

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

Courtyard King Kamehameha’s Kona Beach Hotel Ballroom #1
75-5660 Palani Road, Kailua-Kona, Hawai‘i 96740, and Zoom Meeting ID: 609 754 2925
Monday, May 20, 2024, at 9:30 a.m. to be continued, if necessary, on
Tuesday, May 21, 2024, at 9:30 a.m.
Livestream available at www.dhhl.hawaii.gov/live

Note: Commission Meeting Packets will be available at dhhl.hawaii.gov, by Wednesday, May 15, 2024.

I. ORDER OF BUSINESS

- A. Roll Call
- B. Approval of Agenda
- C. Approval of Minutes:
 - a. April 22 & 23, 2024 Regular Meeting
- D. Public Testimony on Agendized Items – see information below

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

II. ITEMS FOR DECISION MAKING

A. CONSENT AGENDA

Homestead Services Division

- D-2 Approval of Consent to Mortgage (see exhibit)
- D-3 Ratification of Loan Approvals (see exhibit)
- D-4 Approval of Homestead Application Transfers / Cancellations (see exhibit)
- D-5 Approval to Certify Applications of Qualified Applicants for the Month of April 2024 (see exhibit)
- D-6 Rescission of Residential Application Transfer, Rescission of Residential Application Rights Successorship, Reinstatement of Waimanalo Area/Oahu Islandwide Residential Application of **DAVID K. PURDY, JR.**, and Reinstatement of Residential Application – **JACOB K. PURDY**
- D-7 Commission Designation of Successors to Application Rights – Public Notice November 2015, 2021 & 2022 (see exhibit)
- D-8 Approval of Assignment of Leasehold Interest (see exhibit)
- D-9 Approval of Amendment of Leasehold Interest (see exhibit)
- D-10 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees (see exhibit)
- D-11 Commission Designation of Successor – **HAUNANI K. M. BUSH**, Residential Lease No. 730, Lot No. 39, Waimanalo, Oahu
- D-12 Commission Designation of Successor – **WENDALL M. W. KAANOI**, Agricultural Lease No. 7906, Lot No. 10, Hoolehua, Molokai

B. REGULAR AGENDA

Office of the Chairman

- C-1 Approval Of Hawaiian Homes Commission Resolution 309 – Honoring Randy Kalei Awo For His Service To The Hawaiian Homes Commission
- C-2 Approval of Down Payment and Closing Cost Assistance Programs Through the Federal Home Loan Bank of Des Moines

Homestead Services Division

- D-13 Approval of Amendment of the Commencement Date for the Pu‘ukapu Pastoral Leases

Land Development Division

- E-1 Acceptance of Final Environmental Assessment and Finding of No Significant Impact Determination for the Wailuku Single Family Residential Subdivision Waikapū & Wailuku, District of Wailuku, Maui Island, Hawai‘i, TMK Nos. (2)3-5-002:003(por.)
- E-2 Approval of Lease Award Pi‘ilani Mai Ke Kai Subdivision Phase II – Residential Vacant Lots, Anahola, Kauai (see exhibit)

Land Management Division

- F-1 Approval to Annual Renewal of Right of Entry Permit(s) and Conversion to Revocable Permits, North & West Hawai‘i Island (See exhibit)
- F-2 Approval to Extension of Lease Term for General Lease No. 217, Harborside Investors, Kawaihae, Island of Hawaii, TMK No. (3) 6-1-006:015
- F-3 Approval to Extension of Lease Term Scheduled to Expire for various General Leases, Kaei Hana I Industrial Subdivision, Waiakea, S. Hilo, Island of Hawaii, TMK Nos. (3) 2-2-060:050, :060, :058, :059, :068, :069, :057, :037, :056, :054, and :047
- F-4 Approval to Issue Right of Entry Permit to La‘i‘Opua Community Development Corporation, Kealakehe, Kona, Island of Hawaii, TMK No. (3) 7-4-021:003
- F-5 Approval to Term Extension, License No. 705 Approval to Extend License No. 705 to the State of Hawaii, Department of Human Services, Kalaeloa, Island of Oahu, TMK No. (1) 9-1-013:024 (por.) and Wailuku, Island of Maui, TMK No. (2) 3-4-011:032
- F-6 Approval to Issue First Amendment to Right of Entry Permit No. 727, Alpha Inc., Honokowai, Maui Island, TMK No. (2) 4-4-002:018 (por.)
- F-7 Approval Issue Right of Entry Permit to Hui Ho‘okahua Molokai, Kaunakakai, Molokai Island, TMK Nos.: (2) 5-3-001:002, :097 & :100

Planning Office

- G-1 Accept the Beneficiary Consultation Report for the General Leasing of O‘ahu Parcels in Kapolei TMK No. (1)-9-1-151:058 and Moanalua TMK Nos. (1)-1-1-064:019 & 020; (1)-1-1-064:022 & 031.
- G-2 Accept the Beneficiary Consultation Report for the General Leasing of Hawaii Island Parcels in Waiākea, Hilo TMK No. (3) 2-2-060:019
- G-3 Accept the Beneficiary Consultation Report for Hui Ho‘okahua O Molokai’s Land Use Request for Malama Park Kaunakakai, Molokai TMK Nos. (2) 5-3-001:002, :097 & 100 and Ahonui Homestead Association’s Land Use Request to Steward DHHL’s ‘Ualapu‘e Tract, Molokai, TMK Nos. (2)-5-6-006:017, (2)-5-6-002:024, 025, 026, 027, 001, & 036.

III. EXECUTIVE SESSION

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

1. Discussion Regarding Telecommunications on Hawaiian Home Lands
2. Discussion Regarding the U.S. Department of Interior's position on Act 236, SLH 2021

IV. ITEMS FOR INFORMATION/DISCUSSION

Office of the Chairman

- C-3 For Information Only – Summary of Legislative Session 2024
- C-4 For Information Only - Status Report of DHHL Enforcement Unit Efforts and Statistics (April 16, 2024 – May 15, 2024)
- C-5 For Information Only – Oral Summary of the HHC Limited Meeting to Kalaupapa, Molokai, on April 24, 2024.
- C-6 For Information Only – Oral Summary of the HHC Limited Meeting to Kings Landing, Honoka'a, Pu'ukapu, and Kawaihae, Hawaii Island, on May 19, 2024.

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 U.S. Small Business Administration
 - D.-DHHL Guarantees for FHA Construction Loans
- D-14 For Information Only – Rules Related to Lessee Leave of Absence and Caretaking of Homestead Lots

Land Development Division

- E-3 For Information Only – West Hawaii Project Updates

Land Management Division

- F-8 For Information Only – Implementation of Act 236 SLH 2021 and request for extension of General Lease No. 202, Prince Kuhio Plaza, LLC, Waiakea, Hawaii Island, TMK Nos. (3) 2-2-047:006: 066: & :073

Planning Office

- G-4 For Information Only – Draft DHHL Kawaihae Regional Plan 2024 Update
- G-5 For Information Only – DHHL Hawai'i Island Plan Update Process
- G-6 For Information Only – Status Update on Plan Implementation in West Hawai'i Region
- G-7 For Information Only – West Hawai'i Water Projects and Issues Update

V. ANNOUNCEMENTS AND RECESS

1. DHHL Community Meeting is on Monday, May 20, 2024, at 6:30 p.m. Kealakehe High School Cafeteria, 75-5000 Palani Road, Kailua-Kona, Hawaii, 96748

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

Courtyard King Kamehameha’s Kona Beach Hotel Ballroom #1
75-5660 Palani Road, Kailua-Kona, Hawai‘i 96740, and Zoom Meeting ID: 609 754 2925
Tuesday, May 21, 2024, at 9:30 a.m
Livestream available at www.dhhl.hawaii.gov/live

I. ORDER OF BUSINESS

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

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

II. ITEMS FOR INFORMATION/DISCUSSION

A. GENERAL AGENDA

Planning Office

- G-8 For Information Only – DHHL Water Policy Implementation Plan Status and Implementation Plan for Fiscal Year 2025
- G-9 For Information Only – King’s Landing Kuleana Homestead Settlement Plan, Draft Environmental Assessment, Waiākea, Hawai‘i Island TMK Nos. (3)-2-1-013:001:007, 008, and 149

Requests to Address the Commission

- J-1 Bo Kahui – La‘i‘Opua Community Development Corporation
- J-2 Jeanette Kaulukukui – Kailapa Community Association
- J-3 Jojo Tanimoto – Kawaihae Concerns
- J-4 Kaulani Almeida – Panaewa Hawaiian Home Lands Community Association
- J-5 Kekoa Enomoto – Paupena Community Development Inc.,
- J-6 Blossom Feiteira – Maui Concerns
- J-7 De Mont Manaole – Various Concerns
- J-8 Princeslehuanani Kumaewakainakaleomomona - Kahikinui
- J-9 Degray Vanderbilt – Ka Ohana O Kalaupapa

III. ANNOUNCEMENTS AND ADJOURNMENT

- A. Next Regular HHC Meeting –June 17 & 18, 2024, 9:30 a.m., Hale Pono‘i, 91-5420 Kapolei Parkway, Kapolei, Oahu
- 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 May 17, 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 May 17, 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.



Scan here for the meeting Packet



Scan here for livestream

ITEM D-2 EXHIBIT

APPROVAL OF CONSENT TO MORTGAGE

LESSEE	LEASE NO.	AREA
AKAMU, Kenny K.	2213	Kewalo, Oahu
AKANA, Tehani M.L.	5600	Lualualei, Oahu
ARMSTRONG, Loraine K.	8608	Nanakuli, Oahu
BENAVIDES, Burke I.	10044	Waiehu Kou III, Maui
KALEIOHI, Jason K.	12679	Anahola, Kauai
KAWAI, Patrick K.	10198	Kaumana, Hawaii
PURDY, Allen N.	12293	Hikina, Maui
SANBORN, Rhonda K.	2677A	Kuhio Village, Hawaii
YAMAMOTO, Amy M.M.	9881	Maluohai, Oahu

ITEM D-3 EXHIBIT

RATIFICATION OF LOAN APPROVALS

LESSEE	LEASE NO.	AREA
KAUHAA-PO, Sherman L.K.	10446	Waiohuli, Maui
OLEOLE, Bert W.L., Jr.	626	Papakolea, Oahu

ITEM D-4 EXHIBIT

APPROVAL OF HOMESTEAD APPLICATION TRANSFERS / CANCELLATIONS

APPLICANT	AREA
AH MOW, Wailani	Oahu I W Agr to Hawaii IW Agr
AH MOW, Wailani	Oahu IW Res to Hawaii IW Res
AKU, Antone K.M.	Oahu IW Agr to Hawaii IW Pas
AKU, Antone K.M.	Oahu IW Res to Hawaii IW Res
AMARAL, Henry Jr.	Maui IW Res
AUWAE, Dallas M.	Maui IW Res
FELICIANO, Frandee A.L.	Hawaii IW Agr to Oahu IW Agr
FELICIANO, Frandee A.L.	Hawaii IW Res to Oahu IW Res
KAINA, Leinora L.	Maui IW Agr
KAOHELAULII, Dana A., Jr.	Kauai IW Pas
KAOHELAULII, Dana A., Jr.	Kauai IW Res
KEMA, Edward C., Jr.	Oahu IW Agr
KEMA, Edward C., Jr.	Oahu IW Res
LANDFORD-BRIGHT, Verna M.L.	Molokai IW Res
MONTALBO, Bernice K.	Maui IW Agr
MONTALBO, Bernice K.	Maui IW Res
NIHOA, Lawrence M., Jr.	Hawaii IW Agr
PAULO, Kekuanoni K.	Hawaii IW Agr to Kauai IW Agr
PAULO, Kekuanoni K.	Hawaii IW Res to Kauai IW Res
PURDY, Allen N.	Maui IW Agr
SETO-MOOK, Richard	Waimanalo Area / Oahu IW Res
TEXEIRA, Pauline L.	Oahu IW Res

ITEM D-5 EXHIBIT

APPROVAL TO CERTIFY APPLICATIONS OF QUALIFIED APPLICANTS

APPLICANT	AREA
AHANA, Aaro M.K.	Hawaii IW Agr
AHANA, Aaron M.K.	Hawaii IW Res
AHUNA, Moses W.K.	Hawaii IW Agr
AHUNA, Moses W.K.	Hawaii IW Res
AKIMA, Stacey Smith K.	Maui IW Agr
AKIMA, Stacey Smith K.	Maui IW Res
ANTONIO, Preston W.	Hawaii IW Res
ARRIAGA, Ines T.P.	Maui IW Agr
ARRIAGA, Ines T.P.	Maui IW Res
BRIGHT, Shavelle K.	Oahu IW Res
CRIVELLO, Leonahamaikaimalie	Hawaii IW Agr
CRIVELLO, Leonahamaikaimalie	Maui IW Res
ELLIS, Bobby G., Jr.	Hawaii IW Res
GUSMAN, Paul D.E.I.	Oahu IW Agr
GUSMAN, Paul D.E.I.	Oahu IW Res
HANAWAHINE, Napualani S.	Oahu IW Res
HANCHETT, Mary Jane M.L.	Maui IW Agr
HANCHETT, Mary Jane M.L.	Maui IW Res
HIAPO KALUA, Beatrice V.M.	Maui IW Agr
HIAPO KALUA, Beatrice V.M.	Maui IW Res
HOAEAE, Michael L.	Oahu IW Res
HULAMA, Katherine M.L.	Hawaii IW Pas
HULAMA, Katherine M.L.	Hawaii IW Res
HUSSEY, Kanekapila R.L.	Oahu IW Res
IRVINE, Keliikalani	Oahu IW Agr
IRVINE, Keliikalani	Oahu IW Res
KAALAKEA, Isaac J.M.	Maui IW Agr
KAALAKEA, Isaac J.M.	Maui IW Res
KAAWA RICHARDSON, Kelly H.	Molokai IW Agr
KAHIKINA, Nevada K.	Oahu IW Res
KAHIKINA, Nevada K.	Maui IW Agr
KALAHIKI, William Paul M.A.	Hawaii IW Res
KALAMA, Nainoa T.	Maui IW Agr
KALAMA, Nainoa T.	Maui IW Res
KALILIKANE, Shaina N.K.	Molokai IW Agr
KALILIKANE, Shaina N.K.	Molokai IW Res
KALUA, Lelan D.K.	Oahu IW Res
KAMAKANA, Rex K.	Molokai IW Agr
KAMAKANA, Rex K.	Molokai IW Res
KANE, Johansen L.K.A.N.	Hawaii IW Res
KANE, Johansen L.K.A.N.	Molokai IW Agr
KAWAAKOA, John W., III	Oahu IW Res

ITEM D-5 EXHIBIT (continued)	
APPROVAL TO CERTIFY APPLICATIONS OF QUALIFIED APPLICANTS	
APPLICANT	AREA
KEALOHI, Jaylene M.	Oahu IW Agr
KEALOHI, Jaylene M.	Oahu IW Res
KEONE, Renee M.	Oahu IW Res
KEONE, Renee M.	Hawaii IW Agr
KEOPUHIWA, Samuel N.	Kauai IW Agr
KEOPUHIWA, Samuel N.	Kauai IW Res
KIA, Clyde K., Sr.	Kauai IW Agr
KING, Louella D.P.	Oahu IW Res
LEE, Maya K.	Oahu IW Res
LEE, Maya K.	Maui IW Agr
LIND, Bruce M., III	Maui IW Agr
LIND, Bruce M., III	Maui IW Res
MAHOE, Kainoa I.	Oahu IW Agr
MAHOE, Kainoa I.	Oahu IW Res
MAKEKAU, Allison K.M.	Hawaii IW Pas
MAKEKAU, Allison K.M.	Hawaii IW Res
NARDO, Sunya N.	Oahu IW Agr
PUAA, Alohalani	Maui IW Agr
PUAA, Alohalani	Maui IW Res
PUAA, Kaohulani K.	Maui IW Agr
PUAA, Kaohulani K.	Maui IW Res
RABANES, Jean M.K.N.	Maui IW Res
SIMMONS, Cathy L.	Maui IW Res
SOUZA, Ida U.	Oahu IW Agr
SOUZA, Ida U.	Oahu IW Res
STEPHENS, Lynette L.	Maui IW Agr
STEPHENS, Lynette L.	Maui IW Res
WAIOLAMA, Dayton Lee K.	Lanai IW Res

ITEM D-7 EXHIBIT

COMMISSION DESIGNATION OF SUCCESSORS – PUBLIC NOTICE NOV 2015, 2021 & 2022

CHUN, Alfred Q.H.	Hawaii IW Agr
CHUN, Alfred Q.H.	Hawaii IW Res
KAHOKULOA, Kelly W.	Kauai IW Agr
KAHOKULOA, Kelly W.	Kauai IW Res
KAOHELAULII, Dana A., Jr.	Kauai IW Agr
KAOHELAULII, Dana A., Jr.	Kauai IW Res
LANDFORD-BRIGHT, Verna M.L.	Nanakuli Area / Oahu IW Res.
LUIS, Lionel W.	Oahu IW Agr
LUIS, Lionel W.	Oahu IW Res
ROWE, Keith L.	Hawaii IW Res
VALMOJA-BELENA, Esther A.	Oahu IW Res
VALMOJA-BELENA, Esther A.	Maui IW Agr

ITEM D-8 EXHIBIT
APPROVAL OF ASSIGNMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
ARRIETA, Leeann A.	7650	Waiohuli, Maui
KAIAOKAMALIE, Russell N.	7650	Waiohuli, Maui
BAGAYAS, Tara K. M.	11685	Kanehili, Oahu
KAMAKA, Lloyd B.	11685	Kanehili, Oahu
DUDOIT, Kathy A. E.	11690	Kanehili, Oahu
KAMAI, Teddy	13075	Kauluokahai, Oahu
KANE, Frank	11474	Leialii, Maui
KAPAONA, Stanley T. K.	5600	Lualualei, Oahu
KAUHANE, Evelyn L.	3320	Nanakuli, Oahu
KAWAI, Kaena P. T.	8462	PKE, Oahu
KAWAI, Kaimi K. C. A. L.	8462	PKE, Oahu
KUAKINI, Kanani L. H. K.	8462	PKE, Oahu
KEKAWA, John A., Jr.	2582	Waimanalo, Oahu
KIESLING, Kawika Chien Li	11502	Leialii, Maui
PURCELL, Avis M.	7600	Waiohuli, Maui
KIESLING, Agnes E. M. M.	7600	Waiohuli, Maui
MCGUIRE, Celice K. K. N. A. A.	9447	Waiehu 2, Maui
RICHARDSON, Anna K.	11257	Kumuhau, Oahu
RIVERA, Jennifer D.	2528	Waimanalo, Oahu
SWAIN, Kealaokuuleialoha	1573	Keaukaha, Hawaii
SWAIN, Kawekiulani T. P.	1389	Keaukaha, Hawaii
MANOA, Jorell A.	1639-A	Nanakuli, Oahu

ITEM D-9 EXHIBIT
APPROVAL OF AMENDMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
ARAKAKI, Anna L.	146	Hoolehua, Molokai
BUSH, Carolyn P.	172	Hoolehua, Molokai
PELEKAI, Donald T. H.	172	Hoolehua, Molokai
PELEKAI, Edward K. M., Jr.	172	Hoolehua, Molokai
HAN, Tilden K.	163	Hoolehua, Molokai
HAN, Lambert K.	163	Hoolehua, Molokai
HORNER, Roy M., Jr.	150	Hoolehua, Molokai
JOY, Wilma N.	171	Hoolehua, Molokai
KEANINI, Arthur K., Jr.	138	Hoolehua, Molokai
KEANINI, Gene N.	138	Hoolehua, Molokai
KEKAWA, John A., Jr.	2582	Waimanalo, Oahu
MCBRIDE, John K.	1015	Keaukaha, Hawaii
NAEOLE, Jon K.	169	Hoolehua, Molokai
NAEOLE, Dayna L.	169	Hoolehua, Molokai
NAEOLE, Georgina K. K.	169	Hoolehua, Molokai
NEUHART, Williamette Puaena	158	Hoolehua, Molokai
PARKER, Frances M.	3717	Waimanalo, Oahu

ITEM D-9 EXHIBIT (continued)
APPROVAL OF AMENDMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
PAWN-KALILIKANE, Shonnelle L.	149	Hoolehua, Molokai
PELEKAI, Donald T. H.	172-A	Hoolehua, Molokai
PELEKAI, Edward K. M., Jr.	172-C	Hoolehua, Molokai
PUAA-KAHOOKANO, Carlamae M.	166	Hoolehua, Molokai
PUNAHELE, Pearl Momi	160	Hoolehua, Molokai
SWAIN, Kealaokuuleialoha	1573	Keaukaha, Hawaii
WOOLSEY, Kuuipo G.	3986	Waimanalo, Oahu

ITEM D-10 EXHIBIT
**APPROVAL TO ISSUE A NON-EXCLUSIVE LICENSE FOR ROOFTOP PHOTOVOLTAIC
SYSTEMS FOR CERTAIN LEASES**

LESSEE	LEASE NO.	AREA
ABRAHAM, Theodore K.	11903	Kaupea, Oahu
BRASH, Margaret L.	8925	Waianae, Oahu
BURCHETT, George E. K.	5546	Lualualei, Oahu
CASHMAN, Lee A.	11474	Leialii, Maui
CHANDLER, Michael V., Jr.	8886	Hanapepe, Kauai
CULLEN, Wayne K.	9704	Lualualei, Oahu
ENRIQUEZ, Cynthia L.	4587	Waianae, Oahu
GASPER, Maraea R. K.	12397	Kanehili, Oahu
GOMES, Bacilio A.	6771	Waianae, Oahu
GOODWIN, Ginger L. K.	11432	Kaupea, Oahu
JUGOZ, Don Grady	8454	PKE, Oahu
KAIAOKAMALIE, Anuhea L.	7650	Waiohuli, Maui
KAIKALA, David K. K.	3659	Nanakuli, Oahu
KALEIOPU, Manuel S.	4720	Waianae, Oahu
KALAMAU, Lance K.	4530	Nanakuli, Oahu
KANUHA, Mary Ann	4131	Waimanalo, Oahu
KAULUKUKUI, Koalani L.	11278	Kumuhau, Oahu
KAWAI, Kanoa A. L.	8462	PKE, Oahu
KEALOHA, Jonathan K.	11402	Kaupea, Oahu
MAHUKA-NISHIMURA, Corey H.	3892	Nanakuli, Oahu
MANEWA, Randolph L. K., Jr.	8477	PKE, Oahu
MARTIN, Neomi G.	8481	PKE, Oahu
MARUMOTO, Mark K. K.	7054	Puupulehu, Hawaii
MATSUYAMA, Tainato D. K.	9383	Kaniohale, Hawaii
MATSUYAMA, Aaron J. L.	9383	Kaniohale, Hawaii
VAOVASA, Miu Lang P. M.	735	Waimanalo, Oahu
VINCENT, Hualani A.	2271	Waimanalo, Oahu
WRIGHT, Rowena K.	7788	Waimanalo, Oahu

ITEM NO. E-2 EXHIBIT

APPROVAL OF LEASE AWARD PI'ILANI MAI KE KAI SUBDIVISION PHASE II RESIDENTIAL
VACANT LOTS-ANAHOLA, KAUA'I

NAME	APPL DATE	LOT NO.	TAX MAP KEY	LEASE NO.
CLARENCE C.K. ENOKA	01/05/1973	3	(4) 4-8-022-092	13082
JOY K STEDMAN	04/11/1990	31	(4) 4-8-022-120	13083

ITEM NO. F-1 EXHIBIT

ANNUAL RENEWAL OF RIGHT OF ENTRY PERMIT(S), NORTH & WEST HAWAII ISLAND

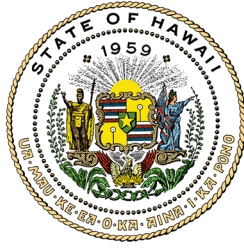
NO.	ACRE	USE	PERMITTEE/ADDRESS	TMK	Date Started
461	0.54	Commercial	Edward J. Laau/Naomi K. Peck	(3) 6-1-003:018	7/1/1989
462	0.67	Commercial	Kawaihae Spirits	(3) 6-1-002:066 and:068	2/20/1990
464	50.00	Pastoral	Marian Kapuniai	(3) 6-4-038:007 (p)	12/29/2012
466	105.73	Pastoral	Malama Solomon	(3) 6-5-001:010 (p)	1/1/2000
483	0.56	Commercial	Guy Startzman	(3) 6-1-003:003	2/14/2011
484	1420.00	Pastoral	Kahua Ranch	(3) 6-1-001:002 (p)	2/1/2011
485	7600.00	Pastoral	Palekoki Ranch, Inc.	(3) 6-1-001-003 (p)	6/1/2011
599	381.00	Pastoral	Parker Ranch	(3) 6-5-001:011 & :019	7/1/1977
683	9mi	Pastoral	The Kohala Center "TKC"	(3) 9-1-001:003	3/12/2018
684	72.00	Community	Kailapa Community Association	(3) 6-1-001:007	4/24/2019

Denotes Beneficiary

**HAWAIIAN HOMES COMMISSION
MAY 20 & 21, 2024**

C – ITEMS

OFFICE OF THE CHAIRMAN



HAWAIIAN HOMES COMMISSION

RESOLUTION NUMBER 309

HONORING RANDY KALEI AWO FOR HIS SERVICE TO THE HAWAIIAN HOMES COMMISSION

WHEREAS, Randy Kalei Awo was appointed to this Commission on September 18, 2017, by Governor David Y. Ige; and,

WHEREAS, Commissioner Awo was born on May 5, 1952 to George Washington Keoki Awo, and Lillian Ka‘ehukai Mahi Awo, and raised on Hawaiian Homestead Lands in Waimānalo, O‘ahu; and,

WHEREAS, Commissioner Awo graduated from St. Louis High School in 1970. He and his wife of 44 years, Momi Porras Awo, currently reside on Hawaiian Homestead Lands in Waiehu Kou. Together, they have three children and, so far, six mo‘opuna; and,

WHEREAS, Commissioner Awo attended the University of Hawai‘i, Mānoa, achieving bachelor's degree in Political Science in 1980; and,

WHEREAS, Commissioner Awo’s 26-year career in public service, a shining example of dedication and commitment, began in 1988 as a Field Officer on Maui with the Department of Land and Natural Resources – Division of Conservation and Resources Enforcement (DOCARE). His commitment to *mālama ‘āina* is in his essence, in his very being. His strong cultural foundation and values were passed down from his grandfather and uncles, who were fishermen, and his father, who was a fish-and-game warden. It was only natural that he soon became a Field Supervisor and eventually the Maui DOCARE Branch Chief, for Maui nui; and,

WHEREAS, Commissioner Awo, after twenty-two years of caring for his Maui moku-puni, became DOCARE’s statewide Administrator in 2010. Besides planning, directing, and managing statewide law enforcement operations, he took special care to establish and maintain strong and meaningful government-to-community partnerships, a testament to his collaborative spirit and dedication to serving the community; and,

WHEREAS, Commissioner Awo, during his career as a conservationist, developed and later encouraged creative programs to provide effective responses to community needs and concerns through the establishment of Hawai‘i Wildlife Fund’s Makai Watch program for Maui’s ‘Āhihi-Kināu Natural Area Reserve, creating specialized units such as Community Fisheries Enforcement Teams, and supporting Ahupua‘a management models; and,

WHEREAS, Commissioner Awo is a lifelong learner and generous mentor. In collaboration with educational institutions ranging from grade school through

HAWAIIAN HOMES COMMISSION



college, he delighted in educational campaigns to promote awareness of conservation and best practices for resource management. He utilized interns from the University of Hawai‘i Law School to help bridge the gap between resource protection and public access rights. He supported the creation and development of a certificate-earning pathway geared toward the management and protection of Hawai‘i's natural resources. He collaborated with grassroots community organizations, state legislators, and legal scholars to support the establishment of Hawai‘i’s first Environmental Court; and,

WHEREAS, Commissioner Awo is passionate about his Hawaiian community. As a community leader, he is committed to conflict resolution and mitigation to maintain a balance between progress and environmental protection. He was instrumental in negotiations between ocean users and commercial entities of the Maui North Shore Ocean Recreation Management Area, resulting in rule proposals to mitigate future conflicts. He helped facilitate contentious hearings between East Maui Taro Farmers and East Maui Irrigation for water redistribution conflicts; and,

WHEREAS Commissioner Awo has been recognized for his leadership in conservation by earning both “Team and Manager of the Year” awards during his tenure at DLNR. From 2007 to 2009, he was awarded the ‘Onipa‘a Award by the Maui Sierra Club and The Maui News, 2007, “People Who Made a Difference.” Dual accolades from Maui’s publishing community, becoming Maui Tomorrow’s – “Person of the Month” in 2010, and Maui Nō Ka Oi’s – “Environmental Hero” in 2009; and,

WHEREAS, Commissioner Awo's 2436 days on the Commission have been well used. He immediately went to work using his experiences to serve our beneficiary communities throughout Maui and beyond. He has been a member of six Permitted Interaction Groups: Kahikinui, Native Hawaiian Qualification, General Plan Update, King’s Landing, Right of Entry, and Development of Commercial and Industrial Properties, and served as the Chair of the Safety and Enforcement on Homesteads Permitted Interaction Group. He has also served as the Vice-Chairman of the Commission since July 2022; and

WHEREAS, Commissioner Awo, raised on Hawaiian Homes is a strong advocate for all beneficiaries regardless of their economic status. He supports the basic principles of the Hawaiian Homes Commission Act and Prince Kuhio’s desire to “return native Hawaiians to the soil.” He supports the equitable, creative, and legitimate use of NAHASDA funds to create affordable housing opportunities that result in the timely issuance of leases. He supports beneficiary consultation and involvement in developing communities for future generations. He regularly participated in monthly Maui Mokupuni meetings, a forum established to provide beneficiaries with an advocate for questions and concerns; and

WHEREAS, Commissioner Awo took immediate action following the Lahaina wildfire by coordinating emergency services for beneficiaries with public and private organizations to address the deep physical, economic, and emotional trauma affecting Leialī‘i and the broader community. Despite health and safety concerns, he continually entered the burn zone to deliver supplies and establish

HAWAIIAN HOMES COMMISSION



communication networks with beneficiaries. He helped establish the Kāko‘o Leiali‘i Recovery Center– a modular trailer on DHHL land next to Leiali‘i to support post-fire recovery activities, incorporating federal services from FEMA, financial and support services from Hawai‘i Community Lending, CNHA, and programs administered by Hui Ho‘omalua to provide native Hawaiian wellness and healing by utilizing traditional ho‘oponopono and lomi lomi practitioners to service our beneficiaries as well as others in need; and

WHEREAS Commissioner Awo is known for his compassion and empathy. His physical presence, characterized by his tall, dark appearance, contrasts starkly with his gentle, introspective, and contemplative manner. He has a huge heart, which is maintained by his humor, integrity, and aloha; and

NOW, THEREFORE, BE IT RESOLVED, the undersigned, duly recognized as the chairperson and members of the Hawaiian Homes Commission, do set forth their signatures in recognition of Randy Kalei Awo and his service to the legacy of Prince Jonah Kuhio Kalaniana‘ole and the thousands of beneficiaries of the Hawaiian Homes Commission Act.

ADOPTED THIS 20th day of May 2024, Kailua-Kona, State of Hawai‘i, by the Hawaiian Homes Commission in a Regular Meeting assembled.

OFFERED BY:

Kali Watson, Chairperson

Dennis L. Neves, Member

Zachary Z. Helm, Member

Pauline N. Namu‘o, Member

Michael K. Kaleikini, Member

Makai Freitas, Member

Walter Kaneakua, Jr., Member

Sanoe K. Marfil, Member

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 20-21, 2024

To: Chairman and Members, Hawaiian Homes Commission

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

Subject: Approval of Down Payment and Closing Cost Assistance
Programs Through the Federal Home Loan Bank of Des
Moines

RECOMMENDED MOTION/ACTION:

- (1) Approve Use of Down Payment and Closing Cost Assistance Programs Through the Federal Home Loan Bank of Des Moines on Hawaiian Home Lands
- (2) Approve the Hawaiian Home Lands Lease Addendum for the Down Payment and Closing Cost Assistance Programs Through the Federal Home Loan Bank of Des Moines

DISCUSSION

Established by Congress in 1932 to support mortgage lending, the Federal Home Loan Bank (FHLB) of Des Moines is one of 11 regional Banks that make up the FHLB System. Regulated by the Federal Housing Finance Agency, the FHLBs are cooperatively owned by their members, operate independently with their own boards of directors and are registered with the Securities and Exchange Commission. The FHLB of Des Moines includes Hawaii, 12 other States, and 3 U.S. Pacific Territories. As of December 31, 2023, FHLB of Des Moines members included 878 commercial banks, 31 thrifts, 270 credit unions, 72 insurance companies, and 6 community development financial institutions. 28 members were listed in Hawaii including Aloha Pacific Federal Credit Union; American Savings Bank, F.S.B.; Bank of Hawaii; Central Pacific Bank; CU Hawaii Federal Credit Union; Finance Factors, Limited; First Hawaiian Bank; Garden Island Federal Credit Union; Gather Federal Credit Union; Hawaii Community Federal Credit Union; Hawaii Federal Credit Union; Hawaii Law Enforcement Federal Credit Union; Hawaii National Bank; Hawaii Schools Federal Credit Union; Hawaii State Federal Credit Union; Hawaiian Financial Federal Credit Union; HawaiiUSA Federal Credit Union; Hickam Federal Credit Union; Honolulu Federal

Credit Union; Hotel and Travel Industry FCU; Kauai Federal Credit Union; Pacific Guardian Life Insurance Company, Ltd; Territorial Savings Bank; University Health Alliance; University of Hawaii Federal CU; Valley Isle Community Federal Credit Union; Wailuku Federal Credit Union; and Zephyr Insurance Company, Inc.

FHLB of Des Moines offers a variety of products to support the purchase, construction or rehabilitation of affordable housing. These products include the Native American Homeownership Initiative; Home\$tart; and Competitive Affordable Housing Program.

Through the Native American Homeownership Initiative (NAHI), eligible households receive \$25,000 for down payment and closing cost assistance. The 2024 Total Program Allocation for NAHI is \$1 million and the member cap is \$150,000. Native Hawaiians eligible to reside on Hawaiian Home Lands whose income is less than or equal to 80% of median income are eligible for NAHI.

Through the Home\$tart program, eligible households whose income is less than or equal to 80% of median income completing a home purchase in Hawaii may receive \$25,000 in down payment and closing cost assistance. The 2024 Total Program Allocation for Home\$tart is \$11 million and the member cap is \$150,000. At least one homebuyer listed on the mortgage must be a First-Time Homebuyer and that individual must complete a Financial Literacy Program prior to closing.

The Competitive Affordable Housing Program (AHP) encourages partnerships between member financial institutions and local housing providers (sponsors) to secure funds for the purchase, construction or rehabilitation of affordable homeownership or rental housing units. FHLB of Des Moines limits each AHP project to a maximum grant amount of \$3 million and a maximum AHP subsidy of \$150,000 per AHP-eligible unit. Eligible households qualifying under an AHP award must qualify homeowners based on income targeting approved at AHP application. Households must have annualized incomes less than or equal to 50%, 60%, or 80% of area median income per the approved application.

A Hawaiian Home Lands lease addendum included in this submittal is required for these different programs.

RECOMMENDED MOTION/ACTION:

Staff respectfully requests approval of the motion as recommended.

Prepared By/Return To: _____, _____, _____, _____, _____ ~

**Lease Addendum
(Hawaiian Home Lands)**

THE STATE OF _____
COUNTY OF _____

The terms of this LEASE ADDENDUM are hereby incorporated into the Department of Hawaiian Home Lands Residential Lot Lease No. _____, dated _____, (“Lease”), attached hereto as Exhibit A, by and between the State of Hawaii, by its Department of Hawaiian Home Lands, and (“Lessee” or “Grantor”).

Lessee/Grantor is the lessee of certain real property located at _____, in _____, _____ County, State of Hawaii, owned and held by the State of Hawaii, by its Department of Hawaiian Home Lands, under the Hawaiian Homes Commission Act of 1920, as amended (the “Property”). For value received, the adequacy and sufficiency of which are hereby acknowledged, Lessee/Grantor does hereby impress the Property with the following lease addendum restrictions:

1. For purposes of these restrictions, the following terms have meaning indicated:

“AHP” means the affordable housing program of the Bank.

“Bank” means The Federal Home Loan Bank of Des Moines ATTN: Community Investment Department, 909 Locust Street Des Moines, IA 50309-3515.

“Lender” or “Grantee” means _____, with place of business is located at: _____.

“Closing Date” means _____, 20_____.

“Direct Subsidy” means the amount funded by the Bank, in association with its AHP as prescribed by the applicable rules and regulations of the Federal Housing Finance Agency (“FHFA”), for the benefit of the prospective Lessee/Grantor and for the purpose of assisting such Lessee/Grantor for

purchase, for purchase in conjunction with rehabilitation, or for construction of the Property as permitted by the applicable AHP program.

“Household’s Investment” means the following, to the extent paid by the household and documented (in the Closing Disclosure or other settlement statement, if applicable, or elsewhere) to the Bank or its designee: (1) Reasonable and customary costs paid by the household in connection with the purchase of the unit (including real estate broker's commission, attorney's fees, and title search fees); (2) Any down payment paid in connection with the household's purchase of the unit; (3) The cost of any capital improvements made after the household's purchase of the unit until the time of the subsequent sale, transfer, assignment of title or lease, or refinancing; and (4) The amount of principal on any mortgage senior to the AHP subsidy lien or other legally enforceable AHP subsidy repayment obligation repaid by the household.

“Net Proceeds” means: (1) In the case of a sale, transfer, or assignment of title or lease of an AHP-assisted unit by a household during the five-year retention period, the sales price minus reasonable and customary costs paid by the household in connection with the transaction (including real estate broker's commission, attorney's fees, and title search fees) and outstanding debt superior to the AHP subsidy lien or other legally enforceable AHP subsidy repayment obligation; (2) In the case of a refinancing of an AHP-assisted unit by a household during the five-year retention period, the principal amount of the new mortgage minus reasonable and customary costs paid by the household in connection with the transaction (including attorney's fees and title search fees) and the principal amount of the refinanced mortgage.

“Retention Period” means a period of five (5) years beginning on the Closing Date.

“Termination Date” means the next calendar day following the end of the Retention Period, on which day this Lease Addendum shall terminate and be of no further force or effect.

“Very low-, low-, or moderate-income household” means a family with an income at or below 30%, 50% or 80% respectively, of the median income for the area, with the income limit adjusted for household size in accordance with the methodology of the applicable median income standard.

2. *Notice.* The Bank and Lender/Grantee is to be given notice of any sale, transfer, assignment of title or lease, or refinancing of the Property that occurs prior to the end of the Retention Period.
3. *Repayment of subsidy.* In the case of a sale, transfer, assignment of title or lease, or refinancing of the Property during the Retention Period, an amount equal to a pro rata share of the \$

Direct Subsidy, shall be repaid to the Bank from any Net Proceeds, as applicable, minus the AHP-assisted household's investment realized upon the sale transfer, assignment of title or lease, or refinancing of the Property, in accordance with Section 6, unless:

- i. the Property was assisted with a permanent mortgage loan funded by an AHP subsidized advance;
 - ii. the Property is sold, transferred or assigned to a very low-, low-, or moderate-income household based on proxy or actual income, as determined by the Bank
 - iii. the amount of subsidy that would be required to be repaid in accordance with the calculation in Section 6 is \$2,500 or less, or;
 - iv. following a refinancing, the unit continues to be subject to a lease addendum or other legally enforceable retention agreement or mechanism.
4. *Subsidy repayments to Bank.* Repayment of the Direct Subsidy shall be made to the Bank. The Lender/Grantee is required by FHFA regulations to remit any payments received to the Bank.
5. *Termination of subsidy repayment obligation.* This instrument and these restrictions are subordinate to the rights and liens, if any, under any valid outstanding Mortgage or Deed of Trust, currently of record. The obligation to repay the Direct Subsidy shall terminate after any event of foreclosure, transfer by deed-in-lieu of foreclosure, or assignment of a Federal Housing Administration first Mortgage or Deed of Trust to the Secretary of the U.S. Department of Housing and Urban Development (HUD), or death of the AHP-assisted homeowner.
6. *Calculation of AHP subsidy repayment based on net proceeds and household's investment.* The Bank shall be repaid the lesser of:
- i. the AHP subsidy amount equal to the Direct Subsidy, reduced by 1/60 for every month the Lessee/Grantor owned the Property; or
 - ii. any net proceeds from the sale, transfer, or assignment of title or lease of the unit, or the refinancing, as applicable, minus the AHP-assisted household's investment.
7. If the Property for which the Direct Subsidy is used is located on land held in trust by the United States government for a Native American Tribe, is located on Native land in the State of Alaska conveyed by the Alaska Native Claims Settlement Act, as amended, or is located on Hawaiian Home Lands created or held under the Hawaiian Homes Commission Act of 1920, as amended, by the State of Hawaii, Department of Hawaiian Home Lands, then neither the Lender/Grantee nor the Bank shall have any rights relating to the Property, including the right to sell, foreclose or occupy the Property.

8. This instrument and the lease addendum restrictions contained herein shall be deemed released and discharged on the earlier to occur of (i) the Termination Date, or (ii) the date on which the Direct Subsidy is repaid prior to the Termination Date under Sections 3, 4, or 5 hereof. The Lender named in this instrument, or its successors or assigns, shall be responsible for the completion of any and all documentation necessary to effect any release or subordination of this instrument in connection with a sale or refinancing of the Property during the Retention Period. The Lender shall not be required to file a release in connection with the expiration of this lease addendum following the Termination Date.

NOW THEREFORE, the terms of this LEASE ADDENDUM are hereby incorporated into and made an integral part of the (Department of Hawaiian Home Lands Residential Lease No. _____, on Residential Lot No. _____, situated at _____, _____), dated _____ and attached hereto "Lease".

IN WITNESS WHEREOF, the parties hereto have executed this LEASE ADDENDUM to acknowledge the hereof on **this** **day of** _____, _____.

APPROVED AS TO FORM:

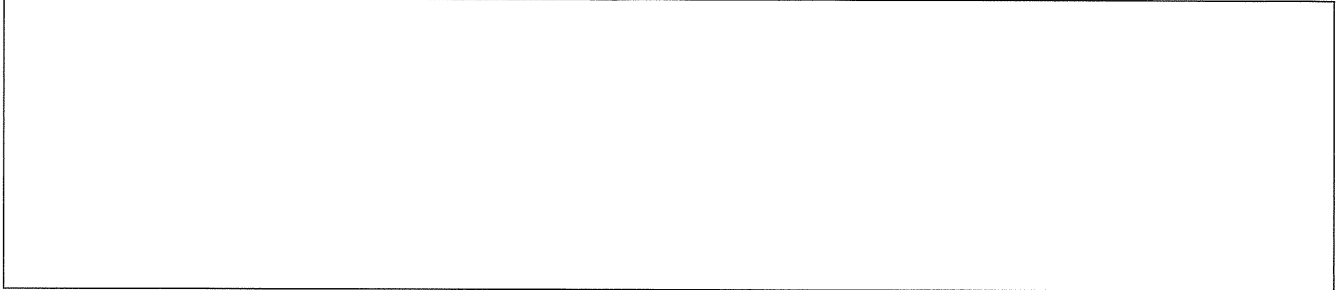
Deputy Attorney General
State of Hawaii

By: _____
Title: Hawaiian Homes Commission Chairman Printed Name:

By: _____
Title: Lessee Printed Name: _____,
Lease No. _____
Lot No. _____

Exhibit A

(Legal description subject property)



STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 20-21, 2024

To: Chairman and Members, Hawaiian Homes Commission
From: Oriana Leao, NAHASDA Government Relations Program
Specialist
Subject: For Information Only - Summary of Legislative Session 2024

RECOMMENDATION/ACTION:

None; For information only.

DISCUSSION

The State Budget

The Hawaii State Legislature appropriated funds to the Department in the State Budget reflected in HB1800, HD1, SD1, CD1. The Legislature authorized funding for FY 25 in line with the Governor's Supplemental Budget request and included \$16,796,100 for FY 25 to cover the department's existing personnel, administrative and operating costs. The Legislature also included \$20 million in Capital Improvement Project (CIP) funding for repairs and maintenance to existing infrastructure on various Hawaiian Home Lands, Statewide. A chart highlighting the budget information is attached as Exhibit 'A'.

DHHL's Legislative Proposals

The Hawaiian Homes Commission approved 12 legislative proposals to be included in the Governor's Package for the 2024 Regular Session. Following this approval, the legislative proposals were reviewed by the Department of the Attorney General, the Governor's Policy Office, and the Governor, and 8 were included in the Administration's legislative package. 2 of the 8 legislative proposals were passed by the Legislature.

HB2218 HD1 SD2 1) amends the Hawaiian Homes Commission Act of 1920, as amended, to increase the loan limit for direct loans provided by the Department of Hawaiian Home Lands from fifty percent to seventy-five percent of the maximum single residence

loan amount allowed in Hawai'i by the United States Department of Housing and Urban Development's Federal Housing Administration and 2) requires the Department of Hawaiian Home Lands to provide financial literacy education for all borrowers. This measure requires review and approval by the U.S. Department of Interior.

SB3109 SD1 HD2 CD1 1) establishes the Act 279 Special Fund until 6/30/2026; 2) deposits certain unexpended and unencumbered funds appropriated through Act 279, Session Laws of Hawai'i 2022, that are set to lapse on 6/30/2024 into the Act 279 Special Fund; 3) appropriates funds out of the special fund; and 4) lapses unencumbered monies from the appropriation out of the Act 279 Special Fund on 6/30/2026.

SB3236 HD1 CD1 clarifies that if no personal property designation appears in a recorded instrument, the interests of the beneficiaries shall be real property.

Other DHHL Related Measures

The Legislature also passed the following DHHL related measures:

SB3123 SD2 HD1 CD1 - Authorizes the Department of Hawaiian Home Lands to access vital records for purposes of verifying Native Hawaiian ancestry for beneficiary programs. Requires the Department of Health and the Department of Hawaiian Home Lands to enter into a Memorandum of Agreement to assure appropriate access and handling of confidential records and sealed records that have been unsealed pursuant to court order.

HCR196 SD1/HR176 - Urging the Hawaiian Homes Commission to consult beneficiaries of the Hawaiian Homes Commission Act regarding alternative waitlist and award prioritization based on lineal and generational descendance for Hawaiian Home Lands located in Hana, Maui.

SR73 - Urging the Department of Hawaiian Home Lands to adopt and implement a neighborhood security watch in each homestead area.

SR96 - Urging the Department of Hawaiian Home Lands to display a portrait of Prince Jonah Kūhiō Kalaniana'ole in each state building, office, meeting room, and waiting area under the Department's jurisdiction.

Other Related Measures

HB1763 HD1 SD2 CD1 - Prohibits the Hawai'i Housing Finance and Development Corporation from forgiving any loan made from the Rental Housing Revolving Fund unless the Corporation forecloses on the project. Amends the permitted uses of and priority for which moneys in the Rental Housing Revolving Fund are to be used. Repeals the authorization to use Rental Housing Revolving Fund to provide grants. Requires the Corporation to submit a report to the Legislature on plans to revolve funds back into the Rental Housing Revolving Fund. Applies to Rental Housing Revolving Fund applications submitted after 6/30/2024.

HB2743 HD2 SD1 CD1 - Requires the University of Hawai'i Water Resources Research Center and the Sea Grant College Program to develop an overlay with the Hawai'i Cesspool Prioritization Tool to identify specific priority areas in which the county sewer system or other centralized treatment system may most feasibly be expanded or constructed to reduce or eliminate cesspools before 1/1/2050. Makes an appropriation.

SB1170 SD2 HD1 CD1 - Requires the counties to issue affordable housing credits for affordable housing units that are constructed under the various programs of the Hawai'i Housing Finance and Development Corporation. Sunsets 7/1/2031.

SB2133 HD1 CD1 - Authorizes the Hawai'i Housing Finance and Development Corporation to issue bonds for housing project infrastructure and finance the development of regional state infrastructure projects. Exempts bonds issued by HHFDC for improvements by assessments, and the interest thereon, from state, county, and municipal taxation, with certain exceptions. Includes proceeds from bonds issued for regional state infrastructure projects as a source of revenue for regional state infrastructure subaccounts. Authorizes the cost of providing regional infrastructure improvements to be assessed against housing and mixed-use transit-oriented development projects specifically benefiting from the improvements when a regional infrastructure improvement project is undertaken by the Hawai'i Housing Finance and Development Corporation. Authorizes regional state infrastructure subaccount revenues to be used to repay regional state infrastructure project bond holders.

SB2289 SD2 HD2 CD1 - Requires the Department of Health to include in its annual report regarding Kalaupapa Settlement details and updated information, as available, regarding the

permanent transfer to other governmental or qualified non-governmental entities of the powers and duties of the Department over Kalaupapa Settlement. Requires the Department of Health to report on its community engagement efforts with community stakeholders and the Molokai community. Sunsets on the first 6/30 after the Revisor of Statutes receives a written gubernatorial proclamation that the referenced transfer is complete.

SB3068 SD1 HD1 CD2 - Appropriates funds to support the State's continued response to the August 2023 wildfires that affected the counties of Hawai'i and Maui. Declares that the appropriation exceeds the state general fund expenditure ceiling for 2024-2025.

SCR43 SD1 HD1/SR31 SD1 - Urging the Hawaii Housing Finance and Development Corporation to amend the priority for which low-income housing tax credits are allocated and monies in the rental housing revolving fund are used and adopt certain Administrative Rules that incentivize the development of affordable housing in the State.

RECOMMENDED MOTION/ACTION

None; For information only.

EXHIBIT A

HHC Item C-3: For Information Only – Summary of Legislative Session
2024

DHHL's "Sufficient Funds" & Executive Supplemental Budget FY 2025 – Operating

	FY2025 DHHL	FY2025 GOV	FY2025 HB1800 CD1
A & O Budget Request (A)	(222) \$48,168,410	(200) **\$46,796,100	(200) \$26,796,100
Operating R&M for Existing Infrastructure (A)	\$17,900,000		
Rehab Projects (A)	*\$15,384,096		
Total HHC A & O Budget Request	\$81,452,506	\$46,796,100	\$26,796,100

*Includes \$2,639,996 requested by homestead leaders.

**Includes \$20M for wildfire prevention and response.



DHHL’s “Sufficient Funds” & Executive Supplemental Budget FY 2025 – CIP

	FY2025 DHHL	FY2025 GOV	FY2025 HB1800 CD1
CIP R&M for Existing Infrastructure (C)	\$228,086,500	\$20,000,000	\$20,000,000
Lot Development (C)	\$198,500,000		
Loans (C)	\$73,100,000		
Rehab Projects (C)	*\$56,740,000		
Total	\$556,426,500	\$20,000,000	\$20,000,000

*Total reflects projects requested by homestead leaders.



STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 20, 2024 – May 21, 2024

To: Chairman and Members, Hawaiian Homes Commission
From: David Hoke, Administrator, Enforcement Unit
Subject: For Information Only – Monthly Enforcement Unit Efforts and Statistics (April 15, 2024 – May 12, 2024)

RECOMMENDED ACTIONS:

None. For information only.

DISCUSSION:

Requests for Investigations: 16

- Oahu: 11
- Maui: 1
- Kauai: 3
- East Hawaii: 1
- West Hawaii: 0
- Molokai: 0
- Lanai: 0

Reports generated during window (to include follow-ups): 35

Total requests in calendar year: 56

Operations:

- LMD trespassing and clean ups in Pulehunui, Waiehu Kou 3, and Halewaiu Road

Beneficiary Engagement:

- Ekklesia Neighborhood Security Watch (NSW)
- KCDC Quarterly Meeting
- PKE Annual Meeting
- Maku'u Farmers Association
- Keaukaha - Panaewa Farmers Association NSW
- Ahahui O Kauluokahai Association

Interagency Collaboration:

- Mitch Roth, Hawaii County Mayor
- DOT – Homeless Coordinator
- Federal Law Enforcement Agency – Confidential
- AG Investigator
- State of Hawaii Sheriff
- Aloha House Short Term Case Manager
- County Police (HPD – D8 Narco/Vice, D8 Community Police, MPD – Community Police, HCPD – Community Police, Criminal Intelligence Unit)

Other Enforcement Unit Updates:

- The Enforcement Unit will be presenting CCH on behalf of HSD for all non-loan delinquency cases.
- A Legal Assistant job announcement went out and when filled, will train under current Legal Assistant III, Shanen Cruz, to assist the Enforcement Unit.
- All staff have obtained licenses and working with consultant for use of Sales Force.
- Working with HSD to establish procedures for situations when a lessee has passed away and either left no successor, the Department needs time to locate a successor, or must go public notice.
- Working on a MOU with the Department of Law Enforcement on clear expectations for service of writs and potentially dangerous trespassers on DHHL lands.

Pilot program update:

- 2 new reports of organized criminal activity in the various homesteads that fall into the areas of the pilot program.
- 7 reports have been submitted to HPD since the 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 – Theft, Vandalism, Assault
 - Waianae Valley – Vandalism, Sex Assault, Theft x2, Assault
 - Princess Kahanu Estates – License Plate Theft
 - Maluohai – Theft, UEMV
 - Kauluokahai – Criminal Property Damage, Motor Vehicle Theft
 - Kanehili – Simple Assault, Motor Vehicle Theft
 - Maluohai – Theft
 - Waianae Kai – Motor Vehicle Theft, Fraud
 - Kaupea, Lualualei, Series Seven – None


**HAWAIIAN HOMES COMMISSION
MAY 20 & 21, 2024**

D – ITEMS

HOMESTEAD SERVICES DIVISION

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 20, 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 U.S. Small Business Administration
- Exhibit D: DHHL Guarantees for FHA Construction Loans

May 20, 2024

SUBJECT: Homestead Lease and Application Totals and Monthly Activity Reports

LEASE ACTIVITY REPORT

Month through April 30, 2024

	As of 3/29/24	Add	Cancel	As of 4/30/24
Residential	8,505	2	1	8,506
Agricultural	1,105	0	0	1,105
Pastoral	438	0	0	438
Total	10,048	2	1	10,049

The cumulative number of Converted Undivided Interest Lessees represents an increase of 570 families moving into homes. Their Undivided Interest lease was converted to a regular homestead lease.

	As of 3/31/24	Reinstated to UNDV	Converted	Rescinded/ Surrendered/ Cancelled/	As of 4/30/24
Undivided	738	1	0	0	739

Balance as of 4/30/2024

Awarded	1,434
Relocated to UNDV	7
Reinstated to UNDV	1
Rescinded	123
Surrendered	6
Cancelled	4
Converted	<u>570</u>
Balance to Convert	739

Lease Report For the Month Ending April 30, 2024

	----- RESIDENCE -----				----- AGRICULTURE -----				----- PASTURE -----				----- TOTAL LEASES -----			
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
OAHU																
Kaikaina	40	1	0	41	0	0	0	0	0	0	0	0	40	1	0	41
Kalawahine	90	0	0	90	0	0	0	0	0	0	0	0	90	0	0	90
Kanehili	399	0	0	399	0	0	0	0	0	0	0	0	399	0	0	399
Kapolei	173	0	0	173	0	0	0	0	0	0	0	0	173	0	0	173
Kauluokahai	154	0	0	154	0	0	0	0	0	0	0	0	154	0	0	154
Kaupea	323	0	0	323	0	0	0	0	0	0	0	0	323	0	0	323
Kaupuni	19	0	0	19	0	0	0	0	0	0	0	0	19	0	0	19
Kewalo	248	0	0	248	0	0	0	0	0	0	0	0	248	0	0	248
Kumuhau	50	0	0	50	0	0	0	0	0	0	0	0	50	0	0	50
Luualaei	149	0	0	149	30	0	0	30	0	0	0	0	179	0	0	179
Malu'ohai	225	0	0	225	0	0	0	0	0	0	0	0	225	0	0	225
Nanakuli	1,045	0	0	1,045	0	0	0	0	0	0	0	0	1,045	0	0	1,045
Papakolea	64	0	0	64	0	0	0	0	0	0	0	0	64	0	0	64
Princess Kahanu Estates	268	0	0	268	0	0	0	0	0	0	0	0	268	0	0	268
Waiahole	0	0	0	0	16	0	0	16	0	0	0	0	16	0	0	16
Waianae	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	4,380	1	0	4,381	60	0	0	60	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	100	0	0	100	100	0	0	100
Keokea	0	0	0	0	64	0	0	64	0	0	0	0	64	0	0	64
Leialii	103	0	0	103	0	0	0	0	0	0	0	0	103	0	0	103
Paukukalo	178	0	0	178	0	0	0	0	0	0	0	0	178	0	0	178
Waiehu 1	39	0	0	39	0	0	0	0	0	0	0	0	39	0	0	39
Waiehu 2	109	0	0	109	0	0	0	0	0	0	0	0	109	0	0	109
Waiehu 3	113	0	0	113	0	0	0	0	0	0	0	0	113	0	0	113
Waiehu 4	98	0	0	98	0	0	0	0	0	0	0	0	98	0	0	98
Waiohuli	590	1	1	590	0	0	0	0	0	0	0	0	590	1	1	590
TOTAL	1,261	1	1	1,261	64	0	0	64	100	0	0	100	1,425	1	1	1,425
EAST HAWAII																
Discovery Harbour	3	0	0	3	0	0	0	0	0	0	0	0	3	0	0	3
Kamaoa	0	0	0	0	0	0	0	0	25	0	0	25	25	0	0	25
Kaumana	47	0	0	47	0	0	0	0	0	0	0	0	47	0	0	47
Keaukaha	472	0	0	472	0	0	0	0	0	0	0	0	472	0	0	472
Kurtistown	3	0	0	3	0	0	0	0	0	0	0	0	3	0	0	3
Makuu	0	0	0	0	120	0	0	120	0	0	0	0	120	0	0	120
Panaewa	13	0	0	13	276	0	0	276	0	0	0	0	289	0	0	289
Piihonua	17	0	0	17	0	0	0	0	0	0	0	0	17	0	0	17
Puueo	0	0	0	0	11	0	0	11	0	0	0	0	11	0	0	11
University Heights	4	0	0	4	0	0	0	0	0	0	0	0	4	0	0	4
Waiakea	283	0	0	283	0	0	0	0	0	0	0	0	283	0	0	283
TOTAL	842	0	0	842	407	0	0	407	25	0	0	25	1,274	0	0	1,274
WEST HAWAII																
Honokaia	0	0	0	0	0	0	0	0	24	0	0	24	24	0	0	24
Humuula	0	0	0	0	0	0	0	0	5	0	0	5	5	0	0	5
Kamoku	0	0	0	0	0	0	0	0	16	0	0	16	16	0	0	16
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	550	0	0	550	46	0	0	46	0	0	0	0	596	0	0	596
Hanapepe	47	0	0	47	0	0	0	0	0	0	0	0	47	0	0	47
Kekaha	117	0	0	117	0	0	0	0	0	0	0	0	117	0	0	117
Puu Opae	0	0	0	0	0	0	0	0	1	0	0	1	1	0	0	1
TOTAL	714	0	0	714	46	0	0	46	1	0	0	1	761	0	0	761
MOLOKAI																
Hooluhua	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 A'ali	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	8,505	2	1	8,506	1,105	0	0	1,105	438	0	0	438	10,048	2	1	10,049

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

ISLAND	AC	AREA / TYPE	4/1/2024		5/1/2024						
			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	517	0	1	516	3.32%	Agr	Pas	Res	=
	143	Wai'anae Res	135	0	0	135	0.87%	4,149	0	11,445	
	191	O'ahu Islandwide Agr	4,149	20	6	4,163	26.61%	26.61%	0.00%	73.39%	100.00%
	193	O'ahu Islandwide Res	10,576	34	13	10,597	67.82%				
		Total O'ahu Apps	15,594	54	20	15,628	100.00%				
Maui	213	Paukūkalo Res	50	1	1	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%	Agr	Pas	Res	=
	291	Maui Islandwide Agr	4,827	5	2	4,830	51.17%	4,831	624	3,978	
	292	Maui Islandwide Pas	621	3	2	622	6.59%	51.21%	6.62%	42.17%	100.00%
	293	Maui Islandwide Res	3,928	6	3	3,931	41.64%				
		Total Maui Apps	9,433	15	8	9,440	100.00%				
Hawai'i	313	Keaukaha / Waiākea Res	65	0	0	65	0.42%	HAWAII APP TYPE TOTALS			
	321	Pana'ewa Agr	13	0	0	13	0.08%				
	333	Kawaihae Res	16	0	0	16	0.10%	Agr	Pas	Res	=
	341	Waimea Agr	10	0	0	10	0.06%	7,411	2,026	6,056	
	342	Waimea Pas	46	0	0	46	0.30%	47.83%	13.08%	39.09%	100.00%
	343	Waimea Res	44	0	0	44	0.28%				
	391	Hawai'i Islandwide Agr	7,388	15	7	7,396	47.67%				
	392	Hawai'i Islandwide Pas	1,980	5	2	1,983	12.78%				
	393	Hawai'i Islandwide Res	5,931	15	3	5,943	38.30%				
		Total Hawai'i Apps	15,493	35	12	15,516	100.00%				
Kaua'i	511	Anahola Agr	3	0	0	3	0.07%	KAUAI APP TYPE TOTALS			
	512	Anahola Pas	20	0	0	20	0.45%				
	513	Anahola Res	40	0	0	40	0.91%	Agr	Pas	Res	=
	523	Kekaha Res	8	0	0	8	0.18%	2,318	342	1,740	
	532	Pu'u 'Ōpae Pas	7	0	0	7	0.16%	52.68%	7.77%	39.55%	100.00%
	591	Kaua'i Islandwide Agr	2,315	4	0	2,319	52.64%				
	592	Kaua'i Islandwide Pas	315	0	0	315	7.15%				
	593	Kaua'i Islandwide Res	1,692	2	1	1,693	38.43%				
		Total Kaua'i Apps	4,400	6	1	4,405	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%	Agr	Pas	Res	=
	623	Ho'olehua Res	7	0	0	7	0.32%	1,141	202	821	
	633	Kapa'akea Res	6	0	0	6	0.28%	52.73%	9.33%	37.94%	100.00%
	643	One Ali'i Res	1	0	0	1	0.05%				
	691	Moloka'i Islandwide Agr	1,124	1	1	1,124	51.92%				
	692	Moloka'i Islandwide Pas	201	1	0	202	9.33%				
	693	Moloka'i Islandwide Res	804	2	2	804	37.14%				
	Total Moloka'i Apps	2,164	4	3	2,165	100.00%					
Lāna'i	713	Lāna'i Res	69	1	0	70	100.00%	LĀNA'I APP TYPE TOTALS			
		Total Lāna'i Apps	69	1	0	70	100.00%				
							Agr	Pas	Res	=	
							0	0	69		69
							0.00%	0.00%	100.00%	100.00%	

STATEWIDE TOTALS				STATEWIDE APP TYPE TOTALS		
3/1/2024	Adds	Deletes	4/1/2024	Agr	Pas	Res
47,153	115	44	47,224	19,850	3,194	24,109

DHHL Applicant Summary as of May 1, 2024

Individuals with only RESIDENTIAL applications:	6,429	21.79%
Individuals with only AGRICULTURAL applications:	4,612	15.63%
Individuals with only PASTORAL applications:	750	2.54%
Individuals with RESIDENTIAL and AGRICULTURAL applications:	15,267	51.74%
Individuals with RESIDENTIAL and PASTORAL applications:	2,449	8.30%
*Total Number of DHHL APPLICANTS:	29,507	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

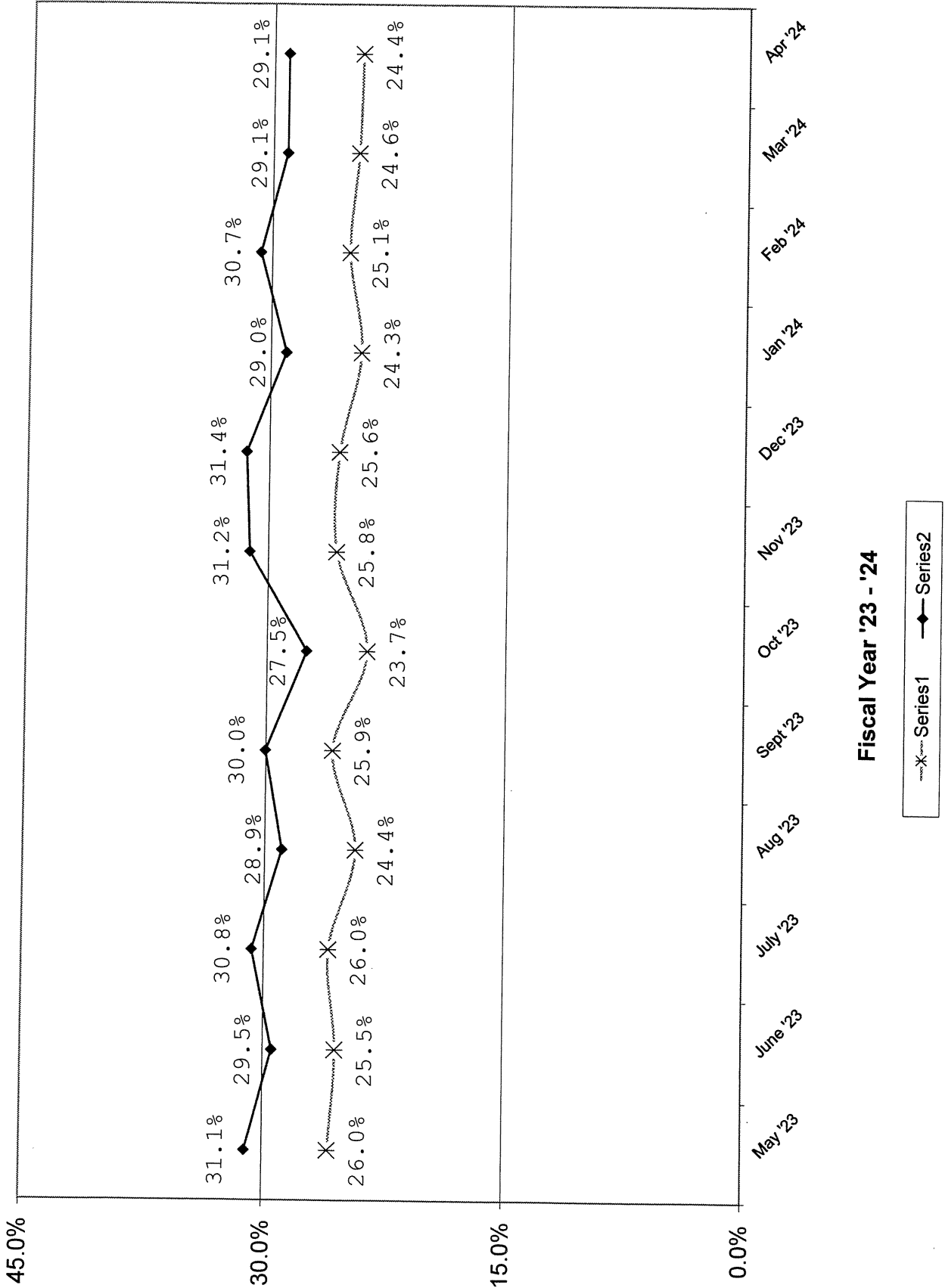
May 20, 2024
(\$Thousands)

	Total Outstanding (000s)		Total Delinquency (000s)		30 Days (low) (000s)		60 Days (Medium) (000s)		90 Days (High) (000s)		180 Days (Severe) (000s)		% of Totals 4/30/2024	
	No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.	No.	\$
DIRECT LOANS	367	35,903	102	10,452	16	1,669	10	646	13	1,481	63	6,656	27.8%	29.1%
OAHU	191	10,945	49	3,301	3	198	1	12	7	503	38	2,587	25.7%	30.2%
EAST HAWAII	78	7,974	10	900	6	558	3	193	0	0	1	149	12.8%	11.3%
WEST HAWAII	79	6,670	13	679	1	97	1	141	4	145	7	296	16.5%	10.2%
MOLOKAI	93	8,061	9	463	1	7	3	112	0	0	5	344	9.7%	5.7%
KAUAI	<u>111</u>	<u>15,076</u>	<u>35</u>	<u>4,827</u>	<u>7</u>	<u>359</u>	<u>2</u>	<u>202</u>	<u>9</u>	<u>1,480</u>	<u>17</u>	<u>2,787</u>	<u>31.5%</u>	<u>32.0%</u>
MAUI	919	84,629	218	20,621	34	2,888	20	1,305	33	3,608	131	12,819	23.7%	24.4%
TOTAL DIRECT	100.0%	100.0%	23.7%	24.4%	3.7%	3.4%	2.2%	1.5%	3.6%	4.3%	14.3%	15.1%	23.7%	24.4%
Advances (including RPT)	252	6,365	252	6,365	0	0	0	0	252	6,365	0	0	100%	100%
DHHL LOANS & Advances	1,171	90,994	470	26,987	34	2,888	20	1,305	285	9,974	131	12,819	40.1%	29.7%
LOAN GUARANTEES as of June 30, 2023														
SBA	2	67	0	0	0	0	0	0	0	0	0	0	0.0%	0.0%
USDA-RD	274	35,831	43	6,613	0	0	0	0	43	6,613	0	0	15.7%	18.5%
Habitat for Humanity	32	893	16	429	0	0	0	0	16	429	0	0	50.0%	48.0%
Maui County	5	74	0	0	0	0	0	0	0	0	0	0	0.0%	0.0%
Nanakuli NHS	1	7	1	7	0	0	0	0	1	7	0	0	100.0%	100.0%
City & County	10	204	10	204	0	0	0	0	10	204	0	0	100.0%	100.0%
FHA Interim	6	1,366	0	0	0	0	0	0	0	0	0	0	0.0%	0.0%
OHA	1	6	1	6	0	0	0	0	1	6	0	0	100.0%	100.0%
TOTAL GUARANTEE	331	38,448	71	7,259	0	0	0	0	71	7,259	0	0	21.5%	18.9%
PMI Loans	117	15,459	8	903	6	511	1	122	1	270	0	0	6.8%	5.8%
HUD REASSIGNED for Recovery	119	12,043	93	10,594	0	0	1	121	4	218	88	10,255	78.2%	88.0%
FHA Insured Loans	2,929	535,592	208	33,314	0	0	0	0	208	33,314	0	0	7.1%	6.2%
TOTAL INS. LOANS	3,165	563,094	309	44,811	6	511	2	243	213	33,802	88	10,255	9.8%	8.0%
OVERALL TOTALS(EXC Adv/RPT's)	4,415	686,171	598	72,691	40	3,399	22	1,548	317	44,669	219	23,074	13.5%	10.6%
ADJUSTED TOTALS	4,667	692,537	850	79,057	40	3,399	22	1,548	569	51,035	219	23,074	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 445 loans comes out to \$1,960,057.73 as of 4/30/2024.

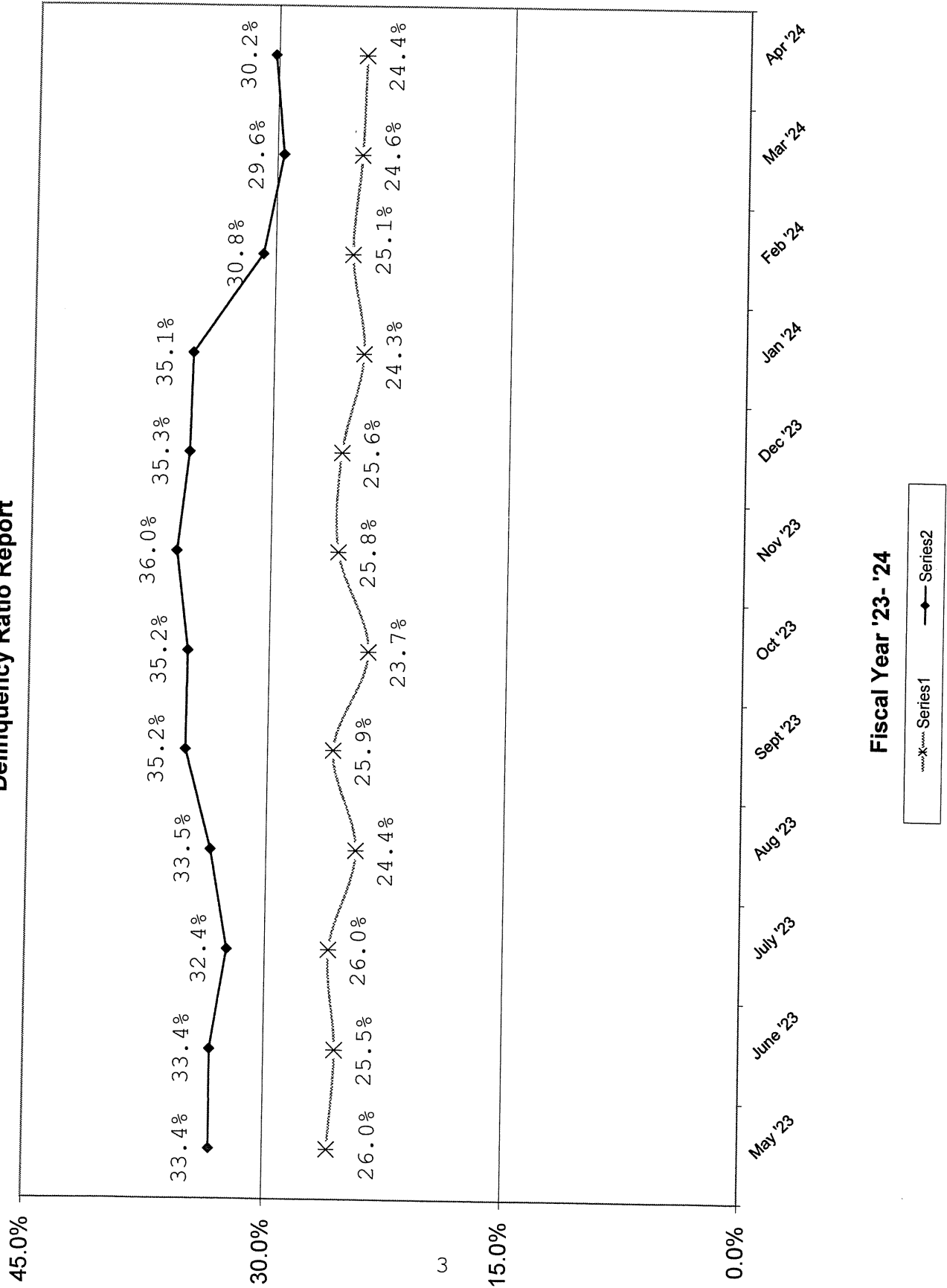
OAHU
Direct Loans
Delinquency Ratio Report



Fiscal Year '23 - '24

Series1 Series2

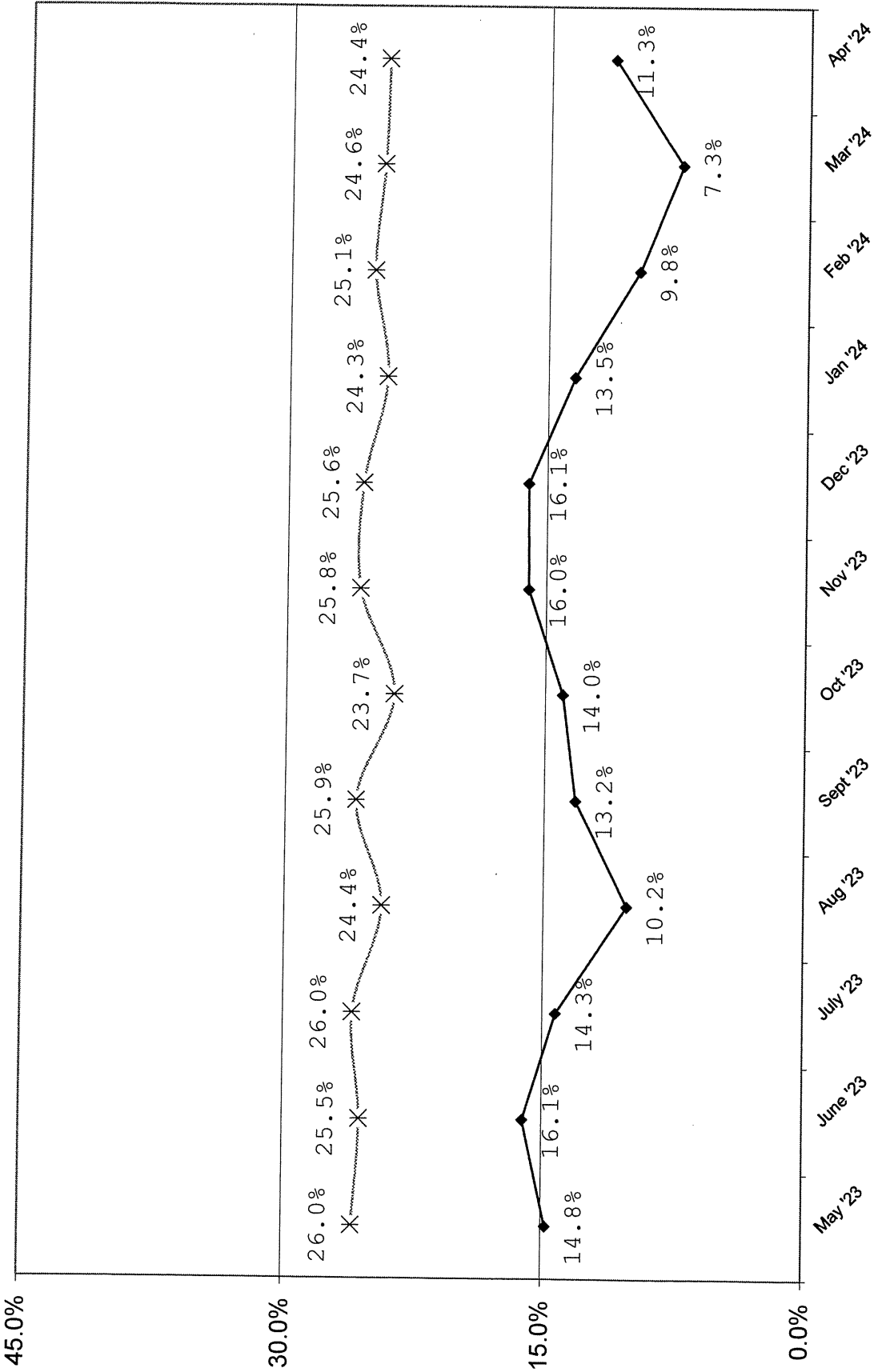
**EAST HAWAII
Direct Loans
Delinquency Ratio Report**



Fiscal Year '23- '24

Series 1 Series 2

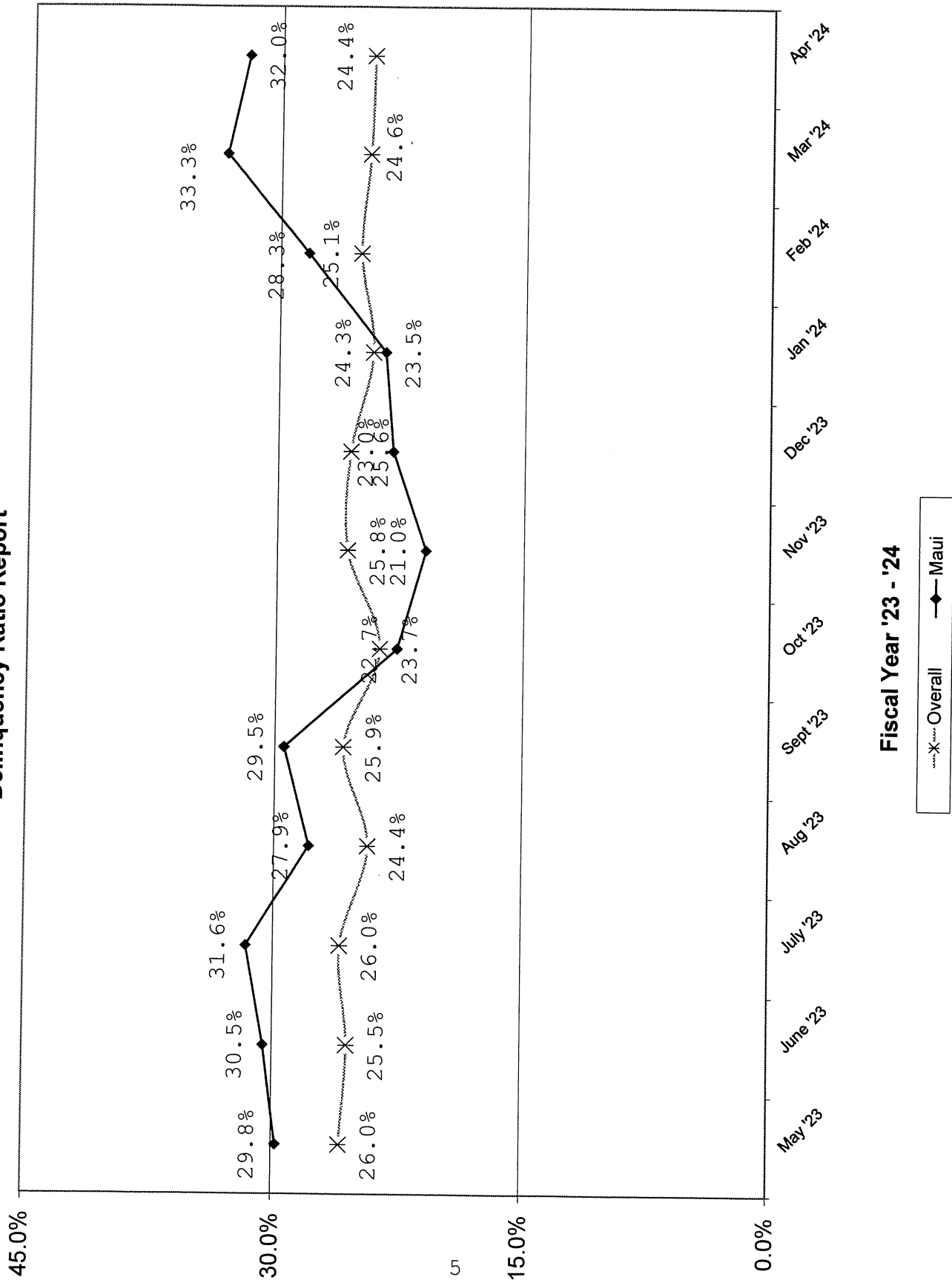
**WEST HAWAII
Direct Loans
Delinquency Ratio Report**



Fiscal Year '23 - '24

.....x..... Series1 —◆— Series2

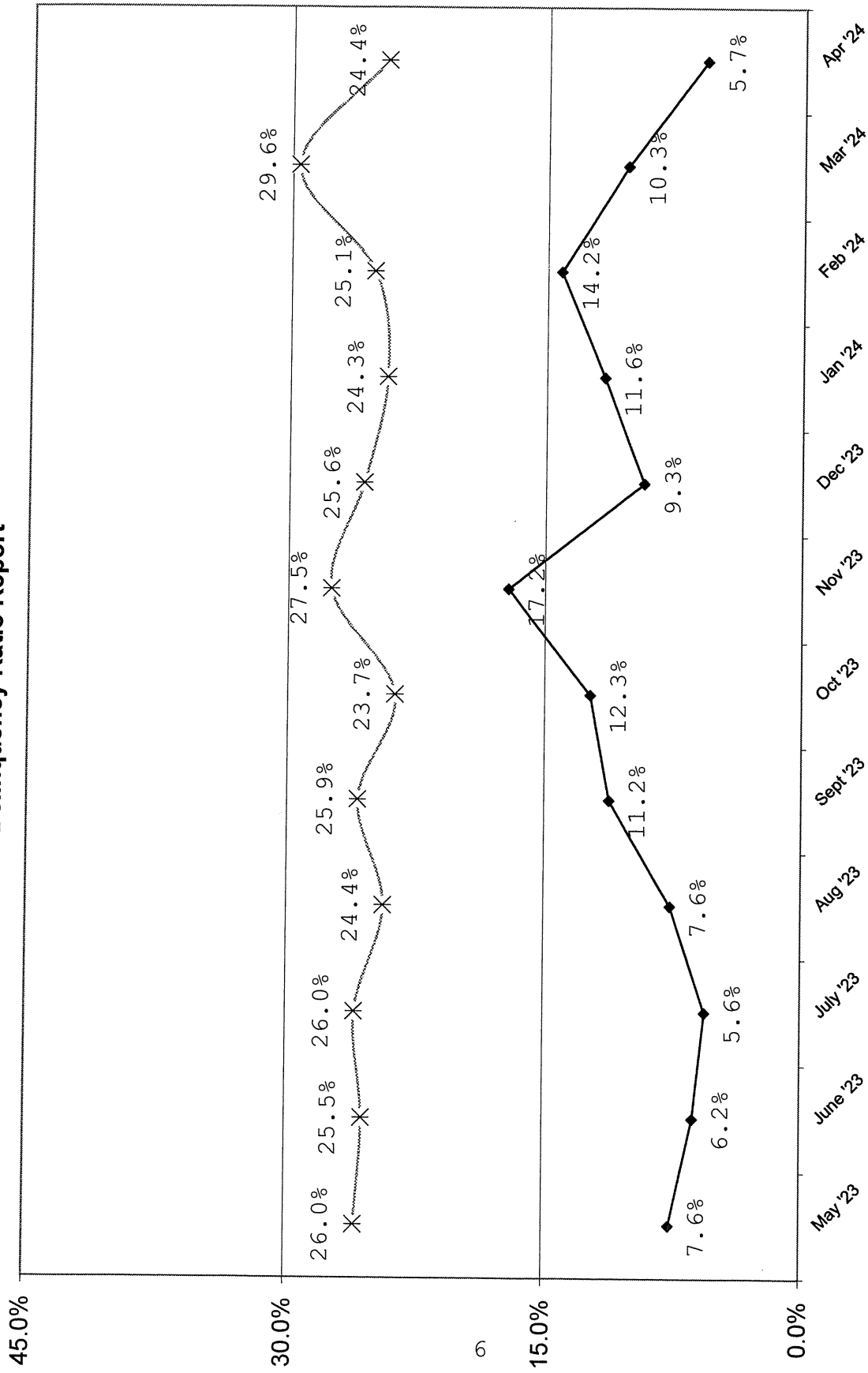
MAUI
Direct Loans
Delinquency Ratio Report



Fiscal Year '23 - '24

---X--- Overall —◆— Maui

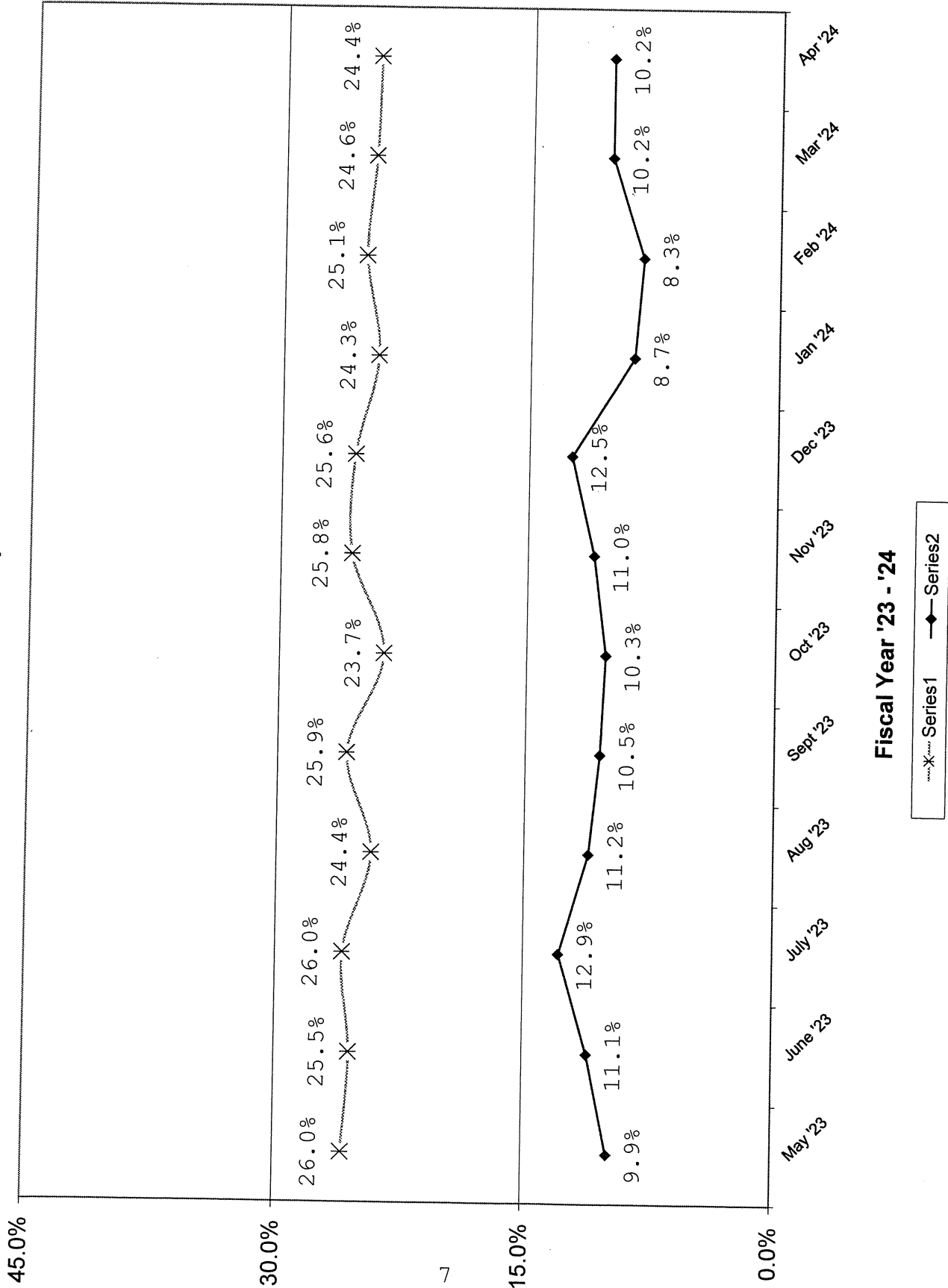
KAUAI
Direct Loans
Delinquency Ratio Report



Fiscal Year '23 - '24

Series 1 (x) Series 2 (◆)

**MOLOKAI
Direct Loans
Delinquency Ratio Report**



May 21, 2024

SUBJECT: **DHHL Guarantees for U.S. Small Business
Administration**

DISCUSSION: The Department issued guarantees for the following
SBA loans:

<u>LOT NO.</u>	<u>AREA</u>	<u>LESSEE</u>	<u>Loan Amount</u>	<u>Date Approved</u>
96	Leialii	Haina, Anela	\$284,900	5/6/24

	<u>No.</u>	<u>Balance</u>	
FY Ending 6/30/23	0		\$ -0-
Previous Months	0		\$ -0-
This Month	<u>1</u>		<u>284,900</u>
FY '23-'24 to date	1		\$284,900

May 20, 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>
13016	Anahola	Christian K.C. Goo, Jr.	\$570,000	5/2/24

	<u>No.</u>	<u>Balance</u>
FY Ending 6/30/23	5	\$ 1,681,571
Previous Months	8	\$ 2,930,473
This Month	<u>1</u>	<u>570,000</u>
FY '23-'24 to date	9	\$ 3,500,473

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 20, 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>			
Maluohai Lease No. 9881 TMK: 1-9-1-120:039	YAMAMOTO, Amy M. M. (Cash Out Refi) HUD 184A	Bank of Hawaii	\$ 310,000
Lualualei Lease No. 5600 TMK: 1-8-6-023:082	AKANA, Tehani M. L. (Purchase)USDA RD	CMG Mortgage, Inc.	\$ 512,121
Nanakuli Lease No. 8608 TMK: 1-8-9-017:019	ARMSTRONG, Loraine K. (Cash Out Refi) FHA	Bank of Hawaii	\$ 480,000

OAHU

Kewalo Lease No. 2213 TMK: 1-2-5-022:020	AKAMU, Kenny K. (Cash Out Refi) FHA	HomeStreet Bank	\$ 756,298
--	---	--------------------	------------

MAUI

Hikina Lease No. 12293 TMK: 2-2-2-031:009	PURDY, Allen N. (Purchase) HUD 184A	CMG Mortgage, Inc.	\$ 671,347
---	---	--------------------------	------------

Waiehu Kou 3 Lease No. 10044 TMK: 2-3-2-024:015	BENAVIDES, Burke I. (Cash Out Refi) FHA	HomeStreet Bank	\$ 412,074
---	---	--------------------	------------

KAUAI

Anahola Lease No. 12679 TMK: 4-4-8-022:058	KALEIOHI, Jason K. (Cash Out Refi) FHA	SecurityNat- ional Mortg- age Co.	\$ 420,000
--	--	---	------------

HAWAII

Kaumana Lease No. 10198 TMK: 3-2-5-005:148	KAWAI, Patrick K. (Cash Out Refi) FHA	HomeStreet Bank	\$ 305,600
--	---	--------------------	------------

Kuhio Village Lease No. 2677A TMK: 3-6-4-007:070	SANBORN, Rhonda K. (Cash Out Refi) FHA	V.I.P Mort- age	\$ 311,400
--	--	--------------------	------------

<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	76	\$ 27,341,214	21	\$ 6,171,432
This Month	6	2,685,372	0	0
Total FY '23-'24	<u>82</u>	<u>\$ 30,026,586</u>	<u>21</u>	<u>\$ 6,171,432</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	12	\$ 4,914,790	1	\$ 202,000
This Month	2	981,347	1	512,121
Total FY '23-'24	<u>14</u>	<u>\$ 5,896,137</u>	<u>2</u>	<u>\$ 714,121</u>

ITEM NO. D-2

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 20, 2024

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Juan Garcia, HSD Administrator
Homestead Services Division
FROM: Dean Oshiro, Loan Services Branch Manager
SUBJECT: **Ratification of Loan Approvals**

RECOMMENDED MOTION/ACTION

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

<u>LESSEE</u>	<u>LEASE NO. & AREA</u>	<u>LOAN TERMS</u>
Kauhaa-Po, Sherman L.K. 10446, Waiohuli		NTE \$140,000 @4% interest per annum, NTE \$689 monthly, repayable over 30 years.

Loan Purpose: To complete the construction of a new 3 bedroom, 2, bath, 2,112 sq. ft. home.

Oleole, Bert W.L., Jr. 626, Papakolea NTE \$108,000 @4% interest per annum, NTE \$516 monthly, repayable over 30 years.

Loan Purpose: Refinance Contract of Loan No. 19069 due to financial hardship. Original loan amount of \$98,600 @6.25% per annum, \$607.10 monthly, repayable over 30 years. A Contested Case Hearing was held for this account on May 17, 2018.

<u>REFINANCE</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/23	14	\$ 1,732,825
Prior Months	9	615,400
This Month	<u>1</u>	<u>108,000</u>
Total FY '23-'24	10	\$ 723,400

<u>REPAIR</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/23	0	\$ -0-
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '23-'24	0	\$ -0-

<u>HOME CONSTRUCTION</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/23	3	\$ 1,028,750
Prior Months	3	1,205,825
This Month	<u>1</u>	<u>140,000</u>
Total FY '23-'24	4	\$ 1,345,825

<u>FARM</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/23	0	\$ -0-
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '23-'24	0	\$ -0-

<u>TRANSFER WITH LOAN</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/23	1	\$ 143,000
Prior Months	0	-0-
This Month	<u>0</u>	<u>-0-</u>
Total FY '23-'24	0	\$ -0-



<u>AWARD</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/23	3	\$ 524,500
Prior Months	3	729,000
This Month	<u>0</u>	<u>-0-</u>
Total FY '23-'24	3	\$ 729,000

<u>OTHER</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/23	0	\$ -0-
Prior Months	1	10,000
This Month	<u>0</u>	<u>-0-</u>
Total FY '23-'24	1	\$ 10,000

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 20, 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

AH MOW, Wailani	09/20/2017	HAWAII	AGR	02/28/2024
AKU, Antone K.M.	01/13/2023	HAWAII	PAS	03/28/2024

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

AH MOW, Wailani	09/20/2017	HAWAII	RES	02/28/2024
AKU, Antone K.M.	01/13/2023	HAWAII	RES	03/28/2024

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

FELICIANO, Frandee A.L.	03/21/1986	OAHU	AGR	01/24/2024
PAULO, Kekuanoni K.	11/05/2021	KAUAI	AGR	02/13/2024

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

FELICIANO, Frandee A.L.	03/21/1986	OAHU	RES	01/24/2024
PAULO, Kekuanoni K.	11/05/2021	KAUAI	RES	02/13/2024

2. Deceased Applicants

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

MONTALBO, Bernice K.	Applicant's date of death occurred on 10/01/1994, which is prior to the 10/26/1998 amendment of the HAR section 10-3-8, which allows for qualified successors to participate in the Public Notice process. Remove application dated 07/23/1987.
----------------------	---

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

MONTALBO, Bernice K.	Applicant's date of death occurred on 10/01/1994, which is prior to the 10/26/1998 amendment of the HAR section 10-3-8, which allows for qualified successors to participate in the Public Notice process. Remove application dated 07/23/1987.
----------------------	---

3. Awards of Leases

WAIMANALO AREA / OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

SETO-MOOK, Richard	Assigned Residential Lease #13079, Lot 26 in Kakaina, Oahu dated 04/08/2024. Remove application dated 11/10/1975.
--------------------	---

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

TEXEIRA, Pauline L. Assigned Residential Lease #935,
Lot 28 in Nanakuli, Oahu dated
09/14/2005. Remove application
dated 04/04/1994.

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

AMARAL, Henry Jr. Assigned Residential Lease #12866,
Lot 149 in Kauluokahai, Oahu dated
10/28/2019. Remove application
dated 07/09/1979.

AUWAE, Dallas M. Assigned Residential Lease #7607,
Lot 22 in Nanakuli, Oahu dated
02/29/2024. Remove application
dated 10/06/2004.

4. Native Hawaiian Qualification

NONE FOR SUBMITTAL

5. Voluntary Cancellation

NONE FOR SUBMITTAL

6. Successorship

OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

KEMA, Edward C., Jr. Succeeded to Hawaii Islandwide
Agricultural application of
Parent, Edward C. Kema dated
11/19/2009. Remove application
dated 04/28/2022.

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

KEMA, Edward C., Jr. Succeeded to Hawaii Islandwide Residential application of Parent, Edward C. Kema dated 11/19/2009. Remove application dated 04/28/2022.

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

KAINA, Leinora L. Succeeded to Maui Islandwide Agricultural application of Parent, Gladys K. Hoopii dated 01/17/1986. Remove application dated 04/26/2005.

PURDY, Allen N. Succeeded to Maui Islandwide Agricultural application of Sibling, Harold K. Purdy dated 12/09/1998. Remove application dated 03/19/1999.

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

NIHOA, Lawrence M., Jr. Succeeded to Maui Islandwide Agricultural application of Spouse, Stephanie K. Nihoa dated 04/16/1992. Remove application dated 04/22/1992.

KAUAI ISLANDWIDE PASTORAL LEASE LIST

KAOHELALUII, Dana A., Jr. Succeeded to Kauai Islandwide Agricultural application of Parent, Anna K. Kaohelaulii dated 04/18/1997. Remove application dated 07/24/2015.

KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

KAOHELALULII, Dana A., Jr. Succeeded to Kauai Islandwide Residential application of Parent, Anna K. Kaohelaulii dated 04/09/1997. Remove application dated 07/24/2015.

MOLOKAI ISLANDWIDE RESIDENTIAL LEASE LIST

LANDFORD-BRIGHT, Verna M.L. Succeeded to Nanakuli Area / Oahu Islandwide Residential application of Spouse, Wilbur P. Bright Jr. dated 04/09/1976. Remove application dated 06/07/1976.

7. Additional Acreage

NONE FOR SUBMITTAL

8. HHC Adjustments

NONE FOR SUBMITTAL


Last Month's Transaction Total	25
Last Month's Cumulative FY 2023-2024 Transaction Total	363
Transfers from Island to Island	8
Deceased	2
Cancellations:	
Awards of Leases	4
NHQ	0
Voluntary Cancellations	0
Successorship	8
Additional Acreage	0
HHC Adjustments	0
This Month's Transaction Total	22
This Month's Cumulative FY 2023-2024 Transaction Total	385


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 20, 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 April 2024**

RECOMMENDED MOTION/ACTION

To approve the certification of applications of qualified applicants for the month of April 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

SOUZA, Ida U.	01/18/2024
NARDO, Sunya N.	01/22/2024
IRVINE, Keliikalani	02/23/2024

MAHOE, Kainoa I.	02/27/2024
KAAIALII, Akoni H.	02/28/2024
KEALOHI, Jaylene M.	03/04/2024
GUSMAN, Paul D.E.I.	03/05/2024

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

HANAWAHINE, Napualani S.	01/12/2024
HOAEAE, Michael L.	01/12/2024
KAHIKINA, Nevada K.	01/16/2024
SOUZA, Ida U.	01/18/2024
KEONE, Renee M.	01/22/2024
LEE, Maya K.	02/02/2024
KALAUUA, Lelan D.K.	02/06/2024
IRVINE, Keliokalani	02/23/2024
BRIGHT, Shavelle K.	02/26/2024
KAWAAKOA, John W., III	02/27/2024
MAHOE, Kainoa I.	02/27/2024
GUSMAN, Paul D.E.I.	02/28/2024
KAAIALII, Akoni H.	02/28/2024
KEALOHI, Jaylene M.	03/04/2024
KING, Louella D.P.	03/05/2024
HUSSEY, Kanekapila R.L.	03/06/2024

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

KAHIKINA, Nevada K.	01/16/2024
KALAMA, Nainoa T.	01/22/2024

LIND, Bruce M., III	01/24/2024
STEPHENS, Lynette L.	01/25/2024
PUAA, Alohalani	01/26/2024
PUAA, Kaohulani K.	01/26/2024
HIAPO KALUA, Beatrice V.M.	02/02/2024
LEE, Maya K.	02/02/2024
HANCHETT, Mary Jane M.L.	02/09/2024
ARRIAGA, Ines T.P.	02/27/2024
AKIMA, Stacey Smith K.	03/04/2024
KAALAKEA, Isaac J.M.	03/06/2024

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

CRIVELLO, Leonahemaikekaimalie	12/12/2023
KALAMA, Nainoa T.	01/22/2024
LIND, Bruce M., III	01/24/2024
STEPHENS, Lynette L.	01/25/2024
PUAA, Alohalani	01/26/2024
PUAA, Kaohulani K.	01/26/2024
HIAPO KALUA, Beatrice V.M.	02/02/2024
HANCHETT, Mary Jane M.L.	02/09/2024
ARRIAGA, Ines T.P.	02/27/2024
AKIMA, Stacey Smith K.	03/04/2024
KAALAKEA, Isaac J.M.	03/06/2024
RABANES, Jean K.N.	03/21/2024
SIMMONS, Cathy L.	03/25/2024

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

CRIVELLO, Leonahemaikekaimalie	12/12/2023
KEONE, Renee M.	01/22/2024
AHANA, Aaron M.K.	02/27/2024
AHUNA, Moses W.K.	03/25/2024

HAWAII ISLANDWIDE PASTORAL LEASE LIST

HULAMA, Katherine M.L.	01/25/2024
MAKEKAU, Allison K.M.	03/11/2024

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

HULAMA, Katherine M.L.	01/25/2024
KANE, Johansen L.K.A.N.	02/07/2024
ANTONIO, Preston W.	02/22/2024
AHANA, Aaron M.K.	02/27/2024
ELLIS, Bobby G., Jr.	02/28/2024
MAKEKAU, Allison K.M.	03/11/2024
KALAHIKI, William Paul M.A.	03/22/2024
AHUNA, Moses W.K.	03/25/2024

KAUAI ISLANDWIDE AGRICULTURAL LEASE LIST

KEOPUHIWA, Samuel N.	02/14/2024
KIA, Clyde K., Sr.	02/23/2024

KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

KEOPUHIWA, Samuel N.	02/14/2024
----------------------	------------

MOLOKAI ISLANDWIDE AGRICULTURAL LEASE LIST

KAMAKANA, Rex K.	02/02/2024
KAAWA RICHARDSON, Kelly H.	02/02/2024
KANE, Johansen L.K.A.N.	02/07/2024
KALILIKANE, Shaina N.K.	03/06/2024

MOLOKAI ISLANDWIDE RESIDENTIAL LEASE LIST

KAMAKANA, Rex K.	02/02/2024
KALILIKANE, Shaina N.K.	03/06/2024

LANAI ISLANDWIDE RESIDENTIAL LEASE LIST

WAIOLAMA, Dayton Lee K.	02/23/2024
-------------------------	------------

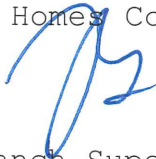
Previous Cumulative Total for Current FY	439
Current Month's Total	72
Fiscal Year Total: July 2023-June 2024	511


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 20, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 

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

SUBJECT: **Rescission of Residential Application Transfer,
Rescission of Residential Application Rights
Successorship, Reinstatement of Waimanalo area/Oahu
islandwide Residential Application of David K. Purdy,
Jr., and Reinstatement of Residential Application -
Jacob K. Purdy**

RECOMMENDED MOTION/ACTION

1. To rescind the application transfer request, dated May 9, 2005 from the Oahu islandwide residential waitlist to the Hawaii islandwide residential waitlist.
2. To rescind the application rights successorship to David K. Purdy, Jr.'s Waimanalo area/Oahu islandwide residential application, dated May 15, 1973.
3. To reinstate David K. Purdy, Jr.'s Waimanalo area/Oahu islandwide residential application, dated May 15, 1973.
4. To reinstate the Hawaii islandwide residential application of Jacob K. Purdy, dated January 12, 1987.

DISCUSSION

Applicant David K. Purdy, Jr., passed away on March 2, 2001. According to the records on file, Jacob K. Purdy was the named successor to his father, David K. Purdy, Jr.'s, Waimanalo area/Oahu islandwide residential application, dated May 15, 1973 (Exhibit A). Upon receipt of HHL Form 00072, signed by Jacob K. Purdy (Exhibit B), the Applications Branch obtained Hawaiian Homes Commission ("HHC") approval by way of submittal to cancel Jacob K. Purdy's own Hawaii islandwide residential application, dated January 12, 1987, therefore allowing Jacob to succeed to

his father, David K. Purdy, Jr.'s, application rights. The cancellation request was approved by the HHC during the September 24, 2002, HHC meeting.

The Department received a notarized "Application to Successorship Rights" form dated October 22, 2002 (Exhibit C). As a result, the Applications Branch finalized the successorship and updated the waitlist to reflect the cancellation of Jacob K. Purdy's Hawaii islandwide residential application, dated January 12, 1987, and Jacob's successorship to father, David K. Purdy, Jr.'s Waimanalo area/Oahu islandwide residential application, dated May 15, 1973.

On May 9, 2005, the Department received a Transfer of Hawaiian Home Lands Application form signed by Jacob K. Purdy (Exhibit D). Consequently, the Applications Branch obtained HHC approval by way of submittal to transfer Jacob K. Purdy's Waimanalo area/ Oahu islandwide residential application, dated May 15, 1973, to the Hawaii islandwide residential waitlist, per signed request. The transfer request was approved by the HHC during the July 26, 2005, HHC meeting.

Currently, Jacob K. Purdy holds a Hawaii islandwide residential application, dated May 9, 2005.

On September 19, 2023, the Department received a letter from Jacob K. Purdy, requesting for his Hawaii islandwide residential application date to reflect the date of his original application: 1987. The letter further states he did not agree at any time to change his application location from Hawaii island to Waimanalo, Oahu (Exhibit E).

The Department is requesting approval of its recommendation.

DESIGNATION OF SUCCESSOR TO APPLICANT'S RIGHTS

Department of Hawaiian Home Lands
Application for Homestead Lease

Date of Application: _____

Type of Application: Res.
(Residential, Pastoral, Agricultural)

Island: Oahu, Waimanalo

In accordance with provisions of Section 10-3-8* of the Department of Hawaiian Home Lands Administrative Rules, effective August 1, 1985, as amended, I, David K. Fordy, Jr.
(Applicant's Name) hereby designate the following person as my successor to my application rights upon my death.

Jacob Kevin K. Fordy SON
DESIGNEE (Must be a qualified spouse or, a qualified child of the applicant) RELATION
Please designate one only.

3 HAWAIIAN BLOOD (Documents Attached) DATE OF BIRTH (Must be 18 years old at date of designation)

HOME ADDRESS _____ SOCIAL SECURITY NUMBER _____

David K. Fordy, Jr.
SIGNATURE OF APPLICANT

9/10/86
DATE

§10-3-8 Transfer of application rights. An applicant may designate a qualified spouse or a qualified child to succeed to the applicant's application rights upon the death of the applicant. Upon the death of an applicant who dies without designating a successor, the application rights may be succeeded by the qualified spouse or a qualified child as provided in (1) and (2) in this section upon application therefor. In the absence of such a designation, the department may:

- (1) Designate, in its absolute discretion, a successor from among the applicants for succession to the application rights of the deceased applicant; or
 - (2) Allow an unqualified spouse to designate a qualified child to succeed to the deceased applicant's application rights.
- Requests for succession to application rights shall be made to the department in writing not later than 180 days after the death of the applicant; otherwise, the application will be cancelled and the applicant's name removed from the waiting list. [Eff. 7/30/81; am 8/1/85] (Auth. HHC Act §222) (Imp: HHC Act §207)

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

REQUEST TO CANCEL HAWAIIAN HOME LANDS APPLICATION IN ORDER TO
QUALIFY FOR SUCCESSORSHIP TO APPLICATION RIGHTS

PLEASE TYPE OR PRINT WITH BLACK INK

NAME OF DECEASED APPLICANT: DAVID K. PURDY, JR.

ISLAND/TYPE OF APPLICATION: Waimanalo Area/Oahu Residential

DATE OF APPLICATION: May 15, 1973

SUCCESSOR'S NAME: JACOB K. PURDY

I wish to succeed to the above application. Administrative Rule 10-3-4 Sections (b) and (c), have been explained to me, and I understand that I cannot have two residential/agricultural/pastoral (circle one only) applications. Therefore, please cancel my application for:

ISLAND: Hawaii TYPE OF APPLICATION: Residential DATED: 01/12/1987

OR

I wish to succeed to the above application. Administrative Rule 10-3-4 Section (c), has been explained to me, and I understand that I cannot have both an agricultural and pastoral application. Therefore, please cancel my application for:

ISLAND: _____ TYPE OF APPLICATION: _____ DATED: _____

(DHHL TIME STAMP)

DEPT. OF
HAWAIIAN HOME LANDS
HILO BRANCH

02 AUG 14 PM 12: 33

Jacob K. Purdy 8/14/02
Signature Date

Social Security Number

Address

Home Phone

Business Phone

Margy K. Doal 8-14-02

Received by (DHHL STAFF) Date

(Please use one form for each type of application – May be completed by designated successor or individual approved by HHC as qualified successor)

HHL Form 00072 (05/2001)

ITEM NO. D-6
Exhibit B

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
APPLICATION FOR LEASE OF HAWAIIAN HOME LANDS

DHHL TIME STA
APPLICATION TO SUCCESSORSHIP R.
Deceased: David K. Purdy, Jr.
Application Date: May 15, 1973
Waimanalo Area/Oahu Residential

PLEASE TYPE OR PRINT WITH BLACK BALLPOINT PEN

WARNING: Any false statement on this application form shall be grounds for removal of applicant's name from the waiting list, or cancellation of any lease awarded an applicant and may subject the applicant to prosecution.

NAME OF APPLICANT: Jacob K. Purdy
First name MI Last name

SOCIAL SECURITY NO.: _____ DATE OF BIRTH: _____ PLACE OF BIRTH: Hawaii
mm/dd/yy

PLACE OF RESIDENCE: _____
Street Apt. No. City State Zip Code

MAILING ADDRESS
(Complete only if different from Place of Residence)
Street Apt. No. City State Zip Code

HOME PHONE: _____ PLACE OF BUSINESS: SELF EMP. BUS. PHONE: _____

CONTACT NAME: _____ PHONE NO.: _____ RELATION: _____
(Person to contact in case of emergency)

ARE YOU AT LEAST 50% HAWAIIAN? (Check one only) Yes No
WERE YOU LEGALLY ADOPTED? (Please check one) Yes No

• YOUR HAWAIIAN BLOOD QUANTUM (GENEALOGY) MUST BE ESTABLISHED THROUGH YOUR BIOLOGICAL ANCESTORS (PARENTS, GRANDPARENTS, ETC.).

NATURAL FATHER'S FULL NAME: DAVID K. PURDY JR.
NATURAL MOTHER'S FULL MAIDEN NAME: JACQUELINE A. AYLETT

* COMPLETED AS SELECTED BY ORIGINAL APPLICANT *
TYPE OF HOMESTEAD LEASE NOW APPLYING FOR: (Choose one only) Residential Agricultural Pastoral

ISLAND APPLYING FOR: (Check one only) Hawaii Kauai Maui Molokai Oahu

ARE YOU AN APPLICANT FOR ANOTHER TYPE OF HOMESTEAD LEASE? (Check one only) Yes No
If Yes, Type Of Lease: Agricultural Island: Hawaii

DO YOU, OR YOUR SPOUSE, NOW HAVE A HOMESTEAD LEASE? (Check one only) Yes No
If yes, Lessee's Name: _____ Type Of Lease: _____ Island: _____

DID YOU HAVE A HOMESTEAD LEASE IN THE PAST? (Check one only) Yes No
If Yes, Type Of Lease: _____ Island: _____ Reason: (circle one) Transfer/ Surrender, To whom: _____

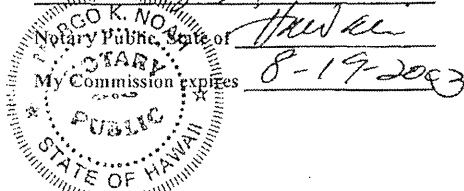
BELOW MUST BE FILLED OUT BY NOTARY PUBLIC

State of Hawaii,
County of Hawaii) SS.

I, Jacob K. Purdy, being first duly sworn, do state under oath and say that I am the applicant named in this application, that I have read (or have had read and interpreted to me) this application; that I know and understand the contents thereof and that my statements are true to the best of my knowledge and belief. In support of this application, my birth certificate, my parents' birth certificate, or other documents necessary to substantiate my native Hawaiian ancestry are attached and made a part of this application.

Subscribe and sworn to before me this 22nd day of October, A.D. 2002
Signature of Applicant Jacob K. Purdy Date 10/22/02

MARGO K. NOAH
Signature of Staff Reviewer Date



APPLICATION ACCEPTED:
DEPARTMENT OF HAWAIIAN HOME LANDS
By: _____
Signature of Authorized Department Representative Date

IMPORTANT NOTICE:
① COMPLETED APPLICATION FORM MUST BE NOTARIZED TO BE ACCEPTED.
② YOUR NAME WILL BE PLACED ON THE WAITING LIST ONLY AFTER THIS APPLICATION IS ACCEPTED AND SIGNED BY AN AUTHORIZED DEPARTMENT REPRESENTATIVE.
③ IF YOU ARE PLACED ON A WAITING LIST, YOU MUST NOTIFY THE DEPARTMENT IN WRITING OF ANY CHANGES TO YOUR MAILING ADDRESS.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

TRANSFER OF HAWAIIAN HOME LANDS APPLICATION

Part A (TO BE COMPLETED BY THE APPLICANT. Please fill in the blanks of only the (or those) application(s) you wish to transfer.)

Today's Date: 5/19/05

RESIDENTIAL APPLICATION TRANSFER

I am an applicant for a residential DHHL homestead lease on the island of O'ahu.

I wish to transfer the application named above to the island of Hawaii.

AGRICULTURAL APPLICATION TRANSFER

I am an applicant for an agricultural DHHL homestead lease on the island of _____.

I wish to transfer the application named above to the island of _____ Or

I wish to transfer this application to a pastoral homestead lease on the island of _____.

PASTORAL APPLICATION TRANSFER

I am an applicant for a pastoral DHHL homestead lease on the island of _____.

I wish to transfer the application named above to the island of _____ Or,

I wish to transfer this application to an agricultural homestead lease on the island of _____.

I do this in accordance with §10-3-6(b), Hawaii Administrative Rules, which states: "Applicants wishing to transfer their completed application on one island-wide waiting list to another island-wide waiting list may do so. Upon the completion of the transfer, the transfer date will replace the original date of application. No applications will be accepted for any area waiting list." [Amended and compiled 10/26/98]

(DHHL Time Stamp)

RECEIVED
DEPARTMENT OF HAWAIIAN HOME LANDS
MAY 19 2005

Jacob K. Purdy
Applicant Name (please print)

Jacob K. Purdy
Applicant's signature

Applicant's Social Security Number

Mailing Address

City, State, Zip Code

Area Code and Telephone Number

Michelle L. Lauro
Received By (DHHL Staff)

Part B - (For DHHL USE ONLY.)

TYPE OF APPLICATION (Application records show the following):

- | | | | |
|-------------------------------------|--------------|-------------------------|---|
| <input checked="" type="checkbox"/> | RESIDENTIAL | <u>O'ahu</u>
Island | <u>5-15-1979</u>
Date of Application |
| <input checked="" type="checkbox"/> | AGRICULTURAL | <u>Hawaii</u>
Island | <u>1-12-1987</u>
Date of Application |
| <input type="checkbox"/> | PASTORAL | _____
Island | _____
Date of Application |

Michelle L. Lauro
Employee Name (Print, then initial)

DATA CHANGED:

Name _____ Address _____ Phone

Other _____

Computer Input Date 5/27/05

Staff's Initials DLA (Rev. 1/99) 05/27/05

09/15/2021

TO MR. KALI WATSON, (CHAIRMAN)

JAMES H. PURDY

2023 SEP 19 AM 8:23

DEPT OF HAWAIIAN
HOME LANDS

IN 1987 MY DAD TOOK US TO DHHL
IN HONOLULU AT ~~LEA~~ RICHARDSON ST.
FOR MYSELF AND MY TWO YOUNGER SISTERS
DAVE KEARIN PURDY AND MELVALEE PURDY (SIB)
TO APPLY FOR HAWAIIAN HOMES. I DON'T
KNOW WHAT ISLANDS THEY PUT IN FOR
OR WHAT TYPE OF RESIDENCY THEY DID
BUT I PUT IN FOR THE BIG ISLAND
OF HAWAII. I PUT FOR RESIDENTS AND
AG.

THIS ALL HAPPENED IN 1987. AFTER SPEAKING
WITH NINA FISHER, I WAS INFORMED
THAT MY DATE OF APPLYING WAS (2) DIFFERENT
DATES RECORDED.

I WOULD LIKE THE (2) DATES TO REFLECT
THE SAME AS IT WAS RECORDED WHEN
MYSELF AND MY (2) SISTERS APPLIED (IN 1987)
I WOULD LIKE IT CORRECTED.

AFTER SPEAKING WITH NICOLE PELL INFORMING ME,
THAT A WRITTEN LETTER WILL NEED TO BE ADDRES-
SED TO MR. KALI WATSON, CHAIRMAN. INDICATING
THAT AT NO TIME DID I AGREE TO A CHANGE
OF MY LOCATION'S FROM BIG ISLAND HAWAII
TO WAINANAHO, OAHU

MY ORIGINAL APPLICATION REFLECTED BIG ISLAND, HAWAII
1987. PLEASE CONTACT ME IF ANY QUESTIONS


James H. Purdy


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 20, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 

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

SUBJECT: **Commission Designation of Successors to Application Rights - Public Notice November 2015, 2021 & 2022**

RECOMMENDED MOTION/ACTION

1. To designate the following individuals as successors to the application rights of deceased applicants who did not name a qualified successor.

2. To approve the certification of applications to successorship rights of qualified successors. The Department has verified the native Hawaiian blood quantum requirement of each prospective successor according to section 10-3-2 of the Hawaii Administrative Rules.

DISCUSSION

The following qualified applicants passed away on or after October 26, 1998, without naming qualified successors. Pursuant to 10-3-8(c) of the *Hawaii Administrative Rules*, a public notice listing the names of deceased applicants and calling for possible successors to their application rights was published in the Honolulu Star-Advertiser, The Maui News, Hawaii Tribune Herald, West Hawaii Today, and The Garden Island on the last two consecutive Sundays of November for the year the Department received notification. Requests to succeed to the decedents' application rights were submitted within the required 180 days following the last date of publication. Prospective successors were the sole respondents and are deemed by the Department to have met the requirements of successorship according to section 10-3-8(b) of the *Hawaii Administrative Rules*. HSD recommends approval of the following designees:

1. Deceased Applicant:	Wilbur P. Bright Jr.
Date of death:	September 15, 2019
Successor to app rights:	Verna M.L. Landford-Bright
Relationship to decedent:	Spouse
Island:	Nanakulu Area / Oahu
Type:	Islandwide Residential
Date of Application:	April 9, 1976
Date of Public Notice:	November 2022
2a. Deceased Applicant:	Lorraine L. Luis
Date of death:	April 11, 2015
Successor to app rights:	Lionel W. Luis
Relationship to decedent:	Child
Island:	Oahu
Type:	Islandwide Agricultural
Date of Application:	October 20, 1998
Date of Public Notice:	November 2022
2b. Island:	Oahu
Type:	Islandwide Residential
Date of Application:	October 20, 1998
3a. Deceased Applicant:	Kalanihou Valmoja
Date of death:	May 09, 2016
Successor to app rights:	Esther A. Valmoja-Belena
Relationship to decedent:	Child
Island:	Oahu
Type:	Islandwide Residential
Date of Application:	July 16, 2007
Date of Public Notice:	November 2022
3b. Island:	Maui
Type:	Islandwide Agricultural
Date of Application:	February 07, 1990
4a. Deceased Applicant:	Joseph Q.H. Chun
Date of death:	June 30, 2000
Successor to app rights:	Alfred Q.H. Chun
Relationship to decedent:	Child
Island:	Hawaii
Type:	Islandwide Agricultural
Date of Application:	April 20, 1988
Date of Public Notice:	November 2021

4b. Island: Hawaii
 Type: Islandwide Residential
 Date of Application: April 20, 1988

5. Deceased Applicant: Charlotte L. Rowe
 Date of death: February 10, 2009
 Successor to app rights: Keith L. Rowe
 Relationship to decedent: Child
 Island: Hawaii
 Type: Islandwide Residential
 Date of Application: March 29, 2007
 Date of Public Notice: November 2015

6a. Deceased Applicant: Dana A. Kaohelaulii
 Date of death: September 11, 2016
 Successor to app rights: Kelly W. Kahokuloa
 Relationship to decedent: Grandchild
 Island: Kauai
 Type: Islandwide Agricultural
 Date of Application: April 21, 1997
 Date of Public Notice: November 2021

6b. Island: Kauai
 Type: Islandwide Residential
 Date of Application: April 21, 1997

7a. Deceased Applicant: Anna K. Kaohelaulii
 Date of death: October 02, 2016
 Successor to app rights: Dana A. Kaohelaulii Jr.
 Relationship to decedent: Child
 Island: Kauai
 Type: Islandwide Agricultural
 Date of Application: April 18, 1997
 Date of Public Notice: November 2021

7b. Island: Kauai
 Type: Islandwide Residential
 Date of Application: April 18, 1997

Previous Cumulative Total for Current FY	53
Current Month's Total	12
Fiscal Year Total: July 2023-June 2024	65

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 20, 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

Twenty (20) assignments of lease.

1. Lessee Name: Leeann A. Arrieta
Res. Lease No. 7650, Lot No. 317
Lease Date: 2/7/2002
Area: Waiohuli, Maui
Property Sold & Amount: Yes, \$560,000.00
Improvements: 3 bedroom, 2-1/2 bath dwelling

Transferee Name: Russell N. Kaiaokamalie
Relationship: None
Loan Assumption: No
Applicant: No

Reason for Transfer: "Moving off island." Special
Condition: Transferee to obtain funds to pay purchase price.
See simultaneous transfer below.

2. Lessee Name: Russell N. Kaiakamalie
Res. Lease No. 7650, Lot No. 317
Lease Date: 2/7/2002
Area: Waiohuli, Maui
Property Sold & Amount: Yes, \$560,000.00
Improvements: 3 bedroom, 2-1/2 bath dwelling
- Transferee Name: Anuheia L. Kaiakamalie
Relationship: Daughter
Loan Assumption: No
Applicant: No
- Reason for Transfer: "Giving lease to relative." Special
Condition: Transferee to obtain funds to pay purchase price.
3. Lessee Name: Tara K. M. Bagayas
Res. Lease No. 11685, Lot No. 18557
Lease Date: 1/11/2017
Area: Kanehili, Oahu
Property Sold & Amount: Yes, \$750,000.00
Improvements: 5 bedroom, 3 bath dwelling
- Transferee Name: Lloyd B. Kamaka
Relationship: None
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 7/20/2009
- Reason for Transfer: "Employment opportunity out of state."
Special Condition: Transferee to obtain funds to pay
purchase price. See simultaneous transfer below.
4. Lessee Name: Lloyd B. Kamaka
Res. Lease No. 11685, Lot No. 18557
Lease Date: 1/11/2017
Area: Kanehili, Oahu,
Property Sold & Amount: Yes, \$750,000.00
Improvements: 5 bedroom, 3 bath dwelling
- Transferee Name: Lloyd B. Kamaka, Jr.
Relationship: Son
Loan Assumption: No
Applicant: No
- Reason for Transfer: "Giving lease to relative."

5. Lessee Name: Kathy A. E. Dudoit
Res. Lease No. 11690, Lot No. 18644
Lease Date: 12/13/2008
Area: Kanehili, Oahu
Property Sold & Amount: Yes, \$650,000.00
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Leinna K. Kalua
Relationship: None
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 7/7/2020

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

6. Lessee Name: Teddy Kamai
Res. Lease No. 13075, Lot No. 4
Lease Date: To be determined
Area: Kauluokahai, Oahu
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 2-1/2 bath dwelling

Transferee Name: Chelsea A. Espinueva
Relationship: Niece
Loan Assumption: No
Applicant: Yes, Kauai IW Res., 3/30/2015

Reason for Transfer: "Giving lease to relative."

7. Lessee Name: Frank Kane
Res. Lease No. 11474, Lot No. 56
Lease Date: 11/29/2007
Area: Leialii, Maui
Property Sold & Amount: Yes, \$552,000.00
Improvements: 2 bedroom, 1-1/2 bath dwelling

Transferee Name: Lee A. Cashman
Relationship: None
Loan Assumption: No
Applicant: Yes, Maui IW Res., 2/5/2014

Reason for Transfer: "Selling lease to someone else."
Special Condition: Transferee to obtain funds to pay
purchase price.

8. Lessee Name: Stanley T. K. Kapaona
Res. Lease No. 5600, Lot No. 82
Lease Date: 6/3/1985
Area: Lualualei, Oahu
Property Sold & Amount: Yes, \$507,000.00
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Tehani M. Akana
Relationship: None
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 7/9/2004

Reason for Transfer: "I do not live there, too far from work." Special Condition: Transferee to obtain funds to pay purchase price.

9. Lessee Name: Evelyn L. Kauhane
Res. Lease No. 3320, Lot No. 68-B
Lease Date: 10/7/1960
Area: Nanakuli, Oahu
Property Sold & Amount: Yes, \$650,000.00
Improvements: 4 bedroom, 3 bath dwelling

Transferee Name: MaryAnn M. K. Kumukoa
Relationship: None
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 10/15/2018

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

10. Lessee Name: Kaena P. T. Kawai, Kaimi K. C. A. L. Kawai & Kanani L. H. K. Kuakini
Res. Lease No. 8462, Lot No. 171
Lease Date: 8/1/1995
Area: PKE, Oahu
Property Sold & Amount: Yes, \$300,000.00
Improvements: 5 bedroom, 4 bath dwelling

Transferee Name: Kanoa A. K. L. Kawai
Relationship: Brother
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative." Special Condition: Transferee to obtain funds to pay purchase price.

11. Lessee Name: John A. Kekawa, Jr.
Res. Lease No. 2582, Lot No. 76
Lease Date: 10/27/1951
Area: Waimanalo, Oahu
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 1 bath dwelling
- Transferee Name: William K. Kekawa & Miriam K. Kekawa
Relationship: Brother & Sister
Loan Assumption: No
Applicant: Yes, Hawaii IW Res., 5/19/2021 (Miriam)
- Reason for Transfer: "Giving lease to relatives and medical reasons."
12. Lessee Name: Kawika Chien Li Kiesling
Res. Lease No. 11502, Lot No. 15
Lease Date: 6/21/2007
Area: Leialii, Maui
Property Sold & Amount: No, N/A
Improvements: None
- Transferee Name: Kamuela T. S. Kiesling
Relationship: Brother
Loan Assumption: No
Applicant: No
- Reason for Transfer: "Giving lease to relative." See simultaneous transfer below.
13. Lessee Name: Avis M. Purcell
Res. Lease No. 7600, Lot No. 176
Lease Date: 2/7/2002
Area: Waiohuli, Maui
Property Sold & Amount: Yes, \$490,000.00
Improvements: 3 bedroom, 3-1/2 bath dwelling
- Transferee Name: Agnes E. M. M. Kiesling
Relationship: None
Loan Assumption: No
Applicant: Yes, Maui IW Res., 4/14/2015
- Reason for Transfer: "Financial reasons." Special Condition: Transferee to obtain funds to pay purchase price. See simultaneous transfer below.

14. Lessee Name: Agnes E. M. M. Kiesling
Res. Lease No. 7600, Lot No. 176
Lease Date: 2/7/2002
Area: Waiohuli, Maui
Property Sold & Amount: Yes, \$490,000.00
Improvements: 3 bedroom, 3-1/2 bath dwelling

Transferee Name: Kawika Chien Li Kiesling
Relationship: Son
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative." Special
Condition: Transferee to obtain funds to pay purchase price.

15. Lessee Name: Celice K. K. N. A. A. McGuire
Res. Lease No. 9447, Lot No. 9
Lease Date: 6/1/2000
Area: Waiehu 2, Maui
Property Sold & Amount: Yes, \$646,000.00
Improvements: 3 bedroom, 2-1/2 bath dwelling

Transferee Name: Daviane K. Kama-Valdez
Relationship: None
Loan Assumption: No
Applicant: Yes, Maui IW Res., 9/29/2020

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

16. Lessee Name: Anna K. Richardson
Res. Lease No. 11257, Lot No. 17
Lease Date: To be determined
Area: Kumuhau, Oahu
Property Sold & Amount: No, \$320,000.00
Improvements: 5 bedroom, 3 bath dwelling

Transferee Name: Anna K. Richardson & Taylor-Marie K.
Spencer-Olsen
Relationship: Lessee & Granddaughter
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 6/28/2022 (Taylor-Marie)

Reason for Transfer: "Adding relative to lease" Special
Condition: Transferee to obtain funds to pay purchase price.

17. Lessee Name: Jennifer D. Rivera
Res. Lease No. 2528, Lot No. 58
Lease Date: 3/14/1951
Area: Waimanalo, Oahu
Property Sold & Amount: Yes, \$140,000.00
Improvements: 4 bedroom, 3 bath dwelling

Transferee Name: Lorraine U. Pizarro
Relationship: Mother
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative." Special
Condition: Transferee to obtain funds to pay purchase price.

18. Lessee Name: Kealaokuuleialoha Swain
Res. Lease No. 1573, Lot No. 135-A
Lease Date: 12/30/1943
Area: Keaukaha, Hawaii
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 2-1/2 bath dwelling

Transferee Name: Kaakapua G. K. S. Swain
Relationship: Sister
Loan Assumption: No
Applicant: No

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

19. Lessee Name: Kawekiulani T. P. Swain
Res. Lease No. 1389, Lot No. 147
Lease Date: 2/19/1938
Area: Keaukaha, Hawaii
Property Sold & Amount: No, N/A
Improvements: None

Transferee Name: Kealaokuuleialoha W. M. Baker
(fka, Kealaokuuleialoha Swain)
Relationship: Sister
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

20. Lessee Name: Jorell A. Manoa
Res. Lease No. 1639-A, Lot No. 176-B
Lease Date: 6/28/1946
Area: Nanakuli, Oahu
Property Sold & Amount: No, N/A
Improvements: None

Transferee Name: Alden K. Mahoe
Relationship: None
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 8/14/2023

Reason for Transfer: "Purchased other property."


Assignments for the Month of May `24	20
Previous FY '23 - '24 balance	<u>71</u>
FY '23 - '24 total to date	91
Assignments for FY '22 - '23	179


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 20, 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

Eighteen (18) amendments of lease.

1. Lessee: Anna L. Arakaki
Agr. Lease No.: 146
Lot No., Area, Island: 76, 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 term)

2. Lessee: Carolyn P. Bush, Donald T. H. Pelekai & Edward K. M. Pelekai, Jr.
Agr. Lease No.: 172
Lot No., Area, Island: 30-A, 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 term)
3. Lessee: Tilden K. Han & Lambert K. Han
Agr. Lease No.: 163
Lot No., Area, Island: 27, 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 term)
4. Lessee: Roy M. Horner, Jr.
Agr. Lease No.: 150
Lot No., Area, Island: 29, 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 term)

5. Lessee: Wilma N. Joy
Agr. Lease No.: 171
Lot No., Area, Island: 70, 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 term)
6. Lessee: Arthur K. Keanini, Jr. & Gene N. Keanini
Agr. Lease No.: 138
Lot No., Area, Island: 23-C, 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 term)
7. Lessee: John A. Kekawa, Jr.
Res. Lease No.: 2582
Lot No., Area, Island: 76, Waimanalo, Oahu
Amendment: To amend the lease title and lessor's name, to incorporate the currently used terms, conditions, and covenants to the lease, and to extend the lease term to an aggregate term of 199 years.
(Transfer)

8. Lessee: John K. McBride
Res. Lease No.: 1015
Lot No., Area, Island: 87-A, Keaukaha, Hawaii
Amendment: To amend the lease title and lessor's name, to incorporate the currently used terms, conditions, and covenants to the lease, to extend the lease term to an aggregate term of 199 years, and amend the tenancy from tenants in common to tenant in severalty.
(Amendment)
9. Lessee: Jon K. Naeole, Dayna L. Naeole & Georgina K. K. Naeole
Agr. Lease No.: 169
Lot No., Area, Island: 54, 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 term)
10. Lessee: Williamette Puaena Neuhart
Agr. Lease No.: 158
Lot No., Area, Island: 75, 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 term)

11. Lessee: Frances M. Parker
 Res. Lease No.: 3717
 Lot No., Area, Island: 94, Waimanalo, Oahu
 Amendment: To amend the lease to incorporate the currently used terms, conditions, and covenants to the lease. (Successorship)
12. Lessee: Shonnelle L. Pawn-Kalilikane
 Agr. Lease No.: 149
 Lot No., Area, Island: 47, 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 term)
13. Lessee: Donald T. H. Pelekai
 Agr. Lease No.: 172-A
 Lot No., Area, Island: 30-B, 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 term)
14. Lessee: Edward K. M. Pelekai, Jr.
 Agr. Lease No.: 172-C
 Lot No., Area, Island: 30-D, 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 term)

15. Lessee: Carlamae M. Puaa-Kahookano
Agr. Lease No.: 166
Lot No., Area, Island: 80-A&B, 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 term)
16. Lessee: Pearl Momi Punahale
Agr. Lease No.: 160
Lot No., Area, Island: 50, 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 term)
17. Lessee: Kealaokuuleialoha Swain
Res. Lease No.: 1573
Lot No., Area, Island: 135-A, Keaukaha, Hawaii
Amendment: To amend the lease title and lessor's name, to incorporate the currently used terms, conditions, and covenants to the lease, to extend the lease term to an aggregate term of 199 years, and amend the tenancy from tenants in common to tenant in severalty.
(Transfer)
18. Lessee: Kuuipo G. Woolsey
Res. Lease No.: 3986
Lot No., Area, Island: 10, Waimanalo, Oahu
Amendment: To amend the lease to incorporate the currently used terms, conditions, and covenants to the lease. (Successorship)


Amendments for the Month of May '24	18
Previous FY '23 - '24 balance	<u>45</u>
FY '23 - '24 total to date	63
Amendments for FY '22 - '23	88


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 20, 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-seven (27) non-exclusive licenses.

1. Lessee: Theodore K. Abraham
Res. Lease No.: 11903
Lot No., Area, Island: 17232, Kaupea, Oahu,
Permittee: Sunrun Installation Services, Inc.

2. Lessee: Margaret L. Brash
Res. Lease No.: 8925
Lot No., Area, Island: 4, Waianae, Oahu
Permittee: Sunrun Installation Services, Inc.

3. Lessee: George E. K. Burchett
 Res. Lease No.: 5546
 Lot No., Area, Island: 127, Lualualei, Oahu
 Permittee: Sunrun Installation Services, Inc.

4. Lessee: Lee A. Cashman
 Res. Lease No.: 11474
 Lot No., Area, Island: 56, Leialii, Maui
 Permittee: Sunnova Energy Corp.

5. Lessee: Michael V. Chandler, Jr.
 Res. Lease No.: 8886
 Lot No., Area, Island: 45, Hanapepe, Kauai
 Permittee: Sunrun Installation Services, Inc.

6. Lessee: Wayne K. Cullen
 Res. Lease No.: 9704
 Lot No., Area, Island: 40, Lualualei, Oahu
 Permittee: Sunnova Energy Corp.

7. Lessee: Cynthia L. Enriquez
 Res. Lease No.: 4587
 Lot No., Area, Island: 120, Waianae, Oahu
 Permittee: Sunrun Installation Services, Inc.

8. Lessee: Maraea R. K. Gasper
 Res. Lease No.: 12397
 Lot No., Area, Island: 18501, Kanehili, Oahu
 Permittee: Sunrun Installation Services, Inc.

9. Lessee: Bacilio A. Gomes
 Res. Lease No.: 6771
 Lot No., Area, Island: 109, Waianae, Oahu
 Permittee: Sunrun Installation Services, Inc.

10. Lessee: Ginger L. K. Goodwin
 Res. Lease No.: 11432
 Lot No., Area, Island: 17184, Kaupea, Oahu
 Permittee: Sunrun Installation Services, Inc.

11. Lessee: Don Grady Jugoz
 Res. Lease No.: 8454
 Lot No., Area, Island: 163, PKE, Oahu
 Permittee: Sunnova Energy Corp.
12. Lessee: Anuheia L. Kaiaokamalie
 Res. Lease No.: 7650
 Lot No., Area, Island: 317, Waiohuli, Maui
 Permittee: Sunrun Installation Services, Inc.
13. Lessee: David K. K. Kaikala
 Res. Lease No.: 3659
 Lot No., Area, Island: 36, Nanakuli, Oahu
 Permittee: Hawaii Green Ifrastructure Authority
14. Lessee: Manuel S. Kaleiopu
 Res. Lease No.: 4720
 Lot No., Area, Island: 24, Waianae, Oahu
 Permittee: Sunnova Energy Corp.
15. Lessee: Lance K. Kalamau
 Res. Lease No.: 4530
 Lot No., Area, Island: 40, Nanakuli, Oahu
 Permittee: Sunrun Installation Services, Inc.
16. Lessee: Mary Ann Kanuha
 Res. Lease No.: 4131
 Lot No., Area, Island: 58, Waimanalo, Oahu
 Permittee: Sunrun Installation Services, Inc.
17. Lessee: Koalani L. Kaulukukui
 Res. Lease No.: 11278
 Lot No., Area, Island: 22, Kumuhau, Oahu
 Permittee: Sunrun Installation Services, Inc.
18. Lessee: Kanoa A. L. Kawai
 Res. Lease No.: 8462
 Lot No., Area, Island: 171, PKE, Oahu
 Permittee: Pono Power, LLC

19. Lessee: Jonathan K. Kealoha
Res. Lease No.: 11402
Lot No., Area, Island: 17197, Kaupea, Oahu
Permittee: Sunrun Installation Services, Inc.
20. Lessee: Corey H. Mahuka-Nishimura
Res. Lease No.: 3892
Lot No., Area, Island: 331, Nanakuli, Oahu
Permittee: Hawaii Green Ifrastructure Authority
21. Lessee: Randolph L. K. Manewa, Jr.
Res. Lease No.: 8477
Lot No., Area, Island: 187, PKE, Oahu
Permittee: Hawaii Green Ifrastructure Authority
22. Lessee: Neomi G. Martin
Res. Lease No.: 8481
Lot No., Area, Island: 191, PKE, Oahu
Permittee: Sunrun Installation Services, Inc.
23. Lessee: Mark K. K. Marumoto
Res. Lease No.: 7054
Lot No., Area, Island: 28, Puupulehu, Hawaii
Permittee: Sunrun Installation Services, Inc.
24. Lessee: Tainato D. K. Matsuyama &
Aaron J. L. Matsuyama
Res. Lease No.: 9383
Lot No., Area, Island: 70, Kaniohale, Hawaii
Permittee: Sunrun Installation Services, Inc.
25. Lessee: Miu Lang P. M. Vaovasa
Res. Lease No.: 735
Lot No., Area, Island: 29, Waimanalo, Oahu
Permittee: Sunnova Energy Corp.

26. Lessee: Hualani A. Vincent
 Res. Lease No.: 2271
 Lot No., Area, Island: 53, Waimanalo, Oahu
 Permittee: Sunrun Installation Services, Inc.
27. Lessee: Rowena K. Wright
 Res. Lease No.: 7788
 Lot No., Area, Island: 13, Waimanalo, Oahu
 Permittee: Sunrun Installation Services, Inc.


Non-Exclusive License for the Month of May '24	27
Previous FY '23 - '24 balance	<u>234</u>
FY '23 - '24 total to date	261
Non-Exclusive License for FY '22 - '23	102


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 20, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 
Homestead Services Division

FROM: Ross K. Kapeliela, Oahu District Office Supervisor 
Homestead Services Division

SUBJECT: **Commission Designation of Successor -
Haunani K.M. Bush
Residential Lease No. 730, Lot No. 39,
Waimanalo, Oahu**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Jordan K. Bush (Jordan) as successor to Residential Lease No. 730, Lot No. 39, Waimanalo, Oahu (Lease), for the remaining term of the Lease;

2. To approve and accept that Jordan is no less than the required 50% Hawaiian ancestry and therefore is a qualified successor pursuant to Section 209 of the Hawaiian Homes Commission Act of 1920;

3. To stipulate that Jordan's successorship rights and interest in the Lease does not vest until Shanann has signed that: (i) Transfer Through Successorship of Lease and such necessary and appropriate instruments; and that if Jordan does not sign all such documents on or before **July 31, 2024** (the Deadline) that the Commission's selection of Jordan as successor is automatically revoked;

4. To authorize the Department to extend the Deadline up to 60 days for good cause; and

5. To declare that if Jordan's selection as successor is revoked; then under Section 209(a) of the Hawaiian Homes Commission Act, 1920, as amended, "...the land subject to the lease shall resume its status as unleased Hawaiian home lands and

the department is authorized to lease the land to a native Hawaiian as provided [by the] Act;"

DISCUSSION

Haunani K.M. Bush (Decedent) received the Lease by way of Transfer Through Successorship and Amendment to Lease dated May 6, 2016.

On November 5, 2022, the Decedent passed away without naming a qualified successor.

In compliance with Administrative Rule 10-3-63, the Department published legal ads in the Honolulu Star Advertiser, the Hawaii Tribune Herald, the West Hawaii Today, The Maui News, and The Garden Island newspapers on June 7, 14, 21, and 28, 2023, to notify all interested, eligible and qualified heirs of the Decedent, to submit their successorship claims to the Lease.

In response to the public notice, the Department received a successorship claim from the Decedent's nephew, Jordan, who has been determined to be of at least 50% Hawaiian ancestry and is therefore eligible for successorship to the Lease.

Pursuant to Section 209 of the Hawaiian Homes Commission Act of 1920, as amended (Act), when a lessee fails to designate a successor, the commission is authorized to terminate this lease or to continue the lease by designating a successor. Section 209 states in part that the department may select from only the following qualified relatives of the decedent:

1. Husband or wife; or
2. If there is no husband or wife, then the children; or
3. If there is no husband, wife, or child, then the grandchildren; or
4. If there is no husband, wife, child, or grandchild, then the brothers or sisters; or
5. If there is no husband, wife, child, grandchild, brother, or sister, then from the following relatives of the lessee who are native Hawaiian: father and mother, widows or widowers of the

children, widows or widowers of the brothers and sisters, or nieces and nephews.

Improvements to the homestead lot consists of a 4-bedroom and 2-bath, single family dwelling, which was constructed in 1951.

There is no outstanding mortgage, the lease rent is current, and the real property taxes are in arrears in the amount of \$726.48. Jordan is aware of the outstanding balance and has agreed to accept the obligation should he be designated as successor.


The Department requests approval of its recommendation.


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 20, 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 -
WENDALL M.W. KAANOI, Agricultural Lease No. 7906,
Lot No. 10, Hoolehua, Molokai**

RECOMMENDED MOTION / ACTION

1. To approve the designation of Wendall M.W. Kaanoi Jr. (Wendall) as successor to Agricultural Lease No. 7906, Lot No. 10, Hoolehua, Molokai (Lease) for the remaining term of the Lease;
2. To approve and accept that Wendall 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 Wendall's successorship right and interest in the Lease do not vest until Wendall has signed that: (i) Transfer Through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if Wendall does not sign all such documents on or before **July 31, 2024** (the Deadline), that the Commission's selection of Wendall 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 Wendall's selection as the successor is revoked, then under Section 209(a) of the Hawaiian Homes Commission Act, 1920, as amended, "...the land subject to the lease shall resume its status as unleased Hawaiian home lands and

the department is authorized to lease the land to a native Hawaiian as provided by the Act;" 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

Wendall M.W. Kaanoi (Decedent) received the Lease commencing on June 1, 1987.

On April 14, 2016, the Decedent passed away without having filed a valid designation of successor with the Department.

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 6, 13, 20, and 27, 2023, to notify all interested, eligible and qualified heirs of the Decedent to submit their successorship claims to the Lease.

On February 1, 2024, the Department received a successorship claim from the Decedent's son, Wendall, who has been determined to be of at least 25% 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.


There are no improvements to the leasehold interest.

There are no outstanding loans. The real property tax is current, and the lease rent is arrears of \$2.00.

The Department requests approval of its recommendation.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 20, 2024

TO: Chairman and Members, Hawaiian Homes Commission
THRU: Juan Garcia, Administrator
Homestead Services Division 
FROM: James W. DuPont, WHDO District Supervisor
Homestead Services Division
SUBJECT: **Approval of Amendment of the Commencement Date for the
Pu'ukapu Pastoral Leases**

RECOMMENDED MOTION/ACTION

To approve the amendment of the lease commencement date from February 1, 1991 to June 1, 2024, to reflect access roads built to a standard acceptable to the department.

DISCUSSION

The main purpose of the recommendation is for the Department of Hawaiian Homes Lands (Department) to report lessee and lease information to the County of Hawaii Real Property Tax Office (County). At present, the majority of the lots of record show the Department of Hawaiian Home Lands as the landowner. For the most part, lessee information is not recorded.

A Route Slip would be submitted to the County by the Department. The information would be for the Pu'ukapu Pastoral Lots of Record that was approved by the County in August 2009. Based on this approval, the County created new plat maps and an individual tax map key numbers to the one-hundred and eighty-four parcels.

Information on the form would include lessee's name, mailing address, lot size, lot number, lease number, tax map key number (parcel), effective date and, most importantly, the amended lease commencement date. The lease commencement date determines the seven (7) year real property tax exemption allowed to new leases and lessees.

The department offered one hundred and eighty-four (184) lots in 1990 to applicants on the Waimea Area and Hawaii Islandwide Pastoral Wait List. One hundred and eighty-two (182) lots were awarded. The awards were based on a paper subdivision map specifically created for this award. The department agreed to provide access roads to individual lots included in a Lease Addendum along with water. Access roads were completed in 1998 and the water system was constructed in 2013.

When leases were signed by selectees, a lease commencement date of February 1, 1991, was assigned. The Lease Addendum stated that the lease commencement date would be amended in the future when roads were built to standards acceptable to the Department (Exhibit A).

The main issue with using February 1, 1991, as the commencement date would be that real property taxes would have been assessed after the seven-year anniversary. This would create accounting issues for the County in 2024. More importantly, this would place an unfair financial burden on lessees.

The department's engineering consultant, R. M. Towill, submitted a report regarding the conditions of the roadways in 2012. They recommended physical and signage improvements. The findings were based on the national standard **Guidelines for Geometric Design of Very Low Volume Roads**.

The department has made improvements to the road system over the past twenty years. Regular weekly maintenance is on-going. Additional improvements will continue.

The department's Land Development Division (LDD) submitted a recommendation to the Chairman to approve the acceptance of the roads in Pu'ukapu in a memo dated November 29, 2023. This recommendation was based on a report from R. M. Towill related to the most recent road improvements that were completed in November 2022. The memo was signed and approved by the Chairman (Exhibit B).

On January 11, 2024, department staff met with Pu'ukapu pastoral lessees to advise them of the Chairperson's approval of staff's recommendation to accept the access roads. The acceptance of the access roads would allow the department to recommend amending the lease commencement date of February 1, 1991, to a more current date in 2024. The amended lease commencement date would allow the department to finalize Route Slips to the County of Hawaii providing information on lessees as well as these leasehold properties. New leases would be eligible for a seven (7) year real property tax exemption allowed by the County of Hawaii. The seven-year period is determined by the lease commencement date.

The majority of the comments received from lessees at this meeting were not in favor of acceptance of the access roads. Most felt that the roads constructed beginning in 1989 were unsafe despite the roads being utilized for years to get to and from their respective lots. As with any other road system, speeding is the primary reason for unsafe conditions.

The comments from lessees were presented to the Hawaiian Homes Commission (Commission) at its January 16, 2024, meeting. The Department planned to meet again with lessees after gathering comments from commissioners regarding the proposed lease commencement date amendments.

Another meeting was held with lessees in February 29, 2024. Comments were made against accepting the roads and delaying plans to amend the lease commencement date. Discussion focused on the cost of construction and making improvements to bring roads up to county standards which would be costly and take years to complete. County Subdivision approval was also discussed as an option.

Department staff requested assistance from residents to identify and prioritize where road improvements should be made, mainly widening roads as stated in the 2012 RM Towill Pu'ukapu Road Report. A few lessees volunteered to form an Advisory committee.

The Department recognizes and acknowledges the opposition to amending the lease commencement date. However, the reason for delaying this action depends primarily on funding for road and infrastructure improvements. Estimates range from \$50-100 million. Sources of funding have not been identified and the likelihood of Commission and Department dedicating a majority of financial resources strictly to Pu'ukapu and the one hundred eighty-two lots is highly unlikely.

The County has identified two options at this time related to the lease commencement date amendment. If the current commencement date of February 1, 1991, is considered, lessees would start paying real property taxes in the 2025 Tax Year. However, if a lease commencement date of 2024 is proposed, each lessee would be granted a seven-year real property tax exemption. Taxes would not be assessed until the 2031 Tax Year depending on the specific date used.

There are advantages and disadvantages to either decision. Delaying identifying the lease commencement date in favor of the expectation that sufficient funding will become available in the near future, is difficult to say.

Lessees have been making use of their homesteads since the early to mid-1990s and have been driving on the Pu'ukapu roads since then. Access roads have been completed since 1998. Water was made available in 2013.

Some lessees have expressed a desire to build on their homesteads. Some have asked for physical addresses to be assigned to their respective lots. Providing a lease commencement date in 2024 will allow these individuals to move ahead with their plans. The recent United States Army Corps of Engineers (USACE) report on ordnance determination of No Further Action and State of Hawaii Department of Health agreement will allow federal funding for beneficiaries to construct homes in the Pu'ukapu area to become a reality.

The Department requests approval of its recommendation.

PU'UKAPU PASTORAL
ACCELERATION
PROGRAM

Pu'ukapu Pastoral
Subdivision -- lots
awarded in 1990.

Lease Signing &
Commencement
Date: February 1991.

Lease Addendum --
No. 1 Term.

LEASE ADDENDUM

This lease is subject to the following conditions:

1. TERM. Notwithstanding the commencement date specified in the lease, the department will amend the lease to a future date to coincide with the completion of access roads constructed to standards acceptable to the department.
2. Time Frame for Occupancy of Use. Notwithstanding paragraph number 21 in the lease, the department will require the lessee to fence and commence to use the pastoral lot within one year from the amended commencement of the lease (see Paragraph 1 above). However, a lessee of a lot with an existing fence line, subject to the agreement between the department and Parker Ranch as stipulated in the Lot Selection/Acceptance Agreement, is required to maintain the existing fence line beginning February 1, 1991.
3. Administrative Rules. Lessee acknowledges that lessee has received copies of the department's Administrative Rules 10-3-24, 10-3-25, 10-3-26, and 10-3-27 which concern pasture leases and are on file with the Department of Hawaiian Home Lands.

ACKNOWLEDGED:

Signature of Lessee _____

Date 1-12-91

JOSH GREEN, M.D.
GOVERNOR
STATE OF HAWAII
*Ka Nā'āina o ka 'Iou'ūina 'o
Hawaii*

SYLVIA J. LUKE
LT GOVERNOR
STATE OF HAWAII
*Ka Hope Kā'āina o ka 'Iou'ūina
'o Hawaii*




KALI WATSON
CHAIRMAN, HHC
Ka Lano Ho'ākele


KATIE L. DUCATT
DEPUTY TO THE CHAIRMAN
Ka Hope Lano Ho'ākele

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

November 29, 2023

MEMORANDUM

TO: Kali Watson, Chairman 
Hawaiian Homes Commission

From: Stewart Matsunaga, Administrator 
Land Development Division

Subject: Acceptance of Pastoral Roadways in Pu'ukapu Pastoral Lots Subdivision,
Pu'ukapu, Kamuela, Hawai'i

In 1990, 183 pastoral leases were awarded to applicants of the Waimea Area and Hawai'i Islandwide Pastoral Wait List. As a condition of the leases, the commencement date of the pastoral leases would be amended to when pastoral roadways were deemed to be constructed to standards acceptable to the Department of Hawaiian Home Lands (DHHL). Please see the Pu'ukapu Pastoral Lot Subdivision map, enclosed herewith.

At the time of award of the Pu'ukapu Pastoral Lots subdivision, dirt roadways were developed for access to the 184 pastoral lots, which ranged in size from 10 acres to 200 acres. Throughout the decades, the West Hawai'i District Office has been maintaining the pastoral lot roadways by laying gravel and minor grading.

Beginning in 2013, the Land Development Division (LDD) caused the planning, design and construction of road improvements geared to pastoral traffic access and road safety, including site distance improvements and drainage improvements. In 2015, Isemoto Contracting (ICC) completed the road improvements in several critical areas, addressing the concerns of the pastoral community.

As a matter of information, ICC has completed the additional planned improvements to widen sections of the roadway and improve the line of sight for three sections on Mealani Alanui, Kiiiana Alanui and Makahalau Alanui in November 2022. DHHL had also collaborated with the County of Hawai'i for road improvement work done on Mealani Alanui and Mana Road.

An inspection report prepared by R.M. Towill Corporation, design consultant, on October 26, 2022, states that the last increment of Additional Road Improvements in the Pu'ukapu Pastoral

ITEM NO. D-13
EXHIBIT B

Kali Watson, Chairman
November 29, 2023
Page 2

Lot Subdivision has been addressed by contractor Isemoto Contracting Company (ICC). R.M. Towill's inspection report is enclosed herewith.

RECOMMENDATION:

Based on the subject inspection report and inspections by LDD project engineers and managers, the current road conditions in the Pu'ukapu Pastoral Lots Subdivision are deemed to be of an acceptable standard for the safe ingress and egress of lessees and public through the Pu'ukapu Pastoral Subdivision, in compliance with the posted speed limits of 25 mph.

LDD recommends establishing a date no earlier than February 1, 2024, to signify that the Pu'ukapu Roads shown on the map enclosed have been constructed to standards acceptable to the Department.

LDD stands ready to assist HSD and WHDO with the implementation of lease amendments and to speak with the Pu'ukapu Pastoral Lots community on the matter of road improvements.

Should you have any questions, please call Stewart Matsunaga, Administrator, Land Development Division at (808) 620-9283.

APPROVED:



Kali Watson, Chairman
Hawaiian Homes Commission

11/29/23
Date

c: HSD/ODO
WHDO
Deputy Attorney General
Makai Freitas, HHC Commissioner

ITEM NO. D-13
EXHIBIT B

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 20, 2024

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Juan Garcia, Administrator
Homestead Services Division



SUBJECT: For Information Only – Leave of Absence and Caretaker

RECOMMENDED MOTION/ACTION

For information only.

DISCUSSION

Pursuant to Administrative Rules, Section 10-2-16, (b) (4), the commission delegated to the chairman duties, powers, and authority as may be lawful and proper for the performance of functions vested in the commission, including the approval of leave of absence request. See attached Exhibit A.

The Administrative Rules do not contain any other provisions regarding leave of absence. However, past practice allowed for leave of absence to be granted in regard to the lessee's employment, deployment for military service, health or safety, medical, and education. Leave of absence requests were granted for a period of one year and may be extended for an additional year.

The leave of absence pertains only to the lessee and not a family member. For example, if the lessee's spouse is being temporarily assigned to another location by an employer, a request for a leave of absence may not be granted.

For a leave of absence to be approved, the Lessee should provide DHHL with the reason for the leave of absence, name of the assigned caretaker appointed by the lessee and the caretaker's contact information, as well as the lessee's temporary mailing address and contact information. See DHHL form and Exhibit B.

Generally, the caretaker is responsible for the maintenance, security, and the management of the homestead lot. The caretaker duties may include basic repair work, keeping the homestead lot and the improvements well-maintained, secure, and functioning as intended.

According to Merriam-Webster Dictionary, *a caretaker is one that takes care of the house or land of an owner who may be absent.*

During the lessee's absence from the homestead lot, the lessee remains to be responsible for the terms and conditions of the lease, including but not limited to any financial obligations that may be attached to the lease, such as loan payments, real property taxes, lease rent, homeowner's insurance, association fees, etc.

\$10-2-16 Delegation of duties to chairman. (a)

It is the desire of the commission that functions and duties, administrative in nature, be delegated to the chairman and duties requiring the exercise of judgment or discretion continue to reside with the commission.

(b) The commission shall be deemed to have delegated to the chairman duties, powers, and authority as may be lawful or proper for the performance of functions vested in the commission, including the following:

- (1) To appoint special committees and prescribe their powers and duties;
 - (2) To preside over all meetings of the commission;
 - (3) To approve and sign all vouchers, and to approve the assignment of funds to be received;
 - (4) To approve leaves of absence;
 - (5) To approve plans for construction of homes and improvements;
 - (6) To screen matters referred to the chairman by staff and to select those of sufficient importance to place on the agenda for consideration by the commission;
 - (7) To sign commission resolutions, licenses, leases, and contracts approved by the commission;
 - (8) To schedule contested case hearings; and
 - (9) To approve the designation of successors.
- (c) Subject to section 10-2-17, the chairman

may:

- (1) Grant loans from any loan fund;
- (2) Accept surrenders of homestead leases; and
- (3) Approve, in regards to general leases, plans, assignments, subleases, and mortgages.

(d) The chairman or a designee may approve and sign contracts for specific projects which are included in the commission's prior approved budget.

[Eff 7/30/81; am 11/17/84; am and comp 10/26/98;
am MAR 31 2017] (Auth: HHC Act §222; HRS §91-2)
(Imp: HHC Act §202)

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

Leave of Absence

Hawaiian Homes Commission
P. O. Box 1879
Honolulu, Hawaii 96805

Dear Commissioners:

I will be absent from my homestead for the period beginning _____ and ending _____.

The reason for my absence is:

This will affect the following lot(s) and lease(s):

<u>Lot No.:</u>	<u>Lease No.:</u>	<u>Area/Island:</u>
_____	_____	_____
_____	_____	_____

The person who will care for and reside on my homestead in my absence is _____, who is my _____.
(Person's Name) (Relationship to lessee)

Temporary Mailing Address & Phone
Numbers

Caretakers Address & Phone
Numbers:

(R) _____ (B) _____

(R) _____ (B) _____

(Signature)

(Date)

(Print Name)

(Staff)

ITEM NO. D-14

EXHIBIT B

HHL FORM 00066

**HAWAIIAN HOMES COMMISSION
MAY 20 & 21, 2024**


E – ITEMS

LAND DEVELOPMENT DIVISION

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 20-21, 2024

To: Chairman and Members, Hawaiian Homes Commission

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

Subject: Final Environmental Assessment and Finding of No Significant Impact Determination for the Wailuku Single Family Residential Subdivision Waikapū & Wailuku, District of Wailuku, Maui Island, Hawai'i TMK (2)3-5-002:003(por.)

RECOMMENDED ACTION

That the Hawaiian Homes Commission (HHC) issue a Finding of No Significant Impact (FONSI) determination based on the Final Environmental Assessment (EA) for the Wailuku Single Family Residential Subdivision in Waikapū & Wailuku, District of Wailuku, Maui Island, Hawai'i, TMK (2)3-5-002:003(por.).

The Preliminary Final EA was previously distributed to Commission members for review and is provided as **Exhibit A**.

DISCUSSION

Background

In June 2023, the Department of Hawaiian Home Lands (DHHL) executed a development agreement to acquire and develop an approximately 77-acre portion of land at the border of Wailuku and Waikapū, Maui identified as a portion of Tax Map Key (TMK) (2) 3-5-002:003 (por.). The property, located west of Honoapi'ilani Highway and amidst developed single-family residential neighborhoods, was identified as a site to develop a residential homestead neighborhood for DHHL's Maui island beneficiaries.

The purpose of the Wailuku Single Family Residential Subdivision project ("Project") is to award residential lots to DHHL beneficiaries on the Maui Island Residential Homestead Waitlist. Beneficiary demand for homesteading opportunities is very high. The current waitlist stands at approximately 3,931 beneficiaries awaiting a residential homestead lease on Maui.

Based on a 2003 beneficiary survey conducted as part of the Maui Island Plan formulation process, and a 2014 "Central Maui" beneficiary study conducted for DHHL, Central Maui was identified as the preferred residential homestead area. More than two-thirds (68%) of residential applicants identified a turn-key house as their first choice in property type preference and nine percent (9%) of applicants identified a vacant improved lot, which were the two (2) highest housing

preferences. Eighty-four percent (84%) of applicants desired three (3) or more bedrooms. The proposed Project responds to this demand.

Project Description

The Project will be comprised of up to 204 residential lots (173 turn-key single-family homes and 31 vacant improved single-family lots). Each of the 204 lots will be approximately 7,500 square feet in area. The turn-key homes component of the Project will feature five (5) different model types, that will provide 2 to 5 bedrooms and 1 to 3 baths and will range in living area from approximately 764 square feet (sq. ft.) to 1,676 sq. ft., while the vacant lots will be lessee-built or allows lessees to partner with a non-profit such as Habitat for Humanity. DHHL beneficiaries will be able to purchase the turn-key homes outright or via a potential rent-with-option-to-purchase option.

Related improvements to be developed with the Project include internal roadways, curb, and sidewalks, a drainage detention basin, grading, potable water, fire protection, sewer, drainage, electrical power, and telecommunication utility connections, walls, fences, landscaping improvements, as well as roadway frontage improvements along Kuikahi Drive. In addition, a 3.1-acre linear park with an option for a community farm will be established for resident and community use along the southern portion of the Site.

The proposed subdivision will be accessed via two (2) entrances from Kuikahi Drive. The existing Kuikahi Drive/Kehalani Mauka Parkway “T” intersection will be converted into a 4-way intersection to serve as the western access point. One (1) full movement “T” intersection will be installed as the eastern access point located approximately 700 feet to the west from the Honoapi‘ilani Highway/Ku‘ikahi Drive intersection.

The enclosed illustration (**Exhibit B**) depicts the preliminary conceptual site plan for the proposed subdivision. A more detailed description of the Project and its potential impact to the surrounding environment and proposed mitigation measures can be found in the Final EA.

Summary of Draft EA Review Comments

For the Draft Environmental Assessment (EA), 74 notifications were sent to Federal, State of Hawai‘i and Maui County Agencies; Elected Officials; Utility Companies; Citizen Groups and other interested Stakeholders. During the 30-day comment period, a total of eighteen (18) comments were received. Of these, two (2) comments were supportive, originating from the Pu‘uhona Homestead Association and a private citizen. Five (5) letters from various County of Maui and State of Hawai‘i agencies offered no comment.

Specific issues and/or concerns were raised in six (6) comment letters that focused on the following: groundwater protection; jurisdictional oversight for impacts to surface waters; traffic conditions in the immediate area with and without the project; impacts of the project to public schools in the immediate area; impacts of nonnative predator species on native bird species; and overall impacts of the project relative to wildfire resilience and prevention.

As a result of these comments, further consultation was conducted with the United States Army Corps of Engineers, Honolulu Engineering District (USACE) and the Hawai'i Wildfire Management Organization (HWMO) respectively to address specific concerns to jurisdictional waters and wildfire concerns. Traffic concerns were further addressed by the project traffic engineer. Correspondence provided by the State Department of Education confirmed that area public schools have capacity to meet future needs with the project in place. As the project proceeds to the detailed design stage, coordination, and consultation with respective agencies with jurisdictional oversight and authority will continue forward.

One community organization has indicated via a written comment as to the possibility of requesting legal standing regarding the environmental planning process for the Project. Despite attempts by the project developer to further consult with the organization, communications have not progressed. Pursuant to HAR 11-200.1-20, the project developer has endeavored to “resolve any conflicts or inconsistencies in information” by addressing the specific environmental concerns raised by this organization. The responses are commensurate with the substantive content of those comments raised. Accordingly, the extent of the substantive concerns provided for in their written comments have been addressed in both the response matrix and within the main body of the Final EA.

The remaining five (5) comments were standard responses from State and County agencies.

The extent of the project's responses is documented comprehensively in **Exhibit C**, Draft Environmental Assessment Comment and Response Matrix.

DHHL Planning System Consistency

The DHHL Maui Island Plan (MIP) was adopted in 2004 and serves as a comprehensive resource for planning and managing the Maui Island lands and establishes land use designations to encourage orderly social, physical, and economic development. Because the lands on which the proposed Project will be developed are part of DHHL's land acquisition for Act 279, they are not yet designated by the MIP for a specific use. Acquiring these lands is consistent with a residential goal of the DHHL MIP to secure additional lands in Central Maui to meet the beneficiary demand for residential homesteads.

The proposed Project meets the following goals and objectives of the DHHL General Plan:

Land Use Planning

Goals

- Utilize Hawaiian Home Land for uses most appropriate to meet the needs and desires of the beneficiary population.
- Encourage a balanced pattern of growth into urban and rural growth centers.
- Develop livable, sustainable communities that provide space for or access to the amenities that serve the daily needs of its residents.

Objectives

- Direct urban growth to priority development areas based on infrastructure availability, feasible site conditions, beneficiary preferences, and job opportunities.
- Consider opportunities to acquire or exchange lands best suited for purposes of the Hawaiian Homes Commission Act.

Residential Uses

Goals

- Substantially increase the number of residential homesteads awarded each year.
- Provide a mix of housing opportunities that reflect the needs and desires of native Hawaiian beneficiaries.
- Provide residential homesteads, financing, and other housing opportunities, especially to those most in need.

Objectives

- Provide a variety of residential types to meet the needs of beneficiaries in terms of construction procedures (owner-builder, turnkey, self-help), types of housing units (single-family, multi-family, kupuna housing, rental etc.) and financing.
- Ensure the availability of housing with a range of types and affordability to accommodate persons and families of all income levels and in locations that are convenient to employment and quality public and private facilities.

Final Environmental Assessment Summary

The Project is proposed on lands being acquired by DHHL and it will involve the use of state funds, both of which trigger Chapter 343, Hawai‘i Revised Statutes (HRS) environmental review requirements. A Final EA has been prepared in response to substantive comments received by agencies and citizen groups with additional and/or clarifying technical information that further evaluates the potential environmental impacts of the proposed Project, and further details specific mitigative measures to avoid, eliminate, or minimize significant impacts.

The following sections highlight key environmental impact considerations from the Final EA analysis:

- Historic and Cultural Resources

A previous Archaeological Inventory Survey (AIS) was conducted in 2005 for two (2) parcels totaling 215.8 acres, which included the subdivision site. The State Historic Preservation Division (SHPD) accepted the AIS by letter dated November 18, 2005. During the field inspection, seven (7) historical sites related to the former use of the area for sugar cane cultivation were identified. The sites were determined significant under Criterion “D” as having the potential to yield information important to understanding the

history of the region and were determined to be adequately documented by SHPD. In their acceptance letter, SHPD determined “No Historic Properties Affected” and concluded that no further archaeological mitigation is necessary.

Although the SHPD has concurred that no further work is necessary in accordance with the findings of the previously accepted AIS, the DHHL has elected to conduct archaeological monitoring on TMK (2)3-5-002:003 (por.). An archaeological monitoring plan (AMP) will be prepared and the contractor, once selected, will be required to follow the provisions of the AMP.

There are historic properties at the Site (e.g. plantation irrigation ditches) that are considered potential architecture resources by SHPD. A qualified architectural historian will evaluate the significance of these historic properties under an Architecture Reconnaissance Level Survey prior to Project implementation. Any resources that are identified as historically significant architecturally will be documented and mitigation provided as needed. Based upon past evaluation on historical resources within the general vicinity of the property, certain architecture resources have lost integrity and documentation of these sites are anticipated to be adequate.

In addition, a CIA was conducted which addressed issues relating to the protection of Native Hawaiian rights and practices. The CIA noted that based on historical research and responses received during the consultation process, it is reasonable to conclude that there is evidence of cultural practices related to Hawaiian rights related to agricultural pursuits, access to resources (i.e., water), and possibly other customary activities presently occurring in the vicinity of the proposed project area, but not specifically within the proposed project area. The CIA interviewees also noted that there is a potential for human burials to be present. As such, while the SHPD has previously stated that no further work is necessary in accordance with the findings of the previously accepted AIS, the DHHL has elected to conduct archaeological monitoring as an extra measure of assurance that all ground disturbance construction-related activities at the Site is managed in an appropriate manner. An archaeological field inspection was conducted in August 2020, consisting of a pedestrian walk-through of the site to determine if the grinding stone known as Pōhāko‘i was present at the site of the proposed subdivision. No discoveries were made as Pōhāko‘i may have been previously relocated, given the extensive agricultural clearing and landscape modifications that previously occurred in the area. Nonetheless, future efforts to locate this important stone will occur during the archaeological monitoring of the project area during future ground altering activities. DHHL is committed to keeping access open for resources and cultural purposes.

- Infrastructure
 - Water

The Site is located within the Maui County Department of Water Supply’s (DWS) Central Maui water system. Water for the Project will be supplied from the DWS’ existing distribution system in Waikapū and Wailuku. Average daily water

consumption by the maximum 204 single-family residential lots that will comprise the proposed subdivision is projected to be approximately 129,200 gallons per day (gpd).

No water source improvements are proposed with the Project. An 8-inch water main is proposed to be extended into the subdivision from the DWS' existing 12-inch distribution mains along Old Waikapū Road and Kuikahi Drive. A network of 8-inch distribution mains will be installed within the subdivision and outfitted with service laterals and fire hydrants for water service and fire protection to serve each of the individual houselots in accordance with DWS standards. The storage capacity needed for the Project pursuant to DWS standards is 204,000 gallons.

- Wastewater

The Wailuku and Waikapū area is served by the County of Maui's sewer system, which collects wastewater and conveys it to the Kahului Wastewater Reclamation Facility (KWWRF) for treatment and disposal. The subdivision is expected to generate 71,400 gallons of wastewater per day.

A branching network of new gravity sewer pipes will be installed within the internal streets of the Project to collect wastewater from the house lots and convey it toward the low end of the subdivision near the northeast corner along Honoapi'ilani Highway. Two alternatives for connecting the subdivision to the County sewer system are being considered. Alternative 1 involves installing a new sewer main along Kuikahi Drive to connect to the existing sewer main along Waiale Road. Alternative 2 involves making a connection to the planned sewer main that will run eastward under the Honoapi'ilani Highway and across TMK (2)3-5-001:064 to a connection point at Waiale Road.

- Drainage

The Site currently does not have any stormwater infrastructure. Most of the surface runoff generated at the Site flows toward a natural drainageway passing through the Site which eventually conveys it to the Waiale Irrigation Reservoir. A smaller amount off the surface runoff from the Site flows toward the Kuikahi Drive/Honoapi'ilani Highway intersection where it enters the existing underground storm drainage system and is then conveyed southward to the Kehalani Project District's Stormwater Retention Basin in Waikapū.

During construction, the contractor will install Best Management Practices (BMPs) such as silt fence around active work areas. Inlet protection devices near drainage outlets will also be installed to handle the treatment of runoff and mitigate potential construction related pollutants from entering drainage infrastructure and surface waters. The Project will obtain a National Pollutant Discharge Elimination System (NPDES) Permit from the State DOH, CWB.

Surface runoff generated by the roads and homes within the subdivision will be directed to a new system of underground drain inlets/lines within the Site's internal streets before either 1) draining downstream into the Waikapū Retention Basin, or 2) entering the Project stormwater detention basin located at the northeast corner of the Site and eventually discharging into the Waiale Reservoir. The Project detention basin will fully mitigate the anticipated increase in peak flows from the Site and will reduce potential water pollution through sediment removal.

- Traffic

A Traffic Impact Analysis Report (TIAR) was prepared for the proposed Project in November 2023 to evaluate potential traffic impacts resulting from the proposed Project. The TIAR included a Level of Service (LOS) analysis for various intersections surrounding the Project area to describe the conditions of traffic flow at intersections, with values ranging from free-flow conditions (LOS A) to congested conditions (LOS F).

The TIAR utilized year 2028 as the anticipated build-out completion base year for the Project. Projections for this year were based upon traffic counts, the Maui Regional Travel Demand Model growth for forecast year 2028, and projected traffic attributed to planned nearby developments. The TIAR also took into account planned roadway Projects anticipated to be completed by the build-out year.

The proposed Project will have two (2) access points along Kuikahi Drive. The "T" intersection at Kuikahi Drive/Kehalani Mauka Parkway will be converted to a full-movement four-way intersection to serve as the western access point. The eastern access point will be a full-movement "T" intersection located approximately 700 ft west of Honoapi'ilani Highway. The TIAR noted that upon completion of the Project, all study intersections are forecasted to operate at LOS similar to base year 2028 conditions. A new traffic signal on Kuikahi Drive is not warranted by the Project.

- Electric, Telephone, Cable

There is existing overhead electrical by Hawaiian Electric near the Site. Telephone, and cable transmission lines are provided by Hawaiian Telcom, Sandwich Island Communications (SIC), and Spectrum Cable, respectively.

Hawaiian Electric, Hawaiian Telcom, SIC and Spectrum Cable will be able to provide electrical, telephone, and cable television services, respectively, for the proposed Project from the existing facilities along Honoapi'ilani Highway and Kuikahi Drive. Within the Project, overhead or underground utility lines will provide electrical, telephone, and cable television services.

Coordination with Hawaiian Electric, Hawaiian Telcom, SIC and Spectrum Cable will continue to ensure that systems planning, and design can be programmed consistent with the Project development schedule.

FINDING OF NO SIGNIFICANT IMPACT

Based upon the analysis completed in the Final EA, this staff report recommends that the Commission determine a finding of no significant impact (FONSI) for the Wailuku Single Family Residential Subdivision. This determination is based upon the 13 criteria of significance that approving agencies must consider as specified in Hawai'i Administrative Rules (HAR) 11-200.1-13. An analysis of the 13 criteria of significance is presented below:

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

The proposed Project is not anticipated to involve any construction activity that may lead to the loss or destruction of any sensitive natural, cultural, or historic resource. The presence of the endemic 'ōpe'ape'a or Hawaiian Hoary Bat (*Lasiurus cinereus semotus*) was detected in the Project area during the Biological Resources Study. Appropriate mitigation measures from the U.S. Fish and Wildlife will be implemented to avoid any significant adverse impacts to this species. No native bird species were found on the property and outdoor lighting will be shielded to direct the lights downward to avoid potential impacts to migrating sea birds which may fly over the Site. An Archaeological Inventory Survey (AIS) and Cultural Impact Assessment (CIA) were completed for the Site. No Native Hawaiian burial features or human remains were identified and no ongoing cultural practices were identified immediately within the Site. Though the SHPD accepted AIS did not recommend any further archaeological work, the DHHL has elected to voluntarily conduct archaeological monitoring during ground disturbance construction-related activities in response to the consultation within the CIA. With the implementation of the proposed mitigation measures, the Project is not anticipated to result in a significant adverse impact on existing cultural, natural, or historic resources.

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

The proposed action is located on a vacant, underutilized property, adjacent to existing residential developments of a similar nature, with readily available infrastructure. The commitment of land and resources for the proposed action will not curtail the range of beneficial uses of the environment. The Site, although designated for agricultural use, has not been in agricultural production for some time. The proposed use of the property to provide residential housing for native Hawaiian beneficiaries and their families is compatible with surrounding residential uses and provides a critical response to a housing need for DHHL beneficiaries. Careful consideration has been given to the site plan, lot layout, turn-key homes, and linear park during the planning process to complement the surrounding developed Wailuku and Waikapū residential communities. Development of the Project will utilize Best Management Practices (BMPs) to minimize any construction-

related impacts and a State NPDES permit will be obtained to ensure that construction activity does not adversely impact water quality.

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

The proposed action aligns with Hawai‘i's environmental policies and guidelines as outlined in Chapters 343 and 344 of the Hawai‘i Revised Statutes (HRS). This EA has been conducted to ascertain that the proposed Project will not yield significant adverse impacts on environmental resources. While temporary construction-related impacts may occur, the analysis within this EA indicates that these short-term effects are not expected to be significant. The Project has been meticulously designed to foster long-term beneficial socio-economic impacts while preserving the area's natural and cultural resources. The proposed enhancements will lead to an increase in residences for native Hawaiian beneficiaries, providing numerous families with housing opportunities, while also generating direct, indirect, and cumulative positive impacts on employment, earnings, and tax revenues.

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

The proposed action is anticipated to yield favorable impacts on both the local economy and social welfare, both in the short and long term. Positive economic and social outcomes are foreseen due to various aspects of the Project, including the provision of homesteading opportunities and permanent housing for beneficiaries of the DHHL and their families in close proximity to government and commercial services. Furthermore, the Project is expected to generate employment opportunities related to construction, contribute to real property assessment revenues, stimulate resident spending, and provide revenue through water meter and County permit fees.

Moreover, the CIA addresses opportunities pertinent to the protection and support of native Hawaiian rights and cultural practices. This encompasses socio-cultural benefits aimed at enhancing overall well-being, which aligns with the objectives outlined in the Hawaiian Homes Commission Act.

5. Have a substantial adverse effect on public health.

A Phase I Environmental Site Assessment conducted did not reveal any recognized environmental conditions. The Project will comply with relevant State and County regulations during construction relative to noise exposure, air quality, and water quality impacts. BMPs will be implemented to minimize and mitigate potential temporary air quality and noise impacts, and will secure a State NPDES Permit. Wastewater disposal will be accommodated by connecting to the County’s sewer system. In addition, the Project is not anticipated to result in long-term air or noise impacts. As such, no significant adverse impact to public health or welfare is anticipated as a result of the proposed action.

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

The proposed Project will provide needed long-term, permanent housing in Central Maui for DHHL beneficiaries and their families. While some residents of this new community may come from off island, most are expected to relocate from other areas on Maui. As such, the Project is not anticipated to involve substantial secondary impacts due to population change. The DOE has determined that there will be no significant impacts to public schools and overall secondary impacts on public facilities such as parks, public safety, and emergency response services are not anticipated.

7. Involve a substantial degradation of environmental quality.

No substantial degradation of environmental quality resulting from the action is anticipated. BMPs and appropriate erosion control measures will be utilized during the construction period. Drainage system improvements will be constructed in accordance with applicable regulatory design and water quality standards to ensure that surface runoff will not have a significant adverse effect on adjacent or downstream properties.

Any potential short-term impacts to air and noise quality during the construction phase of the Project will be mitigated through employing appropriate BMPs. In the long term, the Project will not adversely impact air quality and ambient noise.

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

The proposed action is limited to the development of the proposed residential Project and does not represent a commitment to any larger action. The Project will stand on its own and is not a trigger for any other development. The DHHL will provide the necessary infrastructure to serve the residential subdivision. Drainage, wastewater, water, and roadway improvements will be designed to meet applicable local, State, and Federal regulations. The engineering and traffic reports prepared for the proposed Project have assessed potential impacts and designed infrastructure systems in the context of future planned regional growth. There are no anticipated cumulative substantial adverse impacts associated with the proposed action.

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

A Biological Resources Survey report was prepared to ensure that any sensitive terrestrial flora/fauna biological resources within the Site would be identified and provided adequate protection. The presence of the endemic 'ōpe'ape'a or Hawaiian Hoary Bat (*Lasiurus cinereus semotus*) was detected in the Site area. Appropriate mitigation measures from the U.S. Fish and Wildlife will be implemented to avoid any significant adverse impacts to this species. No native bird species were found on the property and outdoor lighting will be shielded to direct the lights downward to avoid potential impacts to migrating sea birds

which may fly over the Site. The Site is located adjacent to existing residential developments of a similar nature. With the implementation of proposed mitigation measures the Project is not anticipated to have a substantial adverse effect on rare, threatened, or endangered species, or their habitat.

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

The Project will secure an NPDES permit from State DOH and implement BMPs during construction to minimize potential temporary short-term impacts on air and water quality and noise. Dust control measures, such as regular watering and sprinkling, and installation of dust screens will be implemented to minimize wind-blown emissions. Noise impacts will be mitigated by complying with DOH provisions for community noise control. A project stormwater detention basin will reduce potential water pollution through sediment removal and will comply with the County's water quality rules and regulations. Utilizing approved BMPs and mitigations measures, the proposed action is not anticipated to have a significant adverse 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 Site is situated inland approximately 2.3-miles from the ocean and is not anticipated to have any adverse impact upon coastal waters or resources, beaches, estuaries, or other fresh water bodies.

According to the Federal Emergency Management Agency's Flood Insurance Rate Maps currently in effect, the Site falls within Zone X (unshaded), an area of minimal flooding. The Site is located outside of the tsunami inundation zone and the 3.2-foot projected sea level rise exposure area.

The proposed Project aims to mitigate the risk associated with wildfires through a combination of strategic planning and implementation of best management practices for wildfire prevention and response. By carefully designing the Project's site layout and landscaping, incorporating fire-resistant building materials, providing multiple points of access (ingress/egress), and implementing defensible space measures, the Project should aim to enhance this community's resilience to wildfires. Also, through proper design, the Project can potentially contribute to reducing the overall risk of wildfire ignition and spread in the area by utilizing currently fallow lands and implementing best management practices at a localized scale.

During construction, recommended BMPs will be implemented for erosion and sedimentation control to minimize potential impacts to water quality. Drainage improvements, including a Project drainage detention basin, will be designed to mitigate runoff in accordance with County drainage and stormwater quality rules and regulations.

12. Have a substantial adverse effect on scenic vistas and view planes, day, or night, identified in county or state plans or studies.

The proposed low-rise single-family residential development has been designed to integrate with its surrounding environment of nearby and adjacent residential subdivisions of a similar nature and scale within the area so as to not block established scenic vistas, view planes, or corridors during the day or night. The Project is located inland away from coastal and open space areas and will not substantially affect coastal scenic or open space resources. Careful consideration has been given to the site plan, lot layout, turn-key homes, and linear park during the planning process to complement the surrounding developed Wailuku and Waikapū residential communities.

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

The proposed action will involve the short-term commitment of fuel and energy for equipment, vehicles, and machinery during construction activities. However, this use is not anticipated to result in a substantial consumption of energy resources or substantial emission of greenhouse gasses. In the long term, the Project will create an additional demand for electricity. However, this demand will not be substantially or excessively more than the energy consumed by similar single family residential developments throughout the region. In addition, the Project will incorporate energy saving, sustainable features, such as energy efficient fixtures, appliances, and solar water heating systems in the homes, as feasible.

Summary and Conclusion

Pursuant to HAR 11-200.1-22 (Notice of Determination for Final Environmental Assessments), it is the recommendation of this staff report that after reviewing all public and agency comments and applying the significance criteria in HAR 11-200.1-13, that the HHC, as the approving agency, determine that the Project is not likely to have a significant effect and accordingly should authorize the issuance and notice of a Finding of No Significant Impact (FONSI) with the State Environmental Review Program.

Next Steps for Overall Project Implimentation

In addition to the completion of the Final EA and HHC determination of FONSI for the Project in accordance with Chapter 343, HAR and Title 11-200.1, HAR, the following actions will need to be implemented:

- HHC FONSI determination for the Final EA published in the ERP The Environmental Notice bulletin
- Coordinate with various State and County agencies
- Continue to coordinate with the DHHL beneficiaries
- Implement funding allocated from HHC and DHHL to fund the project through Act 279
- Complete design and construction of the Project

- Obtain subdivision approval and lot TMKs from the County of Maui

List of Exhibits

Exhibit A. Final Environmental Assessment

Exhibit B. Preliminary Conceptual Site Plan

Exhibit C. Draft Environmental Assessment Comment and Response Matrix

EXHIBIT A

Final Environmental Assessment

EXHIBIT B

Preliminary Conceptual Site Plan



WAILUKU SINGLE FAMILY RESIDENTIAL SUBDIVISION

Conceptual Site Plan

Plan Data
 Approximate Land Area = 77 Acres
 Proposed Residential Lots = 204
 Minimum Lot Size = 7,500 Sq. Ft.

GROUND LEGEND:

- 1'-0" DOTTED LINE CONTOUR W/ ELEVATION
- 1'-0" FINISH GRADE CONTOUR W/ ELEVATION
- 10' FIRE BOUNDARY
- EXISTING ELEVATED AREA
- PROPOSED ELEVATED AREA

WALUKU ENGINEERING
 1000 KUKAHI DRIVE
 WAILUKU, HI 96793
 May 24, 2023

EXHIBIT C

Draft Environmental Assessment Comment and Response Matrix

Responses to Comments Received During Draft Environmental Assessment Comment Period			
Stakeholder	Date	Comment	Response
Groundwater and Surface Water Resources			
US Army Corps of Engineers, Honolulu District	3/21/2024	I am reviewing your Draft Environmental Assessment for the Wailuku Single Family Residential Subdivision to determine whether the project will impact any federal jurisdictional waters.	Thank you for your comment. We will work with USACE to ensure that the Project is not affecting any Waters of the United States.
County of Maui Department of Water Supply	05/03/2024	<p><u>Proposed Project is Within MDWS Wellhead Protection Overlay District (WPOD), Maui County Code (MCC) 19.61:</u></p> <p>A portion of the proposed project falls within an MDWS well's 2-year time-of-travel Zone B in the WPOD area. The WPOD area models the specific hydrogeological characteristics regarding the migration of chemical pollutants and the survival times of bacteria and viruses to travel to the well. Approximately 53 acres fall into the 2-year time-of-travel Zone B, and approximately 95 acres fall into the 10-year time-of-travel Zone C, which regulates various chemical pollution well contamination concerns.</p> <p><u>Maui County Code (MCC) 19.61.100 Design Guidelines:</u></p> <p>The following design guidelines must apply to subdivisions that create four or more developable lots:</p> <p>A. Proposed development and uses must be located as far from the wellhead as feasible.</p> <p>B. Storm-water infiltration basins must be located outside the wellhead protection overlay district where feasible, provided that if this is not feasible, then the basins must be located as far from the wellhead as feasible.</p> <p>C. Active parks and schools must implement a conservation practice standard in accordance with MCC Section 19.61.090(C).</p> <p>D. If a development or use is proposed on property which is partially within a wellhead protection overlay district, the proposed development or use must be located to the maximum extent feasible on the portion of the property that is outside the wellhead protection overlay district.</p> <p><u>MAUI ISLAND WATER USE AND DEVELOPMENT PLAN (WUDP)</u></p> <p>The proposed project may have the potential to accomplish stormwater management within the proposed project footprint, which could be used for stormwater mitigation and retention for irrigation reuse; however, storm-water infiltration basins should be located outside the</p>	<p>Thank you for your review of the Draft Environmental Assessment and for your comment. After further review, only the 10-year time-of-travel Zone C in the Wellhead Protection Overlay District (WPOD) is captured in a portion of the proposed 77-acre Project area, whereas Zone B is located west and outside of the Project area. Also, we have noted that a majority of the proposed 77-acre project will be developed outside of the Zone C wellhead protection area. However, as this Project is a proposed DHHL residential subdivision, a portion of the residential lots and a community park at the southern end of the Site falls within Zone C. This is consistent with other similar residential subdivisions to the South that exist over the Zone C area.</p> <p>The drainage basin proposed for this Project at the northeast corner of the Project is located outside of the wellhead protection overlay district. The drainage basin follows the DWS recommendation to implement feasible BMPs such as permeable detention ponds to reduce stormwater loss which promotes the protection of groundwater and the value of treating stormwater as a resource, including groundwater recharge capability when contained onsite.</p>

		<p>Wellhead Protection Overlay District where feasible, and if not, then the basins shall be located as far from the wellhead as practicable. The Commission on Water Resource Management (CWRM) promotes the protection of groundwater and the value of treating stormwater as a resource, including groundwater recharge capability when contained onsite. We recommend implementing Best Management Practices (BMPs) contained in the document, such as permeable surfaces to reduce stormwater loss (for example, permeable detention ponds and vegetated filter strips), and bio-retention rain gardens.</p> <p><u>MCC 19.61.090 Best Management Practices (BMPs)</u></p> <p>The following standards apply to uses in zones B and C of any WPOD. Construction activities must be in accordance with MCC Chapter 20.08 and the following standards:</p> <ol style="list-style-type: none"> 1. There must be a designated person on-site during construction activities who must be responsible for supervising the use, storage, and handling of hazardous material and who must take appropriate mitigating actions necessary in the event of fire or spill. 2. Hazardous materials left on site when the site is unsupervised must be inaccessible to the public. Locked storage sheds, locked fencing, locked fuel tanks on construction vehicles, or other techniques may be used if they will prevent access. 3. Construction vehicles and stationary equipment that are found to be leaking fuel, hydraulic fluid, or other hazardous materials must be removed from the site and from any wellhead protection overlay district zone. The vehicle or equipment may be repaired in place, provided the leakage is completely contained. 4. Hazardous materials must not be allowed to enter stormwater systems. <p><u>Conservation BMPs</u></p> <p>Indoor</p> <ol style="list-style-type: none"> 1. Use EPA WaterSense labeled plumbing fixtures. 2. Install bathroom sink faucets with fixtures that do not exceed 1 gallon per minute (GPM) and showerheads with a flow rate of 1.5 GPM at 60 psi. <p>Outdoor</p>	<p>DHHL has within its power to supersede these recommendations, however DHHL will work with DWS to incorporate BMPs as feasible.</p> <p>As feasible, the proposed park will follow MCC standards and will aim to incorporate the indoor and outdoor water conservation BMPs listed in your letter.</p>
--	--	--	---

		<ol style="list-style-type: none"> 1. Use Smart Approved WaterMark irrigation products. Examples include evapotranspiration irrigation controllers, drip irrigation, and water saving spray heads. 2. We recommend adopting landscape irrigation conservation best management practices endorsed by the Landscape Industry Council of Hawai'i. 3. Use native Hawaiian climate-adapted plants for landscaping. Native Hawaiian plants adapted to the area conserve water and protect the watershed from degradation due to invasive species. 4. After plant establishment, to avoid stimulating excessive growth, avoid fertilizing and pruning. Time watering to occur in the early morning or evening to limit evaporation. Limit the use of turf. 5. Replanting of denuded areas should include soil amendments and temporary irrigation. Use high seeding rates to ensure rapid establishment of stands of plants. 6. Retain ground cover until the last possible date. Stabilize denuded areas by sodding or planting as soon as possible. Use high seeding rates to ensure rapid establishment of stands of plants. 7. Avoid fertilizers and biocides, or apply biocides only during dry periods of low rainfall. 	
Traffic			
Maui Economic Opportunity, Inc.	3/25/2024	<p>Our only concerns are about traffic.</p> <p>Because we run The Maui Bus ADA Paratransit and County of Maui Human Services specialized transportation systems, our buses need to traverse the corridors of the project without significant delay or safety hazards. MEO wants to remain on schedule because our buses transport clients to dialysis and health appointments.</p>	<p>Thank you for the comment. The Project is not anticipated to cause any significant delay or present any safety hazards to The Maui Bus ADA Paratransit and County of Maui Human services specialized transportation systems operations.</p>

<p>Wailuku Heights Extension Community Association</p>	<p>4/8/2024</p>	<p>Section 3.9 Transportation/Traffic- The report indicates that this development will only add 24-34 vehicles during peak am/pm traffic periods. This development is advertised as base level income housing and low-incomehousing (we fully support this use) which has a high percentage of working-class citizens. We also know that these community members tend to have large amounts of family members living in a single-family residence. We believe that the data used in this study is highly suspect. We request that this specific section of the report be peer reviewed by knowledgeable professionals. Based upon our concerns regarding the data used to develop the study, we believe the traffic scenarios represented will be misrepresenting actual traffic scenarios. Our community members already feel the transportation corridors are underdeveloped due to extremely long queues at the intersections of Kuikahi Dr. and Waiale Rd. & Maui Lani Parkway and South Kamehameha Avenue for multiple hours in the morning and late afternoon/evening.</p> <p>This transportation system overload does not include the additional loading associated with the soon opening Kaulana Mahina workforce housing development (324 multi-family units) and proposed Kuikahi Village Project (202 residential units).</p> <p>The environmental assessment for the Kuikahi Village Project indicated no significant impact which was based upon a round-a-bout located at the intersection of Kuikahi Dr. and Kehalani Mauka Parkway, which according to the developer was removed from the project. Our organization requested involvement in the planning and design of the transportation systems for the Kuikahi Village Project. Our community has also requested the County of Maui revise the approved use of the apron of Kuikahi Dr. (West of Honoapiilani highway) to not permit parking of vehicles due to the concern regarding bicycle lane safety.</p>	<p>Thank you for your review of the Draft Environmental Assessment and for your comment. The TIAR indicates 143(195) new project trips generated by the Project during the AM(PM) peak hours of traffic. Trip generation for the Project is based upon guidance set forth in the Trip Generation Manual, 11th Edition, published by the Institute of Transportation Engineers (ITE), which is the standard trip generation methodology that is accepted by the State of Hawaii Department of Transportation and County of Maui.</p> <p>The Kaulana Mahina project was included in Base Year projections and listed in Section 4.2 of the TIAR under its name at the time, “Wailuku Apartments”. The Kuikahi Village project was also included in Base Year projections under the name “Kuikahi Residential”.</p> <p>The TIAR states that with Future Year projections, traffic volumes at the Kuikahi Drive/Kehalani Mauka Parkway fall just short of meeting a signal warrant. Therefore, it was assumed that the intersection would operate with two-way stop control upon buildout. If, at a future date, a signal warrant is found to be met based upon actual volumes, a signal or roundabout could be considered for implementation, provided that design constraints, including sight distance requirements can be met during the design phase. Ultimately, the type (signal vs roundabout) and timing of the traffic control device that will be installed will be the discretion of the County of Maui. Kuikahi Drive falls under the jurisdiction of</p>
--	-----------------	---	---

		<p>Our community members are deeply concerned about the condition of the existing transportation systems and the lack of analysis of emergency evacuation in a fire scenario. This is a very serious concern due to the direction and velocity of the prevailing winds and the fact that our community will be at the end of the transportation corridors required for an expedient emergency escape. Based upon this concern our community members request a thorough and comprehensive engineering study regarding the load currently on the transportation system(s) and proposed load associated with all these additional developments on the transportation system(s).</p> <p>The Board of Directors of the Wailuku Heights Extension Phase 1 Home Owners Association are requesting to be involved in the design of the site and transportation corridors associated with your project. We are requesting a seat at the table in the early design phases as we feel our representation of our perspective/opinion on the proposed site and roadway design to accommodate the project is of utmost importance. We ask to be notified of the next design meeting with the DPW and Hawaii DOT so we may attend and observe the design discussion. We will be requesting legal standing regarding the environmental planning process of this project.</p>	<p>the County of Maui, and therefore, the County will specify parking allowances along Kuikahi Drive.</p> <p>The Wailuku Single-Family Residential Subdivision will be configured so that each home will have a minimum of two emergency fire evacuation routes to Kuikahi Drive as prescribed by Maui County's Fire Code. Once at Kuikahi Drive, evacuees can reach Honoapiilani Highway via either Kuikahi Drive or Kehalani Mauka Parkway; or Main Street via Alu Road.</p> <p>Development of the Wailuku Single-Family Residential Subdivision will replace unmanaged and relatively inaccessible existing fallow agricultural and pasture lands with Fire Code-compliant, fire-resistant buildings served by underground powerlines, Fire Code-compliant access roads, and a modern County-maintained fire protection system that together will enable faster emergency response, reliable containment and effective suppression of any potential fires that may occur in the project area.</p> <p>Regional traffic congestion which was observed in existing conditions is anticipated to be addressed by the planned, future Waiale Road Extension, which is anticipated to reduce volumes along Kuikahi Drive, and the planned Maui Lani Parkway Extension, which is anticipated to reduce volumes and congestion along Waiale Road between Kuikahi Drive and Waiinu Road. To improve operations upon build-out of the Project, the TIAR recommended that the signal at the Waiale Road/Kuikahi Drive intersection be optimized.</p>
--	--	--	--

Phillip P	4/8/2024	<p>Hi, I'm writing to oppose this subdivision on 101 Kuikahi Drive.</p> <p>The heavy traffic flow right now, makes commute stressful. With the new hawaiian homes and new apartments coming up. It will add even more commute time. Traffic is backed up from kehalani foodland coming down to the maui lani roundabout and on to Kamehameha Ave. More and more people are taking waiko rd as by pass but even then that road is getting backed up. By having more traffic, longer wait time drivers will become more impatient and will be speeding, with schools near by, kids crossing dangerous and poorlyplan roundabout, heavy traffic for miles away is a recipe for disaster.The roads/ its design are not big enough to handle the traffic as it is right now, let alone more subdivision ex: anuhea is only 70% complete and more subdivision/ homes to come. With hawaiian homes not subject to "additional" building permits many build small homes will start and turn simple homes into "filaminimums" which means additional dwellings and eventually becomes a parking mess and fire hazard.</p>	<p>Thank you for your review of the Draft Environmental Assessment and for your comment. The DHHL is generally supportive of governmental efforts to create a reasonable nexus-based traffic impact fee system which can be equitably applied to all developments, and which will help implement regional traffic improvements. However, at the same time, the DHHL's position is unique from other larger scale master planned development projects, as it seeks to target affordable housing needs specifically for its Native Hawaiian beneficiaries and their families. The proposed action calls for single family housing units that aims to encourage parking within the subdivision and not along Kuikahi Drive or along other travel corridors such as Honoapiilani Highway and Kehalani Mauka Parkway.</p> <p>Regional traffic congestion which was observed in existing conditions is anticipated to be addressed by the planned, future Waiale Road Extension, which is anticipated to reduce volumes along Kuikahi Drive, and the planned Maui Lani Parkway Extension, which is anticipated to reduce volumes and congestion along Waiale Road between Kuikahi Drive and Waiinu Road. To improve operations upon build-out of the Project, the TIAR recommended that the signal at the Waiale Road/Kuikahi Drive intersection be optimized.</p>
Education			
Wailuku Heights Extension Community Association	4/8/2024	<p>Community members associated with the local school systems have indicated that the existing schools are in an overload condition and believe that there needs to be sufficient study efforts made to determine the expansion needs of the local school systems. This particular study simply concludes that the future analysis (projections) of pupils is to be decreasing, yet there is no actual data analysis presented.</p>	<p>Thank you for your review of the Draft Environmental Assessment and for your comment. According to our letter received from the State of Hawaii Department of Education, the schools in the area will be operating below capacity. For more information, please see the State of Hawaii Department of Education comments in <i>Appendix B: Early Consultation Comments</i> or please contact the State of Hawaii Department of Education. DHHL must rely on the State DOE's letter since they are</p>

			the controlling jurisdiction for our local school systems. We would also like to reiterate that the DOE is in the process of acquiring additional adjacent land to expand the Pu'u Kukui Elementary School.
Wildfire			
Maui Economic Opportunity, Inc.	3/25/2024	In addition, given the August 8 wildfires, MEO hopes there are multiple access routes to the new project and throughout the region should there be fires or other disasters/emergencies.	Thank you for your review of the Draft Environmental Assessment and for your comment. There are currently two access points in and out of the subdivision. In the case of an emergency and the main road through the subdivision gets inundated, the southern portion of the subdivision may utilize a secondary emergency access route along a portion of the Old Waikapu Road.
Wailuku Heights Extension Community Association	4/8/2024	<p>Section 3.3.5 Wildfire -Our community association does not agree with the statement that this area is not considered a wildfire risk area. Our community association has noticed long periods of drought drying out yards, farmlands, etc. while there is a prevailing wind moving from the Northeast up through to the West Maui mountains. Claiming that our proximity to the lao valley provides wildfire protection to our communities seems like a direct misunderstanding/misrepresentation of our community geography and specific wildfire conditions. This statement created great concern in our community association and therefore we request that this specific section of the report be peer reviewed by knowledgeable professionals.</p> <p>We also disagree that this development does not include improvements that will increase risk of public safety during a wildfire event as the transportation corridor requires analysis based upon what was learned from the Lahaina fire. It would be a great disservice to all our Wailuku communities if this analysis is not completed with an honest evaluation of data associated with the Lahaina wildfire. We request that this specific section of the report be peer reviewed by knowledgeable professionals.</p> <p>This is a very serious concern due to the direction and velocity of the prevailing winds and the fact that our community will be at the end of the transportation corridors required for an expedient emergency escape. Based upon this concern our community members request a thorough and comprehensive engineering study regarding the load</p>	<p>Thank you for your review of the Draft Environmental Assessment and for your comment. We worked with Hawaii Wildfire Management Organization (HWMO), the leading experts in wildfire prevention, management and recovery in the State of Hawai'i, to best mitigate any fire hazards that could be present within the Project area.</p> <p>The designation wild fire risk areas comes from the Maui County Hazard Mitigation Plan Update released in August of 2020. At the time, this was the most up to date data on fire risk areas available. We have amended our statement to reflect the findings of HWMO the localized area of Wailuku is designated as moderate to high-risk. However, by adhering to the best practices laid out by HWMO, the Project, through proper design, can potentially contribute to reducing the overall risk of wildfire ignition and spread throughout the area by utilizing currently fallow lands and implementing best management practices at a localized scale. For more information please see <i>Appendix J: Hawaii Wildfire Management Organization Memo for the Wailuku SFR Subdivision Project</i></p>

		<p>currently on the transportation system(s) and proposed load associated with all these additional developments on the transportation system(s). We will also be requesting that the County of Maui and the State of Hawaii complete a revised technical review and updated plan for a wildfire emergency evacuation. This plan will be required to include technical data obtained from the analysis of the Lahaina fire.</p>	<p>Your point on a thorough study on transportation corridors is well founded. The Project will have an evacuation plan in place in the case of a natural hazard, a wildfire or any other emergency event that requires the community to evacuate. HWMO also encouraged other residential subdivisions, such as WHECA, to participate in Hawai'i's Firewise Communities Program. A thorough transportation and engineering study has been conducted for the area that is inclusive of the additional developments on the transportation system. These studies can be found in <i>Appendix D: Preliminary Engineering Report</i>, and <i>Appendix F: Traffic Impact Analysis Report</i>.</p> <p>The Project will replace unmanaged and relatively inaccessible existing fallow fields of invasive grasses with Fire Code-compliant buildings, Fire Code-compliant access roads, and a modern County-maintained fire protection system with fire hydrants that together will enable faster emergency response, reliable containment and effective suppression of any fires that may occur in the Project area.</p>
<p>Division of Forestry and Wildlife</p>	<p>4/18/2024</p>	<p>Due to the arid climate and risks of wildfire to listed species, we recommend coordinating with the Hawai'i Wildfire Management Organization at (808) 850-0900 or admin@hawaiiwildfire.org, on how wildfire prevention can be addressed in the project area. When engaging in activities that have a high risk of starting a wildfire (i.e. welding in grass), it is recommended that you:</p> <ul style="list-style-type: none"> Wet down the area before starting your task, Continuously wet down the area as needed, Have a fire extinguisher on hand, and In the event that your vision is impaired, (i.e. welding goggles) have a spotter to watch for fire starts. 	<p>Thank you for reviewing the Draft Environmental Assessment and for your comments back. The Project team has contacted Hawai'i Wildfire Management Organization and have incorporated their recommendations to minimize any potential wildfire events. During the construction and operation phases of the Project, DHHL will encourage the contractor and DHHL lessees to abide by the recommendation set forth by HWMO and DOFAW to prevent a wildfire event.</p>
<p>Wildlife</p>			

<p>Division of Forestry and Wildlife</p>	<p>4/18/2024</p>	<p>DOFAW provides the following additional comments regarding the potential for the proposed work to affect listed species in the vicinity of the project area. DOFAW recommends minimizing the movement of plant or soil material between worksites. Soil and plant material may contain detrimental fungal pathogens (e.g., Rapid ‘Ōhi‘a Death), vertebrate and invertebrate pests (e.g., Little Fire Ants, Coqui Frogs, etc.), or invasive plant parts (e.g., African Tulip, Octopus Tree, Trumpet Tree, etc.) that could harm our native species and ecosystems. We recommend consulting the Big Island Invasive Species Committee (BIISC) at (808) 933-3340 to help plan, design, and construct the project, learn of any high-risk invasive species in the area, and ways to mitigate their spread. All equipment, materials, and personnel should be cleaned of excess soil and debris to minimize the risk of spreading invasive species.</p> <p>DOFAW is concerned about impacts to vulnerable birds from nonnative predators such as cats, rodents, and mongooses. We recommend taking action to minimize predator presence; remove cats, place bait stations for rodents and mongoose, and provide covered trash receptacles. Cats prey on native birds, including State-listed endangered waterbirds, seabirds, and forest birds. Predation is instinctive and means that even well-fed cats will hunt and kill wildlife. Therefore, DOFAW recommends that homeowner associations request that residents with pet cats be kept indoors or safely contained. In addition, no feeding of feral cats should occur on the premises.</p> <p>We appreciate your efforts to work with our office for the conservation of our native species. These comments are general guidelines and should not be considered comprehensive for this site or project. It is the responsibility of the applicant to do their own due diligence to avoid any negative environmental impacts. Should the scope of the project change significantly, or should it become apparent that threatened or endangered species may be impacted, please contact our staff as soon as possible.</p>	<p>Thank you for reviewing the Draft Environmental Assessment and for your comments back. A biological study was conducted for the Site and did not find any ‘ōhi‘a trees on site or little fire ants, coqui frogs, African Tulip, Octopus trees, or trumpet trees. The most abundant plant species in the area include Guinea grass and koa haole, while the most abundant fauna species in the area include goats and spotted doves. Despite the low risk, the movement of soil and plant material will be contained and minimized to greatest extent possible during the construction phase. This will ensure the containment of any fungal pathogens, vertebrate and invertebrate pests, invasive plants and invasive plant parts that could possibly harm native species and ecosystems.</p> <p>The Project recognizes the threat that nonnative predators pose on vulnerable native bird species. Covered trash receptacles will be used during the construction phase of the Project. DHHL will also inform future lessees of the dangers of nonnative predator species. DHHL will also inform the lessees that residents with pet cats be kept indoors or safely contained at all times. In addition, no feeding of feral cats should occur on the premises.</p>
<p>Compliance with Codes and Regulation</p>			

County of Maui Department of Housing & Human Concerns	3/8/2024	Based on our review, we have determined that the project is not subject to Chapter 2.96, Maui County Code, and does not require a residential workforce housing agreement. At the present time the Department has no additional comments to offer.	Thank you for your review of the Draft Environmental Assessment and for your comment. We have noted that the Project does not require a residential workforce housing agreement.
State of Hawaii Department of Education	4/8/2024	<p>Thank you for your letter dated March 6, 2024. The Hawaii State Department of Education (Department) previously provided comments dated November 27, 2023 and would like to provide the following information.</p> <p>Based on the information provided, the Department has determined that the Wailuku Single Family Residential Subdivision Project is exempt from paying the School Impact fees. Pursuant to Hawaii Revised Statute Section 302A-1603, any form of housing developed by the Department of Hawaiian Home Lands for use by beneficiaries of the 1920 Hawaiian Homes Commission Act.</p>	Thank you for your review of the Draft Environmental Assessment and for your comment. We have noted that the DOE has determined that the Project is exempt from paying School Impact fees pursuant to Hawaii Revised Statutes Section 302A-1603, any form of housing developed by the Department of Hawaiian Home Lands.
County of Maui Department of Planning	4/8/2024	<p>The Department of Planning (Department) is in receipt of the above-referenced Draft EA for the Wailuku Single Family Residential Subdivision. For preparation of the Final EA, the Department provides the following comments:</p> <p>The Department notes that the Department of Hawaiian Home Lands (DHHL) has elected to pursue an Archaeological Monitoring Plan. Once completed, the Department is requesting a copy of the accepted plan, as well as a copy of the plan approval by the Department of Land and Natural Resources-State Historic Preservation Division for our files.</p> <p>The proposed traffic mitigation is noted. The Department suggests that you obtain comments from the Department of Public Works, as well as the State Department of Transportation to attempt to further alleviate regional traffic. The amount of units proposed is substantive enough that regional traffic mitigation must be considered.</p> <p>We note the proposed bikeways/pedestrian paths along the roadways. We urge DHHL to consider adding more bikeways/pedestrian paths, in particular to connect subdivisions, similar to the adjacent Kehalani Project District area. It will be much safer and provide another option of getting to/from the area, away from traffic.</p> <p>We recommend that native street trees be planted.</p>	<p>Thank you for your review of the Draft Environmental Assessment and for your comment. Once completed and accepted by SHPD, a copy of the Archaeological Monitoring Plan, as well as a copy of the plan approval by the Department of Land and Natural Resources- State Historic Preservation Division will be sent to the County of Maui Department of Planning. We have also requested comments from the Department of Public Works during the Early consultation period and during the Draft Environmental Assessment 30-day comment period and have not received correspondence. We have also reached out to the State Department of Transportation and they responded that the Project traffic would not have a significant adverse impact on Honopi'ilani Highway intersections. They also support the TIAR (Section 10) recommendations for roadway improvements on county roadways to improve regional traffic conditions. They further state that no recommendations are warranted or proposed for state highways.</p> <p>We have also noted your comment on adding more bikeways/pedestrian paths to connect subdivisions similar to the adjacent Kehalani Project District areas. The design process will best</p>

			<p>try to implement multimodal travel including walking and biking.</p> <p>We have noted your comment about planting native street trees. This Project will implement the planting of Native trees where possible while also preserving the character of the surrounding area.</p>
State of Hawaii Department of Transportation	4/9/2024	<p>1. Thank you for addressing HDOT's early consultation comments (HWY-PL 23-2.3623 dated November 16, 2023) in the DEA.</p> <p>2. The project will be accessed from two driveways on Kuikahi Drive (County jurisdiction). Honoapiilani Highway (State Route 30) is adjacent to the eastern boundary of the site and intersects with Kuikahi Drive at the northeast corner of the site. The site's eastern driveway is approximately 700 feet from the Honoapiilani Highway and Kuikahi Drive intersection. No access driveways are proposed on Honoapiilani Highway; therefore, the project would not have adverse direct impacts on state highways traffic conditions.</p> <p>3. We reviewed the Traffic Impact Assessment Report (TIAR), dated November 6, 2023 (4 of the 22 intersections studied included Honoapiilani Highway). All four intersections operate at overall Level of Service (LOS) C or better during peak traffic hours, under existing conditions. Currently, there are 14 new or expansion of existing developments planned in the site vicinity by 2028, which is the year of project occupancy. The increased number of trips due to regional growth (without project) by 2028 would result in LOS E or F for specific turning movements during peak traffic hours at Honoapiilani Highway intersections with Kehalani Highway and Kuikahi Drive. The overall LOS for these two intersections would be D without the project. The proposed project would increase the traffic volume by less than two percent on Honoapiilani Highway in 2028 during peak traffic hours. The overall LOS at these two intersections remains at D, but some turning movements would experience additional delays with the project. The planned Waiale Road Extension and the Maui Lani Parkway Extension projects are to be completed by 2028 and would mitigate regional traffic conditions. Specifically, the Honoapiilani Highway and Kuikahi Drive intersection would improve overall from LOS D to C, and all turning movements would operate at LOS D or better with or without the project, during peak traffic hours. The Honoapiilani Highway and Kehalani Highway intersection is less affected by the</p>	<p>Thank you for your review of the Draft Environmental Assessment and for your comment. We have noted that HDOT's early consultation comments were addressed in the DEA. We also note that HDOT supports the TIAR recommendations for roadway improvements on county roadways to improve regional traffic conditions. We also note that HDOT has no recommendations warranted or proposed for state highways.</p> <p>We have noted your comment on additional site runoff and will ensure that any additional stormwater runoff from the Site shall be managed</p>

	<p>planned roadway extensions and remains overall at LOS D, with or without the project. The project traffic would not have a significant adverse impact on the Honoapiilani Highway intersections. We support the TIAR (Section 10) recommendations for roadway improvements on county roadways to improve regional traffic conditions. No recommendations are warranted or proposed for state highways.</p> <p>4. The DEA (Section 3.8.3) describes an increase in site runoff of 117.5 cubic feet per second. No additional discharge of surface water run-off onto the Honoapiilani Highway right-of-way is permitted. This includes the use of the existing state drainage culverts and channels. All additional stormwater runoff from the project site shall be managed and mitigated onsite or diverted from Honoapiilani Highway.</p> <p>5. Utility improvements are proposed within the Honoapiilani Highway right-of-way and the HDOT permits are required, as noted in Draft EA Section 3.9.</p> <p>6. The proposed residence project is approximately 3.52 miles from the property boundary of Kahului Airport (OGG). All projects within 5 miles from Hawaii State airports are advised to read the Technical Assistance Memorandum (TAM) for guidance with development and activities that may require further review and permits. The TAM can be viewed at this link: http://files.hawaii.gov/dbedt/op/docs/TAM-FAA-DOTAirports_08-01-2016.pdf.</p> <p>7. Federal Aviation Administration (FAA) regulation requires the submittal of FAA Form 7460-1 Notice of Proposed Construction or Alteration pursuant to the Code of Federal Regulations, Title 14, Part 77.9, if the construction or alteration is within 20,000 feet of a public use or military airport which exceeds a 100:1 surface from any point on the runway of each airport with its longest runway more than 3,200 feet. Construction equipment and staging area heights, including heights of temporary construction cranes, shall be included in the submittal. The form and criteria for submittal can be found at the following website: https://oeaaa.faa.gov/oeaaa/external/portal.jsp. Please provide a copy of the FAA response to the Part 77 analysis to the HDOT Airport Planning Section.</p> <p>8. Due to the project's proximity to OGG, the applicant and future beneficiaries should be aware of potential single event noise from aircraft operations. There is also a potential for fumes, smoke, vibrations, odors, etc., resulting from occasional aircraft flight</p>	<p>and mitigated onsite or diverted from Honoapiilani Highway.</p> <p>The Project will require utility improvements. The proper HDOT permits will be secured before utility improvement work within the Honoapiilani Highway right-of-way.</p> <p>The Project also lies within 3.52 miles from the Kahului Airport (OGG) property boundary and will read the Technical Assistance Memorandum (TAM).</p> <p>The Federal Aviation Administration (FAA) requires the submittal of FAA Form 7460-1 Notice of Proposed Construction or Alteration pursuant to the Code of Federal Regulations, Title 14, Part 77.9 if the Project is within 20,000 feet of a public use or military airport which exceeds a 100:1 surface from any point on the runway. However, this Project will not exceed a 100:1 surface from any point on the runway and therefore does not require the submittal of an FAA Form 7460-1 (Please see <i>Figure 3-18 Flight pathways from Kahului Airport</i>)</p> <p>We have noted your comment and future lease holders will be made aware of potential single event noise from aircraft operations. They will also be made aware of potential for fumes, smoke, vibrations, odors, etc., resulting from occasional aircraft flight operations over or near the project.</p>
--	--	---

		<p>operations over or near the project. These incidences may increase or decrease over time and are dependent on airport operations.</p> <p>9. If a solar energy photovoltaic (PV) system is going to be installed, be aware that PV systems located in or near the approach path of aircrafts can create a hazardous condition for pilots due to possible glint and glare reflected from the PV panel array. If glint or glare from the PV array creates a hazardous condition for pilots, the owner of the PV system shall be prepared to immediately mitigate the hazard upon notification by the HDOT and/or FAA. The FAA requires a glint and glare analysis for all solar energy PV systems near airports.</p> <p>The www.sandia.gov/glare website has information and guidance with the preparation of a glint and glare analysis. A separate FAA Form 7460-1 will be necessary for the solar energy PV system. After the FAA determination of the Form 7460-1 glint and glare analysis, a copy shall be provided to the HDOT Airport Planning Section by the owner of the solar energy PV system. Solar energy PV systems have also been known to emit radio frequency interference (RFI) to aviation-dedicated radio signals, thereby disrupting the reliability of air-to-ground communications. Again, the owner of the solar energy PV system shall be prepared to immediately mitigate the RFI hazard upon notification by the HDOT and/or FAA.</p> <p>10. The proposed development shall not provide landscape and vegetation that will create a wildlife attractant, which can potentially become a hazard to aircraft operations. Please review the FAA Advisory Circular 150/5200-33C, Hazardous Wildlife Attractants On Or Near Airports for guidance. If the project's landscaping creates a wildlife attractant, the developer shall immediately mitigate the hazard upon notification by the HDOT and/or FAA.</p>	<p>We also note that these incidences may increase or decrease over time and are dependent on airport operations.</p> <p>Solar energy photo voltaic (PV) systems may be offered as an option on the residential homes. If any lease holder would like to incorporate PV for their homes, they will be made aware that they may be required to complete a glint and glare analysis and the need for a separate FAA form 7460-1. They will also be made aware that they may be required to mitigate any impacts caused by glint and glare and radio frequency interference (RFI).</p> <p>The Project's landscaping and vegetation does not intend to create a wildlife attractant. DHHL will review the FAA Advisory Circular 150/5200-33C, Hazardous Wildlife Attractants On Or Near Airports for guidance. If the project's landscaping creates a wildlife attractant, DHHL shall immediately mitigate the hazard upon notification by the HDOT and/or FAA.</p>
Comments in Support			
Pu'uhona Hawaiian Homestead Association	3/12/2024	I fully support this initiative which aims to provide housing for native Hawaiian families. After reviewing the project EA, I find no issues or objections. The assessment adequately addresses the project's impacts, which are not deemed significant and are typical for any housing project. Moreover, any potential minor impacts are overshadowed by the urgent need of DHHL beneficiaries who have been awaiting access to land for decades. Increasing the housing inventory through projects like this one will also alleviate Maui's	Thank you for your review of the Draft Environmental Assessment and we thank you for your support on the Project.

		housing shortage, providing long-term housing solutions for our hardworking local families.	
Ginger Kapaku (Private Citizen)	3/26/2024	I'm glad what I read for Maui to move on to next step. There's so much to read but action is moving on to next project to have native Hawaiian on Hawaiian Home Lands. I am one is waiting very patiently .	Thank you for your review of the Draft Environmental Assessment and we thank you for your support on the Project.
No Comment			
State of Hawaii, Department of Accounting & General Services	3/13/2024	No comment.	Thank you for your review of the Draft Environmental Assessment and for your comment.
State of Hawaii, Department of Health, Clean Air Branch	3/18/2024	The Department of Health Clean Air Branch has no further comments on the subject DEA-AFNSI.	Thank you for your review of the Draft Environmental Assessment and for your comment.
State of Hawaii, Office of Planning & Sustainable Development	4/4/2024	The Office of Planning and Sustainable Development (OPSD) previously commented on the project during the early consultation period. OPSD finds that the DEA has addressed our suggestion regarding an alternate subdivision design and has no further comment.	Thank you for your review of the Draft Environmental Assessment and for your comment.
State of Hawaii, Department of Land and Natural Resources: Engineering Division	4/5/2024	We have no additional comments	Thank you for your review of the Draft Environmental Assessment and for your comment.
County of Maui Department of Fire & Public Safety	4/9/2024	Thank you for the opportunity to review your project. At this time, the Fire Prevention Bureau has no comments.	Thank you for your review of the Draft Environmental Assessment and for your comment.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 20, 2024

TO: Chairman and Members, Hawaiian Homes Commission

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

FROM: Michelle Hitzeman, HALE Manager
Housing Project Branch

SUBJECT: Approval of Lease Award

RECOMMENDED MOTION/ACTION

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

DISCUSSION

Pi'ilani Mai Ke Kai Subdivision Phase II – Residential Vacant Lots – Anahola, Kauai

<u>NAME</u>	<u>APPL DATE</u>	<u>LOT NO</u>	<u>TAX MAP KEY</u>	<u>LEASE NO</u>
CLARENCE C.K. ENOKA	01/05/1973	3	(4) 4-8-022-092	13082
JOY K STEDMAN	04/11/1990	31	(4) 4-8-022-120	13083



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

West Hawai'i Project Updates

ITEM E-3 - For Information Only

May 20-21, 2024

CURRENT DEVELOPMENT VILLAGES OF LA'I 'ŌPUA, KEALAKEHE, HAWAI'I

La'i 'Ōpua Rent with Option to Purchase (RWOTP)

- Village 4 Akau.
- 84 rentals completed.
- 32 rentals. Orientation FY25.

La'i 'Ōpua Village 4 Hema

- Infrastructure completed.
- 125 Turnkey. Orientation FY25Q2.

La'i 'Ōpua Village 5

- 42 Turnkey occupied.
- 20 Habitat homes occupied.
- 45 Turnkey. Orientation FY25Q2.
- 10 Self-Help.



Rent with Option to Purchase at Village 4 'Akau

- Subdivision of 116 Residential Lots
- Infrastructure Cost: \$10,346,493.00

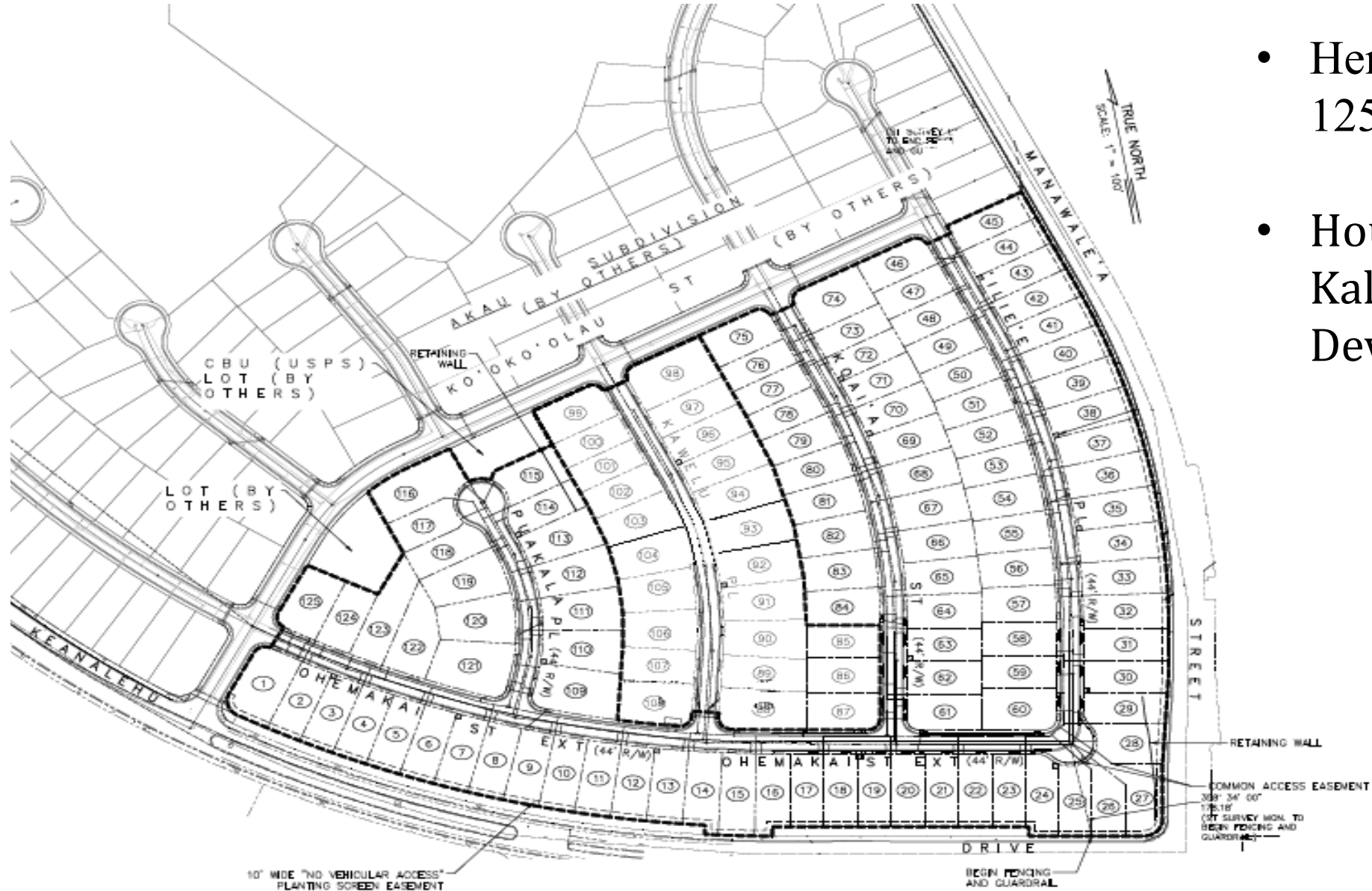


- Housing Developer: Ikaika Ohana (construction by Coastal Construction)
- Rent with Option to Purchase program for 30%, 40% and 60% Area Median Income qualifying families
- 15 year rental compliance period
- Phase 1: 60 homes – Occupied early 2022
- Phase 2: 24 homes – Occupied in 2023
- Phase 3: 32 homes – Projected for construction



La'i 'Ōpua Village 4, Phase 2 - Hema Subdivision Layout

- Hema Subdivision:
125 lots
- Housing Developer:
Kalaniana'ole
Development





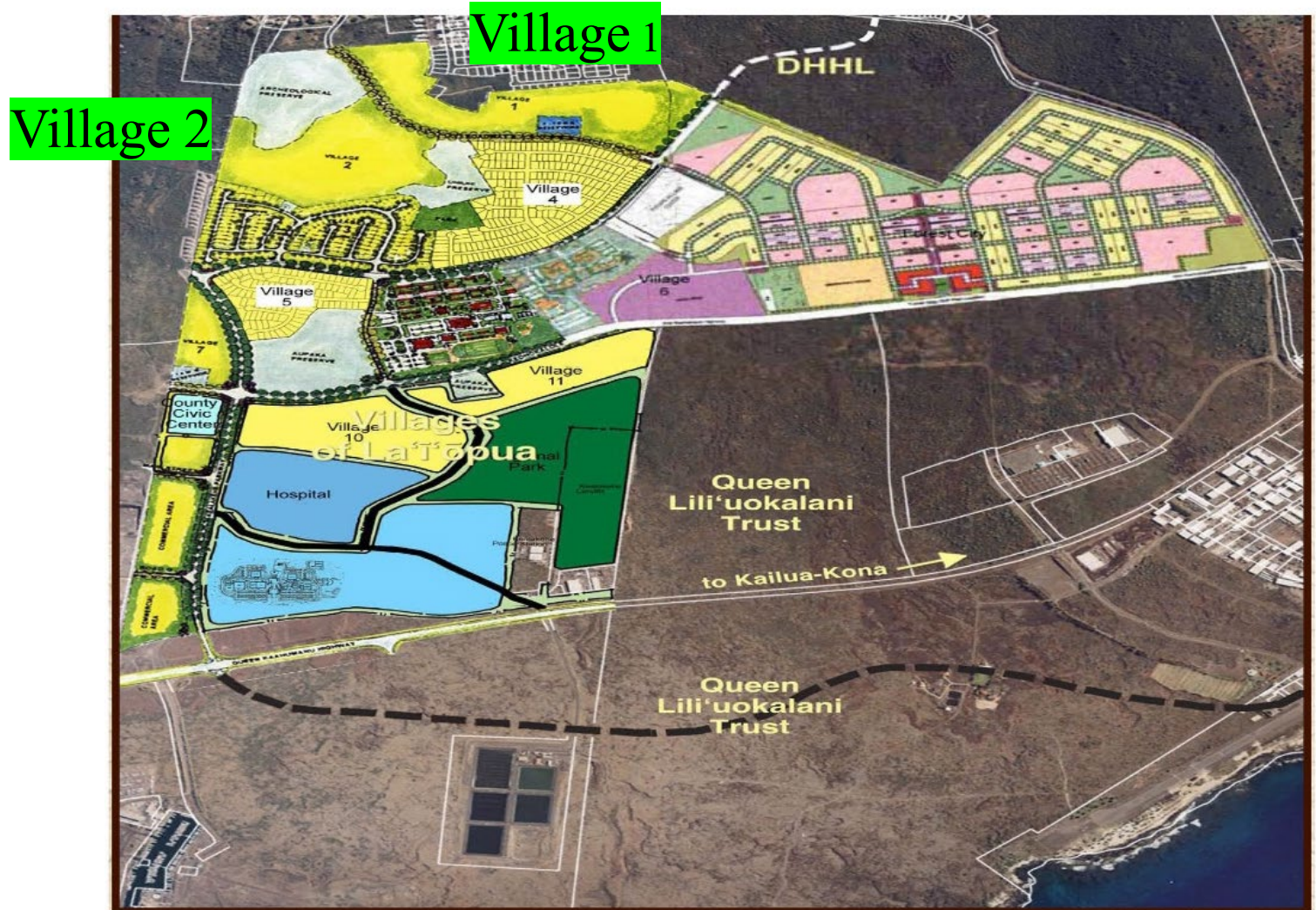
Future La'i 'Ōpua Residential Development

La'i 'Ōpua Village 2

- Start Environmental Compliance and Engineering Designs, subject to funding
- Approximately 200 lots

La'i 'Ōpua Village 1

- Start Environmental Compliance and Engineering Designs, subject to funding
- Approximately 200 lots





Lālāmiilo Phase 1

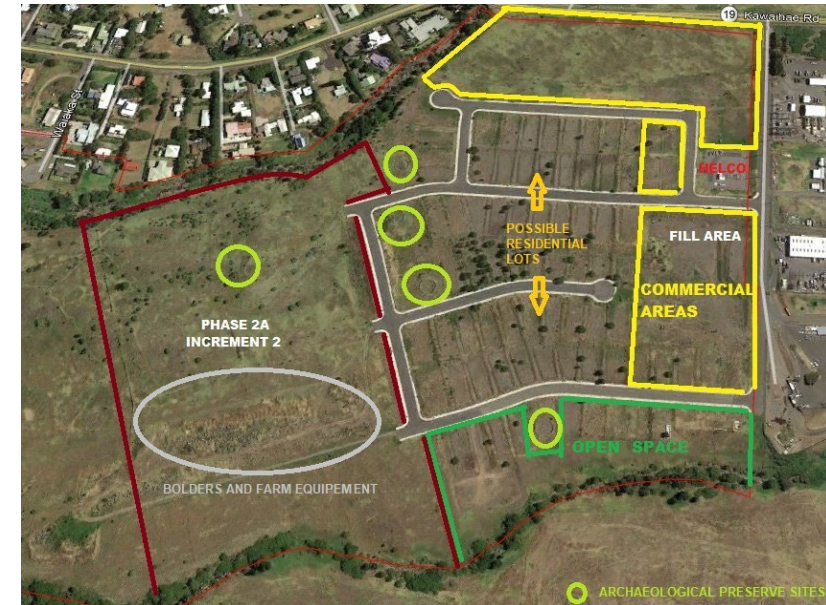
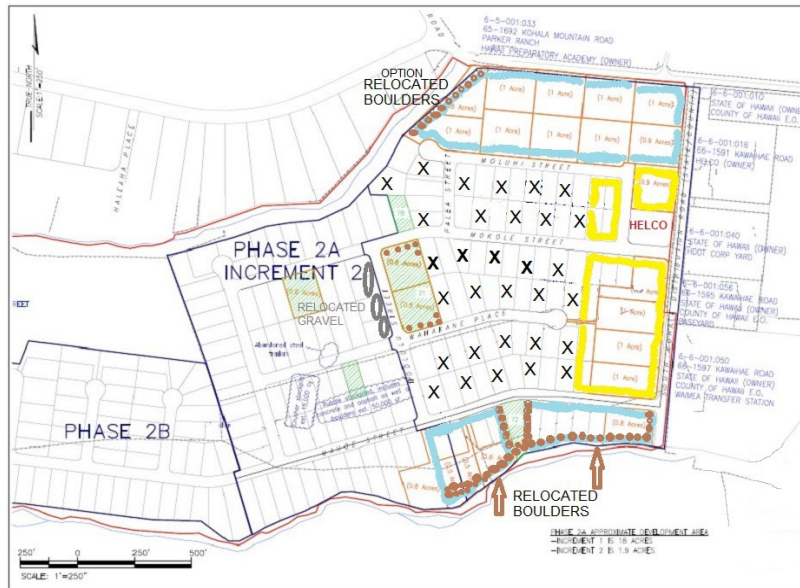
STANDING INVENTORY AND VACANT LOTS AT LĀLĀMILO PHASE 1





LĀLĀMILO PHASE 2 – INCREMENT 1

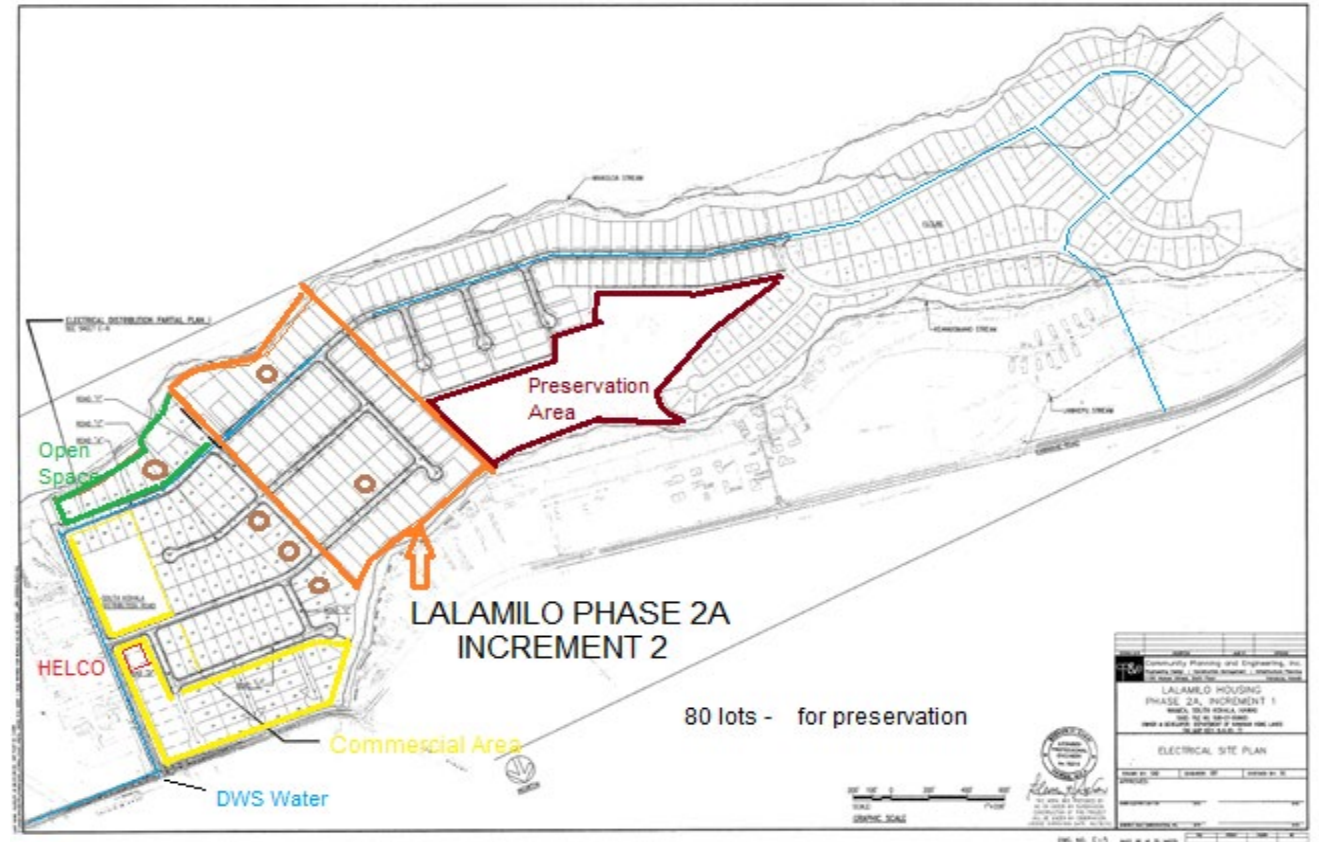
- LALAMILO SOIL TESTING COMPLETED BY ELEMENT ENVIRONMENTAL
- LAB RESULTS REVIEWED BY DOH-HEER AND CLEARED RESIDENTIAL LOTS RESULTS INDICATE NO SIGNIFICANT CONTAMINANTS
- NEGOTIATIONS WITH GOODFELLOW BROS., LLC WILL BE SCHEDULED SOON
- COMMERCIAL AREAS TO BE DEVELOPED BY LMD





LĀLĀMILO PHASE 2 – INCREMENT 2

- LALAMILO PHASE 2A – INCREMENT 2 WILL START THE DESIGN PHASE WITH CONSULTANT – CPE (Community Planning and Engineering, Inc.)
- INCREMENT 2 PLANS FOR ABOUT 80 RESIDENTIAL LOTS (APPROX. 10,000 SQ. FT.) WITH 2 PRESERVATION LOTS
- USACE to provide signs to warn the public of UXO areas



LĀLĀMILO PHASE 2 – UXO SURVEYS

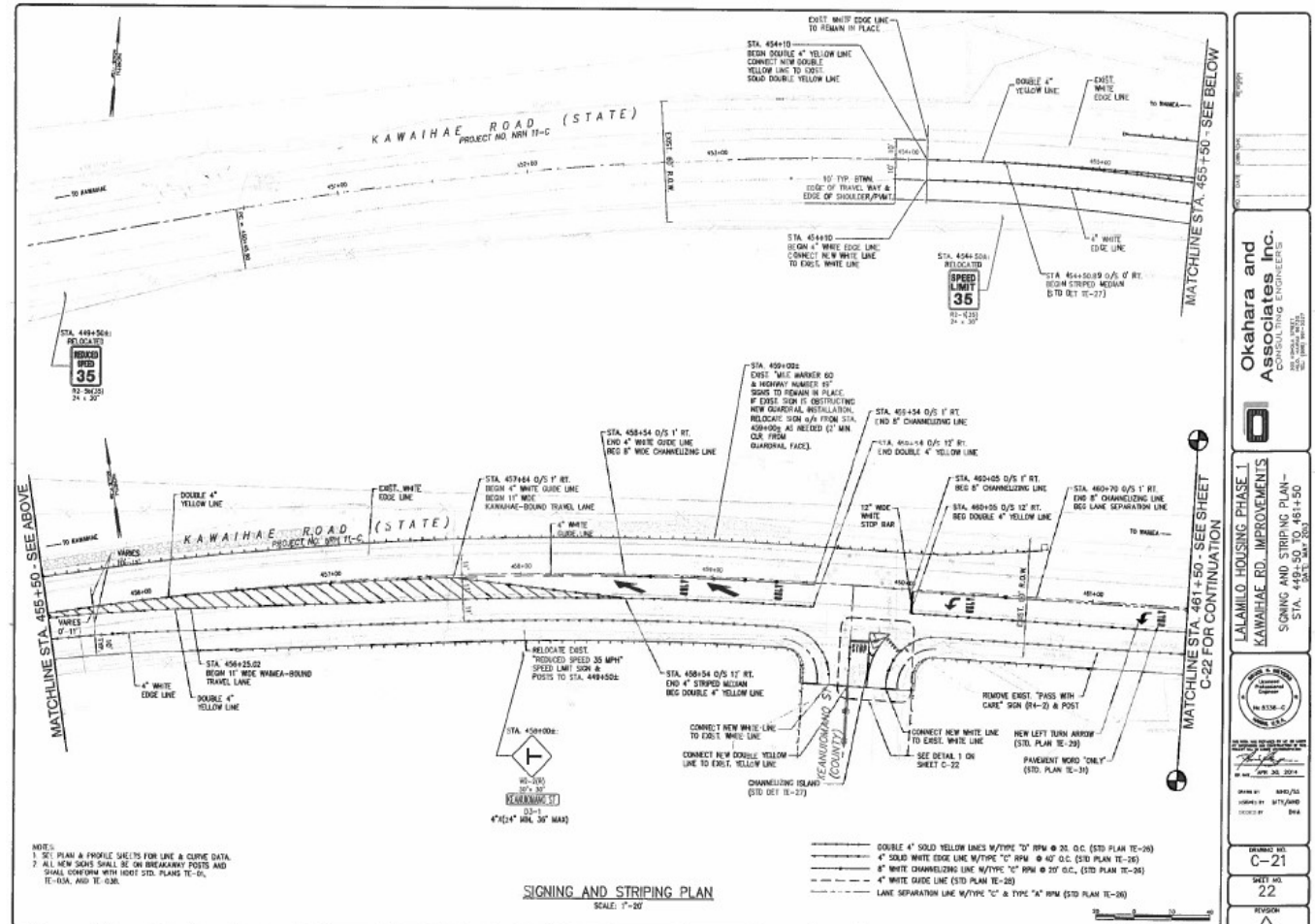
- USACE Contract with ERRG is complete with SDOH-HEER presenting a CNFA letter to DHHL for most of TMK: (3) 6-6-001:077 with excep for the streams marked in pink.
- Contract with HGL to return week of May 20, 2024 to continue follow-up on remnant areas along the streams.
- The DRAFT UXO Part 2 Survey Report done by HGL will be presented to DOH and public RAB meeting on May 22, 2024.





Lālāmiilo Phase 1 – Kawaihae Road

KAWAIHAE ROAD IMPROVEMENTS AT KEANUIOMANU ST. INGRESS/EGRESS REASSESSMENT OF CONSTRUCTION CONTRACT



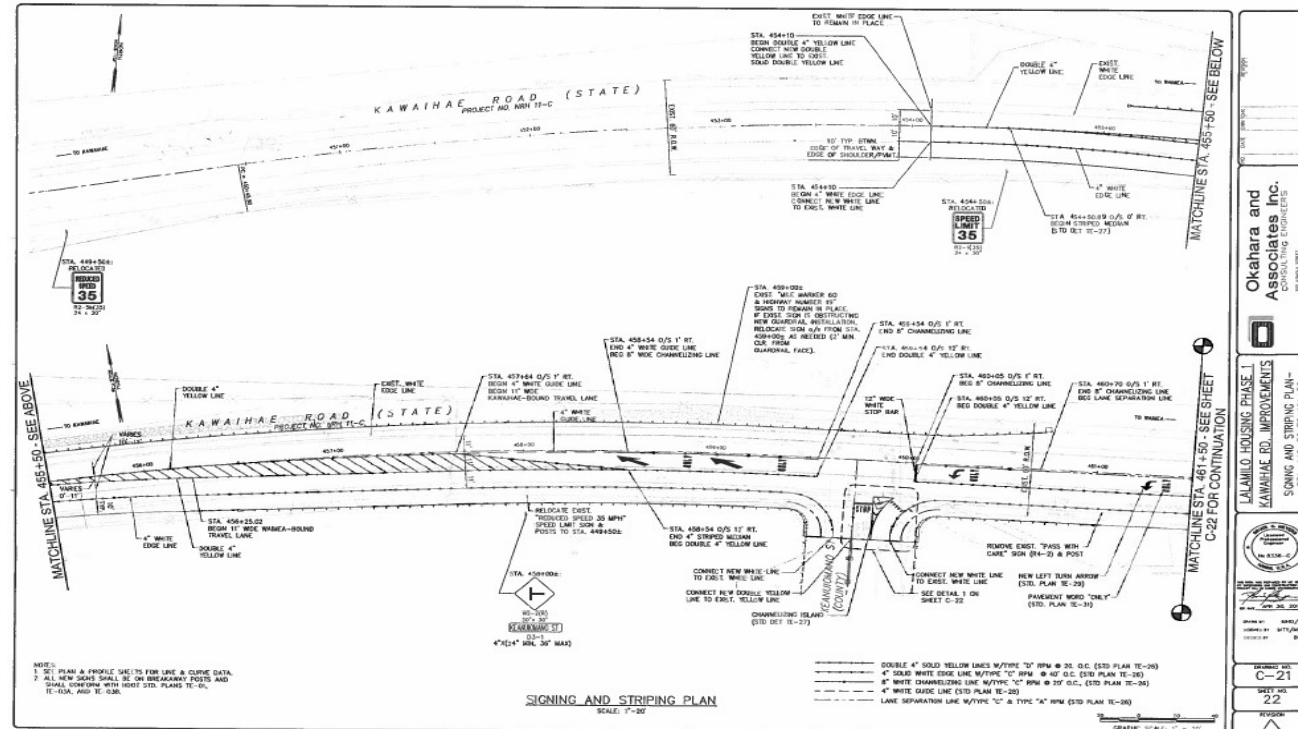
Okahara and Associates Inc.
 CONSULTING ENGINEERS
 1000 KAWAIHAE RD., SUITE 200
 KAWAIHAE, HI 96741
 PHONE: (808) 885-1111
 FAX: (808) 885-1112
 WWW: WWW.OKAHARA.COM

**LALAMILO HOUSING PHASE 1
 KAWAIHAE RD. IMPROVEMENTS
 SIGNING AND STRIPING PLAN -
 STA. 455+50 TO STA. 461+50**

DATE: 08/26/2014
 DRAWING NO: C-21
 SHEET NO: 22
 REVISION:

LĀLĀMILO PHASE I - KAWAIHAE ROAD IMPROVEMENTS

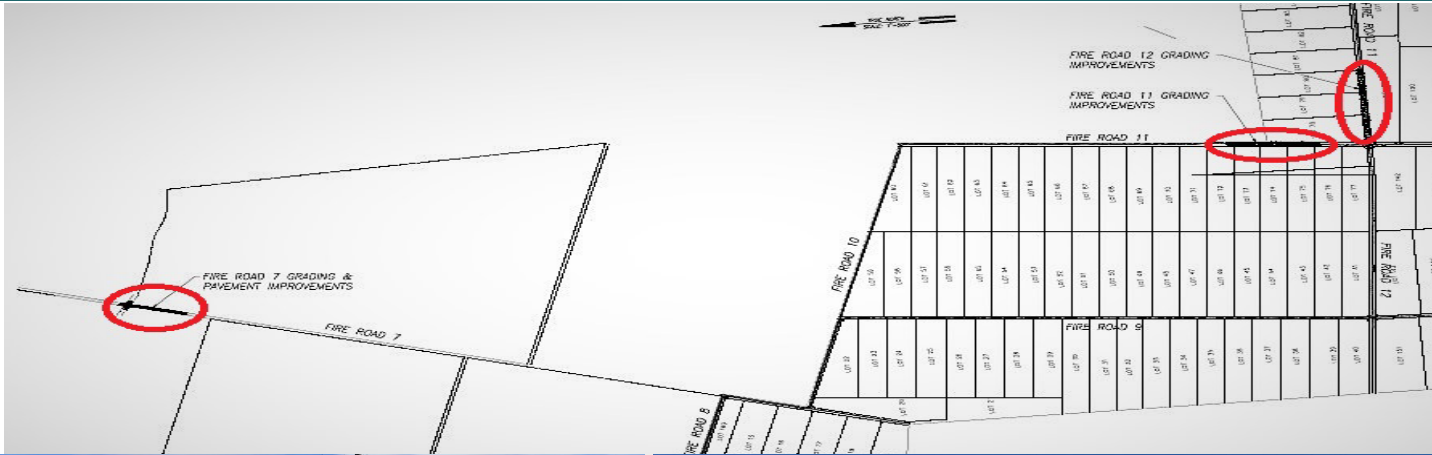
- CONTRACT WITH GOODFELLOW BROS. LLC HAS BEEN ON HOLD SINCE 2014
- RELOCATION OF HAWAIIAN TELCOM POLES BEING NEGOTIATED
- HTC HAS UNRESOLVED ISSUE WITH FIBER OPTIC LINE PURCHASED THRU SIC
- DELAY CLAIMS BY CONTRACTOR TO BE NEGOTIATED





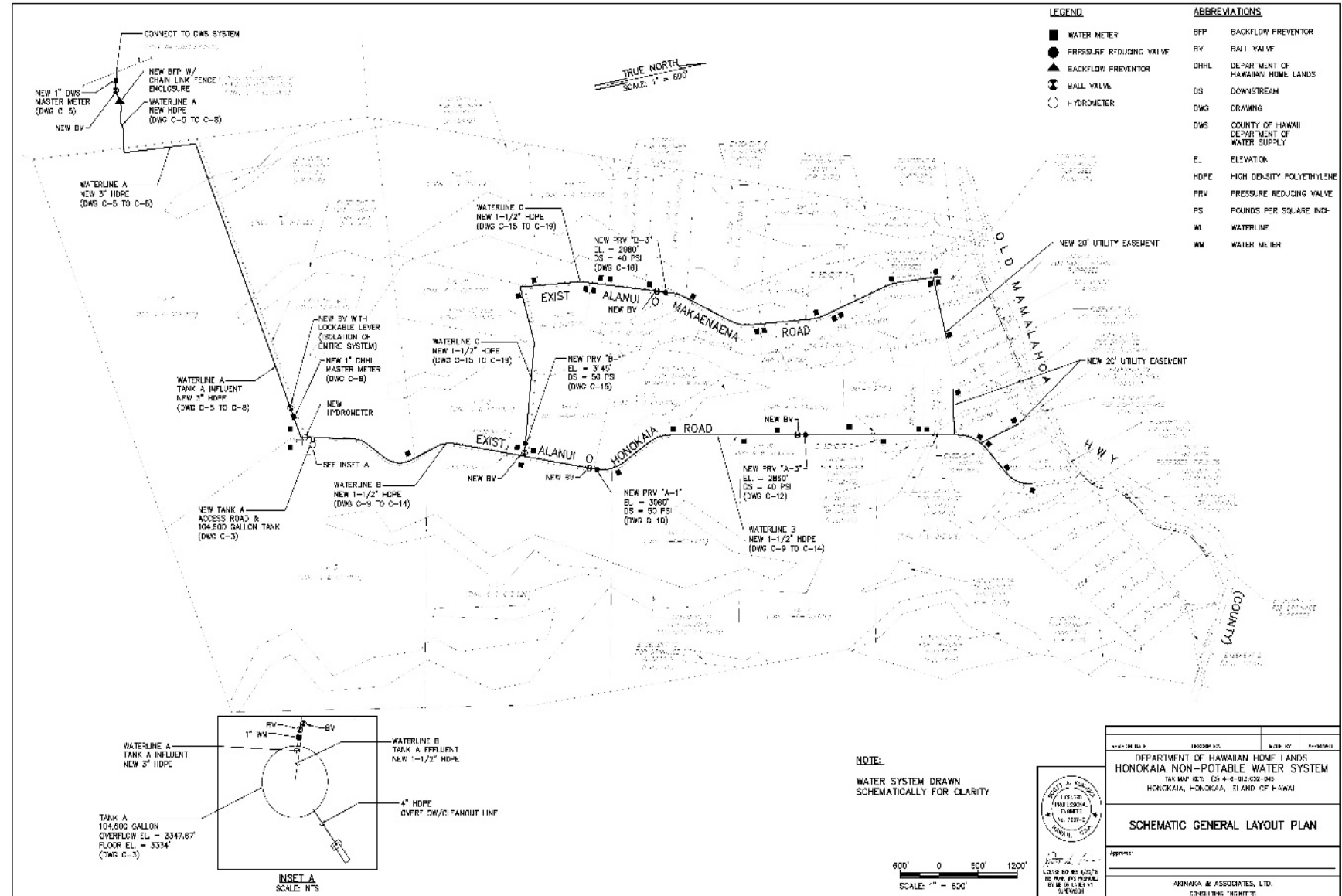
PU'UKAPU PASTORAL LOTS ADDITIONAL ROAD IMPROVEMENTS

- Construction Cost Est.: \$450,000.00
- Construction was completed in 2022
- WHDO meeting to start commencement date



Honokaia Non-Potable Stock Water System

- DHHL Settlement with Honokaia Ohana (Wai Ola Honokaia)
- Non-Potable stock water system to serve 42 lots.
- Wai Ola Honokaia rejected spigot alternative
- Wai Ola Honokaia to new plan for discussion with community.
- Isemoto Contracting Co. Cost: \$1,069,756.00.
- Negotiating added scope, escalation and delays.
- DHHL responsible for major repairs over \$2,000
- DHHL internal committee review May 2023.





PU'UKAPU NON-POTABLE WATER SYSTEM

REPAIRS/IMPROVEMENTS TO DIESEL PUMP, SOLAR PV AND TANK 3 LINER AND BYPASS TANK ARRAY.



System Assessment by Rider, Levitt, Bucknall in process

- Resolve PV setback requirements
- Tank 3 Liner replacement in progress
 - Bypass tanks completed
- Procure additional liners for other tanks.





Mahalo



DEPARTMENT OF HAWAIIAN HOME LANDS

www.dhhl.hawaii.gov/po

**HAWAIIAN HOMES COMMISSION
MAY 20 & 21, 2024**

F – ITEMS


LAND MANAGEMENT DIVISION


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 20-21, 2024

To: Chairman and Members, Hawaiian Homes Commission

Thru: Linda Chinn, Acting Administrator
Land Management Division 

From: Peter "Kahana" Albinio, Jr., General Professional VI
Land Management Division 

Subject: Approval to Annual Renewal of Right of Entry Permit(s) and Conversion to Revocable Permits, North & West Hawai'i Island

RECOMMENDED MOTION/ACTION: That the Hawaiian Homes Commission (HHC) approve the following actions:

- A) Renew all North & West Hawaii Island Right of Entry Permit(s) as listed on Exhibit "A" and identified by approximate location on the North & West Hawai'i Island Map Exhibit "A-1" that are in compliance, as of June 1, 2024.
- B) Pursuant to the Hawaiian Homes Commission approval of LMD Agenda Item No. F-1, at its regularly scheduled monthly meeting held on April 21-22, 2024, all renewed North & West Hawaii Island Right of Entry Permit(s) that have met compliance in accordance with its respective agreement shall be converted to Revocable Permits. Inspection report is referenced under Exhibit "B" attached hereto.
- C) The revocable permit annual renewal period shall be on a month-to-month basis, for up to twelve (12) months, but no longer than May 31, 2025 or at the next scheduled HHC meeting in North or West Hawai'i island whichever occurs sooner.
- D) Authorize the Chairman to negotiate and set forth other terms and conditions that may be deemed to be appropriate and necessary.

DISCUSSION

This submittal represents annual renewals for all North & West Hawai'i Island ROE permit(s) only, which shall effectively expire on May 31, 2024. As a means of maintaining a process by which PERMITTEE'S can be assured that their permits have been renewed, notification letters will be transmitted accordingly.

For information purposes Exhibit "A" references all Right of Entry Permits in North & West Hawai'i Island by order of commencement date, land use, then by acreage which will be converted to Revocable Permits. While permits generate additional revenue to the Trust, its primary purpose provides DHHL the ability to efficiently manage its lands through the issuance of these short-term dispositions which are typically not needed for longer-term dispositions (such as homesteading or general leases) over a 20-year time period or as dictated by DHHL's respective island plans. DHHL's total North & West Hawai'i

Island land inventory covers approximately 40,282.0 acres¹ or 20% of DHHL’s statewide inventory. The short-term disposition(s) cover approximately 9,508.0 acres or 24% of its inventory.

Revocable Permits help in having presence on DHHL lands thereby reducing costs for land management activity functions (i.e. signage, landscaping, fencing, removing trash and derelict vehicles, and prevents trespassing on unencumbered lands) that DHHL would bear if the lands were to sit vacant. Permittees are required to assume responsibility for the land, post insurance, indemnify the department, and manage and maintain the land.

In 2013 during the interim process approved by the HHC, all RPs in compliance with terms and conditions of the permits were converted to Right-of-Entry permits until the new RP Program was approved and adopted. Right-of-Entry permits are meant for short term dispositions prior to other longer-term dispositions and should be as-needed for specific projects, and are not the right type of disposition for the month-to-month use of Hawaiian home lands.

With this approval of the new Revocable Permit Program, LMD recommended that all the Right-of-Entry permits carried over from the old program or permits issued or renewed under the Interim Process should be converted to Revocable Permits, which is the proper documentation for the short-term disposition authorized under Section 171-55, HRS, as amended.

Staff have conducted site visits to all North & West Hawaii Island right-of-entry permit parcels and affirms full compliance and recommends the conversion to Revocable Permits.

The table below reflects the revenue generated from ROE permit(s) on North & West Hawaii Island, which is approximately 3.0% (\$78,837) of the ROE total revenues (\$2,809,387) that DHHL receives statewide. Hawaii Island holds 9 of the 145 ROE permits Statewide which are used for various purposes outside of industrial/commercial use.

FY 2024		Total
Agriculture	\$0	-
Caretaker/Landscape	\$0	-
Commercial	\$33,015	3
Community	\$0	-
Industrial	\$0	-
Office	\$0	-
Pastoral	\$44,317	5
Preservation	\$0	-
Recreation	\$3	-
Research	\$0	-
Stabling	\$0	-
	\$78,837	8

LMD respectfully recommends maintaining current rental rates without any increase for beneficiaries. However, a modest increase would be applied to non-beneficiary rental rates by 3.0%.

Rental fees for agricultural and pastoral use permits vary and are typically established at less than fair market rates (discounted) but not less than \$240/annum due to various site issues such as, insufficient/no infrastructure, no legal access, substandard lot size or irregular shape, etc.

¹ DHHL Hawaii Island Plan – Final Report, PBR Hawaii, May 2002

May 2024

AUTHORITY / LEGAL REFERENCE:

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

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

RECOMMENDATION:

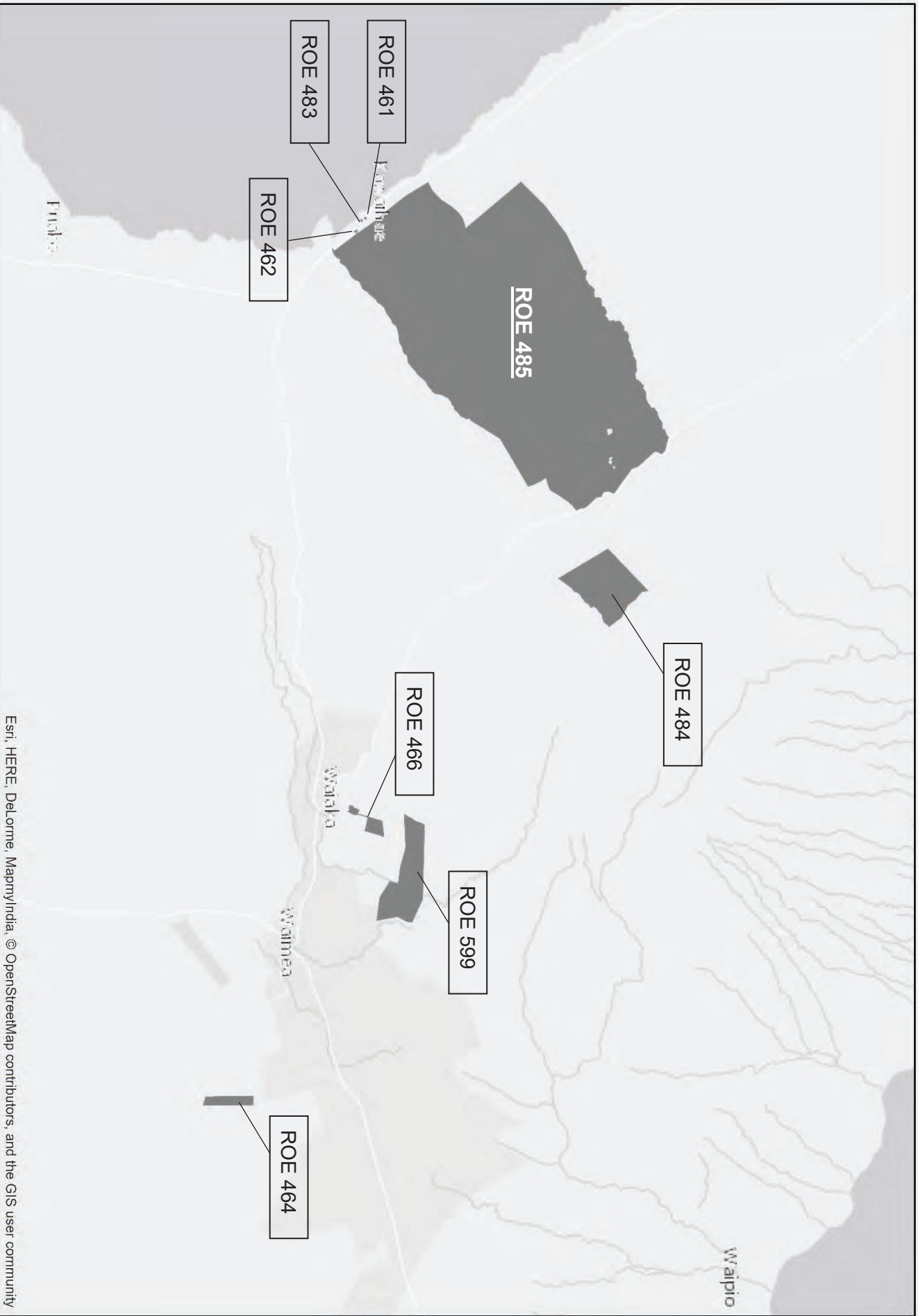
Land Management Division respectfully requests approval of the motion as stated.

RIGHT OF ENTRY PERMITS - NORTH & WEST HAWAII ISLAND, as of MAY 2024

RIGHT OF ENTRY PERMITS - NORTH & WEST HAWAII ISLAND, as of MAY 2024							Denotes Beneficiary	Denotes Delinquent
NO.	ACRE	USE	PERMITTEE/ADDRESS	TMK	Date Started	Current Annual Rent	Proposed Annual Rent	Comments: rent amount and reasons (site issues - insufficient/no infrastructure, no legal access, substandard lot size or irregular shape, etc.)/why no long-term disposition
461	0.54	Commercial	Edward J. Laau/Naomi K. Peck	(3) 6-1-003:018 Kawaihae	7/1/1989	\$13,497	-	Rent is current; portion of a larger parcel that is designated Special District Use. Insufficient infrastructure.
462	0.67	Commercial	Kawaihae Spirits	(3) 6-1-002:066 and:068 Kawaihae	2/20/1990	\$13,705	\$14,116	Rent is current; portion of a larger parcel that is designated Subistence Agricultural Use. Insufficient infrastructure.
464	50.00	Pastoral	Marian Kapuniai	(3) 6-4-038:007 (p) Puukapu	12/29/2012	\$900	-	Rent is current; portion of a larger parcel that is designated Special District Use. Insufficient infrastructure.
466	105.73	Pastoral	Malama Solomon	(3) 6-5-001:010 (p) Waimea	1/1/2000	\$1,260	-	Rent is current; parcel that is designated Community Use.
483	0.56	Commercial	Guy Startzman	(3) 6-1-003:003 Kawaihae	2/14/2011	\$7,002	\$7,212	Rent is current; portion of a larger parcel that is designated Special District Use. Insufficient infrastructure.
484	1420.00	Pastoral	Kahua Ranch	(3) 6-1-001:002 (p) Kawaihae	2/1/2011	\$6,365	\$6,556	Rent is current; parcel that is designated Community Use.
485	7600.00	Pastoral	Palekoki Ranch, Inc.	(3) 6-1-001-003 (p)	6/1/2011	\$31,620	-	Rent is current; portion of a larger parcel that is designated General Agriculture & Special District Use. Insufficient infrastructure.
599	381.00	Pastoral	Parker Ranch	(3) 6-5-001:011 & :019	7/1/1977	\$4,488	\$4,623	Rent is current; portion of a larger parcel that is designated General Agricultural Use. Insufficient infrastructure.

Denotes Beneficiary

Exhibit "A"
Item No. F-1



Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

Exhibit "A-1"

Agenda Item No. F-1

Exhibit B
Item No. F-1

PROPERTY INSPECTION REPORT

GL/L/ROE/RP NO.: ROE 481	ADDRESS: P. O. Box 491	BY: Linda Chinn
NAME: Edward & Naonni Laau	TMK/ZONING: (3) 6-1-003.018	PERMITTED USE: Commercial
LOCATION: Kawaihae	AREA: 0.540 A	COI/BOND: Current, Provided 5/4/2024
RENTAL CURRENT: Paid in full 5/4/2024	DCCA COMPLIANT: n/a	DATE: 05/03/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting		In decent shape	No action needed	
2. Fence or wall		Barbed wire fence with goats		
3. Site work				
4. Tenant sign(s)				
5. Other Info/Illegal Structure(s)		none		
GENERAL				
1. Landscaping			No action needed	
2. Housekeeping				
3. Parking/Driveway				
4. Land Use Compliance		Yes		
5. Environmental Compliance Concerns		None		
6. Miscellaneous	No retail activities	Only used as cold storage facility		
SUBLESSEE(S) OF RECORD				
None				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 462	ADDRESS: P. O. Box 537, Hawi, Hawaii 96719	BY: Linda Chinn
NAME: Kawaihae Spirits, Inc. dba Touching the Earth LLC	TMK/ZONING: (3) 6-1-002,066 & 068 (P)	PERMITTED USE: Commercial
LOCATION: Kawaihae	AREA: 0.670 A	COI/BOND: Last certificate in 2019
RENTAL CURRENT: \$13,705.00 (current)	DCCA COMPLIANT:	DATE: 05/03/2024

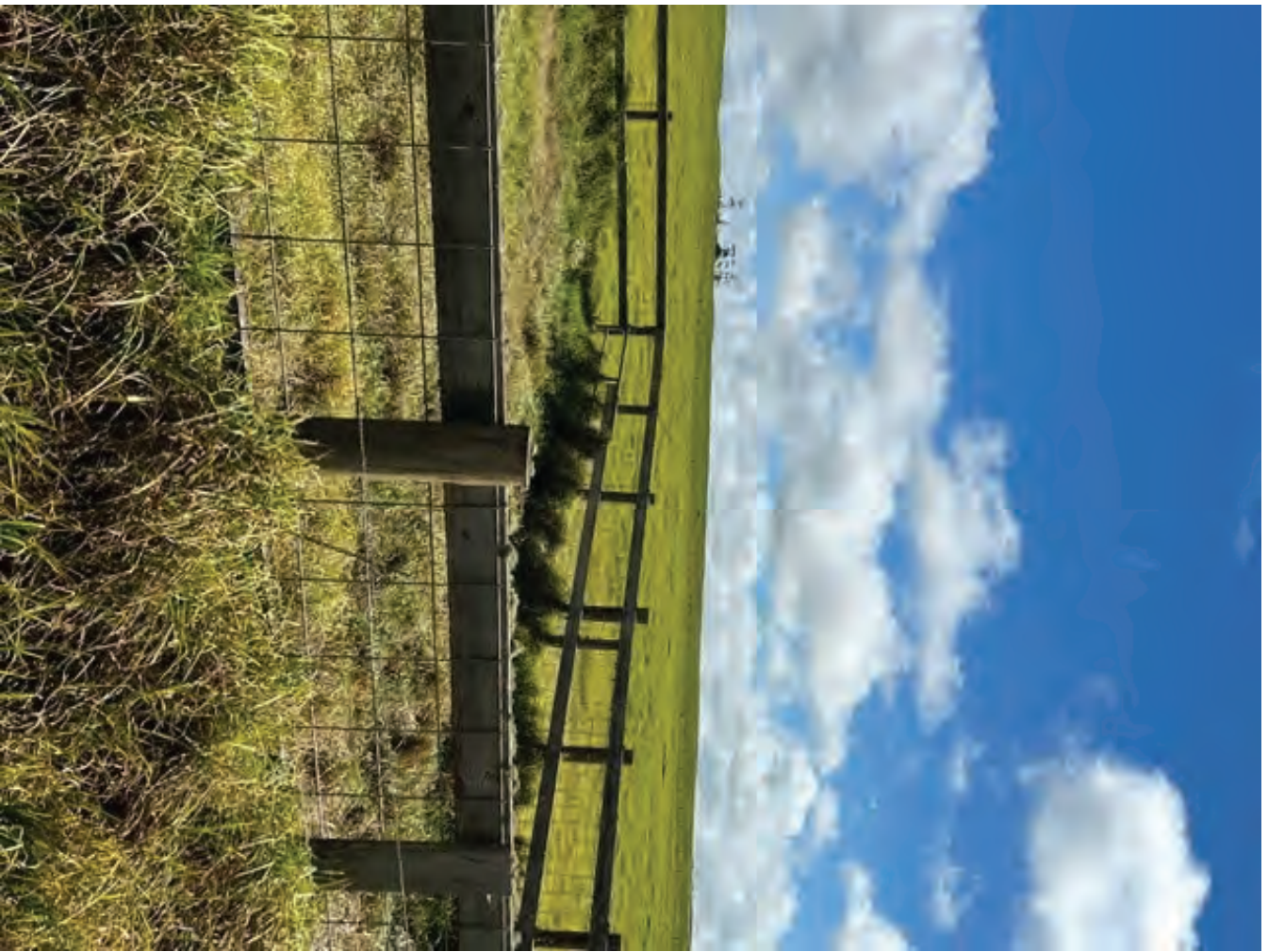
ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting		ROE area in good condition	No follow action needed	
2. Fence or wall				
3. Site work				
4. Tenant sign(s)		Visible		
5. Other Info/Illegal Structure(s)		None		
GENERAL				
1. Landscaping		Limited - no overgrowth	No follow action needed	
2. Housekeeping				
3. Parking/Driveway		In good condition		
4. Land Use Compliance		Yes		
5. Environmental Compliance Concerns		None		
6. Miscellaneous		No COI	Notify Permittee to submit	
SUBLESSEES(S) OF RECORD				
		None		



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: ROE 464	ADDRESS: P. O. Box 6753, Kamuela, Hawaii 96743	BY: Linda Chinn
NAME: Manan Kapunial	TMK/ZONING: (3) 6-3-038-007 (p)	PERMITTED USE: Pastoral
LOCATION: Puukapu	AREA: 50 A	COI/BOND: Expire 11/2024
RENTAL CURRENT: \$900.00 (current)	DCCA COMPLIANT: n/a	DATE: 05/08/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	n/a		No follow up action	
2. Fence or wall		good condition		
3. Site work	n/a			
4. Tenant sign(s)	n/a			
5. Other Info/Illegal Structure(s)	none			
GENERAL				
1. Landscaping		good condition with cattle	No follow up action	
2. Housekeeping	n/a			
3. Parking/Driveway	n/a			
4. Land Use Compliance	yes			
5. Environmental Compliance Concerns	none			
6. Miscellaneous				
SUBLESSEES) OF RECORD				



PROPERTY INSPECTION REPORT

GL/L/ROE/RP NO.: ROE 466	ADDRESS: P. O. Box 5719, Kaneohe, Hawaii 96743	BY: Linda Chin
NAME: Malama Solomon	TMK/ZONING: (3) 6-5-001:0710 (p)	PERMITTED USE: Pastoral
LOCATION:	AREA: 105.727 A	CO/BOND: Current
RENTAL CURRENT: \$1,260.00 (current)	DCCA COMPLIANT: n/a	DATE: 05/08/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	n/a			
2. Fence or wall	yes	In good condition		
3. Site work	n/a			
4. Tenant sign(s)	n/a			
5. Other Info/Illegal Structure(s)	none			
GENERAL				
1. Landscaping		Grass is green with cattle		
2. Housekeeping	n/a			
3. Parking/Driveway	n/a			
4. Land Use Compliance	yes			
5. Environmental Compliance Concerns	none			
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				
	None			



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: ROE 483	ADDRESS: 81 Puako Beach Drive, Kamae, HI 96743	BY: Linda Chinn
NAME: Guy Starstman	TMK/ZONING: (3) 6-1-003:003 (p)	PERMITTED USE: Commercial/parking lot
LOCATION: Kawahae	AREA: 0.560 A	COL/BOND: 05/2024
RENTAL CURRENT: \$7,002.00 (current)	DCCA COMPLIANT: n/a	DATE: 05/08/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting	n/a		No follow up action required	
2. Fence or wall	n/a			
3. Site work	n/a			
4. Tenant sign(s)	Visible			
5. Other Info/Illegal Structure(s)	None			
GENERAL				
1. Landscaping		In good condition	No follow up action required	
2. Housekeeping		In good condition		
3. Parking/Driveway		In good condition		
4. Land Use Compliance		Yes		
5. Environmental Compliance Concerns		None		
6. Miscellaneous		Parking lot in good condition		
SUBLESSEES(S) OF RECORD				
	None			



PROPERTY INSPECTION REPORT

GI/L/ROE/RP NO.: ROE 484	ADDRESS: P. O. Box 837, Kamuela, Hawaii 96743	BY: Linda Chinn
NAME: Kahua Ranch	TMK/ZONING: (3) 6-5-001:002 (p)	PERMITTED USE: Pastoral
LOCATION: Kawaihae	AREA: 1.420 A	COL/BOND: 10/2024
RENTAL CURRENT: current to April 2024	DCCA COMPLIANT: Current	DATE: 05/08/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting		n/a	No follow up action required	
2. Fence or wall		In good condition		
3. Site work		n/a		
4. Tenant sign(s)		none		
5. Other Info/Illegal Structure(s)		none		
GENERAL				
1. Landscaping		Grass well maintained	No follow up action required	
2. Housekeeping		n/a		
3. Parking/Driveway		gravel		
4. Land Use Compliance		yes		
5. Environmental Compliance Concerns		None		
6. Miscellaneous		None		
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: ROE 485	ADDRESS: c/o Verity CPAs, P. O. Box 2957, Kamuela, Hawaii 96743	BY: Linda Chinn
NAME: Palakoki Ranch, Inc.	TMK/ZONING: (3) 6-1-001:003 (p)	PERMITTED USE: Pastoral
LOCATION: Kawaihae	AREA: 7.600 A	COI/BOND: 04/2025
RENTAL CURRENT: \$31,620.00 (current)	DCCA COMPLIANT:	DATE: 05/08/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting		n/a	No follow up action required	
2. Fence or wall		Fence in good condition		
3. Site work		n/a		
4. Tenant sign(s)		none		
5. Other Info/Illegal Structure(s)		none		
GENERAL				
1. Landscaping		grass well maintained	No follow up action required	
2. Housekeeping		n/a		
3. Parking/Driveway		gravel driveway		
4. Land Use Compliance		yes		
5. Environmental Compliance Concerns		none		
6. Miscellaneous		none		
SUBLESSEES(S) OF RECORD				
		None		



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: ROE 599	ADDRESS: 67-1349 Ala Ohia Street, Kamuela, Hawaii 96743	BY: Linda Chihm
NAME: Parker Ranch	TMK/ZONING: (3) 6-5-001:011 & 019	PERMITTED USE: Pastoral
LOCATION: Waimea	AREA: 381 A	COI/BOND: 01/2025
RENTAL CURRENT: \$4,488/annum; Current	DCCA COMPLIANT: Yes	DATE: 05/08/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting			No follow up action required	
2. Fence or wall				
3. Site work				
4. Tenant sign(s)				
5. Other Info/Highest Structure(s)		Property not accessible/landlocked	Not able to visit this trip	Visual from afar - looks ok
GENERAL				
1. Landscaping				
2. Housekeeping				
3. Parking/Driveway				
4. Land Use Compliance				
5. Environmental Compliance Concerns				
6. Miscellaneous				
SUBLESSEE(S) OF RECORD				



STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 20-21, 2024

To: Chairperson and Members, Hawaiian Homes Commission

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

From: Brigida Ayson, Land Agent, Land Management Division *BA*

Subject: Approval to Extension of Lease Term for General Lease No. 217, Harborside Investors, Kawaihae, Island of Hawaii, TMK No. (3) 6-1-006:015

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (“HHC”) grant its approval for a ten (10)-year extension to lease term and modification of the ground lease rent, as authorized under Chapter 171-36(b), Hawaii Revised Statutes, as amended, so that the aggregate of the original fifty-five (55)-year term and the extended 10-year term span a total of sixty-five (65) years, for General Lease No. 217 identified below, located within Kawaihae, Island of Hawaii, (See Exhibit “A”), for the purpose of obtaining financing for the property.

Tax Map Key No.	GL No.	General Lessee	Current Annual Lease Rent	Land Area	Original Lease Term	Proposed Extended Term & Date
(3) 6-1-006:015	217	Harborside Investors	\$45,000.00	124,494 sq.ft.	55 years; 6/1/1984-5/31/2039	10 years; 06/01/2039 -5/31/2049

The approval of this license extension shall be subject to the following conditions:

1. Upon approval of the extension of the subject general lease, Land Management Division (LMD) shall hire one or more independent appraisers in the manner provided for in the general lease to determine the lease rent for the 10-year period from 6/1/2029 to 5/31/2039 and the 10-year extension, subject to the review and approval of the Chairperson of the Hawaiian Homes Commission;
2. Notwithstanding anything to the contrary set forth in the subject general lease as amended, the lease rent for the final 10 years and the 10-year extended period shall not be less than the rent in place immediately preceding the effective date of the extension of the lease term;

3. General Lessee shall continue to pay the monthly rent currently due under its General Lease, including sublease rent, if any, until the new lease rent is determined by an independent appraiser as set forth in Paragraph 1 above;
4. There is a \$75.00 documentation fee, \$200.00 processing fee, and reimburse appraisal fee (to be determined) due after approval is granted by the Hawaiian Homes Commission;
5. The determination of fair market ground lease rent for the extended term shall not be subject to any arbitration procedure;
6. The General Lessee must be in full compliance of the terms and conditions of the subject lease at the time of execution of the extension;
7. The amendment document for the extension of the lease term of the subject General Lease shall be subject to the review and approval of the Department of the Attorney General;
8. The Chairperson of the Hawaiian Homes Commission shall be authorized to set forth any additional terms and conditions which shall ensure and promote the purposes of the demised premises;
9. Except as otherwise modified herein, all other terms and conditions of the subject General Lease shall continue and remain in full force and effect.

DISCUSSION:

The Department of Hawaiian Home Lands (DHHL) was actively engaged in leasing out some of its lands in the Hilo and Kawaihae areas for industrial and commercial use from 1966 through 1971, and again from about 1976 through 1978, under Section 204(2) of the Hawaiian Homes Commission Act, through the procedures set forth in Chapter 171, Hawaii Revised Statutes (HRS). These ground leases are generally for a long term and are for land only. The lot sizes for these parcels are about one-half acre and larger. Around this time, most of the 55-year leases have either expired or will expire soon.

General Lease No. 217 has indicated a desire to extend its lease term for the purpose of re-financing its existing mortgage for its operation and improvement to the property and has agreed to the conditions for the extension as proposed by the department, which include: the Lessee must be in full compliance with its lease agreement as well as with the stipulation provided in Chapter 171-36(c)(1) in which the demised premises have been used substantially for the purpose for which they were originally leased; the aggregate of the initial term and the extension granted will not be for more than sixty-five (65) years; and the rental for the extension period will be the fair market rental at the time of the extension as determined by an independent appraiser. Furthermore, DHHL shall have the right to review any proposed sublease, if any, and if necessary, to increase the lease rental based upon the rental rate of the sublease.

The 55-year lease term for this general lease will expire in May 2039. However, to obtain financing or re-financing of its existing mortgage, the Lender requires Lessee to have a minimum of twenty (20) years left on its lease term. Lessee has only 15 years left, hence the request for an extension of its existing lease term to qualify for financing.

To make sure Lessee meets the above-mentioned conditions, Land Management Division (LMD) conducted a property inspection for General Lease No. 217. Based on the property inspection report by LMD, Lessee is in full compliance with its lease agreement, meaning it is current in rent, has an updated certificate of liability insurance as well as certificate of good standing from the State of Hawaii, Department of Commerce and Consumer Affairs, and has kept the property in good condition and repair, clean, sanitary, and safe. Lessee is also using the demised premises substantially for the purpose for which they were originally leased.

AUTHORIZATION

Act 114, enacted into law by the 1994 Hawaii Legislature, amends Section 171-36, Hawaii Revised Statutes, relating to Lease restriction; generally. Section 171-36(b)(c), Hawaii Revised Statutes, as amended, allows for extension to a lease term.

Section 204-(a)(2) of the Hawaiian Homes Commission Act, 1920, as amended.

Section 171-36(b), Hawaii Revised Statutes, as amended.

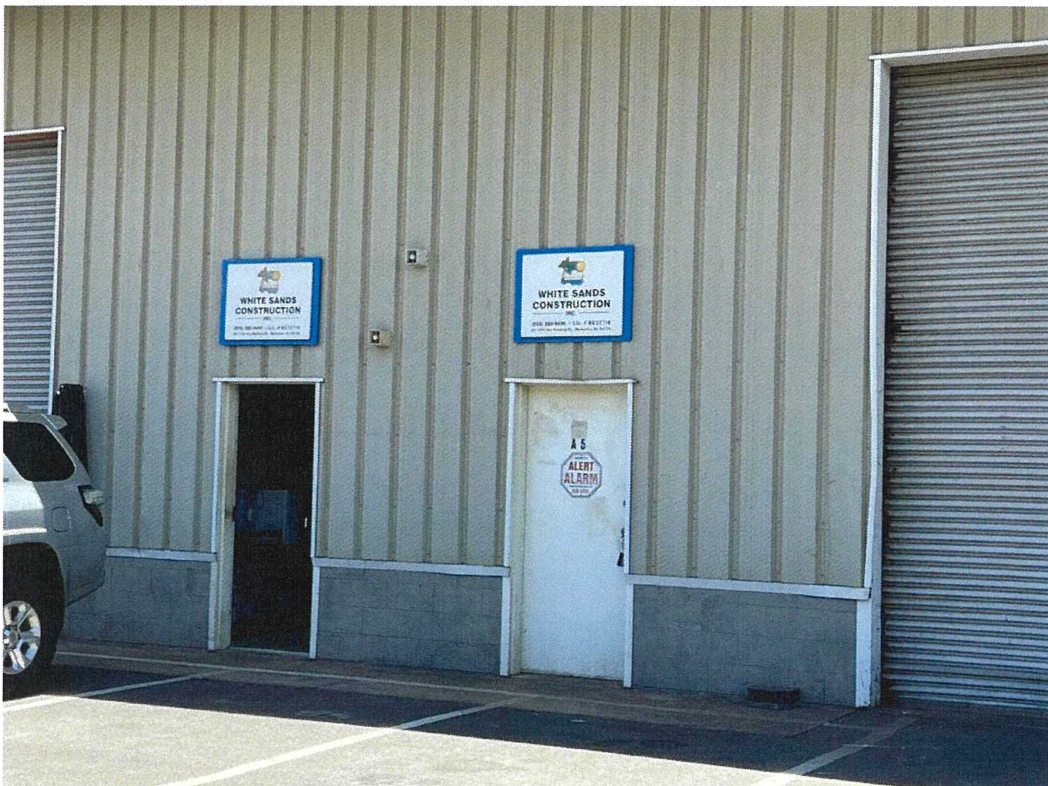
Section 10-4-1 of the Department Administrative Rules, as amended.

RECOMMENDATION

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

EXHIBIT "B"
PHOTOS taken during Property Inspection

General Lease No. 217 – Harborside Investors – 61-3270 Maluokalani Street



May 20-21, 2024

EXHIBIT "C"

LETTER FROM LESSEE

HARBORSIDE INVESTORS, LLP DEPT. OF HAWAIIAN HOME LANDS
John Finney
155 Dowsett Ave.
Honolulu, Hawaii 96817

2023 SEP 19 AM 11:11

September 13, 2023

VIA EMAIL: 6kali9@gmail.com

Mr. Kali Watson
Chairman
Hawaiian Homes Commission
State of Hawaii
Department of Hawaiian Home Lands
PO Box 1879
Honolulu, Hawaii 96805

2023 SEP 21 AM 10:31
LAND MANAGEMENT DIVISION

**Subject: General Lease No 217, Harborside Investors
Kawaihae, Island of Hawai'i
TMK No. (3) 6-1-006:015**

Dear Mr. Watson:

I am writing to request that the Hawaiian Homes Commission ("**Commission**") approve a 10 year extension of DHHL General Lease No. 217 ("**Lease**") in response to the enclosed letter from you dated August 9, 2023, and in accordance with HRS Section 171-36(b).

I confirm the following on behalf of the Lessee:

1. The leased Property is improved with approximately 47,037 sq ft of warehouse space in 3 industrial buildings which are used for commercial warehousing. The Property is fully improved and is being used in a manner substantially consistent with the use and purpose for which it was leased.
2. The term of the Lease with the extension will not exceed 65 years.
3. The Lease is not in default under any of its terms and conditions.
4. Commercial lenders require at least 20 years of remaining term under the Lease in order to refinance the existing mortgage.
5. The proceeds of any loan shall be used exclusively for the operation and improvement of the Property. The Lessee will spend at least \$100,000 on improvements to the leased Property within 12 months after the approval pursuant to a development agreement and plans and specifications to be approved in advance by the Chairman.
6. There is presently no reason for an early rent reopening, but the Lessee would consider it.
7. Any costs associated with this extension should be paid by the Lessee.

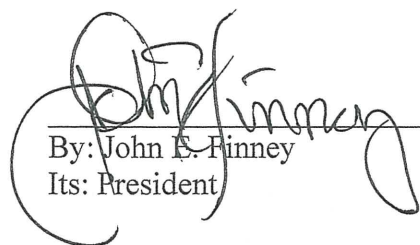
Mr. Kali Watson
General Lease No 217, Harborside Investors
September 13, 2023
Page 2

Thanks to you and the Commission for your favorable consideration of this request for a 10 year extension of the Lease.

Respectfully,

HARBORSIDE INVESTORS, LLP

~~Industrial Income Properties, Inc.~~
By: Industrial Income Properties, Inc.
Its: General Partner


By: John E. Finney
Its: President

cc: Peter Kahana Albinio via email: peter.k.albinio.jr@hawaii.gov

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 20-21, 2024

To: Chairperson and Members, Hawaiian Homes Commission

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

From: Brigida Ayson, Land Agent *BA*
Land Management Division

Subject: Approval to Extension of Lease Term Scheduled to Expire for various General Leases, Kaei Hana I Industrial Subdivision, Waiakea, South Hilo, Island of Hawaii, TMK Nos. (3) 2-2-060:050, (3) 2-2-060:060, (3) 2-2-060:058 & 059, (3) 2-2-060:068 & 069, (3) 2-2-060:057, (3) 2-2-060:037, (3) 2-2-060:056, (3) 2-2-060:054, and (3) 2-2-060:047

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (“HHC”) grant its approval to a ten (10)-year extension to lease term and modification of the ground lease rent, as authorized under Chapter 171-36(b), Hawaii Revised Statutes, as amended, so that the aggregate of the original fifty-five (55)-year term and the extended 10-year term span a total of sixty-five (65) years, for each of the respective general leases identified below, located within the Kaei Hana I Industrial Subdivision, South Hilo, Island of Hawaii. (See Exhibit “A”).

Tax Map Key No.	GL No.	General Lessee	Current Annual Lease Rent	Current Annual Sublease Rent	Land Area	Proposed Extended Term & Date
(3) 2-2-060:050	113	Jean S. Madden	\$37,500.00	N/A	47,250 sq.ft.	10 years; 06/15/2024 -06/14/2034
(3) 2-2-060:060	155	K. Taniguchi, Ltd.	\$34,800.00	N/A	36,450 sq.ft.	10 years; 02/15/2025 – 02/14/2035
(3) 2-2-060:058 & 059	158	Tony Hawaii Hilo LLC	\$62,160.00	\$21,155.00	40,500 sq.ft.	10 years; 07/01/2025 – 06/30/2035
(3) 2-2-060:068 & 069	142	Tony Hawaii Hilo LLC	\$41,000.00	N/A	39,883 sq.ft.	10 years; 06/15/2024 – 06/14/2034
(3) 2-2-060:057	160	Pint Size Hawaii LLC	\$17,010.00	N/A	20,250 sq.ft.	10 years; 11/01/2025 – 10/31/2035
(3) 2-2-060:037	161	Tai Aloha Co., Inc.	\$23,200.00	N/A	40,500 sq.ft.	10 years; 11/01/2025 – 10/31/2035
(3) 2-2-060:056	166	Jason H. Sandborn	\$24,746.00	N/A	20,250 sq.ft.	10 years; 11/01/2025 – 10/31/2035
(3) 2-2-060:054	169	Alpha Par Partners	\$17,590.00	N/A	20,250 sq.ft.	10 years; 02/01/2026 – 01/31/2036
(3) 2-2-060:047	163	Holomua St Partners	\$23,200.00	N/A	20,250 sq.ft.	10 years; 11/1/2025 – 10/31/2035

The approval of this license extension shall be subject to the following conditions:

1. Upon approval of the extension of the subject general leases, Land Management Division (LMD) shall hire one or more independent appraisers in the manner provided for in the general leases to determine the lease rent for the respective 10-year extension, subject to the review and approval of the Chairperson of the Hawaiian Homes Commission;
2. Notwithstanding anything to the contrary set forth in the subject general leases as amended, the lease rents for the 10-year extended period shall not be less than the rents in place immediately preceding the effective date of the extension of the respective lease term;
3. Each General Lessee shall continue to pay the monthly rent currently due under their General Lease, including sublease rents, if any, until the new lease rent is determined by an independent appraiser as set forth in Paragraph 1 above;
4. If the rental for the extended period has not been determined prior to the expiration of the preceding rental period, the General Lessee shall make up the deficiency, if any within sixty (60) days after the new rental has been so determined;
5. There is a \$75.00 documentation fee, \$200.00 processing fee, and appraisal fee (to be determined) due after approval is granted by the Hawaiian Homes Commission;
6. The determination of fair market ground lease rent for the extended term shall not be subject to any arbitration procedure;
7. The General Lessee must be in full compliance of the terms and conditions of the subject lease at the time of execution of the extension;
8. The amendment document for the extension of the lease term of each of the subject General Lease shall be subject to the review and approval of the Department of the Attorney General;
9. The Chairperson of the Hawaiian Homes Commission shall be authorized to set forth any additional terms and conditions which shall ensure and promote the purposes of the demised premises;
10. Except as otherwise modified herein, all other terms and conditions of the subject General Leases shall continue and remain in full force and effect.

DISCUSSION:

Kaei Hana I Industrial Subdivision with 89 lots was developed by the Department of Hawaiian Home Lands (DHHL) in the 1960s. The lot sizes for these parcels are about one-half acre and larger. Based upon data obtained from the Annual Report of DHHL, existing general leases were first issued in 1966. The awarding of general leases was active from 1966 through

1971, and again from about 1976 through 1978. Around this time, most of the 55-year leases have either expired or will expire soon.

The nine (9) general leases listed above have indicated a desire to extend their respective lease terms and have all agreed to the conditions for the extension as proposed by the department, which include: the Lessees must be in full compliance with their lease agreement as well as with the stipulation provided in Chapter 171-36(c)(1) in which the demised premises have been used substantially for the purpose for which they were originally leased; the aggregate of the initial term and the extension granted will not be for more than sixty-five (65) years; and the rental for the extension period will be the fair market rental at the time of the extension as determined by an independent appraiser. Furthermore, DHHL shall have the right to review any proposed sublease, and if necessary, to increase the lease rental based upon the rental rate of the sublease.

To make sure Lessees meet the above-mentioned conditions, the Land Management Division (LMD) conducted a property inspection for each of the general leases requesting extension. Based on the property inspection report by LMD, all Lessees are in full compliance with their lease agreement, meaning they are current in rent, have an updated certificate of liability insurance as well as certificate of good standing from the State of Hawaii, Department of Commerce and Consumer Affairs, and have kept the property in good condition and repair, clean, sanitary, and safe. Lessees are also using the demised premises substantially for the purpose for which they were originally leased.

DHHL currently has several vacant and surrendered lots within the subdivision and LMD will be working on offering these lots for long term industrial leases. Instead of taking back the expired leases, LMD recommends allowing extension for these existing general leases in good standing to avoid flooding the market with too many available lands at one time as well as to continue to have a steady stream of revenue for the Trust.

AUTHORIZATION

Act 114, enacted into law by the 1994 Hawaii Legislature, amends Section 171-36, Hawaii Revised Statutes, relating to Lease restriction; generally. Section 171-36(b)(c), Hawaii Revised Statutes, as amended, allows for extension to a lease term.

Section 204-(a)(2) of the Hawaiian Homes Commission Act, 1920, as amended, reads in part “in the management of any retained available lands not required for leasing under Section 207(a), the Department may dispose of those lands or any improvement thereon to the public, including native Hawaiians on the same terms, conditions, restrictions and uses applicable to the disposition of public lands as provided in Chapter 171, Hawaii Revised Statutes, provided that the Department may not sell such lands or dispose of such lands in fee simple except as authorized in Section 205 of this Act.”

Section 171-36(b), Hawaii Revised Statutes, as amended, states in part that “...The [commission], from time to time, upon the issuance or during the term of any intensive agricultural, aquaculture, commercial, mariculture, special livestock, pasture, or industrial lease may: (1) Modify or eliminate any of the restrictions specified in subsection (a); (2) Extend or modify the

fixed rental period of the lease; provided the aggregate of the initial term and any extension granted shall not exceed sixty-five (65) years; or (3) Extend the term of the lease to the extent necessary to qualify the lease for mortgage lending or guaranty purposes with any federal mortgage lending agency, to qualify the Lessee for any state or private lending institution loan, private loan guaranteed by the State or any loan in which the State and any private lender participates, or to amortize the cost of substantial improvements to the demised premises that are paid for by the Lessee without institutional financing.” The extension shall be subject to the following: (1) The demised premises have been used substantially for the purpose for which they were originally leased; (2) The aggregate of the initial term and any extension granted shall not be for more than sixty-five years; (3) In the event of a reopening, the rental for any ensuing period shall be the fair market rental at the time of the reopening...; (7) The rules of the [commission], setting forth any additional terms and conditions, shall ensure and promote the purposes of the demised lands.”

Section 10-4-1 of the Department Administrative Rules, as amended, states in part that “...The department may lease, license or otherwise deal with any available lands as may not be immediately needed for the purposes of the Act as provided by Section 204(a)(2) of the act and Chapter 171, HRS, upon such terms and conditions it may deem fair reasonable.”

Section 171-36(a)(6), Hawaii Revised Statutes, as amended, states “...provided further that the [commission] shall have the right the review and, if necessary, revise the rent of the demised premises based upon the rental rate charged to the sublessee, including the percentage rent if applicable, and provided that the rent may not be revised downward.”

RECOMMENDATION

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

EXHIBIT "A"
 MAP showing Location of GLs Requesting Extension

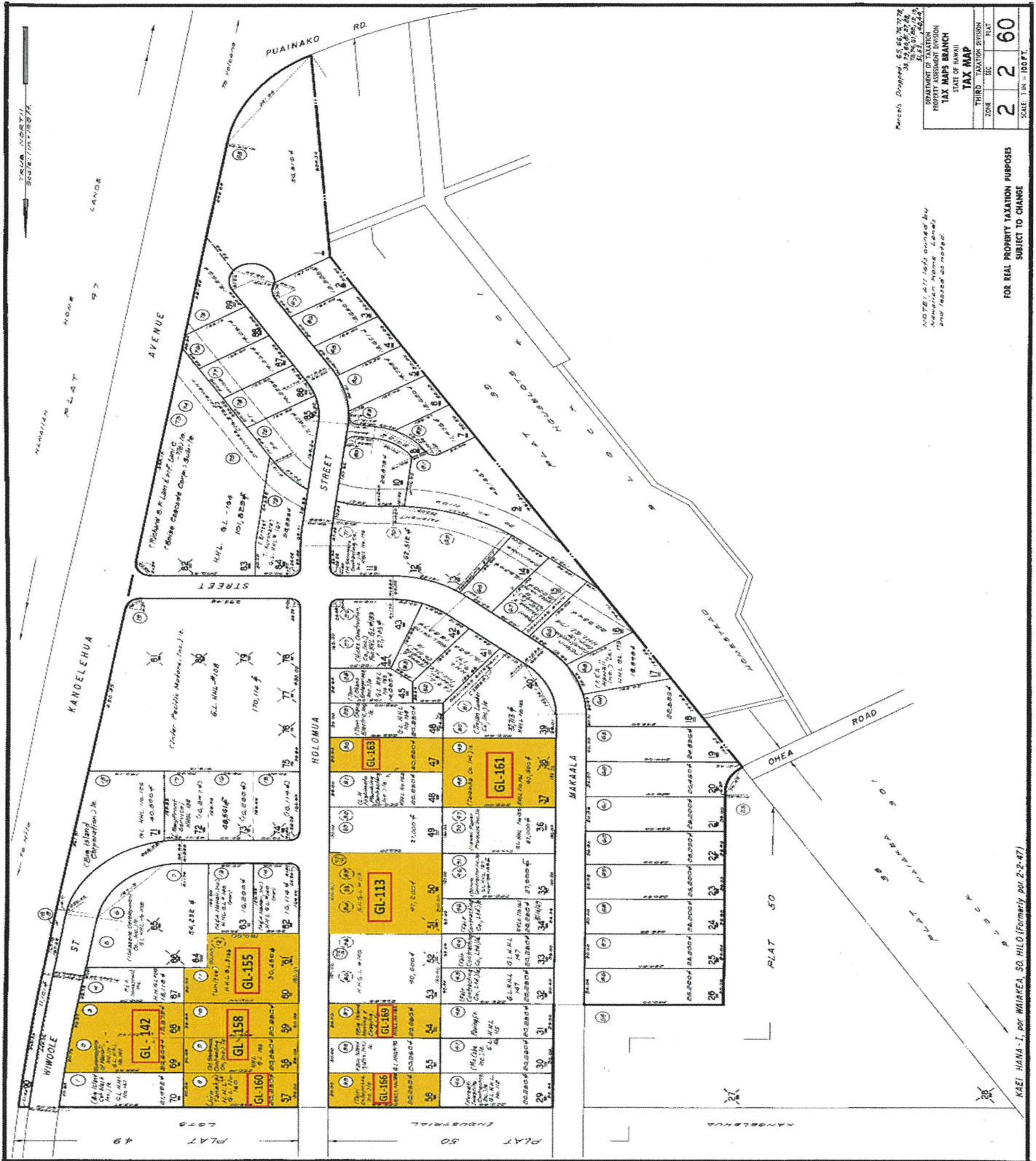


EXHIBIT "B"
PHOTOS taken during Property Inspection

General Lease No. 113 – Jean S. Madden – 154 Holomua St.



General Lease No. 155 – K. Taniguchi, Ltd. – 135 Holomua St.



General Lease No. 142 – Tony Hawaii Hilo LLC – 124 Wiwoole St.



General Lease No. 158 – Tony Hawaii Hilo LLC – 109 Holomua St.



General Lease No. 160 – Pint Size Hawaii LLC – 101 Holomua St



General Lease No. 161 – Tai Aloha Co., Inc. – 177 Makaala St.



General Lease No. 166 – Jason H. Sandborn – 100 Holomua St



General Lease No. 169 – Alpha Par Partners – 118 Holomua St.



General Lease No. 163 – Holomua Street Partners – 182 Holomua St.



EXHIBIT “C”

LETTERS FROM LESSEES

RECEIVED
LAND MANAGEMENT
DIVISION
2024 FEB 26 AM 10:03

JEAN S MADDEN
1412 Keneki Place
Hilo, Hawaii 96720
Ph #808-987-6990
Email: jeansmadden@gmail.com

February 21, 2024

Mr. Kali Watson, Chairman
Hawaiian Homes Commission
P.O. Box 1879
Honolulu, HI 96805

Mr. Soon,

Dear Mr. Watson:

Subject: General Lease No. 113, Waiakea, Island of Hawaii
TMK No. (3) 2-2-060:050

Thank you for your letter of February 8, 2024, wherein you informed me that GL #113 will be expiring on June 14, 2024. You also inquired if I was interested in an extension of the lease and the requirements for such an extension.

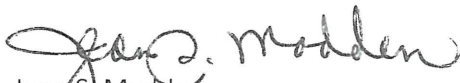
I am interested in a 10-year extension of the lease, or in the alternative (based on the information I am submitting) a minimum of 5 years.

1. The demised premise is used in a manner substantially consistent with the use and purpose of which it was originally leased
2. The lease is not in default.
3. No financing agreement
4. No existing plans for substantial new improvements or renovations
5. No agreement that proceeds of any mortgage or loan to be used solely for the operations or improvements on the demised premise.

I am enclosing a spreadsheet of major leasehold improvements since 2012 in a good faith effort to maintain the building and premises in good condition. This does not include regular maintenance of the property.

I ask that you look kindly upon my request and await your response.

Sincerely,


Jean S. Madden
Lessee

Encl: 1

Jean S Madden - DHHL GL 113ha				
DATE	CK #	AMOUNT	PAYEE	DESCRIPTION OF IMPROVEMENTS
12/29/11	1387	\$ 6,837.00	Ultimate Roofing (1 of 2)	Repair and replace rusted roof
1/23/12	582	\$ 6,077.84	Ultimate Roofing (2 of 2)	
2/4/12	587	\$ 1,498.00	Big Aina Gutters	Install gutters for whse canopy
		\$ 14,412.84		
2/1/13	1454	\$ 935.00	CKS Fencing	Construct and install additional fence. Repair and replace fence
2/21/13	1461	\$ 3,100.00	CKS Fencing	
3/8/13	7279	\$ 500.00	CKS Fencing	
3/12/13	7280	\$ 1,250.00	CKS Fencing	
3/17/13	7282	\$ 360.00	CKS Fencing	
		\$ 6,145.00		
3/13/13	656	\$ 3,390.00	Edward Hirayama Electric	Wire and install exterior security light fixtures
1/16/17	7567	\$ 6,250.00	Eddie Gaspar	Repair, rust treatment, and application of Gaco roof coating (50-year warranty on coating)
2/15/17	7573	\$ 200.00	Eddie Gaspar	
2/15/17	7574	\$ 820.12	Eddie Gaspar	
2/28/17	7576	\$ 3,125.00	Eddie Gaspar	
3/17/17	7580	\$ 1,200.00	Eddie Gaspar	
3/17/17	7581	\$ 160.00	Eddie Gaspar	
3/17/17	7582	\$ 1,562.50	Eddie Gaspar	
3/18/17	7585	\$ 1,562.50	Eddie Gaspar	
3/18/17	7586	\$ 900.00	Eddie Gaspar	
3/28/17	7588	\$ 900.00	Eddie Gaspar	
3/29/17	7589	\$ 13,000.00	Reardon/Alternative Energy	Gaco roof wash, primer, and finish coating
1/27/17	MC5147	\$ 4,000.00	Reardon/Alternative Energy	
3/3/17	Citi3515	\$ 1,218.74	CitiCard - Sherwin Williams	Primer and solvent
3/4/17	Citi3515	\$ 72.92	CitiCard - Sherwin Williams	
		\$ 34,971.78		
2/4/20	989	\$ 2,760.00	Edward Hirayama Electric	Replace corroded meter

K. Taniguchi
LTD. REALTY & LAND MANAGEMENT
DIVISION

50 E. Puainako Street
Hilo, HI 96720-5294

2024 FEB 20 PM 2:06

February 15, 2024

Mr. Kali Watson, Chairman
Hawaiian Homes Commission
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

Re: Request for Extension of Lease Term
General Lease No. 155
TMK: (3) 2-2-060-060
135 Holomua Street
Hilo, Hawaii 96720

Aloha Chair Watson,

I am reaching out to formally request an extension of the lease term for General Lease No. 155 pertaining to your property situated at 135 Holomua Street, Hilo, Hawaii.

As outlined in your communication dated February 8, 2024, our current lease agreement is scheduled to conclude on February 14, 2025. Accordingly, we are earnestly seeking an extension of the lease term for an additional duration of 10 years. This extension holds significant importance for a few key reasons.

First, we have identified a remaining amortization period of 16 years associated with various capital improvement projects undertaken on the structures situated on the property. Our hope is to spread the depreciation costs of the capital improvements over a longer period of time, rather than being forced to take a one-time charge off in February 2025.

Second, an extension of the lease term would afford us the necessary time to formulate a comprehensive and resilient plan concerning our food warehousing and distribution operations here on Hawaii island. Due to the impact of the COVID-19 pandemic, many of our capital expenditure (capex) and operational expenditure (opex) plans were put on hold as we collectively navigated the uncertainties posed by the pandemic. Extending the lease duration would provide us with the opportunity to thoroughly evaluate and refine our future plans. This could potentially involve further capital enhancements alongside a subsequent request for a new lease. Alternatively, and depending on circumstances, it may also require us to relinquish the property while concurrently arranging for the relocation of our equipment and inventory.

At present, we are able to affirm that the premises continue to be utilized in accordance with their original purpose, and we remain compliant with all terms and conditions stipulated in the lease agreement. We believe the record will reflect our tenure as tenants has been exemplary, and we express gratitude for your consideration in granting this request for additional time.

Should you require any further information or clarification, please do not hesitate to reach out to me at 808-989-5466 or via email at toby@ktasuperstores.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Toby B. Taniguchi', with a long horizontal flourish extending to the right.

Toby B. Taniguchi
President



February 29, 2024

Department of Hawaiian Home Lands
P.O. Box 1879
Honolulu, Hawaii 96805

Attn: Kali Watson, Chairman

Subject: Lease Extension Request for General Lease No. 158

Dear Mr. Watson,

I hope this letter finds you well. We are writing to express our interest in extending the lease term under General Lease No. 158 for the demised premises, set to expire on June 30, 2025. TMK (3) 2-2-060:058 and 059.

We understand the conditions outlined in Section 171-36(b) of the Hawaii Revised Statutes for extending the lease term and assure you of our compliance with all requirements. Our utilization of the premises remains consistent with its original purpose, and we are in full compliance with the terms and conditions of the lease agreement.

In addition to our commitment to upholding the lease agreement, we are excited to share our plans for substantial improvements and renovations to the demised premises. These upgrades include:

- Asphalt repair and resealing.
- Necessary repairs to ceilings and roofs.

We are dedicated to completing these renovations within the specified timeframe and ensuring that any proceeds from mortgage or loan arrangements are solely used for operations or improvements on the premises.

We value our partnership with the Department of Hawaiian Home Lands and look forward to the opportunity to continue our collaboration. Should you require further information or clarification, please feel free to contact me at 808-680-7302] or tdagenais@tonygroup.com.

Thank you for considering our request for an extension of the lease term.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tim Dagenais", is written over a horizontal line.

Tim Dagenais
President / COO
Tony Group
808-680-7302
tdagenais@tonygroup.com

Tony Group Autoplex 94-1299 Ka Uka Blvd., Waipahu, HI 96797 Tel (808) 680-7190 Fax (808) 483-5443 www.tonygroup.com

Tony Honda * Tony Nissan * Tony Volkswagen * Tony Hyundai * Genesis of Waipio * Tony Honda Kona

Tony Honda Hilo * Autoplex Car Wash * Tony Group Collision Center



February 29, 2024

Department of Hawaiian Home Lands
P.O. Box 1879
Honolulu, Hawaii 96805

Attn: Kali Watson, Chairman

Subject: Lease Extension Request for General Lease No. 142

Dear Mr. Watson,

I hope this letter finds you well. We are writing to express our interest in extending the lease term under General Lease No. 142 for the demised premises, set to expire on June 15, 2024. TMK (3) 2-2-060:068 and 069.

We understand the conditions outlined in Section 171-36(b) of the Hawaii Revised Statutes for extending the lease term and assure you of our compliance with all requirements. Our utilization of the premises remains consistent with its original purpose, and we are in full compliance with the terms and conditions of the lease agreement.

In addition to our commitment to upholding the lease agreement, we are excited to share our plans for substantial improvements and renovations to the demised premises. These upgrades include:

- Replacement and renewal of front-facing exterior surfaces.
- Improvement of the guest area, including new drywall, repainting, and new furniture.
- Necessary repairs to ceilings and roofs.
- Upgrading electric service and infrastructure.
- Installation of EV charging stations to support sustainable practices and accommodate customer needs.

We are dedicated to completing these renovations within the specified timeframe and ensuring that any proceeds from mortgage or loan arrangements are solely used for operations or improvements on the premises.

We value our partnership with the Department of Hawaiian Home Lands and look forward to the opportunity to continue our collaboration. Should you require further information or clarification, please feel free to contact me at 808-680-7302] or tdagenais@tonygroup.com.

Thank you for considering our request for an extension of the lease term.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Dagenais", is written over a horizontal line.

Tim Dagenais
President / COO
Tony Group
808-680-7302
tdagenais@tonygroup.com

Tony Group Autoplex 94-1299 Ka Uka Blvd., Waipahu, HI 96797 Tel (808) 680-7190 Fax (808) 483-5443 www.tonygroup.com

Tony Honda * Tony Nissan * Tony Volkswagen * Tony Hyundai * Genesis of Waipio * Tony Honda Kona

Tony Honda Hilo * Autoplex Car Wash * Tony Group Collision Center

RECEIVED
LAND MANAGEMENT
DIVISION
2024 MAR 18 AM 10:10

March 12, 2024

State of Hawaii
Department of Hawaiian Home Lands
PO BOX 1879
Honolulu, HI 96805
Chairman: Kali Watson

Mr Chairman:

Pint Size Hawaii, LLC, tenant on General Lease #160, Waiakea, Island of Hawaii would like to respectfully request an extension on our current ground lease.

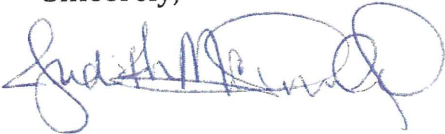
Currently the demised premises are being used in a manner substantially consistent with the use and purpose for which they were originally leased. Pint Size Hawaii, LLC is not in default of any of the terms and conditions of the lease agreement.

In 2023 we refinanced our company loan with American Savings Bank. Due to the length of the lease we were unable to use the property as collateral as we had done several times previously. Our goal is to complete another re-financing in 2025. It is important that we can use this property as collateral during that process. Therefore, while we do not currently have a mortgage on the property it is part of a long-term plan to do so as we have in the past with the proper approval by the Chairman.

In addition, we had planned to do approximately \$50,000 of improvements in the next year that would include a new gate, warehouse roll up doors and sewer line upgrades. These improvements are planned for 2024 and early 2025 and would be completed within 12 months of the extension. Pint Size Hawaii, LLC agrees to submit receipts and statements of completion for these improvements.

Thank you for your consideration.

Sincerely,



Judith A. McDonald
Chief Executive Officer

TAIALOHA CO., INC.
101 AUPUNI ST., SUITE 165
HILO, HAWAII 96720

RECEIVED
LAND MANAGEMENT
DIVISION

2024 MAR 19 AM 10:06

15-Mar-24

Department of Hawaiian Home Lands
P. O. Box 1879
Honolulu, HI 96805

Dear Sir:

Re: General Lease No. 161
TMK No. (3) 2-2-060:037

We are requesting a 10-year extension of our lease which is due to expire on October 31, 2025.

The premises are and will continue to be used in a manner consistent with the use and purpose for which they were originally leased.

Our lease is not in default of any of the terms and conditions of the lease agreement.

There are no financing arrangements with a lending institution with respect to this property.

We have no current plans for renovations. However, should the need arise in the future, we will obtain approval from the Chairman for new improvements and consent to mortgage.

If you have any questions, you can contact me at (808) 961-3232 or eunice@muramotocpa.com

Sincerely,



Eunice A. Muramoto
President
Taialoha Co., Inc.

Jason H. Sanborn
100 Holomua St.
Hilo, Hawaii 96720

RECEIVED
LAND MANAGEMENT
DIVISION
2024 MAR -5 AM 10:11

February 28, 2024

State of Hawaii
Department of Hawaiian Home Lands
PO Box 1879
Honolulu, Hawaii 96805

Aloha:

Subject: General Lease No. 166, Waiakea, Island of Hawaii
TMK No. (3) 2-2-060:056

I am writing to request an extension of my lease term. My lease expires on October 31, 2025.

- 1) The premises are used in a manner substantially consistent with the use and purpose of an office, warehouse, automotive repair and servicing purposes.
- 2) The lease is not in default of any of the terms and conditions of the lease agreement.

If you have any questions or concerns, you may contact me at (808)959-6458 or on my cell (808)936-3078.

Thank you for your consideration,



Jason H. Sanborn

JS:an

APLHA PAR PARTNERS

951 KAILIU PL
H96825
EMAIL: FGRUETZ@AOL.COM
808-741-4117

2024 JAN 17 AM 10:22

PROPERTY
MANAGEMENT
LAND
DIVISION

January 12, 2024

Kaili Watson, Chairman
Hawaiian Homes Commission
Department of Hawaiian Home Lands
P.O. box 1879
Honolulu, Hawaii 96805

Dear Mr. Watson

SUBJECT: GENERAL LEASE NO 169, WAIAKEA, SOUTH HILO ISLAND OF HAWAII

Tax Map Key No (3) 2-2-060:054

Alpha Par Partners is requesting a ten year extension on subject lease, from February 1, 2026 through January 31, 2036.

The following answers your questions in your letter of January 4, 2024.

- i) The demised premises will be use in the same manner as they have been for the purpose in which they were leased and that has been for the distribution of electrical supplies for the past 32 years.
- ii) The lease is not in default of any terms and conditions of the lease agreement. The lease has been prepaid for 2025.
- iii) No financing arrangements has been or will be made.
- iv) There are preliminary plans for new improvements such as remodeling the offices, and customer counter, improving the warehouse mezzanine, replacing roof gutters and improvements to the bathrooms.
- v) All construction and renovations will be completed within twelve months from the date of approval of lease extension.
- vi) No mortgagee or loan is planned to be used for the operation of the demised premises.
- vii) The cost to prepare the appraisal or any cost associated will be borne by lessee.

We are very much looking forward to signing the ten year lease extension and start making the planned improvements.

Holomua Street Partners
c/o Pacific NW Properties – Tom Stern
6600 SW 105th Avenue Suite 175
Beaverton, Oregon 97008

LAND MANAGEMENT
DIVISION
2024 JAN -5 AM 9:10

December 26, 2023

State of Hawaii - Department of Hawaiian Home Lands

PO Box 1879

Honolulu, Hawaii 96805

2024 JAN -5 AM 9:10
LAND MANAGEMENT
DIVISION

FORMAL REQUEST FOR A 10-YEAR LEASE EXTENSION

(IN ORDER FOR NEEDED IMPROVEMENTS TO BE MADE)

Re: General Land Lease No. 163, Waiakea, South Hilo, Island of Hawaii, Tax Map Key No. (3) 2-2-060:047 & 48 – Current lease expiration is October 31, 2025

To: Linda L Chin and other staff members in Land Management Division

Thank you for helping us!

Per the request in Mr. Albino's letter dated September 13, 2023, Lessee confirms the following:

- (1) The demised premises are being used in a manner substantially consistent with the use and purpose of which they were originally leased.
- (2) The lease is not in default on any of the terms and conditions of the lease agreement.
- (3) The property does not have financing in place. There are no existing mortgages on the property.
- (4) Holomua Street Partners would like to make improvements to the property which are needed. Both buildings on the property need to be painted, The metal roofs and skylights are in need of attention to avoid future leaking in the buildings. The storm drain inlets need to be replaced/repared for proper drainage to be maintained. The asphalt needs to be repaired/resurfaced, and restriped as it has deteriorated through the years. Warehouse doors need to be repaired. Investing our funds into this property is not prudent with the current lease expiration being October 31, 2025.

- (5) All work will be completed within the first year of the lease extension by Lessee or its current tenant who is responsible for some of the work. Our tenant will not spend money to do repairs unless we extend their lease at this time. We cannot do so without Hawaiian Home Lands extending our ground lease.
- (6) There will not be a new mortgage placed on the property.
- (7) Lessee agrees that the annual land lease rent for the 10-year extended term will be redetermined once approval for the extension is granted. Lessee acknowledges the cost to prepare the appraisal will be paid for by the Lessee.

Linda, thanks for being so helpful and for helping us to accomplish securing this 10-year extension as has been recently approved in several similar situations for tax lots near our site.

We wish you a healthy and happy 2024.and appreciate your help, responsiveness, and good communication you have given us.

With appreciation,



Tom K. Stern - Partner
Holomua Street Partners

STATE OF AHWAI

DEPARTMENT OF HAWAIIAN HOME LANDS

May 20-21, 2024

TO: Chairman and Members, Hawaiian Homes Commission
THRU: Linda Chinn, Acting Administrator *WC*
FROM: Peter "Kahana" Albinio, Jr., General Professional
Land Management Division *KA*
SUBJECT: Approval to Issue Right-of-Entry Permit to Laiopua Community Development Corporation, Kealakehe, Kona, Island of Hawaii, TMK No. (3) 7-4-021:003

APPLICANT:

LAIOPUA COMMUNITY DEVELOPMENT CORPORATION (LAIOPUA CDC)

RECOMMENDED ACTION/MOTION:

That the Hawaiian Homes Commission (HHC) grants its approval to the issuance of a Right-of-Entry permit (ROE) to Laiopua CDC to use a 2.1-acre parcel of land, identified by Tax Map Key No. (3) 7-4-021:003 (See Exhibit "A"), for the development of a preschool.

This approval is subject to the following terms and conditions:

1. The purpose of the ROE is to allow Laiopua CDC to conduct due diligence, including environmental assessment, 6E compliance and planning, for the development of an early childhood educational center for the keiki in the Villages of Laiopua homesteads.
2. The term of the ROE shall be twelve (12) months, effective from the date of final execution of the document, with one option to extend another twelve (12) months as needed with the approval from Chairperson, Hawaiian Homes Commission..
3. The permit fee shall be gratis.
4. The Permittee shall pay non-refundable processing and documentation fee totaling \$175.00.
5. The project shall be allotted water credits needed for the proposed development; all excess water credits tied to this parcel shall be returned to the department for allocation to elsewhere in the homestead area where water credits are needed.

6. The standard terms and conditions, including liability insurance requirement, of the most current right-of-entry permit form which may be amended from time to time.
7. Review and approval by the State of Hawaii, Department of the Attorney General.
8. Such other terms and conditions as may be prescribed by the Hawaiian Homes Commission to best serve the interests of Hawaiian home lands.

LOCATION:

Hawaiian home lands situated at Kealakehe, Kona, Island of Hawaii, identified by TMK No. (3) 7-4-021:002

AREA:

Approximately 2.069 acres of land, more or less

DISCUSSION:

Laiopua CDC is a non-profit organization located in Kealakehe, Hawaii serving the Laiopua homesteads and the surrounding beneficiary communities in Kona.

Laiopua CDC is seeking the 2.1-acre parcel of land for the development of a preschool. The goal of the project is to provide early childhood educational opportunities to the children in the homesteads. The current plan includes a kauhale style design with a central administrative hale, two hale each for 3-year old and 4-year old classrooms, a central lawn, playgrounds, outdoor learning spaces, gardens, parking and room for future expansion (see Exhibit "B").

This 2+ acre site was dedicated to being a preschool during the Master Planning process which took place during the original planning for the Villages of Laiopua. This proposed preschool will be Hawaiian-focused in its curriculum and meant to serve the native Hawaiian keiki specifically. The department will be developing more homestead in Villages 1 & 4, so there is a need for preschools for our keiki in the homestead communities and the surrounding area.

Water is crucial in the development for the intended use. Under the master planning and subdivision process, 32 water credits were dedicated to this lot. The preschool development by Laiopua CDC is encouraged to incorporate rainwater catchment for irrigation, water recycling wherever possible, and drought resistant landscape, so the development will not use all the water credits. It is recommended that all excess water credits be returned to the control of DHHL to be reallocated to other villages for future homestead development.

Lt. Governor Sylvia Luke has made a verbal commitment of \$8M to this project. Letters of support were submitted from the offices of State Representative Nicole Lowen and Senator Maile S.L. Shimabukuro (See Exhibit "C").

May 2024

A beneficiary consultation for this non-profit land use application was conducted on January 31, 2024 and a recommendation to accept the Beneficiary Consultation Report was presented to the Hawaiian Homes Commission on March 18-19, 2024. In summary, no participants expressed opposition to the land use request by Laiopua CDC.

PLANNING AREA:

Kealakehe, Island of Hawaii

CURRET STATUS:

Vacant

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Triggers: Use of State lands

Applicant will have to comply with this requirement. The ROE will allow Applicant to conduct due diligence including Chapter 343 and HRS 6E compliance.

AUTHORIZATION/LEGAL REFERENCE:

§171-55, Hawaii Revised Statutes, as amended

RECOMMENDATION

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



Exhibit "A"
Agenda Item No. F-4

PHASE 1 SITE PLAN

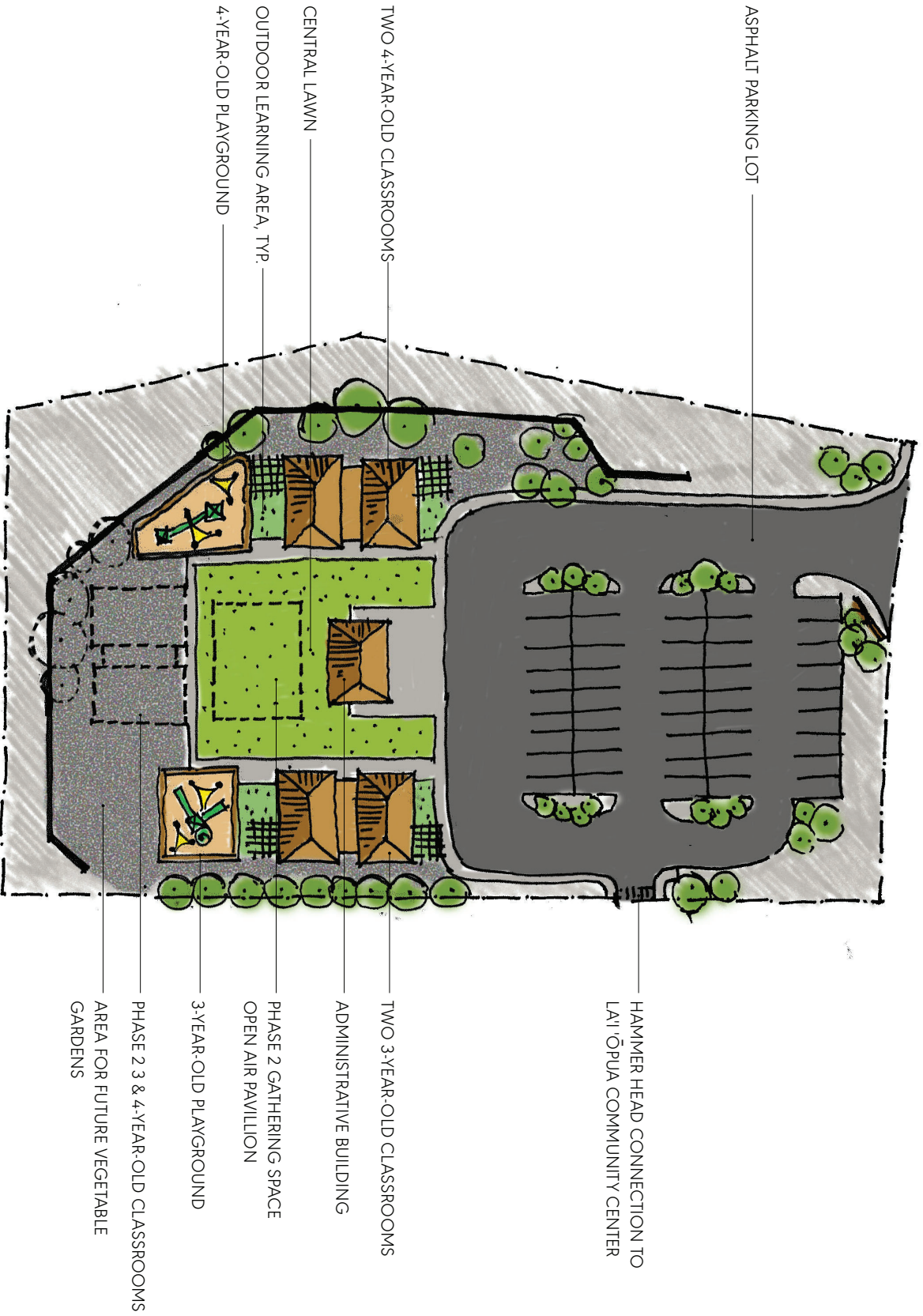


Exhibit "B"
Agenda Item No. F-4



HOUSE OF REPRESENTATIVES
Hale o nā Luna Mākaʻāinana

STATE OF HAWAII
STATE CAPITOL
415 SOUTH BERETANIA STREET
HONOLULU, HAWAII 96813

March 14, 2024

Kali Watson
Chairman, Hawaiian Homes Commission
91-5420 Kapolei Parkway
Kapolei, HI 96707

Re: Letter in Support of the Laiohua Community native Hawaiian Charter Preschool Development

Dear Chairman Watson,

I support and endorse the proposed Laiohua Community Development Corporation development of a Hawaiian Culturally Based Charter Preschool planned on Homestead land on TMK-TMK: 7-4-021-003:0000.

Laiohua CDC has engaged Architects Hawaii Limited to assist Laiohua CDC in the planning and design of a comprehensive community preschool facility, *see attached*. In addition, Laiohua CDC consulted with the Principles of Architects of Hawaii Limited and deemed AHL more than qualified to assist Laiohua CDC through the planning and design process for a comprehensive Hawaiian Based Charter preschool plan and design.

More recently, on January 27, 2024, Laiohua CDC and DHHL conducted beneficiary consultations to seek the “mana o” of the community beneficiaries in the Villages of Laiohua.

Therefore, I support the development of the Hawaiian Culturally Based Charter School as it would provide the Villages of Laiohua Association beneficiaries and surrounding communities with the opportunity for early childhood education for 3- and 4-year old’s that would provide valuable social, emotional, and cognitive development opportunities for children and preparing our children for kindergarten building their social skills.

I respectfully submit and seek your consideration in this matter.

Sincerely,

State Representative Nicole Lowen, House District 7

Office of Representative Nicole E. Lowen
7th District | Kailua-Kona, Honolulu, Kilauea, Puuanohiuli, Puako, portion of Waialeale |
Hawaii State Capitol, 415 South Beretania Street, Room 435 | Honolulu, Hawaii 96813 | PH 808.586.8400 | FAX 808.586.8404



The Senate
Ka ‘Aha Kōenehaka

STATE CAPITOL
HONOLULU, HAWAII 96813

3/18/2024

TO: The Department of Hawaiian HomeLands

FR: Senator Maile S. L. Shimabukuro

RE: Support for Laiohua Community Development Corporation’s Development of a proposed Hawaiian Culturally Based Charter Preschool planned on Homestead land on TMK: 7-4-021-003:0000.

To Whom It May Concern,

I, Senator Maile S.L. Shimabukuro, support and endorse the proposed Laiohua Community Development Corporation development of a Hawaiian Culturally Based Charter Preschool planned on Homestead land on TMK: 7-4-021-003:0000. This Homestead lot sits directly adjacent to Kealahou High School.

Laiohua CDC has engaged Architects Hawaii Limited to assist Laiohua CDC in the planning and design of a comprehensive community preschool facility. Architects Hawaii Limited has a long record of excellence in educational projects, and is an excellent choice for the development of this school. Laiohua CDC and DHHL conducted beneficiary consultations to seek the mana o of the community in the villages of Laiohua.

I believe that project will substantially benefit the Laiohua community. This project will provide the Villages of Laiohua Association beneficiaries and surrounding communities with the opportunity for early childhood education for 3 and 4 year old. Early education of this kind is proven to provide valuable social, emotional, and cognitive development opportunities for children and preparing our children for kindergarten building their social skills. This preschool will also foster the next generation of Hawaiian Cultural stewards, and foster Hawaiian Values that will stay with the Keiki it serves throughout their lifetimes.

Sincerely,


Sen. Maile S.L. Shimabukuro
Chair, Senate Hawaiian Affairs Committee

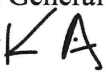
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 20-21, 2024

To: Chairman and Members, Hawaiian Homes Commission

Through: Linda Chinn, Acting Administrator
Land Management Division 

From: Peter "Kahana" Albinio, Jr., General Professional
Land Management Division 

Subject: Approval to Extend License No. 705 to the State of Hawaii, Department of Human Services, Kalaeloa, Island of Oahu, TMK No. (1) 9-1-013:024 (por.) and Wailuku, Island of Maui, TMK No. (2) 3-4-011:032

LICENSEE

State of Hawaii, Department of Human Services (SOH, DHS)

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) grant its approval to amend License No. 705 to the SOH, DHS that will further extend the original and extended term by another five (5) years, from April 1, 2024 to March 31, 2029. This will allow Licensee to use portions of Hawaiian home lands located at Kalaeloa, Oahu and in Wailuku, Maui to continue to operate a youth social services program in two 2,000-square foot, single story dwelling units that they constructed in 2008 (one on each island). LMD recommends the following terms and conditions:

1. The license term shall be extended for an additional five (5)-year period retroactively commencing effective as of April 1, 2024, and expiring as of March 31, 2029.
2. The monthly license fee for the extended term shall remain at its existing rate of eight hundred ninety-five dollars (\$895.00). The respective charge is applied as follows: \$875.00 for Kalaeloa and \$20.00 for Wailuku.
3. Except as modified herein, all other terms and conditions of License No. 705 shall continue and remain in full force and effect.
4. The Chairman of the Hawaiian Homes Commission is authorized to set forth any additional terms and conditions which shall ensure and promote the purposes of the demised premises.

DISCUSSION

SOH DHS submitted a letter request for an extension of the license term to the existing License No. 705 for another five (5) years (See Exhibit “A”). License No. 705 has been a good tenant since the license started in 2008. The Licensee’s Ke Kama Pono Program (KKP) works with male youths between the ages of 13 through 17 as directed by the Family Court judiciary system. These youths are primarily run-aways, truants, and other minor offenders. The Oahu facility has 12 beds; the Maui facility has 8 beds. KKP has remained steadfast in using a native Hawaiian cultural platform to rehabilitate every individual that enters the program. Values such as *Lokahi, Pono, Po’okela, Malama and Aloha* are recited daily as a reminder to “do the values and not just speak it.” KKP makes it clear that they address the needs of all adjudicated male teen. However, their preference has always been to provide guidance and mentorship to those Native Hawaiian ancestry first.

Beneficiary Consultation

When SOH DHS requested extension of the license term for the prior 5 years in 2018, DHHL took the request to the communities for consultation. Beneficiaries were invited to attend a consultation meeting to share their thoughts on the request for a license extension at the Kalaeloa and Wailuku parcels. The meetings were held on May 30, 2018.

The comments and questions relating to the program itself were generally related to staff, curriculum, post-program follow-up, interaction with parents, and questions relating to enrollment and other similar program offerings on Maui and Oahu. In general, the groups in attendance in both meetings were supportive of the program and the request for a license extension.

The Beneficiary Consultation Report were presented to the Hawaiian Homes Commission on July 16, 2018, under Agenda Item No. G-1. The discussion topic included an option to extend for another five (5)-year term to 2029 with Licensee’s 90 days advanced written request and Chairman’s approval. The HHC accepted the report as the official record of beneficiary issues, questions, concerns, and comments relating to the request for an extension of License No. 705 to continue operation of youth social services program on the subject parcels at Kalaeloa, Oahu and Wailuku, Maui.

LOCATION AND SIZE OF PREMISES

50,400 sf (1.15 acres) of Hawaiian home lands situated in Kalaeloa, Island of Oahu, further identified by TMK No. (1) 9-1-013:024 (p) (See Exhibit “B”); and

8,154 sf (0.187 acre) of Hawaiian home lands in Wailuku, Island of Maui, further identified as TMk (2) 3-4-011:032 (See Exhibit “C”).

May 2024

LAND USE DESIGNATION

Kalaeloa: Industrial. Oahu Island Plan (2014), Honouliuli Ahapua'a-Kalaeloa Planning Area

Wailuku: Commercial. Maui Island Plan (2004)

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT

Triggers: Use of State Lands

The direct, cumulative, and potential impacts of the action described have been considered pursuant to Chapter 343, Hawaii Revised Statutes and Chapter 11-200, Hawaii Administrative Rules. This licensee has completed an environmental assessment.

AUTHORITY

§207(c)(1) of the Hawaiian Homes Commission Act, 1920, as amended.

§10-4-21, of the Department of Hawaiian Hom Lands Administrative Rules, as amended.

RECOMMENDATION

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

JOSH GREEN, M.D.
GOVERNOR



LEANNE GILLESPIE
EXECUTIVE DIRECTOR

Phone: (808) 587-5710
Fax: (808) 587-5734

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
Office of Youth Services
1010 Richards Street, Suite 314
Honolulu, Hawaii 96813

October 23, 2023

MEMORANDUM:

TO: KALI WATSON, CHAIRMAN
DEPARTMENT OF HAWAIIAN HOME LANDS

FROM: LEANNE GILLESPIE, EXECUTIVE DIRECTOR *L. Gillespie*
OFFICE OF YOUTH SERVICES, DEPARTMENT OF HUMAN SERVICES

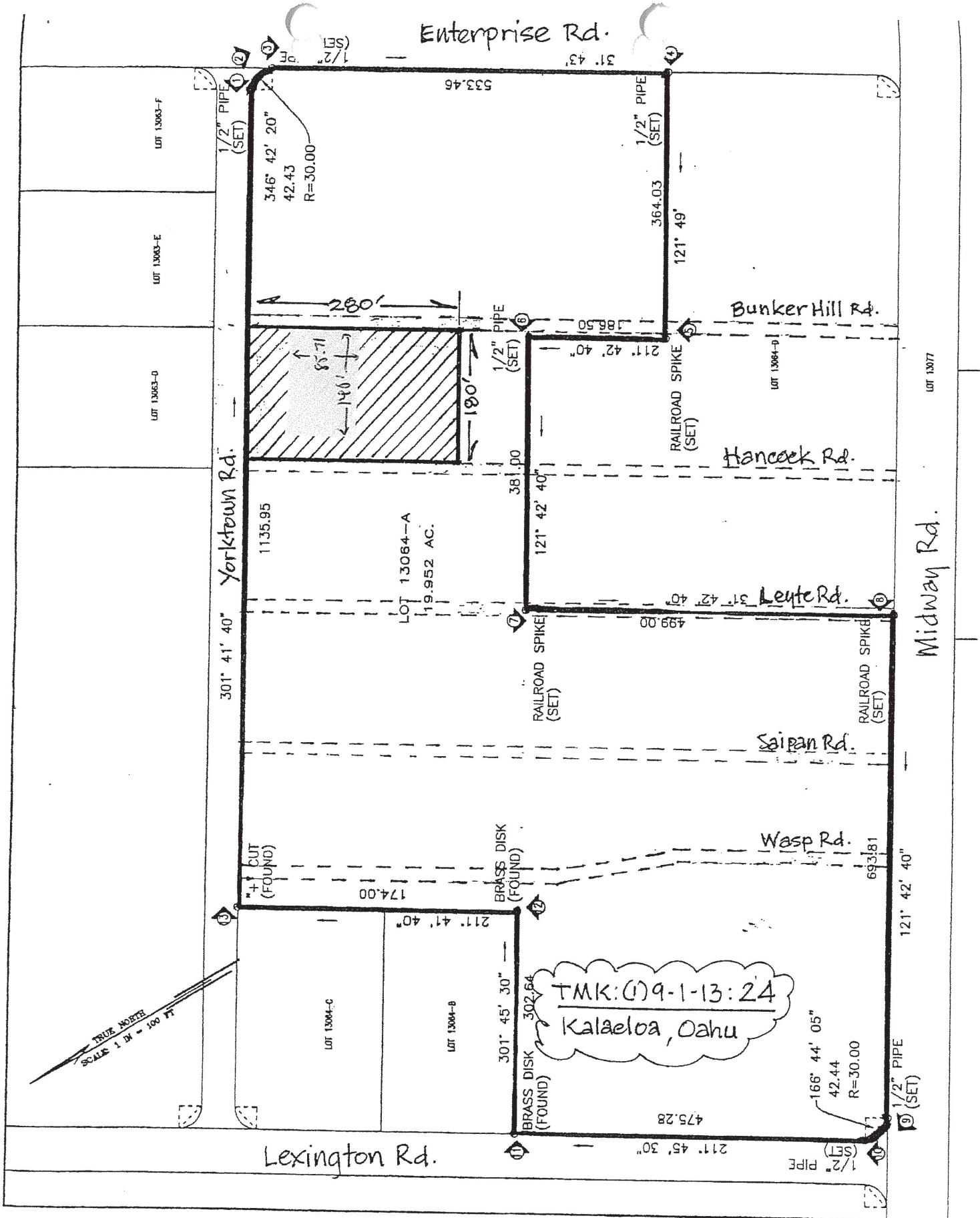
SUBJECT: REQUEST TO EXTEND LEASE AGREEMENT NO. 705 AND TRANSFER
OWNERSHIP OF 2 HOUSES

This memo is to provide you information on the status of the Safe House Group Home (Ke Kama Pono) residential programs that are located on your properties in Wailuku, Maui and Kalaeloa, Oahu. The Ke Kama Pono programs have been operating at both sites since 2018 with the current contracts ending December 31, 2023. A request for proposals to continue these programs was issued on April 17, 2023, with awards issued to the Salvation Army Family Intervention Services to continue services at the Wailuku, Maui location, and Partners In Development Foundation to continue services at the Kalaeloa, Oahu location. The initial contract is scheduled to run from January 1, 2024 to December 31, 2025. Contracts may be extended beyond the initial 24 months, for an additional two 24-month periods.

Based on the foregoing information, we request to extend the license, for the Department of Human Services, for an additional six-year period, April 1, 2024 to March 31, 2030. I would also appreciate a copy of the fully executed First Amendment effective April 22, 2018, for which I am unable to locate.

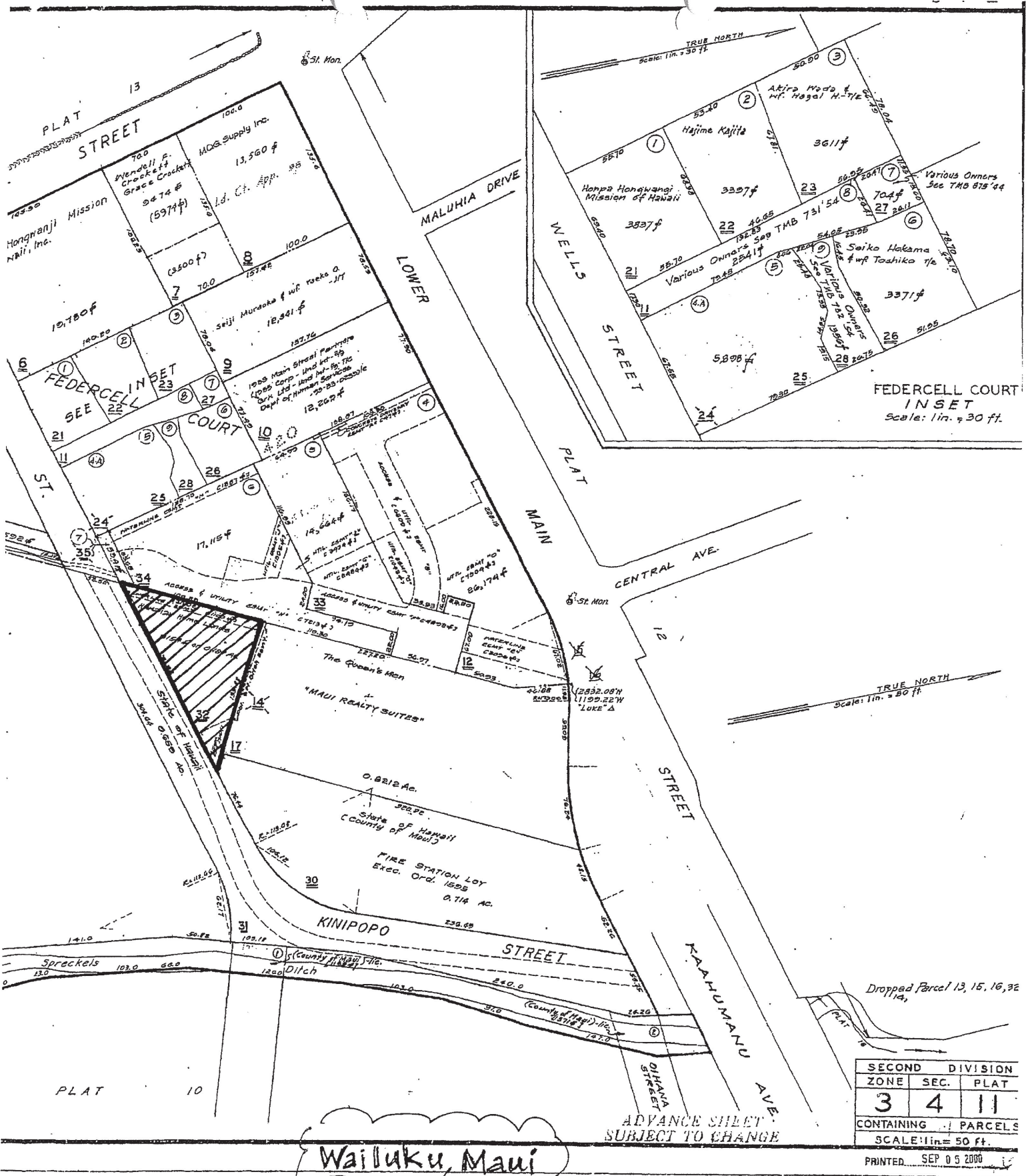
Additionally, we request transfer of ownership of the 2 houses that were contracted in 2008, located on the respective properties, from the Department of Human Services to the Department of Hawaii Home Lands, with a provision to allow the Safe House Group Home programs to continue utilizing the houses for the duration of the contract period.

If there are any questions, please contact me at lgillespie@dhs.hawaii.gov or at (808) 587-5712.



TMK: (1) 9-1-13: 24
 Kalaeloa, Oahu

Exhibit "B"
Item No. F-5



Wailuku, Maui

ADVANCE SHEET
SUBJECT TO CHANGE

PRINTED SEP 05 2000

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 20-21, 2024

To: Chairman and Members, Hawaiian Homes Commission

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

Kalei Young, Supervising Land Agent
Land Management Division *KY*

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

Subject: Approval to Issue First Amendment to Right of Entry No. 727, Alpha, Inc., Honokowai, Maui Island, TMK: (2) 4-4-002:018 (por.)

RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission (HHC) authorize the issuance of First Amendment to Right of Entry No. 727 issued to Alpha, Inc., for an additional twelve (12) month period for staging and base yard purposes during County of Maui, Department of Water Supply's West Maui Source Development Project.

Approval of the first amendment is subject, but no limited to the following conditions:

1. The term shall be extended for an additional twelve (12) month period, commencing on July 14, 2024;
2. Permittee shall pay the processing and documentation fee, \$150.00;
3. Except as amended herein, all of the terms, conditions, covenants, and provisions of Right of Entry No. 727 shall continue and remain in full force and effect;
4. The amendment document shall be subject to the review and approval of the Department of the Attorney General; and
5. 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:

Portion of Hawaiian home lands situated in Honokowai, Island of Maui, identified as Tax Map Key: (2) 4-4-002:018 (por.) (See Exhibit "A")

AREA:

Approximately 0.9 acre (more or less)

BACKGROUND/DISCUSSION

At its meeting of June 26, 2023, the Hawaiian Homes Commission (HHC) approved the issuance of Right of Entry No. 727 (ROE 727) to Alpha, Inc. (Alpha), covering approximately 0.9 acre of the subject parcel for material storage, staging and base yard purposes during the County of Maui (COM), Department of Water Supply's (DWS) West Maui Source Development project, which includes Kahana Production Well and Mahinahina Well Development, see Exhibit "B".

In addition, the project scope of work includes development of a 500,000-gallon control/mixing tank that will serve as a connection point between DHHL and DWS water transmission lines that will eventually service DHHL's future development in Honokowai.

Through the attached letter shown as Exhibit "C", Alpha is requesting to extend the ROE 727 term for an additional 12-month period. The ROE 727 allows the term extension. Alpha's presence on the subject parcel has helped deter transient activities in the area. In addition, at no cost to DHHL, Alpha installed rock barricades to prevent illegal dumping on the Hawaiian home lands parcel. Approval on the requested motion will allow Alpha's continued use of the premise, support COM DWS water development project, and deter trespassing on the DHHL Honokowai parcel.

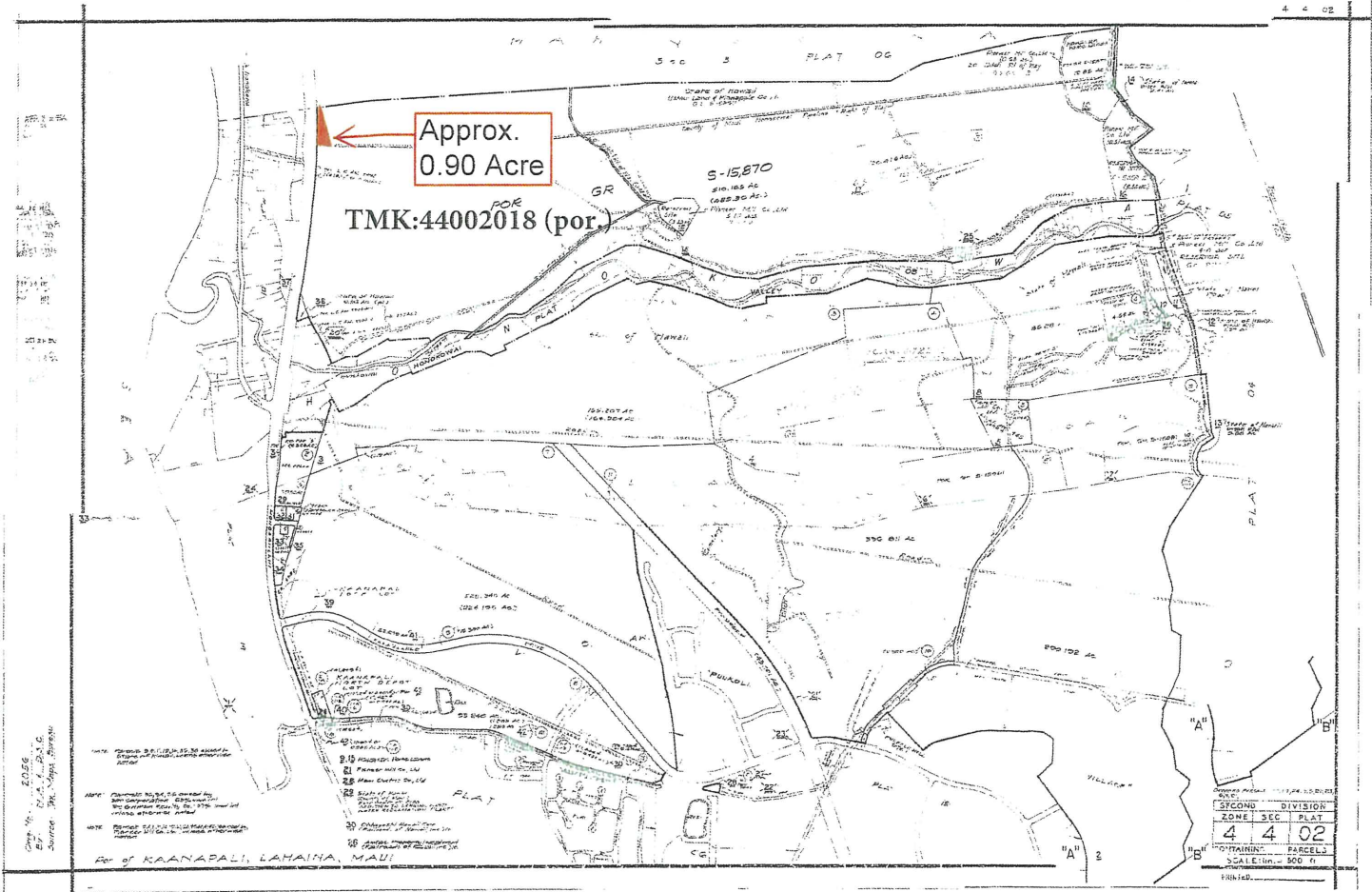
AUTHORITY

Hawaii Revised Statutes §171-55 Permits.

RECOMMENDATION

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

Hawaiian Home Lands



STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

RIGHT-OF-ENTRY NO. 727

This RIGHT-OF-ENTRY NO. 727 (*ROE*), dated July 14, 2023, (*Effective Date*) is made by and between the State of Hawaii, **DEPARTMENT OF HAWAIIAN HOME LANDS**, whose place of business is 91-5420 Kapolei Parkway, Kapolei, Hawaii, 96707 (*PERMITTOR*) and **ALPHA, INC.**, a Hawaii profit corporation, whose address is P.O. Box 330449, Kahului, Hawai'i, 96733, (*PERMITTEE*).

1. **GRANT.** PERMITTOR grants to PERMITTEE, its employees, invitees, agents, and representatives (collectively, *Permittee's Representatives*), a non-exclusive, revocable right to enter that certain parcel of Hawaiian home lands located at Honokowai, Island of Maui, identified as Tax Map Key No. (2) 4-4-002:018 (por.), and being approximately 0.9 acre of land and any improvements thereon, depicted in the map attached hereto as **Exhibit "A,"** together with those improvements existing thereon as of the Effective Date and any improvements or alterations permitted thereon (*Premises*).

2. **TERM.** This ROE commences on the Effective Date and will continue thereafter on a month-to-month basis until terminated as provided in this instrument; provided, however, that the total term of this ROE shall not to exceed one (1) year. PERMITTEE has the option to extend this ROE for an additional twelve (12) month period at the PERMITTOR's discretion. PERMITTOR may in its sole discretion, for any reason or no reason whatsoever, terminate this ROE on thirty (30) days written notice to PERMITTEE.

3. **PERMITTED USE.** PERMITTEE may use the Premises solely for material storage, staging and base yard purpose during County of Maui, Department of Water Supply's West Maui Source Development Project, which includes the Kahana Production Well and Mahinahina Well Development. PERMITTEE shall receive PERMITTOR's prior written consent for all other intended uses. Residential use is strictly prohibited.

4. **FEES.** The fee shall be gratis. On or before the Effective Date, PERMITTEE shall pay to PERMITTOR a non-refundable processing and documentation fee of \$175.00.

5. **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.

ITEM NO. F-6
EXHIBIT "B"



6. **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 will dispose of trash and debris on a regular basis. All trash and debris accumulated shall be removed immediately from the site the same day or at the latest the next day to deter the presence of flies and offensive odors. Any offensive odors from animals or any other entity shall be addressed immediately.

7. **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. PERMITTEE shall be allowed to provide a shelter for security personnel if such persons are hired for security purposes.

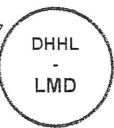
8. **CONSTRUCTION AND IMPROVEMENTS**. No new construction will be allowed without the prior written approval of PERMITTOR. No alteration, addition, or installation of any kind will be made to the Premises unless plans are first submitted and approved in writing by PERMITTOR. No permanent improvements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

9. **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.

10. **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; provided that PERMITTOR shall not interfere unreasonably with PERMITTEE'S permitted use(s) of the Premises.

11. **NO ASSIGNMENT OR SUBLEASE**. PERMITTEE may not in any manner transfer, assign, mortgage, pledge, sublease, or sublet any rights in or to the Premises, in whole or part, 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.

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



indemnify, defend, and hold the Lessor harmless from and against all attachments, liens, charges, and encumbrances and all resulting expenses.

13. **SURRENDER**. At the end of the lease term or other sooner termination of this ROE, PERMITTEE shall peaceably and quietly surrender and deliver to PERMITTOR possession of the Premises and within thirty (30) days thereof, restore, at its own cost and risk, the Premises to a clean and orderly condition, reasonable and ordinary wear and tear and damage by acts of God excepted. PERMITTEE shall remove all fixtures and personal property belonging to PERMITTEE; provided that in any such fixture can be safely removed without damage to the Premises or any improvements thereon. Upon the expiration, termination, or revocation of this ROE, if 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 ROE.

14. **INSURANCE**. PERMITTEE shall provide a copy of a comprehensive general liability insurance policy of no less than \$2,000,000.00 for each occurrence, naming the State of Hawai'i and its Department of Hawaiian Home Lands (DHHL) as an additional insured prior to commencement of work and throughout the term of this ROE. The specification of these limits as contained herein shall not be construed in any way to be a limitation on the amount of liability of PERMITTEE for fees, interest, or other charges under this ROE.

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

In addition:

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

- c. PERMITTOR is a self insured State agency. PERMITTEE'S insurance shall be primary. Any insurance maintained by PERMITTOR and/or the State of Hawaii shall apply in excess of, and shall not contribute with, insurance provided by PERMITTEE.

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

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

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

PERMITTOR shall retain the right at any time to review the coverage, form, and amount of the insurance required by this lease. 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.

15. **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 therefore, 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 ROE. The provisions of this paragraph shall remain in full force and effect notwithstanding the expiration or early termination of this ROE.

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

PERMITTEE agrees to indemnify, defend, and hold harmless PERMITTOR, its officers, employees, and agents from and against all liability, loss, 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 the ROE.

For the purpose of this ROE, 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 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.

17. **ENTIRE AGREEMENT.** This ROE 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.

18. **PERMITTEE'S 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.

19. **REVIEW AND APPROVAL.** The ROE 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 ROE is subject to other terms and conditions that may be deemed prudent by the Chairman of the Hawaiian Homes Commission.

20. **SPECIAL CONDITIONS.**

- A. PERMITTEE shall institute an erosion control program and install dust control measures to minimize airborne fugitive dust for the entire duration of the project.

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
June 26, 2023

State of Hawaii
DEPARTMENT OF HAWAIIAN HOME LANDS

APPROVED AS TO FORM:

Alyssa Maui Yukiko Kani
Deputy Attorney General
State of Hawaii

By *Kali Watson*
KALI WATSON
Chairman, Hawaiian Homes Commission

PERMITTOR

ALPHA, INC.
a Hawaii profit corporation

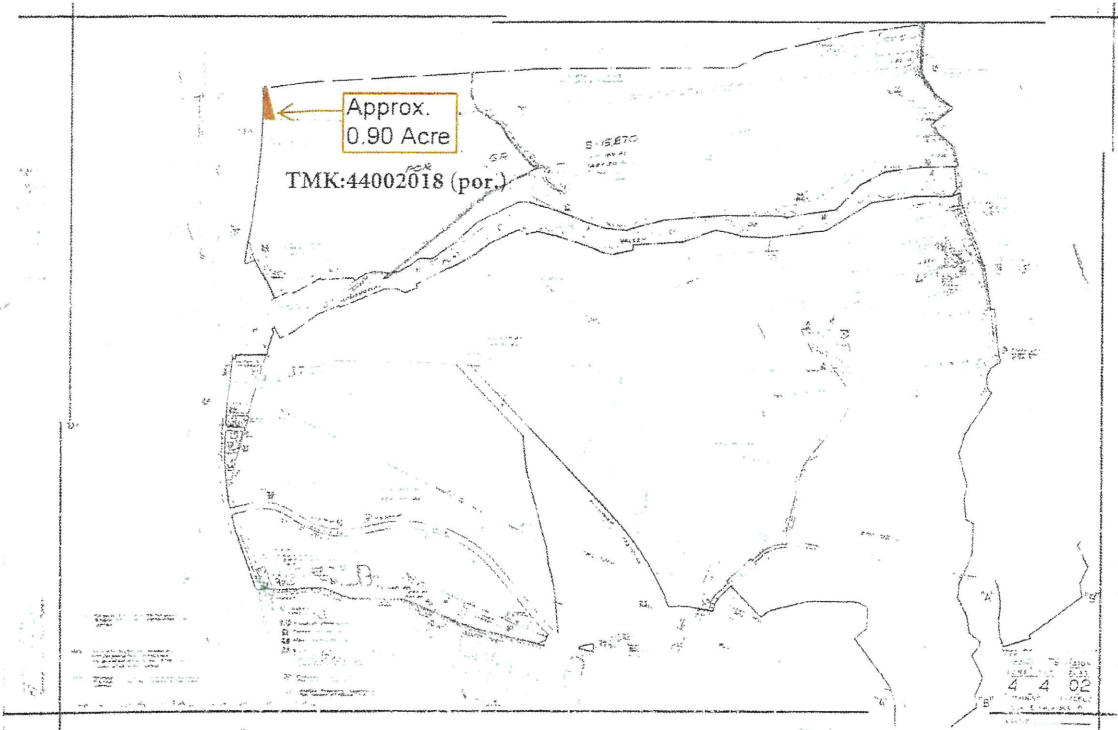
By: *Greg Sado*
GREGORY SADO
Its: Chief Operations Officer

PERMITTEE



EXHIBIT "A"
(Premises)

TMK No. (2) 4-4-002:018 (por.)












Right of Entry No. 727 to Alpha Inc.


Final Audit Report


2023-07-14


Created:	2023-07-14 (Hawaii-Aleutian Standard Time)
By:	Shelly Carreira (shelly.p.carreira@hawaii.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAXS5WyDEyOn8UKQqacbjdk8GZzbcP7PW
Number of Documents:	1
Document page count:	13
Number of supporting files:	0
Supporting files page count:	0


"Right of Entry No. 727 to Alpha Inc." History


-  Document created by Shelly Carreira (shelly.p.carreira@hawaii.gov)
2023-07-14 - 9:12:18 AM HST
-  Document emailed to Alyssa-Marie Kau (alyssamarie.kau@hawaii.gov) for signature
2023-07-14 - 9:14:13 AM HST
-  Email viewed by Alyssa-Marie Kau (alyssamarie.kau@hawaii.gov)
2023-07-14 - 10:23:15 AM HST
-  Agreement viewed by Alyssa-Marie Kau (alyssamarie.kau@hawaii.gov)
2023-07-14 - 10:24:16 AM HST
-  Document e-signed by Alyssa-Marie Kau (alyssamarie.kau@hawaii.gov)
Signature Date: 2023-07-14 - 10:24:34 AM HST - Time Source: server
-  Document emailed to Greg Sado (greg@alphahawaii.com) for signature
2023-07-14 - 10:24:36 AM HST
-  Email viewed by Greg Sado (greg@alphahawaii.com)
2023-07-14 - 10:26:13 AM HST
-  Agreement viewed by Greg Sado (greg@alphahawaii.com)
2023-07-14 - 10:38:42 AM HST
-  Document e-signed by Greg Sado (greg@alphahawaii.com)
Signature Date: 2023-07-14 - 10:47:11 AM HST - Time Source: server

 Document emailed to Kali Watson (kali.watson@hawaii.gov) for signature
2023-07-14 - 10:47:14 AM HST

 Email viewed by Kali Watson (kali.watson@hawaii.gov)
2023-07-14 - 11:03:56 AM HST

 Agreement viewed by Kali Watson (kali.watson@hawaii.gov)
2023-07-14 - 11:04:21 AM HST

 Document e-signed by Kali Watson (kali.watson@hawaii.gov)
Signature Date: 2023-07-14 - 11:04:30 AM HST - Time Source: server

 Agreement completed.
2023-07-14 - 11:04:30 AM HST

ALPHA^{INC}

CONSTRUCTION DRILLING ENERGY

Office 808.873.3883 | Fax 808.873.3884
P.O. BOX 330449 KAHULUI, HI 96733 | ABC -31555

April 10, 2024

Department of Hawaiian Homelands
Chairman Kali Watson
91-5420 Kapolei Parkway
Kapolei, HI 96707

Re: Right of Entry No. 727 (Portion of TMK (2) 4-4-002:018)

Aloha Chairman Watson,

Alpha Inc. is requesting a 12-month extension to Right of Entry No. 727, which includes use of a 0.9 acre portion of Department of Hawaiian Homeland parcel (2) 4-4-002:018 in Honokōwai, Lāhainā, to utilize as a staging area. Alpha Inc. is requesting use for material storage and staging for the County of Maui Department of Water Supply's West Maui Source Development project, which includes Kahana Production Well (15-04) and Māhinahina Well Development (11-06). Part of the scope of work includes the development of a 500,000 gallon control/mixing tank that will act as the connection point between DHHL and DWS water transmission lines and will eventually serve the future land in the vicinity. The project is scheduled to last a couple of years from June 2023, hence we are requesting a 12-month extension to existing Right of Entry No. 727 with the ability to request another extension if necessary.

We respectfully request your consideration on this matter and if granted, will continue to provide day-time presence and help deter transient activities in the area.

Sincerely,



Kaily Baisa
Project Manager, Alpha Inc.

ITEM NO. F-6
EXHIBIT "C"

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 20-21, 2024

To: Chairman and Members, Hawaiian Homes Commission

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

Kalei Young, Supervising Land Agent *ky*
Land Management Division

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

Subject: Approval to Issue Right of Entry Permit, Hui Ho'okahua Molokai, Kaunakakai, Molokai Island, TMKS: (2) 5-3-001:002, 097 & 100

APPLICANT:

Hui Ho'okahua Molokai "PERMITTEE"

RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission (HHC) grant its approval to issue a Right of Entry (ROE) permit to Hui Ho'okahua Molokai for approximately 5.0 acres (more or less) of Hawaiian home lands TMK: (2) 5-3-001:002, 097 & 100 for the purpose of conducting due diligence studies including but not limited to project master plan, business plan, and related Chapter 343, HRS and Chapter 6E, HRS compliance requirements.

1. Authorize the issuance of a Right of Entry permit to PERMITTEE covering the subject area under the terms and conditions cited below, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current right of entry permit form, as may be amended from time to time;
 - B. The term of the Right of Entry shall be month to month for up to thirty-six (36) months, commencing upon execution, with the option for two additional twelve (12) month extensions at the sole discretion of PERMITTOR;
 - C. The fee for the term of this ROE shall be gratis;
 - D. 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. The permittee's master plan shall be consistent with the DHHL Malama Park Special Area Plan.
 - ii. Site plan drawing at scale of the project area depicting conceptual size and location of proposed improvements and programmatic use of the project area.

- iii. Communication Plan & Protocol for coordinating with homestead association leadership on park management decisions. The Communication Plan & Protocol shall identify how park management decisions will be made and how homestead association leadership will be involved in those decisions.
- E. 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.
- F. 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.
- G. 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 every six months starting from the ROE permit 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 D thru G 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.
- H. The documentation and processing fee shall be waived;
- I. 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;
2. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR this project will probably have minimal or no significant effect on the environment.

LOCATION:

Portion of Hawaiian home lands situated in Kaunakakai, Island of Molokai, identified as TMK: (2) 5-3-001:002, 097 & 100 (See Exhibit "A")

May 2024

AREA:

5.0 acres

BACKGROUND/DISCUSSION:

Hui Ho'okahua Molokai (HHM) submitted a land use request to DHHL for approximately 5.0 acres (more or less), encompassing TMKS: (2) 5-3-001:002, 097 & 100 for the purposes of conducting due diligence activities related to securing a long-term disposition to develop programs to protect and perpetuate cultural knowledge, resources, and practices, restore and maintain habitat for native species, economic opportunities, place-based education programs, see Exhibit "B". The HHM's land use request includes twelve (12) letters of support from various homestead associations, community groups and leaders.

The HHM is a newly formed 501c3 domestic nonprofit corporation comprised of leadership from six (6) homestead associations within the Ho'olehua, Kapa'akea, Kamiloloa, Kalamaua and Naiwa regions to collaboratively promote health, safety, and well-being of their Lahui, including perpetuate Hawaiian cultural practices and knowledge for future generations. Their overall goal is to manage and maintain the Malama Cultural Park to serve as a special place for the community through programs aimed at preserving and protecting cultural resources and practices, restore and maintain natural habit wetland areas, and developing educational and economic opportunities.

A beneficiary consultation meeting was held on April 4, 2024 to collect beneficiary input and feedback on HHM's land use request. The beneficiaries in attendance were supportive of HHM's land use request. The beneficiary consultation report will be presented to the Hawaiian Homes Commission meeting of April 2024 under a Planning Office submittal item.

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 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) Special Area Plan: The Special Area Plan (SAP) provides a condition assessment of Malama Cultural Park and its resources, outlines specific management actions to ensure the natural and cultural resources within the DHHL property are properly cared for, and recommends various management approaches.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

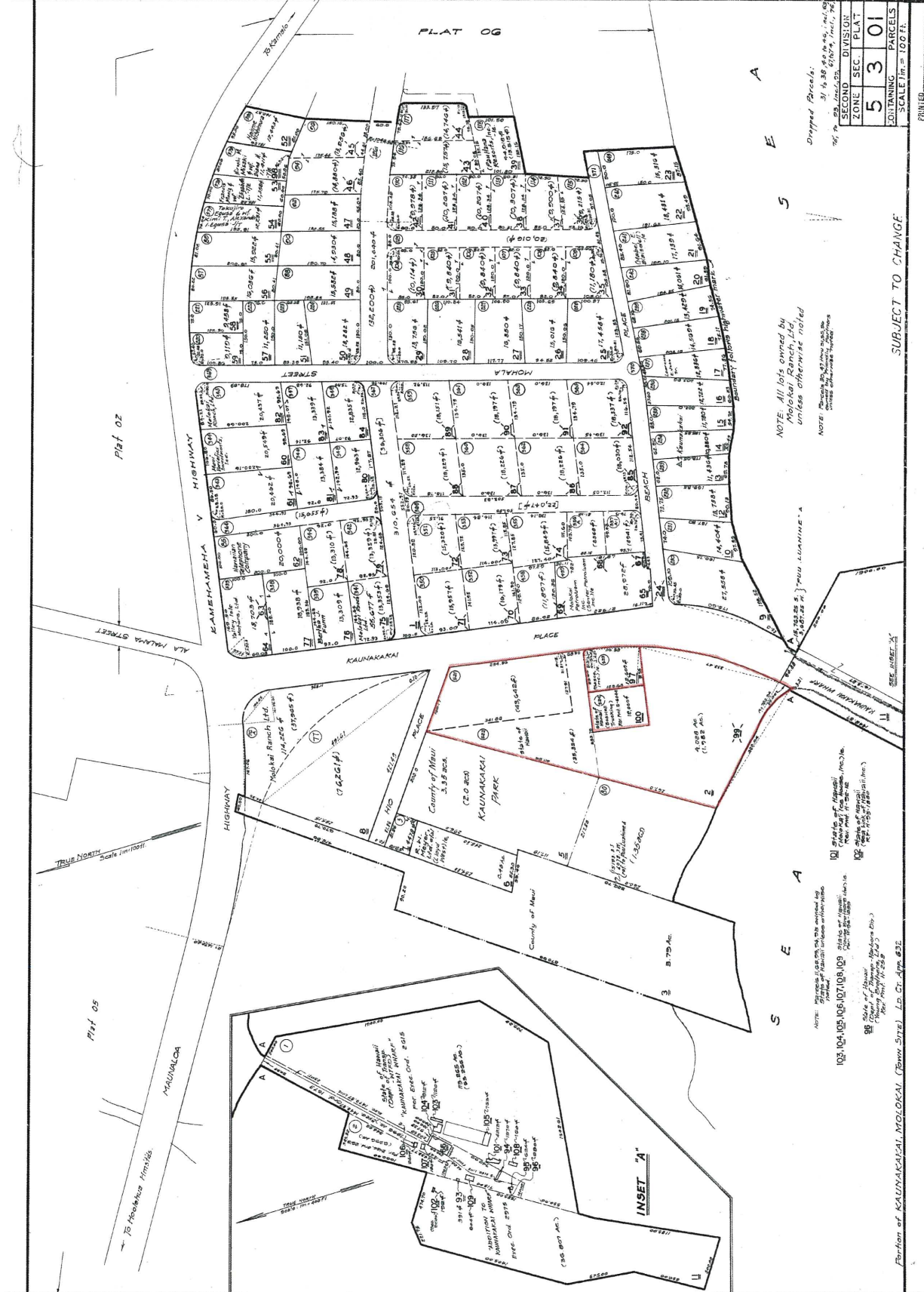
In accordance with the Department of Hawaiian Home Lands Comprehensive Exemption List as Reviewed and Concurred Upon by the Environmental Council on June 30, 2015, the Right of Entry permit request is exempt from the preparation of an environmental assessment pursuant to Exemption Class #5, "Basic data collection, research, experimental management, and resource evaluation activities which do not result in serious or major disturbances to an environmental resource."

RECOMMENDATION

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

REVISED: L.H. & G. LANE 1950

Source: Tax Maps Bureau & Survey Dept.
 Date: 10/27/50
 Drawn: J.P. [unclear]



NOTE: All lots owned by
 Molokai Ranch, Ltd.
 unless otherwise noted

NOTE: Dropped parcels:
 31 to 38 are shown on
 90, p. 22, 1/11/50, 5/17/50, 1/11/50, 7/20

CONTAINING	PARCELS
5	301

SCALE 1 in. = 100 FT.

NOTE: All lots owned by
 Molokai Ranch, Ltd.
 unless otherwise noted

NOTE: Dropped parcels:
 31 to 38 are shown on
 90, p. 22, 1/11/50, 5/17/50, 1/11/50, 7/20

NOTE: All lots owned by
 Molokai Ranch, Ltd.
 unless otherwise noted

NOTE: Dropped parcels:
 31 to 38 are shown on
 90, p. 22, 1/11/50, 5/17/50, 1/11/50, 7/20

NOTE: All lots owned by
 Molokai Ranch, Ltd.
 unless otherwise noted

NOTE: Dropped parcels:
 31 to 38 are shown on
 90, p. 22, 1/11/50, 5/17/50, 1/11/50, 7/20

NOTE: All lots owned by
 Molokai Ranch, Ltd.
 unless otherwise noted

NOTE: Dropped parcels:
 31 to 38 are shown on
 90, p. 22, 1/11/50, 5/17/50, 1/11/50, 7/20

NOTE: All lots owned by
 Molokai Ranch, Ltd.
 unless otherwise noted

NOTE: Dropped parcels:
 31 to 38 are shown on
 90, p. 22, 1/11/50, 5/17/50, 1/11/50, 7/20

NOTE: All lots owned by
 Molokai Ranch, Ltd.
 unless otherwise noted

NOTE: Dropped parcels:
 31 to 38 are shown on
 90, p. 22, 1/11/50, 5/17/50, 1/11/50, 7/20

NOTE: All lots owned by
 Molokai Ranch, Ltd.
 unless otherwise noted

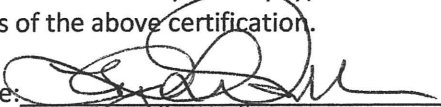
NOTE: Dropped parcels:
 31 to 38 are shown on
 90, p. 22, 1/11/50, 5/17/50, 1/11/50, 7/20

**Department of Hawaiian Home Lands
NON-PROFIT ORGANIZATION APPLICATION FOR LONG-TERM USE OF DHHL LANDS
Application
INSTRUCTIONS**

APPLICATION PROCESS ESTIMATED TIMEFRAME

Application Step	Timeframe	Responsible Entity
1. DHHL receives pre-application packet and notifies applicant if pre-application packet is complete	Up to 30 days	LMD
2. DHHL reviews completed project proposal and schedules review meeting with applicant to review questions, concerns, staff may have	Up to 90 days	PO & LMD
3. DHHL schedules beneficiary consultation meeting if project is <u>not</u> a regional plan priority project. The applicant's pre-application will be placed on the DHHL Land Management Division webpage for public review.	Meeting scheduled 3 months before on island HHC meeting. For example, if you are applying for DHHL land on Kauai, the beneficiary consultation meeting would be scheduled 3 months before the HHC meeting on Kauai. HHC meeting calendar go to: http://dhhl.hawaii.gov/hhc/	PO & Applicant
4. HHC ROE approval for due diligence	3 months after beneficiary consultation meeting	LMD & HHC
5. Conduct due diligence studies*	12-24 months	Applicant*
6. HHC approves FONSI	TBD	PO & HHC
7. HHC approves long-term disposition	TBD	LMD & HHC
8. Monitoring and reporting	TBD	Applicant & PO & LMD

[To be signed by person identified in Pre-Application Form Question #1] I hereby acknowledge that I have read and understand the above application instructions. I understand that this form is being submitted electronically and my typed name on the signature line will qualify as my signature for purposes of the above certification.

Signature: 
 Printed Name: Faye Liko Wallace
 Organization: Hui Ho'okahua Molokai

Date: 4/2/23
 Title: President

PROJECT INFORMATION

- 8. Describe the project. What are your project goals and objectives? What kinds of activities, programs, and/or services will you provide? Describe the need for your project and how it will benefit the DHHL trust, homestead lessees, and/or waitlist applicants.
[Please provide your typed responses on a separate page]

- 9. Please share your current thinking about the following project elements:
 - a. The planning process and your efforts to include beneficiaries.
 - b. Beneficiary involvement throughout the duration of the project.
 - c. Design and construction costs for major improvements (if any).
 - d. Long-term management and operation of project facilities and the requested land area.
 - e. Long-term maintenance and repairs.*[Please provide your typed responses on a separate page]*

- 10. Is the proposed project a Regional Plan Priority Project? YES NO

- 11. How do you intend to secure funding and other needed resources for the project?
[Please provide your typed responses on a separate page]

PROJECT LOCATION

- 12. Identify the parcel(s) of land your organization is requesting.
Tax Map Key Number(s): (2)5-3-001:002 / (2)5-3-001:097 / (2)5-3-001-100 Acres: Approx. 5 acres
Homestead Area: Kaunakakai / Malama Cultural Park Regional Plan Area: Island of Molokai
Island Plan Land Use Designation: *check all that apply below*
Community Use General Agriculture Conservation Special District Other

- 13. Please attach a map that marks the boundaries of the area of land you are requesting. Please also identify on a separate map the conceptual layout and siting of proposed uses.

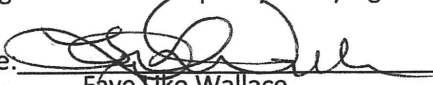
- 14. What are the existing uses in the surrounding area? Please describe how your proposed use is consistent with the existing surrounding uses.
[Please provide your typed responses on a separate page]

- 15. Why do you want to implement your project at this site? Describe the characteristics of the site and surrounding area that make it an ideal location for your project.
[Please provide your typed responses on a separate page]

TIMEFRAME

- 16. What is the general timeframe for implementing the project (estimated years)? Please identify major benchmarks and phases.
[Please provide your typed responses on a separate page]

I hereby acknowledge that I have read this application and certify that the information provided in our responses are correct. I understand that this form is being submitted electronically and my typed name on the signature line will qualify as my signature for purposes of the above certification.

Signature:  Date: 11/2/23
Printed Name: Faye Liko Wallace Title: President
Organization: Hui Ho'okahua Molokai

Name of Organization: Hui Ho'okahua Molokai

Date of Incorporation: April 5, 2023

IRS Tax-Exempt #: 92-2187332

1. Please identify one individual who will be the point of contact for this application:

Contact Name: Faye Liko Wallace

Title: President

Email Address: likowallace@ymail.com

Phone: (808) 658-0714

2. What is the mission/vision of your organization?

Hui Ho'okahua Molokai is a cohesive organization of homestead associations working collaboratively toward the empowerment, sustainability, and prosperity of our Molokai Island Community.

3. Please describe the history of your organization?

Hui Ho'okahua Molokai is a newly formed 501(c)(3) organization comprised of six (6) Molokai DHHL Homestead Associations, three of which are of long standing Homestead areas, that being Ho'olehua, Kapa'akea and Kamiloloa~One Ali'i, two from the 'newer' homestead areas of Kalamaula and Na'iwa, and our Molokai Homestead Waitlisters of Ahonui. We have agreed to work collaboratively to promote the health, safety and well-being of our Lahui, as well as perpetuate our Hawaiian cultural practices and knowledge for future generations. Our collective concentration is on our Homestead lessees, but we advocate and plan for all Hawaiians and our island community as a whole.

4. How has your organization previously served beneficiaries of the Hawaiian Homes Commission Act?

Our organization consists primarily of DHHL Homestead Associations with the exception of Ahonui, our goal and mission is in service to our lessees and beneficiaries of our homestead areas, advocating and promoting sustainability of and for our people.

5. Describe past experiences, projects, or programs in the last five years that illustrate consistency with your organization's mission/vision statement.

Within our organization and among our Association(s) board members and general membership there is a wealth of experience in community leadership, program management and grant administration in various community service organizations for which we are a part of outside of our voluntary service to our homestead community.

We currently have Associations, who have established programs that have been operating for over three years now, these programs began as pilot projects which have targeted our homestead beneficiaries interests and desires to attain food sovereignty, to perpetuate cultural practices and educate our future generations in natural resource management, community service, and health and well-being of our Lahui.

Ho'olehua Homesteaders Association has an aquaponics project, targeting Homesteaders with a desire to grow their own food but lack the acreage, machinery or manpower to produce on a large scale. The pilot started three years ago when a small group did a pilot utilizing solar to power their pumps. This has led to a partnership with Waimanalo Homestead Association and (GCW) Ilima Ho-Lastimosa to build 10 new aquaponics gardens in Ho'olehua.

Ho'olehua also has an Opio program which teaches our youth farming techniques' and has classes not only in food growth, but soil enhancement, food preparation and eventually production and 'marketing' on a small scale. The overall goal of this program is to allow our Ho'olehua opio the option and ability to see what, and how their future interests in farming could lead, and to prepare them with the basic skills to achieve those goals.

Kamiloloa~One Ali'i Homesteaders Association (KOAHA) has been operating a Limu Project in partnership with Aina Momona on the west bank of Keawanui Loko i'a. It began with an OHA grant to produce Native Crops, this homestead area lies on the shoreline, and for our people, the most noticeable native crop depletion is that of our Native Limu species. Initially, the idea was to grow our Native limu in tanks near the shoreline, with the long term goal of replenishing our near shore waters with our Native species once we are able to maintain the growth of invasive and restore Marine ecosystem from the adverse effects of environmental change

This initial project has grown into an experiential service learning site and program of STEM Marine Science integrated with our Ike kupuna, which has and currently is being utilized by various school classes on the island.

6. Please provide references (name and contact information) and/or Letters of Support for this application for non-homestead use of Hawaiian Home Lands.

Liko Wallace, Molokai Canoe Club President, P.O. Box 767, Kaunakakai, HI 96748
Tiana Miguel, Wa'akapaemua Canoe Club, President, P.O. Box 341, Kaunakakai, HI 96748
Hui Ho'okahua Molokai Board Members:
Liko Wallace, Na'iwa Homestead Assn. President, P.O. Box 767, Kaunakakai, HI 96748
Bridget Mowat, Kapa'akea Hawaiian Homestead Assn. President, P.O. Box 315, Kaunakakai, HI 96748
Hala Pa-Kala, Kamiloloa~One Ali'i Homestead Assn. President, P.O. Box 832, Kaunakakai, HI 96748
Charlie Ka'ahanui, Ho'olehua Homestead Assn. President, P.O. Box 479, Ho'olehua, HI 96729
Phil Stephens, Kalamaula Mauka Homestead Assn. President, 7450 Kamehameha Hwy., Kaunakakai, HI 96748
Dickie Stone, Ahonui Assn. President, P.O. Box 162, Kaunakakai, HI 96748
S. U'i Lima, Digital Bus, Program Mgr-Ed Spec., P.O. Box 1446, Kaunakakai, HI 96748
Penny Martin, Papahana Kuaola, Youth Educator, P.O. Box 341, Kaunakakai, HI 96748
Mercy Ritte, ROOTED Alternative Ed Program, P.O. Box 13, Kualapu'u, HI 96757
Tehani Ka'alakahi, Sustainable Molokai, ED, P.O. Box 250, Kaunakakai, HI 96748
Clare Albino, Youth in Motion, President, P.O. Box 1066, Kaunakakai, HI 96748

7. If you are developing your project in partnership with another organization(s), please describe the roles and responsibilities during project development, implementation, and long-term management.

Hui o Malama- Hui o Malama Committee was formed prior to DHHL beneficiary consultations, comprised of current park area users including canoe club representations, homestead association representations, and non-homestead representations. The committee as a whole has been involved in planning, and will be involved in development, implementation, and long term management.

Penny Martin, Papahana Kuaola, Wetland Learning Resource Center (hands on learning center regarding the importance of wetlands to our islands' ecological systems [land and marine]) Design of area, learning center signage, planting and collection of Native wetland species. Continued usage throughout as part of ongoing educational field trips.

Pulama Maioho PhD., Ka Ipu Makani - Restoration of Kamehameha V pa hale. Development and implementation of guidelines and protocol for proper restoration and maintenance of pa-hale, signage in regard to importance and cultural relevance of site. Utilize site for cultural education.

Molokai Canoe Club/ Wa'akapaemua Canoe Club- Continued utilization, management and maintenance of current sites (of Canoe clubs and adjacent shoreline.) Perpetuation of cultural practices.

Kia'i 'Aina Momona- Design and development of halau- utilizing invasive and Native resources to construct a 'learning center/community center' as a cultural halau would have been constructed.

8. Describe the project. What are your project goals and objectives? What kinds of activities, programs, and/or services will you provide? Describe the need for your project and how it will benefit the DHHL trust, homestead lessees, and/or waitlist applicants.

Our overall goal and objective is to maintain the park to serve as a special place for the community and across generations. By establishing a restoration and recovery program for coastal plant communities, creating an outdoor wetland learning center, we would be able to protect, restore, and maintain habitat for native plants and animals, and implement a vegetated berm enhancement along the edge of the shoreline. Beginning with an invasive species removal and control program that will provide opportunities for place-based educational programs.

In cooperation with our neighbors and partners, we will develop an overall mitigation plan for cultural resources and protect and perpetuate cultural knowledge, resources, and practices. The restoration of Kamehameha V pa hale, and the continued perpetuation of Hawaiian canoe culture at the park are paramount to our overall goal.

These above goals and objectives can basically be accomplished without major funding and or equipment, but planning and manpower is required. In working cooperatively with our organizations' associations, the canoe clubs, our project partners and many of our community members who have expressed interest in seeing the revitalization of this area come to fruition, we believe we have the capacity to accomplish these initial projects, and provide opportunity for Community engagement and education.

Prior to the creation and construction of a central halau, planning and layout to address and manage vehicular access, lighting and safety, the demolition of the jailhouse, mitigation of exposure to soil contamination, and improvements to water delivery and water access to the community zone area of the park need to take place. The work that needs to be done in this area of the park is where we will need to secure the majority of funding.

We have a plan for providing restrooms in this community focused area that can also serve as an economic engine and eliminate the need for major construction of sewage and drainage. The Department of Health assured DHHL that it's safe to access the park for passive activities that do not involve ground disturbing activities. Any ground disturbing activities may require communication and coordination with DHHL/DOH and possibly a construction environmental hazard management plan. Our plan would avoid the need to excavate the soil and minimize exposure to contaminants.

The construction of the halau would utilize natural invasive (mangrove) and other natural resources (ie. coconut, lauhala) which would be constructed in sections and 'tied' together eliminating the need to excavate land, or to use concrete. The halau can be utilized as a visitor center, a halau wa'a, and shaded kupuna area, and will also serve as central base for a farmer's market and community area for workshops. The halau and park area will generate opportunities for community economic development. The halau, restroom trailers, and park area itself will serve as the economic engine to assist HHM with the security, daily maintenance and repairs, as well as utility costs that HHM would incur.

9. Please share your current thinking about the following project elements:

a. The planning process and your efforts to include beneficiaries.

Our organization's membership and majority of partners in planning and implementation are Homestead beneficiaries, we also work in cooperation with the Hui o Malama Committee which also includes homestead beneficiaries not involved with our Hui Ho'okahua organization.

b. Beneficiary involvement throughout the duration of the project.

HHM is a beneficiary driven organization, our Associations members are our primary target population for participation in our weekend markets, utilization of the halau and surrounding park area for festivities, events, workshops, etc.

c. Design and construction costs for major improvements (if any).

HHM will apply (utilizing 501(c)3) for grants to cover costs for major improvements, and plan to work together with DHHL and the County to address such issues as water delivery and water access to the community focused area.

d. Long-term management and operation of project facilities and the requested land area.

HHM goal is make this park area sustainable with the funding received through vendor participation of weekend markets, rental of the space by community organizations for programs/activities operated in park area, as well as through the rental of the trailer restrooms.

e. Long-term maintenance and repairs.

HHM goal is to utilize funds received from use of park area to pay for long term maintenance and repairs as mentioned above. There may be a need to hire a vendor to provide routine activities like trash collection, landscaping, bathroom maintenance, security, and utility repairs. Our long term goal is to be able to contract maintenance services from one of the many homestead beneficiaries who provide such services.

10. Is the proposed project a Regional Plan Priority Project? No

11. How do you intend to secure funding and other needed resources for the project?

HHM will need to advocate for the Malama Park Project to become a Regional and Island Plan priority, as in DHHL South Shore Erosion Management Plan (SSEMP). We believe there is enough interest in revitalizing this space, from Homestead beneficiaries and non-beneficiaries, and the community in general, to make this a priority. HHM will need to push DHHL to update the Regional and Island Plans.

PROJECT LOCATION

12. Identify the parcel(s) of land your organization is requesting. Malama Cultural Park Special Area

Tax Map Key Number(s): (2) 5-3-001:002 Acres: 4.03

Tax Map Key Number(s): (2) 5-3-001:097 Acres: 0.29

Tax Map Key Number(s): (2) 5-3-001:100 Acres: 0.28

Homestead Area: _____ Regional Plan Area: Island of Molokai

Island Plan Land Use Designation: Special District

13. Please attach a map that marks the boundaries of the area of land you are requesting. Please also identify on a separate map the conceptual layout and siting of proposed uses.

Attached: **Map 1:** Shows area of request in the entirety.

Map 2: Area 1- Will work in partnership with existing canoe clubs.

Area 2- Restoration and create a boardwalk & signage

Area 3- Restoration and signage

Area 4- Trailer restrooms, community halau on level parcel north of hula mound & amphitheater

Area 5- Repair existing parking area

14. What are the existing uses in the surrounding area? Please describe how your proposed use is consistent with the existing surrounding uses.

Currently there are two canoe clubs operating in the area and it is of utmost importance that these cultural activities continue here.

The pa-hale is adjacent to the Molokai Canoe club hale, and they have been attempting to maintain this site to the best of their abilities without 'crossing over' into area that is not theirs.

The main proponent of the wetland educational project is also a key member of the Wa'akapaemua Canoe club, and the wetland experiential learning center has been a pet project of hers for a while.

The halau will be a showcase area for the Molokai Canoe Racing Association's Koa canoe, the cultural workshops and showcases we have planned for the area is consistent with the cultural activities already in place there, and at current, the Molokai Canoe club hale also doubles sometimes as a community gathering place, but in the best interests of their canoes and hale area, it would be appropriate to have a separate community area near this cultural and historical shoreline so that the clubs themselves are not burdened by supporting community activity. The parking and restroom access planned is also intended for community use, and the club's existing structures (ie

Phase 4: Removal of dead trees and shrubbery from community zone area/ trim existing native trees, especially in the Milo shaded walk way. If water access is available, plan out and implement (install) new water delivery system (irrigation). Replace removed trees and vegetation with drought resistant, salt tolerant natives. This will reduce excessive use of potable water. Replace/ replant 'lost' trees along the existing shaded Milo Walkway. (Approximately 3-4 years)**

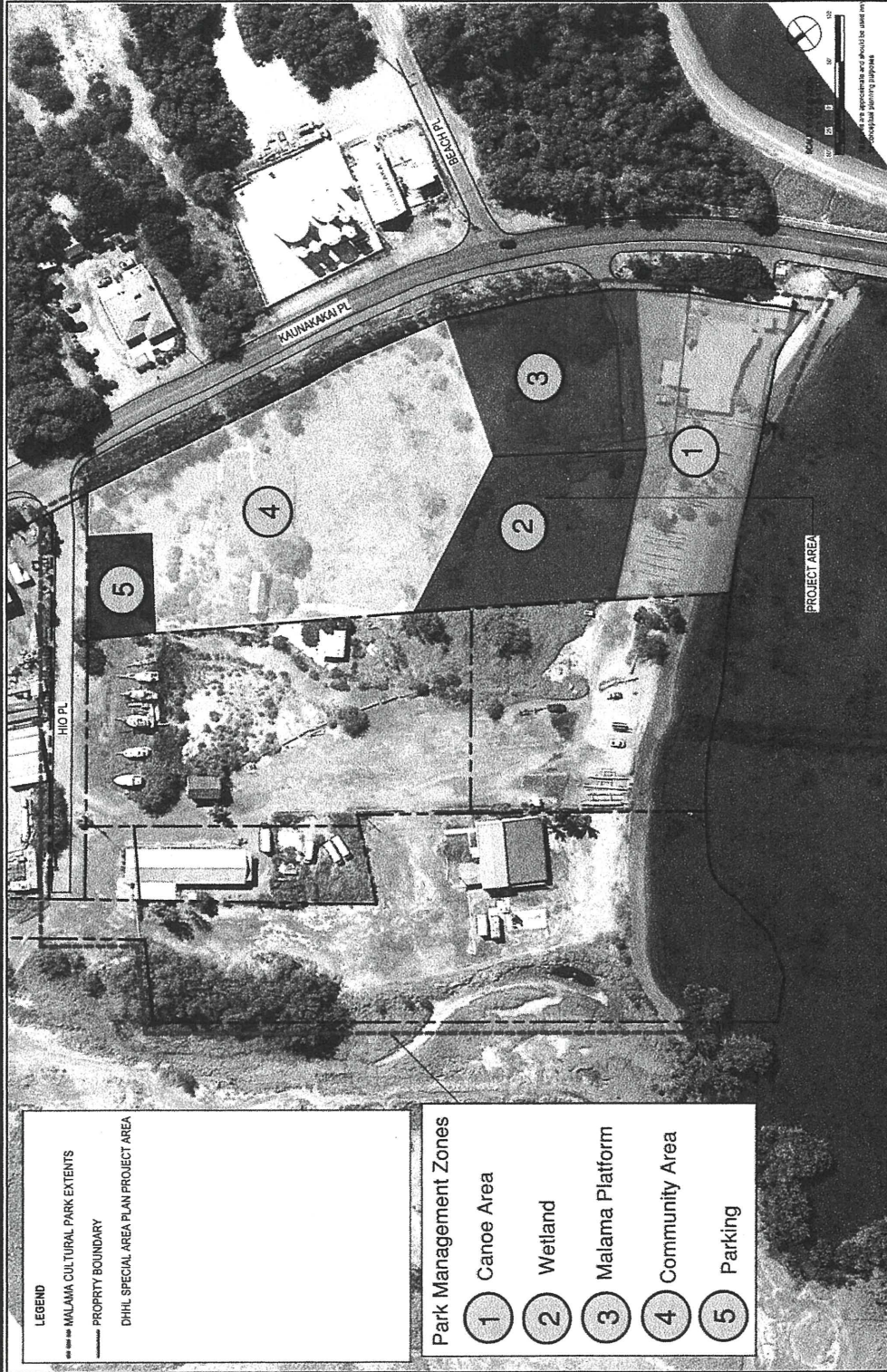
Phase 5: When we have confirmation that the water issue is finalized, we can begin on the design of the halau. Here we may need funding for professional engineering/construction guidance to ensure our intended structure and plan of construction is sound and safe for the size we intend to build. The gathering of raw materials for the halau can be conducted simultaneously as the plan is to utilize mangrove, which would need to be cut and debarked. Once all of the irrigation and planting/pruning of Community Designated area is complete, the raw goods can be brought to the halau site, and construction of frame work can begin. (Estimated 3-4 years to complete halau and secure trailer restroom)

It is also during this time that we can begin to search for and secure funding for the trailer restrooms. It is our intent to be ready and able to utilize the community park area once the halau and parking are complete.

Malama Cultural Park Management Zones

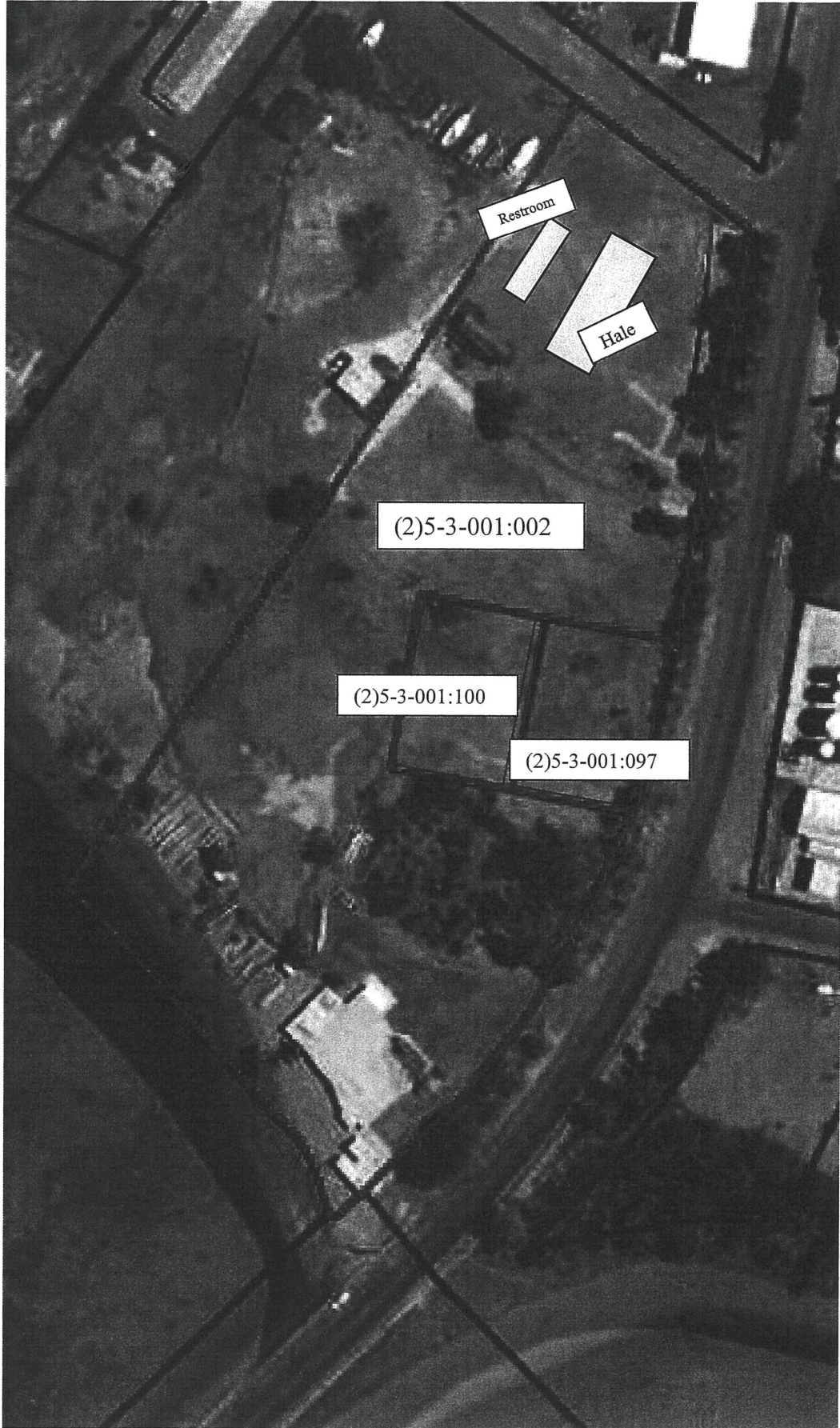


MAP 1



DEPARTMENT OF HAWAIIAN HOME LANDS – PLANNING OFFICE

MAY 2





October 16, 2023

State of Hawaii
Department of Hawaiian Home Lands
PO Box 1879
Honolulu, HI 96805

To whom it may concern;

The Molokai Canoe Club would like to throw our full support of Hui Ho'okahua Molokai to maintain the Malama Cultural Park on the Island of Molokai.

The Malama Cultural Park is located on the same parcel as The Molokai Canoe Club. We have been located at the same site since circa 1960. We share the same values, goals, and objectives as Hui Ho'okahua Molokai.

The Molokai Canoe Club is pleased that Hui Ho'okahua Molokai understands the importance of our community and restoration and recovery of our coastline for our future generations.

Molokai Canoe Club would be able work closely with Hui Ho'okahua Molokai to develop an overall mitigation plan for cultural resources and protect and perpetuate cultural knowledge, resources, and practices and to upkeep the restoration of Kamehameha V pa hale and the continued perpetuation of Hawaiian canoe culture at the park.

Once again, on behalf of Molokai Canoe Club, we strongly support Hui Ho'okahua Molokai to maintain the Malama Park.

Mahalo,


Stefanie Hubbard, Secretary

P.O. BOX 767, KAUNAKAKAI, HI 96748

Tiana K Miguel
President, Wa'akapaemua Canoe Club
P.O. Box Kaunakakai, HI 96748
October 17, 2023

State of Hawai'i
Department of Hawaiian Home Lands
P.O. Box 1879, Honolulu, HI 96808

Subject: Letter of Support for Hui Ho'okahua Molokai's Management of Mālama Cultural Park

Welina me ke aloha,

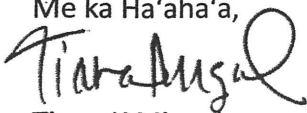
I am writing to express my support for Hui Ho'okahua Molokai's application to manage the Department of Hawaiian Home Lands' Mālama Cultural Park. As the President of the Wa'akapaemua Canoe Club, a Molokai-based canoe club that utilizes the park and its surrounding areas for our traditional cultural practices, I am aware of the significance and potential that this partnership holds for our community.

This area has long been a cherished place for our people, a location of cultural and historical importance. However, we have witnessed the gradual deterioration of the park in recent years. Neglect and the encroachment of homeless individuals have left the park in a state of disrepair, making it increasingly challenging for us to continue our mission of preserving and passing on our heritage.

Hui Ho'okahua Molokai's commitment to restoring the park to its former glory resonates deeply with us. The vision to revitalize Mālama Cultural Park as a vibrant and respected cultural hub for the community is one we wholeheartedly support. Their on-island presence and dedication to the people of Molokai make them the ideal candidate to take on this crucial responsibility. Furthermore, as a native Hawaiian born and raised on this island, I understand the significance of this endeavor. It is our collective kuleana to ensure that the cultural traditions and sacred spaces of Molokai endure for future generations. I urge you to consider Hui Ho'okahua Molokai as the deserving stewards of Mālama Cultural Park. We, the members of the Wa'akapaemua Canoe Club, stand firmly in support of this initiative and eagerly anticipate the park's rejuvenation.

Mahalo nui loa for your consideration.

Me ka Ha'aha'a,



Tiana K Miguel
President, Wa'akapaemua Canoe Club
heentiana@yahoo.com

Na'iwa Homestead Association

P.O. Box 935
Kaunakakai, HI 96748

October 10, 2023

State of Hawaii
Department of Hawaiian Home Lands
P.O. Box 1879
Honolulu, HI 96805

To Whom It May Concern:

On behalf of the Na'iwa Homestead Association we are committed in giving our full support for Hui Ho'okahua Molokai, a newly formed 501(c)(3) non-profit organization with the task of management and stewardship of Malama Cultural Park.

Malama Cultural Park had an exciting beginning in the 90's when the first phase of three phases were carried out when it was under the jurisdiction of DBED. To our dismay, our excitement was short lived when the state switched administration and the ball was dropped leaving it abandoned and desolate. We are thrilled that Hui Ho'okahua Molokai is willing to take on this significant project to work together with the many other Molokai Community groups to insure that both the beneficiaries along with the other community members have a park to use and be proud of.

I kindly request that you consider Hui Ho'okahua Molokai's application for the overall management of Malama Cultural Park.

Mahalo,

Liko Wallace, President

K.O.A.H.A

Kamiloloa~One Ali'i Homesteaders Association

1420 Kamehameha V Hwy P.O. Box 832 Kaunakakai, Hawaii 96748

To: Mr. Andrew Choy
DHHL Program Planning Manager

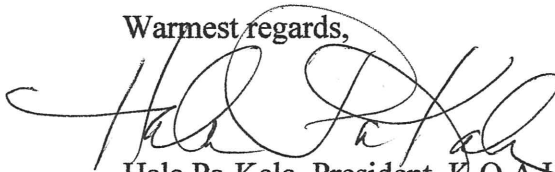
Aloha Mr. Choy,

We, the Executive Board and Association members of Kamiloloa~One Ali'i , request your consideration of Hui Ho'okahua Molokai's application for overall management of Malama Park. We believe they have a sound plan, and a proven track record in regard to working collaboratively with other community members and organizations through their memberships' various positions held within and throughout our community serving organizations on our Island of Molokai.

The restoration and revitalization efforts in regard to this area of great cultural, historical, and educational importance is long overdue. Kamiloloa~One Ali'i is excited at the potential of Hui Ho'okahua Molokai's plan to highlight not only the culture and history of this area, but also their plans of expanding on the educational opportunities and hope of creating a sustainable economic engine for Homesteaders and our island community as a whole.

We thank you for your time and attention, and look forward to supporting and being a component of the overall plan for Hui Ho'okahua Molokai and Malama Park.

Warmest regards,



Hala Pa-Kala, President, K.O.A.H.A.



HO'OLEHUA

Homesteaders Association

Ho'olehua Homesteaders Association

*P. O. Box 60 | Ho'olehua | Molokai | Hawaii | 96729-0060
hoolehuahomesteaders@gmail.com*

October 18, 2023

Mr. Andrew Choy, Planning Manager
Department of Hawaiian Home Lands
P O Box 1879
Honolulu HI 96805

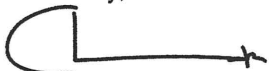
Dear Mr. Choy,

I am writing on behalf of the Ho'olehua Homesteaders Association, whose mission is to help Ho'olehua Homesteaders grow: revitalizing its food systems, maintaining a subsistence lifestyle, and increasing long-term economic health. Our purpose is to unify as a group in order to strengthen support for each other and promote active participation to learn, discuss, and promote fair and satisfactory solutions to concerns affecting our rights and benefits as provided in the Hawaiian Homes Commission Act, 1920 and the State of Hawai'i Admissions Act, Section 5 (f). One of our objectives is to be a voice for our Ho'olehua homestead community on a broader level as best we can. Ultimately our Vision is, "Ola Ka Hawai'i! (Hawaiians will/shall thrive!)" It is with that in mind that we support the efforts of Hui Ho'okahua O Molokai (HHOM) to manage Mālama Park on the south shore of our island home.

Our homestead community has utilized Mālama Park as members of various canoe clubs, as community advocates attending meetings, and as participants in fundraisers and community events. We, as a greater Molokai homestead community, have a responsibility to do our part to build a "unified community grounded in Hawaiian values and cultural traditions passed to us from our kūpuna. Core values (must be) preserved while embracing modern pathways to a sustainable future." HHOM with its member associations and individuals in leadership roles with other Molokai organizations, would be the ideal caretakers of this historic and environmentally significant DHHL property.

In its very name, "ho'o.kahua" means "to lay a foundation, establish, found; to settle down and develop a place, as homesteaders." Mālama Park is the opportunity to create a place for the arts, recreation, culture, history, tradition, education, and even economic viability (i. e. Farmers Market) for homesteaders island-wide, at the center of our six homestead districts. We hope that you will come to the conclusion, as we do, that Mālama Park should be managed by and for Molokai homesteaders, via HHOM. Mahalo for your kind consideration.

Sincerely,


Charles A. Kaahanui, III
President

*Charles A. Ka'ahanui, III, President (Policy)
Tricia Mersberg, Vice President (Health & Wellness)
Rufina Ka'auwai, Secretary (Sustainable Homesteading)
Lu Ann Faborito, Treasurer (Fundraising)
Justin Avelino, Director (Education & Development)
Wayne Ka'auwai, Director (Water)
Crissy Pereira, Director*

*Ochie Bush, Kupuna Council
Barbara Kalipi, Kupuna Council
Helen O'Connor, Kupuna Council
Kammie Purdy, Kupuna Council*

*Mission: To help Ho'olehua homesteaders grow -
revitalizing its food systems, maintaining a subsistence lifestyle,
and increasing long term health.*

Phillip Stephens
7450 Kamehameha V Hwy
Kaunakakai, HI 96748

October 15, 2023

State of Hawaii
Department of Hawaiian Home Lands
P.O. Box 1879
Honolulu, HI 96805

To Whom It May Concern:

I am very pleased and excited to know that the 501(c)3 non-profit organization, Hui Ho'okahua Molokai would like to manage Malama Park. The park, also a rich history site, is in great need of repair and restoration. Full restoration and access to the overgrown and damaged areas of Malama Park will greatly benefit the local and Native Hawaiian and visiting sectors of the Molokai community.

As the president of Kalama'uka Mauka Homestead Association, we look forward to being in partnership with Hui Ho'okahua Molokai and to engage our beneficiaries in this very important project.

To be clear, I very strongly support the management and restoration of Malama Park to be handled by Hui Ho'okahua Molokai.

Ke Akua Pu,



Phil Stephens
Pres. Kalama'uka Mauka Homestead Association
808-658-1285
ahupuaadesign@gmail.com

Ahonui Homestead Association
PO Box 417
Hoolehua, HI 96729

September 29, 2023

State of Hawaii
Department of Hawaiian Home Lands
PO Box 1879
Honolulu, HI 96805

To Whom It May Concern:

We are honored and excited to support the 501c3 non-profit organization, Hui Ho'okahua of Molokai, that is interested in stewarding the Malama Park of Molokai.

We are in support of having our Malama Park repaired, restored with native plants, protect our native species, and promote cultural education and practices for our Molokai community.

As the President of Ahonui Homestead Association, I have engaged with the Molokai Canoe Club who have perpetuated the cultural practices of Canoe paddling. I am excited to embrace and support the Molokai Canoe Club in partnership with the Hui Ho'okahua of Molokai and their request to the Management of Malama Park of Molokai.

We are in full support of the Hui Ho'okahua of Molokai.

Should you have any questions, I may be reached at 808 658-6919.

Mahalo,



Dickenson Stone

Dickenson Stone
President of Ahonui Homestead Association



MOLOKAI
DIGITAL BUS

PO BOX 1446
Kaunakakai, HI 96748
1 (808) 646-0180
uilani@digitalbus.org
www.digitalbus.org

13 September 2023

To:
Whom It May Concern
RE: Support of Hui Ho`okahua Molokai

Hui Ho`okahua Molokai is a native Hawaiian (501)(c)(3) made up of Hawaiian Homestead Associations on the island of Molokai and is applying for the management of Malama Park.

The Molokai Digital Bus has provided programs and curriculum on the island of Molokai for over 15 years supporting its vision to ensure that the young women & men of Hawai'i have the skills and competencies they need to be effective leaders in their communities. This enforces its mission to encourage interest in science and technology among the underrepresented student populations through curricula and activities rooted in Native Hawaiian culture, history, stewardship, leadership, wellness, and language. DB- MKK's Project KILO has served all DOE schools on Molokai for the past 15 yrs (currently starting SY 2023-2024 with 31 kumu and over 500 haumana) and is active in its community & island events (maintaining a 75+% average of Native Hawaiian learners & participants).

Our program has worked & partnered with many agencies, communities, and projects across Molokai to provide our students with history, hands-on activities, pilina (connection), & stewardship for our `ahupua`a and important cultural sites, like Malama Park. Our partnership with Molokai Canoe Club & Hui Ho`okahua Molokai to implement culturally rich STEAM activities has proven to be an asset for all of our programs and island community. We support Hui Ho`okahua Molokai's application and look forward to working with them to continue providing & caring for our community.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. U'ilani Lima'. The signature is fluid and cursive, written over the printed name.

S. U'ilani Lima

Program Manager - Ed Spec.

Penny Martin
P. O. Box 341
Kaunakakai, Hawaii 96748
October 20, 2023

State of Hawaii
Department of Hawaiian Home Lands
P.O.Box 1879
Honolulu, Hawaii 96808

Subject: Letter of Support for the Hui Ho'okahua Molokai's Mgm.of Malama Cultural Park

Aloha Kakou,

As a long time Molokai Homesteader (Kalamaula), a cultural based environmental education specialist for Papahana Kuaola, and a 60+ years canoe paddler on Molokai, I am in support of Hui Ho'ikahua's application to manage the DHHL Malama Cultural Park located in the Kaunakakai Ahupua'a on Molokai.

Malama Park needs to be managed by an organization that has the best interest of the Molokai community, knows the history of the park and will be responsible and inclusive in the planning and design of the restoration of the park. I believe that Hui Ho'ikahua is that organization.

As a homesteader, I can see great potential for the use of Malama Park by Molokai homesteaders, as a meeting place, as a place for cultural practitioners to gather, a place for our farmers to sell their produce, and a place to gather for the senses such as listening to good music.

As an education specialist for over 30 years, I have used Malama Park and the surrounding area to teach cultural history and lessons on geology, geography, native plants and animals, invasive species, wetlands and the Hawaiian reef. Even in its present state, it is a valuable education site. It is centrally located and easily accessible to all of the Molokai schools.

As a long time canoe paddler, of both recreational and competitive paddling, this site allows us to carry on our mission of perpetuating Hawaiian Outrigger Canoe Paddling and all the values that go with it, such as laulima, ho'ihi, malama, and pa'ahana. Also, as we carry on our mission, we honor our Prince Kuhio as he was an avid supporter of canoe racing and his own canoe was famous for winning many races.

Malama Park will be in good hands under the stewardship of Hui Ho'ikahua as they have the same vision as those of us that are actively using it and see the potential for even more and exciting things.. They are definitely an organization that we can work with and look forward to it. Please consider their application for management.

Me ka Ha'aha'a,

Penny Martin

Molokai Homesteader, Educator and Supporter of Hawaiian Outrigger Canoes
eteruth@yahoo.com

Mercedes K. Ritte
P.O. Box 13
Kualapu'u, Hawai'i 96757

20 September 2023

State of Hawaii
Department of Hawaiian Home Lands
P.O. Box 1879
Honolulu, HI 96805

To Whom It May Concern:

I am very pleased and excited to learn that the 501c3 non-profit organization, Hui Ho'okahua Molokai, is interested in managing Mālama Park. The park, also a rich history site, is in great need of repair and restoration.

Full restoration and access to the overgrown and damaged areas of Mālama Park will greatly benefit the local, Native Hawaiian and visiting sectors of the Molokai community.

As the director and lead teacher of ROOTed, an alternative education program, we look forward to establishing a partnership with Hui Ho'okahua Molokai and to engage our students in this important work.

I strongly support the restoration of Mālama Park to be led and managed by Hui Ho'okahua Molokai.

Sincerely,

Mercedes K. Ritte

Mercedes K. Ritte
ROOTed - Alternative Education Program
808-658-1303
mercyritte@gmail.com

Youth in motion

"Empower, Equip, Educate, Challenge and Motivate Youth through activities that engage and develop their mental, emotional, creative and physical skills on the land and in the ocean."

October 25th, 2023

Clare Albino
Youth in Motion
Molokai Outdoors
clare@youthinmotion.org
(808) 336-0946

To Whom it May Concern,

I am happy to hear that Hui Ho'okahua Molokai is requesting to maintain Malama Park. Malama Park is such a special place, and it is sad to see the park in disarray. Hui Ho'okahua Molokai will bring a positive impact to Malama park since they comprise of six Molokai DHHL Homestead Associations which ultimately represents the majority of Molokai.

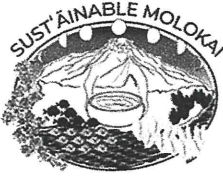
By allowing Hui Ho'okahua to maintain the park will not only benefit the Molokai Community but also bring a much-needed restoration and recovery project to the existing wetland and the historical and cultural significance of the park and surrounding area.

Please feel free to contact me with any additional questions or more info as needed.

Sincerely,

Clare Albino

Clare Seeger Albino (Formerly Mawae)



PO Box 250, Kaunakakai, Hawaii 96748
www.sustainablemolokai.org

October 16, 2023

State of Hawaii
Department of Hawaiian Home Lands
P.O. Box 1879
Honolulu, HI 96805

Re: Hui Ho'okahua Molokai - Letter of Support

To whom it may concern,

Sust'ainable Molokai is in full support of Hui Ho'okahua Molokai managing Malama Cultural Park, located on the south shore of Kaunakakai, as community stewards to a special place that both Hawaiian Home Land beneficiaries and the community of Molokai will benefit from.

Hui Ho'okahua Molokai is a steadfast collaborator in promoting the health, safety, and overall well-being of our people. Hui Ho'okahua Molokai has admirably transformed the Canoe Club into a special and enduring space for the community, preserving its significance for generations to come. The Canoe Club continues to perpetuate Hawaiian culture through paddling and other oceanic activities. Additionally, the Canoe Club has served as a pivotal hub for our various programs with a shared goal of restoring 'āina momona to help make Molokai the thriving, resilient place we all want to live in.

This plan will preserve this community space for generations to come, all while safeguarding, restoring, and maintaining the natural habitat for native plants and animals. Sust'ainable Molokai looks forward to a continued partnership with Hui Ho'okahua Molokai in the years to come.

In closing, I extend our strong support of Hui Ho'okahua Molokai in their efforts to continue to provide empowerment, sustainability, and prosperity to our island community.

Respectfully,

A handwritten signature in black ink that reads "Tehani Kaalekahi".

Tehani Kaalekahi
Executive Director

**HAWAIIAN HOMES COMMISSION
MAY 20 & 21, 2024**

**G – ITEMS
PLANNING OFFICE**

PLANNING OFFICE
DEPARTMENT OF HAWAIIAN HOME LANDS

March 20-21, 2024

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Andrew H. Choy, Acting Planning Program Manager
FROM: Lillie Makaila, Planner *lkjm*
SUBJECT: Accept the Beneficiary Consultation Report for
the General Leasing of Oahu Parcels in Kapolei
TMK No. (1)-9-1-151:058 and Moanalua TMK No. (1)-
1-1-064:019 & 020; (1)-1-1-064:022 & 031.

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) accept this Beneficiary Consultation Report as the official public record of beneficiary input and feedback relative to General Leasing of Oahu Parcels in Kapolei TMK No. (1)-9-1-151:058 and Moanalua TMK No. (1)-1-1-064:019 & 020; (1)-1-1-064:022 & 031.

DISCUSSION

Background

DHHL staff is sought to gather beneficiary mana'o on upcoming solicitations for general leasing of several parcels of Hawaiian home lands designated for commercial/industrial use that are located on O'ahu in Moanalua and Kapolei.

Beneficiary Consultation Process

The proposed use of Hawaiian Home Lands went through the following steps prior to ensure that beneficiaries were informed about the opportunity to provide feedback on the proposed General Leasing of parcels designated for non-homesteading use on O'ahu.

STEP 1. THE PROPOSED ACTION IS DESCRIBED AS:

General Leasing of Oahu Parcels in Kapolei TMK No. (1)-9-1-151:058 and Moanalua TMK No. (1)-1-1-064:019 & 020; (1)-1-1-064:022 & 031.

STEP 2. BENEFICIARIES WERE NOTIFIED OF OPPORTUNITIES TO CONSULT

The Department conducted a beneficiary consultation meeting utilizing the Zoom virtual meeting platform with DHHL beneficiaries that reside on O`ahu.

- Approximately 15,062 postcards were mailed to O`ahu lessee's and applicants. (EXHIBIT A)

STEP 3. PRESENTATION MATERIALS FOR MEETINGS ARE AVAILABLE FOR FEEDBACK:

A slideshow presentation was prepared for the beneficiary consultation (EXHIBIT C). This slideshow was presented on March 20, 2024 to participants at the virtual meeting, and can be viewed as a part of the meeting recording.

DHHL created a webpage to disseminate information and provide easy access to information related to this request, including a weblink to the BC meeting & invitation. The webpage for this consultation meeting can be found here:

<https://dhhl.hawaii.gov/po/oahu-parcels-for-general-leasing-2024/>

STEP 4. COMMENTS ARE COMPILED:

The following table and data below captures the level of participation and engagement at the March 20, 2024 consultation and subsequent 30-day comment period:

Table 1: Summary of beneficiary participation

Beneficiary Consultation Meeting	Participants	No. Self-ID as DHHL Beneficiaries/Beneficiary Organizations
March 20, 2024	38	32
Written Comments Submitted during the 30-Day Comment Period	1	1

BC attendees did not sign a physical sign-in sheet due to their participation via a virtual online platform. Instead, attendees were asked to sign-in to the "Chat-box" on Zoom and self-identify whether or not they were a DHHL beneficiary. However, not all attendees complied with the request to sign-in. Also, there may have been multiple people participating from a single computer or mobile device. Therefore, it is difficult to determine the exact amount of participants during the meeting.

As reflected in Table 1, approximately thirty-eight (32) participants attended the virtual meeting on March 20, 2024. Additionally, four (4) DHHL staff, totaling forty-two (42) persons in attendance. Thirty-two (32) participants in the meeting self-identified or were identified as DHHL beneficiaries.

DHHL also received one comment letter during the 30-day comment period following the beneficiary consultation (EXHIBIT C).

Summary of Beneficiary Comments:

In summary, participants expressed concern over the selection process for tenants for these parcels and indicated a preference for selection of tenants who are DHHL beneficiaries and/or of Native Hawaiian descent. General comments were shared regarding HHCA Section 207(c)1(b) as it relates to mercantile establishments.

Regarding the parcels in Moanalua, participants were generally supportive of offering these parcels for general

lease and of the intended land use designation of industrial uses. Participants also expressed an understanding that vacant parcels pose challenges for the Department, and that having a tenant on the premises is important for site control and a deterrent for illegal activities or unauthorized habitation. No opposition was expressed regarding the leasing of these parcels.

Regarding the parcel in Kapolei, participants shared concerns about the proposed use of these lands as mixed commercial/retail development. Several attendees identified themselves as beneficiaries who reside in the nearby homesteads and expressed concerns about added traffic safety issues and stated that additional commercial/retail use would create a hardship for the community. Participants shared that the Kānehili Homestead Association has submitted a land use request for these lands and expressed support for community use of the parcel. A discussion with participants also focused on land use constraints, as these lands are identified as unsuitable for homesteading use due to their location within the buffer zone for air traffic. Future use of the parcel should be selected with this constraint in mind. Opposition to both the proposed land use and the process for solicitation of the Kapolei parcel was expressed by beneficiaries.

Additionally, a petition was submitted on behalf of Kānehili homesteaders with signatures from 161 members formally requesting that the solicitation for the parcel in Kapolei be changed from a competitive bidding process to an RFP process with community-driven criteria for selection.

Next-Steps

- DHHL LMD Staff to come to the HHC for necessary approvals for General Leasing of parcels.

Recommendation

Staff respectfully requests that the Hawaiian Homes Commission approves the recommended motion to accept this beneficiary consultation report as stated.

BENEFICIARY CONSULTATION VIRTUAL MEETING

O'AHU'S PARCELS FOR GENERAL LEASE



This is Not an Awards Notice

dhl.hawaii.gov/po/oahu-parcels-for-general-leasing

O'ahu Commercial/Industrial Parcels for General Leasing Virtual Beneficiary Consultation

Wednesday, March 20, 2024
6PM to 7PM

Location:

Meeting link on project website

Meeting Purpose:

To provide info about commercial/
industrial parcels on O'ahu available
for general leasing & to seek input.

Project Website:

[https://dhhl.hawaii.gov/po/oahu-
parcels-for-general-leasing-2024/](https://dhhl.hawaii.gov/po/oahu-parcels-for-general-leasing-2024/)

For More Information:

dhhl.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



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

Beneficiary Consultation

O‘ahu Parcels for General Leasing
Kapolei & Moanalua

March 20, 2024

Meeting will start at 6:00pm

Tonight's Agenda

- Welina & Introductions
- Presentation
- Discussion
- Wrap-Up & Next-Steps

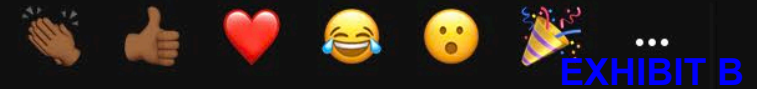


EXHIBIT B

👋 Raise Hand



Unmute



Stop Video



Security



Participants



Chat



Share Screen



Record



Reactions

End

House Keeping

- Please keep your microphone on mute when you are not talking
- Type your questions in the chat or raise your virtual hand
- Please keep in mind this meeting is being recorded
- In the CHAT please sign-in (First & Last Name, where you live, applicant, lessee, both or other)

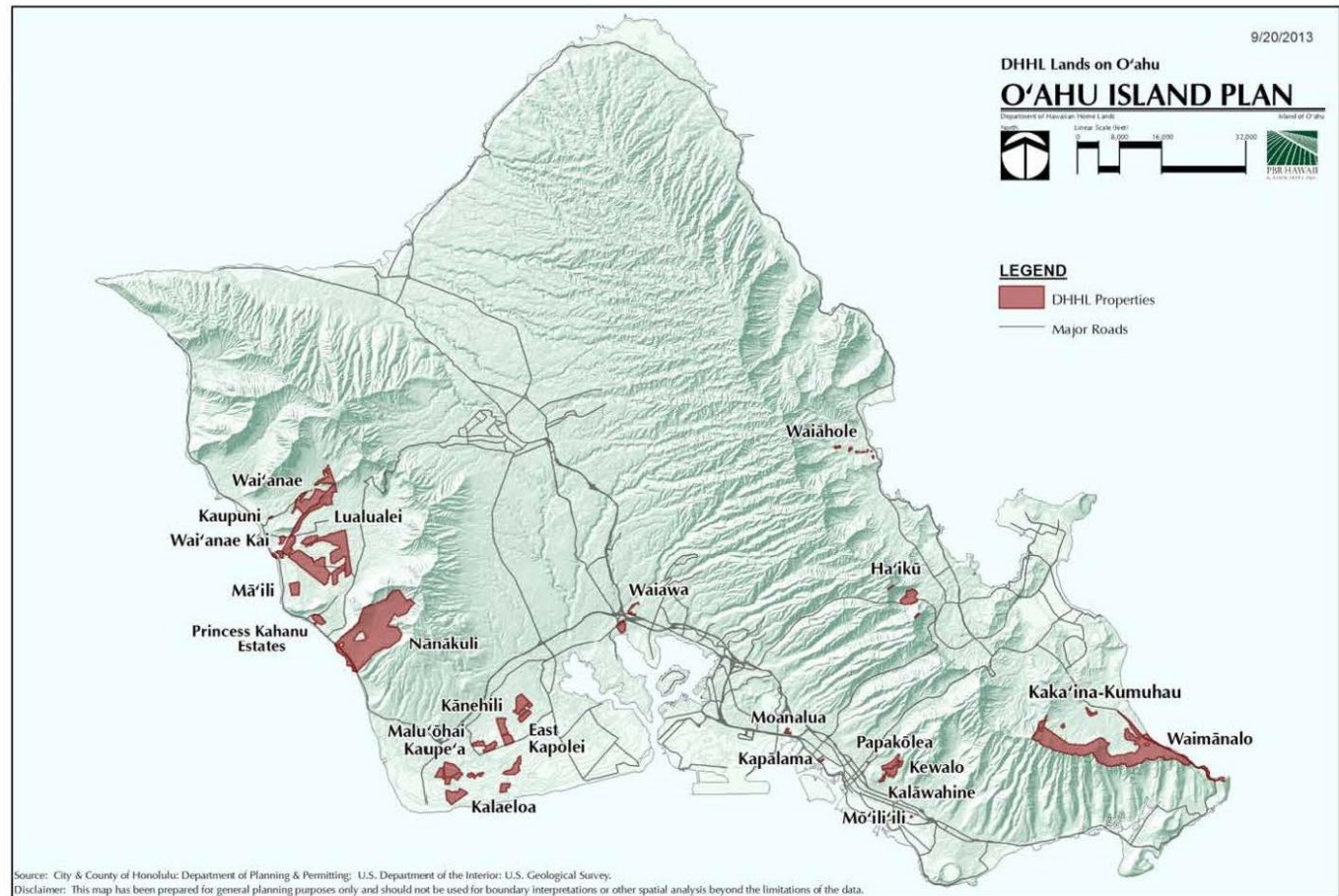
Meeting purpose

- To gather beneficiary mana‘o on the upcoming general leasing of commercial/industrial lands in the DHHL inventory on O‘ahu.

DHHL Beneficiary Consultation Policy

- Beneficiary Consultation is required for four types of proposals that require Hawaiian Homes Commission approval
 - Statewide Policy Issues
 - Amendments to Land Use Designations
 - Development of DHHL Plans
 - Long-term use of DHHL land for a non-homestead use

DHHL's O'ahu Island Plan (2014)



DHHL O'ahu Island Plan (2014)

EXHIBIT B

Disclaimer: This map has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis beyond the limitations of the data.

- Legend**
- DHHL Parcels
 - Commercial
 - Community Use
 - Conservation
 - Industrial
 - General Agriculture
 - Special District
 - Homestead - Existing Residential
 - Homestead - Proposed Residential
 - Homestead - Existing Subsistence Agricultural
 - Homestead - Proposed Subsistence Agricultural
 - Road
 - TMK Parcels

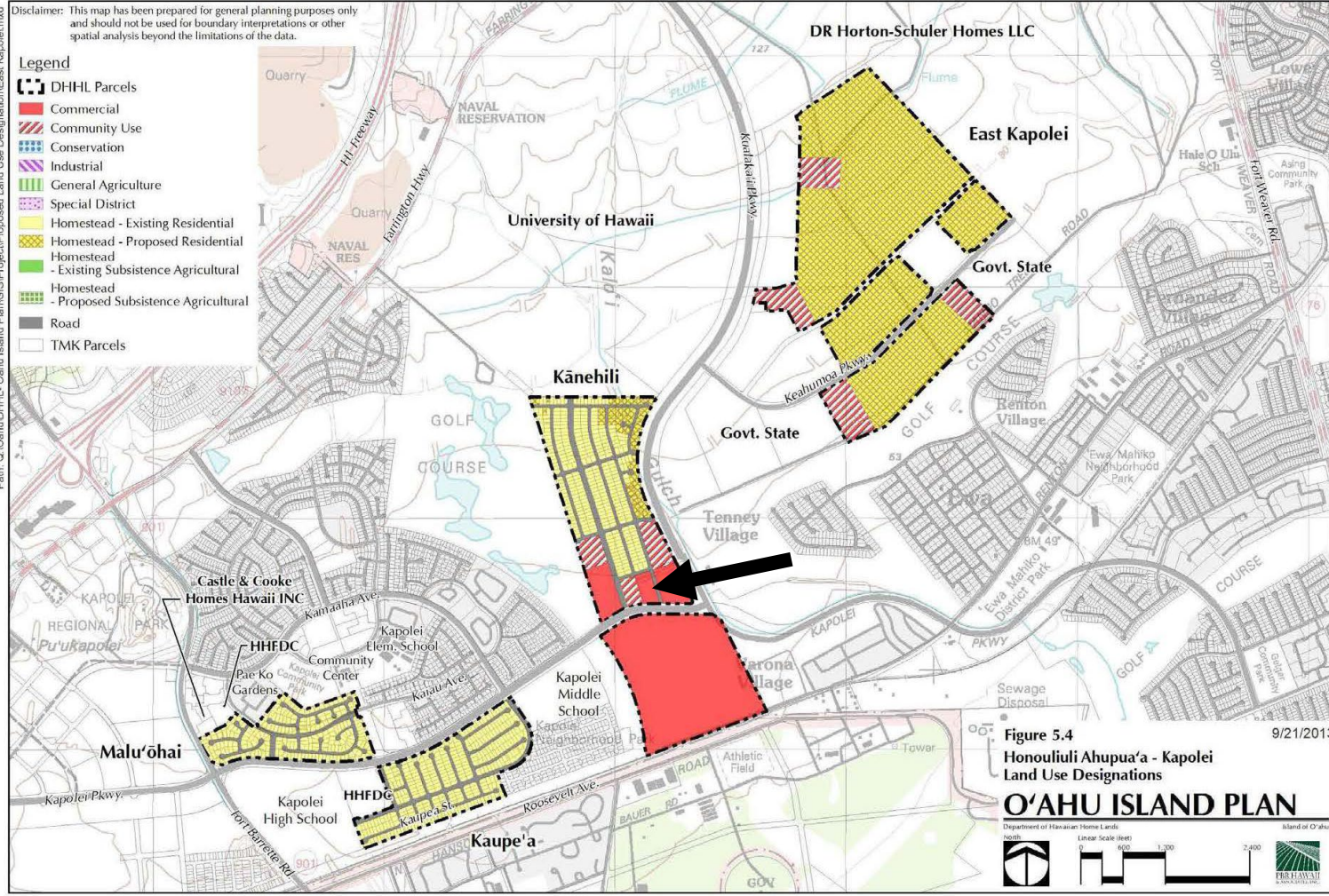


Figure 5.4
Honouliuli Ahupua'a - Kapolei
Land Use Designations
O'AHU ISLAND PLAN
Department of Hawaiian Home Lands
9/21/2013

Figure 5-4 Honouliuli Ahupua'a- Kapolei Land Use Designations

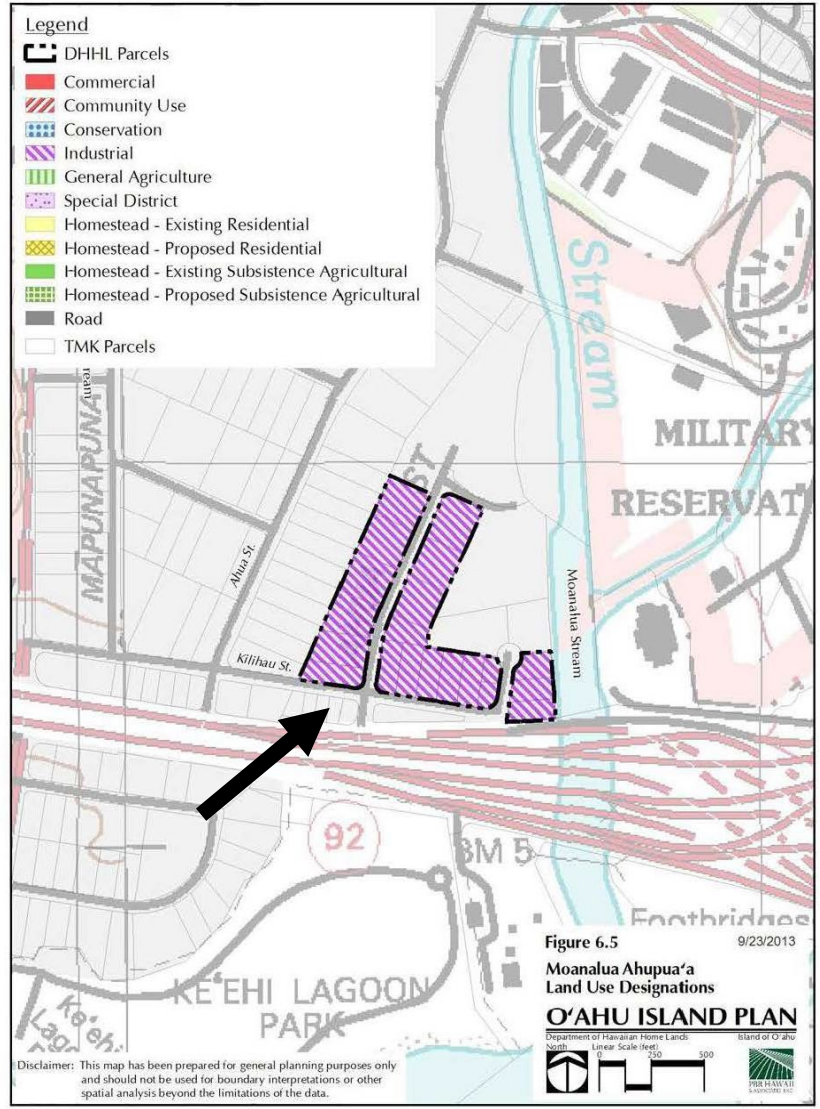


Figure 6.5
Moanalua Ahupua'a
Land Use Designations
O'AHU ISLAND PLAN
Department of Hawaiian Home Lands
9/23/2013

Figure 6-5 Moanalua Ahupua'a Land Use Designations

DHHL General Leasing Program

Purpose:

To provide for revenue for the DHHL's programs

Policy:

1. Maximize income through effective land management
2. Reduce the acreage of lands used for income purposes, limited to no more than 2% of total Hawaiian Home Lands
3. Follow the guidance of the Island Plans and Regional Plans to determine land for revenue purposes

Authority:

Section 204(a)(2) or Section 220.5 of the Hawaiian Homes Commission Act, 1920, as amended
Section 171-59 & 171-60 of the Hawaii Revised Statutes guide the general leasing process with appraisal, notice, public auction requirements

What is this type of revenue used for?

- The State is supposed to provide us with sufficient sums, but often our requests go unfunded. We partially make up that difference from the revenue that we generate from the HHL's.
- The DHHL grants program is often funded from this revenue.

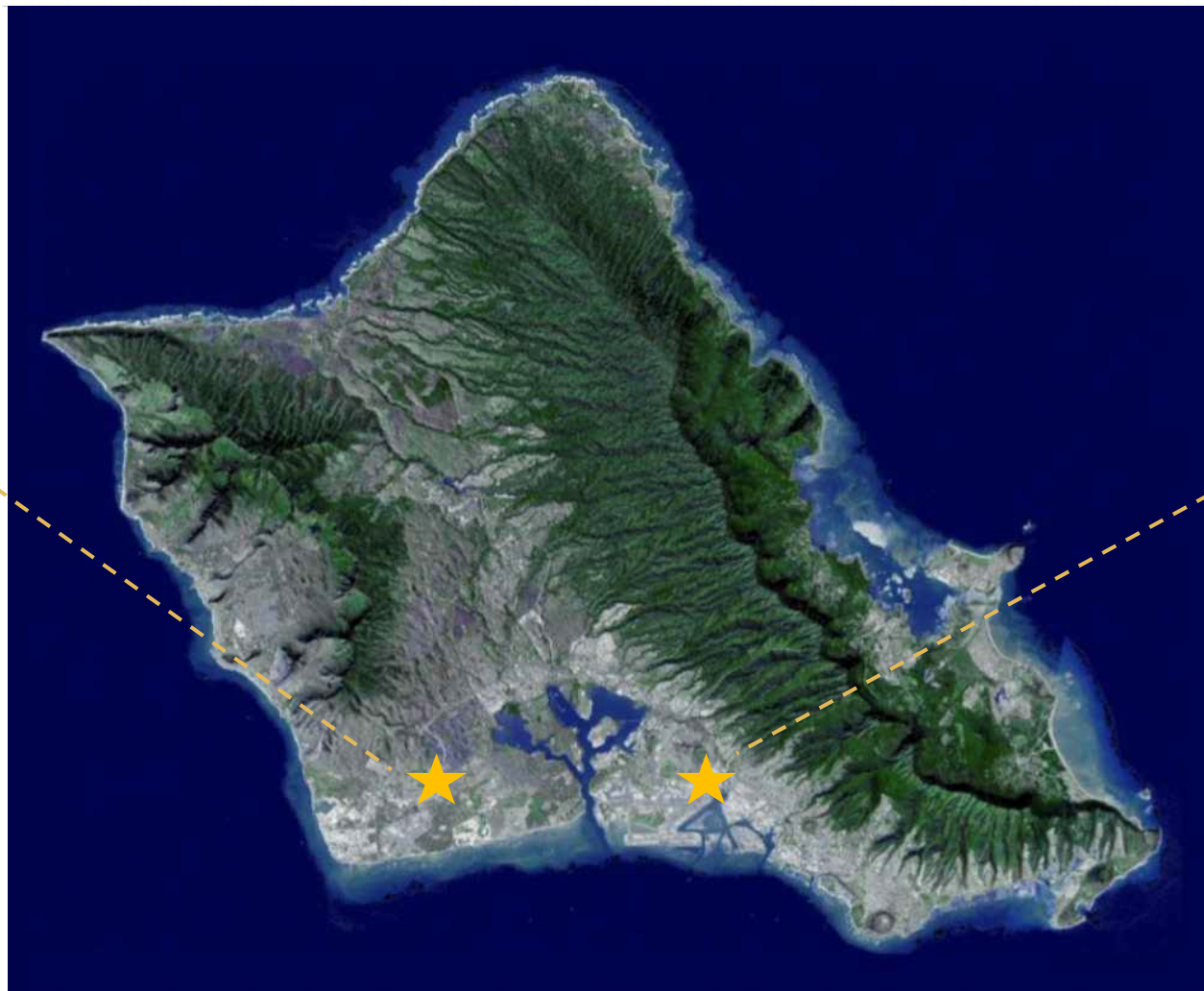
DHHL General Leasing Program

Current Process: Under Section 204(a)(2)

1. HHC authorization to offer the selected property for general leasing
2. Planning Office will assist with Beneficiary Consultation
3. LMD to procure appraisal services to determine initial fair market rental for the lease
4. LMD to publish Legal Notice in the newspaper as well as DHHL website on the availability of the property for long term lease
5. Interested parties are given 45 days to submit the complete application which includes financial, business and experience information to support the ability to complete and be successful in the lease requirements
6. Each application will include a sealed bid proposal noting what the interested applicant is proposing to pay for the lease
7. Only those applications that meet the minimum qualifications criteria will be invited to attend the sealed bid public auction when all bids will be opened in front of all.
8. The one with the highest bid will be the successful bidder to enter into a general lease with DHHL

Location

Kapolei Parcel
91 Kekahili St



Moanalua Parcels
Kilihau St



FOR LONG-TERM LEASE

EXHIBIT B

ONE (1) PARCEL AVAILABLE FOR
LONG -TERM LEASE IN KAPOLEI

91-Kekahili St., Kapolei, HI 96707

PROPERTY DESCRIPTION

- Mixed business Commercial/Retail development
- Long-term lease opportunity
- Close proximity to Ka Makana Alii Shopping Center
- Easy access to main thoroughfares and freeway

PROPERTY SUMMARY

Upset Rent: Call for information

Term: 55-Year

TMK's: 1-9-1-151:058

Zoning: BMX-3

Area: Kapolei

Bldg. Size: N/A

Lot Size: 25,350 sf

Year Built: N/A

FOR LEASING INFORMATION CALL
PETER "KAHANA" ALBINIO, JR.
808.620.9451 OR EMAIL
peter.k.albinio.jr@hawaii.gov



FOR LONG-TERM LEASE

EXHIBIT B

FOUR (4) LARGE PARCELS
AVAILABLE FOR LONG -TERM LEASE
IN MAPUNAPUNA

2696/2688, 2670, 2677 Kilihau St.,
Honolulu, HI 96819

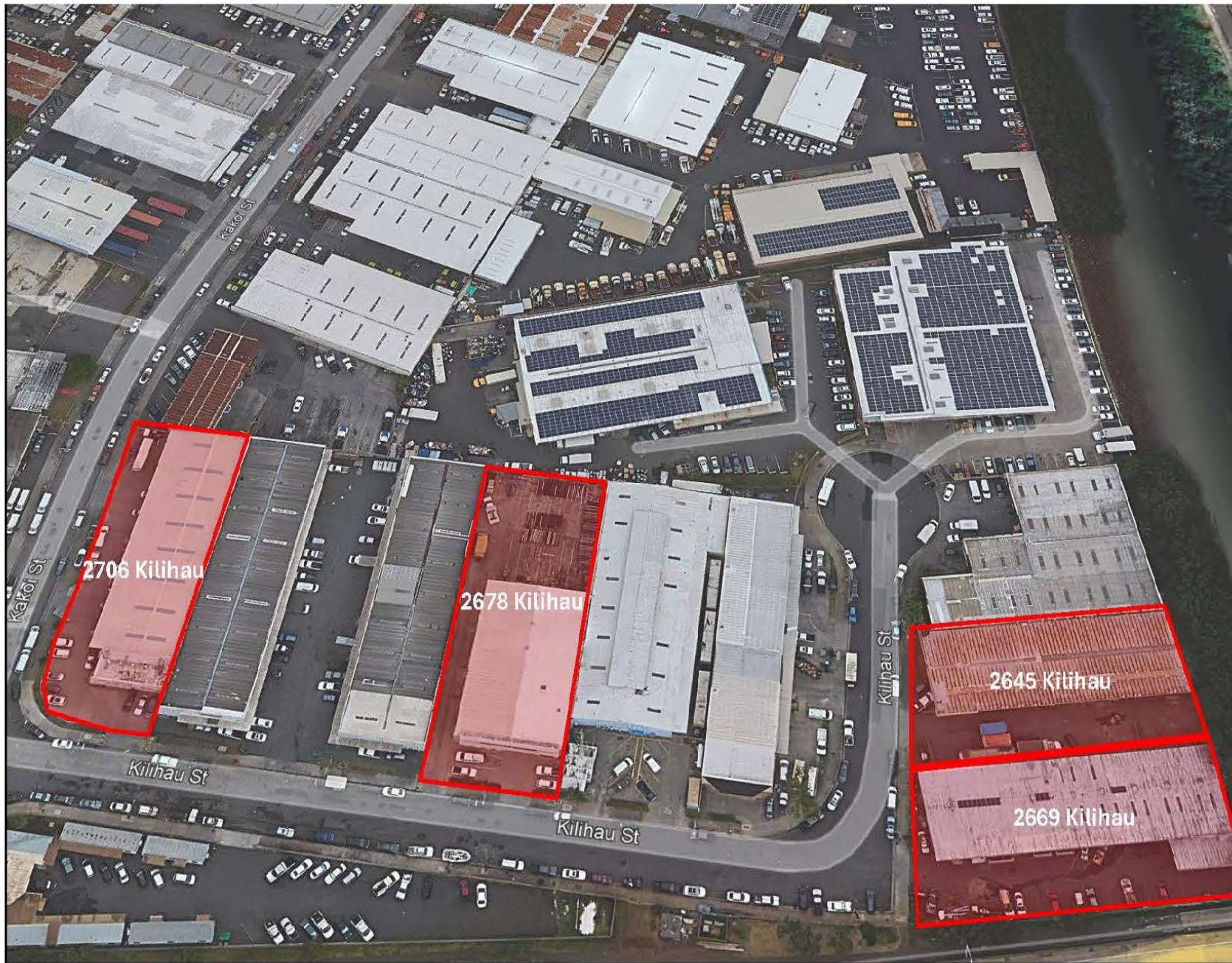
PROPERTY DESCRIPTION

- Large Industrial spaces
- Long-term lease opportunity
- Close proximity to Daniel K. Inouye International Airport
- Easy access to main thoroughfares and freeway

PROPERTY SUMMARY

Upset Rent:	Call for information
Term:	30-Year
TMK's:	1-1-1-064:019-020, 022, 031
Zoning:	I-2
Area:	Mapunapuna Honolulu
Bldg. Size:	18,873 – 17,256 sf
Lot Size:	20,787 – 50,000 sf
Year Built:	1969 - 1972

FOR LEASING INFORMATION CALL
PETER "KAHANA" ALBINIO, JR.
808.620.9451 OR EMAIL
peter.k.albinio.jr@hawaii.gov



FOR LONG-TERM LEASE EXHIBIT B

FOUR (4) LARGE PARCELS
AVAILABLE FOR LONG -TERM LEASE
IN MAPUNAPUNA

2706, 2678, 2669, 2645 Kilihau St.,
Honolulu, HI 96819

PROPERTY DESCRIPTION

- Large Industrial spaces
- Long-term lease opportunity
- Close proximity to Daniel K. Inouye International Airport
- Easy access to main thoroughfares and freeway

PROPERTY SUMMARY

Upset Rent: Call for information

Term: 30-Year

TMK's: 1-1-1-064:018, 021, 033, 032

Zoning: I-2

Area: Mapunapuna Honolulu

Bldg. Size: 10,500 – 12,880 sf

Lot Size: 21,500 – 25,000 sf

Year Built: 1970 - 1973

FOR LEASING INFORMATION CALL
PETER "KAHANA" ALBINIO, JR.
808.620.9451 OR EMAIL
peter.k.albinio.jr@hawaii.gov

Sample Legal Notice

LEGAL NOTICE OF PUBLIC AUCTION

PROPOSED DISPOSITION OF HAWAIIAN HOME LANDS' INDUSTRIAL LEASE, MOANALUA, ISLAND OF OAHU

The Department of Hawaiian Home Lands (DHHL) intends to dispose of lands by public auction. As authorized by §204(a)(2), Hawaiian Homes Commission Act, 1920, as amended, individuals, companies and/or corporations interested in leasing the property herein described shall have forty-five (45) days from the date this "LEGAL NOTICE OF PUBLIC AUCTION" is first published, that date being **August 11, 2023**, in which to submit completed applications for DHHL consideration.

All completed applications received by **4:00 p.m. on Monday, September 25, 2023**, shall be reviewed and only those applications that meet DHHL's initial objectives and criteria shall be notified in writing as being qualified to attend and bid at the scheduled Public Auction as follows:

DATE & TIME:	Wednesday, October 11, 2023 at 10:00 a.m.
LOCATION:	DHHL Kapolei Office 91-5420 Kapolei Parkway, Kapolei, Oahu

Basic Lease Terms

The industrial lease offered by DHHL shall include the following basic terms:

A. Land to be disposed:

- One (1) industrial lot, situate at Shafter Flats Industrial Development, Moanalua, Island of Oahu.

Lot No.	Tax Map Key	Land Area	Upset Rental	Per Annum
8	(1) 1-1-064:010	41,187.00 sf	\$288,704.00	1-10 years \$369,566.00 11-20 years

- Character of Use: The leased premises shall be allowed to be used under the existing County Zoning regulation for "I-2 Intensive Industrial District" purposes only. Operation of a scrap metal yard, junk yard and similar type operations, and bulk storage of flammable and explosive products shall be prohibited.
- Lease Term: 55 Years; to commence from the first day of the calendar month following the execution of a general lease document.
- Rental Payment: Monthly, in advance.

5. Improvement Requirements:

Lot 8 – There is a warehouse building along makai boundary of the lot containing a gross floor area of approximately 2,580 square feet. The warehouse is built with steel frame on concrete slab flooring. A two-story office is located on the street side of the makai warehouse and contains 1,250 square feet on both the ground level and second floor. The office building structure has masonry walls with metal roofing. These information is from tax office records and subject to verification. The conditions are unknown and deemed to have little value. Applicant can either demolish or renovate these improvements for its use. Land is asphalt paved and is considered ready for development.

The Lessee shall submit improvement plans within six (6) months from commencement date of the lease. The Lessee shall have thirty (30) months from date of the Lessor's approval of the plans to complete construction of new improvements for an amount no less than \$500,000.00 or renovate existing improvements on the subject leased premises, for an amount no less than \$200,000.00 using new material and in full compliance with all laws, ordinances, rules and regulations of the Federal, State and County governments. No Quonset hut or similar type of building will not be permitted.

- Rental Reopenings: The net annual rental shall be reopened and redetermined at the expiration of the twentieth (20th), thirtieth (30), fortieth (40th) year(s) of the term. For each of the ten-year reopened period, a level annual rental shall be determined for the first five (5) years and a stepped-up annual rental for the remaining five (5) years. For the final fifteen (15) years, rent shall be reopened and redetermined for each of the 5-year period.

- Ingress, Egress and Utilities: The Lessee shall, at its own cost and expense, be required to provide its own ingress, egress and utilities to the demised premises.

- Assignment/Subletting: The Lessee's ability to assign the lease or sublet the leased premises shall be limited by the terms of the lease and by statutes. The Lessor shall have the right to revise the rent based upon the rental rate charged to the sublessee(s).

- Bond and Other Terms and Conditions: Refer to Conduct of Disposition and Draft of Lease Document.

B. Additional Information

Packets containing an application form, property information and other requirements for completing the application process are available for pick up by prospective applicants during regular office hours at DHHL's Kapolei Office located at 91-5420 Kapolei Parkway, Kapolei 96707 or can be downloaded from DHHL's official website. This Legal Notice of Public Auction, Application and Qualification Form, Applicant Qualification Criteria, Conduct of Disposition, and a draft of the lease document, including maps and description of the lots for complete and detailed terms, covenants and conditions to be observed and performed by the respective lessees, and public auction procedures are on file for public inspection during regular hours at the office of the Department of Hawaiian Home Lands, 91-5420 Kapolei Parkway, Kapolei, Hawaii, and at the District Offices in Waimea, Hilo, Molokai, Maui and Kauai, or by visiting DHHL's website (dhhl.hawaii.gov), which are by this reference incorporated herein and made a part hereof.

This proposed disposition is authorized by and may be cancelled, postponed or continued from time to time as to all or any of the items listed hereunder by public announcement to that effect by order of the Chairman, Hawaiian Homes Commission.

The Application Form with all required information and attachments are due by **September 25, 2023, at 4:00 p.m.** Only those applicants who have submitted applications by the above deadline and have been qualified by DHHL will be invited to participate in the public auction. Each applicant shall be informed, in writing, in advance of the auction date as to their eligibility to bid at the auction.

For additional information please contact Peter "Kahana" Albinio, Jr., Acting Administrator at the Department of Hawaiian Home Lands, Land Management Division, at (808) 620-9451 or by email at peter.k.albinio.jr@hawaii.gov.

DATE: Honolulu, Hawaii, August 1, 2023

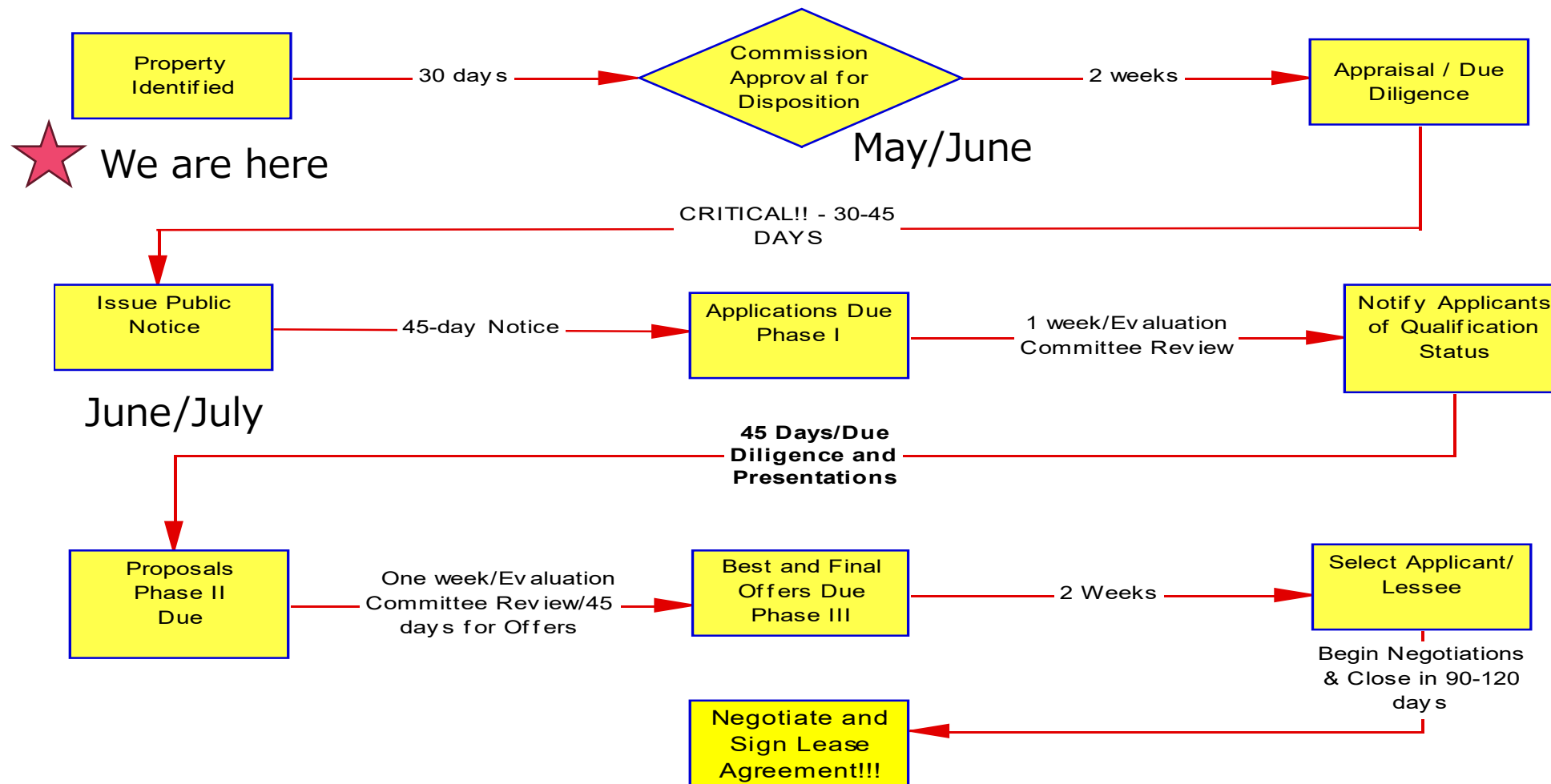
State of Hawaii
DEPARTMENT OF HAWAIIAN HOME LANDS

By _____
Kali Watson, Chairman
Hawaiian Homes Commission

Star Advertiser
Website: dhhl.hawaii.gov

Date: August 11, 2023

HRS Chapter 171-59 – Lease Process



Nānau & Mana‘o

Questions & Comments?

Suggestions for the sollicitation?

Suggestions for the process?

Suggestions for outreach?

Next-Steps

- 30-Day Beneficiary Consultation Comment Period:

March 20 to April 18, 2024

Email comments to: dhhl.planning@hawaii.gov

- Beneficiary Consultation Report to the Hawaiian Homes Commission for acceptance (May 2024)
- Seek Commission Approval on the solicitation (May/June 2024)
- Notification of the solicitation can be found at:

<https://dhhl.hawaii.gov/asset-management/>

Petition to the Department of Hawaiian Home Lands (DHHL)

DHHL Commissioners
Kali Watson, DHHL Commission Chair
Andrew Choi, Planning Director
Linda Chin, Land Management Director

Subject: Request for RFP Process with Community-Driven Criteria for TMK 1-9-1-151:058 in Kānehili Homestead

Aloha,

We, the undersigned Kānehili Homesteaders, unite to express our collective viewpoint following the beneficiary consultation led by the Department of Hawaiian Home Lands (DHHL) held on March 20, 2024 concerning the future of the land parcel identified as TMK 1-9-1-151:058, located within our Kānehili Homestead.

The beneficiary consultation, carried out in accordance with Hawaii Revised Statutes, was designed to hear the voices of our community. **It emerged from this process that the subject parcel should not be offered for competitive bidding.** The feedback gathered serves as a testament to our community's deep-seated interest in ensuring any development on this land is aligned with the Kānehili Homesteaders' visions and aspirations.

Given our community's input, we respectfully call upon DHHL to initiate a Request for Proposals (RFP) tailored to this parcel, with a preference for projects that deliver concrete benefits to our community. We highlight the necessity of crafting scoring criteria within the RFP that attribute significant value to proposals enriched by the direct input from our Kānehili beneficiaries. Such criteria will not only guarantee alignment with our collective vision but also affirm the commitment to the principle of self-determination, a fundamental aspect of the Hawaiian Homes Commission Act.

Prioritizing proposals with our insights will lead to developments that cater to and reflect the unique requirements of the Kānehili Homesteaders. This approach promises to cultivate a development model that resonates with the act's intention of empowering native Hawaiian communities, thereby fostering environments where our voices, needs, and aspirations are not just heard but are pivotal to the development process.

We are thankful to DHHL for conducting the beneficiary consultation and for taking our unified perspective into consideration. Our trust lies in DHHL's commitment to envisioning a future for the Kānehili Homestead beneficiaries that duly respects and incorporates the wishes of its residents.

Mahalo nui loa for your support and understanding. We eagerly anticipate a positive response and remain prepared to participate in dialogue or provide any necessary clarifications.

With respect and Aloha,

Randy Akau, President 

Kānehili Community Association

KĀNEHILI CA PETITION TO THE DEPARTMENT OF HAWAIIAN HOME LANDS

NAME	ADDRESS	CONTACT INFO.
Dorelyn Smith	91-1220 Kumaaku St	808-282-2653
JERILYN AILA	91-1336 KINOIKI ST	808-687-1807
Sean Sabado	91-1332 Kinoiki St	808-490-3254
Charla Ching	91-1322 Kinoiki St.	808-927-0744
Robin Avilla	91-1318 Kinoiki St.	808-246-0861
Landan Togafau	91-1294 Kinoiki St.	808-620-9126
MANASA DUDON	91-1288 KINOIKI ST	808-352-2749
DAVID MOSES	91-1284 KINOIKI	808-368-3673
Yvonne Ryan	91-1241 Kinoiki	808-256-7136
Erving Chang	91-1271 Kinoiki	
HOWARD WILLING	91-1281 KINOIKI ST.	808-781-3704
ALBERT CAMINOS	91-1283 "	808-829-0951
Deirdre Makanani	91-1287 Kinoiki ST.	808-330-0545
DAVID KAKAWA KAKAWA	91-1291 Kinoiki ST.	808-330-4708
Kualii Makaneole	91-1299 Kinoiki St	808-589-6630
LAVERNE KIAHA	91-1305 KINOIKI ST	808-228-9592
Winona Kaahanui	91-1311 Kinoiki St	808-691-0387

KĀNEHILI CA PETITION TO THE DEPARTMENT OF HAWAIIAN HOME LANDS

	NAME	ADDRESS	PHONE OR CONTACT INFO.
16)	Patricia Molico-Larson	91-1022 Kamaoluiki St	Kalihia12@yahoo
17)	Kristi Hoohuli	91-1026 Kamaoluiki St	hoohuliz03@aol.com
18)	WAKAMU KAMANAW	91-1244 KEKAAHILI ST	-
19)	Francis Tana	91-1392 Kekahili St	Tapoti AT Tana@yahoo.com
20)	Colleen Hopp Smith	91-1125 Kapaehauna St	Kiichardcornejo@gmail.com
21)	Mui Pakete	91-1393 Kekahili St	paketeentertainment@gmail.com
22)	Kahua Zant	91-1385 Kekahili St.	Kaunakamaoli125@hotmail.com
23	Renee Akui	91-1281 Kaneohe Street	Reneeakui@gmail.com
24	TREVOR KAIMIKAWA	91-1286 Kekahili St.	laakea22@gmail.com
25	ALBERT MAKEKAI III	91-1290 KEKAAHILI ST	shut-up@hawaii.rr.com
26	WALTER FOX III	91-1328 KEKAAHILI ST	foxohana@yahoo.com
27.	LONO MANNERS	91-518 Kekahili Pl.	Haythulagiri24@yahoo.com
	Reagan Morgan	91-1348 Kekahili St.	RKMorgan@HAWAII.PR.COM
	Kawin Kaimikawa	91-1371 Kekahili St.	kkaimikawa@hotmail.com
	Leiam Kaimikawa	91-1371 Kekahili St	leiamnkaimikawa701@gmail.com
	Jonathan Keawe Lenchanko	91-1307 Kekahili St.	keawe dad@g.mail.com

KĀNEHILI CA PETITION TO THE DEPARTMENT OF HAWAIIAN HOME LANDS

1617

NAME	ADDRESS	CONTACT INFO.
1. Mary Knoll Sporkneff	91-1213 Kaneohe St Kapolei	(808) 330-6611
2. Marilyn M. Mahe	91-1204 Kaneohe St. Kapolei	(808) 779-4830
3. Kahuli Kanahala	91-1205 Kaneohe St. Kapolei	(808) 285-7101
4. Keith	91-1206 Kaneohe St Kapolei	808-479-3283
5. Lopaka Kaitikini	91-1220 Kaneohe St Kapolei	808-366-1544
6. Edwina Kalaola	91-1238 Kaneohe St Kapolei	808 233 9898
7. Vera Kestner	91-1252 Kaneohe St Kapolei	808 544 8214
8. Barbara K. Nambu	91-1260 Kaneohe St	808 308 0963
9. Shandon Lira	91-1266 Hanalei St,	(808) 723-2318
10. Makani Kenolio-Arora	91-1270 Kaneohe St. Kapolei, HI	(808) 319-5683
11. Wilmore E. Meyers	91-1276 Kaneohe St. Kapolei, HI	(808) 286-4245
12. Casey Olsen	91-1277 Kaneohe St. Kapolei, HI	(808) 255-3529
13. Joreen Paakula	91-1284 Kaneohe St Kapolei HI	808-330-2199
14. PENE AKI	91-1281 KANEONE ST KAPOLEI HI	808 497 0093
15. DICKSON LEWIS	91-1346 Kimoiki St. Kapolei, HI	808-265-2732
16. Laverne McDonald-Wilhelm	91-1262 Kamaiku St Kapolei, HI	808-9270255
17.		

KĀNEHILI CA PETITION TO THE DEPARTMENT OF HAWAIIAN HOME LANDS

17

NAME	ADDRESS	CONTACT INFO.
Chanelle Alapai	91-1019 Kahalepouli St	807-9503
LEILANI GARNER	911068 KAHALEPOULI STREET	808-670-7493
* Jay Hosea	91-1072 Kahalepouli St.	808-620-9054
Brandi Kelekini	91-1078 Kahalepouli St.	(808) 782-7296
SHAWNISE BEAMFORD	91-1082 KAHALEPOULI ST.	808 753 7587
Michael & Jessica Kauakahi	91-1089 Kahalepouli St Kapolei HI 96707	808 346 1192
Martina Kahiapo-Streckland	911090 Kahalepouli St Kapolei HI 96707	808-464-4641
BEATRICE K. KALAMA	91-1095 KAHALEPOULI ST. KAPOLEI HI.	96707 8082926165
Janice Young	91-1099 Kahalepouli St Kapolei	
Michael Mills	91-1104 Kahalepouli St	96707 808-384-0726
Uebelina R. Mendez	91-1121 Kahalepouli St. Kapolei	96707 808 570-4201
Elaine Pagnier	91-1059 Kahalepouli St. Kapolei	96707 808-352-6402
CHANCE C. CORREA	91-1002 Kahalepouli St. Kapolei, HI	96707 808-764-8268
Barry K Maitland	91-1006 Kahalepouli St, Kapolei HI	96707 808-292-3458
Kellyann Maghahi	91-1009 Kahalepouli St, Kapolei HI	96707 808-728-9258
Robert & Patricia	91-1012 Kahalepouli St Kapolei HI	96707 808-783-8426
Gay Keaunui	91-1016 Kahalepouli St Kapolei HI	96707 808-202-4789

KĀNEHILI CA PETITION TO THE DEPARTMENT OF HAWAIIAN HOME LANDS

NAME	ADDRESS	CONTACT INFO.
CHYANNE CABRERA	91-1015 KAHALEPOULI ST. KAPOLEI, HI 96707	(808) 628-0786
Jennie Sittler	91-1021 Kahalepouli St. Kapolei	96707 (808) 260 6942
George Kukuiwa	91-1022 Kahalepouli St. Kapolei	96707 808 256 9829
Audrey K. Yara	91-1039 Kahalepouli St. Kapolei HI	96707-808-256-1081
Laura Las, Lavene	91-1040 Kahalepouli St. Kapolei HI	96707
Jua Casper	91-1040 Kahalepouli St. Kapolei	96707
JAMES KEALOHĀ	91-1011 KAHALEPOULI STREET KAPOLEI	96707
Rev Saffery	91-1260 KEKĀHĪLI ST. KAPOLEI HI	96707
Ronald R Cachola	91-1111 Kealiiahonui 9 Kapolei	96707
April Haili	91-1133 Kealiiahonui St. Kapolei HI	96707
TAMMIE Mokuia Atmalaka	91-1145 Kealiiahonui St. Kapolei HI	96707
Eliza Martin	91-1157 Kealiiahonui St. Kapolei HI	96707
URZULA Tuzon	91-1156 Kealiiahonui St. Kapolei HI	96707
KURTISIA AKOPAI	91-1136 Kealiiahonui St. Kapolei HI	96707
Kawai Paikai	91-1132 Kealiiahonui St. Kapolei HI	96707
Charnavene Kiesel-Mokuia	91-1122 Kealiiahonui St. Kapolei HI	96707
Abreen Padeken	91-1238 Kumadika St. Kapolei HI	96707

KĀNEHILI CA PETITION TO THE DEPARTMENT OF HAWAIIAN HOME LANDS

NAME	ADDRESS	CONTACT INFO.
1) <u>Sally Repole</u>	1273 Kumaikua Jr.	871-285-2775
2) <u>Pat Patterson</u>	911298 Kekahili	808-729-343
3) <u>Mardelle Liana</u> Brosn Liana	91-1302 Kekahili St	808-384-8284
4) <u>Olivia Rezentes</u>	91-1308 Kekahili St.	808-220-1177
5) <u>Lisa Nahina</u> Solomon	91-1306 Kekahili St.	808 497 5678
6) <u>David Kahale</u>	91-1352 Kekahili St	808-218-8304
7) <u>Nicole Lu</u>	91-502 Kekahili Pl	808-218-4888
8) <u>Jon Kamaiopua</u>	911138 Kekahi Pl	7605182192
9) <u>Calvin Tahmua</u>	91-1352 Kekahili	808-381-9208
10) <u>James Myers</u>	91-1358 Kekahili St	808-230-0108
11) <u>Jason Bartels</u>	91-1374 Kekahili St.	808 277-0288
12) <u>Kami Correia</u>	91-1368 Kekahili St.	808-259-1000
13) <u>Shirley Hooper</u>	91-1392 Kekahili St.	808-620-6725
14) <u>Keoni Lopez</u>	91-1359 Kekahili St.	808-620-9761
15) <u>Bruce Kamakeli</u>	91-1355 Kekahili St.	808-628-8128

KĀNEHILI LOT PETITION REQUEST FOR AN RFP

NAME	ADDRESS	EMAIL/PHONE #
Donna Loke Neitzel	91-1051 Kealiiahonui St	lokezonly@gmail.com
Lawrence Greenleaf	91-1043 Kealiiahonui St	GreenleafLawrence@yahoo.com 808 232-3375
Sarah Lapilio	91-1039 Kealiiahonui St., Kapolei, HI 96707	(808) 554-7174
Wendell K. Wong	91-1042 Kealiiahonui St. Kapolei, HI 96707	(no) 808 232-3639
Chris Sampaga	91-1038 Kealiiahonui St Kapolei	808-670-3639
Ben Aika	91-1034 Kealiiahonui St. Kapolei	Chriswong@gmail.com
Janel Romero	91-1035 Kealiiahonui St Kapolei, HI 96707	808-306-8422
VERNON TĀ'A	91-1028 KEALIAHONUI KAPOLEI	JanelRomero@gmail.com
Nicole Kaahana	91-1027 Kealiiahonui Kapolei	nikkaahana@gmail.com
Charles Noa	91-1024 Kealiiahonui st kapolei HI 96707	808/7256339
Darryle Alapaka	91-1015 Kealiiahonui St Kapolei HI	808 780-5729
Wendell Greenleaf	911007 KEALIAHONUI ST KAPOLEI	808 2955409
Misty Tanager	91-1008 Kealiiahonui St	Mo.Orange@aol.com
Russell Moreira	911052 Kealiiahonui St KAPOLEI	
Daniel Kawana	91-1055 Kealiiahonui St Kapolei	
STEPHANIE KRANE	91-1056 KEALIAHONUI ST, KAPOLEI, HI 96707	skrane808@gmail.com
Preston M. Coen	91-1061 Kealiiahonui St HI 96707	gmail.com
Jessica Ashley	91-1066 Kealiiahonui St. Kapolei 96707	teammattay808@gmail.com
Amie Pedin	91-1072 Kealiiahonui St. Kapolei 96707	741-2538
Russell Pelekai	911076 Kealiiahonui St Kapolei 96707	8083980277
Robert P. Woods	91-1081 Kealiiahonui St. Kapolei 96707	robertp-woods@yahoo.com
Charmaine Saloman	91-1082 Kealiiahonui St. Kapolei 96707	hikana011@gmail.com
Jamett Loho	91-1058 Kealiiahonui St Kapolei 96707	jamessaloman@yahoo.com
Briana Ioane	u u	

KĀNEHILI LOT PETITION REQUEST FOR AN RFP

NAME	ADDRESS	EMAIL/PHONE #
Ernel Smith III	91-1065 Kealiiahonui St.	tipane.freitas@gmail.com
Justice P. Phillips	91-1075 Kealiiahonui St.	429-2884
SHERY BING	91-1089 KEALIAHONUI ST.	(908) 256-4253 fermomibing@gmail.com
Renee K Rickard	91-1096 Kealiiahonui St.	Ktinkerbell5@gmail.com
Dorey Jean Fharez	91-1118 Kealiiahonui St.	daebcinez@gmail.com
James Pontin JR.	91-1149 Kealiiahonui St.	Pontinohana@gmail.com
KIMBERLY WHITFORD	91-1161 Kealiiahonui St	
Cherilyn A. Amara	91-1047 Kealiiahonui St.	96707 Cherilyn
Wesley Kamealoha	91-1152 Kealiiahonui St	Kapolei HI 96707 Kamealoha@gmail.com
Peter & Loriane Kamealoha	91-1142 Kealiiahonui	Kapolei HI 96707
Margaret Pugh	91-1128 Kealiiahonui St	Kapolei 96707
Tracy Anduna	91-1102 Kealiiahonui St.	Kapolei 96707
Mano Anduna	91-1102 Kealiiahonui St	Kapolei 96707
Abelene Chow	91-1101 Kealiiahonui St.	Kapolei 96707 Katerinowick@yahoo.com
Samuel A. Kehihoanui	91-1086 Kealiiahonui St	96707

KĀNEHILI LOT PETITION REQUEST FOR AN RFP

NAME

ADDRESS

EMAIL/PHONE #

ROBERT NGUM

KAPOLEI, HI.
91-1108 KAHALEPOULI ST

JAMES GARCIA

91-1084 KAHALEPOULI ST, KAPOLEI, HI
jamesgarcia@gmail.com

Randy Akau

91-1018 Kahalepouli St Kapolei, HI 96707

808-620-9169

KĀNEHILI CA PETITION TO THE DEPARTMENT OF HAWAIIAN HOME LANDS

NAME	ADDRESS	CONTACT INFO.
Juweth Ahmad	91-1315 Kinoiki St Kapolei, HI 96707	(808) 391-5834
Kii Futrell	91-1384 Kinoiki St. Kapolei, HI 96707	(808) 358-6108
DONALD TANN	91-1331 KINOIKI ST KAPOLEI HI	808.696.8059
CHAR BAPTISTA	91-1335 KINOIKI ST KAPOLEI HI 96707	808.330.0010
Pam Arbitrario	91-1347 Kinoiki Kapolei 96707	808-351-1042
DON VADEZ	91-1389 Kinoiki Kapolei, 96707	808-432-7771
MAURY DUQUE	91-1355 KINOIKI ST. KAPOLEI 96707	808-228-9763
KEOKI COOLB	91-1351 KINOIKI ST KAPOLEI 96707	
DEMOND PAPA	91-1395 KINOIKI ST. KAPOLEI 96707	808-778-2779
KATHLEEN SUNODA	91-1388 Kinoiki St. Kapolei HI 96707	808-699-1774
Jeanette Soares	91-1374 Kinoiki St Kapolei 96707	808 285 2111
Van GOND	91-1354 Kinoiki St. Kapolei, HI 96707	(808) 3876600
Sweetheart Oaldenia	91-1328 Kinoiki St. Kapolei HI 96707	(808) 354-3295
Darnell Hechimoto Rabanes	91-1308 Kinoiki St, Kapolei HI 96707	(808) 366-1016
DEREK K NAKOA	91-1251 Kinoiki St Kapolei HI 96707	(808) 542-6235
Chad DeBonte / Sharyn Mami	91-1259 Kinoiki St. Kapolei HI 96707	(808) 383-6722
KEKOA GONZALES	91-1245 KINOIKI ST KAPOLEI HI 96707	(808) 341-8524

PLANNING OFFICE
DEPARTMENT OF HAWAIIAN HOME LANDS

May 20-21, 2024

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Andrew H. Choy, Acting Planning Program Manager
FROM: Lillie Makaila, Planner *lkjm*
SUBJECT: Accept the Beneficiary Consultation Report for
the General Leasing of Hawai'i Island Parcels in
Waiākea, Hilo TMK No. (3) 2-2-060:019.

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) accept this Beneficiary Consultation Report as the official public record of beneficiary input and feedback relative to General Leasing of Hawai'i Island Parcels in Waiākea, Hilo TMK No. (3) 2-2-060:019.

DISCUSSION

Background

DHHL staff is sought to gather beneficiary mana'o on upcoming solicitations for general leasing of several parcels of Hawaiian home lands designated for commercial/industrial use that are located on Hawai'i Island in Hilo.

Beneficiary Consultation Process

The proposed use of Hawaiian Home Lands went through the following steps prior to ensure that beneficiaries were informed about the opportunity to provide feedback on the proposed General Leasing of parcels designated for non-homesteading use in Hilo, Hawai'i.

STEP 1. THE PROPOSED ACTION IS DESCRIBED AS:

General Leasing of Hawai'i Island Parcels in Waiākea, Hilo TMK No. (3) 2-2-060:019.

STEP 2. BENEFICIARIES WERE NOTIFIED OF OPPORTUNITIES TO CONSULT

The Department conducted a beneficiary consultation meeting utilizing the Zoom virtual meeting platform with DHHL beneficiaries that reside on Hawai'i Island.

- Approximately 5,976 postcards were mailed to Hawai'i Island lessee's and applicants. (EXHIBIT A)

STEP 3. PRESENTATION MATERIALS FOR MEETINGS ARE AVAILABLE FOR FEEDBACK:

A slideshow presentation was prepared for the beneficiary consultation (EXHIBIT B). This slideshow was presented on March 28, 2024 to participants at the virtual meeting, and can be viewed as a part of the meeting recording.

DHHL created a webpage to disseminate information and provide easy access to information related to this request, including a weblink to the BC meeting & invitation. The webpage for this consultation meeting can be found here:

<https://dhhl.hawaii.gov/po/hawaii-island/hilo-commercial-industrial-parcels-for-general-leasing-2024/>

STEP 4. COMMENTS ARE COMPILED:

The following table and data below captures the level of participation and engagement at the March 28, 2023 consultation and subsequent 30-day comment period:

Table 1: Summary of beneficiary participation

Beneficiary Consultation Meeting	Participants	No. Self-ID as DHHL Beneficiaries/Beneficiary Organizations
March 28, 2024	10	6
Written Comments Submitted during the 30-Day Comment Period	2	2

BC attendees did not sign a physical sign-in sheet due to their participation via a virtual online platform. Instead, attendees were asked to sign-in to the "Chat-box" on Zoom and self-identify whether or not they were a DHHL beneficiary. However, not all attendees complied with the request to sign-in. Also, there may have been multiple people participating from a single computer or mobile device. Therefore, it is difficult to determine the exact amount of participants during the meeting.

As reflected in Table 1, approximately ten (10) participants attended the virtual meeting on March 28, 2024. Additionally, two (2) DHHL staff, totaling twelve (12) persons in attendance. Six (6) participants in the meeting self-identified or were identified as DHHL beneficiaries.

DHHL also received two comments via email during the 30-day comment period following the beneficiary consultation (EXHIBIT C). All comments and questions are captured in the summary of Beneficiary Comments below.

Summary of Beneficiary Comments:

In summary, participants expressed concern over the lack of participation at the virtual meeting, the desire to have more leasing opportunities by subdividing the parcel into smaller parcels, and the high volume of homeless

individuals who frequent the area of the parcel. Questions regarding whether these parcels were a part of the recent legislation that was passed which allows State agencies to extend existing leases by 40 years were expressed. Staff responded that these parcels are not a part of that, and the leases would be new leases. Clarification on the process for determining upset rent was discussed. Additional maps were requested. And the issue of homeless and illegal activity nearby the parcels was shared. No opposition was shared to the leasing of these parcels.

Following the beneficiary consultation on March 28, 2024, a 30-day comment period commenced. One comment email and a reply was received during this comment period. The comments are summarized below.

This email commented on two items: 1) Beneficiary Consultations on Hawai'i Island should be conducted "alo a he alo" or in-person and not virtually and 2) Internet connectivity is poor on Hawai'i Island and in need of improvement for beneficiaries. The email cited that poor connectivity is likely a cause of the low turnout for the consultation meeting. A reply to this email also expressed that beneficiary consultations should be conducted in-person in the future.

Next-Steps

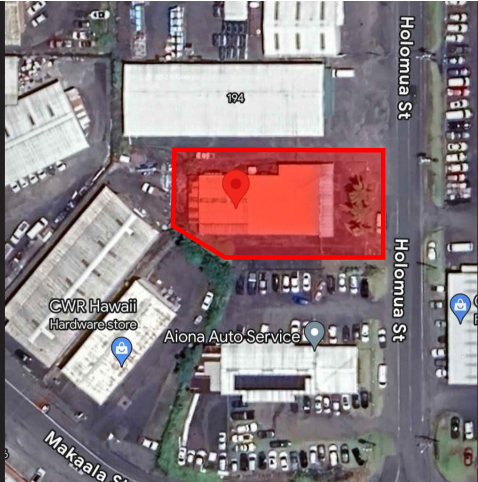
- DHHL LMD Staff to come to the HHC for necessary approvals for General Leasing of parcels.

Recommendation

Staff respectfully requests that the Hawaiian Homes Commission approves the recommended motion to accept this beneficiary consultation report as stated.

BENEFICIARY CONSULTATION VIRTUAL MEETING

HILO PARCELS FOR GENERAL LEASING



This is Not an Awards Notice

dhl.hawaii.gov/po/hilo-parcels-for-general-leasing-2024

Hilo Commercial/Industrial Parcels for General Leasing Virtual Beneficiary Consultation

Thursday, March 28, 2024
6PM to 7PM

Location:

Meeting link on project website

Meeting Purpose:

To provide info about commercial/
industrial parcels in Hilo available for
general leasing & to seek input.

Project Website:

[https://dhhhl.hawaii.gov/po/hilo-
parcels-for-general-leasing-2024/](https://dhhhl.hawaii.gov/po/hilo-parcels-for-general-leasing-2024/)

For More Information:

dhhhl.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



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

Beneficiary Consultation

Hilo Parcels for General Leasing

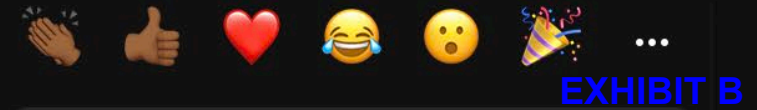
Hilo, Hawai‘i

March 28, 2024

Meeting will start at 6:00pm

Tonight's Agenda

- Welina & Introductions
- Presentation
- Discussion
- Wrap-Up & Next-Steps



👋 Raise Hand



Unmute



Stop Video



Security



Participants



Chat



Share Screen



Record



Reactions

End

House Keeping

- **Please keep your microphone on mute when you are not talking**
- **Type your questions in the chat or raise your virtual hand**
- **Please keep in mind this meeting is being recorded**
- **In the CHAT please sign-in (First & Last Name, where you live, applicant, lessee, both or other)**



Meeting purpose

EXHIBIT B

- To gather beneficiary mana‘o on the upcoming general leasing of industrial lands in the DHHL inventory in Hilo.

DHHL Beneficiary Consultation Policy

EXHIBIT B

- Beneficiary Consultation is required for four types of proposals that require Hawaiian Homes Commission approval
 - Statewide Policy Issues
 - Amendments to Land Use Designations
 - Development of DHHL Plans
 - Long-term use of DHHL land for a non-homestead use

DHHL's Hawai'i Island Plan (2002)

EXHIBIT B

Department of Hawaiian Home Lands

Hawai'i Island Plan



Final Report

PBR
HAWAII
May 2002

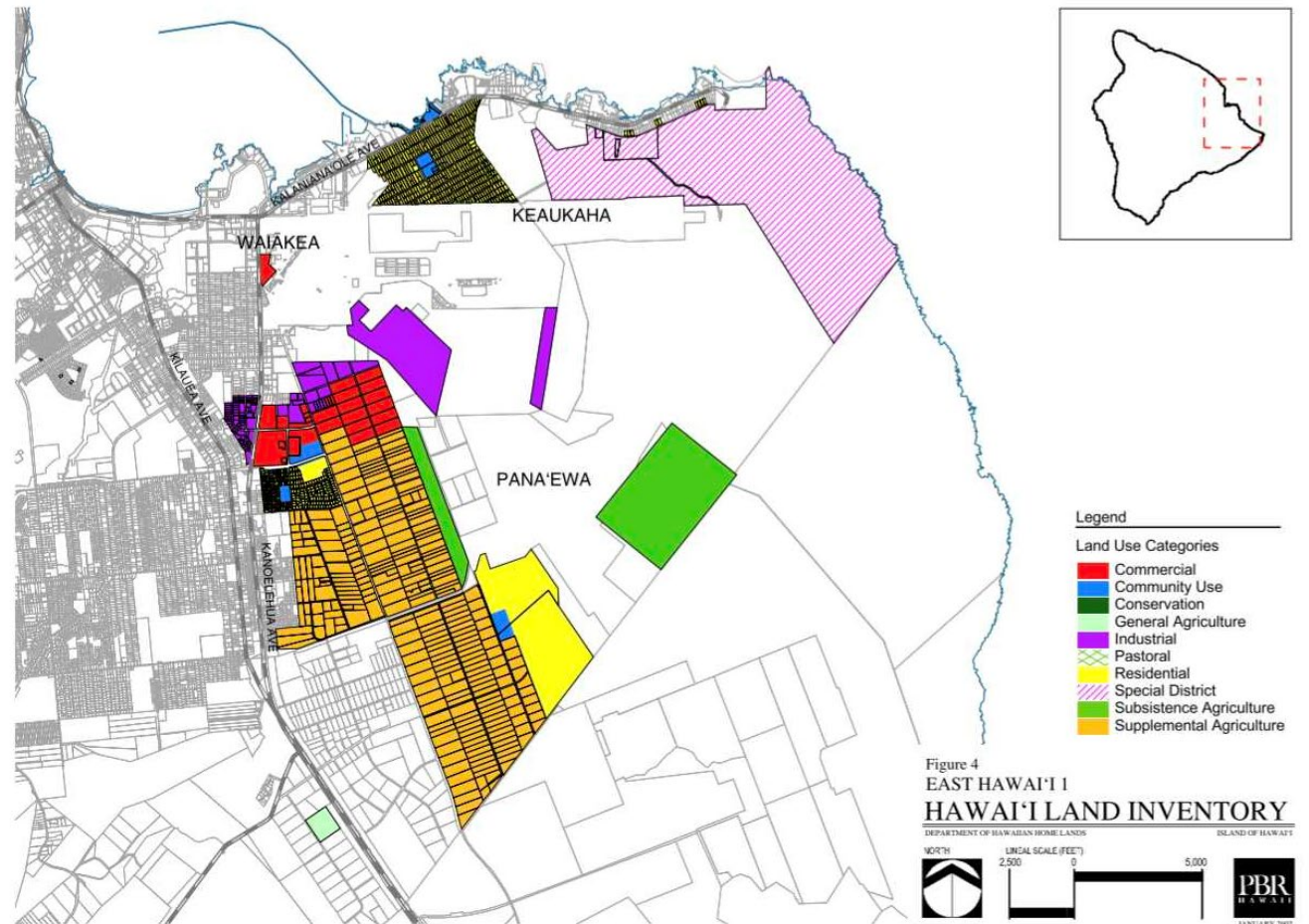


Figure 4
EAST HAWAII I
HAWAII LAND INVENTORY
DEPARTMENT OF HAWAIIAN HOME LANDS
ISLAND OF HAWAII
NORTH
LINEAL SCALE (FEET)
2,500 0 5,000
PBR
HAWAII
JANUARY 2002

DHHL General Leasing Program

EXHIBIT B

Purpose:

To provide for revenue for the DHHL's programs

Policy:

1. Maximize income through effective land management
2. Reduce the acreage of lands used for income purposes, limited to no more than 2% of total Hawaiian Home Lands
3. Follow the guidance of the Island Plans and Regional Plans to determine land for revenue purposes

Authority:

Section 204(a)(2) or Section 220.5 of the Hawaiian Homes Commission Act, 1920, as amended
Section 171-59 & 171-60 of the Hawaii Revised Statutes guide the general leasing process with appraisal, notice, public auction requirements

What is this type of revenue used for?

- The State is supposed to provide us with sufficient sums, but often our requests go unfunded. We partially make up that difference from the revenue that we generate from the HHL's.
- The DHHL grants program is often funded from this revenue.

DHHL General Leasing Program

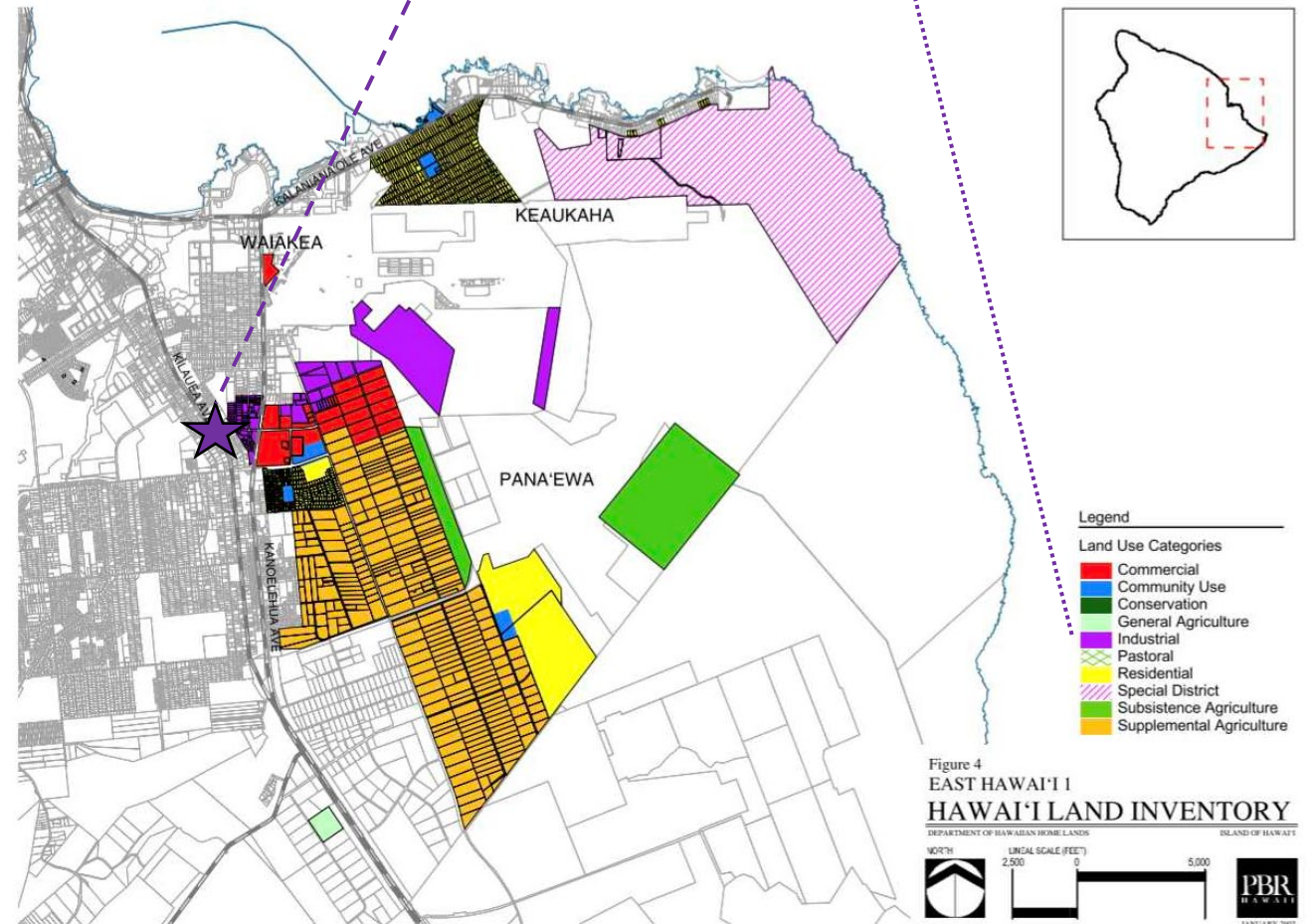
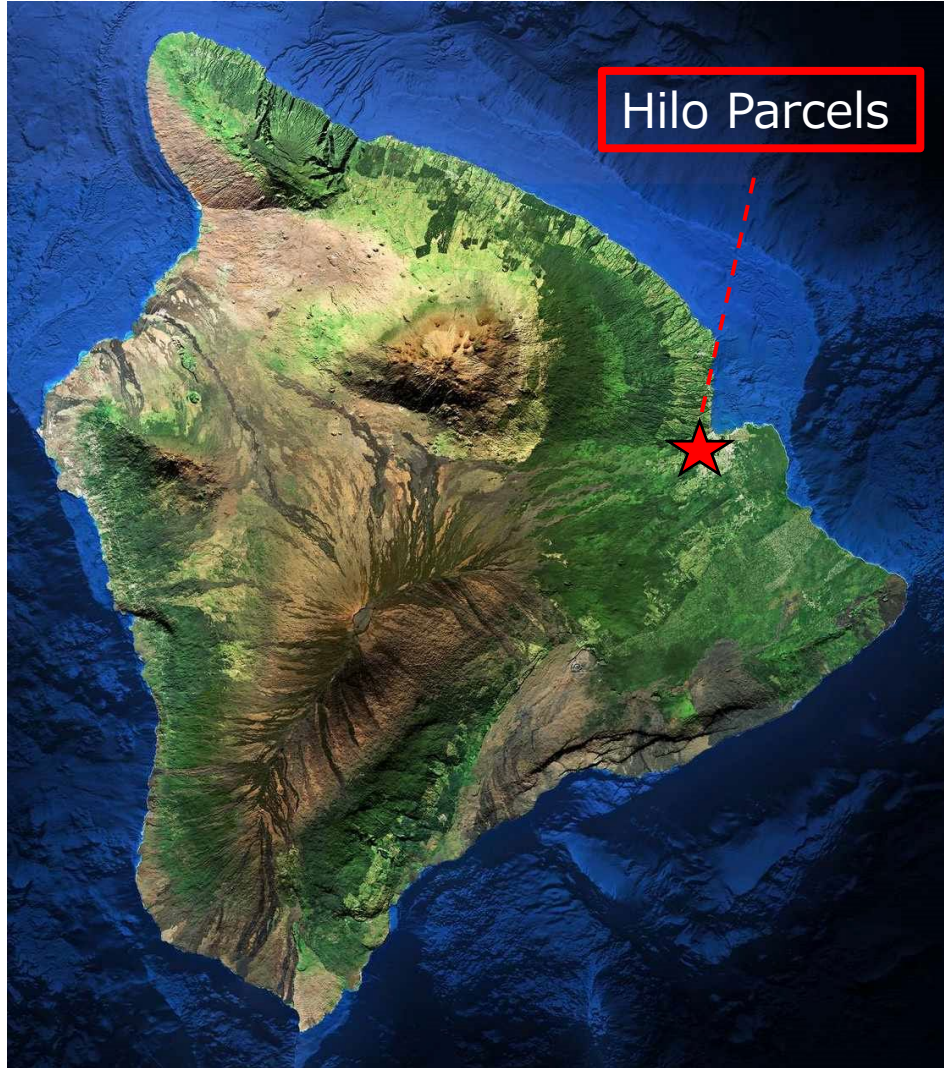
Current Process: Under Section 204(a)(2)

1. HHC authorization to offer the selected property for general leasing
2. Planning Office will assist with Beneficiary Consultation
3. LMD to procure appraisal services to determine the minimum upset rent it can set for the competitive bid of the lease
4. LMD to publish Legal Notice in the newspaper as well as DHHL website on the availability of the property for long term lease
5. Interested parties are given 45 days to submit the complete application which includes financial, business and experience information to support the ability to complete and be successful in the lease requirements
6. Each application will include a sealed bid proposal noting what the interested applicant is proposing to pay for the lease
7. Only those applications that meet the minimum qualifications criteria will be invited to attend the sealed bid public auction when all bids will be opened in front of all.
8. The one with the highest bid will be the successful bidder to enter into a general lease with DHHL

Location

190 Maka'ala St
202 Holomua St

EXHIBIT B





FOR LONG-TERM LEASE

EXHIBIT B

**TWO (2) INDUSTRIAL PARCELS
AVAILABLE FOR LONG -TERM LEASE
IN WAIAKEA S. HILO, HAWAII ISLAND**

**190 Makaala St. & 202 Holomua St.,
Hilo, HI 96820**

PROPERTY DESCRIPTION

- Limited Industrial Use Spaces
- Long-term lease opportunity
- Located within Industrial Subdivision
- Easy access to main thoroughfares

PROPERTY SUMMARY

Upset Rent:	Call for information
Term:	55-Year Maximum
TMK's:	3-2-2-060:019 & :045
Zoning:	ML-20 Limited Industrial District
Area:	Waiakea, S. Hilo, Hawaii Island
Bldg. Size:	4,105 sf
Lot Size:	24-896 – 14,059 sf
Year Built:	1993

**FOR LEASING INFORMATION CALL
PETER "KAHANA" ALBINIO, JR.
808.620.9451 OR EMAIL
peter.k.albinio.jr@hawaii.gov**

Sample Legal Notice

LEGAL NOTICE OF PUBLIC AUCTION

PROPOSED DISPOSITION OF HAWAIIAN HOME LANDS' INDUSTRIAL LEASE, MOANALUA, ISLAND OF OAHU

The Department of Hawaiian Home Lands (DHHL) intends to dispose of lands by public auction. As authorized by §204(a)(2), Hawaiian Homes Commission Act, 1920, as amended, individuals, companies and/or corporations interested in leasing the property herein described shall have forty-five (45) days from the date this "LEGAL NOTICE OF PUBLIC AUCTION" is first published, that date being **August 11, 2023**, in which to submit completed applications for DHHL consideration.

All completed applications received by **4:00 p.m. on Monday, September 25, 2023**, shall be reviewed and only those applications that meet DHHL's initial objectives and criteria shall be notified in writing as being qualified to attend and bid at the scheduled Public Auction as follows:

DATE & TIME:	Wednesday, October 11, 2023 at 10:00 a.m.
LOCATION:	DHHL Kapolei Office 91-5420 Kapolei Parkway, Kapolei, Oahu

Basic Lease Terms

The industrial lease offered by DHHL shall include the following basic terms:

A. Land to be disposed:

- One (1) industrial lot, situate at Shafter Flats Industrial Development, Moanalua, Island of Oahu.

Lot No.	Tax Map Key	Land Area	Upset Rental	Per Annum
8	(1) 1-1-064:010	41,187.00 sf	\$288,704.00	1-10 years \$369,566.00 11-20 years

- Character of Use: The leased premises shall be allowed to be used under the existing County Zoning regulation for "I-2 Intensive Industrial District" purposes only. Operation of a scrap metal yard, junk yard and similar type operations, and bulk storage of flammable and explosive products shall be prohibited.
- Lease Term: 55 Years; to commence from the first day of the calendar month following the execution of a general lease document.
- Rental Payment: Monthly, in advance.

5. Improvement Requirements:

Lot 8 – There is a warehouse building along makai boundary of the lot containing a gross floor area of approximately 2,580 square feet. The warehouse is built with steel frame on concrete slab flooring. A two-story office is located on the street side of the makai warehouse and contains 1,250 square feet on both the ground level and second floor. The office building structure has masonry walls with metal roofing. These information is from tax office records and subject to verification. The conditions are unknown and deemed to have little value. Applicant can either demolish or renovate these improvements for its use. Land is asphalt paved and is considered ready for development.

The Lessee shall submit improvement plans within six (6) months from commencement date of the lease. The Lessee shall have thirty (30) months from date of the Lessor's approval of the plans to complete construction of new improvements for an amount no less than \$500,000.00 or renovate existing improvements on the subject leased premises, for an amount no less than \$200,000.00 using new material and in full compliance with all laws, ordinances, rules and regulations of the Federal, State and County governments. No Quonset hut or similar type of building will not be permitted.

- Rental Reopenings: The net annual rental shall be reopened and redetermined at the expiration of the twentieth (20th), thirtieth (30), fortieth (40th) year(s) of the term. For each of the ten-year reopened period, a level annual rental shall be determined for the first five (5) years and a stepped-up annual rental for the remaining five (5) years. For the final fifteen (15) years, rent shall be reopened and redetermined for each of the 5-year period.

- Ingress, Egress and Utilities: The Lessee shall, at its own cost and expense, be required to provide its own ingress, egress and utilities to the demised premises.

- Assignment/Subletting: The Lessee's ability to assign the lease or sublet the leased premises shall be limited by the terms of the lease and by statutes. The Lessor shall have the right to revise the rent based upon the rental rate charged to the sublessee(s).

- Bond and Other Terms and Conditions: Refer to Conduct of Disposition and Draft of Lease Document.

B. Additional Information

Packets containing an application form, property information and other requirements for completing the application process are available for pick up by prospective applicants during regular office hours at DHHL's Kapolei Office located at 91-5420 Kapolei Parkway, Kapolei 96707 or can be downloaded from DHHL's official website. This Legal Notice of Public Auction, Application and Qualification Form, Applicant Qualification Criteria, Conduct of Disposition, and a draft of the lease document, including maps and description of the lots for complete and detailed terms, covenants and conditions to be observed and performed by the respective lessees, and public auction procedures are on file for public inspection during regular hours at the office of the Department of Hawaiian Home Lands, 91-5420 Kapolei Parkway, Kapolei, Hawaii, and at the District Offices in Waimea, Hilo, Molokai, Maui and Kauai, or by visiting DHHL's website (dhhl.hawaii.gov), which are by this reference incorporated herein and made a part hereof.

This proposed disposition is authorized by and may be cancelled, postponed or continued from time to time as to all or any of the items listed hereunder by public announcement to that effect by order of the Chairman, Hawaiian Homes Commission.

The Application Form with all required information and attachments are due by **September 25, 2023, at 4:00 p.m.** Only those applicants who have submitted applications by the above deadline and have been qualified by DHHL will be invited to participate in the public auction. Each applicant shall be informed, in writing, in advance of the auction date as to their eligibility to bid at the auction.

For additional information please contact Peter "Kahana" Albinio, Jr., Acting Administrator at the Department of Hawaiian Home Lands, Land Management Division, at (808) 620-9451 or by email at peter.k.albinio.jr@hawaii.gov.

DATE: Honolulu, Hawaii, August 1, 2023

State of Hawaii
DEPARTMENT OF HAWAIIAN HOME LANDS

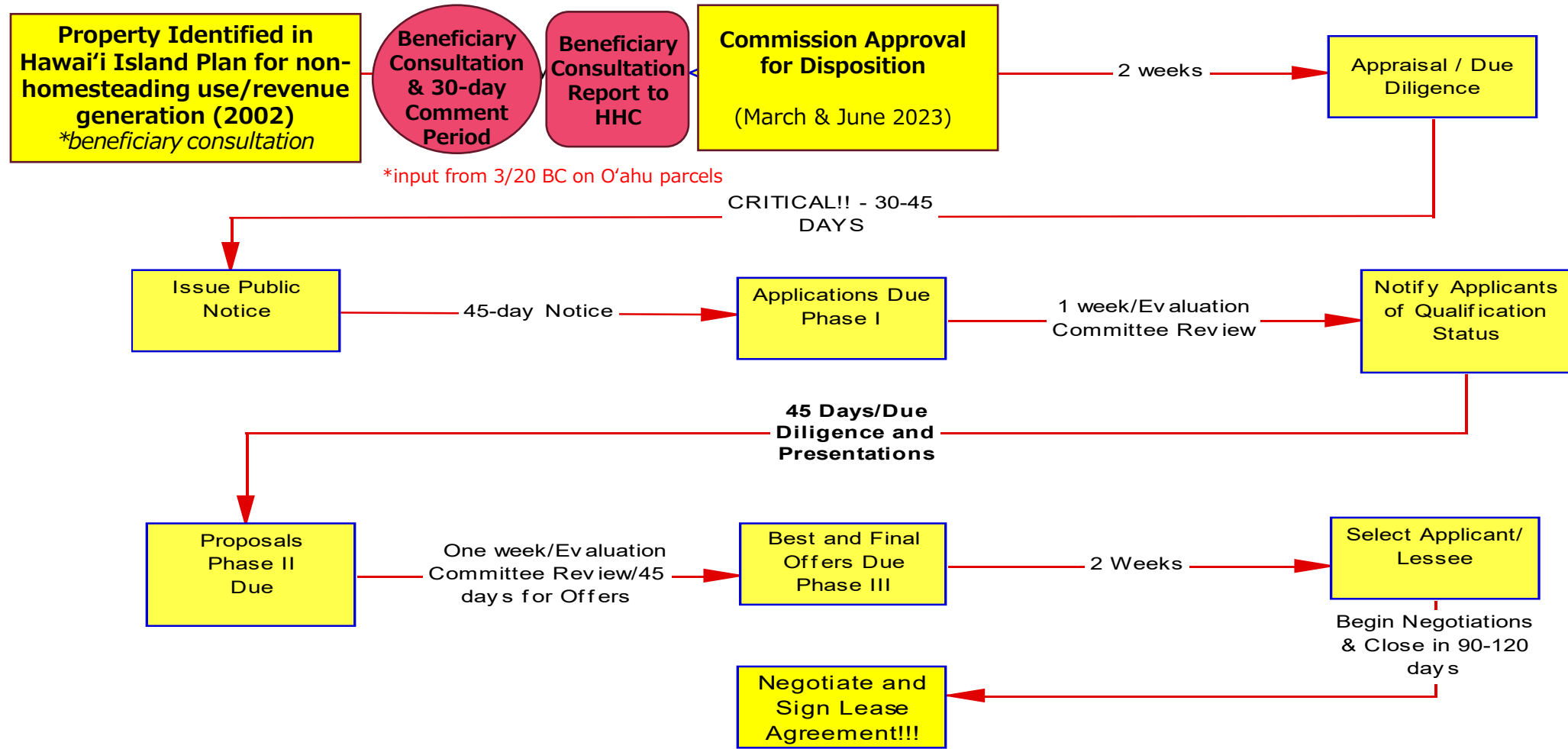
By _____
Kali Watson, Chairman
Hawaiian Homes Commission

Star Advertiser
Website: dhhl.hawaii.gov

Date: August 11, 2023

HRS Chapter 171-59 – Lease Process

EXHIBIT B



Nānau & Mana‘o

EXHIBIT B

Questions & Comments?

Suggestions for the sollicitation?

Suggestions for the process?

Suggestions for outreach?

Next-Steps

- 30-Day Beneficiary Consultation Comment Period:

March 28 to April 26, 2024

Email comments to: dhhl.planning@hawaii.gov

- Beneficiary Consultation Report to the Hawaiian Homes Commission for acceptance (May 2024)
- Seek Commission Approval on the solicitation (May/June 2024)
- Notification of the solicitation can be found at:

<https://dhhl.hawaii.gov/asset-management/>

From: [Choy, Andrew H](#)
To: [Lauae Kekahuna](#); [Pat Kahawaiolaa](#)
Cc: [Ducatt, Katie L](#); [Enomoto, Stanton K](#); [Albinio Jr, Peter K](#); [Kaloi, Kaiini J](#); [Tolentino, Kristina M](#); [Loy, Susan LK Lee](#); [Michael Kaleikini](#); [Fisher, Olinda L](#); [Oshiro, Lisa C](#); [CAPITOL2023-seninouye](#); [Watson, Kali](#); [Duncan Kaohu Seto](#); [Jeffrey Kekoa](#); [Kauilani Almeida](#); [Maile Luuvai](#); [Ron & Doreen Kodani](#); [Wendy Waipa](#); [Makaila, Lilliane K](#)
Subject: Re: [EXTERNAL] Re: BC for General Leasing
Date: Friday, April 26, 2024 3:12:06 PM

Aloha Lauae and Uncle Pat,

Mahalo for taking the time to share your mana`o on the importance of face to face consultation meetings with DHHL beneficiaries in East Hawaii. We will adjust our consultation methods accordingly moving forward.

thanks,
Andrew

From: Lauae Kekahuna <kekahunalauae@gmail.com>
Sent: Friday, April 26, 2024 10:30 AM
To: Pat Kahawaiolaa <kcaiprez@gmail.com>
Cc: Choy, Andrew H <andrew.h.choy@hawaii.gov>; Ducatt, Katie L <katie.l.ducatt@hawaii.gov>; Enomoto, Stanton K <stanton_enomoto@ios.doi.gov>; Albinio Jr, Peter K <peter.k.albinio.jr@hawaii.gov>; Kaloi, Kaiini J <kaiini_kaloi@ios.doi.gov>; Tolentino, Kristina M <Kristina.M.Tolentino@hawaii.gov>; Loy, Susan LK Lee <sue.leeloy@hawaiicounty.gov>; Michael Kaleikini <mkaleikini@ormat.com>; Fisher, Olinda L <olinda.l.fisher@hawaii.gov>; Oshiro, Lisa C <lisa_oshiro_suganuma@ios.doi.gov>; CAPITOL2023-seninouye <seninouye@capitol.hawaii.gov>; Watson, Kali <kali.watson@hawaii.gov>; Duncan Kaohu Seto <dnknz2@gmail.com>; Jeffrey Kekoa <j_kekoa1956@hotmail.com>; Kauilani Almeida <panaewahhlca@gmail.com>; Maile Luuvai <maile@luuwailaw.com>; Ron & Doreen Kodani <pnhcailo@gmail.com>; Wendy Waipa <awilipond@yahoo.com>
Subject: [EXTERNAL] Re: BC for General Leasing

Aloha E Chair Watson,

Lauae Kekahuna from Maku`u.

I too agree to the concerns addressed by `Anakala Pat.

Hilo is still strong with alo to alo communications. Transparency is our most loved language to ensure unity between beneficiaries and DHHL.

Please consider organizing face to face meetings for our trust lands here in Hilo.

Me ke Aloha,

Laua`e Kekahuna

> On Apr 26, 2024, at 10:17 AM, Pat Kahawaiolaa <kcaiprez@gmail.com> wrote:
>

- >
- > Aloha e Chair Watson,
- > I am Patrick Kahawaiolaa a native Hawaiian as defined pursuant to the HHCA 1920 as amended July 9, 1921 (42,42 stat.108) 67th Congress...
- >
- > I am writing to seek clarification about a Situation concerning our trust lands here in Hilo, industrial /commercial parcels to be exact Whereby a beneficiary consultation was to have be held.
- >
- > My understanding was a very limited amount of beneficiaries participated in the schedule Beneficiary Consultation and I for the reasons I am inquiring about received our DHHL mailer card after the Beneficiary Consultation was to have been conducted by Zoom (virtually)...
- >
- > This disservice that is happening to the beneficiaries of the trust demands a response and since we are post Covid... In person meetings should now be the normal and only way you have beneficiary Consultation and Zoom virtually as an added alternative or inclusion.
- >
- > The fact that the Department of Hawaiian Home Lands now depends on virtual Zoom meetings as a way to meet their responsibilities to have had beneficiary consultations when matters of great importance such as the proposed leasing of our trust Land and an in person area specific community beneficiary meeting held in that specific area. It is not and should not be just the use of Zoom virtually to meet the requirements of the departments having a public hearing...
- >
- > All meeting of great importance to the beneficiaries should be Alo to Alo (face to face)... As opposed to virtually on zoom as the primary format...
- >
- > We have all suffered through the pandemic of Covid and the struggles during that period so now we should be receptive to conducting all meetings, especially with beneficiary consultation is necessary should be in person...like we did before the pandemic...
- >
- > Secondly, my other concern is why I believe virtual participation by Zoom is almost Non Existence by our beneficiaries of Hawaiian Homeland, (our trust land) who continues to falls short of inclusion because of the equity of digital connection to our properties...
- > The record continues to show that in this State of Hawaii for whatever the reasons we remain at the top of the list as being an underserved area for Internet and connectivity services.
- >
- > The mere fact That the department has hired Mr. Jaren Tengan to take the lead In bringing connectivity to underserved portions of our trust, land verifies my concern...
- >
- > So in closing Chair Watson, I raise these questions to you as the administrator chosen not by the beneficiaries but by the State Of Hawaii and Governor ...to represent manage the disposition of our trust lands as articulated in the Admissions Act of 1959 (Pub L 86-3, Stat. 4)...and I know I don't need to remind you that as a lifelong beneficiary of the Hawaiian homes commission act you and I are both bound, but the statues and provision of said Act, And it is those statues and provisions that dictates how Act is administered with the administrative rules said Act Should always be used and applied when the co-trustee of said Act Has determined that they need for the consent of the United States of America was not necessary...
- >
- > Full disclosure I have attached to this email a representative of the Dept. Of Interior director from the Office of Native Hawaiian Relations (ONHR) to also seek comments on whether or not the beneficiaries of the Hawaiian homes commission act is entitled To these beneficiary consultations, hopefully we can agree to have it in person as we continue to struggle as a class of people with the deplorable conditions in this case for digital equity and connectivity for the use of Internet on our trust lands.

>
> I can be reached at (808) 937-8217...
>
> Keep UNITY...
> in commUNITY
>
> ALOHA,
>
> Patrick L. Kahawaiolaa
>
>
>
>
> <Resized_20240425_191541.jpeg>
>
>
>
>
>

PLANNING OFFICE
DEPARTMENT OF HAWAIIAN HOME LANDS

May 20-21, 2024

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Andrew H. Choy, Planning Program Manager *AC*

SUBJECT: Accept the Beneficiary Consultation Report for Hui Ho'okahua O Molokai's Land Use Request for Malama Park Kaunakakai, Molokai TMK (2) 5-3-001:002, :097 & 100 and Ahonui Homestead Association's Land Use Request to Steward DHHL's 'Ualapu'e Tract, Molokai, TMK (2)-5-6-006:017, (2)-5-6-002:024, 025, 026, 027, 001, & 036.

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) accept this Beneficiary Consultation Report as the official public record of beneficiary input and feedback relative to two unsolicited Land Use Requests submitted by:

- (1) Hui Ho'okahua O Molokai for Malama Park TMK (2) 5-3-001:002, :097 & 100 (5 acres)
- (2) Ahonui Homestead Association for Ualapu'e TMK (2)-5-6-006:017, (2)-5-6-002:024, 025, 026, 027, 001, & 036 (412 acres)

DISCUSSION

Background

The Department of Hawaiian Home Lands (DHHL) received two (2) unsolicited requests for the long-term use of Hawaiian Home Lands on the island of Molokai. Land Use Requests were received from:

- (1) Hui Ho'okahua o Molokai; and
- (2) Ahonui Homestead Association

Hui Ho'okahua o Molokai Malama Park Land Use Request

The Hawaiian Homes Commission adopted the Malama Park Special Area Management Plan in 2022. The Plan identified four

types of park "management zones" with each zone specifying specific management activities and compatible uses. These zones include: (1) Canoe Club, (2) Wetland, (3) Malama Platform (hula mound) and (4) Community Focused zones. Beneficiaries expressed a strong desire to play a larger role in the management kuleana for the Plan Area and its resources and the Plan reflected that desire by recommending that community partner(s) be selected by DHHL to steward the park. As part of the selection process to choose a community partner, the plan recommended that beneficiary consultation be conducted prior to the HHC deciding on the selected partner to ensure beneficiary input on that decision.

In November 2023, Hui Ho'okahua Molokai submitted its interest to DHHL to manage Malama Park. Hui Ho'okahua Molokai is a newly formed 501(3) organization comprised of six (6) Molokai DHHL Homestead Associations (Ho'olehua, Kapa'akea, and Kamiloloa-One `Ali'i, Kalama'ula and Na'iwa, and Molokai Homestead Waitlisters of Ahonui. Hui Ho'okahua's overall goal and objective is to maintain Malama Park to serve as a special place for the community and across generations. The group would like to establish a restoration and recovery program for coastal plant communities, create an outdoor wetland learning center, and be able to protect, restore, and maintain habitat for native plants and animals, and implement a vegetated berm enhancement along the edge of the shoreline. Hui Ho'okahua Molokai would also like to begin an invasive species removal and control program that will provide opportunities for place-based educational programs.

Ahonui Homestead Association Land Use Request

The DHHL Molokai Regional Plan (2019) identified kuleana homesteading in Ualapue as a priority project. The 'Ualapue tract is located in East Molokai and is the only tract of land that is DHHL land on that side of the island. DHHL has been conducting a Kuleana Settlement Plan process for its 'Ualapue tract since 2021 inclusive of both beneficiaries and the Native Hawaiian community of East Molokai. While a final plan that balances beneficiary need for homesteading and East Molokai community members' concerns is still on-going, the Ahonui Homestead Association would like a Right-of-Entry (ROE) Permit to malama and steward these lands in the interim.

Ahonui's mission is to restore and rehabilitate native Hawaiian beneficiaries and / or indigenous descendants to their land. Its vision is to seek restoration for native Hawaiian

beneficiaries to 'āina and to prevent homelessness and hardship due to the high cost of rent, to restore, build and strengthen skills to (native Hawaiian) beneficiaries in budgeting, fishing, farming, repairing, maintenance, trading or bartering, gathering rights, accountability and responsibility as stewards of the land from Mauka to Makai. To increase self-determination through self-governance to beneficiaries participating in discussions on issues, concerns, and solutions.

Ahonui would like to restore the land in 'Ualapu'e and surrounding areas prior to any development that may occur with settlement. The Manae community has a strong connection to cultural traditions and lifestyles, and the community members are active on issues/concerns, and with protecting and preserving their gathering rights. Ahonui plans to work with the 'Ualapu'e / Manae community in developing a cultural and natural resource management plan for 'Ualapu'e in order to protect and preserve resources including cultural sites, traditional, and customary practices for subsistence for future generations. The plans are to reforest with native plants on the mauka and makai and to rejuvenate and cultivate the soil to its natural origin as possible to bring balance to the eco system once again.

DHHL Beneficiary Consultation Policy

The DHHL recognizes that meaningful, timely, and informative beneficiary consultation is necessary for the successful formulation and implementation of its policies, programs, and projects. In 2009, the HHC adopted a Beneficiary Consultation (BC) Policy (Policy). The purpose of the Policy is to ensure that appropriate beneficiary consultation processes and activities are incorporated into DHHL's planning and decision-making. The Policy requires BC for four types of proposals: 1) Statewide Policy Issues, 2) Amendments to Land Use Designations, 3) Development of DHHL Plans and 4) Proposed long-term use of DHHL lands for non-homesteading uses.

The proposed requests to utilize Hawaiian Home Lands by these two organizations constitutes a long-term non-homesteading use of DHHL lands and therefore required a beneficiary consultation meeting prior to HHC action on the request. A beneficiary consultation meeting was held on April 4, 2024 at the Kulana 'Oiwī Halau in Kalamaula.

Beneficiary Consultation Process

The proposed use of Hawaiian Home Lands went through the following steps prior to ensure that beneficiaries were informed about the opportunity to provide feedback on the Land Use Request.

STEP 1. THE PROPOSED ACTION IS DESCRIBED AS:

Molokai Land Use Requests: Malama Park and 'Ualapu'e.

STEP 2. BENEFICIARIES WERE NOTIFIED OF OPPORTUNITIES TO CONSULT

The Department conducted a beneficiary consultation meeting at the Kulana Oihi Hall in Kalama'ula on April 4, 2024.

1. Approximately 541 postcards were mailed to Molokai homestead lessees. [Exhibit B]
2. Approximately 556 postcards were mailed to waitlist applicants with a Molokai mailing address. [Exhibit B]

STEP 3. PRESENTATION MATERIALS FOR MEETINGS ARE AVAILABLE FOR FEEDBACK:

A slideshow presentation was prepared for the beneficiary consultation (EXHIBIT C). This slideshow was presented on April 4, 2024 to participants at the meeting.

DHHL created a webpage to disseminate information and provide easy access to information related to this request. The webpage for this consultation meeting can be found here:

<https://dhhl.hawaii.gov/po/molokai/molokai-land-use-requests-malama-park-and-ualapue/>

STEP 4. COMMENTS ARE COMPILED:

The following table and data below captures the level of participation and engagement at the April 4, 2024

consultation. A 30-day comment period after the meeting is held is afforded to allow beneficiaries to provide additional input. The 30-Day comment period was held between April 4 to May 3, 2024.

Table 1: Summary of beneficiary participation

Beneficiary Consultation Meeting	Participants	No. Self-ID as DHHL Beneficiaries/Beneficiary Organizations
April 4, 2024	17	12
Written Comments Submitted during the Comment Period	0	0

As reflected in Table 1, approximately seventeen (17) participants attended the meeting on April 4, 2024. Twelve (12) participants in the meeting self-identified as DHHL beneficiaries (lessee, applicant, or both lessee and applicant).

DHHL did not receive any written comments during the comment period following the beneficiary consultation meeting. All comments and questions are captured in the summary of Beneficiary Comments below.

Summary of Beneficiary Comments:

In summary, most beneficiaries (1) Supported the Hui Ho‘okahua Molokai’s Land Use Request to manage Malama Park and (2) Supported the Ahonui Homestead Association ‘Ualapu’e land use request. However, for the Ahonui Homestead Association request, there was a comment that Ahonui should meet with Mana’e community members before DHHL seeks Hawaiian Homes Commission approval on Ahonui’s land use request. More detailed meeting notes from the meeting are included as Exhibit D. Comments are further discussed below.

Hui Ho'okahua Molokai's Land Use Request

BENEFICIARY CONSULTATION COMMENTS	DISCUSSION
Remove invasive plants and plant native plants.	Noted for Hui Ho'okahua Molokai's future consideration.
Build a halau but in a way that there is no ground disturbance	Noted for Hui Ho'okahua Molokai's future consideration.
Glad to see multiple homestead associations involved in this effort.	Noted.
Do not shorten the Beneficiary Consultation 30-day comment period. Do not take shortcuts in the process.	DHHL provided 30-day comment period per the DHHL Beneficiary Consultation Policy.

Ahonui Homestead Association's Land Use Request

BENEFICIARY CONSULTATION COMMENTS	DISCUSSION
If [Mana'e] community and Ahonui work together to steward the land, it could develop a relationship between people.	Agree.
Stewarding 400 acres can be very difficult.	Ahonui agrees and will be starting out small and looking to steward area near fire house first.
No Mana'e community members attended beneficiary consultation meeting	DHHL held a meeting in the Mana'e community on March 13, 2024. Ahonui shared its desire to seek a ROE from DHHL at this meeting with Mana'e community. The April 4, 2024 meeting was a meeting specifically for DHHL beneficiaries.
Ahonui should meet with Mana'e community members prior to DHHL taking Ahonui's request to the Commission for approval.	Ahonui agrees and will meet with community members from East Molokai. Ahonui had its first meeting with several members of Mana'e in late April of 2024.

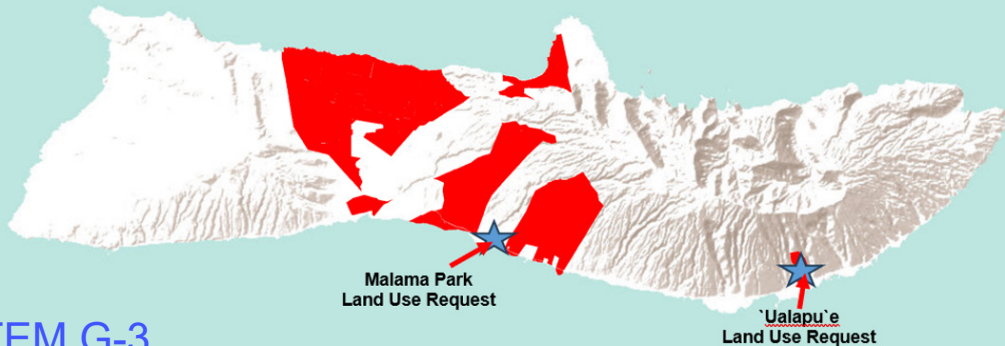
Recommendation

Staff respectfully requests that the Hawaiian Homes Commission approves the recommended motion to accept this beneficiary consultation report as stated.

BENEFICIARY CONSULTATION MEETING



Moloka'i Land Use Request; Malama Park & 'Ualapu'e



ITEM G-3
EXHIBIT B

This is Not an Awards Notice

dhlh.hawaii.gov/po/molokai

Beneficiary Consultation Meeting

Moloka'i Land Use Request; Malama Park & 'Ualapu'e

Thursday, April 4, 2024
6:00 p.m. to 8:00 p.m.

Kūlana 'Ōiwi Hālau
600 Maunaloa Highway,
Kalama'ula, Moloka'i

Meeting Purpose:

DHHL is seeking beneficiary input and feedback on two land use requests to manage Malama Park and another land use request to steward DHHL lands in Ualapue.

For more information:

dttl.hawaii.gov/pdp/molokai

Questions?

dttl.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

ITEM G-3
EXHIBIT C

ITEM G-3
EXHIBIT C



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

Beneficiary Consultation

Long-term Requests to Utilize DHHL Land on Molokai

April 4, 2024

Meeting purpose

- To collect DHHL beneficiary feedback on two separate proposed long-term requests to utilize DHHL land by the following organizations:
 1. Hui Ho‘okahua Molokai
 2. Ahonui Homestead Association

Meeting Kuleana

- Be respectful of the person talking – please do not interrupt the person that is talking;
- Wait for the facilitator to call on you or type your question into the chat box;
- When addressing other participants (verbally or in the chat box), be respectful, show aloha, treat others how you would like to be treated;
- Agree to disagree — accept that others may have different perspectives and opinions;
- Have an open mind — take home new ideas or new information.

DHHL Beneficiary Consultation Policy

- Beneficiary Consultation is required for four types of proposals that require Hawaiian Homes Commission approval
 - Statewide Policy Issues
 - Amendments to Land Use Designations
 - Development of DHHL Plans
 - Long-term use of DHHL land for a non-homestead use

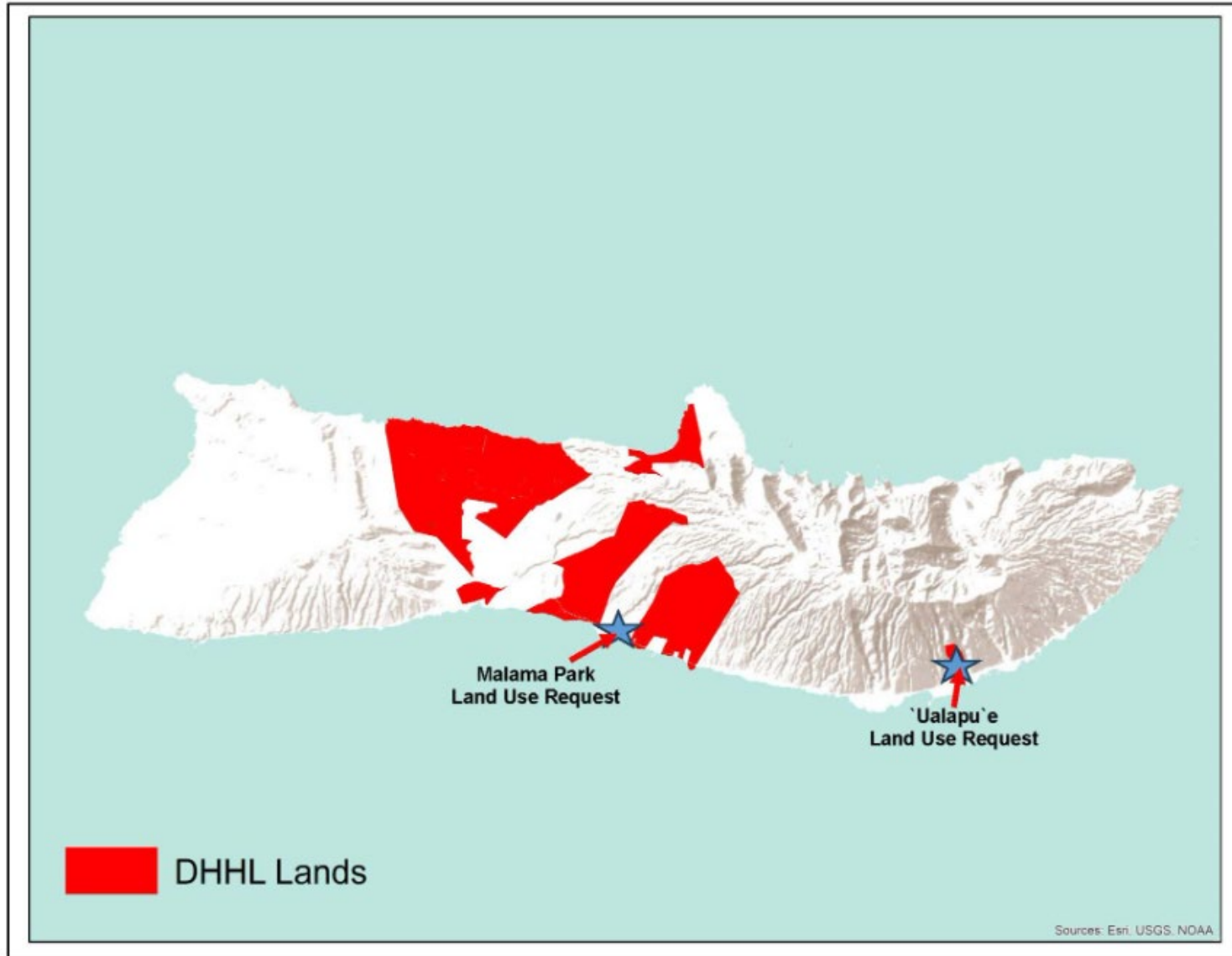
Tonight's Agenda

- Welcome & Introductions
- **Presentation by Hui Ho'okahua Molokai. (15 minutes)**
- Beneficiary Mana'o on Hui Ho'okahua o Molokai Land Use Request (45 minutes)
- **Presentation by Ahonui Homestead Association (15 minutes)**
- Beneficiary Mana'o on Ahonui Homestead Association Land Use Request (45 minutes)
- Wrap-Up & Next-Steps

ITEM G-3

EXHIBIT C

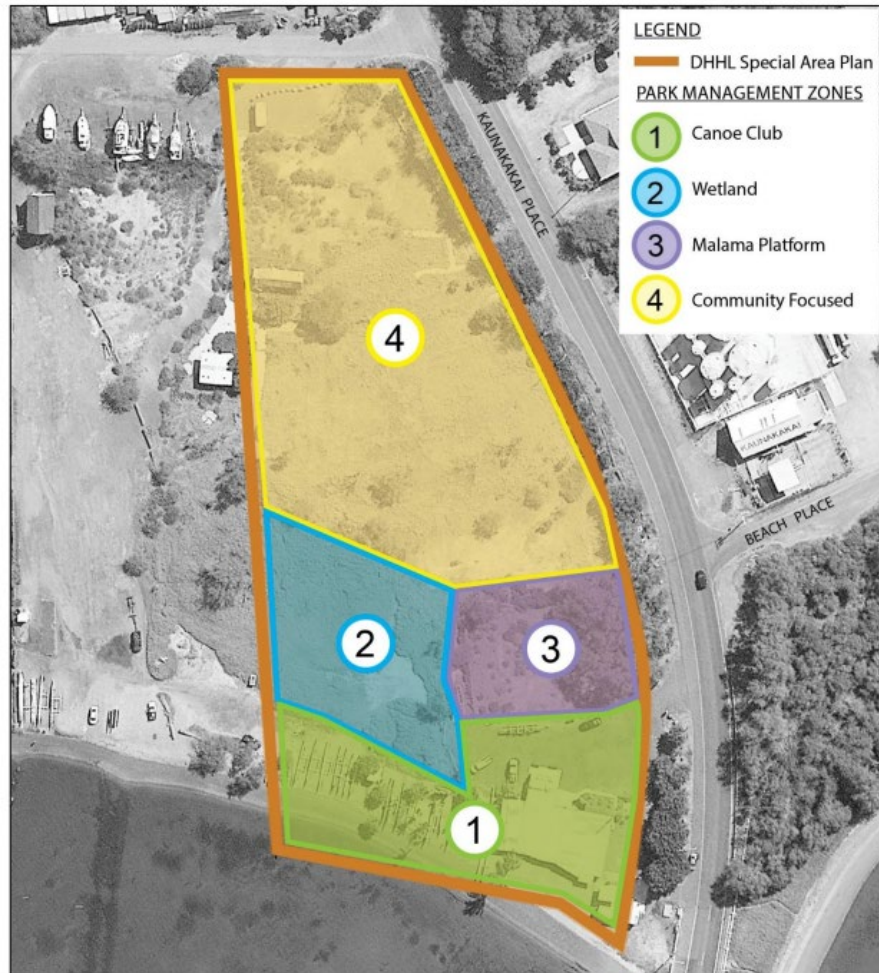
Land Use Request Locations



ITEM G-3
EXHIBIT C

DHHL Malama Park Special Area Management Plan

FIGURE 5-7 PARK MANAGEMENT ZONES



- Adopted by the Hawaiian Homes Commission in 2022
- Identified four types of park “management zones”
- Beneficiaries expressed a strong desire to play a larger role in the management kuleana for the Plan Area and its resources.
- The plan was intended to be implemented by community partner(s) selected by DHHL.
- The plan specified DHHL needs to conduct beneficiary consultation on proposed partner(s).
- Hui Ho’okahua Molokai submitted its interest to DHHL manage the Park in November 2023.

ITEM G-3
EXHIBIT C

**Presentation By
Hui Ho‘okahua Molokai**

Nīnau & Mana‘o

Questions and/or Comments on
Hui Ho‘okahua Molokai
Proposed Use of DHHL Land
(45 minutes)

DHHL Ualapu'e Planning Process



Image Above: Project Location and Existing Conditions*

- DHHL Molokai Regional Plan (2019) identified kuleana homesteading in Ualapu'e as priority project;
- DHHL has been conducting a Kuleana Homestead Settlement Plan process including both beneficiaries as well as conversations with East Molokai community members;
- While a final plan that balances beneficiary need for homesteading and East Molokai community members' concerns – Ahonui Homestead Association would like an ROE to help malama and steward these lands in the interim.

ITEM G-3
EXHIBIT C

**Presentation By
Ahonui Homestead Association**

Nānau & Mana‘o

Questions and/or Comments on
Ahonui Homestead Association
Proposed Use of DHHL Land
(45 minutes)

Suggested Next-Steps

- 30-Day Beneficiary Consultation Comment Period (April 4 to April 15)

Email comments to: dhdl.planning@hawaii.gov

- **Beneficiary Consultation Report** to the Hawaiian Homes Commission on both requests April 2024
- Seek Commission Approval on ROE to Hui Ho‘okahua Molokai for Malama Park April 2024
- Will take the Ualapu‘e Request to HHC after Ahonui has meeting with East Molokai community stakeholders

ITEM G-3

EXHIBIT D

Beneficiary Consultation Notes
Ahonui Homestead Association – Ualapue Lands
Hui Ho'okahua Molokai – Malama Park
April 4, 2024

Attendees: 17

1 applicant; 7 lessees; 4 both, applicant and lessee; 5 other

Hui Ho'okahua Molokai Land Use Request

Presented by Hala Pakala, Secretary of Hui Ho'okahua Molokai:

- Our organization consists of five homestead associations plus the waitlist organization Ahonui Homestead Association.
- In Kamiloloa homestead 70% are not occupied with the younger generation.
- Most homesteaders were involved in the DHHL Special Area Plan meetings.
- Hui felt that they could collectively manage as homestead leaders as a Hui to manage the park.
- Park users would remain the same for example Molokai Canoe Club, Wa'a Kapaemua Canoe Club
- We [Hui Ho'okahua Molokai] are aware of the challenges such as petroleum contamination to some of the soil in the park.
- Our group would like to see invasives removed from the wetland. Preserve the wetlands. The wetland could be a positive model for wetlands. Wetlands have environmental importance.

Beneficiary Comments and Questions:

- Two of the Southshore associations are working with DHHL on shoreline erosion and sea level rise.
- There's a hula mound and natural amphitheater in the area. Parking is slim. Remove monkeypod trees, plants that are not drought and salt resistant and plant native plants that are drought and salt resistant.
- Build a halau – but in a way that there is no ground disturbance.
- Q: How many acres is the park?
A: Five acres comprised of three separate TMKS.
- Q: Who owns the adjacent parcel?
A: County of Maui
- Q: How about DLNR?
A: DLNR transferred the 5 acre parcel to DHHL.

ITEM G-3

EXHIBIT D

- I used to clean Malama Park with Molokai Occupational center when the park was owned by DLNR.
- Malama Park has a long history of people wanting to manage the park and many plans that get stuck on the shelf. I am glad that multiple homestead Associations are involved in this effort.
- Q: Who is the organization that wants the ROE for Malama Park?
A: Hui Ho`okahua Molokai – comprised of 5 homestead associations and waitlist association Ahonui.
- Q: What's the earliest Hui Ho`okahua Molokai can go on the land and work?
A: Beneficiary consultation report must be submitted to Hawaiian Homes Commission for acceptance, then seek Hawaiian Homes Commission approval for Right-of-Entry Permit to do due diligence studies like HRS 343 compliance and once those studies are complete, seek HHC approval for a long-term disposition.
- DHHL: The Hawaiian Homes Commission is on Molokai in April. DHHL normally allows a 30-day comment period for beneficiaries to provide comments. What are your thoughts on taking this request to the Hawaiian Homes Commission in April since it is meeting on Molokai?
- While the Hawaiian Homes Commission is on island in April, I am opposed to shortening the comment period. I do not see that much people here tonight and would like to give beneficiaries as much opportunity to weigh in on these requests as possible. This administration likes to take short cuts and exclude beneficiary mana`o. I like what Hui Ho`okahua Molokai is proposing and I do not want to see this proposal fail because we didn't go through the normal consultation process and protocol.
- DHHL: Mahalo. We will allow 30-day comment period and take the beneficiary consultation report and seek Commission approval on Hui Ho`okahua's land use request at the May 2024 HHC meeting. The meeting will be in Kona on Hawai'i Island, but Molokai beneficiaries can Zoom into the May meeting to testify on this matter.

Ahonui Homestead Association Land Use Request

Presented by Dickenson Stone, President Ahonui Homestead Association

- Ahonui has been working with DHHL and G70 on a plan to homestead 'Ualapu'e.
- Ahonui wants to help and work with the Manae community to take care of 'Ualapu'e.
- We see activities like gardening, farming, nurseries, and allowing hunting, but in a safe managed way.
- We want to clean up and steward the land and work together with the Manae community until such time that DHHL will homestead the area.

ITEM G-3

EXHIBIT D

- Goal is to put beneficiary wait listers on the land. To get a ROE from DHHL to steward the bottom portion of land – farming, nursery for native plants.
- We are asking for the whole 400 acres, but we understand that is not easy to manage and want to start small.

Beneficiary Comments and Questions:

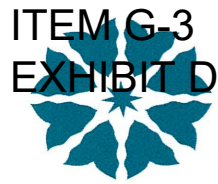
- Q: Is the land designated community use?
A: No, it is not entirely designated community use. Some areas designated for homesteading. Ahonui's presence and stewardship would be temporary until such time DHHL can homestead the area.
- Q: How much area?
A: The whole tract (400 acres). But Ahonui would like to start small, we would start working on the area next to the County Fire House.
- Q: When will people move up there?
A: DHHL would need to complete the planning process. But completing the planning process is contingent upon coming up with a plan that addresses the concerns of the Native Hawaiian community in Mana'e.
- If the community helps Ahonui with a management plan and access it could develop the relationship between community and Ahonui.
- Do it in a righteous good way being open with community – small steps, protocol and process. While there you getting hands in the soil and learning about the land.
- ROE for 400 acres is a huge undertaking. I know hard it can be from experience. I can share some of my experiences with you.
- I do not see many of the Mana'e community members here tonight. They should be made aware of this request.
- DHHL held a community meeting on March 13, 2024 specifically to inform the Mana'e community on the DHHL Ualapue homestead plan. During that meeting Ahonui Homestead Association shared its desire to seek a ROE permit from DHHL for the reasons shared at tonight's meeting. Tonight's meeting was specifically for DHHL beneficiaries.
- Ahonui will need to meet with the Molokai East end community before DHHL takes their request to the HHC.
- DHHL: This request was also made at the March 13 meeting by Mana'e community members. DHHL and Ahonui Homestead Association agreed that Ahonui should meet with the community prior to taking their request to the HHC for approval.

ITEM G-3

EXHIBIT D

Next-Steps

- DHHL will take the beneficiary consultation report for both of these land use requests to the Hawaiian Homes Commission for its acceptance at the May 2024 Commission meeting.
- DHHL will seek Commission approval for a ROE permit to Hui Hookahua Molokai for Malama Park at the May 2024 Commission meeting.
- DHHL will not seek Commission approval on a ROE to Ahonui Homestead Association until such time that Ahonui meets with Mana‘e community members and reaches a shared understanding of how Ahonui’s stewardship will involve Mana‘e community members. June 2024 would be the earliest DHHL might take Ahonui’s request to the HHC for its approval.



DEPARTMENT OF HAWAIIAN HOME LANDS
SIGN-IN SHEET

EVENT BC re Malama Park-Hui Ho'okahu
Molokai LURF and Ualapue-Ahonui
LURF

DATE April 4, 2024

DEPARTMENT OF HAWAIIAN HOME LANDS

page 1/2

(Please print)

** (A=Applicant, L=Lessee, Both=Applicant and Lessee, O=Other) **

BENEFICIARY	NAME	MAILING ADDRESS	E-MAIL	TELEPHONE
A L <input checked="" type="radio"/> B O	Pat Tamashiro Daniel Pelekane Tamashiro	[REDACTED]	[REDACTED]	[REDACTED]
A <input checked="" type="radio"/> L B O	Hala Pa-Kala	[REDACTED]	[REDACTED]	[REDACTED]
A L <input checked="" type="radio"/> B O	Dickenson M Stone Sr	[REDACTED]	[REDACTED]	[REDACTED]
A L B <input checked="" type="radio"/> O	Koko Johnson	[REDACTED]	[REDACTED]	[REDACTED]
A <input checked="" type="radio"/> L B O	Charles Krahanui III	[REDACTED]	[REDACTED]	[REDACTED]
A L B <input checked="" type="radio"/> O	Mice Krahanui	" " " " "	[REDACTED]	[REDACTED]
A <input checked="" type="radio"/> L B O	Liko Wallace	[REDACTED]	[REDACTED]	[REDACTED]
A L B O	Ola Kahalenai	[REDACTED]	[REDACTED]	[REDACTED]
A L B O	Bridget A Mowat	[REDACTED]	[REDACTED]	[REDACTED]
A <input checked="" type="radio"/> L B O	David Bush	[REDACTED]	[REDACTED]	[REDACTED]

Please include email if you wish to receive future meeting notifications electronically



DEPARTMENT OF HAWAIIAN HOME LANDS
SIGN-IN SHEET

DEPARTMENT OF HAWAIIAN HOME LANDS

(Please print)

(A=Applicant, L=Lessee, Both=Applicant and Lessee, O=Other)

BENEFICIARY	NAME	MAILING ADDRESS	E-MAIL	TELEPHONE
A L B O	Charles A. Pelekanos JR.	[REDACTED]	[REDACTED]	[REDACTED]
A L B O	Iwalani Kadowaki	[REDACTED]	[REDACTED]	[REDACTED]
A L B O	Yolanda Tanielu	[REDACTED]	[REDACTED]	[REDACTED]
A L B O	Iese Tanielu	1. 11	6 4	4 11
A L B O	Kilia Purdy Avelino	[REDACTED]	[REDACTED]	[REDACTED]
A L B O	Lori Buchanan	[REDACTED]		
A L B O				
A L B O				
A L B O				
A L B O				

Please include email if you wish to receive future meeting notifications electronically

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

May 20-21, 2024

To: Chairman and Members, Hawaiian Homes Commission
Thru: Andrew Choy, Planning Program Manager
From: Lillie Makaila, Planner *lkjm*
Subject: For Information Only - Draft Kawaihae Regional Plan Update (2024)

Recommended Action

None; for information only.

Discussion

A Draft of the Kawaihae Regional Plan Update was brought before this Commission at its regular meeting in February 2024 for review and comment. A beneficiary consultation was conducted following the February HHC meeting on February 28, 2024 with Kawaihae homesteaders for their review and comment on the Draft plan. Comments on the draft plan, specifically on the Water - Wai Ola Priority Project were extensive, and as such the Planning Office is bringing these revisions to the Commission for information only in order to give Commissioners and beneficiaries the opportunity to review these revisions ahead of asking the HHC to take action and adopt the Final Plan in the coming months. The Water - Wai Ola Priority Project write-up is included as EXHIBIT A for reference, with revisions called out in **YELLOW**.

OUTREACH, PROCESS & METHODOLOGY

The Kawaihae Regional Plan Update began with a meeting with the Kailapa Community Association (KCA) board for insight and guidance on a planning process that would best fit the Kawaihae beneficiary community. They provided input on the times and days for each beneficiary consultation and allowed use of the Kailapa Pavilion for all three beneficiary

consultations. The Kailapa Pavilion was a preferred location due to its ease of access and convenient location.

Broad publicity of the beneficiary consultations was accomplished through mail-outs of meeting notices via postal mail, distribution of digital meeting invitations and reminders via email and flyers distributed with assistance from the KCA board.

The approach for the beneficiary consultations included both small group and large group discussions. Detailed notes were captured at all meetings and were posted online on the project website, hosted by DHHL.

The timeline for the Regional Plan update was as follows:

August 23, 2023: Leadership Meeting.

The purpose of this meeting was to introduce the Regional Plan Update project to the board of the Kailapa Community Association and to ask for their insight and guidance on the planning process.

September 27, 2023: Beneficiary Consultation #1.

The objective of this meeting was to explain the purpose and objective of regional plans in the DHHL planning system and the reason for the update to the Kawaihae Regional Plan and to discuss the planning process and schedule with Kawaihae beneficiaries. Additionally, this meeting was meant to gather input from beneficiaries regarding their long-term vision for Kawaihae, a list of community values, and information about issues and opportunities in the region.

A total of 189 postcards were mailed to beneficiaries in the Kailapa and Kawaihae Makai Homesteads. The postcards provided information on the location, date, and purpose of both Beneficiary Consultation #1 and #2. Additionally, a meeting flyer and a project fact sheet was sent to the KCA board to distribute to their networks within the community.

The beneficiary consultation was conducted in-person at the Kailapa Pavilion; there were a total of 35 attendees. After some introductory presentations, beneficiaries were split up into two groups for discussion. DHHL presented a list of values and a community vision that was developed for the Kawaihae community in 2012 as part of the planning process for the Ho'okumukapiko Plan. Beneficiaries were asked to come up with a vision and list of community values that fit Kawaihae.

The major ideas and themes that came out of this meeting were used to revise this list of community values and provide a draft a description for each one. Beneficiaries who attended the meeting decided to adopt the community vision from the 2012 Ho'okumukapiko Plan: "Ehuehu I Ka Pono," to "Thrive in Balance" for the regional plan.

October 18, 2023: Beneficiary Consultation #2.

There were 15 attendees at this meeting. The purpose of this meeting was to present the draft vision statement and values to the community for feedback. This meeting also reviewed the issues and opportunities in the region and identified potential project ideas that might address those issues. A vision statement and list of community values were finalized with guidance from homesteaders in attendance. Meeting participants helped refine the project ideas list by combining projects that complemented each other and removing projects that were not a priority to the community at this time. Through the course of the meeting, participants produced a final list of seven (7) potential projects for the project ideas list. This list of refined projects was used in a poll to select the top five priority projects to include in the plan. The poll was open to the entire homestead community in Kawaihae to participate in.

October 25, 2023 to November 15, 2023: Priority Project Polling.

Selection of the priority projects was conducted through a polling process where homesteaders could participate via postal mail, an online form, e-mail, or over the phone. Information & voting instructions were shared with attendees of beneficiary consultations #1 & #2 via email, posted on the project webpage, and shared with the KCA Board for distribution to homesteaders through their networks. Additionally, KCA board members dedicated a weekend to go door-to-door, informing residents about the project voting and assisting with distribution of hardcopies of the polling form and links to the online form.

In the poll, Kawaihae homesteaders were asked to select the top five priority projects for the region from the list of seven project ideas that were developed in Beneficiary Consultation #2. Participants had a total of five votes, and they were instructed that they could vote for an individual project more than once. This poll was open for participation from Wednesday, October 25, 2023 to Wednesday, November 15, 2023. A total of 105 participants participated in the poll, including 69 beneficiaries and 36 other members of the

homestead. The top five priority projects were identified directly from the results of this polling process. The top five projects selected and the number of votes each one received is displayed below.

Priority Projects	Number of Beneficiary Votes	Number of Votes from Other Members of the Homestead	Total Votes
1. Water - Wai Ola	150	90	240
2. Emergency Escape Route & Traffic Safety Measures	55	26	81
3. Kailapa Resource Center	33	24	57
4. Safe Energy Upgrades	35	18	53
5. Improve the Coastal & Marine Resources in Kawaihae through Erosion Mitigation	36	16	52

February 20 & 21, 2024: HHC Meeting.

An informational submittal on the Draft Regional Plan Update was presented to the Hawaiian Homes Commission (HHC) for feedback at their regular meeting. Input from the Commission will be incorporated into the Final Plan.

February 28, 2024: Beneficiary Consultation #3. A draft of the Regional Plan Update was presented to beneficiaries for feedback. Input from participants has been incorporated into the revised Water - Wai Ola Priority Project write-up (EXHIBIT A) and will be incorporated into the Final Plan.

May 20 & 21, 2024: HHC Meeting.

Substantial changes were made to the Water - Wai Ola Priority Project, and as such the Planning Office is bringing these revisions to the HHC for further review and comment.

July 15 & 16, 2024: HHC Meeting.

A Final Draft of the Kawaihae Regional Plan Update will be brought before the Hawaiian Homes Commission and Commissioners will vote on adoption of the Final Kawaihae Regional Plan Update.

REVISIONS TO THE WATER - WAI OLA WRITE-UP

At beneficiary consultation #3 on February 28, 2024, a total of twenty-five (25) participants attended the meeting and shared comments on the draft plan. The following are some general comments shared from participants:

- How much does our water/water system cost DHHL? We want to see some transparency.
- DHHL is responsible for providing water. Why give the land to us? We didn't agree to the highest water rate in the State when we accepted our awards.
- No residents voted in support for the DHHL increase in water rates, and nobody knew about it before it happened.
- "I'm being punished for using water."
- "I've been here for 2 years; you can hear the pain in their voices for those who have been here for years. As I'm looking at past actions, we're just going in circles like a washing machine."
- "I cannot even grow a mango tree; it's too expensive."
- "Please help Kailapa get reliable, affordable water so native Hawaiians can grow native Hawaiian plants on native Hawaiian lands."
- "Our service charges are increasing and the concerns for the future are the compromise between food on the table and/or running water in our homes. Our families and majority of our community's economic means will not be able to keep up with these rising costs."
- "I pay \$200 [per month] for water, and I don't even live on property."
- Why should residents pay so much for water? "We don't even drink the water."
- Kailapa water meters and pipes are breaking down and leaking, DHHL should look into smart meters which can also test the quality of the water.
- The water fee is split into two parts: a service fee and a usage fee. DHHL should pay the service fees as a short-term solution.
- "With so much revenue being generated from Kailapa, the industrial/commercial and agricultural, please consider allocating a portion to subsidizing water costs until a permanent solution for affordable water can be found."
- The Land Management Division should review the commercial/industrial lease rates since they are 30 years old.

- Desalination technology has become more advanced and cost effective. Kailapa could use desalination on the water from the brackish wells.
- "The most viable, long-term option for affordable water for Kailapa is county water."

It is important to understand the water rate schedule in order to fully grasp the impact on homesteaders in Kailapa. The Hawaiian Homes Commission approved new service rates in 2018, increasing water service fees for residential lessees each year over the next decade, from 2019 to 2029. These water rates were set in an effort for the Department to "break even", as for years the Department had been spending millions of Trust funds on providing subsidies to water users on all three of its water systems, including the Kawaihae Unit #1 water system.

Water users in Kailapa are billed as follows:

1. A residential lessee meter service (base) fee, a flat rate billed bimonthly (for a 60-day period), and
2. A residential lessee service delivery (usage) fee, a fee calculated based on total gallons used per month, charged per 1,000 gallons, and calculated using the residential lessee service delivery (usage) tiers below. Currently, water users on DHHL's Kawaihae water system are being charged based on the FY24 rates in the tables below.

At the time that this water rate schedule was adopted, the position of DHHL was that the end goal for the water rates was to "break even", where the billing collections for water users should equal the expenses for operation and maintenance of the system. Though Kawaihae water rates are the highest of the three water rate schedules, this water policy in general addresses all three of the water systems owned by DHHL and any amendments to the water rate schedule should be inclusive of the other systems, its water users, and the potential expense to the Hawaiian Home Lands Trust. A water rate schedule should be equitably applied to all three water systems and their users, to the extent possible.

Unlike other water purveyors, DHHL does have other funding sources besides bill collection, like commercial and industrial lease rents, the HHL Trust, and the annual operating budget, that could be utilized to offset the cost of the water system and its operation.

In Hawai'i Administrative Rules Chapter 10-4.1-31(a) regarding Water Service Rates, the rules state that "The department shall conduct a cost of service study annually, based upon enterprise accounting, and a water service rates analysis at least every three years." To date, no cost of service studies or water service rates analysis have been conducted for the Kawaihae water system since the water service rates were approved in 2018. This is an oversight that should be corrected.

The Implementation Action Steps included in the Draft plan brought before this Commission in February 2024 includes the need to "Re-assess the DHHL water rate schedule to provide more affordable potable water to Kailapa homesteads on the DHHL Kawaihae water system" as a component of addressing the needs of Kawaihae beneficiaries. Amendments to Administrative Rules have an average timeframe of approximately two (2) years. When this timeframe and process was shared with participants at BC#3, beneficiaries clearly communicated that this solution should not be considered a short-term solution, but a long-term solution. And, beneficiaries stated that more immediate relief is needed for Kailapa homesteaders while the reassessment and amendment to the water rate schedule takes place.

The following table shows the current water rate schedule:

KAWAIHAE WATER SYSTEM SERVICE RATES
APPROVED ON MAY 15, 2018

Residential Lessee Service Rates:

Residential lessee meter service (base) fees:

Meter size (inches) Bi-Monthly	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27	FY 28
5/8"	\$49.07	\$63.37	\$77.70	\$92.06	\$106.46	\$120.90	\$135.37	\$149.88	\$164.42	\$179.01

Residential lessee service delivery (usage) tiers:

	Gallons Bi-Monthly
Tier 1	0 - 10,000
Tier 2	10,001 - 30,000
Tier 3	30,001 - 80,000
Tier 4	Over 80,000

Residential lessee service delivery (usage) fees:

Per 1,000 gallons	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27	FY 28
Tier 1	\$3.67	\$4.73	\$5.81	\$6.88	\$7.95	\$9.03	\$10.11	\$11.20	\$12.28	\$13.37
Tier 2	\$4.92	\$6.35	\$7.79	\$9.23	\$10.68	\$12.12	\$13.58	\$15.03	\$16.49	\$17.95
Tier 3	\$6.89	\$8.90	\$10.92	\$12.94	\$14.96	\$16.99	\$19.02	\$21.06	\$23.10	\$25.15
Tier 4	\$8.30	\$10.73	\$13.15	\$15.58	\$18.02	\$20.46	\$22.91	\$25.37	\$27.83	\$30.30

In order to make this water rate schedule more tangible, example water bill information is included below. Water usage data for households is not readily available for Hawai'i County users, though it is available for O'ahu Island households. According to the Honolulu Board of Water Supply, on O'ahu the Average Water User uses 9,000 gallons per month, the Median Water User uses 6,000 gallons per month, and the High Water User uses 35,000 gallons per month. Based on this average usage, a Kailapa homesteader with a similar water usage on the DHHL system can expect to be billed in FY24:

- \$120.90 per bill for the base fee for meter service for 60-days of service.
- \$187.26 per bill for 18,000 gallons of water used over 60-days of service.

A total of \$308.16 per bill for 60-days of service based on the Average Water User of 9,000 gallons per month or 18,000 gallons for 60-days of service.

In comparison, a monthly water bill for customers on the County of Hawai'i DWS water system who use 9,000 gallons monthly is \$69.88 per month or \$139.76 for a 60-day billing period. Homesteaders in Kailapa are paying more than double what County water users are charged for a comparable service, and the DHHL water rates are scheduled to increase year after year. Based on the water system service rates approved by the HHC for Kawaihae, in four years a homesteader in Kailapa with the same water usage will be billed \$456.31, a 48% increase to what homesteaders are currently paying.

In order to provide more immediate relief requested by Kailapa beneficiaries, the revised Implementation Action Steps for the Water - Wai Ola Priority Project includes the following addition:

- **Provide a temporary subsidy for Kailapa homesteaders until the water rate schedule can be updated.** As the timeframe for updates to the water rate schedule will likely take approximately two (2) years to complete, a temporary subsidy should be implemented for Kailapa homesteaders to provide immediate relief for the high water rates and a more affordable water bill for their basic homestead needs.

1. Go to HHC for approval of a subsidy for users of the Kawaihae Water System in Kailapa.

- The subsidy for users should cover the base rate for meter service, currently at \$120.90 and scheduled to increase to \$139.37 as of July 1, 2024. This amount is approximately \$138,000 for 164 users for FY24 and \$148,000 for 164 users for FY25.
 - The source of the subsidy funds could come from a variety of sources including:
 - A portion of the revenue generated from commercial/industrial and pastoral land dispositions in the Kawaihae Region.
 - DHHL land dispositions in Kawaihae generated \$604,521.64 in revenue in 2022.
 - Less than 25% of the annual revenue generated in Kawaihae could subsidize the basic meter fee for Kailapa homesteaders.
 - Currently, DHHL homesteads in Kawaihae have no community benefit agreements and receive 0% of revenue generated from land dispositions in the region.
 - HHL Trust Funds.
 - Annual Operating Budget request.
 - Other.
2. Continue working on long-term solutions to ensure the subsidy is only necessary as a short-term solution.
 3. Upon revision of the water rate schedule, terminate the temporary subsidy and effectuate the water rate schedule as revised.

NEXT STEPS

- Planning Staff will prepare a Final Plan for the update to the Kawaihae Regional Plan.
- Planning Staff will bring the Final Plan before the HHC in July 2024 for adoption.

Recommendation

None; for information only.

PRIORITY PROJECTS

1. Water – Wai Ola

PROJECT DESCRIPTION

Beneficiaries who attended the beneficiary consultations in Kawaihae for the update to the Regional Plan expressed that their highest priority is addressing the critical need for affordable water in Kawaihae. This project is comprised of three primary components:

- Provide affordable potable water to Kawaihae homesteads.
- Provide options for non-potable water to be used for agricultural or irrigation purposes.
- Find a new water source for the water system currently supplying potable water to Kailapa.

The Kailapa Homestead, where the majority of Kawaihae beneficiaries live, is currently served by the Kawaihae Unit #1 Water System which is a potable water system and provides water to each homestead lot in Kailapa and the community space located at 61-4016 Kai'ōpae Place. Kailapa relies on this potable water system as it is the only water system available to the homestead. The Kawaihae makai homesteads are serviced by the County of Hawai'i Department of Water Supply (DWS), and do not have an option for non-potable water either.

The potable water for the DHHL Kawaihae Unit #1 water system is supplied by Kohala Ranch Water Company (KRWC) from their groundwater well sources located on Kohala Ranch lands. The KRWC also provides potable water to Kohala subdivisions, like the Kohala Estates subdivision and Kohala by the Sea, located to the north of DHHL's Kawaihae lands. Water that is used by Kailapa homesteaders is pumped from the KRWC groundwater wells and piped south to DHHL's Kawaihae lands. The water passes through an interconnection point with DHHL's water system, and then travels from there in DHHL-owned water transmission lines to the Kailapa homestead. DHHL purchases potable water from KRWC at the metered interconnection point at a rate of \$7.03366 per 1,000 gallons of water. In addition to the water usage rate, DHHL is also charged a Power Cost Adjustment rate of \$2.2074 per 1,000 gallons of water. A flat rate maintenance fee of \$300 is also included in KRWC's monthly billings to DHHL. DHHL maintains a temporary water commitment with KRWC, which can be terminated by either party with two years notice.

At present, there are a total of 164 users of the DHHL water system including homestead lots and the community parcel. The operation and maintenance of the DHHL Kawaihae Unit #1 water system is contracted to Pural Water Specialty Company (PWSC), who handles the day-to-day operation as well as any repair and maintenance needed for the system. In addition to maintenance and repair, PWSC also provides meter readings to the DHHL West Hawai'i District Office (WHDO) for individual bimonthly billings for each water user on the system. DHHL's WHDO staff is tasked with handling the individual billing invoices for each user of the Kawaihae Unit #1 water system.

The Hawaiian Homes Commission approved new service rates in 2018, increasing water service fees for residential lessees each year over the next decade, from 2019 to 2029. These water rates were set in an effort for the Department to break even, as for years the Department had been spending millions of Trust funds on providing subsidies to water users all three of its water systems, including the Kawaihae Unit #1 water system. Water users in Kailapa are charged as follows:

1. A residential lessee meter service (base) fee, a flat rate billed bimonthly (for a 60-day period), and
2. A residential lessee service delivery (usage) fee, a fee calculated based on total gallons used per month, charged per 1,000 gallons, and calculated using the residential lessee service delivery (usage) tiers below. Currently, water users on DHHL's Kawaihae water system are being charged based on the FY24 rates in the tables below.

At the time that this water rate policy was adopted, the position of DHHL was that the end goal for the water rates was to “break even”, where the billing collections for water users should equal the expenses for operation and maintenance of the system. Though Kawaihae water rates are the highest, this water policy addresses all three of the water system’s owned by DHHL and any amendments to the water rate schedule should be inclusive of the other systems, its water users, and the potential expense to the Home Lands Trust. A water rate schedule should be equitably applied to all three water systems and its users, to the extent possible. Unlike other water purveyors, DHHL does have other funding sources besides bill collection, like commercial and industrial lease rents, that could be utilized to offset the cost of the water system and operation.

It has been more than five years since the rate increases began taking effect, enough time to assess the impact the 2018 rate increases have had on Kailapa residential lessees. Below is a comparison of DHHL Kawaihae water system delinquency rates compared to other municipal systems in Hawai‘i.

KAWAIIHAE WATER SYSTEM SERVICE RATES
APPROVED ON MAY 15, 2018

Residential Lessee Service Rates:

Residential lessee meter service (base) fees:

Meter size (inches) Bi-Monthly	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27	FY 28
5/8"	\$49.07	\$63.37	\$77.70	\$92.06	\$106.46	\$120.90	\$135.37	\$149.88	\$164.42	\$179.01

Residential lessee service delivery (usage) tiers:

	Gallons Bi-Monthly
Tier 1	0 - 10,000
Tier 2	10,001 - 30,000
Tier 3	30,001 - 80,000
Tier 4	Over 80,000

Residential lessee service delivery (usage) fees:

Per 1,000 gallons	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27	FY 28
Tier 1	\$3.67	\$4.73	\$5.81	\$6.88	\$7.95	\$9.03	\$10.11	\$11.20	\$12.28	\$13.37
Tier 2	\$4.92	\$6.35	\$7.79	\$9.23	\$10.68	\$12.12	\$13.58	\$15.03	\$16.49	\$17.95
Tier 3	\$6.89	\$8.90	\$10.92	\$12.94	\$14.96	\$16.99	\$19.02	\$21.06	\$23.10	\$25.15
Tier 4	\$8.30	\$10.73	\$13.15	\$15.58	\$18.02	\$20.46	\$22.91	\$25.37	\$27.83	\$30.30

Priority Projects

Water usage data for households is not readily available for Hawai'i Island users, though it is available for O'ahu Island households. According to the Honolulu Board of Water Supply, on O'ahu the Average Water User uses 9,000 gallons per month, the Median Water User uses 6,000 gallons per month, and the High Water User uses 35,000 gallons per month. Despite Kailapa residents reporting higher water consumption during beneficiary consultations, paying approximately \$600 monthly, a statewide average will serve as the benchmark for comparing costs between Kailapa and County of Hawai'i rates. Based on this average usage, a Kailapa homesteader with a similar water usage on the DHHL system can expect to be billed in FY24:

- \$120.90 per bill for the base fee for meter service for 60-days of service.
- \$187.26 per bill for 18,000 gallons of water used over 60-days of service.

A total of \$308.16 per bill for 60-days of service based on the Average Water User of 9,000 gallons per month or 18,000 gallons for 60-days of service.

In comparison, a monthly water bill for customers on the County of Hawai'i DWS water system who use 9,000 gallons monthly is \$69.88 per month or \$139.76 for a 60-day billing period. Homesteaders in Kailapa are paying more than double what County water users are charged for a comparable service, and the DHHL water rates are scheduled to increase year after year. Based on the water system service rates approved by the HHC for Kawaihae, in four years a homesteader in Kailapa with the same water usage will be billed \$456.31 a 48% increase of what homesteaders are currently paying. At these rates, some homesteaders may not be able to afford water for their homes.

The County of Hawai'i DWS as of January 2024 has a delinquency rate of 12% for customers on their system who are delinquent over 90 days. For Honolulu's Board of Water Supply (BWS) in 2021, the delinquency rate for their system was 11%. For Maui County Department of Water Supply, the average for Fiscal Year 2023 was 8.13%, and the average for the first six months of 2024 is 8.8%. In 2023, a first notice of delinquency was sent out to 57 of the 164 users of the Kawaihae Unit #1 water system, a delinquency rate of 34.75%. One month later, a second notice of delinquency was sent out to 27 of the 164 users of the system, which is 16.46% of the system users. Shut off notices went out nearly two months after the second notices were sent to 17 users who had yet to remit payment or make arrangements for a payment plan with DHHL, which is 10% of the system users. The initial delinquency rate, prior to DHHL issuing delinquency notices is extremely high in comparison to these other major water purveyors in the State.

Kawaihae homesteaders have asked for water rates that align with the rates paid by residential water users in the rest of the County. They would also like to see any options for affordable agricultural/irrigation water. If there were an option for agricultural/irrigation water available to homesteaders in Kailapa, they could reduce their use of potable water for non-potable uses, which would conserve precious potable water and decrease their water bill for potable water. As KRWC's water rates for DHHL are some of the highest water rates in the State, another way to decrease the cost of water for Kailapa homesteaders is to find another water source to supply the potable water system. A water source that costs less than \$7.03366 per 1,000 gallons would allow for lowered water usage rates to be passed along to Kailapa homesteaders.

New Water Source Development

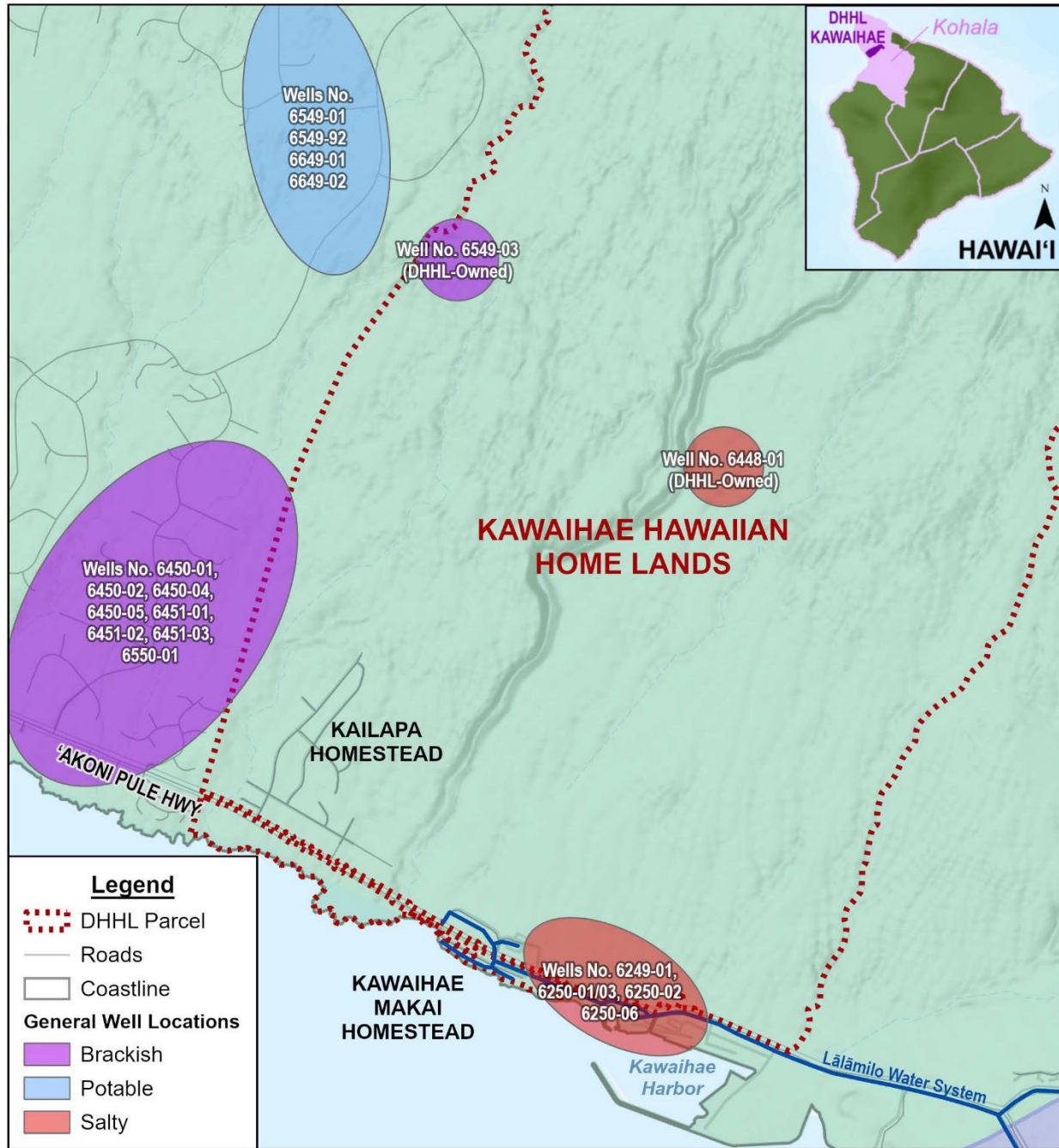
In 2015, DHHL commissioned a water source development feasibility study, conducted by R.M. Towill Corp. The purpose of the study was to identify potential potable water source development options for the Kawaihae lands.

Option	Description	Cost (2013 dollars)
Develop existing exploratory well on DHHL land	An existing exploratory well is located at higher elevation on DHHL lands. But, water produced from the well is near the upper limit of salinity levels and desalinization would be required	\$14.9M
Develop existing exploratory well on DHHL land and connect to Kohala Ranch Water System	Similar to the above option, but involves connecting to the Ranch system and expanding the Ranch's service area. However, water rates would still be controlled by the Ranch and desalinization may still be required to connect to the Ranch system. The Ranch has not indicated any interest in this option.	\$6.6M
Capture Surface Water from Kehena Ditch	Kehena Ditch is located mauka of the DHHL Kawaihae tract and traverses through DLNR and private property. The source is not constant. Improvements needed include transmission lines, 60 MG open reservoir, treatment facility, and 0.50 MG tank. DHHL would need approvals from CWRM and also enter into agreements with Kahua Ranch.	\$27M
Extend DWS System Along Akoni Pule Hwy.	DWS system ends near the DHHL industrial lots south of the Kailapa Homestead Subdivision. Extension of the County system would have to go through Honokoa Gulch and additionally County has indicated a new well would need to be developed. Easements through private property may also be needed to extend the County line to DHHL property.	\$18.5M to \$28.1M not including land acquisition
Development of Kawamata Well and transmission lines	The well is located 8 miles from the Kailapa subdivision on private property. The well is drilled and cased but has not been pump tested. DHHL would need to purchase the well and develop transmission lines to DHHL property.	\$24M not including land acquisition costs

Source: Water Development Options 2015 R.M. Towill Study

In addition to sustaining residential and community needs, securing adequate water resources is essential for fire hazard mitigation to ensure the safety of the Kawaihae homesteads. Between 2003 and 2022, there have been 10 recorded wildfires in the general vicinity. Most recently, Kailapa residents were evacuated from their homes in August 2023 due to the threat of an adjacent wildfire. A subsequent wildfire occurred nearby in December 2023; fortunately, it did not pose a threat to any structural properties.

FIGURE 24. AQUIFERS, WELLS, AND DWS WATER SYSTEM MAP



**Kawaihae Regional Plan Update
AQUIFERS, WELLS &
DWS WATER SYSTEM**
March 2024

This graphic has been prepared for general planning purposes only and should not be used for boundary interpretation or other spatial analysis.



PAST ACTIONS

- 1990 – An exploratory well (Well No. 6448-01) was drilled at the 1,400 ft elevation on the south side of Honokoa Gulch.
 - It was determined that this well could never produce potable quality water.
 - At most, this well could potentially produce brackish water suitable to irrigate salt tolerant plants and grasses.
- 1992 – A second exploratory well (Well No. 6549-03) was drilled at the 1,650 ft elevation near DHHL’s north property boundary.
 - Chloride levels were found to be at the upper limit of acceptability for drinking water in Hawai’i.
- 2013 – Tom Nance Water Resource Engineering completed an assessment of water supply alternatives for DHHL’s Kawaihae property.
 - Recommendation: develop a water system using existing Well No. 6549-03.
- 2015 – A Kawaihae Water Assessment Study by R.M. Towill Corporation outlined water resource development options for DHHL.
 - Recommendation: develop Well No. 6549-03 and an accompanying storage and distribution system. Total cost was projected to be approximately \$14.9 million.
 - Disadvantage: additional desalination treatment of Well No. 6549-03 is recommended.
- 2022 – DHHL awarded the Kailapa Community Association a grant to explore the potential for desalination of water from an existing DHHL groundwater well. The studies being conducted under the grant are still in progress.

COMMUNITY INPUT

Attendees of beneficiary consultations #1, #2, and #3 unequivocally expressed that affordable access to water was their number one priority; every discussion consistently circled back to the pressing need for water. One beneficiary highlighted that water has always been an issue in Kawaihae, noting that even the name Kawaihae, meaning “water of wrath,” originated from a dispute over water. Kawaihae homesteaders have been challenged by the lack of accessible/affordable water throughout their entire time living in Kawaihae and are ready for improvements.

To further underscore the community’s sentiment regarding water, the “Water – Wai Ola” project received nearly three times as many votes as the next closest project during the priority project voting. Furthermore, among the 40 written comments received during the voting process, 31 of them emphasized the immediate need for affordable water. A few of the comments are listed below:

- “We want to pay county rate for water like the rest of the homesteaders!”
- “Water rates have soared and currently we have no alternate water source besides Kohala Ranch Wells. Our water source could be discontinued at any time.”
- “Although water is available at Kailapa, the rates we pay are ridiculous. Bring the water down from mauka...so we don’t have to be dependent on Kohala Ranch and so that it supplies the ag/ranch land above Kailapa. We currently cannot even provide our own sustainment or take care of landscaping needs.”

Additional comments were provided in beneficiary consultation #3; a selection of them is listed below:

- How much does our water/water system cost DHHL? We want to see some transparency.
- DHHL is responsible for providing water. Why give the land to us? We didn’t agree to the highest water rate in the State when we accepted our awards.

Priority Projects

- No residents voted in support for the DHHL increase in water rates, and nobody knew about it before it happened.
- "I'm being punished for using water."
- "I've been here for 2 years; you can hear the pain in their voices for those who have been here for years. As I'm looking at past actions, we're just going in circles like a washing machine."
- "I cannot even grow a mango tree; it's too expensive."
- "Please help Kailapa get reliable, affordable water so native Hawaiians can grow native Hawaiian plants on native Hawaiian lands."
- "Our service charges are increasing and the concerns for the future are the compromise between food on the table and/or running water in our homes. Our families and majority of our community's economic means will not be able to keep up with these rising costs."
- "I pay \$200 [per month] for water, and I don't even live on property."
- Why should residents pay so much for water? "We don't even drink the water."
- Kailapa water meters and pipes are breaking down and leaking, DHHL should look into smart meters which can also test the quality of the water.
- The water fee is split into two parts: a service fee and a usage fee. DHHL should pay the service fees as a short-term solution.
- "With so much revenue being generated from Kailapa, the industrial/commercial and agricultural, please consider allocating a portion to subsidizing water costs until a permanent solution for affordable water can be found."
- The Land Management Division should review the commercial/industrial lease rates since they are 30 years old.
- Desalination technology has become more advanced and cost effective. Kailapa could use desalination on the water from the brackish wells.
- "The most viable, long-term option for affordable water for Kailapa is county water."

OBJECTIVE

This project aligns with all the community values of Kawaihae. Water, being essential for life, is indispensable for the community's survival and prosperity. It is a vital resource for cultivating food and without it, Kawaihae cannot achieve self-sufficiency in its agricultural endeavors. Traditional land stewardship, or mālama 'āina, requires water to restore the natural environment of Kawaihae. The proposed community garden at the Kailapa Resource Center, intended to foster community connections, would be impracticable without access to water. Similarly, the construction of the Resource Center, which would provide educational opportunities for keiki to kūpuna, would be impossible without water access. Finally, water is essential for Kawaihae beneficiaries to transmit ancestral knowledge through daily activities such as food cultivation.

IMPLEMENTATION ACTION STEPS

This priority project is comprised of the following four components:

- Re-assess the DHHL water rate schedule to provide more affordable potable water to Kailapa homesteads on the DHHL Kawaihae water system.
- Provide a temporary subsidy for Kailapa homesteaders until the water rate schedule can be updated.
- Find a new water source for the water system currently supplying potable water to Kailapa.
- Provide options for non-potable water to be used for agricultural or irrigation purposes.

As this priority project has various components, the implementation action steps articulated here will address each component separately.

Provide affordable potable water to Kawaihae homesteads.

- Re-assess the water rate schedule approved by the HHC in 2018.
 1. Go to HHC to seek budget approval to do update cost of service and water rate studies for the Kawaihae water system. Study should also identify potential solutions to lower the rates for water users in Kailapa homestead and should determine potential annual cost to DHHL trust to subsidize rates to match County rates.
 2. Conduct the analysis.
 3. Present results to HHC.
 4. Based on results, create Draft Rules Version #1, prepared by DHHL staff based on the analysis.
 5. Go to HHC with draft rules for approval to proceed.
 6. Conduct a beneficiary consultation for input on draft rules.
 7. Revise draft rules based on beneficiary input & create Draft Rules Version #2.
 8. Send Draft Rules Version #2 for external review:
 - Legislative Reference Bureau
 - Attorney General
 - Small Business Regulatory Review Board
 9. Go to HHC for approval of Draft Rules Version #2.
 10. Seek Governor approval of a Public Hearing Request.
 11. Conduct Public Notice & Hearing.
 12. Prepare Final Rules based on input from Public Hearing.
 13. Go to HHC for adoption of Final Rules.
 14. Seek external approvals:
 - Attorney General
 - Small Business Regulatory Review Board
 - Governor
 15. Filing and publication of Final Rules.

*As a note, the average timeframe for updates to Administrative Rules is approximately two (2) years and this potential timeframe should be taken into account when reviewing the above implementation action steps.

- Provide a temporary subsidy for Kailapa homesteaders until the water rate schedule can be updated. As the timeframe for updates to the water rate schedule will likely take approximately two (2) years to complete, a temporary subsidy should be implemented for Kailapa homesteaders to provide immediate relief for the high water rates and a more affordable water to meet their basic homestead needs.
 1. Go to HHC for approval of a subsidy for users of the Kawaihae Water System in Kailapa.
 - The subsidy for users should cover the base rate for meter service, currently at \$120.90 and scheduled to increase to \$139.37 as of July 1, 2024. This amount is approximately \$138,000 for 164 users for FY24 and \$148,000 for 164 users for FY25.
 - The source of the subsidy could come from a variety of sources including:
 - A portion of the revenue generated from commercial/industrial and pastoral land dispositions in the Kawaihae Region.
 - DHHL land dispositions in Kawaihae generated \$604,521.64 in revenue in 2022.

Priority Projects

- Less than 25% of the annual revenue generated in Kawaihae could subsidize the basic meter fee for Kailapa homesteaders.
- Currently, DHHL homesteads in Kawaihae have no community benefit agreements and receive 0% of revenue generated from land dispositions in the region.
 - HHL Trust Funds.
 - Other.
- 2. Continue working on long-term solutions to ensure the subsidy is only necessary as a short-term solution.
- 3. Upon revision of the water rate schedule, terminate the temporary subsidy and effectuate the water rate schedule as revised.

Find a new water source for the water system currently supplying potable water to Kailapa.

- Develop a new potable water source.
 1. Revisit 2015 feasibility study options for providing potable water to Kawaihae.
 2. Schedule consultations with the community to select a preferred option for DHHL to pursue.
 - Meeting 1 – review the options discussed, share information & updates on water sources, water development, and review water matrix.
 - Meeting 2 – discuss & prioritize the options for water source development.
 - Meeting 3 – select a preferred option for water source development for DHHL to pursue.
 3. Water Source development steps
 - Secure funding
 - Due diligence
 - Water credit agreement (if needed)
 - Design & construction
 - Agreement for long-term operation

Provide options for non-potable water to be used for agricultural or irrigation purposes.

- Develop a new non-potable water source.
 1. Feasibility study on potential water supply options
 - Desalination
 - Water catchment
 - Kehena Ditch
 2. Schedule meetings with the community to select a preferred option for DHHL to pursue.
 - Meeting 1 – review the options discussed, share information & updates on water sources, water development, and review water matrix.
 - Meeting 2 – discuss & prioritize the options for water source development.
 - Meeting 3 – select a preferred option for water source development for DHHL to pursue.
 3. Water Source development steps
 - Secure funding
 - Due diligence
 - Design & construction
 - Agreement for long-term operation

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

May 20-21, 2024

To: Chairman and Members, Hawaiian Homes Commission
Thru: Andrew Choy, Planning Program Manager
From: Lillie Makaila, Planner *lkjm*
Subject: For Information Only - DHHL Hawai'i Island Plan Update Process

Recommended Action

None; for information only.

Discussion

DHHL Island Plans are island-specific, 20-year visioning documents that examine the land inventory across each island and designate land uses for Hawaiian home lands (HHL). The purpose of the DHHL Hawai'i Island Plan is to provide overarching guidance and recommendations for appropriate land uses. This planning process began in late 2023, and is expected to be completed in Summer 2025. DHHL has engaged with PBR Hawai'i as our consultant to assist with the update process.

The DHHL Hawai'i Island Plan will determine suitability of Hawaiian home lands for homesteading and non-homesteading uses based on the categories identified and described in the DHHL General Plan. The DHHL General Plan was most recently updated in 2022, and identifies thirteen (13) land use designation categories. A list of the current land use designations for both homestead and non-homestead purposes is as follows:

HOMESTEAD LAND USE DESIGNATIONS

- Residential
- Subsistence Agriculture
- Supplemental Agriculture
- Pastoral
- Kuleana*

NON-HOMESTEAD LAND USE DESIGNATIONS

- Stewardship*
- Conservation
- Special District
- Community Use
- Community Agriculture*
- Renewable Energy*
- Commercial
- Industrial

*new categories added in the 2022 General Plan update

The Update to this plan will examine suitability for DHHL's available lands on the island, propose updates to land use designations, gauge beneficiary preferences, and identify priority areas for development. The plan will be organized by moku or district, and will include important data and information about all of the Hawaiian home lands in each moku such as location maps, land tenure history, size/acreage, existing uses, constraints for use or development, etc. The intention is to create a functional document that is a useful reference guide for understanding DHHL's landholdings on the island and identifying the intended land use.

The DHHL Hawai'i Island Plan was adopted by the HHC in 2002, and an amendment for West Hawai'i lands was adopted by the HHC in 2009. These plans provided an evaluation and land use plan of HHL on Hawai'i Island at that time. The West Hawai'i Amendment examined DHHL's landholdings in Kona that were added to the HHL inventory following the completion of the 2002 Island Plan. There were ten (10) land use designations identified at that time, including General Agriculture, which has since been removed as a land use category during the 2022 update to the General Plan.

Criteria examined includes: slope, soil, water/rainfall, proximity to existing infrastructure, parcel size, proximity to town centers, and carrying capacity. This update will also examine climate change & hazards, critical habitats, and archaeological sites.

OUTREACH, PROCESS & METHODOLOGY

The update to the DHHL Hawai'i Island Plan will include outreach with DHHL beneficiaries through a series of beneficiary consultations. There will be a total of three (3) rounds of beneficiary consultations in four (4) locations across the island, totaling twelve (12) meetings over the coming months. The three (3) rounds of meetings are targeted as follows:

- June 2024 - consider potential land use alternatives
- Fall 2024 - review refined land use designations
- Winter 2024 - comment on the draft plan

Broad publicity of the beneficiary consultations will be accomplished through postcard mailings of meeting notices, sharing of relevant meeting materials and information on a project website, and email updates for participants who share their email contact information during sign-in. We also hope to have assistance from our homestead associations on the island to help with distribution of meeting invitations and reminders to their membership. See meeting invitation flyer (EXHIBIT A).

The approach for the beneficiary consultations will include in-person meetings with a short presentation of information and updates and opportunities for questions and comments from attendees. The HHL on Hawai'i Island total over 117,000 acres of land, and as that is such a huge land inventory to examine we have planned for each meeting to focus on the lands in the surrounding moku. At these meetings we will discuss DHHL's landholdings in the moku or regions indicated. Please note, not all meetings will cover land use designations for the entire island, but will focus on the DHHL landholdings in each moku or region listed.

Moku or districts:

- **Hilo & Puna**, including Keaukaha, Pana'ewa, Kaūmana, Pi'ihonua, Honomū and Maku'u.
- **Ka'ū**
- **Kona**
- **Kohala & Hāmākua**, including Kawaihae and Waimea Nui.

Each meeting will also include discussion of DHHL's 'Āina Mauna lands, and will provide opportunity for beneficiary input on land use designations for these lands at each of the four (4) scheduled meetings.

TIMELINE

June 2024: Beneficiary Consultation Round #1.

- June 5, 2024 from 6pm-8pm | HILO & PUNA
Keaukaha Elementary School Cafeteria
- June 6, 2024 from 6pm-8pm | KA'Ū
Nā'ālehu Community Center
- June 13, 2024 from 6pm-8pm | KOHALA & HĀMĀKUA
DHHL West Hawai'i District Office, Kūhiō Hall
- June 12, 2024 from 6pm-8pm | KONA
West Hawai'i Civic Center, Community Meeting Hale

Meeting materials will be posted on the project website, and a 30-day comment period will follow this round of meetings.

Fall 2024: Beneficiary Consultation Round #2.

Beneficiaries will be presented with refined land use designations based on comments received during Round #1. Meeting materials will be posted on the project website, and a 30-day comment period will follow this round of meetings.

Winter 2024: HHC Update & Beneficiary Consultation Round #3.

A Draft of the Plan will be prepared and presented to the HHC and to beneficiaries during Round #3 of meetings. Meeting materials will be posted on the project website, and a 30-day comment period will follow this round of meetings.

Summer 2025:

A Final Plan will be brought before the HHC for adoption.

Recommendation

None; for information only.



DEPARTMENT OF HAWAIIAN HOME LANDS

Hawai'i Island Plan Update

BENEFICIARY CONSULTATION MEETINGS

June 5, 2024 6pm-8pm | HILO & PUNA

Keaukaha Elementary School Cafeteria

June 6, 2024 6pm-8pm | KA'Ū

Nā'ālehu Community Center

June 12, 2024 6pm-8pm | KONA

West Hawai'i Civic Center, Community Meeting Hale

June 13, 2024 6pm-8pm | KOHALA & HĀMĀKUA

DHHL West Hawai'i District Office, Kūhiō Hall



Please join us in updating the Hawai'i Island Plan!

DHHL has over 117,000 acres of land on the mokupuni of Hawai'i. These meetings will share the land use designations set in the DHHL Hawai'i Island Plan (2002) and will explore opportunities for potential updates to land use designations in order to better meet the needs of our beneficiaries for today and in the next 20 years.

We have scheduled IN-PERSON BENEFICIARY CONSULTATIONS in four (4) locations across the island for our FIRST ROUND of consultation in JUNE 2024. At these meetings we will discuss DHHL's landholdings in the moku or regions indicated. Please note, not all meetings will cover land use designations for the entire island, but will focus on the DHHL landholdings in each moku or region listed.

To discuss DHHL's landholdings in the moku of **Hilo and Puna**, including Keaukaha, Pana'ewa, Kaūmana, Pi'ihonua, Honomū and Maku'u please join us at our beneficiary consultation meeting on JUNE 5, 2024 at the KEAUKAHA ELEMENTARY CAFETERIA.

To discuss DHHL's landholdings in the moku of **Ka'ū**, please join us at our beneficiary consultation meeting on JUNE 6, 2024 AT THE NĀ'ĀLEHU COMMUNITY CENTER.

To discuss DHHL's landholdings in the moku of **Kona**, please join us at our beneficiary consultation meeting on JUNE 12, 2024 at the WEST HAWAI'I CIVIC CENTER.

To discuss DHHL's landholdings in the moku of **Kohala and Hāmākua**, including Kawaihae and Waimea Nui, please join us on JUNE 13, 2024 at the DHHL West Hawai'i District Office KŪHIŌ HALL.

Each meeting will also include discussion of DHHL's **'Āina Mauna** lands, and will provide opportunity for beneficiary input on land use designations for these lands at each of the four (4) scheduled meetings. This is the first of three (3) rounds of beneficiary consultations:

June 2024 - consider potential land use alternatives

Fall 2024 - review refined land use designations

Winter 2024 - comment on draft plan

Please visit the project website at:

<https://dhl.hawaii.gov/po/Hawaii-island-plan-update/>

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 20-21, 2024

To: Chairman and Members, Hawaiian Homes Commission
Thru: Andrew H. Choy, Planning Program Manager
From: Lillie Makaila, Planner *lkjm*
Subject: Status Update on Plan Implementation in the West
Hawai'i Region

Recommended Action

For information only. No action required.

Background

Per the directive of the Chairman, the Planning Office will be providing the Hawaiian Homes Commission (HHC) with updates of the respective DHHL geographic region in which the HHC conducts its monthly community meeting. The purpose of the monthly update is to provide the HHC with information related to prior policies and/or plans previously adopted by the HHC specific to that particular geographic region.

A status report of DHHL's progress in implementing these policies/plans is also included for the HHC's consideration. For May 2024, Planning Office will be providing an update to the HHC for West Hawai'i.

Discussion

EXISTING PLANS & IMPLEMENTATION STATUS

Hawai'i Island Plan Policies Related to West Hawai'i.

The purpose of each DHHL Island Plan is to (1) assign land use designations for land holdings on each island, (2) establish land use goals and objectives of the General Plan specific to each island, and (3) identify island-wide needs, opportunities, and priorities. The Hawai'i Island

Plan was adopted by the HHC in 2002. The 2002 Hawai'i Island Plan delineated five planning regions on Hawai'i Island, North, East, South, West, and Central. (see maps, Exhibit A). For the purposes of this informational submittal, the Planning Office will be focusing on the lands in the North and West regions.

Subsequently, an update of the island plan was adopted by the HHC in 2009 for DHHL lands in West Hawai'i as approximately 600 acres were added to the DHHL land inventory in the Kealakehe and Kalaoa Tracts. The 2002 Hawai'i Island Plan and subsequent 2009 West Hawai'i Update identifies the following land use designations and acreage amounts.

Land Use Designation	Acres	Percent of Total
Residential	1,608	4.1%
Subsistence Agriculture	540	1.3%
Supplemental Agriculture	1,113	2.9%
Pastoral	24,101	62.4%
Community Use	258*	0.6%
General Agriculture	10,747*	27.8%
Commercial	230	0.5%
Industrial	384	0.9%
Conservation	391	1%
Special District	266	0.6%
TOTAL	38,638	100%

* Does not reflect the Land Use Designation amendment of 161 acres from General Agriculture to Community Use discussed below.

Hawai'i Island Plan Implementation Status

Since the West Hawai'i Island Plan was updated in 2009, there was one additional land use designation amendment made to the Island Plan for TMK (3)-6-4-038:011 (por.), in Waimea. The land use designation was amended from "General Agriculture" to "Community Use". The island plan land use amendment was approved by the HHC in May of 2015.

The Lālāmilo Subdivision is a 250.2-acre parcel planned for residential, agricultural, and commercial development in North Hawai'i located south of Kawaihae Road. Currently, plans are to proceed with the development of Phase 2A of

the subdivision, which is divided into two increments, Increment I and Increment II. Increment I is located adjacent to South Kohala Distribution Road, and Increment II is adjacent to Increment I to the west.

A total of 442 residential homestead lots were originally proposed for the entire subdivision. In order to mitigate archaeologically sensitive sites as well as provide appropriate buffer between proposed residential homes and the existing landfill and powerplant, the proposed residential homestead lots are now 432, a reduction of 10 lots. Originally 1,722 acres of land were offered for transfer by the State. However, due to the amount of unexploded military ordnances on the larger parcel, DHHL opted to take only the 250.2-acre site.

The Hawai'i Island Plan is in the process of being updated. A consultant has been selected in Fall 2023 and began with background research and suitability analysis. The first of three rounds of beneficiary consultation meetings with Hawai'i island beneficiaries are scheduled for June 2024. The update project is anticipated to be completed in Summer 2025 and will include several briefings to the HHC, the first being Item G-5 on this month's agenda.

Kealakehe-La'i'Ōpua Regional Plan

The *Kealakehe- La'i'Ōpua* Regional Plan was updated and adopted by the HHC in May 2020. The update process began in January 2019 and concluded in August 2020. Outreach with beneficiaries in the region through the planning process identified the following priority projects:

- (1) North Kona Water Source Development Project
- (2) Provide homestead Opportunities for Beneficiaries in the "Gap Group"
- (3) Initiate Commercial Development of DHHL Lands Near Honokōhau Harbor
- (4) Establish a DHHL Kona District Office
- (5) Renewable Energy Initiative - PV Farm in `O`oma

Kawaihae Regional Plan

The Kawaihae Regional Plan was adopted by the HHC in September, 2010. An update to the Kawaihae Regional Plan is nearly complete. The following projects have been identified as priorities in the region:

- (1) Wai - Wai Ola
- (2) Emergency Escape Route & Traffic Safety Measures
- (3) Kailapa Resource Center
- (4) Safe Energy Upgrades
- (5) Improve the Coastal & Marine Resources in Kawaihae through Erosion Mitigation

The Kawaihae Regional Plan completed three (3) beneficiary consultations with Kawaihae beneficiaries. A draft of the updated plan was brought to this Commission and to beneficiaries in February 2024 for review and comment. As comments from beneficiaries both at the third BC meeting on February 28, 2024 and in the following 30-day comment period were significant, the Final Plan is Item G-4 on this month's agenda for information only. The Final Plan will be brought before the HHC for adoption in the coming months.

Waimea Nui Regional Plan

The Waimea Nui Regional Plan was adopted by the HHC in January, 2012. Outreach with beneficiaries in the region through the planning process identified the following priority projects:

- (1) Waimea Hawaiian Homestead Community Complex - Planning
- (2) Evaluate and Revise Agriculture/Pastoral Program Waimea Nui
- (3) Support/Plan Development of Affordable Homestead Alternatives in Waimea Nui

- (4) Assess the Implications of Eliminating Requirement to Pay Property Taxes
- (5) Assess the Implications of a Non-Standard Building Code

This regional plan is scheduled to be updated. A consultant is in the process of being selected, and the update to the plan will likely take 12 months to complete.

Implementation Status of West Hawai'i Regional Plans

The following tables identify the "project champions" of each regional plan priority project as well as summarizes the status of each regional plan priority project.

Table 2: LA'I'ŌPUA REGIONAL PLAN PRIORITY PROJECT	PROJECT CHAMPION	STATUS
North Kona Water Source Development and Storage	DHHL	In-Progress. DHHL is in process of developing two EA and a Ka Pa'akai Framework Analysis report for two potential well sites in North Kona (1) Gianulias property and (2) KS well site. The HHC approved an MOA agreement with KS in December 2022. DHHL, KS and DWS are working towards a final water credit agreement for the KS well site per the MOA. DHHL received \$12M from the 2021 Legislature for water source development and lot development. The Act 279 Strategic Plan includes the use of funds for the acquisition of lands for water development and infrastructure development. The HHC authorized the Chair to sign a Purchase and Sale Agreement (PSA) for acquisition of the Gianulias site in February 2024. According to the PSA, closing for the acquisition is scheduled for June 2025. DHHL is in the process of drafting a Letter of Intent for the acquisition of KS's well site in Keauhou. A Kick-Off Meeting for the Ka Pa'akai Framework Analysis project took place on April 18, 2024, and consultation with stakeholders will continue over the coming months. A draft is anticipated in Fall 2024 and will be brought before the HHC.
Provide Homestead Opportunities for Beneficiaries in the "Gap Group"	DHHL	In-Progress. DHHL is in process of developing infrastructure for Village 4 Phase II Hema. Lots from this development could go to beneficiaries who do not meet low-income requirements.
Renewable Energy Initiative	DHHL	In-Progress. DHHL participated in the HECO RFP process and solicited DHHL Kalaoa lands for

Table 2: LA'I'ŌPUA REGIONAL PLAN PRIORITY PROJECT	PROJECT CHAMPION	STATUS
		<p>potential development. DHHL initiated an RFP for its Kalaoa lands in fall of 2020 and selected Nexamp as the potential developer. Beneficiary consultation meetings and public hearings were conducted in summer 2021. The first round of Public Hearings occurred in October 2021. The HHC deferred decision-making on the lease request at that time, but a year later in October 2022, the HHC approved a Right-of-Entry permit to Nexamp Solar, LLC to develop one (1) 3MW solar plus battery storage project on 27.6 acres at Kalaoa. Due to the existence of an electric sub-station adjacent to the Kalaoa parcel, HECO is allowing Nexamp Solar to develop two (2) co-located 3MW solar plus battery storage projects at Kalaoa, for a total of 6MW on 46.93 acres of land. The HHC held another round of public hearings in March 2023 and approved the amendment to the ROE to allow for due diligence studies to cover the proposed second 3MW solar plus battery storage project that would require 19.33 additional acres. Due diligence is underway. HHC approval for the Final EA is still required in order for the project to proceed.</p>
Establish a DHHL Kona District Office	DHHL	Not Started.
Initiate Commercial Development of DHHL Lands Near Honokōhau Harbor	DHHL	Not Started. Need additional water source and credits.

Table 3: KAWAIHAE REGIONAL PLAN PRIORITY PROJECT	PROJECT CHAMPION	STATUS
Water - Wai Ola	DHHL	In-progress. In 2015, DHHL completed a feasibility study to identify potential options for new water source development to supply Kailapa homestead. Funding is needed to support additional consultation & planning and a suitable option for a new water source for the DHHL Kawaihae water system needs to be determined by the HHC. In 2017, the HHC approved a water rate schedule for the DHHL Kawaihae water system. Currently, Kailapa residents are paying some of the highest water rates in the State and there is a critical need for more affordable water rates for Kailapa homesteaders. Analysis and update of the water rate schedule for Kawaihae is necessary. This may take 24+ months to complete, and as such more immediate relief efforts are requested by the Kailapa beneficiaries until the water rate schedule can be examined and adjusted.
Emergency Escape Route & Traffic Safety Measures	DHHL	The Department of Transportation in collaboration with DHHL completed a 4-mile firebreak around Kailapa homestead in December 2023. This firebreak could be permitted as an emergency escape route with additional due diligence. Funding is needed to support these continued efforts. Further consultation with homesteaders and an application to the County of Hawai'i for speed bumps is needed to install traffic calming measures in areas of the homestead where speeding currently occurs.

Table 3: KAWAIHAE REGIONAL PLAN PRIORITY PROJECT	PROJECT CHAMPION	STATUS
Kailapa Resource Center	Kailapa Community Association	In-Progress. The HHC approved a FONSI for KCA's FEA in February 2016 for KCA's plans on the 14-acre parcel. KCA has completed the construction of its pavilion and playground area. Additional planning and design work and funding is needed for the construction of the Resource Center and specifically to address access to the southern portion of the parcel over a floodway.
Safe Energy Upgrades	DHHL	Not started.
Improve the Coastal & Marine Resources in Kawaihae through Erosion Mitigation	DHHL / Kailapa Community Association / Kohala Mountain Watershed Partnership	In-Progress. The South Kohala Coastal Partnership received ROEs to install ungulate fences on DHHL property. Fence installation is completed. The Kailapa Community Association has also completed its Resilient Hawaiian Community Plan that looks at improved stewardship of the mauka portion of the ahupua'a. DHHL LMD and Planning Staff conducted two consultation meetings on ungulate management in 2021. LMD staff submitted a grant application for funding to support an erosion control project for Honokoa gulch in early 2024 and is awaiting selection of awardees.

Table 4: WAIMEA NUI REGIONAL PLAN PRIORITY PROJECT	PROJECT CHAMPION	STATUS
Waimea Hawaiian Homestead Community Complex -- Planning	Waimea Hawaiian Homestead Association (WHHA)	In-Progress. HHC approved FONSI of WHHA final EA in and approved 65-Year general lease to WHHA in 2015. WHHA has completed construction of the internal road network. HHC approved the Final EA for the KOKO Health Center in 2022. WHHA has been successful in obtaining funding for initial development of this project. DHHL and WHHA received a grant award from the Department of Defense (DOD) Office of Local Defense Community Cooperation (OLDCC) for the construction of infrastructure on the parcel and for the development and operation of an Emergency Operations Facility which will be equipped to respond to hazards such as wildfire. The grant funds total \$8M+, including a \$1.5M contribution from DHHL. The project is currently completing due diligence and construction is scheduled to begin in August 2024.
Evaluate and Revise Agriculture/Pastoral Program in Waimea Nui	DHHL / WHHA	In-Progress. DHHL had previously awarded a \$100k agriculture peer-to-peer technical assistance grant to WHHA to promote more farming on Waimea homestead areas.
Support/Plan Development of Affordable Homestead Alternatives in Waimea Nui	DHHL	In-Progress. State-wide, DHHL has been contemplating alternative affordable homestead options for its beneficiaries. This could result in alternatives applicable to Waimea Nui.
Assess the Implications of Eliminating Requirement to Pay Property Taxes	DHHL	Not Started.

Table 4: WAIMEA NUI REGIONAL PLAN PRIORITY PROJECT	PROJECT CHAMPION	STATUS
Assess the Implications of a Non-Standard Building Code	DHHL	In-Progress. In 2017, DHHL attended Hawai'i Building Code Council meetings to research and learn the process of building code development and approval. However, due to staffing turnover and competing priorities, progress on this initiative has stalled.

Recommendation

For information only. No action required.

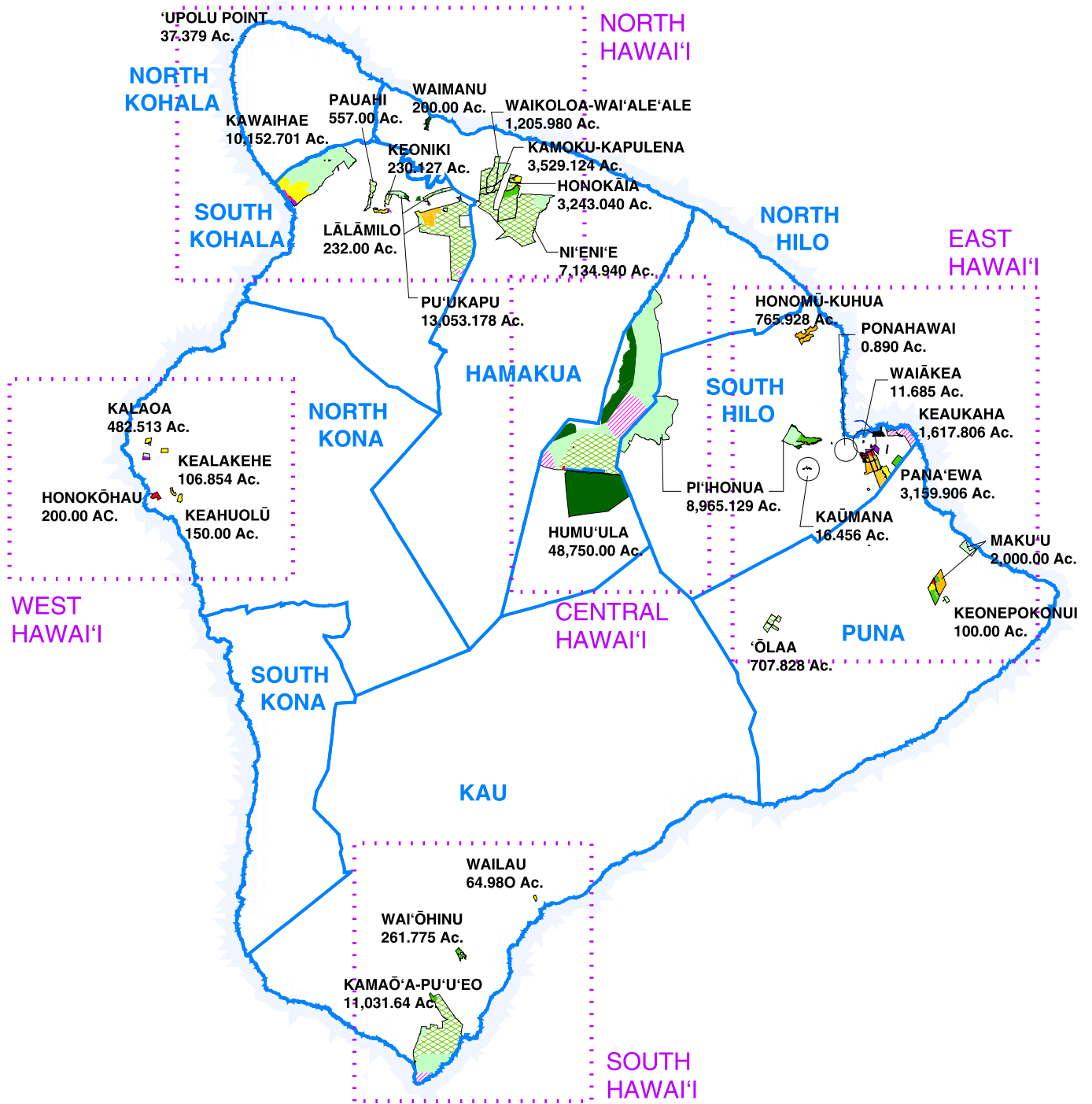


Figure 1
Locational Map
HAWAII LAND INVENTORY

DEPARTMENT OF HAWAIIAN HOME LANDS ISLAND OF HAWAII

NORTH

1:50,000 SCALE (1"=1000')

40,000 0 80,000

PBR
HAWAII

MAY 2002

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 20 - 21, 2024

To: Chairman and Members, Hawaiian Homes Commission (HHC)
Through: Andrew H. Choy, Planning Program Manager
From: Cherie-Noelle Ka`anana, Water Program Specialist
Subject: West Hawai`i Water Projects Update

RECOMMENDED MOTION/ACTION

None; for information only.

DISCUSSION

This submittal to the Hawaiian Homes Commission (HHC) provides an update of water issues and projects of significance to beneficiaries and the Department of Hawaiian Home Lands (DHHL) in West Hawai`i in general and in our three planning regions of Waimea Nui, Kawaihae, and Kealakehe-La`i `Ōpua. It is submitted in furtherance of the HHC Water Policy Plan (WPP) Goal 1, to "Affirmatively communicate with beneficiaries regarding water decisions, performance, and water rights on a regional and annual basis."

This submittal is also prepared in the context of our overall efforts to fulfill the responsibilities of the HHC and DHHL as they relate to water. An overview of this context is included as Exhibit A: BACKGROUND AND OVERVIEW OF HHC AND DHHL WATER KULEANA.

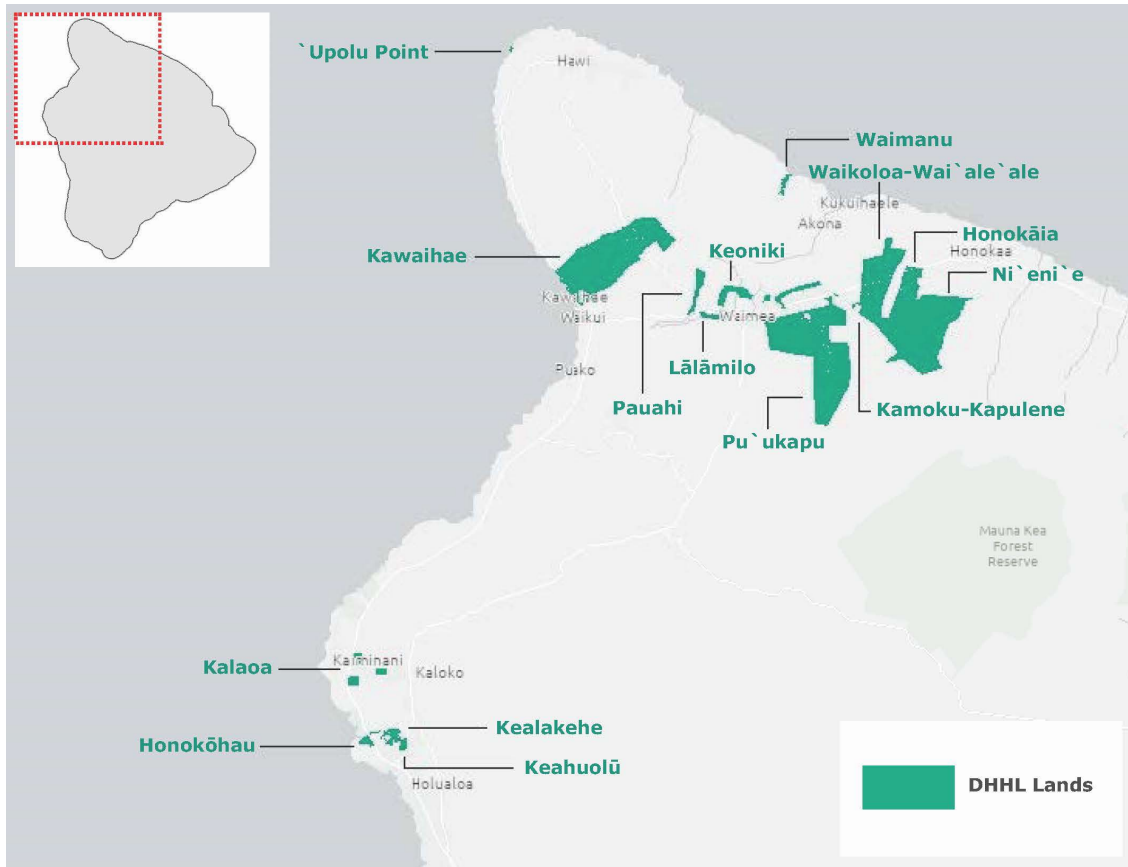
A general overview of DHHL tracts and implementation of plans DHHL is provided in the status update on Plan Implementation in West Hawai`i. This submittal focuses on the following:

- DHHL Water Demands and Reservations
- Potential Water Sources for Villages of La`i `Ōpua and Other DHHL Lands in West Hawai`i
- The Commission on Water Resource Management's Instream Flow Standard Assessment Report for the Amending of Interim

Instream Flow Standards for the Waikoloa, Kohākōhau, and Wai`ula`ula streams

- Related Work with Beneficiaries and Capacity Building to Secure Water Resources and Address Water Issues

Figure 1. Map of DHHL Lands in West Hawai`i



I. DHHL Water Demands and Reservations

As described in more detail in Exhibit A, water reservations are a means for the Commission on Water Resource Management (CWRM) to protect or set aside water for DHHL future needs in various areas. While converting these reservations into “wet water” flowing into homesteads requires planning, financing, environmental review, and design, securing reservations for our future use remains a critical step in securing water for future homesteads and related DHHL needs.

A. DHHL Calculation of Future Water Needs

The DHHL Planning Office, in cooperation with other parts of DHHL and other agencies, calculates future water needs for all of our tracts by first reviewing the land use designations made by the HHC through the [General Plan](#), in the DHHL [Island Plans](#), and [Regional Plans](#), as well as any detailed development plans that are created as tracts move into homestead and other development, and any other information about land characteristics in each tract that could impact future water demands.

Each particular land use designation for a tract (e.g. residential, commercial, pastoral), and any supporting information in the respective plans (e.g. acreage or unit counts) are then used, along with applicable water demand standards, to calculate water demands. Applicable water demand standards include:

- [County water system standards](#) for the respective county in which the tract is located;
- For general agricultural land use designations, standards in the current approved state [Agricultural Water Use and Development Plan](#), unless more specific information is available from other CWRM determinations for the particular area
- Lo`i kalo water demands as determined by the Office of Hawaiian Affairs and the US Geological Survey in the [2007 study](#) of water use in wetland kalo cultivation.

A comprehensive examination of plans and land use designations across all tracts, along with associated water demands, was undertaken by DHHL and staff and consultants with the Department of Land and Natural Resources Engineering Division for the 2017 State Water Projects Plan (SWPP), adopted by CWRM in May 2017. A subsequent update to the [SWPP adopted by CWRM in 2020](#) also included all of the previous calculate demands for DHHL. The notable difference between the calculations in the SWPP and ultimate DHHL needs is that by statute the SWPP looks at a 20-year time demand, but DHHL needs go beyond that time horizon.

B. DHHL Water Needs for West Hawai`i Tracts

Based on the data in the 2020 SWPP and other regional plans, the potable and non-potable 20-year projections of medium range water needs for DHHL West Hawai`i tracts are as follows

(in millions of gallons per day [MGD]). *This notably does not include long term non-potable irrigation demands, which the SWPP calculated but did not consider as 'twenty-year demands'.*

Table 1. DHHL Water Needs for West Hawai`i

Tract	Potable (MGD)	Non-potable (MGD)	Total
Lālāmilo	0.2140		0.2140
Keoniki	0.0152		0.0152
Honokāia	0.3960	1.6550	2.051
Kawaihae	2.40		2.40
Pu`ukapu	0.6099	0.8114	1.4213
`Upolu Point	0.1480		0.1480
Waimanu		15.000	15.000
Kealakehe	0.400		0.400
Honokōhau	0.600		0.600
Kalaoa	0.9032		0.9032
Keahuolū	0.5098		0.5098
Totals	6.1961	17.4664	23.6625

C. Existing West Hawai`i DHHL Water Reservations by CWRM

CWRM can act to reserve water for DHHL on its own action, when petitioned for action by DHHL, or when required in response to a request for another party to lease or license state waters under Hawai`i Revised Statute (HRS) 171-58. In designated water management areas, CWRM has adopted reservations of water through a rule making process under HRS 174C-49(d). For non-designated areas, CWRM has reserved water during regular meetings under HRS 174C-101. Based on a request by DHHL (for groundwater reservations in the Keauhou Aquifer) and by CWRM action (for groundwater for the rest of the West Hawai`i DHHL planning areas), the following reservations have been secured. Water was reserved from the Aquifer System Area underlying each tract.

Table 2. DHHL Reservations Granted by CWRM

Aquifer System Area	Date of Reservation	MGD Reserved
Hāwī	9/19/18	0.148
Māhukona	9/19/18	3.014
Honoka`a	9/19/18	0.396
Keauhou	8/17/15	3.398

D. Related West Hawai`i DHHL Water Issues

i. Kawaihae Water Issues

As Kawaihae and surrounding communities grow, water needs will increase substantially. While potable water for the Kawaihae makai homesteads are supplied by the County of Hawai`i Department of Water Supply (DWS) through their Lālāmilo Water System, potable water for the Kailapa homestead comes from the groundwater well owned and operated by the Kohala Ranch Water System (KRWS). Water from the KRWS is piped from north of Kawaihae and transmitted via interconnection point into the Kawaihae Unit #1 Water System owned by DHHL and operated by Pural Water Specialty Company. Water is then delivered to approximately 164 Kailapa homestead connections via DHHL's water system.

DHHL is required to purchase the water sourced from KRWS via a master meter located at the interconnection point between the two water systems. The water is then distributed to the homestead lots in Kailapa at the expense of the Department for the operation, maintenance, and repair. Water use is calculated via individual water meters located at each homestead connection. Water billing is calculated based on bi-monthly water usage over a sixty-day period and is handled by DHHL staff. Homesteaders in Kawaihae are billed based on water rates approved by the HHC in 2017. These water rates increase on a gradual step system, increasing each year on July 1st from 2019 through 2029. The water rates in Kawaihae are some of the most expensive water rates for consumers in the entire Pae `Āina. The rates are well above what water users served by the County water system pay, and these extremely high rates have caused significant hardship on the homesteaders of Kailapa. DHHL has attempted to secure alternative water sources and discussions on how to address this issue are extensive in the 2024 Regional Plan update.

Non-potable water is not currently available in Kawaihae. Homesteaders have requested the availability of agricultural or irrigation water to:

1. Allow homesteaders to lessen their use of potable water for non-potable water needs such as irrigation and other outdoor water uses and
2. To provide agricultural water at a more reasonable rate than the current cost of potable water.

ii. Limitations of Reservations of Water

Reserving adequate water for the future needs of DHHL is mandated by the state Water Code (HRS Ch 174C), and progress on establishing reservations adds important legal protections to beneficiaries' future water needs. However, there are limits to what reservations are (and are not), and the kinds of issues that they can address. While water reservations set aside some water for allocation by the Commission on Water Resource Management (CWRM) to any other party, there are limits:

- Reservations do not instantly result in "wet water" being available to DHHL and beneficiaries. Water development requires:
 - Funding for water exploration and development
 - Environmental review
 - Development of source, storage, and transmission
 - Development of operations plans or agreements
- In Water Management Areas (WMAs) of the state there is an enforcement mechanism for protecting DHHL uses and reservations because all required Water Use Permits are "subject to the rights of DHHL". There are, however, no WMAs in West Hawai'i or anywhere on Hawai'i Island

In addition, it is important to note that water reservations do not address other issues, such as the high price for water paid for by our beneficiaries at Kailapa. Existing groundwater reservations also do not reflect that, for instance, the County of Hawaii manages a water system in the Waimea area that takes both surface and ground water.

This discussion of what water reservations can and cannot accomplish serves as context for the remainder of the submittal. Below we highlight efforts to turn reserved water into "wet" water.

II. Potential Water Sources for Villages of La'i `Ōpua and Other DHHL Lands in West Hawai'i

Approximately 1,400 acres of DHHL land are located in in North Kona. After Village 4 of La'i `Ōpua is completed, DHHL will have exhausted all of its equivalent units, or water credits, on the County of Hawai'i's Department of Water Supply's (DWS) water system. Additional water credits will be needed to execute other homestead development plans. The unmet water demand in Kona is about 3.398 MGD. In 2018, the Commission on Water Resource Management approved DHHL's request for a water

reservation of 3.398 MGD for North Kona from the Keauhou Aquifer System.

Although DHHL has secured a reservation of water on paper, this does not translate to immediate "wet" water on our lands. Before physical water can be delivered to DHHL lands, DHHL must go through a process to:

1. Obtain CIP funds;
2. Develop source, transmission, and storage; and
3. Create and secure a water credit agreement with County DWS or other water purveyors.

One way to obtain a water credit agreement is to develop a water source, including transmission and storage, and dedicate that source to the County, after which the County DWS will run and maintain the system. In exchange, DHHL will receive a calculated amount of water credits to use for future development of homesteads. DHHL has been pursuing potential well sites for water source development in Kona to be dedicated to the County DWS's current water system that provides potable water to DHHL's West Hawai'i lands. It will likely require 3-4 groundwater wells with a capacity of 1 MGD each to supply the necessary water needed to fully develop DHHL's lands in North Kona.

Current DHHL lands in North Kona do not overlay a proven reliable water source. Additionally, DHHL lands in North Kona are not located at a high enough elevation that would make well development consistent with other County wells in the area. Therefore, DHHL has had to look off DHHL lands to locate well sites and needs to partner with other landowners to develop water sources in more suitable locations.

County DWS has verbally told DHHL that it would provide DHHL with the "full amount" of water from groundwater well sources developed in the region. A groundwater well that has the capacity to pump 1 MGD will pump that amount over the course of the 24-hour period in a day. Best practices are to "rest" a well for an 8-hour period, or one-third of the pumping time. The County DWS water credit allocation formula for a 1 MGD well is as follows:

- $1,000,000 \text{ gallons} \times \text{two-thirds} = 666,666 \text{ gallons per day}$
(this assumes that the well will not be pumping 24-hours and will rest for 8-hours)
- $666,666 \text{ gallons per day} \div \text{one water credit (600 gallons per day)} = 1,111 \text{ water credits}$

- 1 water credit = 1 housing unit = 1 residential homestead

Therefore, one 1 MGD well source can potentially supply 1,111 residential homesteads.

Part of the process of well site acquisition includes compiling a HRS Chapter 343 Environmental Assessment (EA) and a Ka Pa`akai Analysis. On April 18, 2024, DHHL and Nohopapa Hawai`i held a Ka Pa`akai analysis framework kick-off meeting in Kona. This process seeks lineal and cultural descendants, Native Hawaiian practitioners, kama`āina informants, and interested parties or organizations from across the area, from the Kāloko ahupua`a south to Keauhou, as well as adjacent ahupua`a. The purpose of this analysis is to ensure potential adverse impacts to Native Hawaiian rights, traditional and customary practices, and the health of the `āina and its natural resources are properly identified and mitigated in compliance with Hawai`i State Constitution, Article XII, Section 7.

DHHL has identified two potential groundwater well location in the Kona region that could supply the necessary potable water needed: the Kamehameha Schools Keauhou Well Site, and Cannery Commercial LLC and AKT Kona Investors LLC's (Cannery Commercial LLC) Gianulias Well Site.

A. Kamehameha Schools (KS) Keauhou Well Site

KS has an existing well on its lands in Keauhou, approximately 8 miles from DHHL lands in Kealakehe. KS developed the well on its Keauhou property in the early 1990s. The well is commonly referred to as KS Well 2 (TMK No. (3) 7-8-004:013 & :015). The current well is not in use nor connected to the County DWS water system, however, it has been tested and has successfully yielded water. KS development plans for its Keauhou lands have changed over the course of several decades and the organization's projected future water demand has significantly decreased.

The DWS is interested in accessing and using KS Well 2 as a water supply for island residents and improving the overall reliability of the water system through improvements in the Keauhou and Kahalu`u areas. DWS is also interested in developing a second well on the property (Well 2A). The approximate KS land area needed for improvement is 2.75 acres. As mentioned previously, DHHL desires water credits for future development of its lands in North Kona. The three parties have

been in conversation for the last five years on a potential water development agreement.

In December of 2022, the HHC authorized the Chairperson to enter into a Memorandum of Understanding (MOU) with KS and DWS. This MOU is meant to summarize the mutual understanding among the three organizations regarding proposed usage and system improvements related to Well 2 and future Well 2A. This MOU is a non-binding understanding of future commitments and benefits to each MOU party. See item G-7 from the December 2022 HHC meeting:

<https://dhhl.hawaii.gov/wp-content/uploads/2022/12/December-19-20-2022-HHC-Packet-Kapolei.pdf>

A summary of DHHL Commitments and Benefits per the MOU can be found in the table below:

Table 3. DHHL Commitments and Benefits from the 2022 MOU with KS and DWS

Commitments	Benefits
Complete a hydraulic study of DWS system (currently on-going)	Receive one-third of the maximum day pumping capacity of Well 2
Fund, design, and construct additional storage improvements as determined by the above hydraulic study	Receive two-thirds of the maximum day pumping capacity of Well 2A (if DHHL develops Well 2A)
Prepare a HRS Chapter 343 EA	Receive Facility Charge Credits from DWS
Reimburse KS for costs incurred by KS in the development of KS Well 2 (\$1,110,478)	DWS will assume long-term operation and maintenance costs of the system improvements

Under the initial MOU agreement, DHHL would receive 0.666 MGD (1,111 water credits) from the development of Well 2A. Additionally, the County would develop Well 2 and provide DHHL with 0.333 MGD (555 water credits) for DHHL contribution to water system improvements and well site acquisition.

The December 2022 MOU also identified **unresolved decisions** among the three parties.

- DHHL or DWS shall design, fund, permit, and construct a second well (Well 2A) and install pump system and related controls.

- DHHL or DWS shall purchase the necessary property interests from KS for the expansion of the Kahaluu Tank site at fair market value.
- DHHL and/or DWS shall compensate KS or its lessees for any loss and/or damage suffered related to crop damage or interruption to agricultural operations.
- Specific water allocation / credit amounts and facility charge credit amounts to be received by parties to the agreement.

Since December 2022, DHHL, KS, and DWS have had several conversations to work towards resolving the above unresolved matters. In 2023, DHHL completed appraisal of the KS well site property and KS property needed for storage tank and water line transmission, totaling \$88,000. A Hydraulic Study that is required by DWS is 90 percent complete. DHHL is in the process of completing a HRS Chapter 343 EA and an accompanying Ka Pa`akai Analysis. The remaining work needed to finish acquisition of the property from KS is a Letter of Intent, a Purchase and Sale Agreement, and a Water Credit Agreement with KS and DWS.

B. Cannery Commercial LLC Gianulias Well

The Cannery Commercial LLC lands consist of 127-acres. The site is located mauka of Māmalahoa Highway and is in close proximity to the existing DWS water system. DWS has expressed its optimism that the site would yield a viable water source from the development of a well at this location. The lands are currently leased by Cannery Commercial LLC (Gianulias Family) to Cancino Family Farms, a commercial coffee farming small business. Cancino Family Farms currently pays Cannery Commercial LLC an annual rent of \$120,000. The current lease with Cancino Family Farms is set to expire in 2027. The lease agreement also allows Cancino Family Farms the first right of refusal to purchase the property from Cannery Commercial LLC.

DHHL initiated negotiations with Cannery Commercial LLC in 2018 for site control of a 5-acre portion of the property for well site development. Below is a summary of the negotiations and DHHL activity over the last several years:

2018 - DHHL negotiated site access with Cannery Commercial LLC to go on property to conduct due diligence studies. DHHL contracted a consultant to initiate studies related to a HRS Chapter 343 EA, including archaeological work and preliminary engineering.

2020-2022 - DHHL, Cannery Commercial LLC, DWS, and La`i `Ōpua CDC had regular conversations during the COVID-19 pandemic related to DHHL gaining site control of a portion of the property for the well development.

The initial proposal discussed among the parties was for Cannery Commercial LLC to license a portion of land to DHHL for well site development. In exchange, DHHL would assume the well development costs and give a portion of the water from the well to Cannery Commercial LLC for a planned senior housing project. DWS agreed to operate and maintain the system in the long term once developed to DWS standards.

May 2021. The state Legislature appropriated \$12.2M in Capital Improvement Plan (CIP) funds for "La`i `Ōpua Villages Water Development and Subdivision Improvements."

April 2022. Cannery Commercial LLC notified DHHL that it was no longer pursuing its senior housing project and was no longer interested in water. Instead, it was interested in selling the property.

July to October 2022. DHHL procured and contracted an appraiser to assess the value of the property. The appraised value of the property was \$10.5M which included the cost of the coffee trees should Cancino Family Farms be required to remove them by the new owner. Value for the property excluding the appraised value of the coffee trees is \$9.26M.

Nov. 2022 to Jan. 2023. Chair Aila and Chair Designate Anderson instructed staff to talk to both Cannery Commercial LLC and Cancino Family farms to negotiate purchase of the property.

Feb. to March 2023. Cancino Family Farms indicated to DHHL and La`i `Ōpua CDC that it has the financial ability to purchase the property from Cannery Commercial LLC but would strongly prefer to continue to lease the property and not purchase the property as it would have to leverage all of its assets in order to do so.

March to April 2023. Chair Watson instructed staff to determine whether the \$12.2M CIP appropriation is still available to potentially purchase the property.

April 2023. Cannery Commercial LLC notified Cancino Family Farms that it would like to sell the property and that Cancino Family Farms has a 10-day period to exercise its first right of refusal. Cancino Family Farms declined its first right of refusal and did not purchase the property but would like to extend its current lease agreement beyond 2027.

May 2023. Staff confirmed that the \$12.2M CIP funding is still available. Chair Watson directed staff to negotiate a reasonable purchase price of the property with Cannery Commercial LLC.

June 2023. Letter of Intent signed.

Jan. 2024. Staff recommended the Commission provide its approval to enter into Purchase and Sale Agreement with Cannery Commercial LLC, for DHHL's acquisition of approximately 127 acres for the Gianulias well site (TMK No. (3) 7-5-014:001 and :011). The total sale price for the property is \$9.35M. The Commission approved unanimously.

The Purchase and Sale Agreement includes both the property and the existing agricultural lease. The agricultural lease is effective until December 31, 2031 with the Cancino Family Farm, LLC for commercial coffee operations and includes a monthly lease rent of \$10,000.

Due diligence studies are on-going and are a condition of closing the transaction. This includes the HRS Chapter 343 EA and Ka Pa`akai Analysis. Closing date shall be no later than June 30, 2025.

Feb. 2024. Purchase and Sale Agreement signed and executed.

April 2024. Kick-off Meeting for Ka Pa`akai Analysis Framework in Kona. Background and context for the Ka Pa`akai Analysis Framework was provided to attendees.

The anticipated next steps for water source development following acquisition of the property:

- Complete due diligence studies for water source development on the site
- Hawaiian Homes Commission approval of the completed HRS Chapter 343 EA and Ka Pa`akai Analysis

- Design and construct a test well
- Confirm the test well results and proceed with well development
- Obtain CWRM Well Construction and Pump Installation Permit
- Hawaiian Homes Commission approval of the County water credit agreement
- Hawai`i County Board of Water Supply approval of the County water credit agreement
- Design and construct a production well, storage, and transmission improvements required by the County
- License improvements to the County for long-term operation and maintenance

DHHL is anticipating each well to produce about 1 MGD. If both the KS Wells and the Gianulias Well are acquired and yield a gross amount of 1.665 MGD combined, that will result in approximately 2,777 water credits, or 2,777 residential homesteads. In La`i `Ōpua, there are 455 homesteads that still need to be developed in addition to Kalaoa proposed homesteads, potential Palamanui land acquisition for homesteading, community spaces, potential Palamanui development, and other lands in Kona.

A Ka Pa`akai Analysis and HRS Chapter 343 EA is required for both of these well sites. A Ka Pa`akai Analysis is a three-step analytical framework required of the State and public entities in Hawai`i to effectuate Article XII, Section 7 of the Hawai`i State Constitution. This obligates the State to "protect all rights, customarily and traditionally exercised for subsistence, cultural and religious purposes and possessed by ahupua`a tenants who are descendants of native Hawaiians who inhabited the Hawaiian Islands prior to 1778, subject to the right of the State to regulate such rights." An overview of the steps is on the table on the following page.

Table 4. Ka Pa`akai Framework and Action Steps

Ka Pa`akai Framework	Action Steps
<p>1. Identify the scope of valued cultural, historical, or natural resources in the petition area, including <u>the extent to which traditional and customary native Hawaiian rights are exercised in the petition area.</u></p>	<p>Determine what resources are in the petition area / area to be impacted by the proposed action.</p> <p>Gather evidence through kama`āina witness testimony, environmental impact assessments, cultural impact assessments, etc.</p>
<p>2. The extent to which those resources, including the traditional and customary native Hawaiian rights, will be affected or impaired by the proposed action.</p>	<p>Determine what, if anything, will happen as a result of the project.</p> <p>Review the information and ask questions.</p>
<p>3. The feasible action, if any, to be taken to reasonably protect native Hawaiian rights if they are found to exist.</p>	<p>Determine mitigation measures to mitigate potential harm.</p> <p>Ensure the agencies are taking feasible actions. Explore potential alternatives.</p>

C. Ota Well

A third potential water source in North Kona is the Ota Well. DHHL is not the lead agency for this wellsite. In 2018, the Hawai`i Housing Finance and Development Corporation (HHFDC) and the Natural Energy Laboratory of Hawai`i Authority (NELHA) submitted a Well Construction and Pump Installation Permit Application to CWRM for well development in the Keauhou Aquifer System Area. DHHL submitted comments on the Permit Application requesting that CWRM place conditions on the permit to accommodate DHHL's reservation of water in the Keauhou Aquifer System Area which are a protected public trust use of water. DHHL advocated that the permit should be conditioned on HHFDC and NELHA be conditioned on HHFDC and NELHA providing a small percentage (2.6 percent) of the projected water production yield to DHHL in the form of County water credits following the successful dedication of the well to the County.

HHFDC and NELHA were agreeable to DHHL's request for water and in 2020 DHHL, HHFDC, and NELHA entered into a water credit

sharing Memorandum of Understanding agreement that was approved by the HHC in September of 2020. See item G-2 October 2020:

<https://dhh1.hawaii.gov/wp-content/uploads/2020/09/September-21-22-2020-HHC-Packet-reduced.G3revised.pdf>

Under the tri-party agreement, DHHL will receive 18,000 gallons per day from the Ota Well once it has been dedicated to the County of Hawai'i Department of Water Supply (DWS).

The HHFDC and NELHA Permit Application is still being considered by CWRM for approval. The Ota well permit was considered CWRM in August 2022, and included certain conditions designed to monitor and address potential impacts of the well on traditional and customary native Hawaiian practices. After unanimous approval of the permit by CWRM, HHFDC and NELHA requested a contested case hearing on the matter, disagreeing with some of the conditions.

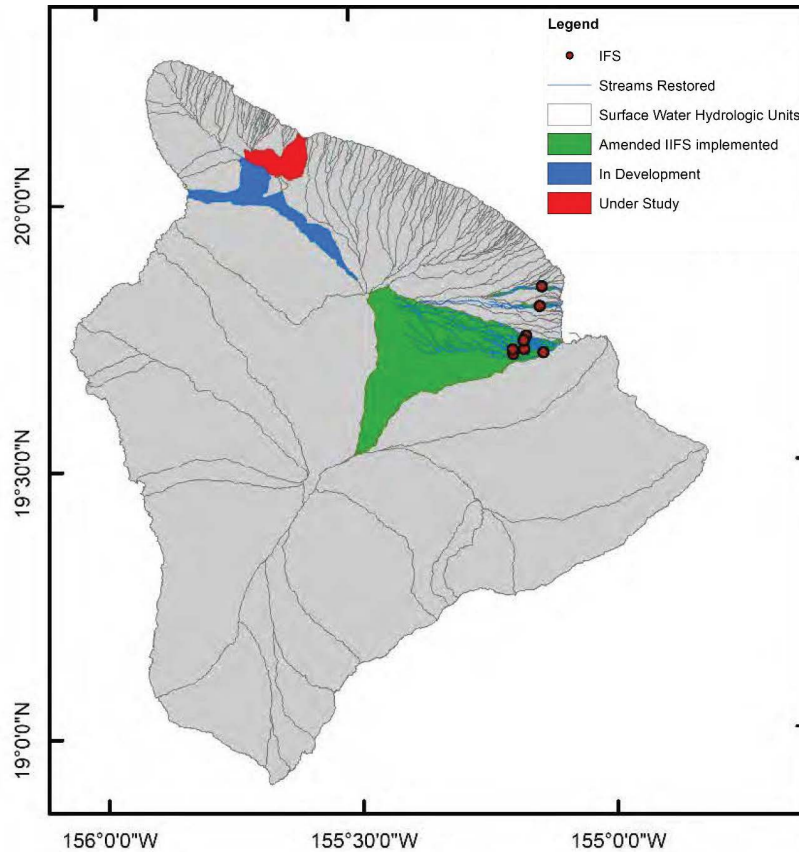
After additional outreach conducted with some parties by NELHA, CWRM took up the application again in April of 2024. Some members of the local Native Hawaiian community, represented by the Native Hawaiian Legal Corporation, brought forward concerns that the well development may impact traditional and customary practices in the makai area of the ahupua`a because the well may significantly diminish freshwater flow to the nearshore areas, and asserted they were not meaningfully engaged with in NELHA's consultation process. CWRM deferred their decision with the requirement that HHFDC and NELHA will return to CWRM in sixty days to present on record the information they collected during their Ka Pa`akai Analysis.

III. The Commission on Water Resource Management's Instream Flow Standard Assessment Report for the Amending of Interim Instream Flow Standards for the Waikoloa, Kohākōhau, and Wai`ula`ula streams

As described in more detail in Exhibit A, Interim Instream Flow Standards (IIFS) 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 for streams across the Pae `Āina adopted by CWRM in 1988 were "status quo" standards, meaning protections for only the amount of water in the stream at the time. Since most streams across the Pae `Āina in 1988 were diverted, that resulted in many streams having 100 percent of base flow diverted. Since then, after many petitions and legal cases, the CWRM has begun

to propose and adopt IIFSs that protect public trust uses of water.

Figure 2. Map of Interim Instream Flow Standards on Hawai`i Island, as Compiled by CWRM



Last year, the CWRM staff began their focus on understanding the amount of water available in Waikoloa stream, which flows in part through Waimea town. Currently, 100 percent of base flow is diverted by DWS, and CWRM is looking at amending the IIFS for this stream, in addition to other West Hawai`i streams. It has become standard practice in recent years that CWRM also initiates reservation requests for DHHL in conjunction with amendment to the IIFS of any stream; state law requires protecting all public trust uses of water, which includes the uses of and reservations for DHHL.

In April 2024, CWRM held a public fact gathering meeting in Waimea to receive testimony and additional information from the public to be compiled as a part of the Instream Flow Standard (IFS) Assessment Report. The report will serve as the primary reference of the best available information for subsequent amendments to the IIFS for the Waikoloa, Kohākōhau, and

Wai`ula`ula streams in the surface water hydrologic unit of Waikoloa. A public review draft of each of the IFS Assessment Reports for Waikoloa and a video of the meeting are available on the CWRM website:

[Commission on Water Resource Management | IFS: 8161 - Waikoloa, Hawai'i \(hawaii.gov\)](https://www.hawaii.gov/cwrms/ifs/8161-waikoloa-hawaii/)

The proposed IIFS amendment will require the return of 1.4 MGD to the Waikoloa stream below the DWS intake, which could benefit several public trust uses of water. The Department provided written testimony to CWRM presenting DHHL's unmet water needs for landholdings in the impacted area. After reviewing the SWPP, in addition to other respective plans, DHHL submitted the table below with unmet water needs for the North and South Kohala region.

Table 5. DHHL Foreseeable Water Needs in North and South Kohala

Tract	Potable (MGD)	Non-potable (MGD)	Total
Lālāmilo	0.2140		0.2140
Keoniki	0.0152		0.0152
Honokāia	0.3960	1.6550	2.051
Kawaihae	2.40		2.40
Pu`ukapu	0.6099	0.8114	1.4213
`Upolu Point	0.1480		0.1480
Totals	3.7831	2.4664	6.2495

The next steps for CWRM staff are to update the Instream Flow Standard Assessment Report, compile public testimony, and to present to the CWRM their submittal to amend the IIFS. This will occur at a future CWRM meeting.

IV. Related Work with Beneficiaries and Capacity Building to Secure Water Resources and Address Water Issues

In June of 2022, the Hawai`i County Council considered a proposed charter amendment, that, among other matters, would have required that a member of the Hawai`i County Board of Water Supply also be a DHHL beneficiary. While the proposal to include this as a charter amendment on the ballot did not survive second reading, it brought about significant engaged testimony from beneficiaries and a high-level county discussion of the relationship between the county and DHHL on water development. In response to the consideration of the proposed charter amendment, beneficiary leadership suggested specific

training for beneficiaries on how to prepare for, apply for, and serve on water related boards and commissions, to help ensure DHHL perspectives and beneficiary voices are represented.

Working with the William S. Richardson School of Law's Ka Huli Ao Center for Excellence in Native Hawaiian Law, pilot training was designed and scheduled, and opened to an inaugural cohort from across the islands in the autumn of 2023 via Zoom. Initially, the training took place in four parts: Part 1: Foundations for Building Effective Kahawai Pono; Part 2: A Guide to Serving on Agencies with Kuleana to Mālama Wai; Part 3: A Legal Toolkit for a Kahawai Pono; and Part 4: Kahawai Pono and their Departments. After beneficiary feedback, it has been adjusted to allow for more in-depth training on tools and resources: Part 1: Foundations for Building Effective Kahawai Pono; Part 2: A Legal Toolkit for Kahawai Pono - Wai and the Public Trust; Part 3: A Legal Toolkit for a Kahawai Pono - Traditional and Customary Native Hawaiian Practices; and Part 4: Kahawai Pono and their Departments.

Beneficiary interest for the training sessions has been strong, resulting in three cohorts completing the training sessions since then, with one cohort during the winter and one this past spring. Notable graduates of the water law training are:

- Donna Sterling, Chair of the Maui Board of Water Supply
- Lori Buchanan, One of the Nominees for the CWRM Cultural Practitioner Seat

A future training session is anticipated for this summer. Homestead organization leaders will be notified when applications for the next cohort are open.

RECOMMENDATION

None; for information only.

BACKGROUND AND OVERVIEW OF HHC AND DHHL WATER KULEANA

The purpose of this document is to review the water rights and responsibilities (kuleana) of the Hawaiian Homes Commission (HHC) and Department of Hawaiian Home Lands (DHHL). It is meant to be a stand-alone review document for those interested in these matters as well as a standing attachment to submittals on water issues presented to the HHC, updated from time to time.

The HHC and DHHL have four primary water responsibilities:

1. To plan for fulfilling existing and future water needs;
2. To advocate for water rights;
3. To develop water sources; and
4. To manage water systems

To help fulfill these responsibilities, DHHL has distinct water rights based on the Hawaiian Homes Commission Act (HHCA), the Hawai'i State Constitution (HSC), Hawai'i Revised Statutes (HRS), Attorney General's opinions and court cases. These water rights are tools that the Hawaiian Homes Commission (HHC) can use as needed. Evaluating which tool/right is best to use depends on the opportunities at hand and the costs (financial and otherwise) of asserting that tool/right.

The Department has developed three educational handouts which help explain separate aspects of these issues posted on the Department's website:

- The "Lehua Handout" has a summary of these HHC and DHHL water kuleana;
- The "Koa Handout" summarizes the HHC Water Policy Plan (WPP); and
- The "Kalo Handout" summarizes the record on appeal of the decisions of the Commission on Water Resource Management (CWRM), and as they are the trustees of water in Hawai'i, their decision making has significant impacts on the rights of the Department and our ability to fulfill the WPP.

The next sections go into some additional detail, prior to describing how DHHL interacts with CWRM and implements the HHC WPP. It is organized around the four responsibilities reviewed above, pairing the first two (planning and advocacy) due to their significant overlap in activity.

Planning for Water Needs and Advocating for Water Rights

The Department's Water Planning and Advocacy Kuleana include the need to continuously determine the future water needs for all of the `āina ho`opulapula and then seek water reservations from CWRM to set aside sufficient water to meet those needs.

What are water reservations?

Water can be "reserved" - set aside and not allocated to other users - by the CWRM, implementing its powers under the state Water Code, HRS 174C. These powers were conveyed by the Legislature in 1990, in part out of acknowledgement that it can take years between the HHC determining a proposed use of land and the land being developed for that use, due primarily to the lack of capital funds needed for development. Absent water reservations, other competing public and private sector developers can (and in many cases have) developed most or all of the easily available water in an area, either precluding DHHL development or significantly increasing the costs of water development. Reservations are one tool to address that problem.

There are two distinct methods by which CWRM can reserve water. In Water Management Areas (WMAs) - parts of the state which are subjected to a higher level of permitting scrutiny for surface or ground water allocation - water reservations are adopted through rule making. Currently all of O`ahu except for the Wai`anae Aquifer Sector Area, all ground water on the island of Molokai, the `Īao Aquifer of Maui, and groundwater in West Maui are designated as Ground WMAs. The surface waters of Nā Wai `Ehā and the surface waters related to the Lahaina Aquifer Sector Area, both on Maui, are designated as Surface WMAs.

Because of this rule making requirement as well as the permitting requirements in WMAs - which require that all water use permits are subject to the rights of DHHL - the protection of DHHL water rights are more robust in WMAs.

In non-WMAs, the CWRM can simply take action to vote, by a majority of its seven members, to reserve water for DHHL. Reservations by rule and by simple CWRM action are supposed to be included in all elements of the Hawai`i Water Plan, including the Water Resources Protection Plan (WRPP), the State Water Projects Plan (SWPP), and the County Water Use and Development Plans (WUDPs).

The actions that trigger CWRM consideration of DHHL water reservation needs vary. The state water code (HRS 174C) in section 101(a) requires that: "Decisions of the commission on water resource management relating to the planning for, regulation, management, and conservation of water resources in the State shall, to the extent applicable and consistent with other legal requirements and authority, incorporate and protect adequate reserves of water for current and foreseeable development and use of Hawaiian home lands as set forth in section 221 of the Hawaiian Homes Commission Act."

Some of the most common triggers for adopting DHHL reservations have been related to adoptions of parts of the Hawai'i Water Plan. Most of the groundwater reservations currently held were adopted following the acceptance by CWRM of the 2017 SWPP update.

Another key trigger has been when CWRM has adopted new Interim Instream Flow Standards (IIFSs), which are science and fact based determinations of the minimum amount of water that should remain in a stream before any off-stream uses of water are allowed. The original IIFSs adopted by CWRM around Hawai'i in 1988 were "status quo" standards, only protecting the amount of water in the stream at that time. Since most streams across Hawai'i in 1988 were diverted, and these historic diversions usually took 100% of the flow on non-rainy days, this has meant that there have been few or no legal protections for public trust uses of surface water. For decades after this action, communities around Hawai'i have petitioned CWRM to adopt IIFSs that protect public trust uses of water, including DHHL needs; this has led to well-known litigation such as the Waiāhole and Nā Wai `Ehā cases. In recent years the CWRM has begun to proactively propose IIFS on its own, and has worked with DHHL to propose associated reservations at the same time.

Actions by the Board of Land and Natural Resources (BLNR) can also trigger the adoption of reservations for DHHL. HRS 171-58, which governs the issuance of water leases by the state, specifies in part (g) that "Any lease of water rights or renewal shall be subject to the rights of the department of Hawaiian home lands as provided by section 221 of the Hawaiian Homes Commission Act." In the case of the EMI system requests, DHHL's reservation consideration is triggered by the current owners of EMI seeking a long-term lease of water.

Limits to reservations

While water reservations are an important policy tool available to DHHL, CWRM, and the HHC, they have limitations. Some of these include:

- Previously, reservation requests by DHHL have been delayed or denied by CWRM staff for unclear reasons
- Reservations do not provide immediate access to "wet water"
- Developing water will still require:
 - Capital Improvement Plan (CIP) funds
 - Detailed design and environmental review
 - Developing source, storage, transmission
 - Agreement with County or others for operation
- In geographically large aquifer systems, locations to develop water can still be remote from DHHL tracts
- The enforceability of reservations, particularly in non-WMAs, has not been legally tested
- DHHL along with CWRM will need to monitor other developments potential impact on DHHL reservations

Water License Receipts

As mentioned above, the issuing of water licenses by the state can be a trigger for the DHHL to seek a water reservation from a particular source proposed for license. Receipts are to be deposited into the Native Hawaiian Rehabilitation Fund, which is the source of revenue for grants to homestead organizations. This arrangement originated in the HHCA as it was passed in 1921, and are codified including in [HSC Art. XII, § 1.](#)

Historically revenue from the licensing of water was significant; however, with the decline of large plantations, along with choices made by the Land Division of the Department of Land and Natural Resources, water license revenue has declined significantly. There are instances around Hawai`i where water originates from state land and currently there is no proposal to issue a water license.

Public Trust Status

As the key Trustee and lead agency in managing water, CWRM is critical in helping DHHL preserve and implement its rights to water. However, since the passage of the Water Code in 1987, a number of significant court decisions have made on appeals of decisions by the CWRM. That record will be discussed in more

detail below. Of significance here is that the courts have identified over a series of cases four "public trust uses" of water, which are to have priority, over private, commercial uses of water. While they are not specifically listed as such under the Water Code, the courts identified these based on interpreting the Code, the specific circumstances of the cases they were ruling on, as well as the long legal history of water law dating back to the Kingdom. Along with Appurtenant Rights - four Public Trust Purposes are:

- Maintaining water in its natural state;
- Water used in the exercise of the traditional and customary practices of native Hawaiians;
- Water reserved for or used by DHHL; and
- The domestic needs of the general public.

Appurtenant water rights refer to the water necessary for the use of kuleana parcels at the time kuleana awards were made - and they enjoy the same high level of priority as the four purposes above.

Private, municipal, and commercial uses of water are not prohibited. However, when CWRM or other agencies make decisions, they need to follow particular processes to ensure that public trust purposes of water are provided for.

As one of the protected public trust uses of water, the DHHL has a particular responsibility to protect that status, as well as to not bring harm to the other public trust uses of water. One way in which DHHL does this is to consider and pursue alternate sources of water when its uses may impact another public trust use of water. Another is to help defend all public trust uses against private commercial uses that could harm its own and other public trust uses.

Water Source Development

Even after the Department has secured water reservations as discussed above, efforts must be made to develop water sources to enable homesteading. In addition to the general powers that state departments have to expend funds and manage programs, DHHL has particular powers related to water source development.

The most commonly used of these is the power to issue leases or licenses to trust lands. Very frequently, DHHL will develop some combination of water source, storage, and transmission, and then lease, license, or otherwise dedicate

those to the Board or Department of Water Supply of the county these lands lie in. In exchange, DHHL, receives a certain number of water credits, which can be used and exchanged for water meters at a future time. Water credits have also been obtained in the past by other parts of the state government developing wells and assigning credits to the DHHL, as well as through litigation.

While it has never used the power, the HHC also has the power to bring eminent domain proceedings against private parties to obtain sites with water sources. It can also "demand" access to state controlled water systems, but like condemnation has not exercised this power.

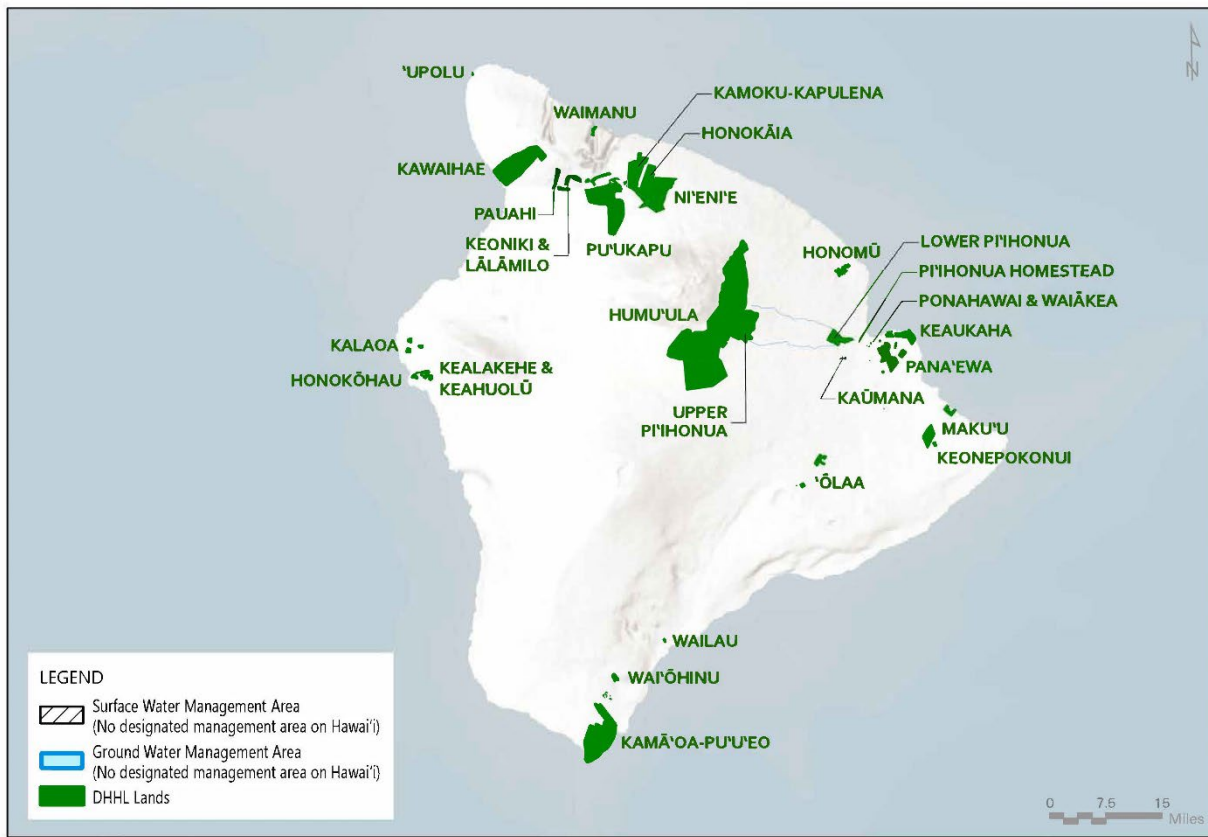
As discussed above in the review of water reservations, in Designated Water Management Areas (WMAs), all users of water must obtain a "water use permit" from CWRM. By law those permits are conditioned on the rights of the DHHL. Generally, however, DHHS lands do not coincide with existing WMAs. See Figure 1, below, showing WMAs and DHHL lands on Hawai`i Island.

Water System Management

The last major water kuleana that DHHL has is the ability to develop and manage water systems directly. DHHL currently manages four systems on Molokai, Kaua`i and Hawai`i Islands.

The Commission on Water Resource Management (CWRM) Record on Appeal

While the HHC, DHHL and its beneficiaries have particular and significant water rights as described above, we are largely dependent on CWRM and protecting those rights. Unfortunately, since passage of the code in 1987, it has been a very mixed history. DHHL and beneficiaries have frequently had to go to court to challenge decisions of CWRM. Refer to the handouts on the DHHL website regarding water policy. The most successful instances have been when the DHHL and beneficiaries have worked closely together on those efforts. It is notable that beneficiaries on the island of Molokai have led the way, and the resulting cases have helped the courts describe the significance of DHHL water rights.



**DESIGNATED WATER MANAGEMENT AREAS
ISLAND OF HAWAI'I**

DNR COMMISSION OF WATER RESOURCE MANAGEMENT | 5-17-2023



Figure 1. DHHL Lands and Water Management Areas on Hawai`i island. There are currently no designated water management areas on the island of Hawai`i.

HHC Water Policy Plan (WPP)

In order to consistently make water decisions and protect the trust's water interests, in 2014 the HHC passed a Water Policy Plan (WPP) under the General Plan. This was adopted after two years of research, and two rounds of beneficiary consultation across the archipelago. It is to our knowledge, the first policy regarding water decisions passed by the HHC since passage of the HHCA in 1921. The WPP is also posted on the Department's website.

The WPP is comprised of a number of distinct sections. The first section, a vision statement, comes directly from Section 101 of the HHCA. The Mission statement derives from the different water kuleana described above. The next section is on Values and describes four Hawaiian values key to the proper management of water. This is followed by twelve policies to

guide water decisions. The core of the WPP are nineteen goals identified by beneficiaries, staff, and the HHC to be the focus of DHHL water activities, with four identified as priority goals. These are:

1. Affirmatively communicate with beneficiaries regarding water decisions, performance, and water rights on a regional and annual basis.
2. Aggressively, proactively, consistently and comprehensively advocate for the kuleana of the beneficiaries, the DHHL, and the HHC to water before all relevant agencies and entities.
3. Develop and manage a Water Assets Inventory (WAI).
4. Support watershed protection and restoration on DHHL lands and source areas for DHHL water.

The final substantive portions of the WPP includes a statement on the delegation of authorities, which includes a requirement for the submission to the HHC by the DHHL an annual report on accomplishments as well as a plan for the coming fiscal year. Legal authorities, related plans, and legal references are also included.

In conclusion, DHHL has significant water kuleana - responsibilities and rights - that it can bring to bear in order to bring water to lands across the `āina ho`opulapula and to fulfill the goals of the HHCA. The primary areas of this work are for water planning, advocacy, source development, and system management. The CWRM and the Counties are critical partners to help achieve our goals. The HHC has adopted the WPP as the key policy guidance for this work. The WPP requires a number of actions from DHHL, including annual plans of work, reports on achievements, and annual regional updates on water issues and projects.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 20 - 21, 2024

To: Chairman and Members, Hawaiian Homes Commission
From: Andrew Choy, Planning Program Manager
Subject: For Information Only - Water Policy Plan
Implementation Status (FY 2024 Performance) and
Implementation Plan for FY 2025

RECOMMENDED MOTION/ACTION

For Information Only

DISCUSSION

This submittal provides (1) a report on progress made towards the Commission's water policy objectives under the FY 2024 Water Policy Plan ("WPP") Implementation Program ("IP"), and (2) a Proposed WPP-IP for FY 2025.

I. Purpose of this submittal

The Hawaiian Homes Commission (HHC) WPP was passed in 2014. It was adopted by the HHC after three years of research and two rounds of beneficiary meetings across Hawai'i. It serves as the comprehensive guiding document for water related decisions by the HHC and the DHHL. Based on our research, it was the first water policy of the Trust since passage of the Hawaiian Homes Commission Act (HHCA) in 1921. The Policy Plan as adopted is attached here as Exhibit C, and is also available at <http://dhhl.hawaii.gov/wp-content/uploads/2013/09/HHC-Water-Policy-Plan-140722.pdf>

The WPP section on "Delegation of Authorities, Reporting, and Consultation" specifies that the Chairman shall annually seek approval from the HHC for a proposed IP in conjunction with the Department's budget request. In addition, the Chairman shall annually report on progress on execution of the previous year's approved IP. This submittal is in compliance with that provision.

II. Background

At its July 22, 2014 meeting, the Commission adopted the WPP. The purpose of the WPP provides strategic, proactive, comprehensive, and consistent guidance to the Commission and Department of Hawaiian Home Lands ("Department") on water related issues, actions, and decisions.

The Planning Office ("PO") is the lead division for implementation of the WPP-IP. However, as responsibilities for water are currently held throughout the Department, implementation requires coordination across the agency.

Because of the timing of the approval of the WPP in July 2014, the FY 2016 WPP IP was the first submitted prior to the beginning of the fiscal year and the first evaluated on a full-year basis. This submittal contains the ninth full year of evaluation and the tenth WPP IP submitted for consideration by the HHC.

During the policy development process, beneficiaries, the HHC, and DHHL staff identified twenty-three key goals that would advance DHHL water rights and development to fulfill the HHCA. The second round of beneficiary consultation including a process for ranking of these goals, and **the WPP identified four of these as Priority Goals as the focus of implementation:**

- 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.**

III. Summary of Performance on the FY 2024 WPP-IP

The FY 2024 WPP IP, as in previous years, has focused on the four priority goals of the WPP IP, with other goals pursued at the direction of the HHC and Chairman as conditions warrant and resources allow. Importantly, the consistent investment in advocacy (Goal 2) has continued to realize critical outcomes,

including the awarding of water reservations to DHHL for future use in the years and decades to come.

The most significant accomplishments for FY 2024 have been:

- 1) **Timely filing of a Water Use Permit Application for an irrigation well used by the Department for the Leali`i Parkway**, prior to the August 6, 2023 deadline for existing use permits in the newly designated water management areas of West Maui, in collaboration with the Land Development Division and the underlying landowner Hawai`i Housing Finance and Development Corporation.
- 2) **Nomination and confirmation of one member of the `Aha Wai o Maui Hikina (East Maui Regional Community Board for the East Maui Water Authority), and subsequent empanelment of the Board and beginning of operations.** Passed in a November 2022 County Charter Amendment, the East Maui Water Authority is to seek obtaining County Control of water and delivery systems in Maui Hikina with "one member who is a representative of the Hawaiian Homes Commission, and is recommended by the Department of Hawaiian Home Lands."
- 3) **Continued significant progress on acquisition and development of two new well sites in North Kona** needed for buildout of DHHL lands at Kealakehe (La`i`Ōpua) and other tracts including HHC authorization to enter into an agreement on the same, and commencement of a Ka Pa`akai analysis process for the same.
- 4) **In collaboration with the Ka Huli Ao Center for Excellence in Native Hawaiian Law at the William S. Richardson School of Law, prepared for and implemented three rounds of statewide beneficiary training on how to prepare for, apply for, and assume leadership positions in county and state commissions with water kuleana. One beneficiary completing the program is now the Chair of the Maui Board of Water Supply, and one is a nominee to the CWRM.**
- 5) **Completing hiring of the of the Department Water Resource Management Specialist**, a position vacated near the beginning of the second quarter of FY 2020, and long delayed due to a lengthy pandemic related state hiring freeze and subsequent recruitment challenges.

FY 2024 Challenges

While opportunistic progress was made, not all objectives under each Goal were achieved this fiscal year. **The two most notable challenges included:**

- **Multiple water logistical and policy challenges resulting from the August 8, 2023 Maui fires.** The resulting staffing and policy shifts have delayed action on Maui Komohana WUPA and other initiatives across Hawai'i.
- **Announcement by the Kaua'i Island Utility Cooperative that they would not be pursuing the full West Kaua'i Energy Project.** DHHL continues to work with partners to the Waimea Watershed Agreement to ensure existing beneficiaries and future settlement plans can be fulfilled.

In addition, as in past years, developments in ongoing water disputes had critical implications for the Department's interests in water. Ongoing conflicts regarding ground and surface water related to DHHL water needs in focused staff and consultant efforts. Consistent implementation of the WPP since 2014 has allowed staff and consultants to be better prepared to work ensure the rights of the beneficiaries, Hawaiian Homes Commission, and the DHHL were protected and enhanced.

Comparison of goals versus achievements is presented in Exhibit A.

IV. Proposed FY 2025 WPP-IP.

As a result of the Maui fires and other issues, water advocacy, planning, reservations and source development will be a major focus for the next year, both in Maui Komohana and Maui Hikina. This will include continued support for review of water use permits and defense of DHHL reservations in Maui Komohana and implementation of the Charter amendment for the `Aha Wai o Maui Hikina (East Maui Water Authority Board). The `Aha's initial goals include:

1. Hire a director and a supportive team
2. Acquire the lease / gain control of the disposition of state lands, state portions of diversion system, and right to obtain and transmit water
3. Acquire the diversion system and repair the EMI system to stop wai from being wasted
4. Create a functioning watershed plan

5. Support other Maui communities in their water independence (for example, developing additional sources Upcountry for Upcountry)
6. Seek designation of surface and ground water designation by CWRM for Maui Hikina in order to provide a level playing field for use requests
7. Support operational staff on the irrigation system with necessary resources

Additional work will focus on continued efforts at water source development in West Hawai`i, due diligence on water system offers on Molokai, continued work related to the Waimea Watershed Agreement on Kaua`i, and continued beneficiary training across the islands.

In addition, in FY 2025 we will begin a review and possible update of the WPP. As a Tier 2 programmatic plan, the WPP is supposed to be reviewed every eight years and updated at the discretion of the department if an update is warranted." (HAR 10-4-54 (b)(2)). While the WPP is now beginning its eleventh year of implementation, that particular rule requirement was not adopted until 2017, and so this is the eighth year of implementation since adoption of that requirement.

The overall WPP IP for 2025 appears as Exhibit B; three items seek allocations. The proposed WPP-IP FY2025 budget is \$480,000. The investments proposed for HHC funding are expected to continue the policy outcomes that have resulted from the passage and implantation of the WPP.

The following describes general areas of expenditures under subparts of WPP-IP FY 2024 goals, which are detailed as Exhibit B.

Goal 1.b.	\$200,000 Continue to train beneficiaries regarding DHHL water rights, including through in person and remote learning and networking among beneficiary communities.
Goal 5.b.	\$100,000 Water source and development agreements
All Goals	\$180,000 Contractor to assist DHHL with WPP IP implementation, water initiatives and advocacy
Total:	\$480,000

RECOMMENDED MOTION/ACTION

None; for information only.

Exhibit A. Summary of Performance on the FY 2024 WPP-IP

The FY 2024 WPP IP, as in previous years, has focused on the four priority goals of the WPP IP, with other goals pursued at the direction of the HHC and Chairman as conditions warrant and resources allow. Importantly, the consistent investment in advocacy (Goal 2) has continued to realize critical outcomes, including the awarding of water reservations to DHHL for future use in the years and decades to come.

The most significant accomplishments for FY 2024 have been:

- 1) **Timely filing of a Water Use Permit Application for an irrigation well used by the Department for the Leali`i Parkway**, prior to the August 6, 2023 deadline for existing use permits in the newly designated water management areas of West Maui, in collaboration with the Land Development Division and the underlying landowner Hawai`i Housing Finance and Development Corporation.
- 2) **Nomination and confirmation of one member of the `Aha Wai o Maui Hikina (East Maui Regional Community Board for the East Maui Water Authority), and subsequent empanelment of the Board and beginning of operations.** Passed in a November 2022 County Charter Amendment, the East Maui Water Authority is to seek obtaining County Control of water and delivery systems in Maui Hikina with "one member who is a representative of the Hawaiian Homes Commission, and is recommended by the Department of Hawaiian Home Lands."
- 3) **Continued significant progress on acquisition and development of two new well sites in North Kona** needed for buildout of DHHL lands at Kealakehe (La`i`Ōpua) and other tracts including HHC authorization to enter into an agreement on the same, and commencement of a Ka Pa`akai analysis process for the same.
- 4) **In collaboration with the Ka Huli Ao Center for Excellence in Native Hawaiian Law at the William S. Richardson School of Law, prepared for and implemented three rounds of statewide beneficiary**

training on how to prepare for, apply for, and assume leadership positions in county and state commissions with water kuleana. One beneficiary completing the program is now the Chair of the Maui Board of Water Supply, and one is a nominee to the CWRM.

- 5) **Completing hiring of the of the Department Water Resource Management Specialist**, a position vacated near the beginning of the second quarter of FY 2020, and long delayed due to a lengthy pandemic related state hiring freeze and subsequent recruitment challenges.

FY 2024 Challenges

While opportunistic progress was made, not all objectives under each Goal were achieved this fiscal year. **The two most notable challenges included:**

- **Multiple water logistical and policy challenges resulting from the August 8, 2023 Maui fires.** The resulting staffing and policy shifts have delayed action on Maui Komohana WUPA and other initiatives across Hawai'i.
- **Announcement by the Kaua'i Island Utility Cooperative that they would not be pursuing the full West Kaua'i Energy Project.** DHHL continues to work with partners to the Waimea Watershed Agreement to ensure existing beneficiaries and future settlement plans can be fulfilled.

In addition, as in past years, developments in ongoing water disputes had critical implications for the Department's interests in water. Ongoing conflicts regarding ground and surface and ground water related to DHHL water needs in focused staff and consultant efforts. Consistent implementation of the WPP since 2014 has allowed staff and consultants to be better prepared to work ensure the rights of the beneficiaries, Hawaiian Homes Commission, and the DHHL were protected and enhanced.

Comparison of goals versus achievements is presented below.

Table I. Summary of FY 2024 WPP IP Performance

Red shading and bold underlined text indicate implementation action goal was not met
<i>Orange shading and italicized text indicates some progress was made</i>
Green shading and normal text indicate the action goal was met.

Goal 1. Affirmatively communicate with beneficiaries regarding water decisions, performance, and water rights on a regional and annual basis.

#	Implementation Action(s)	Cost / resource estimate	Estimated expenses
1. a.	Annually and regionally present on DHHL water projects and issues in conjunction with HHC meetings.	Staff time: 80 hr. Consultant time: 80 hr.	\$180,000 in consultant contract for all WPP IP Goals
1. b.	In collaboration with the Ka Huli Ao Center for Excellence in Native Hawaiian Law at the William S Richardson School of Law, prepared for statewide beneficiary training on how to prepare for, apply for, and assume leadership positions in county and state commissions with water kuleana	Staff time: 100 hr. Consultant time: 300 hr.	\$200,000 in intergovernmental agreements
	Subtotal	Staff: 180 hr. Consultant: 380 hr.	\$380,000

Goal 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.

#	Implementation Action(s)	Cost / resource estimate	Estimated expenses
2. a.	<i>Continue advocating for funds due to the NHRF.</i>	<i>Staff time: 100 hr. Consultant time: 200 hr.</i>	<i>See item 1.a.</i>
2. b.	Secure water reservations pursuant to Hawai'i Revised Statutes, Chapter 174C & Section 171-58 i. Seek additional water reservations for surface and ground water across the islands as appropriate. ii. Continue pursuit of implementation of reservations. ii. Assert reservation needs in conjunction with water licensing under HRS 171-58	Staff time: 200 hr. Consultant time: 400 hr.	See item 1.a.
2. c.	Continue efforts to ensure regulatory compliance i. Continue regular comments on BLNR, CWRM actions, and other agency actions that could affect DHHL water rights; ii. Continue to coordinate with OHA staff on identification and tracking of water issues; ii. Develop a method for utilizing WAI information in comment letters;	Staff time: 100 hr. Consultant time: 100 hr.	See item 1.a.

#	Implementation Action(s)	Cost / resource estimate	Estimated expenses
2. d.	Water Planning i. Participate in and comment on all updates to the Hawai`i Water Plan and County Plans that will affect DHHL and beneficiary water kuleana ii. Coordinate DHHL agricultural water systems development planning with State and county community plans. ii. Coordinate with DHHL staff working on subsistence agricultural plans.	Staff time: 35 hr. Consultant time: 60 hr.	See item 1.a.
2. e.	Comment on water rights-related legislative and other agency rulemaking actions as necessary and directed.	Staff time: 20 hr. Consultant time: 40 hr.	See item 1.a.
2. f.	Work with authorized outside counsel as applicable to assert DHHL water rights through legal mechanisms; Use of expert witnesses if attempts to mediate ongoing disputes are unsuccessful in administrative proceedings	Staff time: 30 hr. Consultant time: 225 hr.	Within PO budget and consultant contracts
2. g.	Participate in the establishment of the East Maui Water Authority Board	Staff time: TBD Consultant time: TBD.	Within PO budget and consultant contracts
	Subtotal	Staff: 485 hr. Consultants: 1,025 hr.	

Goal 3. Develop and manage a Water Assets Inventory (WAI).

#	Implementation Action(s)	Cost / resource estimate	Estimated expenses
3. a.	(Former 3.b.) Integrate Cultural Water Assets Inventory into DHHH decision-making	Goal 3.c. Staff time: 40 hr. Goal 3.c. Consultant time: 40 hr.	Within PO budget and consultant contracts
	Subtotal	Staff: 40 Consultant: 40	Obligated funds

Goal 4. Support watershed protection and restoration on DHHL lands and source areas for DHHL water.

#	Implementation Action(s)	Cost / resource estimate	Estimated expenses
4. a.	Implementation of any conditions placed on a granted WUPA for the Kauluwai 1&2 wells by CWRM	TBD	TBD, to be covered by existing resources or grant funds

5. Other WPP Goals: Implementation of additional WPP goals based on the availability of resources

#	Implementation Action(s)	Cost / resource estimate	Estimated Expenses
5. a.	<i>Staff and organize the DHHL consistent with importance of water to the trust. i. Train and update them on issues addressed DHHL water team and positions taken on those issues.</i>	<i>5.a. Staff time: 20 hr. 5.a. Consultant time: 40 hr.</i>	<i>Within PO budget</i>
5. b.	Water Source Development: Planning, environmental compliance and related matters for water source development in homestead communities statewide	5.b. Staff time: 160 hr. 5.b. Consultant time: 160 hr. (not including third parties)	Continued use of obligated funds
	Subtotal	Staff: 500 Consultant: 590+	

Additional Significant WPP Related activities not covered by a particular IP goal or not identified in the FY 2024 WPP IP

- Invited presentation to the Kaua'i County Council on DHHL water rights
- Continued efforts to secure ground and surface water reservations across Hawai`i, including groundwater reservations by rule on Molokai and Maui, for East Maui and Moloa`a Kaua`i in conjunction with proposed water leases, and in association with instream flow standards in Waimea Hawai`i Island
- Continued implementation of the water meter and credits procedure with meter issuance on Molokai and water credit issuance on Maui
- Coordination and support for preparation of the Honokōwai well EA
- Work with the Kaua`i Department of Water on additional outreach to HHCA beneficiaries on their Water Use and Development Plan
- Commenting on the proposed rate increase for the Molokai Irrigation System
- Participation in the Governor's Water Committee

Additional Information

In addition to the information presented above and in the main HHC submittal, regional updates on Water Issues and Projects have been provided during the year to the HHC.

PROPOSED WPP IMPLEMENTATION PROGRAM AND BUDGET FOR FY 2025

I. Proposed FY 2025 WPP-IP.

As a result of the Maui fires and other issues, water advocacy, planning, reservations and source development will be a major focus for the next year, both in Maui Komohana and Maui Hikina. This will include continued support for review of water use permits and defense of DHHL reservations in Maui Komohana and implementation of the Charter amendment for the `Aha Wai o Maui Hikina (East Maui Water Authority Board). The `Aha's initial goals include:

1. Hire a director and a supportive team
2. Acquire the lease / gain control of the disposition of state lands, state portions of diversion system, and right to obtain and transmit water
3. Acquire the diversion system and repair the EMI system to stop wai from being wasted
4. Create a functioning watershed plan
5. Support other Maui communities in their water independence (for example, developing additional sources Upcountry for Upcountry)
6. Seek designation of surface and ground water designation by CWRM for Maui Hikina in order to provide a level playing field for use requests
7. Support operational staff on the irrigation system with necessary resources

Additional work will focus on continued efforts at water source development in West Hawai`i, due diligence on water system offers on Molokai, continued work related to the Waimea Watershed Agreement on Kaua`i, and continued beneficiary training across the islands.

In addition, in FY 2025 we will begin a review and possible update of the WPP. As a Tier 2 programmatic plan, the WPP is supposed to be reviewed every eight years and updated at the discretion of the department if an update is warranted." (HAR 10-4-54 (b)(2)). While the WPP is now beginning its eleventh year of implementation, that particular rule requirement was not adopted until 2017, and so this is the eighth year of implementation since adoption of that requirement.

PROPOSED WPP IMPLEMENTATION PROGRAM AND BUDGET FOR FY 2025

The overall WPP IP for 2025 appears here, as Exhibit B; three items seek allocations. The proposed WPP-IP FY2025 budget is \$480,000. The investments proposed for HHC funding are expected to continue the policy outcomes that have resulted from the passage and implantation of the WPP.

The following describes general areas of expenditures under subparts of WPP-IP FY 2024 goals, which are detailed as Exhibit A.

Goal 1.b.	\$200,000 Continue to train beneficiaries regarding DHHL water rights, including through in person and remote learning and networking among beneficiary communities.
Goal 5.b.	\$100,000 Water source and development agreements
All Goals	\$180,000 Contractor to assist DHHL with WPP IP implementation, water initiatives and advocacy
Total:	\$480,000

Estimates of staff and consultant time are included below. Except where noted, the target date for completion is June 30, 2025. The Planning Office ("PO") is the lead Department of Hawaiian Home Lands ("DHHL") division for the WPP-IP. Resources for certain implementation actions are not specified when they are conducted by other divisions or included in other portions of the PO budget.

PROPOSED WPP IMPLEMENTATION PROGRAM AND BUDGET FOR FY 2025

Goal 1. Affirmatively communicate with beneficiaries regarding water decisions, performance, and water rights on a regional and annual basis.

#	Implementation Action(s)	Cost / resource estimate	Estimated expenses
1. a.	Annually and regionally present on DHHL water projects and issues in conjunction with HHC meetings.	Staff time: 80 hr. Consultant time: 80 hr.	\$180,000 in consultant contract for all WPP IP Goals
1. b.	In collaboration with the Ka Huli Ao Center for Excellence in Native Hawaiian Law at the William S Richardson School of Law, continued work on statewide beneficiary training on how to prepare for, apply for, and assume leadership positions in county and state commissions with water kuleana	Staff time: 100 hr. Consultant time: 300 hr.	\$200,000 in intergovernmental agreements
	Subtotal	Staff: 180 hr. Consultant: 380 hr.	\$380,000

PROPOSED WPP IMPLEMENTATION PROGRAM AND BUDGET FOR FY 2025

Goal 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.

#	Implementation Action(s)	Cost / resource estimate	Estimated expenses
2. a.	Continue advocating for funds due to the NHRF.	Staff time: 100 hr. Consultant time: 200 hr.	See item 1.a.
2. b.	Secure water reservations pursuant to Hawai'i Revised Statutes, Chapter 174C & Section 171-58 i. Seek additional water reservations for surface and ground water across the islands as appropriate. ii. Continue pursuit of implementation of reservations. ii. Assert reservation needs in conjunction with water licensing under HRS 171-58	Staff time: 200 hr. Consultant time: 400 hr.	See item 1.a.
2. c.	Continue efforts to ensure regulatory compliance i. Continue regular comments on BLNR, CWRM actions, and other agency actions that could affect DHHL water rights; ii. Continue to coordinate with OHA staff on identification and tracking of water issues; ii. Develop a method for utilizing WAI information in comment letters;	Staff time: 100 hr. Consultant time: 100 hr.	See item 1.a.

PROPOSED WPP IMPLEMENTATION PROGRAM AND BUDGET FOR FY 2025

#	Implementation Action(s)	Cost / resource estimate	Estimated expenses
2. d.	Water Planning i. Participate in and comment on all updates to the Hawai`i Water Plan and County Plans that will affect DHHL and beneficiary water kuleana ii. Coordinate DHHL agricultural water systems development planning with State and county community plans. iii. Coordinate with DHHL staff working on subsistence agricultural plans.	Staff time: 35 hr. Consultant time: 60 hr.	See item 1.a.
2. e.	Comment on water rights-related legislative and other agency rulemaking actions as necessary and directed.	Staff time: 20 hr. Consultant time: 40 hr.	See item 1.a.
2. f.	Work with authorized outside counsel as applicable to assert DHHL water rights through legal mechanisms; Use of expert witnesses if attempts to mediate ongoing disputes are unsuccessful in administrative proceedings	Staff time: 30 hr. Consultant time: 225 hr.	Within PO budget and consultant contracts
2. g.	Continue to support the establishment of the `Aha Wai o Maui Hikina (East Maui Water Authority Board) and its goals.	Staff time: TBD Consultant time: TBD.	Within PO budget and consultant contracts
	Subtotal	Staff: 485 hr. Consultants: 1,025 hr.	

PROPOSED WPP IMPLEMENTATION PROGRAM AND BUDGET FOR FY 2025

Goal 3. Develop and manage a Water Assets Inventory (WAI).

#	Implementation Action(s)	Cost / resource estimate	Estimated expenses
3. a.	(Former 3.b.) Integrate Cultural Water Assets Inventory into DHHH decision-making	Goal 3.c. Staff time: 40 hr. Goal 3.c. Consultant time: 40 hr.	Within PO budget and consultant contracts
	Subtotal	Staff: 40 Consultant: 40	Obligated funds

PROPOSED WPP IMPLEMENTATION PROGRAM AND BUDGET FOR FY 2025

Goal 4. Support watershed protection and restoration on DHHL lands and source areas for DHHL water.

#	Implementation Action(s)	Cost / resource estimate	Estimated expenses
4. a.	Implementation of any conditions placed on a granted WUPA for the Kauluwai 1&2 wells by CWRM	TBD	TBD, to be covered by existing resources or grant funds

PROPOSED WPP IMPLEMENTATION PROGRAM AND BUDGET FOR FY 2025

5. Other WPP Goals: Implementation of additional WPP goals based on the availability of resources

#	Implementation Action(s)	Cost / resource estimate	Estimated Expenses
5. a.	Staff and organize the DHHL consistent with importance of water to the trust. i. Train and update them on issues addressed DHHL water team and positions taken on those issues.	5.a. Staff time: 20 hr. 5.a. Consultant time: 40 hr.	Within PO budget
5. b.	Water Source Development: Planning, environmental compliance and related matters for water source development in homestead communities statewide	5.b. Staff time: 160 hr. 5.b. Consultant time: 160 hr. (not including third parties)	\$100,000
5. c.	Appropriate due diligence on sale offers of water systems on Molokai and elsewhere	TBD	TBD
5. d.	Begin required review of water policy plan under HAR 10-4-54 (b) (2)) and associated beneficiary consultation	TBD	TBD
	Subtotal	Staff: 180 Consultant: 200+	\$100,000

HAWAIIAN HOMES COMMISSION WATER POLICY PLAN

July 22, 2014

Vision

Our vision is that there will be adequate amounts of [water](#) and supporting infrastructure so that homestead lands will always be usable and accessible, to enable us to return to our lands to fully support our self-sufficiency and self-determination in the administration of the Hawaiian Homes Commission Act (HHCA), and the preservation of our values, traditions, and culture.

Mission

In a manner consistent with our [values](#), the Hawaiian Homes Commission (HHC) and Department of Hawaiian Home Lands (DHHL) shall strive to ensure the availability of adequate, quality [water](#) by working cooperatively to:

- Understand our trust [water](#) assets;
- Plan for our [water](#) needs;
- Aggressively understand, exercise and assert our [kuleana](#) as stewards of [water](#);
- Develop and protect [water](#) sources; and
- Manage [water](#) systems.

Values

1. **Waiwai:** [Mōhala i ka wai ka maka o ka pua](#). *Unfolded by the water are the faces of the flowers.* The availability of [water](#) to our lands and people is integral to the trust and our mission.
2. **Waihona:** [Ua lehulehu a manomano ka `ikena a ka Hawai`i](#). *Great and numerous is the knowledge of the Hawaiians.* Honoring and documenting our knowledge about [water](#) is essential to managing it.
3. **Mālama:** [He ali`i ka `āina; he kauwā ke kanaka](#). *The land is a chief; man is its servant.* We consider [water](#) to be part of our genealogy and so we manage it in a manner that cares for its long-term sustainability for all things, as we also use it productively for our mission.
4. **Laulima:** [E lauhoe mai nā wa'a; i ke kā, i ka hoe; i ka hoe, i ke kā; pae aku i ka `āina](#). *Everybody paddle the canoes together; bail and paddle, paddle and bail, and the shore is reached.* We are one people who now share Hawai`i with others. DHHL is only one of many Hawaiian serving institutions. We will assert our rights while considering our larger lāhui `ōiwi and the larger world in which we live.

ITEM G-1 EXHIBIT C

Policies

The HHC and the DHHL are seeking to be proactive in our management of water. Our Priority Policies are to:

1. Expressly determine and plan for future [water](#) needs and actively participate in broader [water](#) management, use and protection efforts in Hawai'i in order to secure [water](#).
2. Aggressively exercise, reclaim, and protect Hawaiian home land [water kuleana](#).
3. Develop, manage, and steward [water](#) in a manner that balances cost, [efficiency measures](#), and [Public Trust](#) uses in the short and long term.
4. Affirmatively communicate our decisions, our reasoning, and our performance in managing, stewarding, and using [water](#) before and after making major [water](#) decisions.

Additionally, the HHC and the DHHL should consider in their work the following statements:

5. Educate beneficiaries, the DHHL, HHC, and other stakeholders continually on our [water kuleana](#).
6. Foster self-sufficiency of beneficiaries by promoting the adequate supply of [water](#) for homesteading when developing or managing [water](#).
7. Foster the self-determination of beneficiaries by seeking ways for beneficiaries to participate in the management of [water](#) by delegating authority related to [water](#) subject to the discretion of the HHC as described in the [HHCA](#).
8. Make [water](#) decisions that incorporate traditional and place-based knowledge of our people and are clear and methodical in their reasoning.
9. Make efforts to understand, maintain, and improve the quality of [water](#) as it moves into and through our lands and is used by beneficiaries.
10. Affirmatively consider the development and use of [alternative sources](#) of [water](#) and [efficiency measures](#) in [water](#) decision-making.
11. Ensure that [water](#) decisions are consistent with other Departmental [policies](#), programs, and plans including but not limited to the [Energy Policy](#) and Agricultural Program.
12. Explicitly consider [water](#) availability and the costs to provide adequate [water](#) when developing new homestead areas, designating land uses, issuing land dispositions, or exchanging properties.

ITEM G-1 EXHIBIT C

Goals

To make progress on achieving our Mission and complying with our Policies, the Priority Goals of the HHC and the DHHL are to:

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](#).

Additional goals that DHHL and the HHC shall seek to achieve, based on the availability of resources, organized by Mission activities, are:

Part I. Understand our trust water assets

1. Revise the DHHL submittal template to the HHC for [water](#) related decisions.
2. Revise budgets to show the total costs of a) [water](#) system management b) all spending on [water](#) issues.
3. Staff and organize the DHHL consistent with importance of [water](#) to the trust.

Part II. Plan for our water needs

4. Determine current and foreseeable future needs based upon periodic reviews of [water](#) availability projections that incorporate climate change, projected beneficiary demand, [alternative sources](#) and [efficiency measures](#) efficiency measures.
5. Design homesteads and manage lands to create and enhance [water](#) availability, optimizing costs, use of [alternative sources](#) and [efficiency measures](#).

Part III. Aggressively understand, exercise and assert our water rights

6. Secure adequate and enforceable reservations of [water](#) for current and foreseeable future needs for all of its lands across the islands.
7. Partner with trust beneficiaries in [water](#) advocacy efforts.
8. Engage in updates to all [Hawai'i Water Plan](#) elements to ensure DHHL [water](#) needs and rights are addressed.
9. Advocate that all [Water Use Permit Applications](#) properly address the [water](#) rights of DHHL and other Hawaiian [water](#) rights.

ITEM G-1 EXHIBIT C

10. Advocate that County Boards of Water Supply and other County agencies that affect [water](#) have the spirit of the [HHCA](#) faithfully carried out to protect DHHL water uses as a [Public Trust](#) use of [water](#) and manage rates so they are affordable by beneficiaries.
11. Ensure that all legal provisions for the licensing of state [water](#) are followed.

Part IV. Develop and protect water sources

12. Carefully weigh alternatives regarding the dedication or DHHL management of new [water](#) systems.
13. Methodically and consistently manage and allocate water credits.
14. Support the drilling of wells by beneficiaries for their own use on lots where appropriate.
15. Partner with Department of Health and others on [water](#) quality education and outreach.
16. Continue to pursue development of agricultural [water](#) systems.

Part V. Manage water systems

17. Secure revenue and reduce operation costs so DHHL [water](#) systems break even financially over the long term.
18. Increase security and reliability for DHHL [water](#) users.
19. Pursue resolution by the Department of Agriculture of prior audit findings in the management of the Moloka'i Irrigation System and full repair of the System

ITEM G-1 EXHIBIT C

Delegation of Authorities, Reporting, and Consultation

1. Delegation
 - a. The HHC delegates authority to the Chairperson to prepare an Implementation Program for this Water Policy Plan, which shall be subject to the approval by HHC. The Program shall identify tasks to implement each goal, and shall specify tasks that apply statewide as well as tasks that apply to different islands or regions under each goal.
2. Reporting
 - a. The Chairperson shall submit the proposed Implementation Program to the HHC annually in conjunction with the Department's budget request.
 - b. The Chairperson shall annually report on progress on execution of the approved Implementation Program and overall progress towards achieving the goals of and maintaining compliance with the Water Policy Plan.
3. Consultation
 - a. The Chairperson shall consult with the HHC on any major water issues not contained in the Implementation Program.

Legal Authorities

1. [Hawai'i State Constitution](#)
2. [Hawaiian Homes Commission Act of 1921, as amended](#)
3. [Hawai'i State Water Code, HRS 174C](#)
4. [In the Matter of Water Use Permit Applications \(Waiāhole I case\)](#)
5. [Wai'ola o Moloka'i](#)
6. [Kauai Springs, Inc. v. Planning Commission of the County of Kauai](#)

Related Plans and Policies

1. [DHHL General Plan](#)
2. [DHHL Energy Policy](#)
3. [Hawaiian Homes Commission Beneficiary Consultation Policy](#)

References

1. 1983. Puku'i, Mary Kawena. **'Ōlelo No'eau: Hawaiian Proverbs & Poetical Sayings**. Honolulu: Bernice Pauahi Bishop Museum.
2. **Aia i hea ka wai a Kāne?** (Traditional chant, "Where is the water of Kāne?")

ITEM G-1 EXHIBIT C

Definitions

Alternative sources: Alternative sources include but are not limited to the water developed through reuse and recycling technologies and best practices, capture of flood waters, desalinated waters, and other sources as may be appropriate for proposed uses.

Hawai`i Water Plan: The Hawai`i Water Plan and its parts, as detailed in Part III of the Hawai`i State Water Code (HRS 174C), is the state’s “program of comprehensive water resources planning to address the problems of supply and conservation of water” (HRS 174C-2(b)).

Efficiency Measures: Efficiency measures include optimal design and development, alternative energy utilization, changing in behavioral practices and technologies that support onsite distributed wastewater systems.

Kuleana: Kuleana encompasses both rights and responsibilities. DHHL’s water kuleana includes its responsibilities under its mission and the legal rights to water enshrined in the HHCA and state Constitutional and statutory provisions. Kuleana exists within the genealogical and spiritual relationship between water and the lāhui `ōiwi.

Public Trust: As delineated in the Hawai`i Supreme Court [Waiāhole I](#) and [Wai`ola O Moloka`i](#) cases, public trust uses of water include domestic uses, traditional and customary Hawaiian rights, the protection and procreation of fish and wildlife, the maintenance of proper ecological balance and scenic beauty, and reservations of water for the DHHL.

Water: In this policy, water includes mists, fog, rain, and other precipitation; water as it flows above or below ground, and into the ocean; water used for homesteading; alternative sources including waste, brackish, and salt water; water used in the exercise of traditional and customary practices; infrastructure used to produce, store and transmit water; and water we use as well as water to which we have rights.

Water Assets Inventory (WAI): A comprehensive geographically referenced database of the water assets of the DHHL, including traditional knowledge related to water, DHHL owned water infrastructure, current and future water demand, water agreements, water credits, and potential water sources.


Approval Date

Policy approved by the Hawaiian Homes Commission on July 22, 2014.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

May 20-21, 2024

To: Chairman and Members, Hawaiian Homes Commission

Thru: Andrew H. Choy, Planning Program Manager 

From: Julie-Ann Cachola, Planner

Subject: Draft Environmental Assessment (EA) and Anticipated Finding of No Significant Impact (AFONSI) Determination for the King's Landing Kuleana Homestead Settlement Plan Project
Waiākea, District of Hilo, Hawai'i Island, Hawai'i
TMK Nos. (3)-2-1-013:001, :007, :008, :149

RECOMMENDED ACTION

Approval of the AFONSI determination for the Draft EA

DISCUSSION

PURPOSE

The purpose of this informational briefing is to update the Hawaiian Homes Commission (HHC) on the status of the King's Landing Kuleana Homestead Settlement Plan project (Project); to present summary highlights of the Draft Environmental Assessment (EA); and to provide an opportunity for Commissioners to provide comments on the Draft EA to be able to secure the HHC's approval of the AFONSI determination for the Draft EA so it can be published in the Environmental Review Program's (ERP) *The Environmental Notice (TEN)* periodical.

The Draft EA is provided as **Exhibit A**.

BACKGROUND

On June 2022, the Department of Hawaiian Home Lands (DHHL) planning program was tasked with conducting a feasibility assessment for the potential of Kuleana Homesteading at Keaukaha Tract II (King's Landing). This portion of land at the southern border of Waiākea, Hilo, Hawai'i identified as Tax Map Key (TMK) (3)-2-1-013:001, :007, :008, :149. The property is located northeast of Hilo International Airport and east of the DHHL residential subdivision known as Keaukaha Tract I.

The purpose of the Project is to develop and enact the Kuleana Homestead Settlement Plan (KHSP) that provides beneficiaries who are willing and able to reside on unimproved lands the opportunity to hold long-term leases. Providing long-term leases will help address the issues of successorship, and security that the community of Mālama ka ‘āina, hana ka ‘āina (MAHA) have been facing, while also providing opportunities to rehabilitate the individuals and families that reside within this special wahipana by creating and strengthening a pilina (relationship) for generations to come.

In 2020, in response to a letter written by the MAHA community, the Hawaiian Homes Commission (HHC) approved the establishment of a Permitted Interaction Group (PIG) comprised of Commissioners David Ka‘upu, Michael Kaleikini, Randy Awo, and Chair William Aila, for the purpose of identifying a path of a solution to King’s Landing. The PIG submitted recommendations to the HHC which were then approved by the HHC to investigate the feasibility of homesteading at King’s Landing. The proposed Project responds to this PIG recommendation. Based on a 2023 beneficiary consultation meeting conducted as part of the Project, DHHL beneficiaries, more than two-thirds (88%) of participants supported this project.

PROJECT DESCRIPTION

The Project will be comprised of approximately 78 kuleana homestead lots. Each of the lot size will depend on location. These kuleana homestead lots will be unimproved lots with no infrastructure at a lower cost than conventional DHHL lease awards. This allows DHHL to issue new homestead leases faster since there is no infrastructure development. It also allows DHHL beneficiaries to create their own solutions for obtaining homes, water resources, energy resources, waste management, and access to cable, phone and internet. This type of lease is for DHHL beneficiaries who prefer to live “off the land”, who value community, who may not qualify for a conventional 30-year home loan, and those who have the ability, resources and drive to build their own home.

Related improvements to be developed with the Project include an access road for mauka lots to be provided by DHHL. In addition, a community center and commercial kitchen will be created near the entrance of the subdivision for community gatherings, to support agricultural operations, and to house cultural resources that is to be used for educational resources.

The proposed Project will be accessed via Kalaniana‘ole Avenue which ends at Lehia County Park. Kapoho Coast Road continues from the terminus of Kalaniana‘ole Avenue. Aside from the new access road provided by DHHL, there will be no improvements made to access roads at King’s Landing.

DRAFT ENVIRONMENTAL ASSESSMENT (DEA) SUMMARY

The DEA assesses the potential environmental impact of the proposed Project, as described below:

Summary of Proposed Land Uses	
DHHL Kuleana Homestead Lots (78 lots at various sizes)	~398 acres
<ul style="list-style-type: none">• Lots no larger than 10 acres in size (less than 10 acres of developable areas)• Lessees are required to actively reside and cultivate subsistence agriculture on their lot.• Crops are expected to provide food to be consumed in the home or provide supplemental household income.	
Community Agriculture	~332 acres
<ul style="list-style-type: none">• Larger lots for supplemental, and subsistence agriculture• Crops are expected to provide food to be consumed in the home or provide supplemental household income	
Community Use (7 areas)	~364 acres
<ul style="list-style-type: none">• To provide a central gathering place for community-center• Provide areas for camping and connecting to ‘āina• Areas used for fishing trails and access to ocean• Provide access to aquaculture resources• Land uses to be determined by the future homestead community	
Conservation	~240 acres
<ul style="list-style-type: none">• To provide protection for natural and archaeological resources	
TOTAL	~1,334 acres

The enclosed illustration (**Exhibit B**) depicts the DHHL land uses created in the King’s Landing Kuleana Homestead Settlement Plan. A more detailed description of the Project and its potential impact on the surrounding environment and proposed mitigation measures can be found in the Draft EA. In summary, these proposed land uses are not anticipated to have any significant negative impacts on the surrounding environment. However, the lack of action will lead to the DHHL waitlist continuing to grow.

The approximately 1,334-acre Project Area remains essentially undeveloped aside from the members of MAHA who reside at the Site as a part of an ROE with DHHL. Per HAR §10-3-30, DHHL plans only to be responsible for the survey and stake for each lot to determine the metes and bounds descriptions of each kuleana homestead lot and prepare an unpaved right-of-way to the awarded lots as well as an emergency road that leads to the Hilo International Airport. Beneficiaries who are awarded Kuleana Homestead Lots agree to accept unimproved land in “as-is” condition. The lessees are responsible for providing their own utility and infrastructural needs such as electrical, water, solid waste and wastewater disposal, and communications.

Proposed Infrastructure

Roads and Access

- Lot scheme planned to maximize use of existing Kapoho Coast Road
- DHHL will provide unpaved access road for future Kuleana Homestead lots
- DHHL will construct emergency access roads that lead to Hilo International Airport
- Roads will not be dedicated to the County
- Beneficiaries will be responsible for roadway upkeep and maintenance

Grading and Runoff, Drainage, and Erosion Control

- Minor grading and installation of road swales will be required to mitigate the erosion and runoff currently exhibited at the site
- Individual lessees will be responsible for constructing drainage improvements on their specific lot and improvements should be designed to minimize downstream impacts

Water Supply

- Irrigation water supplied by natural rainfall (mean annual rainfall of 25-35 inches per year)
- Currently MAHA uses anchialine pond water for non-potable purposes
- Domestic water supplied by water catchment tanks to be constructed by the lessee
- MAHA may have an opportunity to benefit from a wastewater reuse project with Yummet depending on whether or not that project is developed

Wastewater Disposal

- Individual wastewater systems or composting toilets can be constructed by the lessee
- MAHA may have an opportunity to benefit from a wastewater reuse project with Yummet depending on whether or not that project is developed
- Lessees will be encouraged to reuse grey water (domestic wastewater) for irrigation

For livestock waste, the lessee shall be responsible for all required waste management plans for proper disposal or management of non-domestic / agricultural wastes, as required by HAR. A farm plan or conservation plan (NRCS) may be required and is the responsibility of the lessee

Solid Waste

- Solid waste disposal to be the responsibility of each lessee
- Individual composting and green waste recycling is encouraged
- MAHA may have an opportunity to benefit from a wastewater reuse project with Yummet depending on whether or not that project is developed

The Kuleana Homestead Association could develop a community green waste recycling program, and the Yummet wastewater reuse project could provide lessees to benefit from reusable material such as carbon-negative cement, biochar, green hydrogen, and water for agriculture production.

Electrical Power

- Electrical power to be the responsibility of each lessee
- MAHA could opt for a community solar, however, due to proximity to the airport, a glint and glare analysis will have to be completed for all solar energy PV systems

DRAFT ENVIRONMENTAL ASSESSMENT

The Project will involve the use of State lands and funds, both of which trigger Chapter 343, Hawai'i Revised Statutes (HRS) environmental review requirements. As such, a Draft EA is being prepared to assess the technical characteristics and potential environmental impacts of the proposed Project, as well as advance findings and mitigative measures relative to the Project.

Natural Resources

The Site has undergone a century- long conversion of Native forest dominated by 'ōhi'a and hala with open areas of dense uluhe ferns to what it is today. A natural resource assessment found the site to dominated by non-native scrub and secondary forest, with just a number of native species present in certain areas of the site. The survey identified five (5) endemic ('Ōhi'a (*Metrosideros polymorpha* Gaud. var. *polymorpha*), 'Uki (*Machaerina mariscoides meyenii*), Ni'ani'au (*Nephrolepis exaltata hawaiiensis*), 'Iwa'iwa lau li'i (*Asplenium macraei*), and Hilo *Ischaemum* (*Ischaemum byrone*)), thirty-two (32) indigenous, and ten (10) Polynesian introduced terrestrial flora species. The Hilo *Ischaemum* is an endangered species of grass that grows along the coast of the in the Project area. The survey also identified two (2) endemic (*Sargassum poluphyllum*, and *Gracilaria parvispora*), and twenty (20) indigenous marine flora species. Fifty-six (56) species of marine invertebrates and nineteen (19) species of marine vertebrates were surveyed. Of these, forty (40) or seventy-one percent (71%) of the marine invertebrate species and thirteen (13) or sixty-eight percent (68%) of the marine vertebrates are classified as native.

Of the invertebrate species observed in the Project area, the orangeblack damselfly (*Megalagrion xanthomelas*) is the only species listed as a state and federally endangered species. Other endangered native Hawaiian damselflies (*Megalagrion spp.*) and native anchialine shrimp species like *Vetericaris chaceorum* could potentially exist in the Project area. A survey conducted by a qualified entomologist will be needed to determine if listed damselflies are present in the Project area and assess any potential impacts to those species.

Twenty-one (21) avian species were observed in the Project area. Included in the study was a state endangered Hawaiian Hawk (*Buteo solitarius*) which was observed in the area. An 'Auku'u (*Nycticorax nycticorax*) and a Black Noddy (*Anous minutus*) was also observed at the Site. Along with these avian species, it was deemed possible for seabirds such as Hawaiian Petrel (*Puffinus sandwichesis*), Band-rumped Storm-Petrel (*Hydrobates castro*), and the Newell's Shearwater (*Puffinus newelli*), as well as the federally endangered Hawaiian hoary bat or 'Ōpe'ape'a (*Lasiurus cinereus semotus*), and the endemic pueo or Hawaiian Short-Eared Owl (*Asio flammeus*) to fly

over or nest in the Project area. The state-listed endangered Hawaiian goose or nēnē (*Branta sandwichensis*), and endangered water birds such as the Hawaiian Stilt (*Himantopus mexicanus knudseni*) and/or Hawaiian Coot (*Fulica alai*), have the potential to use resources found on the site.

There is a potential for the State endangered ‘īlio holoī ka uaua or Hawaiian monk seal (*Monachus shauinlandi*), the endangered honu‘ea or (*Eretmochelys imbricata*) and threatened honu or green sea turtle (*Chelonia mydas*) could potentially occur or haul out on shore within the vicinity of the proposed Project. Nestic season for Honu is April through December and ‘īlio holoī ka uaua can give birth to pups all year round.

Historic and Cultural Resources

An Archaeological Literature Review and Field Inspection (ALRFI) was prepared by Honua Consulting, LLC in September 2023. The ALRFI documented seventeen (17) sites within the Project area. Eight (8) of these sites were previously identified in past archaeological studies while many more lay within the general vicinity of the Project.

Previous archaeological studies uncovered a variety of historic sites within the Project area. These historic sites and their associated features are included in the list below:

- One (1) platform State Inventory of Historic Places (SIHP) #50-10-35-18861 is square with dry stacked walls and formally faced. According to McEldowney (1979) SHPD describes this site as an alignment and surface midden deposit., however, Honua finds that this site is a poorly preserved platform constructed of rounded to subrounded boulders with a raised interior portion of cobble paving. The platform measures at 4.5 meters by 5.0 meters.
- One (1) formal platform with an associated low wall - SIHP # 50-10-36-18863; currently, this structure has a paved interior with several modern features in the immediate area. Hudson and McEldowny describe this site as an agriculture plot in good condition. However, according to Honua, the site is a well-preserved, elevated platform with an associated section of rock wall and that occupies a commanding location just mauka of the shoreline. This site appears to be the remains of a small heiau or shrine built using traditional Hawaiian materials and methods and dating from pre-Contact to early historic-period times. The Features of this site include constructed rounded to sub rounded boulders raised up 40 centimeters above the ground surface and a section of rock wall built off the southeast corner of the platform.
- Two (2) modified outcrops with various stacked rock features and site complexes built off outcrops – SIHP #50-10-36-18864, SIHP #50-10-36-18866, one (SIHP #50-10-36-18864)

appears to be the remains of a heiau complex built using traditional Hawaiian materials and methods and likely dates from pre-Contact to early historic-period times; Features of SIHP #50-10-36-18864 include a group of multi-level terraces with a retaining wall, associated cave, circular enclosures, and 2 mounds or ahu. Honua's observation of SIHP #50-10-36-18866 suggest it functioned as a shelter/temporary habitation that likely dates from pre-Contact to early historic-period times. SIHP #50-10-36-18866 features include a modified pahoehoe tumulus with paved, enclosed interior, modified lava blister, sections of filled-in crevice, and a modified cave opening with a section of wall. There were no burials observed at these modified outcrops during Honua's survey.

- One (1) Site complex SIHP #50-10-36-18865 (Hudson 1932). Honua's observation of the site suggest that this site functioned as a pāhoehoe extraction site, with evidence of some stockpiled/mounded material and possibly a marker indicating the location of this area dating from pre-Contact to early historic-period times. The features of this site include two mounds or ahu, an excavated pahoehoe pit, and an excavated-pit basher.
- One (1) Lava Tube Openings [n=2] SIHP #50-10-36-18867 (Hudson 1932). McEldowney describes the site as "platforms and/or agricultural plot in a lava sink. However, Honua's observation of this site, which did not include entering the lava tube openings, is that its function and age are currently indeterminate.
- One (1) District Boundary wall (both dry-stacked & mortared sections) SIHP #50-10-36-06223. The site is clearly a district boundary marker dating from the historic period. The site is clearly a district boundary marker dating from the historic period. This site was most likely constructed in the middle to late nineteenth century with alterations and modifications in the 20th century.
- One (1) A modified lava tube SIHP #50-10-36-06225. This site was first recorded by Ching and Stauder who described the site as a large lava sink with small brackish water pool at the eastern end. There is a stacked pahoehoe wall blocking the open section of the depression and appears to be an animal enclosure. Honua did not enter the lava tube but found Ching and Stauder's interpretation to be a reasonable hypothesis. It is not possible to determine the age of this site based solely on observations at the ground surface.

A pedestrian survey was performed as a part of the ALRFI. This pedestrian survey was comprised of four (4) qualified staff who surveyed certain portions of the Site under the direction of the archaeological investigator over three days (June 5-7, 2023) for a total of 12 person-days. The work was conducted under archaeological permit number 23-23 issued to Honua Consulting by SHPD/DLNR in accordance with HAR Chapter 13-282. The field inspection focused on the area east (makai) of Kapoho Coast Road. The survey included a visual inspection for any constructed surface architecture and observation of the ground surface and soil exposures for artifacts and/or exposed cultural deposits. The dense, invasive vegetation in many areas and the difficult ground surface conditions (i.e., broken lava flows, ditches, and holes) presented major physical challenges

while conducting fieldwork in the Project area. There were nine (9) newly identified sites that were observed during the pedestrian survey (Figure 3.6). These nine sites included the following:

- One (1) small mound interpreted as a possible ahu (marker / memorial) – Honua 1
- One (1) oval platform and rectangular rock concentration (Honua 2), which may represent a burial site with two features;
- One (1) paved and filled-in area of pāhoehoe flow – Honua 3;
- Two (2) Lava tubes, Honua 4 and Honua 7. Honua 4 may have been used for burial practices in the past according to community consultation. Honua 7 was used as a shelter and/or temporary habitation with modern modification including an L-shaped wall.
- Two (2) outcrops, Honua 5 and Honua 6. Honua 5 is a circular enclosure with a downslope wall and filled interior. Honua 6 is a triangular mound on the side of pahoehoe tumulus.
- One (1) cave overhang; Honua 8, which was used for a shelter and/or temporary habitation.
- One (1) wall; Honua 9

No archaeological materials were collected during the survey; however, photographs were taken throughout the survey to record the context, vegetation, topography, and condition of the environment. The locations of all recorded possible sites and their component features as well as other points of interest were recorded with a handheld Trimble Geo 7x global positioning system (GPS) unit.

Although a limited ALRFI was completed as a part of the Settlement Plan study, future lessees of the Kuleana Homesteading Lots within King’s Landing may be required to comply with HRS §6E and the applicable administrative rules for any additional work that may require a State or County permit or approval. Further, since DHHL lands are defined as tribal lands under NAGPRA, if iwi kūpuna, funerary objects, sacred objects, or objects of cultural patrimony are encountered during construction, its statutory requirements and rules for notification, inventory, consultation, and resolution apply.

Hydrology and Drainage

One defining factor of the King’s Landing environment is the presence of anchialine ponds and wetlands. These environments are considered groundwater dependent ecosystems (GDEs). These GDEs are not anticipated to be affected by groundwater usage and flow or increase in nutrient flux due to the Project. Direct sewage disposal into the ponds and intensive commercial gathering or fishing of the anchialine ponds and wetlands will remain prohibited. There are no streams in the vicinity, therefore, stream-related impacts are not anticipated.

There are no current or future plans to extract groundwater via wells. As of September 2018, the Hilo and Kea‘au aquifer system have allocated DHHL water reservations of 0.492 million gallons per day (MGD) and 1.336 MGD respectively. The Commission of Water Resource Management (CWRM) established that the sustainable yield for the Hilo and Kea‘au aquifer systems are 349 MGD and 395 MGD respectively. Should King’s Landing decide to pump groundwater in the future, there is an abundant supply of sustainable yield in both aquifers.

The subject property generally slopes to the north and east and drains into the ocean. Due to the existing rocky terrain and numerous anchialine ponds, infiltration of surface runoff is also expected. Pre-development flow patterns and flow rates will generally match post-development conditions with runoff continuing to discharge overland into lower elevation areas and the ocean, as the improvements generally do not consist of impervious areas.

Roadway improvements will also include swales located within the shoulder of the road to manage runoff and reduce required roadway maintenance due to erosion. Road improvements will require dropping gravel stabilization as needed. Individual lessees will be responsible for constructing drainage improvements on their specific lot and improvements should be designed to minimize downstream impacts.

Infrastructure

Beneficiaries who are awarded Kuleana Homestead Lots agree to accept unimproved land in “as-is” condition. The lessees are responsible for providing their own utility and infrastructural needs such as electrical, water, solid waste and wastewater disposal, and communications.

Potable and non-potable water sources will be provided by a combination of water catchment tanks and water sources brought in to the property. There are no nearby domestic or drinking water sources and the MAHA community has no plans to install domestic wells. Grey water could be used as non-potable water source for irrigation purposes. These water sources will be the responsibility of each lessee. MAHA may also have an opportunity to benefit from the non-potable water byproduct from the wastewater reuse plant created by Yummet depending on development of that project.

The Project site has no centralized wastewater service or public water system. Individual wastewater systems or composting toilets will be the responsibility of the lessee. For composting

toilets, specific design requirements shall be reviewed and approved by the director on a case-by-case basis, until the community develops its own codes and permitting process. MAHA could decide to use shared common spaces located within the Community use areas to develop a clustered wastewater system. King's Landing residents currently dispose of untreated wastewater via open hole toilets. With the addition of the Project, the calculated monthly nitrogen flux from wastewater leachate is not anticipated to significantly increase nutrient flux. As stated above, MAHA may have an opportunity to benefit from the use of a wastewater reuse plant created by Yummet depending on the development of that project.

Primary access to the project site is currently provided via Kalaniana'ole Avenue which ends at Lehia County Park. Kapoho Coast Road continues from the terminus of Kalaniana'ole Avenue. Kapoho Coast Road is an unpaved 4-wheel drive road managed and owned by both the county of Hawai'i and DHHL. DHHL will also provide another access road for the kuleana homestead lots and an emergency access road that leads to the Hilo International Airport.

Electrical Power will be the responsibility of the lessee. This could be achieved by installing solar panels, natural gas or using generators. MAHA could decide to utilize shared common spaces located within the Community Agriculture and Community use areas to develop a community solar microgrid.

DHHL PLANNING SYSTEM CONSISTENCY

The DEA also addresses the proposed project uses for consistency with existing plans and applicable land use policies. Previous plans related to the project area include the 2002 Hawai'i Island Plan (HIP), and the 2010 DHHL Keaukaha Regional Plan. Other relevant planning material include the 2022 DHHL General plan and the 2022 recommendations provided by the HHC PIG.

The HIP found that fifty-eight percent (58%) of all DHHL applicants seek pastoral or agricultural awards. Of these eighty-one percent (81%) desire to work the land in a way that either supplements their income or provides additional food for their household. The vast majority of applicants plan to live on the land once awarded. With respect to region, the East region of Hawai'i Island was the most popular with thirty-three percent (33%). Although listed as a non-priority area in 2002, DHHL beneficiaries recommended a Kuleana-type homestead award for Keaukaha Tract-II.

The DHHL Keaukaha Regional Plan, completed in 2010, identified King's Landing as a future project. The goal for King's Landing was to investigate the feasibility of developing portions of King's Landing, utilize King's Landing as an educational and cultural resource for the Keaukaha community, and provide and identify potential future uses at King's Landing.

The development for the project area at King's Landing is influenced by the 2022 recommendations provided by the HHC PIG. These recommendations are as follows:

1. Begin the process to identify if homesteading is a possible (viable) option for King's Landing, considering environmental concerns, like sea-level rise.
2. Begin discussions with MAHA for a new-short term land agreement (disposition).
3. To receive the new land agreement MAHA must fully understand that relocation "transition" is highly likely, and that MAHA participate in the transition. For example,
 - a. If the Commission selects kuleana homestead lots, environmental concerns may require that current occupants relocate.
 - b. The award process will need to consider Hawaii Island waitlist. There is no guarantee that the current residence will receive a lease. Relocation will be necessary.
 - c. If Kuleana and residential homesteading is not selected for King's Landing the existing occupants will require relocation.
4. Creation of a DHHL King's Landing Phase 2 Committee, to include Commissioners David Kaapu, Michael Kaleikini, Randy Awo, and Chair William Aila.

These recommendations prioritized the King's Landing area and initiated the planning process for DHHL to develop a Kuleana Homestead settlement at King's Landing.

ANTICIPATION OF FINDING OF NO SIGNIFICANT IMPACT

Based upon the analysis completed in the Draft EA, staff anticipates a finding of no significant impact for the Project. This determination is based upon the 13 criteria of significance that approving agencies must consider as specified in Hawai'i Administrative Rules (HAR) 11-200.1-13. An analysis of the 13 criteria of significance is presented below:

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

The Project is not anticipated to adversely impact any natural, cultural, or historic resources, and in some cases, may result in benefits to these resources. Technical studies were conducted to assess the potential impact of the proposed Project on flora and fauna, archaeological and historical, and cultural resources.

The proposed Project is anticipated to result in the minor disturbance or removal of natural resources during the construction phase of the Project, such as the removal of minimal vegetative material for homestead sites. Mitigation measures discussed in *Chapter 3.5 Biological Resources*, will be employed to minimize potential impacts to endangered flora and fauna native to the area. However, the Project is anticipated to have a positive impact on floral resources and overall ecosystem health and is not anticipated to have any short- or long-term adverse impacts to fauna species on or near the Project area.

This Project is not anticipated to result in the loss or destruction of any cultural or archaeological resources. As presented in *Chapter 3.6 Archaeological and Historical Resources*, the initial Archaeological Literature Review and Field Inspection (ALRFI) identified seventeen (17) sites within the Project area. Eight (8) of these sites were previously identified by other archaeologists and nine (9) sites were newly identified by Honua. At this time, none are considered significant. It is recommended that DHHL and the lessees work in consultation with the Hawai'i Island State Historic Preservation Division (SHPD) office to determine if any further archaeological work is needed for these sites. The future Homestead Association will be responsible for developing a management plan for historical and cultural resources, whether they are located within a lessee's parcel or within the Community Use or Conservation areas.

Further, since DHHL lands are defined as tribal lands under the Native American Graves Protection and Repatriation Act (NAGPRA) of 1990, if iwi kūpuna, funerary objects, sacred objects, or objects of cultural patrimony are encountered, its statutory requirements and rules for notification, inventory, consultation, and resolution will apply. With the prescribed mitigation measures, the Project will not involve a known loss of existing cultural, archaeological, or historical resources.

Additionally, MAHA, as the current association under a Right-of-Entry (ROE) with DHHL, currently practices Makahiki ceremonies at Lehia Park, just north of the Project area. The proposed community center located near the entrance of the Site would house cultural resources for education purposes as outlined in *Chapter 3.7 Cultural Resources and Practices*. The Project aims to incorporate cultural practices and education about those practices in their long-term programming.

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

The Project will not curtail the range of beneficial uses of the environment. Currently, DHHL authorizes MAHA, via a ROE, to manage approximately 300 acres of the Project area for subsistence living, community, and cultural programming. The proposed Project would provide homesteading leases for DHHL beneficiaries (including some of those who currently reside at King's Landing) in an area that has been occupied by native Hawaiians for over 40 years. This Project will enhance DHHL's capability to support and expand

MAHA's current resource management activities by identifying updated DHHL land use designations within the Project area.

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

The Project does not conflict with the State's long-term environmental policies or goals and guidelines as expressed under HRS Chapter 344, State Environmental Policy. Potential adverse impacts associated with short-term construction activities will be mitigated through compliance with applicable regulatory guidelines and through the use of best management practices. The King's Landing Kuleana Homestead Settlement Plan (KL KHSP) helps to enhance a community which provides a sense of identity, wise use of land, efficient transportation, and aesthetic and social satisfaction in harmony with the natural environment which is uniquely Hawaiian; which in turn establishes a commitment on the part of each lessee to protect and enhance Hawai'i's environment and reduce the drain on nonrenewable resources. In the long term, the Project may positively impact the area through appropriate DHHL land use designations and the community's strategies for the management of natural, cultural, and historic resources.

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

From an economic standpoint, the Project stands to significantly improve the economic welfare of DHHL beneficiaries who are awarded kuleana homestead lots. These lots offer a unique opportunity for individuals who aspire to live off the land but lack the means to obtain conventional homestead lots. By providing a more accessible pathway to a homestead lease, the Project empowers beneficiaries to build their own homes and infrastructure at a fraction of the cost typically associated with conventional housing. Additionally, the Project's emphasis on subsistence agriculture practices opens avenues for homesteaders to engage in subsistence living and small-scale farming, thereby supporting their immediate subsistence needs along with opportunities to create surplus. This surplus can be used to support other community members in need and/or augment homesteader's incomes. Income-generating opportunities such as selling food crops, flowers, livestock products, and eco-tourism ventures could further contribute to the economic well-being of beneficiaries.

Moreover, the Project enhances social welfare by addressing homesteading needs and fostering community resilience. By offering kuleana homestead lots, the Project provides a tangible solution to the challenges faced by DHHL beneficiaries. These lots enable individuals to establish roots in the community, fostering a sense of belonging and stability. Furthermore, the Project's focus on self-sufficiency empowers lessees to find innovative solutions for obtaining necessities such as shelter, water, energy, and communication,

thereby reducing dependence on external resources and enhancing individual and community resilience.

Lastly, the Project's support for cultural practices ensures the preservation and continuation of traditional practices within the community. The Project enables DHHL to support the MAHA community in upholding their cultural heritage by engaging in activities such as Makahiki ceremonies, subsistence fishing and farming, and gathering practices. These cultural practices not only enrich the fabric of the community but also contribute to the rehabilitation and well-being of lessees who derive sustenance and connection from the land.

5. Have a substantial adverse effect on public health.

The Project does not stray from the existing character and land uses that currently exist in King's Landing. MAHA has established community health and safety standards that are practiced and enforced. As such, the Project is not expected to adversely affect public health. Short term but negligible impacts to air quality and noise from construction activity may occur. These impacts will be mitigated during construction using BMPs to minimize temporary impacts. Kuleana homestead lots have been sited outside of the airport noise hazard zone (below 60 day-night average sound level (DNL)) to reduce unhealthy noise level exposure over long periods of time. DHHL will continue to work with MAHA in the effort to help Hawaiian Home Lands beneficiaries to secure land tenure to live a self-sufficient lifestyle and rehabilitate on the 'āina. The Project is expected to continue to provide a space for the community and continue to rehabilitate DHHL beneficiaries through 'āina based practices and subsistence living.

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

The Project is anticipated to lead to a slight increase in population within the Keaukaha area through the allocation of kuleana homestead lots. However, it is important to note that the increase of kuleana homestead lots will occur in a phased approach, with oversight from MAHA members. This regulatory framework will help ensure that any population changes are effectively managed and do not overwhelm existing infrastructure or services. This slight increase in population is not expected to incur impacts to public facilities. Future lessees are responsible for meeting their own off-grid potable water, electric power, and telecommunication needs. Due to the anticipated amount of solid waste generated, the completion of a Solid Waste Management Plan (SWMP) is recommended. While additional traffic will be generated, the lifestyle is such that the typical single-family household trips, which are a minimum of two trips per day, will be cut in half with residents leaving the area only to stock up on supplies every two or three days. While there may be an increased need for emergency medical services, the requests for police presence should be greatly reduced once the Project is in place and the existing squatters are removed.

7. Involve a substantial degradation of environmental quality.

The Project will not involve a substantial degradation of environmental quality on-site or in the surrounding area. During the construction phase, measures outlined in the EA include the implementation of BMPs to mitigate potential adverse impacts to the environment.

Furthermore, the KL KHSP incorporates long-term sustainability goals and activities to prevent degradation of environmental quality. Through the adoption of eco-friendly practices and adherence to environmental regulations, the Project aims to safeguard air and water quality and protect natural resources. By prioritizing responsible land management practices, the existing MAHA Community Management Plan and any revisions made in the future will ensure that the Project's ongoing operations will not result in adverse environmental effects.

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

The implementation of the Project is anticipated to have minimal impact on both the natural and cultural environment. The KL KHSP designates a significant Conservation Use area aimed at preserving the integrity of the natural forest and coastal anchialine landscape while protecting historical and cultural resources within the vicinity.

Moreover, the cumulative effects of the KL KHSP are expected to yield positive outcomes for ecosystem resources and local communities alike. By granting authority and governance powers to MAHA over their homestead, the Project aims to effectively address issues related to illegal trespassing, thereby promoting safety and security within the immediate and surrounding community. Additionally, the establishment of community agriculture areas will necessitate the removal of invasive species, resulting in a tangible improvement to the surrounding environment.

Furthermore, the proposal to construct a community center at the homestead entrance offers potential benefits to Hawaiian Homes beneficiaries and their families. This facility could serve as a valuable resource hub, providing educational opportunities and fostering community cohesion and engagement.

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

The Project area contains known identified rare, threatened, or endangered species. A natural resources assessment was conducted by AECOS in June 2023. The assessment identified an endangered native grass (*Ischaemum byrone*), the endangered orangeblack Hawaiian damselfly (*Megalagrion xanthomelas*), and the endangered 'Io (*Buteo solitarius*),

and described the possibility of other endangered or threatened species within the Project area. The assessment also identified numerous rare endemic species within the Project area. See Appendix F A Natural Resources Assessment for Keaukaha Tract II for a full list of rare, threatened or endangered species identified during the assessment.

The Project is not expected to have a substantial effect on rare, threatened or endangered species, or their habitat, and will implement mitigation measures to reduce potential impacts. The kapu and k n wai identified during the Project's Honuiai kea Process speak of the protection of forest resources, and will be used to guide natural resource management by future lessees. The Project will also implement BMPs and follow guidelines as recommended by DOFAW, and the MAHA Community Management Plan. See Chapter 3.5 Biological Resources of Exhibit A, for further discussion on anticipated impacts and proposed mitigation measures.

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

The Project is not anticipated to have a substantial adverse effect on air or water quality or ambient noise levels. Potential short-term adverse effects from construction activities will be mitigated through adherence with State and County regulations and mitigation measures as discussed in Chapter 3. In the long term, the Project is not anticipated to generate substantial adverse effects. For further discussion, see Chapter 3.3, Water Resources and Hydrology, Chapter 3.11 Air Quality, and Chapter 3.12 Noise Conditions of Exhibit A.

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.

Portions of the Project area encompass various environmentally sensitive areas, including Flood Zones "AE" and "VE", the tsunami zone, 3.2 ft SLR-XA, and geologically hazardous terrain. Additionally, the Project area includes numerous anchialine ponds - surface water ponds comprised of brackish water from the basal groundwater and ocean water. The Project area also borders the Pacific Ocean.

The Project is not anticipated to have a substantial adverse effect on environmentally sensitive areas. The Project's kuleana homestead lots were laid out to maximize the number of lots in areas that would not be impacted by the 3.2 ft SLR-XA. An emergency access road will be created by the Project to enable future lessee use in the case of a tsunami. The Project will implement BMPs to prevent soil loss, storm water runoff, and sediment discharges from the Project area. The MAHA Community Management Plan outlines guidelines for the productive use and care of anchialine ponds and groundwater, and the Project's Honuiai kea Process identified kapu and k n wai to support the management of

critical resources. Following these management strategies will mitigate the adverse effects of the Project on environmentally sensitive areas.

For further discussion, see Chapter 3.4 Water Resources and Hydrology, and Chapter 3.8 Natural and Manmade Hazards of Exhibit A.

12. Have a substantial adverse effect on scenic vistas and view planes, day, or night, identified in county or state plans or studies.

The Project is not anticipated to have a substantial adverse effect on scenic vistas and view planes, during day or night, as identified in State or County plans. The homes and community structures will not be seen from Kalaniana'ole Street. For further discussion, see Chapter 3.14 Visual and Scenic Resources of Exhibit A.

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

The construction of the Project is not anticipated to require substantial energy consumption compared to similar-sized projects or other commercial activities in the area. As part of the Kuleana Homestead Program, off-grid living is required, emphasizing the use of renewable energy sources. Awardees will be responsible for creating their own energy sources, along with managing water resources, waste, and communication connections. This approach promotes the development of innovative, energy-saving solutions that minimize greenhouse gas emissions.

By empowering awardees to implement sustainable practices and renewable energy technologies, the Project is designed to have minimal impact on the environment and does not contribute to an increase in greenhouse gas emissions. Therefore, it does not pose a significant source of impact on the climate and aligns with the goal of reducing energy consumption and emissions.

NEXT STEPS FOR EA COMPLETION

The following is a list of anticipated next steps and milestones in the completion of the EA:

- Draft EA to be published in the ERP The Environmental Notice bulletin
- 30-day public comment period on the Draft EA
- Revise Draft EA per public comments and complete Final EA
- Present Final EA to HHC; HHC issues FONSI declaration for the Project

- HHC FONSI determination for the Project and Final EA submitted to ERP for publication in the ERP The Environmental Notice bulletin

NEXT STEPS FOR OVERALL PROJECT IMPLEMENTATION

In addition to the completion of the Final EA and HHC determination of FONSI for the Project in accordance with Chapter 343, HAR and Title 11-200.1, HAR, the following actions will need to be implemented:

- Coordinate with various State and County agencies
- Continue to coordinate with the DHHL beneficiaries, specifically the MAHA community
- Complete design and construction of the Project

Furthermore, a willingness by current and future decision-makers to follow through with various aspects of the Project will be needed to ensure successful implementation.

LIST OF EXHIBITS

Exhibit A. Draft Environmental Assessment

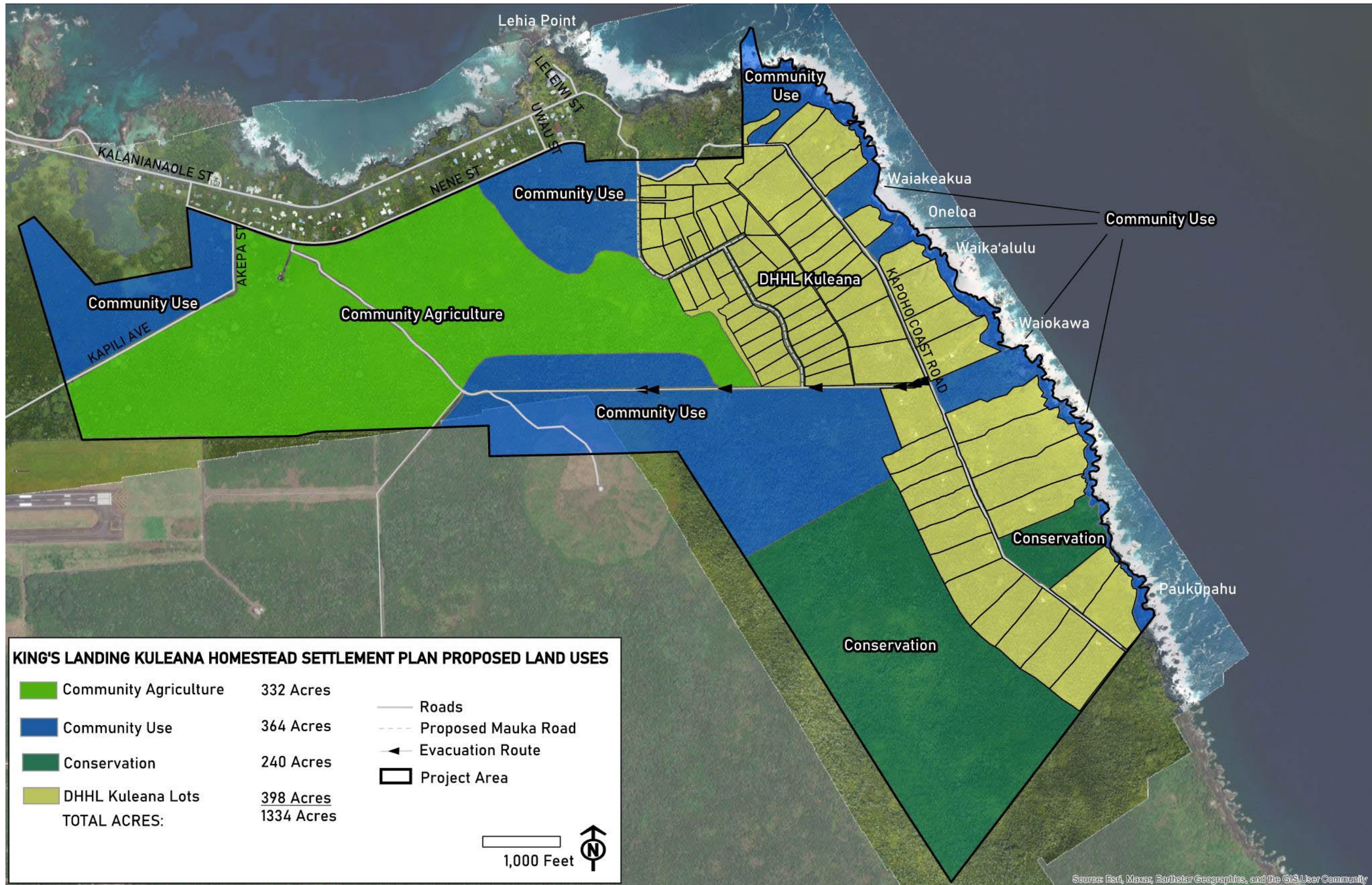
Exhibit B. King's Landing Kuleana Homestead Settlement Plan

EXHIBIT A.

Draft Environmental Assessment

EXHIBIT B.

**King's Landing Kuleana Homestead Settlement
Plan**



**HAWAIIAN HOMES COMMISSION
MAY 20 & 21, 2024**

**J – ITEMS
REQUESTS TO ADDRESS THE
COMMISSION**

Hawaiian Homes Commission Meeting
King Kamehameha Kona Beach Resort
May 21, 2024

Requests to Address the Commission

- J-1 Bo Kahui – La‘iOpuia Community Development Corporation
- J-2 Jeanette Kaulukukui – Kailapa Community Association
- J-3 Jojo Tanimoto – Kawaihae Concerns
- J-4 Kaulani Almeida – Panaewa Hawaiian Home Lands Community Association
- J-5 Kekoa Enomoto – Paupena Community Development Inc.,
- J-6 Blossom Feiteira – Maui Concerns
- J-7 De Mont Manaole – Various Concerns
- J-8 Princeslehuanani Kumaewakainakaleomomona - Kahikinui
- J-9 Degray Vanderbilt – Ka Ohana O Kalaupapa

J-1

From: [Craig Bo Kahui](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Cc: [Sharleen Kahumoku](#); [Craig Bo Kahui](#); [Rudy Ai](#); [Dora Aio](#); [Sam Walker](#)
Subject: [EXTERNAL] Request to be on the J Agenda
Date: Sunday, May 05, 2024 5:34:43 PM

Aloha Lea,

On behalf of Laiopua CDC, I would like to be placed on the J Agenda.

I have not seen where the location of the Commission meeting will be held. Important as we, Laiopua CDC would like to notice our community stakeholders.

Please advise

Bo Kahui, ED

Laiopua CDC

Aloha Chairman Watson & Commissioners,

Kailapa Community Association is not a new community, a lot of the services available to the beneficiaries are still lacking in many respects. This is apparent when it comes to freshwater resources available for Kailapa. Presently Kailapa purchases all our water needs for our residents from the adjacent Kohala Ranch Subdivision at exorbitant rates. DHHL has subsidized the water rates the beneficiaries pay to keep the costs the same as what they would be if they were in the County of Hawaii - water lines.

As of 2018, DHHL no longer subsidizes our water, which means that Kailapa residents pay some of the highest rates for water in the state. Furthermore, these rates are projected to increase dramatically, with changing rates and fees for resident beneficiaries, we would expect an increase of 38% or more per year. In other words, Kailapa's household would be paying over \$400.00 every two months. In addition to the high cost, the contract with Kohala Ranch could be terminated with just two years' notice, which is not nearly enough time for our community and DHHL, to organize an alternative.

Furthermore, the contract with Kohala Ranch, also stipulates the amount of water available for KCA is 117,000 gallons per day and restricts to be used only for residential and not agricultural purposes which effectively prohibits the residents of Kailapa from even having a home garden for sustainability due to contract restrictions.

The State of Hawaii Department of Hawaiian Homelands owns 10,153 acres of land in Kawaihae in the South Kohala District of Hawaii Island. DHHL has a long term development plan for approximately 1,185 acres that would require potable water service. An additional 7,046 acres is planned for development as general agricultural use. The development potential of the property is severely limited by the lack of potable water resources in this area. This is apparent when it comes to freshwater resources for our community. DHHL recently asked the community for a survey to update the Island Regional Plan 2023. and through a unanimous vote was to secure a reliable source of potable and non potable water at affordable costs for both home and land use activities. The utmost and important issue is our Water. We were promised water then, and we are still waiting. For all those reasons, Kailapa residents present the status quo as untenable and an alternative to our situation is necessary if this community is to thrive in the future.

Kailapa has researched and initiated for years, and several planning phases the availability and access the development of potential freshwater sources in the Kawaihae Ahupua'a and the surrounding Aina which will include the potential development of surface and groundwater sources. KCA brings to Chairman Watson and the Commissioners 3 items regarding water.

Option #1 Developing test well #6549-03

This option involves developing the existing exploratory test well #6549-03 which is at elevation 1650 ft mauka of the Kailapa Subdivision, connects to the existing water system within the Kailapa Subdivision. This water system would require two additional 0.1 million gallon tanks, a reverse osmosis treatment plant, pressure reducing valve, transmission water lines, and access to develop this system.

Advantages

1. Well, is already drilled
2. Well is near the service area
3. Water system would be located entirely on DHHL property.
4. Water system would be owned by KCA / DHHL
5. Water rates would reflect comparable county of hawaii current rates
6. Well should service and provide for 10+ years future development

Disadvantages

1. Desalination treatment is recommended
2. Backup well is recommended.

Option #2 Extend DWS system along Akoni Pule Highway

The County of Hawaii Department of Water Supply system ends near the DHHL industrial subdivision to the south of Kailapa Subdivision and Honokua Gulch. If the County Water system was to service Kailapa, development of transmission lines from the source would have to be upgraded, as well as the crossing of Honokua Gulch.

Advantages

1. County of Hawaii water system maintained and operated by the county
2. County water rates same as everyone else
3. Potential for meeting all future development needs

Disadvantages

1. Development cost, Land/Source acquisition cost

Option #3 Kawamata Well

Well 61-4501 along Kawaihae road was drilled and cased, but not pump tested. This well is approximately 8 miles from Kailapa. This well is likely to produce potable water, however development and transmission to this site might be costly.

Advantages / Disadvantages

1. Well is drilled and cased
2. Water quality and yield are unknown

Disadvantages

1. Cost of transmission from source to KCA is unknown.

Other info:

- Current and existing wells south of the Waimea Kawaihae Road, that services the Four Seasons and Hapuna Beach - wells # 6047-01, 02-, 03, 04, all have 450 GPM pumps that are actively used, and show a significantly better yield and lower salinity than wells of similar distance inland to the north.
- Further up, gradient well 6046-01 has lower temperatures and lower salinity than the Kawamata well along the Waimea Kawaihae Road.
- South of Queen Kaahumanu Highway, the water wells that service Hualalai, /Kaupulehu and Kona Village - to date has **12** wells that are actively used, and has a significantly better yield.
- Between Kohala and Mauna Kea Beach Hotel, in the mauka to makai corridor receives an additional benefit of recharge from the Waiulaula Gulch surface.
- KCA wrote a GIA grant in January 2023, we did not receive that grant however, Legislation approved and appropriated 10 Million dollars to bring water from Kohala gulch. We are still waiting for construction plans to be released.

Building a New Solar Farm - Another large solar project on the Big Island ?? - Kailapa Community Association- look into a solar project at KCA. A quest for Solar and Wind, generated project providing power to Hawaii Island Customers and feeding lower cost renewable energy to the Hawaii Island electric grid in our subdivision. Adding more renewable resources helps make the island communities more self-sustainable by reducing their reliance on imported fossil fuels and helping to stabilize electricity costs. This idea is really indicative of our connection to our community and to make sure we preserve it for the future generations.

Mahalo for your time;

Shawna Kaulukukui - President

Brandie Oye - Treasurer ‘

Jeanette Kaulukukui - Board of Director

05/21/2024 DHHL Meeting Kailua Kona

From: [Jojo Tanimoto](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] May Commission meeting
Date: Monday, May 06, 2024 8:35:21 AM

Hi Leah

Please add me to the J agenda for various concerns. I'd still like to know what was after the audio went out in the March meeting. Have a great day!

Sent from my iPhone

J-4

From: [Kauilani Almeida](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] J-Agenda for May Commission mtg
Date: Monday, May 6, 2024 12:38:25 PM

Did you receive my request, I submitted last week. Please reply. Mahalo.
Sent from my iPhone

May 21, 2024

Aloha mai kakou e Na Hawaiian Homes Commissioners,

Mahalo for this opportunity to advocate about three Pa‘upena Community Development Inc. priorities: (1) undivided-interest leases, (2) Pulehunui North, and (3) Keokea-Waiohuli water meters.

But first, I congratulate DHHL and Dowling Co. for an exemplary Pu‘uhona Hawaiian homestead orientation May 6 on the Kamehameha Schools Maui campus. Highlights were:

- Dowling announcing specific home prices ranging from \$509,800 to \$699,000 for three- to five-bedroom models, respectively.
- Lot selection to be in three increments: on June 4, by year-end 2024, and in April 2025.
- Michelle Hitzeman of DHHL’s Home Project staff answering questions clearly and comprehensively.

Meanwhile, I returned May 11 from an eventful 2.5-day trip to Kaua‘i, where I visited the controversial Courtyards at Waipouli apartments at Kapa‘a. DHHL is buying the property for \$25 million. I could imagine 82 beneficiaries and ‘ohana living happily in that handsome, centrally located complex.

During my Garden Isle sojourn, I also interfaced with four lessees, including Sovereign Council of Hawaiian Homestead Associations (SCHHA) leader Robin Puanani Danner at her Anahola homestead, and with waitlisters Hoku Kauamoe and Sabra Kauka. My Kamehameha Kapalama schoolmate, Sabra is a 79-year-old kumu hula, who is No. 540 out of 1,727 on the residential waitlist, and No. 905 amidst 2,308 on the agricultural list. A 33-year waitlister, Sabra hopes for homestead awards in behalf of her son and mo‘opuna. Undivided-interest-lessee status would ensure for the septuagenarian that, should she die on the waitlist, seven generations of her descendants over a period of 198 years could benefit from Hawaiian Homes entitlements.

Concerning Pulehunui North, last month on Molokai, I had proposed to the commission a beneficiary-driven agrotourism development for this 184-acre Pu‘unene homelands tract in Central Maui. While on Kaua‘i, National Tropical Botanical Gardens (NTBG) retired President and CEO Chipper Wichman and wife Haleakahau‘oli honored me with a 2.5-hour lecture tour on “managed regenerative tourism,” showcasing gardens, a multimillion-dollar research center, rare book collection and seed nursery. Tours cost \$65 per person, with proceeds regeneratively benefiting the nonprofit NTBG.

Likewise at Pulehunui North, Maui homelands leaders envision a regenerative outdoor-Smithsonian-style community featuring a 10-acre 'ulu orchard, 10 acres of lo'i kalo, a retail/cultural complex and 88 one-acre residential/sustainable-ag lots. Senator Mazie Hirono's grants staff has asked for a funding/timeline proposal on the Pulehunui agrotourism/housing vision.

Lastly, with regard to requested water meters at Pa'upena's 127-acre Keokea-Waiohuli homelands parcel in Upcountry Maui, I sent a follow-up email April 22 calling on Maui County water engineer Ashley Laroya to forward an appropriate meter application to DHHL Planning program manager Andrew Choy. In the meantime, SCHHA maven Puanani Danner is excited to provide conceptual and funding support to Pa'upena's farming, ranching and archaeological-preservation efforts on the 127-acre parcel. Please stay tuned.

Mahalo nui,

A handwritten signature in black ink, appearing to be 'Anake Kekoa Enomoto, written in a cursive style.

'Anake Kekoa Enomoto
38-year Hawaiian Homes beneficiary
Waiohuli Hawaiian homestead resident
Co-founding director, Pa'upena Community Development Inc.
(808) 276-2713, kenomoto1@hawaii.rr.com

From: [Blossom Feiteira](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] J Agenda
Date: Tuesday, May 7, 2024 10:50:41 AM

Aloha Lea,

Is it too late to register for j agenda testimony.
Sent from my iPhone

From: hoomanaponollc96792@gmail.com
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] Requesting placement on the J Agenda for May
Date: Tuesday, April 30, 2024 12:15:32 PM

Aloha Leah!

Please place me on the J Agenda for the Commission meeting in May 2024.

"Various Concerns"

Mahalo.

De MONT Kalai Manaole, Co-Manager
Ho'omana Pono LLC
[Yahoo Mail: Search, Organize, Conquer](#)

From: [Princeslehuanani Kumaewakainakaleomomona](#)
To: [Burrows-Nuuanu, Leatrice W](#); [Princeslehuanani Kumaewakainakaleomomona](#)
Subject: [EXTERNAL] Re: J Agenda Testimony - Hawaiian Homes Commission Meeting - OPEN OAHU PASTORAL
Date: Sunday, May 05, 2024 12:02:54 PM
Attachments: [image001.png](#)

May 5, 2024

Aloha Leah,

Just wanted to see if I can still be on MAY commission meeting....Open Oahu Pastoral DHHL lands.

Mahalo

PK...

[Sent from Yahoo Mail for iPad](#)