

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

Courtyard by Marriott Kahului Airport – Haleakala Room, 532 Keolani Place, Maui, Hawai‘i 96732,  
and Zoom Meeting ID: 609 754 2925

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

*Livestream available at [www.dhhl.hawaii.gov/live](http://www.dhhl.hawaii.gov/live)*

*Note: Commission Meeting Packets will be available at [dhhl.hawaii.gov](http://dhhl.hawaii.gov) by Wednesday, November 13, 2024.*

**I. ORDER OF BUSINESS**

- A. Roll Call
- B. Approval of Agenda
- C. Approval of Minutes:
  - a. October 21 & 22, 2024 Regular Meeting
- D. Public Testimony on Agendized Items – see information below

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

**II. ITEMS FOR DECISION MAKING**

**A. CONSENT AGENDA**

Homestead Services Division

- D-2 Approval of Consent to Mortgage (see exhibit)
- D-3 Approval of Homestead Application Transfers / Cancellations (see exhibit)
- D-4 Approval to Certify Applications of Qualified Applicants for the month of September 2024 (see exhibit)
- D-5 Commission Designation of Successors to Application Rights – Public Notice 2023 (see exhibit)
- D-6 Approval of Assignment of Leasehold Interest (see exhibit)
- D-7 Approval of Amendment of Leasehold Interest (see exhibit)
- D-8 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees (see exhibit)
- D-9 Cancellation of Lease – GINNY L. CORNELIUS, Agricultural Lease No. 6162, Lot No. 4, Puukapu, Hawaii
- D-10 Cancellation of Lease – SCOTT G. K. FRIEL, Pastoral Lease No. 8069, Lot No. 95, Puukapu, Hawaii
- D-11 Commission Designation of Successor – LLOYD E. REINHARDT, Residential Lease No. 5416, Lot No. 23, Paukukalo, Maui
- D-12 Approval of Supplemental Dwelling Unit (SDU) for Certain Lessee (see exhibit)

**B. REGULAR AGENDA**

Office of the Chairman

- C-1 Approval of the 2025 Hawaiian Homes Commission Meeting Schedule
- C-2 Approval of Act 279 Permitted Interaction Group Report and Recommendations - Strategic Plan Update

Land Management Division

- F-1 Approval to Annual Renewal of Right of Entry Permit(s) and Conversion to Revocable Permits, Maui and Lanai Island, (See Exhibit)
- F-2 Approval to Issue Second Amendment to Right of Entry Permit No. 717, State of Hawaii Department of Land and Natural Resources, Waiohuli, Maui Island, TMK: (2) 2-2-002:014 (por.)
- F-3 Approval to Issue Right of Entry Permit, Hawaiian Telcom, Inc., Kahikinui, Maui Island, TMK (2) 1-9-001:003 (por.)
- F-4 Authorization to Accept UH Sea Grant Sub Award for Wildfire Mitigation and Marine Sediment Reduction Activities on DHHL Lands in Kawaihae, TMK No. (3) 6-1-001:003(p) & (3) 6-1-001:016 (p)
- F-5 Approval to Issue Right of Entry Permit, DCI Paradise LLC, Hilton Garden Inn-Kauai, Wailua, Kauai Island, TMK (4) 3-9-006:009 (por.)

Administrative Services Office

- H-1 Approval of Addendum to Fiscal Year 2025 Department of Hawaiian Home Lands Budget (Purpose 1 & Purpose 4)

**III. ITEMS FOR INFORMATION/DISCUSSION**

**A. REGULAR ITEMS**

Office of the Chairman

- C-3 For Information Only - Status Report of DHHL Enforcement Unit Efforts and Statistics (October 14, 2024 – November 11, 2024)

Homestead Services Division

- D-1 HSD Status Reports
  - A.-Homestead Lease and Application Totals and Monthly Activity Reports
  - B.-Delinquency Reports

Land Development Division

- E- 1 For Information Only – Maui Projects Update

Planning Office

- G-1 For Information Only – Maui Water Issues & Projects Update

**IV. ANNOUNCEMENTS AND RECESS**

1. DHHL Community Meeting, Monday, November 18, 2024. 6:30 p.m. King Kekaulike High School Cafeteria, 121 Kula Highway, Pukalani, Hawaii 96768

STATE OF HAWAI‘I  
DEPARTMENT OF HAWAIIAN HOME LANDS  
**HAWAIIAN HOMES COMMISSION MEETING/WORKSHOP AGENDA**  
Courtyard by Marriott Kahului Airport – Haleakala Room, 532 Keolani Place, Maui, Hawai‘i 96732,  
and Zoom Meeting ID: 609 754 2925  
Tuesday, November 19, 2024, at 9:30 a.m.  
*Livestream available at [www.dhhl.hawaii.gov/live](http://www.dhhl.hawaii.gov/live)*

**I. ORDER OF BUSINESS**

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

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**II. ITEMS FOR INFORMATION/DISCUSSION**

**A. GENERAL AGENDA**

Requests to Address the Commission

- J-1 Kyle Elama Farm – Ka Ohana O Kahikinui
- J-2 Kalani Tassill – Paukukalo Homestead Association
- J-3 Kainoa Lei MacDonald – Maui/Molokai Mokupuni
- J-4 Blossom Feiteira – Maui Concerns
- J-5 James Kincaid - Pa‘upena Community Development Corporation
- J-6 Chanel Josiah – Hawaii Community Lending
- J-7 Christopher Canto – Kanehili Community Association
- J-8 Sherilyn Wahinekapu – Lease Concerns
- J-9 Jojo Tanimoto – Various Kawaihae Concerns
- J-10 De Mont Manaole – Indigent Hawaiians
- J-11 Kahakuakoi Peiper – Waianae Encroachment Issue
- J-12 Kapua Keliikoa Kamai – Lease Concerns

**III. ANNOUNCEMENTS AND ADJOURNMENT**

- A. Next Regular HHC Meeting –December 16 & 17, 2024, Hale Ponoī, DHHL Oahu, 91-5420 Kapolei Parkway, Kapolei, Oahu, 96707
- B. Adjournment

  
\_\_\_\_\_  
Kali Watson, Chairman  
Hawaiian Homes Commission

**COMMISSION MEMBERS**

Dennis L. Neves, Kaua‘i	Pauline N. Namu‘o, O‘ahu
Michael L. Kaleikini, East Hawai‘i	Makai Freitas, West Hawai‘i
Sanoe Marfil, O‘ahu	Walter Kaneakua, O‘ahu
Archie Kalepa, Maui	Lawrence Lasua, Moloka‘i

If you need an auxiliary aid/service or other accommodation due to a disability, contact Michael Lowe at 620-9512 or michael.l.lowe@hawaii.gov as soon as possible, preferably by November 14, 2024. If a response is received after that, we will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled. Upon request, this notice is available in alternate formats.

**Public Testimony on Agendized Items** can be provided either as (1) in person at the meeting location by filling out a form at the reception table, (2) written testimony mailed to *Commission Testimony, P.O. Box 1879, Honolulu, HI, 96815*, or emailed to *DHHL.icro@hawaii.gov* by November 15, 2024, or (3) live, oral testimony online by joining the Zoom meeting and relabeling your profile to include the agenda item you wish to testify on. Please keep your computer muted and your camera off until you are called. You will need a computer with internet access, a video camera, and a microphone to participate.

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

**ITEM D-2 EXHIBIT**

## APPROVAL OF CONSENT TO MORTGAGE

LESSEE	LEASE NO.	AREA
ANDERSON, Justina M.	4545	Nanakuli, Oahu
KANAHELE, Johnny K.	11359	Kekaha, Kauai
KEKOA, Kevin J.	9036	Puukapu, Hawaii
KIA, Adrienne M.	7617	Waiohuli, Maui
MCELROY, Richard J.E.	3934	Waimanalo, Oahu
NIHOA, Keala K.K.	573	Nanakuli, Oahu
OMEROD, Christian J.	8962	Keaukaha, Hawaii
SANCHEZ, Creighton K.	6175	Puukapu, Hawaii
WAIALAE, Bobbie K.	12051	Kaupea, Oahu
WERNER, Steven K.	8884	Hanapepe, Kauai

**ITEM D-3 EXHIBIT**

## APPROVAL OF HOMESTEAD APPLICATION TRANSFERS / CANCELLATIONS

APPLICANT	AREA
AIU, Michael J.N.	Hawaii IW Res
AKAO, Tessa M.A.	Hawaii IW Res
ALAPAI, Pua	Hawaii IW Res
ALIP, Robert	Hawaii IW Res
AULD-AVILES, Colleen P.W.	Hawaii IW Agr
BONILLA, Joni L.	Hawaii IW Res
CASPERSON, Roddy K.	Oahu IW Agr
CONTRERAS, DeAnn N.K.	Maui IW Res
COSTA, Herman, Jr.	Hawaii IW Res
CHAI, Dorian H.	Hawaii IW Pas
CRUM, Kainoa A.	Hawaii IW Res
DEAN, Yolanda J.	Hawaii IW Agr
DEGUAIR, Bernard C.	Hawaii IW Pas
EVANS, Margaret P.	Hawaii IW Agr
EVANS, Sheila L.	Hawaii IW Agr
EVANS, Sherry L.	Hawaii IW Agr
FREITAS, Billy-Jo K.	Hawaii IW Res
GARCES, Petronilo M.	Molokai IW Res
GIRON, Lisa L.	Hawaii IW Res
KAAHEA, Kekuhoumana H.	Hawaii IW Agr
KAHAHAWAI-WELCH, Jonah K.	Oahu IW Res to Hawaii IW Res
KAHAHAWAI-WELCH, Jonah K.	Maui IW Pas to Kauai IW Pas
KAHAHAWAI-WELCH, Payton K.	Oahu IW Res to Maui IW Res

KAHAHAWAI-WELCH, Payton K.	Maui IW Pas to Hawaii IW Agr
KAHANAOI, Walter K.	Oahu IW Res
KAHOOHANOANO, Teana M.N.	Maui IW Res
KAIAMA, Dexter K.	Hawaii IW Pas
KAIAMA, Dexter K.	Hawaii IW Res
KALANIOPIO, Gordon K., Jr.	Hawaii IW Res
KALUA, Leinna K.	Oahu IW Res
KAMA-VALDEZ, Daviane K.	Maui IW Res
KAMAI, Teddy	Oahu IW Res
KAMAI, Ray K.	Kauai IW Agr
KANIHO, Martinson P., Sr.	Hawaii IW Pas
KEKAUOHA, Joseph P.	Oahu IW Res
KEKUA, Tilsha-Rae	Oahu IW Res
KELIHKUPAKAKO-KAUHOLA, Christine P.	Maui IW Res
KEPAA, Vernon D.	Hawaii IW Agr
KIESLING, Agnes E.M.	Maui IW Res
KIM, Loriann	Hawaii IW Res
KUKONA, Beau I.T.	Hawaii IW Res
MALANI, Cynthia L.	Hawaii IW Agr
MALANI, Gabriel K.	Hawaii IW Agr
MANUEL, Daniel K.	Hawaii IW Agr
MIKASOBE, Elizabeth H.	Nanakuli Area / Oahu IW Res
MILLER, Samuel K.	Hawaii IW Res
MOKIAO, Faith U.	Hawaii IW Agr
MONTEZ, Frank Cruz, Jr.	Hawaii IW Res
NICOLAS, Alberta K.	Hawaii IW Agr
NUUHIWA, Milnora L.	Hawaii IW Pas
PADILLIO, Rose Mae K.	Hawaii IW Res
PAULO, Koa P.	Hawaii IW Res
PEREIRA, George J.L.W.	Hawaii IW Res
PEREIRA, Jodi-Lynne L.W.	Hawaii IW Res
SALAS, Sallyjean B.	Hawaii IW Res
SCHWEITZER, Jerome	Hawaii IW Agr
SHERLOCK, Richard J.K.	Hawaii IW Res
SILVA, Poepoe C.	Hawaii IW Agr
SOUZA, Leonora K.	Hawaii IW Agr
SUE, Shayne K.	Hawaii IW Res
WAGNER, Gregory M., Jr.	Hawaii IW Res
WARFIELD, Kaleoaloha M.	Hawaii IW Res
WILLIAMS, Kawe W.	Oahu IW Agr
	* IW = Islandwide

**ITEM D-4 EXHIBIT**

APPROVAL TO CERTIFY APPLICATIONS OF QUALIFIED APPLICANTS FOR THE MONTH OF  
OCTOBER 2024

<b>APPLICANT</b>	<b>AREA</b>
AHAI, Stephanie A.	Oahu IW Res
AHUNA, Edward K.	Panaewa Area / Hawaii IW Agr
AHULAU, Gabriel H., Jr.	Keaukaha / Waiakea Area / Hawaii IW Res
AIONA, Lorraine N.	Waimanalo Area / Oahu IW Res
AKINA, Jordene K.	Oahu IW Res
ANAKALEA, Herbert H.H., III	Hawaii IW Agr
ANAKALEA, Herbert H.H., III	Hawaii IW Res
CHOY FOO, Val Q.	Oahu IW Agr
CHOY FOO, Val Q.	Oahu IW Res
COSBY, Leona	Panaewa Area / Hawaii IW Agr
ENGLISH, Bryan J.L.	Molokai IW Agr
ENGLISH, Bryan J.L.	Molokai IW Res
GABRIEL, Terry I.	Oahu IW Agr
GABRIEL, Terry I.	Oahu IW Res
GRAZIANO, Leeza K.	Oahu IW Agr
GRAZIANO, Leeza K.	Oahu IW Res
HAYSELDEN, Louis Jr.	Waimanalo Area / Oahu IW Res
JOHNSON, Emily K.	Hawaii IW Agr
JOHNSON, Emily K.	Hawaii IW Res
KAILIWAI, John H.	Waimea Area / Hawaii IW Res
KAIWI, Geraldine K.	Maui IW Res
KAMAKEEAINA, Melanie N.	Hawaii IW Agr
KAMAKEEAINA, Melanie N.	Hawaii IW Res
KAUHI, Gabriel K.	Oahu IW Agr
KAUHI, Gabriel K.	Oahu IW Res
KAULIA, Austin H.M.	Oahu IW Res
KAUPIKO, Sarah N.	Oahu IW Res
KAUPIKO, Sarah N.	Hawaii IW Agr
KEAWEKANE, Kamakahaloa	Maui IW Res
KIAAINA, Kimberly M.	Oahu IW Agr
KIAAINA, Kimberly M.	Oahu IW Res
LAA, Brandon K.	Oahu IW Agr
LAA, Brandon K.	Oahu IW Res
LEE-KIAAINA, Lee-Jan T.	Oahu IW Agr
LEE-KIAAINA, Lee-Jan T.	Oahu IW Res
LEE-KIAAINA, Levanna K.	Oahu IW Agr
LEE-KIAAINA, Levanna K.	Oahu IW Res
LOPES, Lynn K.	Maui IW Res
LYMAN, Raymond R.	Oahu IW Res
LYMAN, Raymond R.	Hawaii IW Agr
NAKAPAAHU, Kaala E.A.	Oahu IW Agr

NAKAPAAHU, Kaala E.A.	Oahu IW Res
NAMUO, Lance K., Jr.	Oahu IW Res
NIHIPALI, Keana K.Q.	Oahu IW Res
NIHIPALI, Keana K.Q.	Hawaii IW Agr
NOLAND, John	Nanakuli Area / Oahu IW Res
NUNES, Muriel U.	Waimanalo Area / Oahu IW Res
OGAWA, Barbara A.	Waimanalo Area / Oahu IW Res
OGAWA, David	Waimanalo Area / Oahu IW Res
OLSON, Eurless	Nanakuli Area / Oahu IW Res
PAHULEHUA, Laurie K.	Kauai IW Agr
POE, Sonelle K.K.	Oahu IW Agr
POOUAHI, Jacob L.H.	Maui IW Agr
POOUAHI, Jacob L.H.	Maui IW Res
SAMA, Marleina K.	Oahu IW Res
SILVA, Gwendolyn L.	Kauai IW Agr
SILVA, Gwendolyn L.	Kauai IW Res
YUEN, Braxton K.	Oahu IW Res
YUEN, Braxton K.	Hawaii IW Pas
	* IW = Islandwide

**ITEM D-5 EXHIBIT**

COMMISSION DESIGNATION OF SUCCESSORS TO APPLICATION RIGHTS PUBLIC NOTICE  
2023

<u>APPLICANT</u>	<u>AREA</u>
CASPERSON, Roddy K.	Molokai IW Agr
	* IW = Islandwide

**ITEM D-6 EXHIBIT**

APPROVAL OF ASSIGNMENT OF LEASEHOLD INTEREST

<u>LESSEE</u>	<u>LEASE NO.</u>	<u>AREA</u>
BRADLEY, William R. I. K.	2845	Kewalo, Oahu
HAILI, Kuuipo P.	2845	Kewalo, Oahu
CHEELEY, Gloria A. N.	12307	Waiohuli, Maui
DEFREITAS, Kandy K.	10258	Hoolehua, Molokai
HOSINO, Brad K.	3829	Paukukalo, Maui
DEMELLO, Sheila Ann	3829	Paukukalo, Maui
KAIAOKAMALIE, Russel N.	7649	Waiohuli, Maui
KAIAOKAMALIE, Anuhea L.	7649	Waiohuli, Maui
KALANI, Lindsay W. A. K. C.	8184	Nanakuli, Oahu
HILL, April R.	8184	Nanakuli, Oahu
KANE, Frank	11474	Leialii, Maui
KAHULA, Dennis A.	11474	Leialii, Maui
SARMIENTO, Christina L. P.	4712	Kapaakea, Molokai

VERA CRUZ, Louis, Jr.	12817	Laiopua, Hawaii
CHU, Arthur K.	112	Hoolehua, Molokai
KALAWE, Kyson H. C.	112	Hoolehua, Molokai
FIGAROA, JoAnn K.	6489	Anahola, Kauai
MAII, Samuel J.	6663	Waiahole, Oahu
OTSUKA, Dell H.	13031	Panaewa, Hawaii

**ITEM D-7 EXHIBIT**  
APPROVAL OF AMENDMENT OF LEASEHOLD INTEREST

<b>LESSEE</b>	<b>LEASE NO.</b>	<b>AREA</b>
BRADLEY, William R. I. K.	2845	Kewalo, Oahu
HAILI, Kuuipo P.	2845	Kewalo, Oahu
GRAMBERG, Marion E.	2815	Waimanalo, Oahu
JERVIS, Coleen K.	3755	Waimanalo, Oahu
KANEAIKALA, Clifford K.	3606	Waimanalo, Oahu
KIA, Adrienne M.	7617	Waiohuli, Maui
KIPI, Darlene	3889	Waimanalo, Oahu
MAII, Samuel J.	6663	Waiahole, Oahu
WILLING, Shawn	3900	One Alii, Molokai

**ITEM D-8 EXHIBIT**  
APPROVAL TO ISSUE A NON-EXCLUSIVE LICENSE FOR ROOFTOP PHOTOVOLTAIC SYSTEMS  
FOR CERTAIN LESSEES

<b>LESSEE</b>	<b>LEASE NO.</b>	<b>AREA</b>
AH NEE, Lenora C. K.	4575	Waianae, Oahu
AHUNA, Kihei A.	6323	Keaukaha, Hawaii
AKI, Naylene L.	11148	Anahola, Kauai
CHUN, Keanuwaialeale	307	Nanakuli, Oahu
COLLO, Brianna K.	9542	Waiehu 2, Maui
KAHANU, Paul K.	9245	Kaniohale, Hawaii
KAHOOPII, Orson D.	8913	Nanakuli, Oahu
KALAMA, Lonni Kalani	729	Waimanalo, Oahu
KALEIKAU, Layton K.	1682	Kewalo, Oahu
KALEIKAU, Marsha A.	1682	Kewalo, Oahu
KUKAHIKO, Glynis	11468	Leialii, Maui
MANALO, Helen K.	11262	Kumuhau, Oahu
MOKU, David K., IV	5973	Waimanalo, Oahu
NAKOA, Samuel K., III	7765	Waimanalo, Oahu
NOLAN, Kapiolani A.	11213	Kakaina, Oahu
ROGERS, Llewella Shea	3792	Kewalo, Oahu
YOUNG SANCHEZ, Leimema B. L. K. S.	5500	Lualualei, Oahu

**ITEM D-12 EXHIBIT**

APPROVAL OF SUPPLEMENTAL DWELLING UNIT (SDU) FOR CERTAIN LESSEES

<b>LESSEE</b>	<b>LEASE NO.</b>	<b>AREA</b>
TANCAYO, Michelei A. P. K.	11458	Leialii, Maui

**ITEM NO. F-1**

ANNUAL RENEWAL OF RIGHT OF ENTRY PERMIT(S), - MAUI ISLAND

<b>NO.</b>	<b>ACRE</b>	<b>PERMITTEE</b>	<b>TMK</b>	<b>Date Started</b>
493	6.82	Waiohuli Hawaiian Homesteaders Association*	2-2-002:056 (por.)	10/1/2005
496	69.0	Kēōkea Homestead Farm Lot Association*	2-2-002:005	2/8/2010

ANNUAL RENEWAL OF RIGHT OF ENTRY PERMIT(S), - LANAI ISLAND

<b>NO.</b>	<b>ACRE</b>	<b>PERMITTEE</b>	<b>TMK</b>	<b>Date Started</b>
510	25.0	Alton & Joelle Aoki*	4-9-002:051 (por.)	7/1/2006

\*Denotes Beneficiary

Hawaiian Homes Commission Meeting Packet  
November 18 & 19, 2024  
Courtyard by Marriott Kahului Airport,  
Haleakala Ballroom,

# C ITEMS



HAWAIIAN HOME LANDS  
HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

## HAWAIIAN HOMES COMMISSION 2025 MEETING SCHEDULE

January 21, 2025 (Tue)	HHC Mtg, Kapolei – (No Community Mtg)
January 22, 2025 (Wed)	HHC Mtg, Kapolei, O‘ahu
February 18, 2025 (Tue)	HHC Mtg, Kapolei, Community Mtg - Kapolei
February 19, 2025 (Wed)	HHC Mtg, Kapolei, O‘ahu
March 17, 2025	HHC Mtg, Community Mtg – Kaua‘i
March 18, 2025	HHC Mtg, Līhue, Kaua‘i
April 21, 2025	HHC Mtg, Community Mtg – Moloka‘i
April 22, 2025	HHC Mtg, Kalama‘ula, Moloka‘i
May 19, 2025	HHC Mtg, Community Mtg/Site Visit –Kawaihae
May 20, 2025	HHC Mtg, Waimea, Hawai‘i
June 12, 2025	HHC Budget Workshop, Kapolei, Oahu
June 16, 2025	HHC Mtg, Kapolei – (No Community Mtg)
June 17, 2025	HHC Mtg, Kapolei, O‘ahu
July 21, 2025	HHC Mtg, Community Mtg – Papakōlea
July 22, 2025	HHC Mtg, Kapolei, Hawai‘i
August 18, 2025	HHC Mtg, Community Mtg – Waimānalo
August 19, 2025	HHC Mtg, Kapolei, O‘ahu
September 15, 2025	HHC Mtg, Community Mtg – Hilo
September 16, 2025	HHC Mtg, Hilo, Hawai‘i
September 17, 2025	HHC Community Meeting ONLY – Ka‘ū
October 20, 2025	HHC Mtg, Community Mtg – Paukūkalo
October 21, 2025	HHC Mtg, Wailuku, Maui
November 17, 2025	HHC Mtg, Kapolei, O‘ahu
November 18, 2025	HHC Mtg, Kapolei, O‘ahu
November 19, 2025	HHC Community Meeting ONLY – Lānai City
December 15, 2025	HHC Mtg, Community Mtg – Nānākuli/Wai‘anae
December 16, 2025	HHC Mtg, Kapolei, O‘ahu

*O‘ahu meetings are held at Hale Pono‘i, DHHL, 91-5420 Kapolei Parkway, Kapolei, O‘ahu.*

*Community meetings are held in the evenings, except in Ka‘ū and Lāna‘i where they will be held during the day. No community meetings are scheduled for O‘ahu in January and June.*

STATE OF HAWAI‘I  
DEPARTMENT OF HAWAIIAN HOME LANDS  
November 18 – 19, 2024

To: Members, Hawaiian Homes Commission (“HHC”)  
From: Members of the Permitted Interaction Group  
Subject: C-2: Report and Recommendations from the Act 279 Acquisition  
Permitted Interaction Group

The Department respectfully requests the approval of the Hawaiian Homes Commission (HHC) for the following recommended actions to strategically optimize resources and advance the Department of Hawaiian Home Lands (DHHL) housing initiatives for Native Hawaiian beneficiaries.

**RECOMMENDED MOTION/ACTION**

The Department respectfully recommends that the Hawaiian Homes Commission (HHC) approve the Act 279 Permitted Interaction Group's recommendations as follows:

1. Reallocate \$92 million from long-term and non-critical projects, including Waiehu Mauka, Ku‘u Papaikou, Pālanui, East Kapolei 2A, and Waiialua Mill Camp, to support near-term, high-priority developments that are ready for immediate progress.
2. Prioritize the acquisition of Kunia by allocating \$60 million for its purchase, enabling the development of 1,200 residential lots and significantly reducing the O‘ahu Waitlist. This acquisition should be pursued immediately to provide substantial benefits to Native Hawaiian beneficiaries.
3. Allocate the remaining \$32 million for critical due diligence, legal, planning, and development expenses to ensure the continued success of key initiatives such as Leiali‘i, Kaupēa, ‘Ewa Beach, and Līhu‘e.

**BACKGROUND INFORMATION/SUMMARY**

The Permitted Interaction Group was tasked with evaluating the viability of current projects on the Act 279 strategic plan lapse-fix list and identifying new opportunities to better address the DHHL Waitlist. After a thorough review, we provide the following recommendations to optimize resource allocation and expedite the delivery of homes to Native Hawaiian beneficiaries.

**DISCUSSION**

Act 279 has laid the groundwork for DHHL’s strategic initiatives aimed at reducing its Waitlist.

for reallocation of funds to more impactful, near-term initiatives. The recommendations reflect a strategic shift to prioritize high-value developments and ensure DHHL can meet its goal of providing housing for Native Hawaiians as swiftly as possible.

**1. Shifted Funds from Long-Term Projects and Non-Critical Developments**

To accelerate progress on near-term initiatives, the committee recommends redirecting funds from projects that are not critical or are long-term in nature. This reallocation will ensure that high-impact projects are prioritized to address immediate housing needs. The following funding shifts are proposed:

- \$58,579,300 from the Waiehu Mauka development, as sitework is projected for 2030.
- \$1,000,000 from the Kuu Papaikou project, where concerns from area legislators have delayed property acquisition.
- \$7,000,000 from the Pāalamanui project, with other funding sources available to cover acquisition and development.
- \$1,000,000 from East Kapolei 2A, where alternative funding will support further development.
- \$24,240,700 from the Waialua Mill Camp, as a nearby state-owned site may be acquired for no fee, providing a more cost-effective alternative.

**2. Reallocation of Funds and Prioritization of Readiness**

By reallocating the \$92 million from long-term and non-critical projects, the committee recommends directing these resources toward developments that are near-term ready and poised to deliver more residential lots to the DHHL Waitlist. Prioritizing readiness will allow DHHL to make the most efficient use of its resources and deliver housing units within the next 1-2 years.

**3. Acquisition of Kunia – A High-Impact Opportunity**

The acquisition of Kunia represents a transformative opportunity that DHHL should pursue immediately. Allocating \$60 million to acquire Kunia will unlock the potential for 1,200 residential lots, directly reducing the O‘ahu Waitlist, which currently has 11,407 individuals awaiting homes. Kunia’s scale and readiness make it a high-return project that promises both immediate and long-term benefits for Native Hawaiian beneficiaries.

**4. Additional Funding for Critical Development and Due Diligence**  
The remaining \$12 million should be directed toward critical due diligence and planning expenses to ensure the ongoing success of other key initiatives. This includes:

- \$2 million for due diligence on various development projects
- \$1 million for legal expenses
- \$20 million for development costs in Lahaina due to the challenges posed by bluerock material, which requires additional excavation and specialized equipment
- \$2 million to cover increased development fees for Kaupēa, which is nearing readiness for sitework
- \$5 million for planning related to the ‘Ewa Beach NOAA site, where single-family lots will soon be ready for development
- \$2 million for studies and surveys related to infrastructure collaboration with the County of Kaua‘i for the Līhu‘e project

## **CONCLUSION**

The recommendations outlined by the Permitted Interaction Group are aimed at ensuring that DHHL can accelerate the delivery of residential lots while making the most impactful use of its financial resources. By shifting funds from long-term and non-critical developments, DHHL can pursue the acquisition of Kunia, a high-priority project that will deliver immediate results. Additional funding for due diligence and planning will further ensure the success of other critical developments in the pipeline.

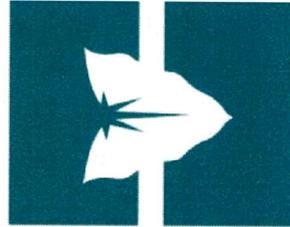
DEPARTMENT OF HAWAIIAN HOME LANDS						Sept 2024 P.I.G.				
HHC approved Feb 21, 2024						Reallocated funds=	\$ 92,000,000.00			
						New Units Gained=	1,200			
				Act 279 Implementation						
Island	Projects	Lots	Activity	ACT 279 Budget	ACT 279 Reallocated Funds	Nov 2024 P.I.G.	Additional Funds Required	Federal funds (includes NAHASDA)	Expenditures	Notes
HAWAII COUNTY										
1	Hawaii	Laiopua Villages 1 and 2, 4, and N. Kona Water Development (doesn't include Village 4 infrastructure, which should be done by Feb 2024)	580	Acquisition/ Dev AgrmE7:E48t	\$ 39,240,696.00		\$ 25,000,000.00	\$ 2,759,304.00		The Development Agreement with Kalaniana'ole Development dedicates resources for 180 units in Villages 4 Hema and 5, 400 units in Villages 1 and 2, and the North Kona Water System to support these communities.
2	Hawaii	Honomu Subsistence Ag Lots, Phase 2	40	Site Design/ Construction			\$ 6,000,000.00			Phase 2 will add 40 new sub-agricultural lots, building upon the 16 established in Phase 1. This phase is funded through NAHASDA and Trust resources.
3	Hawaii	Kaumana (Avalon Development)	168	Acquisition	\$ 2,000,000.00				\$ 2,000,000.00	\$2 million acquisition of 121 acres. Potential for 168 single family homesteads. Next to existing DHHL parcels.
4	Hawaii	Honokaa Homesteads/Lehua Villages Land Acquisition (~296 SF units)	296	Dev Agrmt	\$ 8,750,000.00					The project involves an \$8,750,000 acquisition of approximately 46 acres, with an additional \$1,258,000 allocated for pre-development work. Future funding could enable the development of around 296 single-family homesteads. This property is ideally located within a mile of essential services, including the 77-bed Hale Ho'ola Hamakua hospital and certified emergency room, police and fire stations, primary and secondary schools, a UH-Hilo satellite campus, a post office, and a 25-acre county sports complex.
	Hawaii	Honokaa Homesteads/Lehua Villages EIS/AIS/Infrastructure/Phase 2 (150 of 296 SF units)			\$ 1,258,000.00		\$ 59,113,200.00			
5	Hawaii	Kuu Papaikou	220			\$ (1,000,000.00)				A \$1 million allocation from Act 279 funds is dedicated to due diligence investigations for the project, which has an acquisition cost of \$10.5 million. The conceptual plan envisions 220 residential units, including 84 single-family homes for low-income households (60% AMI or below) under the LIHTC program, 40 dedicated kupuna housing units, and 136 additional single-family homes. The development will also feature a commercial center with five 4,000-square-foot buildings, 80 glamping sites, and a cultural center. <b>NOT ENCUMBERED YET. Shift \$1m to Kaupea Ph2.</b>
6	Hawaii	Palamanui (Nan Inc. Master Development)	40			\$ (7,000,000.00)				Nan Inc. has donated 18 acres within a 725-acre, entitled mixed-use development near Kona Airport to DHHL. In collaboration with DHHL, they are developing 26 kupuna housing units and 64 multi-family transitional rental units funded through LIHTC and \$15.75 million in NAHASDA funds. A \$10 million water system has been installed, with DHHL receiving 50% of its capacity. Environmental Impact Statement (EIS), Archaeological Inventory Survey (AIS), and Traffic Impact Analysis Report (TIAR) have been completed. The master-planned community will feature additional residential units, a business park, open spaces, a Dry Forest Preserve, a "University Village Town Center" with retail and commercial amenities, and a regional park. With infrastructure costs estimated at \$175,000 per unit, the HHC approved \$7 million in funding on 2/21/24. By 3/20/24, a decision was made to utilize 100% NAHASDA funding, totaling \$22.75 million, without Act 279 funds. <b>NOT ENCUMBERED YET. Shift \$2m to Grove Farm PER. \$5m to NOAA.</b>

DEPARTMENT OF HAWAIIAN HOME LANDS										
HHC approved Feb 21, 2024					Sept 2024 P.I.G. Reallocated funds=	\$ 92,000,000.00				
					Act 279 Implementation	New Units Gained=	1,200			
Island	Projects	Lots	Activity	ACT 279 Budget	ACT 279 Reallocated Funds	Nov 2024 P.I.G.	Additional Funds Required	Federal funds (includes NAHASDA)	Expenditures	Notes
7	Hawaii Panaewa Residential Lots - Elama Road (DHHL owns land)	600		\$ 1,000,000.00			\$ 147,000,000.00			DHHL already owns the land, with development planned in four phases: 150 units each in Phases 1 through 4, all on 10,000-square-foot lots. Cost estimates are based on a Rough Order of Magnitude. Federal funding is being pursued for sewer improvements. Phase 1 will focus on the first 150 units and backbone infrastructure in FY24, with an additional \$90 million planned for the remaining 450 units in FY25, covering soft costs. Note: CH343 compliance status needs confirmation, and an Environmental Review Record (ERR) may be required under HUD guidelines for the NAHASDA funds.
MAUI COUNTY										
8	Lanai Lanai Residence Lots Offsite Infrastructure	75	Planning and Design	\$ 2,000,000.00						Discussing shared infrastructure work with the County of Maui, which is contracting Ikaika Ohana to develop the nearby affordable housing project.
9	Molokai Hoolehua Scattered Lots	20	Site Construction	\$ 3,500,000.00						We are actively developing several sites to create 20 subdivided agricultural lots, designed to expand farming opportunities for beneficiaries and promote sustainable agriculture.
10	Molokai Naiwa Ag Subdivision	16	Site Construction	\$ 6,000,000.00						\$6,000,000 Act 279 funds, combined with other funding sources to develop 16 ag lots.
11	Maui Pu'uhona Homestead Subdivision	161	Site Construction	\$ 17,171,944.00					\$ 2,125,074.00	Nestled against the lush leeward slope of Mauna Kahālawai in the ahupua'a of Wailuku, Pu'uhona Homestead will be home to 161 native Hawaiian beneficiaries and their 'ohana. Groundwork on the roughly 47-acre project began in May 2023.  An additional \$5,509,000 was allocated for an off-site water tank in Wailuku to service the area. Pu'uhona marks the department's first development initiative under Act 279.
	Maui Pu'uhona Homestead Subdivision (Offsite Water Tank)		Design/ Site Construction	\$ 5,509,000.00						
12	Maui Honokowai Subsistence Ag Ph. 1	50	Design/Site Construction	\$ 1,470,000.00			\$ 3,530,000.00			\$1,470,000 for Survey and Design work for 50 subsistence agriculture lots south of the west Maui Airport. Future funding may allow development of the project's Phase 2.
	Maui Leialii 1B Offsite Water	181	Site Construction	\$ 15,000,000.00						\$68,000,000 for 181 single Family Homes. Developer Agreement negotiations are underway. \$15,000,000 for off-site water tank to service this project.
13	Maui Leialii 1B - Subdivision		Dev Agrmt	\$ 68,000,000.00		\$ 20,000,000.00				
14	Maui Wailuku (DDC2 LLC)	207	Acquisition/ Dev Agrmt	\$ 12,338,800.00			\$ 32,700,000.00		\$ 442,609.00	\$5,200,000 acquisition of 77 acres of land in the ahupua'a of Waikapū. Located immediately mauka of Pu'uhona. \$39,838,800 for development of 207 total lots (176 single family homesteads and 31 vacant owner-builder lots).
15	Maui Waiehu Mauka (DDC3 LLC)	311	Acquisition/ Dev Agrmt	\$ 35,109,117.00	\$ (58,759,300.00)					\$12,240,000 acquisition of about 116 acres. \$81,628,417 for development of about 311 single family homes. Funds not needed now so unencumber \$38,759,300 for RKII (\$60m), Due Diligence (\$2m), legal (\$1m) leaving \$55,109,117. Seek replacement funds in future.

DEPARTMENT OF HAWAIIAN HOME LANDS											
HHC approved Feb 21, 2024											
					Sept 2024 P.I.G. Reallocated funds=	\$	92,000,000.00				
					Act 279 Implementation						
					New Units Gained=	1,200					
Island	Projects	Lots	Activity	ACT 279 Budget	ACT 279 Reallocated Funds	Nov 2024 P.I.G.	Additional Funds Required	Federal funds (includes NAHASDA)	Expenditures	Notes	
16	Maui	Kamalani Land Acquisition (~400 SF units)	400		\$ 10,500,000.00					\$10,500,000 acquisition of about 81 acres. \$35,122,129 for development of 150 single family homesteads. Future funding may allow the development of an additional 250 single family homesteads.	
	Maui	Kamalani Infrastructure/Phase 1 (150 of 400 SF units)		Dev Agrmt	\$ 35,122,129.00			\$ 33,972,696.10		Kamalani is located at the entrance to Kihei as a continuation of the existing Kamalani neighborhood. Public schools, numerous retail facilities, Kihei-Wailea Medical Center and the post office are all within 2 1/2 miles of the development.	
CITY AND COUNTY OF HONOLULU											
17	Oahu	Kaupea, Phase 2	60	Acquisition	\$ 8,250,000.00				\$ 8,250,000.00	\$8,250,000 acquisition of about 9.1 acres in Kapolei. \$13,691,321 for sitework and infrastructure for the 60 single family homestead project.	
	Oahu	Kaupea, Phase 2		Dev Agrmt	\$ 13,691,321.00		\$ 2,000,000.00			The project site is located next to Kapolei High School to the west and the existing Kaupe'a neighborhood to the east off Kapolei Parkway. <b>NOT ENCUMBERED YET. Increase by \$2m from EKIIA &amp; Kuu Papaikou (new total: \$15,691,321). NOT ENCUMBERED YET. increase by \$2m from EKIIA &amp; Kuu Papaikou (new total: \$15,691,321).</b>	
18	Oahu	East Kapolei IIA	300	Dev Agrmt		\$ (1,000,000.00)				<b>NOT ENCUMBERED YET.</b> Shift to Kaupea Phase2. NAHASDA can pay for planning for IIA and LDA3 (G70)	
19	Oahu	East Kapolei II Master-planned Community (Backbone Infrastructure)	700	Design offsite imp, IID, IIE, IIF onsite, II-C house construction	\$ 140,846,080.00			\$ 60,000,000.00	\$ 3,700,000.00	\$ 33,080.00	\$140,846,080 for the sitework and infrastructure of the nearly 115-acre Ka'uluokaha'i Master-Planned Community Increments IIC, IID and IIE and associated backbone roadway and utilities infrastructure, and infrastructure design for IIF. Future funding may allow construction of the roadway and utilities infrastructure in IIF.
20	Oahu	Ewa Beach (former NOAA site)	600	Dev Agrmt			\$ 5,000,000.00	\$ 48,000,000.00		<b>Shift \$5m from Palamanui.</b>	
21	Oahu	<b>NEW PROJECT ACQUISITION</b>	<b>1200</b>	<b>Acquisition/ Dev Agrmt</b>			<b>\$ 60,000,000.00</b>			Potential acquisition: \$44.8m. Pre-dev agreement: \$15m	
22	Oahu	Waiialua (Mill Camp Development Group, LLC)	108	Acquisition/ Dev Agrmt		\$ (24,240,700.00)				<b>NOT ENCUMBERED YET</b>	
23	Oahu	KS Marina Lot 10A Land Acquisition	18		\$ 2,500,000.00					Spanning 2.88 acres, this property offers the potential for 20-25 single-family homes, with an acquisition cost of \$1.5 million and an additional \$1 million estimated for grading	
KAUAI COUNTY											
24	Kauai	Hanapepe Residence Lots, Phase 2	82	Site Construction	\$ 17,800,126.00					Mark Development was awarded the project in December 2023. Act 279 funds will cover \$17,800,126 in site work for 82 lots in this LIHTC Rent-to-Own initiative. To enhance the viability of the HHFDC application, an additional \$5 million in NAHASDA funds may be allocated.	
25	Kauai	Anahola Kuleana Phase 1 Pastoral	115	Site Construction	\$ 5,000,000.00						

DEPARTMENT OF HAWAIIAN HOME LANDS						Sept 2024 P.I.G.				
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						New Units Gained=	1,200			
				Act 279 Implementation						
Island	Projects	Lots	Activity	ACT 279 Budget	ACT 279 Reallocated Funds	Nov 2024 P.I.G.	Additional Funds Required	Federal funds (includes NAHASDA)	Expenditures	Notes
26	Kauai	Grove Farm Isenberg parcel Land Acquisition	1100	Acquisition	\$ 20,684,160.00		\$ 2,000,000.00			295.488 Acres with 1000 SF units and 100 SA planned in 4 phases. <b>Shift \$2m from Palamanui for PER/Infrastructure.</b>
27	Kauai	Grove Farm Isenberg parcel Phase 1 Development (1000 SF &100 SA of 1100 units)		Dev Agrmt			\$ 71,042,400.00			Predevelopment/backbone infrastructure and Phase 1 of 250 SF units and 50 SA lots. Phase 2 250 SF. Phase 3 will be 250 SF units and 50 SA lots. Phase 4 250 SF units. This will be built based on available infrastructure completion and additional funding. Expand existing water plant, transmission lines and tank. Package sewer sytem for 1st phase of housing. <b>NAHASDA pay for EIS/ERR/AIS and planning (PBR).</b>
STATEWIDE										
Statewide	Land/Project Acquisition		Professional Services	\$ 1,500,000.00					\$ 26,000.00	Project management contract with Bowers+Kubota.
28	Statewide	Scattered Lots	200		\$ 2,000,000.00					Scattered unawarded lots in various existing homesteads for award. Dev
Statewide	DUE DILIGENCE INVESTIGATION					\$ 2,000,000.00				<b>Cover prelim engineering analysis/fit studies/ALTA Surveys/Topos of potential acquisitions. Shift \$2m from Waiehu Mauka.</b>
Statewide	OUTSIDE LEGAL COUNSEL					\$ 1,000,000.00				<b>Acquisitions/Development Agreements/CC&amp;Rs</b>
Statewide	Project Contingencies		Various	\$ 5,000,000.00						Project contingency amounts for encumbered projects in FY 23.Request to Release Act 279 funds submitted to B&F and Gov in September 2023. Allotment approved on Nov.8, 2023
Statewide	Project Financing/Partnerships (Public/Public; Public/Private)		Vertical construction	\$ 25,000,000.00			\$ 75,000,000.00			Interim house construction financing in order to reduce house pricing. Developers are in process of submitting requests for interim house construction financing. NAHASDA funds may be used to support LIHTC funded Rent with Option to Purchase programs. <b>Move funds from Wailuku to fund \$25m for construction financing</b>
Statewide	Individual Assistance		Applicant financing	\$ 2,000,000.00						Leveraging funds with CDFIs funding awards to help individual leasees with loans.
TOTAL		7,848		\$ 508,241,373.00	\$ (92,000,000.00)	\$ 92,000,000.00	\$ 561,358,296.10	\$ 6,459,304.00	\$ 12,876,763.00	
Total Funds Allocated						\$ 600,241,373.00				

+	DEPARTMENT OF HAWAIIAN HOME LANDS						Sept 2024 P.I.G. Reallocated funds=	\$ 92,000,000.00		
	HHC approved Feb 21, 2024						New Units Gained=	1,200		
					Act 279 Implementation					
Island	Projects	Lots	Activity	ACT 279 Budget	ACT 279 Reallocated Funds	Nov 2024 P.I.G.	Additional Funds Required	Federal funds (includes NAHASDA)	Expenditures	Notes



# HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

## **ACT279**

Permitted Interaction Group

November 18-19, 2024

DEPARTMENT OF HAWAIIAN HOME LANDS

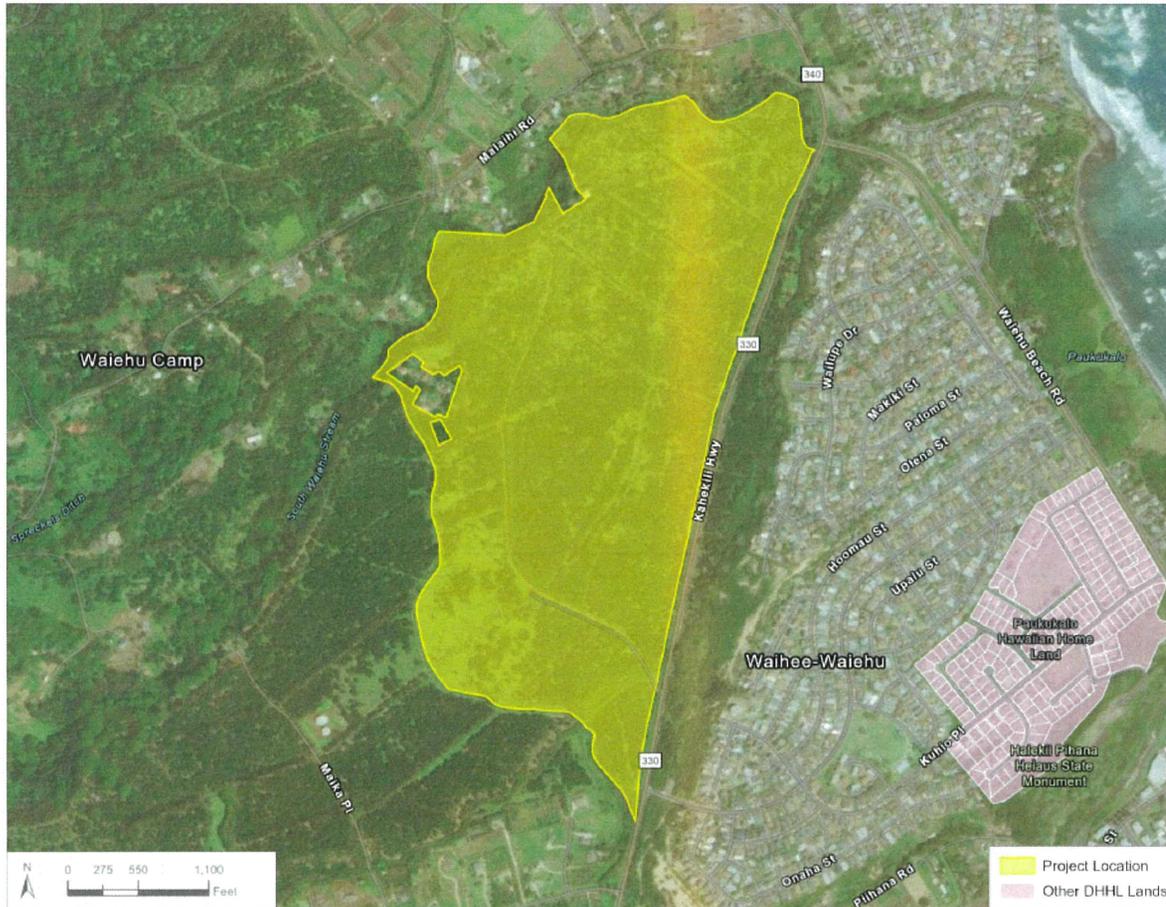


	PROJECTS	FROM	TO	PROJECTS	
a	<b>*Waiehu Mauka*</b>	\$ 58,759,300.00	\$ 60,000,000.00	<b>Kunia (New Project)</b>	f
b	<b>Kuu Papaikou</b>	\$ 1,000,000.00	\$ 2,000,000.00	<b>Due Diligence</b>	
c	<b>Palamanui</b>	\$ 7,000,000.00	\$ 1,000,000.00	<b>Legal</b>	
d	<b>East Kapolei IIA</b>	\$ 1,000,000.00	\$ 20,000,000.00	<b>Leialii 1B</b>	g
e	<b>Waialua Mill Camp</b>	\$ 24,240,700.00	\$ 2,000,000.00	<b>Kaupea</b>	h
			\$ 5,000,000.00	<b>Ewa Beach (NOAA)</b>	i
			\$ 2,000,000.00	<b>Grove Farm</b>	j
	<b>Total</b>	<b>\$ 92,000,000.00</b>	<b>\$ 92,000,000.00</b>		

\* \$93,868,417 (encumbered) - \$58,759,300 (for new acquisition) = \$35,109,117 (remaining for Waiehu Mauka)



a. \$93.8M - <\$38.79M> = \$55.1M



**MAUI COUNTY:** Waiehu Mauka  
**\$93.8M** (ACT279)  
**MAUI:** Residential  
(3,945 Waitlist)

PHASES	UNITS (311)
Waiehu Mauka	311



## b. <\$1M>



**HAWAI'I COUNTY:** Papaikou

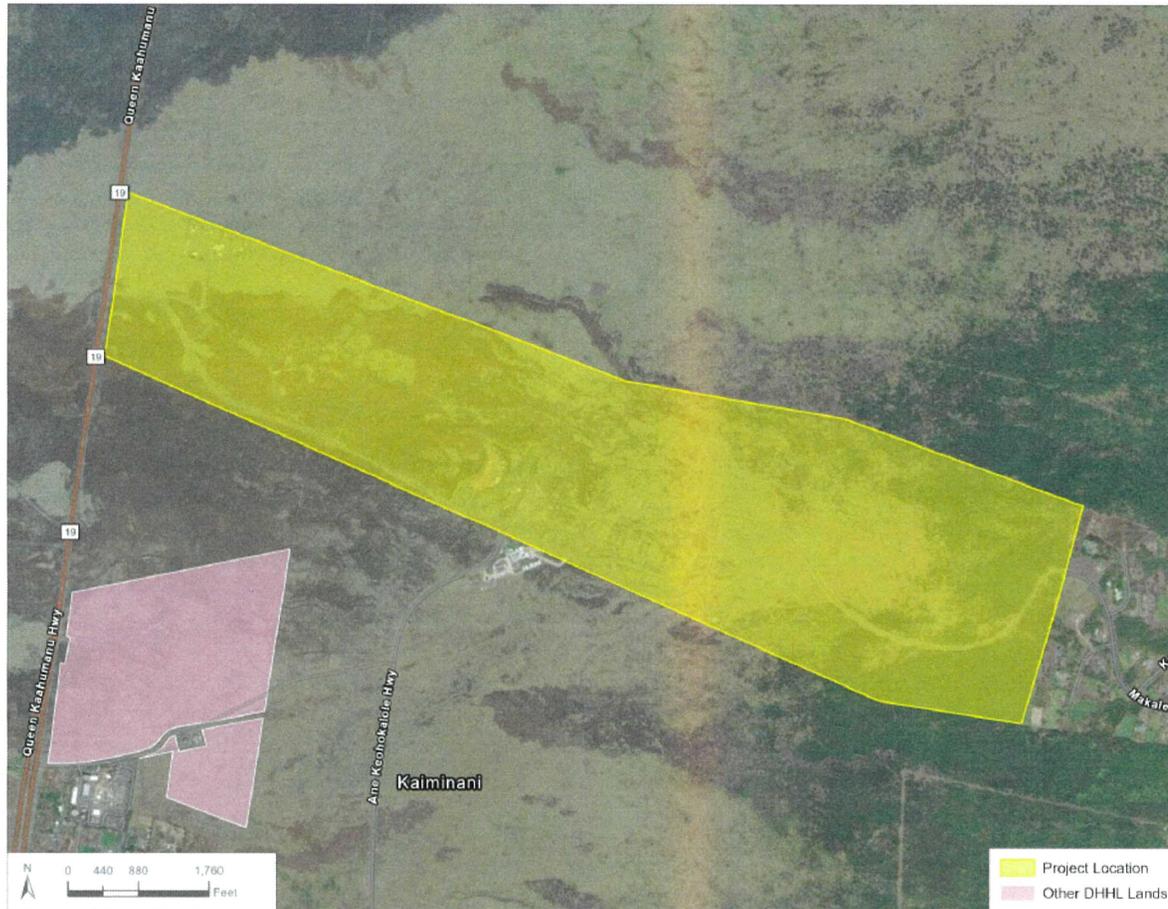
**\$0M** (ACT279)

**HAWAI'I:** Residential  
(6,031 Waitlist)

PHASES	UNITS (220)
Acquisition & Development Agreement	220



c. <\$7M>



HAWAI'I COUNTY: Pālamanui

**\$7M** (ACT279)

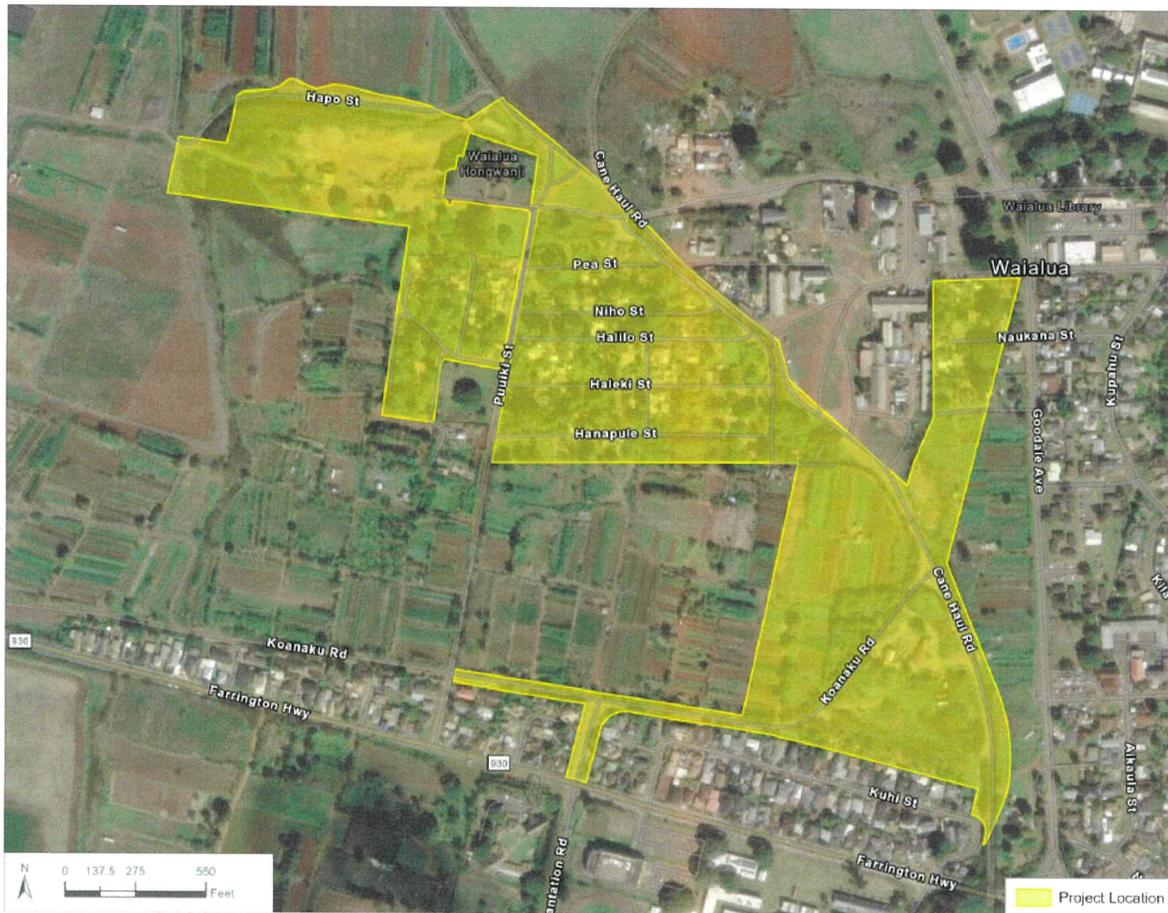
HAWAI'I: Residential  
(6,031 Waitlist)

PHASES	UNITS (40)
Sitework	40





e.  $\$24.2M = \langle \$12.2M \rangle + \langle \$12M \rangle$

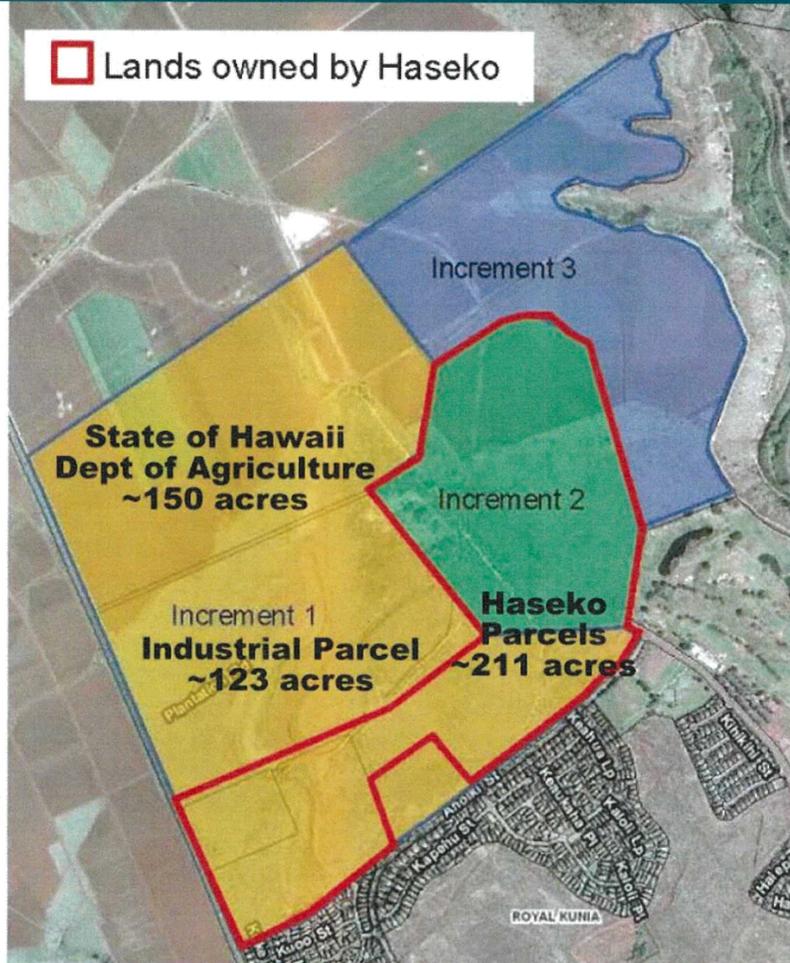


CCH: Waialua Mill Camp  
**\$24.2M** (ACT279)  
O'AHU: Residential  
(11,407 Waitlist)

PHASES	UNITS (108)
Waialua Mill Camp	108



f. +\$60M



CCH: Kunia  
**\$0M** (ACT279)  
 OAHU: Residential  
 (11,407 Waitlist)

PHASES	UNITS (1200)
Kunia (Phase 1) Acquisition and Preliminary Development Agreement	500



g. + \$20M



MAUI COUNTY: Leialii

**\$83M**

MAUI: Residential  
(3,945 Waitlist)

PHASES	UNITS (181)
Leialii 1B Subdivision & Offsite Water	181



# h. + \$2M

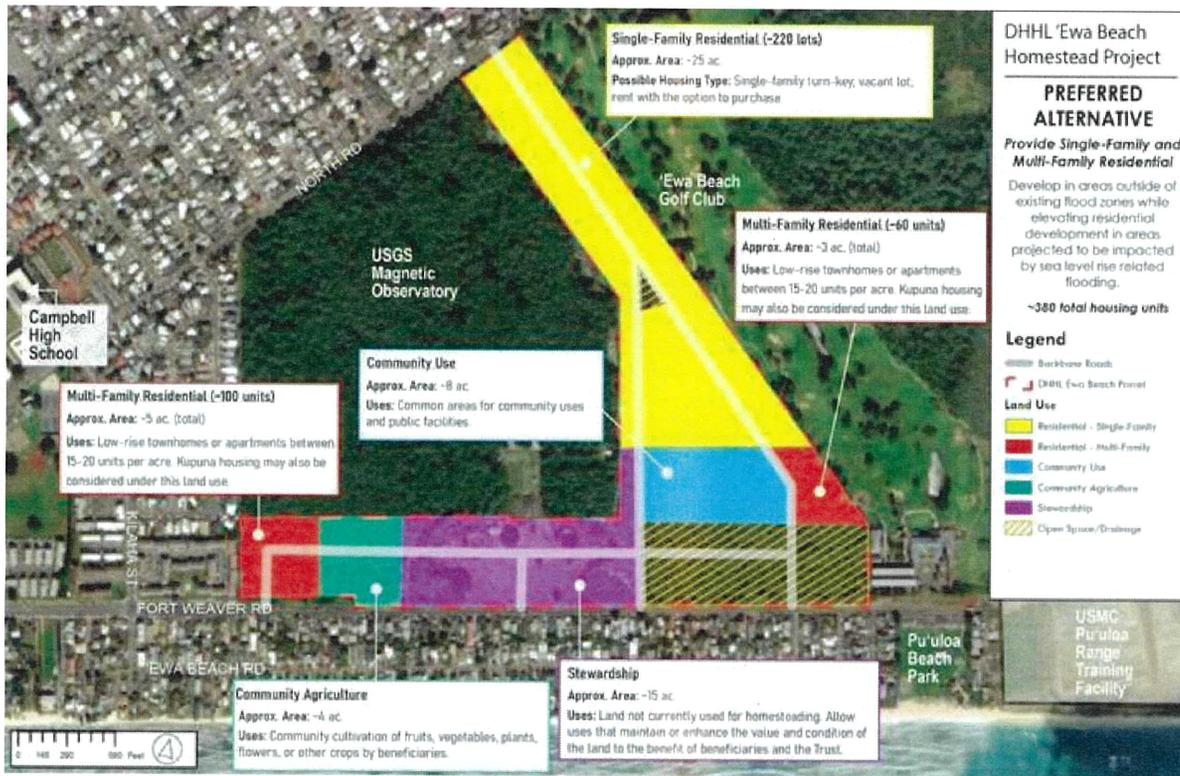


CCH: Kaupē'a  
**\$21.9M** (ACT279)  
O'AHU: Residential  
(11,407 Waitlist)

PHASES	UNITS (60)
Kaupē'a	60



# i. \$5M



## DHHL 'Ewa Beach Homestead Project

### PREFERRED ALTERNATIVE

#### Provide Single-Family and Multi-Family Residential

Develop in areas outside of existing flood zones while elevating residential development in areas projected to be impacted by sea level rise related flooding.

~380 total housing units

CCH: 'Ewa Beach NOAA Site

# \$0M

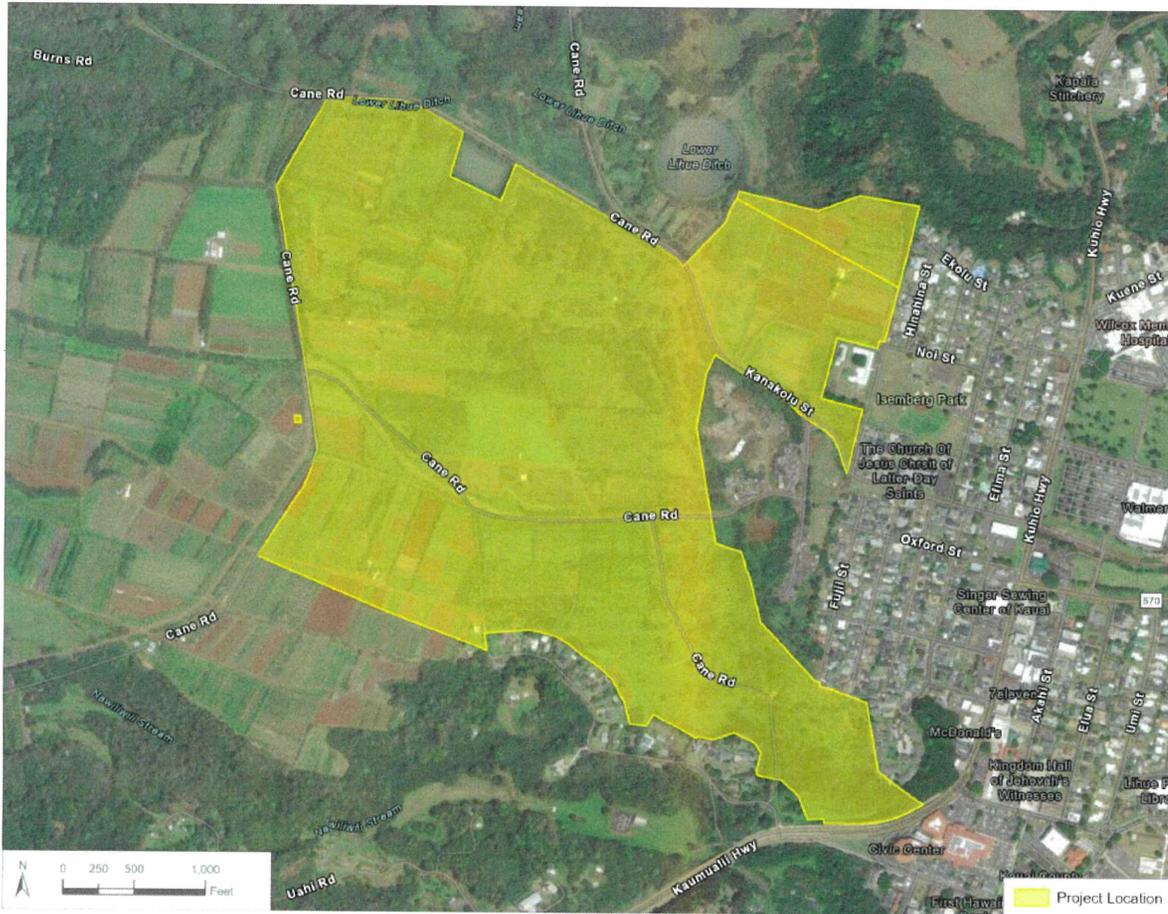
(ACT279)

O'AHU: Residential  
(11,407 Waitlist)

PHASES	UNITS (380)
'Ewa Beach (former NOAA Site)	380



j. +\$2M



Kaua'i County: Lihu'e

**\$20M**

(ACT279)

**KAUA'I: Residential**  
(1,727 Waitlist)

**PHASES**

**UNITS (1100)**

Grove Farm – Isenberg  
Acquisition and  
Preliminary Studies

300

STATE OF HAWAI'I  
DEPARTMENT OF HAWAIIAN HOME LANDS

November 18 – November 19, 2024

To: Chairman and Members, Hawaiian Homes Commission  
From: David Hoke, Administrator, Enforcement Unit  
Subject: For Information Only – Monthly Enforcement Unit Efforts and Statistics (October 14, 2024 – November 11, 2024)

**RECOMMENDED ACTIONS:**

None. For information only.

**DISCUSSION:**

Requests for Investigations: 7

- Oahu: 5
- Maui: 0
- Kauai: 0
- East Hawaii: 1
- West Hawaii: 0
- Molokai: 0
- Lanai: 0
- Office of the Chair: 0
- LMD: 0
- LDD: 1

Total reports generated in the calendar year: 201

Events and Operations:

- 10/23/24 – Reconnaissance Operation for eviction with Sheriff's Department
- 10/24/24 – HIEMA Tsunami Drill
- 11/19/24 – Service of Writ and eviction of unauthorized user of Trust Lands in Humuula Sheriff's Department and DOCARE

Beneficiary Engagement:

- Maku'u Farmers Association
- Keaukaha - Panaewa Farmers Association NSW
- Kauluokahai NSW

Interagency Collaboration:

- State of Hawaii Sheriff's Department
- State of Hawaii DOCARE
- County Police (HPD – D8 Narco/Vice, CPT, HCPD – CPT)
- Mitch Roth, Hawaii County Mayor
- State of Hawaii Emergency Management
- Federal Emergency Management Agency

Vacant Home Initiative:

Waimanalo: 33 total properties identified as possible vacant homes

- Lessees were found to be deceased and now pending successorship: 8
- Pending transfer with HSD: 1
- Lessees who received their leases within this year: 2
- Removed from list as they showed sufficient evidence the lot in question is occupied and maintained: 1
- Lots in DHHL inventory: 2
- Already working with NAHASDA: 2
- Notices of Violations Sent: 17
  - Responses to Notice of Violations with commitments to clean up property: 10
  - Requested to transfer lease due to incarceration: 1
  - Contacted NAHASDA for assistance: 3
  - No Response: 3 (final NOV sent)

Pilot program update:

- 0 new report of organized criminal activity in the various homesteads that fall into the area of the pilot program.
- 10 reports have been submitted to HPD since the pilot program began on January 1, 2024, with 7 being unsubstantiated, 1 confirmed, and 2 pending a disposition from HPD.
- HPD Crime Mapping Tool was not working as of 11/11/24.

Hawaiian Homes Commission Meeting Packet  
November 18 & 19, 2024  
Courtyard by Marriott Kahului Airport,  
Haleakala Ballroom,

# D ITEMS

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 18, 2024

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Juan Garcia, HSD Administrator  
Homestead Services Division



SUBJECT: **Homestead Services Division Status Reports**

RECOMMENDED MOTION/ACTION

NONE

DISCUSSION

The following reports are for information only:

Exhibit A: Homestead Lease & Application Totals and Monthly Activity Reports

Exhibit B: Delinquency Report

November 18, 2024

SUBJECT: Homestead Lease and Application Totals and Monthly Activity Reports

LEASE ACTIVITY REPORT

Month through October 31, 2024

	As of 9/30/24	Add	Cancel	As of 10/31/24
Residential	8,511	4	4	8,511
Agricultural	1,106	0	0	1,106
Pastoral	438	0	0	438
<b>Total</b>	<b>10,055</b>	<b>4</b>	<b>4</b>	<b>10,055</b>

The cumulative number of Converted Undivided Interest Lessees represents an increase of 578 families moving into homes. Their Undivided Interest lease was converted to a regular homestead lease.

	As of 9/30/24	Converted	Rescinded/ Surrendered/ Cancelled/	As of 10/31/24
Undivided	735	4	0	731

Balance as of 10/31/2024:

Awarded	1,434
Relocated to UNDV	7
Reinstated to UNDV	1
Rescinded	123
Surrendered	6
Cancelled	4
Converted	578
<b>Balance to Convert</b>	<b>731</b>

Lease Report For the Month Ending October 31, 2024

	----- RESIDENCE -----			----- AGRICULTURE -----			----- PASTURE -----			----- TOTAL LEASES -----		
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
<b>OAHU</b>												
Kakaina	42	0	0	42	0	0	0	0	0	0	0	42
Kalawahine	90	0	0	90	0	0	0	0	0	0	0	90
Kanehili	399	0	0	399	0	0	0	0	0	0	0	399
Kapolei	173	0	0	173	0	0	0	0	0	0	0	173
Kauluokahai	155	0	0	155	0	0	0	0	0	0	0	155
Kaupea	323	0	0	323	0	0	0	0	0	0	0	323
Kaupuni	19	0	0	19	0	0	0	0	0	0	0	19
Kewalo	248	0	0	248	0	0	0	0	0	0	0	248
Kumuhau	51	0	0	51	0	0	0	0	0	0	0	51
Lualualei	149	0	0	149	30	0	0	30	0	0	0	179
Malu'ohai	225	0	0	225	0	0	0	0	0	0	0	225
Nanakuli	1,045	0	0	1,045	0	0	0	0	0	0	0	1,045
Papakolea	64	0	0	64	0	0	0	0	0	0	0	64
Princess Kahanu Estates	268	0	0	268	0	0	0	0	0	0	0	268
Waiahole	0	0	0	0	16	0	0	16	0	0	0	16
Waianae	421	0	0	421	12	0	0	12	0	0	0	433
Waimanalo	711	0	0	711	2	0	0	2	0	0	0	713
<b>TOTAL</b>	<b>4,383</b>	<b>0</b>	<b>0</b>	<b>4,383</b>	<b>60</b>	<b>0</b>	<b>0</b>	<b>60</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4,443</b>
<b>MAUI</b>												
Hikina	31	0	0	31	0	0	0	0	0	0	0	31
Kahikinui	0	0	0	0	0	0	0	0	100	0	0	100
Keokea	0	0	0	0	64	0	0	64	0	0	0	64
Leialii	103	0	0	103	0	0	0	0	0	0	0	103
Paukukalo	178	0	0	178	0	0	0	0	0	0	0	178
Waiehu 1	39	0	0	39	0	0	0	0	0	0	0	39
Waiehu 2	109	0	0	109	0	0	0	0	0	0	0	109
Waiehu 3	113	0	0	113	0	0	0	0	0	0	0	113
Waiehu 4	98	0	0	98	0	0	0	0	0	0	0	98
Waiohuli	590	2	2	590	0	0	0	0	0	0	0	590
<b>TOTAL</b>	<b>1,261</b>	<b>2</b>	<b>2</b>	<b>1,261</b>	<b>64</b>	<b>0</b>	<b>0</b>	<b>64</b>	<b>100</b>	<b>0</b>	<b>0</b>	<b>1,425</b>
<b>EAST HAWAII</b>												
Discovery Harbour	3	0	0	3	0	0	0	0	0	0	0	3
Kamaea	0	0	0	0	0	0	0	0	25	0	0	25
Kaumana	47	0	0	47	0	0	0	0	0	0	0	47
Keaukaha	473	0	0	473	0	0	0	0	0	0	0	473
Kurtistown	3	0	0	3	0	0	0	0	0	0	0	3
Makuu	0	0	0	0	120	0	0	120	0	0	0	120
Panaewa	13	0	0	13	276	0	0	276	0	0	0	289
Pihonua	17	0	0	17	0	0	0	0	0	0	0	17
Puueo	0	0	0	0	11	0	0	11	0	0	0	11
University Heights	4	0	0	4	0	0	0	0	0	0	0	4
Waiakea	283	0	0	283	0	0	0	0	0	0	0	283
<b>TOTAL</b>	<b>843</b>	<b>0</b>	<b>0</b>	<b>843</b>	<b>407</b>	<b>0</b>	<b>0</b>	<b>407</b>	<b>25</b>	<b>0</b>	<b>0</b>	<b>1,275</b>
<b>WEST HAWAII</b>												
Honokaia	0	0	0	0	0	0	0	0	24	0	0	24
Humuula	0	0	0	0	0	0	0	0	5	0	0	5
Kamoku	0	0	0	0	0	0	0	0	16	0	0	16
Kaniohale	223	0	0	223	0	0	0	0	0	0	0	223
Kawaihae	192	0	0	192	0	0	0	0	1	0	0	193
Laiopua	274	0	0	274	0	0	0	0	0	0	0	274
Lalamilo	30	0	0	30	0	0	0	0	0	0	0	30
Nienie	0	0	0	0	0	0	0	0	21	0	0	21
Puukapu/Waimea/Kuhio Vil	118	0	0	118	111	0	0	111	218	0	0	447
Puupulehu	33	0	0	33	0	0	0	0	0	0	0	33
<b>TOTAL</b>	<b>870</b>	<b>0</b>	<b>0</b>	<b>870</b>	<b>111</b>	<b>0</b>	<b>0</b>	<b>111</b>	<b>285</b>	<b>0</b>	<b>0</b>	<b>1,266</b>
<b>KAUAI</b>												
Anahola	553	2	2	553	46	0	0	46	0	0	0	599
Hanapepe	47	0	0	47	0	0	0	0	0	0	0	47
Kekaha	116	0	0	116	0	0	0	0	0	0	0	116
Puu Opae	0	0	0	0	0	0	0	0	1	0	0	1
<b>TOTAL</b>	<b>716</b>	<b>2</b>	<b>2</b>	<b>716</b>	<b>46</b>	<b>0</b>	<b>0</b>	<b>46</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>763</b>
<b>MOLOKAI</b>												
Hoolehua	152	0	0	152	346	0	0	346	21	0	0	519
Kalamaula	167	0	0	167	69	0	0	69	3	0	0	239
Kapaakea	47	0	0	47	0	0	0	0	3	0	0	50
Moomomi	0	0	0	0	3	0	0	3	0	0	0	3
One Alii	27	0	0	27	0	0	0	0	0	0	0	27
<b>TOTAL</b>	<b>393</b>	<b>0</b>	<b>0</b>	<b>393</b>	<b>418</b>	<b>0</b>	<b>0</b>	<b>418</b>	<b>27</b>	<b>0</b>	<b>0</b>	<b>838</b>
<b>LANAI</b>												
Lanai	45	0	0	45	0	0	0	0	0	0	0	45
<b>TOTAL</b>	<b>45</b>	<b>0</b>	<b>0</b>	<b>45</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>45</b>
<b>STATEWIDE TOTAL</b>	<b>8,511</b>	<b>4</b>	<b>4</b>	<b>8,511</b>	<b>1,106</b>	<b>0</b>	<b>0</b>	<b>1,106</b>	<b>438</b>	<b>0</b>	<b>0</b>	<b>10,055</b>

## Statewide Lease Application and Applicant Totals as of October 1, 2024

ISLAND	AC	AREA / TYPE	10/1/2024			11/1/2024						
			TOTALS	ADDS	DELETES	TOTALS						
O'ahu	113	Nānākūli Res	152	1	1	152	0.97%	<b>O'AHU APP TYPE TOTALS</b>				
	123	Papakōlea / Kewalo Res	64	0	0	64	0.41%					
	133	Waimānalo Res	516	9	9	516	3.29%	<b>Agr</b>	<b>Pas</b>	<b>Res</b>	=	<b>15,682</b>
	143	Wai'anāe Res	132	1	1	132	0.84%	4,201	0	11,481		
	191	O'ahu Islandwide Agr	4,201	3	2	4,202	26.79%	26.79%	0.00%	73.21%		
	193	O'ahu Islandwide Res	10,617	7	5	10,619	67.70%					
		<b>Total O'ahu Apps</b>	<b>15,682</b>	<b>21</b>	<b>18</b>	<b>15,685</b>	<b>100.00%</b>					
Maui	213	Paukūkalo Res	50	2	2	50	0.53%	<b>MAUI APP TYPE TOTALS</b>				
	221	Kula Agr	4	0	0	4	0.04%					
	222	Kula Pas	3	0	0	3	0.03%	<b>Agr</b>	<b>Pas</b>	<b>Res</b>	=	<b>9,449</b>
	291	Maui Islandwide Agr	4,833	5	3	4,835	51.15%	4,837	626	3,986		
	292	Maui Islandwide Pas	623	0	0	623	6.59%	51.19%	6.63%	42.18%		
	293	Maui Islandwide Res	3,936	5	3	3,938	41.66%					
		<b>Total Maui Apps</b>	<b>9,449</b>	<b>12</b>	<b>8</b>	<b>9,453</b>	<b>100.00%</b>					
Hawaii	313	Keaukaha / Waiākea Res	65	1	1	65	0.42%	<b>HAWAII APP TYPE TOTALS</b>				
	321	Pana'ewa Agr	13	0	0	13	0.08%					
	333	Kawaihae Res	15	0	0	15	0.10%	<b>Agr</b>	<b>Pas</b>	<b>Res</b>	=	<b>15,523</b>
	341	Waimea Agr	9	0	0	9	0.06%	7,416	2,034	6,073		
	342	Waimea Pas	45	2	2	45	0.29%	47.77%	13.10%	39.12%		
	343	Waimea Res	44	0	0	44	0.28%					
	391	Hawaii Islandwide Agr	7,394	9	4	7,399	47.64%					
	392	Hawaii Islandwide Pas	1,989	0	0	1,989	12.81%					
	393	Hawaii Islandwide Res	5,949	8	4	5,953	38.33%					
		<b>Total Hawaii Apps</b>	<b>15,523</b>	<b>20</b>	<b>11</b>	<b>15,532</b>	<b>100.00%</b>					
Kauai	511	Anahola Agr	3	0	0	3	0.07%	<b>KAUAI APP TYPE TOTALS</b>				
	512	Anahola Pas	19	0	0	19	0.43%					
	513	Anahola Res	39	1	1	39	0.88%	<b>Agr</b>	<b>Pas</b>	<b>Res</b>	=	<b>4,408</b>
	523	Kekaha Res	8	0	0	8	0.18%	2,325	339	1,744		
	532	Pu'u 'Ōpae Pas	7	0	0	7	0.16%	52.75%	7.69%	39.56%		
	591	Kauai Islandwide Agr	2,322	1	1	2,322	52.65%					
	592	Kauai Islandwide Pas	313	2	1	314	7.12%					
	593	Kauai Islandwide Res	1,697	3	2	1,698	38.50%					
	<b>Total Kauai Apps</b>	<b>4,408</b>	<b>7</b>	<b>5</b>	<b>4,410</b>	<b>100.00%</b>						
Molokai	613	Kalama'ula Res	3	0	0	3	0.14%	<b>MOLOKA'I APP TYPE TOTALS</b>				
	621	Ho'olehua Agr	17	0	0	17	0.78%					
	622	Ho'olehua Pas	1	0	0	1	0.05%	<b>Agr</b>	<b>Pas</b>	<b>Res</b>	=	<b>2,165</b>
	623	Ho'olehua Res	7	0	0	7	0.32%	1,141	202	822		
	633	Kapa'akea Res	6	0	0	6	0.28%	52.70%	9.33%	37.97%		
	643	One Ali'i Res	1	0	0	1	0.05%					
	691	Molokai Islandwide Agr	1,124	2	2	1,124	51.89%					
	692	Molokai Islandwide Pas	201	0	0	201	9.28%					
	693	Molokai Islandwide Res	805	1	0	806	37.21%					
	<b>Total Molokai Apps</b>	<b>2,165</b>	<b>3</b>	<b>2</b>	<b>2,166</b>	<b>100.00%</b>						
Lāna'i	713	Lāna'i Res	70	0	0	70	100.00%	<b>LĀNA'I APP TYPE TOTALS</b>				
		<b>Total Lāna'i Apps</b>	<b>70</b>	<b>0</b>	<b>0</b>	<b>70</b>	<b>100.00%</b>					
							<b>Agr</b>	<b>Pas</b>	<b>Res</b>	=	<b>70</b>	
							0	0	70			100.00%

STATEWIDE TOTALS				STATEWIDE APP TYPE TOTALS		
10/1/2024	Adds	Deletes	11/1/2024	Agr	Pas	Res
<b>47,297</b>	<b>63</b>	<b>44</b>	<b>47,316</b>	<b>19,920</b>	<b>3,201</b>	<b>24,176</b>

## DHHL Applicant Summary as of November 1, 2024

Individuals with only <b>RESIDENTIAL</b> applications:	6,413	21.71%
Individuals with only <b>AGRICULTURAL</b> applications:	4,612	15.61%
Individuals with only <b>PASTORAL</b> applications:	746	2.53%
Individuals with <b>RESIDENTIAL</b> and <b>AGRICULTURAL</b> applications:	15,316	51.84%
Individuals with <b>RESIDENTIAL</b> and <b>PASTORAL</b> applications:	2,456	8.31%
	<b>29,543</b>	<b>100.00%</b>
<b>*Total Number of DHHL APPLICANTS:</b>	<b>29,543</b>	<b>100.00%</b>

\* 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

November 18, 2024

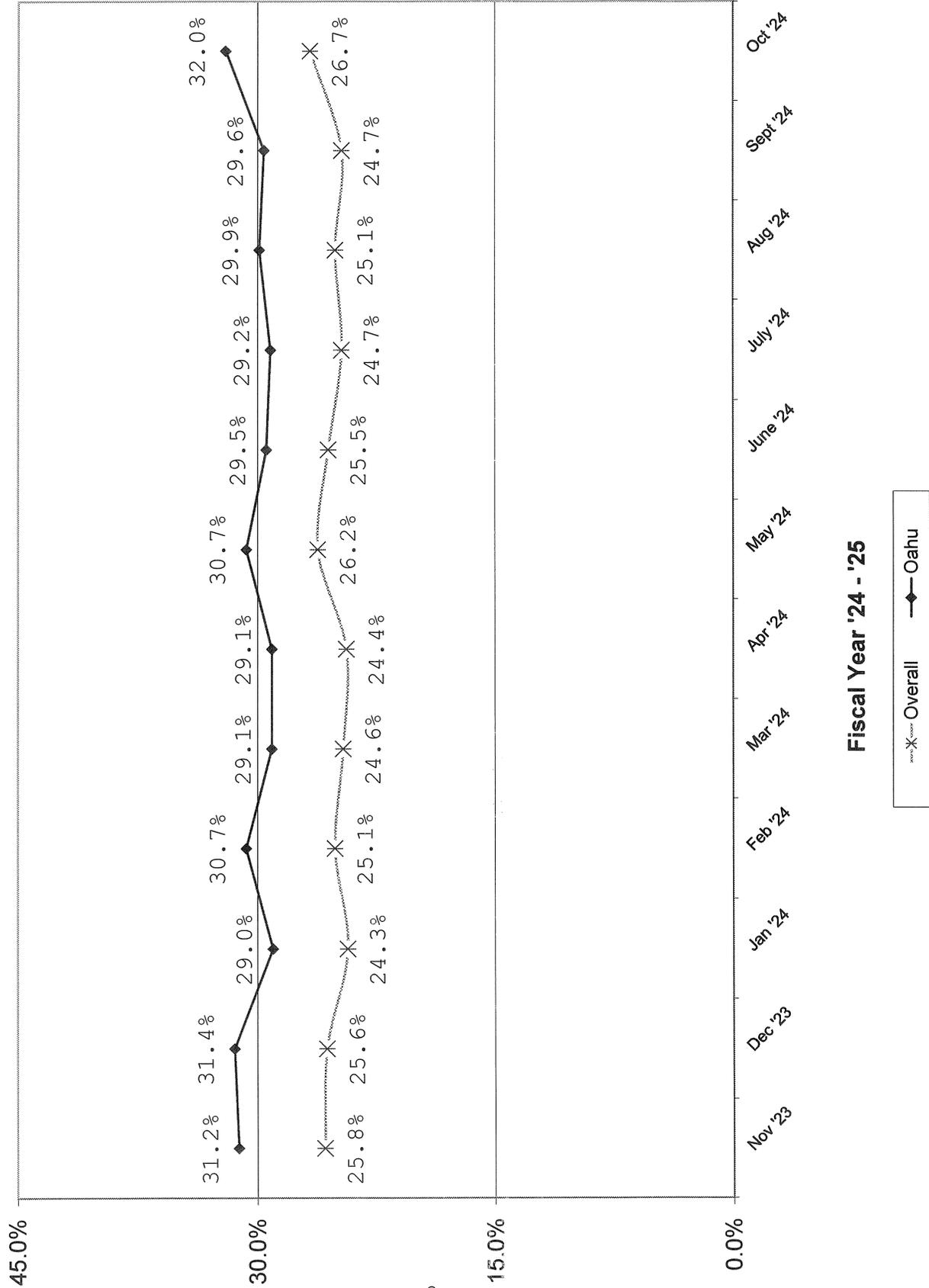
(\$Thousands)

	Total Outstanding		Total Delinquency		30 Days (low)		60 Days (Medium)		90 Days (High)		180 Days (Severe)		% of Totals	
	No.	(000s) Amt.	No.	(000s) Amt.	No.	(000s) Amt.	No.	(000s) Amt.	No.	(000s) Amt.	No.	(000s) Amt.	No.	10/31/2024 \$
<b>DIRECT LOANS</b>														
OAHU	353	35,819	106	11,445	17	1,819	7	859	10	730	72	8,037	30.0%	32.0%
EAST HAWAII	186	10,912	47	3,407	0	0	1	111	6	294	40	3,002	25.3%	31.2%
WEST HAWAII	76	7,800	11	1,072	10	923	0	0	0	0	1	149	14.5%	13.7%
MOLOKAI	76	6,467	14	717	2	159	1	139	2	86	9	333	18.4%	11.1%
KAUAI	90	8,449	18	1,428	8	868	1	20	3	191	6	349	20.0%	16.9%
MAUI	112	15,344	32	4,611	6	815	1	36	2	150	23	3,610	28.6%	30.1%
<b>TOTAL DIRECT</b>	893	84,791	228	22,680	43	4,585	11	1,164	23	1,451	151	15,480	25.5%	26.7%
	100.0%	100.0%	25.5%	26.7%	4.8%	5.4%	1.2%	1.4%	2.6%	1.7%	16.9%	18.3%		
<b>Advances (including RPT)</b>	232	6,181	232	6,181	0	0	0	0	232	6,181	100%	100%	100%	100%
<b>DHHL LOANS &amp; Advances</b>	1,125	90,971	460	28,861	43	4,585	11	1,164	255	7,632	151	15,480	40.9%	31.7%
<b>LOAN GUARANTEES as of June 30, 2024</b>														
SBA	2	67	0	0	0	0	0	0	0	0	0	0	0.0%	0.0%
USDA-RD	274	35,831	43	6,613	0	0	0	0	43	6,613	15.7%	18.5%	15.7%	18.5%
Habitat for Humanity	32	893	16	429	0	0	0	0	16	429	50.0%	48.0%	50.0%	48.0%
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	100.0%	100.0%	100.0%	100.0%
City & County	10	204	10	204	0	0	0	0	10	204	100.0%	100.0%	100.0%	100.0%
FHA Interim	6	1,366	0	0	0	0	0	0	0	0	0	0	0.0%	0.0%
OHA	1	6	1	6	0	0	0	0	1	6	100.0%	100.0%	100.0%	100.0%
<b>TOTAL GUARANTEE</b>	331	38,448	71	7,259	0	0	0	0	71	7,259	21.5%	18.9%	21.5%	18.9%
PMI Loans	116	15,109	3	312	2	185	0	0	1	127	2.6%	2.1%	2.6%	2.1%
HUD REASSIGNED for Recovery	113	12,047	93	10,455	0	0	1	19	3	144	89	10,292	82.3%	86.8%
FHA Insured Loans	2,909	529,341	188	31,229	0	0	0	0	188	31,229	6.5%	5.9%	6.5%	5.9%
<b>TOTAL INS. LOANS</b>	3,138	556,497	284	41,996	2	185	1	19	192	31,500	89	10,292	9.1%	7.5%
<b>OVERALL TOTALS(EXC ADVRPT's)</b>	4,362	679,735	583	71,935	45	4,770	12	1,183	286	40,210	240	25,772	13.4%	10.6%
<b>ADJUSTED TOTALS</b>	4,594	685,916	815	78,116	45	4,770	12	1,183	518	46,391	240	25,772	11.4%	11.4%

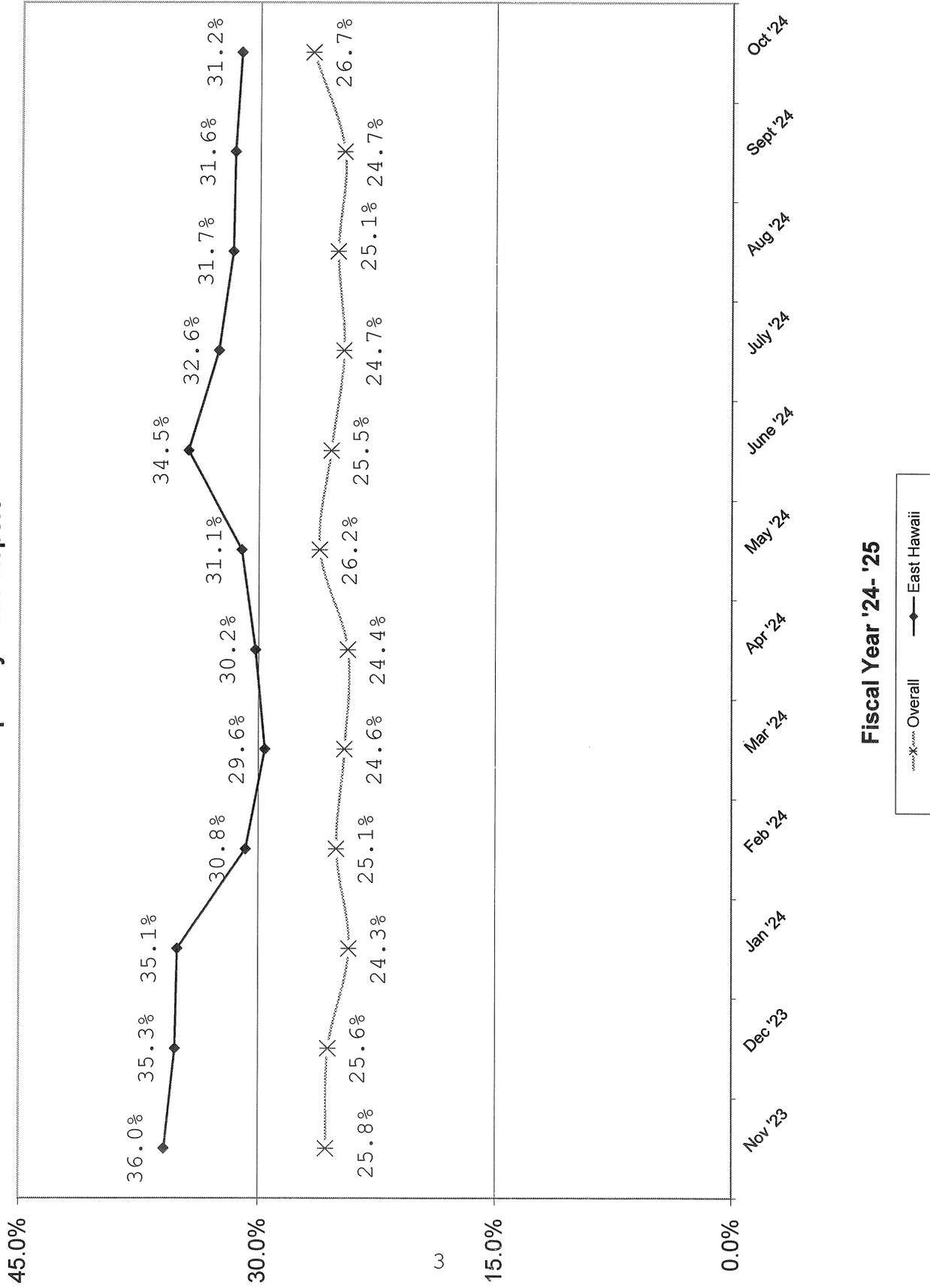
Note: HUD 184A loan program has 517 loans, with a total outstanding principal balance of \$110,117,159 as of June 30, 2024. 10 Loans, totaling \$2,402,108 are delinquent.

The deferred interest for 405 loans comes out to \$1,942,675.25 as of 10/31/2024.

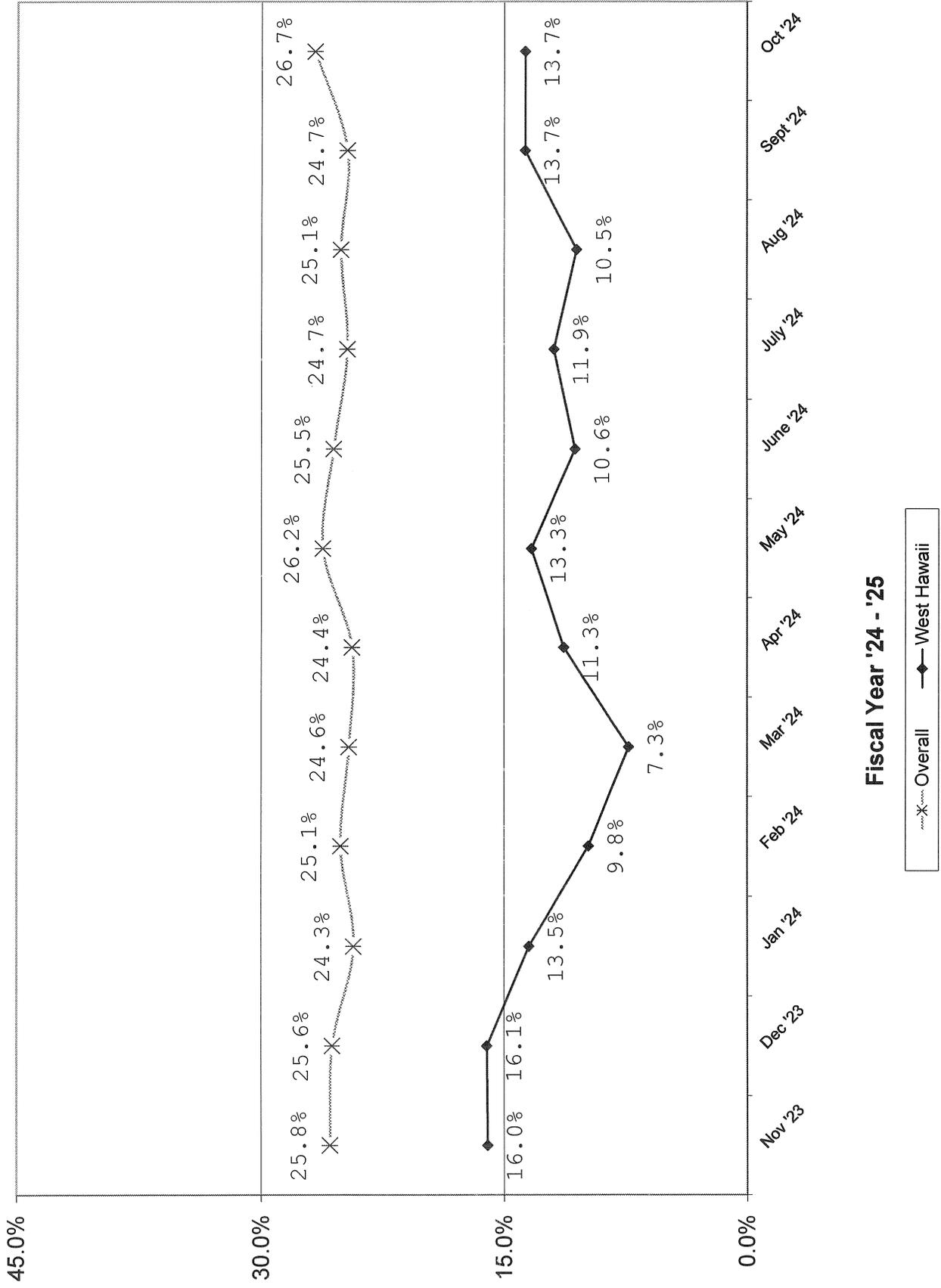
**OAHU  
Direct Loans  
Delinquency Ratio Report**



**EAST HAWAII  
Direct Loans  
Delinquency Ratio Report**



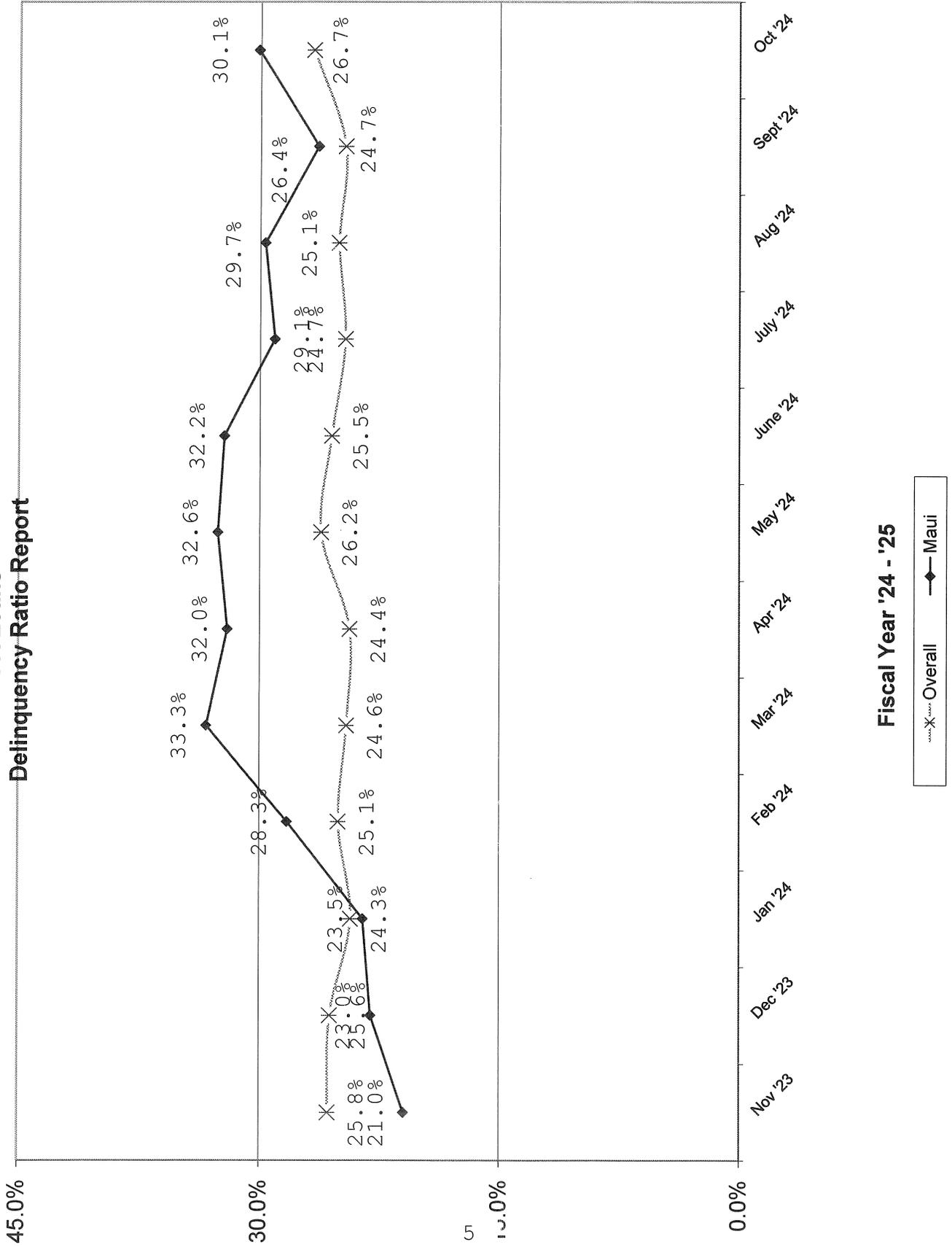
**WEST HAWAII  
Direct Loans  
Delinquency Ratio Report**



**Fiscal Year '24 - '25**

.....x..... Overall      —◆— West Hawaii

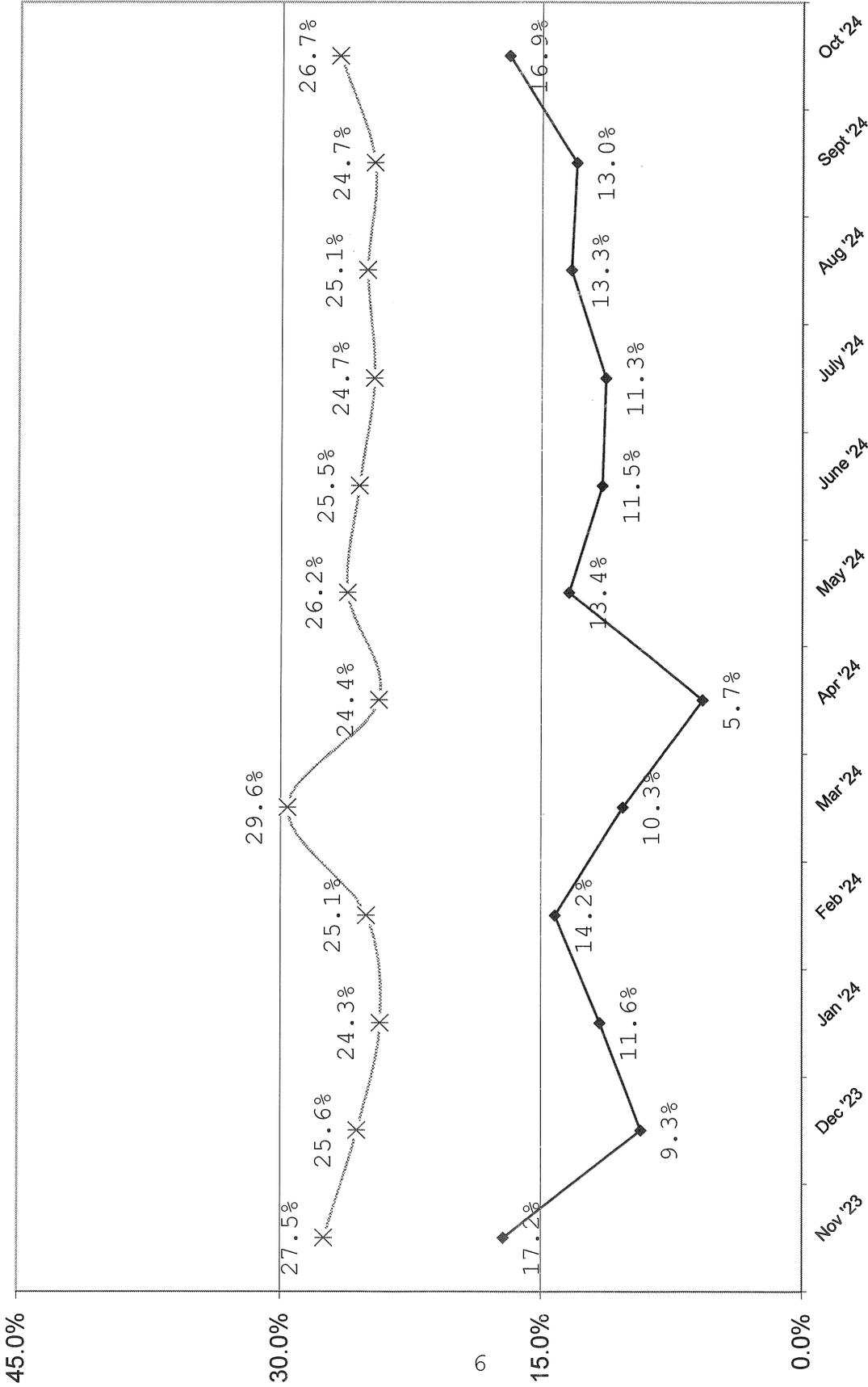
**MAUI  
Direct Loans  
Delinquency Ratio Report**



**Fiscal Year '24 - '25**

Overall — Maui

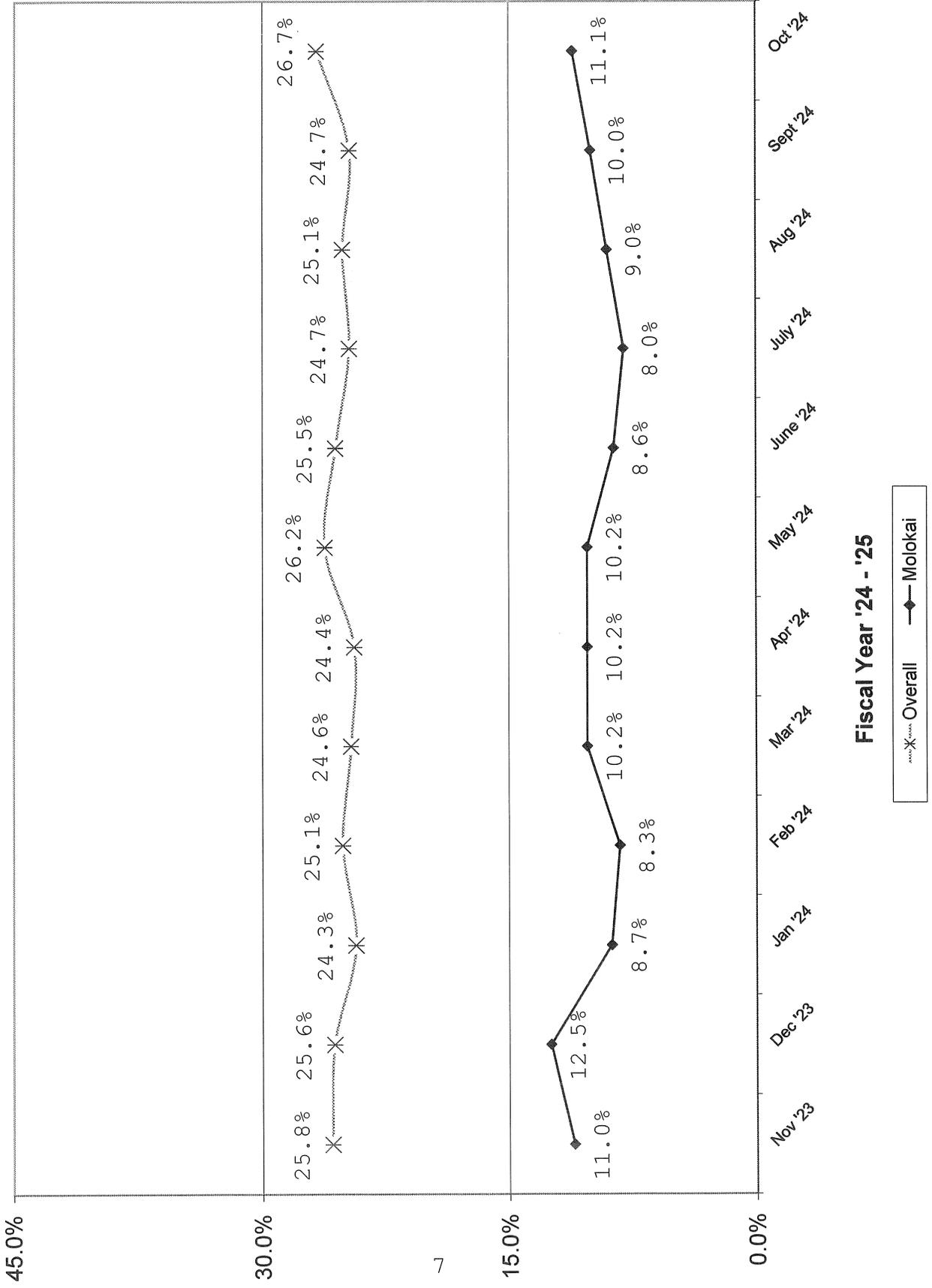
**KAUAI  
Direct Loans  
Delinquency Ratio Report**



**Fiscal Year '24 - '25**



**MOLOKAI**  
**Direct Loans**  
**Delinquency Ratio Report**



November 18, 2024

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

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

<u>LEASE NO.</u>	<u>AREA</u>	<u>LESSEE</u>	<u>Loan Amount</u>	<u>Date Approved</u>
13024	Anahola	Ahuna, Jona Marie K.P.	\$469,796	10/11/24

	<u>No.</u>	<u>Balance</u>
FY Ending 6/30/24	0	\$ -0-
Previous Months	2	\$ 534,350
This Month	<u>1</u>	<u>469,796</u>
FY '24-'25 to date	3	\$ 1,004,146

November 18, 2024

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

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

<u>LEASE NO.</u>	<u>AREA</u>	<u>LESSEE</u>	<u>Loan Amount</u>	<u>Date Approved</u>
13024	Anahola	Ahuna, Jona Marie K.P.	\$459,000	10/11/24

	<u>No.</u>	<u>Balance</u>
FY Ending 6/30/24	1	\$ 249,570
Previous Months	2	\$ 674,700
This Month	<u>1</u>	<u>459,000</u>
FY '24-'25 to date	3	\$ 1,133,700

November 18, 2024

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

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

<u>LEASE NO.</u>	<u>AREA</u>	<u>LESSEE</u>	<u>Loan Amount</u>	<u>Date Approved</u>
11498	Leialii	Kalani, David P. IV	\$137,000	8/28/24
11460	Leialii	Dukes, Yolanda K.	\$141,400	10/31/24

	<u>No.</u>	<u>Balance</u>
FY Ending 6/30/24	2	\$784,900
Previous Months	0	\$ -0-
This Month	<u>2</u>	<u>278,400</u>
FY '24-'25 to date	2	\$278,400

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 18, 2024

TO: Chairman and Members, Hawaiian Homes Commission  
THROUGH: Juan Garcia, HSD Administrator  
Homestead Services Division  
FROM: Dean Oshiro, Loan Services Manager  
SUBJECT: **Approval of Consent to Mortgage**



RECOMMENDED MOTION/ACTION

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

DISCUSSION

<u>PROPERTY</u>	<u>LESSEE</u>	<u>LENDER</u>	<u>LOAN AMOUNT</u>
<u>OAHU</u>			
Kaupea Lease No. 12051 TMK: 1-9-1-140:007	WAIALAE, Bobbie K. (Cash-out Refinance) FHA	Bank of Hawaii	\$ 430,000
Waimanalo Lease No. 3934 TMK: 1-4-1-030:039	MCELROY, Richard J. E. (Cash- out Refinance) FHA	HomeStreet Bank	\$ 475,965
Nanakuli Lease No. 4545 TMK: 1-8-9-010:068	ANDERSON, Justina M. (Cash-out Refinance) FHA	HomeStreet Bank	\$ 458,968
Nanakuli Lease No. 573 TMK: 1-8-9-005:055	NIHOA, Keala K. K. (Cash- out Refinance) FHA	Guild Mortgage Company	\$ 550,000

MAUI

Waiohuli Lease No. 7617 TMK: 2-2-2-027:070	KIA, Adrienne M. (Renovation)VA	Department of Veterans Affairs	\$ 50,000
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KAUAI

Kekaha Lease No. 11359 TMK: 4-1-2-017:030	KANAHELE, Johnny K. (Cash-out Refinance)FHA	SecurityNat- ional Mortg- age	\$ 410,000
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Hanapepe Lease No. 8884 TMK: 4-1-8-018:023	WERNER, Steven K. (Rate/Term Refinance)FHA	SecurityNat- ional Mort- gage	\$ 410,000
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HAWAII

Puukapu Lease No. 6175 TMK: 3-6-4-008:083	SANCHEZ, Creighton K. (Cash- out Refinance)FHA	HomeStreet Bank	\$ 519,000
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Keaukaha Lease No. 8962 TMK: 3-2-1-020:084	OMEROD, Christian J. (Cash- out Refinance)FHA	HomeStreet Bank	\$ 125,685
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Puukapu Lease No. 9036 TMK: 3-6-4-036:064	KEKOA, Kevin J. (Construction)VA	Department of Veterans Affairs	\$ 950,000
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<u>RECAP</u>	<u>NO.</u>		<u>FHA</u> <u>AMOUNT</u>		<u>NO.</u>	<u>VA</u> <u>AMOUNT</u>
FY Ending 6/30/24	88	\$	32,647,026		23	\$ 6,684,116
Prior Months	35	\$	13,966,212		4	\$ 1,760,000
This Month	<u>8</u>		<u>3,379,618</u>		<u>2</u>	<u>1,000,000</u>
Total FY '24-25	43	\$	17,345,830		6	\$ 2,760,000

			<u>HUD 184A</u> <u>AMOUNT</u>		<u>USDA-RD</u> <u>AMOUNT</u>
FY ENDING 6/30/24	18	\$	7,258,802	3	\$ 1,380,787
Prior Months	5	\$	1,879,800	0	\$ 0
This Month	<u>0</u>		<u>0</u>	<u>0</u>	<u>0</u>
Total FY '24-25	5	\$	1,879,800	0	\$ 0

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 18, 2024

TO: Chairman and Members, Hawaiian Homes Commission  
THROUGH: Juan Garcia, HSD Administrator   
FROM: Nicole F. Bell, Application Branch Supervisor   
Homestead Services Division  
SUBJECT: **Approval of Homestead Application Transfers/Cancellations**

RECOMMENDED MOTION/ACTION

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

DISCUSSION

1. Requests of Applicants to Transfer

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

KAHAHAWAI-WELCH, Jonah K.	04/11/2023	HAWAII	RES	07/22/2024
KAHAHAWAI-WELCH, Payton K.	04/11/2023	MAUI	RES	07/22/2024

MAUI ISLANDWIDE PASTORAL LEASE LIST

KAHAHAWAI-WELCH, Jonah K.	04/11/2023	KAUAI	PAS	07/22/2024
KAHAHAWAI-WELCH, Payton K.	04/11/2023	HAWAII	AGR	07/22/2024

## 2. Deceased Applicants

### NANAKULI AREA / OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

MIKASOBE, Elizabeth H.            Applicant's date of death occurred on 03/15/1957, 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 05/05/1950.

### HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

SILVA, Poepoe C.                    Applicant's date of death occurred on 04/30/1997, 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 07/08/1982.

SOUZA, Leonora K.                   Applicant's date of death occurred on 10/24/1995, 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 06/05/1986.

## 3. Awards of Leases

### OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

WILLIAMS, Kawe W.                    Assigned Agricultural Lease #5904, Lot 141 in Kalamaula, Molokai dated 10/28/2010. Remove application dated 02/10/2004.

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

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KAHANAIOI, Walter K. Assigned Residential Lease #8261, Lot 43 in Lualualei, Oahu dated 09/20/2024. Remove application dated 04/22/2009.

KALUA, Leinna K. Assigned Residential Lease #11690, Lot 18644 in Kanehili, Oahu dated 07/19/2024. Remove application dated 07/07/2020.

KAMAI, Teddy Assigned Residential Lease #13075, Lot 4 in Kauluokahai, Oahu dated 08/29/2024. Remove application dated 08/20/1992.

KEKAUOHA, Joseph P. Assigned Residential Lease #8490, Lot 200 in Princess Kahanu Estates, Oahu dated 09/09/2022. Remove application dated 04/19/2021.

KEKUA, Tilsha-Rae Assigned Residential Lease #9990, Lot 112 in Waianae, Oahu dated 12/27/2022. Remove application dated 01/26/2022.

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

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CONTRERAS, DeAnn N.K. Assigned Residential Lease #12240, Lot 40 in Waiehu 4, Maui dated 04/29/2008. Remove application dated 10/16/2006.

KAHOOHANO HANO, Teana M.N. Assigned Residential Lease #5419, Lot 31 in Paukukalo, Maui dated 06/13/2023. Remove application dated 06/12/2019.

KAMA-VALDEZ, Daviane K. Assigned Residential Lease #9447, Lot 9 in Waiehu 2, Maui dated 08/19/2024. Remove application dated 09/29/2020.

KELIIKUPAKAKO-KAUHOLA, Christine P. Assigned Residential Lease #7621, Lot 153 in Waiohuli, Maui dated 07/01/2020. Remove application dated 07/05/2007.

KIESLING, Agnes E.M. Assigned Residential Lease #7600, Lot 150 in Waiohuli, Maui dated 07/11/2024. Remove application dated 04/14/2015.

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

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DEAN, Yolanda J. Assigned Agricultural Lease #6187, Lot 25 in Puukapu, Hawaii dated 11/12/2019. Remove application dated 08/22/2006.

MALANI, Cynthia L. Assigned Agricultural Lease #6202, Lot 26-A in Panaewa, Hawaii dated 12/08/2020. Remove application dated 09/25/1986.

HAWAII ISLANDWIDE PASTORAL LEASE LIST

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CHAI, Dorian H. Assigned Pastoral Lease #4964, Lot 5-A in Waimea, Hawaii dated 03/03/2003. Remove application dated 05/02/1986.

DEGUAIR, Bernard C. Assigned Pastoral Lease #8028, Lot 53 in Puukapu, Hawaii dated 10/07/2004. Remove application dated 05/19/2004.

KAIAMA, Dexter K. Assigned Pastoral Lease #2664-A, Lot 5 in Nienie, Hawaii dated 06/25/2020. Remove application dated 08/20/1985.

NUUHIWA, Milnora L. Assigned Pastoral Lease #6911, Lot 42 in Puukapu, Hawaii dated 08/09/2024. Remove application dated 01/14/1982.

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

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AIU, Michael J.N. Assigned Residential Lease #8737, Lot 3 in Waianae, Oahu dated 05/02/2022. Remove application dated 02/27/1987.

AKAO, Tessa M.A. Assigned Residential Lease #13029, Lot 143-B in Keaukaha, Hawaii dated 08/23/2024. Remove application dated 05/30/1986.

ALAPAI, Pua Assigned Residential Lease #9321, Lot 8 in Kaniohale, Hawaii dated 05/19/2022. Remove application dated 11/30/1990.

ALIP, Robert Assigned Residential Lease #10877, UNDV251 in Laiopua, Hawaii dated 09/10/2021. Remove application dated 01/07/1988.

BONILLA, Joni L. Assigned Residential Lease #4209, Lot 18 in Waiakea, Hawaii dated 12/13/2018. Remove application dated 12/22/1988.

COSTA, Herman Jr. Assigned Residential Lease #9085, Lot 259 in Keaukaha, Hawaii dated 07/12/2022. Remove application dated 11/21/1994.

CRUM, Kainoa A. Assigned Residential Lease #9646, Lot 183-A in Keaukaha, Hawaii dated 06/03/2021. Remove application dated 08/18/2011.

FREITAS, Billy-Jo K. Assigned Residential Lease #2210, Lot 153 in Kewalo, Oahu dated 02/17/2023. Remove application dated 01/19/2006.

GIRON, Lisa L. Assigned Residential Lease #9263, Lot 50 in Kaniohale, Hawaii dated 10/24/2019. Remove application dated 04/13/2015.

KAIAMA, Dexter K. Assigned Residential Lease #2664, Lot 51 in Kuhio Village, Hawaii dated 06/25/2020. Remove application dated 08/20/1985.

KALANIOPIO, Gordon K., Jr. Assigned Residential Lease #9654, Lot 190 in Kawaihae, Hawaii dated 10/04/2022. Remove application dated 06/10/2008.

KIM, Loriann Assigned Residential Lease #2917, Lot 296 in Keaukaha, Hawaii dated 12/08/2020. Remove application dated 09/30/2004.

KUKONA, Beau I.T. Assigned Residential Lease #1591, Lot 298-A in Keaukaha, Oahu dated 01/26/2018. Remove application dated 06/02/2015.

MILLER, Samuel K. Assigned Residential Lease #9118, Lot 29 in Waiakea, Hawaii dated 11/04/2021. Remove application dated 04/04/2006.

MONTEZ, Frank Cruz, Jr. Assigned Residential Lease #9774, Lot 13681 in Maluohai, Oahu dated 05/19/2022. Remove application dated 10/23/2008.

PADILLIO, Rose Mae K. Assigned Residential Lease #9412, Lot 99 in Kaniohale, Hawaii dated 07/01/2016. Remove application dated 07/30/2014.

PAULO, Koa P. Assigned Residential Lease #7105, Lot 51 in Kawaihae, Hawaii dated 02/17/2022. Remove application dated 04/26/2021.

PEREIRA, George J.L.W. Assigned Residential Lease #5091, Lot 264-A in Keaukaha, Hawaii dated 05/09/2022. Remove application dated 03/21/1991.

PEREIRA, Jodi-Lynne L.W. Assigned Residential Lease #5091, Lot 264-A in Keaukaha, Hawaii dated 05/09/2022. Remove application dated 01/17/1995.

SALAS, Sallyjean B. Assigned Residential Lease #5062, Lot 194-A-1 in Keaukaha, Hawaii dated 08/19/2021. Remove application dated 07/06/2006.

SHERLOCK, Richard J.K. Assigned Residential Lease #2323, Lot 167-A in Keaukaha, Hawaii dated 09/10/2021. Remove application dated 08/11/1989.

SUE, Shayne K. Assigned Residential Lease #9083, Lot 339 in Keaukaha, Hawaii dated 05/12/2021. Remove application dated 04/11/2012.

WAGNER, Gregory M., Jr. Assigned Residential Lease #6819,  
Lot 6 in Waiakea, Hawaii dated  
07/01/2021. Remove application  
dated 04/03/1992.

WARFIELD, Kaleoaloha M. Assigned Residential Lease #1379,  
Lot 148 in Keaukaha, Hawaii dated  
03/17/2021. Remove application  
dated 01/11/1991.

KAUAI ISLANDWIDE AGRICULTURAL LEASE LIST

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KAMAI, Ray K. Assigned Agricultural Lease #6148,  
Lot 173 in Kalamaula, Molokai dated  
03/04/2019. Remove application  
dated 07/17/1986.

MOLOKAI ISLANDWIDE RESIDENTIAL LEASE LIST

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GARCES, Petronilo M. Assigned Residential Lease #10594,  
UNDV297 in Waiohuli, Maui dated  
05/02/2024. Remove application  
dated 05/25/2017.

4. Native Hawaiian Qualification

NONE FOR SUBMITTAL

5. Voluntary Cancellation

NONE FOR SUBMITTAL

6. Successorship

OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

CASPERSON, Roddy K. Succeeded to Molokai Islandwide Agricultural application of Parent, Benjamin Casperson Jr. dated 02/02/1983. Remove application dated 09/22/2017.

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

EVANS, Sherry L. Succeeded to Hawaii Islandwide Agricultural application of Parent, Shirley L. Cordeiro dated 05/04/1984. Remove application dated 07/27/1987.

7. Additional Acreage

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

AULD-AVILES, Colleen P.W. Transferred Agricultural Lease Assignment #6170, Lot 12 in Puukapu, Hawaii dated 11/07/2017. Remove associated application dated 02/06/1987.

EVANS, Margaret P. Transferred Agricultural Lease Assignment #5113, Lot 61-A-3 in Panaewa, Hawaii dated 11/29/2002. Remove associated application dated 03/20/2001.

EVANS, Sheila L.

Transferred Agricultural Lease Assignment #5113-B, Lot 61-A-2 in Panaewa, Hawaii dated 06/29/2010. Remove associated application dated 03/19/2007.

KAAHEA, Kekuhoumana H.

Cancelled Agricultural Lease Assignment #4764, Lot 11 in Waimea, Hawaii dated 11/21/1996. Remove associated application dated 10/08/1981.

KEPAA, Vernon D.

Transferred Agricultural Lease Assignment #6190, Lot 28 in Waimea, Hawaii dated 10/05/2004. Remove associated application dated 08/06/1996.

MALANI, Gabriel K.

Transferred Agricultural Lease Assignment #6204, Lot 28-A in Panaewa, Hawaii dated 10/06/2000. Remove associated application dated 06/23/1986.

MANUEL, Daniel K.

Transferred Agricultural Lease Assignment #6165, Lot 7 in Puukapu, Hawaii dated 09/12/2000. Remove associated application dated 06/06/1986.

MOKIAO, Faith U.

Transferred Agricultural Lease Assignment #06260, Lot 80-B in Panaewa, Hawaii dated 11/12/1991. Remove associated application dated 03/31/1986.

NICOLAS, Alberta K.

Transferred Agricultural Lease Assignment #6232, Lot 161-A in Panaewa, Hawaii dated 06/28/2000. Remove associated application dated 03/18/1986.

SCHWEITZER, Jerome

Transferred Agricultural Lease Assignment #6402, Lot 94 in Makuu, Hawaii dated 08/23/2021. Remove associated application dated 03/27/1986.

HAWAII ISLANDWIDE PASTORAL LEASE LIST

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KANIHO, Martinson P., Sr.

Transferred Pastoral Lease Assignment #9077, Lot 1 in Humuula, Hawaii dated 07/10/1999. Remove associated application dated 07/24/1995.

8. HHC Adjustments

NONE FOR SUBMITTAL

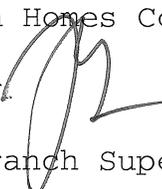
Last Month's Transaction Total	21
Last Month's Cumulative FY 2023-2024 Transaction Total	489
Transfers from Island to Island	4
Deceased	3
Cancellations:	
Awards of Leases	43
NHQ	0
Voluntary Cancellations	0
Successorship	1
Additional Acreage	11
HHC Adjustments	0
This Month's Transaction Total	62
<b>This Month's Cumulative FY 2024-2025 Transaction Total</b>	<b>551</b>

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 18, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 

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

SUBJECT: **Approval to Certify Applications of Qualified Applicants for the month of October 2024**

RECOMMENDED MOTION/ACTION

To approve the certification of applications of qualified applicants for the month of October 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 'ohanaprocess.

NANAKULI AREA / OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

OLSON, Eurless	06/03/1969
NOLAND, John	02/11/1971

WAIMANALO AREA / OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

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NUNES, Muriel U.	08/14/1962
OGAWA, Barbara A.	08/24/1962
AIONA, Lorraine N.	06/04/1963
OGAWA, David	02/24/1972
HAYSELDEN, Louis, Jr.	05/30/1973

OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

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KAUHI, Gabriel K.	07/29/2024
POE, Sonelle K.K.	07/29/2024
GABRIEL, Terry I.	08/01/2024
CHOY FOO, Val Q.	08/06/2024
NAKAPAAHU, Kaala E.A.	08/06/2024
GRAZIANO, Leeza K.	08/21/2024
KIAAINA, Kimberly M.	08/21/2024
LAA, Brandon K.	08/21/2024
LEE-KIAAINA, Lee-Jan T.	08/21/2024
LEE-KIAAINA, Levanna K.	08/22/2024

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

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LYMAN, Raymond R.	08/22/1985
AHAI, Stephanie A.	11/03/2000
YUEN, Braxton K.	07/26/2024
KAUHI, Gabriel	07/29/2024
KAUPIKO, Sarah N.	07/30/2024
GABRIEL, Terry I.	08/01/2024

CHOY FOO, Val Q.	08/06/2024
NAKAPAAHU, Kaala E.A.	08/06/2024
KAULIA, Austin H.M.	08/20/2024
AKINA, Jordene K.	08/21/2024
GRAZIANO, Leeza K.	08/21/2024
KIAAINA, Kimberly M.	08/21/2024
LAA, Brandon K.	08/21/2024
LEE-KIAAINA, Lee-Jan T.	08/21/2024
NAMUO, Lance K., Jr.	08/21/2024
NIHIPALI, Keana K.Q.	08/21/2024
SAMA, Marleina K.	08/21/2024
LEE-KIAAINA, Levanna K.	08/22/2024

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

POOUAHI, Jacob L.H.	08/05/2024
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MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

KAIWI, Geraldine K.	06/05/1990
KEAWEKANE, Kamakahaloa	07/31/2024
POOUAHI, Jacob L.H.	08/05/2024
LOPES, Lynn K.	08/07/2024

KEAUKAHA / WAIAKEA AREA / HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

AHULAU, Gabriel H., Jr.	10/20/1961
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PANAewa AREA / HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

AHUNA, Edward K., Jr.	08/04/1971
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COSBY, Leona

03/20/1972

WAIMEA AREA / HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

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KAILIWAI, John H.

07/05/1969

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

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JOHNSON, Emily K.

08/27/1982

LYMAN, Raymond R.

08/22/1985

KAMAKEEAINA, Melanie N.

03/05/1987

KAUPIKO, Sarah N.

07/30/2024

ANAKALEA, Herbert H.H., III

08/20/2024

NIHIPALI, Keana K.Q.

08/21/2024

HAWAII ISLANDWIDE PASTORAL LEASE LIST

---

YUEN, Braxton K.

07/26/2024

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

---

JOHNSON, Emily K.

09/19/1979

KAMAKEEAINA, Melanie N.

03/05/1987

ANAKALEA, Herbert H.H., III

08/20/2024

KAUAI ISLANDWIDE AGRICULTURAL LEASE LIST

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PAHULEHUA, Laurie K.

07/30/2024

SILVA, Gwendolyn L.

08/02/2024

KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

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SILVA, Gwendolyn L.

08/02/2024

MOLOKAI ISLANDWIDE AGRICULTURAL LEASE LIST

---

ENGLISH, Bryan J.L.

08/09/2024

MOLOKAI ISLANDWIDE RESIDENTIAL LEASE LIST

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ENGLISH, Bryan J.L

08/09/2024

Previous Cumulative Total for Current FY	213
Current Month's Total	59
<b>Fiscal Year Total: July 2024-June 2025</b>	<b>272</b>

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 18, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 

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

SUBJECT: **Commission Designation of Successors to Application Rights - Public Notice November 2023**

RECOMMENDED MOTION/ACTION

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

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

DISCUSSION

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

1.Deceased Applicant: Benjamin Casperson Jr.  
 Date of death: April 18, 2012  
 Successor to app rights: Roddy K. Casperson  
 Relationship to decedent: Child  
 Island: Molokai  
 Type: Islandwide Agricultural  
 Date of Application: February 2, 1983  
 Date of Public Notice: November 2023

Previous Cumulative Total for Current FY	45
Current Month's Total	1
<b>Fiscal Year Total: July 2024-June 2025</b>	<b>46</b>

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 18, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator   
Homestead Services Division

FROM: Ross K. Kapeliela, 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

Eighteen (18) assignments of lease.

1. Lessee Name: William R. I. K. Bradley & Kuuipo P. Haili  
Res. Lease No. 2845, Lot No. 187  
Lease Date: 1/7/1954  
Area: Kewalo, Oahu  
Property Sold & Amount: No, N/A  
Improvements: 4 bedroom, 2 bath dwelling

Transferee Name: Hiilani H. Finau  
Relationship: Sister  
Loan Assumption: No  
Applicant: No

Reason for Transfer: "Giving lease to relative."

2. Lessee Name: Gloria A. N. Cheeley  
Res. Lease No. 12307, Lot No. 4  
Lease Date: 1/7/2011  
Area: Waiohuli, Maui  
Property Sold & Amount: Yes, \$770,000.00  
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Ruth A. B. L. Kekipi  
Relationship: None  
Loan Assumption: No  
Applicant: Yes, Maui IW Res., 10/24/2007

Reason for Transfer: "Moving off island, want to make leasehold available for qualified native Hawaiian especially post 8/8/2023 Lahaina fires." Special Condition: Transferee to obtain funds to pay purchase price.

3. Lessee Name: Kandy K. DeFreitas  
Res. Lease No. 10258, Lot No. 50  
Lease Date: 1/1/2005  
Area: Hoolehua, Molokai  
Property Sold & Amount: Yes, \$250,000.00  
Improvements: 2 bedroom, 2-1/2 bath

Transferee Name: Dustin K. Dudoit  
Relationship: None  
Loan Assumption: No  
Applicant: Yes, Molokai IW Res., 12/06/2017

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

4. Lessee Name: Brad K. Hosino  
Res. Lease No. 3829, Lot No. 1  
Lease Date: 9/18/1970  
Area: Paukukalo, Maui,  
Property Sold & Amount: Yes, \$325,000.00  
Improvements: 3 bedroom, 1 bath dwelling

Transferee Name: Sheila Ann Demello  
Relationship: None  
Loan Assumption: No  
Applicant: Yes, Maui IW Res., 01/22/2010

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

5. Lessee Name: Sheila Ann Demello  
Res. Lease No. 3829, Lot No. 1  
Lease Date: 9/18/1970  
Area: Paukukalo, Maui  
Property Sold & Amount: Yes, \$325,000.00  
Improvements: 3 bedroom, 1 bath dwelling

Transferee Name: Shaunte K. Demello  
Relationship: None  
Loan Assumption: Daughter  
Applicant: No

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

6. Lessee Name: Russel N. Kaiakamalie  
Res. Lease No. 7649, Lot No. 318  
Lease Date: 2/7/2002  
Area: Waiohuli, Maui  
Property Sold & Amount: No, N/A  
Improvements: 3 bedroom, 2-1/2 bath dwelling

Transferee Name: Anuhea L. Kaiakamalie  
Relationship: Daughter  
Loan Assumption: No  
Applicant: No

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

7. Lessee Name: Anuhea L. Kaiakamalie  
Res. Lease No. 7649, Lot No. 318  
Lease Date: 2/7/2002  
Area: Waiohuli, Maui  
Property Sold & Amount: No, N/A  
Improvements: 3 bedroom, 2-1/2 bath dwelling

Transferee Name: Russel N. Kaiakamalie  
Relationship: Father  
Loan Assumption: No  
Applicant: No

Reason for Transfer: "Giving lease to relative." Lease  
exchange with lease number 7650, lot number 317. Transfer  
was approved by Hawaiian Homes Commission on May 20, 2024.

8. Lessee Name: Lindsay W. A. K. C. Kalani  
Res. Lease No. 8184, Lot No. 16  
Lease Date: 1/1/1993  
Area: Nanakuli, Oahu  
Property Sold & Amount: Yes, \$270,000.00  
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: April R. Hill  
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.

9. Lessee Name: April R. Hill  
Res. Lease No. 8184, Lot No. 16  
Lease Date: 1/1/1993  
Area: Nanakuli, Oahu  
Property Sold & Amount: Yes, \$270,000.00  
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Jessica M. Anderson & Jonah K. Anderson  
Relationship: Granddaughter & Grandson  
Loan Assumption: No  
Applicant: No

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

10. Lessee Name: Frank Kane  
Res. Lease No. 11474, Lot No. 56  
Lease Date: 11/29/2007  
Area: Leialii, Maui  
Property Sold & Amount: Yes, \$650,000.00  
Improvements: 2 bedroom, 1-1/2 bath dwelling

Transferee Name: Dennis A. Kahula  
Relationship: None  
Loan Assumption: No  
Applicant: Yes, Maui IW Res., 05/30/2019

Reason for Transfer: "To be closer to family and medical  
reasons." Special Condition: Transferee to obtain funds to  
pay purchase price. See simultaneous transfer below.

11. Lessee Name: Dennis A. Kahula  
Res. Lease No. 11474, Lot No. 56  
Lease Date: 11/29/2007  
Area: Leialii, Maui  
Property Sold & Amount: Yes, \$650,000.00  
Improvements: 2 bedroom, 1-1/2 bath dwelling
- Transferee Name: Lyrik P. T. Kahula  
Relationship: Grandson  
Loan Assumption: No  
Applicant: No
- Reason for Transfer: "Giving lease to relative." Special Condition: Transferee to obtain funds to pay purchase price.
12. Lessee Name: Christina L. P. Sarmiento  
Res. Lease No. 4712, Lot No. 8  
Lease Date: 10/26/1977  
Area: Kapaakea, Molokai  
Property Sold & Amount: No, N/A  
Improvements: 3 bedroom, 2 bath dwelling
- Transferee Name: Madelyn S. P. Sagario  
Relationship: Sister  
Loan Assumption: No  
Applicant: No
- Reason for Transfer: "Giving lease to relative."
13. Lessee Name: Louis Vera Cruz, Jr.  
Res. Lease No. 12817, Lot No. 53  
Lease Date: 06/19/2017  
Area: Laiopua, Hawaii  
Property Sold & Amount: Yes, \$92,000.00  
Improvements: 2 bedroom, 1 bath dwelling
- Transferee Name: Gayle K. Kaio  
Relationship: None  
Loan Assumption: No  
Applicant: Yes, Oahu IW Res., 9/07/2011
- Reason for Transfer: "Lessee, doesn't want to transfer lease to family members." Special Conditions: Transferee to obtain funds to pay purchase price.

14. Lessee Name: Arthur K. Chu  
Agr. Lease No. 112, Lot No.39  
Lease Date: 10/27/1924  
Area: Hoolehua, Molokai  
Property Sold & Amount: No, N/A  
Improvements: None

Transferee Name: Kyson H. C. Kalawe  
Relationship: Nephew  
Loan Assumption: No  
Applicant: No

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

15. Lessee Name: Kyson H. C. Kalawe  
Agr. Lease No. 112, Lot No. 39  
Lease Date: 10/27/1924  
Area: Hoolehua, Molokai  
Property Sold & Amount: No, N/A  
Improvements: None

Transferee Name: Kyson H. C. Kalawe &  
Chaney U. Kalawe-Deluna  
Relationship: Lessee & Wife  
Loan Assumption: No  
Applicant: No

Reason for Transfer: "Adding relative to lease."

16. Lessee Name: JoAnn K. Figaroa  
Res. Lease No. 6489, Lot No. 58  
Lease Date: 6/30/1994  
Area: Anahola, Kauai  
Property Sold & Amount: No, N/A  
Improvements: None

Transferee Name: Robert Figaroa, Jr.  
Relationship: Son  
Loan Assumption: No  
Applicant: No

Reason for Transfer: "Need to do getting up in age."

17. Lessee Name: Samuel J. Maii  
Agr. Lease No. 6663, Lot No. 38-B  
Lease Date: 11/1/1986  
Area: Waiahole, Oahu  
Property Sold & Amount: No, N/A  
Improvements: None

Transferee Name: Mahina W. Maii  
Relationship: Daughter  
Loan Assumption: No  
Applicant: No

Reason for Transfer: "Giving lease to relative."

18. Lessee Name: Dell H. Otsuka  
Agr. Lease No. 13031, Lot No. 185-C  
Lease Date: 9/7/2023  
Area: Panaewa, Hawaii  
Property Sold & Amount: No, N/A  
Improvements: None

Transferee Name: Thaysha K. H. Genegabuas  
Relationship: Granddaughter  
Loan Assumption: No  
Applicant: No

Reason for Transfer: "Giving lease to relative."

Assignments for the Month of November `24	18
Previous FY '24 - '25 balance	<u>61</u>
FY '24 - '25 total to date	79
Assignments for FY '23 - '24	107

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 18, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator  
Homestead Services Division

FROM: Ross K. Kapeliela, 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

Eight (8) amendments of lease.

1. Lessee: William R. I. K. Bradley &  
Kuuiipo P. Haili  
Res. Lease No.: 2845  
Lot No., Area, Island: 187, Kewalo, Oahu  
Amendment: To extend the lease term to an  
aggregate term of 199 years.  
(Transfer)
  
2. Lessee: Marion E. Gramberg  
Res. Lease No.: 2815  
Lot No., Area, Island: 22, Waimanalo, Oahu  
Amendment: To amend the lease to incorporate  
the currently used terms,  
conditions, and covenants to the  
lease and to extend the lease term  
to an aggregate term of 199 years.  
(Successorship)

3. Lessee: Coleen K. Jervis  
 Res. Lease No.: 3755  
 Lot No., Area, Island: 19, Waimanalo, Oahu  
 Amendment: To amend the lease tenancy from tenants by the entirety to tenant in severalty due to the death of the entirety. (Successorship)
  
4. Lessee: Clifford K. Kaneaiakala  
 Res. Lease No.: 3606  
 Lot No., Area, Island: 99, Waimanalo, Oahu  
 Amendment: To amend the lease title and lessor name, and to update the property description. (Successorship)
  
5. Lessee: Adrienne M. Kia  
 Res. Lease No.: 7617  
 Lot No., Area, Island: 156, Waiohuli, Maui  
 Amendment: To amend the lease to update the commencement date and property description due to final subdivision approval. (Loan)
  
6. Lessee: Darlene Kipi  
 Res. Lease No.: 3889  
 Lot No., Area, Island: 118, Waimanalo, Oahu  
 Amendment: To amend the lease tenancy from tenants by the entirety to tenant in severalty due to the death of the entirety and to incorporate the currently used terms, conditions, and covenants to the lease. (Successorship)
  
7. Lessee: Samuel J. Maii  
 Agr. Lease No.: 6663  
 Lot No., Area, Island: 38-B, Waiahole, Oahu  
 Amendment: To amend the lease to update the property description. (Transfer)

8. Lessee: Shawn Willing  
 Res. Lease No.: 3900  
 Lot No., Area, Island: 20-A, One Alii, Molokai  
 Amendment: To amend the lease to incorporate  
 the currently used terms,  
 conditions, and covenants to the  
 lease. (Transfer)

Amendments for the Month of November '24	8
Previous FY '24 - '25 balance	<u>59</u>
FY '24 - '25 total to date	67
Amendments for FY '23 - '24	66

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 18, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator   
Homestead Services Division

FROM: Ross K. Kapeliela, 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

Sixteen (16) non-exclusive licenses.

1. Lessee: Lenora C. K. Ah Nee  
Res. Lease No.: 4575  
Lot No., Area, Island: 46, Waianae, Oahu  
Permittee: Sunrun Installation Services
  
2. Lessee: Kihei A. Ahuna  
Res. Lease No.: 6323  
Lot No., Area, Island: 70-B, Keaukaha, Hawaii  
Permittee: Sunrun Installation Services

3. Lessee: Naylene L. Aki  
Res. Lease No.: 11148  
Lot No., Area, Island: 45, Anahola, Kauai  
Permittee: Sunrun Installation Services
4. Lessee: Keanuwaialeale L. Chun  
Res. Lease No.: 307  
Lot No., Area, Island: 106-A, Nanakuli, Oahu  
Permittee: Sunrun Installation Services
5. Lessee: Brianna K. Collo  
Res. Lease No.: 9542  
Lot No., Area, Island: 105, Waiehu 2, Maui  
Permittee: Sunrun Installation Services
6. Lessee: Paul K. Kahanu  
Res. Lease No.: 9245  
Lot No., Area, Island: 32, Kaniohale, Hawaii  
Permittee: Sunrun Installation Services
7. Lessee: Orson D. Kahoopii  
Res. Lease No.: 8913  
Lot No., Area, Island: 164, Nanakuli, Oahu  
Permittee: Sunrun Installation Services
8. Lessee: Lonn Kalani Kalama  
Res. Lease No.: 729  
Lot No., Area, Island: 28, Waimanalo, Hawaii  
Permittee: Sunrun Installation Services
9. Lessee: Layton K. Kaleikau & Marsha A. Kaleikau  
Res. Lease No.: 1682  
Lot No., Area, Island: 58, Kewalo, Oahu  
Permittee: Sunrun Installation Services
10. Lessee: Glynis Kukahiko  
Res. Lease No.: 11468  
Lot No., Area, Island: 36, Leialii, Maui  
Permittee: Sunrun Installation Services

- 11. Lessee: Helen K. Manalo  
 Res. Lease No.: 11262  
 Lot No., Area, Island: 14, Kumuhau, Oahu  
 Permittee: Sunrun Installation Services
  
- 12. Lessee: David K. Moku, IV  
 Res. Lease No.: 5973  
 Lot No., Area, Island: 18, Waimanalo, Oahu  
 Permittee: Holu Hou Energy
  
- 13. Lessee: Samuel K. Nakoa, III  
 Res. Lease No.: 7765  
 Lot No., Area, Island: 4, Waimanalo, Oahu  
 Permittee: Sunrun Installation Services
  
- 14. Lessee: Kapiolani A. Nolan  
 Res. Lease No.: 11213  
 Lot No., Area, Island: 4, Kakaina, Oahu  
 Permittee: Sunnova
  
- 15. Lessee: Llewella Shea Rogers  
 Res. Lease No.: 3792  
 Lot No., Area, Island: 219, Kewalo, Oahu  
 Permittee: Sunrun Installation Services
  
- 16. Lessee: Leimema B. L. K. S. Young Sanchez  
 Res. Lease No.: 5500  
 Lot No., Area, Island: 144, Lualualei, Oahu  
 Permittee: Holu Hou Energy

Non-Exclusive License for the Month of November '24	16
Previous FY '24 - '25 balance	<u>64</u>
FY '24 - '25 total to date	80

Non-Exclusive License for FY '23 - '24	279
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STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

November 18, 2024

TO: Chairman and Member, Hawaiian Homes Commission  
THROUGH: Juan Garcia, Administrator   
Homestead Services Division  
FROM: James W. Du Pont, West Hawaii DO Supervisor   
Homestead Services Division  
SUBJECT: **Cancellation of Lease - Ginny L. Cornelius  
Agricultural Lot Lease No. 6162, Lot No. 4  
Pu'ukapu, Hawaii**

RECOMMENDED MOTION/ACTION

To approve the cancellation of Agricultural Lot Lease No. 6162, Lot No. 4, Pu'ukapu, Hawaii (Lease), pursuant to the Hawaiian Homes Commission Act of 1920, as amended, as there was no successor claimant to the Lease interest.

DISCUSSION

Ginny L. Cornelius (Decedent) was awarded the Lease from her mother by way of successorship commencing on December 1, 1985.

On December 7, 2011, the Decedent passed away. A review of her lessee file revealed that she had not completed a designation of successorship.

The department was unaware of the Decedent's passing until the West Hawaii District Office was notified by her maternal aunt. Her aunt was unable to assist the department with obtaining the death certificate.

On August 16, 2017, the West Hawaii District Office contacted the Wisconsin Vital Records Section for assistance with obtaining a copy of the decedent's death certificate. The death certificate was received on September 18, 2017.

ITEM NO. D-9

On December 10, 2019, the West Hawaii District Office requested assistance from the O'ahu District Office to place this case on the next date of publication for the Public Notice.

In compliance with the Administrative Rules 10-3-63, the Department published legal ads in the Honolulu Star Advertiser, The Hawaii Tribune Herald, West Hawaii Today, The Maui News, and The Garden Island newspapers on December 6, 13, 20 and 27, 2023, to notify all interested, eligible and qualified heirs of the Decedent, to submit their lease successorship claims.

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

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

No successorship claim was received by the Department before the closing date of April 6, 2024 of the Public Notice to succeed to the Lease.

Pursuant to Section 209 of the Hawaiian Home Commission Act of 1920, as amended, "the land subject to the lease shall resume as unleased Hawaiian Home Lands and the Department is authorized to lease to another qualified native Hawaiian as provided in the Act."

There are no improvements to this homestead lot as it remains undeveloped. The real property tax is not being assessed and lease rent is delinquent \$18.

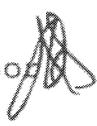
The Department requests approval of its recommendation.

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

November 18, 2024

TO: Chairman and Member, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator   
Homestead Services Division

FROM: James W. Du Pont, West Hawaii DO Supervisor   
Homestead Services Division

SUBJECT: **Cancellation of Lease - Scott G.K. Friel**  
**Pastoral Lot Lease No. 8069, Lot No. 95**  
**Pu'ukapu, Hawaii**

RECOMMENDED MOTION/ACTION

To approve the cancellation of Pastoral Lot Lease No. 8069, Lot No. 95, Pu'ukapu, Hawaii (Lease), pursuant to the Hawaiian Homes Commission Act of 1920, as amended, as there was no successor claimant to the Lease interest.

DISCUSSION

Scott G.K. Friel (Decedent) was awarded the Lease, commencing on February 1, 1991.

On September 3, 2022, the Decedent passed away.

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

Pursuant to Section 209 of the Hawaiian Home Commission Act of 1920 (Act), as amended, when a lessee fails to designate a successor, the commission is authorized to terminate the lease or to continue the lease by designating a successor.

Section 209 states in part that the department may select from only the following qualified relatives in priority order:

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

No successorship claim was received by the Department before the closing of the Public Notice to succeed to the Lease.

Pursuant to Section 209 of the Hawaiian Home Commission Act of 1920, as amended, "the land subject to the lease shall resume as unleased Hawaiian Home Lands and the Department is authorized to lease to another qualified native Hawaiian as provided in the Act."

There are no improvements to this homestead lot as it remains undeveloped. The real property tax is not being assessed and lease rent is current.

The Department requests approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 18, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator  
Homestead Services Division



FROM: Toni Eaton, MDO Supervisor *Antonette Eaton*  
Homestead Services Division

SUBJECT: **Commission Designation of Successor -  
Lloyd E. Reinhardt, Residential Lease No. 5416,  
Lot No. 23, Paukukalo, Maui**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Naupaka Shelby Mildred Reinhardt (Naupaka) as successor to Residential Lease No. 5416, Lot No. 23, Paukukalo, Maui (Lease), for the remaining term of the Lease;

2. To approve and accept that Naupaka 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 Naupaka's successorship right and interest in the Lease do not vest until Naupaka has signed that: (i) Transfer Through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if Naupaka does not sign all such documents on or before **January 31, 2025** (the Deadline), that the Commission's selection of Naupaka as a successor is automatically revoked;

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

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

DISCUSSION

Lloyd E. Reinhardt (Decedent) received the Lease by way of a Transfer Through Successorship from Josephine M. Reinhardt, mother, on July 10, 2009.

On September 9, 2020, the Decedent passed away with no qualified successor to his lease.

On August 29, 2022, the Department received the Decedent's death certificate.

In compliance with Administrative Rule 10-3-63, the Department published legal notices in the Honolulu Star-Advertiser, the Hawaii Tribune Herald, the West Hawaii Today, The Maui News, and The Garden Island newspapers on June 7, 14, 21, and 28, 2022, to notify all interested, eligible and qualified heirs of the Decedent to submit their successorship claims to the Lease.

The Department received a successorship claim from the Decedent's adopted sister, Naupaka Shelby Mildred Reinhardt (Naupaka), who has been determined to be of at least 25% Hawaiian ancestry and eligible for successorship to the Lease.

The Department also received a successorship claim from the Decedent's brother's widow, Linda Leilani Reinhardt.

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

1. Husband or wife; or
2. If there is no husband or wife, then the children; or
3. If there is no husband, wife, or child, then the grandchildren; or
4. If there is no husband, wife, child, or grandchild, then the brothers or sisters; or
5. If there is no husband, wife, child, grandchild, brother, or sister, then from the following

relatives of the lessee who are native Hawaiian: father and mother, widows or widowers of the children, widows or widowers of the brothers and sisters, or nieces and nephews.

Pursuant to Section 209, Naupaka has priority to succeed to the leasehold interest.

Improvements to the homestead lot consist of a 4-bedroom and 1 3/4-bath, single-family dwelling, which was constructed in 1986. The house is currently vacant.

There is no outstanding mortgage.

The lease rent account reports a credit balance of \$41.00. The real property tax is in arrears in the amount of, \$2830.42.

The Department requests approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 18, 2024

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator   
Homestead Services Division

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

SUBJECT: **Approval of Supplemental Dwelling Unit (SDU) for  
Certain Lessees**

RECOMMENDED MOTION/ACTION

To approve the Supplemental Dwelling Unit of the leasehold interest listed below.

DISCUSSION

One (1) supplemental dwelling unit lease.

1. Lessee: Michelei A.P.K. Tancayo  
Res. Lease No.: 11458  
Lot No., Area, Island: 19, Leialii, Maui  
Intended use: Ohana

Supplemental dwelling units for October '24	1
Previous FY '24 - '25 balance	<u>0</u>
FY '24 - '25 total to date	1
 Total approved SDUs for FY '23 - '24	 6

Hawaiian Homes Commission Meeting Packet  
November 18 & 19, 2024  
Courtyard by Marriott Kahului Airport,  
Haleakala Ballroom,

**E ITEMS**



**HAWAIIAN HOME LANDS**

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

# **Maui Projects Update**

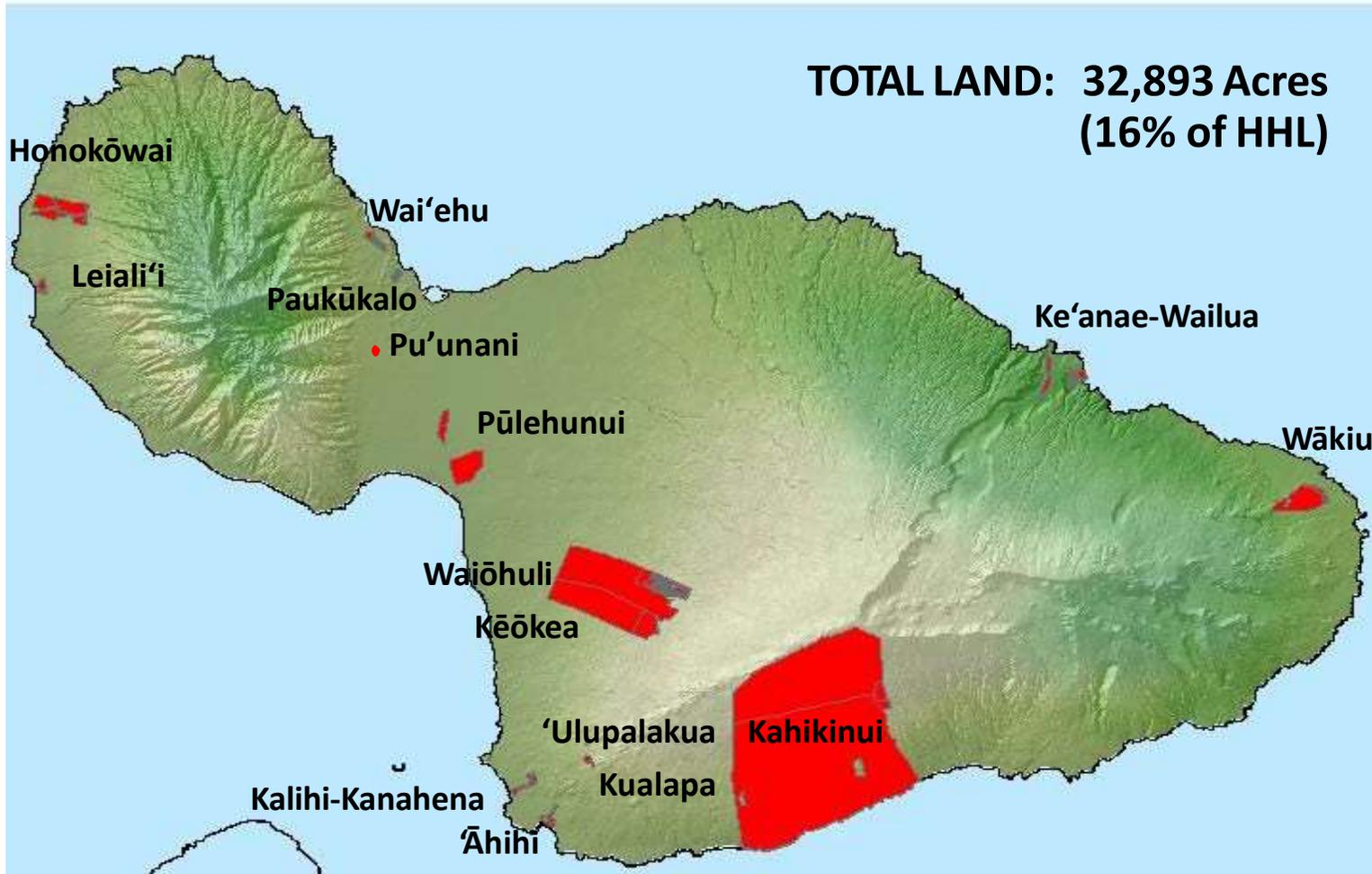
**LAND DEVELOPMENT DIVISION**

**Item E-1 For Information Only**

**November 17-18, 2024**

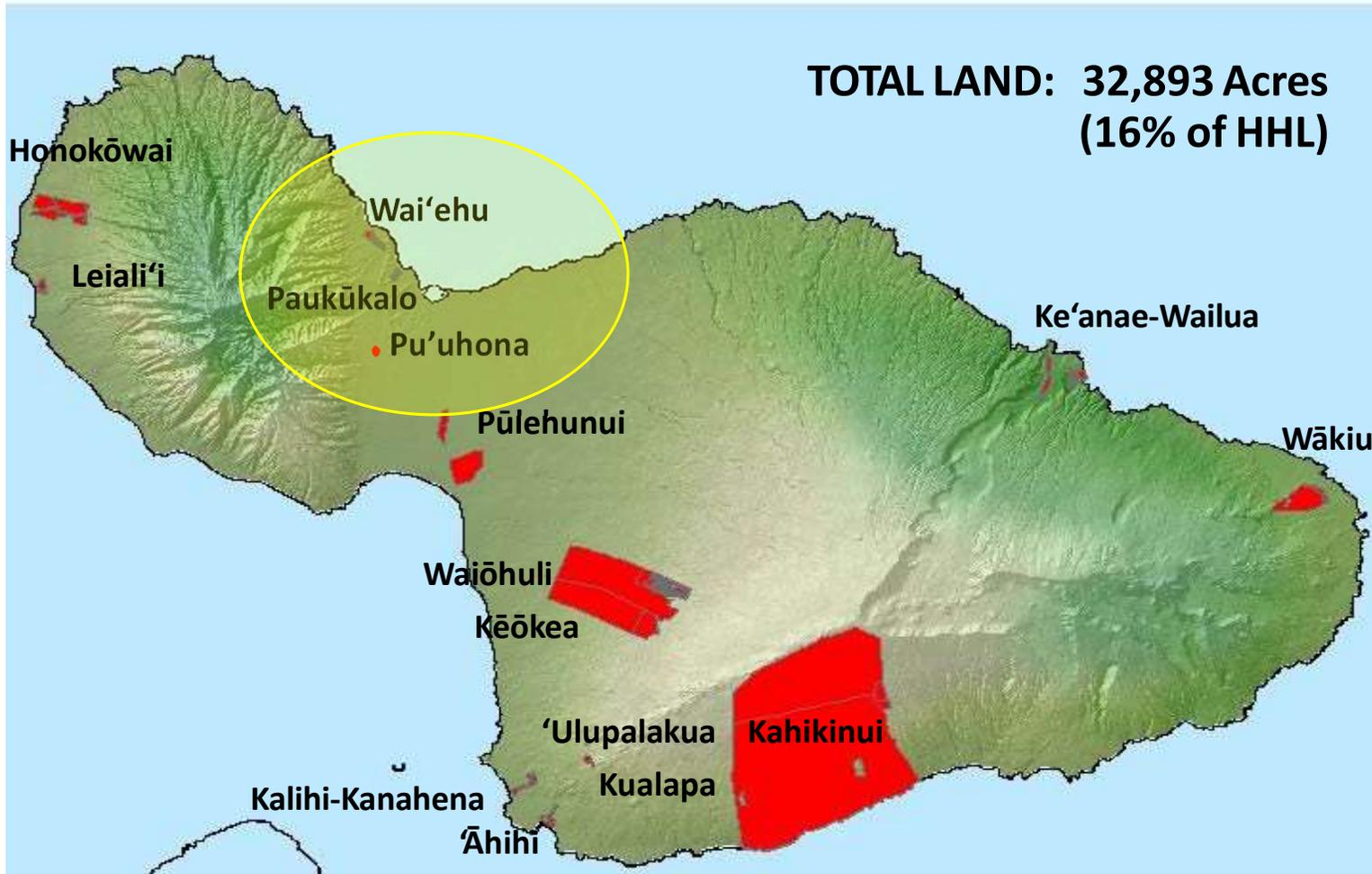


# Island of Maui



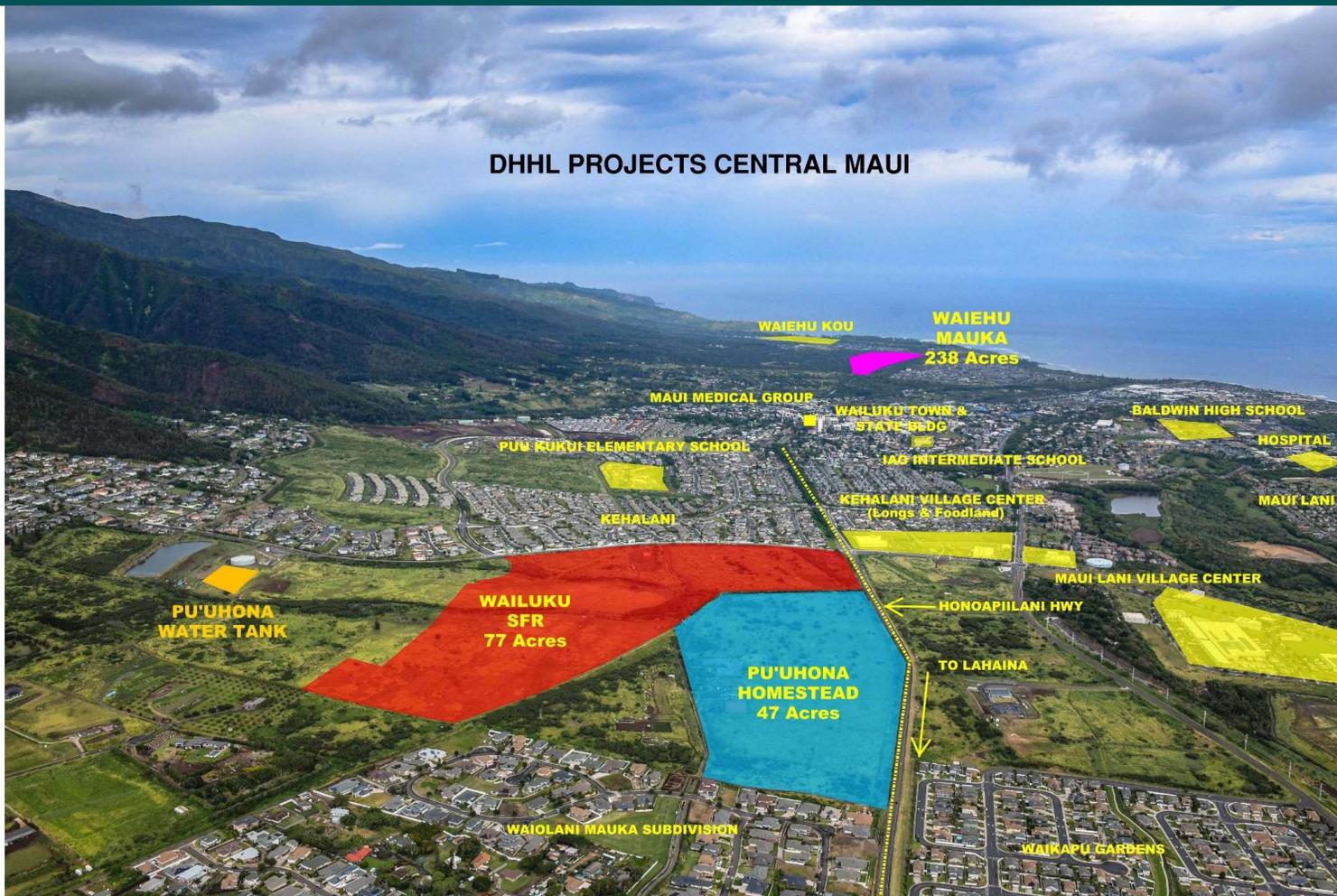


# CENTRAL MAUI (Wailuku, Wai'ehu, Paukūkalo)





# DHHL Subdivisions





# Pu'uhona Homestead

[Puuhona.com](http://Puuhona.com)



DEPARTMENT OF HAWAIIAN HOME LANDS



# Pu'uhona Homestead

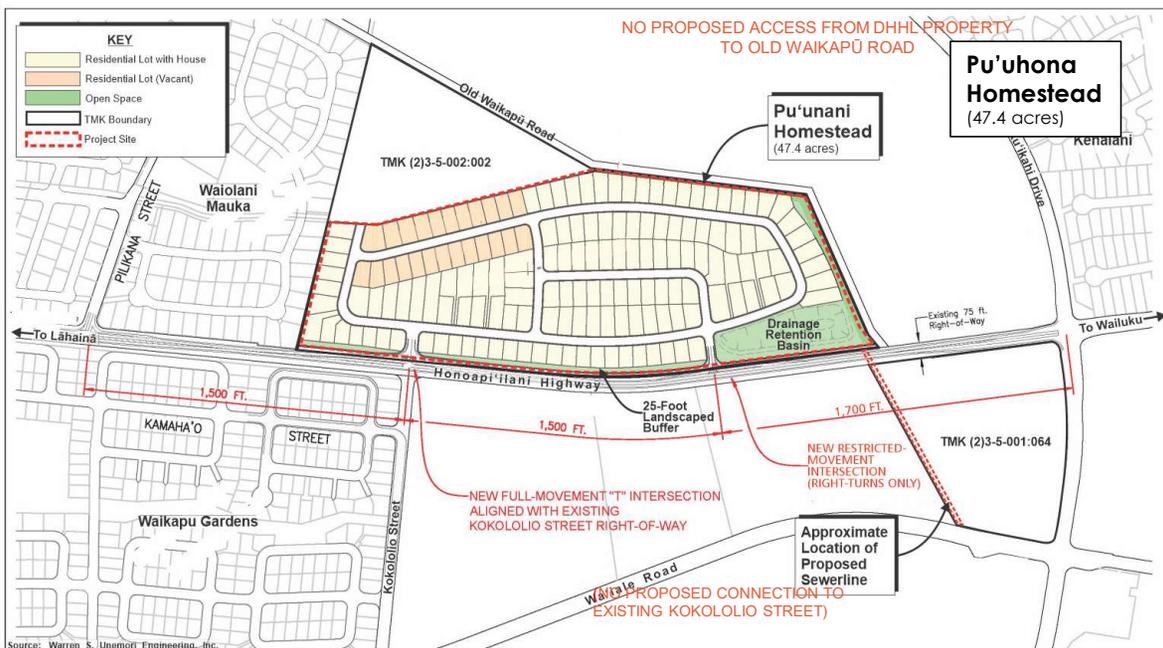
[Puuhona.com](http://Puuhona.com)



November 5, 2024



# Pu'uhona Homestead Site Plan

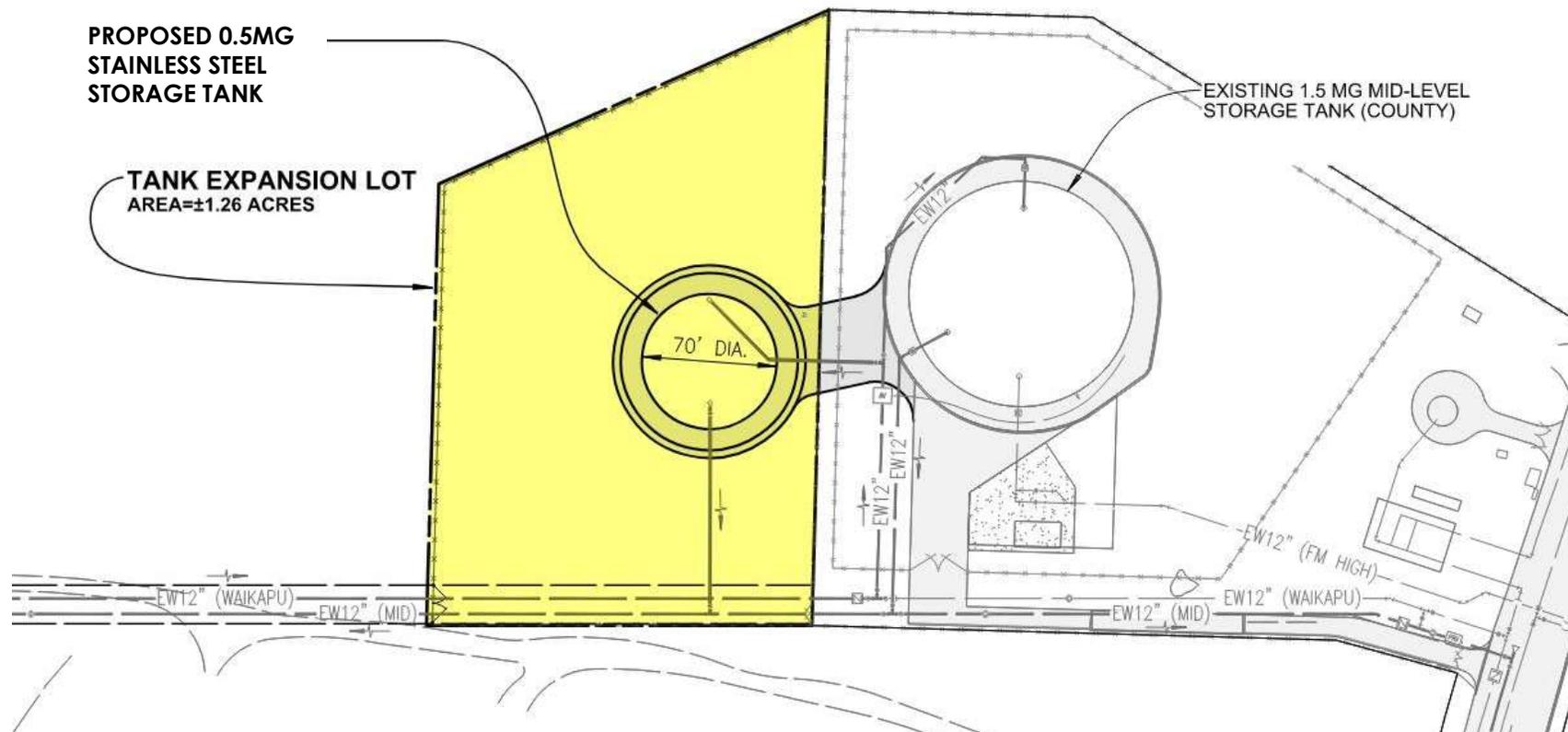


- 161 total residential lots
- Environmental Assessment Complete – Fall 2020
- Water allocation approved in early 2022
- Sitework Construction cost of \$17.2M from ACT 279, SLH 2022
- Sitework Construction Broke Ground – May 24, 2023
- Begin Home Construction – 4<sup>th</sup> Quarter of 2024
- Housing Completion – Summer 2026



# PRELIMINARY SITE PLAN – WATER TANK

Tank construction ongoing concurrent with Pu'uhona sitework improvements and home construction. Scheduled completion Spring 2025





# Wailuku Single Family Residential





# Wailuku SFR Conceptual Site Plan



- 204 total residential lots
- Environmental Assessment Complete – Summer 2024
- Sitework construction plans permit submittal scheduled for early 2025
- Sitework construction scheduled to start in mid-2026
- Delivery of first homes is anticipated to begin in 2028



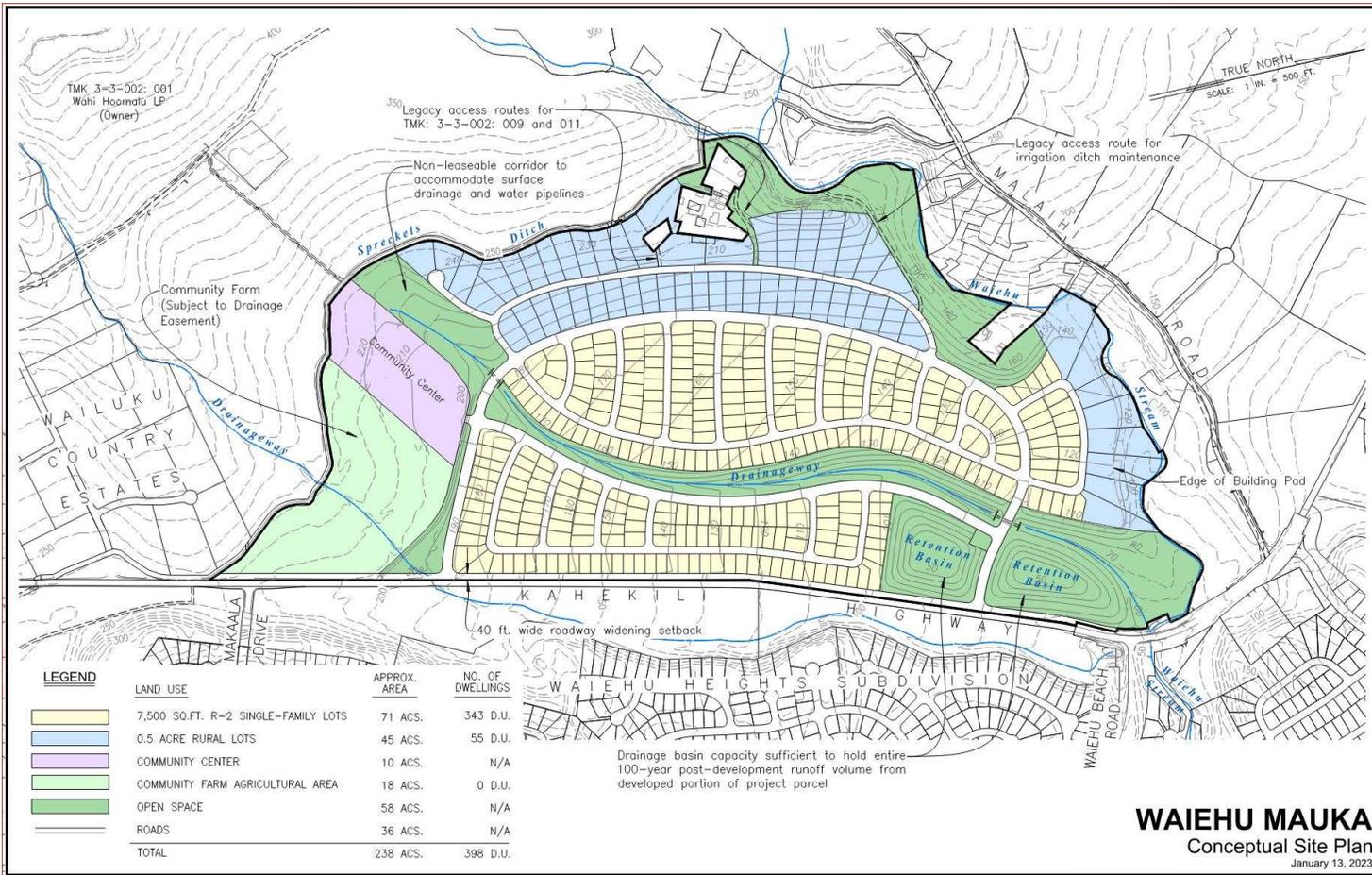
# Waiehu Mauka Homestead



DEPARTMENT OF HAWAIIAN HOME LANDS



# Waiehu Mauka Conceptual Site Plan



- 398 total homestead lots
- Environmental Assessment Completed – Summer 2023
- Currently in design phase for onsite and offsite infrastructure
- Sitework construction anticipated to begin in 2026



# Pūlehunui Regional Infrastructure Master Plan

## DESIGN & CONSTRUCTION - REGIONAL WASTEWATER COLLECTION SYSTEM



Figure 1-2:  
Aerial Photograph  
PŪLEHUNUI REGIONAL  
INFRASTRUCTURE MASTER PLAN

### LEGISLATIVE CIP:

\$ 4,000,000	PLANNING AND DESIGN
\$17,500,000	CONSTRUCTION
\$ 3,000,000	ADDTL CONSTRUCTION

### CONSTRUCTION OF COLLECTOR SYSTEM:

\$12,711,045 ALPHA CONSTRUCTION

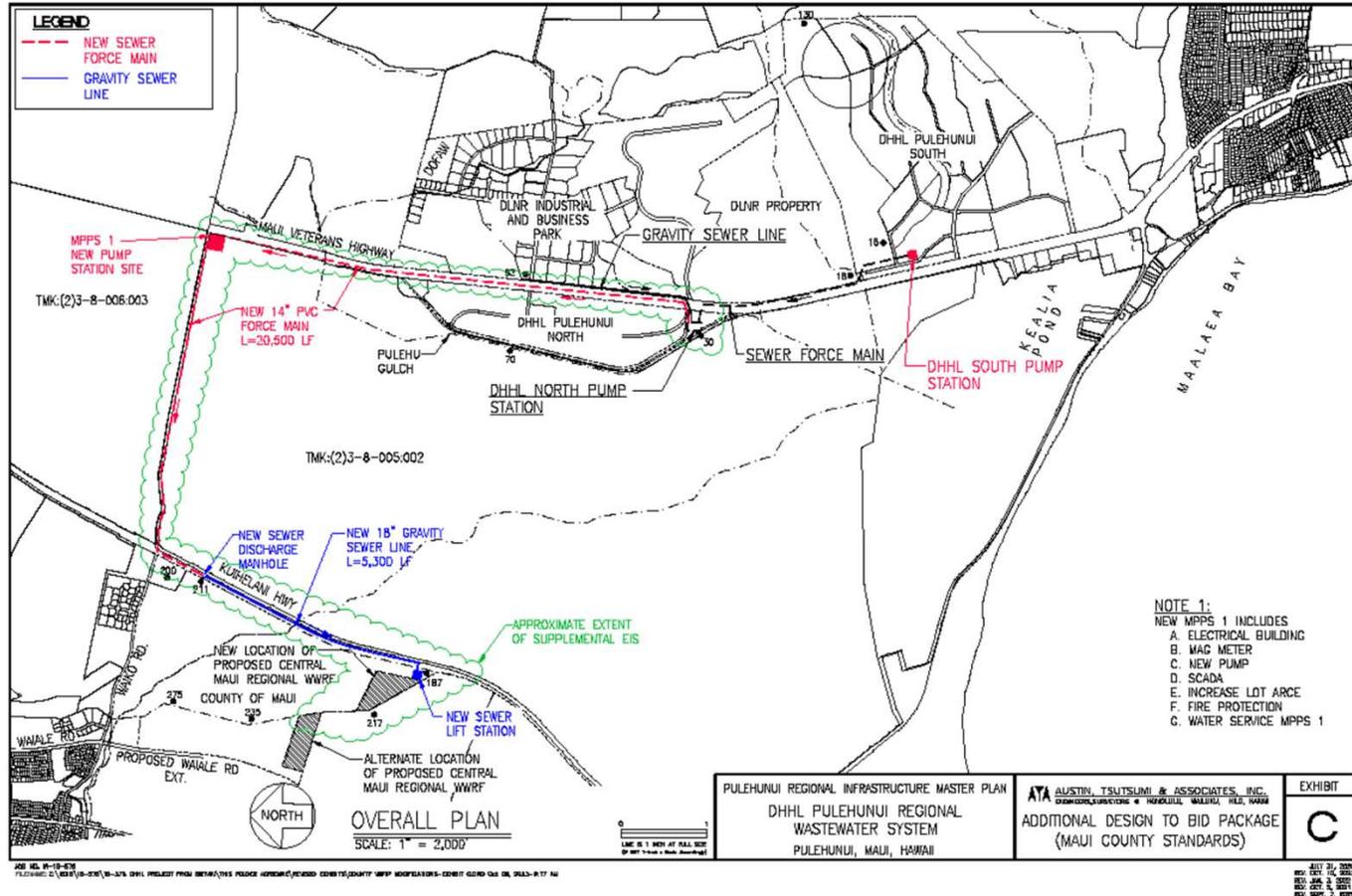
- Notice to Proceed subject to approval by County WWRD
- DHHL responsibilities end at the Maui Humane Society

### NEW COUNTY OF MAUI CENTRAL MAUI WASTEWATER TREATMENT FACILITY (CMWTF)

- The new facility will accept wastewater from State properties, eliminating the need for a private package plant.
- The County will manage the transmission of wastewater to the facility.
- The County plans to return treated R-1 water to State properties for reuse.
- The Hawaii Community Development Authority is leading efforts to coordinate regional infrastructure development.



# Additional Wastewater System To CMWTF





# Central Maui Non-Potable Water Reservation

Commission on Water Resource Management  
11/15/22 Agenda

## RECOMMENDATION:

CWRM Staff recommends that the Commission on Water Resource Management approve a surface water reservation of 15.24 cfs (9.85 mgd) for the Department of Hawaiian Home Lands (DHHL) to meet their foreseeable future non-potable water needs in Central Maui serviced by the East Maui Irrigation System from the Nāhiku, Ke‘anae, and Honomanū Streams.



Figure 1-2:  
Aerial Photograph  
PŪLEHUNUI REGIONAL  
INFRASTRUCTURE MASTER PLAN





# Paukūkalo Community Center

- The contractor finished putting in the R38 insulation and the supports for the new ceiling tiles.
- Completion date is scheduled for April 2025







# Paukūkalo Unit 3 Phase 2 Lot 4



# Chain-Link Fence Installation



Contractor continuing to install fence post and stop before the homeless camp.

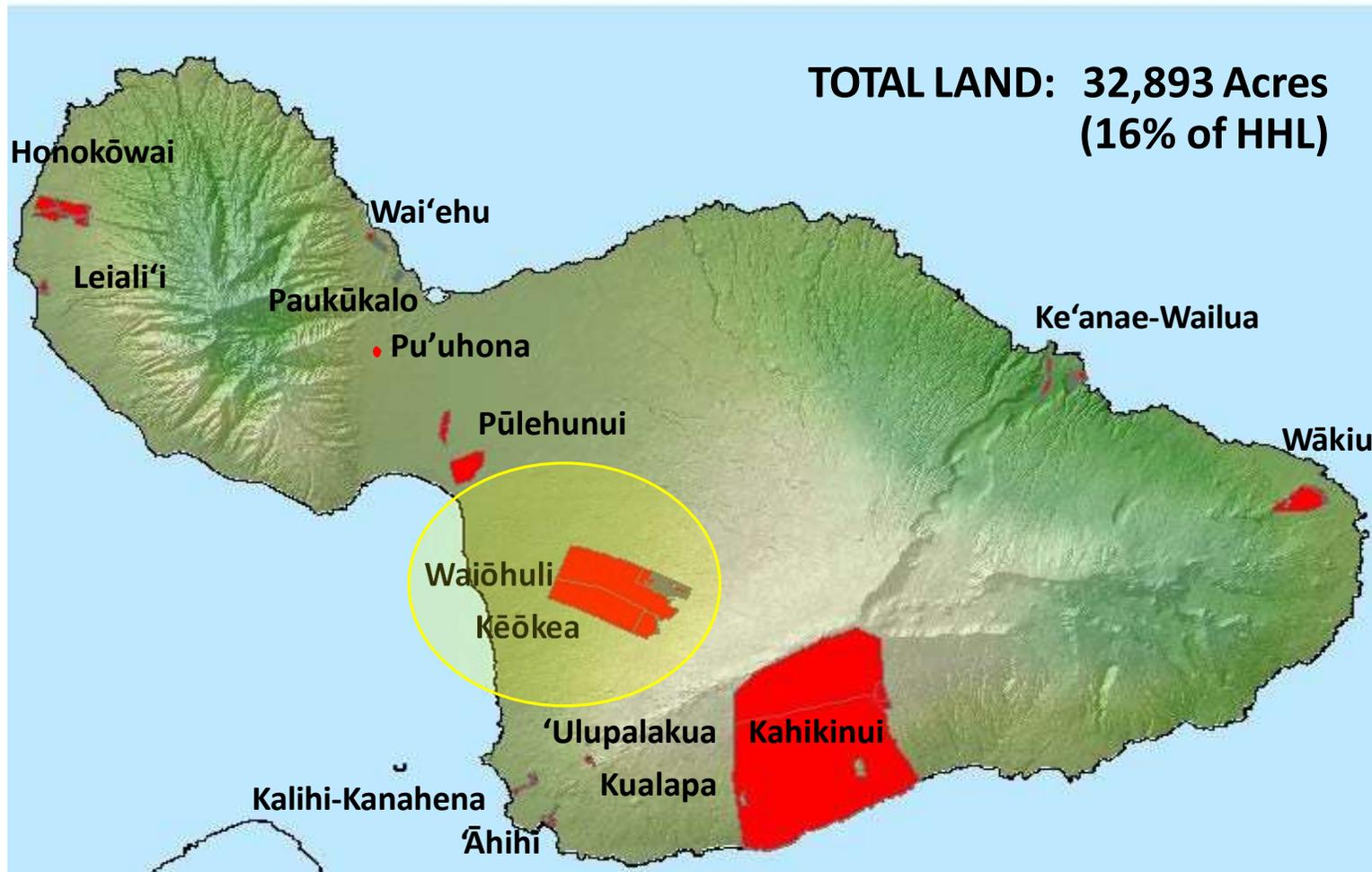


Contractor installing a 6 foot chain-link fence along Halewaiu Road

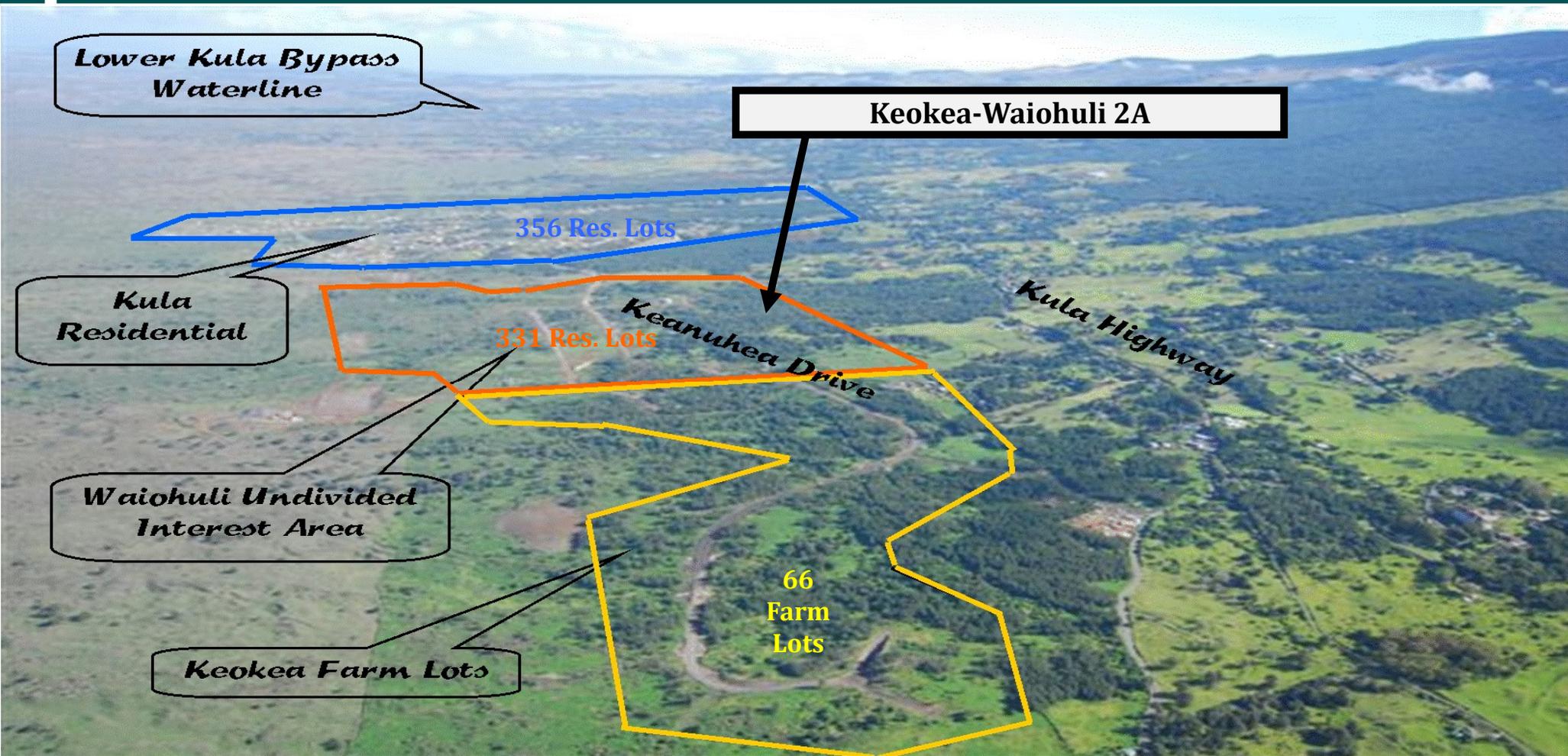
“Waiehu Koa Subdivision Phase 4 - "Halewaiu Road"”



# UPCOUNTRY MAUI (Kēōkea, Waiōhuli)

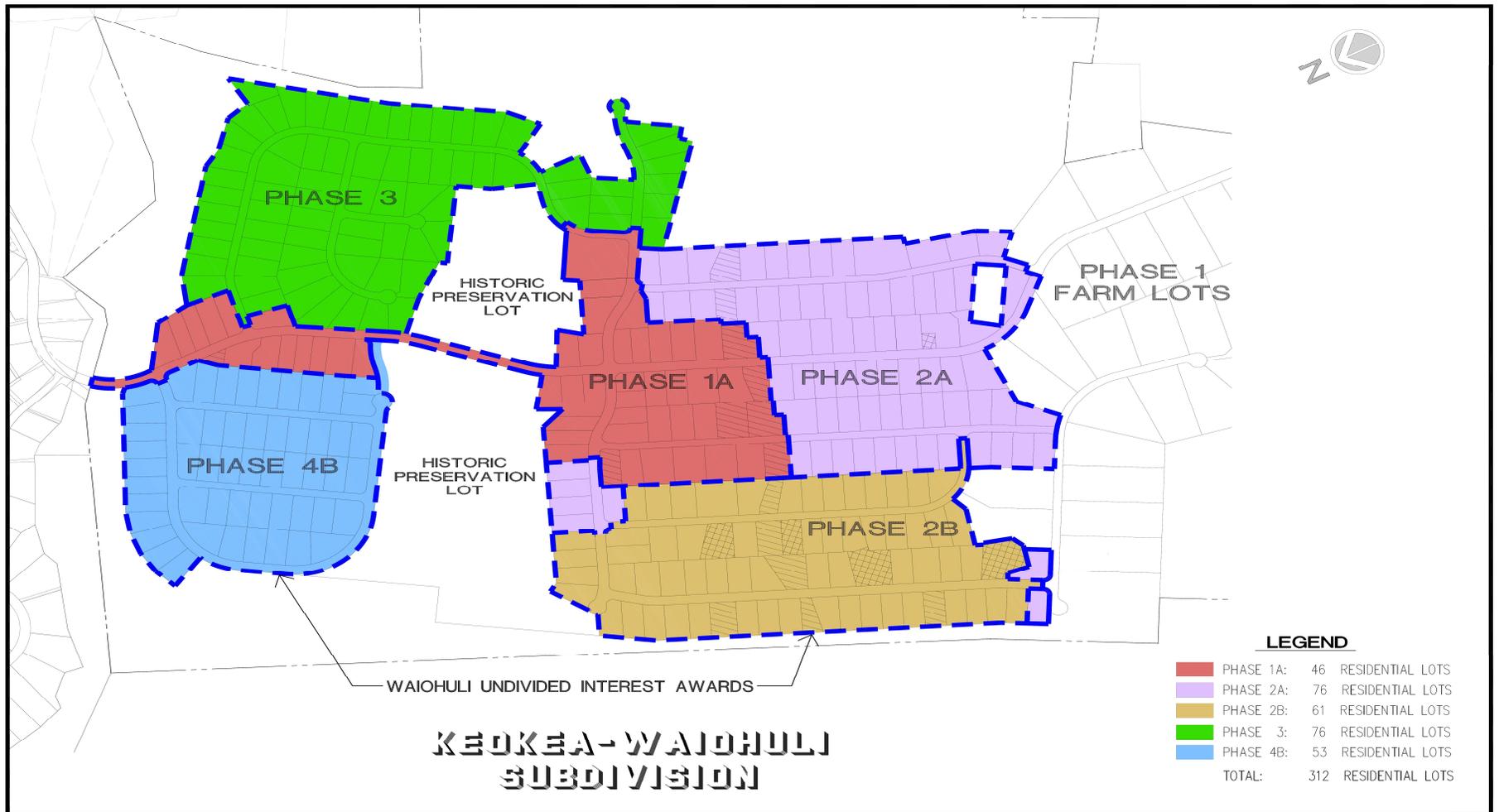


# Kula - Waiohuli - Kēōkea Development



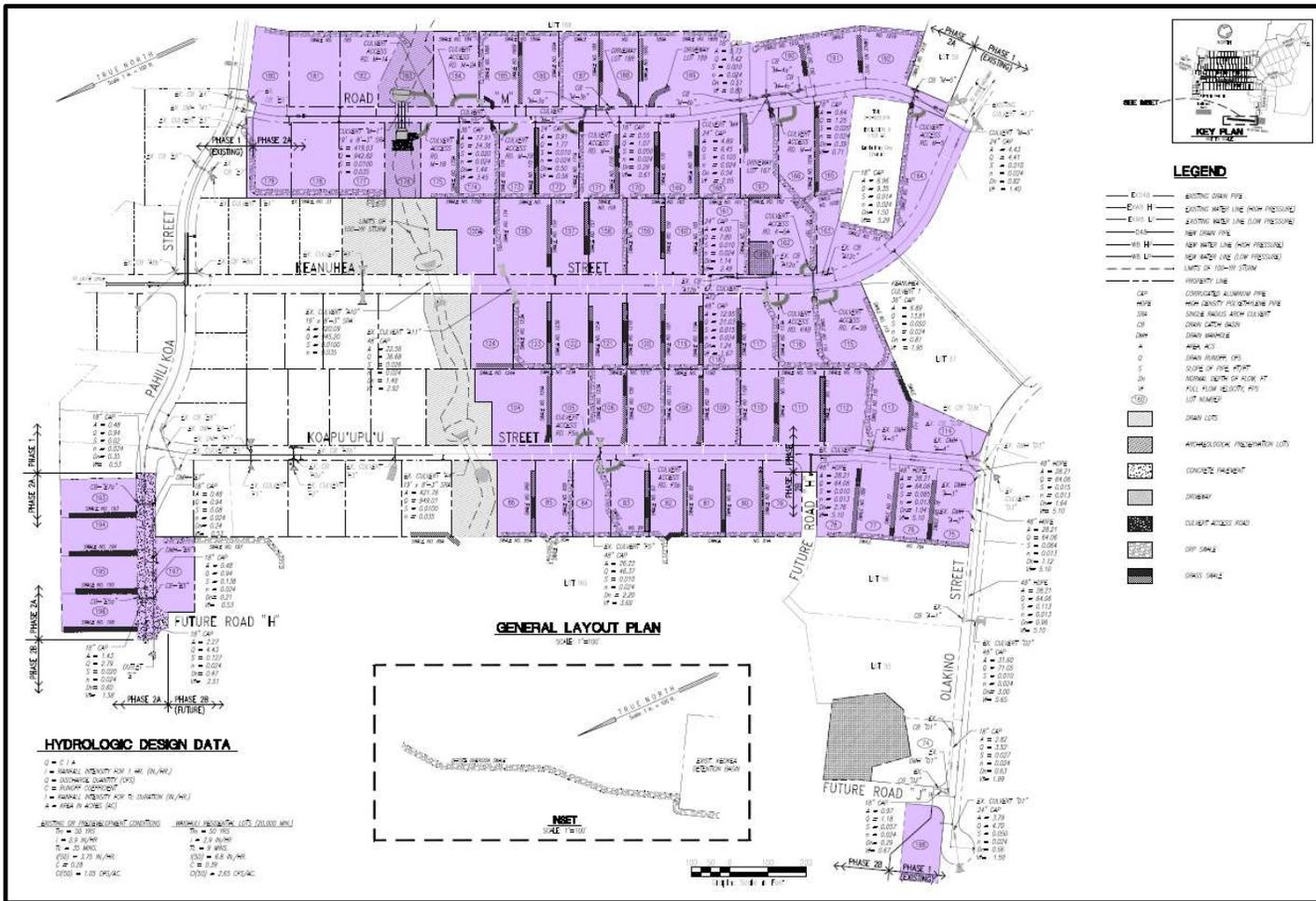


# Kēōkea – Waiōhuli Development





# Kēōkea – Waiōhuli Development: Phase 2A



- ▶ \$8,709,566 Construction Contract awarded to Mira Image Construction
- ▶ Construction start in 2025; subject to SHPD and permitting approval
- ▶ 76 Residential Lots





# Lot Assessment & Preparation for Award

(Kula Residence Lots)



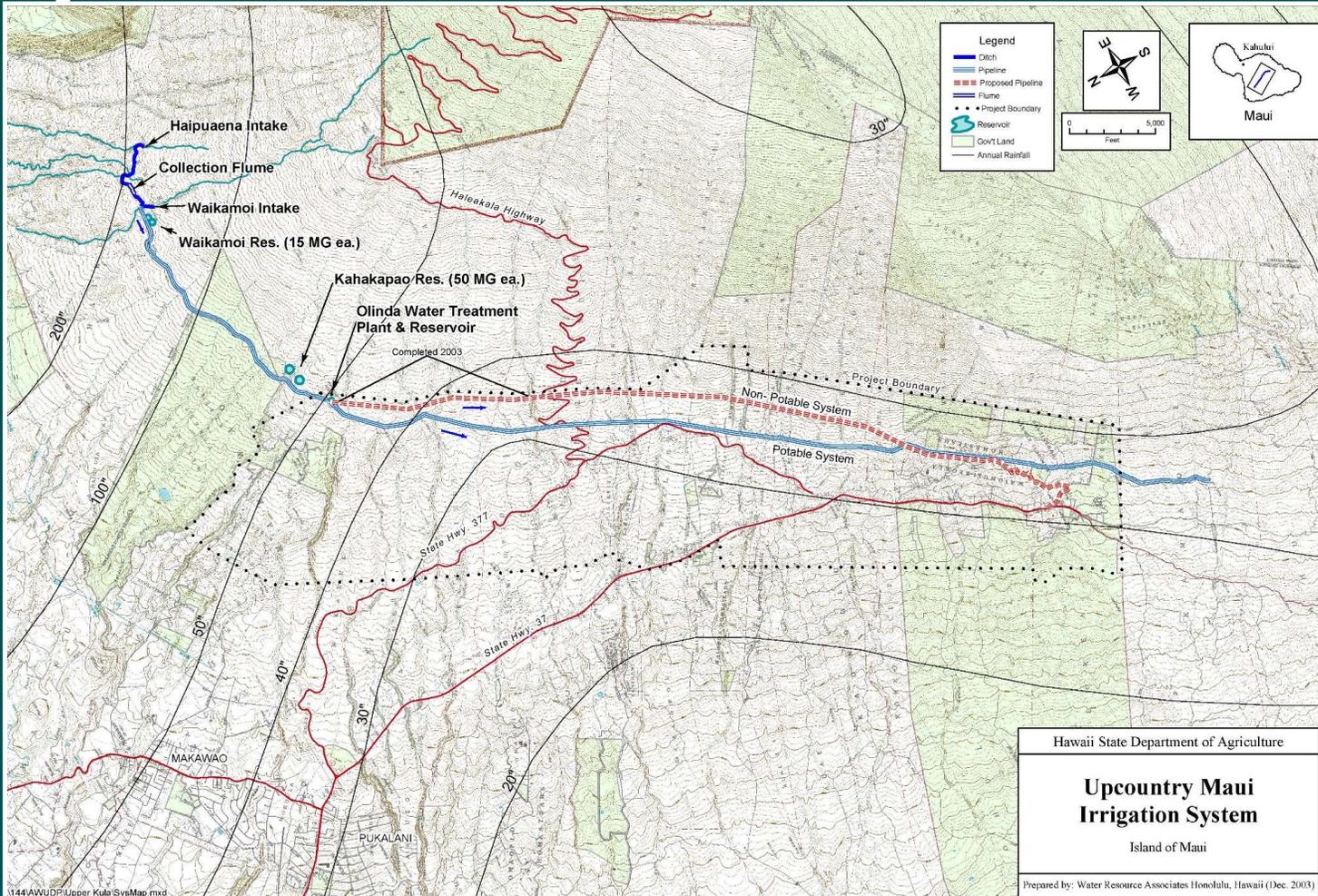


# Preparation for Award

(Hikina Residence Lots)



# Kēōkea Offsite Water Development



► DHHL Reservation from EMI; CWRM recommendation:

“Approve a reservation of 2.05 cfs (1.3275 mgd) for DHHL from the East Maui Irrigation System from the Huelo region streams.”

- Design connection from EMI to Non-potable system
- Design DOA extension to Keokea

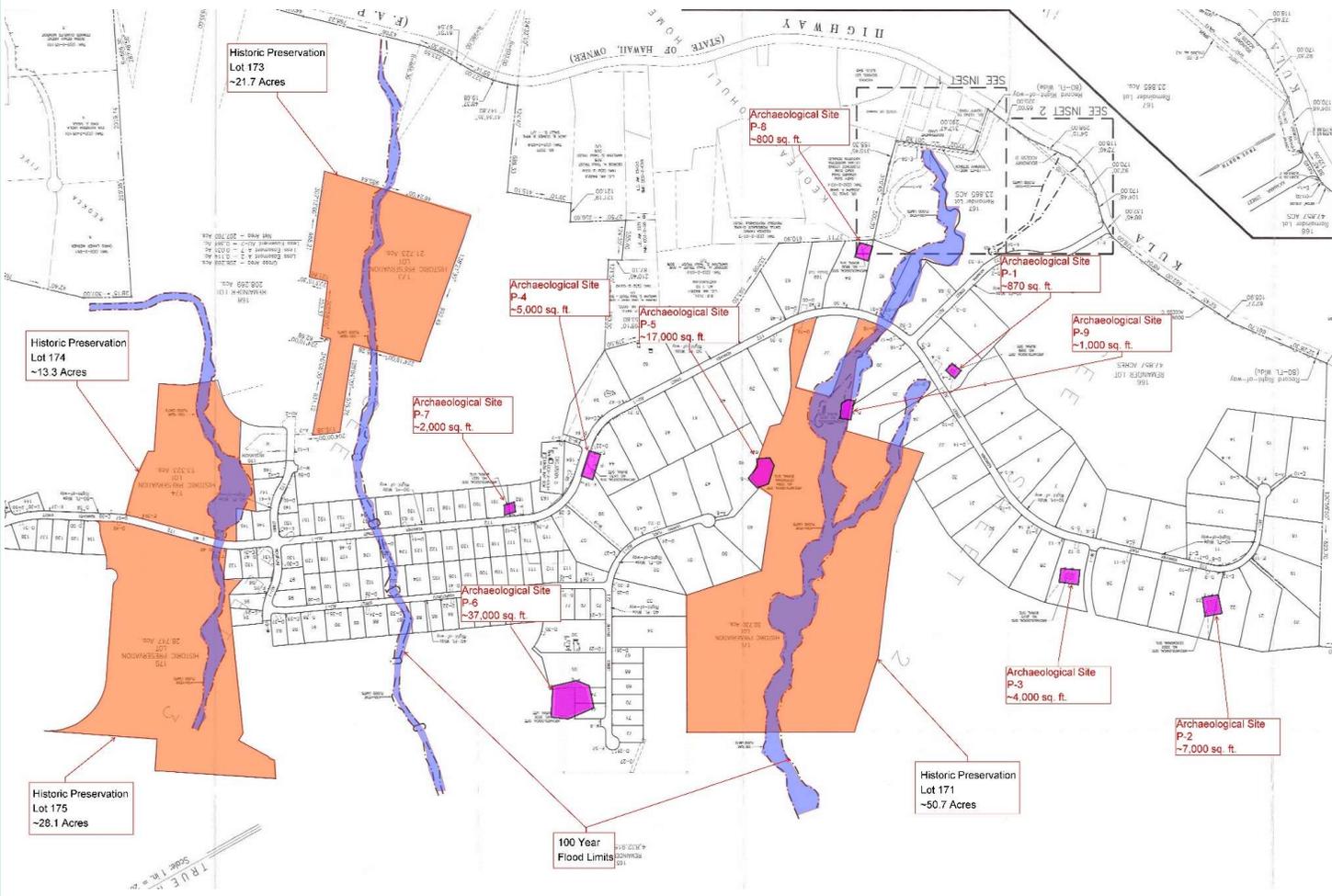
# Kēōkea Offsite Water Development



- ▶ \$4M contract with Community Planning and Engineering
- ▶ DHHL Reservation from EMI
- ▶ Connection to State non-potable system
- ▶ Design of DOA extension to Keokea
- ▶ Exploratory well investigation for future development



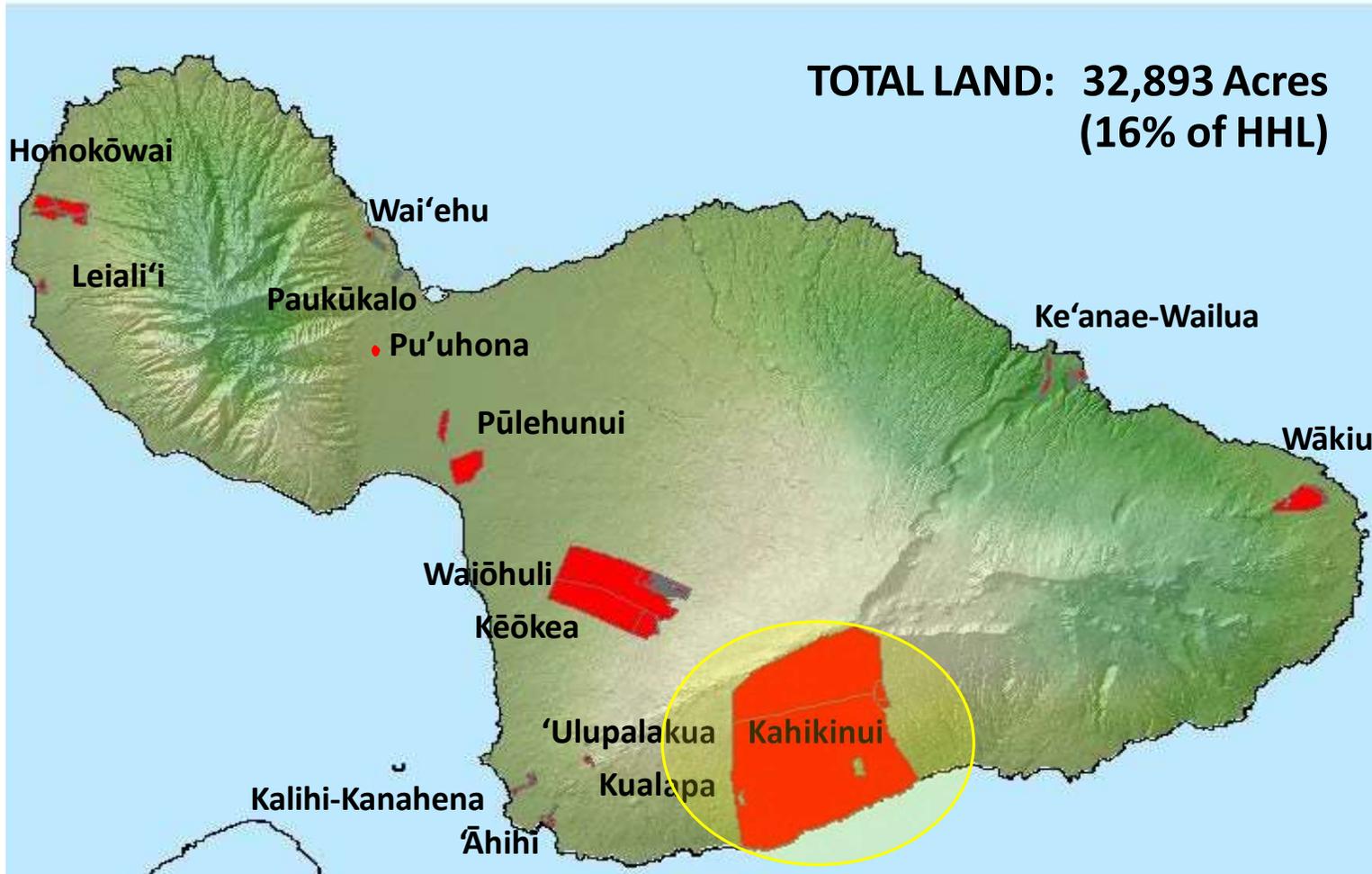
# Waiōhuli Archaeological Improvements



- ▶ \$1M contract with Community Planning and Engineering
- ▶ Phase 1 Keokea/Waiohuli Lots with Arch Preserve Easements
- ▶ Phase 2 Historic Preservation Lots
- ▶ Community Collaboration Meetings 2025



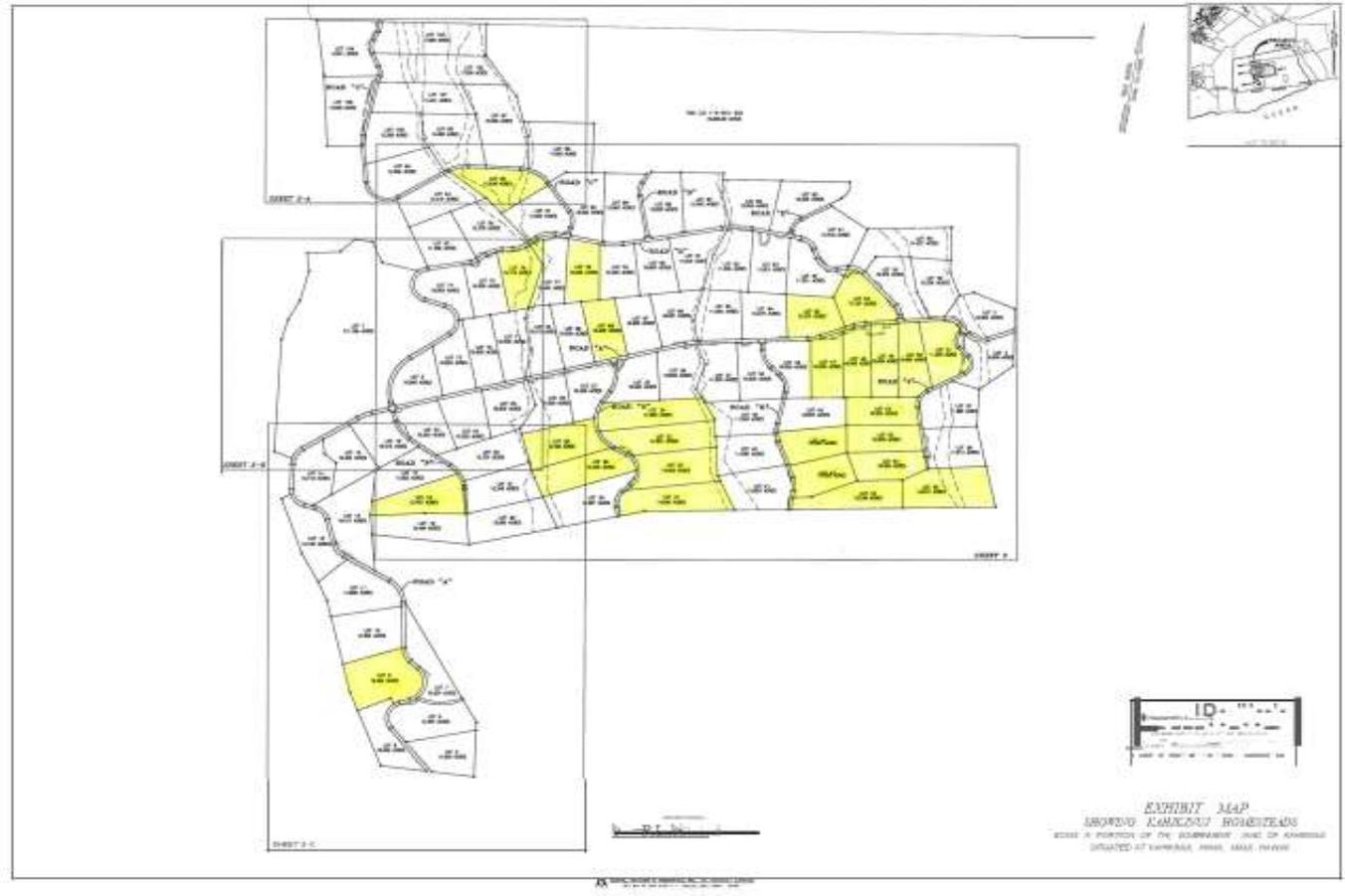
# EAST MAUI (Kahikinui)





# Kahikinui Pastoral Kuleana Lots for Award

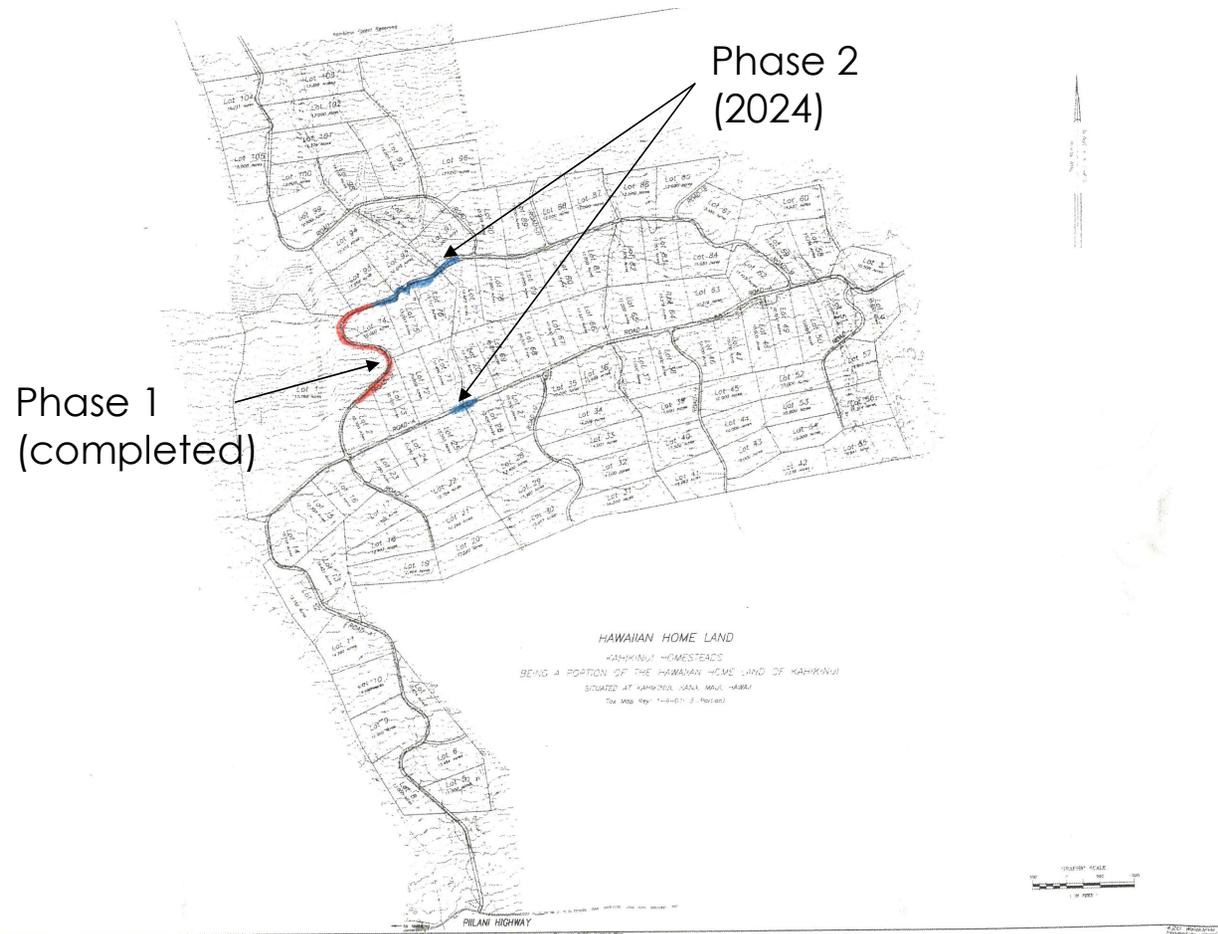
26 Pastoral  
Lots to be  
offered for  
award





# Kahikinui Road Improvements

- Road Improvements, Phase 1 Completed November 2020
- Road Improvements, Phase 2 Bid early 2024
- SHPD permit approved; Remaining permitting agency is Army Corps of Engineers
- 6 unencumbered lots surveyed; property pins staked; ready for award





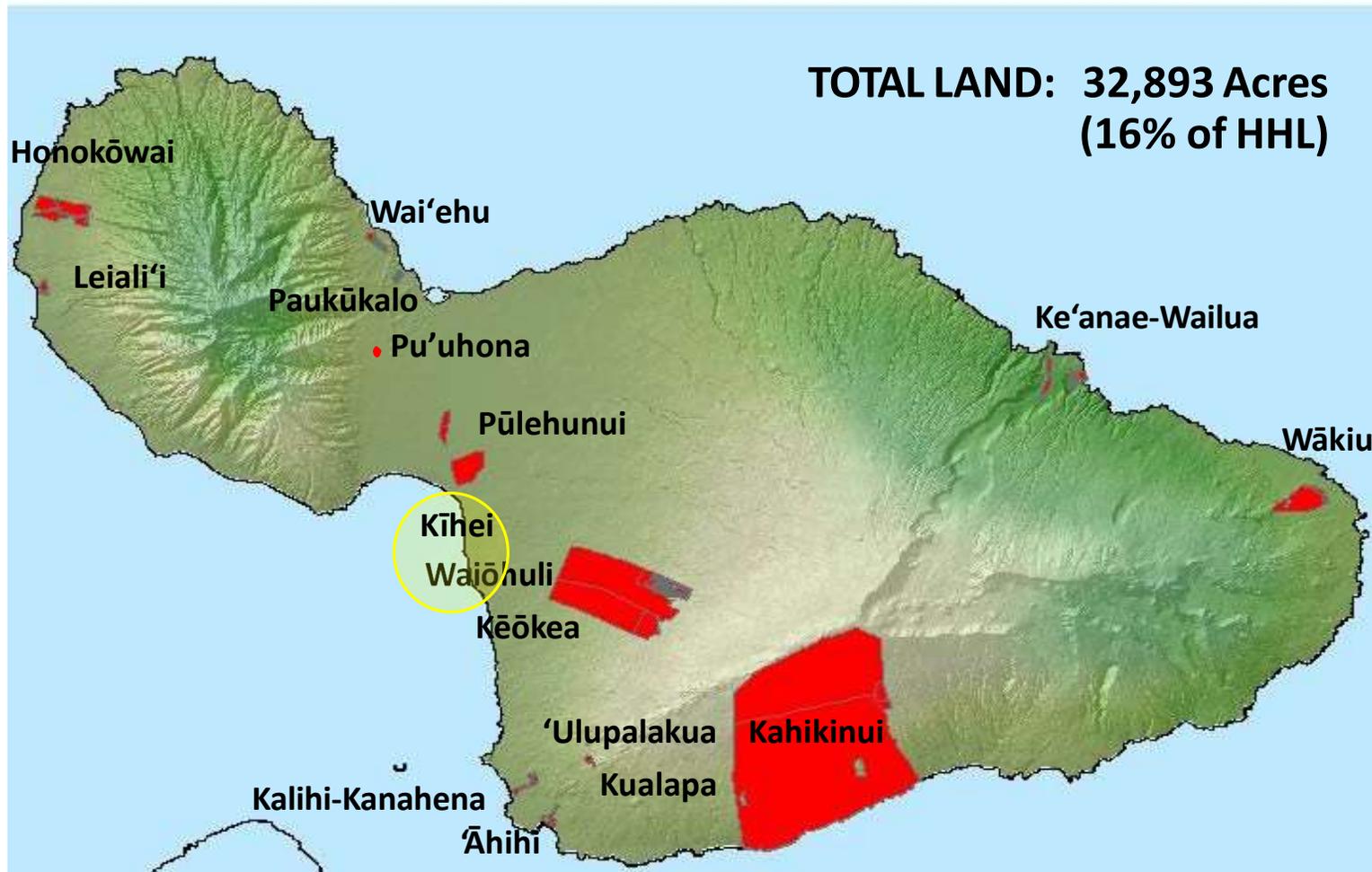
# Kahikinui Road Improvements

Phase 1 (completed)





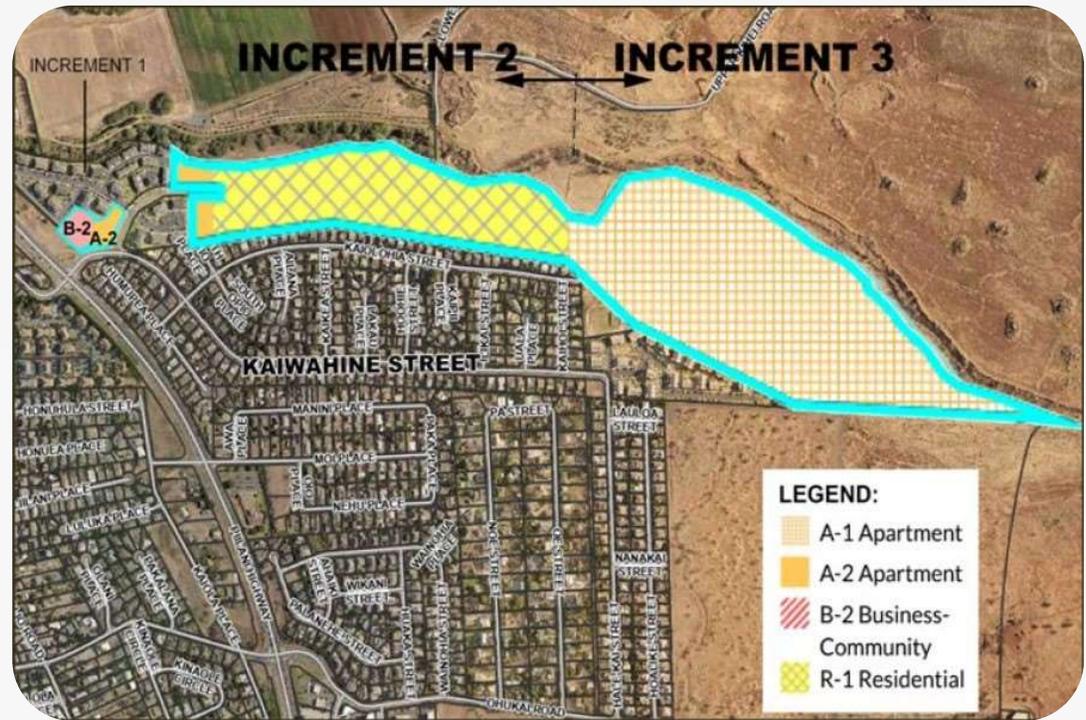
# SOUTH MAUI (Kīhei)



# MAUI: Kamalani

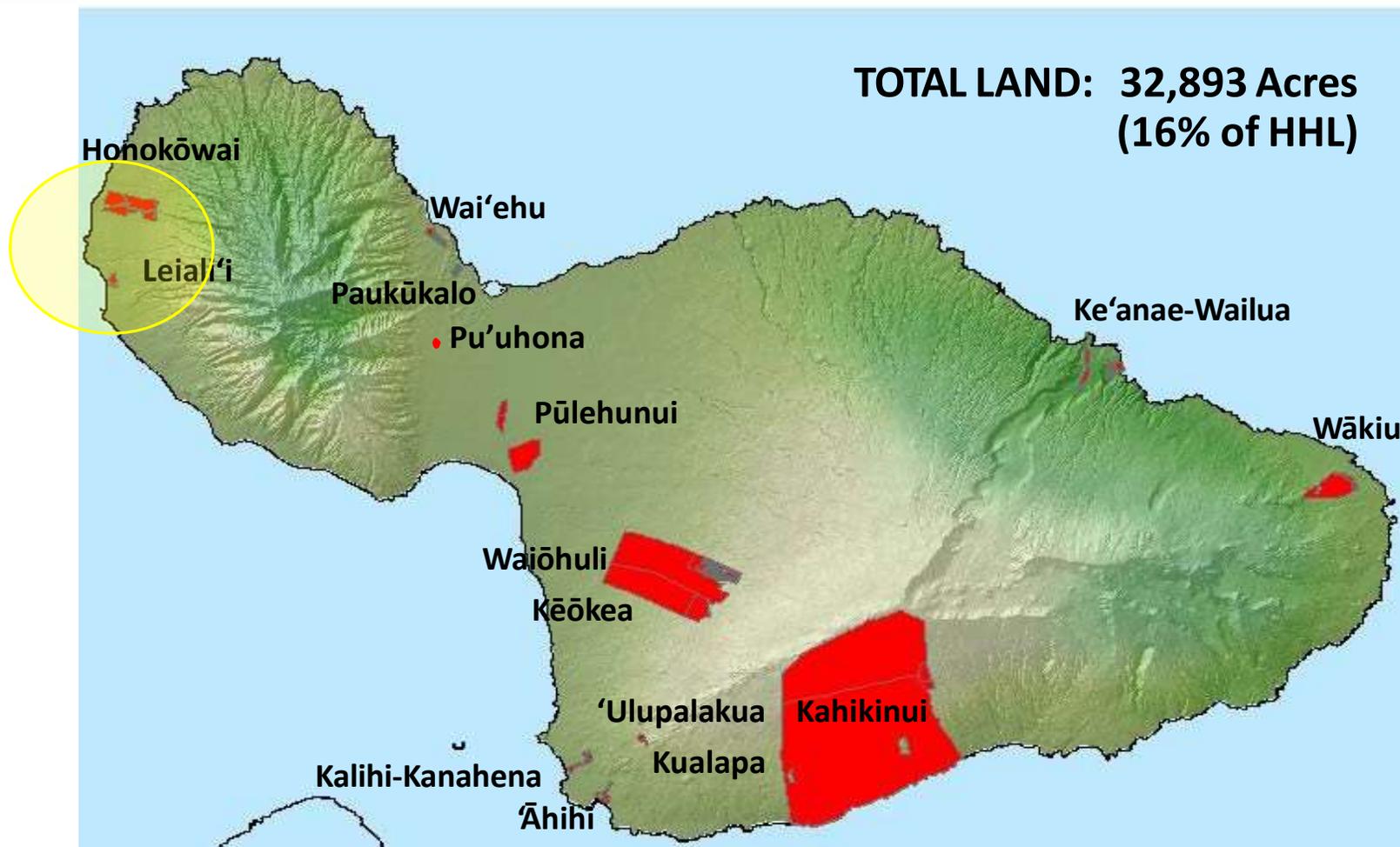


## 1. Updates





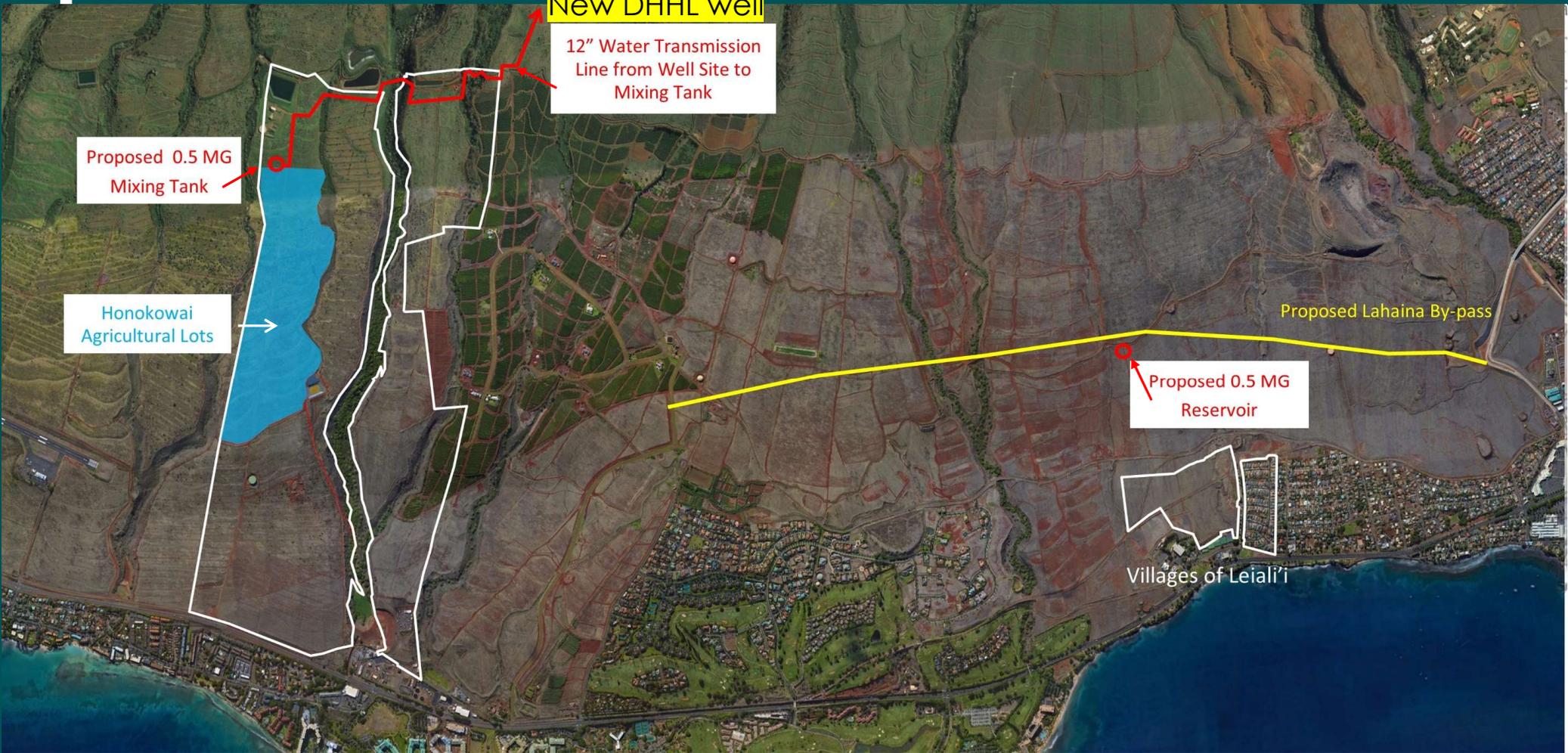
# WEST MAUI (Lahaina, Honokōwai)



**TOTAL LAND: 32,893 Acres  
(16% of HHL)**



# West Maui





# Honokōwai Water System

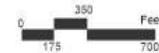




# Villages of Leiali'i 1-B



DHHL Villages of Leialii Village 1-B Property Location Map



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



Total Infrastructure Budget Estimate:

Offsite improvements:  
Act 279 FY23 :\$15M

Onsite improvements:  
Act 279 FY24: \$68M

Highway and Parkway Improvements: Leg CIP: \$9M

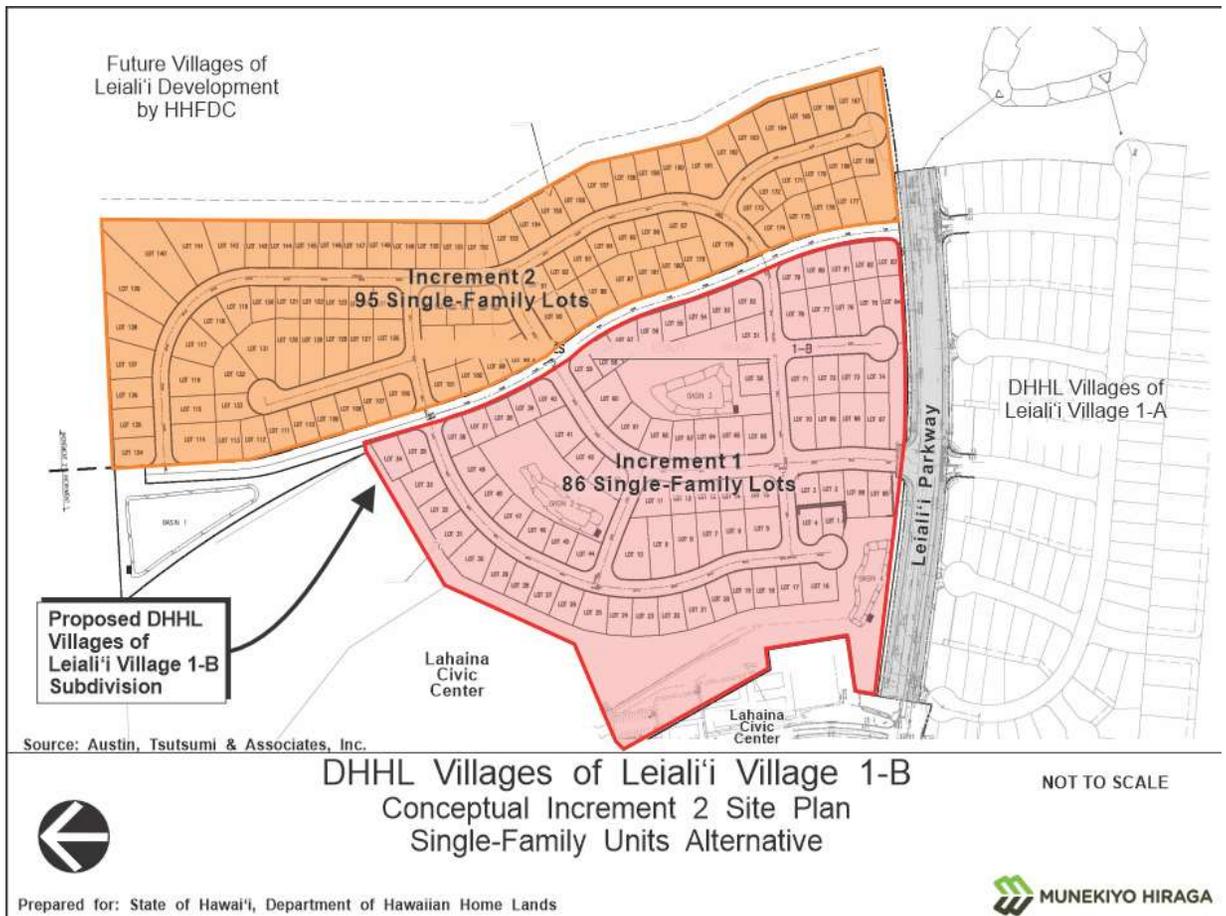
# Villages of Leialii 1-B: 181 LOTS TOTAL

## Increment 1:

- 86 Single Family Lots

## Increment 2:

- 95 Single Family Lots
- Requires new high level water tank





# Project Description

## Offsite improvements

### For Increment 1:

- Two (2) new offsite retention basins mauka of Village 1-B, on lands owned by Hawai'i Housing Finance and Development Corporation (HHFDC)
- Enlargement of the existing retention basin mauka of Village 1-A
- Roadway improvements to Leialii Parkway and Honoapi'ilani Highway

### For Increment 2:

- New high level water tank
- Improvements to Lahaina Civic Center Booster Pump facility



# Environmental Assessment (EA)

- Draft EA was published on December 23, 2022
- Hawaiian Homes Commission issued a FONSI in October 2022
- Final EA published on November 8, 2023
- Project includes mitigation measures (e.g., Best Management Practices, archaeological monitoring)
- Supports homestead opportunities for beneficiaries
- Aligns with DHHL General Plan, Maui Island Plan, and Water Policy Plan



# Next Steps for the Project

- Secure funds to fund construction of Increment 1
- Continue design of Increment 1
- Procure a developer for infrastructure and home construction
- Request for Qualifications (RFQ-24-HHL-004) was issued December 8, 2023



# Estimated Timeline (Subject to Funding)

- SPRING 2024** Continue Engineering Design
- SUMMER 2024** Negotiate Development Agreement
- WINTER 2024** Begin Subdivision Sitework Construction
- FALL 2025** Begin Home Construction
- SPRING 2026** First Home Occupancy

*TIMELINE SUBJECT TO CHANGE; SUBJECT TO BUDGET APPROPRIATION*



# Mahalo



DEPARTMENT OF HAWAIIAN HOME LANDS

[www.dhhl.hawaii.gov](http://www.dhhl.hawaii.gov)

Hawaiian Homes Commission Meeting Packet  
November 18 & 19, 2024  
Courtyard by Marriott Kahului Airport,  
Haleakala Ballroom,

**F ITEMS**

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 18-19, 2024

To: Chairperson and Members, Hawaiian Homes Commission

Thru: Linda Chinn, Acting Administrator  
Land Management Division 

Through: Kalei Young, Supervising Land Agent  
Land Management Division 

From: Shelly Carreira, Land Agent   
Land Management Division

Subject: Approval to Annual Renewal of Right of Entry Permit(s) and Conversion to Revocable Permits, Maui and Lanai Islands

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

- A) Renew all Maui and Lanai Island Right of Entry Permit(s) as listed on Exhibit "A" and identified by approximate location on the Maui and Lanai Island Map Exhibit "A-1" that are in compliance, as of November 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 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 October 31, 2025.
- D) Authorize the Chairman to negotiate and set forth other terms and conditions that may be deemed to be appropriate and necessary.

DISCUSSION

This submittal represents annual renewals for all Maui and Lanai islands ROE permit(s) only, which shall effectively expire on November 1, 2024. As a means of maintaining a process by which PERMITEE'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 on Maui and Lanai Islands, organized by acreage, land use, and commencement date. These permits will be converted to Revocable Permits. While these permits generate additional revenue for the Trust, their primary purpose is to allow DHHL to efficiently manage its lands through short-term dispositions. These are typically used for land not needed for longer-term dispositions, such as homesteading or general leases, over a 20-year period or

as dictated by DHHL's respective island plans. DHHL's total land inventory on Maui Island covers approximately 31,000 acres, or 15% of DHHL's statewide inventory. The short-term dispositions issued to homestead associations within the Maui Island inventory cover approximately 76.0 acres, or .002% of the island's inventory.

DHHL's total Lanai Island land inventory covers approximately 50 acres<sup>2</sup>. The short-term disposition issued to a homestead lessee covers approximately 25.0 acres or 50.0% of Lanai Island inventory.

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

In 2013, during the interim process approved by the HHC, all RPs that complied with the terms and conditions of their permits were converted to Right-of-Entry (ROE) permits until the new RP Program was approved and adopted. ROE permits are intended for short-term dispositions prior to other longer-term arrangements and should be used on an as-needed basis for specific projects. They are not suitable for the month-to-month use of Hawaiian home lands.

With the approval of the new Revocable Permit Program, the Land Management Division (LMD) recommended that all Right-of-Entry (ROE) permits carried over from the old program, as well as those issued or renewed under the Interim Process, be converted to Revocable Permits. This is the appropriate documentation for the short-term dispositions authorized under Section 171-55, HRS, as amended

Staff have conducted site visits to all ROE Permit parcels Maui Island, confirmed full compliance, and recommend converting these permits to Revocable Permits. The site inspection for Lanai Island was conducted through google imaging and will occur at a later date.

The table below shows the revenue generated from ROE permits on Maui and Lanai Islands for FY 2023 and similar proposed revenue for FY 2024. This revenue accounts for less than 1.0% (\$1,176) of the total ROE revenue (\$2,565,486) that DHHL receives statewide. Maui and Lanai Islands have 3 of the 145 ROE permits statewide, which are used for community and pastoral purposes.

Maui Island

<b>FY 2024</b>		Total
Agriculture	\$0	-
Caretaker/Landscape	\$0	-
Commercial	\$0	-
Community	\$480	2
Industrial	\$0	-
Office	\$0	-
Pastoral	\$0	-
Preservation	\$0	-
Recreation	\$0	-
Research	\$0	-
Stabling	\$0	-
	\$480	2

<b>FY 2025</b>		Total
Agriculture	\$0	-
Caretaker/Landscape	\$0	-
Commercial	\$0	-
Community	\$480	2
Industrial	\$0	-
Office	\$0	-
Pastoral	\$0	-
Preservation	\$0	-
Recreation	\$3	-
Research	\$0	-
Stabling	\$0	-
	\$480	2

Lanai Island

<b>FY 2024</b>		Total
Agriculture	\$0	-
Caretaker/Landscape	\$0	-
Commercial	\$0	-
Community	\$0	-
Industrial	\$0	-
Office	\$0	-
Pastoral	\$696	1
Preservation	\$0	-
Recreation	\$3	-
Research	\$0	-
Stabling	\$0	-
	\$696	1

<b>FY 2025</b>		Total
Agriculture	\$0	-
Caretaker/Landscape	\$0	-
Commercial	\$0	-
Community	\$0	-
Industrial	\$0	-
Office	\$0	-
Pastoral	\$696	1
Preservation	\$0	-
Recreation	\$3	-
Research	\$0	-
Stabling	\$0	-
	\$696	1

LMD respectfully recommends maintaining its current rental rates without any increase.

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 - MAUI ISLAND as of NOVEMBER 2023

Denotes Beneficiary							Denotes Delinquent		
NO.	ACRE	USE	PERMITTEE	LOCATION	TMK	Date Started	Current Annual Rent	Proposed Annual Rent	Comments: rent amount and reasons (site issues-insufficient/no infrastructure, no legal access, substandard lot size or irregular shape, etc.) why no long-term disposition
493	6.820	Community	Waiohuli Hawaiian Homesteaders Association	Kula	(2) 2-2-002:056(P)	10/1/2005	\$240	-	Rent is current - Community Use
496	69.000	Community	Keokea Homestead Farm Lot Association	Keokea	(2) 2-2-002:055	2/8/2010	\$240	-	Rent is current - Community Use

RIGHT OF ENTRY PERMITS - LANAI ISLAND as of SEPTEMBER 2022

Denotes Beneficiary							Denotes Delinquent		
NO.	ACRE	USE	PERMITTEE	LOCATION	TMK	Date Started	Current Annual Rent	Proposed Annual Rent	Comments: rent amount and reasons (site issues-insufficient/no infrastructure, no legal access, substandard lot size or irregular shape, etc.) why no long-term disposition
510	25.000	Pastoral	Alton & Joelle Aoki	Lanai City	(2) 4-9-002:051(P)	7/1/2006	\$696	-	Rent is current - Pastoral Use

**Exhibit "A"**  
**Item No. F-1**



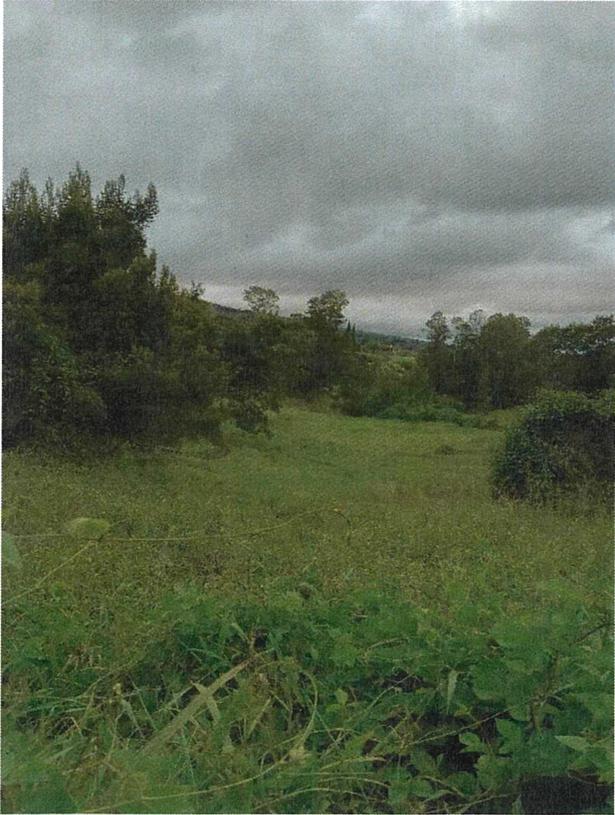
PROPERTY INSPECTION REPORT

GL/LI/RO/ERP NO.: Right of Entry No. 493	ADDRESS:	BY: Shelly Carreira
NAME: Waiohuli Hawaiian Homesteaders Association	TMK/ZONING: (2) 2-2-002:056 (portion)	PERMITTED USE: Cartaking - Prevent trespassing.
LOCATION: Waiohuli Maui	AREA: 6.82 acres	COI/BOND: COI on file - Expires 5/21/2025
RENTAL CURRENT: Yes - Current	DCCA COMPLIANT: Registered - Requires 2024 Filing	DATE: 9/30/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
<b>BUILDINGS, IMPROVEMENTS &amp; OPERATIONS:</b>				
1. Repair/Painting	None			
2. Fence or wall	None			
3. Site work	None			
4. Tenant sign(s)	None			
5. Other Info/Illegal Structure(s)	None			
<b>GENERAL</b>				
1. Landscaping	None			
2. Housekeeping	None			
3. Parking/Driveway	None			
4. Land Use Compliance	None			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
<b>SUBLESSEE(S) OF RECORD</b>				



Right of Entry No. 493 Inspection 9/30/2024



PROPERTY INSPECTION REPORT

<b>GL/LI/RO/ERP NO.:</b> Right of Entry No. 496	<b>ADDRESS:</b>	<b>BY:</b> Shelly Carreira
<b>NAME:</b> Kookea Homestead Farm Lot Association	<b>TMK/ZONING:</b> (2) 2-2-002:055	<b>PERMITTED USE:</b> Community
<b>LOCATION:</b> Waiohuli-Kookea, Maui	<b>AREA:</b> Approx. 69.0 acres	<b>COI/BOND:</b> COI on file - Expires 6/24/2025
<b>RENTAL CURRENT:</b> Yes, \$160.00 Credit on File	<b>DCCA COMPLIANT:</b> Registered and Current	<b>DATE:</b> 9/30/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
<b>BUILDINGS, IMPROVEMENTS &amp; OPERATIONS:</b>				
1. Repair/Painting	None			
2. Fence or wall	None			
3. Site work	None			
4. Tenant sign(s)	Present			
5. Other Info/Illegal Structure(s)	None			
<b>GENERAL</b>				
1. Landscaping	None			
2. Housekeeping	None			
3. Parking/Driveway	None			
4. Land Use Compliance	None			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
<b>SUBLESSEE(S) OF RECORD</b>				

Right of Entry No. 496 Inspection 9/30/2024



PROPERTY INSPECTION REPORT

GL/L/ROE/RP NO.: Right of Entry No. 510	ADDRESS:	BY: Shelly Carreira
NAME: Alton & Joelle Aoki	TMK/ZONING: TMK: (2) 4-9-024:057 (p)	PERMITTED USE: Pasturing
LOCATION: Lanai City, Lanai	AREA: 25 acres	COI/BOND: COI on file - Expires 11/18/2024, Request updated COI
RENTAL CURRENT: Yes, Current	DCCA COMPLIANT: DHHL Lessee - Not Registered	DATE: 10/1/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
<b>BUILDINGS, IMPROVEMENTS &amp; OPERATIONS:</b>				
1. Repair/Painting	None			
2. Fence or wall	None			
3. Site work	None			
4. Tenant sign(s)	None			
5. Other Info/Illegal Structure(s)	None			
<b>GENERAL</b>				
1. Landscaping	None			
2. Housekeeping	None			
3. Parking/Driveway	None			
4. Land Use Compliance	None			
5. Environmental Compliance Concerns	None			
6. Miscellaneous				
<b>SUBLESSEE(S) OF RECORD</b>				

Right of Entry No. 510 Inspection



STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 18-19, 2024

To: Chairman and Members, Hawaiian Homes Commission

Through: Linda Chinn, Acting Administrator  
Land Management Division   
Ward "Kalei" Young, Supervising Land Agent  
Land Management Division 

From: Shelly Carreira, Land Agent   
Land Management Division

Subject: Approval to Issue Second Amendment to Right of Entry No. 717, State of Hawaii,  
Department of Land and Natural Resources, Waiohuli, Maui Island, TMK: (2) 2-2-  
002:014 (por.)

RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission (HHC) approve the Second Amendment to Right of Entry Permit No. 717 issued to the State of Hawaii, Department of Land and Natural Resources for an additional twelve (12) month period to continue conducting axis deer population control activities on a portion of Hawaiian home lands located in Waiohuli, Maui Island, TMK: (2) 2-2-002:014.

Approval of the first amendment is subject, but not limited to the following conditions:

1. The term shall be extended for an additional twelve (12) month period, commencing on December 15, 2024;
2. The processing and documentation fee, \$150.00 shall be waived;
3. Except as amended herein, all of the terms, conditions, covenants, and provisions of Right of Entry No. 717 and the first amendment shall continue and remain in full force and effect; and
4. The amendment document shall be subject to review and approval of the Office of the Attorney General, State of Hawaii.

LOCATION:

Portion of Hawaiian home lands situated in Waiohuli, Island of Maui, identified as Tax Map Key: (2) 2-2-002:014 and related safety zones (Exhibit "A")

BACKGROUND/DISCUSSION:

Due to moderate to extreme drought conditions, axis deer have migrated into homestead parcels, pastures, agriculture lands, and developed areas in search of food and water thus resulting in loss of pasture vegetation, homestead agricultural crops, and economic loss. The Governor of the State of Hawaii has

issued multiple emergency and supplemental proclamations relating to axis deer. These proclamations provided emergency management functions that allow immediate preemptive and protective actions for controlling axis deer populations within the County of Maui, see Exhibit “B”.

The axis deer control program under ROE 717 is a cooperative initiative between the Department of Hawaiian Home Lands (DHHL) and the Department of Land and Natural Resources (DLNR), Division of Forestry and Wildlife (DOFAW) that provides population control measures through a DLNR regulated hunting program that is available to DHHL Maui beneficiaries (lessees and applicants) before becoming available to the public, see Exhibit “C”. On November 20, 2023 the HHC approved amending the term of ROE 717 for an additional 12-month period and the map exhibit to expand the safety zone areas, see Exhibit “D”.

DLNR DOFAW reports six hundred thirty (630) deer have been harvested from the subject parcel during January 2024 - October 2024. DLNR is requesting a term extension to ROE 717.

Approval on the second amendment will allow axis deer population control activities to continue for an additional 12-month period.

AUTHORIZATION:

§171-55, Hawaii Revised Statutes, Permits

RECOMMENDATION:

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

EXHIBIT "A"

DHHL Waiohuli/Keokea Control Unit



**Legend**

- Access
- Hunter Check-in Station
- Road
- Safety Zone
- TMK Boundary
- Enclosure
- TMK 2-2-002:014



The proposed control unit is TMK 2-2-002:014. The area requires a safety zone due to the proximity of the residential area. The control unit will have two points of access and hunter check-in stations.



State of Hawaii  
Department of Forestry and Wildlife

OFFICE OF THE GOVERNOR  
STATE OF HAWAII

**SEVENTEENTH PROCLAMATION  
RELATING TO AXIS DEER**

By the authority vested in me by the Constitution and laws of the State of Hawai'i, in order to provide relief for disaster damages, losses, and suffering, and to protect the health, safety, and welfare of the people, I, JOSH GREEN, M.D., Governor of the State of Hawai'i, hereby determine, designate and proclaim as follows:

**WHEREAS**, pursuant to Chapter 127A, Hawaii Revised Statutes (HRS), emergency powers are conferred on the Governor of the State of Hawai'i to respond to disasters or emergencies, to maintain the strength, resources, and economic life of the community, and to protect the public health, safety, and welfare; and

**WHEREAS**, on March 23, 2022, May 23, 2022, July 22, 2022, September 20, 2022, November 18, 2022, January 17, 2023, March 18, 2023, May 17, 2023, July 14, 2023, September 13, 2023, November 8, 2023, January 8, 2024, March 8, 2024, May 3, 2024, July 2, 2024, and August 30, 2024, Proclamations were issued declaring an emergency as a result of emergency conditions caused by the overpopulation of axis deer in the County of Maui; and

**WHEREAS**, the County of Maui was designated as a primary natural disaster area due to drought conditions by the U.S. Department of Agriculture in 2022, and continues to experience moderate to extreme drought conditions, according to data from the National Oceanic and Atmospheric Administration and the National Weather Service;

**WHEREAS**, despite ongoing efforts, axis deer have propagated to approximately 60,000 or more, which cannot currently be sustained by the environment in Maui County; and

**WHEREAS**, the axis deer population in Maui County has not been sufficiently reduced through hunting efforts alone; and

**WHEREAS**, the large number of axis deer in Maui County have devastated pasture forage and much of the vegetation that is already scarce due to persistent drought conditions; and

**ITEM NO. F-2**  
**EXHIBIT "B"**

**WHEREAS**, the devastation of vegetation has forced wildlife, in particular axis deer in Maui County, to migrate into agricultural and developed areas seeking food and water; and

**WHEREAS**, the persistent drought conditions have continued to exacerbate the problems associated with the overpopulation of axis deer in Maui County; and

**WHEREAS**, in September 2022, the Hawaii Department of Agriculture (HDOA) opened an emergency loan program to assist farmers with the costs associated with the overpopulation of axis deer in Maui County, wherein the low-interest emergency loans will offer some relief for farmers and ranchers in managing their losses and assisting with the cost of fencing and other mitigation measures; and

**WHEREAS**, the ongoing drought underlying the axis deer crisis is anticipated to continue indefinitely, and farmers and ranchers will continue to suffer damages and economic losses due to the overpopulated axis deer encroaching and devastating their operations; and

**WHEREAS**, Maui County agricultural operations continue to suffer from harm and damage caused by starving axis deer; and

**WHEREAS**, as of September 2023, the Agricultural Loan Division of the HDOA reported that it processed a Three Hundred Fifty Thousand dollar emergency loan to assist a ranch on Maui; and

**WHEREAS**, as of September 2023, including the previously mentioned loan, the Agricultural Loan Division of the HDOA approved eight (8) loans under this program, totaling One Million One Hundred Forty Thousand Four Hundred Twenty dollars; and

**WHEREAS**, although the HDOA has not received any additional applications for the Axis Deer Emergency Loan program since the Eleventh Emergency Proclamation Relating to Axis Deer, the Loan Division still periodically receives inquiries; and

**WHEREAS**, the HDOA, through discussions with the Hawai'i Cattlemen's Council, still finds that axis deer present an emergency on certain islands in Hawai'i; and

**WHEREAS**, the HDOA is currently working on Act 54 for Session Laws Hawai'i 2023, relating to wild game meat donation and processing;

**WHEREAS**, the HDOA has convened a task force regarding Act 54 and the task force has met once to discuss the donation process. The HDOA is coordinating with the United States Department of Agriculture Safety and Inspection Services, Hawai'i Food Bank, and Maui Food Bank on meat processing rules, regulations, and donations; and

**WHEREAS**, there are initiatives to increase the commercial slaughter of axis deer to help decrease the population and provide a sustainable food source;

**WHEREAS**, farmers and ranchers continue to require sufficient time to accurately assess the impacts that are being and will continue to be incurred by their respective operations in order to identify and quantify the level of financial support they will need to sustain their business and prevent a major loss and closure of agricultural operations in Maui County; and

**WHEREAS**, the effects of the large numbers of axis deer migrating into agricultural and developed areas include the possible spread of disease in the environment; and

**WHEREAS**, the high axis deer population comingling with livestock is suspected to be behind the largest bovine tuberculosis (bTB) outbreak on Molokai in the past 50 years; and

**WHEREAS**, the Hawaii Department of Land and Natural Resources has tested hundreds of animals, including axis deer, no positive results have been detected; and

**WHEREAS**, although control measures over the past year have minimized the potential for spread to and between livestock, axis deer can serve as a reservoir for infection and reinfection of livestock operations on Molokai and therefore reducing axis deer numbers is crucial to preventing further outbreaks; and

**WHEREAS**, techniques have been implemented to prevent infected axis deer from close contact with livestock, such as increasing fence heights, however, such measures are costly to farmers and ranchers; and

**WHEREAS**, continued mitigation procedures are required to control the bTB outbreak and salvage the economic viability and production of livestock on Molokai, including the United States Department of Agriculture, Wildlife Services, will be conducting studies to determine the role and extent axis deer play in the current outbreak; and

**WHEREAS**, the Maui County Department of Agriculture finds that axis deer remain a major issue due to the competition for grass for food, land management leading to erosion and damage to reefs and coastal systems, threats to people as they encroach into urban areas unexpectedly, and threats to people as the herds of axis deer run through airport runways at Kalaupapa airport; and

**WHEREAS**, immediate measures to appreciably reduce and control axis deer populations in Maui County and to implement deer management strategies, including but not limited to, corralling of axis deer, culling of axis deer to sustainable levels, clearing vegetation along fence lines, and erecting and/or reinforcing or repairing fence lines to keep axis deer away from roadways, airports, and runways are needed to protect the health and welfare of the community; and

**WHEREAS**, DOFAW has been able to utilize the Emergency Proclamations to expeditiously respond to the axis deer overpopulation; and

**WHEREAS**, various axis deer mitigation measures have been, and continue to be implemented, including, but not limited to procuring fencing materials that are available nationwide but not locally, fence installation contracts, and other ungulate control equipment and devices for axis deer control projects; and

**WHEREAS**, spatially-explicit actions plans are being developed by DOFAW to assist landowners with tools and methods to identify appropriate harvest levels to discourage migration and increase of the axis deer population in the agricultural areas; and

**WHEREAS**, DOFAW have large, strategic deer fence construction projects in the works in West Maui; and

**WHEREAS**, DOFAW has a number of orders and purchases that are still in process and without the suspension of laws pursuant to this Proclamation, DOFAW requires several additional months of lead time to restart the procurement process; and

**WHEREAS**, DOFAW received a large amount of additional funding for 2024 specifically for axis deer control and needs to expend the appropriated funds in a timely and efficient manner; and

**WHEREAS**, DOFAW utilized the Fifteenth Emergency Proclamation, dated July 2, 2024, to submit contract approvals for three (3) strategic deer fences for Maui island,

totaling over eleven (11) miles and order all materials for these three (3) fences; and

**WHEREAS**, DOFAW anticipates using any future emergency proclamation to obtain contracts for, materials for, and install additional deer fences across the landscape of Maui Nui; and

**WHEREAS**, DOFAW utilized the Fifteenth Emergency Proclamation, dated July 2, 2024, to purchase materials and supplies for remote trap fabrication for sixteen (16) traps; and

**WHEREAS**, DOFAW continues to conduct aerial shoot missions to remove axis deer from remote, hard to reach areas; and

**WHEREAS**, DOFAW continues its wildlife control permit program in the Department of Hawaiian Homelands Waiohuli/Keokea Unit and DOFAW reports that over three hundred fifty (350) axis deer have been removed by the general public and Department of Hawaiian Homelands beneficiaries between February 2024 and July 2024; and

**WHEREAS**, DOFAW anticipates utilizing future emergency proclamations to conduct and complete aerial axis deer surveys for the islands of Moloka'i and Lāna'i; and

**WHEREAS**, DOFAW received a large amount of funding from the Legislature for fiscal year 2025 specifically for axis deer management and the emergency proclamation(s) assist DOFAW in expending the appropriated funds in a timely and efficient manner; and

**WHEREAS**, without the suspension of laws pursuant to this Proclamation, the mitigation measures could not be implemented in an efficient and timely manner; and

**WHEREAS**, the current threat to the health, safety, and welfare of the people of Maui County caused from the axis deer overpopulation constitutes an emergency under section 127A-14, HRS, and warrants preemptive and protective actions;

**NOW, THEREFORE**, I, JOSH GREEN, M.D., Governor of the State of Hawai'i, hereby determine that an emergency or disaster contemplated by section 127A-14, HRS, has occurred in the County of Maui, State of Hawai'i, and do hereby authorize and

invoke the following emergency provisions which are expressly invoked, if not already in effect upon this declaration of an emergency:

**I. Invocation of Laws**

Section 127A-12(b)(13), HRS, requiring each public utility, or any person owning, controlling, or operating a critical infrastructure, to protect and safeguard its or the person's property, or to provide for the protection and safeguarding thereof, and provide for the protection and safeguarding of all critical infrastructure and key resources; provided that without prejudice to the generality of the foregoing two clauses, the protecting or safeguarding may include the regulation or prohibition of public entry thereon, or the permission of the entry upon terms and conditions as I may prescribe.

Section 127A-12(b)(16), HRS, directing all state agencies and officers to cooperate and extend their services, materials, and facilities as may be required to assist in emergency response efforts.

Section 127A-16, HRS, by activating the Major Disaster Fund.

**II. Deer Control**

Pursuant to sections 127A-12 and 127A-13, HRS, the county and state agencies are to provide emergency relief and engage in emergency management functions as defined in section 127A-2, HRS, to enable planning and implementation of deer management strategies, including but not limited to, creating buffers and to erect, reinforce, or repair fence lines to keep the deer away from roadways, airports, and runways, taking action to immediately cull axis deer, and reducing the herds of axis deer to sustainable numbers, so as to provide protection and relief from damages, losses, and suffering caused by the emergency.

**III. Suspension of Laws**

The following specific provisions of law are suspended, as allowed by federal law, pursuant to sections 127A-12(b)(8) and 127A-13(a)(3), HRS, to the extent that the law impedes or tends to impede or be detrimental to the expeditious and efficient execution of, or to conflict with, emergency functions, including laws which by this chapter specifically are made applicable to emergency personnel:

Chapter 6E, HRS, **historic preservation**, to the extent that compliance requires additional time detrimental to the expeditious and efficient execution of emergency actions.

Section 37-41, HRS, **appropriations to revert to state treasury; exceptions**, to the extent that appropriations lapse at the end of the fiscal year prior to completion of the emergency actions.

Section 37-74(d), HRS, **program execution**, except for sub-sections 37-74(d)(2) and 37-74(d)(3), HRS, and any such transfers or changes considered to be authorized transfers or changes for purposes of section 34-74(d)(1) for legislative reporting requirements, to the extent that legislative authorization would likely delay appropriation transfers or changes between programs to provide necessary funding to complete the emergency actions.

Section 40-66, HRS, **lapsing of appropriations**, to the extent that the timing of the procurement of the construction of the emergency permanent repairs may occur the fiscal year following the original emergency proclamation.

Chapter 46, HRS, **county organization and administration**, as any county ordinance, rule, regulation, law, or provision in any form applies to any county permitting, licensing, zoning, variance, processes, procedures, fees, or any other requirements that hinder, delay, or impede efforts to implement deer management strategies, including, but not limited to clearing vegetation from fence lines to create a buffer against the axis deer under this Proclamation, to the extent that compliance results in any delays involved in securing County permits. These would include but not be limited to chapter 20.08, Maui County Code, **soil erosion and sedimentation control**, chapter 12-302, Rules for the Molokai Planning Commission, **special management area rules**, chapter 12-402 Rules for the Lanai Planning Commission, **special management area rules**, and chapter 12-202, Rules of the Maui Planning Commission, **special management area rules**.

Chapter 89, HRS, **collective bargaining in public employment**, to the extent that compliance with this chapter requires additional time detrimental to the expeditious and efficient execution of emergency actions.

Chapter 89C, HRS, **public officers and employees excluded from collective bargaining**, to the extent that compliance with this chapter requires additional time detrimental to the expeditious and efficient execution of emergency actions.

Section 103-2, HRS, **general fund**, to the extent that compliance results in any additional delays.

Section 103-53, HRS, **contracts with the State or counties; tax clearances, assignments**, to the extent necessary to waive the Internal Revenue Service (IRS) tax clearance requirement.

Section 103-55, HRS, **wages, hours, and working conditions of employees of contractors performing services**, to the extent that compliance results in any additional delays.

Chapter 103D, HRS, **Hawaii public procurement code**, to the extent that compliance results in any additional delays involved in meeting procurement requirements for selecting contractors in a timely manner to respond to emergency situations.

Chapter 104, HRS, **wages and hours of employees on public works**, to the extent that compliance with this chapter requires additional time detrimental to the expeditious and efficient execution of emergency actions.

Sections 105-1 to 105-10, HRS, **use of government vehicles, limitations**, to the extent that compliance with this chapter requires additional time detrimental to the expeditious and efficient execution of emergency actions.

Section 127A-30, HRS, **rental or sale of essential commodities during a state of emergency; prohibition against price increases**, because the automatic invocation of this provision is not needed for this emergency. The invocations and suspensions of section 127A-30, HRS, contained in any other emergency proclamation are not affected by this Proclamation.

Chapter 183D, HRS, **wildlife**, and chapter 13-124, Hawaii Administrative Rules (HAR), **indigenous wildlife, endangered and threatened wildlife and introduced wild birds**, to the extent that compliance results in any delays involved in implementation of axis deer management planning or activities or requires additional time detrimental to the expeditious and efficient execution of emergency actions.

Chapter 205A, Part II, HRS, **coastal zone management**, to the extent that compliance results in any additional delays involved with securing approvals from the counties or the Department of Land and Natural Resources for work within the special management area.

Chapter 342D, HRS, **water pollution**, and chapters 11-54, **water quality standards**, and 11-55, HAR, **water pollution control**, to the extent that compliance requires additional time detrimental to the expeditious and efficient execution of emergency actions.

Chapter 342H, HRS, **solid waste pollution**, and chapter 11-58.1, HAR, **solid waste management control**, to the extent that compliance requires additional time detrimental to the expeditious and efficient execution of emergency actions.

Chapter 343, HRS, **environmental impact statements**, and chapter 11-200.1, HAR, **environmental impact statement rules**, to the extent that compliance results in any additional delays involved with the environmental review process.

#### **IV. Severability**

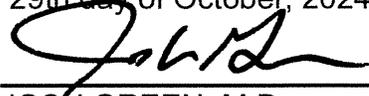
If any provision of this Proclamation is rendered or declared illegal for any reason, or shall be invalid or unenforceable, such provision shall be modified or deleted, and the remainder of this Proclamation and the application of such provision to other persons or circumstances shall not be affected thereby but shall be enforced to the greatest extent permitted by applicable law.

#### **V. Enforcement**

No provision of this Proclamation, or any rule or regulation hereunder, shall be construed as authorizing any private right of action to enforce any requirement of this Proclamation, or of any rule or regulation. Unless the Governor, Director of Emergency Management, or their designee issues an express order to a non-judicial public officer, no provision of this Proclamation, or any rule or regulation hereunder, shall be construed as imposing any ministerial duty upon any non-judicial public officer and shall not bind the officer to any specific course of action or planning in response to the emergency or interfere with the officer's authority to utilize his or her discretion.

**I FURTHER DECLARE** that the disaster emergency relief period shall commence immediately and continue through December 28, 2024, unless terminated or superseded by separate proclamation, whichever shall occur first.

Done at the State Capitol, this  
29th day of October, 2024



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JOSH GREEN, M.D.,  
Governor of Hawai'i

APPROVED:

*Anne E. Lopez*

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Anne E. Lopez  
Attorney General  
State of Hawai'i

STATE OF HAWAI'I  
DEPARTMENT OF HAWAIIAN HOME LANDS

RIGHT-OF-ENTRY NO. 717

This Right-of-Entry ("ROE") No. 717 is dated and effective as of this 15th day of December, 2022, by and between the State of Hawaii, DEPARTMENT OF HAWAIIAN HOME LANDS, whose place of business is 91-5420 Kapolei Parkway, Kapolei, Hawai'i, 96707, and whose mailing address is P. O. Box 1879, Honolulu, Hawaii 96805, hereinafter as "PERMITTOR," and State of Hawaii, by its Board of Land and Natural Resources, whose address is 1151 Punchbowl Street, Honolulu, Hawai'i 96813, hereinafter the "PERMITTEE."

PERMITTOR hereby grants to PERMITTEE a ROE upon that certain parcel of Hawaiian home lands in Waiohuli, Island of Maui, Hawai'i, for the non-exclusive, use of approximately 4,847 acres of Hawaiian Home Lands, identified as Tax Map Key No. (2) 2-2-002:014 and designated safety zones and access which are hereinafter referred to collectively as the "Premises," as further described in the site plan rendering attached hereto as Exhibit "A", subject to the following conditions:

1. TERM. The term of the ROE shall be month-to-month up to twelve (12) months, commencing upon execution of the ROE document. This ROE may be terminated by PERMITTOR or PERMITTEE at PERMITTOR'S and PERMITTEE'S sole discretion for any reason whatsoever, at any time during the twelve (12) month period, upon thirty (30) days advance notice in writing to either party;
2. PERMITTED USE. The Premises shall be used for the purpose of axis deer population control activities, as indicated in this ROE and further described in the attached hunting control Memorandum of Understanding (MOU) through which PERMITTOR and PERMITTEE shall conduct the described hunting control activities, which is attached as Exhibit "B". No other uses or sub-tenancy shall be permitted without the express written approval of PERMITTOR. PERMITTEE'S use shall comply with all applicable governmental laws, regulations, rules and permitting requirements, pertaining to such use. No member of the public or DHHL beneficiary entering the Premises under the authority of this ROE and the MOU to conduct control activities shall be permitted any

**ITEM NO. F-2**  
**EXHIBIT "C"**

other use of the Premises aside from those described in the MOU;

3. FEE. The fee for the use of this ROE shall be gratis and the standard nonrefundable processing and documentation fee of \$175.00 shall be waived;
4. CONSTRUCTION AND MAINTENANCE. During the period of the ROE, PERMITTEE shall keep the Premises and all improvements thereon in a strictly clean, sanitary, and orderly condition, and shall not make, permit, nor suffer any waste, spoil, nuisance, nor any unlawful, improper, or offensive use of the Premises. PERMITTEE shall comply with all rules, regulations, ordinances and laws of the State of Hawai'i and any other municipal and federal government authority applicable to the Premises and the improvements thereon;
5. RIGHT TO ENTER. PERMITTEE shall allow PERMITTOR, and the agents and representatives thereof, at all reasonable times, free access to the Premises for the purpose of examining the same and determining whether the covenants herein are being fully observed and performed, or for the performance of any public or official duties. In the exercise of such rights, PERMITTOR and government officials shall not interfere unreasonably with the use and enjoyment of the Premises by PERMITTEE and any entrants to the Premises if legally admitted in accordance with the MOU;
6. NO TRANSFER, MORTGAGE, AND SUBLEASE. This ROE shall be non-transferable, and PERMITTEE may not in any manner transfer to, mortgage, pledge, sublease, sublet, or otherwise hold or agree so to do, for the benefit of any other person or persons or organization of any kind, its interest in this ROE, the Premises and the improvements now or hereafter erected thereon;
7. EXPIRATION. Upon the expiration of the ROE, or its sooner termination as herein provided, PERMITTEE shall peaceably and quietly leave and surrender and deliver up to PERMITTOR possession of the Premises. This includes the clean-up and removal of all tools, equipment, improvements brought or placed upon the Premises, and other property belonging to PERMITTEE during the term of this ROE, if any, but shall not apply in regard to axis deer carcasses or personalty of removal and control participants or entrants unless expressly indicated in the MOU or by PERMITTEE;

8. TERMINATION/ABANDONMENT. Upon termination or abandonment of the specified purposes for which this ROE is granted, all interests granted by this ROE shall revert to PERMITTOR;
9. PREMISES. The term "Premises", when it appears herein, includes and shall be deemed to include the lands described above and all improvements within the ROE whenever and wherever erected or placed thereon, if any;
10. SELF-INSURANCE. The State of Hawai'i, as a sovereignty, is self-insured and therefore insurance, including but not limited to, public liability, property damage, and fire, is not required;
11. NON-DISCRIMINATION. The use and enjoyment of the Premises shall not be in support of any policy which discriminates against anyone based upon race, creed, color, sex, national origin, religion, marital status, familial status, ancestry, physical handicap, disability, age, or HIV (human immunodeficiency virus) infection.
12. PERMITTEE'S RESPONSIBILITIES. The PERMITTEE shall be responsible for injury caused by the PERMITTEE'S officers and employees in the course and scope of their employment to the extent that the PERMITTEE'S liability for such damage or injury has been determined by a court or otherwise agreed to by the PERMITTEE. The PERMITTEE shall pay for such damage and injury to the extent permitted by law provided that an appropriation is enacted and funds have been encumbered and released for the purpose;
13. PERMITTOR'S RESPONSIBILITIES. The PERMITTOR shall be responsible for injury caused by the PERMITTOR'S officers and employees in the course and scope of their employment to the extent that the PERMITTOR'S liability for such damage or injury has been determined by a court or otherwise agreed to by the PERMITTOR. The PERMITTOR shall pay for such damage and injury to the extent permitted by law provided that an appropriation is enacted and funds have been encumbered and released for the purpose;
14. HAZARDOUS MATERIAL. PERMITTEE, to the best of its ability, 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.

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

Furthermore, deer carcasses shall not be considered as hazardous materials.

15. PERMITTEE'S FINANCIAL OBLIGATION AND COMMITMENT.

PERMITTEE'S financial obligation and commitment to make payments or reimbursements of any kind under this ROE shall be contingent upon the availability and allotment by the Director of the Department of Budget and Finance of public funds to the Department of Land and Natural Resources to make such payment or reimbursement

16. SPECIAL CONDITIONS.

- A. PERMITTEE shall conduct activities to control axis deer;
- B. PERMITTEE acknowledges that PERMITTOR has not made and will not make, any representation or warranty, implied or otherwise, with respect to the condition of the Premises or their suitability for control activities of axis deer. PERMITTEE accepts that entry upon the lands is with full assumption of all risks and consequences thereof;

- C. PERMITTEE acknowledges and agrees that axis deer control activities will not commence until after the development and implementation of the axis deer removal plan designed by PERMITTOR and respective approving authorities;
- D. Entry under this ROE is limited to PERMITTEE's employees, partners, agents, contractors, and subcontractors solely for conducting the purpose stated in the attached MOU and herein. All employees, contractors, and other parties who are authorized by PERMITTEE must be identified in writing to PERMITTOR prior to access to the Premises;
- E. PERMITTEE shall exercise due care and diligence to prevent injury to persons and damage to property belonging to the PERMITTOR;
- F. All archaeological/cultural sites noted on the Premises shall be respected, protected, and preserved; and
- G. This ROE is subject to other terms and conditions that may be deemed prudent by the Chairman of the Hawaiian Homes Commission and approved by the PERMITTEE.
17. SEVERABILITY. Whenever possible, each provision of the ROE shall be interpreted in such a manner as to be effective and valid under applicable law, but if any provision of the ROE should be prohibited or invalidated under applicable law or for any other reason, such provision shall not invalidate any other portion of the ROE;
18. SINGULAR/PLURAL. The singular and plural depend on their appropriate use;
19. ENTIRE AGREEMENT. This ROE, exhibits, and any agreed amendments thereto, constitute the entire agreement of the parties and all covenants, promises, representations, and agreements existing are contained herein, and shall be binding upon, apply, and inure to the benefit of the successors of PERMITTEE and PERMITTOR;
20. REPRESENTATIONS. PERMITTEE agrees that it has executed this ROE as a result of its own inspection of the Premises and the vicinity in and around the Premises and not as a

result of any representation made by PERMITTOR or its employees or agents;

21. MISCELLANEOUS.

- a. CONSENT. Whenever under the terms of this Agreement the consent or approval of either party shall be required, such consent or approval shall not be unreasonably or arbitrarily withheld. If the party receiving any request or consent or approval shall fail to act upon such request within thirty (30) calendar days after receipt of written request therefor, such consent or approval shall be presumed to have been given;
- b. BIND AND INURE. This ROE shall be binding upon and inure to the benefit of PERMITTOR and PERMITTEE and their respective representatives, successors, and successors-in-trust;
- c. APPLICABLE LAW, SEVERABILITY. This ROE shall be governed by and interpreted in accordance with the laws of the State of Hawaii. If any provision of this ROE is held to be invalid or unenforceable, the validity or enforceability of the other provisions shall remain unaffected;
- d. PARAGRAPH HEADINGS. The headings of paragraphs in this ROE are inserted only for convenience and shall in no way define, describe, or limit the scope or intent or any provision of this ROE;
- e. INCORPORATION OF AGREEMENTS. This ROE incorporates that certain Memorandum of Understanding by and between DHHL and DLNR for Cooperative Axis Deer Control Efforts at Hawaiian Home Lands in Waiohuli, Island of Maui, State of Hawai'i entered into on December 12, 2022, and supersedes all other prior oral or written letters, agreements, or understandings relating to the subject matter hereof. This ROE may not be modified or amended, not any of the provisions hereof waived, except by an instrument in writing signed by the parties hereto;

22. MODIFICATIONS OF ROE. Any modification, alteration, amendment, or change, or extension of any term, provision, or condition of this ROE shall be made by written amendment to this ROE signed by PERMITTEE and PERMITTOR.

[REMAINDER OF PAGE BLANK -- SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, PERMITTOR and PERMITTEE have caused this ROE to be executed by the duly authorized officers as of the day and year first above written, and the PERMITTEE has caused the seal of the Department of Land and Natural Resources to be hereunto affixed.

APPROVED BY THE HHC  
AT ITS MEETING HELD ON  
August 15, 2022

State of Hawaii  
DEPARTMENT OF HAWAIIAN HOME LANDS

APPROVED AS TO FORM:

Alysa Maui Yuleko Kau  
Deputy Attorney General  
State of Hawaii

By William J. Ailā, Jr.  
WILLIAM J. AILĀ, JR. Chairman  
Hawaiian Homes Commission

PERMITTOR

APPROVED AS TO FORM:

State of Hawaii  
BOARD OF LAND AND NATURAL RESOURCES

[Signature]  
Deputy Attorney General  
State of Hawaii

By Suzanne D. Case  
SUZANNE D. CASE  
Chairperson

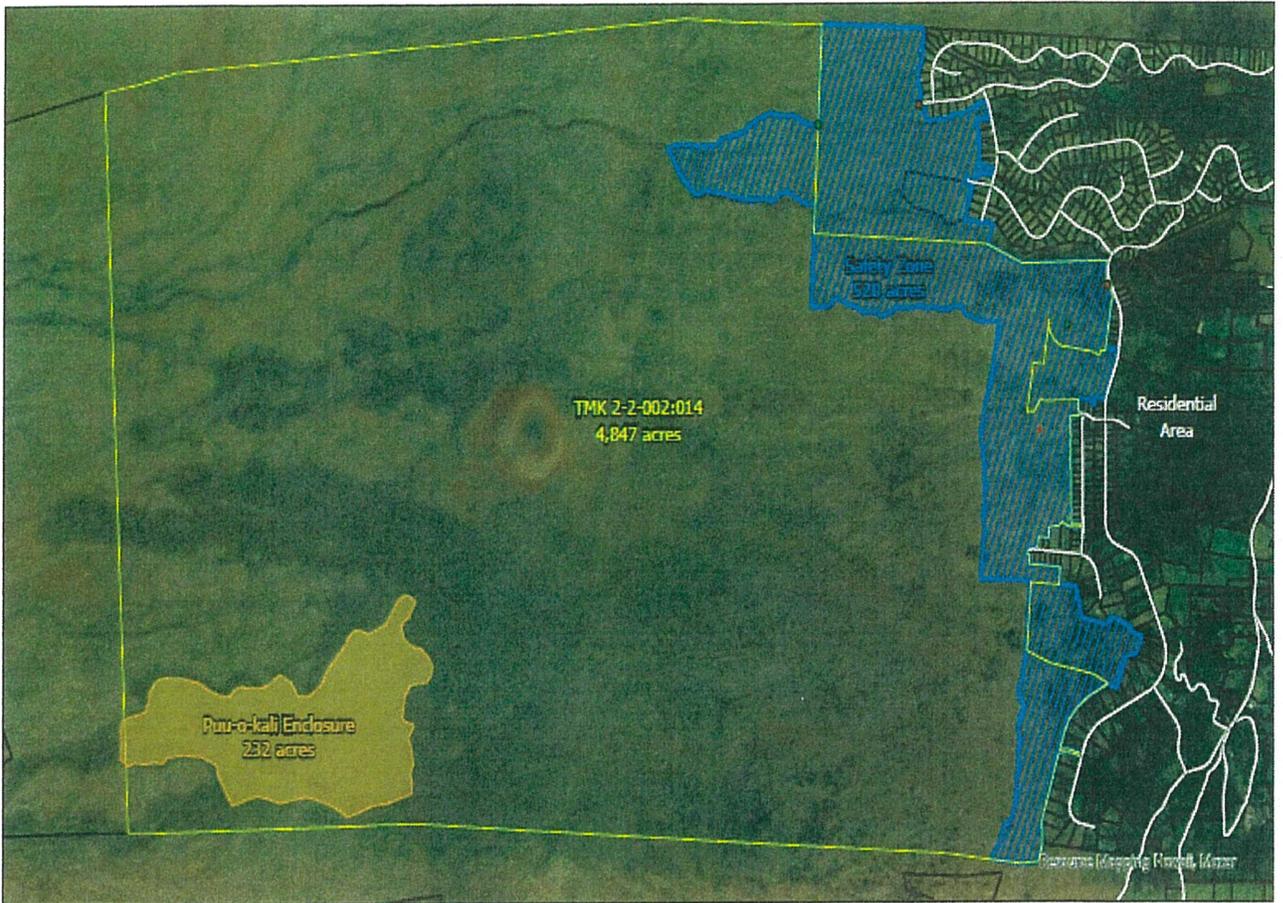
PERMITTEE

Approved by the Board of  
Land and Natural Resources  
at its meeting held on  
October 28, 2022

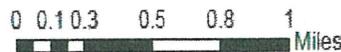
[Signature]  
David Smith

Exhibit "A". Site Plan of the Waiohuli Deer Control Project

## DHHL Waiohuli/Keokea Control Unit



Legend	
● Access	▨ Safety Zone
● Hunter Check-In Station	□ TMK Boundary
— Road	■ Enclosure
— TMK 2-2-002:014	



The proposed control unit is TMK 2-2-002:014. The area requires a safety zone due to the proximity of the residential area. The control unit will have two points of access and hunter check-in stations.



MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS  
AND  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
FOR COOPERATIVE AXIS DEER CONTROL EFFORTS AT  
HAWAIIAN HOME LANDS IN WAIOHULI,  
ISLAND OF MAUI, STATE OF HAWAII

This Memorandum of Understanding (MOU), effective and entered into on this 12th day of December, 2022, by and between the State of Hawai'i Department of Hawaiian Home Lands, by its Hawaiian Homes Commission (hereinafter "DHHL") and the State of Hawai'i, Department of Land and Natural Resources ("DLNR"), Division of Forestry and Wildlife ("DOFAW"), by its Board of Land and Natural Resources, collectively referred to in this MOU as "the Parties"; to engage in cooperative population control efforts of the axis deer (*Axis axis*), on DHHL TMK no. (2) 2-2-002:014 at Waiohuli, Maui, Hawai'i, and adjacent portions, as appropriate.

WITNESSETH

WHEREAS, DHHL and DLNR are executive branch agencies within the sovereign State of Hawaii each having duties as stated in the Hawai'i Constitution and Hawaii Revised Statutes ("HRS"). Additionally, due to increases in the axis deer population in Maui County, the Governor of the State of Hawai'i has issued multiple emergency or supplemental proclamations relating to circumstances by which the population has propagated to numbers unsustainable by existing vegetation and exacerbated by drought conditions; and

WHEREAS, the increase in axis deer populations has certain detrimental effects on Maui County communities, including loss of pasture vegetation, forays by deer into agricultural and developed areas while seeking food and water, hazards to roadways, airports, runways, and other threats to public health, safety, and welfare of the people in Maui County; and

WHEREAS, DHHL beneficiaries may be entitled to lands that are subject to deer control under this MOU; are on lands immediately adjacent to Waiohuli, and likely to be most affected by deer forays to adjacent DHHL subdivision roads and lands, including the presence of deer as either usufruct, health hazard, or pest to vegetation maintained by beneficiaries, and finally being closest in proximity to the control area; and

WHEREAS, due to the burgeoning population of axis deer on Maui and drought conditions, the Governor issued an emergency proclamation of January 27, 2021 entitled, "Proclamation Related to the Drought and Axis Deer in the County of Maui", to provide emergency relief and engage in emergency management functions as defined in section 127A-2, HRS, to enable the removal and disposal of axis deer carcasses, create buffers to keep deer away

EXHIBIT "B"

from roadways, take action to immediately cull unhealthy axis deer, and reduce herds of axis deer to sustainable numbers; and

WHEREAS, after the expiration of the January 27, 2021 proclamation, further emergency proclamations by the Governor were issued on November 9, 2021 (as Proclamation Related to the Axis Deer), January 6, 2022 (Supplemental Proclamation Related to Axis Deer), March 23, 2022 (Proclamation Related to Axis Deer), May 23, 2022 (Second Proclamation Relating to Axis Deer), July 22, 2022 (Third Proclamation Relating to Axis Deer) which have since expired. The Fourth Proclamation Relating to Axis Deer was issued on September 20, 2022 and is scheduled to continue currently through November 18, 2022; and

WHEREAS, the effect of prior and current Governor's emergency proclamations is to suspend the effect of historic preservation laws, certain employment and budget laws, procurement, wildlife hunting laws, water pollution laws, and environmental impact laws to assist the State and County governments to take immediate preemptive and protective actions in response to the need for axis deer control on Maui.

NOW, THEREFORE, the above parties agree to engage as partners in a cooperative effort to control axis deer on DHHL land described as TMK no. (2) 2-2-002:014 at Waiohuli and Kēōkea, island of Maui under the terms of the Right of Entry (ROE) by DHHL to DLNR. for the DHHL Waiohuli/Kēōkea Control Unit, which terms are incorporated by reference. Both parties hereto deem it mutually advantageous and desirable to cooperate and agree to the following provisions to implement a wildlife control program for axis deer:

I. DLNR Responsibilities

DLNR agrees to undertake the following responsibilities under this MOU:

- A. To assist in the set-up of axis deer control protocol with call-in and check-in procedures to determine qualified hunter applicants.
- B. Conduct any necessary hunting program as specified in this MOU, excluding programs developed under Act 301, 2022).
- C. Order all necessary materials to establish exclusion areas or suitable landmarks to prevent hunters from going onto adjacent properties not covered by this MOU.

II. DHHL Responsibilities

DHHL agrees to undertake the following responsibilities under this MOU:

- A. Provide guidance and assist with community stakeholder input to this control project.
- B. Assist DOFAW with establishing workable access points and check-in areas as indicated in Exhibit "A" of the ROE.
- C. Establish suitable safety protocols for the Waiohuli Hawaiian Homesteaders Association, Inc. and Uhiwai o Haleakalā for any activities which they anticipate occurring in designated buffer safety zones. Uhiwai o Haleakalā is a domestic

non-profit corporation that works to protect and restore native ecosystems and watersheds in Kahikinui, Maui. DHHL has issued limited rights of entry permits to Uhiwai o Haleakalā only on Mondays and Tuesdays, non-hunting days, for access to the Pu'u O Kali fence enclosure for fence repair, removal of invasive plant species, and seed collection for native plants.

- D. Provide assistance in identifying DHHL Maui beneficiaries who participate in this program, for purposes of call-in and check-in.

### III. Joint Responsibilities

- A. Operation of DHHL Waiohuli Call-in Procedures. The Parties mutually agree to jointly operate an axis deer control program at Waiohuli, Maui. In recognition of the effectiveness of the participation of DHHL Maui beneficiaries in proximity and motivation regarding deer control under this MOU, the Parties have structured the following call-in sign-up procedures, which may be amended from time to time, as necessary to ensure safe and efficient operations, by mutual agreement of the parties:
  - 1. Legal hunting days are from Wednesday through Sunday each week during the effect of this MOU. One legal hunting day consists of one-half (1/2) hour before sunrise until one-half (1/2) hour after sunset. A maximum of ten (10) hunters per day will be allowed access to the Waiohuli/Kēōkea area during a hunting day. Each hunter will bring an additional four (4) hunters for a group size of five (5).
  - 2. On Monday call-in days, qualified hunters may begin to sign-up to book an individual or hunter-group reservation.
    - a. Five (5) reservations will be available on a first-come, first-served basis for DHHL beneficiaries (e.g., lessees and waitlisters) living on Maui (from a list of qualified beneficiaries maintained by DHHL) between 8:00 A.M. to 9:00 A.M. Non-DHHL beneficiaries and members of the public are prohibited from signing up during this time.
    - b. The remaining reservation slots will be available to the public on a first-come, first-served basis between 9:30 A.M. to 10:30 A.M. Any additional unfilled or unclaimed slots from the 8:00 A.M. to 9:00 A.M. sign-up may be filled by public applicants at this time.
  - 3. Group sizes for each hunter-group reservation are limited to five (5) hunters. All names of persons in the group must be given at the call-in.
  - 4. Hunters must check-in and out of the area at established hunter check stations and provide all required information.
  - 5. The use of ATVs and UTVs is permitted in accordance with posted restrictions and instructions.

IV. General Responsibilities

- A. Designated Buffer Safety Zones. Buffer zones will be established in accordance with locations indicated on Exhibit "A" of the ROE. The Parties will assist each other in locating the boundaries of the designated buffer safety zones and use of adaptive management procedures to manage access to the property.
- B. Fire Control. The Parties will use their best efforts to minimize the threat of wildfire hazards on the premises, seek to inform the other of any incidents involving wildfire or need for wildfire control, and assist the other to the extent possible in the event of a wildfire.
- C. Non-Control Day. The Parties agree to assist each other on non-control days regarding the Pu'u O Kali dryland forest enclosure by monitoring any deer present in said enclosure.

V. Term, Evaluation, and Modification

- A. Term. This agreement for this project under the MOU is effective according to the commencement date indicated above. This MOU will remain in effect for up to one (1) year after the commencement date and may be extended by mutual agreement of the parties..
- B. Evaluation. The project agreement may be reviewed, evaluated, and updated at any time, but no later than annually to assist further efforts to address existing or anticipated emergency circumstances.
- C. Modification. This MOU and any portion of the project agreement may be modified at any time prior to termination by mutual agreement of the Parties. Modifications, if authorized, shall be in writing executed by the Chairpersons representing the DHHL Commission and the DLNR Board respectively. Either Chairperson may authorize non-substantive changes on behalf of the respective party to facilitate processing of such changes.

VI. ROE

- A. The MOU shall be read concurrently with ROE No. 717 issued by DHHL to BLNR.

VII. Termination

- A. Either party may terminate, in writing, the MOU in whole, or in part, at any time before the termination date.
- B. Unless mutually agreed upon otherwise, ninety (90) days advance notice shall be provided prior to termination.

VIII. Principal Contacts.

- A. The principal contacts for administering this Agreement are:

1. Department of Hawaiian Home Lands  
c/o Office of the Chairman  
P.O. Box 1879  
Honolulu, HI, 96707
2. Department of Land and Natural Resources  
c/o Division of Forestry and Wildlife  
1151 Punchbowl St.  
Honolulu, HI 96813

IX. Miscellaneous Provisions.

- A. Disclaimers. Nothing in this MOU shall be construed as affecting in any way the delegated authority or responsibilities of DLNR or Hawaiian Home Lands Commission. This Agreement shall not supersede any agreements currently in effect between the DHHL and the DLNR.
- B. Additional Parties. By Modification of this MOU by the Parties, additional governmental, non-profit organizations, and other entities may be made party thereto on such terms and conditions as the DHHL and the DLNR may agree.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding as of the last date written below.

DEPARTMENT OF HAWAIIAN HOME LANDS

APPROVED AS TO FORM:

*DKK*

\_\_\_\_\_  
Deputy Attorney General

Approved by the  
Hawaiian Home Lands Commission  
at its meeting held on:  
August 15, 2022

Approved by the Board  
of Land and Natural Resources  
at its meeting held on:  
Dec 10, 2022, 2022

APPROVED AS TO FORM:

*[Signature]*

\_\_\_\_\_  
Deputy Attorney General

Signature:

*[Signature]*

Email: david.g.smith@hawaii.gov

By *William J. Aila Jr.*  
\_\_\_\_\_  
WILLIAM J. AILA, JR., Chairperson  
HAWAIIAN HOME LANDS COMMISSION  
Date: Nov 23, 2022

DEPARTMENT OF LAND AND NATURAL RESOURCES

*DGS*

By *Suzanne D. Case*  
\_\_\_\_\_  
SUZANNE D. CASE, Chairperson  
BOARD OF LAND AND NATURAL  
RESOURCES

Date: Dec 12, 2022

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

**FIRST AMENDMENT TO RIGHT OF ENTRY NO. 717**

This FIRST AMENDMENT TO RIGHT OF ENTRY NO. 717 (this **Amendment**), dated December 18, 2023, is made by and between the State of Hawai'i, by its **DEPARTMENT OF HAWAIIAN HOME LANDS**, whose address is 91-5420 Kapolei Parkway, Kapolei, Hawai'i 96707 (**Permittor**), and **STATE OF HAWAII, BOARD OF LAND AND NATURAL RESOURCES**, whose mailing address is 1151 Punchbowl Street, Honolulu, Hawaii 96813 (**Permittee**).

**A.** Permittor is the "Permittor" and Permittee is the "Permittee" under that certain Department of Hawaiian Home Lands Right of Entry No. 717, dated December 15, 2022 (hereinafter "ROE 717"), filed in the Office of the Department of Hawaiian Home Lands.

**B.** Permittor and Permittee desire to amend the ROE 717, as approved by the Hawaiian Homes Commission on November 20, 2023, for an additional year and amend the exhibit to reflect the expanded safety zone area.

**AGREEMENT**

NOW, THEREFORE, the parties agree as follows:

- 1. Term.** The extended one-year term of ROE 717 commences on December 15, 2023 and will continue thereafter on a month-to-month basis unless earlier terminated as provided in ROE 717.
- 2.** The DHHL Waiohuli/Keokea Control Unit depicted in **Exhibit "A"** shall be in effect.
- 3. Fees.** The processing and documentation fee of \$150.00 shall be waived.
- 4. No Other Amendments.** Except as expressly amended by this Amendment, all other terms and conditions of ROE 717 remain in full force and effect.
- 5. Counterparts.** This Amendment may be signed in counterparts and by facsimile, PDF, or other electronic means. Each counterpart when signed shall be deemed an original, and all of which, when taken together, shall be deemed to be and constitute one and the same instrument.

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

**ITEM NO. F-2**  
**EXHIBIT "D"**

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

Approved by the  
Hawaiian Homes Commission  
on November 20, 2023

APPROVED AS TO FORM:

STATE OF HAWAII  
Department of Hawaiian Home Lands

*Alyssa Maui Yukiko Kaw*

\_\_\_\_\_  
Deputy Attorney General  
State of Hawaii

By *Kali Watson*

\_\_\_\_\_  
KALI WATSON, Chairman  
HAWAIIAN HOMES COMMISSION

PERMITTOR

APPROVED AS TO FORM:

State of Hawaii  
BOARD OF LAND AND NATURAL  
RESOURCES

*Dawn N.S. Chang*

\_\_\_\_\_  
Deputy Attorney General  
State of Hawaii

By *Dawn N.S. Chang*

\_\_\_\_\_  
Dawn N.S. Chang  
Chairperson

PERMITTEE

EXHIBIT "A"

DHHL Waiohuli/Keokea Control Unit



**Legend**

- Access
- Hunter Check-in Station
- ⬇ Road
- ▨ Safety Zone
- ▭ TMK Boundary
- ▭ Enclosure
- ▭ TMK 2-2-002:014



The proposed control unit is TMK 2-2-002:014. The area requires a safety zone due to the proximity of the residential area. The control unit will have two points of access and hunter check-in stations.



Department of Land and Natural Resources  
Division of Forestry and Wildlife



STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 18-19, 2024

To: Chairperson and Members, Hawaiian Homes Commission

Through: Linda Chinn, Acting Administrator  
Land Management Division   
Kalei Young, Supervising Land Agent  
Land Management Division 

From: Shelly Carreira, Land Agent   
Land Management Division

Subject: Approval to Issue Right of Entry, Hawaiian Telcom, Inc., Kahikinui, Maui Island,  
TMK: (2) 1-9-001:003 (por.)

APPLICANT:  
Hawaiian Telcom, Inc. "PERMITTEE"

RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission (HHC) grant its approval to issue a Right of Entry permit (ROE), to Hawaiian Telcom, Inc. covering four separate areas at the subject tax map key as identified and described below for the purpose of staging and storing construction equipment and materials related to its Hana Fiber Middle Mile Backbone Project.

Approval of this Right of Entry permit is subject but not limited to the following conditions:

1. The Premises shall strictly be used by PERMITTEE for purposes of baseyard and storage facilities only. No sub-rental or other uses shall be permitted without the prior written consent of PERMITTOR;
2. The ROE term shall be month-to-month for up to twelve (12) months and is renewable for an additional six (6) months, subject to approval from the Hawaiian Homes Commission;
3. The monthly fee for use of the Premises shall be gratis;
4. PERMITTEE shall be required to pay a non-refundable processing and documentation fee of \$175.00;
5. PERMITTEE shall provide proof of a commercial general liability insurance policy with limits as identified in the ROE document and naming the Department of Hawaiian Home Lands as additional insured;
6. PERMITTEE shall coordinate with Ka Ohana O Kahikinui for access to staging areas that impact the Kahakinui homestead subdivision;

7. PERMITTEE agrees to accept the Premises in “as is” condition and shall maintain the Premises in a neat and clean condition, including trimming overgrown vegetation and disposing of trash on a regular basis. No construction shall be allowed without prior approval of PERMITTOR. No major alteration, ground disturbance, or addition of any kind shall be made to the Premises;
8. PERMITTEE shall comply with all applicable governmental laws, rules, regulations, and procedures relating to the operation and activities under this permit. Upon termination of this Permit, PERMITTEE shall be responsible for environmental testing and subsequent clean-up of any contamination or hazardous materials found on the site that may have been caused by PERMITTEE’S use;
9. All hazardous and/or toxic materials, including trucks and equipment containing hazardous and/toxic materials, that could cause contamination of the soil or ground water must be stored on impermeable surface. Such surface must be maintained in good repair and approved by PERMITTOR prior to PERMITTEE occupying the Premises. Major equipment repair or servicing shall not be allowed. Proper storage of any oil or gasoline is required;
10. PERMITTEE may be required to remove and dispose of all surface material that becomes contaminated beyond the allowable Department of Health limits due to PERMITTEE’S use;
11. PERMITTEE shall implement best management practices that will mitigate fugitive dust and/or hazards resulting from PERMITTEE’S use of the Premises;
12. PERMITTEE shall be solely responsible for the security of all items stored on the Premises. Installation of security fencing and/or other types of security systems is subject to PERMITTOR’S written approval;
13. Prior to vacating the Premises, PERMITTEE shall remove, at PERMITTEE’S expense, all of the PERMITTEE’S equipment, trash, goods and materials and restore the Premises to a condition as good as or better than that which existed prior to PERMITTEE’S use. PERMITTEE shall also notify PERMITTOR to do a site inspection when PERMITTEE has completed removal;
14. The ROE agreement shall be subject to the review and approval of the Department of the Attorney General; and
15. Such other terms and conditions as may be prescribed by the Hawaiian Homes Commission to best serve the interest of the Hawaiian Home Lands Trust.

LOCATION:

Portion of Hawaiian home lands situated in Kahikinui, Maui Island, as further identified as TMK: (1) 1-9-001:003 (por.) (See Exhibit “A”)

AREA:

Four staging areas comprising of total 1.90 acres or 82,800/square feet.

BACKGROUND/DISCUSSION:

Hawaiian Telcom, Inc. (HTI) is working with various state and county agencies to expedite its plans to build new fiber broadband infrastructure through HTI’s Hana Fiber Middle Mile Backbone Project (Project) that provides last-mile connectivity in rural areas to enable services for education, health care, public safety, businesses, and residents, see Exhibit “B”. HTI’s servicing office that provides voice and data service is located in Hana and therefore the middle mile connection will originate from Hana to

Kahikinui. With telecommunication service interruptions experienced on Hawaiian Home Lands in Kahikinui, this new route will provide critical voice and high-speed data services to lessees residing in Kahikinui. The Project is in alignment with the Governor’s emergency proclamation relating to telecommunication services on Hawaiian home lands, see Exhibit “C”.

To enable this Project, HTI is requesting temporary access to store equipment and materials at four (4) staging areas on Hawaiian home lands in Kahikinui, see Figure No. 1 for location (latitude/longitude) and area (sq ft/acres).

TMK: (2) 1-9-001:003 (p)	Latitude	Longitude	Approx.Area (sq ft/acres)
Staging Area 1	20°36’35.86”N	156°18’27.99”W	12,500 sq ft / .28 acres
Staging Area 2	20°36’55.37”N	156°17’1.16”W	30,700 sq ft / .70 acres
Staging Area 3	20°36’55.26”N	156°16’33.84”W	18,600 sq ft / .43 acres
Staging Area 4	20°37’6.05”N	156°14’45.04”W	21,000 sq ft / .49 acres

**Figure No. 1**

The Ka ‘Ohana O Kahikinui board provides a letter showing support for HTI’s use of Hawaiian home lands for the four staging sites in Kahikinui and broadband infrastructure to lessees residing in Kahikinui, see Exhibit “D”.

Approval on the requested motion will provide the access needed to enable the Project and bring service to DHHL Kahikinui lessees.

PLANNING AREA:

Kahikinui, Maui

LAND USE DESIGNATION:

Special District

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

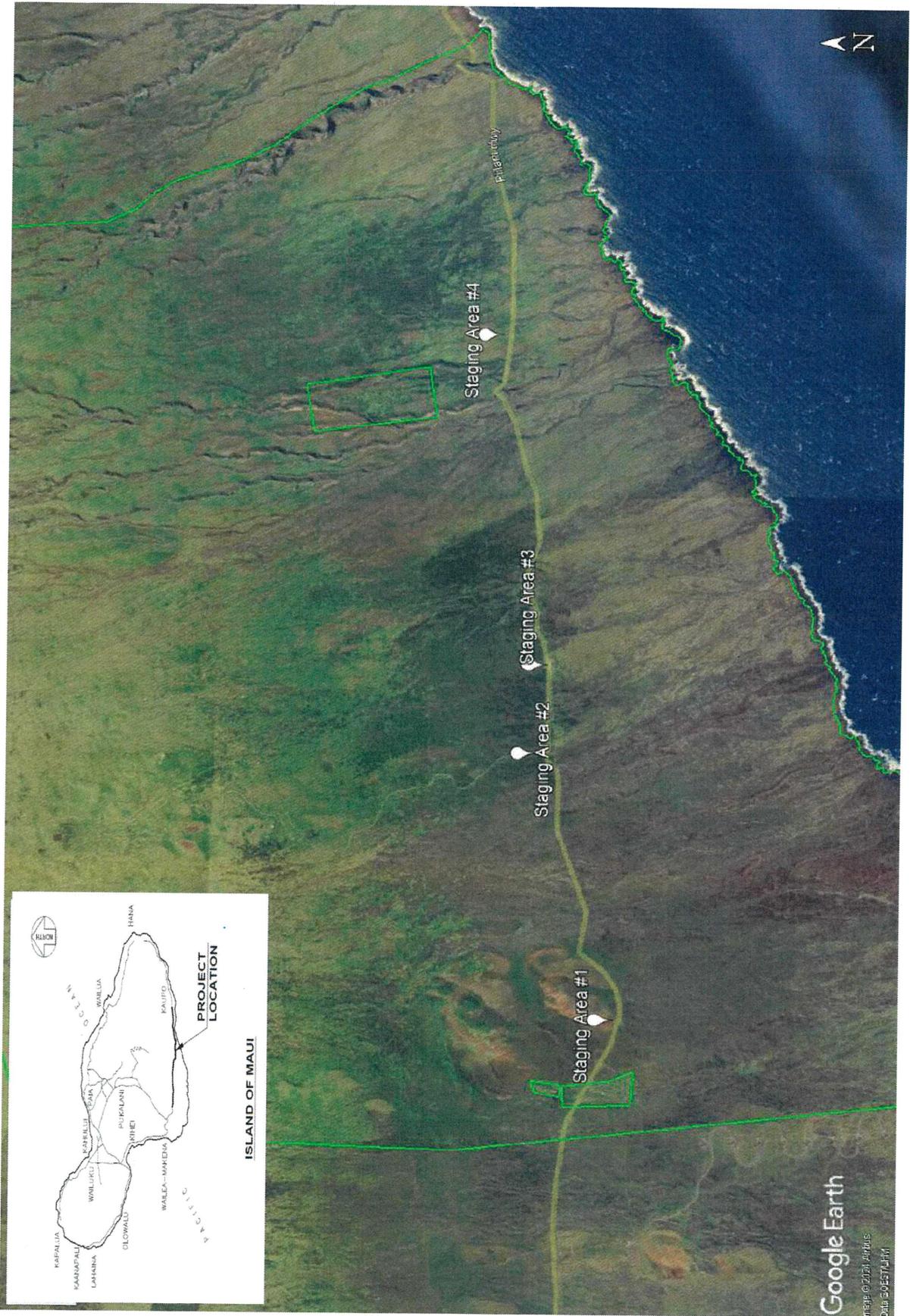
In accordance with the Department of Hawaiian Home Lands Comprehensive Exemption List as Reviewed and Concurred Upon by the Environmental Council on March 3, 2021, the subject request is considered a de minimis activity under HAR-200.1-16 and is exempt from the preparation of an environmental assessment pursuant to Exemption Class #4, which states “Minor alteration in the conditions of land, water, or vegetation.”

AUTHORITY:

§171-55 Hawaii Revised Statutes, Permits.

RECOMMENDATION:

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



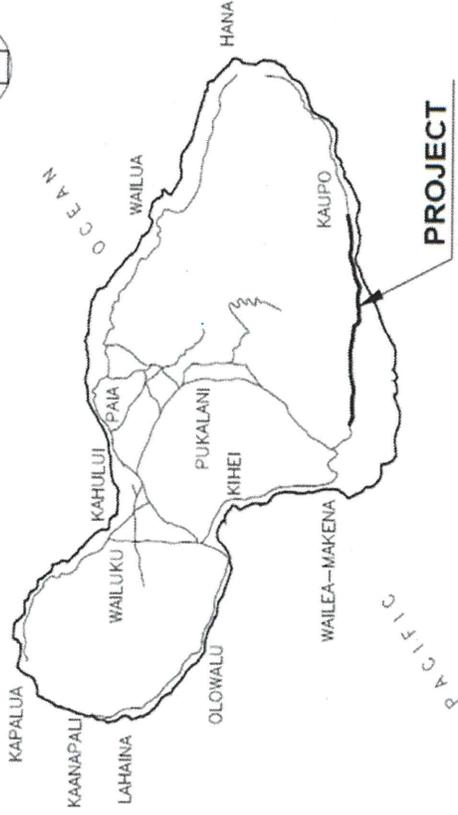
**ITEM NO. F-3**  
**EXHIBIT "A"**

# Hana Fiber Middle Mile Backbone Project- Proposed HHL Staging areas

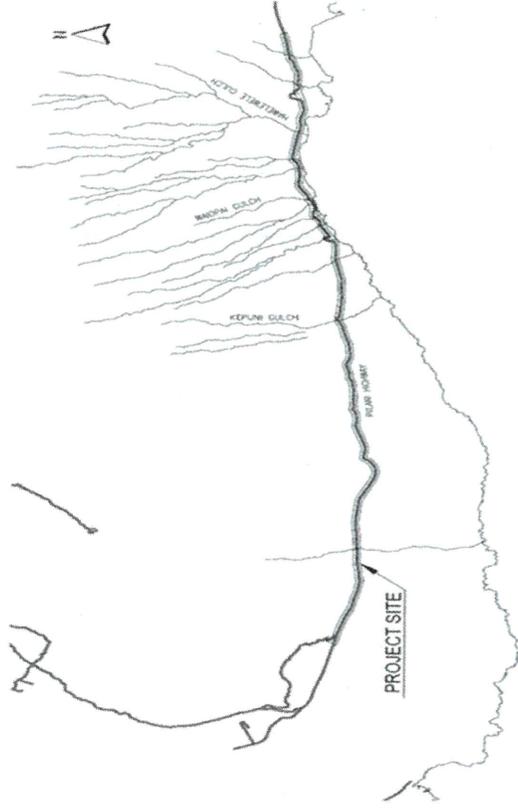
ITEM NO. F-3  
EXHIBIT "B"

# Project Overview

- With the recent service interruptions experienced in Kahikinui, Hawaiian Telcom, Inc. (HTI) is working with the various state and county agencies to expedite its plans to build new fiber broadband infrastructure to the HHL parcel.
- This new route will provide critical voice and high-speed data services to lessees on this rural parcel.
- To enable this project, Hawaiian Telcom is requesting temporary access to (4) staging areas within the DHHL parcel during the construction of this project. These areas will be used for temporary storage of materials and equipment during construction.
- HT plans to begin this project in 4Q of 2024, pending permit approvals.



**ISLAND OF MAUI**

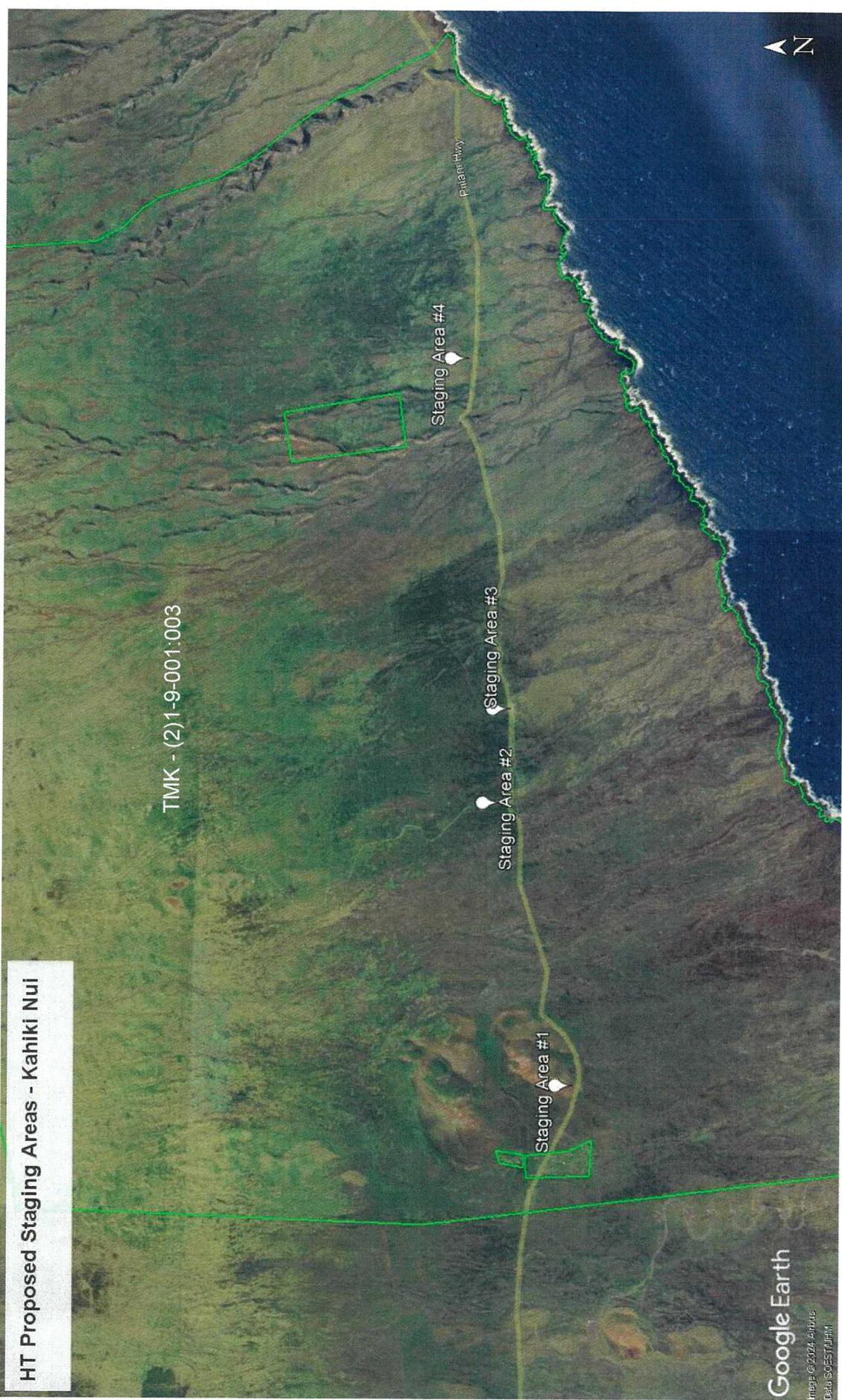


**VICINITY MAP**  
NOT TO SCALE

# Benefits of this Project

- This new middle-mile fiber optic network creates an essential backhaul route connecting rural, unserved and underserved communities, community anchor institutions, and Hawaiian Home Lands with high-speed fiber broadband.
- This project enables last-mile connectivity to enable services for education, health care, employment, entrepreneurship, government services, public safety, community development, banking, entertainment, and smart home devices.
- This project will serve the state's current and future needs for high-speed broadband.
- Middle Mile connectivity will provide the Kahikunui parcel access to the same critical infrastructure and bandwidth as metropolitan communities throughout the entire state.

# Project Overview



November 4, 2024

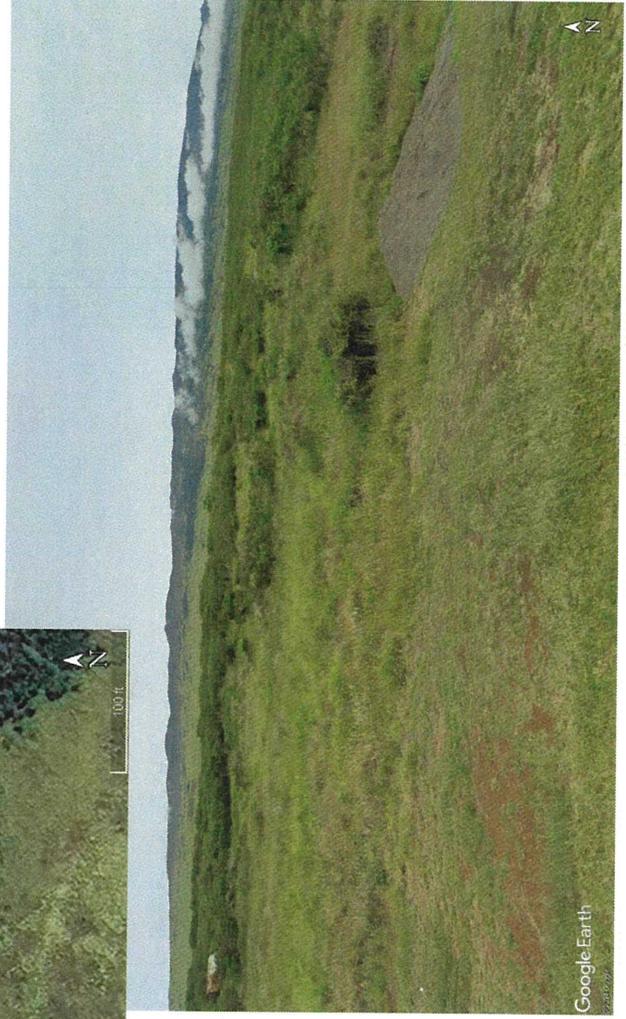




# Staging Area #3

## Staging Area #3

LAT 20° 26' 55.28"N  
LON 155° 18' 33.64"W  
Approximately 19,800 sq ft or .45 acres



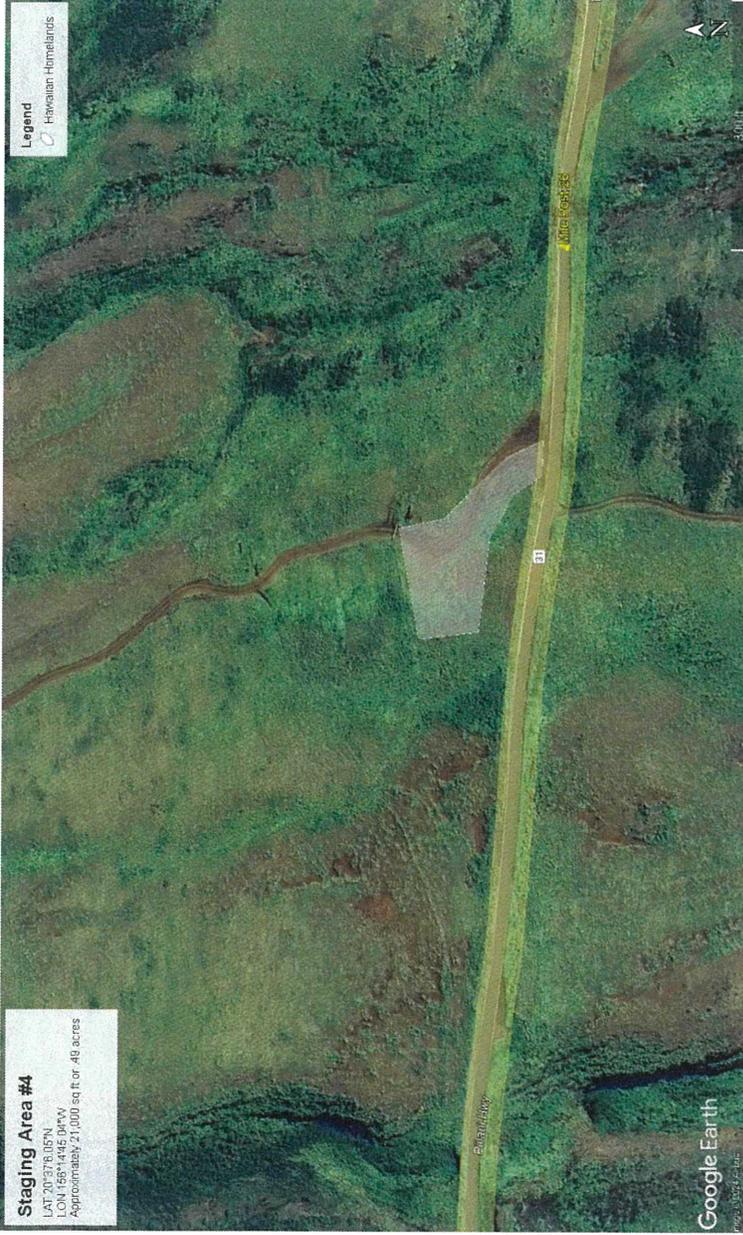
November 4, 2024

6

Hawaiian Telcom

# Staging Area #4

**Staging Area #4**  
LAT: 20°37'6.05"N  
LON: 155°14'45.04"W  
Approximately 21,000 sq ft or .48 acres



November 4, 2024

OFFICE OF THE GOVERNOR  
STATE OF HAWAII

**FOURTH PROCLAMATION RELATING TO TELECOMMUNICATIONS SERVICES  
ON HAWAIIAN HOME LANDS**

By the authority vested in me by the Constitution and laws of the State of Hawai'i, to provide relief for disaster damages, losses, and suffering, and to protect the health, safety, and welfare of the people, I, JOSH GREEN, M.D., Governor of the State of Hawai'i, hereby determine, designate, and proclaim as follows:

**WHEREAS**, under Chapter 127, Hawaii Revised Statutes (HRS), emergency powers are conferred on the Governor of the State of Hawai'i to respond to disasters or emergencies, to maintain the strength, resources, and economic life of the community, and to protect the public health, safety, and welfare;

**WHEREAS**, on May 30, 2024, Sandwich Isles Communications (SIC), a private company that provides phone and internet services to customers on Hawaiian Home Lands across the State, announced in an email to its customers that it would end its service in less than two days on June 1, 2024;

**WHEREAS**, termination of SIC's services would result in the sudden loss of phone and internet services for up to 1,500 households on Hawaiian Home Lands across the State, including households in remote communities where such services are critical;

**WHEREAS**, termination of SIC's services will also affect phone and internet services provided to businesses, schools, and other institutions located on Hawaiian Home Lands that rely on SIC for such services;

**WHEREAS**, any termination of phone and/or internet services will impair the ability of all affected communities to access critical services, including emergency medical, police, and fire services;

**WHEREAS**, loss of such services will jeopardize the resources, economic life, public health, safety, and welfare of all affected communities;

**WHEREAS**, the potential loss of the services continues to be an imminent danger and threat of an emergency on Hawaiian Home Lands statewide;

**WHEREAS**, on May 31, 2024, I issued my Proclamation Relating to

Telecommunications Services on Hawaiian Home Lands, on June 28, 2024, I issued my Second Proclamation Relating to Telecommunications Services on Hawaiian Home Lands, and on August 27, 2024, I issued my Third Proclamation Relating to Telecommunications Services on Hawaiian Home Lands; and

**WHEREAS**, it is necessary to supplement my Third Proclamation to address the danger and threat of an emergency on Hawaiian Home Lands statewide;

**NOW, THEREFORE**, I, JOSH GREEN, M.D., Governor of the State of Hawai'i, hereby determine that an imminent threat or danger of an emergency or disaster contemplated by section 127A-14, HRS, is occurring in the State of Hawai'i, and authorize and invoke the following emergency provisions, if not already in effect, as follows:

**I. Invocation of Laws**

I invoke section 127A-12(b)(16), HRS, and direct all State agencies and officers to cooperate and extend their services, materials, and facilities as may be required to assist in emergency response efforts.

I invoke section 127A-12(b)(13), HRS, and order each public utility or other entity providing telecommunications services to customers located on Hawaiian Home Lands, including any person owning, controlling, or operating such critical infrastructure, to protect and safeguard its or the person's property, or to provide for the protection and safeguarding thereof, and provide for the protection and safeguarding of all critical infrastructure and key resources. I also order each such public utility or other entity providing telecommunications services to preserve its facilities, infrastructure, networks, systems, records, devices, information, and property to prevent any disruption or interruption of telecommunication and broadband services. I further prescribe and adopt this order as a rule having the force and effect of law under section 127A-25. Any person who intentionally, knowingly, or recklessly destroys, dismantles, removes, impairs, uninstalls, or damages critical telecommunication and broadband infrastructure facilities, infrastructure, networks, systems, records, devices, property, and information required to continue providing telecommunications services, or directs the same, shall

be guilty of a misdemeanor and upon conviction, the person shall be fined no more than \$2,000, imprisoned no more than one year, or both.

For purposes of this order, "Hawaiian Home Lands" means all lands in the State administered by the Department of Hawaiian Home Lands under the Hawaiian Homes Commission Act, 1920, as amended.

## II. **Suspension of Laws**

I suspend the following specific provisions of law under section 127A-13(a)(3) to the extent that the law impedes or tends to impede or be detrimental to the expeditious and efficient execution of, or to conflict with, emergency functions:

Chapter 6E, HRS, **historic preservation**, to the extent necessary for County and State agencies to respond to the emergency.

Section 37-41, HRS, **appropriations to revert to state treasury; exceptions**, to the extent that appropriations lapse at the end of the fiscal year before completion of the emergency actions.

Section 37-74(d), HRS, **program execution**, except for sub-sections 37-74(d)(2) and 37-74(d)(3), HRS, and any such transfers or changes considered to be authorized transfers or changes for purposes of section 34-74(d)(1) for legislative reporting requirements, to the extent that legislative authorization would likely delay appropriation transfers or changes between programs to provide necessary funding to complete the emergency actions.

Section 40-66, HRS, **lapsing of appropriations**, to the extent that the timing of the procurement of the construction of the emergency permanent repairs may occur the fiscal year following the original emergency proclamation.

Chapter 46, HRS, **county organization and administration, provisions applicable to all counties, general provisions**, to the extent necessary to respond to the emergency.

Chapter 76, HRS, **civil service law**, to the extent necessary to respond to the emergency.

Chapter 89, HRS, **collective bargaining in public employment**, to the extent that compliance with this chapter is detrimental to the expeditious and efficient execution of employment actions relating to the emergency.

Chapter 89C, HRS, **public officers and employees excluded from collective bargaining**, to the extent that compliance with this chapter requires additional time detrimental to the expeditious and efficient execution of emergency actions.

Section 103-2, HRS, **general fund**, to the extent that compliance results in any additional delays.

Section 103-53, HRS, **contracts with the State or counties; tax clearances, assignments**, only to the extent necessary to waive the Internal Revenue Service (IRS) tax clearance requirement.

Section 103-55, HRS, **wages, hours, and working conditions of employees of contractors performing services**, to the extent that compliance results in any additional delays.

Chapter 103D, HRS, **Hawaii public procurement code**, to the extent that the department or agency has determined that it is not practicable or advantageous to procure the services required via traditional procurement methods and the procurement is necessary to ensure continued telecommunications services on Hawaiian Home Lands. The suspension is for the solicitation process only. Under section 103D-310(c), HRS, and section 3-122-112, Hawaii Administrative Rules, the procuring officer shall verify compliance (i.e., vendor is required to provide proof of compliance and may use the Hawaii Compliance Express) for all contracts awarded. Copies of the compliance and the award posting must be documented in the procurement/contract file. The award must also be posted on the Hawaii Awards and Notices Data System (HANDS) under Procurement Circular PC2019-05 within seven days after award.

Chapter 104, HRS, **wages and hours of employees on public works**, and implementing administrative rules, to the extent that compliance with this chapter requires additional time detrimental to the expeditious and efficient execution of emergency actions.

Section 127A-25(c), HRS, **rules and orders**, to the extent the requirement to publish rules adopted under chapter 127A, HRS, in a newspaper of general circulation

in the State shall be suspended so long as the posting of the rules on the applicable state or county government website or by other means of official announcement brings the rules' content to the attention of the general public.

Section 127A-30, HRS, **rental or sale of essential commodities during a state of emergency; prohibition against price increases**, because the automatic invocation of this provision is not needed for this emergency. The invocations and suspensions of section 127A-30, HRS, contained in any other emergency proclamation are not affected by this Proclamation.

Chapter 343, HRS, **environmental impact statements**, to the extent necessary for County and State agencies to respond to the emergency.

### **III. Severability**

If any provision of this Proclamation is rendered or declared illegal for any reason, or shall be invalid or unenforceable, such provision shall be modified or deleted, and the remainder of this Proclamation and the application of such provision to other persons or circumstances shall not be affected thereby but shall be enforced to the greatest extent permitted by applicable law.

### **IV. Enforcement**

No provision of this Proclamation, or any rule or regulation hereunder, shall be construed as authorizing any private right of action to enforce any requirement of this Proclamation, or of any rule or regulation. Unless the Governor, Director of Emergency Management, or their designee issues an express order to a non-judicial public officer, no provision of this Proclamation, or any rule or regulation hereunder, shall be construed as imposing any ministerial duty upon any non-judicial public officer and shall not bind the officer to any specific course of action or planning in response to the emergency or interfere with the officer's authority to utilize his or her discretion.

**I FURTHER DECLARE** that the emergency relief period shall commence immediately and continue through December 24, 2024, unless terminated or

superseded by separate proclamation, whichever shall occur first. Despite the termination of a disaster emergency relief period, any contracts, agreements, procurements, programs, or employment of personnel entered into, started, amended, or continued by reason of the provisions of the proclamation relating to this emergency shall continue in full force and effect.

Done this 25<sup>th</sup> day of October, 2024



---

JOSH GREEN, M.D.,  
*Governor of Hawai'i*

APPROVED:

*Anne E. Lopez*

---

ANNE E. LOPEZ,  
*Attorney General, State of Hawai'i*

# Kyle Elama Farm

President  
Ka Ohana O Kahikinui  
MP 26 Lot #94  
Piilani Highway  
Kula, Hawaii 96790  
808-870-8373  
nako4000@gmail.com

October 28, 2024

Kali Watson  
Chairperson  
Hawaiian Homes Commission  
91-5420 Kapolei Parkway  
Kapolei, Hawaii 96707

Dear Recipient Name,

On behalf of Ka Ohana O Kahikinui, a nine member board representing approximately 99 lessees, we support the Department of Hawaiian Home Lands, Land Management Division's request from Hawaiian Telcom for use of four staging sites in Kahikinui for the purpose of storing equipment and materials related to HT's fiber middle mile build out to Hana, which includes installation of broadband infrastructure to DHHL Kahikinui lands.

Sincerely yours,

*Kyle Elama Farm*

Kyle Elama Farm

**ITEM NO. F-3**  
**EXHIBIT "D"**

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 18-19, 2024

**To:** Chairman and Members, Hawaiian Homes Commission

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

**From:** Joseph "Kualii" Camara, Property Development Assistant  
Land Management Division 

**Subject:** Authorization to Accept UH Sea Grant Sub Award and Provide Reimbursable Funding for Wildfire Mitigation and Marine Sediment Reduction Activities on DHHL Lands in Kawaihae, Hawaii Island, TMK No. (3) 6-1-001:003(p) & (3) 6-1-001:016 (p)

**FUNDING AGENCY:**

National Oceanic and Atmospheric Administration (NOAA)

DHHL is a sub awardee of University of Hawaii (UH) Sea Grant Project "*Āina restoration through community governance advance climate resilience in the Hawaiian Islands*"

**RECOMMENDED MOTIONS/ACTIONS:**

1. That the Hawaiian Homes Commission (HHC) approve authorize entering into a Sub Award agreement between DHHL and the UH Sea Grant defining terms and conditions for DHHL to receive Federal grant funding through National Oceanic and Atmospheric Administration for the implementation of fire fuels reduction pasture surrounding Kailapa community, firebreaks, and a fenced riparian corridor along Honokoa gulch.

Sub Award with UH Sea Grant will include the following conditions:

Terms and condition for the receipt of up to \$2,000,000 in Federal NOAA funds for Project implementation over five (5) years:

- A. Scope of Work, including ungulate fencing and goat exclusion, 5-mile firebreak, fencing for fire fuels grazing around Kailapa community
- B. Federal standards for procurement of contracted services and any payment dispersal of Federal funds.
- C. Federal standards for reporting of Project deliverables and expenditures
- D. Cost Share or Matching contributions from DHHL. No matching contributions are required from DHHL
- E. Such other terms and conditions as pertinent to Federal funding for Project implementation on DHHL Lands.

F. All terms and conditions subject to Attorney General review and Chairperson approval

2. That the Hawaiian Homes Commission approve of providing reimbursable funding for project as a part of DHHL annual budget if needed. Any DHHL funds used will be reimbursed by NOAA/UH Sea Grant.

DHHL is requesting that NOAA/UH Sea Grant funding for project be available upfront and are still in discussion regarding this, but in the event that funds are only available on a reimbursement basis, Land Management or other appropriate Division will include annual project needs in yearly operational budget request, subject to reimbursement from NOAA/UH Sea Grant.

**LOCATION:**

Hawaiian Home Lands situated in Kawaihae, Island of Hawaii, Tax Map Keys: (3)6-1-001:003; :016. (See map below). Roughly 500 acre fenced riparian corridor along Honokoa Gulch, adjacent firebreak and 4wd access road, 320 acre fenced fire fuels grazing surrounding Kailapa Homestead.

**DISCUSSION:**

UH Sea Grant Staff approached DHHL Planning and LMD staff about collaborating on a Statewide grant proposal for *‘Āina restoration through community governance to advance climate resilience in the Hawaiian Islands*. The scope of the UH Sea Grant Project is Statewide covering 5 moku on 5 islands. On Hawaii Island, work will occur in the Kohala Moku, DHHL, who holds large lands in Kawaihae was chosen as a collaborator because of our native Hawaiian beneficiary community, Wildfire hazards and longstanding marine sediment issues. DHHL lands in the Kawaihae area is at extremely high risk for wildfire due to its near constant drought conditions, position at a significant wildland urban interface and its limited access and water resources. The South Kohala coast is severely impacted by marine sedimentation from erosion and run off from stream into the ocean. The Honokoa gulch and watershed are significant contributors to marine sediment in South Kohala.

NOAA funding would provide resources to implement fencing around the Kailapa community to allow for a grazed buffer surrounding homestead lots, reducing fire hazards. A Firebreak extending from Akoni Pule Highway to nearly Kohala Mountain Road will assist in stopping fire spread across Kawaihae and increase access for emergencies and for project implementation. By fencing and excluding goats from Honokoa gulch will allow its banks to revegetate and reduce erosion. Based on USGS erosion measurements and monitoring, currently most of the sediment from Honokoa watershed comes from or through Honokoa gulch to the sea. Protecting Honokoa gulch is the best “bang for the buck” for DHHL to have the largest erosion reduction within the smallest acreage, maintaining DHHL lands for agricultural and homesteading use. Reduced sedimentation due to overgrazing and fire will support a healthy marine ecosystem which provides sustenance for DHHL beneficiaries and also a healthy and clean space to practice and perpetuate Hawaiian Culture.

**BENEFITS TO HAWAIIAN HOMES TRUST:**

Federal funding for the implementation of this Project will:

- Protect DHHL homestead community from wildfire
- Provide funds for improvement of DHHL lands and resources, at no cost to DHHL.

- Provide a space where DHHL and Kailapa community can implement cooperative fire fuels management and possibly provide food to community.
- Improve the health of the Kohala coastal marine environment and fishery.
- Protect sensitive cultural resources within Honoka from erosion and or trampling by animals
- Provide increased emergency and Land Management access to DHHL lands in Kawaihae
- Participating in the DOD REPI program allows DHHL a Project to navigate the process this type of Federal funding and creates a path and relationship for future funding opportunities.

**PLANNING AREA:**

Kawaihae, Hawaii Island

**LAND USE DESIGNATION:**

Portions of DHHL TMKs (3)6-1-001:003 within project area are DHHL planned general agriculture with small portions covering planned future residential area. Parcel (3) 6-1-001:016 is planned for residential use, but is currently unmanaged former pasture, where the project will implement interim pasture use for fire fuels reduction.

**CURRENT STATUS:**

Parcel (3)6-1-001:003 is currently being ranched through DHHL Revocable Permit to Palekoki Ranch. Parcel (3)6-1-001:016, former pasture surrounding Kailapa homestead community currently has no DHHL land disposition and has significant dry fire fuels.

**CHARACTER OF USE:**

Current and former cattle pasture.

**CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:**

**Triggers:**

Use of State Lands

Use of Federal Funds

As this project will be using Federal Funding there will be comprehensive environmental, historic and other compliance requirements before on the ground activities begin. Time and funding have been budgeted and planned for all compliance activities.

**CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS**

**DHHL 2010 Kawaihae Regional Plan**

*Priority Project – Improve the Marine Water Quality in Pelekane Bay*

*Previously Proposed Mitigation Strategies*

1. *Mitigate the amount of sediment run off that enters the ocean*

*Course Of Action:*

*Move forward with feasibility studies to examine different alternative strategies to improve marine quality along the coast.*

**DHHL Draft 2024 Kawaihae Regional Plan Update**

***Priority Projects: 5. Improve the Coastal & Marine Resources in Kawaihae through Erosion Mitigation***

*PROJECT DESCRIPTION Kawaihae is home to an extensive nearshore coral reef system. The health of this reef system and its surrounding waters serve as an indicator of the health of the land above. Unfortunately, the nearshore water quality in Kawaihae has been consistently impaired from erosional runoff due to over-grazing by feral goats, proliferation of invasive plants, and wildfire.*

*This erosional runoff has detrimental consequences for the reef, adversely affecting the habitats of many coral and fish species. The uncontrolled grazing by feral goats has played a significant role in this issue by reducing vegetative ground cover, resulting in heightened sediment deposits into the ocean during heavy rainfall. Furthermore, this unregulated grazing has not only decreased native vegetation in the ahupua'a but has also facilitated the spread of invasive plants. Unlike their native counterparts, these invasive plants are notably less effective at trapping and retaining sediment. Wildfires also leave large swaths of land uncovered, exacerbating erosion during rainfall events and resulting in large sediment deposits into the nearshore waters.*

*This project would support ongoing efforts for reforestation in Kawaihae. The Kohala Center, a community based non-profit organization, is engaged in a five-year project to protect and improve the nearshore marine ecosystem of Kawaihae by removing feral goats, installing fencing, reforesting riparian corridors, and conducting community education. The Kohala Center has received grants from The Office of Hawaiian Affairs (OHA) and the National Oceanic and Atmospheric Administration (NOAA) to conduct their reforestation and land management programs in partnership with beneficiaries in Kawaihae.*

*New efforts to improve the coastal and marine resources in Kawaihae will still need to be explored. Homesteaders would like restoration efforts to be led by members of the community. It will be important to include the voices of cultural practitioners from Kawaihae as well as other cultural experts who can advise on how to properly restore the ahupua'a. Initial ideas from the community include limu out-planting in the nearshore reefs as well as monitoring of various marine species. However, for these initiatives to occur, the community must establish partnerships with schools, researchers, and non-profit organizations, in addition to securing the necessary funding.*

*In 2024, DHHL staff in collaboration with the University of Hawai'i's Sea Grant Program is pursuing a funding opportunity for a project to improve marine quality makai of Kohala moku. The project is the DHHL Kohala Moku Marine Sediment Reduction project, and the primary purpose of the project is to restore healthy reef and near shore marine ecosystems from Pelekane Bay to Upolu Point. Marine Sediment Reduction will be accomplished by:*

- *Completing all Federal and State compliance requirements needed to undertake proposed physical actions for sediment reduction listed below.*
- *Excluding feral goats from Honokoa Gulch and riparian areas through 45,000 feet of ungulate fencing.*
- *Establishing a 5-mile firebreak protecting Kawaihae communities as well as the Honokoa Watershed from fire, which contributes greatly to erosion by eliminating vegetation.*

November 2024

*– Providing 11,000 feet of fencing infrastructure to support vegetation management and wildfire mitigation through grazing of 310 acres surrounding the Kailapa community.*

**Ehuehu I Ka Pono – Kailapa Community Resiliency Plan**

This plan created by the Kailapa Community Association in 2019 does not specifically mention the actions in this grant, but highlights the importance of the following broad actions for community resiliency:

***Fire mitigation:*** *Kailapa is a Fire Wise Certified Community, with the potential to access federal FEMA grants for large-scale fire mitigation efforts.*

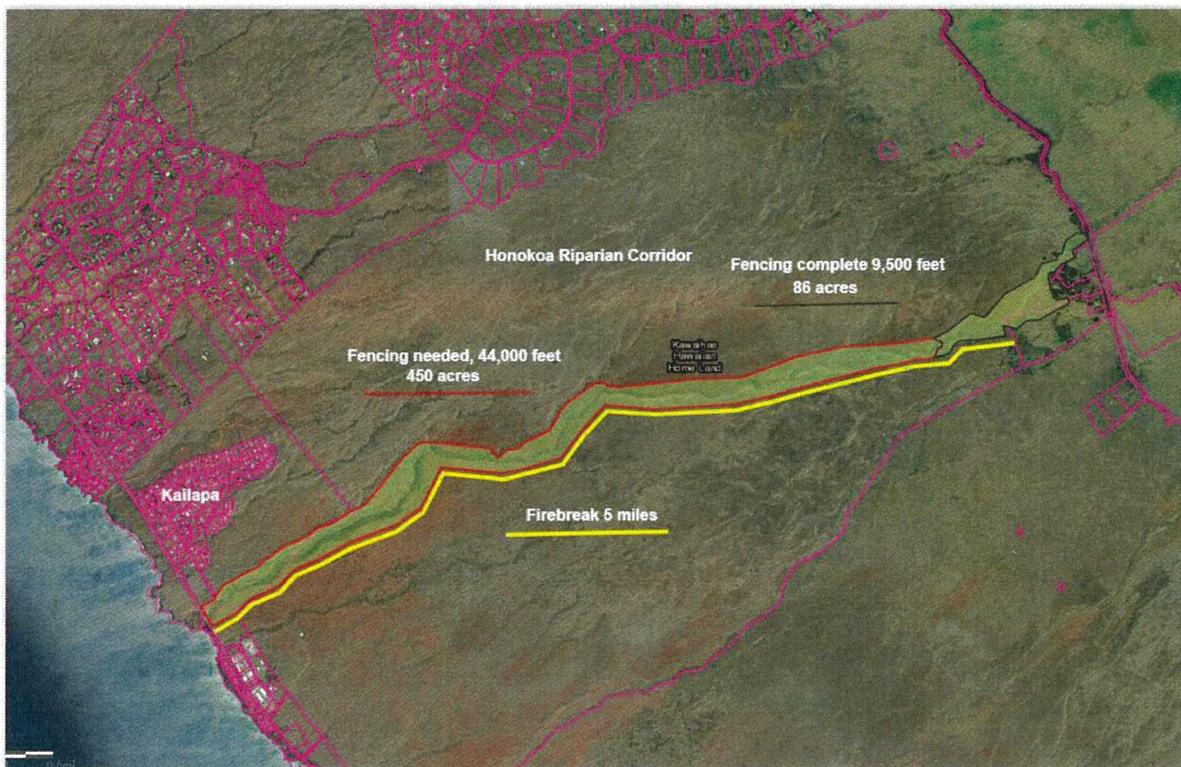
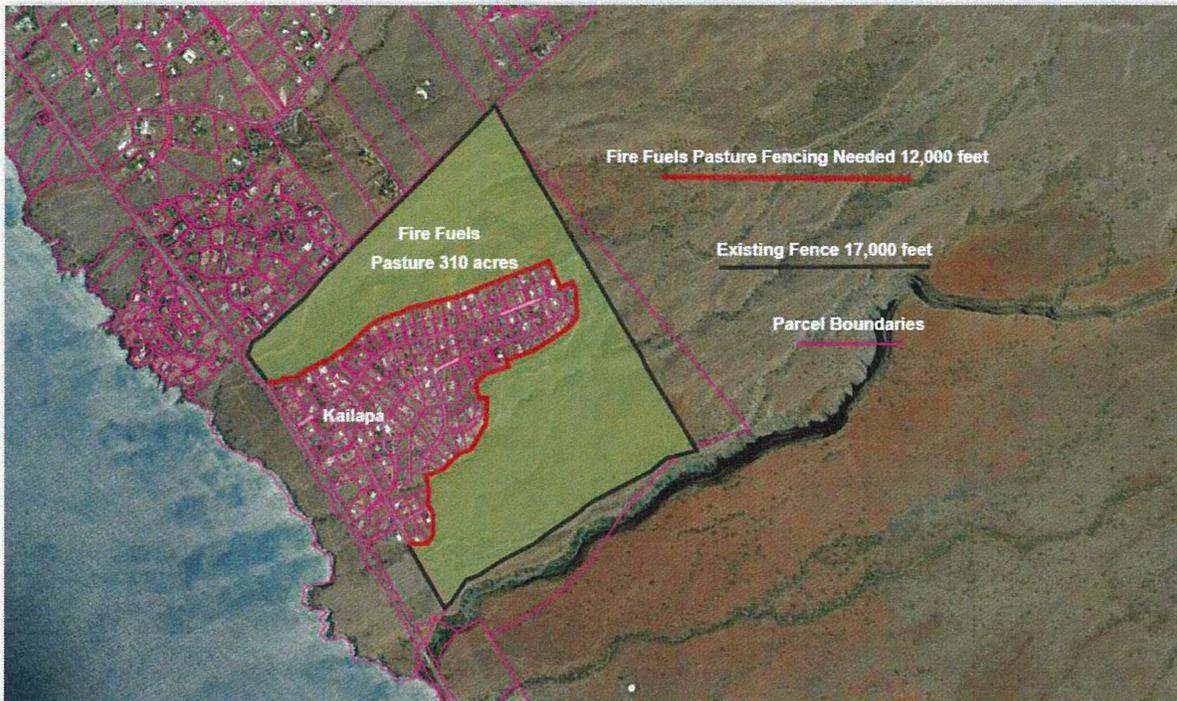
***Reforestation:*** *replenishing of the aquifer, reducing erosion and capturing CO2.*

***Control ungulates*** *(especially goats) and other invasive species through fencing and other eradication efforts.*

**RECOMMENDATION:**

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

### Grant Project Area Maps



STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

November 18-19, 2024

To: Chairman and Members, Hawaiian Homes Commission

Through: Linda Chinn, Acting Administrator  
Land Management Division 

From: Kaipo Duncan, Land Agent  
Land Management Division 

Subject: Approval to Issue a Right of Entry Permit to DCI Paradise LLC, Hilton Garden Inn-Wailua Bay, Wailua, Kauai, TMK: (4) 3-9-006:009 (Por.)

**APPLICANT:**

DCI Paradise LLC, "PERMITTEE"

**RECOMMENDED MOTION/ACTION:**

That the Hawaiian Homes Commission (HHC) grant its approval to issue a one (1) year Right of Entry (ROE) permit, to DCI Paradise LLC covering the subject area as identified and described below for the purpose of parking motor vehicles for Hilton Garden Inn-Wailua Bay hotel employees, guests, and hotel visitors (See Exhibit A).

Approval of this ROE is subject to the following conditions:

1. The approximately two (2) acre site shall be used by the PERMITTEE for the purpose of motor vehicle parking only. No sub-rental or other uses shall be permitted without the prior written consent of PERMITTOR;
2. Monthly fee for the Premises shall be gratis in return for the PERMITTEE cutting four (4) fuel breaks (See Exhibit B) every six (6) months at a cost of approximately \$40,000.00 per year. Also, cutting of trees, shrubery, and grass near the hotel and Leho Drive for better visibility by drivers entering and exiting the hotel premises;
3. PERMITTEE shall be required to pay a non-refundable processing and documentation fee of \$175.00;
4. PERMITTEE shall provide proof of a commercial general liability insurance policy of no less than \$2,000,000.00 for each occurrence, naming the DHHL as additional insured;
5. PERMITTEE shall comply with all applicable governmental laws, rules, regulations, and procedures relating to the operation and activities under this permit. Upon termination of this Permit, PERMITTEE shall be responsible for environmental testing and subsequent clean-up of

- any contamination or hazardous materials found on the site that may have been caused by PERMITTEE'S use;
6. PERMITTEE agrees to rent the Premises in "as is" condition and shall maintain the Premises in a neat and clean condition, including trimming overgrown vegetation and disposing of trash on a regular basis. No new construction shall be allowed without prior approval of PERMITTOR. No major alteration or addition of any kind shall be made to the Premises unless plans are first submitted and approved by PERMITTOR;
  7. All hazardous and/or toxic materials, including cars, trucks, and heavy equipment containing hazardous and/toxic materials, that could cause contamination of the soil or ground water must be stored on impermeable surface, such as concrete or asphalt pavement. Such surface must be maintained in good repair and approved by PERMITTOR prior to PERMITTEE occupying the Premises. Major equipment repair or servicing shall not be allowed;
  8. PERMITTEE shall take reasonable measures in preventing any hazardous materials from leaching on the Premises;
  9. PERMITTEE agrees to pay for all the costs of establishing utility services to the property and pay for all consumption of utilities on the Premises, should PERMITTEE'S use require such utility services;
  10. PERMITTEE shall be solely responsible for the security of all items stored on the Premises. PERMITTEE shall be allowed to install a security fencing, however, if PERMITTEE intends to install other types of security systems, PERMITTEE must first request and obtain PERMITTOR'S written approval;
  11. No residential use shall be permitted, including temporary overnight camping. However, PERMITTEE shall be allowed to provide a shelter for security personnel, if such persons are hired for security purposes;
  12. PERMITTEE shall be allowed to fence the Premises and place a temporary structure on the property provided said structure is used as a security office. PERMITTOR reserves the right to limit the number of structures or require removal if the structure is not maintained in good condition. No new construction shall be allowed without prior approval from PERMITTOR. No major alteration or addition of any kind shall be made to the Premises unless plans are first submitted and approved by PERMITTOR;
  13. Prior to vacating the Premises, PERMITTEE shall remove, at PERMITTEE'S expense, all of the PERMITTEE'S equipment, constructed improvements, trash, goods and materials and restore the area to a condition as good as or better than that which existed prior to PERMITTEE'S use. PERMITTEE shall also notify PERMITTOR to do a site inspection when PERMITTEE has completed removal;
  14. PERMITTEE shall cease construction activity if any Archaeological sites or artifacts are found on site. If any are suspected in the area the PERMITTEE shall use a Cultural monitor during any clearing or laying of gravel. The PERMITTOR is not aware of any current Archaeological sites or artifacts on the premises;
  15. The term of the ROE permit shall be extended for two (2) additional one (1) year periods subject to Hawaiian Homes Commisison (HHC) approval;

16. Other standard terms and conditions of similar permits issued by PERMITTOR, such as liability insurance, site maintenance and real property tax payments;
17. The ROE agreement shall be subject to the review and approval of the Department of the Attorney General; and
18. Such other terms and conditions as may be prescribed by the Hawaiian Homes Commission (HHC) to best serve the interest of the Hawaiian Home Lands Trust.

**LOCATION:**

Portion of Hawaiian home lands situated in Wailua, Island of Kauai, as further identified as TMK: (4) 3-9-006:009 (Por.) (See Exhibit B).

**AREA:**

Approximately 2 acres of a 41.15 acre parcel (The Northerly half of the parcel to trim trees and vegetation for better vehicular visibility and the center of the parcel for parking).

**BACKGROUND/DISCUSSION:**

Pursuant to the attached letter dated October 1, 2024 (See Exhibit A), DCI Paradies LLC is requesting use of a portion of the subject Hawaiian home lands parcel in Wailua, Kauai for the purpose of parking motor vehicles for hotel employees, guests, and visitors of the Hilton Garden Inn-Wailua Bay. The area is approximately two (2) acres of the Northerly half and the center of the DHHL parcel and is located across the street from Leho Drive and the hotel's main entrance. Currently the hotel does not have adequate motor vehicle parking on their existing DHHL General Lease hotel site especially during large events and when the hotel is 100% occupied. This is an inconvenience to hotel employees, guests, and patrons.

The 41.15 acre DHHL parcel the hotel intends to use has a history of fires, illegal trespassers taking up occupancy, and illegal dumping. The Kauai Fire Department (KFD) has requested DHHL cut four (4) fuel breaks on this site to assist fire fighters with putting out fires. It is estimated about every other summer a fire is started on this property.

Having a presence in this area will help DHHL tremendously by deterring the illegal trespassing and dumping while having the fuel breaks maintained. The Land Management Division (LMD) is requesting a gratis rental to DCI Paradise LLC in return for their presence on the property and cutting the four (4) fuel breaks every six (6) months at a cost of about \$40,000.00 per year. DCI Paradise LLC will also cut trees, shrubbery, and grass on the parcel in areas where visibility is poor for motor vehicle drivers on Leho Drive to prevent car and pedestrian accidents.

**PLANNING AREA:**

Wailua, Island of Kauai

**LAND USE DESIGNATION:**

Commercial

**CHARACTER OF USE:**

Industrial

**CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS**

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

DHHL General Plan (2002) goals and objectives:

***Land and Resource Management***

Goals:

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

Objectives:

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

**AUTHORITY**

Hawaii Revised Statutes, Section 171-55 Permits.

**RECOMMENDATION**

Land Management Division (LMD) recommends approval of the requested motion/action as stated.

DCI PARADISE LLC

133 E. Saint Joseph Street  
Arcadia, California 91006

October 15, 2024

Department of Hawaiian Home Lands  
State of Hawaii  
91-5420 Kapolei Parkway  
Kapolei, Hawaii 96707  
Attention: Mr. Kaipō Duncan

Re: Use and Maintenance of Portions of Tax Map Key: (4) 3-9-006-009, Kapaa, Hawaii

Dear Mr. Duncan:

As you know, DCI Paradise LLC, a Hawaii limited liability company ("DCIP"), is the Department of Hawaiian Home Lands ("DHHL") lessee of TMK: (4) 3-9-006-016 and 019. The property is the site of the Hilton Garden Inn located at 3-5920 Kuhio Highway, Kapaa, Hawaii (the "Hotel").

Reference is made to certain real property owned by DHHL, being TMK: (4) 3-9-006-009, area 45.152 acres ("Parcel 9"). Parcel 9 is adjacent to the Hotel. This is to confirm that DCIP is prepared to enter into a right of entry agreement with DHHL (the "Right of Entry") for the use and maintenance of portions of Parcel 9 on the following terms:

1. DCIP would have the right to improve and use portions of Parcel 9 on a daily basis for vehicular parking, including parking by Hotel employees, guests and other persons coming to the Hotel premises. The locations of the parking areas on Parcel 9 would be approximately as shown on the enclosed site plan. The improvements to be made by DCIP would include the installation of a gravel surface for parking.

2. In consideration of DCIP's use rights on Parcel 9 as described above, DCIP would agree, at its expense, to periodically cut and remove (i) the vegetation within four firebreaks on Parcel 9 as required by the Kauai Fire Department, each firebreak being approximately fifty feet wide as shown on the enclosed site plan, and (ii) the vegetation within the northern tip of Parcel 9 approximately as shown on the enclosed site plan. DCIP would not be required to pay DHHL any fee or other charge for DCIP's use rights on Parcel 9 as described above.

3. The Right of Entry would be for a term of three years; provided that DCIP would have two options to extend the term, each option to extend being for a period of five years on the

Department of Hawaiian Home Lands  
Attention: Mr. Kaipo Duncan  
October \_\_, 2024  
Page 2

same terms described herein. DCIP would provide DHHL with written notice of the exercise of each option to extend not less than sixty days prior to the expiration of the term of the Right of Entry, as it may have been extended.

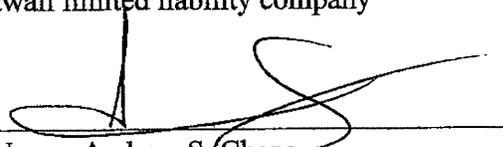
4. During the term of the Right of Entry, if DHHL considers developing Parcel 9 and/or seeks a developer for the development of Parcel 9, DHHL would communicate with DCIP regarding the project and consider DCIP (or an affiliate of DCIP) to be the developer for the project.

5. Neither DHHL nor DCIP would have any obligation regarding the matters described herein until all required approvals for the Right of Entry have been obtained and the Right of Entry has been signed by DHHL and DCIP.

If you have questions, please let us know. Thank you, and we look forward to working with you on the Right of Entry.

Very truly yours,

DCI Paradise LLC,  
a Hawaii limited liability company

By: 

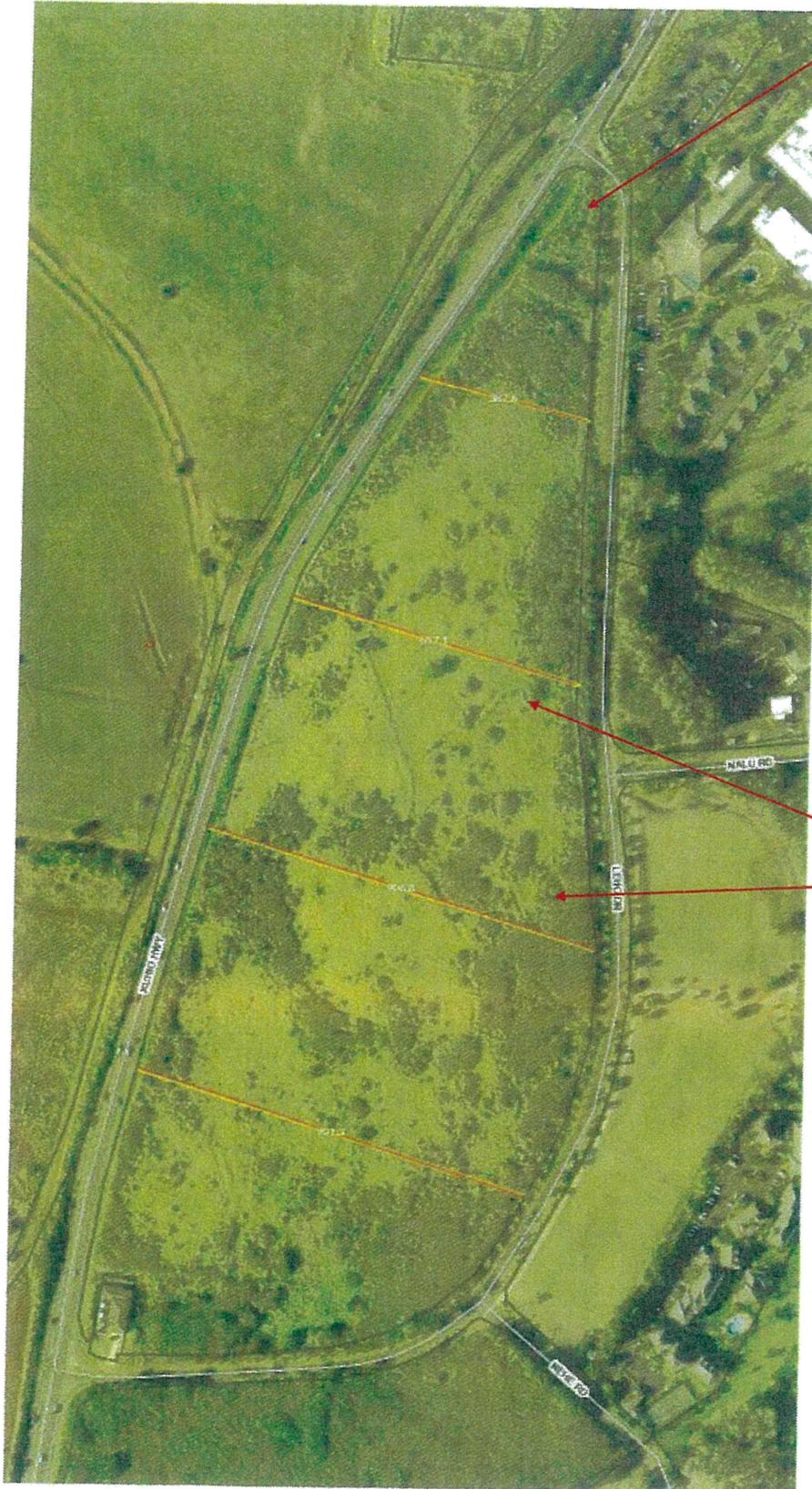
Name: Andrew S. Chang

Its: Manager

Enclosure

**Site Plan**

**Trim brush at the corner of Leho & Kuhio  
to improve visibility**



**Fire Lanes are  
designated in  
red  
on MAP**

**Possible location  
for Parking**

**EXHIBIT "B"**

**ITEM NO. F-5**

Hawaiian Homes Commission Meeting Packet  
November 18 & 19, 2024  
Courtyard by Marriott Kahului Airport,  
Haleakala Ballroom,

# G ITEMS

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

November 18 & 19, 2024

To: Chairman and Members, Hawaiian Homes Commission (HHC)  
From: Cherie-Noelle Ka'anana, Water Program Specialist  
Through: Andrew H. Choy, Planning Program Manager  
Subject: Maui 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 Maui Hikina (East Maui). It is submitted in furtherance of the HHC Water Policy Plan (WPP) Goal 1, to "Affirmatively communicate with beneficiaries regarding water decisions, performance, and water rights on a regional and annual basis."

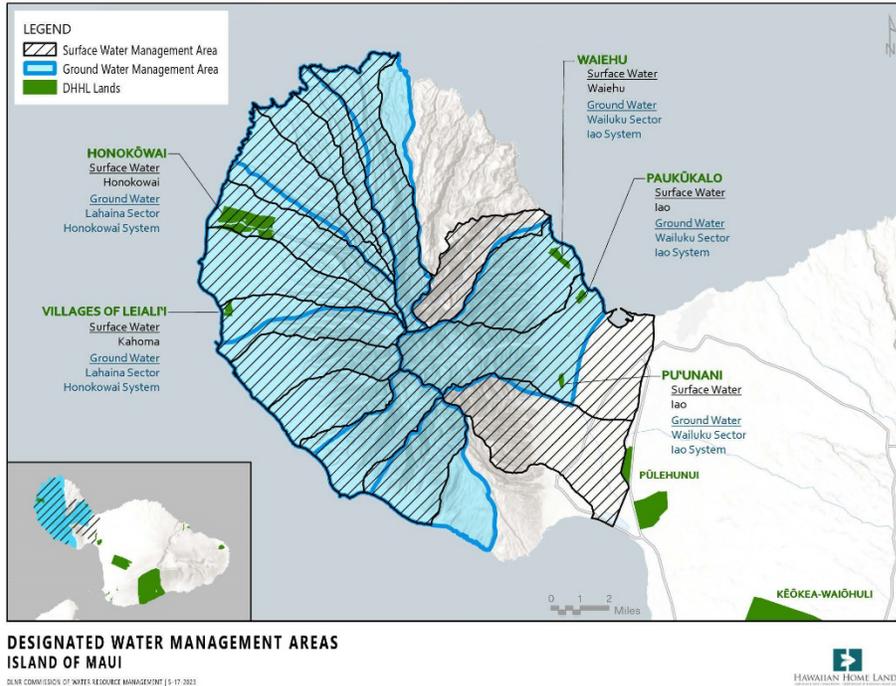
This submittal is also prepared in the context of our overall efforts to fulfill the responsibilities of the HHC and DHHL as they relate to water. An overview of this context is included as Attachment A: BACKGROUND AND OVERVIEW OF HHC AND DHHL WATER KULEANA.

A general overview of DHHL tracts and implementation of plans DHHL is provided in the status update on Plan Implementation in Maui Hikina. This submittal reviews the following:

- I. DHHL Water Demands and Reservations
- II. Updates regarding the East Maui Irrigation System and related DHHL interests
- III. Pa`ūpena Community Development Corporation's Water Meter Request

- IV. Changes in the State's Permitting Process for Well Construction Pump Installation Permits
- V. Related Work with Beneficiaries and Capacity Building to Secure Water Resources and Address Water Issues

**Figure 1. Map of DHHL Lands in Maui in relationship to Water Management Areas**



**I. DHHL Water Demands and Reservations**

As described in more detail in Attachment A, water reservations are a means for the Commission on Water Resource Management (CWRM) to protect or set aside water for DHHL future needs in various areas. While converting these reservations into “wet water” flowing into homesteads requires planning, financing, environmental review, and design, securing reservations for our future use remains a critical step in securing water for future homesteads and related DHHL needs.

***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<sup>1</sup>, in the DHHL Island Plans<sup>2</sup>, and Regional Plans<sup>3</sup>, as well as any detailed development plans that are created as tracts move into homestead and other development. Other information about land characteristics in each tract that could impact future water demands is also considered.

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<sup>4</sup> 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<sup>5</sup>, 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<sup>6</sup> 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<sup>7</sup> 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 the SWPP looks at a 20-year time demand, but DHHL needs go beyond that time horizon.

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<sup>1</sup> [https://dhhl.hawaii.gov/wp-content/uploads/2012/05/Island\\_Plan\\_General\\_2002.pdf](https://dhhl.hawaii.gov/wp-content/uploads/2012/05/Island_Plan_General_2002.pdf)

<sup>2</sup> [https://dhhl.hawaii.gov/wp-content/uploads/2012/05/Island\\_Plan\\_Maui\\_2004.pdf](https://dhhl.hawaii.gov/wp-content/uploads/2012/05/Island_Plan_Maui_2004.pdf)

<sup>3</sup> <https://dhhl.hawaii.gov/po/regional-plans/maui-regional-plans/>

<sup>4</sup> <https://boardofwatersupply.com/customer-service/applications-and-permits/water-system-standards>

<sup>5</sup> <https://files.hawaii.gov/dlnr/cwr/planning/awudp2004.pdf>

<sup>6</sup> <https://pubs.usgs.gov/of/2007/1157/>

<sup>7</sup> <https://files.hawaii.gov/dlnr/cwr/planning/swpp2020.pdf>

**DHHL Water Needs for Maui Island Tracts**

Based on the data in the 2020 SWPP and other regional plans, the potable and non-potable 20-year projections of medium range water needs for DHHL's Maui Island 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 Maui**

<b>Tract</b>	<b>Potable (MGD)</b>	<b>Non-potable (MGD)</b>	<b>Total</b>
Kēōkea/Waiohuli	0.8097	0.5780	1.3877
Honokōwai/Kā`anapali/Leiali`i	0.7696	2.0808	2.8504
Pu`unēnē / Pūlehunui	1.7340	1.8564	3.5904
Wākiu	0.11477	0.2550	0.36977
Ke`anae	0.0034	4.5878	4.5912
Wailua		2.2802	2.2802
Kahikinui	0.0765		0.0765
Other Maui Tracts	0.0238		0.0238
<b>Totals</b>	<b>3.53177</b>	<b>11.6382</b>	<b>15.16997</b>

**Existing Maui DHHL Water Reservations by CWRM**

CWRM can act to reserve water for DHHL on its own action, when petitioned for action by DHHL, or when required in response to a request for another party to lease or license state waters under HRS 171-58. In designated water management areas, CWRM has adopted reservations of water through a rule making process under HRS 174C-49(d). For non-designated areas, CWRM has reserved water during regular meetings under HRS 174C-101. Based on a request by DHHL and by CWRM action, the following reservations have been secured. Water was reserved from either the Aquifer System Area underlying each tract (a Ground Water Hydrologic Unit (GWHU) or the Surface Water Hydrologic Unit (SWHU) in which our lands lie.

**Table 2. DHHL Reservations Granted by CWRM**

<b>Aquifer System Area</b>	<b>Date of Reservation</b>	<b>MGD Reserved</b>
Honokōhau SWHU*	5/18/21	2
Honokōwai GWHU*	9/18/18	0.77
Kama`ole GWHU	9/18/18	2.547
Ke`anae GWHU	9/18/18	0.003
Kawaipapa GWHU	9/18/18	0.118
Luala`iula GWHU	9/18/18	0.063
Huelo-Region, East Maui SWHU	11/15/22	1.3275

\* Reservations for the Honokōhau SWHU and Honokōwai GWHU were made by CWRM prior to the August 2023 designation of surface and ground water in the Lahaina Aquifer sector. CWRM staff is in the process of adopting administrative rules for these reservations following this designation.

***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". Figure 1 shows DHHL's Maui land tracts in relation to WMAs on Maui.

## **II. Updates Regarding the East Maui Irrigation System and Related DHHL Interests**

### ***Background on the East Maui Irrigation System (EMI)***

Referred to as the East Maui Irrigation System (EMI), the EMI was developed beginning in the 1820s and until recently wholly owned by Alexander & Baldwin (A&B). This system diverts water from government and private lands and has historically dewatered streams relied upon by the East Maui community, with a recorded average flow of 165 million gallons a day (mgd) and up to 450 mgd<sup>8</sup>. This 75-mile-long network spans across East, Upcountry, and Central Maui. It previously delivered water to sugarcane operations, the Maui County Department of Water Supply, and the Kula Agricultural Park. It has been subject to decades of controversy and litigation.

In 2016 A&B announced the closing of the plantation. Following this, A&B sold 41,000 acres to Mahi Pono, a joint venture between Pomona Farming and Canada's Public Sector Pension Investment Board. The EMI is currently co-owned by Mahi Pono and A&B.

Many of the long-standing water issues in Maui Hikina are related to the diversion of water from a number of streams to agricultural fields in central Maui with most of the water originating from diversions on state owned lands. The legal agreements (currently revocable permits, with a long-term 30-year water lease being sought from the Board of Land and Natural Resources [BLNR]) allowing diversion from state owned land have been the subject of multiple legal proceedings over decades.

### ***DHHL Interests related to the EMI System***

The DHHL and its beneficiaries have three distinct interests when proposed water leases under HRS § 171-58 are sought by private parties and considered by the BLNR:

- First, DHHL has a right to have water reserved for its future use before any lease is issued;
- Second, our beneficiaries may exercise constitutionally protected traditional and customary practices relate to the water that the state seeks to lease; and
- Third, there is a constitutional right to thirty percent (30%) of the revenue generated by water leases.

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<sup>8</sup> <https://files.hawaii.gov/dlnr/cwrp/cch/cchma1301/CCHMA1301-20180620-CWRM.pdf>

*Water reservations.* Hawai`i Revised Statutes (HRS) section 171-58 (g) requires that in regards to proposed water leases, such as those being sought in East Maui:

The department of land and natural resources shall notify the department of Hawaiian home lands of its intent to execute any new lease, or to renew any existing lease of water rights. After consultation with affected beneficiaries, these departments shall jointly develop a reservation of water rights sufficient to support current and future homestead needs. 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 response to a notification from BLNR, in 2020 DHHL requested a water reservation of 11.455 mgd for our lands in Kēōkea, Waiohuli, and Pūlehunui. This request has not yet been fully granted by the Commission on Water Resource Management (CWRM).

*Traditional and customary rights.* As noted above, the EMI has historically dewatered streams relied upon by the East Maui community, including DHHL lands at Ke`anae and Wailuanui. Insufficient water may impact traditional and customary practices exercised by beneficiaries such as mahi`ai lo`i kalo (wetland taro farming) and kia`i loko i`a (fishpond management).

*30% of water lease revenue.* DHHL is entitled by Constitutional provision to 30% of the revenue generated by state water leases (Hawai`i Constitution Article XII Section I). The manner in which the BLNR currently sets the lease revenue excludes a charge for watershed management from being part of the base rent. Subsequently, DHHL has requested from the Attorney General an opinion regarding the exclusion of that revenue from being part of what is due to DHHL.

Additionally, DHHL holds a seat on the newly established local water authority on Maui, discussed further below.

***East Maui Regional Community Board / `Aha Wai o Maui Hikina***

In the November 2022 election, the East Maui Regional Community Board<sup>9</sup>, also known as `Aha Wai o Maui Hikina, was

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<sup>9</sup> <https://www.mauicounty.gov/DocumentCenter/View/139187/CHARTER---January-2023>

established by a Maui County charter amendment that called for the creation of "Community Water Authorities." This Board governs the East Maui Water Authority. The purpose of this water authority is to acquire, manage, and control water collection and delivery systems with County staff. Areas of concern are the Nāhiku, Ke`anae, Honomanū, and Huelo water license areas.

This water authority includes a designated seat for a representative of the HHC. DHHL is actively involved in the work for the East Maui Water Authority through the participation of DHHL's water policy consultant, Dr. Jonathan Likeke Scheuer, who was selected by his fellow board members as the Chair of the authority. The inclusion of this designated seat for DHHL on the East Maui Regional Community Board represents a significant milestone in advocating for DHHL's interests in water resources and the assurance of the prioritization of public trust purposes.

Due to delays related to fire recovery and other issues, this important Board only started its work in February 2024. On October 25, 2024 the Maui County Council approved Gina Young's appointment as the first director of the East Maui Regional Community Board and on November 6, 2024, she was sworn in.

### ***East Maui Water Authority Selection Process***

Due to this being the first designated seat for a representative of the HHC, DHHL staff have held a virtual consultation with beneficiaries to determine a process for selecting a representative when there is a vacancy. Beneficiary input is being gathered for the qualifications of a nominee, reporting requirements, what notification would look like, and how the selection process should go.

The recording of the meeting can be found on the DHHL website Meetings page. Comments will continue to be accepted at [DHHL.planning@hawaii.gov](mailto:DHHL.planning@hawaii.gov) until November 27, 2024. With our current representative's (renewable) term coming to an end in March 2025, a Beneficiary Consultation Report will be brought to the Commission next month.

### ***Recent Events with BLNR and the EMI System***

Over the last two months, there has been significant public attention and controversy around the EMI and its future operations. This section reviews the key events that have occurred. As mentioned above, A&B is seeking a long-term 30-

year water license with BLNR for the EMI System. As an alternative to the state issuing a long-term disposition to the EMI, the East Maui Water Authority was created by Maui County voters to operate the system and to provide water to existing users, including the Maui County Department of Water Supply, the Kula Agricultural Park, and the diversified agricultural operations of Mahi Pono.

Since DHHL requested a water reservation from CWRM in 2020, staff and related parties, including the CWRM, BLNR, Maui County DWS, Mahi Pono, and the Native Hawaiian Legal Corporation, have been meeting quarterly to discuss this matter. Previous conversation included statements from CWRM staff that they are conducting studies to determine if Interim Instream Flow Standards (IIFS) are adequate or need to be amended prior to approving DHHL's water reservation. A DHHL water reservation is legally required to be made under HRS 171-58(g) prior to the approval of a water license by BLNR.

On September 20, 2024, BLNR published their agenda<sup>10</sup> for their September 27, 2024, meeting with an agenda item (D-12) which would approve the issuance of a water license for the EMI System and subsequently hold a contested case hearing on the same issue. Terms of the attached example license<sup>11</sup> made it clear that it would be awarded to Mahi Pono and A&B.

Upon learning of the proposal (there was no courtesy notification from DLNR to DHHL), DHHL staff briefed the HHC Chairperson, Kali Watson, and prepared testimony requesting deferral of this item to ensure DHHL and beneficiary interests and rights were adequately considered.

The East Maui Water Authority also held a previously scheduled meeting on September 25, 2024, two days before the BLNR meeting, BLNR Chairperson Dawn Chang had already agreed to appear, and she was asked questions by the Board related to BLNR's response letter from July 2024 regarding the Water Authority's desire to initiate the process to acquire a long-term water interest for the EMI System.

At this meeting, Chair Chang asserted that her concerns were based upon the desire to ensure water service remained uninterrupted and that there was no preference by her administration as to what entity may receive state water interests. The public also provided testimony, with nearly 150

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<sup>10</sup> <https://dlnr.hawaii.gov/wp-content/uploads/2024/09/Agenda-240927.pdf>

<sup>11</sup> <https://dlnr.hawaii.gov/wp-content/uploads/2024/11/D-4-EXHIBIT-A.pdf>

pieces of written testimony submitted to the authority echoing the desire for the deferral of item D-12.

On September 26, 2024, BLNR posted a news release announcing the deferral of item D-12 to “not only respect the newly established local water authority on Maui, but also to support Mayor Bissen’s request to explore long-term partnership opportunities to address public and private interests that depend on this important water source.”<sup>12</sup>

Unexpectedly and again without prior notification to DHHL, on November 1, 2024, BLNR released their agenda<sup>13</sup> for the November 8, 2024, meeting with a similar agenda item (D-4) recommending a contested case hearing for the proposed disposition of a water license for the EMI System. DHHL staff again briefed Chair Watson and prepared testimony in opposition of item D-6 to ensure DHHL and beneficiary interests and rights were protected.

On November 8, 2024, Chair Watson and the HHC’s representative for the East Maui Water Authority presented oral testimony to BLNR requesting deferral of this action at BLNR’s meeting. Additionally, along with numerous public testimonies requesting the denial or deferral of the item, over 200 pieces of written testimony were submitted to BLNR in opposition.

After hours of hearing, the BLNR voted five to two to deny the action. DHHL remains deeply involved in this matter and looks forward to working collaboratively to ensure the interests of beneficiaries, the HHC, and DHHL are protected.

### **III. Pa`ūpena Community Development Corporation’s Water Meter Request**

In 2022 the HHC passed the “Processes for the Allocation of Water Credits and Water Meters on Water Systems Serving DHHL Lands” (the Process). It did so in order to deal with the many issues that arise when water resources for homestead development are less than what is needed for foreseeable homestead development. Consistent with the Department’s focus on and duty to issue homestead leases was the basis of the prioritization policy within the Process adopted. The document states:

Water credits and meters shall be allocated in the following prioritization:

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<sup>12</sup> <https://dlnr.hawaii.gov/blog/2024/09/26/nr24-127/>

<sup>13</sup> <https://dlnr.hawaii.gov/wp-content/uploads/2024/11/Agenda-241108-2.pdf>

**Prioritization Policy:**

- a. Residential use on awarded residential homestead lots
- b. Residential use on awarded residential agricultural or pastoral lots
- c. Areas where the Department has invested in infrastructure development for residential use on homestead lots but development is incomplete
- d. Lots eligible for subdivision for residential use, regardless of being agricultural, pastoral, or residential lots
- e. Agricultural or pastoral use on agricultural or pastoral lots
- f. Uses by a Homesteader Organization on a property interest issued by the Department
- g. Ancillary community uses that are identified in Island or Regional Plans or other HHC land use designation actions
- h. Commercial and other non-homestead, non-community uses in the area on Department lands

**Exceptions to this policy:**

- a. May be made by the Chairperson for community health and safety purposes as required by a declaration of emergency
- b. Lower priority uses may be allowed before higher priority uses when 1) they would not be otherwise used within the next four years and 2) there is a recommendation to do so by the Chairperson with the concurrence of the HHC.

Last year at the October 2023 HHC meeting, staff presented Item G-3 to the Commission, regarding on Pa`ūpena Community Development Corporation's (Pa`ūpena CDC) request for a water meter to DHHL for mixed-use on a parcel. Based on the Processes' prioritization, the proposed request is in "Priority f. Uses by a Homesteader Organization on a property interest issued by the Department". Under exception b) Lower priority uses may be allowed before higher priority uses when 1) they would not be otherwise used within the next four years and 2) there is a recommendation to do so by the Chairperson with the concurrence of the HHC. This request was approved by the HHC in December 2023 (Item G-1) for the allocation of three water credits to be exchanged for three water meters.

Following this approval, DHHL staff sent a letter to Maui County Department of Water Supply (DWS) to determine next steps, as this is the first instance of the approved allocation process exception being utilized. In June of 2024, DHHL received correspondence from DWS requesting justification on the approved

estimated water demand and an updated record of the previously used water meters on DWS's system by DHHL.

DHHL staff have been working diligently with staff at Maui DWS to reconcile DHHL and DWS's records of DHHL's water meter usage. Additionally, DHHL staff have been in conversation with Pa'ūpena CDC on planned usage for the allocated amount of water requested.

#### **IV. Changes the State's Permitting Process for Wells and how that Impacts Beneficiary Rights**

In 2023 a proposed commercial water bottling plant was proposed in Hilo, but subsequently the proposal was withdrawn. This was the second time in this area there was a proposed plan to develop water from a "deep confined aquifer", a layer of confined fresh water that lies below salt water in this area that if unimpeded flows to springs below the ocean surface offshore. Some controversy and concern that arose with this proposal is resonant with issues raised regarding plans to develop municipal scale wells in North Kona to exploit similar deep confined aquifers in that area.

These unprecedented proposals gave rise to beneficiary interest in how the state currently characterizes aquifers, how it approves wells into those water sources, and how DHHL, HHC, and beneficiary concerns and rights can be considered. This final section updates the initial briefing on these issues addressed in the 2023 East Hawai'i Water Projects update to the HHC, as it impacts how beneficiaries may become aware of and comment on proposed groundwater uses across the islands, including on Maui.

#### ***How CWRM characterizes Aquifers***

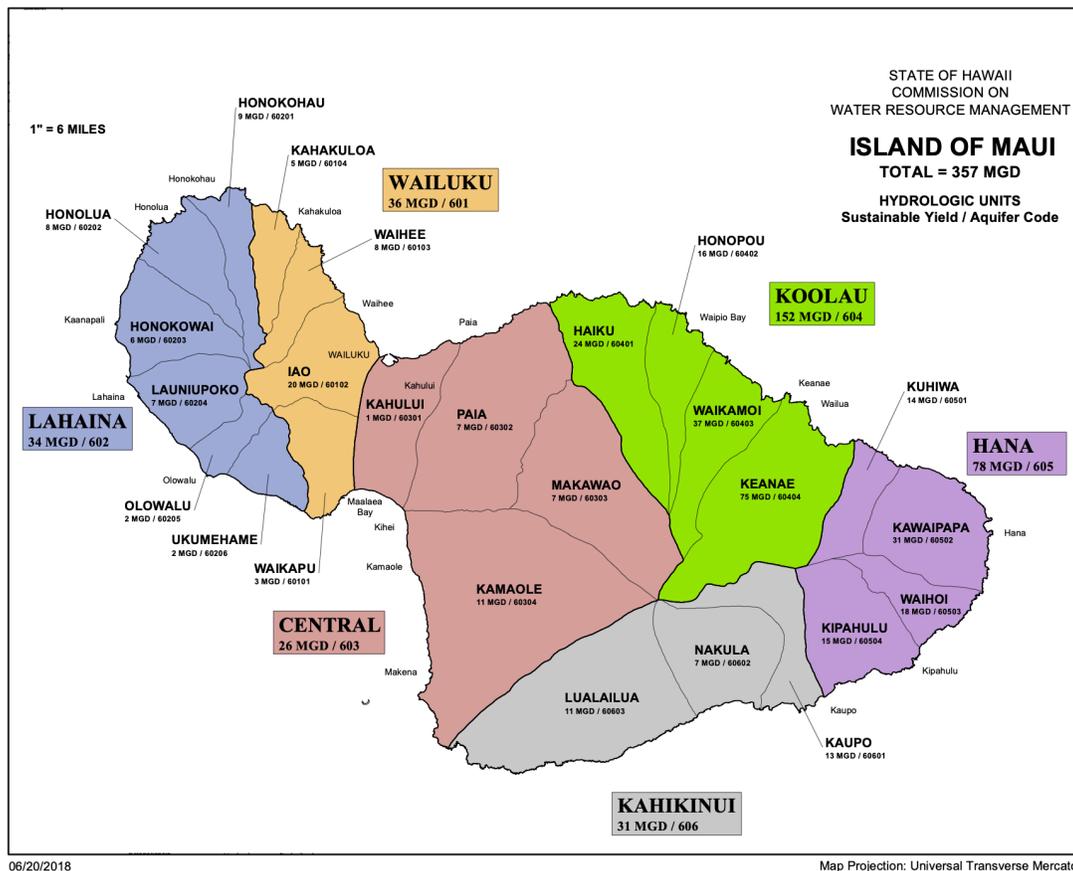
The state CWRM characterizes and sets Sustainable Yields for aquifers in much of the same way it does across the archipelago, without much difference between islands and parts of islands. CWRM sets aquifer boundaries - their best estimation of distinct groundwater basins - in a part of the Hawai'i Water Plan called the Water Resources Protection Plan. It draws those lines on maps based on geological features that can be seen on the land surface. Their aquifer map of Maui Island appears below as Figure 2.

They also calculate Sustainable Yields(SY) for each of those aquifers. They assume all ground water in each aquifer is

a "basal aquifer" - fresh water floating on salt water. They then use a simple math equation to estimate what percentage of "recharge" - water like rain or fog that flows into the ground - can be withdrawn from wells in the area before those wells would begin to draw up salty water below the fresh water.

This assumption that all water is in a basal lens misses unique characteristics of an area like lava tubes, deep confined waters, and other areas higher in the mountains where areas of harder lava or ash may impede ground water flow. It does not explicitly account for a number of things, like variations in rainfall, in where and how deep and large wells are, and other matters.

**Figure 2. CWRM Hydrologic Units, Island of Maui**



### ***How CWRM manages wells drilled into Aquifers***

In all areas of the state, CWRM requires anyone wanting to develop a well or install or replace a well pump to receive a Well Construction / Pump Installation Permit (WCPIP). Until recently however (addressed more below), those permits have been reviewed only by CWRM staff, received minimal public notice, and not required the proposed user to analyze how their uses may impact Public Trust uses of water, such as DHHL's reservations.

Only in "Designated" water management areas - which cover only parts of Maui, and only some of DHHL tracts, see Figure 1, above - are well developers also required to receive a Water Use Permit. Unlike the WCPIPs, these permits are publicly noticed and decided on, and require analysis of how their uses may impact Public Trust uses of water, such as DHHL's reservations.

### ***Challenges related to Deep Confined Aquifers***

The existing regulatory framework of CWRM - which treats nearly all aquifers as basal aquifers and all wells plans solely as engineering documents - is not designed to address the unique characteristics of different water sources, including the deep confined aquifers that exist on Hawai'i island. It also does not address clearly areas where surface and groundwater are closely intertwined, including on Maui places like Mokuhinia in Lahaina, or central Maui where imports of surface water from over a century have allowed pumping at multiples of the official Sustainable Yield. The future sustainable management of these aquifers is not addressed by current processes.

Of particular note, this management method raises important questions related to Native Hawaiian rights and cultural practices. As these processes have been implemented behind closed doors until recently, there has been no reliable mechanism for beneficiaries, the Department, or the HHC to review or even be aware of these proposals.

### ***New processes for approval of Well Construction / Pump Installation Permits***

The process by which only CWRM staff reviewed WCPIPs and they received minimal public notice originated in the 1990s, soon after CWRM was created. However, on December 19, 2023 CWRM reconsidered and altered the "delegated authority" of the CWRM Chair and their staff to approve WCPIPs. On June 18, 2024, CWRM

staff proposed further modifications of existing delegation to the CWRM Chairperson.

While previously all wells in non-designated areas were treated as if all authority to approve them was delegated to the CWRM Chairperson, this proposed altered delegation was to be limited to:

- Well construction (but not pump installation) permits;
- Wells in compliance with the Hawai`i Well Construction and Pump Installation Standards for pumps less than 27 gallons per minute (gpm);
- Acceptance of applications for initial review;
- Permit extensions; and
- Well Completion reports and certificates.

At the June 2024 CWRM meeting, DHHL staff requested deferral and that DHHL be consulted on the item, as DHHL is both a water purveyor and public trust user of water. DHHL staff recommended in the absence of a deferral, that the proposed action be amended to include an additional stipulation to conditions that require Commission approval in scenarios for, "pumps in aquifers where the DHHL has a water reservation." Upon hearing testimony, CWRM approved the motion to defer the submittal to allow staff time to consult with DHHL on the recommendations DHHL provided, including completing additional work requested by the Commission.

Following this deferral, CWRM staff coordinated with DHHL staff to review DHHL's concerns and suggestions. DHHL raised two primary issues: (1) transparency and (2) impacts to DHHL's rights. On July 23, 2024, CWRM staff returned to the Commission with an updated submittal including their additional outreach with DHHL staff and CWRM's proposed actions.

- CWRM agreed to not delegate permits in aquifers where DHHL has a reservation. CWRM will send DHHL all well construction and pump installation permits in aquifers where DHHL has a reservation for review. If issues come up upon review, staff can then take those permits where there are concerns to the CWRM for approval, instead of being directly delegated to the Chairperson.

This procedural change provides a chance for comment on permits for all aquifers possibly impacting DHHL, including deep confined aquifers beneath DHHL lands.

**V. 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 before the Council, 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. The training focuses on tools and resources in four parts: 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 four cohorts completing the training sessions. Homestead organization leaders will be notified when applications for the next cohort (in Spring 2025) 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.

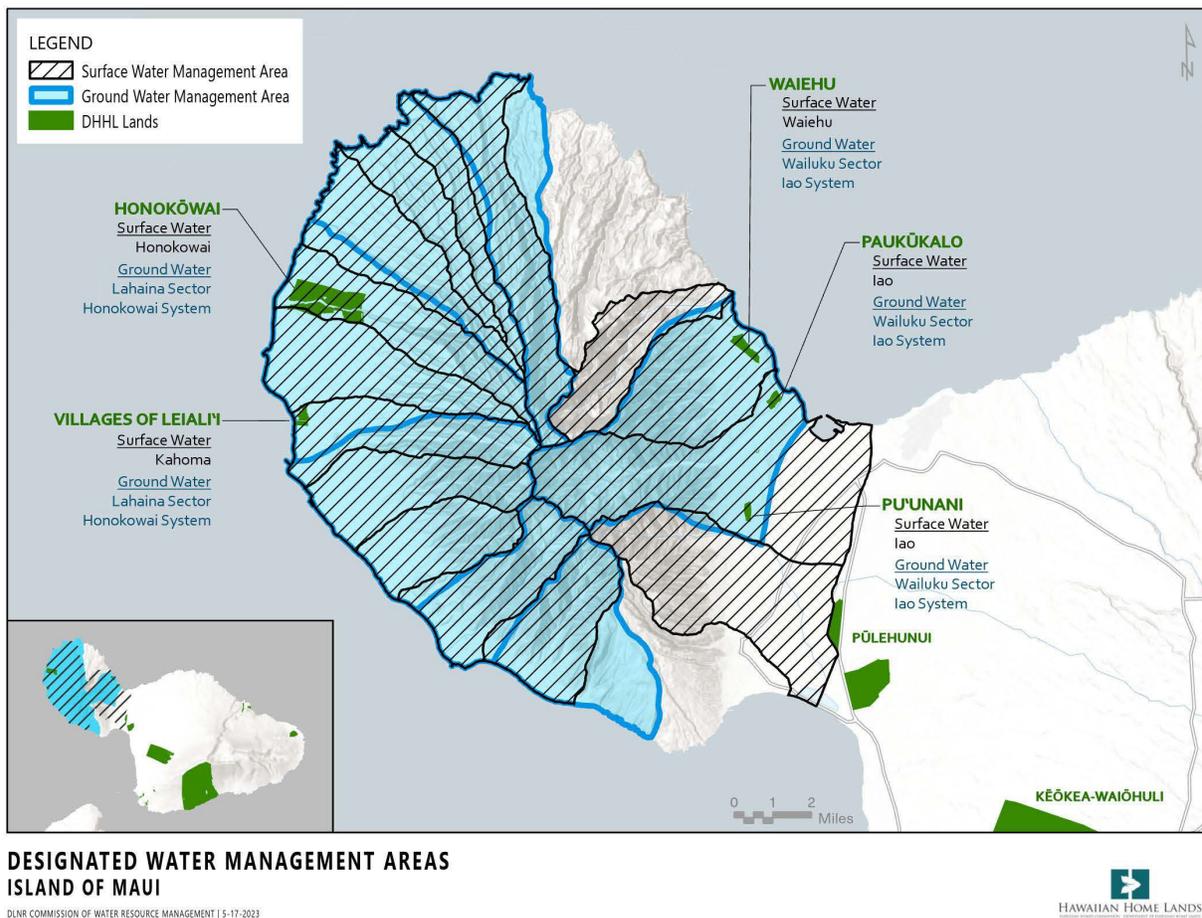
As discussed above in the review of water reservations, in Designated Water Management Areas (WMAs), all users of water must obtain a "water use permit" from CWRM. By law those permits are conditioned on the rights of the DHHL. Generally, however, DHHS lands do not coincide with existing WMAs. See Figure 1, below, showing WMAs and DHHL lands on Maui.

### **Water System Management**

The last major water kuleana that DHHL has is the ability to develop and manage water systems directly. DHHL currently manages four systems on Molokai, Kaua`i and Hawai`i Islands.

### **The Commission on Water Resource Management (CWRM) Record on Appeal**

While the HHC, DHHL and its beneficiaries have particular and significant water rights as described above, we are largely dependent on CWRM and protecting those rights. Unfortunately, since passage of the code in 1987, it has been a very mixed history. DHHL and beneficiaries have frequently had to go to court to challenge decisions of CWRM. Refer to the handouts on the DHHL website regarding water policy. The most successful instances have been when the DHHL and beneficiaries have worked closely together on those efforts. It is notable that beneficiaries on the island of Molokai have led the way, and the resulting cases have helped the courts describe the significance of DHHL water rights.



**Figure 1. DHHL Lands and Water Management Areas on Maui**

**HHC Water Policy Plan (WPP)**

In order to consistently make water decisions and protect the trust’s water interests, in 2014 the HHC passed a Water Policy Plan (WPP) under the General Plan. This was adopted after two years of research, and two rounds of beneficiary consultation across the archipelago. It is to our knowledge, the first policy regarding water decisions passed by the HHC since passage of the HHCA in 1921. The WPP is also posted on the Department’s website.

The WPP is comprised of a number of distinct sections. The first section, a vision statement, comes directly from Section 101 of the HHCA. The Mission statement derives from the different water kuleana described above. The next section is on Values and describes four Hawaiian values key to the proper management of water. This is followed by twelve policies to guide water decisions. The core of the WPP are nineteen goals

identified by beneficiaries, staff, and the HHC to be the focus of DHHL water activities, with four identified as priority goals. These are:

1. Affirmatively communicate with beneficiaries regarding water decisions, performance, and water rights on a regional and annual basis.
2. Aggressively, proactively, consistently and comprehensively advocate for the kuleana of the beneficiaries, the DHHL, and the HHC to water before all relevant agencies and entities.
3. Develop and manage a Water Assets Inventory (WAI).
4. Support watershed protection and restoration on DHHL lands and source areas for DHHL water.

The final substantive portions of the WPP includes a statement on the delegation of authorities, which includes a requirement for the submission to the HHC by the DHHL an annual report on accomplishments as well as a plan for the coming fiscal year. Legal authorities, related plans, and legal references are also included.

In conclusion, DHHL has significant water kuleana - responsibilities and rights - that it can bring to bear in order to bring water to lands across the `āina ho`opulapula and to fulfill the goals of the HHCA. The primary areas of this work are for water planning, advocacy, source development, and system management. The CWRM and the Counties are critical partners to help achieve our goals. The HHC has adopted the WPP as the key policy guidance for this work. The WPP requires a number of actions from DHHL, including annual plans of work, reports on achievements, and annual regional updates on water issues and projects.

Hawaiian Homes Commission Meeting Packet  
November 18 & 19, 2024  
Courtyard by Marriott Kahului Airport,  
Haleakala Ballroom,

**H ITEMS**

**STATE OF HAWAII**

**DEPARTMENT OF HAWAIIAN HOME LANDS**

**November 18 - 19, 2024**

**To:** Chairman and Members, Hawaiian Homes Commission  
**Thru:** Sharon Mendoza, Program Budget Analyst  
**From:** R. Kalani Fronda, Acting Land Development Division Administrator  
**Subject:** H-1: Approval of Addendum to Fiscal Year 2025 Department of Hawaiian Home Lands Budget (Purpose 1 & Purpose 4)

**RECOMMENDED MOTION/ACTION**

The Department respectfully recommends that the Hawaiian Homes Commission (HHC):

1. Approve the addendum to the Department of Hawaiian Home Lands (DHHL) Operating Budget for Fiscal Year 2025.
2. Approve the DHHL Development Budget for Fiscal Year 2025, authorizing:
  - o Any funds not encumbered in Fiscal Year 2024 to carry over and be available for encumbrance in Fiscal Year 2025.
  - o The Chairman to shift funding between cost elements as necessary, provided that such adjustments do not exceed \$1,000,000.

**DISCUSSION**

The addendum requests additional funding for critical development, engineering, and maintenance projects across DHHL sites. This funding is essential to advance DHHL's mission of providing sustainable and livable communities for native Hawaiians. Below is a summary of the funding needs and purposes by project area.

**Purpose 1: Lot Development**

Additional funding is requested to advance lot development initiatives, enabling DHHL to address urgent needs in electrical preservice applications, facility charges, project financing, and critical infrastructure improvements.

<b>Project/Service</b>	<b>Description</b>	<b>Amount</b>
<b>HECO Preservice Application for Kauluokahai</b>	Pre-application services with HECO for Kauluokahai lots	\$25,000
<b>Facility Charge for Makuu 2-acre Lots</b>	Facility infrastructure charges for Makuu development	\$300,000
<b>Project Financing</b>	Revolving loan for construction projects (renovations, scattered lots, Ohana units)	\$7,000,000
<b>Lalamilo Phase 1 Infrastructure Improvements</b>	Resolution of Goodfellows contract; connection of Lālāmilo to the main highway	\$2,000,000
<b>Engineering Services for Various Locations</b>	Consulting services (DPI, B&K, wildfire program services, etc.)	\$6,000,000
<b>Repair/Maintenance (R/M) of Improvements</b>	Wildfire program services statewide	\$1,975,000
<b>Total Lot Development Costs</b>		<b>\$17,300,000</b>

**Purpose 4: Administrative and Operating Costs**

Additional funding is requested to support infrastructure improvements, engineering services, and maintenance of improvements on Hawaiian Home Lands. These projects will enhance connectivity, safety, and long-term sustainability across DHHL sites.

<b>Project/Service</b>	<b>Description</b>	<b>Amount</b>
<b>Lalamilo Phase 1 Infrastructure Improvements</b>	Resolution of Goodfellows contract; connection of Lalamilo to the main highway	\$2,000,000
<b>Engineering Services for Various Locations</b>	Consulting services (DPI, B&K, wildfire program services, etc.)	\$6,000,000
<b>Repair/Maintenance (R/M) of Improvements</b>	Wildfire program services statewide	\$1,975,000
<b>Total Administrative &amp; Operating Costs</b>		<b>\$9,975,000</b>

**REASON FOR REQUEST**

The request for additional funding at this time reflects the urgent need to meet critical project deadlines essential to maintaining the momentum and integrity of our ongoing and

future developments. As the Department continues to address the diverse needs of native Hawaiian beneficiaries, several key initiatives have emerged as immediate priorities. These initiatives, integral to our mission, require timely and adequate financial support within this fiscal year to ensure they move forward without delay.

The unforeseen circumstances impacting these projects stem from both contractual and logistical challenges, as well as an evolving landscape of community needs and regulatory requirements. Specifically, infrastructure projects like the Lālāmilo Phase 1 improvements are essential to ensure safe and efficient connectivity to major highways, which, if delayed, will continue to disrupt the community access and impact future phases of development. Additionally, new and comprehensive engineering services have been necessary for various locations across DHHL lands. These services not only address consulting needs but also support wildfire mitigation efforts, critical to safeguarding our communities and protecting our land assets statewide. Given Hawaii's vulnerability to wildfires, accelerated actions in this area have become paramount.

Moreover, lot development activities, including pre-service applications and critical facility charges for developments like Ka'uluokaha'i and Maku'u, are essential to maintaining the project schedules and avoiding extended delays in providing much-needed homesteading opportunities for native Hawaiian families. Project financing mechanisms, including revolving loans for scattered lot renovations, Ohana units, and other construction projects, are fundamental to our ability to deliver on these commitments.

In summary, the request for additional funds this fiscal year is necessitated by these essential priorities and the need to adhere to pressing project timelines. Approval of this addendum will allow DHHL to proceed confidently in fulfilling its commitments to the Hawaiian Homes Commission and, most importantly, to the native Hawaiian community that we serve.

### **RECOMMENDATION**

The Commission's approval of the recommended motion is respectfully requested to ensure that DHHL's ongoing and upcoming projects for Fiscal Year 2025 receive the necessary funding for timely and efficient implementation.

This proposed addendum to the DHHL budget addresses urgent administrative, operational, and developmental needs essential to advancing DHHL's mandate to serve native Hawaiian beneficiaries. Thank you for your consideration of this request.

Project / Description	New Lots	HHL Trust	HHL Trust (Nov2024)	Leg Appns	Act 279	Total
<b>PART A: Lot Development Projects (Addressing the homestead waiting list)</b>						
<u>OAHU</u>						
East Kapolei II-B Na Kupa'a Loan Payoff		2,300		-		2,300
East Kapolei II-A TOD and Telecom					1,000	1,000
East Kapolei II Backbone Infrastructure			25			25
East Kapolei IIE						-
East Kapolei IID						-
East Kapolei IIF						-
Kaupea, Phase 2					21,941	21,941
Maili Development						-
Ewa Beach (former NOAA site)	600					-
Waimanalo Residential & Agricultural Lots	119	1,750		-		1,750
Land Acquisition, Oahu		-		-	24,241	24,241
<u>MAUI</u>						
Keokea-Waiohuli, Phase 2B	61	-		-		-
Keokea-Waiohuli, Phase 3	76	500		-		500
Maui Development Fees (water, sewer, etc)		250		-		250
Lei Ali'i Phase 1B	75	500		-		500
Leialii 1B - Off-site Water						-
Lei Ali'i Highway and Access Improvements		-				-
Honokowai Subs Ag Ph 1	50	-		-		-
Pulehunui Development		-		-		-
Pu'unani Development (\$4 million = AHC)	161	4,000		-		4,000
Kahikinui Roadways		1,500		-		1,500
<u>LANAI</u>						
Lanai Residence Lots, Offsite Infrastructure		-		-		-
<u>MOLOKAI</u>						
Kalamaula Ag Lots (Acceleration)	45	-		-		-
Hoolehua Agricultural Lots- Naiwa Ag Subd	66	-		-	-	-
Hoolehua-Pala'au Scattered	12	-		-	3,500	3,500

<b>BIG ISLAND</b>						
HCC Home Project		325		-		325
Honomu Subsistence Ag Lots, Phase 2	40					-
Kaumana Subdivision Rehabilitation		-		-		-
Ka'ū Water System Improvements, Phs 2		91		-		91
Kau Water Filling Station		200		-		200
Ka'u Agricultural Lots (Pu'ueo)	25	3,000		-		3,000
Lalamilo Housing Phase 2A, Increment 1		1,000		-		1,000
Laiopua Village 2						-
Laiopua Village 1						-
Laiopua Water (site acquisition)		-		-		-
Laiopua 4					39,240	
Panaewa Residential Lots					1,000	
Makuu 2ac lots (pressure test, chloronation)		500	300			800
<b>KAUAI</b>						
Hanapepe Residence Lots, Phase 2						-
Anahola Kuleana		250			5,000	5,250
Wailua Masterplan		1,000				1,000
<b>STATEWIDE PROJECTS</b>						
Scattered Lots Program (Statewide)		1			1,500	1,501
Acquisition Due Diligence		1,000			1,000	2,000
VOKA Payment		60				60
Federal Funds Reimbursements/Adjustments		1,000				1,000
Dispute Resolution		1				1
Land/Project Acquisition						-
Project Financing			7,000			7,000
Individual Assistance					2,000	
Contingencies					5,000	
<b>PART A SUBTOTAL</b>	<b>1,330</b>	<b>\$ 19,228</b>	<b>\$ 7,325</b>	<b>\$ -</b>	<b>\$ 105,422</b>	<b>\$ 84,735</b>

**PART B: Repair, Maintenance, and Operating Costs (Promoting thriving, healthy communities)**OAHU

Papakolea Sewer Remediation, Ph 2	4,750	6,800	11,550
Papakolea Infrastructure Remediation	1,000	-	1,000
Nānākuli Sewer Improvements, Ph 2	6,000	-	6,000
Waianae Sewer Improvements	-	-	-
Waimanalo Flood Control Channel Improvements	-	-	-
Waimānalo Sewer Improvements	18,000	-	18,000
Princess Kahanu Sewer Improvements	-	-	-
Kapolei Sewer Repairs	-	-	-
Nanakuli Drainage & Fencing, Ph 2	-	-	-
Rehabilitation of School Seawall, Nanakuli	403	4,500	4,903
Waianae Sidewalk & Storm Basin Repairs	-	-	-
Waimanalo Bell Street Drainage Improvements	-	-	-
Waimanalo Concrete Channel Relining	5,000	-	5,000
Waimanalo Waioleoa Street & Dirt Drainage	-	-	-
Waimanalo Sewer Repairs (Kumuhau, Kakaina)	-	-	-
Nanakuli Laterals Concrete Spall and Fencing	-	6,500	6,500
Waianae & Nanakuli Sidewalks & Storm Basin	-	2,200	2,200
Traffic Calming Islandwide	1,200		

MOLOKAI

Kalamaula Drainage	-	-	-
Kapaakea-One Alii Drainage		-	-

<u>BIG ISLAND</u>						
Honokaia Non-potable Water System		-		-		-
Keaukaha Sewer Improvements Master Plan		-		-		-
Maku'u Site Remediation		200		-		200
K'au Water System		-		-		-
Lalamilo Ph 1, Kawaihae Road Channelization		100		-		100
Lalamilo Ph 1, Infrastructure Improvements		420	2,000	-		2,420
La'i 'Ōpua Brush Clearing & Maintenance		800		-		800
Puukapu Non-potable Water System		-		-		-
<u>KAUAI</u>						
Anahola Dam and Reservoir Add'l Improvements		1,500		-		1,500
<u>STATEWIDE PROJECTS</u>						
Engineering Services for Various Locations		1,250	6,000	-		7,250
R/M of Improvements on HHL, Statewide		1	1,975	-		1,976
R/M of Utilities in Existing Subdivisions		1		-		1
Environmental Mitigation/Remediation		1		-		1
<b>PART B SUBTOTAL</b>		<b>\$ 40,626</b>	<b>\$ 9,975</b>	<b>\$ 20,000</b>		<b>\$ 70,601</b>
<b>PART A + PART B</b>		<b>\$ 59,854</b>	<b>\$ 17,300</b>	<b>\$ 20,000</b>		<b>\$ 155,336</b>

Hawaiian Homes Commission Meeting Packet  
November 18 & 19, 2024  
Courtyard by Marriott Kahului Airport,  
Haleakala Ballroom,

# J ITEMS

Hawaiian Homes Commission  
J Agenda Requests to Address the Commission  
November 19, 2024

- J-1 Kyle Elama Farm – Ka Ohana O Kahikinui
- J-2 Kalani Tassill – Paukukalo Homestead Association
- J-3 Kainoa Lei MacDonald – Maui/Molokai Mokupuni
- J-4 Blossom Feiteira – Maui Concerns
- J-5 James Kincaid - Pa‘upena Community Development Corporation
- J-6 Chanel Josiah – Hawaii Community Lending
- J-7 Christopher Canto – Kanehili Community Association
- J-8 Sherilyn Wahinekapu – Lease Concerns
- J-9 Jojo Tanimoto – Various Kawaihae Concerns
- J-10 De Mont Manaole – Indigent Hawaiians
- J-11 Kahakuakoi Peiper – Waianae Encroachment Issue
- J-12 Kapua Keliikoa Kamai – Lease Concerns

**From:** [Kyle Farm](#)  
**To:** [Burrows-Nuuuanu, Leatrice W](#)  
**Subject:** Re: [EXTERNAL] DHHL Commission meeting in November  
**Date:** Wednesday, October 16, 2024 11:47:27 AM

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Aloha Leatrice,

Can I submit live testimony on the J agenda for the November meeting? We would like to briefly cover a overview of our community by using power point presentation, grant updates, current projects, and ask for continued support of water deliveries, to continue service initiated by the Bureau of reclamations grant, connecting this service to a long term solution/fog-drip project grant, and ask for the continuation of road improvements.

Kyle Elama Farm

President, Ka 'Ohana 'O Kahikinui

On Mon, Oct 7, 2024 at 12:31 PM Kyle Farm <[nakoa4000@gmail.com](mailto:nakoa4000@gmail.com)> wrote:

Ok, thanks for letting me know

On Mon, Oct 7, 2024 at 11:45 AM Burrows-Nuuuanu, Leatrice W <[leatrice.w.burrows-nuuuanu@hawaii.gov](mailto:leatrice.w.burrows-nuuuanu@hawaii.gov)> wrote:

Aloha e Kyle,

Mahalo for your email and invitation. Unfortunately, the proposed site visit on November 17th is Act 279-focused, and already a full day's worth of visits.

It has been a while since the Commission's last visit to Kahikinui, so we are due. I hope we can make it out to Kahikinui sometime next year, or the following.

Congratulations to you and your board. Keep up the good work.

Mahalo,

Leah

-----Original Message-----

From: Kyle Farm <[nakoa4000@gmail.com](mailto:nakoa4000@gmail.com)>

Sent: Sunday, October 6, 2024 7:24 AM

To: Burrows-Nuuuanu, Leatrice W <[leatrice.w.burrows-nuuuanu@hawaii.gov](mailto:leatrice.w.burrows-nuuuanu@hawaii.gov)>

Subject: [EXTERNAL] DHHL Commission meeting in November

Aloha,

I am Kyle Elama Farm, president of Ka Ohana O Kahikinui, and on behalf of our community and our board, I would like to invite the commission and staff to visit our community on Sunday 11/17/24, before the meeting on the 18-19 in Kula, Maui. We are offering a tour of our community, to see some of the projects of our grant work, and future projects. We would host the commission with an informal talk story with community members and a lunch. Please let me know if you are interested.

Aloha and mahalo,

Kyle Elama Farm

President, Ka Ohana O Kahikinui

Sent from my iPhone

**From:** [kalani tassill](#)  
**To:** [Burrows-Nuuanu, Leatrice W](#)  
**Cc:** [Cachola, Julie-Ann](#); [Archie Kalepa](#)  
**Subject:** [EXTERNAL] Paukukalo Hawaiian Homestead  
**Date:** Wednesday, November 6, 2024 1:06:51 PM

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Aloha Leatrice,

My name is Kalani Tassill- President for Paukukalo Hawaiian Homestead Community Association. I've been working with Julie-Ann Cachola to get on the J-Agenda to introduce myself & my Board of Directors. I'm so sorry I missed the deadline, please may we be put on the agenda in the upcoming commissioners meeting. I would like to share with the commissioners some initiatives we're working on in our community. In addition, we would like to host a continental breakfast for the HHC but would need info about how many people will attend also time & location. Please contact me so we can coordinate.

Mahalo  
Kalani Tassill-President  
Hawaiian Homestead Community Associations  
808-357-5700

**From:** [Jimmie Kincaid](#)  
**To:** [Burrows-Nuuanu, Leatrice W](#)  
**Cc:** [Kekoa Enomoto](#); [hanalomi@gmail.com](mailto:hanalomi@gmail.com); [ikaika.kincaid@gmail.com](mailto:ikaika.kincaid@gmail.com); [nakoa.ahlc@gmail.com](mailto:nakoa.ahlc@gmail.com)  
**Subject:** [EXTERNAL] J.Kahelelani Kincaid RSVP to the HHC's J Agenda  
**Date:** Tuesday, November 5, 2024 5:41:13 PM  
**Attachments:** [HSCA use DHHL lands FULL Package.pdf](#)

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Aloha mai kua e Leah,

On behalf of Pa'upena Community Development Inc., I would like to RSVP to advocate in person on the Hawaiian Homes Commission's J Agenda at/after 11:00 AM Tuesday 11/19/24 at Maui site TBA. I anticipate discussing Pau'pena CDC's vision and efforts to provide farming and housing on the 646-acre Pulehunui South homelands parcel, designated "Prime Agricultural" and "Other Agricultural" lands, per page 143 of the 340-page DHHL Maui Island Plan of September 2004.

Possibly joining me in advocating will be project collaborators, as follows:

- Kawika McKeaugue of the G70 planning/architectural firm of Honolulu.
- Waiohuli lessee Bobby Pahia of Hawai'i Taro Farm LLC.
- Paukukalo lessee Janice Herrick of the nonprofit Makana No Ke Kaiaulu.

Mahalo nui,

James Kahelelani Kincaid

**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:  <a href="http://dhhl.hawaii.gov/hhc/">http://dhhl.hawaii.gov/hhc/</a>	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: James Kahaelani Kincaid Date: 11/5/2024  
 Printed Name: James Kahaelani Kincaid Title: Project Director  
 Organization: Hawaiian Sailing Canoe Association (HSCA)



STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS  
P. O. BOX 1879  
HONOLULU, HAWAII 96809

Department of Hawaiian Home Lands  
**NON-PROFIT ORGANIZATION APPLICATION FOR  
LONG-TERM USE OF DHHL LANDS**

**PRE-APPLICATION FORM**

*This form should be used by non-profit organizations who are interested in securing a long-term license agreement for the use of DHHL lands to better serve native Hawaiian beneficiaries, their families, and the homestead community. Please review the Pre-Application Guidelines and Instructions document before you fill out this form because it provides detailed instructions and it explains all the steps involved in securing a long-term license agreement.*

**APPLICANT INFORMATION**

**Name of Organization:** Hawaiian Sailing Canoe Association (HSCA)  
Date of Incorporation: Est 1988, secured 501c(3) 1998      IRS Tax-Exempt #: EIN: 99-0328566

1. Please identify one individual who will be the point of contact for this application:  
 Contact Name: James Kahelelani Kincaid      Title: Project Director  
 Email Address: surfskiguy7@gmail.com      Phone: 808-221-0193
2. What is the mission/vision of your organization?  
*[Please provide your typed responses on a separate page]*
3. Please describe the history of your organization.  
*[Please provide your typed responses on a separate page]*
4. How has your organization previously served beneficiaries of the Hawaiian Homes Commission Act?  
*[Please provide your typed responses on a separate page]*
5. Describe past experiences, projects, or programs in the last five years that illustrate consistency with your organization's mission/vision statement.  
*[Please provide your typed responses on a separate page]*
6. Please provide references (name and contact information) and/or Letters of Support for this application for non-homestead use of Hawaiian Home Lands.  
*[Please provide your typed responses on a separate page]*
7. If you are developing your project in partnership with another organization(s), please describe the roles and responsibilities of each organization during project development, implementation, and long-term management.  
*[Please provide your typed responses on a separate page]*

**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): TMK (2) 2 -1-04: 114 Acres: 75.36  
 Homestead Area: KALIHI, MAKAWAO, MAUI, HAWAII Regional Plan Area: South Maui  
 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: *James Kahalelani Kincaid* Date: 11/5/2024  
 Printed Name: James Kahalelani Kincaid Title: Project Director  
 Organization: Hawaiian Sailing Canoe Association (HSCA)

## DHHL Non-Profit Organization Application for Long-Term Use of DHHL Lands

### APPLICANT INFORMATION

1. Please identify one individual who will be the point of contact for this application:
  - a. Contact Name: James Kahelelani Kincaid
  - b. Title: Project Director
  - c. Email Address: surfskiguy7@gmail.com
  - d. Phone; 808-221-0193
2. What is the mission/vision of your organization?
  - a. To learn, revive, educate and practice those ancient Hawaiian skills and values as they relate to sailing canoes and the Hawaiian culture.
3. Please describe the history of your organization.
  - a. Established in 1988, we have mentored and shared cultural values and instilled Hawaiian sailing canoe skills and practices to beneficiaries across the main Hawaiian islands.
4. How has your organization previously served beneficiaries of the Hawaiian Homes Commission Act?
  - a. Our hui has long served, and continues to vigorously serve, innumerable beneficiaries throughout our history. Year after year, we teach the skills needed to sail Hawaiian sailing waa across each major channel, throughout the island chain, in accord with Hawaiian values and the utmost Aloha. Teaching and mentoring beneficiaries the skills necessary to sail Hawaiian racing vessels throughout the island chain.
5. Describe past experiences, projects, or programs in the last five years that illustrate consistency with your organization's mission/vision statement.
  - a. Throughout the summer months between April and August, our sailing season commences, from the northernmost point of Hawaii Island (Kohala) to Maui, then on to Molokai, Oahu, and ending on Kauai. At every point of departure, we engage with local practitioners and beneficiaries by sharing in Hawaiian spiritual practices of oli, pule, and navigational knowledge.
  - b. Additionally, at every island landing we are supported by the local community and beneficiaries who we share in educational awareness on Hawaiian Sailing Canoes and exchange knowledge and cultural wisdom.
6. Please provide references (name and contact information) and/or Letters of Support for this application for non-homestead use of Hawaiian Home Lands.
  - a. Nakoia Prejean, Kawaipuna Foundation
  - b. Nainoa Thompson, Polynesian Voyaging Society
  - c. Bruce Blankenfeld, Polynesian Voyaging Society
  - d. Manny Vincent, Kawaihae Canoe Club
  - e. Kimokeo Kapapulehua, Hawaiian Outrigger Voyaging
  - f. Leimomi Kekina, Windward Community College
  - g. Michael Keleiokekai Kincaid, Founder, Hawaiian Sailing Canoe Association
  - h. John McCandless, Hawaiian Canoe Club

- i. Archie Kalepa, Community Leader, Hokulea
  - j. Corbett Kamoā Kalama, Cultural Practitioner, Kailua Canoe Club
  - k. Hank Leandro, Kailua Canoe Club
  - l. Bob Rocheleau, Sea Engineering, Hui Nalu Canoe Club
  - m. Ryan Van Gieson, Leeward Kai Canoe Club
  - n. Kirk and Rae Clarke, Hawaiian Catamaran, Molokai
  - o. Rae Kamae, Auwahi Wind
  - p. There are so many other supporters of the Association too numerous to List.
7. If you are developing your project in partnership with another organization(s), please describe the roles and responsibilities of each organization during project development, implementation, and long-term management.

### **PROJECT INFORMATION**

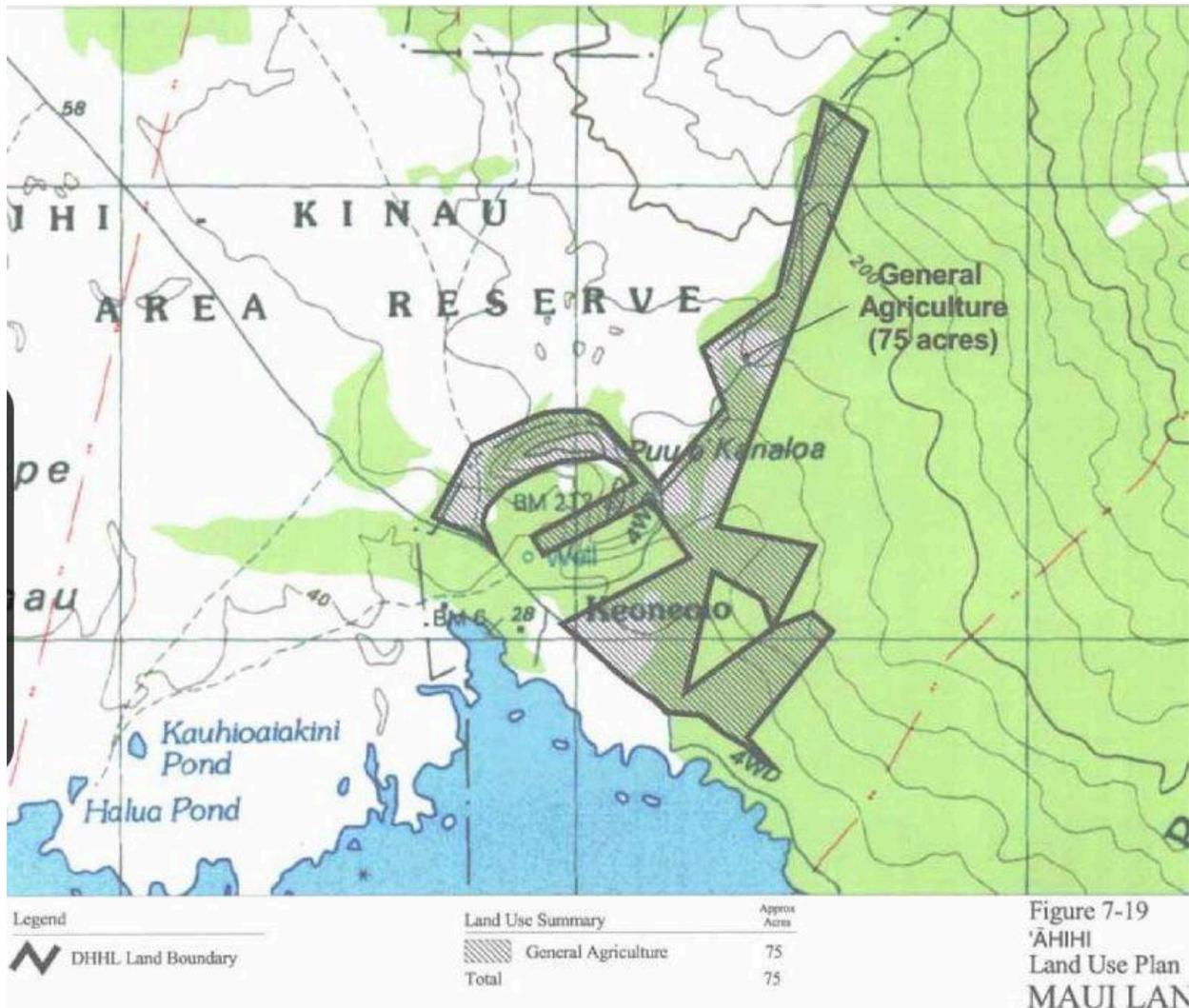
8. Describe the project. What are your project goals and objectives? What kinds of activities, programs, and/or services will you provide? Describe the need for your project and how it will benefit the DHHL trust, homestead lessees, and/or waitlist applicants.
- a. This project aims to steward the 'Ahihi Kināu property while supporting the mission of the HSCA; To learn, revive, educate and practice those ancient Hawaiian skills and values as they relate to sailing canoes and the Hawaiian culture.
  - b. Project Goals and Objectives:
    - i. Steward the 'Ahihi Kināu parcel in best practices and uses of cultural, conservation, and agricultural activities and practices.
      - 1. Cultural efforts:
        - a. Build a traditional hale for wa'a and a gathering space.
        - b. Survey for archaeological sites and evidence.
        - c. Design and develop cultural educational lessons and activities related to conservation, agriculture, and wa'a knowledge (such as carving, cordage, lashing, weaving, wind names, currents, stars and star lines).
      - 2. Conservation efforts:
        - a. Invasive species eradication (goats & deer)
        - b. Fencing to keep invasive animals out of the property
        - c. Planting and growing native plants that can withstand the coastal and arid dry ecosystem.
      - 3. Agricultural efforts:
        - a. Securing water by way of catchment, possible spring, and/or drilling a well.
        - b. Planting cultural foods and other food and medicinal plants that are supportive to 'ai pono and foods that could be brought on a sailing canoe or voyaging.
      - 4. Infrastructure efforts:

- a. Secure and install two to three (2-3) 40ft containers to store tools, equipment, supplies and all things related to construction build out.
    - b. Plan, design, and complete road construction throughout the parcel.
    - c. Design, construct, and complete composting toilets for human waste management.
  - ii. Enrich beneficiaries in cultural, conservation, and agricultural practices.
    - 1. To teach, practice, and cultivate a cultural experience of living sustainably off the land and practicing our ancient ways of being.
    - 2. Build a connection between other canoe and wayfinding indigenous peoples across the Pacific Ocean.
- 9. Please share your current thinking about the following project elements:
  - a. The planning process and your efforts to include beneficiaries.
    - i. Establish an advisory committee to recommend program elements and methods to engage beneficiaries.
  - b. Beneficiary involvement throughout the duration of the project.
    - i. We encourage all beneficiaries to engage in our programs for as long as they are able to be involved. This project will need significant involvement of beneficiaries and we welcome their capacity. Eventually we foresee beneficiaries taking leadership positions within the organization and throughout the community.
  - c. Design and construction costs for major improvements (if any).
    - i. Initial costs \$250,000
  - d. Long-term management and operation of project facilities and the requested land area.
    - i. Employ 2-4 staff who will support program operations and land management.
    - ii. \$150,000 annually for 75 acres requested land use
  - e. Long-term maintenance and repairs.
    - i. Conduct annual maintenance surveys on all structures and equipment, and address those needs accordingly.
- 10. Is the proposed project a Regional Plan Priority Project?
  - a. NO
- 11. How do you intend to secure funding and other needed resources for the project?
  - a. Various sources of funding are available from private, public, state, and federal sources for agricultural, conservation, education, and cultural projects which this project targets.

### **PROJECT LOCATION**

- 12. Identify the parcel(s) of land your organization is requesting.
  - a. Tax Map Key Number(s): TMK (2) 2 -1-04: 114 KALIHI, MAKAWAO, MAUI, HAWAII
  - b. Acres: 75.36
  - c. Homestead Area: Non-Homestead Use

- d. Regional Plan Area: At present, no plan.
  - e. Island Plan Land Use Designation: (check all that apply below)
    - i. General Agriculture
    - ii. Conservation
    - iii. Other: Special Management Area
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.



- a. Conceptual layout:
  - i. Traditional hale will be built close to the shoreline within the parcel.
  - ii. Container structures will sit further up from the shore line to house materials, equipment, and supplies.
  - iii. Composting toilets will be constructed in the area close to the container structures for human waste management.
  - iv. Majority of the parcel will be conservation and agriculturally developed.

14. What are the existing uses in the surrounding area? Please describe how your proposed use is consistent with the existing surrounding uses.
  - a. Zoned for conservation and agricultural uses.
  - b. Makena Stables is adjacent to the property.
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.
  - a. Sailing canoe access to the moana and the direct line to ancestral Kahiki Nui.
  - b. Safe bay and landing for educational purposes for beneficiaries.

### **TIMEFRAME**

16. What is the general timeframe for implementing the project (estimated years)? Please identify major benchmarks and phases.
  - a. Phase 1 (5 year plan):
    - i. Construction and build out of roads, placement of container structures, water catchment system, fencing, composting toilets, and traditional hale build.
    - ii. Conservation efforts will include goat and deer eradication, invasive species removal, native planting,
    - iii. Cultural restoration efforts will include surveying property of archaeological sites and cultural resources.
  - b. Phase 2 (10 year plan):
    - i. Beneficiary programs as related to the mission statement.
    - ii. Canoe sailing practices and skill building including fishing, diving, carving, building canoes, lashing, rigging, celestial wayfinding,
    - iii. Growing food plants for sustainable food and hosting beneficiaries groups.
  - c. Phase 3 (15 year plan):
    - i. Hosting exchange programs with native people such as native Alaskan peoples, Native American tribes, Maori, Tahitians, Rapa Nui, and all people of the pacific
    - ii. Cultivate acreage on a weekly basis
    - iii. Maintain structures and equipment annually

**From:** [Chanel Josiah](#)  
**To:** [Burrows-Nuuanu, Leatrice W](#)  
**Subject:** [EXTERNAL] November Agenda  
**Date:** Wednesday, October 23, 2024 4:31:51 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Hi Leah,

Can we be put on the agenda for November?

Mahalo!

**Chanel Josiah** (*she/her*) ([what's this?](#))  
Community Development Director  
Hawaii Community Lending  
Direct: 808-634-3675  
[www.HawaiiCommunityLending.com](http://www.HawaiiCommunityLending.com)



**Hawaii Community Lending** is a 501c3 nonprofit Native community development financial institution that increases access to credit and capital for the economic self-sufficiency of underserved Hawaii residents with a particular focus on Native Hawaiians.

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**J-7**

**From:** [Chris Canto](#)  
**To:** [Burrows-Nuuanu, Leatrice W](#)  
**Cc:** [Collin Gawron](#); [John Wierzbicki](#); [John Rickel](#)  
**Subject:** [EXTERNAL] RE: HHC J Agenda Confirmation Nov. 19, 2024  
**Date:** Friday, November 8, 2024 9:01:49 AM  
**Attachments:** [HHC Presentation 2 - J Agenda Nov 19 - Kanehili Community Association.pdf](#)

---

Aloha Leah,

I have attached the documents we would like the commission to have ahead of our next meeting. We look forward to attending. We will await zoom information on the 12<sup>th</sup>.

As we prepare for the meeting, do you know if there is any other information the HHC can provide, or whom else we could speak to, about the current status of the other DHHL planned community associations whose DCCR's were affected before the adoption of the chapter 10-7 administrative rules? I know this is a complicated situation and you and the commission are very busy, so no worries if that's too big a question to address here.

If you require anything else from us, please don't hesitate to reach out.

Mahalo,  
Chris Canto  
Paralegal  
The Rickel Law Firm, P.C.

---

**From:** Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov>  
**Sent:** Tuesday, October 29, 2024 1:58 PM  
**To:** Chris Canto <ChrisC@rickellaw.com>; DHHL.ContactCenter <dhdl.contactcenter@hawaii.gov>  
**Cc:** John Rickel <jrickel@rickellaw.com>; John Wierzbicki <jwierzbicki@rickellaw.com>; Collin Gawron <cgawron@rickellaw.com>  
**Subject:** HHC J Agenda Confirmation Nov. 19, 2024

Aloha Chris,

Mahalo, for your request to address the Hawaiian Homes Commission in Maui. You are scheduled on the J Agenda for Tuesday, November 19, 2024, with an approximate start time of 9:45 AM, subject to any carry-over items from the previous day. You will have 10 minutes to present to the Commission, followed by a question-and-answer session.

If your presentation includes any additional written documents that you would like included in the Commission's meeting packet, please forward them to me by Monday, November 11, no later than 9:30 AM. This will ensure that your materials are properly included in the packet.

Please watch your email on Tuesday, November 12; I will forward the filed agenda along with the Zoom link for virtual testifiers.

For further details, please visit our webpage for Public and J Agenda Testimonies:

<https://dhhl.hawaii.gov/hhc/testimony>

We look forward to seeing you then.

Mahalo, Leah  
Hawaiian Homes Commission

---

**From:** Chris Canto <[ChrisC@rickellaw.com](mailto:ChrisC@rickellaw.com)>  
**Sent:** Tuesday, October 29, 2024 2:56 AM  
**To:** DHHL.ContactCenter <[dhhl.contactcenter@hawaii.gov](mailto:dhhl.contactcenter@hawaii.gov)>  
**Cc:** John Rickel <[jrickel@rickellaw.com](mailto:jrickel@rickellaw.com)>; John Wierzbicki <[jwierzbicki@rickellaw.com](mailto:jwierzbicki@rickellaw.com)>; Collin Gawron <[cgawron@rickellaw.com](mailto:cgawron@rickellaw.com)>; Burrows-Nuuanu, Leatrice W <[leatrice.w.burrows-nuuanu@hawaii.gov](mailto:leatrice.w.burrows-nuuanu@hawaii.gov)>  
**Subject:** [EXTERNAL] HHC Meeting Appearance Request Nov. 19, 2024

Aloha,

I am writing to request an ZOOM appearance on the J Agenda for:  
John M. Rickel, Esq. on behalf of the Kanehili Community Association

We would like to be heard by the commission at their next meeting on November 19<sup>th</sup>, 2024.

Please confirm, and thank you for your time.

*Christopher Canto*

**Paralegal**

**THE RICKEL LAW FIRM, P.C.**  
A FULL SERVICE CENTENNIAL LAW FIRM, SINCE 1899  
LICENSED TO PRACTICE IN HAWAII, ILLINOIS, MICHIGAN, VIRGINIA, KENTUCKY AND  
MISSOURI  
OFFICE: (586) 415-6600  
FAX: (586) 350-2493  
[www.rickellaw.com](http://www.rickellaw.com)

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THE RICKEL LAW FIRM, P.C.  
JOHN M. RICKEL, HI #009840  
PO Box 36200  
Grosse Pointe Farms, MI 48236-0200  
Telephone: (586) 415-6600  
Fax: (586) 415-0092  
Email: jrickel@rickellaw.com

Attorney for Petitioner Kanehili Community  
Association

**BEFORE THE HAWAIIAN HOMES COMMISSION  
STATE OF HAWAII**

IN THE MATTER OF Kanehili Community  
Association's Request For Review Of Ballot  
Proposal To Adopt Chapter 10-7 And  
Enforcement Of Current Judgments

JOHN M. RICKEL, ATTORNEY FOR  
KANEHILI COMMUNITY ASSOCIATION,

Petitioner, and

HAWAIIAN HOMES COMMISSION,

Respondent.

**KANEHILI COMMUNITY  
ASSOCIATION'S REQUEST FOR  
RELIEF VIA LIEN ENFORCEMENT**

CHAIRMAN: KALI WATSON

COMMISSIONERS: SANOE MARFIL

WALT KANEAKUA

ARCHIE KALEPA

PAULINE NAMU'O

LAWRENCE LASUA

DENNIS NEVES

MICHAEL KALEIKINI

MAKAI FREITAS

**KANEHILI COMMUNITY ASSOCIATION'S REQUEST FOR REVIEW OF BALLOT  
PROPOSAL TO ADOPT CHAPTER 10-7 AND ENFORCEMENT OF CURRENT  
JUDGMENTS**

COMES NOW Petitioner KANEHILI COMMUNITY ASSOCIATION ("Association")  
before this Honorable HAWAIIAN HOMES COMMISSION of the STATE OF HAWAII  
("Commission"), by and through counsel, The Rickel Law Firm, P.C., John Rickel appearing,  
and for its presentation to this panel of commissioners, states as follows:

## I. BALLOT PROPOSAL

1. Kanehili Community Association, by and through it's attorney John M. Rickel, submits for the Commissions approval, the proposed ballot language to adopt *Chapter 10-7 Hawaii Administrative Rules*. **(Exhibit 1)**
2. Kanehili Community Association, by and through it's attorney John M. Rickel, requests relief in the enforcement of the previously awarded judgments submitted before you. **(Exhibit 2)**

Respectfully submitted,



---

JOHN M. RICKEL, HI #009840

Attorney for Petitioner Kanehili Community  
Association

# Exhibit 1

Ballot Proposal

*Proposal to Adopt and Recognize Department of Hawaiian Home Lands*

*- Hawaii Administrative Rules - Chapter 10-7*

(Chapter 10-7 not attached to reduce size)



# Exhibit 2

Previously Awarded Judgments

JUDGMENT

IN THE DISTRICT COURT OF THE FIRST CIRCUIT  
EWA DIVISION  
STATE OF HAWAII

Plaintiff(s)  
KANEHILI COMMUNITY ASSOCIATION, by and through  
its Board of Directors

Defendant(s)  
PETER KEALOHA JR.

Electronically Filed  
FIRST CIRCUIT  
1DRC-21-0009819  
07-JUL-2022

Reserved for Court Use  
Civil No. 1DRC210009819  
12:48 PM  
Dkt. 33 JDG  
Filing Party(ies)/Filing Party(ies)' Attorney (Name, Attorney  
Number, Firm Name (if applicable), Address, Telephone and  
Facsimile Number(s)  
Melanie K. Oyama 10511; Anya M. Perez 9484  
Motooka Rosenberg Lau & Oyama  
1000 Bishop St., Ste. 801  
Honolulu, HI 96813; Tel: 532-7900; Fax: 532-7911

JUDGMENT

JUDGMENT is entered in favor of

- Plaintiff KANEHILI COMMUNITY ASSOCIATION
- Defendant PETER KEALOHA JR., based on the follows (check one):
  - Confession  Trial  Stipulation
  - Default: The Defendant failed to plead or otherwise defend and a default was entered upon proof that Defendant is indebted to Plaintiff
  - Other (Specify: \_\_\_\_\_)
- DISMISSED AS TO (LIST DEFENDANTS):

JUDGMENT

Principal Amount	\$	3,215.00
Interest	\$	
Attorney's Fees	\$	4,033.51
Filing Fees	\$	155.00
Service Fees	\$	43.00
Mileage for Service	\$	19.00
Other Costs	\$	177.51
Total Judgment Amount	\$	7,643.02

Date: JUL 07 2022

Clerk  Judge of the above-entitled Court *[Signature]*

I certify that this is a full, true, and correct copy of the original on file in this office.  
Clerk, District Court of the Above Circuit, State of Hawaii



In accordance with the Americans with Disabilities Act, and other applicable State and Federal laws, if you require an accommodation for your disability when working with a court program, service, or activity please contact the District Court Administration Office at PHONE NO. 538-5121, FAX 538-5233, OR TTY 539-4853 at least (10) working days before your proceeding, hearing, or appointment date.

**JUDGMENT**

<b>IN THE DISTRICT COURT OF THE FIRST CIRCUIT</b> <b>'EWA DIVISION</b> <b>STATE OF HAWAII</b>		Electronically Filed <b>FIRST CIRCUIT</b> <b>1DRC-21-0009849</b> <b>13-JUL-2022</b>
Plaintiff(s) KANEHILI COMMUNITY ASSOCIATION, by and through its Board of Directors	Reserved for Court Use Civil No. 1DRC-21-0009849	
Defendant(s) JAMES K. NAKOA	Filing Party/Attorney Name, Attorney Number, Firm Name (if applicable), Address, Telephone and Fax Numbers Melanie K. Oyama 10511 / Anya M. Perez 9484 Motooka Rosenberg Lau & Oyama 1000 Bishop St., Suite 801 Honolulu, HI 96813 Tel: 532-7900; Fax: 532-7911	

**01:50 PM**  
**Dkt. 44 JDG**

**JUDGMENT**

**JUDGMENT** is entered in favor of  Plaintiff Kanehili Community Association or  
 Defendant \_\_\_\_\_, based on the following (check one):

Confession                       Trial                       Stipulation  
 Default: The Defendant having failed to plead or otherwise defend and a default having been entered upon proof that Defendant is indebted to Plaintiff.  
 Other (Specify: \_\_\_\_\_)  
 **DISMISSED AS TO (LIST DEFENDANTS):**

**JUDGMENT**

Principal Amount.....	\$ <u>3023.74</u> ✓
Interest.....	\$ _____
Attorney's Fees.....	\$ <u>3889.25</u> ✓
Filing Fees.....	\$ <u>155</u> ✓
Service Fees.....	\$ <u>43</u> ✓
Mileage for Service.....	\$ <u>27</u> ✓
Other Costs.....	\$ <u>370.83</u> ✓
<b>TOTAL JUDGMENT AMOUNT.....</b>	<b>\$ <u>7508.82</u> ✓</b>

Clerk     Judge Skellen

*Sam H. Seid*

**Americans with Disabilities Act Notice**



If you need an accommodation for a disability when participating in a court program, service, or activity, please contact the ADA Coordinator as soon as possible to allow the court time to provide an accommodation:

- Call (808) 538-5121, FAX (808) 538-5233 OR send an e-mail to [adarequest@courts.hawaii.gov](mailto:adarequest@courts.hawaii.gov). The court will try to provide, but cannot guarantee, your requested auxiliary aid, service or accommodation. If you need help with this document, please call (808) 538-5629 or visit the District Court Service Center at 1111 Alakea Street, Third Floor.

JUDGMENT

Form #1DC 34

IN THE DISTRICT COURT OF THE FIRST CIRCUIT  
EWA DIVISION

STATE OF HAWAII

Plaintiff(s)

KANEHILI COMMUNITY ASSOCIATION, by and through  
its Board of Directors

Electronically Filed  
FIRST CIRCUIT  
1DRC-21-0010482  
01-JUL-2022

01:31 PM

Received for Court Use

Civil No.

Dkt. 33 JDG

1DRC210010482

Defendant(s)

KRISTEN N SAMUELU

Filing Party(ies) Filing Party(ies) Attorney (Name, Attorney  
Number, Firm Name (if applicable), Address, Telephone and  
Facsimile Number(s))

Melanie K. Oyama 10511 Anya M. Perez 9484  
Motooka Rosenberg Lau & Oyama  
1000 Bishop St., Ste. 601  
Honolulu, HI 96813. Tel. 532-7900; Fax 532-7911

JUDGMENT

JUDGMENT is entered in favor of

Plaintiff KANEHILI COMMUNITY ASSOCIATION

Defendant KRISTEN N SAMUELU

based on the follows (check one)

Confession

Trial

Stipulation

Default: The Defendant failed to plead or otherwise defend and a default was entered upon proof that Defendant is indebted to Plaintiff

Other (Specify: \_\_\_\_\_)

DISMISSED AS TO ALL DEFENDANTS

JUDGMENT

Principal Amount	\$	3,250.00
Interest	\$	
Attorney's Fees	\$	4,145.59
Filing Fees	\$	155.00
Service Fees	\$	43.00
Mileage for Service	\$	0.00
Other Costs	\$	118.39
Total Judgment Amount	\$	7,711.98

JUL 01 2022

Date

Clerk

*William J. [Signature]*

Judge of the above entitled Court *WJ*

I certify that this is a full, true and correct  
copy of the original on file in this office

Clerk, District Court of the Above Circuit, State of Hawaii



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**JUDGMENT**

IN THE DISTRICT COURT OF THE FIRST CIRCUIT  
 'EWA DIVISION  
 STATE OF HAWAII

Electronically Filed  
 FIRST CIRCUIT  
 1DRC-21-0009817  
 01-JUL-2022  
 10:10 AM

Plaintiff(s)  
 KANEHILI COMMUNITY ASSOCIATION, by and through  
 its Board of Directors

Received for Court Use  
 Civil No. 1DRC210009817  
 Dkt. 33 JDG

Defendant(s)  
 MICHAEL K. MANALO

Filing Party(ies)/Filing Party(ies)' Attorney (Name, Attorney  
 Number, Firm Name (if applicable), Address, Telephone and  
 Facsimile Number(s))  
 Melanie K. Oyama 10511 Anya M. Perez 9484  
 Motooka Rosenberg Lau & Oyama  
 1000 Bishop St., Ste. 801  
 Honolulu HI 96813, Tel 532-7900 Fax 532-7911

**JUDGMENT**

JUDGMENT is entered in favor of

- Plaintiff KANEHILI COMMUNITY ASSOCIATION
- Defendant MICHAEL K. MANALO based on the follows (check one)
- Confession  Trial  Stipulation
- Default: The Defendant failed to plead or otherwise defend and a default was entered upon proof that Defendant is indebted to Plaintiff
- Other (Specify \_\_\_\_\_)
- DISMISSED AS TO (LIST DEFENDANT(S))

**JUDGMENT**

Principal Amount	2,660.00	✓
Interest	3,536.02	✓
Attorney's Fees	155.00	✓
Filing Fees	43.00	✓
Service Fees		
Mileage for Service	157.04	✓
Other Costs		
<b>Total Judgment Amount</b>	<b>6,551.06</b>	<b>-</b>

Date **JUL - 1 2022**

*William O*  
 Clerk  Judge of the above entitled Court

I certify that this is a full, true, and correct copy of the original on file in this office

Clerk, District Court of the Above Circuit, State of Hawaii



In accordance with the Americans with Disabilities Act, and other applicable State and Federal laws, if you require an accommodation for your disability when working with a court program, service, or activity please contact the District Court Administration Office at PHONE NO 538-5121, FAX 538-5233 OR TTY 530-4853 at least 110 working days before your proceeding, hearing, or appointment date.

**JUDGMENT**

<p><b>IN THE DISTRICT COURT OF THE FIRST CIRCUIT</b>  <b>WAI'ANAЕ DIVISION</b>  <b>STATE OF HAWAII</b></p>	<p>Electronically Filed  <b>FIRST CIRCUIT</b>                  1RC191002905                  31-DEC-2020                  10:54 AM                  Dkt. 38 JDG</p>
<p>Plaintiff(s)                  KANEHILI COMMUNITY ASSOCIATION, by its Board of Directors</p>	<p>Reserved for Court Use                  Civil No.                  1RC191002905</p>
<p>Defendant(s)                  DANIEL K. K. KAWAAUHAU</p>	<p>Filing Party(ies)/Filing Party(ies)' Attorney (Name, Attorney Number, Firm Name (if applicable), Address, Telephone and Facsimile Numbers)                  Janelle M.F. Lau 8804; Seth J. Corpuz-Lahne 10949                  Motooka Rosenberg Lau &amp; Oyama                  1000 Bishop St., Ste. 801                  Honolulu, HI 96813; Tel: 532-7900; Fax: 532-7911</p>

**JUDGMENT**

JUDGMENT is entered in favor of

Plaintiff KANEHILI COMMUNITY ASSOCIATION

Defendant DANIEL K. K. KAWAAUHAU, based on the follows (check one):

Confession       Trial       Stipulation

Default: The Defendant failed to plead or otherwise defend and a default was entered upon proof that Defendant is indebted to Plaintiff

Other (Specify: \_\_\_\_\_)

DISMISSED AS TO (LIST DEFENDANTS): \_\_\_\_\_

**JUDGMENT**

Principal Amount .....	\$	3,735.00
Interest .....	\$	6,953.71
Attorney's Fees .....	\$	155.00
Filing Fees .....	\$	75.76
Service Fees .....	\$	30.00
Mileage for Service .....	\$	20.85
Other Costs .....	\$	10,970.32
<b>Total Judgment Amount .....</b>	<b>\$</b>	<b>10,970.32</b>

Date: **DEC 31 2020**

Clerk  Judge of the above-entitled Court *[Signature]*

I certify that this is a full, true, and correct copy of the original on file in this office.

\_\_\_\_\_  
 Clerk, District Court of the Above Circuit, State of Hawaii

**JUDGMENT**

<b>IN THE DISTRICT COURT OF THE FIRST CIRCUIT</b> <b>'EWA DIVISION</b> <b>STATE OF HAWAII</b>		Electronically Filed <b>FIRST CIRCUIT</b> 1DRC-21-0009841 05-JUL-2022 08:55 AM Dkt. 34 JDG
Plaintiff(s) KANEHILI COMMUNITY ASSOCIATION, by and through its Board of Directors	Reserved for Court Use Civil No. 1DRC210009841	
Defendant(s) DANIEL C. YOUNG	Filing Party(ies)/Filing Party(ies)' Attorney (Name, Attorney Number, Firm Name (if applicable), Address, Telephone and Facsimile Numbers) Melanie K. Oyama 10511 / Anya M. Perez 9484 Motooka Rosenberg Lau & Oyama 1000 Bishop St., Ste. 801 Honolulu, HI 96813; Tel: 532-7900; Fax: 532-7911	

**JUDGMENT**

JUDGMENT is entered in favor of

- Plaintiff** KANEHILI COMMUNITY ASSOCIATION
- Defendant** DANIEL C. YOUNG, based on the follows (check one):
- Confession                       Trial                       Stipulation
- Default: The Defendant failed to plead or otherwise defend and a default was entered upon proof that Defendant is indebted to Plaintiff
- Other (Specify: \_\_\_\_\_)
- DISMISSED AS TO (LIST DEFENDANTS):** \_\_\_\_\_

**JUDGMENT**

Principal Amount .....	\$	3,865.00 ✓
Interest .....	\$	
Attorney's Fees .....	\$	4,011.11 ✓
Filing Fees .....	\$	155.00 ✓
Service Fees .....	\$	43.00 ✓
Mileage for Service .....	\$	19.00 ✓
Other Costs .....	\$	115.71 ✓
 Total Judgment Amount .....	 \$	 8,208.82 ✓

Date: **JUL 05 2022**                       Clerk  Judge of the above-entitled Court *SKO/KMS*

I certify that this is a full, true, and correct copy of the original on file in this office.

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Clerk, District Court of the Above Circuit, State of Hawaii



In accordance with the Americans with Disabilities Act, and other applicable State and Federal laws, if you require an accommodation for your disability when working with a court program, service, or activity please contact the District Court Administration Office at PHONE NO. 538-5121, FAX 538-5233, OR TTY 539-4853 at least (10) working days before your proceeding, hearing, or appointment date.

**J-8**

**From:** [Sonny Keakealani](#)  
**To:** [Burrows-Nuuuanu, Leatrice W](#)  
**Subject:** [EXTERNAL] Request to be added to November Commissioners' Meeting  
**Date:** Wednesday, October 30, 2024 12:52:25 PM

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Aloha Lea,

I would like to be added to the November Commissioners' Meeting agenda please.  
RE: Leases 10155 and 9043.

Mahalo,  
Luana Keakealani for Sherilyn Wahinekapu

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**Keakealani Cattle Company, LLC**  
PO Box 6141  
Waimea, HI 96743  
Ph 808-430-4301

**From:** [dhl.icro1@hawaii.gov](mailto:dhl.icro1@hawaii.gov)  
**To:** [Burrows-Nuuanu, Leatrice W](#)  
**Subject:** New submission from Submit J-Agenda Testimony  
**Date:** Thursday, October 31, 2024 10:22:38 AM

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**Name**

Jojo Tanimoto

**Email**

[guavaland622@gmail.com](mailto:guavaland622@gmail.com)

**Message**

Please include me for November agenda-various concerns

**J-10**

**From:** [De Mont Kalai Manaole](#)  
**To:** [Burrows-Nuuanu, Leatrice W](#)  
**Subject:** [EXTERNAL] J Agenda Request  
**Date:** Wednesday, October 30, 2024 11:17:54 AM

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Aloha Leah!

Could you please place my name on the J Agenda for November.

Mahalo!

De MONT Kalai Manaole  
Co-Manager of Ho'omana Pono, LLC

**From:** [Piilaniwahine kalanikauleleaiwi](#)  
**To:** [Burrows-Nuuanu, Leatrice W](#)  
**Subject:** [EXTERNAL] Re: J Agenda Testimony - Hawaiian Homes Commission Meeting - Tuesday, October 22, 2024  
**Date:** Tuesday, November 5, 2024 9:11:53 AM  
**Attachments:** [image001.png](#)

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May I request to be on Novembers agenda J . For a followup with september inquiry.

On Tue, Oct 15, 2024 at 7:26 PM Burrows-Nuuanu, Leatrice W <[leatrice.w.burrows-nuuanu@hawaii.gov](mailto:leatrice.w.burrows-nuuanu@hawaii.gov)> wrote:

Aloha Kākou,

This email confirms your written request to address the Hawaiian Homes Commission at its meeting on **Tuesday, October 22, 2024**.

Note: There are 22 testifiers listed on the J Agenda this month, and Commissioners have a contested case hearing scheduled for 1:30 p.m. There is a very strong chance that everyone may not be heard. If we do not get to you, please email me following the meeting and we will do our best to reschedule you for November. Alternatively, feel free to submit written testimonies if you haven't already done so.

The J agenda is scheduled for Tuesday after the Public Testimony on Agendized Items and any carryover items from Monday's agenda. If you plan to testify for an action item listed on the Monday agenda, please sign up for Monday's *Public Testimony* to give your mana'o before action is taken. See below.

**Public Testimony on Agendized Items:** Testimony on Agendized Items can be provided either:

1. In person at the meeting location by completing a form at the reception table.
2. Written testimony should be sent to Commission Meeting Testimony, P.O. Box 1879, Honolulu, HI, 96815, or emailed to [dhh.icro@hawaii.gov](mailto:dhh.icro@hawaii.gov) by October 18, 2024.
3. Live, oral testimony online by joining the Zoom meeting and updating your profile to include the agenda item you will speak on. Participation requires a computer with internet access, a video camera, and a microphone. If you need access by phone only, please specify it in your request.

Public testimony on any item relevant to this agenda may be presented at the beginning of the meeting, or individuals may wait until the agenda item is called for discussion. In accordance with sections 92-3, Hawaii Revised Statutes, and sections 10-2-11(c), Hawaii Administrative Rules, the Chair of the Commission holds the authority to impose reasonable conditions to ensure an orderly and efficient meeting.

**J-12**

**From:** [Kapua Keliikoa-Kamai](#)  
**To:** [Burrows-Nuuanu, Leatrice W](#)  
**Subject:** [EXTERNAL] HHC Testimony for Nov 19, 2024  
**Date:** Tuesday, November 5, 2024 6:04:49 PM

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Aloha Leah,  
Please register me for November's J-Agenda. I'll be speaking to various concerns. Mahalo.

a hui hou,  
kapua  
808.690.1787

*'A'ohe hana nui ke alu 'ia.*

*No task is too big when done together by all.*

*'Ōlelo No'eau #142*

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