ohuli Award Winner, 2019*
- *Library and Learning Center*
- *2 Classrooms*
- *2 Meeting Spaces*
- *Cafe*



St. Andrew's Schools Queen Emma Preschool & Masterplan
Honolulu, O'ahu, Hawai'i

- *property condition assessment*
- *workshop facilitation,*
- *solution exploration & recommendations*
- *development of solutions*
- *facility improvements that ranged from maintenance*



Kroc Center Hawai'i Renovations
Ewa Beach, O'ahu, Hawai'i

- *Community Center*
- *Child Watch Room*
- *Storage Facility*
- *Cafe*
- *Fitness Center*
- *Gymnasium*



St. Andrew's Schools Art Studio
Honolulu, O'ahu, Hawai'i

- *Pro Bono Services*
- *Education Campus*
- *1000 SF*
- *conversion of a 1954 shower house, used most recently for storage, into an art facility*

ITEM G-1 EXHIBIT C

Our project teams are accustomed to inter-island travel as we see personal meetings and physical site visits as crucial components of our design practice. Though we are located in Honolulu, we understand the necessity of in-person oversight during all project phases to ensure timely service that meets your project schedule and goals. Listed below are examples of our project experience on Hawai'i Island.

Kamehameha Schools Keku'iapoiva Learning Center
Kea'au, HI

West Hawai'i Prosecuting Attorney's Office
Kailua-Kona, HI

USGS Hawai'i Volcano Observatory
Hawai'i Volcanoes National Park, HI



West Hawai'i Prosecuting Attorney's Office



USGS Hawai'i Volcano Observatory

STATEMENT OF WORK AND TIMELINE

I. OVERVIEW

La'i'opua Community Development Corporation is proposing to develop a preschool adjacent to Kealakehe High School to benefit the surrounding La'i'opua community. This scope of work describes the proposed comprehensive Architectural services for the conceptual Master Planning of the site based on existing drawings and future program requirements for the chosen vacant site in Kailua-Kona, Hawai'i.

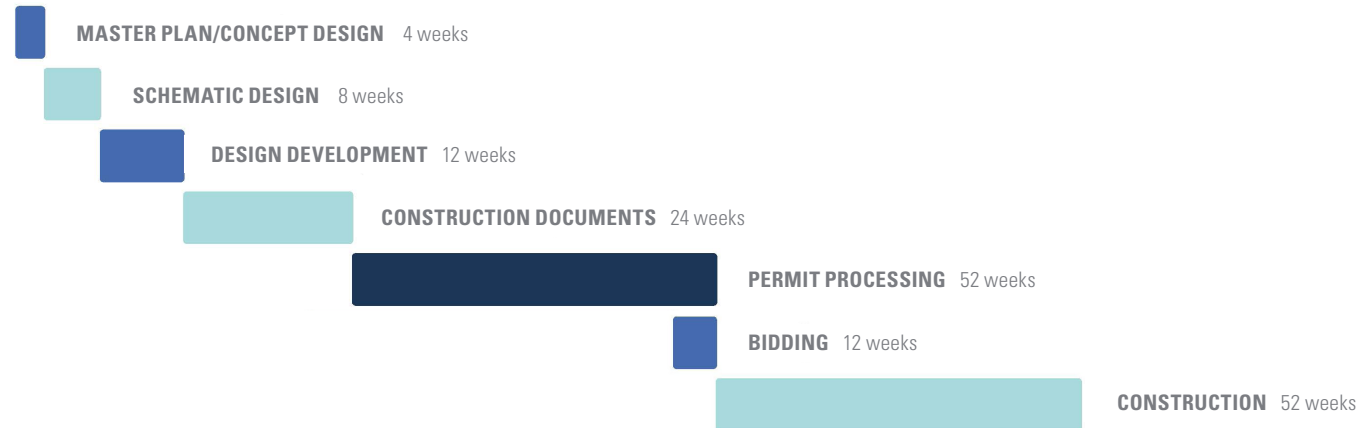
The project scope includes the review of the space and site plans as noted in the May 2011 Report entitled Kamehameha Schools La'i'opua Preschool Site Feasibility Study, Site Selection and Site Development Studies, to determine current feasibility of this design and to Master Plan future needs of the residents of the La'i'opua community.

The proposed Master Planning and Concept design shall be located on a site identified in the above mentioned report as "Alternative Site 3", a portion of T.M.K (3)7-4-021:003 which is approximately 2.069 Acres.

Program requirements from the 2011 report included six classrooms and space for administrative staff consisting of:

1. One Building each for 3-year-olds and 4-year-olds, with integrated meeting rooms and offices.
2. A central courtyard and dedicated play spaces by age.
3. Proposed parking as required by code, used in tandem with adjacent parking at the community park.
4. Administrative space.

The AHL fee and Master Plan solution shall be based on these requirements and include future expansion opportunities.



ESTIMATED TOTAL PROJECT TIME 3 YEARS

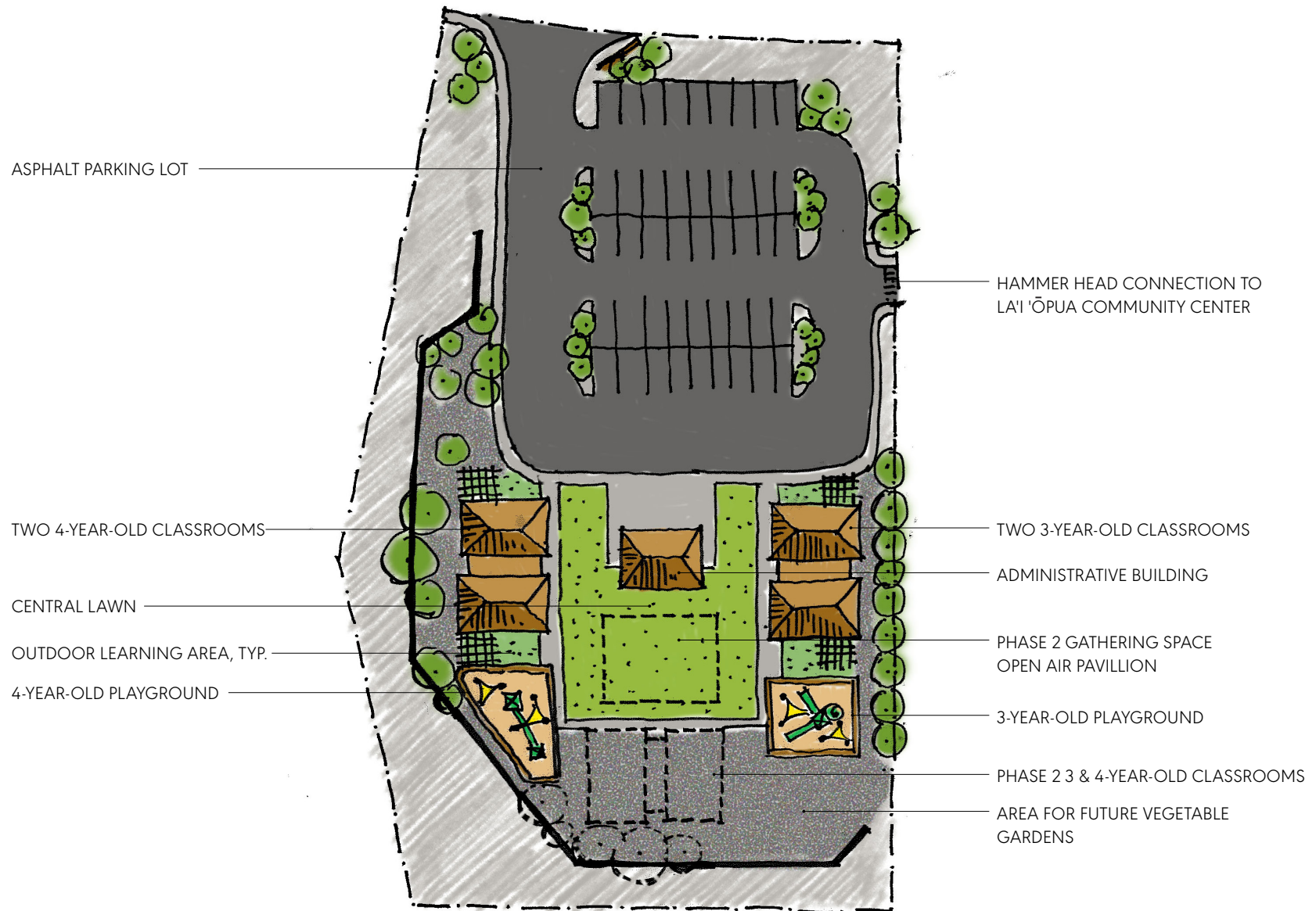
ROUGH ORDER OF MAGNITUDE BUDGET

Full Budget	Phase 1: Project Completion Winter 2026			Phase 2: Project Completion Summer 2029		
Site Work		Cost/Acre	Total			
Parking, Utilities, Landscape		\$ 675,000	\$ 1,350,000			
Playground Equipment		\$ 50,000	\$ 100,000			
Classrooms	SF	Cost/SF	Total	SF	Cost/SF	Total
Type A - 3 Year Olds	1000	850	\$ 850,000			
Type B - 3 Year Olds	1000	850	\$ 850,000			
Type C - 3 Year Olds				1000	850	\$ 850,000
Type D - 4 Year Olds	1000	850	\$ 850,000			
Type E - 4 Year Olds	1000	850	\$ 850,000			
Type F - 4 Year Olds				1000	850	\$ 850,000
Administration	SF	Cost/SF	Total	SF	Cost/SF	Total
Administration Offices	1000	850	\$ 850,000			
Open Air Pavillion				2200	600	\$ 1,320,000
Total SF =	5000		\$ 5,700,000	Total SF	4200	\$ 3,020,000

Note: Environmental Assessment and Entitlements are assumed to be complete and valid the time of this estimate and throughout construction. Escalation assumed at 5% per annum.

ROM: Phase 1		ROM: Phase 2	
1 Year Escalation (End of 2024)	\$ 285,000	1 Year Escalation (End of 2024)	\$ 151,000
2 Year Escalation (End of 2025)	\$ 299,250	2 Year Escalation (End of 2025)	\$ 158,550
3 Year Escalation (Midpoint of 2026)	\$ 157,106	3 Year Escalation (End of 2026)	\$ 166,478
		4 Year Escalation (End of 2027)	\$ 174,801
		5 Year Escalation (End of 2028)	\$ 183,541
Project Cost and Escalation	\$ 6,441,356	Project Cost and Escalation	\$ 3,854,370
Design Fees	\$ 1,030,617	Design Fees	\$ 655,243
Design & Construction Contingency	\$ 528,027	Design & Construction Contingency	\$ 220,387
Funding Request	\$8,000,000	Expansion Budget	\$ 4,730,000
		Total Project Budget	\$ 12,730,000

PHASE 1 SITE PLAN



CONCEPTUAL MASTERPLAN



WHY AHL + LA'I' ŌPUA CDC

“Good design solves a problem. Great design tells a story.”

With over 60 major education and academic planning projects completed throughout the Pacific and a dedicated Learning Environments Studio, AHL is an unquestioned leader in education design. We pride ourselves on providing great design for the community and great service to our clients.

EDUCATIONAL DESIGN

- With a wealth of knowledge in architecture, interior design, and planning projects, AHL provides the full spectrum of design services for any education project.
- AHL has designed many campus facilities that encourage diversified, curious learning.
- Our team is dedicated to creating environments that promote positive energy, health, and overall well-being in students, faculty, and staff.

THE RIGHT PROCESS & APPROACH

- AHL is the largest architecture firm in Hawai'i with over 77 years of experience and more delivered projects than any other firm in the state.
- Our efficient and collaborative design processes are the result of decades of working with all education stakeholder groups from administration, to teachers, students, parents, facilities, and the community.
- We are thought leaders who understand the complex requirements necessary to complete successful education projects in our community.

EDUCATION SPECIFICATIONS

- We believe in a collaborative process and recommend a series of workshops to engage a variety of stakeholder groups, build consensus regarding design priorities, and further develop all the positive attributes for future growth.
- Information gathered within the workshops will inform the creation of an Educational Specifications document that outlines the educational uses of, and functional program elements of each space.

COMMUNITY IMPACT

AHL cares about the community. We see design as a means to heal, grow, and create meaningful change. A listing of some of our recent projects is as follows:

- Accessory Dwelling Units
- Aloha United Way Headquarters Interior Renovation
- Blood Bank of Hawai'i Blood Mobile
- Boys and Girls Club Gym Improvement
- Child & Family Service Neighborhood Place at Wailuku
- Hawai'i Nature Center Rain Pavilion
- Ho'ola Na Pua Pearl Haven
- Institute of Human Services Women's Shelter New Rooftop Garden
- Ka'ahumanu Church
- Kahuku Medical Center ER Interior Renovation
- PACE at Walter Dods, Jr. RISE Center, University of Hawai'i at Mānoa
- Palama Settlement Master Planning
- St Andrew's Priory Art Studio
- Salvation Army Family Treatment Services Facility
- YMCA-Camp Erdman Playground Service Project



Ho'ola Na Pua
Pearl Haven



Hawai'i Nature Center Rain Pavilion



PACE at Walter Dods, Jr. RISE Center

SERVING HAWAI'I'S NON-PROFIT ORGANIZATIONS



HCDB



A SUSTAINABLE AND RESILIENT FUTURE: AHL'S SUSTAINABILITY COMMITMENT

About 40% of global carbon emissions come from the design and construction industry. As architects, we can make a positive impact on reducing greenhouse gas emissions in our projects. We take this responsibility seriously and are working on steps to reduce the carbon emissions of our projects.

AHL has signed the *Hawai'i Executive Collaborative (HEC) Climate Coalition Pledge*. Along with twenty-five other local organizations, we have committed to taking meaningful steps towards climate action, including inventory and tracking our company's total carbon emissions (scopes 1, 2, and 3) by 2025. In addition, AHL is actively participating in the *American Institute of Architect's (AIA) 2030 Challenge*. AHL signed on to the AIA 2030 Challenge in 2020 and is the first large (firms over 50 staff members) Hawai'i-based architecture firm in the state to do so.

We have committed to tracking the emissions of our projects over \$10 million in construction costs starting in 2023 and have begun working on processes to reduce embodied carbon in all our projects. However, our portfolio of built work is where the embodied and operational carbon really adds up when it comes to carbon emissions. Through smart design and data-driven technical changes that prioritize energy consumption, we are proud to be community leaders spearheading the effort to reduce greenhouse gas emissions created by our industry, leaving behind a better Hawai'i and a cleaner, greener future.



Organization Name: AHL
Organization Type: Architecture
Headquarters: Honolulu, Hawaii
Number of Employees: 50

Social Justice Indicators	
Diversity & Inclusion	Employee Benefits
Gender Diversity	Health Care
Ethnic Diversity	Retirement Provision
Inclusion	Family/Medical Leave
Engagement	Training/Education
Equity	Stewardship
Full-time Employment	Local Communities
Pay/Equity	Accounting
Freedom of Association	Annual Wages
Living Wage	Tradeable Comps
Senior Pay Parity	Resilient Products
Employee Health	Purchasing & Supply Chain
Physical Health	Responsible Purchasing
Mental Health	Supply Chain

THE SOCIAL JUSTICE LABEL 2.0
AHL-003
EXP. 10/31/2025
INTERNATIONAL LEANS FUTURE INSTITUTE

MAHALO

From: [DHHL.Planning](#)
To: [Makaila, Lilliane K](#)
Subject: FW: [EXTERNAL] LCDC Preschool Proposal - Beneficiary Comments / Suggestions / Testimony
Date: Tuesday, March 12, 2024 11:10:32 AM

From: Kawehi Inaba (email redacted)
Sent: Wednesday, February 28, 2024 9:34 AM
To: DHHL.Planning <dhdl.planning@hawaii.gov>
Cc: Choy, Andrew H <andrew.h.choy@hawaii.gov>; Makaila, Lilliane K <lilliane.k.makaila@hawaii.gov>
Subject: [EXTERNAL] LCDC Preschool Proposal - Beneficiary Comments / Suggestions / Testimony

Aloha DHHL Commissioners and DHHL Planning Department,

I hope this email finds you well. As a native Hawaiian DHHL beneficiary, I am writing to express my support for the LCDC Preschool proposal. However, I would like to highlight the importance of ensuring that any development on Hawaiian Homelands is carried out responsibly and with careful consideration for the community it serves.

The proposal to develop and build a preschool building is a commendable initiative. However, it is imperative to address certain conditions to guarantee the success and sustainability of the preschool program. Specifically, I believe it is crucial for any developer intending to utilize Hawaiian Homelands to present a well-defined plan from the construction phase to the programmatic stage. While the construction of a preschool building is a significant step forward, it is equally important to have plans in place for preschool operators and other essential partners who are integral to establishing a robust preschool program.

Therefore, I urge your consideration of the following stipulations in support of the LCDC Preschool proposal:

- 1. Comprehensive Plan for Preschool Operations:** Detailed information regarding the plans for preschool operators and other pertinent partners involved in the preschool program should be requested of any developer. It is imperative to ensure that there is a comprehensive strategy in place for the successful operation and management of the preschool.

2. Responsibility and Track Record - Evaluating LCDC's Role in Program Creation and Land Leasing: Will LCDC be responsible for both creating and oversight of the program after the building is developed, or are they solely accountable for development alone? If they are to be entrusted with comprehensive responsibility, their track record in establishing and managing long-term sustainable programs should be a fundamental requirement in leasing this land to them, as it should be for any entity requesting land from DHHL.

3. Community Engagement and Consultations: Thorough community engagement and consultation throughout the planning and implementation phases of the preschool program is paramount. The voices and perspectives of the native Hawaiian community, especially DHHL beneficiaries, should be heard and incorporated into the decision-making process.

4. Cultural Sensitivity and Integration: Emphasizing the importance of the unique cultural heritage and sensitivity of the Hawaiian community is an essential part of honoring and celebrating the reason that the DHHL exists. It should certainly be part of the educational framework of the preschool program.

5. Long-Term Sustainability: Careful consideration of the long-term sustainability of the preschool program to include factors such as funding sources, staffing requirements, infrastructure maintenance, and ongoing community support to ensure the continued success and viability of the preschool.

6. Homesteader & DHHL Beneficiary Priority: As permitted by law, assurance that La'i'ōpua Homesteaders and subsequently West Hawaii DHHL Beneficiaries will be given priority for admission to the preschool program. This is critical given the operation of the program on DHHL Homelands, and it is imperative that all stakeholders, including partners and tenants, are fully informed of and in agreement of this prioritization.

In conclusion, while I am supportive of the LCDC Preschool proposal, I stress the importance of addressing the aforementioned conditions to maximize the positive impact of the preschool program on the native Hawaiian community. I appreciate your attention to these concerns and look forward to seeing a thoughtful and comprehensive review of the LCDC preschool proposal.

Thank you for your commitment to serving the needs of the native Hawaiian community.

Ms. Kawehi Inaba

DHHL Beneficiary

STATE OF HAWAI'I

DEPARTMENT OF HAWAIIAN HOME LANDS

March 18 - 19, 2024

To: Chairperson and Members, Hawaiian Homes Commission

From: Andrew Choy, Planning Program Manager

Subject: For Information Only - West Maui Water Issues and
Projects

I. RECOMMENDED MOTION/ ACTION

None; for information only.

II. INTRODUCTION

This submittal to the Hawaiian Homes Commission ("HHC") provides an update of water issues and projects of significance to beneficiaries and the Department of Hawaiian Home Lands ("DHHL") in Maui Komohana (West Maui). It is submitted in furtherance of the HHC Water Policy Plan (WPP) Goal 1, to "Affirmatively communicate with beneficiaries regarding water decisions, performance, and water rights on a regional and annual basis.

This submittal is also prepared in the context of our overall efforts to fulfill the responsibilities of the HHC and DHHL as they relate to water in general. An overview of this context is included as Attachment A: BACKGROUND AND OVERVIEW OF HHC AND DHHL WATER KULEANA.

In the months since our last submittal on Maui water issues in October 2024, much has changed. As reviewed in that submittal soon after the wildfire disasters in upcountry and Lahaina on August 8, 2023, the management of water on Maui became a topic of local, Hawai'i wide, national and international discussion and concern. The importance of the water rights of native Hawaiians (including those held by DHHL and its beneficiaries) has received a level of attention that is unprecedented. Securing water in Maui Komohana for future DHHL

needs in this context continues to be a rapidly evolving and dynamic effort. Accordingly, this submittal focuses on updating the HHC and beneficiaries on these issues and projects. Because of the complex situation, we first begin with a very brief historical review of water management in West Maui as context for the challenges we face. Thus the main section of this submittal, part III, is organized as follows:

- III. Maui Komohana Water Issues and Projects
 - A. Brief Historical Overview of Water in West Maui
 - B. DHHL Water Demands and Reservations
 - C. Recent Water Issues
 - 1. Interim Instream Flow Standards
 - 2. Designation
 - 3. Post-fire Water Related Issues
 - D. DHHL Water Projects in West Maui
 - 1. Wahikuli Irrigation Well Water Use Permit Application
 - 2. Agreement to use recycled water for Honokōwai
 - 3. Honokōwai Well Final Environmental Assessment (FEA)
 - 4. Other Honokowai water / alternate sources
 - 5. Temporary housing at Leali`i and related water issues
 - 6. Maui County Water Conservation Plan

III. MAUI KOMOHANA WATER ISSUES AND PROJECTS

We begin by very briefly reviewing some of the history of water management in Maui Komohana as a context for understanding the challenging issues DHHL and all others face in the area.

A. Brief Historical Overview of water in West Maui

The recent struggles over water in the area after the August 8 fires, detailed more below, significantly echo over a century of struggles over water in Maui Komohana. Since Western contact, and particularly since the first development of sugar and other large scale commercial uses in the area, the management of water and fights over the management of water have significantly impacted the environment and the Hawaiian community of the area. While the history of this area is complex and nuanced, a brief overview will give some sense of the dynamics that continue to be at play.

Prior to the adventive interests in private property at the māhele, Lahaina (also once referred to as Malu `Ulu o Lele) was a heavily populated, well cultivated and carefully managed complex of agro-forests of `ulu (breadfruit) as well as extensive kalo lo`i (taro field) complexes, `auwai and loko i`a (fishponds). Famously, western visitors to the area reportedly referred to it as the "Venice of the Pacific" for the extensive waterways diverting water from and back into area streams, including Kaua`ula and Kahoma Streams. Surface and ground water fed significant loko i`a including famously Mokuhinia, in the middle of which was Moku`ula, the royal residence of King Kamehameha III from 1837 to 1845.

With the advent of private property after the Māhele came the advent of sugar planting, and later other large scale uses in the area, eventually and most recently mass tourism. With the advent of sugar planting surface water diversions of increasing size and complexity, diverted water from all area streams. Later, groundwater was developed in two distinct ways. High in the mountains, "development tunnels" were built, going deep in and tapping formally stored groundwater held in by geological formations. While these did generate large significant flows, with the draining of these natural reservoirs outflow from the tunnels began to match long term recharge. Additionally, wells were drilled near the coast, including significantly large "skimming wells" which removed large amount of water off of the surface of the fresh ground water aquifer.

The changes to the environment and life practices of native Hawaiian residents were massive with this development of sugar and water in very different ways than had been done historically. The historic breadfruit forests of the area were cleared for sugar planting. The sudden dramatic shift in agricultural land uses lead to historic famine in 1867 in Lahaina. As recounted in their volume *He Wahi Mo'olelo no Kaua'ula a me Lahaina i Maui*, Kumupono Associates (Kepā and Onaona Maly) relate that "In March 1867, a committee made up of D. Kahaulelio, S.W. Nailiili, M. Ihihi, and D. Baldwin, was appointed to investigate and report on the causes of diminishing food supplies in Lahaina. The committee's report, attributes the food problem, as well as others, to the growing development of sugar plantations, which were fostering the abandonment of traditional subsistence practices of the native residents of Lahaina." As document in newspaper Nupepa Kuokoa, the Committee reached nine conclusions, as presented by the Maly's in the same report:

1. The many sugar mills in Hawaii nei, there are 33. They do not farm, but instead, they burn up the food of the kalo lands. Such as Honokohau, Halawa, Waipio, &c.
2. In Lahaina, there were many loi and dryland sweet potato fields before, but in these days, they have been turned over to planting cane.
3. There was plenty of water gotten by the people who farmed before, but in this time, the water has all gone to the sugar cane; and the foreigners are now making great efforts in places formerly cultivated by the people who planted taro, sweet potatoes, bananas, gourds, and such.
4. The high price gotten for sugar cane, cause those who cultivate taro, sweet potatoes, and gourds to consider it a waste, because they want more money, but there is not ample food, and that is the mistake.
5. There are 250 men who work the sugar mill in Lahaina. They work strongly in this work, but not in farming, and these words apply as well to the lands cultivated in sugar cane throughout all Hawaii; there is burden and hardship.
6. There are also many idle young people who dwell in Hawaii, thus the farming is left to the elderly people.
7. On Hawaii and Maui, many of the strong people have gone off to the work of gathering pulu (tree fern down), pepeiao (forest mushrooms), and such, to earn money, not food.
8. There are many people to eat the food in this time, as in the time of Kamehameha III, but, beware, the number of people cultivating the food is decreasing.
9. God is not the reason for this lack, nor is it because there is a lack of rain - instead it is the lack of thought by men. Those of Lahaina are quick to judge, they think that in putting their land to sugar planting, that they shall have paiai (thick slabs of taro mash, into which water is added to make poi). So this is what the committee finds is the problem of famine in the district of Lahaina.

Because the water rights of kalo farmers were protected in the legislative acts of the Māhele including the 1850 Kuleana Act, the plantations also pursued legal means to increase their control of water. Famously the owners of Pioneer Mill, the company that emerged out of the initial multiple smaller plantations in the area, sued native residents of Kaua`ula

Valley in the 1895 Horner v. Kumuli`ili`i case. The arguments offered by the plantations both presented native Hawaiian water use practices as an impediment to their economic uses of water, but also perversely accused the very same kalo farmers of not sufficiently following the traditional native water management practices of the area. As the attorney J.A. Magoon summarized in his arguments in the case, there was more than simply desire for water at work. Echoing the more recent arguments over water in Lahaina, Magoon noted that "The Plantation has persecuted these Hawaiians by having them arrested and by forcibly taking their water and because one or two have been instrumental in trying to get their rights, it has determined to crush the whole settlement in the Kauaula Valley."

While the Hawai`i Supreme Court in 1895 ruled in favor of the Kumuli`ili`i parties, the expansive control over water by the plantation increased over the next century until it's closure. Water development and the removal of forests dried out the once extensive wetlands of Lahaina, and in the territorial period Mokuhinia was buried and an American baseball field constructed atop it and Moku`ula. With the advent of municipal scale groundwater development in association with the development of mass tourism in the area, water supplies began to be stretched further.

Immediately prior to the fires, the Honokōwai Aquifer, immediately next to Lahaina, had total withdrawals of groundwater of 6.5 million gallons per day (mgd) in 2021, according to the CWRM findings of fact related to the petition to designate all of the interconnected surface and groundwater in the area. This exceed CWRM's own determined Sustainable Yield of 6 mgd, meaning essentially water was being mined and threatening the long term use and health of the aquifer. Even as they acknowledged these facts, in 2022 powerful private, nonprofit, and county interests publicly opposed designation that would closely regulate water withdrawals in the area and require an analysis of the impact on public trust uses of water, including the water reservations and uses of DHHL. The Honokōwai aquifer is the same aquifer DHHL is proposing to pump an already developed 1 mgd groundwater well for our future uses, which will require other users water uses to be reduced to allow DHHL uses and keep groundwater withdrawals below Sustainable Yield.

The most recent events including designation are addressed further below. With this very brief historical context on the long struggle over water use in the area, we review our future water needs.

B. DHHL Water Demands and Reservations

As described in more detail in Attachment A, water reservations are a means for the Commission on Water Resource Management (CWRM) to protect or set aside water for DHHL future needs in various areas. While converting these reservations into "wet water" flowing into homesteads requires planning, financing, environmental review and design, securing reservations for our future use remains a critical step in securing water for future homesteads and related DHHL needs.

DHHL land tracts in Maui Komohana include a number in the Nā Wai `Ehā area including existing homesteads at Paukūkalō, homesteads in development at Waikapū ("Pu`uhona"), and homesteads in the process of land acquisition under Act 279, discussed in other submittals to the HHC. Water demands for those tracts are either already provided, too preliminary to calculate, and/or should be provided by the county as authorized by the County Water Availability ordinance (their "show me the water" law) which was amended on December 10, 2023 to exempt development by DHHL from the water availability policy.

Other Maui Komohana tracts include lands at Leali`i and Honokōwai. Water demands for Leali`i are already met in the existing phase, and for phase 1B were calculated in the 2017 State Water Projects Plan (SWPP).

Currently, the next phase for the Villages of Leiali`i proposes 181 single-family homes. These will be located north of Village 1-A and split into two increments. Increment 1 will develop 86 single-family units. Increment 2 will 95 single-family lots. While DHHL is seeking single-family homes based off of beneficiary consultation, there is still an option to use more water if multi-family homes are pursued at a future time.

Increment 1 will be serviced by the Department of Water Supply's Lahaina water system and Wahikuli Reservoir and provided by a 200,000 gallon per day (gpd) agreement to provide water from the County from their Mahinahina Surface Water Treatment Plant, which draws water primarily from the Honokōhau Ditch and ultimately Honokōhau Valley. This agreement was reached in exchange for giving the county a licensed to construct new facilities on DHHL land at Honokōwai. The

anticipated average daily demand for Increment 1 is 51,600 gpd. Increment 2 will be serviced by an offsite 500,000-gallon water storage reservoir being developed as a part of a separate project. The estimated maximum daily demand is 85,500 gpd for Increment 2.

A published FEA for phase 1 B with revised plans for Honokōwai were adopted after the 2017 and 2020 SWPP updates; the FEA for Honokōwai was published in January 2022. Based on these documents the medium projected water demands for these tracts are as follows:

Tract	Land Use	Water Use	Acres / Units	Rate (gad /gpd)	Demand (gpd)
Honokōwai	Subsistence Agricultural Homestead	Non-Potable	347	4849	1,682,602
Honokōwai	Supplemental Agricultural Homestead	Non-Potable	14	4849	67,886
Honokōwai	Community Use	Non-Potable	17	4849	82,433
Honokōwai	Community Use	Non-Potable	30	4849	145,470
				Subtotal	1,750,488
Leiali`i 1B	Residential Homestead	Potable	181	600	108,600
Honokōwai	Residential / Agricultural Homestead	Potable	1181	600	708,600
				Subtotal	817,200
				TOTAL	2,567,688

Table 1. DHHL Water Demands for Honokōwai and Leali`i Phase 1B.

CWRM has adopted reservations to help meet these needs. All of these reservations were adopted prior to designation of the combined ground and surface Water Management Area designations of Lahaina (discussed more below). CWRM staff have been pursuing a rule package to enact these reservations into rule.\

In addition to our portable water needs, we have significant non-potable needs. These are reviewed in Table 2, below.

Hydrologic Unit	Quantity Reserved (MGD)	Effective Date
Honokōwai	0.770	September 18, 2018
Honokōhau and Kaluanui Streams in the Surface Water Hydrologic Unit of Honokōhau, Honolulu Stream in the Surface Water Hydrologic Unit of Honolulu	2.00	May 18, 2021

Table 2. DHHL Water Reservations for Honokōwai and Leali`i Phase 1B.

It is important to note that agricultural demands for Honokōwai could well exceed the amount of reserved water. In addition, while we hold a reservation related to surface water for that tract, there are significant public trust uses for those waters as well. In addition, we note that to date, DHHL has never been granted water reservations related to recycled water sources; steps to secure recycled water are discussed under water projects for this area, further below.

C. Recent Water Issues

As touched on in the introduction, water issues have been significant and contentious in this area, particularly after the August 8, 2023 wildfire. However, community and CWRM led efforts to protect public trust interests in water, including DHHL interests, had preceded these events in the last few years.

IIFS amendments

Beginning in 2018, based on research starting years before, CWRM staff in their surface water branch began a formal process of amending the IIFS for Maui Komohana streams that had not already been addressed in the Nā Wai `Ehā proceedings that had been started by the community over a decade earlier. CWRM adopted new amendments establishing new IIFSS on March 20, 2018 for Ukumehame, Olowalu, Launiupoko, and Kaua'ula streams. DHHL had no lands that could be serviced by the streams, and the streams have significant unmet public trust uses, particularly uses related to the traditional and customary practices of native Hawaiians. As a consequence, no reservations were proposed for DHHL from these four streams, though DHHL staff and consultants monitored and participated in the proceedings. Those actions were particularly significant in that they

restored water for native Hawaiian kalo farmers, would been fighting for over a century to have sufficient for their practices.

CWRM staff subsequently proposed IIFS amendments for Honokōwai, Honolua, and Honokōhau Streams that were adopted by CWRM on May 18, 2021. Because those historically significant sources could provide surface water for lands at Honokōwai, the above referenced reservation was made in conjunction with those actions. The proposed reservation was successfully adopted in part because Homestead leaders worked closely with kalo farmers in Honokōhau Valley, to ensure that these communities mutually supported each other's needs for water.

Lahaina Surface and Ground Water Designation

After years of study, months of outreach, and multiple public participation processes before CWRM as well as the Maui County Council, and the Maui County Board of Water Supply, on June 14, 2022 CWRM unanimously designated the surface and ground waters of the Lahaina area as WMAs. The specific designations were for the Honokōhau (6014), Honolua (6013), Honokahua (6012), Kahana (6011), Honokōwai (6010), Wahikuli (6009), Kahoma (6008), Kaua'ula (6007), Launiupoko (6006), Olowalu (6005), and Ukumehame (6004) Surface Water Hydrologic Units and the Honokōhau (60201), Honolua (60202), Honokōwai (60203), Launiupoko (60204), Olowalu (60205), Ukumehame (60206) Groundwater Hydrologic Units. The water code requires that a public notice of designation be published multiple times in a newspaper, and the effective date of designation follows the final publication. Therefore the final date of designation of Lahaina was August 6, 2022.

DHHL beneficiaries, staff, and consultants actively participated in these efforts. Consistent with the HHC's action supporting designation of Wai'anae O'ahu as a proposed groundwater WMA, testimony reflected how DHHL water rights enjoy significantly higher levels of protection in WMAs. As described above in the review of DHHL water kuleana, this is both because reservations in WMAs are adopted by rule, and any parties which receive permits in the area have their permits subject to the rights of DHHL.

This is particularly significant for DHHL's ability to develop our lands at Leali'i and Honokōwai. In order to develop our reservations into "wet water", DHHL must develop new water sources in the Honokōwai Aquifer. As discussed in the findings

of fact adopted by CWRM during designation, as of December 2021 the sustainable yield for this aquifer was 6 mgd. However, withdrawals from wells and tunnel sources were 6.5 mgd. The additional protections of our rights in designated areas are critical to fulfilling our plans.

So far, CWRM has not released any of the permits submitted to them by August 6 for public review. A significant activity of the department will be to work on reviewing those permits and analyzing them for their potential impact on DHHL, HHC, and beneficiary rights.

Post-fire Water Related Occurrences

After the disasters of August 8, 2023, there have been a number of widely reported on events related to water policy and management in Maui Komohana. CWRM's fire and post-fire decisions related to water policy and management in West Maui has caused Lahaina community members, including DHHL beneficiaries and other Native Hawaiians to become active participants in water resource management and decisions by CWRM and the State.

Many of the events after the fires echo, the historic fights over water we counted earlier. Powerful interests accused native Hawaiians of preventing economic progress and post fire recovery as they sought to defend their use of water for kalo and other traditional uses. Once again, the water resources of Kua`ula Stream and Mokuhinia have become centers of controversy.

In this policy environment, all parties seeking to continue or increase their use of water, including DHHL, will be closely scrutinized, not only by regulators and other water providers, but by the people of Maui Komohana, who have been significantly active around these issues.

D. DHHL Water Projects in West Maui

Since last year submittals, the department has undertaken a number of significant efforts to increase water availability for homesteading in this area.

Wahikuli Irrigation Well Water Use Permit Application

As described in Submittal G-3 from October 2023, DHHL successfully filed a Water Use Permit Application (WUPA) to CWRM

for the Wahikuli Irrigation Well. The WUPA is still being reviewed by CWRM staff. DHHL will be informed by CWRM if there are further questions or when the WUPA will be brought forward before CWRM for approval.

Recycled water for Honokōwai

Due to competing public trust and private water demands, DHHL continues to seek various additional sources to providing water to DHHL lands in West Maui. In November 2022, the approval of the Recycled Water (R-1) Allocation Agreement and issuance of a license as easement to the County of Maui Department of Environmental Management for (DEM) TMK (2) 4-4402:018 (por.) was presented before the Hawaiian Homes Commission in Submittal F-3. This allocation agreement between DHHL and DEM enables Honokōwai development by DEM agreeing to provide R-1 water to DHHL in exchange for the license. This water would help meet non potable water demands in the planned development, including irrigation uses for planned subsistence homestead lots.

Use of R-1 recycled water will help to minimize withdrawals of groundwater and surface water resources. The agreement allows for an initial allocation of 500,000 gallons per day (GPD), which will provide non-potable irrigation water for Honokōwai's first phase, encompassing about 92 acres of subsistence agriculture lots. This 500,000 GPD reservation will fulfil 25 percent of DHHL's projected water demand of 2,000,000 GPD for non-potable water uses in Honokōwai. This initial agreement allows DHHL to request additional R-1 water from DEM in the future, should DHHL achieve the projected magnitude within the following eight years of agreement approval.

Honokōwai Well

As indicated above, R-1 water could fulfil 25 percent of DHHL's projected water demand for non-potable water uses in Honokōwai. To address our potable needs, DHHL has been pursuing development of a groundwater well in the Honokōwai aquifer. It is anticipated to have the capacity of 1,000,000 GPD and reliably yield 2/3 of that amount. A water allocation agreement between DHHL and Maui County Department of Water Supply needs to be completed.

New wells in Lahaina need to file a Water Use Permit Application (WUPA), due to Lahaina being a designated Water Management Area. Designated Water Management Areas are areas where additional CWRM regulation is required. DHHL is in the

process of completing its WUPA. Prior to submission, a draft Environmental Assessment for the Honokōwai well is separately being submitted to the Hawaiian Homes Commission for approval. This Environmental Assessment will assist with the completion of DHHL's WUPA to give an overview of potential environmental impacts and appropriate mitigation measures in place to prevent such instances.

Honokōwai Alternative Water Sources

The CWRM's Findings of Fact Report published on June 14, 2022, indicated that of the existing withdrawals in the Lahaina aquifer, 2,500,000 MGD are derived from tunnel sources. This potable water source is currently utilized for irrigation purposes. These tunnels were drilled or dug into the mountains at high elevations across the Hawaiian Islands during the plantation era. By piercing "lava dike" formations - areas of dense lava that hold back water from flowing downhill or towards the coast - they can capture high elevation water of potable quality.

DHHL staff and consultants have been informed that Tunnel 20B at 1,600 ft in elevation lies within state lands, yielding approximately 500,000 GPD, and does not have a water license attached to it. DHHL could consider this tunnel as an alternate source in our pending WUPA for the Honokōwai well, should the State of Hawaii be amenable to DHHL's acquisition of this alternative.

Temporary Housing Project for Lahaina

Multiple state and federal agencies have been working to develop temporary housing as a means to assist Lahaina residents in wake of the fires. This issue is rapidly evolving and is the subject of a separate informational briefing on this month's HHC agenda. While there is no layout finalized yet, conversations suggest the usage of twenty acres of Hawaii Housing Finance and Development Corporation (HHFDC) lands to construct these homes.

This is related to DHHL water issues as while the housing will be temporary to aid in Lahaina residents affected by the fires, there have been long standing discussions on transferring 400 acres HHFDC currently owns, which includes twenty acres for temporary housing.

The DHHL planning office has generated a rough water demand estimate for the twenty acres if it were developed at the same

densities as our existing Leali`i lands after use for temporary housing. Our estimate is we would need approximately 240,00 gpd for the anticipated number of units that could be built (400 homes). This estimate is preliminary.

One of the many issues to be evaluated with this proposal is how this will help benefit and fulfill DHHL water rights and needs in Maui Komohana. DHHL's water reservations do not include this amount and additional water sources would be needed.

Maui County Water Conservation Plan

The Maui County Department of Water Supply (DWS) held five community meetings in January regarding the development of their Water Shortage and Conservation Plan for their water systems. They held meetings for West Maui, Central Maui, Upcountry, Hana, and Moloka`i. The purpose of this plan is to identify and prioritize measures to conserve water on Maui. During these meetings, Maui DWS received community input on the conservation goals, measures, and priorities through the year 2040.

The conservation plan is intended to be two-fold, first identifying triggers for water shortage and the demand side measures, with the accompanying plan to be a long-term permanent conservation program. DWS informed DHHL that they will utilize these public comments in their plan prior to recommending a conservation program to the County Council. On February 20, 2024, DWS took their submittal before CWRM for an informational briefing. The Department responded with questions regarding equity, public trust prioritization, and concern of community input from Lahaina residents and cultural resource specialists. The next step for DWS is to bring their shortage forecasting tool and draft plan for review.

This is significant for the DHHL for a number of reasons. The primary reason (which is not unique to Maui Komohana) is that absent an aggressive conservation plan and practices, the counties will always ask the Department to develop new water sources for our needs, rather than providing them through system efficiencies. New source development is costly has the potential to threaten other public trust uses of water.

IV. RECOMMENDED MOTION/ACTION:

None; for information only.

BACKGROUND AND OVERVIEW OF HHC AND DHHL WATER KULEANA

The purpose of this document is to review the water rights and responsibilities (kuleana) of the Hawaiian Homes Commission (HHC) and Department of Hawaiian Home Lands (DHHL). It is meant to be a stand-alone review document for those interested in these matters as well as a standing attachment to submittals on water issues presented to the HHC, updated from time to time.

The HHC and DHHL have four primary water responsibilities:

1. To plan for fulfilling existing and future water needs;
2. To advocate for water rights;
3. To develop water sources; and
4. To manage water systems

To help fulfill these responsibilities, DHHL has distinct water rights based on the Hawaiian Homes Commission Act (HHCA), the Hawai'i State Constitution (HSC), Hawai'i Revised Statutes (HRS), Attorney General's opinions and court cases. These water rights are tools that the Hawaiian Homes Commission (HHC) can use as needed. Evaluating which tool/right is best to use depends on the opportunities at hand and the costs (financial and otherwise) of asserting that tool/right.

The Department has developed three educational handouts which help explain separate aspects of these issues posted on the Department's website:

- The "Lehua Handout" has a summary of these HHC and DHHL water kuleana;
- The "Koa Handout" summarizes the HHC Water Policy Plan (WPP); and
- The "Kalo Handout" summarizes the record on appeal of the decisions of the Commission on Water Resource Management (CWRM), and as they are the trustees of water in Hawai'i, their decision making has significant impacts on the rights of the Department and our ability to fulfill the WPP.

The next sections go into some additional detail, prior to describing how DHHL interacts with CWRM and implements the HHC WPP. It is organized around the four responsibilities reviewed above, pairing the first two (planning and advocacy) due to their significant overlap in activity.

Planning for Water Needs and Advocating for Water Rights

The Department's Water Planning and Advocacy Kuleana include the need to continuously determine the future water needs for all of the `āina ho`opulapula and then seek water reservations from CWRM to set aside sufficient water to meet those needs.

What are water reservations?

Water can be "reserved" - set aside and not allocated to other users - by the CWRM, implementing its powers under the state Water Code, HRS 174C. These powers were conveyed by the Legislature in 1990, in part out of acknowledgement that it can take years between the HHC determining a proposed use of land and the land being developed for that use, due primarily to the lack of capital funds needed for development. Absent water reservations, other competing public and private sector developers can (and in many cases have) developed most or all of the easily available water in an area, either precluding DHHL development or significantly increasing the costs of water development. Reservations are one tool to address that problem.

There are two distinct methods by which CWRM can reserve water. In Water Management Areas (WMAs) - parts of the state which are subjected to a higher level of permitting scrutiny for surface or ground water allocation - water reservations are adopted through rule making. Currently all of O`ahu except for the Wai`anae Aquifer Sector Area, all ground water on the island of Molokai, the `Īao Aquifer of Maui, and groundwater in West Maui are designated as Ground WMAs. The surface waters of Nā Wai `Ehā and the surface waters related to the Lahaina Aquifer Sector Area, both on Maui, are designated as Surface WMAs.

Because of this rule making requirement as well as the permitting requirements in WMAs - which require that all water use permits are subject to the rights of DHHL - the protection of DHHL water rights are more robust in WMAs.

In non-WMAs, the CWRM can simply take action to vote, by a majority of its seven members, to reserve water for DHHL. Reservations by rule and by simple CWRM action are supposed to be included in all elements of the Hawai`i Water Plan, including the Water Resources Protection Plan (WRPP), the State Water Projects Plan (SWPP), and the County Water Use and Development Plans (WUDPs).

The actions that trigger CWRM consideration of DHHL water reservation needs vary. The state water code (HRS 174C) in section 101(a) requires that: "Decisions of the commission on water resource management relating to the planning for, regulation, management, and conservation of water resources in the State shall, to the extent applicable and consistent with other legal requirements and authority, incorporate and protect adequate reserves of water for current and foreseeable development and use of Hawaiian home lands as set forth in section 221 of the Hawaiian Homes Commission Act."

Some of the most common triggers for adopting DHHL reservations have been related to adoptions of parts of the Hawai'i Water Plan. Most of the groundwater reservations currently held were adopted following the acceptance by CWRM of the 2017 SWPP update.

Another key trigger has been when CWRM has adopted new Interim Instream Flow Standards (IIFSs), which are science and fact based determinations of the minimum amount of water that should remain in a stream before any off-stream uses of water are allowed. The original IIFSs adopted by CWRM around Hawai'i in 1988 were "status quo" standards, only protecting the amount of water in the stream at that time. Since most streams across Hawai'i in 1988 were diverted, and these historic diversions usually took 100% of the flow on non-rainy days, this has meant that there have been few or no legal protections for public trust uses of surface water. For decades after this action, communities around Hawai'i have petitioned CWRM to adopt IIFSs that protect public trust uses of water, including DHHL needs; this has led to well-known litigation such as the Waiāhole and Nā Wai `Ehā cases. In recent years the CWRM has begun to proactively propose IIFS on its own, and has worked with DHHL to propose associated reservations at the same time.

Actions by the Board of Land and Natural Resources (BLNR) can also trigger the adoption of reservations for DHHL. HRS 171-58, which governs the issuance of water leases by the state, specifies in part (g) that "Any lease of water rights or renewal shall be subject to the rights of the department of Hawaiian home lands as provided by section 221 of the Hawaiian Homes Commission Act." In the case of the EMI system requests, DHHL's reservation consideration is triggered by the current owners of EMI seeking a long-term lease of water.

Limits to reservations

While water reservations are an important policy tool available to DHHL, CWRM, and the HHC, they have limitations. Some of these include:

- Previously, reservation requests by DHHL have been delayed or denied by CWRM staff for unclear reasons
- Reservations do not provide immediate access to “wet water”
- Developing water will still require:
 - Capital Improvement Plan (CIP) funds
 - Detailed design and environmental review
 - Developing source, storage, transmission
 - Agreement with County or others for operation
- In geographically large aquifer systems, locations to develop water can still be remote from DHHL tracts
- The enforceability of reservations, particularly in non-WMAs, has not been legally tested
- DHHL along with CWRM will need to monitor other developments potential impact on DHHL reservations

Water License Receipts

As mentioned above, the issuing of water licenses by the state can be a trigger for the DHHL to seek a water reservation from a particular source proposed for license. Receipts are to be deposited into the Native Hawaiian Rehabilitation Fund, which is the source of revenue for grants to homestead organizations. This arrangement originated in the HHCA as it was passed in 1921, and are codified including in [HSC Art. XII, § 1.](#)

Historically revenue from the licensing of water was significant; however, with the decline of large plantations, along with choices made by the Land Division of the Department of Land and Natural Resources, water license revenue has declined significantly. There are instances around Hawai`i where water originates from state land and currently there is no proposal to issue a water license.

Public Trust Status

As the key Trustee and lead agency in managing water, CWRM is critical in helping DHHL preserve and implement its rights to water. However, since the passage of the Water Code in 1987, a number of significant court decisions have made on appeals of decisions by the CWRM. That record will be discussed in more detail below. Of significance here is that the courts have identified over a series of cases four “public trust uses” of

water, which are to have priority, over private, commercial uses of water. While they are not specifically listed as such under the Water Code, the courts identified these based on interpreting the Code, the specific circumstances of the cases they were ruling on, as well as the long legal history of water law dating back to the Kingdom. Along with Appurtenant Rights - four Public Trust Purposes are:

- Maintaining water in its natural state;
- Water used in the exercise of the traditional and customary practices of native Hawaiians;
- Water reserved for or used by DHHL; and
- The domestic needs of the general public.

Appurtenant water rights refer to the water necessary for the use of kuleana parcels at the time kuleana awards were made - and they enjoy the same high level of priority as the four purposes above.

Private, municipal, and commercial uses of water are not prohibited. However, when CWRM or other agencies make decisions, they need to follow particular processes to ensure that public trust purposes of water are provided for.

As one of the protected public trust uses of water, the DHHL has a particular responsibility to protect that status, as well as to not bring harm to the other public trust uses of water. One way in which DHHL does this is to consider and pursue alternate sources of water when its uses may impact another public trust use of water. Another is to help defend all public trust uses against private commercial uses that could harm its own and other public trust uses.

Water Source Development

Even after the Department has secured water reservations as discussed above, efforts must be made to develop water sources to enable homesteading. In addition to the general powers that state departments have to expend funds and manage programs, DHHL has particular powers related to water source development.

The most commonly used of these is the power to issue leases or licenses to trust lands. Very frequently, DHHL will develop some combination of water source, storage, and transmission, and then lease, license, or otherwise dedicate those to the Board or Department of Water Supply of the county these lands lie in. In exchange, DHHL, receives a certain

number of water credits, which can be used and exchanged for water meters at a future time. Water credits have also been obtained in the past by other parts of the state government developing wells and assigning credits to the DHHL, as well as through litigation.

While it has never used the power, the HHC also has the power to bring eminent domain proceedings against private parties to obtain sites with water sources. It can also "demand" access to state controlled water systems, but like condemnation has not exercised this power.

As discussed above in the review of water reservations, in Designated Water Management Areas (WMAs), all users of water must obtain a "water use permit" from CWRM. By law those permits are conditioned on the rights of the DHHL. Generally, however, DHHS lands do not coincide with existing WMAs. See Figure 1, below, showing WMAs and DHHL lands on Maui.

Water System Management

The last major water kuleana that DHHL has is the ability to develop and manage water systems directly. DHHL currently manages four systems on Molokai, Kaua`i and Hawai`i Islands.

The Commission on Water Resource Management (CWRM) Record on Appeal

While the HHC, DHHL and its beneficiaries have particular and significant water rights as described above, we are largely dependent on CWRM and protecting those rights. Unfortunately, since passage of the code in 1987, it has been a very mixed history. See the Kalo Handout on the DHHL website. DHHL and beneficiaries have frequently had to go to court to challenge decisions of CWRM. The most successful instances have been when the DHHL and beneficiaries have worked closely together on those efforts. It is notable that beneficiaries on the island of Molokai have led the way, and the resulting cases have helped the courts describe the significance of DHHL water rights.

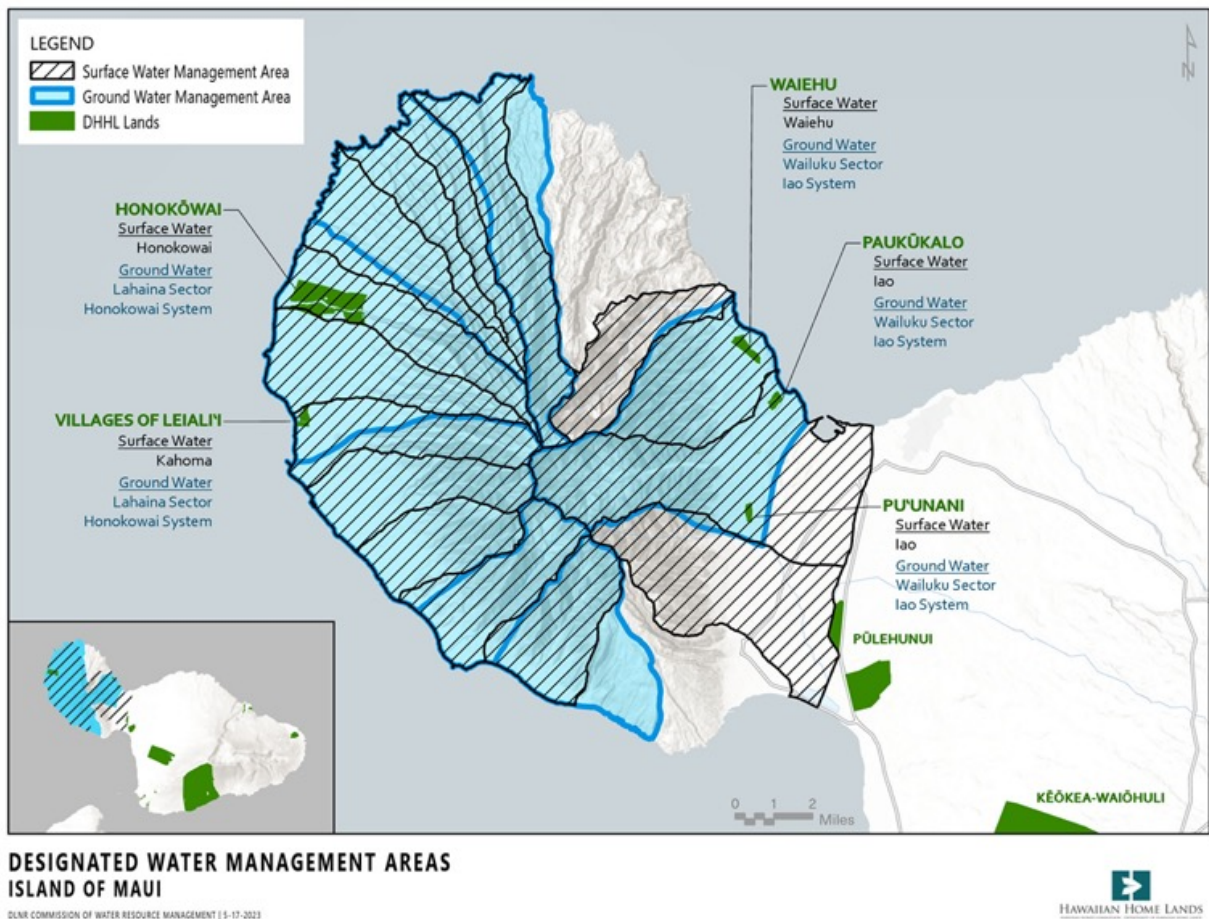


Figure 1. DHHL Lands and Water Management Areas on Maui. Most DHHL lands on Maui and across Hawai`i lie outside WMAs.

HHC Water Policy Plan (WPP)

In order to consistently make water decisions and protect the trust's water interests, in 2014 the HHC passed a Water Policy Plan (WPP) under the General Plan. This was adopted after two years of research, and two rounds of beneficiary consultation across the archipelago. It is to our knowledge, the first policy regarding water decisions passed by the HHC since passage of the HHCA in 1921. See the Water Policy Plan on the DHHL website.

The WPP is comprised of a number of distinct sections. The first section, a vision statement, comes directly from Section 101 of the HHCA. The Mission statement derives from the different water kuleana described above. The next section is on Values and describes four Hawaiian values key to the proper management of water. This is followed by twelve policies to

guide water decisions. The core of the WPP are nineteen goals identified by beneficiaries, staff, and the HHC to be the focus of DHHL water activities, with four identified as priority goals. These are:


1. Affirmatively communicate with beneficiaries regarding water decisions, performance, and water rights on a regional and annual basis.
2. Aggressively, proactively, consistently and comprehensively advocate for the kuleana of the beneficiaries, the DHHL, and the HHC to water before all relevant agencies and entities.
3. Develop and manage a Water Assets Inventory (WAI).
4. Support watershed protection and restoration on DHHL lands and source areas for DHHL water.

The final substantive portions of the WPP includes a statement on the delegation of authorities, which includes a requirement for the submission to the HHC by the DHHL an annual report on accomplishments as well as a plan for the coming fiscal year. Legal authorities, related plans, and legal references are also included.

In conclusion, DHHL has significant water kuleana - responsibilities and rights - that it can bring to bear in order to bring water to lands across the `āina ho`opulapula and to fulfill the goals of the HHCA. The primary areas of this work are for water planning, advocacy, source development, and system management. The CWRM and the Counties are critical partners to help achieve our goals. The HHC has adopted the WPP as the key policy guidance for this work. The WPP requires a number of actions from DHHL, including annual plans of work, reports on achievements, and annual regional updates on water issues and projects.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

March 18-19, 2024

To: Chairman and Members, Hawaiian Homes Commission
Thru: Andrew Choy, Planning Program Manager
From: Julie-Ann Cachola, Planner, Maui Liaison 
Subject: Item G-4 For Information Only - Status Update on Plan
Implementation in West Maui

RECOMMENDED ACTION

None; For information only.

BACKGROUND/DISCUSSION

EXISTING LANDS, PLANS, AND IMPLEMENTATION STATUS

The Planning Office provides the HHC with a status report on prior plans for lands and homestead communities where the HHC conducts its monthly meeting. For this March 2024 update, I will provide a quick report on the plans that are moving forward. However, the bulk of this update will focus on a huge initiative that is just beginning that will affect all of our Maui lands and beneficiaries. It's a window of opportunity that only opens once every 20-years, and that is the opportunity to update our Maui Island Plan.

West Maui Development Update

We have completed our master planning work for our lands in West Maui. The DHHL Honokōwai Master Plan and Final Environmental Assessment was completed in 2022. The Final Environmental Assessment for DHHL's Villages of Leiali'i, Village 1-B Subdivision and Related Improvements, was completed in 2023. I will provide a quick summary of what we came up with to let the Commissioners and West Maui beneficiaries know what to expect.

Figure 1: DHHL Honokōwai Lands



- 777-acres
- Very close to the Ka'anapali Airport
- A big gulch cuts divides the land into 2 parts.
- We have a lot of county infrastructure on and around our land, including the Mahinahina Water Treatment Plant, the Honokōwai Reservoir, and the Lahaina Wastewater Reclamation Facility.
- The last use of the land was monocrop, plantation agriculture, growing pineapple.

Table 1 presents the proposed land uses by acres and lots. Figure 1 on the following page presents the layout or arrangement of the proposed land uses.

Table 1: Honokōwai Proposed Land Uses

PROPOSED USES HONOKŌWAI		Number of Homes per Acre	Acres	Lots
HOMESTEAD	Subsistence Ag Lots @ 1-2 acres	1	342	252
	Single-Family Residential @ 7,500 sf	6	75	356
	Multi-Family Residential	15	37	573
	Supplemental Ag		14	0
COMMUNITY	Community Use: Ag		16	0
	Community Use: Park		28	0
	Community Use: Commercial		27	0
OTHER	Conservation: Gulches, Buffers		146	0
	Industrial		16	0
	Roads		58	0
	County Facilities		18	0
TOTAL ACRES AND LOTS			777	1,181
PROPOSED USES LEIALI'Ī 1B				
	Increment 1: Single-family homes @ 1,088 sf – 1,674 sf			86
	Increment 2: Single-family homes @ 1,088 sf – 1,674 sf			95
TOTAL ACRES AND LOTS			51	181
WEST MAUI GRAND TOTAL:			828	1,362

Leiali'i 1B is located west of Leiali'i 1A, above the Civic Center (see Figure 2). DHHL plans is to development 181 single-family homes on the 51-acre parcel. The project will be constructed in two increments. Increment 1 will consist of 86 single-family homes and Increment 2 will consist of 95 single-family homes, with home sizes ranging from 1,088 square feet to 1,674 square feet (see Figure 3).

In order to develop the proposed subdivision, the following offsite improvements are required:

- Development of two (2) new offsite retention basins mauka of Village 1-B, on lands owned by HHFDC
- Adjustment of the outlet drainage pipes in the existing retention basin mauka of Village 1-A, on lands owned by HHFDC, and enlargement of the basin
- Grading and development of drainage interceptor ditches mauka of Village 1-B, on lands owned by HHFDC

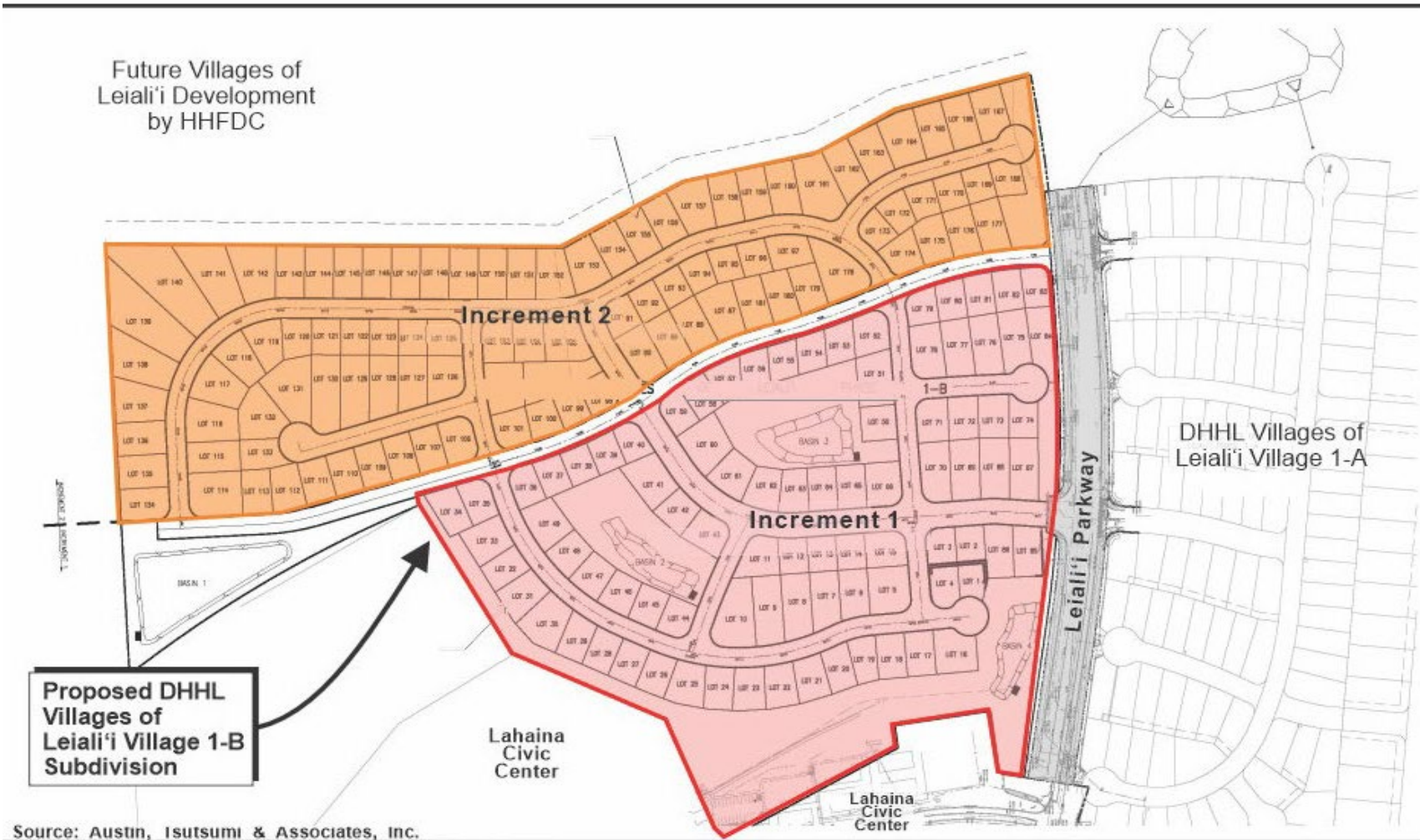
FIGURE 1: HONOKŌWAI MASTER PLAN



FIGURE 2: LEIALI'I 1B



FIGURE 3: LEIALI'I 1B SUBDIVISION PLAN BY INCREMENT



- Roadway improvements to Leiali'i Parkway and Honoapi'ilani Highway
- Roadway repairs to existing portions of Leiali'i Parkway

When development plans are completed, they go to the Land Development Division—and they are the ones that put things on the ground. They plan and design the “backbone” infrastructure—the roads, they manage drainage of water, they secure a water source which will always require a plan for transmission of the water, and then distribution to the lots. They develop utility corridors where electric, cable/phone, gas lines, water meters, where all of these ‘life lines’ are put in for you. There is a lot of time and money that goes into preparing each lot, which on Maui, can range from \$200,000 per lot to \$375,000 per lot! That does not include any vertical construction; it doesn't include the house. And beneficiaries should know that the Department never recoups that money. That is the kind of investment that is required for every lot and that is why we are always looking to secure funds or develop partnerships which can lessen the costs to prepare each lot.

The Planning Office usually provides updates on our regional plans, however, the Leiali'i-Honokōwai Regional Plan was developed in 2009, 15 years ago and like our Maui Island, is due for an update.

Of course, our attention since August 2023 has been focused on efforts to provide housing for those who lost their homes in the fire. At this point in time, FEMA is developing housing and the State Department of Human Services is providing transitional housing units for those that are ineligible for FEMA assistance. DHHL had been in discussions with HHFDC to secure additional lands mauka of Leiali'i 1A, however, those plans have been postponed in order to allow DHS to develop transitional housing units that will house fire victims when hotel support ends, up until the time that a permanent housing solution is constructed, which is estimated to be between 3 to 5 years.

As you know, there were only 2 lessees who had their homes destroyed in the wildfire, however, when we compared our beneficiary addresses against the County's list of addresses that were destroyed in the fire, we found that there were 52 applicants who were living in homes that were destroyed by the fire. In addition to the 2 lessees whose homes were destroyed, we also found that there were 3 lessees whose mailing address was to a home destroyed by the fire.

DHHL's Planning System

In order to "rehabilitate" native Hawaiians, the HHCA provided the Department with a land base and it gave the Hawaiian Homes Commission exclusive authority over that land base. To ensure that the Commission's decisions on the use of trust lands are coordinated and further our mission of rehabilitating native Hawaiian beneficiaries, in 2018, the Department's Administrative Rules were amended to codify DHHL's Planning System. The Administrative Rules defines a hierarchy of plans starting from DHHL's General Plan that provides a long-range vision and goals, all the way down to DHHL's Regional Plans, which identify specific initiatives and projects in each of our homestead communities.

A critical part of the Planning System is our land use framework, because it explains how we categorize our lands—how we look at developing the trust lands. In DHHL's Planning System, the General Plan establishes the Land Use Designations; it identifies how we categorize our lands. But the assigning of the Land Use Designations to specific parcels of land is done in the Island Plans. The DHHL/HHC is the only landowner in the State of Hawai'i that has the power and authority to 'zone' its own lands and to define the land use 'zones.'

Island plans are important because it is the document that takes the long-term Vision, our Guiding Principles (our key values), and the broad goals and policies articulated in the General Plan and makes the connection to the land. Island Plans look at each parcel of land on the island and determines how that parcel should be used in order to achieve our goals. While Land Use Designations may be amended by the HHC when development plans are created, the Island Plans have a 20-year timeframe, which means that our Land Use Designations continue to guide land use decisions over the 20-year planning horizon.

The Maui Island Plan Update

The purpose of each DHHL Island Plan is to:

- (1) Provide a comprehensive resource for planning and land management purposes;
- (2) Assign Land Use Designations 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 Maui Island Plan was adopted in 2004. It has provided land use guidance over the past 20 years, and it is time to update the Island Plan. The Planning Office is in the process of contracting a planning firm to assist in updating the Maui Island Plan. The update process will involve extensive outreach and involvement of beneficiaries residing on Maui. The update will have to incorporate many changes that occurred since the 2004 Maui Island Plan was published. The major changes that need to be addressed are discussed below.

New Land Use Designations

Now that the Administrative Rules require a uniform system of land use designations to be used for all DHHL lands and plans, the Island Plan update will have to consider several new Land Use Designations. Table 2 identifies the Homestead Land Use Designations and Non-Homestead Land Use Designations that were used in the 2004 Maui Island Plan, including the amount of land that was assigned to each designation. The new Land Use Designations have been added to the Table and are highlighted. In addition, "General Agriculture" is no longer a Land Use Designation, so it has been crossed out.

Table 2: 2004 Island Plan Land Use Designations

LAND USE DESIGNATIONS	ACRES	PERCENT
<i>Homestead Land Use Designations:</i>		
Residential	5,384	16.8%
Subsistence Ag	1,582	4.9%
Supplemental Ag	675	2.1%
Pastoral	233	0.7%
DHHL Kuleana		
<i>Non-Homestead Land Use Designations</i>		
Special District	15,485	48.4%
Conservation	7,513	23.5%
Community Use	190	0.6%
Commercial	195	0.6%
Industrial	115	0.4%
General Ag	599	1.9%
Stewardship		
Community Agriculture		
Renewable Energy		
MAUI ISLAND TOTAL:	31,971	100%

Highlighted = New Land Use Designation

As we look ahead to updating the Maui Island Plan, it is important for us to understand what kind of new land uses have been added to our Land Use Designation 'toolbox.' Table 3 identifies, for each new Land Use Designation, an explanation of the setting, intent and purpose of the particular Designation.

Table 3: Descriptions of New Land Use Designations

HOMESTEAD LAND USE DESIGNATIONS	
DHHL KULEANA	Raw land 'as is' (without infrastructure) for off-grid subsistence lifestyles. Must participate in homestead association and maintenance of the right-of-way to the Kuleana Homestead tract.
NON-HOMESTEAD LAND USE DESIGNATIONS	
STEWARDSHIP	Land not currently used for homesteading. Allow uses that maintain or enhance the value and condition of the land to the benefit of beneficiaries and the Trust. May serve as an interim use until opportunities for higher and better uses become available.
COMMUNITY AGRICULTURE	Common areas used for the cultivation of fruits, vegetables, plants, flowers, or herbs by multiple users. The land must be served by a water supply sufficient to support the cultivation practices used on the site.
RENEWABLE ENERGY	Lands suitable for siting projects for generation and transmission of renewable energy.

New Land Acquisitions

Since 2004, the Department has acquired new lands that have already expanded homestead opportunities in new areas. New acquisitions of land are closer to existing infrastructure and existing employment centers. These new land acquisitions need to be assessed during the Island Plan update process. Table 4 identifies the new land acquisitions since 2004.

Table 4: New Acquisition of Lands

NAME/AREA	ACRES	POTENTIAL LOTS
Pūlehunui North	104	None (commercial/ind)
Pu`uhona Waikapū	48	161
Wai`ehu Mauka	238	311
*Wailuku-Waikapū	148	207
*Kamalani-Kīhei	82	400
TOTALS	620	1,079

* Acquisition in progress.

New Topics/New Perspectives

There has been a lot of changes in our world since 2004 and I'm looking forward to taking a systematic view of our lands, and to plan our lands with a different lens. It's clear that the next 20-years will be different from the last 20-years. We will make new assumptions, analyze different elements, and even when we are looking at the same land uses, perhaps we will prioritize them differently. I'm looking forward to rolling up my sleeves with our beneficiaries, to take this opportunity to plan for the future. Some of the topics that come from the General Plan Guiding Principles already set a different tone, as you can see in Table 5 below.

Table 5: General Plan Guiding Principles and New Points of Analysis

GUIDING PRINCIPLES (KEY VALUES)	ISSUE AND OPPORTUNITIES TO ADDRESS IN UPDATING MAUI'S ISLAND PLAN
Climate Change and Hazards	<ul style="list-style-type: none"> • Sea level rise • Climate change • Related hazards: flooding and sea level rise, increasing temperatures, heat waves, drought, rainfall, wildfires
Water Resources	<ul style="list-style-type: none"> • The right to priority use of water • The right to demand use of water from governmental lands • The right to use surplus water from private lands
Returning native Hawaiians to their lands for self-sufficiency	<ul style="list-style-type: none"> • In what ways can we restore our relationship with Trust lands and resources? • How do we 'plant' deeper connections to the

GUIDING PRINCIPLES (KEY VALUES)	ISSUE AND OPPORTUNITIES TO ADDRESS IN UPDATING MAUI'S ISLAND PLAN
and self-determination	land. Lineal descendants?
Legacy and Succession	<ul style="list-style-type: none"> • How can we share and pass down ancestral wisdom, cultural traditions and practices? • How do we ensure succession in perpetuity?
Homestead Choice and Diversity	<ul style="list-style-type: none"> • How do we meet diverse beneficiary needs and desires? • What are creative models, innovative ideas to get Hawaiians on the land. • How do we improve our health/prosperity? • How do we develop strong, interdependent communities?
Mālama 'Āina	<ul style="list-style-type: none"> • How can we cultivate resource managers, konohiki who understand how to ensure sustainable resources? • How can we promote traditional practices of resource management • How can beneficiaries help DHHL manage our lands so it can sustain future generations? • How do we promote stewardship? • Should we acquire lands to create more effective resource management 'units'? • How can we leverage our lands and our successful management of resources to extend to more lands and resources?
Economic Opportunity	<ul style="list-style-type: none"> • How can the Department support CBED; how can we reinvest in our beneficiaries and communities. • What are new concepts of economic development, new economies that are more consistent with our cultural values, that create win-win-win scenarios? • What kind of new economies can we create that generates revenue that sustains resource management?
Cultural Grounding and Education	<ul style="list-style-type: none"> • Embedded in our cultural knowledge and traditions are solutions that can restore our health, restore our environment, and re-establish expertise and shared kuleana to teach sustainable management. • Culture brings spirit to practice—how do we

GUIDING PRINCIPLES (KEY VALUES)	ISSUE AND OPPORTUNITIES TO ADDRESS IN UPDATING MAUI'S ISLAND PLAN
	facilitate—i.e., make it easier for beneficiaries to practice resource management?
Social and Physical Well-Being	<ul style="list-style-type: none"> • How do we move our beneficiaries out of survival mode into a thriving world where abundance overflows? • How do we maximize the use of our lands and resources to promote stability, physical well-being, communities of care, communities that thrive together, and provide the learning ground and forum to create future leaders, innovators, and 'expertise' in mea Hawai'i?

Recommendation

None; For Information Only

Commissioners are welcome to participate in our planning meetings to update the Maui Island Plan. Mahalo!

**HAWAIIAN HOMES COMMISSION
MARCH 18 & 19, 2024**

H – ITEMS

ADMINISTRATIVE SERVICES OFFICE

State of Hawai'i
DEPARTMENT OF HAWAIIAN HOME LANDS

March 18, 2024

TO: Chair Watson and Commissioners, Hawaiian Homes Commission
FROM: Brian K. Furuto, Administrative Services Officer
SUBJECT: Transfer of Hawaiian Home Receipts Fund Balance – End of 3rd Quarter, FY24

RECOMMENDED MOTION/ACTION:

Commission approval to transfer the receipts deposited in the Hawaiian Home Receipts Fund as of March 31, 2024, to the Hawaiian Home Administration Account.

DISCUSSION:

Section 213 (g) of the Hawaiian Homes Commission Act, 1920, as amended, reads in part as follows:

“(3) Hawaiian home receipts fund. All interest moneys from loans or investments received by the department from any fund except as provided for in each respective fund, shall be deposited into this fund. At the end of each quarter, all moneys in this fund may be transferred to the Hawaiian home operating fund, the Hawaiian home administration account, the Hawaiian home trust fund, and any loan fund in accordance with rules adopted by the department.”

Section 10-3-52(b) of the Title 10, DHHL Administrative rules, provides that:

“If the Commission fails to approve a plan for transfer, all moneys in the Hawaiian home receipts fund shall be transferred at the end of that respective quarter as follows:

- (1) Nine per cent to the operating fund; and,
- (2) Ninety-one per cent to the general loan fund.”

On March 11, 2024, the cash balance of the Hawaiian Homes Receipt Fund was \$877,660.33. The March 31, 2024, projected balance is \$1,100,000. Based on department expenditures for FY 2024, it is recommended that cash receipts in the Hawaiian Home Receipts Fund for the 3rd quarter ending March 31, 2024, be transferred to the Hawaiian Home Administration Account.

**HAWAIIAN HOMES COMMISSION
MARCH 18 & 19, 2024**

**J – ITEMS
REQUESTS TO ADDRESS THE
COMMISSION**

STATE OF HAWAI‘I
DEPARTMENT OF HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION MEETING
March 19, 2024

J AGENDA

- J-1 Maria Linz and Corrine Nobriga – Kako‘o LeiAlii
- J-2 Blossom Feiteira - LeiAlii
- J-3 Jeff Gilbreath and Lexy Gorginio – Hawaii Community Lending
- J-4 Kainoa MacDonald -SCHHA Disaster Relief Team - Maui Wildfires Recovery Efforts Update
- J-5 Kekoa Enomoto – Pa‘upena Community Development Corporation
- J-6 Robin Kealiinohomoku – Housing for Maui Beneficiaries
- J-7 Donna Sterling – Kahikinui Concerns
- J-8 Princeslehuanani Kumaewakainakaleomomona – Waitlist and Kahikinui
- J-9 Orrin Kupau – Experience as a Waitlister
- J-10 Iwalani McBrayer – Homestead Projects
- J-11 Maxine Kahaulelio – Lease Concerns

Subject: J Agenda

From: Maria Linz <maria.bacalso@gmail.com>
Sent: Thursday, January 25, 2024 2:02 PM
To: Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov>
Cc: Randy Awo <randyawo@gmail.com>
Subject: Re: [EXTERNAL] Signature Needed - Insurance

J Agenda Kakoo Leialii

Maria

From: [Blossom Feiteira](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] J Agenda
Date: Tuesday, March 05, 2024 8:58:11 AM

Aloha Lea,

Would like to provide testimony on J agenda for March 19, 2024 on various concerns related to Maui beneficiaries.

Mahalo,

Blossom

Sent from my iPhone

From: [Blossom Feiteira](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] J Agenda
Date: Tuesday, March 05, 2024 8:58:11 AM

Aloha Lea,

Would like to provide testimony on J agenda for March 19, 2024 on various concerns related to

Maui beneficiaries.

Mahalo,

Blossom

Sent from my iPhone

From: [Kainoa Lei MacDonald](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Cc: [Iwalani McBrayer](#); [Kainoa Lei](#); [AHHL Waitlist](#)
Subject: [EXTERNAL] JAgenda Request - March
Date: Tuesday, March 05, 2024 3:41:03 PM

Aloha Leah!

Can you please add me to the J Agenda - on Maui will present an update on Homestead Community Development Corporation (HCDC) project of Hawaiian Homestead Association Maui Fund(HHAMF) updates.

I am also adding Iwalani McBrayer to give her update on Homestead projects.

I forgot it was due today.

Sent with Aloha

Kainoa Lei MacDonald
Homestead Virtual Meeting Facilitator
SCHHA/AHHL~
Association of Hawaiians for Homestead Lands Mokuhonu Director/Sec.

~ Let's End The Waitlist

(808) 419-8646 Direct
Email: 808divergentgroup@gmail.com

From: [Kekoa Enomoto](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Cc: [EXTERNAL] J Agenda 3/19/24
Friday, February 23, 2024 6:56:23 AM
Subject:
Date:

Aloha mai kua e Leah,
Ke 'olu'olu, may I RSVP to advocate on the J Agenda at the 3/19/24 Hawaiian Homes Commission meeting? I w/speak on behalf of Na Kia'i O Maui organization re: the proposed Honokowai Humanitarian Project.
Mahalo nui,
-'Anake Kekoa

Kekoa Enomoto
Director/ immediate past chairwoman of the board,
Pa'upena Community Development Inc.
(808) 276-2713

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit J-Agenda Testimony
Date: Monday, February 05, 2024 4:00:57 PM

Name

Robin Kealiinohomoku

Email

nakiaio Maui@gmail.com

Message

Aloha e Leah,

I would like to present on the J-Agenda to speak on the subject of housing for the displaced 50%-Hawaiian beneficiaries, and housing for Maui Nui 50%-Hawaiian beneficiaries.

From: [donna.sterling](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] February J Agenda
Date: Monday, February 05, 2024 12:42:01 PM

Aloha

I am requesting to be placed on the J Agenda for the Feb 19,20 2024 Commission Meeting.

Mahalo

Donna Sterling

Sent from [Proton Mail](#) for iOS

From: princeslehuanani.kumaewakainakaleomomona
To: [EXTERNAL] Re: J Agenda Testimony - Hawaiian Homes Commission Meeting - Wednesday, January 17, 2024
Wednesday, February 28, 2024 7:14:11 AM
Subject: [image001.png](#)
Date:
Attachments:

Feb. 28, 2024

Aloha Leah,

I would like to be on MARCH j-agenda for Lahaina Maui DHHL commissioners meeting.

I be speaking on Mount Kahikinui Kuleana/Pastoral waitlist since 1993, and speak about Lahaina to HONOKOWAI valley...as I'm waiting over 30 solid years, I been waiting alive patiently.

Please get me on my 1920 promised lands before I DIE.... All my 4 MAUI BIRTH KIDS LOST THAT OPPURTUNITY TO BE RAISED ON THEIR SPOKEN BLOOD MAUI NUI LANDS.... please don't take it away from my MAUI GRANDBABIES....

Mahalo and I appreciate all you do...

Princeslehuanani Kumaewakainakaleomomona
Maui Wait lister 1993
808-359-1848

[Sent from Yahoo Mail for iPhone](#)

On Wednesday, February 14, 2024, 8:56 PM, Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov> wrote:

From: okupau78
To: Burrows-Nuuanu, Leatrice W
Subject: RE: [EXTERNAL] RE: New submission from Submit J-Agenda Testimony
Date: Thursday, February 22, 2024 2:41:56 PM

Aloha Leah,

Will I be added on next month's J agenda? Mahalo.

Orrin

Sent from my T-Mobile 5G Device

----- Original message -----

From: okupau78 <okupau78@gmail.com>
Date: 2/14/24 6:17 PM (GMT-10:00)
To: "Burrows-Nuuanu, Leatrice W" <leatrice.w.burrows-nuuanu@hawaii.gov>
Subject: RE: [EXTERNAL] RE: New submission from Submit J-Agenda Testimony

Aloha Leah,

Thank you for confirming. I look forward to receiving both agendas if possible.

Could you also provide me the YouTube location?

If my #27 item does not make it will it go over to the next board meeting? Mahalo.

Orrin

Sent from my T-Mobile 5G Device

----- Original message -----

From: "Burrows-Nuuanu, Leatrice W" <leatrice.w.burrows-nuuanu@hawaii.gov>
Date: 2/7/24 9:09 AM (GMT-10:00)
To: okupau78 <okupau78@gmail.com>
Subject: RE: [EXTERNAL] RE: New submission from Submit J-Agenda Testimony

Aloha e Orrin,

Unfortunately, the J Agenda is on February 21st.

Mahalo,