

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

Hale Pono‘i, 91-5420 Kapolei Parkway, Kapolei, O‘ahu, 96707, and Zoom Meeting ID: 609 754 2925
Tuesday, January 21, 2025, at 9:30 a.m. to be continued, if necessary,
on Wednesday, January 22, 2025, at 9:30 a.m.

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

Note: Commission Meeting Packets will be available at dhhl.hawaii.gov by Wednesday, January 16, 2025.

I. ORDER OF BUSINESS

- A. Roll Call
- B. Approval of Agenda
- C. Approval of Minutes:
 - a. December 16 & 17, 2025 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 December 2024 (see exhibit)
- D-5 Reinstatement of Deferred Application (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 Commission Designation of Successor – **ELLA N. CORREA**, Residential Lease No. 12321, Lot No. UNDV002, Kapolei, Oahu

B. REGULAR AGENDA

Office of the Chairman

- C-1 Approval of the Recommendations of the Investigative Committee on Leaves of Absence and the Lessee Appointed Caretaker of the Homestead Lot(s)
- C-2 Approval to Authorize the Department of Hawaiian Home Lands to Negotiate an Agreement to Accept Donation of 3.389-acre parcel in Ewa, Island of Oahu, TMK (1) 9-1-181-031.

Land Management Division

- F-1 Approval to Annual Renewal of Right of Entry Permit(s) and Conversion to Revocable Permits: ROE No. 599 – Parker Ranch, West Hawaii Island; ROE Nos. 600 – Kennard Hicks; 511 – Rober D. Lyman; and 527 – Waianae Valley Farm Ltd., West Oahu Island, various TMK’s (see exhibit)
- F-2 Approval to Issue New License to City & County of Honolulu, Department of Parks & Recreation, Kaupuni Park; TMK No. (1)8-5-032:039
- F-3 Approval to Issue a Right of Entry Permit, Ahonui Homestead Association, Ualapue, Molokai Island, TMKS: (2) 5-6-002:024, 025, 026, 027, 036 & (2) 5-6-006:017
- F-4 Approval to Issue a General Lease, County of Maui, Department of Public Works, Honokowai, Lahaina, Maui Island, TMK No. (2) 4-4-002:003 (por.)
- F-5 Approval to Issue Pastoral Right Of Entry Permit, to Puu Huluhulu Ranch and Farm for Security and Stewardship, Humuula, Hawaii Island, TMK(s) (3) 3-8-001:007, (3) 2-6-018:002
- F-6 Approval to negotiate and enter into MOA with DLNR to accept USDA, Land Owner Assistance Funds, Humuula, Hawaii Island, TMK(s) (3) 3-8-001:002, :007, :009

Planning Office

- G-1 Declare a Finding of No Significant Impact for the Waiohuli Hawaiian Homestead Association’s Economic Development Opportunity (WE-DO) Project Final Environmental Assessment, Waiohuli Ahupua’a, Makawao, Maui, TMK (2)-2-2-002:014 & (2)-2-2-028:181
- G-2 Approval of Dr. Jonathan Likeke Scheuer as the Hawaiian Homes Commission’s Representative to the Maui County East Maui Regional Community Board

III. ITEMS FOR INFORMATION/DISCUSSION

A. REGULAR ITEMS

Office of the Chairman

- C-3 For Information Only – Appointment of Permitted Interaction Group Pursuant to HRS Section 92-2.5 and HAR Section 10-2-16(b)(1), to Monitor, Advise, and Report on the Indigent Native Hawaiian Homesteading Pilot Project
- C-4 For Information Only - Status Report of DHHL Enforcement Unit Efforts and Statistics (December 9, 2024 - January 12, 2025)

Homestead Services Division

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

Land Development Division

- E-1 For Information Only – Awards Schedule for Calendar Year 2025 & The Respective Projects

Land Management Division

F-7 For Information Only – Update on General Leases and Revocable Permits Issued in 2024

Planning Office

G-3 For Information Only — Draft Environmental Assessment and Anticipated Finding of No Significant Impact (AFONSI) for DHHL North Kona Wells Project – Gianulias Site, Island of Hawai‘i TMK No. (3)-7-5-014:001 and 011 (por.)

G-4 For Information Only – Draft Environmental Assessment and Anticipated Finding of No Significant Impact (AFONSI) for the DHHL Wākiu Homestead Development Master Plan, Hāna, Maui TMK No. (2) 1-3-004:011, 012, 017 and 018 (por.)

ANNOUNCEMENTS AND RECESS

1. No DHHL Community Meeting in January.

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

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

Wednesday, January 22, 2025, at 9:30 a.m.

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

I. ORDER OF BUSINESS

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

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

II. ITEMS FOR INFORMATION/DISCUSSION

A. GENERAL AGENDA

Requests to Address the Commission

- J-1 Jan Makepa – Waianae Valley Homestead Association
- J-2 Kapiolani Spencer – Lease Concern
- J-3 Germaine Meyers – Various Concerns
- J-4 Patty Teruya Kahanamoku – Various Concerns
- J-5 Guy Gaspar – Various Concerns
- J-6 Chanel Josiah - Hawai‘i Community Lending
- J-7 Jessie Nihoa – Award Concern
- J-8 Homelani Schaedel – Malu‘ōhai Residents’ Association
- J-9 Iwalani McBrayer – Kaupe‘a Homestead Association
- J-10 Dickenson Stone – Ualapu‘e Concerns
- J-11 Kauai Almeida – Pana‘ewa Hawaiian Home Lands Community Association
- J-12 Kekoa Enomoto – Paupena Community Development Corporation
- J-13 Donna Sterling – Kahikinui Concerns
- J-14 De Mont Manaole – Ho‘omanapono LLC
- J-15 Jojo Tanimoto – Kawaihae Concerns
- J-16 Robin Keliinohomoku – Pulehunui Homestead Association

III. ANNOUNCEMENTS AND ADJOURNMENT

- A. Next Regular HHC Meeting –February 18 & 19, 2025, (Tuesday and Wednesday) Hale Pono‘i, 91-5420 Kapolei Parkway, Kapolei, Oahu, 96707.
- B. Adjournment



Kali Watson, Chairman
Hawaiian Homes Commission

COMMISSION MEMBERS

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

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

If you need an auxiliary aid/service or other accommodation due to a disability, contact Michael Lowe at 730-0298 or michael.l.lowe@hawaii.gov as soon as possible, preferably by January 17, 2025. 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 January 17, 2025, 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, and a microphone to participate. Your computer will also need a video camera if you would like to be visible to Commission members and other meeting participants.

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
ALFARO, Regina	12689	Kaupuni, Oahu
AH SAU, Edyne N.	4167	Paukukalo, Maui
HATORI, Josephine K.	4437	Waianae, Oahu
HOOHULI, Keri C.	2955	Nanakuli, Oahu
KAAIKALA, Roxann K.	4940	Nanakuli, Oahu
KALEIKULA-KELE, Malisa M.	3799	Nanakuli, Oahu
MAHIAI-PALEKA, Jamie W.	3617	Kalamaula, Molokai
MCCABE, Regenalld	13019	Anahola, Kauai
MCCABE, Steven Lono Anolani	13019	Anahola, Kauai
PEREIRA, Joyal K.K.	12723	Laiopua, Hawaii
PURDY, Allen N.	12293	Hikina, Maui
SETO, Duncan K.	11311	Kaunama, Hawaii

ITEM D-3 EXHIBIT**APPROVAL OF HOMESTEAD APPLICATION TRANSFERS / CANCELLATIONS**

APPLICANT	AREA
DAVIS, Wendell B.K.	Maui IW Res
FIGUEROA, Maryann M.	Maui IW Res to Hawaii IW Res
FIGUEROA, Maryann M.	Molokai IW Agr to Hawaii IW Agr
HEANU, Clement L.	Oahu IW Res
HOOPAI, Jason K.	Maui IW Res
HUSSEY, Wilfred K., Sr.	Waimea Area / Hawaii IW Pas
IRVINE-HALAMA, Tiffany K.K.	Oahu IW Res
JOHNASSEN, Austin K.K.H.	Hawaii IW Agr to Oahu IW Agr
JOHNASSEN, Austin K.K.H.	Hawaii IW Res to Oahu IW Res
KAHOALII, Luther L.	Maui IW Res
KALEIKINI, Maraena M.	Hoolehua Area / Molokai IW Agr
KAMAHA, Delvonn	Maui IW Res
KAMAHA, Delvonn	Hawaii IW Agr
KAMMERER, Heitiare K.B.Y.W.	Maui IW Res
KELIHWAIWAIIOLE, Catherine	Papakolea / Kewalo Area / Oahu IW Res
KENOLIO, Abbie K.	Waimanalo Area / Oahu IW Res
KEOMAKA, Stanley	Maui IW Agr to Oahu IW Agr
KINI, Nalani K.	Oahu IW Res
KEOHUHU, Helen K.	Nanakuli Area / Oahu IW Res
LOO, Robert H.	Hawaii IW Pas
LOW, Bella	Waimanalo Area / Oahu IW Res
LOW, Daniel L.	Maui IW Res

MIURA, Wenonah K.	Papakolea / Kewalo Area / Oahu IW Res
NAKILA-MEYERS, Eileen L.	Maui IW Res
NEWCOMB, Paul K.	Paukukalo Area / Maui IW Res
NUU, David K.	Waimea Area / Hawaii IW Pas
OBREY, Maryann M.	Hawaii IW Res
POHAKU, Maile K.	Nanakuli Area / Oahu IW Res
PELEKANE, Lana L.	Maui IW Res
SAKAMOTO, Ethel K.	Waimanalo Area / Oahu IW Res
THIBODEAUX, Makamae J.A.	Maui IW Res
WALLACE, Deborah L.	Maui IW Res
YEE HOY, Charles Jr.	Waimea Area / Hawaii IW Pas
	* IW = Islandwide

ITEM D-4 EXHIBIT

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

APPLICANT	AREA
ABENES, Leimana K.	Hawaii IW Agr
ABENES, Leimana K.	Hawaii IW Res
AFONG, Hartwell N.I.	Oahu IW Agr
AFONG, Hartwell N.I.	Oahu IW Res
AFONG, Haydie N.	Oahu IW Agr
AFONG, Haydie N.	Oahu IW Res
AHINA, Luther K.	Oahu IW Res
AIWOHI, Robert B., Jr.	Hawaii IW Agr
AIWOHI, Robert B., Jr.	Hawaii IW Res
AKANA, Michael H.H.K.	Oahu IW Res
AKANA, Michael H.H.K.	Maui IW Agr
AKINA, Robert K.	Oahu IW Res
AKINA, Robert K.	Hawaii IW Pas
ANAKALEA-HALEAMAU, Kaleonani M.	Hawaii IW Agr
ANAKALEA-HALEAMAU, Kaleonani M.	Hawaii IW Res
ARCE, Hokua K.	Hawaii IW Agr
ARCE, Hokua K.	Molokai IW Res
ARCE, Kamalua L.	Molokai IW Agr
ARCE, Kamalua L.	Molokai IW Res
BAKER, Brian K., Jr.	Oahu IW Agr
BAKER, Brian K., Jr.	Oahu IW Res
BURNS, Costen A.I.	Oahu IW Res
BURNS, Costen A.I.	Hawaii IW Agr
DEFREITAS, Edmanuel K.	Oahu IW Res
ELLIS, Shauna L.	Oahu IW Res
ELLIS, Shauna L.	Hawaii IW Agr
FILOTEO, Franciso II	Hawaii IW Agr
FILOTEO, Franciso II	Hawaii IW Res

FRONDA, Elisha K.	Maui IW Res
FRONDA, Elisha K.	Hawaii IW Agr
HALL, Loyd L.	Oahu IW Agr
HALL, Loyd L.	Oahu IW Res
HALMAS, Donalea E.	Hawaii IW Agr
HALMAS, Donalea E.	Hawaii IW Res
KAHALEHOE, Amanda M.	Maui IW Agr
KAHALEHOE, Amanda M.	Maui IW Res
KALANI, Kaelo K.	Oahu IW Agr
KALANI, Kaelo K.	Oahu IW Res
KALANI, Makena K.	Oahu IW Agr
KALANI, Makena K.	Oahu IW Res
KALEIKULAKALAULI, Sheldon K.	Oahu IW Agr
KALEIKULAKALAULI, Sheldon K.	Oahu IW Res
KALIKO, William E., III	Oahu IW Agr
KALIKO, William E., III	Oahu IW Res
KALUA, Britney T.M.	Hawaii IW Agr
KALUA, Britney T.M.	Hawaii IW Res
KAMAKA, Delvonn	Maui IW Res
KAMAKA, Delvonn	Hawaii IW Agr
KAUHI, Anstyn K.K.	Hawaii IW Agr
KAUHI, Anstyn K.K.	Hawaii IW Res
KAUHI, Austyn-Kaulana L.K.	Oahu IW Res
KAUHI, Austyn-Kaulana L.K.	Hawaii IW Agr
KEANAAINA, Iwalani-Marie K.	Hawaii IW Pas
KEANAAINA, Iwalani-Marie K.	Hawaii IW Res
KOAHOU, Shawna N.L.	Oahu IW Agr
KOAHOU, Shawna N.L.	Oahu IW Res
KOTRYS, Travis P.K.	Oahu IW Agr
KRUEGER, Beatrice	Waianae Area / Oahu IW Res
LAHUI, James K., Jr.	Waimanalo Area / Oahu IW Res
LEE, Linden	Hawaii IW Agr
MAHI, Antone	Waimea Area / Hawaii IW Pas
MATSUDA, Nancy	Waimea Area / Hawaii IW Pas
PARKER, Denise L.	Oahu IW Agr
PARKER, Denise L.	Oahu IW Res
PASCO, Edward K.	Waimanalo Area / Oahu IW Res
PASCUAL, Abraham	Waimanalo Area / Oahu IW Res
PERREIRA, Elizabeth	Waimanalo Area / Oahu IW Res
PERRY, May	Waimanalo Area / Oahu IW Res
PLUNKETT, Geraldine	Waimanalo Area / Oahu IW Res
POPOVICH, Maxine K.	Nanakuli Area / Oahu IW Res
PRIESTLEY, Piikea K.	Hoolehua Area / Molokai IW Agr
PRIESTLEY, Piikea K.	Hoolehua Area / Molokai IW Res
PUA, James K.K., Jr.	Waimanalo Area / Oahu IW Res
PULIDO, Julia	Waimanalo Area / Oahu IW Res

RODRIGUES, Sarah K.	Waimanalo Area / Oahu IW Res
SAVAIINAEA, Teri K.	Oahu IW Agr
SAVAIINAEA, Teri K.	Oahu IW Res
TABON, Buster J.	Maui IW Agr
TABON, Buster J.	Maui IW Res
VICTOR, Darnele K.	Oahu IW Res
VICTORINO, Violet K.	Keaukaha / Waiakea Area / Hawaii IW Res
WAIALAMA-MAKANEALE, Christin M.P.L.N.	Oahu IW Agr
WAIALAMA-MAKANEALE, Christin M.P.L.N.	Oahu IW Res
WAIALAE, Edmund K.D.	Oahu IW Res
WAIALAE, Edmund K.D.	Hawaii IW Agr
	* IW = Islandwide

ITEM D-5 EXHIBIT
REINSTATEMENT OF DEFERRED APPLICATION

MAIOHO, Jamie F.	Waimanalo Area / Oahu IW Res
	* IW = Islandwide

ITEM D-6 EXHIBIT
APPROVAL OF ASSIGNMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
COLLINS, Evelyn K.	5361	Waianae, Oahu
GAESTEL, Uilani J. S. L.	3650	Waimanalo, Oahu
JEREMIAH, Bryan E.	4249	Keaukaha, Hawaii
KIPILII, Obed L.	8972	Waiakea, Hawaii
YAGODICH, Darrell C.	9955	Waiehu 3, Maui
AIKALA, Richard T., Jr.	10368	Waiohuli, Maui
TERIIPAIA, Dayna H.	10753	Laiopua, Hawaii

ITEM D-7 EXHIBIT
APPROVAL OF AMENDMENT OF LEASEHOLD INTEREST

LESSEE	LEASE NO.	AREA
GAESTEL, Uilani J. S. L.	3650	Waimanalo, Oahu
KALAMA, Pamela K.	3741	Waimanalo, Oahu
KELII, Arivella P.	464	Nanakuli, Oahu
NAONE, Charles L., Jr.	3426	Nanakuli, Oahu
TYLER, Russell L.	3284	Nanakuli, Oahu
WERNER, Floyd K.	2929	Nanakuli, Oahu
WONG, Clifford	3621	Anahola, Kauai

ITEM D-8 EXHIBIT

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

LESSEE	LEASE NO.	AREA
AKAKA, Raymond K.	1632	Nanakuli, Oahu
AKAKA-ODOM, Kehaunani H.	1632	Nanakuli, Oahu
DOWNEY, Jo-Lynn	11943	Kaupea, Oahu
GOSS, Theresa	6318	Keaukaha, Hawaii
ILAE, James-Ian K.	12691	Kaupuni, Oahu
KAAA, Alanna S.	12107	Kaupea, Oahu
KAHAHAINA, Andrenett L.	12793	Maluohai, Oahu
KAANHUE, Robert K.	11061	Anahola, Kauai
KAHIKINA, Michael E. R. H.	4443	Waianae, Oahu
KALILIMOKU, Frederick K.	12467	Kauluokahai, Oahu
KALILOA, Charles K.	6006	Kekaha, Kauai
MANNERS, Alexander L.	7267	Nanakuli, Oahu
MONTEZ, Maury M.	9786	Maluohai, Oahu
OPUNUI, Moses M.	548	Nanakuli, Oahu
PADILLIO, Diego W. C.	9412	Kaniohale, Hawaii
PAI, Delayne D.	8872	Hanapepe, Kauai
SAMOA, Terrence P.	3786	Nanakuli, Oahu
TEXEIRA, Paul J., Jr.	935	Nanakuli, Oahu
TEXEIRA, Monica L.	935	Nanakuli, Oahu
TORRICER, Clement T.	9950	Waiehu 3, Maui
TORRICER, Sylvia	9950	Waiehu 3, Maui
VIERRA, Cynthia K.	2460	Waimanalo, Oahu
VIERRA, Robert	2460	Waimanalo, Oahu
WRIGHT, Melva Maureen U.	11353	Kekaha, Kauai

ITEM NO. F-1

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

NO.	ACRE	PERMITTEE/ADDRESS	TMK	Date Started
599	381.0	PARKER RANCH	(3) 6-5-001:011 & :019	7/1/1977

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

NO.	ACRE	PERMITTEE/ADDRESS	TMK	Date Started
600	6.40	KENNARD HICKS	(1) 8-6-028:002(POR)	11/1/2009
511	1,126.0	ROBERT D. LYMAN	(1) 8-9-008:003	6/16/1991
527	438.0	WAIANAEE VALLEY FARM, LTD	(1) 8-9-007:002(POR)	02/01/1991

DENOTES BENEFICIARY


Hawaiian Homes Commission Meeting Packet
January 21 & 22, 2025
Hale Pono'ī, Kapolei, Oahu

C ITEMS

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

January 21, 2025

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Juan Garcia, Administrator
Homestead Services Division 

SUBJECT: **Investigative Committee on Leaves of Absence and the Lessee Appointed Caretaker of the Homestead Lot Lot(s)**

RECOMMENDED MOTION/ACTION

Motion to Approve the recommendations as listed, and direct the Department to implement the following:

1. **Draft Interim Policies and Finalize Required Forms:**
 - a) Develop and publish an interim policy to provide immediate guidance while formal rule amendments are pursued.
 - b) Revise and standardize DHHL Leave of Absence request forms.
2. **Seek Commission Approval of Interim Policy**
3. **Training and Communication:**

Conduct training sessions for DHHL staff on the updated policies and communicate changes clearly to lessees.
4. **Monitor and Evaluate:**

Develop and implement a monitoring process to evaluate the effectiveness of the interim policy and identify areas for improvement before formal rulemaking.
5. **Formal Rulemaking:**

Undertake the process of amending administrative rules to ensure clarity and enforceability of Leave of Absence agreements.

DISCUSSION

At the July 15-16, 2024, regular meeting of the Hawaiian Homes Commission (HHC or Commission), an investigative committee was appointed to study, evaluate, and recommend policies, guidelines, and strategies related to the use of caretakers by lessees during extended absences. The committee members included Michael Kaleikini, Dennis Neves, and Sanoë Marfil, who served as chair.

BACKGROUND

Under Section 10-2-16(b)(4) of the Department of Hawaiian Home Lands (DHHL) administrative rules, the Chairman of DHHL has the authority to approve leaves of absence. However, the rules lack specific guidelines or policies governing leaves of absence.

Historically, leaves of absence have been approved for lessees required to be off island for reasons such as:

1. Military deployment,
2. Temporary relocation by an employer or religious organization,
3. Medical treatment,
4. Pursuing higher education, or
5. Health and safety concerns.

Leaves of absence are typically granted for up to 12 months, with the option for lessees to request extensions beyond the initial period.

INVESTIGATIVE COMMITTEE ACTIVITIES:

The committee convened on September 6, October 4, October 31, and December 4, 2024, to examine the following areas:

1. Existing administrative and policy frameworks,
2. Development of an interim policy pending formal rule amendments,
3. Revision and creation of necessary DHHL forms,
4. Drafting a leave of absence agreement, and
5. Defining responsibilities of lessees and caretakers.

The committee considered the following:

1. Existing administrative and policy matters;
2. Development of an interim policy until appropriate administrative rules may be amended;
3. Revisions/creation of necessary DHHL forms;
4. Creation of a leave of absence agreement;
5. Responsibilities of the Lessee(s) and the caretaker;
6. Adding "Other" as an additional reason for requesting a leave of absence, which is to be approved at the discretion of the Chair.

Staff that participated in the discussions included Hokulei Lindsey, Deputy Attorney General, Leah Burrows-Nuuanu, HHC Secretary, and Juan Garcia, HSD Administrator.

KEY CONSIDERATIONS:

1. Expanded Leave Eligibility:

The committee proposed allowing leaves of absence for cases where a lessee plans to accompany a qualified relative(s) (spouse, child, grandchild, or sibling with at least 25% Hawaiian blood, as defined by Section 209 of the Hawaiian Homes Commission Act) who are being relocated.

2. Incarceration-Related Leaves:

Discussions addressed the complexities of handling lessee incarceration and DHHL's ability to pursue administrative hearings when lessees cannot represent themselves.

3. Duration of Leave:

The committee recommended maintaining the 12-month limit on leaves of absence, with discretionary authority for the Chairman to approve extensions beyond this period.

4. Information Gathering:

The DHHL will gather and review details such as:

- o Compliance with lease conditions,
- o Whether the lessee is directly impacted,
- o The role of qualified family members in the request, and
- o Validity of reasons for leave, including military deployment, employment, religious assignments, medical treatment, higher education, health and safety.

RECOMMENDATION

Staff respectfully requests approval of the motion as stated.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
LEAVE OF ABSENCE REQUEST

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

Dear Chairman of the Department of Hawaiian Home Lands:

I, _____, a Lessee with the Department of Hawaiian Home Lands, request your approval of my absence from my homestead lot for the period:

From: _____ (MM/DD/YYYY) **To:** _____ (MM/DD/YYYY)

Res/Pas/Ag (circle one) Lease No. _____, Lot No. _____, situated at

(Area/Island):

Will the caretaker reside on the homestead lot? Is the residence a DHHL-approved and County permitted dwelling? If yes, provide address:

Res/Pas/Ag (circle one) Lease No. _____, Lot No. _____, situated at

(Area/Island)

The person (caretaker) who will be responsible to care for and maintain my homestead lot on my behalf is:

First Name, M.I., Last Name

who is my _____ (Relationship).

Caretaker's contact information:

Mailing Address: _____

Email Address: _____

Telephone/Cell Number(s): _____

In case of an emergency – Alternate Contact Information:

(Name/Relationship to caretaker): _____

Mailing Address: _____

Email Address: _____

Telephone/Cell Number(s): _____

Lessee's contact information during Leave of Absence:

Mailing Address: _____

Email Address: _____

Telephone/Cell Number(s): _____

Additional Information: _____

Attestation

I attest that the above information is true and correct, and I understand that this request is valid for the period approved by the Department. Following the expiration of my leave of absence, I will need to re-apply for a leave of absence from my homestead. I understand and agree that I am responsible for providing the Department with updated contact information for me and my caretaker. Furthermore, I understand that this is only a request that needs to be approved by the Chairman of the Department of Hawaiian Home Lands. If approved, I understand that I remain responsible for all conditions and obligations contained in my lease. If my appointed caretaker fails to properly care for my homestead as required by my lease, I am responsible and any lease violations occurring during my leave of absence may be subject to a contested case hearing, including lease cancellation.

Attached are documentation from my employer, organization, or medical facility that is requiring my absence from my homestead lot.

Lessee Signature: _____ Date: _____

Caretaker Signature: _____ Date: _____

Staff Name: _____ Initial/Date _____

For Staff Use Only: Chairperson Signature _____ Date: _____ Leave of Absence Expiration Date: _____

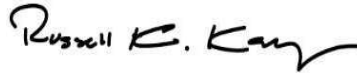
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 21, 2025

TO: Members, Hawaiian Homes Commission

FROM: Russell K. Kaupu,
Property Development Agent
Office of the Chairman ("OCH")



SUBJECT: Approval to Authorize the Department of Hawaiian Home Lands to Negotiate an Agreement to Accept Donation of 3.389-acre parcel in Ewa, Island of Oahu, TMK (1) 9-1-181-031.

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission ("HHC") authorize and direct DHHL to: (a) negotiate an agreement to accept the donation of the Property encumbered by a Ground Lease to an affiliate of the donor that: (i) complies with the requirements of HRS Chapter 171; (ii) complies with DHHL's Sublease Rent Participation Policy; (iii) requires that the lessee be wholly responsible for compliance with the requirements of HRS Chapter 343; and (iv) contains such other terms and conditions as DHHL, in its sole and absolute discretion, determines are necessary or appropriate; (b) conduct beneficiary consultation on the planned non-homestead development of the Property; (c) present the negotiated donation agreement, along with the results of the related beneficiary consultation, to HHC for approval; and (d) upon a consummation of the donation of the Property, manage and dispose of the Property "in the same manner and for the same purposes as Hawaiian home lands" per the discretion afforded in §204(b) of the Hawaiian Homes Commission Act of 1920, as amended ("HHCA").

BACKGROUND

At its December 16 and 17, 2024 meetings, HHC received and approved this same recommended set of actions with respect to a 19.354 acre parcel in Ewa, Oahu, that KALANIANAOLE DEVELOPMENT, LLC, a Hawaii limited liability company with Hawaii real estate developer principals Patty Tancayo and Nan Chul Shin ("KDL"), proposed to donate (with conditions) to DHHL. At the time of presenting this transaction to HHC, DHHL became aware that KDL was actually seeking to donate (with conditions) two adjacent Ewa, Oahu, parcels to DHHL: (a) the 19.354 acre parcel that was acted upon, TMK (1) 9-1-181-037 (the "Original Parcel"), and (b) an adjacent 3.389 acre parcel, TMK (1) 9-1-181-031 (the "Added Parcel").

Exhibit 1 attached hereto provides GIS and TMK maps and property information from the City & County of Honolulu website for both parcels. KDL is currently under contract to acquire both parcels from their current owner.

DHHL initially sought to make this correction at the December 2024 HHC meetings, but was advised by the Deputy Attorney General attending the meetings that sunshine law required the correction to be taken up in a properly noticed action at a future meeting. Accordingly, DHHL proceeded to obtain HHC's approval to accept the donation (with conditions) of the Original Parcel and now seeks to obtain the same approval to accept the donation (with conditions) of the Added Parcel.

KDL is proposing to: (i) consummate the purchase of the Property; (ii) enter into a Ground Lease with a special purpose entity it controls, KU`AI HALEWAI LLC, a Hawaii limited liability company ("KHL"), which was formed to pursue commercial development of the Property [***NOTE: This is a corrected name for this special purpose entity – the December 2024 submittal contained a typographical error***] and (iii) donate the Property encumbered by the KHL Ground Lease (the "KHL Lease") to DHHL. DHHL would then be the fee owner of the Property and assume the role of ground lessor under the KHL Lease. In DHHL's hands, the Property would not be subject to City & County of Honolulu zoning restrictions and KHL would be free to pursue its planned commercial development. DHHL would take on the administrative burdens associated with being the owner and ground lessor of the Property but would also benefit from the stream of income during the term of the KHL Lease and "free and clear" ownership at the end of the lease. At DHHL's request, the KHL Ground Lease will be on terms and conditions that would be required and/or customary if DHHL were making the Ground Lease directly to KHL itself, notably:

- Maximum 65-year lease term;
- Minimum lease rent set by independent third-party appraisal based on the fair market value of the Property as of the date of the donation;
- Subject to the Sublease Rent Participation Policy adopted by HHC a number of years ago and adhered to since by DHHL (see Exhibit 2 attached hereto); and
- Community benefits package to promote native Hawaiian socio-economic advancement, including support for community development, job training and placement, and educational and/or cultural programs to be worked out directly with associations impacted by the proposed development.

DISCUSSION

The authority for and limitations of accepting a donation of real property are set forth in HHCA §225(b)(1) and (4):

(1) The department may receive, manage, and invest moneys or other property, real, personal or mixed, or any interest therein, which may be given, bequeathed, or devised, or in any manner received from sources other than the legislature or any federal appropriation, for the purposes of the Act.

...

(4) The real property or any interest therein received by the department through contributions or grants shall not attain the status of Hawaiian home lands as defined in section 201(a).

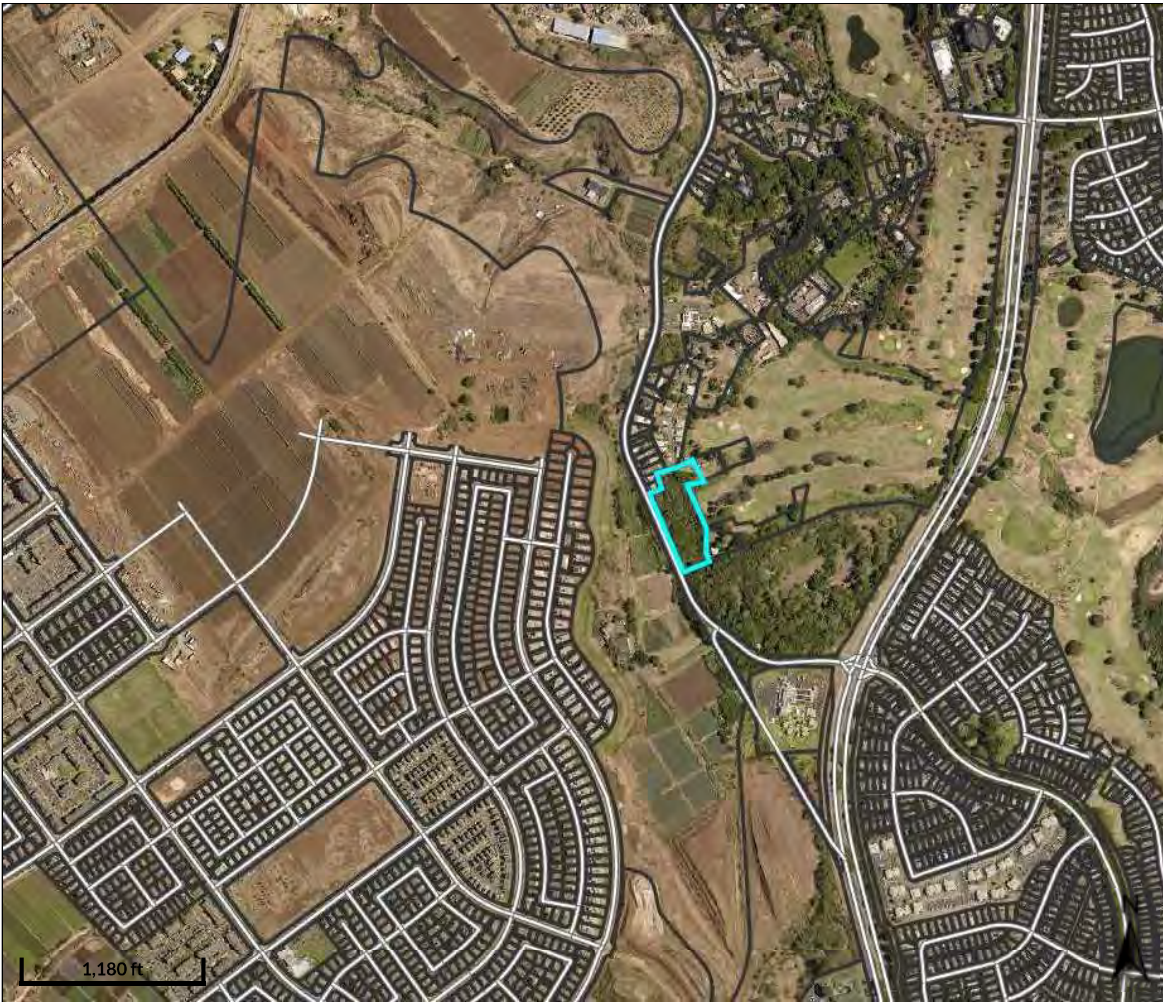
Although the Property does not automatically attain the status of Hawaiian home lands upon its donation to DHHL, DHHL may elect to treat it as Hawaiian home lands under HHCA §204(b):

(b) Unless expressly provided elsewhere in this Act, lands or an interest therein acquired by the department pursuant to section 213(e), 221(c), or 225(b), or any other section of this Act authorizing the department to acquire lands or an interest therein, may be managed and disposed of in the same manner and for the same purposes as Hawaiian home lands.

Assuming that the due diligence investigation to be conducted on the Property does not disclose any undue burden or risk of liability upon its owner, OCH continues to believe that the donation of the Property to DHHL subject to a Ground Lease that will allow a donor affiliate to pursue commercial development of the Property that will ultimately provide both financial and community benefits to DHHL, to the donor, and to Hawaiian homes beneficiaries in impacted homestead communities is a WIN-WIN-WIN proposition.

RECOMMENDATION



OCH requests approval of the motion as stated.



Overview



Legend

-  Roads
-  Parcels

Parcel ID	911810310000	Situs/Physical Address	91-2002 FORT WEAVER RD	Assessed Land Value	\$1,494,600	Last 2 Sales			
Assessed Building Value	\$0	Date		Price	n/a	Reason	n/a	Qual	n/a
Acres	3.389	Total Property Assessed Value		\$1,494,600	n/a	0	n/a	n/a	n/a
Class	RESIDENTIAL A	Total Property Exemptions		\$0	n/a	0	n/a	n/a	n/a
		Total Net Taxable Value		\$1,494,600					

Brief Tax Description LOT 37-B (2.620 AC) & LOT 344-B (.769 AC) MAP 933 LCAPP 1069
 (Note: Not to be used on legal documents)

Data contained on this Web page is the property of the City and County of Honolulu, Hawaii (City). The GIS data are proprietary to the City, and title to this information remains in the City. All applicable common law and statutory rights in the GIS data, including, but not limited to, rights in copyright, shall and will remain the property of the City.

Information shown on these maps are derived from public records that are constantly undergoing change and do not replace a site survey, and is not warranted for content or accuracy. The City does not guarantee the positional or thematic accuracy of the GIS data. The GIS data or cartographic digital files are not a legal representation of any of the features in which it depicts, and disclaims any assumption of the legal status of which it represents. Any implied warranties, including warranties of merchantability or fitness for a particular purpose, shall be expressly excluded.

Date created: 12/16/2024
 Last Data Uploaded: 12/16/2024 2:20:46 AM



Developed by  **SCHNEIDER**
 GEOSPATIAL



Overview



Legend

-  Roads
-  Parcels

Parcel ID	911810370000	Situs/Physical Address	91-2002 C FORT WEAVER RD	Assessed Land Value	\$3,321,700	Last 2 Sales			
Acreage	19.345			Assessed Building Value	\$88,400	Date	Price	Reason	Qual
Class	VACANT AGRICULTURAL; RESIDENTIAL; AGRICULTURAL			Total Property Assessed Value	\$2,239,400	n/a	0	n/a	n/a
				Total Property Exemptions	\$0	n/a	0	n/a	n/a
				Total Net Taxable Value	\$2,239,400				

Brief Tax Description LOT 17896-A 19.345 AC MAP 1598 LCAPP 1069
 (Note: Not to be used on legal documents)

Data contained on this Web page is the property of the City and County of Honolulu, Hawaii (City). The GIS data are proprietary to the City, and title to this information remains in the City. All applicable common law and statutory rights in the GIS data, including, but not limited to, rights in copyright, shall and will remain the property of the City.

Information shown on these maps are derived from public records that are constantly undergoing change and do not replace a site survey, and is not warranted for content or accuracy. The City does not guarantee the positional or thematic accuracy of the GIS data. The GIS data or cartographic digital files are not a legal representation of any of the features in which it depicts, and disclaims any assumption of the legal status of which it represents. Any implied warranties, including warranties of merchantability or fitness for a particular purpose, shall be expressly excluded.

Date created: 12/5/2024
 Last Data Uploaded: 12/5/2024 7:38:50 PM

Developed by  **SCHNEIDER**
 GEOSPATIAL



 DEPARTMENT OF BLDG. & FIN. SERVICES REAL PROPERTY VALUATION DIVISION CITY & COUNTY OF HONOLULU TAX MAP			
ZONE	SECTION	PLAT	
9	1	181	
SCALE: 1 INCH = 400 FEET			

COPYRIGHT CITY & COUNTY OF HONOLULU - ALL RIGHTS RESERVED 2021
 FOR PROPERTY ASSESSMENT PURPOSES, PARCELS MAY NOT BE LEGALLY SUBDIVIDED .OTS - SUBJECT TO CHANGE

- = parcel 031 (3.389 ac.)
- = parcel 037 (19.354 ac.)

L.C. APP-1088, HONOLULU, EWA, OAHU, HAWAII (Formerly par. 9-1-017)

01/31/2023

**Sublease Rent Participation Approved by the Hawaiian Homes Commission
on April 24, 1987**

"That the Commission rescind its action of June 30, 1983 which adopted a sublease rent participation policy based on charging 10% of the gross sublease income for improvements (building space) and 20% of the general lessee's gross sublease income for raw land and that the following be approved effective August 1, 1982:

1. To limit the Department of Hawaiian Home Lands' (DHHL) participation to only the land. To adopt the sublease rent participation formula on pages 4 and 5 of the attached DHHL Sublease Rent Participation Policy.
2. In lieu of the sublease income assessed for those subleases covering raw lands only, the department shall participate in 50% of the difference of the sublease income charged by the lessee that exceeds the proportionate base rent (less any general excise tax) under the terms of the lease.
3. All monies collected from current general lessees due to sublease rent participation to be credited to future lease rental payments of the respective general lessee.
4. That for current subleasing activities approved by the Hawaiian Homes commission (HHC), there shall be no increase in sublease rent participation due to the new policy."

Extract from Attached Sublease Rent Participation Worksheet

Gross Annual Sublease Rent

LESS: 4% General Excise Tax (if paid by sublessor)
EQUALS: Effective Annual Sublease Rent
LESS: Allowances (costs and investment returns)
EQUALS: Amount of Increase in Lease Rent Due to Subleasing (if any)
X 50% EQUALS: Amount Due to DHHL

DHHL SUBLEASE RENT PARTICIPATION POLICY

DEFINITION OF TERMS

Refer to Worksheet

SUBLEASING OF BUILDING SPACE

- Line 1: GROSS ANNUAL SUBLEASE RENT
The total sublease rent amount collected by a general lessee without any deductions
- Line 2: LESS 4% GENERAL EXCISE TAX
State of Hawaii G.E. Tax; deducted only if not paid by a sublessee.
- Line 3: EFFECTIVE ANNUAL SUBLEASE RENT
Gross annual sublease rent less State G.E. Tax.
- Line 4: LESS ALLOWANCES
Allowances for costs incurred by a general lessee for construction and maintenance of improvements.
- Line 4a: MANAGEMENT, CREDIT LOSS
Applicable to rent collections, accounting, legal and miscellaneous property management expenses, and allowance for non-collection of sublease rent. A rate of ten percent (10%) of the Effective Annual Sublease Rent is used.
- Line 4b: REPAIR and MAINTENANCE
Expenses applicable to maintenance and repairs on building(s) and premises such as painting, refuse disposal, re-paving, utilities, landscaping, security, etc. If detailed expenses are not provided by the general lessee, such expenses will be estimated at two percent (2%) of Line 3.
- Line 4c: REAL PROPERTY TAXES
Per current real property tax bill or notice sent by appropriate County Real Property Tax Office.
- Line 4d: INSURANCE PREMIUMS
Premiums paid for fire/liability insurance policies.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

January 21-22, 2025

TO: Members, Hawaiian Homes Commission

FROM: Kali Watson, Chairman

SUBJECT: For Information Only – Appointment of Permitted Interaction Group Pursuant to HRS Section 92-2.5 and HAR Section 10-2-16(b)(1), to Monitor, Advise, and Report on the Indigent Native Hawaiian Homesteading Pilot Project

RECOMMENDED MOTION/ACTION

None. For information only.

DISCUSSION:

A Permitted Interaction Group of the Hawaiian Homes Commission is appointed effective February 1, 2025. The purpose of this group is to monitor, study, review findings, make recommendations, and assist in presenting progress reports to the Commission regarding the Indigent Native Hawaiian Homesteading Pilot Project. The Pilot Project was approved by the Commission on December 17, 2024 in order to:

1. Develop policy, procedure, and program elements to provide individual homesteading opportunities for indigent native Hawaiian beneficiary applicants; and
2. Assess the feasibility of the program concept by taking an indigent beneficiary (De Mont Kalai Manaole) through the entire process.

The Hawaiian Homes Commission is aware of the plight of indigent applicants who do not meet financial requirements needed to participate in the awarding of residential homestead leases. The Pilot Project is an opportunity to identify a homesteading alternative that would provide 99-year homestead leases to indigent applicants. The Pilot Project will commence on February 1, 2025 and will end on February 1, 2026, unless the Commission modifies the timeframe for the project. The importance and complexity of providing a homestead alternative for indigent applicants would benefit from the oversight, monitoring, and advice of a Permitted Interaction Group for the duration of the Pilot Project.

The members of this Permitted Interaction Group include Commissioners Walt Kaneakua, Sanoe Marfil, and Archie Kalepa with Commissioner Sanoe Marfil to serve as chair of the committee. The Department will provide support staff for the committee to complete its work and to prepare reports. The committee's work will include interim progress reports to the Commission and upon completion of the Pilot Project, the committee will submit a final report of their findings and recommendations to the Hawaiian Homes Commission.

RECOMMENDATION:

None. For information only.

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

January 21 – January 22, 2025

To: Chairman and Members, Hawaiian Homes Commission
From: David Hoke, Administrator, Enforcement Unit
Subject: For Information Only – Monthly Enforcement Unit Efforts and Statistics
(December 9, 2024 – January 12, 2025)

RECOMMENDED ACTIONS:

None. For information only.

DISCUSSION:

Total requests since last submittal: 10

- Oahu: 5
- Maui: 2
- Kauai: 0
- East Hawaii: 0
- West Hawaii: 0
- Molokai: 0
- Lanai: 0
- Office of the Chair: 1
- LMD: 2
- LDD: 0
- ICRO: 0

Total requests received in 2024: 205

Total requests received in 2025: 3

Events and Operations:

- 12/12/24 – Service of Writ of Possession

Staff Enrichment and Updates:

- 1/1/25 – Began utilizing request and submission of reports utilizing Salesforce with HSD

Beneficiary Engagement:

- Waianae Valley Homestead Association
- Ahupuaa O Nanakuli Homestead
- Keaukaha - Panaewa Farmers Association NSW
- Kauluokahai NSW
- SCHHA

Interagency Collaboration:

- State of Hawaii Department of Law Enforcement (Sheriff's Department)
- County Police:
 - o HPD – D8 Narco/Vice, Community Policing Team
 - o HCPD – Community Policing Team
- State of Hawaii Emergency Management
- State of Hawaii Department of Health
- County of Hawaii Department of Planning and Permitting
- Hawaii Humane Society

Hawaiian Homes Commission Meeting Packet
January 21 & 22, 2025
Hale Pono'ī, Kapolei, Oahu

D ITEMS

**HOMESTEAD SERVICES DIVISION
AGENDA**

January 21-22, 2025

DIVISION	ITEM NO.	SUBJECT
	D-1	HSD Status Reports Exhibits: A - Homestead Lease & Application Totals and Monthly Activity Reports B - Delinquency Report
ODO/APPL. LOANS		
LOANS	D-2	Approval of Consent to Mortgage (see exhibit)
APPL	D-3	Approval of Homestead Application Transfers / Cancellations (see exhibit)
	D-4	Approval to Certify Applications of Qualified Applicants for the month of December 2024 (see exhibit)
	D-5	Reinstatement of Deferred Application (see exhibit)
ODO	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	Commission Designation of Successor – ELLA N. CORREA , Residential Lease No. 12321, Lot No. UNDV002, Kapolei, Oahu

Sample Footer 12pt. Aptos
(Without Exhibit)


ITEM NO. D-1

(With Exhibit)

ITEM NO. D-1
EXHIBIT A

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

January 7, 2025

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

January 21, 2025

SUBJECT: Homestead Lease and Application Totals and Monthly Activity Reports

LEASE ACTIVITY REPORT

Month through December 31, 2024

	As of 11/30/24	Add	Cancel	As of 12/31/24
Residential	8,511	1	0	8,512
Agricultural	1,106	1	2	1,105
Pastoral	438	0	0	438
Total	10,055	2	2	10,055

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 11/30/24	Converted	Rescinded/ Surrendered/ Cancelled/	As of 12/31/24
Undivided	731	0	0	731

Balance as of 12/31/2024:

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

Lease Report For the Month Ending December 31, 2024

	RESIDENCE				AGRICULTURE				PASTURE				TOTAL LEASES			
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
OAHU																
Kakaina	42	1	0	43	0	0	0	0	0	0	0	0	42	1	0	43
Kalawahine	90	0	0	90	0	0	0	0	0	0	0	0	90	0	0	90
Kanehili	399	0	0	399	0	0	0	0	0	0	0	0	399	0	0	399
Kapolei	173	0	0	173	0	0	0	0	0	0	0	0	173	0	0	173
Kauluokahai	155	0	0	155	0	0	0	0	0	0	0	0	155	0	0	155
Kaupea	323	0	0	323	0	0	0	0	0	0	0	0	323	0	0	323
Kaupuni	19	0	0	19	0	0	0	0	0	0	0	0	19	0	0	19
Kewalo	248	0	0	248	0	0	0	0	0	0	0	0	248	0	0	248
Kumuahu	51	0	0	51	0	0	0	0	0	0	0	0	51	0	0	51
Lualualei	149	0	0	149	30	0	0	30	0	0	0	0	179	0	0	179
Malu'ohai	225	0	0	225	0	0	0	0	0	0	0	0	225	0	0	225
Nanakuli	1,045	0	0	1,045	0	0	0	0	0	0	0	0	1,045	0	0	1,045
Papakolea	64	0	0	64	0	0	0	0	0	0	0	0	64	0	0	64
Princess Kahanu Estates	268	0	0	268	0	0	0	0	0	0	0	0	268	0	0	268
Waiahole	0	0	0	0	16	0	0	16	0	0	0	0	16	0	0	16
Waianae	421	0	0	421	12	0	0	12	0	0	0	0	433	0	0	433
Waimanalo	711	0	0	711	2	0	0	2	0	0	0	0	713	0	0	713
TOTAL	4,383	1	0	4,384	60	0	0	60	0	0	0	0	4,443	1	0	4,444
MAUI																
Hikina	31	0	0	31	0	0	0	0	0	0	0	0	31	0	0	31
Kahikinui	0	0	0	0	0	0	0	0	100	0	0	100	100	0	0	100
Keokea	0	0	0	0	64	0	0	64	0	0	0	0	64	0	0	64
Leialii	103	0	0	103	0	0	0	0	0	0	0	0	103	0	0	103
Paukukalo	178	0	0	178	0	0	0	0	0	0	0	0	178	0	0	178
Waiehu 1	39	0	0	39	0	0	0	0	0	0	0	0	39	0	0	39
Waiehu 2	109	0	0	109	0	0	0	0	0	0	0	0	109	0	0	109
Waiehu 3	113	0	0	113	0	0	0	0	0	0	0	0	113	0	0	113
Waiehu 4	98	0	0	98	0	0	0	0	0	0	0	0	98	0	0	98
Waiohuli	590	0	0	590	0	0	0	0	0	0	0	0	590	0	0	590
TOTAL	1,261	0	0	1,261	64	0	0	64	100	0	0	100	1,425	0	0	1,425
EAST HAWAII																
Discovery Harbour	3	0	0	3	0	0	0	0	0	0	0	0	3	0	0	3
Kamaoa	0	0	0	0	0	0	0	0	25	0	0	25	25	0	0	25
Kaumana	47	0	0	47	0	0	0	0	0	0	0	0	47	0	0	47
Keaukaha	473	0	0	473	0	0	0	0	0	0	0	0	473	0	0	473
Kurtistown	3	0	0	3	0	0	0	0	0	0	0	0	3	0	0	3
Makuu	0	0	0	0	120	0	0	120	0	0	0	0	120	0	0	120
Panaewa	13	0	0	13	276	0	1	275	0	0	0	0	289	0	1	288
Piihonua	17	0	0	17	0	0	0	0	0	0	0	0	17	0	0	17
Puueo	0	0	0	0	11	0	0	11	0	0	0	0	11	0	0	11
University Heights	4	0	0	4	0	0	0	0	0	0	0	0	4	0	0	4
Waiakea	283	0	0	283	0	0	0	0	0	0	0	0	283	0	0	283
TOTAL	843	0	0	843	407	0	1	406	25	0	0	25	1,275	0	1	1,274
WEST HAWAII																
Honokaia	0	0	0	0	0	0	0	0	24	0	0	24	24	0	0	24
Humuula	0	0	0	0	0	0	0	0	5	0	0	5	5	0	0	5
Kamoku	0	0	0	0	0	0	0	0	16	0	0	16	16	0	0	16
Kanihale	223	0	0	223	0	0	0	0	0	0	0	0	223	0	0	223
Kawaihae	192	0	0	192	0	0	0	0	1	0	0	1	193	0	0	193
Laiopua	274	0	0	274	0	0	0	0	0	0	0	0	274	0	0	274
Lalamilo	30	0	0	30	0	0	0	0	0	0	0	0	30	0	0	30
Nienie	0	0	0	0	0	0	0	0	21	0	0	21	21	0	0	21
Puukapu/Waimea/Kuhio VII	118	0	0	118	111	1	1	111	218	0	0	218	447	1	1	447
Puupulehu	33	0	0	33	0	0	0	0	0	0	0	0	33	0	0	33
TOTAL	870	0	0	870	111	1	1	111	285	0	0	285	1,266	1	1	1,266
KAUAI																
Anahola	553	0	0	553	46	0	0	46	0	0	0	0	599	0	0	599
Hanapepe	47	0	0	47	0	0	0	0	0	0	0	0	47	0	0	47
Kekaha	116	0	0	116	0	0	0	0	0	0	0	0	116	0	0	116
Puu Opae	0	0	0	0	0	0	0	0	1	0	0	1	1	0	0	1
TOTAL	716	0	0	716	46	0	0	46	1	0	0	1	763	0	0	763
MOLOKAI																
Hoolehua	152	0	0	152	346	0	0	346	21	0	0	21	519	0	0	519
Kalamaula	167	0	0	167	69	0	0	69	3	0	0	3	239	0	0	239
Kapaakea	47	0	0	47	0	0	0	0	3	0	0	3	50	0	0	50
Moomomi	0	0	0	0	3	0	0	3	0	0	0	0	3	0	0	3
One Aii	27	0	0	27	0	0	0	0	0	0	0	0	27	0	0	27
TOTAL	393	0	0	393	418	0	0	418	27	0	0	27	838	0	0	838
LANAI																
Lanai	45	0	0	45	0	0	0	0	0	0	0	0	45	0	0	45
TOTAL	45	0	0	45	0	0	0	0	0	0	0	0	45	0	0	45
STATEWIDE TOTAL	8,511	1	0	8,512	1,106	1	2	1,105	438	0	0	438	10,055	2	2	10,055

Statewide Lease Application and Applicant Totals as of January 1, 2025

ISLAND	AC	AREA / TYPE	12/1/2024			1/1/2025							
			TOTALS	ADDS	DELETES	TOTALS							
O'ahu	113	Nānākuli Res	151	2	2	151	0.96%	O'AHU APP TYPE TOTALS					
	123	Papakōlea / Kewalo Res	64	4	4	64	0.41%						
	133	Waimānalo Res	516	12	13	515	3.29%	Agr	Pas	Res	= 15,718		
	143	Wai'anae Res	132	0	0	132	0.84%	4,220	0	11,498			
	191	O'ahu Islandwide Agr	4,208	12	0	4,220	26.81%	26.85%	0.00%	73.15%	100.00%		
	193	O'ahu Islandwide Res	10,626	12	2	10,636	67.69%						
		Total O'ahu Apps	15,697	42	21	15,718	100.00%						
Maui	213	Paukūkalo Res	50	1	1	50	0.53%	MAUI APP TYPE TOTALS					
	221	Kula Agr	4	0	0	4	0.04%						
	222	Kula Pas	3	0	0	3	0.03%	Agr	Pas	Res	= 9,453		
	291	Maui Islandwide Agr	4,836	5	0	4,841	51.16%	4,840	626	3,987			
	292	Maui Islandwide Pas	623	1	2	622	6.57%	51.20%	6.62%	42.18%	100.00%		
	293	Maui Islandwide Res	3,937	5	0	3,942	41.66%						
		Total Maui Apps	9,453	12	3	9,462	100.00%						
Hawai'i	313	Keaukaha / Waiākea Res	65	1	1	65	0.42%	HAWAII' I APP TYPE TOTALS					
	321	Pana'ewa Agr	13	0	0	13	0.08%						
	333	Kawaihae Res	15	0	0	15	0.10%	Agr	Pas	Res	= 15,500		
	341	Waimea Agr	9	0	0	9	0.06%	7,410	2,032	6,058			
	342	Waimea Pas	45	2	2	45	0.29%	47.81%	13.11%	39.08%	100.00%		
	343	Waimea Res	44	0	0	44	0.28%						
	391	Hawai'i Islandwide Agr	7,385	3	0	7,388	47.66%						
	392	Hawai'i Islandwide Pas	1,984	3	0	1,987	12.82%						
	393	Hawai'i Islandwide Res	5,928	6	0	5,934	38.28%						
			Total Hawai'i Apps	15,488	15	3	15,500	100.00%					
Kaua'i	511	Anahola Agr	3	0	0	3	0.07%	KAUA'I APP TYPE TOTALS					
	512	Anahola Pas	19	0	0	19	0.43%						
	513	Anahola Res	39	2	2	39	0.88%	Agr	Pas	Res	= 4,415		
	523	Kekaha Res	8	0	0	8	0.18%	2,327	343	1,745			
	532	Pu'u 'Ōpae Pas	7	0	0	7	0.16%	52.71%	7.77%	39.52%	100.00%		
	591	Kaua'i Islandwide Agr	2,322	2	0	2,324	52.64%						
	592	Kaua'i Islandwide Pas	314	3	0	317	7.18%						
	593	Kaua'i Islandwide Res	1,696	2	0	1,698	38.46%						
		Total Kaua'i Apps	4,408	9	2	4,415	100.00%						
Moloka'i	613	Kalama'ula Res	3	0	0	3	0.14%	MOLOKA'I APP TYPE TOTALS					
	621	Ho'olehua Agr	17	1	1	17	0.78%						
	622	Ho'olehua Pas	1	0	0	1	0.05%	Agr	Pas	Res	= 2,167		
	623	Ho'olehua Res	7	0	0	7	0.32%	1,142	202	823			
	633	Kapa'akea Res	6	1	1	6	0.28%	52.70%	9.32%	37.98%	100.00%		
	643	One Ali'i Res	1	0	0	1	0.05%						
	691	Moloka'i Islandwide Agr	1,125	0	0	1,125	51.92%						
	692	Moloka'i Islandwide Pas	201	0	0	201	9.28%						
	693	Moloka'i Islandwide Res	806	0	0	806	37.19%						
		Total Moloka'i Apps	2,167	2	2	2,167	100.00%						
Lāna'i	713	Lāna'i Res	70	1	0	71	100.00%	LĀNA'I APP TYPE TOTALS					
		Total Lāna'i Apps	70	1	0	71	100.00%						
							Agr	Pas	Res	= 71			
							0	0	71		0.00%	0.00%	100.00%

STATEWIDE TOTALS				STATEWIDE APP TYPE TOTALS		
12/1/2024	Adds	Deletes	1/1/2025	Agr	Pas	Res
47,283	81	31	47,333	19,939	3,203	24,182

DHHL Applicant Summary as of January 1, 2025

Individuals with only RESIDENTIAL applications:	6,421	21.72%
Individuals with only AGRICULTURAL applications:	4,633	15.67%
Individuals with only PASTORAL applications:	748	2.53%
Individuals with RESIDENTIAL and AGRICULTURAL applications:	15,311	51.78%
Individuals with RESIDENTIAL and PASTORAL applications:	2,454	8.30%
	29,567	100.00%
*Total Number of DHHL APPLICANTS:	29,567	100.00%

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

DELINQUENCY REPORT - STATEWIDE

January 21, 2025

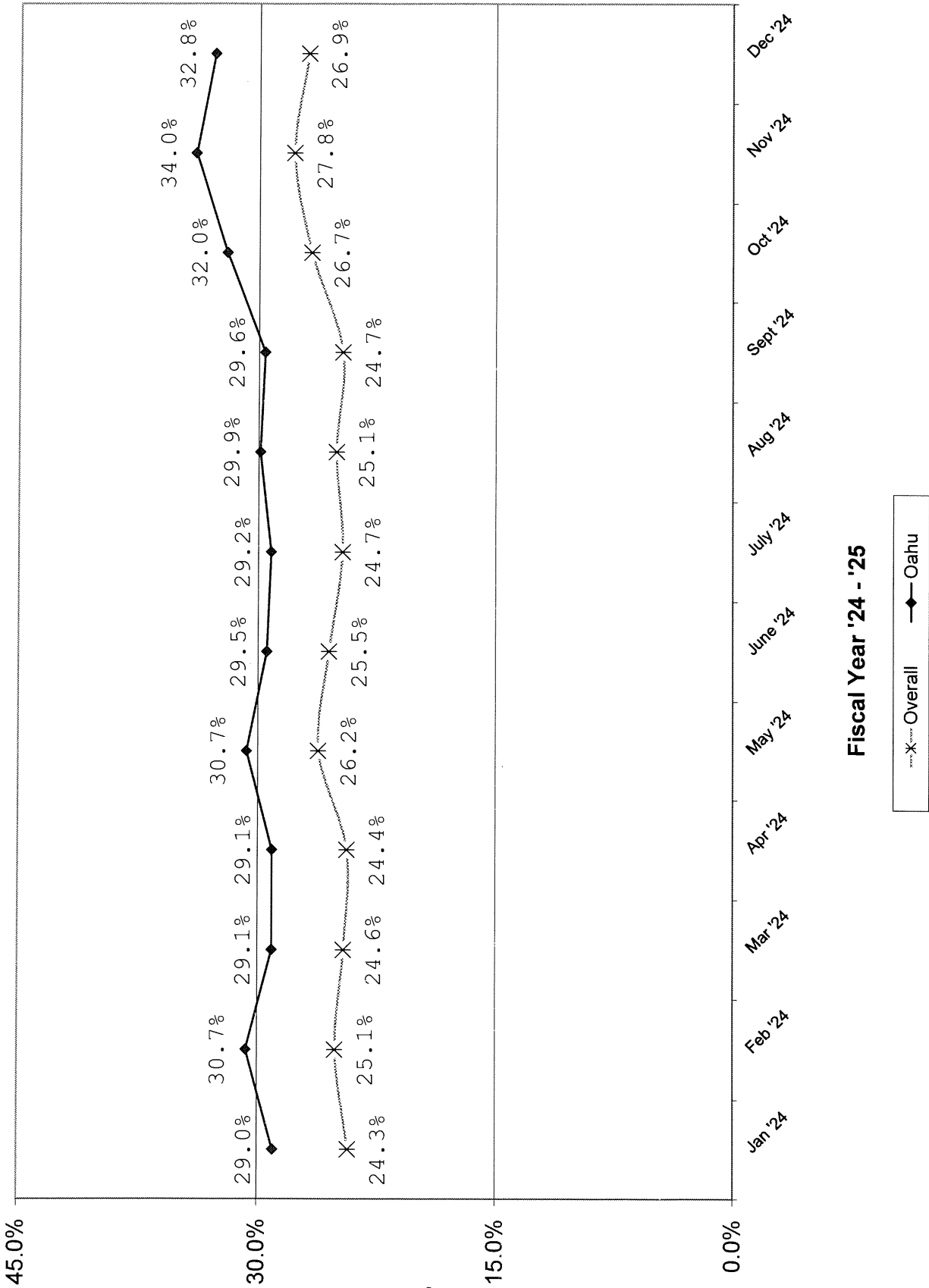
(\$Thousands)

	Total Outstanding			Total Delinquency			30 Days (low)			60 Days (Medium)			90 Days (High)			180 Days (Severe)			% of Totals		
	No.	Amt.	(000s)	No.	Amt.	(000s)	No.	Amt.	(000s)	No.	Amt.	(000s)	No.	Amt.	(000s)	No.	Amt.	(000s)	No.	\$	
DIRECT LOANS	348	35,543		109	11,673		17	1,889		8	657		10	1,127		74	7,999		31.3%	32.8%	
OAHU	181	10,823		51	3,630		3	125		1	105		6	369		41	3,030		28.2%	33.5%	
EAST HAWAII	76	7,751		16	1,507		13	1,228		1	127		1	3		1	149		21.1%	19.4%	
WEST HAWAII	75	6,439		13	531		1	23		1	92		2	85		9	332		17.3%	8.2%	
MOLOKAI	90	8,323		15	1,000		1	122		3	133		4	352		7	394		16.7%	12.0%	
KAUAI	111	15,280		33	4,310		4	157		3	216		5	598		21	3,339		29.7%	28.2%	
MAUI	881	84,158		237	22,650		39	3,543		17	1,329		28	2,535		153	15,244		26.9%	26.9%	
TOTAL DIRECT	100.0%	100.0%		26.9%	26.9%		4.4%	4.2%		1.9%	1.6%		3.2%	3.0%		17.4%	18.1%		26.9%	26.9%	
Advances (including RPT)	232	5,909		232	5,909		0	0		0	0		0	0		232	5,909		100%	100%	
DHHL LOANS & Advances	1,113	90,068		469	28,560		39	3,543		17	1,329		260	8,444		153	15,244		42.1%	31.7%	
LOAN GUARANTEES as of June 30, 2024																					
SBA	2	67		0	0		0	0		0	0		0	0		0	0		0.0%	0.0%	
USDA-RD	274	35,831		43	6,613		0	0		0	0		43	6,613		0	0		15.7%	18.5%	
Habitat for Humanity	32	893		16	429		0	0		0	0		16	429		0	0		50.0%	48.0%	
Maui County	5	74		0	0		0	0		0	0		0	0		0	0		0.0%	0.0%	
Nanakuli NHS	1	7		1	7		0	0		0	0		1	7		0	0		100.0%	100.0%	
City & County	10	204		10	204		0	0		0	0		10	204		0	0		100.0%	100.0%	
FHA Interim	8	2,112		0	0		0	0		0	0		0	0		0	0		0.0%	0.0%	
FHA Interim	20	2,084		2	323		0	0		1	184		1	139		0	0		10.0%	15.5%	
OHA	352	41,272		72	7,576		0	0		1	184		71	7,392		184	7,392		20.5%	18.4%	
TOTAL GUARANTEE	113	14,651		1	85		0	0		0	0		1	85		85	85		0.9%	0.6%	
PMI Loans	112	12,015		92	10,467		1	48		0	0		2	142		89	10,277		82.1%	87.1%	
HUD REASSIGNED for Recovery	2,914	531,231		207	33,895		0	0		0	0		207	33,895		89	10,277		7.1%	6.4%	
FHA Insured Loans	3,139	557,897		300	44,447		1	48		0	0		210	34,122		89	10,277		9.6%	8.0%	
TOTAL INS. LOANS	4,372	683,327		609	74,673		40	3,591		18	1,513		309	44,049		242	25,521		13.9%	10.9%	
OVERALL TOTALS(EXC Adv/RPT's)	4,604	689,237		841	80,582		40	3,591		18	1,513		541	49,958		242	25,521		11.7%	11.7%	
ADJUSTED TOTALS																					

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 401 loans comes out to \$1,939,067.13 as of 12/31/2024.

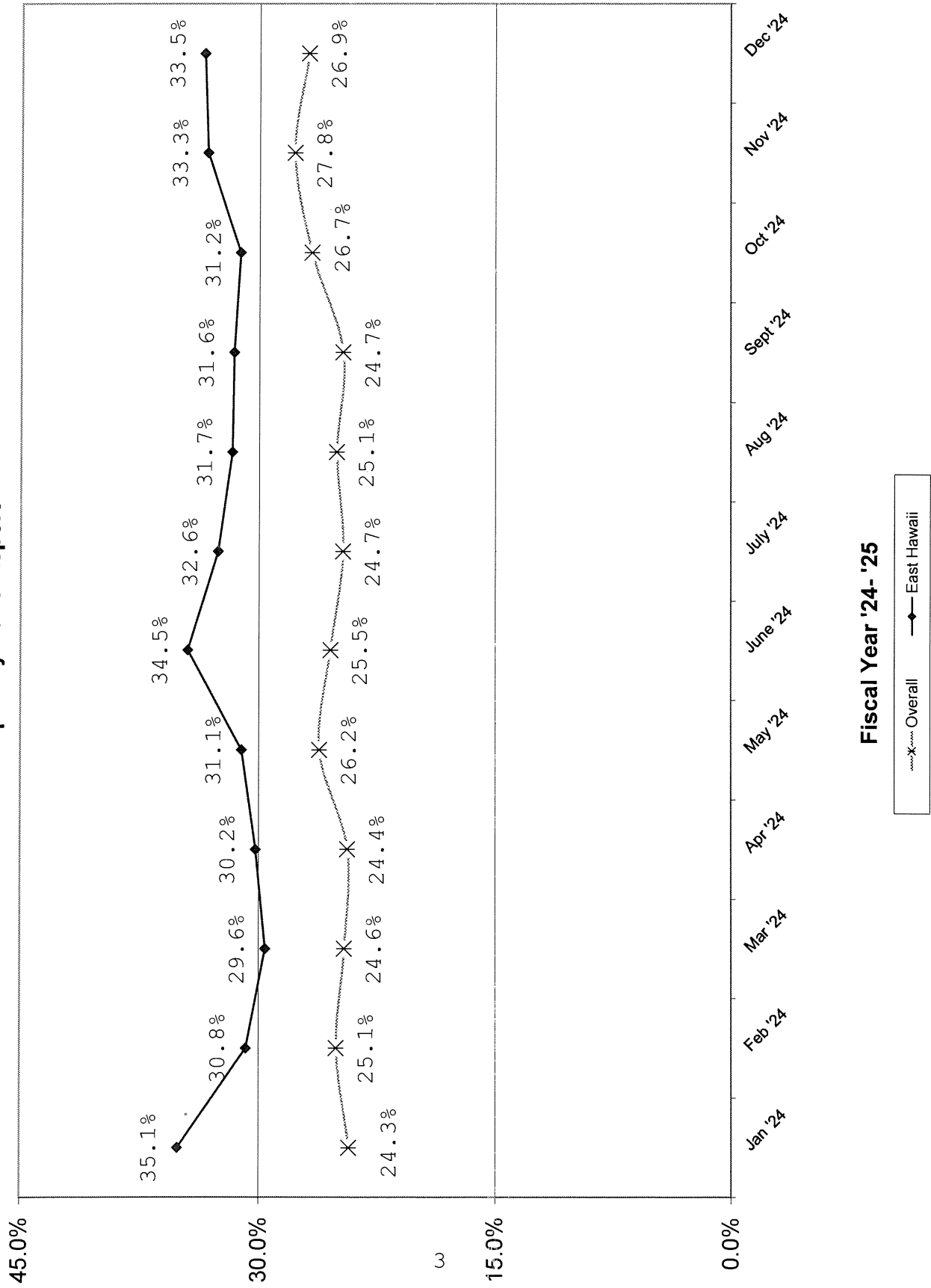
OAHU
Direct Loans
Delinquency Ratio Report



Fiscal Year '24 - '25

* Overall ◆ Oahu

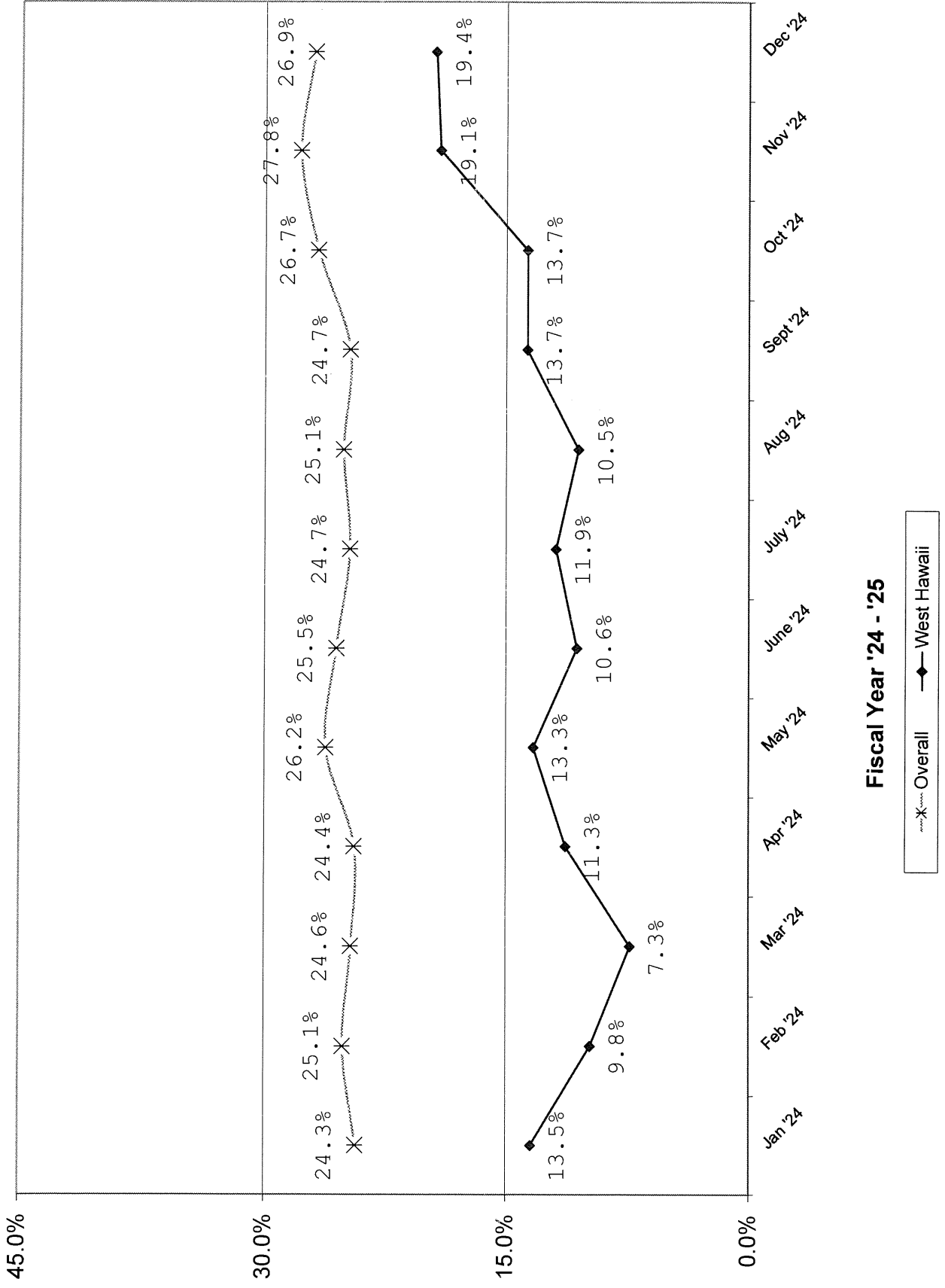
**EAST HAWAII
Direct Loans
Delinquency Ratio Report**



Fiscal Year '24- '25

Overall East Hawaii

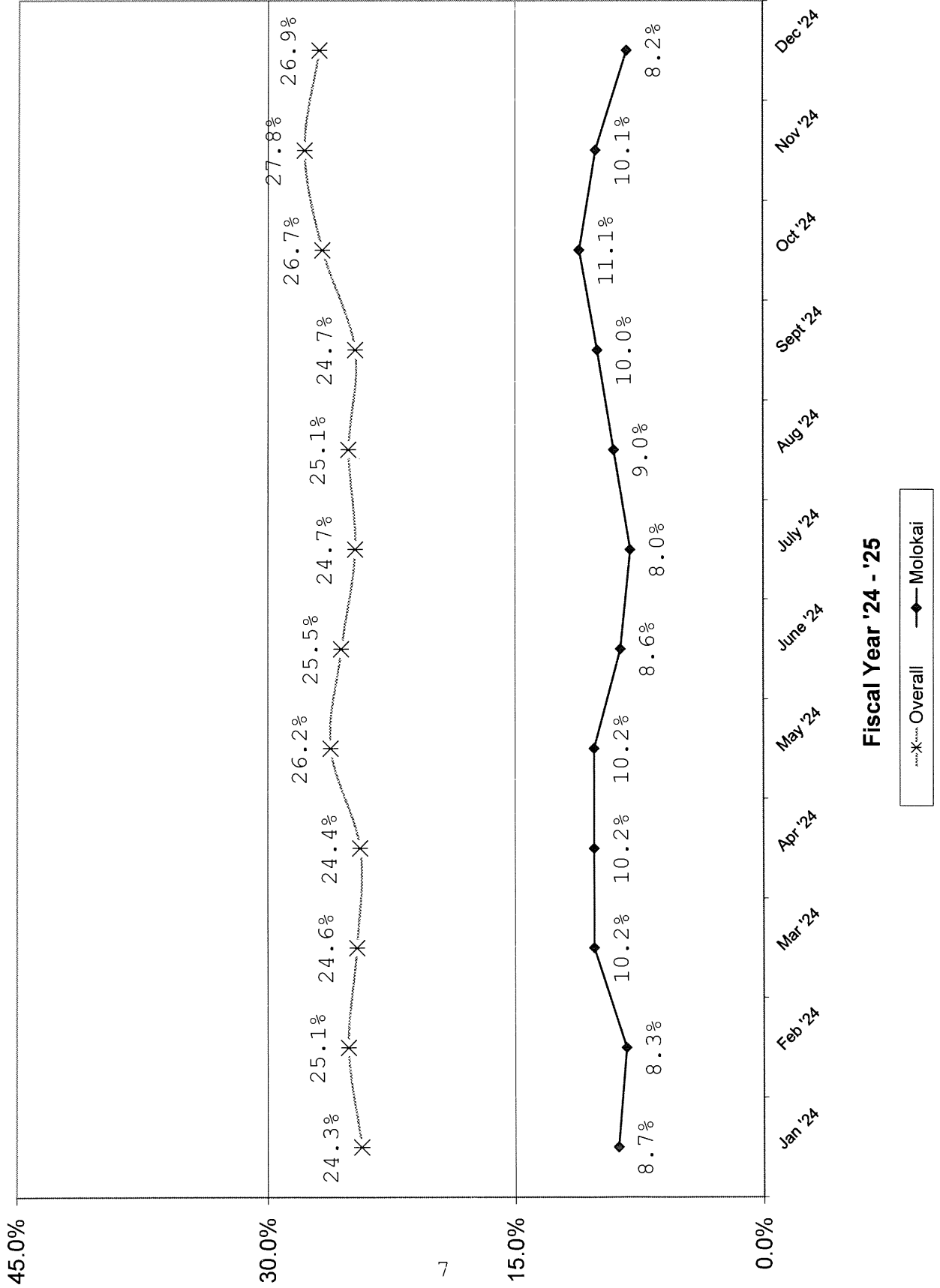
**WEST HAWAII
Direct Loans
Delinquency Ratio Report**



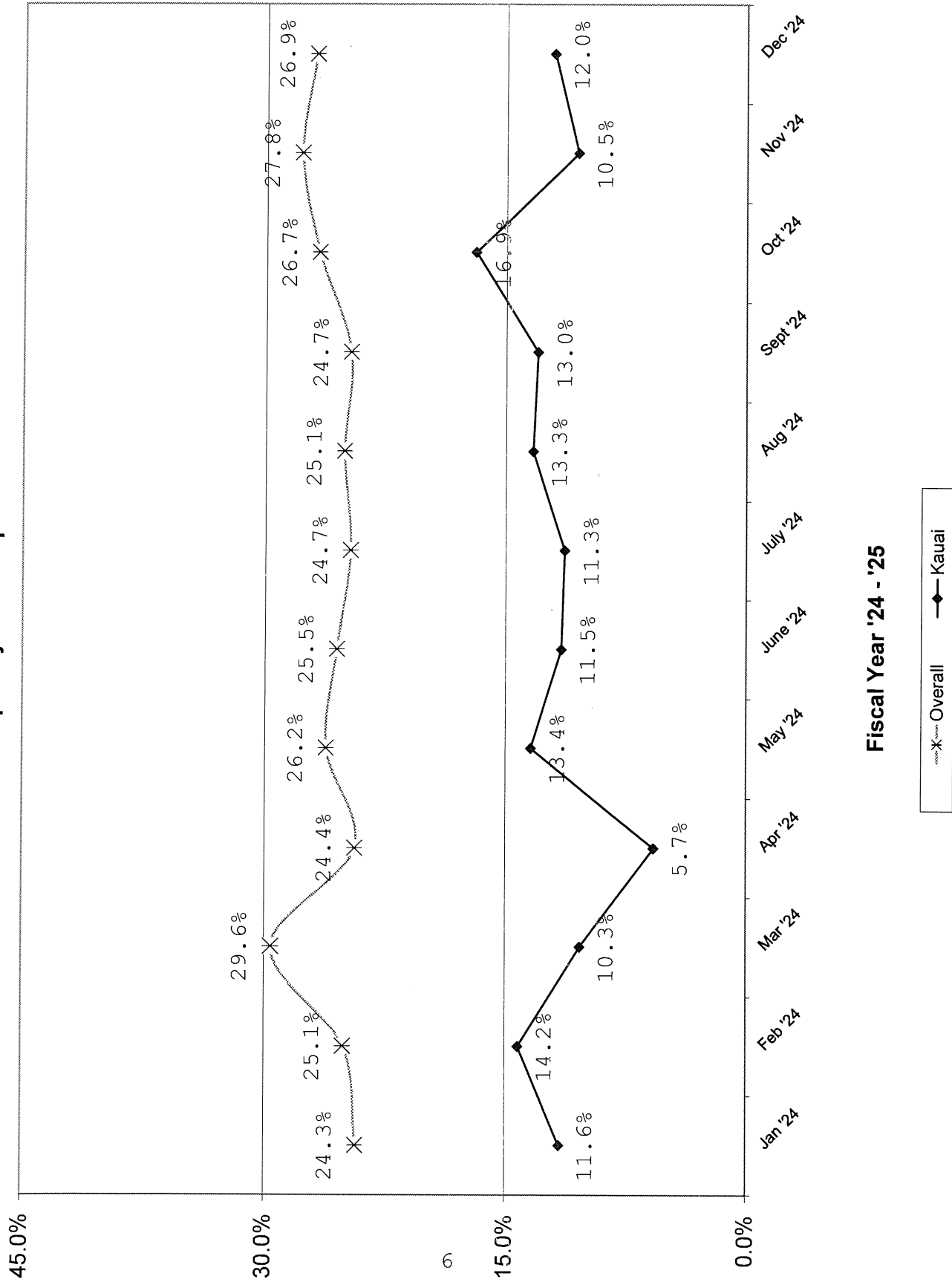
Fiscal Year '24 - '25

Overall — West Hawaii

**MOLOKAI
Direct Loans
Delinquency Ratio Report**



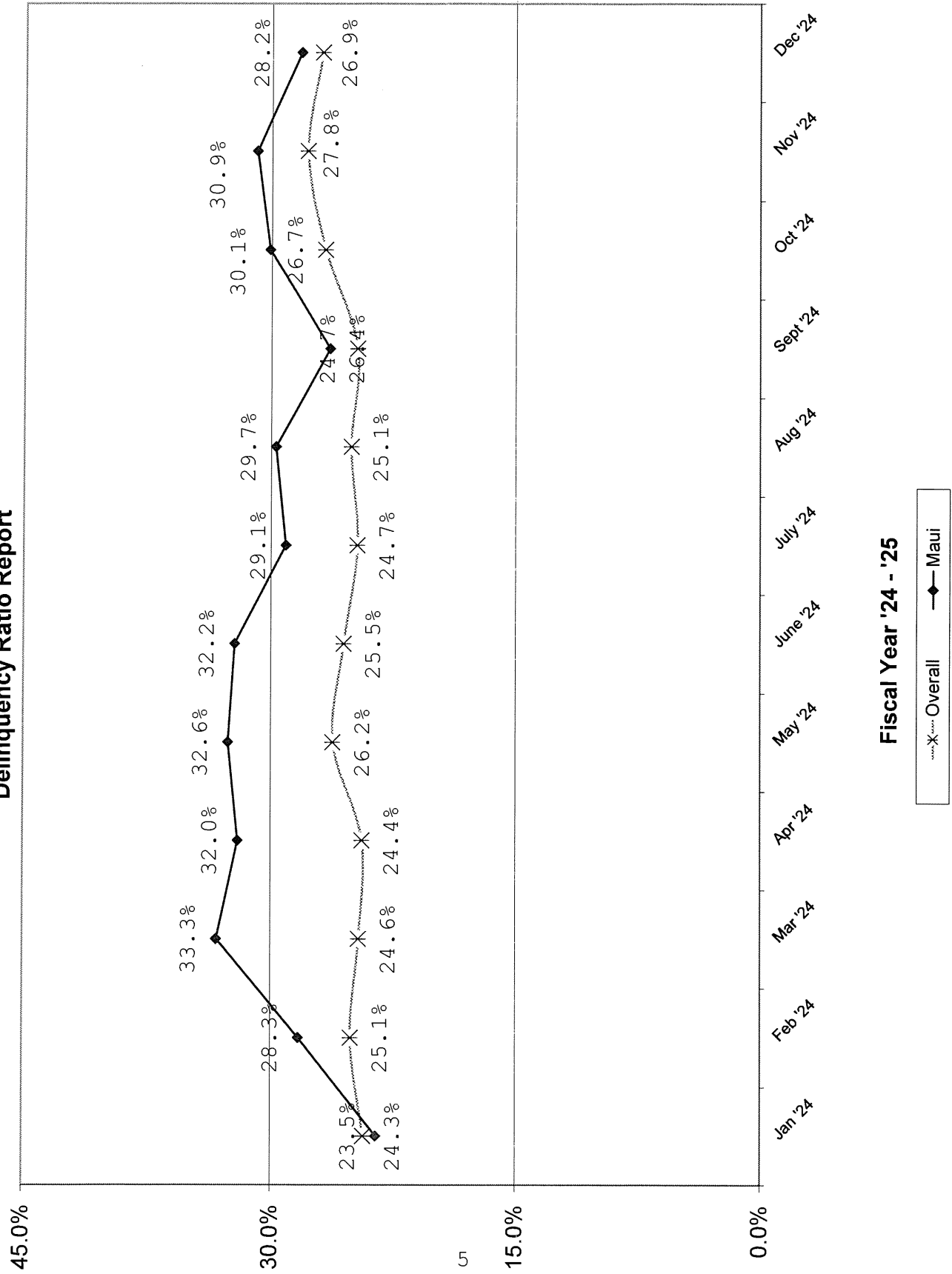
KAUAI
Direct Loans
Delinquency Ratio Report



Fiscal Year '24 - '25

x Overall ◆ Kauai

**MAUI
Direct Loans
Delinquency Ratio Report**



Fiscal Year '24 - '25



STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 21, 2025

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>			
Kaupuni Lease No. 12689 TMK: 1-8-5-037:023	ALFARO, Regina Leilani (Cash-out Refi) FHA	Bank of Hawaii	\$ 375,000
Nanakuli Lease No. 3799 TMK: 1-8-9-009:016	KALEIKULA-KELE, Malisa M. (Cash-out Refi) FHA	Click n' Close Inc	\$ 289,500
Nanakuli Lease No. 4940 TMK: 1-8-9-010:032	KAAIKALA, Roxann K. (Assumption) FHA	Guild Mortgage	\$ 103,187
Nanakuli Lease No. 2955 TMK: 1-8-9-004:122	HOOHULI, Keri C. (Purchase) FHA	SecurityNat- ional Mortg- age	\$ 450,000

Waianae Lease No. 4437 TMK: 1-8-5-030:055	HATORI, Josephine K. (Cash- out Refi) FHA	Cardinal Financial Company	\$ 217,980
---	---	----------------------------------	------------

MOLOKAI

Kalamaula Lease No. 3617 TMK: 2-5-2-032:031	MAHIAI-PALEKA, Jamie W. (Purchase) FHA	Click n' Close Inc	\$ 303,615
---	--	-----------------------	------------

MAUI

Paukukalo Lease No. 4167 TMK: 2-3-3-005:071	AH SAU, Edyne N. (Cash-out Refi) FHA	HomeStreet Bank	\$ 323,170
---	--	--------------------	------------

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

KAUAI

Anahola Lease No. 13019 TMK: 4-4-8-022:091	MCCABE, Regenald & MCCABE, Steven Lono Anolani (Construc- tion) HUD 184A	ServiceMac	\$ 427,156
--	--	------------	------------

HAWAII

Laiopua Lease No. 12723 TMK: 3-7-4-027:065	PEREIRA, Joyal K.K. (Rate and Term Refi) FHA	PennyMac Loan Services, LLC	\$ 352,920
--	--	--------------------------------------	------------

Kaumana Lease No. 11311 TMK: 3-2-5-004:027	SETO, Duncan K. (Cash-out Refi) FHA	Click n' Close Inc	\$ 399,000
--	---	-----------------------	------------



<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	56	\$	23,578,553		6	\$ 2,760,000
This Month	<u>9</u>		<u>2,814,372</u>		<u>0</u>	<u>0</u>
Total FY '24-25	65	\$	26,392,925		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	6	\$	2,407,020	0	\$ 0
This Month	<u>2</u>		<u>1,098,503</u>	<u>0</u>	<u>0</u>
Total FY '24-25	8	\$	3,505,523	0	\$ 0

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 21, 2025

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Juan Garcia, HSD Administrator 
FROM: Chloe K. M. Urabe, Application Officer 
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

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

KEOMAKA, Stanley	07/27/1994	OAHU	AGR	10/03/2024
------------------	------------	------	-----	------------

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

FIGUEROA, Maryann M.	04/26/1995	HAWAII	RES	10/02/2024
----------------------	------------	--------	-----	------------

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

JOHNASSEN, Austin K.K.H.	03/29/2022	OAHU	AGR	09/24/2024
--------------------------	------------	------	-----	------------

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

JOHNASSEN, Austin K.K.H.	03/29/2022	OAHU	RES	09/24/2024
--------------------------	------------	------	-----	------------

MOLOKAI ISLANDWIDE AGRICULTURAL LEASE LIST

FIGUEROA, Maryann M. 04/26/1995 HAWAII AGR 10/02/2024

2. Deceased Applicants

NANAKULI AREA / OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

POHAKU, Maile K. Applicant's date of death occurred on 04/19/1991, 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 07/01/1971.

PAPAKOLEA / KEWALO AREA / OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

KELIIWAIWAIOLE, Catherine Applicant's date of death occurred on 01/06/1997, 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 09/29/1959.

MIURA, Wenonah K. Applicant's date of death occurred on 03/19/1984, 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 08/08/1957.

WAIMANALO AREA / OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

KENOLIO, Abbie K. Applicant's date of death occurred on 10/28/1968, 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 07/13/1964.

LOW, Bella Applicant's date of death occurred on 12/22/1993, 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 07/30/1951.

SAKAMOTO, Ethel K. Applicant's date of death occurred on 12/28/1982, 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 04/25/1957.

PAUKUKALO AREA / MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

NEWCOMB, Paul K. Applicant's date of death occurred on 01/11/1990, 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 05/04/1967.

WAIMEA AREA / HAWAII ISLANDWIDE PASTORAL LEASE LIST

HUSSEY, Wilfred K., Sr. Applicant's date of death occurred on 05/07/1986, 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 06/11/1952.

NUU, David K. Applicant's date of death occurred on 04/23/1988, 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 06/11/1952.

YEE HOY, Charles Jr. Applicant's date of death occurred on 02/14/1988, 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 06/11/1952.

HOOLEHUA AREA / MOLOKAI ISLANDWIDE AGRICULTURAL LEASE LIST

KALEIKINI, Maraena M. Applicant's date of death occurred on 06/20/1998, 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 01/04/1963.

3. Awards of Leases

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

HEANU, Clement L. Assigned Residential Lease #11813, Lot 18581 in Kanehili, Oahu dated 09/19/2024. Remove application dated 11/23/2015.

IRVINE-HALAMA, Tiffany K.K. Assigned Residential Lease #5254, Lot 3 in Waianae, Oahu dated 10/28/2024. Remove application dated 09/27/2023.

KINI, Nalani K. Assigned Residential Lease #5213, Lot 82 in Nanakuli, Oahu dated 09/10/2024. Remove application dated 02/13/2012.

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

DAVIS, Wendell B.K. Assigned Residential Lease #4103, Lot 31-A in Waimanalo, Oahu dated 09/25/2020. Remove application dated 07/12/2011.

HOOPAI, Jason K. Assigned Residential Lease #2762, Lot 210 in Kewalo, Oahu dated 01/26/2021. Remove application dated 04/15/2004.

KAHOALII, Luther L. Assigned Residential Lease #2883, Lot 117 in Waimanalo, Oahu dated 03/17/2021. Remove application dated 02/22/2006.

KAMMERER, Heitiare K.B.Y.W. Assigned Residential Lease #12976, Lot 63 in Waiakea, Hawaii dated 09/23/2022. Remove application dated 03/19/2007.

LOW, Daniel L.	Assigned Residential Lease #2287, Lot 34 in Waimanalo, Oahu dated 10/21/2021. Remove application dated 04/07/2003.
NAKILA-MEYERS, Eileen L.	Assigned Residential Lease #3251, Lot 142-A-1 in Nanakuli, Oahu dated 06/14/2006. Remove application dated 02/11/1999.
PELEKANE, Lana L.	Assigned Residential Lease #3523, Lot 12 in Kapaakea, Molokai dated 10/23/2020. Remove application dated 04/08/1987.
THIBODEAUX, Makamae J.A.	Assigned Residential Lease #11624, Lot 18518 in Kanehili, Oahu dated 04/08/2019. Remove application dated 11/01/2011.
WALLACE, Deborah L.	Assigned Residential Lease #12298, Lot 22 in Hikina, Maui dated 06/15/2009. Remove application dated 07/27/2005.

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

OBREY, Maryann M.	Assigned Residential Lease #7187, Lot 171 in Kawaihae, Hawaii dated 06/24/2024. Remove application dated 01/11/2010.
-------------------	---

4. Native Hawaiian Qualification

NONE FOR SUBMITTAL

5.Voluntary Cancellation

NONE FOR SUBMITTAL

6. Successorship

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

KAMAKA, Delvonn	Succeeded to Nanakuli Area / Oahu Islandwide Residential application of Parent, Alice D.L. Black dated 12/17/1957. Remove application dated 12/11/1992.
-----------------	---

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

KAMAKA, Delvonn	Succeeded to Hawaii Islandwide Agricultural application of Parent, Alice D.L. Black dated 02/10/1988. Remove application dated 12/11/1992.
-----------------	--

7. Additional Acreage

HAWAII ISLANDWIDE PASTORAL LEASE LIST

LOO, Robert H.	Successor to Pastoral Lease Assignment #8019, Lot 44 in Puukapu, Hawaii, voluntarily cancelled rights. Remove associated application dated 03/24/1995.
----------------	--

8. HHC Adjustments

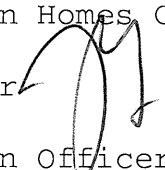
NONE FOR SUBMITTAL

Last Month's Transaction Total	24
Last Month's Cumulative FY 2024-2025 Transaction Total	575
Transfers from Island to Island	5
Deceased	11
Cancellations:	
Awards of Leases	13
NHQ	0
Voluntary Cancellations	0
Successorship	2
Additional Acreage	1
HHC Adjustments	0
This Month's Transaction Total	32
This Month's Cumulative FY 2024-2025 Transaction Total	607

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 21, 2025

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Juan Garcia, HSD Administrator 
FROM: Chloe K. M. Urabe, Application Officer *cu*
Homestead Services Division
SUBJECT: **Approval to Certify Applications of Qualified Applicants
for the month of December 2024**

RECOMMENDED MOTION/ACTION

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

DISCUSSION

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

NANAKULI AREA / OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

POPOVICH, Maxine K.

03/08/1963

WAIANAE AREA / OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

KRUEGER, Beatrice 05/18/1972

WAIMANALO AREA / OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

PERREIRA, Elizabeth 07/20/1960

RODRIGUES, Sarah K. 07/13/1964

PERRY, May 01/17/1968

PUA, James K.K., Jr. 12/02/1968

PLUNKETT, Geraldine 11/14/1969

LAHUI, James K., Jr. 03/15/1971

PULIDO, Julia 04/26/1972

PASCUAL, Abraham 08/11/1972

PASCO, Edward K. 04/11/1974

OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

HALL, Loyd L. 06/18/2024

WAIALAMA-MAKANEALE, Christin M.P.L.N. 06/19/2024

AFONG, Hartwell N.I. 06/20/2024

AFONG, Haydie N. 06/20/2024

KALIKO, William E., III 09/06/2024

SAVAIINAEA, Teri K. 09/10/2024

PARKER, Denise L. 09/11/2024

KOTRYS, Travis P.K. 09/12/2024

KALANI, Kaelo K. 09/25/2024

KALANI, Makena K. 09/25/2024

BAKER, Brian K., Jr. 09/27/2024

KOAHOU, Shawna N.L. 09/27/2024

KALEIKULAKALAULI, Sheldon K.

09/30/2024

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

AHINA, Luther K.

06/18/2024

AKANA, Michael H.H.K.

06/18/2024

BURNS, Costen A.I.

06/18/2024

DEFREITAS, Edmanuel K.

06/18/2024

HALL, Loyd L.

06/18/2024

WAIALAMA-MAKANEALE, Christin M.P.L.N.

06/19/2024

AFONG, Hartwell N.I.

06/20/2024

AFONG, Haydie N.

06/20/2024

KALIKO, William E., III

09/06/2024

VICTOR, Darnele K.

09/09/2024

SAVAIINAEA, Teri K.

09/10/2024

PARKER, Denise L.

09/11/2024

KALANI, Kaelo K.

09/25/2024

KALANI, Makena K.

09/25/2024

WAIALAE, Edmund K.D.

09/25/2024

BAKER, Brian K., Jr.

09/27/2024

KOAHOU, Shawna N.L.

09/27/2024

AKINA, Robert K.

09/30/2024

KALEIKULAKALAULI, Sheldon K.

09/30/2024

KAUHI, Austyn-Kaulana L.K.

10/01/2024

ELLIS, Shauna L.

10/03/2024

MAUI ISLANDWIDE AGRICULTURAL LEASE LIST

TABON, Buster J.	06/17/2024
AKANA, Michael H.H.K.	06/18/2024
KAHALEHOE, Amanda M.	10/03/2024

MAUI ISLANDWIDE RESIDENTIAL LEASE LIST

TABON, Buster J.	06/17/2024
FRONDA, Elisha K.	09/09/2024
KAHALEHOE, Amanda M.	10/03/2024

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

ABENES, Leimana K.	06/16/1989
BURNS, Costen A.I.	06/18/2024
KAUHI, Anstyn K.K.	09/06/2024
FRONDA, Elisha K.	09/09/2024
LEE, Linden	09/12/2024
AIWOHI, Robert B., Jr.	09/23/2024
ANAKALEA-HALEAMAU, Kaleonani M.	09/23/2024
HALMAS, Donalea E.	09/23/2024
WAIALAE, Edmund K.D.	09/25/2024
ARCE, Hokuao K.	09/26/2024
FILOTEO, Franciso II	09/30/2024
KALUA, Britney T.M.	09/30/2024
KAUHI, Austyn-Kaulana L.K.	10/01/2024
ELLIS, Shauna L.	10/03/2024

WAIMEA AREA / HAWAII ISLANDWIDE PASTORAL LEASE LIST

MAHI, Antone	09/15/1961
MATSUDA, Nancy	06/22/1966

HAWAII ISLANDWIDE PASTORAL LEASE LIST

KEANAAINA, Iwalani-Marie K.	09/20/2024
AKINA, Robert K.	09/30/2024

KEAUKAHA/WAIAKEA AREA / HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

VICTORINO, Violet K.	07/23/1963
----------------------	------------

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

ABENES, Leimana K.	06/16/1989
KAUHI, Anstyn K.K.	09/06/2024
KEANAAINA, Iwalani-Marie K.	09/20/2024
AIWOHI, Robert B., Jr.	09/23/2024
ANAKALEA-HALEAMAU, Kaleonani M.	09/23/2024
HALMAS, Donalea E.	09/23/2024
FILOTEO, Franciso II	09/30/2024
KALUA, Britney T.M.	09/30/2024

HOOLEHUA AREA / MOLOKAI ISLANDWIDE AGRICULTURAL LEASE LIST

PRIESTLEY, Piikea K.	04/03/1962
----------------------	------------

MOLOKAI ISLANDWIDE AGRICULTURAL LEASE LIST

ARCE, Kamalua L.	09/26/2024
------------------	------------

HOOLEHUA AREA / MOLOKAI ISLANDWIDE RESIDENTIAL LEASE LIST

PRIESTLEY, Piikea K. 04/03/1962

MOLOKAI ISLANDWIDE RESIDENTIAL LEASE LIST

ARCE, Hokuao K. 09/26/2024

ARCE, Kamalua L. 09/26/2024

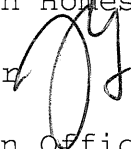
Previous Cumulative Total for Current FY	340
Current Month's Total	83
Fiscal Year Total: July 2024-June 2025	423


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 21, 2025

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 

FROM: Chloe K. M. Urabe, Application Officer 
Application Branch, Homestead Services Division

SUBJECT: **Reinstatement of Deferred Application -
Jamie F. Maioho**

RECOMMENDED MOTION/ACTION

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

DISCUSSION

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

The following applicant was deferred and has since contacted the department with updated information:

WAIANAE AREA AND OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

<u>APPLICANT</u>	<u>APPLICATION DATE</u>	<u>HHC ACTION TO DEFER</u>	<u>CONTACT DATE WITH DEPARTMENT</u>
MAIOHO, Jamie F.	03/09/1972	02/28/1986	11/09/2015


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


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 21, 2025

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

Seven (7) assignments of lease.

1. Lessee Name: Evelyn K. Collins
Res. Lease No. 5361, Lot No. 110
Lease Date: 8/2/1982
Area: Waianae, Oahu
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Dennis L. K. Kauwe, Jr.
Relationship: Son
Loan Assumption: No
Applicant: Yes, Oahu IW Res., 07/07/1993

Reason for Transfer: "Medical reasons."

2. Lessee Name: Uilani J. S. L. Gaestel
Res. Lease No. 3650, Lot No. 52
Lease Date: 6/27/1966
Area: Waimanalo, Oahu
Property Sold & Amount: No, N/A
Improvements: 4 bedroom, 1 bath dwelling

Transferee Name: Uilani J. S. L. Gaestel & Christopher K. Gaestel
Relationship: Lessee & Son
Loan Assumption: No
Applicant: No

Reason for Transfer: "Adding relative to lease."

3. Lessee Name: Bryan E. Jeremiah
Res. Lease No. 4249, Lot No. 400
Lease Date: 3/22/1977
Area: Keaukaha, Hawaii
Property Sold & Amount: No, N/A
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Seth T. K. Jeremiah & Noah S. A. Jeremiah
Relationship: Sons
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

4. Lessee Name: Obed L. Kipilii
Res. Lease No. 8972, Lot No. 7
Lease Date: 5/1/1999
Area: Waiakea, Hawaii,
Property Sold & Amount: No, N/A
Improvements: 5 bedroom, 3 bath dwelling

Transferee Name: Adrienne K. Correa
Relationship: Daughter
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

5. Lessee Name: Darrell C. Yagodich
Res. Lease No. 9955, Lot No. 117
Lease Date: 3/1/2005
Area: Waiehu 3, Maui
Property Sold & Amount: No, N/A
Improvements: 2 bedroom, 2 bath dwelling

Transferee Name: Makia J. K. Yagodich
Relationship: Son
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

6. Lessee Name: Richard T. Aikala, Jr.
Res. Lease No. 10368, Lot No. UNDV071
Lease Date: 6/18/2005
Area: Waiohuli, Maui
Property Sold & Amount: No, N/A
Improvements: None

Transferee Name: Cecelia Tanya Kock
Relationship: Daughter
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

7. Lessee Name: Dayna H. Teriipaia
Res. Lease No. 10753, Lot No. UNDV127
Lease Date: 12/3/2005
Area: Laiopua, Hawaii
Property Sold & Amount: No, N/A
Improvements: None

Transferee Name: Brynn M. Teriipaia
Relationship: Daughter
Loan Assumption: No
Applicant: No

Reason for Transfer: "Giving lease to relative."

Assignments for the Month of January `25	7
Previous FY '24 - '25 balance	<u>104</u>
FY '24 - '25 total to date	111
Assignments for FY '23 - '24	107

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 21, 2025

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

Seven (7) amendments of lease.

1. Lessee: Uilani J. S. L. Gaestel
Res. Lease No.: 3650
Lot No., Area, Island: 52, Waimanalo, Oahu
Amendment: To amend the lease to incorporate the currently used terms, conditions, and covenants to the lease. (Transfer)

2. Lessee: Pamela K. Kalama
Res. Lease No.: 3741
Lot No., Area, Island: 10, Waimanalo, Oahu
Amendment: To amend the lease to incorporate the currently used terms, conditions, and covenants to the lease. (Successorship)


3. Lessee: Arivella P. Kelii
 Res. Lease No.: 464
 Lot No., Area, Island: 243-A, Nanakuli, Oahu
 Amendment: To amend the lease to incorporate the currently used terms, conditions, and covenants to the lease. (Successorship)
4. Lessee: Charles L. Naone, Jr.
 Res. Lease No.: 3426
 Lot No., Area, Island: 286-A, Nanakuli, Oahu
 Amendment: To amend the lease to update the property description. (Transfer)
5. Lessee: Russell L. Tyler
 Res. Lease No.: 3284
 Lot No., Area, Island: 233-A, Nanakuli, 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)
6. Lessee: Floyd K. Werner
 Res. Lease No.: 2929
 Lot No., Area, Island: 60, Nanakuli, Oahu
 Amendment: To amend the lease to incorporate the currently used terms, conditions, and covenants to the lease. (Transfer)
7. Lessee: Clifford Wong
 Res. Lease No.: 3621
 Lot No., Area, Island: 29, Anahola, Kauai
 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)


Amendments for the Month of January '25	7
Previous FY '24 - '25 balance	<u>75</u>
FY '24 - '25 total to date	82
Amendments for FY '23 - '24	66

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

January 21, 2025

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

Twenty (20) non-exclusive licenses.

1. Lessee: Raymond K. Akaka &
Kehaunani H. Akaka-Odom
Res. Lease No.: 1632
Lot No., Area, Island 25-B, Nanakuli, Oahu
Permittee: Sunrun Installation Services

2. Lessee: Jo-Lynn Downey
Res. Lease No.: 11943
Lot No., Area, Island: 17123, Kaupea, Oahu
Permittee: Holu Hou Energy
3. Lessee: Theresa Goss
Res. Lease No.: 6318
Lot No., Area, Island: 60-A, Keaukaha, Hawaii
Permittee: Sunrun Installation Services
4. Lessee: James-Ian K. Ilae
Res. Lease No.: 12691
Lot No., Area, Island: 383-B-5, Kaupuni, Oahu
Permittee: Sunrun Installation Servies
5. Lessee: Alanna S. Kaaa
Res. Lease No.: 12107
Lot No., Area, Island: 17000, Kaupea, Oahu
Permittee: Sunrun Installation Servies
6. Lessee: Andrenett L. Kaahaaina
Res. Lease No.: 12793
Lot No., Area, Island: 13752, Maluohai, Oahu
Permittee: Holu Hou Energy
7. Lessee: Robert K. Kaaihue
Res. Lease No.: 11061
Lot No., Area, Island: 54, Anahola, Kauai
Permittee: Sunrun Installation Servies
8. Lessee: Michael E. R. H. Kahikina
Res. Lease No.: 4443
Lot No., Area, Island: 115, Waianae, Oahu
Permittee: Holu Hou Energy

9. Lessee: Fredrick K. Kalilimoku
Res. Lease No.: 12467
Lot No., Area, Island: 76, Kauluokahai, Oahu
Sunrun Installation Services
10. Lessee: Charles K. Kaliloa
Res. Lease No.: 6006
Lot No., Area, Island: A-11, Kekaha, Kauai
Permittee: Sunrun Installation Services
11. Lessee: Alexander L. Manners
Res. Lease No.: 7267
Lot No., Area, Island: 15, Nanakuli, Oahu
Permittee: Holu Hou Energy
12. Lessee: Maury M. Montez
Res. Lease No.: 9786
Lot No., Area, Island: 13680, Maluohai, Oahu
Permittee: Sunrun Installation Servies
13. Lessee: Moses M. Oponui
Res. Lease No.: 548
Lot No., Area, Island: 316, Nanakuli, Oahu
Permittee: Holu Hou Snergy
14. Lessee: Diego W. C. Padillio
Res. Lease No.: 9412
Lot No., Area, Island: 99, Kaniohale, Hawaii
Permittee: Sunrun Installation Services
15. Lessee: Delayne D. Pai
Res. Lease No.: 8872
Lot No., Area, Island: 31, Hanapepe, Kauai
Permittee: Sunrun Installation Services

16. Lessee: Terrence P. Samoa
 Res. Lease No.: 3786
 Lot No., Area, Island: 361, Nanakuli, Oahu
 Permittee: Holu Hou Installation Servies
17. Lessee: Paul J. Texeira, Jr. & Monica L. Texeira
 Res. Lease No.: 935
 Lot No., Area, Island: 28, Nanakuli, Oahu
 Permittee: Holu Hou Installation Servies
18. Lessee: Clement T. Torricer & Sylvia Torricer
 Res. Lease No.: 9950
 Lot No., Area, Island: 99, Waiehu 3, Maui
 Permittee: Sunrun Installation Servies
19. Lessee: Cynthia K. Vierra & Robert Vierra
 Res. Lease No.: 2460
 Lot No., Area, Island: 89, Waimanalo, Oahu
 Permittee: Sunrun Installation Servies
20. Lessee: Melva Maureen U. Wright
 Res. Lease No.: 11353
 Lot No., Area, Island: 23, Kekaha, Kauai
 Permittee: Sunrun Installation Servies

Non-Exclusive License for the Month of January '25	20
Previous FY '24 - '25 balance	<u>90</u>
FY '24 - '25 total to date	110
Non-Exclusive License for FY '23 - '24	279

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 21, 2025

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator
Homestead Services Division

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

SUBJECT: **Commission Designation of Successor -
ELLA NALANI CORREA, Residential Lease No. 12321,
Lot No. UNDV002, Kapolei, Oahu**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Montgomery Kaulaloku Meyer (Montgomery) as successor to Residential Lease No. 12321, Lot No. UNDV002, Kapolei, Oahu (Lease), for the remaining term of the Lease;

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

Ella Nalani Correa (Decedent) received the Lease by way of an Assignment of Lease and Consent on December 06, 2008.

On December 22, 2010, the Decedent passed away without naming a qualified designated successor to her leasehold interest.

On May 11, 2011, the Department received the Decedent's death certificate.

In compliance with Administrative Rule 10-3-63, the Department published legal notices in the Honolulu Star-Advertiser, the Hawaii Tribune Herald, the West Hawaii Today, The Maui News, and The Garden Island newspapers on December 3, 13, 17, and 27, 2017, 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 grandson, Montgomery Kaualoku Meyer (Montgomery) who has been determined to be of at least 25% Hawaiian ancestry and is thus eligible for successorship to the Lease.

Pursuant to Section 209 of the Hawaiian Homes Commission Act of 1920, as amended (Act), when a lessee fails to designate a successor, the commission is authorized to terminate this lease or to continue the lease by designating a successor. Section 209 states in part that the department may select 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, Montgomery is eligible to succeed to the leasehold interest.

The Department requests approval of its recommendation.

Hawaiian Homes Commission Meeting Packet
January 21 & 22, 2025
Hale Pono'ī, Kapolei, Oahu

E ITEMS



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

E-1

Awards Schedule for Calendar Year 2025

January 21 & 22, 2025

2025 SCHEDULE: 2,400+ awards / 13 projects

MONTH	EVENT
January 2025	<ul style="list-style-type: none"> Pu'uhona Orientation
February 2025	<ul style="list-style-type: none"> West O'ahu Project Leases (Kauluokahai/Kaupea) Orientation
March 2025	<ul style="list-style-type: none"> West O'ahu Project Lease Awards (665) West Hawai'i Project Leases (La'i'Ōpua / Kawaihae) Orientation
April 2025	<ul style="list-style-type: none"> Pu'uhona Lot Selection (91) West Hawai'i Project Lease Awards (390)
May 2025	<ul style="list-style-type: none"> RWOP La'i'Ōpua Village 4 Akau Orientation Ka'uluokaha'i IIC Orientation
June 2025	<ul style="list-style-type: none"> RWOP La'i'Ōpua Village 4 Akau Lot Selection (32) Ka'uluokaha'i IIC Lot Selection (115)

MONTH	EVENT
July 2025	<ul style="list-style-type: none"> La'i'Ōpua Village 4 Hema Orientation Maui Vacant Lot (Hikina/Pu'uhona) Orientation
August 2025	<ul style="list-style-type: none"> La'i'Ōpua Village 4 Hema Lot Selection (125) Maui Vacant Lot Selection (36)
September 2025	<ul style="list-style-type: none"> RWOP Hanapēpē Orientation
October 2025	<ul style="list-style-type: none"> RWOP Hanapēpē Lot Selection (30)
November 2025	<ul style="list-style-type: none"> Maui Residential Project Leases (Kamalani, Wailuku Single-Family, Waiehu Mauka) Orientation Maui Ag Project Leases (Honokowai / Waiehu Mauka) Orientation
December 2025	<ul style="list-style-type: none"> Maui Residential Project Lease Awards (181+400+204+343=1,183) Maui Ag Project Lease Awards (55+38=93)

West O'ahu Project Leases (Kapolei, O'ahu)

PROJECT LEASES (665)

- ORIENTATION: FEBRUARY
- LOT SELECTION: MARCH



Pu'u'hona (Waikapū, Maui)

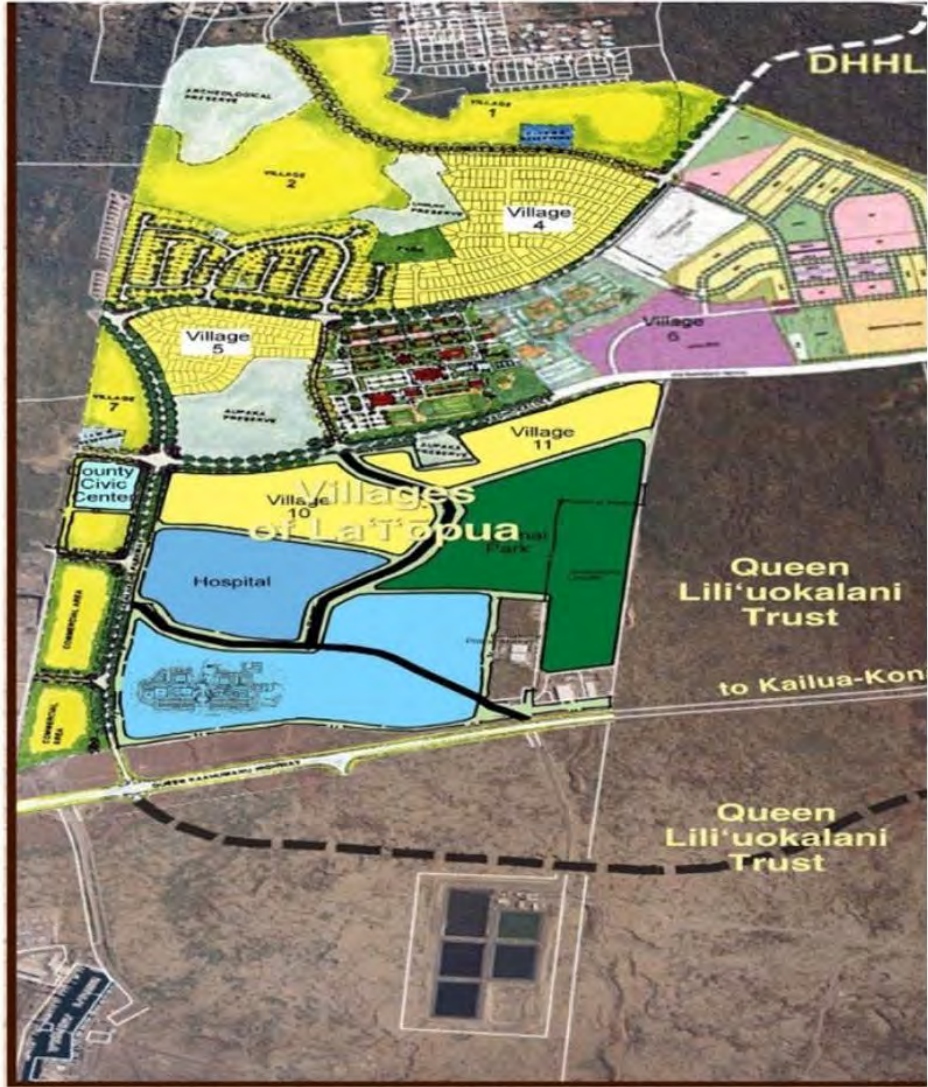


PHASE 2 (91) TURNKEY

- ORIENTATION: JANUARY
- LOT SELECTION: APRIL



West Hawai'i Project Leases (West Hawai'i)



PROJECT LEASES (390)

- ORIENTATION: MARCH
- LOT SELECTION: APRIL

RWOP La'i'Ōpua Village 4 Akau (West Hawai'i)



RWOP LA'I'ŌPUA VILLAGE 4 AKAU (32)

- ORIENTATION: MAY
- LOT SELECTION: JUNE

KA'ULUOKAHA'I IIC (O'ahu)



KA'ULUOKAHA'I IIC (115)

- ORIENTATION: MAY
- LOT SELECTION: JUNE

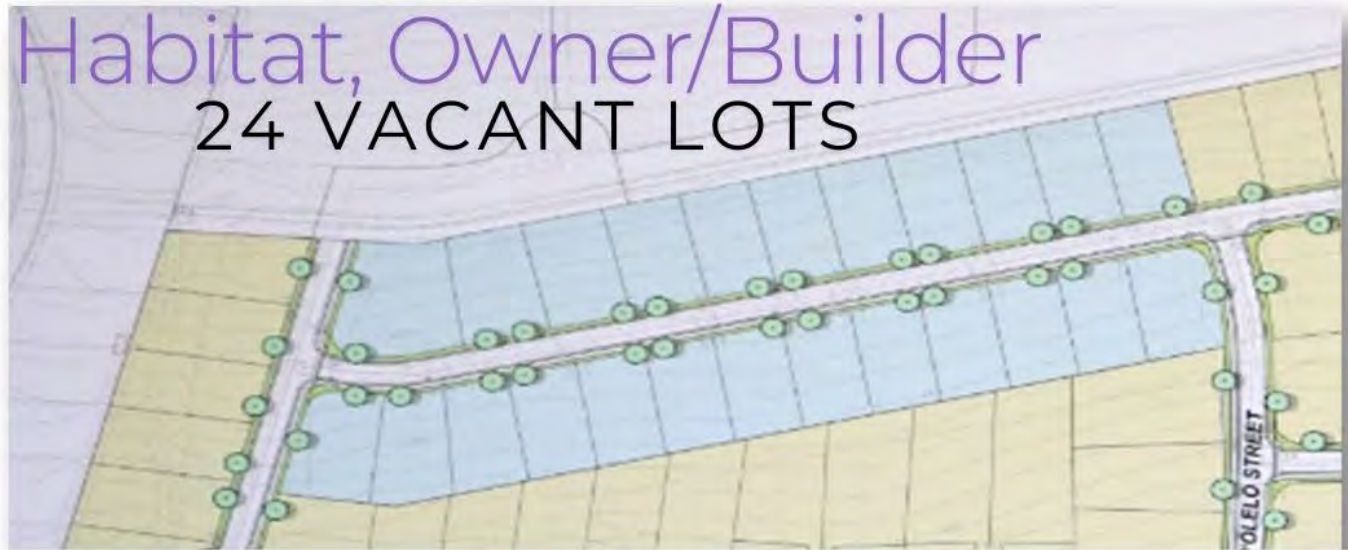


Ka'uluokaha'i



MAUI VACANT: Pu'uhona / Hikina

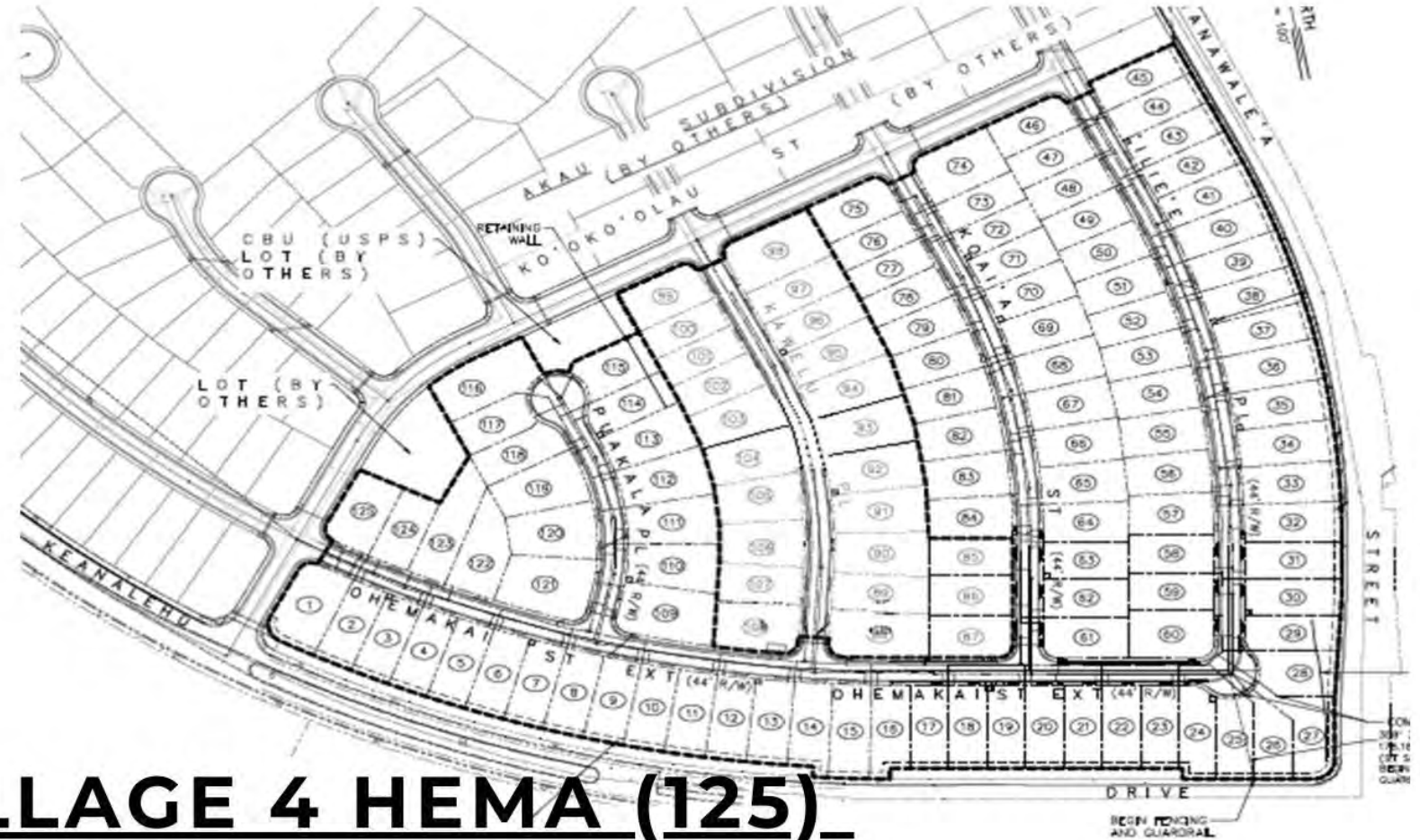
Habitat, Owner/Builder
24 VACANT LOTS



Owner/Builder
12 VACANT LOTS

DATE	EVENT	LOTS
July 2025	Maui Vacant: Orientation	36
August 2025	Maui Vacant: Lot Selection	

La'i'Ōpua Village 4 Hema (West Hawai'i)



LA'I'ŌPUA VILLAGE 4 HEMA (125)

- ORIENTATION: JULY
- LOT SELECTION: AUGUST



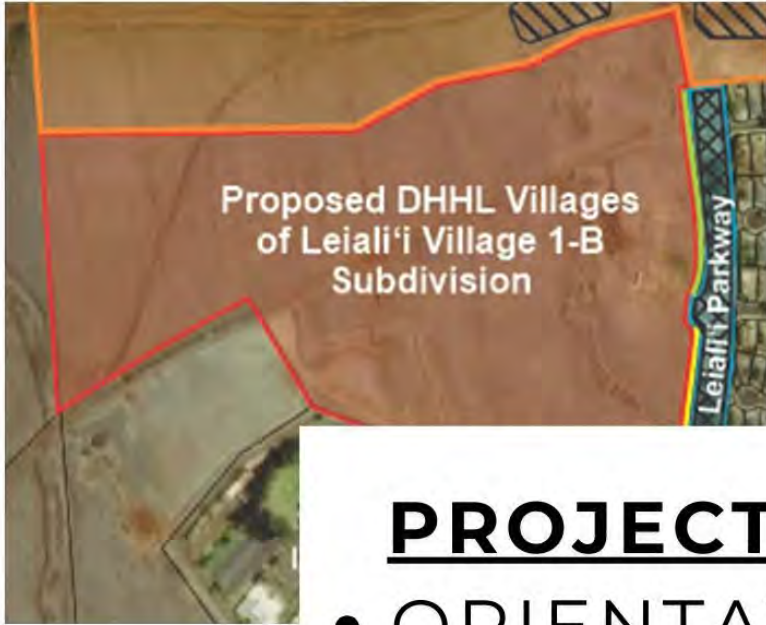
RWOP Hanapēpē (Kaua'i)

RWOP HANAPEPE PHASE 2 (30) - INCREMENT 1

- ORIENTATION: SEPTEMBER
- LOT SELECTION: OCTOBER

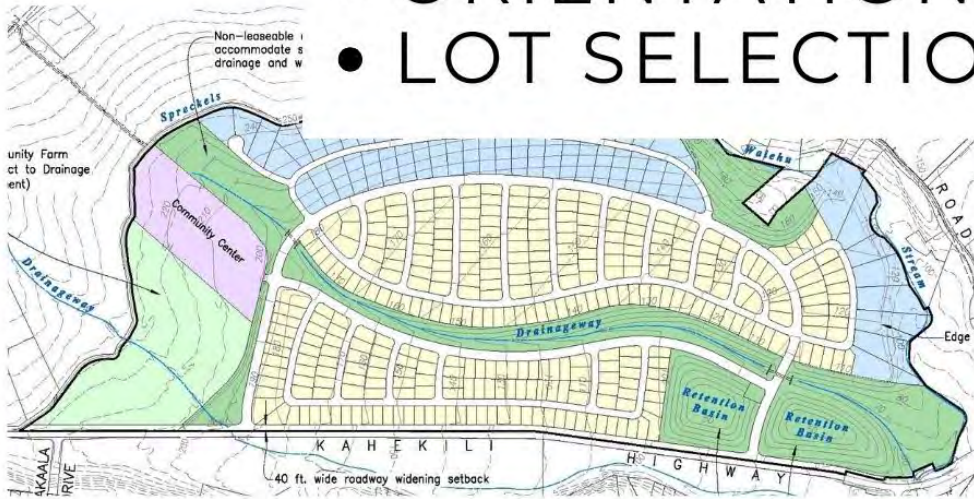


MAUI RESIDENTIAL

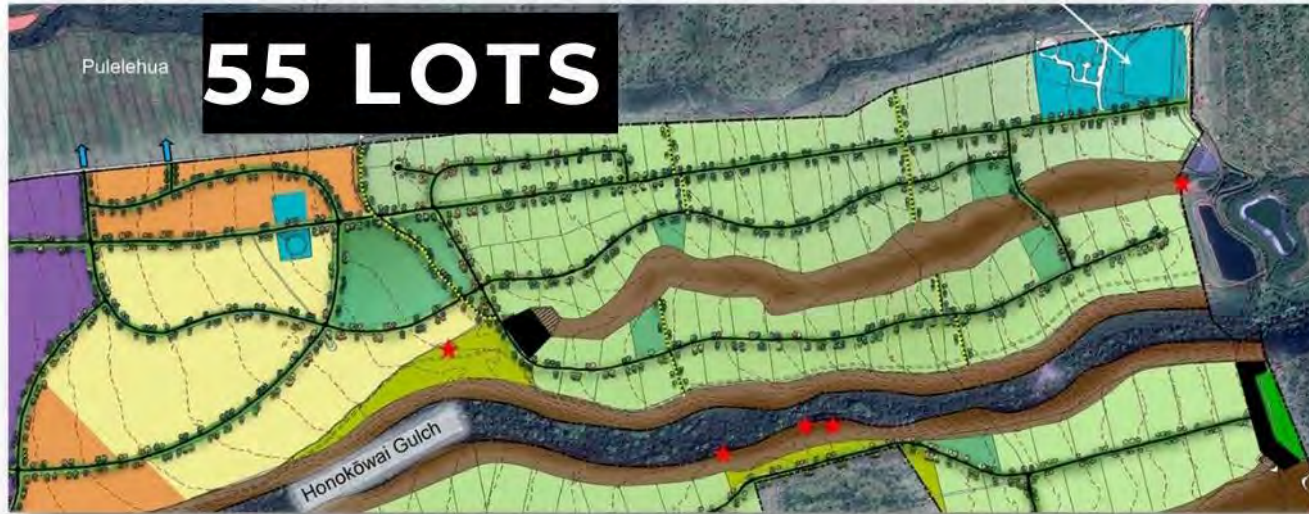


PROJECT LEASES (1,183)

- ORIENTATION: NOVEMBER
- LOT SELECTION: DECEMBER



MAUI AGRICULTURE: Honokowai & Waiehu Mauka



DATE	EVENT	LOTS
Mid November	Maui Agricultural Project Leases: Orientation	93
Mid December	Maui Agricultural Project Leases: Awards	

MAHALO



DEPARTMENT OF HAWAIIAN HOME LANDS

www.dhhl.hawaii.gov

Hawaiian Homes Commission Meeting Packet
January 21 & 22, 2025
Hale Pono'ī, Kapolei, Oahu


F ITEMS


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 21-22, 2025

To: Chairperson and Members, Hawaiian Homes Commission

Thru: Linda Chinn, Acting Administrator 

From: Ashley Tabalno, Land Agent
Land Management Division 

Subject: Approval to Annual Renewal of Right of Entry Permit(s) and Conversion to Revocable Permits: ROE No. 599 - Parker Ranch, West, Hawaii Island; ROE Nos. 600 - Kennard Hicks, 511 - Robert D. Lyman, and 527 - Waianae Valley Farm, Ltd., West Oahu Island

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

- A) Rescind its respective hold-over period for the conversion of Right of Entry Permit to Revocable Permit authorization for the above referenced Hawaii Island ROE, as proposed and recommended by the HHC under LMD Agenda Item No. F-1 at its regular monthly meeting convened on May 20-21, 2024 (See Exhibit A-1) and the above referenced Oahu Island ROE's, as proposed and recommended by the HHC under LMD Agenda Item No. F-1 at its regular monthly meeting convened on September 16-17, 2024 (See Exhibit A-2)
- 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 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 Exhibits "B" and "B-1" respectively attached hereto.
- C) Approve conversion of Right of Entry Permit as listed on Exhibit "A-1" and identified by approximate location on the West Hawaii Island Map Exhibit, and listed on Exhibit A-2" and identified by approximate location on the West Oahu Island Map Exhibit that are in compliance, as of January 1, 2025.
- D) The revocable permit annual renewal period shall be on a month-to-month basis, for up to twelve (12) months, but no longer than the date as specified in Exhibits "A-1" and "A-2" respectively, or whichever occurs sooner.
- E) Authorize the Chairman to negotiate and set forth other terms and conditions that may be deemed appropriate and necessary.

DISCUSSION

The submittal represents the Right of Entry Permit(s) which will be converted to Revocable Permits. Prior to conversion the subject Right of Entry Permits required additional site inspections before conversion approval.

Staff conducted site visits to all right-of-entry permit parcels, affirms full compliance, and recommends the conversion to Revocable Permits.

In review of the West Hawaii Island ROE Permit, ROE No. 599, the following photos are attached in Exhibit “B” per the HHC’s request at its May 20-21, 2024, meeting.

In review of the West Oahu Island ROE Permits, ROE Nos. 600, 511, and 527, the following are short summaries of the site visit attached hereto in Exhibit “B-1”:

ROE No. 600 – Kinnard Hicks: Mr. Hicks is a homesteader, and his use of a parcel designated as conservation land, as outlined in the 2014 O‘ahu Island Plan (specifically Figure 4.3 – Wai‘anae Planning Area on page 4-13), is justified.

ROE No. 511 – Robert D. Lyman: The disposition involves a large land area of approximately 1,126.0 acres designated for pastoral use, classified as Conservation Land and Proposed Subsistence Agricultural Homestead, as outlined in the 2014 O‘ahu Island Plan (Figure 4.5 – Nānākuli Planning Area, page 4-23). Staff confirmed.

ROE No. 527 – Waianae Valley Farm, Ltd: The disposition involves a large land area of approximately 438.0 acres designated for pastoral use, classified as Conservation Land and Proposed Subsistence Agricultural Homestead, as outlined in the 2014 O‘ahu Island Plan (Figure 4.5 – Nānākuli Planning Area, page 4-23). Staff confirmed with the permittee that the parcel currently supports approximately 60 head of cattle and hosts farming and agricultural educational programs for youth. The permittee acknowledged previously allowing parties and gatherings on the property but stated that such activities have ceased. Additionally, the permittee expressed a strong desire to retain the permit and a willingness to comply with all required terms.

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.

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

Public Testimony – Patrick Kahawaiola a. Echoed M Kapuniai’s sentiments as it took 12 years for his infrastructure to be put in. He expressed his disapproval unless the new date is for the residents to go in when the roads are built to a standard that the lessees and emergency responders can access the properties.

Commissioner Freitas stated that whichever way this goes will make people happy, but it will not make everybody happy. The issue is the commencement date, and he thinks it best to start it with stipulations. The Department needs to have dialogue with the first responders and the County at the same meeting at the same time to discuss a strategy. Identify the leases that do not have access to their lots and if they are vacant or have homes, people living there, or somewhere else. Move forward.

J. Garcia stated that access to the lots is available for each of the 182 lots. Need to determine why the lessee feels the lot is not accessible. The Department can provide monthly status reports if the Commission requires that. The Department is committed to maintaining the roads.

Chair Watson stated it is an agricultural area and a 20 ft. gravel road should be sufficient for that area. His concern is that close to 100 lots were awarded and how to get individuals to use the land actively. Having the start date in 2024 and the 7-year exemption is helpful, but having potential builders of homes on these lands is important. Those with existing houses, do they have outstanding loans that would impact them with the start date? J. DuPont stated he is not aware of any loans.

Commissioner Neves would feel comfortable if the Fire, Police, and EMS sign off that they will service the area and the items are in the document. He would prefer to defer this to tomorrow. Commissioner Neves asked who does the maintenance. J. DuPont stated it is the Department.

Commissioner Awo was okay with deferring the item if it led to the right compromise. He would like a commitment from the Department to the capacity to do those things.

Public Testimony – Patrick Kahawaiola a. The Hawaiian Homes Commission Act is clear that the roads do not have to be made to county standard, and the County shall maintain the roads over Hawaiian Home Lands whether the roads are of gravel or cinder. Help the beneficiaries.

Public Testimony – Marrion Kapuniai. Commented about the roads not being 20 feet wide in all areas. She stated it would be good to study Section 220 of the Hawaiian Homes Commission Act.

Chair Watson stated the item is being **DEFERRED** to tomorrow.

LAND MANAGEMENT DIVISION

ITEM F-1 Approval to Annual Renewal of Right of Entry Permit(s) and Conversion to Revocable Permits, North & West Hawai'i Island (see exhibits)

RECOMMENDED MOTION/ACTION

General Professional Land Management Division Kahana Albinio presented the following: Motion that the Hawaiian Homes Commission approve the Annual Renewal of Right of Entry Permit(s) and Conversion to Revocable Permits, North & West Hawai'i Island, and approve the four actions listed in the submittal.

- Renew all North & West Hawai'i Island Right of Entry Permit(s)_
- All respective agreement(s) shall be converted to Revocable Permit(s)

- The Revocable Permit(s) annual renewal period shall be on a month-to-month basis for up to 12 months but no longer than May 31, 2025
- Authorize the Chairman to negotiate and set for the other items and conditions that may be deemed to be appropriate and necessary

MOTION

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

DISCUSSION

Commissioner Neves stated that he noted that a couple of the items did not have a COI, and is that not one of the requirements? K. Albinio stated that is correct. Linda Chinn, Exhibit B, did a report and confirmed that all the Right of Entry Permits had an updated Certificate of Liability Insurance. Commissioner Neves stated that the PIG needs to get on the property, inspect it, and let them know that they are subject to losing their Right of Entry until the Department has access. K. Albinio stated they sent out a letter to each permittee informing them the Department would be coming for an inspection.

Commissioner Kaleikini asked about the appraised value. K. Albinio stated that for commercial and industrial leases, they look at assessed value from the real property assessment, take 8%, and give them a 50% discount off of the 8%. It is short-term.

Commissioner Namu o commended LMD on the report, as there are now details. K. Albinio credited Linda Chinn with that.

Commissioner Neves requested that ROE 599 be removed until it is resolved.

MOTION/ACTION TO AMEND

Moved by Commissioner Neves, seconded by Commissioner Kaleikini, to remove ROE 599 until the issue is resolved and the Department is able to access the property for inspection.

	1	2	AYE (YES)	NO (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner						
Commissioner Awo			X			
Commissioner Freitas			X			
Commissioner Helm			X			
Commissioner Kaleikini		X	X			
Commissioner Kaneakua			X			
Commissioner Marfil			X			
Commissioner Namu o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						

Motion passed unanimously. Nine (9) Yes votes.

AMENDED MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Helm, to remove ROE 599 until the issue is resolved and the Department is able to access the property for inspection.

Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Freitas			X			
Commissioner Helm		X				
Commissioner Kaleikini			X			
Commissioner Kaneakua			X			
Commissioner Marfil			X			
Commissioner Namu'o			X			
Commissioner Neves	X					
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						

Motion passed unanimously. Nine (9) Yes votes.

ITEM F-2 Approval to Extension of Lease Term for General Leases No. 217, Harborside Investors, Kawahae, Island of Hawaii, TMK No. (3) 6-1-006:015

RECOMMENDED MOTION/ACTION

General Professional, Land Management Division Kahana Albino presented the following: Motion that the Hawaiian Homes Commission approve a 10-year extension to lease term and modification of the ground lease rent so that the aggregate of the original 55-year term and the extended 10-year term span a total of 65 years for General Lease No. 217, located within Kawahae, Island of Hawaii, for the purpose of obtaining financing for the property.

Land Agent, Land Management Division Brigida Ayson stated the lessee plans to refinance and spend \$100,000 for improvements. The commercial lender requires at least 20 years remaining on the lease in order to refinance the existing mortgage on the lease; hence, the lessee is asking for a 10-year extension to the lease.

MOTION

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

Public Testimony – Kauli Almeida. Items F-2, F-3, F-5, and F-6 as they are relative to the extension. In 2021, DHHHL was notified of a disagreement with the DOI and the notification to the Governor. Kai Kabele sent letters to the Governor on behalf of the beneficiaries regarding Act 236. The sole responsibility of the Department is to the beneficiaries. She read the letter submitted by Kai Kabele. The lessees did not pay attention to their leases. The Department should be putting more than 50% of Hawaiians on the land.

Commissioner Awo stated Act 236 allowed the State of Hawaii to take Hawaiian Home Lands and extend it 40 years beyond the 65-year aggregate period. He remembered that several years ago, the Commission was asked to pass this, but the Commission did not have what the federal

May 2024

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

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

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

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

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

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

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

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

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

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

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

May 20-21, 2024

To: Chairman and Members, Hawaiian Homes Commission

Thru: Linda Chinn, Acting Administrator
Land Management Division

From: Peter "Kalana" Albino, Jr., General Professional VI
Land Management Division

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

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

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

DISCUSSION

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

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

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

NO.	ACRE	USE	PERMITTEE/ADDRESS	TMK	Denotes Beneficiary			Denotes Delinquent	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
					Date Started	Current Annual Rent	Proposed Annual Rent		
461	0.54	Commercial	Edward J. Laau/Naomi K. Peck	(3) 6-1-003:018 Kawaihae	7/1/1989	\$13,497	-		Rent is current; portion of a larger parcel that is designated Special District Use. Insufficient infrastructure.
462	0.67	Commercial	Kawaihae Spirits	(3) 6-1-002:066 and:068 Kawaihae	2/20/1990	\$13,705	\$14,116		Rent is current; portion of a larger parcel that is designated Subsistence Agricultural Use. Insufficient infrastructure.
464	50.00	Pastoral	Marian Kapuniai	(3) 6-4-038:007 (p) Puukapu	12/29/2012	\$900	-		Rent is current; portion of a larger parcel that is designated Special District Use. Insufficient infrastructure.
466	105.73	Pastoral	Malama Solomon	(3) 6-5-001:010 (p) Waimea	1/1/2000	\$1,260	-		Rent is current; parcel that is designated Community Use.
483	0.56	Commercial	Guy Startzman	(3) 6-1-003:003 Kawaihae	2/14/2011	\$7,002	\$7,212		Rent is current; portion of a larger parcel that is designated Special District Use. Insufficient infrastructure.
484	1420.00	Pastoral	Kahua Ranch	(3) 6-1-001:002 (p) Kawaihae	2/1/2011	\$6,365	\$6,556		Rent is current; parcel that is designated Community Use.
485	7600.00	Pastoral	Palekoki Ranch, Inc.	(3) 6-1-001:003 (p)	6/1/2011	\$31,620	-		Rent is current; portion of a larger parcel that is designated General Agriculture & Special District Use. Insufficient infrastructure.
599	381.00	Pastoral	Parker Ranch	(3) 6-5-001:011 & -019	7/1/1977	\$4,488	\$4,623		Rent is current; portion of a larger parcel that is designated General Agricultural Use. Insufficient infrastructure.

Denotes Beneficiary

Exhibit "A"
Item No. F-1

May 2024

AUTHORITY / LEGAL REFERENCE:

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

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

RECOMMENDATION:

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

Exhibit B
Item No. F-1

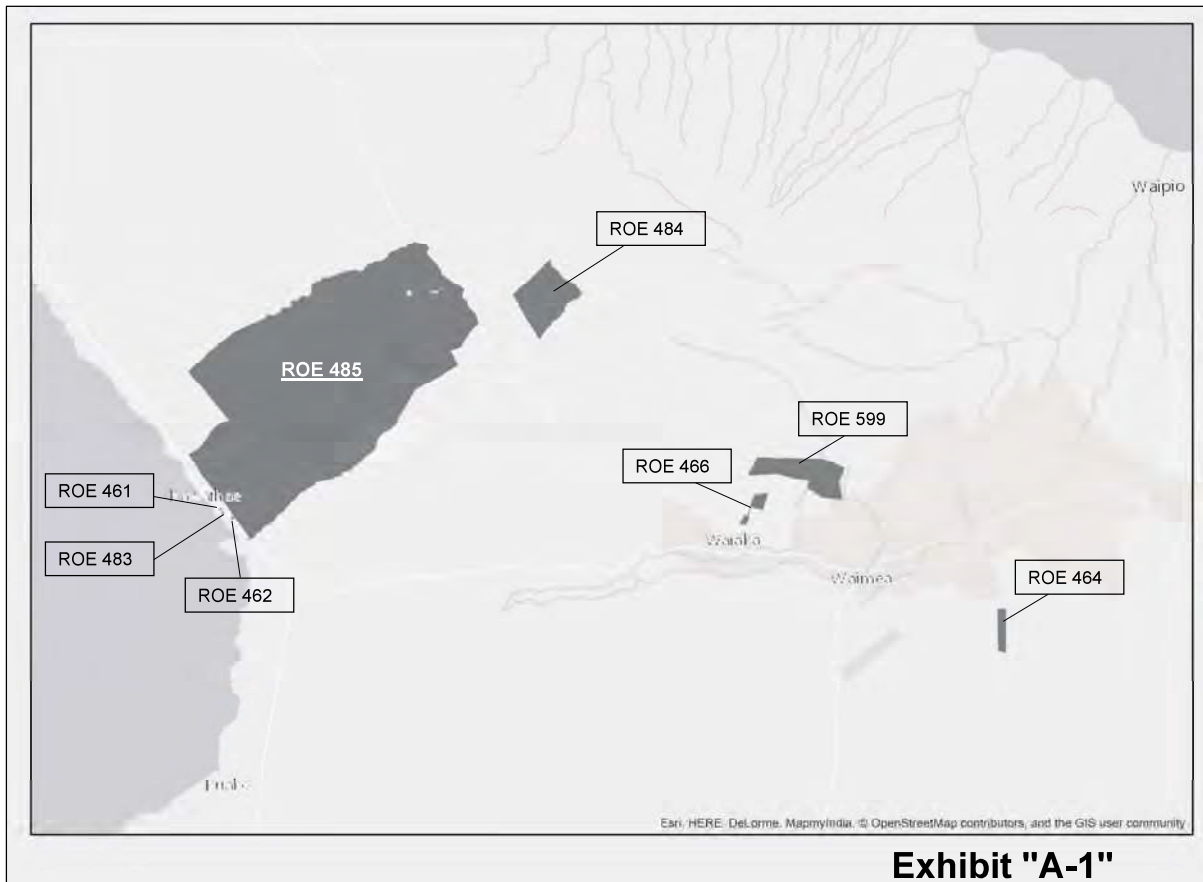


Exhibit "A-1"
Agenda Item No. F-1



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: ROE 461	ADDRESS: P. O. Box 491	BY: Linda Chinn
NAME: Edward & Frances Laha	TMK/ZONING: (3) 6-1-005, 016	PERMITTED USE: Commercial
LOCATION: Kawailoa	AREA: 0.945 A	CO/BOND: Current. #195614-5A02024
RENTAL CURRENT: Paid in full 5/4/2024	DCCA COMPLIANT: n/a	DATE: 05/13/2024

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



PROPERTY INSPECTION REPORT

GL/L/ROE/RP NO.: 462	ADDRESS: P. O. Box 537, Hawi, Hawaii 96719	BY: Linda Chinn
NAME: Hawaiian Spirits, Inc. dba Touching the Earth LLC	TMK/ZONING: (2) 6-1-002:000 & 065 (c)	PERMITTED USE: Commercial
LOCATION: Kawaiahae	AREA: 0.670 A	COI/BOND: Last certificate in 2019
RENTAL CURRENT: \$13,705.00 (current)	DCCA COMPLIANT:	DATE: 05/03/2024

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: ROE 464	ADDRESS: P. O. Box 6753, Kaneohe, Hawaii 96743	BY: Linda Chinn
NAME: Marian Kaimoi	TMK/ZONING: (2) 6-3-038/007 (p)	PERMITTED USE: Residential
LOCATION: Paikakou	AREA: 65.8	COU/BOND: Expire 11/01/2024
RENTAL CURRENT: \$900.00 (current)	DCCA COMPLIANT: n/a	DATE: 05/08/2024

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: ROE 466	ADDRESS: P. O. Box 519, Kamuela, Hawaii 96743	BY: Linda Chnn
NAME: Malama Solomon	TMK/ZONING: (3) 6-5-001:010 (p)	PERMITTED USE: Pastoral
LOCATION:	AREA: 105,727 A	COI/BOND: Current
RENTAL CURRENT: \$1,260,00 (current)	DCCA COMPLIANT: n/a	DATE: 05/08/2024

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



PROPERTY INSPECTION REPORT

GL/L/ROE/RP NO.: ROE 483	ADDRESS: 81 Puako Beach Drive, Kamuela, HI 96743	BY: Linda Chinn
NAME: Guy Startman	TMK/ZONING: (3) 6-1-0030003 (6)	PERMITTED USE: Commercial/parking lot
LOCATION: Kaunohou	AREA: 0.640 A	CO/BOND: 05/2024
RENTAL CURRENT: \$7,000.00 (normal)	DCCA COMPLIANT: n/a	DATE: 08/08/2024

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

Department of Development & Economic Land



PROPERTY INSPECTION REPORT

GL/L/RO/ERP NO.: ROE 484	ADDRESS: P. O. Box 837, Kaneohe, Hawaii 96743	BY: Linda Chinn
NAME: Joshua Ravon	TMK/ZONING: (1) 6-5-001-002 (P)	PERMITTED USE: Pasture
LOCATION: Kaneohe	AREA: 3.426 ±	COI/ROD: 10/2024
RENTAL CURRENT: current to April 2024	BCCA COMPLIANT: Current	DATE: 05/08/2024

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

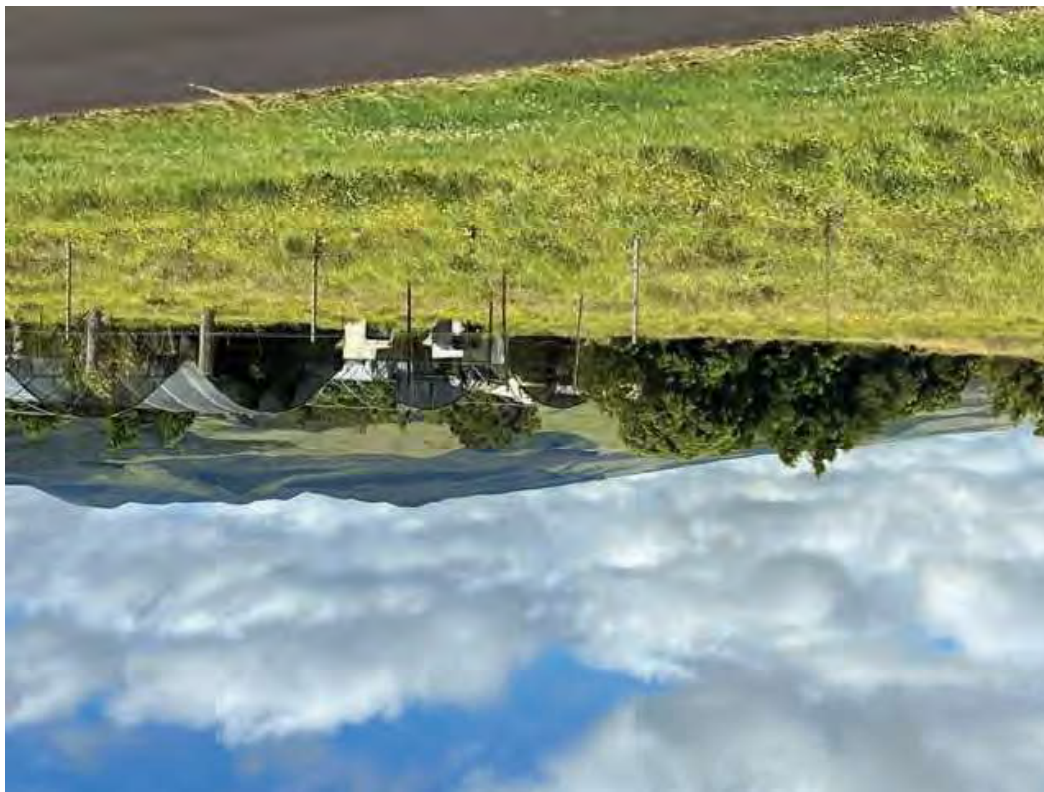
Department of Hawaiian Home Lands



PROPERTY INSPECTION REPORT

GL/L/ROE/RP NO.: ROE 485	ADDRESS: c/o Verly CPAs, P. O. Box 2957, Kaneohe, Hawaii 96743	BY: Linda Chinn
NAME: Piholeki Ranch, Inc.	TMK/ZONING: (2)1 6-1-001:003 (p)	PERMITTED USE: P10A100
LOCATION: Kaneohe	AREA: 7.600 A	COI/BOND: 04/2025
RENTAL CURRENT: \$31,020.00 (current)	DCCA COMPLIANT:	DATE: 05/09/2024

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



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: ROE 599	ADDRESS: 67-1349 Ala Ohia Street, Kamaeola, Hawaii 96743	BY: Linda Chinn
NAME: Porkor Ranch	TMK/ZONING: (3) 5-5-001:011 & 019	PERMITTED USE: Pastoral
LOCATION: Waimea	AREA: 281 A	COL/BOND: 91/25025
RENTAL CURRENT: \$4,488/month Current	DCCA COMPLIANT: Yes	DATE: 05/08/2024

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

Department of Environmental Services - Land Use

ΕΠΙΧΕΙΡΗΣΙΑΚΟ ΠΡΟΓΡΑΜΜΑ - ΠΕ

ΙΙΙΙ Ν. Φ-1

LAND MANAGEMENT DIVISION

ITEM F-1 Approval to Annual Renewal of Right of Entry Permit(s) and Conversion to Revocable Permits, Oahu Island – EXCEPT Kalaheoa (See Exhibit F-1)

RECOMMENDED MOTION/ACTION

Income Properties Manager Kahana Albino presented the following:
Motion to Approve Annual Renewal of Right of Entry Permit(s) and Conversion to Revocable Permits, Oahu Island – EXCEPT Kalaheoa

DISCUSSION

K. Albino requested approval for the permits, clarifying that the highlighted gray areas in the report pertained to beneficiaries.

Commissioner Namuo inquired about a delinquency listed in the report. K. Albino confirmed it was an oversight, assuring that all listed properties were compliant and current with their payments.

Public Testimony – Patty Kahanamoku Teruya

P. Teruya, a witness from Nanakuli, expressed concerns about the compliance of properties under right of entry permits. She argued that some properties, despite being classified as agricultural or ranch land, had structures being rented out for events, violating compliance regulations. Teruya highlighted the importance of ensuring that properties are used in accordance with their designated permits, especially considering safety concerns in the community. She urged the commission to investigate potential violations and work closely with the community to maintain compliance. She called for a proactive approach in investigating properties that may be non-compliant, reinforcing the importance of safety in the community. She voiced support for items F5 and F6, advocating for the Punahele program to receive similar waivers to those granted in other areas, emphasizing the need for financial support for the program to continue its work with children.

Public Testimony – George Akana

G. Akana reflected on his experiences over the past year since being awarded a lease at Kilihau Street in the Mapunapuna industrial area. He described the location as somewhat seedy and highlighted his ongoing struggles with the lease, stating that despite being awarded a lease, it remained on a month-to-month basis. This arrangement restricted his ability to make improvements and investments in the property. Akana noted the property's poor condition, emphasizing that it had been ransacked by homeless individuals and lacked utilities, leaving it essentially as a shell. He expressed frustration at having to act as a security guard and cleanup crew.

Akana urged the commission to provide better tools for business owners and beneficiaries to make properties usable and investable, suggesting tenant improvement credits to allow businesses to invest without fear of losing their investments due to sudden lease terminations. He shared his struggles in applying for general leases, citing disqualification due to tax clearance and insufficient improvement details, and criticized the high requirements set by DHHL for property improvements, which he felt were unreasonable given property conditions. He also argued that property value assessments failed to consider local issues, leading to inflated prices and making leasing unfeasible. Emphasizing the challenges faced by Native Hawaiian businesses, Akana called for financial support, while a commissioner acknowledged the need to assist these businesses and suggested exploring discounts or loan programs to help.

Chair Watson discussed potential revisions to policies that govern leases and property management. There was a recognition of the difficulties faced by businesses like Akana's and the importance of

providing a more conducive environment for Native Hawaiian businesses to operate. The need for a balance between generating revenue for the program and supporting local businesses was highlighted, and suggestions were made to reconsider policies regarding rent participation and general lease terms.

Commissioner Neves reiterated concerns about compliance issues and property management in areas like Lyman Ranch and Nanakuli Ranch. Land Manager Katei Young mentioned that the ROE for Lyman Ranch includes a provision to maintain the caretakers' dwellings and the importance of having individuals on-site to ensure properties are well cared for. A call for further investigation into compliance issues was made, particularly concerning reports of potential misuse of properties.

The discussion concluded with a consensus on the importance of engaging the community and ensuring that compliance regulations are upheld. The commissioners agreed on the need for ongoing dialogue about improving the leasing process and supporting Native Hawaiian businesses, recognizing that such businesses are vital to the local economy and community stability.

Public Testimony – Patty Kahanamoku Teruya

P. Teruya reiterated her concerns about illegal structures and the organization of events at Nanakuli Ranch, specifically how these are affecting the community. She mentions complaints about parties and mentions being criticized for trying to stop them.

Commissioner Neves called for more accountability and collaboration with the enforcement team (E-team) to bring people into compliance, emphasizing the risks of allowing non-compliance, including potential accidents on Farrington Highway. The speaker stresses the importance of protecting the homestead.

Commissioner Kalepa asked about the process of fines for illegal activities. K. Albino clarified that the only enforcement mechanism is the termination of the permits.

Commissioner Marfil cautioned about the vacuum effect that would occur if for instance the Akana Brothers, Nanakuli Ranch, and Lyman Ranch, were not there. How easily new occupants could move in after the departure of current ones.

Public Testimony – Germaine Meyers

G. Meyers raised an issue about rent discrepancies, where one non-Hawaiian tenant, Kenneth Hicks, pays only \$20 a month for six acres of land while others pay significantly more. She questioned why non-Hawaiians are being given agricultural land on Oahu while Native Hawaiians remain on waiting lists. He criticizes the Department of Hawaiian Home Lands (DHHL) for allowing this discrepancy and for not including the required property inspection reports with the parcel proposals. He argues that the land in question could be better used for Native Hawaiians waiting for agricultural lots.

Actin Land Management Administrator Linda Chinn reveals that Hicks' land is in a flood zone, which is why it cannot be used as a homestead. While it is currently being used for growing plumeria trees, this situation raises questions about whether the land is being used optimally. Chair Watson suggested converting some parcels to homesteads where possible, and the discussion expands to include examples of other properties, such as a church that lost its lease due to non-payment and neglect.

Commissioner Neves questioned the wisdom of approving the current proposals without more thorough inspections. One commissioner suggests deferring the decision to allow for a more complete assessment, including the use of the E-team to ensure compliance. The commission agrees that land

should be returned to Native Hawaiians or nonprofits to take care of, instead of allowing these issues to persist.

K. Young mentioned staffing challenges, specifically a shortage of land agents, which has made oversight difficult. He expressed gratitude that three new land agents have been hired.

Commissioner Neves asked to defer action on three parcels (Hicks, Wai'anae Farms, and Lyman) until the next month when proper inspections and reports can be submitted.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Kaneakua, to approve motion as stated in the submittal, except for Nos. 600, 511, 527

Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Lasua			X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua		X	X			
Commissioner Marfil			X			
Commissioner Namu'o	X		X			
Commissioner Neves			X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			

MOTION: UNANIMOUS PASSED DEFERRED FAILED
 Motion passed unanimously. Nine (9) Yes votes

ITEM F-2 Approval to Issuance of Right of Entry Permit to STATE OF HAWAII – Department of Land and Natural Resources, Waimānalo, Island of O'ahu, TMK (1) 4-1-011:001 (por.)

RECOMMENDED MOTION/ACTION

Income Properties Manager Kahana Albinio presented the following:

Motion that the Hawaiian Homes Commission (HHC) authorize the issuance of a Right of Entry Permit, covering the subject area identified by Tax Map Key No. (1) 4-1-011:001 (See Exhibit "A") containing approximately 1,306 acres, for the purpose of conducting invasive species search, control, and eradication efforts, specifically for known populations of coqui frogs and goats. The request for access to the subject area would fall between the hours of 8:00 AM and 12:00 AM and include access permission for up to a total of seventy (70) DLNR employees and/or authorized agents. Authorized agents include those programs or entities that are authorized by DLNR employees to assist with control and efforts. This would include staff from the Oahu Invasive Species Committee and the Koolau Mountains Watershed Partnership, both projects of the University of Hawaii Pacific Cooperative Studies Unit, as well as community members that will be subject to DLNR's volunteer protocols. Control and eradication efforts may include habitat modification and the use of aerial equipment to treat remote populations.

September 2024

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

September 16-17, 2024

To: Chairman and Members, Hawaiian Homes Commission

Thru: Linda Chian, Acting Administrator
Land Management Division

From: Kalei Young, Supervising Land Agent
Land Management Division

Subject: Approval to Annual Renewal of Right of Entry Permit(s) and Conversion to
Revocable Permits, Oahu Island – EXCEPT Kalaeloa

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

- A) Rescind its three (3) – month hold-over period for all Oahu Island – outside of Kalaeloa Right of Entry Permit(s) authorization approved under LMD Agenda Item No. F-1 at its regular monthly meeting convened on June 17-18, 2024.
- B) Renew all Oahu Island – Except Kalaeloa Right of Entry Permit(s) as listed on Exhibit "A" and identified by approximate location on the Oahu Island Map Exhibit "A-1" that are in compliance, as of October 1, 2024.
- C) 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.
- D) The revocable permit annual renewal period shall be on a month-to-month basis, for up to twelve (12) months, but no longer than June 30, 2025.
- E) 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 Oahu Island – EXCEPT Kalaeloa, Oahu ROE permit(s) only, which shall effectively expire on September 30, 2024. As a means of maintaining a process by which PERMITTEE'S can be assured that their permits have been renewed, notification letters will be transmitted accordingly.

Please note that this submittal does not address Right of Entry (ROE) permits on Oahu Island within Kalaeloa.

For information purposes Exhibit "A" references all Right of Entry Permits on Oahu Island – EXCEPT Kalaeloa, 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 Oahu Island covers approximately 8,154 acres, or 4% of DHHL's statewide inventory. The short-term dispositions within the Oahu Island - Kalaeloa inventory cover approximately 61 acres, or almost 1% of the island's inventory.

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

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 on Oahu Island – EXCEPT Kalaeloa, confirmed full compliance, and recommend converting these permits to Revocable Permits.

The table below shows the revenue generated from ROE permits on Oahu Island – Kalaeloa for FY 2023 compared to the proposed revenue for FY 2024. This revenue accounts for 33.0% (\$836,394) of the total ROE revenue (\$2,565,486) that DHHL receives statewide. Oahu Island – EXCEPT Kalaeloa has 27 of the 145 ROE permits statewide, which are used for industrial and stabling purposes.

FY 2024		Total
Agriculture	\$18,232	3
Caretaker/Landscape	\$744	3
Commercial	\$19,800	1
Community	\$2,725	2
Industrial	\$750,538	9
Office	\$0	-
Pastoral	\$29,655	4
Preservation	\$0	-
Recreation	\$0	-
Research	\$0	-
Stabling	\$14,700	5
	\$836,394	27

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

AUTHORITY / LEGAL REFERENCE:

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

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

RECOMMENDATION:

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

Exhibit "A" Item No. F-1

RIGHT OF ENTRY PERMITS - O'AHU ISLAND - Except Kalaheo, as of September 2024							Denotes Beneficiary	Terminated Acct	Denotes Delinquent - Notices Issued
NO.	ACRE	USE	PERMITTEE/ADDRESS	TMK	Date Started	LOCATION	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
525	20.000	Agricultural	Sports Turf Hawaii, Inc.	(1) 4-1-008:002(P)	2/1/2005	Waimanalo	\$11,904	\$12,261	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.
590	8.671	Agricultural	XianXing Huang & Hong Fang Gan	(1) 8-5-029:002(P)	3/1/2006	Waianae	\$6,073	\$6,255	Rent is current; portion of a larger parcel that is designated for future residential use. Insufficient infrastructure, substandard lot size or irregular shape.
600	6.400	Agriculture	Kenneth Hicks	(1) 8-6-003:002 & 032(p)	11/1/2009	Waianae	\$255	\$263	Rent is current; portion of a larger parcel that is designated as general AG; insufficient infrastructure, substandard lot size or irregular shape.
586	0.115	Caretaker	Charlene L. Ching	(1) 8-9-007:002(P)	9/1/2000	Nanakuli	\$264	\$240	Rent is current; portion of a larger parcel that is designated as general AG/conservation use. Insufficient infrastructure, substandard lot size or irregular shape.
608	0.267	Caretaker	Luella K. Kanoa	(1) 4-1-030:053(P)	2/18/1999	Waimanalo	\$240	\$240	Rent is current; parcel identified as a power line easement; insufficient infrastructure.
609	0.070	Caretaker	Howard Doctorello	(1) 4-1-030:053(P)	4/14/1999	Waimanalo	\$240	\$240	Rent is current; parcel identified as a power line easement; insufficient infrastructure.
591	78.640	Comm/Ag	Aloun Farm, Inc.	(1) 9-1-016:108 (p)	12/1/2010	East Kapolei	\$19,800	\$20,394	Rent is current; portion of a larger parcel that is designated for future residential use. Insufficient infrastructure, substandard lot size or irregular shape.
585	0.712	Community	Waianae Coast Comprehensive Health Center	(1) 8-9-005:014(P)	12/18/1995	Nanakuli	\$2,216	\$2,282	Rent is current; parcel designated for community use.
593	2.000	Community	Waianae Coast Comprehensive Health & Hospital Board, Inc.	(1) 8-6-001:012 & 024(P)	5/2/2007	Waianae	\$509	\$524	Rent is current; parcel designated for community use. Insufficient infrastructure, substandard lot size or irregular shape.
514	1.000	Industrial	Bears Trucking, Inc., 3411 Aliamanu Street	(1) 9-7-024:050(P)	11/1/2005	Pearl City	\$20,456	\$21,070	Rent is current; portion of a larger parcel that is designated for industrial use. Insufficient infrastructure, substandard lot size or irregular shape.
515	0.115	Industrial	La'au Structures	(1) 1-1-064: 010 (P)	11/1/2007	Moanalua	\$79,360	\$81,741	Rent is current; portion of a larger parcel that is designated for industrial use.
517	0.080	Industrial	Professional Commerical Services	(1) 1-1-064:010 (p)	7/1/2010	Honolulu	\$60,056	\$61,858	Rent is current; portion of a larger parcel that is designated for industrial use
529	2.000	Industrial	Frances Kama-Silva	(1) 8-6-003:003(P)	1/8/1995	Lualualei	\$6,427	\$6,427	Rent is current; portion of a larger parcel that is designated for General Ag use
693	0.105	Industrial	Servdor	(1) 1-1-064:031 (p)	1/1/2020	Moanalua	\$62,047	\$63,908	Rent is current; portion of a warehouse building designated for industrial use
733	1.100	Industrial	Akana Bros Construction, LLC	(1) 1-1-064:033 & .021	9/1/2023	Moanalua	\$52,800	\$52,800	Rent is current; portion of a warehouse building designated for industrial use
734	0.574	Industrial	Lease Properties LLC	(1) 1-1-064:019	1/1/2024	Moanalua	\$162,000	\$166,860	Rent is current; portion of a warehouse building designated for industrial use
735	0.574	Industrial	Lease Properties LLC	(1) 1-1-064:020	1/1/2024	Moanalua	\$162,000	\$166,860	Rent is current; portion of a warehouse building designated for industrial use
738	0.278	Industrial	E-Opala Corporation	(1) 1-1-064:031 (p)	4/1/2024	Moanalua	\$145,392	\$149,754	Rent is current; portion of a warehouse building designated for industrial use
511	1126.000	Pastoral	Robert D. Lyman	(1) 8-9-008:003	6/16/1991	Nanakuli	\$14,304	\$14,304	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.
527	438.100	Pastoral	Waianae Valley Farm, Ltd.	(1) 8-9-007:002(P)	2/1/1991	Nanakuli	\$11,280	\$11,618	Account is delinquent in the total amount of \$3,760.00 . Property is a portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.
528	8.000	Pastoral	Frances Kama-Silva	(1) 8-6-003:003(P)	5/16/1994	Lualualei	\$2,772	\$2,772	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.

645	0.700	Pastoral	Allan Silva	(1) 4-1-008:022 (P)	7/1/2013	Waimanalo	\$1,299	\$1,338	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.
522	3.949	Stabling	Honolulu Polo Club	(1) 4-1-009:271 & 284	8/1/1993	Waimanalo	\$2,064	\$2,064	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.
523	3.250	Stabling	Honolulu Polo Club	(1) 4-1-009:281	8/4/1993	Waimanalo	\$1,960	\$2,019	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.
524	3.400	Stabling	Roy & June K. Pires	(1) 4-1-008:094	1/1/1995	Waimanalo	\$6,620	\$6,819	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.
603	1.200	Stabling	Mary Ann Higashi	(1) 8-9-007:002(P)	12/1/1994	Nanakuli	\$336	\$336	Rent is current; portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.
613	2.400	Stabling	John Cook & Leiala Cook	(1) 4-1-008:093	8/1/1991	Waimanalo	\$3,720	\$3,832	Account is delinquent in the total amount of \$1,790.00 . Property is a portion of a larger parcel that is designated for General Ag use. Insufficient infrastructure, irregular shape.

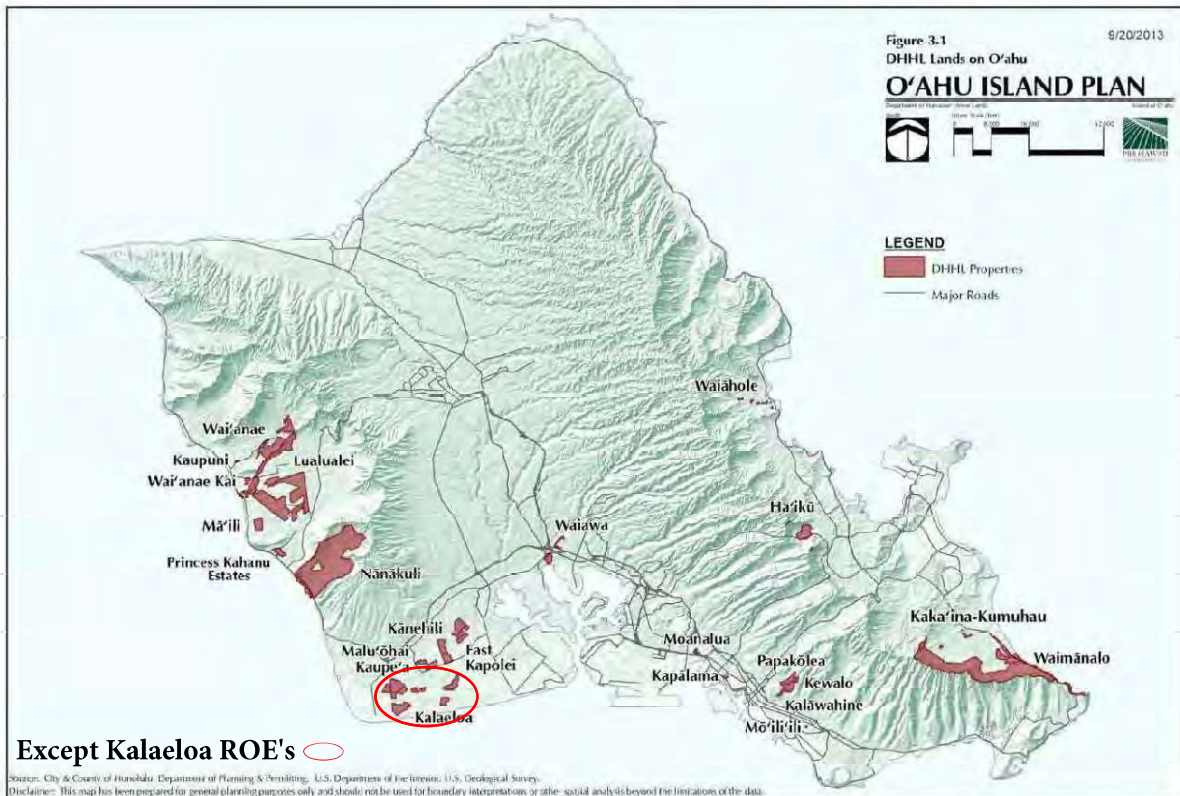


EXHIBIT "B"
Item No. F-1



Fig. 154 - 2000 (top view)

15



Fig. 155 - 2000 (top view)

16



06 2014 - 10/2014



06 2014 - 10/2014



06 2014 - 10/2014



06 2014 - 10/2014



FIG. 514 - HAYWAIN DRIVE DRIVE



FIG. 515 - HAYWAIN DRIVE DRIVE



FIG. 516 - HAYWAIN DRIVE DRIVE



FIG. 517 - HAYWAIN DRIVE DRIVE



Fig. 107 - Road View



Fig. 108 - Shed



Fig. 109 - Drive View



Fig. 110 - Outside Utility Shed, 10/10



206-513 014-342 0103



206-513 014-342 0103



206-513 014-342 0103



206-513 014-342 0103



PHOTO 101 - 101st Street, San Francisco



PHOTO 102 - 101st Street, San Francisco



PHOTO 103 - 101st Street, San Francisco



PHOTO 104 - 101st Street, San Francisco



Fig. 1.1. FANDG

EXHIBIT B
ITEM NO. F-1



ROE No. 599 - PWest Hawaii Photos



Exhibit B-1
Item No. F-1

PROPERTY INSPECTION REPORT

GL/LU/ROE/RP NO.: 600	ADDRESS: Luahueli Homestead Road	BY: Linda Chinn
NAME: Kennard Hicks	TMK/ZONING: (1) 8-6-028:002 (p)	PERMITTED USE: Agriculture
LOCATION: Waianae	AREA: 5.4 acres	COI/BOND: Current
RENTAL CURRENT: \$225.00 per annum	DCCA COMPLIANT: n/a	DATE: 11/07/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting		None observed		
2. Fence or wall		None observed	No action required	
3. Site work		None observed		
4. Tenant sign(s)		None observed		
5. Other Info/Illegal Structure(s) GENERAL		Plumeria trees/plants		
1. Landscaping		Good condition	No action required	
2. Housekeeping		Clean and orderly	No action required	
3. Parking/Driveway		Dirt walkway in good condition	No action required	
4. Land Use Compliance		Agriculture Use - Compliant		
5. Environmental Compliance Concerns		None observed		
6. Miscellaneous		None		
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 511	ADDRESS: Nanakuli	BY: Linda Chinn
NAME: Robert Lyman	TMK/ZONING: (1) 8-9-008:003	PERMITTED USE: Pastoral
LOCATION: Nanakuli	AREA: 1,126.00 acres	COI/BOND: Current
RENTAL CURRENT: \$14,304.00 per annum	DCCA COMPLIANT: n/a	DATE: 11/07/2024

ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting		None observed		
2. Fence or wall		Fence is great shape	No action required	
3. Site work		None		
4. Tenant sign(s)		None observed		
5. Other Info/Illegal Structure(s)		House, quonset hut, corrals	All related to pasture activities	
GENERAL				
1. Landscaping		Good condition	No action required	
2. Housekeeping		Clean and orderly	No action required	
3. Parking/Driveway		Dirt driveway in good condition	No action required	
4. Land Use Compliance		Pastoral Use - Compliant	No action required	
5. Environmental Compliance Concerns		None observed		
6. Miscellaneous		There is a caretaker living on the property		
SUBLESSEE(S) OF RECORD				



PROPERTY INSPECTION REPORT

GL/LI/ROE/RP NO.: 527	ADDRESS: Nanakuli	BY: Linda Chinn
NAME: Waianae Valley Farm c/o Ernest McKeague	TMK/ZONING: (1) 8-9-007-002 (p)	PERMITTED USE: Pastoral
LOCATION: Nanakuli	AREA: 438.10 acres	COI/BOND: Current
RENTAL CURRENT: \$11,967.00 per annum	DCCA COMPLIANT: n/a	DATE: 11/07/2024



ITEM	ACTION NEEDED	COMMENTS	DHHL ACTION TAKEN	COMPLETED
BUILDINGS, IMPROVEMENTS & OPERATIONS:				
1. Repair/Painting		None observed		
2. Fence or wall		In decent shape	No action required	
3. Site work		None observed		
4. Tenant sign(s)		None observed		
5. Other Info/Illegal Structure(s)		Structure, containers & outdoor are		
GENERAL				
1. Landscaping		Good condition	No action required	
2. Housekeeping		Clean and orderly	No action required	
3. Parking/Driveway		Dirt driveway in good condition	No action required	
4. Land Use Compliance		Pastoral Use - Compliant	Claimed 30-60 heads, did not see	
5. Environmental Compliance Concerns		Equipment in raven	Need to follow up to remove	
6. Miscellaneous		Outdoor gathering area - party	Need to follow up	
SUBLESSEE(S) OF RECORD				



STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOMELANDS

January 21-22, 2025

To: Chairperson and Members, Hawaiian Homes Commission
Thru: Linda Chinn, Acting Administrator 
From: Ashley Tabalno, Land Agent 
Land Management Division
Subject: Approval to Issue New License to City & County of Honolulu, Kaupuni Park,
Nanakuli, Island of Oahu,

APPLICANT:

City & County of Honolulu, Department of Parks and Recreation "DPR"

RECOMMEND MOTION/ACTION: That the Hawaiian Homes Commission (HHC) approve issuance of a license to City and County of Honolulu, Department of Parks and Recreation (DPR), covering the subject area as identified and described below for use, operation and maintenance of Hawaiian home lands as a park facility subject to the following conditions:

1. The license term shall be for a period of THIRTY (30) years commencing retroactively as of June 26, 2022 and expiring on June 25, 2052.
2. The annual license fee shall be Gratis. Since County funds are being used to operate and maintain this park facility on Hawaiian Home Lands, as well as planned installation of playground apparatus for the park, the gratis fee as established is prudent and reasonable.
3. Licensee shall use the premises strictly for park operation and maintenance purposes only. No other use shall be allowed without DHHL's prior written approval.
4. Licensee's intended planned development of the park equipment shall conform to federal, state and county (government agencies) standards. Licensee shall obtain applicable permits and approvals from government agencies prior to the commencement of any work on the property that requires such permits and approvals;
5. Any construction or alteration of the premises shall require DHHL approval;
6. Licensee shall collaborate with the Waianae Valley community association in coordinating programs/activities which reasonably and prudently address needs of the Waianae homestead community.

ITEM NO. F-2

7. The license document shall be subject to other standard terms and conditions of similar licenses issued by DHHL;
8. Review and approval by the State of Hawaii, Department of the Attorney General; and
9. Such other terms and conditions deemed prudent and reasonable by the Chairperson of the Hawaiian Homes Commission and/or the Hawaiian Homes Commission to serve the best interests of the trust and its beneficiaries.

LOCATION:

Hawaiian Home Lands situated in Waianae, Island of Oahu, identified as Tax Map Key: (1) 8-5-032:039 (See Exhibit "A")

AREA:

326,918 square feet or 7.505 acres

DISCUSSION:

The City and County of Honolulu Department of Parks and Recreation submitted a request to continue to manage the licensed area (Exhibit B). "The Department of Parks and Recreation (DPR) desires to continue its license agreement with DHHL, for management of Kaupuni Park. Kaupuni Park is an important recreational resource for the City and County of Honolulu. The park is heavily used by Waianae Valley homestead residents and is the only park within the valley interior."

In accordance with the terms and conditions of the proposed thirty-year term license, the City and County of Honolulu will install a playground apparatus. This significant investment aligns with the City and County's dedication to enhancing community spaces and ensuring that Kaupuni Park serves the needs of local families and residents. The installation of this playground will provide a valuable recreational resource, benefiting children and families in the area.

In considering the management of Kaupuni Community Park, the City and County of Honolulu is the most viable option despite community reservations. The city's established infrastructure and experienced personnel ensure that the park's amenities are maintained efficiently and effectively, which the local community, lacking adequate resources, may struggle to provide. The City and County of Honolulu has a proven track record of successfully managing public spaces and ensuring safety fostering engagement in the community. By leveraging its resources, the City and County of Honolulu can enhance the park's offerings, improve accessibility, and implement sustainable practices that align with the needs of the broader community. Ultimately, partnering with the City and County of Honolulu will ensure that Kaupuni Community Park thrives as a vibrant space for recreation and connection, benefiting all residents in the long run.

PLANNING AREA:

Waianae

LAND USE DESIGNATION:

Community Use, Oahu Island Plan (2014)

CURRENT STATUS:

Actively used

CHARACTER OF USE:

Community Park Use Purposes

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Triggers:

Use of State Lands

Exemption Class No. & Description:

In accordance with the "Exemption List for the State of Hawaii, Department of Land and Natural Resources, as Reviewed and Concurred Upon by the Environmental Council on March 3, 2021," the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption List Type #1.

Exemption Item Description from Agency Exemption List:

Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing.

The direct, cumulative, and potential impacts of the action described have been considered pursuant to Chapter 343, Hawaii Revised Statutes and Chapter 11-200, Hawaii Administrative Rules. Since the action as proposed is determined to have minimal or no significant impact on the environment it would therefore be exempt from the preparation of an environmental assessment.

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

DHHL General Plan (2002)

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

Land Use Planning

Goals:

- Utilize Hawaiian Home Lands for uses most appropriate to meet the needs and desires of the beneficiary population.

- Develop livable, sustainable communities that provide space for or access to the amenities that serve the daily needs of its residents.

Objectives:

- Provide space for and designate a mixture of appropriate land uses, economic opportunities and community services in a native Hawaiian-friendly environment.
- Develop improved relationships with the Counties to ensure reliable and adequate delivery of services to homesteaders

The recommended disposition is consistent with the following elements of the 2014, Oahu Island Plan: Definition of Community Use land use designation:

“Common areas for community use and public facilities. Includes space for parks and recreation, cultural activities, community based economic development, and other public amenities.” Oahu Island Plan, Pg. 3-13.

The existing and proposed uses outlined in the license agreement are consistent with the definition of Community Use.

Waianae/Lualualei Regional Plan (2018)

The recommended disposition is consistent with the following elements of the 2018 Waianae/Lualualei Regional Plan:

The disposition will provide an opportunity for the continued operation and maintenance of the Waianae Hawaiian Homestead Community Park which will provide programs and services to youth in the community.

AUTHORITY / LEGAL REFERENCE:

§ 207(c)(1)(A) of the Hawaiian Homes Commission Act, 1920, as amended, authorizes the department to grant licenses for the use of Hawaiian Home Lands for public purposes.

§ 10-4-21 of the DHHL Administrative Rules requires the applicant to pay for all costs incurred by the department for the processing of a license application, including a non-refundable processing fee of \$200.00. It also allows for a rental to be charged should the use benefit other than the department or native Hawaiians.

§ 10-4-22 of the DHHL Administrative Rules authorizes the issuance of licenses for public purposes, as easements in perpetuity or shorter term, subject to the easement being reverted to the department upon termination or abandonment.

RECOMMENDATION:

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

ITEM NO. F-2



STATE OF HAWAII

SURVEY DIVISION

DEPT. OF ACCOUNTING AND GENERAL SERVICES

March 27, 1980

C.S.F. No. 18,882

HONOLULU

PARK SITE

Waianae Valley, Waianae, Oahu, Hawaii

Being a portion of the Government (Crown) Land of Waianae conveyed to the Department of Hawaiian Home Lands by the State of Hawaii by deed dated May 21, 1962 and recorded in Liber 4301, Page 469 (Land Office Deed S-19168).

Beginning at the west corner of this parcel of land and the east corner of Lot 13 of Waianae Residence Lots, Unit 1 (File Plan 1516), the coordinates of said point of beginning referred to Government Survey Triangulation Station "PAHEEHEE NEW" being 4384.74 feet North and 1323.11 feet East, thence running by azimuths measured clockwise from True South:-

1. 231° 35' 347.00 feet along the remainder of the Hawaiian Home Lands of Waianae;
2. 211° 37' 55" 196.50 feet along the remainder of the Hawaiian Home Lands of Waianae;
3. 230° 45' 88.00 feet along the remainder of the Hawaiian Home Lands of Waianae;
4. 211° 27' 62.00 feet along the remainder of the Hawaiian Home Lands of Waianae;
5. 318° 32' 30" 601.00 feet along Proposed Waianae Residence Lots, Unit 2-A;
6. 48° 32' 30" 518.00 feet along the northerly side of Proposed Kaneaki Street;
7. Thence along the northerly side of Proposed Kaneaki Street on a curve to the right with a radius of 527.00 feet, the chord azimuth and distance being:
49° 21' 25" 15.00 feet;
8. 140° 10' 20" 93.67 feet along Proposed Waianae Residence Lots, Unit 2-A;

EXHIBIT "A"

9. 130° 35' 30" 125.85 feet along Proposed Waianae Residence Lots, Unit 2-A and along Lot 39 of Waianae Residence Lots, Unit 1 (File Plan 1516);
10. Thence along the southerly side of Punanaula Street on a curve to the right with a radius of 208.00 feet, the chord azimuth and distance being:
224° 35' 50" 29.06 feet;
11. 138° 36' 10" 44.00 feet along the northerly end of Punanaula Street;
12. Thence along the northerly side of Punanaula Street on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:
89° 09' 40" 26.01 feet;
13. 129° 43' 10" 3.28 feet along the northerly side of Punanaula Street;
14. 39° 43' 10" 44.00 feet along the northerly side of Punanaula Street;
15. 309° 43' 10" 3.28 feet along the northerly side of Punanaula Street;
16. Thence along the northerly side of Punanaula Street on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:
350° 16' 40" 26.01 feet;
17. Thence along the northerly side of Punanaula Street on a curve to the left with a radius of 252.00 feet, the chord azimuth and distance being:
30° 39' 41" 1.54 feet;
18. 120° 29' 12" 110.00 feet along Lot 38 of Waianae Residence Lots, Unit 1 (File Plan 1516);
19. 123° 42' 197.35 feet along Lots 16, 15 and 14 of Waianae Residence Lots, Unit 1 (File Plan 1516) to the point of beginning and containing an AREA OF 7.505 ACRES.

Subject, however, to Easements 1 and 2 for drainage purposes described as follows:-

EASEMENT 1:

Beginning at the northwest corner of this easement, being also the end of Course 9 of the above-described Park Site, thence running by azimuths measured clockwise from True South:-

1. Along the southerly side of Punanaula Street on a curve to the right with a radius of 208.00 feet, the chord azimuth and distance being:
222° 39' 34" 15.01 feet;

March 27, 1980

C.S.F. No. 18,882

2. 310° 35' 30" 126.56 feet;
3. 320° 10' 20" 94.72 feet;
4. Thence along the northerly side of Proposed Kaneaki Street on a curve to the right with a radius of 527.00 feet, the chord azimuth and distance being:
49° 21' 25" 15.00 feet;
5. 140° 10' 20" 93.67 feet along Proposed Waianae Residence Lots, Unit 2-A;
6. 130° 35' 30" 125.85 feet along Proposed Waianae Residence Lots, Unit 2-A and along Lot 39 of Waianae Residence Lots, Unit 1 (File Plan 1516) to the point of beginning and containing an AREA OF 3,307 SQUARE FEET.

EASEMENT 2:

Beginning at the northwest corner of this easement, the direct azimuth and distance from the initial point of the above-described Park Site being: 231° 35' 6.48 feet, thence running by azimuths measured clockwise from True South:-

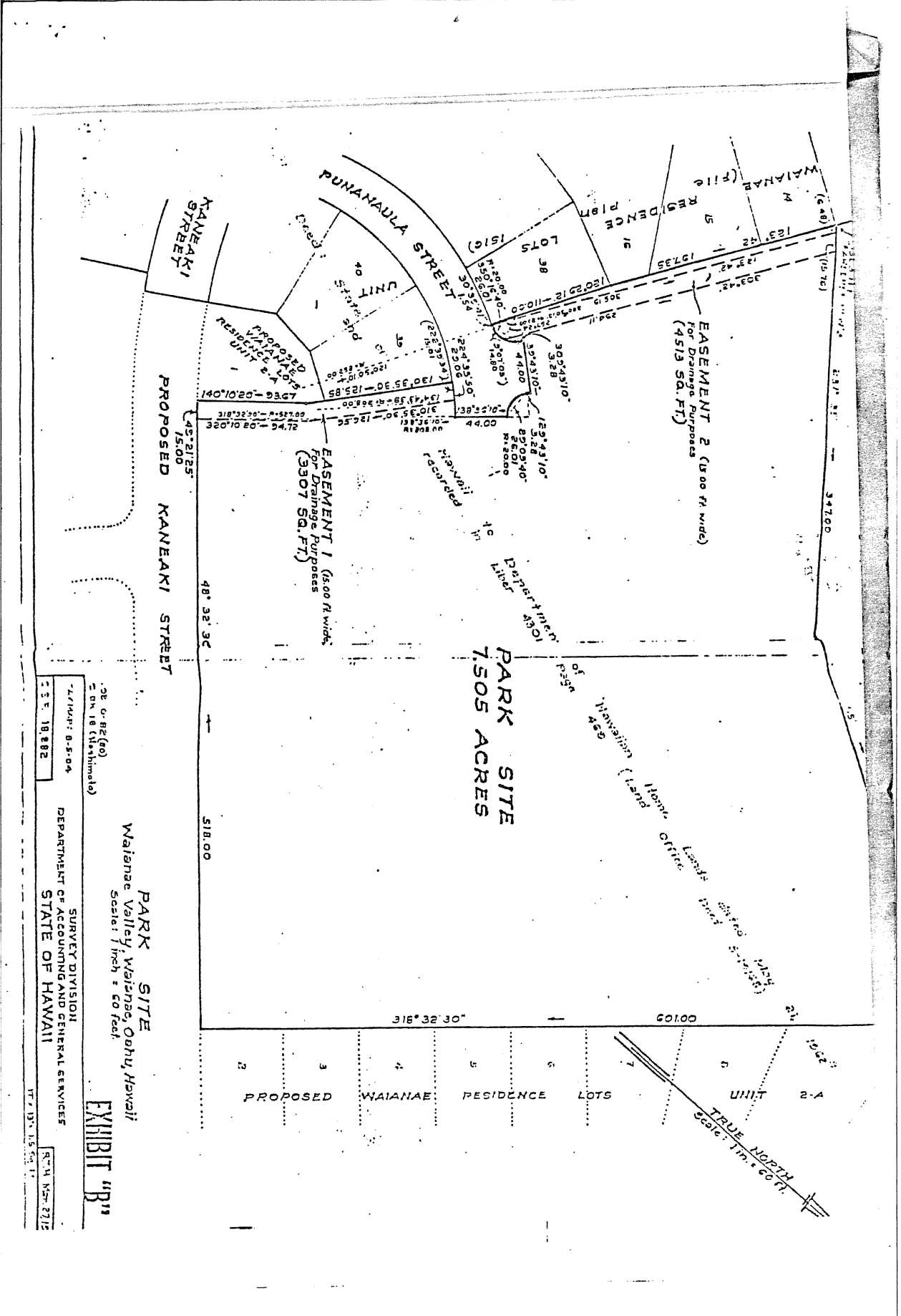
1. 231° 35' 15.76 feet along the remainder of the Hawaiian Home Lands of Waianae;
2. 303° 42' 294.11 feet;
3. Thence along the northerly side of Punanaula Street on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:
9° 07' 05" 14.80 feet;
4. Thence along the northerly side of Punanaula Street on a curve to the left with a radius of 252.00 feet, the chord azimuth and distance being:
30° 39' 41" 1.54 feet;
5. 123° 42' 305.19 feet to the point of beginning and containing an AREA OF 4,513 SQUARE FEET.

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

By: Melvin M. Masuda
Melvin M. Masuda
Land Surveyor

Compiled from CSF 15094
to 15099, incl., F.P. 1516,
map & desc. from W. P. Thompson, Inc.,
and Govt. Survey Records.

ac



28 0-82 (20)
 ± ON 18 (Hawaii)
 4/14/81: 0-5-04
 C.S.E. 18,882

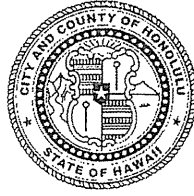
PARK SITE
 Waianae Valley, Waianae, Oahu, Hawaii
 Scale: 1 inch = 50 feet

SURVEY DIVISION
 DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
 STATE OF HAWAII
 EXHIBIT "B"

H-12-15-50-1
 R-14-N-27-12

DEPARTMENT OF PARKS & RECREATION
CITY AND COUNTY OF HONOLULU

1000 ULUOHIA STREET, SUITE 309 • KAPOLEI, HAWAII 96707
PHONE: (808) 768-3003 • FAX: (808) 768-3053 • INTERNET: www.honolulu.gov



2023 JUN 16 AM 7:49

RICK BLANGIARDI
MAYOR

LAURA H. THIELEN
DIRECTOR

KĒHAULANI PU'U
DEPUTY DIRECTOR

June 7, 2023

Mr. Kali Watson, Chairman
Hawaiian Homes Commission
Department of Hawaiian Home Lands
P.O. Box 1897
Honolulu, Hawaii 96805

Dear Chairman Watson:

SUBJECT: License Agreement No. 119, Kaupuni Park, Waianae Valley; TMK: 8-5-032:039

Department of Hawaiian Home Lands (DHHL) License agreement No. 119, for Kaupuni Park, was issued to the City & County of Honolulu on March 21, 1983, for a term of twenty-one (21) years commencing on June 25, 1980. In 2000, the City and DHHL agreed to an extension of the stipulated license term for twenty-one (21) additional years, thereby extending the expiration date to June 25, 2022.

The Department of Parks and Recreation (DPR) desires to continue its license agreement with DHHL, for management of Kaupuni Park. Kaupuni Park is an important recreational resource for the City & County of Honolulu. The park is heavily used by Waianae Valley homestead residents, and is the only park within the valley interior.

DPR looks forward to discussing the license extension and license terms with you in further detail.

If you have any questions, please call Ms. Jennifer Barra, Planner at 808-768-3017.

Sincerely,

A handwritten signature in black ink, appearing to read "Laura H. Thielen", is written over a faint, larger version of the same signature.

Laura H. Thielen
Director

Attachments

EXHIBIT "B"

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 21-22, 2025

To: Chairperson and Members, Hawaiian Homes Commission

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

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

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

Subject: Approval to Issue Right of Entry Permit, Ahonui Homestead Association,
'Ualapu'e, Molokai Island, TMKS: (2) 5-6-002:024, 025, 026, 027, 036 &
(2) 5-6-006:017

APPLICANT:

Ahonui Homestead Association "PERMITTEE"

RECOMMENDED MOTION/ACTION:

That the Hawaiian Homes Commission (HHC) grant its approval to issue a non-exclusive Right of Entry permit to Ahonui Homestead Association for approximately 397.4 acres (more or less) of Hawaiian home lands located in 'Ualapu'e, Molokai island, TMK: (2) 5-6-002:024, 025, 026, 027, 036 & (2) 5-6-006:017 for the purpose of stewardship and caretaking, project planning, and community engagement.

1. Authorize the issuance of a non-exclusive Right of Entry (ROE) permit to PERMITTEE covering the subject area under the terms and conditions cited below, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current right of entry permit form, as may be amended from time to time;
 - B. The term of the ROE shall be month to month for up to thirty-six (36) months, commencing upon execution, with the option for two additional twelve (12) month extensions at the sole discretion of PERMITTOR;
 - C. The fee for the term of this ROE shall be gratis;
 - D. The documentation and processing fee shall be waived;

- E. No residential use shall be permitted, including temporary overnight camping;
 - F. No ground disturbance with heavy machinery without PERMITTOR's prior review and approval;
 - G. No new construction shall be allowed without prior approval from PERMITTOR;
 - H. Such other terms and conditions as may be prescribed by the Hawaiian Homes Commission to best serve the interest of the Hawaiian Home Lands Trusts;
2. Declare that, after considering the potential effects of the proposed right of entry disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR access for stewardship and planning will probably have minimal or no significant effect on the environment.

LOCATION:

Portion of Hawaiian home lands situated in 'Ualapu'e, Island of Molokai, identified as TMK: (2) 5-6-002:024, 025, 026, 027, 036 & (2) 5-6-006:017 (Exhibit "A")

AREA:

Approximately 397.4 acres

BACKGROUND/DISCUSSION:

The Ahonui Homestead Association (AHA) was founded by a group of Hawaiian Home Lands successors, lessees, and agricultural applicants that are on the waitlist for Molokai lands. The AHA formed in 2019 and received their 501(c)3 status in 2020. AHA's mission is to restore and rehabilitate native Hawaiian beneficiaries and indigenous descendants to their land. AHA's vision is to seek restoration for native Hawaiian beneficiaries to 'aina and to prevent homelessness and hardship due to the high cost of rent, to restore, build and strengthen skills to (native Hawaiian) beneficiaries in budgeting, fishing, farming, repairing, maintenance, trading or bartering, gathering rights, accountability and responsibility as stewards of the land from mauka to makai. To increase self-determination through self-governance to beneficiaries participating in discussions on issues, concerns, and solutions.

The AHA submitted a land use request to the Department of Hawaiian Home Lands (DHHL) for approximately 397.4 acres (more or less), encompassing TMKS: (2) 5-6-002:024, 025, 027, 036 & (2) 5-6-006:017 for stewardship and caretaking purposes, including but not limited to developing cultural and natural resource management plans, outreach and capacity building, and community engagement (see Exhibit "B").

On April 5, 2024 a Beneficiary Consultation meeting was held to collect beneficiary input and feedback on AHA's land use request. Most beneficiaries in attendance were supportive of AHA's land use request. However, there was one comment that AHA should meet with community members before DHHL seeks Hawaiian Homes Commission (HHC) approval on the ROE request (see Exhibit "C"). In response to this feedback, AHA held additional meetings with community members, including distribution of a questionnaire to the 'Ualapu'e community.

Although the ‘Ualapu‘e Kuleana Project is on-going, HHC approval on the requested ROE will allow AHA access necessary for developing a stewardship plan, natural resource management plan, project planning, and community engagement related to project development.

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

The recommended disposition is consistent with the following plans, policies, and programs:

1) DHHL General Plan Update (Final Draft, November 2022) goals:

Goal RM-1C: Allow Native Hawaiian use of natural resources on Hawaiian home lands for traditional subsistence, cultural, and religious purposes in undeveloped areas.

Goal RM-1D: Pursue partnerships that support resource protection and conservation on Trust lands.

2) Molokai Regional Plan 2019: Priority Project #1 – ‘Ualapu‘e Kuleana Homestead Project and Cultural Resources Management Plan (see Exhibit “D”).

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

In accordance with the Department of Hawaiian Home Lands Comprehensive Exemption List as Reviewed and Concurred Upon by the Environmental Council on June 30, 2015, the Right of Entry permit request is exempt from the preparation of an environmental assessment pursuant to: Exemption Class #4, “Minor alteration in the conditions of land, water, or vegetation.”

Section 1 - Removal and/or cutting of trees that are burned, destroyed or diseased, or otherwise endanger life or property.

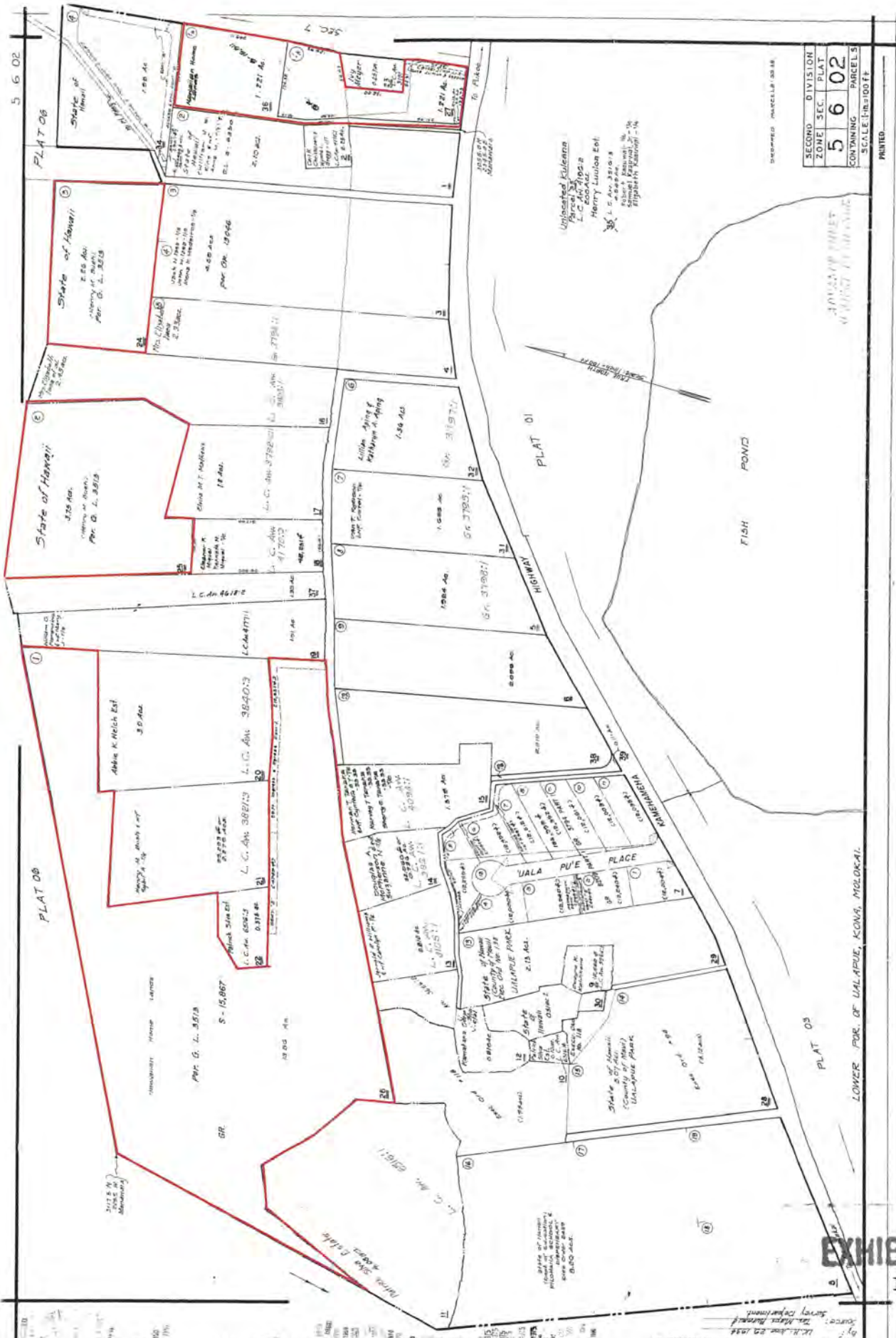
Section 3 - Landscaping alongside roadways, around buildings, and within existing parks and community use areas, including, but not limited to, planting of groundcover, grass, shrubs, and trees, sodding of bare areas for dust and erosion control, and installation of community gardens, involving minimal or no grading.

Exemption Class #5, “Basic data collection, research, experimental management, and resource evaluation activities which do not result in serious or major disturbances to an environmental resource.”

RECOMMENDATION

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

5 6 02



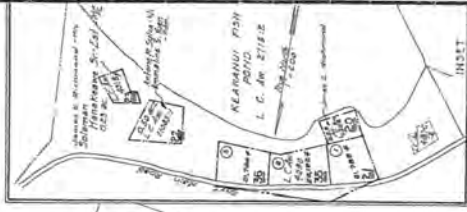
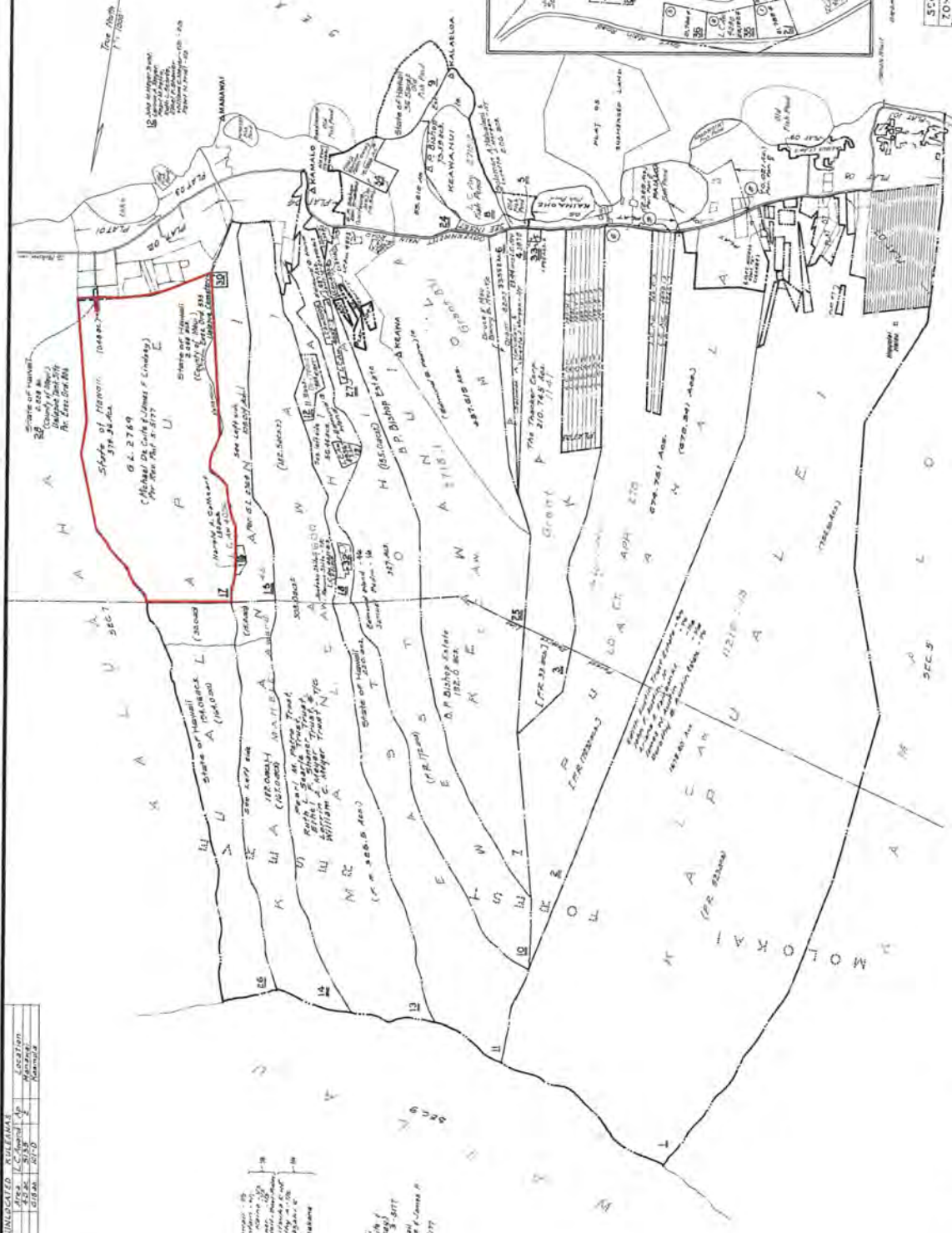
SECOND DIVISION	5 6 02
ZONE SEC. PLAT	5 6 02
CONTAINING PARCELS	
SCALE 1"=100 FT	

PRINTED

EXHIBIT "A"
ITEM NO. F-1

By: J.C. King et al
 Survey Department

NO.	NAME	DATE	REMARKS
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100



SECOND DIVISION
 ZONE SEC. PLAT
5 6 06
 CONTAINING PARCELS
 Scale: 1 in. = 1000 ft.

UHALAPUE - KAPUALEI - MOLOKAI

PRINTED

Dwg No. 2098
 Date: 12-10-1934
 Survey Dept.

Department of Hawaiian Home Lands
NON-PROFIT ORGANIZATION APPLICATION FOR LONG-TERM USE OF DHHL
LANDS Application
INSTRUCTIONS

PURPOSE OF APPLICATION

The Hawaiian Homes Commission Act (HHCA) Section 204(2) and 207(c) authorizes DHHL to dispose of lands for non-homesteading purposes on the same terms, conditions, restrictions, and uses applicable to the disposition of public lands as provided in Hawaii Revised Statutes (HRS) Chapter 171. HRS 171-43.1 authorizes DHHL to dispose of lands to eleemosynary organizations by direct negotiation without requiring a competitive solicitation process.

Per HRS 171-43.1, elementary organizations must be certified to be tax exempt under sections 501(c)(1) or 501(c)(3) of the Internal Revenue Code of 1986, as amended. The lands shall be used by such eleemosynary organizations for the purposes for which their charter was issued and for which they were certified by the Internal Revenue Service.

This application is meant for IRS 501(c)(1) or IRS(501)(c)(3) non-profit organizations that are interested in long-term utilization of DHHL land for the purposes of providing programs and services to DHHL beneficiaries to further their rehabilitation and well being.

This application is NOT meant for:

- For-profit entities and for-profit purposes. For-profit proposals must go through a different process that requires a competitive solicitation process as outlined in HRS Chapter 171.
- Individual use of Hawaiian Home Lands
- Organizations and individuals that are interested in use or access of Hawaiian Home Lands for less than 30-days (short-term use). Interested organizations or individuals interested in short-term use of Hawaiian Home Lands should contact the DHHL Land Management Division for a Limited Right-of-Entry Permit application.

APPLICATION PROCESS

There are two main parts to this application process: (1) Completion of Pre-Application Form and (2) Application.

Part I -- Pre-Application Form

Pre-application intended to minimize risk of investing significant time and resources for the applicant and give DHHL a better idea about proposal and applicant potential capacity to implement.

The Pre-Application Project Proposal Form also ensures that the proposed area of use is consistent with DHHL Island Plan Land Use Designations. DHHL Island Plans can be found at: <http://dhhl.hawaii.gov/po/island-plans/> DHHL will **only** be accepting proposals for its lands that

**Department of Hawaiian Home Lands
NON-PROFIT ORGANIZATION APPLICATION FOR LONG-TERM USE OF DHHL
LANDS Application
INSTRUCTIONS**

are designated for (1) Community Use, (2) General Agriculture, (3) Conservation, or (4) Special District.

The Pre-Application Project Proposal Form will also help DHHL determine whether the proposed project requires a DHHL beneficiary consultation meeting. Project proposals that are identified as priority projects in DHHL Regional Plans do **not** require additional DHHL beneficiary consultation.

NOTE TO POTENTIAL APPLICANTS: DHHL funding and staff technical assistance is NOT guaranteed. DHHL might consider providing funding assistance to projects that can attract other sources of funding. Projects that rely primarily on DHHL resources (other than land) for implementation will not be considered.

Submitting the Pre-Application Packet

There are questions on the Pre-Application Form that can be filled out on the form. However, the majority of the questions on the form will require typed written responses on a separate page. When answering questions on a separate page, please indicate the question number and question you are responding to prior to your written response.

Overview of the Pre-Application Form

There are four sections to the Pre-Application Form:

1. **Applicant Information** – This section helps DHHL identify **who** the applicant organization is and the applicant organization's history and experience with providing programs and services to DHHL beneficiaries.
2. **Project Information** – This section helps DHHL identify **what** the project is, **why** the project is needed, and **how** it will benefit DHHL and its beneficiaries. The section also asks whether the proposed project is a DHHL Regional Plan Priority Project to determine beneficiary support for the project. If it is not a DHHL Regional Plan Priority Project, additional beneficiary consultation is needed to determine beneficiary support for the project.
3. **Project Location** – This section helps DHHL identify **where** the project is located. DHHL will make determinations whether the proposed project is consistent with its Island Plan Land Use Designation and whether the proposed project is a compatible use with the surrounding area.
4. **Timeframe** – This section helps DHHL identify **when** and **how long** the applicant's proposed project will take to implement. More importantly, it helps DHHL and the applicant to identify major benchmarks and phases in the proposed project.

**Department of Hawaiian Home Lands
NON-PROFIT ORGANIZATION APPLICATION FOR LONG-TERM USE OF DHHL
LANDS Application
INSTRUCTIONS**

A completed Pre-Application Packet must include:

- Signed Application Instructions Form (See the bottom of this form)
- Filled-out and signed Pre-Application Form
- Enclosed with the filled-out and signed Pre-Application Form, on separate pages, applicant responses to the information requested on the Pre-Application Form.

Please submit your pre-application packet either via mail to:

**DHHL Land Management Division
91-5420 Kapolei Parkway
Kapolei, HI 96707**

Part II --APPLICATION

After DHHL review of a completed Pre-Application Project Proposal and positive recommendation by staff is made, and if comments from beneficiary consultation meetings are positive, staff will make a recommendation to the Hawaiian Homes Commission to approve a Right-of-Entry Permit for the applicant to access DHHL land to conduct further due diligence work. Terms and conditions of the ROE permit will also be negotiated with the applicant at this time. The due diligence work is project dependent but typically consists of:

- Master Plan
- Business Plan
- HRS Chapter 343 Environmental Assessment or Environmental Impact Statement

NOTE TO POTENTIAL APPLICANTS: DHHL funding and staff technical assistance is NOT guaranteed to complete any of the above due diligence work. DHHL might consider providing funding assistance to projects that can attract other sources of funding. Projects that rely primarily on DHHL resources (other than land) for implementation will not be considered.

**Department of Hawaiian Home Lands
NON-PROFIT ORGANIZATION APPLICATION FOR LONG-TERM USE OF DHHL
LANDS Application
INSTRUCTIONS**

ISSUANCE OF A LONG-TERM DISPOSITION (License or General Lease)

After successful completion of the due diligence studies, DHHL will negotiate terms and conditions of a long-term disposition with the applicant and make a recommendation to the HHC for approval of a long-term disposition. Please note, each disposition will most likely include a set of special conditions that must be fulfilled by the applicant. Special conditions will be unique for each project and will be negotiated between DHHL and the applicant.

In addition to special conditions, **standard conditions** that will be included in every disposition instrument include:

- Requiring the licensee or lessee to possess a valid limited liability insurance policy that can cover up to \$1 million in damages to DHHL property or persons that are accidentally injured on DHHL land;
- Requiring the licensee or lessee to comply with all applicable federal, state, and county laws;
- Realistic project milestones that demonstrate the growing capacity of the licensee or lessee; this may include limiting the size of the area that was originally requested by the applicant in the pre-application form to a smaller more manageable size in the first several years of the license or lease and gradually increasing the size of the area in the license or lease over time as project milestones are reached.
- Requiring the licensee or lessee to demonstrate that it is proactively making its best effort to recruit more DHHL beneficiaries to participate in the programs and services being provided on the DHHL property for which it has a license or lease to.

DHHL has a fiduciary responsibility to ensure that the applicant's use of DHHL property does not harm DHHL's ability to help other current and future beneficiaries. Please note that the special conditions and standard conditions that are included in dispositions are meant to mitigate harm to the DHHL Trust from unforeseen and/or unfortunate incidents that may occur on the licensed or leased property and ensure that all interested DHHL beneficiaries may participate in programs or services being offered through the use of DHHL property by the applicant.

Department of Hawaiian Home Lands
**NON-PROFIT ORGANIZATION APPLICATION FOR LONG-TERM USE OF DHHL
LANDS Application
INSTRUCTIONS**

APPLICATION PROCESS ESTIMATED TIMEFRAME

Application Step	Timeframe	Responsible Entity
1. DHHL receives pre-application packet and notifies applicant if pre application packet is complete	Up to 30 days LMD	
2. DHHL reviews completed project proposal and schedules review meeting with applicant to review questions, concerns, staff may have	Up to 90 days	PO & LMD
3. DHHL schedules beneficiary consultation meeting if project is <u>not</u> a regional plan priority project. The applicant's pre-application will be placed on the DHHL Land Management Division webpage for public review.	Meeting scheduled 3 months before on island HHC meeting. For example, if you are applying for DHHL land on Kauai, the beneficiary consultation meeting would be scheduled 3 months before the HHC meeting on Kauai. HHC meeting calendar go to: http://dhhl.hawaii.gov/hhc/	PO & Applicant
4. HHC ROE approval for due diligence	3 months after beneficiary consultation meeting	LMD & HHC
5. Conduct due diligence studies*	12-24 months	Applicant*
6. HHC approves FONSI	TBD	PO & HHC
7. HHC approves long-term disposition	TBD	LMD & HHC
8. Monitoring and reporting	TBD	Applicant & PO & LMD

[To be signed by person identified in Pre-Application Form Question #1] I hereby acknowledge that I have read and understand the above application instructions. I understand that this form is being submitted electronically and my typed name on the signature line will qualify as my signature for purposes of the above certification.


Signature: 
Dickenson Stone (Dec 26, 2024 11:34 HST)

Date: Dec 26, 2024

Printed Name: Dickenson Stone

Title: President

Organization: Ahonui Homestead Association

 <p>STATE OF HAWAII DEPARTMENT OF HAWAIIAN HOME LANDS P.O. BOX 975 HONOLULU, HAWAII 96809</p>	<p>Department of Hawaiian Home Lands NON-PROFIT ORGANIZATION APPLICATION FOR LONG-TERM USE OF DHHL LANDS</p> <p><u>PRE-APPLICATION FORM</u></p>
<p><i>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 <u>Pre-Application Guidelines and Instructions</u> 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.</i></p>	
<p>APPLICANT INFORMATION</p>	
<p>Name of Organization: AHONU HOMESTEAD ASSOCIATION Date of Incorporation: IRS Tax-Exempt #: 83-3506697</p> <p>1. Please identify one individual who will be the point of contact for this application: Contact Name: Dickenson Stone Title: President Email Address: Ualapue808@gmail.com Phone: 808-658-6919</p> <p>2. What is the mission/vision of your organization?</p> <p>Our Mission to restore and rehabilitate Native Hawaiians beneficiaries and/or indigenous descendants to their land as bona fide indicated by Prince Jonah Kuhio, Hawaiian Homes Commission Act, 1920 (section 213 as amended) and Hawaii Organic Act.</p> <p>Our Vision is to seek restoration for Native Hawaiian beneficiaries to their land and to prevent homelessness and hardship due to the high cost of rent. To restore, build and strengthen skills to our (Native Hawaiian) beneficiaries in budgeting, fishing, farming, repairing, maintenance, trading or bartering, gathering rights, accountability and responsibility as stewards of the land from Mauka (mountain) to Makai (ocean). To increase self-determination through self-governance to beneficiaries participating in discussions on issues, concerns, and solutions.</p> <p>And to further serve, protect and preserve the interest of the Native Hawaiian beneficiaries of the Hawaiian Home Lands Trust and address the community's needs in health, education, housing, social services, kupuna care, keiki care, business, employment, culture and arts.</p>	

3. Please describe the history of your organization.

Ahonui Homestead Association (AHA) was established on February 8, 2019 and obtained 501(c)3 non-profit organization status on April 28, 2020. AHA was founded by a group of Hawaiian Homes successors, lessees, and agricultural applicants who have been waitlisted for Molokai lands since 1950 as a grassroots response towards community-based governance. The Hawaiian word "Ahonui" means waiting patiently in line. The AHA association provides another alternative of getting DHHL waitlisted beneficiaries off the waitlist and onto the land through the "Kuleana Program." AHA named the project as Ualapue Kuleana Homestead (Subsistence) Project and Cultural Resource Management, and was originally approved by Hawaiian Homes Commissioners on February 19, 2020.

4. How has your organization previously served beneficiaries of the Hawaiian Homes Commission Act?

Ahonui Homestead Association is the youngest association on the island of Molokai. AHA provided beneficiaries with self-determination and self-governance opportunities through meetings and collaboration with the Hawaiian Homeland Commissioners and the Department of Hawaiian Home Lands. Beneficiaries were encouraged to participate in free workshops from SCHHA, Maui County, Community farming, Financial Literacy, etc.

5. Describe past experiences, projects, or programs in the last five years that illustrate consistency with your organization's mission/vision statement.

Since 2018, AHA has generated discussion/interest on the Ualapue Project by attending all DHHL Molokai Regional Plan meetings and holding several waitlisters meetings. AHA provided beneficiaries with opportunities for individual growth, self-determination and self-governance opportunities through meetings and collaboration with other Native Hawaiian Organizations, SCHHA/AHHA, Homestead associations, Office of Hawaiian Affairs, Department of Interior, the Hawaiian Homeland Commission, and the Department of Hawaiian Homelands virtual meetings. Beneficiaries and stakeholders were invited to attend Ahonui's Ualapue Kuleana Subsistence development plan project.

Beneficiary workshops & opportunities included:

- Financial Literacy, Native Hawaiian Gathering Rights
- 101 Safety for hunting and fishing for beneficiary's subsistence
- Ualapue community service
- HCDC/HLI on capital loans and matching programs
- Distributed and delivered food bank to families in need
- Legal process on Contested Water Hearing, Briefing on Hawaiian Homestead Rights as indicated and intended by Prince Jonah Kuhio, Act 1920

6. Please provide references (name and contact information) and/or Letters of Support for this application for non-homestead use of Hawaiian Home Lands.

See attached letters.

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.

Currently in discussion and collaboration with Molokai Hunting Club, Native Hawaiian Gathering Rights Association and Maoli Aquaculture and Agriculture Native Assistance (MA' ANA), with future determination of roles and responsibilities. Community will be consulted and asked to volunteer.

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.

Goals and Objectives: To obtain from the department (DHHL) as authorized to lease to the native Hawaiians the right to use the tract (parcels) to restore the land in Ualapue and surrounding areas prior to any development that may occur with settlement. The Manae community has a strong connection to cultural traditions and lifestyles, and the community members are active on issues/concerns, and with protecting and preserving their gathering rights. Therefore, AHA plans to work with the Ualapue/Manae community in developing a cultural and natural resource management plan for Ualapue in order to protect and preserve resources including cultural sites, traditional, and customary practices for subsistence for future generations. The plans are to reforest with native plants on the Mauka and Makai and to rejuvenate and cultivate the soil to its natural origin as possible to bring balance to the eco system once again.

Activities/programs/services: AHA will have committee meetings to develop an overall action plan. Programs and activities include:

- Work with the Ualapue/Manae community in developing a cultural resource management plan for Ualapue in order to protect and preserve resources for future generations.
- Organize a community working group composed of DHHL beneficiaries, hunters, conservationists, subsistence users, practitioners, and other gathers; and advisor experts in biology, botany, forest management, agroforestry, agriculture, and wildfire to convene and develop a Natural Resources Management Plan.
- Build a community hale for meetings and education.
- Build a greenhouse/nursery to care for native plants, potential crops and laau lapaau.
- Involve the community to malama cultural sites and plant native plants to reduce erosion.
- Identify Community Educators and partner to increase beneficiaries' knowledge on invasive plants, wind breakers, what plants could be used to hold erosion, farming techniques, landscaping, fishpond restoration and preservation, self-determination and self-governance, and Hawaiian language.
- Community medical services to enhance what is not already in the area.

Need of Project: The community is unhappy with how DHHL has not taken care of their property and allowed it to affect the rest of Ualapue. The process for beneficiary settlement is a long one. AHA will help Native Hawaiians to both rehabilitate themselves while caring for the land prior to any development, and gain the trust of the community that those that settle here will know how to take care of the property.

Benefit to DHHL/waitlisters: AHA commits to work together and malama aina as a community, to prepare the community and land for settlement. To restore skills to our (Native Hawaiian) beneficiaries in budgeting, fishing, farming, repairing, maintenance, trading or bartering, gathering rights, and accountability/responsibility as stewards of the land and ocean.

9. Please share your current thinking about the following project elements:

- a. The planning process and your efforts to include beneficiaries.
AHA members are all beneficiaries. All plans will be reviewed and activities coordinated by AHA members.
- b. Beneficiary involvement throughout the duration of the project.
AHA is made up of beneficiaries that will put together the overall strategic plan. Going to talk with kupuna and other relevant associations.
- c. Design and construction costs for major improvements (if any).
Preliminary thoughts include a community meeting hale and greenhouse/nursery, however no designs or costs have been created.
- d. Long-term management and operation of project facilities and the requested land area.

This could be a long-term project taken on by AHA and run by volunteers. Once the beneficiaries are awarded kuleana homestead lots, there would be discussions with beneficiaries to take over these projects.

e. Long-term maintenance and repairs.

See answer above. AHA would be the steward until the new homestead association is identified. AHA is here to help the future awardees.

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?

AHA would work with a grant writer to submit applications for DHHL and OHA grants, as well as national tribal governments grants. AHA will fundraise and look at donations from our own people for how they can support.

PROJECT LOCATION

12. Identify the parcel(s) of land your organization is requesting.

Tax Map Key Number(s): (2) 5-6-002:027, :036 Acres: 2.44

Homestead Area: Ualapue Regional Plan Area: Ualapue, Molokai

Island Plan Land Use Designation: *check all that apply below*

Community Use General Agriculture Conservation Special District Other

Tax Map Key Number(s): (2) 5-6-002:024, :025, :026, (2) 5-6-006:017 Acres: 396.87

Homestead Area: Regional Plan Area: Ualapue, Molokai

Island Plan Land Use Designation: *check all that apply below*

Community Use General Agriculture Conservation Special District Other

13. Please attach a map that marks the boundaries of the area of land you are requesting. Please also identify on a separate map the conceptual layout and siting of proposed uses.

See attached map TMK# (2)56002027

14. What are the existing uses in the surrounding area? Please describe how your proposed use is consistent with the existing surrounding uses.

Ualapue is a rural community with a mix of surrounding uses owned and managed by several private owners and a few large landowners. Land use is of residential homes and agricultural plots.

AHA will provide services to the beneficiaries and community of Ualapue through native plant restoration to help reduce erosion, farm crops to feed those in need, and cultural resource management to care for the archaeological sites in the area.

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.

The beneficiaries have been on DHHL waitlist for over fifty (50) years and strive to be restored back to their land. By allowing right of entry, Native Hawaiians can rehabilitate themselves while they rehabilitate the land. This can happen until the Ualapue Settlement Plan is sorted out.

TIMEFRAME

16. What is the general timeframe for implementing the project (estimated years)? Please identify major benchmarks and phases.

PROJECT ESTIMATED TIMEFRAME

Program	Activities	Estimated Years
AHA Committee Meetings	<p>Ahonui will schedule on-going meetings with committees during the development of the project and process.</p> <ul style="list-style-type: none"> - Committees to collaborate and develop a list; networks of individuals to volunteer - Initiate and engage on a Kuleana Community Plan - Identify /suggestions operational logistics - Identify/suggestions emergencies pathways - Identify an action plan - Develop a draft for a Community Plan - Plan approval & Implement plan 	On-going
Wahi Kupuna Stewardship Plan (Cultural Resources Management Plan)	<ul style="list-style-type: none"> - Wahi kupuna are ancestral spaces and places where kupuna interacted, which maintain relationships to the past, fostering identity and well-being in the present and for future generations. - Work with the Ualapue/Manae community in developing a cultural resource management plan for Ualapue in order to protect and preserve resources for future generations. - Document kupuna stories and connection to place. - Work with archaeologists and State Historic Preservation Division to identify sites that could be re-used or should be protected. - Create wahi kupuna interpretive materials. - Malama the identified sites and cemetery by Community. - Increase community and student training in the care of wahi kupuna. 	1-3 years
Natural Resource Management Plan	<ul style="list-style-type: none"> - Organize a community working group composed of DHHL beneficiaries, hunters, conservationists, subsistence users, practitioners, and other gathers; and advisor experts in biology, botany, forest management, agroforestry, agriculture, and wildfire could convene to develop a Natural Resources Management Plan. - Identify and record plants in different elevations. - Conduct research on native plants & vegetation in the area. - Identify area to build a greenhouse nursery to collect and grow native and crop plants, including plants for laau lapaau. - Plant windbreaks and native plants, and replacing invasive plant species with native ones to reduce erosion. - Identify ways to control ungulates. - Investigate stream diversion and request restored water flow by the Commission on Water Resources Management. 	1-3 years

Subsistence Crops	<ul style="list-style-type: none"> - Identify food crops for subsistence that are currently or previously grown in Ualapue - Start food crops in the greenhouse/nursery - Create community plots at different elevations to test which crops can grow best - Learn about terraced planting techniques, such as alley cropping and indigenous/tropical forest farming - Food sovereignty 	
Community Medical Services	<ul style="list-style-type: none"> -Expand current medical with practitioners to come out a few times a week to service the community 	
Identify Community Educators to build beneficiary capacity and skills	<ul style="list-style-type: none"> -Reach out to groups such as UH Extension, Molokai Invasive Species Committee, The Nature Conservancy, Molokai Land Trust, Maunaloa Garden, Ma'ana, Hui Na'auao, Department of Interior, Hawaiian Relation (DOI), Hawaiian Studies and Language Kumu -Conduct workshops to increase beneficiaries' knowledge on invasive plants, wind breakers, what plants could be used to hold erosion, farming techniques, landscaping, fishpond restoration and preservation, self-determination and self-governance, and Hawaiian language. 	On-going
Generate beneficiaries and community interest in programs	<ul style="list-style-type: none"> - Announce via radio station, in local newspaper, online media, on bulletin boards and posting throughout the communities. - Hold scheduled Community meetings; generate Project interest, share concerns, and volunteer recruitment. - Project introduction, Q&A's, on-going meetings, and volunteer recruitment. 	On-going

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: 
Dickenson Stone (Dec 26, 2024 11:34 AM PST)

Date: Dec 26, 2024

Printed Name: Dickenson Stone

Title: President

Organization: Ahonui Homestead Association

Bridget A. Mowat, President
Kamuela LenWai, V. President
Porsha LenWai, Secretary
Tina Schonely, Treasurer

Kahekili Pa-Kala, Sgt of Arms
Louis "Squeaky" Greenleaf &
Madelyn "Peke" Sagario
Kupuna/Historian

Kapa'akea Hawaiian Homestead Association
P.O. Box 2023
Kaunakakai, Hi. 96748

Dept. Of Hawaiian Homestead Lands
91-5424 Kapolei Parkway
Kapolei, Hi. 96707

Attention: Andrew Choy, Planning Manager of Dept. Of Hawaiian Home Lands

Dear Sir,

The Executive Board of the Kapa'akea Hawaiian Homestead Association is in support of Ahonui Homestead Association's request for Right of Entry (ROE) to access DHHL Community Use designated lands in 'Ualapu'e, Molokai.

The request is for the lands within the 'Ualapu'e Kuleana Homestead Project area. We support this effort especially during this time. Drought in other areas of our island makes farming difficult. The area requested rains often enough to sustain food security. We believe establishing food hubs throughout our island helps to provide food for our people. Kapa'akea Homestead is on the south shore of Molokai where it is dry and the rains come once a year. We get our water from the county and do not have access to ag water. Gardening during most months require watering twice a day. We have to chose food sustainability over high cost of water to grow our gardens.

Ahonui's desire to use DHHL community designated land to benefit the island of Molokai is pono. Sustainability is a goal each island is trying to achieve during this time of uncertainty. Climate changes is so unpredictable. If food that is shipped to Hawaii is cut off, Molokai and Lanai will not be able to sustain itself. Farming these unused land is a smart thought. But rather just thinking it, do it! We comment Ahonui Homestead Association for taking on this project.

Their request for support in the effort to restore native and medicinal plants, lo'i kalo, fruit tree orchids, and other food source is commendable. We believe this project can be successful because of the location and amount of rain available. Ahonui's ability to assist and support Ma'ana's fishpond will bring a good source of protein to the table. Beside the fish, hunting policies will be put in place which will help to maintain a healthy herd by managing numbers and developing quidelines of male and female in the herd. We are excited and believe more food farming hubs are created.

Kapa'akea Hawaiian Homestead Association believe this is a step forward in the effort to restore food sustainability on Molokai. We ask that you review this proposal and picture unused lands flourish with food that will be shared with the community. We hope this will help bring aloha into the community and the willingness to kokua one another.

Thank you for your time. We pray you will read this with enthusiasum and see the picture of something that can be good for DHHL.

Mahalo ame malama pono,

Bridget A. Mowat, President

"Ka lani O Kioea"
"The tranquil spot of the Kioea."

The Native Hawaiian Gathering Rights Association
PO Box 3244
Puukapele, Hoolehu, HI 96729

10 October 2023

Department of Hawaiian Home Lands,
Commissioners & Andrew Choy
Director of Planning Office
Kapolei, HI

Dear Mr. Choy,

My name is Godfrey Akaka Jr. also known as Kahikina. I live on a homestead on the island of Molokai, Hoolehua. I have worked beside the Ahonui Homestead Association and support their mission statement on putting our native Hawaiian beneficiaries on their land, specifically Ualapue. Our Association works in the same mission statement of the rehabilitation of Native Hawaiians in protecting, advocating, and education of Native Hawaiian Gathering Rights and resource sustainability.

Ualapue is a unique place in all the areas on Molokai. Its green lush vegetation has natural morning and evening mist to sustain native plants in the area.

I will continue to support and work beside the Ahonui Homestead Association on developing a healthy and sustainable environment through community gardening, the development of a hunting plan, and to provide a place for community refuge and shelter in the event of an evacuation.

I support Ahonui Homestead Association in their request for the Right of Entry of Ualapue and to be the steward of the Community land use Designation for the Ualapue Project.

Should you have any questions, I may be reached at 808 213-1013.

Sincerely,

Kahikina Akaka Jr.

Godfrey "Kahikina" Akaka Jr.
President of Native Hawaiian Gathering Rights

September 26, 2023

To: Mr. Andrew Choy
DHHL Program Planning Manager

From: Hui Ho'okahua Molokai Board
DHHL HBA Organization

Aloha Mr. Choy,

The Hui Ho'okahua Molokai is a collective organization of six (6) Molokai Island Homestead Associations, representing Ho'olehua, Kapa'akea, Kamiloloa~One Ali'i, Kalamaula Mauka, and Naiwa Homestead areas, our organization also includes the Ahonui Homestead Association - (DHHL Molokai Agriculture Applicant Waitlisters.)

We are writing to you at this time in support of an ROE requested by members of Ahonui – Molokai to access DHHL Community Use designated lands in the 'Ualapu'e Kuleana Homestead Project Area. It is our belief that these members are willing to build relationships with the existing 'Ualapu'e Community by showing, rather than talking about, the benefits of working together to steward our lands and build their community's food sovereignty and subsistence resources, envisioning a sustainable future for all.

Ahonui-Molokai's plans of community stewardship include establishing orchards in this area to assist with the desired reforestation efforts of this ahupua'a. The orchards along with community gardens they are planning to create can provide viable and reliable subsistence food source for the area.

They plan to work with Ma'ana Loko I'a -Duke Kalipi, to further Kalipi's efforts of restoration and upkeep of one of the many fishponds in the area, and Justin Luafalemana of the Molokai Hunting Club to provide other viable food sources within the 'Ualapu'e community.

We believe the granting of an ROE to Ahonui-Molokai will foster building steward relationships with the existing community as a positive effort toward bringing the community together.

Mahalo nui for your time and attention.

Hui Ho'okahua Molokai Board Members

PLANNING OFFICE

ITEM G-3 Accept the Beneficiary Consultation Report for Hui Ho`okahua O Moloka`i's Land Use Request for MaLAMA Park Kaunakakai, Moloka`i TMK Nos. (2) 5-3-001:002: 097 & 100 and Ahonui Homestead Association's Land Use Request to Steward DHHL's `Ualapu`e Tract, Moloka`i, TMK Nos. (2) 5-6-006:017, (2) 5-6-002:024, 025, 026, 027, 002 & 036

RECOMMENDED MOTION/ACTION

Planning Office Manager Andrew Choy presented the following:
 Motion that the Hawaiian Homes Commission accept the Beneficiary Consultation Report for Hui Ho`okahua O Moloka`i's Land Use Request for Malama Park Kaunakakai, Moloka`i TMK Nos. (2) 5-3-001:002, 097 & 100 and Ahonui Homestead Association's Land Use Request to Steward DHHL's `Ualapu`e Tract, Moloka`i, TMK Nos. (2) 5-6-006:017, (2) 5-6-002:024, 025, 026, 027, 002 & 036

Close to a thousand beneficiaries were notified. The meeting was conducted on April 4, and there were seventeen participants, of which twelve were identified as Hawaiian Homes beneficiaries. Most beneficiaries support the Hui Ho`okahua O Moloka`i Land Use Request, and most support the Ahonui Homestead Association's Land Uses Request. There was a comment that Ahonui should continue to meet with the Mana`e community members before DHHL seeks the HHL Commission on their Right of Entry. So, Planning is only moving forward with the request for Malama Park today.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Helm, to approve the motion as stated in the submittal.						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Freitas			X			
Commissioner Helm		X	X			
Commissioner Kaleikini			X			
Commissioner Kaneakua			X			
Commissioner Marfil			X			
Commissioner Namu`o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Nine (9) Yes votes.						

ITEM F-7 Approval to Issue Right of Entry Permit to Hui Ho`okahua Moloka`i, Kaunakakai, Moloka`i Island, TMK Nos. (2) 5-3-001:003, :097 & :100

RECOMMENDED MOTION/ACTION

General Professional, Land Management Division Kahana Albinio presented the following:
 Motion that the Hawaiian Homes Commission approve to Issue Right of Entry Permit to Hui Ho`okahua Moloka`i, Kaunakakai, Moloka`i Island, TMK Nos. (2) 5-3-001:003, :097 & :100

PLANNING OFFICE
DEPARTMENT OF HAWAIIAN HOME LANDS

May 20-21, 2024

TO: Chairman and Members, Hawaiian Homes Commission

FROM: Andrew H. Choy, Planning Program Manager *AC*

SUBJECT: Accept the Beneficiary Consultation Report for Hui Ho'okahua O Molokai's Land Use Request for Malama Park Kaunakakai, Molokai TMK (2) 5-3-001:002, :097 & 100 and Ahonui Homestead Association's Land Use Request to Steward DHHL's 'Ualapu'e Tract, Molokai, TMK (2)-5-6-006:017, (2)-5-6-002:024, 025, 026, 027, 001, & 036.

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) accept this Beneficiary Consultation Report as the official public record of beneficiary input and feedback relative to two unsolicited Land Use Requests submitted by:

- (1) Hui Ho'okahua O Molokai for Malama Park TMK (2) 5-3-001:002, :097 & 100 (5 acres)
- (2) Ahonui Homestead Association for Ualapu'e TMK (2)-5-6-006:017, (2)-5-6-002:024, 025, 026, 027, 001, & 036 (412 acres)

DISCUSSION

Background

The Department of Hawaiian Home Lands (DHHL) received two (2) unsolicited requests for the long-term use of Hawaiian Home Lands on the island of Molokai. Land Use Requests were received from:

- (1) Hui Ho'okahua o Molokai; and
- (2) Ahonui Homestead Association

Hui Ho'okahua o Molokai Malama Park Land Use Request

The Hawaiian Homes Commission adopted the Malama Park Special Area Management Plan in 2022. The Plan identified four

types of park "management zones" with each zone specifying specific management activities and compatible uses. These zones include: (1) Canoe Club, (2) Wetland, (3) Malama Platform (hula mound) and (4) Community Focused zones. Beneficiaries expressed a strong desire to play a larger role in the management kuleana for the Plan Area and its resources and the Plan reflected that desire by recommending that community partner(s) be selected by DHHL to steward the park. As part of the selection process to choose a community partner, the plan recommended that beneficiary consultation be conducted prior to the HHC deciding on the selected partner to ensure beneficiary input on that decision.

In November 2023, Hui Ho'okahua Molokai submitted its interest to DHHL to manage Malama Park. Hui Ho'okahua Molokai is a newly formed 501(c)(3) organization comprised of six (6) Molokai DHHL Homestead Associations (Ho'olehua, Kapa'akea, and Kamiloloa-One 'Ali'i, Kalama'ula and Na'iwa, and Molokai Homestead Waitlisters of Ahonui. Hui Ho'okahua's overall goal and objective is to maintain Malama Park to serve as a special place for the community and across generations. The group would like to establish a restoration and recovery program for coastal plant communities, create an outdoor wetland learning center, and be able to protect, restore, and maintain habitat for native plants and animals, and implement a vegetated berm enhancement along the edge of the shoreline. Hui Ho'okahua Molokai would also like to begin an invasive species removal and control program that will provide opportunities for place-based educational programs.

Ahonui Homestead Association Land Use Request

The DHHL Molokai Regional Plan (2019) identified kuleana homesteading in Ualapue as a priority project. The 'Ualapue tract is located in East Molokai and is the only tract of land that is DHHL land on that side of the island. DHHL has been conducting a Kuleana Settlement Plan process for its 'Ualapue tract since 2021 inclusive of both beneficiaries and the Native Hawaiian community of East Molokai. While a final plan that balances beneficiary need for homesteading and East Molokai community members' concerns is still on-going, the Ahonui Homestead Association would like a Right-of-Entry (ROE) Permit to malama and steward these lands in the interim.

Ahonui's mission is to restore and rehabilitate native Hawaiian beneficiaries and / or indigenous descendants to their land. Its vision is to seek restoration for native Hawaiian

beneficiaries to 'āina and to prevent homelessness and hardship due to the high cost of rent, to restore, build and strengthen skills to (native Hawaiian) beneficiaries in budgeting, fishing, farming, repairing, maintenance, trading or bartering, gathering rights, accountability and responsibility as stewards of the land from Mauka to Makai. To increase self-determination through self-governance to beneficiaries participating in discussions on issues, concerns, and solutions.

Ahonui would like to restore the land in 'Ualapu'e and surrounding areas prior to any development that may occur with settlement. The Manae community has a strong connection to cultural traditions and lifestyles, and the community members are active on issues/concerns, and with protecting and preserving their gathering rights. Ahonui plans to work with the 'Ualapu'e / Manae community in developing a cultural and natural resource management plan for 'Ualapu'e in order to protect and preserve resources including cultural sites, traditional, and customary practices for subsistence for future generations. The plans are to reforest with native plants on the mauka and makai and to rejuvenate and cultivate the soil to its natural origin as possible to bring balance to the eco system once again.

DHHL Beneficiary Consultation Policy

The DHHL recognizes that meaningful, timely, and informative beneficiary consultation is necessary for the successful formulation and implementation of its policies, programs, and projects. In 2009, the HHC adopted a Beneficiary Consultation (BC) Policy (Policy). The purpose of the Policy is to ensure that appropriate beneficiary consultation processes and activities are incorporated into DHHL's planning and decision-making. The Policy requires BC for four types of proposals: 1) Statewide Policy Issues, 2) Amendments to Land Use Designations, 3) Development of DHHL Plans and 4) Proposed long-term use of DHHL lands for non-homesteading uses.

The proposed requests to utilize Hawaiian Home Lands by these two organizations constitutes a long-term non-homesteading use of DHHL lands and therefore required a beneficiary consultation meeting prior to HHC action on the request. A beneficiary consultation meeting was held on April 4, 2024 at the Kulana 'Oiwī Halau in Kalamaula.

Beneficiary Consultation Process

The proposed use of Hawaiian Home Lands went through the following steps prior to ensure that beneficiaries were informed about the opportunity to provide feedback on the Land Use Request.

STEP 1. THE PROPOSED ACTION IS DESCRIBED AS:

Molokai Land Use Requests: Malama Park and 'Ualapu'e.

STEP 2. BENEFICIARIES WERE NOTIFIED OF OPPORTUNITIES TO CONSULT

The Department conducted a beneficiary consultation meeting at the Kulana Oihi Hall in Kalama'ula on April 4, 2024.

1. Approximately 541 postcards were mailed to Molokai homestead lessees. [Exhibit B]
2. Approximately 556 postcards were mailed to waitlist applicants with a Molokai mailing address. [Exhibit B]

STEP 3. PRESENTATION MATERIALS FOR MEETINGS ARE AVAILABLE FOR FEEDBACK:

A slideshow presentation was prepared for the beneficiary consultation (EXHIBIT C). This slideshow was presented on April 4, 2024 to participants at the meeting.

DHHL created a webpage to disseminate information and provide easy access to information related to this request. The webpage for this consultation meeting can be found here:

<https://dhhl.hawaii.gov/po/molokai/molokai-land-use-requests-malama-park-and-ualapue/>

STEP 4. COMMENTS ARE COMPILED:

The following table and data below captures the level of participation and engagement at the April 4, 2024

consultation. A 30-day comment period after the meeting is held is afforded to allow beneficiaries to provide additional input. The 30-Day comment period was held between April 4 to May 3, 2024.

Table 1: Summary of beneficiary participation

Beneficiary Consultation Meeting	Participants	No. Self-ID as DHHL Beneficiaries/Beneficiary Organizations
April 4, 2024	17	12
Written Comments Submitted during the Comment Period	0	0

As reflected in Table 1, approximately seventeen (17) participants attended the meeting on April 4, 2024. Twelve (12) participants in the meeting self-identified as DHHL beneficiaries (lessee, applicant, or both lessee and applicant).

DHHL did not receive any written comments during the comment period following the beneficiary consultation meeting. All comments and questions are captured in the summary of Beneficiary Comments below.

Summary of Beneficiary Comments:

In summary, most beneficiaries (1) Supported the Hui Ho'okahua Molokai's Land Use Request to manage Malama Park and (2) Supported the Ahonui Homestead Association 'Ualapu'e land use request. However, for the Ahonui Homestead Association request, there was a comment that Ahonui should meet with Mana'e community members before DHHL seeks Hawaiian Homes Commission approval on Ahonui's land use request. More detailed meeting notes from the meeting are included as Exhibit D. Comments are further discussed below.

Hui Ho'okahua Molokai's Land Use Request

BENEFICIARY CONSULTATION COMMENTS	DISCUSSION
Remove invasive plants and plant native plants.	Noted for Hui Ho'okahua Molokai's future consideration.
Build a halau but in a way that there is no ground disturbance	Noted for Hui Ho'okahua Molokai's future consideration.
Glad to see multiple homestead associations involved in this effort.	Noted.
Do not shorten the Beneficiary Consultation 30-day comment period. Do not take shortcuts in the process.	DHHL provided 30-day comment period per the DHHL Beneficiary Consultation Policy.

Ahonui Homestead Association's Land Use Request

BENEFICIARY CONSULTATION COMMENTS	DISCUSSION
If [Mana'e] community and Ahonui work together to steward the land, it could develop a relationship between people.	Agree.
Stewarding 400 acres can be very difficult.	Ahonui agrees and will be starting out small and looking to steward area near fire house first.
No Mana'e community members attended beneficiary consultation meeting	DHHL held a meeting in the Mana'e community on March 13, 2024. Ahonui shared its desire to seek a ROE from DHHL at this meeting with Mana'e community. The April 4, 2024 meeting was a meeting specifically for DHHL beneficiaries.
Ahonui should meet with Mana'e community members prior to DHHL taking Ahonui's request to the Commission for approval.	Ahonui agrees and will meet with community members from East Molokai. Ahonui had its first meeting with several members of Mana'e in late April of 2024.

Recommendation

Staff respectfully requests that the Hawaiian Homes Commission approves the recommended motion to accept this beneficiary consultation report as stated.

BENEFICIARY CONSULTATION MEETING



Moloka'i Land Use Request; Malama Park & 'Ualapu'e



Malama Park
Land Use Request

'Ualapu'e
Land Use Request

ITEM G-3
EXHIBIT B

This is Not an Awards Notice

dhlh.hawaii.gov/po/molokai

Beneficiary Consultation Meeting

Moloka'i Land Use Request; Malama Park & 'Ualapu'e

Thursday, April 4, 2024
6:00 p.m. to 8:00 p.m.

Kūlana 'Ōiwi Hālau
600 Maunaloa Highway,
Kalama'ula, Moloka'i

Meeting Purpose:

DHHL is seeking beneficiary input and feedback on two land use requests to manage Malama Park and another land use request to steward DHHL lands in Ualapue.

For more information:

dhhf.hawaii.gov/pdm/moloka/

Questions?

dhhf.planning@hawaii.gov



DEPARTMENT OF HAWAIIAN HOME LANDS
P.O. Box 1879 Hon, HI 96805

PRESORTED
STANDARD
US POSTAGE PAID
HONOLULU, HI
PERMIT NO. 574

ITEM 3
EXHIBIT C

ITEM G-3
EXHIBIT C



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

Beneficiary Consultation

Long-term Requests to Utilize DHHL Land on Molokai

April 4, 2024

Meeting purpose

- To collect DHHL beneficiary feedback on two separate proposed long-term requests to utilize DHHL land by the following organizations:
 1. Hui Ho‘okahua Molokai
 2. Ahonui Homestead Association



ITEM C-3
EXHIBIT C

Meeting Kuleana

- Be respectful of the person talking – please do not interrupt the person that is talking;
- Wait for the facilitator to call on you or type your question into the chat box;
- When addressing other participants (verbally or in the chat box), be respectful, show aloha, treat others how you would like to be treated;
- Agree to disagree — accept that others may have different perspectives and opinions;
- Have an open mind — take home new ideas or new information.



ITEM G-3
EXHIBIT C

DHHL Beneficiary Consultation Policy

- Beneficiary Consultation is required for four types of proposals that require Hawaiian Homes Commission approval
 - Statewide Policy Issues
 - Amendments to Land Use Designations
 - Development of DHHL Plans
 - Long-term use of DHHL land for a non-homestead use
-



ITEM C-3
EXHIBIT C

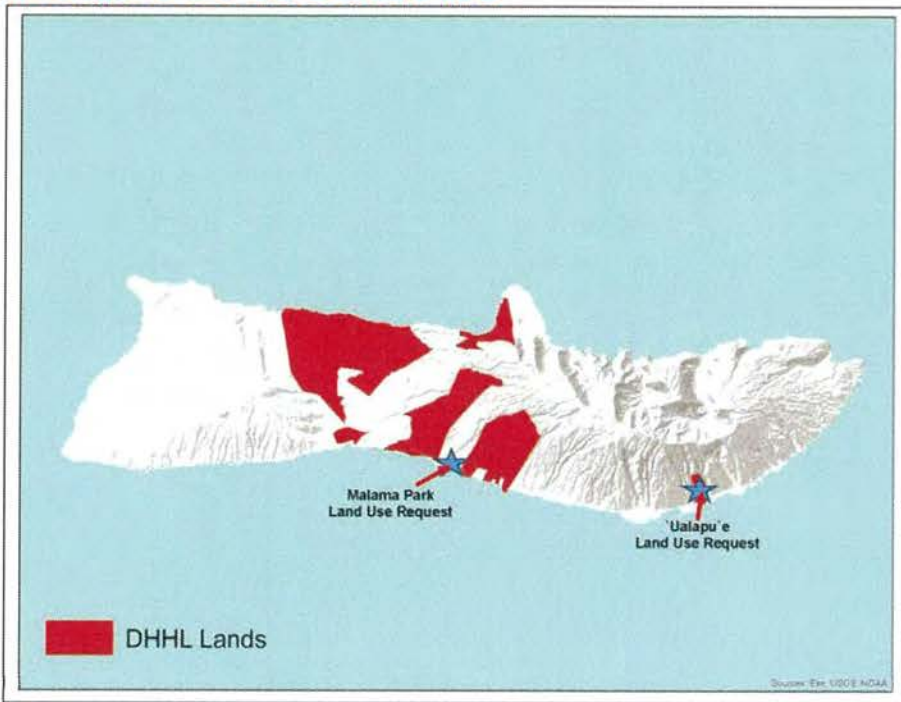
Tonight's Agenda

- Welcome & Introductions
- **Presentation by Hui Ho'okahua Molokai. (15 minutes)**
- Beneficiary Mana'o on Hui Ho'okahua o Molokai Land Use Request (45 minutes)
- **Presentation by Ahonui Homestead Association (15 minutes)**
- Beneficiary Mana'o on Ahonui Homestead Association Land Use Request (45 minutes)
- Wrap-Up & Next-Steps

ITEM C-3

EXHIBIT C

Land Use Request Locations



ITEM G-3

EXHIBIT C

DHHL Malama Park Special Area Management Plan

FIGURE S-7 PARK MANAGEMENT ZONES



- Adopted by the Hawaiian Homes Commission in 2022
- Identified four types of park “management zones”
- Beneficiaries expressed a strong desire to play a larger role in the management kuleana for the Plan Area and its resources.
- The plan was intended to be implemented by community partner(s) selected by DHHL.
- The plan specified DHHL needs to conduct beneficiary consultation on proposed partner(s).
- Hui Ho’okahua Molokai submitted its interest to DHHL manage the Park in November 2023.

A decorative border consisting of a horizontal strip of green leaves at the top and a vertical strip on the left side, both featuring a variety of green foliage.

ITEM G-3
EXHIBIT C

**Presentation By
Hui Ho‘okahua Molokai**

ITEM G-3
EXHIBIT C

Nīnau & Mana‘o

Questions and/or Comments on

Hui Ho‘okahua Molokai

Proposed Use of DHHL Land

(45 minutes)

DHHL Ualapu'e Planning Process



Image Above: Project Location and Existing Conditions*

- DHHL Molokai Regional Plan (2019) identified kuleana homesteading in Ualapu'e as priority project;
- DHHL has been conducting a Kuleana Homestead Settlement Plan process including both beneficiaries as well as conversations with East Molokai community members;
- While a final plan that balances beneficiary need for homesteading and East Molokai community members' concerns – Ahonui Homestead Association would like an ROE to help malama and steward these lands in the interim.



ITEM G-3
EXHIBIT C

**Presentation By
Ahonui Homestead Association**

ITEM G-3
EXHIBIT C

Nīnau & Mana‘o

Questions and/or Comments on
Ahonui Homestead Association
Proposed Use of DHHL Land
(45 minutes)

ITEM G-3
EXHIBIT C

Suggested Next-Steps

- 30-Day Beneficiary Consultation Comment Period (April 4 to April 15)

Email comments to: dhh.planning@hawaii.gov

- **Beneficiary Consultation Report** to the Hawaiian Homes Commission on both requests April 2024
- Seek Commission Approval on ROE to Hui Ho‘okahua Molokai for Malama Park April 2024
- Will take the Ualapu‘e Request to HHC after Ahonui has meeting with East Molokai community stakeholders

ITEM G-3

EXHIBIT D

Beneficiary Consultation Notes
Ahonui Homestead Association – Ualapue Lands
Hui Ho'okahua Molokai – Malama Park
April 4, 2024

Attendees: 17
1 applicant; 7 lessees; 4 both, applicant and lessee; 5 other

Hui Ho'okahua Molokai Land Use Request

Presented by Hala Pakala, Secretary of Hui Ho'okahua Molokai:

- Our organization consists of five homestead associations plus the waitlist organization Ahonui Homestead Association.
- In Kamiloloa homestead 70% are not occupied with the younger generation.
- Most homesteaders were involved in the DHHL Special Area Plan meetings.
- Hui felt that they could collectively manage as homestead leaders as a Hui to manage the park.
- Park users would remain the same for example Molokai Canoe Club, Wa'a Kapaemua Canoe Club
- We [Hui Ho'okahua Molokai] are aware of the challenges such as petroleum contamination to some of the soil in the park.
- Our group would like to see invasives removed from the wetland. Preserve the wetlands. The wetland could be a positive model for wetlands. Wetlands have environmental importance.

Beneficiary Comments and Questions:

- Two of the Southshore associations are working with DHHL on shoreline erosion and sea level rise.
- There's a hula mound and natural amphitheater in the area. Parking is slim. Remove monkeypod trees, plants that are not drought and salt resistant and plant native plants that are drought and salt resistant.
- Build a halau – but in a way that there is no ground disturbance.
- Q: How many acres is the park?
A: Five acres comprised of three separate TMKS.
- Q: Who owns the adjacent parcel?
A: County of Maui
- Q: How about DLNR?
A: DLNR transferred the 5 acre parcel to DHHL.

ITEM G-3 EXHIBIT D

- I used to clean Malama Park with Molokai Occupational center when the park was owned by DLNR.
- Malama Park has a long history of people wanting to manage the park and many plans that get stuck on the shelf. I am glad that multiple homestead Associations are involved in this effort.
- Q: Who is the organization that wants the ROE for Malama Park?
A: Hui Ho'okahua Molokai – comprised of 5 homestead associations and waitlist association Ahonui.
- Q: What's the earliest Hui Ho'okahua Molokai can go on the land and work?
A: Beneficiary consultation report must be submitted to Hawaiian Homes Commission for acceptance, then seek Hawaiian Homes Commission approval for Right-of-Entry Permit to do due diligence studies like HRS 343 compliance and once those studies are complete, seek HHC approval for a long-term disposition.
- DHHL: The Hawaiian Homes Commission is on Molokai in April. DHHL normally allows a 30-day comment period for beneficiaries to provide comments. What are your thoughts on taking this request to the Hawaiian Homes Commission in April since it is meeting on Molokai?
- While the Hawaiian Homes Commission is on island in April, I am opposed to shortening the comment period. I do not see that much people here tonight and would like to give beneficiaries as much opportunity to weigh in on these requests as possible. This administration likes to take short cuts and exclude beneficiary mana`o. I like what Hui Ho`okahua Molokai is proposing and I do not want to see this proposal fail because we didn't go through the normal consultation process and protocol.
- DHHL: Mahalo. We will allow 30-day comment period and take the beneficiary consultation report and seek Commission approval on Hui Ho`okahua's land use request at the May 2024 HHC meeting. The meeting will be in Kona on Hawai'i Island, but Molokai beneficiaries can Zoom into the May meeting to testify on this matter.

Ahonui Homestead Association Land Use Request

Presented by Dickenson Stone, President Ahonui Homestead Association

- Ahonui has been working with DHHL and G70 on a plan to homestead 'Ualapu'e.
- Ahonui wants to help and work with the Manae community to take care of 'Ualapu'e.
- We see activities like gardening, farming, nurseries, and allowing hunting, but in a safe managed way.
- We want to clean up and steward the land and work together with the Manae community until such time that DHHL will homestead the area.

ITEM G-3 EXHIBIT D

- Goal is to put beneficiary wait listers on the land. To get a ROE from DHHL to steward the bottom portion of land – farming, nursery for native plants.
- We are asking for the whole 400 acres, but we understand that is not easy to manage and want to start small.

Beneficiary Comments and Questions:

- Q: Is the land designated community use?
A: No, it is not entirely designated community use. Some areas designated for homesteading. Ahonui's presence and stewardship would be temporary until such time DHHL can homestead the area.
- Q: How much area?
A: The whole tract (400 acres). But Ahonui would like to start small, we would start working on the area next to the County Fire House.
- Q: When will people move up there?
A: DHHL would need to complete the planning process. But completing the planning process is contingent upon coming up with a plan that addresses the concerns of the Native Hawaiian community in Mana'e.
- If the community helps Ahonui with a management plan and access it could develop the relationship between community and Ahonui.
- Do it in a righteous good way being open with community – small steps, protocol and process. While there you getting hands in the soil and learning about the land.
- ROE for 400 acres is a huge undertaking. I know hard it can be from experience. I can share some of my experiences with you.
- I do not see many of the Mana'e community members here tonight. They should be made aware of this request.
- DHHL held a community meeting on March 13, 2024 specifically to inform the Mana'e community on the DHHL Ualapue homestead plan. During that meeting Ahonui Homestead Association shared its desire to seek a ROE permit from DHHL for the reasons shared at tonight's meeting. Tonight's meeting was specifically for DHHL beneficiaries.
- Ahonui will need to meet with the Molokai East end community before DHHL takes their request to the HHC.
- DHHL: This request was also made at the March 13 meeting by Mana'e community members. DHHL and Ahonui Homestead Association agreed that Ahonui should meet with the community prior to taking their request to the HHC for approval.

ITEM G-3 EXHIBIT D

Next-Steps

- DHHL will take the beneficiary consultation report for both of these land use requests to the Hawaiian Homes Commission for its acceptance at the May 2024 Commission meeting.
- DHHL will seek Commission approval for a ROE permit to Hui Hookahua Molokai for Malama Park at the May 2024 Commission meeting.
- DHHL will not seek Commission approval on a ROE to Ahonui Homestead Association until such time that Ahonui meets with Mana'e community members and reaches a shared understanding of how Ahonui's stewardship will involve Mana'e community members. June 2024 would be the earliest DHHL might take Ahonui's request to the HHC for its approval.



DEPARTMENT OF HAWAIIAN HOME LANDS

DEPARTMENT OF HAWAIIAN HOME LANDS
SIGN-IN SHEET

EVENT BC re Malama Park-Hui Ho'okahu
Molokai LURF and Ualapue-Ahonui
LURF

DATE April 4, 2024

page 1/2

(Please print) ** (A=Applicant, L=Lessee, Both=Applicant and Lessee, O=Other) **

BENEFICIARY	NAME	MAILING ADDRESS	E-MAIL	TELEPHONE
A L (B) O	Pat Tamura Daniel Pelekane Tamushiro	[REDACTED]	[REDACTED]	[REDACTED]
A (L) B O	Hala Pa-Kala	[REDACTED]	[REDACTED]	[REDACTED]
A L (B) O	Vickenson M Stone	[REDACTED]	[REDACTED]	[REDACTED]
A L B (O)	Koko Johnson	[REDACTED]	[REDACTED]	[REDACTED]
A (L) B O	Charles Krahanui III	[REDACTED]	[REDACTED]	[REDACTED]
A L B (O)	Mice Krahanui	" " " " "	[REDACTED]	[REDACTED]
A (L) B O	Liko Wallace	[REDACTED]	[REDACTED]	[REDACTED]
A L B O	Dia Kahalensai	[REDACTED]	[REDACTED]	[REDACTED]
A L B O	Bridget A Mowat	[REDACTED]	[REDACTED]	[REDACTED]
A (L) B O	David Bush	[REDACTED]	[REDACTED]	[REDACTED]

Please include email if you wish to receive future meeting notifications electronically

ITEM G-3
EXHIBIT D



DEPARTMENT OF HAWAIIAN HOME LANDS
SIGN-IN SHEET

DEPARTMENT OF HAWAIIAN HOME LANDS

(Please print)

** (A=Applicant, L=Lessee, Both=Applicant and Lessee, O=Other) **

BENEFICIARY	NAME	MAILING ADDRESS	E-MAIL	TELEPHONE
Ⓐ L B O	Charles A. Pelekanos JR.	[REDACTED]	[REDACTED]	[REDACTED]
Ⓐ Ⓒ B O	Iwaleki Kadowaki	[REDACTED]	[REDACTED]	[REDACTED]
Ⓐ Ⓒ B O	Yolande Tanielu	[REDACTED]	[REDACTED]	[REDACTED]
A L B Ⓞ	Iese Tanielu	[REDACTED]	[REDACTED]	[REDACTED]
A L Ⓑ O	Kilia Purdy Avelino	[REDACTED]	[REDACTED]	[REDACTED]
A L B O	Lori Buchanan	[REDACTED]		
A L B O				
A L B O				
A L B O				
A L B O				

Please include email if you wish to receive future meeting notifications electronically

Identification of the priority projects is intended to help DHHL to recognize which projects to focus their time and effort in the near future pending available funding and resources.

6.1 Priority Project #1 - 'Ualapu'e Kuleana Homestead Project and Cultural Resources Management Plan

Background Information

DHHL owns approximately 412 acres in 'Ualapu'e, which is an undeveloped area nestled along the southeastern end of the island approximately fifteen miles east of Kaunakakai town. The parcel lies mauka of Kamehameha V Highway and is highlighted by its sloped terrain (11-20%) from its mountainous regions interspersed by the deep ravines of Kahananui Gulch, Ki'inohu Gulch, and Mo'omuku Gulch. The steep isolated plateaus and valleys that predominate 'Ualapu'e make development challenging and increase costs. However, there is limited area of the parcel between the 20- to 80-foot elevation (just mauka of Kamehameha Highway) with a gentle slope that could be appropriate for residential development.

Land use designations in the DHHL 2005 Moloka'i Island Plan for 'Ualapu'e parcel consist of 25 acres for residential homesteads and approximately 3 acres for community uses in the lower mauka area, 85 acres of the upper mauka areas as Special District, and approximately 300 acres in the middle mauka areas as General Agriculture.

The 2005 Moloka'i Island Plan proposed development of the residential homesteads in two phases, consisting a total of seventy-four 10,000-square foot lots on 25 acres. Development of residential homesteads has not occurred because it is pending an increase in water allocation from the County of Maui by the State Commission of Water Resources Management.

As of November 2018, the wait list for a homestead on the island of Moloka'i includes a total of 2,099 applicants: 822 residential, 1,075 agricultural, and 202 pastoral.

Since 2019, the beneficiaries have moved from the concept of traditional homestead developments and have expressed interest in the development of kuleana homesteads for 'Ualapu'e to provide beneficiaries access to the land immediately. Through the Kuleana Homestead Program, beneficiaries are given a chance to lease unimproved, off-grid homesteads. Unlike a standard residential community concept, the Kuleana Homestead Program places responsibility for development of infrastructure in the hands of beneficiaries in return for availability and early access to unimproved land (refer to Appendix D for the Hawai'i Administrative Rules relating to kuleana homestead leases). In February 2019, Ahonui Homestead Association proposed the kuleana homestead project for 'Ualapu'e, including seeking minimum (roads and water spigots) infrastructure from DHHL, to the Hawaiian Homes Commission.

Past Actions

- **1994.** 'Ualapu'e was awarded to DHHL as part of a 1994 settlement that awarded DHHL approximately 16,500 acres statewide.
- **1995.** DHHL initiated its pilot Kuleana Homestead program at Kahikinui on Maui.
- **1999.** A total of 75 Maui Pastoral Waitlist Applicants were awarded lots at Kahikinui. About 13 families currently reside on the property full time living entirely off-grid and 20 or so homes have been constructed.
- **1999.** Land transfer of 'Ualapu'e lands to DHHL completed.
- **2005.** DHHL in consultation with its beneficiaries identified 'Ualapu'e as a first priority area for residential development in the Moloka'i Island Plan. The Plan identified developing 74 residential homestead lots on 25 acres. Project has been on hold until the County of Maui water allocation from the State Commission on Water Resources Management is increased and/or additional water source identified and developed.
- **2018.** DHHL started to explore the Kuleana Homestead program for Pu'u 'Opae and Anahola, Kauai and is in the Planning Phase. No kuleana homestead lots have been awarded to date.
- **2019.** Ahonui Homestead Association established on February 8th and registered as a State nonprofit organization. The Hawaiian word "Ahonui" means waiting patiently in line. The Association proposed the project to the Commission in February 2019 and since then have been holding meetings to discuss the proposed kuleana homestead project for 'Ualapu'e.

Project Description

Ahonui Homestead Association envisions two-acre kuleana homesteads at 'Ualapu'e to be awarded to 175 beneficiaries; however, actual acreages and number of lots would be subject to technical studies to be completed for the area. The Association envisions a cultural resource management plan to be explored for the cultural sites within the DHHL boundaries of 'Ualapu'e. They would like DHHL to preserve and protect these cultural sites via fencing or other protective barrier methods. The community would help to mālama the identified sites. The Association would also like to secure minimum infrastructure such as roads and water spigots for the project area. They are interested in exploring Subsistence and Sustainable 'Ohana Halau startup kits for future kuleana homestead lessees and for community use. Actual infrastructure would also be subject to technical studies to be completed for the area.

In order to generate community interest for the proposed project, Ahonui Homestead Association has held numerous community meetings to discuss issues relating to the proposed kuleana homestead project for 'Ualapu'e. Ahonui Homestead Association reached out to beneficiaries on the DHHL "Wait-list" via radio station, local newspaper, online media, and postings on bulletin boards throughout the community. Refer to Appendix E for additional information prepared by the Ahonui Homestead Association which includes

6 Priority Projects

a list of meetings held, some preliminary concerns expressed by the meeting participants, project objectives and action steps.

The DHHL ‘Ualapu‘e lands consist of seven tax map keys (TMKs). Ahonui Homestead Association is proposing that kuleana homesteads be considered for at least two of the TMKs: a 376.562-acre parcel (TMK 56006017) and a 13.560-acre parcel (TMK 56002026). The 376+ acre parcel is zoned as Agriculture by the County and is designated as General Agriculture, Special District, and Community Use by DHHL. The 13+ acre parcel is zoned as Residential by the County and is designated as Residential and General Agriculture use by DHHL.

Community Champions and Partners

Ahonui Homestead Association (see Appendix E for a description of the Association)

Project Objectives

The objectives for this project include:

- **Long-term Kuleana Homestead Leases.** Restore and rehabilitate native Hawaiian beneficiaries to their land and expedite awarding of homestead leases on unimproved land through the Kuleana Homestead Program.
- **Cultural Resource Management Plan.** Ahonui will collaborate with DHHL and the ‘Ualapu‘e/Mana‘e community to develop a cultural resource management plan within the perimeter of DHHL boundary in order to protect and preserve resources for future generations.

Implementation Action Steps

The action steps to accomplish the above objectives are organized in the following four phases: planning, design, construction, and community development.

1) Planning

- Timeframe: 5-year estimate
- Budget: DHHL and community to work together to raise the funds and secure other resources for the Planning Phase.
- DHHL roles:
 - Seek various approvals from the Hawaiian Homes Commission
 - Prepare budget request and obtain HHC approval for planning funds
 - Procure and contract for planning services
 - Facilitate planning processes

- Maintain communication with community
- Community roles:
 - Participate and comment throughout Planning Phase and as reports and studies are available for comment
 - Participate in community meetings and beneficiary consultations
 - Provide testimony and attend HHC meetings
 - Provide testimony and support DHHL CIP funding proposals to State Legislature
 - Support community capacity to engage/participate in the Planning process
- Major **action items** in the planning phase are:
 - Since this project is a beneficiary-driven initiative, clarify and further refine the project description, including project outcomes, and clarify roles between DHHL and community.
 - Ahonui Homestead Association has indicated to pursue a Limited Right-of-Entry (30-day permit) from DHHL to visit the proposed project area.
 - Ahonui Homestead Association has indicated to pursue meeting with Hawaiian Homestead Association representatives from Kahikinui to learn about their experiences with the kuleana homestead program and vision for their homestead association.
 - Determine if DHHL Land Use designation needs to be amended in the Molokaʻi Island Plan.*
 - Prepare Special Area Plan*, including a Cultural Resource Management Plan.
 - Prepare “Kuleana Homestead” Settlement Plan* specific to ‘Ualapu’e location, including determine lot scenarios, options and configuration.
 - Prepare State of Hawaiʻi HRS Chapter 343 Environmental Assessment.*
 - Prepare a resource development plan/strategy for future phases – Design, Construction, Community Development.

Items with an “” indicate approval required by the Hawaiian Homes Commission.*

2) Design

- Timeframe: TBD. It is too early in the process to estimate Design costs.
- Budget: Communication between DHHL and community will be necessary to work together to raise the funds and secure other resources for the Design Phase.
- Major **action item** in the design phase is to:
 - Prepare preliminary engineering report, including options and cost estimates for each option.

6 Priority Projects

3) *Construction*

- Timeframe: Depends on level of infrastructure mutually agreed upon by applicants and DHHL in Planning Phase. And, until all approvals (state, county, other) and funding are secured, then construction may be scheduled.
- Budget: TBD. It is too early in the process to estimate Construction costs.
- Action items in the Construction phase are to be determined.

4) *Community Development*

- Timeframe: Ongoing.
- Budget: DHHL and community to work together to raise the funds and secure other resources for community development.
- DHHL roles:
 - Prepare budget request and seek HHC approval for community development phase funds.
 - Prepare educational materials and conduct outreach to applicants (e.g., Kuleana Homestead Program FAQs, Lease Award Process, Is “living off-grid” for you?).
 - Train on-island beneficiaries to help conduct outreach.
- Community roles:
 - Participate and comment throughout all Phases and as reports and studies are completed.
- Major **action items** in the Community Development phase are:
 - Build homestead community organization capacity to plan , develop, implement and evaluate this proposed kuleana homestead project.
 - Develop the Kuleana Homestead Vision specific to ‘Ualapu‘e, including building, health and safety codes, permit process, community governing rules, guiding principles, management of common areas, cultural & natural resources, etc.
 - Prepare applicants with information including:
 - Kuleana Homestead 101 — Is this for you? Your role and responsibilities in this alternative lifestyle, off-grid living
 - Preparing yourself and your ‘ohana financially
 - What is “The Lease Award process” and what you need to do to prepare yourself and your ‘ohana
 - Follow up with lessees at post-move in
 - Seek and obtain various approvals from HHC.
 - Community to secure a licensed architect and other professional services, as needed (i.e., legal, accounting, planner, engineer).

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

January 21-22, 2025

To: Chairperson and Members, Hawaiian Homes Commission

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

Ward "Kalei" Young, ^{10/20}Supervising Land Agent
Land Management Division

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

Subject: Approval to Issue a General Lease, County of Maui, Department of Public Works,
Honokowai, Lahaina, Maui Island, TMK No. (2) 4-4-002:003 (por.)

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission ("HHC) grant its approval to issue a twenty (20) year general lease to County of Maui, Department of Public Works ("DPW") to use approximately 3.11 acres or 135,540 sq. ft. of Hawaiian home lands located in Honokowai, Lahaina, Maui island, further identified by TMK No. (2) 4-4-002:003 (por.) (see Exhibit "A"), for the purpose of base yard for equipment storage to support Lahaina recovery efforts and other critical county functions.

A. Authorize the issuance of a General Lease to LESSEE covering the subject area under the terms and conditions cited below, which are by this reference incorporated herein and further subject to the following:

- (1) LESSEE: County of Maui, Department of Public Works;
- (2) TERM: Twenty (20) year term that shall commence effectively on the date that the LEASE document is fully executed by the LESSEE and LESSOR;
- (3) LAND AREA: Approximately 3.11 acres or 135,540 sq. ft. of Hawaiian Home Lands in Honokowai, Lahaina, Maui, more specifically identified by TMK Nos. (2) 4-4-002:003 (por.) and delineated in Exhibit "A";
- (4) PERMITTED USE: LESSEE shall use the premises for equipment storage for Lahaina recovery efforts and to support other critical County functions;

- (5) BASE RENT: The monthly fee shall be established at Seven Thousand Eight Hundred twenty-Five Dollars (\$7,825.00) and subject to a 3% incremental annual increase;
- (6) The processing and documentation fee of \$275.00 shall be waived;
- (7) No sub-leasing or other uses shall be permitted without prior written consent of LESSOR, at LESSOR's sole discretion;
- (8) LESSEE 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 depositing of trash on a regular basis. No new construction shall be allowed without prior approval of LESSOR. No major alteration or addition of any kind shall be made to the Premises unless plans are first submitted and approved by LESSOR. New construction may require the preparation of a HRS Chapter 343, Environmental Assessment;
- (9) LESSEE shall comply with all federal, state and county regulations or requirements regarding environmental issues and the safe handling and disposal of toxic or hazardous materials. Upon termination of the lease, LESSEE shall be responsible for environmental clean-up of any contamination or hazardous materials brought onto the site or caused by LESSEE'S activities;
- (10) 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 in accordance with all federal, state and county laws and regulations on impermeable surface, such as concrete or asphalt pavement. Such surface must be maintained in good repair and approved by LESSEE prior to occupying the Premises. Major equipment repair or servicing shall not be permitted;
- (11) LESSEE may be required to remove and dispose of all surface material, including asphalt paving and concrete slab that becomes contaminated beyond the allowable Department of Health limits due to LESSEE's use;
- (12) LESSEE shall take reasonable measures in preventing any hazardous materials from leaching on the Premises. Proper storage of any oil or gasoline is required;
- (13) LESSEE shall release, defend, indemnify and hold harmless the Department of Hawaiian Home lands and the State of Hawaii, its officers, employees, contractors, representatives, and agents from and against all liability, Loss, damage, costs, and expenses, including all attorney fees, and all claims, suits, and demands therefore, arising out of or resulting from the acts or omissions of LESSEE and LESSEE's officers, employees, agents, representatives, or contractors occurring during or in connection with the exercise of the approved lease;
- (14) LESSEE shall obtain proper permission from adjacent landowner(s) for roadway access not covered by the lease;

- (15) LESSEE 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 LESSEE'S use require such utility services;
- (16) LESSEE shall be solely responsible for the security of all items stored on the Premises. LESSEE shall be allowed to install security fencing; however, if LESSEE intends to install other types of security systems, LESSEE must first request and obtain LESSOR's written approval;
- (17) No residential use shall be permitted, including temporary overnight camping. However, LESSEE shall be allowed to provide a shelter for security personnel, if such persons are hired for security purposes;
- (18) Prior to vacating the Premises, LESSEE shall remove, at LESSEE'S sole cost, all of the LESSEE'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 LESSEE'S use. LESSEE shall also notify LESSOR to do a site inspection when LESSEE has completed removal;
- (19) Other standard terms and conditions of similar leases issued by LESSOR;
- (20) The lease document is subject to the approval of the State of Hawaii Department of Attorney General; and
- (21) Other terms and conditions deemed prudent by the Hawaiian Homes Commission may be added, and/or amended.

B. Declare that, after considering the potential effects of the proposed lease disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR use of the existing driveway and parking lot will probably have minimal or no significant effect on the environment.

DISCUSSION

On behalf of County of Maui, Department of Public Works (County), Mayor Bissen submitted letter requesting Department of Hawaiian Home Lands (DHHL) consideration for general leasing a portion of the subject tax map key for the purpose of storing heavy equipment necessary to the Lahaina recovery efforts, including equipment for other nearby county operations (see Exhibit "B").

The County has proposed forgiveness of delinquent real property taxes owned by DHHL beneficiaries as payment-in-kind for use of the premises. DHHL staff consulted with the Deputy Attorney General and it was determined that DHHL could not consider the proposed in-kind payment option. Therefore, the proposed monthly fee of is based on rent that DHHL previously collected for use of the site plus a 3% annual increase beginning calendar year 2018 thru 2024.

The proposed area is currently vacant and consists of approximately 3.11 acres of existing asphalt roadway and parking lot previously used by SVO Pacific for off-site hotel parking. The

parking lot and surrounding areas are designated for industrial use in DHHL’s Honokowai Master Plan (see Exhibit “C”).

The DHHL and County established a preliminary agreement outlining terms and condition prior to bringing this request to the Hawaiian Homes Commission for decision making (see Exhibit “D”). Approval on the requested motion will support Lahaina recovery efforts and other critical county functions.

HRS 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 Section 11-200.1-16, Hawaii Revised Statutes 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.”

AUTHORIZATION

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

Hawaii Revised Statues §171-95 Disposition to governments, governmental agencies, public utilities, and renewable energy producers.

RECOMMENDATION

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

TMK: (2) 4-4-002:003 (por.)



EXHIBIT "A"
ITEM NO. F-4

RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Managing Director



RECEIVED
LAND MANAGEMENT
DIVISION
2024 AUG 21 PM 1:59



OFFICE OF THE MAYOR
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov

August 1, 2024

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

Dear Mr. Watson,

On behalf of the County of Maui, Department of Public Works, I am requesting the consideration of a general lease of a portion of the property situated on TMK: (2)-4-4-002:003 for equipment storage use. The hope is to be able to lease, secure and maintain this portion for an extended period of time to assist in the Lahaina recovery efforts and support other critical county functions. The County would like to propose the forgiveness of back taxes owed by DHHL beneficiaries as payment-in-kind for the lease.

The County plans to use the property to store heavy equipment necessary to the Lahaina recovery efforts, as well as equipment necessary for other county operations in the area. The site may also be used for temporary storage of materials, or utilized in case of emergency in West Maui. The County is prepared to manage all maintenance of the premises as well as mitigate any potential environmental effects to the site caused by the County's use. We would also like to discuss making minor permanent improvements to the property such as lighting, paving, fencing, and surveillance.

The extents of the requested lease are attached in Figure I, on the existing developed paved asphalt access road and parking lot on the property, and totals approximately 135,000 sq. ft. The County in the past has been granted temporary use of this area for evacuation of equipment during earthquake events, and seeks a longer term, mutually beneficial lease of the portion of the parcel.

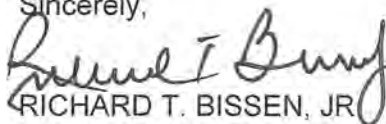
Based upon the November 2021 revision of the Honokōwai Master Plan in attached Figure II, this portion falls within the planned industrial land use adjacent to the County of Maui Wastewater Treatment facility. This location is in close proximity to the current Lahaina Highways Division Baseyard and adjacent to the County of Maui managed Honokōwai Flood Control.

EXHIBIT "B"
ITEM NO. F-4

Kali Watson
August 1, 2024
Page 2

I am available to discuss further and look forward to working with you and your team on moving this request to a mutually beneficial resolution. Please contact Josiah Nishita via email Josiah.K.Nishita@co.maui.hi.us to discuss next steps.

Sincerely,



RICHARD T. BISSEN, JR.
Mayor, County of Maui

cc: Josiah Nishita, Managing Director
Jordan Molina, Director of Public Works

FIGURE I

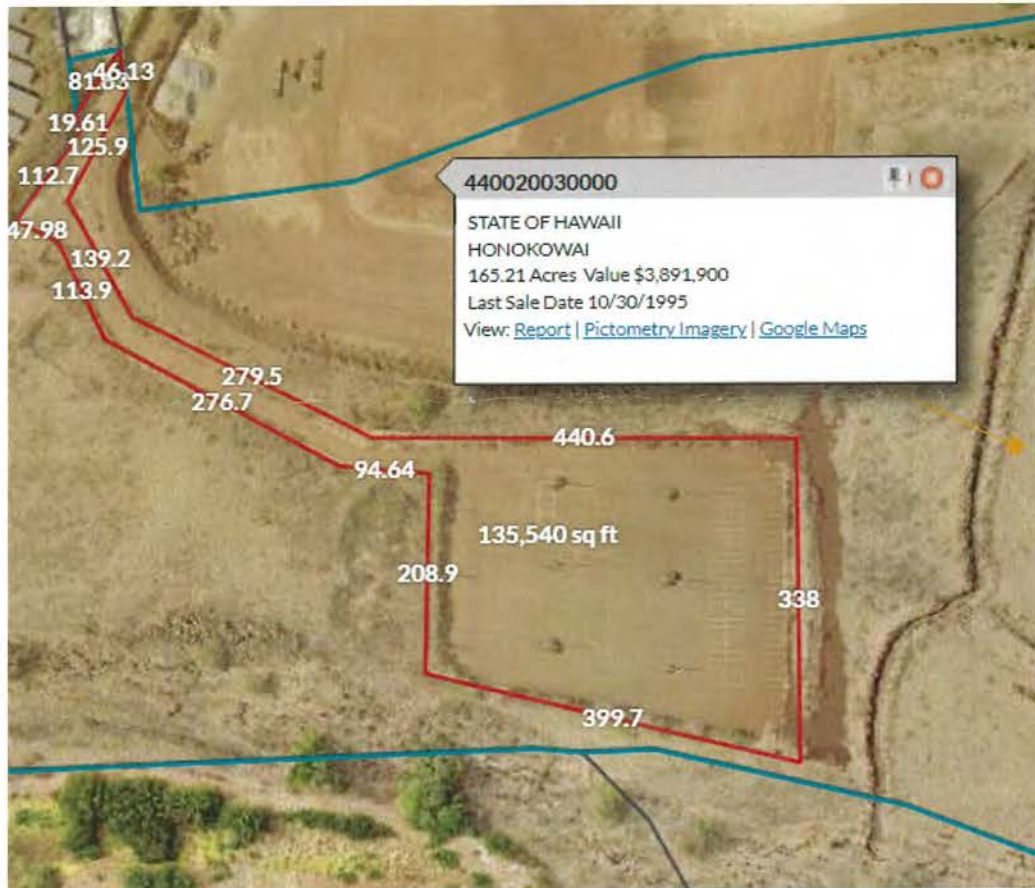


FIGURE II

Honokōwai Master Plan (Revised November 2021)

Planning Consultants Hawaii, LLC



Honokōwai Beneficiary Community Master Plan



Figure No. 11: Illustrative Site Plan

11-2-21

EXHIBIT "C"
ITEM NO. F-4

JOSH GREEN, M.D.
GOVERNOR
STATE OF HAWAII
*Ke Kia 'āina o ka Maku 'āina 'o
Hawai'i*

SYLVIA J. LUKE
LT. GOVERNOR
STATE OF HAWAII
*Ka Hope 'āina o ka Maku 'āina
'o Hawai'i*



KALI WATSON
CHAIRPERSON, HHC
Ka Luna Ho'ākele

KATIE L. LAMBERT
DEPUTY TO THE CHAIR
Ka Hope Luna Ho'ākele

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
Ka 'Oihana 'Āina Ho'opulapula Hawai'i

P. O. BOX 1879
HONOLULU, HAWAII 96805

December 30, 2024

Mr. Jordan Molina, Director
County of Maui
Department of Public Works
Kalana O Maui Building
200 S. High Street, 4th Floor
Wailuku, Hawaii 96793

Dear Mr. Molina:

Subject: Request to Use Hawaiian Home Lands
TMK: (2) 4-4-002:003 (p), Honokowai, Lahaina, Maui Island (The Premises)

The Department of Hawaiian Home Lands (DHHL), through its Land Management Division, seeks to initiate a preliminary agreement with the County of Maui (County) for the proposed use of Hawaiian home lands. The specific areas under consideration are marked in red crosshatching on the attached map.

Prior to presenting your General Lease (GL) request to the Hawaiian Homes Commission for approval, we need to establish a preliminary agreement outlining the terms and conditions.

Below is our understanding of your request:

1. A portion of TMK: (2) 4-4-002:003 shall be used for equipment storage for Lahaina recover efforts and to support other critical County functions;
2. No sub-rental or other uses shall be permitted without the prior written consent of DHHL, in DHHL's sole discretion;
3. The monthly fee shall be established at Seven Thousand Eight Hundred Twenty-Five Dollars (\$7,825.00) and subject to 3% incremental increase on an annual basis. The monthly fee is not conditional to the proposed forgiveness of real property tax delinquencies;
4. The term of the GL shall be twenty (20) year, commencing upon execution of the GL document;
5. County shall be required to pay a non-refundable processing and documentation fee of \$175.00;

EXHIBIT "D"
ITEM NO. F-4

6. County shall release, defend, indemnify and hold harmless DHHL, its officers, employees, contractors, representatives, and agents from and against all liability, loss, damage, costs, and expenses, including all attorneys' fees, and all claims, suits, and demands therefor, arising out of or resulting from the acts or omissions of County and/or County's officers, employees, agents, representatives, or contractors occurring during or in connection with its use of the Premises;
7. County agrees to coordinate with the Kaanapali Land Management Corp. (KLMC) should permission be required for access to roadways owned by KLMC and necessary for accessing the Premises;
8. Upon termination of the GL, County 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 County's use;
9. County 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 new construction shall be allowed without prior approval of DHHL. No major alteration or addition of any kind shall be made to the Premises unless plans are first submitted and approved by DHHL;
10. 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 in accordance with all federal, state and local laws and regulations on impermeable surface, such as concrete or asphalt pavement. Such surface must be maintained in good repair and approved by County prior to County occupying the Premises. Major equipment repair or servicing shall not be allowed;
11. County may be required to remove and dispose of all surface material, including asphalt paving and concrete slab that becomes contaminated beyond the allowable Department of Health limits due to County's use;
12. County shall take reasonable measures in preventing any hazardous materials from leaching on the Premises. Proper storage of any oil or gasoline is required;
13. County 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 County's use require such utility services;
14. County shall be solely responsible for the security of all items stored on the Premises. County shall be allowed to install a security fencing, however, if County intends to install other types of security systems, County must first request and obtain DHHL's written approval;
15. No residential use shall be permitted, including temporary overnight camping. However, County shall be allowed to provide a shelter for security personnel, if such persons are hired for security purposes;

Mr. Molina, Director
December 30, 2024
Page 3

16. No new construction shall be allowed without prior DHHL approval. No major alteration or addition of any kind shall be made to the Premises unless plans are first submitted and approved by DHHL;
17. Prior to vacating the Premises, County shall remove, at County's expense, all of the county's equipment, constructed improvements, trash, goods and materials and restore the area to a condition same or better than that which existed prior to County's use. County shall also notify DHHL to do a site inspection when County has completed removal;
18. Other standard terms and conditions of similar GL issued by DHHL;
19. The GL shall be subject to the review and approval of the Department of the Attorney General; and
20. Other terms and conditions deemed prudent by the the Hawaiian Homes Commission may be added, and/or amended.

If you agree to the terms and conditions outlined in this letter, please sign, date and return a copy of this letter. While your signed acknowledgment is not legally binding on either party, it will serve as a basis for drafting a General Lease (GL) request to be submitted for review and approval by the Hawaiian Homes Commission.

Should you have any questions or need further clarification, please contact Linda Chinn, Acting Administrator, Land Management Division at 808.730.0334 or email linda.l.chinn@hawaii.gov.

Aloha,



Kali Watson, Chairman
Hawaiian Homes Commission

Enc.

AGREED AND ACCEPTED:

County of Maui
Department of Public Works

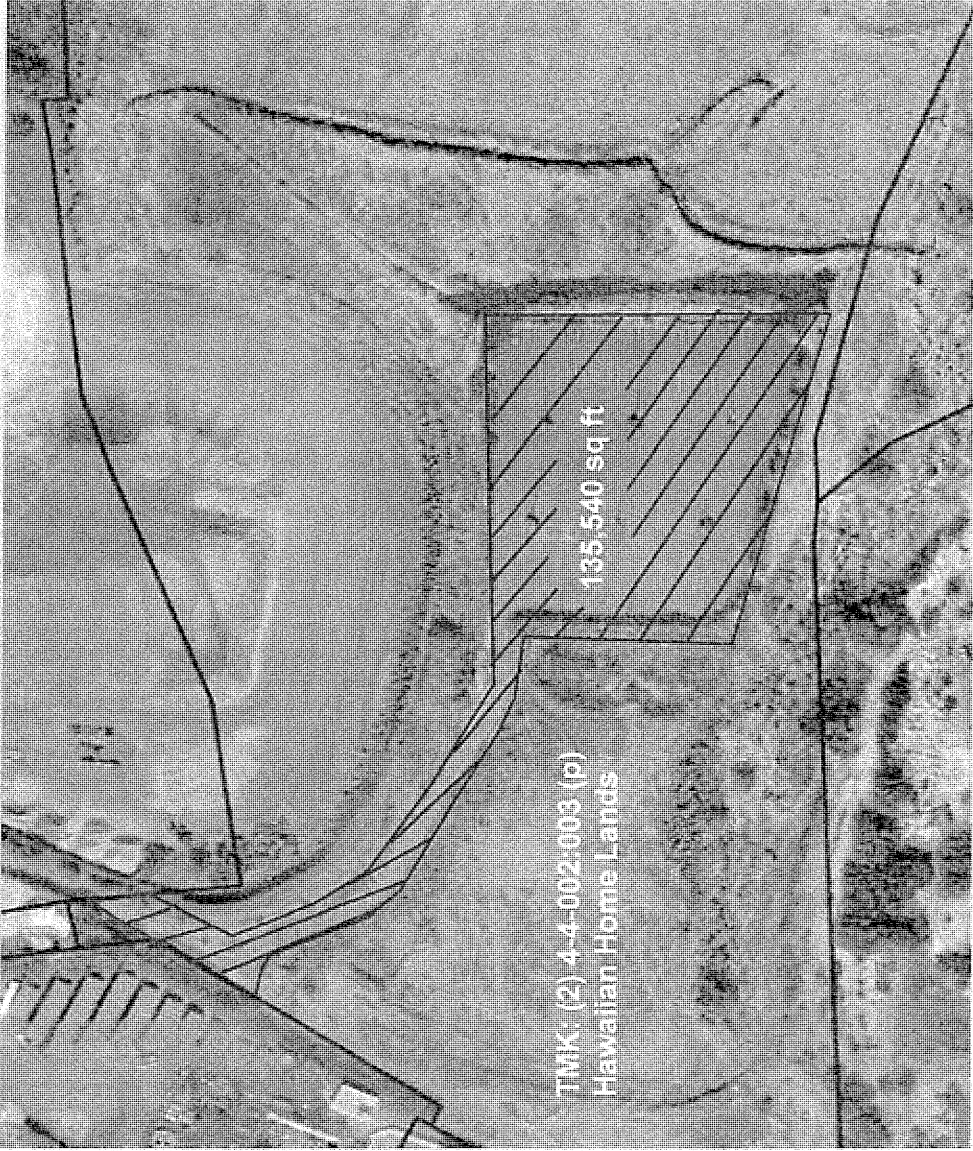
By: Jordan Molina

Date: 12/31/2024

Print Name: Jordan Molina

Title: Director of Public Works

TMK: (2) 4-4-002:003 (por.)




STATE OF HAWAII


DEPARTMENT OF HAWAIIAN HOME LANDS

January 21-22, 2025

Item F-5

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: Approval to Issue Pastoral Right Of Entry Permit to Puu Huluhulu Ranch and Farm for Security and Stewardship, Humuula, Hawaii Island, TMK(s) (3) 3-8-001:007, (3) 2-6-018:002

RECOMMENDED MOTIONS/ACTIONS:

That the Hawaiian Homes Commission (HHC) approve of 1 year Right of Entry (ROE) Permit to Puu Huluhulu Ranch and Farm (Permittee) for Pastoral use, and assisting DHHL in securing premises against trespass and with the management of remaining livestock of illegal occupant.

Issuance of ROE will be subject of the following conditions:

- Permittee is allowed to use Premises for the raising of cattle and livestock under the Terms and conditions of ROE.
- Permittee will assist DHHL in Securing Premises by maintaining a physical presence on the land by Puu Huluhulu Ranch and Farm members, employees and or representative as well as by using Permittee livestock to maintain presence on the land where appropriate.
- Permittee will assist DHHL in managing trespassing livestock currently on Premises as a result of illegal occupant. Specific terms and conditions regarding cattle removal and or return to occupant will be determined at a later date as DHHL better understands livestock inventory, conditions of landscape and scope of work of cattle removal.
- Term of ROE will be 1 year from issuance of ROE Permit. ROE can be terminated for any or no reason upon a 30-day written notice given by either party. Permittee acknowledges and accepts the risk that PERMITTEE'S use could be terminated before Permittee has recovered the costs invested in the premises.
- Permittee shall provide proof of and keep in full force a general liability insurance policy of no less than \$1,000,000.00 per occurrence, and \$2 million in the aggregate and name DHHL as additional insured.
- Other standard terms and conditions of similar ROE permits issued by DHHL. Other terms deemed appropriate by DHHL Attorney General and Office of Chairperson.

- Monetary Fee for ROE will be gratis: Compensation to DHHL for pastoral use of lands will be in the form of securing land from trespass and assistance with remaining trespass livestock.
- All terms and conditions subject to Attorney General review and DHHL Chairperson approval.

LOCATION:

DHHL Aina Mauna Lands in Humuula, Tax Map Keys: portions of (3)3-8-001:007,(3) 2-6-018:002 (See map below). Roughly 4,850 acres which includes including securing approximately 3,515 acres of land that has been illegally occupied as well as additional lands needed to secure DHHL land from trespass from neighboring lands, Keanakolu Road and Saddle Road access points.

DISCUSSION:

DHHL lands within the ROE Premises have been subject to a long-term illegal trespass and occupation by an individual and his livestock since 2016. Trespassing party is not a beneficiary and has never held a DHHL land disposition for the premises. Until recently, DHHL has had difficulty implementing actions to removing trespassing party and associated livestock.

In October 2024 with the assistance of State and County enforcement agencies DHHL was successful in removing trespassing party(s) and their property and making necessary notifications to trespassing party of illegal activity and DHHL authority over Premises.

DHHL is continuing to work with enforcement agencies to enforce penalties of any further trespass. DHHL needs assistance to secure Premises from re-occurring trespass. DHHL understands that having a responsible presence on the land is very valuable in preventing continued trespass as well as having other potential stewardship benefits of fire hazard mitigation, reducing spread of invasive species and pastoral infrastructure improvement. Having vacant former cattle lands invites illegal activity and ROE to Puu Huluhulu Ranch and Farm is meant as an interim measure to secure lands and deal with issues related to trespass and to assist DHHL with inventory, removal, and coordinating return of remaining livestock to trespassing party.

Puu Huluhulu Ranch and Farm is owned and operated by beneficiaries with Humuula pastoral homestead leases who have been successful in managing cattle in the difficult landscape of the Aina Mauna. Challenges to ranching in Humuula include very limited water resources, limited seasonal forage, rough, rocky terrain with limited vehicle access, invasive species like gorse, limited enforcement assistance and other issues. Puu Huluhulu Ranch and Farm has made formal requests to DHHL (**EXHIBIT B**) and the Hawaiian Homes Commission for supplemental pastoral lands adjacent to their homestead properties to make ranching more financially feasible, the limited carrying capacity for cattle in Humuula has been established as one cow and calf pair per 10 acres.

During this one-year ROE period Puu Huluhulu Ranch and Farm will be seeking a longer-term interim pasture disposition from DHHL for lands not planned for homestead use. They are humbly requesting Hawaiian Homes Commission (HHC) consideration of their assistance with dealing with trespass issues, their proven track record of successful ranching and land improvement in Humuula, their ongoing security and stewardship of DHHL lands, their ability to secure Federal funds for infrastructure improvements to DHHL lands and their longstanding request for supplemental pastoral lands when the HHC considers future land use request from Puu Huluhulu Ranch and Farm.

In the Longer term, DHHL needs to better manage Premises by moving forward with [Aina Mauna Legacy Program](#) implementation of issuing Homesteading leases and other pastoral and Sustainable Koa Forestry dispositions to establish a responsible beneficiary presence on the land and restrict future trespass.

BENEFITS TO HAWAIIAN HOMES TRUST:

ROE to Puu Huluhulu Ranch and Farm will:

- Provide a responsible and respected beneficiary presence on DHHL lands to prevent re occurring trespass issues.
- Provide assistance to DHHL and enforcement agencies in documenting and dealing with enforcement issues that arise.
- Assist DHHL in developing and implementing a plan for remaining livestock inventory, removal, and coordination for return to trespassing party.
- Increase and Improve Ranching infrastructure on Premises including additional fencing and establishment of roads and water infrastructure.
- Provide supplemental lands to Humuula beneficiary families to make Ranching more financially feasible.
- Possession of a DHHL land disposition will allow for use of Federal grant funds to be available for ranching infrastructure and land stewardship activities like gorse management.
- Provide a working model of what it takes to be a successful ranch operation in Humuula to inspire and guide other future Humuula pastoral beneficiaries.

PLANNING AREA:

Aina Mauna Lands, Humuula and Upper Piihonua, Hawaii Island

LAND USE DESIGNATION:

Portions of DHHL TMKs (3) 3-8-001:007, and (3) 2-6-018:002 within ROE Premises are designated in Aina Mauna Legacy Program as H2, Interim Pasture, P2 Pastoral, H1 Initial Homestead and K4 and K5 Sustainable Koa Forestry.

CURRENT STATUS:

Currently the bulk of the ROE premises has been subject to trespass since 2016. No other DHHL land dispositions have been issued to the premises. The area was part of formal cattle leases that have expired in the early 2000s. Currently there are very scattered remnant koa and other native plant species and established and spreading infestation of gorse that needs to be addressed.

CHARACTER OF USE:

Former cattle pasture, limited water resources and seasonal pasture

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Triggers:

Use of State Lands

DHHL has completed a State Environmental Assessment for the entire Aina Mauna Legacy Program Area and planned uses with a finding of No Significant Impact. Pastoral use of lands and activities related to pastoral use have been considered in Aina Mauna Legacy Program [Environmental Assessment](#).

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

The Proposed ROE to Puu Huluhulu Ranch and Farm is recommended as an interim land disposition primarily intended to secure DHHL lands from trespass and to resolve trespass issues including removal of livestock.

The Premises does include significant acreage intended for pastoral use as identified in the Aina Mauna Legacy Program, but also includes lands intended for Homestead use and Sustainable Koa Forestry. Through the resolution of trespass issues, land will be available for planned and intended uses. Further discussion of specific planned land uses are below. **Exhibit A** is a Map of land use designations as identified in the 2009 HHC approved Aina Mauna Legacy Program.

Aina Mauna Legacy Program Designations

H2 Interim Pasture – The proposed ROE covers approximately **775 acres** of lands designated as Interim Pasture. Interim Pasture is in alignment with Pastoral ROE disposition. During ROE term Permittee will seek longer term disposition for continued use of interim pasture through DHHL disposition, subject to HHC approval

P2 Pasture – The proposed ROE covers approximately **580 acres** of lands designated for Pasture use. Pastoral use is in alignment with ROE disposition. The areas of P2 are available for pastoral homestead leases or other DHHL pastoral disposition. Current proposed ROE resolves trespass issues and may improve Premises and provide knowledge and experience to move DHHL forward with implementing pastoral development.

H1 Initial Homestead – The proposed ROE covers approximately 585 acres of lands designated as Initial Homestead area. Proposed ROE is not intended to obstruct or delay homestead development. ROE is an interim land disposition and can be terminated upon a 30-day written notice by DHHL. Proposed ROE lands planned for homestead are available to DHHL when it is ready to develop homesteads and or issue homestead lease to beneficiaries.

K4, K5 Sustainable Koa Forestry – The proposed ROE covers approximately **2400 acres** of area K5 and **515 acres** of area K4, both designated for sustainable koa forestry. Currently these areas are the bulk of the lands that were occupied by illegal trespass. The proposed ROE purpose is to resolve trespass issues and make lands available to DHHL for implementation of DHHL Aina Mauna Legacy Program. Of all of the Aina Mauna lands designated for sustainable koa forestry, these areas have the least amount of existing koa, are separate from other koa and native forest areas and are adjacent to or surrounded by pasture and may be subject to future trespass and or cattle damage to tress, wither intentional or not. Upon resolution of trespass issues, DHHL may consider:

1. Implementing conventional koa forestry as designated in Aina Mauna Legacy Program
2. Changing designation of area to pasture use, consistent with adjacent land uses and reducing the chance of future trespass and damage to koa forest by cattle.
3. Using this area to integrate koa and cattle in a koa silvopasture system that would redefine sustainable koa forestry and be in alignment with the Aina Mauna Legacy Program .

RECOMMENDATION:

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

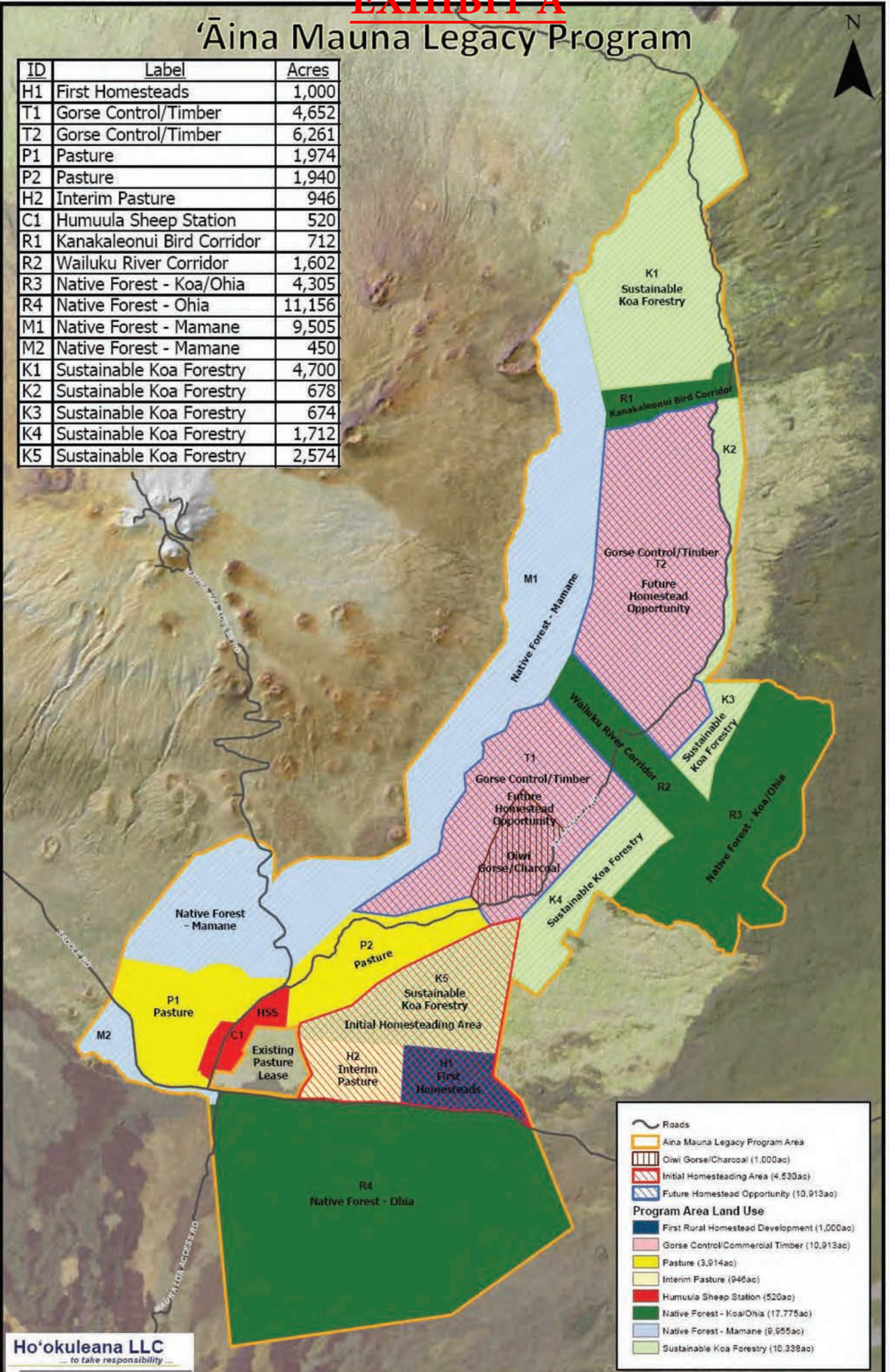
Right of Entry Premises Map



‘Āina Mauna Legacy Program



ID	Label	Acres
H1	First Homesteads	1,000
T1	Gorse Control/Timber	4,652
T2	Gorse Control/Timber	6,261
P1	Pasture	1,974
P2	Pasture	1,940
H2	Interim Pasture	946
C1	Humuula Sheep Station	520
R1	Kanakaleonui Bird Corridor	712
R2	Wailuku River Corridor	1,602
R3	Native Forest - Koa/Ohia	4,305
R4	Native Forest - Ohia	11,156
M1	Native Forest - Mamane	9,505
M2	Native Forest - Mamane	450
K1	Sustainable Koa Forestry	4,700
K2	Sustainable Koa Forestry	678
K3	Sustainable Koa Forestry	674
K4	Sustainable Koa Forestry	1,712
K5	Sustainable Koa Forestry	2,574



Legend

- Roads
- Āina Mauna Legacy Program Area
- Diagonal lines: Diwi Gorse/Charcoal (1,000ac)
- Red hatched: Initial Homesteading Area (4,530ac)
- Blue hatched: Future Homestead Opportunity (10,913ac)

Program Area Land Use

- Dark blue: First Rural Homestead Development (1,000ac)
- Red hatched: Gorse Control/Commercial Timber (10,913ac)
- Yellow: Pasture (3,914ac)
- Light yellow: Interim Pasture (946ac)
- Red: Humuula Sheep Station (520ac)
- Dark green: Native Forest - Koa/Ohia (17,775ac)
- Light blue: Native Forest - Mamane (9,955ac)
- Light green: Sustainable Koa Forestry (10,338ac)

EXHIBIT B

DAVID Y. IGE
GOVERNOR
STATE OF HAWAII



JOBIE M. K. MASACATANI
CHAIRMAN
HAWAIIAN HOMES COMMISSION

SHAN S. TSUTSUI
LT. GOVERNOR
STATE OF HAWAII

WILLIAM J. AILA, JR.
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII DEPARTMENT OF HAWAIIAN HOME LANDS

P. O. BOX 1879
HONOLULU, HAWAII 96805

REQUEST FORM FOR NON-HOMESTEADING LAND USE PURPOSES

PART I: APPLICANT INFORMATION

Name: Richard Kaniho, Kalani Kaniho- Pu'uhuluhulu Ranch & Farm

Address: P.O. Box 63 Kamuela, Hi 96743

Phone No.: 808-885-4551 Cell: 808-217-2708 email: rkaniho@yahoo.com

If Corporation/Organization/Company/LLC/Non-Profit:

Name: _____

Address: _____

Phone No.: _____ Cell: _____ email: _____

Requesting Organization is a Non-Profit

Type of Non-Profit:

- Private Nonprofit – governed by self appointed board
- Member Nonprofit – governed by voting members
- Homestead Organization – governed by HHCA beneficiary members

Requesting Organization is For Profit - Individual or Business

- Individual
- Sole Proprietorship
- Partnership
- Corporation
- Limited Liability Corporation
- Other

Is an Individual HHCA Beneficiary or is Owned by an HHCA Beneficiary Yes No

Requesting Organization is a Government Agency

- Federal
- State
- County

Officers and/or Principal Representatives: Richard Kaniho

Mission of Organization: To utilize the most modern and proven cattle grazing practices for our current cattle grazing operations at the Kalaieha/ Humu'ula area of Mauna Kea. To increase our current carrying capacity while at the same time creating partnerships with the Department (DHHL), NRCS (USDA), and any organizations/ individuals wanting to improve all historical, cultural and future well being of the area.

Date Incorporated: _____ State of Incorporation: Hawaii

Federal Tax ID#: 01/07702 State Tax ID#: W03798984-01

PART 2: NON-HOMESTEADING LAND USE REQUEST

Describe proposed non-homesteading land use envisioned under this request as submitted To establish conservation practices of said lands in incremental stages starting with water catchment/ storage, boundary/ interior fencing incl. woven wire, proper rotational/ deferred grazing methods, gorse/ invasive weed control while increasing the carrying capacity for our cattle operations maintaining the proper cattle grazing techniques

**Please attach additional information if necessary*

to ensure that cattle/ conservation/ and homesteading can co-exist now and in the future.

Land Request Form No. _____

Land Area requested: Acreage/Sq.Ft. 2,500 acres approx. Term: ROE terms
Island: Hawaii Tax Map Key No.: ? See attached map outline

Indicate Character of Use:

- Agricultural Commercial Church Other
 Pastoral Industrial Community Facility

Does applicant have any existing land disposition issued by Hawaiian home lands for non-homesteading use purposes? Yes No

If yes, under what type of use and disposition: Pastoral- Humu'ula, Lease #9077 (Lot 1)

Describe how proposed land use request will have direct or significant indirect benefit to the Trust and/or its Beneficiaries (Applicants & Lessees): This request if granted will allow us (current beneficiaries) to expand our operations more economically and efficiently. As well to assist the Department in there goal referenced in LMD's E-Items (Discussion items 1- 5) dated for October 17, 2016 for Commission meeting Keaukaha. and HRS 171-55. As well we propose to be a current working model for future Hawaiians wanting to get started under the Aina Mauna program as we have been at Humu'ula from the start. For well over 15 years we have had a proven track record of completion of said practices with USDA partnerships. Our record will continue to benefit us as well as future beneficiaries past, present and future. Currently there is no management, so the greatest impact would be willing and able stewards to care for the 'Aina.

The following authorized representative submits this request for use of Hawaiian home lands under non-homesteading purposes and acknowledges that:

1. This is an application process that will be subject to further review, evaluation and consideration by DHHL and may require additional information to be submitted;
2. This request does not constitute any form of DHHL approval to this non-homesteading land use request as submitted;
3. In the best interest of the trust, DHHL reserves the right to exercise its prudent authority pursuant to and in accordance with the Hawaiian Homes Commission Act (Section III, Section 204(a)(2), Section 220.5, Section 207(c), Hawaii Revised Statutes, Chapter 171, as amended and the Hawaii Administrative Rules, Title 10;
4. Once the application is deemed complete, the non-homesteading land use request will be posted for a 30 day review period on the DHHL website for beneficiary and public comment;
5. Additional Island or Regional Specific Beneficiary Consultation will be required per the DHHL Beneficiary Consultation Policy;
6. All input/comments received will be provided to the Hawaiian Homes Commission if/when approval for disposition is considered by the HHC;
7. Associated non-refundable processing and documentation fees shall be assessed for each respective disposition request as follows:

Revocable Permit - \$100.00 License - \$200.00 General Lease - Cost Documentation (all)...\$75.00

Richard Kaniho/ Kalani Kaniho

Pu'uhuluhulu Ranch & Farm

Print Individual or Organization Name

Richard Kaniho

Authorized Representative Name & Title

Kalani Kaniho

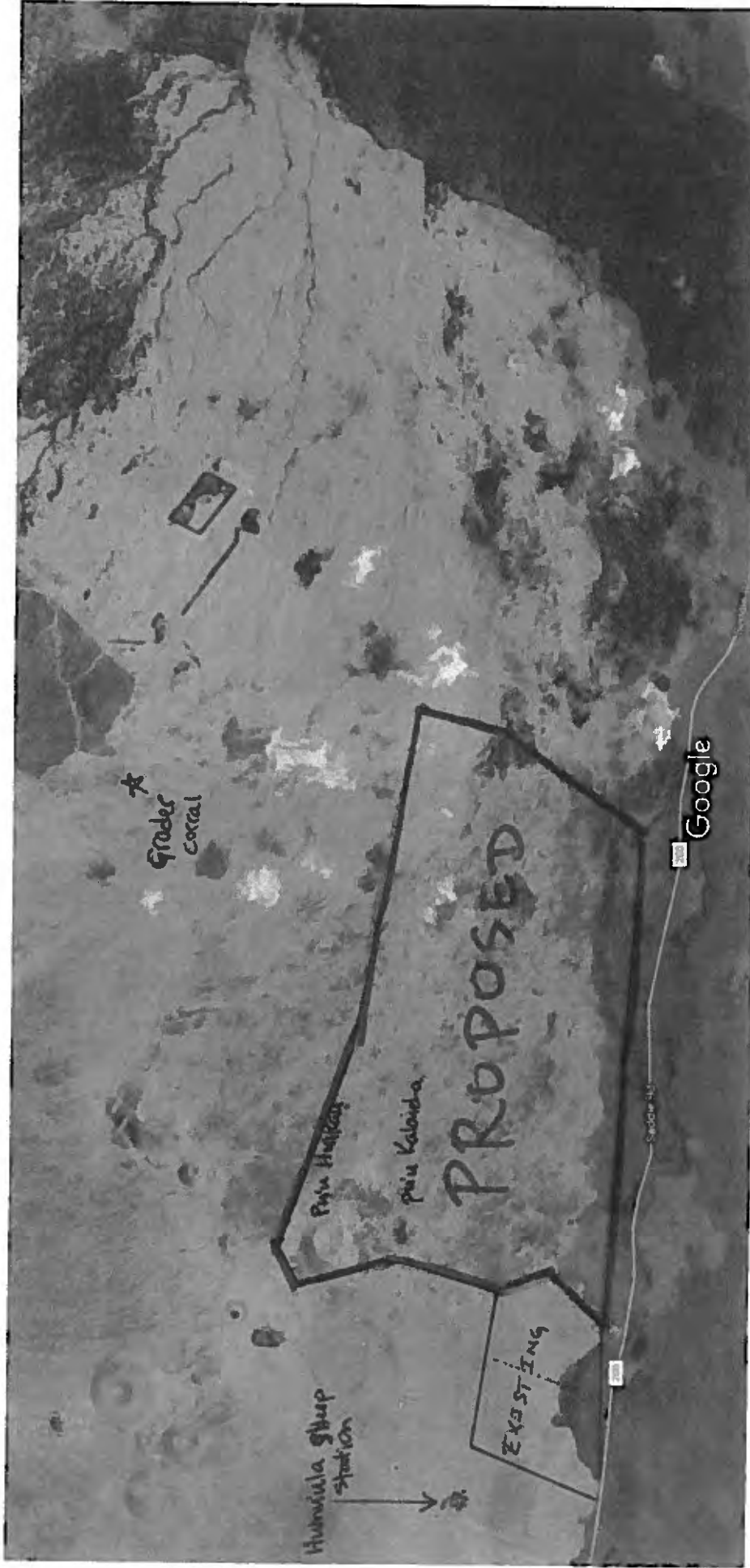
October 16, 2016

Date

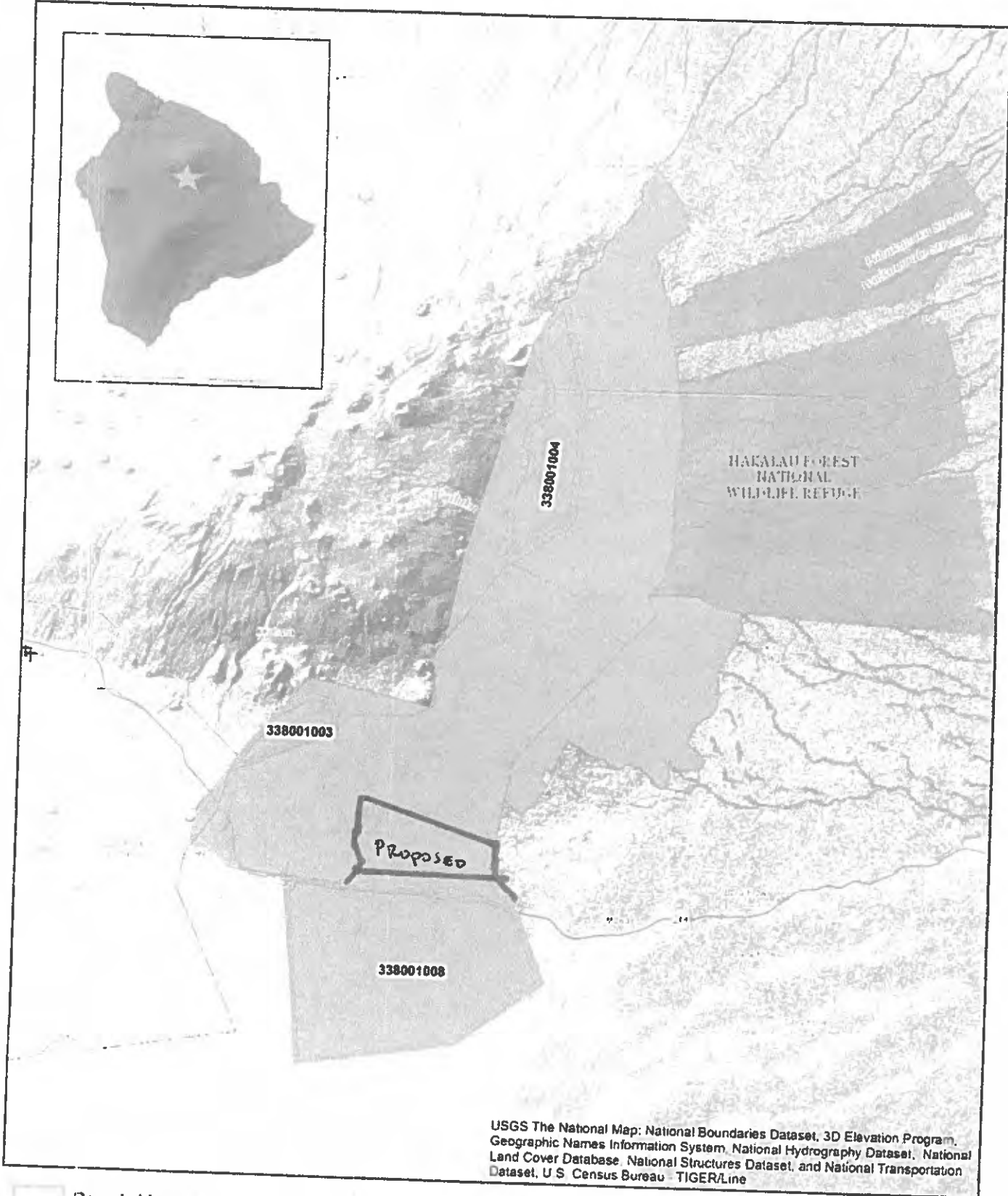
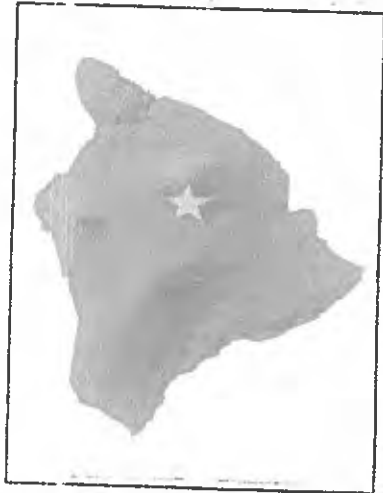


Signature

Google Maps Humu'ula /Kalaieha/ Huikau (PR ka, Pu'uO'o four)



Imagery ©2016 Google, DigitalGlobe, Map data ©2016 Google 2000 ft



USGS The National Map: National Boundaries Dataset, 3D Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset, U.S. Census Bureau - TIGER/Line

 Parcels Licensed from DHHL to DLNR under 1992 Agreement
 DHHL Land




STATE OF HAWAII


DEPARTMENT OF HAWAIIAN HOME LANDS

January 21-22, 2025

Item F-6

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: Approval to negotiate and enter into MOA with DLNR to accept USDA, Land Owner Assistance Funds, Humuula, Hawaii Island, TMK(s) (3) 3-8-001:002, :007, :009

FUNDING AGENCY:

United States Department of Agriculture Forest Service (USDA - FS)

DHHL is a sub awardee of the State of Hawaii Department of Land and Natural Resources (DLNR) who was awarded and administers USDA-FS Land Owner Assistance funds in Hawaii.

RECOMMENDED MOTIONS/ACTIONS:

1. That the Hawaiian Homes Commission (HHC) approve authorize entering into a Memorandum of Agreement (MOA) between DHHL and the DLNR establishing terms and conditions for DHHL to receive Federal grant funding through USDA-FS for natural resource management activities including native species planting, site preparation, conservation fencing and other natural resource activities on appropriate areas of DHHL Aina Mauna Lands.

MOA with DLNR will include the following conditions:

Terms and condition for the receipt of \$1,500,000 Federal USDA-FS funds for Project implementation to be completed by December 31, 2028:

- Scope of Work, including koa and other native plant reforestation in Kanakaleonui Bird Corridor (KBC) and areas of Palila Critical Habitat and sustainable Koa Forestry in Humuula. Other activities to include Priority weed control, forestry services, site preparation, internal fencing of established fenced units and other applicable activities. If activities in the identified areas and projects for USDA-FS funds are difficult to implement, or if additional funds are available, DHHL may use USDA-FS funding on other appropriate lands.
- Federal program guidelines applicable to the management of Project activities and the use of Federal USDA-FS funds.
- Standards for submittal of semi-annual progress reports and financial reports
- Cost Share or Matching contributions from DHHL. *No matching contributions are required from DHHL

- Terms and conditions for dispersal of USDA -FS funding from DLNR to DHH.
- Such other terms and conditions as pertinent to Federal funding for Project implementation on DHHL Lands.
- All terms and conditions subject to DHHL Attorney General review and Chairperson approval

LOCATION:

DHHL Aina Mauna Lands in Humuula, Tax Map Keys: (3)3-8-001:002, :007, :009. (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:

DLNR approached DHHL LMD staff about including DHHL in a Statewide grant proposal to USDA-FS for Land Owner Assistance. USDA-FS Awarded DLNR \$5,000,000 to administer to Landowners across Hawaii to provide cost share payments to support forest management and restoration activities, assisting landowners in the protection and restoration of watersheds, forest resources, wildlife habitats, and endangered species. It is planned and anticipated that DHHL will receive \$1,500,000 for work on DHHL lands.

USDA-FS funding will be used by DHHL to plant koa and other native plant species in KBC, supporting work for habitat connectivity for Native Hawaiian forest birds and increasing watershed on Mauna Kea. Funds will also support Sustainable Koa forestry by supporting awarded USDA Climate Smart Commodities koa forestry grant and project with weed control and forestry services. Funds will also support Palila Critical Habitat restoration with the planting of koa, mamane, iliahi (sandalwood) and other native plant species.

DHHL was awarded \$1,000,000 from Federal Department of Defense (DOD) REPI program. USDA-FS funds are planned to be used as matching funds for REPI grant, minimizing matching funds needed directly from DHHL. It is not certain that USDA-FS will be accepted as match for DOD REPI funds, but DHHL staff will investigate the possibility of using USDA -FS funds as match for DOD REPI grant, which would save DHHL \$250,000 in match contributions.

DHHL has large land holdings in environmentally sensitive areas. USDA FS land owner assistance allows resources to be managed without using DHHL funds and also covers DHHL matching funds for other grants, further reducing DHHL funds needed for conservation efforts. .

BENEFITS TO HAWAIIAN HOMES TRUST:

Federal USDA-FS funding for the implementation of this Project will:

- Provide funds for management of DHHL lands and resources, at no cost to DHHL.
- Provide funding to reduce DHHL match requirements for other grant projects
- Improve and expand the Mauna Kea Watershed
- Improve and expand habitat for Native Hawaiian forest birds and other species on DHHL lands.

- Participating in the USDA FS Land Owner Assistance program allows DHHL a Project to navigate the process this type of Federal funding and creates a pathway and develops relationships for future funding opportunities.

PLANNING AREA:

Aina Mauna Legacy Program Area, Hawaii Island.

LAND USE DESIGNATION:

Portions of DHHL TMKs (3) 3-8-001:002, :007, :009 within project areas are DHHL designated as Kanakaleonui Bird Corridor (R1) , Native Forest – Mamane (M1) and Sustainable Koa Forestry (K1) in the [2009 Aina Mauna Legacy Program](#). Program map included as **EXHIBIT A**

CURRENT STATUS:

R1 Kanakaleonui Bird Corridor - 520 acres is currently fenced and has ongoing reforestation efforts since 2008.

M1 Native Forest Mamane – 2,475 acres is former pasture, Federally designated as Pali Critical Habitat and planned for implementation in 2025 with DOD REPI funding for Native Mamane forest restoration.

K1 Sustainable Koa Forestry is former pasture and koa salvage harvest area. Area planned for establishment of 490 acres sustainable koa forestry plantation with USDA Climate Smart Commodities funding.

CHARACTER OF USE:

Former cattle pasture, different stages of reforestation and koa forestry

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Triggers:

Use of State Lands

Use of Federal Funds

DHHL has completed a State [Environmental Assessment](#) in 2011 covering its Aina Mauna Lands and planned Project activities including native species planting, priority weed control and fencing with a finding of No Significant Impact.

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.

Planned Project activities are for natural resource management and as such are anticipated to have an overall positive impact on the environment.

CONSISTENCY WITH DHHL PLANS, POLICIES AND PROGRAMS

DHHL 2009 Aina Mauna Legacy Program

Legacy Program Mission

The mission of the `Āina Mauna Legacy Program and its implementation is to protect approximately 56,000-acres of native Hawaiian forest that is ecologically, culturally and economically self-sustaining for the Hawaiian Home Lands Trust, its beneficiaries and the community.

Goals - Initial goals for the `Āina Mauna Legacy Program include:

Goal 1: Develop an economically selfsustaining improvement and preservation program for the natural and cultural resources (invasive species eradication and native ecosystem restoration) and implementation strategy. The focus of the `Āina Mauna Legacy Program shall be on:

- *Restoration and enhancement of DHHL trust resources;*
- *Identify immediate and future opportunities for DHHL beneficiaries;*
- *Removal of invasive species - gorse, etc.;*
- *Conserve natural and cultural resources and endangered species;*
- *Address reforestation and restoration of the ecosystem;*
- *Develop revenue generation, reinvestment in land to sustain activities;*
- *Provide educational and cultural opportunities;*
- *Identify and secure partners to sustain activities;*
- *Identify opportunities for alternative/renewable energy projects; and*
- *Be a lead and/or model for others to engage in ecosystem restoration in a culturally sensitive manner based on partnerships to develop a self-sustaining model.*

Forests and Forestry Uses on the Site

“Forest” and “Forestry” are used in various contexts in this report. At various places, “Native Forest Restoration”, “Commercial Timber to Fight Gorse” and “Sustainable Koa Forestry” are referenced. Each references different aspects of dealing with forests and forest products.

The foundation of the `Āina Mauna Legacy Program is the protection and restoration of the DHHL lands at Humu`ula/Pi`ihonua for future generations. After 150years of sheep and cattle ranching, the formerly dense forest became significantly altered by these activities and the forest landscape was converted primarily to open pasture land. In order to be consistent with the `Āina Mauna Legacy Program’s Mission, Goals and Priority Issues, certain areas of the site need to be converted out of pasture and returned and restored to forest. The forest restoration and enhancement can take on a variety of complementary focuses, including:

Commercial and noncommercial native tree species (i.e. Koa)

DHHL has already implemented a koa salvage and reforestation program at Humu`ula. Likewise, DLNR has conducted a study on its neighboring land and is considering a like program. Each target dead and/or dying koa and allow contractors to enter the property and harvest the koa. The DHHL koa salvage and reforestation program seeks to:

- *Salvage koa trees before they are further reduced in value by weather, rot, and age, leaving*

- certain trees for wildlife habitat and on-site seed production;*
- *Promote forest-based economic opportunities in the community;*
- *Generate income for DHHL;*
- *Promote koa regeneration from existing seed present in the soil;*
- *Provide a source of koa wood for Hawai`i's forest industry*

Native Forest Restoration

Due to the nature and condition of various portions of the property, certain areas are recommended for protection, restoration and enhancement as biodiverse, healthy native forests. The Native Forest is more than just trees; it includes the various ferns and other levels of understory, mosses, etc. making up a biodiverse ecosystem and habitat of various insects, plants and animals.

- *The lands of Humu`ula and Pi`ihonua represent the most important native forest areas remaining in the DHHL trust.*
- *Based on soil, elevation, and rainfall characteristics, there are an estimated 17,800-acres in Humu`ula and adjacent Pi`ihonua mauka that could be restored back to a healthy, diverse native koa and `ōhi`a forest ecosystem.*
- *Likewise, there are approximately 10,000 acres across the mauka portions of the property that can be restored to māmane forest, a critical Palila bird habitat.*
- *There are strong recommendations to enhance and restore various areas in the overall property because of their importance as habitat, biodiversity and condition (and ability to restore) as native forest.*
- *The setting aside, protection and restoration of these areas is critical for the protection, restoration and enhancement of `Āina Mauna.*
- *Wildlife corridors help provide a contiguous habitat from the lower koa forest to the higher elevation māmane forest to facilitate the migration of native forest birds between these habitats.*
- *Additional Fencing, excluding and removing ungulates, would allow existing trees to produce and maintain root shoots and basal sprouts, thereby increasing foliage and subsequent tree processes.*
- *Centralized plant propagation, staging and storage facilities will be located at Kanakaleonui Bird Corridor and north of Pu`u `Ō`ō. These propagation centers will be used for both the native forest restoration and sustainable koa forests.*
- *These propagation centers will be used for both the native forest restoration and sustainable koa reforestation, as well as include structures for overnight accommodations, offices, laboratories and storage for workers.*
- *Develop seed stock for native forest restoration activities.*
- *Partner with the DLNR Tree Nursery, U.S. Fish & Wildlife Service Hakalau Forest National Wildlife Refuge, and other native plant propagation centers.*
- *Replanting efforts would focus on a mosaic of 'islands' using combinations of native plants grouped together (for example, pūkiawe, pilo, `a`ali`i and `ohelo may be planted together) that will grow outward until they all connect into one diverse native forest.*
- *Koa (makai areas) and māmane (mauka areas) trees would then be planted around the existing shrubs so that they can utilize the beneficial traits of the 'islands.'*
- *Herbicides are a useful tool for controlling the spread of weed and grass populations such as banana poka, gorse, and kikuyu grass.*
- *Continued research is necessary to effectively evaluate the various experimental methods of out planting. Experimental plots should be established to be used for this research.*
- *The restored, healthy native forest provides a variety of benefits and opportunities to*

- beneficiaries through gathering, cultural practices and opportunities to see and understand native forest ecosystems.
- The site (with restoration to healthy native forest) provides beneficiaries cultural practices access as the only site of this type in the Hawaiian Home Lands Trust inventory.

RECOMMENDATION:

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

Project Area Map

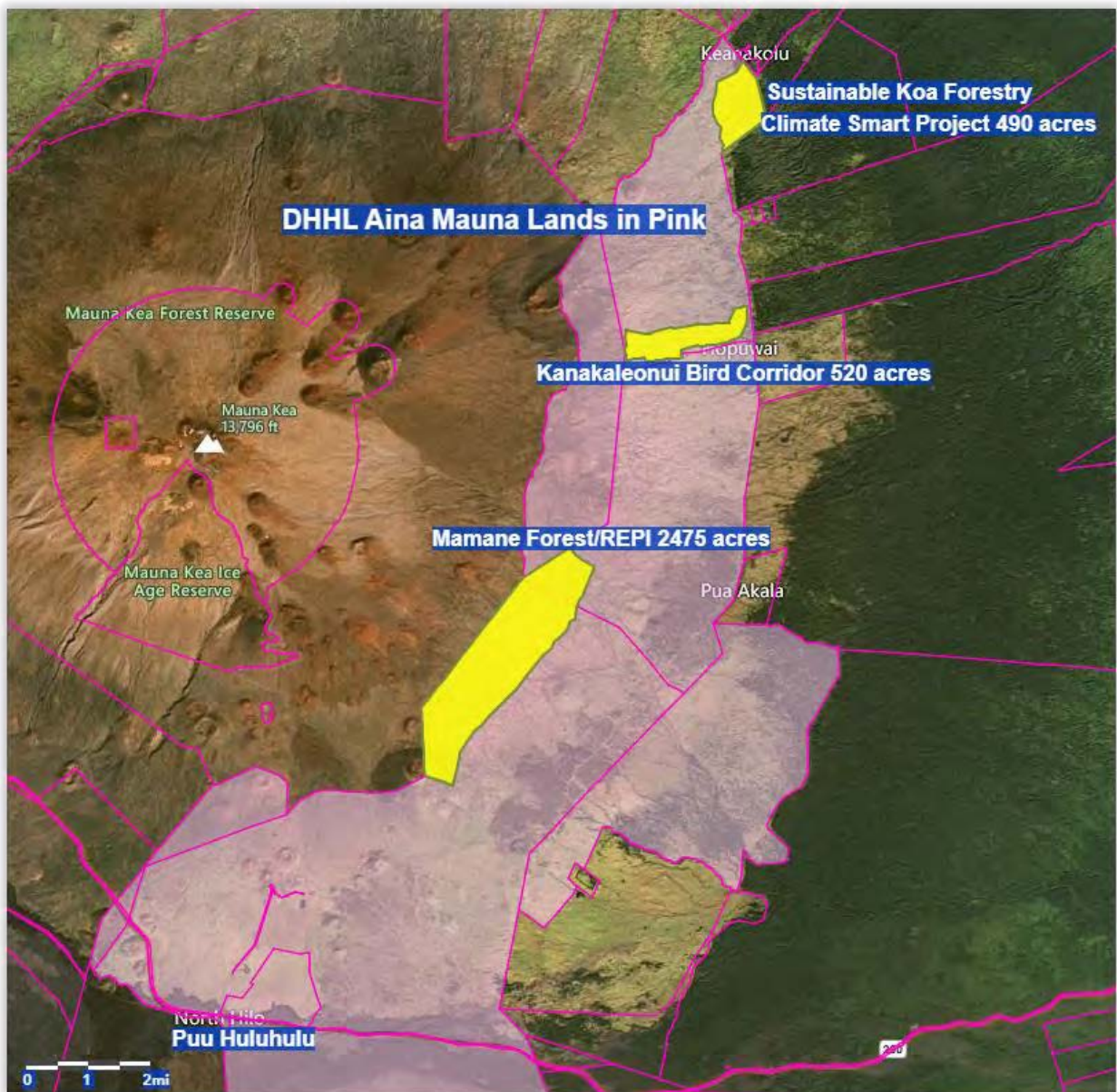
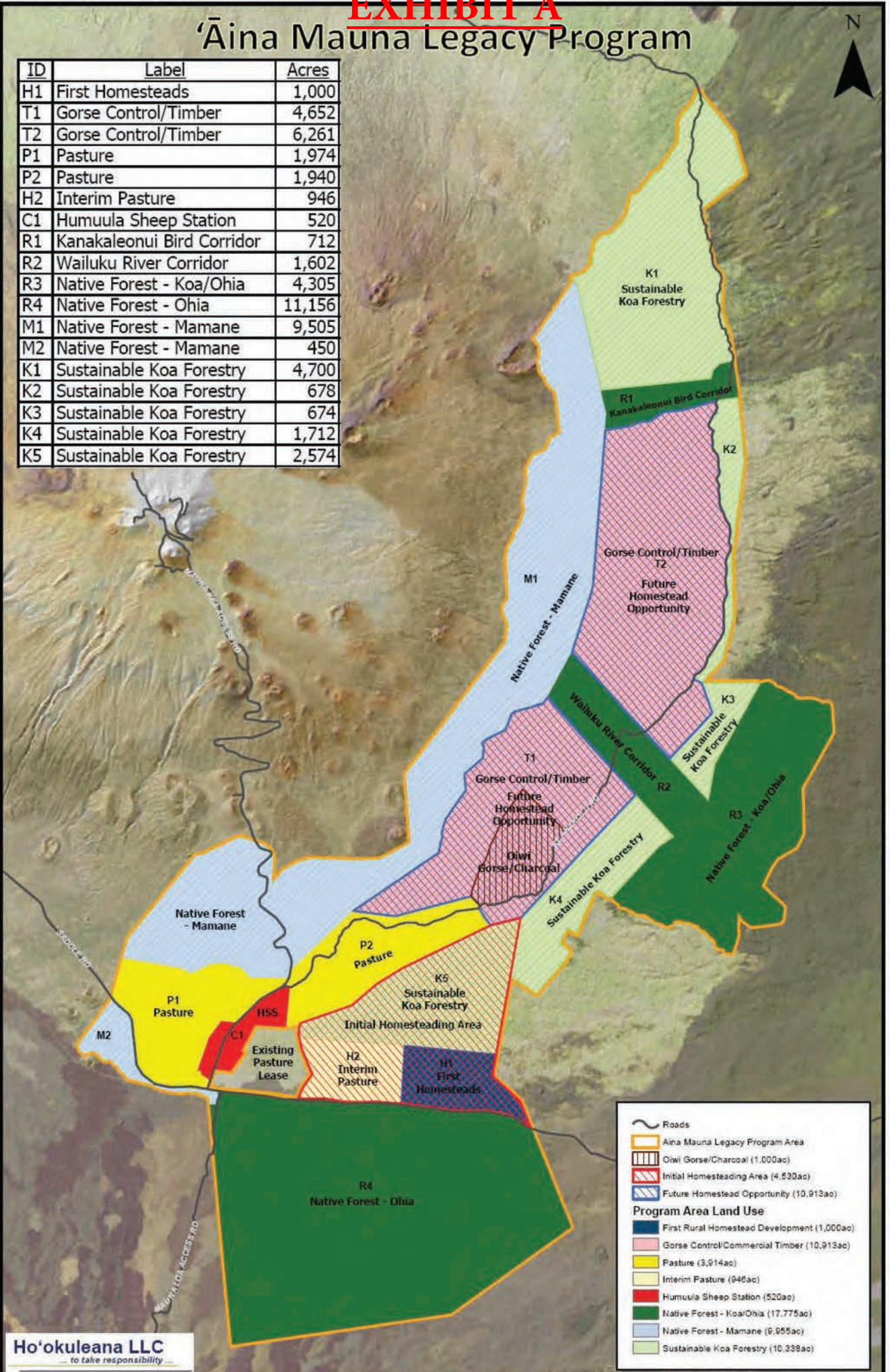


EXHIBIT A

Āina Mauna Legacy Program

ID	Label	Acres
H1	First Homesteads	1,000
T1	Gorse Control/Timber	4,652
T2	Gorse Control/Timber	6,261
P1	Pasture	1,974
P2	Pasture	1,940
H2	Interim Pasture	946
C1	Humuula Sheep Station	520
R1	Kanakaleonui Bird Corridor	712
R2	Wailuku River Corridor	1,602
R3	Native Forest - Koa/Ohia	4,305
R4	Native Forest - Ohia	11,156
M1	Native Forest - Mamane	9,505
M2	Native Forest - Mamane	450
K1	Sustainable Koa Forestry	4,700
K2	Sustainable Koa Forestry	678
K3	Sustainable Koa Forestry	674
K4	Sustainable Koa Forestry	1,712
K5	Sustainable Koa Forestry	2,574



Legend

- Roads
- Āina Mauna Legacy Program Area
- Diagonal lines: Diwi Gorse/Charcoal (1,000ac)
- Red hatched: Initial Homesteading Area (4,530ac)
- Blue hatched: Future Homestead Opportunity (10,913ac)

Program Area Land Use

- Dark blue: First Rural Homestead Development (1,000ac)
- Red: Gorse Control/Commercial Timber (10,913ac)
- Yellow: Pasture (3,914ac)
- Light yellow: Interim Pasture (946ac)
- Red: Humuula Sheep Station (520ac)
- Dark green: Native Forest - Koa/Ohia (17,775ac)
- Light blue: Native Forest - Mamane (9,955ac)
- Light green: Sustainable Koa Forestry (10,338ac)



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

F-7

For Information Only;

Update on General Leases and Revocable Permits Issued in 2024

January 21-22, 2024

Thru: Linda Chinn, Acting Administrator
From: Peter "Kahana" Albinio, Jr., General Professional VI

DEPARTMENT OF HAWAIIAN HOME LANDS – LAND MANAGEMENT DIVISION



Issuance of General Leases

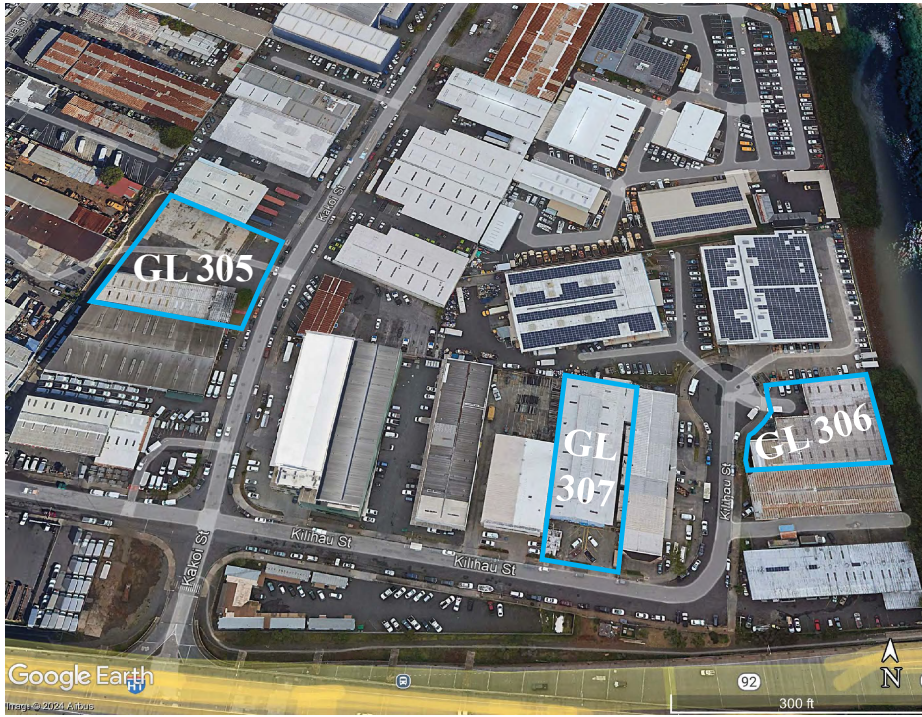
Land Management has issued the following four (4) general leases in the second half of 2024 generating additional revenue of **\$60,762.00** per month or **\$729,148.00** per annum.

GL No.	305	306	307	308
Lessee:	Pacific Transfer LLC	E-Opala Corp.	555 Market Co LLP	Sanborn General Contracting, Inc.
Location:	Shafter Flats Industrial Subdivision, Mapunapuna, Oahu	Shafter Flats Industrial Subdivision, Mapunapuna, Oahu	Shafter Flats Industrial Subdivision, Mapunapuna, Oahu	Kaei Hana I Industrial Subdivision, Waiakea, S. Hilo, Hawaii
TMK:	(1) 1-1-064:010	(1) 1-1-064:031	(1) 1-1-064:022	(3) 2-2-060:045
Land Area:	41,187/sf - 0.945 ac.	20,787/sf - 0.477 ac.	25,000/sf - 0.573 ac.	14,083/sf - 0.323 ac
Use:	I-2 Industrial	I-2 Industrial	I-2 Industrial	ML-20 Industrial
Annual Rent:	\$315,000	\$186,000	\$212,500	\$15,648
Effective Date:	8/1/2024	1/1/2025	1/1/2025	2/1/2025

DEPARTMENT OF HAWAIIAN HOME LANDS – LAND MANAGEMENT DIVISION



GL Nos. 305, 306, 307



DEPARTMENT OF HAWAIIAN HOME LANDS – LAND MANAGEMENT DIVISION



GL 308



DEPARTMENT OF HAWAIIAN HOME LANDS – LAND MANAGEMENT DIVISION



GL 307

Land Management Division also selected the following Business Revocable Permits for month-to-month use in the Kalaeloa District in 2024 with the effective date of 2/1/2025. The total additional monthly revenue to be generated for the Trust will be in the amount of **\$42,834.00** or **\$514,008.00** per annum

RP No.	TBD	TBD	TBD	TBD	TBD
Lessee:	Tai-Son Services LLC	Hawaii Metal Recovery Group	803 Diesel Specialist, LLC	Millers Paving LLC	BC Construction LLC
Location:	Kalaeloa, Oahu	Kalaeloa, Oahu	Kalaeloa, Oahu	Kalaeloa, Oahu	Kalaeloa, Oahu
TMK:	(1) 9-1-013:117(p) Lot 117-2	(1) 9-1-013:117(p) Lot 117-3 & 4	(1) 9-1-013:117(p) Lot 117-7	(1) 9-1-013:117(p) Lot 117-9	(1) 9-1-013:117(p) Lot 117-10
Land Area:	80,112/sf - 1.839 ac.	36,024/sf - 0.826 ac.	21,757/sf - 0.499 ac.	42,586/sf - 0.977 ac	72,214/sf - 1.657
Use:	Industrial	Industrial	Industrial	Industrial	Industrial
Monthly Fee:	\$8,812	\$3,963	\$2,393	\$11,924	\$7,944

DEPARTMENT OF HAWAIIAN HOME LANDS – LAND MANAGEMENT DIVISION



Business Revocable Permits Lots Issued

Kalaeloa | O‘ahu

Business Revocable Permit - TMK NO. (1) 9-1-013:117



DEPARTMENT OF HAWAIIAN HOME LANDS – LAND MANAGEMENT DIVISION



Current and Future GL/RP Offerings

The Land Management Division (LMD) will continue to offer Hawaiian Homes Commission (HHC)-approved parcels for general lease under Chapter 171, Hawaii Revised Statutes, as amended. The following parcels are currently available or in process:

1. Kalaeloa, O‘ahu

- **Size:** 139.297 acres
- **Purpose:** IMX-1 (Industrial Mixed Use)
- **Status:** Advertised on June 5, 2024; developer selected in November 2024. Currently in the negotiation stage.

2. Wailua, Kaua‘i

- **Size:** 41 acres
- **Purpose:** Resort/Commercial Development
- **Status:** Advertised on November 20, 2024; proposals due by February 25, 2025.

3. Kawaihae, Hawai‘i

- **Size:** 1.343 acres
- **Purpose:** MG-1a (Industrial Use)
- **Status:** Scheduled for advertisement on January 16, 2025.

4. Mapunapuna, O‘ahu

- **Size:** 3 Industrial lots
- **Status:** Anticipated availability by the end of the 1st quarter of 2025.

Land Management also working on Phase 2 to identify more lots in Kalaeloa as well as Kauai for RP offering

DEPARTMENT OF HAWAIIAN HOME LANDS – LAND MANAGEMENT DIVISION



Mahalo



DEPARTMENT OF HAWAIIAN HOME LANDS

www.dhhl.hawaii.gov


DEPARTMENT OF HAWAIIAN HOME LANDS – LAND MANAGEMENT DIVISION

Hawaiian Homes Commission Meeting Packet
January 21 & 22, 2025
Hale Pono'ī, Kapolei, Oahu

G ITEMS

STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS

January 21-22, 2025

To: Chairman and Members, Hawaiian Homes Commission
From: Andrew H. Choy, Planning Program Manager 
Subject: Declare a Finding of No Significant Impact for the
Waiohuli Hawaiian Homestead Association's Economic
Development Opportunity (WE DO) Project Final
Environmental Assessment, TMK (2)-2-2-002:014 &
(2)-2-2-028:181, Waiohuli Ahupua'a, Makawao, Maui

Recommended Action

That the Hawaiian Homes Commission issue a Finding of No Significant Impact declaration based on the Final Environmental Assessment for the Waiohuli Hawaiian Homestead Association's Economic Development Opportunity Project Makawao, Maui TMK (2)-2-2-002:014 & (2)-2-2-028:181.

Discussion

The purpose of this action item is to share with the HHC the Final Environmental Assessment (FEA) for the Waiohuli Hawaiian Homesteader's Economic Development Plan, Waiohuli Economic Development Opportunity, "WE DO", and provide the HHC an opportunity to provide comments on the FEA prior to publication in the Environmental Review Program's Environmental Notice Bulletin in February, 2025.

Background

The Waiohuli Economic Development Opportunities (WE DO) Plan is the next step for the Waiohuli Hawaiian Homesteaders Association's (WHHA) long range vision and intentional actions toward economic self-sufficiency. This vision, long held by the community was articulated many years ago with the publication of a development plan for a community center and park complex. The realization of the community center has been a significant milestone and testament to this community and their ability to implement projects. WE DO is a progression of this success.

WE DO was initiated with a Right of Entry (ROE) agreement between the WHHA and the Department of Hawaiian Home Lands (DHHL), within the Tax Map Keys (TMK) (2) 2-2-028:181 (portion) and (2) 2-2-002:014 (portion). This 150-acre site has been identified for community development and use.

In November, 2018, the WHHA established the Waiohuli Economic Opportunities initiative or WE DO and requested a land disposition from DHHL. In 2019, Beneficiary consultation lead by the WHHA was conducted and in August of that year the Commission approved a Right of Entry (ROE) to 150 acres so that the WHHA could conduct due diligence for the purposes of WE DO. In 2021, the Governor approved and \$80M Special Purpose Revenue Bond in support of WE DO. In 2022, upon preliminary planning, the WE DO Vision, Conceptual Plan, and Business Plan were presented to the HHC. A general lease was approved by the HHC in October 2023 and technical studies and pre-consultation with agencies and individuals for the Draft Environmental Assessment (DEA) commenced. Upon completion of the technical studies and pre-consultation process, the DEA was published for public and agency review in November 2024. After receiving additional comments from agencies during the DEA public comment period, the FEA was prepared in December 2024.

WE DO Summary

The purpose of the WE DO plan is to provide short and long term economic opportunities from the development of a master planned community. The approach is to create community-based jobs in the development of the land (construction, operations, and maintenance of housing, community uses, and infrastructure). Community uses include those that can build capacity in career development and entrepreneurial and small business incubation and support. To achieve the economic development purpose, public/private resources (funds, mentoring) are proposed to be leveraged.

In summary the Land Use Plan defines proposed infrastructure and land development areas that could be built to include:

- Up to 40 acres of single family residential
- Up to 5 acres of multi-family residential
- Up to 10 acres of kūpuna housing
- A community health center
- Cultural center

- Agriculture development center
- Well site with utility management center
- Native dryland forest restoration areas
- Energy development (solar)
- Greenways and trails

FEA Summary

The FEA assesses the potential environmental impact of the WE DO Conceptual Plan under a potential full buildout scenario. The following discussion summarizes the assessment of the project's impact to various resources as provided in the FEA.

Natural Resources

A natural resources assessment encompassing the project area was conducted in February 2024 for the environmental assessment. The natural resources assessment found that the project site was primarily dominated by non-native species and the native plant habitat identified during the survey were highly impacted by human activities, non-native ungulates, and introduced non-native plant species. The dominant species observed were non-native Guinea grass and buffelgrass. Wiliwili groves were observed in the more makai areas of the site. Native plant species observed during the natural resources assessment include: *Doryopteris decipiens*, *Erythrina sandwicensis*, and *Sicyos pachycarpus*. Indigeous species found were *Pellaea ternifolia*, *Ipomoea indica*, *Sida fallax*, *Oxalis corniculata*, *Plumbago zeylanica*, *Dodonaea viscosa*, and *Waltheria indica*. No endangered or threatened flora and fauna were observed during the survey. It is recommended that the makai portion of the project site be utilized as a preserve for the wiliwili forest and possibly an outplanting site for other native dryland species.

The project will incorporate the recommended conservation measures and design the renewable energy solar farm site to preserve the existing wiliwili trees located near the western end of the project site. The project is anticipated to include landscaping that incorporates drought-tolerant native plants under the potential full buildout scenario.

During pre-consultation with the State Department of Land and Natural Resources (DLNR), DLNR staff provided information on the Hawaiian Hoary Bat, the impact of outdoor lighting on seabirds; and suggested mitigation measures for the Nene goose, pueo, and the Blackburn's Sphinx moth should these species be encountered within the project area. Those mitigation measures will be considered during project implementation.

Historic and Cultural Resources

An Archaeological Literature Review and Field Inspection (LRFI) was prepared in June 2024 for the environmental assessment. The field inspection was conducted for the project site to evaluate proposed construction for facilities, infrastructure, or any potential alteration of the ground surface. The field inspection included a pedestrian survey with the intention of relocating or identifying any new surface archaeological features. The LRFI study had following findings and recommendations:

1. Only one archaeological feature was documented. This feature was identified as a Post-Contact cattle wall located along a portion of the northern boundary of the project site. The observed wall is constructed of basalt cobbles and incorporated bedrock outcrops within its alignment.
2. The LRFI documents archaeological surveys conducted in the project area since the 1980's, noting earlier studies going back to the early 1900's. The LRFI reports that a site map prepared with a 1989 survey suggests that at least six historic properties fall within the project area. However, because of technological limitations carried out by efforts at a time without Global Positioning Systems (GPS), it is difficult to correlate locations with high confidence.
3. The report notes that known heiau in the region have been located or confirmed as destroyed and based on the patterns of previous studies finding ritual sites or burials is relatively unlikely. However, it is more likely that there could be additional historic properties associated with ranching and dryland farming, although none were found during field inspection.

4. An Archaeological Inventory Survey (AIS) is recommended for the project area.

WHHA and DHHL will work with SHPD on documentation of the site to ensure compliance with HRS 6-E relating to historic resources.

For inadvertent finds during construction, the construction documents will include a provision that should remains such as artifacts, burials, concentrations of shell or charcoal or artifacts be encountered during construction activities, work will cease immediately in the immediate vicinity of the find and the find will be protected. The construction contractor will immediately contact SHPD, which will assess the significance of the find and recommend appropriate mitigation measures if necessary.

Infrastructure -- Traffic

A Transportation Impact Analysis Report (TIAR) was conducted in April 2024 to assess the impact of a potential full buildout scenario. The addition of projected traffic to the intersections in the vicinity of the site is not expected to result in any significant operational issues. All intersections are anticipated to operate at LOS D during peak hours, except for eastbound left turn traffic at Kula Highway/ Lauie Drive intersection, which is projected to operate at LOS E. Some of the minor stop-controlled approaches at the Kula Highway intersections with Kekaulike Avenue and Pueo Drive are anticipated to operate at LOS E/F, however all movements are anticipated to operate under capacity. Due to the high volume of left-turns from the Kula Highway / Lauie Drive intersection onto Kula Highway, it is recommended that a traffic signal or median refuge lane be considered. Installing a traffic signal can improve the LOS at the intersection to a B and with a median refuge lane traffic is projected to operate at LOS C or better across both peak hours. While some of the intersections near the project site are projected to have a lower LOS than currently experienced, some of the impact can be attributed to regional population growth expected to occur over the next 20 years.

During the DEA public comment period, the State Department of Transportation (HDOT) agreed with the findings and recommendations of the TIAR and provided

additional suggestions for incorporating carbon emissions reduction strategies into the project. The TIAR was updated in January 2025 to include the recommendations from HDOT. The Project will include Complete Streets Design elements for a safe pedestrian network such as wide sidewalks, crosswalks, green buffers, speed bumps, pedestrian refuge islands, curb extensions, and walkway trails within the proposed greenways as an alternative transportation mode to reduce carbon emissions.

Infrastructure - Water & Wastewater

The project site is located within the Kama'ole Aquifer system, part of the Central sector, with a sustainable yield of 11 million gallons per day (MGD). There is no existing water infrastructure servicing the site. The Project is not anticipated to be connected to the existing municipal water system and will develop a private water system to service its needs. During initial phases, the Project may require connections to existing municipal water until a private water system is developed. There is an existing 8- inch water line located at the end of Lauie Drive, abutting the Site on the eastern end near the Waiohuli Community Center. The proposed water demand under a potential full buildout scenario is estimated at an average of 357,610 gallons per day (gpd) for domestic use with a maximum daily demand of 536,415 gpd. The maximum fire flow demand to service the Project is anticipated to be 2,000 gallons per minute (gpm).

Although this Environmental Assessment evaluates a potential full buildout scenario, a calculation of potential non potable water demands is provided, should the areas designated for Agricultural Development Training Sites (42 acres) be utilized exclusively for agricultural uses. Based on the County's Water System Standards, the proposed water demand for non-potable water if land were developed for agricultural uses rather than residential uses is estimated at an average of 210,000 gallons per day (gpd). In this case, the anticipated non-potable water demand for the Site would remain within the allocation for agricultural areas within the Keokea/Waiohuli tract of the State Water Projects Plan.

During the DEA public comment period, the State Commission on Water Resource Management (CWRM) provided recommendations to review the State Water Projects Plan

regarding water allocation for potable water demand. The 2017 State Water Projects Plan (SWPP) Update was focused on the water needs of DHHL and provides a summary of water demand by DHHL tract, including Waiohuli and Kēōkea. The SWPP notes that a new water system will be needed to serve DHHL's planned residential and community uses in this tract. A single well will provide sufficient capacity for the proposed demand, however, due to the possibility of pump failure, either emergency cross connection with the Maui Department of Water Supply system or a second well may be required.

Under a potential full buildout scenario, the total anticipated wastewater flow would be approximately 102,765 gpd. The proposed Project will require the installation of Individual Wastewater System (IWS) facilities to support the proposed training facilities and the potential for residential development on the Site under the potential full buildout scenario. The IWS will conform to all requirements under Chapter 11-62 of the State Department of Health's Administrative Rules regarding wastewater. Other recommendations from the preliminary engineering report include a new Wastewater Treatment Facility (WWTF) at the western end of the Site with gravity sewer lines to collect and convey wastewater flows and development of pre-manufactured package plant facilities to treat wastewater in small communities.

Drainage

The proposed Project under the potential full buildout scenario will increase the existing stormwater runoff due to addition of impervious surfaces such as building roofs, pavement and concrete walkways. While the Project will increase runoff, it is not anticipated to generate any adverse drainage effects on downstream properties and roadways.

Under the proposed full buildout design, drainage improvements will include retention of runoff volume generated by the Project to reduce stormwater runoff into the downstream properties. Retention basins will also mitigate the potential for sediments contained in the runoff from impacting downstream properties and eventually the ocean. Additionally, a drainage system will include a series of grated drain inlets with drain lines to collect and convey surface stormwater into the gulches surrounding

the Site.

The onsite drainage system and surface retention basins incorporated in the Project will be based on Maui County Drainage Standards with capacity to manage stormwater flows equal to the 50-year, 1-hour runoff volume increase based on projected generation from the impervious surfaces proposed by the Project.

A contiguous natural green space corridor will also be incorporated into the Project that is designed to follow existing land contours. The green space buffer abutting the gulches will provide ecosystem services by maintaining natural drainage to minimize erosion, facilitate flood control, and preserve natural habitat corridors for wildlife. The green space corridor will also offer a natural buffer between the proposed development areas and the gulches that form the boundaries of the Site.

DHHL Planning System Consistency

The 2004 DHHL Maui Island Plan land use designation of the project area is for general agriculture and conservation. The Maui Island Plan was prepared in 2004. It has not yet been updated to reflect the new land use designations that were established with the DHHL General Plan update of 2023. Thus, the DHHL land use designations for the Project Site are outdated, but until changed, remain the official designations for the site. The proposed uses of the Project area are more consistent with the Community Use land use designation. At the completion of the final environmental assessment, it is recommended that the HHC amend the Maui Island Plan designations for the site.

Based upon the analysis completed in the FEA, staff anticipates a finding of no significant impact for the Waiohuli Economic Development Opportunity (WE DO) Plan. This determination is based upon the 13 criteria of significance that approving agencies must consider as specified in HAR 11-200.1-13.

(1) Involves an irrevocable commitment of any natural, cultural, or historical resource;

Discussion: The project does not irrevocably commit any

natural, cultural, or historic resources. A consultative process and evaluation of historic and cultural resources was conducted to evaluate potential impacts and is still ongoing to ensure the proposed design elements will preserve historic resources. Any potential adverse impacts to the lands and/or historic resources with the Project Site will be mitigated as appropriate through the HRS 6E-8 (Historic Preservation) process in continued consultation with SHPD.

(2) Curtails the range of beneficial uses of the environment;

Discussion: The proposed project does not significantly curtail beneficial uses of the environment. The proposed land uses have been designed to preserve natural drainageways within the existing gulches with green spaces to create a natural buffer along the boundary of the Project Site.

(3) Conflicts with the State's long term environmental policies or goals and guidelines as expressed in Chapter 344, HRS; and any revisions thereof and amendments thereto, court decisions, or executive orders;

Discussion: Compliance with Chapter 344, HRS is documented at length in Final Environmental Assessment. The investment in infrastructure improvements is intended to support the Waiohuli community by creating economic opportunities and fostering self-sufficiency.

(4) Substantially affects the economic or social welfare or cultural practices of the community or State;

Discussion: The proposed project is directly supportive of the economy and social welfare. The main propose and goals are to provide short- and long-term economic opportunities that will foster greater self-sufficiency for the people of upcountry Maui through capacity building and jobs homegrown at the by creating will make the community a more vibrant area for commerce, cultural practices, and recreational uses in the surrounding area.

(5) Substantially affects public health;

Discussion: Under the potential full buildout scenario, the proposed would offer social services and health services

with the Project Site for the local community that they would otherwise need to seek elsewhere. As a result, the Waiohuli community members will not need to travel to other parts of the island to seek these services.

(6) Involves substantial secondary impacts, such as population changes or effects on public facilities;

Discussion: Secondary impacts are expected to be beneficial as the potential full buildout scenario will provide additional housing to serve the Native Hawaiian community. This will have a marginal impact on the population of Upcountry Maui.

(7) Involves a substantial degradation of environmental quality;

Discussion: Environmental quality will not be degraded by the project. Beneficial environmental impacts of the proposed land uses have been designed to maintain natural drainageways and preserve the natural environment. Impacts from construction are temporary and mitigatable with best management practices.

(8) Is individually limited but cumulatively has considerable effect on the environment, or involves a commitment for larger actions;

Discussion: Individually and cumulatively, this project is not expected to have a considerable impact on the environment as discussed throughout this document. The land uses on the Project Site have been designed to preserve the natural drainageways along the gulches forming the boundary of the property. Secondary beneficial impacts will be provided through the proposed solar farm. By developing renewable energy sources to serve the community, the project will contribute to broader goals of mitigating environmental impacts caused by fossil fuel based energy generation.

(9) Substantially affects a rare, threatened or endangered species or its habitat;

Discussion: The Project Site does not contain habitat for threatened or endangered species. Recommended best practices for avoidance of impacts to avian species and the Hawaiian hoary bat will be incorporated into the

project.

10) Detrimentially affects air or water quality or ambient noise levels;

Discussion: The project is expected to have secondary beneficial impacts to air quality by providing renewable energy sources to serve the community. There may be short-term direct and indirect impacts related to air quality that could potentially occur during construction. However, these construction-related impacts will be minimized and confined to the immediate vicinity of the site and BMPs will be implemented to limit localized impacts.

(11) Affects or is likely to suffer damage by being located in an environmentally sensitive area, such as a flood plain, tsunami zone, sea level rise exposure area, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters;

Discussion: Due to the location of the Project Site far from any coastal areas, there are no direct potential impacts expected related to climate change, such as seal level rise and coastal erosion. The proposed project has included some sustainable design that takes into consideration the projected increase in flood frequency from extreme rain events by preserving natural drainageways along the gulches.

(12) Substantially affects scenic vistas and view planes, during day or night, identified in County or State plans or studies;

Discussion: The impact on scenic vistas and view planes after completion of the project are considered to be marginal. The Project Site comprises a gradual slope from east to west and the impact on visual planes from surrounding land uses will be minimal as most of the surrounding area is comprised of vacant land.

(13) Requires substantial energy consumption or emits substantial greenhouse gases.

Discussion: The proposed project includes development of renewable energy sources from a solar farm which will contribute toward County goals for reducing fossil fuel energy consumption and carbon production.

Next-Steps

The following is a list of next-steps for the environmental review.

- January 2025: Seek HHC approval on FEA and FONSI
- February 2025: Publish FEA in Environmental Notice

Recommendation

DHHL staff respectfully requests approval as recommended.



Waiohuli Economic Development Opportunities

Final Environmental Assessment

Prepared for:

Department of Hawaiian Home Lands



Prepared by:



FEBRUARY 2025

ITEM G-1 EXHIBIT A

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

*Final Environmental Assessment –
Finding of No Significant Impact
(Submitted Pursuant to Hawai‘i Revised Statutes, Chapter 343)*

Prepared for:

Department of Hawaiian Home Lands

Prepared by:



February 2025

ITEM G-1 EXHIBIT A

(This page intentionally left blank.)

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

SUMMARY

Project Name:	Waiohuli Economic Development Opportunities (Figure 1)
Location:	Waiohuli, Island and County of Maui See Figure 2 and Figure 3
Judicial District:	Makawao
Tax Map Key (TMK):	(2) 2-2-028:181 (portion); and (2) 2-2-002:014 (portion) See Figure 4
Land Area Affected:	Approximately 150 acres
Applicant:	Waiohuli Hawaiian Homesteaders Association, Inc.
Determining Agency:	State of Hawai'i, Department of Hawaiian Home Lands (DHHL)
Landowner:	Department of Hawaiian Home Lands
Existing Development:	Vacant
Proposed Action:	Economic development initiatives, training sites, infrastructure, and roadways
Current Land Use Designations:	<i>State Land Use:</i> Agricultural (Figure 5) <i>DHHL Maui Island Plan:</i> General Agriculture, and Conservation (Figure 6) <i>County Zoning:</i> Agriculture (AG) (Figure 7) <i>Special Management Area (SMA):</i> Not Within SMA
Alternatives Considered:	<ol style="list-style-type: none">1. WE DO2. Alternatives Identified in Maui Island Plan3. No Action
Potential Impacts and Mitigation Measures:	Any potential adverse impacts would be mitigated as follows: Short-term construction impacts to air quality, noise, solid waste generation, traffic, parking, storm water quality/quantity are anticipated. The Applicant will address these impacts through compliance with County and State rules, regulations, permit, and variance requirements regarding fugitive dust, community noise control, and non-point source discharges. In addition, best

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

management practices will be implemented which include structural and non-structural controls designed to inhibit run-off, erosion, and fugitive dust.

Long-term impacts are anticipated to be beneficial in that the project will create training sites for development of the lands to support the surrounding community.

Permits & Approvals

- Land Use Designation Updates (DHHL)
- Grading/Building Permits (Maui County)
- Historic Preservation HRS 6E-8 (SHPD)
- HRS Chapter 195D (DOFAW) (DAR)
- National Pollutant Discharge Elimination System (NPDES) Permit (DOH)
- Community Noise Permit (DOH)
- Noise Variance (DOH)
- Disability and Communication Access Board (DCAB) Document Review for ADA Compliance (DOH)
- National Historic Preservation Act - Section 106 (SHPD); if a federal nexus is identified
- Endangered Species Act – Section 7 (USFWS, NOAA-NMFS); if a federal nexus is identified
- National Environmental Policy Act; if a federal nexus is identified

Anticipated Determination:

Finding of No Significant Impact (FONSI)

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities
Environmental Assessment / Finding of No Significant Impact

TABLE OF CONTENTS

SUMMARY	I
TABLE OF CONTENTS	III
LIST OF FIGURES	VI
LIST OF APPENDICES	VII
LIST OF ACRONYMS & ABBREVIATIONS	VIII
1 INTRODUCTION	1
1.1 Landowner.....	1
1.2 Applicant	1
1.3 Determining Agency	2
1.4 Environmental Consultant	2
1.5 Compliance with State of Hawai'i Environmental Laws.....	2
1.6 Studies Contributing to this EA.....	2
2 PROJECT DESCRIPTION	3
2.1 Background Information.....	3
2.1.1 Location and Property Description	3
2.1.2 Existing Land Use Designations	9
2.1.3 Surrounding Land Uses.....	9
2.2 Purpose and Need	9
2.3 Project Description	10
2.4 Development Timetable and Preliminary Costs.....	11
3 DESCRIPTION OF THE NATURAL ENVIRONMENT, POTENTIAL IMPACTS, AND MITIGATION MEASURES	19
3.1 Climate	19
3.2 Geology and Topography.....	19
3.3 Soils	20
3.3.1 NRCS Soil Survey.....	20
3.3.2 LSB Detailed Land Classification.....	23
3.3.3 Agricultural Lands of Importance to the State of Hawai'i.....	23
3.4 Hydrology and Drainage	27
3.5 Natural Hazards	31
3.5.1 Flooding.....	31
3.5.2 Tsunami	31

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

3.5.3	Hurricanes	31
3.5.4	Earthquakes.....	32
3.5.5	Volcanic Hazards	32
3.5.6	Wildfires	32
3.6	Climate Change.....	33
3.7	Flora and Fauna	34
3.7.1	Flora.....	34
3.7.2	Fauna.....	35
4	DESCRIPTION OF THE HUMAN ENVIRONMENT, POTENTIAL IMPACTS, AND MITIGATION MEASURES	40
4.1	Historic resources	40
4.2	Cultural Practices.....	41
4.3	Noise.....	44
4.4	Air Quality.....	45
4.5	Solid Waste.....	46
4.6	Visual Resources	47
4.7	Transportation.....	47
4.7.1	Roadways and Traffic	48
4.7.2	Airports.....	50
4.8	Infrastructure and Utilities	50
4.8.1	Water System	51
4.8.2	Wastewater System	55
4.8.3	Drainage System.....	55
4.8.4	Electrical and Telecommunication Utilities.....	56
4.9	Socio-Economic Characteristics	61
4.10	Public Services and Facilities.....	63
4.10.1	Public Schools.....	63
4.10.2	Police, Fire and Medical Services	64
4.10.3	Recreational Facilities	65
5	LAND USE CONFORMANCE.....	68
5.1	DHHL Planning System.....	68
5.1.1	Hawai'i Administrative Rules Chapter 10-7.....	68
5.1.2	DHHL General Plan	69
5.1.3	DHHL Maui Island Plan	71
5.1.4	Chapter 343, Hawaii Revised Statutes	71
5.1.5	State Land Use Law, Chapter 205, Hawai'i Revised Statutes	71
5.1.6	Coastal Zone Management Act, Chapter 205A, Hawai'i Revised Statutes	72

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

5.1.7	Hawai'i State Plan, Chapter 226, HRS	78
5.1.8	Hawai'i State Environmental Policy, Chapter 344, HRS	101
5.2	Maui County	105
5.2.1	Maui Island Plan	105
5.2.2	Maui County Zoning	105
5.3	Approvals and Permits.....	106
6	ALTERNATIVES	108
6.1	Alternative #1: WE DO (Preferred Alternative).....	108
6.2	Alternative #2: DHHL Maui Island Plan Land Uses for Project Site	108
6.3	Alternative #3: No Action	109
7	FINDINGS AND ANTICIPATED DETERMINATION	110
7.1	Significance Criteria	110
7.2	Anticipated Determination	113
8	CONSULTATION	114
8.1	Early Consultation.....	114
8.1.1	State of Hawai'i	114
8.1.2	Maui County	115
8.1.3	Elected Officials	116
8.1.4	Community Groups and Neighboring Properties.....	116
8.2	Draft Environmental Assessment Consultation	116
9	REFERENCES	123

ITEM G-1 EXHIBIT A
Waiohuli Economic Development Opportunities
Environmental Assessment / Finding of No Significant Impact

LIST OF FIGURES

Figure 1: Site Plan.....	5
Figure 2: Regional Location	6
Figure 3: Aerial Map.....	7
Figure 4: Tax Map Key (TMK)	8
Figure 5: State Land Use Districts.....	13
Figure 6: DHHL Land Use Designation (Maui Island Plan, 2019).....	14
Figure 7: Maui County Zoning	15
Figure 8: Surrounding Uses Map	16
Figure 9: Site Photographs	17
Figure 10: Topography	21
Figure 11: NRCS Soil Survey.....	22
Figure 12: LSB Detailed Land Classification	25
Figure 13: Agricultural Lands of Importance to the State of Hawai'i.....	26
Figure 14: Surface Water and Wetlands.....	29
Figure 15: Flood Insurance Rate Map.....	30
Figure 16: Critical Habitat.....	38
Figure 17: Potential Water System Infrastructure.....	57
Figure 18: Potential Wastewater System Infrastructure	58
Figure 19: Potential Drainage System Infrastructure	59

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

LIST OF TABLES

Table 4-1: Population Data.....	61
Table 5-1: Hawai'i Coastal Zone Management Program, Chapter 205A, HRS	72
Table 5-2: Hawai'i State Plan, Chapter 226, HRS	78
Table 5-3: Hawai'i State Environmental Policy and Guidelines, Chapter 344-3 and 344-4, HRS	102
Table 5-4: Anticipated Approvals and Permits	106
Table 8-1: Draft Environmental Assessment Publication Notice and Comments	116

LIST OF APPENDICES

Appendix A: Presentation to Hawaiian Homes Commission
Appendix B: Natural Resources Assessment
Appendix C: Archaeological Literature Review and Field Investigation
Appendix D: Cultural Impact Assessment
Appendix E: Transportation Impact Assessment Report
Appendix F: Preliminary Engineering Report
Appendix G: Groundwater Resources Feasibility Report
Appendix H: Pre-Assessment Consultation Comments and Responses
Appendix I: Draft Environmental Assessment Comments and Responses

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

LIST OF ACRONYMS & ABBREVIATIONS

ADA	Americans with Disabilities Act
AIS	Archaeological Inventory Survey
ALISH	Agricultural Lands of Importance to the State of Hawai'i
amsl	Above mean sea level
AWDUP	Agricultural Water Development and Use Plan, State of Hawai'i
BMPs	Best Management Practices
CAB	Clean Air Branch, Department of Health, State of Hawai'i
CDP	Census Designated Place
CIA	Cultural Impact Assessment
CZM	Coastal Zone Management
DAGS	Department of Accounting and General Services, State of Hawai'i
DAR	Division of Aquatic Resources, Department of Land and Natural Resources, State of Hawai'i
DBEDT	Department of Business, Economic Development, and Tourism, State of Hawai'i
DCAB	Disability and Communication Access Board
DHHC	Department of Housing and Human Concerns, State of Hawai'i
DHHL	Department of Hawaiian Home Lands, State of Hawai'i
DHS	Department of Human Services, State of Hawai'i
DLIR	Department of Labor and Industrial Relations, State of Hawai'i
DLNR	Department of Land and Natural Resources, State of Hawai'i
DOE	Department of Education, State of Hawai'i
DOFAW	Division of Forestry and Wildlife, Department of Land and Natural Resources, State of Hawai'i
DOH	Department of Health, State of Hawai'i
DPR	Department of Parks and Recreation, Maui County
DWS	Department of Water Supply, Maui County
EA	Environmental Assessment
EFH	Essential Fish Habitat
EPA	Environmental Policy Act
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
FONSI	Finding of No Significant Impact
GPD	Gallons per Day
GPS	Global Positioning Systems
HAR	Hawaii Administrative Rules
HDOT	Department of Transportation, State of Hawai'i
HRHP	Hawai'i Register of Historic Places

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

HRS	Hawai'i Revised Statutes
IPAC	Information for Planning and Consultation
IWS	Individual Wastewater System
LID	Low Impact Development
LOS	Level of service
LRFI	Archaeological Literature Review and Field Inspection
LSB	Land Study Bureau, University of Hawaii
LUC	State of Hawai'i Land Use Commission
MAV	Moving Average
MCC	Maui County Code
mgd	Million gallons per day
mph	Miles per hour
msl	Mean Sea Level
NFIP	National Flood Insurance Program
NMFS	National Marine Fisheries Service
NOAA	National Oceanic Atmospheric Administration
NPDES	National Pollutant Discharge Elimination Systems
NRCS	Natural Resources Conservation Service, USDA
NRHP	National Register of Historic Places
OPSD	Office of Planning and Sustainable Development, State of Hawai'i
PacIOOS	Pacific Island Ocean Observing System
PEP	U.S. Census Population Estimates Program
PER	Preliminary Engineering Report
ROW	Right-of-way
SDCs	Seismic Design Categories
SIHP	State Inventory of Historic Places
SHPD	State of Hawai'i Historic Preservation Division
SHWB	Solid and Hazardous Waste Branch, Department of Health, State of Hawai'i
SLR	Sea Level Rise
SMA	Special Management Area
SWDP	State Water Development Plan
TIAR	Transportation Impact Assessment Report
TMK	Tax Map Key
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
WHHA	Waiohuli Hawaiian Homesteaders Association
WWTF	Wastewater Treatment Facility

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

(This page intentionally left blank.)

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

1 INTRODUCTION

Waiohuli Hawaiian Homesteaders Association, Inc. (WHHA), in partnership with Pueo Development, is proposing the development of short- and long-term economic opportunities that will foster greater self-sufficiency for the people of upcountry Maui through capacity building and locally-derived job development. The Applicant proposes a public-private collaboration to combine traditional construction of a conceptual plan development with community-based job opportunities derived from development of infrastructure, agricultural cultivation, renewable energy, and water source development to create long-term economic sustainability for the Waiohuli community.

The Project Site is located on portions of vacant land parcels identified as TMKs (2) 2-2-028:181 and (2) 2-2-002:014. The cumulative area described is hereinafter referred to as the “Project Site” or “Site.”

The Project Site is in the ahupua‘a of Waiohuli, and the Judicial District of Makawao. This area is located in the Census Designated Place (CDP) of Kēōkea, which is notable because addresses in Hawai‘i typically use CDP place of city, county or ahupua‘a and CDP names are often used colloquially to describe places. Therefore, the place may be referred to in conversation as Kēōkea, although it is located within the contemporary ahupua‘a of Waiohuli. The Project Site is immediately adjacent to, and could be considered an extension of the subdivision known as Kēōkea-Waiohuli. Area references also include “Kula”, a general name for the western uplands of East Maui or “Upcountry” Maui.

The use of State lands or funds triggers the requirement to assess the environmental impacts of the proposed action pursuant to Hawai‘i Revised Statutes (HRS) Chapter 343.

1.1 LANDOWNER

DHHL is the fee simple landowner and will lease homestead lots to its beneficiaries, homestead associations, and/or other tenants.

1.2 APPLICANT

The Proposing Agency is the Waiohuli Hawaiian Homesteaders Association, Inc.

Contact: Waiohuli Hawaiian Homesteaders Association, Inc.
ATTN: Perry Artates
P.O. Box 698
Kula, Hawai‘i 96790
Phone: (808) 357-0831

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

1.3 DETERMINING AGENCY

The State of Hawai'i, Department of Hawaiian Home Lands (DHHL) will determine the significance of impacts pursuant to HRS Chapter 343-5(b).

Contact: Department of Hawaiian Home Lands
State of Hawai'i
ATTN: Julie-Ann Cachola
P.O. Box 1879
Honolulu, Hawai'i 96805
Phone: (808) 620-9500

1.4 ENVIRONMENTAL CONSULTANT

PBR HAWAII & Associates, Inc. is the environmental planning consultant.

Contact: PBR HAWAII & Associates, Inc.
ATTN: Dave Simpson, Planner
1001 Bishop Street, Suite 650
Honolulu, HI 96813
Telephone: (808) 521-5631

1.5 COMPLIANCE WITH STATE OF HAWAI'I ENVIRONMENTAL LAWS

Preparation of an EA is being undertaken to meet the applicable requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawai'i Administrative Rules (HAR). Section 343-5, HRS establishes nine "triggers" that require the completion of an EA. The proposed Project will involve the use of State or County lands and/or funds, which is one of the triggers listed under §343-5(a)(1). This EA has thus been prepared to consider the impacts of the proposed action on the human and natural environment.

Under the provisions of §343-5 (b), HRS and based on the significance criteria set forth under Section 11-200.1-13(b), HAR, DHHL expects to determine, through its judgment and experience, that the Proposed Action will not have a significant effect and therefore does not require preparation of an Environmental Impact Statement (EIS).

In the event that the Proposed Action uses Federal funds, DHHL will comply with the requirements of the National Environmental Policy Act by a separate document.

1.6 STUDIES CONTRIBUTING TO THIS EA

The information contained in this report has been developed from site visits, consultation with local officials and community members, information available regarding the characteristics of the proposed Project Site and surrounding areas, and technical studies. A full list of references can be found in Section 9 and the appendices to this document include the complete technical studies providing more detailed assessment contributing to this report.

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

2 PROJECT DESCRIPTION

2.1 BACKGROUND INFORMATION

The Waiohuli Economic Development Opportunities (WE DO) Plan is the next step for the Waiohuli Hawaiian Homesteaders Association's (WHHA) long range vision and intentional actions toward economic self-sufficiency. This vision, long held by the community, was articulated many years ago with the publication of a development plan for a community center and park complex.

The realization of the community center has been a significant milestone and testament to this community and their abilities. WE DO is a progression of this success. WE DO has been initiated with a Right of Entry (ROE) agreement between the WHHA and the Department of Hawaiian Home Lands (DHHL), and the Project Site has been identified for community development and use. The WE DO vision and aspirations are summarized in a presentation to Hawaiian Homes Commission Presentation (Appendix A).

2.1.1 Location and Property Description

The Project Site is located in the Waiohuli Undivided Interest subdivision, Waiohuli ahupua'a, Makawao District, Island and County of Maui (see Figure 2). The Site is approximately 1.75 miles north of the town of Kēōkea abutting the Waiohuli Community Center on the eastern boundary of the property. The Site is comprised of Tax Map Keys (TMK) (2) 2-2-028:181 (portion) and (2) 2-2-002:014 (portion) totaling approximately 150 acres. Upcountry Maui is home to rural areas, and significant agricultural uses. The Waiohuli area features mild climates and moderate temperatures ranging from 46°-85° F. The area receives its comfortable temperatures from prevailing trade winds from a westerly direction.

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

(This page intentionally left blank.)

ITEM G-1 EXHIBIT A

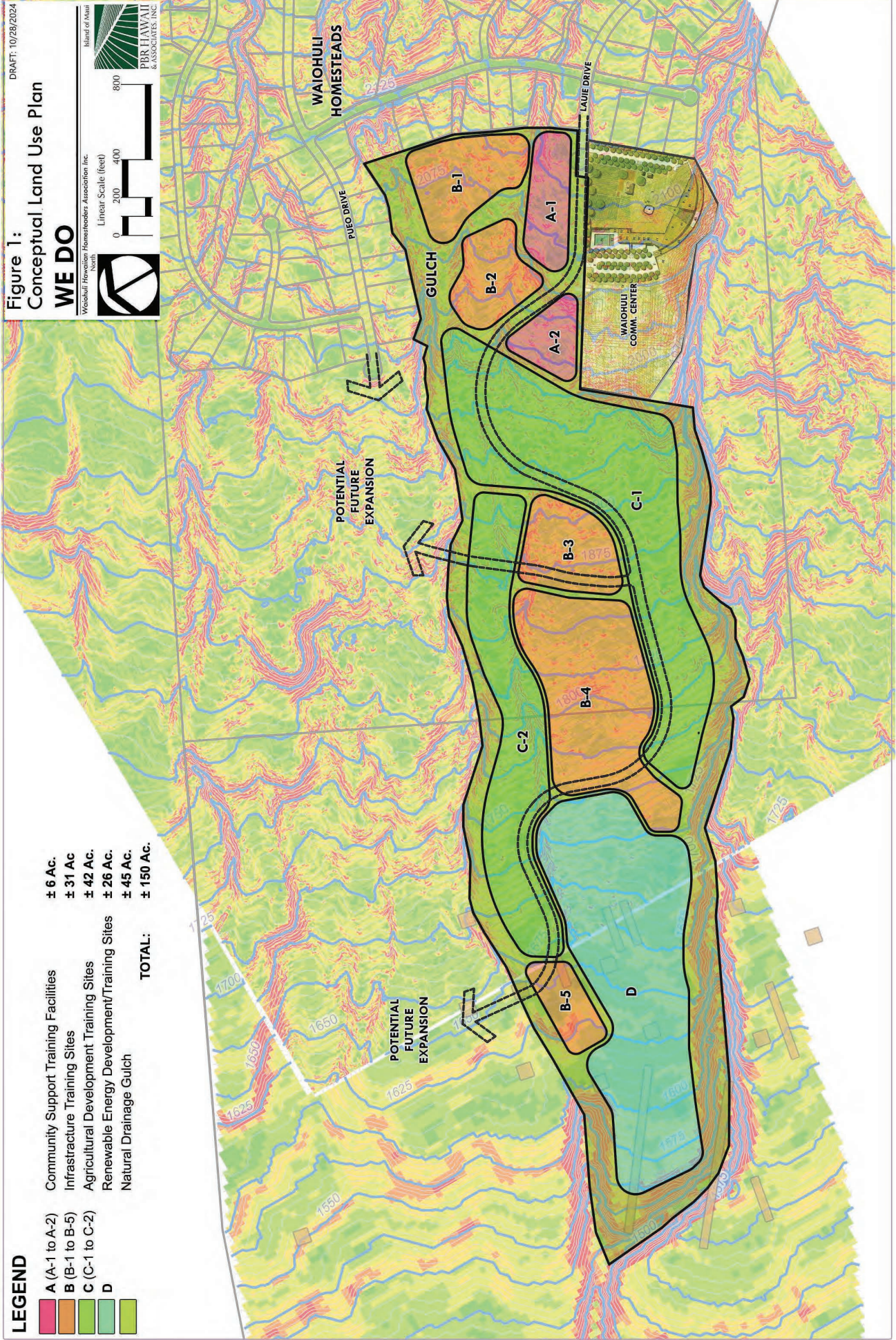


Figure 1:
Conceptual Land Use Plan

DRAFT: 10/28/2024

WE DO
Waiohuli Hawaiian Homesteads Association, Inc.
North
PBR HAWAII & ASSOCIATES, INC.
Island of Maui

Linear Scale (feet)
0 200 400 800

LEGEND

 A (A-1 to A-2)	Community Support Training Facilities	± 6 Ac.
 B (B-1 to B-5)	Infrastructure Training Sites	± 31 Ac.
 C (C-1 to C-2)	Agricultural Development Training Sites	± 42 Ac.
 D	Renewable Energy Development/Training Sites	± 26 Ac.
	Natural Drainage Gulch	± 45 Ac.
TOTAL:		± 150 Ac.

ITEM G-1 EXHIBIT A



Figure 2
Regional Location Map

DATE: 8/1/2024

WEDO



Island of Maui



- Legend**
- Project Area
 - Roadways
 - TMK

Source: ESRI online basemap, County of Maui, 2016 & 2021 DLNR DAR, 2008.
 Disclaimer: This graphic has been prepared for general planning purposes only.

Q:\Maui\Kula Maui P\proj

ITEM G-1 EXHIBIT A



DATE: 8/1/2024

Figure 3
Aerial Map

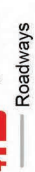
WEDO



Legend



Project Area



Roadways



TMK

Source: ESRI online basemap, County of Maui, 2016 & 2021, DLNR DAR, 2008.

Disclaimer: This graphic has been prepared for general planning purposes only.



Island of Maui

ITEM G-1 EXHIBIT A



DATE: 8/1/2024

Figure 4
Tax Map Key (TMK)

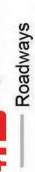
WEDO



Legend



Project Area



Roadways



TMK

Source: ESRI online basemap, County of Maui, 2016 & 2021, DLNR DAR, 2008.

Disclaimer: This graphic has been prepared for general planning purposes only.

Island of Maui



ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

2.1.2 Existing Land Use Designations

Current land use designations for the proposed Project:

- *State Land Use: Agriculture* (Figure 5)
- *DHHL Maui Island Plan: General Agriculture, and Conservation* (Figure 6)
- *County Zoning: Agriculture (AG)* (Figure 7)
- *Special Management Area (SMA): Not Within SMA*

2.1.3 Surrounding Land Uses

The approximately 150-acre Site, identified as portions of TMKs (2) 2-2-002-014 and (2) 2-2-028-181, generally slopes mauka to makai (east to west) from elevation 2,125 feet to elevation 1,490 feet.

The Site is located northwest of the Kēōkea community and borders the existing Waiohuli Community Center and a residential neighborhood to the east and southeast. Lands to the north, south and west of the Site are all vacant with shrubbery and other natural vegetation. Views from the site are expansive. See Figure 8.

See Figure 9 for photographs of the Project Site.

2.2 PURPOSE AND NEED

Pursuant to DHHL’s mission¹, the purpose of the project is to build capacity and economic development for the Waiohuli community. Goals for the project include:

- Maximize use of the existing Waiohuli Community Center as a space for job training, business incubation, and production.
- Develop a flexible space (indoor and outdoor) for capacity building in the trades.
- Staff the educational and community facilities with persons trained on site.
- Create career mentoring and employment opportunities in multiple fields of expertise and services.
- Leverage public resources and services to secure deliberate, sustainable private communities and expertise to provide the best, affordable, and timely development solutions possible.
- Propose land uses that are consistent and complimentary with the DHHL’s Waiohuli Regional Plan and land use designations.

¹ It is DHHL’s mission “to manage the Hawaiian Home Lands trust effectively and to develop and deliver lands to native Hawaiians. We will partner with others towards developing self-sufficient and healthy communities.”

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

2.3 PROJECT DESCRIPTION

The project is a public-private collaboration to combine traditional construction of a development plan with community-based job opportunities derived from development of infrastructure, agricultural cultivation, renewable energy, and water source development to create long-term economic sustainability for the Waiohuli community. While the purpose of the project is to build capacity and economic development for the Waiohuli community, the project has been assessed under a potential full buildout scenario to gain a comprehensive understanding of all possible impacts in compliance with HRS Chapter 343. Figure 1 illustrates the conceptual site plan.

A description of the anticipated land uses follows.

Community Support Training Facilities

An area of the Site designated to the Community Support Training Facilities is proposed to be located near the roadway entrance along both sides of the Lau'ie Drive extension, comprising a total of 6 acres. This component of the plan will complement the existing Waiohuli Community Center abutting these areas to offer community facilities, social services and other resources for the broader Waiohuli region. Potential uses could include recreational spaces, educational and workforce training facilities, multi-purpose functional spaces, as well as health and wellness facilities that feature both traditional Hawaiian healing practices and western medical services. Community support training facilities and concepts will be developed to align with the desired needs of the community and will be invaluable for the Waiohuli region, given the remoteness of the community.

Infrastructure Training Sites

Three segments of the Site, totaling approximately 31 acres, will be utilized as the Infrastructure Training Sites. This includes areas on the far eastern end of the Site near the Lau'ie Drive entrance, a segment in the central portion of the Site, and an area near the far western end of the Site. These areas will primarily serve as a component of the plan that will support job training related to infrastructure construction. Infrastructure development through job training facilities could eventually provide the means for future growth within the Site. Within the Infrastructure Training Sites in the central portion of the Site, a water well capable of 350 gallons per minute (gpm) production is proposed. The proposed yield and pumping capacity were determined based on estimated water demand outlined by a groundwater feasibility study conducted in 2022 to evaluate potential build out of the Site if community development is considered in the future. The segment on the far western end of the Site is being considered to develop wastewater treatment package plant scalable to the proposed uses to serve the community support training facilities and will be designed with capacity to serve potential future growth on the Site if desired by the Waiohuli community.

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

Agriculture Development Training Sites

The Agriculture Development Training Sites will comprise approximately 42 acres, stretching along the northern and southern portions of the Site, as well as a central portion makai of the existing Waiohuli Community Center. This segment of the Site will primarily provide space for educational facilities and job training in the agricultural industry rooted in indigenous knowledge and traditional Hawaiian farming. Agriculture cultivated in these areas will also be a resource for the community and serve as an opportunity to build on indigenous knowledge cultivating native plants using traditional Hawaiian farming techniques. Agricultural development on the Site will also offer economic opportunities for commercial development to generate revenue streams for the Waiohuli community.

Renewable Energy Development/Training Sites

A large 26.4-acre segment along the western boundary of the Site has been planned as an opportunity to for training focused on renewable energy development that could also support potential future growth on the Site and the neighboring communities.

Natural Drainage Gulch Areas

A contiguous natural green space corridor will be incorporated into the conceptual plan that is designed to follow existing land contours. The green space buffer abutting the gulches will provide ecosystem services by maintaining natural drainage to minimize erosion, facilitate flood control, and preserve natural habitat corridors for wildlife. The green space corridor will also offer a natural buffer between the proposed development areas and the gulches that form the boundaries of the Site as well as providing natural spaces separating plan elements.

2.4 DEVELOPMENT TIMETABLE AND PRELIMINARY COSTS

The project is expected to be completed in phases as funds and capacity are made available, completion of necessary land use approvals, and construction permits. Construction costs are estimated to be approximately \$280 million in 2024 dollars.

ITEM G-1 EXHIBIT A
Waiohuli Economic Development Opportunities
Environmental Assessment / Finding of No Significant Impact

(This page intentionally left blank.)

ITEM G-1 EXHIBIT A



DATE: 8/1/2024

Figure 5 State Land Use Districts

WEDO

North

Linear Scale (Feet)
0 750 1500

Island of Maui
HAWAIIAN PLANNING ASSOCIATION, INC.

Legend

- Project Area
- Agricultural
- Rural
- TMK

Source: ESRI online basemap, County of Maui, 2016 & 2021, DLNR DAR, 2008; State Land Use Commission, 2020.

Disclaimer: This graphic has been prepared for general planning purposes only.

ITEM G-1 EXHIBIT A

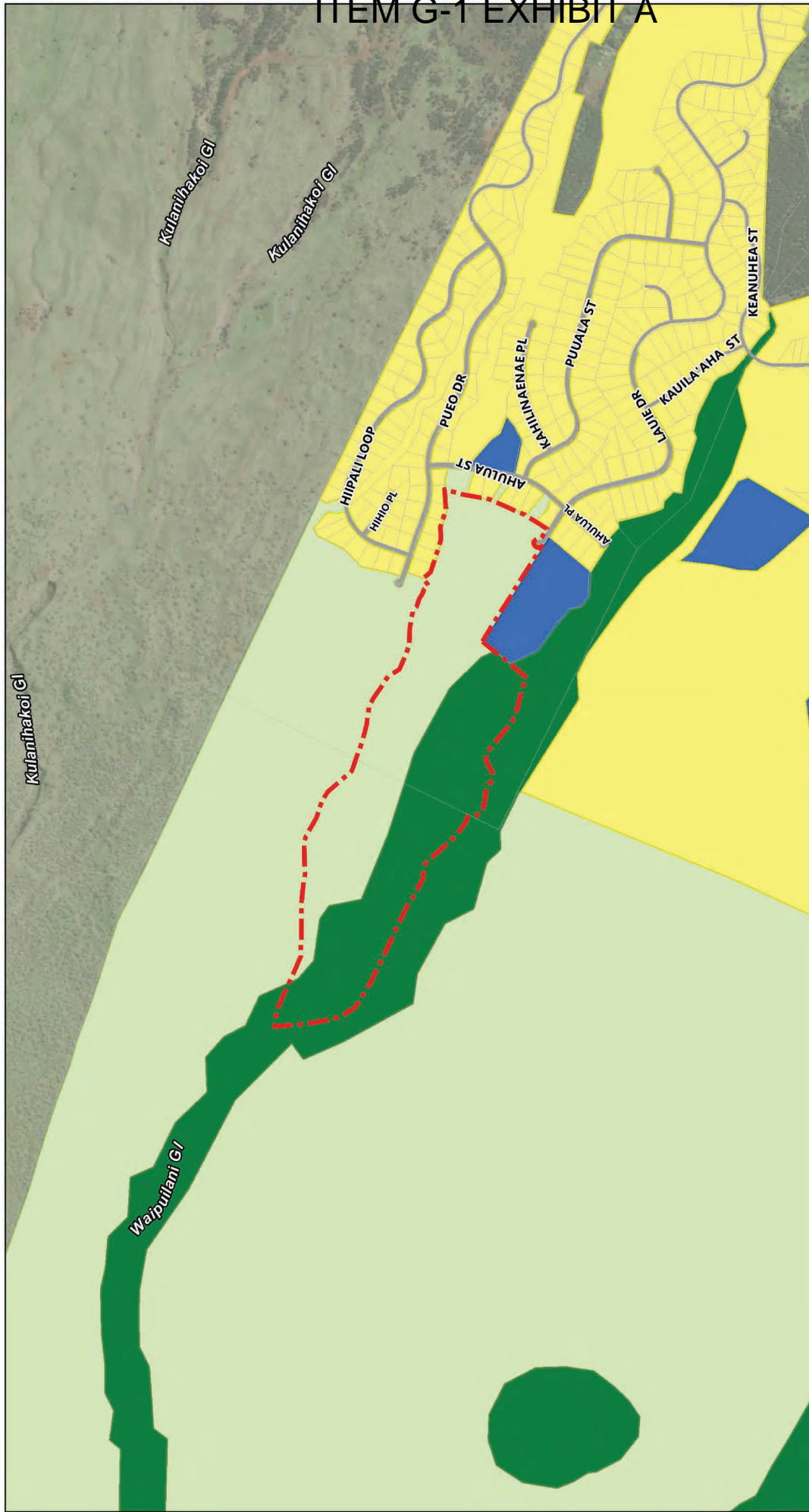


Figure 6
 DHHL Land Use Designation
 (Maui Island Plan, 2019)
WE DO
 North
 Linear Scale (Feet)
 0 500 1,000
 Island of Maui
 HAWAIIAN
 TERRITORIES

- Legend**
- Project Area
 - Roadways
 - TMK
 - General Agriculture
 - Community Use
 - Conservation
 - Residential

Source: ESRI online basemap, County of Maui, 2019.
 Disclaimer: This graphic has been prepared for general planning purposes only.

ITEM C-1 EXHIBIT A



Figure 7
Maui County Zoning

DATE: 8/1/2024

WEDO

North

Linear Scale (Feet)
0 125 250 500



Legend

- Project Area Zoning
- AG Agriculture
- Roadways
- TMK (road)

Source: ESRI online basemap, County of Maui, 2016 & 2021 & 2023; DLNR DAR, 2008.

Disclaimer: This graphic has been prepared for general planning purposes only.

ITEM G-1 EXHIBIT A

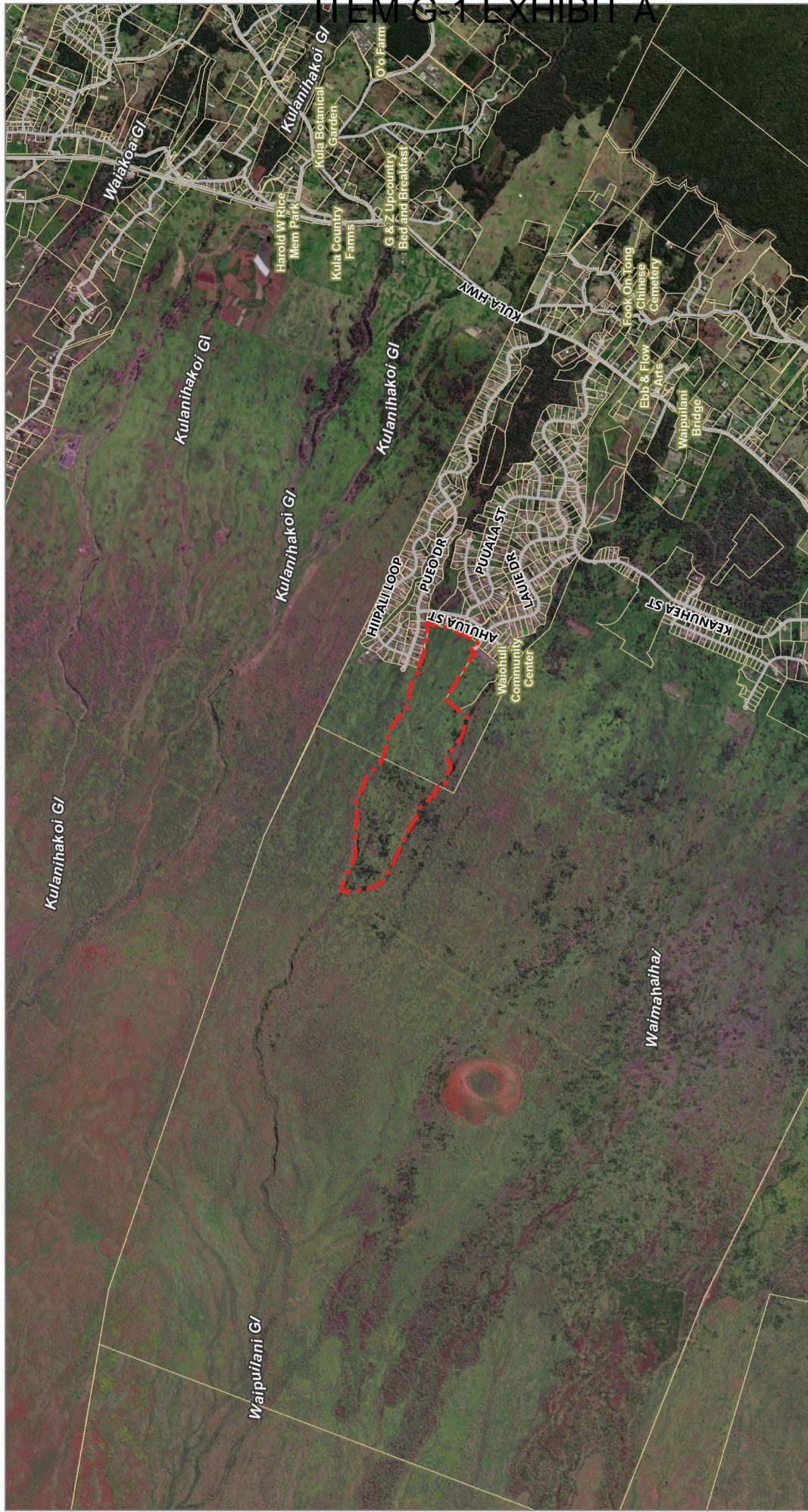


Figure 8
Surrounding Uses Map

DATE: 8/1/2024

WEDO

North 

Linear Scale (Feet)
0 500 1,000 2,000 

Island of Maui 

Legend

-  Project Area
-  Roadways
-  TMK

Source: ESRI online basemap, County of Maui, 2016 & 2021, DLNR DAR, 2008.
Disclaimer: This graphic has been prepared for general planning purposes only.

ITEM G-1 EXHIBIT A



View of mauka portion of the Project Site facing northwest



View of Project Site from Lau'ie Drive facing northwest



View of Project Site from the mauka boundary facing west



View of gulch along boundary of the Project Site



Wiliwili forest within makai portion of the Project Site

Figure 9:
Site Photographs

WE DO

Worobuhi Hawaiian Homebreakers Association, Inc.



ITEM G-1 EXHIBIT A

(This page intentionally left blank.)

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

3 DESCRIPTION OF THE NATURAL ENVIRONMENT, POTENTIAL IMPACTS, AND MITIGATION MEASURES

This section describes existing conditions of the natural environment, potential impacts related to Proposed Project, and mitigation measures to minimize impacts.

3.1 CLIMATE

The climate of Maui varies greatly due to its diverse climate resulting from the range of topography and unique geographic features. The island experiences a tropical climate, characterized by warm temperatures year-round with a wet and dry season. Northeast trade winds typically occur during the day, while winds from the southwest typically occur during the night due to cold air drainage from the mountains. (Giambelluca, et al., 2014).

Kēōkea, located in the Upcountry region on the slopes of Haleakalā, has a subtropical highland climate. Sitting at an elevation of around 2,860 feet (870 meters), Kēōkea experiences cooler temperatures compared to coastal areas, typically ranging from 64°F to 72°F (18°C to 20°C). The area receives moderate rainfall averaging a mean annual rainfall of 20.2 inches, contributing to lush vegetation and agricultural activity. Rainfall is more common in the winter months (November to March), while the summer months (April to October) are relatively drier. The cooler temperatures and pleasant climate make Kēōkea a popular destination for those seeking a reprieve from the warmer coastal areas (Giambelluca, et al., 2013).

POTENTIAL IMPACTS AND MITIGATION MEASURES

It is anticipated that the Project will cause no significant impacts to the climate. Any potential impacts during construction will be mitigated to the best degree possible in compliance with all applicable laws. After completion under a potential full build-out scenario, the Project is not anticipated to have a significant impact on the climate.

3.2 GEOLOGY AND TOPOGRAPHY

The island of Maui was built by two major volcanoes, the West Maui Mountains, the older volcano also known as Mauna Kahālāwai, and Haleakalā, the more recently active volcano. The Site is located on the western slope of Haleakalā, a dormant volcano that last erupted around 1790. The approximately 150-acre Site generally slopes mauka to makai (east to west) from elevation 2,125 feet to elevation 1,490 feet (Figure 10).

POTENTIAL IMPACTS AND MITIGATION MEASURES

The proposed project has been conceptualized in a manner that conforms to Waiohuli's contours. Situated on lands between two gulches, development sites are located on lands with less slope to minimize grading. The renewable energy training sites and the proposed solar farm are located downslope from development training areas and other land uses within the Site at a position to

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

avoid glint and glare to areas within the Site and other nearby community uses. Nevertheless, site slopes are significant and geotechnical investigation is recommended prior to design and siting of any structures. The conceptual land use plan has been designed to maintain existing topographic features that preserve the natural drainageways within the gulches. A contiguous natural green space corridor will be incorporated into the conceptual plan that is designed to follow existing land contours. The green space buffer abutting the gulches will provide ecosystem services by maintaining natural drainage to minimize erosion. Proposed grading for the project will be in conformance with the Maui County Grading Ordinance and will involve consultation with a civil engineer. To minimize potential impacts, grading will be segmented and appropriate measures will be taken to maintain compliance with Chapter 20.08 (Soil Erosion and Sedimentation Control) of the Maui County Code (MCC).

3.3 SOILS

There are three (3) soil suitability studies prepared for Hawai'i that illustrate and describe the physical attributes of land and the relative productivity of different land types for agricultural production. These studies are: 1) the U.S. Department of Agriculture (USDA) Natural Resources Conservation Services (NRCS) Soil Survey; 2) the University of Hawai'i Land Study Bureau (LSB) Detailed Land Classification; and 3) the State of Hawai'i Department of Agriculture's Agricultural Lands of Importance to the State of Hawai'i (ALISH) system.

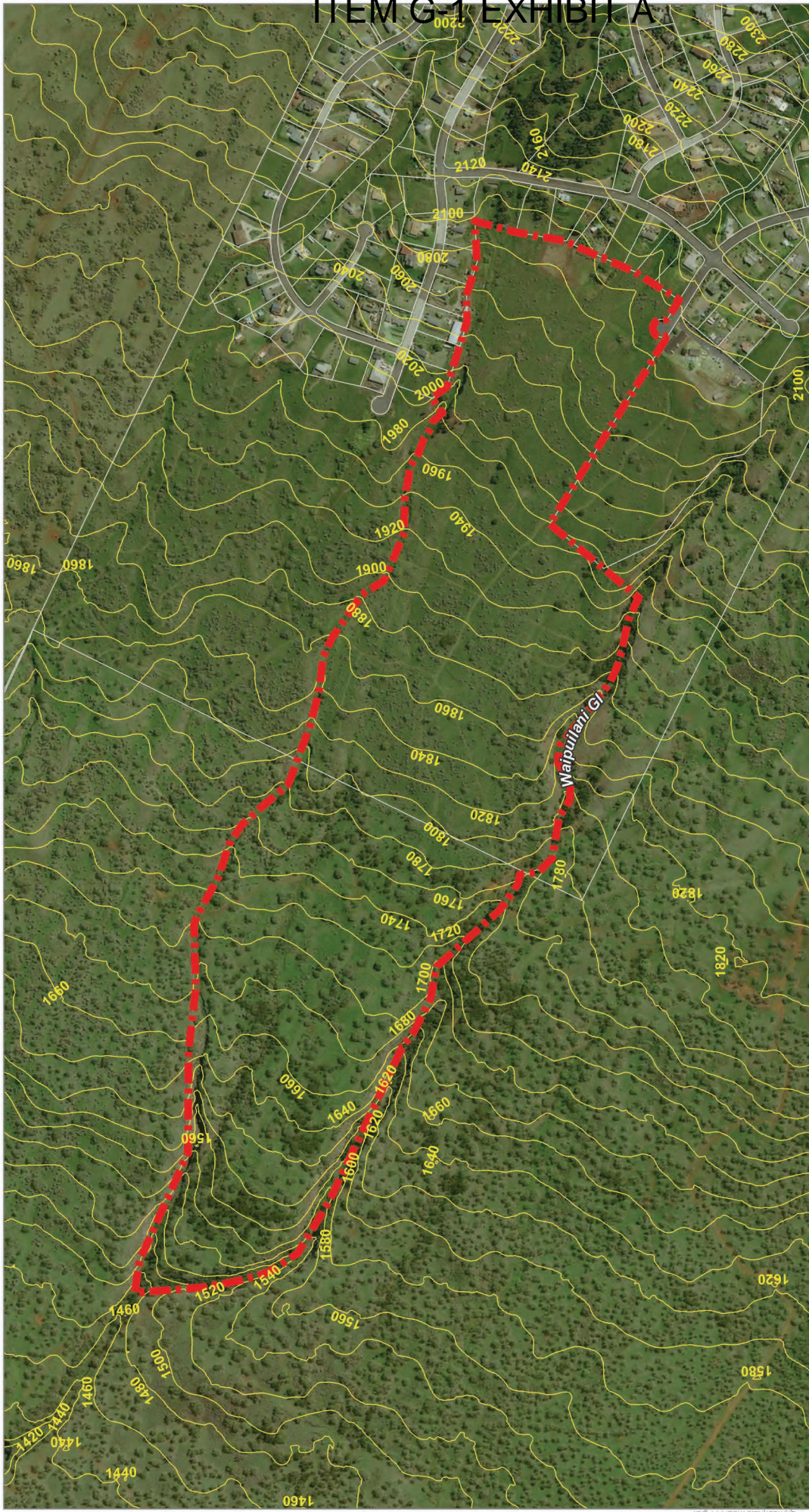
3.3.1 NRCS Soil Survey

The USDA Natural Resources Conservation Service (NRCS) prepared the *Soil Survey of the Island of Hawai'i, State of Hawai'i* in 1973. This survey was patterned after a soil classification procedure adopted for nationwide, uniform application. Soil types are described according to characteristics such as permeability and water capacity, corrosivity, shrink/swell potential, and erosion hazards, as well as their suitability for a variety of commercial crops and agricultural uses.

According to the NRCS survey, all the soil within the Project Site are classified as Kamaole Very Stony Silt Loam (KGKC), 3-15% slope (Figure 11).

The Kamaole series consists of well-drained soils on uplands on the island of Maui. These soils developed in volcanic ash and are gently to moderately sloping. Elevations typically range from 1,500 to 2,800 feet. The natural vegetation consists of bermudagrass, castorbean, false mallow, feather fingergrass, and kiawe. These soils have traditionally been used for pasture and wildlife habitat. The surface layer is dark brown and dark reddish-brown silt loam and silty clay loam about 8 inches thick. This soil type has an agricultural capability classification of VI₁ if non-irrigated (pasture group 3). Runoff is slow to medium with moderate permeability and the erosion hazard is slight to moderate.

ITEM G-1, EXHIBIT A



DATE: 10/29/2024

Figure 10
Topography
WEDO

North 

Linear Scale (feet)
0 125 250 500 

Island of Maui 

Legend

-  Project Area
-  TMK
-  20ft Topography

Source: ESRI online basemap, County of Maui, 2016 & 2021, DLNR DNR, 2008.
Disclaimer: This graphic has been prepared for general planning purposes only.

ITEM G-1 EXHIBIT A



DATE: 8/1/2024

Figure 11
NRCs Soil Survey

WEDO



Legend

Project Area NRCs Soil Classification

Roadways KGKC: Kamaole very stony silt loam, 3 to 15 percent slopes

TMK WID2: Waiakoa extremely stony silty clay loam, 3 to 25 percent slopes, eroded, MLRA 157

Source: ESRI online basemap, County of Maui, 2016 & 2021, DLNR DAR, 2008, USDA NRCS, 2020.

Disclaimer: This graphic has been prepared for general planning purposes only.

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

3.3.2 LSB Detailed Land Classification

The LSB Detailed Land Classification evaluates the quality or productive capacity of certain lands for selected crops and overall suitability in agricultural use for non-urbanized lands, which was conducted from 1965 through 1972. The study uses a five-class productivity rating system with “A” representing the highest productivity and “E” the lowest. This series of reports were produced with the intention of developing a land inventory and productivity evaluation based on statewide “standards” of crop yields and levels of management.

The Project Site is classified as “C” (Fair) under the LSB system (Figure 12).

3.3.3 Agricultural Lands of Importance to the State of Hawai‘i

The Agricultural Lands of Importance to the State of Hawai‘i (ALISH) classification system is based primarily, but not exclusively, on soil characteristics, the criteria for classification of lands, and the inventory of prime farm lands that meet the criteria or similar criteria for the respective classes in the national NRCS classification system. The ALISH system identifies and maps three broad classes of agricultural land – Prime, Unique, and Other Important Agricultural Land, as well as Unclassified Land.

The soils within the Project Site are “Other” under the ALISH system (Figure 13).

POTENTIAL IMPACTS AND MITIGATION MEASURES

Potential impacts and possible mitigation measures include:

- Agricultural Lands. The Project Site is classified as “fair” and “other” respectively under the LSB and ALISH classification systems, which determines agricultural productivity and/or significant agricultural lands. Implementation of the proposed Project will not significantly reduce the inventory of productive lands available for agricultural uses, and will not have short-term, long-term, direct, or indirect impacts on the inventory of productive agricultural lands available on Maui. The Project also includes opportunities for developing traditional agricultural practices for training facilities and will therefore utilize the productive lands as a means of restoring culturally significant agriculture.
- Construction Impacts. The proposed Project will require land disturbance activities during construction, which has the potential for short-term impacts consistent with construction activities. During construction and grading phases for the Project, there is potential for fugitive dust generation and soil erosion within the Project Site. All construction activities will be done in compliance with applicable Federal, State, and County regulations and rules for strict erosion control measures, including State Water Quality Standards as specified in HAR, Chapter 11-54 Water Quality Standards and Chapter 11-55 Water Pollution Control, Department of Health (DOH).

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

Prior to issuance of a grading permit by the County of Maui, an erosion control plan and Best Management Practices (BMPs) required for the National Pollutant Discharge Elimination System (NPDES) permit will be prepared describing the implementation of appropriate storm water runoff and/or soil disturbance mitigation and erosion control measures during construction activities. After construction, establishment of landscaping and/or other design features will provide long-term erosion control for unpaved areas. Measures to control erosion during construction and grading may include:

- Minimizing the time of construction;
- Constructing drainage control features early in phasing;
- Using temporary area sprinklers in non-active construction areas when ground cover is removed;
- Providing a water truck on-site during the construction period to provide for immediate sprinkling, as needed;
- Using temporary berms and cut-off ditches, where needed, for erosion control;
- Watering graded areas when construction activity for each day has ceased;
- Grassing or planting all cut and fill slopes immediately after grading work has been completed; and
- Installing silt screens, where appropriate.

ITEM G-1 EXHIBIT A

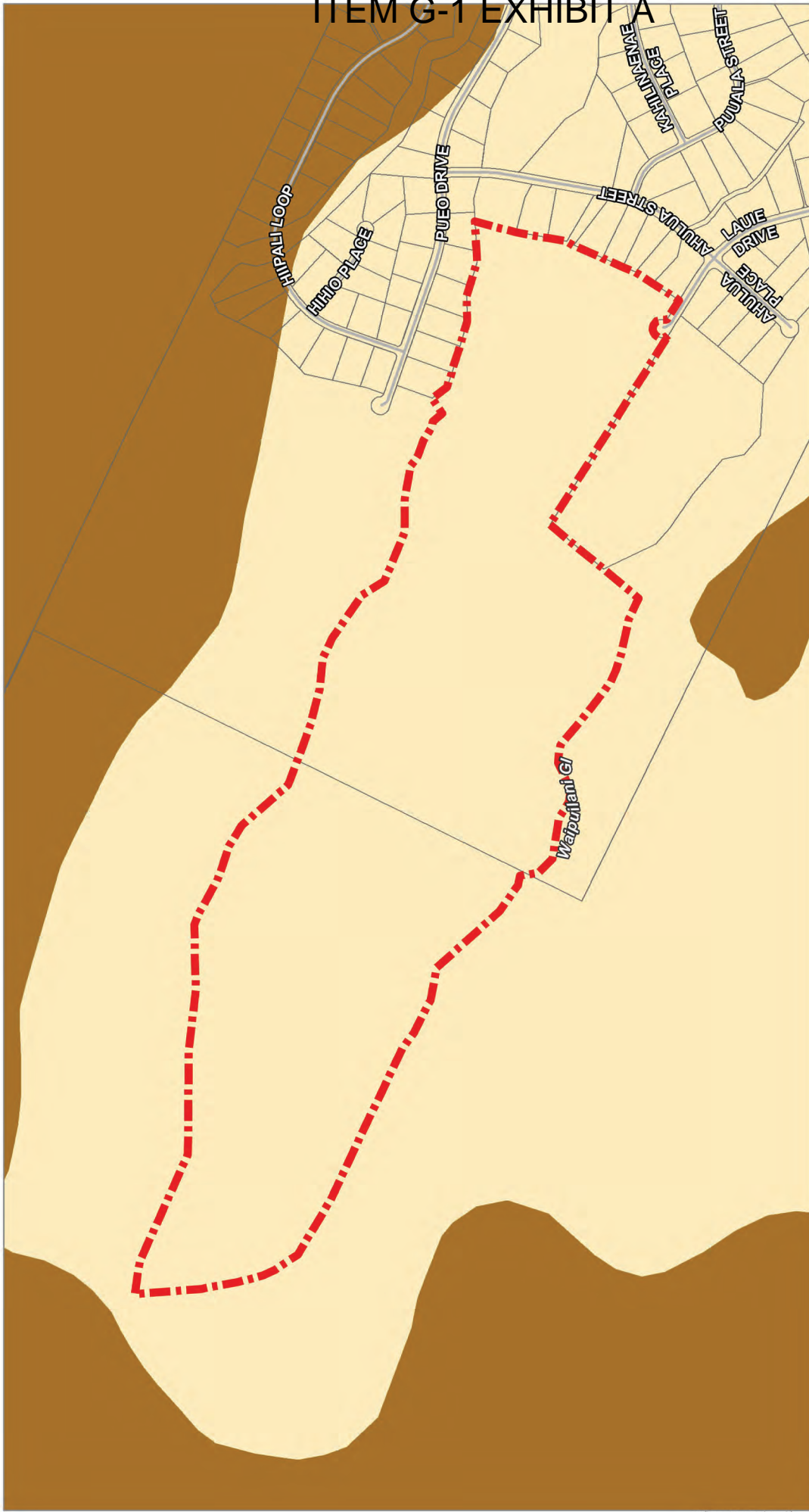







Figure 12
LSB Detailed Land Classification

DATE: 8/1/2024

Legend

-  Project Area
-  C - Fair
-  E - Very Poor
-  Roadways
-  TMK

WEDO

North 

Linear Scale (Feet)
0 125 250 500




Source: ESRI online basemap, County of Maui, 2016 & 2021; DLNR DMR, 2008; University of Hawaii Land Study Bureau, 1967, digitized by State OP, 2012.
Disclaimer: This graphic has been prepared for general planning purposes only.

Q:\Maui\Kula Maui\PP\pdr

ITEM G-1 EXHIBIT A



Figure 13
Agricultural Lands of Importance
to the State of Hawaii

DATE: 8/1/2024

WEDO

Island of Maui
 Linear Scale (Feet)
 0 125 250 500
 North



Legend

-  Project Area ALISH
-  Roadways
-  Other ALISH
-  TMK

Source: ESRI online basemap, County of Maui, 2016 & 2021, DLNR DAR, 2008, State Department of Agriculture, 1977, digitized by OP.
 Disclaimer: This graphic has been prepared for general planning purposes only.

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

3.4 HYDROLOGY AND DRAINAGE

Ground Water

Maui County contains five major water systems, all of which are operated by the Department of Water Supply (DWS): Central Maui, Upcountry Maui, West Maui, East Maui, and Moloka'i. Water sources consist of streams (surface water) and aquifers (groundwater). The majority of the water supplied by DWS comes from groundwater as it is typically reliable and abundant and less expensive to purify than surface water (County of Maui, 2010).

The Maui Island Water Use and Development Plan (WUDP) provides a plan for the management, use, and protection of water resources on Maui by all water users over a 20-year period. As a component to the statewide Hawai'i Water Plan, each county prepares a WUDP. The Draft Maui WUDP Update was prepared by the DWS. The Update was approved by the Board of Water Supply in January 2019 and was submitted to the Maui County Council for adoption by ordinance in March 2019.

The State Department of Agriculture oversees and promotes diversified agriculture and state-owned irrigation systems. The 2004 Agricultural Water Use and Development Plan (AWUDP) projected demand to 2020 on lands served by major irrigation systems which include the East Maui and Upcountry Maui irrigation Systems.

To identify and describe these aquifers, the DOH classifies groundwater under an aquifer coding system. According to the WUDP, the Site is located within the Central Aquifer Sector.

To protect the quality of Hawai'i's underground drinking water sources from physical, chemical, radioactive, and/or biological contamination that could originate from injection well activity, the DOH Safe Drinking Water Branch administers the Underground Injection Control (UIC) program. DOH Administrative Rules, Title 11, Chapter 23 provides conditions governing the location, construction, and operation of injection wells so that injected fluids do not migrate and pollute underground sources of drinking water. The boundary between exempted aquifers and underground sources of drinking water is generally referred to as the UIC Line. Restrictions on injection wells differ, depending on whether the area is mauka or makai of the UIC line.

Surface Water & Wetlands

There are no wetlands on or near the Site, according to the National Wetlands Inventory (U.S. Fish and Wildlife Service, 2022). The southwestern boundary of the Project Site abuts the Waipuilani Gulch, which is a non-perennial stream that is dry for most of the year and serves as an important stormwater drainageway in South Maui during heavy rain events. The Site's western (makai) boundary is located approximately five miles from the nearest coastline. This coastline is classified as Class A water. According to the DOH Water Quality Standards, "It is the objective of class A waters that their use for recreational purposes and aesthetic enjoyment be

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

permitted as long as it is compatible with the protection and propagation of fish, shellfish, and wildlife, and with recreation in and on these waters” (§11-54-03, HAR).

The State of Hawai‘i’s General Policy of Water Quality Antidegradation (§11-54-1.1, HAR) states that the level of water quality necessary to protect existing uses shall be maintained and protected. In the case that water quality exceeds levels necessary to protect aquatic habitats, water quality may not be degraded without director approval.

All discharges related to construction and/or operation activities within the Site must comply with the Water Quality Standards, specified in HAR, Chapter 11-54, and/or permitting requirements, specified in HAR, Chapter 11-55.

See Figure 14 for a map of surface water and wetlands near the Project Site.

POTENTIAL IMPACTS AND MITIGATION MEASURES

Under the potential full buildout scenario, the Project will increase the existing stormwater runoff due to addition of impervious surfaces such as building roofs, pavement and concrete walkways. While the Project will increase runoff, it is not anticipated to generate any adverse drainage effects on downstream properties and/or roadways. A contiguous natural green space corridor will be incorporated into the conceptual plan that is designed to follow existing land contours. The green space buffer abutting the gulches will provide ecosystem services by maintaining natural drainage to minimize erosion, facilitate flood control, and preserve natural habitat corridors for wildlife. The proposed drainage improvements will also include a series of drain inlets with accompanying drain lines to collect and convey the increased stormwater runoff into the gulches surrounding the Project Site. Please see Section 4.8 for more details on proposed drainage improvements.

ITEM G-1 EXHIBIT A

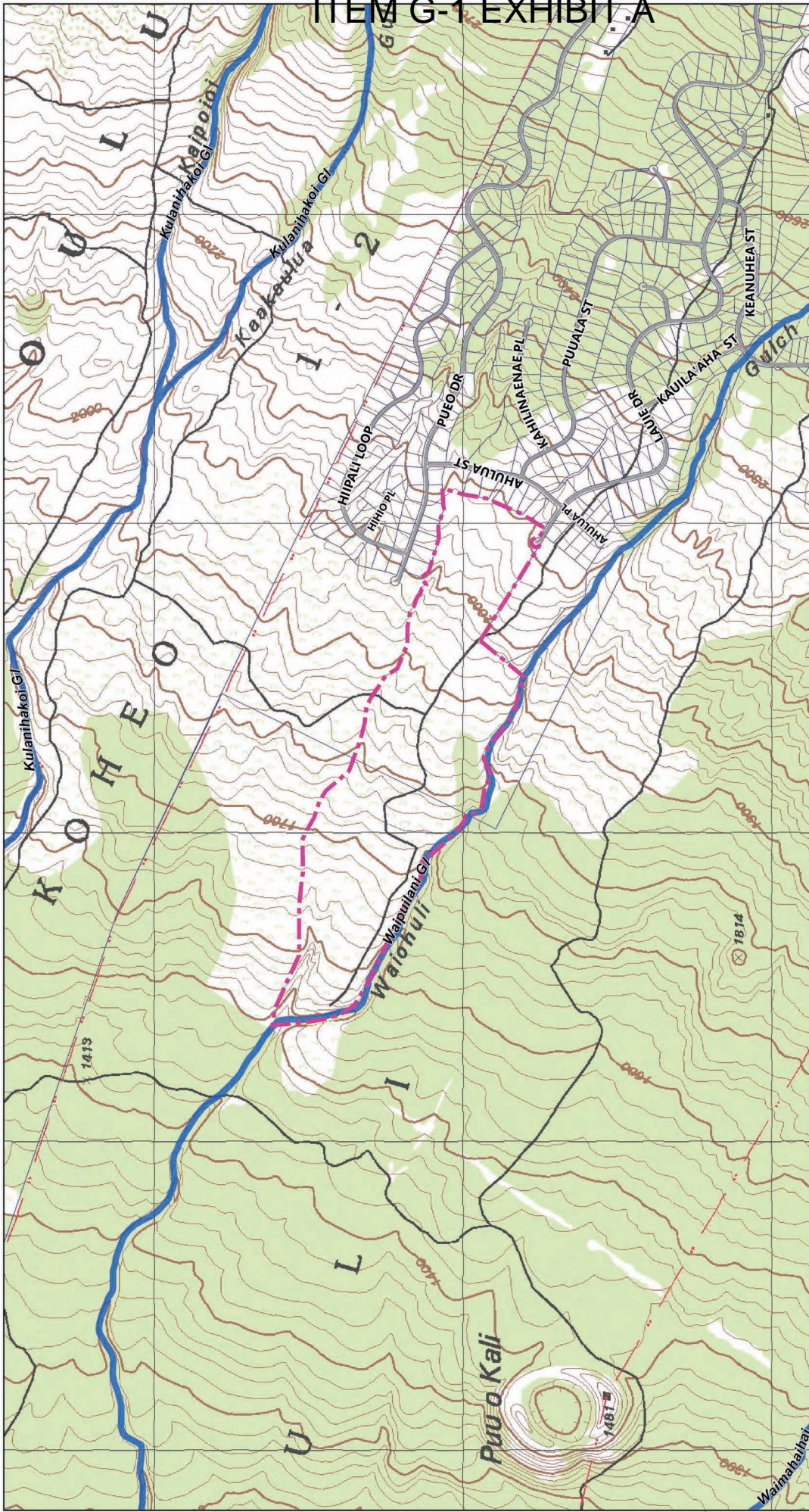


Figure 14
Surface Water and Wetlands

DATE: 10/28/2024

WEDO

North

Linear Scale (feet)
0 500 1,000



- Legend**
- Project Area
 - Stream
 - Roadways
 - Non-Perennial
 - TMK

Sources: USGS Map, County of Maui, 2016 & 2021; DLNR DAR, 2008.
Disclaimer: This graphic has been prepared for general planning purposes only.

ITEM G-1 EXHIBIT A

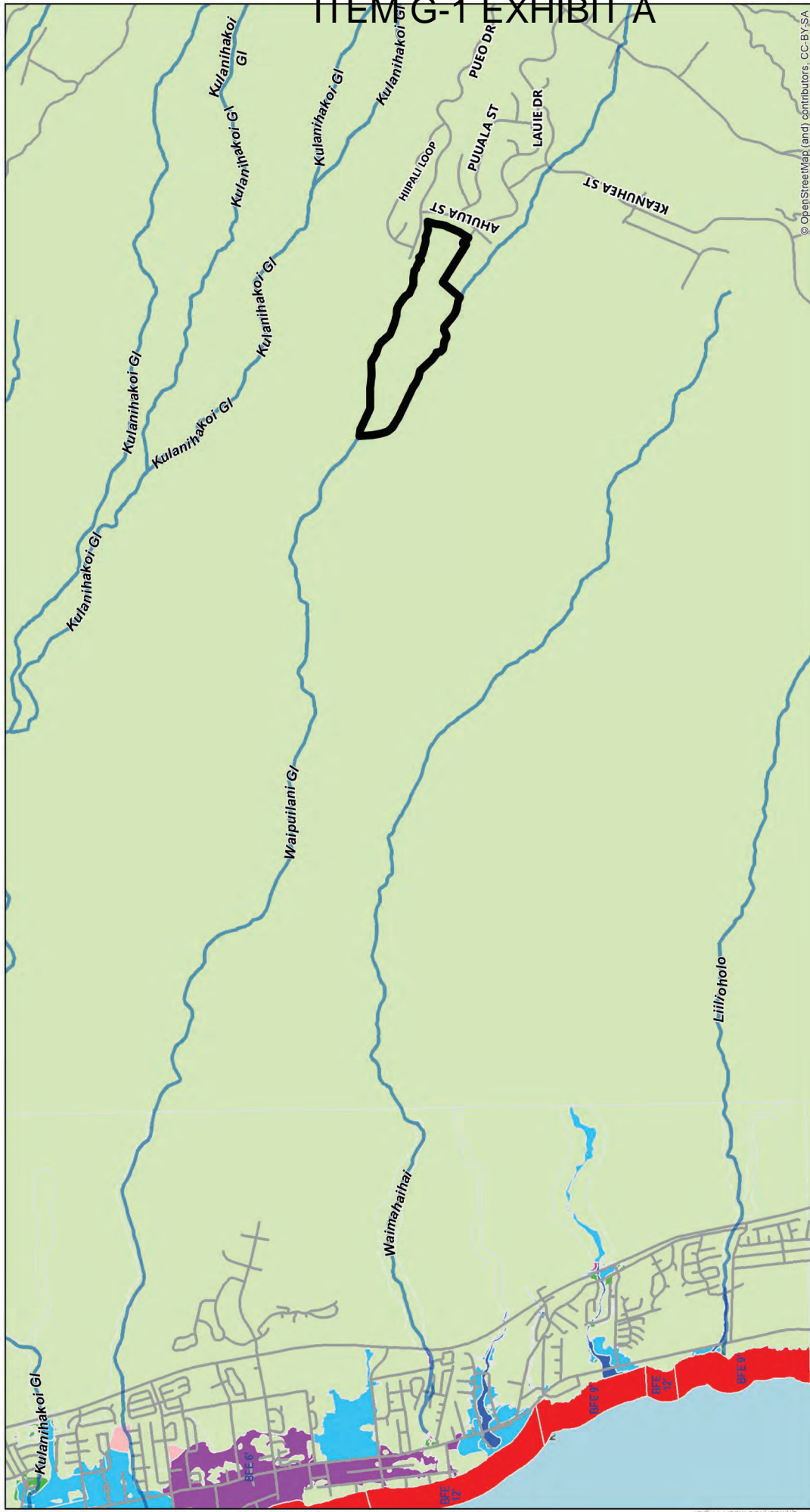


Figure 15
Flood Insurance Rate Map (FIRM)

DATE: 8/1/2024
© OpenStreetMap (and) contributors, CC-BY-SA

WEDO



- AEF: Floodway Areas in AE
- XS: 0.2%-Annual-Chance Flood
- X: Outside 0.2%-Annual-Chance Floodplain

- AH: 1%-Annual-Chance Flood, Flood Depths of 1-3ft, with BFE
- AO: 1%-Annual-Chance Flood, Flood Depths of 1-3ft, Average Depths Determined
- VE: 1%-Annual-Chance Coastal Flood, with BFE

- **Flood Hazard Areas**
- A: 1%-Annual-Chance Flood, no BFE
- AE: 1%-Annual-Chance Flood, with BFE

- Legend**
- Project Area
- Stream
- Roadways

Source: ESRI online basemap, County of Maui, 2016 & 2021, DLNR DAR, 2008, FEMA Flood Map Service Center, 2021.
Disclaimer: This graphic has been prepared for general planning purposes only.

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

3.5 NATURAL HAZARDS

Maui is susceptible to natural hazards, such as flooding, tsunamis, hurricanes, earthquakes, and wildfires. This section provides an analysis of the Project Site's vulnerability to such hazards.

3.5.1 Flooding

The Federal Emergency Management Agency (FEMA) publishes flood information through the National Flood Insurance Program (NFIP) in the form of Flood Insurance Rate Maps (FIRM). These maps are used by government and insurance agencies to determine the relative potential for damage during flood events. According to the Flood Insurance Rate Map (FIRM) Panel 1500030595E, effective September 24, 2009, prepared by the Federal Emergency Management Agency (FEMA), National Flood Insurance Program, the Site is located within Zone X. Zone X indicates an area of minimal flood hazard with a less than 1 percent chance flood event. See Figure 15.

The State of Hawai'i Department of Land and Natural Resources (DLNR) Engineering Division was provided with an opportunity to comment during pre-consultation and provided a response on November 28th, 2023. The agency provided information on the rules and regulations under the NFIP and other recommendations to mitigate flood hazard risks. During the Draft EA public comment period, the DLNR Engineering Division noted there were no additional comments on the project.

3.5.2 Tsunami

The Project Site is located at a very high elevation and is therefore not located within the tsunami evacuation zone. There is no threat of tsunami hazards and the Site is far away from any evacuation routes.

3.5.3 Hurricanes

The Hawaiian Islands are seasonally affected by Pacific hurricanes from the late summer to early winter months. During hurricanes and storm conditions, high winds cause strong uplift forces on structures, particularly on roofs. Wind-driven materials and debris can attain high velocity and cause devastating property damage and harm to life and limb. It is difficult to predict these natural occurrences, but it is reasonable to assume that future events will occur. While direct hits from hurricanes are not common, the vulnerability of Maui to potential hurricane impacts is possible. Due to the higher elevation, the Project Site could be vulnerable to wind patterns that would be especially dangerous in the unlikely event of a direct hit from a powerful storm. The possibility of extreme hurricane may increase as climate change drives more unpredictable weather patterns in the future.

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

3.5.4 Earthquakes

In Hawai'i, most earthquakes are linked to volcanic activity, unlike in other places where a shift in tectonic plates is often the cause of an earthquake. Each year, thousands of earthquakes occur in Hawai'i, but the vast majority are so small they are detectable only with highly sensitive instruments. However, moderate and disastrous earthquakes have occurred in the islands, particularly on Hawai'i Island, due to its geologically active nature.

The Project Site is subject to a minimal level of seismic risk although some minor impacts may result under a potential significant event on the neighboring island of Hawai'i. FEMA identifies earthquake hazards using seismic design categories (SDCs) that range from A (lowest risk) to E (highest risk). According to FEMA earthquake hazard maps, the Project Site is not identified as a significant risk (FEMA, 2020).

3.5.5 Volcanic Hazards

Volcanic hazards include lava flows and emission of volcanic gases (vog). The island of Maui has not experienced lava flows in over a century and the island's volcanoes are considered to be dormant. Volcanic gases, which are visible as a fog known as vog, are emitted during all types of eruptions on neighboring Hawai'i Island. Any hazard posed by volcanic gases is greatest immediately downwind from active vents; the concentration of such gases diminishes quickly as they mix with air and are carried by winds away from the source (USGS, 1997). The prevailing northeasterly trade wind flow tends to push vog and airborne particulates away from Maui. However, the amount of vog and other airborne particulates can significantly increase during periods when the winds are from the southwest.

3.5.6 Wildfires

The Maui wildfires that occurred in August of 2023 are one of the deadliest wildfire events to impact the United States in recent years. Hurricane winds and dry grasslands intensified the fires across multiple locations on the island, including Olinda, Kula, Pūlehu, and Lahaina. The wildfires devastated Lahaina, leaving 98 people dead, 2,100 acres burned, and 2,142 structures damaged or destroyed. The estimated cost to rebuild Lahaina is projected to be almost 6 billion dollars (Pacific Disaster Center, 2023).

The wildfires in Kula impacted an area makai of the Project Site, burning 678 acres of land and destroying 19 homes (County of Maui, 2023). Nonnative, fire-prone grasses and shrubs create a significant hazard as they can become fuel that may amplify the risk under drought conditions (Hawaii Wildfire Management Organization, 2014).

POTENTIAL IMPACTS AND MITIGATION MEASURES

The proposed project has been designed to mitigate potential flooding-related impacts to the Project Site by preserving the natural drainageways formed by the gulches along the boundaries

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

of the property. In addition, the proposed design includes green spaces buffers as well along the boundary to further protect the existing drainageways.

Tsunami and hurricane hazards are unlikely to have an impact on the Project Site due to the distance from coastal areas, and therefore will not require any specific mitigation measures.

While the project will not contribute to the risk factors associated with wildfires, the recent history related to these hazards may require additional protocols for implementing efficient evacuation routes under the potential full-buildout scenario. The Project provides an opportunity to revegetate the Site with native plants and trees to support watershed health and reduce the risk of wildfires. The Applicant will work with local officials to mitigate the risks associated with wildfire hazards.

3.6 CLIMATE CHANGE

Climatic trends which include rising air temperatures, decreasing prevailing northeasterly trade winds, increasing temperatures, and decreasing precipitation. Research also indicates that while Hawai'i may see an overall decline in rainfall, it will occur with heavier rainfall events (UH Sea Grant, 2014). The effects of climate change include impacts to stream base flows which in turn, are predicted to adversely affect aquifer recharge and freshwater availability (University of Hawai'i Sea Grant, 2014). Additionally, scientists have observed that all of the Hawaiian Islands have seen longer periods of drought in recent years. While models predict a variety of effects from changing rainfall patterns, if drought events increase in duration or frequency, there is a likelihood of increased stress to aquifers and increased risk of wildfire. Localized changes in precipitation and temperature, increased storm frequency and intensity, and marine water inundation due to sea level rise, is projected to affect Hawai'i over the coming decades.

POTENTIAL IMPACTS AND MITIGATION MEASURES

Due to the location of the Project Site, the climate change impacts such as drought, wildfire, and severe storms are more likely to affect the proposed project than climate change impacts such as Sea Level Rise.

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

To minimize risk of adverse effects to life and property, the proposed project is designed to preserve natural drainage conditions at the existing gulches bounding the property. Impacts related to climate change in the form of heavy rain events and flooding are mitigated by providing drainage improvements and preserving natural buffers with the design of green spaces along the boundary with the existing gulches to reduce localized flooding. The addition of buffers at the gulches also serve to provide fire breaks to help protect the community in the event of wildfire.

In an effort to mitigate future climate change, the project aims to provide a self-sufficient community and alternative energy sources with renewable solar technology.

3.7 FLORA AND FAUNA

A natural resources assessment was conducted in February 2024, documenting the current plant and animal species within the project area (Appendix B). The assessment included plant and animal surveys conducted over three days with focus on the areas with habitat that had a higher probability of encountering natives. This report includes recommendations and mitigations for native species located within the project area that could possibly be utilizing the habitats in and around the project area. See Figure 16 for a map of critical habitats near the Project Site.

In addition to the natural resources assessment, the archaeological literature review prepared for evaluation of historic resources provides information about site vegetation prior to human disturbance (Appendix C). The native vegetation before human impact would likely have been lowland dry and mesic forest, woodland, and shrubland and the site is near the transition to montane dry and mesic forest and woodland ecosystem at higher elevation.

A pre-assessment consultation was conducted from December 2023 through August 2024 with the Hawai'i Department of Land and Natural Resources (DLNR) Division of Forestry and Wildlife (DOFAW) and Division of Aquatic Resources (DAR). The purpose of the pre-assessment consultation was to identify potential project impacts on plant and animal species. Consultation with these agencies provided mitigation measures for protection of potential plant and animal species within the project area.

3.7.1 Flora

There are three main vegetation types found within the project area; panicum-cactus grassland occur in the upper elevation areas; disturbed dryland forest in the lower elevation areas, and gulch vegetation. The Project Site has experienced disturbances to the natural native habitat over the past couple centuries. Non-native species have been introduced over time, which now dominate much of the area.

The dominant species in the upper grassland areas are non-native Guinea grass and buffelgrass. The mauka portion of the Project Site is particularly dominated by non-native species and the native plant habitat identified during the survey were highly impacted by human activities, non-native ungulates, and introduced non-native plants. In the disturbed dryland forest, wiliwili is the dominant tree species, and occur in extensive groves. The ground in this area does not

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

appear to have been as disturbed as in the mauka areas of the site. Understory is dominated by non-native grasses. The gulches are rocky and in places up to 100 feet deep. A variety of tree species are found on the gulch sides, and some natives were observed. A total of 80 nonnative species were identified on the Site. Ten native indigenous species were documented as follows: *Doryopteris decipiens*, *Erythrina sandwicensis*, and *Sicyos pachycarpus*. Indigenous species found were *Pellaea ternifolia*, *Ipomoea indica*, *Sida fallax*, *Oxalis corniculata*, *Plumbago zeylanica*, *Dodonaea viscosa*, and *Waltheria indica*. An inventory of the plant species encountered, including their distributional status in the Hawaiian Islands (endemic, indigenous, or naturalized exotics) is found within the Natural Resources Assessment (Appendix B). There were no species documented within the survey area that are listed as endangered or threatened under the federal or State of Hawai'i endangered species statutes.

POTENTIAL IMPACTS AND MITIGATION MEASURES

The Project Site is not within the United States Fish and Wildlife Service (USFWS) designated critical habitat for plants (Figure 16). The biological evaluation concluded that no threatened or endangered botanical resources will be impacted by the project. It is recommended that the makai portion of the project site be utilized as a preserve for the wiliwili forest and possibly an outplanting site for other native dryland species. The Project will incorporate these recommendations and design the renewable energy solar farm site to preserve the existing wiliwili trees located near the western end of the Project Site. The Project is anticipated to include landscaping that incorporates drought-tolerant native plants under the potential full buildout scenario.

During construction, the applicant will coordinate with the Maui Invasive Species Committee to develop mitigation measures to prevent the spread of Rapid 'Ōhi'a Death. All equipment, materials, and personnel will be cleaned of excess soil and debris to minimize the risk of spreading invasive species. Gear that may contain soil, such as work boots and vehicles, will be thoroughly cleaned with water and sprayed with 70% alcohol solution to prevent the spread of Rapid 'Ōhi'a Death and other harmful fungal pathogens.

3.7.2 Fauna

Avian Species

A total of 14 avian species were identified during the biological evaluation. Among those observed, only one native bird species was identified: the koa'e kea (*Phaethon lepturus*). However, it is probable that other native bird species may utilize the habitats within the Project Site, such as the Pacific Golden-plover or kōlea (*Pluvialis fulva*) and Hawaiian Short-eared owl or pueo (*Asio flammeus sandwichensis*).

The most prevalent birds were Zebra Dove (*Geopelia striata*), Common Myna (*Acridotheris tristis*), house finch (*Haemorhous mexicanus*), and scalybreasted munia (*Lonchura punctulata*).

None of the extant endemic endangered waterbird species were recorded on site as there is no habitat that any of the waterbird species would utilize for foraging or nesting in the project area.

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

Hawaiian Short-Eared Owl

Pueo are active during the day and are commonly seen hovering or soaring over open areas. Although there is limited information regarding the breeding of this species, nests have been found throughout the year. There were no pueo observed during the biological evaluation.

Hawaiian Goose

Although the Hawaiian Goose or Nēnē (*Branta sandvicensis*) were not observed in the project area and the sites habitat is not conducive for foraging and/or loafing, most human impacts to the species revolve around vehicular interactions or human feeding and disturbance.

Hawaiian Seabirds

Hawaiian seabirds may traverse the Project Site at night during the breeding, nesting, and fledging seasons (March 1 through December 15). Seabird fallout primarily occurs during the fledging season (September 15 through December 15) as chicks will fledge from their nests and use the moonlight to guide them to the ocean. Artificial lights, including those used during nighttime construction, can disorient seabirds and cause them to fall to the ground from exhaustion. While grounded, the birds are at increased risk of being attacked by predators, hit by automobiles, or starvation.

Mammalian Resources

There were no native terrestrial species identified during the biological evaluation. Non native terrestrial species include, axis deer (*Axis axis*) and Feral pigs (*Sus scrofa*), Domestic dogs (*Canis familiaris*), cats (*Felis catus*), Small Indian mongoose (*Urva auropunctata*), roof rat (*Rattus rattus*), brown rat (*Rattus norvegicus*), Polynesian rat (*Rattus exulans hawaiiensis*), and European house mouse (*Mus musculus domesticus*).

Although the Hawaiian Hoary bat ('ōpe'ape'a) was not detected during the survey, the native bat species is known to occur in this area. The Hawaiian hoary bat can be found in trees or shrubs 15 feet high or taller and will forage for insects from three to 500 feet above the ground. They are known to forage and roost in a wide range of habitats including forest.

POTENTIAL IMPACTS AND MITIGATION MEASURES

While the makai portion of the Project Site is within the USFWS designated critical habitat for animals and insects (Figure 16), the biological evaluation did not identify any significant impacts on endangered or native species from the project. Although the project is unlikely to impact native species, the following avoidance and minimization measures will be implemented.

To mitigate against seabird fallout, nighttime construction will be avoided. Automatic motion sensors switches and controls on all permanent outdoor lighting should be turned off when human activity is not occurring in the area.

While it is unlikely that the proposed project will have an impact on pueo, mitigation measures will be implemented during construction to ensure that potential habitats are not disturbed, especially during pueo breeding season. If a pueo nest is discovered, DOFAW staff will be notified and a minimum buffer distance of 100 meters will be established from the nest until chicks are capable of flight.

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

To avoid impacts to the Hawaiian hoary bat, woody vegetation taller than 15 feet will not be cleared during the bat pupping season between June 1 and September 15. Barbed wire will not be used within the project site.

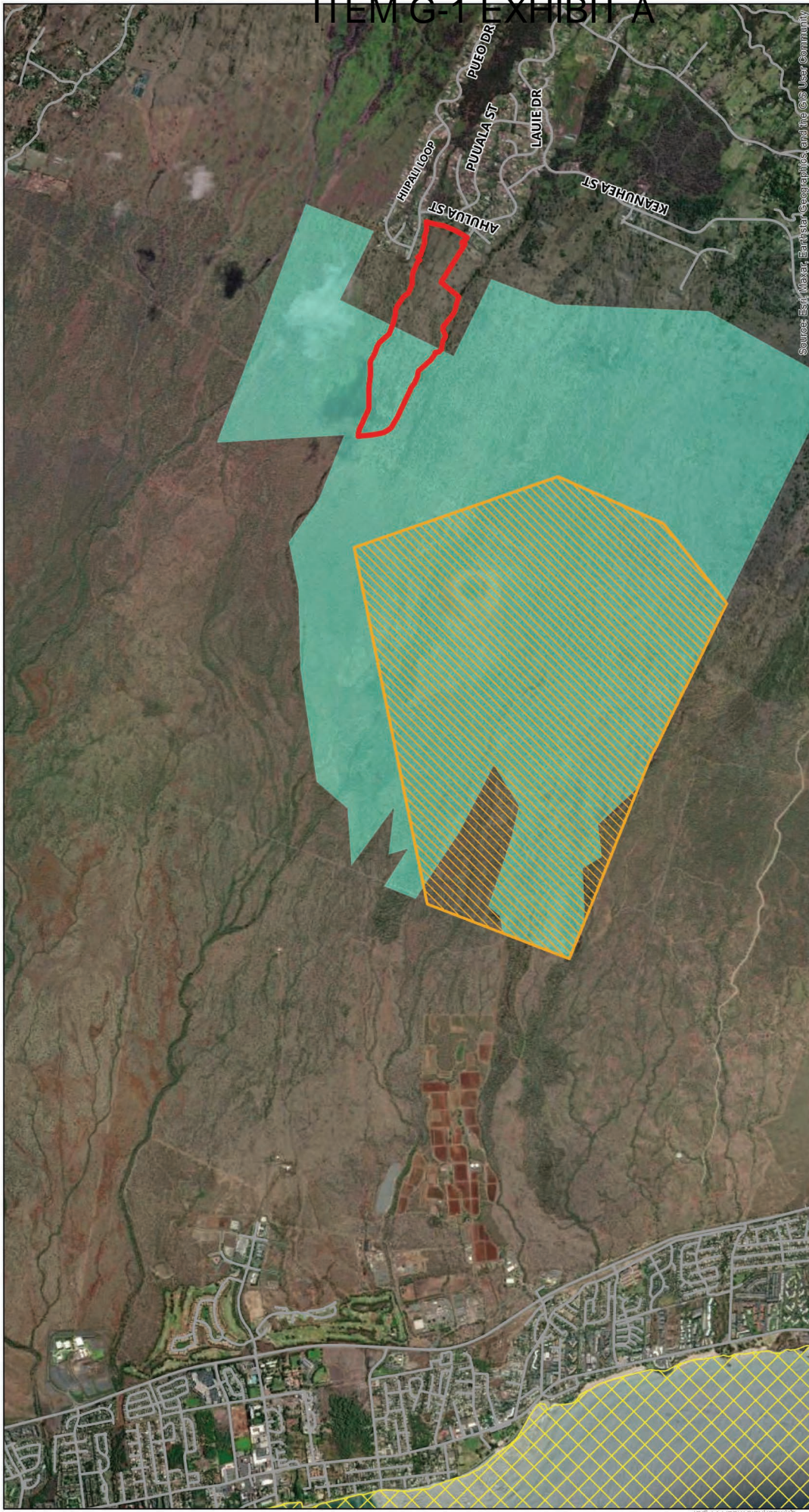
To minimize impacts to the Hawaiian Goose, the following measures will be taken:

- Don't feed birds especially if they approach for handouts.
- Secure all food rubbish in close trash receptacles.
- Establish a 15 mile an hour speed limit within the site.

The applicant will coordinate with the Maui Island Branch DOFAW office to determine best management practices to be conducted during construction to ensure plant removals do not disturb any potential Blackburn's Sphinx Moth species inhabiting the site.

ITEM G-1 EXHIBIT A

ITEM G-1 EXHIBIT A



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
DATE: 10/28/2024

Figure 16
Critical Habitat
WE DO

- Legend**
- Project Area
 - NOAA Hawaiian Monk Seal Critical Habitat
 - USFWS Plants Critical Habitat
 - USFWS Animals and Insects Critical Habitats
 - Roadways

North

Linear Scale (feet)
0 1,250 2,500

Island of Maui
 HAWAII

Source: Esri online basemap, County of Maui, 2013 & 2016 & 2021. DLNR DAA, 2008. NOAA, 2022. USFWS, 2003.
Disclaimer: This graphic has been prepared for general planning purposes only.

ITEM G-1 EXHIBIT A

(This page intentionally left blank.)

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

4 DESCRIPTION OF THE HUMAN ENVIRONMENT, POTENTIAL IMPACTS, AND MITIGATION MEASURES

This section describes the existing conditions of the human environment, preliminary potential impacts of the proposed Project, and preliminary mitigation measures to minimize any impacts.

4.1 HISTORIC RESOURCES

An Archaeological Literature Review and Field Inspection (LRFI) was conducted by Scientific Consultant Services, Inc. (SCS) in June 2024 (Appendix C). Its purpose is to provide in brief a history of relevant archaeological inventories in the ahupua'a. The literature review documents prior archaeological reports pertaining to the project area and the vicinity, so as to determine what type of archaeological sites have been documented. It is also intended to gain an understanding of what archaeological features or sites are likely to be documented on the site or nearby the site. The field inspection was conducted by pedestrian survey to identify and surface archaeological features and to investigate the potential to impacts from the proposed project on those features. The LRFI also makes recommendations for future investigative work.

The LRFI provides historical setting, including traditional political boundaries; a description of traditional economy and political systems; and how settlement, economy, land management, and political systems changed through early contact with western explorers and later settlement.

The LRFI documents archaeological surveys conducted in the project area since the 1980's, noting earlier studies going back to the early 1900's. The LRFI reports that a site map prepared with a 1989 survey suggests that at least six historic properties fall within the project area (see Appendix C, Figure 8). It is noted in the LRFI that because of technological limitations carried out by efforts at a time without Global Positioning Systems (GPS), it is difficult to correlate locations with high confidence.

The field inspection included a pedestrian survey with the intention of relocating or identifying any new surface archaeological features. Only one archaeological feature was documented. This feature was identified as a Post-Contact cattle wall located along a portion of the northern boundary of the Project Site. The observed wall is constructed of basalt cobbles and incorporated bedrock outcrops within its alignment. The report opines that this feature may be one that was previously documented in 1987 and 1989 surveys or that it may be a newly identified historic property. The report notes that known heiau in the region have been located or confirmed as destroyed and based on the patterns of previous studies finding ritual sites or burials is relatively unlikely. However, it is more likely that there could be additional historic properties associated with ranching and dryland farming, although none were found during field inspection. Archaeological Inventory Survey (AIS) is recommended for the project area.

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

POTENTIAL IMPACTS AND MITIGATION MEASURES

The proposed project includes opportunities for housing, job creation, and power generation through development of the site. It is assumed that development of the site will involve ground disturbance which could impact previously recorded or yet to be inventoried archaeological features. To avoid, minimize, or mitigate (as needed) impacts to archaeological resources, the project proponents must maintain compliance with State of Hawai'i laws and regulations that protect such resources (Chapter 6E, Hawai'i Revised Statutes). DHHL and future project proponents will consult with the State Historic Preservation Division (SHPD) to determine the appropriate path forward to investigate the site for archaeological features for further evaluation of impacts and necessary mitigations in compliance with the law.

4.2 CULTURAL PRACTICES

A cultural impact assessment (CIA) was conducted by Nohopapa Hawai'i, LLC to identify cultural practices that may occur in the area and any potential effects the project may have on these practices (Appendix D).

EXISTING CONDITIONS

The Project Site is located within the uplands of Waiohuli ahupua'a, in the moku (traditional district) of Kula, known today as the district of Makawao. The Project Site is situated on the lower slopes of Haleakalā, known in Hawaiian traditions as the "House of the sun". Waiohuli is described by historians as a "land division, gulch, and village" whose literal translation is said to mean "water of change," although this contrasts with the current arid conditions of the Kula region. (Handy, Handy, and Pukui 1972:510,511). Many kama'āina assert that long ago, a thriving river flowed through the ahupua'a. Despite the present scarcity of water, numerous accounts recognize Waiohuli as a wahi kūpuna historically cultivated for 'uala (sweet potato). The mo'olelo (stories) of Waiohuli's cultivated uplands reveal how they provided essential resources for the community to thrive in such a dry environment. The agricultural lands, alongside various wahi kūpuna, including heiau (religious sites), emphasize the cultural significance and interconnectivity of the Project Site to its surrounding landscape.

The location of the Kula Moku and the Waiohuli Ahupua'a is featured on some of the earliest Hawaiian maps depicting traditional land divisions like moku and ahupua'a. The Kula Moku appears on both the 1837 and 1838 maps of the pae 'āina (archipelago), engraved by Kalama at Lahainaluna Seminary, Maui. Primarily, the Kula lands were dedicated to agriculture, with dryland farming being especially suited to the area's climate (Handy, Handy, and Pukui 1972:272). While kalo was cultivated here, 'uala was the most prevalent crop, thriving in the local terrain and environment.

During the Great Māhele of 1848, approximately 'āpana, or parcels of kuleana lands in the Waiohuli Ahupua'a, were awarded to thirteen individuals: Eeka, Hoopiopio, Kahulukaa, Keawe,

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

Kekeleiauku, Konoia, Luheluhe, Ohai, Paele, Palekai, Puana, Uli, and Wahinealii. The Māhele records indicate that most of these parcels were described as “kula” or open pastoral lands. The LCA (No. 6738) granted to Luheluhe included three ‘āpana, with the first being a one-acre parcel located in the ‘ili ‘āina (division of ahupua‘a) of Kahilinaena, noted as a kula parcel with a pāhale (house dwelling). Luheluhe’s third ‘āpana is found in the ‘ili ‘āina of Pueo, described as an “uala liilii,” covering 2.25 acres. Here, ‘uala liilii could refer to a small patch where sweet potatoes were grown. Ohai received three ‘āpana under LCA (No. 6705), with the second being a 0.43-acre parcel located in the ‘ili ‘āina of Luakini, described as a pāhale. It is evident that these lands have historically served primarily for farming and housing.

Settlement, land use, and commerce in the nineteenth century in Waiohuli and the adjacent ahupua‘a of Kēōkea were heavily influenced by the growth of the Pacific whaling industry, the California gold rush, and the establishment of the sugar industry. From 1825 to 1870, Native Hawaiians and other Pacific Islanders played a pivotal role in the whaling trade (LaCroix 2019:69). In Kula, including the area of Waiohuli and the Project Site, the whaling industry spurred the establishment of agricultural industries focused on producing potatoes and other goods in demand by foreigners (Clark 1989:47; La Croix 2019:102). “The arrival of whalers in the 1840s created significant demand for Irish and sweet potatoes, which were sold from Lahaina aboard ships” (Department of Hawaiian Home Lands 2010:11). Primarily Hakka Chinese immigrants from Kwangtung Province settled in Kula, influencing land use and settlement patterns around Waiohuli. In the 1840s and 1850s, these Chinese farmers subleased Hawaiian Government Crown Lands in Kula from Hawaiian or haole (foreigner) ranchers to grow Irish potatoes for export to California, especially during the Gold Rush, earning Kula the nickname “Nu Kaleponi” (New California) (Mark 1975:1-3). By the 1880s, Kula Crown Lands, including Waiohuli, transitioned into cattle ranches and pasturelands. Following the illegal overthrow of the Hawaiian Kingdom by the United States, Curtis Piehu laukeya’s 1894 Biennial Report of the Commissioners of Crown Lands described the combined 6003 acres of Waihouli and Kēōkea Ahupua‘a as “the choicest land in this district” and “the most valuable” Crown Lands on Maui.

Throughout the mid to late 1800s, much of Kula was leased for cattle grazing and ranching. Following World War I, in 1911, Kula lands, which had predominantly been leased by Hawaiian and Chinese families, were opened for purchase by the Territorial Government of Hawai‘i. This shift, compounded by severe drought, led to the out-migration of many Chinese families and an influx of new settlers into the community (Mark 1975:34).

Today, ranching continues to be a vital activity in Kula and the surrounding area. Ka‘onoulu Ranch, Haleakalā Ranch, and Ulupalakua Ranch currently operate in the Kula Moku and border the Waiohuli area. As ranch lands transitioned into homesteads, 6,112 acres of the Waiohuli Ahupua‘a were designated as home lands under the Department of Hawaiian Home Lands. The DHHL Waiohuli Homestead lots are located ma kai of the Kula Highway, forming a significant part of the upper Kula community where many Native Hawaiian families now call Waiohuli home.

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

Nohopapa Hawai'i's ethnographic interview conducted with Kekai Kapu, Perry Artates, Napua Silva, Edward Lokomaika'i Palenapa Brown, and Clifford Santos Jr. included invaluable community insights, highlighting the following:

- a) Shared deep-rooted connections to Waiohuli and Kēōkea, with Kekai emphasizing his family's generational ties to Lahaina and Waiohuli as pivotal to his identity and future plans. Each participant reflected a strong sense of place, underscoring the significance of their ancestral lands for their families.
- b) All interviewees highlighted the importance of self-sufficiency in their communities. Perry described Kēōkea as a rural area where multicultural residents relied on local resources due to the distance of stores, fostering a sustainable lifestyle. Clifford echoed this sentiment by sharing his experience of cultivating kalo and other native foods on his homestead.
- c) Cultural practices and traditions were central to the discussions. Napua, as a kumu hula, and Clifford, as a cultural practitioner, both expressed the importance of passing down knowledge and practices to future generations, ensuring the continuity of their heritage.
- d) The significance of the landscape and natural resources in Waiohuli was a recurring theme. Napua highlighted the area's historical connection to water sources, while Lokomaika'i noted the spiritual and historical importance of the land, referring to his ancestors' efforts to protect it.
- e) Each participant expressed a commitment to caring for Waiohuli and its cultural sites. Kekai's family has worked with state and federal agencies to protect archaeological findings, while Clifford and Lokomaika'i actively maintain the area, showcasing a shared responsibility toward the land and its history.
- f) The interviewees emphasized the vital role of community and family ties in their connection to the land. They articulated a collective responsibility to mālama (care for) the 'āina, ensuring that future generations can thrive in Waiohuli and continue the traditions that define their identity.

The vision for Waiohuli Economic Development Opportunities heavily invests in fostering self-sufficiency and sustainability, as articulated in the collaborative project, which combines traditional master planning with community-based job opportunities in infrastructure, agricultural cultivation, renewable energy, and water source development.

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

POTENTIAL IMPACTS AND MITIGATION MEASURES

Based on evidence provided in the cultural impact assessment, Nohopapa Hawai'i, LLC determined that the Project will not have significant impacts on wahi kūpuna and other cultural resources and practices as a result of the proposed activities. The findings based on consultation with cultural practitioners found that they did not have any specific recommendations to make regarding the Project. The consultation determined that the Project could have a positive impact on cultural practices and community sustainability through the integration of resource management and land stewardship. The integration of traditional agricultural practices and resource management proposed with the Project would foster more robust cultural significance for the Project Site. Implementation of this integration of cultural practices and land stewardship is recommended to further the growth of the Native Hawaiian community and residents of Waiohuli.

4.3 NOISE

Ambient noise in the Project Site is consistent with natural sounds associated with undeveloped lands in Upcountry Maui. Within the portion of the Project Site abutting the existing community center and nearby residential properties there is also low-grade noise connected to human activity and marginal traffic sounds from the nearby parking area and roadways.

POTENTIAL IMPACTS AND MITIGATION MEASURES

Under a potential full-buildout scenario, the project is expected to generate moderate noise impacts typically associated with community uses. The noise impact are anticipated to include human activity and other related noises, such as automobile uses and commercial activity. These noise impacts are expected to be nominal and will be fairly consistent with land uses in the surrounding residential area and abutting community center.

During construction, the proposed action may result in short-term noise impacts generated by construction activities. In the long-term, noise will be consistent with conditions common in a rural community district, including motor vehicle traffic, human interactions, recreational uses and other activities related to proposed community uses.

The project will comply with all permissible community noise standards in accordance with the State DOH Administrative Rules, Title 11, Chapter 46 "Community Noise Control" regulations. Increased noise activity due to construction will be mostly limited to daytime hours and will be confined to the construction period, however, nighttime construction may be required as well. The use of pile drivers, hoe rams, jack hammers 25 pounds or heavier, and high-pressure sprayers may be required during certain construction phases. However, this will be restricted to 7:00am to 3:00pm, Monday through Friday to the best degree possible. Construction equipment and on-site vehicles or devices requiring exhaust of gas or air must be equipped with mufflers. In addition, construction activities must satisfy the DOH's vehicle noise requirement.

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

4.4 AIR QUALITY

Air quality on Maui is impacted by emissions from motor vehicles, industrial uses, and natural sources. Comparatively, the air quality in Upcountry Maui is less impacted by adverse human-induced emissions from these sources. The main source of industrial-based emissions are power plants fueled by oil, which emit SO₂, nitrogen oxides, and particulate matter into the atmosphere. Oil-based automobiles emit CO, nitrogen oxides and hydrocarbons (an ozone precursor), as well as smaller amounts of other pollutants including particulates. Natural volcanic emissions of sulfur dioxide also impact air quality, which convert into particulate sulfate and causes volcanic haze (vog) in the area during occasional episodes of southerly Kona winds. Vog concentrations are primarily dependent on the amount of volcanic emissions, the distance from the source vents, and the wind direction and speed on a given day. When trade winds are absent, which occurs most often during the winter months, East Hawai'i, the entire island or the entire state can be impacted by vog.

The State maintains one air monitoring station on the island of Maui, located at Hale Pi'ilani Park in Kihei. According to DOH ambient air quality data, the quality of air on Maui is considered to be "Good." The prevailing northeasterly trade winds tend to disperse pollutants away Upcountry Maui decreasing the concentration of pollution in the area. However, the amount of particulates and other air pollutants can significantly increase during periods when the winds shift to a southwesterly direction. Overall, the air quality within the Project Site and the surrounding area is generally considered to be good.

The State of Hawai'i Department of Health Clean Air Branch (DOH-CAB) was provided with an opportunity to comment during pre-consultation and provided a response on November 29th, 2023. DOH-CAB provided recommendations on mitigation measures and permit requirements related to air quality control. During the Draft EA public comment period, DOH-CAB reiterated standard agency comments on mitigation measures and permit requirements. There were no project-specific comments related to air quality.

POTENTIAL IMPACTS AND MITIGATION MEASURES

The proposed project is not anticipated to have a significant impact on air quality locally or in the broader region. There may be some temporary impacts during construction but these are anticipated to be minimal and will be mitigated with best management practices (BMPs). The Applicant will comply with all applicable regulations related to air quality control and will coordinate with relevant agencies including the Department of Health to ensure compliance and obtain the pertinent air pollution control permits prior to construction.

To minimize fugitive dust impacts during construction, all construction activities will comply with all applicable provisions of HAR Title 11, Chapter 59, related to Ambient Air Quality Standards and HAR §11-60.1-33, related to Fugitive Dust. Long-term negative impacts related to air quality

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

are not anticipated as construction equipment will utilize technology and standards which meet State and Federal air quality requirements.

The proposed project has the potential for residential development in the future under the potential full buildout scenario. Under this scenario, the proposed project may result in a moderate population increase for the community by providing new homesteading opportunities for native Hawaiians on the Maui homestead waitlist. However, any increase in air pollution as a result of the proposed project will be negligible.

4.5 SOLID WASTE

The State of Hawai'i DOH Solid & Hazardous Waste Branch (SHWB) was provided with an opportunity to comment during pre-consultation and provided a response on November 17th, 2023. DOH-SHWB provided recommendations on mitigation measures and permit requirements related to solid and hazardous waste. The State of Hawai'i DOH Environmental Health Services Division was provided with an opportunity to comment during pre-consultation as well and provided a response on November 29th, 2023 stating that did not have any comments to offer. During the Draft EA public comment period, DOH-SHWB reiterated standard agency comments on mitigation measures and permit requirements. There were no project-specific comments related to solid waste.

POTENTIAL IMPACTS AND MITIGATION MEASURES

The applicant will ensure that any solid waste generated both during construction and after completion will properly delivered to permitted solid waste management facilities. During construction, all solid waste materials will be properly handled, and contractors will follow all applicable requirements to submit disposal receipts and invoices to ensure proper disposal of wastes. Under the potential full buildout scenario, the project will create adequate accommodations to manage solid waste generated within the site and facilitate disposal in compliance with applicable laws and regulations. After completion, the project will encourage the reduction of waste generation, reuse of discarded materials, and the recycling of solid waste within the site and will evaluate opportunities to integrate participation in waste diversion programs.

The Applicant will comply with all applicable provisions under HAR §11-280.1 related to underground storage tanks that may be implemented under the potential full buildout scenario and will coordinate with relevant agencies. The Applicant will comply with all applicable provisions under HAR §11-260.1 to 11-279.1 related to hazardous waste and will coordinate with relevant agencies.

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

4.6 VISUAL RESOURCES

The Project Site is located on the westerly slopes of Haleakalā, this region falls within the County's Makawao-Pukalani-Kula Community Plan region. The Kēōkea/Waiohuli area boasts extensive open space and rolling green hills, with the summit of Haleakalā rising above to the east. To the west, there are views of the ocean and the West Maui Mountains, while coastal and ocean views are also visible to the north and south (State of Hawaii, Department of Hawaiian Home Lands, 2004). In addition to the expansive views from the site, the lower portions of the site contains extensive groves of wiliwili trees.

POTENTIAL IMPACTS AND MITIGATION MEASURES

Under the potential full buildout scenario, the Project will include new buildings and facilities to what is now a site vacant of development. However, the Project is anticipated to have minimal impacts on visual resources and views to the mountains and ocean due to its topography. While the potential full buildout scenario would transform the area with the construction of the Project, the land uses have been designed to preserve natural topography to the best degree possible and will also include sufficient buffers along the boundaries of the gulches. Any structures and buildings constructed under the potential full buildout will be designed to conform with existing communities in the Waiohuli area. To protect the groves of wiliwili trees, it is recommended that the makai portion of the project site be utilized as a preserve for the wiliwili forest and possibly an outplanting site for other native dryland species.

4.7 TRANSPORTATION

The State of Hawai'i Department of Transportation (HDOT) was provided with an opportunity to comment during pre-consultation and provided a response on December 1st, 2023. HDOT provided the following comments:

- 1. The upcoming Draft Environmental Assessment (DEA) should confirm where the proposed access points will be if there are more than one.*
- 2. An evaluation should be provided in the upcoming DEA which determines if the proposed land use, typical trip patterns and activities will have any direct or local impacts on the nearby Kula Highway. If relevant, a Traffic Assessment shall be included and prepared by a traffic engineer licensed in the State of Hawaii. The study should also include any recommendations for mitigation measures to be implemented by the development*

During the Draft EA public comment period, HDOT provided the following comments:

- 1. Thank you for addressing our early consultation comments in STP 8.3684, dated December 1, 2023, in the DEA.*
- 2. HDOT concurs with the findings and recommendations in the Traffic Impact Assessment Report (TIAR) dated April 30, 2024. The report identifies potential adverse impacts on the*

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

traffic conditions of Kula Highway. The applicant shall mitigate the transportation impacts as recommended in the TIAR, subject to HDOT's approval.

Mitigation for direct impacts to state roadways shall be provided at no cost to the HDOT. The applicant shall dedicate right-of-way for recommended transportation mitigation improvements, as required and approved by the HDOT.

3. The HDOT appreciates the strategies proposed in Section 3.6 of the DEA that would reduce carbon emissions such as the use of alternative energy sources with renewable solar technologies.

The HDOT suggests the following carbon emissions reduction strategies:

- Incorporate elements that encourage and enhance the use of multiple types of transportation to reduce carbon emissions.
- Implement the use of energy-efficient technologies and practices, such as light-emitting diode lighting.
- Use sustainable, recycled, or low-emission materials in construction and manufacturing.

4.7.1 Roadways and Traffic

A Traffic Impact Analysis Report (TIAR) was conducted by Austin, Tsutsumi & Associates, Inc. (ATA) to analyze the potential impacts of the proposed project to the surrounding transportation system, including roadways, traffic patterns, and pedestrian and bicycle facilities (see Appendix E). Manual transportation volume turning movement counts and observations were conducted in April 2024.

EXISTING CONDITIONS

Roadway Conditions

The weekday AM and PM peak hours of traffic were determined to occur between 6:45-7:45 AM and 3:30 PM- 4:30 PM, during both peak hours intersections operated acceptably at Level of Service (LOS) B or better. The Project Site is comprised of seven roadways, below are brief descriptions of each roadway.

Ka'amana Street is a two-way, two-lane roadway that provides connection to residences in the study area. This roadway begins to the west with its intersection with Keanuhea Street and continues eastward until its intersection with Kula Highway.

Kekaulike Avenue is a two-way, two-lane roadway that begins to the southwest at its intersection with Kula Highway and extends northeast until at its intersection with Haleakalā Highway, where the roadway continues northward as Haleakalā Highway.

Kula Highway is generally a north-south, two-way, two-lane roadway. This roadway begins to the south near Ulupalakua School & Ranch (where it transitions from Pi'ilani Highway) and extends northward until it transitions to Haleakalā Highway north of its intersection with Makaena Place.

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

Lau'ie Drive is a two-way, two-lane roadway that begins to the east at its intersection with Kula Highway and extends westward until it ends in a cul-de-sac near the Waiohuli Community Center.

Polipoli Road is a two-way, two-lane unstriped roadway that begins to the west at its intersection with Polipoli Road and extends to the southeast until it ends in a cul-de-sac to the southeast of its intersection with Middle Road.

Pueo Drive is a two-way, two-lane roadway that begins to the east at its intersection with Kula Highway and extends westward until it ends in a cul-de-sac to the west of its intersection with Hiipali Loop.

Thompson Road is generally a two-way, two-lane roadway that begins to the north at its intersection with Kula Highway and extends southward until it transitions to Kēōkea Place, which ultimately provides access to Kula Hospital & Clinic and loops around to connect back to Kula Highway. The posted speed limit is 15 in the vicinity of the Project.

Bicycle and Pedestrian Facilities

There are no existing sidewalks within the Project Site and no sidewalks along Kula Highway or Lau'ie Drive.

There are no existing bicycle facilities within the Project Site as the land is vacant. There are also no existing bicycle facilities in the surrounding community other than the shared roadway signage along Kekaulike Avenue between Haleakalā Crater Road and Kula Highway. Under current conditions, bicyclists must share the roadway with vehicular traffic. A proposed shared roadway sign is proposed along Kula Highway between Kekaulike Avenue/ Haleakalā Highway and Pi'ilani Highway.

Transit

Maui Bus is the County of Maui's primary form of public transit that offers fixed-route transit in the Maui area. The Project Site is served by the Kula Islander (Route 39), which provides service between Kula Hospital and the transit hub at Queen Ka'ahumanu Shopping Center in Kahului. The nearest existing stop to the Project is the Lau'ie Drive/Ahulua Street stop.

POTENTIAL IMPACTS AND MITIGATION MEASURES

The TIAR evaluated potential conditions under the potential full buildout scenario, if selected by the community. The Site will have direct access to Lau'ie Drive along the southeastern boundary where it terminates near the existing Waiohuli Community Center. The proposed conceptual design includes an extension of Lau'ie Drive into the Site, which will ultimately offer vehicular access to Kula Highway to the east, Kēōkea homestead lots and Keanuhea Place beyond them to the north, with Ka'amana Street running between the parcels.

Projections for Base Year 2024 were based upon the Maui Regional Travel Demand Model. As a result of the development in the area, the annual growth rate along Kula Highway was 0.64% per year and the traffic along Kula Highway is projected to significantly increase to 215-415 trips in each direction.

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

Projected impacts under a future year of 2044 with a potential full buildout of the site and anticipated that the project would generate approximately 252 trips during AM peak hours and approximately 392 trips during PM peak hours.

Within the Project Site all intersections are anticipated to operate at LOS D during peak hours, except for eastbound left turn traffic at Kula Highway/ Lau'ie Drive intersection, which is projected to operate at LOS E. Some of the minor stop-controlled approaches at the Kula Highway intersections with Kekaulike Avenue and Pueo Drive are anticipated to operate at LOS E/F, however all movements are anticipated to operate under capacity.

Due to the high volume of left-turns from Kula Highway/ Lau'ie Drive intersection onto Kula Highway, it is recommended that a traffic signal or median refuge lane be considered. Installing a traffic signal can improve the LOS at the intersection to a B and with a median refuge lane traffic is projected to operate at LOS C or better across both peak hours. When considering traffic signal or median refuge, design parameters such as laneage, right of way should be considered. The applicant will mitigate the transportation impacts identified in the TIAR and will coordinate with HDOT for approval of the planned mitigation measures recommended. The mitigation measures with direct impacts on state roadways will not require HDOT to incur any costs. The applicant will coordinate with HDOT for relevant approval and dedication of right-of-way improvements necessary to accommodate the proposed project.

Under the potential full buildout scenario, the proposed project will offer pedestrian pathways throughout the Site as a means to encourage alternative transportation modes. The Project will include Complete Streets Design elements for a safe pedestrian network such as wide sidewalks, crosswalks, green buffers, speed bumps, pedestrian refuge islands, curb extensions, and walkway trails within the proposed greenways as an alternative transportation mode to reduce carbon emissions. The applicant will consider additional elements to encourage multi modal transportation opportunities during the final design of the project. The applicant will also evaluate implementing energy-efficient technologies and practices as well as use of sustainable, recycled and/or low-emission materials for construction of the project.

4.7.2 Airports

The Project Site is located approximately 11.5 miles geographically from Kahului Airport.

POTENTIAL IMPACTS AND MITIGATION MEASURES

There are no anticipated impacts expected from the proposed project to the Kahului Airport.

4.8 INFRASTRUCTURE AND UTILITIES

R. T. Tanaka Engineers, Inc. (Tanaka) prepared a Preliminary Engineering Report (PER) for the proposed Project. The evaluation of the Project was based on a potential full buildout scenario, if selected by the Waiohuli community. The findings of the report are summarized in the sections below. See Appendix F for the full engineering report.

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

4.8.1 Water System

The County of Maui, Department of Water Supply (DWS) has a water system in the vicinity of the Site, which is part of the Upper Kula Water System. The existing water system closest to the Site comprises a single 8-inch water line located at the end of Lau'ie Drive, abutting the Site on the eastern end near the Waiohuli Community Center.

To investigate the feasibility of a viable private water supply for the Project, a water engineering consultant was contracted to evaluate an onsite test well and to research information from the State of Hawai'i Commission on Water Resource Management. The onsite test well (Well No. 6-4422-001) has been instructive to determine the feasibility of developing a groundwater source to service the Project. According to the *Groundwater Resources Feasibility Study for the Waiohuli Hawaiian Homesteaders Association Community Economic Plan* prepared by INTERA in 2019 (Appendix G), the Site is located on the Kama'ole Aquifer, State Aquifer Code 60304 of East Maui. This aquifer has a sustainable yield of 11 million gallons per day (mgd), which was established by the Commission on Water Resource Management (CWRM) and the 2021 12-month moving average (MAV) pumpage was approximately 3 mgd. There are 181 drilled wells, dug wells, and tunnels in the aquifer, with the majority of the wells drilled near the coast. The primary groundwater resource is basal. Groundwater basal aquifers are the most important sources of freshwater supply in Hawai'i.

The County of Maui Department of Water Supply (DWS) was provided with an opportunity to comment during pre-consultation and provided a response on December 1st, 2023. DWS provided the following comments:

For the upcoming EA, please include the following information:

- 1. What is the quantity of potable water use anticipated?*
- 2. What is the quantity of non-potable water use anticipated?*
- 3. What sources will be utilized?*
- 4. What water conservation strategies will be implemented?*
- 5. Will water reuse strategies be implemented?*

During the Draft EA public comment period, State of Hawai'i Commission on Water Resource Management provided the following comments:

- 1. We recommend coordination with the county to incorporate this project into the county's Water Use and Development Plan. Please contact the respective Planning Department and/or Department of Water Supply for further information*
- 2. We recommend coordination with the Engineering Division of the State Department of Land and Natural Resources to incorporate this project into the State Water Projects Plan*
- 3. We recommend that water efficient fixtures be installed and water efficient practices implemented throughout the development to reduce the increased demand on the area's freshwater resources. Reducing the water usage of a home or building may earn credit*

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

towards Leadership in Energy and Environmental Design (LEED) certification. More information on LEED certification is available at <http://www.usgbc.org/leed>. A listing of fixtures certified by the EAP as having high water efficiency can be found at <http://www.epa.gov/watersense>.

4. We recommend the use of best management practices (BMP) for stormwater management to minimize the impact of the project to the existing area's hydrology while maintaining on-site infiltration and preventing polluted runoff from storm events. Stormwater management BMPs may earn credit toward LEED certification. More information on stormwater BMPs can be found at <http://planning.hawaii.gov/czm/initiatives/low-impact-development/>
5. We recommend the use of alternative water sources, wherever practicable.
6. We recommend participating in the Hawaii Green Business Program, that assists and recognizes businesses that strive to operate in an environmentally and socially responsible manner. The program description can be found online at <http://energy.hawaii.gov/green-business-program>.
7. We recommend adopting landscape irrigation conservation best management practices endorsed by the Landscape Industry Council of Hawaii. These practices can be found online at http://www.hawaiiscape.com/wp-content/uploads/2013/04/LICH_Irrigation_Conservation_BMPs.pdf.
8. There may be the potential for ground or surface water degradation/contamination and recommend that approvals for this project be conditioned upon a review by the State Department of Health and the developer's acceptance of any resulting requirements related to water quality.
9. A Well Construction Permit(s) is (are) are required before the commencement of any well construction work. We will include you in future correspondence regarding updates on the proposed project throughout the environmental review process in compliance with HRS Chapter 343.
10. A Pump Installation Permit(s) is (are) required before ground water is developed as a source of supply for the project.
11. The proposed project is within the Keokea/Waiohuli tract of the State Water Projects Plan (SWPP). At the time of the 2017 SWPP report non-potable water allocation for agricultural areas was 0.578 MGD. It is recommended to check the SWPP and remaining allocations for potable water demand.

POTENTIAL IMPACTS AND MITIGATION MEASURES

Analysis of water availability for the Project can be found in Appendix F, a Preliminary Engineering Report and Appendix G, a Groundwater Resources Feasibility Report. Based on available groundwater assessed in the groundwater resources feasibility study, there is adequate water supply to meet the maximum water demand of the proposed Project with possible residential development under a potential full buildout scenario (Appendix G).

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

Under the full buildout scenario, the project will not exceed available water resources of the Kama'ole Aquifer. The Commission on Water Resource Management (CWRM) established the Sustainable Yield of the aquifer of 11 mgd and the 2021 12-month moving average pumpage was approximately 3 mgd. The proposed water demand for both potable and non-potable water under a potential full buildout scenario is estimated at an average of 357,610 gallons per day (gpd) for domestic use with a maximum daily demand of 536,415 gpd. The maximum fire flow demand to service the Project is anticipated to be 2,000 gallons per minute (gpm). The combined water demand based on maximum daily demand and fire flow is anticipated to be 2,386 gpm under the potential full buildout scenario.

To access water for the Project, a new well is required. The 2017 State Water Projects Plan (SWPP) Update was focused on the water needs of DHHL and provides a summary of water demand by DHHL tract, including Waiohuli and Kēōkea. The SWPP notes that a new water system will be needed to serve DHHL's planned residential and community uses in this tract (State of Hawaii, Commission on Water Resource Management, 2017). The SWPP notes the exploratory well (Well No. 6-4422-001) which is also discussed in the Project's Preliminary Engineering Report and Groundwater Resources Feasibility Reports (Appendices F and G). All three documents note the need for a new well to meet water demand for the Project. A single well will provide sufficient capacity for the proposed demand, however, due to the possibility of pump failure, either emergency cross connection with the Maui Department of Water Supply system or a second well may be required.

With respect to water quality, the feasibility study (Appendix G) further found that there are no known organic contaminants or detected sources of contamination near the Site. However, new development upgradient and close to the Site could impact groundwater quality and an investigation of nitrate levels is recommended before developing the source due to sewage disposal systems in the area. The aquifer underlying the Site provides a sufficient yield at an acceptable water quality level for potable purposes under current conditions. However, additional land development that relies on groundwater pumping could impact groundwater levels in the aquifer and contribute to groundwater level declines underling the Site. WHHA will work with local developers and planners in the area to minimize potential impacts from groundwater development to ensure groundwater quality is not impacted and groundwater levels do not decline. The applicant will coordinate with the State Department of Health to ensure that water quality standards are maintained throughout the project site and appropriate mitigation measures are implemented to prevent water degradation and/or contamination.

Improvements to meet water requirements for the proposed Project include:

1. Investigate nitrate levels before developing the source.
2. Install new well with a pump (secondary well may be required for contingency)
3. Construct a storage tank or reservoir with capacity to meet maximum daily demand
4. Install waterline infrastructure (including laterals, fire hydrants and transmission lines to storage tanks)

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

5. Develop offsite water system (including storage tanks and transmission lines)

The applicant will comply with all necessary requirements to acquire a well construction permit and pump installation permit prior to the construction of the proposed groundwater well to serve the project under the potential full buildout scenario. The Project is anticipated to utilize best practices for water conservation throughout the Site, including landscaping that incorporates drought-tolerant native plants and other water efficient landscape design techniques. Various water conservation technology and design should be implemented in the development and construction of community support training facilities such as rainwater catchment systems, non-potable water use, water-efficient fixtures and monitoring systems to track water use. While specific water reuse strategies are not named in the plans at this time, water reuse may be considered as plans are being finalized.

For fire-fighting purposes, fire hydrants will be designed and spaced based on DWS standards to offer sufficient fire protection for the Project. See Figure 17 for a map of the proposed water system.

With respect to non-potable water needs and available supply, the 2017 State Water Projects Plan notes that an agricultural water system was in the process of construction, but that the Department of Agriculture did not have sufficient funds to provide transmission to DHHL tracts, including Waiohuli. The State's Agricultural Water Use and Development Plan (AWUDP), most recently updated in 2021 notes that the Upcountry Maui Irrigation System will eventually serve the agricultural lands including DHHL's lands (State of Hawaii, Commission on Water Resource Management, 2021). Although this Environmental Assessment evaluates a potential full buildout scenario, a calculation of potential non potable water demands is provided, should the areas designated for Agricultural Development Training Sites (42 acres) be utilized exclusively for agriculture. Based on the County's Water System Standards, the proposed water demand for non-potable water if 42 acres of land were developed for agricultural uses is estimated at an average of 210,000 gallons per day (gpd) (County of Maui Department of Water Supply, 2002). In this case, the anticipated non-potable water demand for the Site would remain within the allocation for agricultural areas within the Keokea/Waiohuli tract of the State Water Projects Plan. With funding for a non-potable transmission line uncertain, DHHL may need to prioritize development of residential and community uses ahead of agricultural uses, or utilize more traditional means of water collection and distribution for agricultural uses.

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

4.8.2 Wastewater System

There is no existing wastewater infrastructure in the vicinity of the Project Site.

POTENTIAL IMPACTS AND MITIGATION MEASURES

Under a potential full buildout scenario, the total anticipated wastewater flow would be approximately 102,765 gpd. To meet the wastewater capacity required, the Project will consider three wastewater improvement options recommended in the preliminary engineering report to support the projected demand under the potential full buildout. The options include:

1. Installation of Individual Wastewater System (IWS) facilities
2. Installation of a new Wastewater Treatment Facility (WWTF) at the western end of the Site with gravity sewer lines to collect and convey wastewater flows
3. Develop pre-manufactured package plant facilities to treat wastewater in small communities to accommodate

At a minimum, the proposed Project will require the installation of Individual Wastewater System (IWS) facilities to support the proposed training facilities and the potential for residential development on the Site. The IWS will conform to all requirements under Chapter 11-62 of the State Department of Health's Administrative Rules regarding wastewater. The preliminary estimated cost to install the recommended wastewater system under a potential full build out is approximately \$10,481,675. See Figure 18 for a map of the proposed wastewater system.

4.8.3 Drainage System

Stormwater runoff generated from the Project Site sheet-flows downhill in a westerly direction and into the Waiohuli Gulch. There is no existing drainage system or retention system onsite as the land is vacant undeveloped naturally occurring conditions. The Project Site is not impacted by offsite stormwater runoff from adjacent properties as runoff collecting on the existing mauka single family lots are collected by drainage swales and grated drain inlets and then conveyed to existing gulches north and south of the Site.

POTENTIAL IMPACTS AND MITIGATION MEASURES

The proposed Project under the potential full buildout scenario will increase the existing stormwater runoff due to addition of impervious surfaces such as building roofs, pavement and concrete walkways. While the Project will increase runoff, it is not anticipated to generate any adverse drainage effects on downstream properties and roadways.

Drainage improvements recommended by the preliminary engineering report include retention of runoff volume generated by the Project to reduce stormwater runoff into the downstream properties. Retention basins will also mitigate the potential for sediments contained in the runoff from impacting downstream properties and eventually the ocean. Additionally, a drainage system will include a series of grated drain inlets with drain lines to collect and convey surface

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

stormwater into the gulches surrounding the Site. A contiguous natural green space corridor will also be incorporated into the Project that is designed to follow existing land contours. The green space buffer abutting the gulches will provide ecosystem services by maintaining natural drainage to minimize erosion, facilitate flood control, and preserve natural habitat corridors for wildlife. The green space corridor will also offer a natural buffer between the proposed development areas and the gulches that form the boundaries of the Site as well as providing natural spaces separating various master plan elements.

The onsite drainage system and surface retention basins incorporated in the Project will be based on Maui County Drainage Standards with capacity to manage stormwater flows equal to the 50-year, 1-hour runoff volume increase based on projected generation from the impervious surfaces proposed by the Project. See Figure 19 for a map of the proposed drainage system

4.8.4 Electrical and Telecommunication Utilities

Utilities in the vicinity of the Project Site include existing overhead electrical and telephone facilities along the mauka portion of Hawaiian Home Lands (Kula Residence Lots Subdivision) near the eastern boundary of the Site. These existing facilities currently service adjacent and nearby existing developments.

POTENTIAL IMPACTS AND MITIGATION MEASURES

Under the potential full buildout scenario, the Project is anticipated to utilize connections to the existing overhead facilities currently servicing the neighboring residential lots. Within the Project Site, electrical and telecommunications facilities may include underground installation for onsite utilities.

ITEM G-1 EXHIBIT A

ITEM G-1 EXHIBIT A

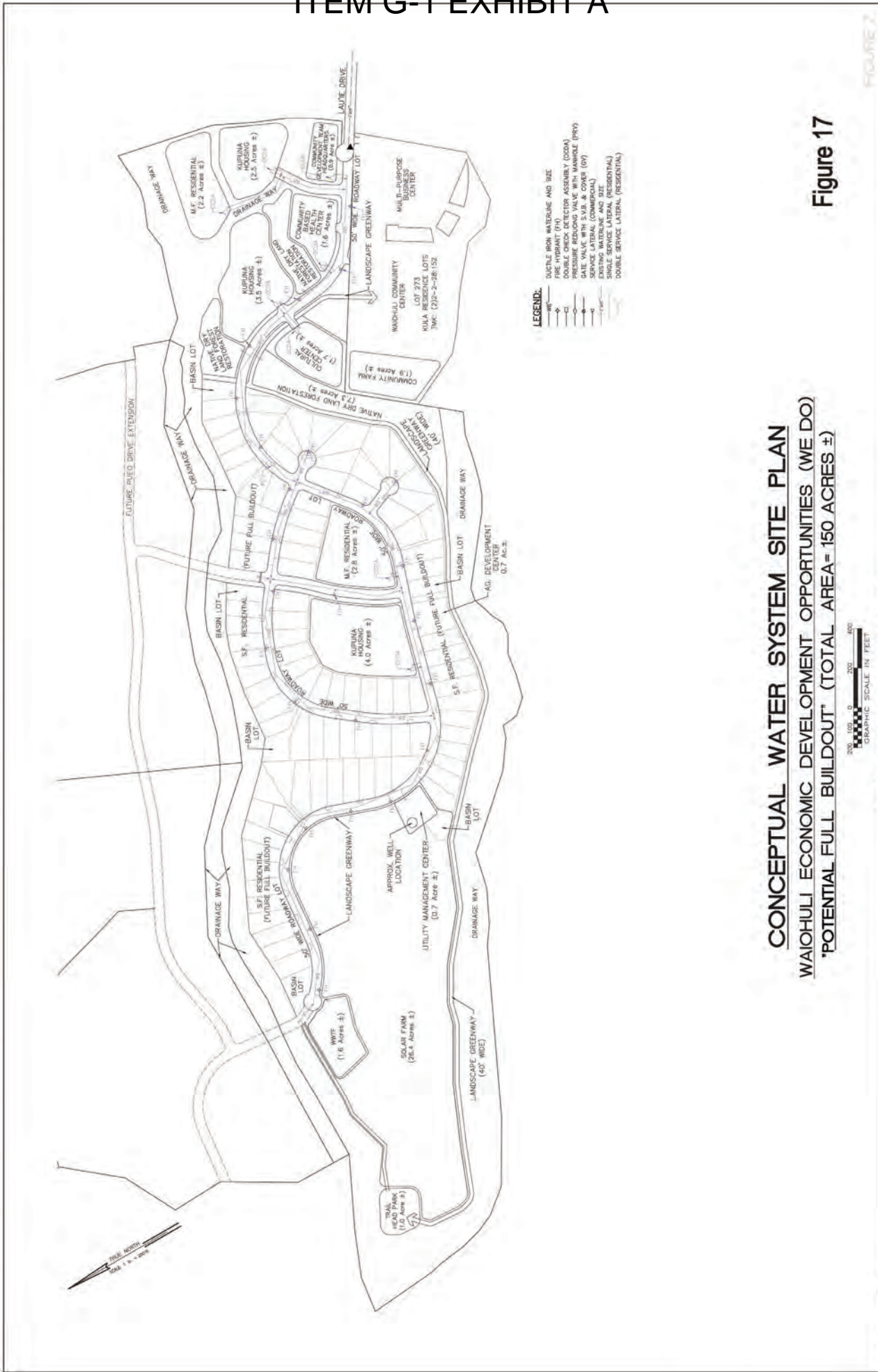


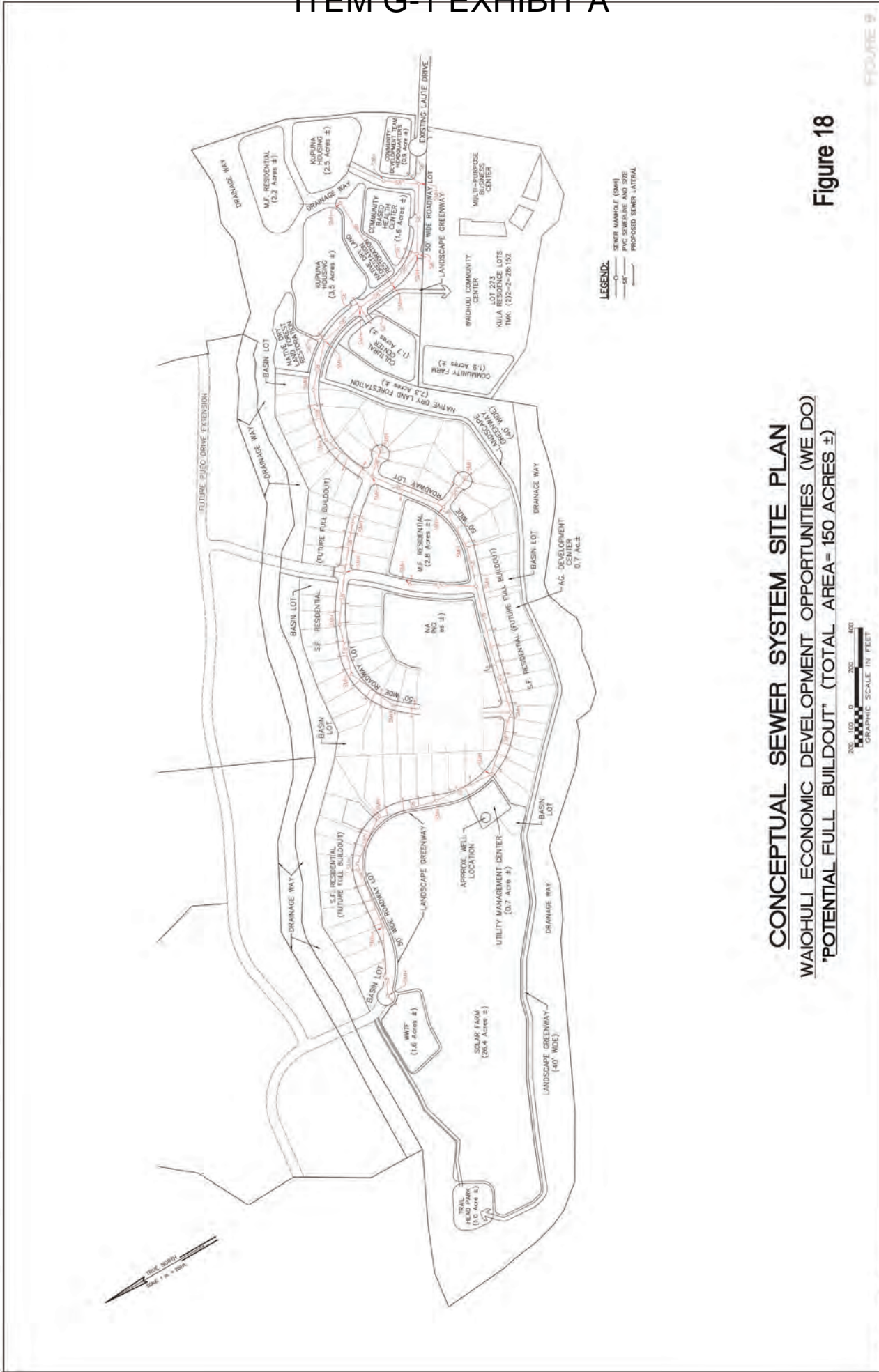
Figure 17

CONCEPTUAL WATER SYSTEM SITE PLAN
WAIOHULI ECONOMIC DEVELOPMENT OPPORTUNITIES (WE DO)
"POTENTIAL FULL BUILDOUT" (TOTAL AREA= 150 ACRES ±)



R. T. TANAKA ENGINEERS, INC.
 871 KOLI STREET, SUITE 201
 WAILUKU, MAUI, HAWAII 96793

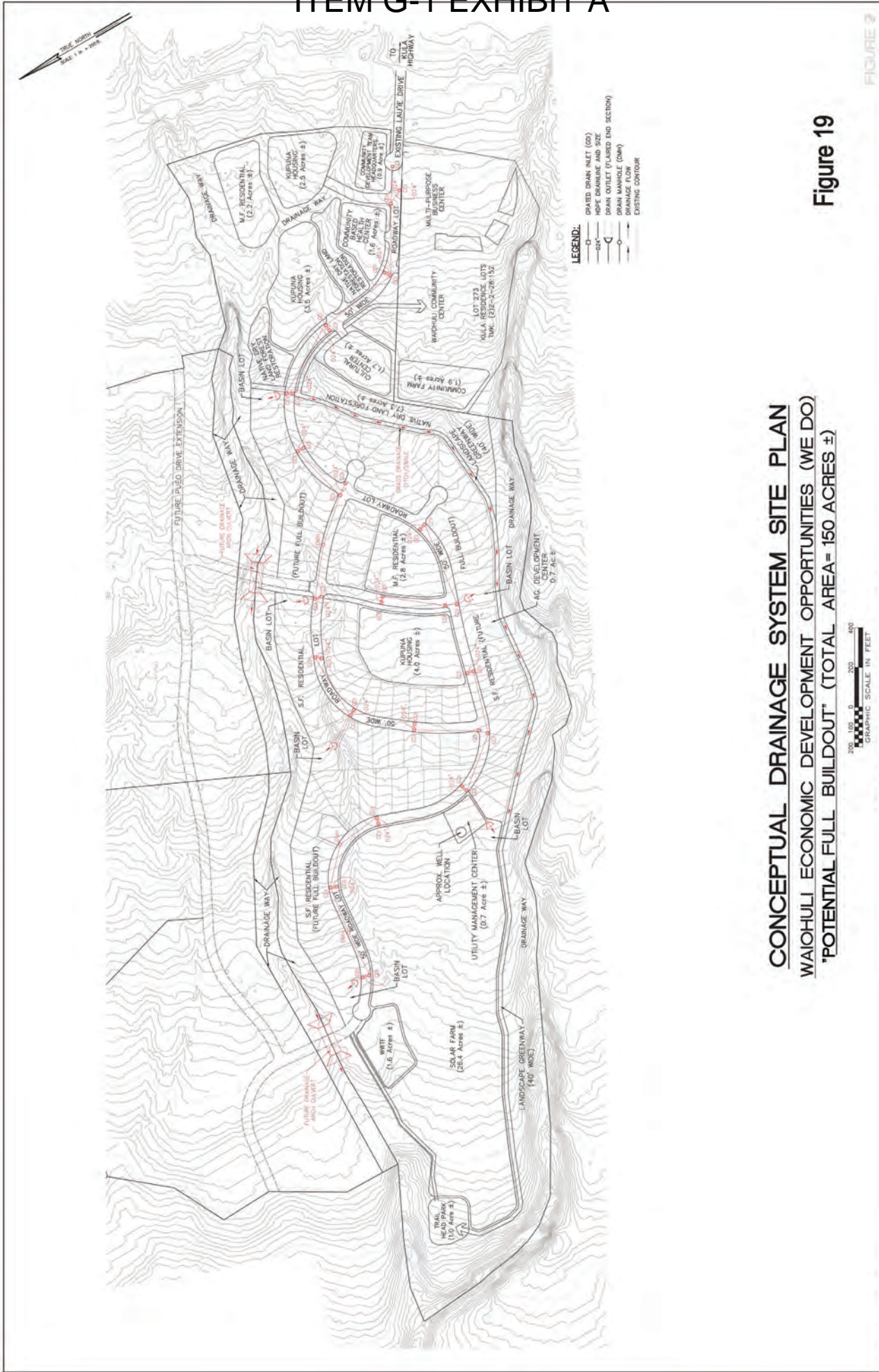
ITEM G-1 EXHIBIT A



CONCEPTUAL SEWER SYSTEM SITE PLAN
WAIHOLI ECONOMIC DEVELOPMENT OPPORTUNITIES (WE DO)
"POTENTIAL FULL BUILDOUT" (TOTAL AREA = 150 ACRES ±)

Figure 18

ITEM G-1 EXHIBIT A



CONCEPTUAL DRAINAGE SYSTEM SITE PLAN
WAIHOLI ECONOMIC DEVELOPMENT OPPORTUNITIES (WE DO)
"POTENTIAL FULL BUILDOUT" (TOTAL AREA = 150 ACRES ±)

200 100 0 200 400
 GRAPHIC SCALE IN FEET

R. T. TANAKA ENGINEERS, INC.
 871 KOLI STREET, SUITE 201
 WAIHOLI, MAUI, HAWAII 96793

871 KOLI STREET, SUITE 201
 WAIHOLI, MAUI, HAWAII 96793

FIGURE 19
 JOB NO. 24-005

ITEM G-1 EXHIBIT A

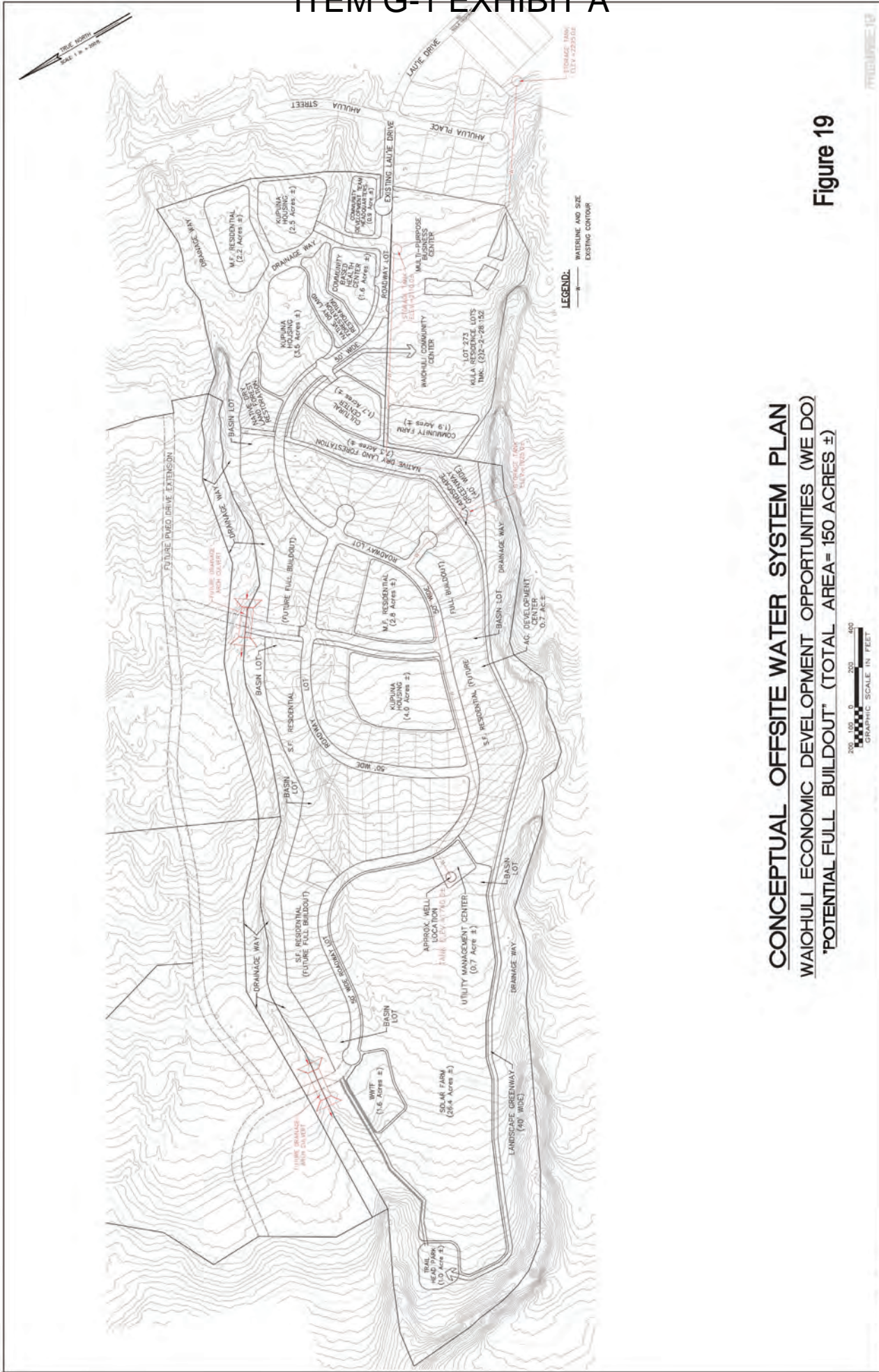


Figure 19

CONCEPTUAL OFFSITE WATER SYSTEM PLAN
WAIHOLI ECONOMIC DEVELOPMENT OPPORTUNITIES (WE DO)
"POTENTIAL FULL BUILDOUT" (TOTAL AREA = 150 ACRES ±)

R. T. TANAKA ENGINEERS, INC.
 871 KOLI STREET, SUITE 201
 WAILUKO, MAUI, HAWAII 96793

871 KOLI STREET, SUITE 201
 WAILUKO, MAUI, HAWAII 96793

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

4.9 SOCIO-ECONOMIC CHARACTERISTICS

The County of Maui has experienced steady population growth in recent decades, increasing 6.4% between the decennial US Census counts in 2010 and 2020. Over this period, the county's population increased from 154,930 in 2010 to a total of 164,836 in 2020. This growth almost neared the State's overall population change, which increased by 7% over the same timeframe. The County of Maui has also continued steady growth based on US Census estimates for 2022 while the State has experienced a slight population decrease during these years. Based on the 2020 Census, the Kēōkea Census Designated Place (CDP) maintained a total population of 2,645, which was an 89% increase from the 1,394 recorded in 2010 and represents roughly 1.6% of the total population for the county. The Kēōkea CDP also has a relatively dense population with 824 people per square mile, which is significantly more concentrated compared to the county-wide 140.5 people per square mile reflected in the 2020 Census. The average household size for Kēōkea is roughly 3.86 persons per household, slightly more than the 3 persons in the County of Maui. In addition to the decennial census counts, population data estimates are provided for the vintage year 2022 from the U.S. Census Population Estimates Program (PEP) Quick Facts portal and the American Community Survey 5-Year Estimates (2017-2021) shown in Table 4-1 below.

Table 4-1: Population Data

Characteristic	Kēōkea CDP	County of Maui	State of Hawai'i
Total population (2021)	2,645	164,568	1,453,498
% of population under 18	25.90%	21.70%	21.40%
% of population 65 years and over	14.70%	18.60%	18.50%
Total Population (2021)	2,645	164,568	1,453,498
Households (2017-2021)	686	53,919	478,413
Persons per household, (2017-2021)	3.86	3	2.95
Total Housing Units (2017-2021)	731	71,318	556,937
Owner Occupied Housing Unit Rate (2017-2021)	85.30%	63.90%	61.0%
Population per square mile (2020)	824.0	140.5	226.6
Mean travel time to work (minutes) (2017-2021)	35.1	21.9	26.8

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

DHHL's Kēōkea-Waiohuli Tract is the largest of three DHHL holdings within the Maui Island Plan's Upcountry planning region. This tract consists of 6,112 acres of the 6,154.0 acre Upcountry holdings (State of Hawai'i Department of Hawaiian Home Lands, 2004).

DHHL's Kēōkea-Waiohuli Tract offers tremendous economic development and community capacity building opportunities. Currently, three homestead areas are under phased development: 1) the Kula Residence Lots subdivision; 2) the Kēōkea Farm Lots; and 3) the Waiohuli Undivided Interest subdivision. The DHHL Kēōkea-Waiohuli Tract has the potential to be the largest homestead region on Maui.

Agencies at both the State and County level were provided with an opportunity to comment during preconsultation.

The County Department of Housing and Human Concerns (DHHC) provided a response on November 14th, 2023. DHHC provided the following comments:

No comments. Project is exempt from residential workforce housing agreement.

The State of Hawai'i Department of Human Services (DHS) was provided with an opportunity to comment during pre-consultation and provided a response on December 1st, 2023. DHS provided the following comments:

DHS has reviewed the Waiohuli Economic Development Opportunities project and the map of the area. At this time, DHS has no comments.

The State of Hawai'i Office of Planning and Sustainable Development (OPSD) was provided with an opportunity to comment during pre-consultation and provided a response on December 5th, 2023. OPSD provided the following comments:

- 1. Although the project is framed as an economic development and job training venture, future permanent development features appear to be anticipated once the training is complete, e.g., community facilities, potable water supply and wastewater treatment facilities, commercial agriculture, and renewable energy facilities. The Environmental Assessment (EA) should disclose the location and amount of the site designated for each use to be used for job training and to be set aside for permanent facilities.*
- 2. The EA should identify the entity(s) anticipated to conduct the job training, their qualifications, the source of trainees (Waiohuli Homestead beneficiaries, DHHL beneficiaries in general, or others), and training hours and duration. The training will likely result in impacts to the land that may need mitigation in the short- and long-term. The proposed mitigation should be described.*
- 3. The EA should also discuss the potential expansion of the Waiohuli Homesteads with residential and agricultural lots in the project area as this is implied in the description of the training sites.*

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

During the Draft EA public comment period, OPSD provided the following comments:

The Office of Planning and Sustainable Development has reviewed the DEA-AFONSI and has no further comments for the Final EA.

POTENTIAL IMPACTS AND MITIGATION MEASURES

The proposed project has the potential for residential development on the Site in the future if desired by the Waiohuli community. In addition, the project is anticipated to provide community-based job opportunities derived from development of infrastructure, agricultural cultivation, renewable energy, and water source development to create long-term economic sustainability for Waiohuli. These economic development opportunities, and specifically capacity building opportunities, are proposed to be realized through both construction and operation of the development phases. Training opportunities will be sought throughout the construction and operations of the community and its component elements.

The DHHL Beneficiary demand for additional housing in upcountry Maui and development under the potential full buildout scenario will help to satisfy a portion of this demand. The proposed project is not expected to significantly impact population growth in the broader region and will not create additional strain on other area facilities as a direct impact of the project. However, under a full-build out scenario, the Project may result in a moderate population increase for the community by providing new homesteading opportunities for native Hawaiians on the Maui homestead waitlist.

4.10 PUBLIC SERVICES AND FACILITIES

4.10.1 Public Schools

The only public school under the jurisdiction of the State of Hawai'i Department of Education (DOE) within the vicinity of the Project Site is Kula Elementary School. The DOE was provided with an opportunity to comment during pre-consultation and provided a response on December 1st, 2023. The DOE provided the following comments:

Based on the information provided, the proposed project will not impact Hawaii State Department of Education Facilities.

During the Draft EA public comment period, DOE provided the following comments:

Based on the information provided for this project, we currently do not have any comments to provide at this time.

POTENTIAL IMPACTS AND MITIGATION MEASURES

No significant impacts are anticipated. While the project does include opportunities for residential development in the future, the proposed development will not increase the number of school-aged children in the region in the short term. During construction, the project will

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

generate noise and may generate dust and appropriate measures will be taken to minimize these potential impacts to schools in the area. However, the closest school to the Project Site is approximately 2.6 miles away and impacts to public schools is not expected during construction.

4.10.2 Police, Fire and Medical Services

Police Protection

The Project Site is located in the Wailuku District and the closest police station is located approximately 21.5 miles away in Wailuku. The County of Maui Police Department was provided with an opportunity to comment during pre-consultation and provided a response on November 20th, 2023. The Police Department stated they have no objections to the project and provided the following comments:

In review of the submitted documents, we have no objections to the upcoming construction project if it meets the minimal standards set forth by county codes and state laws. Efforts should be made to minimize noise, dust, and debris so not to inhibit those whose health and well-being may be affected. We suggest utilizing adequate traffic control devices and/or personnel to minimize the impacts to pedestrian and vehicular movement by heavy construction equipment/vehicles traveling in and out of the area. If the roads will be temporarily closed due to alternating traffic, we recommend the project manager utilize flag men to conduct traffic control and to have proper signage posted along the routes during construction. Lastly, we recommend using proper and adequate lighting during evening, late night, and early morning hours during construction until completion.

POTENTIAL IMPACTS AND MITIGATION MEASURES

The project will comply with all applicable County codes and State laws during construction. During construction, the project will generate noise and may generate dust, however, appropriate measures will be taken to minimize these potential impacts to the surrounding area. Appropriate measures will also be taken to mitigate the impacts during construction as recommended for traffic control and lighting. After completion of the Project under the potential full buildout scenario, the Project Site will be designed to facilitate emergency services, including appropriate roadway design for access throughout the Site

Fire Protection

The Project Site is located in the Kula District and the closest fire station in the Kula Fire Station, located approximately 4.2 miles away in Kula. The County of Maui Fire Department was provided with an opportunity to comment during pre-consultation and provided a response on December 20th, 2023. The Fire Department provided the following comments:

1. *Water supply for fire protection shall be provided prior to the location and construction of buildings. Water supply for fire protection shall have a minimum flow of 2000 gallons per minute for a two-hour duration with hydrant spacing a maximum of 250 feet between*

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

hydrants. Dead-ends shall have a hydrant within 125 feet. Once construction of buildings are planned, there shall be at least one hydrant within 400 feet of any building to be constructed.

2. Service roads to proposed properties shall have a clear width of 20 feet, with an all-weather surface relative to grade. Any dead-end roads if greater than 150 feet in length, shall be provided with an approved fire apparatus turn-around. All turns and required turnarounds shall have an outside turning radius of 40.5 feet. The maximum grade for the service roads shall meet Dept of Public Works standards. Service roads with a width of 20 to 27 feet require No Parking signs on both sides of the street. Service roads with a width of 28 to 34 feet, parking is allowed on only one side of the street. Service roads with a width of 36 feet or larger, parking is allowed on both sides of the street.

POTENTIAL IMPACTS AND MITIGATION MEASURES

After completion of the Project under the potential full buildout scenario, the Project Site will be designed to support fire protection services, including adequate roadway design for access throughout the Site and adequate spacing for turnaround necessary to accommodate emergency vehicles. The project will meet all requirements for roadway width, turnaround, grade, and signage for all proposed internal roads.

The proposed water system will include accommodation for fire protection and fire hydrants will be designed and spaced based on DWS standards to offer sufficient fire protection across the Site. Fire hydrants will be designed and spaced based on requisite standards to offer sufficient fire protection across the Site with at least one hydrant within 400 feet of any building. The maximum fire flow demand to service the Project under the potential full buildout scenario is anticipated to be 2,000 gallons per minute (gpm).

Medical Services

The Project Site is located approximately 3.1 miles from Kula Hospital.

POTENTIAL IMPACTS AND MITIGATION MEASURES

The proposed conceptual plan also includes a community-based health center to provide both traditional Hawaiian healing practices and western medical services.

4.10.3 Recreational Facilities

There are not existing recreational facilities as the land is undeveloped, vacant land. The County of Maui Department of Parks and Recreation (DPR) was provided with an opportunity to comment during pre-consultation and provided a response on November 28th, 2023. DPR provided the following comments:

Thank you for the opportunity to review and comment on the subject project. In accordance with Maui County Code 18. 16. 320 Parks and Playgrounds, this project is exempt from park assessment fees. The Department of Parks and Recreation has no further comments at this time.

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

POTENTIAL IMPACTS AND MITIGATION MEASURES

The Project is not anticipated to have a significant impact on parks or other recreational facilities in the surrounding area. Recreational spaces within the Project will include walking paths and green space along the southern boundary of the Site. Recreational green spaces and the proposed greenway trails will also connect to the proposed trailhead at the western end of the Site where a small one-acre park is proposed.

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

5 LAND USE CONFORMANCE

State of Hawai'i, Department of Hawaiian Home Lands, and County of Hawai'i land use plans, policies, and ordinances relevant to the Proposed Project are described below.

5.1 DHHL PLANNING SYSTEM

The Hawaiian Homes Commission Act (Sections 204 and 206), which has been incorporated into Article XII of the Hawai'i State Constitution, vests DHHL with exclusive authority to control its lands, and the anticipated land uses are generally consistent with the Department's existing Maui Island Plan.

In 2004, DHHL adopted the (DHHL) Maui Island Plan which examined all DHHL land in terms of development constraints and opportunities and other criteria, in order to assign appropriate Land Use Designations to each parcel (State of Hawaii, Department of Hawaiian Home Lands, 2004).

Across the islands, kuleana lands slowly disappeared since the days of the Māhele. In 1940, only 35% of these lands had survived, and by 1980, only 19% remained. Areas that were impacted the most included plantation districts where large-scale farms slowly surrounded and impeded natural resources.

In 1992, the Federal Government reallocated money and additional lands to the Hawaiian Home Lands program "as compensation for the state's improper or unauthorized use or transfer of 30,000 acres of Hawaiian home lands since statehood in 1959". This process resulted in \$13.8 million "set aside for DHHL to develop more homes and agricultural lots for native Hawaiians,".

DHHL provides long-term and comprehensive land use planning for the trust holdings in support of the Hawaiian Homes Commission, the Department, and its beneficiaries in realizing the agency's mission, goals, and objectives. The planning system includes three tiers: a General Plan that identifies long term goals, articulates vision, and organizes priorities; Island Plans, such as the Maui Island Plan referenced throughout this document, which focus on island-specific land use projections; and, Regional Plans and Area Development Plans which address issues and opportunities relative to existing homestead communities.

5.1.1 Hawai'i Administrative Rules Chapter 10-7

In 2019, new Administrative Rules were adopted allowing rentals on Hawaiian Home Lands. The new rules offer opportunities for beneficiaries who are waiting for homesteads, or those who otherwise could not afford or may desire other housing types. The rental housing rules allow for housing types such as multi-family rental housing, kupuna housing, and transitional or supportive housing (State of Hawaii, 2019).

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

5.1.2 DHHL General Plan

DHHL’s General Plan was updated in 2022 (State of Hawaii, Department of Hawaiian Home Lands, 2022). The updated plan identifies new policies, land use designations, and proposes a new approach to land use designations with updated criteria. The updated designations in the General Plan include 13 designations in total. The new designations include:

- DHHL Kuleana
- Stewardship
- Community Agriculture
- Renewable Energy

During the General Plan creation process, DHHL beneficiary consultation resulted in the suggestion of removing the “General Agriculture” designation from the 2002 Plan and replace it with a land use designation that better describes its intent. Previously, lands designated as General Agriculture were undeveloped lands that were not slated for immediate development but were in need of an interim use designation until higher and better uses were identified. In its stead, a new land use designation called “DHHL Kuleana” homestead lots was suggested during beneficiary consultation (see table below for description) for homestead use.

The added criteria in determining the most fitting land use designation includes climate change hazards, critical habitats, archaeological sites, flood risk, and State and County Land Use Designations.

Homestead Uses	Description
Residential	Residential lot subdivisions built to County standards in areas close to existing infrastructure. Subdistricts may be established for multi-generational and single family housing types.
Subsistence Agriculture	Small lot agriculture in areas close to existing infrastructure. Lifestyle areas intended to allow for home consumption of agricultural products.
Supplemental Agriculture	Large lot agriculture intended to provide opportunities for agricultural production for supplemental income and home use. Agricultural plan required.
Pastoral	Large lot agriculture specifically for pastoral uses. Ranch plan and fencing required.

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

DHHL Kuleana (new)	Raw (without infrastructure) lots intended for “off-grid” subsistence lifestyles to allow for more choices as to how lessees wish to develop their lots. Must participate in maintenance of the right-of-way to the Kuleana Homestead tract.
---------------------------	--

Non-Homestead Uses	Description
Community Use	Common areas for community uses and public facilities. Includes space for parks and recreation, cultural activities, community based economic development, utilities, and other public facilities and amenities.
Community Agriculture (new)	Common areas used for the cultivation of fruits, vegetables, plants, flowers, or herbs by multiple users. The land must be served by a water supply sufficient to support the cultivation practices used on the site.
Commercial	Lands suitable for a concentration of commercial activities.
Industrial	Lands suitable for processing, construction, manufacturing, transportation, wholesale, warehousing, and other industrial activities.
Renewable Energy (new)	Lands suitable for siting projects for the generation and transmission of renewable energy.
Stewardship (new)	Land not currently used for homesteading. Allow uses that maintain or enhance the value and condition of the land to the benefit of beneficiaries and the Trust. May serve as an interim use until opportunities for higher and better uses become available.
Conservation	Environmentally sensitive areas. Lands with watersheds, endangered species, critical habitats, sensitive historic and cultural sites, other environmental factors. Very limited uses.
Special District	Areas requiring special attention because of unusual opportunities and/or constraints. <i>Subdistricts include: hazard areas, open spaces/greenways, cultural resources.</i>

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

5.1.3 DHHL Maui Island Plan

The Maui Island Plan, like all DHHL Island Plans asserts the Hawaiian Homes Commission's authority to designate land uses for Hawaiian Home Lands. The Maui Island Plan identifies priority areas for homestead development based upon homestead applicant preferences and site analysis to identify lands most suitable for development.

The Maui Island Plan was prepared in 2004. It has not yet been updated to reflect the new land use designations that were established with the General Plan update of 2023. Thus, the DHHL land use designations for the Project Site in Figure 6 are outdated, but until changed, remain the official designations for the site.

Kēōkea / Waiohuli is discussed within the Maui Island plan as a strategic opportunity to meet the housing needs of DHHL beneficiaries.

According to a beneficiary survey conducted at the time, a majority (39.2%) expressed a preference for the Upcountry region, indicating a pressing demand for approximately 1,111 additional residential units. Among the DHHL inventory, Kēōkea/Waiohuli stands out as the most suitable site for developing these residential homesteads, leveraging existing infrastructure to support future growth.

The Maui Island Plan identifies that current infrastructure, including the Kula Residential Lots Unit 1 and the planned Unit 2 in-fill, as well as the proposed Kēōkea Farm Lots subdivisions allows for shared infrastructure, including access points from Kula Highway and existing water and electric systems, which will significantly reduce overall development costs.

Two alternative development scenarios were presented in the 2004 Maui Island Plan for Kēōkea/Waiohuli. Both alternatives promoted the development of 1,111 residential lots, mixed with, community use areas, and subsistence and general agriculture, consistent with DHHL Land Use Designations at the time. The primary difference between the two scenarios in the Maui Island Plan was the lot size for low-density residential housing set at either a one-half acre (Maui Island Plan Alternative 1) or an acre (Maui Island Plan Alternative 2). To achieve the larger lot sizes in the second scenario, the land area dedicated to residential development was expanded and the overall land area dedicated to development was doubled in size. The Maui Island Plan ultimately recommends the one-half acre lot size development scenario because the less land-intensive layout would mean lower development costs.

5.1.4 Chapter 343, Hawaii Revised Statutes

Compliance with Chapter 343, HRS is required as described in Section 1.5.

5.1.5 State Land Use Law, Chapter 205, Hawai'i Revised Statutes

The State Land Use Law (Chapter 205, HRS), establishes the State Land Use Commission (LUC) and authorizes this body to designate all lands in the state into one of four Districts: Urban, Rural, Agricultural, or Conservation. The Project Site is located within the Agricultural District (Figure 5).

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

The LUC was provided with an opportunity to comment during pre-consultation and provided a response on November 14th, 2023. The LUC provided the following comments:

After review of the State Land Use District Maps, it is determined that the proposed project is within the State Agricultural District, and since the project is above 15 acres, the Department of Hawaiian Home Lands should petition the LUC for a land use designation change to prevent future confusion. When the environmental assessment is being completed ensure that all acreage being used is included, this includes access roads.

When compiling the environmental assessment for the Project, please include an explanation of who the accepting authority is and the justification for choosing the accepting authority. Also, please be sure the applicable laws and criteria set forth in HAR §11-200.1 are met in the environmental assessment.

As discussed previously, the Hawaiian Homes Commission Act (Sections 204 and 206), which has been incorporated into Article XII of the Hawai‘i State Constitution, vests DHHL with exclusive authority to control its lands. The accepting authority for the proposed project is the Department of Hawaiian Home Lands. See Section 7.1 for more detailed information on compliance with the significance criteria set forth under HAR §11-200.1.

5.1.6 Coastal Zone Management Act, Chapter 205A, Hawai‘i Revised Statutes

All lands in Hawai‘i are located in the Coastal Zone as defined by the U.S. government. The U.S. Congress enacted the Coastal Zone Management (CZM) Act to assist states in better managing coastal and estuarine environments. The act provides grants to states that develop and implement federally-approved CZM plans. The State of Hawai‘i’s CZM Act Program was enacted pursuant to Chapter 205A, HRS. The program outlines management objectives centered around ten areas: 1) Recreational Resources; 2) Historic Resources; 3) Scenic and Open Space Resources; 4) Coastal Ecosystems; 5) Economic Uses; 6) Coastal Hazards; 7) Managing Development; 8) Public Participation in Coastal Management; 9) Beach Protection; and 10) Marine Resources. All lands within the State of Hawai‘i fall within the CZM area.

Table 5-1: Hawai‘i Coastal Zone Management Program, Chapter 205A, HRS

COASTAL ZONE MANAGEMENT ACT, CHAPTER 205A, HRS (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/ S	N/ A
Recreational Resources			
Objective: (A) Provide coastal recreational opportunities accessible to the public.			
Policies:			
<ul style="list-style-type: none"> Improve coordination and funding of coastal recreational planning and management; and 			X

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

COASTAL ZONE MANAGEMENT ACT, CHAPTER 205A, HRS (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/ S	N/ A
<ul style="list-style-type: none"> • Provide adequate, accessible, and diverse recreational opportunities in the coastal zone management area by: <ul style="list-style-type: none"> a. Protecting coastal resources uniquely suited for recreational activities that cannot be provided in other areas; b. Requiring restoration of coastal resources that have significant recreational and ecosystem value, including but not limited to coral reefs, surfing sites, fishponds, sand beaches, and coastal dunes, when these resources will be unavoidably damaged by development; or requiring monetary compensation to the State for recreation when restoration is not feasible or desirable; c. Providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value; d. Providing an adequate supply of shoreline parks and other recreational facilities suitable for public recreation; e. Ensuring public recreational uses of county, state, and federally owned or controlled shoreline lands and waters having recreational value consistent with public safety standards and conservation of natural resources; f. Adopting water quality standards and regulating point and nonpoint sources of pollution to protect, and where feasible, restore the recreational value of coastal waters; g. Developing new shoreline recreational opportunities, where appropriate, such as artificial lagoons, artificial beaches, and artificial reefs for surfing and fishing; and h. Encouraging reasonable dedication of shoreline areas with recreational value for public use as part of discretionary approvals or permits by the land use commission, board of land and natural resources, and county authorities; and crediting such dedication against the requirements of section 46-6. 			X
			X
			X
			X
			X
	X		
			X
			X
<p>Discussion: The proposed project is supportive of the State’s goals as stated above, as it will ensure that all discharges related to construction and/or operation activities within the Site comply with Water Quality Standards.</p>			
Historic Resources			

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

COASTAL ZONE MANAGEMENT ACT, CHAPTER 205A, HRS (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/ S	N/ A
Objective: (A) Protect, preserve, and, where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.			
Policies:			
(1) Identify and analyze significant archaeological resources;	X		
(2) Maximize information retention through preservation of remains and artifacts or salvage operations; and	X		
(3) Support state goals for protection, restoration, interpretation, and display of historic resources.	X		
Discussion: Archaeological surveys have previously been conducted on the lands, identifying historic resources primarily on the western portions of the Site. Information gained from prior reports have been mapped and the proper archaeological team will be present when any ground-disturbing activity takes place. DHHL and its contractors will comply with all State and County laws and rules regarding the preservation of archaeological and historic sites. If any undocumented historic sites such as walls, platforms, pavements and mounds, or remains such as artifacts, burials, concentrations of shell or charcoal or artifacts are inadvertently encountered during construction activities, work will cease immediately in the vicinity of the find and the find will be protected. The contractor(s) will immediately contact the State Historic Preservation Division, which will assess the significance of the find and recommend appropriate mitigation measures, if necessary.			
Scenic and Open Space Resources			
Objective: (A) Protect, preserve, and, where desirable, restore or improve the quality of coastal scenic and open space resources.			
Policies:			
(1) Identify valued scenic resources in the coastal zone management area;			X
(2) Ensure that new developments are compatible with their visual environment by designing and locating those developments to minimize the alteration of natural landforms and existing public views to and along the shoreline;	X		
(3) Preserve, maintain, and, where desirable, improve and restore shoreline open space and scenic resources; and	X		
(4) Encourage those developments that are not coastal dependent to locate in inland areas.			X
Discussion: The proposed project is supportive of the State's goals as stated above, as the project site and proposed facilities have been conceptualized in a manner that conforms to			

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

COASTAL ZONE MANAGEMENT ACT, CHAPTER 205A, HRS (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/ S	N/ A
Waiohuli’s contours. Situated on lands between two gulches, development sites are located on lands with less slope to minimize grading and alteration of natural landforms.			
Coastal Ecosystems			
Objective: (A) Protect valuable coastal ecosystems, including reefs, beaches, and coastal dunes, from disruption and minimize adverse impacts on all coastal ecosystems.			
Policies:			
(1) Exercise an overall conservation ethic, and practice stewardship in the protection, use, and development of marine and coastal resources;			X
(2) Improve the technical basis for natural resource management;			X
(3) Preserve valuable coastal ecosystems of significant biological or economic importance, including reefs, beaches, and dunes;			X
(4) Minimize disruption or degradation of coastal water ecosystems by effective regulation of stream diversions, channelization, and similar land and water uses, recognizing competing water needs; and			X
(5) Promote water quantity and quality planning and management practices that reflect the tolerance of fresh water and marine ecosystems and maintain and enhance water quality through the development and implementation of point and nonpoint source water pollution control measures.	X		
Discussion: The proposed project is supportive of the State’s goals as stated above, as the green space buffer along the gulches will provide natural drainage to improve water quality for stormwater discharge from the Project Site.			
Economic Uses			
Objective: (A) Provide public or private facilities and improvements important to the State's economy in suitable locations.			
Policies:			
(1) Concentrate coastal dependent development in appropriate areas;			X
(2) Ensure that coastal dependent development and coastal related development are located, designed, and constructed to minimize exposure to coastal hazards and adverse social, visual, and environmental impacts in the coastal zone management area; and			X
(3) Direct the location and expansion of coastal development to areas designated and used for that development and permit reasonable long-term growth at those areas, and permit coastal development outside of designated areas when:			X
a. Use of designated locations is not feasible;			X

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

COASTAL ZONE MANAGEMENT ACT, CHAPTER 205A, HRS (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/ S	N/ A
b. Adverse environmental effects and risks from coastal hazards are minimized; and			X
c. The development is important to the State's economy.	X		
Discussion: The proposed project is supportive of the State's goals as stated above, as its primary goal is to create community based economic opportunities derived from development of infrastructure, agricultural cultivation, renewable energy, and water source development to create long-term economic sustainability for the Waiohuli community.			
Coastal Hazards			
Objective: (A) Reduce hazard to life and property from coastal hazards.			
Policies:			
(1) Develop and communicate adequate information about the risks of coastal hazards;			X
(2) Control development, including planning and zoning control, in areas subject to coastal hazards;			X
(3) Ensure that developments comply with requirements of the National Flood Insurance Program; and			X
(4) Prevent coastal flooding from inland projects.			X
Discussion: N/A			
Managing Development			
Objective: (A) Improve the development review process, communication, and public participation in the management of coastal resources and hazards.			
Policies:			
(1) Use, implement, and enforce existing law effectively to the maximum extent possible in managing present and future coastal zone development;			X
(2) Facilitate timely processing of applications for development permits and resolve overlapping or conflicting permit requirements; and			X
(3) Communicate the potential short and long-term impacts of proposed significant coastal developments early in their life cycle and in terms understandable to the public to facilitate public participation in the planning and review process.			X
Discussion: N/A			
Public Participation			
Objective: (A) Stimulate public awareness, education, and participation in coastal management.			
Policies:			

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

COASTAL ZONE MANAGEMENT ACT, CHAPTER 205A, HRS (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/ S	N/ A
(1) Promote public involvement in coastal zone management processes;			X
(2) Disseminate information on coastal management issues by means of educational materials, published reports, staff contact, and public workshops for persons and organizations concerned with coastal issues, developments, and government activities; and			X
(3) Organize workshops, policy dialogues, and site-specific mediations to respond to coastal issues and conflicts.			X
Discussion: N/A			
Beach and Coastal Dune Protection			
Objectives: (A) Protect beaches and coastal dunes for: <ul style="list-style-type: none"> i. Public use and recreation; ii. The benefit of coastal ecosystems; and iii. Use as natural buffers against coastal hazards; and (B) Coordinate and fund beach management and protection.			
Policies:			
(1) Locate new structures inland from the shoreline setback to conserve open space, minimize interference with natural shoreline processes, and minimize loss of improvements due to erosion;			X
(2) Prohibit construction of private shoreline hardening structures, including seawalls and revetments, at sites having sand beaches and at sites where shoreline hardening structures interfere with existing recreational and waterline activities;			X
(3) Minimize the construction of public shoreline hardening structures, including seawalls and revetments, at sites having sand beaches and at sites where shoreline hardening structures interfere with existing recreational and waterline activities;			X
(4) Minimize grading of and damage to coastal dunes;			X
(5) Prohibit private property owners from creating a public nuisance by inducing or cultivating the private property owner's vegetation in a beach transit corridor; and			X
(6) Prohibit private property owners from creating a public nuisance by allowing the private property owner's unmaintained vegetation to interfere or encroach upon a beach transit corridor; and			X
Discussion: N/A			
Marine and Coastal Resources			

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

COASTAL ZONE MANAGEMENT ACT, CHAPTER 205A, HRS (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/ S	N/ A
Objective: (A) Promote the protection, use, and development of marine and coastal resources to assure their sustainability.			
Policies:			
(1) Ensure that the use and development of marine and coastal resources are ecologically and environmentally sound and economically beneficial;			X
(2) Coordinate the management of marine and coastal resources and activities to improve effectiveness and efficiency;			X
(3) Assert and articulate the interests of the State as a partner with federal agencies in the sound management of ocean resources within the United States exclusive economic zone;			X
(4) Promote research, study, and understanding of ocean and coastal processes, impacts of climate change and sea level rise, marine life, and other ocean resources to acquire and inventory information necessary to understand how coastal development activities relate to and impact ocean and coastal resources; and			X
(5) Encourage research and development of new, innovative technologies for exploring, using, or protecting marine and coastal resources.			X
Discussion: N/A			

5.1.7 Hawai'i State Plan, Chapter 226, HRS

The Hawai'i State Plan directs State agencies to prepare functional plans for their respective program areas. There are 14 State Functional Plans that serve as the primary implementing vehicle for the goals, objectives, and policies of the Hawaii State Plan.

Table 5-2: Hawai'i State Plan, Chapter 226, HRS

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
HRS § 226-1: Findings and Purpose			
HRS § 226-2: Definitions			
HRS § 226-3: Overall Theme			
HRS § 226-4: State Goals. In order to guarantee, for the present and future generations, those elements of choice and mobility that insure that individuals and groups may approach their desired levels of self-reliance and self-determination, it shall be the goal of the State to achieve: (1) A strong, viable economy, characterized by stability, diversity and growth that enables fulfillment of the needs and expectations of Hawaii's present and future generations.	X		

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
(2) A desired physical environment, characterized by beauty, cleanliness, quiet, stable natural systems, and uniqueness, that enhances the mental and physical well-being of the people.	X		
(3) Physical, social and economic well-being, for individuals and families in Hawaii, that nourishes a sense of community responsibility, of caring and of participation in community life.	X		
Discussion: The proposed project is supportive of the State’s goals as stated above, creating a desired physical environment to promote the physical, social, and economic well-being of the community. The proposed project will provide short- and long-term economic opportunities that will foster greater self-sufficiency for the people of upcountry Maui through capacity building and jobs homegrown at the Project Site.			
HRS § 226-5: Objectives and policies for population.			
Objective: It shall be the objective in planning for the State’s population to guide population growth to be consistent with the achievement of physical, economic and social objectives contained in this chapter.			
Policies:			
(1) Manage population growth statewide in a manner that provides increased opportunities for Hawaii’s people to pursue their physical, social and economic aspirations while recognizing the unique needs of each County.	X		
(2) Encourage an increase in economic activities and employment opportunities on the neighbor islands consistent with community needs and desires.	X		
(3) Promote increased opportunities for Hawaii’s people to pursue their socio-economic aspirations throughout the islands.	X		
(4) Encourage research activities and public awareness programs to foster an understanding of Hawaii’s limited capacity to accommodate population needs and to address concerns resulting from an increase in Hawaii’s population.			X
(5) Encourage federal actions and coordination among major governmental agencies to promote a more balanced distribution of immigrants among the states, provided that such actions do not prevent the reunion of immediate family members.			X
(6) Pursue an increase in federal assistance for states with a greater proportion of foreign immigrants relative to their state’s population.			X
(7) Plan the development and availability of land and water resources in a coordinated manner so as to provide for the desired levels of growth in each geographic area.	X		
Discussion: The proposed project is supportive of the State’s goals as stated above, as it will offer local economic and community capacity building opportunities to ensure that residents are able to raise their families in Hawai’i.			
HRS § 226-6: Objectives and policies for the economy in general.			
Objectives: Planning for the State’s economy in general shall be directed toward achievement of the following objectives:			
(1) Increased and diversified employment opportunities to achieve full employment, increased income and job choice, and improved living standards for Hawaii’s people, while at the same time stimulating the development and expansion of economic activities capitalizing on defense, dual-use, and science and technology assets, particularly on the neighbor islands where employment opportunities may be limited.	X		
(2) A steadily growing and diversified economic base that is not overly dependent on a few industries, and includes the development and expansion of industries on the neighbor islands.	X		
Policies:			

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
(1) Promote and encourage entrepreneurship within Hawaii by residents and nonresidents of the State.	X		
(2) Expand Hawaii's national and international marketing, communication, and organizational ties, to increase the State's capacity to adjust to and capitalize upon economic changes and opportunities occurring outside the State.			X
(3) Promote Hawaii as an attractive market for environmentally and socially sound investment activities that benefit Hawaii's people.	X		
(4) Transform and maintain Hawaii as a place that welcomes and facilitates innovative activity that may lead to commercial opportunities.	X		
(5) Promote innovative activity that may pose initial risks, but ultimately contribute to the economy of Hawaii	X		
(6) Seek broader outlets for new or expanded Hawaii business investments.			X
(7) Expand existing markets and penetrate new markets for Hawaii's products and services.			X
(8) Assure that the basic economic needs of Hawaii's people are maintained in the event of disruptions in overseas transportation.	X		
(9) Strive to achieve a level of construction activity responsive to, and consistent with, state growth objectives.	X		
(10) Encourage the formation of cooperatives and other favorable marketing arrangements at the local or regional level to assist Hawaii's small scale producers, manufacturers, and distributors.	X		
(11) Encourage labor-intensive activities that are economically satisfying and which offer opportunities for upward mobility.	X		
(12) Encourage innovative activities that may not be labor-intensive, but may otherwise contribute to the economy of Hawaii.	X		
(13) Foster greater cooperation and coordination between the government and private sectors in developing Hawaii's employment and economic growth opportunities.	X		
(14) Stimulate the development and expansion of economic activities which will benefit areas with substantial or expected employment problems.	X		
(15) Maintain acceptable working conditions and standards for Hawaii's workers.	X		
(16) Provide equal employment opportunities for all segments of Hawaii's population through affirmative action and nondiscrimination measures.	X		
(17) Stimulate the development and expansion of economic activities capitalizing on defense, dual-use, and science and technology assets, particularly on the neighbor islands where employment opportunities may be limited.			X
(18) Encourage businesses that have favorable financial multiplier effects within Hawaii's economy, particularly with respect to emerging industries in science and technology.			X
(19) Promote and protect intangible resources in Hawaii, such as scenic beauty and the aloha spirit, which are vital to a healthy economy.	X		
(20) Increase effective communication between the educational community and the private sector to develop relevant curricula and training programs to meet future employment needs in general, and requirements of new or innovative potential growth industries in particular.	X		
(21) Foster a business climate in Hawaii--including attitudes, tax and regulatory policies, and financial and technical assistance programs--that is conducive to the expansion of existing enterprises and the creation and attraction of new business and industry.			X
Discussion: The proposed project is supportive of the State's goals as stated above, as the vision for WE DO is to provide community-based job opportunities derived from development of infrastructure, agricultural			

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
cultivation, renewable energy, and water source development to create long-term economic sustainability for the Waiohuli community.			
HRS § 226-7: Objectives and policies for the economy - agriculture			
Objectives: Planning for the State's economy with regard to agriculture shall be directed towards achievement of the following objectives:			
(1) Viability of Hawaii's sugar and pineapple industries.			X
(2) Growth and development of diversified agriculture throughout the State.	X		
(3) An agriculture industry that continues to constitute a dynamic and essential component of Hawaii's strategic, economic, and social well-being.	X		
Policies:			
(1) Establish a clear direction for Hawaii's agriculture through stakeholder commitment and advocacy.	X		
(2) Encourage agriculture by making best use of natural resources.	X		
(3) Provide the governor and the legislature with information and options needed for prudent decision making for the development of agriculture.			X
(4) Establish strong relationships between the agricultural and visitor industries for mutual marketing benefits.			X
(5) Foster increased public awareness and understanding of the contributions and benefits of agriculture as a major sector of Hawaii's economy.	X		
(6) Seek the enactment and retention of federal and state legislation that benefits Hawaii's agricultural industries.			X
(7) Strengthen diversified agriculture by developing an effective promotion, marketing, and distribution system between Hawaii's producers and consumer markets locally, on the continental United States, and internationally.	X		
(8) Support research and development activities that provide greater efficiency and economic productivity in agriculture.			X
(9) Enhance agricultural growth by providing public incentives and encouraging private initiatives.			X
(10) Assure the availability of agriculturally suitable lands with adequate water to accommodate present and future needs.	X		
(11) Increase the attractiveness and opportunities for an agricultural education and livelihood.	X		
(12) Expand Hawaii's agricultural base by promoting growth and development of flowers, tropical fruits and plants, livestock, feed grains, forestry, food crops, aquaculture, and other potential enterprises.	X		
(13) Promote economically competitive activities that increase Hawaii's agricultural self-sufficiency.	X		
(14) Promote and assist in the establishment of sound financial programs for diversified agriculture.	X		
(15) Institute and support programs and activities to assist the entry of displaced agricultural workers into alternative agricultural or other employment.	X		
(16) Facilitate the transition of agricultural lands in economically nonfeasible agricultural production to economically viable agricultural uses.	X		
(17) Perpetuate, promote, and increase use of traditional Hawaiian farming systems, such as the use of loko ia, mala, and irrigated loi, and growth of traditional Hawaiian crops, such as kalo, uala, and ulu.	X		
(18) Increase and develop small-scale farms.	X		

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
Discussion: The proposed project is supportive of the State’s goals as stated above, as the 42 acres of agriculture development training sites will provide space for educational facilities and job training in the agricultural industry rooted in indigenous knowledge and traditional Hawaiian farming. Agricultural development on the Site will also offer economic opportunities for commercial development to generate revenue streams for the Waiohuli community.			
HRS § 226-8: Objectives and policies for the economy – visitor industry			
Objectives: Planning for the State's economy with regard to the visitor industry shall be directed towards the achievement of the objective of a visitor industry that constitutes a major component of steady growth for Hawaii's economy.			
Policies:			
(1) Support and assist in the promotion of Hawaii's visitor attractions and facilities.			X
(2) Ensure that visitor industry activities are in keeping with the social, economic, and physical needs and aspirations of Hawaii's people.			X
(3) Improve the quality of existing visitor destination areas.			X
(4) Encourage cooperation and coordination between the government and private sectors in developing and maintaining well-designed, adequately serviced visitor industry and related developments which are sensitive to neighboring communities and activities.			X
(5) Develop the industry in a manner that will continue to provide new job opportunities and steady employment for Hawaii's people.			X
(6) Provide opportunities for Hawaii's people to obtain job training and education that will allow for upward mobility within the visitor industry.			X
(7) Foster a recognition of the contribution of the visitor industry to Hawaii's economy and the need to perpetuate the aloha spirit.			X
(8) Foster an understanding by visitors of the aloha spirit and of the unique and sensitive character of Hawaii's cultures and values.			X
Discussion: N/A			
HRS § 226-9: Objective and policies for the economy – federal expenditures			
Objective: Planning for the State’s economy with regard to federal expenditures shall be directed towards achievement of the objective of a stable federal investment base as an integral component of Hawaii’s economy.			
Policies:			
(1) Encourage the sustained flow of federal expenditures in Hawaii that generates long-term government civilian employment.			X
(2) Promote Hawaii’s supportive role in national defense.			X
(3) Promote the development of federally supported activities in Hawaii that respect statewide economic concerns, are sensitive to community needs, and minimize adverse impacts on Hawaii’s environment.			X
(4) Increase opportunities for entry and advancement of Hawaii’s people into federal government service.			X
(5) Promote federal use of local commodities, services, and facilities available in Hawaii.			X
(6) Strengthen federal-state-county communication and coordination in all federal activities that affect Hawaii.			X
(7) Pursue the return of federally controlled lands in Hawaii that are not required for either the defense of the nation or for other purposes of national importance, and promote the mutually beneficial exchanges of land between federal agencies, the State, and the counties.			X
Discussion: N/A			
HRS § 226-10: Objectives and policies for the economy – potential growth and innovative activities.			

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
Objective: Planning for the State's economy with regard to potential growth activities shall be directed towards achievement of the objective of development and expansion of potential growth activities that serve to increase and diversify Hawaii's economic base.			
Policies:			
(1) Facilitate investment and employment growth in economic activities that have the potential to expand and diversify Hawaii's economy, including but not limited to diversified agriculture, aquaculture, renewable energy development, creative media, health care, and science and technology-based sectors.	X		
(2) Facilitate investment in innovative activity that may pose risks or be less labor-intensive than other traditional business activity, but if successful, will generate revenue in Hawaii through the export of services or products or substitution of imported services or products;			X
(3) Encourage entrepreneurship in innovative activity by academic researchers and instructors who may not have the background, skill, or initial inclination to commercially exploit their discoveries or achievements.			X
(4) Recognize that innovative activity is not exclusively dependent upon individuals with advanced formal education, but that many self-taught, motivated individuals are able, willing, sufficiently knowledgeable, and equipped with the attitude necessary to undertake innovative activity.	X		
(5) Increase the opportunities for investors in innovative activity and talent engaged in innovative activity to personally meet and interact at cultural, art, entertainment, culinary, athletic, or visitor-oriented events without a business focus;	X		
(6) Expand Hawaii's capacity to attract and service international programs and activities that generate employment for Hawaii's people.	X		
(7) Enhance and promote Hawaii's role as a center for international relations, trade, finance, services, technology, education, culture, and the arts.	X		
(8) Accelerate research and development of new energy-related industries based on wind, solar, ocean, underground resources, and solid waste.	X		
(9) Promote Hawaii's geographic, environmental, social, and technological advantages to attract new or innovative economic activities into the State.	X		
(10) Provide public incentives and encourage private initiative to attract new or innovative industries that best support Hawaii's social, economic, physical, and environmental objectives.	X		
(11) Increase research and the development of ocean-related economic activities such as mining, food production, and scientific research.	X		
(12) Develop, promote, and support research and educational and training programs that will enhance Hawaii's ability to attract and develop economic activities of benefit to Hawaii.	X		
(13) Foster a broader public recognition and understanding of the potential benefits of new or innovative growth-oriented industry in Hawaii.	X		
(14) Encourage the development and implementation of joint federal and state initiatives to attract federal programs and projects that will support Hawaii's social, economic, physical, and environmental objectives.	X		
(15) Increase research and development of businesses and services in the telecommunications and information industries.			X
(16) Foster the research and development of non-fossil fuel and energy efficient modes of transportation.			X
(17) Recognize and promote health care and health care information technology as growth industries.			X

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
Discussion: The proposed project is supportive of the State’s goals as stated above, as the educational and workforce training facilities have the potential to diversify Hawaii’s economy and workforce in infrastructure, agricultural cultivation, community services, renewable energy, and water source development.			
HRS § 226-10.5: Objectives and policies for the economy – information industry			
Objective: Planning for the State’s economy with regard to telecommunications and information technology shall be directed toward recognizing that broadband and wireless communication capability and infrastructure are foundations for an innovative economy and positioning Hawaii as a leader in broadband and wireless communications and applications in the Pacific Region.			
Policies:			
(1) Encourage the continued development and expansion of the telecommunications infrastructure serving Hawaii to accommodate future growth in the information industry;			X
(2) Facilitate the development of new business and service ventures in the information industry which will provide employment opportunities for the people of Hawaii;			X
(3) Encourage greater cooperation between the public and private sectors in developing and maintaining a well- designed information industry;			X
(4) Ensure that the development of new businesses and services in the industry are in keeping with the social, economic, and physical needs and aspirations of Hawaii’s people;			X
(5) Provide opportunities for Hawaii’s people to obtain job training and education that will allow for upward mobility within the information industry;			X
(6) Foster a recognition of the contribution of the information industry to Hawaii’s economy; and			X
(7) Assist in the promotion of Hawaii as a broker, creator, and processor of information in the Pacific.			X
Discussion: N/A			
HRS § 226-11: Objectives and policies for the physical environment – land-based, shoreline, and marine resources.			
Objectives: Planning for the State’s physical environment shall be directed towards achievement of the objective of enhancement of Hawaii’s scenic assets, natural beauty, and multi-cultural/historical resources.			
(1) Prudent use of Hawaii’s land-based, shoreline, and marine resources.	X		
(2) Effective protection of Hawaii’s unique and fragile environmental resources.	X		
Policies:			
(1) Exercise an overall conservation ethic in the use of Hawaii’s natural resources.	X		
(2) Ensure compatibility between land-based and water-based activities and natural resources and ecological systems.	X		
(3) Take into account the physical attributes of areas when planning and designing activities and facilities.	X		
(4) Manage natural resources and environs to encourage their beneficial and multiple use without generating costly or irreparable environmental damage.	X		
(5) Consider multiple uses in watershed areas, provided such uses do not detrimentally affect water quality and recharge functions.	X		
(6) Encourage the protection of rare or endangered plant and animal species and habitats native to Hawaii.	X		
(7) Provide public incentives that encourage private actions to protect significant natural resources from degradation or unnecessary depletion.			X
(8) Pursue compatible relationships among activities, facilities, and natural resources.	X		

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
(9) Promote increased accessibility and prudent use of inland and shoreline areas for public recreational, educational, and scientific purposes.	X		
Discussion: The proposed project is supportive of the State’s goals as stated above, as the project site and proposed facilities have been conceptualized in a manner that conforms to Waiohuli’s contours to minimize grading and alteration of natural landforms. In addition, the landscaping of the site will include native plants and trees that support watershed health.			
HRS § 226-12: Objectives and policies for the physical environment – scenic, natural beauty, and historic resources.			
Objective: Planning for the State's physical environment shall be directed towards achievement of the objective of enhancement of Hawaii's scenic assets, natural beauty, and multi-cultural/historical resources.			
Policies:			
(1) Promote the preservation and restoration of significant natural and historic resources.	X		
(2) Provide incentives to maintain and enhance historic, cultural, and scenic amenities.	X		
(3) Promote the preservation of views and vistas to enhance the visual and aesthetic enjoyment of mountains, ocean, scenic landscapes, and other natural features.	X		
(4) Protect those special areas, structures, and elements that are an integral and functional part of Hawaii's ethnic and cultural heritage.	X		
(5) Encourage the design of developments and activities that complement the natural beauty of the islands.	X		
Discussion: The proposed project is supportive of the State’s goals as stated above, as the project aims to preserve Hawai’i’s culture along with any significant natural or historic resources.			
HRS § 226-13: Objectives and policies for the physical environment – land, air, and water quality.			
Objectives: Planning for the State’s physical environment with regard to land, air, and water quality shall be directed towards achievement of the following objectives:			
(1) Maintenance and pursuit of improved quality in Hawaii's land, air, and water resources.	X		
(2) Greater public awareness and appreciation of Hawaii's environmental resources.	X		
Policies:			
(1) Foster educational activities that promote a better understanding of Hawaii’s limited environmental resources.	X		
(2) Promote the proper management of Hawaii’s land and water resources.	X		
(3) Promote effective measures to achieve desired quality in Hawaii's surface, ground, and coastal waters.	X		
(4) Encourage actions to maintain or improve aural and air quality levels to enhance the health and well-being of Hawaii's people.			X
(5) Reduce the threat to life and property from erosion, flooding, tsunamis, hurricanes, earthquakes, volcanic eruptions, and other natural or man-induced hazards and disasters.	X		
(6) Encourage design and construction practices that enhance the physical qualities of Hawaii's communities.	X		
(7) Encourage urban developments in close proximity to existing services and facilities.			X
(8) Foster recognition of the importance and value of the land, air, and water resources to Hawaii’s people, their cultures and visitors.	X		
Discussion: The proposed project is supportive of the State’s goals as stated above, as the project will protect and maintain water quality by reducing the sediment and other non-point source pollutants to downstream coastal waters. In addition, to minimize as much as possible the extraction of water from the groundwater system, the WE DO plan conceptualizes using best practices for water conservation throughout the Site,			

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
including landscaping that incorporates drought-tolerant native plants and other water efficient landscape design techniques. Water conservation technology and design should be implemented in the development and construction of the community support training facilities such as rainwater catchment systems, non-potable water use, water-efficient fixtures and monitoring systems to track water use. The green space buffer abutting the gulches will provide ecosystem services by maintaining natural drainage to minimize erosion, facilitate flood control, and preserve natural habitat corridors for wildlife.			
HRS § 226-14: Objective and policies for facility systems – in general			
Objective: Planning for the State's facility systems in general shall be directed towards achievement of the objective of water, transportation, waste disposal, and energy and telecommunication systems that support statewide social, economic, and physical objectives.			
Policies:			
(1) Accommodate the needs of Hawaii's people through coordination of facility systems and capital improvement priorities in consonance with state and county plans.			X
(2) Encourage flexibility in the design and development of facility systems to promote prudent use of resources and accommodate changing public demands and priorities.			X
(3) Ensure that required facility systems can be supported within resource capacities and at reasonable cost to the user.			X
(4) Pursue alternative methods of financing programs and projects and cost-saving techniques in the planning, construction, and maintenance of facility systems.			X
Discussion: N/A			
HRS § 226-15: Objectives and policies for facility systems – solid and liquid wastes.			
Objectives: Planning for the State's facility systems with regard to solid and liquid wastes shall be directed towards the achievement of the following objectives:			
(1) Maintenance of basic public health and sanitation standards relating to treatment and disposal of solid and liquid wastes.	X		
(2) Provision of adequate sewerage facilities for physical and economic activities that alleviate problems in housing, employment, mobility, and other areas.	X		
Policies:			
(1) Encourage the adequate development of sewerage facilities that complement planned growth.	X		
(2) Promote re-use and recycling to reduce solid and liquid wastes and employ a conservation ethic.			X
(3) Promote research to develop more efficient and economical treatment and disposal of solid and liquid wastes.			X
Discussion: The proposed project is supportive of the State's goals as stated above, as WE DO is considering developing a wastewater treatment package plant to serve the community support training facilities and will be designed with capacity to serve potential future growth on the Site if desired by the Waiohuli community.			
HRS § 226-16: Objectives and policies for facility systems – water.			
Objective: Planning for the State's facility systems with regard to water shall be directed towards achievement of the objective of the provision of water to adequately accommodate domestic, agricultural, commercial, industrial, recreational, and other needs within resource capacities.			
Policies:			
(1) Coordinate development of land use activities with existing and potential water supply.	X		
(2) Support research and development of alternative methods to meet future water requirements well in advance of anticipated needs.	X		
(3) Reclaim and encourage the productive use of runoff water and wastewater discharges.			X

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
(4) Assist in improving the quality, efficiency, service, and storage capabilities of water systems for domestic and agricultural use.	X		
(5) Support water supply services to areas experiencing critical water problems.			X
(6) Promote water conservation programs and practices in government, private industry, and the general public to help ensure adequate water to meet long-term needs.			X
<p>Discussion: The proposed project is supportive of the State’s goals as stated above , as the WE DO plan conceptualizes using best practices for water conservation throughout the Site, including landscaping that incorporates drought-tolerant native plants and other water efficient landscape design techniques to minimize as much as possible the extraction of water from the groundwater system. Water conservation technology and design will be implemented in the development and construction of the community support training facilities such as rainwater catchment systems, non-potable water use, water-efficient fixtures, and monitoring systems to track water use.</p> <p>At a minimum, the proposed project will require the installation of Individual Wastewater System (IWS) facilities to support the proposed community support training facilities and the potential for residential development on the Site in the future if desired by the Waiohuli community.</p>			
HRS § 226-17: Objectives and policies for facility systems – transportation.			
Objective: Planning for the State's facility systems with regard to energy shall be directed toward the achievement of the following objectives, giving due consideration to all:			
(1) An integrated multi-modal transportation system that services statewide needs and promotes the efficient, economical, safe, and convenient movement of people and goods.			X
(2) A statewide transportation system that is consistent with and will accommodate planned growth objectives throughout the State.			X
Policies:			
(1) Design, program, and develop a multi-modal system in conformance with desired growth and physical development as stated in this chapter;			X
(2) Coordinate state, county, federal, and private transportation activities and programs toward the achievement of statewide objectives;			X
(3) Encourage a reasonable distribution of financial responsibilities for transportation among participating governmental and private parties;			X
(4) Provide for improved accessibility to shipping, docking, and storage facilities;			X
(5) Promote a reasonable level and variety of mass transportation services that adequately meet statewide and community needs;			X
(6) Encourage transportation systems that serve to accommodate present and future development needs of communities;			X
(7) Encourage a variety of carriers to offer increased opportunities and advantages to interisland movement of people and goods;			X
(8) Increase the capacities of airport and harbor systems and support facilities to effectively accommodate transshipment and storage needs;			X
(9) Encourage the development of transportation systems and programs which would assist statewide economic growth and diversification;			X
(10) Encourage the design and development of transportation systems sensitive to the needs of affected communities and the quality of Hawaii’s natural environment;			X
(11) Encourage safe and convenient use of low-cost, energy-efficient, non-polluting means of transportation;			X

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
(12) Coordinate intergovernmental land use and transportation planning activities to ensure the timely delivery of supporting transportation infrastructure in order to accommodate planned growth objectives; and			X
(13) Encourage diversification of transportation modes and infrastructure to promote alternate fuels and energy efficiency.			X
Discussion: N/A			
HRS § 226-18: Objectives and policies for facility systems – energy.			
Objectives: Planning for the State's facility systems with regard to energy shall be directed toward the achievement of the following objectives, giving due consideration to all:			
(1) Dependable, efficient, and economical statewide energy systems capable of supporting the needs of the people;	X		
(2) Increased energy security and self-sufficiency through the reduction and ultimate elimination of Hawaii's dependence on imported fuels for electrical generation and ground transportation;			X
(3) Greater diversification of energy generation in the face of threats to Hawaii's energy supplies and systems;			X
(4) Reduction, avoidance, or sequestration of greenhouse gas emissions from energy supply and use; and			X
(5) Utility models that make the social and financial interests of Hawaii's utility customers a priority.			X
Policies:			
(1) Support research and development as well as promote the use of renewable energy sources;	X		
(2) Ensure that the combination of energy supplies and energy-saving systems is sufficient to support the demands of growth;			X
(3) Base decisions of least-cost supply-side and demand-side energy resource options on a comparison of their total costs and benefits when a least-cost is determined by a reasonably comprehensive, quantitative, and qualitative accounting of their long-term, direct and indirect economic, environmental, social, cultural, and public health costs and benefits;			X
(4) Promote all cost-effective conservation of power and fuel supplies through measures including:			X
(A) Development of cost-effective demand-side management programs;			X
(B) Education;			X
(C) Adoption of energy-efficient practices and technologies; and	X		
(D) Increasing energy efficiency and decreasing energy use in public infrastructure;	X		
(5) Ensure, to the extent that new supply-side resources are needed, that the development or expansion of energy systems utilizes the least-cost energy supply option and maximizes efficient technologies;			X
(6) Support research, development, demonstration, and use of energy efficiency, load management, and other demand-side management programs, practices, and technologies;			X
(7) Promote alternate fuels and transportation energy efficiency;			X
(8) Support actions that reduce, avoid, or sequester greenhouse gases in utility, transportation, and industrial sector applications;			X
(9) Support actions that reduce, avoid, or sequester Hawaii's greenhouse gas emissions through agriculture and forestry initiatives;	X		

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
(10) Provide priority handling and processing for all state and county permits required for renewable energy projects;			X
(11) Ensure that liquefied natural gas is used only as a cost-effective transitional, limited-term replacement of petroleum for electricity generation and does not impede the development and use of other cost-effective renewable energy sources; and			X
(12) Promote the development of indigenous geothermal energy resources that are located on public trust land as an affordable and reliable source of firm power for Hawaii.			X
Discussion: The proposed project is supportive of the State’s goals as stated above , as a large 26.4-acre segment of the Site is planned to be a renewable energy solar farm that could also support potential future growth on the Site and the neighboring communities.			
HRS § 226-18.5: Objectives and policies for facility systems—telecommunications.			
Objective: Planning for the State’s telecommunications facility systems shall be directed towards the achievement of dependable, efficient, and economical statewide telecommunications systems capable of supporting the needs of the people.			
Policies:			
(1) Facilitate research and development of telecommunications systems and resources;			X
(2) Encourage public and private sector efforts to develop means for adequate, ongoing telecommunications planning;			X
(3) Promote efficient management and use of existing telecommunications systems and services; and			X
(4) Facilitate the development of education and training of telecommunications personnel.			X
Discussion: N/A			
HRS § 226-19: Objectives and policies for socio-cultural advancement – housing.			
Objectives: Planning for the State's socio-cultural advancement with regard to housing shall be directed toward the achievement of the following objectives:			
(1) Greater opportunities for Hawaii’s people to secure reasonably priced, safe, sanitary, and livable homes, located in suitable environments that satisfactorily accommodate the needs and desires of families and individuals, through collaboration and cooperation between government and nonprofit and for-profit developers to ensure that more affordable housing is made available to very low-, low- and moderate-income segments of Hawaii’s population.			X
(2) The orderly development of residential areas sensitive to community needs and other land uses.	X		
(3) The development and provision of affordable rental housing by the State to meet the housing needs of Hawaii’s people.			X
Policies:			
(1) Effectively accommodate the housing needs of Hawaii’s people.			X
(2) Stimulate and promote feasible approaches that increase housing choices for low-income, moderate-income, and gap-group households.			X
(3) Increase homeownership and rental opportunities and choices in terms of quality, location, cost, densities, style, and size of housing.			X
(4) Promote appropriate improvement, rehabilitation, and maintenance of existing housing units and residential areas.			X
(5) Promote design and location of housing developments taking into account the physical setting, accessibility to public facilities and services, and other concerns of existing communities and surrounding areas.			X

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
(6) Facilitate the use of available vacant, developable, and underutilized urban lands for housing.			X
(7) Foster a variety of lifestyles traditional to Hawaii through the design and maintenance of neighborhoods that reflect the culture and values of the community.	X		
(8) Promote research and development of methods to reduce the cost of housing construction in Hawaii.			X
Discussion: The proposed project is supportive of the State’s goals as stated above, as the community support training facilities will foster lifestyles traditional to Hawaii and will reflect the cultural values of the community. If desired by the Waiohuli community there is potential for residential development.			
HRS § 226-20: Objectives and policies for socio-cultural advancement – health			
Objectives: Planning for the State's socio-cultural advancement with regard to health shall be directed towards achievement of the following objectives:			
(1) Fulfillment of basic individual health needs of the general public.	X		
(2) Maintenance of sanitary and environmentally healthful conditions in Hawaii's communities.	X		
Policies:			
(1) Provide adequate and accessible services and facilities for prevention and treatment of physical and mental health problems, including substance abuse.			X
(2) Encourage improved cooperation among public and private sectors in the provision of health care to accommodate the total health needs of individuals throughout the State.			X
(3) Encourage public and private efforts to develop and promote statewide and local strategies to reduce health care and related insurance costs.			X
(4) Foster an awareness of the need for personal health maintenance and preventive health care through education and other measures.			X
(5) Provide programs, services, and activities that ensure environmentally healthful and sanitary conditions.			X
(6) Improve the State’s capabilities in preventing contamination by pesticides and other potentially hazardous substances through increased coordination, education, monitoring, and enforcement.			X
(7) Prioritize programs, services, interventions, and activities that address identified social determinants of health to improve native Hawaiian health and well-being consistent with the United States Congress’ declaration of policy as codified in title 42 United States Code section 11702, and to reduce health disparities of disproportionately affected demographics, including native Hawaiians, other Pacific Islanders, and Filipinos. The prioritization of affected demographic groups other than native Hawaiians may be reviewed every ten years and revised based on the best available epidemiological and public health data.			X
Discussion: The proposed project is supportive of the State’s goals as stated above, as the community support training facilities has the potential to expand into a community-based health center that features kūpuna services along with both traditional Hawaiian healing practices and western medical services.			
HRS § 226-21: Objectives and policies for socio-cultural advancement – education.			
Objectives: Planning for the State's socio-cultural advancement with regard to education shall be directed towards achievement of the objective of the provision of a variety of educational opportunities to enable individuals to fulfill their needs, responsibilities, and aspirations.			
Policies:			
(1) Support educational programs and activities that enhance personal development, physical fitness, recreation, and cultural pursuits of all groups.	X		

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
(2) Ensure the provision of adequate and accessible educational services and facilities that are designed to meet individual and community needs.	X		
(3) Provide appropriate educational opportunities for groups with special needs.			X
(4) Promote educational programs which enhance understanding of Hawaii's cultural heritage.	X		
(5) Provide higher educational opportunities that enable Hawaii's people to adapt to changing employment demands.	X		
(6) Assist individuals, especially those experiencing critical employment problems or barriers, or undergoing employment transitions, by providing appropriate employment training programs and other related educational opportunities.	X		
(7) Promote programs and activities that facilitate the acquisition of basic skills, such as reading, writing, computing, listening, speaking, and reasoning.	X		
(8) Emphasize quality educational programs in Hawaii's institutions to promote academic excellence.	X		
(9) Support research programs and activities that enhance the education programs of the State.			X
Discussion: The proposed project is supportive of the State's goals as stated above, as the community support training facilities and concepts will be developed to align with the desired needs of the community and will be invaluable for the Waiohuli region, given the remoteness of the community. In addition, the training facilities will create community-based job opportunities derived from development of infrastructure, agricultural cultivation, renewable energy, and water source development to create long-term economic sustainability for the Waiohuli community.			
HRS § 226-22: Objective and policies for socio-cultural advancement – social services			
Objective: Planning for the State's socio-cultural advancement with regard to social services shall be directed towards the achievement of the objective of improved public and private social services and activities that enable individuals, families, and groups to become more self-reliant and confident to improve their well-being.			
Policies:			
(1) Assist individuals, especially those in need of attaining a minimally adequate standard of living and those confronted by social and economic hardship conditions, through social services and activities within the State's fiscal capacities.	X		
(2) Promote coordination and integrative approaches among public and private agencies and programs to jointly address social problems that will enable individuals, families, and groups to deal effectively with social problems and to enhance their participation in society.			X
(3) Facilitate the adjustment of new residents, especially recently arrived immigrants, into Hawaii's communities.			X
(4) Promote alternatives to institutional care in the provision of long-term care for elder and disabled populations.	X		
(5) Support public and private efforts to prevent domestic abuse and child molestation, and assist victims of abuse and neglect.			X
(6) Promote programs which assist people in need of family planning services to enable them to meet their needs.			X
Discussion: The proposed project is supportive of the State's goals as stated above, as the community support training facilities has the potential to expand into a community-based health center that features kūpuna services, social services, along with wellness and medical services.			

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
HRS § 226-23: Objectives and policies for socio-cultural advancement – leisure.			
Objective: Planning for the State’s socio-cultural advancement with regard to leisure shall be directed towards the achievement of the objective of the adequate provision of resources to accommodate diverse cultural, artistic, and recreational needs for present and future generations.			
Policies:			
(1) Foster and preserve Hawaii’s multi-cultural heritage through supportive cultural, artistic, recreational, and humanities-oriented programs and activities.	X		
(2) Provide a wide range of activities and facilities to fulfill the cultural, artistic, and recreational needs of all diverse and special groups effectively and efficiently.	X		
(3) Enhance the enjoyment of recreational experiences through safety and security measures, educational opportunities, and improved facility design and maintenance.	X		
(4) Promote the recreational and educational potential of natural resources having scenic, open space, cultural, historical, geological, or biological values while ensuring that their inherent values are preserved.	X		
(5) Ensure opportunities for everyone to use and enjoy Hawaii's recreational resources.	X		
(6) Assure the availability of sufficient resources to provide for future cultural, artistic, and recreational needs.	X		
(7) Provide adequate and accessible physical fitness programs to promote the physical and mental well-being of Hawaii’s people.			X
(8) Increase opportunities for appreciation and participation in the creative arts, including the literary, theatrical, visual, musical, folk, and traditional art forms.	X		
(9) Encourage the development of creative expression in the artistic disciplines to enable all segments of Hawaii's population to participate in the creative arts.	X		
(10) Assure adequate access to significant natural and cultural resources in public ownership.	X		
Discussion: The proposed project is supportive of the State’s goals as stated above, as the potential uses of the site include recreational spaces, and space for Hawaiian cultural services.			
HRS § 226-24: Objective and policies for socio-cultural advancement – individual rights and personal well-being.			
Objective: Planning for the State's socio-cultural advancement with regard to individual rights and personal well-being shall be directed towards achievement of the objective of increased opportunities and protection of individual rights to enable individuals to fulfill their socio-economic needs and aspirations.			
Policies:			
(1) Provide effective services and activities that protect individuals from criminal acts and unfair practices and that alleviate the consequences of criminal acts in order to foster a safe and secure environment.			X
(2) Uphold and protect the national and state constitutional rights of every individual.			X
(3) Assure access to, and availability of, legal assistance, consumer protection, and other public services which strive to attain social justice.			X
(4) Ensure equal opportunities for individual participation in society.			X
Discussion: N/A			
HRS § 226-25: Objectives and policies for socio-cultural advancement – culture.			
Objective: Planning for the State’s socio-cultural advancement with regard to culture shall be directed toward the achievement of the objective of enhancement of cultural identities, traditions, values, customs, and arts of Hawaii's people.			
Policies:			
(1) Foster increased knowledge and understanding of Hawaii's ethnic and cultural heritages and the history of Hawaii.	X		

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
(2) Support activities and conditions that promote cultural values, customs, and arts that enrich the lifestyles of Hawaii's people and which are sensitive and responsive to family and community needs.	X		
(3) Encourage increased awareness of the effects of proposed public and private actions on the integrity and quality of cultural and community lifestyles in Hawaii.			X
(4) Encourage the essence of the aloha spirit in people's daily activities to promote harmonious relationships among Hawaii's people and visitors.			X
Discussion: The proposed project is supportive of the State's goals as stated above, as the community support training facilities will foster lifestyles traditional to Hawaii and will reflect the cultural values of the community.			
HRS § 226-26: Objectives and policies for socio-cultural advancement – public safety.			
Objectives: Planning for the State's socio-cultural advancement with regard to public safety shall be directed towards the achievement of the following objectives:			
(1) Assurance of public safety and adequate protection of life and property for all people.	X		
(2) Optimum organizational readiness and capability in all phases of emergency management to maintain the strength, resources, and social and economic well-being of the community in the event of civil disruptions, wars, natural disasters, and other major disturbances.	X		
(3) Promotion of a sense of community responsibility for the welfare and safety of Hawaii's people.	X		
Policies related to public safety:			
(1) Ensure that public safety programs are effective and responsive to community needs.	X		
(2) Encourage increased community awareness and participation in public safety programs.			X
Policies related to criminal justice:			
(1) Support criminal justice programs aimed at preventing and curtailing criminal activities.			X
(2) Develop a coordinated, systematic approach to criminal justice administration among all criminal justice agencies.			X
(3) Provide a range of correctional resources which may include facilities and alternatives to traditional incarceration in order to address the varied security needs of the community and successfully reintegrate offenders into the community.			X
Policies related to emergency management:			
(1) Ensure that responsible organizations are in a proper state of readiness to respond to major war-related, natural, or technological disasters and civil disturbances at all times.	X		
(2) Enhance the coordination between emergency management programs throughout the State.			X
Discussion: The proposed project is supportive of the State's goals as stated above, as the proposed development incorporates measures to enhance public safety.			
HRS § 226-27: Objectives and policies for socio-cultural advancement – government.			
Objectives: Planning the State's socio-cultural advancement with regard to government shall be directed towards the achievement of the following objectives:			
(1) Efficient, effective, and responsive government services at all levels in the State.			X
(2) Fiscal integrity, responsibility, and efficiency in the state government and county governments.			X

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
Policies:			
(1) Provide for necessary public goods and services not assumed by the private sector.			X
(2) Pursue an openness and responsiveness in government that permits the flow of public information, interaction, and response.			X
(3) Minimize the size of government to that necessary to be effective.			X
(4) Stimulate the responsibility in citizens to productively participate in government for a better Hawaii.			X
(5) Assure that government attitudes, actions, and services are sensitive to community needs and concerns.			X
(6) Provide for a balanced fiscal budget.			X
(7) Improve the fiscal budgeting and management system of the State.			X
(8) Promote the consolidation of state and county governmental functions to increase the effective and efficient delivery of government programs and services and to eliminate duplicative services wherever feasible.			X
Discussion: N/A			
HAWAII STATE PLAN, CHAPTER 226, HRS – PART III. PRIORITY GUIDELINES	S	N/S	N/A
HRS § 226-101: Purpose. The purpose of this part is to establish overall priority guidelines to address areas of statewide concern.			
HRS § 226-102: Overall direction. The State shall strive to improve the quality of life for Hawaii’s present and future present and future population through the pursuit of desirable courses of action in five major areas of statewide concern which merit priority attention: economic development, population growth and land resource management, affordable housing, crime and criminal justice, and quality education.			
HRS § 226-103: Economic priority guidelines.			
(a) Priority guidelines to stimulate economic growth and encourage business expansion and development to provide needed jobs for Hawaii’s people and achieve a stable and diversified economy:			
(1) Seek a variety of means to increase the availability of investment capital for new and expanding enterprises.	X		
(A) Encourage investments which:	X		
(i) Reflect long term commitments to the State;	X		
(ii) Rely on economic linkages within the local economy;	X		
(iii) Diversify the economy;	X		
(iv) Reinvest in the local economy;	X		
(v) Are sensitive to community needs and priorities; and	X		
(vi) Demonstrate a commitment to provide management opportunities to Hawaii residents.	X		
(B) Encourage investments in innovative activities that have a nexus to the State, such as:	X		
(i) Present or former residents acting as entrepreneurs or principals;			X
(ii) Academic support from an institution of higher education in Hawaii;			X
(iii) Investment interest from Hawaii residents;			X
(iv) Resources unique to Hawaii that are required for innovative activity; and			X
(v) Complementary or supportive industries or government programs or projects.	X		

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
(2) Encourage the expansion of technological research to assist industry development and support the development and commercialization of technological advancements.			X
(3) Improve the quality, accessibility, and range of services provided by government to business, including data and reference services and assistance in complying with governmental regulations.			X
(4) Seek to ensure that state business tax and labor laws and administrative policies are equitable, rational, and predictable.			X
(5) Streamline the building and development permit and review process, and eliminate or consolidate other burdensome or duplicative governmental requirements imposed on business, where public health, safety and welfare would not be adversely affected.			X
(6) Encourage the formation of cooperatives and other favorable marketing or distribution arrangements at the regional or local level to assist Hawaii's small-scale producers, manufacturers, and distributors.			X
(7) Continue to seek legislation to protect Hawaii from transportation interruptions between Hawaii and the continental United States.			X
(8) Provide public incentives and encourage private initiative to develop and attract industries which promise long-term growth potentials and which have the following characteristics:	X		
(A) An industry that can take advantage of Hawaii's unique location and available physical and human resources.	X		
(B) A clean industry that would have minimal adverse effects on Hawaii's environment.	X		
(C) An industry that is willing to hire and train Hawaii's people to meet the industry's labor needs at all levels of employment.	X		
(D) An industry that would provide reasonable income and steady employment.	X		
(9) Support and encourage, through educational and technical assistance programs and other means, expanded opportunities for employee ownership and participation in Hawaii business.			X
(10) Enhance the quality of Hawaii's labor force and develop and maintain career opportunities for Hawaii's people through the following actions:	X		
(A) Expand vocational training in diversified agriculture, aquaculture, information industry, and other areas where growth is desired and feasible.	X		
(B) Encourage more effective career counseling and guidance in high schools and post-secondary institutions to inform students of present and future career opportunities.			X
(C) Allocate educational resources to career areas where high employment is expected and where growth of new industries is desired.			X
(D) Promote career opportunities in all industries for Hawaii's people by encouraging firms doing business in the State to hire residents.	X		
(E) Promote greater public and private sector cooperation in determining industrial training needs and in developing relevant curricula and on- the-job training opportunities.	X		
(F) Provide retraining programs and other support services to assist entry of displaced workers into alternative employment.	X		

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
(b) Priority guidelines to promote the economic health and quality of the visitor industry:			
(1) Promote visitor satisfaction by fostering an environment which enhances the Aloha Spirit and minimizes inconveniences to Hawaii's residents and visitors.			X
(2) Encourage the development and maintenance of well-designed, adequately serviced hotels and resort destination areas which are sensitive to neighboring communities and activities and which provide for adequate shoreline setbacks and beach access.			X
(3) Support appropriate capital improvements to enhance the quality of existing resort destination areas and provide incentives to encourage investment in upgrading, repair, and maintenance of visitor facilities.			X
(4) Encourage visitor industry practices and activities which respect, preserve, and enhance Hawaii's significant natural, scenic, historic, and cultural resources.			X
(5) Develop and maintain career opportunities in the visitor industry for Hawaii's people, with emphasis on managerial positions.			X
(6) Support and coordinate tourism promotion abroad to enhance Hawaii's share of existing and potential visitor markets.			X
(7) Maintain and encourage a more favorable resort investment climate consistent with the objectives of this chapter.			X
(8) Support law enforcement activities that provide a safer environment for both visitors and residents alike.			X
(9) Coordinate visitor industry activities and promotions to business visitors through the state network of advanced data communication techniques.			X
(c) Priority guidelines to promote the continued viability of the sugar and pineapple industries:			
(1) Provide adequate agricultural lands to support the economic viability of the sugar and pineapple industries.			X
(2) Continue efforts to maintain federal support to provide stable sugar prices high enough to allow profitable operations in Hawaii.			X
(3) Support research and development, as appropriate, to improve the quality and production of sugar and pineapple crops.			X
(d) Priority guidelines to promote the growth and development of diversified agriculture and aquaculture:			
(1) Identify, conserve, and protect agricultural and aquacultural lands of importance and initiate affirmative and comprehensive programs to promote economically productive agricultural and aquacultural uses of such lands.	X		
(2) Assist in providing adequate, reasonably priced water for agricultural activities.			X
(3) Encourage public and private investment to increase water supply and to improve transmission, storage, and irrigation facilities in support of diversified agriculture and aquaculture.			X
(4) Assist in the formation and operation of production and marketing associations and cooperatives to reduce production and marketing costs.			X
(5) Encourage and assist with the development of a waterborne and airborne freight and cargo system capable of meeting the needs of Hawaii's agricultural community.			X
(6) Seek favorable freight rates for Hawaii's agricultural products from interisland and overseas transportation operators.			X

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
(7) Encourage the development and expansion of agricultural and aquacultural activities which offer long-term economic growth potential and employment opportunities.	X		
(8) Continue the development of agricultural parks and other programs to assist small independent farmers in securing agricultural lands and loans.			X
(9) Require agricultural uses in agricultural subdivisions and closely monitor the uses in these subdivisions.			X
(10) Support the continuation of land currently in use for diversified agriculture.	X		
(11) Encourage residents and visitors to support Hawaii's farmers by purchasing locally grown food and food products.	X		
(e) Priority guidelines for water use and development:			
(1) Maintain and improve water conservation programs to reduce the overall water consumption rate.			X
(2) Encourage the improvement of irrigation technology and promote the use of nonpotable water for agricultural and landscaping purposes.			X
(3) Increase the support for research and development of economically feasible alternative water sources.			X
(4) Explore alternative funding sources and approaches to support future water development programs and water system improvements.			X
(f) Priority guidelines for energy use and development:			
(a) Encourage the development, demonstration, and commercialization of renewable energy sources.	X		
(b) Initiate, maintain, and improve energy conservation programs aimed at reducing energy waste and increasing public awareness of the need to conserve energy.	X		
(c) Provide incentives to encourage the use of energy conserving technology in residential, industrial, and other buildings.			X
(d) Encourage the development and use of energy conserving and cost-efficient transportation systems.			X
(g) Priority guidelines to promote the development of the information industry:			
(1) Establish an information network that will serve as the catalyst for establishing a viable information industry in Hawaii.			X
(2) Encourage the development of services such as financial data processing, a products and services exchange, foreign language translations, telemarketing, teleconferencing, a twenty-four-hour international stock exchange, international banking, and a Pacific Rim management center.			X
(3) Encourage the development of small businesses in the information field such as software development, the development of new information systems and peripherals, data conversion and data entry services, and home or cottage services such as computer programming, secretarial, and accounting services.			X
(4) Encourage the development or expansion of educational and training opportunities for residents in the information and telecommunications fields.			X
(5) Encourage research activities, including legal research in the information and telecommunications fields.			X
(6) Support promotional activities to market Hawaii's information industry services.			X

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
(7) Encourage the location or co-location of telecommunication or wireless information relay facilities in the community, including public areas, where scientific evidence indicates that the public health safety, and welfare would not be adversely affected.			X
Discussion: The proposed project is supportive of the State’s goals as stated above, as the vision for WE DO is to provide community-based job opportunities derived from development of infrastructure, agricultural cultivation, renewable energy, and water source development to create long-term economic sustainability for the Waiohuli community.			
HRS § 226-104: Population growth and land resources priority guidelines.			
(a) Priority guidelines to effect desired statewide growth and distribution:			
(1) Encourage planning and resource management to ensure that population growth rates throughout the State are consistent with available and planned resource capacities and reflect the needs and desires of Hawaii's people.			X
(2) Manage a growth rate for Hawaii's economy that will parallel future employment needs for Hawaii's people.			X
(3) Ensure that adequate support services and facilities are provided to accommodate the desired distribution of future growth throughout the State.	X		
(4) Encourage major state and federal investments and services to promote economic development and private investment to the neighbor islands, as appropriate.			X
(5) Explore the possibility of making available urban land, low-interest loans, and housing subsidies to encourage the provision of housing to support selective economic and population growth on the neighbor islands.			X
(6) Seek federal funds and other funding sources outside the State for research, program development, and training to provide future employment opportunities on the neighbor islands.			X
(7) Support the development of high technology parks on the neighbor islands.			X
(b) Priority guidelines for regional growth distribution and land resource utilization:			
(1) Encourage urban growth primarily to existing urban areas where adequate public facilities are already available or can be provided with reasonable public expenditures, and away from areas where other important benefits are present, such as protection of important agricultural land or preservation of lifestyles.	X		
(2) Make available marginal or nonessential agricultural lands for appropriate urban uses while maintaining agricultural lands of importance in the agricultural district.			X
(3) Restrict development when drafting of water would result in exceeding the sustainable yield or in significantly diminishing the recharge capacity of any groundwater area.			X
(4) Encourage restriction of new urban development in areas where water is insufficient from any source for both agricultural and domestic use.			X
(5) In order to preserve green belts, give priority to state capital-improvement funds which encourage location of urban development within existing urban areas except where compelling public interest dictates development of a noncontiguous new urban core.			X
(6) Seek participation from the private sector for the cost of building infrastructure and utilities, and maintaining open spaces.			X
(7) Pursue rehabilitation of appropriate urban areas.			X

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
(8) Support the redevelopment of Kakaako into a viable residential, industrial, and commercial community.			X
(9) Direct future urban development away from critical environmental areas or impose mitigating measures so that negative impacts on the environment would be minimized.			X
(10) Identify critical environmental areas in Hawaii to include but not be limited to the following: watershed and recharge areas; wildlife habitats (on land and in the ocean); areas with endangered species of plants and wildlife; natural streams and water bodies; scenic and recreational shoreline resources; open space and natural areas; historic and cultural sites; areas particularly sensitive to reduction in water and air quality; and scenic resources.			X
(11) Identify all areas where priority should be given to preserving rural character and lifestyle.			X
(12) Utilize Hawaii's limited land resources wisely, providing adequate land to accommodate projected population and economic growth needs while ensuring the protection of the environment and the availability of the shoreline, conservation lands, and other limited resources for future generations.	X		
(13) Protect and enhance Hawaii's shoreline, open spaces, and scenic resources.			X
Discussion: The proposed project is supportive of the State's goals as stated above, as the WEDO project will support economic growth needs by providing space for economic opportunities and job training. The site has the potential for residential development on the Site in the future if desired by the Waiohuli community.			
HRS § 226-105: Crime and criminal justice.			
Priority guidelines in the area of crime and criminal justice:			
(1) Support law enforcement activities and other criminal justice efforts that are directed to provide a safer environment.			X
(2) Target state and local resources on efforts to reduce the incidence of violent crime and on programs relating to the apprehension and prosecution of repeat offenders.			X
(3) Support community and neighborhood program initiatives that enable residents to assist law enforcement agencies in preventing criminal activities.			X
(4) Reduce overcrowding or substandard conditions in correctional facilities through a comprehensive approach among all criminal justice agencies which may include sentencing law revisions and use of alternative sanctions other than incarceration for persons who pose no danger to their community.			X
(5) Provide a range of appropriate sanctions for juvenile offenders, including community-based programs and other alternative sanctions.			X
(6) Increase public and private efforts to assist witnesses and victims of crimes and to minimize the costs of victimization.			X
Discussion: N/A			
HRS § 226-106: Affordable housing.			
Priority guidelines for the provision of affordable housing:			
(1) Seek to use marginal or nonessential agricultural land and public land to meet housing needs of low- and moderate-income and gap-group households.			X
(2) Encourage the use of alternative construction and development methods as a means of reducing production costs.			X
(3) Improve information and analysis relative to land availability and suitability for housing.			X

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
(4) Create incentives for development which would increase home ownership and rental opportunities for Hawaii's low- and moderate-income households, gap-group households, and residents with special needs.			X
(5) Encourage continued support for government or private housing programs that provide low interest mortgages to Hawaii's people for the purchase of initial owner-occupied housing.			X
(6) Encourage public and private sector cooperation in the development of rental housing alternatives.			X
(7) Encourage improved coordination between various agencies and levels of government to deal with housing policies and regulations.			X
(8) Give higher priority to the provision of quality housing that is affordable for Hawaii's residents and less priority to development of housing intended primarily for individuals outside of Hawaii.			X
Discussion: N/A			
HRS § 226-107: Quality education.			
Priority guidelines to promote quality education:			
(1) Pursue effective programs which reflect the varied district, school, and student needs to strengthen basic skills achievement;			X
(2) Continue emphasis on general education "core" requirements to provide common background to students and essential support to other university programs;			X
(3) Initiate efforts to improve the quality of education by improving the capabilities of the education work force;			X
(4) Promote increased opportunities for greater autonomy and flexibility of educational institutions in their decision-making responsibilities;			X
(5) Increase and improve the use of information technology in education by the availability of telecommunications equipment for:			X
(A) The electronic exchange of information;			X
(B) Statewide electronic mail; and			X
(C) Access to the Internet.			X
Encourage programs that increase the public's awareness and understanding of the impact of information technologies on our lives;			X
(6) Pursue the establishment of Hawaii's public and private universities and colleges as research and training centers of the Pacific;			X
(7) Develop resources and programs for early childhood education;			X
(8) Explore alternatives for funding and delivery of educational services to improve the overall quality of education; and			X
(9) Strengthen and expand educational programs and services for students with special needs.			X
Discussion: N/A			
HRS § 226-108: Sustainability.			
Priority guidelines and principles to promote sustainability shall include:			
(1) Encouraging balanced economic, social, community, and environmental priorities;	X		
(2) Encouraging planning that respects and promotes living within the natural resources and limits of the State;	X		
(3) Promoting a diversified and dynamic economy;	X		
(4) Encouraging respect for the host culture;	X		
(5) Promoting decisions based on meeting the needs of the present without compromising the needs of future generations;	X		

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

HAWAII STATE PLAN, CHAPTER 226, HRS – PART I. OVERALL THEME, GOALS, OBJECTIVES AND POLICIES (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
(6) Considering the principles of the ahupuaa system; and	X		
(7) Emphasizing that everyone, including individuals, families, communities, businesses, and government, has the responsibility for achieving a sustainable Hawaii.	X		
Discussion: The proposed project is supportive of the State’s goals as stated above, as the WEDO project focuses on creating economic and environmental sustainability for the Waiohuli community.			
HRS § 226-109: Climate change adaptation priority guidelines.			
Priority guidelines to prepare the State to address the impacts of climate change, including impacts to the areas of agriculture; conservation lands; coastal and nearshore marine areas; natural and cultural resources; education; energy; higher education; health; historic preservation; water resources; the built environment, such as housing, recreation, transportation; and the economy shall:			
(1) Ensure that Hawaii’s people are educated, informed, and aware of the impacts climate change may have on their communities;			X
(2) Encourage community stewardship groups and local stakeholders to participate in planning and implementation of climate change policies;			X
(3) Invest in continued monitoring and research of Hawaii’s climate and the impacts of climate change on the State;			X
(4) Consider native Hawaiian traditional knowledge and practices in planning for the impacts of climate change;	X		
(5) Encourage the preservation and restoration of natural landscape features, such as coral reefs, beaches and dunes, forests, streams, floodplains, and wetlands, that have the inherent capacity to avoid, minimize, or mitigate the impacts of climate change;	X		
(6) Explore adaptation strategies that moderate harm or exploit beneficial opportunities in response to actual or expected climate change impacts to the natural and built environments;	X		
(7) Promote sector resilience in areas such as water, roads, airports, and public health, by encouraging the identification of climate change threats, assessment of potential consequences, and evaluation of adaptation options;	X		
(8) Foster cross-jurisdictional collaboration between county, state, and federal agencies and partnerships between government and private entities and other nongovernmental entities, including nonprofit entities;			X
(9) Use management and implementation approaches that encourage the continual collection, evaluation, and integration of new information and strategies into new and existing practices, policies, and plans; and			X
(10) Encourage planning and management of the natural and built environments that effectively integrate climate change policy.			X
Discussion: The proposed project is supportive of the State’s goals as stated above, as the WEDO project aims to preserve the natural environment and sustainability.			

5.1.8 Hawai’i State Environmental Policy, Chapter 344, HRS

The State Environmental Policy provides guidelines for agencies to create and maintain conditions under which humanity and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of the people of Hawaii. The environmental Guidelines (§344-4, HRS) suggest that insofar as practical, the development of programs consider: population; land, water, mineral, visual, air, and other natural resources; flora and fauna; parks,

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

recreation, and open space; economic development; transportation; energy; community life and housing; education and culture; and, citizen participation. The Project’s consistency with the State Environmental Policy is outlined in the table below:

Table 5-3: Hawai’i State Environmental Policy and Guidelines, Chapter 344-3 and 344-4, HRS

State Environmental Policy, Chapter 344, Hawaii Revised Statutes (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
STATE ENVIRONMENTAL POLICY			
§344-3 Environmental policy. It shall be the policy of the State, through its programs, authorities, and resources to:			
(1) Conserve the natural resources, so that land, water, mineral, visual, air and other natural resources are protected by controlling pollution, by preserving or augmenting natural resources, and by safeguarding the State’s unique natural environmental characteristics in a manner which will foster and promote the general welfare, create and maintain conditions under which humanity and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of the people of Hawaii.			X
(2) Enhance the quality of life by:			
(A) Setting population limits so that the interaction between the natural and artificial environments and the population is mutually beneficial;			X
(B) Creating opportunities for the residents of Hawaii to improve their quality of life through diverse economic activities which are stable and in balance with the physical and social environments;			X
(C) Establishing communities which provide a sense of identity, wise use of land, efficient transportation, and aesthetic and social satisfaction in harmony with the natural environment which is uniquely Hawaiian; and	X		
(D) Establishing a commitment on the part of each person to protect and enhance Hawaii’s environment and reduce the drain on nonrenewable resources.	X		
Discussion: The proposed project is supportive of the State’s goals as stated above, as it has been designed to preserve natural resources in the area, including buffer areas along the existing gulches and drainageways surrounding the Site. The Project includes proposed renewable energy sources to help reduce the drain on nonrenewable resources.			
GUIDELINES			
§344-4 Guidelines. In pursuance of the state policy to conserve the natural resources and enhance the quality of life, all agencies, in the development of programs, shall, insofar as practicable, consider the following guidelines:			
(1) Population.			
(A) Recognize population impact as a major factor in environmental degradation and adopt guidelines to alleviate this impact and minimize future degradation;	X		
(B) Recognize optimum population levels for counties and districts within the State, keeping in mind that these will change with technology and circumstance, and adopt guidelines to limit population to the levels determined.			X
Discussion: The Project has been designed to mitigate environmental degradation by preserving natural drainageways and the inclusion on natural buffer areas.			
(2) Land, water, mineral, visual, air, and other natural resources.			
(A) Encourage management practices which conserve and fully utilize all natural resources;	X		

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

State Environmental Policy, Chapter 344, Hawaii Revised Statutes (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
(B) Promote irrigation and waste water management practices which conserve and fully utilize vital water resources;			X
(C) Promote the recycling of waste water;			X
(D) Encourage management practices which conserve and protect watersheds and water sources, forest, and open space areas;	X		
(E) Establish and maintain natural area preserves, wildlife preserves, forest reserves, marine preserves, and unique ecological preserves;	X		
(F) Maintain an integrated system of state land use planning which coordinates the state and county general plans;			X
(G) Promote the optimal use of solid wastes through programs of waste prevention, energy resource recovery, and recycling so that all our wastes become utilized.			X
Discussion: The proposed project is supportive of the State's goals as stated above, as it is anticipated to include water conservation measures in the design, including landscaping that incorporates drought-tolerant native plants and other water efficient landscape design techniques. The Project also includes protection of the watersheds and natural drainageways by maintaining natural buffer areas and the anticipated preservation of the wiliwili forest identified through consultation with the biological consultant.			
(3) Flora and fauna.			
(A) Protect endangered species of indigenous plants and animals and introduce new plants or animals only upon assurance of negligible ecological hazard; and	X		
(B) Foster the planting of native as well as other trees, shrubs, and flowering plants compatible to the enhancement of our environment.	X		
Discussion: The proposed project is supportive of the State's goals as stated above, as it includes an anticipated preserve for the wiliwili forest identified through consultation with the biological consultant. The anticipated landscaping throughout the Site will incorporate drought-tolerant native plants.			
(4) Parks, recreation, and open space.			
(A) Establish, preserve and maintain scenic, historic, cultural, park and recreation areas, including the shorelines, for public recreational, educational, and scientific uses;	X		
(B) Protect the shorelines of the State from encroachment of artificial improvements, structures, and activities; and			X
(C) Promote open space in view of its natural beauty not only as a natural resource but as an ennobling, living environment for its people.	X		
Discussion: The proposed project is supportive of the State's goals as stated above, as it includes recreational spaces with walking paths and green space along the natural buffer area surrounding the Site. The proposed greenway trails will also connect to the proposed trailhead at the western end of the Site where a small one-acre park is proposed.			
(5) Economic development.			
(A) Encourage industries in Hawaii which would be in harmony with our environment;	X		
(B) Promote and foster the agricultural industry of the State; and preserve and conserve productive agricultural lands;	X		
(C) Encourage federal activities in Hawaii to protect the environment;			X
(D) Encourage all industries including the fishing, aquaculture, oceanography, recreation, and forest products industries to protect the environment;			X
(E) Establish visitor destination areas with planning controls which shall include but not be limited to the number of rooms;			X

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

State Environmental Policy, Chapter 344, Hawaii Revised Statutes (Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable)	S	N/S	N/A
(F) Promote and foster the aquaculture industry of the State; and preserve and conserve productive aquacultural lands.			X
Discussion: The proposed project is supportive of the State's goals as stated above, as it includes community-based economic opportunities for agricultural cultivation rooted in indigenous knowledge and traditional Hawaiian farming and renewable energy that promotes long-term economic sustainability.			
(6) Transportation.			
(A) Encourage transportation systems in harmony with the lifestyle of the people and environment of the State;			X
(B) Adopt guidelines to alleviate environmental degradation caused by motor vehicles;			X
(C) Encourage public and private vehicles and transportation systems to conserve energy, reduce pollution emission, including noise, and provide safe and convenient accommodations for their users.			X
Discussion: N/A			
(7) Energy.			
(A) Encourage the efficient use of energy resources.	X		
Discussion: The proposed project is supportive of the State's goals as stated above, as it includes renewable energy that promotes localized sustainability.			
(8) Community life and housing.			
(A) Foster lifestyles compatible with the environment; preserve the variety of lifestyles traditional to Hawaii through the design and maintenance of neighborhoods which reflect the culture and mores of the community;	X		
(B) Develop communities which provide a sense of identity and social satisfaction in harmony with the environment and provide internal opportunities for shopping, employment, education, and recreation;	X		
(C) Encourage the reduction of environmental pollution which may degrade a community;			X
(D) Foster safe, sanitary, and decent homes;			X
(E) Recognize community appearances as major economic and aesthetic assets of the counties and the State; encourage green belts, plantings, and landscape plans and designs in urban areas; and preserve and promote mountain-to-ocean vistas.	X		
Discussion: The proposed project is supportive of the State's goals as stated above, as it will promotes a cohesive community compatible with the environment and surrounding area.			
(9) Education and culture.			
(A) Foster culture and the arts and promote their linkage to the enhancement of the environment;			X
(B) Encourage both formal and informal environmental education to all age groups.			X
Discussion: N/A			
(10) Citizen participation.			
(A) Encourage all individuals in the State to adopt a moral ethic to respect the natural environment; to reduce waste and excessive consumption; and to fulfill the responsibility as trustees of the environment for the present and succeeding generations; and			X
(B) Provide for expanding citizen participation in the decision making process so it continually embraces more citizens and more issues.			X
Discussion: N/A			

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

5.2 MAUI COUNTY

County-specific land use plans and ordinances pertaining to the Project include the General Plan and the zoning code. DHHL maintains land use authority over the lands they own and steward. These lands are subject to DHHL land use designations. The Maui County land use program is discussed here for reference.

5.2.1 Maui Island Plan

The County of Maui's Maui Island Plan (MIP) is the policy document for the long-range comprehensive development of the Island of Maui that indicates urban and rural growth areas where development is intended and will be supported. Among the purposes of the MIP are to guide the pattern of development in County of Maui and the direction for future growth, the economy, and social and environmental decisions on the island through 2030. The MIP undergoes a comprehensive review periodically, with the last plan being completed and adopted in 2012.

5.2.2 Maui County Zoning

The County zoning code (MCC Chapter 19) regulates the type and intensity of uses in the State Land Use Agricultural District and can specify in more detail the permissible uses and intensity in the State Land Use Agricultural District consistent with the State Land Use law (HRS Chapter 205). The Project Site is zoned Agriculture District (AG) (see Figure 7).

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities Environmental Assessment / Finding of No Significant Impact

5.3 APPROVALS AND PERMITS

A listing of anticipated State and County permits and approvals required for the Proposed Project is presented below.

Table 5-4: Anticipated Approvals and Permits

Permit/Approval	Responsible Agency
Land Use Designation Updates	DHHL
Grading/Building Permits	County Department of Public Works
HRS Chapter 6E Historic Preservation Review	State Historic Preservation Division
HRS Chapter 195D	Department of Natural Resources Division of Forestry and Wildlife (DOFAW); Division of Aquatic Resources (DAR)
National Pollutant Discharge Elimination System (NPDES) Permit	State Department of Health
Noise Permit	State Department of Health
Noise Variance	State Department of Health
Disability and Communication Access Board (DCAB) Document Review (ADA Compliance)	State Department of Health
National Environmental Policy Act and related federal authorities such as Endangered Species Act and National Historic Preservation Act	Dependent upon a federal nexus such as a federal permit requirement or use of federal funds. The appropriate lead federal agency will depend on permitting agency or funding source.

ITEM G-1 EXHIBIT A
Waiohuli Economic Development Opportunities
Environmental Assessment / Finding of No Significant Impact

(This page intentionally left blank.)

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities *Environmental Assessment / Finding of No Significant Impact*

6 ALTERNATIVES

This section identifies and analyzes reasonable alternatives that could attain the objectives of the proposed action.

6.1 ALTERNATIVE #1: WE DO (PREFERRED ALTERNATIVE)

The preferred alternative is the development scenario that combines development and construction with community-based job opportunities derived from development of infrastructure, agricultural cultivation, renewable energy, and water source development to create long-term economic sustainability for the community in which it is located. The preferred alternative is described in section 2.3 and includes: community training facilities, infrastructure training and implementation sites, agricultural training sites, renewable energy training and implementation sites, opportunities for water resource development and distribution, and opportunities for community conservation have been described in detail throughout this Environmental Assessment. It has been selected because it will serve to not only provide housing for DHHL Beneficiaries, but also provide economic development opportunities and capacity building to the community.

6.2 ALTERNATIVE #2: DHHL MAUI ISLAND PLAN LAND USES FOR PROJECT SITE

Two alternative development scenarios were presented in the 2004 Maui Island Plan. Both alternatives included a mix of low density residential, community use areas, and subsistence and general agriculture, consistent with DHHL Land Use Designations at the time. The primary difference between the two alternatives in the Maui Island Plan was the lot size for low-density residential housing set at either a one-half acre (Maui Island Plan Alternative 1) or an acre (Maui Island Plan Alternative 2). The larger lot sizes in Maui Island Plan Alternative 2, expanded the residential development area and reduced the area available for agriculture.

The development scenarios put forth in the Maui Island Plan have become outdated as DHHL has moved toward land uses that increase density with recent changes to Administrative Rules permitting rental and multifamily housing and aligning land uses identified in the 2022 General Plan Update. The two scenarios presented in the Maui Island Plan do not advance the potential for long-term local economic development and capacity building that the preferred alternative does. It may be possible under a strictly residential development plan to hire local contractors with local employees to construct housing, but these jobs will move naturally to new locations as the Project Site is built out. A development scheme that does not involve some service or commercial activity and no business start up or training spaces will offer no long-term employment opportunities, no long-term mentoring opportunities, and no long-term opportunities for business incubation.

ITEM G-1 EXHIBIT A

Waiohuli Economic Development Opportunities

Environmental Assessment / Finding of No Significant Impact

6.3 ALTERNATIVE #3: NO ACTION

This alternative involves making no land use changes to the Project Site. The purpose of this project to provide short- and long-term economic opportunities for the Waiohuli community to foster self-sufficiency and potential future use for community development would therefore be unmet.

7 FINDINGS AND ANTICIPATED DETERMINATION

To determine whether development of the Proposed Project could be expected to have a significant impact on the physical and human environment, all alternatives and expected consequences of the Proposed Project have been evaluated, including potential primary, secondary, short-range, long-range, and cumulative impacts. Based on this evaluation, the DHHL anticipates issuing a FONSI. The supporting rationale for this finding is presented in this chapter.

7.1 SIGNIFICANCE CRITERIA

Based upon the previous information presented in this document the proposed permitting and construction of the Project will likely have no significant environmental impacts. This determination is based upon the 13 Significance Criteria outlined in Chapter 343, HRS, as amended and Title 11 Chapter 200.1-13 HAR 1996, discussed below.

(1) Involves an irrevocable commitment of any natural, cultural, or historical resource;

Discussion: The project does not irrevocably commit any natural, cultural, or historic resources. A consultative process and evaluation of historic and cultural resources was conducted to evaluate potential impacts and is still ongoing to ensure the proposed design elements will preserve historic resources. Any potential adverse impacts to the lands and/or historic resources with the Project Site will be mitigated as appropriate through the HRS 6E-8 (Historic Preservation) process in continued consultation with SHPD.

(2) Curtails the range of beneficial uses of the environment;

Discussion: The proposed project does not significantly curtail beneficial uses of the environment. The proposed land uses have been designed to preserve natural drainageways within the existing gulches with green spaces to create a natural buffer along the boundary of the Project Site.

(3) Conflicts with the State's long term environmental policies or goals and guidelines as expressed in Chapter 344, HRS; and any revisions thereof and amendments thereto, court decisions, or executive orders;

Discussion: Compliance with Chapter 344, HRS is documented at length in Chapter 5.1.8 of this document. The investment in infrastructure improvements is intended to support the Waiohuli community by creating economic opportunities and fostering self-sufficiency.

(4) Substantially affects the economic or social welfare or cultural practices of the community or State;

Discussion: The proposed project is directly supportive of the economy and social welfare. The main purpose and goals are to provide short- and long-term economic opportunities that will foster greater self-sufficiency for the people of upcountry Maui through capacity building and

ITEM G-1 EXHIBIT A
Waiohuli Economic Development Opportunities
Environmental Assessment / Finding of No Significant Impact

facilitating homegrown jobs. By creating economic development and job training opportunities, the proposed project will make the community a more vibrant area for commerce, cultural practices, and recreational uses in the surrounding area.

(5) *Substantially affects public health;*

Discussion: Under the potential full buildout scenario, the proposed project would offer social services and health services within the Project Site for the local community that they would otherwise need to seek elsewhere. As a result, the Waiohuli community members will not need to travel to other parts of the island to seek these services.

(6) *Involves substantial secondary impacts, such as population changes or effects on public facilities;*

Discussion: Secondary impacts are expected to be beneficial as the potential full buildout scenario will provide additional housing to serve the Native Hawaiian community. This will have a marginal impact on the population of Upcountry Maui.

(7) *Involves a substantial degradation of environmental quality;*

Discussion: Environmental quality will not be degraded by the project. Beneficial environmental impacts of the proposed land uses will be supported by the conceptual design by maintaining natural drainageways and preserving the natural environment. Impacts from construction are temporary and mitigatable with best management practices.

(8) *Is individually limited but cumulatively has considerable effect on the environment, or involves a commitment for larger actions;*

Discussion: Individually and cumulatively, this project is not expected to have a considerable impact on the environment as discussed throughout this document. The proposed land uses for the Project Site have been designed to preserve the natural drainageways along the gulches forming the boundary of the property. Secondary beneficial impacts under the potential full buildout scenario will be provided through the proposed solar farm. By developing renewable energy sources to serve the community, the project will contribute to broader goals of mitigating environmental impacts caused by fossil fuel-based energy generation.

(9) *Substantially affects a rare, threatened or endangered species or its habitat;*

Discussion: The Project Site does not contain habitat for threatened or endangered species. Recommended best practices for avoidance of impacts to avian species, the Blackburn's Sphinx Moth and the Hawaiian hoary bat will be incorporated into the project.

(10) *Detrimentially affects air or water quality or ambient noise levels;*

Discussion: Under the potential full buildout scenario, the project is expected to have secondary beneficial impacts to air quality by providing renewable energy sources to serve the community. There may be short-term direct and indirect impacts related to air quality that could potentially

ITEM G-1 EXHIBIT A
Waiohuli Economic Development Opportunities
Environmental Assessment / Finding of No Significant Impact

occur during construction. However, these construction-related impacts will be minimized and confined to the immediate vicinity of the site and BMPs will be implemented to limit localized impacts.

The applicant will work with local developers and planners in the area to minimize potential impacts from groundwater development to ensure groundwater quality is not impacted and groundwater levels do not decline. All stormwater discharges related to construction and/or operation activities within the Site will comply with the Water Quality Standards, specified in HAR, Chapter 11-54, and/or permitting requirements, specified in HAR, Chapter 11-55.

While the project is expected to generate moderate noise impacts typically associated with community uses under the potential full buildout scenario, these impacts are expected to be nominal and will be fairly consistent with land uses in the surrounding residential area and abutting community center. During construction, the proposed action may result in short-term noise impacts generated by construction activities. However, the project will mitigate these temporary impacts in compliance with all permissible community noise standards in accordance with the State DOH Administrative Rules, Title 11, Chapter 46 "Community Noise Control" regulations.

(11) Affects or is likely to suffer damage by being located in an environmentally sensitive area, such as a flood plain, tsunami zone, sea level rise exposure area, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters;

Discussion: Due to the location of the Project Site far from any coastal areas, there are no potential direct impacts related to climate change, such as sea level rise and coastal erosion. In addition, there are no wetlands or flood plains on or near the Site. The project is in an area designated as minimal flood hazard with a less than 1 percent chance for a flood event and is not in a tsunami zone. The proposed project has included some sustainable design that takes into consideration the projected increase in flood frequency from extreme rain events by preserving natural drainageways along the gulches.

(12) Substantially affects scenic vistas and view planes, during day or night, identified in County or State plans or studies; or,

Discussion: The impact on scenic vistas and view planes after completion of the project are considered to be marginal. The Project Site comprises a gradual slope from east to west and the impact on visual planes from surrounding land uses will be minimal as most of the surrounding area is comprised of vacant land.

(13) Requires substantial energy consumption or emits substantial greenhouse gases.

Discussion: The proposed project includes development of renewable energy sources from a solar farm which will contribute toward County goals for reducing fossil fuel energy consumption and carbon production.

7.2 ANTICIPATED DETERMINATION

On the basis of impacts and mitigation measures examined in this document and analyzed under the above criteria, it is determined that the Project will not have a significant effect on the physical or human environments. DHHL anticipates a FONSI, pursuant to Chapter 343, HRS and Title 11, Chapter 200.1, HAR.

8 CONSULTATION

8.1 EARLY CONSULTATION

A pre-assessment consultation was conducted from December 2023 through August 2024 prior to preparation of the Draft EA. The purpose of the pre-assessment consultation was to consult with agencies, organizations and individuals with technical expertise, or an interest that might be affected by the proposed Project.

The following agencies, organizations, and individuals were sent pre-assessment consultation letters. Those that provided written comments (either by hardcopy or email) are highlighted in **bold italics**. Copies of the written comments and responses are reproduced in Appendix H.

8.1.1 State of Hawai'i

- Department of Agriculture
- ***Department of Accounting and General Services***
- Department of Business, Economic Development & Tourism
- DBEDT - Hawai'i State Energy Office / Strategic Industries Division
- ***DBEDT - Land Use Commission***
- ***DBEDT - Office of Planning & Sustainable Development***
- ***Department of Defense - Engineering Office***
- ***Department of Education***
- Department of Health
- Department of Health, Environmental Health Administration
- ***Department of Health - Clean Air Branch***
- Department of Health - Clean Water Branch
- Department of Health - Environmental Management Division
- Department of Health - Wastewater Branch
- Department of Health - Safe Drinking Water Branch
- ***Department of Health - Solid & Hazardous Waste Branch***
- Department of Health - Hazard Evaluation & Emergency Response Office
- Department of Health - Environmental Health Services Division
- Department of Health - Indoor and Radiological Health Branch
- Department of Health - Sanitation Branch
- ***Department of Health - Maui District Health Program Office***
- Department of Health Public Health Nursing
- ***Department of Human Services***
- Department of Labor and Industrial Relations
- Department of Land and Natural Resources
- DLNR - State Historic Preservation Division
- DLNR - Land Division
- DLNR Commission on Water Resource Management

ITEM G-1 EXHIBIT A
Waiohuli Economic Development Opportunities
Environmental Assessment / Finding of No Significant Impact

- DLNR Division of Aquatic Resources
- DLNR Division of Boating & Ocean Recreation
- **DLNR DOFAW**
- DLNR DOFAW Na Ala Hele
- **DLNR Engineering Division**
- DLNR Office of Conservation & Coastal Lands
- **Department of Public Safety**
- **Department of Transportation**
- Department of Transportation, Airports Division - Engineering Branch
- Department of Transportation - Harbors
- Department of Transportation - Highways
- Department of Transportation, Highways Division, Planning Branch
- Department of Transportation, Statewide Transportation Planning Office
- Department of Transportation – Airports, Maui District
- Department of Transportation - Highways, Maui District
- Hawai'i Housing Finance and Development Corporation
- Hawai'i Public Housing Authority
- Hawai'i Tourism Authority
- Hawai'i State Judiciary
- Office of Hawaiian Affairs

8.1.2 Maui County

- Department of Environmental Management
- **Department of Housing and Human Concerns**
- Department of Management
- **Department of Parks and Recreation**
- Department of Planning
- Department of Public Works
- Department of Transportation
- **Department of Water Supply**
- Maui Planning Commission
- **Fire Department**
- **Police Department**
- Maui Metropolitan Planning Organization
- Maui Redevelopment Agency

ITEM G-1 EXHIBIT A
Waiohuli Economic Development Opportunities
Environmental Assessment / Finding of No Significant Impact

8.1.3 Elected Officials

- Mayor Richard Bissen
- State Senator Lynn DeCoite
- State Representative Kyle Yamashita
- Council Member Yuki Lei Sugimura

8.1.4 Community Groups and Neighboring Properties

- Aha Moku o Maui Inc.
- Council for Native Hawaiian Advancement
- Hawai'i Wildfire Management Organization
- Kamehameha Schools Maui Campus
- Ka 'Ohana O Kahikinui Inc.
- Kēōkea Homestead Farms Lots Association
- Maui Cultural Lands, Inc.
- Maui Historical Society
- Maui Native Hawaiian Chamber of Commerce
- Maui Tomorrow Foundation, Inc.
- Native Hawaiian Legal Corporation
- Pa'upena Community Development Corporation
- Wailuku Community Association
- Waiohuli Hawaiian Homesteaders Association, Inc.

8.2 DRAFT ENVIRONMENTAL ASSESSMENT CONSULTATION

The environmental review included a 30-day public comment period after the publication of the Draft EA on November 8th, 2024 to further identify environmental issues and concerns to be addressed in the Final EA. Comments and input received during this public comment period have been reviewed and the Final EA reflects consideration of these comments in the planning and implementation of the proposed project. While some of the comments received have been incorporated into this document, the comprehensive set of comments received, and corresponding responses are reproduced in Appendix I.

Table 8-1: Draft Environmental Assessment Publication Notice and Comments

Agency/Organization	DEA Notice Sent	DEA Comment Date
State of Hawaii		
Environmental Review Program	X	
Department of Accounting and General Services	X	12/9/2024
Department of Attorney General	X	

ITEM G-1 EXHIBIT A
Waiohuli Economic Development Opportunities
Environmental Assessment / Finding of No Significant Impact

Agency/Organization	DEA Notice Sent	DEA Comment Date
Department of Agriculture	X	
Department of Business, Economic Development & Tourism	X	
DBEDT - Hawaii State Energy Office / Strategic Industries Division	X	
DBEDT - Land Use Commission	X	
DBEDT - Office of Planning & Sustainable Development	X	12/6/24
Department of Defense - Engineering Office	X	
Department of Education	X	11/27/24
Department of Hawaiian Home Lands	X	
Department of Health	X	
Department of Health, Environmental Health Administration	X	
Department of Health - Clean Air Branch	X	11/15/24
Department of Health - Clean Water Branch	X	
Department of Health - Environmental Management Division	X	
Department of Health - Wastewater Branch	X	
Department of Health - Safe Drinking Water Branch	X	
Department of Health - Solid & Hazardous Waste Branch	X	11/26/24
Department of Health - Hazard Evaluation & Emergency Response Office	X	
Department of Health - Environmental Health Services Division	X	
Department of Health - Indoor and Radiological Health Branch	X	
Department of Health - Sanitation Branch	X	
Department of Health – Vector Control Branch	X	

ITEM G-1 EXHIBIT A
Waiohuli Economic Development Opportunities
Environmental Assessment / Finding of No Significant Impact

Agency/Organization	DEA Notice Sent	DEA Comment Date
Department of Health – State Laboratories Division	X	
Department of Human Services	X	
Department of Land and Natural Resources	X	
DLNR - State Historic Preservation Division	X	
DLNR - Land Division	X	
DLNR Commission on Water Resource Management	X	11/22/24
DLNR Division of Aquatic Resources	X	
DLNR Division of Boating & Ocean Recreation	X	
DLNR DOFAW	X	
DLNR DOFAW Na Ala Hele	X	
DLNR Engineering Division	X	12/8/24
DLNR Office of Conservation & Coastal Lands	X	
Department of Public Safety	X	
Department of Transportation	X	11/26/24
Department of Transportation, Airports Division - Engineering Branch	X	
Department of Transportation - Harbors	X	
Department of Transportation - Highways	X	
Department of Transportation, Highways Division, Planning Branch	X	
Department of Transportation, Statewide Transportation Planning Office	X	
Hawaii Housing Finance and Development Corporation	X	
Hawaii Public Housing Authority	X	
Hawaii Tourism Authority	X	
Office of Hawaiian Affairs	X	
Maui County		

ITEM G-1 EXHIBIT A
Waiohuli Economic Development Opportunities
Environmental Assessment / Finding of No Significant Impact

Agency/Organization	DEA Notice Sent	DEA Comment Date
Corporation Counsel	X	
Department of Environmental Management	X	11/27/24
Department of Fire and Public Safety	X	
Department of Housing	X	
Department of Human Concerns	X	
Department of Management	X	
Department of Parks and Recreation	X	
Department of Planning	X	
Department of Public Works	X	
Department of Transportation	X	
Department of Water Supply	X	
Maui Planning Commission	X	
Police Department	X	
Maui Metropolitan Planning Organization	X	
Maui Redevelopment Agency	X	
Elected Official		
Mayor Richard Bissen	X	
State Senator Lynn DeCoite	X	
State Representative Kyle Yamashita	X	
Council Member Yuki Lei Sugimura	X	
Utilities		
Hawaiian Electric Company, Inc.	X	
Spectrum	X	
Hawaiian Telcom	X	
Hawai'i Gas	X	
Media		

ITEM G-1 EXHIBIT A
Waiohuli Economic Development Opportunities
Environmental Assessment / Finding of No Significant Impact

Agency/Organization	DEA Notice Sent	DEA Comment Date
Maui News	X	
Maui Now	X	
Honolulu Star Advertiser	X	
Honolulu Civil Beat	X	
Community Organizations		
Aha Moku o Maui Inc.	X	
Council for Native Hawaiian Advancement	X	
Hawai'i Wildfire Management Organization	X	
Kamehameha Schools Maui Campus	X	
Ka Ohana O Kahikinui Inc.	X	
Kēōkea Homestead Farms Lots Association	X	
Maui Cultural Lands, Inc.	X	
Maui Historical Society	X	
Maui Native Hawaiian Chamber of Commerce	X	
Maui Tomorrow Foundation, Inc.	X	
Native Hawaiian Legal Corporation	X	
Pa'upena Community Development Corporation	X	
Wailuku Community Association	X	
Waiohuli Hawaiian Homesteaders Association, Inc.	X	
Paukukalo Hawaiian Homestead Commty Assoc.	X	
Villages of Leialali'i Phase1A Association	X	
Waiehu Kou Commty Homestead Association	X	
Waiehu Kou Phase 3 Association Inc	X	
Waiehu Kou Residence Lots, Phase II Association Inc.	X	
Waiohuli Undivided Interest Lessees	X	
Maui Homestead Farmers & Ranchers Association	X	

ITEM G-1 EXHIBIT A
Waiohuli Economic Development Opportunities
Environmental Assessment / Finding of No Significant Impact

Agency/Organization	DEA Notice Sent	DEA Comment Date
Maui Mokuuni Council	X	
Malama Kakanilua	X	

9 REFERENCES

- Cheng, C.L., Izuka, S.K., Kennedy, J.J., Frazier, A.G., and Giambelluca, T.W.,. (2021). *Water Resource Management Monitoring Needs, State of Hawaii*. U.S. Geological Survey Scientific Investigations Report 2020-5115.
- Community Planning and Engineering, Inc. (2005). *Drainage Report Keokea-Waiohuli Development*.
- County of Maui. (2010). *2030 General Plan, Countwide Policy Plan*. County of Maui.
- County of Maui. (2023). *Upcountry Kula Wildfire*. Retrieved from <https://www.mauicounty.gov/CivicAlerts.aspx?AID=12692>
- DBEDT. (2021). *County Economic Conditions*. Retrieved from Reserach & Economic Analysis: <https://dbedt.hawaii.gov/economic/qser/county/>
- Department of Business, Economic Development & Tourism. (2018, August). *Population and Economic Projections for the State of Hawaii to 2045*. Retrieved from DBEDT: <http://dbedt.hawaii.gov/economic/datawarehouse/>
- FEMA. (2020, August 3). *Earthquake Hazard Maps*. Retrieved 2022, from Earthquake Risk: <https://www.fema.gov/emergency-managers/risk-management/earthquake/hazard-maps>
- Giambelluca, T., Chen, Q., Frazier, A., Price, J., Chen, Y.-L., Chu, P.-S., . . . Delparte, D. (2013). *Online Rainfall Atlas of Hawai'i*. Bull. Amer. Meteor. Soc. 94, 313-316, doi: 10.1175/BAMS-D-11-00228.1.
- Giambelluca, T., Shuai, X., Barnes, M., Alliss, R., Longman, R., Miura, T., . . . Businger, A. (2014). *Evapotranspiration of Hawai'i*. U.S. Army Corps of Engineers—Honolulu District, and the Commission on Water Resource Management, State of Hawaii. doi:10.1175/BAMS-D-11-00228.1
- Handy, E., & Handy, E. (1972). *Native Planters in Old Hawaii: Their Life, Lore and Environment*. Bernice Pauahi Bishop Museum Bulletin 223.
- Hawaii Climate Change Mitigation and Adaptation Commission. (n.d.). Retrieved from https://climate.hawaii.gov/wp-content/uploads/2019/02/SLR-Report_Dec2017-with-updated-disclaimer.pdf
- Hawaii Commission on Water Resource Management and U.S. Army Corps of Engineers. (2013). *Hawaii Water Conservation Plan*. Honolulu.
- Hawaii Wildfire Management Organization. (2014). *Western Maui Community Wildfire Protection Plan*. Retrieved from <https://dlnr.hawaii.gov/forestry/files/2023/08/Western-Maui-CWPP14.pdf>

ITEM G-1 EXHIBIT A
Waiohuli Economic Development Opportunities
Environmental Assessment / Finding of No Significant Impact

- Kamakau, S. (1961). *Ruling Chiefs of Hawaii*. Honolulu, Hawai'i: The Kamehameha Schools Press.
- Office of Environmental Quality Control. (1997). *Guidelines for Assessing Cultural Impacts*. State of Hawai'i.
- Pacific Disaster Center. (2023). *Maui Wildfire*. Retrieved from <https://www.pdc.org/maui-wildfire/>
- Pacific Island Ocean Observing System (PacIOOS). (2022). *Sea Level Rise: Hawaii Sea Level Rise Viewer*. Retrieved from <https://www.pacioos.hawaii.edu/shoreline/slr-hawaii/>
- State of Hawaii. (2019, August 17). Administrative Rules. *HAR 10-7 Planned Communities, Multi-family Complexes, and Rental Housing*. https://dttl.hawaii.gov/wp-content/uploads/2020/02/HAR-Ch-10-7_Eff-Aug-17-2019-1.pdf.
- State of Hawaii, Commission on Water Resource Management. (2017). *State Water Projects Plan*.
- State of Hawaii, Commission on Water Resource Management. (2021). *Agricultural Water Use and Development Plan*.
- State of Hawaii, Department of Hawaiian Home Lands. (2004). Maui Island Plan. https://dttl.hawaii.gov/wp-content/uploads/2012/05/Island_Plan_Maui_2004.pdf.
- State of Hawaii, Department of Hawaiian Home Lands. (2022). General Plan Update. https://dttl.hawaii.gov/wp-content/uploads/2022/12/221123-DHHL-General-Plan-Final-Draft_Adopted.pdf.
- State of Hawaii, Department of Health. (2012). *2008/2010 State of Hawaii Water Quality Monitoring and Assessment Report*. Department of Health, Clean Water Branch, Honolulu.
- State of Hawaii, Department of Health, Safe Drinking Water Branch. (2018). *Upcountry Maui Groundwater Nitrate Investigation Report*.
- U.S. Census Bureau. (2021). Retrieved from American Community Survey: <https://factfinder.census.gov/>
- U.S. Fish and Wildlife Service. (2022). *National Wetlands Inventory Surface Waters and Wetlands*. Retrieved from National Wetlands Inventory: <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>
- University of Hawai'i Sea Grant. (2014). *Climate Change Impacts in Hawai'i A Summary of Climate Change and its Impacts to Hawai'i's Ecosystem and Communities*. Honolulu: NOAA.
- University of Hawaii Sea Grant. (2014). *Climate Change Impacts in Hawai'i A summary of climate change and its impacts to Hawai'i's ecosystems and communities*. Honolulu: NOAA, University of Hawaii School of Ocean and Earth Science and Technology, Hawaii Tourism Authority.

ITEM G-1 EXHIBIT A
Waiohuli Economic Development Opportunities
Environmental Assessment / Finding of No Significant Impact

USDA Soil Conservation Service. (1972, January 2). *Soil Survey of the Islands of Kauai, Oahu, Maui, Molokai, and Lanai, State of Hawai'i*. Retrieved from Natural Resources Conservation Service, United States Department of Agriculture.

USGS. (1997, July 18). *Volcanic and Seismic Hazards on the Island of Hawaii: Volcanic Hazards*. Retrieved January 5, 2011, from U.S. Geological Survey:
<http://pubs.usgs.gov/gip/hazards.html>

PLANNING OFFICE
DEPARTMENT OF HAWAIIAN HOME LANDS

January 21, 2024

TO: Chairperson and Members, Hawaiian Homes Commission
THROUGH: Andrew H. Choy, Acting Planning Program Manager
FROM: Cherie-Noelle Ka`anana, Water Program Specialist
SUBJECT: Approval of Dr. Jonathan Likeke Scheuer as the
Hawaiian Homes Commission's Representative to the Maui
County East Maui Regional Community Board

RECOMMENDED MOTION/ACTION

That the Hawaiian Homes Commission (HHC) approve the proposed nominee, Dr. Jonathan Likeke Scheuer, as the Hawaiian Homes Commission representative on the East Maui Regional Community Board (EMRCB).

DISCUSSION

Background on the East Maui Irrigation System

The East Maui Irrigation System (EMI) was developed beginning in the 1870s, and until recently was 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 Maui Hikina (East Maui) community, with a recorded average flow of 165 million gallons a day (mgd) and up to 450 mgd¹. 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.

¹ <https://files.hawaii.gov/dlnr/cwrp/cch/cchma1301/CCHMA1301-20180620-CWRM.pdf>

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 related 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.

Each of these is more fully explained below.

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 Maui Hikina 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. A portion of Article XII, Section I of the Hawai`i State Constitution states:

Thirty percent of the state receipts derived from the leasing of cultivated sugarcane lands under any provision of law or from water licenses shall be transferred to the native Hawaiian rehabilitation fund, section 213 of the Hawaiian Homes Commission Act, 1920, for the purposes enumerated in that section.

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.

Background on the East Maui Regional Community Board / `Aha Wai o Maui Hikina

In the November 2022 election, the East Maui Regional Community Board², also known as `Aha Wai o Maui Hikina, was 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 - the areas historically leased via revocable permits by BLNR to EMI.

This water authority includes a designated seat for a representative of the HHC. In the Maui County Charter, Section 8-19.2(1), Regional Community Boards, it specifies:

The East Maui regional community board...consists of eleven members with a minimum of two members from each license area. Eight members must have experience in water resource management and watershed restoration in the applicable watershed and reside in the applicable community plan area...The three remaining members are appointed by the council based on the following requirements: one member with experience in water resource management who is actively engaged in ranching, farming, aquaculture, or loko i`a

² <https://www.mauicounty.gov/DocumentCenter/View/139187/CHARTER---January-2023>

in the area where water service is provided; one member with experience in water resource management who resides full-time in the area where water service is provided; and *one member who is a representative of the Hawaiian Homes Commission, and is recommended by the Department of Hawaiian Home Lands.*

After being nominated, board members are required to go through additional County processes. This includes confirmation by the County Council at a public hearing, the filing of a Financial Disclosure Statement with the County Board of Ethics, and they must be sworn in with an Oath of Office. Board members are expected to attend all meetings, with the frequency of at least once per month.

Background on the Selection Process

On December 16, 2024, the HHC approved the proposed process and procedure for the selection of the HHC representative on the EMRCB in Agenda Item G-3. The approved process can be found at <https://dhhl.hawaii.gov/po/water/>. Notification of the upcoming vacancy on the EMRCB occurred at the same meeting, where DHHL staff announced applications for the seat would be available on the DHHL website.

The deadline for applications was extended to January 13, 2024, to account for the holiday season. Maui island homestead leaders also received email notification regarding the seat and the application deadline. We received one application. Upon review, DHHL staff utilized criteria approved by the HHC that were proposed at beneficiary consultation, to determine an appropriate representative. These criteria include:

- I. The applicant shall have affiliation with DHHL through one or more of the following:
 - i. Lessee
 - ii. Applicant
 - iii. Employment
 - iv. Hawaiian Homes Commission past or current representative
 - v. Consultant
- II. The applicant shall have relevant water experience and knowledge related to the water license areas of the board through one or more of the following:
 - i. Firsthand experience with ranching, farming, aquaculture, or loko i`a
 - ii. Water resource management and watershed restoration experience
 - iii. Advocacy work related to water

- iv. Completion of the *I Mana i ka Wai: Kūkulu Kahuwai DHHL Water Law and Leadership Training Series*

After thorough consideration, DHHL staff recommends Dr. Jonathan Likeke Scheuer as the HHC representative on the EMRCB. Dr. Scheuer's qualifications are provided in Exhibit A.

Recommendation

Staff respectfully requests that the Hawaiian Homes Commission approves the nomination of Dr. Jonathan Likeke Scheuer as the Hawaiian Homes Commission representative on the East Maui Regional Community Board.

Attachments: Exhibit A

JONATHAN LIKEKE SCHEUER, PH.D.

JONATHAN@KAHALAWAICONCONSULTING.COM • [HTTP://WWW.LINKEDIN.COM/IN/LIKEKE](http://www.linkedin.com/in/likeke)

I help organizations manage environmental conflict and seek sustainable prosperity for the stakeholders and natural resources involved

EMPLOYMENT HISTORY

Consultant July 1990 – present, as Kahālāwai Consulting LLC, 2018 – present

Work with clients to create and implement water protection and development strategies.

- Secure water for housing and farm development: Led development and implementation of the first water policy for Hawaiian Homes Commission since its founding in 1921. Assisted in resolution of water claims statewide, including to the Waimea River, Kaua'i and securing a water Use Permit on Moloka'i after twenty-seven years of litigation
- Coordinate outreach and strategy efforts to protect the water resources Kaloko-Honokōhau National Historical Park while accommodating surrounding development
- Water management area designation for the Honolulu Board of Water Supply
- Assist private sector off-stream users manage interests during state efforts to restore stream flows

Facilitate meetings, run public hearings, and plan and implement community outreach.

- Development and implementation of community engagement (Birds Not Mosquitoes, Ka'ūpūlehu Marine Life Advisory Committee)
- Facilitated meetings for the third and fourth National Climate Assessment, Climate Downscaling in the High Hawaiian Islands, the five-year science plan for the Pacific Islands Climate Science Center, and the National Corporation for Atmospheric Research
- Appointed as hearings officer for the Land Use Commission (A89-649 Lāna'i Resorts)

Land use planning, research, advocacy, and expert witness services.

- Expert witness for the Consumer Advocate before the Public Utilities Commission
- Developed a team to assess the scientific bases for evaluating fishing regulations for the Northwest Hawaiian Islands Coral Reef Ecosystem Reserve
- Assisted in development of the first land use plan for the Waipā Ahupua`a (Kaua'i)
- Preparation and delivery of testimony to local, state, and federal bodies

Director, Land Management, Office of Hawaiian Affairs (OHA), Honolulu, Hawai'i
November 2006 – February 2010

Led development, adoption and implementation of OHA's first real estate policy, and subsequent development and management of a 28,000+ acre portfolio including creating and managing budgets, hiring, supervision, contracts, and communications.

- Led financial and technical analyses and beneficiary outreach for the proposed \$200 million dollar settlement of past due claims on "ceded" land revenue
- Led OHA's first acquisitions: Waimea Valley and Wao Kele O Puna, leveraging \$3.9 million to acquire \$26.25 million in assets and ending controversies
- Co-led creation and management of Hi'ipaka LLC (501(c)3) to own and manage Waimea Valley, O`ahu; oversaw program development, restoration, visitor growth

EMPLOYMENT HISTORY, CONTINUED

Policy Analyst IV, Office of Hawaiian Affairs (OHA), Honolulu, Hawai`i

May 2004 – October 2006

Led review of all water related projects statewide for their impacts on Hawaiians and environmental resources; coordinated with allied groups; supervised staff; managed project teams; managed associated grants, budgets, and plans.

- Successfully resolved two contested cases; led multi-year, high profile water rights advocacy efforts statewide, including Nā Wai `Ehā, Maui and Waialua, Kaua`i; oversaw negotiation, litigation, research, and outreach
- Regularly reviewed, prepared agency comments for, and delivered testimony on entitlement applications, land use plans, environmental documents, and legislation for their effect on Native Hawaiians; affected changes to projects and bills
- Identified, developed and maintained relationships with key strategic partners including community, business, and scientific organizations; represented OHA to media

Lecturer-in-Law, William S. Richardson School of Law, University of Hawai`i, Lecturer, Urban and Regional Planning Department

Mānoa, Hawai`i

Fall 2004 & 2005, Spring 2007, 2008, 2013, 2015, 2017, 2019, 2020, 2023, 2025

Co-taught courses on Conservation Transactions and Land Use Management for the Law School. Developed and taught a graduate overview of US & Hawai`i environmental policy and training students with hands on policy analysis and advocacy for the Planning Department.

Land Evaluation Coordinator, Kamehameha Schools, Honolulu, Hawai`i

June 2002 – June 2003

Developed methodology to assess multiple returns on 365,000 acres of agricultural and conservation district lands, assistance with water related issues in a post-doctoral position.

- Developed an evaluation model for economic, community, educational, environmental, and cultural returns on land managements and investments
- Developed a new water policy and an alternative settlement to a \$453,000 fine from the state Water Commission

Legislative Aide, Hawai`i State House of Representatives, Honolulu, Hawai`i

January – May, 1992 & 1993

- Drafted bills and committee reports; maintained an updated database on budget deliberations to share information with concerned parties otherwise excluded; assisted with negotiation over feral animal control on conservation lands

Campaign Chair / Manager, The Friends of Jim Shon, Honolulu, Hawai`i

May – November, 1992

SELECTED COMMUNITY / CIVIC INVOLVEMENT

ʻAha Wai o Maui Hikina / East Maui Regional Community Board DHHL representative,
Chair, June 2023 – present

Hawaiʻi State Land Use Commission, July 2014 – June 2022.
Chair, June 2018 – June 2022; First Vice Chair July 2015 – June 2018; At-Large.

Hawaiian Islands Land Trust, January 2011 – January 2022.
Past Chair (2020-22), Chair (2018-20); Vice Chair (2016-8), Board Member, Chair of the
Board Development and Land Committees.

Sierra Club Hawaiʻi Chapter Political Committee. 2014 – 2022; Chair 2017 – 2022.

Oʻahu Island Burial Council, May 2011 – June 2014 Vice Chair January 2012 – June 2014.
Hawaiian community representative for the Kona district

Oʻahu Land Trust, Board Member, March 2010 – December 2010

Mālama Mānoa, Director, January 2004 – December 2006

SELECTED PROFESSIONAL DEVELOPMENT

Better Selves Fellowship, Knoll Farm, June – July 2021

Urban Land Institute, UrbanPlan for Public Officials, October 2017

New Partners for Smart Growth 2017 Conference, St. Louis, Missouri.

2017 Hawaiʻi Land Law Conference, Honolulu, Hawaiʻi

Center for Whole Communities, Fellowship/Whole Thinking Leaders' Retreat, 2012 (Detroit,
Michigan); Whole Thinking in Practice Retreat 2015 (Booneville, California)

Hawaiʻi Conservation Conference, 1994-7, 2004-9, 2012-14, 2018, 2024

Land Trust Alliance, Rally (speaker), 2005 – 2007, 2009, 2019

Ford Foundation, Closing the Racial Wealth Gap Conference, 2007

FORMAL EDUCATION

Ph.D., Environmental Studies, UC Santa Cruz, June 2002

Masters in Environmental Studies, Yale University, School of the Environment, May 1995

Certificate, Scottish Cultural Studies, University of Edinburgh, July 1991

B. A., Environmental Studies (honors), UC Santa Cruz, June 1991

SELECTED AWARDS, FELLOWSHIPS AND GRANTS

Wiliwili Warrior Award, Kihei Community Association, 2022

Randy Ching Volunteer of the Year Award, Sierra Club Hawai'i Chapter, 2018

Switzer Network Innovation Grant, 2017; Switzer Network Environmental Leadership Grant, 2002-03

Environmental Protection Agency STAR Fellow, 1999-2001

Switzer Fellowship, 1998-99

University of California Regent's Fellowships, 1996, 1997

Gilman Ordway Family Scholar, 1994-95

SELECTED PUBLICATIONS

Ostrowski, Deja, and Jonathan Likeke Scheuer. **Five tools to Disarm the Weaponization of Affordable Housing.** Civil Beat. March 7, 2023.

Scheuer, Jonathan Likeke and Bianca Kai Isaki. 2021. **Water and Power in West Maui.** Honolulu: University of Hawai'i Press.

Scheuer, Jonathan Likeke. 2020. **"How To Redefine The Housing Crisis In Hawaii: Myths, truths and steps that can take us forward."** Civil Beat. December 13, 2020.

Scheuer, Jonathan Likeke and Bianca Kai Isaki. 2015. **Report on Traditional and Customary Practices for the National Park Service.** May 29, 2015.

Nāmu`o, Clyde and Jonathan Likeke Scheuer. 2008. **"Effort to 'save' Waimea Valley will take all of us."** The Honolulu Advertiser. October 26.

Scheuer, Jonathan L. 2002. **Water and Power in Hawai'i: The Waiāhole Water Case and the Future of the Islands.** Doctoral dissertation.

Scheuer, Jonathan and Tim W. Clark. 2001. **"Conserving Biodiversity in Hawai'i: What is the Policy Problem?"** in Tim W. Clark, Michael J. Stevenson, Kim Ziegelmayer, Murray B. Rutherford, Volume Editors; Jane Coppock, Bulletin Series Editor. **Species and Ecosystem Conservation: An Interdisciplinary Approach** Bulletin 105, Yale University School of Forestry and Environmental Studies. New Haven: Yale University.

Scheuer, Jonathan. 1995. **"We Are What We Eat: The Political Ecology of Kalo (Colocasia esculenta) in Waipā, Kaua'i, Hawai'i."** Pp. 27 - 20 in TRI News: Journal of the Tropical Resources Institute.

Bojanowski, Melanie, Angie Shelton, Chris Wilcox, Kim Heinemeyer and Jonathan Scheuer. 1998. **"Sneak Attack on Species Protection: Clinton policies weaken provisions of vital legislation."** The San Francisco Chronicle. December 3, page A33.

SELECTED PRESENTATIONS & PODCASTS

Be Akamai: Why Wai How a water rights fight on Maui impacts all of Hawai`i

Hawai`i News Now podcast with Daryl Huff. December 6, 2024.

Water and Power in Hawai`i: Updates from the Battlefields

Opening Keynote, RCAC Environmental Symposium November 5, 2024.

A Healing Well: Our Culture and Our Rights as a Water Resource

Closing Keynote, Hawai`i Rural Water Association Conference, May 26, 2022.

What Does Sustainable Yield Sustain? What (and Who) is Left Out?

Water Resources Research Seminar presentation, October 20, 2021.

The Hawaiian Homes Commission Water Policy Plan

Presentations for homesteaders on Hawaiian water rights. 2017-22 across Hawai`i.

Native Hawaiian Rights and the Thirty Meter Telescope

Facilitator at 2017 Hawaii Land Use Law Conference with Attorney General Douglas Chin, David Kauila Copper, and Lisa Munger, January 20, 2017, Honolulu, Hawai`i

Hawai`i Water Wars

Discussant after the showing of Kalo Pa`a O Waiāhole at the Indigenous International Film Festival, Denver Colorado. March 9, 2016.

It's the Process, Stupid (The value of engaging the Native Hawaiian Community)

Presentation at the Native Hawaiian Rights training for Boards and Commissions. William S. Richardson School of Law, January 16, 2016.

Current Needs and Long Term Aspirations for Kaka`ako: Grounded Stories & Civic Space

Panelist at Kaka`ako Our Kuleana. November 3, 2015.

Legal and Cultural Frameworks for Water Management in Hawai`i

W/ Kapua`ala Sproat, American Planning Association, May 12, 2010, Honolulu, Hawai`i

Forgotten Histories: Collaborating with Tribes and Native Communities

Land Trust Alliance 2009 Rally, October 12, 2009, Portland, Oregon

Land Asset Management as a Tool for Mission

American Planning Association, October 1, 2008, Anchorage, Alaska

After Apologies: Indigenous Real Estate Choice in Asset Allocation (Keynote)

Australian Institute of Superannuation Trustees, July 2, 2008, Sacramento, California

Income & Proceeds from the Public Land Trust: Bringing Closure to a 30 Year Dispute

40+ presentations on a proposed settlement on past-due amounts on ceded lands January – March, 2008, Kaua`i, O`ahu, Moloka`i, Lāna`i, and Hawai`i Islands

Land Acquisition, Retention, and Utilization

Ford Foundation, October 29, 2007, New York, New York

SELECTED MEDIA COVERAGE AND APPEARANCES

- 2023, August 27. **How 19th-century pineapple plantations turned Maui into a tinderbox.** [The Guardian](#).
- 2023, August 23. **Lahaina's deadly fire has intensified Maui's fight over water rights.** [Washington Post](#).
- 2023, August 23. **Waldbrände auf Hawaii: Bevor die Asche kalt ist.** [Die Zeit](#).
- 2023, August 20. **Lahaina Fire Prompts a Shift in Maui's Long-Running Water Fights.** [New York Times](#).
- 2023, August 17. **Fire Exposes Flaws in Hawaii's Defenses Against Climate Shocks.** [New York Times](#).
- 2023, August 17. **Water access and use conflicts mount with Lahaina fire.** KHON.
- 2023, July 25. **'Hurting for water': Hawaii resorts worsen Maui's water shortage.** [SF Gate](#).
- 2022, June 19. **The Civil Beat Editorial Board Interview: LUC Chair Jonathan Likeke Scheuer.** [Civil Beat](#).
- 2022, February 5. **Water Commission Learns of Threats to West Maui Ground, Surface Sources.** [Environment Hawai'i](#).
- 2021, January 26. **Remote workers are flocking to Hawaii. But is that good for the islands?** [The Guardian](#).
- 2019, February 22. **Commission takes DOE official to task: Members reaffirm support for under- or overpass to Kihei high school.** [The Maui News](#).
- 2017, January 19. **Commission approves final EIS for Waikapu Country Town project.** [The Maui News](#).
- 2016, January 20. **Keauhou Aquifer Resolution Could be a Long Time Coming.** [West Hawai'i Today](#).
- 2014, June 13. **Burial Council Concerns About 801 South Street.** KHPR "The Conversation"
- 2012, September 23. **The Reburial of Bones.** [The Honolulu Star-Advertiser](#). Vicky Viotti.
- 2007 – 2010. Guest host of morning show [Nā `Ōiwi `Ōlino](#), KKNE am 940, Honolulu, Hawai'i.
- 2008, September 5. **"Progress at Waimea Valley."** [Everybody's Business with Howard Dicus](#), KHET (Hawai'i Public Television).
- 2008, January 23. **"Landmark agreement signed in Hawaii."** [Radio New Zealand International](#).
- 2008, January 22. **"Ceded Lands – the People's Legacy."** [KITV](#).

STATE OF HAWAI`I DEPARTMENT

OF HAWAIIAN HOME LANDS

January 21-22, 2025

To: Chairman and Members, Hawaiian Homes Commission

Thru: Andrew Choy, Planning Program Manager *AC*

From: Lillie Makaila, Planner *lljm*

Subject: For Information Only - Draft Environmental Assessment (EA) and Anticipated Finding of No Significant Impact for the North Kona Wells Project - Gianulias Site, Island of Hawai'i TMK No. (3)-7-5-014:001 and 011.

Recommended Action

None; for information only.

Discussion

In both the 2009 and 2020 Regional Plans for Kealahou/La'i 'Ōpua, water source development to support water supply for DHHL lands in North Kona was identified as a priority project for the region. These regional plans were developed through a regional planning process with beneficiaries and the plans were approved by the Hawaiian Homes Commission. The priority project, called "North Kona Water Source Development and Storage" focuses on working collaboratively with various stakeholders in the region to develop additional water sources in order to meet the needs of the Department to provide water for development of its lands in the region.

Currently, DHHL has approximately 1,400 acres in the North Kona Region. After the completion of La'i 'Ōpua Village 4 Phases I and II, DHHL will have exhausted its available water credits (equivalent units) on the County DWS water system to provide potable water, and will need additional credits to provide potable water for all planned future development in the region.

Additional water credits are critical in order for DHHL to proceed with any of its planned development that requires water infrastructure in North Kona, including the construction of homesteads, community spaces, the expansion of existing

community uses, etc. The unmet water demand for DHHL in North Kona is estimated to be 3.398 million gallons per day (MGD). In 2015, the Commission on Water Resource Management (CWRM) approved a water reservation for this need, 3.398 MGD, for North Kona. This water reservation is a kapu of water for DHHL's use, but does not mean immediate access to "wet water" to supply development.

The County DWS has advised DHHL that in order to access this water reservation, DHHL must develop additional groundwater well sources. It will likely take 3-4 groundwater wells with a capacity of 1MGD to supply the necessary water needed to fully develop the Department's lands in North Kona. County DWS has verbally told DHHL that it would give DHHL the "full amount" of water from groundwater well sources developed in the region. A groundwater well that has the capacity to pump 1MGD will pump that amount over the course of the 24-hour period. Best practices are to "rest" a well for an 8-hour period, or one-third of the pumping time. The County water credit allocation formula for a 1MGD well is as follows:

- 1,000,000 gallons x two-thirds = 666,666 gallons per day (this assumes that the well will not be pumping 24-hours, but will rest for 8-hours)
- 666,666 gallons per day/one water credit or 600 gallons per day = 1,111 water credits
- 1 water credit = 1 housing unit = 1 residential homestead

Therefore, a 1MGD well source can potentially supply 1,111 residential homesteads.

DHHL's existing lands in North Kona do not overlay a reliable water source, and the lands that are located mauka of the Kāloko-Honokōhau National Park are located within the National Park Service's area of concern for water source development. This area of concern is described as the four ahupua'a in the vicinity of the park where studies indicate that groundwater well development will negatively impact the park resources and the traditional and customary native practices that rely on the groundwater sources in this area (See Figure 1 below). For these reasons, DHHL has been tasked to look for potential groundwater well sites off DHHL lands.

DHHL has identified two potential groundwater well locations in the Kona region that could supply the necessary potable water needed (See Figure 1). One site is currently owned by the Kamehameha Schools Bishop Estate and located in Keauhou. The

second site is referred to as the Gianulias property, and is currently owned by Cannery Commercial, LLC and AKT Kona Investors, LLC and leased to Cancino Family Farms, LLC for use as a commercial coffee farm in Wai'aha.

The Gianulias property is approximately 130 acres and is mauka of Māmalahoa Highway. It is located at the same elevation as an existing County DWS well, and has been identified as a good location to site a groundwater well. The current land use on the property is coffee farming, and the appraised value for the property according to an appraisal completed in September 2022 is \$10.5M (Exhibit B).

Negotiations for the acquisition of this parcel have been on-going since 2018. Beneficiaries in the Kona Region have encouraged the Department to move forward with land acquisition and water source development of this property throughout the on-going negotiations with the current landowners. Here is a table of the major milestones in the acquisition process:

Action	Date
Letter of Intent signed	June 2023
Due diligence studies	On-going
Purchase and Sales Agreement	In progress
Projected closing	June 2025; depending upon completion of HRS Chapter 343 compliance and Ka Pa'akai Framework

III. PURCHASE AND SALES AGREEMENT

The purchase and sales agreement (PSA) is a legally binding document between the current landowners of the Gianulias property as the potential sellers and DHHL as the potential buyer. This document outlines the terms and conditions that will guide the sale of the property. The HHC approved the PSA for the property earlier this year at its January meeting. (Exhibit A).

Per guidance from the State Attorney General's Office, one of the conditions included in the PSA to close on the purchase of this property is the completion of an HRS Chapter 343 EA.



**NORTH KONA WATER
POTENTIAL SOURCE DEVELOPMENT SITES**

LEGEND

- DHHL Lands
- Ahupua'a
- Kāloko-Honokōhau National Historical Park
- Gianulias Site
- KS Well Site



Figure 1

IV. DRAFT ENVIRONMENTAL ASSESSMENT

A Draft Environmental Assessment (EA) has been prepared to study the affected environment, assess potential environmental and socio-economic impacts, and propose measures to mitigate potential impacts. The following table summarizes the findings and mitigation measures from the Draft EA:

Affected Resource	Short-term Impacts	Long-term Impacts	Cumulative Impacts	Mitigation Measures
Land Use	None Anticipated	None Anticipated	None Anticipated, all future growth resulting from the Proposed Action and other developments are within designated growth areas	Final well location will be outside areas classified as Agricultural Lands of Importance to the State of Hawai'i
Geology, Topography, and Soils	Clearing, grading and grubbing	None Anticipated	None Anticipated	Grading, Grubbing and Stockpiling permits per Hawai'i County Code, Chapter 10-Erosion and Sediment Control; soil loss and erosion Best Management Practices (BMPs)
Hydrologic Resources	None Anticipated	Greater groundwater withdrawal from the Keauhou Aquifer System Area within the aquifer's sustainable yield	Greater groundwater withdrawal from the Keauhou Aquifer System Area within the aquifer's sustainable yield	Soil loss and erosion BMPs; Well Construction and Pump Installation Permits; Engineering Report compliant with HAR §11- 20-29; NPDES permit, siting the wells outside the floodplain of Wai'aha Stream

Affected Resource	Short-term Impacts	Long-term Impacts	Cumulative Impacts	Mitigation Measures
Biological Resources	Potential spread of invasive species; Temporary displacement of fauna species during construction phase	None Anticipated	None Anticipated	Invasive species control measures; fauna avoidance and impact reduction BMPs; biological resource training for crews; fauna resource buffers
Archaeological and Historic Properties	None Anticipated	None Anticipated	None Anticipated	Cultural resource training for construction crews; archaeological monitoring during construction; notify SHPD if cultural or historic resources are identified during construction; cease work immediately and contact SHPD, coroner and police if iwi kūpuna are identified during construction activities, and develop reinternment plan as appropriate

<p>Cultural Resources and Practices</p>	<p>None Anticipated</p>	<p>None Anticipated</p>	<p>None Anticipated</p>	<p>DHHL will uphold its mandates as prescribed by law; site water source development within the same ahupua'a as it will be consumed whenever possible; implement efficiency and conservation measures in transportation, storage and consumption in areas that are importing water; water recycling efforts; water conservation collaboration/partnership in public awareness campaign; culturally informed research, studies and monitoring to inform mitigation; appropriate thresholds identified and upheld; regional monitoring program with benchmarks and actions tied to those benchmarks; propose management options if the trend is towards detrimental effects; frequent, meaningful, and accessible updates regarding research, studies and monitoring practices should be available to stakeholders; DHHL will consider the formation of a hui open to stakeholders to advise water-related decision-making and aid in outreach to stakeholders at large; DHHL will make efforts to encourage</p>
---	-------------------------	-------------------------	-------------------------	---

			<p>more beneficiaries and members of the native Hawaiian community to be involved in the Boards of Water Supply meetings and to be members on the Boards of Water Supply so these important stakeholders are able to have more authority over water use; DHHL should commit financially and administratively to supporting community-managed water resource management; DHHL will advocate for and participate in the update of the Water Use and Development Plan for Hawai'i County; DHHL will support and advocate for Commission on Water Resource Management (CWRM) analysis of water availability and revised sustainable yields, including a process that has substantial opportunity for public input; DHHL will advocate for CWRM to share more rigorous summaries of existing state of knowledge as published; DHHL will advocate for and participate in the update of the Statewide Framework for Updating the Hawaii Water Plan (Framework); DHHL</p>
--	--	--	---

			<p>will aid in funing mālama 'āina/watershed management efforts in affected ahupua'a to increase water recharge and to allow for mālama of places and areas critical for the continuation of native practices; DHHL will create a clear pathway for long-term access for native rights and customary practices on DHHL's lands and will look into its current ROE/land disposition process for activities such as mālama 'āina and stewardship; DHHL will collaborate with stakeholders in the creation of a preservation plan for Kealakowaa, the protection of cultural, historical and natural resources associated with the Kona field system, and stewardship of the Kona upland forests. These efforts include contributions or resources in other areas or in the project parcel itself, towards the restoration of these valued resources in collaboration with cultural practitioners, lineal descendants, native tenants, beneficiaries, etc.</p>
--	--	--	---

Affected Resource	Short-term Impacts	Long-term Impacts	Cumulative Impacts	Mitigation Measures
Scenic and Aesthetics	None Anticipated	None Anticipated	None Anticipated	None Required
Air Quality	Fugitive dust and construction related air pollutants	None Anticipated	None Anticipated	Air pollution control BMPs
Socioeconomics and Environmental Justice	None Anticipated	None Anticipated	Positively benefiting Native Hawaiian and low-income families by creating increased access to housing and economic opportunities	None Required
Acoustic Environment	Noise generated during construction	None Anticipated	None Anticipated	Community Noise permit; noise reduction BMPs; public informational meeting
Transportation and Traffic	Minor increase in traffic during construction phase	None Anticipated	Secondary impacts combined with reasonably foreseeable developments could result in increased traffic around La'i 'Opua	None Required
Natural Hazards	None Anticipated	None Anticipated	None Anticipated	Final well location will be outside the Special Flood Hazard Zone
Public Facilities and Infrastructure	None Anticipated	None Anticipated	Secondary impacts combined with reasonably foreseeable developments could	None Required

Affected Resource	Short-term Impacts	Long-term Impacts	Cumulative Impacts	Mitigation Measures
			increase demand on Keauhou Aquifer System Area, public facilities and infrastructure	

The following sections highlight the key environmental findings and recommended mitigation measures from the Draft EA:

Hydrologic Resources

The Proposed Action would not change the Project Site’s potential exposure to rainfall or impact rainfall levels in the area. The Proposed Action would have no impacts on wetland features, as none occur in the Project Site. Those in the vicinity are mauka of the site and Māmalahoa Highway and would not be affected by the Proposed Action.

Wai’aha Stream crosses through the northwestern portion of the Project Site however, the Proposed Action would not impact this surface water source. The wells will be sited in a location away from the stream, and in an area that produces the least amount of ground disturbance to reduce potential impacts. BMPs like those described in Section 3.3.3 would be used during excavation and grading activities to minimize soil loss and erosion preserving existing surface and coastal water conditions. Permanent sediment control measures will be used once construction is complete. The exact amount of ground disturbance for the Proposed Action will be dependent on the topography and ground conditions of where the wells are sited. The total area disturbed will likely exceed one acre, and a NPDES permit will be obtained for the Proposed Action. Prior to Phase I, Well Construction and Pump Installation Permits will be obtained for the Proposed Action. While the two final production wells will be closer than the DWS preferred 0.25 miles, during Phase I the well will be tested to ensure it can support the desired water quantity to be produced collectively between the two final production wells. Testing will ensure there would be minimal interference between the two wells. During Phase I testing, if the water quality or quantity is insufficient or there is interference with nearby wells the Proposed Action would not continue to Phase II.

Upon installation and operation of Phase II, pumping by the Proposed Action will result in lowering groundwater levels in the project area. The Proposed Action is anticipated to withdraw a maximum of 2 mgd. This is within CWRM's approximately 3.4 mgd DHHL ground water reservation amount and is approximately five percent of the KASA's 38 mgd sustainable yield. If the Proposed Action and other additional proposed wells are developed, the future and existing wells would require an approximate total of 28 mgd (County of Hawai'i, Department of Water Supply, 2017). This is about 73 percent of the KASA's sustainable yield as determined by the CWRM, which is within the 90 percent sustainable yield limit. Thus, the Proposed Action would have minimal impact on the KASA or its long-term sustainability.

The DOH has strict requirements for new public drinking water sources. As such, the Proposed Action will comply with HAR §11-20-29 Rules Relating to Public Water Systems. An engineering report will be submitted to the DOH and approved before placing the Proposed Action online within the DWS's North Kona Water System. The report will identify all potential sources of contamination, evaluate alternative controls which could be implemented to reduce or eliminate contamination potential, and include a water quality analysis for all regulated contaminants.

Biological Resources

The Project Site is an altered landscape composed primarily of two vegetation types: landscaped vegetation and cultivated fields. No federally and/or state-listed threatened, endangered, or candidate plant species or rare Native Hawaiian plants were observed during the survey effort.

The Project Site directly abuts the Wai'aha Springs Forest Reserve, which is part of the National Audubon Society's Kona Forests Important Bird Area (IBA). The IBAs Program is a global effort to identify and conserve locations that are vital to birds and other species to ensure ongoing biodiversity. The Kona Forests IBAs has no legal distinction or ability to directly impact land uses but is instead intended to enhance conservation by providing sites for Native Hawaiian fauna species to breed and/or forage.

Fauna observed during the survey consisted primarily of common avian species found in and around disturbed areas on the Island of Hawai'i. Of the 13 avian species observed onsite, one was the 'Io, or Hawaiian hawk (*Buteo solitarius*), which is an endemic and state-listed endangered species. While not detected during the survey effort, within the Project Site there is suitable foraging and

nesting habitat for the federally threatened and state-listed endangered nēnē, or Hawaiian goose (*Branta sandvicensis*). Additionally, no Hawaiian seabirds were detected during the survey but there is the potential for them to traverse the Project Site at night during the breeding, nesting and fledging seasons (March 1 to December 15).

The feral pig (*Sus scrofa*) was the only mammal detected however, the Asian mongoose (*Herpestes javanicus*), rat (*Rattus* spp.) and mouse (*Mus musculus*) are expected to occur. Additionally, present within the Project Site is suitable foraging and roost habitat for the federally and state-listed endangered 'ōpe'ape'a, or Hawaiian hoary bat (*Lasiurus cinereus semotus*). While not detected during the survey effort, suitable habitat indicates the potential presence of this species onsite. No native invertebrates were observed.

The Project Site does not contain any designated or proposed critical habitat for any threatened or endangered fauna species and is not expected to support any other listed species beyond those previously discussed.

The Proposed Action will adhere to BMPs during construction and operation to minimize impacts to flora and fauna resources found at the Project Site. Construction will be implemented in phases to control erosion and no landscape alterations will occur within the Flood Zone AE area or along Wai'aha Stream. No impacts are anticipated for aquatic resources, however in the extremely unlikely event that accidental discharges occur the Department of Land and Natural Resources, Division of Aquatic Resources will be notified immediately.

Due to the prevalence of weedy, non-native plant species within the Project Site the following mitigation measures would be implemented as applicable to prevent the unintentional spread or introduction of new invasive species to the site:

- All construction equipment and vehicles would be washed and inspected before first entering the Project Site;
- Regularly washing and inspection of all construction equipment, vehicles and materials at a designated location for the presence of invasive or harmful non-native species by a qualified botanist or entomologist prior to entering the Project Site;
- Regularly clearing equipment, materials and personnel of excess soils and debris;
- Purchasing raw construction materials (e.g. fill) from on-

- island suppliers to avoid introducing non-native species;
- Maximizing use of native plant species or non-invasive species for landscaping and erosion control; and
- Sterilizing gear such as work boots, cutting tools, and vehicle tires to prevent the spread of fungal pathogens.

Potential impacts to fauna species are anticipated to be short-term and limited to the construction phases of the Proposed Action, which could temporarily displace individuals from the Project Site. However, suitable foraging, nesting and roosting habitat within the Wai'aha Springs Forest Reserve is directly adjacent to the site and could be used by displaced individuals until construction is completed. To further reduce any potential impacts to biological resources, the following avoidance and mitigation measures would be used during the construction and operation of the Proposed Action:

- Conduct biological resource training as a component of safety training for project personnel before working onsite that identifies special-status species and measures to be taken by crews if found during construction or operation;
- Appropriate speed limits would be posted and implemented within the Project Site to avoid potential impacts to nēnē;
- Any nēnē found onsite during construction or operation would be avoided;
- Nesting bird surveys of the Project Site and areas directly adjacent would be conducted by a qualified biologist within 72 hours prior to initiating construction, tree trimming or tree removal activities or after three (3) or more consecutive days of inactivity;
- If a nēnē nest is found within a 150-foot radius of the Proposed Action, or a previously undiscovered nest is located within said radius after construction has started, all work would cease immediately, and the U.S. Fish and Wildlife Service would be contacted for further guidance;
- No vegetation clearing or construction activities would occur within 1,600 feet of any active 'Io nests until the nest is determined inactive by a qualified biologist;
- Trees containing confirmed active or inactive 'Io nests would not be trimmed or removed, as nests may be re-used for consecutive breeding seasons;
- Active nesting sites of other Migratory Bird Treaty Act protected species would be avoided until the nest is determined inactive by a qualified biologist;
- Nighttime construction work would be avoided during seabird fledging season (September 15 to December 15);
- External light fixtures would be downfacing and shielded to

- prevent disruption of seabirds in flight;
- Where applicable, automatic motion-controlled sensors would be used for external light fixtures;
- Trimming and removal of vegetation greater than 15 feet tall would be avoided during
- 'ope'ape'a birthing and pupping season (June 1 and September 15); and
- Barbless materials would be used for any construction or operation fencing to avoid entanglement of 'ope'ape'a.

No additional short- or long-term impacts are anticipated. Therefore, no additional mitigation measures are required.

Archaeological Resources and Historic Properties

As required by HRS §343, HRS §6E-8, HAR §13-275 and HAR §13-276, an investigation was conducted to determine if any historic, cultural, or archaeological resources are present within the Project Site. Investigations were focused on approximately five (5) acres of the Project Site as shown in Figure 3-13: Focused Survey Area for LRFI / AIS.

The following is a chronological record of the investigations conducted by Cultural Surveys Hawai'i to identify and evaluate the potential of any historic, cultural, or archaeological resources being found onsite within the focused 5-acre study area:

- February 2019, the final Archaeological Literature Review and Field Inspection (LRFI) report was completed;
- May 2019, as part of the HRS §6E-8 process the State of Hawai'i, Department of Land and Natural Resources, SHPD concurred with DHHL's request to conduct an Archaeological Inventory Survey (AIS) based on the findings of the LRFI.
- August 2019, a final Cultural Impact Assessment (CIA) and summary report was completed;
- August 2020, an AIS was conducted following continued consultation with SHPD to determine the level of subsurface testing and a summary report was drafted; and
- December 2024, a Ka Pa'akai Framework Analysis Report was completed to ensure DHHL is in compliance with Article VII, Section 7 of the Hawai'i State Constitution, which places an affirmative duty on the State and its agencies to preserve and protect the reasonable exercise of customary and traditional native Hawaiian rights to the extent feasible and make an assessment of the impacts on these practices.

Three historic properties were identified during the LRFI and

analyzed during the AIS. The Proposed Action will adhere to BMPs during construction and operation to minimize impacts to the historic property resources found at the Project Site. Construction will be implemented in phases and the final well site will avoid these resources, if feasible.

If the final siting of the Proposed Action is outside the previously surveyed 5-acre focused area, coordination with SHPD will be resumed and additional investigations will be conducted as necessary to avoid or minimize impacts to historic, cultural or archaeological resources that may potentially be within the Project Site.

If the Proposed Action is sited within the focused survey area, the AIS will be finalized with SHPD prior to starting construction. The three historic properties identified during LRFI were adequately documented in the AIS. Thus, upon concurrence with SHPD, no further archaeological documentation or mitigation regarding the properties is required.

Regardless of the of the final siting location, the following mitigation measures would be implemented to prevent or minimize potential impacts on historic, cultural or archaeological resources:

- Conduct cultural resource training as a component of safety training for project personnel before working onsite. Training should include informing crews of the potential for inadvertent cultural finds including archaeological deposits and iwi kūpuna, or human remains.
- Conduct archaeological monitoring during ground disturbance activities during construction phase.
- If any cultural or historic resources are identified during construction activities, all work will cease in that area and the SHPD will be notified pursuant to HAR §13-280-3. A cultural preservation plan for proper cultural protocol, curation and long-term maintenance should be developed as appropriate.
- If iwi kūpuna are identified during construction activities, all work will cease immediately in that area and be cordoned off while the SHPD, coroner and the police department are notified pursuant to HAR §13-300-40. A reinternment plan should be developed as appropriate. As DHHL lands are recognized as tribal lands under the Native American Graves Protection and Repatriation Act (NAGPRA) of 1990, any discovery iwi kūpuna must also follow NAGPRA protocols and statutory requirements.

Any additional mitigation measures established during the Section 106 consultation process would be implemented to further avoid or minimize potential impacts on any historic, cultural or archaeological resources that occur or may potentially be found within the Project Site. No additional short- or long-term impacts are anticipated. Therefore, no additional mitigation measures are required.

Cultural Resources and Cultural Practices

An investigation into cultural resources and practices was conducted as two-pronged approach in order to comply with HRS §343 and HAR §11-200.1 as well as Article VII, Section 7 of Hawai'i's State Constitution which "places an affirmative duty on the State and its agencies to preserve and protect traditional and customary native Hawaiian rights and confers upon the State and its agencies the power to protect these rights and to prevent any interference with the exercise of these rights" (Ka Pa'akai O Ka 'Āina v. Land Use Commission, 2000). As such, a Cultural Impact Assessment (CIA) and a separate Ka Pa'akai Framework Analysis were conducted to fulfill the statutory and constitutional obligations of DHHL in considering the Proposed Action.

Ka Pa'akai Framework Analysis

The court case Ka Pa'akai o Ka 'Āina v. State of Hawai'i Land Use Commission (2000) established the fiduciary responsibility of state agencies to preserve and protect traditional and customary native Hawaiian rights pursuant to Article VII, Section 7 of the State of Hawai'i Constitution. The case upheld that the state and its agencies are obligated to protect the reasonable exercise of customary and traditional native Hawaiian rights to the extent feasible and are obligated to make an assessment of the impacts of these practices. The assessment must be independent of the developer or applicant and must include the following three factors, known as the 'Ka Pa'akai' framework:

(1) What are the valued cultural, historical, or natural resources in the project area and the extent to which traditional and customary native Hawaiian rights are exercised in the area?

The Ka Pa'akai Analysis acknowledges that it is unreasonable to assume it is possible to inventory all traditional and customary native Hawaiian rights being exercised in a single area. To address the challenges of assembling an inventory of customs and valued resources in an area, and to relieve the burden from the community to come forward in a tight timeframe and under the assumption of un-requested knowledge sharing, the analysis, approaches the inventory through: (1) early and meaningful consultation; (2)

primary source research; (3) the understanding that if a resource exists or can be restored then the right or practice exists; (4) consultation is an ongoing process that agencies compiling with Ka Pa'akai will continue to engage in. The inventory findings with respect to the practices and associated resources in and around the Gianulias study area are organized under the following themes:

- Bird Catching
- Forestry and Hana Wa'a
- Mahi 'ai 'ana - Cultivation
- Trails and Connectivity
- Lawai'a & Wa'a (Paddling, Sailing, Voyaging)
- Kilo and Weather - Environmental Indicators
- Mea Wai - Water Resources and Collection
- Other Practices, including Hana No'eau, Beliefs, and Spirituality (not already included above)

The full inventory is included in Ka Pa'akai Framework Analysis Report.

(2) What is the extent to which those resources - including traditional and customary native Hawaiian rights - will be affected or impaired by the proposed action?

Hawaiian culture and traditional practices are rooted in an understanding that 'ohana (family) encompasses the natural world and there is no separation between the people and the land (Nohopapa, 2024). Because the land is part of the ohana, traditional Hawaiian customs and practices emphasize respect and care the 'āina (land) and surrounding resources (Forman and Serrano, 2012 from Nohopapa, 2024). As such, traditional and customary practices often rely on resources - whether cultural, historical or natural - and it is important to understand that impacts these resources may also result in cultural impacts. Overall, interview participants feel that the current methods for water development do not allow for the continued care of resources, the traditional and customary Native Hawaiian practice of caring for wai (water) and Mālama 'Āina.

The Gianulias parcel sits in the area identified in research as Kealakowaa, it was a staging place for Koa and other la'au brought down from the uplands above the study area. In archival records this place, specific to Kahului Ahupua'a and the region of the study area was where ceremonies were held, a heiau and spring was located specifically for the process of harvesting koa, transporting them, and crafting them into wa'a. As noted in the Ka Pa'akai Analysis Framework Report, Kealakowaa is the only area in all of Kona identified for this use. Although hana wa'a and

voyaging are not active practices on the site, development may impact access and use of this culturally and historically significant area.

Bird catching was extensively referenced in and above the study areas, caves, trails, springs and even specific forests, woods, and a'a areas were discussed. Bird catching was for food and for hulu used in many hana no'eau. Although bird catching is not viable now as a practice because of the scarcity of native bird species, the practice of Mālama 'Āina so that resources are there when needed could be impacted.

Many springs, waterholes, and caves were referenced in consultation, and many were named in archival research through land testimonies and some mo'olelo. It is likely that some of these resources are located in the study areas and water source development may impact the downslope water features near the coast or offshore. Ma uka to ma kai connectivity of water was also a common theme in the analysis. Impacts could also include access for kanaka to gather wai from the study area or the uplands above for ho'okupu and other traditional uses.

Historic records from the Boundary Commission also identified a family's burial cave in the uplands. Because one was named, there is a potential that more burials exist in the vicinity. It is a traditional practice not to speak of one's ancestors with strangers and many burial locations have been forgotten in 'ohana or intentionally un-shared. No burials were identified through AIS for this project, however access to caves above the study area may be an impact.

(3) What feasible action(s), if any, to be taken to reasonably protect any identified cultural, historical, or natural resources, and exercise of traditional and customary native Hawaiian rights in the affected area?

Feasible actions by DHHL to protect Native Hawaiian rights include the following:

- DHHL will uphold its mandates as prescribed by law.
- DHHL will site water source development within the same ahupua'a as it will be consumed whenever possible.
- DHHL and its beneficiaries want to support other Kona communities in their water independence. Efficiency and conservation measures in areas that are importing water are

critical in appropriately valuing the resource and respecting the communities that are exporting water.

- o Conservation & efficiency measures for transportation, storage and consumption.
- o Water recycling.
- o Water conservation collaboration/partnership in public awareness campaign.
- Research, studies and monitoring should be planned for and funded that will be used to inform mitigation. Research and studies should be culturally informed. Appropriate thresholds should be identified and upheld.
 - o Regional monitoring program with benchmarks and actions tied to those benchmarks.
 - o The design of monitoring plans and the identification of benchmarks and actions should be culturally and community informed.
 - o Propose management options if the trend is towards detrimental effects.
- Frequent, meaningful, and accessible updates regarding research, studies and monitoring practices should be available to stakeholders. DHHL will consider the formation of a hui open to stakeholders to advise water-related decision-making and aid in outreach to stakeholders at large.
- DHHL will make efforts to encourage more beneficiaries and members of the native Hawaiian community to be involved in the Boards of Water Supply meetings and to be members on the Boards of Water Supply so these important stakeholders are able to have more authority over water use.
- DHHL should commit financially and administratively to supporting community-managed water resource management.
- DHHL will advocate for and participate in the update of the Water Use and Development Plan for Hawai'i County.
- DHHL will support and advocate for Commission on Water Resource Management (CWRM) analysis of water availability and revised sustainable yields, including a process that has substantial opportunity for public input.
- DHHL will advocate for CWRM to share more rigorous summaries of existing state of knowledge as published.
- DHHL will advocate for and participate in the update of the Statewide Framework for Updating the Hawaii Water Plan (Framework). The Framework was developed to provide guidance in the integration of the various components of the Hawaii Water Plan and to give additional direction to the various

agencies responsible for the preparation of its constituent parts. This Framework was created in 2000 and is in need of update and revision.

- DHHL will aid in funing mālama 'āina/watershed management efforts in affected ahupua'a to increase water recharge and to allow for mālama of places and areas critical for the continuation of native practices.
- DHHL will create a clear pathway for long-term access for native rights and customary practices on DHHL's lands and will look into its current ROE/land disposition process for activities such as mālama 'āina and stewardship.
- DHHL will collaborate with stakeholders in the creation of a preservation plan for Kealakowaa, the protection of cultural, historical and natural resources associated with the Kona field system, and stewardship of the Kona upland forests. These efforts include contributions or resources in other areas or in the project parcel itself, towards the restoration of these valued resources in collaboration with cultural practitioners, lineal descendants, native tenants, beneficiaries, etc.

With consideration of the Ka Pa'akai Framework Analysis and by implementing mitigation measures to ensure the protection of traditional and cultural rights and practices, the Proposed Action is not anticipated to have a significant impact on cultural resources and practices.

Considering the resources and practices present and potential effects identified in the Ka Pa'akai Framework Analysis, DHHL should implement the mitigation measures above to ensure the protection of traditional and customary native Hawaiian rights and practices within the project area.

Public Facilities and Infrastructure

The Proposed Action is not anticipated to substantially impact the demand for public facilities or infrastructure. The Proposed Action is intended to develop additional potable water supply sources from within the North Kona region to allow for the continued development of La'i 'Ōpua. Water from the Proposed Action will connect to the existing 16- inch transmission lines along Māmalahoa Highway, which are sufficient to accommodate the potential daily maximum withdrawal of 2.0 mgd. This amount combined with the other DHHL production well discussed in Section 3.4.5 would be sufficient for future proposed residential, commercial and community uses within La'i 'Ōpua. Completion of the Proposed Action will positively

impact the resiliency of the North Kona Water System by creating a redundant source of water in the case of pump failures at other nearby wells.

During construction of the Proposed Action, a portable sanitary toilet will be located onsite with secondary containment measures and serviced per provider recommendations. During operation, the control building and pumps will be unmanned and not require a permanent or temporary sanitary waste disposal system.

Use of BMPs and Occupational Safety and Health Administration (OSHA) worksite safety requirements will be used during construction of the Proposed Action to minimize any potential impacts on local fire, police and medical facilities.

Solid waste generated by the Proposed Action is anticipated to be minimal as the wells will be sited in an area where no buildings will be demolished, and any excess soil produced from excavation activities will remain onsite. Any solid waste generated during construction of the Proposed Action would be taken to Pu'uana'hulu (West Hawai'i) Landfill. As the control building and pumps will be unmanned during operation, no solid waste services are required to operate the Proposed Action.

During Phase I, electric needs will be provided by generators onsite. During Phase II, permanent electrical features to supply power to the pumps, control building and other accessory structures would be provided by tying into the existing distribution lines onsite or via new distribution lines connected to the existing overheads along Māmalahoa Highway. Power demands created by the Proposed Action would exceed the existing conditions, however they are anticipated to be within HELCO's capacity without adversely affecting service to other customers.

Therefore, the Proposed Action would have no short or long-term adverse impacts on public infrastructure or utilities and no additional mitigation measures are required.

CONSISTENCY WITH DHHL PLANNING PROGRAM

The DEA addresses the proposed project for consistency with existing plans and applicable land use policies. Specifically, the DEA addresses the DHHL General Plan, the Hawaiian Homes Commission Water Policy Plan, the DHHL Hawai'i Island Plan, the Kealahou-La'i 'Ōpua Regional Plan update.

The proposed project is based on the need for additional water

sources to service DHHL's planned future homestead development at La'i 'Ōpua. The Proposed Action would develop the additional water sources needed, while falling within the approved water reservations in the Keauhou Aquifer System Area in alignment with the goals and policies of the DHHL General Plan and HHC Water Policy Plan. DHHL will also be developing the wells and transmission lines up to County standards in order to dedicate the infrastructure to the County and obtain additional water credits from the County of Hawai'i.

The DHHL Hawai'i Island Plan designated development of the residential land holdings within the Villages of La'i 'Ōpua as a priority and the Proposed Action will support this by developing the water resources and connect to infrastructure necessary to develop homesteads and other DHHL lands in the region. The development of additional water supply from sources within the region is also included as a priority project in the Kealakehe-La'i 'Ōpua Regional Plan and as such, implementation of the project directly aligns with the vision and objectives of the Regional Plan.

ANTICIPATION OF FINDING OF NO SIGNIFICANT IMPACT

Based upon the analysis in the DEA, staff anticipates a finding of no significant impact (AFONSI) for this project. This determination is based on upon the 13 criteria of significance that approving agencies must consider as specified in HAR, Section 11-200.1-13. An analysis of the 13 criteria of significance is presented below:

(1) Irrevocably commits a natural, cultural, or historic resource.

The Proposed Action would not irrevocably commit a natural, cultural, or historic resource. It is consistent with existing conditions and the surrounding environment, and would not adversely affect the Keauhou Aquifer System Area (KASA) that services the North Kona region as discussed in Section 3.4.7. Contractors will adhere to mitigation measures described in Section 3.5.3 to avoid any potential impacts to federal- or state-listed species should they occur at the Project Site.

HRS §6E consultation with SHPD has been initiated by DHHL and will be completed prior to the start of construction. Mitigation measures discussed in Section 3.6.4 and any proposed by SHPD would be implemented to avoid or minimize impacts to any cultural resources or historic properties identified in the Project Site.

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

The Proposed Action would not curtail the range of beneficial uses of the environment. The wells will be sited in an area within the Project Site that produces the least amount of impacts on the site's environment. While it will result in reducing the amount of groundwater available within the KASA, the extraction rate would not cause the aquifer to exceed its sustainable yield as discussed in Sections 3.4.7. Nor would the Proposed Action contribute cumulatively to long-term adverse impacts on the KASA, as discussed in Section 3.14.2.

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

The Proposed Action would not conflict with the State's environmental policies or long-term environmental goals established by law as discussed in Chapter 4 Federal, State, and County Land Use and Environmental Policies and Permits Required. BMPs and other mitigation measures discussed throughout Chapter 3 would be implemented to avoid or minimize potential impacts associated with the Proposed Action during its construction and operation.

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

The Proposed Action would not have direct substantial adverse effects on the economic welfare, social welfare or cultural practices of the community and State. It would create secondary positive impacts on the State's social and economic welfare by establishing a new potable water source for the development of La'i 'Ōpua. This would allow DHHL to provide over 1,000 single family homes, 300 multi-family units, multiple park spaces, a hospital, and commercial centers for native Hawaiian families. Thus, creating a long-term positive effect on the economic and social welfare of the community and State. However, these positive impacts would not be substantial enough to have a direct effect on the level of commerce in Kailua-Kona, the primary commerce center for the region.

The Proposed Action would not impact traditional cultural practices. As discussed in Section 3.6.3, there are no traditional cultural properties onsite or traditional or customary practices known to occur within the Project Site or its vicinity. Mitigation measures discussed in Section 3.6.4 would be implemented to avoid or reduce any potential impacts to other cultural or historic resources that may occur within the Project Site.

(5) Have a substantial adverse effect on public health.

The Proposed Action would not have a substantial adverse effect on public health. A Well Construction and Pump Implementation Permit will be obtained for the Proposed Action prior to construction. An engineering report will be submitted to and approved by the DOH CWB before placing the Proposed Action online within the DWS's North Kona Water System. The report will identify all potential sources of contamination, evaluate alternative controls which could be implemented to reduce or eliminate contamination potential, and include a water quality analysis for all regulated contaminants. Short-term impacts to noise levels and air quality would be minimized by phasing construction of the wells and implementing BMPs to maintain compliance with applicable County and State policies and regulations as discussed in Sections 3.10.2 and 3.8.2, respectively.

(6) Involve adverse secondary impacts, such as population changes or effects on public facilities.

The Proposed Action would not result in adverse secondary impacts to the social environment or on public facilities. The Proposed Action would facilitate the development of La'i 'Ōpua with approximately 1,000 single family homes and 300 multi-family units for DHHL beneficiaries. This would result in secondary impacts such as potentially increasing the population within the Kealakehe Census Tract, which contains La'i 'Ōpua.

As discussed within the Kealakehe-La'i 'Ōpua Regional Plan , the areas proposed for La'i 'Ōpua are consistent with the State Land Use Districts, County General Plan designations, and County Zoning Code. Where there may be land use inconsistencies, DHHL may preempt these pursuant to Hawaiian Homes Commission Act Section 204. Further, the areas are located within the North Kona CDP's Urban Area, where the CDP directs Kona's future growth. Therefore, secondary population change associated with the Proposed Action would be the result of planned and orderly development consistent with land use planning policies and ordinances.

The Proposed Action would positively affect the North Kona Water System by creating a redundant water source in case of pump failures at other nearby wells and would not impact other public facilities. As discussed in Section 3.14.1.4 of the DEA, the future development of La'i 'Ōpua would not adversely affect public facilities and infrastructure.

(7) Involve a substantial degradation of environmental quality.

The Proposed Action would not degrade environmental quality at the Project Site or surrounding area. The wells will be sited within the Project Site in an area that produces the least amount of impacts. Mitigation measures proposed throughout Chapter 3 would be implemented to avoid or minimize impacts on the site's environment. While the Proposed Action will result in reducing the amount of groundwater available within the KASA, the extraction rate would not cause the aquifer to exceed its sustainable yield as discussed in Section 3.4.7 of the DEA. Nor would it contribute cumulatively to long-term adverse impacts on the KASA as discussed in Section 3.14.2 of the DEA.

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

The Proposed Action will not contribute cumulatively to substantial adverse effects upon the environment, as discussed in Section 3.14.2. While the Proposed Action is intended to develop a new water source that would result in the future development of La'i 'Ōpua, one third of the resulting groundwater would be used by the DWS for municipal uses in the North Kona Water System. Additionally, water use within La'i 'Ōpua has been accounted for in the Hawai'i Water Plan as discussed in Section 6.2.4. Thus, the Proposed Action would facilitate but does not involve a commitment for larger actions.

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

The Proposed Action would not have a substantial adverse effect on rare, threatened, or endangered species or their habitats. No critical habitat occurs within the Project Site, and mitigation measures and BMPs discussed in Section 3.5.3 would be implemented during construction and operation of the Proposed Action to minimize impacts to species observed or with the potential to occur at the Project Site.

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

The Proposed Action would not have a substantial adverse effect on air or water quality or ambient noise levels. The Proposed Action will be constructed over two phases and a Well Construction and Pump Installation Permit will be obtained prior to construction. During Phase I, a single exploratory well will be drilled and then tested to ensure its water quality meets HAR §11-20-29 Rules Relating to Public Water Systems standards. If the quality and quantity of sampled water are satisfactory, then the Proposed

Action will proceed to Phase II. Additional mitigation measures discussed in Section 3.4.7 would be implemented to avoid impacts on water quality during construction and operation of the Proposed Action.

Short-term impacts to noise levels and air quality would be minimized by phasing construction of the wells, implementing BMPs and obtaining a Community Noise Permit and Noise Variant Permit, if applicable, to maintain compliance with relevant County and State policies and regulations as discussed in Sections 3.10.2 and 3.8.2, respectively.

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

As discussed in Sections 3.3, 3.4 and 3.12, the Proposed Action will not have a substantial adverse effect on or be likely to suffer damage by being located in an environmentally sensitive or naturally hazardous area. The Project Site is located approximately 2.6 miles inland, outside the coastal zone, sea level rise exposure area and tsunami zone. While Wai'aha Stream passes through the Project Site, the wells will be sited in a location away from the stream in an area that produces the least amount of ground disturbance and outside the SFHA designated within the site. Although the proximity to Wai'aha Stream may pose a risk of flooding during extreme events, no substantial risk is anticipated under normal conditions.

The entire island of Hawai'i, including the Project Site, is located within the International Building Code (IBC) Seismic Zone 4 which have the highest potential for seismic induced ground movement. Therefore, the Proposed Action will comply with IBC Seismic Zone 4 building standards to reduce potential impacts created by earthquakes or seismic induced ground disturbances.

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

The Proposed Action would not have a substantial adverse effect on scenic vistas or viewplanes surrounding the Project Site. As discussed in Section 3.7, the Project Site is not in or near visually sensitive areas or areas of high scenic value. The tallest feature of the Proposed Action is approximately 40 feet in height and would be surrounded by rows of coffee trees limiting its visibility mauka of the Project Site.

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

The Proposed Action will not require substantial amounts of energy during construction or operation, nor will it emit substantial amounts of greenhouse gases. As discussed in Section 3.12.6, the Proposed Action may require between 537 and 4,540 kWh per day of operation which is anticipated to be within HELCO's capacity without adversely affecting service to other customers. Assuming 43 percent of this energy requirement is provided by renewable sources, the Proposed Action could potentially generate between 107 and 908 metric tons of CO2 per year. This is close to the same amount as powering between 14 and 121 single-family homes during that same timeframe. However, this amount of CO2 per year will likely be reduced over time as the county continues transitioning to a renewable energy resource portfolio standard to reach "net-negative" by 2045. Thus, the Proposed Action may generate little to no CO2 within the project's lifespan.

V. NEXT-STEPS

Here are the anticipated next-steps for water source development following acquisition of the property:

- DEA publication in the The Environmental Notice on January 23, 2025.
- 30-Day public comment period on DEA from January 8 to February 24, 2025.
- Incorporate and revise DEA based on public comments received (March 2025).
- HHC approvals for the Final Environmental Assessment and Ka Pa'akai Analysis (April 2025).
- Finalize acquisition of the property (June 2025).
- Design & construct test well
- Confirm test well results
- Obtain CWRM well construction and pump installation permit
- Design & construct production well, storage and transmission improvements required by the County
- HHC approval to license well site improvements to the County for long-term operation and maintenance of the water system.

VI. RECOMMENDED MOTION ACTION

None. For Information Only

ITEM G-3
EXHIBIT A

DHHL NORTH KONA WELL DEVELOPMENT
DRAFT ENVIRONMENTAL ASSESSMENT

Can be found on the DHHL website here:

<https://dhhl.hawaii.gov/reports/ka-paakai-framework-analysis-project-kona-hawaii/>

STATE OF HAWAI`I

DEPARTMENT OF HAWAIIAN HOME LANDS

January 21-22, 2025

To: Chairperson and Members, Hawaiian Homes Commission
(HHC)

Thru: Andrew H. Choy, Planning Program Manager *AC*

From: Julie-Ann Cachola, Planner

Subject: For Information Only - Draft Environmental Assessment
(EA) and Anticipated Finding of No Significant Impact for
the DHHL Wākiu Homestead Development Master Plan, Hāna,
Maui TMK No. (2)-1-3-004:011, 012, 017, and 018 (por.)

RECOMMENDED MOTION/ACTION

None. For information only.

BACKGROUND AND CONTEXT

DHHL's 656 acre Wakiu tract were transferred to DHHL as a result of the 1995 settlement of claims between the State of Hawai'i and DHHL which involved a transfer over 16,800 acres of State lands across the pae 'āina into DHHL's land inventory. This Project is intended to direct the development and use of approximately 656 acres of land in Wākiu for DHHL beneficiaries. The purpose of the Master Plan is to identify developable lands and allowable land uses based on existing conditions and engagement with beneficiaries. This includes homestead lot types, sizes, and configurations that fulfill the vision and values of the community based upon multiple outreach and charrette sessions.

Wākiu is a rural community with agriculture, residential areas, public facilities, and small businesses. The Project area is mauka of Hāna Highway and south of Honokalani Road. Land uses adjacent to the project parcels include residential and agricultural areas immediately to the north, west, and east, along with State DLNR and lands leased to Māhealani Farms to the South, with the Hāna Forest Reserve located even further south of the parcels. The parcels are bordered by the Hāna Highway to the north and northeast. There are four separate existing parcels located within the existing DHHL parcels, one of which is privately owned former railway lands (TMK (2) 1-3004:018), another is an existing

residential parcel that has an existing access agreement with DHHL (TMK (2) 1- 3-004:013), and a set of two small parcels owned by the County Department of Water Supply (TMKs (2)-1-3- 004:027 and 028).

Beneficiary Consultation Process

The Project is based on a Master Plan process that spanned over 17 months, beginning with the Project’s initial strategic sessions in November 2022, through the Honuiaiākea Process with the Edith Kanaka’ole Foundation in February 2023, and continuing on through a series of four (4) planning workshops that started in September 2023 and finished in April 2024. A summary of the Beneficiary Consultation meetings that were held are in Table 1 below:

Table 1: Wākiu Master Plan Beneficiary Consultation Meetings Held

Meeting	Date	Outcome
Strategic Sessions	November 28, 2022	• Introduce project to <u>Wākiu</u> CDC members
Site Visit	February 24, 2023	• Visit project area
<u>Honuiaiākea</u> Process	February 25-26, 2023	• Develop <u>Kapu</u> and <u>Kānāwai</u> to lay cultural foundation
Planning Workshop #1	September 10, 2023	• Develop vision and seek community input • Chart Paper Visioning Exercise • <i>Outcome: Shared Values and Beneficiary Goals for a Healthy Kaiāulu</i>
Planning Workshop #2	October 29, 2023	• Develop Land Use Plans • Land Use Exercise and Sticky Dot Voting • <i>Outcome: Four community-driven land use plans</i>
Planning Workshop #3	January 28, 2024	• Present four land use plans • Voting for Preferred Mauka and Makai option
<u>Wākiu</u> Share-out	April 13, 2024	• Present Draft Final Master Plan to community members

Many members of the Hāna community have lineal ties to the lands in Wākiu and the surrounding area dating back to the time of the ali’i (chiefs). These families have a deep understanding of what the ‘āina can sustain and what the people of this community need. To help capture this information, master plan uses and configurations were collaboratively developed with DHHL beneficiaries from Hāna during several planning sessions facilitated by DHHL and its consultant team. Refinements were made at subsequent meetings between beneficiaries from Hāna, DHHL and the consultant (G70) as questions arose and discussions furthered the advancement of these concept plan alternatives based on density, adjacency, and community needs. These plans were also accompanied by associated kapu and kānāwai values and concepts that

were previously discussed at the Honuiaiākea sessions. The Wākiu community reviewed these plans with DHHL and consultants to determine areas for homesteading, community uses, agriculture, and areas that required preservation.

Results from the Wākiu Honuiaiākea Sessions

Members of the Edith Kanaka'ole Foundation (EKF) facilitated a Honuiaiākea session (Appendix D) during the weekend of February 25-26, 2023, with a group of 19 kama'āina of Wākiu, which incorporated ancestral knowledge into the Wākiu master planning process. Honuiaiākea is a community planning framework that uses 'oli (chants), mele (songs), and ka'ao (stories/fables) interpreted through the eyes and experiences of community members and those who practice in those areas to understand the important resources that are crucial for ecosystem stability and community survival (**kapu**), and the actions needed to maintain those resources (**kānāwai**). The formulation of the kapu and kānāwai for community resource management at Wākiu is discussed below.

The process yielded four kapu, each with several associated kānāwai. These foundational principles can be found in full detail on page 2-14 of EXHIBIT A (Draft EA Report). The kapu are summarized below:

1. **Kapu for waterways and continuous water flow: Kapu Kawahikaua-Kawaipapa** - The sacred resources include: Constant uninterrupted water flow of natural waterways, continuous flow of water from the Po'o wai (headwaters) to the muliwai (where freshwater meets the sea) or from the pahu a Kanaloa (aquifer to the punawai) in Hāna is held sacred and will be preserved).
2. **Kapu for Earth Based Objects: Pōhaku Kū** affirms the sacred identity of the pōhaku, or the earth based objects including but not limited to pu'u, pōhaku, heiau, and cliff sides. The acknowledgment of what "pōhaku" needs to be preserved should refer to the practical and also sacred function of the pōhaku in question.
3. **Kapu for Young Aku: Hina i'a e ke Kīna'u.** The sacredness of natural cycled, cyclical, lunar and seasonal changes for the fish school of the young aku. Planning should not hinder seasonal phenomena, but rather enhance delivery of seasonal change.
4. **Kapu for Generational Knowledge: Hoakalei - lei of reflections or shadows.** This kapu holds genealogy and the passing down of knowledge as sacred. This passing of knowledge should not be hindered, and should be encouraged

DHHL Wākiu Homestead Development Master Plan Proposed Land Uses

The recommended land uses and site configuration for the Wākiu Homestead Development Master Plan was based upon the following analysis:

1. Feedback from Beneficiary Consultation meetings; and
2. Technical studies of the site including:
 - a. Topography
 - b. Flora and fauna survey
 - c. Assessment of site vulnerability to natural hazards
 - d. Archaeological literature review, and
 - e. Assessment of existing infrastructure capacity.

The analysis yielded the following recommended acreage for land use on the DHHL Wākiu tract described in Table 2. The siting and configuration of the proposed land uses are illustrated in Figure 1.

Table 2: Recommended Land Uses

Land Use Designation	Acreage	# of Homestead Lots
Homestead Uses		
Subsistence Agriculture Homestead	244	96 (31 Kuleana Homestead)
Residential Homestead	95	138
Kuleana Pastoral Homestead	42	4
Non-Homestead Uses		
Commercial	3	NA
Industrial	6	NA
Community Use	52	NA
Solar -PV	33	NA
Stewardship – Community Pasture	42	NA
Conservation	139	NA
TOTAL	656	238

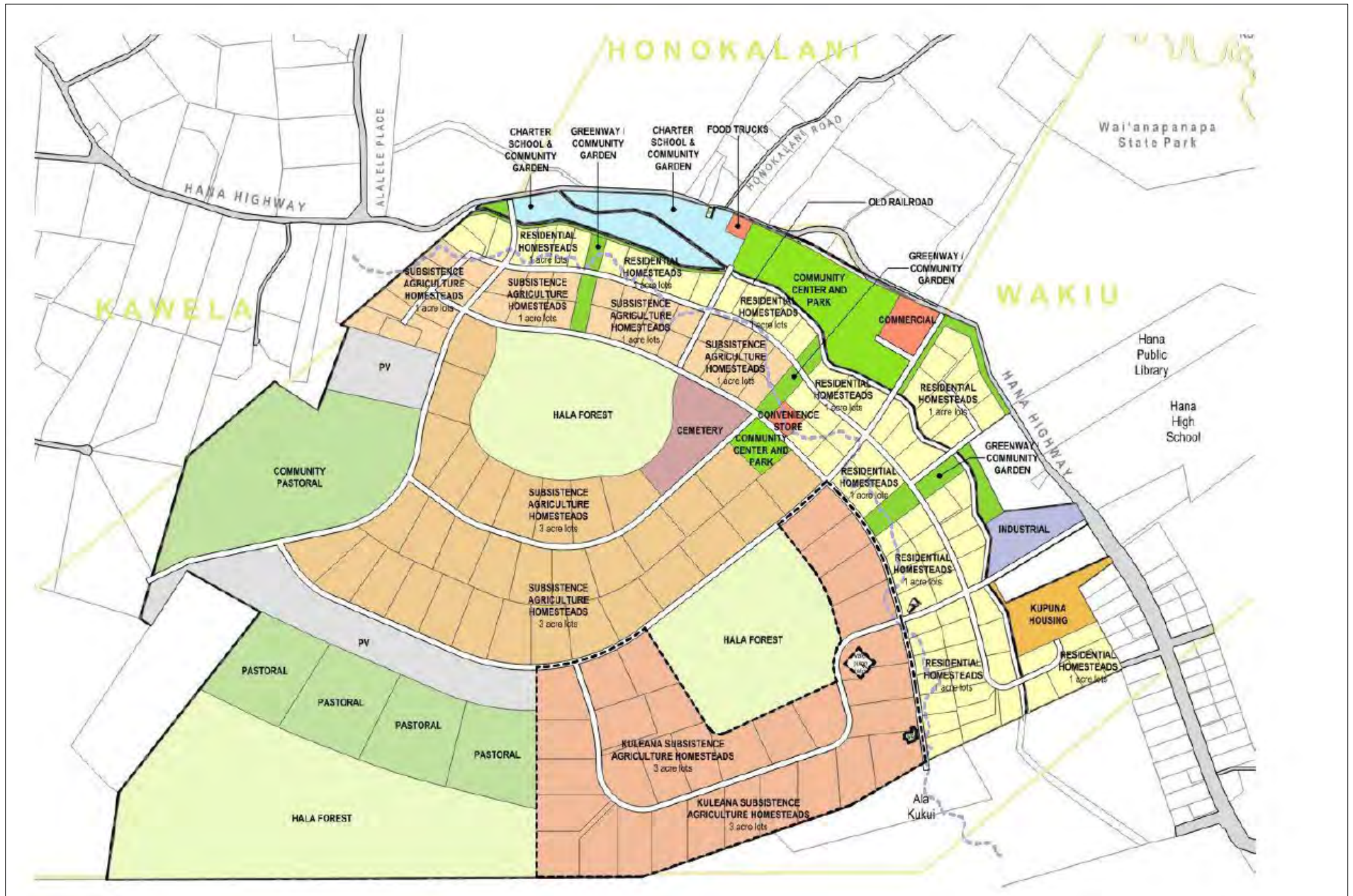


FIGURE 1 WĀKIU MASTER PLAN LAND USES

DISCUSSION - DRAFT ENVIRONMENTAL ASSESSMENT

Based on the proposed Wākiu Homestead Master Plan, DHHL prepared a draft environmental assessment (DEA) in accordance with HRS Chapter 343. Below is a summary of the DEA report. The full report can be found in Exhibit A.

Natural Hazards - Flooding

Although there are no streams running directly through the Project Site, Kawaipapa Stream branches mauka of the property, with its tributaries running on both the north and south sides (over adjacent properties). According to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) No. 1500030660E (effective September 25, 2009), the Site is in Flood Zone X, an area classified as having minimal flood risk and outside the 0.2% annual chance (500-year) floodplain. Since the Project Area is not in a Special Flood Hazard Area, it is unlikely that flood insurance for future lessees will be mandatory.

Natural Hazards - Tsunami

The National Oceanic and Atmospheric Administration (NOAA) assists in preparing Tsunami Evacuation Zone Maps for Hawai'i. The three defined zones include the "Tsunami Evacuation Zone" (represents areas at risk during an average tsunami event), the "Extreme Tsunami Zone" (refers to a tsunami originating near the Aleutian Islands in Alaska), and the "Safe Zone" (areas in the State not likely vulnerable to tsunami events). The Site is in the Safe Zone.

Natural Hazards - Wildfire

As part of this planning process, the Hawaii Wildfire Management Organization (HWMO) conducted a wildfire threat assessment of the Wākiu tract. Although current wildfire risk in Wākiu is classified as "low to moderate", this is expected to rise with increased development (HWMO, 2023). HWMO also identified Wākiu as having the highest number of potential wildfires starts in the region, primarily due to human activities such as agriculture and recreation, along with the presence of fine fire fuels like dry grasses. HWMO's assessment emphasized the challenges posed by Wākiu's topography and vegetation, with fine fire fuels igniting easily and steep slopes complicating firefighting efforts. HWMO recommended proactive measures, such as community education, vegetation management, and planning to mitigate future wildfire risks. Enhancing firefighting preparedness and fostering collaboration with local agencies are also key to addressing

Wākiu's unique landscape challenges. The memo outlines the importance of strategic planning and community involvement in reducing wildfire risks, ensuring that wildfire mitigation efforts are tailored to the specific needs of East Maui.

In summary, the proposed Project will include several wildfire mitigation strategies that incorporate best management practices and recommendations from the County of Maui's After-Action Report on the 2024 Maui Wildfires:

1. Defensible Space Program: Establish at least 100 feet of defensible space around structures, with fuel reduction zones, and enforce a clear zone of 0-5 feet between buildings and combustible materials to improve fire defense.
2. Collaboration with Local Agencies: Ensure joint approval from County Planning and the Maui Fire Department for new construction to prioritize fire safety and establish water supply standards, including backup power for emergencies.
3. Fire-Resistant Infrastructure: Residences will be built using flame-resistant materials, and open spaces will be landscaped with native, fire-resistant plants to decrease fire risks.
4. Evacuation Routes: The Project site will have three main access points from Hāna Highway to facilitate evacuations and ensure efficient emergency response.
5. Hazard Mapping: Update hazard maps to parcel-level detail for more precise wildfire risk assessment and promote public education through the "Ready, Set, GO!" program and Firewise Communities Program.
6. Fire Safety in Construction: Ensure fire safety protocols for construction activities with high wildfire risk (e.g., potential welding activities at proposed industrial use site) by implementing measures like wetting down areas, using fire extinguishers, and having spotters on hand.
7. Ongoing Vegetation Management: Maintain vegetation fuels in parks and open spaces and collaborate with neighboring landowners to manage large tracts of unmanaged vegetation, creating fire-resistant buffers around the Project area.

Natural Resources (Flora and Fauna)

A biological Survey was conducted as part of this effort. Field surveys were conducted in April of 2023.

The flora survey identified 79 plant species of which only 15 percent of the species were native to the region. The Wākiu project area is heavily dominated by mixed alien forests, where invasive species form a substantial portion of the plant life. These invasive species present a significant challenge to preserving native ecosystems, which are already under pressure from habitat alteration.

One notable indigenous plant is the hala which historically dominated the Wākiu area and still covers portions of the Project Area. These hala groves remain a vital part of the local ecosystem and cultural heritage of native Hawaiians from Hāna. Other native plants identified during the biological survey include: mamaki, ‘ohi‘a lehua, pōpolo, pepeao, and ‘ulu.

During construction, most of the existing non-native grasses, shrubs, and trees will be removed to accommodate the development of the residences and vacant lots in accordance with the Plant Protection Act of 2000 (7 U.S.C 7701 et seq.). The movement of plant or soil material between worksites will be minimized throughout construction; and equipment, materials, and personnel will be cleaned of excess soil and debris to minimize the risk of spreading fungal pathogens, vertebrate and invertebrate pests, or invasive plant parts and noxious plants.

Approximately 138 acres of the Project Site are dedicated to the preservation of the existing hala grove within the project area. Park, greenway, and community garden spaces, which will include landscaping of native plants, total approximately 30 acres. Drought-tolerant species will be propagated where possible in accordance with the County of Maui’s Planting Guidelines (Maui DWS). The reintroduction of historically present species no longer found in the area, such as *Touchardia latifolia* (olonā), is also encouraged, as this culturally significant plant can contribute to ecological restoration and the revival of traditional biodiversity in the region.

With the implementation of the proposed mitigation measures, the Project is not anticipated to have a significant adverse impact on Federally- or State-listed, threatened, or endangered flora species.

Eight bird species were observed during the survey, six of which were non-native introduced species. Two native bird species were observed in the project area, the kolea (golden plover) and the auku'u (black crowned night heron). Also, while not observed in the biological survey, it is probable that both the 'ōpe'ape'a (Hawaiian hoary bat) and the pueo (short eared Hawaiian owl) may be present in the project area.

DHHL will implement best management practices during the development of this homestead area including:

- Not disturbing plants taller than 15-feet during the Hawaiian hoary bat's pupping season (June through September);
- The use of barbed wire will be discouraged;
- Should pueo nests be discovered , a minimum 100 meter buffer will be established around the nest area.
- Minimizing the current and future feral cat population on site to mitigate harm to native species.
- Encourage covered trash can receptacles in future uses so as not to attract rats and other feral animals.
- Fully shielding street lights to mitigate impact to seabird populations.

Cultural Resources and Cultural Practices

A traditional cultural practices and land use study was prepared by 'Āina Archaeology (AA) in December 2024 (see Exhibit A Appendix D). The study area comprised of TMK parcels: (2) 1-3-004:011, :012, :017, and :018 (por.). For the cultural-historical genealogy, the ahupua'a of Wākiu is considered the "project area" while Wākiu and adjacent areas within Hāna moku (district) are considered the overall "study areas." The purpose of the study is to establish the context whereby the significance of the cultural historical information collected can be assessed. The document also assists in identifying the traditional cultural practices within the study area to distinguish any potential effects on these practices that may occur during, or because of, the implementation of the proposed project.

Based on the findings of the study, the potential for the presence of above-ground archaeological sites and features representing both pre-contact traditional Hawaiian architecture and historic era ranch and sugar ventures is likely within the project area. Given the scale of the proposed project, a comprehensive Archaeological Inventory Survey Plan is recommended prior to initiating formal archaeological fieldwork. This plan should identify phases of development, areas to be avoided, and the

required intensity of effort to ensure thorough documentation of historic properties.

In addition to the archaeological study, a cultural impact assessment was also conducted between September 2024 and January 2025 through a multi-phase process. Interviewees were selected because they met one or more of the following:

- 1) was referred by consultants;
- 2) had/has ties to the Project area or vicinity;
- 3) is a known Hawaiian cultural resource person;
- 4) is a known Hawaiian cultural practitioner; and/or
- 5) was referred by other cultural resource professionals.

These interviews were conducted in person and recorded. A total of four interviews were conducted, with interview topics that included connections to the project lands, Wākiu history, the natural environment, archaeological sites and cultural practices, change through time, and recommendations and mitigations for the project. Although the project area in Wākiu has had a relatively sparse population throughout history, there are 'ohana which have historically been tied to that area, and there are familial descendants today who continue to have this deep connection.

While very few families lived in the mid to higher elevations of Wākiu, many others lived at the lower elevation to carry on their fishing traditions while farming, hunting, and harvesting various resources, such as bamboo and bird's nest ferns, up in the project area. Other resources included the selecting of trees to make canoes and the collecting of rock to make slingstones. A very important resource of the landscape were the lava tubes and caves themselves, which were strategically used for war purposes, or used as refuse pits, or used to store fishing canoes in the makai area. Some of the crops that were farmed in Wākiu are the papaya, sweet potato, 'ulu, kalo, and banana, including the introduced bluefield banana.

The CIA noted that all the interviewees express their support for the DHHL project, adding that it is much needed in the community. The interviewees did not expect the project to have any adverse effects on specific cultural resources and traditional practices in Wākiu. However, adverse effects are not ruled out, and care should be taken as the project moves forward, in case culturally significant lava tubes and caves or other traditional properties are inadvertently discovered.

Infrastructure - Water

The Project Site is located between Honomā‘ele Stream to the north and Kawaipapa Stream to the south. Despite its proximity to these surface water sources, the Project will primarily rely on groundwater as its water source. Water is extracted from wells owned by the Maui Department of Water Supply (DWS), which oversees the potable water system for the region.

Maui DWS operates wells and a 0.5 million-gallon storage tank at an elevation of 325 feet in the southeastern portion of the site. These wells are connected to a 12-inch ductile iron water line that runs to a 12-inch water main along Hāna Highway. This main supplies a fire hydrant near Hāna High School and transitions to a 6-inch water main as it continues west along the highway. However, there is currently no meter or lateral connection serving the Project Site, meaning it is not yet connected to the DWS water system.

The existing Wākiu water tank has the capacity to accommodate the proposed uses that can be feasibly served by the tank, however the system lacks sufficient pressure to serve higher elevations of the development. If future mauka uses require water infrastructure at these elevations, then additional infrastructure will be required, such as such as a new mauka storage tank and a booster pump, to ensure reliable water access. Based on the current conceptual site plan, the Project Site is divided into areas that may or may not be supplied by the existing DWS water system. These areas are classified into a **Makai Water System** (below the existing pressure zone) and **Mauka Land Uses** (above the existing pressure zone). Water demand calculations were estimated for each zone, considering land use types and their associated water consumption rates:

Table 3-3: Proposed Potable Water Demand (Not Including Fire Flow)	
Makai Water System¹	
Average Daily Demand	174,000 gallons
Maximum Daily Demand	260,000 gallons
Mauka Land Uses²	
Average Daily Demand	155,000 gallons
Maximum Daily Demand	232,000 gallons

¹ Below the existing anticipated workable DWS pressure zone

² Above the existing anticipated workable DWS pressure zone

Infrastructure - Wastewater

There is no municipal wastewater collection system currently serving the Project site and the County has no plans to develop a regional system for the East Maui region. Neighboring properties utilize individual waste water systems (septic tank or cesspool) to dispose of wastewater.

The master plan estimates that 480,000 gallons per day of wastewater generation from both homestead and non-homestead uses.

Wastewater treatment and disposal are regulated by the State of Hawai'i Department of Health under Hawai'i Administrative Rules (HAR) Title 11, Chapter 62. These regulations allow for using either a wastewater treatment plant (WWTP) or Individual Wastewater Systems (IWS) for onsite wastewater treatment. However, each IWS is limited to a maximum design flow of 1,000 gallons per day and must be located at least 1,000 feet from any public drinking water source. The southeast portion of the project site is within this minimum distance from DWS-owned wells, posing limitations for using IWS in that area (Figure 3-8).

Due to the high volume of wastewater demand and the spacing restrictions, along with limitations on the use of seepage pits and injection wells within the project area, a centralized WWTP is considered the most viable solution. The WWTP would require the installation of new gravity mains along newly developed roadways and may also necessitate pump stations and force mains to convey wastewater to the plant.

According to HAR 11-62, the WWTP and effluent disposal system must be designed to handle peak flows and include a 100% backup component for emergencies. The plant must be operated and maintained by a certified treatment plant operator, with effluent disposal conforming to strict monitoring, recordkeeping, reporting of continuous flow measurements, and compliance with overflow regulations.

ANTICIPATION OF FINDING OF NO SIGNIFICANT IMPACT

Based upon the analysis in the DEA, staff anticipates a finding of no significant impact (AFONSI) for this project. This determination is based on upon the 13 criteria of significance that approving agencies must consider as specified in HAR, Section 11-200.1-13. A summary of the analysis of the 13 criteria of significance is presented below. A full discussion of the analysis of the 13 criteria of significance can be found in Chapter 6 of Exhibit A.

(1) The Project will not irrevocably commit a natural, cultural or historic resource.

The Project is not anticipated to adversely impact any natural, cultural, or historic resources, and in some cases, may result in benefits to these resources. Technical studies were conducted to assess the potential impact of the proposed Project on flora and fauna, archaeological and historical, and cultural resources.

The proposed Project is anticipated to result in the minor disturbance or removal of natural resources during the construction phase of the Project, such as the removal of minimal vegetative material for homestead sites. This Project is not anticipated to result in the loss or destruction of any cultural or archaeological resources. As presented in Chapter 3.6 Archaeological and Historical Resources, a traditional cultural practices and land use study was prepared to establish the context whereby the significance of the cultural-historical information collected can be assessed within the Project area.

(2) The Project will not curtail the range of beneficial uses of the environment

The master plan concept layout configuration was carefully and thoughtfully developed through beneficiary consultation and charrette work sessions to be sensitive and place appropriate to the surrounding community and the Hāna region. Development of the Project will utilize BMPs to minimize any construction-related impacts. A State NPDES permit and County grading permit will be obtained to ensure that construction activity does not adversely impact water quality.

(3) The Project will not conflict with the State's environmental policies or long-term environmental goals established by law

The Project does not conflict with the State's long-term environmental policies or goals and guidelines as expressed under HRS Chapter 344, State Environmental Policy. Potential adverse impacts associated with short-term construction activities will be mitigated through compliance with applicable regulatory guidelines and through the use of best management practices. The Wākiu Master Plan will define and plan beneficiary community uses to reinforce a sense of identity, support wise uses of land, efficient transportation, and aesthetic and social satisfaction in harmony with the natural environment which is uniquely Hawaiian; which in turn establishes a commitment on the part of each lessee to protect

and enhance Hawai'i's environment and reduce the drain on nonrenewable resources. In the long term, the Project will positively impact the area through appropriate DHHL land use designations and the community's strategies for the management of natural, cultural, and historic resources.

(4) The Project will not have a substantial adverse effect on the economic welfare, social welfare, or cultural practices of the community and State.

The Project is expected to have long-term positive socio-economic impacts, as it will increase housing opportunities for native Hawaiian beneficiaries and generate direct, indirect, and cumulative benefits in terms of jobs, earnings, and tax revenues. The Project's support for cultural practices ensures the preservation and continuation of traditional practices within the community. The Project enables DHHL to support the Wākiu community in upholding their cultural heritage by engaging in activities such as subsistence farming and gathering practices. These cultural practices not only enrich the fabric of the community but also contribute to the rehabilitation and well-being of lessees who derive sustenance and connection from the land.

(5) The Project will not have a substantial adverse effect on public health.

The Project is not anticipated to have a substantial adverse effect on public health. The Project will comply with relevant State and County regulations during the construction and will implement BMPs to minimize and mitigate potential temporary air quality and noise impacts and secure NPDES permit(s), as necessary. The Project is not anticipated to create a significant amount of GHG emissions and does not fall within the threshold of mandatory Federal GHG reporting. The Project is expected to continue to provide a space for the community and continue to rehabilitate DHHL beneficiaries through 'āina based practices and subsistence living.

(6) The Project will not involve adverse secondary impacts, such as population changes or effects on public facilities.

The Project is not anticipated to involve adverse secondary impacts, such as significant population changes or effects on public facilities. The Project will provide needed housing in Wākiu for DHHL beneficiaries and their families. While some beneficiaries may move to Maui from neighboring islands to reside at this subdivision, most are expected to relocate from other areas in East Maui and the island of Maui as a whole. As such, the Project is not anticipated to involve substantial secondary impacts due to

population/demographic changes. The DHHL will provide the necessary onsite and offsite infrastructure to support the Project, which is within service capacities and will not overcommit resources. No substantial changes or effects on public facilities are expected with the Project implementation.

(7) The Project will not involve a substantial degradation of environmental quality.

The Project will not involve a substantial degradation of environmental quality on-site or in the surrounding area. During the construction phase, measures outlined in the EA include the implementation of BMPs to mitigate potential adverse impacts to the environment. Furthermore, the Wākiu Master Plan incorporates long-term sustainability goals and activities to prevent degradation of environmental quality. Through the adoption of eco-friendly practices and adherence to environmental regulations, the Project aims to safeguard air and water quality and protect natural resources. By prioritizing responsible land management practices, the Master Plan will ensure that the Project's ongoing operations will not result in adverse environmental effects

(8) The Project will not create cumulative impacts that would have substantial adverse effects upon the environment and does not involve a commitment for larger actions.

The implementation of the Project is anticipated to have minimal impact on both the natural and cultural environment. The Master Plan designates Conservation Use areas aimed at preserving the integrity of the natural hala forest while protecting historical and cultural resources within the vicinity.

The cumulative effects of the Master Plan are expected to yield positive outcomes for ecosystem resources and local communities alike. The establishment of the Master Plan's land use areas will necessitate the removal of invasive species, resulting in a tangible improvement to the surrounding environment. Identification and removal of invasive species is also a core value that was identified in the beneficiary's Honuuiākea Process, which will continue as a part of the homestead community's on-going operations and maintenance practices.

Furthermore, the proposal to construct a community center and associated commercial and community uses offers potential benefits to Hawaiian Homes beneficiaries and their families. These facilities could serve as a hub for community resources, providing educational opportunities and fostering community cohesion and engagement

(9) The Project will not have a substantial adverse effect on a rare, threatened or endangered species, or its habitat.

A natural resources assessment was conducted by Hawaiian Ecosystems LLC in July 2023. The assessment identified hala, and other indigenous species such as mamaki, 'ōhi'a lehua, pōpolo, and ka'e'e'e, and one species of indigenous fungi, pepeiao or the Hawaiian wood ear in the Project area. The survey also recorded indigenous fauna species observed in the Project area, including the kolea or Pacific golden plover and auku'u or the black-crowned night heron. Although the survey did not report sightings of the 'ōpe'ape'a or Hawaiian hoary bat, or the pueo, the short eared Hawaiian owl, the habitat conditions present in Wākiu are conducive to supporting both species. See Appendix A of Exhibit A for a full list of species identified during the assessment, with associated USFWS recommended mitigation measures.

The Project is not expected to have a substantial effect on rare, threatened or endangered species, or their habitat, and will implement mitigation measures to reduce potential impacts. The kapu and kōnāwai identified during the Project's Honuiaiākea Process speak of the protection of water and land resources and will be used to guide natural resource management by future lessees. The Project will also implement BMPs and follow guidelines as recommended by DOFAW.

(10) The Project will not have a substantial adverse effect on air or water quality or ambient noise levels.

The Project is not anticipated to have a substantial adverse effect on air or water quality or ambient noise levels. Potential short-term adverse effects from construction activities will be mitigated through adherence with State and County regulations and mitigation measures. In the long term, the Project is not anticipated to generate substantial adverse effects.

(11) The Project will not have a substantial adverse effect on or be likely to suffer damage by being located in an environmentally sensitive area such as a flood plain, tsunami zone, sea level rise exposure area, beach, erosion-prone area, geologically hazardous land, estuary, freshwater, or coastal waters.

The Project area is located in Flood Zone X, an area classified as having minimal flood risk and outside the 0.2% annual chance (500-year) floodplain, is at minimal risk from the threat of earthquakes, is located in the Safe Zone of NOAA's tsunami evacuation zones, is located outside of SLR-XA exposure areas. The

Project is not anticipated to have a substantial adverse effect on or is likely to suffer damage by being in an environmentally sensitive area such as flood plain, tsunami zone, SLR-XA, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters. The Project will implement BMPs to prevent soil loss, storm water runoff, and sediment discharges from the Project area, and the Project's Honuiaiākea Process identified kapu and kōnāwai that support the management of critical resources. Following these management strategies will mitigate the adverse effects of the Project on environmentally sensitive areas.

(12) The Project will not have a substantial adverse effect on scenic vistas and viewplanes, during day or night, identified in county or state plans or studies.

The Project is not anticipated to have a substantial adverse effect on scenic vistas and view planes, during day or night, as identified in State or County plans.

(13) The Project will not require substantial energy consumption or emit substantial greenhouse gases.

The construction of the Project is not anticipated to require substantial energy consumption compared to similar-sized projects or other commercial activities in the area. For the portion of lots designated under the Kuleana Homestead Program, off-grid living is required, emphasizing the use of renewable energy sources. Awardees will be responsible for creating their own energy sources, along with managing water resources, waste, and communication connections. The project also incorporates beneficiaries' desire to develop a renewable energy source (solar PV farm) as part of the homestead development to provide clean energy for the project.

NEXT-STEPS

Here are the anticipated next steps for the planning and Environmental Assessment process for the Wākiu Homestead Development Master Plan:

- DEA publication in the The Environmental Notice on January 23, 2025.
- 30-Day public comment period on DEA from January 23 to February 22, 2025.
- Incorporate and revise DEA based on public comments received (February & March 2025).
- HHC approval of the Final Master Plan and Environmental Assessment (FEA) March or April 2025, depending upon the public comments received.
- Design and construction phases of project TBD dependent upon sufficient funding being allocated to DHHL for these phases.

RECOMMENDED MOTION ACTION

None. For Information Only.

ITEM G-4
EXHIBIT A

WĀKIU HOMESTEAD DEVELOPMENT PLAN
DRAFT ENVIRONMENTAL ASSESSMENT

Can be found on the DHHL website here:

<https://dhhl.hawaii.gov/po/wakiu-homestead-development-master-plan-and-ea/>

Hawaiian Homes Commission Meeting Packet
January 21 & 22, 2025
Hale Pono'ī, Kapolei, Oahu

J ITEMS

Hawaiian Homes Commission

J Agenda Requests to Address the Commission

January 22, 2025

- J-1 Jan Makepa – Waianae Valley Homestead Association
- J-2 Kapiolani Spencer – Lease Concern
- J-3 Germaine Meyers – Various Concerns
- J-4 Patty Teruya Kahanamoku – Various Concerns
- J-5 Guy Gaspar – Various Concerns
- J-6 Chanel Josiah - Hawai‘i Community Lending
- J-7 Jessie Nihoa – Award Concern
- J-8 Homelani Schaedel – Malu‘ōhai Residents’ Association
- J-9 Iwalani McBrayer – Kaupe‘a Homestead Association
- J-10 Dickenson Stone – Ualapu‘e Concerns
- J-11 Kauai Almeida – Pana‘ewa Hawaiian Home Lands Community Association
- J-12 Kekoa Enomoto – Paupena Community Development Corporation
- J-13 Donna Sterling – Kahikinui Concerns
- J-14 De Mont Manaole – Ho‘omanapono LLC
- J-15 Jojo Tanimoto – Kawaihae Concerns
- J-16 Robin Keliinohomoku – Pulehunui Homestead Association

J-01

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit J-Agenda Testimony
Date: Sunday, January 5, 2025 11:58:56 PM

Name

Jan Makepa

Email

wwhcabod@gmail.com

Message

Community Concerns and Updates

From: dhhl.icro1@hawaii.gov <dhhl.icro1@hawaii.gov>

J-02

Sent: Monday, December 23, 2024 5:31 AM

To: Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov>

Subject: New submission from Submit Agendized Testimony

Name

Kapiolani Spencer

Email

kapiolanispencer4@gmail.com

Please Identify Agenda Item(s):

Evictions: Unjustified notices are being issued without adherence to DHHL or HUD policies. 2) Water Bills: Persistent overbilling contributes to financial strain, yet no relief has been provided. 3) Broken Promises: DHHL's failure to advocate for beneficiaries and address systemic mismanagement. 4) Misrepresentation: Ikaika 'Ohana, a mainland entity, continues to misuse its authority, disregarding the rights and needs of beneficiaries. 5) Blood Quantum Inequities: Policies favor mainland firms over beneficiaries, creating barriers to generational housing stability.

Pick One:

Both - Submit Testimony Below

Message

1) Inconsistent Rent Adjustments: Management has reminded us that we will be facing annual rent increases, yet we haven't found specific terms in the lease that outline an automatic yearly increase. In fact, the lease only mentions adjustments in section 4 & section 5 NOT annually increases, without any clear language indicating an annual increase. This lack of transparency has caused confusion and stress around financial obligations. DHHL's commitment to fair housing practices should include clear, consistent communication about any adjustments to ensure tenants are well-informed.

2. Privacy and Inspection Protocols: While inspections are a part of property management, we've encountered inconsistencies in notice and scheduling, which disrupts residents privacy. Conducting inspections with proper notice and respect for tenant privacy is essential to creating a secure environment.

3. Communication Consistency: We've often found that our concerns go unaddressed or without a response, making it difficult to resolve basic issues. This lack of communication adds frustration, as reliable communication is critical to ensuring tenant support and aligns with DHHL's mission.

4. Respectful Conduct: In some interactions, communication has lacked respect, especially during sensitive discussions about the property and lease terms. Maintaining respectful, constructive communication aligns with Laiopua's mission and helps build a stronger tenant-manager relationship.

5. Eviction and Affordability Concerns: It has also been observed tenants being evicted or forced to leave due to financial strain, which raises serious concerns about whether current practices truly align with DHHL's mission of providing fair, affordable housing. Evictions and unaffordable rents destabilize our community and appear inconsistent with the supportive environment DHHL and Laiopua aim to create.

6. Request for Community Meeting: To foster open communication and mutual respect, we respectfully request that property management and DHHL schedule a community meeting where tenants can

openly voice concerns and engage in productive dialogue. It is important that this meeting provides a welcoming and supportive environment, allowing us to address issues constructively without feeling scolded or discouraged from sharing. Such a meeting would show a commitment to DHHL's and Laiopua's missions by giving tenants a safe platform to express concerns and collaborate on improvements. According to a Ikaika 'Ohana thirtyone50 management meeting held on March 23, 2024 at Kealakehe High School Cafeteria by Ikaika Ohana's property manager Irmma Kalae Yoshimura, it was mentioned that residents were not allowed to hold community meetings without management being involved. This contradicts our Civil Rights under the United States Constitution to gather and demonstrate community meetings also the Sunshine Law Hawaii law to hold open communication.

7. Qualified Property Management: Given these challenges, we respectfully request consideration of a qualified property manager who can better align lease management with the values of DHHL and Laiopua. Professional property management would improve consistency, transparency, and respect for all tenants.

8. Blood Quantum Inequities: Blood Quantum needs to be revised, allowing beneficiaries to name our successor at below 50% blood quantum in order for our families in this RTOWP program to successfully name a successor should anything happen to the beneficiary. Right now, if we can not name our successor we risk losing our homes should anything happen. No security, and living daily with uncertainty because of all of these unfortunate circumstances which plagues our community, which also contradicts DHHL's mission statement to foster fair and secured residency for our Beneficiaries.

We come before DHHL's Commisioners and testify factual accounts and ask for help in addressing these issues.

J-03

From: [Germaine Meyers](#)
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: [EXTERNAL] Urgent - regarding my J-Agenda today
Date: Tuesday, December 17, 2024 9:56:00 AM

Aloha Leah,

Since today's agenda have 3 items carried over from yesterday, and already have 3 items before J-Agenda, please cancel my J-Agenda for today.

Instead, can I request to be added to the top of J-Agenda for next month please, to address the Commission in January 2025.

I plan to stay for the 6 DHHL agenda items, and testify specifically for G-6 only (ROE to Demont Manaole.) Then I will be leaving.

Tonight we have Nanakuli-Maili Neighborhood board meeting and I have errands to do for my ohana before the meeting.

Ke Akua pu,
Germaine Meyers

J-04

From: [Patty](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] December J agenda
Date: Tuesday, November 26, 2024 9:27:17 AM

Please place me on January J agenda for various concerns.

Mahalo nu'u God bless!
Patty Kahanamoku-Teruya

J-05

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: HCC Contact:
Date: Thursday, January 2, 2025 10:41:05 AM

First Name

Kai

Last Name

Gasper

Email

ggas09@yahoo.com

Email

info@ggsredemption.org

Subject

To Commission Secretary

Message

Good morning Leaha, please add my name to the J agenda for this month of January 2025. We'll decide when it's appropriate to share our manao on the day.

J-06 & 07

From: [Chanel Josiah](#)
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: [EXTERNAL] January Agenda
Date: Monday, January 6, 2025 2:40:00 PM
Attachments: [image001.png](#)
[image002.png](#)
Importance: High

Hi Leah!

Can you include HCL to the agenda this month?

2 separate spots please, I will be on my own and then Britney Kalua or myself will accompany Jesse Nihoa, a Nānākuli awardee that is seeking the commissions assistance.

Hopefully it's not too late.

Mahalo nui!

Chanel Josiah (*she/her*) ([what's this?](#))

Community Development Director

Hawaii Community Lending

Direct: 808-634-3675

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.

Please consider the environment before printing this email

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential, proprietary and or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this email in error, please contact the sender and delete the material from all computers.

J-08

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit J-Agenda Testimony
Date: Monday, January 6, 2025 10:11:43 AM

Name

Home Schaedel

Email

homeschaedel@hawaii.rr.com

Message

Aloha e Leah,

Hope you and your ohana had a wonderful Christmas and safe New Year.

Please add me to the January 22, J Agenda.

Me ke mahalo,
Aunty Home

J-09

From: [Iwalani Laybin-McBrayer](#)
To: [Burrows-Nuuuanu, Leatrice W](#); [Wendy Kaniaupio-Crespo](#)
Subject: [EXTERNAL] January 2025 HHC Meeting J Agenda
Date: Thursday, December 26, 2024 8:20:03 AM

Hi Leah,

I would like to be on J Agenda to present for Kaupe'a Homestead Association concerns.

Mahalo,

Iwalani Laybin-McBrayer
Kaupe'a Homestead Association
President

From: [Dickenson Stone](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL]
Date: Tuesday, December 31, 2024 8:06:46 AM

J-10

Howzit Leah , can you put me and Cora on the (J) agenda and to testify on Shelly Correa ROE submittel to commissioner, I don't know what item it's on the agenda

From: [Antoinette Almeida](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] HHC meeting January 21-22 2025, J" agenda
Date: Friday, January 3, 2025 4:39:41 PM

J-11

Having problems with sight. It won't let me submit. I am requesting to be placed on "j" agenda.mahalo. Can you list me as PHHLCA President.

J-12

From: [Kekoa Enomoto](#)
To: [Burrows-Nuuuanu, Leatrice W](#)
Cc: [Chinn, Linda](#); [Choy, Andrew H](#); [Cachola, Julie-Ann](#); [Kawika McKeague](#); [Emma Abihai Yap](#)
Subject: [EXTERNAL] 1/22/24 J Agenda
Date: Tuesday, December 31, 2024 3:55:50 AM

Aloha mai kua e Leah,

Ke 'olu'olu, may I RSVP to advocate on the J Agenda at the 1/22/25 Hawaiian Homes Commission meeting, w/testimony starting at/after 11 that Wednesday morning?

On behalf of Pa'upena Community Development Inc., I anticipate discussing, as follows:

- DHHL LMD response to Pa'upena's 11/14/24 submission of a Pre-Application for Long-Term Use of 646 acres of Pu'unene Hawaiian Homelands in Central Maui.
- G70 contract for Pulehunui master-planning services.
- Pa'upena 2025 strategic priorities.

Mahalo nui,

- 'Anake Kekoa Enomoto

Kekoa Enomoto
Member of the board,
Pa'upena Community Development Inc.
(808) 276-2713

January 22, 2025

Aloha mai kakou e Na Hawaiian Homes Commissioners,

I am Kekoa Enomoto, a 38-year beneficiary; Waiohuli, Maui, residential homesteader, and co-founding director of the beneficiary nonprofit Pa‘upena Community Development corporation, or CDC.

The organization’s 2025 strategic priorities are threefold: (1) getting water meters at the CDC’s 127-acre Upcountry-homelands farming/ranching-training area; (2) accessing and developing the 646-acre Pulehunui South homelands tract, and (3) organizing a Homestead Construction Hui, and a Homestead Property Management Hui.

To help with these initiatives, the entity recently named two Maui residents to its now nine-member board — beneficiary waitlister Ka‘upena Kalima, and beneficiary parent Kawika Kamai.

And concerning Pulehunui South, Pa‘upena continues to work with G70 planners, and to seek funding via the Valley Isle-based Native Hawaiian Philanthropy.

-Kekoa Enomoto

J-13

From: [donna.sterling](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Cc: [Nuesca, Ruby Lyn D](#); [Nuesca, Ruby Lyn D](#)
Subject: Re: [EXTERNAL] J Agenda Request
Date: Friday, December 6, 2024 2:08:54 PM

Hi Leah

Yes please

With power point same subject.

More time to prepare

D
Sent from my iPhone

On Dec 6, 2024, at 10:02 AM, Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov> wrote:

Aloha e Donna,

E kala mai, the deadline for this month has passed. Can I add you for January 22nd?

See attached. <https://dhhl.hawaii.gov/hhc/testimony>

<image001.png>

Leah Burrows-Nuuanu
Hawaiian Homes Commission
Department of Hawaiian Home Lands
91-5420 Kapolei Parkway
Kapolei, HI 96707
Phone: 808 730 0158
Email: Leatrice.W.Burrows-Nuuanu@hawaii.gov

-----Original Message-----

From: donna sterling <dhelekunihi@yahoo.com>
Sent: Friday, December 6, 2024 9:03 AM
To: Burrows-Nuuanu, Leatrice W <leatrice.w.burrows-nuuanu@hawaii.gov>
Subject: [EXTERNAL] J Agenda Request

Aloha Leah

J-14

From: [De Mont Kalai Manaole](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: [EXTERNAL] J Agenda Request for January
Date: Monday, December 30, 2024 12:55:57 PM

Aloha Leah!

Could you please add my name to the J Agenda for January's Commission s meeting.

Mahalo,

De MONT Kalai Manaole

J-15

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: New submission from Submit J-Agenda Testimony
Date: Sunday, January 5, 2025 7:57:48 AM

Name

Jojo Tanimoto

Email

guavaland622@gmail.com

Message

Please include me on the January "J"agenda on various issues. Mahalo

J-16

From: [Robin Kealiinohomoku](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Cc: [Kekoa Enomoto \(kenomoto1@hawaii.rr.com\)](#)
Subject: [EXTERNAL] J Agenda for Tuesday, January 2025
Date: Tuesday, January 7, 2025 4:29:26 PM

Aloha mai kua e Leah,

I would like to RSVP to advocate via Zoom for the next J Agenda in January.

I anticipate discussing the incorporation of Pulehunui Homestead Association on Maui.

Mahalo,

Robin Kealiinohomoku
Ph: 808-446-5637

Pulehunui Homestead Association

*A newly
incorporated
Hawaiian
homelands
beneficiary
non-profit
entity*

*December
2024*



Mission



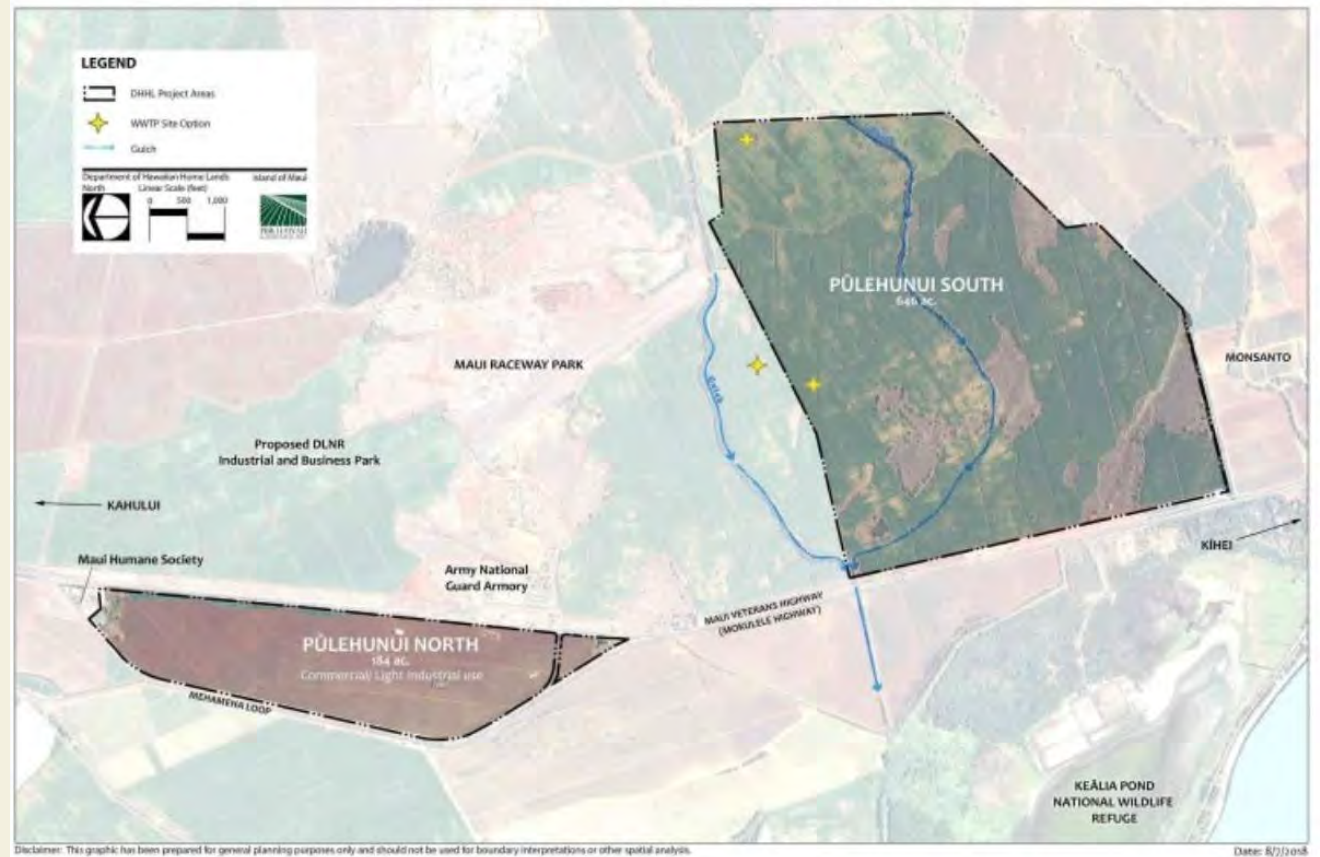
Pūlehunui Homestead Association's mission is to educate, empower, and engage Hawaiian homeland beneficiaries through farming, ranching and economic activities that foster native Hawaiian sovereignty i.e., self-determination and self-governance, in a culturally appropriate community-based way.

Pūlehunui Region Map

Pūlehunui consists of two-parcels of lands:

-Pūlehunui North, 184 acres dedicated for commercial and light industrial use.

-Pūlehunui South, 646 acres, of which approx 100 acres are dedicated for light industrial use and 546 for agricultural use.



Disclaimer: This graphic has been prepared for general planning purposes only and should not be used for boundary interpretations or other spatial analysis.

Date: 8/7/2018

Interim Charter Officers



Robin Leihuanani
Kealiinohomoku – President



Robert Pahia – Vice
President



Kainoa-Lei McDonald –
Secretary



Tema Watson – Treasurer

Mahalo Nui!

He ali'i ka 'āina, he kaua ke kanaka.

Land is chief and we are it's servants.