

HAWAIIAN HOMES COMMISSION
Minutes of January 21, 2025
Hale Pono'i, 91-5420 Kapolei Parkway, Kapolei, Oahu, 96707,
and Interactive Conferencing Technology (ICT) Zoom

PRESENT Kali Watson, Chairperson (Arrived at 1:15 p.m.)
Makai Freitas, West Hawai'i Commissioner
Michael L. Kaleikini, East Hawai'i Commissioner
Lawrence Lasua, Moloka'i Commissioner (ICT)
Sanoe Marfil, O'ahu Commissioner
Archie Kalepa, Maui Commissioner
Walter Kaneakua, O'ahu Commissioner
Dennis L. Neves, Kauai Commissioner
Pauline N. Namu'o, O'ahu Commissioner

COUNSEL R. Hokulei Lindsey, Deputy Attorney General

STAFF Katie Lambert, Deputy to the Chair
Leah Burrows-Nuuanu, Secretary to the Commission
Juan Garcia, Homestead Services Division Administrator
Andrew Choy, Planning Office Administrator
Julie Cachola, Planner V
Nancy McPherson, Planner V
Lilianne L. Makaila, Planner V
Russell Kaupu, Property Development Agent
R. Kalani Fronda, Acting Administrator Land Development Division
Michelle Hitzeman, Homestead Housing Development Manager
Kahana Albinio, Land Management General Professional
Andrew Sante, Land Agent I
David Hoke, Enforcement Administrator

ORDER OF BUSINESS

CALL TO ORDER

Oahu Commissioner Walt Kaneakua presided over the meeting as Chair Watson was excused to attend the State of the State address and was expected to return after lunch. The meeting was called to order at 9:37 am. Eight (8) members were present in person, and one (1) members attended via Zoom, establishing a quorum.

APPROVAL OF AGENDA

The commission called for a motion to accept the agenda, which was moved, discussed, and approved without opposition.

Motion/Action

Moved by Commissioner Neves, seconded by Commissioner Freitas, to approve the agenda. Motion carried unanimously.

APPROVAL OF MINUTES – December 16 & 17, 2024

There were no edits or amendments to the December meeting minutes.

Motion/Action

Moved by Commissioner Neves, seconded by Commissioner Kalepa, to approve the December 16 & 17, 2024 Minutes. Motion carried unanimously.

PUBLIC TESTIMONY ON AGENDIZED ITEMS

Commissioner Kaneakua announced that public testimony on any agenda item or relevant matter could be taken at that time or later when the specific item was called for discussion. He requested that testifiers be respectful and limit their testimony to three minutes to ensure all individuals wishing to testify could be heard before the commission.

PT-1 De Mont Manaole – Item D-7, C2 & F-1

D. Manaole, co-manager of Ho'omanapono LLC, testified about three agenda items, focusing on item D-7, requesting a deferral on a succession issue involving the Tyler family, who have lived at a Nanakuli Homestead property for 17 years. D. Manaole emphasized the family's desire for a contested case hearing to address the matter and introduced Tricia Kaneha'ilua, who confirmed their long residency and financial responsibilities. He also expressed his support on items C-2 and F-1, advocating for Lyman Ranch, which supplies locally sourced beef to area schools through a program initiated under Governor Ige's administration, benefiting schools like Nanakuli and Waianae. He emphasized the importance of preserving the ranch and concluded with new year greetings.

PT-2 Paul Aio & Mr. Kong – Nanakuli-Haleakala Cemetery

P. Aio and Mr. Kong testified about the challenges of maintaining the Nanakuli-Haleakala Cemetery, which dates back to 1930 and will soon reach its 100th anniversary. They explained that volunteers, including themselves and three others, have taken responsibility for the cemetery's upkeep since July, starting with grass-cutting and expanding to larger issues. P. Aio, a retired police officer and chairman of the Nanakuli-Mailii Neighborhood Board's emphasized the need for support from DHHL to address the trash issue and provide restrooms for visitors. They expressed pride in preserving the cemetery and urged the commission to assist with these challenges. Commissioner Walter expressed gratitude and noted they would explore potential assistance.

Commissioner Kalepa asked if the cemetery was still accepting burials. P. Aio explained that although the cemetery had reached full capacity, additional burials were still possible if family members wished to inter someone on top of an existing grave. He also highlighted ongoing efforts to identify unmarked graves, where only cement blocks with no names indicate burial sites. P. Aio stated that they were collaborating with the University of Hawaii to research the area, locate any unmarked graves (iwi), and ensure proper identification and respect for those laid to rest.

Commissioner Kalepa emphasized the importance of the Iwi Kūpuna to the identity of their people and strongly urged the commission to support and prioritize the care of the Nanakuli-Haleakala Cemetery. He reiterated the need to take action and provide necessary assistance to preserve and respect the site.

PT-3 Patty Teruya – Item C-1

P. Teruya highlighted that the Nanakuli Cemetery received CIP funding in 2022-2023 for drainage and stonewall improvements and suggested forming a 501(c)(3) to secure further funding for maintenance. She then raised concerns about Kaupuni Village Homestead in Waianae Valley, a 19-unit homestead near Pililaau Park, noting that departments were unaware of its existence or ongoing issues despite her emails. P. Teruya emphasized the need to assign departmental responsibility for addressing vandalism, streetlight repairs, and property management. She warned that unassigned properties in the village risked further vandalism and squatting if not promptly addressed, urging the commission to prioritize caretaking and maintenance of the area.

PT-4 Alohalani Smith – Item G-2

Aloha Smith testified in support of two agenda items. For item G2, she expressed strong support for Dr. Jonathan Likeke Scheuer as the Hawaiian Homes Commission representative on the East Maui Regional Community Board. Regarding item G4, she supported the Wākiu lands project, noting that while no archaeological report

had been received, there was uncertainty due to limited knowledge of the area, as most knowledgeable kupuna had passed. She acknowledged the potential discovery of significant sites, such as iwi or heiau, due to the area's dense vegetation but emphasized readiness to address any findings. She also thanked G-70 and the planning department for their efforts in addressing East Maui's urgent needs.

PT-5 Iwalani McBrayer – Item C-2

I. McBrayer testified in support of Item C2, negotiation to accept the donation of a 3.389-acre parcel on Ewa Island, Oahu, noting that this would help advance Prince Kuhio's legacy by reducing the waitlist of 30,000 applicants. She highlighted similar needs within her community, where 62 individuals are on the waitlist for a nine-acre parcel. McBrayer also expressed support for Dr. Jonathan Scheuer as the Hawaiian Homes Commission representative for Maui County, praising his efforts to educate beneficiaries on water issues during recent meetings across Maui, Lanai, and Oahu.

PT-5 Kenna Stormogipson – Waipouli Courtyards

K. Stormo Gipson, director of the Hawaii Housing Policy Foundation, testified about the relocation plan for Waipouli Courtyards on Kauai. She explained that, due to the Hawaiian Homes Commission Act and its blood quantum requirement, current lease agreements cannot be extended after the acquisition, requiring all 57 households to relocate. Twelve households with month-to-month leases would face relocation by the end of March if the acquisition proceeds as planned in February. These households include essential professionals, such as nurses and doctors. K. Gipson criticized the relocation plan by Interwest Group, which involves moving residents to Oahu and compensating them based on Oahu rental prices. This plan, she argued, violates the Uniform Relocation Act, which mandates 42 months of relocation assistance within the same geographic area. While Interwest Group claimed residents were open to moving off-island, K. Gipson's survey found that 95% wanted to stay on Kauai. She highlighted the lack of available comparable rentals on Kauai and emphasized that the \$1.9 million budget was inadequate. K. Gipson urged the department to revise the relocation plan to prevent families from being forced off their home island.

PT-6 Danielle Alefio and Michael Akana – Item D-4

D. Alefio and her father, Michael Akana, testified about their contested case hearing on January 31, 2024. During the hearing, one of their two requests was granted, allowing M. Akana to be placed on the Hawaiian Homes waitlist. While they expressed gratitude for being included on the current agenda under item D4, they questioned the delay in implementing the decision, as it had already been approved during the hearing a year earlier.

Commissioner Kaneakua acknowledged Danielle's complaint about the year-long delay in addressing their agenda item, recognizing the commission's heavy workload and agreeing that the wait was excessively long. He proposed discussing the details privately to better understand the cause and then proceed with the agenda item.

PT-7 Kapua Keliikoa-Kamai – Agenda order and sound quality

K. Kamai expressed appreciation for the agenda being followed in order, making it easier to track. She mentioned he would wait to comment on specific agenda items until they were discussed, preferring to hear departmental reports first. K. Kamai highlighted issues with inconsistent audio quality in YouTube recordings of meetings, noting that volume discrepancies between commissioners, testifiers, and commercials made it difficult to follow. She requested improvements in sound consistency for online viewers. K. Kamai also indicated her support for some leave of absence items but would provide further comments after hearing reports. Commissioner Kaneakua thanked Kapua for her input on the sound quality.

ITEMS FOR DISCUSSION MAKING

CONSENT AGENDA

HOMESTEAD SERVICES DIVISION

- D-2 Approval of Consent to Mortgage**
- D-3 Approval of Homestead Application Transfers / Cancellations**
- D-4 Approval to Certify Applications of Qualified Applicants for the month of November 2024**
- D-5 Commission Designation of Successors to Application Rights – Public Notice 2022, 2023**
- D-6 Approval of Assignment of Leasehold Interest**
- D-7 Approval of Amendment of Leasehold Interest**
- D-8 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees**

- D-9 Cancellation of Lease – DARLAMA E-KANOE C.K.T. VAENUKU, Residential Lease No. 5644, Lot No. 33, Lualualei, Oahu**
- D-10 Commission Designation of Successor – RUEBEN P. K. KAAHANUI SR. - Residential Lease No. 11695, Lot No. UNDV152, Kapolei, Oahu**

RECOMMENDED MOTION/ACTION

Homestead Services Division, Administrator Juan Garcia presented 8 items (D2 to D9) for approval. Motion to approve the Consent Agenda

J. Garcia presented eight consent agenda items for consideration. He acknowledged a request for a contested case hearing regarding agenda item D7 on page 2, specifically item five concerning Russell Tyler. J. Garcia proposed removing this item from the agenda to allow the commission to address it later.

Commissioner Kaneakua confirmed that the Russell Tyler item would be removed and handled later in a contested case hearing.

DISCUSSION

Commissioner Kaleikini asked for clarification on item D-3 regarding application cancellations, referencing Hawaii Administrative Rule 10-3-8, implemented in 1998. He requested details on the rule's process.

J. Garcia explained that the rule allows the department to solicit successors for deceased applicants who did not designate one by publishing a notice in local newspapers. Before the rule's amendment, applications without a designated successor were automatically terminated without public notification.

Commissioner Kaleikini noted that there were 12 proposed cancellations for the current month and inquired about the historical number of cancellations. J. Garcia did not have specific figures but mentioned that cancellations occur as the department learns of deaths, particularly for those who died before the 1998 rule amendment. Commissioner Kaleikini expressed concern that beneficiaries who died before 1998 may have had potential successors who were unaware of their eligibility, resulting in lost opportunities due to the lack of notification. He asked if there was any recourse for affected family members, to which J. Garcia responded that no public notice was required for deaths prior to the rule's amendment, and the opportunity would have been lost unless family members took timely action.

J. Garcia emphasized that the department advises beneficiaries and applicants to file a designation to secure their application or lease for successors. Commissioner Kaleikini acknowledged the department's efforts to stress this importance during meetings and award presentations and thanked Juan for the explanation.

Commissioner Neves sought clarification regarding the application of the 1998 rule, noting that if it had been applied retroactively, it would have covered cases from the past. However, he understood that the rule only

applied from the date it became effective, leaving earlier cases unaffected. J. Garcia confirmed this understanding. Commissioner Neves also pointed out that the early application dates from the 1950s appearing on records did not necessarily mean the department had delayed action for 15 years. Instead, it could indicate that the department had only recently been informed of the applicant's death, which needed to be clarified for accuracy. J. Garcia agreed that this was a possibility. Commissioner Neves thanked Garcia for the clarification.

Public Testimony - Kaulani Almeida – suggested that when agenda items involve both transfers and cancellations, it would be more helpful if they were clearly distinguished to avoid confusion. Second, she referred to a recent publication from the department calling for successors to come forward regarding certain properties. K. Almeida noted that the department required a 50% Hawaiian blood quantum to qualify for these properties, despite the successor definition being set at 25%. She requested an explanation for this discrepancy and thanked the commission for their time.

J. Garcia explained that the department recently issued two publications regarding successorship. The first, published at the end of November, called for successors of deceased applicants who had not filed a designation. He clarified that to succeed to an application, a successor must have a 50% Hawaiian blood quantum. The second publication, issued in late December, addressed lessees who had not filed a designation. He noted that successorship rules differ for leases, where certain relatives, such as a spouse, child, grandchild, or sibling of the deceased lessee, only need a 25% Hawaiian blood quantum.

Public Testimony - Robin Keali'inohomoku - shared concerns regarding the cancellation of her late uncle Thomas Keali'inohomoku's Hawaiian Homestead waitlist application. He had applied in 1958, before Hawaii's statehood and the implementation of HAR 10-3-8 in 1998. He passed away in 1982, and his name appeared in a public notice during the COVID pandemic. After submitting his death certificate to the department, she was informed by Nicole Bell that his application had been canceled. The testifier emphasized that all applicants, regardless of the year they applied, should have an equal right to respond to public notices and questioned why her uncle's case was not addressed earlier. Commissioner Kaneakua was notified that a request for a contested case hearing had been submitted for this application.

Commissioner Kaneakua acknowledged that the issue involving Russell Tyler would be addressed during a contested case hearing. He then called for a motion to approve the consent agenda with the removal of Tyler from item D7. With no further discussion, the motion was passed unanimously.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Kaleikini, to approve the Consent Agenda as stated in the submittal						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Kaleikini		X	X			
Commissioner Kalepa			X			
Commissioner Kaneakua			X			
Commissioner Lasua			X			
Commissioner Marfil			X			
Commissioner Namu'o			X			
Commissioner Neves	X		X			
Chairman Watson						X
TOTAL VOTE COUNT			8			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously, Eight (8) Yes votes.						

REGULAR AGENDA

OFFICE OF THE CHAIRMAN

ITEM C-1 Approval of the Recommendations of the Investigative Committee on Leaves of Absence and the Lessee Appointed Caretaker of the Homestead Lot(s)

RECOMMENDED MOTION/ACTION

Homestead Services Division, Administrator Juan Garcia, presented the following:

Motion that the Hawaiian Homes Commission Authorize the approval of the Recommendations of the Investigative Committee on Leaves of Absence and the Lessee Appointed Caretaker of the Homestead Lot(s). He requesting the commission's approval to direct the department to implement five steps: drafting interim policies and completing required forms, obtaining commission approval of the interim policy, conducting training and communication, monitoring and evaluating the policy, and initiating formal rulemaking.

Motion

Commissioner Neves moved, and Commissioner Kalepa seconded. With the motion properly moved and seconded, Commissioner Kaneakua opened the floor for discussion.

DISCUSSION

Commissioner Neves emphasized the importance of item C-1, noting that it aimed to formalize a caretaker policy that had previously existed only informally. He explained that the policy would address situations where lessees must leave their property temporarily, such as for medical treatment or religious commitments, by allowing them to appoint a caretaker responsible for managing and protecting the property in their absence. Commissioner Neves highlighted the need for clear responsibilities for both lessees and caretakers, as past issues had arisen where caretakers violated lease terms, including inviting unauthorized residents onto agricultural lots. The proposal aimed to establish a structured process through administrative rules to prevent such problems and provide clarity on authority and accountability during a lessee's absence.

Commissioner Kaneakua thanked Commissioner Neves for his detailed explanation and acknowledged the significant effort put in by Commissioner Neves, Commissioner Kaleikini, and Commissioner Marfil in their investigative work. He emphasized that the work involved a considerable amount of their personal time to help establish proper rules and procedures, agreeing that such efforts should not be overlooked or rushed through.

Public Testimony – Kapua Keliikoa-Kamai –emphasized the importance of a clear and permanent caretaker policy for homestead properties, noting that issues with vacant, abandoned, and squatted homes are affecting the community. She highlighted that homesteaders need to know who has legal responsibility (kuleana) for neighboring properties, as unresolved problems caused by absentee lessees create hardships for nearby residents. K. Kamai shared a personal example of squatters in her area and explained that despite neighbors' efforts to contact the lessee and the department, no resolution was reached, as the department referred them back to the lessee. She stressed the need for permanent administrative rules that provide consistent guidance, regardless of leadership changes, and suggested that the enforcement unit should ensure lessees fulfill their responsibilities. K. Kamai advocated for contested case hearings and emphasized that while eviction should be a last resort, action must be taken if lessees fail to meet their obligations. She concluded by thanking the commissioners for addressing the issue.

Public Testimony – Jan Makepa – representing the Waianae Valley Homestead Community Association, discussed community concerns regarding squatters in their homestead. She thanked the enforcement unit and the Department of Hawaiian Home Lands (DHHL) for addressing the issue, particularly in one specific home mentioned by Kapua Kamai. J. Makepa emphasized that if a property remains vacant, it should be considered for reassignment to someone on the waitlist, though she expressed a preference for lessees to retain their homes if possible. She raised questions about whether caretakers appointed by lessees need to meet blood quantum

requirements and comply with lease rules. J. Makepa noted that squatting and vacant homes are issues affecting other homesteads across the state and reiterated his appreciation for the department’s efforts in addressing these problems.

J. Garcia explained that the issue of caretaker qualifications, including potential blood quantum requirements, would be addressed during the rulemaking and interim policy process. He noted that public hearings would allow the community to provide input on rule amendments. Currently, approved caretakers have not been restricted by blood quantum, but the policy could change based on community feedback and the outcomes of the rulemaking process.

Commissioner Neves explained that the caretaker policy was developed to provide an alternative to eviction by allowing absent lessees to appoint a responsible caretaker. The policy includes an attestation signed by both parties, ensuring accountability and proper contact information. He emphasized that this policy offers a clear, structured solution for managing properties and assisting enforcement, while still allowing for further improvements.

Public Testimony – Cora Schnackenberg – expressed support for Commissioner Neves' comments, agreeing with his points. She raised concerns regarding potential conflicts of interest related to land dispositions, particularly regarding environmental impact in Ewa and land development on Maui. C. Schnackenberg emphasized the need for further investigation, especially when land classifications, such as residential and agricultural, are altered. Although uncertain about the agenda item, she reiterated her concerns about decision-making in land development projects.

Commissioner Kaneakua clarified that the discussion was on item C1, not C2. C. Schnackenberg noted that she viewed both items as closely related and concluded her testimony by stating her opposition. Commissioner Kaneakua acknowledged her testimony and confirmed there were no further discussions. However, Commissioner Lasua requested to make a comment, and Commissioner Kaneakua invited him to speak.

Commissioner Lasua shared a personal experience from 1980 when his father passed away, leaving him a homestead while he was living in Washington State. The department gave him 90 days to return, but after explaining his situation, they extended it to a year. During that time, several neighbors, who knew his father, helped care for the property, including regular lawn maintenance. Commissioner Lasua expressed gratitude for their support and emphasized the difficulty of managing a property from the mainland.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Kalepa, to approve the motion as stated in the submittal						
Commissioner	1	2	AYE (YES)	A’OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Kaleikini			X			
Commissioner Kalepa		X	X			
Commissioner Kaneakua			X			
Commissioner Lasua			X			
Commissioner Marfil			X			
Commissioner Namu’o			X			
Commissioner Neves	X		X			
Chairman Watson						X
TOTAL VOTE COUNT						
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED Motion passed unanimously, Eight (8) Yes votes.						

ITEM 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

RECOMMENDED MOTION/ACTION

Property Development Agent Russell Kaupu presented the following:
Motion that the Hawaiian Homes Commission Authorize the approval to authorize the Department of Hawaiian Homelands to Negotiate an Agreement to Accept Donation of 3.389-acre parcel in Ewa, Island of Oahu.

R. Kaupu first introduced guests Patty Tancayo and Sun Ham. He explained that during the previous month's meeting, it was revealed that two parcels, not just one, were being offered for donation under certain conditions. He had initially proposed adding the second parcel at that meeting but was advised by the Attorney General to provide proper notice and return to the commission. The current submittal is identical to the previous one, with the addition of the second 3.389-acre parcel, whose TMK details are included. The parcel is adjacent to the one approved last month. Additionally, R. Kaupu highlighted a correction to a typo in the name of the developer's special purpose entity, which has been updated to "Ku'a'i Halewai LLC." The request sought to extend the commission's previous approval to cover both parcels.

Commissioner Marfil inquired about the conditions attached to the parcel donation. R. Kaupu explained that the parcels would be subject to a commercial lease from the developer to a special purpose entity. The department aimed to structure the lease terms like what it would require if leasing the property directly. This includes a lease term of up to 65 years, sublease rent participation, and rental rates determined by an appraisal to ensure fair market value. The donation would be accepted with the lease already in place. R. Kaupu noted that some testifiers previously expressed concerns about whether the donation could be considered genuine due to these conditions, emphasizing that it is indeed a donation but with conditions attached.

Motion

Commissioner Freitas moved the motion, and Commissioner Kalepa seconded it. Commissioner Kaneakua opened the floor for further discussion, with Commissioner Neves requesting a strong vote on the matter.

DISCUSSION

Public Testimony – Homelani Schaedel - expressed concern over the lack of oversight and communication that necessitated the addition of a 3.89-acre parcel and its resubmittal to the agenda. She questioned whether this parcel would have a separate lease or be combined into a single lease with the parcel approved last month.

R. Kaupu confirmed that the newly added 3.89-acre parcel and the previously approved parcel would be covered under a single lease. H. Schaedel sought clarification, which R. Kaupu affirmed, before reiterating her concerns about the conditions labeled as a "donation." She emphasized that this arrangement was a negotiation and an exception to policy, potentially setting a precedent for other developers. H. Schaedel explained that KDL, under contract to acquire the parcel from the Roman Catholic Church, would lease it to an entity they formed, KHL, for commercial development. She questioned why KDL's commercial development plan was not included in the submittal. H. Schaedel noted that KHL would then donate the parcel to DHHL, making DHHL the fee owner, who would subsequently lease the land back to KHL. She asked for confirmation of this process but received no immediate response.

H. Schaedel expressed concern that KHL might bypass zoning regulations by using DHHL's trust and beneficiaries to advance its commercial development plan. She criticized the proposal for including a 65-year lease with minimum rent, emphasizing that beneficiaries and commissioners have long advocated for maximum lease benefits. Schaedel also pointed out the absence of the 80-unit kupuna housing project from both the current and previous submittals, questioning whether the omission was intentional or accidental. She raised concerns about DHHL's administrative burdens and the lack of transparency on potential costs and impacts. Additionally, she highlighted disparities between the requirements for developers and those for Homestead Beneficiary Organizations applying for leases. Schaedel warned that approving the proposal could

set a precedent for similar arrangements and thanked commissioners who had previously supported beneficiary concerns. She reaffirmed her commitment to advocacy and readiness for beneficiary consultations, concluding without receiving any further questions.

R. Kaupu explained that a single lease would cover both parcels and be established before the donation, with terms negotiated to meet DHHL's standards, including rental rates set by appraisal. He justified the minimum lease rent as part of securing the donation, which would provide DHHL with lease payments and eventual ownership of the property after 65 years. He highlighted DHHL's advantage in determining land use independently of city and county zoning regulations to attract developers. Regarding kupuna housing, R. Kaupu confirmed that developers proposed it as part of a community benefits package during meetings with homestead associations to gain their support. These discussions occurred without direct involvement from DHHL. While kupuna housing was not included in the formal submittals, it remains part of the ongoing negotiations. R. Kaupu supported it from a programmatic perspective but questioned whether it would maximize income for the property. He invited Patty and Sun to provide further details on the housing project.

P. Tancayo explained that while a kupuna housing project was initially planned, discussions with some homestead associations revealed a preference for such a project to be located closer to their communities rather than outside Kapolei. As a result, the project is currently not included. However, P. Tancayo expressed openness to revisiting the idea with the community to determine if there is renewed interest in pursuing the project.

S. Ham stated that they were considering whether it would be more beneficial for DHHL to receive increased monetary support or to prioritize kupuna housing and were open to further discussion on the matter. S. Ham emphasized the challenges DHHL faces in acquiring land, obtaining zoning approvals, and funding infrastructure development. He highlighted that this transaction presented an opportunity for DHHL to gain significant benefits with minimal effort, ultimately serving both the developers and DHHL's beneficiaries. S. Ham expressed confidence in the potential positive impact of the arrangement.

Public Testimony – Kapua Keliikoa-Kamai - expressed concerns about some of the methods used. She questioned who holds control in the negotiation process—DHHL, the developer, or the landowner—stressing that DHHL should not have to accept all the developer's terms, such as minimum lease rent and a 65-year lease term. K. Kamai emphasized the importance of securing agreements in writing and using placeholders to protect the second lot for beneficiary purposes until Kapolei homesteads define their goals. She highlighted concerns about consistency and fairness, pointing out disparities between how non-beneficiaries and beneficiaries are treated in land lease agreements. K. Kamai argued that non-beneficiaries should be held to higher standards, as the lands were intended for Native Hawaiian beneficiaries. She also questioned the absence of information on tax credits in the submittal, referencing past incidents where developers sought to exchange tax credits for donations. K. Kamai requested clarification on whether tax credits were part of the current negotiations and urged the department to address this issue to avoid surprises later. She concluded by thanking Homelani Schaedel for her research and advocacy, expressing her aspiration to become more knowledgeable and effective in her efforts to support beneficiaries.

Public Testimony – Germaine Meyers –testified against the agenda item, expressing concerns over the lack of administrative rules for accepting conditional land donations. She pointed out that beneficiary consultation should occur before the commission takes action on such matters. G. Meyers argued that the current proposal benefits the developer rather than beneficiaries or wait-listers and criticized the use of DHHL's authority to bypass city zoning rules. She suggested that the land could instead be donated directly by the Roman Catholic Church to build a co-cathedral and school for the community, aligning with its aspirations. G. Meyers further criticized the involvement of private developers focused on profit rather than non-profit organizations serving Native Hawaiians. She questioned the legitimacy of Lunalilo Trust, which was referenced as a potential partner for kupuna housing. G. Meyers explained that the trust, having sold most of its land holdings, now operates on limited resources and has served non-Hawaiians since the late 1990s. She called for further research and consultation with the legislature and beneficiaries regarding conditional land donations. G. Meyers concluded by urging the commission to carefully consider her concerns and thanked them for the opportunity to testify.

Public Testimony – Iwalani McBrayer & Wendy Kaniaupio-Crespo – I. McBrayer and W. Kaniaupio-Crespo, representing the Kaupea Homestead Association, expressed support for the donation of the parcel under agenda item C2. I. McBrayer emphasized that although homesteads within KCDC collaborate, their perspectives may differ, and she was presenting Kaupea's independent position. She acknowledged the community's long-standing need for facilities such as a community center and park, which had been promised since 2007. Although low-income housing was rejected in 2014, the community developed the idea of kupuna housing to address those needs. I. McBrayer commended the developers for including community leaders in discussions, a rare occurrence in her 18 years as a homesteader. She saw the donation as an opportunity for self-sustainability and self-determination, aligning with Prince Kuhio's vision of improving lives for beneficiaries.

Commissioner Neves asked whether the department had conducted a beneficiary consultation on the planned non-homestead development of the property, as mentioned in the document.

R. Kaupu responded that it had not been done because the department needed commission approval first. He explained that once an agreement is negotiated, it would be brought back to the commission for further approval. At that point, stakeholders could share their concerns regarding the economic aspects of the deal. R. Kaupu clarified that without the commission's approval to proceed with the donation and commercial development plan, there was no finalized information to present for consultation.

Commissioner Neves emphasized the importance of the department conducting a beneficiary consultation and sought clarification on whether it would apply to area beneficiaries specifically. He asked Andrew from the Planning Office to provide details on how the process works.

Planning Program Manager Andrew Choy explained that for regional-based developments, the department typically consults with beneficiaries in the relevant region, which would likely include multiple homestead areas. Given the interest expressed in public testimony, A. Choy suggested extending the consultation to beneficiaries along the leeward coast. He emphasized the need to carefully consider the scope of the consultation, noting that certain commission decisions may already be finalized, potentially limiting what beneficiaries can influence. A. Choy stressed that the consultation process must maintain beneficiaries' trust by being meaningful and not merely a formality, ensuring that the department genuinely listens to community concerns.

A. Choy explained that the approach to beneficiary consultation would depend on whether the commission has approved the proposed action. If approved, the consultation would need to adhere to the parameters set by the commission's decision. Commissioner Neves then inquired about a statement on page two of the C2 document, which mentioned DHHL taking on administrative burdens as the property owner and ground lessor. He asked Russell Kaupu for clarification on the nature of those burdens.

Commissioner Neves asked whether managing the administrative responsibilities of the new lease would require additional staff. R. Kaupu clarified that while it would add to the workload, it would not necessitate staffing increases. He explained that the department already manages around 60 commercial leases with varying success and that the Land Management Division (LMD) is building capacity to handle such leases. LMD also has the option to engage third-party consultants to assist with administration. R. Kaupu acknowledged that the project would be an additional responsibility but within the scope of LMD's current operations.

Commissioner Neves confirmed that the 19-acre parcel approved in the previous month was partially zoned for agricultural use and partially R5 residential. R. Kaupu added that, like other projects, this development would require compliance with Chapter 343 environmental review, including obtaining a finding of no significant impact (FONSI), with the developer responsible for the cost and effort. He emphasized that developers are not treated differently based on insider connections but that project requirements may vary depending on economic and program goals. For example, some projects prioritize income generation to support DHHL's homestead development, while others may focus on programmatic objectives like kupuna housing,

potentially impacting financial returns. Neves reiterated his opposition to the project, stating that it does not directly fulfill the mission of placing Native Hawaiians on the land and expressing concerns about the uncertain allocation of generated revenue toward homestead development. He concluded by emphasizing the need to prioritize long-term benefits for Native Hawaiians.

Commissioner Kaneakua sought to clarify the purpose of the vote, summarizing that last month's C1 request had already been approved, despite objections. He explained that the current request seeks to add 3.3 acres to the project and authorize negotiations for an agreement under the specified conditions. Once finalized, the negotiated agreement would return to the Hawaiian Homes Commission for approval. R. Kaupu confirmed this summary as accurate.

Commissioner Freitas emphasized that beneficiary consultation would play a crucial role in shaping the final agreement, including determining the benefits package and understanding what the beneficiaries want from the project. R. Kaupu agreed, noting that the consultation process would not be meaningful unless the commission had the opportunity to review and comment on the project after the consultation has been conducted.

Commissioner Kaleikini requested that the negotiations include details on the project's investment amount and financial analysis. He expressed interest in determining whether the 65-year lease is sufficient to provide a fair return on investment or if it is excessive. He also wanted information on the projected value of the completed development and confirmation of whether DHHL would receive that value at the end of the lease term. Additionally, he inquired if the donated parcels would be added to DHHL's land inventory. Commissioner Kaleikini noted that including these details would help him better understand the project's next steps.

Commissioner Freitas asked if the sublease portion of the project would generate increasing revenue over time, especially after the beneficiary consultation and other requirements are completed. R. Kaupu confirmed that sublease revenue would increase over time, as subleases typically include periodic step-ups and rental reopenings. He compared it to the arrangement at Kamakana Ali'i, where DHHL receives both a base rent and a share of sublease rents.

Public Testimony – Kauai - expressed confusion regarding the property's donation process, questioning who exactly was donating the property and seeking clarification on whether it was the Roman Catholic Church. She emphasized the importance of fully understanding the origin of the donation and the need to formally add the donated property to DHHL's land inventory. She highlighted that these details should be part of the discussion before negotiations and deals move forward. She concluded by thanking the commissioners for the opportunity to raise her concerns.

Commissioner Kalepa requested an executive session to consult with the Attorney General (AG) for legal advice to help clarify his decision. Commissioner Kaneakua confirmed this request and asked if it was appropriate under the circumstances. AG Hoku Lindsey advised that if legal advice was needed, the commission could enter an executive session. Following this clarification, Commissioner Kalepa confirmed his request, prompting Commissioner Kaneakua to formally state that the commission would convene an executive session under section 92-584 HRS to consult on legal matters related to the commission's responsibilities and obligations. Commissioner Neves noted that a vote would be required to proceed.

Commissioner Kaneakua called for a motion to enter executive session, which was moved by Commissioner Kalepa and seconded by Commissioner Freitas. The motion was approved with no opposition. Commissioner Kaneakua announced that the commission would adjourn for executive session and confirmed adherence to the schedule, stating they would also break for lunch and return after approximately an hour.

EXECUTIVE SESSION IN	12:15 PM
EXECUTIVE SESSION OUT	12:50 PM
RECONVENED	1:20 PM

NOTE: Chair Watson joined the meeting in person at 1:15 p.m. He reconvened the commission following the executive session, stating that the commission had discussed its responsibilities, duties, and liabilities regarding item C2 and the land donation.

Commissioner Kaneakua summarized the proceedings, noting that in Chair Watson's absence, the commission had deliberated item C2, with a motion to accept already on the table and seconded. Over two hours of discussion had occurred, including an executive session to review the commission's responsibilities. From these discussions, a strong recommendation emerged to establish a Permitted Interaction Group (PIG) if the motion passed, to ensure DHHL's active involvement and address consultations and commissioner concerns. He concluded by stating that discussions were now closed, and the motion was ready for a vote.

Chair Watson acknowledged the discussion and stated that since he had not been present during the deliberations, he would not participate in the vote and would recuse himself from the action item. He then directed the commission to proceed with a roll call vote.

MOTION/ACTION

Moved by Commissioner Freitas, seconded by Commissioner Kalepa, to approve the motion as stated in the submittal						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas	X		X			
Commissioner Kaleikini			X			
Commissioner Kalepa		X	X			
Commissioner Kaneakua			X			
Commissioner Lasua				X		
Commissioner Marfil				X		
Commissioner Namu'o			X			
Commissioner Neves				X		
Chairman Watson					RECUSED	
TOTAL VOTE COUNT			5	3	1	
MOTION: <input type="checkbox"/> UNANIMOUS <input checked="" type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed, Five (5) Yes votes, (3) No Votes, (1) Recusal						

LAND MANAGEMENT DIVISION

ITEM F-5 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, Various TMK's (see exhibit)

RECOMMEND MOTION/ACTION

Land Management Division, General Professional Kahana Albinio, and Property Development Agent Kualii'i Camara present the following:

Motion for the Hawaiian Homes Commission requesting 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, Various TMK's.

K. Albinio then presented item F5, requesting the commission's approval to issue a one-year right of entry permit to Pu'u Huluhulu Ranch and Farm on Hawaii Island. The permit would be for pastoral use and to assist DHHL in securing the property, preventing trespassing, and managing livestock left by illegal occupants. He noted that the permit would include specific conditions and introduced Kualii Camara, the Big Island Land Agent for natural resources, to address any questions.

K. Camara provided background on the illegal occupation of DHHL lands. He expressed gratitude to the enforcement division for assisting in serving a writ to remove a long-standing illegal occupant who had been occupying approximately 3,500 acres with cattle. The removal process took place in October and November. Now, to prevent the party from returning and to manage the remaining trespassing cattle, DHHL sought to enlist the help of Humu'ula beneficiaries with pastoral leases. K. Camara acknowledged the complexity of the issue and offered to answer any questions from the commissioners.

DISCUSSION

Commissioner Freitas thanked the enforcement team for their efforts in handling a dangerous and challenging situation with squatters in a remote area, acknowledging the significance of the accomplishment. He confirmed they were working with the Kaniho family and highlighted discussions held during the Aina Mauna Legacy meeting at Mauna Kea. He praised Andrew and Lily for their contributions and strongly supported the plan to involve local beneficiaries familiar with the area to ensure future success. K. Camara expressed gratitude to the commissioner.

Chair Watson commended the efforts of David Hoke, his team, enforcement, and Kualii in managing a dangerous situation with a trespasser who had threatened staff and others. He emphasized that this initiative, long overdue, aimed to open lands for homesteaders. He noted that while this was just the first phase, interim management would help advance preparations for subsistence pastoral lots and community pastures, with plans to expand the acreage. Chair Watson stressed the importance of transferring land to beneficiaries in a safe and sustainable manner, supported by knowledgeable locals, with water management being a key priority. He expressed excitement about awarding pastoral lots at Humu'ula, South Point, and Ka'u, highlighting the need for collaboration with experts familiar with the area. He praised Kualii for his shift from preservation to homesteading and emphasized that while the problem of gorse persisted, distributing land should remain the main focus. He concluded by congratulating both Kualii and David's team for their work.

Chair Watson called for a motion, which was made by Commissioner Freitas and seconded by Commissioner Neves. He then opened the floor for any further discussion.

Public Testimony - Cora Schnackenberg – She sought clarification on whether the discussion was about item F5 or F6, with Chair Watson confirming it was F5. C. Schnackenberg expressed confusion about whether both items referred to the same parcel. K. Camara explained that parcel 007 is a large 19,000-acre area, with different sections addressed under F5 and F6, noting that they were seeking USDA grant funding for a separate portion of the same parcel. C. Schnackenberg, speaking as a beneficiary, expressed concerns about the lack of clear information and suggested that a presentation showing the areas in question would have been helpful. She supported placing waitlisted beneficiaries on the land but questioned how this aligned with the involvement of multiple stakeholders and a Memorandum of Agreement (MOA) under item F6. She found it problematic that both items involved overlapping parcels, leading to confusion about how beneficiaries would benefit when other stakeholders seemed prioritized. C. Schnackenberg criticized the presentation of the issue and voiced concerns about beneficiary interests being overlooked.

Commissioner Neves clarified that he had encountered similar confusion when reviewing the items, noting that both F5 and F6 appeared to reference the same Tax Map Key (TMK). He explained that F5 involved a right of entry to address the removal of illegal occupants on the land, a step he fully supported. In contrast, F6 referred to a right of entry intended to negotiate federal funding for activities such as fencing. Commissioner Neves emphasized that this entry did not imply any transfer of ownership but was simply a means to secure access for funding purposes.

K. Camara corrected Commissioner Neves by stating that F6 was not a right of entry but rather a memorandum of understanding to accept federal funds. While there would be a component involving verification of work performed under F6, it did not involve granting right of entry. Commissioner Neves acknowledged the clarification and expressed his thanks.

Chair Watson called for and received a motion from Commissioner Freitas, seconded by Commissioner Neves. The motion was unanimously approved without opposition.

MOTION/ACTION

Moved by Commissioner Freitas, seconded by Commissioner Neves, to approve the motion as stated in the submittal						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas	X		X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua			X			
Commissioner Lasua			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-6 Approval to negotiate and enter into MOA with DLNR to accept USDA, Land Owner Assistance Funds, Humu'ula, Hawaii Island, TMK (3) 3-8-001:002, :009

RECOMMENDED MOTION/ACTION

Land Management Division, General Professional IV Kahana Albinio and Property Development Agent Kualii Camara presented the following:

Motion for the Hawaiian Homes Commission requesting Approval to negotiate and enter into MOA with DLNR to accept USDA, Land Owner Assistance Funds, Humu'ula, Hawaii Island, as detailed in the submitted TMKs.

K. Camara explained that the Department of Land and Natural Resources (DLNR) approached the Land Management Division (LMD) regarding USDA landowner assistance funds, which are administered through DLNR for natural resource management projects in Hawaii. He detailed that the grant focuses on tree planting, with USDA covering the cost of trees and labor without requiring matching funds. The work will be carried out in three areas designated under the Aina Mauna Legacy Program due to their high habitat value, including critical habitat areas. The proposed Memorandum of Understanding (MOU) outlines terms and conditions for accepting the funds, with the Department of Hawaiian Home Lands (DHHL) expected to receive \$1.5 million for the initiative. Chair Watson acknowledged the favorable terms of the grant and opened the floor for questions.

DISCUSSION

Commissioner Freitas emphasized the critical link between the enforcement team's work and protecting a vital water source that supplies the Hamakua Coast and Hilo. He explained that wild cattle had been encroaching on the conservation area, posing a serious threat to the water source with potentially severe consequences. He

pointed out that the efforts to remove the cattle and carry out restoration projects were essential for safeguarding the area and had wide-ranging benefits. Freitas noted the connection between items F5 and F6 and expressed gratitude for the team's accomplishments.

MOTION/ACTION

Moved by Commissioner Freitas, seconded by Commissioner Neves, to approve the motion as stated in the submittal						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas	X		X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua			X			
Commissioner Lasua			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-1 Approval to Annual Renewal of Right of Entry Permit(s) and Conversions 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, various TMK's (see exhibits)

RECOMMENDED MOTION/ACTION

Land Management Division, General Professional IV Kahana Albinio, and Land Agent Ashley Tabalno presented the following:

Motion for the Hawaiian Homes Commission requesting Approval to Annual Renewal of Right of Entry Permit(s) and Conversions to Revocable Permits: ROE No. 599 – Parker Ranch, West Hawaii; ROE Nos. 600 – Kennard Hicks; 511 – Robert D. Lyman; and 527 – Waianae Valley Farm Ltd., West Oahu Island. K. Albinio introduced Ashley Tabalno as a land agent who works with their team on the West side.

DISCUSSION

Commissioner Neves inquired about whether the enforcement team had completed a full report on the Robert Lyman property and the Wai'anae Valley Farm property.

K. Albinio explained that the enforcement team went to the site with staff, took pictures, and completed a report. Commissioner Neves expressed concern over longstanding rumors about activities on the property, including parties and unauthorized structures, such as homes. The report indicated a caretaker was living on the property and noted the presence of a house and Quonset huts. He sought further clarification on whether there were currently people residing on the property.

Land Management Division Administrator Linda Chinn confirmed that there is a caretaker living on-site at both Lyman Ranch and Nanakuli Ranch. Commissioner Neves acknowledged this and mentioned that a caretaker process had recently been approved, with proper paperwork expected to be completed. He noted that the process was approved earlier that day through the PIG meeting held last month. L. Chinn clarified that the approved process was specifically for homesteads, a point reiterated by K. Albinio.

Chair Watson explained that while the caretaker's role is important for preventing issues such as wildfires and trespassing, the broader focus is on converting the parcels into homesteading land. To address this, a consultant would be brought in to analyze part of the efforts to move forward with the homesteading conversion.

L. Chinn recommended extending and renewing the current caretaker arrangement for 12 months to allow time for proper planning. Commissioner Neves acknowledged the explanation and expressed his approval, thanking the Chair.

Public Testimony – Kennard Hicks - expressed gratitude to the Chair, commissioners, and the department for their support, addressing a complaint that questioned his Native Hawaiian status. He clarified that he is a lessee with an award and resides on the farm property. K. Hicks shared his 40 years of farming experience, training his children and teaching hundreds of youths in the community, including students from Nanakuli High School. He emphasized his passion for farming and his commitment to community outreach. K. Hicks suggested that new farmers should gain experience to enhance future agricultural success.

Public Testimony – Germaine Meyers - expressed concern over the more than 4,000 people on Oahu’s residential waitlist and over 1,000 on the agricultural (AG) waitlist. She pointed out that the Hawaiian Homes Commission imposed an AG land award moratorium on Oahu in 1999 due to limited land and the long residential waitlist. In 2013, the commission introduced a subsistence AG homestead lease program allowing up to three-acre lots. She criticized the awarding of a six-acre parcel to Kennard Hicks in 2009, during the moratorium, and his subsequent acquisition of additional land through a low-cost permit, despite others being stuck on the waitlist. She stressed that rules should apply equally to all, without exceptions for special interests or individuals bypassing the system, calling for fairness and transparency in land distribution.

Public Testimony – De Mont Manaole – D. Manaole supported Lyman Ranch, emphasizing its role in raising cattle that are slaughtered in Kalaeloa and distributed to local schools through a contract between Governor Ige and the Department of Education, providing fresh beef to students in Nanakuli and Waianae. He then raised concerns about a 45.42-acre Hawaiian Home Lands parcel near Kennard Hicks' property, noting that although it has no recorded lease, someone is actively cultivating and profiting from it. D. Manaole requested clarification on who holds the leases for these properties and why they are not properly recorded, showing Kahana a map on his phone to illustrate the area. Chair Watson acknowledged the concern, assured De Mont that they would look into the matter, and thanked him for the information.

MOTION/ACTION

Moved by Commissioner Freitas, seconded by Commissioner Marfil, to approve the motion as stated in the submittal						
Commissioner	1	2	AYE (YES)	A’OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas	X		X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua			X			
Commissioner Lasua			X			
Commissioner Marfil		X	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 Issue New License to City & County of Honolulu, Department of Parks & Recreation, Kaupuni Park; TMK No. (1) 8-5-032:039

RECOMMENDED MOTION/ACTION

Land Management Division, General Professional IV Kahana Albinio, and Land Agent Ashley Tabalno presented the following:

Motion that the Hawaiian Homes Commission Approval to Issue a New License to the City and County of Honolulu for Kaupuni Park, Nanakuli Island of Oahu.

K. Albinio introduced Ashley Tabalno, stating she was available to address any questions regarding the matter. He also mentioned Christine Ching, who was expected to join but was not present, noting that she is from the City and County. Chair Watson then asked Ashley to provide a summary of the issue for the audience's understanding.

A. Tabalno explained that the matter involved approval of a 30-year license for the city and county to install a playground apparatus in the Nanakuli neighborhood. She noted that the installation was planned to be completed within approximately five years.

DISCUSSION

Public Testimony – Jan Makepa – testified in support of the new license for Kaupuni Park with the city and county parks and recreation, following a 5-1 vote of approval from the association board. She emphasized the benefits of the license, including maintenance, utility cost coverage, and liability management, and explained that planning for the park began in 2002 under a 13-phase master plan, with only three phases completed due to mismanagement of allocated funds. J. Makepa stressed the urgent need for a playground, which has been missing for over 10 years, noting that nearby parks have received new playgrounds. She also acknowledged the concerns of residents opposing the license, emphasizing the importance of a canceled beneficiary consultation that would have provided broader community input. J. Makepa committed to pushing for the completion of the master plan's remaining items and ensuring effective planning while recognizing that the community may not yet be fully prepared to manage the park independently.

Public Testimony - Lokana Keliikoa-Pua – supported renewing the license for Kaupuni Park, recounting the park's long history, including early efforts led by her mother, Germaine Keliikoa, and later by Ivan Laikupu. Despite delays and incomplete development, the community continued to persevere, though the lack of progress has deprived children, families, and elders of opportunities. She praised Jan Makepa's leadership in advancing various projects, including sewer development, and stressed that renewing the license would help the community thrive by finally delivering long-overdue improvements, such as a playground. L. Keliikoa-Pua urged the commissioners to support the park's development, noting that parks serve as the heartbeat of a community.

Public Testimony - Kapua Keliikoa-Kamai – supported the renewal of the license for Kaupuni Park, emphasizing that every community deserves a functional park. She explained that although it took years for the park to take shape, ongoing issues such as vandalism and high maintenance costs remain. Despite these challenges, the park is heavily utilized by local and visiting sports teams. She highlighted that previous regional plans allocated funds for park development, but the plans were never fully realized. Since neither the community nor the department has the resources to maintain the park, she advocated for continued management by the city and county parks and recreation department.

Commissioner Neves pointed out that while the license would give the county control of the park for 30 years, which the community desires, there was no guarantee that the remaining items would be accomplished. He questioned what commitments the department could make to secure funding or collaborating with the county to ensure progress on these outstanding items.

K. Albinio suggested engaging with the county to determine what could be accomplished within a set timeframe and proposed reporting back to beneficiaries with updates. He emphasized the need to collaborate with the county on funding options.

Commissioner Neves recommended using the upcoming June budget meeting to explore discretionary funds to support the Wai'anae Association. He also suggested helping the association form a nonprofit to access grant funding and coordinate efforts with the county.

K. Kamai stated that \$100,000 is currently allocated to Kaupuni Park, although over a million dollars had been allocated in the past. Despite collaboration with Parks and recreation, the neighborhood board, and the councilwoman, progress was hindered by contract delays, contractor withdrawals, and missed timelines. She urged assistance in securing the long-overdue playground apparatus, pointing out that other parks, such as Pokai Bay and Kalani'ano'ole Beach Park, have had their equipment replaced twice, while Kaupuni Park has received no improvements during that time.

K. Albinio emphasized the importance of item six, stating that they could collaborate with the Wai'anae Valley Homestead Community Association, led by Jan Makepa, to address the park development issues. Commissioner Neves acknowledged the plan, expressing his approval.

Public Testimony - Pat Kahawai'olaa – shared his experience with Keaukaha's Kualani Park on the Big Island, emphasizing the importance of collaboration between the community, county, and DHHL. He thanked Linda Chin and Kahana Albinio for their role in renewing the park's license, which included conditions ensuring that the county would provide community-requested improvements. Through the creation of a nonprofit, the community was able to secure grant funding to develop the park with new playground equipment and sports facilities. He suggested that this approach could also benefit Kaupuni Park. Kahawai'olaa strongly opposed using park-designated lands for Kauhale (homeless shelters), insisting that other state lands should be used instead. He urged that community needs be prioritized and expressed gratitude for the opportunity to share his input.

Public Testimony – Iwalani McBrayer - President of Kaupe'a, supported issuing a new license for Kaupuni Park to the City and County of Honolulu Department of Parks and Recreation. She emphasized the critical need for parks and community centers, noting that despite promises, Kaupe'a has gone 18 years without these facilities, similar to Waianae Valley's 23-year wait. I. McBrayer recognized the leadership efforts in Waianae and highlighted how such facilities are essential for self-governance, cultural preservation, and community engagement. She acknowledged the existence of differing opinions but stressed the responsibility of leaders to make decisions that benefit the community.

Public Testimony – Germaine Meyers - a Nanakuli Hawaiian Homestead lessee, supported the agenda item for issuing a new license to the City and County of Honolulu to maintain Kaupuni Park. She explained that Waianae Valley lacks an economic engine to fund park upkeep, unlike Kapolei, where organizations like KCDC benefit from revenue generated by Hawaiian Home Lands projects, or Nanakuli, which receives support from Nanakuli Village. Although Waianae Valley recently obtained a right of entry for solar and crematory projects, it still does not have sufficient financial capacity to sustain the park. G. Meyers emphasized the importance of the city continuing park maintenance and expressed her support for Uncle Pat's position against using DHHL lands for Kauhale (homeless shelters). She thanked Chair Kali for assuring the community and neighborhood board that no Kauhale projects would be placed on DHHL lands statewide and concluded by offering blessings to the commissioners.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Lasua, to approve the motion as stated in the submittal						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua			X			
Commissioner Lasua		X	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-3 Approval to Issue a 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

RECOMMENDED MOTION/ACTION

Land Management Division, General Professional Kahana Albinio and Land Agent Shelly Carreira the following:

Motion that the Hawaiian Homes Commission issue a non-exclusive right of entry permit to Ahonui Homestead Association. The permit covers approximately 397.4 acres of Hawaiian Home Lands in 'Ualapu'e, Molokai, for stewardship, project planning, and community engagement. He introduced Shelley Carreira, a Land Agent, as part of the presentation, as well as Dicky Stone, president of Ahonui Homestead Association, and Cora Schnackenberg, a board member, were expected to be present online.

S. Carreira summarized that the Ahonui Homestead Association submitted a land use request for six scattered parcels within the 'Ualapu'e region on Molokai for stewardship purposes. These parcels are part of a regional priority project outlined in the 'Ualapu'e settlement plan. The right of entry is intended to support ongoing work needed for plan development, focusing on stewardship and further community engagement rather than immediate implementation. S. Carreira noted that the provided packet includes details on the master planning process, the beneficiary consultation held for the regional plan, and letters of support for the project. K. Albinio invited commissioners to ask questions or hear any additional input from Dicky Stone and Cora Schnackenberg regarding the Ahonui Homestead Association's request.

D. Stone, President of the Ahonui Homestead Association, highlighted the excitement surrounding the project, noting that if approved, it would provide a beneficial starting point near the road for the community's elders (kupuna). Stone acknowledged Andrew from G70 and Shelly for their hard work.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Lasua, to approve the motion as stated in the submittal						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua			X			
Commissioner Lasua		X	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-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.)

RECOMMENDED MOTION/ACTION

Land Management Division, General Professional Kahana Albinio and Land Agent Shelly Carreira presented the following:

Motion for the Hawaiian Homes Commission requesting Approval to issue a 20-year general lease to the County of Maui Department of Public Works. The lease covered approximately 3.11 acres (135,540 square feet) of Hawaiian homelands in Honokowai, Lahaina, Maui Island, identified by the TMK as shown in Exhibit A. The purpose of the lease was to establish a base yard for equipment storage to support Lahaina recovery efforts and other essential county operations. Approval included authorization to issue the general lease under the specified terms and conditions outlined in the documentation, with additional stipulations as listed.

DISCUSSION

Commissioner Kalepa confirmed his full support for issuing the lease to the county, with no further questions or comments.

Commissioner Marfil asked for clarification regarding the base rent for the lease, directing attention to item number five in the documentation. K. Albinio confirmed that the base rent was \$7,825 per month.

Commissioner Kalepa inquired whether the parcel in question was used as paid parking, to which Albinio confirmed that it was indeed a paid parking area. Commissioner Kalepa further clarified that the parcel had previously been utilized as parking for hotel employees, which Albinio affirmed.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Kalepa, to approve the motion as stated in the submittal						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Kaleikini			X			
Commissioner Kalepa		X	X			
Commissioner Kaneakua			X			
Commissioner Lasua			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.						

PLANNING OFFICE

ITEM 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

RECOMMENDED MOTION/ACTION

Planning Program Manager Andrew Choy presented the following:

Motion that the Hawaiian Homes Commission issue a finding of no significant impact (FONSI) declaration based on the final environmental assessment for the Waiohuli Hawaiian Homestead Association's Economic Development Opportunity (WE-DO) Project in Makawao, Maui, with the location's TMK numbers provided in the action submittal.

A. Choy introduced Mr. Bobby Hall, representing the Waiohuli Hawaiian Homestead Association and their consultants, PBR Hawaii, to present the project submittal, progress updates, and a summary of the final environmental assessment.

B. Hall, a principal at Pueo Development and longtime collaborator with the Waiohuli Hawaiian Homestead Association, addressed the commission and introduced Catie Cullison of PBR Hawaii, who assisted remotely. He outlined the agenda, covering Waiohuli’s background, the WE-DO initiative, conceptual planning, the environmental assessment, and next steps. The presentation aimed to provide an overview of WE-DO, gather feedback on the environmental assessment, and update the commission on the project’s progress.

Founded in 1999, the Waiohuli Hawaiian Homestead Association supports Native Hawaiians in partnership with DHHL. It obtained nonprofit status in 2005 and expanded its land holdings from an initial five acres to 17 acres for community use. Facing an economic crisis that led many families to leave for the mainland, Waiohuli launched WE-DO in 2018 to drive economic development, drawing inspiration from successful homestead projects in Nanakuli, Kapolei, and Laiopua 2020.

Waiohuli pursued land through DHHL’s disposition program, holding beneficiary consultations in 2019 and securing a right-of-entry permit for 150 acres. By 2021, they received legislative consideration for a special-purpose revenue bond, and in 2022, they presented their WE-DO vision to DHHL. A 65-year lease was granted

in early 2023, and environmental assessment efforts began despite challenges from wildfire recovery demands. The draft EA was presented in Hilo in October 2024, followed by public comments in November, with a final EA prepared for commission review.

WE-DO aims to generate sustainable economic opportunities, create jobs, and support small businesses. Waiohuli will collaborate with development partners to maximize the potential of its 150-acre project, leveraging its experience in managing community facilities. B. Hall concluded by turning the presentation over to Catie Cullison for conceptual planning.

C. Cullison, a planner with PBR Hawaii, outlined her role in providing technical assistance to Pueo Development and the Waiohuli community. She emphasized that the goal was to meet the conditions of their right of entry by securing environmental assessment (EA) approval and a finding of no significant impact (FONSI). The presentation covered the evolution of the WE-DO conceptual plan, key EA elements, and next steps.

The initial 2018 vision for the 150-acre project, evolved through site assessments considering archaeology, water needs, and topography. The refined plan positioned more intensive land uses at higher elevations and less intensive ones lower down. The EA evaluated the highest and best use of the land, considering housing, a healthcare and cultural center, agricultural development, a solar farm, and conservation areas. Greenway trails were proposed along gulches for environmental restoration and recreation. A visualization summarized land use planning, serving as a "vision board" for the project.

The draft EA, completed in 2024, faced challenges due to increased demand for environmental services after wildfire recovery efforts. It was presented in Hilo in October and released for public comment, with the final version incorporating stakeholder feedback. Water availability was a key concern, with calculations confirming the aquifer's 11 million gallons per day yield. Engineering recommendations included a new well, pump, storage tank, and water lines. If 42 acres designated for housing were converted to agriculture, an estimated 210,000 gallons of non-potable water per day would be required.

The Department of Transportation (DOT) recommended incorporating energy-efficient practices and multimodal street designs to support walking and biking. In response, the final EA was updated to include complete streets design standards. Cullison concluded by stating the final EA was ready for submission pending commission approval, and to finalize it in the coming month. She invited questions from commissioners before closing.

MOTION/ACTION

Moved by Commissioner Freitas, seconded by Commissioner Marfil, to approve the motion as stated in the submittal						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas	X		X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua			X			
Commissioner Lasua			X			
Commissioner Marfil		X	X			
Commissioner Namu'o			X			
Commissioner Neves			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 G-2 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

Planning Office, Planning Program Manager Andrew Choy and Program Specialist IV Cherie Kaanana presented the following:

Motion that the Hawaiian Homes Commission consider the approval of Dr. Jonathan Likeke Scheuer as the Hawaiian Homes Commission representative on the East Maui Regional Community Board. A. Choy introduced Cherie Kaanana, the department's water program specialist, who was present to provide details on the submittal and explain the justification for the proposed recommendation.

C. Kaanana, a water program specialist, presented the nomination of Dr. Jonathan Likeke Scheuer for the HHC representative seat on the East Maui Regional Community Board. She outlined the board's background, the selection process, and the recommendation for Dr. Scheuer's appointment.

She described the 75-mile East Maui Irrigation System (EMI), developed in the 1870s, which diverts water from government and private lands, with an average daily flow of 165 million gallons. Historically, it supplied water for sugarcane plantations, Maui County, and Kula Agricultural Park. The system has been at the center of legal disputes, especially regarding a proposed 30-year water lease from BLNR. The Hawaiian Homes Commission has four key interests: water reservations, cultural practices, revenue rights, and board representation.

DHHL’s main concerns include:

- Water Reservation Rights: DHHL’s 2020 request for 11.5 million gallons per day for lands in Kēōkea, Waiohuli, and Pulehunui remains unfulfilled.
- Cultural Practices: EMI’s historical stream diversions impact Ke’anae and Wailua Nui, including DHHL lands.
- Revenue Allocation: DHHL is entitled to 30% of revenue from water leases, but exclusions in BLNR’s rent calculations affect funding.
- Board Representation: DHHL has a seat on the East Maui Regional Community Board, established in 2022 to manage water resources in historically leased areas.

The selection process for the HHC representative, approved in December 2024, required applicants to meet criteria related to DHHL affiliation, water resource management experience, and knowledge of water license areas. Public notifications were issued, and the application deadline was extended to January 13, 2025.

After reviewing applicants, DHHL staff recommended Dr. Jonathan Likeke Scheuer for the position. C. Kaanana concluded by inviting commissioners to ask questions, with Dr. Scheuer available online for discussion.

Public Testimony – Homelani Schaedel - supported Dr. Jonathan Likeke Scheuer's nomination, urging the commission to approve it. She emphasized his advocacy and contributions as a consultant for beneficiaries and the department, reiterating her strong endorsement for his appointment.

Commissioner Kaneakua expressed strong support for Dr. Jonathan Likeke Scheuer's nomination, praising his expertise, experience, and availability. He emphasized that Dr. Scheuer has consistently prioritized the needs of the department and beneficiaries, making him an invaluable advocate and a strong candidate for the position.

Commissioner Lasua strongly urged the commission to approve Dr. Scheuer's nomination to the East Maui Regional Community Board. He expressed confidence in Dr. Scheuer’s qualifications and made a motion to appoint him.

Commissioner Kalepa stated that he was fully, 100% in favor of Dr. Scheuer's appointment to the East Maui Regional Community Board.

Commissioner Kaleikini expressed full support for Dr. Scheuer's nomination but also raised a question regarding the department's entitlement to 30% of revenue from all water leases, as mentioned by Cherie Kaanana. He inquired whether there was any documentation confirming compliance with this constitutional requirement for receiving the full 30% share.

A. Choy reported that the department had prepared a revenue report on water leases, licenses, and the constitutionally mandated 30% share from former sugar lands, noting a significant decline in revenue over time. He highlighted that the Department of Land and Natural Resources (DLNR) separates water license rent from the watershed management fee, which the department believes contradicts the Hawaiian Homes Commission Act. A. Choy emphasized that both rent and the fee should be included in the 30% revenue calculation and informed the commission that they were seeking clarification from the Attorney General's office. Commissioner Kaleikini acknowledged the update and anticipated a future presentation on the report.

Commissioners Namu’o, Freitas, Neves and Marfil expressed strong support for Dr. Jonathan Scheuer's nomination, emphasizing his stellar reputation built over more than a decade of knowing him.

Chair Watson recounted how Dr. Scheuer's guidance helped him successfully challenge actions by the Department of Land and Natural Resources (DLNR) on Maui. He also highlighted Dr. Scheuer's dedication to mentoring law students and future advocates, sharing his knowledge with the community. Chair Watson concluded by affirming Dr. Scheuer’s competence and value to the department.

Public Testimony – Pat Kahawaiolaa – testified in support of Dr. Jonathan Scheuer, sharing that he had known him both personally and professionally, recognizing him as Dr. Scheuer for his exemplary work benefiting those on the 'Āina Ho'opulapula. Kahawaiolaa expressed great pleasure in joining others in offering his full support for Dr. Scheuer's nomination, acknowledging his significant contributions to the community.

MOTION/ACTION

Moved by Commissioner Lasua seconded by Commissioner Freitas to approve the motion as stated in the submittal.						
Commissioner	1	2	AYE (YES)	A’OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas		X	X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua			X			
Commissioner Lasua	X		X			
Commissioner Marfil			X			
Commissioner Namu’o			X			
Commissioner Neves			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, Eight (9) Yes votes.						

ITEMS FOR INFORMATION/DISCUSSION

PLANNING OFFICE

ITEM 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

RECOMMENDED MOTION/ACTION

None. For Information Only. Planning Office, Planning Program Manager Andrew Choy, and Planner Julie Cachola presented the following:

A. Choy informed the commissioners and the public about the creation and appointment of commissioners listed in the submittal to the permitted interaction group for the specified matter.

J. Cachola announced the appointment of a permitted interaction group by the Hawaiian Homes Commission to oversee the indigent Native Hawaiian homesteading pilot project, which was approved in December. Effective February 1, 2025, the group aimed to develop policies and assess the feasibility of providing 99-year homestead leases to indigent applicants, starting with a test case involving Mr. Manaole. This initiative sought to address barriers faced by applicants unable to meet financial requirements for homestead leases. The project was scheduled to last one year unless extended. Commissioners Walt Kaneakua, Sanoe Marfil, and Archie Kalepa were appointed to the group, with Commissioner Marfil as chair. The department committed to providing support staff, and the group would submit progress reports and a final report with findings and recommendations upon the project's completion.

Public Testimony – De Mont Manaole – D. Manaole, expressed gratitude for being present and voiced full support for the creation of a permitted interaction group. He emphasized the importance of having this group to guide and assist the department in making the pilot program a reality. D. Manaole stressed that the program addresses critical issues affecting indigent Native Hawaiians, who have been overlooked for over 103 years, and highlighted the need for all available support to ensure its success.

Public Testimony - Kapua Keliikoa-Kamai – emphasized the need for beneficiary consultations between February 2025 and 2026 and proposed conducting surveys for Oahu wait-listers, including both agricultural and residential categories. The survey would assess financial situations, identify indigent individuals, and understand why some were bypassed or missed housing opportunities, noting that even those earning 60-80% AMI struggled to qualify for loans. She advocated for a pilot program involving 10 to 20 participants within communities rather than isolated locations and emphasized prioritizing existing wait-listers by using their categorized data instead of creating a new list. She suggested targeting the top 500 wait-listers and recruiting through both voluntary participation and departmental outreach. Lastly, she expressed concern about the effectiveness of a single-participant pilot and mentioned she might share additional ideas with her commissioner.

OFFICE OF THE CHAIRMAN

ITEM C-4 For Information Only – Status Report of DHHL Enforcement Unit Efforts and Statistics (December 9, 2024, 2024 – January 12, 2025)

RECOMMENDED MOTION/ACTION

None. For Information Only. Office of the Chairman, Enforcement Unit Administrator David Hoke presented the following:

D. Hoke presented enforcement statistics covering the period from December 9th to January 12th. He noted that the workload was lighter due to the holidays, with only 10 requests received during that time. However, for

the entire calendar year of 2024, the unit handled a total of 205 requests. D. Hoke expressed gratitude to his team, acknowledging their hard work despite starting the year understaffed, with only himself and Kip. They were later joined by Nick in March and Chad in December. He praised the team's efforts in efficiently managing cases and expressed optimism about continuing their work in the coming year. He concluded by inviting any questions from the commissioners.

Commissioner Kaleikini commended David Hoke and the entire Enforcement team for their excellent work and specifically appreciated their monthly outreach efforts. D. Hoke affirmed that they would continue the outreach and invited the commissioners to suggest additional important contacts for their areas to be included in future communications.

HOMESTEAD SERVICES DIVISION

ITEM D-1 HSD Status Reports

- A – Homestead Lease and Application Totals and Monthly Activity Reports
- B – Delinquency Report
- C – DHHL Guarantees for Hawaii Community Lending Construction Loans
- D – DHHL Guarantees for U.S. Small Business Administration

RECOMMENDED MOTION/ACTION

None. For Information Only. Juan Garcia, Homestead Services Division Administrator, presented the division's monthly reports to the commissioners. The reports included:

- A. **Exhibit A:** Homestead Leasing Application Total and Monthly Activity Reports.
- B. **Exhibit B:** Delinquency Report.

J. Garcia addressed the Chair and commission members, presenting item D1, which included Exhibit A with Hosted Lease and Application Totals and the Monthly Activity Report, as well as Exhibit B, the Delinquency Report. He invited the commission to ask any questions regarding the exhibits.

Public Testimony – Isabelle Reed-Cargill - a resident of Waipouli Courtyards, expressed concerns about item D1, the Homestead Monthly Status Report, fearing that the purchase of Waipouli would cause disruption without reducing the beneficiary waitlist. She criticized the relocation plan for assuming residents would move to Oahu and using Oahu market prices to provide 42 months of relocation assistance, which she argued was inadequate. She explained that moving to Oahu was not feasible for her and her husband due to their jobs and family on Kaua'i. With limited rental options on Kaua'i and prices between \$4,000 and \$6,000 per month, she stated that the \$30,000 relocation budget was insufficient, especially for those with roommates. She also faced difficulties accessing a relocation document, noting repeated failures by her property manager to provide it. When she finally obtained it, many suggested housing options were either waitlisted or located on other islands, deepening her concerns about the plan's effectiveness.

Public Testimony – Chastyn Hasegawa - testified that he shared similar concerns to those expressed by his wife regarding the relocation plan. He stated that the plan did not feel like a comprehensive solution but rather a mere list of options. He emphasized that he and his wife had never considered moving off-island, yet many of the suggested relocation options were located on other islands. Hasegawa expressed dissatisfaction with the plan, reiterating that it needed to be reviewed and improved. He concluded by stressing that the current approach felt inadequate and incomplete.

Public Testimony – Linda Twiggle - a tenant at Waipouli Courtyards, testified that the relocation plan presented by DHHL was flawed and did not comply with the regulations of the Uniform Relocation Act (URA). She mentioned that a DHHL representative at a January 9th Kauai council meeting stated InterWest was hired to ensure compliance, but the plan failed to account for key legal requirements. L. Twiggle, along with Kenna and other tenants, conducted a budget analysis and market study, discovering that low-income tenants, who made up the majority of those affected, were entirely excluded from the budget calculations. This omission

resulted in an underestimated relocation budget, with the inclusion of low-income tenants adding \$1.9 million, effectively doubling the necessary costs. Additionally, she criticized InterWest for using invalid data in comparing rental prices, which led to inaccurate conclusions. The tenants' study confirmed that the relocation plan did not adequately account for essential housing features like size, room count, and kitchen type. L. Twigg urged the commission to revise the plan to reflect actual costs and regulatory requirements, providing a detailed reference document to support her findings.

LAND DEVELOPMENT DIVISION

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

RECOMMENDED MOTION/ACTION

None. For Information Only. Land Development Division, Administrator Kalani Fronda and Homestead Housing Development Manager, Michelle Hitzeman presented the following:

K. Fronda explained that while LDD typically provides updates on its projects, the focus of the presentation was the awards process. He announced that for the 2025 calendar year, LDD would conduct monthly orientations and lot selections, offering nearly 2,700 awards. He emphasized that this initiative aimed to advance their mission and reduce the beneficiary waitlist.

M. Hitzeman explained that the schedule included monthly meetings, with at least one, sometimes two, events per month. Yellow highlights in the presentation indicated orientation meetings, while green marked project selection meetings. Thirteen projects were scheduled to be offered in 2025, though dates were subject to change based on venue availability.

1. The first offer of 2025 would be for project leases in West O'ahu, specifically in Kapolei's Ka'uluokaha'i and Kaupe'a Phase 2 projects, with 665 project leases available. Orientation was set for February, followed by project selection in March. M. Hitzeman clarified that while labeled as lot selection, this event involved lease assignments rather than actual lot choices. Additionally, on Maui, an orientation for the Pu'uhona Phase 2 project had already occurred, with 91 turnkey homes being offered. Lot selection for these homes was scheduled for April 5th.
2. In March, West Hawai'i would have project leases offered for La'i'ōpua Villages 1 and 2, along with scattered lots in the Kawaihae subdivision. Project selection was scheduled for April. Phase 3 of La'i'ōpua Village 4 Akau, offering 32 rent-to-own homes, was scheduled for orientation in May and lot selection in June. In May, the division would return to O'ahu to offer 115 turnkey homes in Ka'uluokaha'i 2C. Orientation was set for May, with lot selection expected to occur between June and July.
3. On Maui, following the Pu'uhona project, 24 vacant lots in Pu'uhona and 12 in Hikina would be offered, with orientation in July and lot selection in August. The division would return to the Big Island in July for La'i'ōpua Village 4 Hema, offering units and parcels with orientation in July and lot selection in August. On Kaua'i, Hanapepe Phase 2, Increment 1, would offer 30 rent-to-own units. Orientation was scheduled for September, with lot selection in October.

The year would conclude with a major project on Maui, offering 1,183 project leases in areas such as Leali'i 2, Leali'i 1B, Kamalani, Wailuku Single Family, and Wai'ehu Mauka. Orientation for these leases was scheduled for November, with lot selection in December. This offering was part of the division's goal to provide approximately 2,400 residential leases throughout 2025.

In addition to residential projects, the division planned an agricultural offer on Maui. This included 55 lots in Wai'ehu Mauka and 38 in Honokowai. Orientation for these agricultural lots was set for mid-November, with

lease awards scheduled for mid-December. M. Hitzeman concluded by highlighting the division's efforts to adhere to the schedule while remaining flexible in case of venue challenges.

K. Fronda concluded the presentation by explaining the impact of the 2025 awards schedule on reducing residential and agricultural waitlists across different islands. He emphasized the importance of these awards in addressing housing and agricultural needs for beneficiaries.

Impact on O'ahu

- The 2025 awards were projected to reduce the O'ahu residential waitlist by approximately 7%.
- This reduction reflected the planned offering of residential leases and lot selections on the island.

Impact on Maui

- Maui was expected to see a significant 33% reduction in its residential waitlist.
- Additionally, the Maui agricultural waitlist was projected to decrease by 2% due to the agricultural lot offers.
- These reductions highlighted the importance of both residential and agricultural offerings on the island.

Impact on Kaua'i

- The residential waitlist on Kaua'i was projected to be reduced by about 2%.
- This modest reduction aligned with the relatively smaller number of projects planned for Kaua'i.

Impact on Hawai'i Island

- The 2025 awards were anticipated to lower the residential waitlist on Hawai'i Island by about 9%.
- Several planned projects on the island, including La'i'opua, contributed to this reduction.

M. Hitzeman clarified that in addition to the scheduled 2025 lot offers and project selection meetings, the division would also be offering scattered lots and pre-owned homes that become available. These included one-off vacant lots and homes returned to the program, which would be offered separately from the main schedule. She emphasized that these additional offers would supplement the scheduled awards.

DISCUSSION

Commissioner Kaleikini expressed enthusiasm about the presentation and asked Kalani Fronda for the percentage of wait listers impacted, referencing the 29,000 total wait listers. K. Fronda acknowledged the request and promised to provide the information later. Commissioner Neves inquired about which Hanapepe lots would be offered under the rent-to-own option. K. Fronda confirmed that 30 lots had been identified and promised to share the details. Commissioner Neves emphasized the importance of having the developer or contractor present information on the LIHTC (Low-Income Housing Tax Credit) option to purchase program during the orientation, noting significant beneficiary interest.

K. Fronda explained that the orientation meeting would cover project details, criteria, and financial requirements. He added that there would also be follow-up meetings to provide further information. Neves brought up unresolved issues with the rent-to-own program, citing past problems on Molokai, and requested a report to address those issues before moving forward. K. Fronda responded that there were FAQs on the matter and noted that successful management required continued collaboration with tenants to ensure compliance with their agreements.

Chair Watson stressed the importance of orientation workshops to fully inform participants of the rent-to-own program's requirements, including income restrictions under 60% AMI, household composition rules, timely rent payments, and regular inspections. He noted that past misunderstandings arose because these requirements were not clearly explained. The workshops, supported by follow-up meetings and an informational video, aimed to ensure participants made informed choices. Chair Watson outlined program changes, including separating the financial package from the homestead lease to protect equity and inheritance rights and requiring participants to be at least 25% Hawaiian. An incentive program was also introduced to reward compliance over the 15-year period by offering points that reduce the final purchase price. He emphasized that, despite its challenges, the program provides a vital opportunity for low-income beneficiaries to achieve homeownership.

Commissioner Neves expressed concern that those from Niihau, might struggle to fully understand the program if the orientation and awards are scheduled too close together. He noted that these individuals may need more time to process the information, ask numerous questions, and make informed decisions. Commissioner Neves emphasized the importance of providing program details earlier to help these participants better prepare, which he believed would improve the program's success moving forward.

Chair Watson informed the commission that Keoni Rivera, who specializes in program education, had recently joined to support the rent-to-own initiative. Rivera would lead workshops and create an online video to provide ongoing access to program details. During the workshops, he would explain the requirements and processes to help participants make informed decisions. Chair Watson acknowledged the program's complexity and emphasized the importance of education to address this challenge. He then invited further questions or comments.

Public Testimony – Kapua Keliikoa-Kamai – emphasized the importance of fully informing participants before they sign any agreements. She shared her experience of attending a meeting with a former representative from Ho'olimalima noting that many participants, eager to secure a home, were not adequately informed about the program's details. She supported the idea of holding workshops separately and well in advance of the orientation and awards process. K. Keliikoa-Kamai then asked for clarification on whether the 2,400 awards were part of the Act 279 \$600 million initiative or if they were part of a larger goal of 3,000 homes spread across multiple years.

Kapua Keliikoa-Kamai stressed the need for full transparency before participants sign agreements. She shared concerns from a past meeting where many eager home seekers lacked critical program details. She supported holding workshops well in advance of orientation and awards. She also sought clarification on whether the 2,400 awards were part of Act 279's \$600 million initiative or a broader goal of 3,000 homes.

Kalani Fronda explained that some Act 279 lots, including Pu'uhona Phase 1, were developed last year, with around 6,000 more planned, potentially doubling by 2026. Keliikoa-Kamai asked how many of these lots would include completed homes.

Chair Watson provided details on lease award changes, highlighting the Ka'uluokaha'i project, where 660 "paper leases" will be issued without requiring mortgage pre-qualification. This change allows beneficiaries to receive leases first and work with financial counselors to determine their best housing options, such as turnkey, LIHTC option to purchase, Habitat for Humanity, or owner-builder models.

Keliikoa-Kamai emphasized the need to give beneficiaries time to prepare for mortgage pre-qualification. Chair Watson explained that issuing leases quickly ensures heirs with 25% Hawaiian ancestry can inherit properties, preserving family legacies. It also grants beneficiaries access to department loan programs and prevents missed opportunities due to unforeseen deaths.

For those unable to qualify for mortgages, Chair Watson confirmed alternative housing solutions, such as LIHTC rent with the option to purchase units and transitional housing in Maili, which includes financial counseling to help beneficiaries improve their readiness while retaining their place on the waitlist.

Keliikoa-Kamai also inquired about LIHTC funding (rent with option to purchase) and whether homes would remain reserved for Native Hawaiians. Chair Watson assured her that Native Hawaiian families would benefit, even in cases where a homesteader was married to a non-Hawaiian. Keliikoa-Kamai further advocated for lease terms extending beyond 99 years with a 100-year extension to ensure long-term security

Public Testimony – Brit Kalua- supported the lease awards but raised concerns about the limited time beneficiaries have to submit pre-qualification letters and interest forms, particularly in the Pu'uhona project. She asked if similar time constraints would apply to future projects.

M. Hitzeman explained that while the standard pre-qualification period is six weeks, the timeframe is flexible and was extended for Pu‘uhona. She emphasized that project leases and service provider partnerships help beneficiaries prepare for homeownership, sometimes requiring a year or more to qualify.

Chair Watson assured that multiple lenders, including Hawaii Community Assets, assist beneficiaries with mortgage options. To streamline the process, a new AI system through Salesforce will match applicants with suitable loans. The focus is on expediting lease distribution and reducing the waitlist.

B. Kalua, a new wait-lister, reiterated concerns about tight deadlines, especially for large projects like Pu‘uhona.

M. Hitzeman detailed that orientations provide information on lease benefits, housing options (LIHTC – rent with option to purchase, turnkey, vacant lots, Habitat for Humanity), and necessary pre-qualification steps. Lenders guide beneficiaries on required documents, and resources like service providers and informational videos are available. The Pu‘uhona project extended its pre-qualification period to eight weeks.

Chair Watson emphasized that after project leases are issued, the focus shifts to hands-on counseling. Hawaii Community Assets assesses financial readiness, and Hawaii Community Lending explains loan options, ensuring beneficiaries receive personalized support.

Commissioner Neves asked about transferring paper leases to individuals with 25% Hawaiian ancestry. Chair Watson clarified that leases must first be awarded to applicants with at least 50% Hawaiian ancestry but can later be transferred to eligible family members.

M. Hitzeman confirmed that simultaneous transfers are allowed for turnkey homes. Commissioner Neves cited a past project where this process helped maintain family continuity. Kalani Fronda highlighted that project leases provide official documentation ("palapala"), making transfers easier. The department remains committed to supporting lease retention within Hawaiian families.

Public Testimony – Homelani Schaedel – supported efforts to prepare beneficiaries and emphasized the importance of maintaining unity in homestead communities. Citing the Malu‘ōhai homestead project, which included turnkey, self-help, and rent-to-own housing, she criticized Mark Development for naming 70 homes "Ho‘olimalima," a decision that unintentionally caused division among residents by creating a perceived separation despite efforts to unify all 226 homes through shared resources like newsletters. H. Schaedel stressed that such divisions negatively impacted residents' sense of belonging and urged developers to avoid similar mistakes in future projects.

H. Schaedel emphasized that despite identical home exteriors, the imposed separation created a perceived divide between renters and lessees. She recalled a previous discussion with Watson regarding a "rent with option to purchase" policy and mentioned providing a document with 21 questions to assist staff in handling similar issues. Additionally, she highlighted problems where developers treated beneficiaries disrespectfully, citing incidents where Mark Development boarded up rooms after household changes and monitored residents with cameras and license plate checks, actions that caused tension and mistrust within the community.

H. Schaedel acknowledged that while some residents resisted rules, it was essential for them to understand that compliance was tied to funding requirements and called for workshops to educate them on their responsibilities. Based on her experience with both cooperative and difficult lessees, she stressed the importance of rule enforcement. H. Schaedel also expressed concerns about the limited control DHHL had under the federally funded Low-Income Housing Tax Credit (LIHTC-rent with option to purchase) program. She warned that issuing paper leases could empower lessees but also create new challenges, as DHHL would become directly responsible for tenant disputes previously managed by Mark Development. She urged DHHL to prepare for these increased responsibilities and concluded by thanking Chair Watson.

Public Testimony – Bo Kahui – He expressed concerns about Village 4 at the Villages of La‘i‘opua, developed under the Ikaika Ohana and the LIHTC (rent with option to purchase) program. He highlighted the lack of

workshops and educational opportunities that could have helped residents make informed decisions about participating in the program. Supporting Homelani Schaedel's points, Kahui noted that tension arose between lessees and developers, leading to incidents where property managers were attacked due to misinformation, miscommunication, and poor management. He emphasized that the Village 4 landscape plan was inadequate, resulting in lessees watering common areas and receiving exorbitant water bills ranging from \$700 to \$1,200 monthly, which strained their ability to manage payments. Despite these challenges, B. Kahui supported continuing the LIHTC (rent with option to purchase) program but stressed the need for robust education and workshops to empower residents with informed decision-making. He described dissatisfaction among 60 residents, some of whom filed lawsuits against the developer, with at least one case reportedly successful. B. Kahui urged the commission to review the process, issue leases to residents, and fully integrate them into the association to give them a stake in their community, rather than leaving them bound by a 15-year rental agreement with no control. He concluded by asking the commission to address these issues.

LAND MANAGEMENT DIVISION

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

RECOMMENDED MOTION/ACTION

None. For Information Only. Land Management Division, General Profession Kahana Albinio presented the following:

K. Albinio from Land Management provided an update on general leases and revocable permits issued in 2024. He reported that four new general leases were issued, generating \$60,762 in monthly revenue or \$729,148 annually. General leases 305, 306, and 307 are located in the Mapunapuna area. Lease 305, effective August 1, 2024, has a 20-year term with annual 2% rent increases, while leases 306 and 307, effective January 1, 2025, have 30-year terms with 2.5% annual rent increases. General lease 308, on the Big Island in the Kaehana Industrial Subdivision, is for a small parcel with a 55-year term and periodic rent step-ups. Its annual rent is \$15,648, with the correct effective date being January 1, 2025.

He also described the offering of 10 parcels for business revocable permits in the Kalaeloa District in 2024. Of these, five parcels were selected for month-to-month use, with the commission scheduled to approve the permits in February 2025. He highlighted expected rental income from these dispositions and mentioned ongoing efforts to identify and offer more parcels for general leases under Chapter 171 of Hawaii Revised Statutes. Additionally, phase two of the revocable permit program in Kalaeloa is underway, with staff also exploring opportunities for similar permits on neighbor islands. He concluded by noting the division's continued work on future property offerings.

DISCUSSION

Commissioner Neves raised concerns about lease provisions for arrears, noting past issues where tenants fell behind on payments for extended periods, leading to substantial financial losses. He inquired whether language had been added to general leases to address arrears, such as issuing notices after 90 days of non-payment. K. Albinio confirmed that provisions were included in the leases for such situations.

Commissioner Neves then questioned why certain properties in Kalaeloa were offered as revocable permits instead of long-term leases. K. Albinio explained that the parcels in question were large and part of a single parcel (Parcel 117), located near the main road with minimal infrastructure. Commissioner Neves expressed concern about how businesses could secure loans under revocable permits, emphasizing that small business owners often needed long-term leases to qualify for financing. He suggested that a plan should be developed to eventually convert some revocable permits into long-term leases to support native Hawaiian businesses.

K. Albinio acknowledged the challenge, explaining that the area's aging and inadequate infrastructure complicated the possibility of issuing general leases at this time. Commissioner Neves pointed out that some businesses might want to improve existing buildings on the parcels and stressed the importance of creating

opportunities for long-term leases to help small Hawaiian-owned businesses grow and access loans. He emphasized that the parcels, although large, could be divided to accommodate these needs. K. Albinio agreed with Commissioner Neves' points, and the discussion concluded with Commissioner Neves urging continued support for local businesses.

Commissioner Kaleikini asked if there was a spreadsheet listing all the general leases issued statewide, particularly for those finalized in 2024. K. Albinio confirmed that such a list was available in the department's annual report, organized by island, and assured Commissioner Kaleikini that it could be accessed there. Commissioner Kaleikini then inquired about the allocation of revenues generated from these leases, specifically questioning which account in the trust the funds were deposited into. K. Albinio deferred the question to the Chair for a response.

Chair Watson explained that revenues from general leases are deposited into a receipts account, which is used to support the program and does not go into a general fund. He clarified that the funds belong to the department and are utilized for purposes such as loans and infrastructure development.

Commissioner Kaleikini confirmed that the account could be used for loans, while Commissioner Neves sought further clarification, asking if it was the same account where interest is moved quarterly. Chair Watson clarified that this was a separate receipts account managed internally by the department. Commissioner Neves acknowledged the explanation, and the discussion concluded.

PLANNING OFFICE

ITEM 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.)

RECOMMENDED MOTION/ACTION

None. For Information Only. Planning Office, Planning Manager Andrew Choy and Planner Liliane L. Makaila presented the following:

A. Choy informed the commissioners about the draft environmental assessment and anticipated finding of no significant impact for the North Kona Wells Project at the Gianulias site in Holualoa, North Kona.

L. Makaila presented the draft environmental assessment (EA) for the North Kona Wells Project at the Gianulias site in Holualoa. She clarified that the commission's role was to review and provide comments on the draft without taking immediate action. The commission would later need to determine and approve a finding of no significant impact (FONSI), potentially by March or April. L. L. Makaila emphasized that this project aimed to comply with HRS Chapter 343 and was necessary to finalize a land acquisition scheduled for June 2025.

The project site, located in the ahupua'a of Wai'aha in North Kona, spans 127 acres adjacent to Ma'amalahoa Highway. The Department of Hawaiian Home Lands (DHHL) identified this site due to its proximity to existing county transmission lines, which would facilitate infrastructure development. DHHL holds a 1,400-acre land reservation and is pursuing groundwater development to utilize a 3.398 million gallons per day water reservation granted by the Commission on Water Resource Management in 2015. The Gianulias site was selected based on technical advice to seek high-level water sources outside the National Park's impact area.

L. Makaila explained that the EA examined various environmental factors, including geology, hydrology, biological resources, and cultural practices. The Ka Pa'akai Framework Analysis was conducted to address the impact on native rights and practices. This analysis involved consultations with lineal descendants, cultural practitioners, and a literature review. Mitigation measures were identified to manage potential impacts, including erosion control, invasive species management, and cultural monitoring during construction.

Mitigation measures included erosion and sediment control, protection of biological resources, and cultural training for construction crews to handle any inadvertent discoveries of iwi kūpuna (ancestral remains). DHHL consultants found minimal evidence of native plants and animals due to the site's ongoing agricultural use. The plan also involved the implementation of water conservation measures to address concerns about transferring water between different ahupua'a.

L. Makaila emphasized the importance of keeping beneficiaries and stakeholders informed through regular updates and consultations. DHHL considered forming a stakeholder hui to enhance community engagement. Community consultations highlighted concerns about long-term water resource control and the need for alternatives to the common practice of dedicating well sites to the county. Stakeholders expressed a preference for agreements that included time limits to maintain control over water resources for future generations.

L. Makaila concluded that, based on the mitigation measures, the draft EA anticipated a finding of no significant impact. The project was critical to the development of homesteads in the Kona region, with plans for La'i'ōpua and surrounding lands in progress. The draft EA would be published in the environmental notice for a 30-day public comment period. Following the incorporation of comments, DHHL aimed to finalize the EA, acquire the property, construct a test well, and obtain permits for production and transmission improvements. The final step would involve approval of a water agreement with the county.

DISCUSSION

Commissioner Neves highlighted the importance of managing cultural practice access during development by suggesting the formation of a hui to facilitate communication with the community. He proposed establishing an MOU to grant and regulate access to cultural sites, with terms that could be modified as development progresses. He emphasized that special management areas, sacred sites, and locations with iwi kūpuna would require careful consideration to maintain access for cultural practices. L. Makaila appreciated the idea and cited a successful hui model in Ka'upulehu, Kona, which collaborated with a resort for long-term monitoring and access, noting its potential relevance to the North Kona Wells Project. Commissioner Neves emphasized the importance of forming a partnership with a hui early in the development process to protect cultural rights and engage beneficiaries. He noted that such a partnership would help beneficiaries recognize the significance of cultural sites and practices, encouraging them to join the hui to stay involved and support the preservation of cultural heritage. L. Makaila expressed her gratitude for his input.

Commissioner Freitas expressed gratitude for the detailed report and diligence on the North Kona Wells Project, indicating his ongoing interest in the topic. Commissioner Kaleikini inquired about the property's purchase price, which A. Choy confirmed was approximately \$9 million, funded through a \$12 million allocation from the legislature specifically for North Kona water development, without using trust funds.

Commissioner Neves asked if the draft environmental assessment (EA) was available online, and L. Makaila confirmed that it was. The draft includes the preliminary Ka Pa'akai Framework Analysis in the appendices and will also be published in the environmental notice for a 30-day public comment period. Commissioner Neves sought clarification on the commission's role in reviewing the draft, and Makaila confirmed that commissioners were encouraged to submit comments.

Commissioner Kaleikini asked whether the comments were directed toward the environmental bulletin and whether a public meeting was required. L. Makaila explained that comments would influence both the draft EA and the Ka Pa'akai Framework Analysis, which were being developed together. She noted that a public meeting was not required, only a comment period. L. Makaila informed the commissioners that the final EA would be presented in March or April for their determination. Both Kaleikini and Chair Watson thanked Lily for her work and presentation.

ANNOUNCEMENTS AND RECESS

Chair Watson announced the deferral of Item G-4, noting it will be addressed in tomorrow's agenda. He concluded the day's agenda, noting that the next day's session would begin at 9:30 AM in Hale Pono'i.

Before adjourning, Commissioner Neves reiterated his request to establish a Permitted Interaction Group (PIG) to address the issue of application rights successorship. He emphasized the importance of resolving this matter to prioritize and clean up application lists, mentioning that guidance from the Attorney General (AG) provided a solution. Chair Watson agreed to discuss the matter further with Commissioner Neves and asked attendees to remain as the commission needed to take action on a contest case hearing, noting that the room would need to be cleared for this final item.

RECESS

4:48 PM

HAWAIIAN HOMES COMMISSION

Minutes of January 22, 2025

Hale Pono'i, 91-5420 Kapolei Parkway, Kapolei, Oahu, 96707,
and Interactive Conferencing Technology (ICT) Zoom

PRESENT Kali Watson, Chairperson
Makai Freitas, West Hawai'i Commissioner (ICT)
Michael L. Kaleikini, East Hawai'i Commissioner
Lawrence Lasua, Moloka'i Commissioner
Sanoe Marfil, O'ahu Commissioner
Archie Kalepa, Maui Commissioner
Walter Kaneakua, O'ahu Commissioner
Dennis L. Neves, Kauai Commissioner
Pauline N. Namu'o, O'ahu Commissioner

COUNSEL R. Hokulei Lindsey, Deputy Attorney General

STAFF Katie Lambert, Deputy to the Chair
Leah Burrows-Nuuanu, Secretary to the Commission
Juan Garcia, Homestead Services Division Administrator
Andrew Choy, Planning Office Administrator
Julie Cachola, Planner V
Russell Kaupu, Property Development Agent
R. Kalani Fronda, Acting Administrator Land Development Division
David Hoke, Enforcement Administrator

ORDER OF BUSINESS

CALL TO ORDER

Commissioner Walt Kaneakua presided over the meeting as Chair Watson was excused to attend the cabinet meeting and was expected to return after lunch. The meeting is called to order at 9:52 a.m. Seven (7) members were present in person, and one (1) member attended via Zoom, establishing a quorum.

Commissioner Kaneakua outlined the meeting agenda, starting with public testimony on Agendized Items, a carried-over of Item G-4, followed by J agenda. The meeting would recess at noon for lunch.

ITEMS FOR INFORMATION/DISCUSSION

REGULAR ITEMS

PLANNING OFFICE

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

RECOMMENDED MOTION/ACTION

None. For Information Only. Planning Office, Planning Manager Andrew Choy and Planner Julie Cachola presented the following:

A. Choy presented the draft environmental assessment for the Wakiu Master Plan, focusing on the Wakiu tract located in Hana, East Maui, one of the department's larger land holdings in the region. The purpose of the presentation was to inform the commission about the master plan and the assessment, which were conducted to support the development of a homestead plan for this tract. Choy explained that a public draft would be

published later in the month, followed by a 30-day comment period. Comments received during this period would be used to revise the draft. The department aimed to return to the commission in March or April to seek approval for the final environmental assessment and master plan. Julie Cachola, the lead planner for the project, was also present at the meeting.

J. Cachola explained that the Wakiu tract, located in Hana, East Maui, became part of the department's land inventory in 1995 through a settlement with the state to address outstanding claims. The tract consists of 656 contiguous acres with access via Hana Highway. However, a railroad right-of-way, not owned by the department, bisects the land. Hana is a culturally significant Hawaiian community with traditional practices and land management protocols still intact. According to census data, 52% of Hana's population is Native Hawaiian, and many rely on subsistence activities due to high poverty levels (43%) and the exorbitant cost of housing, with a median home price of \$1.72 million in December 2024. She emphasized the importance of community participation in the planning process. The Wakiu Development Corporation (WDC), a nonprofit formed by local Native Hawaiian beneficiaries in 2020, played a crucial role by organizing community meetings and ensuring attendance. Their mission was to empower East Maui's Native Hawaiian residents through education about the Hawaiian Homelands Act and advocacy for prioritizing local residents in homestead lease distribution. The planning process was conducted through a series of five workshops beginning in November 2022. The first workshop introduced participants to planning concepts, land use categories, and visioning exercises to define community goals for Wakiu. Participants identified key concerns, including overcrowding, preserving cultural practices, and ensuring sustainable development.

The planning process integrated cultural considerations using a method developed by the Edith Kanaka'ole Foundation. This method analyzed Hawaiian chants (*oli*), myths (*ka'au*), and songs (*mele*) related to Wakiu. Elders (*kupuna*), resource managers, and local experts participated in workshops to connect traditional knowledge to current land management practices. This cultural foundation identified four key *kapu* (sacred principles): the preservation of generational knowledge, protection of natural waterways, affirmation of the sacred identity of stones (*pohaku*), and respect for lunar and seasonal cycles. These principles guided the planning process and were transformed into overarching goals for the project.

Concurrent with the community workshops, technical studies were conducted, including assessments of topography, flora and fauna, natural hazards, archaeological resources, cultural impacts, transportation, and wildfire risks. These studies were visually mapped to aid the community's understanding during the planning sessions. The second workshop focused on land use design. Participants engaged in polling exercises, group discussions, and presentations to determine preferred land uses and configurations. Using scale models, they planned homestead, agricultural, and community spaces while considering spatial relationships and infrastructure needs. Following the completion of the master plan, the second phase involved preparing the environmental assessment (EA), a legal requirement to disclose the potential impacts of the project. This process, mandated by Chapter 343 of Hawai'i state law, involves publishing a draft EA and allowing a public comment period. The final plan and assessment will be revised based on feedback and submitted for approval in upcoming commission meetings.

A. Choy emphasized that the community valued preserving existing *hala* forests within the Wakiu tract. In response, the master plan carved out areas to protect these groves for future generations of homesteaders to maintain and use. The plan prioritized cultural and environmental preservation based on beneficiary feedback. Additionally, a botanical survey identified other native species, though none were classified as endangered or threatened. An archaeological surface survey encountered challenges due to dense vegetation. Public testimony, including input from Alohalani Smith, highlighted concerns about protecting cultural resources during development. The draft environmental assessment recommended preparing an archaeological inventory survey plan in collaboration with the State Historic Preservation Division (SHPD). This plan would outline where and how archaeological surveys should be conducted to protect cultural sites, particularly in areas designated for development.

The development plan was divided into phases due to limited financial resources. The first phase prioritized *kuleana* homestead lots, which required minimal infrastructure improvements. This approach aimed to settle

beneficiaries quickly by reducing initial infrastructure needs. Subsequent phases, including other homestead types, would take longer due to necessary improvements. A. Choy emphasized that the planning process followed a bottom-up approach, with significant input from the community. This method differed from traditional top-down development models and aimed to address the needs and concerns of local residents through workshops and surveys.

The environmental assessment examined natural hazard risks. The property was not located in a flood or tsunami zone but was vulnerable to wildfires, a concern exacerbated by climate change. The department collaborated with the Hawaii Wildfire Management Organization to develop wildfire mitigation measures.

The environmental assessment also evaluated water and wastewater infrastructure. An existing county well near the property had sufficient capacity to supply water to lots below the 320-foot elevation without major upgrades. However, lots above that elevation required additional infrastructure, including a storage tank and booster pump, to ensure adequate water flow. To protect the water source, the department planned to investigate the feasibility of a package wastewater treatment plant. Individual wastewater systems would not be possible on all lots due to the proximity of the well. Preliminary discussions with the county indicated that they did not plan to expand municipal wastewater services to the area.

The master plan considered infrastructure improvements suitable for a rural community. The department planned to construct rural-type roads in compliance with the Maui County Code, avoiding urban-standard streets. Water demand for both potable and agricultural use was calculated as part of the project's infrastructure planning. A. Choy highlighted that the environmental assessment required a declaration of findings based on 13 criteria of significance defined by Hawaii's administrative rules. The commission would need to consider these criteria when approving the final assessment.

The project, which began in 2022, was still in the planning phase. Future design and construction phases would depend on securing sufficient funding. The department planned to present the final environmental assessment to the commission for approval in upcoming sessions. A. Choy concluded by inviting questions from the commission regarding the plan and assessment process.

DISCUSSION

Commissioner Lasua inquired about wildfire prevention and home fire safety measures, specifically asking if fire hydrants would be installed in areas prone to wildfires. A. Choy responded that fire flow and fire mitigation were key considerations in the development plan. Water demand calculations included provisions for fire prevention, recognizing that human-caused fires are a significant wildfire risk

A. Choy mentioned that water for fire mitigation was accounted for but deferred to the consulting team for more detailed information on specific measures. Commissioner Lasua further asked about the location of the nearest fire station. A. Choy confirmed there was a fire station in Hana but could not recall the exact distance from the Wakiu tract. Commissioner Kalepa estimated the distance to be approximately two miles. Commissioner Lasua thanked Choy for the information.

Commissioner Neves supported the Honuakea process, developed by the Edith Kanaka'ole Foundation, for its emphasis on cultural preservation over profit-driven development. He advocated for applying this culturally-centered approach to rural areas, particularly on Kaua'i, to protect cultural sites. He also raised concerns about fire protection for the first phase of the Wakiu development, which prioritizes kuleana lots with minimal infrastructure. He stressed the need for fire prevention measures, such as standpipes meeting fire department standards. Additionally, he inquired whether the non-potable water supply would be R1 (recycled) water.

A. Choy clarified that it would be natural water, as there was no R1 wastewater treatment plant in the region. Regarding the small-scale wastewater treatment system, Commissioner Neves asked how many homes such a system could accommodate. He mentioned that in a similar project on Kaua'i, a system served approximately 140 homes at a cost of around \$1 million. A. Choy deferred the question to the consulting team, indicating they would have more precise information on the capacity and number of systems required for the Wakiu development.

G70, Consulting Engineer Firm Ryan Char who is responsible for preparing the environmental assessment, explained that the wastewater strategy primarily involved using individual wastewater systems (IWS) for most residential and subsistence agricultural (sub-AG) lots, as these lots are one acre or larger, providing sufficient land area for such systems. However, a package wastewater treatment system might be necessary for areas with higher density, particularly the *kupuna* housing complex. This complex could include up to 60 units on approximately six acres, which might exceed the density limits set by the Department of Health (DOH) for individual systems. If this density proves too high for regulatory approval, the package treatment system would be used as an alternative.

Commissioner Neves suggested considering relocating the *kupuna* housing to a lower-density area to avoid the need for a costly package wastewater system, which could expedite the program and reduce expenses. He emphasized that while the decision ultimately rested with the community, they should be made aware of the potential challenges and costs associated with maintaining multiple systems if the housing remained in its current location. Commissioner Neves expressed strong support for the culturally sensitive planning approach and hoped to see it applied to rural areas on Kaua‘i to protect cultural sites. He concluded by expressing his satisfaction with the overall process.

Commissioner Kalepa expressed gratitude to the planning team, acknowledging the strong engagement of the Hana community in the development process. He emphasized that the success of the program relied heavily on the community's input and participation. Kalepa commended the team for their commitment to preserving the integrity of the community and for believing in the importance of keeping Hawaiian communities intact. He concluded by thanking them for their efforts.

Commissioner Namu‘o expressed support for the Edith Kanaka‘ole Foundation's process and questioned if this was its first implementation, emphasizing its relevance to all Hawaiian communities. J. Cachola responded that the team was improving their use of this process by ensuring the right people with relevant knowledge were involved.

A. Choy clarified that the plan had been shared with the community, including the same information presented to the commission. Following this, the planning process transitioned into the environmental assessment phase, where the team consulted not only with beneficiaries but also with agencies and neighboring landowners to ensure awareness and gather input. Currently, the team was in the draft environmental assessment phase, actively collecting public comments to further refine the plan. A. Choy noted that the initial presentation of the plan to the community took place on April 13, 2024.

Public Testimony – Norma Tanele – testified about her experience with a vacant lot awarded to her by the Department of Hawaiian Homelands (DHHL) in Nanakuli, O‘ahu, on March 12, 2020. She was required to obtain a pre-qualification letter and loan approval by set deadlines but was unable to meet them due to a cancer diagnosis and ongoing treatment, compounded by the disruptions of the COVID-19 pandemic, which prevented her from securing financial assistance. As a result, the agreement was subject to cancellation. Despite these hardships, N. Tanele expressed her wish to be placed in a turnkey home in Kapolei, emphasizing the urgency of her request due to her health and limited time.

Commissioner Kaneakua informed Norma that Juan Garcia, who was present outside, might be able to assist her and mentioned that upcoming property selections would be available in the Kapolei area. He expressed gratitude to both Norma and Juan for their participation.

Public Testimony - Arviel Benavides – raised concerns about the Maui development, emphasizing existing traffic issues worsened by tourists, which forced residents to leave home very early to avoid delays. She questioned why the project was not prioritized in Lahaina to aid those affected by the recent fire and why beneficiaries were limited to those from Hana when other communities, such as Kahakuloa, Kipahulu, and Kaupo, face water and infrastructure struggles. She highlighted the negative impact of new developments on local water pressure and asked where the project would source its water. While he commended the community

outreach efforts, he questioned the accuracy of population data used, noting that many Hawaiian families, including his own, were likely unaware of the meetings.

Public Testimony – Alohalani Smith - a 30-year waitlister, expressed gratitude for the progress on the Wakiu project, acknowledging the extensive efforts of the planning team and community. She highlighted the importance of the Edith Kanaka'ole Foundation's process, which fostered deep cultural reflection, and praised the plan's inclusion of preserving the significant *hala* grove in Hana. A. Smith noted that earlier attempts to secure a wastewater grant with organizations like the Maui Nui Makai Network had failed due to deadlines but was pleased that a package system was now part of the plan. She also mentioned efforts to organize a Fire Wise workshop to address increasing fire risks. Regarding traffic, she shared that her family and state agencies were working on a new road to alleviate congestion near Honokalani. A. Smith emphasized the high level of community participation in planning workshops and thanked G70, the planning team, beneficiaries, and commissioners, for their hard work.

Public Testimony – Homelani Schaedel – expressed her appreciation for the planning process led by Andrew Choy and Julie Cachola, praising it as a model for future land development. She emphasized the importance of involving the Hana community, whose historical and cultural knowledge was critical to the plan's success. H. Schaedel contrasted this approach with past practices where beneficiaries were assigned lots without input, noting that this new method fosters stewardship and long-term care of the land. She explained that by allowing the community to shape the plan, the department could save significant costs by avoiding problems that arise when residents are not engaged. She concluded that the beneficiaries, having been involved, would take responsibility for maintaining and teaching future generations to respect and care for the land.

Public Testimony - Mapuana Tektor – born and raised in the Nanakuli Homestead with family ties to Kipahulu, expressed her gratitude to Julie Cachola and Andrew Choy for their efforts on the project. Drawing from her experience with the Nanakuli Homestead, she raised concerns about the planned one-acre cemetery, warning that it might not be sufficient. She explained that Nanakuli's cemetery had reached capacity and was now under a moratorium due to overuse. M. Tektor emphasized the need to clarify whether the cemetery would serve only the Homestead community or all Native Hawaiians on the island. If it is intended for the broader population, she suggested allocating more land for the cemetery to avoid future issues.

Public Testimony - Iwalani McBrayer – praised Andrew Choy, Julie Cachola, and the planning team for creating a well-thought-out development plan that fully engaged the Hana community. She emphasized that the plan, which included subsistence agriculture, residential and *kuleana* lots, *kupuna* housing, commercial and industrial areas, a greenway park, *hala* forest, a charter school, and a cemetery, served as a model for future homestead projects. I. McBrayer, whose family has roots in Hana, highlighted the importance of including beneficiaries in the planning process, asserting that development cannot succeed without their input. She expressed hope that this community-centered approach would become the standard for both rural and urban projects, particularly in growing areas like Kapolei, and thanked DHHL and the planning department for their efforts.

RECESS	11:03 AM
RECONVENE	11:14 AM

ITEMS FOR INFORMATION/DISCUSSION

GENERAL AGENDA

REQUEST TO ADDRESS THE COMMISSION

ITEM J-1 Jan Makepa – Waianae Valley Homestead Association

J. Makepa, president of the Waianae Valley Homestead Community Association, provided an update on the Kaupuni Neighborhood Park Master Plan, which began in 2002 and aimed to improve the 7.5-acre park with

features such as a playground, comfort station, courts, and landscaping. Although phase one was completed in 2011, including retaining walls, fencing, sidewalks, stairs, and a basketball court, other key elements remained unfinished due to issues like vandalism, poor lighting, and irrigation damage. Recent improvements, including regular maintenance and a resurfaced basketball court, have significantly enhanced the park's condition. The park has since become a central community resource, hosting various events, including Olelo classes, movie nights, and Easter prayers. The city allocated \$100,000 for playground planning and design, and the association has committed to monitoring the project to ensure funds are spent appropriately. J. Makepa emphasized the importance of completing the remaining phases and expressed gratitude for the support from the community and city officials.

Public Testimony – Kapua Keliikoa-Kamai – K. Keliikoa-Kamai from Waianae Valley Homestead suggested that documentation from Jan Makepa's presentation be included in the park's licensing agreement to encourage further support from the City and County of Honolulu for the continued development of Kaupuni Neighborhood Park. She emphasized that incorporating this information into the narrative could help secure additional funding and assistance, potentially streamlining the process by having a designated city representative work directly with the community instead of requiring them to continually seek out different contacts. She expressed hope that this addition would facilitate progress on the park's development.

ITEM J-2 Kapiolani Spencer – Lease Concern at the Village of La'iohua Akau Phase I

K. Spencer testified about significant issues faced by residents of the Village of La'iohua Akau Phase 1, a rent-to-own program managed by Ikaika Ohana, including severe financial burdens caused by high water and electricity bills. In September 2021, Ikaika Ohana abruptly transferred responsibility for water bills to residents, resulting in inflated charges due to previous mismanagement by Coastal Construction, which left irrigation systems linked to residents' water and electricity meters. While a water audit reduced costs for some homes, most residents did not receive the same assistance and remained financially strained, with some facing eviction notices. K. Spencer also criticized the program's lack of transparency and the inability of many residents to name successors due to the outdated 50% blood quantum requirement, which is difficult for most families to meet. She urged DHHL Chair Kali Watson and Commissioner Makai Freitas to fulfill their promise to meet with the community to find solutions to these ongoing problems.

Commissioner Freitas assured Kapiolani Spencer that she should not apologize and emphasized that resolving the issues at the Village of La'iohua Akau would remain a priority on the agenda until a solution was found. He acknowledged the difficulties and roadblocks the residents faced, confirming that he had been in contact with Kalani Fronda and Uncle Bo, who were looking into the matter. Commissioner Freitas expressed frustration with the lack of progress despite repeated communication attempts through various channels. K. Spencer responded by emphasizing her desire to work through the issues civilly and collaboratively to reduce the stress on all parties involved.

ITEM J-5 Guy Gaspar – Various Concerns

G. Gaspar expressed gratitude to the commission for their work and praised Julie Cachola and Andrew Choy's detailed presentation. He highlighted the absence of commercial land opportunities in existing programs and explained his non-profit's need for land to establish a recycling yard and vehicle donation program to support women in need. The initiative aimed to provide donated vehicles to women, sell unusable vehicles to sustain operations, and engage men, particularly those with histories of domestic violence, in repairing vehicles and earning mechanic certifications. G. Gaspar also envisioned cleaning up communities like Nanakuli by collecting abandoned vehicles and offering vouchers in return. He acknowledged the systemic loss of his Hawaiian language and culture but expressed his determination to move forward with this initiative, stating he had received helpful information that morning and hoped for continued support from the commission.

ITEM J-6 Chanel Josiah – Hawaii Community Lending

C. Josiah, Community Development Director at Hawai‘i Community Lending (HCL), outlined the organization's efforts to support Native Hawaiian beneficiaries in building, buying, and retaining homes on homesteads through financial assessments, loans, and support programs. She highlighted the Ho‘okele Home Program, which helps beneficiaries navigate the complex homeownership process by offering services such as debt consolidation, credit-building, and pre-construction planning. C. Josiah shared success stories, including a family that overcame financial challenges with HCL's assistance and another beneficiary, Uncle Wendell, who achieved homeownership after 40 years on the waitlist. HCL’s approach emphasizes economic empowerment and sustained support, with a loan model that reinvests repayments into helping other families. C. Josiah stressed the importance of providing practical, achievable hope for beneficiaries and encouraged the commission to refer those in need of financial guidance to HCL’s programs.

Commissioner Marfil asked how interested folks could contact her, referencing the recent work done in Papakōlea. C. Josiah provided her phone number and mentioned that HCL could also be reached through their website and Instagram. She emphasized the importance of word-of-mouth referrals and encouraged people to reach out directly, assuring that she was readily available to assist.

Commissioner Neves commended Chanel Josiah and Hawai‘i Community Lending (HCL) for their comprehensive support services, emphasizing that they go beyond traditional loan assistance by providing personalized financial planning and guidance on affordable home construction. He highlighted the success of beneficiaries, including one who secured a home after 40 years on the waitlist with Josiah’s help. Commissioner Neves encouraged others to utilize HCL's services, noting their positive impact on communities like Hanapepe.

Commissioner Kaneakua echoed the praise, emphasizing the importance of HCL’s presentations and informational sessions in helping beneficiaries prepare for homeownership opportunities, both in the short and long term. He thanked Josiah for her valuable and insightful contribution to the meeting.

ITEM J-7 Jessie Nihoa & Chanel Josiah – Award Concern

J. Nihoa had been in the USDA loan packaging process for a vacant lot in Nanakuli when they connected in August of the previous year. After conducting a financial assessment, C. Josiah determined that the NAHASDA program would be a more advantageous option for Nihoa. However, there was no clear timeline or information explaining why Jessie was referred to USDA instead of NAHASDA, raising questions about whether NAHASDA had been unavailable due to funding issues at the time. C. Josiah stressed the need for a formal referral to NAHASDA to ensure Jessie does not lose her opportunity for an award, emphasizing the urgency of resolving this matter.

J. Nihoa explained that in 2020, she was awarded a lot in Nanakuli and referred to Nanakuli Housing Corporation, where she began the USDA loan packaging process. However, progress stalled due to the COVID-19 pandemic, and years passed without any updates. C. Josiah clarified that the Nanakuli Housing counselor who had previously assisted Jessie Nihoa was no longer with the Nanakuli Housing Corporation.

C received a USDA pre-qualification letter and had good credit but required financial subsidies to proceed. C. Josiah emphasized that the NAHASDA program was the most beneficial option for Nihoa due to its potential subsidies. However, neither a formal referral to NAHASDA nor a denial had been issued, which was the primary request Josiah brought to the commission. C. Josiah highlighted that concerns regarding the Environmental Review Record (ERR) possibly delaying the process had been raised, but she pointed out that replacing Nihoa with another candidate under NAHASDA would still face similar ERR delays.

Commissioner Kaneakua encouraged Jessie, Chanel, and the staff to collaborate and address the issue immediately, urging them to work together that day to expedite the referral process. He expressed his support and thanked both Josiah and Nihoa for bringing the matter forward.

Commissioner Kaneakua announced a two-minute break before Chair Watson returned to preside over the remainder of the meeting.

RECESS
RECONVENE

11:28 AM
11:30 AM

Chair Watson returned and proceeded to reconvene the meeting.

ITEM J-8 Homelani Schaedel – Malu‘ōhai Residents’ Association

H. Schaedel raised concerns regarding the Malu‘ōhai Residents’ Association, beginning by questioning whether the minutes from the December 16-17 meetings had been approved, as they were not included in the packet. She expressed gratitude to Kalani for arranging a meeting next month to address longstanding community issues, including traffic calming, easements, and a boundary dispute, some of which have persisted for over a decade. Schaedel also mentioned that Sandra Jamora, the general manager of Villages of Kapolei, had attended the meeting to observe proceedings. H. Schaedel explained that Jamora’s presence was important as an ongoing boundary issue affects 90 lessees, and the Hawai‘i Housing Finance and Development Corporation (HHFDC) is expected to exit the Villages of Kapolei in 2030. H. Schaedel emphasized the need for DHHL, the Homestead, and VOCA to collaborate and hold joint discussions to find solutions for the benefit of the lessees. She stated she would provide more details during next month’s testimony and concluded by expressing her appreciation.

ITEM J-9 Iwalani McBrayer – Kaupe‘a Homestead Association

I. McBrayer, representing the Kaupe‘a Homestead Association, presented a community report regarding a nine-acre parcel allocated under Act 279, which received \$8.5 million of the \$600 million funding for Hawaiian homesteads. I. McBrayer explained that the land originally intended for a park and community center, is now slated for the construction of 60 single-family homes with minimal green space. She emphasized that this plan conflicts with the promises made to residents over 18 years ago when the land was designated as a communal space to serve as a hub for recreation, cultural activities, and social engagement for Native Hawaiians. The petition included in her presentation highlighted several concerns, including the cultural significance of maintaining the space for the community, the need for recreational facilities, potential environmental impacts, and the broken trust resulting from the proposed housing project. I. McBrayer stressed that the residents strongly opposed the development and urged DHHL and stakeholders to honor the original commitment to preserve the land for communal use.

Wendy Kanehailua emphasized the residents’ request for the Hawaiian Homes Commission to honor the original intent of the nine-acre parcel by prioritizing the development of *kupuna* housing, a park, and a community center as promised in 2005. She proposed that the commission collaborate with the community on a plan that integrates cultural, recreational, and social elements while reconsidering the current plan to build 60 homes. Instead, she suggested using two to three acres for vertical *kupuna* housing, preserving the remaining space for communal facilities. Wendy highlighted the historical importance of the land, referencing a map from 2006 that marked the area as designated for a park and recreation center. She presented a petition with over 100 signatures and support from various community leaders, underscoring the land’s role in supporting self-determination, cultural preservation, and economic development. Wendy affirmed the community’s strong commitment to pursuing this proposal and reiterated the vital need for a gathering space to maintain the legacy of Prince Kuhio and the well-being of the Kaupe‘a residents.

Public Testimony – Homelani Schaedel – testified that during DHHL orientations in 2000-2001 for Malu‘ōhai and in 2007-2008 for Kaupe‘a, potential lessees were informed that a park would be developed on a parcel adjacent to Kapolei High School and dedicated to the city and county. Despite 15 years passing, the promised park has yet to be completed, though efforts by Kaupe‘a residents and their association have made progress in advocating for it. Schaedel emphasized the importance of fulfilling this promise, stressing that the park and a community center are vital to preserving Kanaka culture and fostering community development. She pointed

out that the development agreement and related RFP with Mark Development remain unresolved and urged Chair Kali Watson to uphold the commitment made to the 326 Kaupe‘a beneficiaries.

Public Testimony – Kapua Keliikoa Kamai – K. Kamai expressed strong support for the development of the promised park, emphasizing its importance as a central gathering place for the Kaupe‘a and Malu‘ohai communities. She raised concerns about the future impact of the Hawaii Housing Finance and Development Corporation (HHFDC) leaving in five years, leaving only DHHL and VOCA to manage the area. K. Kamai stressed that while building homes is a priority, so is providing a safe space for social and recreational activities, as promised to the beneficiaries when they selected their lots. She advocated for completing phase one of the park development to ensure the community has a safe, accessible park within their area, rather than across a dangerous four-lane road. K. Kamai urged the commission to prioritize both housing and the park as part of fulfilling the original commitment.

ITEM J-11 Kaui Almeida – Pana‘ewa Hawaiian Home Lands Community Association

K. Almeida, president of the Pana‘ewa Hawaiian Home Lands Community Association, emphasized the need for DHHL to provide training for homestead communities required to establish 501(c)(3) nonprofits, noting that a lack of knowledge had caused compliance issues and funding delays. She described two families facing prolonged housing challenges despite working with NAHASDA for over two years. One elderly *kupuna* lived in a deteriorating home with severe mold and structural damage, while another family faced mold-related illnesses and disabilities without adequate program communication. K. Almeida urged the commission to improve support by reinstating on-site visits and better communication to expedite housing solutions for these families.

ITEM J-12 Kekoa Enomoto, Jimmy Kincaid & Donna Paahana – Pa‘upena Community Development Corporation

J. Kincaid of the Hawaiian Sailing Canoe Association (HSCA), presented a request for land use in South Maui. J. Kincaid, along with Donna Paahana, introduced their initiative through a slide presentation to provide further details about the organization's activities and its cultural preservation goals. He outlined HSCA's mission to revive, teach, and practice ancient Hawaiian sailing canoe skills and cultural values. Established in 1988, the association has mentored and shared these traditions with beneficiaries throughout the Hawaiian Islands.

D. Paahana presented a video highlighting the origins of the Hawaiian Sailing Canoe Association (HSCA), which was founded in 1987 to commemorate the Year of the Hawaiian. The video explained that the association was established following a sailing canoe race organized by water enthusiasts in Kauai to revive traditional inter-island sailing practices, which had not been done between Oahu and Kauai since ancient times. The association's goal has been to continually improve their skills, striving to reconnect with and preserve the traditional knowledge and techniques of their ancestors.

J. Kincaid presented the Hawaiian Sailing Canoe Association's (HSCA) request for land use of a 75-acre parcel at ‘Ahihi Kinau in South Maui, emphasizing the project's focus on cultural preservation, land stewardship, and conservation. He showcased historical and recent images of sailing events, including the Hokulea's early construction, blessings, voyages between Kēōkea and Hana, and international cultural gatherings such as the Pacific Festival. The association's work involves mentoring beneficiaries in traditional Hawaiian sailing skills, practicing environmental stewardship, and preserving native species such as the wiliwili tree, pueo, and black-burned hawk moth. HSCA has engaged in reforestation efforts on Kaho‘olawe and aims to eradicate invasive species at ‘Ahihi Kinau. J. Kincaid stressed the association's dedication to educating keiki and beneficiaries while preserving cultural heritage and requested feedback from the commission regarding their application submitted on November 11, 2024, which is nearing the 90-day review period.

Chair Watson asked Jimmy if he had been meeting with DHHL staff regarding the land use request. J. Kincaid explained that the Hawaiian Sailing Canoe Association (HSCA) had not yet communicated with DHHL staff regarding their land use request for a 75-acre parcel in the ‘Ahihi Kinau area and sought a contact person to

Chair Watson reconvened the commission after its executive session, stating that they had discussed their responsibilities and liabilities regarding Danell Medeiros' contested case hearing request. He acknowledged the complexity of the case due to its historical and personal circumstances. The commission had originally denied Medeiros' request but, upon reconsideration, unanimously decided to allow her the opportunity to present her case through the contested hearing process.

Chair Watson explained that a hearings officer would be appointed to oversee the case, giving Medeiros the chance to present evidence, witnesses, and documentation, while the department would present its side as well. The hearings officer would then provide findings of fact, legal conclusions, and a recommendation to the commission, which could accept, amend, or reject it. He mentioned that the commission emphasized its commitment to expediting the process, ensuring that Medeiros would receive proper notification, access to documents, and support to present additional evidence if available. While Chair Watson clarified that this hearing would not guarantee her a lease for the property in question, he stressed that it would offer a formal opportunity to present her case and obtain a decision based on due process. He invited her to ask questions if needed.

Petitioner on behalf of Danell Medeiros, niece Hiwahiwa (Ashley) Kaheaku, asked about the timeframe for the process, to which Chair Watson responded that a notice outlining the hearing procedure would be sent promptly. He explained that a hearings officer would be assigned to oversee the case, allowing the presentation of evidence and arguments. Chair Watson emphasized that the commission aimed to move the process forward quickly.

Commission Secretary Leah Burrows-Nuuanu clarified that the hearings officer assigned would hold a pre-hearing conference with both parties to outline the expectations for both sides, including the discovery period, submission deadlines for witness and exhibit lists, and other procedural details. The process would provide both parties with a clear timeline for preparing their case and a better understanding of their responsibilities.

Chair Watson clarified that the hearings officers are independent, not representing either the department or the applicant, and their impartial decision will be based on the evidence presented before making a recommendation to the commission for action.

Deputy Attorney General, Jordan Ching acknowledged that the parties had previously agreed to a stipulation allowing for a hearing on the matter that day. However, due to the commission's decision to proceed with the formal hearing process through a hearings officer, he officially withdrew the stipulation from consideration. Chair Watson thanked Jordan for the clarification before moving to the next person wishing to speak.

H. Kaheaku expressed concern about her aunt's ongoing responsibility to pay for electric and water bills on a property from which she had been removed, explaining that her aunt maintained these utilities in hopes of returning and keeping her plants alive. She sought clarification on whether her aunt should continue paying these costs.

Chair Watson acknowledged the concern and explained that he would consult with enforcement, not legal, to address the issue. He noted that the hearing process and commission decision would take some time and suggested the possibility of suspending utilities since the property would largely remain unused, except for minimal watering of plants. H. Kaheaku emphasized that the plants would die without water, underscoring the importance of maintaining basic services.

D. Medeiros explained that the property contained numerous plants and trees, including banana, fig, mango, mountain apple, and guava, many of which were producing soon-to-be harvested fruit. Chair Watson acknowledged the issue and said he would consult with staff to find a solution. D. Medeiros also mentioned an issue with a washer and dryer, stating that they had paid fees through January 5th but were still being charged due to arrangements being made at the wrong location. Chair Watson assured her that he would discuss the matter further with staff to find an effective resolution.

H. Kaheaku asked for temporary assistance for her aunt's family due to their current lack of housing, and Chair Watson recommended contacting CNHA for possible rental subsidies since they remain on the waiting list. He confirmed the opportunity for them to present their case in a contested hearing and emphasized the importance of preparing thoroughly, though Kaheaku explained they faced challenges finding affordable legal representation. Chair Watson encouraged them to keep trying and expressed hope for a resolution, while acknowledging the difficulty of the situation. H. Kaheaku also reported that items, including a TV, were stolen from their property, and Chair Watson promised to discuss securing the property and allowing access for them to retrieve their belongings with staff.

D. Medeiros shared concerns about deceased and possibly trapped animals on the property due to restricted access. Chair Watson acknowledged the issues, committed to discussing them with his staff, and emphasized the commission's challenging responsibility to balance the needs of the family and those on the waiting list. He expressed appreciation for everyone's patience and commitment to finding a resolution.

ANNOUNCEMENTS AND ADJOURNMENT

Chair Watson thanked everyone for their attendance. The next regular meeting was scheduled for February 18th and 19th, a Tuesday and Wednesday, at Hale Pono'i starting at 9:30 AM. Next month's community meeting will be held in Kapolei at the Kapolei Middle School. The session was then adjourned

ADJOURNMENT

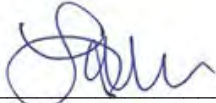
2:50 PM

Respectfully submitted:



Kali Watson, Chairman
Hawaiian Homes Commission

Prepared by:



Leah Burrows-Nuuanu, Commission Secretary
Hawaiian Homes Commission

Attachments:

1. Public Testimony – Donna Ortiz – D. Medeiros
2. Public Testimony – Paula Gombio – D. Medeiros
3. Public Testimony - Sen. Samantha DeCorte – D. Medeiros
4. Public Testimony – Jan Makepa (J-1) Kaupuni Park
5. Public Testimony – Norma Nawaa-Tanele
6. Public Testimony – Paul Aio NHHCA Cemetery
7. Public Testimony – Kenna Stormogipson – Waipouli Housing Relocation
8. Public Testimony - Homelani Schaedel – Item C-1 Land Donation Ewa, Oahu
9. Public Testimony – De Mont Manaole – Contested Case Hearing Request Tyler

1.18.2025

Aloha to whom it may concern

I'm Donna Ortiz want to say that I know Danell Medeiros for 50 years, I remember she moved to Nanakuli with her ohana I was there when she first made a payment to Daniel Kakuwai for the purchase of her fathers house and she lived there with her children over 30 years I AM heart broken these people who I knew and love are being ejected from their home disable Kupuna Please! I impore you DHHH return Danell Medeiros to her home

Makalo nui

Donna Ortiz



AFFIDAVIT OF TRUTH

I, Paula Gombio of Wahiawa, Oahu, Hawaii, swear that the following account of events and facts in my statement is correct and true to the best of knowledge and under the penalty of perjury. Danell Medeiros and I met around 1984 and have been friends for over 40 years. I would visit Danell when she lived with her father Daniel Kahawai at the Nanakuli house, located at 89-129 Naniahihi Street, Waianae, Hawaii 96792. Danell told me that she was purchasing the house from her father back in 1994. I personally heard from Uncle that he wanted Danell and her family to have the house. From what I can remember from back then, Danell was purchasing the house for \$20,000.00 and was trying to get money together for it, to see if she could just pay her father off totally. I am aware that Danell and her husband Keli'i Medeiros was paying Uncle Daniel monthly around \$500.00 for the house. I did witness that they took very good care of Uncle, they would take very good care of the house, they took care of the yard and helped him fix up whatever he needed fixed at the house.

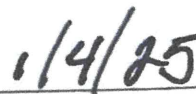
I remember after Uncle passed away, Danell calling me crying saying her sister Helen was harassing her and trying to have them removed from the house. And that Helen didn't have any interest in living in the house until she found out that Danell and her family had settled in. I remember that Danell had to go to court with her sister Helen, about the house. Helen wanted the house and wanted Danell and her family out. Danell kept in contact with me regarding the case and that she had turned in her receipts of payments to her dad for the purchase to the court and asked for a motion to dismiss, then the courts decided to dismiss. I remember that Helen already had her own place at that time and I didn't understand why she wanted to have Danell and her family removed leaving them homeless. But that wasn't Uncle's plan, he wanted Danell them to live in the house and the kids was still young, had their friends in the neighborhood and was still in school. Danell and her family was taking care of Uncle and helping taking care of the house and he wanted Danell to have the house and she was paying him for it. When uncle passed away it was very sudden and a shock to us all because he wasn't that old, only 59. We found out that DHHL gave Helen another house on Hawaiian Home back in 1997. They should have worked with keeping Danell and her ohana in their home. Now 30 years later Danell informed me that DHHL is taking Danell to court to have her removed from the property. Danell and Keli'i are now elderly Kupunas and DHHL is supposed to help put Hawaiians on lands, not kick them out of their home leaving them homeless. I am writing this affidavit in support of Danell and the Medeiros ohana. I hope that DHHL and this Court will do right by them, by acknowledging their rights and interest.

Paula Gombio,

SIGNATURE:



DATE:



HAWAII NOTARY ACKNOWLEDGEMENT

NH State of Hawaii
City / County of Honolulu SS.

On this 4 day of January, 2025, before me personally appeared PAULA Gombio, to me known to be the person (or persons) described in and who executed the foregoing instrument, and acknowledged that he/she/they executed the same as his/her/their free act and deed.

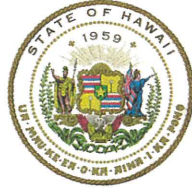
Description of Document: Affidavit of Truth
Date of Document: 1/4/25
No. of Pages: 2

Noah Nva
Signature of Notary Public

Noah Nva
Printed Name of Notary Public

Commission Expiration Date: 07/16/2027





The Senate
Ka 'Aha Kenekoa

STATE CAPITOL
HONOLULU, HAWAII 'I 96813

January 21, 2025

Chairman Kali Watson and Commissioners
Department of Hawaiian Homelands
91-5420 Kapolei Pkwy
Kapolei, HI 96707

Dear Chairman Watson and Esteemed Commissioners,

I am writing to formally express my support for Ms. Danell Medeiros, a beneficiary of Hawaiian Homelands, who has resided on her Nānākuli Hawaiian Homestead property since before the passing of her father and leaseholder, Daniel Kahawai, in 1996. Ms. Medeiros has recently sought my assistance following her eviction from the property on December 12, 2024. She and her family possess the necessary documentation affirming their entitlement to the Hawaiian Homelands property located at 89-129 Nahiahiahi Street, Waianae, HI 96792.

The Department of Hawaiian Homelands has a paramount responsibility to serve and protect the interests of its beneficiaries. In light of this, I respectfully request that Commissioner Sanoë Marfil work closely with Ms. Medeiros to provide her with the necessary assistance as she navigates the complexities of her current situation.

Given the urgency of her circumstances, particularly as both Ms. Medeiros and her husband are Kupuna with medical conditions who have experienced displacement, I strongly urge the Department of Hawaiian Home Lands to schedule a hearing on January 22, 2025, to review her case.

Thank you for your attention to this important matter.

Sincerely,

Senator Samantha DeCorte
Senate District 22
Phone: (808) 586-7793
Email: sendecorte@capitol.hawaii.gov
415 S. Beretania St. Room #223
Honolulu, HI 96813

J-1

Priority Project: Kaupuni Community Center

Description - The Kaupuni Neighborhood Center occupies a 7.5-acre parcel of land within the Wai'anae Valley Homesteads. The land is owned by DHHL and is leased to the City until the year 2020. The City has a plan to develop Kaupuni Park, including athletic fields and courts as well as a community center. Upon completion of the community center, the Wai'anae Valley Homestead Association proposes to manage it for revenue generating activities.

Location - Wai'anae Valley Homestead, TMK 8-5-32-039

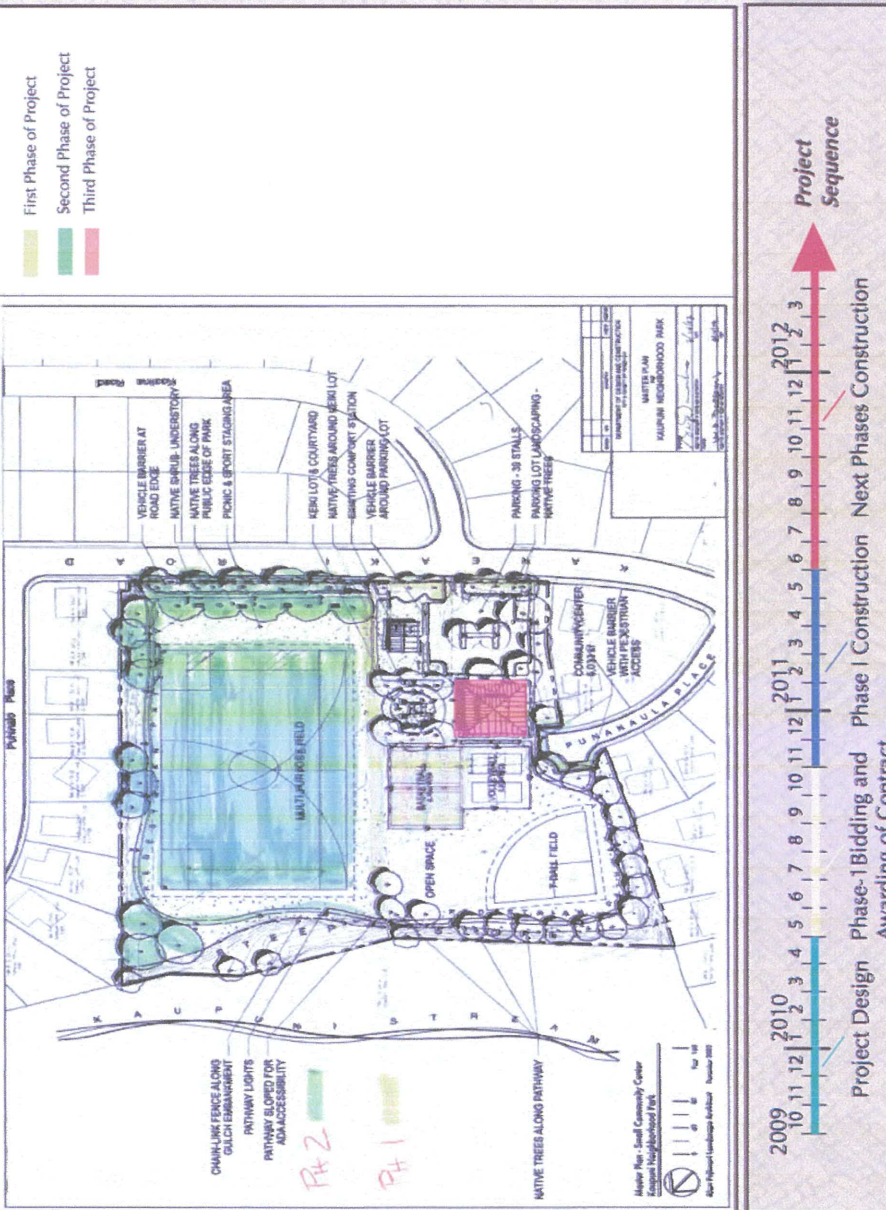
Status - Funding has been secured for Phase I construction. Currently, funding has not been programmed for Phase II, Phase III, and Phase IV construction.

Potential Partners - DHHL, Wai'anae Valley Homesteads Association, City's DPR, City's DDC

Phasing - Phase I: Lighted basketball courts, retaining walls along the slope on the northwestern edge of the park, concrete stairs along the retaining wall, pedestrian pathways connecting the retaining wall and Punanuala Street, perimeter walls along Kanakiki Street and around the end of Punanuala Street.

Phase II: Multi-purpose field
 Phase III: Community center
 Phase IV: T-ball field, volley ball field, keiki lot

Cost
 Phase I: \$ 1.15 Million (2009 \$)
 Phase II: \$ 1.27 Million (2004 estimate)
 Phase III: \$ 1.12 Million (2004 estimate)
 Phase IV: N/A



DATE: January 22, 2025

TO: Department of Hawaiian Home Lands(DHHL), Director Kali Watson

ATTN: Governor's Elected Chairman, Director and Commissioner (DHHL)

SUBJECT:S Applicant, Beneficiary, Wait Lister

There were a series of events that took place that I found myself still awaiting for me to be given my lot.

First of all, as native Hawaiian that has over 50 percent blood line and a beneficiary of our trust. Next, I applied for my right to be placed on the federal lot's of lands taken. I was then placed on the so-called wait list for a very long time till present.

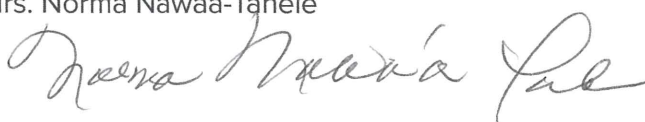
Secondly, I was called into the department to receive a flag lot in the Nanakuli-Waianae Residential Vacant Lot Offer only to have it revoked. It was Lot No. **106B** known as **89-316A Pua Ave.**, TMK: **(1)8-9-005-088**, consisting of land area of approximately **10.824** square feet, situated at **Nanakuli Subdivision, First Series** Property.

Furthermore, during this transaction, it was a time of tragedy for me and my family, I was diagnosed with Cancer at which I am still undergoing treatments. I was also during a forced moment where Covid has basically stopped the world from being able to do any kind of business. In other words, after being referred to HomeStreet Bank, no one was able to help me with financial assistance.

In closing, I can be angry but at this stage in my life I need my energy to stay well. Therefore, as an applicant, beneficiary, and wait-lister, all I am requesting is to be placed in a turnkey home in Kapolei because my days are numbered and my wish is to have that opportunity to have a home before it's too late.

Sincerely,

Mrs. Norma Nawaa-Tanele



PT Aio

To	Paul Aio mark082958@yahoo.com alexkauhi@yahoo.com
Cc	Paul Aio
Bcc	maliaagustin96792@gmail.com
Subject	NHHCA Cemetery

Aloha Kakou,

Please, note that discussions are confidential and that this letter may be subject to changes.

Mst, nhhca beneficiary, Board Member

01/07/25

TO: Nanakuli Hawaiian Homestead Community Association (NHHCA)
Perpetual President, *Kamaki Kanahele* and Current President
Pearl Chai

ATTN: Department of Hawaiian Home Lands (DHHL)
Director, Mr. Kali Watson and the DHHL Commissioners

FROM: *Konohiki* (aka **Aha hui** caretakers) of the NHHCA Cemetery, Mark Kong,
Paul Aio, Alex Kauhi

SUBJECT: **Letter of Concern Regarding Specific NHHCA Cemetery Issues**

To Whom It May Concern:

There are a list of concerns and recommendations regarding numerous issues we have documented and verbally mentioned and noted as an ongoing negligence by an executive board that appears to be flagrant and "*kapulu*" in the ability to the general membership and non representation of its decision making, management and non verbal or written transactions of funds and or its association business in the matters of our NHHCA Cemetery.

First of all, since the Act of 1920 and the many native hawaiian beneficiaries that were awarded their lands in the 1930' our NHHCA has had its cemetery awarded and was and still is currently utilized by many loved ones that have passed. In addition, there were beneficiaries that have volunteered to upkeep and maintain our very own NHHCA Cemetery without any compensation and or without inclusion of its budgeting process. For instance, the volunteers would unlock the NHHCA Cemetery gates in the mornings and then lock the gates in the

evenings. Furthermore, as many beneficiaries are responsible for their loved ones burials it is still the responsibility of the *Konohiki* (aka **Aha Hui** caretakers) to assist and manage its NHHCA Cemetery as to ensure safety.

Secondly, the *Konohiki* (NHHCA Cemetery **Aha Hui** caretakers) and their responsibility's surpass their time and require cost from the NHHCA and not their own pockets which should not occur. In other words, to ensure that the lawn within its NHHCA Cemetery the soil, removal of foliage via wreaths are properly tended to, the *Hale Lua* (Portable Toilets) are clean and accomodation and or assisting the various funeral attendant are important to upkeep and maintain. As it seems fitting there must be an itemized cost towards ensuring that there are no unmarked grave sites and or any thefts that have occurred and must be prevented. Please note, that time away from one's family means loss of money to support one's family while maintaining our NHHCA Cemetery.

In addition, the DHHL should be paying and included into the budget as the maintenance toward the NHHCA Cemetery. Although there is the issue with acquiring the proper trash bins. The DHHL and City & County have some type of ruling as to picking up trash from the NHHCA Cemetery due to the lack of identification be it a commercial site and not a residential site. In other words, there will be no trash bins available or rendered to the NHHCA Cemetery. Therefore, the question is: What would be an appropriate amount to maintain in the upkeep of the NHHCA Cemetery?

In closing, the recommendations that are needed as beneficiaries of the NHHCA Cemetery and *Konohiki* (**Aha hui** caretakers) is and has been an underserved and ignored community. There must be a clear understanding to the following that will assure our NHHCA Cemetery must be equipped with the funeral cost to clear soil, and soil replaced thereafter, lawn maintained as needed, tools needed to maintain overgrown trees and or shrubs and water to upkeep any or all type of lawn and or plants, to include the *Hale Lua* (Out Houses x3) offering restrooms for the people in attendance during their loved ones burials that may be part of its NHHCA cemetery. Asking for \$50,000 per year that may assist in any way will allow proper assurance that the NHHCA cemetery will be loved, cared, maintained and respected.

PT-
Kenna Stamm

Kauai Current Market for 1 bd / 1 ba rentals - Jaunuary 2025

Date	Source	Address	# bath	sq feet	Rent	Lease	Kitchen	Condition	Is it URA comparable?
1/13	Craiglist	Koloa	Full	525	\$2,200	Monthly	Full	Very small kitc/ No. Kitchen, condition of unit, no laundry on site, Sq ft	
1/13	Craiglist	Kilauea	No tub	459	\$2,000	Monthly	Kitchenette	Poor, no stove No. Kitchen, condition of unit, Sq ft	
1/13	Craiglist	Kapaa	No tub	290	\$1,100	Monthly	Outdoor small f	Poor No. Kitchen, condition of unit, Sq ft	
1/13	Craiglist	Anahola	shared bath	120	\$1,500	Monthly	shared Kitchen	Poor No. no private Kitchen, condition of unit, shared bath	
1/13	Craiglist	Kapaa	No tub	500	\$2,500	Monthly	Kitchenette half	Fair No. no full Kitchen, condition of unit, no tub , Sq ft	
1/13	Craiglist	Wainiha	Full bath	Shared	\$2,500	Monthly	full / shared	Not sure No. no private Kitchen / bath, shared space. Sq ft	
1/13	Craiglist	Wailua	No tub	Shared	\$1,950	Monthly	Full/ shared	Good No. no private Kitchen, shared tub , shared common area,	
1/13	Craiglist	Kekaha	No tub	No info	\$1,800	Monthly	Full	Good No. bath is partial, lease is month to month)	
1/13	Craiglist	Kapaa	No tub	660	\$2,000	Monthly	Full	Not specified re No. bath is partial, sq ft low , lease is month to month)	
1/13	Apartments.c	Hanalei	Full	No info	\$6,500	No info	Full	Excellent Yes. Will probably will meet requirements.	
1/13	Zillow.com	Kapaa	Shower outside and compost toilet	550	\$2,200	Monthly	Kitchette	Fair No. no full kitchen, no indoor bathroom, sq ft low	
1/13	Zillow.com	Kapaa	Shower full with	500	\$2,400	6 months	Kitchen	Poor No. no studios at Courtyards.	
1/13	Zillow.com	Koloa	Full without a tub	650	\$2,300	6 months	Kitchenette	Good No. no tub, no full kitchen, Lawnmowing duty required	
1/13	Zillow.com	kalahao	Full without a tub	800	\$2,800	Monthly	Full	Good No. Month to month lease.	
1/13	Craiglist	Koloa	Full/no tub	525	\$2,200	No info	Full	Fair No. No tub, sq ft low, month to month lease.	

Kauai Current Market for 2 bd / 2 ba rentals - Jaunuary 2025 (Waipouli = 2b /2ba 985 sq ft)

Date	Source	Address	# bd/ba	# bath	sq feet	Rent	Lease	Kitchen	Condition of I	Is it URA comparable?
14-Jan	Apartment	1661 Makanui Rd.	2 bd/ 2 ba	Full	1140	\$5,000	No info	Full	Very good	Probably (issue may come up with distance)
14-Jan	Apartment	5209 Wili Rd, Kap	2 bd/ 2 ba	Full	1578	\$4,750	No info	Full	Very good	Probably
14-Jan	craigslis	waimea	2 bd/ 2 ba	full w/o tub	not listed	\$2,800	short term	full	good	No. This is temporary housing
14-Jan	Apartment	5111 Hoona Rd,K	2 bds/ 1.5 ba	Full	898	\$4,900	Long term	Full	Good	Probably. 1/2 instead of full bath)
14-Jan	craigslis	Kapaa	2bd / 1ba	full /o tub	650	\$2,400	monthly	richennette fair	Good	No. no onsite laundry, only 1 bathroom, fair condition, Sq ft low
14-Jan	craigslis	wirneea	2bd / 1ba	full	900	\$2,300	1year	full	fair	No. no full kitchen, only 1 bathroom, fair condition
14-Jan	craigslis	Kilauea	2 bd/ 2 ba	full	2300	\$6,000	monthly	full	excellent.	No. Month to Month lease
14-Jan	craigslis	lawai Pua Kenken	2 bd/ 2.5 ba	full	not listed	\$4,400	1 year	yes	excellent	Yes, a little far but on Kauai.
14-Jan	craigslis	4156 Rice Street li	2 bd/ 2 ba	full	875	\$3,100	1year	yes	fair	Probably Sq ft a little low
14-Jan	craigslis	Townhouse at Re	2 bd/ 2.5 ba	full	1265	\$2,700	1year	full	excellent	Yes
14-Jan	craigslis	waimea	2bd / 1ba	no info	560	\$2,000	1 year	full	fair	No. Only 1 bath, fair condition, no onsite laundry, sq ft low
14-Jan	craigslis	Koloa	2bd / 1ba	2.5 are of sil no info	no info	\$3,050	6mth	no info	Not sure	No. 1/2 kitchen, small sq ft, fair condition based on pict
14-Jan	craigslis	poiipu	2 bd/ 2 ba	full	1100	\$5,000	6 mth- 1 yr	yes	excellent	Yes. Though 40 min away.
14-Jan	craigslis	Puamana Condo (2 bd/ 2 ba	full	1535	\$5,500	6mth	full	excellent	Maybe 6mth lease, princeville is 40 min away.
14-Jan	craigslis	Iihue	2 bd / 1.5 ba	full	750	\$2,550	long term	yes	good	Probably. sq ft lower 950, fair condition.
14-Jan	craigslis	Kapaa	2bd / 1ba	full	1000	\$2,900	monthly	full	Good	No. Only 1 bath & monthly lease.
14-Jan	craigslis	Kilauea	2bd / 1ba	1/2 bath	500	\$3,500				No. 1/2 bath, no kitchen, low sq ft and fair condition
14-Jan	craigslis	waimea	2bd / 1ba	full	600	\$2,000	monthly	Half	poor	No. half kitchen, 1 bath, poor condition, no laundry.

3 bd / 2 ba

Date	Source	Address	Bath type	sq feet	Rent	Lease	Kitchen	Condition	Is it URA comparable?
1/13	Craigslist	Koloa	Full	525	\$2,200	Monthly	Full	Very small kitc	No. Kitchen, condition of unit, no laundry on site, Sq ft
1/13	Craigslist	Kilauea	No tub	459	\$2,000	Monthly	Kitchenette	Poor, no stove	No. Kitchen, condition of unit, Sq ft
1/13	Craigslist	Kapaa	No tub	290	\$1,100	Monthly	tdoor small kitc	Poor	No. Kitchen, condition of unit, Sq ft
1/13	Craigslist	Anahola	shared bath	120	\$1,500	Monthly	shared kitchen	Poor	No. no private Kitchen, condition of unit, shared bath
1/13	Craigslist	Kapaa	No tub	500	\$2,500	Monthly	ite half size refr	Fair	No. no full Kitchen, condition of unit, no tub , Sq ft
1/13	Craigslist	Lihue Molokc	n/a	n/a	\$4,200	Monthly	Full	Good	No. monthly lease, no data on sq ft or rooms.
1/13	Craigslist	Kilauea	n/a	1000	\$4,800	6 months	Full	Very Good	Maybe. 6 mth lease. Other is ok. Distance
1/13	Craigslist	5450 Waiiale	Full	2100	\$5,000	Monthly	Full	Very Good	No. Monthly lease.
1/13	Craigslist	Kapahi	Full	1500	\$3,800	Monthly	Full	Very Good	No. Monthly lease
1/13	Craigslist	Lihue	Full	n/a	\$4,250	Monthly	Full	Very Good	No. Monthly lease- sq ft?
1/13	Craigslist	56600, Waini	No tub	2000	\$5,900	Monthly	Full	Very Good	No- monthly lease.
1/13	Zillow.com	111 Okupu S	Full	1163	\$4,000	1 year	Full	Very Good	Maybe- Distance is on other side of island- 40 min away.
1/13	Zillow.com	3345 Waikon	Full	n/a	\$3,600	contact for detail	Full	Very Good	Maybe- need to know lease.

Those of us who are very familiar with the Kauai rental market and the Courtyards at Waipouli, read the Replacement Housing Survey section of the Relocation Plan and associated Exhibit that was done by a 3rd party and utilized to estimate the Relocation budget.

It was immediately obvious to us that the numbers in the relocation budget do not in any way reflect the actual inventory of comparable housing units in Kauai, the moving costs and the tenant incomes.

Because of this deep discrepancy and the associated underestimation in the budget, we felt it necessary to provide a more realistic calculation of the relocation budget with supporting evidence included. **This evidence based re-calculated relocation budget is \$6,820,270.**

Our approach

- **Market Survey.** A variety of websites, including Craigslist, were utilized to conduct a search. Standard comparables of the functionality requirement for comparables, as recommended by HUD were matched with available rentals to determine whether each rental unit available on Kauai met the HUD comparables functionality requirement.
- **Tenant Survey.** Tenants eligible for relocation funds were surveyed to obtain income range, size of household, current rent and other relevant information. **Forty-two households (73%) completed the survey – as compared to InterWest Groups data based on a 43% response rate (25 households).**
- **Moving Costs.** There is one professional moving company on Kauai. We conducted an interview to obtain estimated moving costs.

The summary of our results is this:

Conclusion

- **InterWest's Relocation Budget is severely underestimated.**

Rental Costs

- **Less comparable units:** There are significantly less comparable rental units than indicated in the InterWest relocation plan survey.
- **More expensive.** The comparable rental units are significantly more expensive than indicated in the InterWest relocation plan

Additional Costs

- **Low Income tenants.** A significant number of the tenants eligible for relocation are self-reported as low income by HUD's definition which adds substantially to relocation costs. InterWest documented in their relocation plan that they did not collect income data and did not include low income households in their budget calculations.
- **Moving expenses.** Moving expenses are significantly higher than estimated in InterWest's relocation plan.

A	Rental Differentials (Between Courtyards and open market)	\$3,502,758
B	Moving Expenses	\$253,000
C	Low Income (Additional Expense at 30% of income)	\$1,927,800
D	Contingency (20%)	\$1,136,712
E	Total Relocation Budget Needed	\$6,820,270

A - Rental Differential

The Relocation Plan provided by InterWest included units that do not meet the comparable functionality requirement that is a core HUD requirement defining suitable units for relocation and the determination of rent. This resulted in gross underestimation.

The attached market survey shows a total of 41 units for rent taken from 1/13 – 1/17.

- **Out of a total of 42 units, only 1 unit passed the URA comparables test.**
- 21 units (48%) did not meet the comparables test and therefore are not used in estimating the budget.
- The remaining units did not provide enough data to make a determination.
- For the 21 units that might, if additional data supported it, qualify as comparables.
 - 1 bedroom average rent was \$4650.
 - 2 bedroom average rent was \$4650.
 - 3 bedroom average rent was \$4500.

A very conservative approach was taken, using the \$4500 lowest average, as the estimated average for all comparable units.

The tenant survey was used to determine average current rent for 1, 2 and 3 bedrooms at Courtyards and the number of units of each.

- Fourteen x 1 Bedroom \$4500 – \$2728 current rent = \$1700 X 42 months = \$1,041,936
- Thirty x 2 Bedroom \$4500 – \$3109 current rent = \$1500 X 42 months = \$1,752,660
- Thirteen x 3 Bedroom \$4500 – \$3203 current rent = \$1325 x 42 months = \$708,162

Total rent differential over 42 months = \$3,502,758

B - Moving Expenses

Estimates have been provided by the only professional moving company in Kauai as follows.

- 1 bedroom - \$3000
- 2 bedroom - \$4000
- 3 bedroom - \$7000

This estimate assumes that all 57 households will choose the option to use a professional moving company because the other option, self-move, is so much lower dollars and is unlikely to adequately cover moving costs in Kauai's expensive market.

- 1 Bedroom x \$3000 x 14 households = \$42,000
- 2 Bedroom @4000 x 30 households = \$120,000
- 3 Bedroom @7000 x 13 households = \$91,000

Total moving expenses = \$253,000

C - Low Income Tenant Additional Expenses

InterWest documents in their relocation plan that they did not collect tenant income. Per HUD, best practices include collecting income prior to creating a relocation plan. This is particularly critical in this project because the Courtyards at Waipouli is historically a low-income housing complex and continues to have a large number of low income tenants. HUD regulations have a different and higher dollar calculation associated with low-income relocations.

InterWest indicated in their relocation plan that they did not include any low income and would mitigate low income cost through references to affordable housing. Due to the exceptionally long waiting lists in Kauai for affordable housing, this option is not considered a practical option in our calculation.

The tenant survey collected tenant income ranges.

- 67% of tenants responded with their income range
- 53% of respondents fall well under the HUD low income threshold.
- 47% fell within ranges close to the low income measure or in some cases well above.

In the interest of being conservative, only the percentage of tenants (53%) that reported well below the HUD low-income threshold are used in this calculation. Their average annual income is calculated at \$60,000. The bedroom distribution in this calculation matches the distribution in the tenant survey.

- 1 bedroom 6 households x \$1300 additional per month x 42 = \$327,600
- 2 bedroom 12 households x \$1500 additional per month x 42 = \$759,000
- 3 bedroom 12 household x \$1675 additional per month x 42 = \$844,200

Total additional costs for low-income = \$1,927,800. NOTE: It is likely that gathering additional data from our tenants would increase this estimate substantially.

C - 20% Contingency

InterWest's relocation plan indicates that they included a 20% contingency in their budget estimate. This calculation also includes a 20% contingency.

Key reasons for the large discrepancies

- **Inappropriate methodology.** The InterWest relocation plan appears to use a market methodology that would be appropriate on the mainland, in a relatively ordinary housing market. Kauai, being wildly different and having been in major crisis for years, cannot be properly surveyed unless the methodology is more precise and takes into account the very unusual aspects of Kauai's past and present rental history. Our survey takes into account much more detailed data and as a result provides a much higher number.
- **The Courtyards apartments are unique in Kauai.** The Courtyards was historically developed as a low income complex and although it converted away from being a primarily low income complex, it continues to have a large proportion of low income tenants. In addition, the relocation plan "assumes" that generally speaking 1 bedrooms, 2 bedrooms, and 3 bedrooms on the Kauai rental market are reasonably similar to Courtyards Apartments. This is not the case.
 - For example, almost no 1 bedroom rentals in Kauai would pass a simple URA functionality comparison test when compared to a Courtyards 1 bedroom,
 - whereas in the 3 bedroom market it would not be unexpected for most of the available 3 bedroom rentals on Kauai to pass a simple URA functionality comparison test.
- **InterWest failed to identify low-income tenants.** In our tenant survey, the majority of tenants were well within the low income threshold. This is a major additional expense to the project.

PT C-2

January 21, 2025

Hawaiian Homes Commission
Department of Hawaiian Home Lands
91-5420 Kapolei Parkway
Kapolei, HI 96707

Re: Hawaiian Homes Commission Agenda – December 16, 2018

Item: C-2 Approval to Authorize the Department of Hawaiian Home Land to Negotiate an Agreement to Accept Donation of 3.389 acre parcel in Ewa, Island of O‘ahu, TMK (1) 9-1-181-031

Aloha mai kakou,

Mahalo Chair and Commissioners for the opportunity to share my mana‘o with you today. I‘m Homelani Schaedel, beneficiary and homestead leader in our Honouliuli ahupua‘a.

1. ISSUE WITH SUBMITTAL

- . I‘m perturb at the apparent lack of oversight and communication breakdown requiring a correction, addition of this 3.89-acre parcel and re-submittal to today’s agenda.
Since this is a separate request for approval, will this be a separate lease or will Parcels TMK (1) 9-1-181-031 and TMK (1) 9-1-181-037 be combined into one (1) Lease?

2. “DONATION” PROCESS:

- . KDL’s Conditions:
- . KDL under contract to acquire this parcel from Roman Catholic Church.
- . KDL will lease parcels to KHL - To pursue commercial development.
Why is KDL’s Commercial Development Plan not included or part of this submittal?
- . KHL will “donate” this parcel to DHHL who becomes the Fee Owner
- . DHHL as Fee Owner leases this parcel back to KHL

3. BENEFIT:

- . KHL “would not be subject to C&C of Honolulu’s zoning restrictions and would be free to pursue their commercial development plan”.
In essence, our Trust and beneficiaries are being used to circumvent the permitting process to benefit a private developer.
- . DHHL will receive **minimum** Lease Rent for this parcel for 65 years.
Beneficiaries and Commissioners have advocated for “Maximum” not Minimum benefits to our Trust, including Lease Rents. Why is this submittal and 12-16-24 C-1 submittal requesting approval for Minimum lease rent?
- . DHHL will have “free and clear” ownership of commercial/non-homestead development infrastructure on this parcel at the end of 65 years.

4. CONCERNS:

- . Both 12/16/24 C-1 submittal and today's submittal do not mention an 80-Unit Kupuna Housing Project which Ms. Tancayo's mentioned in her email dated 8-12-24 to Kapolei Homestead Presidents. *Is this an oversight or intended omission? Will there be a Kupuna Housing Project?*
- . I would like clarification on... "DHHL would take on the administrative burdens associated with being the owner and ground lessor of the Property". The language used here call to question...what are administrative burdens? I've not seen this language used in other General Lease submittals which are specific and clear. *What are the potential adverse impacts to DHHL? What are the estimated upfront and ongoing costs?*
- . This agenda item and it's counterpart 12-16-24 Agenda Item C-1 is frustrating and distressing because it is putting the cart before the horse, lacks substance and transparency.

5. DISPARITY

- . What disturbs me most is the disparity between this request and 12-16-24 Agenda Item C-1 when compared to requirements for Homestead Beneficiary Organizations (HBO's) directly serving beneficiaries to obtain a General Lease on Trust Lands DHHL already manages.
- . All one have to do, is review and compare the submittals for today's Agenda items C-1 and G-1 to see the differences, to reach the same conclusion.

In closing I would like to say Mahalo piha to Commissioners Marfil, Neves and Lasua for your courage and standing on your own conviction to support beneficiaries' voices on the vote taken last month on Agenda Item C-1.

As I looked at each Commissioner eyes, I knew who saw me as an advocate trying only to provide context from a beneficiary's point of view. At 75, perhaps I am not tuned in to this fast-paced acceleration of doing things.

All I'm trying to do in the best way that I know how as we say in my Kupahu ohana, if you feel something is not right, then you need to...To show up, Stand up, Speak up, Step up, or Shut up...don't grumble!

I look forward to the Beneficiary Consultation!

Mahalo for the opportunity to share my mana'o.

Delivered at HHC Mtg
Jan. 21, 2025

HO`OMANA PONO, LLC
Mamua Kānaka

To: Kali Watson, Director
Department of Hawaiian Home Lands

Juan P. Garcia, Administrator
Homestead Services Division

January 2, 2025

Re: Contested Case Request for Tyler `Ohana

Aloha Mr. Watson & Mr. Garcia!

As the official advocate for Tracie Cleaver & Tricia Kanehailua, Sisters who are Trust Beneficiaries, we are submitting this request for a Contested Case, with respect to the automatic issuing of a lease to Frances B. Tyler, successor to Russell L. Tyler, lot No. 233A, 89-315 Pililaau Ave., TMK No. 8-9-004-093.

There are serious issues with this process that have plagued the Department for decades that can finally be addressed with this case. We believe the time is now to address the problems with automatic issuance to a successor in the situations described herein. We respectfully request a Contested Case that will allow Familial Trust Beneficiaries a fair chance to make their case before the Hawaiian Homes Commission.

ISSUES

- Breach of Lease Agreement
- Removal of Successor WITHOUT NOTICE
- Breach of Internal Familial Agreements
- Fairness and Equity Question

With respect to the Breach of Lease Agreement, it has been a long-standing problem with people being granted a lease agreement, who have violated that lease agreement by NOT actually living on their lot, in violation of Hawaii Administrative Rules. **See HHCA §208(3) & (4).**

The Removal of Successor, Tricia Kanehailua, WITHOUT NOTICE, we would argue is a Substantive Due Process Violation that must be addressed. Specifically in relation to:

1. The Historical Context and Legal Precedent:
2. Legal and Equitable rights of Successors:
3. Moral Argument for Equity and Justice:

HO`OMANA PONO, LLC
Mamua Kānaka

4. Practicable Implications and Precedents: and
5. Proposals for Ensuring Substantive Rights:

We believe it is an internal Breach of a Familial Agreement that gave successorship interest to Tricia Kanehailua, only to unilaterally take it from Tricia Kanehailua without any Due Process. The HHCA has been for Ho'o'ainapulapula. There is NO clause in the HHCA that permits a lessee to sell his/her lease to the highest bidder.

Therefore, we are looking forward to working with the Department and the Commission to address these issues, to govern the way forward for all Trust Beneficiaries.

Mahalo for your due consideration in this matter. Please see the attached Advocacy Contract. We await your prompt response.

De Mont Kalai Manaole

De MONT Kalai Manaole, Co-Manager
86-044 Hoaha St.
Wai`anae, HI 96792
Phone: (808) 726-5753
Email: Hoomanaponollic96792@gmail.com

Jullie Aiko Manaole

Jullie Aiko Manaole, Co-Manager
86-044 Hoaha St.
Wai`anae, HI 96792
Phone: (808) 726-6232
Email: aikonde@yahoo.com